



CURRITUCK COUNTY NORTH CAROLINA

December 19, 2022

Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION - 5:00 PM

The Board of Commissioners met in a Work Session at 5:00 PM in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina.

1. Board Members of the Historic Jarvisburg Colored School-Placement of "Currituck Jack"

Members of the Historic Jarvisburg Colored School (HJCS) Board of Directors provided input on their preference for placement of a statue of "Currituck Jack", an African American historical figure significant to Currituck County. Vivian Simpson, President of the HJCS, and other Board members want the statue placed at the HJCS for the visibility, interpretation, and educational opportunities at the site. Tameron Kugler, Travel & Tourism Director, provided a brief history of Currituck Jack and displayed design renderings of the statue that would be funded through a Z. Smith Reynolds Public Inclusive Arts Program grant, if awarded. Ms. Kugler said the grant package is due January 31, 2023, and the conceptual drawing will be chosen at a public meeting on January 4, 2023. Currituck Historian, Barbara Snowden, was present and highlighted Currituck Jack's transition from a slave-mariner to hero of the American Revolution. Commissioners agreed to the Historic Jarvisburg Colored School location.

2. Community Calendar/Business Directory

Commissioners recalled a presentation on December 5, 2022, by One Boat, a company interested in developing and maintaining a business listing and website for Currituck County businesses. Commissioners resumed consideration of the proposal and compared One Boat's proposal with services provided to the County through Tourism and Economic Development. Commissioners agreed the concept would be beneficial to businesses, but costs were a concern. Commissioner Mary Etheridge suggested holding off until budget discussions commenced. Rebecca Gay, Assistant County Manager, reviewed cost comparisons and a timeline for bidding purposes, and following discussion, staff was directed to move forward and bid the project to better determine costs for the service.

3. Motion to Close Work Session

Discussion concluded and Commissioner McCord moved to close the Work Session. Commissioner Jarvis seconded the motion. The motion carried, 6-0, and the Work Session concluded at 5:37 PM.

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

6:00 PM CALL TO ORDER

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

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

Chairman White called the meeting to order.

A) Invocation & Pledge of Allegiance

Commissioner J. Owen Etheridge offered the Invocation and led the Pledge of Allegiance.

B) Ethics Awareness and Conflicts of Interest Reminder

Commissioner McCord read the Ethics Awareness and Conflicts of Interest Reminder. Commissioner White reported he had spoken with the applicant for the Monterey Shores Use Permit prior to submittal of the application. He and other Commissioners acknowledged receipt of an email pertaining to the Use Permit hearing, but disclosed no conflicts or inability to be objective.

C) Approval of Agenda

Commissioner Mary Etheridge moved to amend the agenda to add a reappointment to the ABC Board. The reappointment was added as Item 5 under New Business, Board Appointments. Commissioner McCord seconded the motion and the agenda was approved as amended.

Approved agenda:

Work Session - 5:00 PM

Board Members of the Historic Jarvisburg Colored School-Placement of
"Currituck Jack" Community Calendar/Business Directory

6:00 PM Call to Order

- A) Invocation & Pledge of Allegiance
- B) Ethics Awareness and Conflicts of Interest Reminder
- C) Approval of Agenda

Public Comment

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

Commissioner's
Report

County

Manager's Report

County Attorney's
Report

Public Hearings

- A) PB 87-56 Monterey Shores, Phase 10, Part A Request for preliminary plat/special use permit for six lots (five single-family residential and one commercial) at the proposed Corolla Boat Club, Monterey Shores, PUD, Phase 10. The property is located on Malia Drive in Corolla, Tax Map 116, Parcel 10, Poplar Branch (Beach) Township.

New Business

- A) Board Appointments
 - 1. Board of Adjustment
 - 2. Planning Board
 - 3. Tourism Advisory Board
 - 4. Appointment of Commissioners to Advisory Boards
 - 5. ABC Board-**Amended**
- B) Consent Agenda
 - 1. Budget Amendments
 - 2. Approval of Revisions to the Wild Horse Management Agreement
 - 3. Approval Of Minutes-December 5, 2022

Closed Session

Closed Session pursuant to G.S. 143-318.11(a)(5) to establish or instruct county staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for purchase of real property to be used for any governmental purpose. The property is owned by Amy D. Wells and Ronald K. Bennett and consists of 225 acres at West Side Lane in Powells Point, North Carolina, Parcel No. 011200000010000.

Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, Commissioner
SECONDER:	Kevin E. McCord, Commissioner
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner
ABSENT:	Paul M. Beaumont, 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 White opened the Public Comment period. No one was signed up nor wished to speak and Public Comment was closed.

COMMISSIONER'S REPORT

Commissioner J. Owen Etheridge wished all a Merry Christmas. He said he had received questions from citizens about the County's new solid waste decals. County Manager, Ike McRee, said new decals would be mailed to property owners, and current decals will be valid through the end of January, 2023.

Commissioner McCord wished all a Merry Christmas. He encouraged citizens to donate to the Department of Social Services Operation Santa program and reported on a shopping event the Sheriff's Office participated in to benefit needy children in the County. He congratulated former Lieutenant Jason Banks on his appointment to the Currituck County Board, filling the vacancy after the sudden passing of Will Croddick, who was just elected to the Board. Condolences were offered to the Croddick family. He discussed a Daily Advance newspaper article and its author, Paul Nielson, who noted the Board's support for County staff.

Commissioner Jarvis, who sits on the College of the Albemarle (COA) Board of Trustees, recognized the success of COA's nursing program and students, all of whom achieved a 100% pass rate on the national licensure examination. She wished everyone Merry Christmas.

Commissioner Mary Etheridge wished all a Merry Christmas and thanked those who supported Operation Santa Claus. She reported attending the recent Master Gardener's Award Dinner and a meeting of the Risk Management Board of Trustees in Raleigh. She recognized the work of those in public service and discussed challenges recruiting people for public service work.

Commissioner Payment offered birthday wishes to the Chairman and a Merry Christmas to citizens and staff. He stressed the importance of family over the holidays and encouraged people to check on the elderly with the cold weather. He said he has spoken with Pastors who are interested in returning to lead the prayer at Board meetings, and he asked for continued support for local fire departments. Commissioner Payment addressed citizen questions regarding businesses locating in the County.

Chairman White acknowledged Commissioner Beaumont's absence, who was traveling to visit family. He recognized all of the recent management-level staff changes and the County's ability to maintain service to the community. He announced the cancellation of the regular meeting on January 3, 2023, and the Board of Commissioners Annual Retreat, which will be held in February.

COUNTY MANAGER'S REPORT

County Manager, Ike McRee, announced dates for holiday office closures. He announced Currituck County was awarded \$35,000 for engineering and design costs related to resiliency projects identified in the County as a participant in the North Carolina Coastal Resiliency Program. He said Dylan Lloyd, Soil and Water Technician, has requested the Board's support in applying for grants to fund construction of the projects through the Albemarle Resource Conservation Development Council.

1. Motion-Support for submittal of grant application to the Albemarle Resource Conservation Development Council

Commissioner J. Owen Etheridge moved to support submittal of grant applications for construction funding. Commissioner Mary Etheridge seconded the motion. The motion carried, 6-0.

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

COUNTY ATTORNEY'S REPORT

County Attorney, Megan Morgan, reported on activity of the Legal Department that included depositions pertaining to litigation entitled 85 and Sunny, LLC v. Currituck County. She said opioid litigation is going well and several companies agreed to settle the lawsuit. Ms. Morgan is working through Code Enforcement issues and will be traveling to Corolla to meet with a surveyor to discuss continuation of the multi-use path on Highway 12.

PUBLIC HEARINGS

A. PB 87-56 Monterey Shores, Phase 10, Part A

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: Preliminary Plat/Special Use Permit
Parcel Identification Number: 0116-000-0010-0000	Existing Use: Vacant Land with Existing Pond
Imagine Currituck Land Use Plan Classification: G3 & O2	Parcel Size (Acres): 36.19 (Subject Parcel) 10.01 (Proposed Phase)
Request: Preliminary Plat/Special Use Permit for 6 lots (5 residential & 1 commercial)	Zoning: SFO with PUD Overlay

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
West	Currituck Sound	N/A

Background

The overall development plan approved through the Amended Sketch Plan/Special Use Permit process included 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 for use by residents and visitors to the site, 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. A recreation/paddle boat rental storefront/storage building is proposed adjacent to the pond with docks over the pond.

A conceptual development plan and preliminary architectural renderings were provided by the applicant during the Amended Sketch Plan/Special Use Permit process to illustrate the proposed uses and project layout. Additional approvals are required prior to construction. Below is the conceptual plan that was approved.



Request & Application Summary

The applicant, Outer Banks Ventures, Inc. is requesting **preliminary plat/special use permit (PP/SUP) approval for the establishment of six (6) lots** (including five (5) single-family residential lots and one (1) commercial lot) on the 36.194-acre subject property located in the Monterey Shores Planned Unit Development (PUD). This request is part of the development plan approved by the BOC on October 18, 2021 (see above).

The proposed lots meet the bulk and dimensional standards of UDO Section 1.8 for minimum lot area, width, and setbacks. Required open space is provided. Paved sidewalks are proposed within the subdivision and a pedestrian connection will be made to the crosswalk at NC12 just northeast of Malia Drive. County water and private wastewater are available to serve the proposed development.

The approved Amended Sketch Plan is a development plan with water access for the residents and visitors to the site. A boardwalk for water access is proposed as part of this phase. The BOC may consider a required timing of actual construction of the boardwalk to the water instead of posting of a performance guarantee for this improvement. Staff suggests that construction of the boardwalk to the water be completed prior to platting of all lots in this phase. This water access is a critical piece of the development proposal. (A suggested condition is included in the TRC Review Comments below.)

The applicant is proposing access to the subdivision from 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. The TIA submitted references access scenarios, one being that the connection through the NCDOT property will not be made. The amended sketch plan was approved with the proposed connection through the NCDOT property and the connection across the existing pond is required to meet internal street connectivity requirements of UDO Section 5.6.4. A condition of Amended Sketch Plan/Special Use Permit approval stated: "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".

The BOC may consider a condition that approval of the connection by NCDOT must be submitted prior to approval of construction drawings related to this preliminary plat. (A suggested condition is included in the TRC Review Comments below.)

The applicant is proposing to post a performance guarantee for this portion of the road connection. The BOC may consider a required timing of actual construction of the road extension. Staff suggests that construction of the road and sidewalk connection across the pond be installed prior to final plat recordation of all 6 proposed lots. (A suggested condition is included in the TRC Review Comments below.)

An initial community meeting was held on July 25, 2022, and a second properly noticed community meeting was held on August 11, 2022. County staff attended the meeting on August 11, 2022. A community meeting summary provided by the applicant is included in the agenda packet.

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. Prior to approval of Construction Drawings, proposed access, and configuration through the NCDOT owned parcel(s) shall be approved by NCDOT or Turnpike Authority as appropriate.
2. Prior to recordation of the Final Plat, construction of road connection across the pond to the NCDOT property must be completed.
3. Prior to recordation of the Final Plat, construction of the boardwalk to the water must be completed.
4. 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.
5. Walkways and piers for private property owner use may not be constructed in open space set-asides.
6. Prior to approval of Construction Drawings, provide certification that Malia Drive meets NCDOT construction standards for compliance with UDO Section 6.2.1.D.4 Connection with State Streets.

Imagine Currituck 2040 Vision Plan

The *Imagine Currituck 2040 Vision Plan* classifies this site as **G-3: Mixed-Use Centers and Corridors** and **O-2: Reserved Lands** within the Corolla area. Generally, the G-3 classification is supported by major transportation networks, public water and wastewater infrastructure, and a community greenway system that links neighborhoods to mixed-use areas. This sector provides for a wide range of uses including mixed residential subdivisions with a variety of housing types and mixed-use developments that maximize the efficient use of space. Medium to high residential densities, commercial and compatible industrial uses are encouraged to locate within the G-3 transect areas where both water and wastewater services are available. The O-2 classification is comprised of wetlands, environmentally sensitive areas, significant natural heritage areas, and prime agricultural land that should be targeted for conservation or farmland

preservation. This area should not be targeted for public or private water and sewer infrastructure or other growth inducing activities.

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

Land Use Goal 1: Encourage development to occur at densities appropriate for their location and consider factors, including but not limited to: environmentally suitable areas; suitable soils, adequate infrastructure; the type and capacity of sewage treatment available to the site; the adequacy of transportation facilities providing access to the site; and compatibility and proximity of the site to existing and planned County services.

Land Use Policy 1.3: Consider community character and established visions for the community.

Land Use Policy 1.4: Protect the uniqueness of the County through preservation of farmland, wooded areas, open space and water views from roads, walkways, and other public spaces.

Land Use Policy 2.1: Continue to encourage businesses to coordinate site design with nearby businesses including shared or connected parking and access, pedestrian and vehicular movement, and consistent signage.

Transportation Policy 2.1: New development shall construct pedestrian walkways and multi-use greenways that connect adjacent residential and commercial areas.

Environment Goal 1: Preserve and protect the County's environmentally significant and sensitive lands and surrounding areas.

Environment Policy 1.1: Preserve coastal and non-coastal wetlands and riparian buffers for their natural resilience benefits.

Parks and Recreation Goal 1: Improve public access to natural resource areas including ocean and estuarine shorelines and public trust waters.

Parks and Recreation Policy 1.5: New development shall provide public access to recreation and natural resource areas.

Parks and Recreation Policy 2.1: Continue to require new development to construct pedestrian walkways and multi-use greenways that connect to external adjacent residential, commercial, recreation and open space areas.

Parks and Recreation Policy 3.2: Continue to require recreation and park area dedication or fee in lieu of providing recreation amenities.

General Corolla Land Use Policy 1.4: Continue to improve access to estuarine shorelines and beaches.

General Corolla Land Use Policy 1.7: Minimize commercial strip development and maximize traffic moving capability by encouraging commercial development to cluster at appropriate locations rather than dispersing along NC12.

Corolla G-2 Transect Policy 2.1: Concentrate commercial development in existing neighborhood nodes to minimize commercial strip development and maximize the moving capability of NC12.

Corolla G-2 Transect Policy 2.2: Encourage existing PUDs to continue to develop according to the master plan in order to achieve a more efficient use of land, a higher level of amenities and creative design.

SPECIAL USE PERMIT REVIEW STANDARDS

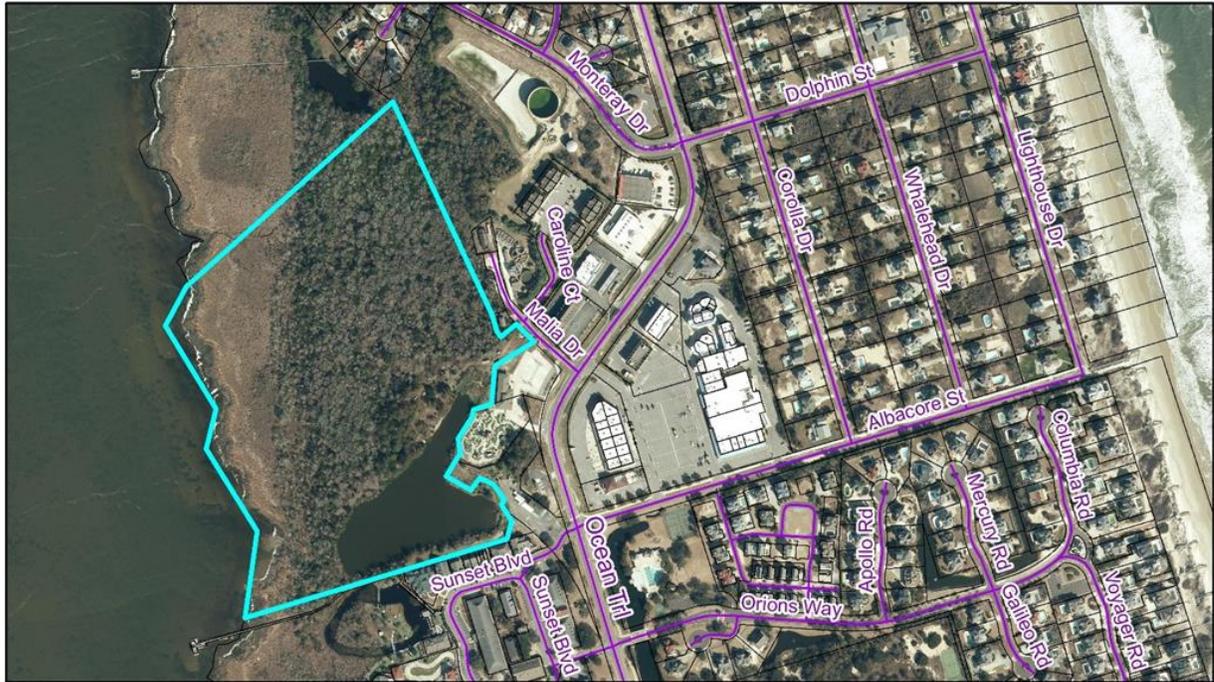
Following an evidentiary hearing, the board shall decide if the application is in accordance with Section 2.3.10, Decision-Making Body Review and Decision, and Section 2.4.6.D, Special Use Permit Review Standards.

Special Use Permit Review Standards

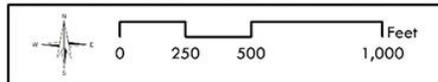
A special use permit shall be approved on a finding that the applicant demonstrates the proposed use will:

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.



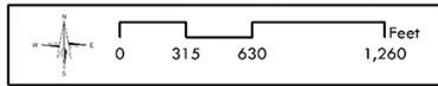
PB 87-56 Monterey Shores
Corolla Boat Club
Preliminary Plat/SUP
2020 Aerial Photography



Currituck County
Planning and
Community Development



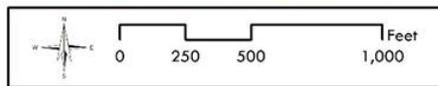
PB 87-56 Monterey Shores
 Corolla Boat Club
 Preliminary Plat/SUP
 Official Zoning Map



Currituck County
 Planning and
 Community Development



PB 87-56 Monterey Shores
 Corolla Boat Club
 Preliminary Plat/SUP
 Imagine Currituck Transect Classification



Currituck County
 Planning and
 Community Development

Parties to speak were sworn in and Kevin Kemp, Development Services Director, reviewed the Preliminary Plat/Special Use Permit application for the Board. Site location, current zoning, and surrounding land uses were reviewed and maps were displayed on the

overhead. An overview of the site plan and amenities were presented. Considerations were presented for approval for a bridge and roadway to provide suitable access. Land Use Plan (LUP) designation, policies from Imagine Currituck, and Technical Review Committee (TRC) comments, and permit review standards were presented. Mr. Kemp and Senior Planner, Jennie Turner, responded to questions from Commissioners related to on-street parking and the proposed boardwalk construction for water access.

John Morrison, Attorney for the applicant, called Mark Bissell, Project Engineer, who was accepted as an expert witness. Mr. Bissell testified as the Engineer of record for the project which has been proceeding over the last couple of years. He testified as to his knowledge of the Currituck County Unified Development Ordinance (UDO) and commented on the need for approval of the Turnpike Authority or the North Carolina Department of Transportation (NCDOT) to use the right of way for interconnectivity and access to the site location, which is being hampered by litigation pertaining to the Mid-Currituck Bridge. Mr. Bissell said right-of-way access is not necessary for this phase of construction, and he reviewed results of an analysis which determined traffic can be adequately serviced via Malia Drive without use of the right of way.

Mr. Bissell reviewed the application for Commissioners and the sketch plan that was approved in March, 2022. Conceptual overhead drawings and a site plan consisting of five residential and one commercial lot were displayed on the overhead. Supporting statements and findings of fact were presented noting the project will have no adverse effects to the surrounding area, will not endanger public health or safety, will not injure the value of adjoining or abutting lands and will be in harmony with the area, and will not exceed the County's ability to provide adequate public facilities. Statements of compatibility and consistency with the LUP were presented.

Mr. Bissell addressed issues with the connection to the NCDOT right of way. He said traffic can be handled through Malia Drive and inter-connectivity addressed at next phase, as it is currently not needed. Staff recommendations were discussed, which include modifications and approval of the connection to the right of way by NCDOT prior to construction drawing approvals. It was requested that NCDOT approval not be required for this phase of development, and should NCDOT not give approval, other aspects of the project would have to be amended to find alternate access.

Mr. Bissell discussed the Coastal Area Management Administration's (CAMA) process for permitting of the planned, eight-foot boardwalk and asked that it not be included as a condition for approval. He said a walkway would be constructed and responded to questions pertaining to the boardwalk and walkway, and whether large vehicles would be able to access the location.

The need for interconnectivity to the TimBuck II commercial area was discussed by Commissioners. It was confirmed a cluster mailbox will accommodate all residences, and Mr. Bissell said on-street parking accommodations resulted from citizen comments at the community meeting.

Ms. Turner was asked to address density in the Monterey subdivision. She doesn't believe the project meets the interconnectivity requirement in the UDO without the bridge and needs to be resolved. With no comment from NCDOT nor the Turnpike Authority, Mr. Bissell said they have no objection to installing the road as far as possible without encroaching on NCDOT property.

Chairman White recessed the meeting at 7:28 PM and reconvened at 7:36 PM.

John Morrison called Andrew Topp, Professional North Carolina Traffic Engineer, to testify. Mr. Topp provided his education and experience and was tendered as an expert witness on traffic safety and analysis. He recalled testifying before Commissioners at the prior hearing where no public danger relative to the entire project was noted. He said using Malia Drive as the only access would not pose a danger to the public.

Commissioners questioned the timing of the traffic study and voiced concern that the study does not adequately represent what happens on the ground because it was not performed at peak time. Mr. Topp explained the rationale for the study's time frame and said they look at the trip numbers that will be generated by the development. He said different scenarios were considered, and he had no concerns when Chairman White suggested one-way traffic through the NCDOT easement with all traffic exiting at Malia Drive.

Although not present at the hearing, Commissioners agreed to accept testimony at the Public Hearing on October 18, 2021, from Steven Craddock, North Carolina Certified Appraiser.

Rick Willis, Applicant and President of Outer Banks Ventures, testified. He did not object to a one-way road condition at the farm market on the NCDOT easement and said Mr. Bissell hoped to reconfigure the road once the easement is approved for use by NCDOT. A modification to Sunset Boulevard at TimBuck II was discussed, and Mr. Willis said that roadway is also on NCDOT property. Mr. Bissell said he could not determine if someone would be harmed if the NCDOT road was modified to a one-way at the farm market. Ms. Turner stated she would need to review the proposal to determine what the impacts may be and determine whether the changes would be "substantial" requiring a restart of the County's approval process. Mr. Topp said he believes the one-way as proposed would work.

The Board considered concerns with traffic and connectivity, and decided alternatives such as the one-way should be looked at and staff allowed time to review. Commissioner Payment moved to recess PB 87-56: Monterey Shores, Phase 10, to the January 17, 2023, Board of Commissioners meeting. Commissioner Jarvis seconded the motion. The motion carried, 6-0.

RESULT:	RECESS [UNANIMOUS]	Next: 1/17/2023 6:00 PM
MOVER:	Michael H. Payment, Commissioner	
SECONDER:	Selina S. Jarvis, Vice-Chair	
AYES:	Bob White, Chairman, Selina S. Jarvis, Vice-Chair, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Kevin E. McCord, Commissioner, Michael H. Payment, Commissioner	
ABSENT:	Paul M. Beaumont, Commissioner	

NEW BUSINESS

A) Board Appointments

1. Board of Adjustment

Commissioner Payment moved for approval of Robin Kane for reappointment to a three-year term on the Board of Adjustment expiring December 31, 2025. Commissioner Jarvis seconded the motion. The motion carried, 6-0.

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

2. Planning Board

Commissioner Jarvis moved for reappointment of the following Planning Board members to serve two-year terms expiring December 31, 2024:

- Thomas Hurley
- Garry Owens
- Michael Corbell
- Bryan Bass

Commissioner Mary Etheridge seconded the motion. The motion carried, 6-0.

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

3. Tourism Advisory Board

Commissioner Mary Etheridge nominated Daryl Harlow for reappointment to a two-year term on the Tourism Advisory Board, expiring November 30, 2024. Chairman White seconded the motion and the motion carried, 6-0.

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

Motion-Board Appt-Tourism Advisory Board

Commissioner Payment nominated Sharon Price for reappointment to the Tourism Advisory Board to serve a two-year term expiring November 30, 2024. Commissioner Jarvis seconded the motion. The motion carried, 6-0.

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

4. Appointment of Commissioners to Advisory Boards

Commissioner Mary Etheridge moved for approval of Board of Commissioner service on Advisory Boards, as presented with no changes. Commissioner McCord seconded the motion. The motion carried, 6-0.

Paul Beaumont:

- Fire & EMS Advisory Board
- Veteran's Advisory

J. Owen Etheridge:

- Albemarle Commission
- Albemarle Regional Planning Organization-Alternate (ARPO)
- Albemarle Regional Solid Waste Authority

Mary Etheridge:

- ABC Board
- Senior Citizens Advisory Board
- Social Services Board

Selina Jarvis:

- College of the Albemarle Board of Trustees
- Juvenile Crime Prevention Council

Kevin McCord:

- Animal Services and Control Advisory Board
- Recreation Advisory Board
- Trillium Health

Mike Payment:

- Albemarle Regional Health Board
- Local Emergency Planning Committee (LEPC)

Bob White:

- Albemarle Regional Planning Organization (ARPO)
- Tourism Advisory Board

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

5. ABC Board-Amended

Commissioner Mary Etheridge nominated Vance Aydlett for reappointment to the ABC Board to serve a three-year term ending September 1, 2025. Chairman White seconded the motion and the motion carried, 6-0.

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

B) Consent Agenda

Chairman White explained the reasoning for the membership change on the Wild Horse Advisory Board. Following discussion, Commissioner Payment moved for approval of Consent Agenda. Commissioner Jarvis seconded the motion. The motion carried, 6-0.

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

1. Budget Amendments

20230055		Debit		Credit	
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10415-561000	Professional Services	\$	125,000		
10330-421501	Opioid Settlement	\$	101,634		
10390-499900	Appropriated Fund Balance			\$	226,634
		\$	226,634	\$	226,634
Explanation: Legal(10415) - To appropriate funds for additional legal expenses for ongoing and pending litigation. Also, to close out the Opioid Settlement funds from the General Fund. This was moved to the Opioid Settlement Fund.					
Net Budget Effect: Operating fund (10) - Increased by \$125,000.					
20230056		Debit		Credit	
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10512-516200	Vehicle Maintenance	\$	7,000		
10512-561000	Professional Services			\$	7,000
		\$	7,000	\$	7,000
Explanation: Animal Services and Control (10512) - Replace transmission in animal services 2012 Nissan Frontier.					
Net Budget Effect: Operating Fund (10) - No change.					
20230057		Debit		Credit	
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10410-526200	Promotional Efforts	\$	7,500		
10410-526000	Advertising	\$	3,000		
10320-411000	Article 39 Sales Tax - Local Option			\$	10,500
		\$	10,500	\$	10,500
Explanation: Administration (10410) - Increase appropriations for increases in costs of postage and for unanticipated public notice advertising.					
Net Budget Effect: Operating Fund (10) - Increased by \$10,500.					

20230058		Debit		Credit	
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10541 553000	Dues and Subscriptions	\$	1,500		
10530 544000	Vol Assistance			\$	500
10530 561000	Professional Services			\$	1,000
		\$	1,500	\$	1,500
Explanation: Fire Services (10541); Emergency Medical Services (10530) - To accommodate the increase in invoice associated with adding all employees to the Fire roster in order for them to benefit in case of emergency.					
Net Budget Effect: Operating Fund (10) - No change.					
20230059		Debit		Credit	
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
12543-545000	Contract Services	\$	10,000		
12543-561003	Professional Services			\$	10,000
		\$	10,000	\$	10,000
Explanation: Fire Services - Moyock VFD (12543) - Transfer budgeted funds as requested by the Moyock VFD for increases in contract services.					
Net Budget Effect: Fire Services Fund (12) - No change.					
		Debit		Credit	
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10531-545000	Contract Services			\$	1,000
10531-516200	Vehicle Maintenance	\$	1,000		
		\$	1,000	\$	1,000
Explanation: Fire Services - Moyock VFD (12543) - Transfer budgeted funds for Emergency Management vehicle maintenance.					
Net Budget Effect: Operating Fund (10) - No change.					

2. Approval of Revisions to the Wild Horse Management Agreement

3) Approval Of Minutes-December 5, 2022

1. Minutes-December 5, 2022

CLOSED SESSION

1. Closed Session pursuant to G.S. 143-318.11(a)(5) to establish or instruct county staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for purchase of real property to be used for any governmental purpose. The property is owned by Amy D. Wells and Ronald K. Bennett and consists of 225 acres at West Side Lane in Powells Point, North Carolina, Parcel No. 011200000010000.

Chairman White moved to enter Closed Session pursuant to G.S. 143-318.11(a)(5) to establish or instruct county staff concerning the position to be taken by the county in negotiating the price or other material terms of a contract for purchase of real property to be used for any governmental purpose. The property is owned by Amy D. Wells and Ronald K. Bennett and consists of 225 acres at West Side Lane in Powells Point, North Carolina, Parcel No. 011200000010000.

Commissioner Mary Etheridge seconded the motion. The motion carried, 6-0, and the Board entered into Closed Session.

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

ADJOURN

Motion to Adjourn Meeting

The Board returned from Closed Session and Commissioner J. Owen Etheridge discussed requesting local legislation for the County to reduce Currituck from a Tier 3 county to a Tier 2. County Manager, Ike McRee, offered to put together a rationale for a reduced Tier rating for submittal to the state legislature.

Business concluded and Commissioner McCord moved to adjourn. Commissioner Payment seconded the motion. The motion carried, 6-0, and the regular meeting of the Board adjourned at 8:41 PM.

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



STAFF REPORT
PB 87-56 MONTERAY SHORES,
PHASE 10, PART A, COROLLA BOAT CLUB
PRELIMINARY PLAT/SPECIAL USE PERMIT
BOARD OF COMMISSIONERS
DECEMBER 5, 2022

Attachment: 1 Staff Report - Corolla Boat Club - PPSUP (PB 87-56 Monterey Shores, Phase 10, Part A)

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: Preliminary Plat/Special Use Permit
Parcel Identification Number: 0116-000-0010-0000	Existing Use: Vacant Land with Existing Pond
Imagine Currituck Land Use Plan Classification: G3 & O2	Parcel Size (Acres): 36.19 (Subject Parcel) 10.01 (Proposed Phase)
Request: Preliminary Plat/Special Use Permit for 6 lots (5 residential & 1 commercial)	Zoning: SFO with PUD Overlay

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
Background

The overall development plan approved through the Amended Sketch Plan/Special Use Permit process included 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 for use by residents and visitors to the site, 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. A recreation/paddle boat rental storefront/storage building is proposed adjacent to the pond with docks over the pond.

NCDOT property has not been provided by the applicant. The TIA submitted references access scenarios, one being that the connection through the NCDOT property will not be made. The amended sketch plan was approved with the proposed connection through the NCDOT property and the connection across the existing pond is required to meet internal street connectivity requirements of UDO Section 5.6.4. A condition of Amended Sketch Plan/Special Use Permit approval stated: "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". The BOC may consider a condition that approval of the connection by NCDOT must be submitted prior to approval of construction drawings related to this preliminary plat. (A suggested condition is included in the TRC Review Comments below.)

The applicant is proposing to post a performance guarantee for this portion of the road connection. The BOC may consider a required timing of actual construction of the road extension. Staff suggests that construction of the road and sidewalk connection across the pond be installed prior to final plat recordation of all 6 proposed lots. (A suggested condition is included in the TRC Review Comments below.)

COMMUNITY MEETING

An initial community meeting was held on July 25, 2022, and a second properly noticed community meeting was held on August 11, 2022. County staff attended the meeting on August 11, 2022. A community meeting summary provided by the applicant is included in the agenda packet.

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. Prior to approval of Construction Drawings, proposed access, and configuration through the NCDOT owned parcel(s) shall be approved by NCDOT or Turnpike Authority as appropriate.
2. Prior to recordation of the Final Plat, construction of road connection across the pond to the NCDOT property must be completed.
3. Prior to recordation of the Final Plat, construction of the boardwalk to the water must be completed.
4. 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.
5. Walkways and piers for private property owner use may not be constructed in open space set-asides.
6. Prior to approval of Construction Drawings, provide certification that Malia Drive meets NCDOT construction standards for compliance with UDO Section 6.2.1.D.4 Connection with State Streets.

Imagine Currituck 2040 Vision Plan

The *Imagine Currituck 2040 Vision Plan* classifies this site as **G-3: Mixed-Use Centers and Corridors** and **O-2: Reserved Lands** within the Corolla area. Generally, the G-3 classification is supported by major transportation networks, public water and wastewater infrastructure, and a community greenway system that links neighborhoods to mixed-use areas. This sector provides for a wide range of uses including mixed residential subdivisions with a variety of housing types and mixed-use developments that maximize the efficient use of space. Medium to high residential densities, commercial and compatible industrial uses are encouraged to locate within the G-3 transect areas where both water and wastewater services are available. The O-2 classification is comprised of wetlands, environmentally sensitive areas, significant natural heritage areas, and prime agricultural land that should be targeted for conservation or farmland preservation. This area should not be targeted for public or private water and sewer infrastructure or other growth inducing activities.

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

Land Use Goal 1: Encourage development to occur at densities appropriate for their location and consider factors, including but not limited to: environmentally suitable areas; suitable soils, adequate infrastructure; the type and capacity of sewage treatment available to the site; the adequacy of transportation facilities providing access to the site; and compatibility and proximity of the site to existing and planned County services.

Land Use Policy 1.3: Consider community character and established visions for the community.

Land Use Policy 1.4: Protect the uniqueness of the County through preservation of farmland, wooded areas, open space and water views from roads, walkways, and other public spaces.

Land Use Policy 2.1: Continue to encourage businesses to coordinate site design with nearby businesses including shared or connected parking and access, pedestrian and vehicular movement, and consistent signage.

Transportation Policy 2.1: New development shall construct pedestrian walkways and multi-use greenways that connect adjacent residential and commercial areas.

Environment Goal 1: Preserve and protect the County's environmentally significant and sensitive lands and surrounding areas.

Environment Policy 1.1: Preserve coastal and non-coastal wetlands and riparian buffers for their natural resilience benefits.

Parks and Recreation Goal 1: Improve public access to natural resource areas including ocean and estuarine shorelines and public trust waters.

Parks and Recreation Policy 1.5: New development shall provide public access to recreation and natural resource areas.

Parks and Recreation Policy 2.1: Continue to require new development to construct pedestrian walkways and multi-use greenways that connect to external adjacent residential, commercial, recreation and open space areas.

Parks and Recreation Policy 3.2: Continue to require recreation and park area dedication or fee in lieu of providing recreation amenities.

General Corolla Land Use Policy 1.4: Continue to improve access to estuarine shorelines and beaches.

General Corolla Land Use Policy 1.7: Minimize commercial strip development and maximize traffic moving capability by encouraging commercial development to cluster at appropriate locations rather than dispersing along NC12.

Corolla G-2 Transect Policy 2.1: Concentrate commercial development in existing neighborhood nodes to minimize commercial strip development and maximize the moving capability of NC12.

Corolla G-2 Transect Policy 2.2: Encourage existing PUDs to continue to develop according to the master plan in order to achieve a more efficient use of land, a higher level of amenities and creative design.

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:

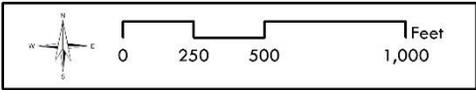
- 1. Not endanger the public health or safety.
- 2. Not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.
- 3. Be in conformity with the Land Use Plan or other officially adopted plan.
- 4. Not exceed the county's ability to provide adequate 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

Attachment: 1 Staff Report - Corolla Boat Club - PPSUP (PB 87-56 Monterey Shores, Phase 10, Part A)



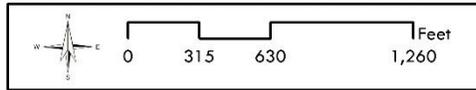
PB 87-56 Monterey Shores
Corolla Boat Club
Preliminary Plat/SUP
2020 Aerial Photography



Currituck County
Planning and
Community Development



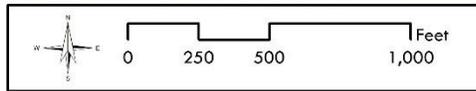
PB 87-56 Monterey Shores
 Corolla Boat Club
 Preliminary Plat/SUP
 Official Zoning Map



Currituck County
 Planning and
 Community Development

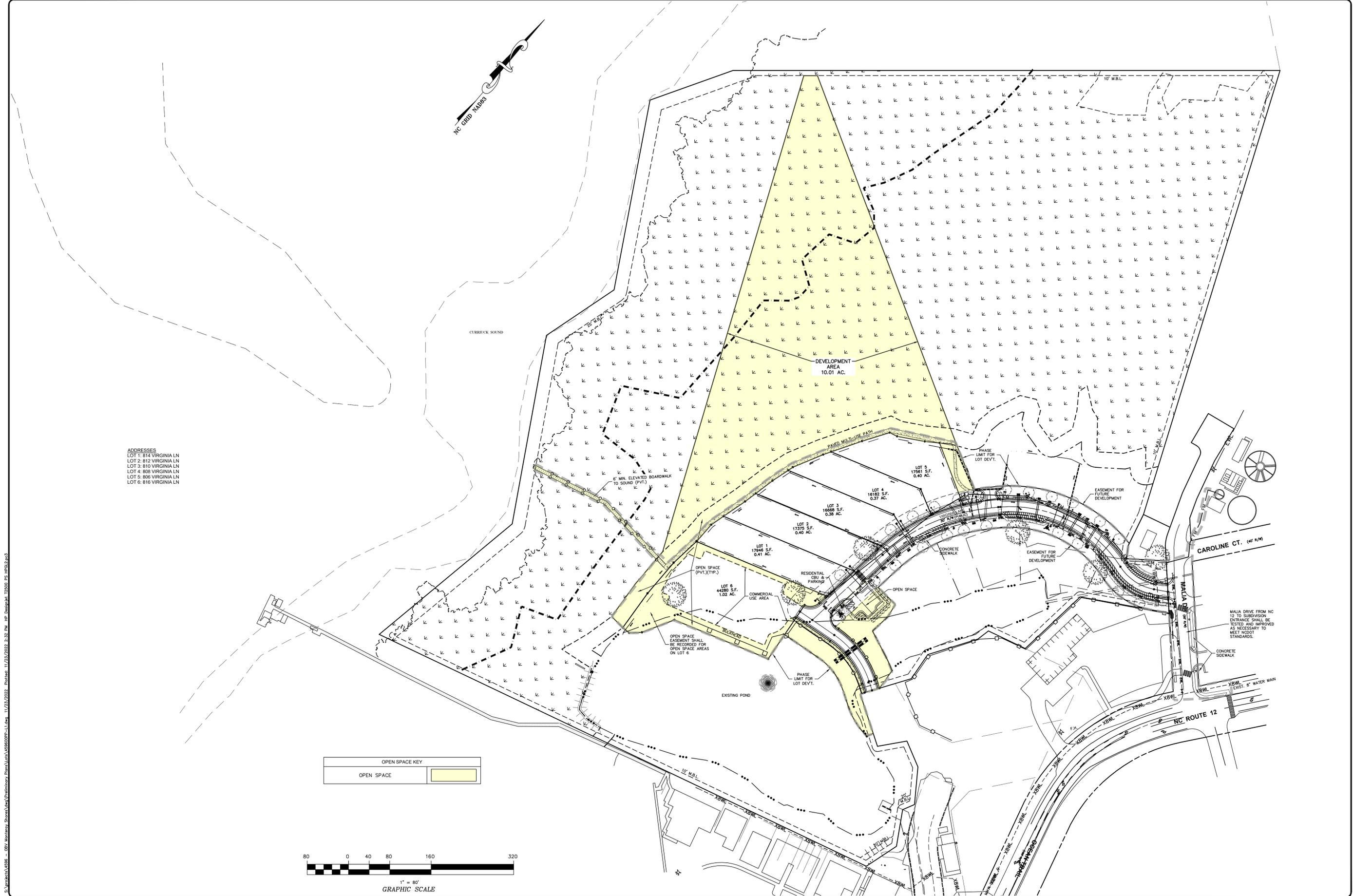


PB 87-56 Monterey Shores
 Corolla Boat Club
 Preliminary Plat/SUP
 Imagine Currituck Transect Classification



Currituck County
 Planning and
 Community Development

Attachment: 1 Staff Report - Corolla Boat Club - PPSUP (PB 87-56 Monterey Shores, Phase 10, Part A)



ADDRESSES
 LOT 1: 814 VIRGINIA LN
 LOT 2: 812 VIRGINIA LN
 LOT 3: 810 VIRGINIA LN
 LOT 4: 808 VIRGINIA LN
 LOT 5: 806 VIRGINIA LN
 LOT 6: 816 VIRGINIA LN

S:\projects\4596 - 001 Monterey Shore's Vents Preliminary Plans\Lot 4596001P-L1.dwg 11/23/2022 2:32 PM user: bsp@psd.com 12500 PS 1052.p3

BISSELL
 PROFESSIONAL GROUP
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 and Environmental Specialists

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 10000 Highway
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 Currituck County, North Carolina 27949
 Phone: (252) 794-3050
 Fax: (252) 261-1790

OVERALL SITE PLAN

PROJECT: **OUTER BANKS VENTURES**
 POPLAR BRANCH TOWNSHIP NORTH CAROLINA

PRELIMINARY DEVELOPMENT PLANS

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REVISIONS	
NO.	DESCRIPTION
1	8/22/22
2	10/27/22
3	11/23/22
4	11/23/22

DATE: 8/22/22

DESIGNED: BPG

DRAWN: KFW

SHEET: 3 OF 7

CAD FILE: 4596001P-L1

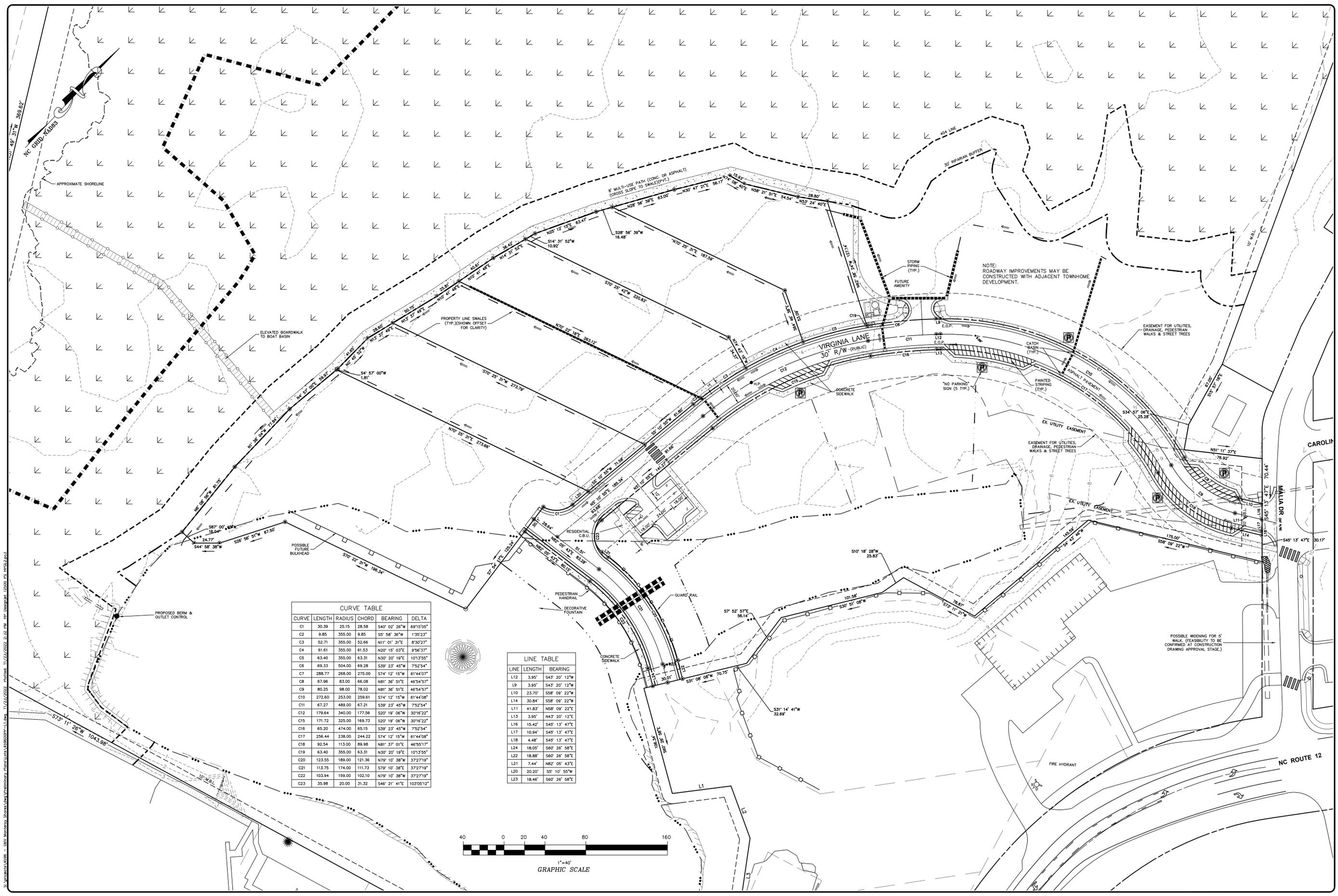
PROJECT NO: 4596

SCALE: 1"=80'

CHECKED: MSB

APPROVED: BPG

PRELIMINARY
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CONSTRUCTION

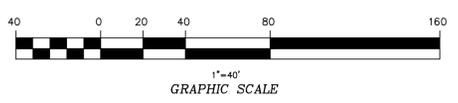


CURVE TABLE

CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C1	30.39	23.15	28.58	S40° 02' 26"W	69°15'05"
C2	9.85	355.00	9.85	S5° 58' 36"W	1°35'23"
C3	52.71	355.00	52.66	N11° 01' 31"E	8°30'27"
C4	61.61	355.00	61.53	N20° 15' 03"E	9°56'37"
C5	63.40	355.00	63.31	N30° 20' 19"E	10°13'50"
C6	69.33	504.00	69.28	S39° 23' 45"W	7°52'54"
C7	288.77	268.00	275.00	S74° 12' 15"W	61°44'07"
C8	67.96	83.00	66.08	N81° 36' 51"E	48°54'57"
C9	80.25	98.00	78.02	N81° 36' 51"E	48°54'57"
C10	272.60	253.00	259.61	S74° 12' 15"W	61°44'08"
C11	67.27	489.00	67.21	S39° 23' 45"W	7°52'54"
C12	179.64	340.00	177.56	S20° 19' 08"W	30°18'22"
C13	171.72	325.00	169.73	S20° 19' 08"W	30°18'22"
C14	65.20	474.00	65.15	S39° 23' 45"W	7°52'54"
C15	256.44	238.00	244.22	S74° 12' 15"W	61°44'08"
C16	92.54	113.00	89.98	N81° 37' 01"E	46°55'17"
C17	63.40	355.00	63.31	N30° 20' 19"E	10°13'50"
C18	123.55	189.00	121.36	N79° 10' 38"W	37°27'19"
C19	113.75	174.00	111.73	S79° 10' 38"E	37°27'19"
C20	103.94	159.00	102.10	N79° 10' 38"W	37°27'19"
C21	35.98	20.00	31.32	S46° 21' 41"E	10°30'12"

LINE TABLE

LINE	LENGTH	BEARING
L12	3.95'	S43° 20' 12"W
L9	3.95'	S43° 20' 12"W
L10	33.70'	S58° 09' 22"W
L14	30.84'	S58° 09' 22"W
L11	41.83'	N58° 09' 22"E
L13	3.95'	N43° 20' 12"E
L16	15.42'	S45° 13' 47"E
L17	10.94'	S45° 13' 47"E
L18	4.48'	S45° 13' 47"E
L24	18.05'	S67° 28' 58"E
L22	18.88'	S67° 28' 58"E
L21	7.44'	N82° 25' 43"E
L20	20.20'	S5° 10' 55"W
L23	18.46'	S67° 28' 58"E



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BISSELL
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Engineers, Planners, Surveyors
and Environmental Specialists

**METES & BOUNDS & STORMWATER
MANAGEMENT PLAN**

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OUTER BANKS VENTURES

POPLAR BRANCH TOWNSHIP
CURRITUCK COUNTY
NORTH CAROLINA

PRELIMINARY DEVELOPMENT PLANS

NO.	DATE	DESCRIPTION	BY	
			DATE	BY
1	8/22/22	ISSUE FOR PERMITS	KFW	BPG
2	10/27/22	2ND TRC COMMENTS	KFW	BPG
3	11/23/22	FINAL REVISION	KFW	BPG

DATE: 8/22/22 SCALE: 1"=40'

DESIGNED: BPG CHECKED: MSB

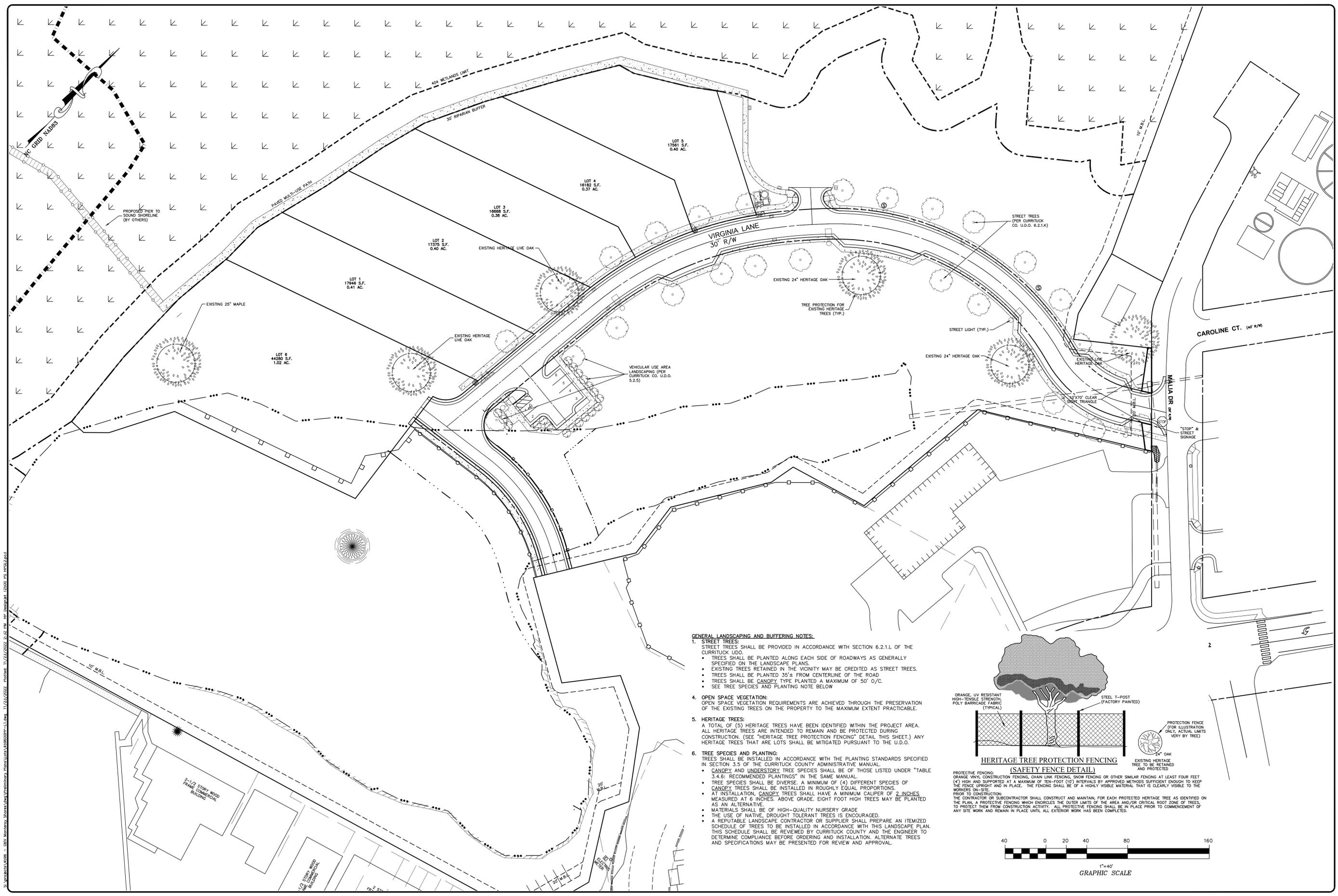
DRAWN: KFW APPROVED: BPG

SHEET: 4 OF 7

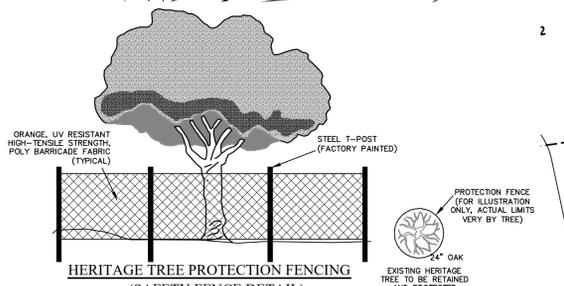
CAD FILE: 459600PP-L1

PROJECT NO: 4596

PRELIMINARY
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CONSTRUCTION

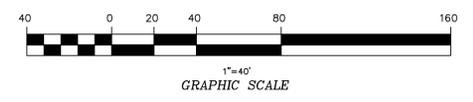


- GENERAL LANDSCAPING AND BUFFERING NOTES:**
- STREET TREES:**
STREET TREES SHALL BE PROVIDED IN ACCORDANCE WITH SECTION 6.2.1.L OF THE CURRITUCK UDO.
 - TREES SHALL BE PLANTED ALONG EACH SIDE OF ROADWAYS AS GENERALLY SPECIFIED ON THE LANDSCAPE PLANS.
 - EXISTING TREES RETAINED IN THE VICINITY MAY BE CREDITED AS STREET TREES.
 - TREES SHALL BE PLANTED 35'± FROM CENTERLINE OF THE ROAD.
 - TREES SHALL BE CANOPY TYPE PLANTED A MAXIMUM OF 50' O/C.
 - SEE TREE SPECIES AND PLANTING NOTE BELOW.
 - OPEN SPACE VEGETATION:**
OPEN SPACE VEGETATION REQUIREMENTS ARE ACHIEVED THROUGH THE PRESERVATION OF THE EXISTING TREES ON THE PROPERTY TO THE MAXIMUM EXTENT PRACTICABLE.
 - HERITAGE TREES:**
A TOTAL OF (5) HERITAGE TREES HAVE BEEN IDENTIFIED WITHIN THE PROJECT AREA. ALL HERITAGE TREES ARE INTENDED TO REMAIN AND BE PROTECTED DURING CONSTRUCTION. (SEE "HERITAGE TREE PROTECTION FENCING" DETAIL THIS SHEET.) ANY HERITAGE TREES THAT ARE LOTS SHALL BE MITIGATED PURSUANT TO THE U.D.O.
 - TREE SPECIES AND PLANTING:**
TREES SHALL BE INSTALLED IN ACCORDANCE WITH THE PLANTING STANDARDS SPECIFIED IN SECTION 3.5 OF THE CURRITUCK COUNTY ADMINISTRATIVE MANUAL.
 - CANOPY AND UNDERSTORY TREE SPECIES SHALL BE OF THOSE LISTED UNDER "TABLE 3.4.6: RECOMMENDED PLANTINGS" IN THE SAME MANUAL.
 - TREE SPECIES SHALL BE DIVERSE. A MINIMUM OF (4) DIFFERENT SPECIES OF CANOPY TREES SHALL BE INSTALLED IN ROUGHLY EQUAL PROPORTIONS.
 - AT INSTALLATION, CANOPY TREES SHALL HAVE A MINIMUM CALIPER OF 2 INCHES MEASURED AT 6 INCHES ABOVE GRADE. EIGHT FOOT HIGH TREES MAY BE PLANTED AS AN ALTERNATIVE.
 - MATERIALS SHALL BE OF HIGH-QUALITY NURSERY GRADE.
 - THE USE OF NATIVE, DROUGHT TOLERANT TREES IS ENCOURAGED.
 - A REPUTABLE LANDSCAPE CONTRACTOR OR SUPPLIER SHALL PREPARE AN ITEMIZED SCHEDULE OF TREES TO BE INSTALLED IN ACCORDANCE WITH THIS LANDSCAPE PLAN. THIS SCHEDULE SHALL BE REVIEWED BY CURRITUCK COUNTY AND THE ENGINEER TO DETERMINE COMPLIANCE BEFORE ORDERING AND INSTALLATION. ALTERNATE TREES AND SPECIFICATIONS MAY BE PRESENTED FOR REVIEW AND APPROVAL.



PROTECTIVE FENCING:
ORANGE W/V CONSTRUCTION FENCING, CHAIN LINK FENCING, SNOW FENCING OR OTHER SIMILAR FENCING AT LEAST FOUR FEET (4') HIGH AND SUPPORTED AT A MAXIMUM OF TEN-FOOT (10') INTERVALS BY APPROVED METHODS SUFFICIENT ENOUGH TO KEEP THE FENCE UPRIGHT AND IN PLACE. THE FENCING SHALL BE OF A HIGHLY VISIBLE MATERIAL THAT IS CLEARLY VISIBLE TO THE WORKERS ON-SITE.

PRIOR TO CONSTRUCTION:
THE CONTRACTOR OR SUBCONTRACTOR SHALL CONSTRUCT AND MAINTAIN, FOR EACH PROTECTED HERITAGE TREE AS IDENTIFIED ON THE PLAN, A PROTECTIVE FENCING WHICH ENCLOSES THE OUTER LIMITS OF THE AREA AND/OR CRITICAL ROOT ZONE OF TREES, TO PROTECT THEM FROM CONSTRUCTION ACTIVITY. ALL PROTECTIVE FENCING SHALL BE IN PLACE PRIOR TO COMMENCEMENT OF ANY SITE WORK AND REMAIN IN PLACE UNTIL ALL EXTERIOR WORK HAS BEEN COMPLETED.



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Engineers, Planners, Surveyors
and Environmental Specialists

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FAX (951) 261-1790

**LANDSCAPING, BUFFERING,
LIGHTING & SIGNAGE PLAN**

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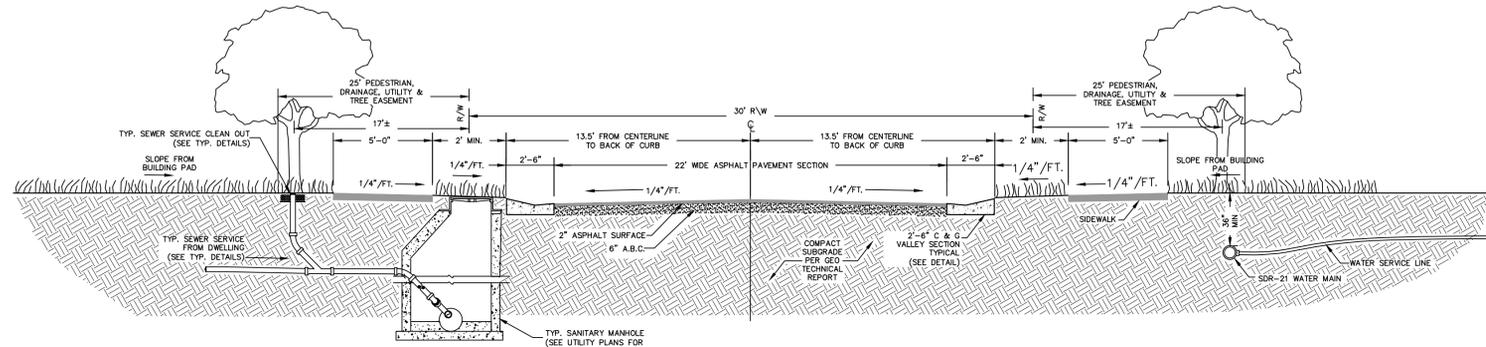
OUTER BANKS VENTURES
PRELIMINARY DEVELOPMENT PLANS

PROJECT: POPLAR BRANCH TOWNSHIP
CURRITUCK COUNTY
NORTH CAROLINA

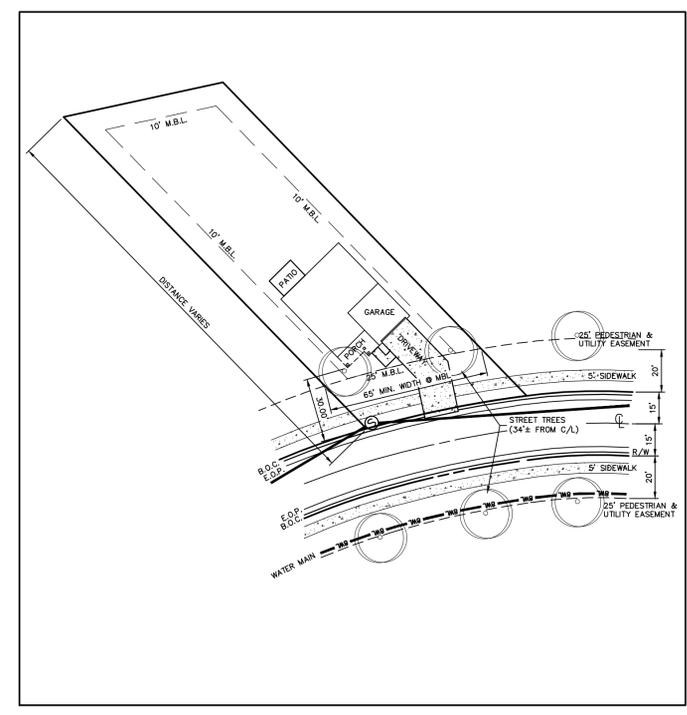
NO.	DATE	DESCRIPTION	BY	CHKD.
1	8/22/22	ISSUE FOR PERMITS	KFW	
2	10/27/22	REV. COMMENTS	BPG	

**PRELIMINARY
DO NOT USE FOR
CONSTRUCTION**

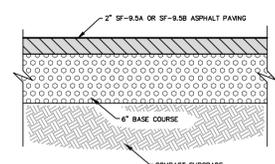
DATE:	8/22/22	SCALE:	1"=40'
DESIGNED:	BPG	CHECKED:	MSB
DRAWN:	KFW	APPROVED:	BPG
SHEET:	6	OF	7
CAD FILE:	459600PP-L1		
PROJECT NO.:	4596		



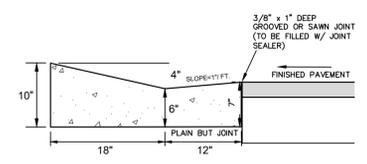
TYPICAL SUBDIVISION ROADWAY SECTION W/ UTILITIES
NOT TO SCALE SECTION VIEW



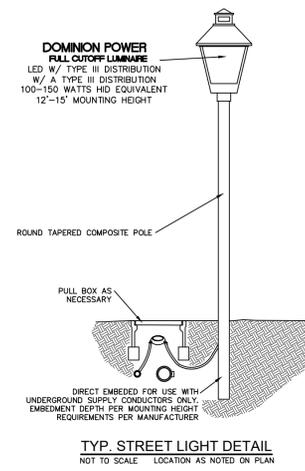
SINGLE FAMILY DEVELOPMENT EXHIBIT
SCALE: 1" = 40'



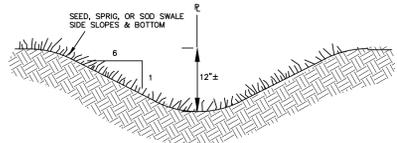
TYPICAL RESIDENTIAL ROADWAY PAVEMENT SECTION
NOTE: PAVING SHALL CONSIST OF FINE GRADING THE SPECIFIED ROADWAY & PARKING AREAS AND INSTALLING 2" SF-9.5A OR SF-9.5B ASPHALT CONCRETE SURFACE COURSE IN CONJUNCTION WITH A 6" AGGREGATE BASE COURSE. THE SOIL SUBGRADE BENEATH PAVEMENTS SHALL BE COMPACTED TO AT LEAST 95% OF ASTM D 698 PRIOR TO ANY PLACEMENT OF SUBGRADE FILL OR STONE BASE COURSE. ALL SITE PREPARATION AND THE DESIGN AND CONSTRUCTION OF ALL FOUNDATIONS, GROUND SLABS, AND PAVEMENTS SHALL BE IN ACCORDANCE WITH RECOMMENDATIONS PROVIDED BY A GEOTECHNICAL ENGINEER.



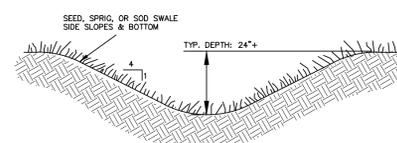
CURB & GUTTER VALLEY SECTION
NOT TO SCALE



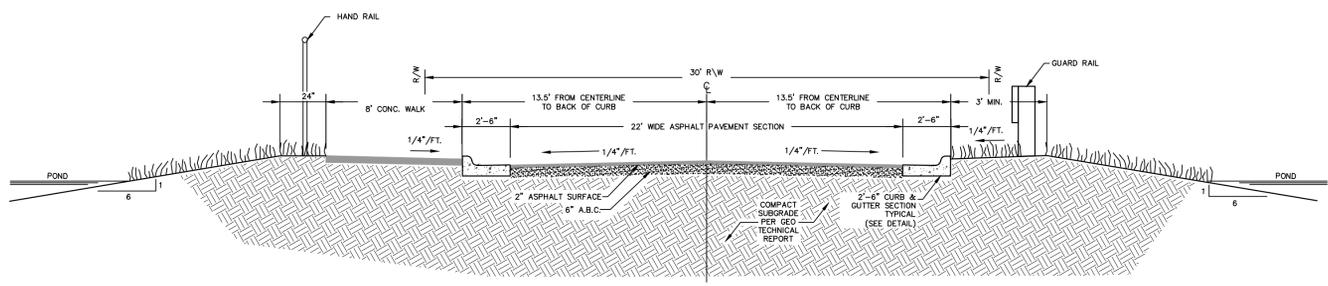
TYP. STREET LIGHT DETAIL
NOT TO SCALE LOCATION AS NOTED ON PLAN



TYPICAL PROPERTY LINE SWALE SECTION
NOT TO SCALE MIN. LONGITUDINAL SLOPE: 0.10%



TYPICAL PRIMARY SWALE SECTION
NOT TO SCALE MIN. LONGITUDINAL SLOPE: 0.10%



SUBDIVISION ROADWAY SECTION (POND CROSSING)
NOT TO SCALE SECTION VIEW

BISSELL
PROFESSIONAL GROUP
Engineers, Planners, Surveyors
and Environmental Specialists

TYPICAL CONSTRUCTION DETAILS
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OUTER BANKS VENTURES
PRELIMINARY DEVELOPMENT PLANS
CURRITUCK COUNTY NORTH CAROLINA
PROJECT: POPLAR BRANCH TOWNSHIP

NO.	DATE	DESCRIPTION	BY	CHKD.
1	8/22/24	ISSUE FOR PERMITS	BPG	MSB
2	11/16/24	REVISED PER COMMENTS	BPG	MSB

PRELIMINARY
DO NOT USE FOR CONSTRUCTION

DATE: AS NOTED SCALE: N/A
DESIGNED: BPG CHECKED: MSB
DRAWN: KFW APPROVED: BPG
SHEET: 7 OF 7
CAD FILE: 459600PP-L1
PROJECT NO: 4596

S:\projects\4596 - 001 Monterey Shore's Preliminary Plans\459600PP-L1.dwg 11/23/2024 2:32 PM user: bpg Dateplotted: 11/23/2024 2:32 PM user: bpg Plot: 459600PP-L1.dwg



Major Subdivision Application

OFFICIAL USE ONLY:

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

Contact Information

APPLICANT:	PROPERTY OWNER:
Name: <u>Outer Banks Ventures, Inc.</u>	Name: <u>Same</u>
Address: <u>PO Box 549</u>	Address: _____
<u>Corolla, NC 27927</u>	_____
Telephone: <u>252-453-4198</u>	Telephone: _____
E-Mail Address: <u>rcwillis@outerbanksventures.com</u>	E-Mail Address: _____
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: <u>Same</u>	

Request

Physical Street Address: Malia Drive

Parcel Identification Number(s): 0116-000-0010-0000

Subdivision Name: Monterey Shores Ph. 10 Part A (Corolla Boat Club)

Number of Lots or Units: 6 Phase: _____

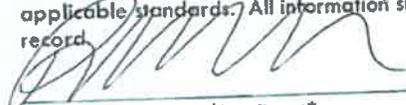
TYPE OF SUBMITTAL

- 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*

8/24/2022
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: 3 Signed Application (PB 87-56 Monterey Shores, Phase 10, Part A)

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):
See attached

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.
See attached

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.
See attached

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

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.
See attached

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.

[Handwritten signature]

8/25/2022
Date

Property Owner(s)/Applicant*

*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: 3 Signed Application (PB 87-56 Monterey Shores, Phase 10, Part A)

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 develop five single family lots and one commercial lot on this tract in accordance with the Amended Sketch Plan and SUP that was issued in October 2021.

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 Malia Drive will be used for access to the residential uses. Pedestrian connectivity is also being provided between uses within the development, with an external connection being made to the existing pedestrian crosswalk at Malia Drive. A traffic analysis has been prepared that supports this plan.

Appropriate access has been made for emergency service vehicles.

2. **Potable Water:** Water will be supplied by Currituck County via an existing water main located on NC 12. 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 effect the existing use or usability of adjacent or nearby properites.

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

1. The property is located within an existing PUD, where the proposed density still keeps the PUD well below the allowable 3 dwelling units per acre.
2. The Future Land Use Map that has been prepared in connection with Imagine Currituck 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).
3. Other policies from the 2006 Land Use Plan that support this development proposal include the following?
 - a. Policy CD2: Commercial and 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.
 - b. Policy ES4: In approving new developments, Currituck County shall support the retention or creation of a vegetated buffer area along ESTUARINE SHORLINES as a simple, effective and low-cost means of preventing pollutants from entering estuarine waters.
 - c. Policy HN1: Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND SENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type of 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.
 - d. 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 xluster 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 occure 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.

- e. 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.

4. 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.

Monterey Shores Phase 10 Part A
Corolla Boat Club

Community Meeting Minutes

July 25, 2022 and August 11, 2022

Scheduled Time/Place: 6:00 pm, on site off Malia Drive, Corolla, NC. Due to inclement weather, the August meeting was relocated to the covered arcade area at the adjacent miniature golf and bumper car facility. The meetings started a few minutes after 6:00 pm and ended about 7:15.

Attendees: (See attached sign-in sheets)

Comments from the Community	How Addressed
How many restaurant seats will there be?	Approximately 150
How many seats for the venue?	We expect it to seat about 200 people
How much parking is provided?	Approximately 70 parking spaces
Will there be a connection made to TimBuck II?	Probably not at this stage of the development. There may be a connection proposed with the future phase of development
How will stormwater be handled?	A stormwater model is being prepared including everything that is feeding the pond from off-site as well as the on-site development. The outlet will be re-worked to provide some storage and controlled release of stormwater
Will the pond size be reduced?	In some areas it will, but there are also opportunities to expand it in other areas. The model will dictate whether that is necessary
Is the only entrance from Malia Drive?	For the current development that is being proposed, yes
Will that access be adequate?	A traffic analysis has been performed and improvements will be made to the intersection and Malia Drive in accordance with that TIA
There is a parking shortage in Corolla and on-street parking might help	We are working with the county to determine whether on -street parking can be approved
Pedestrian connectivity is needed along NC 12	We will be providing connectivity from this development to the existing crosswalk at NC 12. The county and NCDOT will need to

	approve additional improvements within the right of way. The completion of the pedestrian system is part of the county's pedestrian master plan
Will stormwater facilities be sized for future development?	Yes, all development will be considered at the modeling
What is the benefit to the residents of Corolla?	An additional place to eat, additional entertainment venue
There aren't enough people to work and isn't enough employee housing.	This development does not propose employee housing, but we have one in the works that is going to propose additional housing
Will that be done prior to this project?	We hope that it will be approved prior to the development of this site being completed
There no good drainage from NC 12 to the pond and the pipe failed during a hurricane	The failed pipe has now been replaced and hopefully has been replaced with a pipe that will not fail
Who does the pipe serve?	Monterey Plaza shopping center, Monterey Pines development and adjacent development. The pond also receives ground water from Whalehead and from the Monterey Shores wastewater site. All of this water is being considered in the modeling
Will there be a traffic light?	That will be up to NCDOT, after a traffic warrant study is done, but we doubt this intersection will warrant a light
Who decides when improvements are made to the multi-use path?	The Currituck Commissioners
Will you propose these improvements or will county staff propose it?	It is suggested that the County Commissioners be made aware of the residents' desire to have this path completed
Who records the comments?	We are recording and will provide a record to the County as part of the application
Who reviews the stormwater?	Both the County and the State DEQ
What is the sequence?	State permits are obtained after the SUP and before construction approval
What is the schedule?	Shooting for BOC review in November
When will constructions start?	Hopefully by the ending of the year

**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.

RW 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.

RW 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: 5 JD with Updated Wetland Map (PB 87-56 Monterey Shores, Phase 10, Part A)

**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.

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.

Signature of appellant or agent.	Date:	Telephone number:
----------------------------------	-------	-------------------

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: 5 JD with Updated Wetland Map (PB 87-56 Monterey Shores, Phase 10, Part A)



N.C. DIVISION OF COASTAL MANAGEMENT
NOTIFICATION OF COASTAL WETLAND DETERMINATION

Pursuant to NCGS 113-229(n)(3), and 15A NCAC 07H.0205(a)

(A) B C D

Property Owner: Outer Banks Ventures Inc. Mailing Address: PO Box 549
Site Address: Parcel # 0116 000001000000 Corolla, NC 27927
Melia Drive, Corolla, N.C. 27927

Project Location: County Currituck US/NC/SR# off of NC SR 12
River Basin Pasquotank Adj. Water Body Sanders Bay of Currituck Sound

Indicate Which of the Following Apply:

Coastal Wetlands have been identified on the above described property. The project (as currently proposed) may impact these wetlands but no official delineation was performed. The Division of Coastal Management suggests that you request a formal delineation by this Division to evaluate potential impacts to Coastal Wetlands and project design alternatives.

Coastal Wetlands have been identified on the above described property. At your request, an official Coastal Wetland delineation was performed by the Division of Coastal Management. The Division of Coastal Management suggests that you have the delineation surveyed. The Division will verify the surveyed line, which will then remain valid for a period not to exceed 12 months from the delineation.

* Previously Surveyed, Survey Approved by DCM May 12th 2022

Coastal Wetlands species identified on-site:

- Spartina alterniflora, Distichlis spp., Cladium jamaicense, Spartina cynosuroides, Juncus roemerianus, Limonium spp., Typha spp., Salicornia spp., Scirpus spp., Spartina patens

Check any field indicators that apply to establish regular or occasional flooding:

- tidal water observed on-site, crabs/holes, wrack lines, staining, tidal water connection, periwinkle, elevation changes, other (please describe)

DCM Official Robert Corbett Title Field Rep
Date 5-27-22

In the event you disagree with this jurisdictional call, you may request a second opinion by contacting my supervisor, Ron Renaldi (DCM District Manager) at Elizabeth City.

Visit our website at www.nccoastalmanagement.com

Attachment: 6 N.C. DCM Notification of Coastal Wetland Determination (5-27-2022) (PB 87-56 Monterey Shores, Phase 10, Part A)

Field Notes Coastal Wetland Delineation May 12, 2022
Outer Banks Ventures Inc.
Sanders Bay, Currituck Sound, Corolla, North Carolina



Attachment: 6 N.C. DCM Notification of Coastal Wetland Determination (5-27-2022) (PB 87-56 Monterey Shores, Phase 10, Part A)

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

RICHARD E. ROGERS, JR.

Director



NORTH CAROLINA
Environmental Quality

July 25, 2022

Currituck County
Planning and Community Development
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929

RE: Wastewater Service
Monteray Shores - Phase 10 Project (4596 Monteray Sewer Allocation)
Corolla - Currituck County

Dear Currituck County:

Carolina Water Service of North Carolina holds permit Number WQ0009772 allowing for the continued operation of the Monteray Shores wastewater treatment and disposal system. The subject treatment system permit is in effect through October 31, 2026 and can be renewed and reissued. At this time, there are no significant compliance or flow capacity issues related to the operation of the Monteray Shores wastewater facility. As such, wastewater management needs generated through the referenced project (restaurant, boat slips, and residences) have potential to be served through the Monteray Shores WWTP based on a cursory review of available information.

Please note that the above position is based on a preliminary review of Monteray Shores' operational status. A final determination regarding the feasibility of directing flow from the subject project to Monteray Shores would not be made until review of a sewer extension permit application package is performed. All conditions and requirements for issuance of a sewer system extension permit must be satisfied to enable approval of such permit. No part of a sewer collection system shall be constructed without first obtaining required permits.

This letter does not commit or obligate Carolina Water Service of North Carolina to provide sewer service for the subject project, nor does it obligate the Division of Water Resources to issue related sewer system permits for the project.

A copy of the Monteray Shores WWTP permit is attached for reference.



North Carolina Department of Environmental Quality | Division of Water Resources

Washington Regional Office | 943 Washington Square Mall
Washington, North Carolina 27889

252-946-6481

Attachment: 7 Monteray Shores Phase 10 Capacity Letter July 25 2022 (PB 87-56 Monteray Shores, Phase 10, Part A)

Should you have any questions concerning this matter, please contact me at 252-948-3939 or at david.may@ncdenr.gov.

Sincerely,

David May

David May, L.G., Supervisor
Water Quality Regional Operations Section
Division of Water Resources
Washington Regional Office

Attachment: Monterey Shores WWTP Permit (No. WQ0009772)

cc: Carolina Water Service of NC – electronic copy via e-mail



North Carolina Department of Environmental Quality | Division of Water Resources
Washington Regional Office | 943 Washington Square Mall
Washington, North Carolina 27889
252-948-3939



Carolina Water Service of North Carolina™

July 21, 2022

Re: Monteray Shores Phase Ten, OBV
Corolla, Currituck County NC
Sanitary Sewer Utility-Willingness to Serve- Capacity Commitment Letter

To Whom It May Concern:

Carolina Water Service, Inc. of North Carolina (CWSNC) provides sanitary sewer utility service to the Corolla Light and adjacent developments including the above referenced property and project.

CWSNC is willing and able to provide the sanitary sewer utility needs for the above referenced property and project, with an additional capacity allocation of 27,400 gallons per day.

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 Southern Outer Banks Water Capacity Availability Form

County Contact Information

Will Rumsey, Utilities Director
 444 Maple Road
 Maple, NC 27956

Phone: 252.232.2769
 Fax: 252.453.3721

Website: <https://co.currituck.nc.us/departments/water/>

Request

This request is for:

- Single Family Residence
 Residential Development
 Non-residential

Owner Information

Name(s): Outer Banks Ventures, Inc.

Mailing Address: PO Box 459, Corolla, NC 27927

E-Mail Address: rcwillis@outerbanksventures.com

Phone Number: 252*-453-4198

Applicant Information (if different from Owner)

Name(s): Same

Mailing Address:

E-Mail Address:

Phone Number:

Parcel Information

PIN's): 0116-000-0010-0000

Street Address: Malia Drive, Corolla, NC 27927

Project Information

Name of Project: Monterey Shores

Number of Units: See attached Projected Daily Project Demand (gpd): 22,600

Anticipated Water Access Date: 2/2023

Applicant's Signature

I declare, that to the best of my knowledge, the information provided herein is true, correct, and complete.

[Signature]
Property Owner/Applicant Signature

7/22/2022
Date

Note: Water connection and/or developmental fees are due at building permit application. See the Currituck County Master Fee Schedule for rates.
https://co.currituck.nc.us/master-fee-schedule/

For Office Use Only
[X] Water capacity is available for this project.
[] Water capacity is not available for this project.
[Signature] 7-22-22 Utilities Director Date
[Signature] 7/25/22 County Manager Date
This capacity availability is valid for one year from approval date.

Attachment: 9 County Water (PB 87-56 Monterey Shores, Phase 10, Part A)

150 restaurant seats @ 40 gpd/seat	= 6,000 gpd
200 bar seats @ 20 gpd/seat	= 4,000 gpd
10 boat slips @ 10 gpd/slip	= 100 gpd
30 residential units @ 400 gpd/connection	= 12,000 gpd
Clubhouse: 50 people @ 10 gpd/person	= <u>500 gpd</u>
TOTAL	22,600 gpd

Attachment: 9 County Water (PB 87-56 Monterey Shores, Phase 10, Part A)

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>	✓	_____
<u>Currie Lane</u>	✓	_____
<u>XXXXXX</u>	X	_____
<u>Peanut Lane</u>	✓	_____

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: 10 Street Name Approvals (PB 87-56 Monterey Shores, Phase 10, Part A)

TRAFFIC IMPACT ANALYSIS

Monterey Shores Development

Corolla, North Carolina

PREPARED FOR

Richard Willis
Outer Banks Ventures
215 Brooks Ave #1001
Norfolk, Virginia 23510
757.286.2859

PREPARED BY



VHB Engineering NC, P.C. (C-3075)
940 Main Campus Drive, Suite 500
Raleigh, NC 27606
919.829.0328

4/6/2022



4/6/2022

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

Executive Summary

This development includes the construction of a residential and commercial development in Corolla, North Carolina (Figure 1). The development is planned to be constructed near the intersection of Ocean Trail (NC 12) and Malia Drive and will tentatively be completed in two phases. Phase I will include 5 single-family homes, 25 multi-family dwellings and 4,502 square feet of restaurant space with an expected build year of 2023 and Phase II will add 8,002 square feet of retail space and an additional 6 multi-family dwellings with an expected full build-out year of 2025.

Project Background

Based on the conceptual site plan (Figure 2), access to the development is proposed via up to two (2) vehicular access points:

- › Future Access #1, full movement access along Malia Drive, approximately 250 feet northwest of Ocean Trail (NC 12).
- › Future Access #2, full movement access along Sunset Boulevard, via an extension of the access driveway serving the Seaside Market.

There are potential right-of-way complications for the proposed access along Sunset Boulevard. Because of this, the full build-out of the proposed development was analyzed under two scenarios; one with only Future Access #1 via Malia Drive being available for use, and one with both access points available. Additionally, the land uses located along internal streets accessing Malia Drive, north of the lake, will be constructed first.

Monterey Shores Development TIA

Based on discussions with the North Carolina Department of Transportation (NCDOT), the following intersections were included in the study area and analyzed for existing and future conditions, as applicable:

- › Ocean Trail (NC 12) and Dolphin Street (SR 1458)/Monterey Drive (unsignalized)
- › Ocean Trail (NC 12) and Malia Drive/Commercial Driveway (unsignalized)
- › Ocean Trail (NC 12) and Albacore Street/Sunset Boulevard (signalized)
- › Malia Drive and Future Access #1 (future unsignalized)
- › Sunset Boulevard and Seaside Market Driveway/Future Access #2 (unsignalized)

The following scenarios were analyzed for existing and future conditions to evaluate the impacts that the proposed development may have on the surrounding roadway network:

- › Existing (2021) Conditions
- › Phase I No-Build (2023) Conditions
- › Phase I Build (2023) Conditions
- › Phase II No-Build (2025) Conditions
- › Phase II Build (2025) Alternative #1 Conditions
- › Phase II Build (2025) Alternative #2 Conditions

The Existing (2021) scenario includes typical weekday AM and PM peak hour analysis based on turning movement count data collected in 2021. The Phase I No-Build (2023) scenario includes existing traffic with a two percent (2%) annual growth rate for two years to calculate the expected background growth within the study area. No background developments or roadway improvements were included in this study. The Phase I Build (2023) scenario includes the No-Build (2023) volumes with the addition of Phase I site trips generated by the proposed development utilizing only Future Access #1 via Malia Drive. The Phase II No-Build (2025) scenario includes existing traffic with a two percent (2%) annual growth rate for four years to calculate the expected background growth within the study area. No background developments or roadway improvements were included in this study. The Phase II Build (2025) Alternative #1 scenario includes the No-Build (2025) volumes with the addition of site trips generated by the full build-out of the proposed development utilizing only Future Access #1 via Malia Drive. The Phase II Build (2025) Alternative #2 scenario includes the No-Build (2025) volumes with the addition of site trips generated by the full build-out of the proposed development utilizing both Future Access #1 and Future Access #2.

Existing (2021) Conditions

Existing analyses were conducted based on current roadway geometrics and intersection turning movement counts collected on September 1st, 2021, prior to the Labor Day weekend. After comparisons of the existing volumes collected via counts to the NCDOT AADT figures for the study roadways, no additional adjustment factors were deemed necessary to be applied to the AM and PM peak hour volumes to account for the COVID-19 pandemic or seasonal variations. A minimum of 4 vehicles per movement was applied based on NCDOT Congestion Management guidance.

As reported in the Summary Level of Service (LOS) table on page vi, the signalized intersection within the study area operates at an overall acceptable level of service (LOS D or better) during both peak

Monterey Shores Development TIA

hours. The stop-controlled approaches operate at acceptable levels of service except the westbound approach at the intersection of Ocean Trail (NC 12) and Dolphin Street/Monterey Drive, which operates at LOS E during the PM peak hour.

Phase I No-Build (2023) Conditions

The Existing (2021) peak hour volumes were grown to the Phase I build-out year (2023) using an annual growth rate of two percent (2%) to calculate the expected background growth within the study area. No additional background developments were identified within the study area.

As shown on the Summary LOS table on page vi, the signalized intersection within the study area is expected to continue to operate at an acceptable level of service during both peak hours. The stop-controlled westbound approach at the intersection of Ocean Trail (NC 12) and Dolphin Street/Monterey Drive is projected to degrade to a LOS F during the PM peak hour.

Phase I Trip Generation and Assignment

Trip generation was conducted based on the most appropriate corresponding trip generation codes included in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition* and the suggested method of calculation in the NCDOT's "Rate vs. Equation" Spreadsheet. Phase I of the proposed development is to consist of 5 single-family homes, 25 multi-family dwellings, and 4,502 sf of restaurant space; ITE Land Use Code (LUC) 210 (Single Family Detached Housing), LUC 220 (Multi-Family Housing, Low-Rise), and LUC 931 (Quality Restaurant) were used based on the NCDOT guidance.

As a result, the proposed development is projected to generate 591 daily weekday site trips, with 24 trips (7 entering, 17 exiting) occurring in the AM peak hour and 58 trips (38 entering, 20 exiting) occurring in the PM peak hour. After reductions to account for internal capture the proposed development is expected to generate 552 daily weekday external site trips, with 24 trips (7 entering, 17 exiting) occurring in the AM peak hour, and 53 trips (36 entering, 17 exiting) occurring in the PM peak hour. The generated site trips were distributed in accordance with the existing turning movement counts and land uses.

Phase I Build (2023) Conditions

The Build (2023) Alternative #1 conditions account for both the Phase I No-Build (2023) traffic and the site traffic generated by Phase I of the proposed development, and the traffic is assigned to the network utilizing only Future Access #1 via Malia Drive.

As shown on the Summary LOS table on page vi, with the addition of site trips, the signalized intersection continues to operate at overall acceptable levels of service during both peak hours. The stop-controlled westbound approach at the intersection of Ocean Trail (NC 12) and Dolphin Street/Monterey Drive is projected to continue to operate at a LOS F during the PM peak hour.

Phase II No-Build (2025) Conditions

The Existing (2021) peak hour volumes were grown to the Phase II build-out year (2025) using an annual growth rate of two percent (2%) to calculate the expected background growth within the study area. No additional background developments were identified within the study area.

As shown on the Summary LOS table on page vi, the signalized intersection within the study area is expected to continue to operate at an acceptable level of service during both peak hours. The stop-controlled westbound approach at the intersection of Ocean Trail (NC 12) and Dolphin Street/Monterey Drive is projected to degrade to a LOS F during the PM peak hour.

Phase II Trip Generation and Assignment

Trip generation was conducted based on the most appropriate corresponding trip generation codes included in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition* and the suggested method of calculation in the NCDOT's "Rate vs. Equation" Spreadsheet. The full build-out of the proposed development is to consist of 8,002 sf of retail space, 5 single-family homes, 31 multi-family dwellings, and 4,502 sf of restaurant space; ITE Land Use Code (LUC) 210 (Single Family Detached Housing), LUC 220 (Multi-Family Housing, Low-Rise), LUC 820 (General Retail) and LUC 931 (Quality Restaurant) were used based on the NCDOT guidance.

As a result, the proposed development is projected to generate 1,716 daily weekday site trips, with 70 trips (35 entering, 35 exiting) occurring in the AM peak hour and 127 trips (71 entering, 56 exiting) occurring in the PM peak hour. After reductions to account for internal capture the proposed development is expected to generate 1,285 daily weekday external site trips, with 68 trips (34 entering, 34 exiting) occurring in the AM peak hour, and 80 trips (48 entering, 32 exiting) occurring in the PM peak hour. The generated site trips were distributed in accordance with the existing turning movement counts and land uses.

Phase II Build (2025) Alternative #1 Conditions

The Phase II Build (2025) Alternative #1 conditions account for both the Phase II No-Build (2025) traffic and the site traffic generated by the full build-out of the proposed development, and the traffic is assigned to the network utilizing only Future Access #1 via Malia Drive.

As shown on the Summary LOS table on page vi, with the addition of site trips, the signalized intersection continues to operate at overall acceptable levels of service during both peak hours. The stop-controlled westbound approach at the intersection of Ocean Trail (NC 12) and Dolphin Street/Monterey Drive is projected to continue to operate at a LOS F during the PM peak hour.

Phase II Build (2025) Alternative #2 Conditions

The Phase II Build (2025) Alternative #2 conditions account for both the Phase II No-Build (2025) traffic and the site traffic generated by the full build-out of the proposed development, and the traffic is assigned to the network utilizing both Future Access #1 via Malia Drive and Future Access #2 via Sunset Boulevard.

Monterey Shores Development TIA

As shown on the Summary LOS table on page vi, with the addition of site trips, the signalized intersection continues to operate at overall acceptable levels of service during both peak hours. The stop-controlled westbound approach at the intersection of Ocean Trail (NC 12) and Dolphin Street/Monterey Drive is projected to continue to operate at a LOS F during the PM peak hour.

Roadway Improvement Recommendations

As indicated in the traffic operations analyses, the proposed development is projected to have a minimal impact on the traffic operations within the study area.

The following configurations are recommended for the site access driveways:

Malia Drive and Future Access #1 (unsignalized)

The stop-controlled driveway is expected to operate at LOS A during the AM peak hour and LOS A during the PM peak hour under both Build (2025) conditions. The following lane configurations are recommended for the new driveway connection:

- › Construct driveway with one ingress lane and one egress lane and full movement access.
- › Provide a minimum internal protected stem length of 100 feet.

Sunset Boulevard and Future Access #2 (unsignalized)

The stop-controlled driveway is expected to operate at LOS A during the AM peak hour and LOS B during the PM peak hour under Build Alternative #2 (2025) conditions. The following lane configurations are recommended for the new driveway connection, should Phase II Alternative #2 be utilized:

- › Modify driveway to clearly delineate one ingress lane and one egress lane and full movement access.
- › Ensure a minimum internal protected stem length of 100 feet.
- › Coordinate with NCDOT for design and pavement standards, and for a potential shifting of the driveway to the west to allow more distance from signal.

All other study area intersections will continue to operate acceptably with the development site trips in place.

The LOS results summary is shown in Table ES, and the future lane configurations and traffic control at the study area intersections, with the development in place, are presented in Figure ES-1 and Figure ES-2.

With the addition of the improvements identified as part of this TIA, all of the intersections are projected to operate at improved or acceptable levels of service and there are minimal delay increases (3 seconds or less during either peak period) projected at the study area intersections.

Monterey Shores Development TIA

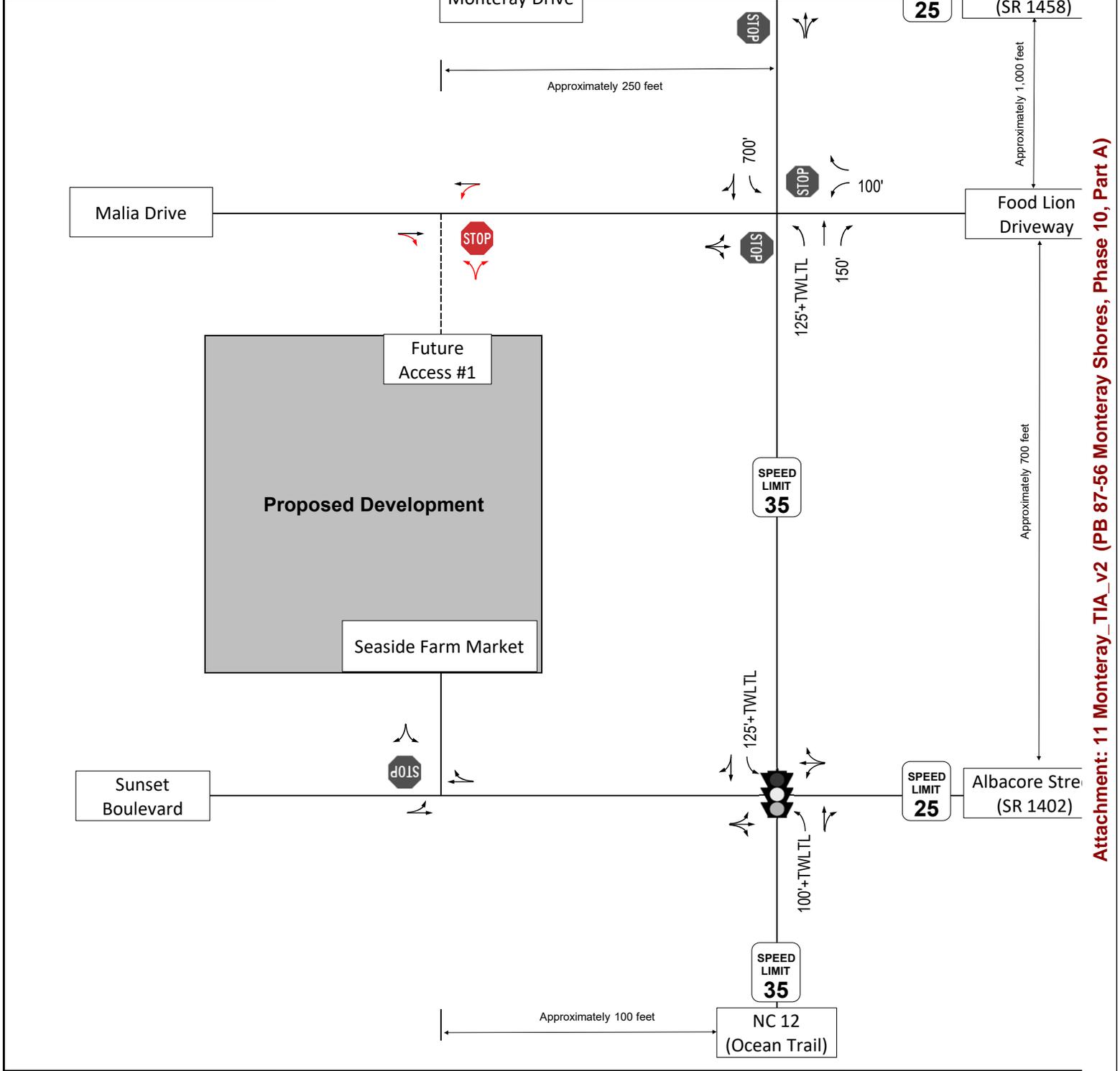
Table ES Summary Level of Service Table

Intersection and Approach	Traffic Control	Existing (2021)		Phase I No-Build (2023)		Phase I Build (2023)		Phase II No-Build (2025)		Phase II Build (2025) Alt #1		Phase II Build (2025) Alt #2	
		AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
NC 12 (Ocean Trail) at Albacore Street (SR 1402)/Sunset Boulevard	Signalized	A	C	A	C	A	C	A	C	B	C	B	C
		(9.4)	(21.3)	(9.8)	(23.6)	(9.8)	(24.0)	(9.8)	(24.7)	(10.8)	(25.3)	(10.3)	(27.9)
Eastbound		B-16.3	C-32.9	B-16.6	C-33.6	B-16.7	C-34.3	B-16.9	C-34.0	B-17.5	C-34.7	B-16.9	D-38.5
Westbound		B-17.1	D-38.5	B-17.4	D-40.9	B-17.5	D-42.2	B-17.8	D-42.7	B-19.3	D-44.4	B-17.6	D-50.2
Northbound		A-8.2	B-13.0	A-8.7	B-15.9	A-8.7	B-16.6	A-8.7	B-16.6	A-9.8	B-17.5	A-9.2	B-17.6
Southbound	A-8.7	C-21.7	A-8.9	C-23.8	A-8.9	C-23.6	A-8.8	C-25.2	A-9.7	C-25.4	A-9.0	C-28.9	
NC 12 (Ocean Trail) at Malia Drive/Food Lion Driveway	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Eastbound		B-12.5	C-19.9	B-12.8	C-21.0	B-12.9	D-26.5	B-12.9	C-22.6	B-14.1	E-35.9	B-14.5	D-26.7
Westbound		B-11.6	C-22.7	B-11.7	D-25.1	B-11.9	D-28.4	B-12.0	D-27.7	B-12.6	D-34.1	B-12.3	D-29.7
NC 12 (Ocean Trail) at Dolphin Street (SR 1458)/Monterey Drive	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Eastbound		B-10.9	C-19.1	B-11.0	C-20.0	B-11.0	C-20.4	B-11.1	C-22.1	B-11.3	C-22.5	B-11.3	C-22.5
Westbound		C-15.0	E-48.0	C-15.4	F-57.4	C-15.5	F-62.0	C-16.0	F-70.3	C-16.7	F-78.4	C-16.6	F-78.4
Sunset Boulevard at Seaside Farm Market/Future Access #2	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Southbound		A-8.6	B-10.6	A-8.6	B-10.7	A-8.6	B-10.7	A-8.6	B-10.9	A-8.6	B-10.9	A-8.9	B-11.3
Malia Drive at Future Access #1	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Northbound		-	-	-	-	A-8.4	A-8.6	---	---	A-8.5	A-8.7	A-8.4	A-8.6

X (XX.X) = Overall intersection LOS (average delay), X-XX = Approach LOS and average delay

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

LEGEND	
—	Existing Roadway
--	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
←	Existing Lane Geometric
	Proposed Stop-Controlled Approach
←	Proposed Lane Geometric



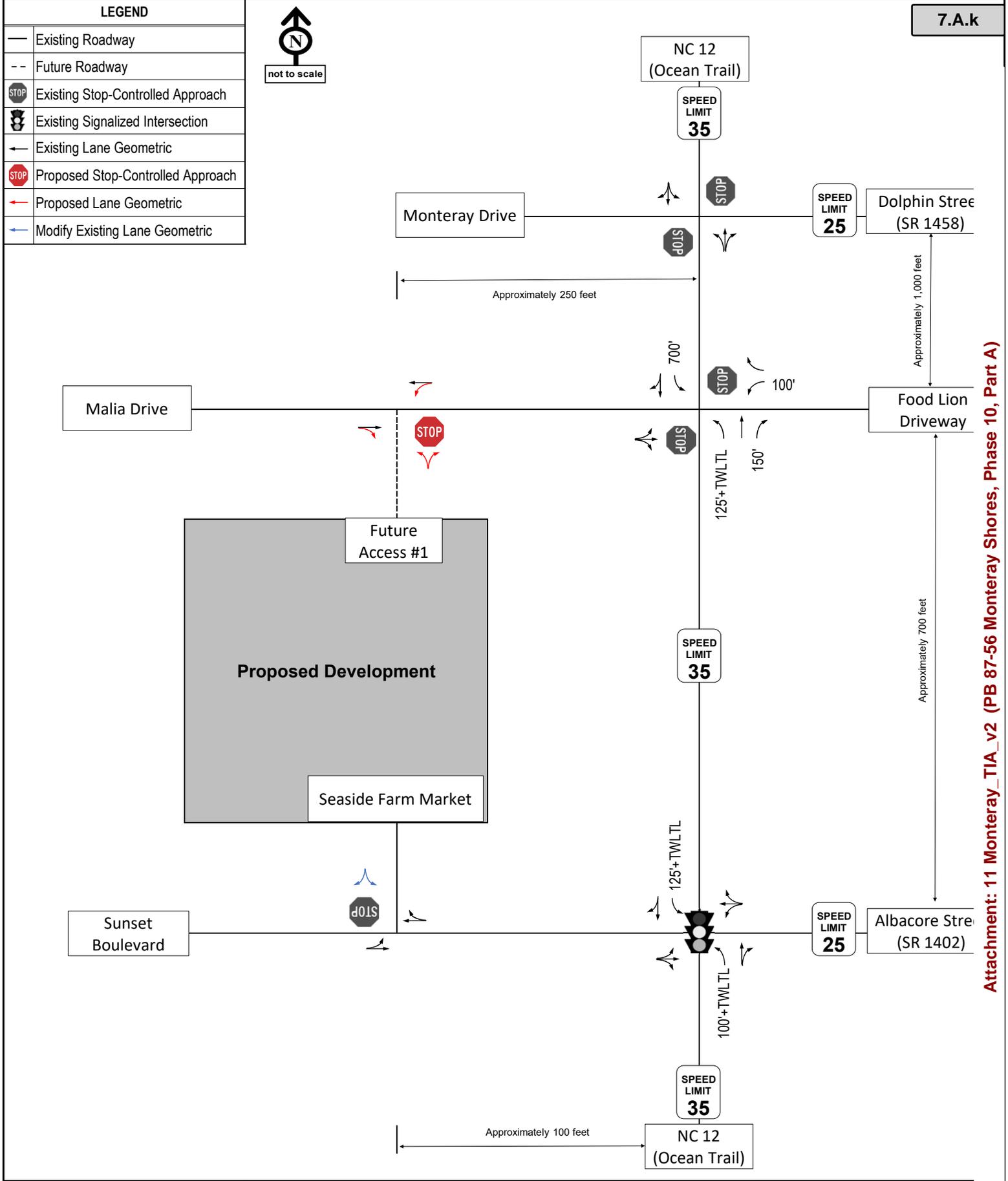
Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure ES-1
Phase II Build (2025) Alternative #1
Lane Geometrics and Traffic Control

Monterey Shores TIA
Corolla, NC

LEGEND	
	Existing Roadway
	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
	Existing Lane Geometric
	Proposed Stop-Controlled Approach
	Proposed Lane Geometric
	Modify Existing Lane Geometric



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure ES-2
Phase II Build (2025) Alternative #2
Lane Geometrics and Traffic Control

Monterey Shores TIA
Corolla, NC

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Monterey Shores Development TIA

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1

Introduction

There are plans to construct a multi-use development Corolla, North Carolina (Figure 1). The development is planned to be constructed near the intersection of Ocean Trail (NC 12) and Malia Drive and will tentatively be completed in two phases. Phase I will include 5 single-family homes, 25 multi-family dwellings and 4,502 square feet of restaurant space with an expected build year of 2023 and Phase II will add 8,002 square feet of retail space and an additional 6 multi-family dwellings with an expected full build-out year of 2025.

Project Background

Based on the conceptual site plan (Figure 2), access to the development is proposed via up to two (2) vehicular access points:

- › Future Access #1, full movement access along Malia Drive, approximately 250 feet northwest of Ocean Trail (NC 12).
- › Future Access #2, full movement access along Sunset Boulevard, via an extension of the access driveway serving the Seaside Market.

There are potential right-of-way complications for the proposed access along Sunset Boulevard. Because of this, the full build-out of the proposed development was analyzed under two scenarios; one with only Future Access #1 via Malia Drive being available for use, and one with both access points available. Additionally, the land uses located along internal streets accessing Malia Drive, north of the lake, will be constructed first.

Monterey Shores Development TIA

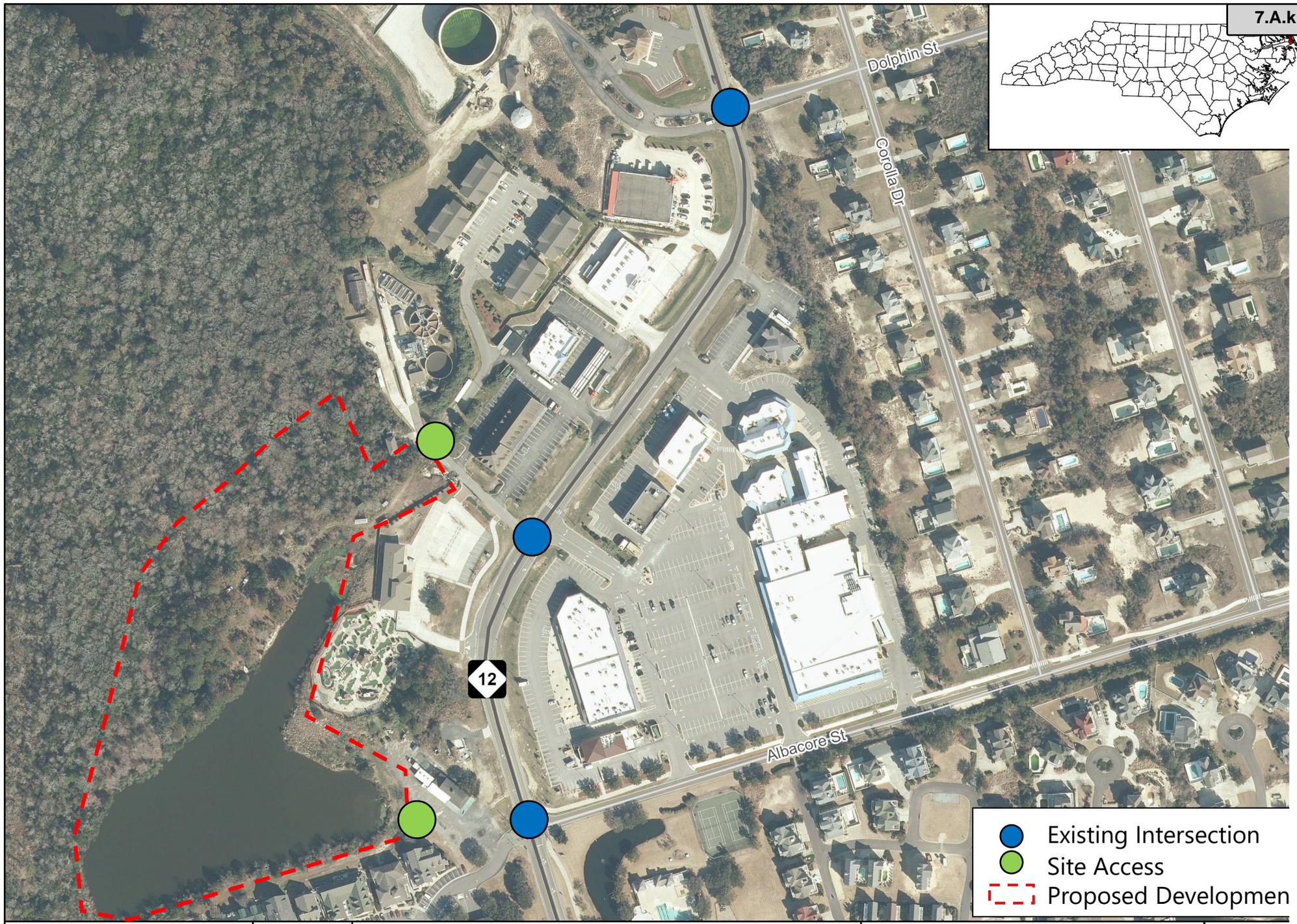
Based on discussions with the North Carolina Department of Transportation (NCDOT), the following intersections were included in the study area and analyzed for existing and future conditions, as applicable:

- › Ocean Trail (NC 12) and Dolphin Street (SR 1458)/Monterey Drive (unsignalized)
- › Ocean Trail (NC 12) and Malia Drive/Commercial Driveway (unsignalized)
- › Ocean Trail (NC 12) and Albacore Street/Sunset Boulevard (signalized)
- › Malia Drive and Future Access #1 (future unsignalized)
- › Sunset Boulevard and Seaside Market Driveway/Future Access #2 (unsignalized)

The following scenarios were analyzed for existing and future conditions to evaluate the impacts that the proposed development may have on the surrounding roadway network:

- › Existing (2021) Conditions
- › Phase I No-Build (2023) Conditions
- › Phase I Build (2023) Conditions
- › Phase II No-Build (2025) Conditions
- › Phase II Build (2025) Alternative #1 Conditions
- › Phase II Build (2025) Alternative #2 Conditions

VHB Engineering NC, P.C. (VHB) was retained by Outer Banks Ventures to analyze the potential traffic impacts of the proposed development and to identify any necessary roadway improvements. This Traffic Impact Analysis (TIA) summarizes trip generation, distribution, and traffic capacity analysis for the proposed development. A summary of the key assumptions made within this traffic study was sent to NCDOT staff for review and comment prior to the completion of the TIA. These assumptions are provided within the NCDOT TIA Checklist attached within Appendix A.



- Existing Intersection
- Site Access
- - - Proposed Development

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

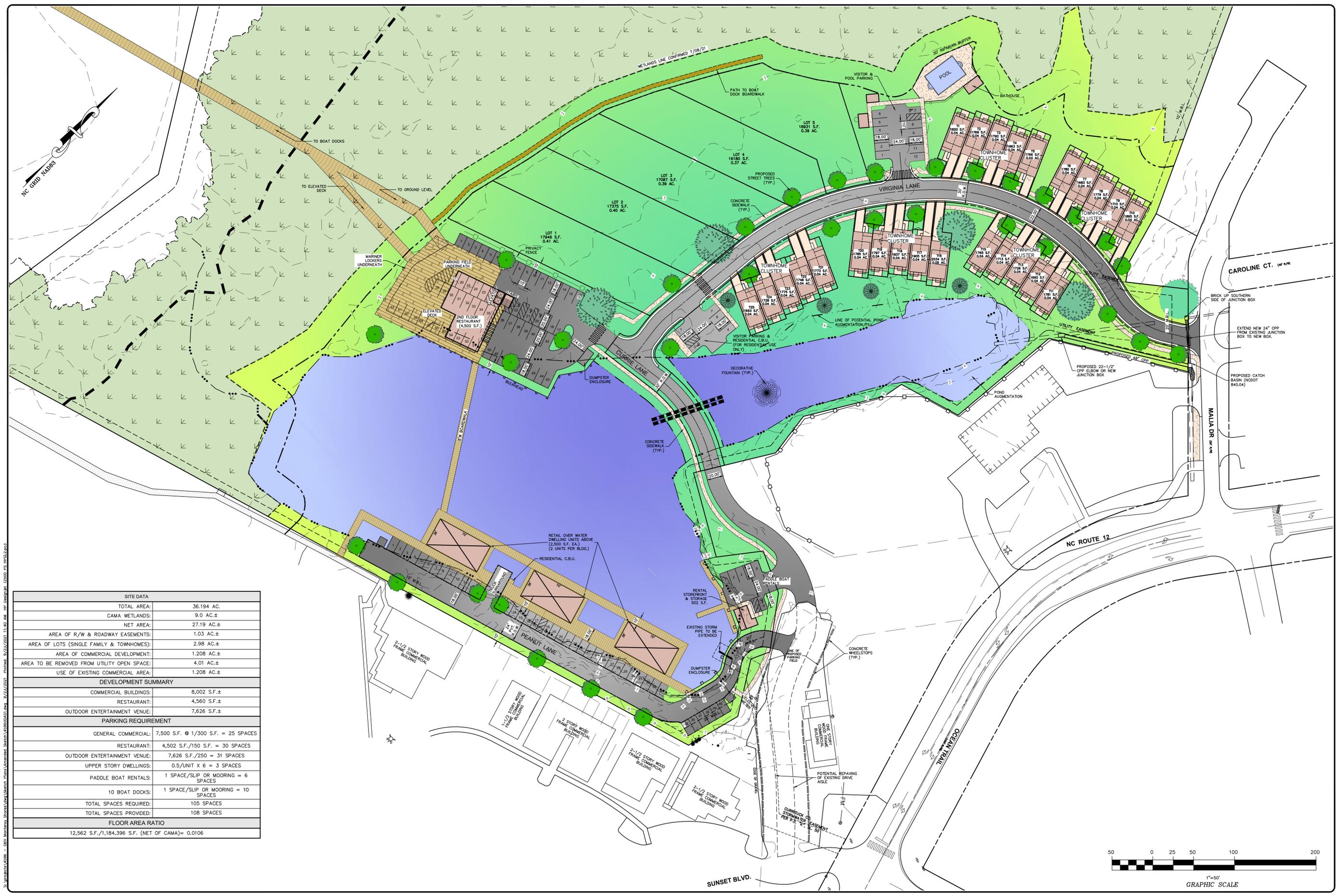
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0 125 250
Feet



Figure 1:
Vicinity Map

Monterey Shores Development
Traffic Impact Analysis
Corolla, NC





S:\Projects\4596 - Outer Banks Ventures\4596 - Outer Banks Ventures\459600AS1.dwg 9/23/2021 11:40 AM User: bphillips Plotted: 9/23/2021 11:40 AM

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	

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**MIXED USE DEVELOPMENT
LAYOUT & CONCEPTUAL PLAN**

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OUTER BANKS VENTURES
CURRIER BRANCH TOWNSHIP
NORTH CAROLINA

LUP AMENDMENT

PROJECT NO. 459600AS1

SHEET: **5** OF **6**

DATE: 5/27/21
DESIGNED: BPG
DRAWN: KFW

SCALE: 1"=50'
CHECKED: MSB
APPROVED: BPG

CAD FILE: 459600AS1

PROJECT NO.: 4596

**PRELIMINARY
DO NOT USE FOR
CONSTRUCTION**

REVISIONS

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

GRAPHIC SCALE
1"=50'

Packet Pg. 72



2

Existing (2021) Conditions

This section describes the existing roadways in the vicinity of the proposed development. Annual Average Daily Traffic (AADT) data for the surrounding network of roadway was obtained from the NCDOT, where available.

Ocean Trail (NC 12)

- › Within the study area limits, Ocean Trail (NC 12) is a two-lane undivided roadway with a posted speed limit of 35 miles per hour (mph). There is a two-way left-turn lane present between Albacore Street (SR 1402)/Sunset Boulevard and Malia Drive.
- › The land uses along Ocean Trail are primarily commercial within the study area.
- › The 2019 AADT along Ocean Trail was 4,800 vehicles per day (vpd) through the study area.

Albacore Street (SR 1402)

- › Within the study area limits, Albacore Street is a two-lane undivided roadway with a posted speed limit of 25 mph.
- › The land uses along Albacore Street are primarily commercial and residential within the study area limits.
- › There is no AADT data available along Albacore Street.

Sunset Boulevard

- › Within the study area limits, Sunset Boulevard is a two-lane undivided roadway providing access from Ocean Trail to the TimBuck II shopping plaza.
- › There is no posted speed limit along Sunset Boulevard
- › The land uses along Sunset Boulevard are primarily commercial within the study area limits.

Monterey Shores Development TIA

- › There is no AADT data available along Sunset Boulevard.

Malia Drive

- › Within the study area limits, Malia Drive is a two-lane undivided roadway with no posted speed limit.
- › The land uses along Malia Drive are primarily commercial within the study area limits.
- › There is no AADT data available along Malia Drive.

Dolphin Street (SR 1458)

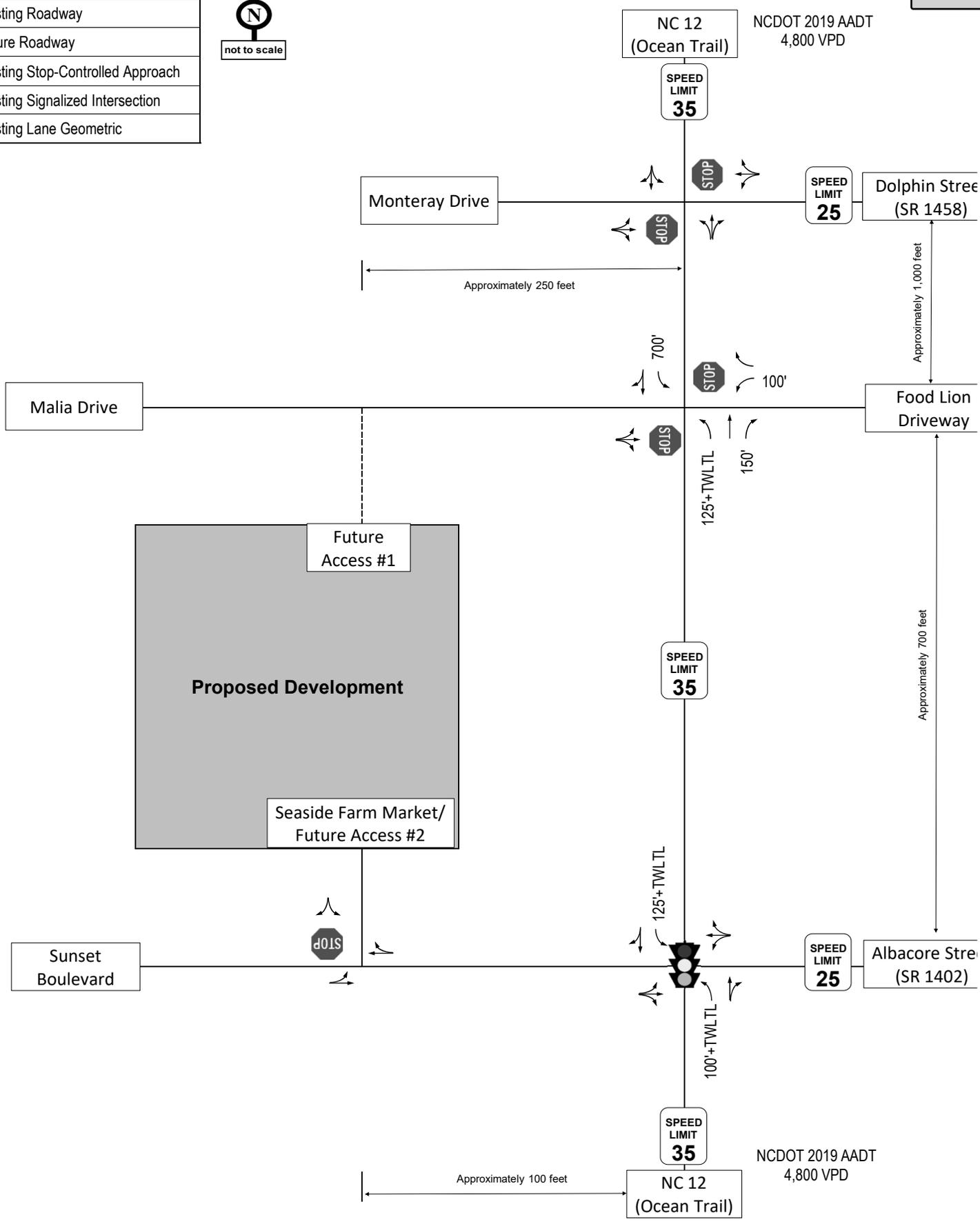
- › Within the study area limits, Dolphin Street is a two-lane undivided roadway with a posted speed limit of 25 mph.
- › The land uses along Dolphin Street are primarily residential within the study area limits.
- › There is no AADT data available along Dolphin Street.

Monterey Drive

- › Within the study area limits, Monterey Drive is a two-lane undivided roadway with a posted speed limit of 20 mph.
- › The land uses along Monterey Drive are primarily commercial and residential within the study area limits.
- › There is no AADT data available along Monterey Drive.

Figure 3 provides a schematic diagram of the existing roadways near the proposed development, including the intersection geometrics.

LEGEND	
—	Existing Roadway
--	Future Roadway
STOP	Existing Stop-Controlled Approach
🚦	Existing Signalized Intersection
←	Existing Lane Geometric



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 3
Existing (2021) Lane Geometrics and Traffic Control

Monterey Shores TIA
Corolla, NC

Existing Turning Movement Data

VHB Engineering NC, P.C. collected weekday AM and PM peak hour intersection turning movement counts on September 1st, 2021. The day was selected to best represent the busier summer conditions of the area, where weekday volumes are expected to be higher than in the other off-peak seasons. Table 1 summarizes the schedule used to obtain the turning movement data. The video collected for the intersection of Ocean Trail and Albacore Street/Sunset Boulevard was also studied manually to find the turning movement volumes at the intersection of Sunset Boulevard and the Seaside Market driveway. No volume balancing adjustments were deemed necessary due to minor volume variations between intersections along the corridor. A minimum of four vehicles per hour was added to several movements based on NCDOT Congestion Management guidance. A detailed summary of the traffic counts can be found in Appendix B. The existing peak hour turning movement volumes are shown in Figure 4.

Table 1 Turning Movement Count Schedule

Intersection	Time Period	Data Collection Date
Ocean Trail (NC 12) at Albacore Street (SR 1402)/Sunset Boulevard	7:00 AM – 9:00 AM 4:00 PM – 6:00 PM	Wednesday September 1, 2021
Ocean Trail (NC 12) at Malia Drive/Food Lion Driveway	7:00 AM – 9:00 AM 4:00 PM – 6:00 PM	Wednesday September 1, 2021
Ocean Trail (NC 12) at Dolphin Street (SR 1458)/Monterey Drive	7:00 AM – 9:00 AM 4:00 PM – 6:00 PM	Wednesday September 1, 2021

Level of Service Criteria

Peak hour level of service (LOS) measures the adequacy of the intersection geometrics and traffic controls of a particular intersection or approach for the given turning volumes. Levels of service range from A through F, based on the average control delay experienced by vehicles traveling through the intersection during the peak hour. Control delay represents the portion of total delay attributed to traffic control devices (e.g., signals or stop signs). The engineering professional generally accepts LOS D as an acceptable operating condition for signalized intersections in urban areas and LOS C for rural areas.

At unsignalized intersections, LOS E is generally considered acceptable only if the side street encounters the delay. Nevertheless, side streets sometimes function at LOS F during peak traffic periods; however, the traffic volume often does not warrant a traffic signal to assist side street traffic. Table 2 provides a general description of various levels of service categories and delay ranges.

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

Table 2 Level of Service Description for Intersections

Level of Service	Description	Signalized Intersection	Unsignalized Intersection
A	Little or no delay	<= 10 sec.	<= 10 sec.
B	Short traffic delay	10-20 sec.	10-15 sec.
C	Average traffic delay	20-35 sec.	15-25 sec.
D	Long traffic delay	35-55 sec.	25-35 sec.
E	Very long traffic delay	55-80 sec.	35-50 sec.
F	Unacceptable delay	> 80 sec.	> 50 sec.

Level of Service Analysis

Intersection levels of service analyses were performed for the typical weekday AM and PM peak hour using *Synchro/SimTraffic Professional Version 10*. The turning movement volumes analyzed in the Existing (2021) scenario are displayed in Figure 4. The existing signal plans provided by the NCDOT were utilized in the analysis and are included in Appendix C. A summary of the findings for the Existing (2021) scenario LOS analysis can be found in Table 3, and the full *Synchro* output can be found in Appendix D.

As reported in Table 3, the signalized intersection within the study area operates at an overall acceptable level of service (LOS D or better) during both peak hours. The stop-controlled approaches operate at acceptable levels of service except the westbound approach at the intersection of Ocean Trail (NC 12) and Dolphin Street/Monterey Drive, which operates at LOS E during the PM peak hour.

Table 3 Existing (2021) LOS Results

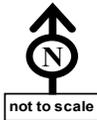
Intersection and Approach	Traffic Control	Existing (2021)	
		AM	PM
NC 12 (Ocean Trail) at Albacore Street (SR 1402)/Sunset Boulevard	Signalized	A (9.4)	C (21.3)
Eastbound		B-16.3	C-32.9
Westbound		B-17.1	D-38.5
Northbound		A-8.2	B-13.0
Southbound		A-8.7	C-21.7
NC 12 (Ocean Trail) at Malia Drive/Food Lion Driveway	Unsignalized	-	-
Eastbound		B-12.5	C-19.9
Westbound		B-11.6	C-22.7
NC 12 (Ocean Trail) at Dolphin Street (SR 1458)/Monterey Drive	Unsignalized	-	-
Eastbound		B-10.9	C-19.1
Westbound		C-15.0	E-48.0
Sunset Boulevard at Seaside Farm Market/Future Access #2	Unsignalized	-	-
Southbound		A-8.6	B-10.6

X (XX.X) = Overall intersection LOS (average delay), X-XX = Approach LOS and average delay

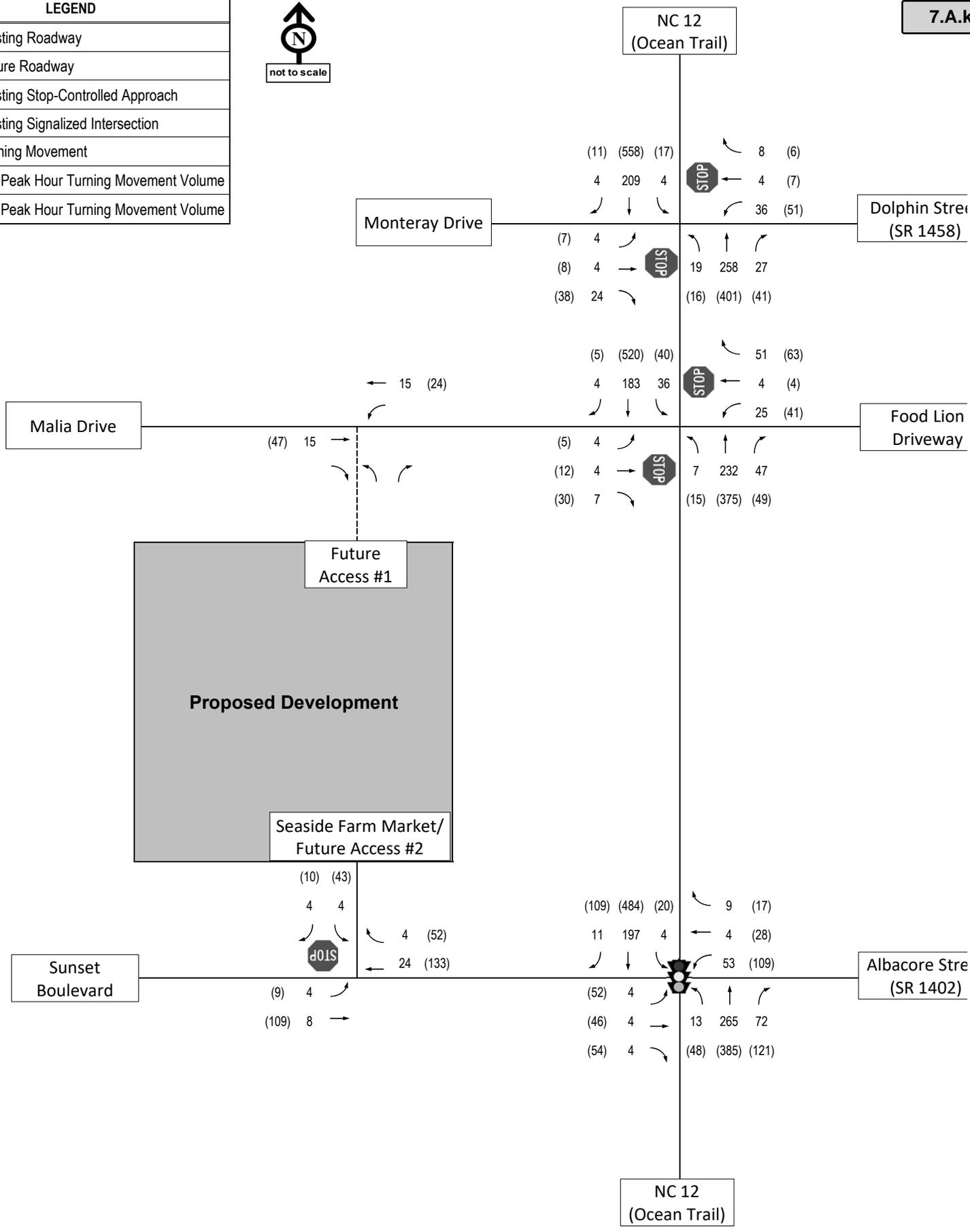
Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

LEGEND

—	Existing Roadway
--	Future Roadway
STOP	Existing Stop-Controlled Approach
🚦	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 4
Existing (2021) AM and PM Peak Hour Volumes

Monterey Shores TIA
Corolla, NC



3

Phase I No-Build (2023) Conditions

Background Growth Calculations

The Existing (2021) peak hour volumes were grown to the Phase I year (2023) using an annual growth rate of two percent (2%) to calculate the expected background growth within the study area. There were no background developments or roadway improvements identified for inclusion in the study area. Therefore, no additional background trips were included in the Phase I No-Build (2023) scenario, and the network layout matches the Existing (2021) conditions.

Level of Service Analysis

Intersection levels of service analyses were performed for the typical weekday AM and PM peak hours using *Synchro/SimTraffic Professional Version 10*. The calculated Phase I No-Build (2023) peak hour turning movements are displayed in Figure 5. A summary of the findings for the Phase I No-Build (2023) LOS analysis can be found in Table 4 and the full Synchro outputs can be found in Appendix D.

As reported in Table 4, the signalized intersection within the study area is expected to continue to operate at an acceptable level of service during both peak hours. The stop-controlled westbound approach at the intersection of Ocean Trail (NC 12) and Dolphin Street/Monterey Drive is projected to degrade to a LOS F during the PM peak hour.

Monterey Shores Development TIA

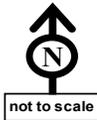
Table 4 Phase I No-Build (2023) LOS Results

Intersection and Approach	Traffic Control	Phase I No-Build (2023)	
		AM	PM
NC 12 (Ocean Trail) at Albacore Street (SR 1402)/Sunset Boulevard	Signalized	A (9.8)	C (23.6)
Eastbound		B-16.6	C-33.6
Westbound		B-17.4	D-40.9
Northbound		A-8.7	B-15.9
Southbound		A-8.9	C-23.8
NC 12 (Ocean Trail) at Malia Drive/Food Lion Driveway	Unsignalized	-	-
Eastbound		B-12.8	C-21.0
Westbound		B-11.7	D-25.1
NC 12 (Ocean Trail) at Dolphin Street (SR 1458)/Monterey Drive	Unsignalized	-	-
Eastbound		B-11.0	C-20.0
Westbound		C-15.4	F-57.4
Sunset Boulevard at Seaside Farm Market/Future Access #2	Unsignalized	-	-
Southbound		A-8.6	B-10.7

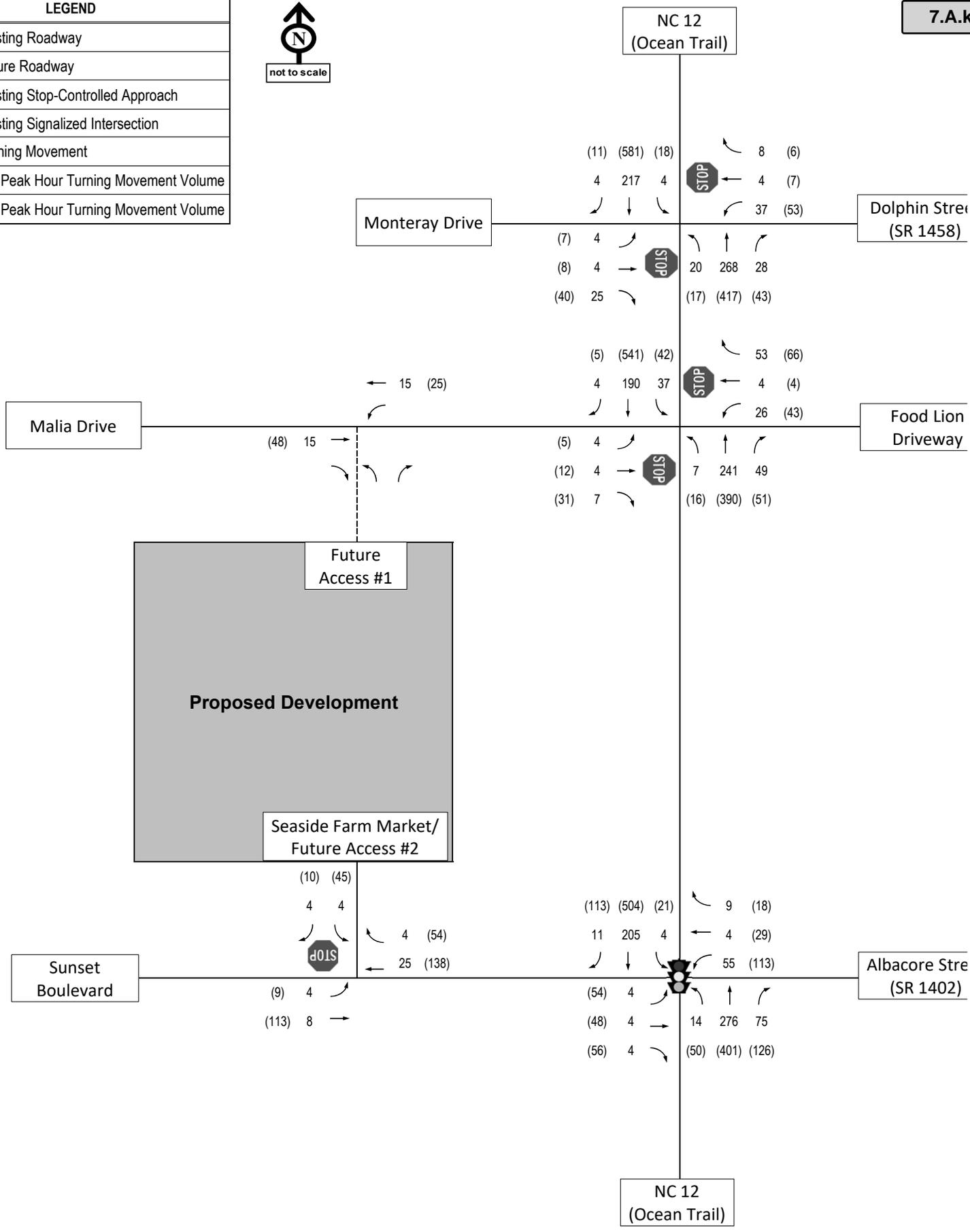
X (XX.X) = Overall intersection LOS (average delay), X-XX = Approach LOS and average delay

LEGEND

—	Existing Roadway
--	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 5
Phase I No-Build (2023) AM and PM Peak Hour Volumes

Monterey Shores TIA
Corolla, NC



4

Phase I Build (2023) Conditions

There are plans to construct a multi-use development Corolla, North Carolina (Figure 1). The development is planned to be constructed near the intersection of Ocean Trail (NC 12) and Malia Drive and will tentatively be completed in two phases. Phase I will include 5 single-family homes, 25 multi-family dwellings and 4,502 square feet of restaurant space with an expected build year of 2023 and Phase II will add 8,002 square feet of retail space and an additional 6 multi-family dwellings with an expected full build-out year of 2025.

Trip Generation

Trip generation was conducted based on the most appropriate corresponding trip generation codes included in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition* and the suggested method of calculation in the NCDOT's "*Rate vs. Equation*" Spreadsheet. Phase I of the proposed development is to consist of 5 single-family homes, 25 multi-family dwellings, and 4,502 sf of restaurant space; ITE Land Use Code (LUC) 210 (Single Family Detached Housing), LUC 220 (Multi-Family Housing, Low-Rise), and LUC 931 (Quality Restaurant) were used based on the NCDOT guidance.

Table 5 summarizes the assumed trip generation for Phase I of the proposed development for typical weekday AM and PM peak hours. Phase I of the proposed development is projected to generate 591 daily weekday site trips, with 24 trips (7 entering, 24 exiting) occurring in the AM peak hour and 58 trips (38 entering, 20 exiting) occurring in the PM peak hour. After reductions to account for internal capture the proposed development is expected to generate 552 daily weekday external site trips, with 24 trips (7 entering, 17 exiting) occurring in the AM peak hour, and 53 trips (36 entering, 17 exiting)

Monterey Shores Development TIA

occurring in the PM peak hour. The generated site trips were distributed in accordance with the existing turning movement counts and land uses.

Table 5 Phase I Trip Generation Rates (Vehicle Trips)

Land Use Code ¹	Land Use	Unit	ADT	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Total Site Trips²									
210	Single-Family Detached Housing	5 du	66	2	6	8	4	2	6
220	Multifamily Housing (Low-Rise)	25 du	148	3	10	13	11	6	17
931	Quality Restaurant	4,502 sf	377	2	1	3	23	12	35
<i>Development Total</i>			591	7	17	24	38	20	58
Trip Reduction Due to Internal Capture³									
210	Single-Family Detached Housing	5 du	2	0	0	0	0	0	1
220	Multifamily Housing (Low-Rise)	25 du	7	0	0	0	1	1	1
931	Quality Restaurant	4,502 sf	30	0	0	0	1	2	3
<i>Development Total</i>			40	0	0	0	2	3	5
Total External Site Trips									
210	Single-Family Detached Housing	5 du	64	2	6	8	4	2	6
220	Multifamily Housing (Low-Rise)	25 du	141	3	10	13	10	5	15
931	Quality Restaurant	4,502 sf	347	2	1	3	22	10	32
<i>Development Total</i>			552	7	17	24	36	17	53
Pass-by Site Trips⁴									
210	Single-Family Detached Housing	5 du		0	0	0	0	0	0
220	Multifamily Housing (Low-Rise)	25 du		0	0	0	0	0	0
931	Quality Restaurant	4,502 sf		0	0	0	7	7	14
<i>Development Total</i>				0	0	0	7	7	14
Non-Pass-by Site Trips									
210	Single-Family Detached Housing	5 du		2	6	8	4	2	6
220	Multifamily Housing (Low-Rise)	25 du		3	10	13	10	5	15
931	Quality Restaurant	4,502 sf		2	1	3	15	3	18
<i>Development Total</i>				7	17	24	29	10	39

Notes:

- Land Use Code and trip generation rates are determined based on *ITE Trip Generation, 10th Edition*, rates for 820 based on subset of smaller retail sites (50,000 sf or less)
- Total site trips are determined based on the suggested method in the NCDOT Rate vs Equation Spreadsheet
- Internal capture was based on NCHRP 684 method and NCDOT IC calculation spreadsheet, with 1,500 ft spacing between uses
- Unconstrained pass-by trips are calculated based on *ITE Trip Generation Handbook, 3rd Edition*. The final projections are not expected to exceed 10% of adjacent street volumes.

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

Trip Distribution and Assignment

In Phase I, the proposed development will be accessed via one (1) full-movement driveway along Malia Drive. The generated site trips were distributed in accordance with the existing traffic patterns and land uses in the vicinity of the study area as follows:

- › Ocean Trail (NC 12) from/to the north – 30%
- › Ocean Trail (NC 12) from/to the south – 50%
- › Albacore Street (SR 1402) from/to the east – 5%
- › Sunset Boulevard from/to the west – 2%
- › Food Lion Driveway from/to the east – 5%
- › Dolphin Street from/to the east – 3%
- › Monterey Drive from/to the west – 5%

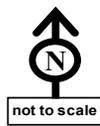
Pass-by trips for the commercial uses were distributed along Ocean Trail with a 60/40 split between the northbound and southbound directions respectively.

Monterey Shores Development TIA

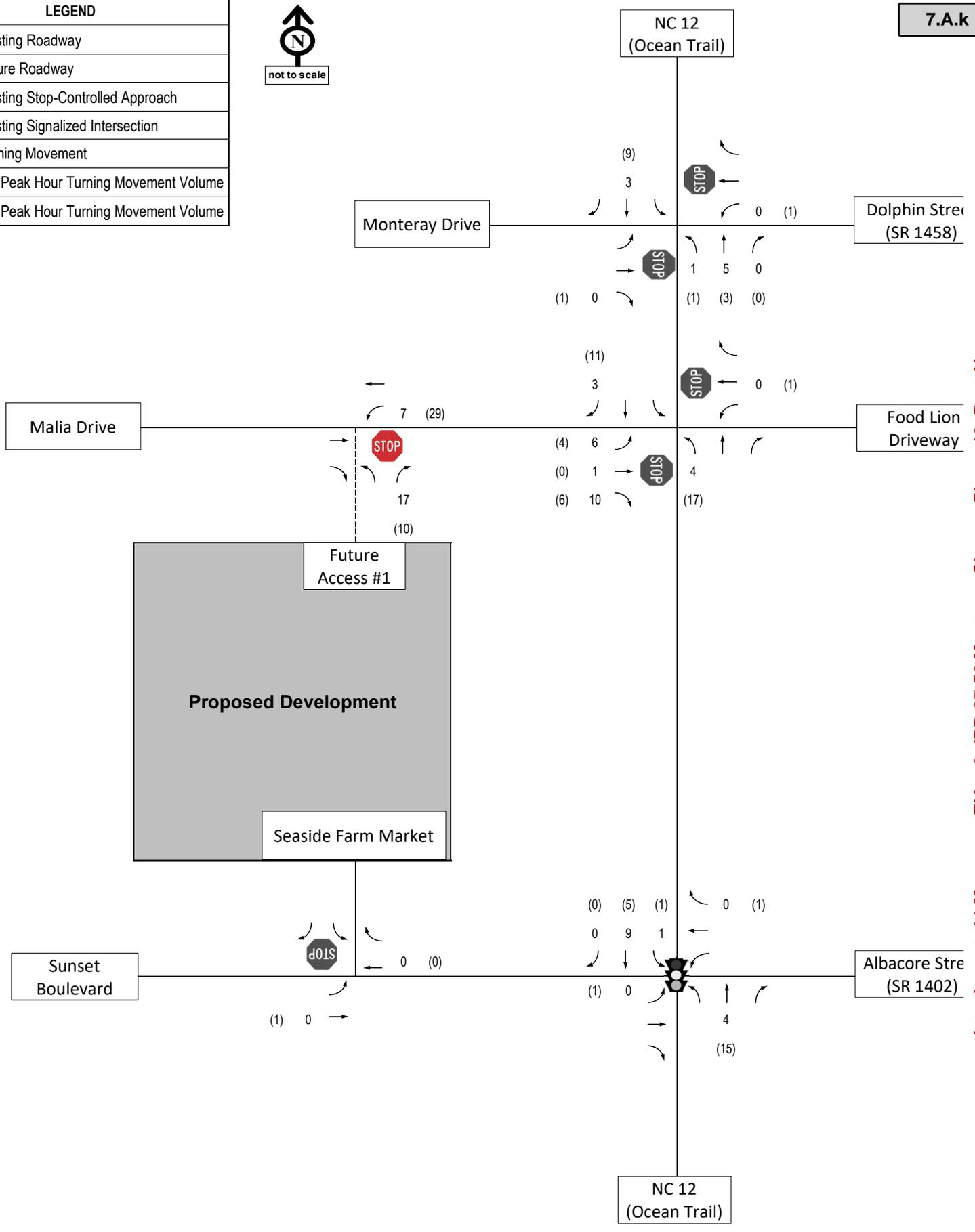
The non-pass-by distribution percentages and resulting site trips for Phase I Build (2023) are shown in Figure 6 and Figure 7. The pass-by distribution percentages and resulting site trips for Phase I Build (2023) are shown in Figure 8 and Figure 9. The total combined site trips for Phase I Build (2023) are shown in Figure 10.

LEGEND

—	Existing Roadway
--	Future Roadway
STOP	Existing Stop-Controlled Approach
🚦	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

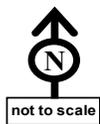


Figure 7
Phase I Build (2023) Peak Hour Site Generated Non-Pass-By Trips

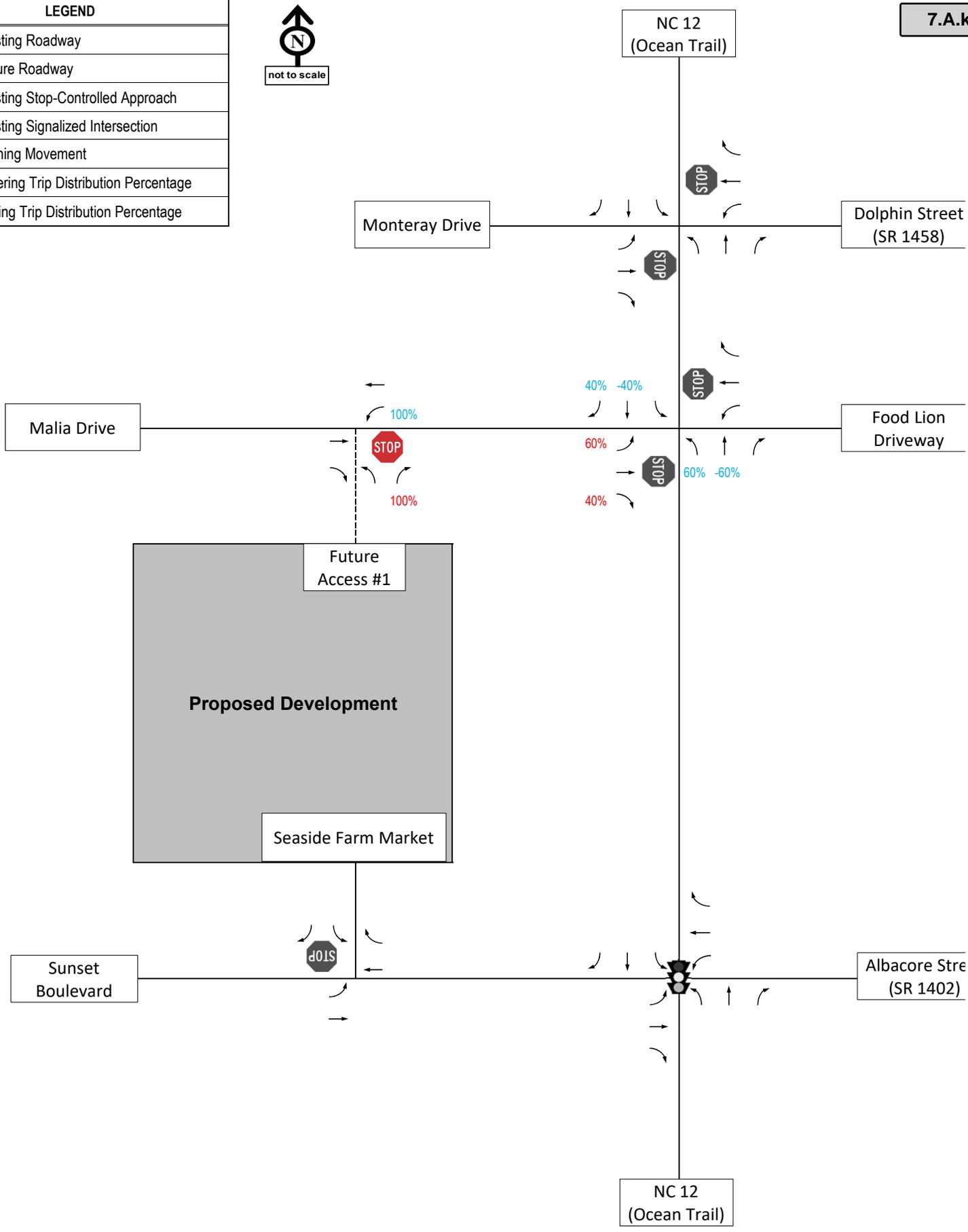
Monteray Shores TIA
Corolla, NC

LEGEND

—	Existing Roadway
--	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
←	Turning Movement
XX%	Entering Trip Distribution Percentage
XX%	Exiting Trip Distribution Percentage



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 8
Phase I Build (2023) Pass-By Site Trip Distribution

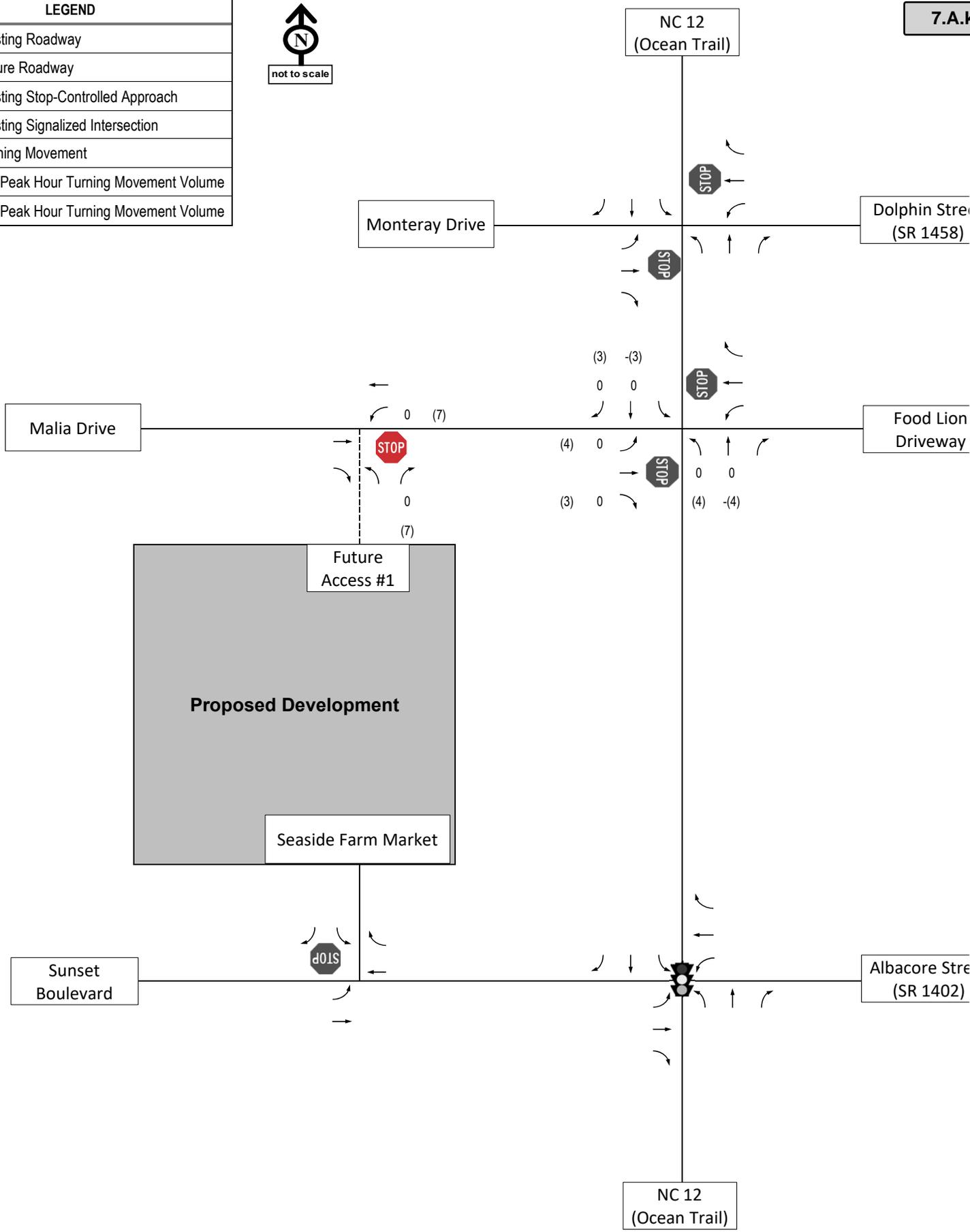
Monterey Shores TIA
Corolla, NC

LEGEND

—	Existing Roadway
--	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

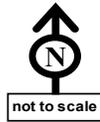


Figure 9
Phase I Build (2023) Peak Hour Site Generated Pass-By Trips

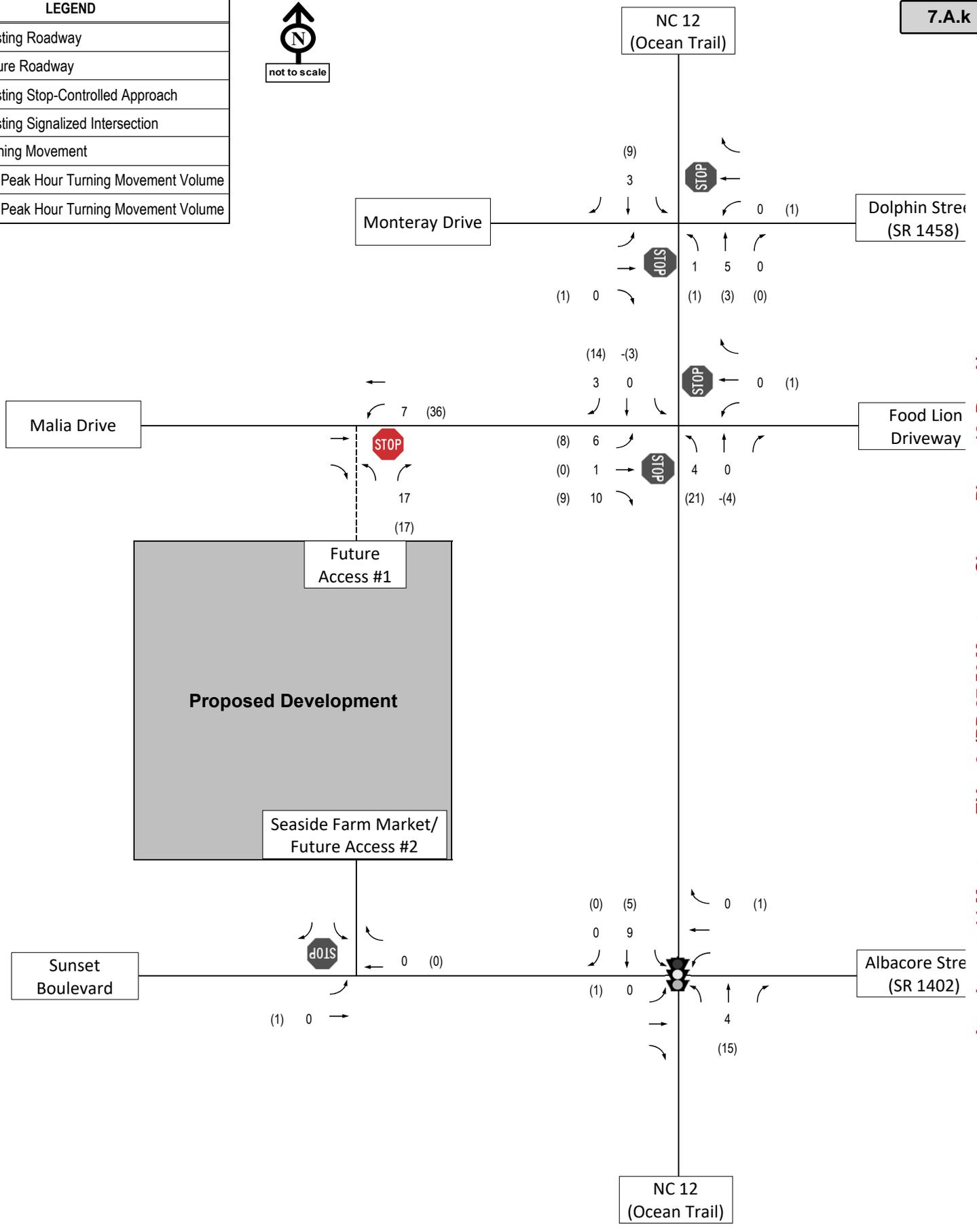
Monterey Shores TIA
Corolla, NC

LEGEND

—	Existing Roadway
--	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 10
Phase I Build (2023) Total Peak Hour Site Generated Trips

Monterey Shores TIA
Corolla, NC

Level of Service Analysis

The Phase I Build (2023) analysis scenario includes the Phase I No-Build (2023) traffic and site-generated trips from the proposed development as described previously. The network geometry matches the Existing (2021) scenario with the addition of the one driveway along Malia Drive. Figure 11 depicts the turning movement volumes used in the Phase I Build (2023) scenario analysis. Intersection levels of service analyses were performed for the typical weekday AM and PM peak hours using Synchro/SimTraffic Professional Version 10. Table 6 summarizes the findings of the LOS analysis, and Appendix D contains the full Synchro reports.

As reported in Table 6, with the addition of site trips, the signalized intersection continues to operate at overall acceptable levels of service during both peak hours. The stop-controlled westbound approach at the intersection of Ocean Trail (NC 12) and Dolphin Street/Monterey Drive is projected to continue to operate at a LOS F during the PM peak hour.

Table 6 Phase I Build (2023) LOS Results

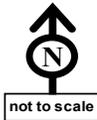
Intersection and Approach	Traffic Control	Phase I Build (2023)	
		AM	PM
NC 12 (Ocean Trail) at Albacore Street (SR 1402)/Sunset Boulevard	Signalized	A (9.8)	C (24.0)
Eastbound		B-16.7	C-34.3
Westbound		B-17.5	D-42.2
Northbound		A-8.7	B-16.6
Southbound		A-8.9	C-23.6
NC 12 (Ocean Trail) at Malia Drive/Food Lion Driveway	Unsignalized	-	-
Eastbound		B-12.9	D-26.5
Westbound		B-11.9	D-28.4
NC 12 (Ocean Trail) at Dolphin Street (SR 1458)/Monterey Drive	Unsignalized	-	-
Eastbound		B-11.0	C-20.4
Westbound		C-15.5	F-62.0
Sunset Boulevard at Seaside Farm Market/Future Access #2	Unsignalized	-	-
Southbound		A-8.6	B-10.7
Malia Drive at Future Access #1	Unsignalized	-	-
Northbound		A-8.4	A-8.6

X (XX.X) = Overall intersection LOS (average delay), X-XX = Approach LOS and average delay

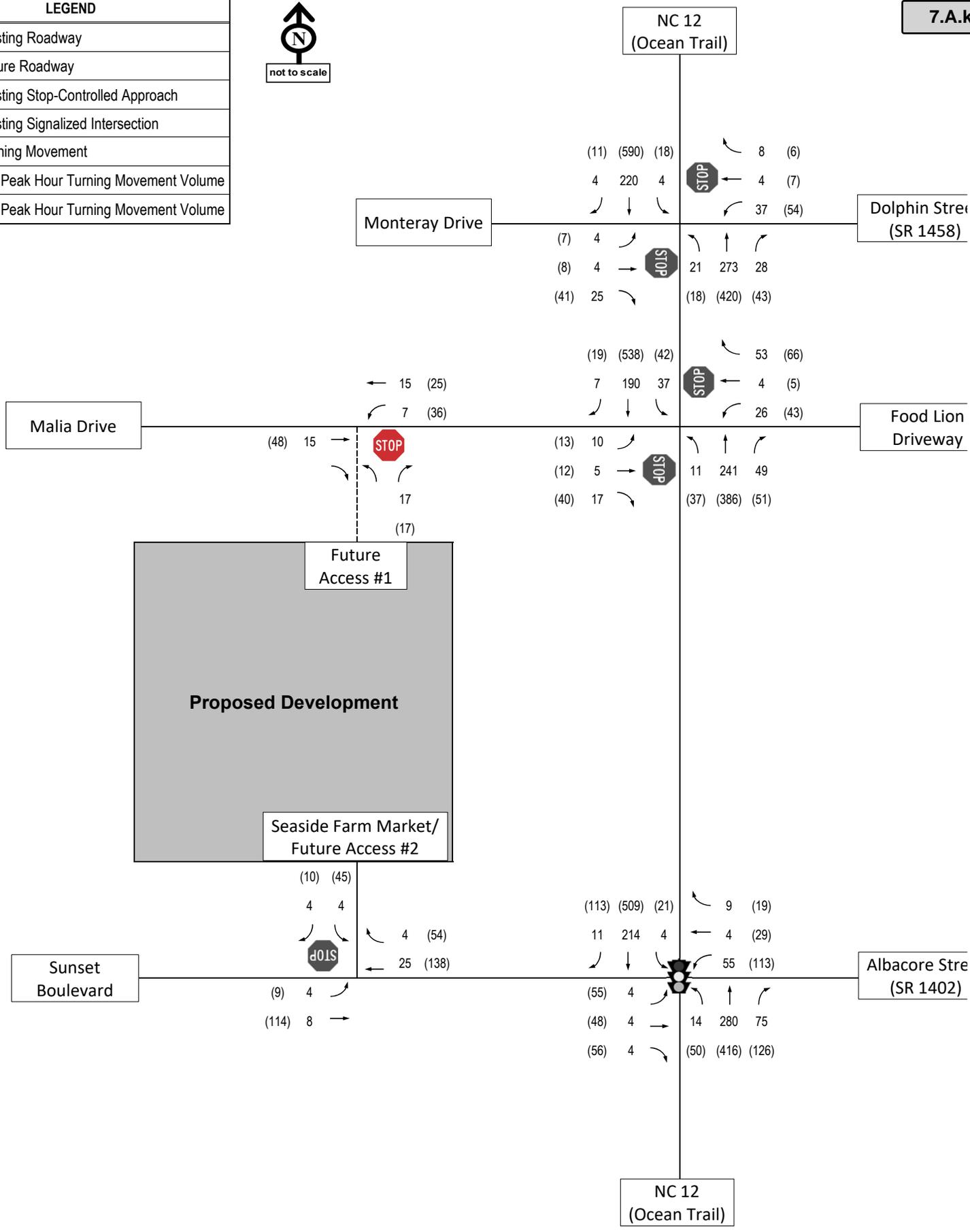
Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

LEGEND

—	Existing Roadway
--	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 11
Phase I Build (2023) AM and PM Peak Hour Volumes

Monterey Shores TIA
Corolla, NC

Roadway Improvement Recommendations

As indicated in the traffic operations analyses, the proposed development is projected to have a minimal impact on the traffic operations within the study area.

The following configurations are recommended for the site access driveways:

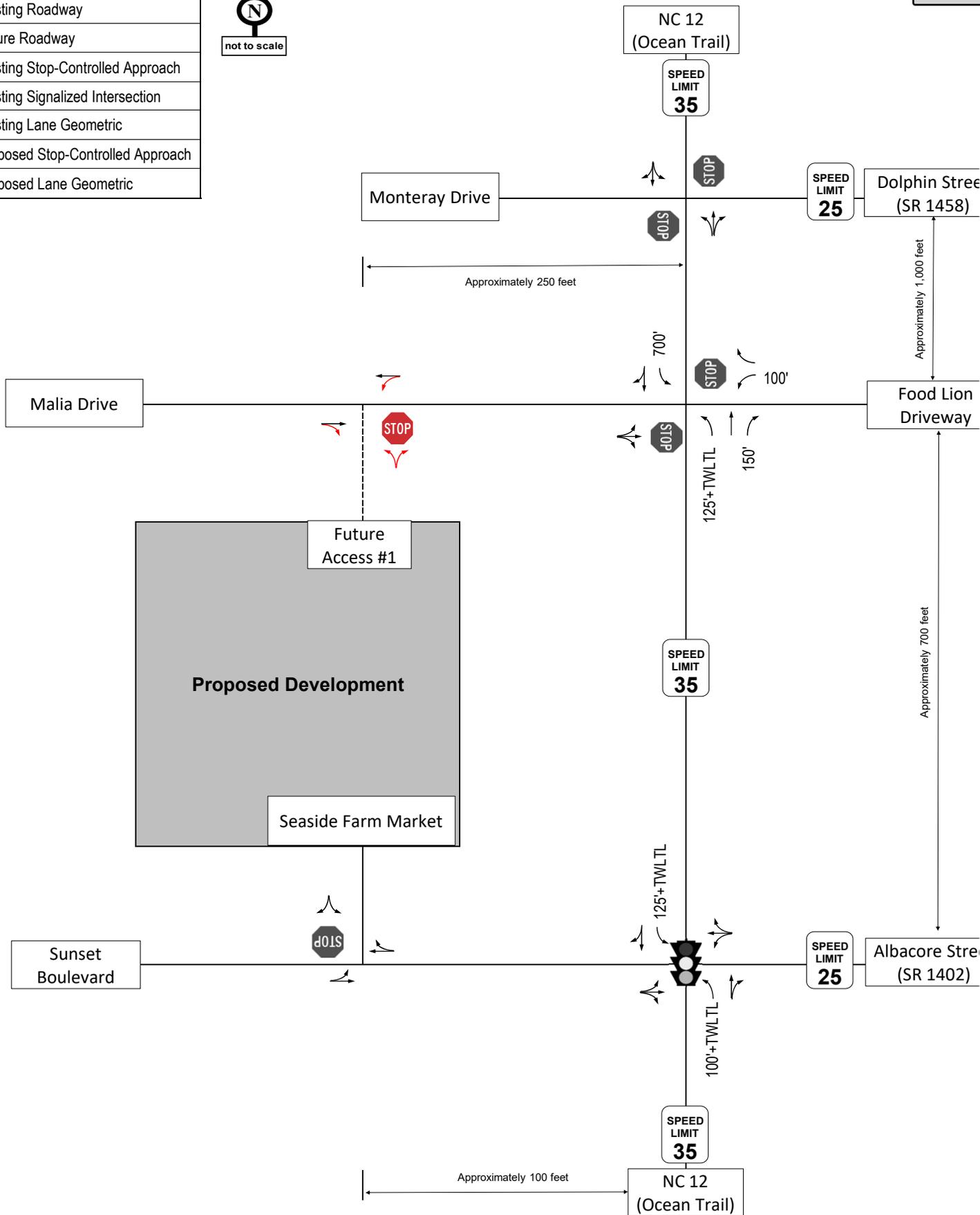
Malia Drive and Future Access #1 (unsignalized)

The stop-controlled driveway is expected to operate at LOS A during the AM peak hour and LOS A during the PM peak hour under both Build (2023) conditions. The following lane configurations are recommended for the new driveway connection:

- › Construct driveway with one ingress lane and one egress lane and full movement access.
- › Provide a minimum internal protected stem length of 100 feet.

Figure 12 provides a schematic diagram of the roadways near the proposed development, including the intersection geometrics with the proposed Phase I Build (2023) improvements applied.

LEGEND	
	Existing Roadway
	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
	Existing Lane Geometric
	Proposed Stop-Controlled Approach
	Proposed Lane Geometric



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 12
Phase I Build (2023)
Lane Geometrics and Traffic Control

Monterey Shores TIA
Corolla, NC

5

Phase II No-Build (2025) Conditions

Background Growth Calculations

The Existing (2021) peak hour volumes were grown to the Phase II year (2025) using an annual growth rate of two percent (2%) to calculate the expected background growth within the study area. There were no background developments or roadway improvements identified for inclusion in the study area. Therefore, no additional background trips were included in the Phase II No-Build (2025) scenario, and the network layout matches the Existing (2021) conditions.

Level of Service Analysis

Intersection levels of service analyses were performed for the typical weekday AM and PM peak hours using *Synchro/SimTraffic Professional Version 10*. The calculated Phase II No-Build (2025) peak hour turning movements are displayed in Figure 13. A summary of the findings for the Phase II No-Build (2025) LOS analysis can be found in Table 4 and the full Synchro outputs can be found in Appendix D.

As reported in Table 4, the signalized intersection within the study area is expected to continue to operate at an acceptable level of service during both peak hours. The stop-controlled westbound approach at the intersection of Ocean Trail (NC 12) and Dolphin Street/Monterey Drive is projected to degrade to a LOS F during the PM peak hour.

Monterey Shores Development TIA

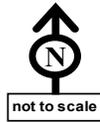
Table 7 Phase II No-Build (2025) LOS Results

Intersection and Approach	Traffic Control	Phase II No-Build (2025)	
		AM	PM
NC 12 (Ocean Trail) at Albacore Street (SR 1402)/Sunset Boulevard	Signalized	A (9.8)	C (24.7)
Eastbound		B-16.9	C-34.0
Westbound		B-17.8	D-42.7
Northbound		A-8.7	B-16.6
Southbound		A-8.8	C-25.2
NC 12 (Ocean Trail) at Malia Drive/Food Lion Driveway	Unsignalized	-	-
Eastbound		B-12.9	C-22.6
Westbound		B-12.0	D-27.7
NC 12 (Ocean Trail) at Dolphin Street (SR 1458)/Monterey Drive	Unsignalized	-	-
Eastbound		B-11.1	C-22.1
Westbound		C-16.0	F-70.3
Sunset Boulevard at Seaside Farm Market/Future Access #2	Unsignalized	-	-
Southbound		A-8.6	B-10.9

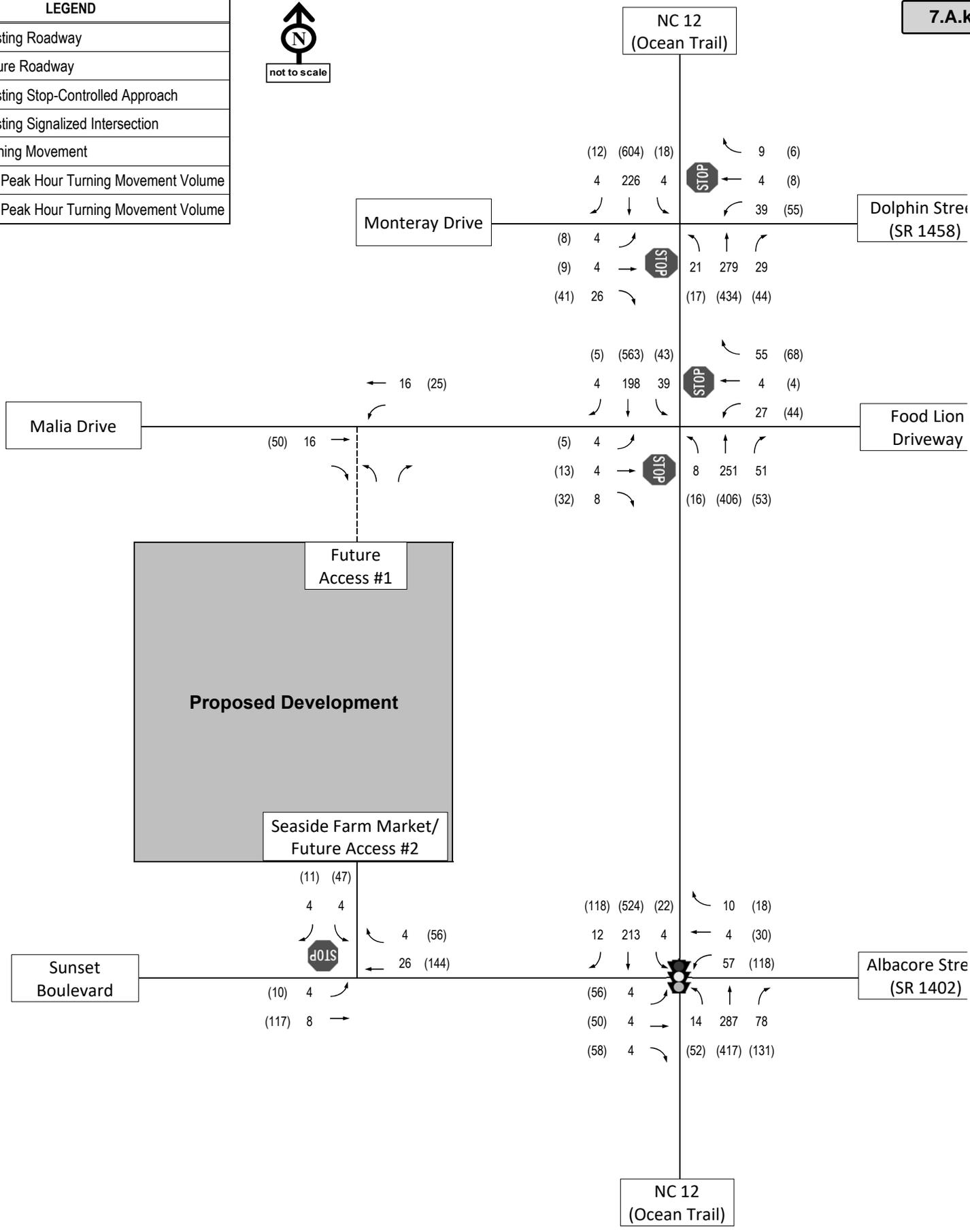
X (XX.X) = Overall intersection LOS (average delay), X-XX = Approach LOS and average delay

LEGEND

—	Existing Roadway
--	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 13
Phase II No-Build (2025) AM and PM Peak Hour Volumes

Monterey Shores TIA
Corolla, NC



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Phase II Build (2025) Alternative #1 Conditions

There are plans to construct a multi-use development Corolla, North Carolina (Figure 1). The development is planned to be constructed near the intersection of Ocean Trail (NC 12) and Malia Drive and will tentatively be completed in two phases. Phase I will include 5 single-family homes, 25 multi-family dwellings and 4,502 square feet of restaurant space with an expected build year of 2023 and Phase II will add 8,002 square feet of retail space and an additional 6 multi-family dwellings with an expected full build-out year of 2025.

Trip Generation

Trip generation was conducted based on the most appropriate corresponding trip generation codes included in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition* and the suggested method of calculation in the NCDOT's "Rate vs. Equation" Spreadsheet. The full build-out of the proposed development is to consist of 8,002 sf of retail space, 5 single-family homes, 31 multi-family dwellings, and 4,502 sf of restaurant space; ITE Land Use Code (LUC) 210 (Single Family Detached Housing), LUC 220 (Multi-Family Housing, Low-Rise), LUC 820 (General Retail) and LUC 931 (Quality Restaurant) were used based on the NCDOT guidance.

Table 5 summarizes the assumed trip generation for the full build-out of the proposed development for typical weekday AM and PM peak hours. Phase II of the proposed development is projected to generate 1,716 daily weekday site trips, with 70 trips (35 entering, 35 exiting) occurring in the AM peak hour and 127 trips (71 entering, 56 exiting) occurring in the PM peak hour. After reductions to account

Monterey Shores Development TIA

for internal capture the proposed development is expected to generate 1,285 daily weekday external site trips, with 68 trips (34 entering, 34 exiting) occurring in the AM peak hour, and 80 trips (48 entering, 32 exiting) occurring in the PM peak hour. The generated site trips were distributed in accordance with the existing turning movement counts and land uses.

Table 8 Phase II Trip Generation Rates (Vehicle Trips)

Land Use Code ¹	Land Use	Unit	ADT	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Total Site Trips²									
210	Single-Family Detached Housing	5 du	66	2	6	8	4	2	6
220	Multifamily Housing (Low-Rise)	31 du	194	4	12	16	13	8	21
820	General Retail	8,002 sf	1,079	27	16	43	31	34	65
931	Quality Restaurant	4,502 sf	377	2	1	3	23	12	35
<i>Development Total</i>			<i>1,716</i>	<i>35</i>	<i>35</i>	<i>70</i>	<i>71</i>	<i>56</i>	<i>127</i>
Trip Reduction Due to Internal Capture³									
210	Single-Family Detached Housing	5 du	13	0	0	0	2	1	3
220	Multifamily Housing (Low-Rise)	31 du	49	0	0	0	7	2	9
820	General Retail	8,002 sf	210	0	1	1	6	14	20
931	Quality Restaurant	4,502 sf	159	1	0	1	8	7	15
<i>Development Total</i>			<i>430</i>	<i>1</i>	<i>1</i>	<i>2</i>	<i>23</i>	<i>24</i>	<i>47</i>
Total External Site Trips									
210	Single-Family Detached Housing	5 du	53	2	6	8	2	1	3
220	Multifamily Housing (Low-Rise)	31 du	145	4	12	16	6	6	12
820	General Retail	8,002 sf	869	27	15	42	25	20	45
931	Quality Restaurant	4,502 sf	218	1	1	2	15	5	20
<i>Development Total</i>			<i>1,285</i>	<i>34</i>	<i>34</i>	<i>68</i>	<i>48</i>	<i>32</i>	<i>80</i>
Pass-by Site Trips⁴									
210	Single-Family Detached Housing	5 du		0	0	0	0	0	0
220	Multifamily Housing (Low-Rise)	31 du		0	0	0	0	0	0
820	General Retail	8,002 sf		0	0	0	8	7	15
931	Quality Restaurant	4,502 sf		0	0	0	4	5	9
<i>Development Total</i>				<i>0</i>	<i>0</i>	<i>0</i>	<i>12</i>	<i>12</i>	<i>24</i>
Non-Pass-by Site Trips									
210	Single-Family Detached Housing	5 du		2	6	8	2	1	3
220	Multifamily Housing (Low-Rise)	31 du		4	12	16	6	6	12
820	General Retail	8,002 sf		27	15	42	17	13	30
931	Quality Restaurant	4,502 sf		1	1	2	11	0	11
<i>Development Total</i>				<i>34</i>	<i>34</i>	<i>68</i>	<i>36</i>	<i>20</i>	<i>56</i>

Notes:

- Land Use Code and trip generation rates are determined based on *ITE Trip Generation, 10th Edition*, rates for 820 based on subset of smaller retail sites (50,000 sf or less)
- Total site trips are determined based on the suggested method in the NCDOT Rate vs Equation Spreadsheet
- Internal capture was based on NCHRP 684 method and NCDOT IC calculation spreadsheet, with 1,500 ft spacing between uses
- Unconstrained pass-by trips are calculated based on *ITE Trip Generation Handbook, 3rd Edition*. The final projections are not expected to exceed 10% of adjacent street volumes.

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

Trip Distribution and Assignment

In Phase II Alternative #1, the proposed development will be accessed via one (1) full-movement driveway along Malia Drive. The generated site trips were distributed in accordance with the existing traffic patterns and land uses in the vicinity of the study area as follows:

- › Ocean Trail (NC 12) from/to the north – 30%
- › Ocean Trail (NC 12) from/to the south – 50%
- › Albacore Street (SR 1402) from/to the east – 5%
- › Sunset Boulevard from/to the west – 2%
- › Food Lion Driveway from/to the east – 5%

Monterey Shores Development TIA

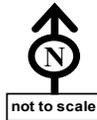
- › Dolphin Street from/to the east – 3%
- › Monterey Drive from/to the west – 5%

Pass-by trips for the commercial uses were distributed along Ocean Trail with a 60/40 split between the northbound and southbound directions respectively.

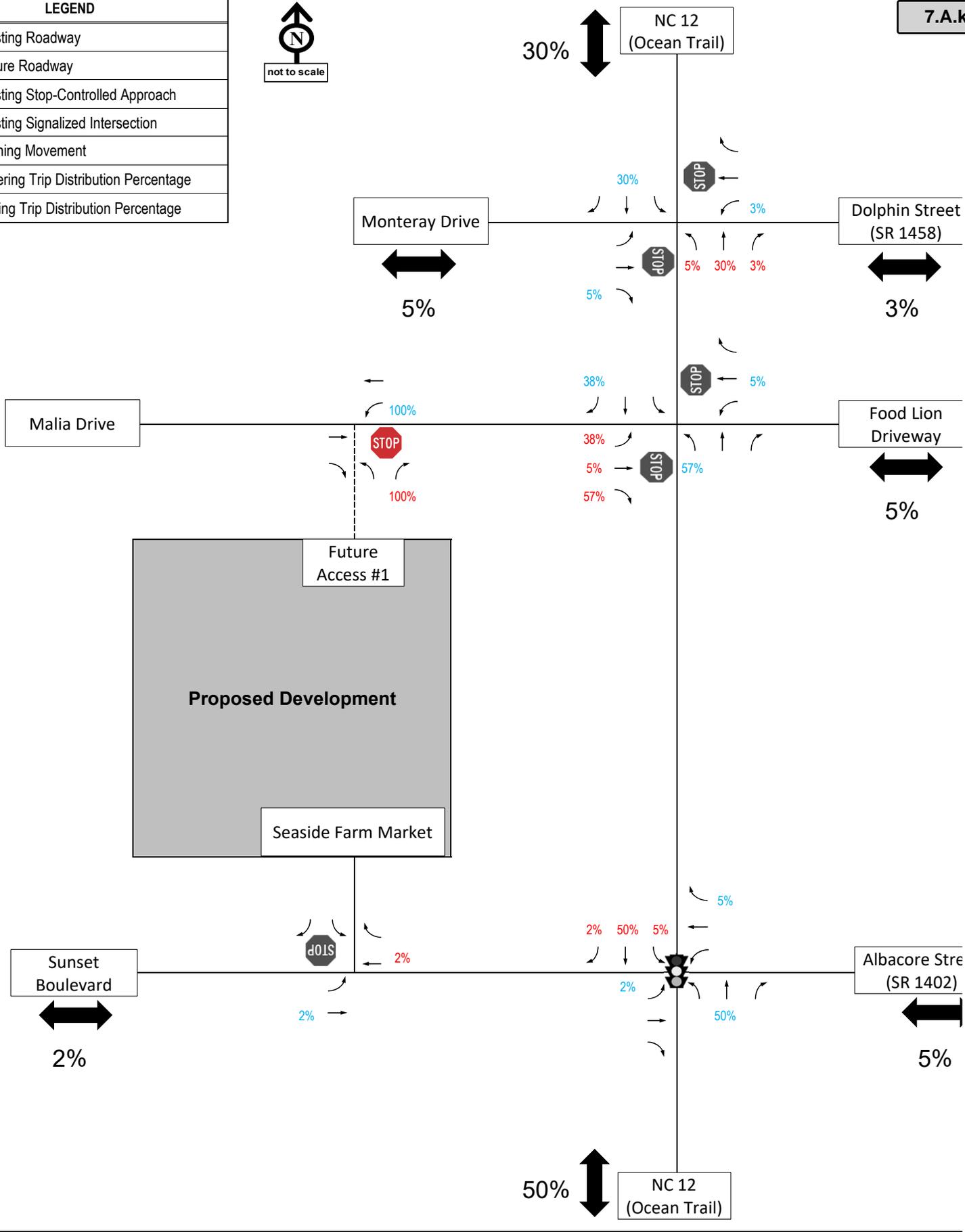
The non-pass-by distribution percentages and resulting site trips for Phase II Build (2025) Alternative #1 are shown in Figure 14 and Figure 15. The pass-by distribution percentages and resulting site trips for Phase I Build (2025) Alternative #1 are shown in Figure 16 and Figure 17. The total combined site trips for Phase II Build (2025) Alternative #1 are shown in Figure 18.

LEGEND

	Existing Roadway
	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
	Turning Movement
	Entering Trip Distribution Percentage
	Exiting Trip Distribution Percentage



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

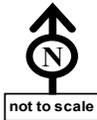


Figure 14
Phase II Build (2025) Alternative #1 Non-Pass-By Site Trip Distribution

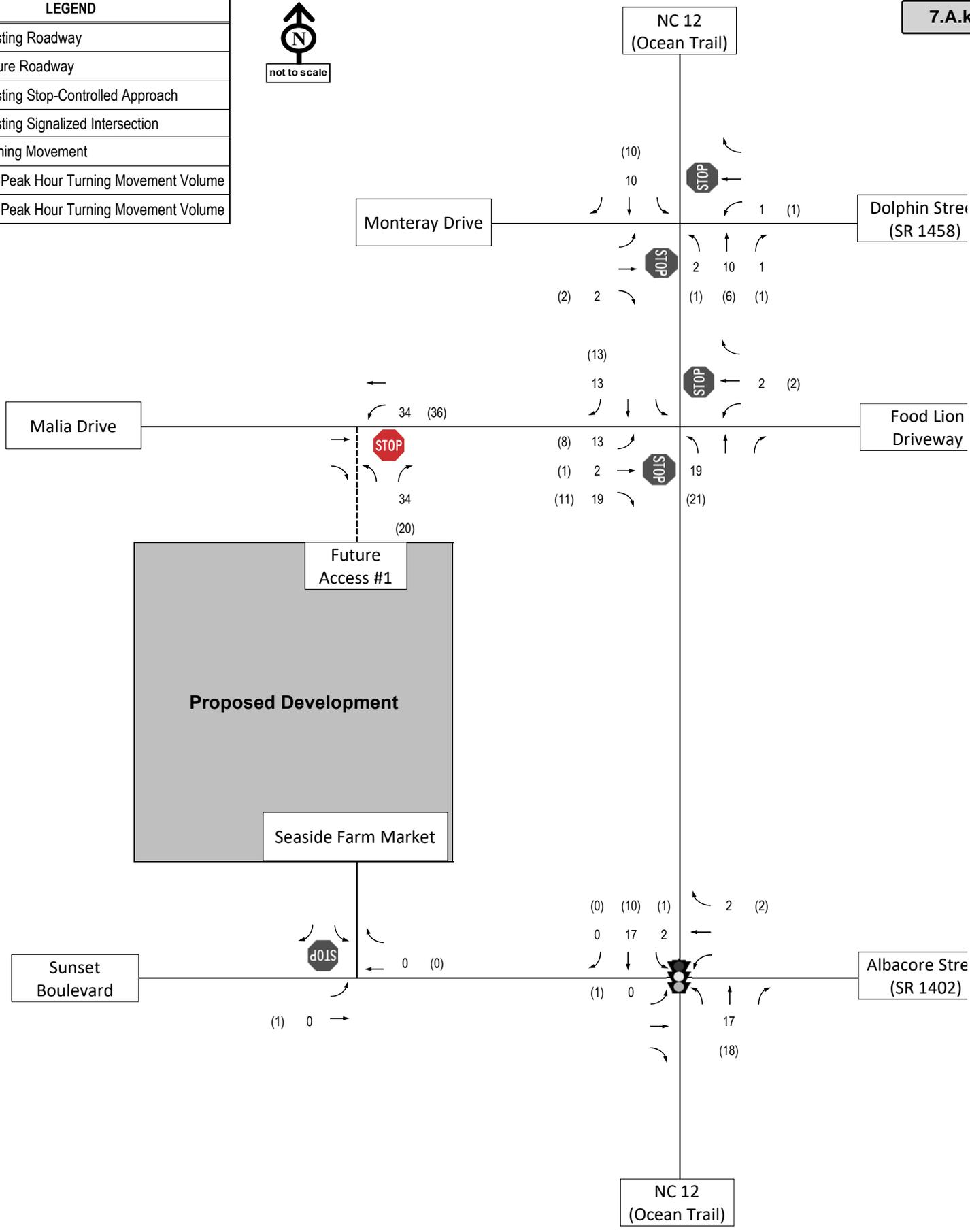
Monterey Shores TIA
Corolla, NC

LEGEND

—	Existing Roadway
--	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 15
Phase II Build (2025) Alternative #1 Peak Hour Site
Generated Non-Pass-By Trips

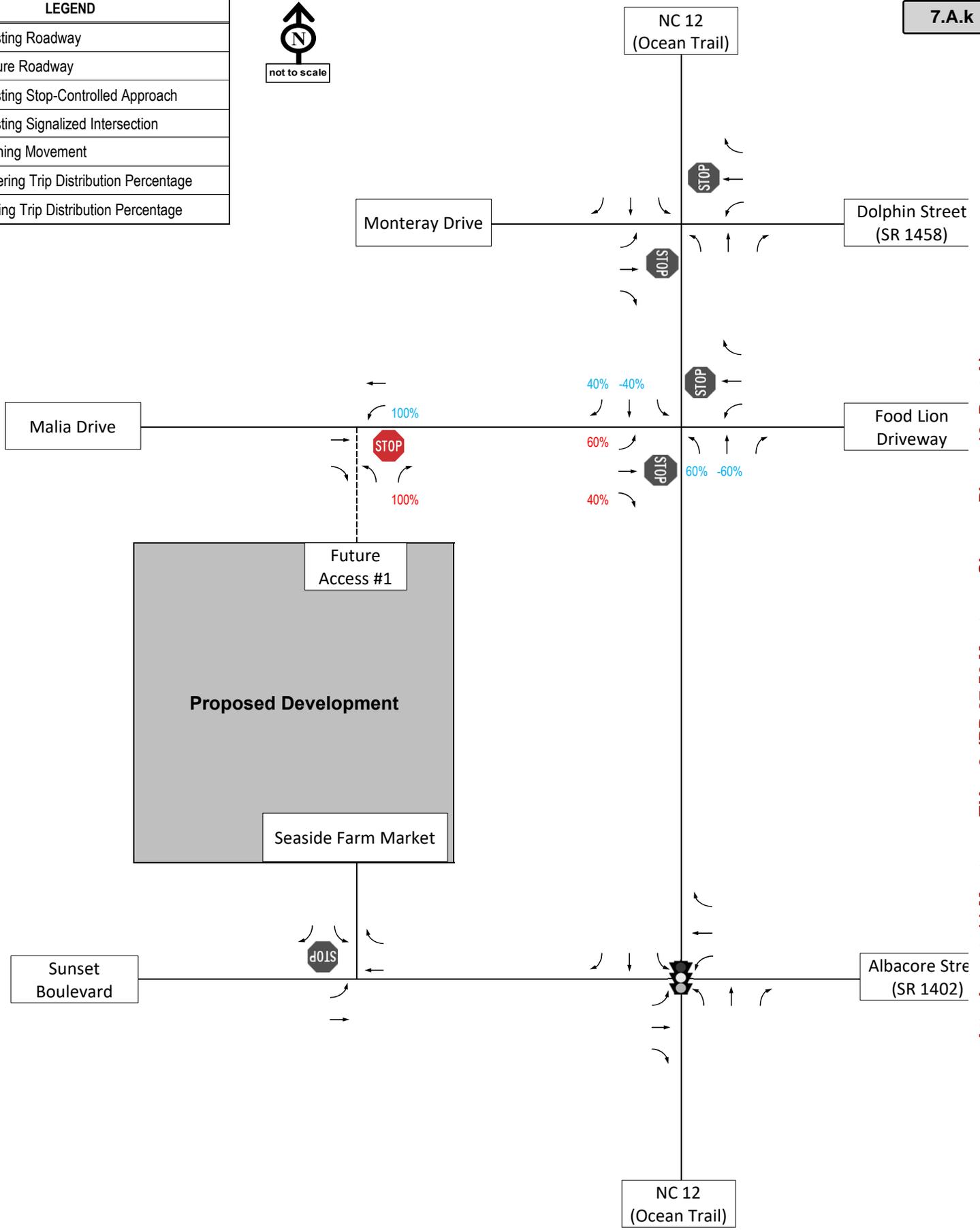
Monterey Shores TIA
Corolla, NC

LEGEND

	Existing Roadway
	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
	Turning Movement
	Entering Trip Distribution Percentage
	Exiting Trip Distribution Percentage



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

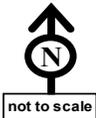


Figure 16
Phase II Build (2025) Alternative #1 Pass-By Site Trip Distribution

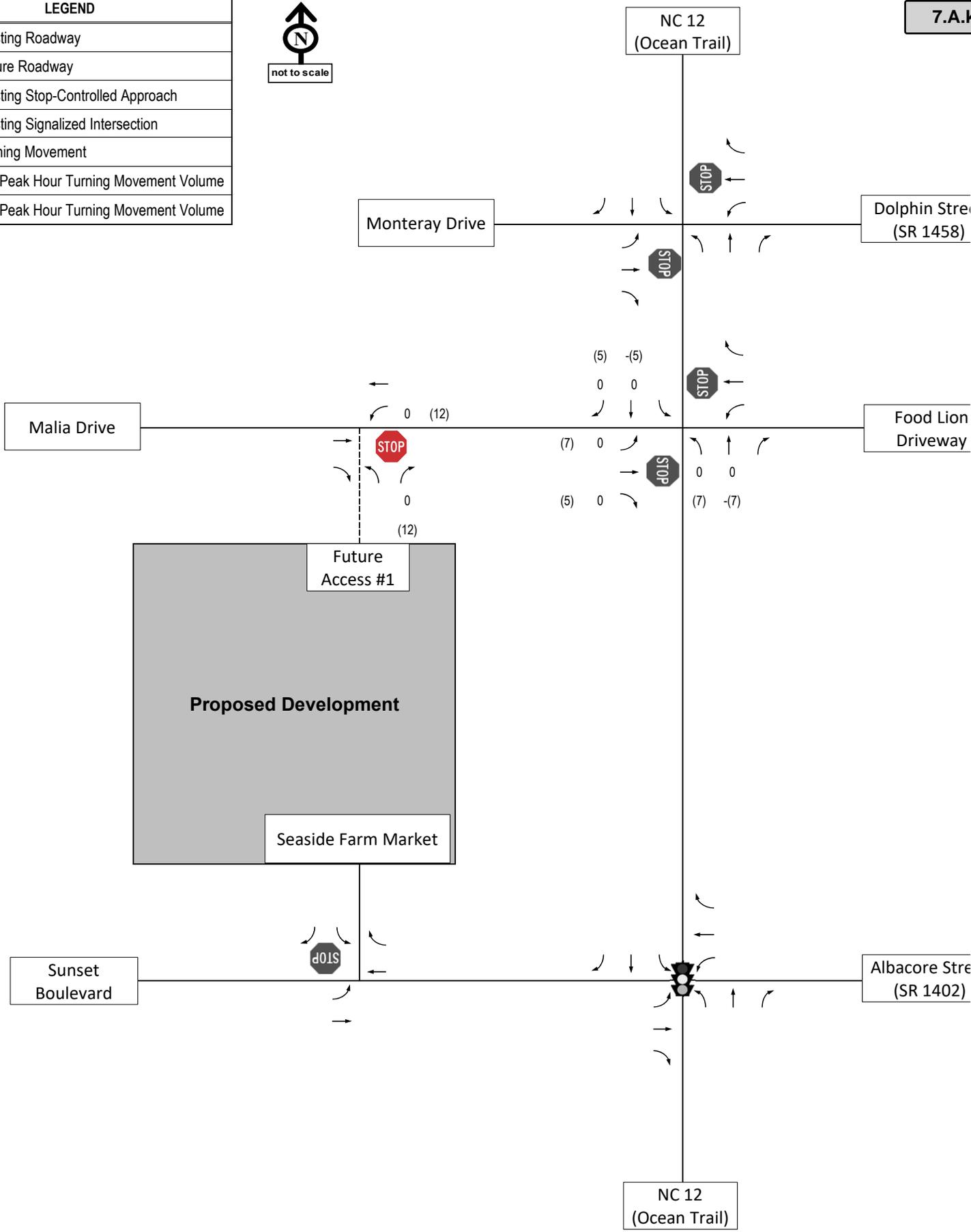
Monterey Shores TIA
Corolla, NC

LEGEND

—	Existing Roadway
--	Future Roadway
STOP	Existing Stop-Controlled Approach
🚦	Existing Signalized Intersection
↩	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

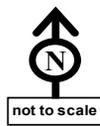


Figure 17
Phase II Build (2025) Alternative #1 Peak Hour Site Generated Pass-By Trips

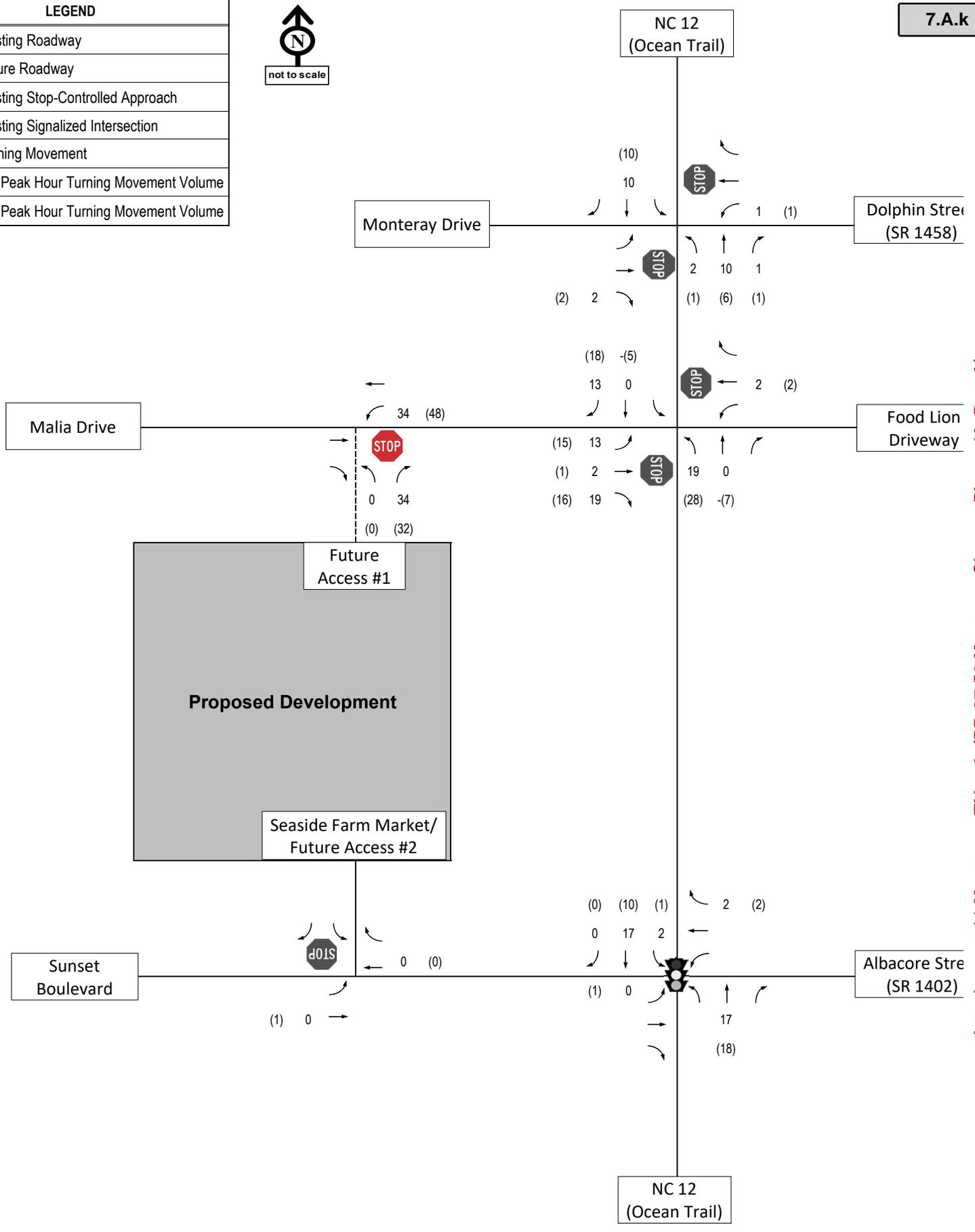
Monterey Shores TIA
Corolla, NC

LEGEND

—	Existing Roadway
--	Future Roadway
STOP	Existing Stop-Controlled Approach
🚦	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 18
Phase II Build (2025) Alternative #1 Total Peak Hour Site
Generated Trips

Monterey Shores TIA
Corolla, NC

Level of Service Analysis

The Phase II Build (2025) Alternative #1 analysis scenario includes the Phase II No-Build (2025) traffic and site-generated trips from the proposed development as described previously. The network geometry matches the Existing (2021) scenario with the addition of the one driveway along Malia Drive. Figure 19 depicts the turning movement volumes used in the Phase II Build (2025) Alternative #1 scenario analysis. Intersection levels of service analyses were performed for the typical weekday AM and PM peak hours using Synchro/SimTraffic Professional Version 10. Table 6 summarizes the findings of the LOS analysis, and Appendix D contains the full Synchro reports.

As reported in Table 9, with the addition of site trips, the signalized intersection continues to operate at overall acceptable levels of service during both peak hours. The stop-controlled westbound approach at the intersection of Ocean Trail (NC 12) and Dolphin Street/Monterey Drive is projected to continue to operate at a LOS F during the PM peak hour.

Table 9 Phase II Build (2025) Alternative #1 LOS Results

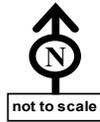
Intersection and Approach	Traffic Control	Phase II Build (2025) Alt #1	
		AM	PM
NC 12 (Ocean Trail) at Albacore Street (SR 1402)/Sunset Boulevard	Signalized	B (10.8)	C (25.3)
Eastbound		B-17.5	C-34.7
Westbound		B-19.3	D-44.4
Northbound		A-9.8	B-17.5
Southbound		A-9.7	C-25.4
NC 12 (Ocean Trail) at Malia Drive/Food Lion Driveway	Unsignalized	-	-
Eastbound		B-14.1	E-35.9
Westbound		B-12.6	D-34.1
NC 12 (Ocean Trail) at Dolphin Street (SR 1458)/Monterey Drive	Unsignalized	-	-
Eastbound		B-11.3	C-22.5
Westbound		C-16.7	F-78.4
Sunset Boulevard at Seaside Farm Market/Future Access #2	Unsignalized	-	-
Southbound		A-8.6	B-10.9
Malia Drive at Future Access #1	Unsignalized	-	-
Northbound		A-8.5	A-8.7

X (XX.X) = Overall intersection LOS (average delay), X-XX = Approach LOS and average delay

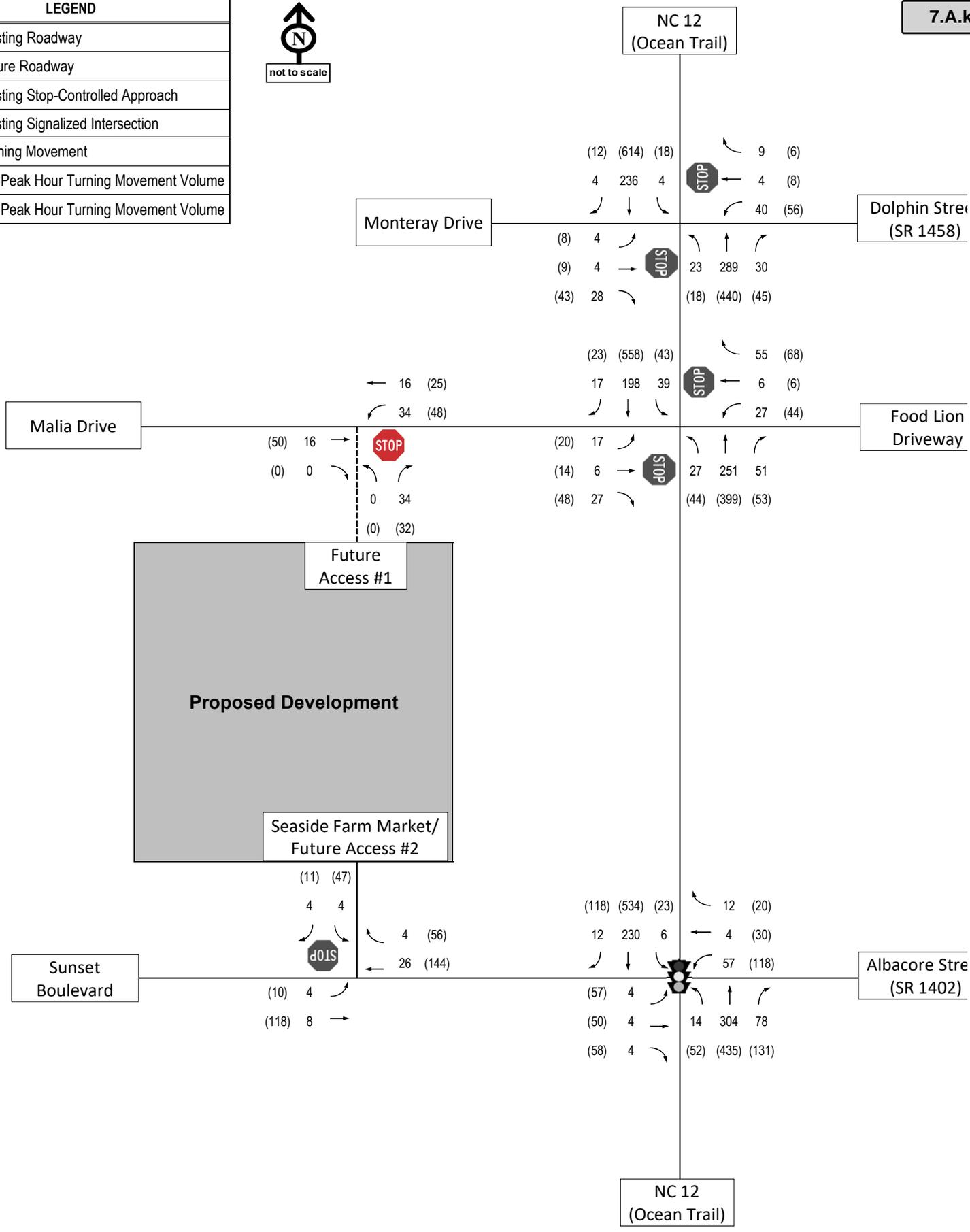
Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

LEGEND

—	Existing Roadway
--	Future Roadway
STOP	Existing Stop-Controlled Approach
🚦	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 19
Phase II Build (2025) Alternative #1
AM and PM Peak Hour Volumes

Monterey Shores TIA
Corolla, NC

Roadway Improvement Recommendations

As indicated in the traffic operations analyses, the proposed development is projected to have a minimal impact on the traffic operations within the study area.

The following configurations are recommended for the site access driveways:

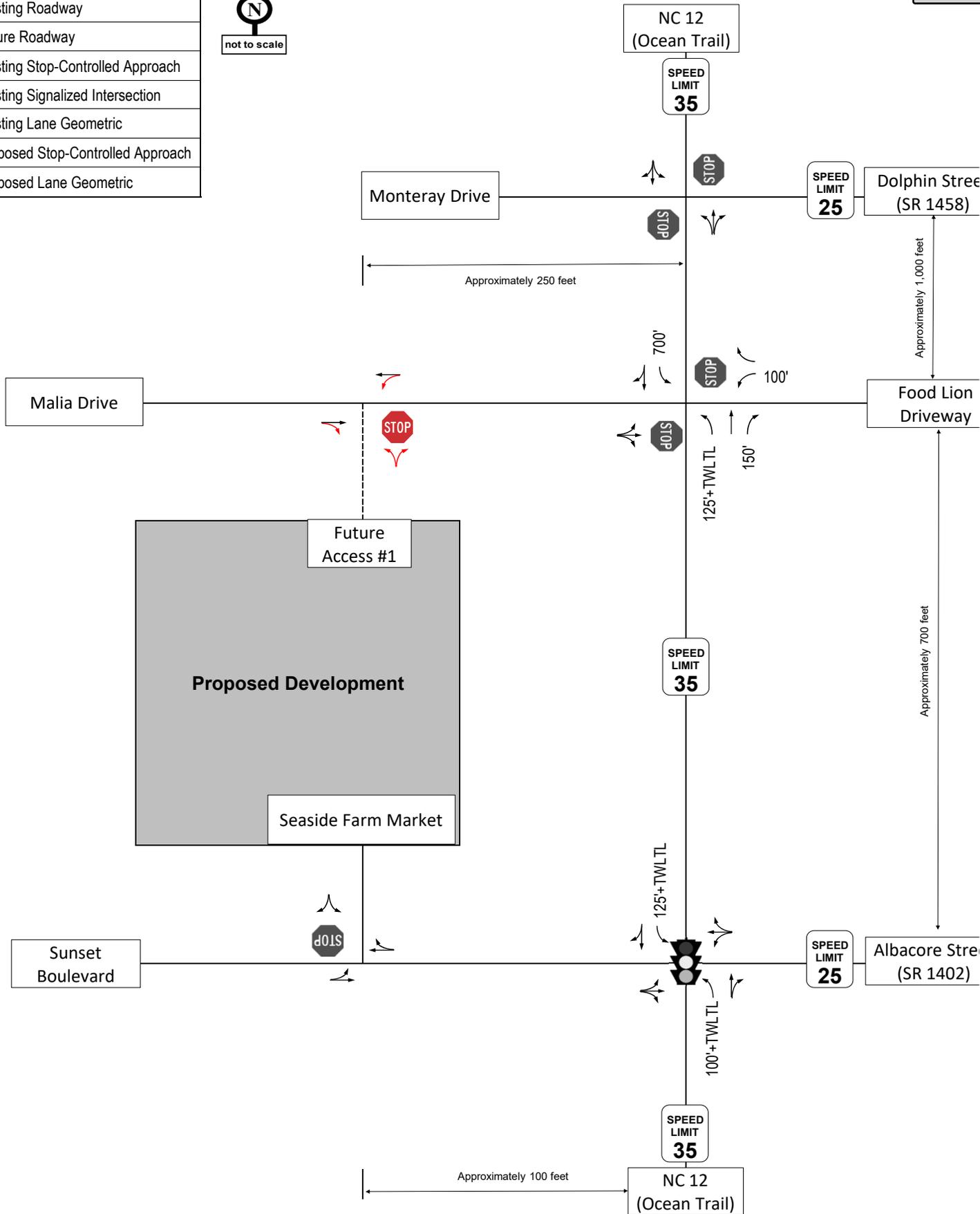
Malia Drive and Future Access #1 (unsignalized)

The stop-controlled driveway is expected to operate at LOS A during the AM peak hour and LOS A during the PM peak hour under both Phase II Build (2025) conditions. The following lane configurations are recommended for the new driveway connection:

- › Construct driveway with one ingress lane and one egress lane and full movement access.
- › Provide a minimum internal protected stem length of 100 feet.

Figure 20 provides a schematic diagram of the roadways near the proposed development, including the intersection geometrics with the proposed Phase II Build (2025) Alternative #1 improvements applied.

LEGEND	
—	Existing Roadway
--	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
←	Existing Lane Geometric
	Proposed Stop-Controlled Approach
←	Proposed Lane Geometric



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 20
Phase II Build (2025) Alternative #1
Lane Geometrics and Traffic Control

Monterey Shores TIA
Corolla, NC



7

Phase II Build (2025) Alternative #2 Conditions

There are plans to construct a multi-use development Corolla, North Carolina (Figure 1). The development is planned to be constructed near the intersection of Ocean Trail (NC 12) and Malia Drive and will tentatively be completed in two phases. Phase I will include 5 single-family homes, 25 multi-family dwellings and 4,502 square feet of restaurant space with an expected build year of 2023 and Phase II will add 8,002 square feet of retail space and an additional 6 multi-family dwellings with an expected full build-out year of 2025.

Trip Generation

Trip generation was conducted based on the most appropriate corresponding trip generation codes included in the *Institute of Transportation Engineers (ITE) Trip Generation Manual, 10th Edition* and the suggested method of calculation in the NCDOT's "Rate vs. Equation" Spreadsheet. The full build-out of the proposed development is to consist of 8,002 sf of retail space, 5 single-family homes, 31 multi-family dwellings, and 4,502 sf of restaurant space; ITE Land Use Code (LUC) 210 (Single Family Detached Housing), LUC 220 (Multi-Family Housing, Low-Rise), LUC 820 (General Retail) and LUC 931 (Quality Restaurant) were used based on the NCDOT guidance.

Table 5 summarizes the assumed trip generation for the full build-out of the proposed development for typical weekday AM and PM peak hours. Phase II of the proposed development is projected to generate 1,716 daily weekday site trips, with 70 trips (35 entering, 35 exiting) occurring in the AM peak hour and 127 trips (71 entering, 56 exiting) occurring in the PM peak hour. After reductions to

Monterey Shores Development TIA

account for internal capture the proposed development is expected to generate 1,285 daily weekday external site trips, with 68 trips (34 entering, 34 exiting) occurring in the AM peak hour, and 80 trips (48 entering, 32 exiting) occurring in the PM peak hour. The generated site trips were distributed in accordance with the existing turning movement counts and land uses.

Table 10 Phase II Trip Generation Rates (Vehicle Trips)

Land Use Code ¹	Land Use	Unit	ADT	AM Peak Hour			PM Peak Hour		
				Enter	Exit	Total	Enter	Exit	Total
Total Site Trips²									
210	Single-Family Detached Housing	5 du	66	2	6	8	4	2	6
220	Multifamily Housing (Low-Rise)	31 du	194	4	12	16	13	8	21
820	General Retail	8,002 sf	1,079	27	16	43	31	34	65
931	Quality Restaurant	4,502 sf	377	2	1	3	23	12	35
<i>Development Total</i>			1,716	35	35	70	71	56	127
Trip Reduction Due to Internal Capture³									
210	Single-Family Detached Housing	5 du	13	0	0	0	2	1	3
220	Multifamily Housing (Low-Rise)	31 du	49	0	0	0	7	2	9
820	General Retail	8,002 sf	210	0	1	1	6	14	20
931	Quality Restaurant	4,502 sf	159	1	0	1	8	7	15
<i>Development Total</i>			430	1	1	2	23	24	47
Total External Site Trips									
210	Single-Family Detached Housing	5 du	53	2	6	8	2	1	3
220	Multifamily Housing (Low-Rise)	31 du	145	4	12	16	6	6	12
820	General Retail	8,002 sf	869	27	15	42	25	20	45
931	Quality Restaurant	4,502 sf	218	1	1	2	15	5	20
<i>Development Total</i>			1,285	34	34	68	48	32	80
Pass-by Site Trips⁴									
210	Single-Family Detached Housing	5 du		0	0	0	0	0	0
220	Multifamily Housing (Low-Rise)	31 du		0	0	0	0	0	0
820	General Retail	8,002 sf		0	0	0	8	7	15
931	Quality Restaurant	4,502 sf		0	0	0	4	5	9
<i>Development Total</i>				0	0	0	12	12	24
Non-Pass-by Site Trips									
210	Single-Family Detached Housing	5 du		2	6	8	2	1	3
220	Multifamily Housing (Low-Rise)	31 du		4	12	16	6	6	12
820	General Retail	8,002 sf		27	15	42	17	13	30
931	Quality Restaurant	4,502 sf		1	1	2	11	0	11
<i>Development Total</i>				34	34	68	36	20	56

Notes:

- Land Use Code and trip generation rates are determined based on *ITE Trip Generation, 10th Edition*, rates for 820 based on subset of smaller retail sites (50,000 sf or less)
- Total site trips are determined based on the suggested method in the NCDOT Rate vs Equation Spreadsheet
- Internal capture was based on NCHRP 684 method and NCDOT IC calculation spreadsheet, with 1,500 ft spacing between uses
- Unconstrained pass-by trips are calculated based on *ITE Trip Generation Handbook, 3rd Edition*. The final projections are not expected to exceed 10% of adjacent street volumes.

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

Trip Distribution and Assignment

In Phase II Build (2025) Alternative #2, the proposed development will be accessed via two (2) full-movement driveways along Malia Drive and Sunset Boulevard. The generated site trips were distributed in accordance with the existing traffic patterns and land uses in the vicinity of the study area as follows:

- › Ocean Trail (NC 12) from/to the north – 30%
- › Ocean Trail (NC 12) from/to the south – 50%
- › Albacore Street (SR 1402) from/to the east – 5%

Monterey Shores Development TIA

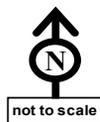
- › Sunset Boulevard from/to the west – 2%
- › Food Lion Driveway from/to the east – 5%
- › Dolphin Street from/to the east – 3%
- › Monterey Drive from/to the west – 5%

Pass-by trips for the commercial uses were distributed along Ocean Trail with a 60/40 split between the northbound and southbound directions respectively.

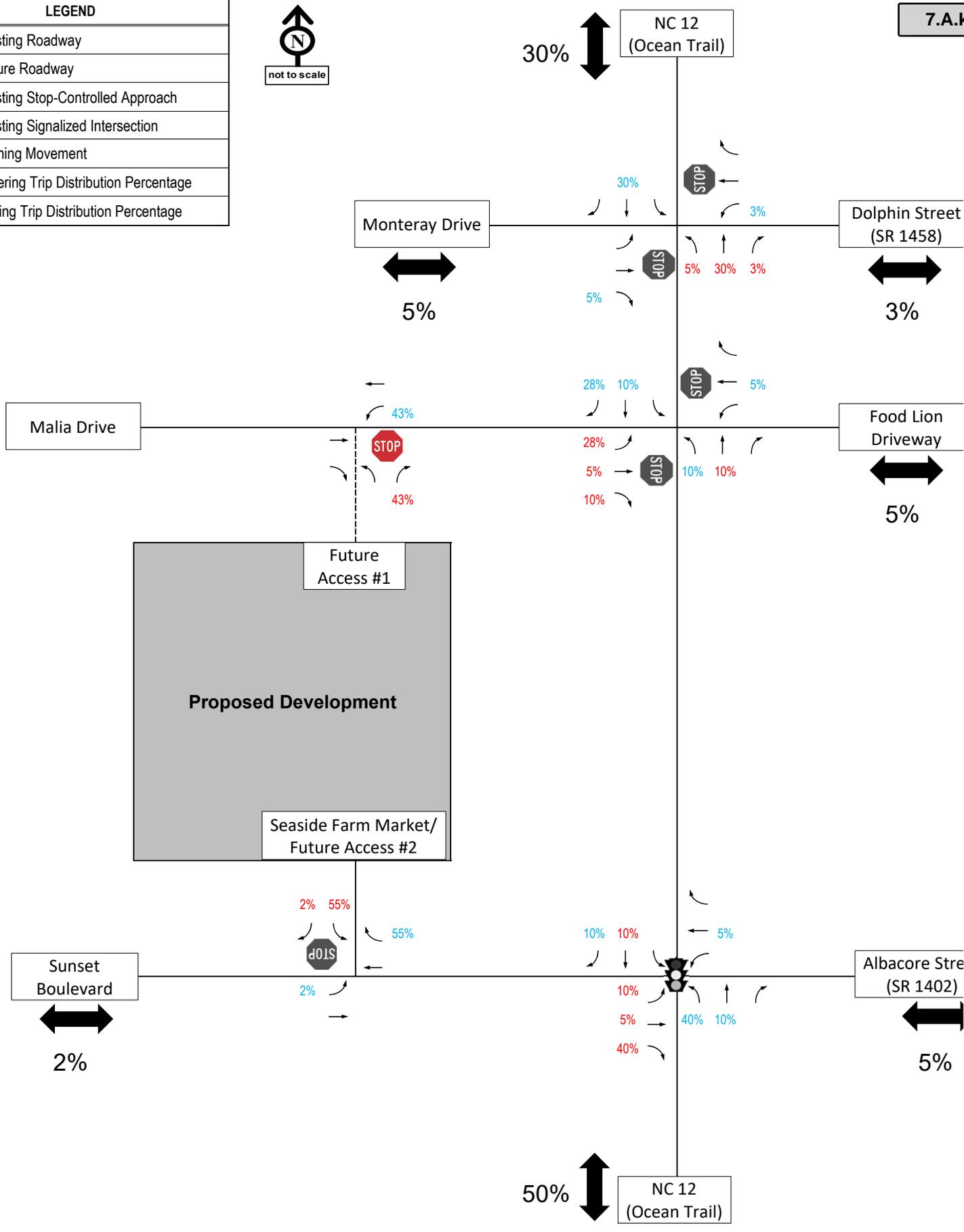
The non-pass-by distribution percentages and resulting site trips for Phase II Build (2025) Alternative #2 are shown in Figure 21 and Figure 22 respectively. The pass-by distribution percentages and resulting site trips for Phase II Build (2025) Alternative #1 are shown in Figure 23 and Figure 24, respectively. The total combined site trips for Phase II Build (2025) Alternative #1 are shown in Figure 25.

LEGEND

—	Existing Roadway
--	Future Roadway
STOP	Existing Stop-Controlled Approach
🚦	Existing Signalized Intersection
←	Turning Movement
XX%	Entering Trip Distribution Percentage
XX%	Exiting Trip Distribution Percentage



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

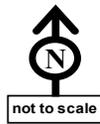


Figure 21
Phase II Build (2025) Alternative #2 Non-Pass-By Site Trip Distribution

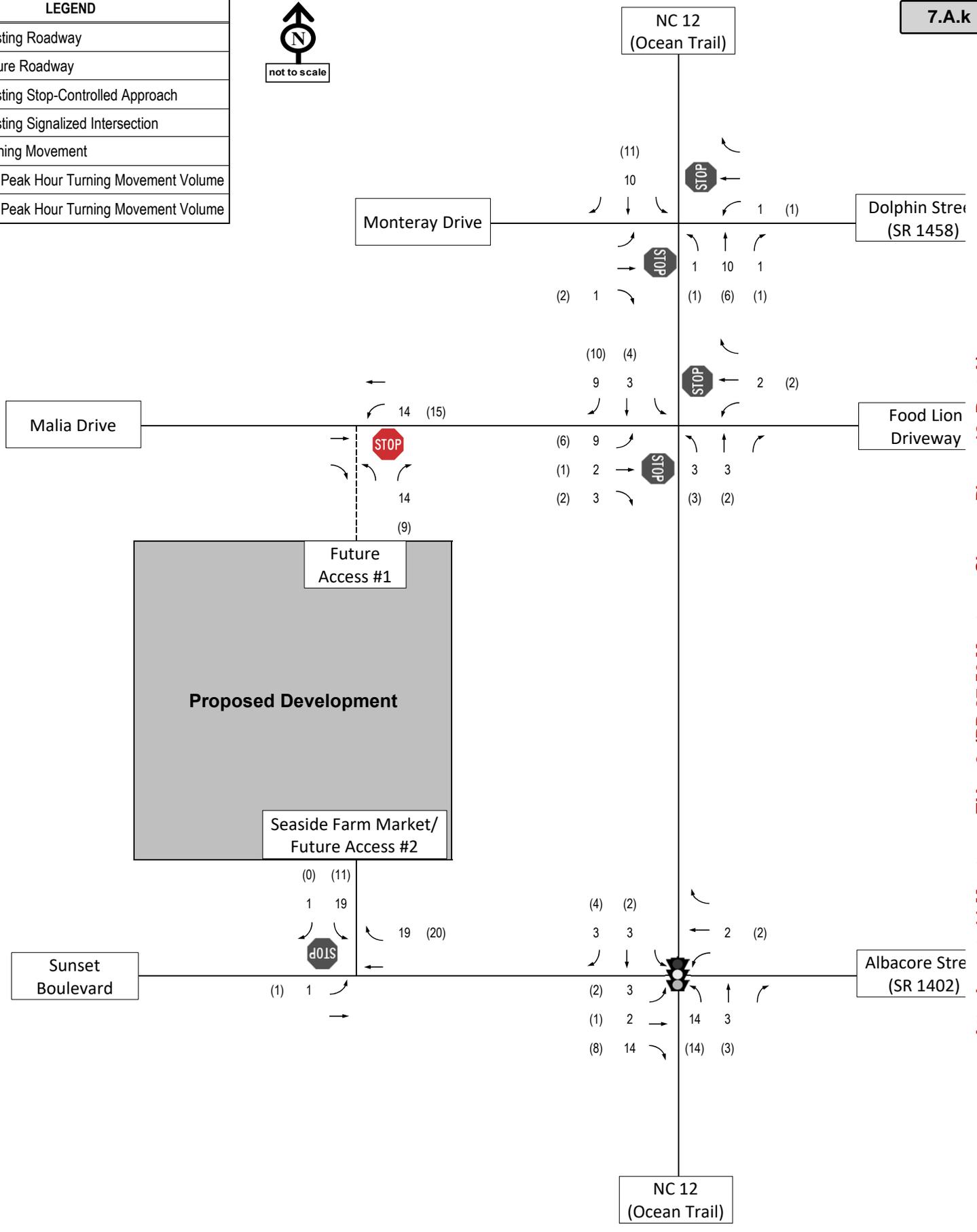
Monterey Shores TIA
Corolla, NC

LEGEND

—	Existing Roadway
--	Future Roadway
STOP	Existing Stop-Controlled Approach
🚦	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

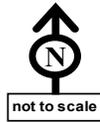


Figure 22
Phase II Build (2025) Alternative #2 Peak Hour Site
Generated Non-Pass-By Trips

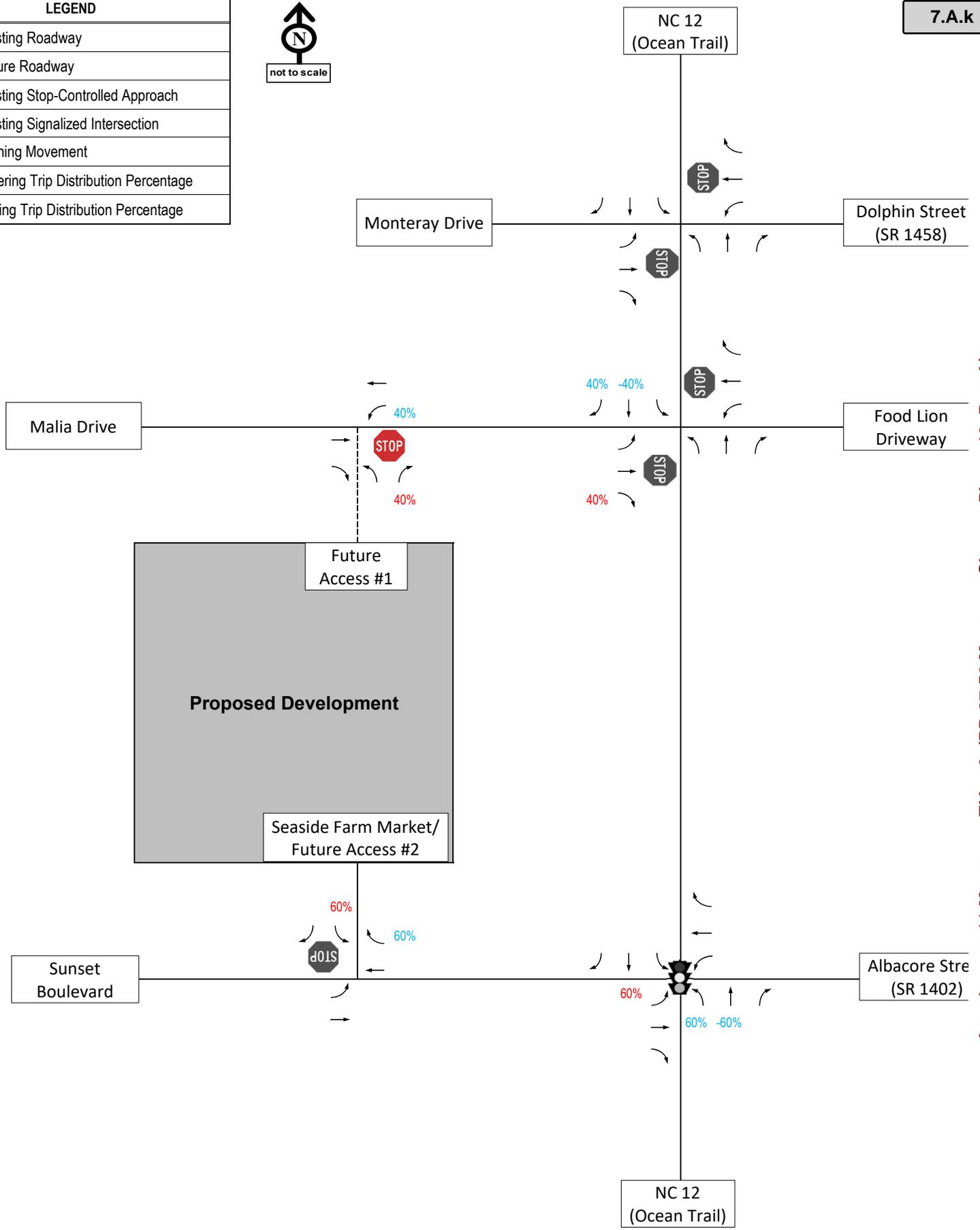
Monterey Shores TIA
Corolla, NC

LEGEND

—	Existing Roadway
--	Future Roadway
STOP	Existing Stop-Controlled Approach
🚦	Existing Signalized Intersection
↔	Turning Movement
XX%	Entering Trip Distribution Percentage
XX%	Exiting Trip Distribution Percentage



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 23
Phase II Build (2025) Alternative #2 Pass-By Site Trip Distribution

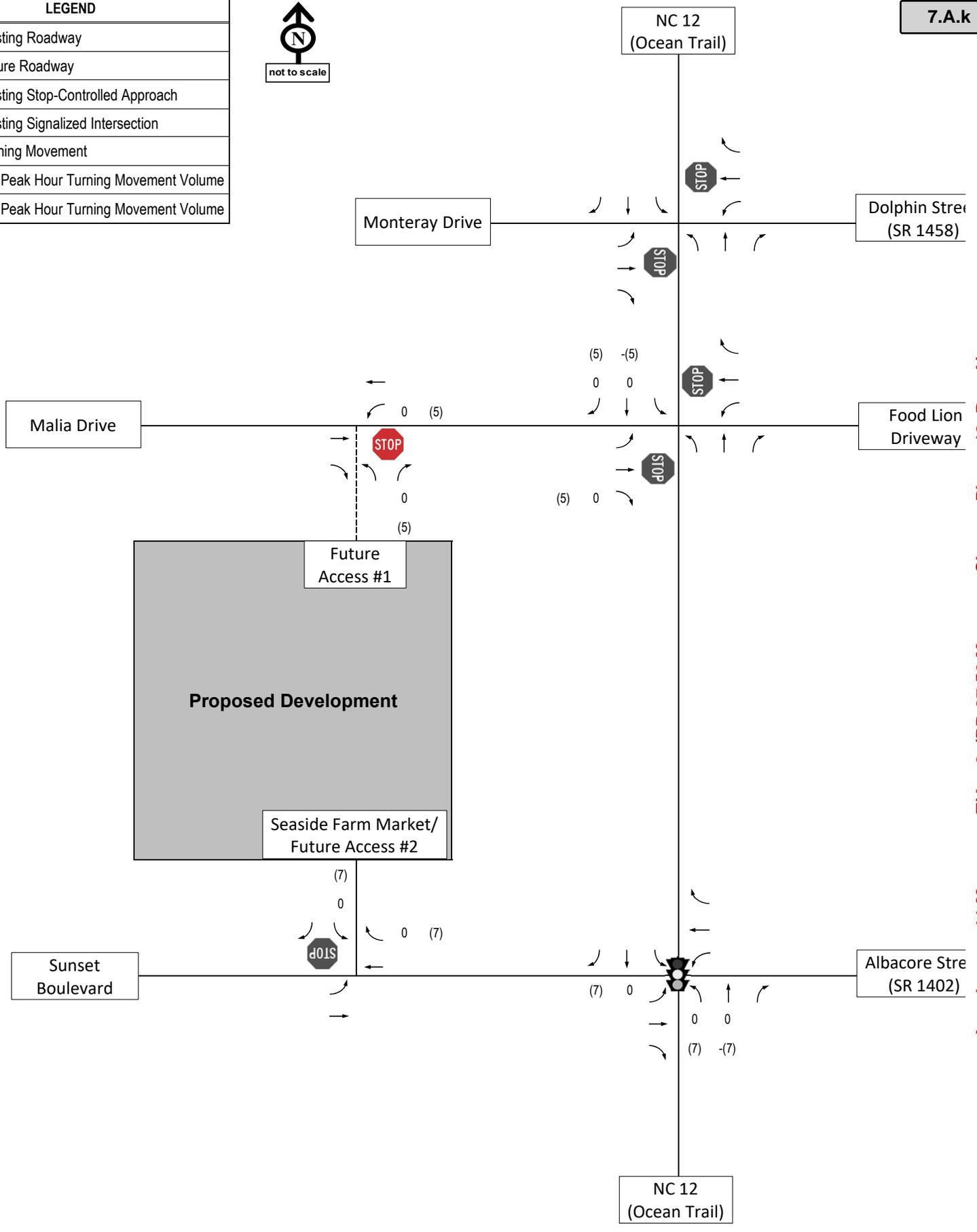
Monterey Shores TIA
Corolla, NC

LEGEND

—	Existing Roadway
--	Future Roadway
STOP	Existing Stop-Controlled Approach
🚦	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

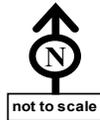


Figure 24
Phase II Build (2025) Alternative #2 Peak Hour Site
Generated Pass-By Trips

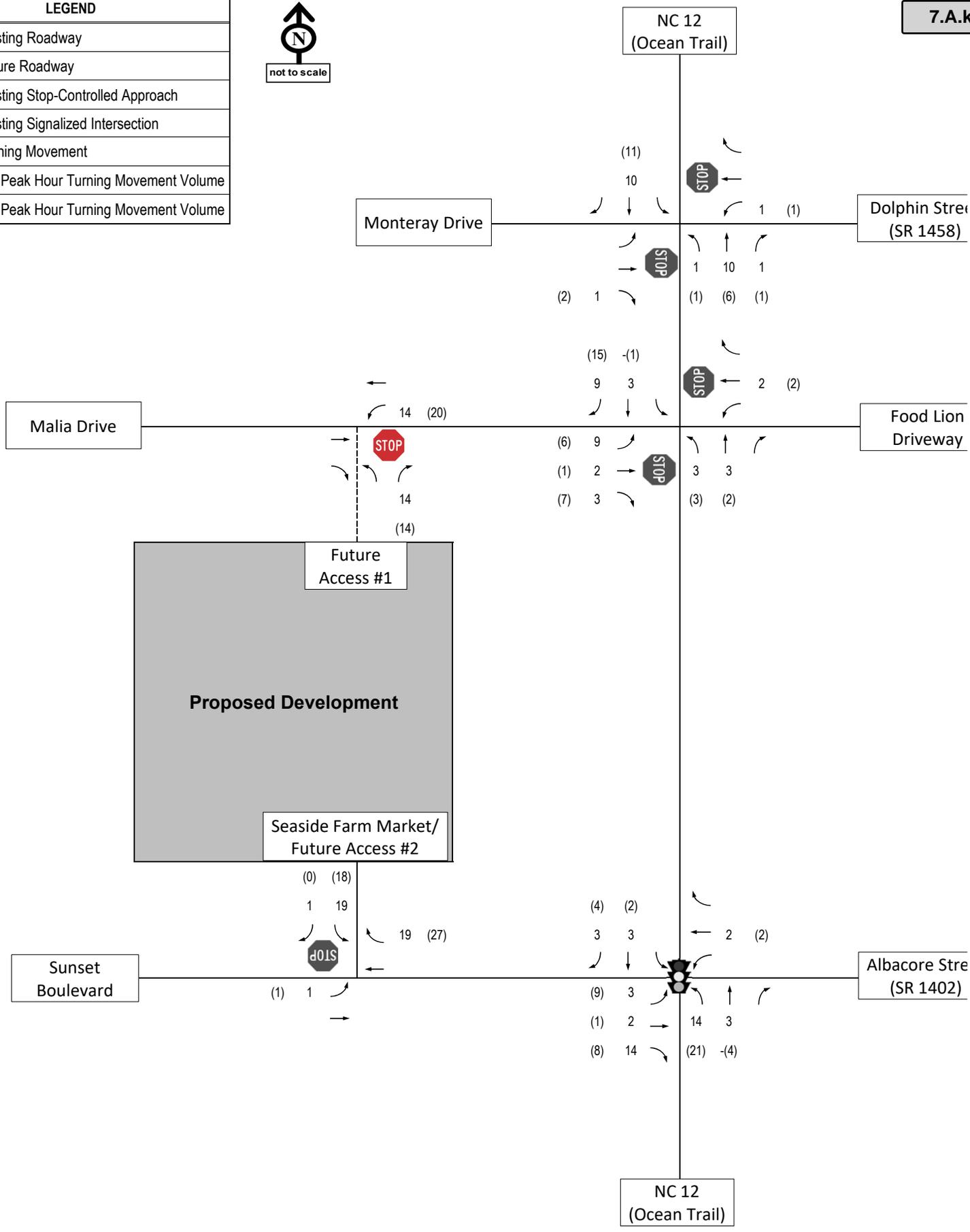
Monteray Shores TIA
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LEGEND

—	Existing Roadway
--	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 25
Phase II Build (2025) Alternative #2 Total Peak Hour Site
Generated Trips

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Corolla, NC

Level of Service Analysis

The Phase II Build (2025) Alternative #2 analysis scenario includes the Phase II No-Build (2025) traffic and site-generated trips from the proposed development as described previously. The network geometry matches the Existing (2021) scenario with the addition of the one driveway along Malia Drive and access provided via a connection to the existing Seaside Market driveway along Sunset Boulevard. Figure 26 depicts the turning movement volumes used in the Phase II Build (2025) Alternative #2 scenario analysis. Intersection levels of service analyses were performed for the typical weekday AM and PM peak hours using Synchro/SimTraffic Professional Version 10. Table 6 summarizes the findings of the LOS analysis, and Appendix D contains the full Synchro reports.

As reported in Table 11, with the addition of site trips, the signalized intersection continues to operate at overall acceptable levels of service during both peak hours. The stop-controlled westbound approach at the intersection of Ocean Trail (NC 12) and Dolphin Street/Monterey Drive is projected to continue to operate at a LOS F during the PM peak hour.

Table 11 Phase II Build (2025) Alternative #2 LOS Results

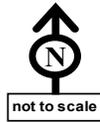
Intersection and Approach	Traffic Control	Phase II Build (2025) Alt #2	
		AM	PM
NC 12 (Ocean Trail) at Albacore Street (SR 1402)/Sunset Boulevard	Signalized	B (10.3)	C (27.9)
Eastbound		B-16.9	D-38.5
Westbound		B-17.6	D-50.2
Northbound		A-9.2	B-17.6
Southbound		A-9.0	C-28.9
NC 12 (Ocean Trail) at Malia Drive/Food Lion Driveway	Unsignalized	-	-
Eastbound		B-14.5	D-26.7
Westbound		B-12.3	D-29.7
NC 12 (Ocean Trail) at Dolphin Street (SR 1458)/Monterey Drive	Unsignalized	-	-
Eastbound		B-11.3	C-22.5
Westbound		C-16.6	F-78.4
Sunset Boulevard at Seaside Farm Market/Future Access #2	Unsignalized	-	-
Southbound		A-8.9	B-11.3
Malia Drive at Future Access #1	Unsignalized	-	-
Northbound		A-8.4	A-8.6

X (XX.X) = Overall intersection LOS (average delay), X-XX = Approach LOS and average delay

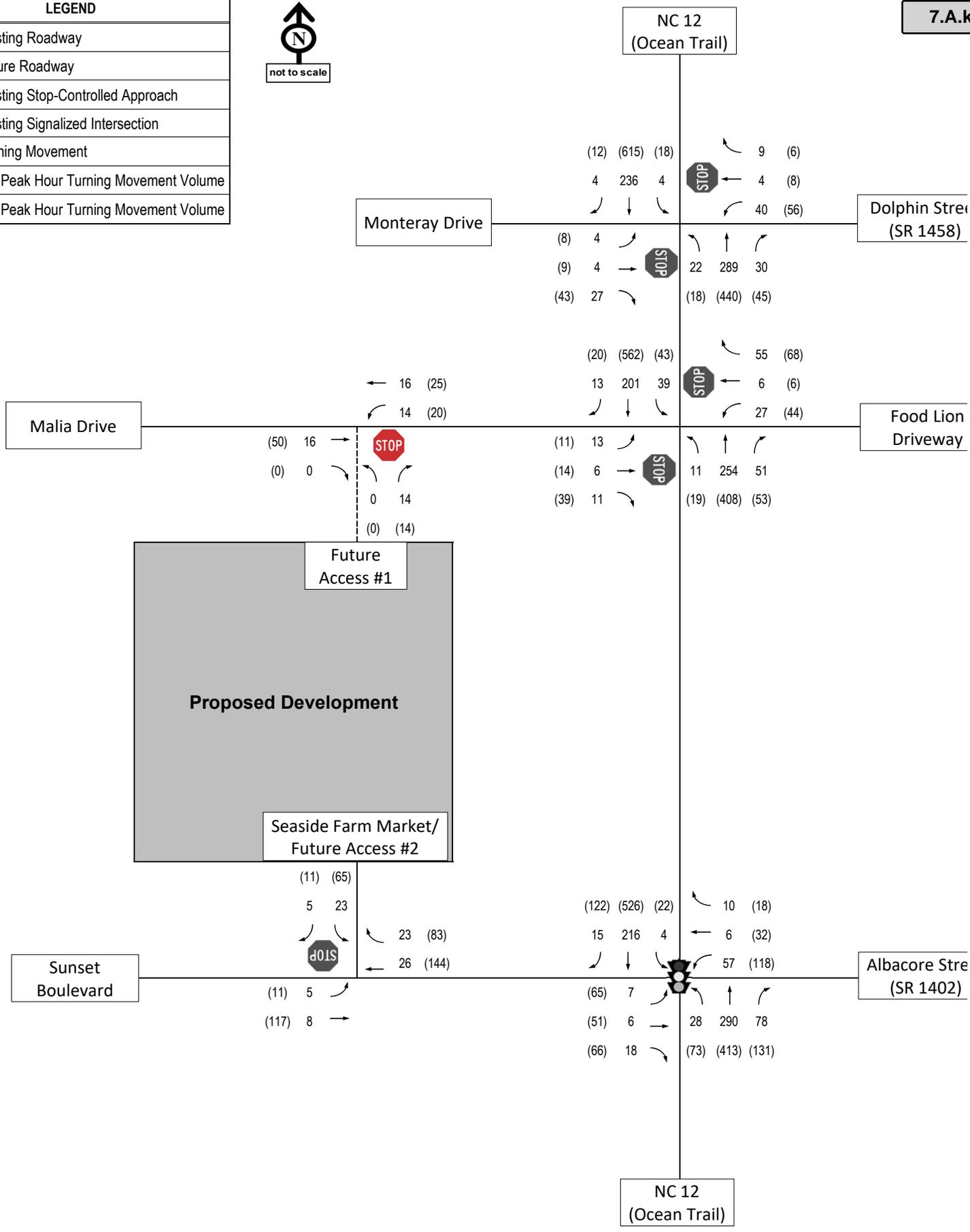
Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

LEGEND

—	Existing Roadway
--	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
←	Turning Movement
XX	AM Peak Hour Turning Movement Volume
(XX)	PM Peak Hour Turning Movement Volume



7.A.k



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 26
Phase II Build (2025) Build Alternative #2 AM and PM Peak Hour Volumes

Monterey Shores TIA
Corolla, NC

Roadway Improvement Recommendations

As indicated in the traffic operations analyses, the proposed development is projected to have a minimal impact on the traffic operations within the study area.

The following configurations are recommended for the site access driveways:

Malia Drive and Future Access #1 (unsignalized)

The stop-controlled driveway is expected to operate at LOS A during the AM peak hour and LOS A during the PM peak hour under both Phase II Build (2025) conditions. The following lane configurations are recommended for the new driveway connection:

- › Construct driveway with one ingress lane and one egress lane and full movement access.
- › Provide a minimum internal protected stem length of 100 feet.

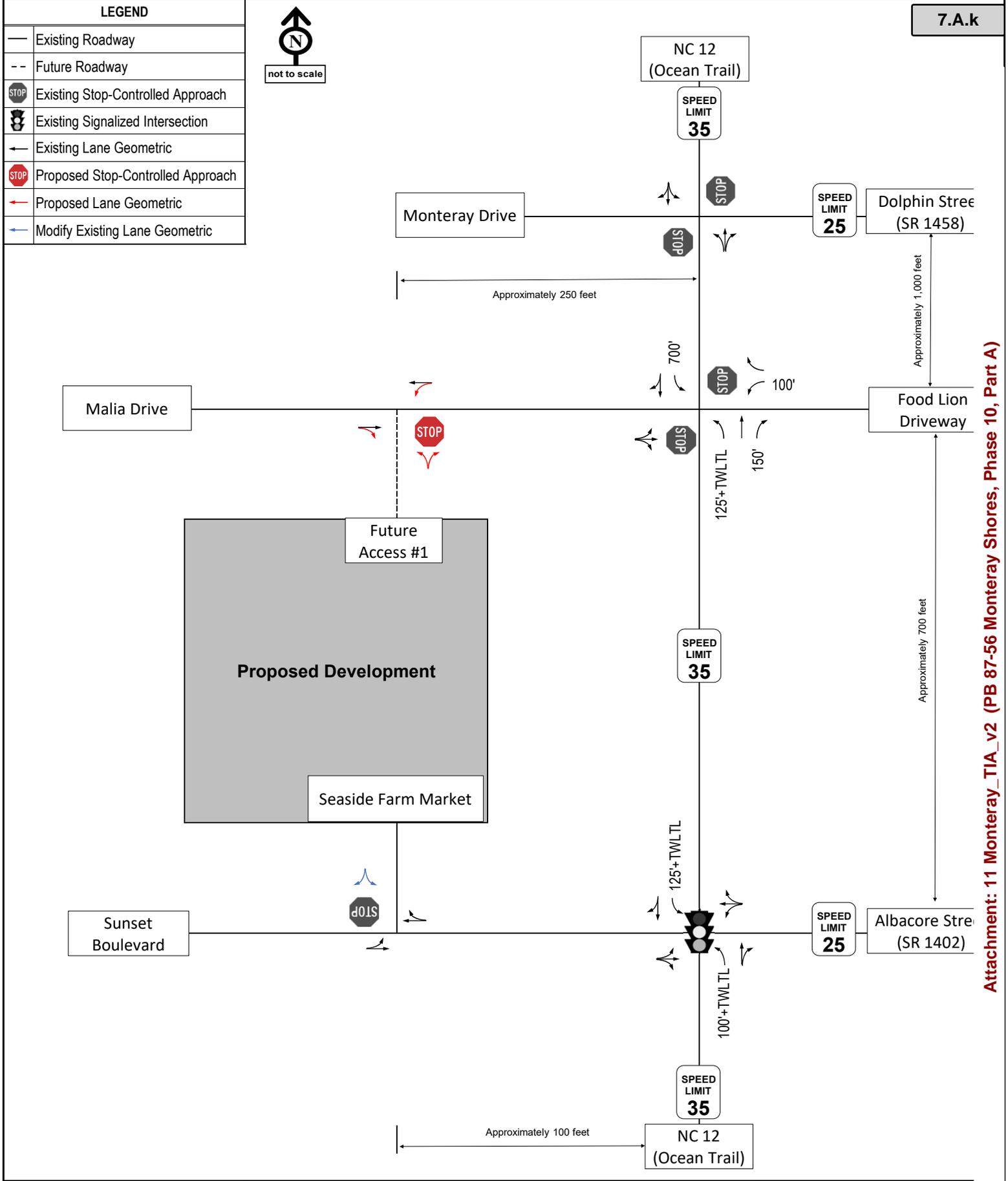
Sunset Boulevard and Future Access #2 (unsignalized)

The stop-controlled driveway is expected to operate at LOS A during the AM peak hour and LOS B during the PM peak hour under Phase II Build (2025) Alternative #2 conditions. The following lane configurations are recommended for the new driveway connection, should Alternative #2 be utilized:

- › Modify driveway to clearly delineate one ingress lane and one egress lane and full movement access.
- › Ensure a minimum internal protected stem length of 100 feet.
- › Coordinate with NCDOT for design and pavement standards, and for a potential shifting of the driveway to the west to allow more distance from signal.

Figure 27 provides a schematic diagram of the roadways near the proposed development, including the intersection geometrics with the proposed Phase II Build (2025) Alternative #2 improvements applied.

LEGEND	
—	Existing Roadway
--	Future Roadway
	Existing Stop-Controlled Approach
	Existing Signalized Intersection
←	Existing Lane Geometric
	Proposed Stop-Controlled Approach
←	Proposed Lane Geometric
←	Modify Existing Lane Geometric



Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



Figure 27
Phase II Build (2025) Alternative #2
Lane Geometrics and Traffic Control

Monterey Shores TIA
Corolla, NC



8

Findings and Conclusions

As indicated in the traffic operations analyses, the proposed development is projected to have a minimal impact on the traffic operations for multiple intersections within the study area. Therefore, the following offsite roadway improvements are recommended as a result of the additional site traffic that this development will generate.

Roadway Improvement Recommendations

As indicated in the traffic operations analyses, the proposed development is projected to have a minimal impact on the traffic operations within the study area.

The following configurations are recommended for the site access driveways:

Malia Drive and Future Access #1 (unsignalized)

The stop-controlled driveway is expected to operate at LOS A during the AM peak hour and LOS A during the PM peak hour under both Phase II Build (2025) conditions. The following lane configurations are recommended for the new driveway connection:

- › Construct driveway with one ingress lane and one egress lane and full movement access.
- › Provide a minimum internal protected stem length of 100 feet.

Sunset Boulevard and Future Access #2 (unsignalized)

The stop-controlled driveway is expected to operate at LOS A during the AM peak hour and LOS B during the PM peak hour under Phase II Build (2025) Alternative #2 conditions. The following lane configurations are recommended for the new driveway connection, should Alternative #2 be utilized:

- › Modify driveway to clearly delineate one ingress lane and one egress lane and full movement access.
- › Ensure a minimum internal protected stem length of 100 feet.

Monterey Shores Development TIA

- › Coordinate with NCDOT for design and pavement standards, and for a potential shifting of the driveway to the west to allow more distance from signal.

The summary LOS results are shown in Table 12 and the future lane configurations and traffic control at the study area intersections, with the development in place, are presented in Figure 20 or Figure 27. With the addition of the improvements identified as part of this TIA, all of the intersections are projected to operate at improved or acceptable levels of service or there are minimal delay increases (3 seconds or less during either peak period) projected at the study area intersections.

Monterey Shores Development TIA

Table 12 Summary of LOS Results

Intersection and Approach	Traffic Control	Existing (2021)		Phase I No-Build (2023)		Phase I Build (2023)		Phase II No-Build (2025)		Phase II Build (2025) Alt #1		Phase II Build (2025) Alt #2	
		AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
NC 12 (Ocean Trail) at Albacore Street (SR 1402)/Sunset Boulevard	Signalized	A (9.4)	C (21.3)	A (9.8)	C (23.6)	A (9.8)	C (24.0)	A (9.8)	C (24.7)	B (10.8)	C (25.3)	B (10.3)	C (27.9)
Eastbound		B-16.3	C-32.9	B-16.6	C-33.6	B-16.7	C-34.3	B-16.9	C-34.0	B-17.5	C-34.7	B-16.9	D-38.5
Westbound		B-17.1	D-38.5	B-17.4	D-40.9	B-17.5	D-42.2	B-17.8	D-42.7	B-19.3	D-44.4	B-17.6	D-50.2
Northbound		A-8.2	B-13.0	A-8.7	B-15.9	A-8.7	B-16.6	A-8.7	B-16.6	A-9.8	B-17.5	A-9.2	B-17.6
Southbound		A-8.7	C-21.7	A-8.9	C-23.8	A-8.9	C-23.6	A-8.8	C-25.2	A-9.7	C-25.4	A-9.0	C-28.9
NC 12 (Ocean Trail) at Malia Drive/Food Lion Driveway	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Eastbound		B-12.5	C-19.9	B-12.8	C-21.0	B-12.9	D-26.5	B-12.9	C-22.6	B-14.1	E-35.9	B-14.5	D-26.7
Westbound		B-11.6	C-22.7	B-11.7	D-25.1	B-11.9	D-28.4	B-12.0	D-27.7	B-12.6	D-34.1	B-12.3	D-29.7
NC 12 (Ocean Trail) at Dolphin Street (SR 1458)/Monterey Drive	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Eastbound		B-10.9	C-19.1	B-11.0	C-20.0	B-11.0	C-20.4	B-11.1	C-22.1	B-11.3	C-22.5	B-11.3	C-22.5
Westbound		C-15.0	E-48.0	C-15.4	F-57.4	C-15.5	F-62.0	C-16.0	F-70.3	C-16.7	F-78.4	C-16.6	F-78.4
Sunset Boulevard at Seaside Farm Market/Future Access #2	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Southbound		A-8.6	B-10.6	A-8.6	B-10.7	A-8.6	B-10.7	A-8.6	B-10.9	A-8.6	B-10.9	A-8.9	B-11.3
Malia Drive at Future Access #1	Unsignalized	-	-	-	-	-	-	-	-	-	-	-	-
Northbound		-	-	-	-	A-8.4	A-8.6	---	---	A-8.5	A-8.7	A-8.4	A-8.6

X (XX.X) = Overall intersection LOS (average delay), X-XX = Approach LOS and average delay

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

Appendices



A

Memorandum of Understanding



NCDOT Traffic Impact Analysis Need Screening / Scoping Request



7.A.k



Additional Comments:

The TIA need decision is made by the NCDOT Division _____ District _____ on _____.

NCDOT District Representative's Signature

Print Name

Email concurrence may be used in lieu of the signature.

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



NCDOT TIA Scoping Checklist



7.A.k



Project Name: Monterey Shores Development

TIA Scoping Date: 9/24/2021

TIA Need Screening Forms are Attached. Project Reference #: _____ Decision Date: _____

Site Plan and Access

Provide a site plan illustrating site access, internal and external roadways, buildings and land uses.
Refer to NCDOT's [Policy on Street and Driveway Access to North Carolina Highways](#) pages 14 and 15 for site plan requirements.

Identify site access.

New Access	On Road	Access Type		Driveway Spacing		
	Road Name	Permitted Movements	Traffic Control	Distance (ft)	Direction	Nearest Intersection / Ac
Access A	Sunset Boulevard	Conventional Full-Mvmt	2-Way Stop	100	West	NC 12
Access B	Malia Drive	Conventional Full-Mvmt	2-Way Stop	250	West	NC 12
Access C						
Access D						
Access E						
Access F						
Access G						
Access H						

Existing Access	Existing Intersection of		Access Modification	Proposed Interconnectivity (If Applicable)		
	Road A	Road B		Connector #	Road Connected	Adjacent Developmen
Access 1			Please Select	Connector 1		
Access 2				Connector 2		
Access 3				Connector 3		
Access 4				Connector 4		

- Additional access clarifications and provisions (e.g., proposed control-of-access or median breaks, modifications of existing access, loading/unloading area access, bike/pedestrian accommodation).
- There will be two access scenarios evaluated in the TIA. One will include both the Malia Drive access and the Sunset Blvd access. The second scenario will included only the Malia Drive access.

Proposed K-12 School Site

- NCDOT [MSTA School Traffic Calculator](#) for Select School Type shall be used.
- Peak Hour Factors (PHFs) shall be adjusted/weighted for new school trips (0.5 PHF by default).
- Internal school circulation analysis is required, and should be submitted in advance or concurrent with the TIA submittal.
- Clarify traffic operation plans (e.g. traffic circulation pattern, pedestrian access, drop-off/pick-up zone location and configuration, queue storage area and, if applicable, staggered start times).



NCDOT TIA Scoping Checklist



7.A.k



Trip Generation

The TIA Consultant shall prepare trip generation estimates following the current [NCDOT Congestion Management Capacity Analysis Guidelines](#), and submit the calculation sheets and supporting information to the District Engineer for approval prior to capacity analysis.

ITE LUC	Proposed Land Use	Size	Unit	Daily Trips	Peak Hour Type	AM Peak Hour Trips			PM Peak Hour Trips			Data Source
						Enter	Exit	Total	Enter	Exit	Total	
210	Single Family	5	du	66	Adj. Street	2	6	8	4	2	6	ITE Equati
220	Multi Family	31	du	194	Adj. Street	4	12	16	13	8	21	ITE Equati
820	General Retail	8002	sf	1079	Adj. Street	27	16	43	31	34	65	ITE Equati
931	Quality Restaurant	4502	sf	377	Generator	2	1	3	23	12	35	ITE Rate
Unadjusted Site Trips				1716		35	35	70	71	56	127	
Internal Capture Trips (Attach Calculation Sheets)				430		1	1	2	23	24	47	NCHRP 68
Internal Capture % of Unadjusted Site Trips				%		%			%			
LUC	Proposed Land Use	Any Internal Trips?		Pass-By % of External Trips								
820	General Retail	Yes - Adjust External Trips		%	0 %			34 %			ITE Rate	
932	Restaurant	Yes - Adjust External Trips		%	0 %			44 %			ITE Rate	
				%	%			%				
				%	%			%				
				%	%			%				
Pass-By Trips (Attach Calculation Sheets)					0	0	0	12	12	24		
Adjacent Street Volumes											Please Sel	
Non-Pass-By Primary Trips					34	34	68	36	20	56		
Diverted Trips, if Applicable and Justifiable												Please Sel

**Explain local or other data sources, if used:

Once counts are process, pass-by trips may be adjusted downward if they exceed 10% of the adjacent street volume.

Existing Site Trip Information for Redevelopment Projects (Attach separate sheets as needed)

ITE LUC	Existing Land Use	Size	Unit	Daily Trips	Peak Hour Type	AM Peak Hour Trips			PM Peak Hour Trips			Data Source
						Enter	Exit	Total	Enter	Exit	Total	
					Please Select							Please Sel
Total Existing Site Trips												

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



NCDOT TIA Scoping Checklist



Trip Distribution

- Trip distribution diagrams are submitted concurrently with this document (attach separate sheets).
- Trip distribution diagrams will be submitted separately, along with supporting information, to the District Engineer for review and approval prior to capacity analysis. The trip distribution shall be based on the current and anticipated traffic patterns, as well as instructions noted below.

Trip distribution will be determined once counts are obtained

If required by the District Engineer, the following additional diagrams shall also be submitted:

- Mixed-Use Developments (separate diagrams for residential, commercial, and office trips)
- Inter-Development Trips (if 'internal' trips cross public streets)
- Pass-By Trips
- Diverted Trips
- Each Analysis Period

Mode Split

- Provide Data Source and Justification

Mode \ Period	Auto		
AM Peak	%	%	%
PM Peak	%	%	%
Daily	%	%	%
	%	%	%

- Identify proper infrastructure and accommodation for other modes of travel.

Analysis Peak Periods:

- Weekday AM Peak _____
- Weekday PM Peak _____
- Weekday Midday Peak _____
- Weekday PM School Peak _____
- Weekend _____ Peak _____
- Other _____



NCDOT TIA Scoping Checklist



7.A.k



Study Area Intersections and Data Collection

The study area shall include the site access intersections (both new and existing) identified under “Site Plan and Access” on page 1, as well as the following external and, if applicable, internal intersections.

External Intersection	Intersection of		Traffic Control	Intersection Turning Movement Counts			Notes
	Road A	Road B		New / Existing	Date of Counts	Growth Adjustment	
#1	NC 12	Albacore Street	Signal	Require New Counts	9/1/2021		
#2	NC 12	Malia Drive	2-Way Stop	Require New Counts	9/1/2021		
#3	NC 12	Dolphin Street	2-Way Stop	Require New Counts	9/1/2021		
#4							
#5							
#6							
#7							
#8							
#9							
#10							
#11							
#12							

Internal Intersection	Intersection of		Access Type		Intersection Spacing		
	Road A	Road B	Traffic Control	Permitted Movements	Distance (ft)	Direction	Nearest Intersec
#101			Please Select	Please Select		Please Select	
#102							
#103							
#104							
#105							

The following data will be collected:

- New traffic turning movement counts in 15-min intervals 5-min intervals (near schools)
 Unless otherwise noted above, new traffic counts shall be collected at the existing study intersections during the analysis periods. Weekday counts shall avoid Mondays, Fridays, holidays, school breaks, road closures, and major weather events.
- To account for the impact of existing and/or proposed school traffic, PHFs will be adjusted for:
 intersections numbered: _____
 and access points numbered: _____
- Traffic Forecast Data for TIP: _____
- Roadway/Intersection Configuration & Traffic Control
- Traffic Signal Phasing & Timing Data
- Crash Data: _____ Period: _____
- Other: _____

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



NCDOT TIA Scoping Checklist



7.A.k



Future Year Conditions

Project Build-Out Year: Early 2023

Future Analysis Year(s): 2023

Identify below any funded/committed future transportation improvements, as well as any approved but incomplete developments near the site.

Funded STIP / Local CIP Project	Project Description		Year Complete
Nearby Approved Development	Location	Future Land Use (exclude any completed phases)	Committed Improvements

Annual Growth Factor: 2 %

Justification/Data Source: NCDOT 2020-2030 growth rate = 1.4%

Local Comprehensive Transportation Plan Compliance

Identify Applicable Local Transportation Planning Documents

Identify Applicable Roadways inside the Study Area

Road Name	Classification	Speed Limit	Proposed Cross-Section	Proposed Right-of-Way	Compliance Requirements	Affect Stuc Intersection

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



NCDOT TIA Scoping Checklist



7.A.k

Study Method

The traffic analysis shall follow the current [NCDOT Congestion Management Capacity Analysis Guidelines](#), [Policy on Street and Driveway Access to North Carolina Highways](#), and use the current approved version of analysis software (e.g. Synchro/SimTraffic, HCS, Sidra Intersection, TransModeler).

The study shall include the following analysis scenarios for each analysis period.

1. Existing Conditions
2. Future No-Build Conditions (existing + background growth + approved developments + committed or funded improvements)
3. Future Build Conditions (future no-build + site trips)
4. Future Build with Improvements Conditions (future build traffic with improvements to mitigate the proposed development's impacts) and, if applicable:
5. TIP Design Year Analysis _____
6. Alternative Access Scenario (without proposed control-of-access or median break / modification)

The following additional analysis/outputs should be provided as warranted:

- Signal Warrant Analysis for accesses/intersections _____
- Multi-Modal Level of Service Analysis
- School Loading Zone Traffic Simulation
- Phasing Analysis (scope separately as needed)
- Safety/Crash Analysis
- Control-of-Access Modification Justification
- Median Break / Modification Justification
- Other _____

Submittals

In addition to the hardcopies required below, the TIA Consultant shall provide the District Engineer and, if required, the local government an electronic copy of the study documents, including the latest site plan, figures and appendices, in searchable PDF files and the original traffic analysis files (e.g., Synchro, HCS).

To expedite review, the NCDOT electronic submittals shall also be delivered concurrently to:

- Div. Traffic Engr Regional Traffic Engr Congestion Management Other _____

Submittals	NCDOT		Local Government	
	Electronic	Hardcopy	Electronic	Hardcopy
Trip Generation & Distribution	Required		Please Select	
Draft TIA Report	Required			
Final Sealed TIA Report	Required			

- Additional Comments** (municipal TIA requirements, approved variations from NCDOT guidelines)



NCDOT TIA Submittal Checklist



7.A.k



Submittal: Please Select **Document Date:** _____
Project _____ **Previous Name:** If Applicable _____
NCDOT Division: _____ **District:** _____ **County:** _____ **Municipality:** _____
TIA Consultant: _____ **Submitted By:** _____
Phone Number: _____ **Email:** _____
TIA Scoping Checklist Approval Date: _____ **Unadjusted Daily Site Trips:** _____

- The approved TIA Scoping Checklist is included in this submittal.
- LOS D or better is expected at all study intersections after proposed mitigations.
- The study report is sealed by a NC Professional Engineer with expertise in traffic engineering.
- This study has identified all known deficiencies with and without the proposed development.
- This study has identified mitigation measures to adequately accommodate the site trips.

Explain here if any of the boxes above are unchecked:

The undersigned affirms that, except for the deviations noted below, the TIA submittal conforms to the current [NCDOT Congestion Management Capacity Analysis Guidelines](#), [Policy on Street and Driveway Access to North Carolina Highways](#), and the TIA Scoping Checklist approved by the NCDOT District Office. The undersigned also acknowledges that the TIA will be rejected if the deviations and justifications are not properly documented and approved by NCDOT.

Deviations and Justifications (e.g., changes in site plan, development schedule, site trip and off-site trip estimates, study area, data collection, analysis period and method. Attached separate sheets if needed.)

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



NCDOT TIA Submittal Checklist



7.A.k



 TIA Consultant's Signature
 (Professional Engineer of TIA Record)

 Print Name

 Date

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



B

Turning Movement Counts

VHB Engineering NC, P.C.

7.A.k

Venture I
 940 Main Campus Drive, Suite 500
 Raleigh, NC 27606
 p: 919.829.0328 f: 919.833.0034

File Name : NC12@Albacor et
 Site Code :
 Start Date : 9/1/2021
 Page No : 1

Groups Printed- Motorcycles - Cars & Light Goods - Buses - Unit Trucks - Articulated Trucks - Bicycles on Road - Bicycles on Crosswalk - Pedes s

Start Time	NC 12 Southbound				Albacore Street Westbound				NC 12 Northbound				Sunset Boulevard Eastbound				Exclu. Total	Inclu. Total	Int.
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds			
07:00 AM	1	26	2	0	9	0	1	5	1	23	8	0	1	0	0	0	5	72	
07:15 AM	0	48	2	1	9	0	0	1	1	46	11	0	0	0	0	0	2	117	
07:30 AM	0	30	4	1	8	1	1	8	1	63	12	0	0	0	0	0	9	120	
07:45 AM	0	44	1	0	9	1	2	8	3	73	12	0	0	0	0	0	8	145	
Total	1	148	9	2	35	2	4	22	6	205	43	0	1	0	0	0	24	454	
08:00 AM	2	41	1	0	9	1	1	11	4	45	14	0	2	0	0	0	11	120	
08:15 AM	2	42	6	3	9	0	3	7	4	75	12	0	0	3	0	1	11	156	
08:30 AM	1	49	0	0	20	2	2	15	0	72	19	0	1	1	0	0	15	167	
08:45 AM	1	65	4	0	15	1	3	3	5	73	27	0	1	0	0	0	3	195	
Total	6	197	11	3	53	4	9	36	13	265	72	0	4	4	0	1	40	638	
*** BREAK ***																			
04:00 PM	3	101	29	3	20	9	5	5	10	100	26	0	15	14	15	0	8	347	
04:15 PM	6	139	25	2	23	8	4	1	5	86	29	0	9	9	19	0	3	362	
04:30 PM	7	130	30	4	36	4	2	10	20	106	34	0	11	7	7	0	14	394	
04:45 PM	4	114	25	1	30	7	6	1	13	93	32	0	17	16	13	0	2	370	
Total	20	484	109	10	109	28	17	17	48	385	121	0	52	46	54	0	27	1473	
05:00 PM	3	97	17	5	35	11	1	0	18	86	22	0	8	7	12	0	5	317	
05:15 PM	2	83	37	4	26	11	1	6	13	89	33	0	14	12	12	0	10	333	
05:30 PM	2	78	30	4	21	14	9	4	8	80	24	2	13	7	12	1	11	298	
05:45 PM	5	72	17	6	21	7	7	2	13	72	27	0	9	9	9	0	8	268	
Total	12	330	101	19	103	43	18	12	52	327	106	2	44	35	45	1	34	1216	
Grand Total	39	1159	230	34	300	77	48	87	119	1182	342	2	101	85	99	2	125	3781	
Apprch %	2.7	81.2	16.1		70.6	18.1	11.3		7.2	71.9	20.8		35.4	29.8	34.7				
Total %	1	30.7	6.1		7.9	2	1.3		3.1	31.3	9		2.7	2.2	2.6		3.2	96.8	
Motorcycles	0	0	0		3	1	0		0	1	0		0	0	0		0	0	
% Motorcycles	0	0	0	0	1	1.3	0	0	0	0.1	0	0	0	0	0	0	0	0	
Cars & Light Goods	39	1129	227		289	75	46		119	1150	328		100	85	98		0	0	
% Cars & Light Goods	100	97.4	98.7	0	96.3	97.4	95.8	0	100	97.3	95.9	0	99	100	99	0	0	0	
Buses	0	3	0		2	0	0		0	2	0		0	0	0		0	0	
% Buses	0	0.3	0	0	0.7	0	0	0	0	0.2	0	0	0	0	0	0	0	0	
Single-Unit Trucks	0	22	0		2	0	0		0	22	5		0	0	1		0	0	
% Single-Unit Trucks	0	1.9	0	0	0.7	0	0	0	0	1.9	1.5	0	0	0	1	0	0	0	
Articulated Trucks	0	3	0		2	0	0		0	1	3		1	0	0		0	0	
% Articulated Trucks	0	0.3	0	0	0.7	0	0	0	0	0.1	0.9	0	1	0	0	0	0	0	
Bicycles on Road	0	2	3		2	1	2		0	6	6		0	0	0		0	0	
% Bicycles on Road	0	0.2	1.3	0	0.7	1.3	4.2	0	0	0.5	1.8	0	0	0	0	0	0	0	
Bicycles on Crosswalk																			
% Bicycles on Crosswalk	0	0	0	14.7	0	0	0	49.4	0	0	0	100	0	0	0	50	0	0	
Pedestrians	0	0	0		0	0	0		0	0	0		0	0	0		0	0	
% Pedestrians	0	0	0	85.3	0	0	0	50.6	0	0	0	0	0	0	0	50	0	0	

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

VHB Engineering NC, P.C.

7.A.k

Venture I
 940 Main Campus Drive, Suite 500
 Raleigh, NC 27606
 p: 919.829.0328 f: 919.833.0034

File Name : NC12@Albacor et
 Site Code :
 Start Date : 9/1/2021
 Page No : 2

Start Time	NC 12 Southbound				Albacore Street Westbound				NC 12 Northbound				Sunset Boulevard Eastbound				Int.
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 08:00 AM																	
08:00 AM	2	41	1	44	9	1	1	11	4	45	14	63	2	0	0	2	
08:15 AM	2	42	6	50	9	0	3	12	4	75	12	91	0	3	0	3	
08:30 AM	1	49	0	50	20	2	2	24	0	72	19	91	1	1	0	2	
08:45 AM	1	65	4	70	15	1	3	19	5	73	27	105	1	0	0	1	
Total Volume	6	197	11	214	53	4	9	66	13	265	72	350	4	4	0	8	
% App. Total	2.8	92.1	5.1		80.3	6.1	13.6		3.7	75.7	20.6		50	50	0		
PHF	.750	.758	.458	.764	.663	.500	.750	.688	.650	.883	.667	.833	.500	.333	.000	.667	
Motorcycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Motorcycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Cars & Light Goods	6	184	11	201	49	3	9	61	13	253	66	332	3	4	0	7	
% Cars & Light Goods	100	93.4	100	93.9	92.5	75.0	100	92.4	100	95.5	91.7	94.9	75.0	100	0	87.5	
Buses	0	0	0	0	1	0	0	1	0	0	0	0	0	0	0	0	
% Buses	0	0	0	0	1.9	0	0	1.5	0	0	0	0	0	0	0	0	
Single-Unit Trucks	0	10	0	10	0	0	0	0	0	9	2	11	0	0	0	0	
% Single-Unit Trucks	0	5.1	0	4.7	0	0	0	0	0	3.4	2.8	3.1	0	0	0	0	
Articulated Trucks	0	2	0	2	1	0	0	1	0	1	1	2	1	0	0	1	
% Articulated Trucks	0	1.0	0	0.9	1.9	0	0	1.5	0	0.4	1.4	0.6	25.0	0	0	12.5	
Bicycles on Road	0	1	0	1	2	1	0	3	0	2	3	5	0	0	0	0	
% Bicycles on Road	0	0.5	0	0.5	3.8	25.0	0	4.5	0	0.8	4.2	1.4	0	0	0	0	
Bicycles on Crosswalk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Bicycles on Crosswalk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

VHB Engineering NC, P.C.

7.A.k

Venture I
 940 Main Campus Drive, Suite 500
 Raleigh, NC 27606
 p: 919.829.0328 f: 919.833.0034

File Name : NC12@DolphinStreet_Monterey
 Site Code :
 Start Date : 9/1/2021
 Page No : 1

Groups Printed- Motorcycles - Cars & Light Goods - Buses - Unit Trucks - Articulated Trucks - Bicycles on Road - Bicycles on Crosswalk - Pedestrians

Start Time	NC 12 Southbound				Dolphin Street Westbound				NC 12 Northbound				Monterey Drive Eastbound				Exclu. Total	Inclu. Total	Int.
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds			
07:00 AM	0	26	0	3	5	0	0	0	1	33	2	0	0	0	4	0	3	71	
07:15 AM	1	38	0	0	7	0	3	0	3	38	5	0	0	1	5	0	0	101	
07:30 AM	0	47	1	0	5	0	1	0	0	58	4	0	1	1	1	0	0	119	
07:45 AM	1	45	0	0	3	0	1	0	2	65	1	0	0	0	2	1	1	120	
Total	2	156	1	3	20	0	5	0	6	194	12	0	1	2	12	1	4	411	
08:00 AM	0	33	0	4	12	0	2	1	4	50	3	1	0	0	3	1	7	107	
08:15 AM	0	53	1	2	11	0	2	2	4	67	9	1	1	0	3	2	7	151	
08:30 AM	0	53	1	4	2	0	3	1	6	73	6	0	1	1	10	3	8	156	
08:45 AM	3	70	1	0	11	0	1	0	5	68	9	1	2	0	8	0	1	178	
Total	3	209	3	10	36	0	8	4	19	258	27	3	4	1	24	6	23	592	
*** BREAK ***																			
04:00 PM	0	136	3	0	7	5	0	0	5	105	12	0	4	2	11	0	0	290	
04:15 PM	6	181	2	0	12	0	2	0	2	94	6	0	1	5	8	1	1	319	
04:30 PM	7	126	1	1	14	0	2	0	4	114	11	0	1	0	11	1	2	291	
04:45 PM	4	115	5	4	18	2	2	0	5	88	12	0	1	1	8	0	4	261	
Total	17	558	11	5	51	7	6	0	16	401	41	0	7	8	38	2	7	1161	
05:00 PM	0	120	7	0	9	0	1	0	11	98	12	0	2	2	10	0	0	272	
05:15 PM	0	108	0	0	8	1	0	0	9	89	8	0	0	1	8	0	0	232	
05:30 PM	1	97	1	0	20	1	1	0	7	105	14	0	1	0	8	0	0	256	
05:45 PM	0	75	2	5	7	5	2	0	7	81	13	0	4	3	8	1	6	207	
Total	1	400	10	5	44	7	4	0	34	373	47	0	7	6	34	1	6	967	
Grand Total	23	1323	25	23	151	14	23	4	75	1226	127	3	19	17	108	10	40	3131	
Apprch %	1.7	96.5	1.8		80.3	7.4	12.2		5.3	85.9	8.9		13.2	11.8	75				
Total %	0.7	42.3	0.8		4.8	0.4	0.7		2.4	39.2	4.1		0.6	0.5	3.4		1.3	98.7	
Motorcycles	0	1	0		0	0	0		0	1	2		0	0	0		0	0	
% Motorcycles	0	0.1	0	0	0	0	0	0	0	0.1	1.6	0	0	0	0	0	0	0	
Cars & Light Goods	22	1297	25		145	13	20		73	1192	122		19	16	106		0	0	
% Cars & Light Goods	95.7	98	100	0	96	92.9	87	0	97.3	97.2	96.1	0	100	94.1	98.1	0	0	0	
Buses	0	2	0		0	0	0		0	1	0		0	0	0		0	0	
% Buses	0	0.2	0	0	0	0	0	0	0	0.1	0	0	0	0	0	0	0	0	
Single-Unit Trucks	1	16	0		5	0	3		1	22	2		0	0	2		0	0	
% Single-Unit Trucks	4.3	1.2	0	0	3.3	0	13	0	1.3	1.8	1.6	0	0	0	1.9	0	0	0	
Articulated Trucks	0	1	0		0	0	0		1	2	0		0	0	0		0	0	
% Articulated Trucks	0	0.1	0	0	0	0	0	0	1.3	0.2	0	0	0	0	0	0	0	0	
Bicycles on Road	0	6	0		1	1	0		0	8	1		0	1	0		0	0	
% Bicycles on Road	0	0.5	0	0	0.7	7.1	0	0	0	0.7	0.8	0	0	5.9	0	0	0	0	
Bicycles on Crosswalk																			
% Bicycles on Crosswalk	0	0	0	39.1	0	0	0	0	0	0	0	0	0	0	0	10	0	0	
Pedestrians	0	0	0		0	0	0		0	0	0		0	0	0		0	0	
% Pedestrians	0	0	0	60.9	0	0	0	100	0	0	0	100	0	0	0	90	0	0	

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

VHB Engineering NC, P.C.

7.A.k

Venture I
 940 Main Campus Drive, Suite 500
 Raleigh, NC 27606
 p: 919.829.0328 f: 919.833.0034

File Name : NC12@DolphinStreet_Monterey
 Site Code :
 Start Date : 9/1/2021
 Page No : 2

Start Time	NC 12 Southbound				Dolphin Street Westbound				NC 12 Northbound				Monterey Drive Eastbound				Int.
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 08:00 AM																	
08:00 AM	0	33	0	33	12	0	2	14	4	50	3	57	0	0	3	3	
08:15 AM	0	53	1	54	11	0	2	13	4	67	9	80	1	0	3	4	
08:30 AM	0	53	1	54	2	0	3	5	6	73	6	85	1	1	10	12	
08:45 AM	3	70	1	74	11	0	1	12	5	68	9	82	2	0	8	10	
Total Volume	3	209	3	215	36	0	8	44	19	258	27	304	4	1	24	29	
% App. Total	1.4	97.2	1.4		81.8	0	18.2		6.2	84.9	8.9		13.8	3.4	82.8		
PHF	.250	.746	.750	.726	.750	.000	.667	.786	.792	.884	.750	.894	.500	.250	.600	.604	
Motorcycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Motorcycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Cars & Light Goods	3	204	3	210	34	0	5	39	17	243	25	285	4	1	23	28	
% Cars & Light Goods	100	97.6	100	97.7	94.4	0	62.5	88.6	89.5	94.2	92.6	93.8	100	100	95.8	96.6	
Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Single-Unit Trucks	0	3	0	3	1	0	3	4	1	11	1	13	0	0	1	1	
% Single-Unit Trucks	0	1.4	0	1.4	2.8	0	37.5	9.1	5.3	4.3	3.7	4.3	0	0	4.2	3.4	
Articulated Trucks	0	0	0	0	0	0	0	0	1	1	0	2	0	0	0	0	
% Articulated Trucks	0	0	0	0	0	0	0	0	5.3	0.4	0	0.7	0	0	0	0	
Bicycles on Road	0	2	0	2	1	0	0	1	0	3	1	4	0	0	0	0	
% Bicycles on Road	0	1.0	0	0.9	2.8	0	0	2.3	0	1.2	3.7	1.3	0	0	0	0	
Bicycles on Crosswalk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Bicycles on Crosswalk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

VHB Engineering NC, P.C.

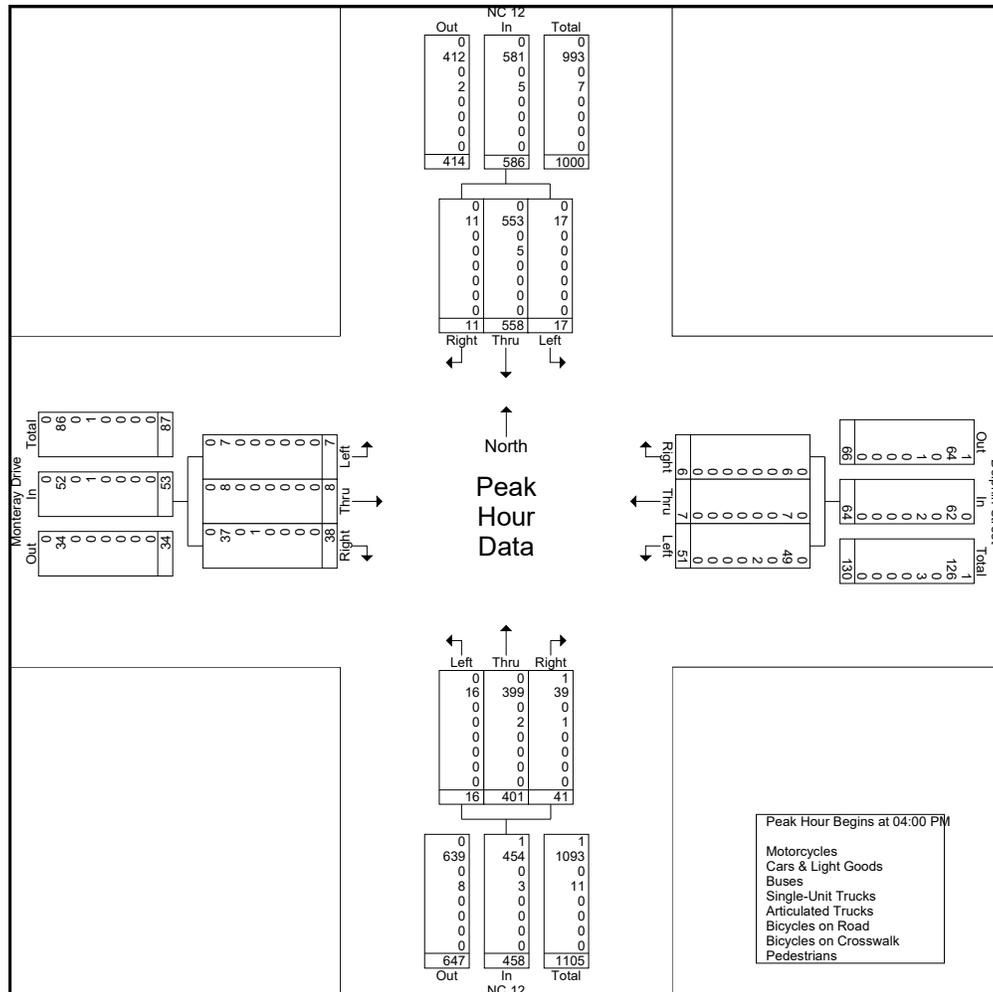
7.A.k

Venture I
 940 Main Campus Drive, Suite 500
 Raleigh, NC 27606
 p: 919.829.0328 f: 919.833.0034

File Name : NC12@DolphinStreet_Monterey
 Site Code :
 Start Date : 9/1/2021
 Page No : 4

Start Time	NC 12 Southbound				Dolphin Street Westbound				NC 12 Northbound				Monterey Drive Eastbound				Int.
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 12:00 PM to 05:45 PM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 04:00 PM																	
04:00 PM	0	136	3	139	7	5	0	12	5	105	12	122	4	2	11	17	
04:15 PM	6	181	2	189	12	0	2	14	2	94	6	102	1	5	8	14	
04:30 PM	7	126	1	134	14	0	2	16	4	114	11	129	1	0	11	12	
04:45 PM	4	115	5	124	18	2	2	22	5	88	12	105	1	1	8	10	
Total Volume	17	558	11	586	51	7	6	64	16	401	41	458	7	8	38	53	
% App. Total	2.9	95.2	1.9		79.7	10.9	9.4		3.5	87.6	9		13.2	15.1	71.7		
PHF	.607	.771	.550	.775	.708	.350	.750	.727	.800	.879	.854	.888	.438	.400	.864	.779	
Motorcycles	0	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	
% Motorcycles	0	0	0	0	0	0	0	0	0	0	2.4	0.2	0	0	0	0	
Cars & Light Goods	17	553	11	581	49	7	6	62	16	399	39	454	7	8	37	52	
% Cars & Light Goods	100	99.1	100	99.1	96.1	100	100	96.9	100	99.5	95.1	99.1	100	100	97.4	98.1	
Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Single-Unit Trucks	0	5	0	5	2	0	0	2	0	2	1	3	0	0	1	1	
% Single-Unit Trucks	0	0.9	0	0.9	3.9	0	0	3.1	0	0.5	2.4	0.7	0	0	2.6	1.9	
Articulated Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Articulated Trucks	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Bicycles on Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Bicycles on Road	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Bicycles on Crosswalk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Bicycles on Crosswalk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



VHB Engineering NC, P.C.

7.A.k

Venture I
 940 Main Campus Drive, Suite 500
 Raleigh, NC 27606
 p: 919.829.0328 f: 919.833.0034

File Name : NC12@Mal ve
 Site Code :
 Start Date : 9/1/2021
 Page No : 1

Groups Printed- Motorcycles - Cars & Light Goods - Buses - Unit Trucks - Articulated Trucks - Bicycles on Road - Bicycles on Crosswalk - Pedes s

Start Time	NC 12 Southbound				Monterey Plaza Westbound				NC 12 Northbound				Malia Drive Eastbound				Exclu. Total	Inclu. Total	Int.
	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds	Left	Thru	Right	Peds			
07:00 AM	2	27	0	0	6	1	8	0	0	26	2	0	0	0	0	0	0	72	
07:15 AM	1	45	0	0	5	0	4	0	0	40	8	0	0	0	0	0	0	103	
07:30 AM	4	34	0	1	3	0	5	0	1	57	7	0	1	0	1	0	1	113	
07:45 AM	9	35	0	0	8	0	11	0	3	57	11	0	0	0	1	0	0	135	
Total	16	141	0	1	22	1	28	0	4	180	28	0	1	0	2	0	1	423	
08:00 AM	9	32	0	4	7	0	10	0	0	44	14	0	1	1	3	1	5	121	
08:15 AM	10	40	0	0	6	0	13	1	1	63	11	0	0	0	0	3	4	144	
08:30 AM	8	48	0	0	4	0	19	0	1	60	13	1	0	0	1	0	1	154	
08:45 AM	9	63	1	0	8	0	9	0	5	65	9	0	0	0	3	0	0	172	
Total	36	183	1	4	25	0	51	1	7	232	47	1	1	1	7	4	10	591	
*** BREAK ***																			
04:00 PM	10	117	1	3	7	0	19	0	3	97	18	0	2	2	6	0	3	282	
04:15 PM	14	152	2	2	8	0	14	0	2	82	9	0	2	8	14	0	2	307	
04:30 PM	10	128	1	0	14	2	18	0	6	108	11	0	0	1	7	0	0	306	
04:45 PM	6	123	1	0	12	0	12	0	4	88	11	0	1	1	3	0	0	262	
Total	40	520	5	5	41	2	63	0	15	375	49	0	5	12	30	0	5	1157	
05:00 PM	6	99	2	1	11	1	25	0	3	80	17	0	2	2	5	0	1	253	
05:15 PM	6	106	0	0	5	1	12	0	3	88	17	0	3	5	5	0	0	251	
05:30 PM	10	85	0	0	11	0	23	0	4	86	5	1	0	0	10	0	1	234	
05:45 PM	8	81	0	1	9	1	14	0	1	76	8	0	1	2	2	0	1	203	
Total	30	371	2	2	36	3	74	0	11	330	47	1	6	9	22	0	3	941	
Grand Total	122	1215	8	12	124	6	216	1	37	1117	171	2	13	22	61	4	19	3112	
Apprch %	9.1	90.3	0.6		35.8	1.7	62.4		2.8	84.3	12.9		13.5	22.9	63.5				
Total %	3.9	39	0.3		4	0.2	6.9		1.2	35.9	5.5		0.4	0.7	2		0.6	99.4	
Motorcycles	1	0	0		0	0	1		0	1	0		0	0	0		0	0	
% Motorcycles	0.8	0	0	0	0	0	0.5	0	0	0.1	0	0	0	0	0	0	0	0	
Cars & Light Goods	120	1192	8		123	4	209		35	1077	167		12	20	58		0	0	
% Cars & Light Goods	98.4	98.1	100	0	99.2	66.7	96.8	0	94.6	96.4	97.7	0	92.3	90.9	95.1	0	0	0	
Buses	0	2	0		0	0	0		0	2	0		0	0	0		0	0	
% Buses	0	0.2	0	0	0	0	0	0	0	0.2	0	0	0	0	0	0	0	0	
Single-Unit Trucks	0	14	0		1	0	5		0	26	2		1	0	2		0	0	
% Single-Unit Trucks	0	1.2	0	0	0.8	0	2.3	0	0	2.3	1.2	0	7.7	0	3.3	0	0	0	
Articulated Trucks	0	2	0		0	0	0		0	3	1		0	0	0		0	0	
% Articulated Trucks	0	0.2	0	0	0	0	0	0	0	0.3	0.6	0	0	0	0	0	0	0	
Bicycles on Road	1	5	0		0	2	1		2	8	1		0	2	1		0	0	
% Bicycles on Road	0.8	0.4	0	0	0	33.3	0.5	0	5.4	0.7	0.6	0	0	9.1	1.6	0	0	0	
Bicycles on Crosswalk	0	0	0		0	0	0		0	0	0		0	0	0		0	0	
% Bicycles on Crosswalk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pedestrians	0	0	0		0	0	0		0	0	0		0	0	0		0	0	
% Pedestrians	0	0	0	100	0	0	0	100	0	0	0	100	0	0	0	100	0	0	

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)

VHB Engineering NC, P.C.

7.A.k

Venture I
 940 Main Campus Drive, Suite 500
 Raleigh, NC 27606
 p: 919.829.0328 f: 919.833.0034

File Name : NC12@Mal ve
 Site Code :
 Start Date : 9/1/2021
 Page No : 2

Start Time	NC 12 Southbound				Monterey Plaza Westbound				NC 12 Northbound				Malia Drive Eastbound				Int.
	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	Left	Thru	Right	App. Total	
Peak Hour Analysis From 07:00 AM to 11:45 AM - Peak 1 of 1																	
Peak Hour for Entire Intersection Begins at 08:00 AM																	
08:00 AM	9	32	0	41	7	0	10	17	0	44	14	58	1	1	3	5	
08:15 AM	10	40	0	50	6	0	13	19	1	63	11	75	0	0	0	0	
08:30 AM	8	48	0	56	4	0	19	23	1	60	13	74	0	0	1	1	
08:45 AM	9	63	1	73	8	0	9	17	5	65	9	79	0	0	3	3	
Total Volume	36	183	1	220	25	0	51	76	7	232	47	286	1	1	7	9	
% App. Total	16.4	83.2	0.5		32.9	0	67.1		2.4	81.1	16.4		11.1	11.1	77.8		
PHF	.900	.726	.250	.753	.781	.000	.671	.826	.350	.892	.839	.905	.250	.250	.583	.450	
Motorcycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Motorcycles	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Cars & Light Goods	36	172	1	209	25	0	50	75	7	215	43	265	0	1	5	6	
% Cars & Light Goods	100	94.0	100	95.0	100	0	98.0	98.7	100	92.7	91.5	92.7	0	100	71.4	66.7	
Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Buses	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Single-Unit Trucks	0	8	0	8	0	0	1	1	0	12	2	14	1	0	2	3	
% Single-Unit Trucks	0	4.4	0	3.6	0	0	2.0	1.3	0	5.2	4.3	4.9	100	0	28.6	33.3	
Articulated Trucks	0	1	0	1	0	0	0	0	0	2	1	3	0	0	0	0	
% Articulated Trucks	0	0.5	0	0.5	0	0	0	0	0	0.9	2.1	1.0	0	0	0	0	
Bicycles on Road	0	2	0	2	0	0	0	0	0	3	1	4	0	0	0	0	
% Bicycles on Road	0	1.1	0	0.9	0	0	0	0	0	1.3	2.1	1.4	0	0	0	0	
Bicycles on Crosswalk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Bicycles on Crosswalk	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
% Pedestrians	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	

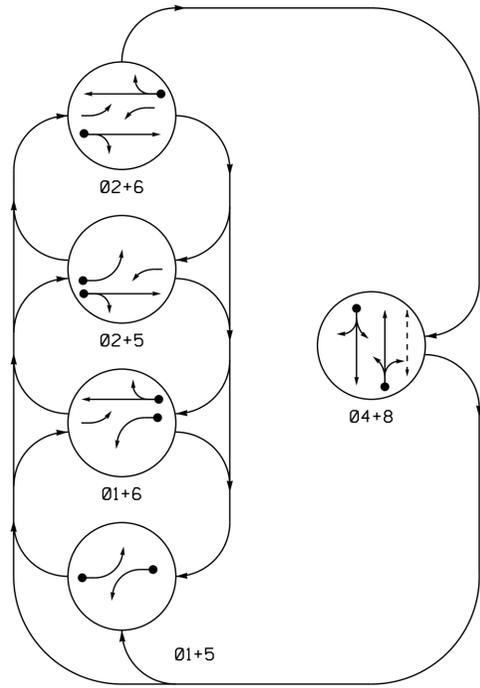
Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



C

Traffic Signal Plans

PHASING DIAGRAM



PHASING DIAGRAM DETECTION LEGEND

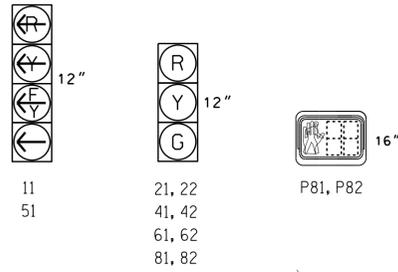
- ←●→ DETECTED MOVEMENT
- ←○→ UNDETECTED MOVEMENT (OVERLAP)
- ←- - -→ UNSIGNALIZED MOVEMENT
- ←- - - P (PEDESTRIAN) → PEDESTRIAN MOVEMENT

TABLE OF OPERATION

SIGNAL FACE	PHASE					
	01+5	01+6	02+5	02+6	04+8	FL
11	←	←	←	←	←	←
21,22	R	R	G	G	R	Y
41,42	R	R	R	R	G	R
51	←	←	←	←	←	←
61,62	R	G	R	G	R	Y
81,82	R	R	R	R	G	R
P81,P82	DW	DW	DW	DW	W	DRK

SIGNAL FACE I.D.

All Heads L.E.D.



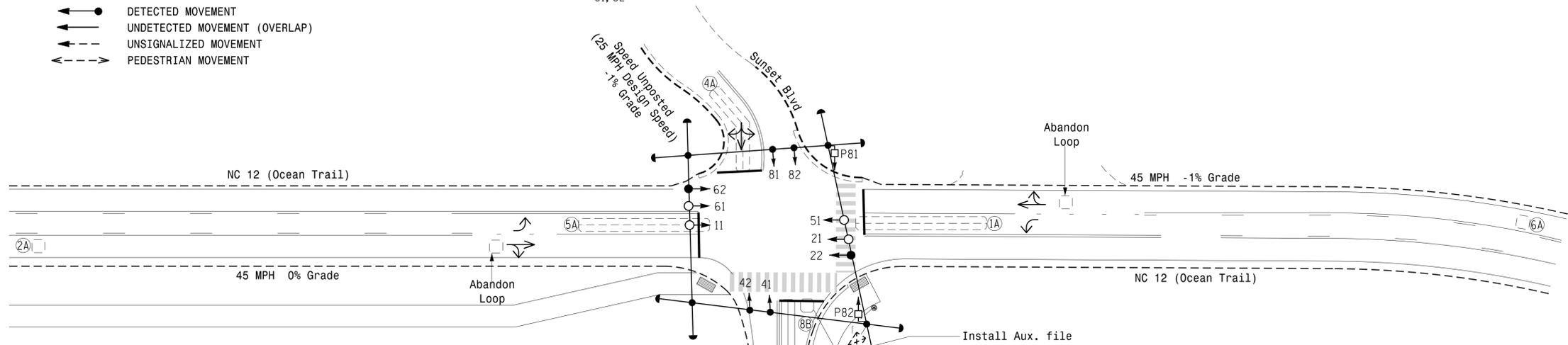
OASIS 2070 LOOP & DETECTOR INSTALLATION CHART

LOOP	SIZE (FT)	DISTANCE FROM STOPBAR (FT)	TURNS	NEW LOOP	DETECTOR PROGRAMMING				SYSTEM LOOP	NEW CARD
					PHASE	CALLING	EXTENSION	FULL TIME DELAY		
1A	6X60	+5	2-4-2	-	1	Y	Y	-	15	-
					6	Y	Y	Y	3	-
2A	6X6	300	4	-	2	Y	Y	-	-	-
4A	6X40	0	2-4-2	-	4	Y	Y	-	10	-
5A	6X60	+5	2-4-2	-	5	Y	Y	-	15	-
					2	Y	Y	Y	3	-
6A	6X6	300	4	-	6	Y	Y	-	-	-
8A	6X40	0	2-4-2	Y	8	Y	Y	-	10	-
8B	6X6	0	3	Y	8	Y	Y	-	15	-

5 Phase Fully Actuated Isolated

NOTES

- Refer to "Roadway Standard Drawings NCDOT" dated January 2012 and "Standard Specifications for Roads and Structures" dated January 2012.
- Do not program signal for late night flashing operation unless otherwise directed by the Engineer.
- Phase 1 and/or phase 5 may be lagged.
- Reposition existing signal heads numbered 22 and 62.
- Set all detector units to presence mode.
- Omit "WALK" and flashing "DON'T WALK" with no pedestrian calls.
- Program pedestrian heads to countdown the flashing "Don't Walk" time only.
- Phase 4 ped is dummy ped to enable phase 8 leading ped interval.



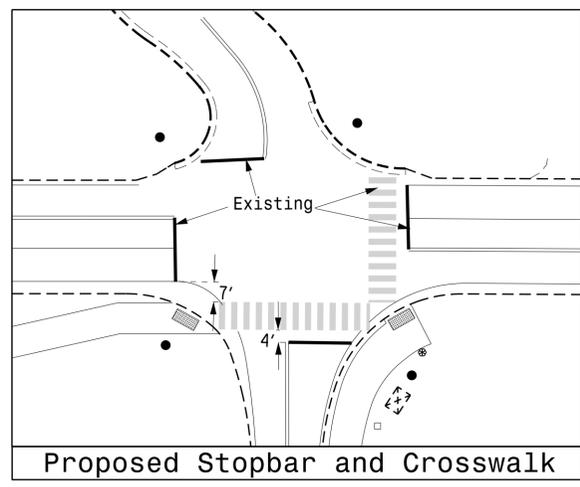
OASIS 2070 TIMING CHART

FEATURE	PHASE						
	1	2	4	5	6	8	
Min Green 1 *	7	12	7	12	7	12	
Extension 1 *	1.0	6.0	2.0	1.0	6.0	2.0	
Max Green 1 *	15	90	15	15	90	15	
Yellow Clearance	3.0	4.6	3.2	3.0	4.6	3.2	
Red Clearance	1.6	1.0	1.9	1.4	1.0	1.9	
Walk 1 *	-	-	7	-	-	7	
Don't Walk 1	-	-	12	-	-	12	
Advance Walk	-	-	7	-	-	7	
Seconds Per Actuation *	-	2.5	-	-	2.5	-	
Max Variable Initial *	-	34	-	-	34	-	
Time Before Reduction *	-	15	-	-	15	-	
Time To Reduce *	-	30	-	-	30	-	
Minimum Gap	-	3.0	-	-	3.0	-	
Recall Mode	-	MIN RECALL	-	-	MIN RECALL	-	
Vehicle Call Memory	-	YELLOW	-	-	YELLOW	-	
Dual Entry	-	-	ON	-	-	ON	
Simultaneous Gap	ON	ON	ON	ON	ON	ON	

* These values may be field adjusted. Do not adjust Min Green and Extension times for phases 2 and 6 lower than what is shown. Min Green for all other phases should not be lower than 4 seconds.

LEGEND

- | PROPOSED | EXISTING |
|--|-----------------------------|
| ○→ Traffic Signal Head | ●→ N/A |
| ●→ Modified Signal Head | ○→ N/A |
| ⊥ Sign | ⊥ N/A |
| ⊥ Pedestrian Signal Head With Push Button & Sign | ⊥ N/A |
| ⊥ Signal Pole with Guy | ⊥ N/A |
| ⊥ Signal Pole with Sidewalk Guy | ⊥ N/A |
| ⊥ Inductive Loop Detector | ⊥ N/A |
| ⊥ Controller & Cabinet | ⊥ N/A |
| ⊥ Junction Box | ⊥ N/A |
| ⊥ 2-in Underground Conduit | ⊥ N/A |
| N/A Right of Way | N/A Right of Way |
| → Directional Arrow | → Directional Arrow |
| ⊕ Type I Pushbutton Post | ⊕ Type I Pushbutton Post |
| ▨ High Visibility Crosswalk | ▨ High Visibility Crosswalk |
| N/A Wheel Chair Ramp | ▨ Wheel Chair Ramp |



Signal Upgrade

Prepared In the Offices of:

NC 12 (Ocean Trail) at SR 1402 (Albacore St)/ Sunset Blvd.
 Division 1 Currituck County, Carolina
 PLAN DATE: May 2016 REVIEWED BY: JPG, PE
 PREPARED BY: EM Minshew REVIEWED BY:
 REVISIONS: _____ INIT. DATE: _____
 750 N. Greenfield Pkwy, Garner, NC 27529
 SCALE: 0 30
 1"=30'
 DOCUMENT NOT CONSIDERED FINAL UNLESS ALL SIGNATURES COMPLETED
 SEAL
 JASON P. GALLAWAY
 PROFESSIONAL ENGINEER
 STATE OF NORTH CAROLINA
 LICENSE NO. 029904
 6/15/2016
 Packet Pg. 152

15-JUN-2016 1:50:09
 S:\Projects\15-0000\15-0000\SIGNAL\Design\Section\Eastern Region\01\01-0034\010634_s1a.dgn 20160506d.dgn
 emminshew

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



D

Intersection Capacity Analysis

Monterey Shores Development TIA

Attachment: 11 Monterey_TIA_v2 (PB 87-56 Monterey Shores, Phase 10, Part A)



www.vhb.com


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.
 Mark S. Bissell, P.E., Bissell Professional Group

From: Jennie Turner, Senior Planner

Date: September 15, 2022

Re: PB 87-56 Monterey Shores Phase 10, Part A - Corolla Boat Club
 Preliminary Plat/Special Use Permit

The following comments have been received at the September 14, 2022 TRC meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031
Reviewed

1. A recombination plat has been provided separately for comments by a plat review officer. At this time, the plat has not been presented for review officer signature or recordation. Please describe the purpose of the recombination plat as it relates to this preliminary plat/special use permit, we should discuss recording that plat and any potential impacts to this application. This preliminary plat proposes a right-of-way that is required for the subdivision.
2. In reviewing this application, it is clear that a discussion of timing of this proposed development is needed as there is layering of uses with respect to certain proposed improvements that may impact the order of permitting.
3. Please provide a detailed narrative of the proposed phasing for the development. Please explain phase areas, it appears that necessary improvements for this preliminary plat are proposed in all three phase areas.
4. Amended Sketch Plan Condition: Walkways and piers for private property owner use may not be constructed in open space set-asides.
5. Amended Sketch Plan Condition: 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. Please reference the county easement. Coordinate with County Engineer on proposed changes to pond configuration.
6. Amended Sketch Plan Condition: 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.

7. The amended sketch plan/special use permit shows the elevated boardwalk as active recreation open space area. The portion of the walkway across open space is required to be active recreation per UDO Section 7.1.3.B.2. Please describe the open space uses and the proposed commercial uses and how access will be allowed. It appears the elevated boardwalk and gazebo are proposed open space improvements available to property owners of the development. Will these areas be available to the public? Clarify areas designated for public or private use.
8. Are the elevated boardwalk and gazebo portion of the water dependent improvements proposed to be built as an open space amenity to the development/lots/townhomes prior to permitting and constructing the proposed commercial boat slips?
9. Specify on the preliminary plat that Lot 6 is not approved for residential density and clearly show the area approved for commercial development improvements on Lot 6.
10. It appears that portions of Lot 6 are noted as open space on the sketch plan. Please reference UDO Section 7.1.3.E. and clearly denote the open space area on the lot and provide information regarding the individual private ownership of open space within the PUD. An open space easement should be provided across open space areas of Lot 6.
11. As mentioned in the pre-application conference, staff suggests a scoping meeting with the Division of Coastal Management and other review agencies regarding the CAMA Major Permit needed for pier/boat slips/gazebo prior to this application being heard by the Board of Commissioners.
12. Provide a note on the preliminary plat that payment-in-lieu is required to be paid prior to final plat and remove fee in lieu calculation from preliminary plat, this calculation will be performed prior to recordation of the final plat.
13. Clarify total lot area in development notes.
14. Provide certification that Malia Drive meets NCDOT construction standards.
15. Please change “back” setback to “rear” setback for consistency with ordinance language.
16. Please correct pin number on first page of preliminary plat, there is an extra 0.
17. Please confirm available water supply with water department, not based on county GIS.
18. There is a difference in CAMA wetland area between this preliminary plat (9.15) and the approved amended sketch plan (9.0), please explain.
19. Provide proposed material for multi-use path west of proposed lots. Since this is in the riparian buffer, please consider a permeable walkway. One plan sheet calls out a gravel path, this path needs to be ADA compliant.
20. The proposed sidewalk across Lot 6 does not appear to connect to the multi-use path.
21. Please explain the note “roadway improvements will be constructed with adjacent townhome development”.
22. Please describe proposed use of the fishing pier over the pond.
23. On-street parking is not permitted per the UDO, please describe the purpose for the widened right-of-way areas.
24. Provide 404 wetland delineation map signed by ACOE.
25. Minimum lot width is 65’ in a PUD per Section 1.8.
26. Provide heritage tree protection statement.
27. Open space is required for this preliminary plat, active recreation is not required because of the payment-in-lieu requirement. You will want to make sure the requisite active recreation open space is available for the future townhome portion of the development.
28. Provide internal street connectivity score.
29. Provide sight triangles.
30. This application will be reviewed subject to *Imagine Currituck*.
31. Please provide a copy of the TIA referenced in the community meeting notes.

32. The county may be moving forward with a multi-use path in this vicinity. Consider a connection to the existing path along NC12 in front of Corolla Adventure Golf in addition to the connection proposed north/east of Malia drive.
33. Please describe the purpose of the proposed berm and outlet control at west side of pond near outfall pipe.

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

Reviewed

- 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 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.
 - Mark fire hydrant's locations in the center of road/street with blue reflectors per UDO.
 - Dwellings greater than 4800 sq. ft. and/or greater than 2 stories will be calculated using the ISO commercial method for fire flow requirements.
 - Dwellings 4800 sq. ft. and no greater than 2 stories may use setbacks as indicated in the ISO method to determine Needed Fire Flow.
- Pier/dock must be designed to commercial code for load and meet ADA.

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

Reviewed

- 1) Back swale directing water from lots 1-6 shall be properly piped or channeled under gravel path and elevated boardwalk to the boat slip, so that stormwater may pass unabated.
- 2) Pipe culvert system removing water from Virginia Lane at low points shall be constructed and graded such that stormwater from the 10 yr. rain event isn't backflowing onto the roadway.

Currituck County Water/Backflow, Chas Sawyer, 252-202-1692

No comment

Southern Outer Banks Water, Cody Edwards, 252- 453-2620

No comment

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

Reviewed

Consult with NCDEQ concerning sewer capacity approval

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

Address assignment for Part A:

LOT 1: 814 VIRGINIA LN

LOT 2: 812 VIRGINIA LN

LOT 3: 810 VIRGINIA LN
LOT 4: 808 VIRGINIA LN
LOT 5: 806 VIRGINIA LN
LOT 6: 816 VIRGINIA LN

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

Reviewed

Provided all development is located > 75' landward of Normal Water Level and no development involving Coastal Wetland disturbance, this project will be outside CAMA Jurisdiction.

NCDOT, David Otts, 252-331-4737

Reviewed

The plans depict 5 residential lots and Lot #6 as commercial space. The approvals and forms reference a 150 seat restaurant and 200 seat venue. There is also a comment stating a TIA has been performed with improvements needed at the intersection of Malia Drive and NC-12. Those improvements will be subject to the discretion of the Department and require an encroachment agreement. It is recommended these improvements be discussed prior to final approval as Malia Drive is not State maintained, so no driveway permit is necessary.

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. Jennie Turner, Senior Planner
 Mark S. Bissell, P.E., Bissell Professional Group

From: Jennie Turner, Senior Planner Mark Bissell.

Date: ~~September 15, 2022~~ Response dated September 22, 2022

Re: PB 87-56 Monterey Shores Phase 10, Part A - Corolla Boat Club
 Preliminary Plat/Special Use Permit

Planning, Jennie Turner 252-232-6031

Reviewed

1. A recombination plat has been provided separately for comments by a plat review officer. At this time, the plat has not been presented for review officer signature or recordation. Please describe the purpose of the recombination plat as it relates to this preliminary plat/special use permit, we should discuss recording that plat and any potential impacts to this application. This preliminary plat proposes a right-of-way that is required for the subdivision. **The recombination plat had been proposed for financing purposes but it appears it is no longer needed and will not be recorded.**
2. In reviewing this application, it is clear that a discussion of timing of this proposed development is needed as there is layering of uses with respect to certain proposed improvements that may impact the order of permitting. **As discussed recently, it is the intent that the single and multi-family developments move forward more or less concurrently, even though there are two different approval processes involved. If one receives construction approval ahead of the other the construction will be initiated with that part of the project but the improvements will be utilized for both housing types.**
3. Please provide a detailed narrative of the proposed phasing for the development. Please explain phase areas, it appears that necessary improvements for this preliminary plat are proposed in all three phase areas. **The phasing has been modified so that only those improvements that are necessary for the 6 lot subdivision are now included on this part of the development plan.**
4. Amended Sketch Plan Condition: Walkways and piers for private property owner use may not be constructed in open space set-asides. **The common walkway to the rear of the lots has been moved to the property line so that connections can be made from the individual lots without crossing open space.**
5. Amended Sketch Plan Condition: 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

Attachment: 13 9-22-22 Response to TRC Comments (PB 87-56 Monterey Shores, Phase 10, Part A)

Cabinet K, Slide 50 of the Currituck County Registry. Please reference the county easement. Coordinate with County Engineer on proposed changes to pond configuration. The stormwater management plan has been designed with input from the County Engineer regarding all flows that being discharged into the pond, and the outlet structure is being sized accordingly so that there are no negative impacts to the County's ability to utilize the pond for groundwater management. A reference to the County's recorded easement has been added to the plat.

6. Amended Sketch Plan Condition: 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 PUD overview has been updated to clearly illustrate the open space and commercial areas consistent with the area tabulation. The numbers have been adjusted to reflect the new CAMA wetland delineation.
7. The amended sketch plan/special use permit shows the elevated boardwalk as active recreation open space area. The portion of the walkway across open space is required to be active recreation per UDO Section 7.1.3.B.2. Please describe the open space uses and the proposed commercial uses and how access will be allowed. It appears the elevated boardwalk and gazebo are proposed open space improvements available to property owners of the development. Will these areas be available to the public? Clarify areas designated for public or private use. The elevated boardwalk has been removed from the plan, as it will be constructed in connection with the future boat basin and/or commercial site development. While the boardwalk is intended to be open to the public, it's construction will be delayed until those other uses are approved. The walkway behind the lots has been terminated at the lot 1/6 common line, since the development plan for lot 6 has not been completed, and will dictate the location and design for the future connection.
8. Are the elevated boardwalk and gazebo portion of the water dependent improvements proposed to be built as an open space amenity to the development/lots/townhomes prior to permitting and constructing the proposed commercial boat slips? It is intended that these amenities will be constructed concurrently with the boat basin following the issuance of a CAMA permit. The amenities are intended to be available to the residents and the general public.
9. Specify on the preliminary plat that Lot 6 is not approved for residential density and clearly show the area approved for commercial development improvements on Lot 6. The additional notation has been made for Lot 6.
10. It appears that portions of Lot 6 are noted as open space on the sketch plan. Please reference UDO Section 7.1.3.E. and clearly denote the open space area on the lot and provide information regarding the individual private ownership of open space within the PUD. An open space easement should be provided across open space areas of Lot 6. The open space areas have been added to Lot 6 with an easement designation provided.
11. As mentioned in the pre-application conference, staff suggests a scoping meeting with the Division of Coastal Management and other review agencies regarding the CAMA Major Permit needed for pier/boat slips/gazebo prior to this application being heard by the Board of Commissioners. The application for the pier/boat slips/gazebo part of the project is being put on hold until the CAMA permitting process is further along.
12. Provide a note on the preliminary plat that payment-in-lieu is required to be paid prior to final plat and remove fee in lieu calculation from preliminary plat, this calculation will be performed prior to recordation of the final plat. The calculation has been removed and the fee in lieu notation has been added to sheet one.
13. Clarify total lot area in development notes. The total area has been updated along with associated calculations.

14. Provide certification that Malia Drive meets NCDOT construction standards. Testing and certification will be done during construction of the development and any necessary improvements will be made at that time. a note has been added to the plat.
15. Please change “back” setback to “rear” setback for consistency with ordinance language. The rear setback language has been updated.
16. Please correct pin number on first page of preliminary plat, there is an extra 0. The PIN number has been corrected on page one.
17. Please confirm available water supply with water department, not based on county GIS. Water supply will be confirmed based on field testing at the construction drawing approval stage.
18. There is a difference in CAMA wetland area between this preliminary plat (9.15) and the approved amended sketch plan (9.0), please explain. The amended sketch plan CAMA wetlands were based on aerial photographic interpretation and a partial delineation, while the preliminary plat acreage is based on a fully delineated and confirmed CAMA line. While the estimated wetland area was very close to the actual, the 9.15 acres is the actual acreage.
19. Provide proposed material for multi-use path west of proposed lots. Since this is in the riparian buffer, please consider a permeable walkway. One plan sheet calls out a gravel path, this path needs to be ADA compliant. It is proposed that the multi-use path be constructed of concrete so that it is ADA compliant, but its cross slope will be toward the lots and away from the wetland so that stormwater is collected in the rear property line collector swale and directed to the BMP rather than impacting wetlands.
20. The proposed sidewalk across Lot 6 does not appear to connect to the multi-use path. The sidewalk across Lot 6 has been removed and will be constructed along with improvement to Lot 6 once a development plan has been finalized for this lot.
21. Please explain the note “roadway improvements will be constructed with adjacent townhome development”. The roadway improvements note has been modified to state that roadway improvements “may” be constructed with the adjacent townhome development; this is consistent with the timing discussed above in item 2.
22. Please describe proposed use of the fishing pier over the pond. The fishing pier will be available for use of all members of the community and will have ADA compliant access, but will be constructed in connection with the multifamily portion of the development. It has therefore been removed from this plan.
23. On-street parking is not permitted per the UDO, please describe the purpose for the widened right-of-way areas. The widened right-of-way areas are provided so that in the event that an amendment is approved that will allow on-street parking in the future, it is not necessary to demolish and reconstruct curb and gutter, sidewalks and drainage systems in order to install parking spaces. These areas will be striped off and no-parking signs installed until such time as they may be approved as parking spaces.
24. Provide 404 wetland delineation map signed by ACOE. The signed wetland delineation map is included with this submittal package.
25. Minimum lot width is 65’ in a PUD per Section 1.8. The 65’ minimum lot width has been noted.
26. Provide heritage tree protection statement. The heritage tree protection statement has been added to the landscaping plan.
27. Open space is required for this preliminary plat, active recreation is not required because of the payment-in-lieu requirement. You will want to make sure the requisite active recreation open space is available for the future townhome portion of the development. The active recreation open space component has been removed from this preliminary plat and will be added to the multi-family site plan that will be submitted in the near future.

28. Provide internal street connectivity score. An internal street connectivity score has been added to the cover sheet.
29. Provide sight triangles. Sight triangles have been added to the landscaping sheet.
30. This application will be reviewed subject to *Imagine Currituck*. It is understood that the application will be reviewed subject to *Imagine Currituck*.
31. Please provide a copy of the TIA referenced in the community meeting notes. A copy of the TIA that was referenced in the community meeting has been included in this submittal package.
32. The county may be moving forward with a multi-use path in this vicinity. Consider a connection to the existing path along NC12 in front of Corolla Adventure Golf in addition to the connection proposed north/east of Malia drive. We are uncertain as to whether a multi-use path can be constructed on the Adventure Golf side of Malia Drive without creating problems for the existing drainage and site improvements that already exist there, but have added a note regarding the possible widening of Malia to create this feature if it is feasible.
33. Please describe the purpose of the proposed berm and outlet control at west side of pond near outfall pipe. The berm and outlet control structure will provide some temporary storage of stormwater and will protect the outlet pipe and ditch that have been experiencing some erosive effects from unregulated flow through the pond.

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

Reviewed

- 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 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.
- Mark fire hydrant's locations in the center of road/street with blue reflectors per UDO.
- Dwellings greater than 4800 sq. ft. and/or greater than 2 stories will be calculated using the ISO commercial method for fire flow requirements.
- Dwellings 4800 sq. ft. and no greater than 2 stories may use setbacks as indicated in the ISO method to determine Needed Fire Flow.

Pier/dock must be designed to commercial code for load and meet ADA.

These conditions are acknowledged and will be complied with as required.

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

Reviewed

- 1) Back swale directing water from lots 1-6 shall be properly piped or channeled under gravel path and elevated boardwalk to the boat slip, so that stormwater may pass unabated. The back swale will be channeled under the future elevated boardwalk. As currently designed, there is no interference from the community walkway.
- 2) Pipe culvert system removing water from Virginia Lane at low points shall be constructed and graded such that stormwater from the 10 yr. rain event isn't backflowing onto the roadway. Catch basins, pipes and swales will be designed so that stormwater from the 10-year storm event will drain to the proposed collector swale to the rear and be directed to the existing pond without backing water onto the street.

Currituck County Water/Backflow, Chas Sawyer, 252-202-1692

No comment

Southern Outer Banks Water, Cody Edwards, 252- 453-2620

No comment

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

Reviewed

Consult with NCDEQ concerning sewer capacity approval

Capacity has been allocated for this development.

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.

Acknowledged.

Currituck County GIS, Harry Lee 252-232-2034

Reviewed

Address assignment for Part A:

LOT 1: 814 VIRGINIA LN

LOT 2: 812 VIRGINIA LN

LOT 3: 810 VIRGINIA LN

LOT 4: 808 VIRGINIA LN

LOT 5: 806 VIRGINIA LN

LOT 6: 816 VIRGINIA LN

Assigned addresses have been added to the plan.

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

Reviewed

Provided all development is located > 75' landward of Normal Water Level and no development involving Coastal Wetland disturbance, this project will be outside CAMA Jurisdiction.

NCDOT, David Otts, 252-331-4737

Reviewed

The plans depict 5 residential lots and Lot #6 as commercial space. The approvals and forms reference a 150 seat restaurant and 200 seat venue. There is also a comment stating a TIA has been performed with improvements needed at the intersection of Malia Drive and NC-12. Those improvements will be subject to the discretion of the Department and require an encroachment agreement. It is recommended these improvements be discussed prior to final approval as Malia Drive is not State maintained, so no driveway permit is necessary.

The TIA that was prepared by VHB was submitted several months ago for NCDOT review and comment. We are available for a discussion at your convenience.

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.

We are submitting two full size copies, one 8.5 x 11 and one .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.
Mark S. Bissell, P.E., Bissell Professional Group

From: Jennie Turner, Senior Planner

Date: October 13, 2022

Re: PB 87-56 Monterey Shores Phase 10, Part A - Corolla Boat Club
Preliminary Plat/Special Use Permit
Second Round of TRC Comments

The following comments have been received at the October 12th TRC meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031

Reviewed

1. Amended Sketch Plan Condition: 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. Differentiate shading of open space, commercial and residential areas. Also, it appears that the CAMA wetland area has been certified and slightly changed since the ASP was approved. The CAMA wetland area change may be noted on the ASP but any changes to the calculations/numbers approved by the BOC at the public hearing on October 18, 2021 will need to go back to the board prior to changing the ASP.
2. The approved Amended Sketch Plan is a development plan with water access for the residents and visitors to the site. This preliminary plat proposes creation of five single-family residential lots and one commercial lot with no proposed water access. Staff recommends that this phase of the project include some form of water access. For example: construction of the boardwalk/walkway over the wetlands to the shoreline was suggested during a follow up conversation on the initial TRC comments. The proposed revisions to the plan do not include a boardwalk/walkway to the water.
3. Clearly show the proposed phase area – include required roadway and pedestrian improvement area from Malia Drive.
4. Clarify areas designated for public or private use.
5. Provide certification that Malia Drive meets NCDOT construction standards. This is required prior to Preliminary Plat/Special Use Permit BOC hearing.
6. The community meeting summary for the Amended Sketch Plan states *“Malia Drive will be used for the residential traffic only. The commercial traffic will go past the farm market to the existing traffic light.”* This proposed preliminary plat proposes commercial traffic on Malia Drive.
7. Please correct the pin number on the first page of preliminary plat to: 0116-000-0010-0000.

8. Provide pedestrian circulation, the pedestrian walk does not have proper circulation. The UDO doesn't allow connection of walkways into the rear setback all the way to the property line, also, a stormwater swale is proposed along the rear of the proposed residential lots.
9. The proposed phase does not appear to meet the required internal street connectivity score. It appears that resolution of access through the NCDOT property is needed to comply with the required interconnectivity score. The TIA submitted references access scenarios, one being that the connection through the NCDOT property will not be made. The amended sketch plan was approved with the proposed connection through the NCDOT property.
10. Page 4 of 7 contains a note referencing the boardwalk and boat basin.
11. On Page 7 of 7, please update title block description (not ASP).
12. The proposed sidewalk connection to Ocean Trail appears to show improvements for sidewalk alignment on private property, not in Malia ROW.
13. Provide 404 wetland delineation map signed by ACOE & approved CAMA wetland designation.
14. The parcel proposed for future townhomes needs to be a lot of record.
15. The proposed road and parking areas are both close to the edge of the pond water, how will these areas be stabilized?
16. Page 6 of 7, amend street tree note, any change of canopy to understory is subject to an alternative plan for a specific reason. Please revise note or remove understory note.
17. Page 6 of 7 heritage tree note contains a statement "to maximum extent practicable", add note that heritage tree mitigation pursuant to the UDO is required for any heritage trees removed.

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

No new comments received

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

No new comments received

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

No new comments received

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

No new comments received

NCDOT, David Otts, 252-331-4737

No new comments received

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
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 252-232-3055
 FAX 252-232-3026

MEMORANDUM

To: Rick Willis, Outer Banks Ventures, Inc.
 Mark S. Bissell, P.E., Bissell Professional Group

From: Jennie Turner, Senior Planner

Date: October 13, 2022 Reply dated 10-27-22

Re: PB 87-56 Monterey Shores Phase 10, Part A - Corolla Boat Club
 Preliminary Plat/Special Use Permit
Second Round of TRC Comments

The following comments have been received at the October 12th TRC meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031

Reviewed

1. Amended Sketch Plan Condition: 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. Differentiate shading of open space, commercial and residential areas. Also, it appears that the CAMA wetland area has been certified and slightly changed since the ASP was approved. The CAMA wetland area change may be noted on the ASP but any changes to the calculations/numbers approved by the BOC at the public hearing on October 18, 2021 will need to go back to the board prior to changing the ASP. *The table has been changed back to the version that was approved by the BOC, with a notation added about the new CAMA acreage, and color coding added to better delineate the uses.*
2. The approved Amended Sketch Plan is a development plan with water access for the residents and visitors to the site. This preliminary plat proposes creation of five single-family residential lots and one commercial lot with no proposed water access. Staff recommends that this phase of the project include some form of water access. For example: construction of the boardwalk/walkway over the wetlands to the shoreline was suggested during a follow up conversation on the initial TRC comments. The proposed revisions to the plan do not include a boardwalk/walkway to the water. *The 6-foot boardwalk to the sound has been added back to the plan and will be built or bonded as part of this phase.*
3. Clearly show the proposed phase area – include required roadway and pedestrian improvement area from Malia Drive. *The phase line has been extended to include the Malia Drive improvements.*
4. Clarify areas designated for public or private use. *Notations have been added.*
5. Provide certification that Malia Drive meets NCDOT construction standards. This is required prior to Preliminary Plat/Special Use Permit BOC hearing. *Since Monterey Pines was approved utilizing Malia Drive for access, and the UDO required connection*

to a street meeting NCDOT construction standards at the time of that approval, we believe it can be presumptively concluded that Malia Drive meets NCDOT construction standards.

Also, the specific language in UDO paragraph 6.2.1.D.(4) regarding such connections is : “Provide direct access to an improved street that meets NCDOT design and construction standards or one that has been accepted for maintenance by NCDOT, to the maximum extent practicable.” The paragraph does not state that the determination must be made prior to preliminary plat review. 6.2.1.D. also states that “Streets in development subject to these standards shall comply with...the current edition on Subdivision Roads Minimum Construction Standards” for new proposed roads. It is presumed that the new roads will comply with these standards after they are approved and constructed, following preliminary plat review. We believe the same assumption can be applied to Malia Drive, and we are willing to agree to a stipulation that conformance to NCDOT standards will be reconfirmed as part of the subdivision road construction process.

6. The community meeting summary for the Amended Sketch Plan states “*Malia Drive will be used for the residential traffic only. The commercial traffic will go past the farm market to the existing traffic light.*” This proposed preliminary plat proposes commercial traffic on Malia Drive. *It was agreed that this was superseded by the updated plan.*
7. Please correct the pin number on the first page of preliminary plat to: 0116-000-0010-0000. *The PIN number has been corrected.*
8. Provide pedestrian circulation, the pedestrian walk does not have proper circulation. The UDO doesn’t allow connection of walkways into the rear setback all the way to the property line, also, a stormwater swale is proposed along the rear of the proposed residential lots. *Since this walkway was shown on the amended sketch plan for the PUD and has always been intended for connection to these lots, we believe the connections can be made, in a manner similar to the front walkway connections in the Fost development. Culverts will be installed where the walkways cross the swale. (The alternative would be for the collector swale to be located in the buffer and culverts run under the main walkway to accommodate lot line swales, but we agreed the UDO language does not permit the collector swale to run the length of the buffer.)* Also, open space is being dedicated now for the future walkway connection through the commercial lot, so we believe that adequate and appropriate pedestrian circulation will be provided.
9. The proposed phase does not appear to meet the required internal street connectivity score. It appears that resolution of access through the NCDOT property is needed to comply with the required interconnectivity score. The TIA submitted references access scenarios, one being that the connection through the NCDOT property will not be made. The amended sketch plan was approved with the proposed connection through the NCDOT property. *We agreed the including the future connection to the NCDOT right-of-way resolves this issue. The phase area has been updated accordingly.*
10. Page 4 of 7 contains a note referencing the boardwalk and boat basin. *The note has been updated.*
11. On Page 7 of 7, please update title block description (not ASP). *The title block has been updated.*
12. The proposed sidewalk connection to Ocean Trail appears to show improvements for sidewalk alignment on private property, not in Malia ROW. *The ramps have been modified to remain within the R/W.*

13. Provide 404 wetland delineation map signed by ACOE & approved CAMA wetland designation. *We thought these had been provided previously, but are attaching new copies.*
14. The parcel proposed for future townhomes needs to be a lot of record. *It was discussed that it may be possible to use a proposed lot boundary for the purpose of reviewing the plan.*
15. The proposed road and parking areas are both close to the edge of the pond water, how will these areas be stabilized? *Some bulkheading may be needed; details will be developed at the construction drawing stage.*
16. Page 6 of 7, amend street tree note, any change of canopy to understory is subject to an alternative plan for a specific reason. Please revise note or remove understory note. *The understory tree option has been removed.*
17. Page 6 of 7 heritage tree note contains a statement "to maximum extent practicable", add note that heritage tree mitigation pursuant to the UDO is required for any heritage trees removed. *The mitigation note has been added.*

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

No new comments received

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

No new comments received

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

No new comments received

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

No new comments received

NCDOT, David Otts, 252-331-4737

No new comments received

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.

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


Currituck County
Department of Planning and Community Development

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252-232-3055

FAX 252-232-3026

MEMORANDUM

To: Rick Willis, Outer Banks Ventures, Inc.
 Mark S. Bissell, P.E., Bissell Professional Group

From: Jennie Turner, Senior Planner

Date: November 9, 2022

Re: PB 87-56 Monterey Shores Phase 10, Part A - Corolla Boat Club
 Preliminary Plat/Special Use Permit
Third Round of TRC Comments

The following comments have been received at the November 9, 2022 TRC meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031
Reviewed

1. Work with planning staff to make refinements to the Amended Sketch Plan shading, staff has identified areas that need to be shaded as open space. More time is needed to review the submitted ASP.
2. Staff recommends that construction of the boardwalk to the water be completed prior to platting of all lots. Please suggest a timeframe for this requirement. Staff is willing to discuss this prior to completion of the BOC staff report. This water access is a critical piece of the development proposal.
3. Staff will recommend that the certification that Malia Drive meets NCDOT construction standards becomes a special use permit condition.
4. Show the proposed open space improvement of the sidewalk on Lot 6. This will need to be constructed/bonded and have installation timing requirements. Staff is willing to discuss this prior to completion of the BOC staff report.
5. Show road and sidewalk detail for the portion of the road connection through the pond. This connection will need to be constructed/bonded and have installation timing requirements. Staff is willing to discuss this prior to completion of the BOC staff report.

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.
Mark S. Bissell, P.E., Bissell Professional Group

From: Jennie Turner, Senior Planner

Date: November 9, 2022 *Response dated 11-17-22*

Re: PB 87-56 Monterey Shores Phase 10, Part A - Corolla Boat Club
Preliminary Plat/Special Use Permit
Third Round of TRC Comments

The following comments have been received at the November 9, 2022 TRC meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Jennie Turner 252-232-6031

Reviewed

1. Work with planning staff to make refinements to the Amended Sketch Plan shading, staff has identified areas that need to be shaded as open space. More time is needed to review the submitted ASP. *This is acknowledged; we will work with staff as needed to finalize this map.*
2. Staff recommends that construction of the boardwalk to the water be completed prior to platting of all lots. Please suggest a timeframe for this requirement. Staff is willing to discuss this prior to completion of the BOC staff report. This water access is a critical piece of the development proposal. *If this improvement is required as a condition of recording lots, the developer is willing to bond this improvement at final plat approval, but needs to delay its construction until the CAMA major permit process for the boat docks has been completed, as a wider boardwalk that is not permissible under the general permit process is being requested. If the wider boardwalk is not approved, then the 6-foot boardwalk will be constructed as shown.*
3. Staff will recommend that the certification that Malia Drive meets NCDOT construction standards becomes a special use permit condition. *We are in agreement with this condition.*
4. Show the proposed open space improvement of the sidewalk on Lot 6. This will need to be constructed/bonded and have installation timing requirements. Staff is willing to discuss this prior to completion of the BOC staff report. *It was agreed in subsequent discussions that the walkway that is being proposed through the future clubhouse area will satisfy pedestrian connectivity, and this walkway has been added to the plan.*
5. Show road and sidewalk detail for the portion of the road connection through the pond. This connection will need to be constructed/bonded and have installation timing requirements. Staff is willing to discuss this prior to completion of the BOC staff report. *This roadway connection has been added to the plan, as requested. If this improvement is required as a condition of recording lots, the developer is willing to bond this future*

roadway connection at final plat also. However, the timing for its installation is uncertain, as NCDOT has indicated the department is not able to agree to the use of permanent improvements in this right-of-way until all legal challenges to the mid-county bridge construction have been resolved.

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.

Two full size copies of revised plans, one 8.5"x11" copy of revised plans, and a PDF digital copy of all revised plans is included with this submittal.

BOARD OF ADJUSTMENT
3-Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Cathy Bontemps	District 1		Bob White	01/4/2021	1st Term 12/31/2023
Steven Craddock	District 2		Selina Jarvis	4/4/2022	Unexpired Term 12/31/2024
Robin Kane-Alt 1	District 3	<i>Can Be Reappointed</i>	Mike Payment	8/2/2021	Unexpired Term 12/31/2022
Greg Hammer	District 4	Resigned-Replacement will serve as Alt	Paul Beaumont	5/15/2017	1st Term 12/31/2019
Sam Miller	District 5		Owen Etheridge	4/19/2021	Unexpired Term 12/31/2022
Carol Bell	At Large	Resigned-Replacement will serve as Alt & fill Unexp Term	Kevin McCord	01/4/2021	1st Term 12/31/2023
Troy Breathwaite	At-Large		Kitty Etheridge	01/4/2021	2nd Term 12/31/2023

Must be Replaced

Attachment: Board of Adjustment Appointment Form (Board Appt-Board of Adjustment)

PLANNING BOARD
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Thomas Hurley	District 1	Reappointment	Bob White	April 5, 2021	Unexp Term 12/31/2022
Garry Owens	District 2	Reappointment	Selina Jarvis	April 5, 2021	1st Term 12/31/2022
Mike Corbell	District 3	Reappointment	Mike Payment	Nov. 15, 2021	Unexp Term 12/31/2022
Bryan Bass	District 4	Reappointment	Paul Beaumont	April 5, 2021	1st Term 12/31/2022
Juanita Krause	District 5		J. Owen Etheridge	4/4/2022	2nd Term 12/31/2023
C. Shay Ballance	At-Large		Kevin McCord	April 5, 2021	3rd Term 12/31/2022
David Doll	At-Large		Kitty Etheridge	4/4/2022	2nd Term 12/31/2023
Can Be Reappointed Must Be Replaced					

Attachment: Planning Board Appointment Form (Board Appt-Planning Board)

TOURISM ADVISORY BOARD
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Matthew Paulson	District 1		Bob White	Reappointed 4/4/2022	1st Term November 2023
Ed Rudzinski	District 2		Selina Jarvis	Reappointed 4/4/2022	1st Term November 2023
Sharon Price	District 3		Mike Payment	Reappointed 1/4/2021	2nd Term November 2022
Keith Dix	District 4		Paul Beaumont	Reappointed 11/16/2020	3rd Term November 2022
Janice Farr	District 5		Owen Etheridge	Reappointed 4/4/2022	1st Term November 2023
Ben Beasley	At-Large		Kevin McCord	Reappointed 4/4/2022	3rd Term November 2023
Daryl Harlow	At-Large		Kitty Etheridge	Appointed 1/4/2021	Unexp Term November 2022

Can be Reappointed
Must be Replaced

Commissioner White serves on this Board

Attachment: Tourism Board Appointment Form (Board Appt-Tourism Advisory Board)

Boards on Which Commissioners Serve

Appointed December 2, 2019 unless otherwise noted.

Paul Beaumont:

- Fire & EMS Advisory Board
- Veteran's Advisory

J. Owen Etheridge:

- Albemarle Commission
- Albemarle Regional Planning Organization-Alternate (ARPO)
- Albemarle Regional Solid Waste Authority

Mary Etheridge:

- ABC Board *Appt. 1-4-2021*
- Senior Citizens Advisory Board
- Social Services Board

Selina Jarvis:

- College of the Albemarle Board of Trustees *Appt. 6-22-2020*
- Juvenile Crime Prevention Council

Kevin McCord:

- Animal Services and Control Advisory Board
- Recreation Advisory Board
- Trillium Health *Appt. 11-2-2020*

Mike Payment:

- Albemarle Regional Health Board
- Local Emergency Planning Committee (LEPC)

Bob White:

- Albemarle Regional Planning Organization (ARPO) *Appt. 5-2-2022*
- Tourism Advisory Board

ABC BOARD
3 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
O. Vance Aydlett, Jr.	Consensus	<i>Can be Reappointed</i>		1/21/2020	2nd 9/1/2022
David Griggs*	Consensus			4/4/2022	3rd 2/16/2025
Chris Bell	Consensus			6/20/2022	1st 9/1/2024
Sybil O'Neal	Consensus			4/4/2022	2nd 9/1/2024
Mary "Kitty" Etheridge	Consensus			Init Designation 1/4/2021	Board Rep

Commissioner Mary Etheridge serves on this Board
*Chairman-David Griggs designated June 6, 2016

Attachment: ABC Board Appointment Form (Amended-Board Appt-ABC Board)

Number 20230055

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of December 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10415-561000	Professional Services	\$	125,000		
10330-421501	Opioid Settlement	\$	101,634		
10390-499900	Appropriated Fund Balance			\$	226,634
		<u>\$</u>	<u>226,634</u>	<u>\$</u>	<u>226,634</u>

Explanation: Legal(10415) - To appropriate funds for additional legal expenses for ongoing and pending litigation. Also, to close out the Opioid Settlement funds from the General Fund. This was moved to the Opioid Settlement Fund.

Net Budget Effect: Operating fund (10) - Increased by \$125,000.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Dec 19_General Meeting (Budget Amendments)

Number 20230056

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of December 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10512-516200	Vehicle Maintenance	\$ 7,000	
10512-561000	Professional Services		\$ 7,000
		<u>\$ 7,000</u>	<u>\$ 7,000</u>

Explanation: Animal Services and Control (10512) - Replace transmission in animal services 2012 Nissan Frontier.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Dec 19_General Meeting (Budget Amendments)

Number 20230057

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of December 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10410-526200	Promotional Efforts	\$	7,500		
10410-526000	Advertising	\$	3,000		
10320-411000	Article 39 Sales Tax - Local Option			\$	10,500
		<u>\$</u>	<u>10,500</u>	<u>\$</u>	<u>10,500</u>

Explanation: Administration (10410) - Increase appropriations for increases in costs of postage and for unanticipated public notice advertising.

Net Budget Effect: Operating Fund (10) - Increased by \$10,500.
,

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Dec 19_General Meeting (Budget Amendments)

Number 20230058

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of December 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
		<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10541 553000	Dues and Subscriptions	\$	1,500		
10530 544000	Vol Assistance			\$	500
10530 561000	Professional Services			\$	1,000
		<u>\$ 1,500</u>		<u>\$ 1,500</u>	

Explanation: Fire Services (10541); Emergency Medical Services (10530) - To accommodate the increase in invoice associated with adding all employees to the Fire roster in order for them to benefit in case of emergency.

Net Budget Effect: Operating Fund (10) - No change.
,

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Dec 19_General Meeting (Budget Amendments)

Number 20230059

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of December 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
12543-545000	Contract Services	\$ 10,000	
12543-561003	Professional Services		\$ 10,000
		<u>\$ 10,000</u>	<u>\$ 10,000</u>

Explanation: Fire Services - Moyock VFD (12543) - Transfer budgeted funds as requested by the Moyock VFD for increases in contract services.

Net Budget Effect: Fire Services Fund (12) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Dec 19_General Meeting (Budget Amendments)

Number 20230060

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of December 2022, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2023.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10531-545000	Contract Services		\$ 1,000
10531-516200	Vehicle Maintenance	\$ 1,000	
		<u>\$ 1,000</u>	<u>\$ 1,000</u>

Explanation: Fire Services - Moyock VFD (12543) - Transfer budgeted funds for Emergency Management vehicle maintenance.

Net Budget Effect: Operating Fund (10) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

Attachment: BudAmends_Dec 19_General Meeting (Budget Amendments)

Wild Horse Management Agreement



Attachment: Wild Horse Management Agreement 2020-2025_Rev_2022.03.23 (Wild Horse Management

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Wild Horse Management Agreement

Participating Agencies

Corolla Wild Horse Fund

Currituck County

US Fish & Wildlife

NC National Estuarine Research Reserve, NC Division of Coastal Management, & NC Department of Environmental Quality

Table of Contents

- Signatory Page
- Introduction
- Vision Statement
- Board Organization
- Management Goals & Actions
- Implementation
- Herd Size Statements
- Appendices

Signatory Page

Approved by:

_____ Corolla Wild Horse Fund	_____ Date
_____ County of Currituck	_____ Date
_____ NC Division of Coastal Management NC Department of Environmental Quality	_____ Date
_____ Currituck National Wildlife Refuge U.S. Fish and Wildlife Service Department of Interior	_____ Date

Introduction

The wild horses are an integral part of the history and tradition of the Currituck Outer Banks and are culturally and economically significant to the County of Currituck.

This Management Agreement is necessary to establish a common vision and goals that guide the Wild Horse Advisory Board in managing the wild horse population. The agreement includes policies that address the horses themselves, the surrounding habitats, partnerships, and education. The agreement also includes sections describing the organization of the board and the goals and actions. This agreement was developed through a collaborative process involving all stakeholders.

Vision

The Wild Horse Advisory Board is committed to managing the wild horse population in a manner that establishes a sustainable equilibrium between the wild horse population, development, wildlife, and the environment. The Board will strive to maintain this delicate balance through:

- Working to protect the habitat, long term health, and genetic stability of the herd;
- Supporting land use actions and regulatory actions that are consistent with the agreement;
- Protecting and maintaining a thriving ecological balance;
- Preserving the free-roaming nature and habits of the horses;
- Sustaining partnerships with all stakeholders;
- Supporting and offering educational opportunities; and
- Acknowledging the cultural and economic significance of the wild horses.

The Board recognizes that in order to fully realize this vision, it is imperative to work together, focusing on common goals.

Board Organization

Section 1 Advisory Board Established

There is hereby established The Currituck County Wild Horse Advisory Board.

Section 2 Duties of the Advisory Board

The Currituck County Wild Horse Advisory Board is charged with the duty of providing guidelines and general managing objectives for the Currituck Banks wild horses as adopted in this Management Agreement.

Section 3 Members Composition, Appointment and Terms of Office

The Currituck County Wild Horse Advisory Board shall be composed of six voting members:

- a) One member from the Corolla Wild Horse Fund
- b) One member from the North Carolina National Estuarine Research Reserve
- c) ~~Two~~ One at large members who resides full-time on-in the off-road area Currituck Outer Banks appointed by the Currituck County Board of Commissioners
- d) The Currituck County Manager or designee
- e) USFWS Refuge Manager or designee
- e)f) Chairperson of the Corolla Wild Horse Fund Board of Directors

The ~~two at~~ large members shall be appointed for a three-year term and shall hold office until ~~their or~~ their successors ~~are is~~ appointed. ~~No~~ The at large member shall ~~be allowed to~~ not serve for more than two consecutive terms unless extended by the Currituck County Board of Commissioners due to extenuating circumstances.

The Currituck County Board of Commissioners shall have the right to remove members they appoint at will and appoint a replacement member(s).

Section 4 Officers and Meetings

The Currituck County Wild Horse Advisory Board shall select, from its membership, officers every two years at the first meeting of the calendar year. The officers shall include a Chairman and Vice Chairman. The Chairman and Vice Chairman shall conduct the orderly business of the Advisory Board. The County will provide staff to serve in the position of Secretary who shall take minutes and cause the minutes to be printed and made available to the Currituck County Board of Commissioners. The Currituck County Wild Horse Advisory Board shall hold quarterly meetings unless the Chairman declares the meeting canceled for the lack of business. Special meetings may be held on call of the Chairman upon twenty-four hours' notice to the members of the Advisory Board. All meetings or other business of the Advisory Board shall be conducted in accordance with the Open Meetings Law. A majority quorum will be necessary to conduct official business.

Management Goals & Actions

These goals and actions shall not be interpreted to prevent public agencies and lands from implementing their mission statement. Short term goals are defined as 1-3 years, long term goals are defined as 3-5 years, and are continually necessary to manage the herd.

Goal 1. Protect the habitat, long term health, and genetic stability of the horses.			
	Responsible Stakeholder	Time Frame	Funding
Action 1A. Research, determine, and provide a summary of next steps and data needed to undertake a comprehensive study (Population Habitat Viability Assessment).	ALL	Ongoing	Staff time, As grants become available funding will be applied to components.
Action 1B. Conduct a study (Population Habitat Viability Assessment) to determine the carrying capacity of land for food sources that accounts for horses and other wildlife utilizing a science based approach.	ALL	Long	As grants become available funding will be applied to components.
Action 1C. Develop a protocol and conduct an aerial census 4 to 6 times, but not less than once, annually. (CWHF funds survey)	CWHF	Ongoing	Min \$6,000 - \$9,000/yr.
Action 1D. Provide quarterly report to the advisory board outlining the current population and health of the wild horses, including those awaiting adoption.	CWHF	Ongoing	Staff time
Action 1E. Develop a protocol for monitoring of genetics and conduct monitoring.	CWHF	Ongoing	Staff time

Action 1F. Establish lineage for herd.	CWHF	Ongoing	Staff time
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CWHF = Corolla Wild Horse Fund, County= Currituck County, USFWS=US Fish & Wildlife Refuge, NCNERR = NC National Estuarine Research Reserve

Action 1G. Provide an annual report of lineage and genetics to the advisory board.	CWHF	Ongoing	Staff time
Action 1H. Provide daily management and advocacy for the wild horse population including but not limited to veterinary care, gentling/training, transportation, adoption, removals, emergency response, boarding of sick horses, humane euthanasia, necropsy, contraception, breed conservation, and any cost associated with day to day management.	CWHF	Ongoing	Staff time, CWHF approved funding
Action 1I. Develop protocol for introduction of Shackleford Banks horses.	CWHF	Complete	Staff time
Action 1J. Introduce Shackleford Banks Horses into the Currituck Outer Banks as defined by protocol. The introduction location shall be voted on by the Wild Horse Advisory Board prior to release.	CWHF	Ongoing	Minimum \$1,600/horse
Action 1K. Until recommendations from Action Item 1B are finalized, allow for growth of the herd size to 110 and no greater than 130 horses by maintaining and implementing a viable population control plan that includes but is not limited to: adoptions, contraception methods, documentation, removal and replacement of horses.	CWHF	Ongoing	Staff Time
Action 1L. Provide annual report for the population control plan at the fall meeting. Also provide goals for the upcoming year for contraception, adoptions, and removal/replacement of horses.	CWHF	Yearly	Staff time
Action 1M. Develop protocol for the transport of horses and management of escaped horses. (Reference Actions 5 C & 5 D)	CWHF	Complete	Staff time

CWHF = Corolla Wild Horse Fund, County= Currituck County, USFWS=US Fish & Wildlife Refuge, NCNERR = NC National Estuarine Research Reserve

Goal 2. Support land use decisions and county ordinances that are consistent with the management agreement.			
	Responsible Stakeholder	Time Frame	Funding
Action 2A. Recommend updates to the Unified Development Ordinance, County Code of Ordinances, and adopted plans to reflect policies and actions included in the management agreement.	All	Ongoing	Staff time
Action 2B. Continue to assist Currituck County personnel in enforcing the provisions of the County Code of Ordinances through their respective capabilities.	USFWS/NCNERR	Ongoing	Staff time
Action 2C. Currituck County personnel will continue to enforce the provisions of the County Code of Ordinances.	County	Ongoing	Staff time

Goal 3. Protect and maintain a thriving ecological balance.			
	Responsible Stakeholder	Time Frame	Funding
Action 3A. Conduct an assessment of horse induced effects on state, federal and private lands and report findings to the advisory board as information is available.	USFWS/ NCNERR/ County	Ongoing	Staff time
Action 3B. Continue the monitoring of long term exclosures to determine the impact of horses on habitats.	USFWS	Ongoing	Staff time
Action 3C. Seek additional funding/staff as needed to monitor and mitigate impacts.	All	Ongoing	Staff time

Action 3D. Conduct an ecosystem-based approach for entire off road area.	County	Ongoing	Staff Time
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CWHF = Corolla Wild Horse Fund, County= Currituck County, USFWS=US Fish & Wildlife Refuge, NCNERR = NC National Estuarine Research Reserve

Goal 4. Preserve the free-roaming nature and habits/behaviors of the horse population to the extent possible within the boundaries defined in the management agreement (north & south fences).			
	Responsible Stakeholder	Time Frame	Funding
Action 4A. Determine and define the need for designated pasture areas in the off-road area.	CWHF	Ongoing	Staff time
Action 4B. Establish and maintain designated pasture areas.	CWHF/County	Ongoing	To be determined
Action 4C. Develop standards for acquisition, lease or easement of designated pasture areas and/or open space in the off-road area.	CWHF/County	Short	Staff time
Action 4D. Evaluate barrier options with each 5-year update of the management plan (See Appendix F)	ALL	Ongoing	Staff time
Action 4E. Continue to maintain and repair the barrier fences at the northern and southern boundaries of the off-road area as well as the cattle guard (with the exception of fence owned by False Cape State Park unless the Park is a partner in the repair). The County shall replace the southern boundaries of the off-road area as well as the cattle guard not less than once every twenty (20) years. The County shall provide funding to CWHF for replacement of the northern boundaries of the off-road area not less than once every twenty (20) years.	CWHF/ County	Ongoing	\$700,000

Action 4F. Provide impacts report to DCM and CRC with each 5 year update to satisfy the fence CAMA permit condition #1.	County	Yearly	Staff time
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CWHF = Corolla Wild Horse Fund, County= Currituck County, USFWS=US Fish & Wildlife Refuge, NCNERR = NC National Estuarine Research Reserve

Goal 5. Sustain partnerships with all stakeholders including the NC National Estuarine Research Reserve, Currituck National Wildlife Refuge, Currituck County, and the Corolla Wild Horse Fund necessary to efficiently manage the wild horse population.

	Responsible Stakeholder	Time Frame	Funding
Action 5A. Update the management agreement, at a minimum, every five years involving all stakeholders.	ALL	Ongoing	Staff time
Action 5B. Conduct quarterly meetings of the advisory board to review current and planned management activities and provide updates on stakeholder actions.	ALL	Ongoing	Staff time
Action 5C. Continue to coordinate as needed with the City of Virginia Beach on wild horse management planning.	CWHF/County	Ongoing	Staff time
Action 5D. Foster a relationship and engage False Cape State Park and Back Bay Wildlife Refuge.	ALL	Ongoing	Staff time
Action 5E. Conduct an annual review of the management agreement at the fall quarterly meeting and provide a written report documenting the status.	ALL	Yearly	Staff time

CWHF = Corolla Wild Horse Fund, County= Currituck County, USFWS=US Fish & Wildlife Refuge, NCNERR = NC National Estuarine Research Reserve

Goal 6. Support and offer opportunities to educate the public about the wild horses.			
	Responsible Stakeholder	Time Frame	Funding
<p>Action 6A. Develop educational programs and materials that will foster public and commercial tour operators understanding of the wild horses. These include but are not limited to:</p> <ul style="list-style-type: none"> • Rules & regulations • Safety • Balance habitat & horses • Transfer of property for pasture land 	CWHF/County	Ongoing	To be determined
<p>Action 6B. Continue to educate the public and commercial tour operators on the wild horses, rules & regulations, and habitat.</p>	ALL	Ongoing	Staff time CWHF education budget
<p>Action 6C. Continue to partner and offer training opportunities for tour companies on the wild horses</p>	CWHF/County	Ongoing	Staff time
<p>Action 6D. Continue to partner with Currituck County Tourism to educate the visitors on the wild horses and related issues through website, social media, and brochures.</p>	CWHF	Ongoing	Staff time
<p>Action 6E. Establish partnerships with realty companies/rental home owners to develop and deliver educational media about the wild horses.</p>	CWHF/County	Ongoing	Staff time

CWHF = Corolla Wild Horse Fund, County= Currituck County, USFWS=US Fish & Wildlife Refuge, NCNERR = NC National Estuarine Research Reserve

Implementation

At the fall quarterly meeting of each year, the Board will assess the progress of actions and the need for re-examination of goals and actions for future implementation. Following the assessment, the Board should provide a written report documenting the status of management goals and actions. Additionally, the agreement shall be fully updated every five years, at minimum, or as needed. All signatories and board members should be notified in writing of the agreement update and invited to participate in the update process.

The Chairman of the Board will be responsible for reconvening the Board and conducting the annual review. Criteria to be considered will include the following:

- Do the goals and actions address current and expected needs?
- Are the current resources appropriate for implementing the management goals and actions?
- Are there implementation problems, such as technical, political, legal, or coordination issues with stakeholders?
- Are the goals of the Wild Horse Advisory Board being accomplished?
- Are the stakeholders providing the level of cooperation expected?

The success of this agreement largely depends on the continued cooperation and coordination between the signatories united partnership will result in the realization of the vision of this agreement.

Herd Size Statements

The Wild Horse Advisory Board recognizes that there are differing opinions of the signatories of this agreement concerning the appropriate number for the overall herd size cap. Historically, the Wild Horse Management Agreement operated under an adopted plan with a targeted herd size of sixty; however, until recommendations from Action Item 1B are finalized, the Wild Horse Management Agreement will allow for growth of the herd size to 110 and no greater than 130 horses by maintaining and implementing a viable population control plan. The population control plan includes, but is not limited to: adoptions, contraception methods, documentation, removal and replacement of horses.

The Corolla Wild Horse Fund, US Fish and Wildlife, and NCNERR each have adopted plans, policies, or missions that each approach the management of their lands, horses, or impacts by horses differently.

Each signatory has prepared a statement that explains their organization's position. While each signatory has their own position regarding herd cap size, within the next five years, the Board agrees to work cooperatively through the vision, goals, and actions of this agreement to determine a new herd cap size.

North Carolina National Estuarine Research Reserve

The N.C. National Estuarine Research Reserve (NCNERR) recommends that the best available science on habitat sustainability; horse health, welfare, and genetics; and social values associated with the horses be used to determine the size of the herd. This multiphase approach is needed to meet the complex interests of those involved in management of the herd, property owners within the Wild Horse Sanctuary, and the public. The best available science that evaluates some of these factors from a similar barrier island environment is "Horses of Assateague Island Population and Habitat Viability Assessment: Final Report" (Zimmerman et al. 2006). Using a collaborative process, a series of objectives was evaluated and a range of 80-100 horses was recommended for Assateague Island, providing managers with the ability to adaptively manage the herd size as conditions change over time.

This desired science is not currently available at the level needed for the Currituck herd and the Currituck Outer Banks where the horses roam. The 2015 horse management agreement addresses this gap by committing to the following: Goal 1, Actions 1A-B articulate the need for a population viability study similar to that described above to inform the size of the herd to meet both habitat and horse sustainability and Goal 3 addresses the need to conduct and continue work to assess horse impacts on habitats. This work will allow the Advisory Board to make a more informed recommendation regarding the herd size that balances the complex and competing interests of the parties involved in the overall management of the Currituck Outer Banks ecosystem. While NCNERR recommends the herd size be based on the results of this population study, NCNERR acknowledges the need for the U.S. Fish and Wildlife Service to comply with Senate Report 114-281. The NCNERR supports the Service's requested amendment to Action 1K to address the Senate report in the spirit of partnership and forward progress on a multifaceted topic. Amended Action 1K reads as follows: "Until recommendations from action Item 1B are finalized, allow for the growth of the herd size to 110 and no greater than 130 horses by maintaining and implementing a viable population control plan that includes but is not limited to: adoptions, contraception methods, documentation, removal and replacement of horses." NCNERR recommends the Advisory Board prioritize the Population Habitat Viability Study (Goal 1, Actions 1A-B) and amend

the horse management agreement based on the results of this study. This recommendation is based on the following reasons: 1) The presence of the horses is a management conflict with the purposes of the Reserve program; 2) There are documented habitat impacts from the horses both at the current population level and at reduced levels as well as changes in habitat availability due to increased development; and 3) There is a need for additional study to address the complex interests associated with the presence of the horses on the Currituck Outer Banks.

Rheinhardt and Rheinhardt (2004) concluded that grazing by horses impacted vegetation on the Currituck Outer Banks in 1997 when the horse herd was estimated at 43. They speculated that trampling may have a greater impact than grazing. Feral hog activity was also acknowledged as potentially contributing to habitat impacts. The authors concluded that an increase in horse density or a decrease in carrying capacity of the habitat could result in further habitat degradation and recommended additional study to ensure effective management of the horse herd and the Currituck Outer Banks habitats.

Taggart (2008) reviewed literature on horse impacts at publicly owned and managed properties in the United States, focusing on the Currituck Banks and Rachel Carson components of the Reserve. He also outlined the management conflict that results from the presence of horses on these Reserve components in light of state and federal purposes for the Reserve. As a result, Taggart recommended protecting the Currituck horses through fenced pasture areas located outside of the Currituck Banks Reserve to remove habitat impacts and management conflicts at the site (2008).

The Reserve's 2020-2025 management plan recognizes the horses as a management conflict because of the impacts the horses cause to the ecological systems the Currituck Banks Reserve was designated to protect. The plan states that the horses are allowed to roam on the component provided they do not significantly impact Reserve habitats or impede implementation of the Reserve's research and education mission. The program will manage the

Currituck Banks Reserve to prevent significant impact from the horses (NCNERR 2020).

Porter (2014) completed a study in the Currituck National Wildlife Refuge examining the impacts of horses, deer, and feral hogs on different habitat types in fenced and unfenced areas of the Refuge. She concluded that horses negatively impacted vegetation in the unfenced study areas where horses were allowed, detecting few disturbances from deer and feral hogs. Study areas included habitat types that are representative of those found in the Reserve; the results of the Porter study can therefore be extrapolated to the Reserve although there may be differences in impact intensity as a result of the number of horses present in the respective areas. Porter further recommended additional study to provide a more complete assessment of horse impacts and to address other questions raised by the study.

The horse herd is currently estimated at 81 horses as of the August 2017 census with 31 horses documented in Wild Horse Zone 1, which includes the Currituck Banks Reserve (Corolla Wild Horse Fund, 2017). Presence in the Reserve is elevated from previous census data collected in 2015 and 2016 when 11 of the 83 horses and 5 of the 66 horses were found in Zone 1, respectively (Corolla Wild Horse Fund, 2015-2016).

Additionally, habitat availability has changed as private development on the Currituck Outer Banks has increased over time (Currituck County, 2013; See Appendix C) and the concomitant decline in the availability of natural food sources.

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US Fish and Wildlife

The US Fish and Wildlife Service recommends that a Population Habitat Viability Assessment be completed and used to determine the size limits of the herd. This desired science is not currently available at the level needed for the Currituck herd and the Currituck Outer Banks where the horses roam. Goal 1, Action 1B calls for the Advisory Board to "Conduct a study (Population Habitat Viability Assessment) to determine the carrying capacity of land for food sources that accounts for horses and other wildlife utilizing a science based approach."

In the explanatory statement accompanying the FY2017 omnibus, the Service has been instructed to comply with language in Senate Report 114-281 related to the Corolla horse herd around Currituck National Wildlife Refuge. The report language calls for a management plan between the Service, the State of North Carolina, Currituck County, and the Corolla Wild Horses Fund that allows for the herd size to be grown to no fewer than 110 and no greater than 130 horses. The language calls for the plan to be entered into within 180 days. The Service entered into a management agreement with the same parties in January 2015. Upon review of the management agreement, we believe that the existing agreement allows for the growth of the herd; however, it intentionally did not include a specific herd size due to differing opinions among the parties. In compliance with the Senate Report the Refuge proposed an amendment to the January 2015 Plan at the May 18, 2017 quarterly meeting of the Corolla Wild Horse Advisory Board. The Refuge proposed to amend Action Item 1K to read "Until recommendations from Action Item 1B are finalized, allow for growth of the herd size to 110 and no greater than 130 horses by maintaining and implementing a viable population control plan that includes but is not limited to: adoptions, contraception methods, documentation, removal and replacement of horses." The Service recommends that the Advisory Board prioritize completing the Population Habitat Viability Assessment and amend the agreement as appropriate based on the findings of that study.

Habitat impacts from grazing feral horses have been well documented along the Atlantic coast and across the nation. Atlantic coast impacts have been published from herds residing in Nova Scotia (Freedman et. al. 2011), Currituck National Wildlife Refuge, NC (Porter and DePerno 2012), Northern Outerbanks, NC (Rheinhardt and Rheinhardt 2004), Assateague Island National Seashore, MD and VA (Seliskar 2003), Shackleford Banks, NC (Levin et. al. 2002), and Cumberland Island, GA (Turner 1987).

Publications show that many aspects of the ecosystem are negatively impacted by grazing and/or trampling (Levin et. al. 2002.; Turner 1987) and may ultimately result in changes to plant communities (De Stoppelaire 2001; Furbish 1994). Horse grazing has been linked to decreases in plant structure, abundance, and/or vigor (Beever et. al 2000; Porter and Deperno 2012), reduction of seed production (Seliskar 2003; Levin et. al. 2002), of which, marsh plant species are particularly vulnerable (Levin et. al. 2002; Rheinhardt and Rheinhardt 2004). Additionally, as a result of excessive herbivory, reductions in above and below ground biomass (Furbish et. al. 1994; Levin et. al. 2002) declines in species richness including many birds, mammals, and/or fish (Beever et. al 2000; Levin et. al. 2002) have been documented as well as increased erosion (Seliskar 2003; De Stoppelaire 2001) and reduced dune development (De Stoppelaire 2001; De Stoppelaire 2004).

The most comprehensive science regarding population management of horses on the Atlantic coast is the Horses of Assateague Island Population and Habitat Viability Assessment (PHVA) (Zimmerman et. al. 2006). In this assessment the same issues needed to manage the Corolla horses were reviewed and a population size of 80 to 100 horses roaming on a 37-mile barrier (Ave. 2.4 horses per mile) island was deemed acceptable. Recent population estimates for the Corolla horses which roam only an 11-mile area range from 121-144 (Ave. 12.1 horses per mile). Even at a stocking rate of 60 for the Corolla herd the number of horses (Ave. 5.5 horses per mile) would be over double the recommended rate established in the 2006 PHVA.

Recent monitoring by Service biologists at Currituck NWR have identified major habitat impacts and have identified the potential conversion of habitat types similar to those identified by De Stoppelaire 2001. These conversions seem to be pushing the natural ecosystem toward one dominated by exotic and/or non-desirable vegetation. Native vegetation that can produce a root mat capable of withstanding the effects of erosion is transitioning to vegetation with a root mat that is less robust.

Implementation strategy 2 of the 2007 Currituck Banks Wild Horse Manage Plan (Plan) was: "Control the horse population for the protection of the fragile ecosystems on the public and private lands." The strategy stated: "In this regard, a maximum of 60 horses will be permitted with population controlled through adoption, relocation, auction or contraceptive fertility methods." The Plan also called for the establishment of monitoring exclosures to monitor impacts of horses on habitat. Sixty is believed to represent the herd population at the time the original Plan was written. In 2002, the last time the herd was as low as 60, some negative habitat impacts were noted in the areas where horses had access compared to the exclosures where horses did not have access. In 2007, when the herd was roughly 90, photo documentation shows significant negative habitat impacts to the areas where horses had access compared to the exclosures. In 2011 and 2012, with a herd size of approximately 119 and 144, respectively, photo documentation shows virtually no remaining grazing habitat in the horse-accessible area near the exclosure fences.

The Service has a policy (Chapter 7, Refuge Manual, Section 6, [7RM6]) that horses should not be on National Wildlife Refuges because they compromise the ability to meet its conservation mission. However, the Service signed previous Plans to be a good neighbor, and to deal with the situation in a practical manner by seeking to build a partnership with the local community to cooperatively control the numbers of the herd. The Service will address these animals as feral and manage the refuge in that context. Since these are non-native animals (as defined in 50CFR30.11), as time and money are available, and

monitoring shows negative impacts, they will be fenced out of negatively impacted habitats and off the refuge as is practical.

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Corolla Wild Horse Fund

On May 5, 1935, the Raleigh News and Observer reported that the Banker ponies had to make way for “the path of progress expected to take the form of a national park that would extend 100 miles along the coast and include the ‘banks’ where they now roam.” By 1937 Cape Hatteras National Seashore was established, and the path of progress became NC 12. On June 14, 1938, the Raleigh News and Observer announced that “the final extinction of the Banker pony, wild horses that have roamed the Outer Banks for centuries, was begun this morning.” Armed with high powered rifles, two hunters continued the work of removal that had begun several years earlier as a result of massive Depression-era round ups and shootings. The eradication was supported by the US Forest Service and the Federal Bureau of Fisheries (now US Fish & Wildlife Service). (C. Priolo, (2007)*The Wild Horses of Shackleford Banks*)

The Corolla Wild Horse Fund hired its first fulltime professional staff in mid and late 2006. The original wild horse management plan was due to be reviewed and signed in October of 2006. Although the CWHF was not in agreement with the herd size of 60 in the plan because it was not based on published or peer-reviewed science, the staff had only been in their positions three months and one month respectively. The Plan was signed in 2007 with the understanding that it was a living document that could be amended as needed.

Many researchers have demonstrated the beneficial or potentially beneficial effects of the grazing of large herbivores on ecosystems, especially wetlands and grasslands. Documented beneficial environmental effects of wild horses include:

Breaking up homogeneous grass stands, producing a patchy, open cover with a diversity of forbs. (USFWS, 1999)

Dispersing seeds of desirable native plants. (Hobbs,1996; Severson & Urness, 1994; Stroh, Mountford & Owen, 2012)

Promoting biological diversity, accelerating succession, and encouraging a diverse mosaic of desirable plants. (Bakker, 1985; Bazely & Jeffries, 1986; Hobbs, 1996; Jensen, 1985; Menard et al., 2002; Severson & Urness, 1994; Vavra, 2005)

Increasing the nutritional value of forage. (Hobbs, 1996; Severson & Urness, 1994)

Enhancing regrowth of forbs beneficial to waterfowl. (Evans 1986)

Greatly enhancing the diversity of bird species. (Levin et al., 2002)

Altering community composition of birds, increasing foraging habitat for willets, least sandpipers and other birds that prey on small invertebrates. (Levin et al., 2002)

Greatly reducing height and density of invasive Phragmites, (Duncan & D’Herbes, 1982)

On Shackleford Banks, horse grazing in marshes provides a bountiful feeding ground used by a diverse community of foraging shorebirds. (Levin et al., 2002)
Disturbance by large herbivores increases the diversity and quality of wildlife habitat, creating a patchwork of diverse food resources (Lamoot, 2004; Vavra 2005)

Rheinhardt and Rheinhardt (2004) found that horses on the Currituck Outer Banks “consume few forbs (herbaceous plants) species and graminoid (grass) species seem to recover by early summer when primary production is highest.”

A four year University of Notre Dame study (Wood, 1987) found that the Shackleford horses’ diet had no statistically significant impact on salt marsh plants in three out of four years, no statistically significant impact on long leaf pennywort all four years, no statistically significant impact on sea oats all four years, and no statistically significant difference in bluestem grass.

While today USFWS considers wild horses “exotic and potentially damaging to vegetation under active management” (USFWS 2008, p.194), in the 1940’s the agency thought otherwise. Rachel Carson, a world renowned marine biologist, environmentalist, and editor-in-chief for US Fish and Wildlife Service wrote that when the Chincoteague refuge was created, the refuge allowed residents of

Chincoteague to graze 300 head of cattle and horses on the refuge, and noted no adverse effects on waterfowl (twice as many head as permitted today). "The presence of these grazing animals is not detrimental to the wildlife for which the waterfowl for which the refuge was established," she said (Carson, R. 1947, pg. 17).

Baker and Valentine (2006) found that any decline in waterfowl populations in and around the refuge was due to turbidity in the sound from recreational boating, agricultural runoff, and development. There was no mention of wild horses in relation to the decline. In addition, by the middle of the 20th century, three thousand tons of expended lead shot was accumulating in the marshes every year and being ingested by waterfowl. Roughly two million ducks succumbed to lead poisoning and more become chronically ill and slowly wasted away (Bolen, 2000). Today, waterfowl are challenged by environmental contaminants, invasive plants, and continued development (Pease, Rose, & Butler, 2005).

Wild horses have also been blamed for negatively impacting the endangered piping plover. However, published data indicates that the presence of island horses has little effect on the Piping Plover population. Breeding pairs on the Maryland portion of Assateague have increased from 14 in 1990 (horse census about 130) to 66 in 2006 (horse census greater than 140) (Hayward, 2007).

In relation to the current defined herd size of 60, there are numerous scientific studies that support this is not a viable number for a wild herd, especially one that peer-reviewed science has already shown is now descended from only one maternal line. (Cothran, 2011)

In 2007, the Corolla Wild Horse Fund pulled DNA samples via mane/tail hair and remotely delivered dart. The goal was to gather information for a baseline study of the overall genetic health of the herd. The samples were analyzed by Dr. E. Gus Cothran of Texas A&M University, one of the leading equine geneticists in the country and an expert on feral herds. A previous study was completed in 1992 when Dr. Cothran was at the University of Kentucky.

In his 2008 presentation, "Management Strategies for Small Gene Pools," Dr. Cothran states that "small populations are subject to loss of genetic variation and that loss of variation can lead to specific genetic diseases, heritable defects, reproductive problems or general reduction of overall vigor and extinction of the population." The Corolla herd is currently exhibiting heritable defects such as locked patellas, parrot mouth, and significant reduction in height in some horses (under 12 hands as an adult). Corolla's one maternal line is in contrast to the Shackleford herd which exhibits three maternal lines.

The Corolla herd represents one of the oldest and rarest strains of Colonial Spanish Horses. There is always a balance to be struck between keeping bloodlines pure and losing genetic diversity. In small, closed populations, only new mutations can increase genetic viability. Slight differences in mortality and reproductive success can have dramatic effects on a small population. When animals breed with close relatives, recessive genes are less likely to be balanced by dominant genes, and deformities become likely. A shallow gene pool can also decrease reproductive ability, size, and resistance to disease. When the census is low, the herd is vulnerable to destruction by catastrophic weather events or diseases. Dr. Cothran wrote in regard to the Corolla herd "Much of the genetic diversity expected to be present in a horse population is gone, and this cannot be recovered" (Cothran, 2008).

Cothran's 2008 study showed that the genetic diversity of the Corolla population is low and that both measures of heterozygosity were among the lowest that have been found in horses. "The genetic variability measures confirm the effects of a very small population in this herd over the past few generations...However the future rate of loss can be minimized by maintaining a larger effective population size" (Cothran 2008)

Dr. Cothran states that 150 is the common recommended population size for a wild herd, and is a minimum number and a compromise. In order to minimize loss of genetic variation, he recommends introductions. He further states that introductions of one or two young mares per generation can restore variation

over time, but that the number of introductions depends on the current genetic situation.

The wild horses on Shackleford Banks have been managed by the National Park Service/Foundation for Shackleford Horses at a federally mandated number of 120 – 130 with never less than 110 since 1998 on 3,000 acres of habitat. Similar legislation to mandate this number for the Corolla herd has passed the United States House unanimously in 2013 and 2014. It will be reintroduced into the House in 2015.

At a meeting on January 24th, 2014 in Washington, DC., David Viker (Southeast Regional Chief of the National Wildlife Refuge System) stated that “the Service is not in the business of managing wild horses and is not concerned with the numbers”. In addition, in a letter to Congressman Walter Jones received October 3, 2014, USFWS Regional Director, Cynthia Dohner wrote, “Please note we understand your genetic concerns and do not object to introducing horses from the Shackleford Banks herd into the Corolla herd. In fact, the 2013 draft plan allows for the introduction of Shackleford Banks horses.” The Corolla Wild Horse Fund is concerned with the requirements for herd size and proposes to approach the topic with genetic health of the herd, ecological health of the island, and the assistance of peer-reviewed science to make the right decision.

The Corolla Wild Horse Fund has already demonstrated that it can successfully control the population through the delivery of immunocontraception, Porcine Zona Pelucida. The number of foals born has been reduced from 24 in 2007 to 2 in 2014. PZP has been extensively researched and provides a cost-effective and efficient manner for controlling herd size.

Considering the current scientifically-determined level of inbreeding and low level of genetic diversity; our field documentation of the location and habitat usage of the Corolla wild horses; scientific evidence that the presence of wild horses can be beneficial to ecosystems; and the fact that the current designated herd size of 60 selected in 1997 was not a decision based on science; the Fund is of the opinion that the Corolla horses should be managed at

the same level as the Shackleford horses (120 to 130 with never less than 110) and that horses from Shackleford Banks should be introduced in a manner such that, accounting for potential offspring, the herd would not exceed a maximum population of 130.

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Appendices

- Appendix A Historical Timeline
- Appendix B Signatories and Participating Stakeholders
- Appendix C Land Use Information
- Appendix D Adopted Legislation and Ordinances
- Appendix E Definitions/Acronyms
- Appendix F Barrier Consideration & Regulatory Issues
- Appendix G Protocols

Appendix A: Historical Timeline

1520	Spanish ship logs document horses brought to NC shores
1926	National Geographic states a presence of five to six thousand wild horses up and down the 175-mile Outer Banks
Prior to the 1980's	Wild Horse herd living in Corolla
1984	Road paved from Duck to Corolla Village
1989	Corolla Wild Horse Fund Committee of Outer Banks Conservationists, Inc. formed
1989	Currituck County adopted the Wild Horse Ordinance
1994	Currituck County and the Corolla Wild Horse Fund entered into a Management Agreement
September 1994	Ocean to sound fence barrier installed at North Beach access ramp
June 1995	Proclamation issued by NCDCCR: "The Corolla Wild Horses are one of North Carolina's most significant historic and cultural resources of the coastal area."
2001	CWHF incorporates as 501c 3 non-profit organization
December 2002	Enclosure fence installed at NC/VA state line
2007	Horse of Americas Registry determines that the Corolla Herd is eligible for registration as Colonial Spanish Mustangs
2007	DNA testing documented the decline of genetic diversity and presence of only one maternal line.
July 2009	Section 3-31 of County Code of Ordinances Wild Horse Ordinance amended to include the word "intentional"
June 2010	House Bill 1251 declares the Colonial Spanish Mustang as the official North Carolina State Horse
December 2010	Section 10-55 of County Code of Ordinances updated to prohibit domestic horses from the end of NC terminus to the NC/VA border
February 2, 2012	CWHF transported a Corolla stallion to NPS at Ocracoke.

June 22, 2014	DNA samples pulled from two Shackleford stallions.
November 20, 2014	One of the previously tested Shackleford stallions was released in Corolla.
June 2018	Corolla Wild Horse Fund, County of Currituck, NC Division of Coastal Management, and Currituck National Wildlife Refuge sign an amended Wild Horse Management Agreement in which herd size statements submitted by USFWS and the North Carolina National Estuarine Research Reserve allow for the growth of the herd size to 110 and no greater than 130 horses until a Population Habitat Viability Assessment study is completed to determine the size of the herd.
October 2018	Corolla Wild Horse Fund purchases the Betsy Dowdy Equine Center, a 31 acre horse farm property with basic outfitting to maintain a full rehabilitation and housing of wild horses that require removal because of extreme illness, injury, or risk of habituation.
September 24, 2019	A new cattle guard is installed at NC 12 road terminus.

Summary of Corolla Wild Horses Protection Act Legislation

- **S.248 – 116th Congress (2019-2020)**
 A bill to ensure that the Secretary of the Interior collaborates fully with State and local authorities and certain entities in managing the Corolla Wild Horse population on Federal land.
Sponsor: Sen. Tillis, Thom [R-NC] (Introduced 01/28/2019)
Cosponsors: Sen. Burr, Richard [R-NC] 02/07/2019
Committees: Senate – Environment and Public Works
Latest action: Senate – 01/28/2019 Read twice and referred to the Committee on Environment and Public Works. (All Actions)

- **S.2580 – 116th Congress (2019-2020)**
 Department of the Interior, Environment, and Related Agencies Appropriations Act, 2020
Sponsor: Sen. Murkowski, Lisa [R-AK] (Introduced 09/26/2019)
Cosponsors (0)
Committees: Senate – Appropriations
Committee Reports: S Rept. 116-123
Latest Action: Senate – 09/26/2019 Placed on Senate Legislative Calendar under General Orders. Calendar No. 227 (All Actions)

- **October 19, 2017: The Currituck County Board of Commissioners** forwarded a letter to federal representatives stating “Recently U. S. Fish & Wildlife modified its position regarding the herd size. Now, by maintaining and implementing a viable population control plan, U. S. Fish & Wildlife supports allowing growth of the herd size to 110 horses, with a maximum of 130 horses. As this position is compatible with the language of H. R. 2032, and the fact that a cost effective management plan and introduction of Cape Lookout National Seashore’s horses into the Corolla herd are both pillars of the existing Wild Horse Management Agreement executed by the Corolla Wild Horse Fund, Currituck County, U. S. Fish and Wildlife, the North Carolina Estuarine Research Reserve, North Carolina Division of Coastal Management, and the North Carolina Department of Environmental Quality, the Currituck County Board of Commissioners no longer see the propriety of H. R. 2032 and therefore, at this time, withdraws its support for its passage.”

- [S.1460](#) — 115th Congress (2017-2018)
Energy and Natural Resources Act of 2017
Sponsor: [Sen. Murkowski, Lisa \[R-AK\]](#) (Introduced **06/28/2017**)
Cosponsors: (1) Sen. Cantwell, Maria (D-WA)
Latest Action: Senate - 09/19/2017 Committee on Energy and Natural Resources. Hearings held.
Bill Status: Introduced

- [H.R.2032](#) — 115th Congress (2017-2018)
Corolla Wild Horse Protection Act
Sponsor: [Rep. Jones, Walter B., Jr. \[R-NC-3\]](#) (Introduced **04/06/2017**)
Cosponsors: (0)
Committees: House - Natural Resources
Latest Action: House - 04/20/2017 Referred to the Subcommittee on Federal Lands
Bill Status: Introduced

- [S.2012](#) — 114th Congress (2015-2016)
North American Energy Security and Infrastructure Act of 2016
Sponsor: [Sen. Murkowski, Lisa \[R-AK\]](#) (Introduced **09/09/2015**)
Cosponsors: (0)
Committees: Senate - Energy and Natural Resources
Committee Reports: [S. Rept. 114-138](#)
Latest Action: 09/08/2016 Conference held.
Bill Status: Resolving Differences

- [S.1204](#) — 114th Congress (2015-2016)
Corolla Wild Horses Protection Act
Sponsor: [Sen. Burr, Richard \[R-NC\]](#) (Introduced **05/06/2015**)
Cosponsors: (1) Sen. Tillis, Thom (R-NC)
Committees: Senate - Environment and Public Works
Latest Action: Senate - 05/06/2015 Read twice and referred to the Committee on Environment and Public Works.
Bill Status: Introduced

- [H.R.152](#) — 114th Congress (2015-2016)
Corolla Wild Horses Protection Act
Sponsor: [Rep. Jones, Walter B., Jr. \[R-NC-3\]](#) (Introduced **01/06/2015**)
Cosponsors: (0)
Committees: House - Natural Resources
Committee Reports: [H. Rept. 114-84](#)
Latest Action: House - 04/20/2015 Placed on the Union Calendar, Calendar No. 62.
Bill Status: Introduced

- **June 9, 2014: The General Assembly of North Carolina** passed House Resolution 1257:
A House Resolution Urging Congress to Protect the Corolla Wild Horses
- [H.R.126](#) — 113th Congress (2013-2014)
Corolla Wild Horses Protection Act
Sponsor: [Rep. Jones, Walter B., Jr. \[R-NC-3\]](#) (Introduced **01/03/2013**)
Cosponsors: (0)
Committees: House - Natural Resources
Committee Reports: [H. Rept. 113-77](#)
Latest Action: Senate - 06/10/2013 Read the second time. Placed on Senate Legislative Calendar under General Orders. Calendar No. 84.
Bill Status: Passed House (Unanimously)
- [S.3448](#) — 112th Congress (2011-2012)
Corolla Wild Horses Protection Act
Sponsor: [Sen. Hagan, Kay R. \[D-NC\]](#) (Introduced **07/26/2012**)
Cosponsors: (1) Senator Burr, Richard (R-NC)
Committees: Senate - Environment and Public Works
Latest Action: Senate - 07/26/2012 Read twice and referred to the Committee on Environment and Public Works
Bill Status: Introduced
- [H.R.306](#) — 112th Congress (2011-2012)
Corolla Wild Horses Protection Act
Sponsor: [Rep. Jones, Walter B., Jr. \[R-NC-3\]](#) (Introduced **01/18/2011**)
Cosponsors: (9) Rep. Coble, Howard (R-NC-6); Rep Connolly, Gerald E. (D-VA-11); Rep. Price, David E. (D-NC-4); Rep. Whitfield, Ed (R-KY-1); Rep. Pallone, Frank Jr. (D-NJ-6); Rep. Bordallo, Madeleine Z (D-GU-At Large); Rep. Preluesi, Pedro R (D-PR-At Large), Rep Sutton, Betty (D-OH-131); Rep. Moran, James P (D-VA-8)
Committees: House - Natural Resources | Senate - Energy and Natural Resources, Environment and Public Works
Committee Reports: [H. Rept. 112-310](#)
Latest Action: Senate - 03/21/2012 Referred to the Committee on Environment and Public Works.
Bill Status: Passed House (Unanimously)
- [H.R.5482](#) — 111th Congress (2009-2010)
Corolla Wild Horses Protection Act

Sponsor: [Rep. Jones, Walter B., Jr. \[R-NC-3\]](#) (Introduced **06/08/2010**)

Cosponsors: (3) Rep. Coble, Howard (R-NC-6); Rep. Connolly, Gerald (D-VA-11); Rep. Whitfield, Ed (R-KY-1)

Committees: House - Natural Resources

Latest Action: House - 07/27/2010 Subcommittee Hearings Held.

Bill Status: Introduced

- o [H.R.4867](#) — 111th Congress (2009-2010)

Corolla Wild Horse Protection Act

Sponsor: [Rep. Jones, Walter B., Jr. \[R-NC-3\]](#) (Introduced **03/17/2010**)

Cosponsors: (2) Rep. Whitfield, Ed (R-KY-1); Rep. Connolly, Gerald E. (D-VA-11)

Committees: House - Natural Resources

Latest Action: House - 03/22/2010 Referred to the Subcommittee on Insular Affairs, Oceans and Wildlife

Bill Status: Introduced

Appendix B: Signatories and Participating Stakeholders

SIGNATORIES

Corolla Wild Horse Fund

The Corolla Wild Horse Fund (CWHF) is a 501 (c) 3 nonprofit whose mission is to protect, preserve, and responsibly manage the herd of wild Colonial Spanish Mustangs roaming freely on the northernmost Currituck Outer Banks, and to promote the continued preservation of this land as a permanent sanctuary for horses designated as the State Horse and defined as a cultural treasure by the state of North Carolina. The CWHF employs four full time staff, two part time staff, and five to nineteen seasonal staff. Additionally, there are seasonal employees (5-7 staff) from Memorial Day to Labor Day.

County of Currituck

The County of Currituck, a body politic empowered under the Statutes of North Carolina, feels that the wild horses on the Currituck Outer Banks are a significant part of the county's history and traditions worthy of protection. In 1989, the County adopted a Wild Horse Ordinance for protection of these animals on private properties and has worked with the Corolla Wild Horse Fund in this regard. Since the wild horses have roamed for generations and existed on properties acquired by the U.S. Fish and Wildlife Service and North Carolina Department of Environment and Natural Resources, the County feels it important that the Currituck National Wildlife Refuge and NC National Estuarine Research Reserve incorporate the existence of these animals into their management plans.

North Carolina National Estuarine Research Reserve

The North Carolina National Estuarine Research Reserve (NCNERR) is a multi-component program that includes the Currituck Banks Reserve, a 965 acre site with approximately 326 upland acres located on the Currituck Outer Banks. The Currituck Banks component of the N.C. National Estuarine Research Reserve contains 326 acres of uplands and marsh. The NCNERR is managed as a state-federal partnership between the North Carolina Division of Coastal Management (DCM), an agency within the North Carolina Department of Environmental Quality, and the National Oceanic and Atmospheric Administration (NOAA). The NCNERR is one of 29 reserves located around the country that together form the National Estuarine Research Reserve System which is implemented by NOAA. The NCNERR is part of the DCM's Coastal Reserve Program which protects designated sites for research, education and compatible recreational uses. The results of research, education and stewardship activities are used to enhance public awareness concerning coastal issues and to improve coastal management in North Carolina. As such, each site within the Coastal Reserve Program serves as an undisturbed example of local biodiversity and natural processes, a living laboratory for researchers and an outdoor classroom for educators.

The NCNERR is managed according to federal regulations (U.S. Dept. of Commerce 15 CFR Part 921), and the Coastal Reserve Program which contains the NCNERR is managed according to state statutes (N.C.G.S. 113A-129.1-3) and departmental rules (NCAC T15:70). A formal management plan for the NCNERR also guides management of the Currituck Banks component (2009-2014). In addition, the Currituck Banks Reserve is designated as a dedicated State Nature Preserve by the North Carolina Council of State.

The presence of feral horses on the Currituck Banks Reserve is described in the 2020-2025 NCNERR management plan. These animals are not owned by the State because they roam many public and private properties on the northern Outer Banks. Relative to site management, the horses (regardless of genetic or historical background) are non-native animals that represent a management conflict because they consume and trample vegetation and interact with wildlife that occurs naturally on the Reserve site. The presence, activities, and wastes of the horses alter the natural processes the Reserve protects. The State will allow feral horses to roam freely on the Currituck Banks Reserve provided the animals do not significantly impact the natural habitats, wildlife or use of the site for research and education. In an effort to be consistent with the aforementioned rules and guidelines, the site shall be managed to avoid any significant impacts from these horses. The Reserve will take necessary management actions, such as fencing impacted habitat and establishment and monitoring of exclosures, as needed to protect its resources from the impacts of feral horses. The Reserve program recognizes the strong public sentiment associated with the Corolla horse herd and will work with all parties to develop and implement a feral horse management plan that will protect natural habitats on the Reserve while protecting horse health and public safety.

The Reserve acknowledges the need for the CWHF to enter the Currituck Banks Reserve for the purpose of managing the wild horse herd in accordance with this plan. This includes monitoring, darting, and other activities as necessary provided that impacts to Reserve habitats are kept to a minimum. Reserve personnel shall be notified and consulted in advance of work to be conducted or as soon as practicable in the event of an emergency.

Currituck National Wildlife Refuge

The Currituck National Wildlife Refuge (NWR) is a unit of the National Wildlife Refuge System which is managed by the U.S. Fish and Wildlife Service. The mission of the National Wildlife Refuge System is to administer a national network of lands and waters for the conservation, management, and where appropriate, restoration of the fish, wildlife, and plant resources and their habitats within the United States for the benefit of present and future generations of Americans.

The purposes for establishing the Currituck NWR are "... for use as inviolate sanctuary, or for any other management purpose, for migratory birds." 16 U.S.C. S 715d (Migratory Bird Conservation Act) and where "... suitable for - (1) incidental fish and wildlife-

oriented recreational development, (2) the protection of natural resources, (3) the conservation of endangered species or threatened species..." 16 U.S.C. S 460k-1 (Refuge Recreation Act).

As is outlined above, the refuge was established to manage for specific trust wildlife species including waterfowl, migratory birds, and endangered species. The Service views the wild or feral horses as non native wildlife. A feral animal is defined in 50 Code of Regulations 30.11(a) as "... animals, including horses, burros, cattle, swine, sheep, goats, reindeer, dogs, and cats, without ownership that have reverted to the wild from a domestic state..." The Corolla horses were introduced to the ecosystem by man. Although there may be some debate as to whether locals released domestic animals on to the Outer Banks to graze in the recent past or they were brought by Spanish explorers 300-400 years ago, they are still an introduced domestic animal which is not native to this ecosystem. The horses compete with native wildlife species for resources. The Service will address these animals as feral and manage the refuge in that context. As time and money allows and as monitoring shows negative impacts, the current fenced areas will be maintained and additional areas may be fenced based on monitoring results that indicate unacceptable levels of impact to migratory bird habitats on the refuge.

PARTICIPATING STAKEHOLDERS

Currituck Outer Banks Citizens

The appointment of ~~two one residents~~ residents of the ~~off-road area Currituck Outer Banks~~ adds to the quality of CWHAB decision making. The influx of thousands of seasonal visitors compared to the small winter population provides a perspective that cannot be replicated. Resident participation enhances insight about wild horse/human interaction and the unique experience of living in a remote and often inaccessible community as well as the reality of living among the wild horses on a day-to-day basis.

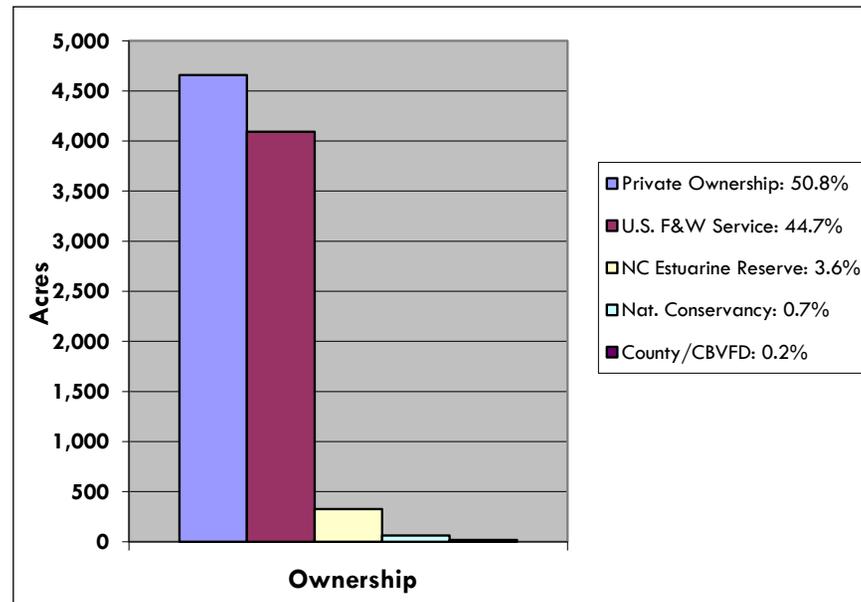
Appendix C: Land Use Information

The Currituck northern Outer Banks (i.e. Wild Horse Sanctuary) encompasses 9,156 acres (excluding platted rights-of-way) from the ocean to sound fence barrier at the North Beach Access ramp north to the Virginia state line. This area has no paved roads with primary access along the beach strand via 4-wheel drive vehicles. Provisions in the conveyance deeds from The Nature Conservancy to the United States and State of North Carolina for portions of the National Wildlife Refuge and Estuarine Reserve effectively prohibit construction of an upland access route to the platted areas of the northern beaches. These covenants specifically prohibit the building of roads or changes in the topography of the land.

As shown in Figure 1, the U.S. Fish and Wildlife Service is the single largest property owner on the northern Outer Banks with 4,093 acres of the total land area. The Currituck Banks National Estuarine Research Reserve contains 326 acres of uplands and marsh. With the exception of an ocean to sound strip of ±62 acres owned by The Nature Conservancy and 17 acres under the ownership of Currituck County and the Carova Beach Volunteer Fire Department, the remaining northern Currituck Outer Banks is owned by individual private property owners. While the majority of private land was platted in the sixties and seventies and is still vacant, it is evident that platted subdivisions will be developed over time. As of December 31, 2012, 640 dwellings (20.1% of total platted lots) have been constructed on the 3,178 platted lots. As shown in Figure 2, new residential dwelling permits

have ranged from 5 (2012) to 37 (2006) permits per year with an average of 19.7 homes built per year during the 2001-2012 period. Since 1989, the maximum density for any new development is one unit per 120,000 square feet.

Figure 1.

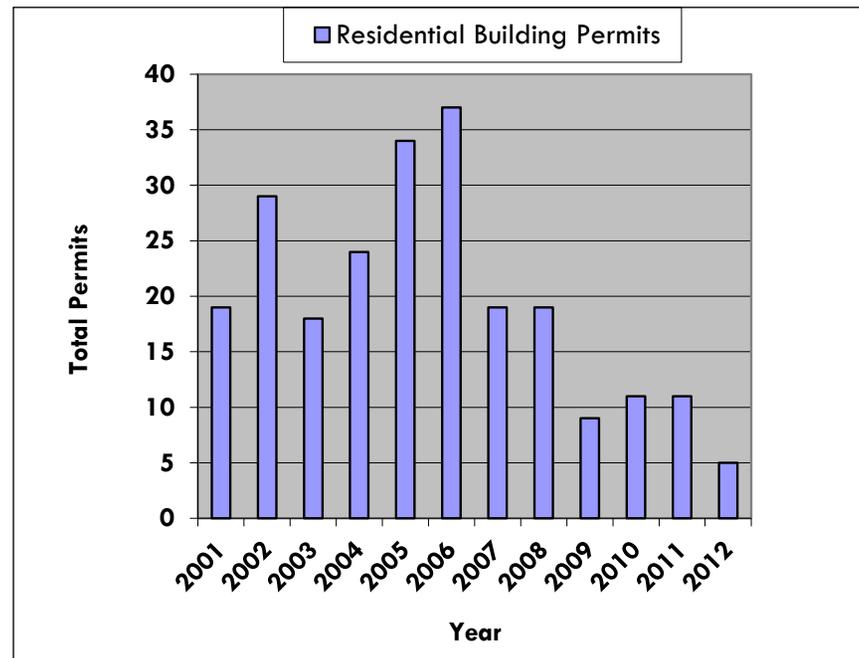


The 2006 Land Use Plan estimates the rental home inventory for the Outer Banks (including Corolla and the off-road area) will increase by 150 houses per year. If this holds true, the estimated peak seasonal population for the Outer Banks will increase from 52,399 in 2000 to 75,688 in 2025. The projections in the Land Use Plan are based on a high-growth

scenario of rental homes averaging 6 and 7 bedrooms per house. The recent decline in the housing market has diminished the actual number of houses constructed per year; however, there appears to be a trend toward larger rental houses that include a higher number of bedrooms. Anecdotally, this may maintain the population estimates associated with a high-growth scenario, without the projected increases in housing stock.

One of the unique aspects of the Currituck northern Outer Banks wild horses, when compared to other barrier island wild horse populations, is that the horses travel and live on both public and private lands. This uniqueness will obviously impact the goals and actions included in the management plan.

Figure 2.



Appendix D: Adopted Legislation and Ordinances

Department of Cultural Resources Proclamation June 1995

House Bill 1251 Designates Colonial Spanish Mustang as North Carolina State Horse

Currituck County Code of Ordinances

Chapter 3, Article II. Wild Horses

Chapter 8, Article IV. Outdoor Tour Operators

Chapter 10, Article II. Division 2. Vehicles and Horses on Outer Banks

Appendix E: Definitions/Acronyms

Enclosure Fence – fences erected to exclude horses from habitats to allow natural ecosystem function or specific management action.

Study Enclosure – Fences erected to establish long-term monitoring areas to be used for assessing impacts to habitats by wildlife and/or feral animals.

Herd Number – The current ESTIMATED population size. Synonymous with Population.

Population - The current ESTIMATED population size. Synonymous with Herd Number.

Aerial Survey Results- The current MINIMUM population estimate.

Inoculations – The number of different horses administered at least 1 dose of contraceptive.

Doses – The total number of contraceptives successfully administered annually.

Ecological Balance – A state of dynamic equilibrium within a community of organisms where conditions present the opportunity for each member to successfully contribute its natural processes in nature.

SFR Zoning District – Single-Family Residential-Outer Banks Remote District

Off-road Area – that area of the county on the Outer Banks from the terminus of the paved portion of N.C. Highway 12 to the Virginia state line

Appendix F: Barrier Island Consideration & Regulatory Issues

BARRIER CONSIDERATION

The Advisory Board considered barrier options as part of its current update of the Currituck Outer Banks Wild Horse Management Agreement. The following options were considered:

1. Maintain the barrier fences at the northern and southern boundaries of the Wild Horse Sanctuary;
2. Remove the barrier fences at the northern and southern boundaries of the Sanctuary;
3. Remove the herd from the Currituck Outer Banks; and
4. Designate pasture areas for the horses with or without perimeter fences.

The Board determined that option 1 is the best course of action for the next 5 years to meet the goals and objectives outlined in the agreement and for the following reasons:

- Option 2: Removal of the fences is not a viable option at this time as the horses would roam south into Corolla and north into Virginia likely resulting in an increase in horse/human interactions and horse deaths from vehicular accidents, similar to the situation prior to the installation of the fences.
- Option 3: Removal of the herd from the Currituck Outer Banks would be highly unpopular because of the strong public sentiment associated with the horses and the historical nature of the horses.
- Option 4: Sufficient pasture areas do not currently exist to accommodate the horses on the Currituck Outer Banks. The Board recognizes this option as important and continued examination of this option is addressed in Goal 4, Actions 4A-C.

Barrier options will be considered with each 5-year update of the management agreement as described in Goal 4, Action D and a recommended action adopted with each update of the agreement. Options will be considered in light of the goals of the management agreement, horse and human safety, habitat condition, and as land use changes within the fence barriers, i.e., private property development increasing and available habitat for the horses decreasing, and an increase in traffic and horse/human interactions over time within the barriers.

REGULATORY ISSUES

As part of the approval for satisfying the CAMA fence permit, the County is responsible for providing DCM with a report that details impacts to public lands. This report should address issues such as: monitoring efforts and land use evaluations.

The southern horse fence was first permitted in 1994 by variance by the N.C. Coastal Resources Commission (CAMA Major Permit No. 62-94). The letter from the N.C. Division of Coastal Management to Currituck County Manager Mr. Dan Scanlon dated October 13, 2006 provides a history of the permit and the conditions of the permit that the County must continue to meet. The original permit requires that the County develop a long-term management plan and evaluate the need for the fence which was originally permitted as a temporary structure. The Division determined in its 2006 letter that the fence may remain in place as long as the County updates the management plan every 5 years, adheres to the approved management plan, and the plan evaluates the need for the fence and recommends leaving the fence in place. Per this update of the management plan, it has been determined by the Division that no renewal or extension of the permit is needed since the management plan continues to recommend the southern fence as the preferred barrier option for the horses.

This plan provides a summary on current activities to assess horse impacts on public lands north of the southern fence that result from the horse herd to satisfy permit condition No. 1 issued in the 2001 renewal of the permit. The study titled "Vegetative Impact of Feral Horses, Feral Pigs, and White-tailed Deer on the Currituck National Wildlife Refuge, North Carolina" in 2014 by Kimberly Porter is the activity to assess horse impacts. Appendix C provides a summary of land use information within the wild horse sanctuary.

Appendix G: Protocols

PROTOCOLS

Aerial Census Protocol

The Primary Census window should be late August-early September to remain consistent with recent surveys and provide consistency among years. Multiple Censuses will be encouraged to improve results if funding permits. The Census will be in flown in east/west transects with each successive pass at 0.10 mi intervals. The aircraft should maintain a height of 150 feet and progress at approximately 25 kts.

When an individual/group is located, if in the estimation of those conducting the census, the individual/group will not exceed the 0.10 limit of the next transect the aircraft should circle them until all individuals are counted and certified. Due to the increasing development of the area deviations in either route or elevation may be required to avoid public disturbance. To the extent practicable deviating from both should be avoided. Total survey time should be under 3 hours using the described method.

Weather conditions should resemble light winds and sunny. Increasing cloud cover beyond 70% shows most individuals as shadows and increases the probability of missing animals that would otherwise have been seen. Light winds are also preferable from both an observer comfort and safety perspective. "Low and slow" surveys are considered special purpose flights due to increased risk to participants.

Any discrepancies in count must be reconciled while circling a particular individual/group to avoid error totaling results. Prior to departing the airport total count should be reconciled. This count represents the minimum number of individuals in the population.

Protocol for the Treatment of Horses with Porcine Zona Pellucida Contraceptive Vaccine

I. Purpose

This is an action designed to adaptively manage the Corolla wild horse population through the use of a native porcine zona pellucida (PZP) contraceptive vaccine delivered remotely under field conditions. On an annual basis, mares will be selected by program criteria to receive the vaccine. The method of delivery will be Pneu-Darts with a projector/capture gun appropriate to the darts and distances. Contraceptive efficacy will be determined by foal counts.

Participants:

- Supervision of Project: COO/CEO
Corolla Wild Horse Fund, Inc. (CWHF)
- Vaccine Preparation: Science and Conservation Center (SCC),
Billings, MT
- Designated Darters: Herd Manager
Corolla Wild Horse Fund, Inc.
Science and Conservation Center,
Billings, MT
Others as certified
- Project Veterinarian: Coastal Equine
Others as licensed

II. Procedures

A. Vaccine Preparation and Shipment: Vaccine will be prepared by the Science and Conservation Center, Billings, MT, and shipped on dry ice under Food and Drug Administration authority (Investigational New Animal Drug exemption No. 8857 G0002 & 0003). FDA form "Notice of Drug Shipment" will be completed for each shipment of the PZP vaccine and filed at the Science and Conservation Center, Billings, MT. At CWHF, the vaccine will be stored frozen at CWHF headquarters under the supervision of the Herd Manager.

B. Selection of Subject Horses: The number and identity of animals will be selected and approved by CWHF personnel before darting commences. Selection will be made on the basis of predetermined population management goals.

C. Delivery of Contraceptive Vaccine: Delivery of vaccine will be by means of 1.0 cc Pneu-Darts, with 3/4" to 1 1/2" barbless needles. 0.5 cc of the PZP vaccine (in phosphate buffered saline or sterile water) will be emulsified with 0.5 cc of adjuvant and loaded into darts. This is done when the decision to dart has been made; fresh emulsion is desired. Mares which have never been treated will be treated with PZP plus Freund's Complete adjuvant, while those which have been previously treated will be given PZP plus Freund's Incomplete adjuvant. Designated darters will mix the vaccine with adjuvant and prepare the emulsion. The vaccine-adjuvant emulsion will be delivered by means of the appropriately chosen projector given the dart and distance.

Any opportunity will be taken to administer scheduled contraceptive initial or booster injections to horses within handling distance when the contact is within the appropriate injection time period. Hand injection affords good control over the location of the injection.

Authorized individuals will have successfully completed the Science and Conservation Center's training program. It is strongly recommended that individuals involved in darting apprentice with an experienced field darter over a period of seasons and stay involved in continuing field and classroom education.

The decision to dart a horse will ultimately rest with the darter. The accessibility of the horse at a particular point in time and location will trigger the decision-making process. Safety, for both humans and horses, is the foremost consideration in the decision to dart and the darting of a mare.

On days when a rifle (with a sight) will be used, several practice shots must be taken in the morning, before going to the field, in order to assure that the gun is properly sighted. Practice shots are expected when projectors without sights are used.

At all times the equipment will be maintained in the safety-conscious manner of any firearm.

Only hip or gluteal muscle regions of the horse are acceptable targets. No shots will be taken in high wind or when the horse is standing at an angle where the dart could miss the hip/gluteal region and hit the rib cage. The ideal angle is when the dart will strike the skin of the horse at a 90° angle.

The projector/capture gun will be chosen based on the dart, distance, and darter's expertise/preference. The objective will be to place the dart as accurately as possible, with enough velocity to discharge the vaccine and eject the dart but while avoiding excessive force. Each darter will work at the firing range to determine the appropriate charge/pressure to be used for

the distances encountered for the projector and dart(s) used. Each darter will construct a matrix of setting variables. The darter will know, and stay within, his/her abilities to fire the projector of choice at distances.

In many cases it is ideal that no more than two people be present at the time of darting. The second person will aid in locating fired darts, educate any onlookers and keep them safely out of the way. When additional approved persons are present (darters in training from another site, for example), every effort will be made to avoid interference. No shot will be taken when other persons are within a 90° angle defined by a line from the shooter to the horse. To the extent possible, all darting will be conducted out of sight of non-participants or island visitors. However, if the darting is done within sight of non-participants, effort will be made to contact and explain the nature of the project to the observers.

The projector will remain unloaded until the horse has been selected and it is safe to shoot. If a horse moves out of firing range after the projector is loaded and it is apparent that another shot will not be immediately possible, the projector will be unloaded (both cartridge and dart, as appropriate) and stored. The dart will be stored in a poly-foam container or the equivalent. Immediately after firing a rifle, the empty cartridge will be ejected and the dart port opened.

If a dart is not used before the end of the day, it will be stored under refrigeration. If not used the next day, the dart will be discarded in a safe manner.

Proper treatment of animals requires a clear mind. Decisions about veterinary care require careful thought and appropriate responses. Fatigue, common because of the hours and habitat associated with horse work, will be recognized. Weather, particularly but not limited to high winds, affects the work. The darter will be responsible for making the decision to cease work due to fatigue, weather, or any other factor.

D. Recovery of Darts: Attempts will be made to recover all darts. If possible, all darts which are discharged and drop from the horse at the shooting site will be recovered before another darting occurs. In exceptional situations, with the decision resting with the darter, the site of a lost dart may be noted and marked, and recovery efforts made at a later time. All fired darts will be examined after recovery in order to determine if the charge fired and the plunger fully expelled the vaccine.

E. Record Keeping: CWHF personnel will maintain records for the identification of all horses to be darted or for control purposes. These records will remain on file at CWHF. Each horse darted will be identified by an alpha-numeric number. For each horse darted, the following information will be recorded at the time of darting (and other notes should be made as appropriate):

1. date of inoculation
2. size of PZP dose
3. vaccine lot number
4. type of adjuvant
5. type of dart/delivery system

- 6. precise site of inoculation (right or left side)
- 7. name of darter

Additionally, other observations regarding estrous behavior, development of dart site problems, and other pertinent information collected by researchers or CWHF personnel will be maintained by CWHF.

The dates of first appearance of foals shall be recorded and maintained in the CWHF files, as well as, documented as part of the annual census.

Annually, updated copies of this data will be sent to the Science and Conservation Center in Billings. The SCC will in turn will submit them to the FDA as required.

F. Veterinary Emergencies: Personnel conducting darting operations shall be equipped with a two-way radio and/or cellular phone providing a communications link with CWHF headquarters. In the event of a veterinary emergency, darting personnel will work with the Project Veterinarian for advice and action as appropriate.

In the event that a dart strikes a bone and sticks, or imbeds in soft tissue, the darter will note the location and endeavor to follow the affected horse until the dart falls out or the horse can no longer be found. The location of the dart will dictate the extent of action to be taken (follow horse, seek veterinary assistance). The darter will be responsible for observation of the horse until the situation is resolved. The decision to capture or immobilize the horse for removal of the dart will be made in consultation with the Project Veterinarian.

Other injuries that may occur as a direct or indirect result of the darting process, such as broken bones or severe lacerations and infections, may also require the capture and/or immobilization of horses for evaluation and treatment. Any decision to capture or immobilize will be made in consultation with the Project Veterinarian. If possible, corralling techniques will be used to capture and contain injured horses. If, in consultation with the Project Veterinarian, the use of chemical immobilization drugs is deemed necessary and appropriate, such agents will be administered exclusively by the Project Veterinarian or by a member of the darting team under the Project Veterinarian's direct supervision. All injuries will be treated as per the recommendations of the Project Veterinarian.

In the event of a severe injury where the Project Veterinarian considers the prognosis for full wild/island recovery unlikely, the affected horse may be permanently removed to the care of the CWHF or may be humanely euthanized.

G. Blood Samples: Attempts to recover blood samples for antibody analysis should be conducted opportunistically.

H. Media Relations: All requests by the media should pass through the CWHF COO/CEO.

I. Public Relations: Prior to the start of each season's darting, as deemed appropriate, the CWHF should notify all law enforcement agencies with jurisdiction on the island of the darting operation's start and finish dates, and that darters may be witnessed by members of the public shooting darts at horses with a capture gun. This will minimize panic calls from an uninformed public or at very least prepare law enforcement for explaining what is taking place.

J. Reporting: Data will be available for reports, prepared by the CWHF Herd Manager, documenting contraceptive program activities and success.

**Corolla Wild Horse Fund, Inc.
Wild Horse Euthanasia Policy**

The American Association of Equine Practitioners recommends that the following guidelines be utilized in evaluating the need for humane euthanasia. Each case should be addressed on its own individual merits and under no circumstances is sale for slaughter to be considered as an end of life decision.

Humane euthanasia of wild horses shall be employed:

- When an equine is not mobile and a veterinarian is of the opinion that mobility will not return;
- When the equine's quality of life is deemed, with veterinary guidance, so poor that euthanasia is the most humane option within the means of the organization;
- When an equine is experiencing continual pain for which there is no medical relief;
- When an equine is affected by a degenerative medical condition for which there is no cure.

As defined by protocol, euthanasia shall only be administered by a licensed veterinarian, except in emergency circumstances where the equine is injured beyond recovery and is suffering irreversibly. Only in extreme measures when euthanasia chemicals are not available to be administered, and only upon the advice of a Corolla Wild Horse Fund veterinarian, a final course of action will be decided upon by the veterinarian.

If the cause requiring euthanasia is not easily recognizable or apparent, a necropsy will be performed to determine the cause of death. The carcass will be transported by CWHF Staff to Dominion Equine Clinic in Suffolk, VA or the University of North

Carolina School of Veterinary Medicine in Raleigh, depending on the circumstances of the death. If a criminal act is suspected, the horse will be transported to the University of North Carolina School for Veterinary Medicine in Raleigh, NC by the Currituck County Sheriff's Department. If the cause is known, or a field necropsy would prove beneficial and can be performed by a licensed veterinarian on site, the carcass shall then be disposed of in compliance with all relevant laws. Records of all euthanasias and necropsy results shall be kept on file in the Corolla Wild Horse Fund office.

ACCEPTABLE METHODS OF EQUINE EUTHANASIA

Pentobarbital or a Pentobarbital Combination (preferred method): This is the best choice for equine euthanasia. Because a large volume of solution must be injected, use of an intravenous catheter placed in the jugular vein will facilitate the procedure. In order to facilitate catheterization and minimize equine anxiety and stress, a tranquilizer such as acepromazine, or an alpha-2 adrenergic agonist should be administered.

ADOPTION PROTOCOL

COROLLA WILD HORSE FUND, INC.

Because the safety and well-being of our horses is our primary concern, the following are required:

ADOPTER MUST:

- Must be 18 years old or older
- Have no prior violations of adoption regulations or convicted of inhumane treatment to animals and be financially able to properly house, feed and provide veterinary and farrier care for the horse(s).
- Have the ability, either personally or by hire, to train a wild horse, if the horse is not already trained.

FENCING AND CORRAL:

Facilities must meet these requirements and be completely finished before approval.

- An outside corral (20' x 20') that is sturdy and of sufficient height (at least 5' high) is required for veterinary and farrier services as well as for gentling the horse. NO BARBWIRE shall be allowed.
- All fencing should be made of rounded pipes, pole, wooden planks or similar materials that pose the least hazard to the horse. Small mesh, heavy gauge, welded or woven wire fencing with at least one plank at sight level is acceptable.

SHELTER:

A run-in shed attached to the corral, or a box stall, allowing the horse to move freely between the corral and shelter is required. Shelter or stall must be at least 12' x 12' per horse.

TRANSPORTATION:

Horses can be transported by the Corolla Wild Horse Fund for a fee of \$.70 per mile. An additional \$17.00 per hour will be charged, if transportation (or return from transportation) occurs on a Saturday or Sunday or any evening after 5 p.m. (Mileage rate is subject to change in relation to current fuel prices.)

Adopters providing their own transportation, either with their own vehicles or hired transport must:

- Utilize standard covered stock trailers with no openings large enough for the horse to escape or to become entrapped.
- NO SINGLE HORSE TRAILERS, NO PICK-UP TRUCKS WITH STOCK RACKS
- Two horse trailers are allowed if the middle partition is removed.
- No horses may be tied.

CWHF has the right of final approval before any horse is loaded onto a trailer.

Adoption fee: \$615. (\$15.00 is for Horse of the Americas registration papers) A \$100 deposit is required with application. The deposit will be refunded if the application is denied. All payments can be made with cash, check, credit card or money order payable to: CWHF, Inc.



COROLLA WILD HORSE FUND I N C O R P O R A T E D

* P.O. Box 361* 1126 Schoolhouse Drive* Corolla, NC 27927
Phone (252) 453-8002 Fax (252) 453 -8073
www.corollawildhorses.com * info@corollawildhorses.com

ADOPTION APPLICATION

Please be as complete and accurate as possible. Feel free to add additional sheets if needed and please call should you have any questions. Our goal is a successful long-term placement of the horse(s).

(Please print full name)

Name(s) _____

(Complete address - both physical and mailing)

Address: _____

Mailing address, if different than above: _____

Home Phone # _____ **Work #** _____ **Cell or pager #** _____

Fax # _____ **E mail Address:** _____

Occupation(s): _____

Please give your reason for wanting to adopt a Corolla Wild

Horse: _____

Preference: Gelding: _____ Mare/Filly: _____ No preference: _____

Age: 1 – 2 yrs.: _____ 3 or older: _____ **Number of horses requested** _____

(Stallions are available only to persons who qualify as a breed conservation site)

Have you ever been the primary caregiver of a horse? Please describe.

Please describe the facility where you will keep your Corolla wild horse, including acreage, type of shelter, and type of fencing.

Please provide your veterinarian's name, address, and phone number. Your signature on this application constitutes your authorization for your veterinarian to provide us with information about you and help us to monitor the well being of the adopted horse.

Name: _____

Address: _____

Phone: _____

I hereby agree that the above information is true, complete and correct, and I understand it will be the exclusive decision of the CWHF, Inc. to accept or deny the application. I further understand and agree to all parts of the adoption application and understand that this agreement is legally binding. In addition I further understand and agree to pay a non-refundable adoption fee of \$615.00. A \$100.00 deposit must be sent in with this application. The balance of \$515.00 is due upon pick up of the horse. I also understand if I am not accepted, my \$100.00 will be refunded to me by check from the CWHF, Inc.

Signature _____ Date _____

Signature _____ Date _____

This page is to be filled out upon receipt of a horse, do not write on this page!

Horse Assignment

Recorded Name of Horse and ID# _____

Sire and ID# _____ Dam and ID# _____

Year Foaled _____ Sex _____ Color _____

Markings _____

(photograph and adoption certificate at time of adoption)

_____ (Adopter) agrees to adopt and the CWHF Inc. agrees to transfer the horse described above according to the terms of the Agreement.

The agreement is governed by applicable federal and state laws and jurisdiction shall be in the appropriate venue closest the CWHF Inc.

This Agreement is entered into this the _____ day of _____, _____ at Corolla, North Carolina, Currituck County.

_____ (CWHF INC.) _____ (ADOPTER)



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ADOPTION AGREEMENT

1. Adopter will have 60 days from the acceptance notification date of the preliminary adoption application to complete facilities as described in the application. Adoptions will be finalized only after facilities have been completed and approved by CWHF.
2. Upon notification of approval for adoption, adopter will have 60 days to pick up the horse(s), or arrange for the Corolla Wild Horse Fund to transport. After 60 days, a boarding fee of \$10.00 per day will be charged per horse up to 15 additional days. At the end of the 15 day extension, the agreement will become null and void and the \$100.00 adoption deposit will be forfeited.
3. If the CWHF decides that the 60 day pick-up requirement should be waived for the benefit of the horse (example – health issue), no boarding fee will be charged.
4. Examination of the horses prior to the adoption is the sole responsibility of the adopter. The CWHF will provide all past health records to the adopter at time of pick-up.
5. In the event that the adopter relinquishes the horses to the CWHF during the first year of possession, the adoption is null and void, with all fees forfeited.

- 6. The horse(s) must be kept and maintained in good condition in a compliant facility. Horses not properly kept may be repossessed by an agent of the CWHF and adoption fees will be forfeited.
- 7. The adopter may not give, transfer, sell, or otherwise dispose of the adopted horse(s) within the first year of adoption.
- 8. CWHF reserves first right of refusal if an owner cannot keep the horse(s).
- 9. If the adopter wishes to give, transfer, sell or otherwise relinquish the adopted horse(s) from their care, the Corolla Wild Horse Fund, Inc. must be notified and the new adopter must be approved by the Fund. If the new adopter is NOT approved, the Corolla Wild Horse Fund retains the right to repossess the horse(s).
- 10. If the transfer of ownership is approved by the Corolla Wild Horse Fund, it becomes the responsibility of the new owner to transfer HOA registration to their name.
- 11. CWHF representatives retain the right to check on the horse(s) at any time.
- 12. If the horse becomes deceased, adopter must notify CWHF within 48 hours.

Sign and date if you understand and agree to all the conditions listed above.

Signature: _____ Date: _____

Response to Problem Horses

The general nature of the Colonial Spanish Mustang breed is to be gentle, curious, and extremely intelligent. They are an ancient breed that is listed as critically endangered/nearly extinct. The wild CSMs residing on the Currituck Outer Banks have approximately 7,544 acres of accessible land north of Corolla. The Corolla Wild Horse Fund has divided the area into Zones 1 through 4 and documents the harems and bachelors living within each zone. Zone 2 (Currituck National Wildlife Refuge) is the only Zone without residential dwellings. According to the Currituck County Planning Department (July 20, 2011), there are 3,150 platted lots with 661 approved dwellings (20.9% built out).

The 11 mile stretch of beach from the RT 12 terminus to the VA/NC line is considered to be a public road. No permitting restrictions exist except for a requirement that all ATVs be permitted. A 2010 traffic count documented over 1,200 vehicles driving on the beach with over 3,500 passengers in a 12 hour period. The count was done only on northbound vehicles. The existence of 661 dwellings combined with thousands of people to occupy them and thousands of vehicles to transport them creates management challenges not experienced by any other wild horse management entity. In addition, it is estimated that each of the 10 commercial wild horse tour companies take an average of 10,000 customers annually onto the north beach. The influx of thousands of people and thousands of vehicles has a demonstrable effect on horse/human interactions. Although there are a multitude of signs and a wide variety of education methods in place, violations of the Currituck Wild Horse Ordinance occur with great frequency, especially from Memorial Day to Labor Day when tourism is at its peak. The two most frequently observed violations are intentionally approaching wild horses closer than 50 feet and feeding. Both approaching and feeding have habituation as a consequence. As a result, the wild horses have developed varying degrees of tolerance for proximity to humans:

Habituated: Accepts the presence of humans but moves away when approached or when actions are taken by humans to drive horse away. Will consume human food if offered or left in an accessible location.

Severely Habituated: Approaches vehicles and will put their head in a window or sniff occupants in an open vehicle. Readily approaches humans and does not move away when approached. Tolerates human touch. A high degree of action is required to move the horse away.

Problem: Challenges humans for food; approaches humans under beach umbrellas, sitting in beach chairs, etc. on a regular basis; consistently overturns garbage cans; bites clothing or skin; refuses to move from a location. A horse deemed a problem horse jeopardizes the safety of persons or property.

INDIVIDUAL HORSE INTERACTIONS

The direct interactions between horses and humans result from both the horse's curious nature and the opportunity for people to intentionally or accidentally interact with horses

Horses in the developed areas are exposed, both actively and passively, to readily available human food sources. In general, horses learn about human food by receiving handouts or by following habituated horses. The behaviors of raiding garbage cans, tents and coolers is a behavior primarily passed on from horse to horse. Learning to exploit this available food probably depends primarily on whether the horse is a resident or migrant, and also to a degree the age at which the horse is introduced to human food.

It is not uncommon for interactions to occur simply due to a person's close proximity to horses. As social animals, there are constant hierarchical exchanges. Mares are often stolen from rival stallions and fierce fighting between stallions is common. There are also individual reactions to insect bites, thirst and grooming needs. Horses react to individual and band pressures with little or no regard to proximate humans, and their resulting actions can and do result in human impacts. Humans may be bitten, kicked, knocked down or stepped on as the horses interact with each other or respond to outside stimuli. There are also some horses that simply don't tolerate close interactions with people.

Response Procedures

The CWHF employs the use of dashboard cameras that record continuously. If a CWHF staff/ volunteer observes visitors feeding or petting a horse, or standing at a distance that appears to be too close for the particular situation, that staff/ volunteer should approach the person and inform them of Currituck County's Wild Horse Ordinance and the potential dangers of horse interactions. These may include vehicle accidents, bites, kicks, and/or property damage. A brochure or other relevant handout should be distributed. If the individual(s) continue the noncompliant behavior they should be told that charges will be filed against them if they do not comply immediately. If noncompliance continues or the individual(s) become threatening, law enforcement should be called. (252-232-2216 non- emergency/911 emergency)

When CWHF staff/ volunteer observes or receives a report of a nearby horse feeding, the staff/ volunteer should verify the location, activity, and the behaviors of visitors in the area. When the CWHF employee/ volunteer verifies that people are interacting with horses, (feeding, petting, dumping food, chasing etc.) the violators should be informed about the Currituck County Wild Horse Ordinance and that they are violating the law. If they refuse to comply, or become combative, a law enforcement officer should be requested to investigate the incident. A photograph or video of the incident should be taken if the staff or volunteer can safely do so if they are not in a camera equipped vehicle.

Staff/volunteers responding to potential problem horse interactions should have basic training in: safety around horses; how to move horses (distraction techniques); how to safely separate horses and the public

When a trained person responds to a horse incident, they should try to ascertain whether the interaction was:

- 1) accidental – person(s) unintentionally too close to a horse, or normal behaviors resulted in property/persons being affected.
- 2) intentional – person(s) intentionally approached, enticed or lured the horse.
- 3) food instigated - horse responded to the presence of accessible food, or
- 4.) problem horse behavior - horse's action appears to have resulted from some aggressive intent.

Accidental or Simple Habituation:

The most common horse interaction scenario in the developed area involves horses harassed by insects, people scaring or crowding horses, stallions herding their bands, or multiple stallions fighting or causing a stampede. During these events, people may be bitten, kicked, pushed or knocked over, vehicles dented, or tents knocked down.

An interaction resulting from an accidental encounter will normally rectify itself. Visitors may need advice on keeping a safe distance from horses or horses may need to be moved from the immediate area.

If a horse has a simple habituation it will often discontinue feeding when approached by people or following some simple distraction. Basic distraction techniques include walking purposefully towards the horse, speaking in a loud firm voice, waving and clapping hands, whistles, waving a branch, tapping with a lounge whip, etc. Distraction techniques should not startle the horse into running, especially if there are people or moving vehicles in the area. Use only enough pressure to get the horse walking away from the site.

Food Instigated Interactions:

A horse responding to food could be behaving under any of the levels of habituation. Horses that are severely habituated will be reluctant to leave an area with food, and after being displaced, will likely return for the food soon after distraction techniques are stopped.

The responding staff/ volunteer should assess the situation and the horse's response to human presence and actions. Distraction techniques should not startle the horse into running, especially if there are people or moving vehicles in the area. Only enough pressure to get the horse walking away from the site should be used. Begin with basic distraction techniques in order to move the horse away from the food. Intermediate techniques include running towards the horse, shouting, waving a towel or shirt, cracking a whip near the horse, etc. The highest level of distraction is the use of a whip on the hindquarters of the horse (in most cases this is not an appropriate technique in view of the public). When running towards a horse in an attempt to scare it off, initially run towards the head. Then when the horse has started to move off, continue approaching it from the rear, or side if you are trying to turn it. Whenever you approach a horse from the rear or side, always stay clear of the horse's kicking range. During all levels of distraction, be sure that the public and moving vehicles are not in the path in which you intend to move the horse. Also, be aware that a horse may not move in the direction you choose. Problem horses can be very stubborn. You must communicate aggression to the horse to get it to move. They will ignore a timid or tentative effort, and at worst could turn on you, though this is an unlikely reaction for all but the boldest horses.

Once the horse is moved from the scene, the food should be secured and the violator served with the appropriate level of enforcement.

Problem Horse Behavior:

When a report is filed which indicates the activities of a potential problem horse, the closest available staff or volunteer should respond to verify if the horse is still at the reported location.

If the horse has moved on, the responding individual should verify the incident. If the activity indicates a problem horse situation, and the horse can be identified (photo, video, etc.) a Data Sheet (Appendix A) should be filled out as completely as possible and forwarded to the Herd Manager. If there is no information as to which horse caused the incident, a verbal or written message including the damage, location and time, should be directed to the Herd Manager. If similar incidents are occurring frequently, a note listing multiple incidents is preferred.

If the horse remains at the scene of a human injury or property damage, a trained response person or the Herd Manager should be notified immediately and dispatched to the scene in order to prevent additional injury or property damage. In the event that the Herd Manager is not available or too far away to respond in a timely fashion, the COO/CEO should be called. Until they arrive on the scene, the responding individual should continue to make observations of any behaviors and insure the safety of any other employee/volunteer or visitor. All injuries should be handled under the normal EMS response (see also the Horse to Human Injury section).

Whenever a CWHF staff/volunteer responds to a problem incident, they should fill out a Data Sheet including a description of the behaviors (list your observations under the Horse's Condition section). A horse that begins to show constant aggression to humans, vehicles or inanimate objects may be suffering from a disease or a head injury.

Working with Harems

Other than direct interactions with visitors and their property, horses can cause management concerns simply by their presence and numbers at particular locations. Common harem activities which may cause concern include:

- 1) multiple groups on the beaches
- 2) roadside or beach presence causing traffic congestion

1. Multiple horse groups on the beaches

During severe biting insect infestations or days with high heat and humidity, many of the horses will spend a good portion of their time on the beach. These horses are under stress from several sources, including insect bites, heat, the need to control mares, and keeping a distance from other stallions. Fighting stallions and running bands are common. Mixing highly stressed horses and crowded beaches and vehicular traffic increases the potential for injuries.

Response Procedures

Stallions tolerate each other fairly well in crowded beach situations, so in most cases the harems should be left alone. Staff/volunteers working around the beaches should keep an eye on stallions since they will initiate most interactions. As long as they are lying down, resting a hind leg, standing with neck horizontal and ears relaxed or interacting only with members of their own harem, they may be left alone. If two stallions begin to show behaviors such as walking towards each other with heads raised and ears forward, standing with muzzles together, necks arched and squealing, visitors around the stallions should be alerted that the horses may begin fighting and that they may want to move.

It is easier and safer to move people than to attempt moving horses. Under most situations, simply monitor the horses and advise at-risk visitors when horse interactions are likely. Only trained personnel should attempt to move horses. Only under extreme conditions should an attempt be made to move horses on a crowded beach, and then, only if enough personnel are on hand to do it safely.

If an attempt is made to move horses on a crowded day, there must be enough personnel to clear all visitors out of the intended pathway before the move begins. An effective method is to clear a path for the horses toward the dunes, if possible. The move must be slow. If any horse in the band begins to trot or run, the push should cease until the fast moving horse stops. If a horse begins to turn to the high beach, the push should stop until the individual horse is pushed back over the dunes. If the stallion is too reactive or the flies too bothersome, there is not much a staff/volunteers can do to alleviate the situation. The horses should be monitored and all visitors educated to stay within the 50 foot law.

Roadside bands causing traffic congestion

Horses along developed area sand roads, on the beach, on the dunes, and the terminus of RT 12 draw the attention of many visitors. During high visitation days, visitors stopping for a view of horses can impede traffic flow and hamper travel.

Response Procedures

Staff/volunteers should use their discretion when a traffic jam is observed along the primary roads. Patience and a little time may be all that is necessary before the situation is resolved. For particularly bad traffic jams when random driving and numerous pedestrians result in a safety concern, law enforcement should be called in order to restore normal traffic flow. A trained staff or volunteer should move the horses off of the road first. Generally when the horses move off most visitors will return to their vehicles and continue on their way. They may be moved through normal distraction techniques. Horses should be moved slowly, and an attempt should be made to keep all horses to the same side of the road. Watch for moving vehicles, bicycles and bystanders when you begin.

Horse to Human Injury

Horse bites may result from either accidental or intentional horse behavior. Because of the power of a horse's jaw muscles, the resulting injury could be severe. In addition, a horse bite could transmit the rabies virus. Although rabid horses are rare, the current County Health Department protocols state that any mammal bite should be treated as a potential rabies exposure. In addition, any person witnessing a mammal bite is required by law to report that bite to Currituck Animal Control.

The response to horse bites should address three concerns:

- 1) the extent of the injury
- 2) the potential for disease exposure
- 3) identifying the responsible horse

Response Procedures

Visitors are often embarrassed or frightened when bitten by a horse. Often, it is because they did something they know they should not have done. For this reason, they may not be totally honest in explaining the situation or the extent of injuries, and may not want to see law enforcement or emergency response personnel. CWHF staff receiving horse bite reports should encourage the injured party to seek the proper medical attention.

Whenever a staff/volunteer receives a report of a horse bite, they should inquire if the bite broke skin or may have caused internal injuries (bruised muscles or broken bones). If injuries are reported or evident, contact 911 for available emergency response personnel to evaluate the injury. If the party does not wish to contact emergency medical personnel, they should be informed that besides the injury itself, horse bites can transmit diseases including rabies and encourage them to have the injury examined/treated at a local medical facility. They should also be requested to report the bite to Currituck County Animal Control. Information on the person's name, address and phone number, and a vehicle description and license number should be collected if possible.

After emergency response procedures are attempted, the CWHF COO/CEO should be notified as soon as possible.

Animal Control requests that a horse be monitored for 10 days following a human biting incident. For these reasons, the bite victim should always be asked if they could identify the horse in question (any unique color or markings, sex, or did they happen to photograph it). If the identified horse is still in the area, staff/volunteer should photograph the horse if possible, or make a written description of the horse. Especially if the horse is a solid, unmarked color, recording the number of other horses with it along with photos or descriptions and pattern sketches of any uniquely marked individuals in its band can be crucial in identifying the horse.

All horse bites should be referred to a local medical facility. If site treatment is necessary to prepare the patient for transport, it must be handled as a standard EMS response.

Human to Horse Injury

Any observation of a person(s) causing injury to a horse should be immediately reported to Currituck County Sheriff's Department by calling 911. A complete description of the individual(s) and any vehicles (including license plate) should be given to the investigating officer.

After reporting the incident to police, the CWHF Herd Manager or CWHF COO/CEO should be notified. An accurate description of the horse (color, markings, color of mane and tail) and its last known location should be given to both the Sheriff's Department and CWHF.

Horse Removal

The decision to permanently remove a wild horse from its home area is based on the following:

- The horse has an injury or illness that is life threatening or impacts quality of life in a manner that ultimately threatens the horse's safety or survival.

- A foal that is orphaned or abandoned at an age that survival without its mother is not possible and all attempts to locate the dam are unsuccessful.
- Removal to reduce herd numbers to comply with public law.
- The horse is classified as a problem horse by the Herd Manager.

Criteria for removal for herd reduction:

- Males between the ages of 6 months and three years (unless the male to female ratio is 50/50 – then decisions regarding sex will be based on harem composition. Age criteria will remain the same). Young bachelors are preferable in order to not break up existing family groups.
- Horses with locking patellas or other physical abnormalities.

Capture:

Capture will be accomplished through gentle, safe, natural horsemanship techniques. Tranquilization drugs should be used only if immediate emergency treatment of a horse is necessary to stabilize the horse for transport; if the horse is at risk for serious injury during transport; or for the safety of staff and/or an attending veterinarian. The use of ropes or other types of restraints during capture is not permitted unless required for the purpose of rescuing or removing a horse from water or other dangerous confinement.

Transport:

Captured horses will be transported in a stock trailer large enough for them to safely turn around. No horse will be tied in a trailer.

Care and Housing:

Captured horses will be transported and housed at a facility appropriate to contain wild horses. A licensed veterinarian will examine the horse(s) and assess their health and dietary needs. All captured horses will be given coggins tests, vaccinated against equine diseases, and receive any other tests and procedures as recommended by the veterinarian.

In the case of a severely injured or sick horse, the veterinarian will assess whether the horse requires hospitalization at Dominion Equine Clinic in Suffolk, VA, can be successfully treated at the facility where they are housed, or is in need of humane euthanasia.

Because the diet of the Corolla horses in the wild is not supplemented with domestic horse food such as hay or grain, the transition to domestic horse food will not be instantaneous. Captured horses must be monitored daily by the Herd Manager or his/her designee to ensure that the horse's nutritional requirements are being met. In the case of orphaned foals, bottle feeding with Unimilk or a similar product must be done on a 4 to 6 hour schedule until the foal is capable of drinking water, milk replacer, and pelleted food.

Once the horse's health condition has been resolved, gentling and training will begin in order to ready the horse for physical adoption.



**CURRITUCK COUNTY
NORTH CAROLINA**

December 5, 2022

Minutes – Regular Meeting of the Board of Commissioners

WORK SESSION - 4:00 PM

1. One Boat Community Calendar

County Manager Ike McRee introduced Michael McOwen and Phil Forslund with OneBoat, Inc to discuss developing a Community Calendar for placement on the County's website.

Michael McOwen and Phil Forslund presented an overview of the Economic and Community Development of OneBoat, Inc. supporting growth of the Currituck Mainland. Mr. McOwen discussed OneBoat platform tools featured for local businesses to display and share material through a custom-built software. He provided examples of multiple information applications, comprehensive websites, and distribution of community events. Mr. McOwen discussed the estimated cost of site and platform development, business information writing and content development, and estimated monthly expenses. He provided an estimated four-month timeline and ongoing efforts of communication and participation. Mr. McOwen and Mr. Forslund responded to Commissioner's questions and concerns.

Following Board discussion consensus was to act at the next schedule meeting on December 19, 2022.

RESULT:	CONTINUED TO FUTURE MEETING	Next: 12/19/2022 6:00 PM
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2. Discussion of Volunteer Fire Operations and Service Delivery

Assistant County Manager, Rebecca Gay discussed the Volunteer Fire Operations and Service delivery. Mrs. Gay reviewed the scope of work of Fire and EMS assessment conducted in 2013, reviewed Volunteer Fire department contractual obligations, FY 2023 appropriations and the proposed contract revisions. Fire and EMS Chief Ralph Melton and Lieutenant Chris Bailey discussed performance standards and provided documentation of structure fire response times for each fire department and rosters. Corrective actions to ensure compliance with existing contracts were also discussed.

Following Board discussion, Commissioner McCord motioned to discuss revising language of fire contracts and review operating fund information at a work session scheduled in January 2023. Commissioner White seconded the motion. The motion carried 7-0

RESULT:	CONTINUED TO FUTURE MEETING
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6:00 PM CALL TO ORDER

Communication: Minutes-December 5, 2022 (Approval Of Minutes-December 5, 2022)

The Currituck County Board of Commissioners held a regular meeting at 6:00 PM in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina.

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 presentation of a community calendar and discussion of the Volunteer Fire Operations and Service Delivery.

A) Invocation & Pledge of Allegiance

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

ADMINISTER OATHS OF OFFICE FOR NEWLY-ELECTED OFFICIALS-RAY MATUSKO, CLERK OF SUPERIOR COURT

Clerk of Superior Court, Raymond Matusko, administered the Oaths of Office to Commissioners Michael Payment, J. Owen Etheridge, and Kevin McCord, all of whom won their re-election bids in November.

ELECTION OF BOARD CHAIR

North Carolina General Statute requires a Board of Commissioners to re-organize each year at its first meeting in December. County Manager Ike McRee opened the floor to receive nominations for Chairman. Commissioner McCord nominated Commissioner White to serve as Chair. Commissioner J. Owen Etheridge seconded the motion. No others were nominated, and the motion carried unanimously.

ELECTION OF BOARD VICE-CHAIR

Chairman White opened the floor to receive nominations for Vice-Chair. Commissioner Mary Etheridge nominated Commissioner Jarvis. Commissioner McCord seconded the motion. No others were nominated, and the motion carried unanimously.

RECESS

At 6:07 PM, Chairman White called a brief recess to re-seat Commissioners. The meeting reconvened at 6:15 PM.

APPROVAL OF AGENDA

Commissioner McCord moved to amend the agenda and deferred item PB 87-56 Monterey Shores, Phase 10, Part A at the request of the applicant's attorney. The item will be continued to the next regular scheduled meeting on December 19, 2022. Commissioner Jarvis seconded the motion. The motion carried, 7-0.

Approved agenda:

6:00 PM Call to Order

- A) Invocation & Pledge of Allegiance

Administer Oaths of Office for Newly-Elected Officials-Ray Matusko, Clerk of Superior CourtElection of Board ChairElection of Board Vice-ChairRecessApproval of AgendaEthics Awareness and Conflict of Interest ReminderPublic Comment

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

Commissioner's ReportCounty Manager's ReportCounty Attorney's ReportAdministrative Reports

- A) United States Air Force Cycling Team Memorial to Memorial Inaugural Event - Chief Master Sergeant Jack McCombs, US Air Force (Ret.)

- B) Presentation of Curbside Collection Survey Results-Rebecca Gay, Assistant County Manager

Old Business-Ordinance Second Reading

Ordinance of the Currituck County Board of Commissioners Amending Article IV, Chapter 12, of the Currituck County Code of Ordinances Regarding Parking Upon the Road or Shoulder of Still Water Court, Lost Lake Lane, and Bear Foot Path-Villages at Ocean Hill, Corolla

Public Hearings

- A) ~~PB 87-56 Monterey Shores, Phase 10, Part A Request for preliminary plat/special use permit for six lots (five single family residential and one commercial) at the proposed Corolla Boat Club, Monterey Shores, PUD, Phase 10. The property is located on Malia Drive in Corolla, Tax Map 116, Parcel 10, Poplar Branch (Beach) Township. **AMENDED-MOVED TO DECEMBER 19, 2022, MEETING**~~

- B) Public Hearing and Action: Local Historic Landmark Application for the Gideon C. Boswood, Jr. House located at 198 N. Gregory Road (Including 204 N. Gregory Road) in Shawboro, NC

New Business

- A) Recommendation of Award for Emergency Pumping Facilities, Ocean Sands North and Crown Point Service District for Watershed Improvements, and Delegate Signature Authority to County Manager

- B) Recommendation of Award-Drainage Improvements at Bonito Street, Whalehead Subdivision, and Authorize County Manager to Execute Contracts

- C) Recommendation of Award for Construction of the Corolla ABC Store and Authorize County Manager to Execute Contracts

- D) Public Works Building Design-Build Amendment Guaranteed Maximum Price

(GMP) and Delegation of Signature Authority to County Manager

E) Consideration of License Agreement Allowing Use of County-Owned Property by Carova Beach Volunteer Fire and Rescue for Parking and Boat Mooring

F) Consent Agenda

1. Budget Amendments
2. Project Ordinance-Aviation Fuel Farm
3. Vehicle Surplus Resolution-EMS
4. Affirmation of Sheriff's Bond
5. Sheriff's Office-Return Equipment Received from Law Enforcement Support Office for Transfer
6. Records Disposal-Permits and Inspections
7. Approval Of Minutes-November 7, 2022; November 14, 2022

Adjourn

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin E. McCord, 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

ETHICS AWARENESS AND CONFLICT OF INTEREST REMINDER

Commissioner Mary Etheridge read the Ethics Awareness and Conflict of Interest Reminder. No conflicts were disclosed.

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 White opened the Public Comment period.

Barbara Snowden, Currituck resident, congratulated Chairman White, and Vice-Chair Jarvis on their new roles. Mrs. Snowden announced the upcoming 300-year anniversary of the Historic Courthouse in March 2023. She requested direction from the County on how to proceed with the celebration. Mrs. Snowden also announced the 250th anniversary and celebration of the formation of Currituck County in 2024. North Carolina American 250th planning committee has started making plans for the celebration and invited all to attend Monday, December 12, 2022, at 7:00pm located the Barco Library. Loraine Umphlett, a published author, and a member of the planning committee will be speaking about the North Carolina Revolutionary before it was a thing.

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

COMMISSIONER'S REPORT

Chairman White thanked Commissioner Payment for serving as Chairman for the past few years, thanked Vice-Chair Jarvis for moving into her new role as Vice-Chair. Chairman White spoke about the work session item regarding a community calendar dedicated to the

mainland business owners.

Commissioner J. Owen Etheridge attended the North Carolina Association for Commissioner legislative goals conference and found the information beneficial for Currituck County and citizens. Mr. Etheridge recognized the Curri-Shuck Event and success of this year's Christmas Parade.

Commissioner McCord thanked all who assisted with the Annual Christmas Parade. Mr. McCord praised the Cooperative Extension staff, Volunteers, and the public for attending.

Commissioner Beaumont thanked Commissioner McCord for his hard work and commended the Christmas Parade and expressed during this time of year how important it is to focus on family and each other.

Vice-Chair Jarvis voiced appreciation to the Board for allowing her to serve as Vice-Chair. Mrs. Jarvis praised the Christmas Parade, the involvement of the community and expressed her hopes of joy for everyone this season.

Commissioner Mary Etheridge congratulated Chairman White and Vice-Chair Jarvis on their new roles. Mrs. Etheridge congratulated all on their success during the November 8, 2022 elections and shared tribute to Will Craddock.

Commissioner Payment praised candidates' success during the November 8, 2022 election and looks forward to working with the members of this Board. He thanked Commissioner McCord for his hard work and commended the Christmas Parade.

COUNTY MANAGER'S REPORT

County Manager Ike McRee recognized Emergency Management Director Mary Beth News for assisting with a disabled sailboat Saturday morning, containing 150 gallons of fuel on board that needed to be unloaded to prevent any kind of spills from occurring. Mrs. News spent the entire day coordinating and handling the incident appropriately along with other county employees.

Mr. McRee provided an update on the structural analysis of the Historic Courthouse and identified recommendations for repairs.

He reminded the Board of the Employee Holiday Christmas Luncheon scheduled for December 22, 2022 and asked for direction to continue tradition of the Board granting employees the remainder of the day off. Mr. McRee also requested direction to cancel the January 3, 2023, Board of Commissioners meeting due to the holiday schedule and effective days to prepare an agenda. Board directed to move forward with continuing the Employee Luncheon process and cancel the January 3, 2023, regular meeting.

COUNTY ATTORNEY'S REPORT

County Attorney Megan Morgan informed the Board of depositions being called this week for the federal case by the Campground Attorney and she is accompanied by Nick Herman the county's outside counsel. Mrs. Morgan shared the upcoming Board of Adjustments meeting scheduled Thursday, December 8, 2022.

ADMINISTRATIVE REPORTS**A. United States Air Force Cycling Team Memorial to Memorial Inaugural Event - Chief Master Sergeant Jack McCombs, US Air Force (Ret.)**

United States Air Force Retiree Chief Master Sergeant Jack McCombs discussed the United States Air Force Cycling Team inaugural Memorial to Memorial bike event held in September; The event was a four-day bicycle ride that began at the Wright Memorial in Kill Devil Hills to the United States Air Force Memorial located close to the Pentagon in Northern Virginia. This will become an annual event to celebrate the creation of the United States Air Force with the objective to raise funds for Air Force and Space Force families in need, particularly, wounded airmen. The Currituck County's Sheriff's Department provided service that ensured the safety of cyclists while cycling through the county. The Air Force Cycling Team presented a photographic gift that reflects its appreciation for the Currituck Sheriff's Department assistance. Chief McCombs thanked Lieutenant Kevin McCord for providing safety for the cyclists and presented the group photograph to Corporal Tom Vorhees recognizing him for his participation, local knowledge, and service.

B. Presentation of Curbside Collection Survey Results-Rebecca Gay, Assistant County Manager

Assistant County Manager Rebecca Gay reviewed results of Moyock Township residents survey to implement Curbside Solid Waste Collection. Staff recommended moving forward with curbside collection and requested the Boards direction. Following Board discussion concerning estimated monthly costs, expanding convenience sites, and curbside service policies Commissioner McCord motioned to deny moving forward with curbside collection. Commissioner Jarvis seconded the motion. The motion carried 4-3. Commissioner Mary Etheridge, Beaumont, and Payment opposed. Board directed staff to proceed forward with expanding the Moyock convenience site and provide costs of the necessary improvements.

RESULT:	DENIED [0 TO 7]
MOVER:	Kevin E. McCord, Commissioner
SECONDER:	Selina S. Jarvis, Commissioner
NAYS:	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

OLD BUSINESS-ORDINANCE SECOND READING**A. Ordinance of the Currituck County Board of Commissioners Amending Article IV, Chapter 12, of the Currituck County Code of Ordinances Regarding Parking Upon the Road or Shoulder of Still Water Court, Lost Lake Lane, and Bear Foot Path-Villages at Ocean Hill, Corolla**

County Attorney Megan Morgan reviewed the language changes to the County's Ordinances to allow enforcement of parking regulations on three additional roads in the Villages at Ocean Hill subdivision. Originally presented November 7, 2022, a second

reading of the Ordinance was required due to the absence of Commissioner White. Commissioner Beaumont moved for approval and Chairman White second the motion and the motion carried, 7-0

AN ORDINANCE OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS AMENDING ARTICLE IV, CHAPTER 12 OF THE CURRITUCK COUNTY CODE OF ORDINANCES REGARDING PARKING UPON THE ROAD OR SHOULDER OF STILL WATER COURT, LOST LAKE LANE, AND BEAR FOOT PATH

WHEREAS, pursuant to N.C. Gen. Stat. §153A-121 a county may by ordinance define, regulate, prohibit, or abate acts, omissions, or conditions detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the county; and

WHEREAS, pursuant to N.C. Gen. Stat. §§153A-139 the governing body of a county may, by ordinance, regulate the stopping, standing, or parking of vehicles in a privately owned public vehicular area, provided the owner or person in general charge of the operation and control of that area requests in writing that such an ordinance be adopted; and

WHEREAS, Villages at Ocean Hill Community Association, Inc. is the owner of the land upon which that street or road known as Still Water Court, Lost Lake Lane, and Bear Foot Path, is located, and have requested in writing this ordinance be adopted in a resolution, which is attached hereto as Exhibit "A."

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners for the County of Currituck, North Carolina as follows:

PART I. The Code of Ordinances, Currituck County, North Carolina is amended by rewriting Section 12-62(3) to read as follows:

- (3) No person shall park a vehicle or permit it to stand, whether attended or unattended, upon the roads or shoulders of the roads located within or leading to the subdivision known as The Villages at Ocean Hill such roads being Ocean Trail, Windance Lane, East Ocean Hill Boulevard, Ocean Hill Court, Windjammer Court, Homeport Court East, Homeport Court West, Fourwinds Court, Lakeside Drive, Clearwater Lane, North Lake Court, Crystal Lake Court, Lakeside Court, Fairwinds Lane, West Ocean Hill Boulevard, Bluewater Court, North Beach Access Road, Head Wind Way, Stillwind Court, ~~and Sandcastle Drive, Still Water Court, Lost Lake Lane, and Bear Foot Path,~~ unless the vehicle is disabled to such an extent that it is impossible to avoid stopping and temporarily leaving a vehicle upon the paved or main traveled portion or shoulder of the roads names in this subdivision.

PART II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART III. This ordinance is effective upon adoption.

ADOPTED this _____ day of _____, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul M. Beaumont, Bob White
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

PUBLIC HEARINGS

A. PB 87-56 Monterey Shores, Phase 10, Part A

This item was removed from the agenda and will be continued at the December 19, 2022 meeting.

RESULT:	WITHDRAWN	Next: 12/19/2022 6:00 PM
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B. Public Hearing and Action: Local Historic Landmark Application for the Gideon C. Boswood, Jr. House located at 198 N. Gregory Road (Including 204 N. Gregory Road) in Shawboro, NC

STAFF REPORT HPC 22-01 GIDEON C. BOSWOOD, JR. HOUSE LOCAL HISTORIC LANDMARK DESIGNATION BOARD OF COMMISSIONERWS DECEMBER 5, 2022

APPLICATION SUMMARY	
Property Owner: Stuart C. & Mary Jo Windley 198 N. Gregory Road Shawboro, NC 27973	Applicant: Stuart C. Windley 198 N. Gregory Road Shawboro, NC 27973
Case Number: HPC 22-01	Application Type: Local Historic Landmark
Parcel Identification Numbers: 0027-000-003I-0000 (house) 0027-000-003D-0000 (lot) Property Addresses: 198 North Gregory Road & 204 North Gregory Road	Existing Use: Single-Family Dwelling
Property Listed in Inventory: Yes	Inventory Property Number: CK0266
Property Name: Gideon C. Boswood, Jr. House	

Stuart C. & Mary Jo Windley, owners of the Gideon C. Boswood, Jr. House have submitted a complete application for Local Historic Landmark Designation.

Staff reviewed the material submitted and issued a Local Landmark Designation Report to the State Historic Preservation Office (the "SHPO") on July 1, 2022. On July 29, 2022 the

SHPO issued a letter indicating that the report satisfies all of the requirements outlined in the HPO guidelines and provides sufficient information to determine whether the Gideon C. Boswood, Jr. House possesses the requisite special local significance and integrity for local historic landmark designation.

Staff Recommendation:

Staff recommends approval of the ordinance designating the Gideon C. Boswood, Jr. house and surrounding property at 198 & 204 N. Gregory Road as a Local Historic Landmark.

Historic Preservation Commission (HPC):

The HPC held a public hearing on November 15, 2022 at 6:30PM in the Historic Currituck Courthouse. Jennie Turner, Senior Planner presented the Local Landmark Report and the proposed designating ordinance. Stuart & Mary Jo Windley, property owners, were present. The HPC recommended that the Board of Commissioners designate the property as a Local Historic Landmark.

Senior Planner Jennie Turner provided an overview of the application requesting an historic landmark designation for the Gideon C. Boswood, Jr. house and surrounding property at 198 & 204 N. Gregory Road, located in Shawboro, North Carolina. She reviewed the process followed for identification of historic sites in the county and criteria for historic designation. Comments from the North Carolina Historical Preservation Commission were presented. Mrs. Turner used a powerpoint to display photos of the property while describing the structure's historical significance. Mrs. Turner said staff recommends approval of the designation. She responded to questions posed by Commissioners and Stuart & Mary Jo Windley, property owners, were present.

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

Commissioner McCord moved for approval of the Ordinance designating the Gideon C. Boswood, Jr. house as a local Historic Landmark in Currituck County because the applicant has demonstrated that the property has both architectural and historical significance, and the property retains integrity of its design and setting. Commissioner Jarvis seconded the motion. The motion carried 7-0.

ORDINANCE DESIGNATING A LOCAL HISTORIC LANDMARK

**GIDEON C. BOSWOOD, JR. HOUSE
198 AND 204 N. GREGORY ROAD
SHAWBORO, NORTH CAROLINA**

WHEREAS, Chapter 160D-945 of the North Carolina General Statutes provides for the designation of historic landmarks; and

WHEREAS, Currituck County has created a Historic Preservation Commission (the "commission") as a historic preservation commission having the authority to exercise the powers and

duties conferred by Section 2-266 of the Currituck County Code of Ordinances; and

WHEREAS, the Gideon C. Boswood, Jr. House is located at 198 North Gregory Road and adjoining a vacant parcel at 204 North Gregory Road in Shawboro, North Carolina and bearing tax parcels 0027-000-003I-0000 and 0027-000-003D-0000 (“the Properties”); and

WHEREAS, the Properties are owned by Stuart C. and Mary Jo Windley who consented to the landmark designation; and

WHEREAS, the commission issued a Local Landmark Designation Report in November 2022, recommending designation of the Properties as a local historic landmark; and

WHEREAS, as set forth in the detail in the Local Landmark Designation Report, the commission has determined that the Properties are of special significance in terms of historical and architectural importance and possess integrity of design, setting, workmanship, materials, feelings, and association; and

WHEREAS, the Landmark Designation Report was submitted to the State Historic Preservation Office (“SHPO”) of the North Carolina Department of Cultural Resources for review and comment; and

WHEREAS, the SHPO reviewed the Local Landmark Designation Report and issued a letter of comment dated July 29, 2022 in which it noted that “the Boswood House is of special local significance in Currituck County because of its architectural integrity and its association with Gideon C. Boswood, Jr., a prominent farmer, merchant and politician.”; and

WHEREAS, the commission held a duly-noticed public hearing on November 15, 2022, with respect to this ordinance and designation of the Property as a local historic landmark as contemplated herein, and following said hearing voted to confirm its recommendation that the Currituck County Board of Commissioners designate the Property as a local historic landmark; and

WHEREAS, the Currituck County Board of Commissioners held a duly-noticed public hearing on December 5, 2022, with respect to this ordinance and designation of the Property as a local historic landmark as contemplated herein, and following said hearing voted to confirm its recommendation that the Currituck County Board of Commissioners designate the Property as a historic landmark; and

WHEREAS, the Currituck County Board of Commissioners has taken into full consideration any information offered at the public hearing and the information contained in the commission’s Landmark Designation Report; and

WHEREAS, the Currituck County Board of Commissioners finds that the Property is of special historical, architectural, and cultural significance, and possesses integrity of design, setting, workmanship, materials, feelings, and/or association, as described in the Landmark Designation Report and the SHPO comment letter; and

WHEREAS, the Currituck County Board of Commissioners finds the Property’s preservation should be encouraged and ensured.

NOW, THEREFORE, BE IT ORDAINED as follows:

Section 1: Currituck County Board of Commissioners hereby designates the Gideon C. Boswood, Jr. House located at 198 North Gregory Road and the adjacent vacant parcel at 204 North Gregory Road in Shawboro, North Carolina as a Local Historic Landmark, to include the entire area of both parcels and all exterior features of the Property.

Section 2: The review process provided by Section 2-271 of the Currituck County Code of Ordinances as amended shall be observed prior to demolition, alteration, rehabilitation, restoration, or removal of any exterior elements of the designated Property.

Section 3: In the event relocation, demolition or destruction of the Property is authorized as provided by law, such action may be delayed up to 365 days as provided by Section 2-274 of the Currituck County Code of Ordinances.

Section 4: Nothing herein shall be construed to prevent or delay the ordinary maintenance or repair or any exterior feature of a historic local landmark, provided such maintenance or repair does not involve a change in design, material or appearance of the historic local landmark; the construction, alteration, relocation, or demolition of any feature, building or structure when the chief building inspector certifies to the commission that action is necessary to the public health or safety because of unsafe or dangerous conditions; or the maintenance of, or, in the event of an emergency, the immediate restoration of any existing above ground utility structure without approval by the commission.

Section 5: Nothing herein shall be construed to prevent the owner of the historic landmark from making any use of the historic landmark not prohibited by other statutes, ordinances or regulations. Owners of locally designated historic landmarks are expected to be familiar with and to follow the *Currituck County Historic Landmark Design Guidelines*, the guidelines used by the commission to evaluate proposed alterations or additions.

Section 6: That a suitable sign or plaque may be posted indicating that said property has been designated as a local historic landmark.

Section 7: That the owners of the local historic landmark known as the Gideon C. Boswood, Jr. House shall be given notice of this ordinance as required by applicable law and that copies of this ordinance be filed and indexed in the office of the Currituck County Register of Deeds as required by applicable law.

Section 8: That which is designated as a local historic landmark shall be subject to Chapter 160D of the General Statutes of North Carolina as amended.

ADOPTED and effective the ____ day of _____, 2022.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Kevin E. McCord, 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. Recommendation of Award for Emergency Pumping Facilities, Ocean Sands North and Crown Point Service District for Watershed Improvements, and Delegate Signature Authority to County Manager

County Engineer Eric Weatherly reviewed the bid for installation of three 12" emergency pumping outfall pipes located in Crown Point, the Lake in Section O, and Section F. The pipes will be buried and serve as a permanent connection point for emergency portable pumps during major storm events. The project received two bids and lowest bid was from Eastern Carolina Construction Inc. in the amount of Five Hundred Sixty-Eight Thousand Two Hundred Fifty dollars and no cents (\$568,250.00) The bid documents and Contractor's qualifications have been reviewed and found satisfactory. Staff recommend award of the project to Eastern Carolina Construction Inc. Staff also request delegation of contract execution authority to the County Manager for this contract. Chairman White moved for approval; Commissioner Jarvis seconded the motion. The motion carried 7-0.

RESULT:	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

B. Recommendation of Award-Drainage Improvements at Bonito Street, Whalehead Subdivision, and Authorize County Manager to Execute Contracts

County Engineer Eric Weatherly discussed the drainage improvements at Bonito Street project consisting of 6" and 8" force main pipe installation and other site work to include life stations, electrical work, grading, shoring excavation, drainpipe installation, pavement, planting, and erosion control. One bid was received from Enviro-Tech Unlimited Construction Services, LLC in the amount of One Million Four Hundred Ninety-Nine Thousand Six Hundred Twenty-Five dollars and no cents (\$1,499,625.00) The bid documents and Contractor's qualifications have been reviewed and found satisfactory. Staff recommend award of the project to Enviro-Tech Unlimited Construction Services, LLC. Staff also request delegation of contract execution authority to the County Manager for this contract. Commissioner Beaumont moved for approval; Commissioner White seconded the motion. The motion carried 7-0.

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

C. Recommendation of Award for Construction of the Corolla ABC Store and Authorize County Manager to Execute Contracts

Assistant County Manager Rebecca Gay reviewed the Corolla ABC Store construction project consisting of completion of site and building of the store. Construction includes completion of parking lot, sidewalks, roof drainage system, grading, landscaping, and building on an existing concrete slab on site. The project received two bids and low bid was from A.R. Chesson Construction Co., Inc in the amount of One Million Eight Hundred Twenty-Eight Thousand dollars and no cents (\$1,828,000.00) The bid documents and Contractor's qualifications have been reviewed and found satisfactory. Staff recommend award of the project to A.R. Chesson Construction Co. Inc. Staff also request delegation of contract execution authority to the County Manager for this contract. Commissioner Mary Etheridge moved for approval; Commissioner Payment seconded the motion. The motion carried 7-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, 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

D. Public Works Building Design-Build Amendment Guaranteed Maximum Price (GMP) and Delegation of Signature Authority to County Manager

Assistant County Manager Rebecca Gay presented the Public Works Maintenance Building guaranteed maximum price. Staff also requested delegation of contract execution authority to the County Manager for this contract. Commissioner Beaumont moved for approval; Commissioner Jarvis seconded the motion. The motion carried 7-0.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Paul M. Beaumont, Vice Chairman
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

E. Consideration of License Agreement Allowing Use of County-Owned Property by Carova Beach Volunteer Fire and Rescue for Parking and Boat Mooring

County Attorney Megan Morgan discussed the license agreement requesting permission to use a portion of a County-owned lot for vehicle parking and as a boat mooring area. The lot is located across from the Carova Beach fire department. Chairman White moved to approve; Commissioner Owen Etheridge seconded the motion. Motion carried 7-0.

**NORTH CAROLINA
CURRITUCK COUNTY**

LICENSE AGREEMENT

THIS LICENSE AGREEMENT, to be effective as of the ____ day of December 2022, by and between **COUNTY OF CURRITUCK, NORTH CAROLINA**, body corporate and politic existing pursuant to the laws of the State of North Carolina, hereinafter “Licensor”, and **CAROVA BEACH VOLUNTEER FIRE AND RESCUE, INC.**, a non-profit corporation organized pursuant to the laws of the State of North Carolina, hereinafter “Licensee”;

WITNESSETH

WHEREAS, Licensor is the owner of a certain tract of land located in Poplar Branch Township, Currituck County, North Carolina, the same being the land conveyed to it by deed recorded in Deed Book 1279, Page 797 of the Currituck County Registry; and

WHEREAS, Licensee is a North Carolina non-profit corporation and desires to use a portion of Licensor’s property more particularly described below for use as a vehicle parking lot and boat mooring area;

NOW, THEREFORE, the parties do mutually undertake, promise and agree as follows:

ARTICLE I

PREMISES, PRIVILEGES, USES, RIGHTS, ACTIVITIES, EXCLUSIONS, AND CONDITIONS OF LICENSE

For and in consideration of the terms, conditions and covenants of this License to be performed by Licensee, all which Licensee accepts, Licensor hereby grants to Licensee the right to use the premises hereinafter set out and assume the responsibilities herein described for the use and maintenance of a vehicle parking and boat mooring area.

- A. **DESCRIPTION OF PREMISES.** The premises (“Premises”) subject to this License Agreement is that land conveyed in Deed Book 1279, Page 797 of the Currituck County Registry and more particularly described as follows:

That certain parcel identified and designated as “Open Space Area E,” as shown on plat of Estates at Carova Beach, Section 5, recorded in Plat Cabinet N, Slides 44-45, Currituck County Registry, North Carolina.

- B. **CONDITION OF GRANTING LICENSE.** The granting of this License, its acceptance by Licensee, the obligations of Licensor hereunder and the rights of Licensee are conditioned upon the following:

- (1) The purpose of this license is to provide Licensee with additional vehicle parking. No structure shall be erected on the premises without the prior written consent of Licensor. Licensor’s review and approval shall be within Licensor’s sole discretion. The Licensor and Licensee agree that the point of contact for such approvals shall be the County Manager.
- (2) Licensee, at its sole cost and expense, shall maintain and otherwise keep in a good and clean state of repair and condition, the premises. In the event Licensor deems repairs to be necessary on the premises, Licensor shall issue written notice to Licensee informing Licensee of said repair and/or maintenance request. Licensee shall have five (5) business days to issue a written response to Licensor confirming its intention to perform said repairs and/or maintenance or explaining why Licensee does not believe such repairs and/or maintenance to be necessary. The final determination as to the necessity of repairs shall be within Licensor’s reasonable discretion. In the event Licensee fails to make necessary and reasonable repairs and/or maintenance to the premises, within a period of thirty (30) business days following issuance of the written response from

Licensee, Licensor may perform the repairs and/or maintenance and recover from Licensee the costs and expenses it incurs. In the event permits are required for Licensee's intended use of the property, Licensee is obligated to procure such permit at its own expense.

- (3) Licensor shall have no liability to Licensee or any other person or entity on account of the Premises or any of Licensee's acts or inactions relative to any of the foregoing, unless such liability arises from the gross negligence or willful misconduct of Licensor or any of its employees, agents or contractors and then, Licensor's liability shall be limited to the value of the Premises, and no more. In accordance therewith, Licensee does hereby release and discharge Licensor, its members, directors, officers, employees, agents and contractors from any and all liability, damages, claims, costs and expenses relating to the Premises, and any of Licensee's acts or inactions relative to any of the foregoing, and Licensee does agree, by acceptance of this License, to indemnify, defend and hold harmless Licensor and its members, directors, officers, employees, agents, contractors, guests and invitees from and against any and all liability, damages, claims, costs and expenses, including reasonable attorney's fees, arising from or otherwise associated with the Premises and Licensee's acts or inactions relative to any of the foregoing, unless such liability arises from or results from the gross negligence or willful misconduct of Licensor and then, Licensor's liability shall be limited to the value of the Premises, and no more.
- (4) If requested by Licensor, Licensee shall always maintain in full force and effect commercial general liability insurance with respect to the Premises. The insurance shall be in an amount reasonable required by Licensor from time to time, taking into account the risk to Licensor associated with the Premises and the License; the insurance shall be with an insurance company authorized to do business in the State of North Carolina and approved by Licensor; and Licensor shall be designated in such policy of insurance as an additional insured or such other designation as shall be deemed otherwise appropriate in order for Licensor to receive the benefits of such insurance. If Licensor requires Licensee to maintain insurance as aforesaid, when requested by Licensor, Licensee shall furnish to Licensor such certification of the existence of such insurance as Licensor may request, acting reasonably.

ARTICLE II OBLIGATIONS OF LICENSOR

- A. **AUTHORITY TO LICENSE.** Licensor covenants that at the time of granting and delivery of this License, it has full right and authority to license the use of the Premises in accordance herewith. Licensor warrants to Licensee peaceful possession and quiet enjoyment of the Premises during the term hereof, upon Licensee's performance of its covenants herein.
- B. **CONDITION OF PREMISES.** Licensor provides the Premises, and the Premises are accepted by Licensee in its "as is" condition. Licensor warrants that Licensor, nor, to the best knowledge of Licensor any other person or entity, has not placed on or under the Premises any waste constituents deemed hazardous waste under federal or state law or has received any notice of the happening of any event involving the misuse, spill, discharge or cleanup of any waste constituents on the Premises deemed hazardous waste under federal or state law.

ARTICLE III OBLIGATIONS OF LICENSEE

- A. **MAINTENANCE.** Licensee accepts the Premises in their existing ("as is") condition.
- B. **AUTHORITY TO LICENSE PREMISES.** Licensee covenants that it has authority to enter into this agreement and to fulfill the terms and conditions contained in this agreement.

ARTICLE IV

TERM OF LICENSE

This License shall be effective until such time as Licensor terminates this License. The authority of Licensor to terminate this License shall be limited to the following circumstances: (1) in the event of breach of this agreement by Licensee that is not remedied within thirty (30) days following receipt of written notice of default by Licensor to Licensee; (2) in the event Licensee shall cease to use the Premises for a vehicle parking lot and boat mooring area after sixty (60) days written notice to Licensee; or (3) in the event that Licensor determines it needs use of the Premises for the benefit of Currituck County after sixty (60) days written notice to Licensee.

ARTICLE V
ASSIGNMENT

Licensee shall not at any time during the term of this License, directly or indirectly, assign or transfer its interest in this License or any interest therein without the consent of the Licensor.

ARTICLE VI
GENERAL PROVISIONS

- A. **ATTORNEY’S FEES.** In any action brought by either party hereto for the enforcement of the obligation(s) of the other, each party shall bear the cost of its own attorney’s fees.
- B. **BINDING EFFECT AND COMPLETE TERMS.** The terms, covenants, conditions and agreements herein contained shall be binding upon and ensure to the benefit of and shall be enforceable by Licensor and Licensee and by their respective successors and assigns. All negotiations and agreements of Licensor and Licensee are merged herein. No modification hereof or other purported agreement of the parties shall be enforceable unless the same is in writing and signed by Licensor and Licensee.
- C. **CONSTRUCTION OF LICENSE.** This License shall not be construed more strictly against either party regardless of which party is responsible for the preparation of the same.
- D. **EASEMENTS, RESTRICTIONS AND RIGHTS OF WAY.** The Premises are licensed subject to all easements, restrictions and rights of way legally affecting the Premises.
- E. **CHOICE OF LAW.** The terms of this License are governed by and shall be construed in accordance with the laws of the State of North Carolina.

IN WITNESS WHEREOF, the parties hereto have set their hands and seals the date first above written.

ATTEST:

COUNTY OF CURRITUCK, LICENSOR

Clerk to the Board of Commissioners

County Manager

(COUNTY SEAL)

**CAROVA BEACH VOLUNTEER FIRE
AND RESCUE, INC., LICENSEE**

President

Communication: Minutes-December 5, 2022 (Approval Of Minutes-December 5, 2022)

RESULT: 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

F) Consent Agenda

Commissioner Jarvis moved for approval of the Consent Agenda. Commissioner Beaumont seconded the motion. The motion carried, 7-0, and Consent Agenda items were approved.

RESULT: APPROVED [UNANIMOUS]
MOVER: Selina S. Jarvis, 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

1. Budget Amendments

20230040		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
50460-590001	ABC Store 2019 - Corolla	\$ 845,000	
50390-495010	T F - Operating Fund		\$ 845,000
10990-587050	T T - County Governmental Construction	\$ 845,000	
10380-488400	ABC Profits Allocation		\$ 170,000
10320-411000	Article 39 Sales Tax - Local Option		\$ 675,000
		\$ 1,690,000	\$ 1,690,000
Explanation:	County Governmental Construction - ABC Store Corolla (50460) - Increase appropriations to fund contract to A R Chesson for construction of the ABC Store in Corolla.		
Net Budget Effect:	Operating Fund (10) - Increased by \$845,000.		
	County Governmental Construction Fund (50) - Increased by \$845,000.		

20230041		Debit		Credit	
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10460-592000	Public Works Projects	\$	29,155		
10310-400100	Vehicle Tax Collected by DMV			\$	29,155
		\$	29,155	\$	29,155
Explanation:	Public Works (10460) - Increase appropriations in the Public Works Projects to repair roof leak in the YMCA facility.				
Net Budget Effect:	Operating Fund (10) - Increased by \$29,155.				
20230042		Debit		Credit	
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
50460-590003	Public Works Maintenance Building	\$	1,475,000		
50390-495040	T F - County Govt Facility Fund			\$	1,475,000
40750-587050	T T - Co Govt Facility Fund	\$	1,475,000		
40320-411001	Article 40 Supp Sales Tax			\$	350,000
40320-411002	Article 42 Addtl Supp Sales Tax			\$	575,000
40390-499900	Appropriated Fund Balance			\$	550,000
		\$	2,950,000	\$	2,950,000
Explanation:	County Govt Facilities Construction Fund (50460) - Increase appropriations for the Public Works Maintenance Facility to be constructed at the Maple Commerce Park complex.				
Net Budget Effect:	Capital Improvements Fund (40) - Increased by \$1,475,000. County Govt Construction Fund (50) - Increased by \$1,475,000.				
20230043		Debit		Credit	
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
20609-531400	Equipment Fuel	\$	2,000		
20609-516000	Repairs & Maintenance				2,000
		\$	2,000	\$	2,000
Explanation:	Whalehead Stormwater District (20609) - Additional funds needed in Equipment Fuel to cover overage due to vandalism at the Sailfish station (the power was manually turned off which led to the generator running overnight expending more fuel than normal). Generators were topped off with fuel in preparation for the hurricane season and there was not enough in the budget to cover this overage.				
Net Budget Effect:	Whalehead Stormwater Drainage District Fund (20) - No change.				

Communication: Minutes-December 5, 2022 (Approval Of Minutes-December 5, 2022)

20230044		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10796-516200	Vehicle Maintenance	\$ 700	
10796-516000	Repairs and Maintenance		\$ 700
		\$ 700	\$ 700
Explanation: Currituck County Rural Center (10796) - Transfer budgeted funds to cover major repair to 2007 county vehicle (ABS Module and programming software) as well as allow for contingency for routine maintenance.			
Net Budget Effect: Whalehead Stormwater Drainage District Fund (20) - No change.			
20230046		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10795-545100	Credit Card Fees	\$ 1,745	
10350-469015	Tackle Football		\$ 620
10350-469001	Flag Football		\$ 450
10350-469002	Cheerleading		\$ 675
		\$ 1,745	\$ 1,745
Explanation: Parks & Recreation (10795) - Increase appropriations for increased usage of credit cards for youth sports registrations.			
Net Budget Effect: Operating Fund (10) - Increased by \$1,745.			
20230045		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10530 533900	Ambulance Supplies	\$ 28,000	
10541-531000	Gas	\$ 1,000	
10530 561000	Professional Services		\$ 29,000
		\$ 29,000	\$ 29,000
Explanation: Emergency Services (10530) - Transfer funds for increases in cost of ambulance supplies and fuel.			
Net Budget Effect: Operating Fund (10) - No change.			

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20230047		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10410-553000	Dues & Subscriptions	\$ 1,000	
10511-554000	Insurance & Bonds	\$ 76	
10511-590000	Capital Outlay	\$ 187	
10540-557100	Software License Fees	\$ 564	
10441-532000	Supplies	\$ 2,734	
10380-484001	Insurance Recovery		\$ 2,734
10380-480000	Returned Check Charge		\$ 1,827
		<u>\$ 4,561</u>	<u>\$ 4,561</u>
Explanation:	Administration (10410); Detention Center (10511); Inspections (10540); Information Technology (10441) - Increase appropriations for cost increases and for insurance received for IT hardware.		
Net Budget Effect:	Operating Fund (10) - Increased by \$4,561.		
20230048		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
16609-545000	Contract Services	\$ 100,000	
16390-499900	Fund Balance Appropriated		\$ 100,000
		<u>\$ 100,000</u>	<u>\$ 100,000</u>
Explanation:	Ocean Sands/Crown Point N Watershed (16609) - Increase appropriations to award contract to Carolina Construction for the emergency outfall pipe project.		
Net Budget Effect:	Ocean Sands/Crown Point N Watershed (16) - Increased by \$100,000.		
20230049		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10750-545000	Contracted Services	\$ 30,000	
10760-585000	DSS Donations Expense	\$ 39,912	
10380-487000	DSS Donations		\$ 19,600
10390-499900	Appropriated Fund Balance		\$ 20,312
10750-502000	Salaries		\$ 30,000
		<u>\$ 69,912</u>	<u>\$ 69,912</u>
Explanation:	Social Services Administration (10750); Social Services County Assistance (10760) - Transfer funds from lapsed salaries to contracted services for temporary services contract to fill vacant positions until current vacancies are hired. Also, increase appropriations to carry-forward donation balance from FY 2022 and to include additional contributions received this year above the current budgeted funds.		
Net Budget Effect:	Operating Fund (10) - Increased by \$29,912.		

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20230050		Debit		Credit	
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10450-545100	Credit Card Fees	\$	18,000		
10440-545100	Credit Card Fees			\$	18,000
		\$	18,000	\$	18,000
Explanation:	Finance (10440); Tax (10450) - Transfer budgeted funds for credit card fees for Tax payments.				
Net Budget Effect:	Operating Fund (10) - No change.				
20230051		Debit		Credit	
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10430-503430	Poll Workers	\$	8,000		
10430-505000	FICA	\$	612		
10320-411000	Article 39 Sales Tax			\$	8,612
		\$	8,612	\$	8,612
Explanation:	Elections (10430) - Increase Election Poll Worker salaries for the November 2022 election.				
Net Budget Effect:	Operating Fund (10) - Increased by \$8,612.				
20230052		Debit		Credit	
<u>Account Number</u>	<u>Account Description</u>	<u>Decrease Revenue or Increase Expense</u>		<u>Increase Revenue or Decrease Expense</u>	
10640-502100	Salaries - OT	\$	500		
10640-503500	Salaries - Temp			\$	500
		\$	500	\$	500
Explanation:	Cooperative Extension (10640) - Transfer budgeted line items for overtime worked by summer camp counselors.				
Net Budget Effect:	Operating Fund (10) - No change.				

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20230053		Debit		Credit	
Account Number	Account Description	Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
26535-557100	Software License Fees	\$	730		
26390-499900	Fund Balance Appropriated			\$	730
		\$	730	\$	730
Explanation: Emergency Telephone System (26535) - Increase appropriations for increase cost of software license fees to run the emergency telephone system.					
Net Budget Effect: Emergency Telephone System Fund (26) - Increased by \$730.					
20230054		Debit		Credit	
Account Number	Account Description	Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense	
50550-592024	2023 Aviation Fuel Farm 36237.8.17.1	\$	4,502		
50550-592025	2023 Aviation Fuel Farm 36237.8.17.2	\$	153,834		
50330-448000	State Aide to Airports			\$	142,952
50390-495010	T F - Operating Fund			\$	15,384
10990-587050	T T - County Governmental Construction	\$	15,384		
10350-467100	Aviation Fuel Receipts			\$	15,384
		\$	173,720	\$	173,720
Explanation: County Governmental Construction - Airport (50550) - Increase appropriations for NC Department of Transportation, Division of Aviation grants 36237.8.17.1 and 36237.8.17.2 for New Fuel Farm Projects. These grants require a \$15,384 County match.					
Net Budget Effect: Operating Fund (10) - Increased by \$15,384.					
, County Governmental Construction Fund (50) - Increased by \$158,336.					

2. Project Ordinance-Aviation Fuel Farm

**COUNTY OF CURRITUCK
CAPITAL PROJECT ORDINANCE**

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

SECTION 1. The project authorized is New Fuel Farm for the Currituck Regional Airport.

SECTION 2. The following amounts are appropriated for the project:

2023 Aviation Fuel Farm	\$	158,336
	\$	158,336

SECTION 3. The following funds are available to complete this project:

Communication: Minutes-December 5, 2022 (Approval Of Minutes-December 5, 2022)

State Aide to Airports	\$	142,952
Transfer from Operating Fund	\$	15,384
	\$	<u>158,336</u>

SECTION 4. The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

The Budget Officer is hereby authorized to transfer appropriations within the fund as contained herein under the following conditions:

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

SECTION 7. USE OF BUDGET ORDINANCE

The Budget Officer and the Finance Director shall use this capital project ordinance for administration of the budget and for the accounting system.

ADOPTED this 5th day of December 2022.

ATTEST:

Chairman Board of Commissioners

Deputy Clerk to the Board

3. Vehicle Surplus Resolution-EMS

RESOLUTION

WHEREAS, THE Board of Commissioners of the County of Currituck, North Carolina during its regularly scheduled meeting authorized the following, pursuant to G.S. 160A and 270(b) that the property listed below will be sold at auction, negotiated sale or will disposed of it not sellable.

<u>County</u>	<u>Asset</u>	<u>Description</u>	<u>Serial Number</u>	<u>Department</u>
	6549	2008 Ford Expedition	1FMFU16588LA21126	EMS

Communication: Minutes-December 5, 2022 (Approval Of Minutes-December 5, 2022)

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners of the County of Currituck reserves the right to reject any and all bids.

ADOPTED, this 5th day of December, 2022.

Chair, Board of Commissioners
County of Currituck

Clerk to the Board

(Seal)

- 4. Affirmation of Sheriff's Bond**
- 5. Sheriff's Office-Return Equipment Received from Law Enforcement Support Office for Transfer**
- 6. Records Disposal-Permits and Inspections**
- 7) Approval Of Minutes-November 7, 2022; November 14, 2022**
 - 1. Minutes for November 7, 2022**
 - 2. Minutes-Nov. 14, 2022**

ADJOURN

Motion to Adjourn Meeting

The Board had no further business and Commissioner Mary Etheridge moved to adjourn. Commissioner Beaumont seconded the motion. The motion carried, 7-0, and the meeting of the Board of Commissioners was adjourned at 8:05 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Mary "Kitty" Etheridge, 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