

CURRITUCK COUNTY
NORTH CAROLINA
NOVEMBER 20, 2006

The Board of Commissioners met on Monday, November 20, 2006, at 7:00 p.m. for its regularly scheduled meeting at the Historic Courthouse in the Commissioners Meeting Room with the following members present: Chairman O'Neal, Vice-Chair Martin, Commissioners Miller, Bowden and Etheridge.

Call to Order
Invocation and Pledge of Allegiance

The Reverend Steve Castle, Sharon United Methodist Church, was present to give the invocation.

Approval of Agenda

Commissioner Martin moved to amend the agenda by deleting Item 4 and continuing Item 8. Commissioner Bowden seconded the motion. Motion carried.

- Item 1 Public Comment
Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.
- Item 2 **Presentation of Community Health Assessment**
- Item 3 **Public Hearing and Action on PB 06-37 JERNIGAN ENTERPRISES (EAGLE CREEK)**
Request to rezone 5 acres from Agricultural (A) to Residential (R). The property is located at 109 Green View Road adjacent to the Mill Run golf course clubhouse, within the Eagle Creek subdivision, Tax Map 16, Parcel 1A, Moyock Township.
- Item 4 **Public Hearing and Action PB 06-44 CALVARY TEMPLE CHURCH** Request to rezone approximately 44 acres from Agricultural (A) to General Business (GB). The property is located at 166 Caratoke Highway, approximately ½ mile south of the NC/ VA state line, Tax Map 9, Parcel 79, Moyock Township.
- Item 5 **Public Hearing and Action on PB 06-47 AKE PROPERTIES** Rezone 95 acres of a 143 acre parcel from Agricultural (A) to Residential (R) on property located on the west side of Harbinger Ridge Rd., approximately 800' south of West Mobile Rd., Tax Map 125, Parcel 31, Poplar Branch Township.
- Item 6 **Public Hearing and Action PB 04-45 LAUREL WOODS SECTION C** Amended Sketch Plan/Special Use Permit for 9 lots located in Aydlett on Wildflower Lane off of Aydlett Road, Tax Map 92, Lot 63F, Poplar Branch Township.
- Item 7 **Public Hearing and Action on PB 00-15 HD (Racy) Newbern, IV** Renewal of a special use permit for a demolition landfill operation and a mulch sales stockpile area located at 7565 Caratoke Highway, Tax Map 110, Parcels 38 and 39, Poplar Branch Township.
- Item 8 **Public Hearing and Action on Amendment to the 2006 Currituck County Land Use Plan.**
- Item 9 Appointment to ABC Board to replace Donnie Jones
- Item 10 Appointment to Albemarle Mental Health Board
- Item 11 Appointment to Airport Board

Item 12 Appointment to Board of Adjustment

Item 13 **Consent Agenda:**

- A. Resolution in support of local fees for food and lodging Albemarle Regional Health
- B. Albemarle Mental Health first quarterly Monitoring Report
- C. Approval of Work First Block Grant Plan for 2007-08
- D. Budget Amendments

Item 14 Commissioner's Report

Item 15 County Manager's Report

Item 16 Adjourn

Tourism Development Authority Meeting

Item 1 Call to Order

Item 2 Appointments to Tourism Advisory Board

Adjourn

Public Comment

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

Chairman O'Neal opened the public comment period.

Commissioner Miller requested DOT to place a stop light at Indiantown and Shortcut Road and Sawyertown and Tulls Creek Road. He also stated there was support for the Moyock Library.

Chairman O'Neal questioned occupancy tax for flooding and the proper use of these funds.

Commissioner Martin stated that revenue sharing was not for Currituck County.

There being no further comments, Chairman O'Neal closed the public comment period.

Presentation of Community Health Assessment

Barbara Courtney, presented the Currituck County Community Health Assessment. Ms. Courtney also reviewed the Community Survey.

Amy Cowan, Albemarle Regional Health Department, reviewed the programs available to address the top concerns of respondents to survey.

Georgia Kight, NC Cooperative Extension, reviewed programs available to address the top cause of mortality.

Public Hearing and Action on PB 06-37 JERNIGAN ENTERPRISES (EAGLE CREEK) Request to rezone 5 acres from Agricultural (A) to Residential (R). The property is located at 109 Green View Road adjacent to the Mill Run golf course clubhouse, within the Eagle Creek subdivision, Tax Map 16, Parcel 1A, Moyock Township.

Applicant withdrew request

Public Hearing and Action PB 06-44 CALVARY TEMPLE CHURCH Request to rezone approximately 44 acres from Agricultural (A) to General Business (GB). The property is located at 166 Caratoke Highway, approximately 1/2 mile south of the NC/ VA state line, Tax Map 9, Parcel 79, Moyock Township.

Sarah Keifer, Planning Director, reviewed the request.

TYPE OF REQUEST: Rezone approximately 44 acres from Agricultural (A) to General Business (GB). The 63 acre property currently contains 19 acres of GB zoned land.

LOCATION: The property is located at 166 Caratoke Highway, approximately 1/2 mile south of the NC/ VA state line.

TAX ID: Map 9, Parcel 79 (000900000790000)

OWNER: Calvary Temple Church
5639 Bricknell Road
Norfolk, VA 23502

ZONING:	<u>Current Zoning</u> Agricultural	<u>Proposed Zoning</u> General Business
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ZONING HISTORY: This property was split zoned GB and A on the April 2, 1989 zoning atlas. From NC 168, the GB zoning extends 1,150 feet approximately 19 acres. The remaining 44 acres are zoned Agricultural (A). The property is over 3,500 feet deep.

SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Residential- North Point subdivision	A and GB
SOUTH	Residential and Farmland	GB
EAST:	Woodlands across highway	GB
WEST:	Agricultural	A

EXISTING LAND USE: The current land use is vacant, however the property was previously used as a dog racing track.

PROPOSED LAND USE: Potential Future Church Development
Staff notes that churches are permitted by right in all zoning districts.

GENERAL BUSINESS USES:

There are well over 100 uses allowed in the General Business zoning district. The General Business zoning district contains the following sample of uses:

- | | |
|--------------------------------|--------------------|
| Single Family Residence | Automotive Repair |
| Banks | Convenience Stores |
| Sales | Restaurants |
| Outdoor or Indoor Mini Storage | Hotels |
| Motor Vehicle and Boat Sales | Office |
| Multi-Family Overlay Zone | Apartments |

LAND USE PLAN CLASSIFICATION:

According to the 1990 Land use Plan this property is primarily designated **Rural** with some **Urban Transition** area bordering NC 168. It appears that the existing zoning line follows the Land Use Plan classifications.

The purpose of the Rural classification is to “provide for agricultural, forestry, mineral extraction and other allied uses traditionally associated with an agrarian region.” The Rural areas are designated for low density dispersed single family housing at a density of one unit per acre. The General Business zone allows multifamily residential housing that would exceed one unit per acre.

The proposed 2006 Land Use Plan classifies this property as a **Full Service** Area. With respect to nonresidential uses, it is essential that the existing community character be preserved.

This proposal is not consist with the **Rural** classification in the 1990 Land Use Plan.

PUBLIC SERVICES AND UTILITIES:

Moyock Volunteer Fire Department provides fire protection for this area. Public utilities, including, electric, telephone, county water and cable, are currently available.

TRANSPORTATION:

The property is accessed by NC 168, Caratoke Highway

FLOOD ZONE:

The property is not in a flood zone

SOILS:

The Currituck County soils maps indicate the soils on the 44 acre rezoning area are Not-Suitable for on-site septic systems.

STAFF RECOMMENDATION:

Section 2406 of the Unified Development Ordinance provides the standards by which the Board shall evaluate proposed amendments to the Official Zoning Atlas.

Specifically, the Ordinance provides that the “central issue before the board is whether the proposed amendment advances the public health, safety or welfare” of the county and further directs that “the Board shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.”

In addition, Section 2407 of the Ordinance states that “[a]reas zoned for non-residential purposes along the county’s major arterials have been carefully selected, taking into account existing needs and uses. Additional areas along these major arterials shall not be rezoned to non-residential districts except upon an extraordinary showing of public need or demand.

It does not appear that this request meets the criteria for satisfying a public need or demand. Therefore, staff maintains that the proposed rezoning does not satisfy the standard for rezoning articulated in the ordinance and recommends **denial** for the following reasons:

- 1) This property is adjacent to the existing North Point residential subdivision. The business uses permitted in the General Business zoning district would not be compatible with the character of the adjoining neighborhood.
- 2) Staff recommends a finding the public need of adjacent residents would be better served by keeping the rear portion of the subject property, adjacent to North Point subdivision, Agricultural zoning to reduce the potential for higher intensity uses and maintain a buffer with the General Business zone to the south.
- 3) The F&W Land Corporation property to the south was approved for a rezoning from A to GB in 2006, however that property was not adjacent to an existing residential subdivision. This request would have a direct effect on the existing residential uses.
- 4) The request is not consistent with the 1990 Land Use Classification of Rural, which indicates the uses in the General Business zoning district uses are not compatible with the classification.
- 5) There appears to be ample vacant General Business zoned land to support the need for non-residential development in this immediate area of Currituck County. This request does not appear to meet a public need for additional land zoned General Business.

- 6) There are no conditions that have changed on the property or in the surrounding area that would make this request necessary.
- 7) Churches are permitted with the current zoning designation of Agricultural and a zoning change is not needed to accommodate this use.

This staff recommendation was made without the benefit of public testimony and is based on the information presented when the application was received by the Department of Planning and Inspections. The Board of Commissioners shall give considerable weight to public testimony received during public hearing in considering its decision in this matter.

Chairman O'Neal opened the public hearing.

Henry Harrelson, adjacent property owner, stated he did not receive a notice of this.

There being no further comments, Chairman O'Neal closed the public hearing.

Commissioner Miller moved to approve and is consistent with the land use plan. Commissioner Martin seconded the motion. Motion carried with Commissioner Bowden voting no.

Public Hearing and Action on PB 06-47 AKE PROPERTIES Rezone 95 acres of a 143 acre parcel from Agricultural (A) to Residential (R) on property located on the west side of Harbinger Ridge Rd., approximately 800' south of West Mobile Rd., Tax Map 125, Parcel 31, Poplar Branch Township.

Sarah Keifer, Planning Director, reviewed the request.

TYPE OF REQUEST: Rezone 95 acres of a 143 acre parcel from Agricultural to Residential. The rezoning area includes 61.44 acres of uplands and 33.56 acres of wetlands.

LOCATION: This site is located on the west side of Harbinger Ridge Road approximately 800' south of West Mobile Road; Poplar Branch Township.

TAX ID: Tax Map 125, Parcel 31 (012500000310000)

OWNER: AKE Properties, LLC
759 South Bayview Drive
Jarvisburg, NC 27357

AGENT: Bissell Professional Group
PO Box 1068
Kitty Hawk, NC 27949

ZONING: Current Zoning Proposed Zoning
 Agricultural Residential

ZONING HISTORY: This property was zoned Agricultural (A) on the April 2, 1989 zoning atlas. The owner applied for an A to R rezoning of the full 143 acres on August 27, 2004. The Planning Board recommended denial of the request on October 12, 2004. The Commissioners never held a public hearing due to the application being withdrawn at the applicant's (Hyman and Robey) request.

SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Commercial & Agricultural/Woodland	A and C
SOUTH	Agricultural/ Residential & Woodland	A
EAST:	Agricultural/ Residential, Woodland	A
WEST:	Albemarle Sound	NA

EXISTING LAND USE: The site is currently vacant.

PROPOSED LAND USE: To allow for the uses permitted in the "R" zoning district.

LAND USE PLAN CLASSIFICATION:

According to the 1990 Land use Plan the property is classified as both "Rural" and "Conservation" in the 1990 Land Use Plan. The Conservation classification line appears to follow the wetlands line and extends to the Albemarle Sound. The purpose of the "Conservation" classification is to provide for the effective long-term management and protection of significant, limited, or irreplaceable areas. According to the Land Use Plan, Conservation areas (if developable) should be done at densities of less than one unit per gross acre.

The "Rural" area described in the 1990 LUP calls for "low density dispersed single-family residential uses at a gross density of approximately one unit per acre are appropriate."

This rezoning is consistent with the Rural classification, but not the Conservation classification.

The 2006 Land Use Plan classifies the entire property as Conservation. This application was made prior to the adoption of the 2006 plan on October 2, 2006.

PUBLIC SERVICES AND UTILITIES:

Lower Currituck Volunteer Fire Department provides fire protection for this area. Public utilities, including, electric, telephone, county water and cable, are currently available.

TRANSPORTATION: The ingress/egress for this property is from Harbinger Ridge Road which is not classified in the 1988 NCDOT Thoroughfare Plan.

FLOOD ZONE: Most of the 143 acres are in Flood Zone AE (7), with 23 acres out of the 100 year flood zone.

SOILS: On the eastern, upland portion of the site approximately 25 acres are suitable and 21 acres marginal for on-site septic systems. The remainder of the 143 acre site is not suitable for septic systems according to the soils map. On-site evaluation by Albemarle Regional Health Services would determine if the site could be developed with septic systems.

**STAFF
RECOMMENDATION:**

Section 2406 of the Unified Development Ordinance provides the standards by which the Board shall evaluate proposed amendments to the Official Zoning Atlas. Specifically, the Ordinance provides that the “central issue before the board is whether the proposed amendment advances the public health, safety or welfare” of the county and further directs that “the Board shall not regard as controlling any advantages or disadvantages to the individual requesting the change, but shall consider the impact of the proposed change on the public at large.”

Staff recommends **denial** of the request to rezone 95 acres for the following reasons:

1. This proposal does not comply with the 1990 Land Use classification of Conservation.
2. This proposal does not comply with the 2006 Land Use Plan classification of Conservation.
3. The rezoning request contains 33.56 acres of wetlands.

However, staff recommends **approval** of an A to R rezoning for a 61.5 acre area that runs 1700 feet along the north property line, 1550 feet along the south property line, all of the east property lines and a line 1900 feet to the west, connecting the north and south boundary.

1. This rezoning area would contain less than 5 acres of wetlands.
2. This rezoning would contain the area designated as “Rural” under the 1990 Land Use Plan. A Residential Zoning District would comply with the 1990 Land Use Plan.

This staff recommendation was made without the benefit of public testimony and is based on the information presented when the application was received by the Department of Planning and Inspections. The Board of Commissioners shall give considerable weight to public testimony received during public hearing in considering its decision in this matter.

Chairman O'Neal opened the public hearing.

Marvin Owens, owns property west of road and opposes this request.

There being no further comments, Chairman O'Neal closed the public hearing.

Commissioner Miller moved to approve with staff recommendations and is consistent with the land use plan. Commissioner Martin seconded the motion. Motion carried.

Public Hearing and Action PB 04-45 LAUREL WOODS SECTION C Amended Sketch Plan/Special Use Permit for 9 lots located in Aydlett on Wildflower Lane off of Aydlett Road, Tax Map 92, Lot 63F, Poplar Branch Township.

Sworn testimony was given prior to making comments.

Sarah Keifer, Planning Director, reviewed the request.

Charles Angus (Albemarle and Associates as the agent) is applying for Amended Sketch Plan approval for the 9 lot Laurel Woods Section C subdivision. Sections A and B were previously recorded as minor subdivisions. The original Sketch Plan for this site was approved on August 2, 2004.

The applicant is requesting the revised road and lot configuration due to the U.S. Army Corps of Engineers claiming jurisdiction on some interior 404 wetlands on the tract. In an effort to reduce the amount of fill required in the wetlands, the applicant is proposing to eliminate the cul-de-sac serving lots 2 and 3. Lots 2 and 3 would instead access the proposed Wildflower Lane directly requiring only minor disturbance of wetlands for the driveways.

In addition, the proposed Wildflower Road measures 1,668 feet in length which does not comply with the limit of 1,000 feet permitted by Section 914, Item 1(f) of the UDO. However Section 904, Item 8 of the Ordinance provides the Board of Commissioners the authority to modify or waive subdivision requirements where it is determined that an equal or better performance will result. In this instance given the configuration of the property and the interior wetlands, such a waiver from Section 914 of the Ordinance appears reasonable.

Staff Recommendation:

Staff recommends **approval** of the Amended Sketch Plan and the waiver on the road length due to the increased wetlands on the property with the following conditions:

Code Requirements:

1. That applicant shall be required to meet all requirements of the UDO including, but not limited to the planting of street trees along all newly paved streets; installation of a 6" water line; fire hydrants; water services, and adequate drainage facilities to serve the development.
2. That a Preliminary Plat shall be submitted for review within 24 months from the date the Sketch Plan is approved by the Board of Commissioners; and
3. That as a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.

Recommendations:

1. Lots 2 and 3 cannot be accessed without filling wetlands. Staff recommends the applicant obtain a wetlands fill permit from the Corps of Engineers for the road and driveways on lots 2 and 3 that pass through 404 wetlands, prior to approval of the Preliminary Plat.
2. If a fill permit is not granted for the wetlands fill, the applicant shall submit a re-design of the project that does not disturb any wetlands.

The following is the case analysis presented with the sketch plan August 2, 2004:

ITEM: PB 04-45 LAUREL WOODS SECTION C, SKETCH PLAN FOR 9 SINGLE FAMILY LOTS

LOCATION: Wildflower Lane off of Aydlett Road, Poplar Branch Township.

TAX ID: 0092-000-063F-0000

ZONING DISTRICT: Residential & Agricultural

OWNER:

Charles & Mary Ellen Angus
P.O. Box 113
Aydlett, NC 27916

APPLICANT/AGENT

Albemarle Engineering
P.O. Box 3989
Kill Devil Hills, NC 27948

LAND USE/ZONING OF SURROUNDING PROPERTY:

NORTH: Residential & Vacant Wetland - zoned R & A
SOUTH: Residential & Vacant Wetland – zoned R & A
EAST: Low Density Residential & Vacant - zoned R
WEST: Vacant Wetland - zoned A

NARRATIVE OF REQUEST:

Charles Angus is seeking Sketch Plan/Special Use Permit approval for nine single family lots through the major subdivision process. The total acreage of the entire development is approximately 26 acres.

This property has split zoning of Residential and Agricultural. In the Residential zoning district the minimum lot size is 40,000 sf while in the Agricultural zoning district the minimum lot size is three acres, with an exception that allows the creation of up to five 40,000 sf lots. The lot sizes within this development range from 40,000 sf to 16.6 acres. The 16.6 acre lot is located in the Agriculture zone.

In March 1995 a two lot minor subdivision was approved which created Laurel Woods Section A. In July 2002, another two lot minor subdivision was approved, Laurel Woods Section B.

The lots will be served by individual septic systems and will be connected to the county's water system. The lots will front on an extension of Wildflower Lane, a private gravel road which will be upgraded.

OTHER IMPORTANT ELEMENTS TO THIS PLAN:

STREETS: All of the proposed lots will front on Wildflower Lane. The existing Wildflower Lane is a private gravel road which will be improved to NCDOT standards out to Aydlett Road, an existing NCDOT maintained right-of-way.

WATER: This development will be served by county water.

FIRE: This development will be located within the jurisdiction of the Lower Currituck Volunteer Fire Department.

WASTEWATER: Individual, on-site septic systems are proposed.

SOILS: There are four soils types found at the site: **CnA** - Conetoe loamy sand which consists of well drained soils and are generally favorable for septic systems; **Ds** - Dragston loamy fine sand is a somewhat poorly drained soil which requires extensive drainage and site modifications to improve the potential for septic systems; **Po** - Ponzer muck is a very poorly drained soil found in the Dismal Swamp and is unfavorable for septic systems; **Ws** - Wasda muck is a very poorly drained soil which is not favorable for septic systems.

SCHOOL CAPACITIES: Using national averages for school age student generation from the *1987 American Housing Study*, one can expect .4243 elementary students, .084 jr. high students and .1568 High school students per dwelling unit. (*Note: These figures were verified by a field check of Currituck subdivisions in 1994*). Poplar Branch Township has an occupancy rate of 0.7764

Based on these pupil generation figures, Currituck can expect 3 elementary students, 1 junior high student, and 1 high school student from this development.

According to the January 2004, school population projections, Griggs Elementary School has (-41) additional

student capacities after full development of approved subdivisions within Poplar Branch Township. The proposed subdivision is **not** reflected in the student population count.

- OPEN SPACE:** No open space is required or provided.
- DRAINAGE:** Roadside and property line swales/ditches will be used to address drainage for this property.
- FLOOD ZONES:** A majority of the property is located outside of the 100 year floodplain (flood zone C) with the residual parcel and the western edge of the lots located within the 100 year floodplain (flood zone A4) with a base flood elevation of 6'.
- LAND USE PLAN:** The property is classified as "Rural with Services" in the 1990 Land Use Plan. Low intensity residential uses with a gross density of approximately one unit per acre, where lots sizes are large and where the provision of services will not disrupt the primary rural character of the landscape are consistent with the intent of the rural with services class. Proposed density for the total nine lot subdivision is 0.35 units per gross acre which is consistent with the Land Use Plan.

STAFF COMMENTS:

- On June 10, 2004, Technical Review staff reviewed this application. Staff's concerns included the following:
 1. The street system does not provide for interconnectivity in addition to showing a 1' non-ingress/egress easement along the northern property line.
 2. Under this proposal, Wildflower Lane will be extended to a total length of approximately 1,600'. The maximum allowable cul-de-sac length allowed under Section 914 is 1,000'. The proposed "bump-out" does not meet NCDOT standards nor exempt the street from meeting the maximum allowable cul-de-sac length.
 3. The Albemarle Regional Health Services is aware of serious drainage issues in the area which have caused septic system failures. For the septic systems to work, the lots will require a good ditch system.
 4. Plans reviewed at the TRC meeting did not address the tentative drainage of the site nor the required waterline installation and fire protection.
- In response to concerns expressed by the TRC, the Sketch Plan has been revised to reflect the following changes:
 - The tentative storm drainage is addressed;
 - The existing and proposed waterlines are shown together with the fire hydrant locations;
 - The "bump-out" was removed and reconfigured as a cul-de-sac. The street now meets the cul-de-sac length requirements.

- The non-ingress/egress easement has been replaced with a 1' buffer strip along the property to the north.
- On the revised sketch plan NCDOT had concerns with the way the pavement was now flared at the intersection with Aydlett Road. There are concerns regarding only a 4' separation between the proposed edge of pavement and the property corner; keeping the drainage ditches within the street right-of-way; and driveway radii overlapping. These issues will need to be resolved at the preliminary plat stage.

QUESTION(S) BEFORE THE BOARD:

1. *Is the application complete?*

Based on staff review all required information has been submitted for review.

2. *Does the proposal comply with the provisions in the UDO for Sketch Plan approval?*

The proposal complies with all UDO requirements for Sketch Plan approval.

3. *Does the proposal comply with the general standards found in Section 1402(2) for a Special Use Permit/Sketch Plan?*

(a) *Will not endanger the public health or safety.*

Public health and safety issues including fire protection, stormwater management, and access for emergency services have been adequately addressed within this proposal.

(b) *Will not injure the value of adjoining or abutting property.*

The proposed residential subdivision should have no negative impact on adjoining property;

(c) *Will be in harmony with the area in which it is located.*

The subdivision would consist of residential properties that would be in harmony with the surrounding area;

(d) *Will be in conformity with the Land Use Plan, Thoroughfare Plan or other plans officially adopted by the Board.*

The proposal will be consistent with the CAMA Land Use Plan and with the Thoroughfare Plan;

(e) *Will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within 2 years after the initial approval of the sketch plan. In the case of subdivision and multifamily development at the sketch plan/special use, preliminary plat, or final plat stage, the Board of Commissioners may establish time limits on the number of lots/units available for development to assure adequate public facilities are available in accordance with Section 2015.*

Currituck can expect four elementary students, one junior high student, and one high school student from this development.

According to the current school population projections Griggs Elementary School has (-41) additional student capacity after full development of the

currently approved subdivisions. The proposed subdivision is **not** reflected in the student population count.

STAFF RECOMMENDATION:

Staff recommends approval, subject to the Board of Commissioner's determination that adequate school facilities exist, or will exist, to meet the demands generated by this subdivision. If the Board of Commissioners so finds, staff also recommends the following conditions:

1. That applicant shall be required to meet all requirements of the UDO including, but not limited to the planting of street trees along all newly paved streets; installation of a 6" water line; fire hydrants; water services, and adequate drainage facilities to serve the development.
2. That a Preliminary Plat shall be submitted for review within 24 months from the date the Sketch Plan is approved by the Board of Commissioners; and
3. That as a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.

PLANNING BOARD RECOMMENDATION:

On July 13, 2004 the Planning Board reviewed this request and recommended approval (8-0) with the following conditions:

1. That applicant shall be required to meet all requirements of the UDO including, but not limited to the planting of street trees along all newly paved streets; installation of a 6" water line; fire hydrants; water services, and adequate drainage facilities to serve the development.
2. That a Preliminary Plat shall be submitted for review within 24 months from the date the Sketch Plan is approved by the Board of Commissioners; and
3. That as a continuing condition to this approval, the applicant will meet and continue to meet all requirements of the County's Unified Development Ordinance.

Chairman O'Neal opened the public hearing.

John Delucia, Engineer, was present to answer questions.

There being no further comments, Chairman O'Neal closed the public hearing.

Commissioner Martin moved to approve with staff recommendations. Commissioner Etheridge seconded the motion. Motion carried.

Public Hearing and Action on PB 00-15 HD (Racy) Newbern, IV Renewal of a special use permit for a demolition landfill operation and a mulch sales stockpile area located at 7565 Caratoke Highway, Tax Map 110, Parcels 38 and 39, Poplar Branch Township.

Item continued.

Public Hearing and Action on Amendment to the 2006 Currituck County Land Use Plan.

Sarah Keifer, Planning Director, reviewed the amendment.

RESOLUTION OF THE BOARD OF COMMISSIONERS OF CURRITUCK COUNTY, NORTH CAROLINA, ADOPTING THE COUNTY'S CAMA CORE LAND USE PLAN

WHEREAS, the County's CAMA Core Land Use Plan was financed in part through a grant provided by the North Carolina Coastal Management Program through funds provided by the Coastal Zone Management Act of 1972, as amended, which is administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration; and

WHEREAS, from 2003 through 2006, the County drafted a Land Use Plan with the assistance of its consultants Blue and Glenn Harbeck Associates, and conducted a series of public workshops and meetings as part of a comprehensive public participation program under the leadership of the CAMA Land Use Plan Committee; and

WHEREAS, on November 14, 2006 the Planning Board recommended adoption of the amended CAMA Core Land Use Plan; and

WHEREAS, at a duly advertised Business Meeting on Monday, November 20, 2006 the Board of Commissioners held a public hearing on the amended CAMA Land Use Plan; and

WHEREAS, at the Business Meeting on Monday, November 20, 2006 the Board of Commissioners of Currituck County, North Carolina found the policies in the draft CAMA Land Use Plan to be internally consistent; and

WHEREAS, at the Business Meeting on Monday, November 20, 2006 the Board of Commissioners of Currituck County, North Carolina found the policies and Future Land Use Map in the draft CAMA Land Use Plan to be consistent with the County's desired vision for the future and approved to adopt the draft CAMA Land Use Plan as amended; and

WHEREAS, the adopted Plan will be submitted as required by state law to the Northeast District Planner for the Division of Coastal Management under the North Carolina Department of Environmental and Natural Resources and forwarded to the Coastal Resources Commission; and

WHEREAS, a presentation by the County to the Planning and Special Issues (P&SI) committee of the Coastal Resources Commission will be scheduled; and

WHEREAS, the P&SI committee will decide on a recommendation to the Coastal Resource Commission (CRC) at the meeting; and

WHEREAS, the P&SI committee chairman will submit the recommendation to the CRC and the CRC will then vote on certification of the County's Land Use Plan; and

WHEREAS, a certified Currituck County CAMA Land Use Plan will be forwarded to the Office of Ocean and Coastal Resource Management (OCRM) for federal approval.

NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners of Currituck County, North Carolina, has adopted the CAMA Core Land Use Plan; and

BE IT FURTHER RESOLVED that the Planning Director of Currituck County is hereby authorized to submit the adopted CAMA Land Use Plan to the State for certification as described above.

SECTION 11: LAND CLASSIFICATION SYSTEM

Purpose of Land Classification System

The CAMA Land Use Planning Guidelines require that local governments in the coastal area classify various parts of their planning jurisdictions in accordance with the desired density, character of development and level of services provided for each area. By delineating land classes on a map, the County can specify where various forms of development and redevelopment might best occur, and where natural and cultural resources should be conserved.

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

Proposed Land Classifications

Conservation Areas

The purpose of the Conservation class is to provide for the long-term management and protection of significant, limited, or irreplaceable areas. Proper management is needed to conserve the natural, cultural, recreational, scenic or biologically productive values of these areas. The Conservation class should be applied to areas that should not be developed at all (preserved), or if developed, done so in a very limited manner characterized by careful planning and cautious attention to the conservation of environmental features. Infrastructure and services, public or

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

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

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

As stated above, much of the land included in the Conservation classification is environmentally sensitive and therefore already protected through existing, federal, state, and local regulations. However, for areas within the classification that would be considered developable, uses such as agriculture, agriculture related services, and extremely low density residential development (1 unit per 3 acres or less) would be permitted. With the exception of agricultural related uses, nonresidential uses should not be encouraged. It is anticipated that any uses within the Conservation area would be served by individual on-site water and wastewater.

Rural Areas (Areas Preferred for Open Space and Agricultural Preservation)

The Rural class is intended to provide for agriculture, forestry, and other allied uses traditionally associated with a rural area. The Rural class is the broadest of the several general land classes and thus constitutes the second largest land area on the Currituck County Land Classification Map. Interior land areas including a significant amount of prime farmland, away from the ocean and sound, and not assigned to the Conservation Class, have been designated Rural.

Preferred uses include very low-density dispersed development associated directly with farm uses. Residential dwellings associated with farm activity typically employ on-site water supply (e.g. individual wells) and waste disposal (i.e. septic systems). Areas meeting the intent of this classification are appropriate for or presently used for agriculture, forestry, and other similar uses. Agri-tourism related uses should also be considered appropriate.

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

Limited Service Areas* (Areas Preferred for Low Density Development)

The purpose of the Limited Services Area class is to provide for primarily residential development at low densities. While low-density development may continue to locate in these areas, it is recognized that soil limitations, flood prone areas, and a lack of infrastructure and services may prevent these areas from ever reaching an urban level of development. Residences in these areas usually employ wells and private septic tanks. Because many of the areas identified for Limited Service also include prime farmland efforts should be made to ensure that thriving agricultural operations are protected from encroaching development through the use of buffering, landscaping, and conservation oriented design.

Despite the overall low density of these areas, efforts should be made to encourage clusters of residential uses to preserve open space and to provide for a sense of a "community". Base development density should be 1 unit per acre but could be increased to 1.5 units per acre through overlay zoning depending upon whether service facilities are in place or planned and the potential impact on the surrounding community. In the same instances where slightly higher density is considered appropriate a moderate mix of housing types such as semi-detached would also be considered reasonable.

With respect to nonresidential uses, it is essential that the existing community character be preserved. Design criteria should be established to ensure that commercial development protects and preserves the existing community in scale, architectural style, materials, landscaping, and site design. In general, neighborhood commercial uses are more appropriate than large scale commercial complexes. However, business designed to serve the tourist industry such as small gift shops or agri-tourism related uses should not be prohibited provided the character and intensity of the use is in keeping with the character of the surrounding area.

Very limited municipal-type services, such as fire protection, emergency services, and community water, may be available; centralized sewage collection and treatment systems whether public or community may be appropriate for these areas.

Full Service Areas* (Areas Preferred for Community Centers)

Areas designated as Full Service are those parts of the county where a broad range of infrastructure and service investments have been provided or will be made available by the public and/or private sectors. Infrastructure investments may include, for example, community level or centralized water, parks, schools, fire and rescue facilities. Central wastewater treatment and disposal whether public or community is considered reasonable in the Full Service Areas.

With respect to residential development, base development density is contemplated to be 2 units per acre but could be increased to 3-4 units per acre through overlay zoning depending upon services available and the potential impact on the surrounding area. A greater diversity in housing types (i.e. semi-detached, attached, multi-family) would be considered appropriate in the Full Service areas.

With respect to nonresidential uses, it is essential that the existing community character be preserved. Design criteria should be established to ensure that commercial development protects and preserves the existing community in scale, architectural style, materials, landscaping, and site design. Nonresidential uses may include clusters of businesses serving the immediate area and, where appropriate, a more extensive market territory.

Some of the areas identified for Full Service also include prime farmland. In an effort to protect existing agricultural operations, efforts should be made to buffer them from encroaching development through the use of landscaping and conservation oriented design.

**It is important to note that the intent of these last two land classes is not to blanket the entire landscape with development, but rather to encourage new developments to occur in village like patterns on pockets of land within these broader areas. Except in the totally residential Carova, Aydlett, and Churches Island/Waterlily areas, these village-like areas may include retail services of a scale compatible with their location and the immediately adjoining area. This will discourage unnecessary increases in traffic volumes on the County's few main roads by encouraging residents to shop for their basic needs closer to home, even within walking or biking distance when possible. At the same time, the use of clustered developments is intended to allow for the allocation of permanent open space around and between such clusters. This development pattern is entirely consistent with the desires of County residents to preserve open space while allowing growth to occur in a managed way.*

Sub-Area Concerns and Policies

The text accompanying the Land Classification Map goes one step farther to describe the unique character and policy emphasis assigned to various planning sub-areas of Currituck County. Knotts Island, for example, has a very different development character than the Carova area. These two areas call for different policy emphases, even though their overall land classification (Limited Service Area) is the same. To treat each area the same from a policy standpoint would eventually destroy those characteristics that make each part of Currituck County unique. For each planning sub-area, a brief Summary Of Area Character is presented, followed immediately by a statement of Policy Emphasis to be employed by the County in making development decisions for that area.

Moyock Area

Summary of Area Character

The Moyock area is the fastest growing part of Currituck County. Development densities currently range from 1 to 3 units per acre depending upon development type. It is coming under increasing development pressure as a "bedroom community" for the Tidewater Area of Virginia. This means that people moving into the Moyock area often work across the state line in Virginia but prefer to have their residence in Currituck County. Heightened development interest in this area has brought with it pressure for more subdivisions, as well as the retail services that follow such development. It also brings with it concerns about heavier traffic, loss of open space, increased stormwater runoff and drainage issues, overburdened schools, a need for enhanced police, fire and rescue services, and demand for centralized water and sewer services.

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.

The proposed 168 Bypass will be needed to address the increased traffic loads passing into and through this area. Protections should be put in place before the Bypass is built so as to conserve the integrity and traffic moving function of this new roadway. Appropriate land use controls and access management will be critical in protecting the public's investment in the new roadway. A selected right of way corridor that gives proper consideration to avoiding existing home sites will be important. Traffic management on secondary and local roads will also need to receive attention.

Given the existing development pattern and availability of services, much of the Moyock area is planned as Full Service. However, it should be noted that all four (4) land use classifications are included in Moyock and the surrounding area. There are existing environmentally sensitive areas that cannot support higher density development and do not have access to services that are therefore classified in either the Conservation or Rural Areas. In addition, it is not the County's intention to develop all of Moyock intensely but rather create specific service centers and to provide a buffer of Limited Service Areas at lower density development between Full Service Areas and those within the Rural and Conservation classifications.

Shawboro/Crawford

Summary of Area Character

The predominantly rural Shawboro/Crawford area contains some of the best, most extensive agricultural lands in the county. Current development density is 1 unit per 3 acres. There are no schools, parks or utilities serving this area and hence, no incentives for significant residential development to locate here. At the same time, there is the potential for conflicting views among landowners in the area. On one hand, there are the landowners who have profitable farm operations and a strong desire to continue farming for as long as they, and perhaps their children and grandchildren, are able to do so. These landowners are concerned about residential subdivisions moving into the area, whose residents soon begin complaining about the dust, odors, tractors on the road and other factors customarily associated with farming. On the other hand, there are the landowners who may be struggling to keep their farm operations afloat, or who may be reaching retirement age with no offspring interested in taking over the farm. These landowners may have an interest in selling some or all of their land for development.

Policy Emphasis:

The policy emphasis of this plan is to encourage the preservation of agriculture and open space in the Shawboro/Crawford area whenever possible. While this area will be impacted by the proposed NC 168 Bypass, the overarching development policies of the area should hold. The purpose of the proposed bypass is to move traffic through the County rather than create an additional development center and therefore access should be limited. The County should study the area more closely as it proceeds with an update to the Thoroughfare Plan.

Residential development, when approved, should bear some direct relationship to agricultural activity so as to minimize land use conflicts between farm operations and nearby residents. When residential development does occur, it should be strategically located to minimize conflicts.

Common sense examples include placing residential development: (1) upwind of prevailing winds and open fields (2) behind or in and among wooded areas (3) clustered near existing non-farm uses such as a church, general store or other residences. "Leapfrog" residential subdivisions, unrelated to farm activities, and that would interrupt a large expanse of agriculture and open space, should be strongly discouraged. Small businesses serving the needs of a rural area (general store, farm supply, hardware, etc.) should be encouraged to locate at road intersections. Residential development density equal to or less than one unit per three acres is to be encouraged in the Shawboro/Crawford area and it has therefore been identified as a mix Conservation and Rural Areas on the Future Land Use Map. Private access subdivisions, which allow up to five one-acre lots to occur anywhere without review or input from the Planning Board or Farmland Preservation Board, are to be especially discouraged here.

Courthouse Area

Summary of Area Character

For many years and continuing to this day, the Courthouse area of the mainland has been the traditional governmental center of Currituck County. Development densities range from 1 to 2 units per acre. In addition to the old original courthouse, the area also contains the new Currituck County Governmental Center, a fire/EMS station, an elementary school, other County offices, and the mainland ferry landing. Several small businesses also operate within the area. Significantly, this is one of the few areas of the mainland where reasonably high and dry developable land fronts directly on the waters of the sound.

Policy Emphasis:

The policy emphasis of this plan is for the Courthouse area to continue to grow as a small community center therefore much of the area is considered Full Service and Limited Service. Given the existing cluster of services and local government functions here, and the sizable area of developable land adjoining the sound, it is likely that the Courthouse area will continue to see limited growth over the next decade. This growth is not apt to be as significant as in the Moyock area, where substantial numbers of workers will work in Tidewater Virginia but choose to live in Currituck County. Similarly, the completion of the proposed Mid-County Bridge will likely spawn the construction of some residences for workers commuting to jobs on the Outer Banks, but not to the same degree as in the Barco/Coinjock area. Even so, as Currituck County continues to grow, new residences will move into the Courthouse area, and a commensurate number of new businesses will likely follow.

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. Regardless of the level of growth, care should be taken to encourage quality development and the preservation of open space in conjunction with development approvals.

Barco/Coinjock/Airport Area

Summary of Area Character

While this area is, at present, quite sparsely developed (approximately 1 unit per acre), it has many of the ingredients in place to become a significant community center for the mainland over the next 10 to 15 years. Consider that the area envelops the strategically important intersection of US 158 and NC 168. Upon completion of the proposed NC 168 by-pass (which will also feed into US 158, farther to the west) this intersection will only grow in importance. This area also includes an elementary school, a middle school and a high school, the airport, the landfill/transfer station, the Sheriff's office and jail, a County Park, a fire/EMS station, and a water treatment plant. A number of small businesses are also located within the area. Compared to many areas of the mainland, this area has a significant amount of land that is not in wetlands.

Policy Emphasis:

The policy emphasis of this plan is for the Barco/Coinjock/Airport area to emerge as the principal community center serving the central area of the mainland and is therefore included as a Full Service Area. In addition, once the proposed Mid-County Bridge is completed, it is quite likely that this area will become a major new mainland service area for the Corolla and Carova areas of Currituck County. This means that the area is apt to see a large number of residences built for workers commuting to construction and service jobs on the Outer Banks. Further, as the area comes into its own as a distinct community center, the reciprocal needs of homes and businesses will feed off each other, adding even more growth to the area. As is the case with the Courthouse area, care should be taken to encourage quality development and the preservation of open space in conjunction with development approvals.

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.

Intersection of Proposed Mid-County Bridge and US Highway 158

Summary of Area Character

The present location of the intersection of the proposed Mid-County Bridge and US Highway 158 is largely undeveloped. Current development density is approximately 1 unit per acre. Highway 158 at this location runs along a relatively narrow, north-south running ridge of higher ground. To the east and west of this ridge are low-lying areas generally characterized as wetlands. Beyond the wetlands to the east lies the small community of Aydlett, which has voiced concerns about the potential impact of the new bridge on their community.

Policy Emphasis:

The policy emphasis of this plan is for there to be no access from the bridge road into the Aydlett community, thereby protecting the community from unwanted commercial development. Rather, commercial development spawned by the bridge should be clustered just off US 158 north and south of the new intersection with the bridge road. Further, it is expected that wetlands will block commercial development from occurring at locations removed from the US 158 corridor. For these reasons the area is identified on the Future Land Use Map as Limited Service.

At the same time, care should be taken to adequately control the location and design of commercial development so as not to compromise the traffic moving function of the new bridge and roads leading to it. Community aesthetics and image associated with new development along this major travel corridor should also receive strong consideration in setting standards for development approval here. While currently limited to 1 housing unit per acre, residential development densities in this area could be increased to 1.5 units per acre upon completion of the proposed Mid-County Bridge and availability of services.

Aydlett and Waterlily/Churches Island

Summary of Area Character

The communities of Aydlett, Waterlily and Churches Island offer some of the most attractive areas for development on the mainland of Currituck County. Situated atop an ancient, north-south running ridge of relatively high and dry ground, these areas directly abut the western shoreline of Currituck Sound, with very little intervening marsh. Home sites have panoramic views across the sound to the Outer Banks. It is not surprising, then, that these areas are among the most attractive for new residential development and redevelopment. In recent years, as the value of the land here has dramatically increased, older smaller homes have begun to be replaced by much larger structures. Existing zoning in these areas calls for 40,000 square foot lots or a density of 1 unit per acre. There is little or no commercial development in these areas.

Policy Emphasis:

The policy emphasis of this plan is for developable areas of Aydlett, Waterlily and Churches Island to remain as low-density residential areas at 1 unit per acre. The area is a mix of Limited Service and Rural classifications on the Future Land Use Map. Generally, no centralized sewer services should be provided to these areas that would induce more intensive development; residences will continue to rely upon individual septic systems. While services that satisfy direct public health, safety and general welfare needs, such as fire protection, law enforcement, and emergency medical services are to be welcomed, no commercial development should be permitted in these areas. Finally, as noted in the preceding discussion of the Mid-County Bridge, there is to be no access from the bridge road into communities near the landfall for the bridge.

Grandy

Summary of Area Character

Grandy is the second fastest growth area in Currituck County, second only to the Moyock area. Existing development density is approximately 1 to 2 units per acre with a fair amount of nonresidential development as well. Despite a fairly lengthy commute to the Outer Banks (compared to Point Harbor, for example), Grandy is nonetheless the home of many workers who provide services to the predominantly residential areas of the Outer Banks. Grandy is also emerging as a distinct service center in the southern part of mainland Currituck County, though not to the same degree as the Point Harbor area. Housing in the Grandy area is still relatively affordable, although escalating real estate prices throughout much of Currituck County threaten to place homes even in this area out of the reach of some workers. In addition, the advent of the proposed Mid-county Bridge will undoubtedly strengthen Grandy's position as a service area for the Outer Banks of Currituck County.

Policy Emphasis:

The policy emphasis of this plan is to allow Grandy to further evolve as a community center in its own right and it is identified as a Full Service area on the Future Land Use Plan. 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, is 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.

Given the existing development pattern and availability of services, much of the Grandy area is planned as Full Service. However, it should be noted that three (3) of the land use classifications are included in Grandy and the surrounding area. There are existing environmentally sensitive areas that cannot support higher density development and are therefore classified as Conservation Areas. In addition, it is not the County's intention to develop all of Grandy intensely but rather create specific service centers and to provide a buffer of Limited Service Areas at lower density development between Full Service Areas and those within the Conservation classification.

Jarvisburg

Summary of Area Character

Despite its favorable location relative to the Outer Banks, the Jarvisburg area has thus far remained largely rural in character with a development density of 1 unit per acre or less. Signs are emerging, however, that may soon bring considerable change to the area's heretofore bucolic landscape. Like the Grandy area, the Jarvisburg area is coming under increasing pressure for development. The same land characteristics that traditionally have made this area suitable for farming (cleared, relatively level land with man-made drainage), also make the area quite attractive for development. Currently, land speculation has become more commonplace in the Jarvisburg area, as optioned properties (closing often contingent upon rezoning), offer current owners purchase prices of three or four times their present value.

Policy Emphasis:

The policy emphasis of this plan is to allow the Jarvisburg area to accommodate quality residential development at low densities while preserving the rural landscape between such developments. Similar to the Grandy area, but at a lower overall density, new residential development should be encouraged to locate in compact, village like clusters, preferably near existing, non-agricultural activities and services. An example might be a new compact, walkable neighborhood of homes built near an existing or proposed church, school or compatibly designed general store. Residential development density can be higher than the truly expansive Shawboro/Crawford rural area, but still much less than the densities to be found in Grandy to the north or Point Harbor to the south. The area is encompassed both the Conservation and Limited Service classifications and an average density of 1 unit per acre is contemplated.

Point Harbor

Summary of Area Character

Point Harbor has gradually been assuming the characteristics of a full service community with a residential development density of approximately 1 unit per acre with a fair amount of nonresidential development. In addition to a range of housing prices, Point Harbor is today served by a variety of retail and other business establishments. As a result, residents of Point

Harbor need not travel great distances to find most of the every day needs. At the same time, with convenience comes the potential for conflicts between land uses; the area must be watchful not to allow poorly planned non-residential uses to adversely impact the character of the area and the peace and quiet traditionally enjoyed by its residents.

Policy Emphasis:

The policy emphasis of this plan is to allow portions of the Point Harbor area to continue to evolve as a full service community, but with better attention to the planning needed to protect residential areas and the natural features that make the area so attractive. Policies and actions contained in the land use plan should work to: (1) preserve and enhance the roadside appearance of land uses along US 158, (2) place stricter controls over mining to assure that such operations do not adversely impact nearby areas, (3) cluster retail and other service businesses in carefully planned clusters, rather than encourage ordinary strip centers along the highway, (4) Require vegetated buffers around non-residential uses to protect existing and planned neighborhoods (5) Require vegetated buffers along shorelines to preserve public access and open space at the waters edge and to protect water quality in the sound (6) and coordinate with NCDOT for the strategic placement of traffic signals along US 158 in the Southern portion of the Mainland. Housing in the Point Harbor area should continue to reflect a range of housing types and prices with emphasis on single-family site-built homes.

The majority of the area is included in the Limited Service and Conservation classifications which support densities ranging from 1 unit per 3 acres to 1 unit per acre. However, portions of the area currently evolving as full service community centers have been identified for Full Service contemplating development densities ranging from 1-1.5 units per acre where on-site wastewater is proposed and other County services are limited. Where central sewer is proposed or existing, additional services are available and the character of the surrounding areas supports it, density may be increased to 3-4 units per acre through the use of overlay zones. As with the Moyock and Grandy areas the Limited Service Area will act as a transition or buffer between the Conservation and Full Service Areas.

Corolla

Summary of Area Character

The Corolla area is 85 to 90 percent developed. There is little reason to believe that most of Corolla's growth is behind it, however. On the contrary, the future of this area will be determined less by new development on vacant lots and more by second and third generation redevelopment of lots already built upon. As the value of barrier island property has continued to escalate, the economic incentive for redevelopment of existing properties has heightened dramatically. In other words, the value of the land can justify a much greater investment in the structure placed upon it. This means that older era beach cottages can be torn down and replaced by much larger and more massive residential structures. It also means that, as this phenomenon takes effect, the Corolla area will witness increases in impervious surface areas, greater demand for drinking water and wastewater treatment capacities, the need for more parking, greater traffic generation, and the need for greater fire flows to handle much larger, bulkier structures.

Policy Emphasis:

The policy emphasis of this plan is to allow for predominantly medium density residential development (2 to 3 units per acre) with minimal commercial development arranged in clusters. An overall density of no more than 3 units per acre should also apply to PUDs, the prevailing development form in the Corolla area. PUDs should also have a mandated 30% permanent open space requirement. Strip commercial development is to be avoided for both aesthetic as well as traffic moving considerations. Development and redevelopment should be capable of being

supported by the area's infrastructure and services—particularly drinking water, sewage treatment, road capacity, parking areas, and required fire suppression capabilities. Development standards should recognize that massive residential structures, whether built as a “single family” structure or partitioned into multi-family condominiums, can be equally intense in terms of the number of occupants, number of cars, water consumed, traffic generated, etc. Reasonable development/redevelopment limits should be set which balance the property rights of the individual against legitimate concerns about public health and safety.

Carova

Summary of Area Character

The Carova area is also called the “Off-Road” or “4 Wheel Drive” area of Currituck County. While current regulations require minimum lot sizes of 120,000 square feet (equivalent to about 1 unit per 3 acres), there are many pre-existing vacant lots, platted under the County's previous land use standards at 15,000 square feet per lot (equivalent to about 3 units per acre). This area has also been designated by the Federal government as a COBRA (Coastal Barriers Resource Act) area, meaning that no structure in this area is eligible for Federal flood insurance and no Federal money may be spent in this area that would stimulate development.

Policy Emphasis:

The policy emphasis of this plan is to allow for very low to medium density residential development (see above) without infrastructure or service investments that could stimulate growth and development. In terms of infrastructure, this means that no centralized water and sewer services, public or private, will be approved and no hard surface roads will be allowed. Further, only services that protect the health, safety, and welfare (i.e. law enforcement, fire and rescue.) will be authorized. Commercial and other convenience services shall not be allowed.

Knotts Island and Gibbs Woods

Summary of Area Character

Knotts Island and Gibbs Woods have several characteristics in common, and are therefore treated jointly here. First, both areas possess geographic positions and overland transportation linkages that tie them as much to Tidewater Virginia as to Currituck County. Second, they are very much residential in character, with vast areas of open space, influenced in large measure, by extensive wetlands. The existing development density is 1 unit per 3 acres. The two areas have few services, in terms of both business and infrastructure, and the residents have expressed no strong desire to change that. In fact, there is an apparent consensus among many residents of Knotts Island and Gibbs Woods that no services or infrastructure should be provided to these two areas (chiefly centralized water and sewer) that would encourage higher density development.

Policy Emphasis:

The policy emphasis of this plan is for developable areas of Knotts Island and Gibbs Woods to remain as low to very low density residential areas. This means predominantly 1 unit per 3 acres. In keeping with the wishes of the majority of residents in these two areas, no services or infrastructure should be provided that would serve as an inducement to more intensive development. This means that residences will continue to rely upon individual wells and septic systems for their water supply and sewage treatment needs. Services that satisfy direct public health, safety and general welfare needs, such as fire protection, law enforcement, and emergency medical services should, however, be periodically evaluated and improved as necessary.

Analysis of Future Land Use Map

The planning guidelines require an analysis of the amount of land allocated to each of the land classes shown on the Land Classification Map and a comparison with the land needs analysis of Section 4, Future Land Use Needs. The table below details this analysis.

Table 11.1 Comparison of Land Allocated to Future Land Use and Projected Land Needs, 2025

Land Use Class	Total Acres Allocated to Each Land Class (a)	% of Each Land Class in Development (b)	Total Acreage Available for Development as Projected (a) x (b)	Total Acreage Projected for Development
Full Service Areas	17,613	80%	14,090	
Limited Service Areas	26,706	65%	17,359	
Rural Areas	40,218	10%	4,021	
Conservation	81,183	2%	1,624	
Totals	165,720	--	37,094	37,183

The total acreage projected for development (37,183) comes from Section 4 of this plan, Projected Land Use In Development, 2025. The table acknowledges that some 10% of Rural Areas will go into development as certain farmers will wish to sell out and close down their farm operations. Full Service Areas have the highest percentage of their land in development due to the availability of sewer service to many of these areas by the year 2025. Limited Service Areas have a lower percentage of their acreage in development due to their dependency on septic tanks and variable soil conditions found here. Conservation Areas include some development, to acknowledge that some limited acreage within this broad classification will likely be acceptable for development (i.e. the wetland map may be wrong in some instances, or simply not detailed enough). Total Acreage Available for Development as Projected includes acreages that will be set aside as permanently dedicated open space during the development process. These areas are considered part of the development and therefore included as developed acreage for this analysis.

As stated above, not all of the acreage dedicated to the four (4) land use classifications is anticipated to fully develop within the planning horizon. The Plan is intended to be a generalized guide showing areas targeted for development. The designation of Limited Service and Full Service areas is conservative and intended to direct the most intense development in areas where public services exist or are planned. Given the anticipated development rate, the amount of land allocated for development on the Future Land Use Map comports with the acreage needed for future development (Section 4).

Table 11.2 Distribution of Acreages between the Classifications and Land Use Designations

		Existing Land Use Classifications				Total Acreage 165,730
		(Additional Land Area Needed for Development from Table 4.10)				
		Residential 15,248 A	Commercial 2,005 A	Industrial 701 A	Other (including undeveloped) 147,476	
Future Land Use Designations						
Full Service 17,613 A (11%)	80% in Development 14,090A	6,100 A	1,000 A	400 A	10,113	17,613
Limited Service 26,644 A (16%)	65% in Development 17,359A	4,748 A	884 A	301 A	20,711	26,706
Rural 40,218 A (24%)	10% in Development 4,021 A	3,000 A	121 A		37,097	40,218
Conservation 81,255 A (49%)	2% in Development 1,624A	1,400 A			79,855	81,183
Total Acreage 165,730	Total Acreage in Development 37,094	15,248	2,005	701	147,776	165,720

As stated above, the County does not expect the areas designated for development will build out within the planning period. A percentage is estimated for each of the categories. Full Service Areas will likely see the majority of development and therefore a build out of 80 percent is estimated. Limited Service Areas are likely to also experience a significant demand for development and therefore a 65 percent development rate is anticipated. Development of Rural Areas is already constricted by existing regulations and a development rate of 10 percent is anticipated. Conservation Areas are severely limited by sensitive environmental features and therefore only 2 percent of the land area is anticipated to develop within the planning horizon.

As illustrated by the table above, it is anticipated that the majority of the development in the County within all four (4) future land use designations will be residential in nature. Commercial development is likely to take place in the Full Service and Limited Service Areas with limited demand for agriculturally based services in the Rural Area. Similarly, industrial uses will likely be directed toward the Full Service and Limited Service Areas. The balance of the land in the County is likely to remain undeveloped during the planning horizon.

Chairman O'Neal opened the public hearing. There being no comments, he closed the public hearing.

Commissioner Martin moved to approve. Commissioner Miller seconded the motion. Motion carried.

Appointment to ABC Board to replace Donnie Jones

Commissioner Martin moved to appoint Jean Jones. Commissioner Miller seconded the motion. Motion carried.

Appointment to Albemarle Mental Health Board

Commissioner Miller moved to appoint Commissioner Etheridge. Commissioner Martin seconded the motion. Motion carried.

Appointment to Airport Board

Commissioner Martin moved to appoint John Snowden and Barbara Courtney. Commissioner Miller seconded the motion. Motion carried.

Appointment to Board of Adjustment

Commissioner Miller moved to appoint Eldon Miller, III. Commissioner Martin seconded the motion. Motion carried.

Consent Agenda:

- A. Resolution in support of local fees for food and lodging-Albemarle Regional Health**
- B. Albemarle Mental Health first quarterly Monitoring Report**
- C. Approval of Work First Block Grant Plan for 2007-08**
- D. Budget Amendments**

Commissioner Miller moved to approve. Commissioner Martin seconded the motion. Motion carried with Commissioner Bowden voting no on the budget amendment for legal fees.

RESOLUTION IN SUPPORT OF LOCAL FEES FOR FOOD AND LODGING

WHEREAS, the State of North Carolina mandates that local government provide Food and Lodging support and inspections; and

WHEREAS, the State provides less than \$20,000 per year in support of providing Food and Lodging support and inspections; and

WHEREAS, it costs the local taxpayers of the Albemarle Regional Health Services' service area (Bertie, Camden, Chowan, Currituck, Gates, Pasquotank and Perquimans counties) upwards of \$129,000 to meet the State mandated requirements of the Food and Lodging Program; and

WHEREAS, the Albemarle Regional Health Services' Food and Lodging Program strives to be compliant with the State mandate; and

WHEREAS, Albemarle Regional Health Services fully supports holding the State Environmental Health Division harmless for the funding to develop and maintain the environmental health data system; and

WHEREAS, the Albemarle Regional Health Services Board of Health believes fee for service funding for Food and Lodging support and inspections would be more equitable than asking county residents to bear the cost of this State mandated service through the use of ad valorem taxes; and

WHEREAS, other State mandated services such as the On-Site Sewage Program, Swimming Pool Program, and Tattoo Parlor Program are funded using a fee for service approach; and

WHEREAS, the newly mandated Private Well Monitoring Program will be funded using fee for services; and

WHEREAS, Food and Lodging facility owners and operators draw financial benefit from such facilities; and

WHEREAS, the Albemarle Regional Health Services' Board of Health, in regular session on Tuesday, October 24, 2006, did approve a similar resolution.

THEREFORE, the Currituck County Board of Commissioners, meeting in regular session, hereby requests the General Assembly to enact legislation empowering local government to enact and collect fees for providing Food and Lodging support and inspections from such enterprises operating within their boundaries.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
61818-590002	Waterline Expansion	\$ 21,625	
61380-481000	Investment earnings		\$ 21,625
		\$ 21,625	\$ 21,625

Explanation: Mainland Water (818) - Increase budgeted line item for the Walnut Island waterline upgrade that was originally budgeted at \$225,000. The project bid amount was \$246,625.

Net Budget Effect: Mainland Water Fund (61) - Increased by \$21,625.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
61818-561000	Professional Services	\$ 326,569	

61380-482000	Miscellaneous Revenue		\$	63,285
	Fund Balance			
61390-499900	Appropriated		\$	263,284
			<u>\$</u>	<u>326,569</u>
			<u>\$</u>	<u>326,569</u>

Explanation: Mainland Water (818) - Increase budgeted line items for Water System evaluation and for Phase II of the ECU study for RO outfall. Fifty percent of the ECU study will be reimbursed by NC Department of Environmental Health and Natural Resources.

Net Budget Effect: Mainland Water Fund (61) - Increased by \$326,569.

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
10460-532000	Supplies	\$	11,500		
10460-590000	Capital Outlay			\$	11,500
			<u>\$</u>	<u>11,500</u>	<u>\$</u>
					<u>11,500</u>

Explanation: Public Works (460) - Transfer funds from capital outlay that was budgeted to purchase attachments for a tractor that was not purchased to supplies to equip the engineer's office and a conference area to layout building plans for the engineer and planning staff.

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

<u>Account Number</u>	<u>Account Description</u>	Debit		Credit	
			Decrease Revenue or Increase Expense		Increase Revenue or Decrease Expense
10415-561000	Professional Services	\$	25,000		

10390-499900	Fund Balance Appropriated		\$	25,000
		<u>\$</u>	<u>25,000</u>	<u>\$</u> <u>25,000</u>

Explanation: Legal (415) - Increase professional services for Robinson, Bradshaw and Hinson to prepare a North Carolina Supreme Court brief and oral argument regarding the Ocean Hill road closing. Funding will be 33.3% from the County and the additional 66.7% will be paid by the North Carolina Association of County Commissioners and the Ocean Hill Property Owners Association.

Net Budget

Effect: Operating Fund (10) - Increased by \$25,000.

Commissioner's Report

Commissioner Miller commended the current Board for all their accomplishments.

Commissioner Martin commended staff.

Chairman O'Neal stated that this election was the worst in his years of service.

County Manager's Report

No comments

Adjourn

There being no further comments, Chairman O'Neal adjourned the meeting.

Tourism Development Authority Meeting

Call to Order

Chairman O'Neal called the Tourism Development Meeting to order.

Appointments to Tourism Advisory Board

Commissioner Martin moved to re-appoint David Palmer and John Wright and appoint Krista Boughey. Commissioner Etheridge seconded the motion. Motion carried.

Adjourn

There being no further business, the meeting adjourned.