



**CURRITUCK COUNTY  
NORTH CAROLINA**

March 15, 2021

Minutes – Regular Meeting of the Board of Commissioners

**4:00 PM CALL TO ORDER**

The Currituck County Board of Commissioners held a regular meeting at 4:00 PM in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina.

Attendee Name	Title	Status	Arrived
Michael H. Payment	Chairman	Present	4:00 PM
Paul M. Beaumont	Vice-Chairman	Present	4:08 PM
J. Owen Etheridge	Commissioner	Present	4:00 PM
Mary "Kitty" Etheridge	Commissioner	Present	4:00 PM
Selina S. Jarvis	Commissioner	Present	4:00 PM
Kevin E. McCord	Commissioner	Present	4:05 PM
Bob White	Commissioner	Present	4:00 PM

Chairman Payment called the meeting to order.

**A) Invocation & Pledge of Allegiance**

Chairman Payment asked if anyone in attendance would like to give the Invocation. Mr. Sam Miller offered the Invocation and led the Pledge of Allegiance.

**B) Approval of Agenda**

Commissioner White moved for approval of the agenda. The motion was seconded by Commissioner J. Owen Etheridge. The motion carried and the agenda was approved.

Approved agenda:

**4:00 PM Call to Order**

A) Invocation & Pledge of Allegiance

B) Approval of Agenda

**Public Comment**

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

**Commissioner's**

**Report****County      Manager's****Report****Administrative Reports**

A) **Currituck County Auditor's Report-Carr, Riggs and Ingram**

**Public Hearings**

A) **PB 20-24 Shingle Landing Villas:** Request for a Preliminary Plat/Use Permit for multi- family subdivision (townhouse development) located on Moyock Landing Drive, Tax Map 9, Parcel 29T, Moyock Township.

B) **PB 18-23 Fost Tract Planned Development, Phases 1 through 5:** Request for an amended Preliminary Plat/Use Permit (#2) for a Planned Development-Residential located off Caratoke Highway, Tax Map 15, Parcel 86, Moyock Township.

**New Business****A) Board Appointments**

1. Fire and EMS Advisory Knotts Island Representative

**B) Consent Agenda**

1. Budget Amendments
2. Project Ordinance-Beach Walkovers, Design
3. Sole Source Purchase Resolution-OmniBeacon Remote Monitoring Equipment, Mainland Sewer
4. Report of Unpaid Real Estate Taxes & Order to Advertise Tax Liens
5. Job Descriptions and Classification Chart-Assistant to the County Manager,  
Development Services Director, Planning Director
6. Dominion ROW Agreement-Public Safety Center
7. T-Mobile Cell Tower Upgrades
8. Consideration of Standardized Specs for Fire Apparatus-Engine and Tanker
9. Approval Of Minutes-March 1, 2021

**Work Session**



## Family Subdivisions and Septic in Utility Easements

**Adjourn**

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

**PUBLIC COMMENT**

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

Chairman Payment opened the Public Comment period. Luann Melton, Moyock, wanted to speak to the Shingle Landing Villas item on the agenda. In lieu of Public Comment, Ms. Melton would address the issue during the quasi-judicial hearing. No others wished to speak and the Public Comment period was closed.

**COMMISSIONER'S REPORT**

Commissioner J. Owen Etheridge expressed his appreciation for both County and Albemarle Regional Health Services (ARHS) staff for the successful operation of the Covid-19 vaccine clinics.

Commissioner McCord apologized for his late arrival. He announced upcoming Covid-19 vaccine clinics, acknowledged the positive trend in Covid-19 case numbers and the well-run clinics in the County. He recognized firefighters and first responders for their efforts in fighting a recent structure fire in Grandy, North Carolina.

Chairman Payment reported on recent structure fires in the County, some with loss of life, and asked citizens to support their local fire departments. He announced upcoming Easter events in the County.

Commissioner White shared his experience volunteering for the Meals on Wheels program, delivering meals to Currituck seniors. He noted the amazing response from the Seniors receiving meals and encouraged citizens to volunteer. He reported on the County's decision to continue the Corolla recycling program and asked that the community signage supporting recycling be removed.

Commissioner Mary Etheridge participated in the North Carolina Association of County Commissioners joint risk management meeting and reported on plans to support several risk-control programs, including an initiative to enhance law enforcement safety by encouraging officers to buckle up. She announced March is Multiple Sclerosis month.

Commissioner Jarvis also offered her thanks to first responders who answered the Grandy fire call. She shared the story of Sheriff's Deputy Nathan Capps, who sat with a neighboring property owner who was frightened the cinders would ignite her home.

Commissioner Beaumont apologized arriving late and said the new 4:00 PM meeting time will be challenging for him. He discussed Corolla recycling and also requested citizens remove the yard signs supporting the recycling program.

## COUNTY MANAGER'S REPORT

Ben Stikeleather, County Manager, announced times and locations for the upcoming Household Hazardous Waste collection and Currituck County Senior Center reopenings. He reminded citizens to call the Senior Center to register for activities. Mr. Stikeleather stressed the importance of checking smoke detector batteries following the tragic loss of a resident in a structure fire.

## ADMINISTRATIVE REPORTS

### A. Currituck County Auditor's Report-Carr, Riggs and Ingram

Madonna Stafford of Carr, Riggs and Ingram presented results of the 2020 financial audit performed by the firm for Currituck County. She reviewed the audits of special funds and programs, presented findings and results for key operating funds, and reported gains and losses for revenue funds and tax collections. No internal control deficiencies or concerns were noted. She thanked Sandra Hill, Finance Director, for her assistance which enabled the audit to be submitted in a timely manner. Following presentation, Ms. Stafford responded to questions and clarified information as requested by Board members.

## PUBLIC HEARINGS

### A. PB 20-24 Shingle Landing Villas:

#### APPLICATION SUMMARY

<b>Property Owner:</b> Shingle Landing Villas LLC 111 Currituck Commercial Drive Suite B Moyock NC 27958	<b>Applicant:</b> Shingle Landing Villas LLC c/o Sam Miller 111 Currituck Commercial Drive Suite B Moyock NC 27958
<b>Case Number:</b> PB 20-24	<b>Application Type:</b> Preliminary Plat/Use Permit
<b>Parcel Identification Number:</b> 0009-000-029T-0000	<b>Existing Use:</b> Vacant
<b>Land Use Plan Classification:</b> Full Service	<b>Parcel Size (Acres):</b> 4.01
<b>Moyock Small Area Plan Classification:</b> Full Service	<b>Zoning:</b> RA20 (1975); A (1989); GB (2005); C-MXR (2017)
<b>Number of Units:</b> 16 + 1 ADU	<b>Project Density:</b> 4 units/acre
<b>Required Open Space:</b> 1.2 ac (30%)	<b>Provided Open Space:</b> 2.91 ac

## SURROUNDING PARCELS

	LAND USE	ZONING
NORTH	SINGLE-FAMILY DWELLINGS (HIDDEN OAKS SUBDIVISION)	C-SFM
SOUTH	SINGLE-FAMILY DWELLINGS (SHINGLE LANDING SUBDIVISION)	GB
EAST	INSTITUTIONAL (CURRITUCK HOUSE ASSISTED LIVING FACILITY)	GB
WEST	VACANT	GB

This 4.01 acre parcel is located on Moyock Landing Drive, adjacent to the Currituck House assisted living facility to the east and the Rail Road right-of-way to the west. The BOC rezoned the parcel to Conditional-MXR on February 6, 2017 (See Attached Order) and amended the Conditional-MXR zoning district on February 19, 2018. The BOC approved 16 units (4 buildings with 4 units each) with attached garages and one detached accessory dwelling unit. Because the prior rezoning approval did not include subdividing the property/obtaining a use permit, UDO Section 6.6 Adequate Public Facilities Standards did not apply to this project. This request to subdivide the property requires a use permit, so the Adequate Public Facilities ordinance applies.

This multi-family subdivision is subject to appropriate community forms, compatibility, and design standards to ensure a well-designed neighborhood. This multi-family development serves as a transition between General Business (GB) development along Caratoke Highway and the assisted living facility and the neighborhood (Shingle Landing) to the east. It is located in the fastest growing area of the county that continues to evolve as a Full Service community.

#### Schools

TO APPROVE A PRELIMINARY PLAT/USE PERMIT, ADEQUATE PUBLIC FACILITIES SHALL BE IN PLACE OR PROGRAMMED TO BE IN PLACE WITHIN TWO YEARS AFTER THE INITIAL APPROVAL OF THE USE PERMIT. THIS DEVELOPMENT WILL BE SERVICED BY MOYOCK ELEMENTARY SCHOOL THAT IS CURRENTLY OVER ACTUAL CAPACITY. THERE IS NO GUARANTEE THAT THE RECENTLY DISCUSSED EXPANSION PROJECT WILL BE COMPLETE WITHIN TWO YEARS OF APPROVAL \*. FOR THE THREE ELEMENTARY SCHOOLS IN THE NORTHERN MAINLAND, THERE IS CONCERN THAT COMMITTED CAPACITY IS AT 126%. THERE IS ALSO CONCERN THAT THE HIGH SCHOOLS ARE AT 106% OF COMMITTED CAPACITY. **APPROVING THE PRELIMINARY PLAT/USE PERMIT WITHOUT ADEQUATE PUBLIC FACILITIES IN PLACE WOULD BE IN DIRECT CONFLICT WITH THE ADEQUATE PUBLIC FACILITIES ORDINANCE OF THE UDO AND MULTIPLE POLICIES IN THE LAND USE PLAN AND THE MOYOCK SMALL AREA PLAN.** PLEASE NOTE, THE BELOW CHART DOES NOT INCLUDE THE ADDITIONAL STUDENTS GENERATED BY THE FLORA C-MXR ZONING APPROVED BY THE BOC ON MARCH 2, 2021. THOSE STUDENTS WILL BE ACCOUNTED FOR AT PRELIMINARY PLAT/USE PERMIT APPROVAL.

ADEQUATE PUBLIC FACILITIES – SCHOOLS <sup>1</sup>				
School	2019- 2020	2021- 2022	Committed Capacity <sup>3</sup>	Proposed Capacity Changes

	2020-2021 Actual Capacity <sup>2</sup>	Actual Capacity <sup>3</sup>		Number of Students
Moyock Elementary	109%	115%	126%	+4
Shawboro Elementary	94%	97%		
Central Elementary	80%	89%		
Griggs Elementary	56%	59%	101%	n/a
Jarvisburg Elementary	82%	88%		
Knotts Island Elementary	35%	36%	36%	n/a
Moyock Middle	95%	79%	93%	+1
Currituck Middle	61%			
Currituck High	84%	86%	106%	+2
JP Knapp Early College	93%			

<sup>1</sup>Does not include minor subdivisions, exempt subdivisions, and subdivisions approved prior to the adoption of the adequate public facilities ordinance (October 1994)

<sup>2</sup>Capacity percentages are based on 2019-2020 and 2020-2021 school year classroom standards and August 2020 ADM

<sup>3</sup>Capacity percentages are based on the 2021-2022 school year classroom standards and August 2020 ADM

*\*According to a January 15, 2021 email, the County Manager “expects to give the notice to proceed with the school expansion project by June 1st. The expansion should increase the capacity of Moyock Elementary School to 750 students. The project should be completed by the start of the 2023-2024 school session. Because of the expansion project this summer, we will have a solution to our adequate public facility issue regarding Moyock Elementary within two years (from June 1<sup>st</sup> – staff addition).” See attached email.*

#### Community Meeting

A community meeting was held on November 24, 2020 for the project. Nine neighboring property owners attended the meeting. Primary questions were regarding construction start time, sale price of the units, floor plan/square footages, buffering, and parking.

INFRASTRUCTURE	
<b>WATER</b>	PUBLIC
<b>SEWER</b>	PUBLIC (MOYOCK REGIONAL WASTEWATER TREATMENT PLANT)
<b>TRANSPORTATION</b>	PEDESTRIAN: A 5' SIDEWALK WILL CONNECT INTO THE EXISTING SIDEWALK AT THE ASSISTED LIVING FACILITY VIA A TIMER PEDESTRIAN WALKWAY. THE SIDEWALK WILL RUN ACROSS THE FRONT OF THE ENTIRE PROPERTY AND CONNECT TO THE WESTERN PROPERTY LINE VIA A PEDESTRIAN EASEMENT.
	CONNECTIVITY SCORE: N/A (NO STREETS)

<b>STORMWATER/DRAINAGE</b>	THE PROJECT WILL BE MANAGED UNDER A LOW DENSITY STATE STORMWATER PERMIT AND CONSIST OF RETENTION PONDS CONSTRUCTED TO RETAIN STORMWATER AND SLOW RELEASE INTO ADJACENT STORMWATER OUTLETS. A RECENT TEXT AMENDMENT WAS APPROVED FOR THE PROJECT TO ALLOW THE DEVELOPMENT TO FALL UNDER THE NON-RESIDENTIAL STORMWATER DESIGN STANDARDS INSTEAD OF THE MORE RESTRICTIVE SUBDIVISION STORMWATER DESIGN STANDARDS.
<b>DESIGN STANDARDS</b>	THE MULTI-FAMILY PROJECT IS SUBJECT TO APPROPRIATE COMMUNITY FORMS, COMMUNITY COMPATIBILITY, AND DESIGN STANDARDS TO ENSURE A WELL-DESIGNED NEIGHBORHOOD
<b>LIGHTING</b>	FULL CUTOFF STREETLIGHTS ARE PROPOSED AND MUST BE COMPLIANT WITH LIGHTING STANDARDS.
<b>LANDSCAPING</b>	A TYPE B BUFFER IS PROPOSED ALONG THE NORTHERN PROPERTY LINE, A MAJOR ARTERIAL SCREEN BUFFER ALONG THE WEST PROPERTY LINE, SITE LANDSCAPING AT THE EASTERN AND SOUTHERN PROPERTY LINES, AND VEHICULAR USE LANDSCAPING IN THE PARKING AREAS.
<b>PARKING</b>	44 EXTERIOR PARKING SPACES ARE PROPOSED IN ADDITION TO THE 16 GARAGE PARKING SPACES.
<b>COMPATIBILITY</b>	THE DEVELOPMENT CREATES A NEW RESIDENTIAL USE TYPE AT AN APPROPRIATE DENSITY FOR THIS AREA WHERE COUNTY WATER AND SEWER ARE AVAILABLE.
<b>RECREATION AND PARK AREA DEDICATION</b>	A FEE-IN-LIEU OF RECREATION AND PARK AREA DEDICATION WILL BE REQUIRED PRIOR TO FINAL PLAT APPROVAL. BASED ON THE VALUE OF THE LAND AND THE APPROVAL OF 16 UNITS THE FEE WILL BE APPROXIMATELY \$25,487.
<b>RIPARIAN BUFFERS</b>	N/A

## RECOMMENDATIONS

### TECHNICAL REVIEW COMMITTEE

THE TECHNICAL REVIEW COMMITTEE RECOMMENDS **DENIAL** OF THE USE PERMIT AND THE PRELIMINARY PLAT BASED TO THE FOLLOWING CONDITIONS:

1. The application does not comply with all applicable review standards of the UDO including:
  - a. Adequate public facilities (schools) are not in place or programmed to be in place within two years. Moyock Elementary is over Actual and Committed Capacities and the high schools are over Committed Capacity.
2. The applicant does not demonstrate that the proposed use will meet the use permit review standards of the UDO.

Should the BOC decide to approve this request, the Technical Review Committee recommends the following 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. Not submitting for preliminary plat/use permit approval until adequate public facilities are in place or programmed to be in place within two years. (Planning)
- b. Developing strictly in accordance with the approved C-MXR conditions set by the BOC on February 18, 2010 and that *these conditions be placed on the plat* (See attached order). The conditional zoning conditions listed on the plat are different than those directed by the BOC through the attached order. (Planning)
  - i. The development shall be completed strictly in accordance with the conceptual development plan submitted to and approved by the Board of Commissioners.
  - ii. The development will consist of a 16 unit townhome development (with attached garages), one detached garage/storage unit, and one detached accessory dwelling unit.
  - iii. The architectural renderings of the townhomes to be incorporated into the approval and units constructed according to the expanded description given at the Board of Commissioners meeting on February 19, 2018, including the additional buffer.
- c. The county will take over the maintenance and operation of the lift station upon completion and certification. (Public Utilities)

#### **STAFF'S CONCERNS REGARDING PROJECT CONSIDERATION AT THIS TIME:**

- Inconsistent with the Land Use plan (see below).
- Inconsistent with the Moyock Small Area Plan (see below).
- Inadequate public facilities (schools).

#### **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 STAFF FINDINGS**

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

##### **PRELIMINARY APPLICANT FINDINGS:**

1. STORMWATER MANAGEMENT HAS BEEN DESIGNED IN ACCORDANCE WITH THE CONDITIONAL ZONING APPROVAL AND HAS BEEN APPROVED BY THE NC DEPT. OF ENVIRONMENTAL QUALITY. STORMWATER RETENTION PONDS WILL BE CONSTRUCTED TO MANAGE AND RETAIN STORMWATER AND SLOW RELEASE INTO ADJACENT STORMWATER OUTLETS.
2. A WASTEWATER COLLECTION SYSTEM AND LIFT STATION HAVE BEEN DESIGNED AND APPROVED BY THE NCDEQ, WHICH WILL BE PUMPED TO THE MOYOCK REGIONAL WASTEWATER TREATMENT SYSTEM.
3. THE PROJECT HAS BEEN DESIGNED AND APPROVED BY THE DIVISION OF ENERGY, MINERAL AND LAND RESOURCES FOR SEDIMENTATION AND EROSION CONTROL, AND WILL MINIMIZE EROSION AND CONTAIN SILTATION ON SITE.
4. NCDOT HAS REVIEWED AND APPROVED THE CONNECTION TO MOYOCK LANDING DRIVE.

*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.*

##### **PRELIMINARY APPLICANT FINDINGS:**

1. LAND TO THE NORTH IS SINGLE FAMILY RESIDENTIAL BUT HAS A SIGNIFICANT TREE BUFFER TO THE SITE, LAND TO THE EAST IS THE CURRITUCK HOUSE ASSISTED LIVING FACILITY, LAND TO THE WEST IS COMMERCIAL AND LAND TO THE SOUTH IS RESIDENTIAL. THE

COUNTY COMMISSIONERS DETERMINED THAT THE USE IS APPROPRIATE FOR THE LAND BY VIRTUE OF CONDITIONAL ZONING APPROVAL THAT WAS GRANTED AND AMENDED IN 2018. IT WAS DETERMINED THAT THIS DEVELOPMENT CREATES A NEW RESIDENTIAL USE TYPE AT AN APPROPRIATE DENSITY FOR THIS AREA WHERE COUNTY WATER AND SEWER ARE AVAILABLE AND PROVIDES A MODERATE COST HOUSING OPPORTUNITY FOR COUNTY RESIDENTS WITHIN A WELL-DESIGNED NEIGHBORHOOD.

**The use will not be in conformity with the Land Use Plan or other officially adopted plans.**

**PRELIMINARY STAFF FINDINGS:**

WHILE THE USE IS IN CONFORMITY WITH SOME POLICIES OF THE LAND USE PLAN (SEE ATTACHED APPLICATION FOR DEVELOPERS COMPLETE LIST), IT IS NOT IN CONFORMITY WITH THE FOLLOWING:

POLICY SF4	<p>CURRITUCK COUNTY SHALL CONTINUE TO SUPPORT A SERVICE LEVEL POLICY FOR SCHOOLS THAT CALLS FOR THE CONSTRUCTION AND MAINTENANCE OF CLASSROOM SPACE SUFFICIENT TO AVOID THE USE OF MOBILE CLASSROOM UNITS.</p> <p><u>COMMENTS:</u></p> <ul style="list-style-type: none"> <li>• DWELLING UNITS ARE PROPOSED IN THE MOYOCK ELEMENTARY SCHOOL DISTRICT WHERE NO SCHOOL CAPACITY CURRENTLY EXISTS AND IS NOT YET PROGRAMMED TO BE IN PLACE WITHIN TWO YEARS.</li> <li>• <b>APPROVING THE USE _PERMIT/PRELIMINARY PLAT WITHOUT ADEQUATE PUBLIC FACILITIES IN PLACE OR PROGRAMMED TO BE IN PLACE WITHIN TWO YEARS OF THE APPROVAL WOULD BE IN CONFLICT WITH THE ADEQUATE PUBLIC FACILITIES ORDINANCE OF THE UDO.*</b></li> </ul> <p><i>*According to a January 15, 2021 email, the County Manager “expects to give the notice to proceed with the school expansion project by June 1<sup>st</sup>. The expansion should increase the capacity of Moyock Elementary School to 750 students. The project should be completed by the start of the 2023-2024 school session. Because of the expansion project this summer, we will have a solution to our adequate public facility issue regarding Moyock Elementary within two years (from June 1<sup>st</sup> – staff addition).”</i></p>
POLICY PP2	<p>CURRITUCK COUNTY SHALL CONTINUE TO IMPLEMENT A POLICY OF ADEQUATE PUBLIC FACILITIES, SUFFICIENT TO SUPPORT ASSOCIATED GROWTH AND DEVELOPMENT. SUCH FACILITIES MAY INCLUDE BUT NOT LIMITED TO WATER SUPPLY, SCHOOL CAPACITY, PARK AND OPEN SPACE NEEDS, FIREFIGHTING CAPABILITY, AND LAW ENFORCEMENT.</p> <p><u>COMMENTS:</u></p> <ul style="list-style-type: none"> <li>• DWELLING UNITS ARE PROPOSED IN THE MOYOCK ELEMENTARY SCHOOL DISTRICT WHERE NO SCHOOL CAPACITY CURRENTLY EXISTS AND IS NOT YET PROGRAMMED TO BE IN PLACE WITHIN TWO YEARS.</li> <li>• <b>APPROVING THE USE _PERMIT/PRELIMINARY PLAT WITHOUT ADEQUATE PUBLIC FACILITIES IN PLACE OR PROGRAMMED TO BE IN PLACE WITHIN TWO YEARS OF THE APPROVAL WOULD BE IN CONFLICT WITH THE ADEQUATE PUBLIC FACILITIES ORDINANCE OF THE UDO.*</b></li> </ul> <p><i>*ACCORDING TO A JANUARY 15, 2021 EMAIL, THE COUNTY MANAGER “EXPECTS TO GIVE THE NOTICE TO PROCEED WITH THE SCHOOL EXPANSION PROJECT BY JUNE 1<sup>ST</sup>. THE EXPANSION SHOULD INCREASE THE CAPACITY OF MOYOCK ELEMENTARY SCHOOL TO 750 STUDENTS. THE PROJECT SHOULD BE COMPLETED BY THE START OF THE 2023-2024 SCHOOL SESSION. BECAUSE OF THE EXPANSION PROJECT THIS SUMMER, WE WILL HAVE A SOLUTION TO OUR ADEQUATE PUBLIC FACILITY ISSUE REGARDING MOYOCK ELEMENTARY WITHIN TWO YEARS (FROM JUNE 1<sup>ST</sup> – STAFF ADDITION).”</i></p>



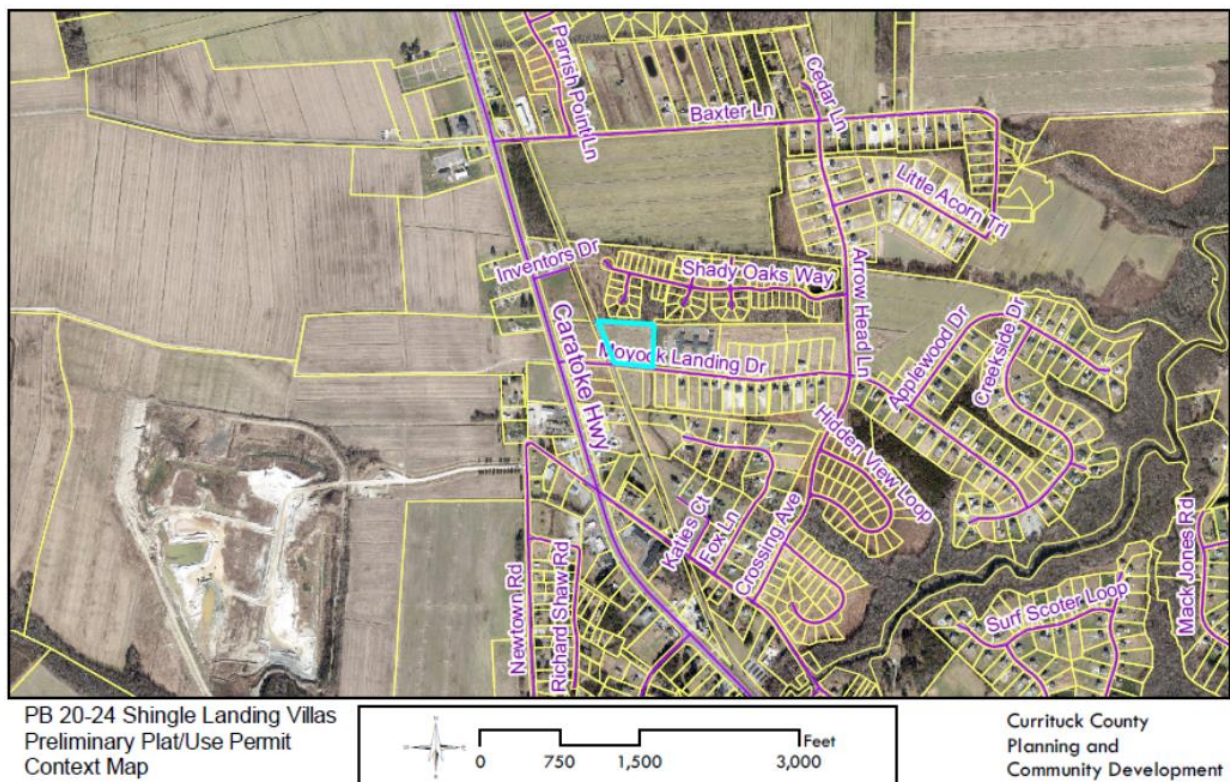
WHILE THE USE IS IN CONFORMITY WITH SOME OF THE POLICIES OF THE MOYOCK SMALL AREA PLAN (SEE ATTACHED APPLICATION FOR DEVELOPERS COMPLETE LIST), IT IS NOT IN CONFORMITY WITH THE COMMUNITY VALUES OF THE PLAN:

COMMUNITY VALUES	<ul style="list-style-type: none"> <li>• RURAL ATMOSPHERE – SIGHTS, SOUNDS, SMELLS, AND OVERALL FEEL OF A RURAL COMMUNITY.</li> <li>• LOW TAXES, FISCAL RESPONSIBILITY, AND AVAILABILITY OF ADEQUATE COUNTY SERVICES; AND,</li> <li>• HUMAN SCALE DEVELOPMENT THAT SUPPORTS WALKABILITY.</li> </ul> <p><u>COMMENTS:</u> CURRENTLY ADEQUATE COUNTY SERVICES DO NOT EXIST TO SERVE THIS PROJECT. MOYOCK ELEMENTARY SCHOOL IS OVER ACTUAL AND COMMITTED CAPACITIES AND THE HIGH SCHOOLS ARE OVER COMMITTED CAPACITIES.</p>
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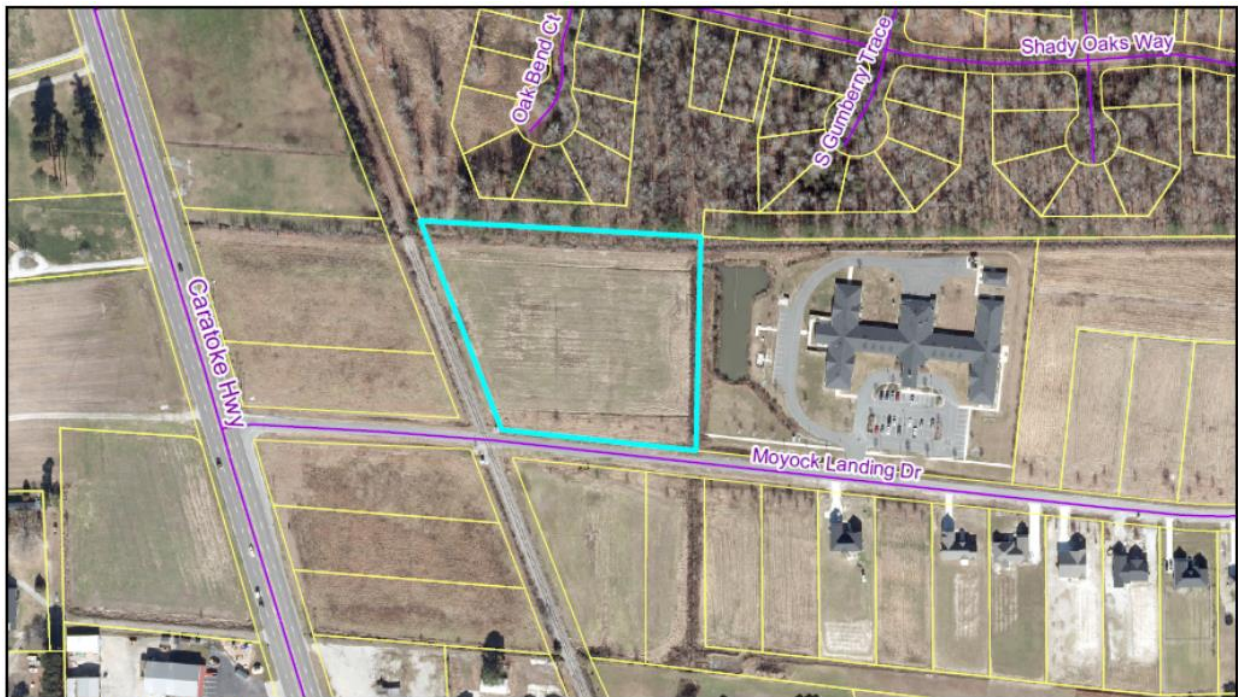
The use will exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

PRELIMINARY STAFF FINDINGS:

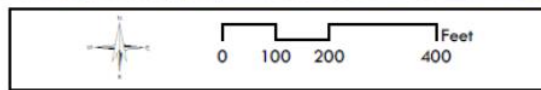
1. MOYOCK ELEMENTARY IS OVER ACTUAL AND COMMITTED CAPACITIES. (SEE ADEQUATE PUBLIC FACILITIES – SCHOOLS TABLE ABOVE.)
2. THE HIGH SCHOOLS ARE OVER COMMITTED CAPACITIES. (SEE ADEQUATE PUBLIC FACILITIES – SCHOOLS TABLE ABOVE.)



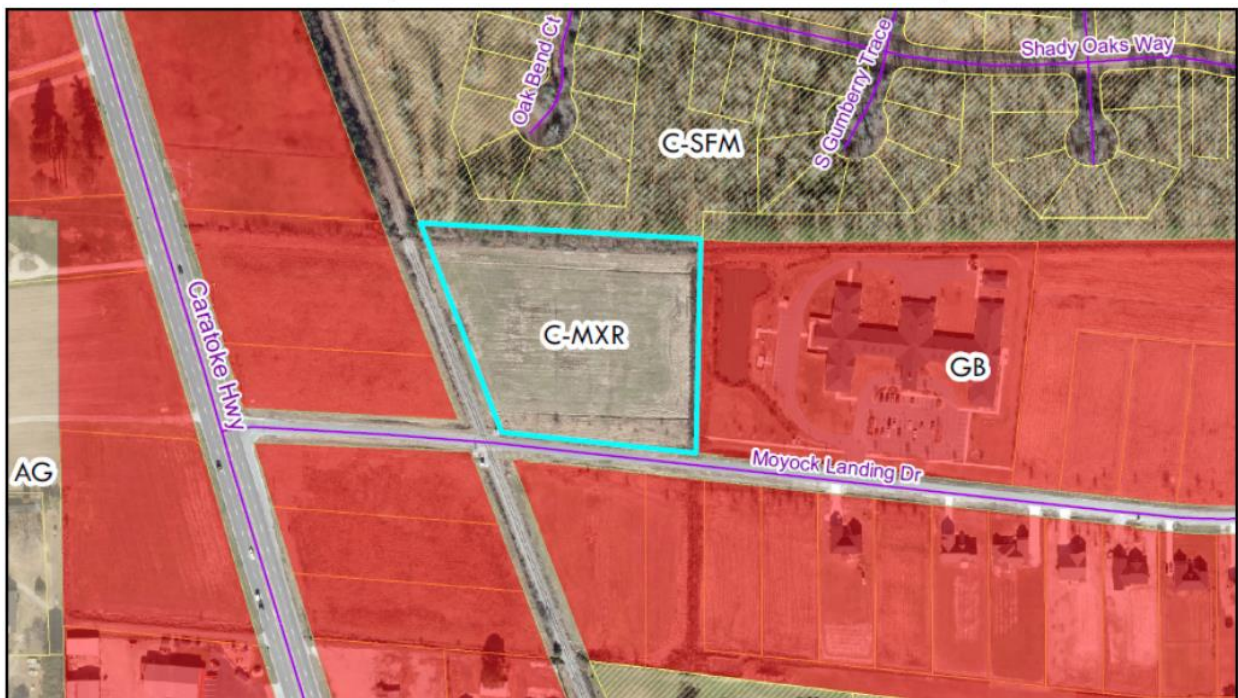




PB 20-24 Shingle Landing Villas  
Preliminary Plat/Use Permit  
2016 Aerial Photography



Currituck County  
Planning and  
Community Development

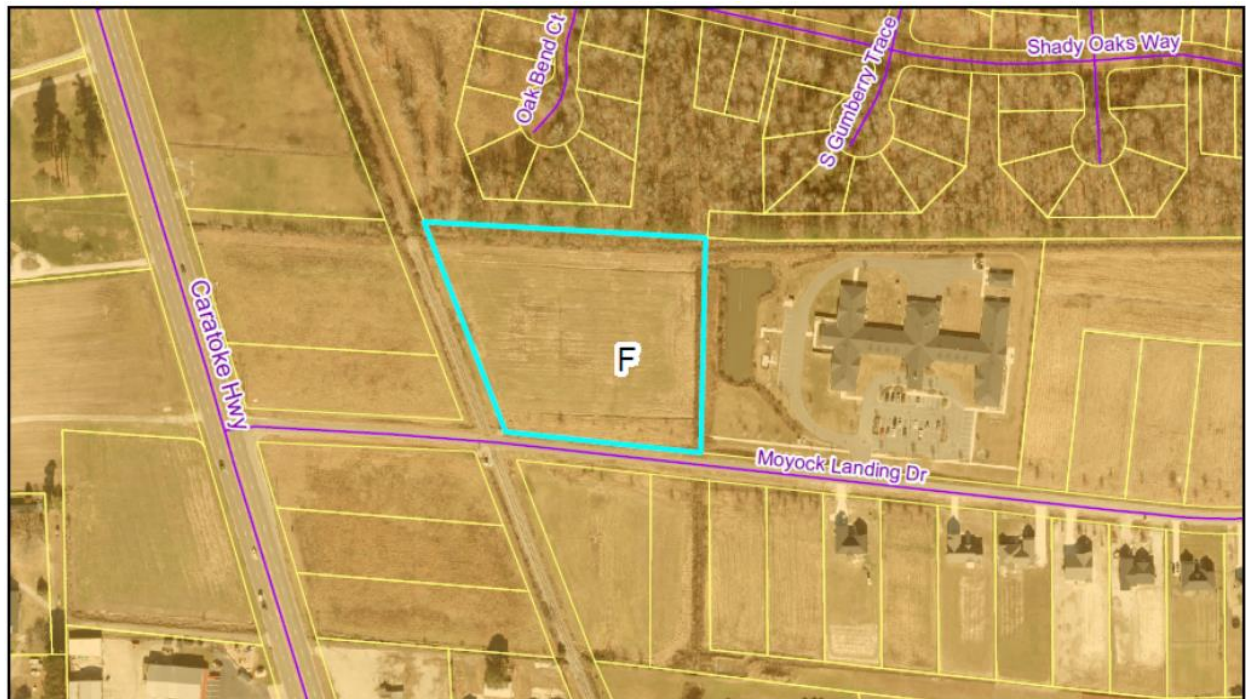


PB 20-24 Shingle Landing Villas  
Preliminary Plat/Use Permit  
Zoning



Currituck County  
Planning and  
Community Development

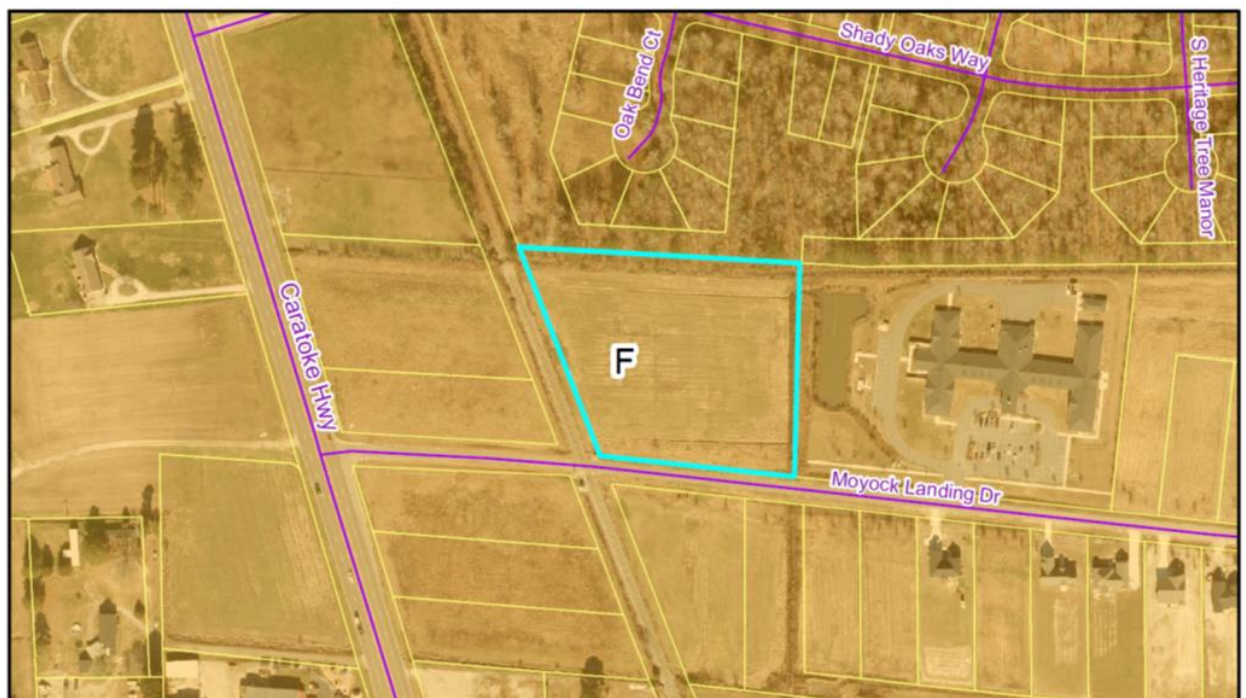




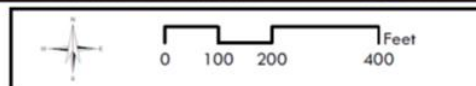
PB 20-24 Shingle Landing Villas  
Preliminary Plat/Use Permit  
Land Use Plan - FLUM



Currituck County  
Planning and  
Community Development



PB 20-24 Shingle Landing Villas  
Preliminary Plat/Use Permit  
Moyock SAP FLUM



Currituck County  
Planning and  
Community Development

Parties to testify were sworn in and Laurie LoCicero, Planning and Community Development Director, provided an overview of the Use Permit application for Commissioners. Using the

overhead, Ms. LoCicero displayed location maps and reviewed the site zoning and surrounding parcels. She reviewed the zoning history on the parcel which began with the original rezoning on February 6, 2017, and subsequent amendment on February 19, 2018. Requirements and use permit review standards, and adequate public facilities related to schools were reviewed. Ms. LoCicero said the Technical Review Committee (TRC) recommends denial of the Use Permit due to school capacities. Conditions for approval were presented, as the townhomes had previously been approved.

Ms. LoCicero responded to questions pertaining to the earlier approvals. She said school capacities were included with the original approval and Ms. LoCicero and County Manager, Ben Stikeleather, discussed student generation and the planned school expansion slated for completion by August, 2023. The Adequate Public Facilities ordinance was discussed, and Ms. LoCicero responded to questions related to the student generation and committed capacity for the subdivision.

Commissioners discussed the intent of the adequate public facilities ordinance.

No attorney was present to represent the applicant corporation for the quasi-judicial proceeding and County Attorney, Ike McRee, read a statement to notify the applicant and Commissioners that the North Carolina State Bar has determined that land use professionals may testify to factual matters and provide expert opinions for which they are qualified, but presentation of other evidence, including examination and cross-examination of witnesses, making legal arguments, and advocacy for results on behalf of others is the practice of law that may be performed only by licensed attorneys. The hearing proceeded and applicant, Sam Miller, addressed the Board. He summarized the project and reviewed the purpose and reasoning behind the request to establish lot lines for the townhomes. He said a Homeowner's Association would be responsible for maintenance of common areas.

Engineer, Mark Bissell, reviewed zoning conditions established with the original conditional rezoning approval. Use Permit criteria were presented. Mr. Bissell responded to questions posed by Commissioners regarding the original approval by the Board of Commissioners and what effects lot lines will have on management of the property. Mr. Miller returned to clarify differences in ownership responsibilities with established lot lines as opposed to a condo-type development.

Commissioners discussed concerns with maintenance and upkeep of properties, and Mr. Miller discussed the ability for homeowner's associations to hold individual owners accountable.

Chairman Payment asked the applicant about providing an expert to testify to findings of fact related to effects the project has on the value of adjoining property. Mr. McRee reiterated the importance of having an attorney and expert witnesses to represent the applicant. Following discussion, Commissioner White made a motion to continue the item to the April 5, 2021 Board of Commissioners meeting to allow time for the applicant to provide expert witnesses. Commissioner McCord seconded the motion. The motion carried, 7-0.

Chairman Payment recessed the meeting at 5:28 PM. The meeting reconvened at 5:38 PM.

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 4/5/2021 6:00 PM</b>
<b>MOVER:</b>	Bob White, Commissioner	
<b>SECONDER:</b>	Kevin E. McCord, Commissioner	
<b>AYES:</b>	Michael H. Payment, Chairman, Paul M. Beaumont, Vice-Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner	

**B. PB 18-23 Fost Tract Planned Development, Phases 1 through 5:****APPLICATION SUMMARY**

<b>Property Owner:</b> Moyock Development LLC 417-D Caratoke Hwy Moyock NC 27958	<b>Applicant:</b> Moyock Development LLC 417-D Caratoke Hwy Moyock NC 27958
<b>Case Number:</b> PB 18-23	<b>Application Type:</b> Amended Preliminary Plat/Use Permit
<b>Parcel Identification Number:</b> 0015-000-0086-0000	<b>Existing Use:</b> Planned Development under construction
<b>Land Use Plan Classification:</b> Full Service	<b>Parcel Size (Acres):</b> 137.18 (Phases 1-5) 228.28 (Total)
<b>Moyock Small Area Plan Classification:</b> Limited Service	<b>Zoning:</b> PD-R
<b>Number of Units:</b> 301	<b>Overall Project Density (units/acre):</b> 2.19
<b>Required Open Space (Acres):</b> 41.15	<b>Provided Open Space (Acres):</b> 44.95

**SURROUNDING PARCELS**

	<b>LAND USE</b>	<b>ZONING</b>
NORTH	SINGLE-FAMILY DWELLINGS, RETAIL	AG, GB, SFM
SOUTH	SINGLE-FAMILY DWELLINGS, CULTIVATED FARMLAND	AG, SFM
EAST	SINGLE-FAMILY DWELLINGS, CULTIVATED FARMLAND	GB, SFM
WEST	SINGLE-FAMILY DWELLINGS, CULTIVATED FARMLAND	AG

On January 21, 2020, the Board of Commissioners approved the Preliminary Plat/Use Permit for Phases 1-5 of Fost Planned Development (see attached). The developer is requesting an amended approval to:

- Addition of Leif Street connection to Flora property.
- Minor shift of side lot lots between lots 42-44.

The Board of Commissioners approved the below phasing plan as part of the project approval and a previous amendment approval. The phasing plan remains valid.

<b>Phase Numbers</b>	<b>Number of Dwelling</b>	<b>Projected Recording</b>
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	Units	Date
1	71	October 2020
2	65	April 2021
3	51	October 2021
4	77	April 2022
5	37	October 2022

Providing adequate public facilities for this development remains a concern since the elementary schools and high schools are near or over 100% committed capacity. (See Adequate Public Facilities – Schools Table below). However, it should be noted that the students generated from Fost, Phases 1-5, are vested since the Board of Commissioners approved the Preliminary Plat/Use Permit previously.

ADEQUATE PUBLIC FACILITIES – SCHOOLS <sup>1</sup>				
School	2019-2020 2020-2021 Actual Capacity <sup>2</sup>	2021-2022 Actual Capacity <sup>3</sup>	Committed Capacity <sup>3</sup>	Proposed Capacity Changes
				Number of Students
Moyock Elementary	109%	115%	126%	
Shawboro Elementary	94%	97%		
Central Elementary	80%	89%		
Griggs Elementary	56%	59%	101%	
Jarvisburg Elementary	82%	88%		
Knotts Island Elementary	35%	36%	36%	
Moyock Middle	95%	79%	93%	
Currituck Middle	61%			
Currituck High	84%	86%	106%	
JP Knapp Early College	93%			

<sup>1</sup>Does not include minor subdivisions, exempt subdivisions, and subdivisions approved prior to the adoption of the adequate public facilities ordinance (October 1994)

<sup>2</sup>Capacity percentages are based on 2019-2020 and 2020-2021 school year classroom standards and August 2020 ADM

<sup>3</sup>Capacity percentages are based on the 2021-2022 school year classroom standards and August 2020 ADM

The developer held a community meeting on September 23, 2020 at the Eagle Creek Pavilion. Three residents attending the meeting. All were from Ranchland and asked questions about how the sewer would work, entrance locations, drainage ditch improvements to help Ranchland, and berm location.

INFRASTRUCTURE	
Water	Public
Sewer	Private Centralized System (on-site at Eagle Creek)
Transportation	Pedestrian: A series of sidewalks and pedestrian trails; The developer must install an 8' multi-use path along the Caratoke Highway property line as required by the Connect Currituck Plan.

	Connectivity Score: Minimum = 1.6 Proposed = 1.67 <ul style="list-style-type: none"> <li>• One Connection to Caratoke Highway</li> <li>• One Connection to Moyock Farms</li> <li>• Four connections to Flora Farm</li> </ul>
<b>Stormwater/Drainage</b>	See attached map for required stormwater/drainage improvements (PB 18-23 Fost PD-R Rezoning Stormwater Conditions dated 7/2019 prepared by engineering staff)
<b>Design Standards</b>	Multi-family design standards apply to the townhomes.
<b>Lighting</b>	Street lights are proposed and must be full cut-off fixtures
<b>Landscaping</b>	Farmland buffers, WWTP/utility buffers, street trees, major arterial screening, and site landscaping are required
<b>Compatibility</b>	The BOC determined that this development was compatible with the Land Use Plan, Moyock Small Area Plan, and the surrounding neighborhoods at its May 6, 2019 meeting.
<b>Recreation and Park Area Dedication</b>	The applicant will be paying approximately \$27,021 as a fee-in-lieu of recreation and park area dedication for these phases.
<b>Riparian Buffers</b>	There are no wetlands in these phases.

## RECOMMENDATIONS

### TECHNICAL REVIEW COMMITTEE

TRC RECOMMENDS APPROVAL OF THIS REQUEST PROVIDED:

1. The application complies with all applicable review standards, so long as the following items are adequately addressed:
  - July 2019 required stormwater improvements remain unchanged (attached).
  - The amended preliminary plat/use permit is effective only upon receipt of written consent by the property owner(s) *and* applicant(s).
2. The applicant has demonstrated that 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 all items in Number 1 above.

## 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. ON JANUARY 21, 2020 THE BOARD OF COMMISSIONERS ADOPTED THE FOLLOWING FINDINGS OF FACT THAT REMAIN RELEVANT WITH THE AMENDED PLAN REQUEST.**

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

PRELIMINARY APPLICANT FINDINGS:

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



1. Transportation: The main subdivision entrance will be connected directly to NC 168 (Caratoke Highway). Deceleration and acceleration lanes will be provided in accordance with NCDOT Standards and will be approved by NCDOT prior to construction. Connectivity will be provided to the existing farmland to the southeast (Auction Site) and to the west.  
Roadways will be laid out generally as shown on the Master Plan and will be in accordance with the approved right-of-way and pavement width characteristics, using the NCDOT complete streets planning manual as a guide.  
Appropriate access has been made for emergency service vehicles in accordance with applicable standards including the N.C. Fire Code.
2. Potable Water: Water will be supplied by Currituck County via an existing 12" main located on Caratoke Highway, which will be tapped and looped through the site. Fire protection will be provided in accordance with UDO Standards and the applicable ISO standards. The water system will be modeled to demonstrate adequate flow and pressure for fighting fires while meeting the maximum day domestic demand.
3. Wastewater: *Centralized wastewater treatment and disposal facility will be provided in accordance with North Carolina Standards and approved by NCDEQ and/or NCDHHS. The development will connect to an off-site private wastewater treatment plant located in Eagle Creek and operated by Currituck Water and Sewer, LLC. The major utility will be regulated by the North Carolina Utilities Commission. A letter of intent to service this development from Currituck Water and Sewer, LLC. is attached. (This section has been updated by staff since the application references a previously approved wastewater collection system to be constructed by the developer).*
4. Stormwater Management: A major drainage way known as Rowland Creek Canal runs through the development property. Due to the importance of this drainage feature not only to the development but to other properties located both upstream and downstream of this property, the Developer has committed to cleaning and laying back the slopes and stabilizing the portion of Rowland Creek that runs from Eagle Creek Subdivision to the railroad next to NC 168. The Developer has also committed to improving the common property line ditch along Ranchland and the Auction property, and to excavate a new ditch that would be available to Ranchland along the common property line from the Auction site to south of the power easement. The Developer will also improve the sections of Rowland Creek downstream of the Fost property that require maintenance.  
On-site stormwater will be managed by constructing a series of stormwater management ponds that will be interconnected and will retain and slow-release stormwater to existing outlets. In addition to modeling and retaining stormwater to the UDO and Stormwater Manual standard of the difference between runoff from the 10-year developed condition and runoff from a 2- year wooded condition site, stormwater will be modeled for the 100-year storm without adversely impacting neighboring properties. Implementation of this plan should improve drainage for neighboring properties compared to existing conditions.  
Stormwater will be conveyed to on-site retention ponds through a combination of curbs with inlets, stormwater pipes, and open vegetated swales.

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.

PRELIMINARY APPLICANT FINDINGS:

Land use to the west is agricultural, with one dwelling unit located approximately 435 feet from the nearest property line and approximately 565 feet from the nearest

structure. Land use to the north, across the railroad and Caratoke Highway is commercial, land to the east is farmland and residential lots, and land to the south is residential lots. Perimeter compatibility is being addressed as follows:

1. To the west: A 50 foot farm buffer is being provided, followed by a 60 foot roadway corridor, so the nearest dwelling unit will be at least 565 feet from the existing residence on that farm. A vegetative buffer is also being provided along that property line.
2. To the north (Caratoke Highway): A berm is being provided along the highway along with lakes flanking the main entrance road. The nearest dwelling unit will be set back at least 175 feet from the highway right-of-way at the closest point. The visual impact of the development will be minimized by setbacks, berms and landscaping.
3. To the east: A 50 foot vegetative farm buffer is being provided along the existing farmland; traditional single family dwelling lots are being proposed in the areas that back up to existing dwelling units in the adjacent Ranchland subdivision. Even though the dwelling types are believed to be compatible, a minimum 50 foot buffer is being provided between the developments.
4. To the south: Compatible residential development is being proposed and a minimum 90 foot open space buffer is shown to the property line.
5. Limited commercial development is proposed to be located interior to the development and will front along the landscaped entrance boulevard.
6. Lot size ratios and density ratios are comparable to other developments that have been approved in the immediate area and in other parts of Moyock.

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

The site is adjacent to non-agricultural activities including the Ranchland neighborhood to the south and southeast, and commercial and residential uses to the east. The site is also in close proximity to the Eagle Creek neighborhood. The proposed use is compatible with these adjacent uses and furthers the County's goal of concentrating new residential development in the vicinity of existing residential development. Nearby communities include existing planned communities of 588 lots to the west, a 275 lot subdivision to the east and 426 lots under development to the north of Caratoke Highway, all in the vicinity of the Fost tract. The development is appropriate for the location as it continues existing development patterns in this part of Moyock. Lot area ratios and density ratios are consistent with other developments that have been approved recently nearby and in other parts of Moyock.

[The use will be in conformity with the Land Use Plan or other officially adopted plans.](#)

PRELIMINARY STAFF FINDINGS:

1. AT ITS MAY 6, 2019 MEETING, THE BOC DETERMINED THAT THIS DEVELOPMENT WAS COMPATIBLE WITH THE LAND USE PLAN, MOYOCK SMALL AREA PLAN, AND THE SURROUNDING NEIGHBORHOODS BECAUSE:



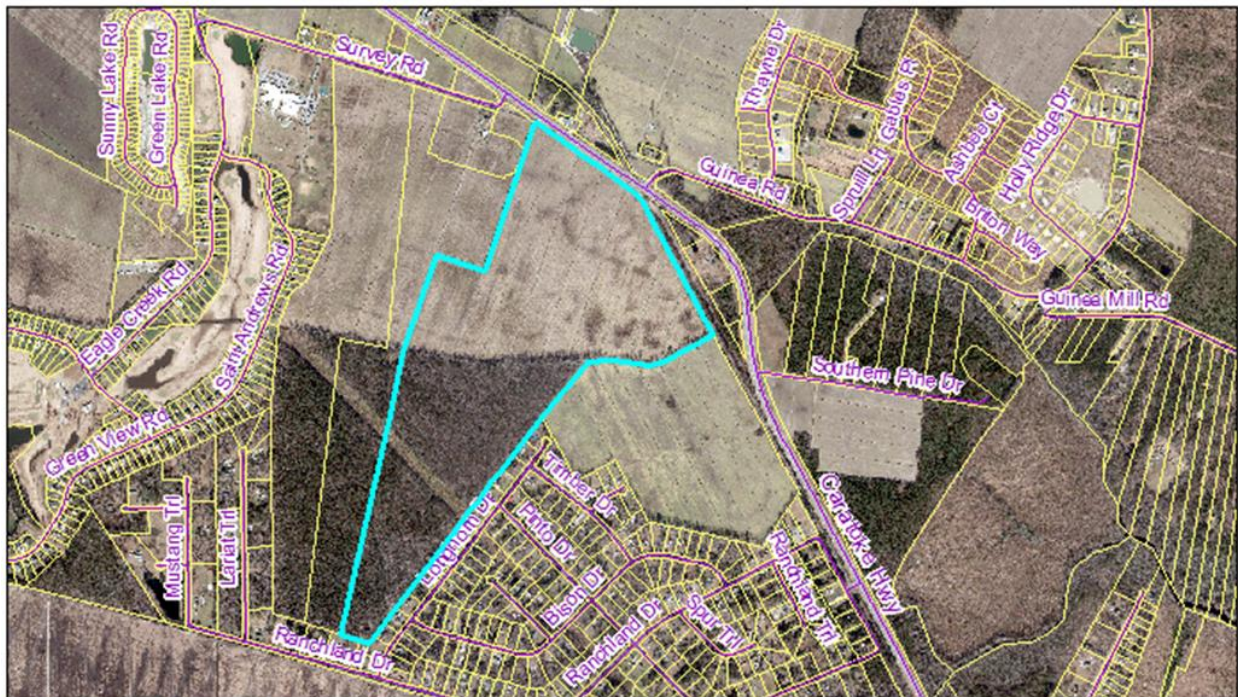
- a. THE PROPOSED CONDITIONS FOR THE PROPERTY WILL IMPROVE DRAINAGE PROBLEMS ON THE PROPERTY AND WITH NEARBY RANCHLAND SUBDIVISIONS IF IMPROVEMENTS CAN BE MADE TO DRAINAGE SYSTEM ON OFF-SITE PROPERTIES, AND;
- b. THE PDR IS COMPATIBLE WITH EXISTING MOYOCK TOWNSHIP SUBDIVISIONS.

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.

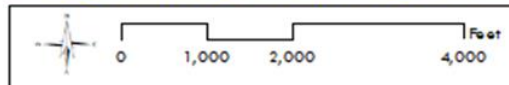
PRELIMINARY STAFF FINDINGS:

1. On December 11, 2019 the Board of Education revised its statement about the school district and determined that this development is entirely within the Shawboro school district. The Superintendent also advised that Shawboro Elementary School has capacity for the 119 elementary students this development is projected to generate, with Phases 1-5 expected to generate 75 of those students, based on the July 9, 2004 Tischler Study Student Generation Rates.
2. The county can provide adequate facilities, including but not limited to fire, emergency services, and law enforcement to serve the development.
3. The following phasing schedule shall be adhered to:

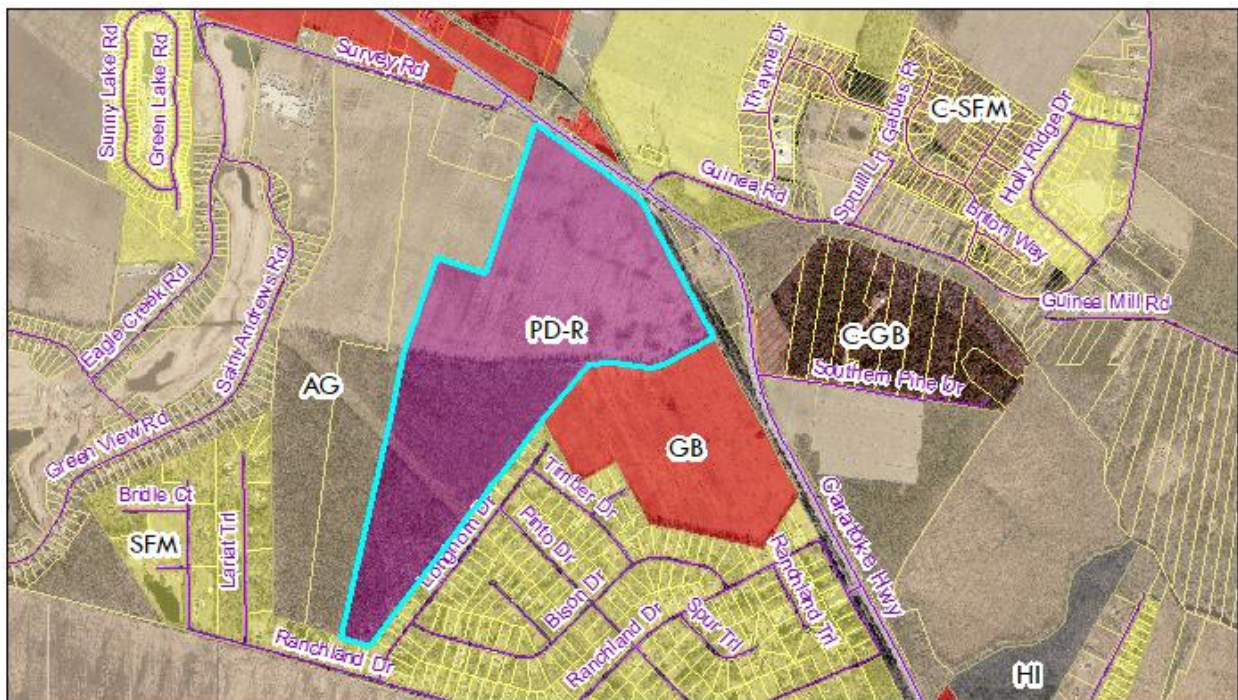
Phase Numbers	Number of Dwelling Units	Projected Recording Date
1	71	October 2020
2	65	April 2021
3	51	October 2021
4	77	April 2022
5	37	October 2022



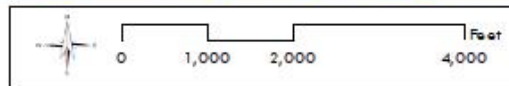
PB 18-23 Fost, Phases 1-5  
Preliminary Plat/Use Permit  
2016 Aerial Photography



Currituck County  
Planning and  
Community Development

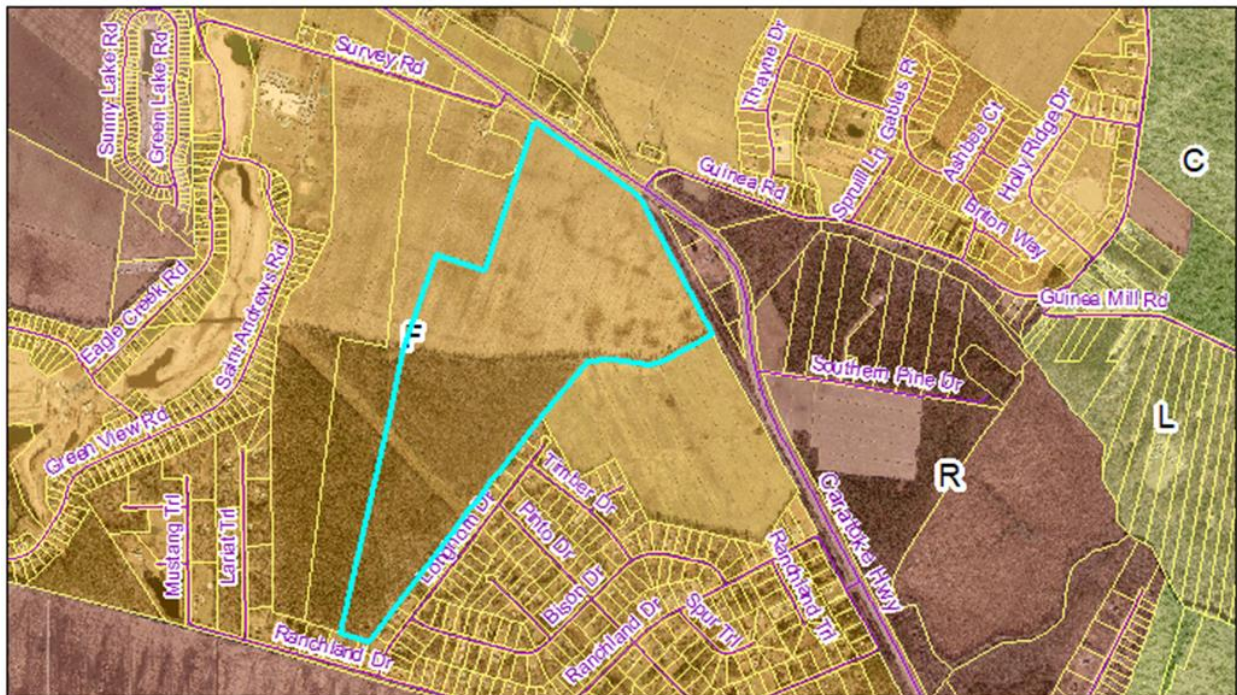


PB 18-23 Fost, Phases 1-5  
Preliminary Plat/Use Permit  
Zoning

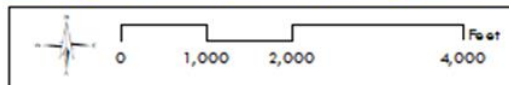


Currituck County  
Planning and  
Community Development

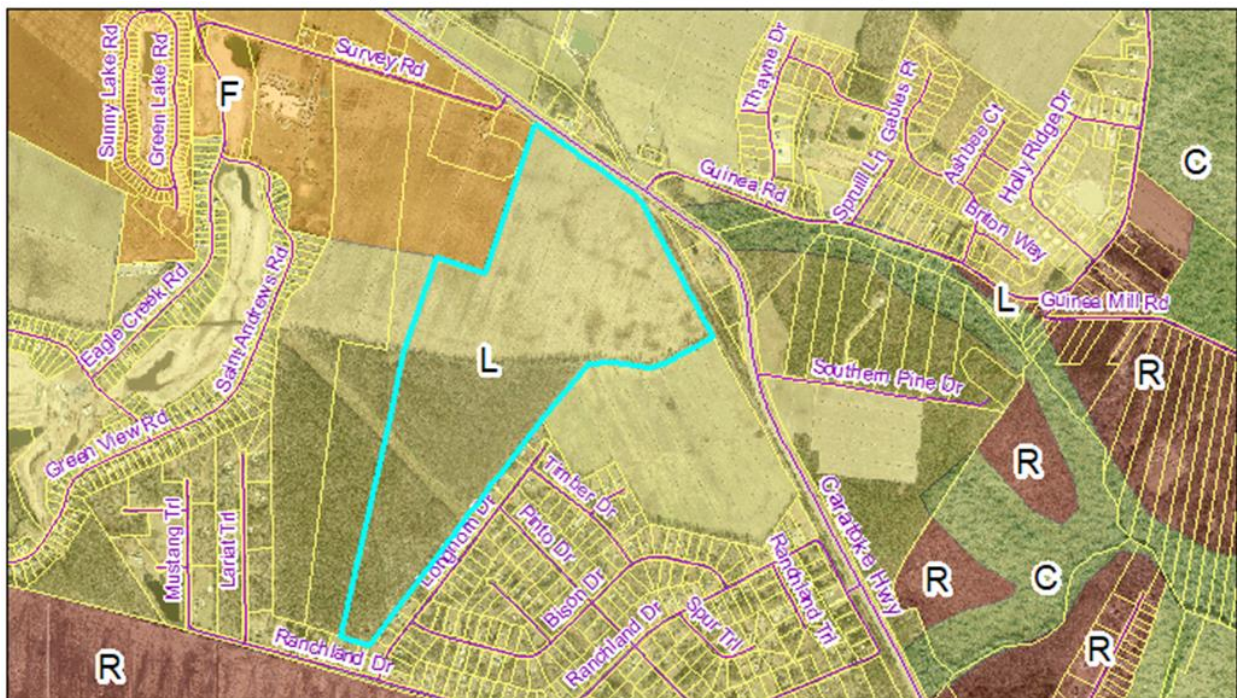




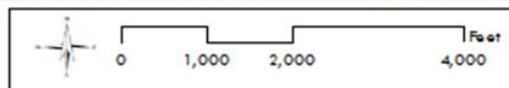
PB 18-23 Fost, Phases 1-5  
Preliminary Plat/Use Permit  
LUP Classification



Currituck County  
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Community Development



PB 18-23 Fost, Phases 1-5  
Preliminary Plat/Use Permit  
Moyock SAP Classification

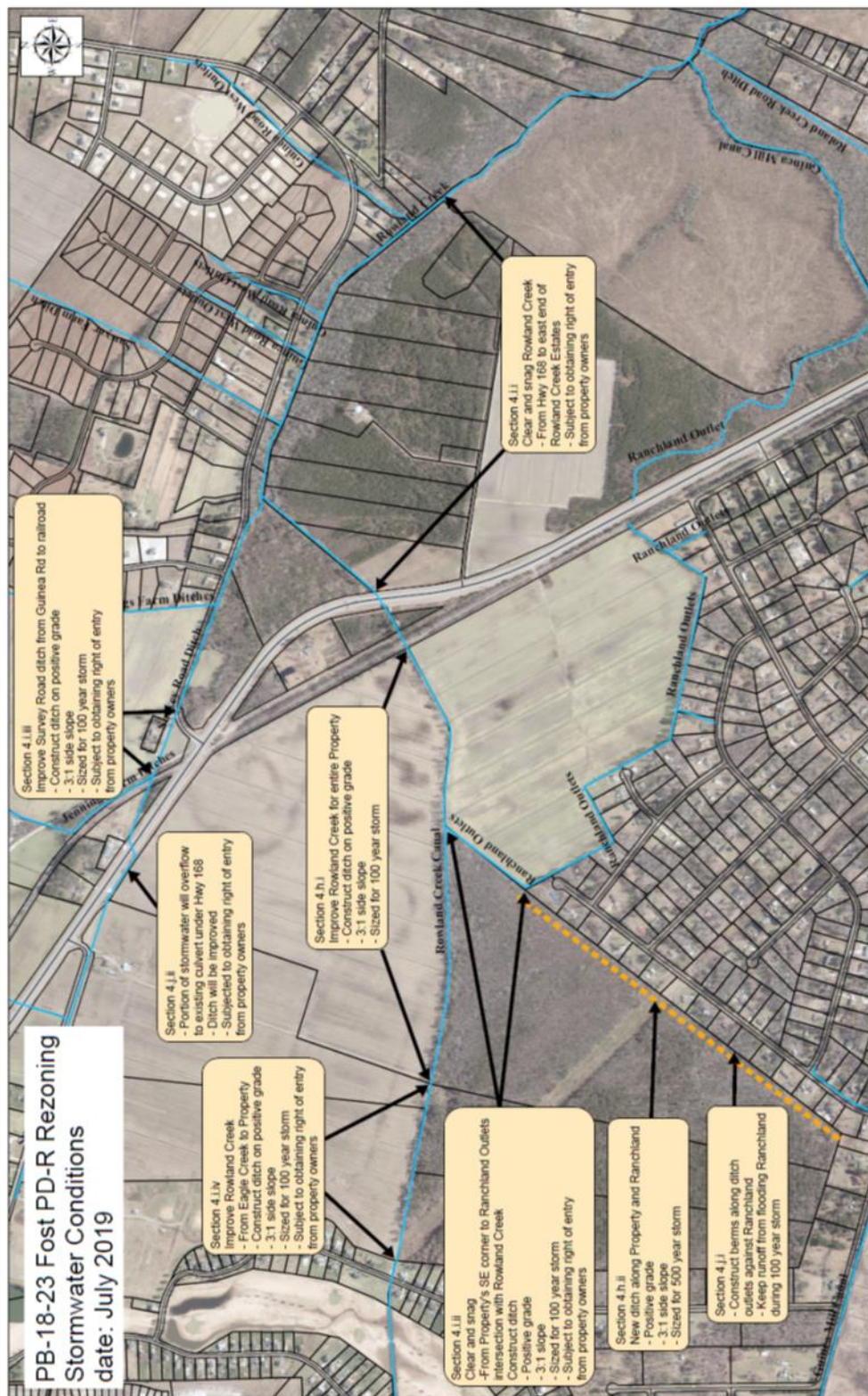


Currituck County  
Planning and  
Community Development

## Approved Development Standards and Setbacks

SCHEDULE A			
DEVELOPMENT STANDARDS & SETBACKS			
STYLE:	TND T.H.	TND SFLOT	CONV. SFLOT
Min Lot Size:	1,800 SF	6,900 SF	9,500 SF
Typ. Lot Size:	1,800 – 3,000 SF	7,000 – 9,000 SF	10,000 – 15,000 SF
Min. Lot Width:	20'	35'	35'
Typ. Lot Width:	20' – 25'	50' – 60'	62'
Front Setback:	15'	20'	20'
Side Setback:	0	10'	10'
Rear Setback:	20'	20'	25'
Corner Side Setback:	15'	15'	15'
Maximum Setback:	25'	75'	140'
Maximum Height:	35'	35'	35'
Maximum Bldg. Size:	16,000 SF	N/A	N/A
Maximum Lot Coverage:	100%	60%	45%





Parties to testify were sworn in for the quasi-judicial proceeding and Laurie LoCicero,

Planning and Community Development Director, reviewed the application with the Board. The request follows an earlier zoning amendment to allow connectivity to the neighboring tract and some minor lot-line shifts. Land Use Plan and Moyock Small Area Plan policies were presented to support approval of the request, as recommended by the Technical Review Committee (TRC). TRC conditions and revisions were reviewed.

County Attorney, Ike McRee, provided a statement to acknowledge that an attorney was not in attendance to represent the applicant for the proceeding.

Mark Bissell, Engineer, addressed the Board of Commissioners. Using the overhead, a plat of the subdivision was displayed during a review of the request. Findings of fact were still in place and not affected by the requested revisions. Supporting policies in the Land Use Plan and Moyock Small Area Plan were presented.

Mr. McRee presented information regarding prior sworn testimony and the ability for the Board to consider previous testimony during a quasi-judicial proceeding on the same matter.

When asked, Mr. Bissell described the status of repairs to the Eagle Creek Wastewater Treatment system.

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

Commissioner J. Owen Etheridge moved to approve PB 18-23: Fost, Phases 1-5, Amended Preliminary Plat/Use Permit #2, with staff recommendations because the applicant has demonstrated the proposed use meets the use permit review standards of the Unified Development Ordinance (UDO).

The use will not endanger the public health or safety.

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

1. Transportation: The main subdivision entrance will be connected directly to NC 168. Deceleration and acceleration lanes will be provided in accordance with NCDOT Standards and will be approved by NCDOT prior to construction. Connectivity will be provided to the existing farmland to the southeast (Auction Site) and to the west.  
Roadways will be laid out generally as shown on the Master Plan and will be in accordance with the approved right-of-way and pavement width characteristics, using the NCDOT complete streets planning manual as a guide.  
Appropriate access has been made for emergency service vehicles in accordance with applicable standards including the N.C. Fire Code.
2. Potable Water: Water will be supplied by Currituck County via an existing 12" main located on Caratoke Highway, which will be tapped and looped through the site. Fire protection will be provided in accordance with UDO Standards and the applicable ISO standards. The water system will be modeled to demonstrate adequate flow and pressure for fighting fires while meeting the maximum day domestic demand.

3. Wastewater: Centralized wastewater treatment and disposal facility will be provided in accordance with North Carolina Standards and approved by NCDEQ and/or NCDHHS. A private utility, Currituck Water and Sewer Inc., will provide wastewater disposal services via the WWTP in Eagle Creek.
4. Stormwater Management: A major drainage way known as Rowland Creek Canal runs through the development property. Due to the importance of this drainage feature not only to the development but to other properties located both upstream and downstream of this property, the Developer has committed to cleaning and laying back the slopes and stabilizing the portion of Rowland Creek that runs from Eagle Creek Subdivision to the railroad next to NC 168. The Developer has also committed to improving the common property line ditch along Ranchland and the Auction property, and to excavate a new ditch that would be available to Ranchland along the common property line from the Auction site (Pin 002300000070000) to south of the power easement. Subject to obtaining right of entry to other properties, the Developer will also improve the sections of Rowland Creek downstream of the Fost property that require maintenance.

On-site stormwater will be managed by constructing a series of stormwater management ponds that will be interconnected and will retain and slow-release stormwater to existing outlets. In addition to modeling and retaining stormwater to the UDO and Stormwater Manual standard of the difference between runoff from the 10-year developed condition and runoff from a 2- year wooded condition site, stormwater will be modeled for the 100-year storm without adversely impacting neighboring properties. Implementation of this plan should improve drainage for neighboring properties compared to existing conditions.

Stormwater will be conveyed to on-site retention ponds through a combination of curbs with inlets, stormwater pipes, and open vegetated swales.

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.

Land use to the west is agricultural, with one dwelling unit located approximately 435 feet from the nearest property line and approximately 565 feet from the nearest structure. Land use to the north, across the railroad and Caratoke Highway is commercial, land to the east is farmland and residential lots, and land to the south is residential lots. Perimeter compatibility is being addressed as follows:

1. To the west: A 50 foot farm buffer is being provided, followed by a 60 foot roadway corridor, so the nearest dwelling unit will be at least 565 feet from the existing residence on that farm. A vegetative buffer is also being provided along that property line.
2. To the north (Caratoke Highway): A berm is being provided along the highway along with lakes flanking the main entrance road. The nearest dwelling unit will be set back at least 200 feet from the highway right-of-way at the closest point. The visual impact of the development will be minimized by setbacks, berms and landscaping.
3. To the east: A 50 foot vegetative farm buffer is being provided along the existing farmland; traditional single family dwelling lots are being proposed in the areas that back up to existing dwelling units in the adjacent Ranchland

subdivision. Even though the dwelling types are believed to be compatible, a minimum 50-foot buffer is being provided between the developments.

4. To the south: Compatible residential development is being proposed and a minimum 90-foot open space buffer is shown to the property line.
5. Limited commercial development is proposed to be located interior to the development and will front along the landscaped entrance boulevard.
6. Lot size ratios and density ratios are comparable to other developments that have been approved in the immediate area and in other parts of Moyock.

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

The site is adjacent to non-agricultural activities including the Ranchland neighborhood to the south and southeast, and commercial and residential uses to the east. The site is also in close proximity to the Eagle Creek neighborhood. The proposed use is compatible with these adjacent uses and furthers the County's goal of concentrating new residential development in the vicinity of existing residential development. Nearby communities include existing planned communities of 588 lots to the west, a 275-lot subdivision to the east and 426 lots under development to the north of Caratoke Highway, all in the vicinity of the Fost tract. The development is appropriate for the location as it continues existing development patterns in this part of Moyock. Lot area ratios and density ratios are consistent with other developments that have been approved recently nearby and in other parts of Moyock.

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

At its May 6, 2019 meeting, the Board of Commissioners determined that this development was compatible with the Land Use Plan, Moyock Small Area Plan, and the surrounding neighborhoods because:

1. The proposed conditions for the property will improve drainage problems on the property and with nearby Ranchland subdivisions if improvements can be made to drainage system on off-site properties, and;
2. The PDR is compatible with existing Moyock Township subdivisions.

The use will not exceed the county's ability to provide adequate public facilities.

1. On December 11, 2019 the Board of Education revised its statement about the school district and determined that this development is entirely within the Shawboro school district. The Superintendent also advised that Shawboro Elementary School has capacity for the 119 elementary students this development is projected to generate, with Phases 1-5 expected to generate 75 of those students, based on the July 9, 2004 Tischler Study Student Generation Rates.
2. The county can provide adequate facilities, including but not limited to fire, emergency services, and law enforcement to serve the development.

Commissioner J. Owen Etheridge noted the motion shall reference the County Attorney's statement made during the quasi-judicial proceeding pertaining to the judicial



notice that the Board may rely on prior sworn testimony, orders and findings on the same matter.

Chairman Payment seconded the motion. The motion carried on a 6-1 member vote, with Commissioner Mary Etheridge opposed.

<b>RESULT:</b>	<b>MOTION PASSED-ITEM APPROVED [6 TO 1]</b>
<b>AYES:</b>	Michael H. Payment, Chairman, Paul M. Beaumont, Vice-Chairman, J. Owen Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
<b>NAYS:</b>	Mary "Kitty" Etheridge, Commissioner

## NEW BUSINESS

### A) Board Appointments

#### 1. Fire and EMS Advisory Knotts Island Representative

Commissioner Beaumont nominated Ed Yamiolkowski to serve as Knotts Island representative on the Fire and Emergency Medical Services Advisory Board. Commissioner White seconded the motion and the nominee was unanimously approved.

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

### B) Consent Agenda

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

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

#### 1. Budget Amendments

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
18609-545000	Contract Services	\$ 2,229	
18390-499900	Appropriated Fund Balance		\$ 2,229
		\$ 2,229	\$ 2,229
<b>Explanation:</b> Hog Bridge Ditch Watershed Service District (18609) - Increase appropriation to clear beaver dams along Hog Bridge Ditch Watershed.			
<b>Net Budget Effect:</b> Hog Bridge Ditch Watershed Service District (18) - Increased by \$2,229.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10800-585009	COA - Capital Funds	\$ 40,914	
10390-499900	Appropriated Fund Balance		\$ 40,914
		\$ 40,914	\$ 40,914
<b>Explanation:</b> College of the Albemarle (10800) - To appropriated fund balance for the College of the Albemarle capital funds for partial payment of cabling for the COA side of the Public Safety Facility.			
<b>Net Budget Effect:</b> Operating Fund (10) - Increased by \$40,914.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10541-545000	Contracted Services	\$ 12,000	
10541-590000	Capital Outlay		\$ 12,000
		\$ 12,000	\$ 12,000
<b>Explanation:</b> Fire Services (10541) - Transfer budgeted funds for in-house technical training. All other training has been cancelled this fiscal year due to COVID.			
<b>Net Budget Effect:</b> Operating Fund (10) - No change.			

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
220548-516015	Repairs & Maint-KI	\$ 3,500	
220548-536115	Personal Protect Equip-KI		\$ 3,500
		\$ 3,500	\$ 3,500
<b>Explanation:</b> Knotts Island Fire Services (220548) - Transfer budgeted funds for unforeseen repairs to Knotts Island fire apparatus.			
<b>Net Budget Effect:</b> Knotts Island Fire Service District (220) - No change.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
50447-590012	Coral Street Walkover 2021	\$ 14,250	
50447-590013	Dolphin Street Walkover 2021	14,250	
50447-590014	Mackeral Street Walkover 2021	14,250	
50390-495015	T F - Occupancy Tax		\$ 42,750
		\$ 42,750	\$ 42,750
<b>Explanation:</b> County Governmental Construction Fund (50) - Increase appropriations for design of Coral, Dolphin and Mackeral Street Walkover replacements.			
<b>Net Budget Effect:</b> County Governmental Construction Fund (50) - Increased by \$42,750.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
50550-592023	Terminal Fencing 36237.8.16.1	\$ 166,537	
50330-448000	State Aide to Airports		\$ 149,871
50390-495010	T F - Operating Fund		16,666
		\$ 166,537	\$ 166,537
<b>Explanation:</b> County Governmental Construction - Airport Projects (50550) - Increase appropriations to record Airport Terminal Fencing project funded by 2018 Airfield Improvements Grant 36237.NPE.18 and 10% local match funded from General fund revenues that are available in the construction fund from prior closed projects.			
<b>Net Budget Effect:</b> County Governmental Construction Fund (50) - Increased by \$166,537.			

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
220548-516015	Repairs & Maint	\$ 2,000	
220548-516115	Buildings & Grounds	1,000	
220548-514515	Training & Education		\$ 2,000
220548-514000	Travel		1,000
		<u>\$ 3,000</u>	<u>\$ 3,000</u>
<b>Explanation:</b>	Knotts Island Fire Services (220548) - Transfer budgeted funds for maintenance on the Knotts Island Fire Station.		
<b>Net Budget Effect:</b>	Knotts Island Fire Service District (220) - No change.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
12541-554003	Insurance-Moyock	\$ 1,500	
12543-544003	Volunteer Assistance-Moyock		\$ 1,500
		<u>\$ 1,500</u>	<u>\$ 1,500</u>
<b>Explanation:</b>	Moyock Volunteer Fire Services (12543); Volunteer Central Fire Services (12541) - Transfer budgeted funds due to increased insurance premiums.		
<b>Net Budget Effect:</b>	Fire Services Fund (12) - No change.		
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10510-503000	Salaries - Part time		\$ 9,000
10510-503500	Salaries - Temporary Services	\$ 9,000	
10510-516200	Vehicle Maintenance & Repair	10,000	
10510-545000	Contract Services	8,000	
10510-506000	Health Insurance Expense		18,000
		<u>\$ 27,000</u>	<u>\$ 27,000</u>
<b>Explanation:</b>	Sheriff (10510) - Transfer budgeted funds for additional temp services, a reduction of part-time salaries and increases in vehicle maintenance for the remainder of this fiscal year.		
<b>Net Budget Effect:</b>	Operating Fund (10) - No change.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
10420-532000	Supplies	\$ 1,000	
10420-514000	Travel		\$ 1,000
		\$ 1,000	\$ 1,000
<b>Explanation:</b> Governing Body (10420) - Transfer budgeted funds for operating supplies.			
<b>Net Budget Effect:</b> Operating Fund (10) - No change.			

## 2. Project Ordinance-Beach Walkovers, Design

### COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**SECTION 1.** The project authorized is design of Public Access walkovers in Corolla, NC.

**SECTION 2.** The following amounts are appropriated for the project:

Coral Street - Public Access Walkover	\$ 14,250
Dolphin Street - Public Access Walkover	\$ 14,250
Mackeral Street - Public Access Walkover	\$ 14,250
	<u>\$ 42,750</u>

**SECTION 3.** The following funds are available to complete this project:

Occupancy Tax	\$ 42,750
	<u>\$ 42,750</u>

**SECTION 4.** The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

### SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

#### **SECTION 6. CONTRACTUAL OBLIGATIONS**

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

#### **SECTION 7. USE OF BUDGET ORDINANCE**

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

ADOPTED this 15<sup>th</sup> day of March 2021.

### **3. Sole Source Purchase Resolution-OmniBeacon Remote Monitoring Equipment, Mainland Sewer**

## **COUNTY OF CURRITUCK**

### **RESOLUTION AUTHORIZING THE PURCHASE OF OMNISITE REMOTE MONITORING SOLUTIONS FROM PETE DUTY & ASSOCIATES, INC. THROUGH SOLE SOURCE PURCHASE PURSUANT TO N.C. GEN. STAT. §143-129(e)(6)**

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and

WHEREAS, proper functioning of the County's mainland sewer system lift stations requires replacement of OmniBeacon visual alarm monitors and cellular transmitters compatible with existing systems equipment; and

WHEREAS, as the sole and exclusive distributor of OmniSite equipment in the State of North Carolina, Pete Duty & Associates, Inc. is the only entity capable of providing the county with OmniBeacons compatible with current mainland sewer equipment and operational systems, and

WHEREAS, the County's mainland sewer system has been using Pete Duty & Associates, Inc. to construct, develop and upgrade its system; and

WHEREAS, the mainland sewer system needs twelve replacement and two new OmniBeacons and Pete Duty & Associates is supplier of compatible monitors and cellular transmitters; and

WHEREAS, Pete Duty & Associates, Inc. is supplying the County's mainland sewer system with twelve replacement OmniBeacons at a cost of \$515/beacon and two new OmniBeacons at a cost of \$925/beacon; and

WHEREAS, the total cost for the purchase is \$8,030.00.

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$8,030.00 with Pete Duty & Associates, Inc. for the sole source purchase of OmniSite OmniBeacons in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the County Manager is authorized to execute the agreement with Pete Duty & Associates, Inc. for the acquisition apparatus, materials, and equipment acquisition described in this resolution and the proposed contract.

Section 2. This resolution shall be effective upon its adoption.

This the 15th day of March 2021.

#### **4. Report of Unpaid Real Estate Taxes & Order to Advertise Tax Liens**

##### **Order to Tax Collector to Advertise Tax Liens**

WHEREAS, N.C.G.S. 105-369 requires the County Tax Collector report to the Board of County Commissioner, the total amount of unpaid taxes for the current fiscal year that are a lien on real property; and

WHEREAS, N.C.G.S. 105-369 also requires that upon receipt of the report, the Board of Commissioners must order the Tax Collector to advertise the tax liens by posting a notice of the liens at the county courthouse and by publishing each lien at least one time in one or more newspapers having general circulation in the taxing unit; and

WHEREAS, the time and content the tax lien advertisement are dictated by N.C.G.S 105-369(c); and

WHEREAS, the report of unpaid taxes for unpaid taxes for the current fiscal year that are a lien on real property has been received;

**NOW, THEREFORE BE IT RESOLVED** by the Currituck County Board of County Commissioners that the Currituck County Tax Collector is hereby ordered to advertise the tax liens for unpaid taxes for the current fiscal year that are a lien on real property, in accordance with N.C.G.S. 105-369(c).

- 5. Job Descriptions and Classification Chart-Assistant to the County Manager, Development Services Director, Planning Director**
- 6. Dominion ROW Agreement-Public Safety Center**
- 7. T-Mobile Cell Tower Upgrades**
- 8. Consideration of Standardized Specs for Fire Apparatus-Engine and Tanker**
- 9) Approval Of Minutes-March 1, 2021**
  - 1. Minutes for March 1, 2021**

## **WORK SESSION**

6:08 PM recess regular meeting to enter work session.

Recess 6:10 PM

### **Family Subdivisions and Septic in Utility Easements**

The Board of Commissioners entered into a Work Session to discuss Utility Easements and Family Subdivisions.

Ben Stikeleather, County Manager, reported a text amendment currently in process has raised concerns for Planning and Community Development staff. The text amendment consists of two parts, one requiring developers to provide the County with access easements to ditching for new subdivisions, and the second prohibits utility infrastructure, such as septic systems, within the easement area. Planning and Community Development Director, Laurie LoCicero, confirmed there have been instances of septic systems being located within the proposed easements, potentially inhibiting the county's ability to perform necessary work. This is more likely to happen in small lot subdivisions. Commissioners discussed options for developing on smaller lots and the text amendment language was reviewed, with major drainageways requiring a 25' setback and smaller drainageways requiring a 10' setback. Current language requires a 50' setback for major



drainageways, and a power point was used to display a map and list of major drainageways as established by Soil and Water Conservation. Subdivision plats were displayed to demonstrate effects of easements on new subdivisions.

Following discussion, Commissioners requested an additional work session to allow County Engineer, Eric Weatherly, to provide an opinion on what setbacks would be appropriate to access ditching. Commissioners asked that maps be utilized for demonstration purposes.

Family Subdivisions, a topic originally addressed at the Commissioners Annual Board Retreat, were discussed. To continue development restrictions while providing an alternative for development of family subdivisions, Commissioner Beaumont suggested establishing a minimum lot size and minimum tract size. Commissioners and staff recognized abuse of the Family Subdivision development, and Ms. LoCicero pointed out road requirements and other changes to the Unified Development Ordinance (UDO) that over time had affected family subdivision development.

Mr. Stikeleather displayed a property on the overhead to demonstrate what development would look like as suggested by Commissioner Beaumont using a 3 acre minimum lot size on an 11 acre parent parcel. Following discussion, Ms. LoCicero recommended the Board consider adding the new language as an option if current requirements cannot be met. Commissioners agreed to leaving the existing language and to add an alternative option to require a minimum 12 acre parent parcel, a 3-acre minimum lot size, and a 10-year sunset on prior subdividing. North Carolina Department of Transportation (NCDOT) road standards would not be required. A maximum of five units, as in current rule, would remain as would family requirements. Staff was directed to bring draft language back to the Board for future consideration.

There was no further discussion and the work session concluded at 7:14 PM.

## **ADJOURN**

### **Motion to Adjourn Meeting**

There was no further business and Commissioner Beaumont moved for adjournment. Commissioner White seconded the motion. The motion carried, 7-0, and the Board of Commissioners regular meeting adjourned at 7:15 PM.

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



**STAFF REPORT**  
**PB 20-24 SHINGLE LANDING VILLAS**  
**PRELIMINARY PLAT/USE PERMIT**  
**BOARD OF COMMISSIONERS**  
**MARCH 15, 2021**

### APPLICATION SUMMARY

<b>Property Owner:</b> Shingle Landing Villas LLC 111 Currituck Commercial Drive Suite B Moyock NC 27958	<b>Applicant:</b> Shingle Landing Villas LLC c/o Sam Miller 111 Currituck Commercial Drive Suite B Moyock NC 27958
<b>Case Number:</b> PB 20-24	<b>Application Type:</b> Preliminary Plat/Use Permit
<b>Parcel Identification Number:</b> 0009-000-029T-0000	<b>Existing Use:</b> Vacant
<b>Land Use Plan Classification:</b> Full Service	<b>Parcel Size (Acres):</b> 4.01
<b>Moyock Small Area Plan Classification:</b> Full Service	<b>Zoning:</b> RA20 (1975); A (1989); GB (2005); C-MXR (2017)
<b>Number of Units:</b> 16 + 1 ADU	<b>Project Density:</b> 4 units/acre
<b>Required Open Space:</b> 1.2 ac (30%)	<b>Provided Open Space:</b> 2.91 ac

### SURROUNDING PARCELS

	Land Use	Zoning
North	Single-Family Dwellings (Hidden Oaks Subdivision)	C-SFM
South	Single-Family Dwellings (Shingle Landing Subdivision)	GB
East	Institutional (Currituck House Assisted Living Facility)	GB
West	Vacant	GB

### STAFF ANALYSIS

This 4.01 acre parcel is located on Moyock Landing Drive, adjacent to the Currituck House assisted living facility to the east and the Rail Road right-of-way to the west. The BOC rezoned the parcel to Conditional-MXR on February 6, 2017 (See Attached Order) and amended the Conditional-MXR zoning district on February 19, 2018. The BOC approved 16 units (4 buildings with 4 units each) with attached garages and one detached accessory dwelling unit. Because the prior rezoning approval did not include subdividing the property/obtaining a use permit, UDO Section 6.6 Adequate Public Facilities Standards did not apply to this project. This request to subdivide the property requires a use permit, so the Adequate Public Facilities ordinance applies.

This multi-family subdivision is subject to appropriate community forms, compatibility, and design standards to ensure a well-designed neighborhood. This multi-family development serves as a transition between General Business (GB) development along Caratoke Highway and the assisted

living facility and the neighborhood (Shingle Landing) to the east. It is located in the fastest growing area of the county that continues to evolve as a Full Service community.

### Schools

To approve a preliminary plat/use permit, adequate public facilities shall be in place or programmed to be in place within two years after the initial approval of the use permit. This development will be serviced by Moyock Elementary School that is currently over Actual Capacity. There is no guarantee that the recently discussed expansion project will be complete within two years of approval \*. For the three elementary schools in the northern mainland, there is concern that committed capacity is at 126%. There is also concern that the high schools are at 106% of Committed Capacity. **Approving the preliminary plat/use permit without adequate public facilities in place would be in direct conflict with the adequate public facilities ordinance of the UDO and multiple policies in the Land Use Plan and the Moyock Small Area Plan.** Please note, the below chart does not include the additional students generated by the Flora C-MXR zoning approved by the BOC on March 2, 2021. Those students will be accounted for at preliminary plat/use permit approval.

ADEQUATE PUBLIC FACILITIES – SCHOOLS <sup>1</sup>				
School	2019-2020 2020-2021 Actual Capacity <sup>2</sup>	2021-2022 Actual Capacity <sup>3</sup>	Committed Capacity <sup>3</sup>	Proposed Capacity Changes
				Number of Students
Moyock Elementary	109%	115%	126%	+4
Shawboro Elementary	94%	97%		
Central Elementary	80%	89%		
Griggs Elementary	56%	59%	101%	n/a
Jarvisburg Elementary	82%	88%		
Knotts Island Elementary	35%	36%	36%	n/a
Moyock Middle	95%	79%	93%	+1
Currituck Middle	61%			
Currituck High	84%	86%	106%	+2
JP Knapp Early College	93%			

<sup>1</sup>Does not include minor subdivisions, exempt subdivisions, and subdivisions approved prior to the adoption of the adequate public facilities ordinance (October 1994)

<sup>2</sup>Capacity percentages are based on 2019-2020 and 2020-2021 school year classroom standards and August 2020 ADM

<sup>3</sup>Capacity percentages are based on the 2021-2022 school year classroom standards and August 2020 ADM

*\*According to a January 15, 2021 email, the County Manager “expects to give the notice to proceed with the school expansion project by June 1st. The expansion should increase the capacity of Moyock Elementary School to 750 students. The project should be completed by the start of the 2023-2024 school session. Because of the expansion project this summer, we will have a solution to our adequate public facility issue regarding Moyock Elementary within two years (from June 1<sup>st</sup> – staff addition).” See attached email.*

### Community Meeting

A community meeting was held on November 24, 2020 for the project. Nine neighboring property owners attended the meeting. Primary questions were regarding construction start time, sale price of the units, floor plan/square footages, buffering, and parking.

INFRASTRUCTURE	
Water	Public
Sewer	Public (Moyock Regional Wastewater Treatment Plant)
Transportation	<p>Pedestrian: A 5' sidewalk will connect into the existing sidewalk at the assisted living facility via a timer pedestrian walkway. The sidewalk will run across the front of the entire property and connect to the western property line via a pedestrian easement.</p> <p>Connectivity Score: n/a (no streets)</p>
Stormwater/Drainage	The project will be managed under a low density State Stormwater Permit and consist of retention ponds constructed to retain stormwater and slow release into adjacent stormwater outlets. A recent text amendment was approved for the project to allow the development to fall under the non-residential stormwater design standards instead of the more restrictive subdivision stormwater design standards.
Design Standards	The multi-family project is subject to appropriate community forms, community compatibility, and design standards to ensure a well-designed neighborhood
Lighting	Full cutoff streetlights are proposed and must be compliant with lighting standards.
Landscaping	A Type B buffer is proposed along the northern property line, a major arterial screen buffer along the west property line, site landscaping at the eastern and southern property lines, and vehicular use landscaping in the parking areas.
Parking	44 exterior parking spaces are proposed in addition to the 16 garage parking spaces.
Compatibility	The development creates a new residential use type at an appropriate density for this area where county water and sewer are available.
Recreation and Park Area Dedication	A fee-in-lieu of recreation and park area dedication will be required prior to final plat approval. Based on the value of the land and the approval of 16 units the fee will be approximately \$25,487.
Riparian Buffers	n/a

## RECOMMENDATIONS

### TECHNICAL REVIEW COMMITTEE

The Technical Review Committee recommends **denial** of the use permit and the preliminary plat based to the following conditions:

1. The application does not comply with all applicable review standards of the UDO including:
  - a. Adequate public facilities (schools) are not in place or programmed to be in place within two years. Moyock Elementary is over Actual and Committed Capacities and the high schools are over Committed Capacity.
2. The applicant does not demonstrate that the proposed use will meet the use permit review standards of the UDO.

Should the BOC decide to approve this request, the Technical Review Committee recommends the following 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. Not submitting for preliminary plat/use permit approval until adequate public facilities are in place or programmed to be in placed within two years. (Planning)
- b. Developing strictly in accordance with the approved C-MXR conditions set by the BOC on February 18, 2010 and that *these conditions be placed on the plat* (See attached order). The conditional zoning conditions listed on the plat are different than those directed by the BOC through the attached order. (Planning)
  - i. The development shall be completed strictly in accordance with the conceptual development plan submitted to and approved by the Board of Commissioners.
  - ii. The development will consist of a 16 unit townhome development (with attached garages), one detached garage/storage unit, and one detached accessory dwelling unit.
  - iii. The architectural renderings of the townhomes to be incorporated into the approval and units constructed according to the expanded description given at the Board of Commissioners meeting on February 19, 2018, including the additional buffer.
- c. The county will take over the maintenance and operation of the lift station upon completion and certification. (Public Utilities)

#### **STAFF'S CONCERNS REGARDING PROJECT CONSIDERATION AT THIS TIME:**

- Inconsistent with the Land Use plan (see below).
- Inconsistent with the Moyock Small Area Plan (see below).
- Inadequate public facilities (schools).

#### **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 staff findings**

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

Preliminary Applicant Findings:

1. Stormwater management has been designed in accordance with the Conditional Zoning Approval and has been approved by the NC Dept. of Environmental Quality. Stormwater retention ponds will be constructed to manage and retain stormwater and slow release into adjacent stormwater outlets.
2. A wastewater collection system and lift station have been designed and approved by the NCDEQ, which will be pumped to the Moyock Regional Wastewater Treatment System.
3. The project has been designed and approved by the Division of Energy, Mineral and Land Resources for sedimentation and erosion control, and will minimize erosion and contain siltation on site.
4. NCDOT has reviewed and approved the connection to Moyock Landing Drive.

**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.**

Preliminary Applicant Findings:

1. Land to the north is single family residential but has a significant tree buffer to the site, land to the east is the Currituck House Assisted Living Facility, land to the west is commercial and

land to the south is residential. The County Commissioners determined that the use is appropriate for the land by virtue of conditional zoning approval that was granted and amended in 2018. It was determined that this development creates a new residential use type at an appropriate density for this area where county water and sewer are available and provides a moderate cost housing opportunity for county residents within a well-designed neighborhood.

**The use will not be in conformity with the Land Use Plan or other officially adopted plans.**

**Preliminary Staff Findings:**

While the use is in conformity with some policies of the Land Use Plan (See attached application for developers complete list), it is not in conformity with the following:

Policy SF4	<p>Currituck County shall continue to support a service level policy for schools that calls for the construction and maintenance of classroom space sufficient to avoid the use of mobile classroom units.</p> <p><u>Comments:</u></p> <ul style="list-style-type: none"> <li>• Dwelling units are proposed in the Moyock Elementary School district where no school capacity currently exists and is not yet programmed to be in place within two years.</li> <li>• <b>Approving the Use _Permit/Preliminary Plat without adequate public facilities in place or programmed to be in place within two years of the approval would be in conflict with the adequate public facilities ordinance of the UDO.*</b></li> </ul> <p><i>*According to a January 15, 2021 email, the County Manager “expects to give the notice to proceed with the school expansion project by June 1<sup>st</sup>. The expansion should increase the capacity of Moyock Elementary School to 750 students. The project should be completed by the start of the 2023-2024 school session. Because of the expansion project this summer, we will have a solution to our adequate public facility issue regarding Moyock Elementary within two years (from June 1<sup>st</sup> – staff addition).”</i></p>
Policy PP2	<p>Currituck County shall continue to implement a policy of ADEQUATE PUBLIC FACILITIES, sufficient to support associated growth and development. Such facilities may include but not limited to water supply, school capacity, park and open space needs, firefighting capability, and law enforcement.</p> <p><u>Comments:</u></p> <ul style="list-style-type: none"> <li>• Dwelling units are proposed in the Moyock Elementary School district where no school capacity currently exists and is not yet programmed to be in place within two years.</li> <li>• <b>Approving the Use _Permit/Preliminary Plat without adequate public facilities in place or programmed to be in place within two years of the approval would be in conflict with the adequate public facilities ordinance of the UDO.*</b></li> </ul> <p><i>*According to a January 15, 2021 email, the County Manager “expects to give the notice to proceed with the school expansion project by June 1<sup>st</sup>. The expansion should increase the capacity of Moyock Elementary School to 750 students. The project should be completed by the start of the 2023-2024 school session. Because of the expansion project this summer, we will have a solution to our adequate public facility issue regarding Moyock Elementary within two years (from June 1<sup>st</sup> – staff addition).”</i></p>

While the use is in conformity with some of the policies of the Moyock Small Area Plan (See attached application for developers complete list), it is not in conformity with the community values of the plan:

Community Values	<ul style="list-style-type: none"> <li>• Rural atmosphere – sights, sounds, smells, and overall feel of a rural community.</li> <li>• Low taxes, fiscal responsibility, <i>and availability of adequate county services</i>; and,</li> <li>• Human scale development that supports walkability.</li> </ul> <p><u>Comments:</u> Currently adequate county services do not exist to serve this project. Moyock Elementary School is over Actual and Committed Capacities and the high schools are over Committed Capacities.</p>
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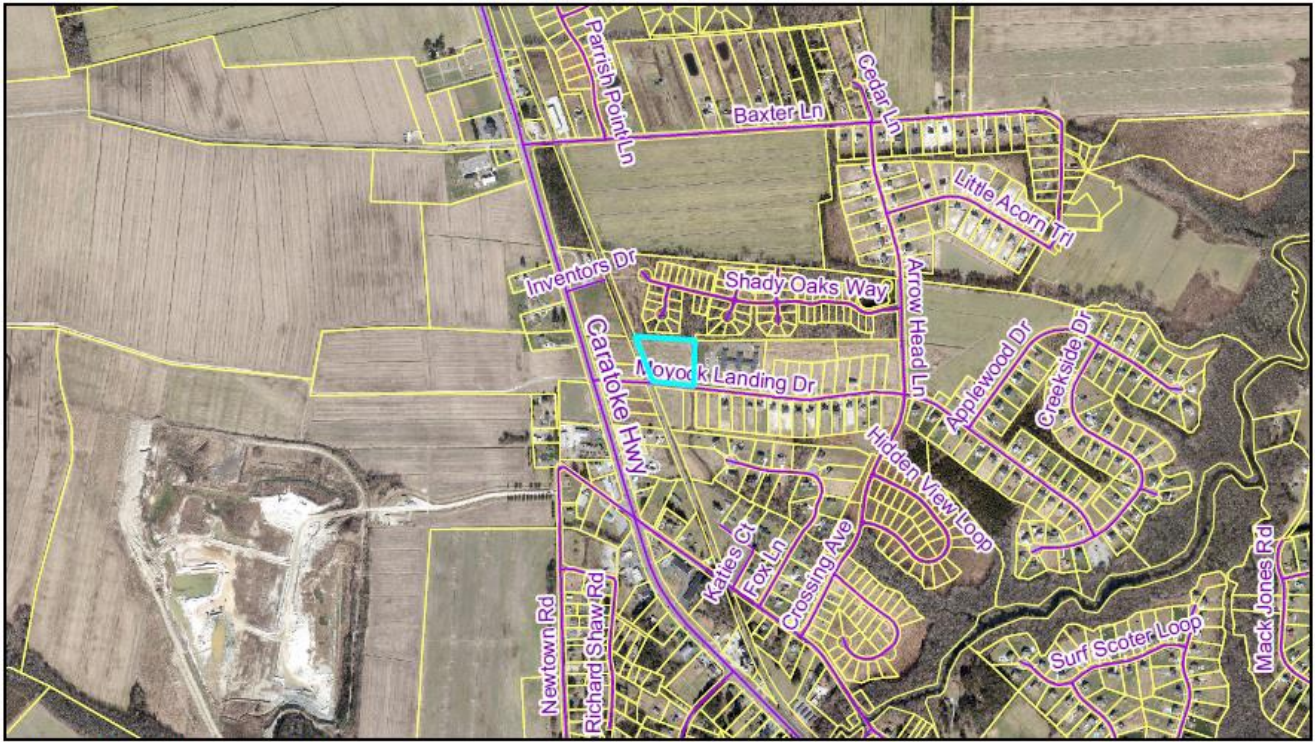
The use will exceed the county's ability to provide adequate public facilities, including, but not limited to: schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

Preliminary Staff Findings:

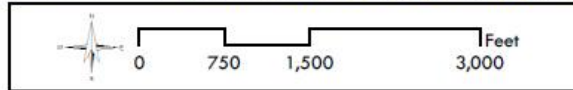
1. Moyock Elementary is over Actual and Committed Capacities. (See ADEQUATE PUBLIC FACILITIES – SCHOOLS table above.)
2. The high schools are over Committed Capacities. (See ADEQUATE PUBLIC FACILITIES – SCHOOLS table above.)

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)



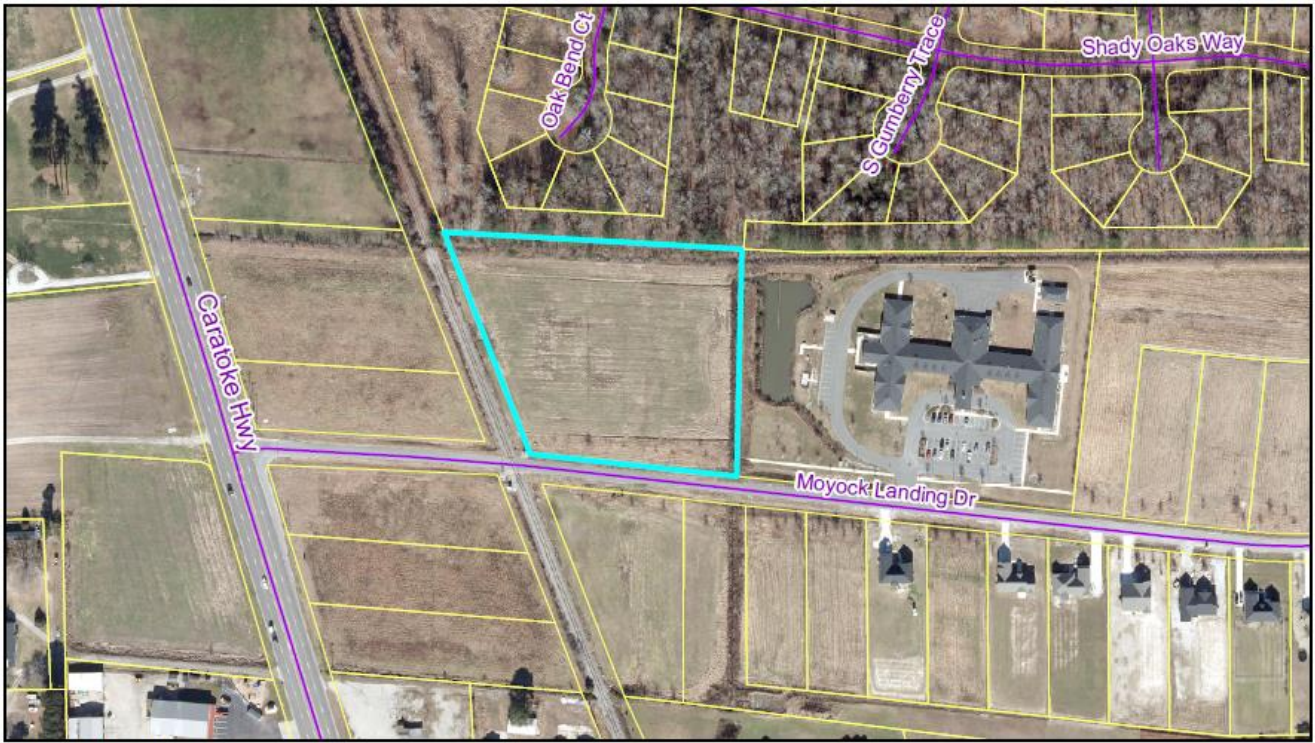


PB 20-24 Shingle Landing Villas  
Preliminary Plat/Use Permit  
Context Map

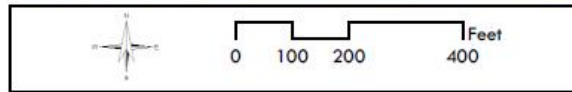


Currituck County  
Planning and  
Community Development

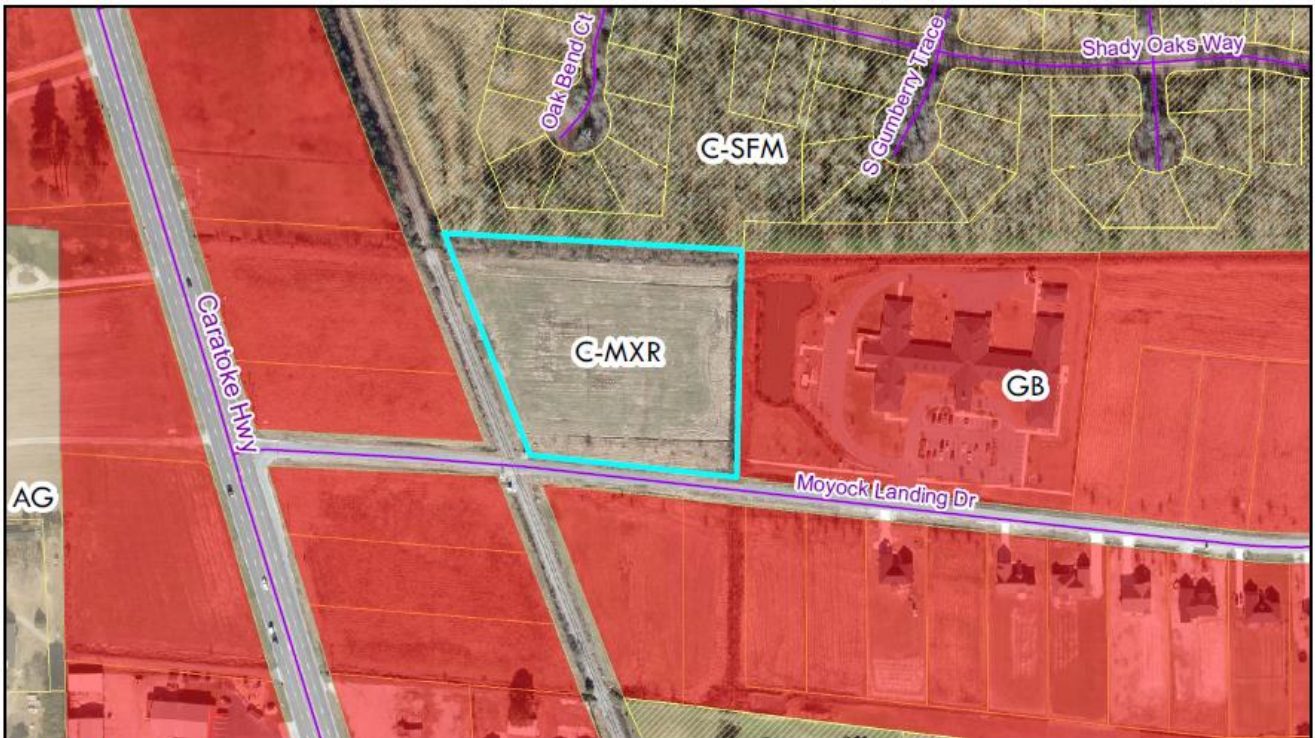




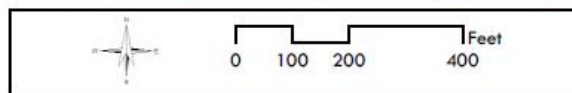
PB 20-24 Shingle Landing Villas  
Preliminary Plat/Use Permit  
2016 Aerial Photography



Currituck County  
Planning and  
Community Development

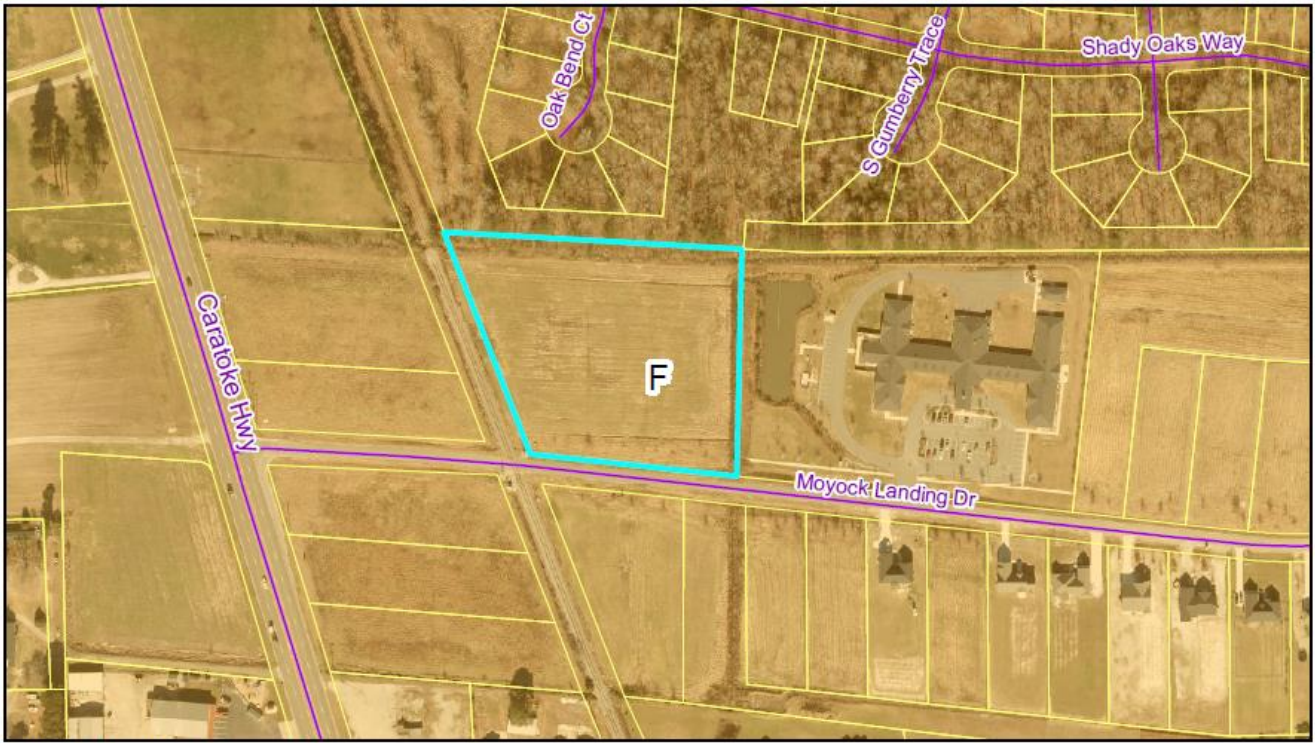


PB 20-24 Shingle Landing Villas  
Preliminary Plat/Use Permit  
Zoning

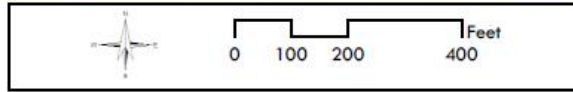


Currituck County  
Planning and  
Community Development

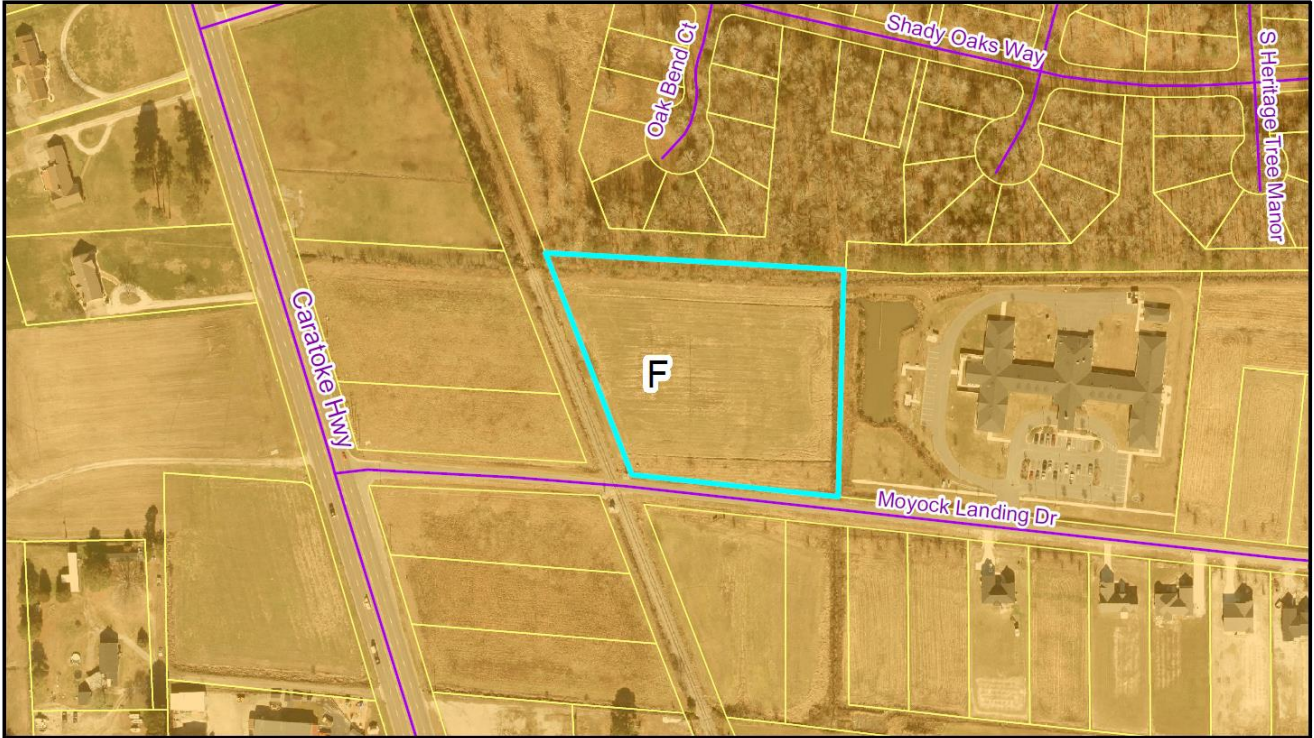




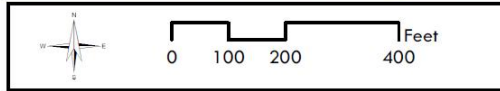
PB 20-24 Shingle Landing Villas  
Preliminary Plat/Use Permit  
Land Use Plan - FLUM



Currituck County  
Planning and  
Community Development

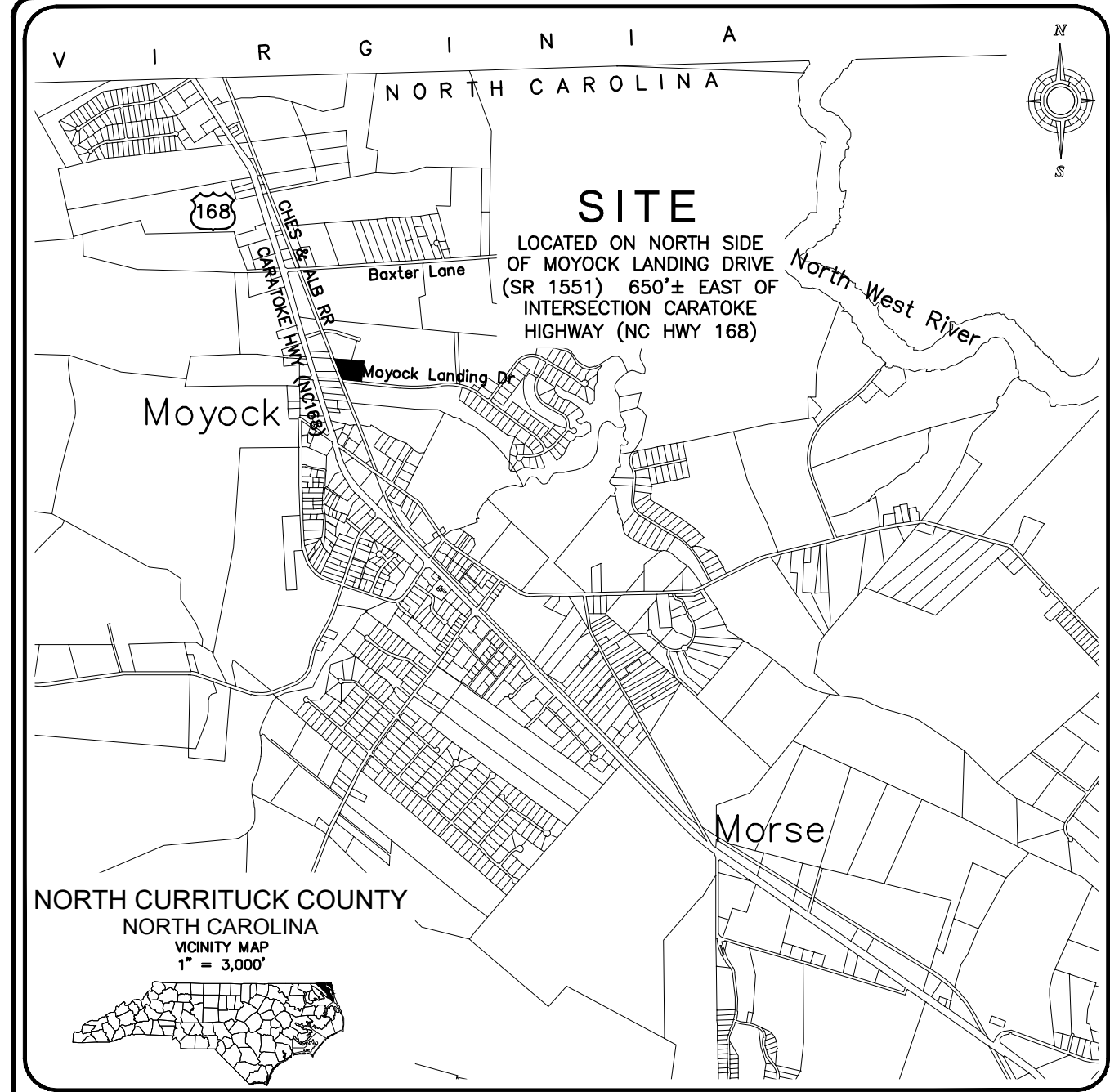


PB 20-24 Shingle Landing Villas  
Preliminary Plat/Use Permit  
Moyock SAP FLUM



Currituck County  
Planning and  
Community Development





DEVELOPMENT NOTES

- OWNER/APPLICANT: SHINGLE LANDING VILLAS, LLC  
C/O SAM MILLER, MANAGING MEMBER  
111 CURRITUCK COMMERCIAL DR. SUITE B  
MOYOCK, NC 27958
- PROPERTY DATA:  
PIN: 0009-000-029T-0000  
REFERENCE: P.C. L. SL 51; P.C. N. SL 28; DB 1466, PG 883  
CURRENT ZONING: CONDITIONAL MIXED RESIDENTIAL (C-MXR)  
FLOOD ZONE: THE SITE IS LOCATED IN FLOOD ZONE X PER F.I.R.M. MAP NUMBER 3721802200K, EFFECTIVE DATE 12-21-2018, SUBJECT TO CHANGE BY FEMA  
ADDRESS: MOYOCK LANDING ROAD, MOYOCK, NC 27958  
EXISTING USE: VACANT  
EXISTING CONDITION INFORMATION BASED ON A COMBINATION OF THE FOLLOWING:
  - BOUNDARY AND FIELD TOPOGRAPHIC SURVEY PERFORMED BY BISSELL PROFESSIONAL GROUP
  - FIELD TOPOGRAPHIC SURVEY PERFORMED BY EDWARD T. HYMAN, JR., PLS-2690. DWG.#16-585, DATE:07/26/16
  - 2016 AERIAL IMAGERY OBTAINED FROM NCDEMAPP.COM
  - ELEVATIONS ARE REFERENCED TO NAVD 1988 VERTICAL DATUM PER OPUS SOLUTION.
- DEVELOPMENT DATA:  
A. PROPOSED DENSITY:  
(4) 4-UNIT TWO STORY BUILDINGS  
(1) ACCESSORY UNIT  
EQUATES TO (16) TOTAL RESIDENTIAL MULTI-FAMILY UNITS + (1) ACCESSORY UNIT  
B. SUSTAINABLE DEVELOPMENT PRACTICES: (5.13)  
SCHEDULE A - 2 REQUIRED  
  - INCLUSION OF RAIN WATER RECAPTURE AND REUSE DEVICES SUCH AS CISTERNS
  - USE OF CENTRAL AIR CONDITIONS THAT ENERGY STAR QUALIFIED  
SCHEDULE B - 4 REQUIRED  
  - INCLUSION OF SH-ROOF FEATURES TO SHADE ALL WINDOWS AND DOORS ON THE SOUTHERN BUILDING FACADE.
  - USE OF XERISCAPE LANDSCAPING TECHNIQUES WITHOUT IRRIGATION
  - PROVISION OF ON-SITE TRANSIT FACILITIES SUCH AS A BUS SHELTER
  - PROVISION OF AT LEAST ONE ENCLOSED RECYCLING STATION PER BUILDING  
C. BUILDING DATA:
  - MAXIMUM BUILDING HEIGHT: 35'
  - MINIMUM UNIT SIZE: 800 SF
  - MAXIMUM UNIT SIZE: 1,600 SF
  - MINIMUM SPACING BETWEEN BUILDINGS: 20' OR ISO NEEDED FIRE FLOW REQUIREMENTS, WHICHEVER IS GREATER
  - BUILDING SETBACKS: AS SHOWN, INCLUDING RECORDED EASEMENTS.  
D. OPEN SPACE DATA:
  - REQUIRED: 52,415 SF (30%)
  - PROVIDED: 126,807 SF (73%)  
E. EASEMENT DATA:
  - A BLANKET NON-EXCLUSIVE DRAINAGE EASEMENT SHALL BE ESTABLISHED ACROSS ALL OPEN SPACE AREA
  - UTILITY EASEMENTS SHALL BE ESTABLISHED AS SHOWN AND OVER ALL UTILITIES
  - AN ACCESS EASEMENT SHALL BE ESTABLISHED OVER ALL DRIVE AISLES AND MAIL KIOSK IMPROVEMENTS
  - PARKING EASEMENTS SHALL BE ESTABLISHED OVER ALL PARKING SPACES
  - PEDESTRIAN ACCESS EASEMENTS SHALL BE ESTABLISHED OVER SIDEWALKS NOT LOCATED ON A LOT
  - AN EASEMENT SHALL BE ESTABLISHED FOR FUTURE SIDEWALK CONNECTION AT WESTERN PROPERTY BOUNDARY.
- SITE COVERAGE DATA:  
TOTAL PROPERTY AREA: 174,717 SF (4.01 AC.)  
LOT AREA: 24,188 SF (0.56 AC.)  
PROPOSED COVERAGES:  
CONDO BUILDINGS W/ PORCHES: 15,992 SF  
ACCESSORY DWELLING/STORAGE BUILDING: 1,152 SF  
PARKING AND DRIVES: 19,772 SF  
PATIO: 1,920 SF  
SIDEWALKS: 2,203 SF  
DUMPSTER: 180 SF  
MAIL/BUS SHELTER: 242 SF  
MISC. OTHER: 471 SF  
TOTAL: 41,032 SF  
PERCENT COVERAGE: 24.0%
- PARKING DATA:  
A. MINIMUM PARKING REQUIRED:  
1.8 SPACES/DWELLING UNIT = 30 SPACES  
B. PARKING PROVIDED:  
EXTERIOR PARKING SPACES = 44  
GARAGE PARKING SPACES = 16  
TOTAL = 60
- UTILITIES:
  - WATER SERVICE IS TO BE COORDINATED WITH THE CURRITUCK COUNTY WATER DEPARTMENT.
  - WASTEWATER IS TO BE PROVIDED BY A CONNECTION TO CURRITUCK WASTEWATER SYSTEM.
  - ALL UTILITIES ARE TO BE INSTALLED UNDERGROUND
  - SEE SHEET 6 FOR DETAILS
- NO JURISDICTIONAL WETLANDS HAVE BEEN IDENTIFIED ON THE PROPERTY.
- THIS PROJECT DISTURBS MORE THAN 1.0 ACRE AND REQUIRES AN EROSION & SEDIMENT CONTROL PERMIT FROM NCDEQ. SEE SHEETS 5 & 9 FOR EROSION CONTROL PLAN AND DETAILS.
- THIS PROJECT REQUIRES A STORMWATER MANAGEMENT PERMIT FROM NCDEQ. SEE SHEETS 4 & 8 FOR GRADING, DRAINAGE AND STORMWATER MANAGEMENT PLAN AND DETAILS.
- LANDSCAPING AND BUFFERING SHALL COMPLY WITH COUNTY STANDARDS AS PRESCRIBED UNDER SECTION 5.2 OF THE UDO AND IN ACCORDANCE WITH THE APPROVED LANDSCAPING PLAN PROVIDED ON SHEET 7.
- ALL LIGHTING SHALL COMPLY WITH COUNTY STANDARDS AS PRESCRIBED UNDER SECTION 5.4 OF THE UDO. A SEPARATE LIGHTING PLAN MAY BE REQUIRED FOR APPROVAL PRIOR TO INSTALLATION.
- REFUSE COLLECTION FACILITIES SHALL COMPLY WITH COUNTY STANDARDS AS PRESCRIBED UNDER SECTION 5.5 OF THE UDO AND IN ACCORDANCE WITH THE APPROVED PLAN PROVIDED ON SHEET 7.
- ALL SIGNAGE SHALL COMPLY WITH COUNTY STANDARDS AS PRESCRIBED UNDER SECTION 5.12 OF THE UDO. A SEPARATE SIGNAGE PLAN MAY BE REQUIRED FOR APPROVAL PRIOR TO INSTALLATION.

THE FOLLOWING PERMITS ARE REQUIRED PRIOR TO PROJECT CONSTRUCTION:

PERMIT	AGENCY	REFERENCE NUMBER	DATE OF ISSUANCE
SEDIMENTATION AND EROSION CONTROL PERMIT	N.C.D.E.Q. - DIVISION OF LAND RESOURCES	CURRI-2021-002	8/19/2020
STORMWATER MANAGEMENT PERMIT	N.C.D.E.Q. - DIVISION OF LAND RESOURCES	SW7200707	8/20/2020
DRIVEWAY PERMIT	NCDDOT	#2815	9/3/2020
ENCROACHMENT AGREEMENT	NCDDOT	WATER ENCROACHMENT	9/3/2020
WASTEWATER COLLECTION SYSTEM	N.C.D.E.Q. - DIVISION OF WATER RESOURCES	WQ0041996	9/28/2020
CURRITUCK COUNTY CONSTRUCTION AUTHORIZATION	CURRITUCK COUNTY PLANNING STAFF		

Sheet Number

1

2

3

4

5

6

7

8

Sheet Title

COVER SHEET, DEVELOPMENT NOTES & SITE LOCATION

EXISTING SITE CONDITIONS

GENERAL SITE DEVELOPMENT OVERVIEW PLAN

SHINGLE LANDING VILLA LOT DESCRIPTION

GRADING, DRAINAGE & STORMWATER MANAGEMENT PLAN

EROSION AND SEDIMENT CONTROL PLAN

WATER AND WASTEWATER COLLECTION SYSTEM PLAN

LANDSCAPING, SCREENING, BUFFERING AND LIGHTING PLAN

CONDITIONAL ZONING CONDITIONS

- C-MXR ZONING CONDITIONS AS ADOPTED
- MULTI-FAMILY AND TOWNHOUSE USE-SPECIFIC STANDARDS (4.2.2.5)
- MULTI-FAMILY DESIGN STANDARDS (5.7)
- COMMUNITY COMPATIBILITY STANDARDS (5.10)
- UNITS ARE INTENDED TO BE SOLD AS INDIVIDUAL TOWNHOMES
- STORMWATER MANAGEMENT, LANDSCAPING, SCREENING, BUFFERING, LIGHTING, FIRE PROTECTION, ETC.
- SITE SHALL CONTAIN A COMMUNITY MAILBOX AS APPROVED BY US POSTAL SERVICE
- CONNECTION TO EXISTING COUNTY WATER AND SEWER SYSTEMS
- SUBJECT TO OBTAINING STORMWATER MANAGEMENT PERMIT & EROSION CONTROL PLAN APPROVAL FROM NCDEQ

Private Streets Owner Certificate

I hereby certify that the private streets shown on this plat are intended for private use and will remain under the control, maintenance and responsibility of the developer and/or a homeowner's association and acknowledge that some public services may not be provided due to the private nature of the road.

Date \_\_\_\_\_ Owner \_\_\_\_\_

Public Dedication of Recreation and Park Area Statement

A payment-in-lieu of recreation and park area dedication has been provided in accordance with the Currituck County Unified Development Ordinance. Payments-in-lieu received by the county shall be used only for the acquisition or development of recreation and park areas, and open space sites consistent with the requirements of North Carolina General Statutes Section 153A-331.

Date \_\_\_\_\_ Owner \_\_\_\_\_

STORMWATER CERTIFICATE

I, \_\_\_\_\_, OWNER/AGENT HEREBY CERTIFY THE INFORMATION INCLUDED ON THIS AND ATTACHED PAGES IS TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE.

ON THE PLAN ENTITLED, MULTI-FAMILY SITE DEVELOPMENT PLANS FOR SHINGLE LANDING VILLAS - GRADING, DRAINAGE AND STORMWATER MANAGEMENT PLAN, STORMWATER DRAINAGE IMPROVEMENTS SHALL BE INSTALLED ACCORDING TO THESE PLANS AND SPECIFICATIONS AND APPROVED BY CURRITUCK COUNTY. YEARLY INSPECTIONS ARE REQUIRED AS PART OF THE STORMWATER PLAN. THE OWNER IS RESPONSIBLE FOR ALL MAINTENANCE REQUIRED. CURRITUCK COUNTY ASSUMES NO RESPONSIBILITY FOR THE DESIGN, MAINTENANCE, OR PERFORMANCE OF THE STORMWATER IMPROVEMENTS.

Date \_\_\_\_\_ OWNER/AGENT \_\_\_\_\_

Improvements Certificate

I hereby certify that all improvements required by the Currituck County Unified Development Ordinance have been installed in accordance with the plans and specifications prepared by \_\_\_\_\_, and said improvements comply with Currituck County specifications.

Date \_\_\_\_\_ Registered Land Surveyor/Engineer \_\_\_\_\_

Registration Number \_\_\_\_\_

Ownership and Dedication Certificate

I hereby certify that I am the owner of the property described hereon, which property is located within the subdivision regulation jurisdiction of Currituck County, that I hereby freely adopt this plat of subdivision and dedicate to public use all area shown on this plat as streets, utilities, alleys, walks, recreation and parks, open space and easements, except those specifically indicated as private and that I will maintain all such areas until the offer of dedication is accepted by the appropriate public authority or home owners' association. All property shown on this plat as dedicated for a public use shall be deemed to be dedicated for any other public use authorized by law when such use is approved by the appropriate public authority in the public interest.

Date \_\_\_\_\_ Owner \_\_\_\_\_

I, \_\_\_\_\_, a notary public of \_\_\_\_\_ County,

North Carolina, do hereby certify that \_\_\_\_\_ personally appeared before me this date and acknowledged the due execution of the foregoing certificate.

Witness my hand and official seal this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

Notary Public \_\_\_\_\_

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

Approval Certificate

I hereby certify that the subdivision shown on this plat is in all respects in compliance with the Currituck County Unified Development Ordinance and, therefore, this plat has been approved by the Currituck County Technical Review Committee and signed by the administrator, subject to its being recorded in the Currituck County Registry within 90 days of the date below.

Date \_\_\_\_\_ Administrator \_\_\_\_\_

SURVEYOR'S CERTIFICATION

I, Michael D. Barr, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed and description recorded in Books referenced); that the boundaries not surveyed are clearly indicated as drawn from information found in Books referenced; that the ratio of precision as calculated is 1:10,000; that this plat was prepared in accordance with C.S. 47-30 as amended.

This is to certify that this survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.

Witness my original signature, registration number and seal this \_\_\_\_\_ day of \_\_\_\_\_, A.D., 2020.

Signature \_\_\_\_\_ L-1756

SURVEY LEGEND

EQMID	EXISTING CONCRETE MONUMENT
SIR	SET IRON ROD
EIR	EXISTING IRON ROD
EIP	EXISTING IRON PIPE
CP	CALCULATED POINT
M.B.L.	MAXIMUM BUILDING LIMIT
N.T.S.	NOT TO SCALE
P.C.	PLAT CABINET
D.B.	DEED BOOK
SL	SLIDE
SF	SQUARE FEET
AC	ACRES

Review Office Certificate  
State of North Carolina,  
County of Currituck

I, \_\_\_\_\_, Review Officer of Currituck County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Date \_\_\_\_\_ Review Officer \_\_\_\_\_

IMPROVEMENT LEGEND

	PROPOSED GRADE CONTOUR
	PROPOSED SWALE W/ FLOW ARROW
	PROPOSED SWALE HIGH POINT
	PROPOSED DRAINAGE PIPE
	PROPOSED BMP WATER SURFACE
	PROPOSED WATER LINE (SIZE AS INDICATED)
	PROPOSED DISTURBANCE LIMITS
	PROPOSED SILT FENCE
	PROPOSED STABILIZED CONSTRUCTION ENTRANCE
	PROPOSED TEMP CHECK DAM
	PROPOSED DRAINAGE DIRECTION ARROW
	PROPOSED RIP-RAP APRON

EXISTING CONDITIONS LEGEND

	ROADWAY CENTERLINE
	RIGHT-OF-WAY
	PROPERTY BOUNDARY
	ADJOINING PROPERTY LINE
	EXISTING DITCH CENTERLINE
	EXISTING DITCH TOP OF BANK
	EXISTING TREE LINE
	EXISTING RAILROAD TRACKS
	EXISTING GRADE CONTOUR
	FEMA BOUNDARY LINE
	EXISTING CULVERT
	EXISTING FIRE HYDRANT
	EXISTING WATER LINE
	EXISTING SANITARY FORCE MAIN

LANDSCAPING LEGEND

	EXISTING TREELINE (APPROX.)
	PROPOSED SCREENING FENCE
	PROPOSED CANOPY TREE
	PROPOSED UNDERSTORY TREE
	PROPOSED SHRUB

Bissell Professional Group  
Firm License # C-846  
P.O. Box 1068  
111 Currituck Commercial Dr.  
Moyock, NC 27958  
(252) 261-3260  
FAX (252) 261-1790

**BISSELL**  
PROFESSIONAL GROUP

Engineers, Planners, Surveyors  
and Environmental Specialists

COVER SHEET, DEVELOPMENT  
NOTES & SITE LOCATION

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SHINGLE LANDING VILLAS  
CURRITUCK COUNTY  
MOYOCK TOWNSHIP  
NORTH CAROLINA

PROJECT:  
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DESIGNED: BPG CHECKED: MSB  
DRAWN: KFW/DMK APPROVED: BPG  
SHEET: 1 OF 8

CAD FILE: 449800PP1  
PROJECT NO: 4498

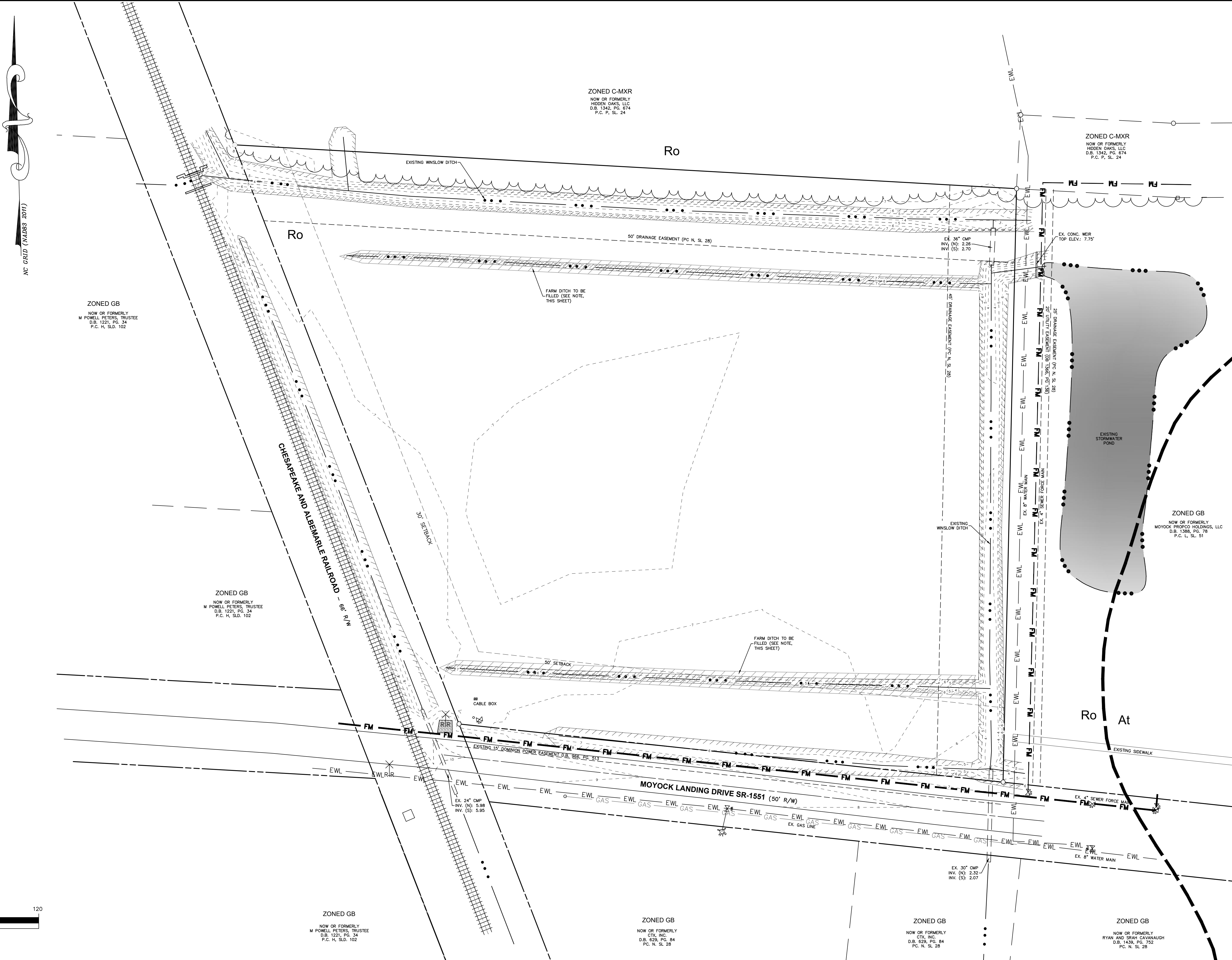
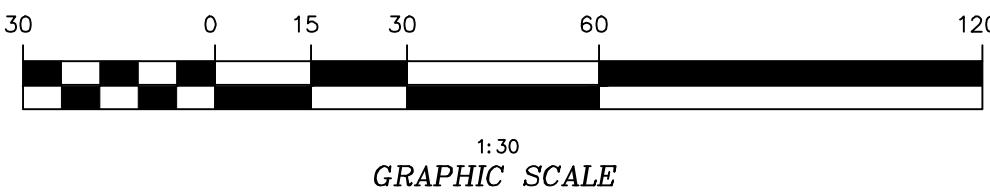


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SOILS LEGEND	
---	SOILS LINE
At	AUGUSTA FINE SANDY LOAM
Ro	ROANOKE FINE SANDY LOAM

SCS - SOIL SURVEY OF CURRITUCK COUNTY

EXISTING FARM DITCH FILL NOTE:  
EXISTING FARM DITCHES NOTED AS BEING FILLED SHALL BE DEMUCKED AND BACKFILLED WITH CLEAN, COMPACTED SELECT MATERIAL. DITCH FILLING SHALL COINCIDE WITH DRAINAGE PATTERNS AND EROSION CONTROL MEASURES AS PROVIDED IN THESE PLANS.



**REVISIONS**

NO.	DATE	DESCRIPTION	BY
1	11-20-2020	2-24-24 AND ADJACENT ZONING & DRAINAGE	DMK
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DATE: 11-20-2020  
DESIGNED: BPG  
CHECKED: MSB  
PROJECT: KFW/DMK  
APPROVED: BPG  
SHEET: 2 OF 8  
CAD FILE: 449800PP1  
PROJECT NO: 4498

**SHINGLE LANDING VILLAS**  
NORTH CAROLINA  
CURRITUCK COUNTY  
MOYOCK TOWNSHIP

**PRELIMINARY SUBDIVISION PLAN**

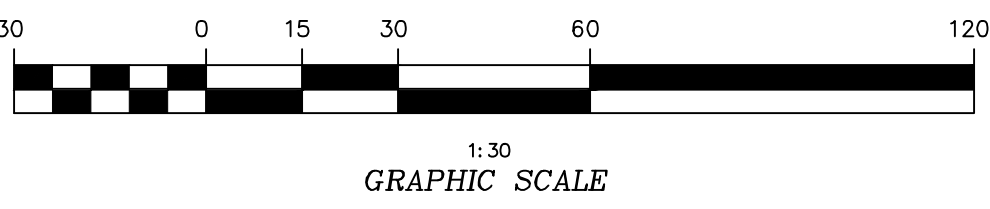
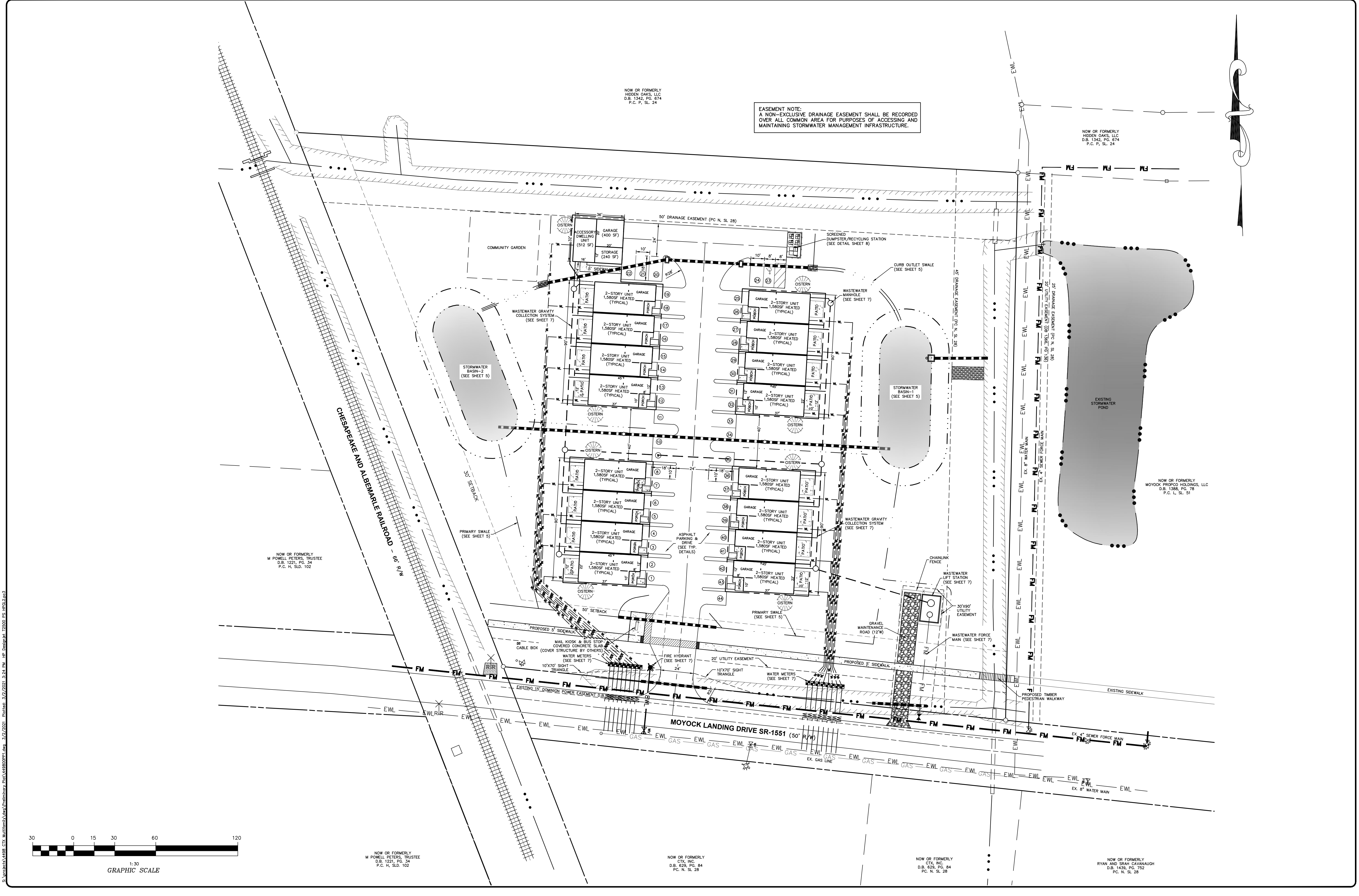
**EXISTING SITE CONDITIONS & DEMOLITION PLAN**

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**BRISSELL**  
PROFESSIONAL GROUP  
Engineers, Planners, Surveyors  
and Environmental Specialists

Brisell Professional Group  
Firm License # C-356  
10001 Highway 108  
P.O. Box 1088  
Kitty Hawk, North Carolina 27949  
Tel: (252) 261-1760  
Fax: (252) 261-1760





EASEMENT NOTE:  
A NON-EXCLUSIVE DRAINAGE EASEMENT SHALL BE RECORDED  
OVER ALL COMMON AREA FOR PURPOSES OF ACCESSING AND  
MAINTAINING STORMWATER MANAGEMENT INFRASTRUCTURE.

**BISSELL**  
PROFESSIONAL GROUP  
Engineers, Planners, Surveyors  
and Environmental Specialists

Firm License # C-996  
P.O. Box 1088  
1000 Highway 27949  
Hawthorne, North Carolina 27949  
(252) 261-3966  
FAX (252) 261-1760

GENERAL SITE DEVELOPMENT  
OVERVIEW PLAN

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PROJECT:  
SHINGLE LANDING VILLAS  
MOYOCK TOWNSHIP  
CURRITUCK COUNTY  
NORTH CAROLINA

PRELIMINARY SUBDIVISION PLAN

NO.	DATE	DESCRIPTION	BY
1	11/20/2020	PRELIMINARY	DMK
2	11/20/2020	DO NOT USE FOR CONSTRUCTION	DMK
3	11/20/2020	DO NOT USE FOR CONSTRUCTION	DMK

DATE: 11/20/2020  
SCALE: 1" = 30'  
DESIGNED: BPG  
DRAWN: KFW/DMK  
SHEET: 3 OF 8  
CAD FILE: 449800PP1  
PROJECT NO: 4498





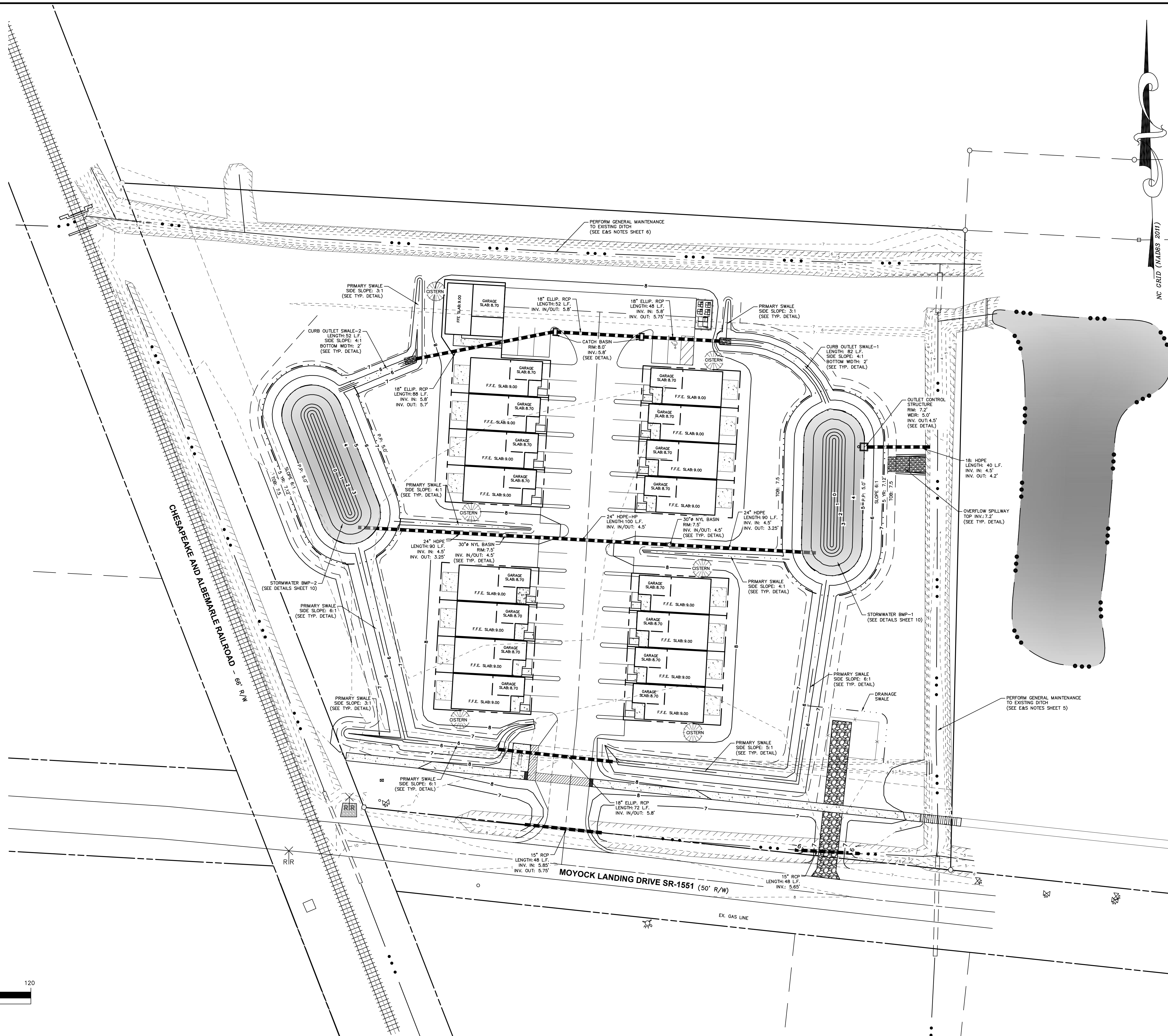
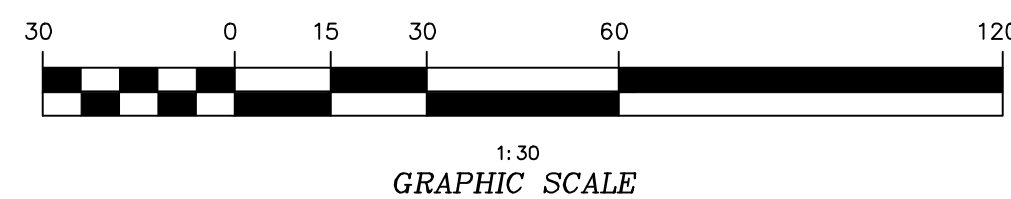
**SHINGLE LANDING VILLA**  
**LOT DESCRIPTIONS**

**BISSELL**  
PROFESSIONAL GROUP

Engineers, Planners, Surveyors  
and Environmental Specialists

Bissell Professional Group  
Firm License # C-956  
10000 Southwestern Highway  
P.O. Box 1068  
Kitty Hawk, North Carolina 27949  
Phone (252) 261-1760  
FAX (252) 261-1760



[illegible]

# GRADING, DRAINAGE & STORM- WATER MANAGEMENT PLAN

SHINGLE LANDING VILLAS  
CURRUCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA  
PRELIMINARY SUBDIVISION PLAN

**BISSELL**  
PROFESSIONAL GROUP

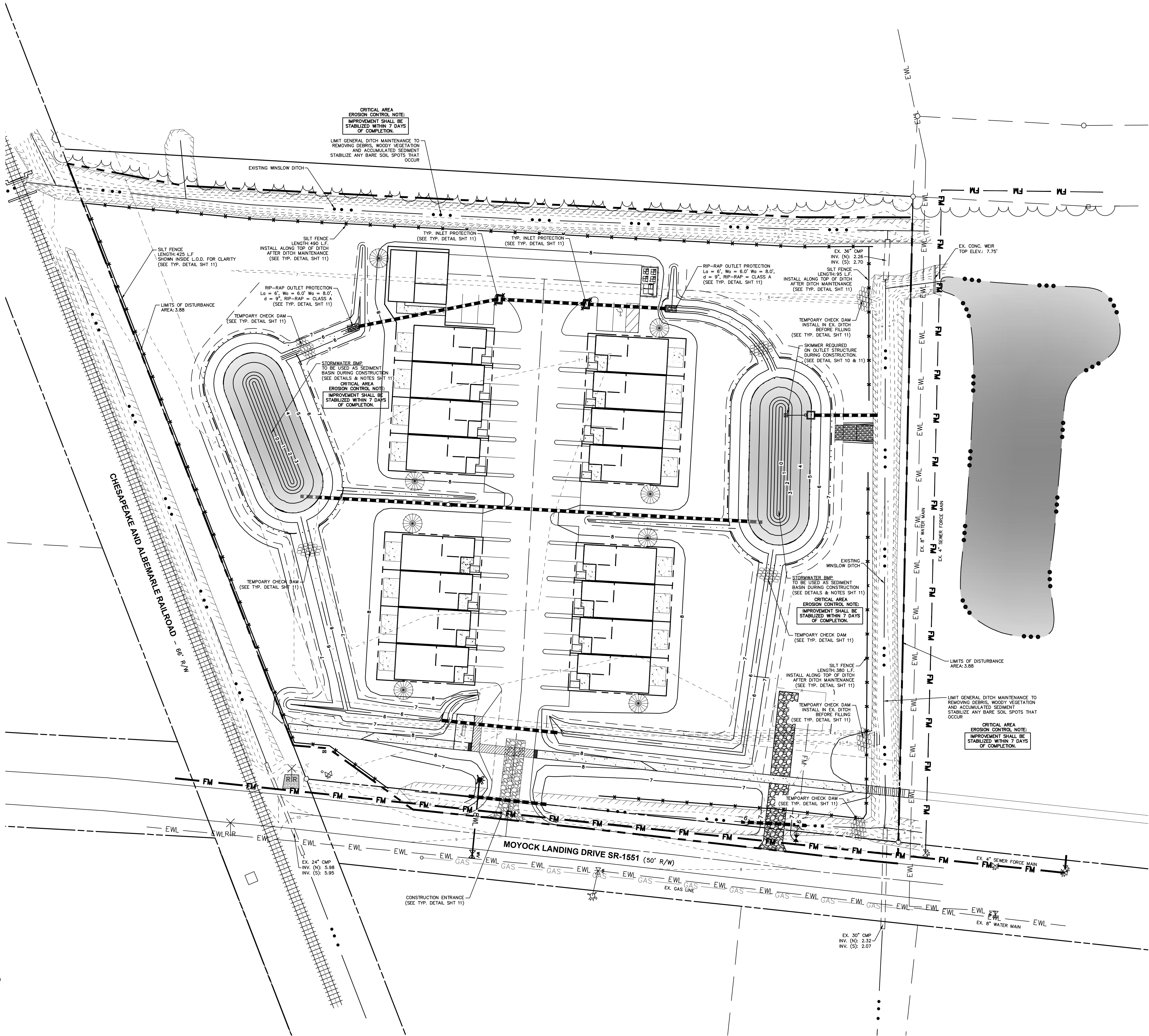
Engineers, Planners, Surveyors  
and Environmental Specialists

Bissell Professional Group  
Firm License # C-956  
3512 North Croatan Highway  
Kitty Hawk, North Carolina 27949  
(252) 261-3266  
FAX (252) 261-1760

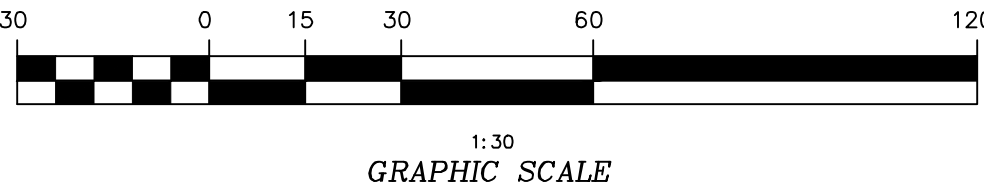


- SEDIMENTATION AND EROSION CONTROL NOTES**
1. THESE NOTES ARE IN ADDITION TO THE SEDIMENTATION AND EROSION CONTROL NOTES PROVIDED ON SHEET 11.
  2. ALL MATERIALS EXCAVATED OVER THE COURSE OF CONSTRUCTION SHALL REMAIN ON THE PROJECT SITE. SUITABLE MATERIALS SHALL BE USED FOR CONSTRUCTION OF THE PROPOSED BUILDING, PARKING AND OTHER IMPROVEMENTS. IF NECESSARY, EXCAVATED MATERIALS REMAINING AT THE END OF CONSTRUCTION MAY BE DISPOSED OF OFF-SITE AT AN APPROVED AND PERMITTED BORROW PIT.
  3. OFF-SITE BORROW MATERIAL NECESSARY FOR THE PROPOSED FILL SITES MUST BE OBTAINED FROM AN APPROVED AND PERMITTED BORROW PIT.
  4. THIS PROJECT IS ANTICIPATED TO BE CONSTRUCTED IN 1 SINGLE PHASE.
  5. IMPROVEMENTS IDENTIFIED AS CRITICAL AREA MUST BE STABILIZED WITHIN 7 DAYS OF COMPLETION. SEE STABILIZATION NOTES ON SHEET 11.
  6. THE FOLLOWING PROVIDES AN ESTIMATE OF CUT/FILL MATERIAL OF THE PROJECT:  
APPROXIMATE VOLUME OF CUT: 1,600 CYs  
APPROXIMATE VOLUME OF FILL: 3,500 CYs  
\*THESE VALUES ARE ESTIMATES AND ARE PROVIDED FOR PERMITTING PURPOSES ONLY. CONTRACTORS SHALL CONFIRM BEFORE RELYING UPON THEM.

- CONSTRUCTION SEQUENCE**
1. INSTALL DRIVEWAY CULVERT AND CONSTRUCTION ENTRANCE.
  2. INSTALL SILT FENCE ALONG LIMITS OF DISTURBANCE AND ALONG EXISTING IMPROVED DITCHES WHERE SPECIFIED.
  3. EXCAVATE STORMWATER BMPs TO BE USED AS TEMPORARY SEDIMENT BASIN, INCLUDING OUTLET STRUCTURE AND SKIMMER.
  4. TEMPORARILY STOCK PILE MATERIALS IN AREAS WHERE AVAILABLE ON-SITE.
  5. CONDUCT GENERAL CONSTRUCTION ACTIVITIES FOR INSTALLATION OF BUILDING, PARKING, UTILITIES, DRAINAGE, ETC.
  6. DURING CONSTRUCTION, ROUTE RUNOFF TO THE SEDIMENT BASINS THROUGH THE PROPOSED PERMANENT DRAINAGE IMPROVEMENTS OR TEMPORARY DIVERSIONS. INSTALL TEMPORARY CHECK DAMS AND INLET PROTECTION MEASURES WHERE SPECIFIED.
  7. FINISH GRADE, TOP SOIL, SEED AND STABILIZE ALL DISTURBED AREAS.
  8. AFTER STABILIZATION IS ESTABLISHED, REMOVE ALL TEMPORARY EROSION CONTROL MEASURES AND SEED & STABILIZE THOSE AREAS.
  9. CLEAN OUT SEDIMENT BASINS AND RETURN TO STORMWATER BMP DESIGN CONDITIONS. INSTALL AQUATIC PLANTINGS IF APPROPRIATE SEASON.



S:\projects\4498.ctb Multiplan\Drawings\Plan\449800PP1.dwg 3/2/2021 3:24 PM HP Desktop1 T1530 PS HP52-2x35



**Bissell Professional Group**  
3512 North Crandon Highway  
Kitty Bay, North Carolina 27949  
(252) 281-3266  
FAX (252) 281-1960

**BISSELL**  
PROFESSIONAL GROUP

Engineers, Planners, Surveyors  
and Environmental Specialists

**EROSION AND SEDIMENT CONTROL PLAN**

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**SHINGLE LANDING VILLAS**  
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

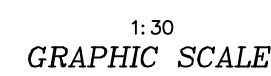
**PRELIMINARY SUBDIVISION PLAN**

REVISIONS	
NO.	DATE

DATE	11-20-2020
DESIGNED	BPG
DRAWN	KFW/DMK
SHEET	6 OF 8

CAD FILE: 449800PP1  
PROJECT NO: 4498





DATE: 11-20-2020	SCALE: 1" = 30'
DESIGNED: BPG	CHECKED: MSB
DRAWN: KFWD/DMK	APPROVED: BPG
SHEET:  7 OF 8	
CAD FILE: 449800PP1	
PROJECT NO: 4498	

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**Attachment: 2 SLV PP SET 3-2-2021 (PB 20-24 Shingle Landing Villas)**



## Packet Pg. 53





## Currituck County

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

### MEMORANDUM

**To:** Dave Klebitz, Bissell Professional Group  
 Sam Miller, Shingle Landing Villas LLC

**From:** Tammy D. Glave, CZO, Senior Planner

**Date:** December 10, 2020

**Re:** PB 20-24 Shingle Landing Villas, Preliminary Plat/Use Permit

The following comments have been received for Shingle Landing Villas preliminary plat/use permit. To be placed on the January 18, 2021 Board of Commissioners' agenda, all outstanding **TRC comments must be addressed before 3:00 pm on December 21, 2020.** TRC comments are valid for six months.

#### **Planning (Tammy Glave, 252-232-6025)**

Reviewed with comment/Resubmit:

1. Attachment A indicates that one attached accessory dwelling unit was approved with the conditional zoning for the project. That is not correct. A detached accessory dwelling unit was approved.
2. Please clarify the number of lots requested. Sixteen lots/units are allowed under the approved conditional zoning; however, if the accessory dwelling unit is going to be subdivided out on its own lot, it is no longer an accessory dwelling unit. It would be lot 17, which is what is shown on the lot layout plan sheet and not allowed. By definition an accessory dwelling unit is located on the same lot as the primary dwelling unit. (UDO Chapter 10 and Approved Conditional Zoning Order)
3. Because the prior approval did not include subdividing the property/obtaining a use permit, UDO Section 6.6 Adequate Public Facilities Standards did not apply to this project. This request to subdivide the property requires a use permit, so the Adequate Public Facilities ordinance applies. There are not currently adequate public facilities (schools) in place now or programmed to be in place within two years after the initial approval of this use permit; therefore, the project cannot be approved since adequate public facilities are not available to serve the project.
4. The prior approval was for a non-residential site plan with appropriate drainage. This request is for a major subdivision/use permit which requires more stringent drainage requirements. UDO Section 7.3.4.B.2 requires major subdivisions to implement adequate stormwater practices to reduce the post-development peak discharge from the 24-hour storm event with a 1—year recurrence interval down to the pre-development discharge rate from the 24-hour storm event with a 2-year recurrence interval based on pre-development conditions from a wooded site. The drainage provided for this subdivision does not meet the minimum requirements of Section 7.3.4.B.2.
5. Since the sidewalk is not making a complete connection at the western property line, please provide an easement for future connection.
6. Please call out on-site utility easements (UDO Section 6.2.3)

7. In the development notes, please provide an open space summary (required/provided) and identify the open space on the plat.
8. A payment-in-lieu of recreation and park area dedication (\$25,487.28) is due before final plat approval (UDO Section 6.5).
9. The Conditional Zoning Conditions listed on plat page 1 are different than those approved in the Amendment to the Official Zoning Map (See Attached) by the Board of Commissioners on February 19, 2018. Please revise to reflect approved conditions. If you wish to add conditions, that will require an amended conditional-zoning approval by the Board of Commissioners.
10. Show sight triangles. (UDO Section 10.3.4)
11. Please label the Winslow ditch.
12. Call out zoning of adjacent properties. (Administrative Manual)

**Currituck County Chief Building Inspector and Fire Inspections (Bill Newns, 252-232-6023)**

Reviewed with comments:

1. See attached TRC comments from past reviews that need to be in place as phases are being installed.

**County Engineer (Eric Weatherly, 252-232-6035)**

Comments not yet received.

**Currituck County GIS (Harry Lee, 252-232-4039)**

Reviewed without comment.

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

Reviewed with comment:

1. Special attention needs to be given to storm water. This area is already experiencing storm water problems.

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

Reviewed with comment. Resubmit.:

1. UDO Section 7.3.4.B.2 requires major subdivisions to implement adequate stormwater practices to reduce the post-development peak discharge from the 24-hour storm event with a 1—year recurrence interval down to the pre-development discharge rate from the 24-hour storm event with a 2-year recurrence interval based on pre-development conditions from a wooded site. The drainage provided for this subdivision does not meet the minimum requirements of Section 7.3.4.B.2.
2. Does Primary Swale south of Stormwater Basin #2 grade toward or away from pond? Does the flow pattern go from the piped culvert underneath the driveway toward this BMP or is it taking it away?
3. Does this planned stormwater conveyance directing water to the back lot line ditch or will it be conveyed toward the Moyock Landing Dr roadside ditch?
4. The Winslow Ditch must be cleaned out at the start of site work.

**Currituck County Utilities Director (Will Rumsey, 252-232-2769)**

Reviewed with comment:

1. Waterline location concerns have been addressed.
2. The sewer lift station operation will be the owner's responsibility not Currituck County.
3. Individual water meters required for each unit. Master meters will not work.
4. Utility easements required.
5. Water line must loop around the back of the property. No dead ends. Isolation valves required so repairs can be made to buildings without having to shutoff water to the entire complex.

**Economic Developments (Larry Lombardi, 252-232-6015)**

Reviewed without comment.

**Albemarle Regional Health Services (Joe Hobbs, 252-232-6603)**

Reviewed with comment:

1. DEVELOPER WILL NEED SEWER APPROVAL LETTER FROM THE MOYOCK SEWER DISTRICT (CURRITUCK COUNTY) AND THE NC DIVISION OF WATER RESOURCES (WASHINGTON REGIONAL OFFICE-252-946-6481).

**NC Department of Transportation (David Otts, 252-453-2721)**

Reviewed with comment:

1. The Department has no avenue to accept this parking lot for addition to the State system. Our only requirement at this time would be that the applicant obtain a driveway permit.

**NC Division of Coastal Management (Charlan Owens, 252-264-3901)**

Reviewed without comment.

**US Post Office (Local)**

Please contact the post office regarding method of mail delivery.

**Mediacom (252-482-5583)**

See attached letter.

**The following items are necessary for resubmittal:**

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

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

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

#### Typical Use Permit (Quasi-Judicial) Hearing at BOC

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



**PB 16-17  
SB&K INVESTMENTS, LLC  
Amendment 1**

**Amendment to the Official Zoning Map**

**BE IT ORDAINED** by the Board of Commissioners of the County of Currituck, North Carolina:

**Item 1:** The Official Zoning Map is hereby amended for 4.01 acres zoned Conditional-Mixed Residential (C-MXR) located on Moyock Landing Drive, adjoining Currituck House assisted living facility to the east, Tax Map 9, Parcel 29T, Moyock Township to change the conceptual development plan to a sixteen unit two-story townhome development with attached garages, one detached garage/storage unit, and one detached accessory dwelling unit; the architectural rendering of the townhomes to be incorporated into the approval and units constructed according to the expanded description given to the Board of Commissioners at the February 19, 2018 meeting including the additional buffer.

**Item 2:** The zoning map amendment for this property is consistent with the 2006 Land Use Plan because:

- County water and sewer are available to the site and this use will help grow these systems. (Policy ES1)
- It is at a density appropriate for the location. (Policy HN1)
- Adequate public facilities are available to service the project. (PP2)
- It is located in the fastest growing area of the county that continues to evolve as a Full Service community. (Moyock Policy Emphasis)

The amended conditional rezoning request is consistent with the Moyock Small Area Plan because:

- There will be a sidewalk connection to the assisted living facility, park, and subdivision to the east. (TR2)
- Infrastructure and service needs of the community are met. (IS2)
- Impervious lot coverage is reduced and stormwater is properly managed. (IS4)
- It is compatible with a rural atmosphere, transitional areas, and a small town, main street feel. (CC1)

And the request is reasonable and in the public interest because:

- It creates a new residential use type, multi-family, at an appropriate density for the area where county water and sewer are available.
- It provides a moderate cost housing opportunity for county residents within a well-design neighborhood.

**Item 3:** This property shall be subject to the standards applicable to the general use zoning district, as modified by the conditions of approval. These standards and the following modifying conditions are binding on the land as an amendment to the Unified Development Ordinance and the Official Zoning Map:


1. The development shall be completed strictly in accordance with the conceptual development plan submitted to and approved by the Board of Commissioners.
2. The development will consist of a 16 unit townhome development (with attached garages), one detached garage/storage unit, and one detached accessory dwelling unit.

3. The architectural rendering of the townhomes to be incorporated into the approval and units constructed according to the *expanded description* given at the Board of Commissioners meeting on February 19, 2018, *including the additional buffer*.

**Item 4:** The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

**Item 5:** This zoning map amendment shall be in effect from and after the 19<sup>th</sup> day of February, 2018.

IN WITNESS WHEREOF, the County has caused this zoning map amendment to be approved in its name.

ATTEST:  
  
 Clerk to the Board  
 3.14.18  
 Date

  
 Chairman  
 Board of Commissioners

(NOT VALID UNTIL FULLY EXECUTED)

(Seal)

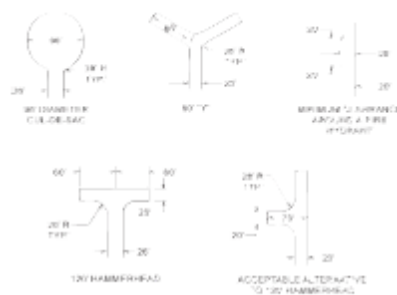


# TRC Comments

## Subdivisions

- No Parking signs placed throughout at/within 50' of road entrances, intersections and at cul de sacs.
- Mark fire hydrants locations in the center of road/street with blue reflectors, install no parking signage at hydrant locations.
- Dwellings greater than 4800 sq. ft. and/or greater than 2 stories will be calculated using the ISO commercial method.
- Dwellings 4800 sq. ft. and no greater than 2 stories may use setbacks as indicated in the ISO method to determine Needed Fire Flow.
- Town homes must have utilities placed on the lots they serve (no gang metering systems)

LENGTH (feet)	WIDTH (feet)	TURNAROUNDS REQUIRED
0-150	20	None required
151-500	20	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
501-750	26	120-foot Hammerhead, 60-foot "Y" or 96-foot-diameter cul-de-sac in accordance with Figure D103.1
Over 750		Special approval required



**FIGURE D103.1**  
**DEAD-END FIRE APPARATUS ACCESS ROAD TURNAROUND**

## CHAPTER 7

### Other Considerations for Determining Needed Fire Flow (NFF)

- When the subject building or exposure buildings have a wood-shingle roof covering and ISO determines that the roof can contribute to spreading fires, ISO adds 500 gpm to the NFF.
- The maximum NFF is 12,000 gpm. The minimum NFF is 500 gpm.
- ISO rounds the final calculation of NFF to the nearest 250 gpm if less than 2,500 gpm and to the nearest 500 gpm if greater than 2,500 gpm.
- For 1- and 2-family dwellings not exceeding 2 stories in height, ISO uses the following needed fire flows for a duration of 1 hour:

DISTANCE BETWEEN BUILDINGS More	NEEDED FIRE FLOW
than 30 feet	500 gpm
21 – 30 feet	750 gpm
11 – 20 feet	1,000 gpm
0 – 10 feet	1,500 gpm

### Inspection Comments

- Cluster mail box units must be accessible (accessible route, reach ranges)
- Accessible routes must be provided to all amenities such as pools, boardwalks, piers, docks and other amenities within the development. Plans must be designed to the 2018 NC Building Code design loads and structures must meet ADA requirements.
- Curb cuts at vehicular traffic areas and pedestrian crossings must be ADA compliant and have detectable warning devices installed.
- Soil engineering reports for footings will be required for lots that have fill placed on them where the footings do not rest at a minimum of 12" below grade on undisturbed natural soil. Site preparation, the area within the foundation walls shall have all vegetation, top soil and foreign material removed.
- Compaction testing will be required for slabs and thickened footing areas that exceed 24" of fill. Fill material shall be free of vegetation and foreign material. The fill shall be compacted to ensure uniform support of the slab, and except where approved, the fill depths shall not exceed 24 inches for clean sand or gravel and 8 inches (203 mm) for earth.

### No Parking signage examples





**Kim Mason, NC Area Director**

[kmason@mediacomcc.com](mailto:kmason@mediacomcc.com)

216 B Shannonhouse Road

Edenton NC, 27932

Edenton: 252-482-5583

Plymouth: 252-793-2491

Mobile: 252-497-0328

RE: New Build & Development

Dear Development manager;

As you know the key need for all homes in this 21<sup>st</sup> Century is a solid internet connection, be it for business, education or entertainment, the public demand is here.

With this in mind, as you plan for your development and build out, we would like to encourage you to reach out to us, as you do for other essential utilities. It is most economical and reasonable for you to work with us and have this valuable infrastructure in advance of selling and building the homes. Any build out costs can easily be recouped as the lots are developed and make your neighborhoods more appealing to families and professionals.

We invite you to partner with us and contact us locally. We will process a ROI for your location to determine partnership feasibility and estimated cost to ensure your development has access to the best internet services available.

Our key contacts are, Kim Mason, Director for North Carolina – information above and our construction coordinator Nathaniel Harris at 252- 793-5256 or 252-339-9375.

Mediacom launched 1-Gig broadband speeds in the following areas of North Carolina and operates customer service offices in Edenton and Plymouth.

<b>Bertie County</b>	<b>Martin County</b>	<b>Chowan County</b>	<b>Perquimans County</b>
Colerain	Jamesville	Arrowhead / Chowan Beach	Hertford
Kelford	<b>Northampton County</b>	Edenton	Winfall
Lewiston	Conway	<b>Currituck County</b>	<b>Tyrrell County</b>
Powellsville	Galatia	Barco	Columbia
Roxobel	Jackson	Currituck	<b>Washington County</b>
Windsor	Rich Square	Grandy	Creswell
<b>Camden County</b>	Seaboard	Moyock	Plymouth
Camden	Severn	Point Harbor	Roper
Shiloh	Woodland	Poplar Branch	
South Mills		Tulls Bay	

**About Mediacom Communications**

Mediacom Communications Corporation is the 5<sup>th</sup> largest cable operator in the U.S. serving over 1.3 million customers in smaller markets primarily in the Midwest and Southeast. Mediacom offers a wide array of information, communications and entertainment services to households and businesses, including video, high-speed data, phone, and home security and automation. Through Mediacom Business, the company provides innovative broadband solutions to commercial and public sector customers of all sizes and sells advertising and production services under the OnMedia brand. More information about Mediacom is available at [www.mediacomcable.com](http://www.mediacomcable.com).

We look forward to partnering with you to ensure your projects are successful and your development has the best services available for your buyers.

Best regards,

*Kim Mason*

Kim Mason

Operations Director, North Carolina



February 26, 2021

Mrs. Tammy Glave, CZO Senior Planner  
Currituck County Department of Planning & Community Development  
153 Courthouse Road, Suite 110  
Currituck, NC 27929

Reference: ***PB 20-24 Shingle Landing Villas - Preliminary Plat/Use Permit Approval – TRC Response***

Dear Tammy,

On behalf of Shingle Landing Villas, LLC, Bissell Professional Group is submitting this initial response to address TRC comments received regarding an Application for Preliminary Plat Approval for the Shingle Landing Villas Townhome development located in Moyock. It is our understanding that the County is formulating a Text Amendment to modify the stormwater requirements for Townhouse developments and, thereby, support this project as proposed. In the interim, the following responses are provided in the order in which comments were received.

**Planning**

1. Comment acknowledged. A detached accessory dwelling is being requested.
2. A total of 16 lots are being requested. Lot 17 has been revised to be a part of Lot 8 for a detached accessory dwelling unit.
3. Comment acknowledged.
4. Comment acknowledged. We understand the county is making a Text Amendment to address this particular situation.
5. Development Note 3.E. on the Cover Sheet has been added to outline proposed easements and includes an easement for future sidewalk connection at western property boundary.
6. Development Note 3.E. on the Cover Sheet has been added to outline proposed easements and includes an easement over all utilities and reference to utility easements shown. Also see Sheets 3 & 4 for utility easements added at the two water meter and hydrant locations.
7. Development Note 3.D. on the Cover Sheet has been added to tabulate required and provided open space. Sheet 4 has also been updated to illustrate OPEN SPACE A space as labeled behind lots 13 & 14 and cross hatched per legend added on the same sheet.
8. Comment acknowledged. A payment in-leu will be provided prior to final plat approval.
9. The Conditional Zoning Conditions listed on plat page 1 are identical to those listed under "Conceptual Development Note 5. Additional Conditions" on the Conceptual Development Plan approved by the Board of Commissioners on February 19, 2018. These conditions are, therefore, made a part of the Zoning Map Amendment and are not considered an addition with this application. It shall be noted that "UNITS ARE INTENDED TO BE SOLD AS INDIVIDUAL TOWNHOMES" is one of these conditions. It is acknowledged that further conditions were adopted at the February 19, 2018 Zoning Map Amendment and required for the development.
10. Sight Triangles have been added as shown on Sheets 3 & 4.
11. The Winslow Ditch has been labeled as shown on Sheet 2.
12. Zoning of Adjacent properties have been labeled as shown on Sheet 2.

**Building and Fire Inspections**

1. Comment and prior TRC comments acknowledged.

**Parks and Recreation**

1. The development has been designed and approved in accordance with state and local stormwater requirements.

**Soil and Stormwater**

1. Comment acknowledged. We understand the county is making a Text Amendment to address this particular situation.
2. The primary swale is graded to drain from the driveway culvert to BMP-2 during normal rainfall events. Flow will reverse during larger rainfall events and act as a connection to BMP-1 that contains the overflow spillway.
3. Stormwater outflow is directed east to the existing Winslow ditch as it runs between the site and adjoining assisted living development. The Winslow ditch generally flows south under Moyock Landing Drive.
4. Comment acknowledged. General maintenance of the Winslow ditch is already specified on the grading, drainage (Sheet 5) and erosion control (Sheet 6) plans.

**Utilities**

1. Thank you.
2. The applicant will be contacting the Utilities Dept. for further correspondence regarding responsibilities of operation and maintenance of the project's wastewater lift-station.
3. The applicant will be contacting the Utilities Dept. for further correspondence regarding provisions and responsibilities of water service to the development.
4. Development Note 3.E. on the Cover Sheet has been added to outline proposed easements and includes an easement over all utilities and reference to utility easements shown. Also see Sheets 3 & 4 for utility easement added at water meter and hydrant locations.
5. The proposed waterline extension is a hydrant leg only (this is for clarity only). The proposed water service layout is consistent with the Major Site Plan previously reviewed and TRC comments provided on 3-11-20 did not request a loop. The applicant will be contacting the Utilities Department for further correspondence regarding the provision of a backflow preventors (prior TRC), a loop (this TRC) and isolation valves (this TRC).

**ARHS**

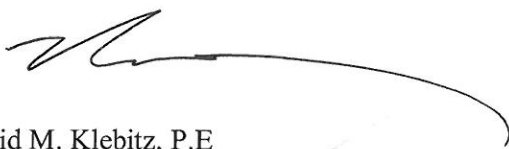
1. Comment acknowledged. NCDEQ Permit has been obtained.

**NCDOT**

1. Comment acknowledged. Acceptance of the parking lot by NCDOT will not be requested. A driveway permit has been obtained.

We believe these responses address the comments received, except those where the need for additional correspondence is noted. We thank you for the review and consideration and look forward to finalizing the preliminary plat approval for this project. If you have any questions or need any additional information please do not hesitate to call.

Sincerely yours,  
Bissell Professional Group



David M. Klebitz, P.E.  
Cc: Shingle Landing Villas, c/o Sam Miller



## Community Meeting Summary

**Shingle Landing Villas – Major Subdivision**

Tuesday, November 24, 2020

Scheduled Time/Place: 4:00 pm, Eagle Creek Golf Pavilion, Moyock, NC

Meeting Began at approximately 4:00 pm and Ended at approximately 5:00 pm

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

Trish & Chuck Thomas, Landowner  
 Jeanne & Bob Mullaney, Landowner  
 Debbie Marable, Landowner  
 Ryan Cavanaugh, Landowner  
 Laurie LoCicero, Currituck County

Valerie Bowling, Landowner  
 Brad Cameron, Landowner  
 Susan Davis, Landowner  
 David Klebitz, Engineer  
 Owen Etheridge, Currituck County

**Overview:**

An overview of the requested application and County review and approval process was offered. The overview included an explanation of the developer's desire to construct townhomes instead of condominiums or apartments and that the resulting creation of lots requires an application for a major subdivision. It was also explained that no changes are being made in the layout as compared to the layout previously approved with the conditional zoning and that all state permits and county site plan review have been performed.

Building Renderings and site plan drawings were provided for review.

Comments from the Community	How Addressed
When will the development start?	Construction is anticipated to start in February - March, after BOC approval is obtained.
What is estimated sale price of the units?	This information was not provided to us by the developer so a price was not given. It was explained that Townhomes are generally more valuable than condominiums and apartments already approved.
What are the floor plans and square footages?	It was explained that final detailed floor plans have not be provided to us by the developer and may not be prepared yet. Each unit will typically have a heated square footage of approximately 1,580 sf + a garage.
What kind of buffering is provided?	The landscaping and buffering plan was reviewed.
How much Parking will there be?	Each unit will have 1 garage space + 2 outside spaces, plus additional remote parking. UDO requires 30 spaces and 60 are provided.

**Summary:**

The attendees appeared to understand that this is simply an application to create townhome lots instead of condominiums or apartments and that nothing is otherwise being changed from what has been previously reviewed and approved. A number of people stayed around after the meeting was adjourned to view maps and renderings.



[illegible]



Dave Klebitz

**From:** Sam Miller [smiller@laurelwoodsestates.com]  
**Sent:** Wednesday, February 27, 2019 9:58 PM  
**To:** Dave Klebitz  
**Subject:** Fwd: sewer  
**Attachments:** image001.jpg

----- Forwarded message -----

**From:** Dan Scanlon <[Dan.Scanlon@currituckcountync.gov](mailto:Dan.Scanlon@currituckcountync.gov)>  
**Date:** Wed, Jul 27, 2016, 7:52 AM  
**Subject:** RE: sewer  
**To:** Eddie Hyman <[eddie@ethymansurveying.com](mailto:eddie@ethymansurveying.com)>  
**Cc:** Sam Miller <[smiller@laurelwoodsestates.com](mailto:smiller@laurelwoodsestates.com)>, Pat Irwin <[Pat.Irwin@currituckcountync.gov](mailto:Pat.Irwin@currituckcountync.gov)>, Eric Weatherly <[Eric.Weatherly@currituckcountync.gov](mailto:Eric.Weatherly@currituckcountync.gov)>, Ben Woody <[Ben.Woody@currituckcountync.gov](mailto:Ben.Woody@currituckcountync.gov)>

Currituck County will provide 4,800 gpd in wastewater service to the 4 Acre Site on the North side of Moyock Landing Drive west of the Assisted Living Site predicated upon the project obtaining all required County and State project approvals.

**From:** Eddie Hyman [mailto:[eddie@ethymansurveying.com](mailto:eddie@ethymansurveying.com)]  
**Sent:** Tuesday, July 26, 2016 2:58 PM  
**To:** Dan Scanlon  
**Cc:** 'Sam Miller'  
**Subject:** RE: sewer

The 17 units will be a combination of 2 and 3 bed rooms with an approximate total of 40 bed rooms.

At 120 GPD we will need 4,800 GPD to serve the development.

Thanks Eddie

**From:** Dan Scanlon [mailto:[Dan.Scanlon@CurrituckCountyNC.gov](mailto:Dan.Scanlon@CurrituckCountyNC.gov)]  
**Sent:** Tuesday, July 26, 2016 2:27 PM  
**To:** Eddie Hyman  
**Cc:** 'Sam Miller'; Ben Woody  
**Subject:** RE: sewer

Attachment: 6 County Sewer Commitment 7-27-16 (PB 20-24 Shingle Landing Villas)

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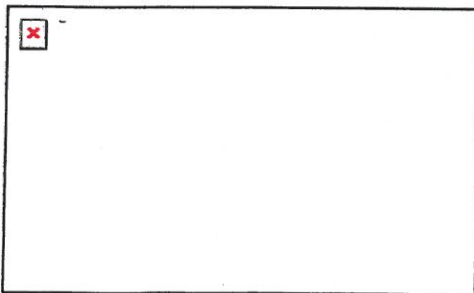
**From:** Eddie Hyman [<mailto:eddie@ethymansurveying.com>]  
**Sent:** Monday, July 25, 2016 12:41 PM  
**To:** Dan Scanlon  
**Cc:** 'Sam Miller'; Ben Woody  
**Subject:** sewer

Dan,

I will be submitting a rezoning application Thursday for Currituck County PIN # 0009000029T0000, it's the 4 Acre Site on the North side of Moyock Landing Drive west of the Assisted Living Site. The request will be to rezone from GB to MXR and we plan to build 16 condo style units.

From what I understand You are the County Official who approves sewer allocations, will sewer be available for this project? If so, when do I need to make the formal application?

Thanks Eddie



Edward T. Hyman, Jr. – PLS

E. T. Hyman Surveying, PC C-4161

133 US Hwy 158 West Suite E

Camden NC, 27921

Attachment: 6 County Sewer Commitment 7-27-16 (PB 20-24 Shingle Landing Villas)



## Major Subdivision Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
 Date Filed: \_\_\_\_\_  
 Gate Keeper: \_\_\_\_\_  
 Amount Paid: \_\_\_\_\_

**Contact Information**
**APPLICANT:** SHINGLE LANDING VILLAS, LLC
**Name:** Miller Homes and Building, LLC
**Address:** 111 Currituck Comm. Dr., Ste. B  
Moyock, NC 27958
**Telephone:** 252-435-6402
**E-Mail Address:** smiller@millerhomesandbuilding.com
**PROPERTY OWNER:**
**Name:** Shingle Landing Villas, LLC
**Address:** 111 Currituck Comm. Dr., Ste. B  
Moyock, NC 27958
**Telephone:** 252-435-6402
**E-Mail Address:** smiller@millerhomesandbuilding.com
**LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER:** Contract Purchaser SAME
**Request**
**Physical Street Address:** Moyock Landing Drive
**Parcel Identification Number(s):** 0009-000-029T-0000
**Subdivision Name:** Shingle Landing Villas
**Number of Lots or Units:** 17
**Phase:** \_\_\_\_\_

**TYPE OF SUBMITTAL**

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

**TYPE OF SUBDIVISION**

- ☐ Traditional Development  
☐ Conservation Subdivision  
☐ Planned Unit Development  
☐ Planned Development  
☒ Townhome Development

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

SHINGLE LANDING VILLAS, LLC BY SAM MILLER
**Property Owner(s)/Applicant\***
11/24/2020
**Date**

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

**Community Meeting, if applicable**
**Date Meeting Held:** \_\_\_\_\_ **Meeting Location:** \_\_\_\_\_

## Use Permit Review Standards, if applicable

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

Purpose of Use Permit and Project Narrative (please provide on additional paper if needed): \_\_\_\_\_  
 See attachment A

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

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

See attachment A

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

See attachment A

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

See attachment A

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

See attachment A

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

SHINGLE LANDING VILLAS, LLC BY SAM MILLER

Property Owner(s)/Applicant\*

Date

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

Major Subdivision Application

Page 6 of 12

Revised 7/1/2019

Attachment: 7 Application (PB 20-24 Shingle Landing Villas)



## ATTACHMENT "A"

### Purpose of the Use Permit and Project Narrative

The subject property had conditional zoning approved in 2017 and amended in 2018 for the development of 16 two-story townhomes with attached garages and one attached accessory dwelling unit. The purpose of this application is to allow the creation of lot lines which are necessary for the construction and sale of townhomes units as envisioned in the original and amended conditional zoning approval. No changes are being proposed to the approved development plan, including the architectural renderings of the proposed buildings, as approved in February, 2018, but a Use Permit is necessary for the establishment of lot lines around the proposed building units.

#### **A. The Use will not endanger the public health or safety, due to the following:**

1. Stormwater management has been designed in accordance with the Conditional Zoning Approval and has been approved by the NC Dept. of Environmental Quality. Stormwater retention ponds will be constructed to manage and retain stormwater and slow release into adjacent stormwater outlets.
2. A wastewater collection system and lift station have been designed and approved by the NCDEQ, which will be pumped to the Moyock Regional Wastewater Treatment System.
3. The project has been designed and approved by the Division of Energy, Mineral and Land Resources for sedimentation and erosion control, and will minimize erosion and contain siltation on site.
4. NCDOT has reviewed and approved the connection to Moyock Landing Drive.

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

1. Land to the north is single family residential but as a significant tree buffer to the site, land to the east is the Currituck House Assisted Living Facility, land to the west is commercial and land to the south is residential. The County Commissioners determined that the use is appropriate for the land by virtue of conditional zoning approval that was granted and amended in 2018. It was determined that this development creates a new residential use type at an appropriate density for this area where county water and sewer are available, and provides a moderate cost housing opportunity for county residents within a well designed neighborhood.

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

1. It was determined in 2018 that the proposed development is consistent with 2006 Land Use Plan because:
  - a) County water and sewer are available to the site and this use will help grow these systems. (Policy ES1)
  - b) It is at a density appropriate for the location. (Policy HN1)
  - c) It is located in the fastest growing area of the county that continues to evolve as a Full Service Community. (Moyock Policy Emphasis)
2. The amended conditional rezoning request is consistent with the Moyock Small Area Plan because:
  - a) There will be a sidewalk connection to the assisted living facility, park, and subdivision to the east. (TR2)
  - b) Infrastructure and service needs of the community are met (IS2)
  - c) Impervious lot coverage is reduces and stormwater is properly managed. (IS4)
  - d) It is compatible with a rural atmosphere, transitional areas, and a small town, main street feel. (CC1)

**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.**

1. The Board of Commissioners determined in 2018 that the development is reasonable and in the public interest and that adequate public facilities are available to service the project. Construction of the project has been delayed due to Currituck County's inability to provide a wastewater connection, but now that sewer capacity has been made available, the project is now moving forward in accordance with the original conditions of approval.

**PB 16-17  
SB&K INVESTMENTS, LLC  
Amendment 1**

**Amendment to the Official Zoning Map**

**BE IT ORDAINED** by the Board of Commissioners of the County of Currituck, North Carolina:

**Item 1:** The Official Zoning Map is hereby amended for 4.01 acres zoned Conditional-Mixed Residential (C-MXR) located on Moyock Landing Drive, adjoining Currituck House assisted living facility to the east, Tax Map 9, Parcel 29T, Moyock Township to change the conceptual development plan to a sixteen unit two-story townhome development with attached garages, one detached garage/storage unit, and one detached accessory dwelling unit; the architectural rendering of the townhomes to be incorporated into the approval and units constructed according to the expanded description given to the Board of Commissioners at the February 19, 2018 meeting including the additional buffer.

**Item 2:** The zoning map amendment for this property is consistent with the 2006 Land Use Plan because:

- County water and sewer are available to the site and this use will help grow these systems. (Policy ES1)
- It is at a density appropriate for the location. (Policy HN1)
- Adequate public facilities are available to service the project. (PP2)
- It is located in the fastest growing area of the county that continues to evolve as a Full Service community. (Moyock Policy Emphasis)

The amended conditional rezoning request is consistent with the Moyock Small Area Plan because:

- There will be a sidewalk connection to the assisted living facility, park, and subdivision to the east. (TR2)
- Infrastructure and service needs of the community are met. (IS2)
- Impervious lot coverage is reduced and stormwater is properly managed. (IS4)
- It is compatible with a rural atmosphere, transitional areas, and a small town, main street feel. (CC1)

And the request is reasonable and in the public interest because:

- It creates a new residential use type, multi-family, at an appropriate density for the area where county water and sewer are available.
- It provides a moderate cost housing opportunity for county residents within a well-design neighborhood.

**Item 3:** This property shall be subject to the standards applicable to the general use zoning district, as modified by the conditions of approval. These standards and the following modifying conditions are binding on the land as an amendment to the Unified Development Ordinance and the Official Zoning Map:

1. The development shall be completed strictly in accordance with the conceptual development plan submitted to and approved by the Board of Commissioners.
2. The development will consist of a 16 unit townhome development (with attached garages), one detached garage/storage unit, and one detached accessory dwelling unit.




3. The architectural rendering of the townhomes to be incorporated into the approval and units constructed according to the *expanded description* given at the Board of Commissioners meeting on February 19, 2018, *including the additional buffer*.

**Item 4:** The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

**Item 5:** This zoning map amendment shall be in effect from and after the 19<sup>th</sup> day of February, 2018.

IN WITNESS WHEREOF, the County has caused this zoning map amendment to be approved in its name.

ATTEST:

  
 Clerk to the Board  
3.14.18  
 Date

  
 Chairman  
 Board of Commissioners

(NOT VALID UNTIL FULLY EXECUTED)

(Seal)



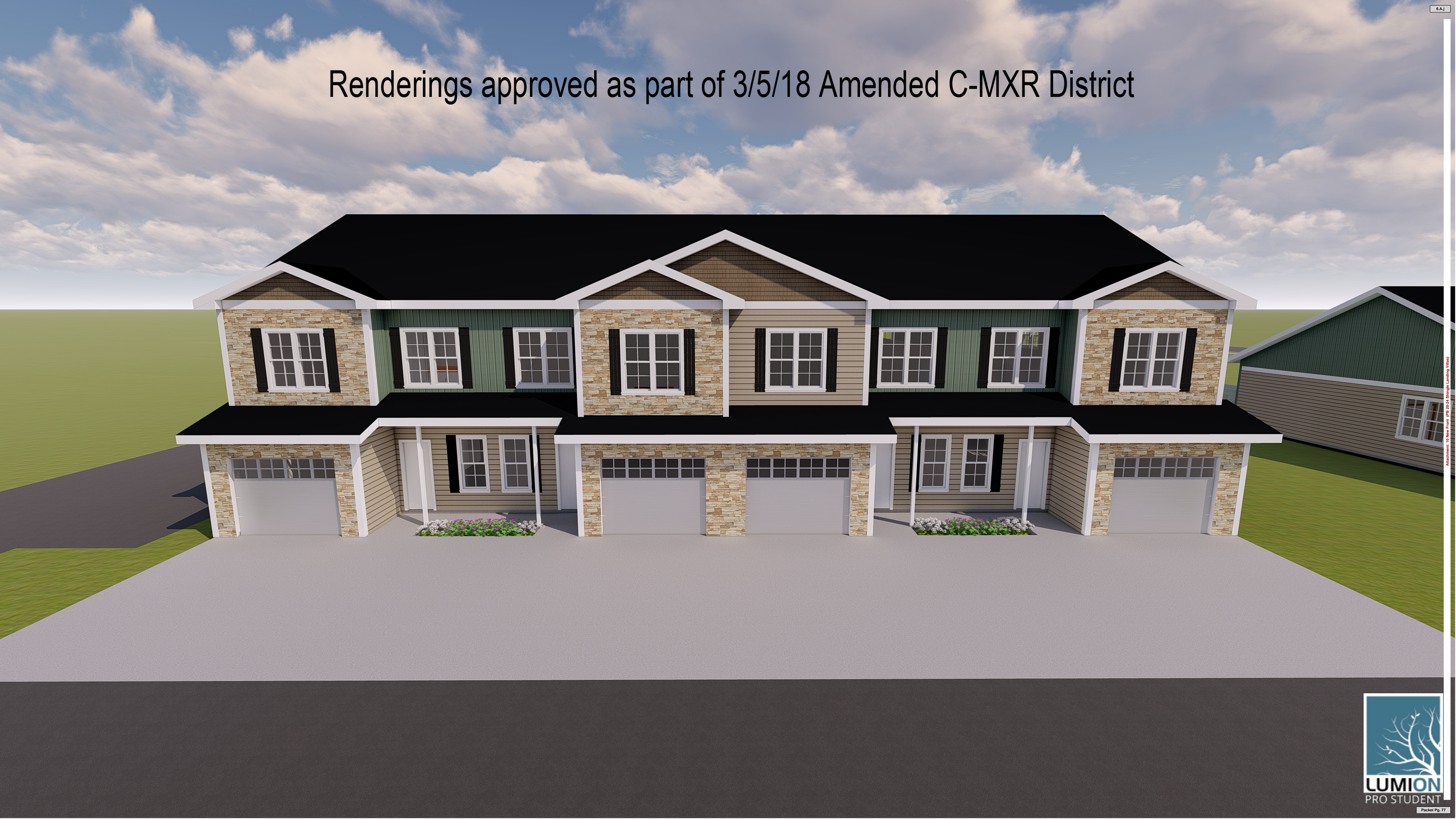
Renderings approved as part of 3/5/18 Amended C-MXR District





6.A.J

Renderings approved as part of 3/5/18 Amended C-MXR District





**From:** [Laurie LoCicero](#)  
**To:** [Donna Voliva](#); [Tammy Glave](#); [Jennie Turner](#); [Jason Litteral](#)  
**Subject:** FW: Moyock School Expansion and APF  
**Date:** Wednesday, January 20, 2021 4:23:27 PM

---

All,

Please see the email below from Ben regarding school capacity. After speaking with him, we will need to add a note after our APF chart in our staff reports that summarizes his statement below and to note that direction came from the Manager.

Tammy – when compiling the staff report for Flora, let us talk through the actual language that we will use.

Thanks,  
 Laurie

**Laurie B. LoCicero**, AICP  
 Planning Director  
 Planning & Community Development  
 County of Currituck  
 Phone: 252-232-6028  
 Fax: 252-232-3026  
[www.currituckgovernment.com](http://www.currituckgovernment.com)

---

**From:** Ben Stikeleather <Ben.Stikeleather@CurrituckCountyNC.gov>  
**Sent:** Friday, January 15, 2021 4:33 PM  
**To:** Laurie LoCicero <Laurie.LoCicero@CurrituckCountyNC.gov>  
**Cc:** Matthew Lutz <mlutz@currituck.k12.nc.us>  
**Subject:** Moyock School Expansion and APF

Laurie,

I expect to give the notice to proceed with the school expansion project by June 1<sup>st</sup>. The expansion should increase the capacity of Moyock Elementary School to 750 students. The project should be completed by the start of the 2023-2024 school session. Because of the expansion project this summer, we will have a solution to our adequate public facility issue regarding Moyock Elementary within two years. I am happy to explain the construction process and assumptions at the Planning Board if needed. Please let me know if this addresses the issues that you had questions about earlier.

Thanks,  
 Ben

Attachment: 11 Ben - School Capacity Email 1-15-2021 (PB 20-24 Shingle Landing Villas)



**From:** [davek@bissellprofessionalgroup.com](mailto:davek@bissellprofessionalgroup.com)  
**To:** [Tammy Glave](#)  
**Cc:** [Cheri Elliott](#); [Donna Voliva](#); [Laurie LoCicero](#); [Mark Bissell](#); [Marcie Respass](#)  
**Subject:** [EXTERNAL] RE: [EXTERNAL] 4498 - RE: Shingle Landing Villas PP UP TRC Comments  
**Date:** Monday, December 21, 2020 5:26:39 PM

**[CAUTION]:** This email originated from outside of Currituck County's system. Do not click links or open attachments unless you verify that the attachment and contents are safe. Please report any suspicious emails or attachments to [support](#).

Thank you, Tammy. We went ahead and submitted paper copies and a CD just in case. You can ignore those and we will resubmit per the schedule. If I don't correspond with you again before hand, have a Merry Christmas and Happy New Year!

Best Regards,

David Klebitz

---

**From:** Tammy Glave <[Tammy.Glave@CurrituckCountyNC.gov](mailto:Tammy.Glave@CurrituckCountyNC.gov)>  
**Sent:** Monday, December 21, 2020 3:27 PM  
**To:** [davek@bissellprofessionalgroup.com](mailto:davek@bissellprofessionalgroup.com)  
**Cc:** Cheri Elliott <[Cheri.Elliott@CurrituckCountyNC.gov](mailto:Cheri.Elliott@CurrituckCountyNC.gov)>; Donna Voliva <[Donna.Voliva@CurrituckCountyNC.gov](mailto:Donna.Voliva@CurrituckCountyNC.gov)>; Laurie LoCicero <[Laurie.LoCicero@CurrituckCountyNC.gov](mailto:Laurie.LoCicero@CurrituckCountyNC.gov)>  
**Subject:** RE: [EXTERNAL] 4498 - RE: Shingle Landing Villas PP UP TRC Comments

Thank you for your response. I've passed along the request to table the application. Please follow the TRC Revision Deadline on the [Submittal Schedule](#) for full resubmittal prior to the BOC meeting on which you wish your case to be heard.

Let me know if you have any questions. Thank you.

Tammy D. Glave, CZO  
 Senior Planner  
 County of Currituck  
 Planning & Community Development  
 Phone: 252-232-6025  
 Fax: 252-232-3026  
 Email: [tammy.glave@currituckcountync.gov](mailto:tammy.glave@currituckcountync.gov)  
 Website: [www.currituckgovernment.com](http://www.currituckgovernment.com)

---

**From:** [davek@bissellprofessionalgroup.com](mailto:davek@bissellprofessionalgroup.com) <[davek@bissellprofessionalgroup.com](mailto:davek@bissellprofessionalgroup.com)>  
**Sent:** Monday, December 21, 2020 1:21 PM  
**To:** Tammy Glave <[Tammy.Glave@CurrituckCountyNC.gov](mailto:Tammy.Glave@CurrituckCountyNC.gov)>; Laurie LoCicero <[Laurie.LoCicero@CurrituckCountyNC.gov](mailto:Laurie.LoCicero@CurrituckCountyNC.gov)>  
**Cc:** 'Sam Miller' <[smiller@millerhomesandbuilding.com](mailto:smiller@millerhomesandbuilding.com)>; Mark Bissell <[mark@bissellprofessionalgroup.com](mailto:mark@bissellprofessionalgroup.com)>; Marcie Respass <[admin@bissellprofessionalgroup.com](mailto:admin@bissellprofessionalgroup.com)>

Attachment: 12 Shingle Landing Villas PP UP TRC Comments ENGINEER REQUEST TO POSTPONE Email (PB 20-24 Shingle Landing Villas)



**Subject:** [EXTERNAL] 4498 - RE: Shingle Landing Villas PP UP TRC Comments

**[CAUTION]:** This email originated from outside of Currituck County's system. Do not click links or open attachments unless you verify that the attachment and contents are safe. Please report any suspicious emails or attachments to to [support](#).

Hope you are doing well! Attached is a copy of our TRC response letter for Shingle Landing Villas. I'm sending this email as a heads up that, because of the related stormwater text amendment we understand is being prepared, the response includes a request to table the application until the Amendment is heard by the BOC. In consideration of the tabling, we are simply submitting the attached response letter, without revised plans. If you would still like (3) paper copies and a CD of this letter, please let me know and we will deliver them with the other submittals being dropped off this afternoon. Thank you for time and consideration and if you have any questions, please let me know .

Best Regards,

David M. Klebitz, PE



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**From:** Tammy Glave <[Tammy.Glave@CurrituckCountyNC.gov](mailto:Tammy.Glave@CurrituckCountyNC.gov)>

**Sent:** Thursday, December 10, 2020 3:00 PM

**To:** [davek@bissellprofessionalgroup.com](mailto:davek@bissellprofessionalgroup.com)

**Cc:** Sam Miller ([smiller@millerhomesandbuilding.com](mailto:smiller@millerhomesandbuilding.com)) <[smiller@millerhomesandbuilding.com](mailto:smiller@millerhomesandbuilding.com)>

**Subject:** Shingle Landing Villas PP UP TRC Comments

The TRC comments received to date for Shingle Landing Villas, Preliminary Plat/Use Permit, are attached to this message. If you have questions, please contact the commenter directly.

Let me know if you have any questions. Thank you.

Tammy D. Glave, CZO  
Senior Planner  
County of Currituck

Attachment: 12 Shingle Landing Villas PP UP TRC Comments ENGINEER REQUEST TO POSTPONE Email (PB 20-24 Shingle Landing Villas)

Planning & Community Development

Phone: 252-232-6025

Fax: 252-232-3026

Email: [tammy.glave@currituckcountync.gov](mailto:tammy.glave@currituckcountync.gov)

Website: [www.currituckgovernment.com](http://www.currituckgovernment.com)





**STAFF REPORT**  
**PB 18-23 FOST TRACT**  
**#2 AMENDED PRELIMINARY PLAT/USE**  
**PERMIT,**  
**PHASES 1-5**  
**BOARD OF COMMISSIONERS**  
**MARCH 15, 2021**

### APPLICATION SUMMARY

<b>Property Owner:</b> Moyock Development LLC 417-D Caratoke Hwy Moyock NC 27958	<b>Applicant:</b> Moyock Development LLC 417-D Caratoke Hwy Moyock NC 27958
<b>Case Number:</b> PB 18-23	<b>Application Type:</b> Amended Preliminary Plat/Use Permit
<b>Parcel Identification Number:</b> 0015-000-0086-0000	<b>Existing Use:</b> Planned Development under construction
<b>Land Use Plan Classification:</b> Full Service	<b>Parcel Size (Acres):</b> 137.18 (Phases 1-5) 228.28 (Total)
<b>Moyock Small Area Plan Classification:</b> Limited Service	<b>Zoning:</b> PD-R
<b>Number of Units:</b> 301	<b>Overall Project Density (units/acre):</b> 2.19
<b>Required Open Space (Acres):</b> 41.15	<b>Provided Open Space (Acres):</b> 44.95

### SURROUNDING PARCELS

	Land Use	Zoning
North	Single-family dwellings, retail	AG, GB, SFM
South	Single-family dwellings, cultivated farmland	AG, SFM
East	Single-family dwellings, cultivated farmland	GB, SFM
West	Single-family dwellings, cultivated farmland	AG

### STAFF ANALYSIS

On January 21, 2020, the Board of Commissioners approved the Preliminary Plat/Use Permit for Phases 1-5 of Fost Planned Development (see attached). The developer is requesting an amended approval to:

- Addition of Leif Street connection to Flora property.
- Minor shift of side lot lots between lots 42-44.

The Board of Commissioners approved the below phasing plan as part of the project approval and a previous amendment approval. The phasing plan remains valid.

Phase Numbers	Number of Dwelling Units	Projected Recording Date
1	71	October 2020
2	65	April 2021
3	51	October 2021
4	77	April 2022
5	37	October 2022

Providing adequate public facilities for this development remains a concern since the elementary schools and high schools are near or over 100% committed capacity. (See Adequate Public Facilities – Schools Table below). However, it should be noted that the students generated from Fost, Phases 1-5, are vested since the Board of Commissioners approved the Preliminary Plat/Use Permit previously.

ADEQUATE PUBLIC FACILITIES – SCHOOLS <sup>1</sup>				
School	2019-2020 2020-2021 Actual Capacity <sup>2</sup>	2021-2022 Actual Capacity <sup>3</sup>	Committed Capacity <sup>3</sup>	Proposed Capacity Changes
				Number of Students
Moyock Elementary	109%	115%	126%	
Shawboro Elementary	94%	97%		
Central Elementary	80%	89%		
Griggs Elementary	56%	59%	101%	
Jarvisburg Elementary	82%	88%		
Knotts Island Elementary	35%	36%	36%	
Moyock Middle	95%	79%	93%	
Currituck Middle	61%			
Currituck High	84%	86%	106%	
JP Knapp Early College	93%			

<sup>1</sup>Does not include minor subdivisions, exempt subdivisions, and subdivisions approved prior to the adoption of the adequate public facilities ordinance (October 1994)

<sup>2</sup>Capacity percentages are based on 2019-2020 and 2020-2021 school year classroom standards and August 2020 ADM

<sup>3</sup>Capacity percentages are based on the 2021-2022 school year classroom standards and August 2020 ADM

The developer held a community meeting on September 23, 2020 at the Eagle Creek Pavilion. Three residents attending the meeting. All were from Ranchland and asked questions about how the sewer would work, entrance locations, drainage ditch improvements to help Ranchland, and berm location.



**INFRASTRUCTURE**

<b>Water</b>	Public
<b>Sewer</b>	Private Centralized System (on-site at Eagle Creek)
<b>Transportation</b>	<p>Pedestrian: A series of sidewalks and pedestrian trails; The developer must install an 8' multi-use path along the Caratoke Highway property line as required by the Connect Currituck Plan.</p> <p>Connectivity Score: Minimum = 1.6 Proposed = 1.67</p> <ul style="list-style-type: none"> <li>• One Connection to Caratoke Highway</li> <li>• One Connection to Moyock Farms</li> <li>• Four connections to Flora Farm</li> </ul>
<b>Stormwater/Drainage</b>	See attached map for required stormwater/drainage improvements (PB 18-23 Fost PD-R Rezoning Stormwater Conditions dated 7/2019 prepared by engineering staff)
<b>Design Standards</b>	Multi-family design standards apply to the townhomes.
<b>Lighting</b>	Street lights are proposed and must be full cut-off fixtures
<b>Landscaping</b>	Farmland buffers, WWTP/utility buffers, street trees, major arterial screening, and site landscaping are required
<b>Compatibility</b>	The BOC determined that this development was compatible with the Land Use Plan, Moyock Small Area Plan, and the surrounding neighborhoods at its May 6, 2019 meeting.
<b>Recreation and Park Area Dedication</b>	The applicant will be paying approximately \$27,021 as a fee-in-lieu of recreation and park area dedication for these phases.
<b>Riparian Buffers</b>	There are no wetlands in these phases.

**RECOMMENDATIONS****TECHNICAL REVIEW COMMITTEE**

TRC recommends approval of this request provided:

1. The application complies with all applicable review standards, so long as the following items are adequately addressed:
  - July 2019 required stormwater improvements remain unchanged (attached).
  - The amended preliminary plat/use permit is effective only upon receipt of written consent by the property owner(s) *and* applicant(s).
2. The applicant has demonstrated that 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 all items in Number 1 above.

**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. On January 21, 2020 the Board of Commissioners adopted the following Findings of Fact that remain relevant with the amended plan request.**

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

Preliminary Applicant Findings:

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

1. Transportation: The main subdivision entrance will be connected directly to NC 168 (Caratoke Highway). Deceleration and acceleration lanes will be provided in accordance with NCDOT Standards and will be approved by NCDOT prior to construction. Connectivity will be provided to the existing farmland to the southeast (Auction Site) and to the west. Roadways will be laid out generally as shown on the Master Plan and will be in accordance with the approved right-of-way and pavement width characteristics, using the NCDOT complete streets planning manual as a guide.  
Appropriate access has been made for emergency service vehicles in accordance with applicable standards including the N.C. Fire Code.
2. Potable Water: Water will be supplied by Currituck County via an existing 12" main located on Caratoke Highway, which will be tapped and looped through the site. Fire protection will be provided in accordance with UDO Standards and the applicable ISO standards. The water system will be modeled to demonstrate adequate flow and pressure for fighting fires while meeting the maximum day domestic demand.
3. Wastewater: *Centralized wastewater treatment and disposal facility will be provided in accordance with North Carolina Standards and approved by NCDEQ and/or NCDHHS. The development will connect to an off-site private wastewater treatment plant located in Eagle Creek and operated by Currituck Water and Sewer, LLC. The major utility will be regulated by the North Carolina Utilities Commission. A letter of intent to service this development from Currituck Water and Sewer, LLC. is attached. **(This section has been updated by staff since the application references a previously approved wastewater collection system to be constructed by the developer).***
4. Stormwater Management: A major drainage way known as Rowland Creek Canal runs through the development property. Due to the importance of this drainage feature not only to the development but to other properties located both upstream and downstream of this property, the Developer has committed to cleaning and laying back the slopes and stabilizing the portion of Rowland Creek that runs from Eagle Creek Subdivision to the railroad next to NC 168. The Developer has also committed to improving the common property line ditch along Ranchland and the Auction property, and to excavate a new ditch that would be available to Ranchland along the common property line from the Auction site to south of the power easement. The Developer will also improve the sections of Rowland Creek downstream of the Fost property that require maintenance.  
On-site stormwater will be managed by constructing a series of stormwater management ponds that will be interconnected and will retain and slow-release stormwater to existing outlets. In addition to modeling and retaining stormwater to the UDO and Stormwater Manual standard of the difference between runoff from the 10-year developed condition and runoff from a 2- year wooded condition site, stormwater will be modeled for the 100-year storm without adversely impacting neighboring properties. Implementation of this plan should improve drainage for neighboring properties compared to existing conditions. Stormwater will be conveyed to on-site retention ponds through a combination of curbs with inlets, stormwater pipes, and open vegetated swales.

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.

#### Preliminary Applicant Findings:

Land use to the west is agricultural, with one dwelling unit located approximately 435 feet from the nearest property line and approximately 565 feet from the nearest structure. Land use to the north, across the railroad and Caratoke Highway is commercial, land to the east is farmland and residential lots, and land to the south is residential lots. Perimeter compatibility is being addressed as follows:

1. To the west: A 50 foot farm buffer is being provided, followed by a 60 foot roadway corridor, so the nearest dwelling unit will be at least 565 feet from the existing residence on that farm. A vegetative buffer is also being provided along that property line.



2. To the north (Caratoke Highway): A berm is being provided along the highway along with lakes flanking the main entrance road. The nearest dwelling unit will be set back at least 175 feet from the highway right-of-way at the closest point. The visual impact of the development will be minimized by setbacks, berms and landscaping.
3. To the east: A 50 foot vegetative farm buffer is being provided along the existing farmland; traditional single family dwelling lots are being proposed in the areas that back up to existing dwelling units in the adjacent Ranchland subdivision. Even though the dwelling types are believed to be compatible, a minimum 50 foot buffer is being provided between the developments.
4. To the south: Compatible residential development is being proposed and a minimum 90 foot open space buffer is shown to the property line.
5. Limited commercial development is proposed to be located interior to the development and will front along the landscaped entrance boulevard.
6. Lot size ratios and density ratios are comparable to other developments that have been approved in the immediate area and in other parts of Moyock.

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

The site is adjacent to non-agricultural activities including the Ranchland neighborhood to the south and southeast, and commercial and residential uses to the east. The site is also in close proximity to the Eagle Creek neighborhood. The proposed use is compatible with these adjacent uses and furthers the County's goal of concentrating new residential development in the vicinity of existing residential development. Nearby communities include existing planned communities of 588 lots to the west, a 275 lot subdivision to the east and 426 lots under development to the north of Caratoke Highway, all in the vicinity of the Fost tract. The development is appropriate for the location as it continues existing development patterns in this part of Moyock. Lot area ratios and density ratios are consistent with other developments that have been approved recently nearby and in other parts of Moyock.

[The use will be in conformity with the Land Use Plan or other officially adopted plans.](#)

#### Preliminary Staff Findings:

1. At its May 6, 2019 meeting, the BOC determined that this development was compatible with the Land Use Plan, Moyock Small Area Plan, and the surrounding neighborhoods because:
  - a. The proposed conditions for the property will improve drainage problems on the property and with nearby Ranchland subdivisions if improvements can be made to drainage system on off-site properties, and;
  - b. The PDR is compatible with existing Moyock Township subdivisions.

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.

**Preliminary Staff Findings:**

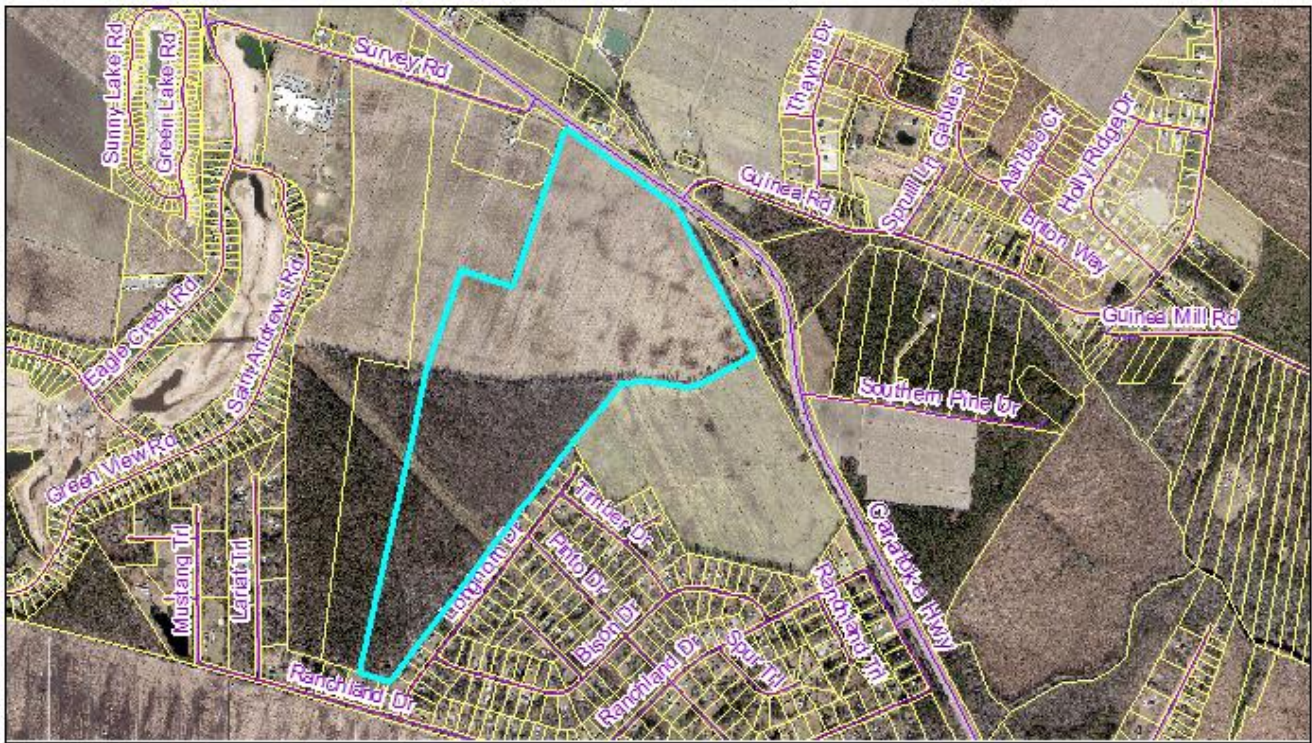
1. On December 11, 2019 the Board of Education revised its statement about the school district and determined that this development is entirely within the Shawboro school district. The Superintendent also advised that Shawboro Elementary School has capacity for the 119 elementary students this development is projected to generate, with Phases 1-5 expected to generate 75 of those students, based on the July 9, 2004 Tischler Study Student Generation Rates.
2. The county can provide adequate facilities, including but not limited to fire, emergency services, and law enforcement to serve the development.
3. The following phasing schedule shall be adhered to:

Phase Numbers	Number of Dwelling Units	Projected Recording Date
1	71	October 2020
2	65	April 2021
3	51	October 2021
4	77	April 2022
5	37	October 2022

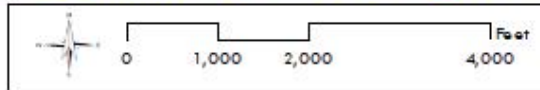
THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE  
Board of Commissioners: [www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm](http://www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm)

Attachment: 1 Fost A #2 PPUP P1-5 Staff Report 3-15-2021 (PB 18-23 Fost Tract PD-R)

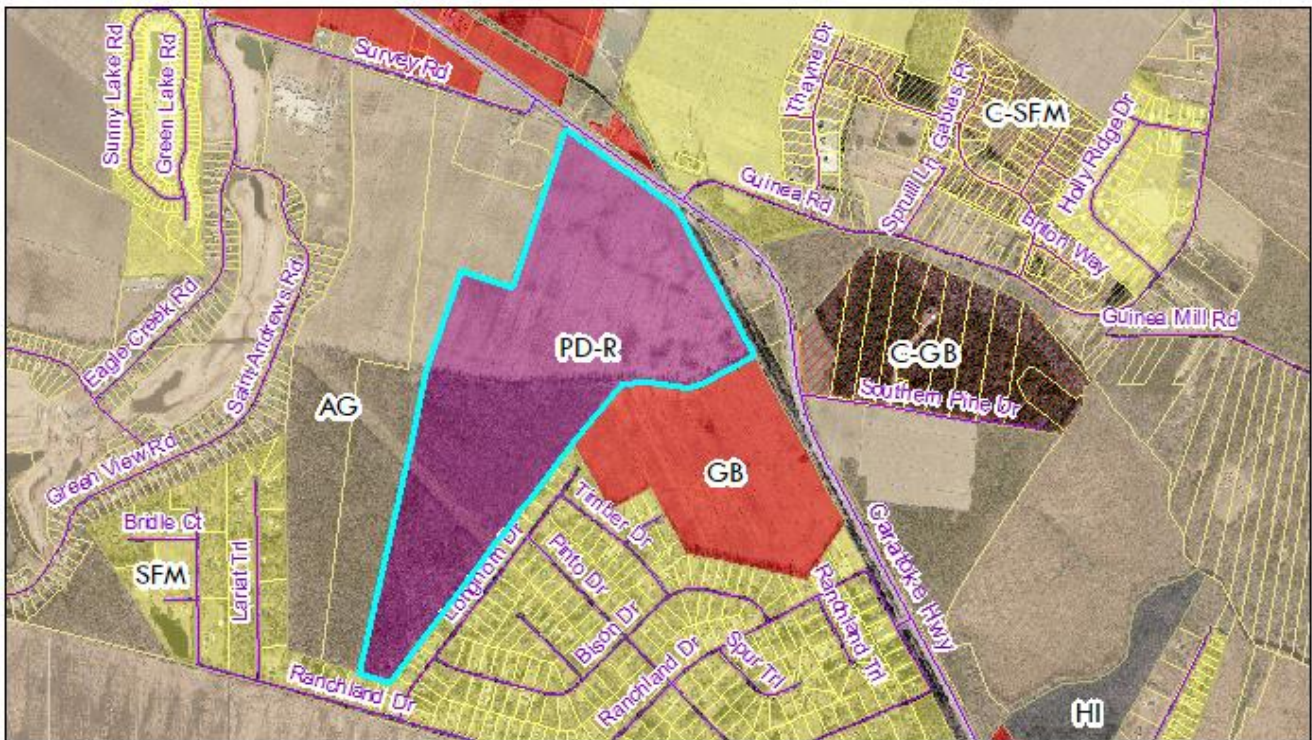




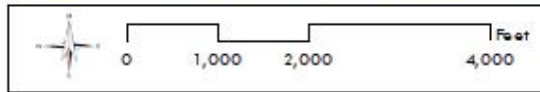
PB 18-23 Fost, Phases 1-5  
Preliminary Plat/Use Permit  
2016 Aerial Photography



Currituck County  
Planning and  
Community Development



PB 18-23 Fost, Phases 1-5  
Preliminary Plat/Use Permit  
Zoning



Currituck County  
Planning and  
Community Development

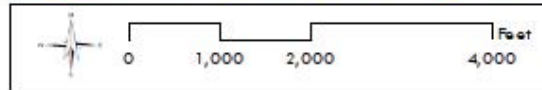
PB 18-23 Fost Tract, Phases 1-5  
#2 Amended Preliminary Plat/Use Permit  
Page 7 of 10

Attachment: 1 Fost A #2 PPUP P1-5 Staff Report 3-15-2021 (PB 18-23 Fost Tract PD-R)

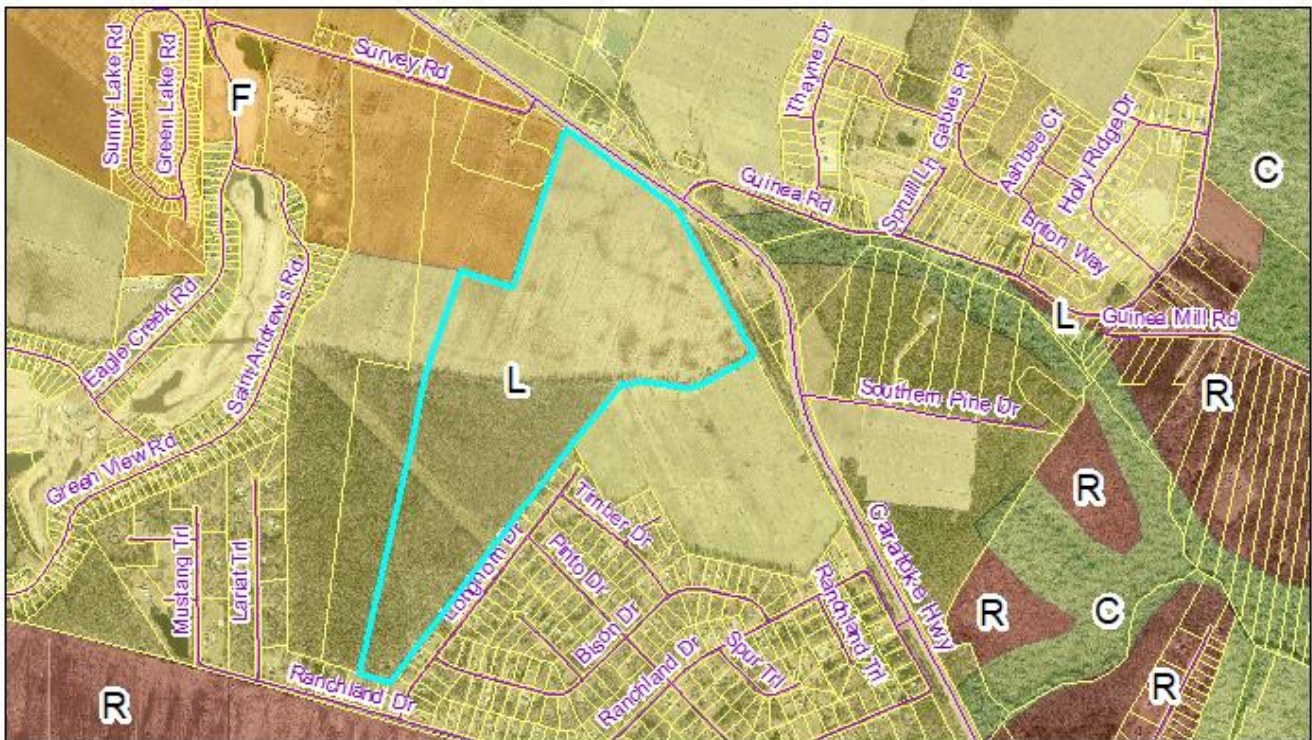




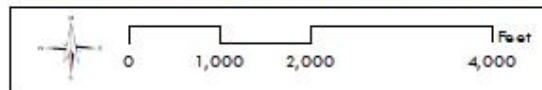
PB 18-23 Fost, Phases 1-5  
Preliminary Plat/Use Permit  
LUP Classification



Currituck County  
Planning and  
Community Development



PB 18-23 Fost, Phases 1-5  
Preliminary Plat/Use Permit  
Moyock SAP Classification



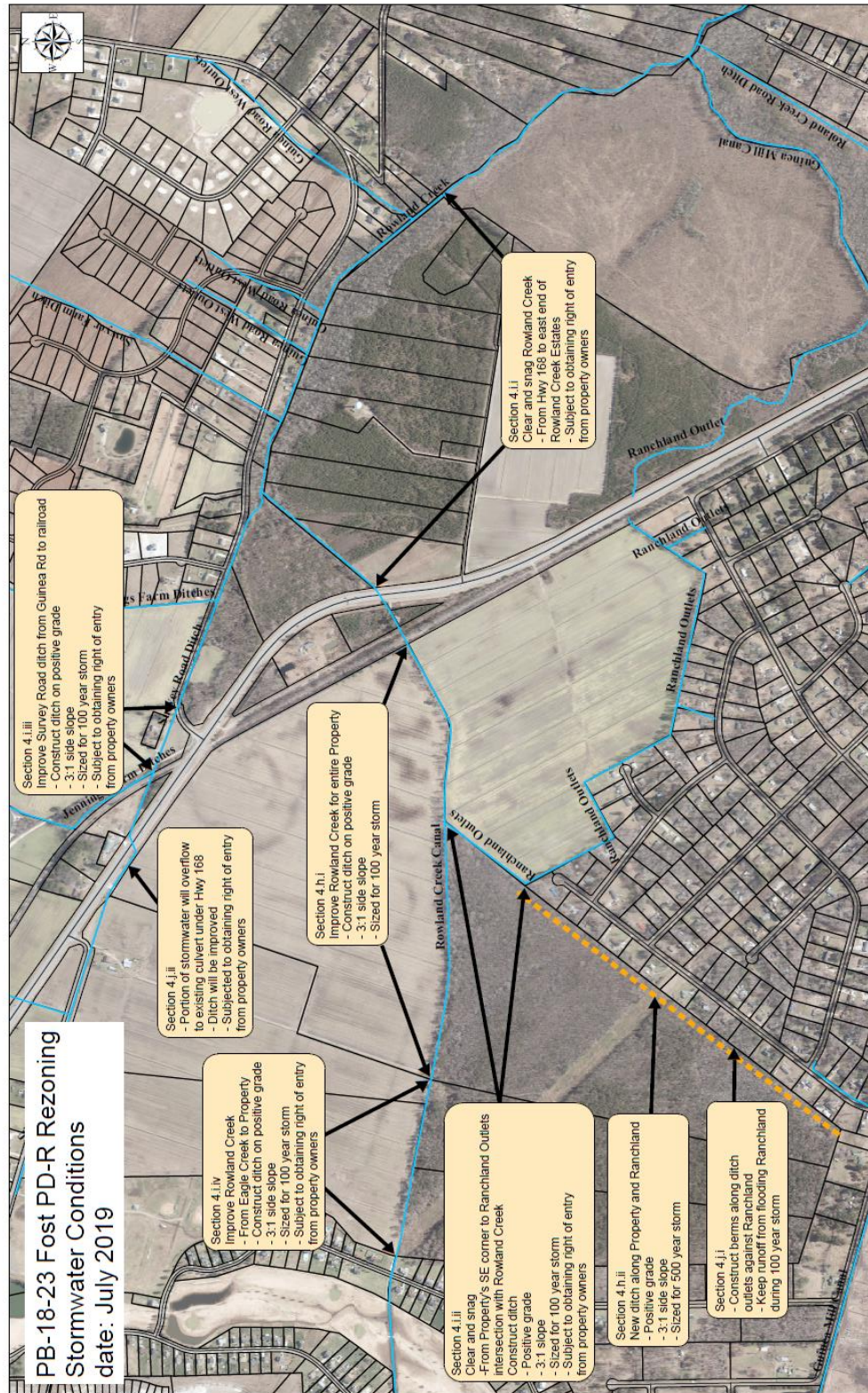
Currituck County  
Planning and  
Community Development



## Approved Development Standards and Setbacks

SCHEDULE A			
DEVELOPMENT STANDARDS & SETBACKS			
STYLE:	TND T.H.	TND SFLOT	CONV. SFLOT
Min Lot Size:	1,800 SF	6,900 SF	9,500 SF
Typ. Lot Size:	1,800 – 3,000 SF	7,000 – 9,000 SF	10,000 – 15,000 SF
Min. Lot Width:	20'	35'	35'
Typ. Lot Width:	20' – 25'	50' – 60'	62'
Front Setback:	15'	20'	20'
Side Setback:	0	10'	10'
Rear Setback:	20'	20'	25'
Corner Side Setback:	15'	15'	15'
Maximum Setback:	25'	75'	140'
Maximum Height:	35'	35'	35'
Maximum Bldg. Size:	16,000 SF	N/A	N/A
Maximum Lot Coverage:	100%	60%	45%

Attachment: 1 Fost A #2 PPUP P1-5 Staff Report 3-15-2021 (PB 18-23 Fost Tract PD-R)



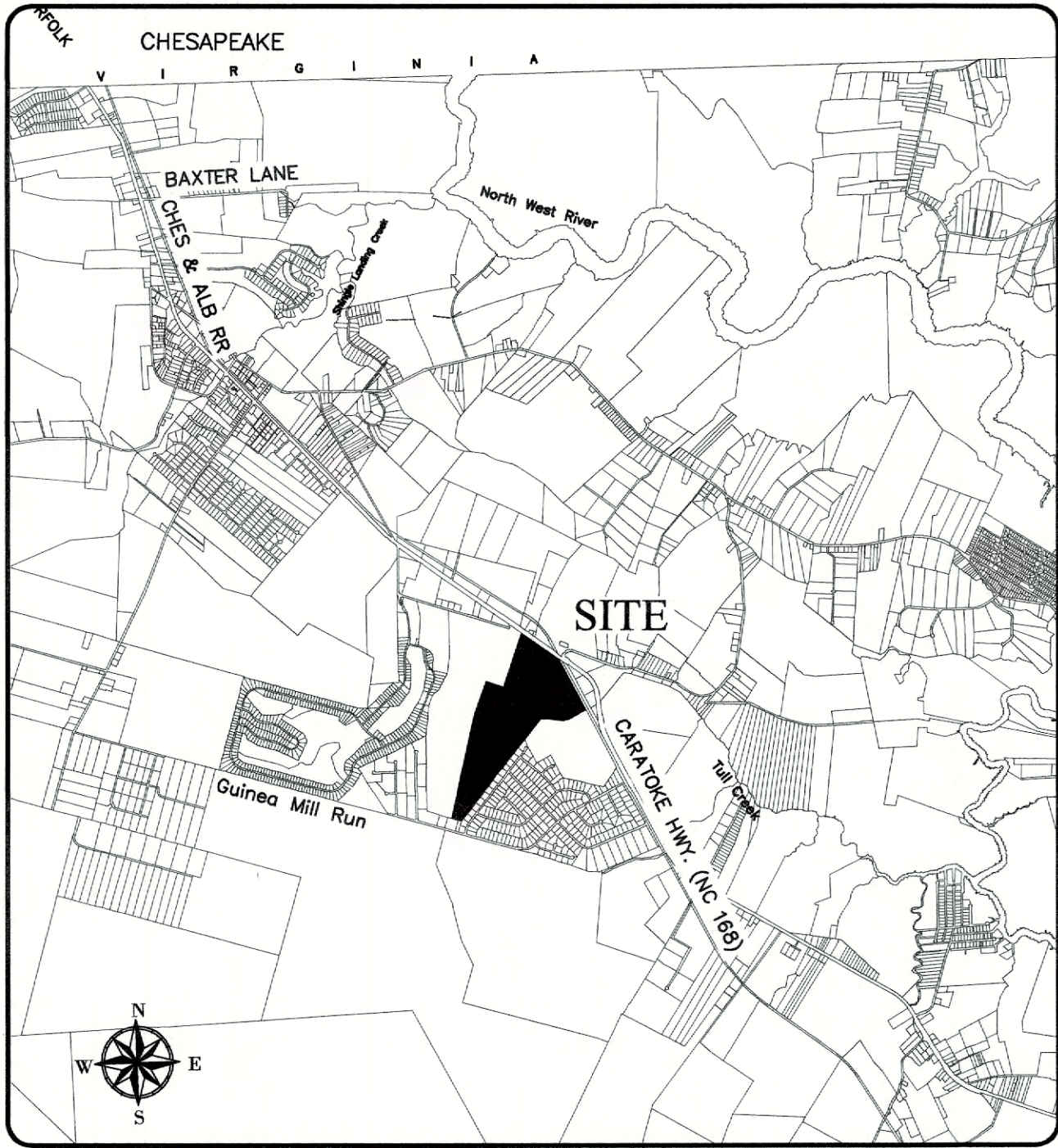
Prepared by Currituck County Engineering Staff



# THE FOST TRACT

## MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

### AMENDED PRELIMINARY PLAT FOR PHASES 1-5 (2ND AMENDMENT)



VICINITY MAP SCALE: 1" = 5,000'

#### OWNERSHIP AND DEDICATION CERTIFICATE

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

DATE OWNER

I, \_\_\_\_\_, A NOTARY PUBLIC

OF \_\_\_\_\_ COUNTY, NORTH CAROLINA, DO HEREBY CERTIFY THAT

PERSONALLY APPEARED BEFORE ME THIS DATE AND ACKNOWLEDGED THE DUE EXECUTION OF THE FOREGOING CERTIFICATE.

WITNESS MY HAND AND OFFICIAL SEAL THIS \_\_\_\_\_ DAY OF \_\_\_\_\_, 20\_\_\_\_

NOTARY PUBLIC  
MY COMMISSION EXPIRES \_\_\_\_\_

#### PRIVATE STREETS OWNER CERTIFICATE

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

DATE OWNER

#### SURVEYOR'S CERTIFICATION

I, MICHAEL D. BARR, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED AND DESCRIPTION RECORDED IN BOOKS REFERENCED); THAT THE BOUNDARIES NOT SURVEYED ARE CLEARLY INDICATED AS DRAWN FROM INFORMATION FOUND IN BOOKS REFERENCED; THAT THE RATIO OF PRECISION AS CALCULATED IS 1:10,000; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH G.S. 47-30 AS AMENDED.

THIS IS TO CERTIFY THAT THIS SURVEY CREATES A SUBDIVISION OF LAND WITHIN THE AREA OF A COUNTY OR MUNICIPALITY THAT HAS AN ORDINANCE THAT REGULATES PARCELS OF LAND.

WITNESS MY ORIGINAL SIGNATURE, REGISTRATION NUMBER AND SEAL THIS 22

DAY OF February, A.D., 2020.

SIGNATURE L-1756

#### GENERAL NOTES:

- PROJECT NAME: THE FOST TRACT
- APPLICANT: MOYOCK DEVELOPMENT, LLC  
OWNERS: MOYOCK DEVELOPMENT, LLC  
417-D CARATOKE HWY.  
MOYOCK, NC 27958
- PROPERTY DATA:  
ADDRESS: CARATOKE HIGHWAY, MOYOCK, NC 27958  
PIN: 0015-000-0086-0000  
RECORD DOCUMENT(S): D.B.13, PG:E/12  
ACREAGE: 228.83 ACRES  
PROPERTY ZONING: PD-R (PLANNED DEVELOPMENT - RESIDENTIAL)
- F.I.R.M. DATA:  
ZONE X PER F.I.R.M. MAP NOS. 3721803100 K, 3721803000 K, & 3721804000 K ALL HAVING AN EFFECTIVE DATE DECEMBER 21, 2018. USE OF LAND WITHIN A FLOODWAY OR FLOOD PLAIN IS SUBSTANTIALLY RESTRICTED BY CHAPTER 7 OF THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE.
- THIS PROPERTY CONTAINS ACOE "404" JURISDICTIONAL WETLANDS AS SHOWN AND CONFIRMED BY USACOE ACTION ID# SAW 2018-00838, DATED APRIL 30, 2018, AND MAY REQUIRE U.S. CORP OF ENGINEERS APPROVAL PRIOR TO DEVELOPMENT OF THE PROPERTY.
- A 10' EASEMENT FOR UTILITIES AND DRAINAGE ALONG REAR AND SIDE PROPERTY LINES AND A 15' EASEMENT FOR UTILITIES AND DRAINAGE ALONG FRONT PROPERTY LINE IS HEREBY ESTABLISHED. PEDESTRIAN ACCESS AND STREET TREE EASEMENTS ARE HEREBY PROVIDED PER TYPICAL LOT DETAIL ON SHEET 20.  
A 25' DRAINAGE EASEMENT SHALL BE ESTABLISHED ALONG ALL MAJOR DRAINAGE WAYS SERVING MORE THAN 5 ACRES. A BLANKET DRAINAGE, UTILITY, AND PEDESTRIAN ACCESS EASEMENT IS HEREBY ESTABLISHED ACROSS ALL OPEN SPACE AREAS. A 50' DRAINAGE EASEMENT IS HEREBY ESTABLISHED ALONG ROWLAND CREEK CANAL (SEE SHEET 7 FOR DETAIL).
- EXISTING CONDITION INFORMATION BASED ON A COMBINATION OF THE FOLLOWING:
  - 2012 AERIAL IMAGERY OBTAINED FROM NCONEMAP.COM
  - FIELD TOPOGRAPHIC SURVEY DATA BY BISSELL PROFESSIONAL GROUP.
  - ELEVATIONS ARE REFERENCED TO NAVD 1988 VERTICAL DATUM.
- SECTION 7.6.5 OF THE CURRITUCK U.D.O. SUBSTANTIALLY RESTRICTS DEVELOPMENT WITHIN A 30' RIPARIAN BUFFER.
- ALL UTILITIES ARE TO BE UNDERGROUND.
- NEAREST HYDRANT (MCH15) FLOW TESTED AT 1,146 GPM. DESIGN FIRE FLOW IS 1,000 GPM FOR SINGLE FAMILY RESIDENCES BASED ON STRUCTURES HAVING LESS THAN 4,800 SQ. FT. AND NOT OVER 2-STORIES HIGH. NFF FOR MULTI-FAMILY STRUCTURES IS BASED ON ISO STANDARDS.
- THERE IS A 50' FARM BUFFER IN ALL AREAS ADJOINING ACTIVE FARM LANDS.
- THIS SUBDIVISION CONTAINS RIGHTS-OF-WAY THAT ARE PLATTED WITH THE INTENT OF BEING EXTENDED AND CONTINUED TO AND FROM ADJOINING PROPERTIES. ACCESS WITHIN THE RIGHTS-OF-WAY FOR STREETS AND UTILITIES SHALL NOT BE RESTRICTED.

#### ZONING CONDITIONS:

SEE SHEET 19

#### LOT DEVELOPMENT CONFIGURATION:

LOT AREAS: VARY FROM 1,800 TO 20,660 SQUARE FEET.

#### RECREATIONAL AND PARK LAND FEE-IN-LIEU CALCULATION:

REQUIRED UPLAND RECREATION/PARKLAND DEDICATION ACREAGE = 7.676 AC. (301 LOTS \* 0.0255AC./LOT)  
CURRENT PROPERTY ACCESSED VALUE (LAND ONLY) = \$793,300 OR \$3,520.30/AC. (\$793,300/225.35 AC.)

FEE-IN-LIEU IS \$27,021.82 (7.676 AC. \* \$3,520.30/AC.)

SEE SHEET 5 FOR PROPOSED RECREATION AND PARK LAND DEDICATION.

STREET CONNECTIVITY INDEX = 62 UNKS/36 NODES = 1.72

#### DEVELOPMENT NOTES:

TRACT SUMMARY:

TOTAL AREA OF TRACT: 228.28 AC.  
AREA NOT BEING DEVELOPED AT THIS TIME: 91.10 AC.  
TOTAL SUBDIVISION DEVELOPMENT AREA: 137.18 AC.

DEVELOPMENT AREA SUMMARY:

EFFLUENT DISPOSAL & RV PARK AREA: 8.01 AC.  
PROPOSED LOT AREA: 58.89 AC.  
PUBLIC PROPOSED R/W AREA: 21.73 AC.  
PRIVATE PROPOSED R/W AREA: 3.60 AC.  
REQUIRED OPEN SPACE TOTAL=30% (0.3\*137.18): 41.15 AC.  
OPEN SPACE PROVIDED: 44.95 AC. (32.8%)

# OF PROPOSED LOTS: 301 (2.19 LOTS/ACRE)

PROPOSED RIGHT-OF-WAY WIDTHS (FT.): SEE SHEETS 21 & 22  
PROPOSED PAVED ROADWAY WIDTH: SEE SHEETS 21 & 22  
LINEAR FEET OF ONSITE ROADWAY: 20,484 LF.±

#### SUMMARY OF CHANGES TO AMENDED PRELIMINARY PLAT

- ADDED FUTURE CONNECTION OF LEIF STREET TO FLORA.
- MINOR SHIFT OF SIDE LOT LINES BETWEEN LOTS 42-44.

#### SHEET INDEX

Sheet Number	Sheet Title
1	COVER SHEET, DEVELOPMENT NOTES AND SITE LOCATION
2	EXISTING CONDITIONS AND SITE FEATURES PLAN
3	OVERALL PHASING PLAN
4	OVERALL DRAINAGE AND UTILITY PLAN
5	OVERALL HARDSCAPING PLAN
6	LANDSCAPING, LIGHTING, BUFFERING AND SIGNAGE PLAN
7	OVERALL PRELIMINARY PLAT
8-17	DETAILED PRELIMINARY PLAT SHEETS
18	LINE AND CURVE TABLES
19	ZONING TERMS & CONDITIONS
20-22	DETAILS

#### SURVEY LEGEND

---	RIGHT-OF-WAY
---	PROPERTY BOUNDARY
---	ADJOINING PROPERTY LINE
---	EASEMENT LINE
---	CENTERLINE OF ROADWAY
●	SET IRON ROD
○	EXISTING IRON ROD
○	EXISTING IRON PIPE
□	EXISTING CONCRETE MONUMENT
N/F	NOW OR FORMERLY
TWP.	TOWNSHIP
P.C.	PLAT CABINET
SL	SLIDE
D.B.	DEED BOOK
M.B.	MAP BOOK
PG.	PAGE
SQ.FT. or S.F.	SQUARE FEET
M.B.L.	MAXIMUM BUILDING LINE
AC or AC.	ACRES
P/O	PART OF
TYP.	TYPICAL
N.T.S.	NOT TO SCALE
O.S.	OPEN SPACE
R/W	RIGHT-OF-WAY

#### LEGEND

---	EXISTING DITCH CENTERLINE
---	EXISTING DITCH TOP OF BANK
---	PROPOSED SWALE W/ FLOW ARROW
---	PROPOSED SWALE HIGH POINT
---	FEMA BOUNDARY LINE
---	EXISTING 404 BOUNDARY
---	EXISTING GRADE CONTOUR
---	30' UNDISTURBED BUFFER (COUNTY)
---	50' WETLANDS BUFFER (COUNTY)
---	EXISTING CULVERT
---	EXISTING UTILITY POLE
---	EXISTING OVERHEAD TRANSMISSION LINES
---	EXISTING WATER LINE
---	PROPOSED WATER LINE (SIZE AS NOTED)
---	PROPOSED FIRE HYDRANT ASSEMBLY
---	PROPOSED WATER SERVICE
---	PROPOSED BLOW-OFF ASSEMBLY
---	PROPOSED VALVE
---	PROPOSED REDUCER
---	PROPOSED SIDEWALK
---	PROPOSED FORCE MAIN SANITARY SEWER (SIZE AS NOTED)
---	PROPOSED GRAVITY SANITARY SEWER (SIZE AS NOTED)
---	PROPOSED SANITARY SEWER MANHOLE
---	BACK OF CURB
---	EDGE OF PAVEMENT
---	PROPOSED CATCH BASIN
---	PROPOSED STREET LIGHT
---	PROPOSED STORM SEWER PIPE
---	PROPOSED EDGE OF WATER

#### STORMWATER STATEMENT

NO MORE THAN 30% OF ANY LOT SHALL BE COVERED BY IMPERVIOUS STRUCTURES AND MATERIALS, INCLUDING ASPHALT, GRAVEL, CONCRETE, BRICK, STONE, SLATE, OR SIMILAR MATERIAL, NOT INCLUDING WOOD DECKING OR THE WATER SURFACE OF SWIMMING POOLS. THIS COVENANT IS INTENDED TO ENSURE COMPLIANCE WITH THE STORMWATER PERMIT NUMBER \_\_\_\_\_ ISSUED BY THE STATE OF NORTH CAROLINA. THE COVENANT MAY NOT BE CHANGED OR DELETED WITHOUT THE CONSENT OF THE STATE. FILLING IN OR PIPING OF ANY VEGETATIVE CONVEYANCES (DITCHES, SWALES, ETC.) ASSOCIATED WITH THIS DEVELOPMENT, EXCEPT FOR AVERAGE DRIVEWAY CROSSINGS, IS STRICTLY PROHIBITED BY ANY PERSON. THE LOT COVERAGE ALLOWANCE PROVIDED IN THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE MAY BE DIFFERENT THAN THE NC STATE STORMWATER PERMIT. THE MOST RESTRICTIVE LOT COVERAGE SHALL APPLY.

#### REVIEW OFFICER CERTIFICATE

STATE OF NORTH CAROLINA  
COUNTY OF CURRITUCK

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

DATE REVIEW OFFICER

#### PUBLIC STREETS DIVISION OF HIGHWAY DISTRICT ENGINEER CERTIFICATE

I HEREBY CERTIFY THAT THE PUBLIC STREETS SHOWN ON THIS PLAT ARE INTENDED FOR DEDICATION AND HAVE BEEN DESIGNED OR COMPLETED IN ACCORDANCE WITH AT LEAST THE MINIMUM SPECIFICATIONS AND STANDARDS OF THE NC DEPARTMENT OF TRANSPORTATION FOR ACCEPTANCE OF SUBDIVISION STREETS ON THE NC HIGHWAY SYSTEM FOR MAINTENANCE.

DATE DISTRICT ENGINEER

#### APPROVAL CERTIFICATE

I HEREBY CERTIFY THAT THE SUBDIVISION SHOWN ON THIS PLAT IS IN ALL RESPECTS IN COMPLIANCE WITH THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE AND, THEREFORE, THIS PLAT HAS BEEN APPROVED BY THE CURRITUCK COUNTY TECHNICAL REVIEW COMMITTEE AND SIGNED BY THE ADMINISTRATOR, SUBJECT TO ITS BEING RECORDED IN THE CURRITUCK COUNTY REGISTRY WITHIN 90 DAYS OF THE DATE BELOW.

DATE ADMINISTRATOR

#### REVIEW OFFICER CERTIFICATE

STATE OF NORTH CAROLINA  
COUNTY OF CURRITUCK

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

DATE REVIEW OFFICER

#### REQUIRED IMPROVEMENTS CERTIFICATE

I HEREBY CERTIFY THAT ALL IMPROVEMENTS REQUIRED BY THE CURRITUCK COUNTY UNIFIED DEVELOPMENT ORDINANCE HAVE BEEN INSTALLED IN ACCORDANCE WITH THE PLANS AND SPECIFICATIONS PREPARED BY BISSELL PROFESSIONAL GROUP, AND SAID IMPROVEMENTS COMPLY WITH CURRITUCK COUNTY SPECIFICATIONS.

2-22-2021 DATE REGISTERED LAND SURVEYOR/ENGINEER

L-1756  
REGISTRATION NUMBER

BisSELL Professional Group  
250 North Carolina Highway  
P.O. Box 1988  
Currituck County, North Carolina 27949  
(252) 281-3266  
FAX (252) 281-1760

**BISSELL**  
PROFESSIONAL GROUP  
Engineers, Planners, Surveyors  
and Environmental Specialists

COVER SHEET  
PRELIMINARY PLANS & PLAT

THIS DOCUMENT IS THE SOLE PROPERTY OF BPG, INC. OF KITT  
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THE FOST TRACT PD-R

PROJECT

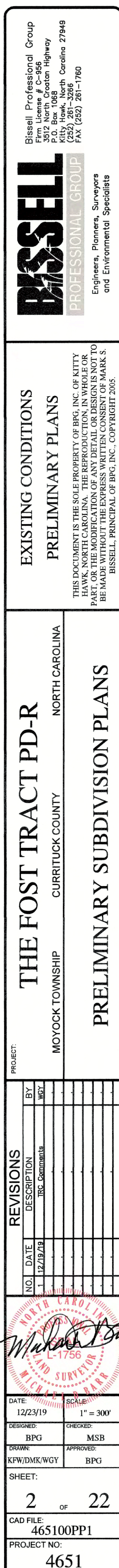
NO.	DATE	DESCRIPTION	BY
1	11/24/20	NOTE REVISIONS	MSB
2	11/24/20	ROW LANE 42-44 & LANE 45	MSB
3	1/22/21	ROW LANE 42-44 & LANE 45	MSB
4	2/22/21	TRC COMMENTS	MSB

DATE 11/25/20 SCALE AS NOTED  
DESIGNED BPG CHECKED MSB  
DRAWN KFW/DMK/WGY APPROVED BPG  
SHEET:

1 OF 22  
CAD FILE: 465100PP1  
PROJECT NO:

4651

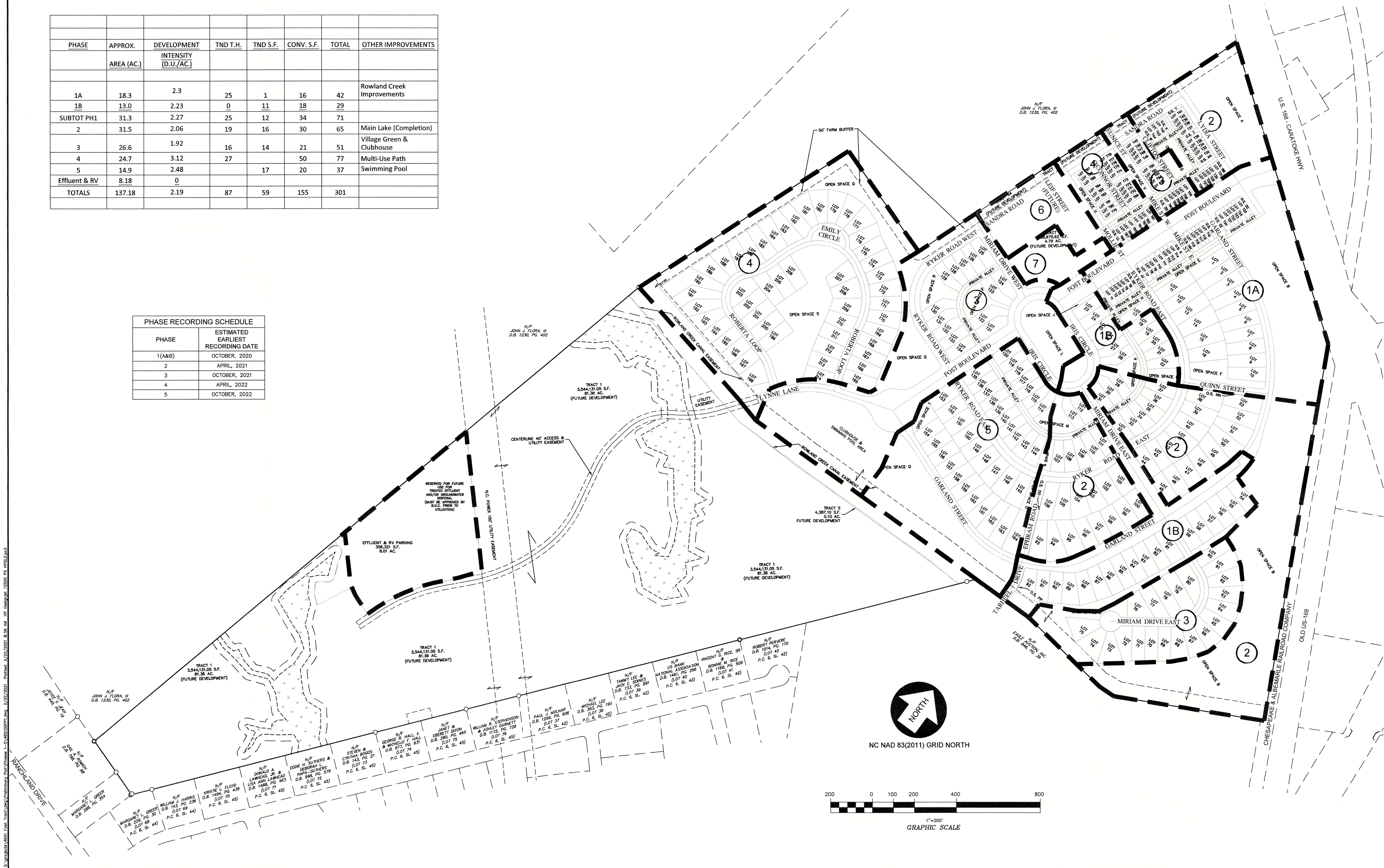






PHASE	APPROX.	DEVELOPMENT	TND T.H.	TND S.F.	CONV. S.F.	TOTAL	OTHER IMPROVEMENTS
	AREA (AC.)	INTENSITY (D.U./AC.)					
1A	18.3	2.3	25	1	16	42	Rowland Creek Improvements
1B	13.0	2.23	0	11	18	29	
SUBTOT PH1	31.3	2.27	25	12	34	71	
2	31.5	2.06	19	16	30	65	Main Lake (Completion)
3	26.6	1.92	16	14	21	51	Village Green & Clubhouse
4	24.7	3.12	27		50	77	Multi-Use Path
5	14.9	2.48		17	20	37	Swimming Pool
<u>Effluent &amp; RV</u>	<u>8.18</u>	<u>0</u>					
TOTALS	137.18	2.19	87	59	155	301	

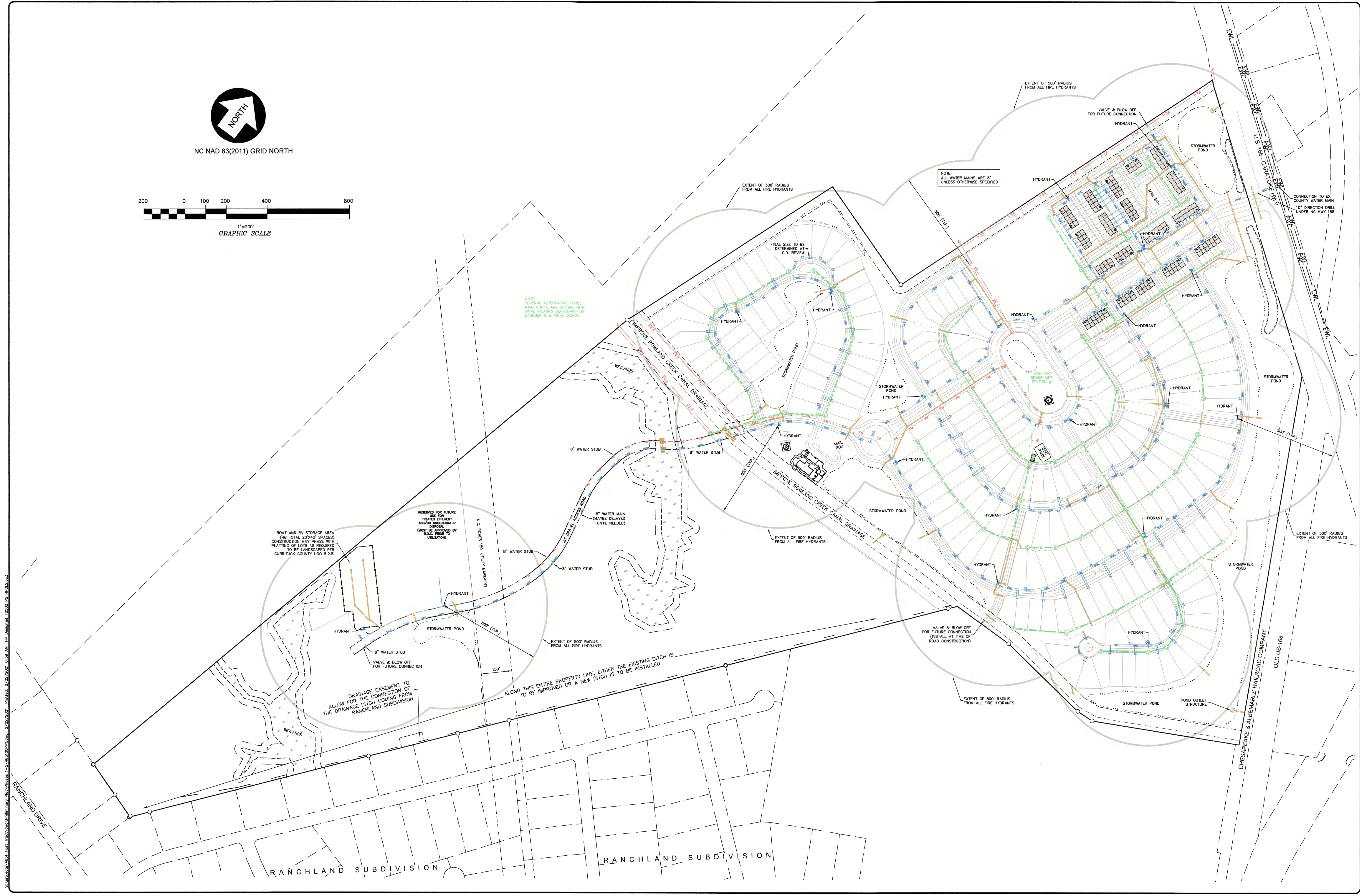
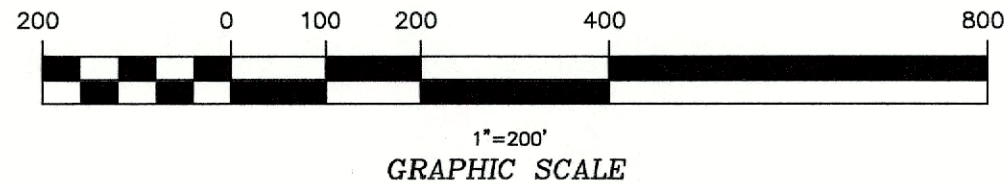
PHASE RECORDING SCHEDULE	
PHASE	ESTIMATED EARLIEST RECORDING DATE
1 (A&B)	OCTOBER, 2020
2	APRIL, 2021
3	OCTOBER, 2021
4	APRIL, 2022
5	OCTOBER, 2022

[illegible]





NC NAD 83(2011) GRID NORTH



**BISSELL**  
PROFESSIONAL GROUP  
Engineers, Planners, Surveyors  
and Environmental Specialists

**DRAINAGE & UTILITY OVERVIEW**  
**PRELIMINARY PLANS**

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**THE FOST TRACT PD-R**

PROJECT: MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

**PRELIMINARY SUBDIVISION PLANS**

REVISIONS	
NO.	DATE
1	12-23-19
2	11-24-20
3	1-27-21
4	
5	
6	
7	
8	
9	
10	

DATE: 12/23/19 SCALE: 1" = 200'

DESIGNED: BPG CHECKED: MSB

DRAWN: KFW/DKM/WGY APPROVED: BPG

SHEET: 4 OF 22

CAD FILE: 465100PP1

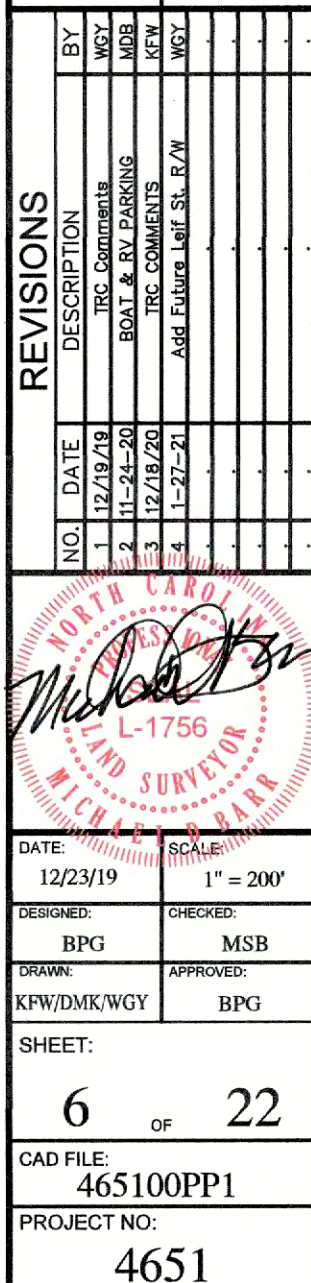
PROJECT NO: 4651

S:\projects\4651 Fost Tract\Draw\Utilities\465100PP1.dwg 2/22/2021 Plotter: 2/22/2021 8:39 AM HP DesignJet T7500 PS HPCL2.pcl











S:\projects\4651\_Fost Tract\Drawings\Sheet\6.B.B.dwg Plot Date: 2/22/2021 Plotter: 2/22/2021 9:40 AM HP DesignPlot 12500 PS HPCL2.pc3

OPEN SPACE TABULATION	
OPEN SPACE	ACREAGE
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B	19.08
C	BLANK
D	0.42
E	0.21
F	0.53
G	BLANK
H	0.11
I	0.23
J	0.06
K	0.35
L	1.64
M	0.45
N	0.19
O	0.15
P	0.40
Q	17.79
R	0.44
S	2.70
T	0.26
U	0.25
V	0.51
W	0.02
X	0.02
Y	0.03
Z	0.05
AA	0.02
BB	0.02
CC	0.07
DD	0.04
EE	0.01
FF	0.03
GG	0.02
HH	0.02
II	0.02
JJ	0.03
KK	0.03
LL	0.02
MM	0.02
NN	0.02
OO	0.02
PP	0.004
TOTAL	49.34

WVTP TRACT LINE & CURVE TABLES					
LINE	LENGTH	BEARING			
L36	35.99	S17° 50' 45"W			
L37	105.01	S71° 49' 03"E			
L38	46.00	S44° 25' 47"E			
L39	199.18	N24° 42' 48"E			
L40	57.23	S53° 20' 44"E			
L41	53.56	S31° 45' 03"E			
L42	24.99	S41° 10' 13"W			
L43	33.85	S56° 58' 32"W			
L44	70.90	S23° 57' 03"E			
L45	44.13	S17° 37' 59"E			
L46	42.83	S77° 47' 32"E			

CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C672	62.65	808.00	62.64	S39° 20' 11"W	4°26'34"
C674	357.57	864.00	355.02	S29° 42' 06"W	23°42'43"
C676	42.37	30.00	38.94	N16° 30' 44"E	80°55'35"
C677	31.50	30.00	30.07	N47° 42' 45"W	60°09'33"

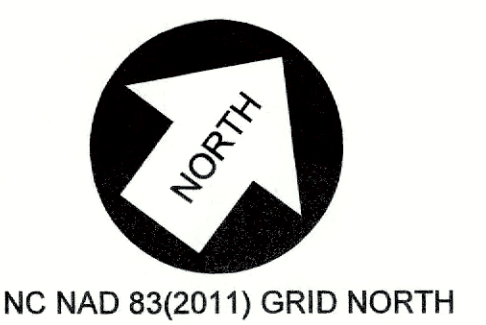
ROWLAND CREEK CANAL EASEMENT LINE TABLE		
LINE	LENGTH	BEARING
LE1	40.75	N37° 39' 31"E
LE2	160.96	N89° 57' 30"E
LE3	781.14	N87° 34' 45"E
LE4	356.29	N89° 25' 10"E
LE5	198.20	S79° 49' 24"E
LE6	600.01	S79° 04' 38"E
LE7	585.79	S79° 04' 38"E
LE8	215.65	S79° 49' 24"E
LE9	308.72	N89° 25' 10"E
LE10	781.80	N87° 34' 45"E
LE11	233.27	N89° 57' 30"E
LE12	70.27	N87° 29' 30"E
LE13	66.78	N86° 13' 06"E
LE14	158.78	N89° 38' 35"E
LE15	229.73	S84° 22' 35"E
LE16	223.94	S83° 23' 20"E
LE17	83.53	N82° 26' 11"E
LE18	95.62	N62° 53' 58"E
LE19	605.72	N60° 56' 46"E
LE20	61.23	N12° 12' 28"E
LE21	85.82	N18° 54' 44"E
LE22	72.25	N28° 18' 39"W

CENTERLINE OF ACCESS & UTILITY EASEMENT LINE & CURVE TABLES					
LINE	LENGTH	BEARING			
LE29	187.30	S35° 26' 34"W			
LE30	74.34	S8° 33' 05"W			
LE31	213.69	S12° 58' 36"E			
LE32	126.11	S41° 33' 27"W			
LE33	103.18	S17° 50' 45"W			
LE34	37.81	S22° 00' 38"W			
LE35	103.29	N77° 43' 03"W			

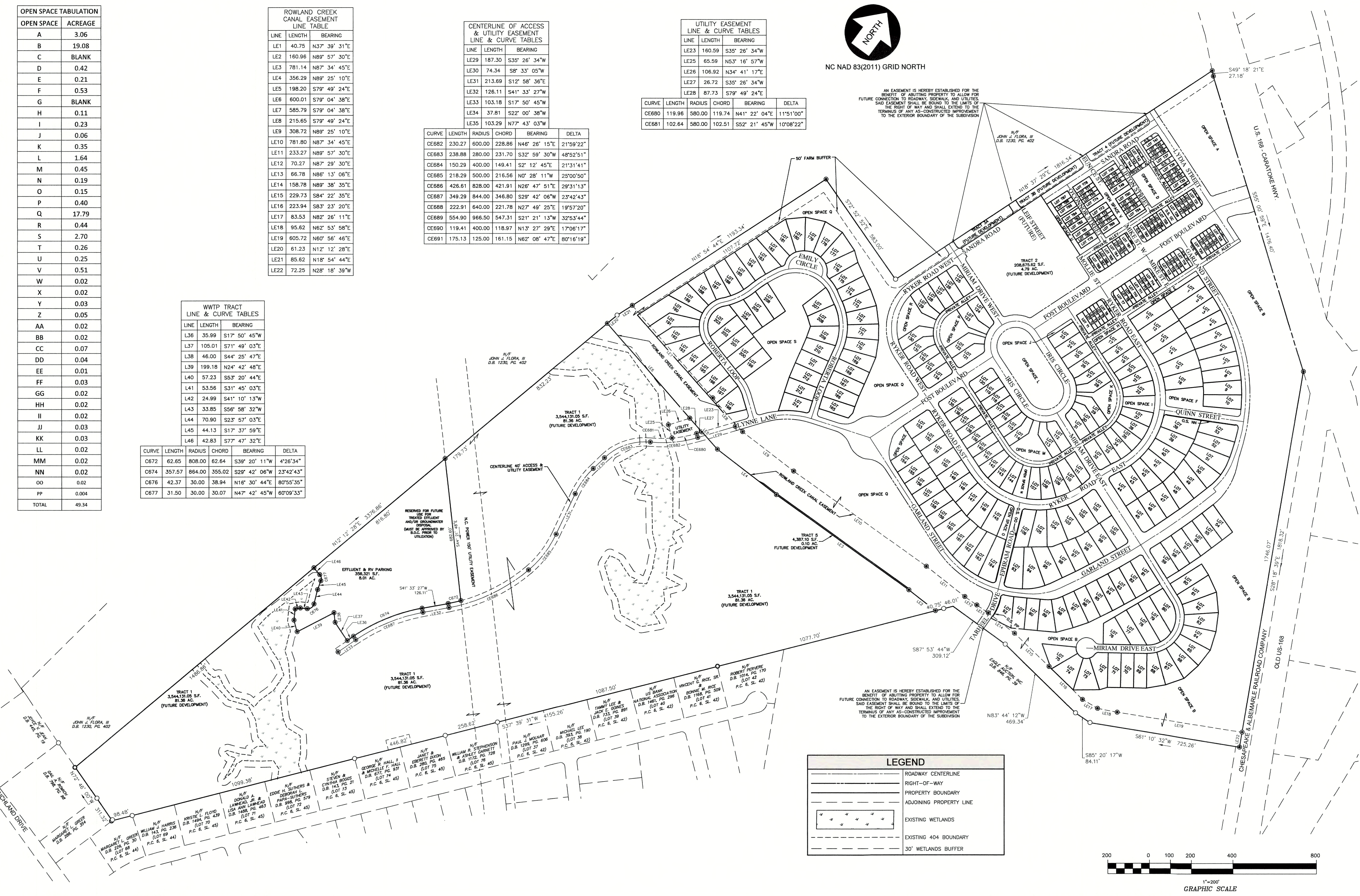
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
CE682	230.27	600.00	228.86	N46° 26' 15"E	21°59'22"
CE683	238.88	280.00	231.70	S32° 59' 30"W	48°52'51"
CE684	150.29	400.00	149.41	S2° 12' 45"E	21°31'41"
CE685	218.29	500.00	216.56	N0° 28' 11"W	25°00'50"
CE686	426.61	828.00	421.91	N26° 47' 51"E	29°31'13"
CE687	349.29	844.00	346.80	S29° 42' 06"W	23°42'43"
CE688	222.91	640.00	221.78	N27° 49' 25"E	19°57'20"
CE689	554.90	966.50	547.31	S21° 21' 13"W	32°53'44"
CE690	119.41	400.00	118.97	N13° 27' 29"E	17°06'17"
CE691	175.13	125.00	161.15	N62° 08' 47"E	80°16'19"

UTILITY EASEMENT LINE & CURVE TABLES				
LINE	LENGTH	BEARING		
LE23	160.59	S35° 26' 34"W		
LE25	65.59	N53° 16' 57"W		
LE26	106.92	N34° 41' 17"E		
LE27	26.72	S35° 26' 34"W		
LE28	87.73	S79° 49' 24"E		

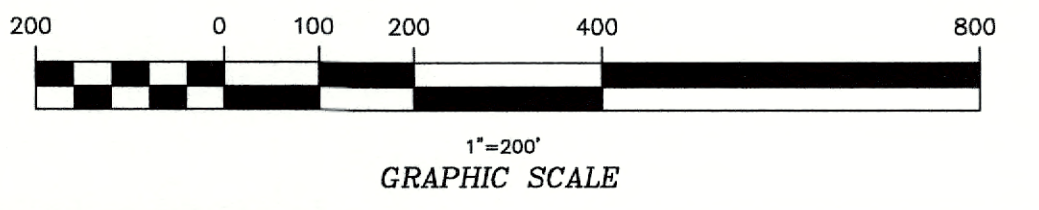
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
CE680	119.96	580.00	119.74	N41° 22' 04"E	11°51'00"
CE681	102.64	580.00	102.51	S52° 21' 45"W	10°08'22"



AN EASEMENT IS HEREBY ESTABLISHED FOR THE BENEFIT OF ADJUTING PROPERTY TO ALLOW FOR FUTURE CONNECTION TO ROADWAY, SIDEWALK, AND UTILITIES. SAID EASEMENT SHALL BE BOUND TO THE LIMITS OF THE RIGHT OF WAY AND SHALL EXTEND TO THE TERMINUS OF ANY AS-CONSTRUCTED IMPROVEMENT TO THE EXTERIOR BOUNDARY OF THE SUBDIVISION.



LEGEND	
	ROADWAY CENTERLINE
	RIGHT-OF-WAY
	PROPERTY BOUNDARY
	ADJOINING PROPERTY LINE
	EXISTING WETLANDS
	EXISTING 404 BOUNDARY
	30' WETLANDS BUFFER



**RUSSELL**  
PROFESSIONAL GROUP

Engineers, Planners, Surveyors  
and Environmental Specialists

**SUBDIVISION PRELIMINARY  
PLAN OVERVIEW**

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**THE FOST TRACT PD-R**

PROJECT: MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

**PRELIMINARY SUBDIVISION PLANS**

NO.	DATE	DESCRIPTION	BY	CHKD.
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2	1/27/22	Revised Plans to reflect comments	MSB	

DATE: 12/23/21 SCALE: 1"=200'

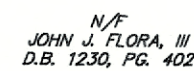
DESIGNED: BPG	CHECKED: MSB
DRAWN: KPW/DMK/WGY	APPROVED: BPG

SHEET: 7 OF 22

CAD FILE: 465100PP1

PROJECT NO: 4651





AN EASEMENT IS HEREBY ESTABLISHED FOR THE  
BENEFIT OF ABUTTING PROPERTY TO ALLOW FOR  
FUTURE CONNECTION TO ROADWAY, SIDEWALK, AND UTILITIES.  
SAID EASEMENT SHALL BE BOUND TO THE LIMITS OF  
THE RIGHT OF WAY AND SHALL EXTEND TO THE  
TERMINUS OF ANY AS-CONSTRUCTED IMPROVEMENT  
TO THE EXTERIOR BOUNDARY OF THE SUBDIVISION

SEE SHEET 9

FOST BORN R.

# THE FOST TRACT PD-R

NORTH CAROLINA

URRITUCK COUNTY

# PRELIMINARY SUBDIVISION PLANS

PLAT SHEET 8  
PRELIMINARY PLAT

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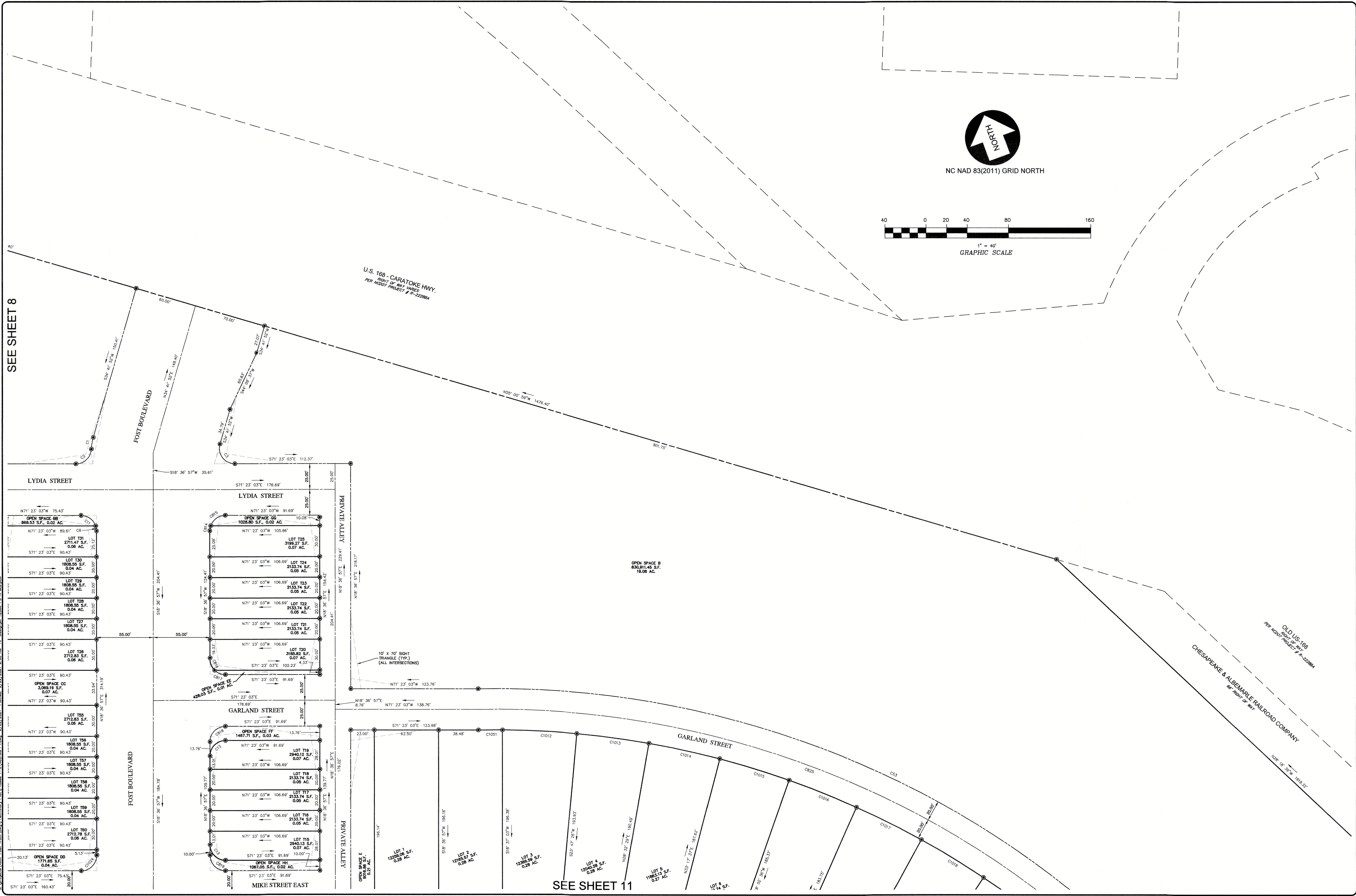
**BISSELL**  
PROFESSIONAL GROUP

Engineers, Planners, Surveyors  
and Environmental Specialists

Bissell Professional Group  
1000 North Carolina Highway  
3512 North Carolina Highway  
P.O. Box 1068  
Rocky Mount, North Carolina 27949  
(252) 261-1760  
FAX (252) 261-1760

[illegible]





**BISSELL**  
PROFESSIONAL GROUP

Engineers, Planners, Surveyors  
and Environmental Specialists

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

PLAT SHEET 9  
PRELIMINARY PLAT

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REVISIONS	
NO.	DATE
1	12/23/19

DATE: 12/23/19 SCALE: 1" = 40'

DRAWN: BPG CHECKED: MSB

APPROVED: BPG

SHEET: 9 OF 22

CAD FILE: 465100PP1

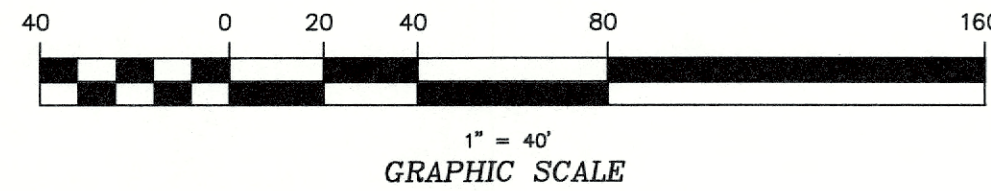
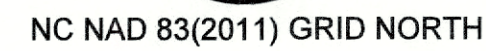
PROJECT NO: 4651



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BENEFIT OF ABUTTING PROPERTY TO ALLOW FOR  
FUTURE CONNECTION TO ROADWAY, SIDEWALK, AND UTILITIES.  
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THE RIGHT OF WAY AND SHALL EXTEND TO THE  
TERMINUS OF ANY AS-CONSTRUCTED IMPROVEMENT  
TO THE EXTERIOR BOUNDARY OF THE SUBDIVISION.

N/F  
JOHN J. FLORA, II  
D.E. 1230, PC 402

(FUTURE DEVELOPMENT)  
{TRACT 2 HAVING A BLANKET UTILITY EASEMENT(S)  
FOR ANY UTILITY PLACED HEREIN.  
SAID EASEMENT(S) IS TO BE LIMITED TO 10' ON  
BOTH SIDES OF THE AS-BUILT  
CENTERLINE OF SAID UTILITY}



SEE SHEET 11

## THE FOST TRACT PD-R

MOYOCK TOWNSHIP	CURRITUCK COUNTY	NORTH CAROLINA
-----------------	------------------	----------------

PLAT SHEET 10  
PRELIMINARY PLAT

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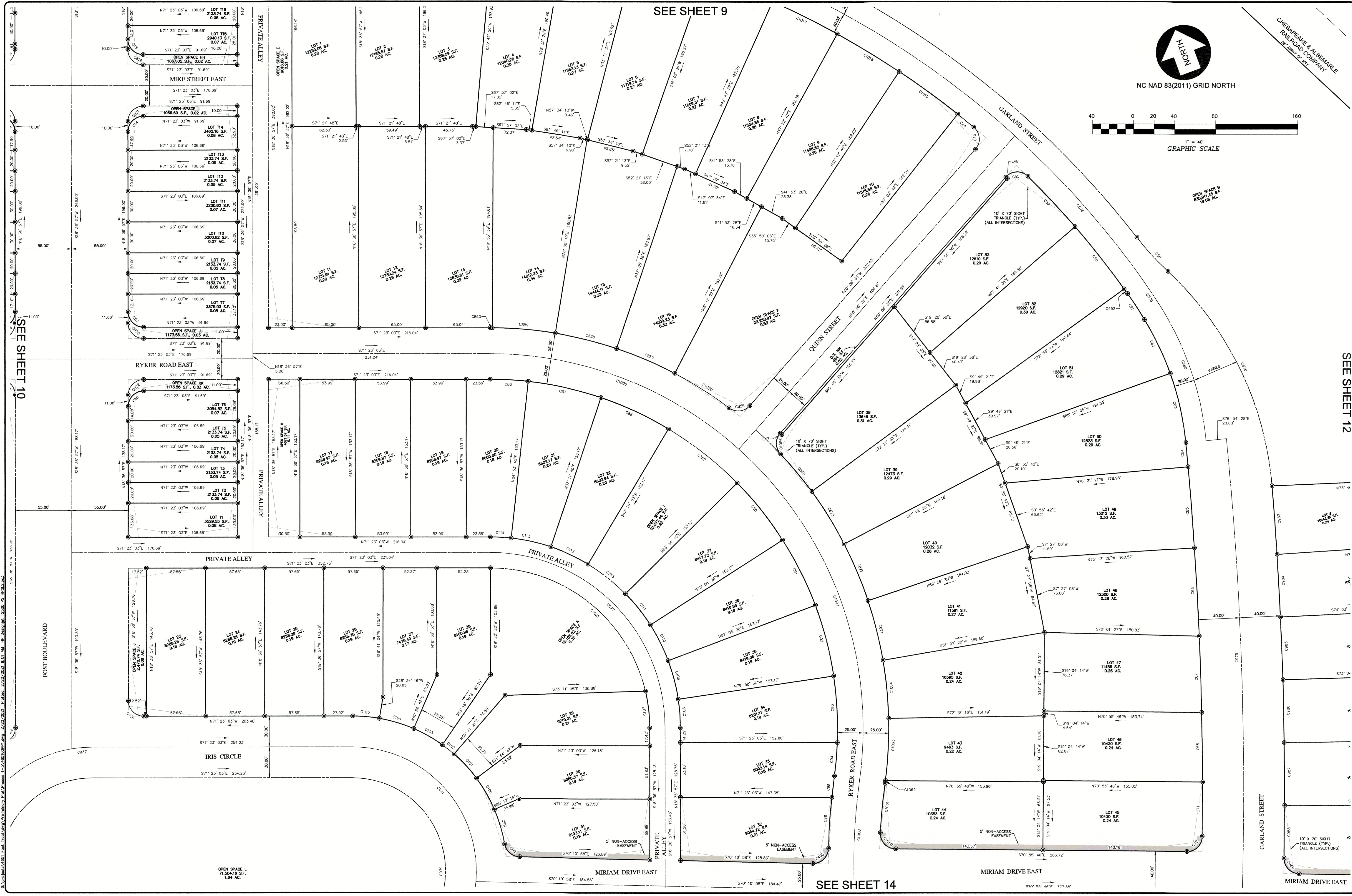
**BISSELL**  
PROFESSIONAL GROUP

**Engineers, Planners, Surveyors  
and Environmental Specialists**

**Mississ Professional Group**  
Firm License # C-956  
3512 North Croatan Highway  
P.O. Box 1068  
Kitty Hawk, North Carolina 27949  
(252) 261-3266  
FAX (252) 261-1760

REVISIONS		BY
NO.	DATE	DESCRIPTION
1	12/23/19	DESIGNED
2	12/23/19	MSB
3	12/23/19	APPROVED
4	12/23/19	DATE
5	12/23/19	SCALE
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98	12/23/19	APPROVED
99	12/23/19	DATE
100	12/23/19	SCALE





**THE POST TRACT PD-R**

**PRELIMINARY SUBDIVISION PLANS**

PROJECT: MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

PLAT SHEET 11  
PRELIMINARY PLAT

DATE: 12/23/19  
BY: BPG  
CHECKED: MSB  
SCALE: 1" = 40'

DESIGNED: BPG  
DRAWN: KPW/DWK/WGY  
APPROVED: BPG

SHEET: 11 OF 22  
CAD FILE: 465100PP1  
PROJECT NO: 4651

**REVISIONS**

NO.	DATE	DESCRIPTION
1	12/23/19	ISSUE FOR REVIEW
2	12/23/19	REVISED PER COMMENTS

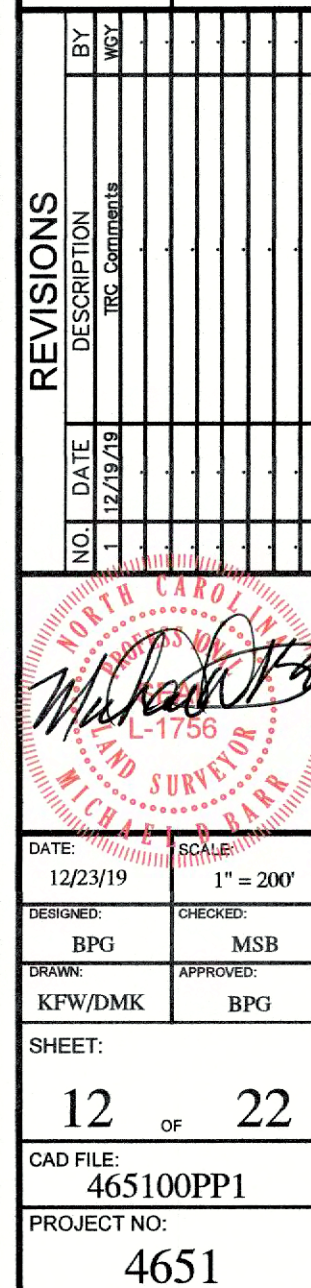
**Professional Group**

**BISSSELL**

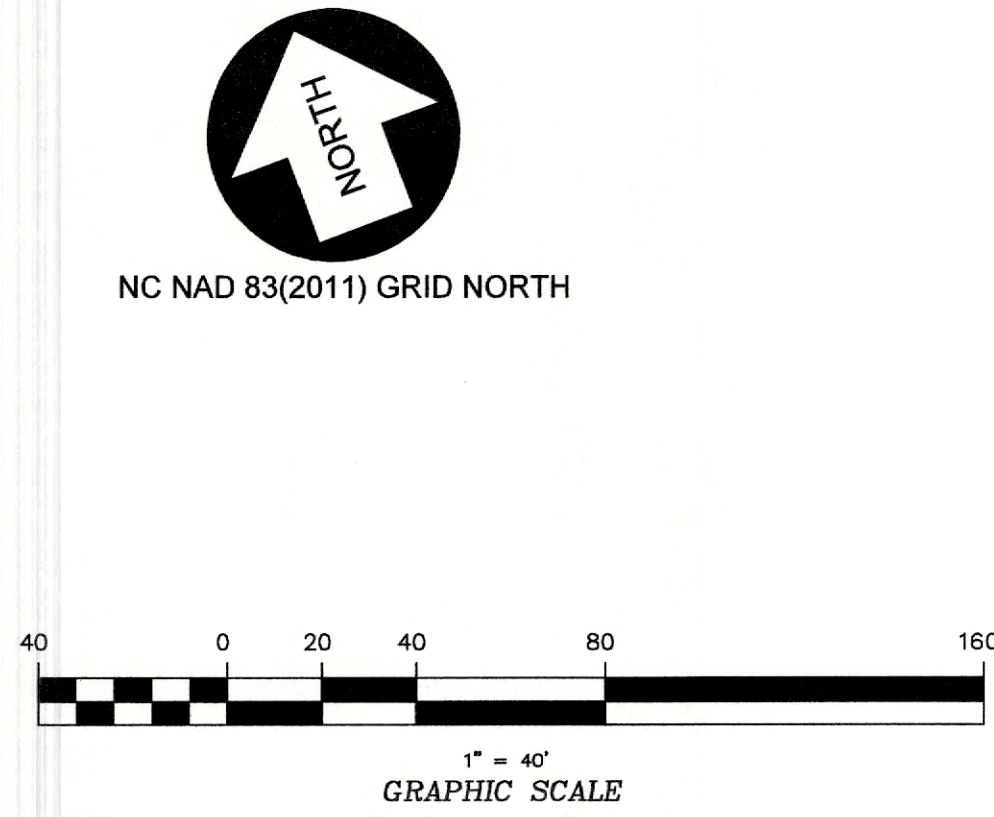
Engineers, Planners, Surveyors  
and Environmental Specialists

Bissell Professional Group  
300 North Salisbury Highway  
P.O. Box 1088  
Hawthorne, North Carolina 27946  
(252) 281-3266  
FAX: (252) 281-1760









NC NAD 83(2011) GRID NORTH

N/E  
JOHN J. FLORA, III  
D.B. 1230, PG. 402

SEE SHEET 10

AN EASEMENT IS HEREBY ESTABLISHED FOR THE BENEFIT OF ADJUTING PROPERTY TO ALLOW FOR FUTURE CONNECTION TO ROADWAY, SIDEWALK, AND UTILITIES. SAID EASEMENT SHALL BE BOUND TO THE LIMITS OF THE RIGHT OF WAY AND SHALL EXTEND TO THE TERMINUS OF ANY AS-CONSTRUCTED IMPROVEMENT TO THE EXTERIOR BOUNDARY OF THE SUBDIVISION.

SEE SHEET 16

SEE SHEET 14

THE FOST TRACT PD-R

PLAT SHEET 13

PRELIMINARY PLAT

BISSELL PROFESSIONAL GROUP  
Firm License # C-555  
P.O. Box 1088  
1000 S. Main Street  
Durham, North Carolina 27603  
(919) 286-1288  
FAX (919) 286-1790

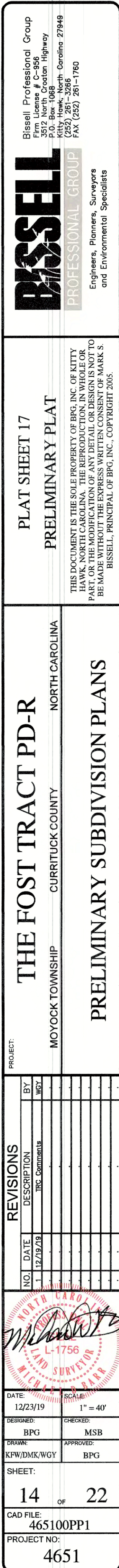
MOYOCK TOWNSHIP CURRITUCK COUNTY NORTH CAROLINA

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PRELIMINARY SUBDIVISION PLANS

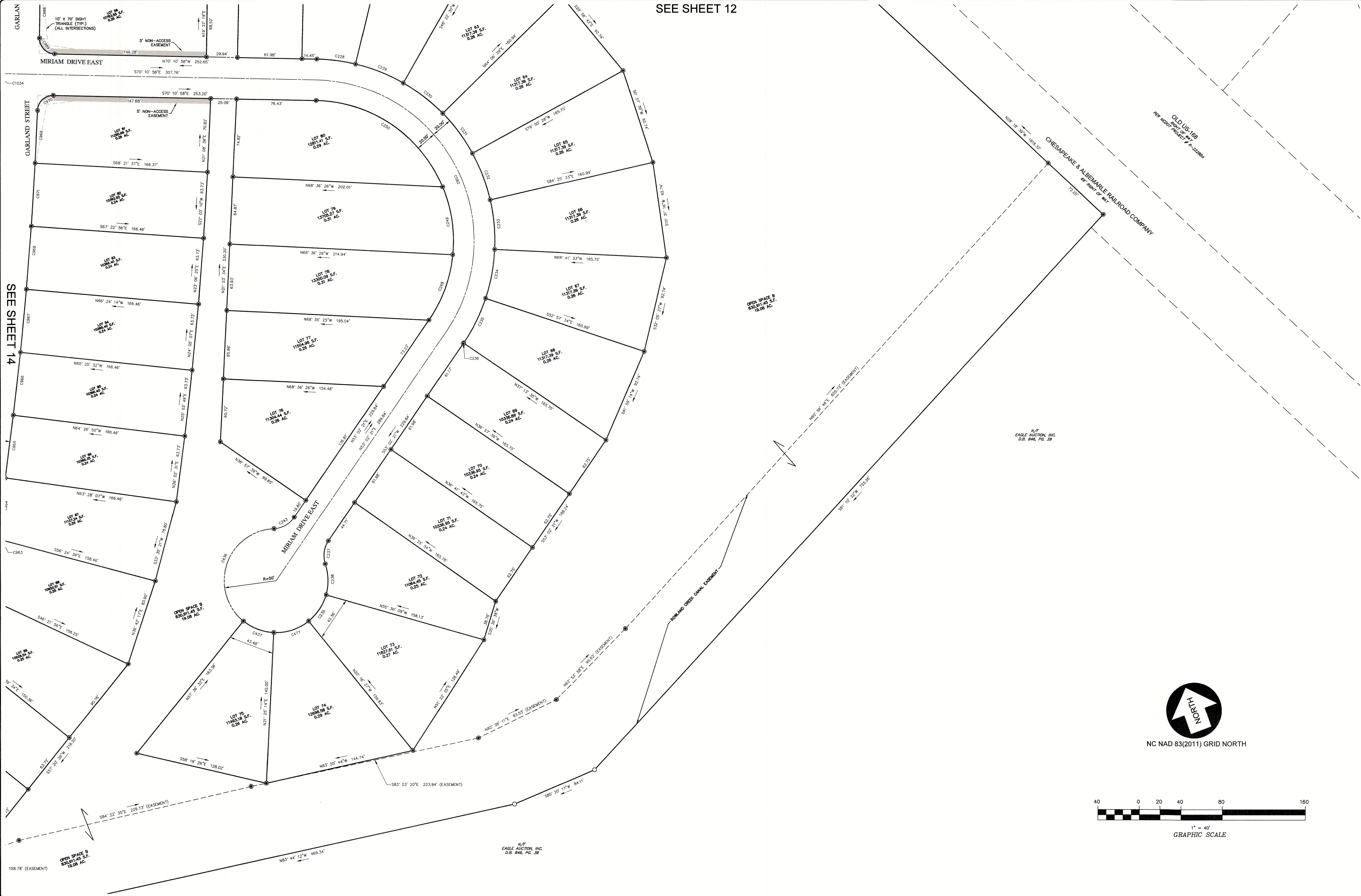
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SEE SHEET 12



Blissell, Professional Group  
3512 North Cedar Highway  
Kitty Hawk, North Carolina 27949  
P.O. Box 22888  
Kitty Hawk, North Carolina 27949  
Tel: 919.286.1780  
Fax: 919.286.1780

**BLISSSELL**  
PROFESSIONAL GROUP

PLAT SHEET 15  
PRELIMINARY PLAT

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

PROJECT: **THE FOST TRACT PD-R**  
BY: **BRG, INC.**  
DATE: **12/23/19**  
DESCRIPTION: **PRELIMINARY PLAT**

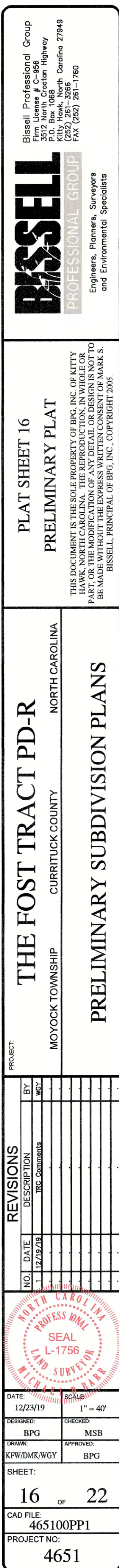
REVISIONS  
NO. DATE DESCRIPTION  
1 12/23/19 PRELIMINARY PLAT

DATE: 12/23/19  
DESIGNED: BRG  
CHECKED: BRG  
DRAWN: KPW/DKM/WGY  
APPROVED: BRG  
SHEET: 15 OF 465100PP  
PROJECT NO: 4651

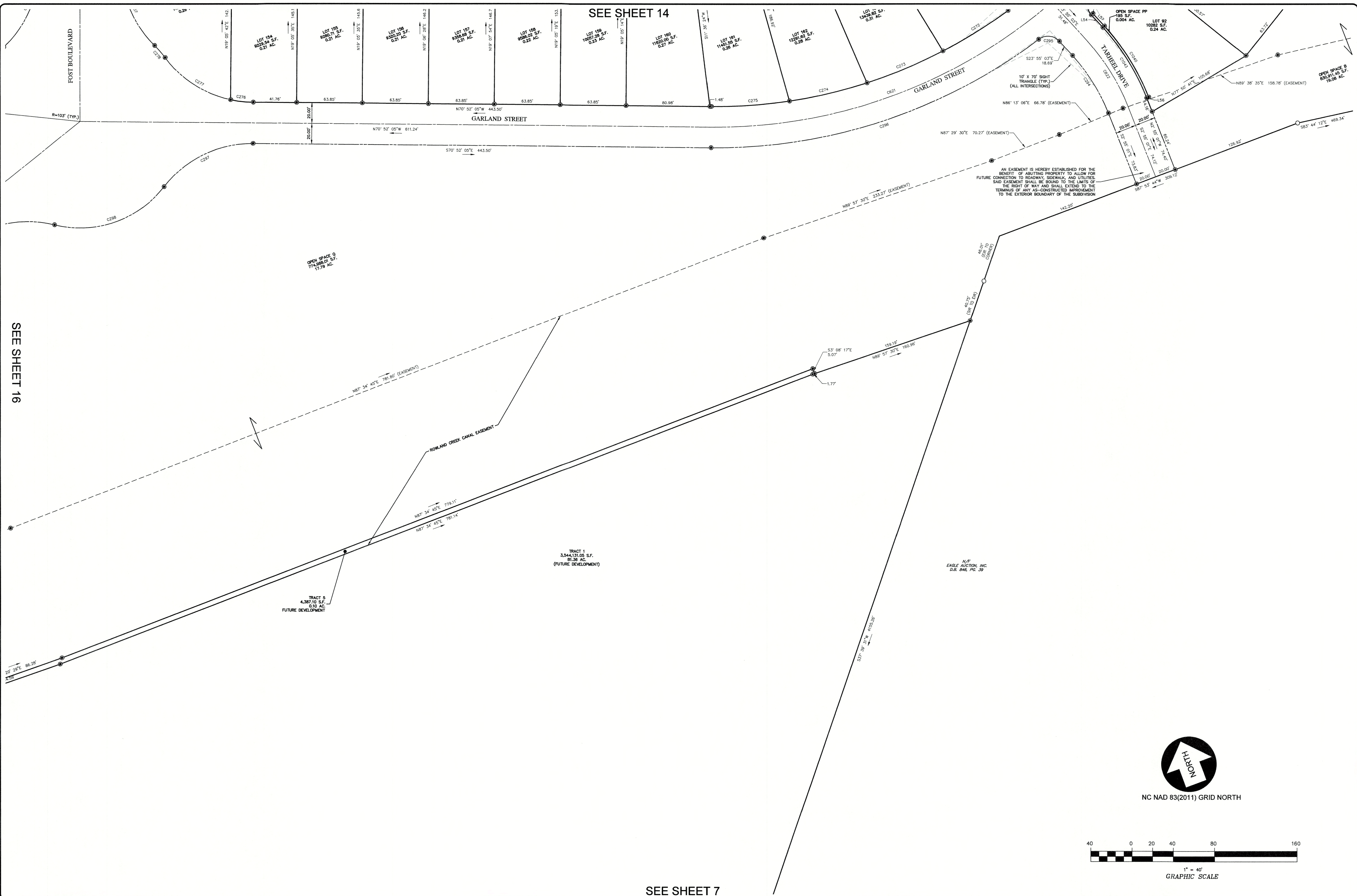
Attachment: 2 Plans TRC Cmnts App 21Feb22 (PB 18-23 Fost Tract PD-R)

Packet Pg. 106











CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C1	11.52	50.00	11.50	S28° 05' 45"W	13°12'15"
C2	22.81	15.00	20.67	N65° 03' 17"E	87°07'19"
C3	27.77	15.00	23.97	S18° 20' 36"E	106°04'56"
C8	4.97	15.00	4.94	N9° 07' 53"E	18°58'07"
C9	23.56	15.00	21.21	S63° 36' 57"W	90°00'00"
C11	18.60	15.00	17.43	N35° 52' 07"W	71°01'53"
C12	23.56	15.00	21.21	S63° 36' 57"W	90°00'00"
C13	23.56	15.00	21.21	S26° 23' 03"E	90°00'00"
C14	23.56	15.00	21.21	S63° 36' 57"W	90°00'00"
C15	23.56	15.00	21.21	N26° 23' 03"W	90°00'00"
C44	42.71	851.01	42.70	N33° 02' 30"W	2°52'31"
C45	24.01	15.00	21.53	N14° 15' 10"E	91°42'49"
C52	23.56	15.00	21.21	S26° 23' 03"E	90°00'00"
C53	829.54	891.01	799.90	N45° 56' 28"W	53°20'35"
C55	24.37	15.00	21.78	N73° 20' 51"W	93°05'08"
C56	45.14	280.00	45.09	S23° 53' 14"E	91°4'09"
C59	66.81	851.01	66.79	N24° 33' 21"W	4°29'53"
C60	77.27	851.01	77.24	N19° 42' 20"W	51°2'08"
C61	30.10	451.25	30.09	N14° 48' 54"W	3°49'17"
C62	57.98	280.00	57.88	N6° 58' 20"W	11°51'51"
C63	69.06	280.00	68.89	N6° 01' 34"E	14°07'57"
C64	23.59	3485.99	23.59	N13° 17' 10"E	0°23'16"
C65	78.82	3485.99	78.82	N14° 07' 40"E	1°17'44"
C66	86.08	3485.99	86.08	N15° 28' 59"E	1°24'54"
C67	74.05	3485.99	74.04	N16° 47' 56"E	1°13'01"
C68	67.52	3485.99	67.52	N17° 57' 44"E	1°06'35"
C71	52.61	3486.00	52.61	N18° 56' 58"E	0°51'53"
C72	23.48	15.00	21.16	N64° 13' 39"E	89°41'10"
C85	23.56	15.00	21.21	S63° 36' 57"W	90°00'00"
C86	37.06	338.17	37.04	S68° 14' 41"E	6°16'46"
C87	72.60	338.17	72.46	N58° 57' 16"W	12°18'04"
C88	72.61	338.17	72.47	N46° 39' 10"W	12°18'09"
C90	71.05	338.17	70.92	N20° 04' 42"W	12°02'16"
C91	71.04	338.17	70.91	N8° 02' 29"W	12°02'11"
C92	71.07	338.17	70.94	N3° 58' 51"E	12°02'28"
C93	65.04	338.17	64.94	N15° 31' 42"E	11°01'13"
C94	32.57	338.17	32.56	N23° 47' 52"E	5°31'07"
C95	20.91	620.00	20.91	N25° 35' 27"E	1°55'58"
C96	49.48	620.00	49.47	N22° 20' 17"E	4°34'21"
C98	20.64	15.00	19.05	S30° 45' 36"E	78°50'43"
C99	35.08	150.28	35.00	S1° 58' 31"W	13°22'29"
C100	35.08	150.28	35.00	S11° 23' 58"E	13°22'29"
C101	32.06	150.28	32.00	S24° 11' 56"E	12°13'26"
C102	14.48	150.28	14.47	N33° 04' 14"W	5°31'10"
C103	32.06	150.28	32.00	S41° 56' 32"E	12°13'26"
C104	35.08	150.28	35.00	S54° 44' 29"E	13°22'29"
C105	26.11	150.28	26.08	S66° 24' 24"E	9°57'20"
C106	23.56	15.00	21.21	S26° 23' 03"E	90°00'00"
C107	35.86	155.00	35.78	N11° 59' 14"E	13°15'26"
C108	27.77	185.00	27.75	S14° 18' 53"W	8°36'07"
C109	38.86	185.00	38.79	S3° 59' 43"W	12°02'12"
C110	38.86	185.00	38.79	S8° 02' 28"E	12°02'12"
C111	38.87	185.00	38.80	S20° 04' 42"E	12°02'16"
C112	39.72	185.00	39.64	S46° 39' 06"E	12°18'05"
C113	39.72	185.00	39.65	S58° 57' 13"E	12°18'09"
C114	20.28	185.00	20.26	N68° 14' 41"W	6°16'46"
C120	23.56	15.00	21.21	N63° 36' 57"E	90°00'00"
C122	15.01	15.00	14.39	N47° 17' 23"E	5°720'53"
C123	112.36	150.28	109.76	S54° 32' 41"W	42°50'17"
C128	23.56	15.00	21.21	S63° 36' 57"W	90°00'00"
C129	20.03	15.00	18.57	N33° 08' 08"W	76°29'51"
C130	22.99	150.28	22.96	N0° 44' 00"E	8°45'49"
C131	33.05	150.28	32.99	S9° 56' 58"E	12°36'06"
C132	15.10	150.28	15.10	S19° 07' 47"E	5°45'32"
C133	32.06	150.28	32.00	N28° 07' 16"W	12°13'26"
C137	16.20	220.00	16.20	S69° 16' 29"E	4°13'08"
C138	55.25	220.00	55.10	N59° 58' 17"W	14°23'17"
C139	229.98	220.00	219.63	S22° 49' 56"E	59°53'23"
C140	52.30	230.66	52.19	S13° 45' 32"W	12°59'33"
C152	27.17	140.00	27.13	N65° 49' 25"W	11°07'17"
C153	40.71	140.00	40.56	N51° 56' 00"W	16°39'33"
C154	36.32	140.00	36.22	S36° 10' 18"E	14°51'50"
C155	33.75	140.00	33.66	N4° 53' 37"W	13°48'38"
C156	34.36	140.00	34.27	N9° 02' 32"E	14°03'41"
C157	6.21	140.00	6.21	N17° 20' 40"E	2°32'34"
C164	31.66	150.28	31.60	N67° 06' 47"E	12°04'18"
C175	71.21	338.00	71.08	N67° 44' 04"E	12°04'18"
C196	52.72	3486.00	52.72	N21° 37' 53"E	0°52'00"
C198	80.86	3485.99	80.86	N23° 52' 30"E	1°19'44"
C199	73.26	3485.99	73.26	N25° 08' 29"E	1°12'15"

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C200	70.26	3485.99	70.26	N26° 19' 15"E	1°09'17"
C201	69.43	3485.99	69.42	N27° 28' 08"E	1°08'28"
C202	21.12	285.00	21.12	N30° 09' 45"E	4°14'48"
C203	110.76	285.00	110.07	N43° 25' 10"E	22°16'02"
C204	76.20	480.00	76.12	N59° 14' 59"E	9°05'44"
C205	24.16	15.00	21.63	S70° 03' 36"E	92°17'07"
C225	6.30	220.00	6.30	S75° 26' 27"E	1°38'28"
C226	96.02	250.00	95.43	N27° 28' 19"W	22°00'21"
C228	37.75	175.00	37.68	S64° 00' 11"E	12°21'34"
C229	49.48	175.00	49.31	N49° 43' 27"W	16°11'54"
C230	48.05	175.00	47.90	S33° 45' 30"E	15°43'59"
C231	48.05	175.00	47.90	N18° 01' 31"W	15°43'59"
C232	48.05	175.00	47.90	S2° 17' 32"E	15°43'59"
C233	48.05	175.00	47.90	N13° 26' 27"E	15°43'59"
C234	48.05	175.00	47.90	S29° 10' 26"W	15°43'59"
C235	48.05	175.00	47.90	N44° 54' 25"E	15°43'59"
C236	0.81	175.00	0.81	S52° 54' 23"W	0°15'56"
C237	23.18	25.00	22.36	S26° 28' 27"W	53°07'48"
C238	30.18	50.00	29.73	S17° 12' 12"W	34°35'19"
C239	30.74	50.00	30.28	S52° 06' 42"W	35°13'42"
C243	23.18	25.00	22.36	N79° 36' 15"E	53°07'48"
C248	67.72	135.00	67.01	N38° 40' 09"E	28°44'25"
C249	66.83	135.00	66.15	N10° 07' 05"E	28°21'42"
C250	155.79	135.00	147.29	N37° 07' 22"W	66°07'12"
C262	32.95	160.00	32.89	S51° 26' 30"W	11°47'53"
C263	14.75	520.00	14.75	S58° 09' 11"W	1°37'30"
C264	46.57	520.00	46.55	S61° 31' 52"W	5°07'52"
C271	25.23	15.00	22.36	N24° 15' 34"E	96°21'13"
C272	74.26	480.00	74.19	N76° 52' 07"E	8°51'53"
C273	79.72	480.00	79.63	N86° 03' 33"E	9°30'59"
C274	77.33	480.00	77.27	S84° 34' 03"E	9°13'49"
C275	76.10	480.00	76.02	S75° 24' 37"E	9°05'03"
C276	22.25	108.00	22.21	S64° 57' 59"E	11°48'12"
C277	99.25	108.00	95.79	S44° 32' 29"E	52°39'12"
C278	15.51	103.00	15.50	N22° 31' 44"W	8°17'42"
C294	65.97	180.00	65.61	N13° 25' 02"W	21°00'02"
C295	22.12	15.00	20.17	N66° 09' 27"W	84°28'50"
C296	340.61	520.00	334.55	S89° 37' 59"E	37°31'47"
C297	99.25	108.00	95.79	S82° 48' 19"W	52°39'12"
C298	118.72	103.00	112.26	N89° 29' 55"E	66°02'24"
C299	99.25	108.00	95.79	N83° 48' 30"W	52°39'12"
C302	84.24	103.00	81.92	S40° 38' 35"W	46°51'46"
C303	99.25	108.00	95.79	N43° 32' 18"E	52°39'12"
C304	228.30	380.00	224.88	S52° 39' 14"W	34°25'21"
C305	54.04	180.00	53.84	N63° 09' 30"W	17°12'08"
C308	23.56	15.00	21.21	S65° 08' 06"E	90°00'00"
C309	65.86	600.00	65.83	S16° 59' 24"E	6°17'23"
C310	15.69	290.00	15.68	N15° 23' 42"W	3°05'57"
C311	55.20	290.00	55.11	S22° 23' 49"E	10°54'19"
C312	59.56	290.00	59.46	N33° 44' 02"W	11°46'05"
C313	58.23	290.00	58.13	S45° 22' 12"E	11°30'16"
C314	54.41	290.00	54.33	S56° 29' 51"E	10°45'02"
C315	11.47	220.00	11.47	N63° 22' 02"W	2°59'18"
C316	62.55	220.00	62.34	N73° 00' 21"W	16°17'21"
C317	8.42	220.00	8.42	S82° 14' 49"E	2°11'35"
C318	19.37	20.00	18.62	S55° 36' 03"E	55°29'07"
C319	49.00	80.00	48.23	S45° 24' 12"E	35°05'25"
C320	18.30	80.00	18.26	S69° 30' 10"E	13°06'30"
C321	21.91	120.00	21.88	S81° 17' 12"E	10°27'34"
C322	41.59	120.00	41.38	N83° 33' 21"E	19°51'21"
C323	41.59	120.00	41.38	S63° 41' 59"W	19°51'21"
C324	40.20	120.00	40.02	N44° 10' 26"E	19°11'45"
C325	0.67	80.00	0.67	N34° 20' 13"E	0°28'41"
C326	35.08	80.00	34.80	S21° 32' 05"W	25°07'36"
C328	42.91	80.00	42.40	N6° 23' 46"W	30°44'06"
C329	19.90	20.00	19.09	N6° 44' 04"E	56°59'45"
C330	4.31	220.00	4.31	N34° 40' 17"E	1°07'20"
C331	27.00	220.00	26.98	N30° 35' 40"E	7°01'52"
C332	58.42	615.99	58.40	N24° 21' 28"E	5°26'33"
C333	58.09	624.99	58.07	S18° 55' 50"W	5°19'30"
C334	34.93	615.00	34.92	N14° 35' 52"E	3°15'15"
C335	34.28	300.00	34.26	N16° 14' 40"E	6°32'51"
C336	69.44	300.00	69.29	S26° 08' 58"W	13°15'45"
C337	40.55	300.00	40.52	N36° 39' 09"E	7°44'39"
C338	31.58	140.00	31.51	N34° 03' 46"E	12°55'26"
C339	46.45	140.00	46.24	S18° 05' 42"W	19°00'42"
C340	46.45	140.00	46.24	N0° 55' 00"W	19°00'42"
C341	10.08	140.00	10.08	N74° 11' 56"W	4°07'29"
C342	43.82	140.00	43.64	N63° 10' 10"W	17°56'05"
C343	38.98	140.00	38.86	S46° 13' 31"E	15°57'12"

CURVE TABLE					
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C344	32.32	140.00	32.25	S31° 38' 05"E	13°13'41"
C345	35.67	140.00	35.57	N17° 43' 18"W	14°35'52"
C346	14.14	180.00	14.14	S74° 00' 37"E	4°30'07"
C348	68.06	620.00	68.03	S16° 59' 24"E	6°17'23"
C349	226.32	270.00	219.76	N37° 51' 33"W	48°01'39"
C350	99.36	200.00	98.34	N76° 06' 17"W	28°27'49"
C351	164.67	200.00	160.06	S66° 04' 33"W	47°10'32"
C352	53.79	200.00	53.63	S34° 47' 01"W	15°24'33"
C353	71.28	60.00	67.16	N42° 01' 30"W	68°03'51"
C354	121.07	100.00	113.81	S69° 15' 34"W	76°22'02"
C355	80.59	60.00	74.87	S34° 53' 15"E	69°55'37"
C356	146.51	595.00	146.14	S20° 01' 30"W	14°06'29"
C357	153.89	320.00	152.41	N26° 44' 52"E	27°33'11"
C358	244.60	120.00	204.40	S17° 52' 06"E	116°47'09"
C359	75.76	200.00	75.31	N65° 24' 34"W	21°42'14"
C360	4.80	400.00	4.80	S69° 31' 16"W	4°01'16"
C361	235.51	400.00	232.12	S52° 18' 36"E	33°40'55"
C362	131.97	420.00	131.43	N55° 36' 49"E	18°00'12"
C363	22.25	14.82	20.22	N22° 10' 26"E	86°02'37"
C371	102.09	250.00	101.39	N50° 14' 25"W	32°23'53"
C373	11.45	250.00	11.45	N15° 09' 26"W	2°37'25"
C376	40.40	640.00	40.05	N15° 38' 18"W	3°35'10"
C377	30.26	400.00	30.20	N18° 46' 59"W	2°42'13"
C378	42.06	180.00	41.96	N68° 34' 00"W	13°23'16"
C379	81.87	420.00	81.75	S40° 01' 38"W	11°10'09"
C380	23.56	15.00	21.81	N80° 26' 34"E	90°00'00"
C386	77.04	220.00	76.64	N64° 35' 20"W	20°03'47"
C390	18.37	100.00	18.34	S10° 59' 59"E	10°31'23"
C391	185.48	100.00	160.00	S72° 36' 24"E	106°15'46"
C392	24.17	340.00	24.16	S38° 29' 18"W	4°04'21"
C393	73.30	340.00	73.16	S30° 16' 32"W	12°21'11"
C398	66.04	340.00	65.93	S18° 32' 06"W	11°07'42"
C431	2.83	575.00	2.83	S13° 06' 43"E	0°16'56"
C432	70.40	575.00	70.36	S16° 45' 38"W	7°00'54"
C433	68.35	575.00	68.31	S23° 40' 24"W	6°48'40"
C434	243.98	180.00	225.73	S65° 54' 33"E	77°39'37"
C435	23.56	15.00	21.21	N9° 33' 26"E	90°00'00"
C436	120.92	50.00	93.53	S36° 53' 20"W	138°33'38"
C437	31.58	50.00	31.06	N50° 29' 07"W	36°11'18"
C477	36.39	50.00	35.59	S89° 25' 37"E	41°41'41"
C492	5.63	851.01	5.63	N14° 54' 55"W	0°22'44"
C494	24.12	50.00	21.60	N24° 52' 04"E	92°07'23"
C495	23.52	15.00	21.21	N65° 02' 36"E	89°14'22"
C578	190.13	871.01	189.75	S22° 58' 45"E	12°30'24"
C579	31.43	47.25	31.43	N14° 48' 54"W	3°49'17"
C580	136.12	300.00	134.95	N0° 05' 38"E	25°59'48"
C582	333.33	155.00	272.72	N82° 34' 18"W	123°31'18"
C620	92.75	500.00	92.62	N68° 39' 17"E	10°37'42"
C621	359.21	500.00	351.54	N88° 33' 02"E	41°09'46"
C622	73.31	200.00	72.90	N13° 25' 02"E	21°00'02"
C627	62.65	868.00	62.64	S39° 20' 11"W	4°28'34"
C674	357.57	804.00	355.02	S29° 42' 06"W	23°24'43"
C676	42.37	30.00	38.94	N16° 30' 44"E	80°55'35"
C677	31.50	30.00	30.07	N47° 42' 45"W	60°09'33"
C687	267.04	170.00	240.42	N26° 23' 03"W	90°00'00"
C698	207.61	155.00	192.43	N33° 00' 46"W	76°44'35"
C700	19.14	15.00	17.87	S73° 05' 28"E	73°06'26"
C703	21.74	15.00	19.88	N28° 39' 59"W	83°01'57"
C704	23.79	620.00	23.79	N11° 45' 02"E	21°1'55"
C705	18.43	338.00	18.42	N12° 28' 39"E	30°72'44"
C706	67.28	338.00	67.17	N19° 12' 47"E	11°24'20"
C707	72.02	338.00	71.88	N31° 17' 04"E	12°12'30"
C708	72.01	338.00	71.88	N43° 29' 32"E	12°12'27"
C709	71.40	338.00	71.26	N55° 38' 50"E	12°06'09"
C710	282.97	180.00	254.72	N63° 34' 47"E	90°04'20"
C711	70.95	338.00	70.82	N79° 47' 01"E	12°01'37"
C712	70.62	338.00	70.49	S88° 13' 03"E	11°58'15"
C713	63.99	338.00	63.90	S76° 48' 29"E	10°50'52"
C723	23.82	195.00	23.80	S22° 02' 32"W	6°59'51"
C724	40.31	195.00	40.24	S31° 27' 47"W	11°50'38"
C725	40.31	195.00	40.24	S43° 18' 23"W	11°50'36"
C726	40.01	195.00	39.94	S55° 06' 23"W	11°45'23"
C727	40.01	195.00	39.94	S68° 51' 14"E	11°45'19"
C728	40.00	195.00	39.93	S78° 37' 00"W	11°45'14"
C729	40.00	195.00	39.93	N89° 37' 49"W	11°45'09"
C730	39.39	195.00	39.33	N77° 57' 59"W	11°34'30"
C731	2.70	195.00	2.70	N17° 46' 54"E	0°47'41"
C732	23.05	165.00	23.03	N22° 32' 43"E	8°00'14"
C733	234.30	165.00	215.11	N67° 13' 39"E	81°21'38"
C734	2.04	165.00	2.04	S71° 44' 18"E	0°42'28"



SCHEDULE C ROADWAY STANDARDS		
TYPE	R/W WIDTH	PAV' T. WIDTH (B-B)
Boulevard w/on-street parking & bike lane	100' – 130'	35' each way
Local Road w/parking both sides	60'	43'
Local Road w/parking one side	50' – 55'	35
Local Road w/no parking	40'	27'
Alley	20' – 30'	20'
Boulevard w/out bike lane	80'	16' each way

DEVELOPMENT STANDARDS & SETBACKS			
STYLE			
	TND T.H.	TND S.F. LOT	CONV. S.F. LOT
MIN. LOT SIZE	1,800 SF	6,900 SF	9,500 SF
TYPICAL LOT SIZE	1,800 – 3,000 SF	7,000 – 9,000 SF	10,000 – 15,000 SF
MIN. LOT WIDTH	20'	35'	35'
TYPICAL LOT WIDTH	20'–25'	50'–60'	62'
FRONT SETBACK	15'	20'	20'
SIDE SETBACK	0	10'	10'
REAR SETBACK	20'	20'	25'
CORNER SIDE SETBACK	15'	15'	15'
MAXIMUM SETBACK	25'	75'	140'
MAXIMUM HEIGHT	35'	35'	35'
MAXIMUM BUILDING SIZE	16,000 SF	N/A	N/A
MAXIMUM LOT COVERAGE	100%	60%	45%

ZONING CONDITIONS:

- g. THE PHASING PLAN ATTACHED TO THIS ORDINANCE AND INCORPORATED HEREIN BY REFERENCE AS SCHEDULE B (ATTACHED) SHALL BE ADHERED TO EXCEPT THAT THE DEVELOPER MAY DETERMINE THE SEQUENCE IN WHICH PHASES ARE DEVELOPED. THE DEVELOPER SHALL PROVIDE AN ANNUAL REPORT UPDATING THE PHASING PLAN FOR THE DEVELOPMENT. NOTWITHSTANDING THE FORGOING, THE FIRST PHASE OF DEVELOPMENT SHALL NOT EXCEED SEVENTY-ONE (71) RESIDENTIAL UNITS.
- b. DEVELOPMENT ON THE PROPERTY SHALL BE CONNECTED TO A NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY ("NCEQ") OR DEPARTMENT OF HEALTH & HUMAN SERVICES (NCDHHS) PERMITTED AND APPROVED CENTRAL WASTEWATER TREATMENT AND DISPOSAL SYSTEM, AND TO THE CURRITUCK COUNTY WATER SYSTEM. FIRE PROTECTION SHALL BE PROVIDED IN ACCORDANCE WITH THE UDO STANDARDS AND THE N.C. FIRE CODE.
- c. THE DENSITY/INTENSITY STANDARDS, DIMENSIONAL STANDARDS AND DEVELOPMENT STANDARDS FOR DEVELOPMENT OF THE PROPERTY SHALL BE IN ACCORDANCE WITH THE MASTER PLAN AND SCHEDULE A (ATTACHED), SUBJECT TO THE DEGREE OF FLEXIBILITY PROVIDED IN THESE CONDITIONS. COMMUNITY FORM AND DESIGN FOR DEVELOPMENT OF THE PROPERTY SHALL CONFORM TO THE STREETScape PERSPECTIVES, EXAMPLE MODEL HOME DRAWINGS, MIXED USE, AND CLUBHOUSE PERSPECTIVE DRAWINGS ILLUSTRATED ON THE MASTER PLAN AND AS PROVIDED AND ILLUSTRATED IN APPENDIX TO THE MASTER PLAN SUPPLEMENTAL DOCUMENT. VARIATIONS MAY BE PROVIDED AND SHALL BE PERMITTED IN COLORS, MATERIALS, AND ARCHITECTURAL DETAILING THAT ARE COMPATIBLE WITH THE DESIGN CONCEPT.
- e. TRANSPORTATION: THE MAIN SUBDIVISION ENTRANCE WILL BE CONNECTED DIRECTLY TO N.C. HIGHWAY168. DECELERATION AND ACCELERATION LANES SHALL BE PROVIDED ALONG THE PROPERTY FRONTAGE IN ACCORDANCE WITH NORTH CAROLINA DEPARTMENT OF TRANSPORTATION, ("NCDOT"), STANDARDS AND SHALL BE APPROVED BY NCDOT PRIOR TO CONSTRUCTION. CONNECTIVITY WILL BE PROVIDED TO THE EXISTING FARMLAND TO THE SOUTHEAST, IDENTIFIED WITH PARCEL IDENTIFICATION NUMBER ("PIN") 002300000070000. ROADWAYS SHALL BE LAID OUT GENERALLY AS SHOWN ON THE MASTER PLAN AND SCHEDULE C.
- f. POTABLE WATER: WATER SHALL BE SUPPLIED BY CURRITUCK COUNTY VIA AN EXISTING 12" MAIN LOCATED ON N.C. HIGHWAY 168 WHICH WILL BE TAPPED AND LOOPED THROUGH THE SITE. FIRE PROTECTIONS SHALL BE PROVIDED IN ACCORDANCE WITH UDO STANDARD AND THE APPLICABLE INSURANCE SERVICE OFFICE STANDARDS. INDIVIDUAL LOTS AND DWELLINGS SHALL BE METERED. THE DEVELOPER SHALL MODEL THE COUNTY'S WATER SYSTEM TO DEMONSTRATE ADEQUATE WATER FLOW AND PRESSURE FOR FIGHTING FIRES WHILE MEETING THE MAXIMUM DAY DOMESTIC DEMAND.
- g. WASTEWATER: DEVELOPER INTENDS TO CONNECT TO A MAJOR UTILITY, OFF-SITE, OWNED BY CURRITUCK WATER & SEWER, LLC FOR WASTEWATER TREATMENT AND DISPOSAL. A WASTEWATER COLLECTION SYSTEM WILL BE CONSTRUCTED BY THE DEVELOPER AND MANAGED BY A WASTEWATER UTILITY. THE UTILITY WILL BE REGULATED BY THE NORTH CAROLINA UTILITIES COMMISSION.

ZONING CONDITIONS CONTINUED:

- h. ON-SITE STORMWATER: THE FOLLOWING IMPROVEMENTS TO STORMWATER DRAINAGE ("IMPROVEMENTS") ON THE PROPERTY SHALL BE COMPLETED BY THE DEVELOPER PRIOR TO RECORDING THE FINAL PLAT FOR THE FIRST PHASE OF DEVELOPMENT ON THE PROPERTY:
- i. IMPROVE ROWLAND CREEK FOR THE ENTIRE LENGTH ON THE PROPERTY BY CONSTRUCTION OF A DITCH ON A POSITIVE GRADE WITH 3:1 SIDE SLOPES AND SIZED FOR A 100 YEAR STORM EVENT FROM THE DRAINAGE BASIN IN WHICH THE PROPERTY IS LOCATED.
- ii. INSTALL A NEW DITCH ALONG THE ENTIRE LENGTH OF THE PROPERTY'S EASTERN COMMON BOUNDARY LINE WITH RANCHLAND SUBDIVISION ON A POSITIVE GRADE WITH 3:1 SIDE SLOPES AND SIZED FOR A 500 YEAR STORM EVENT FROM THE DRAINAGE BASIN IN WHICH THE PROPERTY AND A PORTION OF RANCHLAND SUBDIVISION ARE LOCATED.
- iii. THE IMPROVEMENTS SET FORTH IN THIS SECTION SHALL BE MAINTAINED BY THE DEVELOPER, OR A MANAGEMENT ASSOCIATION CREATED BY THE DEVELOPER.
- i. OFF-SITE STORMWATER: SUBJECT TO OBTAINING RIGHT OF ENTRY FROM OFF-SITE PROPERTY OWNERS, I.E. IF CONSENT OF THOSE PROPERTY OWNERS IS OBTAINED, THE FOLLOWING IMPROVEMENTS TO STORM WATER DRAINAGE SYSTEMS OUTSIDE THE BOUNDARIES OF THE PROPERTY SHALL BE COMPLETED BY THE DEVELOPER PRIOR TO RECORDING THE FINAL PLAT FOR THE FIRST PHASE OF THE DEVELOPMENT:
- i. CLEAR AND SNAG ROWLAND CREEK FROM N. C. HIGHWAY 168 TO THE EAST END OF ROWLAND CREEK ESTATES SUBDIVISION (ADJACENT TO PIN 0022000088M0000)
- ii. CLEAR AND SNAG THE RANCHLAND OUTLETS DITCH FROM THE PROPERTY'S SOUTHEAST CORNER ADJACENT TO RANCHLAND SUBDIVISION (ADJACENT TO PIN 023B000004201F2) TO THE RANCHLAND OUTLETS' INTERSECTION WITH ROWLAND CREEK, AND CONSTRUCT A DITCH ON A POSITIVE GRADE WITH 3:1 SIDE SLOPES AND SIZED FOR A 100 STORM EVENT FROM THE DRAINAGE BASIN IN WHICH THE PROPERTY AND RANCHLAND SUBDIVISION ARE LOCATED.
- iii. IMPROVE THE SURVEY ROAD DITCH FROM GUINEA ROAD TO THE RAILROAD (ON PIN 0022000063Y0000) AND CONSTRUCT THE DITCH ON A POSITIVE GRADE WITH 3:1 SIDE SLOPES AND SIZED FOR A 100 YEAR STORM EVENT FROM THE DRAINAGE BASIN IN WHICH THE PROPERTY IS LOCATED.
- iv. IMPROVE ROWLAND CREEK FROM THE EASTERN BOUNDARY OF EAGLE CREEK (ADJACENT TO PIN 015A00000980000) TO THE WESTERN BOUNDARY OF THE PROPERTY BY CONSTRUCTING A DITCH ON A POSITIVE GRADE WITH 3:1 SIDE SLOPES SIZED FOR A 100 YEAR STORM EVENT.
- v. DEVELOPER OR A MANAGEMENT ASSOCIATION SHALL CONTRIBUTE \$5,000 ANNUALLY TO THE COST OF MAINTENANCE FOR THE OFF-SITE IMPROVEMENTS SET FORTH IN THIS SECTION. SUCH FUNDS SHALL BE DEPOSITED WITHIN AN ASSOCIATION CREATED FOR THE PURPOSE OF MAINTAINING OFF-SITE IMPROVEMENTS. THE FIRST CONTRIBUTION SHALL BE MADE WITHIN 1 YEAR OF THE RECORDING OF THE FIRST PHASE OF DEVELOPMENT, AND SUBSEQUENT CONTRIBUTIONS MADE ANNUALLY FOR THE NEXT 10 YEARS.
- vi. SHOULD DEVELOPER BE UNABLE TO OBTAIN RIGHT OF ENTRY FROM ANY LANDOWNER PRIOR TO THE RECORDING OF PHASE 2, THEN DEVELOPER'S ONLY OBLIGATION UNDER THIS SECTION (I), OFF-SITE STORMWATER, SHALL BE TO PROVIDE FEE IN LIEU IN THE AMOUNT OF 115% OF THE COST OF THE OFF-SITE IMPROVEMENTS, SUCH THAT THE COUNTY MAY COMPLETE THESE IMPROVEMENTS IF AND WHEN RIGHT OF ENTRY IS OBTAINED.
- j. OVERALL STORMWATER CONDITIONS:
- i. THE DEVELOPER SHALL CONSTRUCT BERMS ALONG DITCH OUTLETS AGAINST RANCHLAND TO KEEP PROPOSED DEVELOPMENT'S RUNOFF FROM FLOODING RANCHLAND DURING A 100 YEAR STORM.
- ii. ON-SITE STORMWATER WILL BE MANAGED BY CONSTRUCTION A SERIES OF STORMWATER MANAGEMENT PONDS THAT WILL BE INTERCONNECTED AND WILL RETAIN AND SLOW-RELEASE STORMWATER PRIMARILY TO ROWLAND CREEK BOTH DIRECTLY AND INDIRECTLY. A PORTION OF THE STORMWATER WILL ALSO OVERFLOW TO AN EXISTING CULVERT THAT RUNS DIRECTLY UNDER N.C. HIGHWAY 168 NEAR THE NORTHWEST CORNER OF THE PROPERTY. THE DITCH THAT DRAINS THAT OUTLET WILL ALSO BE IMPROVED AS NECESSARY SUBJECT TO OBTAINING RIGHT OF ACCESS REFERENCED ABOVE. IN ADDITION TO MODELING AND RETAINING STORMWATER TO THE UDO AND STORMWATER MANUAL STANDARD FOR THE DIFFERENCE BETWEEN RUNOFF FROM THE 10-YEAR DEVELOPED CONDITION AND RUNOFF FROM A 2-YEAR WOODED CONDITION SITE, STORMWATER SHALL BE MODELED FOR THE 100-YEAR STORM EVENT AND PROPERTY LINE BERMS CONSTRUCTED AS NECESSARY TO MANAGE THE 100-YEAR STORM WITHOUT ADVERSELY IMPACTING NEIGHBORING PROPERTIES. STORMWATER SHALL BE CONVEYED TO ON-SITE RETENTION PONDS THROUGH A COMBINATION OF CURBS WITH INLETS, STORMWATER PIPES AND OPEN, VEGETATED SWALES.

ZONING CONDITIONS CONTINUED:

- k. PERIMETER COMPATIBILITY SHALL BE ADDRESSED AS FOLLOWS:
- i. TO THE WEST: AS LONG AS THIS PROPERTY REMAINS ZONED AS IS, A 50 FOOT FARM BUFFER SHALL BE PROVIDED, FOLLOWED BY A 60 FOOT ROADWAY CORRIDOR, SO THE NEAREST EXISTING DWELLING UNIT WILL BE AT LEAST 565 FEET FROM THE EXISTING RESIDENCE ON THAT FARM. A VEGETATIVE BUFFER SHALL BE PROVIDED ALONG THAT PROPERTY LINE. IF THIS PROPERTY IS REZONED, THE BUFFER REQUIREMENTS IN THIS CONDITION SHALL NOT APPLY.
- ii. TO THE NORTH (CARATOKE HIGHWAY): A BERM SHALL BE PROVIDED ALONG THE HIGHWAY ALONG WITH LAKES FLANKING THE MAIN ENTRANCE ROAD. THE NEAREST DWELLING UNIT WILL BE SET BACK AT LEAST 200 FEET FROM THE HIGHWAY RIGHT-OF-WAY AT THE CLOSEST POINT. THE VISUAL IMPACT OF THE DEVELOPMENT SHALL BE MINIMIZED BY SETBACKS, BERMS AND LANDSCAPING.
- iii. TO THE EAST: A 50 FOOT VEGETATIVE FARM BUFFER SHALL BE PROVIDED ALONG THE EXISTING FARMLAND; TRADITIONAL SINGLE FAMILY DWELLING LOTS ARE BEING PROPOSED IN THE AREAS THAT BACK UP TO EXISTING DWELLING UNITS IN THE ADJACENT RANCHLAND SUBDIVISION. A MINIMUM 50 FOOT BUFFER SHALL BE PROVIDED BETWEEN THE DEVELOPMENTS.
- iv. TO THE SOUTH: COMPATIBLE RESIDENTIAL DEVELOPMENT IS BEING PROPOSED AND A MINIMUM 90 FOOT OPEN SPACE BUFFER IS SHOWN TO THE PROPERTY LINE. THE SOUTHERN BUFFER MAY INCLUDE A POND.
- v. LIMITED COMMERCIAL DEVELOPMENT IS LOCATED INTERIOR TO THE DEVELOPMENT AND SHALL FRONT ALONG THE LANDSCAPED ENTRANCE BOULEVARD.
- i. ENVIRONMENTAL PROTECTION AND MONITORING: WETLANDS SUBJECT TO THE JURISDICTION OF THE US ARMY CORPS OF ENGINEERS HAVE BEEN DELINEATED AND CONFIRMED BY THE CORPS OF ENGINEERS. WETLAND BUFFERS HAVE BEEN SHOWN ON THE MASTER PLAN AND THE DEVELOPMENT PLAN HONORS THOSE BUFFERS. THE ASSOCIATION DOCUMENTS (DECLARATION) WILL INCLUDE PROVISIONS THAT PROHIBIT THE FILLING OF WETLANDS AND PROHIBIT THE CLEARING OF THE BUFFER AREAS OTHER THAN INCIDENTAL TREE CUTTING AND VEGETATION REMOVAL, EXCEPT FOR MINOR IMPACTS ASSOCIATED WITH STORMWATER MANAGEMENT FACILITIES. THE ASSOCIATION, EITHER ITSELF OR VIA A MANAGEMENT ENTITY, WILL ASSUME RESPONSIBILITY FOR ONGOING OPERATION AND MAINTENANCE OF ALL STORMWATER MANAGEMENT FACILITIES IN ACCORDANCE WITH THE CURRITUCK COUNTY UDO REQUIREMENTS AND ALL NCEQ PERMIT REQUIREMENTS. THE ASSOCIATION DUES WILL BE STRUCTURED IN A WAY THAT FUNDS ARE PROVIDED FOR THE UPKEEP OF THESE FACILITIES, AS WELL AS PERIODIC IMPROVEMENTS TO ROWLAND CREEK BOTH THROUGH THE DEVELOPMENT, AS WELL AS A CONTRIBUTION TO OFF-SITE MAINTENANCE. WIND TIDES WILL BE CONSIDERED IN THE DESIGN OF SITE GRADING, WITH STRUCTURES LOCATED ABOVE THE ELEVATION OF THE HISTORIC WIND TIDAL INFLUENCE FROM ROWLAND CREEK.

PHASE	APPROX.	DEVELOPMENT	TND T.H.	TND S.F.	CONV. S.F.	TOTAL	OTHER IMPROVEMENTS
	AREA (AC.)	INTENSITY (D.U./AC.)					
1A	18.3	2.3	25	1	16	42	Rowland Creek Improvements
1B	13.0	2.23	0	11	18	29	
SUBTOT PH1	31.3	2.27	25	12	34	71	
2	31.5	2.06	19	16	30	65	Main Lake (Completion)
3	26.6	1.92	16	14	21	51	Village Green & Clubhouse
4	24.7	3.12	27		50	77	Multi-Use Path
5	14.9	2.48		17	20	37	Swimming Pool
6	35.0	2.26	21		58	79	
7	23.8	2.56	18		43	61	Up to 22,000 SF Neighborhood Commercial
8	18.6	1.02			19	19	
9	13.7	1.39			19	19	
Effluent & RV	8.18	0					
TOTALS	228.28	2.10	126	59	294	479	

Bisell Professional Group  
Firm License # C-956  
3972 North Coonan Highway  
Kitty Hawk, North Carolina 27949  
P.A.# 2621-1760



ZONING TERMS & CONDITIONS  
PRELIMINARY PLAT  
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PROJECT: THE FOST TRACT PD-R  
NORTH CAROLINA  
CURRITUCK COUNTY  
MOYOCK TOWNSHIP

REVISIONS

NO.	DATE	DESCRIPTION	BY
1	12/29/19	BY: [Signature]	MM
2	11-24-20	BY: [Signature]	MM
3		BY: [Signature]	MM

DATE: 12/23/19

DESIGNED: [Signature]

DRAWN: KPW/DMK/WGY

CHECKED: [Signature]

APPROVED: [Signature]

SCALE: 1

SHEET: 19 OF 465100PP

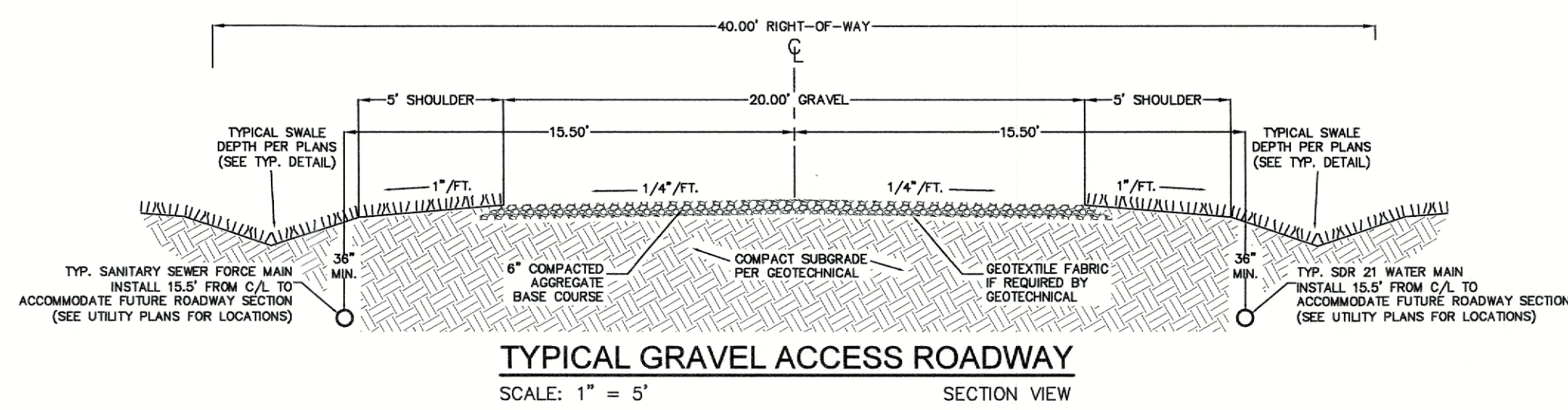
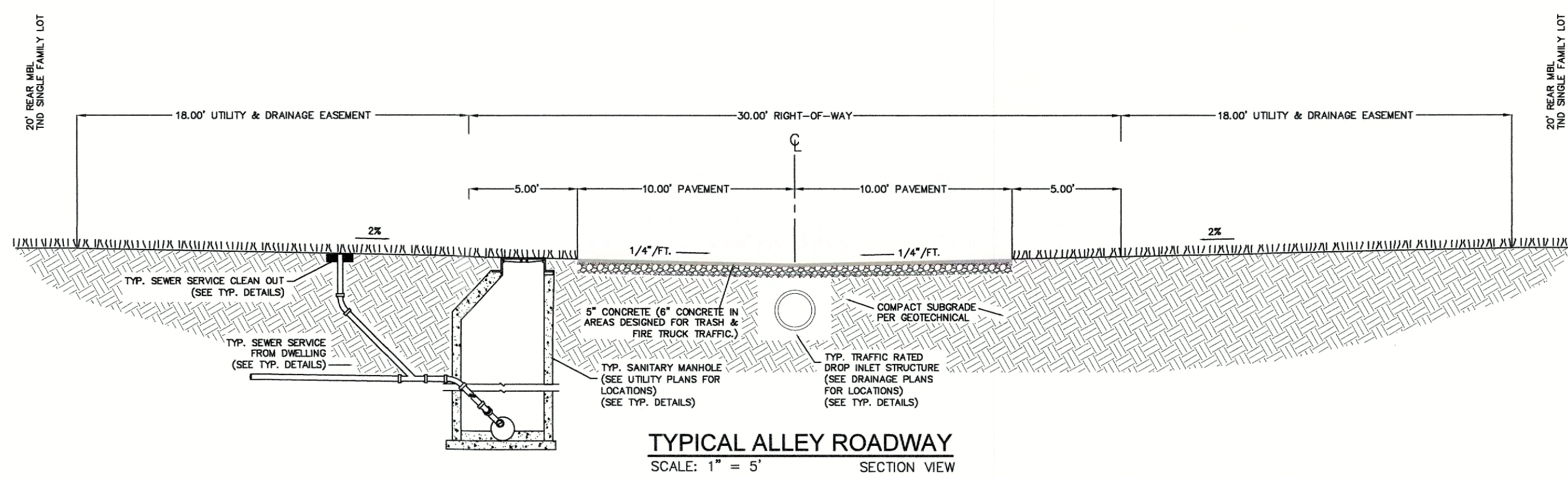
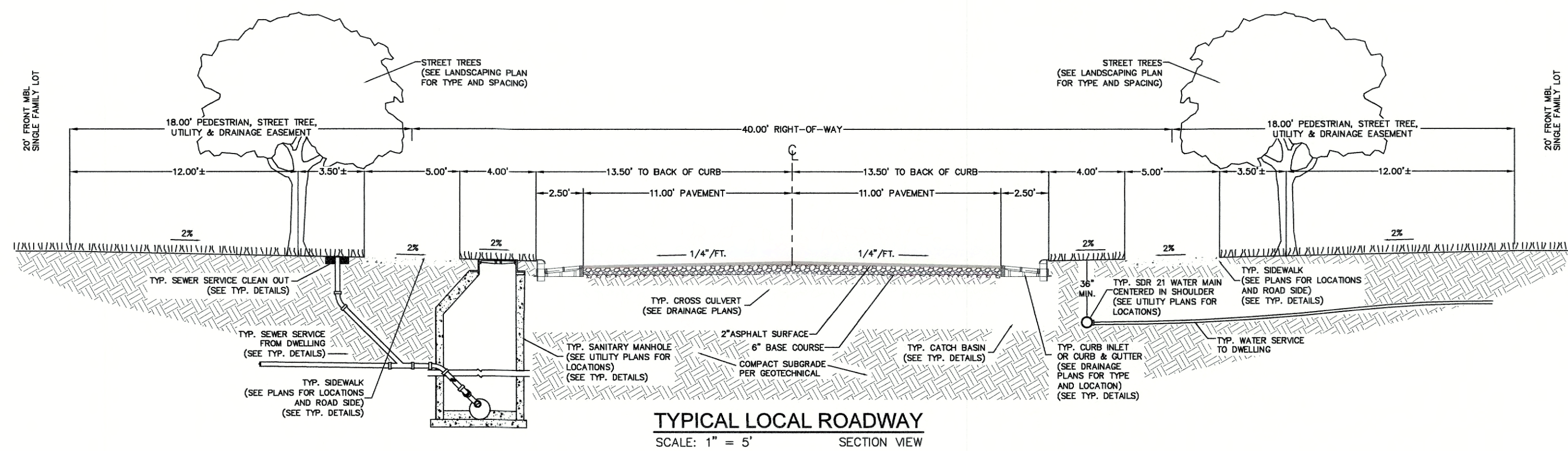
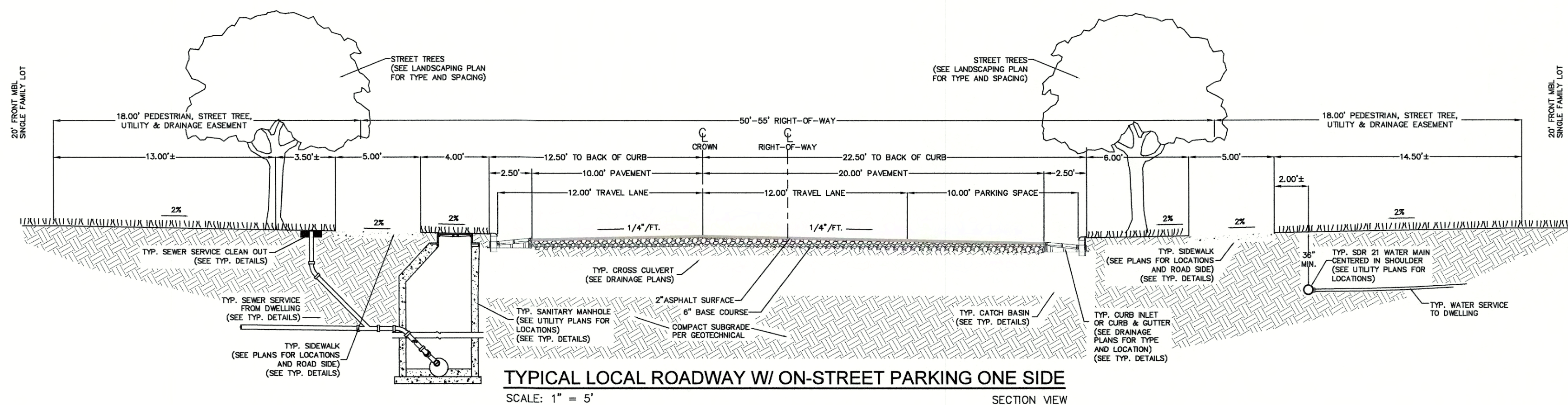
CAD FILE: 465100PP

PROJECT NO: 4651









Bissell Professional Group  
Firm License # C-955  
3512 North Canton Highway  
Kitty Hawk, North Carolina 27949  
Tel: (252) 281-1760  
Fax: (252) 281-1760

**BISSELL**  
PROFESSIONAL GROUP

DETAILS  
PRELIMINARY PLANS

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THE FOST TRACT PD-R  
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CURRITUCK COUNTY  
MOYOCK TOWNSHIP

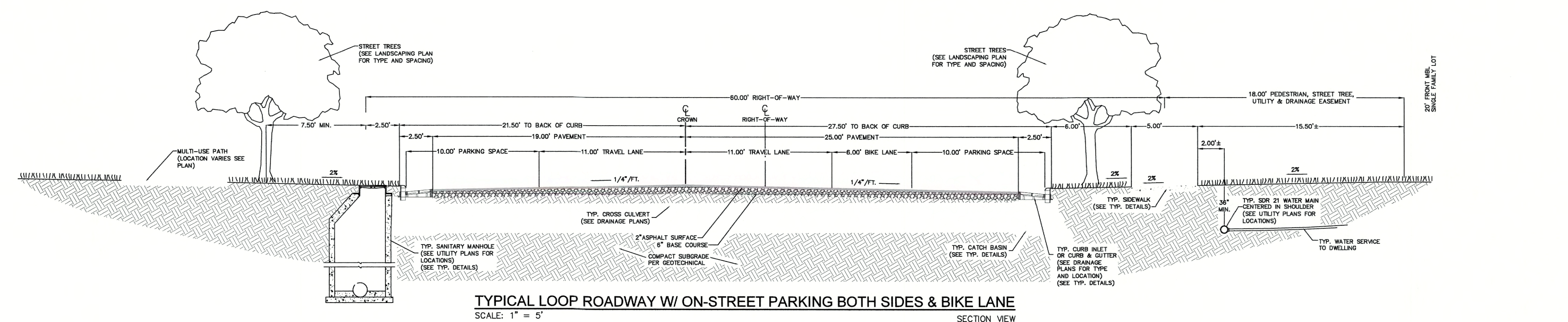
Attachment: 2 Plans TRC Cmnts App 216b22 (PB 18-23 Fost Tract PD-R)

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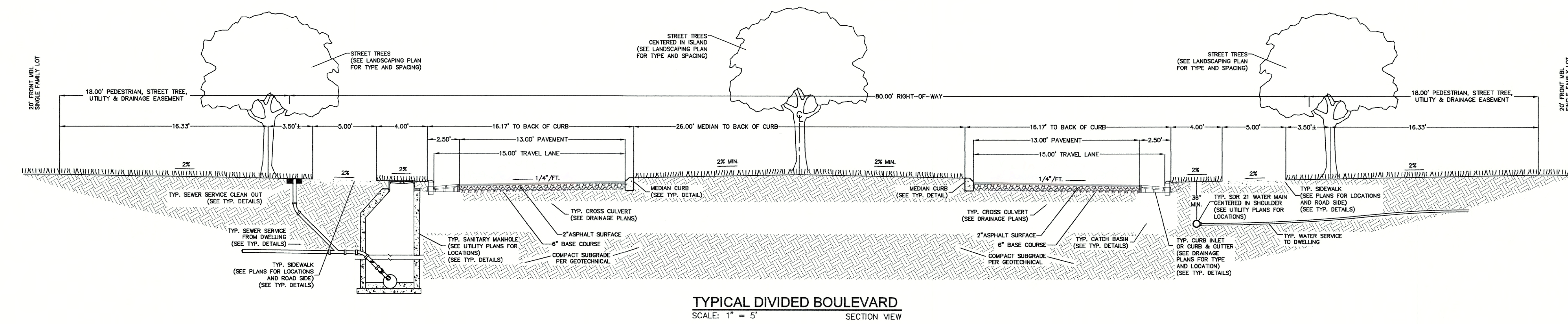
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4	12/23/19	REVISE	BRG	BRG
5	12/23/19	REVISE	BRG	BRG
6	12/23/19	REVISE	BRG	BRG
7	12/23/19	REVISE	BRG	BRG
8	12/23/19	REVISE	BRG	BRG
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21 OF 21  
465100PP  
PROJECT NO: 4651

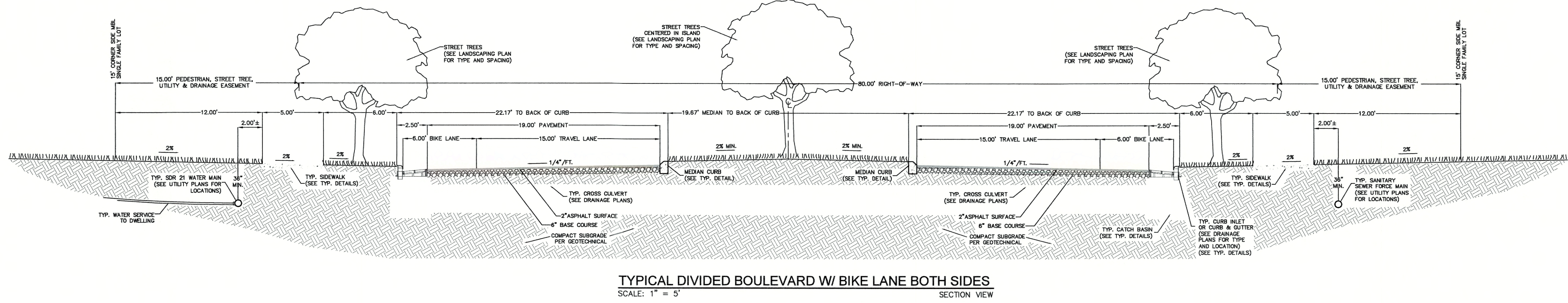




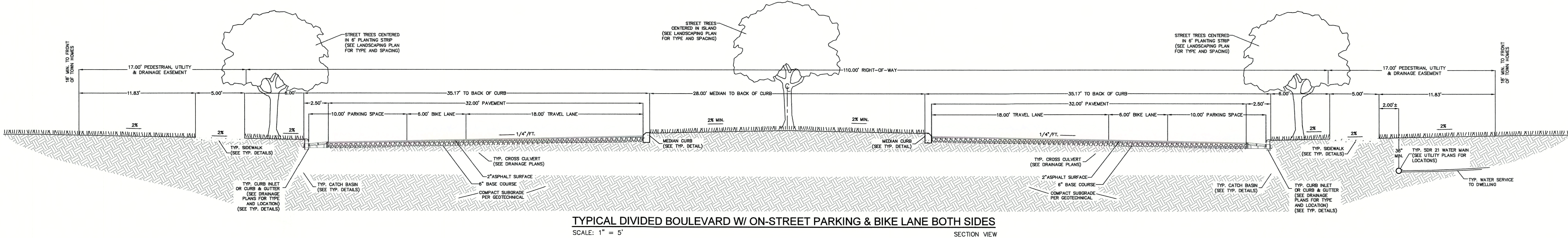
**TYPICAL LOOP ROADWAY W/ ON-STREET PARKING BOTH SIDES & BIKE LANE**  
SCALE: 1" = 5' SECTION VIEW



**TYPICAL DIVIDED BOULEVARD**  
SCALE: 1" = 5' SECTION VIEW



**TYPICAL DIVIDED BOULEVARD W/ BIKE LANE BOTH SIDES**  
SCALE: 1" = 5' SECTION VIEW



**TYPICAL DIVIDED BOULEVARD W/ ON-STREET PARKING & BIKE LANE BOTH SIDES**  
SCALE: 1" = 5' SECTION VIEW





## Currituck County

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

### MEMORANDUM

**To:** Mark Bissell PE, Bissell Professional Group  
 Justin Old, Moyock Development LLC

**From:** Planning Staff

**Date:** February 11, 2021  
 TRC response dated 2-22-21

**Re:** Fost Phases 1-5 Preliminary Plat/Use Permit Amendment #2 (Leif Street Connection to Flora Property) TRC Comments

The following comments have been received for the February 10, 2021 TRC meeting. In order to be scheduled for the March 15, 2021 Board of Commissioners' agenda, please address all comments and resubmit a corrected plan by 3:00 p.m. on February 22, 2021. TRC comments are valid for six months from the date of the TRC meeting.

#### **Planning (Tammy Glave, 252-232-6025)**

Reviewed with comment:

1. Please remove the "Summary of Changes" located at the top right of Page 1 of the plan set. These changes occurred on a previous amendment, so it is confusing. The "Summary of Changes to Amendment Preliminary Plat" note is sufficient.  
 The summary of previous changes has been removed.

#### **Currituck County Building and Fire Inspections (Bill Newns, 252-232-6023)**

Reviewed with comment:

1. Reminder that townhomes will require lot lines.  
 Townhome lot lines are defined on sheets 8-11.

#### **Currituck County Economic Development (Larry Lombardi, 252-232-6015)**

Reviewed without comment.

#### **Currituck County GIS (Harry Lee, 252-232-4039)**

Reviewed with comment:

1. Lot addresses will be assigned by GIS during the Final Plat review for each phase. The approved addresses should appear on the final plat that gets recorded.  
 Acknowledged.

#### **Currituck County Parks and Recreation (Jason Weeks, 252-232-3007)**

Reviewed without comment.

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

Approved with comments:

Attachment: 2 Plans TRC Cmmts App 21feb22 (PB 18-23 Fost Tract PD-R)



1. All previous comments noted or addressed from soil and stormwater dept still apply. **Acknowledged.**
2. The delineation of Wetlands is dated on the spec sheet as 4/30/18. Have these delineations received final approval from ACE? **Yes; that approval was provided with the initial application for preliminary plat for this development.**
3. On Attachment B, the first paragraph mentions 'Croatan Hwy'. This should be Caratoke Hwy. **"Croatan" has been changed to "Caratoke" on Attachment B.**
4. Have downstream Rowland Creek improvements been completed? **Yes, these have been completed.**
5. Wetland areas or sloughs being used as receiving basins from lot-line swale runoff please be noted as such. **I don't believe we have this condition in phases 1-5. There may be some in future phases 6-9.**

**Currituck County Public Utilities, Water (Will Rumsey, 252-232-6065)**

Reviewed without comment.

**NC Division of Coastal Management (Charlan Owens , 252-264-3901)**

Reviewed with comment:

1. Concerning stormwater management on Rowland Creek, areas downstream, north and east of the railroad track, are within the Public Trust Area of Environmental Concern (AEC) and have a 30 foot shoreline AEC. Please contact Robert Corbett, DCM Field Representative, before beginning work in and along the creek. He can be reached at 252-264-3901. **Mr. Corbett was contacted, and we understand he has reviewed and approved this work.**

**Albemarle Regional Health Services (Joe Hobbs, 252-232-6603)**

Reviewed with comment:

Developer/owner will need sewer approval for each proposed lot that makes up this proposed subdivision from the NC Division of Water Resources Washington Regional Office, 252-946-6981, and sewer approval from Eagle Creek wastewater treatment plant operations. **Acknowledged.**

**Mediacom (252-482-5583)**

See attached letter.

**NCDOT (Caitlin Spear, 252-331-4737)**

Reviewed without comment.

**US Army Corps of Engineers (Anthony D. Scarbraugh, 910-251-4619)**

Reviewed with comment:

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

**US Post Office**

Contact the local post office for mail delivery requirements **The postmaster has approved the CBU locations for this development.**

**Comments Not Received From:**

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

**The following items are necessary for resubmittal:**



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





## Major Subdivision Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
 Date Filed: \_\_\_\_\_  
 Gate Keeper: \_\_\_\_\_  
 Amount Paid: \_\_\_\_\_

**Contact Information**
**APPLICANT:**

Name: Moyock Development, LLC

Address: 417-D Caratoke Hwy.

Moyock, NC 27958

Telephone: 252-435-2718

E-Mail Address: jold@qhoc.com

**PROPERTY OWNER:**

Same

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

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

**Request**

Physical Street Address: Caratoke Hwy.

Parcel Identification Number(s): 0015-000-0086-0000

Subdivision Name: Fost Development

Number of Lots or Units: 301

Phase: \_\_\_\_\_

**TYPE OF SUBMITTAL**

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

**TYPE OF SUBDIVISION**

- ☐ Traditional Development  
☐ Conservation Subdivision  
☐ Planned Unit Development  
☒ Planned Development

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

[Signature]  
 Property Owner(s)/Applicant\*

11/21/21  
 Date

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

**Community Meeting, if applicable**

Date Meeting Held: \_\_\_\_\_ Meeting Location: \_\_\_\_\_



**Use Permit Review Standards, If applicable***PUD Amended Sketch Plan/Use Permit, Type II Preliminary Plat***Purpose of Use Permit and Project Narrative (please provide on additional paper if needed):**

See Attachment 1

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

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

See attachment A

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

See attachment B

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

See attachment C

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

See attachment D

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

Property Owner(s)/Applicant\*

Date

\*NO form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

Major Subdivision Application

Page 8 of 12

Revised 7/1/2019

Attachment: 2 Plans TRC Cmmts App 21feb22 (PB 18-23 Fost Tract PD-R)



## **ATTACHMENT 1**

### **Purpose of the Use Permit and Project Narrative**

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

The ways in which these goals and objectives will be achieved is shown graphically on the approved Master Plan, and is further described in the following paragraphs:

- Several different housing types are proposed, including traditional rear load traditional neighborhood development style townhomes, TND style homes with rear loaded driveways and garages, and more conventional frontloaded single family development lots.
- The Community will be pedestrian friendly, with open spaces and greenways strategically located throughout the community, and with a combination of sidewalks, multi-use paths/cart paths, a village green and a clubhouse with large outdoor recreation areas.
- The mixing of housing styles will also provide a mix of lot sizes, densities and streetscapes.
- The development is sensitive to existing wetlands, which have been delineated and confirmed by the Corps of Engineers; buffers have been shown and are being honored, existing drainage ways are being maintained and improved. Lower areas that are more flood prone are being set aside as open space, some of which will be used for the construction of lakes and ponds for the management of stormwater.



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

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

1. **Transportation:** The main subdivision entrance will be connected directly to NC 168 (Croatan Highway). Deceleration and acceleration lanes will be provided in accordance with NCDOT Standards and have been approved by NCDOT. Connectivity will be provided to the existing farmland to the southeast (Moyock Farms) and to the west.

Roadways have been laid out generally as shown on the Master Plan and will be in accordance with the approved right-of-way and pavement width characteristics, using the NCDOT complete streets planning manual as a guide.

Appropriate access has been made for emergency service vehicles in accordance with applicable standards including the N.C. Fire Code.

2. **Potable Water:** Water will be supplied by Currituck County via an existing 12" main located on Caratoke Highway, which will be tapped and looped through the site. Fire protection will be provided in accordance with UDO Standards and the applicable ISO standards. The water system will be modeled to demonstrate adequate flow and pressure for fighting fires while meeting the maximum day domestic demand.
3. **Wastewater:** Centralized wastewater treatment and disposal facility will be provided in accordance with North Carolina Standards and approved by NCDEQ and/or NCDHHS. A wastewater collection system will be constructed by the Developer and managed by a wastewater utility. The utility will be regulated by the North Carolina Utilities Commission.
4. **Stormwater Management:** A major drainage way known as Rowland Creek Canal runs through the development property. Due to the importance of this drainage feature not only to the development but to other properties located both upstream and downstream of this property, the Developer has committed to cleaning and laying back the slopes and stabilizing the portion of Rowland Creek that runs from Eagle Creek to the railroad next to NC 168. The Developer has also committed to improving the common property line ditch along Ranchland and the Auction property, and to excavate a new ditch that would be available to Ranchland along the common property line from the Auction site to south of the power easement. The Developer will also improve the sections of Rowland Creek downstream of the Fost property that require maintenance.



On-site stormwater will be managed by constructing a series of stormwater management ponds that will be interconnected and will retain and slow-release stormwater to existing outlets. In addition to modeling and retaining stormwater to the UDO and Stormwater Manual standard of the difference between runoff from the 10-year developed condition and runoff from a 2-year wooded condition site, stormwater will be modeled for the 100-year storm without adversely impacting neighboring properties. Implementation of this plan should improve drainage for neighboring properties compared to existing conditions.

Stormwater will be conveyed to on-site retention ponds through a combination of curbs with inlets, stormwater pipes, and open vegetated swales.



**ATTACHMENT "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.**

Land use to the west is agricultural, with one dwelling unit located approximately 435 feet from the nearest property line and approximately 565 feet from the nearest structure. Land use to the north, across the railroad and Caratoke Highway is commercial, land to the east is farmland and residential lots, and land to the south is residential lots. Perimeter compatibility is being addressed as follows:

- a. To the west: A 50 foot farm buffer is being provided, followed by a 60 foot roadway corridor, so the nearest dwelling unit will be at least 565 feet from the existing residence on that farm. A vegetative buffer is also being provided along that property line.
- b. To the north (Croatan Highway): A berm is being provided along the highway along with lakes flanking the main entrance road. The nearest dwelling unit will be set back at least 175 feet from the highway right-of-way at the closest point. The visual impact of the development will be minimized by setbacks, berms and landscaping.
- c. To the east: A 50 foot vegetative farm buffer is being provided along the existing farmland; traditional single family dwelling lots are being proposed in the areas tat back up to existing dwelling units in the adjacent Ranchland subdivision. Even though the dwelling types are believed to be compatible, a minimum 50 foot buffer is being provided between the developments.
- d. To the south: Compatible residential development is being proposed and a minimum 90 foot open space buffer is shown to the property line.
- e. Limited commercial development is proposed to be located interior to the development and will front along the landscaped entrance boulevard.

Lot size ratios and density ratios are comparable to other developments that have been approved in the immediate area and in other parts of Moyock.

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

The site is adjacent to non-agricultural activities including the Ranchland neighborhood to the south and southeast, and commercial and residential uses to the east. The site is also in close proximity to the Eagle Creek neighborhood. The proposed use is compatible with these adjacent uses and furthers the County's goal of concentrating new residential development in the vicinity of existing residential development. Nearby communities include existing planned communities of 588 lots to the west, a 275



lot subdivision to the east and 426 lots under development to the north of Caratoke Highway, all in the vicinity of the Fost tract. The development is appropriate for the location as it continues existing development patterns in this part of Moyock. Lot area ratios and density ratios are consistent with other developments that have been approved recently nearby and in other parts of Moyock.



**ATTACHMENT "C"****The use is consistent with the goals, objectives, and policies of the Land Use Plan or other applicable county-adopted plans:**

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

**i. Density:** The project is located within the Full Service Area of the Land Use Plan, and proposes a density of 2.1 units per acre. The proposed use will include residential development in village like-clusters and will include open spaces surrounding the clusters, helping to prevent traditional suburban sprawl. The applicant is proposing centralized sewer, and the Full Service Area designation recognizes higher density (above 2 units per acre) is appropriate here. The proposed use will not interfere with nearby resource production activities. This is consistent with the County's density designations because development is occurring along Caratoke Highway, a major transportation corridor, and is an infill site between two existing residential subdivisions but with its own access to Hwy 168. This is consistent with the following Land Use Plan policies:

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

***POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. For example, projects falling within the Full Services areas of the Future Land Use Map would be permitted a higher density because of the availability of infrastructure as well as similarity to the existing development pattern. Such projects could be developed at a density of two (2) or more dwelling units per acre.... LUP, p. 9-7.***

***POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl...COMPACT, MIXED USE DEVELOPMENTS or DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map. LUP, p. 9-7.***

**ii. Utilities:**

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



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

Wastewater: The applicant is proposing to connect to an off-site wastewater treatment and disposal facility. This will give the existing system new funds for upgrades, repair, and maintenance. Thus, the development will have a positive impact on sewer facilities and will not strain the County's infrastructure, consistent with the Full Service Area designation which anticipates additional density on this site. The applicant is also setting aside land to receive effluent and/or groundwater from the off-site facility.

This is consistent with the following Land Use Plan policies:

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

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

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

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

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

**POLICY PR4:** *The County shall seek to identify, plan for and develop a system of OPEN SPACE GREENWAYS, HIKING and BIKING TRAILS as opportunities may allow. The use of (1) natural corridors such*



*as streams and floodplains, and (2) man-made corridors such as utility and transportation rights-of-way and easements, shall be emphasized. LUP, p. 9-14.*

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

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

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

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

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

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

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

**Moyock Area Policy Emphasis:** *The policy emphasis of this plan is on properly managing the increased urban level of growth that this area is sure to experience over the next decade and beyond. Residential development densities should be medium to high depending upon available services. In areas where on-site wastewater is proposed and other County services are limited, development density should*



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

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

The proposed use will include clustered housing accompanied by open spaces. The applicant is proposing onsite privately developed sewer to avoid strain on County infrastructure. The site is eligible for County sewer and central sewer is existing in the area. Because the wastewater system will be a central sewer system, and the 2.1 units/acre is below the 3-4 units per acre allowed where central sewer is available, the proposed use is consistent with the Moyock Area Policy Emphasis.

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

The Currituck County Future Land Use Map designates the site as a Full Service area. In Full Service areas, residential density can be increased to 3-4 units per acre depending on the available services. A greater diversity in housing types is also appropriate in Full Service Areas. The proposed use will have 2.1 units per acre, which is within the contemplated development densities from Section 3.7.3 of the UDO for PD-R districts (up to three units per acre). The proposed use will also include a diversity in housing types, including townhomes, cottage style single-family lots and traditional single family lots.

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

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

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

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



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

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

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

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



**ATTACHMENT "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.**

The site has adequate access to NC 168 and will be adequately served by schools (it is our understanding that the site is in the Shawboro school district, that school capacity is currently available and that capacity in the school system has already been allocated to this development), police, fire, and emergency services. The applicant has completed a stormwater study and improvements plan to ensure that stormwater management will be enhanced not only for the development but also for the surrounding community. Sewer service will be provided off-site and will not burden the county's wastewater system.



**Currituck Water & Sewer, LLC**  
4700 Homewood Court, Suite 108  
Raleigh NC 27609

November 24, 2020

Mr. Justin Old  
Allied Properties, LLC  
417 Caratoke Hwy., Unit D  
Moyock, NC 27958

**RE: Fost PD-R, Phases 1-5, Moyock, NC**  
**Sanitary Sewer Utility, Willingness to Serve, Capacity Commitment Letter**

To Whom It May Concern,

Currituck Water and Sewer, LLC intends to provide sanitary sewer utility service to the Eagle Creek subdivision and adjacent developments; our proposed service area will encompass the above referenced project and property.

Currituck Water and Sewer's willingness and ability to serve is contingent upon the following:

1. Issuance by Currituck County of a modified Use Permit for a major utility
2. Execution of a mutually agreeable Asset Purchase Agreement between Allied Properties and Currituck Water and Sewer
3. Issuance of a Certificate of Public Necessity and Convenience by the North Carolina Utilities Commission granting Currituck Water and Sewer the authority to charge rates

Upon completion of the above tasks, Currituck Water and Sewer will be willing and able to provide the sanitary sewer utility needs for the above referenced project for the initial 301 dwelling units.

Should you have any questions, please do not hesitate to contact me directly at (919) 971-3469 or by email at [mmyers@environlinkinc.com](mailto:mmyers@environlinkinc.com).

Thank you for your attention to this matter.

Sincerely,  
Currituck Water and Sewer, LLC

  
Michael J. Myers

Attachment: 3 Currituck W & S Intent to Serve (PB 18-23 Fost Tract PD-R)



## **Fost PD-R Amendment No. 2 and Preliminary Plat Amendment**

**September 23, 2020**

**Scheduled Time/Place: 4:00pm and 6:00pm, Eagle Creek Pavilion**

**The first meeting began at 4:00pm/Meeting Ended: at approximately 4:40pm**

**The second meeting began at 5:50pm/Meeting ended at approximately 6:15pm**

**Attendees:** (See attached sign-in sheets)

**Also:** Jennie Turner, Currituck County

Justin Old, Developer

Mark Bissell, Engineer

Comments from the Community	How Addressed
How will the sewer work?	It is proposed that wastewater be pumped to Eagle Creek for treatment and disposal. A site is being set aside for future disposal of treated effluent or groundwater from the Eagle Creek site.
Where will the entrance be located and when will it be constructed?	About halfway between the railroad tract and Survey road. The work is supposed to begin on the entrance road next week and you should see the connection within two weeks.
How will the new drainage ditch work and can Ranchland properties connect?	The ditch will be constructed along the property line with all of the widening taking place on the Fost side. The Ranchlands side of the ditch actually extends onto many of the Ranchland lots who will have direct access to it. The ditch will be connected to the Rowland Creek canal which is also being improved.
Where will the berm be located?	On the Fost side of the Ranchland ditch.

### **Summary:**

Between the two meetings, only three residents showed up, all from Ranchland. Their questions were addressed and they seemed satisfied. There being no further questions or comments the meetings were adjourned.



### 6.B.d

Packet Pg. 132



**Community Meeting Sign-In Sheet**  
**Fost Development**  
**September 23, 2020**  
**6:00 P.M.**

**6.B.d**

[illegible]

**Attachment: 4 Community Mtg Summary (PB 18-23 Fost Tract PD-R)**





## Major Subdivision Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
 Date Filed: \_\_\_\_\_  
 Gate Keeper: \_\_\_\_\_  
 Amount Paid: \_\_\_\_\_

**Contact Information**
**APPLICANT:**

Name: Moyock Development, LLC  
 Address: 417-D Caratoke Hwy.  
Moyock, NC 27958  
 Telephone: 252-435-2718  
 E-Mail Address: jold@qhoc.com

**PROPERTY OWNER:**

Name: Same  
 Address: \_\_\_\_\_  
 Telephone: \_\_\_\_\_  
 E-Mail Address: \_\_\_\_\_

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

**Request**

Physical Street Address: Caratoke Hwy.  
 Parcel Identification Number(s): 0015-000-0086-0000  
 Subdivision Name: Fost Development  
 Number of Lots or Units: 301 Phase: \_\_\_\_\_

**TYPE OF SUBMITTAL**

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

**TYPE OF SUBDIVISION**

- ☐ Traditional Development  
☐ Conservation Subdivision  
☐ Planned Unit Development  
☒ Planned Development

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

[Signature]  
 Property Owner(s)/Applicant\*

11/21/21  
 Date

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

**Community Meeting, if applicable**

Date Meeting Held: \_\_\_\_\_ Meeting Location: \_\_\_\_\_



**Use Permit Review Standards, if applicable***PUD Amended Sketch Plan/Use Permit, Type II Preliminary Plat***Purpose of Use Permit and Project Narrative (please provide on additional paper if needed):**

See Attachment 1

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

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

See attachment A

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

See attachment B

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

See attachment C

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

See attachment D

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

Property Owner(s)/Applicant\*

Date

\*NO form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.

Major Subdivision Application

Page 8 of 12

Revised 7/1/2019

Attachment: Corrected Application (PB 18-23 Fost Tract PD-R)



## **ATTACHMENT 1**

### **Purpose of the Use Permit and Project Narrative**

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

The ways in which these goals and objectives will be achieved is shown graphically on the approved Master Plan, and is further described in the following paragraphs:

- Several different housing types are proposed, including traditional rear load traditional neighborhood development style townhomes, TND style homes with rear loaded driveways and garages, and more conventional frontloaded single family development lots.
- The Community will be pedestrian friendly, with open spaces and greenways strategically located throughout the community, and with a combination of sidewalks, multi-use paths/cart paths, a village green and a clubhouse with large outdoor recreation areas.
- The mixing of housing styles will also provide a mix of lot sizes, densities and streetscapes.
- The development is sensitive to existing wetlands, which have been delineated and confirmed by the Corps of Engineers; buffers have been shown and are being honored, existing drainage ways are being maintained and improved. Lower areas that are more flood prone are being set aside as open space, some of which will be used for the construction of lakes and ponds for the management of stormwater.



## ATTACHMENT "A"

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

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

1. Transportation: The main subdivision entrance will be connected directly to NC 168 (Croatan Highway). Deceleration and acceleration lanes will be provided in accordance with NCDOT Standards and have been approved by NCDOT. Connectivity will be provided to the existing farmland to the southeast (Moyock Farms) and to the west.

Roadways have been laid out generally as shown on the Master Plan and will be in accordance with the approved right-of-way and pavement width characteristics, using the NCDOT complete streets planning manual as a guide.

Appropriate access has been made for emergency service vehicles in accordance with applicable standards including the N.C. Fire Code.

2. Potable Water: Water will be supplied by Currituck County via an existing 12" main located on Caratoke Highway, which will be tapped and looped through the site. Fire protection will be provided in accordance with UDO Standards and the applicable ISO standards. The water system will be modeled to demonstrate adequate flow and pressure for fighting fires while meeting the maximum day domestic demand.
3. Wastewater: Centralized wastewater treatment and disposal facility will be provided in accordance with North Carolina Standards and approved by NCDEQ and/or NCDHHS. A wastewater collection system will be constructed by the Developer and managed by a wastewater utility. The utility will be regulated by the North Carolina Utilities Commission.
4. Stormwater Management: A major drainage way known as Rowland Creek Canal runs through the development property. Due to the importance of this drainage feature not only to the development but to other properties located both upstream and downstream of this property, the Developer has committed to cleaning and laying back the slopes and stabilizing the portion of Rowland Creek that runs from Eagle Creek to the railroad next to NC 168. The Developer has also committed to improving the common property line ditch along Ranchland and the Auction property, and to excavate a new ditch that would be available to Ranchland along the common property line from the Auction site to south of the power easement. The Developer will also improve the sections of Rowland Creek downstream of the Fost property that require maintenance.



On-site stormwater will be managed by constructing a series of stormwater management ponds that will be interconnected and will retain and slow-release stormwater to existing outlets. In addition to modeling and retaining stormwater to the UDO and Stormwater Manual standard of the difference between runoff from the 10-year developed condition and runoff from a 2-year wooded condition site, stormwater will be modeled for the 100-year storm without adversely impacting neighboring properties. Implementation of this plan should improve drainage for neighboring properties compared to existing conditions.

Stormwater will be conveyed to on-site retention ponds through a combination of curbs with inlets, stormwater pipes, and open vegetated swales.



**ATTACHMENT "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.**

Land use to the west is agricultural, with one dwelling unit located approximately 435 feet from the nearest property line and approximately 565 feet from the nearest structure. Land use to the north, across the railroad and Caratoke Highway is commercial, land to the east is farmland and residential lots, and land to the south is residential lots. Perimeter compatibility is being addressed as follows:

- a. To the west: A 50 foot farm buffer is being provided, followed by a 60 foot roadway corridor, so the nearest dwelling unit will be at least 565 feet from the existing residence on that farm. A vegetative buffer is also being provided along that property line.
- b. To the north (Croatan Highway): A berm is being provided along the highway along with lakes flanking the main entrance road. The nearest dwelling unit will be set back at least 175 feet from the highway right-of-way at the closest point. The visual impact of the development will be minimized by setbacks, berms and landscaping.
- c. To the east: A 50 foot vegetative farm buffer is being provided along the existing farmland; traditional single family dwelling lots are being proposed in the areas tat back up to existing dwelling units in the adjacent Ranchland subdivision. Even though the dwelling types are believed to be compatible, a minimum 50 foot buffer is being provided between the developments.
- d. To the south: Compatible residential development is being proposed and a minimum 90 foot open space buffer is shown to the property line.
- e. Limited commercial development is proposed to be located interior to the development and will front along the landscaped entrance boulevard.

Lot size ratios and density ratios are comparable to other developments that have been approved in the immediate area and in other parts of Moyock.

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

The site is adjacent to non-agricultural activities including the Ranchland neighborhood to the south and southeast, and commercial and residential uses to the east. The site is also in close proximity to the Eagle Creek neighborhood. The proposed use is compatible with these adjacent uses and furthers the County's goal of concentrating new residential development in the vicinity of existing residential development. Nearby communities include existing planned communities of 588 lots to the west, a 275



lot subdivision to the east and 426 lots under development to the north of Caratoke Highway, all in the vicinity of the Fost tract. The development is appropriate for the location as it continues existing development patterns in this part of Moyock. Lot area ratios and density ratios are consistent with other developments that have been approved recently nearby and in other parts of Moyock.



**ATTACHMENT "C"****The use is consistent with the goals, objectives, and policies of the Land Use Plan or other applicable county-adopted plans:**

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

**i. Density:** The project is located within the Full Service Area of the Land Use Plan, and proposes a density of 2.1 units per acre. The proposed use will include residential development in village like-clusters and will include open spaces surrounding the clusters, helping to prevent traditional suburban sprawl. The applicant is proposing centralized sewer, and the Full Service Area designation recognizes higher density (above 2 units per acre) is appropriate here. The proposed use will not interfere with nearby resource production activities. This is consistent with the County's density designations because development is occurring along Caratoke Highway, a major transportation corridor, and is an infill site between two existing residential subdivisions but with its own access to Hwy 168. This is consistent with the following Land Use Plan policies:

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

**POLICY HN1:** *Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. For example, projects falling within the Full Services areas of the Future Land Use Map would be permitted a higher density because of the availability of infrastructure as well as similarity to the existing development pattern. Such projects could be developed at a density of two (2) or more dwelling units per acre.... LUP, p. 9-7.*

**POLICY HN3:** *Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl...COMPACT, MIXED USE DEVELOPMENTS or DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map. LUP, p. 9-7.*

**ii. Utilities:**

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



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

Wastewater: The applicant is proposing to connect to an off-site wastewater treatment and disposal facility. This will give the existing system new funds for upgrades, repair, and maintenance. Thus, the development will have a positive impact on sewer facilities and will not strain the County's infrastructure, consistent with the Full Service Area designation which anticipates additional density on this site. The applicant is also setting aside land to receive effluent and/or groundwater from the off-site facility.

This is consistent with the following Land Use Plan policies:

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

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

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

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

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

**POLICY PR4:** *The County shall seek to identify, plan for and develop a system of OPEN SPACE GREENWAYS, HIKING and BIKING TRAILS as opportunities may allow. The use of (1) natural corridors such*



*as streams and floodplains, and (2) man-made corridors such as utility and transportation rights-of-way and easements, shall be emphasized. LUP, p. 9-14.*

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

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

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

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

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

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

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

**Moyock Area Policy Emphasis:** *The policy emphasis of this plan is on properly managing the increased urban level of growth that this area is sure to experience over the next decade and beyond. Residential development densities should be medium to high depending upon available services. In areas where on-site wastewater is proposed and other County services are limited, development density should*



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

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

The proposed use will include clustered housing accompanied by open spaces. The applicant is proposing onsite privately developed sewer to avoid strain on County infrastructure. The site is eligible for County sewer and central sewer is existing in the area. Because the wastewater system will be a central sewer system, and the 2.1 units/acre is below the 3-4 units per acre allowed where central sewer is available, the proposed use is consistent with the Moyock Area Policy Emphasis.

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

The Currituck County Future Land Use Map designates the site as a Full Service area. In Full Service areas, residential density can be increased to 3-4 units per acre depending on the available services. A greater diversity in housing types is also appropriate in Full Service Areas. The proposed use will have 2.1 units per acre, which is within the contemplated development densities from Section 3.7.3 of the UDO for PD-R districts (up to three units per acre). The proposed use will also include a diversity in housing types, including townhomes, cottage style single-family lots and traditional single family lots.

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

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

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

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



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

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

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

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



**ATTACHMENT "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.**

The site has adequate access to NC 168 and will be adequately served by schools (it is our understanding that the site is in the Shawboro school district, that school capacity is currently available and that capacity in the school system has already been allocated to this development), police, fire, and emergency services. The applicant has completed a stormwater study and improvements plan to ensure that stormwater management will be enhanced not only for the development but also for the surrounding community. Sewer service will be provided off-site and will not burden the county's wastewater system.



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> Ralph "Chip" Melton	Consensus			12/2/2019	EMS Repres. 5/31/2021
<b>Fire Services Representative</b> Ryland Poyner	Consensus			1/6/2020	Unexpired 5/31/2021
<b>Fire Services Representative</b> Michael D. Hurt	Consensus			3/2/2020	Unexpired 5/31/2021
<b>Citizen Representative</b> William Bailey	Consensus			9/8/2020	2nd-2 Year Term 5/31/2022
<b>Commissioner*</b> Paul Beaumont	Consensus			12/5/2016	BOC Member
<b>Corolla Fire District Rep</b> Tim Bostaph	Consensus			2/17/2020	Init. 5/31/2022
<b>KI Fire District Rep</b> <b>John Wunder</b>	Consensus	Resigned		2/17/2020	Init. 5/31/2022

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

Fire/EMS Chief serves as required by ordinance

Commissioner Beaumont serves on this Board



Number 20210093

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 15th day of March 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
18609-545000	Contract Services	\$ 2,229	
18390-499900	Appropriated Fund Balance		\$ 2,229
		<hr/>	<hr/>
		<u>\$ 2,229</u>	<u>\$ 2,229</u>

**Explanation:** Hog Bridge Ditch Watershed Service District (18609) - Increase appropriation to clear beaver dams along Hog Bridge Ditch Watershed.

**Net Budget Effect:** Hog Bridge Ditch Watershed Service District (18) - Increased by \$2,229.

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Clerk to the Board

Attachment: BudAmends\_Mar 15\_General Meeting (Budget Amendments)



Number 20210094

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 15th day of March 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10800-585009	COA - Capital Funds	\$ 40,914	
10390-499900	Appropriated Fund Balance		\$ 40,914
		<u>\$ 40,914</u>	<u>\$ 40,914</u>

**Explanation:** College of the Albemarle (10800) - To appropriated fund balance for the College of the Albemarle capital funds for partial payment of cabling for the COA side of the Public Safety Facility.

**Net Budget Effect:** Operating Fund (10) - Increased by \$40,914.

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Attachment: BudAmends\_Mar 15\_General Meeting (Budget Amendments)



Number 20210095

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 15th day of March 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10541-545000	Contracted Services	\$ 12,000	
10541-590000	Capital Outlay		\$ 12,000
		<hr/>	<hr/>
		<u>\$ 12,000</u>	<u>\$ 12,000</u>

**Explanation:** Fire Services (10541) - Transfer budgeted funds for in-house technical training. All other training has been cancelled this fiscal year due to COVID.

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

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Clerk to the Board

Attachment: BudAmends\_Mar 15\_General Meeting (Budget Amendments)



Number 20210096

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 15th day of March 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
220548-516015	Repairs & Maint-KI	\$ 3,500	
220548-536115	Personal Protect Equip-KI		\$ 3,500
		<hr/>	<hr/>
		<u>\$ 3,500</u>	<u>\$ 3,500</u>

**Explanation:** Knotts Island Fire Services (220548) - Transfer budgeted funds for unforeseen repairs to Knotts Island fire apparatus.

**Net Budget Effect:** Knotts Island Fire Service District (220) - No change.

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Clerk to the Board

Attachment: BudAmends\_Mar 15\_General Meeting (Budget Amendments)



Number 20210097

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 15th day of March 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
50447-590012	Coral Street Walkover 2021	\$ 14,250	
50447-590013	Dolphin Street Walkover 2021	14,250	
50447-590014	Mackeral Street Walkover 2021	14,250	
50390-495015	T F - Occupancy Tax		\$ 42,750
		<u>\$ 42,750</u>	<u>\$ 42,750</u>

**Explanation:** County Governmental Construction Fund (50) - Increase appropriations for design of Coral, Dophin and Mackeral Street Walkover replacements.

**Net Budget Effect:** County Governmental Construction Fund (50) - Increased by \$42,750.

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Clerk to the Board

Attachment: BudAmends\_Mar 15\_General Meeting (Budget Amendments)



Number 20210098

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 15th day of March 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
50550-592023	Terminal Fencing 36237.8.16.1	\$ 166,537	
50330-448000	State Aide to Airports		\$ 149,871
50390-495010	T F - Operating Fund		16,666
		<hr/>	<hr/>
		<u>\$ 166,537</u>	<u>\$ 166,537</u>

**Explanation:** County Governmental Construction - Airport Projects (50550) - Increase appropriations to record Airport Terminal Fencing project funded by 2018 Airfield Improvements Grant 36237.NPE.18 and 10% local match funded from General fund revenues that are available in the construction fund from prior closed projects.

**Net Budget Effect:** County Governmental Construction Fund (50) - Increased by \$166,537.

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Attachment: BudAmends\_Mar 15\_General Meeting (Budget Amendments)



Number 20210099

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 15th day of March 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
220548-516015	Repairs & Maint	\$ 2,000	
220548-516115	Buildings & Grounds	1,000	
220548-514515	Training & Education		\$ 2,000
220548-514000	Travel		1,000
		<hr/>	<hr/>
		<u>\$ 3,000</u>	<u>\$ 3,000</u>

**Explanation:** Knotts Island Fire Services (220548) - Transfer budgeted funds for maintenance on the Knotts Island Fire Station.

**Net Budget Effect:** Knotts Island Fire Service District (220) - No change.

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Clerk to the Board

Attachment: BudAmends\_Mar 15\_General Meeting (Budget Amendments)



Number 20210100

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 15th day of March 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
12541-554003	Insurance-Moyock	\$ 1,500	
12543-544003	Volunteer Assistance-Moyock		\$ 1,500
		<hr/>	<hr/>
		<u>\$ 1,500</u>	<u>\$ 1,500</u>

**Explanation:** Moyock Volunteer Fire Services (12543); Volunteer Central Fire Services (12541) - Transfer budgeted funds due to increased insurance premiums.

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

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Clerk to the Board

Attachment: BudAmends\_Mar 15\_General Meeting (Budget Amendments)



Number 20210101

**BUDGET AMENDMENT**

The Currituck County Board of Commissioners, at a meeting on the 15th day of March 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10510-503000	Salaries - Part time		\$ 9,000
10510-503500	Salaries - Temporary Services	\$ 9,000	
10510-516200	Vehicle Maintenance & Repair	10,000	
10510-545000	Contract Services	8,000	
10510-506000	Health Insurance Expense		18,000
		<hr/>	<hr/>
		<u>\$ 27,000</u>	<u>\$ 27,000</u>

**Explanation:** Sheriff (10510) - Transfer budgeted funds for additional temp services, a reduction of part-time salaries and increases in vehicle maintenance for the remainder of this fiscal year.

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

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Clerk to the Board

Attachment: BudAmends\_Mar 15\_General Meeting (Budget Amendments)



Number

20210102

## BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 15th day of March 2021, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2021.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
10420-532000	Supplies	\$ 1,000	
10420-514000	Travel		\$ 1,000
		<hr/>	<hr/>
		<u>\$ 1,000</u>	<u>\$ 1,000</u>

**Explanation:** Governing Body (10420) - Transfer budgeted funds for operating supplies.

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

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

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

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

Attachment: BudAmends\_Mar 15\_General Meeting (Budget Amendments)



## COUNTY OF CURRITUCK CAPITAL PROJECT ORDINANCE

BE IT ORDAINED by the Currituck County Board of Commissioners, North Carolina that pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted:

**SECTION 1.** The project authorized is design of Public Access walkovers in Corolla, NC.

**SECTION 2.** The following amounts are appropriated for the project:

Coral Street - Public Access Walkover	\$	14,250
Dolphin Street - Public Access Walkover	\$	14,250
Mackeral Street - Public Access Walkover	\$	14,250
	<u>\$</u>	<u>42,750</u>

**SECTION 3.** The following funds are available to complete this project:

Occupancy Tax	\$	42,750
	<u>\$</u>	<u>42,750</u>

**SECTION 4.** The Finance Director is hereby directed to report, on a quarterly basis, on the financial status of each project element delineated in Section 2 above.

### SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

- a. He may transfer amounts between object line items within the fund up to One Thousand dollars (\$1,000).

### SECTION 6. CONTRACTUAL OBLIGATIONS

The County Manager is hereby authorized to execute contractual documents under the following conditions:

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.
- b. He may execute contracts for (1) purchases of apparatus, supplies, and



- materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

## SECTION 7. USE OF BUDGET ORDINANCE

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

ADOPTED this 15<sup>th</sup> day of March 2021.

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Michael H. Payment, Chairman  
Board of Commissioners

ATTEST:

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Leeann Walton  
Clerk to the Board



## **COUNTY OF CURRITUCK**

### **RESOLUTION AUTHORIZING THE PURCHASE OF OMNISITE REMOTE MONITORING SOLUTIONS FROM PETE DUTY & ASSOCIATES, INC. THROUGH SOLE SOURCE PURCHASE PURSUANT TO N.C. GEN. STAT. §143-129(e)(6)**

WHEREAS, N.C. Gen. Stat. §143-129(e)(6) authorizes a unit of local government to purchase apparatus, supplies, materials or equipment when standardization or compatibility is an overriding consideration; and

WHEREAS, proper functioning of the County's mainland sewer system lift stations requires replacement of OmniBeacon visual alarm monitors and cellular transmitters compatible with existing systems equipment; and

WHEREAS, as the sole and exclusive distributor of OmniSite equipment in the State of North Carolina, Pete Duty & Associates, Inc. is the only entity capable of providing the county with OmniBeacons compatible with current mainland sewer equipment and operational systems, and

WHEREAS, the County's mainland sewer system has been using Pete Duty & Associates, Inc. to construct, develop and upgrade its system; and

WHEREAS, the mainland sewer system needs twelve replacement and two new OmniBeacons and Pete Duty & Associates is supplier of compatible monitors and cellular transmitters; and

WHEREAS, Pete Duty & Associates, Inc. is supplying the County's mainland sewer system with twelve replacement OmniBeacons at a cost of \$515/beacon and two new OmniBeacons at a cost of \$925/beacon; and

WHEREAS, the total cost for the purchase is \$8,030.00.

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

Section 1. The County of Currituck is authorized to enter into a contract in the amount of \$8,030.00 with Pete Duty & Associates, Inc. for the sole source purchase of OmniSite OmniBeacons in accordance with the sole source provision requirements set forth by N.C. Gen. Stat. §143-129(e)(6). Further, the County Manager is authorized to execute the agreement with Pete Duty & Associates, Inc. for the acquisition apparatus, materials, and equipment acquisition described in this resolution and the proposed contract.

Section 2. This resolution shall be effective upon its adoption.



This the 15th day of March 2021.

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Michael H. Payment, Chairman  
Board of Commissioners

ATTEST:

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Leeann Walton  
Clerk to the Board of Commissioners

(COUNTY SEAL)





# COUNTY OF CURRITUCK

Tax Department  
P.O. Box 9  
Currituck, North Carolina 27929

Tracy Sample, Tax Administrator  
(252) 232-3005  
(252) 232-3568 (FAX)

## Report of Unpaid 2020 Real Estate Taxes

and

## Order of Advertisement of Tax Liens

To: Board of County Commissioners

From: Tracy Sample, Tax Administrator

Date: March 1, 2021

### Report of Unpaid 2020 Real Estate Taxes:

As of March 1, 2021, there is \$1,409,414.07 in unpaid taxes that are a lien on real estate for fiscal year **2020-2021**.

North Carolina General Statute 105-369 requires that unpaid real estate tax liens be advertised in one or more newspapers having a general circulation in the county and by posting a notice of the tax liens at the county courthouse. This statute requires that the Board of Commissioners order the tax collector to advertise the tax liens.

Attachment: Report of Unpaid 2020 taxes-Order to Advetise (Tax-Report of Unpaid Taxes and Order to Advetise Liens-2020)



## Order to Tax Collector to Advertise Tax Liens

WHEREAS, N.C.G.S. 105-369 requires the County Tax Collector report to the Board of County Commissioner, the total amount of unpaid taxes for the current fiscal year that are a lien on real property; and

WHEREAS, N.C.G.S. 105-369 also requires that upon receipt of the report, the Board of Commissioners must order the Tax Collector to advertise the tax liens by posting a notice of the liens at the county courthouse and by publishing each lien at least one time in one or more newspapers having general circulation in the taxing unit; and

WHEREAS, the time and content the tax lien advertisement are dictated by N.C.G.S 105-369(c); and

WHEREAS, the report of unpaid taxes for unpaid taxes for the current fiscal year that are a lien on real property has been received;

**NOW, THEREFORE BE IT RESOLVED** by the Currituck County Board of County Commissioners that the Currituck County Tax Collector is hereby ordered to advertise the tax liens for unpaid taxes for the current fiscal year that are a lien on real property, in accordance with N.C.G.S. 105-369(c).

THIS, the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.

THE CURRITUCK COUNTY BOARD OF COMMISSIONERS

BY: \_\_\_\_\_ (SEAL)  
Chairman

Attest:

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





## CURRITUCK COUNTY JOB DESCRIPTION

### **JOB TITLE: ASSISTANT TO THE COUNTY MANAGER PROJECT COORDINATOR**

#### **GENERAL STATEMENT OF JOB:**

The Assistant to the County Manager under general guidance and direction performs highly responsible professional, administrative, technical and managerial work in assisting the County Manager in implementing action plans and routine daily duties. Employee may be assigned specific program responsibilities to handle a variety of assignments. Work is performed under the regular supervision of the County Manager.

#### **SPECIFIC DUTIES AND RESPONSIBILITIES:**

Provides assistance to the County Manager in conducting the functions of that office.

Performs assigned and independent staff work with increasing latitude for the exercise of independent judgment.

Conducts a variety of research activities that include investigations, data gathering, legal research, preparing reports with sound analysis as needed for grant applications, public presentations, special projects and recommendations for use by the County Manager.

Coordinates and manages a wide variety of special projects as assigned by the County Manager or County Attorney.

Attends staff, committee, Commission meetings, work sessions and supervisory training sessions.

Serves as a liaison with County departments and may exercise general supervision over temporary or other staff as needed and assigned.

Prepares reports, letters and memorandums.

Utilizes computerized data entry equipment and various word processing, spreadsheet, power point and or file maintenance programs to enter, store and retrieve information as requested or otherwise necessary.

Interacts with citizens and responds to citizen's request, inquiries and complaints.



Answers telephones, receiving inquiries and providing information or referring callers to appropriate personnel; records and relays messages, as appropriate.

Prepares presentations for the County Commissioners.

Serves as a liaison to boards, commissions, educational institutions, government agencies, the media and community based groups.

Counsels with the County Manager on methods of responding to situations and trends that are of public concern and assists the County Manager in maintaining favorable relations with the community.

Performs related duties assigned by the County Manager.

Performs other related tasks as required.

### **ADDITIONAL JOB FUNCTIONS:**

~~Serves as Deputy Clerk to the Board and performs all duties of the Clerk to the Board in the Clerk's absence.~~

Administrative duties as required in order to provide assistance to the County Manager in conducting the functions of that office.

Assist County Attorney with legal research, special projects and administrative duties required in conducting the functions of the Legal Department.

Establishes and maintains a variety of tangible files, filing and retrieving materials as requested or as otherwise necessary.

Utilizes computer program for electronic mail, scheduling and maintaining calendars, and maintaining contact list.

Performs duties as assigned by the County Manager or his designees during a State of Emergency or other disaster.

### **MINIMUM TRAINING AND EXPERIENCE**

Bachelor's degree in public administration or similar field required. Master's degree preferred. 3 to 5 years' experience in local government.

~~Graduation from a community college with an associate degree in business or public administration, finance, paralegal technology, or related degree and considerable advanced journey level administrative experience; or an equivalent combination of education and experience.~~



## **MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED**

### **TO PERFORM ESSENTIAL JOB FUNCTIONS**

**Physical Requirements:** Must be physically able to operate a variety of machinery and equipment, including computers, printers, dictaphones, calculators, fax machines, copiers, etc. Must be physically able to operate a motor vehicle. Must be physically able to use a negligible amount of force frequently or constantly to lift, carry, push, pull, or otherwise move objects. Sedentary work involves sitting most of the time, but may involve walking or standing for brief periods of time.

**Data Conception:** Requires the ability to compare and/or judge the readily observable, functional, structural or composite characteristics (whether similar or divergent from obvious standards) of data, people or things.

**Interpersonal Communication:** Requires the ability to speak and/or signal people to convey or exchange information. Includes giving instructions, assignments or directions to subordinates and assistants.

**Language Ability:** Requires the ability to read literature, various types of reports, governmental records and studies, and legal documents. Requires the ability to prepare governmental reports and technical studies with the proper format, punctuation, spelling and grammar, using all parts of speech. Requires the ability to be conversant in the theory, principles, and methods of effective and persuasive speaking, vice and diction, phonetics and discussion and debate.

**Intelligence:** Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions; to interpret an extensive variety of technical instructions in mathematical or diagrammatic form; and to deal with several abstract and concrete variables.

**Verbal Aptitude:** Requires the ability to record and deliver information and to follow and give verbal and written instructions. Must be able to communicate effectively in a variety of technical or professional languages including accounting and governmental terminology.

**Numerical Aptitude:** Requires the ability to utilize mathematical formulas; adding and subtracting totals; multiplying and dividing; determining percentages and decimals; and utilizing basic systems of algebra and geometry. Has the ability to use the practical application of fractions, percentages, ratio and proportion, practical algebra, descriptive statistics, and statistical inference.

**Form/Spatial Aptitude:** Requires the ability to inspect items for proper length, width and shape, visually with office equipment and recording devices.



**Motor Coordination:** Requires the ability to coordinate hands and eyes in using automated office equipment; to operate motor vehicles.

**Manual Dexterity:** Requires the ability to handle a variety of items, office equipment, control knobs, switches, etc. Must have minimal levels of eye/hand/foot coordination.

**Color Discrimination:** Requires the ability to differentiate colors and shades of color.

**Interpersonal Temperament:** Requires the ability to deal with people at high level of management. Must be able to relate to people in situations involving problems throughout the County. Must be adaptable to performing under high levels of stress when confronted with an emergency.

**Physical Communication:** Requires the ability to talk and hear: (talking: expressing or exchanging ideas by means of spoken words) (hearing-perceiving nature of sounds by ear).

**Language and Communication Skills** Ability to read, analyze, and interpret complex documents and government laws, statutes and regulations. Ability to respond effectively to the most sensitive inquiries or complaints. Ability to understand and communicate public and citizen concerns to appropriate employees, elected officials and appointed committee members. Ability to prepare effective written communications such as reports, press releases, official documents, and presentations. Ability to deliver effective oral presentations and speeches to the public and employee groups.

**Analytical Skills** Ability to understand and interpret financial statements and reports. Ability to work with mathematical and financial concepts applied to budgets, proposals, and other planning documents.

## **KNOWLEDGE, SKILLS AND ABILITIES**

Must have a broad, comprehensive knowledge of all the County programs.

Must have knowledge of the principles, methods, and techniques of efficient administration, budgeting, accounting, office management, and personnel administration.

Must have knowledge of the organization and structure of government, both local and state, and county, as well as volunteer agencies.

Must have knowledge of the legal basis for programs, public records and open meeting laws, and have the ability to deal with other agencies and the general public.

Considerable knowledge of the available funding and programming resources.

Considerable knowledge of general management and business organization principles and practices.



Considerable knowledge of ethical guidelines applicable to the position as outlined by professional standards and/or federal, state and local laws, rules and regulations.

Ability to exercise considerable independent judgment and discretion in establishing, applying and interpreting policies and procedures.

Ability to effectively express ideas orally and in writing.

Ability to work in a consulting capacity and exercise leadership in contact with a variety of public, public service and business officials at various levels of authority and influence.

Ability to exercise tact, courtesy and firmness when in contact the general public.

Ability to establish and maintain effective working relationships as necessitated by work assignments.

Considerable knowledge of modern office practices, procedures and operation of office machines and computer software programs.

Ability to record, compile, summarize and analyze data from a variety of sources and prepare clear reports from such information. Ability to plan, prioritize, organize and review administrative and/or office work flow and procedures.

Ability to develop and modify work procedures, methods and processes to improve efficiency.

Ability to draft routine legal documents and maintain complex legal records.

Ability to perform record research and real property title research in the Office of the Register of Deeds, Tax Department and Clerk of Court office for land issues, sale and purchase of property, litigation and other matters.

Ability to make routine administrative decisions independently in accordance with laws, regulations, and County policies and procedures, and to solve problems and answer questions.

ED: 03/15/2021 (REV BOC)





## **CURRITUCK COUNTY JOB DESCRIPTION**

### **JOB TITLE: DEVELOPMENT SERVICES DIRECTOR DEVELOPMENT SERVICES DIVISION**

#### **GENERAL STATEMENT OF JOB**

Under limited supervision, performs technical, administrative, supervisory and professional work in directing and coordinating the activities of the County Development Services Division to ensure the orderly growth and efficient administration of County resources. Work involves preparation of land use ordinances such as those pertaining to subdivisions and zoning. Formulates, installs, modifies and improves master and subsidiary plans for the County's physical, economical, and social development. Work also involves serving as a technical advisor to the Planning Board, County Board of Commissioners, Board of Adjustment and County Manager on matters relating to planning and development. Supervises a staff of professional, technical and support personnel. Reports to the County Manager.

#### **SPECIFIC DUTIES AND RESPONSIBILITIES**

##### **ESSENTIAL JOB FUNCTIONS**

Plans, organizes and directs the activities of professional, technical and clerical personnel engaged in the compilation, analysis and interpretation of data affecting community planning and building construction; plans, develops and establishes departmental goals and objectives, policies and procedures, and ensures that subordinates receive orientation and training required for assigned positions; assists and advises subordinates as necessary, resolving problems as non-routine situations arise; performs yearly evaluations of personnel.

Performs various supervisory tasks in overseeing and managing the activities of assigned personnel; instructs, assigns and reviews work; maintains standards through the effective coordination of activities; allocates personnel; acts on employee problems; selects new employees; provides recommendations regarding disciplinary actions and discharge.

Develops and recommends policies for the Board; writes, reviews, and amends ordinances; ensures State statutory requirements are met.

Serves as technical advisor to the County Manager, County Board of Commissioners, Planning Board, Board of Adjustment and other County officials; provides assistance to other County departments and public agencies involved in long-range planning; provides input and advise regarding land use issues; conducts research regarding various land use issues.

Prepares and administers departmental work plans and budgets; prepares and reviews contracts and agreements; drafts recommendations.



Reviews complex development plans and permit applications of developers and property owners to ensure compliance with various codes and ordinances; reviews requests for amendments to the County zoning ordinance, and makes recommendations to the County Planning Board.

Coordinates County planning activities with affected state, federal and private agencies.

Works with attorneys on court cases involving the department; converses with State agencies about programs affecting County.

Receives and responds to detailed requests, concerns, and complaints from developers, contractors, the general public and other involved parties; provides professional input to the County Attorney and the County Manager in law suit situations.

### **ADDITIONAL JOB FUNCTIONS**

Orders supplies, types letters, reports, documents etc; keeps files organized.

Performs duties as assigned by the County Manager or his designees during a State of Emergency or other disaster.

Performs other related work as required.

### **MINIMUM TRAINING AND EXPERIENCE**

Masters degree in urban or regional planning from a recognized and accredited university, and six to nine years of experience in rural or regional planning at the local government level in a management level position; AICP Certification preferred; or any equivalent combination of training and experience which provides the required skills, knowledge and abilities.

### **MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS**

**Physical Requirements:** Must be physically able to operate a variety of office equipment. Must be able to exert up to 50 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects. Physical demand requirements are for those for Medium Work.

**Data Conception:** Requires the ability to compare and/or judge the readily observable, functional, structural or compositional characteristics (whether similar or divergent from obvious standards) of data, people or things.

**Interpersonal Communication:** Requires the ability of speaking and/or signaling people to convey or exchange information. Includes giving instructions, assignments or directions to subordinates or assistants.

**Language Ability:** Requires the ability to read a variety of reports, correspondence, real property appraisals and assessments, maps, deeds, surveys, permits, etc. Requires the ability to prepare correspondence, reports, permits, forms, maps, etc., using prescribed formats and conforming to all rules of punctuation, grammar, diction, and style. Requires the ability to speak before groups of people with poise, voice control and confidence.

**Intelligence:** Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions; to interpret a variety of



technical instructions in mathematical or diagrammatic form; and to deal with several abstract and concrete variables.

**Verbal Aptitude:** Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical or professional languages including the Queen's English.

**Numerical Aptitude:** Requires the ability to utilize mathematical formulas; to add and subtract; multiply and divide; utilize decimals and percentages; understand and apply the theories of algebra, geometry, trigonometry, descriptive statistics, integral calculus, differential calculus and statistical inference.

**Form/Spatial Aptitude:** Requires the ability to inspect items for proper length, width and shape.

**Motor Coordination:** Requires the ability to coordinate hands and eyes rapidly and accurately in using office equipment.

**Manual Dexterity:** Requires the ability to handle a variety of items such as office equipment. Must have minimal levels of eye/hand/foot coordination.

**Color Discrimination:** Requires the ability to differentiate between colors and shades of color.

**Interpersonal Temperament:** Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under stress and when confronted with persons acting under stress.

**Physical Communication:** Requires the ability to talk and hear: (Talking: expressing or exchanging ideas by means of spoken words. Hearing: perceiving nature of sounds by ear.) Must be able to communicate via a telephone.

### **KNOWLEDGE, SKILLS AND ABILITIES**

Thorough knowledge of the principles, practices and objectives of urban and regional planning.

Thorough knowledge of economics, sociology, public administration and quantitative methods and research techniques as related to planning.

Thorough knowledge of the principles and practices of engineering and physical design as generally related to planning and development.

Considerable knowledge of the environmental and socio-economic implications of the planning process.

Considerable knowledge of County zoning ordinances and related land use regulations.

Considerable knowledge of the current literature, trends and development in the field of rural and regional planning.

Considerable knowledge of the principles of supervision, organization and administration.

Considerable knowledge of the geographical layout of the County and socio-economic characteristics.



Skilled in the collection, analysis and presentation of technical data and planning recommendations.

Ability to use ArcMap or other GIS software.

Ability to use word processing, spreadsheet and file maintenance programs.

Ability to interpret cadastral, orthophoto, topographical and other related maps.

Ability to read and interpret surveys and engineering drawings and plans.

Ability to review subdivision plans, site development plans and related drawings for compliance to applicable local regulations and ordinances.

Ability to plan, assign and direct the activities of a professional, technical and clerical staff.

Ability to explain planning theory, policy and practices to lay people individually or in groups.

Ability to exercise considerable tact and courtesy in frequent contacts with County, municipal, state and federal officials, and the general public.

Ability to establish and maintain effective working relationships as necessitated by work assignments.

ED: 03/15/2021 (BOC)





## CURRITUCK COUNTY JOB DESCRIPTION

### JOB TITLE: PLANNING DIRECTOR DEVELOPMENT SERVICES ~~DIVISION~~ DEPARTMENT

#### GENERAL STATEMENT OF JOB

Under limited supervision, performs technical, administrative, supervisory and professional work in directing and coordinating the long-range land use planning and visioning activities of the County ~~Planning Department~~ to ensure the orderly growth and efficient administration of County resources ~~the policies and visions of the community and elected officials are articulated for future decisions.~~ ~~Work involves preparation of land use ordinances such as those pertaining to subdivisions and zoning. Manages public meetings to engage the community on the future of the County.~~ Formulates, installs, modifies, and improves master and subsidiary plans for the County's physical, economical, and social development. Work also involves serving as a technical advisor to the Planning Board, Development Services Director, County Board of Commissioners, and County Manager on matters relating to planning ~~and development~~. Supervises a staff of professional, technical and support personnel. Reports to the Development Services Director ~~County Manager~~.

#### SPECIFIC DUTIES AND RESPONSIBILITIES

##### ESSENTIAL JOB FUNCTIONS

Plans, organizes and directs the activities of professional, technical and clerical personnel engaged in the compilation, analysis and interpretation of data affecting community planning. ~~and building construction; plans, develops and establishes departmental goals and objectives, policies and procedures, and ensures that subordinates receive orientation and training required for assigned positions; assists and advises subordinates as necessary, resolving problems and non-routine situations arise; performs yearly evaluations of personnel.~~

Performs various supervisory tasks in overseeing and managing the activities of assigned personnel; instructs, assigns and reviews work; maintains standards through the effective coordination of activities; allocates personnel; acts on employee problems; selects new employees; provides recommendations regarding disciplinary actions and discharge.

~~Develops and recommends policies for the Board; writes, reviews, and amends ordinances; ensures State statutory requirements are met.~~

Serves as technical advisor to the County Manager, County Board of Commissioners, Planning Board, and other County officials; provides assistance to other County departments and public agencies involved in long-range planning; provides input and advises regarding land use issues; conducts research regarding various land use issues.

~~Prepares and administers department work plans and budgets; prepares and reviews contracts and agreements; drafts recommendations.~~



~~Reviews complex development plans and permit applications of developers and property owners to ensure compliance with various codes and ordinances; reviews requests for amendments to the County zoning ordinance, and makes recommendations to the County Planning Board~~

Coordinates County planning activities with affected state, federal and private agencies.

~~Works with attorneys on court cases involving the department; converses with State agencies about programs affecting County.~~

~~Receives and responds to detailed requests, concerns, and complaints from developers, contractors, the general public and other involved parties; provides professional input to the County Attorney and the County Manager in lawsuit situations.~~

Acts as the liaison with regional planning initiatives.

### **ADDITIONAL JOB FUNCTIONS**

Orders supplies, types letters, reports, documents etc; keeps files organized.

Performs duties as assigned by the County Manager or his designees during a State of Emergency or other disaster.

Performs other related work as required.

### **MINIMUM TRAINING AND EXPERIENCE**

Masters degree in urban or regional planning from a recognized and accredited university, and three to six ~~nine~~ years of experience in rural or regional planning at the local government level in a management level position; AICP Certification preferred; or any equivalent combination of training and experience which provides the required skills, knowledge and abilities.

### **MINIMUM QUALIFICATIONS OR STANDARDS REQUIRED TO PERFORM ESSENTIAL JOB FUNCTIONS**

**Physical Requirements:** Must be physically able to operate a variety of office equipment. Must be able to exert up to 50 pounds of force occasionally, and/or up to 10 pounds of force frequently, and/or a negligible amount of force constantly to move objects. Physical demand requirements are for those for Medium Work.

**Data Conception:** Requires the ability to compare and/or judge the readily observable, functional, structural or compositional characteristics (whether similar or divergent from obvious standards) of data, people or things.

**Interpersonal Communication:** Requires the ability of speaking and/or signaling people to convey or exchange information. Includes giving instructions, assignments or directions to subordinates or assistants.

**Language Ability:** Requires the ability to read a variety of reports, correspondence, real property appraisals and assessments, maps, deeds, surveys, permits, etc. Requires the ability to prepare correspondence, reports, permits, forms, maps, etc., using prescribed formats and conforming to



all rules of punctuation, grammar, diction, and style. Requires the ability to speak before groups of people with poise, voice control and confidence.

**Intelligence:** Requires the ability to apply principles of logical or scientific thinking to define problems, collect data, establish facts, and draw valid conclusions; to interpret a variety of technical instructions in mathematical or diagrammatic form; and to deal with several abstract and concrete variables.

**Verbal Aptitude:** Requires the ability to record and deliver information, to explain procedures, to follow oral and written instructions. Must be able to communicate effectively and efficiently in a variety of technical or professional languages including the Queen's English.

**Numerical Aptitude:** Requires the ability to utilize mathematical formulas; to add and subtract; multiply and divide; utilize decimals and percentages; understand and apply the theories of algebra, geometry, trigonometry, descriptive statistics, integral calculus, differential calculus and statistical inference.

**Form/Spatial Aptitude:** Requires the ability to inspect items for proper length, width and shape.

**Motor Coordination:** Requires the ability to coordinate hands and eyes rapidly and accurately in using office equipment.

**Manual Dexterity:** Requires the ability to handle a variety of items such as office equipment. Must have minimal levels of eye/hand/foot coordination.

**Color Discrimination:** Requires the ability to differentiate between colors and shades of color.

**Interpersonal Temperament:** Requires the ability to deal with people beyond giving and receiving instructions. Must be adaptable to performing under stress and when confronted with persons acting under stress.

**Physical Communication:** Requires the ability to talk and hear: (Talking: expressing or exchanging ideas by means of spoken words. Hearing: perceiving nature of sounds by ear.) Must be able to communicate via a telephone.

### **KNOWLEDGE, SKILLS AND ABILITIES**

Thorough knowledge of the principles, practices and objectives of urban and regional planning.

Thorough knowledge of economics, sociology, public administration and quantitative methods and research techniques as related to planning.

Thorough knowledge of the principles and practices of engineering and physical design as generally related to planning and development.

Considerable knowledge of the environmental and socio-economic implications of the planning process.

~~Considerable knowledge of County zoning ordinances and related land use regulations.~~



Considerable knowledge of the current literature, trends and development in the field of rural and regional planning.

Considerable knowledge of the principles of supervision, organization and administration.

Considerable knowledge of the geographical layout of the County and its socio-economic characteristics.

Skilled in the collection, analysis and presentation of technical data and planning recommendations.

Ability to use ArcMap or other GIS software.

Ability to use word processing, spreadsheet and file maintenance programs.

Ability to interpret cadastral, orthophoto, topographical and other related maps.

Ability to read and interpret surveys and engineering drawings and plans.

~~Ability to review subdivision plans, site development plans and related drawings for compliance to applicable local regulations and ordinances.~~

Ability to plan, assign and direct the activities of a professional, technical and clerical staff.

Ability to explain planning theory, policy and practices to lay people individually or in groups.

Ability to exercise considerable tact and courtesy in frequent contacts with County, municipal, state and federal officials, and the general public.

Ability to establish and maintain effective working relationships as necessitated by work assignments.

ED: 03/15/2021 (REV BOC)



CURRITUCK COUNTY  
CLASSIFICATION BY SALARY GRADE  
FOR THE FISCAL YEAR ENDING JUNE 30, 2021

7.B.5.d

ED: 10/10/2020

SALARY GRADE	SALARY RANGE	CLASSIFICATION
50	\$24,775-\$33,959	Custodian
50.5	\$26,180-\$36,548	Senior Center Site Manager
51	\$26,786-\$36,775	Maintenance Helper Park Attendant Rural Attendant
52	\$28,796-\$39,629	Accounting Clerk I Aging Senior Services Admin. Supervisor Animal Care Technician Community Social Services Assistant DSS DCI CP/Clerk Deputy Register of Deeds Library Assistant I Permit Officer I Recreation Assistant Secretary I Tax Clerk I

Attachment: Salary Classification Chart 3 15 2021 (Job Description and Classification Chart-Assistant to



53	\$30,808-\$42,407	Line Maintenance Mechanic Helper Library Assistant II Maintenance/Repair Worker Meter Reader EMT Basic/Firefighter Lineman - Airport Processing Assistant IV Public Information Assistant IV Tax Clerk II Utilities Customer Service Representative Visitor Relations Coordinator
53.5	\$31,388-\$43,467	Detention Officer
54	\$32,818-\$45,220	4H Program Assistant Accounting Clerk II Animal Control Officer Assistant Register of Deeds District Administrator F&C Sciences Associate Income Maintenance Caseworker I Library Associate I Permit Officer II Telecommunicator Trainee
54.5	\$33,438-\$46,350	Intake Officer



55	\$34,830-\$48,038	Accounting Clerk III Administrative Assistant I Line Maintenance Mechanic Maintenance/Repair Worker Electrician Park Superintendent Public Information Assistant V Telecommunicator I Tourism Promo & Event Coordinator Utilities Customer Service Supervisor
55.5	\$35,491-\$49,239	Deputy Director of Elections Rural Center Manager Shelter Manager
56	\$36,843-\$50,856	Deputy Tax Collector Deputy Trainee EMT/Intermediate Evidence Technician Income Maintenance Caseworker II Maintenance/Repair Worker HVAC Permit Officer III Sales & Marketing Associate Social Worker I Telecommunicator II Visitor Relations Specialist Wastewater ORC Trainee Water Plant Operator Trainee
56.5	\$38,257-\$53,698	Sergeant Detention Officer



57	\$38,852-\$53,669	Administrative Assistant II Athletic Grounds Manager Building Inspector I Code Enforcement Officer Deputy Sheriff I Human Resources Assistant Maintenance Supervisor Recreation Specialist Rural Center Director Support Technician Visitor Center Supervisor Wastewater Operator Water Plant Operator Water Plant Operator/Lab Technician
58	\$40,863-\$56,486	Deputy Sheriff II Firefighter/EMT Basic Income Maintenance Caseworker III Income Maintenance Investigator II Library Associate II Training Officer
59	\$42,874-\$59,302	Accounting Technician Accounting & Payroll Technician Building Inspector II probationary/ FQ Inspect I ** E Body Deputy Sheriff III Development Technician Detective I EMT Paramedic/Firefighter Planner I



59	\$42,874-\$59,302	Public Relations Coordinator Tax Appraiser
60	\$44,887-\$62,119	*Administrative Officer I *Communications Supervisor Deputy Emergency Management Coordinator EMS Training Officer Fire Training Officer/Recruitment Coordinator *Income Maintenance Supervisor II *Lieutenant Detention Officer Fire Marshal Lieutenant - EMS *Operations Director Risk Manager Social Worker II Stormwater Technician Water Distribution Supervisor Trainee
60.5	\$45,747-\$63,672	*Aging Senior Services Director Firefighter EMT/Advanced Firefighter EMT/Paramedic Maritime Museum Manager
61	\$46,898-\$64,936	Building Inspector III probationary/FQ BI II Creative Director Detective II GIS Specialist GIS Coordinator IT Coordinator Paralegal Planner II Marketing Director Public Information Officer Video Production Specialist



61	\$46,898-\$64,936	Wastewater Supervisor ORC Water Distribution Supervisor Web/AV Specialist
62	\$48,909-\$67,751	*Airport Manager *Contract Purchasing Agent Fire Lieutenant Fiscal & Budget Assistant *Operations Manager - PW/Solid Waste Sergeant Site Manager/Curator Soil & Stormwater Manager Social Worker III Social Worker Invest/Assess Treatment
63	\$50,918-\$70,566	Building Inspector III FQ *Director of Elections Engineering Technician *Social Work Supervisor II *Water Treatment Plant Supervisor
64	\$52,931-\$73,383	*Accountant *Jail Superintendent Senior Planner
65	\$55,373-\$76,803	*Assistant to the County Manager *Administrative Assistant/Clerk to Board *Captain - EMS *Fire and EMT Captain
66	\$56,954-\$79,016	*Public Utilities Superintendent *Social Worker Supervisor III *Wastewater Superintendent *Water Superintendent



67	\$58,962-\$81,828	*Chief Building Inspector *Emergency Management Director *Lieutenant - Sheriff *Recreation Director *Social Work Program Manager
68	\$60,973-\$84,644	*Human Resources Director *IT Director *Public Works Director *Tax Administrator
69	\$62,984-\$87,461	
70	\$65,056-\$90,362	
71	\$67,006-\$93,092	*Captain- Sheriff *Chief Deputy - Fire/EMS *Tourism Director
72	\$69,019-\$95,910	*Assistant Planning Director
73	\$71,028-\$98,723	*Assistant Public Services Director/ Assistant County Engineer *Chief Deputy - Sheriff *Economic Development Director
74	\$73,041-\$101,541	
75	\$75,050-\$104,356	*Chief of EMS
76	\$77,063-\$107,173	*Director of Social Services *Public Utilities Director
77	\$79,072-\$109,987	
78	\$81,085-\$112,805	*Assistant Finance Director
79	\$83,096-\$115,621	
80	\$84,860-\$118,091	
81	\$86,981-\$131,724	
82	\$89,156-\$135,017	



83	\$91,385-\$138,393	*Assistant County Manager *Planning Director
84	\$93,670-\$141,852	
85	\$96,011-\$145,399	
86	\$98,412-\$149,034	
87	\$100,725-\$152,537	
88	\$100,724-\$154,050	*Development Services Director *Senior Planning Director
89	\$104,267-\$157,901	
90	\$106,873-\$161,848	
91	\$109,545-\$165,895	
92	\$111,867-\$169,410	*Finance Director *Public Services Director/County Engineer
93	\$114,663-\$173,645	
94	\$117,530-\$177,986	
95	\$120,468-\$182,436	
96	\$123,480-\$186,997	
97	\$126,567-\$191,672	
98	\$129,731-\$196,463	
99	\$132,974-\$201,375	
100	\$136,298-\$206,409	
101	\$139,706-\$211,570	
102	\$143,199-\$216,859	
103	\$146,779-\$222,280	
104	\$150,448-\$227,837	
105	\$154,209-\$233,533	
106	\$158,064-\$239,372	
107	\$162,016-\$245,356	
108	\$166,066-\$251,490	
109	\$170,218-\$257,777	
110	\$174,474-\$264,221	



111	\$178,825-\$270,811	*Attorney
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\* indicates exempt status

- Board determined      \*County Manager's salary
- Board determined      \*Sheriff's salary
- Board determined      \*Register of Deeds' salary
- Board determined      \*Attorney's salary

\*\* E Body Grade is Dependent upon State Certification Level





## Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_, by and between

COUNTY OF CURRITUCK,  
a North Carolina Municipal Corporation

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in North Carolina as Dominion Energy North Carolina, with its principal office in Richmond, Virginia ("GRANTEE").

### WITNESSETH:

1. That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, **GRANTOR** grants and conveys unto **GRANTEE**, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

Initials: \_\_\_\_\_

**This Document Prepared by Virginia Electric and Power Company and should be returned to:**  
Dominion Energy North Carolina, 304 NC Highway 11N, Ahoskie, NC 27910.

(Page 1 of 8 Pages)  
NCROW No(s). 71-21-0006

Form No. 721043-1 (May 2019)  
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Attachment: Dominion-911 Center Easement 71-21-0006 (Dominion ROW Agreement-Public Safety Center)



## Right of Way Agreement

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as **GRANTEE** may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said easement shall extend TWENTY (20') feet in width across the lands of **GRANTOR**; and

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in CURRITUCK COUNTY, North Carolina, as more fully described on Plat(s) Numbered 71-21-0006, attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

Initials: \_\_\_\_\_

(Page 2 of 8 Pages)  
NCROW No(s). 71-21-0006

Form No. 721043-2 (May 2019)  
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## Right of Way Agreement

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE**'s option, for other damage done to **GRANTOR**'s property inside the boundaries of the easement (subject, however, to **GRANTEE**'s rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE**'s facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE**'s exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE**'s rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE**'s exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE**'s exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such of its facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE** shall have the right to assign or transfer, without limitation, to any public service company all or any part of the perpetual right, privilege and easement granted herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: \_\_\_\_\_

(Page 3 of 8 Pages)

NCROW No(s). 71-21-0006

Form No. 721043-3 (May 2019)

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## Right of Way Agreement

11. **GRANTOR** covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that **GRANTEE** shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that **GRANTOR** shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of **GRANTOR** warrants that they have been duly authorized to execute this easement on behalf of said County.

**IN WITNESS WHEREOF, GRANTOR** has caused its name to be signed hereto by authorized officer or agent, described below, on the date first above written.

APPROVED AS TO FORM:

COUNTY OF CURRITUCK

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

\_\_\_\_\_  
(Name)

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

\_\_\_\_\_  
(Title)

State of \_\_\_\_\_

County of \_\_\_\_\_, to-wit:

I, \_\_\_\_\_, a Notary Public in and for the State of \_\_\_\_\_ at Large, do hereby certify that this day personally appeared before me in my jurisdiction aforesaid

\_\_\_\_\_  
(Name of officer or agent)

\_\_\_\_\_  
(Title of officer or agent)

on behalf of CURRITUCK County, North Carolina, whose name is signed to the foregoing writing dated this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and acknowledged the same before me.

Given under my hand \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public (Print Name)

\_\_\_\_\_  
Notary Public (Signature)

My Commission Expires: \_\_\_\_\_

(Page 4 of 8 Pages)





## Right of Way Agreement

### EXHIBIT A – CRANE AGREEMENT

WHEREAS, GRANTOR has developed, is in the process of developing, or plans to develop a portion of said Currituck County PIN # 0052000014A0000 (the Real Property) into a Public Safety Building and has constructed high security fencing, buildings and/or other facilities on said Real Property owned by GRANTOR. Said Real Property and all existing and future buildings, facilities, and common areas of said development are hereinafter referred to as GRANTOR's property.

WHEREAS, GRANTEE will provide for the transmission and distribution of electric power to GRANTOR's Property; and for this purpose, GRANTOR will provide GRANTEE with the rights, privilege and easement to use and access GRANTOR's Property as described in the Right of Way Agreement.

WHEREAS, some electric transformers and switches installed or to be installed on the GRANTOR's Property fall within an enclosed area where vehicular access is severely restricted creating a situation that requires the use of a crane to install, remove, set and replace the transformers and switches located within the enclosed area.

### NOW THEREFORE:

1. Any transformer or switch installed, or to be installed, within an enclosed area (or future enclosed area) has limited access. As such, GRANTOR and GRANTEE hereby agree that it shall be the responsibility of GRANTOR, its successors and assigns, to provide the services of a crane of appropriate size and specifications to lift, place, remove or set any transformer and switch within such enclosed areas. Additionally, GRANTOR, its successors, and assigns, shall provide the crane operator to operate said crane. The crane operator shall be fully licensed and insured.

Initials: \_\_\_\_\_





## Right of Way Agreement

### EXHIBIT A – CRANE AGREEMENT, CONTINUATION

2. All services that require the use of a crane and its operator in order that GRANTEE may perform all necessary work in connection with the transformers and switches located in any enclosed areas shall be at the sole cost and expense of GRANTOR, its successors and assigns.
3. As long as any additional transformers and switches lie or will lie within an enclosed area with limited access for GRANTEE's equipment and therefore require the use of a crane, this Exhibit A shall govern the costs associated with the use of a crane and crane operator.
4. The terms and conditions set forth in this Exhibit A are incorporated into the Right of Way Agreement.
5. This Exhibit A shall become effective the date first above written and shall continue thereafter until mutually dissolved and released or amended by written authorization of the GRANTOR and GRANTEE, said dissolution, release and amendment to be recorded among the land records of Currituck County, North Carolina.

**-- SEE NEXT PAGE FOR SIGNATURES --**

Initials: \_\_\_\_\_

(Page 6 of 8 Pages)  
DVPIDNo(s) 71-21-0006

Attachment: Dominion-911 Center Easement 71-21-0006 (Dominion ROW Agreement-Public Safety Center)





## Right of Way Agreement

### EXHIBIT A – CRANE AGREEMENT, SIGNATURE PAGE

**CURRITUCK COUNTY,  
A North Carolina Municipal Corporation**

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

**Title:** \_\_\_\_\_

**VIRGINIA ELECTRIC AND POWER COMPANY  
d/b/a DOMINION ENERGY NORTH CAROLINA**

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

**Name:** Shaun Reilly

**Title:** Authorized Representative



PROPERTY OWNER:  
CURRITUCK COUNTY  
125 COLLEGE WAY  
A PORTION OF 0052000014A0000  
CURRITUCK COUNTY REGIONAL AIRPORT PROPERTY  
DB 875, PG 807

COLLEGE WAY  
(VARIABLE WIDTH RIGHT OF WAY)

Note: This map may not be a certified survey, and has not been reviewed by a local government agency for compliance with any applicable land development regulations, and has not been reviewed for compliance with recording requirements for plats.

<b>LEGEND</b> --- Location of Boundary Lines of Right-of-Way 20' in Width. =P= Indicates Property Line is Right-of-Way Boundary 20' in Width.	District	Scale	<b>PLAT TO ACCOMPANY</b> RIGHT-OF-WAY AGREEMENT VIRGINIA ELECTRIC AND POWER COMPANY doing business as <b>Dominion Energy North Carolina</b> Page 8 of 8
	ELIZABETH CITY	NTS	
	District-Township-Borough County-City State		
	CRAWFORD CURRITUCK NC		
	Office	Plat Number	
	ELIZABETH CITY	71-21-0006	
	Estimate Number	Grid Number	
	10327987	Q1142	

DATE 1 MARCH 2021 BY BROWN/TEMPLE OWNER INITIALS \_\_\_\_\_





T-Mobile Northeast LLC, a subsidiary of T-Mobile USA, Inc.

200 Westgate Parkway  
Suite 200  
Richmond, VA 23233  
Attn.: Juhn Louissaint

February 24, 2021

Currituck County  
153 Courthouse Road, Suite 302  
Currituck, NC 27929

**Re:** Site lease with Option, dated December 15, 2010 (the "Lease") by and between Currituck County (Landlord) and T-Mobile Northeast, LLC. (Tenant)  
**Site Number:** VA60767A (the "Site")  
**Site Address:** 468A Ocean Trail, Corolla NC 27927 (the "Property")

To Whom it May Concern,

T-Mobile is in the process of updating certain equipment that supports its wireless telecommunications network. As part of this effort, T-Mobile will need to perform work at the above referenced Property. The purpose of this letter is to obtain Landlord's consent to perform this work, which includes replacing, modifying and enhancing obsolete electronics, cabinets, antennas and other equipment at the site.

Please note, we will not need any additional space outside of our current leased area.

Please signify your approval by signing & dating one (1) original of this Consent Letter as provided for in the space below and scanning and returning to [asmith@nbcllc.com](mailto:asmith@nbcllc.com) or, if by regular US Mail, to the attention of Andy Smith at 120 Eastshore Drive, Suite 300, Glen Allen, VA 23059.

Should you have any questions, please contact Andy Smith at 804-691-6931 or via email at [asmith@nbcllc.com](mailto:asmith@nbcllc.com). Thank you in advance for your cooperation in this matter.

Very truly yours,

Juhn Louissaint  
Virginia Engineering and Operations, Site Development Manager

**Acknowledged, Accepted and Agreed:**

Signed: \_\_\_\_\_

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

Date: \_\_\_\_\_

Please provide a contact name and phone number so T-Mobile can schedule the necessary work.

Contact Name and Number: \_\_\_\_\_

Attachment: VA60767A\_Leasing\_Consent\_Letter\_Anchor LL Consent Request 20210224 (T-Mobile Cell Tower Upgrades)





# Tower Structural Analysis Cover Sheet

## Site Data

**Currituck County Tower Name:** Pine Island – 154' Water Tank  
**Tower Address:** 468 Ocean Trail  
 Corolla, Nc 27927  
**Tower Description:** 154' Water Tank

**Carrier Information:** T-Mobile Northeast, LLC  
 12920 SE 38th St, Bellevue, WA 98006  
**Carrier Name:** T-Mobile

## Structural Data

**Structural Engineer:** NB+C / TTK Engineering Servies  
 120 East Shore Drive  
 Glen Allen, VA 23059  
**Date of Analysis:** 11/20/2020

## Proposed Appurtenance and Cable Data

(Bold indicated new proposed appurtenance)

Quantity	Appurtenance Model	RAD Center Elevation
3	RFS - APX17DWV-17DWV-S-E-A20	115.0'
3	RFS APXVAARR24_43-U-NA20	115.0'
3	Ericsson AIR6649 B41	115.0'
3	Ericsson Radio 4415 B66A	115.0'
3	Ericsson Radio 4449 B71/B12	115.0'
3	Ericsson Radio 4415 B25	115.0'
3	6x12 Hybrid Cable	
*8	1-5/8" Coax (existing to remain)	
*1	6x12 Hybrid Cable (existing to remain)	
**6	Cellmax CMA-B/3324	115.0'
**6	Ericsson Twin Style TMA	115.0'
**4	1-5/8" Coax Cable	

## Post Installation Inspection Data

**Inspection Prepared by:**  
**Inspection Letter Dated:**

- \* Existing equipment to be remain
- \*\* Existing equipment to be removed

Prepared by Clark Nexsen, Inc. December 10, 2018

Please note asterisks by quantities above; PDF / application would not allow bold font.





## Structural Analysis Summary: Pine Island Water Tank

Carrier	Lease Agreement	Structural Analysis	Post Installation Inspection



## Currituck Fire Department's Tanker Specifications 2021

Fire Apparatus must be compliant with the most current edition of the 1901 National Fire Protection Association at the start of construction. Any deletions of NFPA recommendations must be indicated in the proposal.

### Major Components

1. International Commercial cab with airbag curtains for exterior seats
2. Tandem Axles 2,500 gallons
3. Fire Pump, 1,000 gallon Waterous Pump, pressure governor
4. Engine Cummings L-9 400 HP
5. Transmission Allison EVS 3000P, most current addition or equivalent
6. 2,500 gallon water tank, Poly-Pro Tank with Life Time warranty, baffled to NFPA guidelines
7. Hydraulic lift for 2,100 galloon drop tank
8. Wheel Bases must be less than 225 inches
9. Metal hose cover for rear hose bed
10. 3 preconnected hose lines 2, two-inch hose with 1 ½ connection and one 2 ½ inch hose & coupling
11. Rear hose storage for 1,000 feet of 3 inch hose
12. Two rear intake values 3" piping minimum / quick connect fittings
13. Air primer
14. One rear swivel dump chute
15. A/C
16. Wheel well storage for 6 SCBA bottles and 2 fire extinguishers
17. External power plug / Kussmal plug
18. Air outlet on pump panel
19. Front & Rear recovery hooks
20. Back Up Camera

### Lighting

1. Water Tank indicator lighting on 3 sides of the vehicle (large)
2. Fire Tech High Viz lighting on all four sides of vehicle (10,000 lumens)
3. Remote spotlight "GoLight" with wired mounted remote control for spotlight
4. Low level LED lighting at rear wheels
5. Whelen Freedom LED emergency lighting
6. Siren, & Federal Q-B2
7. Arrow stick / rear



## Currituck Fire Department's Engine Specifications 2021

Fire Apparatus must be compliant with the most current edition of the 1901 National Fire Protection Association at the start of construction. Any deletions of NFPA recommendations must be indicated in the proposal.

### Major Components

1. Apparatus model must be crash tested, have airbag curtains for exterior seats
2. Fire Pump, 1,250 Waterous Pump, pressure governor
3. Engine Cummings L-9 380-400 HP
4. Transmission Allison EVS 3000P, most current addition or equivalent
5. 1,000 gallon water tank, Poly-Pro Tank with Life Time warranty, baffled to NFPA guidelines
6. Rear hose bed no higher than 68 inches off the ground
7. Rear loading enclosed ground ladders 24 foot extension & 14 foot roof ladders
8. Wheel Bases must be less than 195 inches
9. Rear compartments minimum of 154 inches
10. Metal hose cover for rear hose bed
11. 3 preconnected hose lines 2, two-inch hose with 1 ½ connection and one 2 ½ inch hose & coupling
12. Rear hose storage for 1,000 of five inch hose and 600 feet of 3 inch hose
13. Two rear facing 2 ½ preconnected discharges
14. Front Suction with stainless steel piping
15. One 2 ½ preconnected and hose tray front bumper line
16. Air primer
17. Hose storage, passenger, pump panel, 25 feet five inch hose
18. Four person seating with Smart Dock SCBA bracket
19. One EMS compartment in center of cab with electrical power
20. 5 inch discharge on passenger side with minimum 3 ½ inch piping
21. A/C for cab
22. Pick Pole storage with ladders
23. Wheel well storage for 6 SCBA bottles and 2 fire extinguishers
24. External power plug / Kussmal plug
25. Air outlet on pump panel
26. Back up Camera

### Lighting

1. Water Tank indicator lighting on 3 sides of the vehicle (large)
2. Fire Tech High Viz lighting on all four sides of vehicle (10,000 lumens)
3. Remote spotlight "GoLight" with wired mounted remote control for spotlight
4. Whelen Freedom LED emergency lighting
5. Siren, & Federal Q-B2





## CURRITUCK COUNTY NORTH CAROLINA

March 1, 2021

Minutes – Regular Meeting of the Board of Commissioners

### WORK SESSION

#### 1. 5:00 PM Service Districts

The Currituck County Board of Commissioners met at 5:00 PM in a Work Session to discuss Service Districts that are being considered for implementation in the County. Ben Stikeleather, County Manager, reviewed each district and the recommended tax rate and used a spreadsheet to review the effects of implementing the district taxes on property owners using a \$300,000 property value. Mr. Stikeleather discussed the recent property revaluation and recommended the Board consider holding the county's current tax rate at .48/100 to help cover the cost of future school needs.

Discussion of a Swan Beach Road Service District resulted in Commissioners directing staff to survey property owners to measure support, as the entire Swan Beach subdivision would need to be included in a district to raise enough revenues to meet community needs. The County Manager used a .02 cent tax rate to project revenues.

Mr. Stikeleather discussed implementation of a county-wide Fire Service District to be used for the purchase of tankers and engines. Mr. Stikeleather said standardized specifications for apparatus have been agreed to by departments and approved by the Fire and EMS Advisory Board (FEAB). He said funds are available to purchase one apparatus this year. Commissioners asked that staff and local fire departments reach out to the community to inform and educate the public and get feedback on public support. The Board directed that this tax be delayed at least one budget year before implementation. The County Manager projected revenues using a .0129 tax rate.

Commissioners discussed a Moyock Stormwater District, deemed as the most necessary of the districts currently being considered. The County Manager projected revenues using a tax rate of .015. Commissioners agreed with the County Manager's recommendations and directed staff to move forward with community outreach that focuses on education to demonstrate the need for a district and to show how funds will be used. Commissioners suggested including before and after photos of drainage projects completed in existing districts in the Moyock area.

Commissioners briefly discussed the stormwater text amendment on the agenda and agreed it should move forward. There was no further discussion and the work session concluded at 5:45 PM.

#### 6:00 PM CALL TO ORDER

Communication: Minutes for March 1, 2021 (Approval Of Minutes-March 1, 2021)



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

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

Chairman Payment called the meeting to order and announced the earlier work session discussion on service districts.

#### **A) Invocation & Pledge of Allegiance**

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

#### **B) Approval of Agenda**

Commissioner White requested the application and staff report for Item D under Public Hearings be amended to remove the County Manager as an applicant, leaving the county as the applicant bringing the request forward. Commissioner White moved for approval with the amended application. Commissioner McCord seconded the motion. The motion carried, 7-0.

Approved agenda:

#### **Work Session**

5:00 PM Service Districts

#### **6:00 PM Call to Order**

A) Invocation & Pledge of Allegiance

B) Approval of Agenda

#### **Public Comment**

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

#### **Commissioner's**

#### **Report**

#### **County Manager's**

#### **Report**



**Public Hearings**

- A) PB 21-02 Hutchinson Rezoning:** Request for a conventional rezoning of 11.27 acres from General Business (GB) and Agricultural (AG) to General Business (GB) and Mixed Residential (MXR). The property is located on Caratoke Highway in Grandy, Tax Map 94, Parcel 113A, Poplar Branch Township.
- B) PB 21-04 Flora Farm:** Conditionally rezone 202.44 acres from AG to C-MXR to allow subdivision with 277 single-family dwelling lots, 7,500 sf neighborhood commercial units, and associated amenities.
- C) PB 18-23 Fost, Amended PD-R #3:** Leif Street stub connection to the Flora Farm property on the northwestern property line.
- D) PB 21-01 Currituck County Multi-Family Townhouse Stormwater Text Amendment:** Request to amend the Unified Development Ordinance, Chapter 7, Section 7.3.4(B)2 to exempt Type I subdivision of multi-family townhouse developments from the stormwater retention requirements for a 24-hour storm with a 10 year recurrence interval.

**New Business**

- A) Recommendation of Award-Airport North Apron Rehabilitation Project**
- B) Board Appointments**
  - 1. Planning Board
- C) Consent Agenda**
  - 1. Budget Amendments
  - 2. Surplus Resolution-Water Tanks
  - 3. 2021 March for Meals Proclamation
  - 4. SOBWS Deep Raw Water Main Upgrade-Change Order #1
  - 5. Public Safety Center Utility Easement-Piedmont Gas
  - 6. Job Description Revision-Building Inspector I, II, & III
  - 7. Consideration of Memorandum of Agreement Between NC Department of Health and Human Services and Currituck County Regarding Access, Use and Disclosure of Confidential Data and Authorization for County Manager's Execution of Memorandum of Agreement
  - 8. Consideration of Special Order by Consent Between



Currituck County and NC Environmental Management  
Commission Regarding County Non-Discharge Permit No.  
WQ0035706 and Authorization for County Manager's  
Execution of Special Orderby Consent

9. Approval Of Minutes-Feb. 15, 2021

**Recess**

**Special Meeting-Tourism Development Authority**

TDA Budget Amendments

**Adjourn TDA and Reconvene Regular**

**Meeting**

**Closed Session**

Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney and preserve the attorney-client privilege; and G.S. 143-318.11(a)(6) to discuss personnel matters.

**Adjourn**

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

**PUBLIC COMMENT**

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

Chairman Payment opened the Public Comment period.

Betsy DeLisle of Corolla expressed concerns over the county's plan to discontinue curbside recycling in Corolla. She cited a recent conversation with provider, Bay Disposal, who reported recycled materials are being incinerated to make clean energy and not disposed of in landfills. She asked the Board of Commissioners to reconsider the decision and continue the recycling service. A petition containing signatures of community members who support continued recycling services was submitted for the record.

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

**COMMISSIONER'S REPORT**

Commissioner Mary Etheridge serves on the Senior Citizens Advisory Board and discussed the importance of the Meals on Wheels program for homebound seniors. She highlighted the

Communication: Minutes for March 1, 2021 (Approval Of Minutes-March 1, 2021)



annual March for Meals proclamation included on the agenda, announced the reopening of the Senior Center, and provided information on registering for activities.

Commissioner Jarvis also discussed the Meals on Wheels program and her involvement as a volunteer. She encouraged people to participate in the program and spoke of its importance to the seniors the program serves.

Commissioner White cautioned anyone wanting to open a businesses in Currituck County to make sure the location is properly zoned for the business they want to operate. He responded to emails he had received pertaining to stormwater issues in the County.

Chairman Payment also discussed stormwater and noted water levels are going down after recent heavy rains. He provided Covid-19 case statistics and noted improvements in case counts. He encouraged citizens to support local fire departments and asked the County Manager to reach out to the North Carolina Department of Transportation to see about repairs to Caratoke Highway in the southern end of the county.

Commissioner Beaumont discussed recent structure fires in the county, one with a fatality, and stressed the importance of having working smoke alarms in your home.

Commissioner McCord also encouraged people to volunteer for the Meals on Wheels program and reported on the Backpacks for Kids program. He acknowledged the positive trends in Covid-19 case numbers and reported on a successful second shot clinic held earlier in the day. He reported his attendance at a dinner to thank the National Guard who assisted with vaccine clinics in the county, and Commissioner McCord thanked the many local businesses for their donations and discounts on food for clinic workers. He announced upcoming vaccine clinics and encouraged people to check the county's website and social media posts for updates.

Commissioner J. Owen Etheridge recognized the dedication of the National Guard members who came to Currituck County and assisted with Covid-19 vaccine clinics. He encouraged citizens to volunteer for one of the many organizations and civic clubs in the county.

#### **COUNTY MANAGER'S REPORT**

Ben Stikeleather, County Manager, reported on available part-time positions to assist with vaccine clinics. He said citizens can contact the Covid-19 call center at 252-232-2115 for information on vaccine clinics in the county. He reported on the status of ongoing capital projects, including the Public Safety Center, Maritime Museum and Shingle Landing Park. He reported staff working from home will be required to report to work at county offices on March 22. Appointments would still be required for the public. He said a Department Head will be hosting Board of Commissioner meetings to assist and direct meeting attendees. He addressed Corolla recycling and said Bay Disposal reported a cost of \$16.67 monthly for property owners who wish to continue their recycling service. Following the earlier work session, Mr. Stikeleather explained the process for notifying property owners when the county is considering a service district.

#### **PUBLIC HEARINGS**



**A. PB 21-02 Hutchinson Rezoning:**

Laurie LoCicero, Planning and Community Development Director, said the applicant has asked for a deferral to the April 5, 2021 Commissioners meeting due to a scheduling conflict. Commissioner White moved to continue PB 21-02, Hutchinson Rezoning, to the April 5, 2021 Board of Commissioner meeting as requested by the applicant. Commissioner Beaumont seconded the motion. The motion carried, 7-0.

<b>RESULT:</b>	<b>CONTINUED [UNANIMOUS]</b>	<b>Next: 4/5/2021 6:00 PM</b>
<b>MOVER:</b>	Bob White, Commissioner	
<b>SECONDER:</b>	Paul M. Beaumont, Vice Chairman	
<b>AYES:</b>	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner	

**B. PB 21-04 Flora Farm:**

<b>Property Owner:</b> Mary Nell Flora Brumsey 117 Puddin Ridge Road Moyock NC 27958  John J. Flora III PO Box 369 Moyock NC 27958	<b>Applicant:</b> North-South Development Group LLC Justin Old 417 Caratoke Hwy Unit D Moyock NC 27958
<b>Case Number:</b> 21-04	<b>Application Type:</b> Conditional Rezoning
<b>Parcel Identification Numbers:</b> 0015-000-085A-0000 0015-000-085B-0000 0015-000-085C-0000	<b>Existing Use:</b> Single-Family Dwelling and Cultivated Farmland
<b>Land Use Plan Classification:</b> Full Service	<b>Parcel Size (Acres):</b> 202.44
<b>Moyock Small Area Plan Classification:</b> Full and Limited Service	<b>Zoning History:</b> AG (2013); A (1989); A-40 (1975)
<b>Current Zoning:</b> AG	<b>Proposed Zoning:</b> C-MXR
<b>Request:</b> Conditionally rezone 202.44 acres from AG to C-MXR to allow subdivision with 277 single-family dwelling lots, 7,500 sf neighborhood commercial units, and associated amenities.	

**NARRATIVE**

The developer is proposing a development with 277 single-family dwelling lots and limited neighborhood commercial development. Approximately 83 of the 202 acres are proposed to be open space. Residential amenities include a dog park, picnic area, pool, clubhouse, and sidewalks. Non-residential amenities include an outdoor dining area and a patio with benches. The developer will also be installing an 8' multi-use path along Caratoke Highway as is required by the Currituck Transportation Plan.

The three non-residential buildings will be required to meet all non-residential design standards and community compatibility standards of the UDO. Since the three buildings combined exceed 5,000 sf, if there are 4 or more tenant spaces combined within the three buildings, the shopping center design standards must be met.

	<b>APPROX MAX #</b>	<b>OPEN SPACE</b>	<b>GROSS DENSITY</b>	<b>NET DENSITY "FEELS LIKE"*</b>
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ZONING	UNITS	(%)	(Units/Acre)	(Units/Acre)
AG (EXISTING)	66	50	.33	.73
SFM	202	40	1	1.66
MXR** (Single-Family)	404	30	2	2.85
C-MXR Proposed (Single-Family)	277	40.9	1.37	2.58
<p>*Assumes 10% area for infrastructure.  **These numbers are assuming the Full Service designation in the <i>Land Use Plan</i> would supersede the split Full Service/Limited Service designation in the Moyock Small Area Plan as in an adjoining development.</p>				

#### UTILITIES AND DRAINAGE

The subdivision will connect to county water and be serviced by a private wastewater treatment plant (Currituck Water and Sewer Inc.). Staff recommends that an authorization from Currituck Water and Sewer Inc. to connect to wastewater be provided indicating gallons per day allowed for this development at the rezoning stage since the plant is operating under violation and connections may be limited.

There is an emphasis on downstream maintenance at this time. There are portions of Rowland Creek and the ditches on Guinea Road and Survey Road with brush and debris that need to be cleaned up. The conceptual plan provides limited drainage details.

On-site stormwater will be managed by construction a series of stormwater management ponds that will be interconnected and will retain and slow-release stormwater primarily to Rowland Creek both directly and indirectly. Stormwater shall be conveyed to on-site retention ponds through a combination of curbs with inlets, stormwater pipes and open, vegetated swales. With designated wetlands on the property, major drainage features traversing the site, high ground water table, low elevation, soils with slow permeability and the known drainage issues in the area, extra precaution must be made to ensure compliance with drainage regulations.

#### TRANSPORTATION

The internal transportation network includes a divided boulevard within an 80' minimum right-of-way, a typical local roadway with a 40' minimum right-of-way, 4 interconnections with Fost Planned Development, and 5' sidewalks along all streets. The external transportation network includes the main boulevard connection on the south side of Survey Road, a driveway connection on the north side of Survey Road, and an 8' multi-modal path along Caratoke Highway. The residential units and commercial area are expected to generate the below trips per day at full build-out in 2024.



ZONING	TRIPS PER DAY
AG (EXISTING)	632
SFM	1933
MXR** - Single-Family	3866
CMX-R Proposed	2651
<i>Potential commercial traffic not factored into this count</i>	<i>Proposed commercial traffic not factored into this count</i>
**These numbers are assuming the Full Service designation in the Land Use Plan would supersede the split Full Service/Limited Service designation in the Moyock Small Area Plan as in an adjoining development.	

The December 16, 2020 memo regarding the TIA was approved by NCDOT on February 9, 2021. Below are the updated Trip Generation Results based on that memo:



## Findings and Conclusions

As a result, the updated Flora Farms site is expected to generate fewer total trips than what was analyzed in April 2020. Table 3 shows the percent reduction in site trips for the calculated daily, AM peak hour, and PM peak hour external site trips. The lane use totals are expected to reduce the AM peak hour trips by approximately 24% and the PM peak hour site trips by approximately 51%.

From: Andrew Topp, PE, PTOE  
 Ref: Flora Farms Trip Generation Update  
 December 16, 2020  
 Page 4



## Memorandum

**Table 3: Trip Generation Differences**

Trip Type	ADT	AM Peak Hour			PM Peak Hour		
		Enter	Exit	Total	Enter	Exit	Total
Total External Site Trips							
April 2020 TIA	8,380	189	274	463	393	324	717
November 2020 Update	3,652	144	208	352	207	141	348
% Difference	-56.4%	-23.8%	-24.1%	-24.0%	-47.3%	-56.5%	-51.5%
Pass-By Trips							
April 2020 TIA	-	0	0	0	77	78	155
November 2020 Update	-	0	0	0	13	14	27
% Difference	-	-	-	-	-83.1%	-82.2%	-82.6%
Non-Pass-By Trips							
April 2020 TIA	-	189	274	463	316	246	562
November 2020 Update	-	144	208	352	194	127	321
% Difference	-	-23.8%	-24.1%	-24.0%	-38.6%	-48.4%	-42.9%

Therefore, the new site plan does not warrant an update to the Flora Farms Subdivision TIA. The trips projected in the TIA will account for all traffic that is now proposed for the site. The trip generation pages for each land use code from the *ITE Trip Generation Manual, 10<sup>th</sup> Edition* are attached at the end of this memorandum.

Below are excerpts from the original TIA:

### Caratoke Highway and Survey Road (unsignalized)

The Survey Road eastbound stop-controlled approach is expected to operate at a Level of Service (LOS) E during the PM peak hour under Build (2026) conditions if no additional improvements are made. After the build-out of the development, vehicles will be able to access full movement traffic signals at Survey Road to north of the development, and Fost Boulevard south. Therefore, the following improvements are recommended for the intersection:

- Provide a southbound right-turn lane with at least 100 feet of full storage and appropriate taper.
- Restrict access at the intersection to not allow left-turns off of Survey Road. This restriction of access should be completed when approximately 30% of the total estimated trips for the site are observed, likely in conjunction with the southbound right-turn lane installation.



- Stripe out at least 200 feet of storage within the existing two-way left-turn lane along Caratoke Highway for the northbound left turn.
- Monitor the intersection for potential signalization in the future.

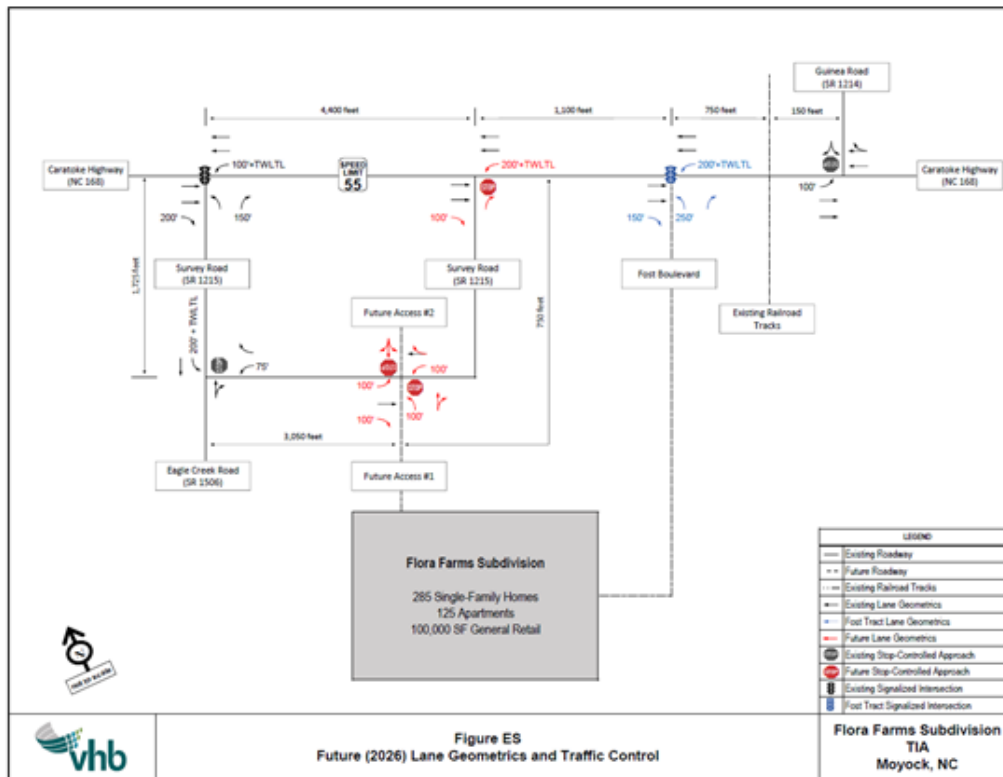
#### Survey Road and Future Access #1/Future Access #2

The proposed stop-controlled driveways are projected to operate at acceptable levels of service during peak hours under Build (2026) conditions. The following driveway configuration for both access driveways should be considered to enhance traffic operations and safety:

- Connect both driveways to Survey Road with stop-controlled approaches as a full movement four-leg intersection.
- Construct Future Access #1 with one ingress lane and two egress lanes. Provide northbound left-turn lane with a minimum of 100 feet of full storage and appropriate taper and a through/right-turn lane. Lydia Street intersects with Future Access #1 approximately 300 feet from Survey Road, which provides the proper internal protected stem to accommodate projected queues. Typically, NCDOT requires a 100 foot minimum internal protected stem for this type of facility.
- Construct Future Access # 2 with one ingress lane and one egress lane.
- Provide an eastbound left-turn lane and right-turn lane along Survey Road, both with a minimum of 100 feet of full storage and appropriate taper.
- Provide a westbound left turn lane along Survey Road with at least 100 feet of full storage and appropriate taper.

The other intersections within the study area are projected to remain at an acceptable LOS once the development is completed; therefore, no additional offsite lane geometric improvements are recommended.

The illustration below depicts the TIA's recommended improvements noted above including an additional stoplight on Caratoke Highway (Survey Road and Fost Boulevard):



The following table depicts the Summary Level of Service Table. NCDOT defines the relationship of travel demand compared to the roadway capacity as the level of service (LOS) of a roadway. Please also reference the attached NCDOT LOS Definitions. The last column of the table indicates LOS at



full build-out with road improvements. These counts do not consider the proposed school that is a part of this request; therefore, the LOS projections are not an accurate reflection all proposed uses in the PD-R request.

## TRAFFIC IMPACT ANALYSIS

Table ES-1 Summary Level of Service Table

Intersection and Approach	Traffic Control	Existing (2019)		No-Build (2026)		Build (2026)		Build (2026) with Improvements	
		AM	PM	AM	PM	AM	PM	AM	PM
<b>Caratoke Highway (NC 168) and Survey Road</b>	Signalized	<b>B (12.3)</b>	<b>A (7.8)</b>	<b>B (13.5)</b>	<b>B (12.2)</b>	<b>B (16.0)</b>	<b>B (18.1)</b>	<b>B (15.7)</b>	<b>B (18.0)</b>
Eastbound		D-44.8	D-46.3	D-43.7	D-50.0	D-41.5	E-61.2	D-41.5	E-61.2
Northbound		A-6.7	A-3.5	A-7.2	A-3.6	A-9.8	A-5.1	A-9.2	A-4.8
Southbound		A-5.9	A-5.8	B-11.2	B-12.2	B-12.0	B-16.2	B-12.0	B-16.2
<b>Caratoke Highway (NC 168) and Survey Road</b>	Unsignalized	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Eastbound		A-9.7	C-15.1	B-10.5	C-21.2	C-23.3	F-844.9	B-11.4	E-37.9
<b>Caratoke Highway (NC 168) and Guinea Road</b>	Unsignalized	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Westbound		C-15.0	C-15.5	C-20.6	C-21.2	C-22.6	C-23.7	C-22.6	C-23.7
<b>Survey Road and Eagle Creek Road</b>	Unsignalized	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Westbound		A-9.6	A-9.8	B-10.2	B-10.4	B-11.2	B-12.1	B-11.2	B-12.1
<b>Caratoke Highway (NC 168) and Fost Boulevard</b>	Signalized	<b>N/A</b>	<b>N/A</b>	<b>B (11.1)</b>	<b>B (11.3)</b>	<b>B (11.9)</b>	<b>B (11.3)</b>	<b>B (13.9)</b>	<b>B (14.1)</b>
Eastbound		N/A	N/A	C-30.5	D-38.2	C-30.1	D-41.1	C-30.2	D-43.7
Northbound		N/A	N/A	A-9.5	B-11.1	A-9.9	B-11.6	B-11.6	B-13.3
Southbound		N/A	N/A	A-4.6	A-8.0	A-7.2	A-7.2	A-9.4	A-9.9
<b>Survey Road and Future Access #1/Future Access #2</b>	Unsignalized	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>	<b>N/A</b>
Northbound		N/A	N/A	N/A	N/A	B-13.3	C-23.5	B-11.7	C-15.4
Southbound		N/A	N/A	N/A	N/A	B-12.4	C-17.7	B-11.7	C-16.2

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

## COMMUNITY MEETING

The developer held a community meeting on December 16, 2020. Six members of the public attended the meeting, all from Ranchland. Most of the questions were regarding drainage, berm placement, school capacity, home prices, phasing, and fire hydrants/fire ratings.

## SURROUNDING PARCELS

	LAND USE	ZONING
NORTH	LOW DENSITY RESIDENTIAL/ CULTIVATED FARMLAND	AG/GB
SOUTH	LOW DENSITY RESIDENTIAL/ CULTIVATED FARMLAND	SFM/AG
EAST	FOST PLANNED DEVELOPMENT	PD-R
WEST	RESIDENTIAL (EAGLE CREEK AND RANCHLAND)	SFM/AG

## ZONING MAP AMENDMENT REVIEW STANDARDS

The advisability of an amendment to the Official Zoning Map is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. In determining whether to adopt or deny a proposed map amendment, the Board of Commissioners may weigh the relevance of and consider whether and the extent to which the proposed amendment:

1. Is consistent with the goals, objectives, and policies of the Land Use Plan, other applicable county-adopted plans, and the purposes of this Ordinance;
2. Is in conflict with any provision of this Ordinance, or the County Code of Ordinances;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zoning district and uses for the land;



6. Adversely impacts nearby lands;
7. Would result in a logical and orderly development pattern;
8. Would result in significant adverse impacts on the natural environment— including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
9. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities);
10. Would not result in significantly adverse impacts on the land values in the surrounding area; and,
11. Would not conflict with the public interest, and is in harmony with the purposes and intent of this Ordinance.

**STAFF'S CONCERNS REGARDING PROJECT CONSIDERATION AT THIS TIME:**

- Inconsistent with the Land Use plan (see below).
- Inconsistent with the Moyock Small Area Plan (see below).
- Over density allowed in the Limited Service area in the Moyock Small Area Plan.
- Inadequate public facilities (schools – see email from County Manager).
- Soils in the project location are concerning. Roanoke fine sandy loam and Cape Fear Silt are found on the property. According to the Currituck County Soils survey, these soils are “poorly suited to most urban and recreation uses because of flooding, wetness, slow permeability and low strength.”
- Currituck Water and Sewer having capacity to handle this development’s wastewater since it is currently operating under violation and the provider noted upgrades that must be made to the current WWTP.

**LAND USE PLAN**

THE 2006 LAND USE PLAN CLASSIFIES THIS SITE AS FULL SERVICE WITHIN THE MOYOCK SUBAREA. THE POLICY EMPHASIS FOR THE MOYOCK SUBAREA IS TO PROPERLY MANAGE THE INCREASED URBAN LEVEL OF GROWTH THAT THIS AREA IS SURE TO EXPERIENCE OVER THE NEXT DECADE AND BEYOND. SECTION 2.4.4.E OF THE UDO STATES THAT THE BOC MAY CONSIDER CERTAIN FACTORS INCLUDING THAT THE PROPOSAL “IS CONSISTENT WITH THE GOALS, OBJECTIVES, AND POLICIES OF THE LAND USE PLAN, OTHER APPLICABLE COUNTY-ADOPTED PLANS, AND THE PURPOSE OF THE UDO.” WHILE THE PROPOSAL IS CONSISTENT WITH SOME POLICIES IN THE LAND USE PLAN (SEE ATTACHED LIST FROM DEVELOPER FOR MORE DETAIL), IT IS INCONSISTENT WITH OTHER POLICIES OF THE PLAN, SOME OF WHICH ARE:



POLICY SF4	<p>CURRITUCK COUNTY SHALL CONTINUE TO SUPPORT A SERVICE LEVEL POLICY FOR SCHOOLS THAT CALLS FOR THE CONSTRUCTION AND MAINTENANCE OF CLASSROOM SPACE SUFFICIENT TO AVOID THE USE OF MOBILE CLASSROOM UNITS.</p> <p><u>COMMENTS:</u></p> <ul style="list-style-type: none"> <li>• APPROXIMATELY 171 DWELLING UNITS ARE PROPOSED IN THE MOYOCK ELEMENTARY SCHOOL DISTRICT WHERE NO SCHOOL CAPACITY CURRENTLY EXISTS.</li> <li>• FOR REZONINGS, ONE OF THE FACTORS THE BOARD OF COMMISSIONERS <b>MAY</b> WEIGH IN DETERMINING WHETHER TO ADOPT OR DENY A PROPOSAL IS WHETHER THE APPROVAL RESULTS IN DEVELOPMENT THAT <b>IS</b> ADEQUATELY SERVED BY PUBLIC FACILITIES. WITH A REZONING, THERE IS NOT THE ALLOWANCE FOR ADEQUATE PUBLIC FACILITIES TO BE PROGRAMMED TO BE IN PLACE WITHIN TWO YEARS. <b>APPROVING THE REZONING WITHOUT ADEQUATE PUBLIC FACILITIES CURRENTLY IN PLACE WOULD BE INCONSISTENT WITH THE INTENT OF THE UDO.</b> THIS IS A CONDITIONAL REZONING, AND CONDITIONS CAN BE PLACED ON THE PROJECT TO MINIMIZE IMPACT BASED ON THE SCHOOL EXPANSION UPDATE FROM THE COUNTY MANAGER (SEE BELOW). THIS MAY INCLUDE MODIFICATION OF THE PROPOSED PHASING PLAN, DELAYING THE SUBMITTAL FOR A PRELIMINARY PLAT USE PERMIT UNTIL TWO YEARS BEFORE FACILITIES ARE PROGRAMMED TO BE IN PLACE, OR OTHER TIMING CONDITIONS.</li> </ul> <p><b><i>*According to a January 15, 2021 email, the County Manager “expects to give the notice to proceed with the school expansion project by June 1<sup>st</sup>. The expansion should increase the capacity of Moyock Elementary School to 750 students. The project should be completed by the start of the 2023-2024 school session. Because of the expansion project this summer, we will have a solution to our adequate public facility issue regarding Moyock Elementary within two years (from June 1<sup>st</sup> – staff addition).”</i></b></p>
POLICY PP2	<p>CURRITUCK COUNTY SHALL CONTINUE TO IMPLEMENT A POLICY OF ADEQUATE PUBLIC FACILITIES, SUFFICIENT TO SUPPORT ASSOCIATED GROWTH AND DEVELOPMENT. SUCH FACILITIES MAY INCLUDE BUT NOT LIMITED TO WATER SUPPLY, SCHOOL CAPACITY, PARK AND OPEN SPACE NEEDS, FIREFIGHTING CAPABILITY, AND LAW ENFORCEMENT.</p> <p><u>COMMENTS:</u></p> <ul style="list-style-type: none"> <li>• APPROXIMATELY 171 DWELLING UNITS ARE PROPOSED IN THE MOYOCK ELEMENTARY SCHOOL DISTRICT WHERE NO SCHOOL CAPACITY CURRENTLY EXISTS.</li> <li>• FOR REZONINGS, ONE OF THE FACTORS THE BOARD OF COMMISSIONERS <b>MAY</b> WEIGH IN DETERMINING WHETHER TO ADOPT OR DENY A PROPOSAL IS WHETHER THE APPROVAL RESULTS IN DEVELOPMENT THAT <b>IS</b> ADEQUATELY SERVED BY PUBLIC FACILITIES. WITH A REZONING, THERE IS NOT THE ALLOWANCE FOR ADEQUATE PUBLIC FACILITIES TO BE PROGRAMMED TO BE IN PLACE WITHIN TWO YEARS. <b>APPROVING THE REZONING WITHOUT ADEQUATE PUBLIC FACILITIES CURRENTLY IN PLACE WOULD BE INCONSISTENT WITH THE INTENT OF THE UDO.</b> THIS IS A CONDITIONAL REZONING, AND CONDITIONS CAN BE PLACED ON THE PROJECT TO MINIMIZE IMPACT BASED ON THE SCHOOL EXPANSION UPDATE FROM THE COUNTY MANAGER (SEE BELOW). THIS MAY INCLUDE MODIFICATION OF THE PROPOSED PHASING PLAN, DELAYING THE SUBMITTAL FOR A PRELIMINARY PLAT USE PERMIT UNTIL TWO YEARS BEFORE FACILITIES ARE PROGRAMMED TO BE IN PLACE, OR OTHER TIMING CONDITIONS.</li> </ul> <p><b><i>*ACCORDING TO A JANUARY 15, 2021 EMAIL, THE COUNTY MANAGER “EXPECTS TO GIVE THE NOTICE TO PROCEED WITH THE SCHOOL EXPANSION PROJECT BY JUNE 1<sup>ST</sup>. THE EXPANSION SHOULD INCREASE THE CAPACITY OF MOYOCK ELEMENTARY SCHOOL TO 750 STUDENTS. THE PROJECT SHOULD BE COMPLETED BY THE START OF THE 2023-2024 SCHOOL SESSION. BECAUSE OF THE EXPANSION PROJECT THIS SUMMER, WE WILL HAVE A SOLUTION TO OUR ADEQUATE PUBLIC FACILITY ISSUE REGARDING MOYOCK ELEMENTARY WITHIN TWO YEARS (FROM JUNE 1<sup>ST</sup> – STAFF ADDITION).”</i></b></p>



**MOYOCK SMALL AREA PLAN**

THE MOYOCK SMALL AREA PLAN CLASSIFIES THIS SITE AS FULL SERVICE AND LIMITED SERVICE. THE POLICY EMPHASIS FOR FULL SERVICE IN MOYOCK IS TO PROVIDE FOCAL POINTS IN THE COMMUNITY WHERE HIGH AMOUNTS OF ACTIVITY OCCUR. BOTH RESIDENTIAL AND COMMERCIAL COMPONENTS WILL BE PRESENT IN FULL SERVICE AREAS. CLUSTER OR PLANNED COMMERCIAL AND RESIDENTIAL AREAS WITH DIVERSITY IN HOUSING TYPES IS PREFERRED. THE POLICY EMPHASIS FOR LIMITED SERVICE DESIGNATIONS ARE LESS INTENSELY DEVELOPED THAN FULL SERVICE. EMPHASIS IS MORE ON RESIDENTIAL DEVELOPMENT AND DENSITIES. LIMITED SERVICE DESIGNATION HAS REDUCED PUBLIC SERVICES SUCH AS FIRE PROTECTION, EMERGENCY SERVICE, RECREATION, AND PUBLIC WATER. WHILE THE PROPOSAL IS CONSISTENT WITH SOME POLICIES IN THE MOYOCK SMALL AREA PLAN (SEE ATTACHED LIST FROM DEVELOPER FOR MORE DETAIL), IT IS INCONSISTENT WITH OTHER POLICIES OF THE PLAN, SOME OF WHICH ARE:

POLICY CC1	<p>ENCOURAGE AND FOSTER DEVELOPMENT THAT IS COMPATIBLE WITH RURAL ATMOSPHERE, TRANSITIONAL AREAS, AND A SMALL TOWN, MAIN STREET FEEL CONSISTENT WITH THE VISION, POLICIES, AND FUTURE LAND USE MAP OF THIS PLAN.</p> <p><u>COMMENTS:</u></p> <ul style="list-style-type: none"> <li>• ACCORDING TO THE LIMITED SERVICE DESIGNATION ON THE FUTURE LAND USE MAP, 129 LOTS ARE ALLOWED IN THE LIMITED SERVICE DESIGNATION. 175 LOTS ARE PROPOSED.</li> </ul>
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The Moyock Small Area Plan, adopted by the BOC in 2013, was championed by a 15 member Stakeholder Committee. Through the year and half long process, the stakeholder committee and citizens were guided through a public input process giving them opportunities to provide input. The Small Area Plan promotes thoughtful, responsible growth. This plan will supplement the Land Use Plan *to more specifically address the needs and issues of Moyock*. The plan established a new focus for growth and development in Moyock. The Board of Commissioners and staff use the SAP to make recommendations about development proposals and other county land use policy decisions. This plan is a vital tool for staff in day to day decision making and in assisting the public with development proposals.

While it is good Planning practice to place more importance on an adopted plan specific to a small area, as with Fost the Board of Commissioners may wish to place less emphasis the Moyock Small Area Plan and rely solely on the more general Land Use Plan that is applicable county-wide.

**Technical Review Committee**

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

1. There is not adequate school capacity for this development currently. Moyock Elementary exceeds Actual Capacity for this school year. Without adequate school capacity, this project is recommended for denial. Phasing a project to allow a limited number of lots (school children) per year does not meet the adequate public facilities ordinance of the UDO since school capacity is not currently available. The process for expanding MES for additional classroom space has started. The Board of Commissioners and the Board of Education have made a Request for Proposals for a consultant for a design/build contract for the expansion construction. Approving the plan without the school capacity in place would result in development that is not adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities) at present time and would not meet the criteria the Board may consider at a rezoning. *Please see above note from County Manager.*



ADEQUATE PUBLIC FACILITIES – SCHOOLS <sup>1</sup>				
School	2019-2020 2020-2021 Actual Capacity <sup>2</sup>	2021-2022 Actual Capacity <sup>3</sup>	Committed Capacity <sup>3</sup>	Proposed Capacity Changes
				Number of Students
Moyock Elementary	109%	115%	126%	+69
Shawboro Elementary	94%	97%		
Central Elementary	80%	89%		
Griggs Elementary	56%	59%	101%	
Jarvisburg Elementary	82%	88%		
Knotts Island Elementary	35%	36%	36%	
Moyock Middle	95%	79%	93%	+22
Currituck Middle	61%			
Currituck High	84%	86%	106%	+38
JP Knapp Early College	93%			

<sup>1</sup>Does not include minor subdivisions, exempt subdivisions, and subdivisions approved prior to the adoption of the adequate public facilities ordinance (October 1994)

<sup>2</sup>Capacity percentages are based on 2019-2020 and 2020-2021 school year classroom standards and August 2020 ADM

<sup>3</sup>Capacity percentages are based on the 2021-2022 school year classroom standards and August 2020 ADM

- According to the Moyock Small Area Plan, 129 lots are allowed in the Limited Service district and 175 are proposed. The density limits for each district must be met separately.

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

This conditional zoning request is not consistent with 2006 Land Use Plan because:

- The proposed use identified in the request is a residential subdivision;
- The request is located in the Moyock Elementary School district;
- The Moyock Elementary School average daily membership (ADM) for August 2020 exceeds the actual school capacity adopted by the Currituck County Board of Education;
- The request increases the number of projected students in the Moyock Elementary School district by approximately 43 students based on the Student Generation Rate study prepared by Tischler and Associates, Inc. (2004);
- The request will exceed the county's ability to provide adequate public facilities and is inconsistent with 2006 LUP Policy PP2.
- The proposal exceeds the number of lots allowed by the Moyock Small Area Plan in the Limited Service area.
- No assurance that adequate wastewater treatment can be provided by the current private WWTP

It is not reasonable and not in the public interest because the proposed development can not be adequately served by public facilities (schools) and is not in harmony with the purposes and intent of the UDO, including but not limited to the purpose and intent of the subdivision standards (Section 6.1.1.).

#### CONDITIONS OF APPROVAL



ONLY CONDITIONS MUTUALLY AGREED TO BY THE OWNER(S) MAY BE APPROVED AS PART OF A CONDITIONAL ZONING DISTRICT. CONDITIONS SHALL BE LIMITED TO THOSE THAT ADDRESS CONFORMANCE OF DEVELOPMENT AND USE OF THE SITE WITH COUNTY REGULATIONS AND ADOPTED PLANS AND THAT ADDRESS THE IMPACTS REASONABLY EXPECTED TO BE GENERATED BY THE DEVELOPMENT OR USE. NO CONDITION SHALL BE LESS RESTRICTIVE THAN THE STANDARDS OF THE PARALLEL GENERAL USE ZONING DISTRICT.

THE APPLICANT IS REQUESTING THE BOARD OF COMMISSIONERS AGREE TO THE FOLLOWING CONDITIONS OF APPROVAL:

Condition 1 regarding drainage improvements:

Drainage improvements will be provided as follows:

- a. Extend the Rowland Creek drainage improvements to the Eagle Creek Pumpstation, with agreement from Eagle Creek.
- b. Make improvement to the drainage ditch that runs along the common boundary between the Fost/Brumsey property and Eagle Creek/Ranchland based on results of the stormwater modeling of existing conditions.
- c. Perform stormwater modeling of the proposed Flora Farm development to manage the 100 year storm event and provide stormwater storage, including berms as necessary.

Condition 2 regarding phasing:

- a. Development will be recorded in 5 phases. Developer will not record the first phase before June 1, 2022.
- b. The first phase will not contain more than 55 lots.
- c. Subsequent phases will not be recorded sooner than 6 months following the prior phase, and in any event, no sooner than January 1, 2023.
- d. Developer will retain the right to provide an annual update of phasing, including making adjustments to phase lines and the sequence of recording, as long as the timing of total lots recorded in the above conditions is followed.

WHILE THE TECHNICAL REVIEW COMMITTEE IS RECOMMENDING DENIAL OF THIS REQUEST, SHOULD THE BOARD OF COMMISSIONERS APPROVE THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL ARE RECOMMENDED:

- a. That the application for preliminary plat/use permit for the subdivision not be submitted until the Notice to Proceed with the school expansion project is fully executed. (Estimated June 1, 2021 – See below note from County Manager)
- b. That the conditions of approval proposed by the applicant be incorporated into the approval.
- c. That the model home sample elevations be incorporated into the approval.
- d. That certification be provided that the private WWTP proposed to service this development can accommodate the gpd of wastewater this development proposes to generate.

**Planning Board**

The Planning Board recommends approval of the conditional rezoning subject to the following conditions:

Condition 1 regarding drainage improvements:

Drainage improvements will be provided as follows:

- a. Extend the Rowland Creek drainage improvements to the Eagle Creek Pumpstation, with agreement from Eagle Creek.
- b. Make improvement to the drainage ditch that runs along the common boundary between the Fost/Brumsey property and Eagle Creek/Ranchland based on results of the stormwater modeling of existing conditions.
- c. Perform stormwater modeling of the proposed Flora Farm development to manage the 100 year storm event and provide stormwater storage, including berms as necessary.



**Condition 2 regarding phasing:**

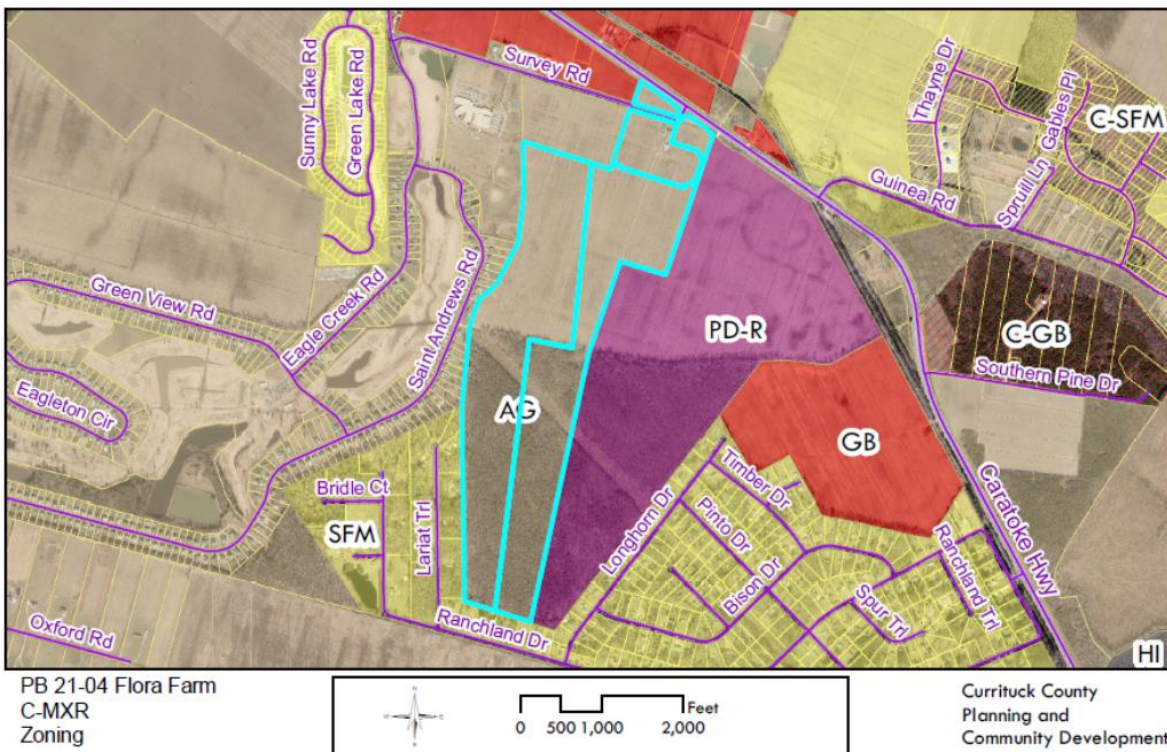
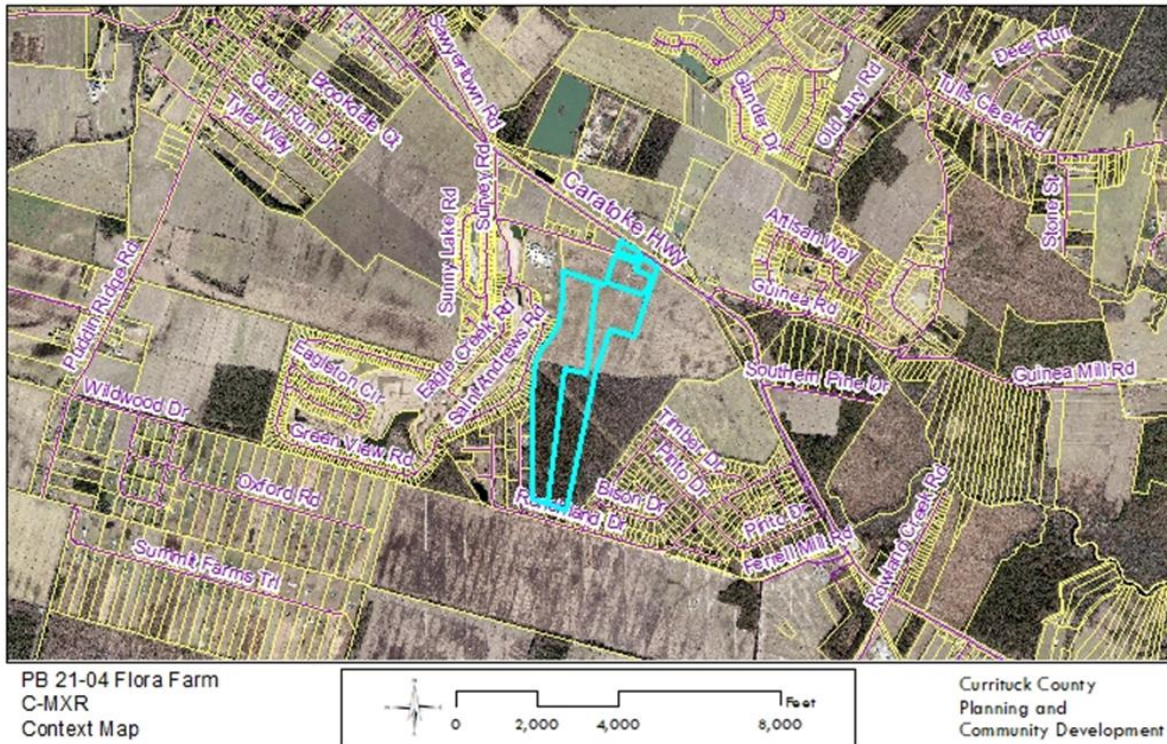
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  - b. The first phase will not contain more than 55 lots.
  - c. Subsequent phases will not be recorded sooner than 6 months following the prior phase, and in any event, no sooner than January 1, 2023.
  - d. Developer will retain the right to provide an annual update of phasing, including making adjustments to phase lines and the sequence of recording, as long as the timing of total lots recorded in the above conditions is followed.
- 
- a. That the application for preliminary plat/use permit for the subdivision not be submitted until the Notice to Proceed with the school expansion project is fully executed. (Estimated June 1, 2021 - See below note from County Manager)
  - b. That the conditions of approval proposed by the applicant be incorporated into the approval.
  - c. That the model home sample elevations be incorporated into the approval.
  - d. That certification be provided that the private WWTP proposed to service this development can accommodate the gpd of wastewater this development proposes to generate.

Also, the additional TRC conditions of approval are included as follows:

- a. That the application for preliminary plat/use permit for the subdivision not be submitted until the Notice to Proceed with the school expansion project is fully executed. (Estimated June 1, 2021 - See below note from County Manager)
- b. That the conditions of approval proposed by the applicant be incorporated into the approval.
- c. That the model home sample elevations be incorporated into the approval.
- d. That certification be provided that the private WWTP proposed to service this development can accommodate the gpd of wastewater this development proposes to generate.

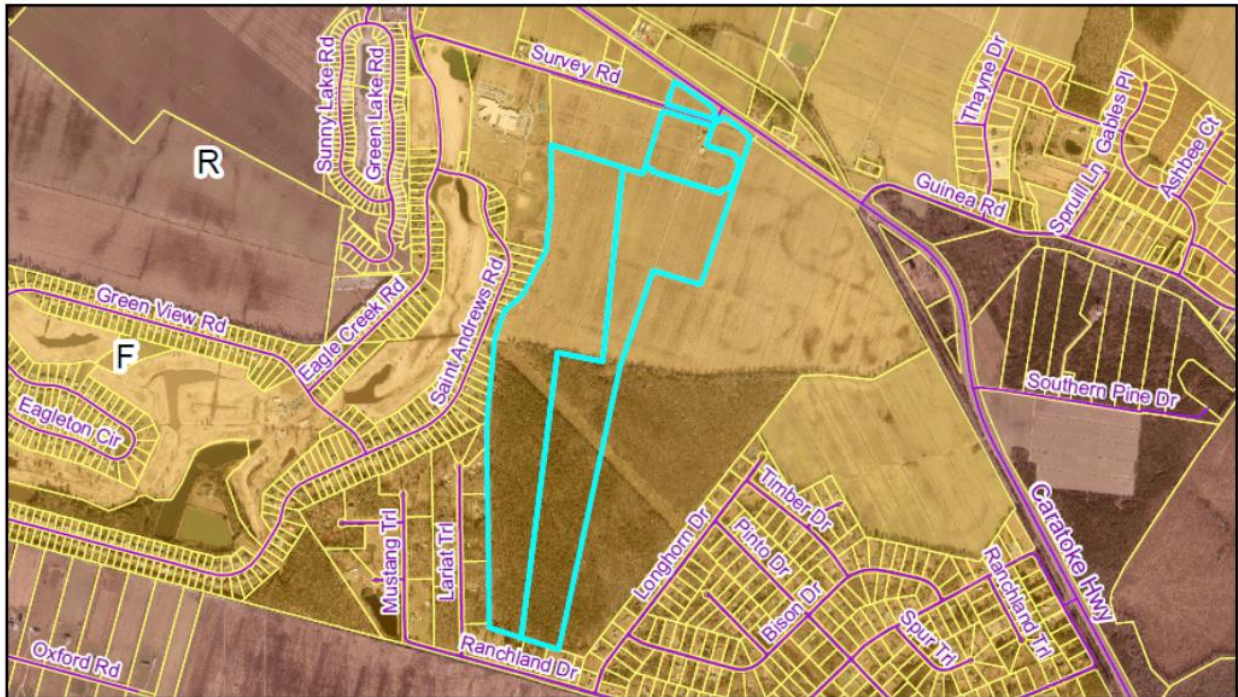
<p>THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE          Board of Commissioners: <a href="http://www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm">www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm</a></p>
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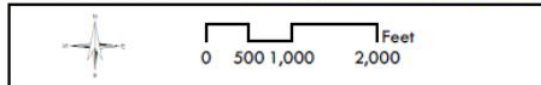


Communication: Minutes for March 1, 2021 (Approval Of Minutes-March 1, 2021)

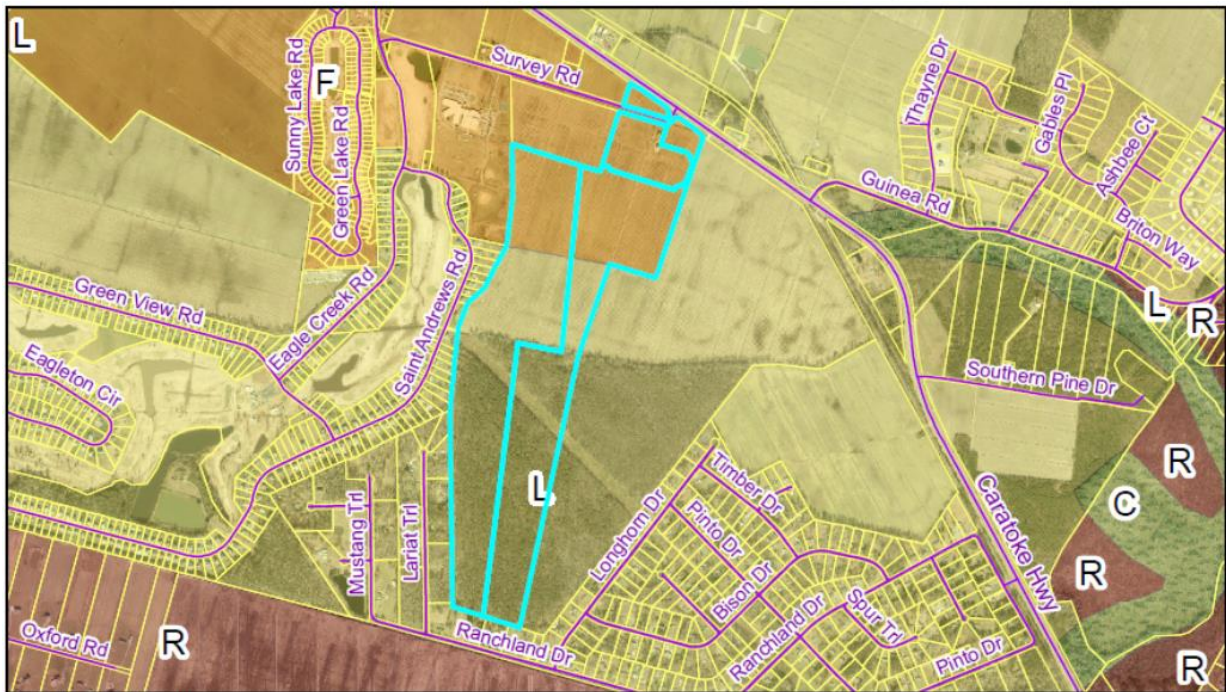




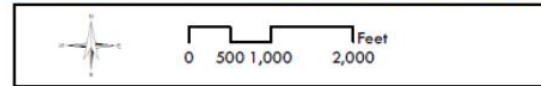
PB 21-04 Flora Farm  
C-MXR  
LUP Classification



Currituck County  
Planning and  
Community Development



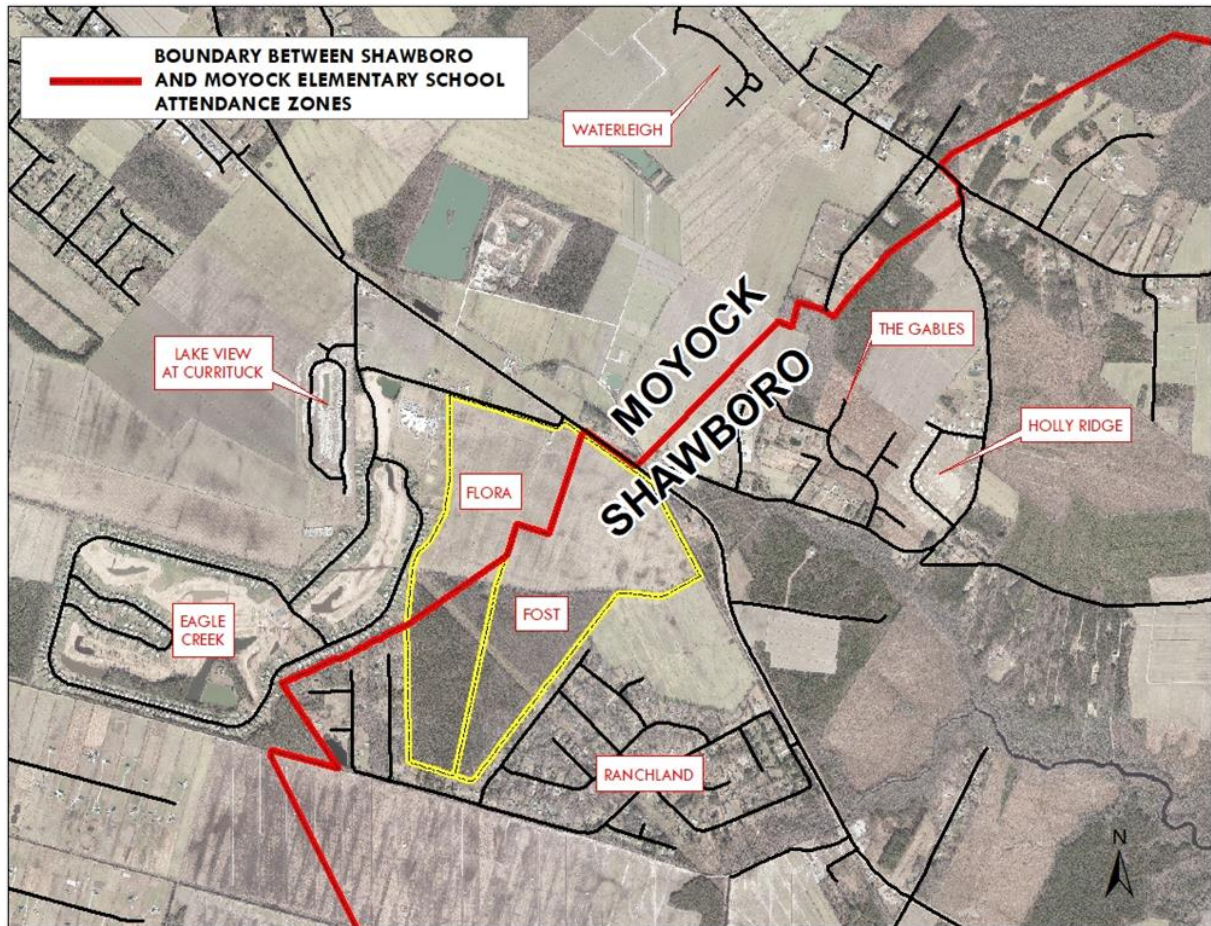
PB 21-04 Flora Farm  
C-MXR  
Moyock SAP Classification



Currituck County  
Planning and  
Community Development

Communication: Minutes for March 1, 2021 (Approval Of Minutes-March 1, 2021)





Laurie LoCicero, Planning and Community Development Director, reviewed the rezoning application with Commissioners. A powerpoint was used to display location maps and zoning for the subject property and surrounding parcels. The subdivision plat was displayed during a review of the traffic analysis. Applicant recommended conditions of approval related to stormwater and phasing were presented. Ms. LoCicero reviewed Land Use Plan (LUP) and Moyock Small Area Plan (MSAP) policies and presented concerns that included the lack adequate public facilities pertaining to student generation. She said the Technical Review Committee (TRC) recommends denial of the request as inconsistent with LUP policies but conditions were recommended by the TRC if the request is approved. Planning Board recommended approval of the project with conditions proposed by both the applicant and the TRC.

Mr. Stikeleather reviewed the Moyock school expansion timeline for construction. Dr. Mark Lutz, School Superintendent, was asked to address the Board to present information on the percentage of elementary students currently studying online.

Ms. LoCicero responded to questions from Commissioners related to adequate public facilities, student generation, and committed capacity of approved lots. The purpose of the Adequate Public Facilities requirement was discussed by Commissioners. Ms. LoCicero clarified concerns with the wastewater utility being able to provide service to the development. Traffic and trips per day were reviewed.



Mark Bissell, Engineer, presented on behalf of the applicant. He used the overhead and provided an overview of the plan, displayed the design plat and summarized changes from the original plan, and addressed staff concerns. Zoning conditions to address stormwater and construction phasing were reviewed. Policies in the Land Use Plan and Moyock Small Area Plan supporting the request were presented and Mr. Bissell responded to concerns expressed during staff presentation related to adequate public facilities, traffic, soils, and wastewater. Mr. Bissell was asked to review significant stormwater improvements related to the adjoining Fost Tract subdivision currently under construction.

Attorney for the applicant, Jamie Schwedler, reviewed Consistency Statements supporting approval of the request. She relayed policies consistent with the county's Unified Development Ordinance, LUP and MSAP related to density, drainage, utilities, transportation and addressed concerns with adequate public facilities and student generation by phased construction. She said the two-year window for adequate public facilities is required when the Use Permit is requested, note at rezoning and said no students would be generated until 2023.

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

Commissioner Mary Etheridge discussed the need to control growth in Moyock. She said she does not support the rezoning request. Commissioner Jarvis expressed her concerns over the increased trips and traffic that would be generated in the area with approval.

Commissioner McCord moved to approve PB 21-04: Flora Farm because the request is consistent with the Land Use Plan because:

Policy HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl. Compact, mixed use developments or developments near a mixture of uses that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map.

Policy CD1: Neighborhood serving commercial districts should be encouraged to locate where a collector or secondary street intersects with a street of equal or greater size. Appropriately designed, small-scale businesses may also be near other neighborhood serving facilities such as schools and parks.

And, the request is reasonable and in the public interest because the increase in the number of residential roof tops may bring additional commercial development to the Moyock area.

The applicant is requesting the Board of Commissioners agree to the following conditions of approval.

Condition 1 regarding drainage improvements. Drainage improvements will be provided as follows:

- a. Extend the Rowland Creek drainage improvements to the Eagle Creek Pumpstation, with agreement from Eagle Creek.
- b. Make improvement to the drainage ditch that runs along the common boundary



- between the Fost/Brumsey property and Eagle Creek/Ranchland based on results of the stormwater modeling of existing conditions.
- c. Perform stormwater modeling of the proposed Flora Farm development to manage the 100-year storm event and provide stormwater storage, including berms as necessary.

Condition 2 regarding phasing:

- a. Development will be recorded in 5 phases. Developer will not record the first phase before June 1, 2022.
- b. The first phase will not contain more than 55 lots.
- c. Subsequent phases will not be recorded sooner than 6 months following the prior phase, and in any event, no sooner than January 1, 2023.
- d. Developer will retain the right to provide an annual update of phasing, including making adjustments to phase lines and the sequence of recording, as long as the timing of total lots recorded in the above conditions is followed.

Technical Review Committee condition that certification be provided that the private Wastewater Treatment Plant proposed to service this development can accommodate the gallons per day of wastewater this development proposes to generate.

Commissioner J. Owen Etheridge seconded the motion. The motion passed on a member vote of 5 in favor, 2 opposed.

Chairman Payment called for a brief recess at 8:00 PM. The meeting reconvened at 8:10 PM.

<b>RESULT:</b>	<b>MOTION PASSED-ITEM APPROVED [5 TO 2]</b>
<b>MOVER:</b>	Kevin E. McCord, Commissioner
<b>SECONDER:</b>	J. Owen Etheridge, Commissioner
<b>AYES:</b>	Michael H. Payment, Chairman, Paul M. Beaumont, Vice Chairman, J. Owen Etheridge, Commissioner, Kevin E. McCord, Commissioner, Bob White, Commissioner
<b>NAYS:</b>	Mary "Kitty" Etheridge, Commissioner, Selina S. Jarvis, Commissioner

### C. PB 18-23 Fost, Amended PD-R #3:

APPLICATION SUMMARY	
<b>Property Owner:</b> Moyock Development LLC 417 Caratoke Hwy Unit D Moyock NC 27958	<b>Applicant:</b> Moyock Development LLC 417 Caratoke Hwy Unit D Moyock NC 27958
<b>Case Number:</b> PB 18-23	<b>Application Type:</b> Amended Planned Development – Residential #3
<b>Parcel Identification Number:</b> 0015-000-0086-0000	<b>Existing Use:</b> Planned Development – Residential under construction
<b>Land Use Plan Classification:</b> Full Service	<b>Parcel Size (Acres):</b> 228.83
<b>Moyock Small Area Plan Classification:</b> Limited Service	<b>Zoning History:</b> 1989 (A), 1974 (A-40), 1970 and 1971 (RA-20), 2019 (PD-R)
<b>Current Zoning:</b> PD-R	<b>Proposed Zoning:</b> Amended PD-R #3
<b>Request:</b> Leif Street stub connection to the Flora property on the northwestern property line.	



**NARRATIVE**

The Board of Commissioners originally approved the Planned Development – Residential on May 6, 2019, and then approved amended plan #1 on November 4, 2019 and amended Plan #2 on December 7, 2020 (attached). This requested amendment #3 is to allow a street stub connection to the Flora property (Leif Street).

**COMMUNITY MEETING**

A community meeting was held on December 16, 2020 at the Eagle Creek Pavilion. No members of the community attended the meeting.

**SURROUNDING PARCELS**

	LAND USE	ZONING
NORTH	SINGLE-FAMILY DWELLINGS, RETAIL	AG, GB, SFM
SOUTH	SINGLE-FAMILY DWELLINGS, CULTIVATED FARMLAND	AG, SFM
EAST	SINGLE-FAMILY DWELLINGS, CULTIVATED FARMLAND	GB, SFM
WEST	SINGLE-FAMILY DWELLINGS, CULTIVATED FARMLAND	AG

**LAND USE PLAN**

**THE 2006 LAND USE PLAN CLASSIFIES THIS SITE AS FULL SERVICE WITHIN THE MOYOCK SUBAREA. THE POLICY EMPHASIS FOR THE MOYOCK SUBAREA IS ON PROPERLY MANAGING THE INCREASED URBAN LEVEL OF GROWTH THAT THIS AREA IS SURE TO EXPERIENCE OVER THE NEXT DECADE AND BEYOND. WHERE CENTRAL SEWER IS PROPOSED, ADDITIONAL SERVICES ARE AVAILABLE, AND THE CHARACTER OF THE SURROUNDING AREAS SUPPORTS IT, HIGHER DENSITY RANGING FROM 3-4 UNITS PER ACRE COULD BE CONSIDERED. THE BOARD OF COMMISSIONERS FOUND THE PROPOSED PLAN CONSISTENT WITH THE FOLLOWING POLICY IN THE PLAN;**

POLICY HN1	Currituck County shall encourage development to occur at densities appropriate for the location. (Summary)
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**MOYOCK SMALL AREA PLAN**

**IN 2013, THE BOARD OF COMMISSIONERS RECOGNIZED THE UNIQUENESS OF MOYOCK AND THE CONCERNS OF THE AREA'S CITIZENS, SO THEY COMMISSIONED THE MOYOCK SMALL AREA PLAN (MSAP) TO COMPREHENSIVELY REVIEW GROWTH AND DEVELOPMENT. THE MSAP EXAMINES ISSUES, CONCERNS, AND EXPECTATIONS OF THE MOYOCK COMMUNITY AND ESTABLISHES PUBLIC POLICY THAT WORKS TO ACCOMPLISH THE PUBLIC'S VISION. THE MSAP INCLUDES POLICIES THAT WILL ADDRESS GROWTH MANAGEMENT, SENSE OF PLACE AND QUALITY OF LIFE, AND ECONOMIC DEVELOPMENT SPECIFIC TO MOYOCK. THE MSAP PLAN CLASSIFIES THIS SITE AS LIMITED SERVICE. THE POLICY EMPHASIS FOR LIMITED SERVICE IS FOR THE LAND TO BE LESS INTENSELY DEVELOPED THAN FULL SERVICE AREAS. LIMITED SERVICE DESIGNATIONS PROVIDE FOR LIMITED AVAILABILITY TO INFRASTRUCTURE AND SERVICES AND LOW TO MODERATE RESIDENTIAL DENSITIES. RESIDENTIAL DENSITIES IN THIS DESIGNATION RANGE BETWEEN 1 – 1.5 UNITS PER ACRE. THE BOARD OF COMMISSIONERS FOUND THE PROPOSED PLAN CONSISTENT WITH POLICIES IN THE PLAN, INCLUDING:**

POLICY FLU1	PROMOTE COMPATIBILITY BETWEEN NEW DEVELOPMENT AND EXISTING DEVELOPMENT TO AVOID ADVERSE IMPACTS TO THE EXISTING COMMUNITY. (SUMMARY)
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**County Engineer Comments**

**The drainage and utility requirements in the June 24, 2019 approved Order (attached) remain unchanged.**

**Technical Review Committee**

**The Technical Review Committee recommends approval of the Amended Planned Development – Residential rezoning with the following conditions/revisions:**

- Would prefer to see some commercial development as part of the Fost tract along Caratoke Hwy and be included as part of Phase 2 & 3 as opposed to proposing all commercial development in Phase 7. (Economic Development)
- Any impacts to jurisdictional waters or wetlands of the United States require prior approval from the US Army Corps of Engineers. (US Army Corps of Engineers)
- Drainage and utility requirements in the June 24, 2019 approved order remain unchanged. (Attached)

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

The Board of Commissioners determined that this PD-R zoning request is consistent with the 2006 Land Use Plan and the Moyock Small Area Plan because:

- It is consistent with all the review standards provided under the Unified Development Ordinance (UDO) Section 2.4.3.C.
- The conditions placed on the development will improve drainage problems on the property and within nearby Ranchland and Eagle Creek Subdivisions if improvements can be made to drainage system on off-site properties; and,
- It is compatible with existing Moyock Township Subdivision.

It is reasonable and in the public interest because it is required by changed conditions acknowledged by the Land Use Plan and addresses a demonstrated community need providing a full service area that offers mixed use development with both residential and commercial components.

**Planning Board**

**The Planning Board recommends approval of the conditional rezoning subject to the following conditions:**

1. Any impacts to jurisdictional waters or wetlands of the United States require prior approval from the US Army Corps of Engineers. (US Army Corps of Engineers)
2. Drainage and utility requirements in the June 24, 2019 approved order remain unchanged. (Attached)

**Motion**

Mr. Doll motioned to approve PB 18-23 Fost Planned Development, Amended, because:

1. It is consistent with all the review standards provided under the Unified Development Ordinance (UDO) Section 2.4.3.C. (BOC 6/24/19)



2. The conditions placed on the development will improve drainage problems on the property within nearby Ranchland and Eagle Creek subdivisions if improvements are made to the drainage system on off-site properties. (BOC 6/24/19)

3. It is compatible with existing Moyock Township subdivisions. (BOC 6/24/19)

Conditions of Approval:

1. Any impacts to jurisdictional waters or wetlands of the United States require prior approval from the US Army Corps of Engineers. (US Army Corps of Engineers)

2. Drainage and utility requirements in the June 24, 2019 approved order remain unchanged. (Attached)

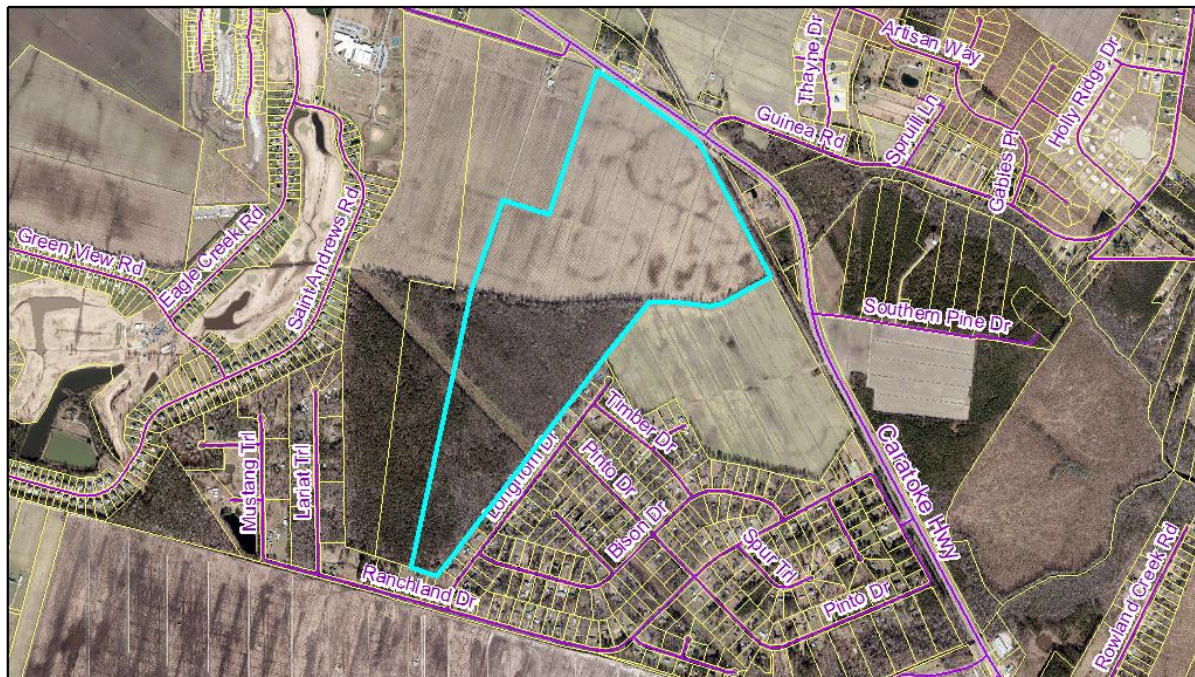
And the request is reasonable and in the public interest because:

It is required by changed conditions acknowledged by the Land Use Plan and addresses a demonstrated community need providing a full service area that offers mixed use development with both residential and commercial components. (BOC 6/24/19)

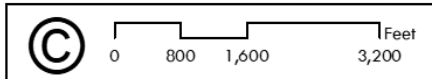
Mr. Owens seconded the motion to approve and the motion carried unanimously 5-0.

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)

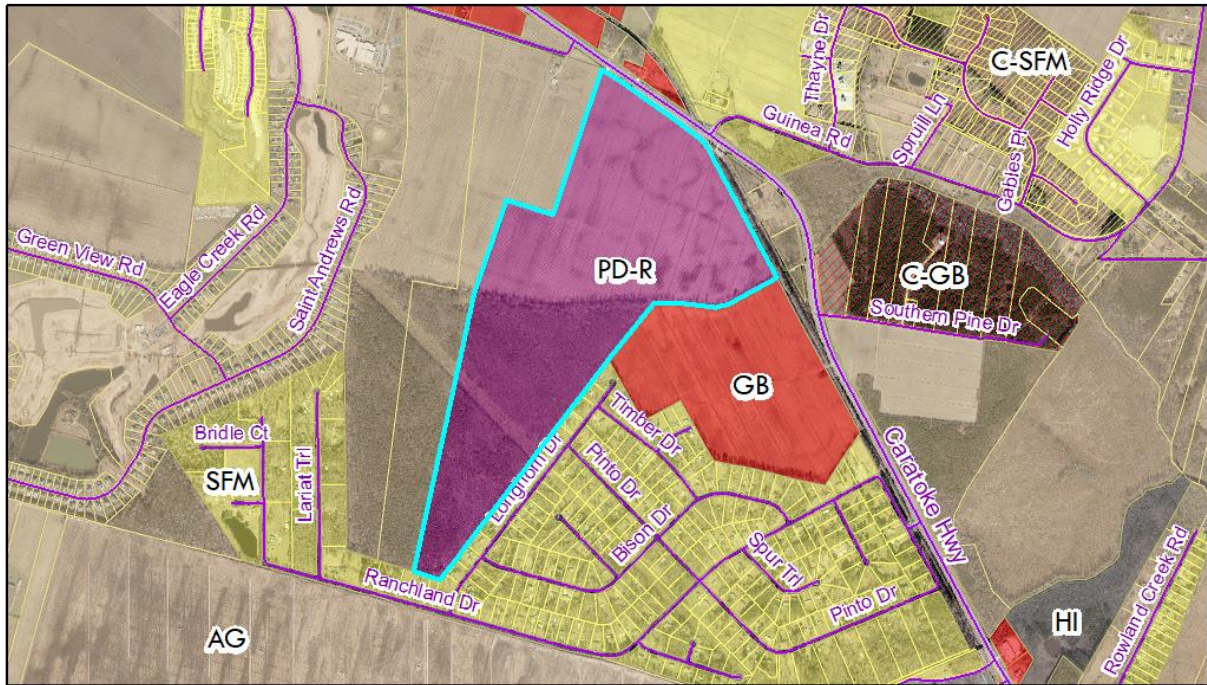


PB 18-23 Foster  
Amended PD-R Zoning  
2016 Aerial Photography

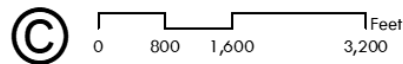


Currituck County  
Planning and  
Community Development

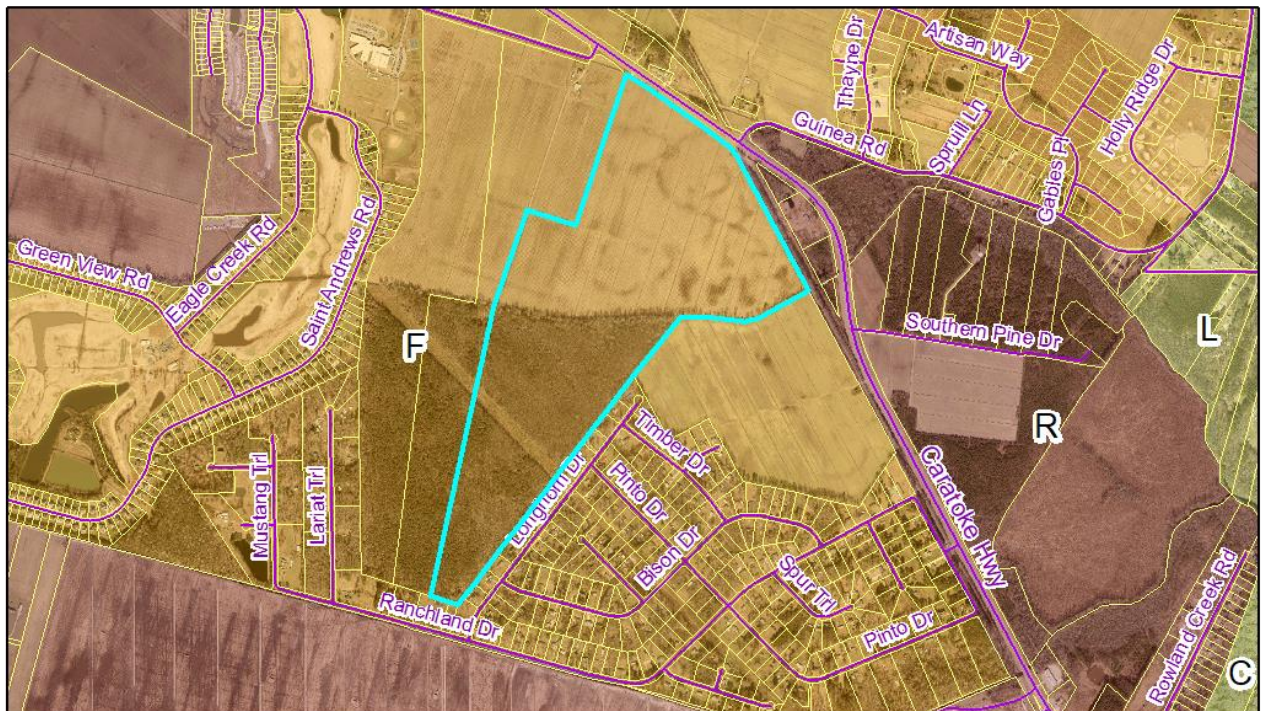




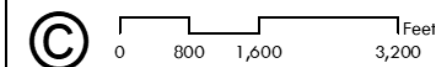
PB 18-23 Post  
Amended PD-R Zoning  
Zoning



Currituck County  
Planning and  
Community Development



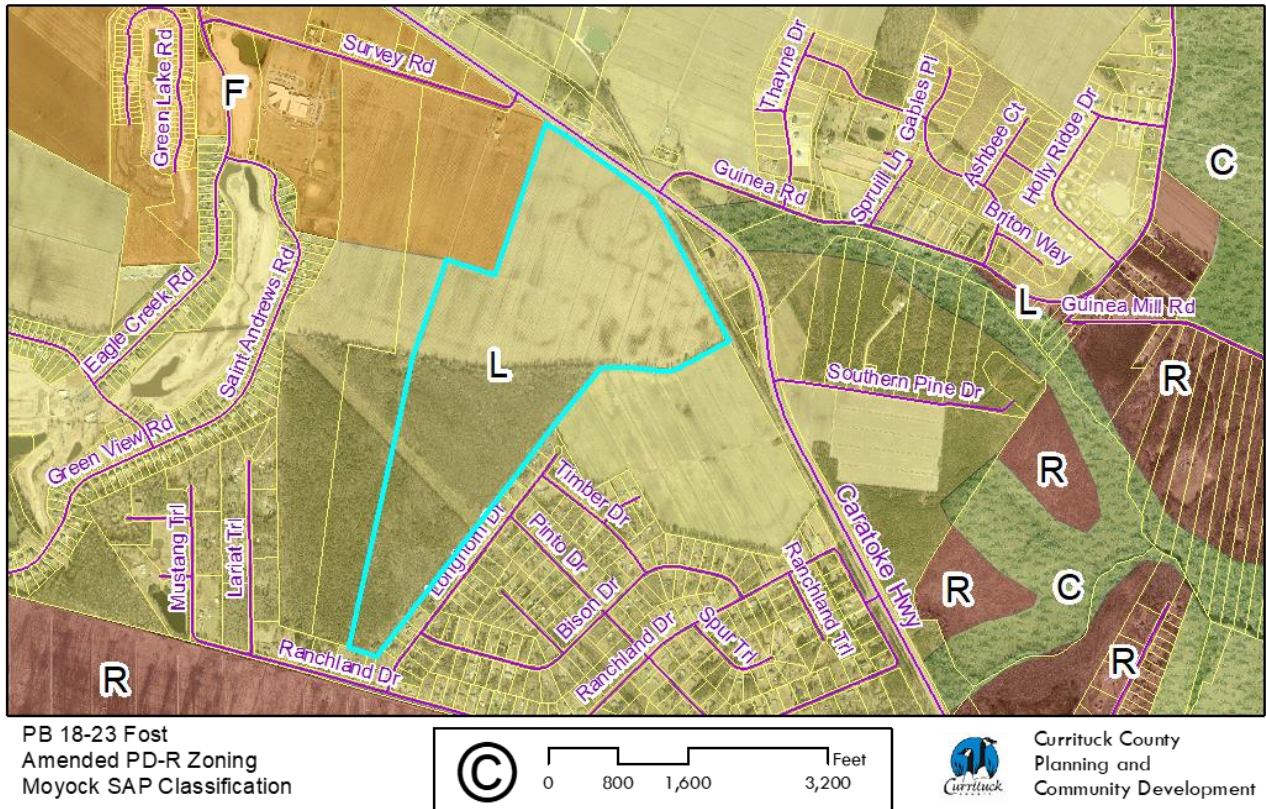
PB 18-23 Post  
Amended PD-R Zoning  
LUP Classification



Currituck County  
Planning and  
Community Development

Communication: Minutes for March 1, 2021 (Approval Of Minutes-March 1, 2021)





Laurie LoCicero, Planning and Community Development Director, reviewed the request for Commissioners. Using a powerpoint, a map of the site location and area zoning were displayed. The request is for a street stub extension to provide connectivity to the neighboring property. Policies supporting approval, as recommended by the Technical Review Committee and Planning Board, were reviewed. Ms. LoCicero reviewed the conditions of approval. The Technical Review Committee and Planning Board recommended approval with conditions. Ms. LoCicero clarified conditions related to jurisdictional waterways and wetlands that were recommended by the Army Corps of Engineers.

Mark Bissell, Engineer, addressed the Board on behalf of the applicant. He confirmed there were no objections to staff recommendations with the exception of the Economic Development request for earlier construction of commercial property along Caratoke Highway, which could not be accommodated.

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

Commissioner Beaumont moved to approve PB 18-23: Fost Planned Development, Amended, because the conditions placed on the development will improve drainage problems on the property within nearby Ranchland and Eagle Creek subdivisions if improvements are made to the drainage system on off-site properties. The request is reasonable and in the public interest because it is required by changed conditions acknowledged by the Land Use Plan and addresses a demonstrated community need



providing a full service area that offers mixed use development with both residential and commercial components.

Chairman Payment seconded the motion. The motion carried, 7-0.

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

#### **D. PB 21-01 Currituck County Multi-Family Townhouse Stormwater Text Amendment:**

To: Board of Commissioners

From: Planning Staff

Date: February 15, 2021

Subject: PB 21-01 Currituck County Multi-Family Townhouse Stormwater Text Amendment

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At the direction of the Board of Commissioners, staff was asked to revise section 7.3.4.B.2 of the Unified Development Ordinance.

The proposed text amendment will amend the stormwater requirements for Type I Major Subdivision of a multi-family townhouse development. A major subdivision is any subdivision of land into more than three lots and major infrastructure is installed. A type I is a subdivision with twenty or less lots, a type II major subdivision contains twenty-one or more lots.

The current UDO language requires major subdivision stormwater infrastructure be designed to handle a ten year twenty-four hour rain event. All other development must be designed to handle a five year twenty-four hour rain event. This amendment would allow a twenty lot or less subdivision of a multi-family townhouse development to meet the stormwater standards of commercial development.

#### **Text Amendment Review Standards**

The advisability of amending the text of the UDO is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the Board of Commissioners may weigh the relevance of and consider whether and the extent to which the proposed text amendment:

1. Is consistent with the goals, objectives, and policies of the Land Use Plan and other applicable county-adopted plans;
2. Is not in conflict with any provision of this Ordinance or the County Code of Ordinances;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within



the county;

6. Would result in a logical and orderly development pattern; and
7. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

#### **Staff Recommendation**

Staff recommends approval of the request as submitted and suggests the following Statement of Consistency and Reasonableness:

Land Use Plan Policies:

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. (See Transportation Policies for details concerning requirements for paved roads.)

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.

It is reasonable and in the public interest because the text amendment provides flexibility for the design of multi-family townhouse development.

#### **Planning Board Recommendation**

On February 9, 2021, the Planning Board recommended approval of the requested text amendment as presented with a 5-0 unanimous vote.

#### Motion

Mr. Bass moved to approve PB 21-01 because the request is consistent with the goals, objectives, and policies of the Land Use Plan including:

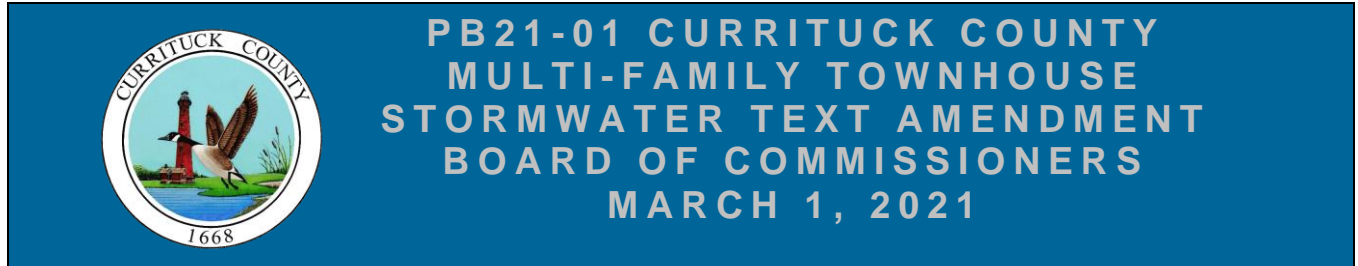
- POLICY HN8: To protect the County's tax base and to ensure the long-term viability of the County's neighborhoods and housing stock, the County will continue to enforce appropriate CONSTRUCTION AND SITE DEVELOPMENT STANDARDS for residential developments. Such standards may include, for example, that 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. (See Transportation Policies for details concerning requirements for paved roads.)
- 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 predevelopment volumes.

And the request is reasonable and in the public interest because:

- It is consistent with policies within the Land Use Plan;
- It provides flexibility for the design for multi-family development subdivisions.



Mr. Doll seconded the motion to approve and the motion carried unanimously 5-0.



Amendment to the Unified Development Ordinance Chapter 7: Environmental Protection.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

**Item 1:** That Chapter 7: Environmental Protection be amended by adding the following underlined language and deleting the struck-through language:

### **7.3 STORMWATER MANAGEMENT**

#### **7.3.4. Stormwater Management Standards**

##### **B. Stormwater Detention Requirements**

- (2) Major subdivision, with the exception of a Type 1 subdivision of multi-family townhouse development, subject to these standards shall implement adequate stormwater practices to reduce the post-development peak discharge from the 24-hour storm event with a 10-year recurrence interval down to the predevelopment discharge rate from the 24-hour storm event with a 2-year recurrence interval based on pre-development from a wooded site.

**Item 2:** Statement of Consistency and Reasonableness:

The requested text amendment is consistent with the goals, policies, and objectives of the 2006 Land Use Plan because:

Section 5.2 of the Land Use Plan encourages the development of affordable housing by amending the Unified Development Ordinance by offering flexibility.

**Item 3:** 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 4:** This ordinance amendment shall be in effect from and after the \_\_\_\_\_ day of \_\_\_\_\_, 2021.



Laurie LoCicero, Planning and Community Development Director, reviewed the text amendment with the Board of Commissioners to address stormwater requirements for Type 1 multi-family townhome subdivisions. Consistency statements and policies supporting approval of the request were presented as recommended by the Technical Review Committee and Planning Board. Staff would revise the application by removing the County Manager, as amended during approval of the agenda, leaving Currituck County as applicant.

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

Commissioner White moved to approve PB 21-01 with staff recommendations because the request is consistent with the goals, objectives and policies of the Land Use Plan (LUP), including Policy HN8 to protect the County's tax base; and Policy WQ4-runoff and drainage.

And the request is reasonable and in the public interest because it is consistent with the policies within the LUP and it provides flexibility for the design for multi-family development subdivisions.

Commissioner McCord seconded the motion. The motion passed, 7-0.

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

## NEW BUSINESS

### A. Recommendation of Award-Airport North Apron Rehabilitation Project

Ben Stikeleather, County Manager, reviewed the project and bids and recommended Barnhill Contracting be awarded the contract based on a bid of \$822,021.50. He said the project would be contingent on approval of the final grant modification. The County Manager would be authorized to execute contracts with Board approval.

Commissioner J. Owen Etheridge moved for approval. Commissioner Beaumont seconded the motion. The motion carried, 7-0.



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

## B) Board Appointments

### 1. Planning Board

Chairman Payment nominated Lynn Hicks to serve as his appointment to the Planning Board. Commissioner Mary Etheridge seconded the nomination. The nominee was approved, 7-0.

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

## C) Consent Agenda

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

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

### 1. Budget Amendments



		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
50550-592023	Terminal Fencing 36237.8.16.1	\$ 46,494	
50330-448000	State Aide to Airports		\$ 41,845
50390-495042	T F - Transfer Tax Capital Fund		\$ 4,649
		\$ 46,494	\$ 46,494
<b>Explanation:</b> County Governmental Construction - Airport Projects (50550) - Increase appropriations to record Airport Terminal Fencing project funded by State Aide to Airport grant 36237.8.16.1 and 10% local match funded from Transfer Tax Capital funds that is available in the construction fund from prior closed projects.			
<b>Net Budget Effect:</b> County Governmental Construction Fund (50) - Increased by \$46,494.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10752-514003	Travel - Special Adoption	\$ 1,642	
10752-532003	Supplies - Special Adoption		\$ 1,642
		\$ 1,642	\$ 1,642
<b>Explanation:</b> Social Services - Public Assistance (10752) - Transfer budgeted funds for special adoption travel expenses.			
<b>Net Budget Effect:</b> Operating Fund (10) - No change.			
		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
10490-561000	Professional Services		\$ 1,200
10490-590003	Capital Outlay		7,300
10490-545000	Contracted Services Other	\$ 2,000	
10490-532003	Supplies Court Facility/Jail	4,000	
10490-532000	Supplies Other	2,500	
		\$ 8,500	\$ 8,500
<b>Explanation:</b> Judicial Building (10490) - Transfer budgeted funds for operations of the judicial building for the remainder of this fiscal year.			
<b>Net Budget Effect:</b> Operating Fund (10) - No change.			



		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10460-536000	Uniforms	\$ 1,000	
10460-514000	Travel		\$ 1,000
		\$ 1,000	\$ 1,000
<b>Explanation:</b> Public Works (10460) - Transfer budgeted funds to work boots for public works staff.			
<b>Net Budget Effect:</b> Operating Fund (10) - No change.			
		Debit	Credit
<u>Account Number</u>	<u>Account Description</u>	Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10440-532000	Supplies	\$ 2,500	
10440-506000	Health Insurance		\$ 2,500
		\$ 2,500	\$ 2,500
<b>Explanation:</b> Finance (10440) - Transfer budgeted funds to replenish check/envelop stock for accounts payable.			
<b>Net Budget Effect:</b> Operating Fund (10) - No change.			

## 2. Surplus Resolution-Water Tanks

### RESOLUTION

**WHEREAS**, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on March 1, 2021 authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be disposed of at auction or by advertised sale:

DEPT	ASSET	YEAR	MAKE/MODEL	VIN#
66868			10,000 gallon pressure tank	
66868	7612		424,000 gallon ground storage tank	
66868	7613		80,700 gallon ground storage tank	



**ADOPTED**, this 1st day of March, 2021.

\_\_\_\_\_  
Michael H. Payment, Chairman  
Currituck County Board of Commissioners

ATTEST:

\_\_\_\_\_  
Leeann Walton  
Clerk to the Board

### 3. 2021 March for Meals Proclamation

#### **PROCLAMATION                      PROCLAIMING MARCH 2021 AS THE**

**19 ANNUAL**

#### **MARCH FOR MEALS MONTH**

**WHEREAS**, on March 22, 1972, President Richard Nixon signed into law a measure that amended the Older Americans Act of 1965 and established a national nutrition program for seniors 60 years and older; and

**WHEREAS**, Meals on Wheels America established the March for Meals campaign in March 2002 to recognize the historic month, the importance of the Older Americans Act Nutrition Programs, both congregate and home-delivered, and raise awareness about the escalating problem of senior hunger in America; and

**WHEREAS**, the 2021 observance of March for Meals celebrates 19 years of providing an opportunity to support Meals on Wheels programs that deliver vital and critical services by donating, volunteering and raising awareness about senior hunger and isolation; and

**WHEREAS**, Meals on Wheels programs - both congregate and home-delivered, in Currituck County, North Carolina have served our communities admirably for more than 20 years; and

**WHEREAS**, volunteers for Meals on Wheels programs in Currituck County, North Carolina are the backbone of the program and they not only deliver nutritious meals to seniors and individuals with disabilities who are at significant risk of hunger and isolation, but also caring concern and attention to their welfare; and

**WHEREAS**, Meals on Wheels programs in Currituck County, North Carolina provide nutritious meals to seniors that help them maintain their health and independence, thereby preventing unnecessary falls, hospitalizations and/or premature institutionalization; and

**WHEREAS**, Meals on Wheels programs in Currituck County, North Carolina provide a powerful opportunity for social connection for millions of seniors to help combat the negative health effects and economic consequences of loneliness and isolation; and

Communication: Minutes for March 1, 2021 (Approval Of Minutes-March 1, 2021)



**WHEREAS**, Meals on Wheels programs in Currituck County, North Carolina deserve recognition for the heroic contributions and essential services they have provided amid the COVID-19 pandemic and will continue to provide to local communities, our State and our Nation long after it is over.

**NOW, THEREFORE**, we, as the Board of Commissioners of Currituck County, North Carolina do hereby proclaim March 2021 as the 19<sup>th</sup> Annual March for Meals Month and urge every citizen to take this month to honor our Meals on Wheels programs, the seniors they serve and the volunteers who care for them. Our recognition of, and involvement in, the national 2021 March for Meals can enrich our entire community and help combat senior hunger and isolation in America.

Dated this 1<sup>st</sup> day of March, 2021.

4. **SOBWS Deep Raw Water Main Upgrade-Change Order #1**
5. **Public Safety Center Utility Easement-Piedmont Gas**
6. **Job Description Revision-Building Inspector I, II, & III**
7. **Consideration of Memorandum of Agreement Between NC Department of Health and Human Services and Currituck County Regarding Access, Use and Disclosure of Confidential Data and Authorization for County Manager's Execution of Memorandum of Agreement**
8. **Consideration of Special Order by Consent Between Currituck County and NC Environmental Management Commission Regarding County Non-Discharge Permit No. WQ0035706 and Authorization for County Manager's Execution of Special Order by Consent**
- 9) **Approval Of Minutes-Feb. 15, 2021**
  1. **Minutes for Feb. 15, 2021**

## **RECESS**

Chairman Payment recessed the regular meeting of the Board of Commissioners at 8:27 PM to hold a Special Meeting of the Tourism Development Authority.

## **SPECIAL MEETING-TOURISM DEVELOPMENT AUTHORITY**

The Currituck County Board of Commissioners held a Special Meeting during a recess of the 6:00 PM regular meeting to sit as the Tourism Development Authority. The Special Meeting was held in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina, for the purpose of considering budget amendments.

The meeting was called to order at 8:27 PM.



### TDA Budget Amendments

Ben Stikeleather, County Manager, reviewed the budget amendments for consideration, which in addition to movement of line item funds for budget purposes, included funds for the repair of the marine side of the southern horse fencing at the off-road area.

Commissioner White moved for approval of the budget amendments. Commissioner McCord seconded the motion. The motion carried, 7-0.

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15448-532160	Maintenance Supplies	\$ 3,000	
15448-590460	Capital Facility Projects		\$ 3,000
		<u>\$ 3,000</u>	<u>\$ 3,000</u>
<b>Explanation:</b>	Occupancy Tax - Whalehead (15448) - Transfer budgeted funds for maintenance supplies at Historic Corolla Park for the remainder of this fiscal year.		
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - No change.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15448-531000	Vehicle Maintenance	\$ 800	
15448-532500	Concessions	\$ 2,765	
15448-516200	Vehicle Maintenance	\$ 500	
15448-532000	Supplies	\$ 1,500	
15448-545000	Contracted Services		\$ 3,565
15448-511000	Telephone & Postage		\$ 500
15448-516000	Repairs & Maintenance		\$ 1,500
		<u>\$ 5,565</u>	<u>\$ 5,565</u>
<b>Explanation:</b>	Occupancy Tax - Whalehead (15448) - Increase Contracted Services due to rate hike by Johnson Controls (Whalehead & Boathouse Security); increase Telephone & Postage due to higher postage of merchandize being mailed as Whalehead closed; increase in Repairs & Maintenance due to unforeseen expenditures regarding live oaks and geothermal repairs.		
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - No change.		



		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15449-531000	Gas	\$ 750	
15449-532000	Supplies	\$ 4,500	
15449-536000	Uniforms	\$ 500	
15320-415000	Occupancy Tax		\$ 5,750
		<u>\$ 5,750</u>	<u>\$ 5,750</u>
<b>Explanation:</b>	Occupancy Tax - Maritime Museum (15449) - Increase appropriations for supplies for personnel to open Maritime Museum this fiscal year.		
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - Increased by \$5,750.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15447-545000	Contract Services	\$ 22,000	
15320-415000	Occupancy Tax		\$ 22,000
		<u>\$ 22,000</u>	<u>\$ 22,000</u>
<b>Explanation:</b>	Occupancy Tax (Tourism Related Expenditures) - Increase appropriations for increased costs of landscaping and mosquito control.		
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - Increased by \$22,000.		

		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
<u>Account Number</u>	<u>Account Description</u>		
15447-590000	Capital Outlay	\$ 148,962	
15320-415000	Occupancy Tax		\$ 148,962
		<u>\$ 148,962</u>	<u>\$ 148,962</u>
<b>Explanation:</b>	Occupancy Tax - Tourism Related (15447) - Increase appropriations for replacement of the marine side of the horse fence in Corolla from the vehicle access gate on the ocean front east to the last piling located in the ocean.		
<b>Net Budget Effect:</b>	Occupancy Tax Fund (15) - Increased by \$148,962.		



		Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
Account Number	Account Description		
15447-587050	T T - Co Govt Construction	\$ 42,750	
15320-415000	Occupancy Tax		\$ 42,750
		\$ 42,750	\$ 42,750
<b>Explanation:</b> Occupancy Tax - Tourism Related (15447) - Increase appropriations for design to replace walkovers at Coral, Dolphin and Mackerel Streets. Design phase is \$14,250 per walkover.			
<b>Net Budget Effect:</b> Occupancy Tax Fund (15) - Increased by \$42,750.			

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

### ADJOURN TDA AND RECONVENE REGULAR MEETING

Commissioner White moved for adjournment of the meeting of the Tourism Development Authority. Commissioner J. Owen Etheridge seconded the motion. The motion carried, 7-0, and the Special Meeting of the Tourism Development Authority adjourned at 8:28 PM.

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

### CLOSED SESSION

The regular meeting of the Board of Commissioners was reconvened at 8:28 PM for a Closed Session.

- 1. Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney and preserve the attorney-client privilege; and G.S. 143-318.11(a)(6) to discuss personnel matters.**

Chairman Payment moved to enter Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney and preserve the attorney-client privilege; and, G.S. 143-318.11(a)(6) to discuss personnel matters.



Commissioner McCord seconded the motion. The motion carried, 7-0, and Commissioners entered Closed Session.

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

## ADJOURN

### Motion to Adjourn Meeting

The Board returned from Closed Session and had no further business. Commissioner Beaumont moved to adjourn and Commissioner Jarvis seconded the motion. The motion carried, 7-0, and the meeting of the Board of Commissioners adjourned at 9:00 PM.

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