



## CURRITUCK COUNTY NORTH CAROLINA

June 19, 2017  
Minutes – Regular Meeting of the Board of Commissioners

### WORK SESSION

#### 1. 5:00 PM Parks Regulations and Usage Ordinance Review

The Currituck County Board of Commissioners attended a work session at 5 PM in the Conference Room of the Historic Courthouse. Tameron Kugler, Tourism Director, reviewed changes proposed to the ordinance related to park usage. After review, Board members provided additional input and further revised some aspects of the ordinance which included to allow uncased firearms at boat launches during hunting activity, allowing dogs at county parks with certain conditions, and prohibiting commercial activity to commence or terminate at Historic Corolla Park outside of a sanctioned event. ATV permits were discussed with proposed changes to standardize issuance requirements for resident and non-resident property owners. County Attorney, Ike McRee, will revise the language and present for Board review and consideration.

### 6:00 PM CALL TO ORDER

The Currituck County Board of Commissioners held its regular meeting at 6 PM in the Board Meeting Room of the Historic Currituck Courthouse, 153 Courthouse Road, Currituck, North Carolina.

Attendee Name	Title	Status	Arrived
Bobby Hanig	Chairman	Present	
Mike H. Payment	Vice Chairman	Present	
Paul M. Beaumont	Commissioner	Present	
Mary "Kitty" Etheridge	Commissioner	Present	
Marion Gilbert	Commissioner	Present	
Mike D. Hall	Commissioner	Present	
Bob White	Commissioner	Present	

Chairman Hanig called the meeting to order.

#### A) Invocation & Pledge of Allegiance-Reverend Kim Ferebee, St. Mark Church of Christ Disciples

Reverend Kim Ferebee was present to offer the Invocation and lead the Pledge of Allegiance.

**B) Approval of Agenda**

The agenda was amended to include a closed session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege and to receive advice from the county attorney regarding a claim against the county and for the following pending lawsuit: Letendre v. Currituck County.

Commissioner White moved to approve the agenda. The motion was seconded by Commissioner Payment and carried unanimously.

Approved agenda:

**Work Session**

5:00 PM Parks Regulations and Usage Ordinance Review

**6:00 PM Call to Order**

A) Invocation & Pledge of Allegiance-Reverend Kim Ferebee,  
St. Mark Church of Christ Disciples

B) Approval of Agenda

**Public Comment**

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

**Public Hearings**

A) PB 17-05 Consideration of the Moyock Mega-Site Master Plan

**Old Business**

A) Consideration of Resolution and Order Closing Old U. S. Highway 158, Also Known As Secondary Road 1405 and Old Ferry Landing, Coinjock, Poplar Branch Township

B) PB 13-12 Moyock Commons, Phase 1-Order of Entry

**New Business**

A) **Board Appointments**

1. Animal Services and Control Advisory
2. Board of Adjustment
3. Fire Advisory Board

4. Game Commission
5. Library Board of Trustees
6. Recreation Advisory

**B) Consent Agenda**

1. Approval Of Minutes for June 5, 2017
2. Budget Amendments
3. Personnel Policy Revision-Insurance Benefits
4. Request for Approval-Turnout Gear Purchase-Carova Beach VFD
5. Strategic Alliance Agreement between the YMCA and Currituck County-Alpine Tower

**C) Commissioner's Report****D) County Manager's Report****Recess****Special Meeting of the Tourism Development Authority**

Budget Amendments

**Closed Session**

**Amended Item:** Closed Session Pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege and to receive advice from the county attorney regarding a claim against the county and for the following pending lawsuit: Letendre v. Currituck County

**Adjourn**

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob White, Commissioner
<b>SECONDER:</b>	Mike H. Payment, Vice Chairman
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

**PUBLIC COMMENT**

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

Chairman Hanig opened the public comment period.

Michael Carter of Moyock spoke in favor of the Moyock Mega-site project. He said commercial development will allow him to spend money here in the county and provide support for the local community.

Jennifer Knight of Chesapeake spoke against the Moyock Mega-site project citing possible negative impacts to Virginia. She asked the Board to change the location of the site.

No one else wished to speak and the public comment period was closed.

## **PUBLIC HEARINGS**

### **A. PB 17-05 Consideration of the Moyock Mega-Site Master Plan**

Assistant Planning Director, Laurie LoCicero, provided a brief background on the mega-site master plan and introduced Carroll Collins of Kimley Horn and Associates, the plan's design firm. Using a powerpoint, Mr. Collins provided an overview, displayed a proposed land use map and discussed the various uses incorporated into the plan such as medical, residential, offices, industrial and retail. He addressed the inclusion of a stormwater plan and discussed the wetlands demarcations on the map. Conceptual plan drawings were shown to demonstrate how certain zoning sections may look when developed. Gateway and transportation models were reviewed. Unified Development Ordinance (UDO) revisions and updates related to zoning and land uses were discussed, as well as other steps needed to move forward with the master plan.

Mr. Carroll and Ms. LoCicero responded to questions and clarified aspects of the plan for the Board. Mr. Collins explained the importance of the mega-site plan, as it will attract businesses because it demonstrates the county's commitment to long-term planning and infrastructure investment.

Commissioners discussed new home census projections, schools, landowner development agreements and development phasing as it relates to land values, and transportation projects associated with the mega-site plan. Mr. Collins agreed to provide the Board with a timeline for improvements to South Mills Road, currently under design by the North Carolina Department of Transportation (NCDOT). He spoke of the need to have building design guidelines and standards in place and expects UDO revisions to be completed in nine to twelve months.

Chairman Hanig opened the Public Hearing.

Jennifer Knight of Chesapeake asked about the wetland surveys mentioned during the presentation and Mr. Scanlon said wetland delineations would be performed and signed off by the Army Corp of Engineers as part of the process.

Denise Hall of Moyock asked if Virginia or Chesapeake representatives notified the county or asked for county input prior to developing nearby areas in Virginia. Mr. Scanlon said no, they did not contact the county.

With no others wishing to speak Chairman Hanig closed the Public Hearing.

Commissioner Payment made a motion to adopt the Moyock Megasite Master Plan and move forward with next steps. The motion was seconded by Commissioner White and passed unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike H. Payment, Vice Chairman
<b>SECONDER:</b>	Bob White, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

## OLD BUSINESS

### A. Consideration of Resolution and Order Closing Old U. S. Highway 158, Also Known As Secondary Road 1405 and Old Ferry Landing, Coinjock, Poplar Branch Township

County Attorney, Ike McRee, reviewed for the Board the applicant's request for a second continuance regarding the road closure to allow property owners to continue to work with engineers and surveyors to determine title. With the applicant having no issues with a continuance, Commissioner Payment made a motion to remove the order of business until the applicants are ready to move forward. Commissioner Hall seconded and the motion carried unanimously.

<b>RESULT:</b>	<b>TABLED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike H. Payment, Vice Chairman
<b>SECONDER:</b>	Mike D. Hall, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

### B. PB 13-12 Moyock Commons, Phase 1-Order of Entry

ORDER GRANTING USE PERMIT PB 13-12 MOYOCK COMMON,  
PHASE 1 BOARD OF COMMISSIONERS JUNE 5, 2017

This matter came on for hearing before the Currituck County Board of Commissioners on March 20, 2017 and June 5, 2017. Based on the evidence presented the Board of Commissioners makes the following findings, conclusions, and enters its order as follows:

**Item 1:** The use permit is hereby granted for Moyock Commons, Phase 1, located in Moyock, Tax Map 15, Lot 79, Moyock Township.

**Item 2:** The preliminary plat/use permit meets the use permit review standards according these findings of fact:

- a. The use will not endanger the public health or safety.
  - o THE PROJECT WOULD NOT ADVERSELY AFFECT PUBLIC SAFETY. IN COMPLIANCE WITH PRELIMINARY PLAT REVIEW COMMENTS FROM THE ALBEMARLE REGIONAL HEALTH SERVICES APPROVALS FOR WASTEWATER TREATMENT AND DISPOSAL FROM THE NC DIVISION OF WATER QUALITY (WASHINGTON OFFICE) AND MOYOCK REGIONAL WATER SYSTEM WOULD BE OBTAINED PRIOR TO CONSTRUCTION.
  - o THIS PROJECT WOULD NOT ADVERSELY AFFECT PUBLIC SAFETY. ALL STATE AND COUNTY APPROVALS WOULD BE OBTAINED PRIOR TO CONSTRUCTION.
- 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.

- ALONG THE WEST BOUNDARY (BOUNDARY PARALLEL TO PUDDIN RIDGE ROAD), THE PROPOSED DEVELOPMENT WOULD BE BORDERED BY A RURAL RESIDENTIAL UNIT LOCATED WITHIN THE MOYOCK SUB-AREA WHICH FRONTS ON PUDDIN RIDGE ROAD. WITHIN MOYOCK COMMONS, PROPOSED LAKE #1 AND A 25-LF WIDE TREE AREA COMBINE TO CREATE AN APPROXIMATE 400-LF WIDE CONSERVATION AREA BUFFER AGAINST THE RESIDENTIAL UNIT.
- ALONG THE NORTH-EAST BOUNDARY (BOUNDARY PARALLEL TO ROUTE 168), THE PROPOSED DEVELOPMENT WOULD BE BORDERED BY VARIOUS USES CONSISTING OF 5-RESIDENTIAL LOTS WITHIN THE MOYOCK SUB-AREA; AND VARIOUS PARCELS ZONED GENERAL BUSINESS WHICH ARE USED FOR RETAIL AND UTILITY RELATED OPERATIONS WITH THE MOYOCK SUB-AREA. WITHIN MOYOCK COMMONS, PROPOSED LAKE #2 AND A VARIOUS WIDTH TYPE-A, LANDSCAPE BUFFER WOULD CREATE A CONSERVATION AREA AGAINST THE ADJACENT USES.
- ALONG THE EAST BOUNDARY, MOYOCK COMMONS WOULD BE BORDERED BY ACTIVE, AGRICULTURAL PROPERTY.
- ALONG THE SOUTH-EAST BOUNDARY (BOUNDARY PARALLEL TO QUAIL RUN ROAD), THE PROPOSED DEVELOPMENT WOULD BE BORDERED BY VARIOUS USES CONSISTING OF DENSE FOREST AND ACTIVE, AGRICULTURAL PROPERTY. WITHIN MOYOCK COMMONS, A VEGETATED FARM BUFFER IS PROPOSED ALONG THE ACTIVE AGRICULTURAL PROPERTY.
- MOYOCK COMMONS PROPOSED INGRESS/EGRESS IS VIA EXTENSION OF EXISTING MOYOCK COMMONS DRIVE. A ROADWAY CONNECTION TO E STREET IS NOT PERMITTED.

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

2006 Land Use Plan policies:

- POLICY HN1: CURRITUCK COUNTY SHALL ENCOURAGE DEVELOPMENT TO OCCUR AT DENSITIES APPROPRIATE FOR THE LOCATION.
- POLICY HN2: THE COUNTY SHALL THEREFORE ENGAGE ALTERNATIVES TO LARGE LOT DEVELOPMENTS THOUGH INNOVATIVE DEVELOPMENT CONCEPTS AND CORRESPONDING ZONING TECHNIQUES.
- POLICY HN3: CURRITUCK COUNTY SHALL ESPECIALLY ENCOURAGE TWO FORMS OF RESIDENTIAL DEVELOPMENT, EACH WITH THE OBJECTIVE OF AVOIDING TRADITIONAL SUBURBAN SPRAWL:
  - OPEN SPACE DEVELOPMENTS THAT CLUSTER HOMES ON LESS LAND, PRESERVING PERMANENTLY DEDICATED OPEN SPACE AND OFTEN EMPLOY ON-SITE OR COMMUNITY SEWAGE TREATMENT. THESE TYPES OF DEVELOPMENTS ARE LIKELY TO OCCUR PRIMARILY IN THE CONSERVATION, RURAL, AND TO A CERTAIN EXTENT THE LIMITED SERVICE AREAS IDENTIFIED ON THE LAND USE MAP.
- POLICY HN8: TO PROTECT THE COUNTY'S TAX BASE AND TO ENSURE THE LONG-TERM VIABILITY OF THE COUNTY'S NEIGHBORHOODS AND HOUSING STOCK, THE COUNTY WILL CONTINUE TO ENFORCE APPROPRIATE CONSTRUCTION AND SITE DEVELOPMENT STANDARDS FOR RESIDENTIAL DEVELOPMENTS. SUCH STANDARDS MAY INCLUDE, FOR EXAMPLE, THAT ALL HOMES HAVE A PERMANENT MASONRY FOUNDATION (EXCEPT WHERE FLOOD LEVELS REQUIRE ELEVATION) AND A PITCHED ROOF AND OVERHANG, AND THAT LOCAL ROADS MUST BE BUILT TO MEET NCDOT ACCEPTANCE STANDARDS.
- POLICY TR8: LOCAL STREETS SHALL BE DESIGNED AND BUILT TO ALLOW FOR CONVENIENT CIRCULATION WITHIN AND BETWEEN NEIGHBORHOODS AND TO ENCOURAGE MOBILITY BY PEDESTRIANS AND BICYCLISTS. CARE SHALL BE TAKEN TO ENCOURAGE LOCAL STREET "CONNECTIVITY" WITHOUT CREATING OPPORTUNITIES FOR CUT-THROUGH TRAFFIC FROM OUTSIDE THE CONNECTED AREAS
- POLICY TR12: NEW RESIDENTIAL DEVELOPMENTS SHALL PROVIDE FOR THE INSTALLATION OF PAVED PUBLIC ROADWAY AND DRAINAGE INFRASTRUCTURE AT THE TIME OF DEVELOPMENT. THIS POLICY IS INTENDED TO PREVENT THE CREATION OF SUBSTANDARD DEVELOPMENTS THAT MUST LATER CORRECT FOR INFRASTRUCTURE PROBLEMS THAT COULD HAVE BEEN AVOIDED, HAD THEY BEEN INSTALLED PROPERLY FROM THE BEGINNING.
- POLICY WS3: CURRITUCK COUNTY ENDORSES UTILITIES EXTENSION POLICIES THAT FOCUS WATER AND SEWER SERVICES (1) WITHIN EXISTING DEVELOPED AREAS AND IN

NEARBY TARGETED GROWTH AREAS IDENTIFIED AS FULL SERVICE AND LIMITED SERVICE AREAS, (2) WHERE DEVELOPMENT DENSITIES WOULD MAKE THE PROVISION OF ALL PUBLIC SERVICES MORE EFFICIENT, (3) WHERE THE LAND IS PARTICULARLY WELL SUITED FOR DEVELOPMENT, AND (4) AWAY FROM ENVIRONMENTALLY SENSITIVE AREAS.

- POLICY PR6: ALL NEW RESIDENTIAL DEVELOPMENT SHALL PROVIDE FOR ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS INCLUDING, AS MAY BE APPROPRIATE, FUNDING IN PROPORTION TO THE DEMAND CREATED BY THE DEVELOPMENT. THE AMOUNT OF OPEN SPACE AND IMPROVEMENTS MAY BE DETERMINED ACCORDING TO THE NUMBER OF DWELLING UNITS IN THE DEVELOPMENT AND/OR BY A PERCENTAGE OF THE TOTAL ACREAGE IN THE DEVELOPMENT. FEES IN LIEU OF LAND DEDICATION SHALL BE BASED ON THE INFLATION ADJUSTED ASSESSED VALUE OF THE DEVELOPMENT OR SUBDIVISION FOR PROPERTY TAX PURPOSES.
- POLICY WQ3: CURRITUCK COUNTY SUPPORTS POLICIES, PLANS, AND ACTIONS THAT HELP PROTECT THE WATER QUALITY OF THE COUNTY'S ESTUARINE SYSTEM BY PREVENTING SOIL EROSION AND SEDIMENTATION, AND BY CONTROLLING THE QUANTITY AND QUALITY OF STORMWATER RUNOFF ENTERING THE ESTUARY.
- POLICY WQ4: RUNOFF AND DRAINAGE FROM DEVELOPMENT, FORESTRY, AND AGRICULTURAL ACTIVITIES SHALL BE OF A QUALITY AND QUANTITY AS NEAR TO NATURAL CONDITIONS AS POSSIBLE. POST-DEVELOPMENT RUNOFF SHALL NOT EXCEED PRE-DEVELOPMENT VOLUMES.
- POLICY WQ5: DEVELOPMENT THAT PRESERVES THE NATURAL FEATURES OF THE SITE, INCLUDING EXISTING TOPOGRAPHY AND SIGNIFICANT EXISTING VEGETATION, SHALL BE ENCOURAGED. IF COASTAL AND NON-COASTAL WETLANDS ARE CONSIDERED PART OF THE LOT'S ACREAGE FOR THE PURPOSE OF DETERMINING MINIMUM LOT SIZE OR DEVELOPMENT DENSITY, LOW IMPACT DEVELOPMENT TECHNIQUES OR APPROPRIATE BUFFERS SHALL BE INTEGRATED INTO THE DEVELOPMENT. OPEN SPACE DEVELOPMENTS SHALL BE ENCOURAGED TO REDUCE IMPERVIOUS SURFACE AREAS ASSOCIATED WITH NEW DEVELOPMENT AND REDEVELOPMENT.
- POLICY WQ7: THE ENVIRONMENTAL BENEFITS OF PROPERLY DESIGNED, VEGETATED ROADSIDE DRAINAGE SWALES SHALL BE RECOGNIZED. CURB AND GUTTER SHALL BE RESERVED TO DEVELOPMENTS THAT ARE URBAN IN CHARACTER AND THAT ARE SERVED BY ADEQUATE STORMWATER COLLECTION, RETENTION, AND SLOW RELEASE FACILITIES.
- POLICY CA6: TO FOSTER AN IMPROVED COMMUNITY APPEARANCE, PROMOTE PUBLIC SAFETY, AND HELP PREVENT SERVICE OUTAGES, THE PLACEMENT OF UTILITY WIRES UNDERGROUND SHALL BE ENCOURAGED IN ALL PUBLIC AND PRIVATE DEVELOPMENTS.

Moyock Small Area Plan policy and statements:

- POLICY FLU1: PROMOTE COMPATIBILITY BETWEEN NEW DEVELOPMENT AND EXISTING DEVELOPMENT TO AVOID ADVERSE IMPACTS TO THE EXISTING COMMUNITY. THIS IS ACHIEVED THROUGH DESIGN, AND INCLUDES LARGER SETBACKS, LANDSCAPED OR FORESTED STRIPS, TRANSITION ZONES, FENCING, SCREENING, DENSITY AND/OR BULK STEP DOWNS, OR OTHER ARCHITECTURAL AND SITE PLANNING MEASURES THAT ENCOURAGE HARMONY.
- THE MOYOCK AREA IS THE FASTEST GROWING PART OF CURRITUCK COUNTY. DEVELOPMENT DENSITIES CURRENTLY RANGE FROM 1 TO 3 UNITS PER ACRE DEPENDING UPON DEVELOPMENT TYPE. IT IS COMING UNDER INCREASING DEVELOPMENT PRESSURE AS A "BEDROOM COMMUNITY" FOR THE TIDEWATER AREA OF VIRGINIA.
- "...HOWEVER, IN AREAS WHERE CENTRAL SEWER IS PROPOSED OR EXISTING, ADDITIONAL SERVICES ARE AVAILABLE AND THE CHARACTER OF THE SURROUNDING AREAS SUPPORTS IT, HIGHER DENSITY RANGING FROM 3-4 UNITS PER ACRE COULD BE CONSIDERED THROUGH THE USE OF OVERLAY ZONES.
- CLUSTERED HOUSING DEVELOPMENTS WITH OPEN SPACE REQUIRED BY ORDINANCE WILL NEED TO BE ENCOURAGED.

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.

- CURRITUCK COUNTY HAS ADEQUATE PUBLIC FACILITIES TO SERVE THE PROPOSED SUBDIVISION.

**Item 3:** The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands are:

- a. Provide the wetland delineation approved by the Army Corps of Engineers. If the .08 acres of wetlands are to be filled, a Nationwide Permit issued by the US Army Corps of Engineers is required prior to filling any wetlands. If a fill permit is not issued, the wetland areas must be placed into a primary conservation area.
- b. Moyock Commons Drive does not meet NCDOT Design and Construction Standards and is not under NCDOT maintenance. Therefore the entirety of Moyock Commons Drive (from the subject property line to Caratoke Highway - approximately 850') must be improved to meet current NCDOT Design and Construction Standards OR be accepted by NCDOT for maintenance prior to approval of the final plat.
- c. ALL CONDITIONS PLACED ON THE PROPERTY THROUGH THE CONDITIONAL REZONING APPROVAL ARE INCORPORATED INTO THIS REQUEST AS FOLLOWS:
  - Minimum rear yard setback for all residential lots along the perimeter boundary shall be as shown on plan. These setbacks shall apply to all principal uses but shall not apply to fences or accessory structures. In no instance shall setbacks be less than allowed by the UDO.
  - Prior to any land disturbing activities within the development, the property owner shall conduct a tree inventory plan as required by Section 7.2 of the UDO. The purpose of said plan shall be to identify the number and location of any heritage trees present and the methods by which they will be preserved.
  - An effort shall be made to work with the owner of the existing commercial shopping center to extend a sidewalk from the proposed development to the shopping center.
  - The property shall be developed in accordance with the Conceptual Development Plan dated December 26, 2013.
  - On-street parking shall be prohibited by the provision of signage.
  - The location of rights-of-way, open space areas, setbacks, and stormwater management areas shall be as generally shown on the approved conceptual development plan.
  - Stormwater management for the improvements resulting from this application shall not exceed pre-developed discharge rates as allowed by ordinance. Such improvements shall be identified by means of a preliminary drainage impact study to be provided by the developer and approved by the county prior to submittal of the preliminary subdivision plat. As an alternative, at the developer's discretion, downstream improvements to include ditch regarding and cleaning, piping and the purchase of any required easements for the conveyance of stormwater may be accomplished in accordance with a county approved plan.
  - All residential dwellings shall be constructed either with crawl spaces or on raised slabs (finished floor at least 16 inches above outside ground grade).
  - The use of prefabricated structures or trailers as dwellings shall be strictly prohibited.

**Item 4:** The use permit shall automatically expire if a submittal of a complete application for approval of a final plat is not received by June 5, 2019

**Item 5:** The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

**Item 6:** This use permit shall be in effect from and after the 5th day of June, 2017.

IN WITNESS WHEREOF, the county has caused this use permit to be approved in its name.

ATTEST:

(Seal)

Clerk to the Board

Chairman  
Board of Commissioners

Date

Laurie LoCicero, Assistant Planning Director, reviewed the progression of the request through the Board meeting of June 5, 2017, when staff was asked to compose the Order of Entry for approval of PB 13-12, Moyock Commons. Ms. LoCicero responded to Board questions and clarified conditions within the order, including those related to road improvements and traffic safety. Mr. McRee reviewed the quasi-judicial nature of the item and the evidence which the board is allowed to consider and explained the issuance of a permit is due to those applicants who meet evidence requirements.

Commissioner Etheridge made a motion to accept PB 13-12: Moyock Commons, Phase 1, Order of Entry. Commissioner White seconded the motion which passed by a vote of 6-1, with Commissioner Gilbert voting against.

<b>RESULT:</b>	<b>APPROVED [6 TO 1]</b>
<b>MOVER:</b>	Mary "Kitty" Etheridge, Commissioner
<b>SECONDER:</b>	Bob White, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner
<b>NAYS:</b>	Marion Gilbert, Commissioner

## NEW BUSINESS

### A) Board Appointments

#### 1. Animal Services and Control Advisory

Chairman Hanig moved to approve reappointments for Nancy VanCleif and Laura Hill. Commissioner Etheridge seconded and the motion passed unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bobby Hanig, Chairman
<b>SECONDER:</b>	Mary "Kitty" Etheridge, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

#### 2. Board of Adjustment

Commissioner Etheridge nominated Troy Breathwaite to serve as an alternate, filling an unexpired term on the Board of Adjustment. Commissioner Gilbert seconded and the nominee was unanimously approved.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mary "Kitty" Etheridge, Commissioner
<b>SECONDER:</b>	Marion Gilbert, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

### 3. Fire Advisory Board

Chairman Hanig made the following nominations to the Fire Advisory:

Reappointment of Fire and EMS Chief Ralph Melton  
Reappointment of Fire Chief Brooks Hart  
Fire Chief Robert Pervere to a full term, filling a vacant consensus seat.

Commissioner Gilbert moved for approval and was seconded by Commissioner Payment. The nominees were unanimously approved.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Marion Gilbert, Commissioner
<b>SECONDER:</b>	Mike H. Payment, Vice Chairman
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

### 4. Game Commission

The following names were presented for consideration to serve on the Game Commission:

Commissioner Etheridge nominated James Cason, Jr.  
Commissioner Gilbert nominated Richard Bell for reappointment.  
Commissioner Beaumont nominated Rob Romm.

Commissioner Payment moved for approval of nominees. The motion was seconded by Commissioner Hall and passed unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike H. Payment, Vice Chairman
<b>SECONDER:</b>	Mike D. Hall, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

## 5. Library Board of Trustees

The following were nominated to serve on the Library Board of Trustees:

Commissioner Gilbert nominated Stacy Vasquetellas for reappointment.  
Commissioner Payment nominated Colleen Umphlett for reappointment.  
Chairman Hanig nominated Rose Kelly.

Commissioner Beaumont made a motion for approval. The motion was seconded by Commissioner Etheridge and all nominees were unanimously approved.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Paul M. Beaumont, Commissioner
<b>SECONDER:</b>	Mary "Kitty" Etheridge, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

## 6. Recreation Advisory

Chairman Hanig moved to appoint Liz Turner as a member of the Recreation Advisory Board. Commissioner Gilbert seconded the motion and the motion passed unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bobby Hanig, Chairman
<b>SECONDER:</b>	Marion Gilbert, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

## B) Consent Agenda

Commissioner Gilbert moved to approve the consent agenda. Commissioner Beaumont seconded the motion and the motion passed unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVED:</b>	Marion Gilbert, Commissioner
<b>SECONDER:</b>	Paul M. Beaumont, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

**1) Approval Of Minutes for June 5, 2017****1. Approval of BOC Minutes for June 5, 2017****2. Budget Amendments**

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10450-506000	Insurance Expense		\$ 39
10450-514000	Travel	\$ 175	
10450-514800	Fees Paid to Officials		\$ 400
10450-545450	Motor Vehicle Tax Fees	\$ 16,000	
10310-400100	Vehicle Tax Collected by DMV		\$ 15,736
		<b>\$ 16,175</b>	<b>\$ 16,175</b>
<b>Explanation:</b>	Tax (10450) - Increase appropriations for administrative fees paid to NC Dept of Revenue for collection of motor vehicle taxes for the remainder of this fiscal year and transfers for operations.		
<b>Net Budget Effect:</b>	Operating Fund (10) - Increased by \$15,736.		

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10510-506000	Insurance Expense		\$ 8,000
10510-516000	Repairs & Maintenance	\$ 3,000	
10510-516200	Vehicle Maintenance	\$ 5,000	
10550-516400	Equipment Maintenance	\$ 150	
10550-532000	Supplies	\$ 800	
10550-590000	Capital Outlay	\$ 1,442	
10550-554000	Insurance		\$ 2,100
10550-535000	Credit Card Maintenance Fee		\$ 292
10410-526000	Advertising	\$ 400	
10410-506000	Insurance Expense		\$ 4,000
10410-526200	Promotional Efforts	\$ 3,600	
10490-545003	Contract Services/Court-Jail	\$ 500	
10490-513003	Utilities		\$ 500
10511-506000	Insurance Expense		\$ 5,000
10511-513000	Utilities	\$ 4,000	
10511-532000	Supplies	\$ 1,000	
10541-502100	Salaries - Overtime	\$ 2,500	
10541-502200	Holiday Pay	\$ 176	
10541-503000	Salaries - Part time		\$ 2,676
10795-576011	Adult Volleyball	\$ 18	
10795-506000	Insurance Expense		\$ 18
10980-590000	Capital Outlay	\$ 22	
10980-545000	Contract Services		\$ 22
60808-553001	Dues & Subscriptions - Sewer	\$ 1,184	
60808-511000	Telephone & Postage		\$ 750
60808-513000	Utilities		\$ 434
61818-506000	Insurance Expense		\$ 5,000
61818-545100	Credit Card Maintenance Fee	\$ 5,000	
66868-506000	Insurance Expense		\$ 672
66868-545100	Credit Card Maintenance Fee	\$ 1,000	
66868-561000	Professional Services		\$ 328
67878-590000	Capital Outlay	\$ 299	
67878-511000	Telephone & Postage		\$ 299
		<u>\$ 30,091</u>	<u>\$ 30,091</u>
<b>Explanation:</b>	Various Departments - Operating transfers for the remainder of this fiscal year.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change. Ocean Sands Water and Sewer District Fund (60) - No change. Mainland Water Fund (61) - No Change Southern Outer Banks Water Fund (66) - No change. Moyock Central Sewer Fund (67) - No change.		

		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
63838-545002	Contract Services - Disposal	\$ 150,000	
63390-499900	Fund Balance Appropriated		\$ 150,000
		<b>\$ 150,000</b>	<b>\$ 150,000</b>

**Explanation:** Solid Waste (63838) - Increase appropriations for additional solid waste disposal for this fiscal year.

**Net Budget Effect:** Solid Waste Fund (63) - Increased by \$150,000.

		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10480-508000	Supplemental Retirement	\$ 200	
10480-557300	Excise Tax on Deeds	\$ 60,000	
10320-41000	Deep Stamp Excise Tax		\$ 60,200
		<b>\$ 60,200</b>	<b>\$ 60,200</b>

**Explanation:** Register of Deeds (10480) - Increase appropriations for fees based on revenue collections for the Register of Deeds.

**Net Budget Effect:** Operating Fund (10) - Increased by \$60,200.

		Debit	Credit
Account Number	Account Description	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
12543-511003	Telephone & Postage	\$ 500	
12543-513003	Utilities	\$ 1,500	
12543-516103	Buildings & Grounds	\$ 200	
12543-536103	Personal Protective Equipment	\$ 1,101	
12543-516003	Repairs & Maintenance		\$ 1,000
12543-544003	Volunteer Assistance		\$ 500
12543-545000	Contract Services		\$ 1,598
12543-554003	Insurance		\$ 203
		<b>\$ 3,301</b>	<b>\$ 3,301</b>

**Explanation:** Moyock Volunteer Fire Department (12543) - Operating transfers for Moyock Volunteer Fire Department.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
12548-516015	Repairs & Maintenance	\$ 1,000	
12548-516115	Buildings & Grounds		\$ 1,000
		<u>\$ 1,000</u>	<u>\$ 1,000</u>

**Explanation:** Knotts Island Volunteer Fire Department (12548) - Operating transfers for Knotts Island Volunteer Fire Department.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
12546-511006	Telephone & Postage	\$ 600	
12546-532106	Fire Supplies	\$ 2,200	
12546-554006	Insurance - Corolla	\$ 2,700	
12546-516006	Repairs & Maintenance		\$ 5,500
		<u>\$ 5,500</u>	<u>\$ 5,500</u>

**Explanation:** Corolla Volunteer Fire Department (12546) - Operating transfers for Corolla Volunteer Fire Department.

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

### 3. Personnel Policy Revision-Insurance Benefits

### 4. Request for Approval-Turnout Gear Purchase-Carova Beach VFD

### 5. Strategic Alliance Agreement between the YMCA and Currituck County-Alpine Tower

#### C) Commissioner's Report

Commissioner White thanked the Ruritan Club for inviting him to their Currituck student college scholarship presentations. He, along with Commissioner Hall attended. He also reminded everyone of the Knotts Island Peach Festival this weekend.

Commissioner Gilbert encouraged job seekers or businesses looking for employees to utilize NC Works to help with employment needs. She discussed a recent Senior Center

newsletter that talked about "red bags" to store medications and maintain a list. She said medical responders are trained to look for the bags so use them and keep them visible. She wished all a happy and safe Independence Day.

Commissioner Payment asked that citizens support their local volunteer fire departments and consider volunteering. He discussed the possibility of the new water park opening this week.

#### **D) County Manager's Report**

Mr. Scanlon encouraged citizens to participate in the development of the county-wide pedestrian plan. He said meetings were held earlier, but those who could not attend may go to [connectcurrituck.com](http://connectcurrituck.com) and fill out an on line survey. Paper copies are also available at the Senior Centers and libraries.

#### **RECESS**

Chairman Hanig recessed the regular meeting of the Board of Commissioners in order to hold a Special Meeting of the Tourism Development Authority.

#### **SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY**

The Currituck County Board of Commissioners, during its regular meeting at 6 PM on June 19, 2017, convened a Special Meeting to sit as the Tourism Development Authority. The Special Meeting was held at the Historic Courthouse in the Board Meeting Room, 153 Courthouse Road, Currituck, North Carolina. The purpose of the meeting was to consider budget amendments.

#### **E. Budget Amendments**

County Manager, Dan Scanlon, reviewed the budget amendment for an unexpected repair of the air conditioning unit at Whalehead.

Commissioner Gilbert made a motion for approval. The motion was seconded by Commissioner Payment and passed unanimously.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15448-590000	Capital Outlay	\$ 6,743	
15448-554000	Insurance	\$ 2,239	
15448-506000	Health Insurance		\$ 7,754
15448-516000	Maintenance & Repairs		\$ 1,228
		<u>\$ 8,982</u>	<u>\$ 8,982</u>

<b>Explanation:</b>	Occupancy Tax Tourism Related (15448) - Transfer funds for Geothermal Pump replacement for Whalehead HVAC and installation labor and increase in insurance costs.
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - No change.

With no further business the meeting of the Tourism Development Authority was adjourned.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Marion Gilbert, Commissioner
<b>SECONDER:</b>	Mike H. Payment, Vice Chairman
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

#### CLOSED SESSION

1. Amended Item: Closed Session Pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege and to receive advice from the county attorney regarding a claim against the county and for the following pending lawsuit: *Letendre v. Currituck County*

Chairman Hanig reconvened the regular meeting of the Board to enter Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege and to receive advice from the county attorney regarding a claim against the county and for the following pending lawsuit: *Letendre v. Currituck County*.

Commissioner Payment moved to enter into Closed Session, seconded by Commissioner Gilbert. The motion passed unanimously and the Board moved into Closed Session.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike H. Payment, Vice Chairman
<b>SECONDER:</b>	Marion Gilbert, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner

**ADJOURN****Motion to Adjourn Meeting**

The Board of Commissioners returned from closed session. Having no further business, Commissioner White moved to adjourn. Commissioner Etheridge seconded the motion which passed unanimously. The meeting of the Board of Commissioners concluded at 7:40 PM.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bob White, Commissioner
<b>SECONDER:</b>	Mary "Kitty" Etheridge, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Mary "Kitty" Etheridge, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner



# Currituck County Moyock Mega-Site Master Plan Report

JUNE 2017



Prepared by

**Kimley»Horn**



# Currituck County Moyock Mega-Site Master Plan

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# Currituck County Moyock Mega-Site Master Plan

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# Currituck County Moyock Mega-Site Master Plan

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# Currituck County Moyock Mega-Site Master Plan

## 1.0 Executive Summary

### 1.1 Overview

The Moyock Mega-Site Master Plan is intended to establish a long-term vision for multi-use/mixed-use development on approximately 3,500 acres of land that is strategically positioned to serve as a connective center between Virginia and North Carolina and from Hampton Roads to North Carolina coastal destinations.

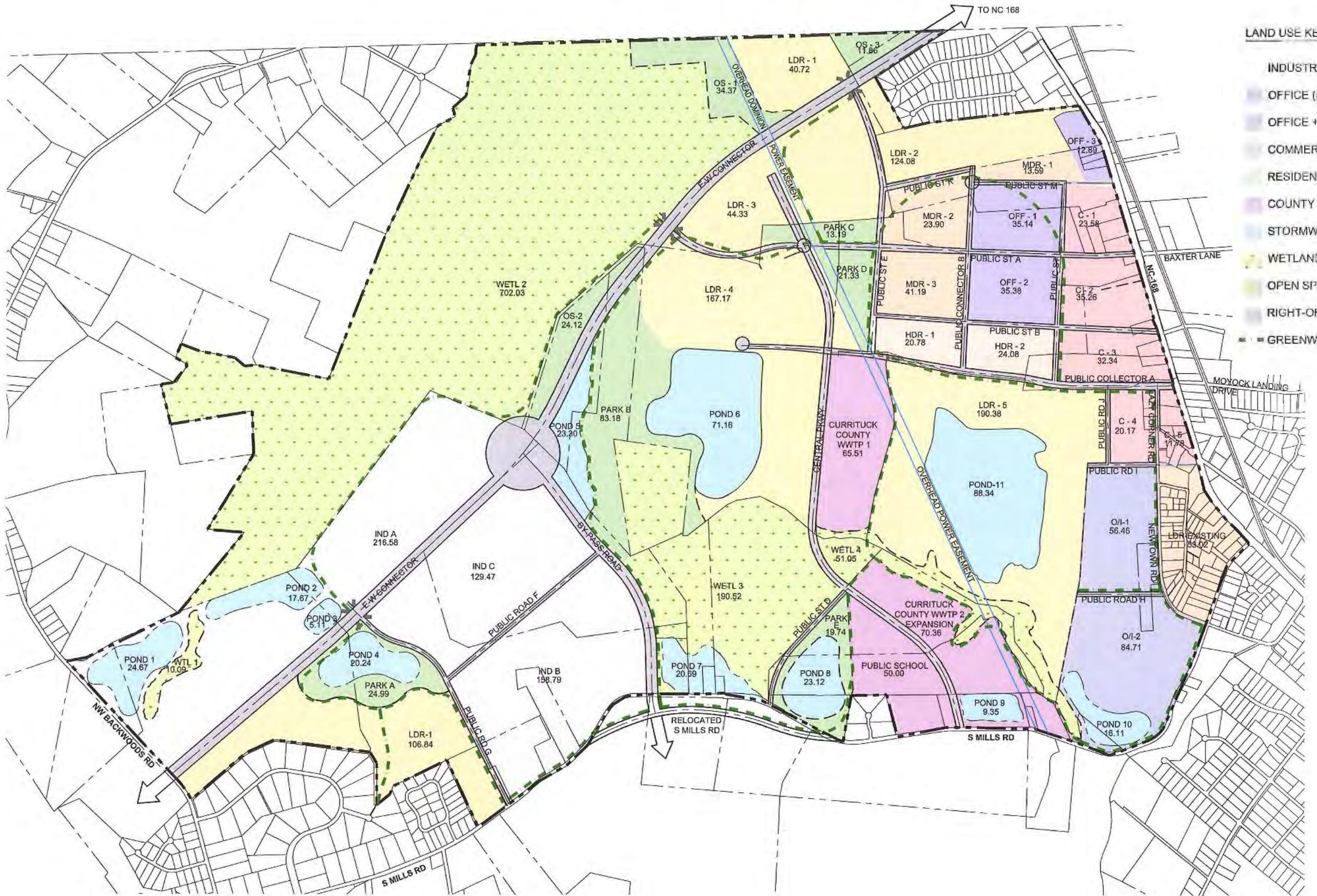
The Moyock Mega-Site Master Plan development process was crafted to produce a market-driven plan responsive to projected demand for a mix of land uses specific to the local market and formed by regional influences. The Moyock Mega-Site Master Plan is the result of a collaborative planning process between the consultant team, County government leadership, landowners, and the public. Input was gathered from a variety of sources during local meetings, including Currituck County Planners, elected officials, community organizations, local property and business owners, North Carolina Department of Transportation (NCDOT), and Moyock residents.

The input gathered during this process helped shape the market-based plan into a vision for future growth and development consistent with the goals and objectives of Currituck County, setting into motion a dynamic planning initiative that will ultimately define development patterns, introduce new and/or different land uses that accommodate residential growth, provide local employment opportunities, as well as establish and enhance the core tax base, while being respectful of the values, character, and history of the Village of Moyock.

### 1.2 Moyock Mega-Site Master Plan Program Development

The Moyock Mega-Site Master Plan exercise is intended to reflect current projections for demand in the local market across various types of development products. In this manner, a market-driven plan will more realistically depict the intersection of site capacity with market demand and thus identify any disconnect between the amount of land in the study area available to satisfy demand. The result is a graphic representation of whether the study area can accommodate the projected land uses needed to satisfy demand or the results may suggest that there is more land than is needed to support limited market demand (See **Figure ES-1**).

It must be noted that the market assessment characterizes overall demands by land for a larger market beyond the physical boundaries of the study area. While the study area represents how the overall demand might be accommodated within the boundary limits of the Moyock Mega-Site, it must be recognized that some of the demand will be accommodated outside of the study area, albeit within the local market. This may result because some projects are ready to advance before entitlements or infrastructure are in place within the study area, or perhaps because other properties are less expensive to develop or present fewer permitting challenges. Given that reality, the overall study area represents a land area larger than is necessary to accommodate the net demand projected for the market, particularly when we account for uses that are located outside of the project limit boundaries.



# Moyock Mega-Site Master Plan

# Figure

## ES-1



# Currituck County Moyock Mega-Site Master Plan

## 1.3 Primary Planning Principles

### 1.3.1 Stakeholder Input – A Community Based Vision

Each public input event featured an opportunity for land owners with property located within the study area to interact with the consultant team and Currituck County staff outside of a broader, open public meeting. Participants were given an overview of the study area and the project intent and engaged in a variety of exercises to obtain preferences, concerns, and ideas regarding what they considered to be a desirable development outcome for the property.

Following is a summary of the most relevant input obtained through the public engagement process and used to inform the master planning process.

#### **Key Objectives of the Moyock Mega-Site Master Plan**

- Employment center / job creation
- Grow tax base
- Create “a place for young people to come back to”
- Create a destination live-work-play environment like Town Center VA Beach; Edenton
- Pedestrian Friendly
- Destination

#### **Opportunities**

Participants were asked to describe the types of development and types of elements within the Plan that would appeal to them or would address a specific need. The types of uses most commonly identified as high priority elements to be considered for as part of the Moyock Mega-Site Master Plan include:

- Casual dining options
- Single family Housing
- Big-box retailers
- Grocery stores
- Pharmacy
- Doctor’s Offices / Urgent Care
- Public/community open space and event space
- Movie Theatre
- Gym

In addition to the key objectives and the opportunities that implementation of the plan may create for the community, members of the public highlighted several areas/topics of concern.

- Stormwater management/drainage of the site with proposed future development
- Industrial development near or immediately adjacent to residential neighborhoods
- Noise from proposed future roadway corridors
- Need for more Schools with increased residential development
- Mixed-Use Core should create a “downtown” feel and should be walkable
- Land Use Compatibility
- The word “Mega” – proposed master plan/development needs a different name.



## Currituck County Moyock Mega-Site Master Plan

These concerns and issues were taken into account throughout the development of the Moyock Mega-Site Master Plan. Some are recognized as challenges, but through more detailed planning, analysis, and preliminary design will be resolved or mitigated before development begins (e.g., Master Stormwater Management Plan, Master Transportation Plan, Moyock Mega-Site Master Plan buffer requirements per new section in the County's Unified Development Ordinance). The need for a potential new school site was identified early in response to the existing school populations as well as the anticipated and intended increase in school age children with the development of the Moyock Mega-Site Master Plan. Buffers between land uses have initially been addressed through a combination of parks, open space, or a proposed greenway/multi-use trail network. Finally, County Administration, staff, land owners, the consultant team, and the County's marketing firm, all agree that a new name for the master planned development that doesn't include the word "Mega".

### 1.4 Proposed Unified Development Ordinance

One of the goals of the current Moyock Mega-Site Master Plan and recommended UDO update is intended to support and encourage a diversification of jobs creating business and industry while providing the necessary residential supporting neighborhoods and public infrastructure.

A Code analysis was conducted and a recommended structure provided to show how this might work within the County's current UDO. There are two (2) primary options available to the County, (1) utilize the County's current Planned Development Mixed (PD-M) zoning district, or (2) create a new area specific zoning district. A third, but less desirable option is to provide updates to the UDO in the respective sections specific to Moyock. Note, this option is not recommended or further discussed due to the "decentralized" approach to the Code by placing updates in the various sections (i.e., roadway standards, landscape and buffering, setbacks/lot sizes/bulk development standards) and requiring a cross-reference or a companion document that identifies all of the sections of the UDO specific to Moyock.

The County UDO, Chapter 3: Zoning Districts makes provisions for area specific codes including the PD-M. This District requires an area specific Master Plan and accompanying standards that could be developed as one, cohesive section of the UDO. This approach, PD-M with Moyock specific standards, is preferred over an alternative option of providing Moyock Mega-Site Master Plan items within each section and subsection of the UDO.

If the County pursues applying the PD-M Zoning to the area with site (area) specific standards, the County, as part of the Master Plan process, is required to establish the code provisions needed for implementation consistent with the intent of the PD-M Zoning and the Moyock Mega-Site Master Plan, as may be amended.

#### 1.4.1 Rezoning

Rezoning to the PD-M could occur in two ways: Property Owner Initiated and County Initiated. The County Initiated process could also serve as a development incentive by allowing the rezoning of properties, consistent with the Master Plan and PD-M standards with the County serving as the "applicant" or "authorized agent" on behalf of the interested property owners. The alternative would require the individual property owners to pursue and request rezoning and could result in a piecemeal approach to the land use process.

- PD-M is the recommended zoning district since it is currently adopted and established by the County within the UDO. The PD-M has been previously implemented, albeit not to the scale proposed for the Moyock Mega-Site Master Plan.



## Currituck County Moyock Mega-Site Master Plan

- If certain properties do not agree with a general rezoning, the UDO provisions and Master Plan could still be adopted with the caveat that only those properties formally rezoned may utilize the PD-M Moyock Mega-Site Master Plan Standards and development incentives.

### 1.4.2 PD-M (Planned Development – Mixed)

Section 3.7.4.C. PD-M Development Standards notes the standards in Chapter 5 shall apply to all development in PD-M districts but some of those standards may be modified as part of the master plan if consistent with the general purpose of the PD-M district..." The County, through the Master Planning process should identify those specific design components (i.e., thoroughfare standards, perimeter buffering, etc.) applicable to this area.

### 1.4.3 Phases of Development

The County could also establish phasing components or "triggers" based on the desired development schedules. For example, if development is desired within/along the NC-168 Corridor initially, the County could implement the Moyock Mega-Site Master Plan and code for those areas first (approve the full Moyock Mega-Site Master Plan but subsequent areas would be "conceptually" approved/planned). Upon certain levels of development occurring along the corridor, the next phase could be zoned/implemented. Standards are typically included in the Code which allow for modification of the timing schedule based on certain events or improvements.

## 1.5 Implementation Next Steps

To maintain the momentum of the master planning effort and for the vision of the Moyock Mega-Site Master Plan to come to fruition, the County must implement several key next steps. The endorsement and adoption of the Moyock Mega-Site Master Plan by the County's Planning Board and Board of Commissioners is the most immediate action that needs to occur next. Following the adoption of the Moyock Mega-Site Master Plan supplemental next steps consist of the following:

- Incorporate the Moyock Mega-Site Master Plan into the "Imagine Currituck" future land use plan
- Implement/update the County's Unified Development Ordinance to support the Plan
  - PD-M (Moyock Mega-Site Master Plan) specific code needs to be written, adopted, and incorporated into the County's UDO
  - Moyock Mega-Site Master Plan specific code will/is intended to enhance the entitlement process
  - New code section will define acceptable land uses, associated acreages, development densities by land use and/or residential product type
  - New code will establish development standards and design guidelines
- Begin to "Market" the Plan
  - Intent is to remove "Mega" from the name
  - County's marketing firm and/or County need to pick top three (3) candidate names
  - Select new development name within 60 days of the adoption of the plan
  - Market and/or begin to create a brand for the Moyock Mega-Site Master Plan master planned development
- Continue to engage and coordinate with property owners, existing and potential developers, land/real estate brokers, and the Moyock Community.
  - Establish a Steering Committee comprised of key stakeholders



## Currituck County Moyock Mega-Site Master Plan

- This group will provide a first level of stakeholder input as the implementation of the plan continues to move forward
- Meet on a regular basis to keep this group informed and engaged in the process
- Maintain practice of conducting Moyock Community Information Meetings
  - Brief community on project status (e.g., status of updating the code, new name of master planned development, components/item of interest in the code, etc.)
  - Schedule on a bi-annual or quarterly basis
- Establish Development Strategies
  - Identify and define logical phases of development
    - Land uses and intensities should be consistent with expected market demand
    - County should not be overburdened with level(s) of infrastructure investment
  - Maintain or protect “Catalyst” or “Opportunity” sites
  - Seek to establish development agreements amongst land owners where feasible
- Prepare a Master Transportation Plan
  - Transportation network/system needs to be defined based on proposed land uses, locations, and anticipated densities
  - Continue coordination with NCDOT
  - Multi-modal approach
  - Roadway typical sections incorporated into PD-M code to set expectations for transportation infrastructure needs.
- Prepare Storm Water Master Plan
  - Storm Water flows/demand to be defined based on proposed land uses, locations, and anticipated densities
- Prepare Water Distribution Master Plan
  - Water flows/demand to be defined based on proposed land uses, locations, and anticipated densities
- Prepare Sanitary Sewer Master Plan
  - Sanitary Sewer flows/demand to be defined based on proposed land uses, locations, and anticipated densities
- Prepare Infrastructure Improvement Cost Estimates
  - Utilities
  - Storm Water
  - Transportation
  - Infrastructure cost estimates should reflect ultimate investment to accommodate build out as well as infrastructure needs to support realistic phases of development
- Identify Funding Mechanisms
  - Traditional
  - Alternative and/or shared funding strategies



## Currituck County Moyock Mega-Site Master Plan

The identified next steps are not all inclusive and there are additional details associated with each beyond what need to be referenced for this document. However, this list is intended to provide a general outline of the policies, updated code requirements, subsequent planning and preliminary engineering efforts, and strategies that need to be further pursued in order to facilitate the ultimate development of the Moyock Mega-Site Master Plan.



## Currituck County Moyock Mega-Site Master Plan

### 2.0 Master Plan Approach

The Moyock Mega-Site Master Plan is intended to establish a long-term vision for a multi-use development on approximately 3,500 acres of land that is strategically positioned as key connective tissue between Virginia and North Carolina and from Hampton Roads to North Carolina coastal destinations.

The Moyock Mega-Site Master Plan development process was crafted to produce a market-driven plan responsive to projected demand for a mix of land uses specific to the local market and formed by regional influences. The Moyock Mega-Site Master Plan is the result of a collaborative planning process between the consultant team, County government leadership, landowners, and the public. Input was gathered from a variety of sources during local meetings, including Currituck County Planners, elected officials, community organizations, local property and business owners, North Carolina Department of Transportation (NCDOT), and Moyock residents. This input helped shape the market-based plan into a vision for future growth and development consistent with the goals and objectives of Currituck County, as well as resulted in a plan that represents the values and character of Moyock.

**Market Assessment** – The detailed *Currituck County Moyock Mega-Site Market Feasibility Study*, dated March 2016, prepared prior to the master planning phase of the project serves as a guide for potential demand by product type and/or land use. Demand is typically expressed in dwelling units or gross square footage by land use category and can then be translated into the amount of land area (e.g., acres) required to support each of those uses to satisfy the stated demand.

Based on the evaluation of land use and associated results from the market feasibility analysis, as well as the environmental and infrastructure improvements that will be necessary to support the property, the total developable area of the site was derived as shown in **Table 1** below.

**Table 1: Summary of Developable Acreage for the Moyock Mega-Site**

Total Site Area	3,392 acres
Wetlands/Buffers	770–1,279 acres
FEMA Floodplains	483 acres
Combined Wetlands/Floodplains*	1,005 – 1,521 acres
Net Developable Acreage	1,871 – 2,387 acres
Road rights-of-way/Utility Easements (10% of Net Developable Acreage)	187 – 239 acres
Stormwater (10% of Net Developable Acreage)	187 – 239 acres
Total Developable Area	1,497 – 1,909 acres

\*Combined area accounts for overlap of wetland and floodplain features which occupy much of the same geographic space.



## Currituck County Moyock Mega-Site Master Plan

The acreage, land uses, densities, and land bay/area designations shown in **Table 2** have been identified for the Mega-Site based on the market analysis and demand projections.

**Table 2: Developable Acreage, Land Use, and Intensity**

Acreage	Land Use Description	Intensity
750	Residential (Low Density-2units/acre)	1,500 du*
150	Residential (Medium Density-8 units/acre)	1,200 du
20	Residential (High Density-15 units/acre)	300 du
25	Retail (10k sf/acre)	250K sf**
25	Office (12k sf/acre)	300K sf
200	Industrial (5k sf/acre)	1M sf
<b>1,170</b>	<b>Net Developable Acreage</b>	
1,440	Open Space/Wetlands/"Opportunity Land Bank"	N/A
240	Right-of-Way/Utilities	N/A
240	Stormwater	N/A

\*Dwelling Units (du), \*\*Square Feet (sf)

**Program Development** – The goal of program development is to create a market-driven basis for establishing land use goals by product type for application to the project study area. The primary inputs for this process are the products of a detailed market analysis referenced above and stakeholder input. The Moyock Mega-Site Master Plan has designated developed land within the following categories:

- Low Density Residential – Single Family Detached
- Medium Density Residential – Townhomes
- Medium/High Density Residential – Multi-Family/Apartments
- Non-Residential – Retail/Commercial
- Non-Residential – Office/Industrial
- Non-Residential – Office/Healthcare/Medical
- Non-Residential – Industrial
- Open Space, Parks, Greenways
- Public – (School Site(s), County Utilities)

The results of the program development process are reflected below in **Table 3**.



## Currituck County Moyock Mega-Site Master Plan

**Table 3: Moyock Mega-Site Master Plan Development Summary**

Land Use	Site	Acres	Market Demand
Industrial	IND A, B, and C	505	200
Office	OFF 1, 2, and 3	83	25
Office/Industrial	O/I 1 and 2	141	200
Commercial	C - 1, 2, 3, 4, and 5	123	50
Residential	Low Density Residential (LDR) – 1, 2, 3, and 4	566	750
Residential	Medium Density Residential (MDR) – 1, 2, and 3	79	150
Residential	High Density Residential (HDR) – 1 and 2	45	20
Legacy Residential	LDR – Existing	53	N/A
County	Waste Water Treatment Plant	136	110
County	Public School Site	50	
Stormwater	Stormwater Ponds	319	350
Wetlands	Various Wetland Areas	954	1,100
Open Space	Misc. Open/Undevelopable	70	287
Open Space	Parks A, B, C, D, and E	162	
Right-of-Way	Public Roadways and Streets	257	350
<b>TOTAL</b>		<b>3,543</b>	<b>3,592</b>

**Stakeholder Input** – All phases of the planning process relied on direct interaction between the design team, staff, elected officials, and the citizens of Currituck. This process included one-on-one meetings conducted with key stakeholders including land owners in or around the study area or individuals in leadership positions within the community. Attendance at the stakeholder meetings included highly engaged participants providing valuable input for the design team. Through public engagement, the design team was able to identify key issues of interests and concern, including the perceived strengths and challenges facing development of the plan.

**Site Characteristics** – Application of the development program to the site must respond to physical site characteristics and adjacent land use patterns. An assessment of the existing site was conducted by the planning team to identify site constraints in the form of physical, land use, and environmental conditions.

The assessment consisted of a review of site drainage and topography, environmentally sensitive or regulated areas, vegetative cover, and existing site access. Existing land use patterns were documented to identify uses that were either compatible and supportive of a unified master plan or incompatible with the type or intensity of adjacent uses.

**Regional Planning Trends and Planned Projects** – The study area does not exist in a vacuum and how the site engages with other planned projects, local and regional initiatives must be and was considered. The regional conversation regarding future transportation systems, including the proposed East-West connector and the conceptual Moyock Bypass, are reflected in the Moyock Mega-Site Master Plan.



## Currituck County Moyock Mega-Site Master Plan

In addition, several land owners within or adjacent to the Moyock Mega-Site study area have advanced conceptual plans for future development. These plans were accounted for (i.e., acreage, land use, and proposed intensity) in the Moyock Mega-Site Master Plan as they were a part of the equation for meeting anticipated market demand, influential in street network layout, as well as defining a mix of land uses, diversity of residential product type, and associated development intensities.

### 3.0 Program Development

#### 3.1 Market Assessment

The results of the Moyock Mega-Site Master Plan program development process is intended to reflect current projections for demand in the local market across various types of development products. In this manner, a market-driven plan will more realistically depict the intersection of site capacity with market demand and thus identify any disconnect between the amount of land in the study area available to satisfy demand. The result is a graphic representation of whether the study area can accommodate the projected land uses needed to satisfy demand or the results may suggest that there is more land than is needed to support limited market demand.

It must be noted that the market assessment characterizes overall demands by land for a larger market beyond the physical boundaries of the study area. While the study area represents how the overall demand might be accommodated within the boundary limits of the Moyock Mega-Site (See **Figure 1**), it must be recognized that some of the demand will be accommodated outside of the study area, albeit within the local market. This may result because some projects are ready to advance before entitlements or infrastructure are in place within the study area, or perhaps because other properties are less expensive to develop or present fewer permitting challenges. Given that reality, the overall study area represents a land area larger than is necessary to accommodate the net demand projected for the market, particularly when we account for uses that are located outside of the project limit boundaries.

The following are some key elements of the market assessment that helped define the master planning process and as a result are reflected in the plan:

##### 3.1.1 Big Picture Trends and Demographics

Development trends are often very well documented and consistent across local, regional, national and even global markets. The Moyock Mega-Site Master Plan should acknowledge current trends to the extent that local conditions reinforce those trends. Some of the strongest development trends identified in the Moyock market assessment include the impacts of an aging population, the move toward mixed-use and urban living, and the coming together of the millennial and senior populations with respect to certain lifestyle preferences for live-work-play environments.



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## Moyock Mega-Site Master Plan Property Boundary

Figure  
1



## Currituck County Moyock Mega-Site Master Plan

The Moyock Mega-Site Master Plan (See **Figure 2 – Moyock Mega-Site Master Plan**) contemplates the impact of these trends but avoids the temptation to extrapolate those trends too rigidly for the local market. The nature of retail development in larger, more urban markets includes mixed-use, walkable, highly amenitized main-street types of environments. Virginia Beach Town Center is an example that was frequently cited by local residents as a desirable retail, mixed-use environment. The total anticipated retail demand generated by the Moyock Mega-Site study area, however, is not large enough to achieve the density and critical mass for that development model. The expectation is for a more traditional retail model with big-box and junior anchors, in-line shops and outparcels with shared parking fields. That said, development guidelines created for this project can still seek to achieve good connectivity, pedestrian friendly plans with parking fields defined by landscaped areas and common space.

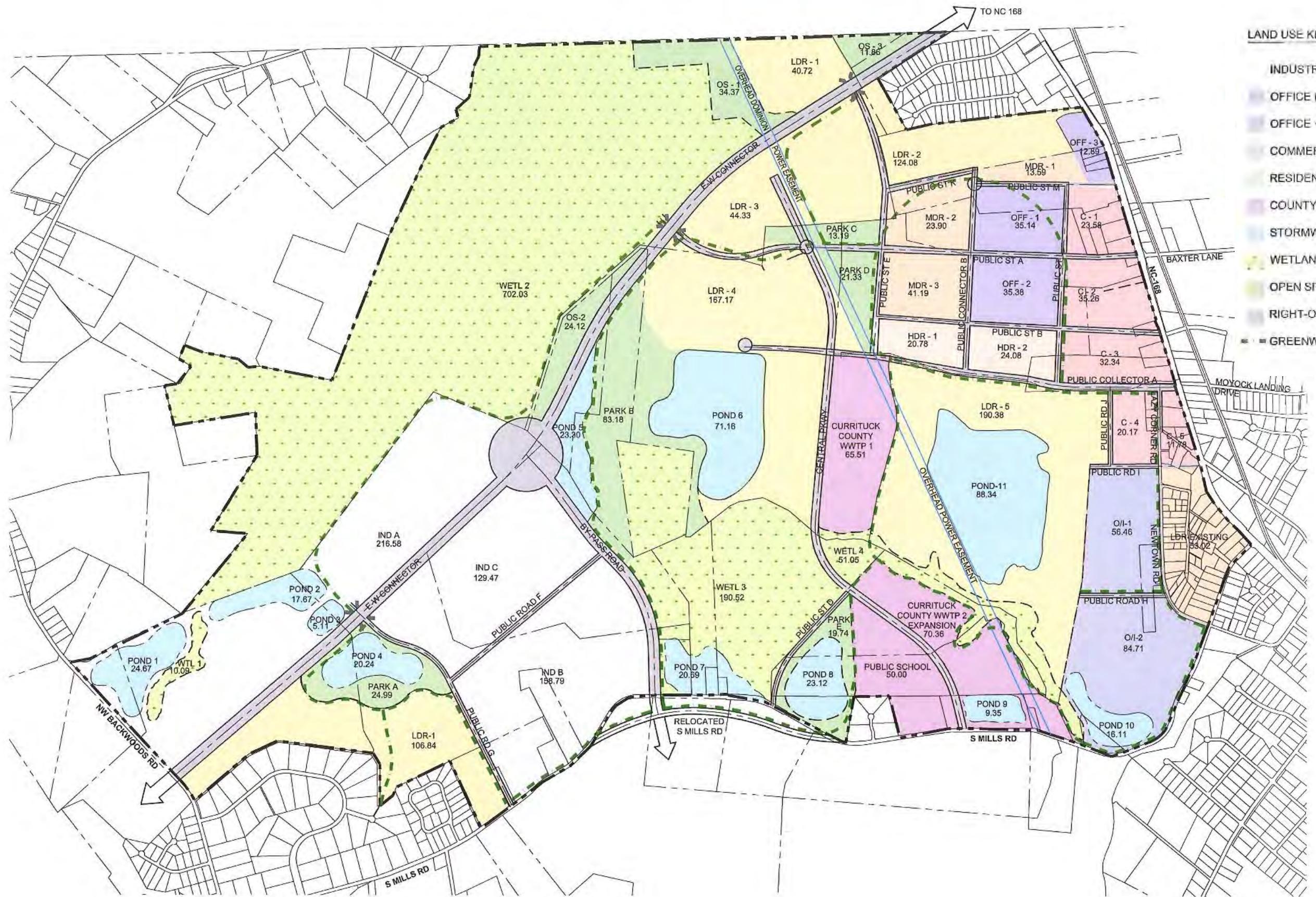
Demographic changes and a desire for more urban lifestyles can be addressed in the plan with a creative horizontal mixed-use approach and integration of residential and non-residential product in the core area closest to NC-168. Medium and high-density housing should be clustered near the retail and office core for good connectivity. Common space and small event spaces can create opportunities for community connectivity and activity areas for residents, visitors and daytime employees. A variety of product types including garden apartments, townhomes, age-targeted product, and small lot single family cottages can help create age and income diversity and a stronger sense of community. Moyock residents have a strong connection to the land and its history. Attention should be paid to creating a good place to age-in-place for current residents who would like to remain in the area but seek to downsize or enter more walkable, or even age-targeted or assisted living environment.

### 3.1.2 Residential

The projected demand for residential product includes up to 3,000 residential units consisting of a variety of product types (e.g., single family detached homes, townhouses/condominiums, and multi-family apartments) and equates to roughly 1,100 acres of land area. The Moyock Mega-Site Master Plan organizes medium and high density product in proximity to the retail and office core to promote walkability and a horizontal mix of uses. Large single family detached development areas are associated with the interior of the site, large water amenities, and adjacency to existing residential land uses. Two residential concepts have been envisioned by current landowners associated with the future closing of the active sand pits. The concept would be to create water amenities out of the abandoned excavation sites and develop lots around those features. The master plan for the project would accommodate that approach.

### 3.1.3 Commercial/Retail

The projected demand of 500,000 gross square feet of commercial/retail development can be related in size to a little more than a typical big-box anchored suburban center. The plan locates this use adjacent to the NC-168 (Caratoke Highway) corridor and recognizes the need for good visibility and access to support commercial and retail uses. Commercial/retail businesses will need to capture both internal customers from within the planned development as well as pass-by traffic from the adjacent roadway consisting of local, regional, and seasonal customers. Commercial and retail support services is also a strong amenity for daytime office workers and residents within the development and should be developed with strong pedestrian connections to these uses.



## LAND USE KEY

- INDUSTRIAL (505 TOTAL ACRES)
- OFFICE (83 TOTAL ACRES)
- OFFICE + INDUSTRIAL (141 TOTAL ACRES)
- COMMERCIAL (123 TOTAL ACRES)
- RESIDENTIAL (690 TOTAL ACRES)
- COUNTY (186 TOTAL ACRES)
- STORMWATER (325 TOTAL ACRES)
- WETLANDS (954 TOTAL ACRES)
- OPEN SPACE (232 TOTAL ACRES)
- RIGHT-OF-WAY (243 TOTAL ACRES)
- = GREENWAY / TRAIL NETWORK



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## Moyock Mega-Site Master Plan

Figure  
2  
Packet Pg. 36



## Currituck County Moyock Mega-Site Master Plan

### 3.1.4 Office and Industrial

Office uses provide a good transition between residential uses and higher intensity uses. It is proposed that 300,000 gross square feet of office demand could be accommodated in a relatively small cluster of two story buildings on roughly 25 acres of land or a couple of taller structures on a smaller footprint. Medical offices and healthcare-related uses would be very good catalyst developments for Mega-Site project and could very well drive the need for support uses such as retail, commercial, and lodging to the area.

Industrial demand in this location is strong, projected at approximately 1,000,000 gross square feet. This demand could translate into 200 acres or more of land area. Industrial users require good access, and separation of traffic from passenger vehicles to the extent possible. There is a strong economic development driver to incorporate industrial land or moderately sized opportunity sites (i.e., one site consists of approximately 56 acres and one site consists of approximately 85 acres, or a consolidated site would be comprised of approximately 140 acres) near NC-168. Opportunity or "catalyst" sites, can help promote early development interests where existing infrastructure is already in place while also helping to minimize initial capital costs. The Moyock Mega-Site Master Plan reflects this approach by providing for two such larger opportunity sites near NC-168 in the southeast corner of the study area. The western part of the study area is the other area of focus for these larger scale industrial uses with good accessibility to major arterials and buffers to adjacent residential uses.

### 3.1.5 Stakeholder Input – A Community Based Vision

Each public input event featured an opportunity for land owners with property located within the study area to interact with the consultant team and Currituck County staff outside of a broader, open public meeting. Participants were given an overview of the study area and the project intent and engaged in a variety of exercises to obtain preferences, concerns, and ideas regarding what they considered to be a desirable development outcome for the property.

Following is a summary of the most relevant input obtained through the public engagement process and used to inform the master planning process.

#### Opportunities

Participants were asked to describe the types of development and types of elements within the proposed Plan that would appeal to them or would address a specific need. The types of uses most commonly identified as high priority elements to be considered for as part of the Moyock Mega-Site Master Plan include:

- Casual dining options
- Single family Housing
- Big-box retailers
- Grocery stores
- Pharmacy
- Doctor's Offices / Urgent Care
- Public/community open space and event space
- Movie Theatre
- Gym



## Currituck County Moyock Mega-Site Master Plan

The following types of uses were identified as second priority elements to be considered for as part of the Moyock Mega-Site Master Plan:

- Fast Food restaurants
- Church
- YMCA
- Apartments
- Wholesale Club retailer
- Fuel / Convenience Store
- Local professional offices - financial, insurance, real estate, etc.
- Bank
- Flex Office Space
- Community Center
- Passive Park
- Daycare
- Greenway
- Dog Park

### **Key Objectives**

- Employment center / job creation
- Grow tax base
- Create “a place for young people to come back to”
- Create a destination live-work-play environment like Town Center VA Beach; Edenton
- Pedestrian Friendly
- Destination

In addition to the key objectives and the opportunities that implementation of the plan may create for the community, members of the public highlighted several areas/topics of concern.

- Stormwater management/drainage of the site with proposed future development
- Industrial development near or immediately adjacent to residential neighborhoods
- Noise from proposed future roadway corridors
- Need for more Schools with increased residential development
- Mixed-Use Core should create a “downtown” feel and should be walkable
- Land Use Compatibility
- The word “Mega” – proposed master plan/development needs a different name.

These concerns and issues were taken into account throughout the development the Moyock Mega-Site Master Plan. Some are recognized as challenges, but through more detailed planning, analysis, and preliminary design will be resolved or mitigated before development begins (e.g., Master Stormwater Management Plan, Master Transportation Plan, Moyock Mega-Site Master Plan buffer requirements per new section in the County’s Unified Development Ordinance).



## Currituck County Moyock Mega-Site Master Plan

The need for a potential new school site was identified early in response to the existing school populations as well as the anticipated and intended increase in school age children with the development of the Moyock Mega-Site Master Plan. Buffers between land uses have initially been addressed through a combination of parks, open space, or a proposed greenway/multi-use trail network. Finally, County Administration, staff, land owners, the consultant team, and the County's marketing firm, all agree that a new name for the master planned development that doesn't include the word "Mega".

### **Perceived gaps in goods and services**

Stakeholders and citizens were also asked about apparent gaps in goods and services within community. The most commonly identified gaps in goods and services included the following;

- Retail/restaurants for daytime employees and nighttime residents
  - Casual, sit down dining
  - Restaurants suitable for a reasonable business/client lunch
  - National Grocery store in the middle tier of quality to complement existing store brands in the market
  - Recruit/attract retailers that offer discounts to state and federal employees
- Professional Services
- Residential
  - Senior Housing
  - Single-family Housing

### **Community Brand**

Participants were asked to share their perceptions of Moyock's brand in terms of images and characteristics most frequently associated with the community.

- Transitional area to tourist destinations
- Bedroom Community
- Rural / Small Town Feel
- Wildlife; Nature; Sportsman's Paradise
- Quality of Life

## 4.0 Master Planning Challenges and Opportunities

### 4.1 Destinations and Barriers

Destinations and barriers are important elements in designing and developing cohesive master planned communities. Destinations may consist of public amenities such as parks, trails, entertainment venues, or local businesses with a special niche market appeal that draw local and regional patrons. Barriers can include physical features such as railroad tracks, environmental buffers, major highways, or social or psychological conditions such as blighted areas, view sheds, or industrial noise and odors that deter development interest or even the potential to establish a sense of connectivity.



## Currituck County Moyock Mega-Site Master Plan

The study area does have some active business destinations central to the site, most notably the two sand pit operations and the County wastewater treatment facility. The importance of these sites is that while the sand pits may ultimately be redeveloped, access to them must be accommodated as new development occurs around them for several years (i.e., current estimates are that mining of sand will occur at the Williams mine for another two to three years) until they cease operations. Access roads through new development need to be planned relative to short term and long term impacts resulting from heavy equipment traffic.

There are existing commercial destinations fronting NC-168, some of which may remain and some that may be subject to redevelopment in the future. It is possible that some of these destinations may reorient primary access to the project interior as they redevelop.

### 4.2 Challenges

Barriers to development can be characterized as short-term and long-term. The sand pits, are both destinations and barriers with respect to redevelopment. As noted above, they are barriers to short-term redevelopment as they must remain in operation with good access to/from NC-168. The owners of these businesses should be engaged early in the process to discuss options for re-routing access through the site to/from NC-168 as new development comes on line.

Environmental constraints including wetland areas can also be characterized as barriers and destinations. They represent physical barriers that constrain the limits of development and routing of major utilities. However, they can also add to the aesthetic quality of the development and be incorporated into parks and linear recreation features as destinations.

The County Wastewater Treatment Plant with the Moyock Mega-Site boundaries occupies a large physical space, to include a future expansion area, very central to the study area. In addition to this fact, there is the potential impact of unappealing odor that is naturally occurring around treatment facilities that can be barrier to all types of development. Residential land uses are most sensitive to this issue and could be a barrier to sales or development interest. Some consideration for possibly relocating the treatment facility, or at a minimum the future expansion area, should be given to enhance the overall project marketability. At a minimum the County should investigate available technologies currently being used in the industry by other water treatment facilities around the country that are located near or adjacent to residential communities.

Although several key significant positives and County objectives (i.e., employment/job creation, increased tax base, and enhanced regional connectivity) could result from construction of the proposed East-West Connector, it would be a limited-access facility and thus create a large physical barrier through some portions of the study area. Locations for grade-separated access will need to be carefully planned to allow for connectivity on both sides of this facility.

The current typical section and alignment of South Mills Road is not adequate to properly serve the type and volume of traffic that may be generated by new development in the future. However, proposed segments of roadway realignment, the softening of curves, as well as intersection traffic control and safety improvements, in advance of or concurrent with new development can easily be accommodated given adjacent agricultural uses (i.e., less potential for conflicts and less significant impacts to existing property owners).



## Currituck County Moyock Mega-Site Master Plan

### 4.3 Opportunities for Change

Large development projects with multiple land owners and a long-term horizon for completion must recognize that some properties will be more susceptible to change and present fewer challenges for acquisition and development than others. Vacant, underutilized, or absentee owner properties are typically more likely to change over time given a reasonable level of market pressure. By comparison, fully developed, well-performing businesses may offer barriers or long-term challenges to implementation of a new development pattern.

*Privately Owned Parcels*: Several parcels in private ownership north and south of Winslow Road have already been contemplated for redevelopment and may serve as catalyst sites for further redevelopment of the study area along the NC-168 corridor.

*Legacy Residential*: Established residential areas around the Mega-Site perimeter are likely to remain residential, although redevelopment with a variety of higher density residential product types might follow market demand to live near a developing commercial core. It might also be anticipated that some residential lots along the NC-168 corridor could convert to commercial uses more appropriate for a thoroughfare environment.

*Sand Pits*: These operations have a lifespan that may make them prime redevelopment sites in the near future, perhaps within a three to five-year time horizon. They represent significant opportunities for change and would have a large impact on establishing the character of the overall development.

*Undeveloped Agricultural Lands*: Agricultural lands outside of wetlands represent a significant amount of the Moyock Mega-Site Master Plan study area and offer few barriers to change, except for the cost of getting infrastructure to them. These areas tend to be situated away from the NC-168 corridor but long-term may have access to the future East-West connector and by-pass and facilities.



# Currituck County Moyock Mega-Site Master Plan

## 5.0 The Moyock Mega-Site Master Plan

### 5.1 Master Plan Framework – Key Elements

#### 5.1.1 Gateway Development

With over 3,000 acres of land area it is important to identify key gateway corridors and frontages that have the most impact on how people will arrive, depart, and experience the development. Well defined gateways can effectively announce the development and orient people to destinations within the Moyock Mega-Site development area. They can also contribute to the establishment of the character and quality of development. Branding elements such as signage, wayfinding, and streetscape elements are collectively important to establish the desired look, feel, and functionality of key gateways. Some gateways are physically inherent to the area while others can be created with new transportation systems and new points of access into the property. The following is a brief description of key project gateways:

*NC 168 at Moyock Landing* – The primary entrance into the development is anticipated to occur at the intersection with NC 168 opposite Moyock Landing Drive. This point of access will provide direct connectivity to the primary retail district, residential neighborhoods, and the Central Parkway. Branding of this gateway should reflect that it is a connection to all major land uses, except industrial.

*Future East-West Connector* – This regional transportation facility will have limited access into/out of the development but have the longest exposed frontage to the property. Attention should be paid to the landscaping and potential buffering along this facility to reinforce the project brand.

*Proposed Central Parkway* – This proposed road could become a preferred route to residential destinations within the site and thus create two important gateways where it intersects with Public Collector B and Public Street B to the north and at its terminus with South Mills Road to the south. This road is anticipated to front residential property, a potential County school site, as well as parks and open space and would be best suited for a parkway typical section.

*Proposed NC 168 By-Pass* – A future alternative route to NC-168 around Moyock could become a primary gateway to industrial properties on the west end of the development. This proposed highway facility is expected to have either partial or limited control of access.

#### 5.1.2 Access and Transportation Network

The proper location, street sections and levels access across the entire road network are critical to the success of the plan. The layout and physical design of the street network must reflect the different transportation needs of industrial, retail, office and residential end users and address the potential conflicts or synergies between them. The key transportation elements of the plan include the following:

*NC –168* – The existing highway segment will be transformed to not only the primary conduit for pass-by traffic but also a major thoroughfare distributing traffic to/from the new development. Retail uses will begin to cluster along this frontage and new commercial driveways and signalization will change the character of this section of NC-168. It is proposed that this facility be converted from a 5-lane (i.e., two travel lanes in each direction and a center two-way left-turn lane) to a 4-lane divided section within a 100-foot right-of-way (ROW), creating safety and operational enhancements and providing some opportunity for landscaping and frontage improvements (See **Figure 3**).



## Currituck County Moyock Mega-Site Master Plan

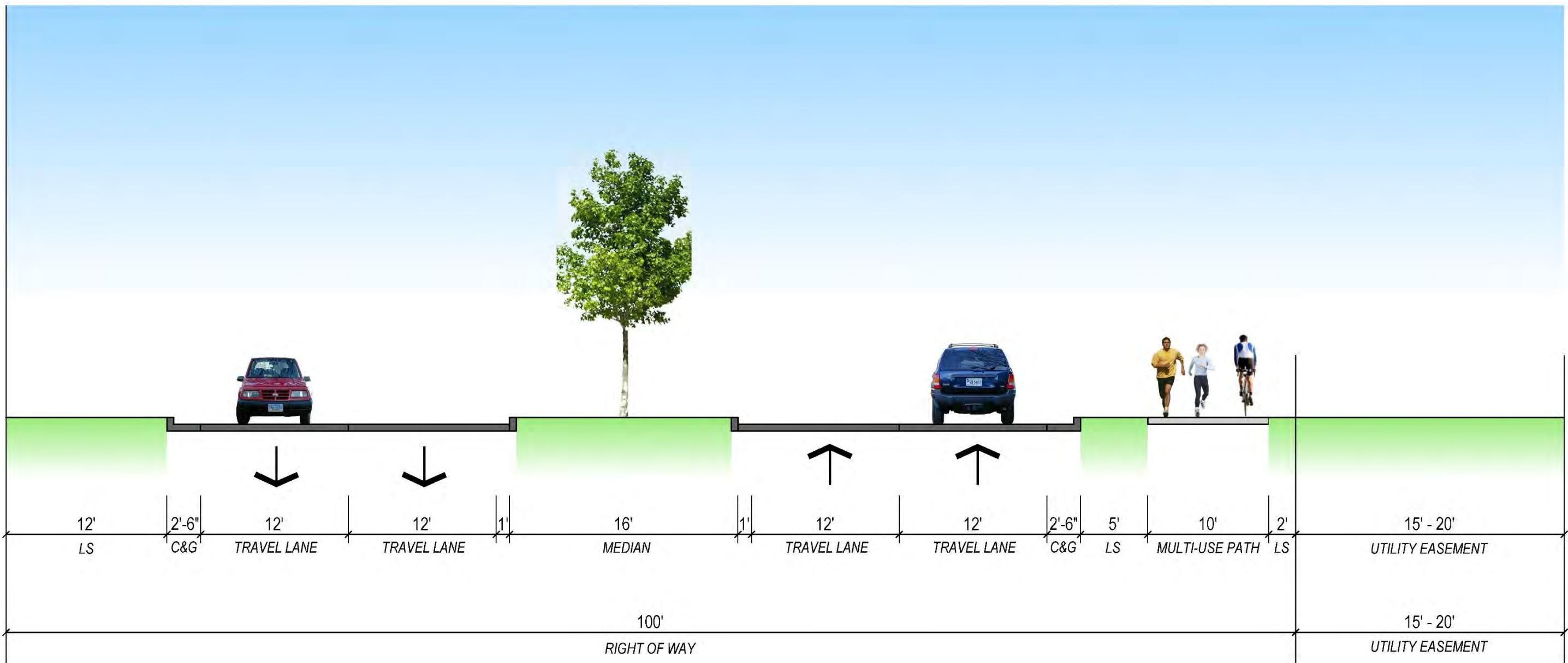
**South Mills Road** – To help attract initial industrial/office development to the “opportunity” site(s) along Newtown Road or to the larger scale warehouse/distribution development envisioned toward the western portions of the Mega-Site, and provide the roadway infrastructure necessary to support future traffic volumes, it is recommended that South Mills Road be improved. This involves converting the facility from a 2-lane to a 4-lane divided typical section within a 90-foot ROW. South Mills Road will provide a primary means of access for these sites to/from NC-168, Central Parkway, and the proposed NC-168/Moyock Bypass. (See **Figure 4**).

**Public Collector A** – The primary entrance into the development is anticipated to occur at the intersection with NC-168 opposite Moyock Landing Drive. It is proposed as a 4-lane divided facility with optional ROW widths varying from 96 feet to 110 feet. This road will carry traffic with a variety of destinations including retail shoppers and dining patrons, full time residents, daytime workers and office users. A landscaped median divided section would be appropriated for this road (See **Figure 5**).

**Future East-West Connector** – This regional transportation facility will have limited access into the development but have the longest exposed frontage to the property. It is contemplated as a 4-lane divided facility in a 210 to 215-foot ROW. This road will likely carry most of the heavy industrial traffic serving properties within the development as well as passenger vehicles by-passing the property to and from destinations north and south of Moyock (See **Figure 6**).

**Proposed Central Parkway** – This proposed road could become a preferred route to residential destinations within the project and thus create two important gateways where it intersects on the north with the future East-West Connector and at its south terminus with South Mills Road. This road is anticipated to front residential property and may be best suited for a parkway section within a 100-foot to 110-foot ROW (See **Figure 7**).

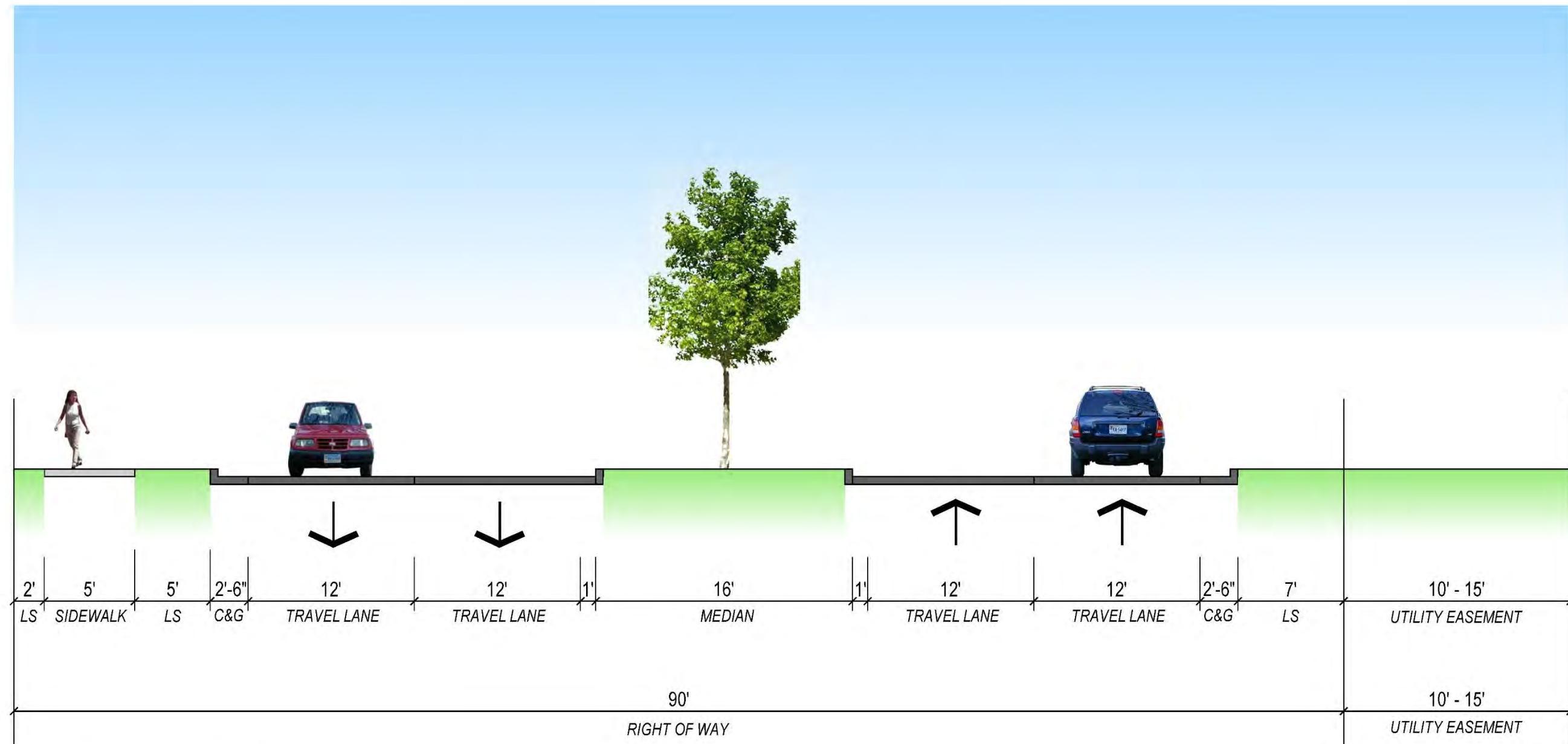
**Proposed NC-168 By-Pass** – A future alternative route to NC-168 could become a primary gateway to industrial properties on the west end of the development. It is contemplated as a 4-lane freeway section in a 140-foot to 180-foot ROW but limited access to residential and industrial sites from this location would greatly benefit the development (See **Figure 8**).



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NC-168 – Typical Section Concept

Figure  
3  
Packet Pg. 44



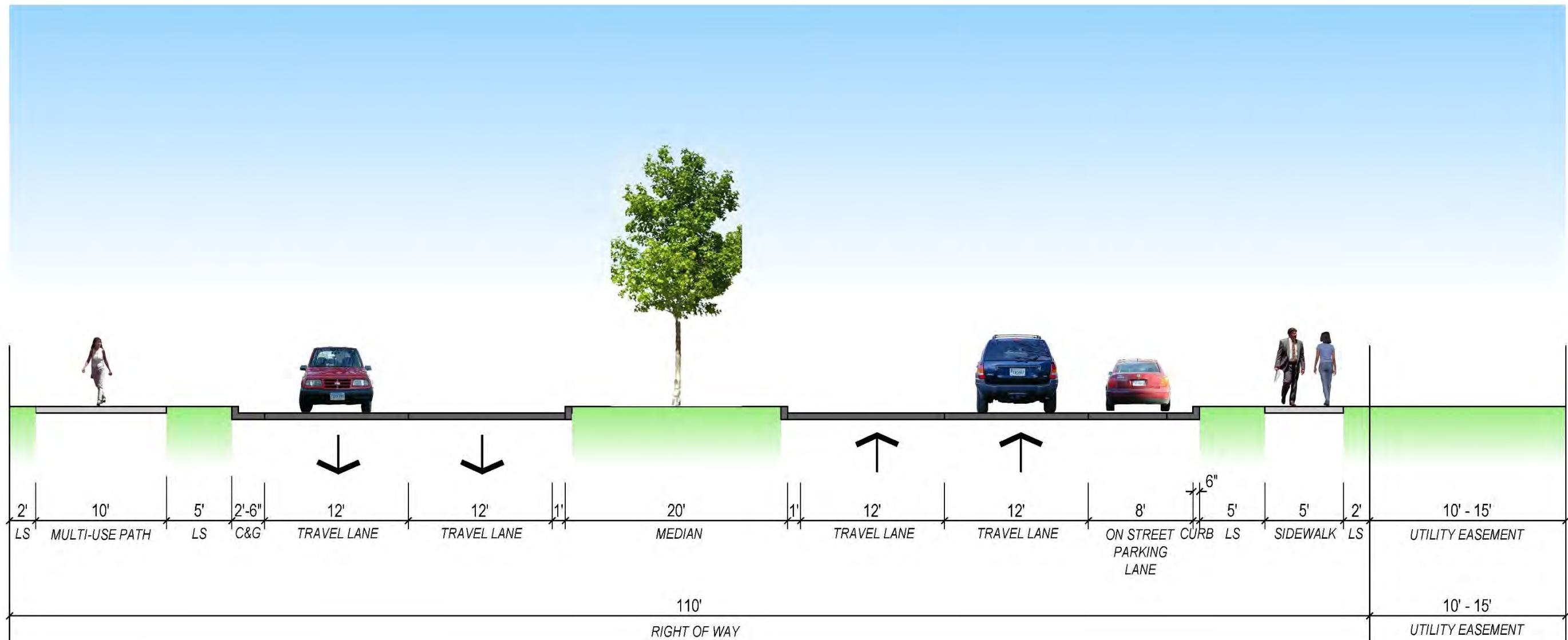
Arterial Section (Option 2)



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South Mills Road – Typical Section Concept

Figure  
4  
Packet Pg. 45



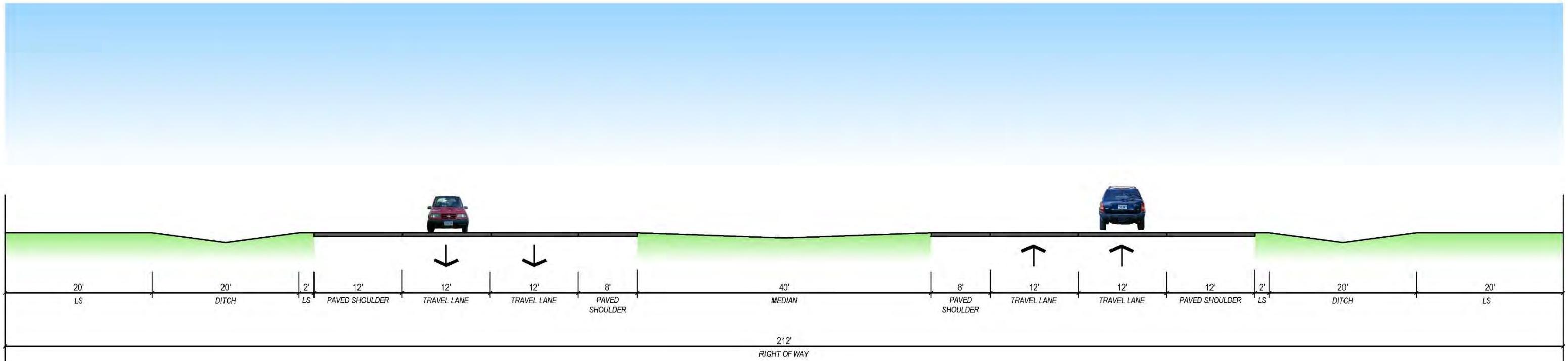
Collector (Option 3)



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Public Collector "A" – Typical Section Concept

Figure  
5  
Packet Pg. 46



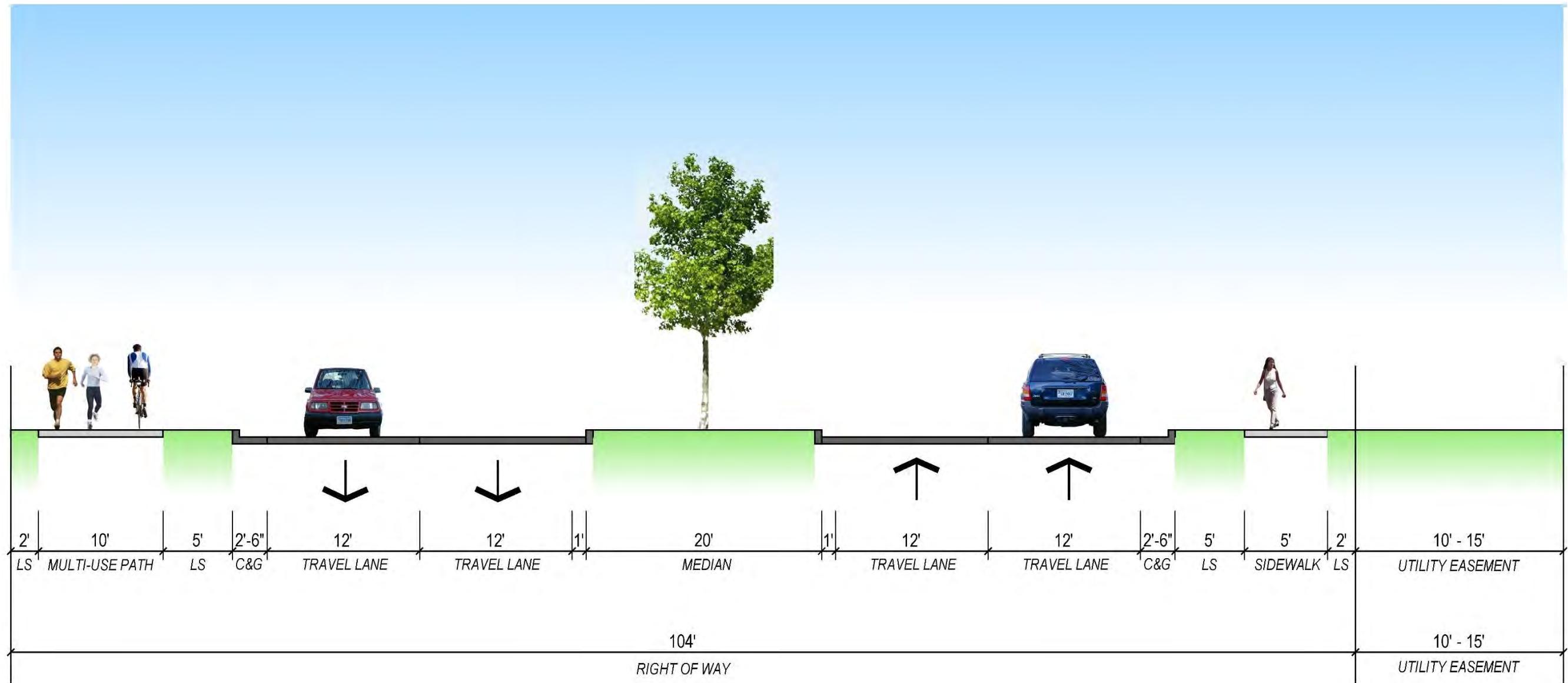
### Highway (Option 3) - Full Control of Access



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East-West Connector – Typical Section Concept

Figure  
6  
Packet Pg. 47



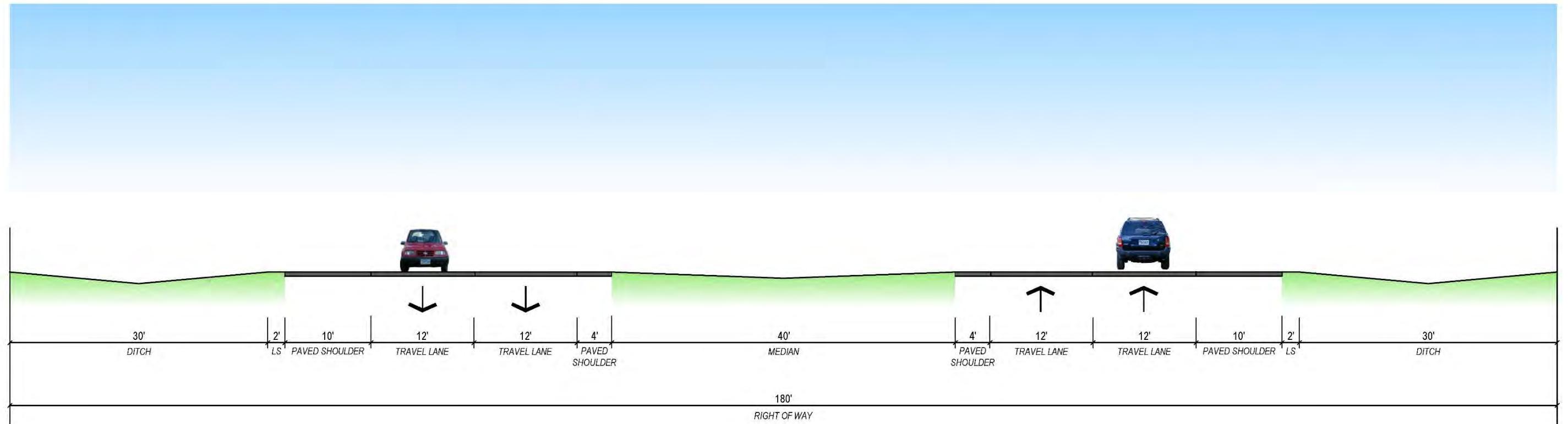
Arterial Section (Option 3)



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Central Parkway – Typical Section Concept

Figure  
7  
Packet Pg. 48



### Highway (Option 2) - Limited Control of Access



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NC-168/Moyock By-Pass – Typical Section Concept

Figure  
8  
Packet Pg. 49



## Currituck County Moyock Mega-Site Master Plan

### 5.1.3 Green Infrastructure – Open Space and Greenways

Open space and greenways provide not only aesthetic quality and recreation opportunities for communities but important linkages between land uses. The Moyock Mega-Site Mater Plan should create/provide for a variety of open spaces and an extensive greenway system, ideally tying into the local and regional bike, pedestrian, and greenway plans.

The presence of extensive wetland areas presents an opportunity to associate common space and trails along the perimeter of these areas. The type of improvements within wetlands will be limited but can accommodate a system of elevated walking trails and animal habitat viewing as well as interpretive stations for nature education.

In addition to large open spaces, smaller, more urban open spaces should be incorporated within development areas. One-quarter acre to one acre spaces within mixed-use areas are important gathering spaces and programmed event spaces to enliven the community fabric. These spaces should be walkable from residential and daytime employment areas. A central event space that can accommodate regular, programmed community events is an important element for creating a vibrant mixed-use center. These areas become destinations or gathering spaces and can be instrumental to the success of local businesses.

### 5.1.4 Stormwater Management and Environmental

The plan provides conceptual locations and sizes for stormwater management systems needed to address local and state requirements. For planning purposes, the Moyock Mega-Site Master Plan allocates roughly 15% of developed land area for stormwater management measures (SWM). The two sand pit sites within the Moyock Mega-Site planning area have some potential for use as stormwater management facilities, but require additional regulatory agency input for final determination. Additional ponds are integrated into the plan to function as amenities and in some cases buffers between different land uses. A shared, or regional, approach to stormwater management can be beneficial but requires cooperation among land owners. This approach can reduce the overall number of facilities and the overall maintenance costs associated with them. Management and funding mechanisms are necessary to construct and maintain these regional facilities and to allocate these costs to individual developments within the study area.

## 5.2 Land Use Summary

### 5.2.1 Mixed-Use Core

The primary gateway into the development is opposite Moyock Landing Drive and enters into the mixed-use core of the development. This is the front-door of the development and provides convenient access to potential commercial, retail, multi-family, general office, and medical office/health care related uses, as well as parks and greenway/trail amenities. **Figure 9**, reflects a conceptual area plan for the proposed Moyock Mega-Site Mixed-Use Core. Commercial, retail, and office or medical office uses are clustered closer to NC-168 and the office or medical office land uses can serve as good buffer/transition uses between commercial/retail and residential development. It is noted that office or medical office land use designations in the Plan are somewhat interchangeable. Two of the region's larger health care providers have expressed interest in potential development opportunities associated with the Mega-Site in Moyock. Therefore, depending on level of interest, scale/size of investment, and the potential for medical office and/or health services related uses to be a catalyst type development for the Mega-Site, flexibility between office use types within the Mixed-Use Core must be accommodated.



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## Moyock Master Plan – Mixed-Use Core Conceptual Plan

Figure  
9  
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## Currituck County Moyock Mega-Site Master Plan

The street network should be interconnected and pedestrian connectivity a high priority to make this a walkable core. These uses would be expected to serve customers from outside of the development as well as residents and employees from within the project boundaries. Medium to high-density residential uses should have strong pedestrian connectivity to shops and services.

The importance of streetscape, façade character and form, building massing, and active pedestrian zones toward creation of vibrant core cannot be overemphasized. Development of standards or design guidelines toward a walkable streetscape in this area should be developed to achieve the desired character and quality of development.

The success of retail is tied to the right mix of complimentary uses, good parking (i.e., amount and proximity of parking inventory to retail destination(s), and visibility. A successful mixed-use core will often be built around local retail and restaurants, with a select mix of national brands. One approach to maintain and enhance the local feel and brand of development is to identify existing local, or regional businesses that might cluster within the core area to help create a unique destination for residents and travelers that is tied to the local character.

The entertainment and social component of a successful core area is important and can be promoted with movie theatres, outdoor spaces, or performing arts venues. A central green space or identifiable community gathering space can be an important amenity for residents and businesses within the development, as well as visitors. Programming these venues is the key to success. Programming must be constant, high quality, and well supported by public infrastructure and marketing. It is not about event size as much as it is about quality and frequency. Getting the public accustomed to coming to this area on a regular basis to be with other people is the key. Just as important as good venues are clean and well maintained public restrooms, as well as accessible and functional parking and efficient traffic control.

### Key elements of the mixed-use core include the following:

- Highway Commercial – situated to attract convenience retail, professional services and restaurants typically associated with a high volume thoroughfare including a mix of neighborhood commercial uses. This area could possibly attract big box retailers or professional offices oriented along the NC-168 corridor.
- Healthcare – Healthcare uses can be a good catalyst land use and would benefit from proximity to NC-168 and use of existing infrastructure (i.e., roadway/transportation and utilities). This could include medical office buildings, urgent care or a stand-alone Emergency Department, as well as a community hospital. Healthcare uses can in-turn create demand for support services such as pharmacies, professional offices, hotels and restaurants. Accessibility to a healthcare core in this location would be very good, with two alternative routes from NC-168 and potential for good connectivity to the internal street network.
- Office / Medical Office – Office/medical office uses can complement retail uses in the core area and be served by nearby restaurants and services. Office or medical office uses also provide a natural transition toward medium and high-density residential uses as well. Peak morning and evening traffic from general office buildings can be distributed along several alternative routes (i.e., Public Street A, Public Street B, or Public Connector) to the NC-168 corridor and eventually the proposed Central Parkway facility. Whereas medical office uses can have less significant demand during the AM and PM peaks, but with patient appointments and support services more traffic activity over the entire course of the day.



## Currituck County Moyock Mega-Site Master Plan

- Retail – Mid-size and big box opportunities. The proposed core retail area would be well served by the two primary entry roads and access to/from NC-168. The layout would likely be more suburban in nature but the potential is to create a walkable plan with connectivity to residential development areas and limit large parking field visibility from NC-168.
- Residential – Medium to high-density residential product should be clustered near retail, entertainment and employment centers to promote walkability and minimize daily vehicle trips. The multi-family product is located closest to the retail destinations. The townhome and small lot residential product extends west to the proposed Central Parkway. Open space and trail networks should connect these areas and extend to more regional trail systems where possible. Stormwater management ponds can be amenities for residential neighborhoods.

### 5.2.2 Single Family Residential Districts

The market demand for single family homes is roughly equivalent to 1,500 lots or 750 acres of land area. Single family lots in the northeast and southwest quadrants are generally adjacent to existing single family homes outside the Moyock Mega-Site Master Plan area and the central district lots area associated with redevelopment of the mine pit and buffered by large areas of wetlands. The Moyock Mega-Site Master Plan provides for large tracts of single family development in several locations:

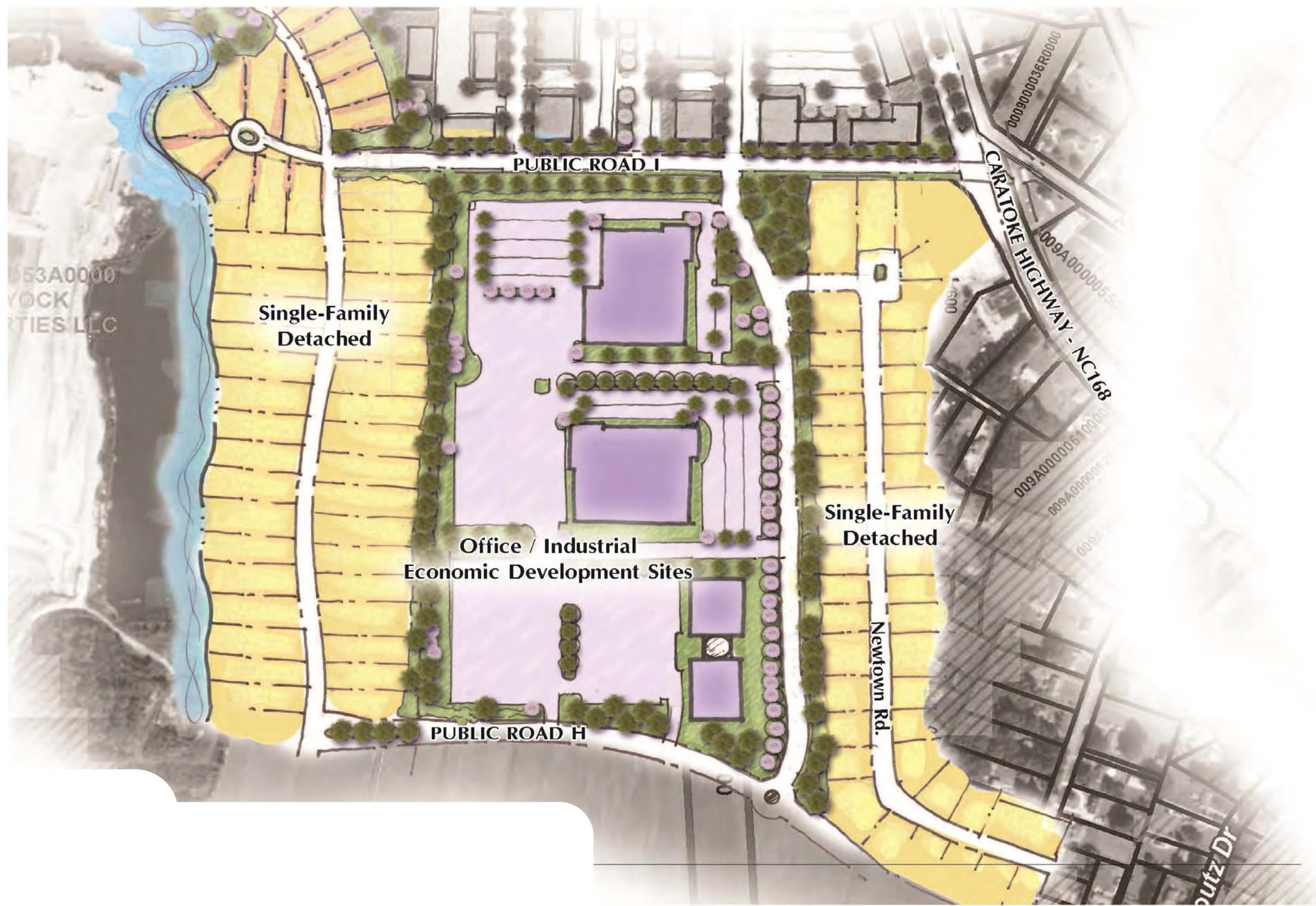
- Central part of the study area anticipating redevelopment of the two sand pit operations
- North-Central district south of the future East-West Connector and adjacent to legacy and planned residential development in the Northeast portion of the study area.
- Southwest quadrant north of South Mills Road and adjacent to the legacy residential in that area

### 5.2.3 Western Industrial Park

The market study indicated demand for roughly 200 acres of industrial land. The western district of the Moyock Mega-Site Master Plan is well suited for industrial and light industrial end users. This area has good access and strong visibility from the proposed East-West Connector. The industrial development areas could be subdivided into large or small parcels or recombined for one large tract of 200 acres or more. The cost of getting infrastructure to these areas may be a limiting factor early in the evolution of the Plan. As such, economic development sites have been planned for on larger tracts closer to NC-168 to accommodate potential catalyst projects with less upfront capital costs.

### 5.2.4 Economic Development Sites

The Moyock Mega-Site Master Plan provides for almost 140 acres of potential Office / Industrial sites with good access to/from South Mills Road and NC-168. This land offers an opportunity to accommodate end users interested in locating within the study area prior to construction of expensive infrastructure needed to access the western portions of the site (See **Figure 10**).



Kimley»Horn

## Moyock Master Plan – Office/Industrial Conceptual Plan

Figure  
10  
Packet Pg. 54



## Currituck County Moyock Mega-Site Master Plan

### 5.2.5 Public Schools

The Moyock Mega-Site Master Plan provides for a fifty-acre public school(s) site with access to/from South Mills Road as well as the proposed future Central Parkway. This site would benefit from access to an existing public street, future access to an internal public street, and adjacency to proposed open space as well as ease of access to/from internal residential developments.

### 5.2.6 Green Infrastructure

Linear open space, greenways/trails, and parks are crucial to a successful development. Every development parcel should be viewed through a lens of connectivity to create a contiguous, multi-modal network of paths and public spaces linking all land uses. This system should have good connectivity to sidewalks along the public street network to encourage non-vehicular movement in, out and around the site. The Moyock Mega-Site Master Plan reflects a potential greenway/trail system network that will provide connectivity between destinations, serve as a buffer between some land uses, but most importantly serve as a significant recreational resource for the community.

## 6.0 Proposed Unified Development Ordinance<sup>1</sup>

Currituck County undertook the master planning process for the Moyock community, specifically the area commonly referred to as the “Moyock Mega-Site” in late 2016. The current Moyock Mega-Site Master Plan (land use plan) and implementing UDO standards (i.e., Zoning Districts) do not support or reflect the current Vision for the area reflected in the Moyock Mega-Site Master Plan (See **Figure 2**). Diversification of the economic base is a critical component to the intent of the Plan. One of the key goals of the current Moyock Mega-Site Master Plan and the recommended update of the UDO, is to create a development environment that supports and encourages a diversification of job creating businesses and industries while providing the necessary residential supporting neighborhoods and public infrastructure.

The intent of the Code analysis and recommended structure is to provide a framework within the County’s current UDO. There are two (2) primary options available to the County, (1) utilize the County’s current Planned Development Mixed (PD-M) zoning district, or (2) create a new area specific zoning district. A third, but less desirable option is to provide updates to the UDO in the respective sections specific to Moyock. Note, this option is not recommended or further discussed due to the “decentralized” approach to the Code by placing updates in the various sections (i.e., roadway standards, landscape and buffering, setbacks/lot sizes/bulk development standards) and requiring a cross-reference or a companion document that identifies all of the sections of the UDO specific to Moyock.

The County UDO, Chapter 3: Zoning Districts makes provisions for area specific codes including the PD-M. This District requires an area specific Master Plan and accompanying standards that could be developed as one, cohesive section of the UDO. This approach, PD-M with Moyock specific standards, is preferred over an alternative option of providing Moyock Mega-Site Master Plan items within each section and subsection of the UDO.

<sup>1</sup> Note: The information contained in this document is not intended to be adopted or included as part of Currituck County’s Unified Development Ordinance (UDO) in its current format. This information is intended to provide a generalized overview of the Moyock Mega-Site UDO Code provision, its application and intent.



# Currituck County Moyock Mega-Site Master Plan

A summary review matrix is provided in **Appendix D** which identifies preliminary recommendations of the County's current UDO (possible applicable sections). In order to facilitate the implementation of the current Vision, the County is encouraged to undertake the steps outlined in the following sections.

## 6.1 Incorporate Updates into the County's Future Land Use Plan

### 6.1.1 Moyock Mega-Site Master Plan

The County is currently in the process of updating the Future Land Use Plan as a part of the "Imagine Currituck" 2040 Vision Plan effort. Previously, the land use plan provided the overarching development standards (density and intensity) based on one of three land use categories. These categories (service areas), Full-, Limited- and Rural provide for extremely low density and intensities that are not supportive of the currently developed Moyock Mega-Site Master Plan. The "Imagine Currituck" update to the land use plan should incorporate the components proposed in the Moyock Mega-Site Master Plan, prepared by Kimley-Horn, including but not limited to the roadway network, public facilities and general area of the Mega-Site, as well as development areas or "pods". In addition, the definitions of the Full-, Limited-, and Rural- Service Areas should be updated to reflect the density and intensity levels initially identified in the market study and now refined per the Moyock Mega-Site Master Plan map and the associated development summary (See **Table 3**).

### 6.1.2 Development Incentives

The intent is to create the "carrot" for the desired development form and offer standards not generally permitted in other areas (i.e., increased density, intensity, automatic parking waivers, etc.) which would be provided and specific to the PD-M Moyock Mega-Site Master Plan code. The degree of incentives including a "buffet list of options", would need to be further investigated with the County. Additional incentives may include the installation of public infrastructure ahead of development, sized to accommodate the growth and development envisioned in the Plan.

### 6.1.3 Caveats

One caveat to this can be establishing minimum development standards as well as maximum development standards to ensure certain levels (i.e., thresholds) of development occur that are necessary to support the infrastructure. This may also support (i.e., allow) the transfer of internal development rights within the "pod" or generalized area providing that the impacts of development do not overburden the infrastructure.

For example, "Pod A" may be established with certain uses and maximum development potential. However, the PD-M Moyock Mega-Site Master Plan code could incorporate a "Land Use Trade-Off Matrix" (LUTM) or equivalency matrix by which certain levels of uses may be "traded" for other uses based on their equivalent development impacts (i.e., 1 dwelling unit equates to 2,000 square feet of commercial (based on transportation, water, wastewater, etc.). Another example is provided below providing for a trade-off between PUD (i.e., single family detached and attached, multi-family, etc. within a defined "neighborhood) and shopping center limited to transportation impacts (See **Table 4: Example of Land Use Trade-Off Matrix (LUTM) below**).



# Currituck County Moyock Mega-Site Master Plan

**Table 4: Example of Land Use Trade-Off Matrix**

		Increase Land Use	
Decreased Land Use		Planned Unit Development (PUD)	Shopping Center
	Planned Unit Development (PUD)		6.016 DU/1,000 sf
	Shopping Center	0.166 1,000 sf/DU	

1. *Land use changes are based on net daily and external PM peak hour two-way project traffic with a 25% internal capture.*
2. *Equivalency factors are based on the ITE Trip Generation 9<sup>th</sup> Edition (2012), average rate for each land use.*

Examples:

- Add 60 Residential PUD dwelling units by reducing 10,500 sf of Shopping Center ( $60 \times 0.166$ )
- Add 8,000 sf of Shopping Center by reducing 48 PUD dwelling units ( $8 \times 6.016$ )
- Reduce 20,000 sf of Shopping Center by adding 121 PUD dwelling units ( $20 / 0.166$ )
- Reduce 50 PUD dwelling units by adding 8,300 sf of Shopping Center ( $50 / 6.016$ )

## 6.2 PD-M Zoning

If the County pursues applying the PD-M Zoning to the area with site (area) specific standards, the County, as one of the next steps in the Master Plan process, will be required to establish the code provisions needed for implementation consistent with the intent of the PD-M Zoning and the Moyock Mega-Site Master Plan, as may be amended.

### 6.2.1 Rezoning

Rezoning to the PD-M could occur in two ways: Property Owner initiated and County initiated. The County initiated process could also serve as a development incentive by allowing the rezoning of properties, consistent with the Moyock Mega-Site Master Plan and PD-M standards with the County serving as the “applicant” or “authorized agent” on behalf of the interested property owners. The alternative would require the individual property owners to pursue and request rezoning and could result in a piecemeal approach to the land use process.

- PD-M is the recommended zoning district since it is currently adopted and established by the County within the UDO. The PD-M has been previously implemented, albeit not to the scale proposed for the Moyock Mega-Site Master Plan.
- If certain properties do not agree with a general rezoning, the UDO provisions and Moyock Mega-Site Master Plan could still be adopted with the caveat that only those properties formally rezoned may utilize the PD-M Moyock Mega-Site Master Plan standards and development incentives.



## Currituck County Moyock Mega-Site Master Plan

### 6.2.2 PD-M (Planned Development – Mixed)

Section 3.7.4.C. PD-M Development Standards notes the standards in Chapter 5 shall apply to all development in PD-M districts but some of those standards may be modified as part of the master plan if consistent with the general purpose of the PD-M district..." The County, as a next step in the Master Planning process should identify those specific design components (i.e., thoroughfare standards, perimeter buffering, etc.) applicable to this area.

### 6.2.3 Phases of Development

The County could also establish phasing components or "triggers" based on the desired development schedules. For example, if development is desired within/along the NC-168 Corridor initially, the County could implement the Moyock Mega-Site Master Plan and code for those areas first (approve the full Moyock Mega-Site Master Plan but subsequent areas would be "conceptually" approved/planned). Upon certain levels of development occurring along the corridor, the next phase could be zoned/implemented. Standards are typically included in the Code which allow for modification of the timing schedule based on certain events or improvements.

## 6.3 Understanding the PD-M Moyock Mega-Site Master Plan Code

The following information (recommended outline) may be applied to the Moyock Mega-Site Master Plan specific zoning district standards developed under the PD-M and corresponding Moyock Mega-Site Master Plan:

- A. District Purpose
  - 1. Purpose
  - 2. Location/Area of Application
- B. General Standards (Standards of General Applicability)
  - 1. Environmental Protection Standards
    - a. Existing Development (what is currently constructed is grandfathered; identify percent of change that would necessitate compliance).
  - 2. Previously Issued Permits and Approvals (if separate from Chapter X)
- C. Development Standards
  - 1. Uses/Use Table
    - a. Limited Use Areas
      - i. Transportation Corridor Overlay District (TCOD)
        - a. Prohibited Uses
        - b. Setback Requirements
        - c. Roadway Typical Sections
        - d. Access Management Requirements
      - ii. Utility Corridor Overlay District (UCOD)
        - a. Designation of Utility Easements
        - b. Setback Requirements
        - c. Establish Designated Utility Corridors
    - b. Dimensional Standards
      - a. Lots
      - b. Coverage
      - c. Building Zones (aka, Setbacks/build to line) (recommend ranges of either for maximum flexibility)



## Currituck County Moyock Mega-Site Master Plan

3. Transportation/Connectivity
  - a. Public Street Functional Classifications/Hierarchy
  - b. Multi-modal Considerations
  - c. Sidewalk Network
  - d. Greenway/Trail System/Network
4. Parking (consolidate, simplify parking standards into broad groups with ranges; eliminate references to 100-125%, 175%)
  - a. Parking lot locations, design
  - b. Bicycle
5. Signage
6. Building Standards
  - a. Height
  - b. Frontage (assume certain percent of building located within building zone)
  - c. Other
7. Open Space (individual site versus sub-district)
8. Parks/Open Spaces
9. Landscape/buffering
  - a. Perimeter
  - b. Vehicle use areas
  - c. Other (non perimeter/VUA areas)
10. Other Design/Development Standards
  - a. Building/architectural design
11. Additional Development Standards
  - a. Sub-Area Standards (note: if applying varying density and intensity standards, those would be identified in this section)

D. Administration

1. Relation to Master Plan (could be moved to Section B if recommended)
2. Incentives (additional) to development
3. Review Process(es)
4. Application of Standards
5. Alternative Design Standards Review/Process
6. Modifications; Minor and Major (what constitutes what)
7. Definitions (not included in Chapter X as applicable)

### 6.4 Additional Information

Examples of specific code components and/or code resource tools the County should consider for application during the development of PD-M Moyock Mega-Site Master Plan zoning code consist of the following:

#### 6.4.1 Utility Corridor Overlay District

A proposed sub-area (overlay) code which would further regulate certain properties along the Moyock primary utility corridor. The purpose of establishing Utility Corridor Overlay District(s) (UCOD) is to mitigate conflicts between public and private franchise utility providers such that utility easement designations within the defined “corridors” results in an enhanced character of major gateways, greenways, and transportation corridors adjacent to and within the designated Moyock Mega-Site Master Plan development area.



## Currituck County Moyock Mega-Site Master Plan

### 6.4.2 Transportation Corridor Overlay District

An additional sub-area (overlay) code which would regulate certain, primary transportation corridors and, "help bridge the gap as it relates to access management and development standards between those who control the road and those who control land use. The Transportation Corridor Overlay District(s) (TCOD) will provide the ability to incorporate access management recommendations as well as deal with development issues typically outside the domain of transportation agencies.

### 6.4.3 Employment Transect

The Employment Transect is intended to provide incentives for the development of specialized, mixed-use nodes with increased standards for development. The purpose of this Transect and the associated Code is to provide the regulatory framework necessary to achieve a particular vision for a Master Planned Community. The intent of the Employment Transect is to also provide the flexibility to accommodate a mix of uses while establishing a consistent set of development standards. The Employment Transect is intended to provide an optional development pattern and approach by providing a planning and regulatory framework to support and enhance growth and development as it occurs.

## 7.0 Implementation Next Steps

To maintain the momentum of the master planning effort and for the vision of the Moyock Mega-Site Master Plan to come to fruition, the County must implement several key next steps. The endorsement and adoption of the Moyock Mega-Site Master Plan by the County's Planning Board and Board of Commissioners is the most immediate action that needs to occur next. Following the adoption of the Moyock Mega-Site Master Plan, supplemental next steps consist of the following:

- Incorporate the Moyock Mega-Site Master Plan into the "Imagine Currituck" future land use plan
- Implement/update the County's Unified Development Ordinance to support the Plan
  - PD-M (Moyock Mega-Site Master Plan) specific code needs to be written, adopted, and incorporated into the County's UDO
  - Moyock Mega-Site Master Plan specific code will/is intended to enhance the entitlement process
  - New code section will define acceptable land uses, associated acreages, development densities by land use and/or residential product type
  - New code will establish development standards and design guidelines
- Begin to "Market" the Plan
  - Intent is to remove "Mega" from the name
  - County's marketing firm and/or County need to pick top three (3) candidate names
  - Select new development name within 60 days of the adoption of the plan
  - Market and/or begin to create a brand for the Moyock Mega-Site Master Plan master planned development
- Continue to engage and coordinate with property owners, existing and potential developers, land/real estate brokers, and the Moyock Community.
  - Establish a Steering Committee comprised of key stakeholders
  - This group will provide a first level of stakeholder input as the implementation of the plan continues to move forward



## Currituck County Moyock Mega-Site Master Plan

- Meet on a regular basis to keep this group informed and engaged in the process
- Maintain practice of conducting Moyock Community Information Meetings
  - Brief community on project status (e.g., status of updating the code, new name of master planned development, components/item of interest in the code, etc.)
  - Schedule on a bi-annual or quarterly basis
- Establish Development Strategies
  - Identify and define logical phases of development
    - Land uses and intensities should be consistent with expected market demand
    - County should not be overburdened with level(s) of infrastructure investment
  - Maintain or protect "Catalyst" or "Opportunity" sites
  - Seek to establish development agreements amongst land owners where feasible
- Prepare a Master Transportation Plan
  - Transportation network/system needs to be defined based on proposed land uses, locations, and anticipated densities
  - Continue coordination with NCDOT
  - Multi-modal approach
  - Roadway typical sections incorporated into PD-M code to set expectations for transportation infrastructure needs.
- Prepare Storm Water Master Plan
  - Demand to be defined based on proposed land uses, locations, and anticipated densities
- Prepare Water Distribution Master Plan
  - Demand to be defined based on proposed land uses, locations, and anticipated densities
- Prepare Sanitary Sewer Master Plan
  - Demand to be defined based on proposed land uses, locations, and anticipated densities
- Prepare Infrastructure Improvement Cost Estimates
  - Utilities
  - Storm Water
  - Transportation
  - Infrastructure cost estimates should reflect ultimate investment to accommodate build out as well as infrastructure needs to support realistic phases of development
- Identify Funding Mechanisms
  - Traditional
  - Alternative and/or shared funding strategies

The identified next steps are not all inclusive and there are additional details associated with each beyond what need to be referenced for this document. However, this list is intended to provide a general outline of the policies, updated code requirements, subsequent planning and preliminary engineering efforts, and strategies that need to be further pursued in order to facilitate the ultimate development of the Moyock Mega-Site Master Plan.

## EXHIBIT A-1

**HORNTHAL, RILEY, ELLIS & MALAND, L.L.P.**

M. H. HOOD ELLIS  
 BENJAMIN M. GALLOP  
 ROBERT B. HOBBS, JR.\*  
 L. P. HORNTHAL, JR.  
 L. PHILLIP HORNTHAL, III  
 ANDREW W. HOWLE  
 A. VANN IRVIN\*\*  
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**OF COUNSEL**  
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 THOMAS L. WHITE, JR.  
 CHARLES W. OGLETREE

**OTHER OFFICES**  
 ELIZABETH CITY, NC  
 COLUMBIA, NC

February 7, 2017

**VIA EMAIL ONLY TO: Ike McRee <[Ike.Mcree@CurrituckCountyNC.gov](mailto:Ike.Mcree@CurrituckCountyNC.gov)>**

Currituck County Board of Commissioners  
 C/O Donald I. McRee, Jr. , Currituck County Attorney  
 153 Couthouse Road, Suite 210  
 Currituck, NC 27929

Re: Request to Close the Remainder of Old US 158 (State Road 1405)  
 HREM File No.: 27979-0

Dear Ike:

I hope this letter finds you doing well. As you know, our firm represents Currituck Waterfront Business Park, LLC (“CWBP”). CWBP currently owns the property located just east and west of US 158 on the south side of the Coinjock canal. A paved portion of Old US 158 (State Road 1405) borders a portion of the CWBP property on its eastern boundary (the “Old Ferry Landing”). The Old Ferry Landing runs northward to the canal from the edge of the existing Waterlily Road right-of-way.

CWBP requests that Currituck County take the necessary steps to close the entirety of the Old Ferry Landing pursuant to N.C.G.S. § 153A-241. Attached to the email forwarding this letter, you will find two PDF documents which contain confirmation that the North Carolina Department of Transportation has taken the steps necessary to abandon and remove the Old Ferry Landing from its secondary road system. The abandonment removes the Old Ferry Landing from the control and supervision of the NCDOT and places the authority with the County to under N.C.G.S. § 153A-241 to close the road after following the requisite procedures provided by the statute.

Please let me know if there is anything else you will need from me or my clients to initiate or further this process. If there is nothing further needed, please let me know when the County’s Board of Commissioners will consider adopting a resolution declaring its intent to

close the Old Ferry Landing and setting a public hearing on the closure. I look forward to hearing back from you and to working with you on this matter. I remain

Sincerely yours,

A handwritten signature in blue ink, appearing to read "Benjamin M. Gallop".

Benjamin M. Gallop

BMG/  
Attachments  
Cc: Client (via email)

## EXHIBIT A-2



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

JAMES G. MARTIN  
GOVERNOR

THOMAS J. HARRELSON  
SECRETARY

P. O. Box 1405  
Elizabeth City, NC 27906-1405  
(919) 338-5131

DIVISION OF HIGHWAYS

June 15, 1992

WILLIAM G. MARLEY, JR., P.E.  
STATE HIGHWAY ADMINISTRATOR

MEMORANDUM TO: C. O. White, P.E.  
Division Engineer - Division One

FROM: C. E. Lassiter, Jr., P.E.  
District Engineer - District One

SUBJECT: Proposed Deletion of a Portion of SR 1405 -  
Old US 158 - Currituck County

Please find attached Forms SR-3, SR-5, and other supporting data recommending the deletion of a portion (approximately 950 ft.) of the above mentioned road from the State Maintained System.

We request that you review this submittal for further approval at the next Board of Transportation Meeting.

If additional information is needed, please advise.

CEL/aih

Atta.

Cc: Mr. Philip Godwin  
Mr. T. C. Tilley  
Mr. Randy Langley

NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
SECONDARY ROAD ABANDONMENT INVESTIGATION REPORT

County Currituck Co. File No. \_\_\_\_\_ Date 06-15-92  
Township Poplar Branch Div. File No. \_\_\_\_\_

SR No. & Local Name If Any SR 1405 (Old US 158 South)

Length 950' Width 24' Type I-2 Condition Fair - Poor

Number of homes having entrances into road 1  
Other uses having entrances into road 1 Recreational Facility  
Is the road a school bus route? No  
Average Daily Traffic Count (estimated) 20  
Date of last State maintenance performed Fall - 1989  
Is the road a mail route? Yes  
Is a petition for this request attached? Yes  
Is the County Commissioners' Approval attached? Yes  
If not, give reason \_\_\_\_\_

Additional information applicable \_\_\_\_\_

Submitted by \_\_\_\_\_ Reviewed and approved by \_\_\_\_\_  
DISTRICT ENGINEER DIVISION ENGINEER

Reviewed and approved  
Board of Transportation Member \_\_\_\_\_

(Do not write in this space - For use  
of Planning and Research Department)

(Do not write in this space -  
For use of Secondary Roads Department)

Petition No. \_\_\_\_\_

(Do not write in this space -  
For use of Planning Department)



RECEIVED  
MAR 19 1992

DISTRICT 1  
OFFICE

## COUNTY OF CURRITUCK

### R E S O L U T I O N

#### REQUEST FOR ABANDONMENT TO STATE MAINTAINED SECONDARY ROAD SYSTEM

NORTH CAROLINA  
COUNTY OF CURRITUCK

WHEREAS, the attached petition has been filed with the Board of County Commissioners of the County of Currituck requesting that the described road be abandoned from the state maintained system, and

WHEREAS, the Board of County Commissioners is of the opinion that the requested area should be abandoned,

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of the County of Currituck that the Division of Highways, North Carolina Department of Transportation, is hereby authorized to abandon approximately \_\_\_\_\_ ft/miles at Old US Hwy 158 - Cownock - map attached of Secondary Road - \_\_\_\_\_ from the state maintained system, in accordance with Department of Transportation Form SR-3 enclosed.

#### CERTIFICATE

The foregoing resolution was duly adopted by the Board of County Commissioners of the County of Currituck at a meeting on the 16 day of March, 1992.

WITNESS my hand and official seal this the 18 day of March, 1992.

\_\_\_\_\_  
Clerk, Board of Commissioners  
County of Currituck

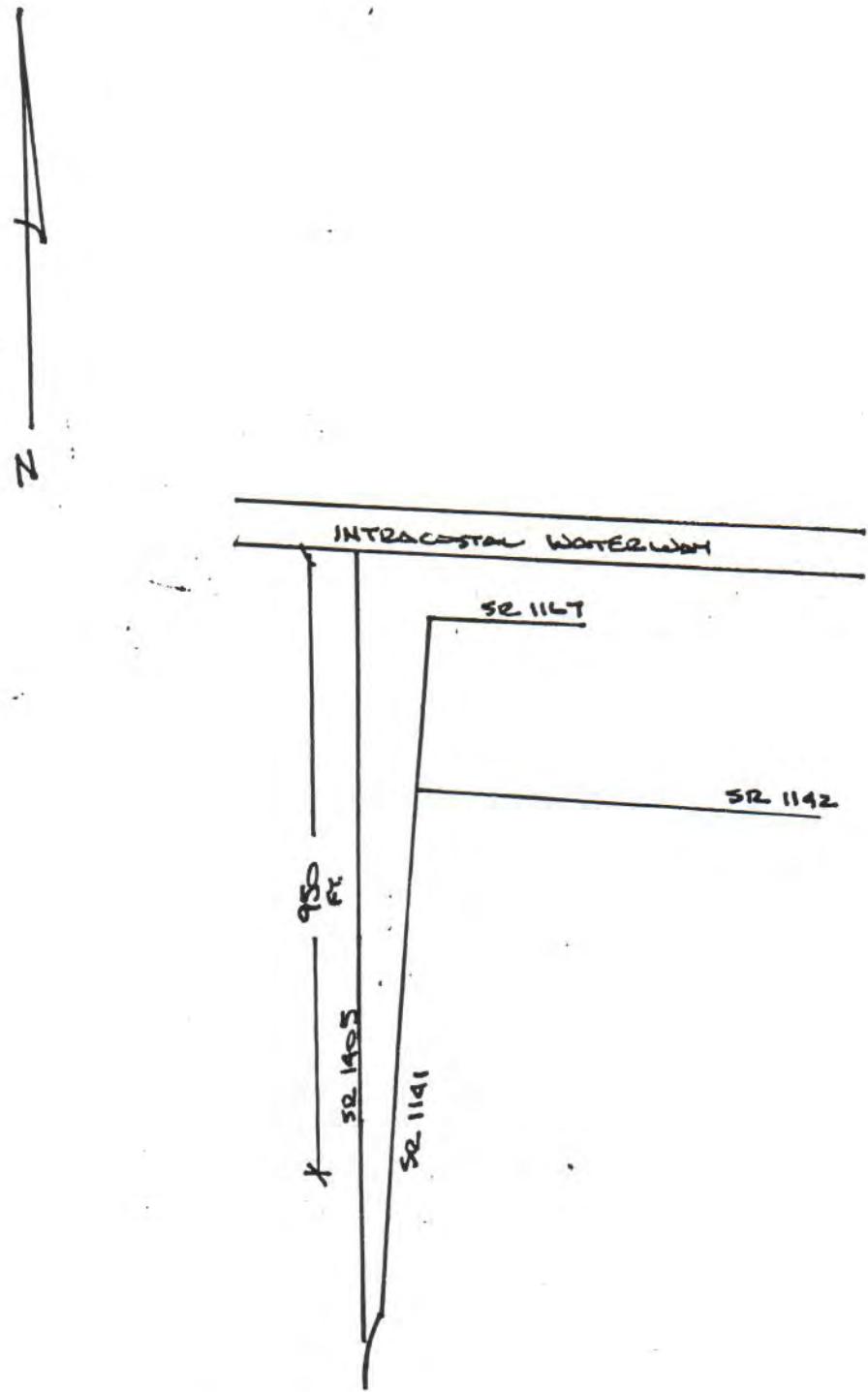
NORTH CAROLINA STATE DEPARTMENT OF TRANSPORTATION  
DIVISION OF HIGHWAYS  
ABANDONMENT PETITION

North Carolina  
County of CURRITUCK

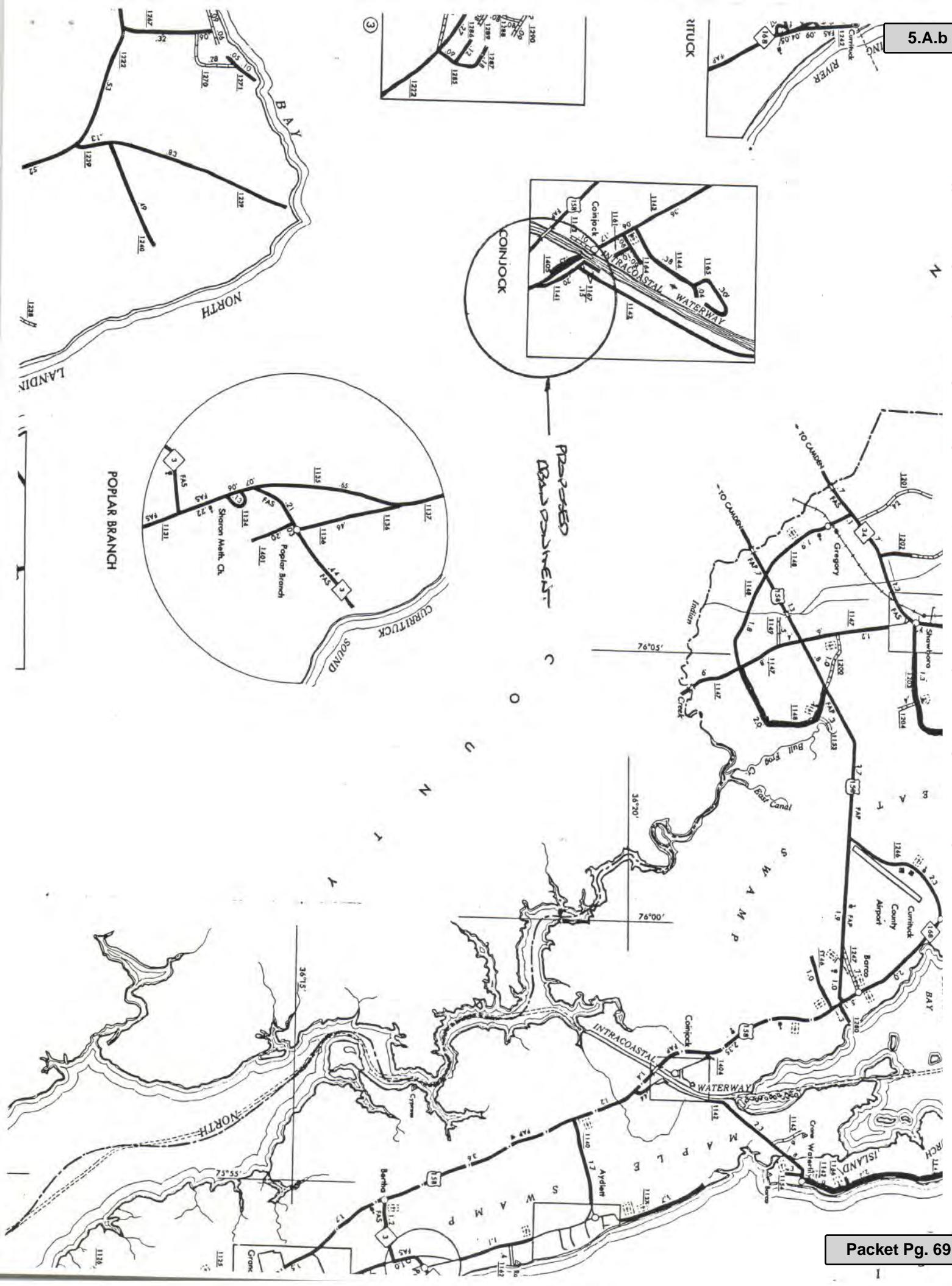
Petition request for the abandonment of Secondary Road Old US Hwy 158 from the State Maintained System.

We the undersigned, being all of the property owners on Secondary Road/Old US Hwy in Currituck County do hereby request the Division of Highways of the 158 Department of Transportation to abandon the road from the State Maintained System.

Form SR-3 (6-78)



PROPOSED ROAD ABANDONMENT OF 950 FT ON SR 1405 -  
DUE TO 150 (SOUTH) - CEDAR - CERITICK COUNTY



1-13-93

TO: T.C., RANDY FROM: DEP  
FOR YOUR INFO



RECEIVED  
JAN 13 1993

STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION  
P.O. BOX 25201  
RALEIGH 27611-5201

DISTRICT 1  
OFFICE

JAMES G. MARTIN  
GOVERNOR

12-1-92

DIVISION OF HIGHWAYS

THOMAS J. HARRELSON  
SECRETARY

WILLIAM G. MARLEY, JR., P.E.  
STATE HIGHWAY ADMINISTRATOR

MEMORANDUM TO: Mr. C.O. White, P.E.  
Division 1

FROM: E.R. Shuller, P.E.  
GIS Director

SUBJECT: *EBS*  
Change Secondary Road Numbers

We have been authorized to make the following changes in Secondary Road Numbers on County Maps as indicated below. We request that you make similar changes on your file maps in Division and District, and have the necessary changes made by your sign supervisor on the ground. We are changing our basic county maps accordingly. If our plan does not fit actual ground conditions, please return this with a letter of explanation and recommendations.

County CURRITUCK

Petition No. 37782

Length:

Board Approval .19 Miles

Old Numbers \_\_\_\_\_

County Map .19 Miles

New Numbers \_\_\_\_\_

Report Date 6-15-92

Cancel Numbers SR 1405 (part of)

Road Name \_\_\_\_\_

System Addition \_\_\_\_\_

Date of Approval 11-6-92

System Deletion ✓

Remarks: \_\_\_\_\_

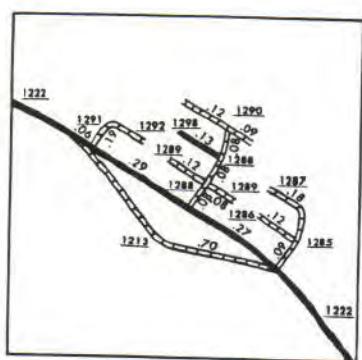
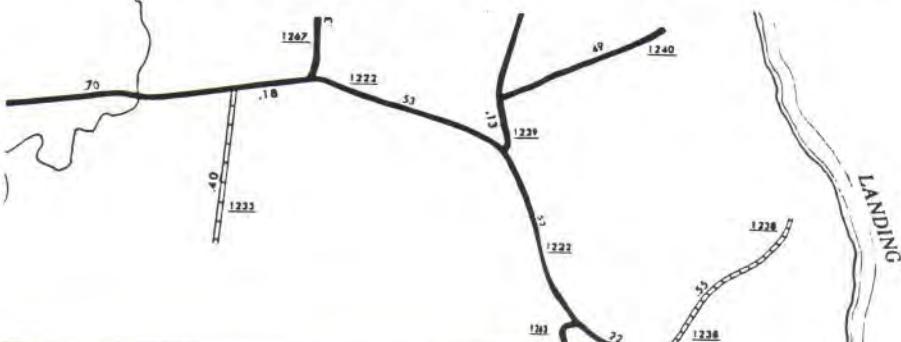
System Reassignment \_\_\_\_\_

Number Reassignment  
(See Map) \_\_\_\_\_

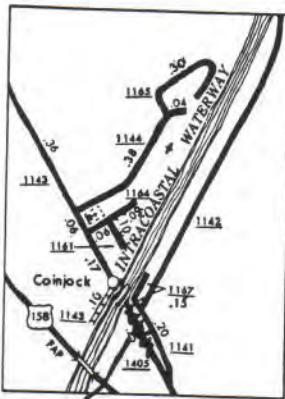
*ERS/car*

cc: Bridge Department  
Traffic Engineering  
Right of Way

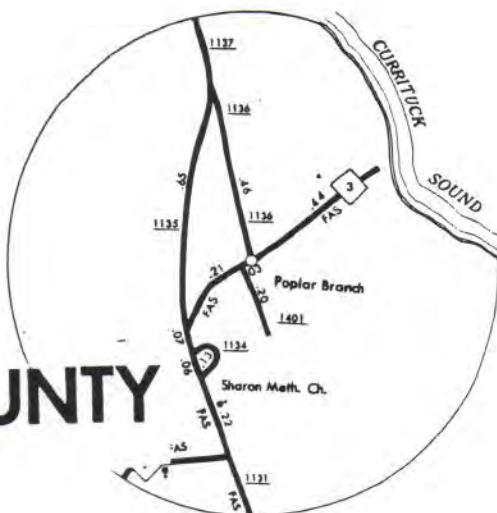
# CURRITUCK COUNTY



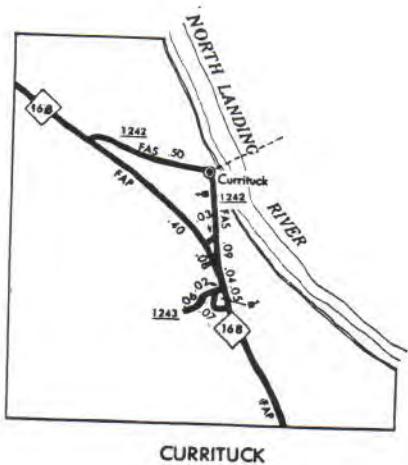
**INSET ③**



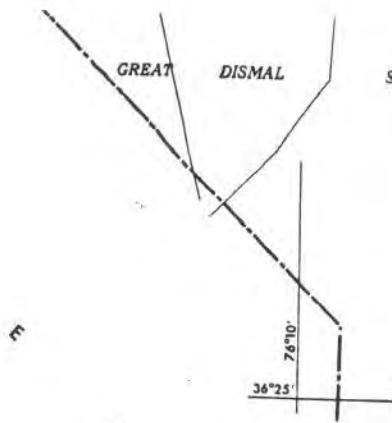
ABANDON (.19)  
Part of SR 1405



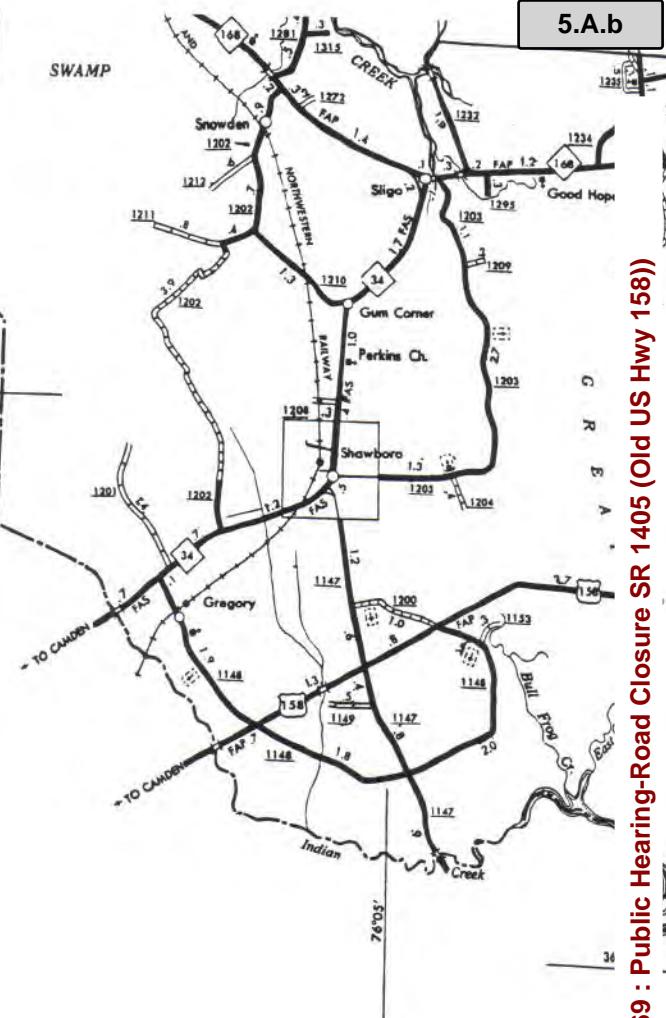
POPLAR BRANCH



## CURRITUCK



## SWAMP



## Packet Pg. 71



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

JAMES G. MARTIN  
GOVERNOR

P. O. Box 1405  
Elizabeth City, NC 27906-1405  
(919) 331-4737

DIVISION OF HIGHWAYS

THOMAS J. HARRELSON  
SECRETARY

November 16, 1992

WILLIAM G. MARLEY, JR., P.E.  
STATE HIGHWAY ADMINISTRATOR

Petition: 37782  
County: Currituck  
Re: Abandonment-Portion  
of SR 1405 - 950'

Mr. Robert C. Stonecypher  
P. O. Box 13388  
Chesapeake, VA 23325

Dear Mr. Stonecypher:

This is to advise that 950 ft. of SR 1405, Old US 158 South in Currituck County was abandoned from the State Highway System by the Board of Transportation at the Board Meeting of November 6, 1992.

If additional information is needed, please advise.

Yours very truly,

C. E. Lassiter, Jr., P.E.  
District Engineer

Cc: Mr. Jack Murdock  
Mr. Philip Godwin  
Mr. C. O. White  
Board of Commissioners  
School Superintendent

## EXHIBIT A-3



PAT McCRORY

*Governor*

NICHOLAS J. TENNYSON

*Secretary*

August 2, 2016

Currituck Waterfront Business Park, LLC  
 187 Waterlily Road  
 Coinjock, NC 27923

County: Currituck

Subject: Deletion of Road in Currituck  
 SR 1405 Old US 158

Dear Sirs,

Your name was listed as the contact person on the above petition for Secondary Road Abandonment, and we are pleased to inform you that the above road has been removed from the State Highway System. This abandonment was approved by the North Carolina Board of Transportation at the Board Meeting of May 5, 2016.

Of course it will be impossible to notify all of the petitioners regarding the removal of this road, and I would personally appreciate it if you would tell the interested persons for me. If you have any questions feel free to notify our office.

Sincerely,

A handwritten signature in black ink, appearing to read 'Randy W. Midgett'.

Randy W. Midgett, PE  
 District Field Engineer

Attachments

Cc: M.K. Fearing  
 J.D. Jennings, PE  
 R.K. Sawyer, PE  
 Dan Scanlon, County Manager  
 Mark Stefanik, Superintendent



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

PATRICK McCRORY  
GOVERNOR

May 16, 2016

NICHOLAS J. TENNYSON  
SECRETARY

**MEMORANDUM TO:** Mr. J.D. Jennings, PE (acting)  
Division Engineer  
Division 1

**FROM:** Mr. John C. Farley, GISP, CPM  
Manager  
Geographic Information Systems Unit

**SUBJECT:** 2016 District 1 Road System Changes

The GIS Unit's Data Conversion Group has been authorized to make the changes indicated below to the state road system. We request that you update the related maps and files in your offices and install appropriate road number signs, if necessary. If our system changes do not conform to the actual conditions in the field, please return this memorandum with recommendations.

Petition	County	Approval Date
CURRITUCK_2016_05_51063	CURRITUCK	5/5/2016

Questions or comments about changes should be referred to the GIS Help Desk at [GISHelp@ncdot.gov](mailto:GISHelp@ncdot.gov). Thank you for your assistance.

JCF

cc: BSIP  
Bridge Maintenance  
Division Right of Way  
IMG  
Pavement Management  
Permit Unit  
State Road Maintenance  
Traffic Engineering  
Traffic Surveys

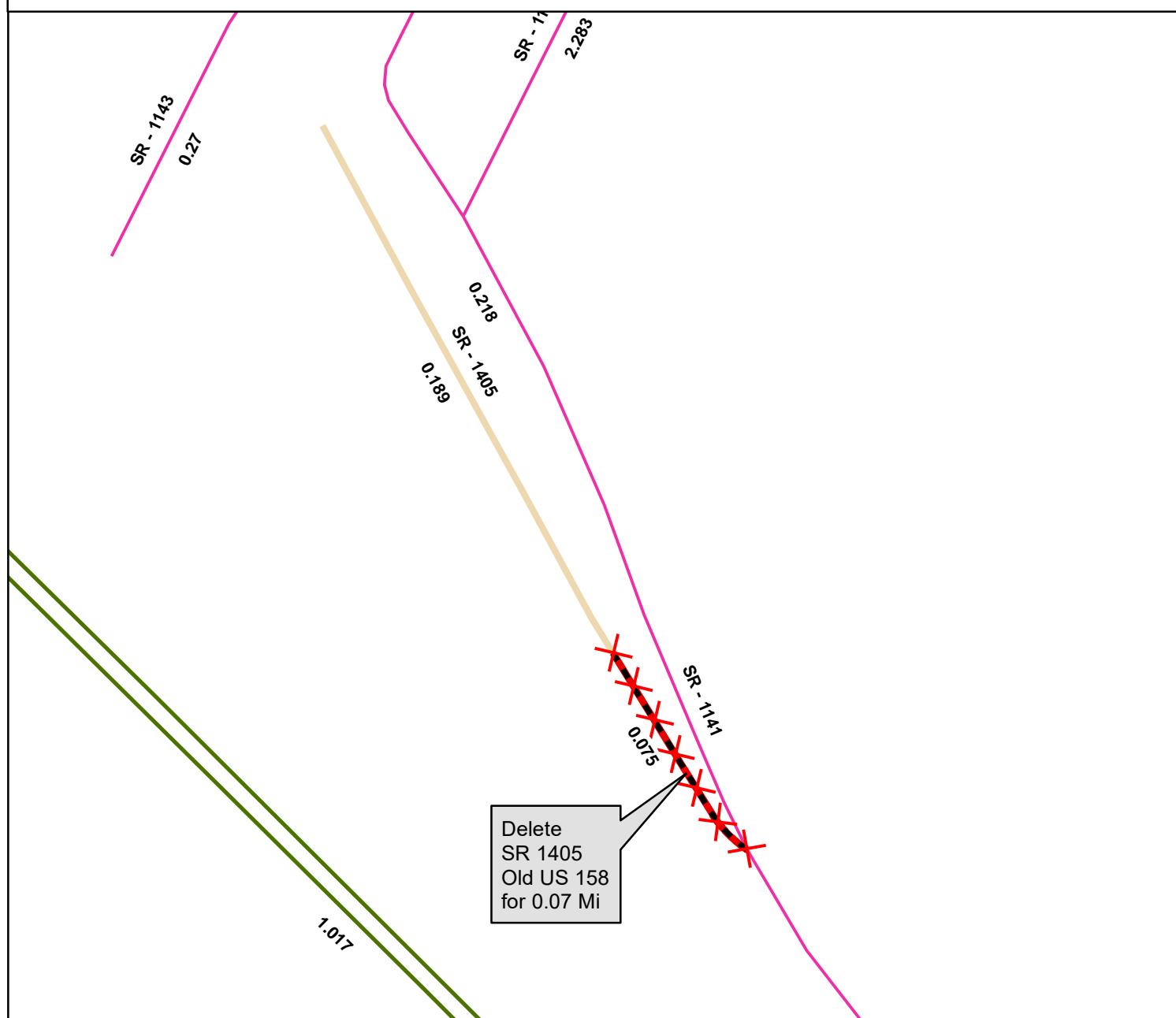
**MAILING ADDRESS:**  
NC DEPARTMENT OF TRANSPORTATION  
GEOGRAPHIC INFORMATION SYSTEMS  
1521 MAIL SERVICE CENTER  
RALEIGH, NC 27699-1521



**DELIVERY ADDRESS:**  
4101 CAPITAL BLVD.  
RALEIGH, NC 27604  
FAX: (919) 707-2214

# 2016 ROAD SYSTEM CHANGES

PETITION	COUNTY	APPROVAL DATE	ROUTE NUMBER	PORTION REASSIGNED	STREET NAME	LENGTH (miles)	TYPE OF CHANGE	REMARKS (See Attached Map)
CURRITUCK_2016_05_5106 3	CURRITUCK	5/5/2016	SR 1405		OLD US 158	0.07	SYSTEM DELETION VIA PETITION	

**Legend**

- Addition
- Deletion
- Reassignment
- SR
- NC
- US
- Interstate
- Ramp
- Non-System
- Obliterated



NORTH CAROLINA, CURRIE H. COLONY  
The foregoing certificate(s) of  
M.C. \_\_\_\_\_ is (are) certified  
to be correct. This instrument is presented for registration at 11:00 o'clock A.M. on February 14,  
1989, and recorded in Book D, Page 66.  
By Nancy L. Saxe, Clerk  
Deputy Register of Deeds

BOUNDARY SURVEY and PHYSICAL  
for  
**ROBERT C. STONECYPH**

2 PARCELS IN COINJOCK, DESCRIBED IN D.B. 191 PG. 536 &  
D.B. 242 PG. 376. CURRITUCK COUNTY REGISTER OF DEEDS  
POPLAR BRANCH TOWNSHIP  
CURRITUCK COUNTY NORTH CAROLINA

SURVEYORS CERTIFICATE

I, MICHAEL W. ROBINSON, CERTIFY THAT THIS MAP WAS DRAWN  
UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER  
SUPERVISION USING REFERENCES SHOWN HEREON, THAT THE  
BOUNDARIES NOT SURVEYED ARE SHOWN AS BROKEN LINES PLOTTED  
FROM INFORMATION SHOWN HEREON, THAT THE RATIO OF PRECISE  
AS CALCULATED BY LATITUDES AND DEPARTURES IS 1:10,000  
THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47  
AS AMENDED.

WITNESS MY HAND AND SEAL THIS THE 3<sup>rd</sup> DAY OF October, 1983.

NOTARY CERTIFICATE

NOTARY CERTIFICATE  
NORTH CAROLINA DARE COUNTY  
I, GHETA SKENE, A NOTARY PUBLIC, DO HEREBY CERTIFY THAT  
MICHAEL W. ROBINSON, R. L. S., PERSONALLY APPEARED BEFORE  
THIS DAY AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOR  
INSTRUMENT.

WITNESS MY HAND AND SEAL THIS THE 3<sup>rd</sup> DAY OF October.

$$H =$$

Greta Steen  
NOTARY PUBLIC COMMISSION EXPIRES 5-

CERTIFICATE FOR RECORDING, FILED

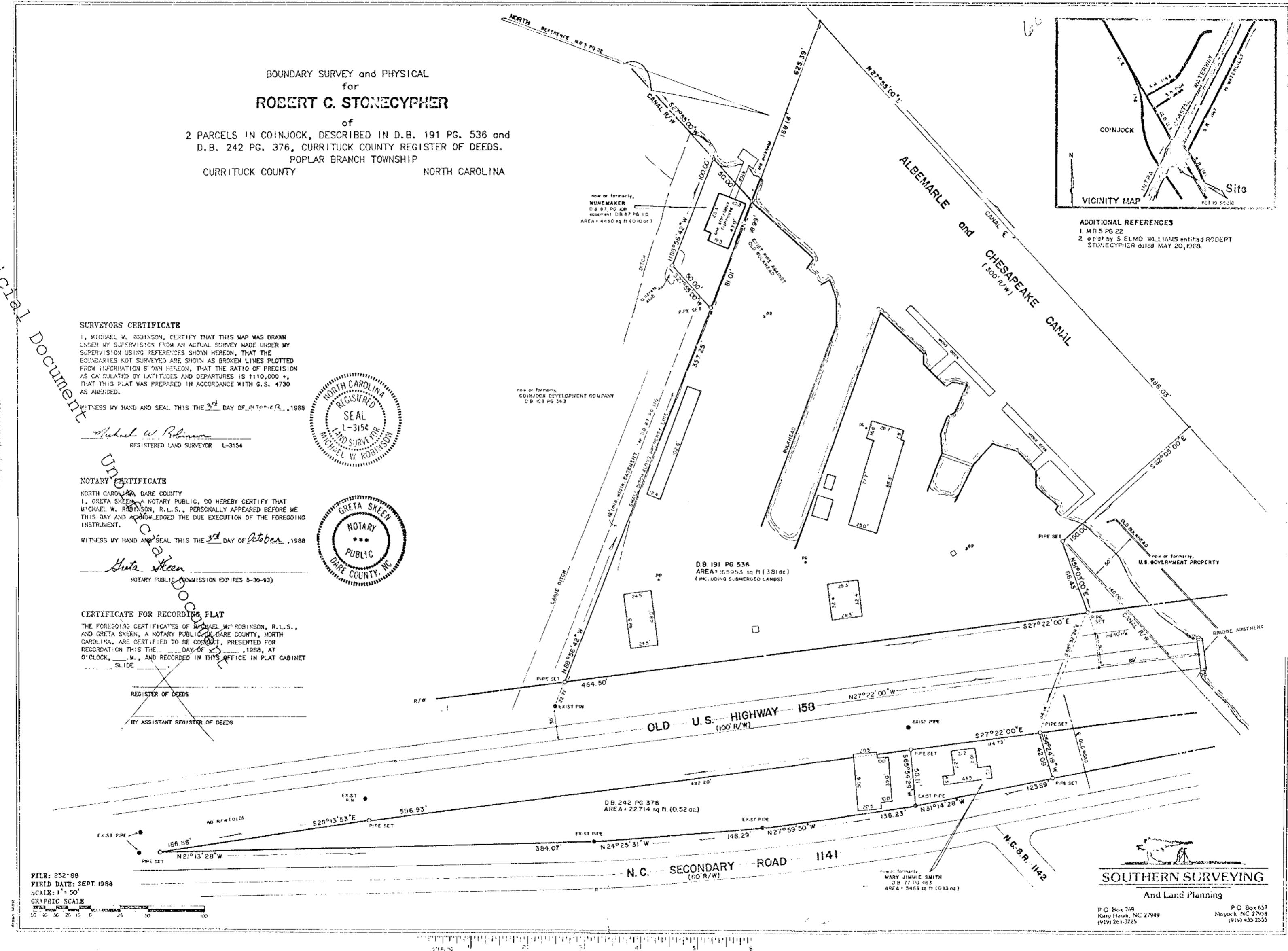
THE FOREGOING CERTIFICATES OF MICHAEL W. ROBINSON, R.L.S.  
AND Greta Skeen, A NOTARY PUBLIC, LEE COUNTY, NORTH  
CAROLINA, ARE CERTIFIED TO BE CORRECT, PRESENTED FOR  
RECORDATION THIS THE 12 DAY OF July, 1938, AT  
0 O'CLOCK, 11 A.M., AND RECORDED IN THIS OFFICE IN PLAT CABIN

REGISTER OF

BY ASSISTANT REGISTER OF

FILE: 232-88  
FIELD DATE: SEPT. 1988  
SCALE: 1" = 50'  
GRAPHIC SCALE  
  
0 5 10 15 20 25

A circular notary seal with a decorative border. The text "GRETA S." is at the top, "NOTARY" is in the center, "PUBLIC" is at the bottom, and "DARE COUNTY" is at the bottom. The year "1988" is on the left.



**RESOLUTION OF INTENT TO CONSIDER PERMANENT CLOSURE OF OLD U. S. HIGHWAY 158, ALSO KNOWN AS SECONDARY ROAD 1405 AND OLD FERRY LANDING IN COINJOCK, POPLAR BRANCH TOWNSHIP**

**WHEREAS**, pursuant to N.C. Gen. Stat. §153A-241 a county may permanently close any street, whether opened or unopened; and

**WHEREAS**, the Currituck Waterfront Business Park, LLC is the owner of property on the eastern boundary of Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing, and has petitioned the county to close Old U. S. Highway (Secondary Road 1405). A copy of the petition and supporting documents are attached hereto and incorporated herein by reference as Exhibit A and a plat recorded in Plat Cabinet D, Page 66 of the Currituck County Registry more particularly showing the road petitioned for closing is attached hereto and incorporated by reference as Exhibit B; and

**WHEREAS**, by action taken on November 6, 1992 and May 5, 2016 the North Carolina Board of Transportation authorized abandonment and removal of Old U. S. Highway 158 (Secondary Road 1405) from the state maintained road system.

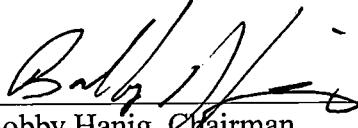
**NOW, THEREFORE, BE IT RESOLVED** by the Board of Commissioners for the County of Currituck, North Carolina that:

Section 1. A public hearing shall be held at 6:00 p.m. on April 17, 2017, or as soon thereafter as the matter can be reached, to hear any person on the question of whether or not to permanently close Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing in Coinjock, Poplar Branch Township as more particularly described and shown on that plat recorded at Plat Cabinet D, Page 66 of the Currituck County Registry.

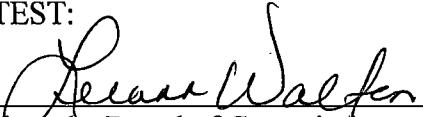
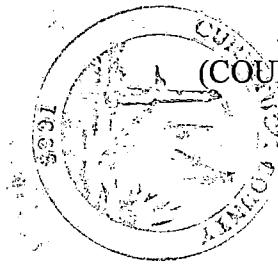
Section 2. The Clerk to the Board of Commissioners shall cause the publication of this Resolution, excluding the Exhibits which shall be maintained by the Clerk to the Board for public inspection, once a week for three successive weeks prior to the public hearing and a notice of the proposed permanent closing of road described herein and public hearing shall be prominently posted in two locations along the road proposed for closure.

Section 3. This resolution shall be effective upon its adoption.

Adopted this 20<sup>th</sup> day of March, 2017.

  
 \_\_\_\_\_  
 Bobby Hanig, Chairman  
 Board of Commissioners

ATTEST:

  
\_\_\_\_\_  
Clerk to the Board of Commissioners

(COUNTY SEAL)

## NORTH CAROLINA

## CURRITUCK COUNTY

**RESOLUTION AND ORDER OF THE BOARD OF COMMISSIONERS FOR THE  
COUNTY OF CURRITUCK, NORTH CAROLINA CLOSING OLD U. S. HIGHWAY 158,  
ALSO KNOWN AS SECONDARY ROAD 1405 AND OLD FERRY LANDING IN  
COINJOCK, POPLAR BRANCH TOWNSHIP**

WHEREAS, a preliminary resolution declaring the intent of the Board of Commissioners to close Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing, in Coinjock, Poplar Branch Township was adopted at a regular meeting of the Board of Commissioners for the County of Currituck on March 20, 2017 and a public hearing on the question was called for 6:00 P.M. on April 17, 2016 at the Historic Currituck Courthouse, Currituck, North Carolina for the purpose of hearing objections to the closing of the road; and

WHEREAS, notice of such public hearing has been published once a week for three successive weeks in The Daily Advance, a newspaper published and having a general circulation in Currituck County, North Carolina and a notice of the closing and the public hearing has been prominently posted in at least two places along the road which is to be closed and abandoned; and

WHEREAS, a copy of the resolution of intent to close Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing, in Coinjock, Poplar Branch Township was sent by certified mail to Deloise L. Stonecypher Heirs, 320 Pecan Estates Road, Angleton, Texas 77515, an owner as shown on the Currituck County tax records of property adjoining Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing, in Coinjock, Poplar Branch Township and that did not join in the request to have the road closed; and

WHEREAS, the public hearing was conducted at 6:00 P.M. on April 17, 2017 at the Historic Currituck Courthouse, Currituck, North Carolina and said public hearing was conducted for the purpose of hearing objections to the closing of Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing, in Coinjock, Poplar Branch Township at which time all parties and persons interested were given an opportunity to be heard; and

WHEREAS, the Board of Commissioners, after considering all matters has determined that the closing Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing, in Coinjock, Poplar Branch Township will not be detrimental to the public interest or to any individual property rights and further the Board of Commissioners is satisfied that closing the road is not contrary to the public interest and no individual owning property in the vicinity of

Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing, in Coinjock, Poplar Branch Township will not be deprived of reasonable means of ingress and egress to their property.

NOW THEREFORE, BE IT RESOLVED AND ORDERED, by the Board of Commissioners for the County of Currituck that Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing, in Coinjock, Poplar Branch Township more particularly shown and described on a plat recorded in Plat Cabinet D, Page 66 of the Currituck County Registry, which plat is incorporated herein by reference, is permanently closed and abandoned, and that the right, title and interest in Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing, in Coinjock, Poplar Branch Township be vested in the owners of the parcels of land adjoining Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing, in Coinjock, Poplar Branch Township.

BE IT FURTHER RESOLVED, that a copy of this Resolution be certified to the Register of Deeds of Currituck County and recorded in the Currituck County Registry.

This the 17th day of April, 2017.

By: \_\_\_\_\_  
Bobby Hanig, Chair  
Board of Commissioners

NORTH CAROLINA

CURRITUCK COUNTY

The undersigned certifies under the seal of the County of Currituck that she is the Clerk to the Board of Commissioners for the County of Currituck and as such is the custodian of the minute books containing minutes of its official meetings and the custodian of its official documents and that the foregoing and attached Resolution ordering the closing of Old U. S. Highway 158, also known as Secondary Road 1405 and Old Ferry Landing, in Coinjock, Poplar Branch Township is a true and perfect copy of the original thereof contained and recorded in Minute Book \_\_\_\_\_, Page \_\_\_\_\_ containing the minutes of said meeting of said Board of Commissioners held on April 17, 2017.

Certified to the Register of Deeds of Pasquotank County this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

---

Leeann Walton  
Clerk to the Board of Commissioners of  
Currituck County, North Carolina

NORTH CAROLINA

CURRITUCK COUNTY

I, \_\_\_\_\_, a Notary Public of the aforesaid State and County of \_\_\_\_\_ do hereby certify that Leeann Walton personally came before me this day and acknowledged that she is Clerk to the Board of Commissioners of Currituck County, a body corporate and politic, and that by authority duly given and as the act of the corporation, the foregoing instrument was sealed with its corporate seal, and she further acknowledged the due execution of the foregoing certification and under oath swore to the matters therein certified.

Witness my hand notarial seal this the \_\_\_\_\_ day of \_\_\_\_\_, 2017.

---

Notary Public

---

Printed Name

My commission expires: \_\_\_\_\_

(NOTARY SEAL)



## ORDER GRANTING USE PERMIT PB 13-12 MOYOCK COMMON, PHASE 1 BOARD OF COMMISSIONERS JUNE 5, 2017

This matter came on for hearing before the Currituck County Board of Commissioners on March 20, 2017 and June 5, 2017. Based on the evidence presented the Board of Commissioners makes the following findings, conclusions, and enters its order as follows:

**Item 1:** The use permit is hereby granted for Moyock Commons, Phase 1, located in Moyock, Tax Map 15, Lot 79, Moyock Township.

**Item 2:** The preliminary plat/use permit meets the use permit review standards according these findings of fact:

- a. The use will not endanger the public health or safety.
  - The project would not adversely affect public safety. In compliance with preliminary plat review comments from the Albemarle Regional Health Services approvals for wastewater treatment and disposal from the NC Division of Water Quality (Washington Office) and Moyock Regional Water System would be obtained prior to construction.
  - This project would not adversely affect public safety. All state and county approvals would be obtained prior to construction.
- 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.
  - Along the west boundary (boundary parallel to Puddin Ridge Road), the proposed development would be bordered by a rural residential unit located within the Moyock Sub-Area which fronts on Puddin Ridge Road. Within Moyock Commons, proposed Lake #1 and a 25-LF wide tree area combine to create an approximate 400-LF wide conservation area buffer against the residential unit.
  - Along the north-east boundary (boundary parallel to Route 168), the proposed development would be bordered by various uses consisting of 5-residential lots within the Moyock Sub-Area; and various parcels zoned general business which are used for retail and utility related operations with the Moyock sub-Area. Within Moyock Commons, proposed Lake #2 and a various width Type-A, Landscape Buffer would create a conservation area against the adjacent uses.
  - Along the east boundary, Moyock Commons would be bordered by active, agricultural property.
  - Along the south-east boundary (boundary parallel to Quail Run Road), the proposed development would be bordered by various uses consisting of dense forest and active, agricultural property. Within Moyock Commons, a Vegetated Farm Buffer is proposed along the active agricultural property.
  - Moyock Commons proposed ingress/egress is via extension of existing Moyock Commons Drive. A roadway connection to E Street is not permitted.

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

2006 Land Use Plan policies:

- POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location.
- POLICY HN2: The county shall therefore engage alternatives to large lot developments through innovative development concepts and corresponding zoning techniques.
- POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:
  - OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Land Use Map.
- POLICY HN8: To protect the county's tax base and to ensure the long-term viability of the county's neighborhoods and housing stock, the county will continue to enforce appropriate CONSTRUCTION AND SITE DEVELOPMENT STANDARDS for residential developments. Such standards may include, for example, that all homes have a permanent masonry foundation (except where flood levels require elevation) and a pitched roof and overhang, and that local roads must be built to meet NCDOT acceptance standards.
- POLICY TR8: Local streets shall be designed and built to allow for convenient CIRCULATION WITHIN AND BETWEEN NEIGHBORHOODS and to encourage mobility by pedestrians and bicyclists. Care shall be taken to encourage local street "connectivity" without creating opportunities for cut-through traffic from outside the connected areas
- POLICY TR12: New residential developments shall provide for the installation of PAVED PUBLIC ROADWAY AND DRAINAGE INFRASTRUCTURE at the time of development. This policy is intended to prevent the creation of substandard developments that must later correct for infrastructure problems that could have been avoided, had they been installed properly from the beginning.
- POLICY WS3: Currituck County endorses UTILITIES EXTENSION POLICIES that focus water and sewer services (1) within existing developed areas and in nearby targeted growth areas identified as Full Service and Limited Service areas, (2) where development densities would make the provision of all public services more efficient, (3) where the land is particularly well suited for development, and (4) away from environmentally sensitive areas.
- POLICY PR6: All new residential development shall provide for ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS including, as may be appropriate, funding in proportion to the demand created by the development. The amount of open space and improvements may be determined according to the number of dwelling units in the development and/or by a percentage of the total acreage in the development. Fees in lieu of land dedication shall be based on the inflation adjusted assessed value of the development or subdivision for property tax purposes.

- POLICY WQ3: Currituck County supports policies, plans, and actions that help protect the water quality of the county's estuarine system by preventing SOIL EROSION AND SEDIMENTATION, and by controlling the quantity and quality of STORMWATER RUNOFF entering the estuary.
- POLICY WQ4: RUNOFF AND DRAINAGE from development, forestry, and agricultural activities shall be of a quality and quantity as near to natural conditions as possible. Post-development runoff shall not exceed pre-development volumes.
- POLICY WQ5: Development that preserves the NATURAL FEATURES OF THE SITE, including existing topography and significant existing vegetation, shall be encouraged. If COASTAL AND NON-COASTAL WETLANDS are considered part of the lot's acreage for the purpose of determining minimum lot size or development density, Low Impact Development techniques or appropriate buffers shall be integrated into the development. Open space developments shall be encouraged to REDUCE IMPERVIOUS SURFACE AREAS associated with new development and redevelopment.
- POLICY WQ7: The environmental benefits of properly designed, VEGETATED ROADSIDE DRAINAGE SWALES shall be recognized. Curb and gutter shall be reserved to developments that are urban in character and that are served by adequate stormwater collection, retention, and slow release facilities.
- POLICY CA6: To foster an improved community appearance, promote public safety, and help prevent service outages, the placement of UTILITY WIRES UNDERGROUND shall be encouraged in all public and private developments.

Moyock Small Area Plan policy and statements:

- POLICY FLU1: Promote compatibility between new development and existing development to avoid adverse impacts to the existing community. This is achieved through design, and includes larger setbacks, landscaped or forested strips, transition zones, fencing, screening, density and/or bulk step downs, or other architectural and site planning measures that encourage harmony.
- The Moyock area is the fastest growing part of Currituck County. Development densities currently range from 1 to 3 units per acre depending upon development type. It is coming under increasing development pressure as a "bedroom community" for the Tidewater Area of Virginia.
- "...However, in areas where central sewer is proposed or existing, additional services are available and the character of the surrounding areas supports it, higher density ranging from 3-4 units per acre could be considered through the use of overlay zones.
- Clustered housing developments with open space required by ordinance will need to be encouraged.

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.

- Currituck County has adequate public facilities to serve the proposed subdivision.

**Item 3:** The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands are:

- a. Provide the wetland delineation approved by the Army Corps of Engineers. If the .08 acres of wetlands are to be filled, a Nationwide Permit issued by the US Army Corps of Engineers is required prior to filling any wetlands. If a fill permit is not issued, the wetland areas must be placed into a primary conservation area.
- b. Moyock Commons Drive does not meet NCDOT Design and Construction Standards and is not under NCDOT maintenance. Therefore the entirety of Moyock Commons Drive (from the subject property line to Caratoke Highway – approximately 850') must be improved to meet current NCDOT Design and Construction Standards OR be accepted by NCDOT for maintenance prior to approval of the final plat.
- c. All conditions placed on the property through the conditional rezoning approval are incorporated into this request as follows:
  - o Minimum rear yard setback for all residential lots along the perimeter boundary shall be as shown on plan. These setbacks shall apply to all principal uses but shall not apply to fences or accessory structures. In no instance shall setbacks be less than allowed by the UDO.
  - o Prior to any land disturbing activities within the development, the property owner shall conduct a tree inventory plan as required by Section 7.2 of the UDO. The purpose of said plan shall be to identify the number and location of any heritage trees present and the methods by which they will be preserved.
  - o An effort shall be made to work with the owner of the existing commercial shopping center to extend a sidewalk from the proposed development to the shopping center.
  - o The property shall be developed in accordance with the Conceptual Development Plan dated December 26, 2013.
  - o On-street parking shall be prohibited by the provision of signage.
  - o The location of rights-of-way, open space areas, setbacks, and stormwater management areas shall be as generally shown on the approved conceptual development plan.
  - o Stormwater management for the improvements resulting from this application shall not exceed pre-developed discharge rates as allowed by ordinance. Such improvements shall be identified by means of a preliminary drainage impact study to be provided by the developer and approved by the county prior to submittal of the preliminary subdivision plat. As an alternative, at the developer's discretion, downstream improvements to include ditch regarding and cleaning, piping and the purchase of any required easements for the conveyance of stormwater may be accomplished in accordance with a county approved plan.
  - o All residential dwellings shall be constructed either with crawl spaces or on raised slabs (finished floor at least 16 inches above outside ground grade).
  - o The use of prefabricated structures or trailers as dwellings shall be strictly prohibited.

**Item 4:** The use permit shall automatically expire if a submittal of a complete application for approval of a final plat is not received by June 5, 2019

**Item 5:** The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of

competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

**Item 6:** This use permit shall be in effect from and after the 5th day of June, 2017.

IN WITNESS WHEREOF, the county has caused this use permit to be approved in its name.

ATTEST:

(Seal)

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Clerk to the Board

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Chairman  
Board of Commissioners

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Date

(NOT VALID UNTIL FULLY EXECUTED)



**STAFF REPORT  
PB 13-12  
BOARD OF COMMISSIONERS  
JUNE 5, 2017**

**APPLICATION SUMMARY**

<b>Property Owner:</b> Moyock Land Company LLC % Chip Friedman 3500 Virginia Beach Blvd Ste 600 Va Beach VA 23452	<b>Applicant:</b> Hassell & Folkes, PC % Stuart Bonnell 325 Volvo Parkway Chesapeake VA 23320
<b>Case Number:</b> PB 13-12	<b>Application Type:</b> Preliminary Plat/Use Permit
<b>Parcel Identification Number:</b> 0015-000-0079-0000	<b>Existing Use:</b> Cultivated Farmland, Woodlands
<b>Land Use Plan Classification:</b> Full Service	<b>Parcel Size (Acres):</b> 27.341
<b>Moyock SAP Classification:</b> Full Service	<b>Type of Subdivision:</b> Conservation
<b>Number of Units:</b> 55	<b>Project Density:</b> 2 units/acre
<b>Required Conservation Area (Acres):</b> 10.94 (40%)	<b>Provided Conservation Area (Acres):</b> 11.22 (41%)

**STAFF ANALYSIS**

On March 17, 2014 the Board of Commissioners approved the conditional rezoning of this property from AG (Agricultural) to C-SFM (Conditional-Single Family Mainland). The conceptual plan (attached) approved as a part of the conditional rezoning allowed for 55 lots and the proposed layout is consistent with this subdivision request.

It should be noted that the applicant held a community meeting for this request on September 27, 2016. A procedural error was made as staff was not invited to attend the meeting; however, staff understands that the meeting was well attended and a summary of the meeting is attached.

It is also important to note that the plat calls out several areas of potential wetlands on the property. The applicant states that the wetland delineation is "currently in process by others". Wetland verification as certified by the US Army Corps of Engineers is required upon preliminary plat submittal. The conceptual plan approved as part of the conditional rezoning indicated the potential wetland size of .08 acres was to be filled. A Nationwide Permit issued by the US Army Corps of Engineers is necessary prior to filling any wetlands. If a fill permit is not issued, the wetland area must be placed into a primary conservation area.

Finally, it is important to note that according to NCDOT Moyock Commons Drive does not meet their Design and Construction Standards and has not been accepted for maintenance. The UDO requires the new subdivision to connect to an improved street that meets NCDOT Design and Construction Standards or one that has been accepted for maintenance by NCDOT. While the existing improved portion of Moyock Commons Drive met the NCDOT Design and Construction Standards at the time of installation, it no longer meets those standards as required by the UDO. Therefore, Moyock Commons Drive in its entirety (approximately 850') must be improved to the current NCDOT Design

and Construction Standards or be accepted by NCDOT for maintenance prior to approval of the final plat.

INFRASTRUCTURE	
<b>Water</b>	Public
<b>Sewer</b>	Public
<b>Transportation</b>	Pedestrian: 5' concrete sidewalk along both sides of all streets External Street Connectivity: 3 connection points
<b>Stormwater/Drainage</b>	Drainage concerns have been noted in this area. The development will be constructed and maintained so that adjacent lands are not unreasonably burdened with surface waters as a result of the development. Among other things, the applicant is proposing improvements along E Street including a new culvert under Puddin Ridge Road to increase the drainage efficiency of Ditch #4 and small diameter stub pipes to drain ditches from 189 Pudding Ridge Road that would otherwise be blocked by the proposed pond outfall pipe.
<b>Schools</b>	Elementary Students Generated: 13.75 Middle School Students Generate: 4.4 High School Students Generated: 7.7
<b>Design Standards</b>	Per the conditional rezoning approval, all residential dwellings shall be constructed either with a crawl space or on raised slabs with a finished floor at least 16" above the outside ground grade.
<b>Lighting</b>	None proposed at this time.
<b>Landscaping</b>	The applicant is proposing compliant street trees, a Type A Buffer along the northern property line, and additional supplemental vegetation.
<b>Recreation and Park Area Dedication</b>	The county will be accepting a fee-in-lieu of parkland dedication. (Approximately \$4,720)

## RECOMMENDATIONS

### TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends adoption of the use permit and approval of the preliminary plat subject to the following conditions of approval:

1. The application complies with all applicable review standards of the UDO provided the following items are addressed:
  - a. Please provide the wetland delineation approved by the Army Corps of Engineers. If the .08 acres of wetlands are to be filled, a Nationwide Permit issued by the US Army Corps of Engineers is necessary prior to filling any wetlands. (Planning)
  - b. Since Moyock Commons Drive does not meet NCDOT Design and Construction Standards and is not under NCDOT maintenance, the entire Moyock Commons Drive (from the subject property line to Caratoke Highway – approximately 850') must be improved to meet current NCDOT Design and Construction Standards OR be accepted by NCDOT for maintenance prior to approval of the final plat. (Planning)
  - c. Calculations and details of stormwater, sewer, and water will be reviewed at Construction Drawing submittal. (Engineering)

- d. Provide accessible parking or passenger loading zone at Cluster Mailbox Unit (CMU) location and accessible route to the CMU. (Building Inspector)
- 2. The applicant demonstrates the proposed use will meet the use permit review standards of the UDO.
- 3. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
  - a. Please provide the wetland delineation approved by the Army Corps of Engineers. If the .08 acres of wetlands are to be filled, a Nationwide Permit issued by the US Army Corps of Engineers is necessary prior to filling any wetlands. If a fill permit is not issued, the wetland areas must be placed into a primary conservation area. (Planning)
  - b. Since Moyock Commons Drive does not meet NCDOT Design and Construction Standards and is not under NCDOT maintenance, the entire Moyock Commons Drive (from the subject property line to Caratoke Highway – approximately 850') must be improved to meet current NCDOT Design and Construction Standards OR be accepted by NCDOT for maintenance prior to approval of the final plat. (Planning)
  - c. That all conditions placed on the property through the conditional rezoning approval are incorporated into this request: (Planning)
    - i. Minimum rear yard setback for all residential lots along the perimeter boundary shall be as shown on plan. These setbacks shall apply to all principal uses but shall not apply to fences or accessory structures. In no instance shall setbacks be less than allowed by the UDO.
    - ii. Prior to any land disturbing activities within the development, the property owner shall conduct a tree inventory plan as required by Section 7.2 of the UDO. The purpose of said plan shall be to identify the number and location of any heritage trees present and the methods by which they will be preserved.
    - iii. That an effort be made to work with the owner of the existing commercial shopping center to extend a sidewalk from the proposed development to the shopping center.
    - iv. The property shall be developed in accordance with the Conceptual Development Plan dated December 26, 2013.
    - v. On-street parking shall be prohibited by the provision of signage.
    - vi. The location of rights-of-way, open space areas, setbacks, and stormwater management areas shall be as generally shown on the approved conceptual development plan.
    - vii. The developer agrees that stormwater management for the improvements resulting from this application shall not exceed pre-developed discharge rates as allowed by ordinance. Such improvements shall be identified by means of a preliminary drainage impact study to be provided by the developer and approved by the county prior to submittal of the preliminary subdivision plat. As an alternative, at the developer's discretion, downstream improvements to include ditch regarding and cleaning, piping and the purchase of any required easements for the conveyance of stormwater may be accomplished in accordance with a county approved plan.
    - viii. All residential dwellings shall be constructed either with crawl spaces or on raised slabs (finished floor at least 16 inches above outside ground grade).
    - ix. The use of prefabricated structures or trailers as dwellings shall be strictly prohibited.

**SURROUNDING PARCELS**

	<b>Land Use</b>	<b>Zoning</b>
North	Residential/Retail	SFM, AG, GB
South	Residential	SFM
East	Active Farmland/Undeveloped	AG
West	Residential	SFM

**USE PERMIT REVIEW STANDARDS**

**A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the below requirements. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary findings**

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

**Applicant Findings:**

1. The project would not adversely affect public safety. In compliance with preliminary plat review comments from the Albemarle Regional Health Services approvals for wastewater treatment and disposal from the NC Division of Water Quality (Washington Office) and Moyock Regional Water System would be obtained prior to construction.
2. This project would not adversely affect public safety. All state and county approvals would be obtained prior to construction.

**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.**

**Applicant Findings:**

1. Moyock Commons will not injure the value of abutting lands and will be in harmony with the area in which it is located.
2. Along the west boundary (boundary parallel to Puddin Ridge Road), the proposed development would be bordered by a rural residential unit located within the Moyock Sub-Area which fronts on Puddin Ridge Road. Within Moyock Commons, proposed Lake #1 and a 25-LF wide tree area combine to create an approximate 400-LF wide conservation area buffer against the residential unit.
3. Along the north-east boundary (boundary parallel to Route 168), the proposed development would be bordered by various uses consisting of 5-residential lots within the Moyock Sub-Area; and various parcels zoned general business which are used for retail and utility related operations with the Moyock sub-Area. Within Moyock Commons, proposed Lake #2 and a various width Type-A, Landscape Buffer would create a conservation area against the adjacent uses.
4. Along the east boundary, Moyock Commons would be bordered by active, agricultural property.
5. Along the south-east boundary (boundary parallel to Quail Run Road), the proposed development would be bordered by various uses consisting of dense forest and active, agricultural property. Within Moyock Commons, a Vegetated Farm Buffer is proposed along the active agricultural property.
6. Moyock Commons proposed ingress/egress is via extension of existing Moyock Commons Drive. A roadway connection to E Street is not permitted.

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

**Applicant Findings:**

1. Moyock Commons would be located within the Moyock Sub-Area. With respect to the Moyock Sub-Area, excerpts from the land use plan follow:
  - a. The Moyock area is the fastest growing part of Currituck County. Development densities currently range from 1 to 3 units per acre depending upon development type. It is coming under increasing development pressure as a “bedroom community” for the Tidewater Area of Virginia.
  - b. “...However, in areas where central sewer is proposed or existing, additional services are available and the character of the surrounding areas supports it, higher density ranging from 3-4 units per acre could be considered through the use of overlay zones.
  - c. Clustered housing developments with open space required by ordinance will need to be encouraged.
2. For Moyock Commons, the relevant and supportive 2006 Land Use Plan policies are found to be as follows:
  - a. POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location.
  - b. POLICY HN2: The county shall therefore engage alternatives to large lot developments through innovative development concepts and corresponding zoning techniques.
  - c. POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:
    - i. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Land Use Map.
  - d. POLICY HN8: To protect the county’s tax base and to ensure the long-term viability of the county’s neighborhoods and housing stock, the county will continue to enforce appropriate CONSTRUCTION AND SITE DEVELOPMENT STANDARDS for residential developments. Such standards may include, for example, that all homes have a permanent masonry foundation (except where flood levels require elevation) and a pitched roof and overhang, and that local roads must be built to meet NCDOT acceptance standards.
  - e. POLICY TR8: Local streets shall be designed and built to allow for convenient CIRCULATION WITHIN AND BETWEEN NEIGHBORHOODS and to encourage mobility by pedestrians and bicyclists. Care shall be taken to encourage local street “connectivity” without creating opportunities for cut-through traffic from outside the connected areas
  - f. POLICY TR12: New residential developments shall provide for the installation of PAVED PUBLIC ROADWAY AND DRAINAGE INFRASTRUCTURE at the time of development. This policy is intended to prevent the creation of substandard developments that must later correct for infrastructure problems that could have been avoided, had they been installed properly from the beginning.
  - g. POLICY WS3: Currituck County endorses UTILITIES EXTENSION POLICIES that focus water and sewer services (1) within existing developed areas and in nearby targeted growth areas identified as Full Service and Limited Service areas, (2) where development densities would make the provision of all public services more efficient, (3) where the land is particularly well suited for development, and (4) away from environmentally sensitive areas.

- h. POLICY PR6: All new residential development shall provide for ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS including, as may be appropriate, funding in proportion to the demand created by the development. The amount of open space and improvements may be determined according to the number of dwelling units in the development and/or by a percentage of the total acreage in the development. Fees in lieu of land dedication shall be based on the inflation adjusted assessed value of the development or subdivision for property tax purposes.
- i. POLICY WQ3: Currituck County supports policies, plans, and actions that help protect the water quality of the county's estuarine system by preventing SOIL EROSION AND SEDIMENTATION, and by controlling the quantity and quality of STORMWATER RUNOFF entering the estuary.
- j. POLICY WQ4: RUNOFF AND DRAINAGE from development, forestry, and agricultural activities shall be of a quality and quantity as near to natural conditions as possible. Post-development runoff shall not exceed pre-development volumes.
- k. POLICY WQ5: Development that preserves the NATURAL FEATURES OF THE SITE, including existing topography and significant existing vegetation, shall be encouraged. If COASTAL AND NON-COASTAL WETLANDS are considered part of the lot's acreage for the purpose of determining minimum lot size or development density, Low Impact Development techniques or appropriate buffers shall be integrated into the development. Open space developments shall be encouraged to REDUCE IMPERVIOUS SURFACE AREAS associated with new development and redevelopment.
- l. POLICY WQ7: The environmental benefits of properly designed, VEGETATED ROADSIDE DRAINAGE SWALES shall be recognized. Curb and gutter shall be reserved to developments that are urban in character and that are served by adequate stormwater collection, retention, and slow release facilities.
- m. POLICY CA6: To foster an improved community appearance, promote public safety, and help prevent service outages, the placement of UTILITY WIRES UNDERGROUND shall be encouraged in all public and private developments.

#### Preliminary Staff Findings

1. The plan is consistent with policies in the Moyock Small Area Plan including:
  - a. POLICY FLU1: Promote compatibility between new development and existing development to avoid adverse impacts to the existing community. This is achieved through design, and includes larger setbacks, landscaped or forested strips, transition zones, fencing, screening, density and/or bulk step downs, or other architectural and site planning measures that encourage harmony.

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.

#### Applicant Findings:

1. Currituck County has adequate public facilities to serve the proposed subdivision.

#### Planning Board Meeting Discussion – May 9, 2017

Moyock Service District Maintenance Assessment for Ditches 1-6 Presentation

Senior Planner, Tammy Glave briefed the Planning Board Members on tonight's added discussion of Moyock drainage. A planned subdivision, Moyock Commons, had previously been heard at the Board of Commissioners Meeting on March 20, 2017 for a Use Permit. During this time, a drainage report for the Moyock Service District was in the process of being prepared and the Board of Commissioners

remanded Moyock Common's request until the drainage report was finished and could go through the proper procedures of discussion by the Planning Board and then a resolution by the Board of Commissioners. Ms. Glave introduced Eric Weatherly, Engineer with Currituck County, to present the Moyock Service District Draft Prioritized Maintenance Assessment for Ditches 1 through 6.

Mr. Weatherly started his presentation by explaining the Moyock Watershed District and the drainage study that had been prepared by the County. He also explained the location of the ditches 1 through 6 within the Moyock Watershed District. He said the study has nineteen items needing to be addressed which are listed in priority order on the maintenance assessment. The Moyock Watershed Service District currently pays an additional district tax rate of 1 and 1/2 cents per \$100 valuation. Mr. Weatherly said this rate is barely enough to keep the ditches cleaned out from fallen trees. The County will have to raise the additional district tax rate to 5 cents per \$100 valuation in order to pay for the cost of the needed improvements for ditches 1 through 6 which will take three years of the additional taxes for the cost to be completely covered. This was presented at the Board of Commissioners last budget session. Mr. Weatherly referenced priority #5 which relates to Moyock Commons and will cost \$21,300. Mr. Weatherly said there is no reason we should not turn the drainage study down. It will improve the problems we have with drainage in this area.

Mr. Craddock asked if any special permits will be needed such as CAMA or Army Corps of Engineers. Mr. Weatherly said he did not believe it will. Ms. Glave stated since these are not navigable waters, no special permits should be needed.

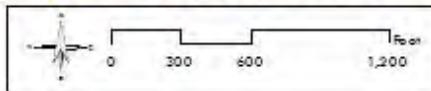
Discussion was held on whether the additional tax rate would continue past the three year period, if the improvements would be a permanent fix, and when the improvements will begin, if approved. Mr. Weatherly said the Board of Commissioners could reverse the tax after a three year period, but the improvements would not be a permanent fix and the ditches would need continual maintenance. The improvements could begin as early as July 1, 2017, if the additional tax is approved by the Board of Commissioners for the next fiscal year.

Chairman Bell thanked Mr. Weatherly for his presentation and closed the discussion.

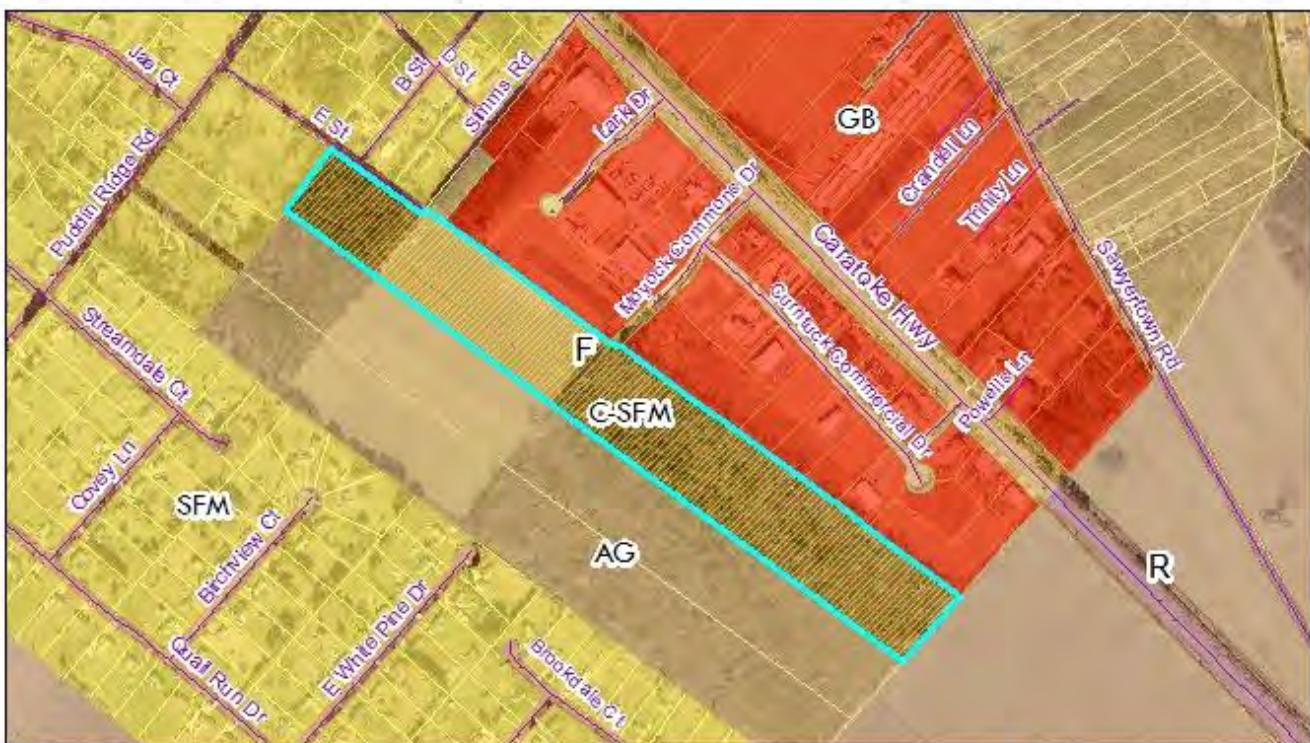
THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE  
Board of Commissioners: [www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm](http://www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm)



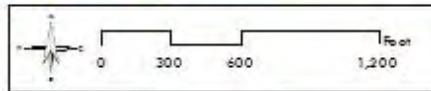
PB 13-12 Moyock Commons, Phase 1  
Preliminary Plat/Use Permit  
Aerial Photography



Currituck County  
Planning and  
Community Development



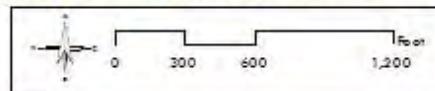
PB 13-12 Moyock Commons, Phase 1  
Preliminary Plat/Use Permit  
Zoning



Currituck County  
Planning and  
Community Development



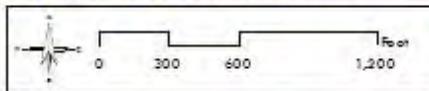
PB 13-12 Moyock Commons, Phase 1  
Preliminary Plat/Use Permit  
Land Use Plan Classification



 Currituck County  
Planning and  
Community Development

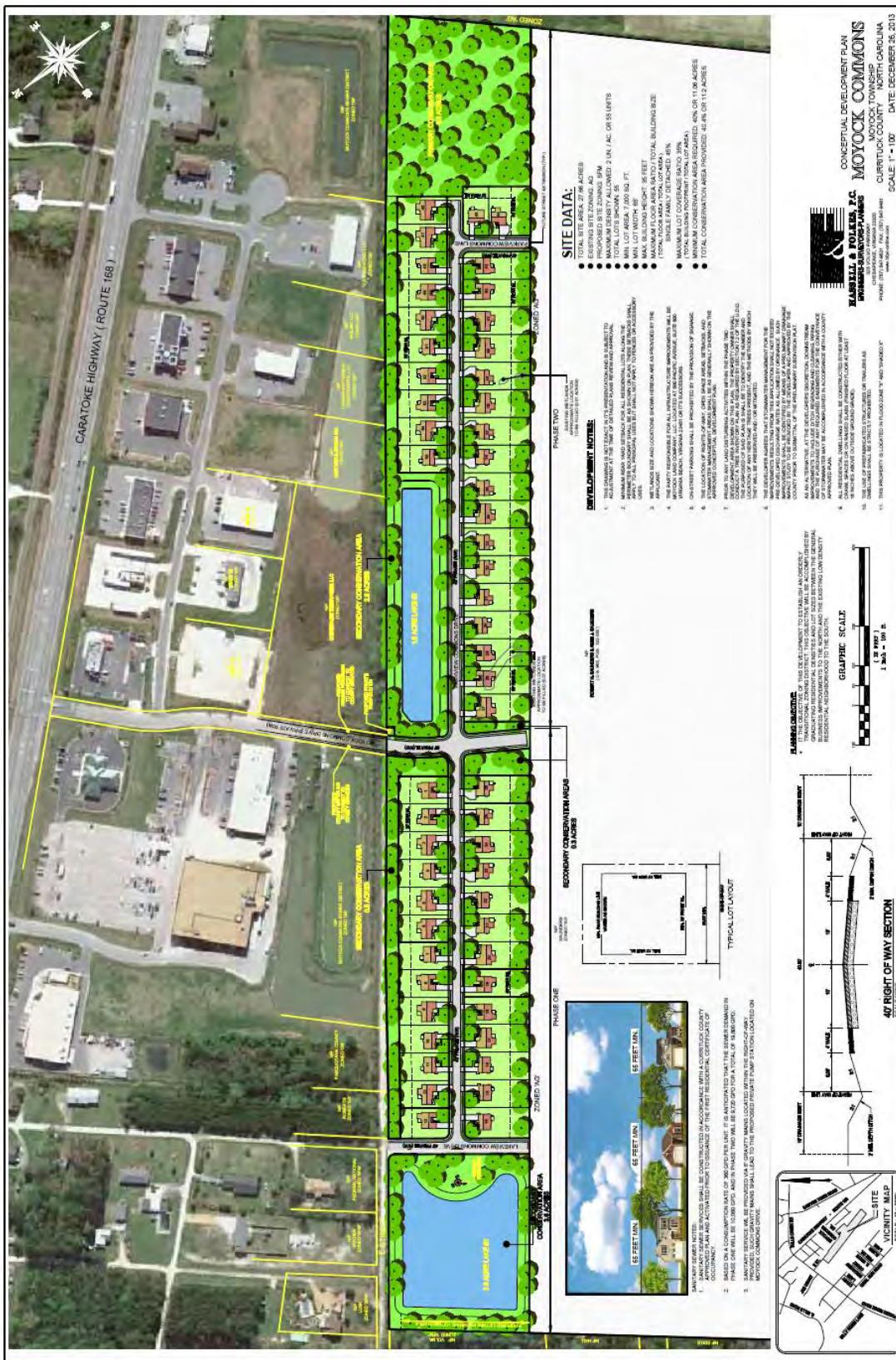


PB 13-12 Moyock Commons, Phase 1  
Preliminary Plat/Use Permit  
Moyock Small Area Plan Classification



 Currituck County  
Planning and  
Community Development

APPROVED CONDITIONAL REZONING CONCEPTUAL PLAN



PB 13-12 Moyock Commons, Phase 1  
Preliminary Plat/Use Permit  
Page 10 of 10

ANIMAL SERVICES/CONTROL ADVISORY  
2-YEAR TERMS

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
	Consensus	Lynn Christian		5/16/2016	Initial-2 Year 5/30/2018
	Consensus	Donna Corbo		5/16/2016	Initial-2 Year 5/30/2018
	Consensus	<b>Laura Hill</b>		5/16/2016	Initial-1 Year 5/30/2017
	Consensus	Michael Shannon		5/16/2016	Initial-2 Year 5/30/2018
	Consensus	<b>Nancy VanClief</b>		5/16/2016	Initial-1 Year 5/30/2017
Animal Services Director					Initial
Gina Maurer	Consensus				
Animal Control Officer	Consensus				Initial
Marion Gilbert	Ex-Officio				Initial 5/30/2018

Commissioner serves 2-year term, ex-officio, non-voting.

Initial Terms to be designated-4 will serve 2 year terms, 3 will serve 1 year terms.

Animal Advocate 2

Vet Care/Admin 1

Handler/Training 1

Grant Writing/Research 1

**BOARD OF ADJUSTMENT**  
3-Year Terms

<b>Incumbent</b>	<b>Nominated by</b>	<b>New Appointee</b>	<b>Nominated by</b>	<b>Date of Appointment</b>	<b>End of Term</b>
Donna McCloud	District 1		Bob White	01/05/2015	1st Term 12/31/2017
Matthew Battey	District 2		Bobby Hanig	2/18/2013 1st 02/01/2016	2nd Term 12/31/2018
Zia Montessi	District 3		Mike Payment	4/3/2017	1st Term 12/31/2019
Greg Hammer-Alt	District 4		Paul Beaumont	1/24/2014	2nd Term 12/31/2016
Joseph Kovacs-Alt	District 5		Marion Gilbert	1/24/2014	2nd Term 12/31/2016
Mike Painter	At Large		Mike Hall	8/20/2012	2nd Term 12/31/2017
<b>Vivian Simpson</b>	At-Large	Member Resignation-Replacement Will serve as Alternate	Kitty Etheridge	1/17/2012	2nd Term 12/31/2017

**Must be Replaced**

FIRE AND EMS ADVISORY BOARD  
2 Year Term

Incumbent	District Served	New Appointee	Nominated by	Date of Appointment	End of Term
<b>Fire/EMS Chief</b> <b>Ralph "Chip" Melton</b>	Consensus			5/18/2015	1st-2 Year Term 5/31/2017
					5/18/2015
<b>Fire Services Representative</b> <b>Kevin Morgan</b>	Consensus			5/18/2015	1st-2 Year Term 5/31/2017
					5/18/2015
<b>Fire Services Representative</b> <b>Brooks Hart</b>	Consensus			5/18/2015	1st-2 Year Term 5/31/2017
					5/18/2015
<b>Citizen Representative</b> William Bailey	Consensus			7/18/2016	1st-2 Year Term 5/31/2018
					7/18/2016
<b>Commissioner*</b> Paul Beaumont	Consensus			12/5/2016	Annual Appointment 12/4/2017
					12/5/2016

\*Commissioner term expiration extended to December to correlate with election cycles.

Must be replaced

May be reappointed-Fire/EMS Chief serves as required by ordinance

Commissioner Beaumont serves on this Board

GAME COMMISSION  
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Steven Lewark	District 1		Bob White	6/16/2014	2nd term 6/1/2018
Jason Belangia	District 2		Bobby Hanig	6/6/2016	1st term 6/1/2018
Jeremy Evans	District 3		Mike Payment	6/20/2016	1st Term 6/1/2018
<b>Louis Davis</b>	District 4		Paul Beaumont	9/21/2015	2nd term 6/1/2017
<b>Richard Bell</b>	District 5		Marion Gilbert	12/7/2015	1st Term 6/1/2017
Curtis Austin	At-Large		Mike Hall	6/5/2017	2nd term 6/1/2019
<b>James Guard</b>	At-Large		Kitty Etheridge	9/21/2015	2nd term 6/1/2017

Must Be Replaced  
Can be Reappointed

LIBRARY BOARD OF TRUSTEES  
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
<b>Shelly Haskell</b>	District 1		Bob White	6/17/2013	1st 6/30/2017
<b>Deborah Mountain</b>	District 2		Bobby Hanig	10/5/2015	2nd 6/30/2017
<b>Colleen Umphlett</b>	District 3		Mike Payment	6/17/2013	1st 6/30/2017
Leigh Dix	District 4		Paul Beaumont	3/6/2017	Unexp 6/30/2018
<b>Stacy Vasquetellas</b>	District 5		Marion Gilbert	1/4/2016	1st 6/30/2017
<b>George Gregory</b>	At-Large		Mike Hall	6/17/2013	2nd 6/30/2017
Tom Oakes	At-Large		Kitty Etheridge	7/18/2016	2nd 6/30/2018
<b>Can Be Reappointed</b>					
<b>Must Be Replaced</b>					

RECREATION ADVISORY BOARD  
2 Year Terms

Incumbent	District Served	New Appointee	Nominated by	Date of Appointment	End of Term
Ryan Hodges	District 1		Bob White	1/4/2016	1st Term January 2018
<b>Neel Smith</b>	District 2		Bobby Hanig	1/17/2012	2nd Term January 2017
Robin Kane	District 3		Mike Payment	1/4/2016	1st Term January 2018
Rick Vasko	District 4		Paul Beaumont	4/3/2017	1st Term January 2019
Peter Aitken	District 5		Marion Gilbert	2/15/2016	1st Term January 2018
Kevin McCord	At-Large		Mike Hall	1/19/2016	1st Term January 2018
Ellen Owens	At-Large		Kitty Etheridge	1/2017 1st term exp 1/3/2017	2nd Term January 2019

**\*Must be Replaced**

**Commissioner Beaumont Serves on this Board**



**CURRITUCK COUNTY  
NORTH CAROLINA**

June 5, 2017  
Minutes – Regular Meeting of the Board of Commissioners

**WORK SESSION**

**1. 5:00 PM Inspections Presentation-Change of Use/Building Occupancy**

Bill Newns, Chief Building Inspector, presented an informational presentation on use classifications for commercial buildings. He began with a review of his background and experience for newly elected Commissioners and provided information on the duties of the permits and inspections department. Mr. Newns reviewed the ten use classifications categories, how use affects occupancy, and went over the process for making determinations for commercial construction or rehab based on use. He provided related material handouts for Board review. Mr. Newns presented challenges such as code changes and a lack of educational initiatives at the state level. Fire inspection processes and frequencies were discussed.

**6:00 PM CALL TO ORDER**

The Board of Commissioners met for its regular meeting at 6 PM in the Board Room of the Historic Currituck Courthouse located at 153 Courthouse Road, Currituck, North Carolina.

Attendee Name	Title	Status	Arrived
Bobby Hanig	Chairman	Present	
Mike H. Payment	Vice Chairman	Present	
Paul M. Beaumont	Commissioner	Present	
Mary "Kitty" Etheridge	Commissioner	Absent	
Marion Gilbert	Commissioner	Present	
Mike D. Hall	Commissioner	Present	
Bob White	Commissioner	Present	

Chairman Hanig called the meeting to order.

**A) Invocation & Pledge of Allegiance-Reverend Bill Masciangelo, Moyock United Methodist Church**

Reverend Bill Masciangelo was not in attendance. Commissioner Beaumont gave the Invocation and led the Pledge of Allegiance.

**B) Approval of Agenda**

Commissioner Gilbert moved to approve the agenda. The motion was seconded by

Commissioner White and carried unanimously.

Approved Agenda:

**Work Session**

5:00 PM Inspections Presentation-Change of Use/Building Occupancy

**6:00 PM Call to Order**

- A) Invocation & Pledge of Allegiance-Reverend Bill Masciangelo, Moyock United Methodist Church
- B) Approval of Agenda

**Public Comment**

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

**Public Hearings**

- A) **PB 14-16 Lake View at Currituck, Development Agreement Amendment:** Request to amend the development agreement between Currituck County and Lake View Land Development, LLC for property located in Moyock on Survey Road west of the intersection with Caratoke Highway, Tax Map 15, Parcels 83B, 83C, 83D, and 83E and Tax Map 15C, Parcels 1-10, 68-88, and 129-146, and OSC, Moyock Township.
- B) **PB 13-12 Moyock Commons, Phase 1** Request for a preliminary plat/use permit for a 55 lot residential subdivision located on the westerly terminus of Moyock Commons Drive, behind the Food Lion Shopping Center, Tax Map 15, Parcel 79, Moyock Township.
- C) **Public Hearing and Possible Action to Adopt the County's Annual Budget for FY 2017-18**

**New Business**

- A) **Board Appointments**
  1. Social Services Board-Reappointment
  2. Ocean Sands/Crown Point Watershed District Advisory Board
- B) **Consent Agenda**
  1. Approval Of Minutes for May 15, 2017
  2. Budget Amendments
  3. Surplus Resolution-Metal Office Building and Storage Building at

## Veterans Park

4. Vehicle Surplus Resolution-Dodge Durango, Animal Services
5. Surplus Resolution-Ambulance
6. Minutes Approval for May 1, 2017-Board of Equalization and Review
7. Knotts Island Convenience Center Lease
8. Economic Improvement Council Lease
9. Request by Crawford VFD Inc. for approval of Capital Purchases.
10. Audit Contract for fiscal year ending June 30, 2017
11. Funding Plan and Certification for the Juvenile Crime Prevention Council for the fiscal year ending June 30, 2018
12. Trillium Health Resources Quarterly Financial Report
13. Petition for Road Addition to State Maintenance-Cahoon Farms
14. Consideration of Application for Alcohol Use-2017 Knotts Island Peach Festival
15. Regional Solid Waste-Electronics Recycling Revision Request

## C) Commissioner's Report

## D) County Manager's Report

Special Meeting of the Tourism Development Authority

Public Hearing & Possible Action to Adopt the Tourism Development Authority's Annual Budget for FY 2017-18

Closed Session

Closed Session Pursuant to G.S. 143-318.11(a)(3) to Consult with the County Attorney in Order to Preserve the Attorney-Client Privilege

Adjourn

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Marion Gilbert, Commissioner
<b>SECONDER:</b>	Bob White, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, 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 Hanig opened the Public Comment period.

Peggy Lusk of B Street, Moyock, spoke of the changes she has observed in the area over 30 years, and what she has learned about the county during her service on the stormwater advisory and land use steering committee pertaining to traffic, land use and future development.

S. Paul O'Neal, Chairman of the Board of Trustees for College of the Albemarle (COA), spoke on behalf of the Trustees and thanked the Board of Commissioners for their support for the College of the Albemarle, touting the success of COA's campus in Currituck County. Mr. O'Neal described the search and interview process undertaken to find a replacement for former COA President, Dr. Kandi Dietemeyer, then introduced the new COA President to the Board.

Dr. Robert Wynegar, President of College of the Albemarle, presented his educational background and prior experience. He provided data related to COA student contributions and information on how community colleges benefit their communities. Commissioner Hall, who serves as a COA Trustee, and the Board of Commissioners welcomed Dr. Wynegar to Currituck and to the College of the Albemarle.

There were no other speakers and the Public Comment period was closed.

## PUBLIC HEARINGS

### **A. PB 14-16 Lake View at Currituck, Development Agreement Amendment:**

Ben Woody, Planning and Community Development Director, reviewed the amendment request for the Board. Mr. Woody said both the Technical Review Committee and the Planning Board recommended approval. During presentation, Mr. Woody reviewed the new elevations submitted by Ryan Homes which is the basis of the request for the development agreement amendment.

Aaron VanDyke of Ryan Homes was in attendance. He presented a powerpoint and provided a review of the subdivision plat showing slides comparing the original architecture with the new elevations proposed by Ryan Homes. He described the architectural review committee process to which each house is submitted for review and presented general information about Ryan Homes.

Mr. VanDyke responded to Board questions. He said Ryan Homes is not building townhomes as rumored and four or five different models would be offered at comparable pricing to the original submittal.

Chairman Hanig opened the public hearing.

Gary Warner, President of Franciscus Homes and the Operating Manager of the development said they have had an excellent relationship with Ryan Homes on prior projects and finds them to be an excellent builder. He feels they would well serve the area here.

No one else wished to speak and Chairman Hanig closed the Public Hearing.

Commissioner Payment asked whether he should be excused from voting, as his company will be working on some of the homes in the development. The County Attorney suggested allowing Board members to make the determination whether to recuse him from voting, and after discussion, Commissioner Gilbert made a motion to not recuse Commissioner Payment from making a decision on the amendment. Commissioner Beaumont seconded the motion which passed unanimously, 6-0.

Commissioner Gilbert moved to approve PB 14-16-Lake View at Currituck Development Agreement Amendment. The motion was seconded by Commissioner Beaumont and carried unanimously.

To: Board of Commissioners

From: Planning Staff

Date: June 5, 2017

Subject: PB 14-16 Lake View at Currituck, PUD Development Agreement

James O. Myers, Lake View Land Development, LLC, submitted an application for an amendment to the development agreement between Lake View Land Development, LLC (the "Developer") and Currituck County to modify the building elevation designs for single family dwellings in Lake View at Currituck, PUD off Survey Road in Moyock Township.

The use of a development agreement is authorized in North Carolina General Statutes 153A-379.1 and Currituck County Unified Development Ordinance (UDO), Section 2.4.18; the purpose and intent of a development agreement is to:

1. Encourage comprehensive planning and capital facilities planning;
2. Ensure the provision of adequate public facilities for development;
3. Encourage the efficient use of resources, while providing certainty in the process of obtaining development permits and approvals; and
4. Reduce the economic costs of development by providing greater regulatory certainty.

### **Background**

- County of Currituck (the "County") entered into a development agreement with Survey Road, LLC (the "Developer") on November 25, 2014 to complete the Lake View at Currituck development.
- Typical building elevations were included in Exhibit D of the agreement. The recitals in the agreement indicate the homes constructed should be similar to the elevations provided in the agreement but are not required to be exact.
- The development agreement between the Developer and the County required the Developer to install a new public sewer force main connecting the Lake View at Currituck development to the Moyock Central Sewer System. Phase 1 infrastructure is complete and the sewer mains, pump stations, and appurtenances subject to the development agreement were dedicated to the county upon completion.
- An amendment to the development agreement was recorded June 23, 2016 that permitted 13 additional units and, the agreement was assigned to Lake View Land Development, LLC (the "Developer").

### **Amendment Request**

The request submitted by the “Developer” provides sixteen two-story building elevations that will replace the building elevation exhibit in the recorded agreement. According to the applicant, the building elevations recorded with the 2014 development agreement are outdated and the architecture is proprietary to the builder that was in place at that time.

Attached please find a draft version of the development agreement amendment, a copy of the existing building elevations, the proposed building elevations, and the Architectural Standards Handbook for the Lake View at Currituck Owners Association.

### **Development Agreement Review Standards**

The advisability of a development is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. For consideration of the county to participate in a development agreement, the development subject to the agreement must meet the following:

1. The property subject to the development agreement shall contain 25 acres or more of developable property (exclusive of wetlands, mandatory buffers, unbuildable slopes, and other portions of the property that may be precluded from the property at the time of application).
2. The development shall demonstrate phasing, and participation in the proposed agreement shall not exceed 20 years.
3. The development shall demonstrate the impact on existing and future provisions of capital improvements by the county, including at least one of the following: transportation, potable water, sanitary sewer, solid waste, stormwater management, educational, parks and recreational, and health systems and facilities.

### **Recommendation**

Although this amendment to the development agreement (building elevations) does not specifically address the three review standards outlined in the UDO, the Lake View at Currituck development agreement continues to meet the review standards of the UDO. The TRC recommends **approval** of the amendment because the development agreement is consistent with the Moyock Small Area Plan since the subject property and sewer main extension are located in a Full Service area; is consistent with the Land Use Plan because it focuses sewer service in existing developed areas and in nearby targeted growth areas (POLICY WS3); and the development agreement demonstrates the impact on the future provision of public sewer capital improvements by the county.

### **Planning Board Recommendation:**

#### **May 9, 2017:**

Mr. Craddock motioned to approve the amended development agreement since it is consistent with the Moyock Small Area Plan and it is in the public's interest and it will not negatively affect property values in the vicinity.

### **RESULT: RECOMMENDED APPROVAL [UNANIMOUS]**

**AYES:** Carol Bell, Chairman, C. Shay Ballance, Board Member, Steven Craddock, Board Member, Jane Overstreet, Board Member, J. Timothy Thomas, Board Member

**ABSENT:** Fred Whiteman, Vice Chairman, John McColley, Board Member, Jeff O'Brien, Board Member

### **Planning Board Discussion (5/9/2017):**

Senior Planner, Donna Voliva presented the Staff Report for the request made by James Myers to amend the development agreement between Lake View Land Development, LLC, and Currituck County to modify the building elevations for single family dwellings in Lake View at Currituck, PUD off

Survey Road in Moyock. The request submitted replaced the previous elevations with sixteen two story building designs which are similar to the previous elevations. According to the applicant, the previous elevations were outdated and the architecture is proprietary to the builder that was in place at the time. Ms. Voliva gave the background information, reviewed the development agreement review standards and gave the Technical Review Committee's recommendation to approve the amendment since the development agreement is consistent with the Moyock Small Area Plan and is consistent with the Land Use Plan for Currituck County.

Eric Shirey, with Ryan Homes, appeared before the board and stated Ryan Homes has the land development for all 150 lots at Lake View at Currituck with 49 of the lots ready for building to begin. He stated the new elevations designs were for upgrading purposes with no cost cutting. The designs submitted in 2014 had garages that were 18-20 feet in width and some would not fit the lot size.

Board members asked Mr. Shirey several questions about the square footage, price points, location of Ryan Homes' Headquarters and foundation of the homes. Mr. Shirey said the square footage of the homes would be similar with some up to 3,000 square feet; the price ranges would a starting price point of \$299,000 to \$309,000 with upgrades up to \$350,000. Ryan Homes is in Chesapeake with 40 employees and is headquartered in Reston, Virginia.

Mr. Shirey said this would be the first community they are building outside of Chesapeake, Virginia. All the homes will be built on slab foundations.

Jim Myers, with Lake View Land Development, LLC, appeared before the board. Mr. Myers said the previous elevations were from a builder they had contracted at the time the development agreement was made in 2014 and these elevations had been used in Isle of Wight County, Virginia. Mr. Myers said they could not use the previous elevations since that builder was no longer working on this project.

Board members agreed the previous elevations were similar to the new elevations. Ms. Voliva said the development agreement stated Lake View Land Development, LLC, had to come to the board when changes are made for approval.

NORTH CAROLINA  
COUNTY OF CURRITUCK

### **DEVELOPMENT AGREEMENT**

This Amendment of Development Agreement is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017 by and between the County of Currituck, a body politic and political subdivision of the State of North Carolina ("County"), and Lakeview Land Development LLC, a Virginia limited liability company, as assignee from Survey Road, LLC, a North Carolina limited liability company ("Developer").

#### **SECTION ONE** **RECITALS**

1. Developer and County previously entered into a Development Agreement under date of November 25<sup>th</sup>, 2014, as amended by that certain amendment dated June 21, 2016, for the development property identified therein as "Tract 1".
2. Pursuant to that certain Assignment of Development Agreement dated June 21, 2016, Survey Road, LLC assigned the Development Agreement to Lake View Land Development, LLC.
3. Pursuant to SECTION 12 therein, the original agreement may be amended by mutual consent of the parties.
4. Developer desires, and County consents, to the amendment hereinafter stated.

NOW, THEREFORE, for and in consideration of the mutual promises subsequently appearing, it is agreed the Development Agreement of November 25<sup>th</sup>, 2014, as amended, is hereby amended in the following regards, and no other:

**AMENDMENT TO SECTION THREE**  
**DEFINITION OF "LAKE VIEW AT CURRITUCK, PUD"**  
**TYPICAL BUILDING ELEVATIONS**

The original Exhibit D referred to in Section Three, definition of "Lake View at Currituck, PUD", is hereby replaced with Exhibit D attached hereto and made a part hereof.

**EXECUTION**

This document having been carefully reviewed by the parties and their counsel, and it being determined such is in accord with applicable law and is in the interest of Developer, County and its citizens, each party does hereby bind itself to the other to carry out the terms herein by the execution of this document in duplicate originals.

**PRE-AUDIT CERTIFICATION**

This instrument has been pre-audited in the manner required by the Local Government Budget Fiscal Control Act.

By: \_\_\_\_\_  
 Finance Officer  
 Currituck County, North Carolina

IN WITNESS WHEREOF, the parties hereto have caused these presents to be executed on the day and year indicated below:

**ATTEST:**

**COUNTY OF CURRITUCK**

By: \_\_\_\_\_

By: \_\_\_\_\_

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Marion Gilbert, Commissioner
<b>SECONDER:</b>	Paul M. Beaumont, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner

**B. PB 13-12 Moyock Commons, Phase 1**

**APPLICATION SUMMARY**

<b>Property Owner:</b> Moyock Land Company LLC % Chip Friedman 3500 Virginia Beach Blvd Ste 600 Va Beach VA 23452	<b>Applicant:</b> Hassell & Folkes, PC % Stuart Bonnell 325 Volvo Parkway Chesapeake VA 23320
<b>Case Number:</b> PB 13-12	<b>Application Type:</b> Preliminary Plat/Use Permit
<b>Parcel Identification Number:</b> 0015-000-0079-0000	<b>Existing Use:</b> Cultivated Farmland, Woodlands
<b>Land Use Plan Classification:</b> Full Service	<b>Parcel Size (Acres):</b> 27.341

## APPLICATION SUMMARY

<b>Moyock SAP Classification:</b> Full Service	<b>Type of Subdivision:</b> Conservation
<b>Number of Units:</b> 55	<b>Project Density:</b> 2 units/acre
<b>Required Conservation Area (Acres):</b> 10.94 (40%)	<b>Provided Conservation Area (Acres):</b> 11.22 (41%)

On March 17, 2014 the Board of Commissioners approved the conditional rezoning of this property from AG (Agricultural) to C-SFM (Conditional-Single Family Mainland). The conceptual plan (attached) approved as a part of the conditional rezoning allowed for 55 lots and the proposed layout is consistent with this subdivision request.

It should be noted that the applicant held a community meeting for this request on September 27, 2016. A procedural error was made as staff was not invited to attend the meeting; however, staff understands that the meeting was well attended and a summary of the meeting is attached.

It is also important to note that the plat calls out several areas of potential wetlands on the property. The applicant states that the wetland delineation is "currently in process by others". Wetland verification as certified by the US Army Corps of Engineers is required upon preliminary plat submittal. The conceptual plan approved as part of the conditional rezoning indicated the potential wetland size of .08 acres was to be filled. A Nationwide Permit issued by the US Army Corps of Engineers is necessary prior to filling any wetlands. If a fill permit is not issued, the wetland area must be placed into a primary conservation area.

Finally, it is important to note that according to NCDOT Moyock Commons Drive does not meet their Design and Construction Standards and has not been accepted for maintenance. The UDO requires the new subdivision to connect to an improved street that meets NCDOT Design and Construction Standards or one that has been accepted for maintenance by NCDOT. While the existing improved portion of Moyock Commons Drive met the NCDOT Design and Construction Standards at the time of installation, it no longer meets those standards as required by the UDO. Therefore, Moyock Commons Drive in its entirety (approximately 850') must be improved to the current NCDOT Design and Construction Standards or be accepted by NCDOT for maintenance prior to approval of the final plat.

## INFRASTRUCTURE

<b>WATER</b>	PUBLIC
<b>SEWER</b>	PUBLIC
<b>TRANSPORTATION</b>	PEDESTRIAN: 5' CONCRETE SIDEWALK ALONG BOTH SIDES OF ALL STREETS EXTERNAL STREET CONNECTIVITY: 3 CONNECTION POINTS
<b>STORMWATER/DRAINAGE</b>	DRAINAGE CONCERNs HAVE BEEN NOTED IN THIS AREA. THE DEVELOPMENT WILL BE CONSTRUCTED AND MAINTAINED SO THAT ADJACENT LANDS ARE NOT UNREASONABLY BURDENED WITH SURFACE WATERS AS A RESULT OF THE DEVELOPMENT. AMONG OTHER THINGS, THE APPLICANT IS PROPOSING IMPROVEMENTS ALONG E STREET INCLUDING A NEW CULVERT UNDER PUDDIN RIDGE ROAD TO INCREASE THE DRAINAGE EFFICIENCY OF DITCH #4 AND SMALL DIAMETER STUB PIPES TO DRAIN DITCHES FROM 189 PUDDIN RIDGE ROAD THAT WOULD OTHERWISE BE BLOCKED BY THE PROPOSED POND OUTFALL PIPE.
<b>SCHOOLS</b>	ELEMENTARY STUDENTS GENERATED: 13.75 MIDDLE SCHOOL STUDENTS GENERATE: 4.4 HIGH SCHOOL STUDENTS GENERATED: 7.7
<b>DESIGN STANDARDS</b>	PER THE CONDITIONAL REZONING APPROVAL, ALL RESIDENTIAL DWELLINGS SHALL BE CONSTRUCTED EITHER WITH A CRAWL SPACE OR ON RAISED SLABS WITH A FINISHED FLOOR AT LEAST 16" ABOVE THE OUTSIDE GROUND GRADE.
<b>LIGHTING</b>	NONE PROPOSED AT THIS TIME.
<b>LANDSCAPING</b>	THE APPLICANT IS PROPOSING COMPLIANT STREET TREES, A TYPE A BUFFER ALONG THE NORTHERN PROPERTY LINE, AND ADDITIONAL SUPPLEMENTAL VEGETATION.
<b>RECREATION AND PARK AREA DEDICATION</b>	THE COUNTY WILL BE ACCEPTING A FEE-IN-LIEU OF PARKLAND DEDICATION. (APPROXIMATELY \$4,720)

## RECOMMENDATIONS

## TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends adoption of the use permit and approval of the preliminary plat subject to the following conditions of approval:

1. The application complies with all applicable review standards of the UDO provided the following items are addressed:
  - a. Please provide the wetland delineation approved by the Army Corps of Engineers. If the .08 acres of wetlands are to be filled, a Nationwide Permit issued by the US Army Corps of Engineers is necessary prior to filling any wetlands. (Planning)
  - b. Since Moyock Commons Drive does not meet NCDOT Design and Construction Standards and is not under NCDOT maintenance, the entire Moyock Commons Drive (from the subject property line to Caratoke Highway – approximately 850') must be improved to meet current NCDOT Design and Construction Standards OR be accepted by NCDOT for maintenance prior to approval of the final plat. (Planning)
  - c. Calculations and details of stormwater, sewer, and water will be reviewed at Construction Drawing submittal. (Engineering)
  - d. Provide accessible parking or passenger loading zone at Cluster Mailbox Unit (CMU) location and accessible route to the CMU. (Building Inspector)
2. The applicant demonstrates the proposed use will meet the use permit review standards of the UDO.
3. The conditions of approval necessary to ensure compliance with the review standards of the UDO and to prevent or minimize adverse effects of the development application on surrounding lands include:
  - a. Please provide the wetland delineation approved by the Army Corps of Engineers. If the .08 acres of wetlands are to be filled, a Nationwide Permit issued by the US Army Corps of Engineers is necessary prior to filling any wetlands. If a fill permit is not issued, the wetland areas must be placed into a primary conservation area. (Planning)
  - b. Since Moyock Commons Drive does not meet NCDOT Design and Construction Standards and is not under NCDOT maintenance, the entire Moyock Commons Drive (from the subject property line to Caratoke Highway – approximately 850') must be improved to meet current NCDOT Design and Construction Standards OR be accepted by NCDOT for maintenance prior to approval of the final plat. (Planning)
  - c. **That all conditions placed on the property through the conditional rezoning approval are incorporated into this request: (Planning)**
    - i. Minimum rear yard setback for all residential lots along the perimeter boundary shall be as shown on plan. These setbacks shall apply to all principal uses but shall not apply to fences or accessory structures. In no instance shall setbacks be less than allowed by the UDO.
    - ii. Prior to any land disturbing activities within the development, the property owner shall conduct a tree inventory plan as required by Section 7.2 of the UDO. The purpose of said plan shall be to identify the number and location of any heritage trees present and the methods by which they will be preserved.
    - iii. That an effort be made to work with the owner of the existing commercial shopping center to extend a sidewalk from the proposed development to the shopping center.
    - iv. The property shall be developed in accordance with the Conceptual Development Plan dated December 26, 2013.
    - v. On-street parking shall be prohibited by the provision of signage.
    - vi. The location of rights-of-way, open space areas, setbacks, and stormwater management areas shall be as generally shown on the approved conceptual development plan.
    - vii. The developer agrees that stormwater management for the improvements resulting from this application shall not exceed pre-developed discharge rates as allowed by ordinance. Such improvements shall be identified by means of a preliminary drainage impact study to be provided by the developer and approved by the county prior to submittal of the preliminary subdivision plat. As an alternative, at the developer's discretion, downstream improvements to include ditch regarding and cleaning, piping and the purchase of any required easements for the conveyance of stormwater may be accomplished in accordance with a county approved plan.
    - viii. All residential dwellings shall be constructed either with crawl spaces or on raised slabs (finished floor at least 16 inches above outside ground grade).

ix. The use of prefabricated structures or trailers as dwellings shall be strictly prohibited.

SURROUNDING PARCELS		
	LAND USE	ZONING
NORTH	RESIDENTIAL/RETAIL	SFM, AG, GB
SOUTH	RESIDENTIAL	SFM
EAST	ACTIVE FARMLAND/UNDEVELOPED	AG
WEST	RESIDENTIAL	SFM

## USE PERMIT REVIEW STANDARDS

A use permit shall be approved on a finding that the applicant demonstrates the proposed use will meet the below requirements. It is staff's opinion that the evidence in the record, prepared in absence of testimony presented at a public hearing, supports the preliminary findings.

THE USE WILL NOT ENDANGER THE PUBLIC HEALTH OR SAFETY.

**Applicant Findings:**

1. The project would not adversely affect public safety. In compliance with preliminary plat review comments from the Albemarle Regional Health Services approvals for wastewater treatment and disposal from the NC Division of Water Quality (Washington Office) and Moyock Regional Water System would be obtained prior to construction.
2. This project would not adversely affect public safety. All state and county approvals would be obtained prior to construction.

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.

**Applicant Findings:**

1. Moyock Commons will not injure the value of abutting lands and will be in harmony with the area in which it is located.
2. Along the west boundary (boundary parallel to Puddin Ridge Road), the proposed development would be bordered by a rural residential unit located within the Moyock Sub-Area which fronts on Puddin Ridge Road. Within Moyock Commons, proposed Lake #1 and a 25-LF wide tree area combine to create an approximate 400-LF wide conservation area buffer against the residential unit.
3. Along the north-east boundary (boundary parallel to Route 168), the proposed development would be bordered by various uses consisting of 5-residential lots within the Moyock Sub-Area; and various parcels zoned general business which are used for retail and utility related operations with the Moyock sub-Area. Within Moyock Commons, proposed Lake #2 and a various width Type-A, Landscape Buffer would create a conservation area against the adjacent uses.
4. Along the east boundary, Moyock Commons would be bordered by active, agricultural property.
5. Along the south-east boundary (boundary parallel to Quail Run Road), the proposed development would be bordered by various uses consisting of dense forest and active, agricultural property. Within Moyock Commons, a Vegetated Farm Buffer is proposed along the active agricultural property.
6. Moyock Commons proposed ingress/egress is via extension of existing Moyock Commons Drive. A roadway connection to E Street is not permitted.

THE USE WILL BE IN CONFORMITY WITH THE LAND USE PLAN OR OTHER OFFICIALLY ADOPTED PLANS.

**Applicant Findings:**

1. Moyock Commons would be located within the Moyock Sub-Area. With respect to the Moyock Sub-Area, excerpts from the land use plan follow:
  - a. The Moyock area is the fastest growing part of Currituck County. Development densities currently range from 1 to 3 units per acre depending upon development type. It is coming under increasing development pressure as a "bedroom community" for the Tidewater Area of Virginia.
  - b. "...However, in areas where central sewer is proposed or existing, additional services are available and the character of the surrounding areas supports it, higher density ranging from 3-4 units per acre could be considered through the use of overlay zones.

- c. Clustered housing developments with open space required by ordinance will need to be encouraged.
- 2. For Moyock Commons, the relevant and supportive 2006 Land Use Plan policies are found to be as follows:
  - a. **POLICY HN1:** Currituck County shall encourage development to occur at densities appropriate for the location.
  - b. **POLICY HN2:** The county shall therefore engage alternatives to large lot developments through innovative development concepts and corresponding zoning techniques.
  - c. **POLICY HN3:** Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:
    - i. **OPEN SPACE DEVELOPMENTS** that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Land Use Map.
  - d. **POLICY HN8:** To protect the county's tax base and to ensure the long-term viability of the county's neighborhoods and housing stock, the county will continue to enforce appropriate **CONSTRUCTION AND SITE DEVELOPMENT STANDARDS** for residential developments. Such standards may include, for example, that all homes have a permanent masonry foundation (except where flood levels require elevation) and a pitched roof and overhang, and that local roads must be built to meet NCDOT acceptance standards.
  - e. **POLICY TR8:** Local streets shall be designed and built to allow for convenient **CIRCULATION WITHIN AND BETWEEN NEIGHBORHOODS** and to encourage mobility by pedestrians and bicyclists. Care shall be taken to encourage local street "connectivity" without creating opportunities for cut-through traffic from outside the connected areas
  - f. **POLICY TR12:** New residential developments shall provide for the installation of **PAVED PUBLIC ROADWAY AND DRAINAGE INFRASTRUCTURE** at the time of development. This policy is intended to prevent the creation of substandard developments that must later correct for infrastructure problems that could have been avoided, had they been installed properly from the beginning.
  - g. **POLICY WS3:** Currituck County endorses **UTILITIES EXTENSION POLICIES** that focus water and sewer services (1) within existing developed areas and in nearby targeted growth areas identified as Full Service and Limited Service areas, (2) where development densities would make the provision of all public services more efficient, (3) where the land is particularly well suited for development, and (4) away from environmentally sensitive areas.
  - h. **POLICY PR6:** All new residential development shall provide for **ADEQUATE OPEN SPACE AND RECREATION IMPROVEMENTS** including, as may be appropriate, funding in proportion to the demand created by the development. The amount of open space and improvements may be determined according to the number of dwelling units in the development and/or by a percentage of the total acreage in the development. Fees in lieu of land dedication shall be based on the inflation adjusted assessed value of the development or subdivision for property tax purposes.
  - i. **POLICY WQ3:** Currituck County supports policies, plans, and actions that help protect the water quality of the county's estuarine system by preventing **SOIL EROSION AND SEDIMENTATION**, and by controlling the quantity and quality of **STORMWATER RUNOFF** entering the estuary.
  - j. **POLICY WQ4:** **RUNOFF AND DRAINAGE** from development, forestry, and agricultural activities shall be of a quality and quantity as near to natural conditions as possible. Post-development runoff shall not exceed pre-development volumes.
  - k. **POLICY WQ5:** Development that preserves the **NATURAL FEATURES OF THE SITE**, including existing topography and significant existing vegetation, shall be encouraged. If **COASTAL AND NON-COASTAL WETLANDS** are considered part of the lot's acreage for the purpose of determining minimum lot size or development density, Low Impact Development techniques or appropriate buffers shall be integrated into the development. Open space developments shall be encouraged to **REDUCE IMPERVIOUS SURFACE AREAS** associated with new development and redevelopment.
  - l. **POLICY WQ7:** The environmental benefits of properly designed, **VEGETATED ROADSIDE DRAINAGE SWALES** shall be recognized. Curb and gutter shall be reserved to developments that are urban in character and that are served by adequate stormwater collection, retention, and slow release facilities.

- m. **POLICY CA6:** To foster an improved community appearance, promote public safety, and help prevent service outages, the placement of **UTILITY WIRES UNDERGROUND** shall be encouraged in all public and private developments.

**Preliminary Staff Findings**

1. The plan is consistent with policies in the Moyock Small Area Plan including:
  - a. **POLICY FLU1:** Promote compatibility between new development and existing development to avoid adverse impacts to the existing community. This is achieved through design, and includes larger setbacks, landscaped or forested strips, transition zones, fencing, screening, density and/or bulk step downs, or other architectural and site planning measures that encourage harmony.

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.

**Applicant Findings:**

1. Currituck County has adequate public facilities to serve the proposed subdivision.

**Planning Board Meeting Discussion – May 9, 2017**

Moyock Service District Maintenance Assessment for Ditches 1-6 Presentation

Senior Planner, Tammy Glave briefed the Planning Board Members on tonight's added discussion of Moyock drainage. A planned subdivision, Moyock Commons, had previously been heard at the Board of Commissioners Meeting on March 20, 2017 for a Use Permit. During this time, a drainage report for the Moyock Service District was in the process of being prepared and the Board of Commissioners remanded Moyock Common's request until the drainage report was finished and could go through the proper procedures of discussion by the Planning Board and then a resolution by the Board of Commissioners. Ms. Glave introduced Eric Weatherly, Engineer with Currituck County, to present the Moyock Service District Draft Prioritized Maintenance Assessment for Ditches 1 through 6.

Mr. Weatherly started his presentation by explaining the Moyock Watershed District and the drainage study that had been prepared by the County. He also explained the location of the ditches 1 through 6 within the Moyock Watershed District. He said the study has nineteen items needing to be addressed which are listed in priority order on the maintenance assessment. The Moyock Watershed Service District currently pays an additional district tax rate of 1 and 1/2 cents per \$100 valuation. Mr. Weatherly said this rate is barely enough to keep the ditches cleaned out from fallen trees. The County will have to raise the additional district tax rate to 5 cents per \$100 valuation in order to pay for the cost of the needed improvements for ditches 1 through 6 which will take three years of the additional taxes for the cost to be completely covered. This was presented at the Board of Commissioners last budget session. Mr. Weatherly referenced priority #5 which relates to Moyock Commons and will cost \$21,300. Mr. Weatherly said there is no reason we should not turn the drainage study down. It will improve the problems we have with drainage in this area.

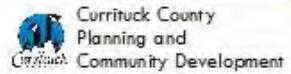
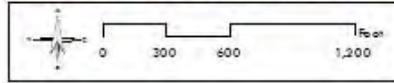
Mr. Craddock asked if any special permits will be needed such as CAMA or Army Corps of Engineers. Mr. Weatherly said he did not believe it will. Ms. Glave stated since these are not navigable waters, no special permits should be needed.

Discussion was held on whether the additional tax rate would continue past the three year period, if the improvements would be a permanent fix, and when the improvements will begin, if approved. Mr. Weatherly said the Board of Commissioners could reverse the tax after a three year period, but the improvements would not be a permanent fix and the ditches would need continual maintenance. The improvements could begin as early as July 1, 2017, if the additional tax is approved by the Board of Commissioners for the next fiscal year.

Chairman Bell thanked Mr. Weatherly for his presentation and closed the discussion.



PB 13-12 Moyock Commons, Phase 1  
Preliminary Plat/Use Permit  
Aerial Photography



Parties were sworn and after review, Planning and Community Development Director, Ben Woody, responded to questions and provided clarification for Board members. Discussion concerned necessary right of way upgrades and future maintenance of Moyock Commons Drive, the access road. Mr. Woody said the developer would more than likely have to bear the cost of the upgrades to Moyock Commons Drive, and assumed the developer's goal would be to have the North Carolina Department of Transportation (NCDOT) assume the road maintenance in the future. Mr. Woody said NCDOT forwarded no comments after their project review, signaling they had no concerns related to traffic or access. County Attorney, Ike McRee, reviewed a property owner's ability to utilize a publicly dedicated road to access property. Mr. Woody said adequate fire flows would be present.

Applicant's representative, Mr. Stuart Bonnell, was present to respond to questions. Mr. Bonnell said he was not aware of any developer conversations with NCDOT regarding the road upgrades.

Chairman Hanig opened the Public Hearing.

Peggy Lusk of B Street, Moyock, spoke against approval of the project, citing drainage concerns and traffic. She asked that drainage and stormwater studies currently underway be given consideration. Ms. Lusk said the project is not conducive to improving residents' quality of life.

Judy Pinney of Puddin Ridge Road also spoke against the project, citing traffic and drainage concerns.

There were no others wanting to speak. Chairman Hanig closed the Public Hearing.

Mr. Woody said he could not answer who would be responsible for maintaining ditching down the line, but it would not be the developer of this project, and that perhaps maintenance could be included in the capital projects list of the stormwater district advisory. County Engineer, Eric Weatherly, was sworn in to offer information on drainage, and he described a decommissioned wastewater plant that would be able to be put back into service if needed. He reviewed locations of existing stormwater ponds, described the area drainage processes and noted a stormwater study had identified needed improvements. Once completed, he believes flooding relief will be recognized. Mr. Woody said the Unified Development Ordinance (UDO) drainage requirements have been met and Mr. Weatherly responded to questions about the existing wastewater ponds. The stormwater ordinance and on site stormwater retention were discussed.

Commissioner Gilbert, based on the evidence presented in the matter, moved to postpone PB 13-12 for a final decision so that county staff can be directed and prepare a written order for review and entry by the Board at its June 19, 2017, meeting. Commissioner White seconded the motion.

Commissioner Gilbert restated the motion for clarity, and Mr. McRee confirmed language would be written as a draft order for approval, with requisite findings of fact, conclusions of law and conditions as presented.

The motion passed unanimously.

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 6/19/2017 6:00 PM</b>
<b>MOVER:</b>	Marion Gilbert, Commissioner	
<b>SECONDER:</b>	Bob White, Commissioner	
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner	
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner	

### C. Public Hearing and Possible Action to Adopt the County's Annual Budget for FY 2017-18

Chairman Hanig opened the floor for discussion, and Commissioner Hall expressed concerns about the historic boats and boat display building at Whalehead and the multi-use path in Corolla. Chairman Hanig said the boat building funding is a placeholder, which would need further approval. Dan Scanlon, County Manager, said some of the boats have been restored and said Board action would be required to move forward with the project. He said the intent of the building is to have public restrooms, boat storage and display, demonstrations, and a small meeting or classroom. Mr. Scanlon described the focus of the Connecting Corolla plan and reviewed items slated for funding in this budget.

Chairman Hanig thanked Mr. Scanlon and staff for their work in putting together this year's budget.

Chairman Hanig opened and closed the Public Hearing, as no one was signed up nor wished to speak.

Commissioner Hall moved to continue the item to the June 19, 2017 meeting to allow all Commissioners to be present. The motion was seconded by Commissioner White.

Chairman Hanig said he had spoken with Commissioner Etheridge who indicated she had no issues with the budget.

Commissioners Hall, White and Payment voted in favor of the motion to continue. Chairman Hanig and Commissioners Beaumont and Gilbert voted against the continuance. The vote resulted in a 3-3 tie and did not pass.

Commissioner Beaumont moved for approval of the budget as presented. Commissioner Gilbert seconded and the motion carried 5-1, with Commissioner Hall voting against.

<b>COUNTY OF CURRITUCK BUDGET ORDINANCE For the Year Ending June 30, 2018</b>		
BE IT ORDAINED by the Board of Commissioners, County of Currituck, North Carolina that the following estimated resources, appropriations, and memoranda are adopted for the fiscal year commencing July 1, 2017 and ending June 30, 2018.		
<b>SECTION 1. GENERAL FUND</b>		
A. Estimated Resources:		
Ad Valorem Taxes		\$ 28,853,013
Other Taxes and Licenses		6,010,100
Intergovernmental Revenues		3,348,628
Permits and Fees		2,206,257
Sales and Services		634,682
Investment Earnings		90,750
Miscellaneous		334,000
		<hr/> 41,477,430
Transfers In		7,935,178
Fund Balance Appropriated		2,762,123
		<hr/> 10,697,301
TOTAL ESTIMATED RESOURCES		\$ 52,174,731

<b>B. Appropriations:</b>		
Administration		\$ 693,572
Legal		468,385
Governing Body		170,647
Elections		278,383
Finance		525,521
Information Technology Services		706,934
Human Resources		159,156
Tax		567,784
Public Works		1,327,775
Register of Deeds		708,856
<b>Court Facilities</b>		205,254
Agency Appropriations		38,200
Central Services		730,565
Sheriff		7,179,092
Detention Center		2,270,478
Animal Control		687,092
Jury Commission		3,000
Emergency Medical Services		6,982,249
Emergency Management		209,399
Communications		1,124,804
Inspections		828,775
Fire Services		299,804
Moyock Vol Fire Department		248,000
Crawford Vol Fire Department		331,458
Lower Currituck Vol Fire Department		344,257
Corolla Vol Fire & Rescue Squad		308,900
Carova Bch Vol Fire Department		214,620
Knotts Island Vol Fire Department		215,250
Medical Examiner		20,000
Airport		362,379
Inter County Transit Authority		62,144
Soil Conservation		139,021
Forestry		80,264
Cooperative Extension		556,957
Economic Development		366,011
Planning		831,558
Health Administration		127,000
Mental Health		61,012
Social Services Administration		3,498,579
Public Assistance		1,354,966
County Assistance		145,623
Juvenile Justice Programs		104,417
Parks & Recreation		882,698
Rural Center		259,437
Library		583,240
Senior Center		360,456
Local Current Expense		9,976,717
Capital Outlay		1,000,000
College of the Albemarle		190,000
Notes Payable		1,576,671
Interest		79,101
Appropriations to Other Funds		1,728,270
<b>TOTAL APPROPRIATIONS</b>		<b>\$ 52,174,731</b>
<b>SECTION 2. TOURISM DEVELOPMENT AUTHORITY</b>		
<b>A. Estimated Resources:</b>		
Other taxes and licenses		10,506,169
Other revenues		196,300
Investment earnings		87,633
<b>TOTAL ESTIMATED RESOURCES</b>		<b>\$ 10,790,102</b>
<b>B. Appropriations:</b>		
Tourism Promotion		3,484,041
Tourism Related Expenditures		2,393,358
General Tourism Related Expenditures		733,369
Whalehead		4,179,334
Transfers to other funds		
<b>TOTAL APPROPRIATIONS</b>		<b>\$ 10,790,102</b>
<b>SECTION 3. REVALUATION FUND</b>		
<b>A. Estimated Resources:</b>		
Transfer In		121,000
<b>TOTAL ESTIMATED RESOURCES</b>		<b>\$ 121,000</b>
<b>B. Appropriations:</b>		
Operations		121,000
<b>TOTAL APPROPRIATIONS</b>		<b>\$ 121,000</b>
<b>SECTION 4. CAROVA BEACH SERVICE DISTRICT FUND</b>		
<b>A. Estimated Resources:</b>		
Permits and fees		16,000
Transfer In		20,000
<b>TOTAL ESTIMATED RESOURCES</b>		<b>\$ 36,000</b>
<b>B. Appropriations:</b>		
Operations		36,000
<b>TOTAL APPROPRIATIONS</b>		<b>\$ 36,000</b>

**SECTION 5. EMERGENCY EQUIPMENT REPLACEMENT FUND**

A. Estimated Resources:	
Investment earnings	2,500
Transfer In	267,000
Fund Balance Appropriated	388,328
TOTAL ESTIMATED RESOURCES	<u>\$ 657,828</u>
 B. Appropriations:	
Capital Outlay	657,828
TOTAL APPROPRIATIONS	<u>\$ 657,828</u>

**SECTION 6. EMERGENCY TELEPHONE SYSTEM FUND**

A. Estimated Resources:	
Other taxes and licenses	196,441
Investment earnings	2,400
Fund Balance Appropriated	13,274
TOTAL ESTIMATED RESOURCES	<u>\$ 212,115</u>
 B. Appropriations:	
Operations	172,115
Capital Outlay	40,000
TOTAL APPROPRIATIONS	<u>\$ 212,115</u>

**SECTION 7. GUINEA MILL WATERSHED IMPROVEMENT FUND**

A. Estimated Resources:	
Special district taxes	15,261
TOTAL ESTIMATED RESOURCES	<u>\$ 15,261</u>
 B. Appropriations:	
Operations	15,261
TOTAL APPROPRIATIONS	<u>\$ 15,261</u>

**SECTION 8. HOG BRIDGE DITCH WATERSHED IMPROVEMENT FUND**

A. Estimated Resources:	
Special district taxes	1,841
TOTAL ESTIMATED RESOURCES	<u>\$ 1,841</u>
 B. Appropriations:	
Operations	1,841
TOTAL APPROPRIATIONS	<u>\$ 1,841</u>

**SECTION 9. MOYOCK WATERSHED IMPROVEMENT FUND**

A. Estimated Resources:	
Special district taxes	18,751
TOTAL ESTIMATED RESOURCES	<u>\$ 18,751</u>
 B. Appropriations:	
Operations	18,751
TOTAL APPROPRIATIONS	<u>\$ 18,751</u>

**SECTION 10. NORTHWEST WATERSHED IMPROVEMENT FUND**

A. Estimated Resources:	
Special district taxes	3,005
TOTAL ESTIMATED RESOURCES	\$ 3,005

B. Appropriations:	
Operations	3,005
TOTAL APPROPRIATIONS	\$ 3,005

**SECTION 11. OCEAN SANDS NORTH & CROWN****POINT WATERSHED IMPROVEMENT FUND**

A. Estimated Resources:	
Special district taxes	292,133
TOTAL ESTIMATED RESOURCES	\$ 292,133

B. Appropriations:	
Operations	292,133
TOTAL APPROPRIATIONS	\$ 292,133

**SECTION 12. WHALEHEAD WATERSHED IMPROVEMENT FUND**

A. Estimated Resources:	
Special district taxes	884,886
TOTAL ESTIMATED RESOURCES	\$ 884,886

B. Appropriations:	
Operations	228,762
Transfers to other funds	656,124
TOTAL APPROPRIATIONS	\$ 884,886

**SECTION 13. WHALEHEAD BEACH SOLID WASTE COLLECTION & DISPOSAL SERVICE DISTRICT**

A. Estimated Resources:	
Special district taxes	114,179
TOTAL ESTIMATED RESOURCES	\$ 114,179

B. Appropriations:	
Operations	114,179
TOTAL APPROPRIATIONS	\$ 114,179

**SECTION 14. CAPITAL IMPROVEMENT FUND**

A. Estimated Resources:	
Other taxes and licenses	2,000,000
Fund Balance Appropriated	1,399,649
TOTAL ESTIMATED RESOURCES	\$ 3,399,649

B. Appropriations:	
Transfers out	3,399,649
TOTAL APPROPRIATIONS	\$ 3,399,649

<b>SECTION 15. SCHOOL CAPITAL FUND</b>	
A. Estimated Resources:	
Other taxes and licenses	1,974,770
Fund Balance Appropriated	1,775,230
TOTAL ESTIMATED RESOURCES	<u>\$ 3,750,000</u>
B. Appropriations:	
Transfers out	3,750,000
TOTAL APPROPRIATIONS	<u>\$ 3,750,000</u>
<b>SECTION 16. TRANSFER TAX CAPITAL FUND</b>	
A. Estimated Resources:	
Other taxes and licenses	3,000,000
Investment earnings	50,000
Appropriated fund balance	3,750,700
TOTAL ESTIMATED RESOURCES	<u>\$ 6,800,700</u>
B. Appropriations:	
Operations	700
Transfers out	6,800,000
TOTAL APPROPRIATIONS	<u>\$ 6,800,700</u>
<b>SECTION 17. LAND BANKING FUND</b>	
A. Estimated Resources:	
Transfers in	200,000
TOTAL ESTIMATED RESOURCES	<u>\$ 200,000</u>
B. Appropriations:	
Capital outlay	200,000
TOTAL APPROPRIATIONS	<u>\$ 200,000</u>
<b>SECTION 18. OCEAN SANDS WATER AND SEWER FUND</b>	
A. Estimated Resources:	
Special district taxes	454,010
Operating revenues	1,341,214
Investment earnings	15,000
Retained Earnings Appropriated	44,401
TOTAL ESTIMATED RESOURCES	<u>\$ 1,854,625</u>
B. Appropriations:	
Administration	77,617
Water Treatment Operations	651,930
Sewer Treatment Operations	415,060
Capital outlay	212,000
Debt Service	313,443
Transfer out to Construction Fund	184,575
TOTAL APPROPRIATIONS	<u>\$ 1,854,625</u>

**SECTION 19. MAINLAND WATER FUND**

A. Estimated Resources:		
Operating revenues		3,050,050
Investment earnings		20,982
TOTAL ESTIMATED RESOURCES		<u>\$ 3,071,032</u>
 B. Appropriations:		
Administration		403,839
Water Treatment Operations		988,984
Debt Service		1,454,084
Capital Outlay		224,125
TOTAL APPROPRIATIONS		<u>\$ 3,071,032</u>

**SECTION 20. SOLID WASTE FUND**

A. Estimated Resources:		
Operating revenues		2,814,500
Non-operating revenues		<u>130,000</u>
Transfers in		1,200,000
Investment earnings		30,000
Retained earnings appropriated		379,718
TOTAL ESTIMATED RESOURCES		<u>\$ 4,554,218</u>
 B. Appropriations:		
Administration		67,826
Solid Waste Operations		4,479,392
Capital Outlay		7,000
TOTAL APPROPRIATIONS		<u>\$ 4,554,218</u>

**SECTION 21. SOUTHERN OUTER BANKS WATER FUND**

A. Estimated Resources:		
Operating revenues		3,233,500
Non-operating revenues		173,025
Investment earnings		14,737
TOTAL ESTIMATED RESOURCES		<u>\$ 3,421,262</u>
 B. Appropriations:		
Administration		186,424
Water Operations		1,141,824
Capital assets		1,157,036
Debt service		935,978
TOTAL APPROPRIATIONS		<u>\$ 3,421,262</u>

**SECTION 22. MAINLAND SEWER FUND**

A. Estimated Resources:		
Operating revenues		523,350
Transfers - in		240,270
TOTAL ESTIMATED RESOURCES		<u>\$ 763,620</u>
 B. Appropriations:		
Administration		39,992
Sewer Operations		473,398
Debt service		234,230
Capital assets		16,000
TOTAL APPROPRIATIONS		<u>\$ 763,620</u>

**SECTION 23. POST-EMPLOYMENT RETIREMENT BENEFITS FUND**

A. Estimated Resources:	
Retiree benefits	458,405
Investment earnings	8,000
TOTAL ESTIMATED RESOURCES	\$ 466,405
B. Appropriations:	
Operations	466,405
	\$ 466,405

**SECTION 24. AD VALOREM TAX RATE ESTABLISHED**

There is hereby levied a tax rate of Forty-Eight cents (\$0.48) per One Hundred dollars (\$100) valuation of all real and personal property situated in the County of Currituck on January 1, 2017 for the purpose of raising the revenue listed as "Ad Valorem Taxes" in Section 1, Part A of this ordinance.

The rate of tax is based on estimated total valuation of property for the purpose of taxation of \$6,060,512,926 and an estimated rate of collection of 98.84%. The estimated rate of collection is based on the fiscal year ended June 30, 2016.

**SECTION 25. SPECIAL DISTRICT TAX RATES ESTABLISHED**

There is hereby levied tax rates (in cents) for Special Districts per One Hundred dollars (\$100) valuation of all real and personal property situated in said district on January 1, 2016 for the purpose of raising the revenue listed as "Special District Taxes" in Part A, Sections 6 through 11, Section 16 and Section 21 of this ordinance.

Guinea Mill Watershed Improvement District	0.010
Hog Bridge Ditch Watershed Improvement District	0.010
Moyock Watershed Improvement District	0.015
Northwest Watershed Improvement District	0.020
Ocean Sands North and Crown Point Watershed Improvement District	0.060
Whalehead Watershed Improvement District	0.155
Whalehead Beach Solid Waste Collection & Disposal Service District	0.020
Ocean Sands Water & Sewer District	0.110

**SECTION 26. ANIMAL TAX RATE ESTABLISHED**

There is hereby levied an animal tax of Three dollars (\$3.00) for all male and spayed female dogs and Six dollars (\$6.00) for all fertile female dogs listed for taxes as of January 1, 2017.

**SECTION 27. SOLID WASTE COLLECTION AND DISPOSAL RATE ESTABLISHED**

There is hereby established a disposal fee pursuant to Section 11-5(a) of the Solid Waste Ordinance of Seventy-three dollars (\$73.00) per ton for in-County waste and Eighty-three dollars (\$83.00) per ton for out-of-County waste.

There is hereby levied an annual solid waste collection and disposal availability fee pursuant to Section 11-5(b) of the Solid Waste Ordinance of Two Hundred Fifty dollars (\$250) for all units on the Southern Outer Banks and One Hundred Fourteen dollars (\$114) for all units located elsewhere within the County of Currituck.

**SECTION 28. EMPLOYEE COMPENSATION**

Employee compensation is included in summary form. Individual employee salaries are hereby approved and set as presented in the supporting documents presented as part of the budget deliberation process and officially filed with the Human Resources Director.

**SECTION 29. OTHER FEES**

The County of Currituck charges various fees. These fees are detailed in the Master Fee schedule that is presented in the appendix of the budget document.

**SECTION 30. DISBURSEMENT OF SCHOOL APPROPRIATIONS**

The amount here within appropriated as School Local Current Expense shall be disbursed to the school finance officer in twelve (12) equal monthly installments.

The amount here within appropriated as School Capital Outlay shall be disbursed to the school finance officer according to a mutually agreed disbursing schedule.

A quarterly progress report shall be furnished by the Board of Education to the Board of Commissioners detailing the extent to which all school capital outlay and school capital construction monies have been expended.

**SECTION 31. SPECIAL APPROPRIATIONS AND RESTRICTIONS**

The Budget Officer is hereby authorized to transfer appropriations within the funds as contained herein under the following conditions:

- a. He may transfer amounts within the same department within the same fund up to Ten Thousand dollars (\$10,000) providing an official report on such transfers at a regular meeting of the Board of Commissioners.
- b. He may transfer amounts between departments within the same fund up to One Thousand dollars (\$1,000) providing an official report on such transfers at a regular meeting of the Board of Commissioners.
- c. He may appropriate fund balance to salaries and benefits in order to increase salaries of employees who have met requirements to increase certifications required by the County providing an official report on such transfers at a regular meeting of the Board of Commissioners.
- d. He may make inter-fund loans for a period of not more than sixty (60) days.
- e. He may not transfer any amounts between funds or from any contingency line items within any funds.

**SECTION 32. CONTRACTUAL OBLIGATIONS**

The County Manager and the County Attorney are hereby authorized to execute contractual documents under the following conditions:

- a. They may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. They may award contracts, reject bids, re-advertise for bids, waive bid bonds or bid deposit requirements, and waive performance and payment bond requirements for all formal bids of apparatus, supplies, materials and equipment as stated in G. S. 143-129.
- c. They 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.
- d. They may execute grant agreements to and from public and non-profit organizations which are within budgeted appropriations, unless a grantor organization requires execution by the Board of Commissioners.
- e. They 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 33. MEMORANDA****A. Officers:**

Daniel F. Scanlon II is the Budget Officer  
 Leeann Walton is the Clerk to the Board  
 Eileen M. Wirth is the Deputy Clerk to the Board  
 Sandra L. Hill is the Finance Director  
 Bridget T. Brinkley is the Deputy Finance Director  
 Tracy L. Sample is the Tax Collector  
 Michelle Rose is the Deputy Tax Collector

**B. Facsimile Signatures:**

The use of facsimile signature machines, signature stamps, or similar devices in signing checks and drafts is hereby authorized; however, off-line checks and pre-audit certification requires in the minimum of one original authorizing signature. The Finance Director is hereby charged with the custody of all facsimile stamps, plates or other devices.

**C. Official Depositories**

The official depositories of the County of Currituck are:  
 Bank of America, North Carolina  
 Branch Bank and Trust, North Carolina  
 North Carolina Cash Management Trust, Charlotte, North Carolina  
 Towne Bank of Currituck, North Carolina  
 Yadkin Bank, Currituck, North Carolina  
 Wells Fargo, North Carolina

**D. Bank for Imprest Expenditure Accounts for Health Benefits:**

Citibank, N.A.

**E. Daily deposits are required by all departments when the amount of money held on hand sums to Two Hundred Fifty dollars (\$250).****F. Returned Check or Electronic Funds Transfer Fees:**

The County will assess a returned check charge consistent with G.S. 25-3-512 on all checks or electronic funds transfers returned to the County due to insufficient or unavailable funds, except for the payment of taxes. The returned check fee will be \$25.00 per item returned. This fee will also be charged for ACH or credit card transactions that are not paid due to insufficient funds.

**G. Policy on Appropriations:**

The Board of County Commissioners will not consider supplemental appropriations for any service, function, purpose or activity that could have been reasonably considered during the budget process.

**SECTION 34. USE OF BUDGET ORDINANCE**

The Budget Officer and the Finance Director shall use this budget ordinance for administration of the budget and for the accounting system.

ADOPTED this 5th day of June 2017.

Bobby Hanig, Chairman  
 Board of Commissioners

ATTEST:

Leeann Walton

Leeann Walton

Clerk to the Board

<b>RESULT:</b>	<b>APPROVED [5 TO 1]</b>
<b>MOVER:</b>	Paul M. Beaumont, Commissioner
<b>SECONDER:</b>	Marion Gilbert, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Bob White, Commissioner
<b>NAYS:</b>	Mike D. Hall, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner

## NEW BUSINESS

### A) Board Appointments

#### 1. Social Services Board-Reappointment

Chairman Hanig moved to approve Margaret Etheridge for reappointment to the Social Services Board. Commissioner Payment seconded and the motion passed unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bobby Hanig, Chairman
<b>SECONDER:</b>	Mike H. Payment, Vice Chairman
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner

#### 2. Ocean Sands/Crown Point Watershed District Advisory Board

Chairman Hanig moved for the reappointment of Linda Garczynski, Al Marzetti, and Ed Pence to the Ocean Sands/Crown Point Watershed Advisory. Commissioner Gilbert seconded and the motion passed unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Bobby Hanig, Chairman
<b>SECONDER:</b>	Marion Gilbert, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner

#### 3) Game Commission-Added Item

##### 1. Motion to reappoint Curtis Austin to the Game Commission

Commissioner Hall added an appointment to the Game Commission and moved to reappoint Curtis Austin. Commissioner Gilbert seconded and the motion

carried unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike D. Hall, Commissioner
<b>SECONDER:</b>	Marion Gilbert, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner

## B) Consent Agenda

Commissioner Gilbert moved to approve the Consent Agenda. The motion was seconded by Commissioner Payment and passed unanimously.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Marion Gilbert, Commissioner
<b>SECONDER:</b>	Mike H. Payment, Vice Chairman
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner

### 1) Approval Of Minutes for May 15, 2017

#### 1. Minutes for May 15, 2017

#### 2. Budget Amendments

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10415-553000	Dues & Subscriptions		\$ 800
10415-514000	Travel		\$ 1,000
10415-532000	Supplies	\$ 1,800	
		<b>\$ 1,800</b>	<b>\$ 1,800</b>
<b>Explanation:</b>	Legal (10415) - Transfer budgeted funds for unanticipated copies required for current litigation and public records requests.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.		

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10550-516000	Repairs and Maintenance	\$ 2,500	
10550-545000	Contracted Services	\$ 2,500	
10550-590000	Capital Outlay		\$ 5,000
		<b>\$ 5,000</b>	<b>\$ 5,000</b>

**Explanation:** Airport (10550) - Transfer funds for additional equipment repairs and storm damage.

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

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10530-533900	Ambulance Supplies		\$ 12,000
10530-590000	Capital Outlay	\$ 12,000	
		<b>\$ 12,000</b>	<b>\$ 12,000</b>

**Explanation:** Emergency Medical Services (10530) - Transfer funds for McGrath Laryngoscope devices to equip ambulances.

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

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10410-506000	Insurance Expense		\$ 95
10410-514500	Training & Education	\$ 95	
10441-506000	Insurance Expense		\$ 274
10441-553000	Dues & Subscriptions	\$ 274	
10512-506000	Insurance Expense		\$ 350
10512-511010	Data Transmission	\$ 350	
10530-506000	Insurance Expense		\$ 150
10530-514500	Training & Education	\$ 150	
10540-506000	Insurance Expense		\$ 5
10540-561000	Professional Services	\$ 5	
10550-514000	Travel		\$ 269
10550-516400	Equipment Maintenance	\$ 226	
10550-532000	Supplies	\$ 43	
10775-506000	Insurance Expense		\$ 11
10775-553000	Dues & Subscriptions	\$ 11	
10980-545000	Contract Services		\$ 29
10980-590000	Capital Outlay	\$ 29	
61818-506000	Insurance Expense		\$ 2,650
61818-511010	Data Transmission	\$ 650	
61818-533800	Chemicals	\$ 2,000	
64848-511000	Telephone & Postage		\$ 66
64848-516000	Repairs & Maintenance	\$ 66	
66868-545000	Contract Services	\$ 2,000	
66868-545000	Insurance Expense		\$ 2,000
67878-513000	Utilities		\$ 1,300
67878-553000	Dues & Subscriptions	\$ 1,300	
68888-516000	Repairs & Maintenance	\$ 329	
68888-532000	Supplies		\$ 330
68888-557100	Software License Fee	\$ 1	
		<b>\$ 7,529</b>	<b>\$ 7,529</b>

**Explanation:** Administration (10410); Information Technology (10441); Animal Services and Control (10512); EMS (10530); Inspections (10540); Airport (10550); Senior Center (10775); Disaster Recovery (10980); Mainland Water (61818); Maple Commerce Sewer (64848); So Outer Banks Water (66868); Moyock Sewer (67878); Walnut Island Sewer (68888) - Transfers for operations for the remainder of this fiscal year.

**Net Budget Effect:** Operating Fund (10) - No change.  
 Mainland Water (61) - No change  
 Maple Commerce Park Sewer (64) - No change.  
 So Outer Banks Water (66) - No change.  
 Moyock Sewer (67) - No change.  
 Walnut Island Sewer (68) - No change.

**3. Surplus Resolution-Metal Office Building and Storage Building at Veterans Park****R E S O L U T I O N**

**WHEREAS**, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on May 15, 2017, authorized the following, pursuant to GS 160A and 270(b), that the following property is declared surplus and is to be demolished:

Office Building at Veterans' Memorial Park, 132 Coinjock Canal Road, and  
Metal Storage Building at 132 Coinjock Canal Road

**NOW, THEREFORE, BE IT RESOLVED**, that the Board of Commissioners of County of Currituck reserves the right to reject any and all bids.

THIS THE 5th day of June, 2017.

CURRITUCK COUNTY BOARD OF COMMISSIONERS

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Chairman

ATTEST:

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Leeann Walton  
Clerk to the Board

**4. Vehicle Surplus Resolution-Dodge Durango, Animal Services**

## 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 on GovDeals.

County		
Asset Tag	Description	Serial Number
5727	2003 Dodge Durango, White	1D4HS38N73F594007

**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 June, 2017.

Bobby Hanig  
County of Currituck, Board of Commissioners

Leeann Walton  
Clerk to the Board (Seal)

## 5. Surplus Resolution-Ambulance

## 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 donated to the Currituck County Board of Education.

County		
Asset Tag	Description	Serial Number
3992	1997 Ambulance, old reserve unit, to be surplus and given to Currituck high school for their EMT vocational program. Mr. Don Moore has requested this unit for the program.	1FDKE30F2VHA39497

**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 June, 2017.

Bobby Hanig  
County of Currituck, Board of Commissioners

Leeann Walton  
Clerk to the Board (Seal)

6. Minutes Approval for May 1, 2017-Board of Equalization and Review
7. Knotts Island Convenience Center Lease
8. Economic Improvement Council Lease
9. Request by Crawford VFD Inc. for approval of Capital Purchases.
10. Audit Contract for fiscal year ending June 30, 2017

**11. Funding Plan and Certification for the Juvenile Crime Prevention Council for the fiscal year ending June 30, 2018**

**12. Trillium Health Resources Quarterly Financial Report**

**13. Petition for Road Addition to State Maintenance-Cahoon Farms**

**14. Consideration of Application for Alcohol Use-2017 Knotts Island Peach Festival**

**15. Regional Solid Waste-Electronics Recycling Revision Request**

**C) Commissioner's Report**

Commissioner White said he attended the NC Wildlife Oceanographic study tour with the school, noting an interesting comparison study to look at what happens with beach nourishment and its potential negative aspects.

Commissioner Gilbert congratulated senior graduates of Currituck County High School, with commencement on Friday night.

Commissioner Payment offered congratulations to Uli Bennowitz, owner of the Weeping Radish, winning a regional tourism award. He again asked the community to support their local firefighters and to be safe with traffic picking up.

**D) County Manager's Report**

No report.

**RECESS THE REGULAR MEETING OF THE BOARD OF COMMISSIONERS**

Chairman Hanig recessed the regular meeting so the Board could hold a special meeting of the Tourism Development Authority.

**SPECIAL MEETING OF THE TOURISM DEVELOPMENT AUTHORITY**

The Currituck County Board of Commissioners convened a special meeting of the Tourism Development Authority at 7:24 PM on June 5, 2017, in the Board Room of the Historic Currituck Courthouse, 153 Courthouse Road, Currituck, North Carolina.

**E. Public Hearing & Possible Action to Adopt the Tourism Development Authority's Annual Budget for FY 2017-18**

Tameron Kugler, Travel & Tourism Director, was seated with the Board. County Manager, Dan Scanlon, reviewed the Public Hearing requirement for adoption of the Tourism Development Authority budget.

Chairman Hanig opened the public hearing. With no speakers, the public hearing was closed.

Commissioner Payment moved to adopt the budget for the Tourism Development Authority. The motion was seconded by Commissioner White and passed unanimously.

With no further business Chairman Hanig adjourned the Special Meeting of the Tourism Development Authority.

**CURRITUCK COUNTY TOURISM DEVELOPMENT AUTHORITY**  
**BUDGET ORDINANCE**

For the Year Ending June 30, 2018

BE IT ORDAINED by the Currituck County Tourism Development Authority, County of Currituck, North Carolina that the following estimated resources, appropriations, and memoranda are adopted for the fiscal year commencing July 1, 2017 and ending June 30, 2018.

**SECTION 1. OCCUPANCY TAX - PROMOTION**

**A. Estimated Resources:**

Occupancy Tax	10,506,169
Other revenues	196,300
Investment earnings	87,633
Appropriated Fund Balance	-
	<u>10,790,102</u>
<b>TOTAL ESTIMATED RESOURCES</b>	<b>\$ 10,790,102</b>

**B. Appropriations:**

Occupancy Tax - Promotion	\$ 3,594,041
Occupancy Tax - Tourist related	7,196,061
	<u>10,790,102</u>
<b>TOTAL APPROPRIATIONS</b>	<b>\$ 10,790,102</b>

The information above is presented in summary form. Complete detailed information is available in the County budget.

**SECTION 2. SPECIAL APPROPRIATIONS AND RESTRICTIONS**

The Budget Officer is hereby authorized to transfer appropriations within the funds as contained herein under the following conditions.

- a. He may transfer amounts within the same department within the same fund up to Ten Thousand dollars (\$10,000) providing an official report on such transfers at a regular meeting of the Board of Commissioners on a quarterly basis.
- b. He may transfer amounts between departments within the same fund up to One Thousand dollars (\$1,000) providing an official report on such transfers at the next regular meeting of the Board of Commissioners.
- c. He may appropriate fund balance to salaries and benefits in order to increase salaries of employees who have met requirements to increase certifications required by the County providing an office report on such transfers at the next regular meeting of the Board of Commissioners.
- d. He may make interfund loans for a period of not more than sixty days (60).
- e. He may not transfer any amounts between funds or from any contingency line items within any funds.

**SECTION 3. CONTRACTUAL OBLIGATIONS**

The County Manager or the County Attorney are hereby authorized to execute contractual documents under the following conditions:

- a. They may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. They may award contracts, reject bids, re-advertise for bids, waive bid bonds or bid deposit requirements, and waive performance and payment bond requirements for all formal bids of apparatus, supplies, materials and equipment as stated in G. S. 143-129.
- c. They 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.

d.	They may execute grant agreements to and from public and nonprofit organizations which are within budgeted appropriations, unless a grantor organization requires execution by the Board of Commissioners.
e.	They 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.
<b>SECTION 4. MEMORANDA</b>	
A.	<p>Officers:</p> <p>Daniel F. Scanlon II is the Budget Officer            Leeann Walton is the Clerk to the Board            Eileen Wirth is the Deputy Clerk to the Board            Donald Ikerd McRee is the County Attorney            Sandra L. Hill is the County Finance Director            Bridget T. Brinkley is the Deputy Finance Director</p>
B.	<p>Facsimile Signatures:</p> <p>The use of facsimile signature machines, signature stamps, or similar devices in signing checks and drafts is hereby authorized; however, off-line checks and pre-audit certification requires in the minimum of one original authorizing signature. The Finance Director is hereby charged with the custody of all facsimile machines, stamps, plates or other devices.</p>
C.	<p>Official Depositories:</p> <p>The Official depositories of the Tourism Development Authority are:</p> <p>Towne Bank of Currituck, Moyock, North Carolina            Bank of America, North Carolina            Branch Bank and Trust, North Carolina            North Carolina Cash Management Trust, Charlotte, North Carolina            Wells Fargo, North Carolina</p>
D.	<p>Daily Deposits:</p> <p>Daily deposits are required by all departments when the amount of money held on hand sums to Two Hundred Fifty dollars (\$250).</p>
E.	<p>Returned Check or Electronic Funds Transfer Fees:</p> <p>The Tourism Development Authority will assess a returned check charge consistent with G. S. 25-3-512 on all checks or electronic funds transfers returned to the County due to insufficient or unavailable funds, except for the payment of taxes. The returned check fee will be \$25.00 per item returned. This fee will also be charged for ACH or credit card transactions that are not paid due to insufficient funds. The penalty for returned checks and electronic funds transfers for payment of taxes are governed by G. S. 105-357(2).</p>
F.	<p>Policy on Appropriations:</p> <p>The Tourism Development Authority will not consider supplemental appropriations for any service, function, purpose or activity that could have been reasonably considered during the budget process.</p>
<b>SECTION 5. USE OF BUDGET ORDINANCE</b>	
<p>The Budget Officer and the Finance Director shall use this budget ordinance for administration of the budget and for the accounting system.</p>	
ADOPTED this 5th day of June 2017.	
<hr/> <p>ATTEST:</p> <hr/> <p>Leeann Walton            Clerk to the Board</p> <hr/>	
<hr/> <p>Bobby Hanig, Chairman            Currituck County Tourism Development Authority</p>	

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike H. Payment, Vice Chairman
<b>SECONDER:</b>	Bob White, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner

## CLOSED SESSION

Chairman Hanig, after returning from a special meeting of the Tourism Development Authority, reconvened the regular meeting of the Board of Commissioners.

### F. Closed Session Pursuant to G.S. 143-318.11(a)(3) to Consult with the County Attorney in Order to Preserve the Attorney-Client Privilege

Chairman Hanig moved the Board into closed session pursuant to G.S. 143-318.11(a)(3) to consult with the county attorney in order to preserve the attorney-client privilege.

## ADJOURN

### Motion to Adjourn Meeting

The Board of Commissioners returned to the meeting room after closed session. With there being no further business Commissioner Hall made a motion to adjourn. The motion was seconded by Commissioner White and carried unanimously. The meeting of the Board of Commissioners was concluded.

<b>RESULT:</b>	<b>APPROVED [UNANIMOUS]</b>
<b>MOVER:</b>	Mike D. Hall, Commissioner
<b>SECONDER:</b>	Bob White, Commissioner
<b>AYES:</b>	Bobby Hanig, Chairman, Mike H. Payment, Vice Chairman, Paul M. Beaumont, Commissioner, Marion Gilbert, Commissioner, Mike D. Hall, Commissioner, Bob White, Commissioner
<b>ABSENT:</b>	Mary "Kitty" Etheridge, Commissioner

Number

2017133

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of June 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

Account Number	Account Description	Debit	Credit	
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense	
10450-506000	Insurance Expense		\$	39
10450-514000	Travel	\$ 175		
10450-514800	Fees Paid to Officials		\$	400
10450-545450	Motor Vehicle Tax Fees	\$ 16,000		
10310-400100	Vehicle Tax Collected by DMV		\$	15,736
		<u>\$ 16,175</u>	<u>\$ 16,175</u>	

**Explanation:** Tax (10450) - Increase appropriations for administrative fees paid to NC Dept of Revenue for collection of motor vehicle taxes for the remainder of this fiscal year and transfers for operations.

**Net Budget Effect:** Operating Fund (10) - Increased by \$15,736.

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Clerk to the Board \_\_\_\_\_

Number 2017134

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 19th day of June 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10510-506000	Insurance Expense		\$ 8,000
10510-516000	Repairs & Maintenance	\$ 3,000	
10510-516200	Vehicle Maintenance	\$ 5,000	
10550-516400	Equipment Maintenance	\$ 150	
10550-532000	Supplies	\$ 800	
10550-590000	Capital Outlay	\$ 1,442	
10550-554000	Insurance		\$ 2,100
10550-535000	Credit Card Maintenance Fee		\$ 292
10410-526000	Advertising	\$ 400	
10410-506000	Insurance Expense		\$ 4,000
10410-526200	Promotional Efforts	\$ 3,600	
10490-545003	Contract Services/Court-Jail	\$ 500	
10490-513003	Utilities		\$ 500
10511-506000	Insurance Expense		\$ 5,000
10511-513000	Utilities	\$ 4,000	
10511-532000	Supplies	\$ 1,000	
10541-502100	Salaries - Overtime	\$ 2,500	
10541-502200	Holiday Pay	\$ 176	
10541-503000	Salaries - Part time		\$ 2,676
10795-576011	Adult Volleyball	\$ 18	
10795-506000	Insurance Expense		\$ 18
10980-590000	Capital Outlay	\$ 22	
10980-545000	Contract Services		\$ 22
60808-553001	Dues & Subscriptions - Sewer	\$ 1,184	
60808-511000	Telephone & Postage		\$ 750
60808-513000	Utilities		\$ 434
61818-506000	Insurance Expense		\$ 5,000
61818-545100	Credit Card Maintenance Fee	\$ 5,000	
66868-506000	Insurance Expense		\$ 672
66868-545100	Credit Card Maintenance Fee	\$ 1,000	
66868-561000	Professional Services		\$ 328
67878-590000	Capital Outlay	\$ 299	
67878-511000	Telephone & Postage		\$ 299
		<u>\$ 30,091</u>	<u>\$ 30,091</u>

**Explanation:** Various Departments - Operating transfers for the remainder of this fiscal year.

**Net Budget Effect:** Operating Fund (10) - No change.  
 Ocean Sands Water and Sewer District Fund (60) - No change.  
 Mainland Water Fund (61) - No Change  
 Southern Outer Banks Water Fund (66) - No change.  
 Moyock Central Sewer Fund (67) - No change.

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Clerk to the Board

Number

2017135

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of June 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
63838-545002	Contract Services - Disposal	\$ 150,000	
63390-499900	Fund Balance Appropriated		\$ 150,000
		<u><b>\$ 150,000</b></u>	<u><b>\$ 150,000</b></u>

**Explanation:** Solid Waste (63838) - Increase appropriations for additional solid waste disposal for this fiscal year.

**Net Budget Effect:** Solid Waste Fund (63) - Increased by \$150,000.

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Clerk to the Board \_\_\_\_\_

Number

2017136

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of June 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10480-508000	Supplemental Retirement	\$ 200	
10480-557300	Excise Tax on Deeds	\$ 60,000	
10320-41000	Deep Stamp Excise Tax		\$ 60,200
		<u><u>\$ 60,200</u></u>	<u><u>\$ 60,200</u></u>

**Explanation:** Register of Deeds (10480) - Increase appropriations for fees based on revenue collections for the Register of Deeds.

**Net Budget Effect:** Operating Fund (10) - Increased by \$60,200.

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Clerk to the Board

Number

2017137

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of June 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

Account Number	Account Description	Debit	Credit	
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense	
12543-511003	Telephone & Postage	\$ 500		
12543-513003	Utilities	\$ 1,500		
12543-516103	Buildings & Grounds	\$ 200		
12543-536103	Personal Protective Equipment	\$ 1,101		
12543-516003	Repairs & Maintenance		\$ 1,000	
12543-544003	Volunteer Assistance		\$ 500	
12543-545000	Contract Services		\$ 1,598	
12543-554003	Insurance		\$ 203	
		<hr/> <u>\$ 3,301</u>	<hr/> <u>\$ 3,301</u>	

**Explanation:** Moyock Volunteer Fire Department (12543) - Operating transfers for Moyock Volunteer Fire Department.

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

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Clerk to the Board \_\_\_\_\_

Number

2017138

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of June 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
12548-516015	Repairs & Maintenance	\$ 1,000	
12548-516115	Buildings & Grounds		\$ 1,000
		<u><u>\$ 1,000</u></u>	<u><u>\$ 1,000</u></u>

**Explanation:** Knotts Island Volunteer Fire Department (12548) - Operating transfers for Knotts Island Volunteer Fire Department.

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

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Clerk to the Board \_\_\_\_\_

Number

2017139

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of June 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
12546-511006	Telephone & Postage	\$ 600	
12546-532106	Fire Supplies	\$ 2,200	
12546-554006	Insurance - Corolla	\$ 2,700	
12546-516006	Repairs & Maintenance		\$ 5,500
		<u><u>\$ 5,500</u></u>	<u><u>\$ 5,500</u></u>

**Explanation:** Corolla Volunteer Fire Department (12546) - Operating transfers for Corolla Volunteer Fire Department.

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

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Clerk to the Board

Number

2017140

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 19th day of June 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10541-516200	Vehicle Maintenance		\$ 6,000
10541-516000	Repairs & Maintenance		\$ 500
10541-590000	Capital	\$ 6,500	
		<hr/> <u>\$ 6,500</u>	<hr/> <u>\$ 6,500</u>

**Explanation:** Fire Services (10541) - Transfer funds for personal protective equipment/turnout gear for County employees.

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

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Clerk to the Board

# ARTICLE 7

## Employee Benefits

### Section 701 Insurance Benefits

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- A. The County offers both medical and dental coverage, under the County's group health plan, to all regular full-time employees and regular part-time employees occupying budgeted positions. For clarification purposes, regular part-time employees are those who work a minimum of thirty hours per week. Each employee shall be enrolled for coverage in accordance with the Health Plan provisions. Coverage will begin on the first day of the month following a waiting period of thirty (30) calendar days. ~~Resigning employees will be responsible for paying their individual medical and dental premiums if they are not on the payroll a minimum of half the working days during the calendar month of resignation. Effective July 1, 2017 medical and dental coverage will terminate on the effective date of resignation.~~ Employees who are on FMLA as of their resignation date will have individual medical and dental coverage paid for by the County.
- B. Payroll deductions shall be allowed, at the option of the employee, to provide coverage for dependents in accordance with the provisions of the County's Group Health Plan.
- C. All employees with a hire date through September 1, 2007 who are covered under the County's Group Health Plan and retiring from the County with at least ten years continuous creditable service with Currituck County and eligible for retirement benefits from the North Carolina Local Government Retirement System, are eligible for coverage under the County's Group Health Plan. Employees who have left full-time employment with Currituck County and returned to full-time County service with no longer than a ten (10) day break in service are eligible to contribute accumulated vacation time to account for the break in service. This accumulated vacation time contribution will be based on an hour-for-hour basis not to exceed eighty hours. The County will pay a pro rata share, according to the following schedule, of a retiree's individual coverage but in no instance shall the benefit cost exceed that of an active employee:

**Carova Beach Volunteer Fire & Rescue**2169 Ocean Pearl Road  
Corolla, NC 27927

May 13, 2017

Bill Bailey, Chairman  
Currituck County Fire Advisory Board

Dear Mr. Bailey,

We are requesting the support of the Fire Advisory Board to spend up to \$30,000 from our existing budgeted funds for the purchase of turn-out gear. If supported by the Fire Advisory Board, I ask that you forward this request on for approval from the Currituck County Board of Commissioners.

Humbly,

William C. Vann, Fire Chief  
Carova Beach Volunteer Fire and Rescue

252.453.8690

Fax: 252.453.8659

**STRATEGIC ALLIANCE AGREEMENT**  
**BY AND BETWEEN**  
**CURRITUCK COUNTY**  
**AND**  
**YMCA OF SOUTH HAMPTON ROADS**

This Agreement ("Agreement") is made this \_\_\_\_\_ day of \_\_\_\_\_, 2017 (the "Effective Date"), by and between the YMCA of South Hampton Roads, hereafter YMCA, and Currituck County, hereafter CC.

WHEREAS, both parties ascribe to a similar interest in nurturing, guiding and inspiring youth to become caring, productive, and successful adults, and

WHEREAS, the YMCA will invest up to \$70,000 in new construction enhancements in the Currituck Community Park, and

WHEREAS, the YMCA and CC strive to accomplish these mutual goals, in consideration of the mutual covenants and agreements contained in this document, both parties agree to the following:

**Term:**

The initial term of the Agreement shall be a ten (10) year term from the effective Date of the Agreement. If mutually agreed upon, this agreement may be renewed for one (1) additional ten-year term.

**Site Plan:**

The parties shall agree on the placement of the alpine climbing tower in the Currituck Community Park, proper storage, landscaping and security measures for the alpine climbing tower

**New Construction:**

CC at its sole cost and expense shall design and have installed the alpine climbing tower, and support facilities. The YMCA shall have the opportunity to review and approve the design, equipment and specifications. CC shall be responsible for obtaining, and funding all required permits and schedule initial training by alpine climbing tower.

**Program Delivery:**

The YMCA shall bear full responsibility for the implementation of their respective programs and use of the alpine climbing tower.

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**Insurance:**

The YMCA will be responsible, at its own expense, for maintaining commercial liability insurance coverage with limits of at least \$2,000,000 per occurrence (can be satisfied via primary & umbrella) for personal and bodily injury, death, and property damage and will name Currituck County as an additional insured. In addition, the YMCA will provide an umbrella excess liability policy of at least \$5,000,000. The YMCA will bear sole responsibility for the cost of insuring the facilities and equipment and the cost of any deductible, to insure against facility damage, loss, or theft. The YMCA will indemnify, defend and hold harmless Currituck County, its agents, employees, and officers from any and all injury or damage to person or property occurring or resulting from the acts, omissions, negligence or willful misconduct from the performance or non-performance of the YMCA activities, programs, or participant usage. Currituck County shall provide reciprocal liability coverage, including additional insured status for the YMCA, for its use and activities, excluding property and will indemnify the YMCA for injuries or damages cause by the negligence or willful misconduct of Currituck County, its agents, subcontractors, or employees. Certificates of insurance, noting additional insured status, shall be provided by each party to the other, annually.

**Equipment:**

The YMCA will be responsible for providing the recreational equipment and will ensure that it is maintained in good working condition sufficient to meet the needs of the youth and participants utilizing the facility. The YMCA will replace broken and worn equipment as reasonably necessary. The YMCA shall annually provide and pay for all of the costs associated with the annual inspection of the alpine climbing tower by a certified inspector provided by Alpine Tower.

**Staffing Costs:**

The YMCA shall bear responsibility for all staffing costs relating to their respective programs. CC shall be responsible for the costs of ongoing maintenance of the grounds. The YMCA shall annually provide and pay for all of the costs associated with staff training and certification and provide access to CC staff without charge.

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**Default:**

The occurrence of any one or more of the following events shall constitute a breach of this Agreement contingent on the non-breach party providing the breaching party written notice identifying the default and such party has failed to remedy the problem for a period of thirty (30) days:

- a) The YMCA fails to observe and perform any of its material responsibilities or honor the material terms of this Agreement.

In the event the YMCA is in default of this Agreement, CC shall have the right to terminate this agreement. The YMCA shall in good faith vacate the premises within a period of thirty days and make restitution or return in good working order, reasonable wear and tear excluded, all equipment and furnishings supplied by the Currituck County.

**Early Termination:**

CC may in its sole discretion terminate this agreement at any time during the initial 10-year term of this agreement by providing the YMCA written notice of its intent between Labor Day and December 31<sup>st</sup> and shall reimburse the YMCA for its unused capital investment at an equal amortization schedule of \$10,000 per year for the remaining years left in the initial term. CC shall have the right to maintain or remove the tower at its own expense. After the initial term, CC shall have no obligation to reimburse any capital investment made by the YMCA and may terminate the agreement by providing the YMCA written notice of its intent between Labor Day and December 31 of any given year. CC shall have the right to maintain or remove the tower at its own expense.

WITNESS the following signatures:

**YMCA of South Hampton Roads:**

By: \_\_\_\_\_

Name: \_\_\_\_\_  
 Title: \_\_\_\_\_

**Currituck County**

By: \_\_\_\_\_

Name: \_\_\_\_\_  
 Title: \_\_\_\_\_

Number TDA2017010

## BUDGET AMENDMENT

The Currituck County Board of Commissioners sitting as the Tourism Development Authority, at a meeting on the 19th day of June 2017, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2017.

Account Number	Account Description	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15448-590000	Capital Outlay	\$ 6,743	
15448-554000	Insurance	\$ 2,239	
15448-506000	Health Insurance		\$ 7,754
15448-516000	Maintenance & Repairs		\$ 1,228
		<hr/> \$ 8,982	<hr/> \$ 8,982

**Explanation:** Occupancy Tax Tourism Related (15448) - Transfer funds for Geothermal Pump replacement for Whalehead HVAC and installation labor and increase in insurance costs.

**Net Budget Effect:** Occupancy Tax Fund (15) - No change.

Minute Book # \_\_\_\_\_, Page # \_\_\_\_\_

Journal # \_\_\_\_\_

Clerk to the Board