

Currituck County Board of Commissioners Agenda

Historic Currituck County Courthouse

Date: Monday, August 18, 2008

Time: 7:00 PM

Work Sessions

5:00 Update on Moyock Centralized Waste Water System

Regular Agenda

7:00 p.m. Invocation

Pledge of Allegiance

Item 1 Approval of Agenda

Item 2 Public Comment

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

Item 3 **Recognition of Shawboro Ruritan Club**

Item 4 **Presentation** Historic Preservation Study

Item 5 **Public Hearing and Action** PB 08-22 Currituck Marina: Request to amend the Currituck County Land Use Plan to designate approximately 40 acres of the Future Land Use map from Conservation Area to Full Service Area. The property is located at 291 West Side Lane, Tax Map 112, Lot 3C, Poplar Branch Township.

Item 6 **Public Hearing and Action** PB 08-37 Moyock Public Library – Request a Special Use Permit to allow a public library at 838 Tulls Creek Road, Tax Map 22, Parcel 78C, Moyock Township.

Item 7 **Public Hearing and Action** PB 08-23 Larry Gaither: Request to amend the Currituck County UDO Chapter 10, Sections 10.4.1 and 10.4.4 to allow an individual building lot(s) to construct an elevated walkway through the dedicated conservation open space to a navigable body of water.

Item 8 **Request for Currituck County to determine Standard or Electing county for the Work First Program**

Item 9 **Consent Agenda:**

1. Budget Amendments
2. Approval of Building Inspection Records Disposition
3. Approval of August 4, 2008, Minutes

Item 10 Commissioner's Report

Item 11 County Manager's Report

Adjourn

**RESOLUTION
OF RECOGNITION
SHAWBORO RURITAN CLUB**

WHEREAS, founded on May 21, 1928, in Holland, Virginia, Ruritan has grown throughout these Unites States of America and in doing so, has become “One of America’s Leading Community Service Organizations;” and

WHEREAS, on September 7, 2008, the Shawboro Ruritan Club will celebrate sixty years in Currituck County; and

WHEREAS, the Shawboro Ruritan Club has promoted fellowship and goodwill among its members and the residents of Shawboro; and

WHEREAS, Ruritan Clubs unify the efforts of individuals, organizations and institutions in the community toward making it an ideal place in which to live; and

WHEREAS, Ruritans create greater understanding between rural and urban people on the problems of each, as well as on their mutual problems;

NOW, THEREFORE, BE IT RESOLVED, the Currituck County Board of Commissioners would like to recognize the Shawboro Ruritan Club for sixty years of community service and substantial contributions to the well-being of the citizens of Currituck County.

ADOPTED this the 18th day of August, 2008.

ATTEST:

Gwen H. Keene, CMC
Clerk to the Board

Gene A. Gregory
Vice-Chairman



Currituck County

Department of Planning
Post Office Box 70
Currituck, North Carolina 27929
252-232-6029
FAX 252-232-3026

MEMORANDUM

To: Board of Commissioners

From: Ben E. Woody, AICP
Planning Director

Cc: Charlan Owens, AICP
DCM Elizabeth City District Planner

Date: July 30, 2008

Re: PB 08-22 Currituck Marina Land Use Plan Amendment

Michael E. Perry of MSA, P.C. is requesting an amendment to the Currituck County Land Use Plan to designate approximately 40 acres of the Future Land Use map from Conservation area to Full Service area. This request is intended to accommodate an upland marina with direct access to the Albemarle Sound.

As required by the Coastal Area Management Act (CAMA), the Board of Commissioners must approve a local resolution of adoption which includes findings that demonstrate this amendment is consistent with the policy objectives of the Plan. Additionally, the County must demonstrate the amendment will not adversely affect the provision of services and infrastructure. Once the appropriate findings and local resolution of adoption are approved, the amendment will then be considered by the Coastal Resources Commission (CRC) for formal certification.

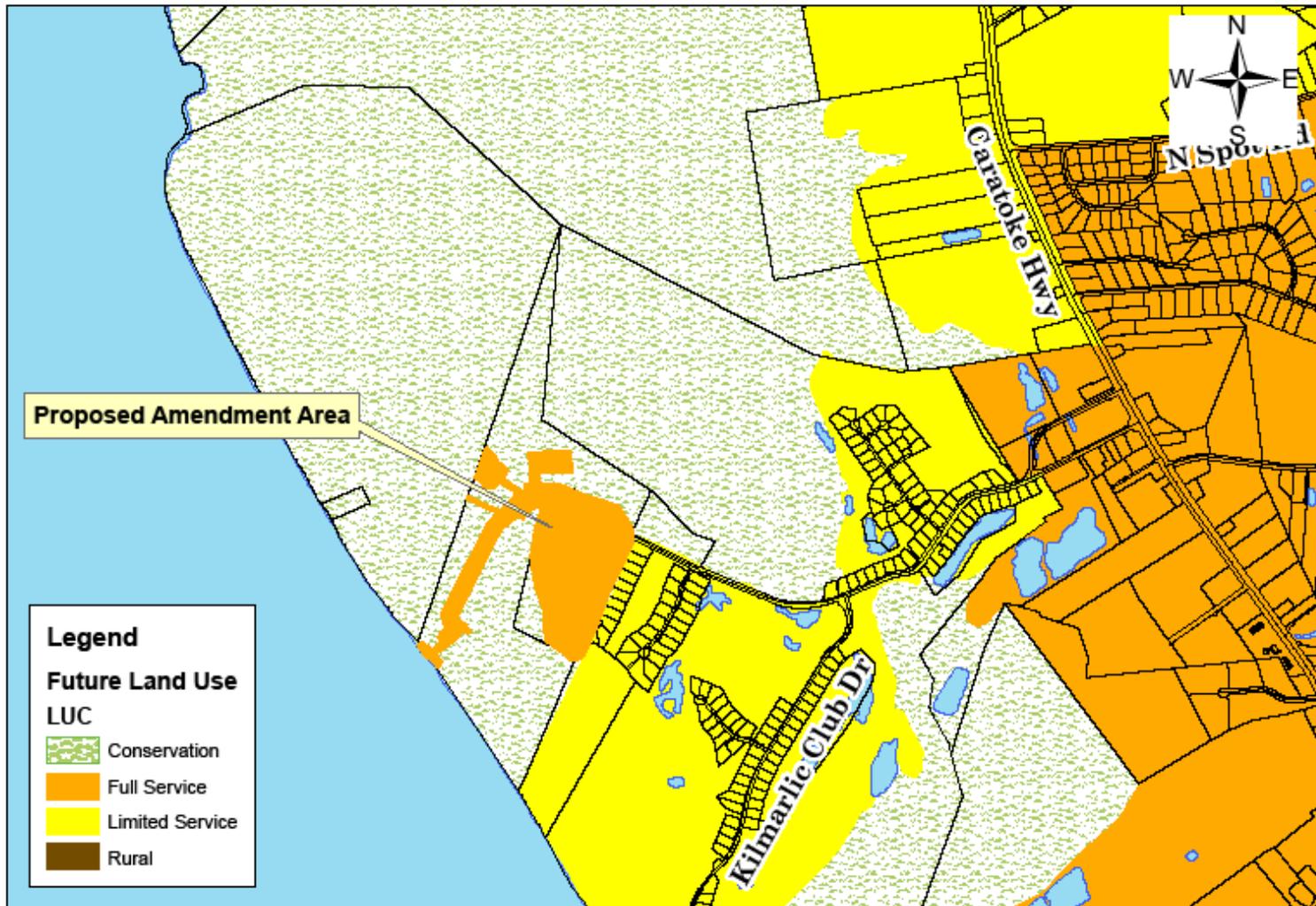
Enclosed please find the following information:

- maps of the amendment area (*page 2 - 3*)
- planning staff case analysis (*page 4 - 9*)
- meeting minutes of the Planning Board (*page 10 - 14*)
- narrative of the request as submitted by the applicant (*page 15*)
- copy of the amendment application (*page 16 -17*)
- survey of the subject property (*page 18*)
- local resolution of adoption and findings of plan consistency (*page 19*)
- Land Use Plan amendments (*page 20 - 21*)

This request is tentatively scheduled to be considered by the CRC at their quarterly September meeting.

Should you have any questions, do not hesitate to contact me at 232-6029.

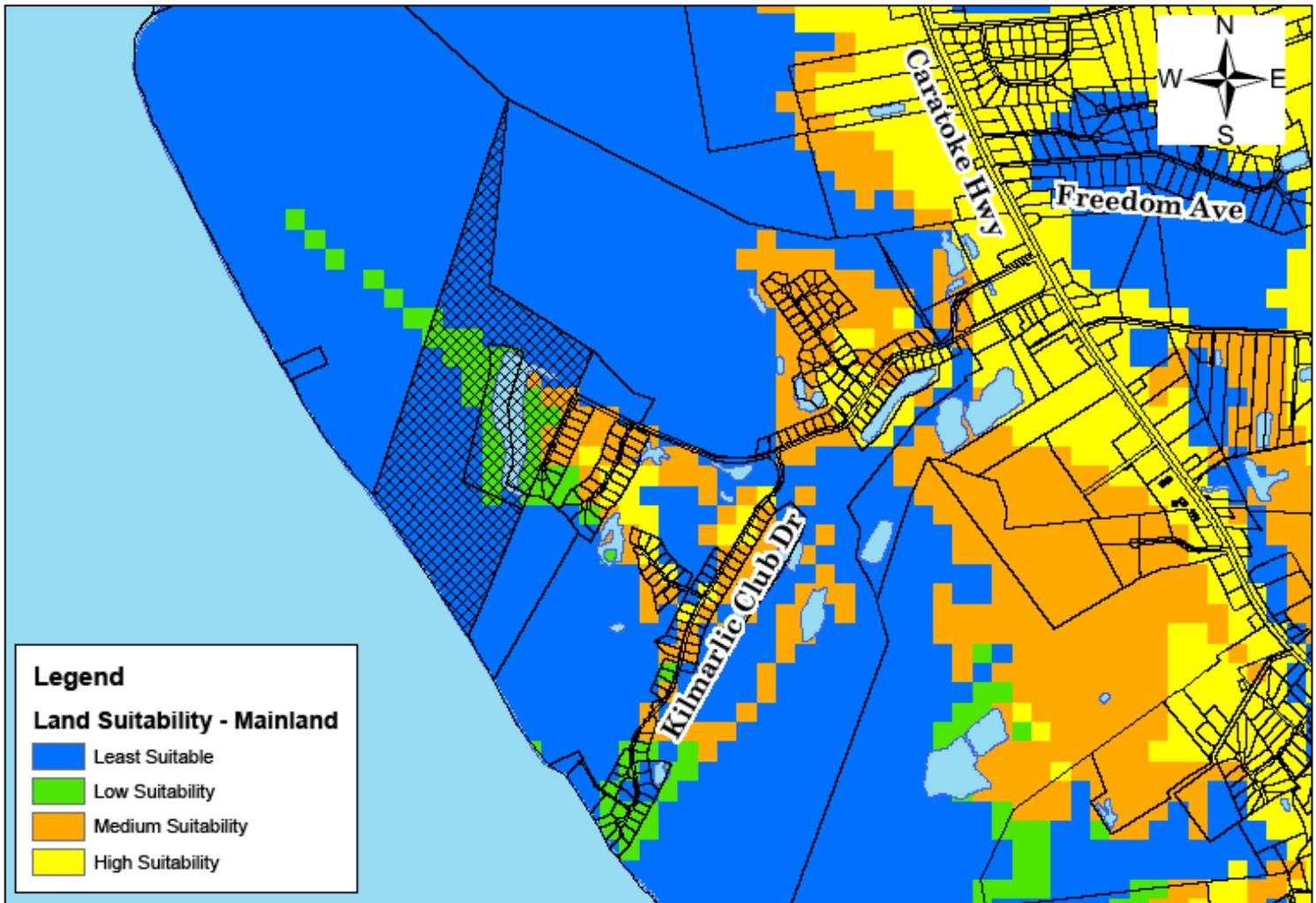
MAPS



**PB 08-22 CURRITUCK MARINA
Land Use Plan Amendment**

0 850 1,700 3,400 Feet
Currituck County Planning Department





**PB 08-22 CURRITUCK MARINA
Land Use Plan Amendment**

0 900 1,800 3,600 Feet
Currituck County Planning Department



**CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS
MEETING DATE: August 18, 2008
Land Use Plan Amendment
PB 08-22 Currituck Marina**

TYPE OF REQUEST: To amend the Currituck County Land Use Plan to designate approximately 40 acres of the Future Land Use map from Conservation Area to Full Service Area.

LOCATION: Located at 291 West Side Lane, adjacent to Kilmarlic.

TAX ID: Tax Map 112, Parcel 3C, Poplar Branch Township

OWNER: Denny Horgan
291 West Side Lane
Powells Point, NC 27966

AGENT/APPLICANT: Michael E. Perry of MSA, P.C.
5033 Rouse Drive
Virginia Beach, VA 23462

**CURRENT LAND USE
CLASSIFICATION:** Conservation Area

**PROPOSED LAND USE
CLASSIFICATION:** Full Service Area

CURRENT ZONING: Agricultural (A)

SURROUNDING PROPERTY:

	Land Use	LUP Classification
NORTH:	Undeveloped	Conservation
SOUTH:	Albemarle Sound	N/A
EAST:	Kilmarlic Subdivision	Limited Service
WEST:	Undeveloped	Conservation

LAND USE PLAN ANALYSIS:

CLASSIFICATIONS

Conservation Area – 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.

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.

Full Service Area – 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.

Point Harbor Sub-Area – The policy emphasis 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. Vegetative buffers should be required/maintained along shorelines to preserve public access and open space at the waters edge and to protect water quality in the sound.

SUPPORTIVE POLICIES

POLICY PA1: Public access to the sound and ocean waters of Currituck County is essential to the quality of life of residents and visitors, as well as the economy of the area. The County supports the establishment of ADDITIONAL PUBLIC AND PRIVATE ACCESS opportunities to the waters of Currituck County.

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

POLICY PA5: PUBLIC AND PRIVATE MARINAS offering access to area waters should be encouraged when developed in accordance with the CAMA specific use standards for marinas (i.e. docks for more than 10 vessels). Marinas shall not be approved, however, that are incompatible with nearby land uses or whose designs fail to meet the environmental quality and development standards of the County’s Unified Development Ordinance.

POLICY PA6: MARINAS IN UPLAND LOCATIONS generally shall be preferred over marinas in open water, thereby preserving the visual appearance of the shoreline as well as avoiding the “consumption” of available public trust surface waters.

POLICY PP2: 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 be limited to water supply, school capacity, park and open space needs, fire fighting capability, and law enforcement.

POLICY WQ6: Currituck County supports the retention or preservation of VEGETATED BUFFERS along the edge of drainage ways, streams and other components of the estuarine system as an effective, low cost means of protecting water quality.

POLICY ML3: The interests of Mainland Area residents in having ACCESS TO THE AREA’S OCEAN AND ESTUARINE WATERS shall be fostered through County actions to increase the number of additional public access sites at a rate commensurate with the population growth of the Currituck County. Included in the actions taken to increase public access shall be a consideration given to transportation needs, including boat docks and ferry services.

UNSUPPORTIVE POLICIES

POLICY ES2: NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, AND INLAND, NON-TIDAL WETLANDS, shall be conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the ground water table, and providing critical habitat for many plant and animal species.

POLICY WQ5: Development that preserves the NATURAL FEATURES OF THE SITE, including existing topography and significant existing vegetation, shall be encouraged. COASTAL AND NON-COASTAL WETLANDS shall not be considered part of a lot's acreage for the purpose of determining minimum lot size or development density.

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.

MANAGEMENT TOPICS

Staff responses are in italics and follow each management topic.

Public Access – To provide suitable public access opportunities to the County's public trust waters and shorelines so as to allow for a wide range of activities.

This request would provide the County's first direct public access to the Albemarle Sound.

Land Use Compatibility – To properly develop in accordance with the suitability of the land, infrastructure availability and the compatibility of surrounding uses.

The upland area of this request is classified as low suitability for development. There is county water and emergency medical services readily available to the site, as well as vehicular access from a State maintained road. The surrounding land uses include the Kilmarlic subdivision and golf course, a regional health and racquet club, and approximately 25 acres of land zoned for multifamily uses (4 du/acre).

Infrastructure Carrying Capacity – To avoid taking or approving actions related to infrastructure and the provision of services that could induce intensive development in environmentally fragile areas.

Infrastructure capacity such as improved roads and public water are directly accessible to the subject property.

Natural and Man-Made Hazards – To exercise caution, foresight, and common sense in dealing with the risks of coastal development.

With environmental oversight from the State and local tools such as conditional zoning and floodplain management, the county is in

a position to ensure development proposals are responsive to coastal development concerns.

Water Quality – To preserve and improve water quality in the coastal waters of Currituck County; To preserve critical natural areas as the source of biological diversity and productivity on the County’s ocean and estuarine environments.

This request is primarily limited to the upland areas of the subject property. The overall intensity of the project is of concern and will need to be designed in a manner to minimize potential impacts on water quality. The use of central wastewater, Low Impact Development (LID) stormwater techniques, and vegetative buffers are critical to the proposal’s consistency with Land Use Plan management topics.

Local Concerns – To protect and conserve the area’s natural beauty and coastal resources as the County’s greatest asset for economic development and a high quality of life.

The request attempts to minimize the impact of the developable area while promoting a high quality project that provides public access and other economic benefits to the county.

**CAMA LAND
SUITABILITY:**

According to the land suitability analysis included in the Land Use Plan, the site is primarily classified as least suitable for development. There are limited amounts of the site classified as low suitability (upland areas).

**PUBLIC SERVICES
AND UTILITIES:**

The site is located within the Jarvisburg Elementary School District. The Lower Currituck Volunteer Fire Department provides fire protection for this area. Public water is available to this site from the Kilmarlic Subdivision.

TRANSPORTATION:

The site is accessible by vehicle from West Side Lane and presumably by boat from the Intracoastal Waterway.

FLOOD ZONE:

The entire site is located in Flood Zone AE(7).

WETLANDS:

Approximately 95 acres of wetlands are located on the site (including the existing lake and canal). The remaining 23 acres primarily consists of uplands and comprises the majority of the request for Full Service designation.

SOILS:

The Currituck County Soils map indicates the property contains primarily non-suitable soils. There are limited

amounts of suitable soils which comprise the majority of the request for Full Service designation.

STAFF

RECOMMENDATION:

Staff recommends **conditional approval** of the request due to its consistency with existing Land Use Plan policies and management topics, and subject to the following recommendations:

- In order to maintain balance in Land Use Plan classifications, adjacent wetlands currently designated as Limited Service should be incorporated into this amendment request and designated as Conservation. Considering the intensity of development allowed by the proposed Full Service designation, staff would recommend a 2/1 ratio for exchanging Conservation areas (i.e., for every 1 acre of Full Service created, 2 acres of Conservation is created).
- Future development proposals for the subject property must maintain public access, public boat launching, and parking facilities to the Albemarle Sound (Policies PA1, PA2, PA5, ML3).
- Any future marina proposal shall participate and become a Certified Clean Marina in the North Carolina Clean Marina program (Policy PA7).
- This site is adjacent to the Albemarle Sound. In addition, the wetlands on this site are designated as a Significant Natural Heritage Area by the North Carolina Natural Heritage Program for their presence of rare and important ecological features. In an effort to protect these areas and preserve water quality, priority should be given to the retention and preservation of wetland areas. It is recommended that no development, land disturbing, or logging activities occur in areas designated by the 2006 Land Use Plan as Conservation. (Policies ES2, WQ 5, WQ 6, ML1)
- Future development proposals for the subject property must demonstrate that water quality is not adversely impacted. The use of Low Impact Development (LID) techniques and wetland preservation should be given high priority. In addition when developing near the shoreline, precedence should be given to “soft” stabilization approaches including but not limited to preservation of existing vegetation, creation of natural, living shorelines for areas needing stabilization, and establishment of vegetative buffers (Policies ES4, WQ3, WQ6, and Point Harbor Sub-Area description).

PLANNING BOARD DISCUSSION – June 10, 2008 Meeting

Mr. West stated that this is not part of the Kilmarlic property but access would need to go through a portion of the Kilmarlic property.

Mr. West asked how can wetlands in the Kilmarlic Club be designated to an conservation area if they are already designated to another subdivision.

Mr. Webb stated the county has sole authority to amend the plan if, the state certifies the change, and determine the outlook of the Future Land Use Plan.

Mr. West asked if public access would be available to the marina.

Mr. Webb stated the West Side Lane is a public road and the applicants have indicated there would be public marina access.

Mr. Morrison stated they think this is a great project for the citizens of Currituck having direct access to the Albemarle Sound. They have been in contact with the Kilmarlic golf course and they are working with them because this project will help their project.

Mr. Midgette asked Mr. Morrison if they are in agreement with staff recommendations.

Mr. Morrison stated yes.

Ms. Turner asked Mr. Morrison if he was okay with public access to sound and boat launch.

Mr. Morrison stated yes.

Mr. Bell asked who is responsible for checking the water quality?

Mr. Webb stated that a CAMA permit is reviewed by 12 different state agencies and a thorough review is done.

Mr. Kovacs asked if the Board of Commissioners are the only ones that can make changes to the Land Use Plan since they approve it.

Mr. Webb stated this is an amendment to a county planning document and staff would want a recommendation from the Planning Board.

Mr. West asked how does the next item on the agenda, which is a Currituck County request to amend the Land Use Plan, impact this request which is also a request to amend the Land Use Plan.

Mr. Webb stated that the applicants are asking the Planning Board to consider immediate action on this request tonight. What will be reported next is a report on the process the county is looking for a much wider area.

Mr. Woody stated that this request is totally separate from the County's request.

Mr. Midgette asked with this being an amendment to the Land Use Plan will this have an affect on any other conversation areas in the county.

Mr. Webb stated no.

Mr. Keel stated that since another Town Meeting is scheduled on June 17, 2008 for the citizens in the Crawford Township to offer comments on the proposed amendment and learn more about the County's Land Use Plan, wouldn't it be better to do the two amendments at the same time.

Mr. Woody stated he would encourage the board to consider this entirely separate from what the county is requesting.

Ms. Turner asked if the only reason they want to get the amendment is so they can obtain the CAMA permit.

Mr. Webb stated that this was the county's view. Mr. Webb stated that whatever action the county takes, The Division of Coastal Management will make a recommendation from the county's action afterwards or before it goes to Coastal Resources Commission (CRC).

Mr. West asked Mr. Morrison where they are with the project, i.e. permits, etc.

Mr. Morrison stated they have been working on this project for approximately three years which included all the engineering and surveying.

Mr. West stated that if this was put off for another month since the county is going through this Town Meeting process looking at the LUP and this could or could not have an impact on it.

Mr. Morrison stated he attended and participated at the Town Meeting on June 5, 2008 and thought it was fantastic to understand the LUP which is totally different and separate from what they are requesting. Mr. Morrison is asking the board to make a recommendation on their request and look at it as an individual project.

Mr. Webb stated that the LUP map is not the only component of the Land Use Plan, this is why we look at the polices.

Mr. West stated this will add 40 acres of full service to the LUP.

Mr. Woody stated it will add 40 acres of full service and 40 acres of conservation to the LUP.

Mr. Webb stated that there were no potential marina sites on the map when the LUP Committee met in 2006.

Mr. West stated that there is no opposition to the marina but with the Town Meetings still taking place he feels they should wait until they have taken place before the board makes a recommendation. Mr. West stated that it is not the marina that is requiring an amendment to the LUP, but the density of the property surrounding the marina to full service.

Mr. Midgette asked why the county has conservation areas.

Mr. West stated that the definition in the case analysis states "the purpose of the Conservation class is to provide for the long-term management and protection of significant, limited, or irreplaceable areas".

Mr. Midgette stated that the board has approved projects with conservation areas and now they would be going back on what has been done in the past. Mr. Midgette stated he has no problem

with the marina but feels if they were to make a recommendation then other citizens within the county could do the same thing.

Mr. Morrison stated that the county would be gaining an extra 40 acres of conservation area.

Ms. Turner asked if this request is allowed to change, is it a way to ensure that the county doesn't lose conservation land?

Mr. Webb stated that what the board is looking at is the Future LUP and the other would be mitigation.

Ms. Turner stated if the board moves forward she would like to see keeping the same amount of conservation area.

Mr. Kovacs asked for clarification on the 2/1 ratio for exchanging Conservation area (i.e., for every 1 acre of Full Service created, 2 acres of Conservation is created.)

Mr. Webb stated the plan would change to add 40 acres of land to the conservation class.

Mr. West asked if the full service would be county wide for every 1 acre.

Mr. Webb stated it would be just for this property.

Mr. Wright stated he served on the LUP committee and one of the things they were concerned with was accessibility of the Albemarle Sound, which is one of great water resources of North Carolina and the nation. Currituck does not have any public access from Point Harbor to Coinjock to get to the Albemarle Sound. Mr. Wright feels that this proposal would give the public access to the Albemarle Sound. Mr. Wright stated he also has concerns. When Kilmarric was done it was titled a great conservation, open space subdivision. Much of the open space in Kilmarric was put under conservation easement to Ducks Unlimited. Mr. Wright asked if the land are already on a permanent easement for Ducks Unlimited. Mr. Wright is also concerned with the amount of density in an important wetlands area. He feels a lot of people will get confused with the whole process until the Town Meetings are done and the general question about unlimited vs. full services. Mr. Wright recommends the board table this request.

Mr. Morrison states he agrees with what Mr. Wright stated. Mr. Morrison did state this should be viewed separately from the Currituck County's LUP amendment. He is asking that the planning board make a recommendation on this request tonight so it can move to the June's Board of Commissioners meeting.

Ms. Turner stated that the marina is a positive project but she is concerned with the density and with one Town Meeting just taking place to discuss the LUP and another 2 weeks away, she feels it would be good to table this item.

ACTION

Mr. Keel motioned to table the request to amend the Currituck County Land Use Plan to designate approximately 40 acres of the Future Land Use map from Conservation Area to Full Service Area. Mr. West seconded the motion. Motion passed unanimously.

PLANNING BOARD DISCUSSION – July 8, 2008 Meeting

Mr. Webb stated that the conservation area for Kilmarlic, Phase I does have a deeded easement for Ducks Unlimited and changing this to a conservation in the Land Use Plan would not have much affect on the plan. The other question Mr. Webb addressed was how the county's Land Use Plan (LUP) process is going to affect this request and Mr. Webb stated that it would have no affect.

Mr. Myers asked if the board had any questions.

Mr. Kovacs asked if this goes from limited service to a full service district, what is the difference in the number of units.

Mr. Webb stated approximately 55 units.

Mr. Kovacs asked if this request has to go before CAMA and that CAMA would not approve the request because the density is too high.

Mr. Webb stated that the county does not know because no reports have been seen regarding limited service vs. full service district.

Mr. Kovacs asked what is the number of conservation acreage the county would gain if this request was approved.

Mr. Myers stated 40 acres.

Mr. Kovacs stated if it was limited service it would be approximately 60 units less.

Mr. Myers stated the housing would be mixed use with duplexes/condo's and town homes.

Mr. Morrison stated the price range will be approximately \$299,000 for a 1,800 sq. ft. unit.

Mr. Kovacs stated that if it were to stay at limited service vs. full service would the price for a unit would change.

Mr. Myers stated that there are some conditions that you have with limited service that you don't have with full service, i.e. wastewater permitting and this is why it needs to be a full service district.

Mr. Kovacs asked if it were limited service that you couldn't get approval for wastewater treatment system.

Mr. Webb stated that the county's LUP would allow for this system in limited service.

Mr. West stated this was tabled from last month's meeting because of the process that the county is going through and the county has not gotten any further on the LUP. Mr. West stated he understands why they are asking for a full service district but he is concern with what precedent this will set for future developments in the area.

Mr. Morrison stated that the reason they are asking for the full service is so they can get the CAMA permit. Mr. Morrison stated this project will be beautiful for Currituck County and they are

also looking at units that will sell. This project will have public access to the sound. They are asking for the density to be 1.9 per unit.

Mr. Keel asked what the square footage will be per unit.

Mr. Morrison stated approximately 1,800 sq. ft.

Mr. West asked what size the parking space would be for the public access to the pier and launch area.

Mr. Myers stated 10-11 spaces which will be your average parking space and it will accommodate a trailer.

Mr. Morrison stated that you could store your boat at the boat house for a fee, which will include once a day your boat be taken out of storage and put in the water. Boat slips will be available to the general public.

Mr. Kovacs asked if another canal will be cut for this project.

Mr. Morrison stated that in 1986 a permit was granted to keep this canal open which was a drainage canal for the property which goes all the way to the river.

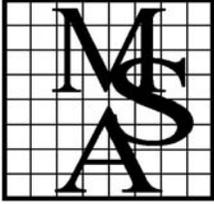
Mr. West asked if it will need to be dredged.

Mr. Morrison stated yes.

ACTION

Mr. Keel motion to recommend approval with staff recommendations to amend the Currituck County Land Use Plan to designate approximately 40 acres of the Future Land Use map from Conservation Area to Full Service Area. Mr. West seconded the motion. Motion passed unanimously.

Amendment Narrative



Narrative Currituck Marina Powell's Point, NC MSA Project No. 07177

The baseline purpose of the CAMA is to protect valuable natural heritage assets. These are uniquely valuable, coastal ecosystems. They are complex with regard to habitats and the biota that rely on these areas for survival. This project, Currituck Marina, honors that important commitment, through avoidance, minimization and conservation. It seeks to maintain the assets that make this as such a beautiful area, by developing areas that are upland, while capturing any runoff that could adversely affect the receiving waters.

By using cluster development and smaller footprints, the amount of impervious surface is kept to a minimum. Adjacent properties include single family development and a golf course, which will not be affected by this amendment. In fact, the golf course would be considered an amenity for this project and our project, potential income source for the golf course.

As a Community that targets "Active Adults" and is basically self contained. There would be minimal impact on County resources. There would be no affect on the local school system. While there would be a need to have public utilities, these would be consistent with existing demand. What makes this project truly unique and of public benefit is the opportunity to offer safe harbor to local and transient boaters. It is the intent of the developers to allow the general boating public to use the inland harbor in the event of foul weather. This is an unparalleled opportunity for the intracoastal boater. This change of use for the project and an identified public need truly justifies its approval and its land space to be reclassified.

Reviewing the County's Land Use Plan, indicates that is a conforming use. While there is a development aspect of the proposed project, the conservation component is a significantly larger area. The use of upland areas, translates into the honoring of the AECs to the maximum extent practicable. Additionally, it appears as if this area is designated to be acceptable as a "Full Service Area", under the Guidelines.

This project and project location offer a unique opportunity for public benefit. It is a positive mix of upland and coastal habitat. This applicant is committed to conserving the ecological benefits, while creating a safe harbor for the boating public.

Date of pre-application conference: April 10, 2008

Applicant/ representative in attendance: Mike Perry, Fred Myers

Planning Department staff in attendance: David Webb

Justification

Please provide sufficient information to explain and justify how the Land Use Plan Amendment request satisfies the following questions. Attach additional sheets if necessary.

1. Will the proposed amendment support uses that are suitable in view of the use and development of adjacent and nearby properties? **Yes.**
2. Will the proposed amendment adversely affect the existing use or usability of adjacent or nearby properties? **No.**
3. Would the proposed amendment support uses that could result in an excessive or burdensome use of existing public facilities such as streets, schools, transportation facilities, or utilities? **No.**
4. How does the proposed amendment conform to the recommendations of the Future Land Use Plan, and any other applicable long range plans? **The Kilmarlic Golf Club property is located to the east of the proposed Currituck Marina project. The land use of Kilmarlic Golf Club was amended from a conservation district to a full-service area district and thus, the Kilmarlic community accommodates single-family homes. This area has illustrated growth on its long range plan. By amending the Land Use Plan for Currituck Marina, this will leave a ±68.51% conservation area district, and a ±19.48% full-service area district within the boundaries of the subject property. (See Section II, Attachment B)**
5. Are there any existing or changing conditions affecting the use or development of the property which justifies either approval or disapproval of the request? **No.**
6. Is there a public need for additional land space to be classified to this request? **Yes, Upland Marina: used for the public as a hurricane evacuation marina.**
7. How does this request relate to the land suitability analysis found in the Land Use Plan? Are there factors that have changed since the suitability analysis was completed? **This area is medium suitability to low suitability with wetlands. (See Section II, Attachment C)**

**RESOLUTION OF THE CURRITUCK COUNTY BOARD OF COMMISSIONERS
AUTHORIZING AN AMENDMENT TO THE CAMA LAND USE PLAN**

WHEREAS, the County desires to amend its 2006 CAMA Land Use Plan, specifically the Future Land Use Map, to designate approximately 40 acres as “Full Service Area” from “Conservation Area”, and

WHEREAS, the County also desires to amend its 2006 CAMA Land Use Plan to designate approximately 80 acres of the Future Land Use Map as “Conservation Area” from “Limited Service Area”, and

WHEREAS, on July 8, 2008, the Planning Board unanimously recommended adoption of the draft amendment to the CAMA Land Use Plan; and

WHEREAS, the County conducted a duly advertised public hearing on the draft amendment to the CAMA Land Use Plan at the Regular Meeting of the Board of Commissioners on Monday, August 18, 2008; and

WHEREAS, the amendment to the Future Land Use Map has been evaluated for its consistency with other existing policies and no internal inconsistencies exist; and

WHEREAS, the amendment is consistent with the currently approved North Carolina Coastal Management Program and the rules of the Coastal Resources Commission; and

WHEREAS, the amendment is consistent with the six management topics outlined in the County’s Land Use Plan; and

WHEREAS, the amendment does not violate any state or federal laws,

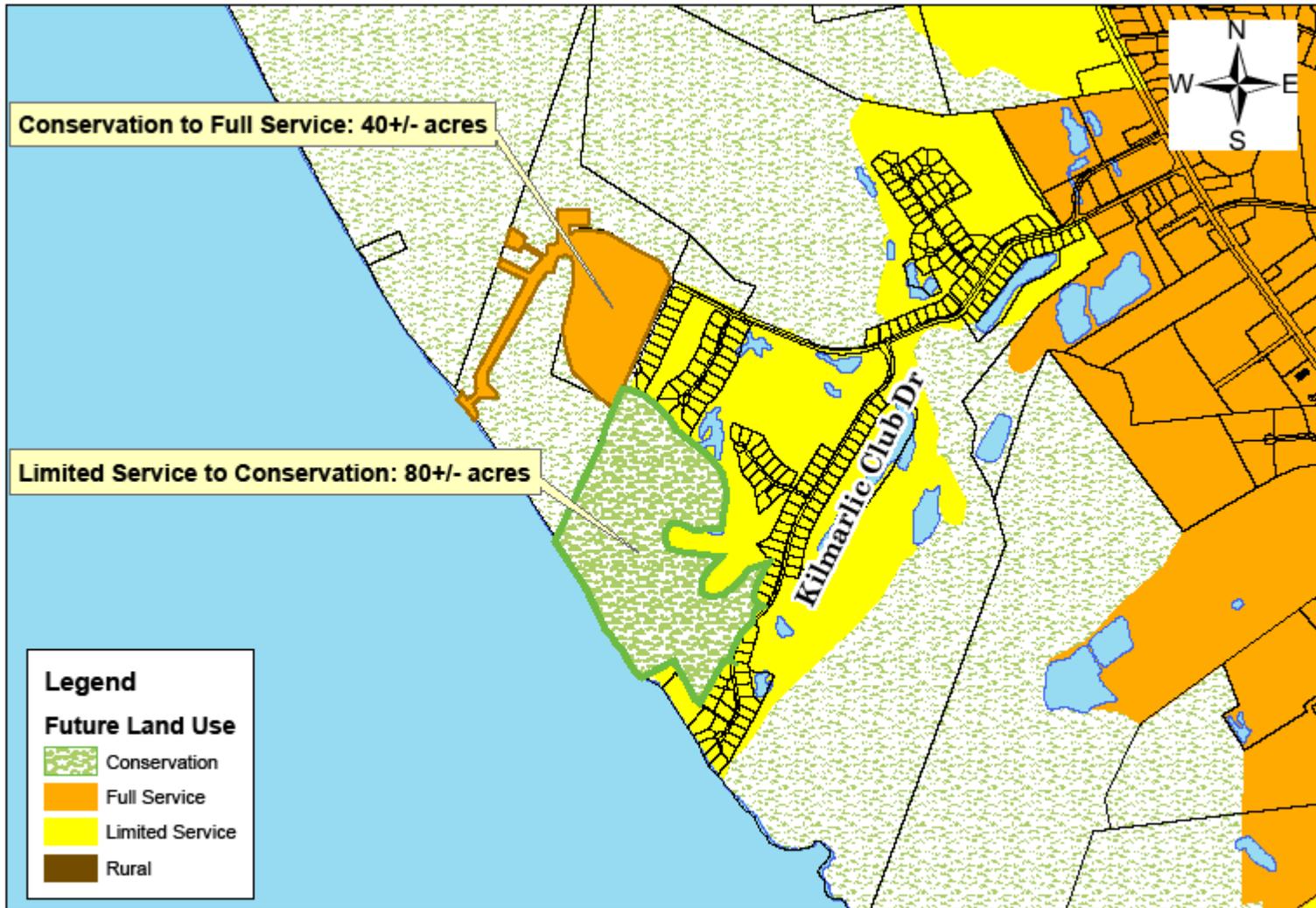
NOW, THEREFORE, BE IT RESOLVED THAT the Board of Commissioners of Currituck County, North Carolina, has adopted the draft CAMA Land Use Plan amendment; and

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

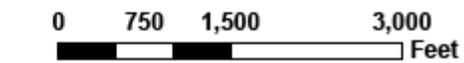
Adopted this 18 day of August 2008.

Proposed Map Amendment

Appendix I. Maps, Map 11.1 Future Land Use Map is amended as shown below:



**PB 08-22 CURRITUCK MARINA
Land Use Plan Amendment**



Currituck County Planning Department



Proposed Text Amendment

Section 11: Land Classification System, Table 11.1 is amended by adding the following underlined language and deleting the strikethrough language:

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 <u>17,653</u>	80%	14,090 <u>14,122</u>	
Limited Service Areas	26,706 <u>26,626</u>	65%	17,359 <u>17,306</u>	
Rural Areas	40,218	10%	4,021	
Conservation Areas	81,183 <u>81,223</u>	2%	1,623 <u>1,624</u>	
Totals	165,720	--	37,094 <u>37,073</u>	37,183

**CASE ANALYSIS FOR THE
BOARD OF COMMISSIONERS
MEETING DATE: August 18, 2008
Special Use Permit
PB 08-37 Moyock Public Library**

ITEM: SPECIAL USE PERMIT FOR A LIBRARY

LOCATION: 838 Tulls Creek Road, Moyock Township

ZONING DISTRICT: Residential (R) - Planned Unit Development Overlay

TAX ID: Tax Map 22, Parcel 78C
022-000-078C-0000

OWNER: AH Currituck Reserve, LLC
759 South Bayview Road
Jarvisburg, NC 27947

APPLICANT: Currituck County
PO Box 39
Currituck, NC 27929

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Residential	Zoned R
SOUTH:	Farmland/Proposed PUD	Zoned R
EAST:	Farmland/Residential	Zoned R
WEST:	Residential/Farmland	Zoned A/R

NARRATIVE:

1. Currituck County is proposing to construct a public library on a 12.20 acre parcel located in the Currituck Reserve, PUD.
2. This property is zoned Residential and libraries are listed as a permissible use requiring a special use permit in the Permitted Uses Table.

SPECIAL USE PERMIT CRITERIA:

Special use permits are intended to allow the Board of Commissioners flexibility in the administration of the UDO. In order to approve a special use permit, certain criteria must be satisfied. The criteria are outlined as follows:

1. *COMPLETENESS OF THE APPLICATION*

Suggested Findings:

- a. Based on staff review all required information has been submitted.

2. *COMPLIANCE WITH ORDINANCE REQUIREMENTS*

Suggested Findings:

- a. The proposed development generally complies with the provisions of the UDO.

- . The applicant's proposal will be required to maintain compliance with all UDO requirements and any additional requirements of the Board of Commissioners.

- . *The proposed use **will not** materially endanger the public health or safety for the following reasons:*

Suggested Findings:

Public health and safety issues including stormwater management, wastewater disposal and access for emergency services have been adequately addressed for this development.

- . *The proposed use **will not** substantially injure the value of adjoining or abutting property for the following reasons:*

Suggested Findings:

The proposed construction of a public library should have no negative impact on adjoining property. The adjoining uses include residential uses. The parcel is located in the proposed Currituck Reserve PUD that will contain a mixture of uses. The proposed development is consistent with the objectives of the Currituck County Unified Development Ordinance and promotes compatibility between the subject property and surrounding area.

- . *The proposed use **will** be in harmony with the particular neighborhood or area in which it is to be located.*

Suggested Findings:

The proposed library should be compatible with the neighborhood, and have no negative impact on the adjoining property.

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

Suggested Findings:

The 2006 Land Use Plan classifies the site as **Rural** within the **Moyock** sub-area.

The Rural class is preferred for open space and agricultural preservation, and it is intended for agricultural, forestry and other allied uses traditionally associated with a rural area.

The following Land Use Plan policies are also relevant to this request:

POLICY CD6: Appropriate OFFICE AND INSTITUTIONAL DEVELOPMENT, such as professional offices, small churches, individual medical offices, and the like, shall be encouraged to locate as a transitional land use between residential areas and commercial or industrial activities of higher intensity. "Activities of higher intensity" are typically large-scale commercial uses or automobile-oriented commercial development but may also include major thoroughfares.

The proposed development is consistent with the objectives of the Currituck County Unified Development Ordinance, 2006 Land Use Plan, and promotes compatibility between the subject property and surrounding area.

Will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the 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 the UDO.

Suggested Findings:

Approval of this request should have no negative impact on public facilities.

TECHNICAL REVIEW COMMENTS:

Fire Marshal Comments, James Mims 252-232-6641:

1. All fire access roads must be an all weather surface capable of supporting 75,000 lbs.
2. A fire hydrant must be within 400 feet of all portions of the structure. If the structure has an automatic fire suppression system the fire hydrant and the fire department connection should be placed so that fire apparatus can connect to both without blocking the full width of the drive aisle.
3. If the present structure located on the property is used for any other use other than single family dwelling it will require commercial code compliance.

Building Inspector Comments, Spence Castello 252-232-6020:

Approved as is.

Soil Conservation Comments, Mike Doxey 252-232-3360:

The finished floor elevation may be too low. The 10-year flood elevations are different on two sheets. *Comment: The finished floor elevation exceeds the minimum 18 inch*

clearance above the 10-year storm elevation in the BMP as well as the 12 inch clearance requirement above the 100-year elevation.

County Engineer Comments, Eric Weatherly 252-232-6035:

Must submit sewer details and a copy of the septic permit.

Public Works, Utilities, Comments, Pat Irwin 252-232-2769:

Approved with the following conditions:

1. Utility plans do not show the waterline meter connection or a fire hydrant for the site. Please define. *Comment: The waterline connection and the fire hydrant location are indicated on the plans with the Campus Drive, Phase 1, improvements.*

Albemarle Regional Health Services, Joe Hobbs:

There appears to be a problem with the septic design. A pump system may be required and must be designed by a professional engineer. Consult with David Sweeney for permitting. *Comment: David Sweeney's comments have been addressed and the septic design has been resubmitted for review and approval.*

NCDOT Comments, Roger Ward)252-331-4737:

Approved as is.

Division of Coastal Management, Charlan Owens 252-264-3901:

No comment.

County Manager, Dan Scanlon

No comments received.

STAFF RECOMMENDATION

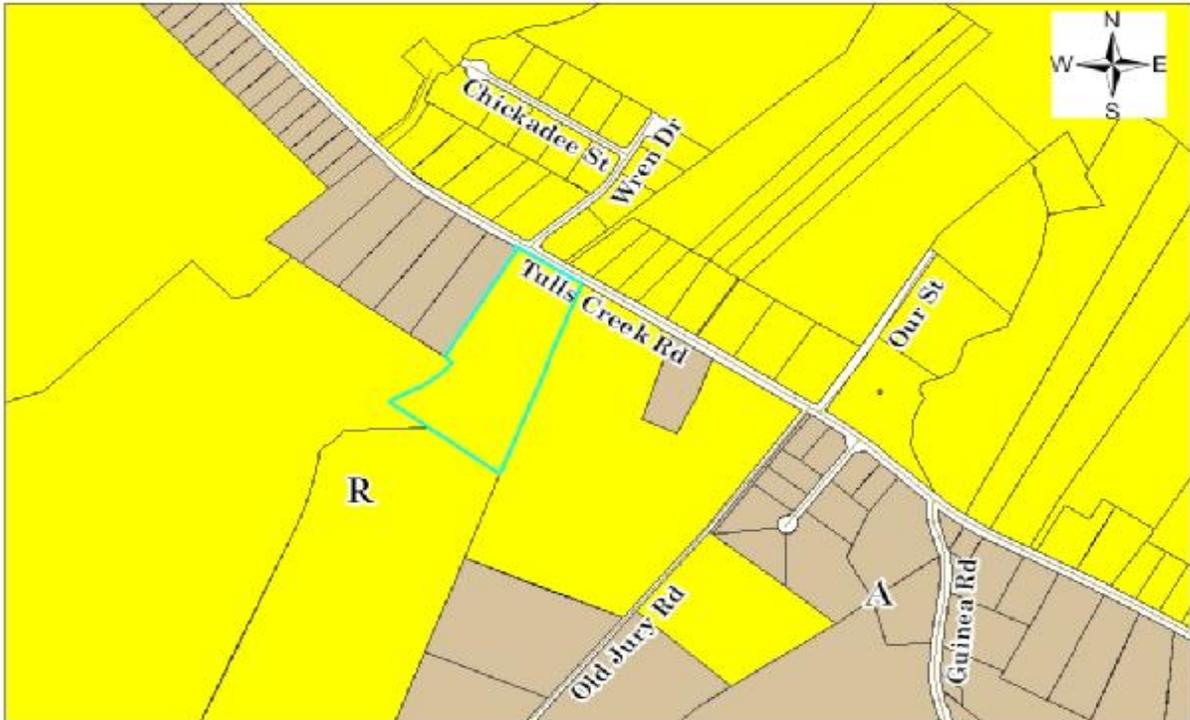
The proposed development appears to meet the criteria for granting a Special Use Permit and staff recommends **APPROVAL** with the following conditions:

1. The site plan shall meet the requirements of the technical review committee and the UDO.
2. An NC Erosion and Sedimentation Control permit and NC Stormwater permit shall be submitted prior to land disturbing activities.
3. Twenty percent of the total vehicular area must be shaded with deciduous trees. *(Section 5.8.4)*
4. A type C bufferyard is required along all streets. A type A bufferyard (25' setback) is required along the right side property line adjacent to the residential subdivision. *(Section 5.4)*
5. An on-site pedestrian path system shall be installed that connects to the adjacent subdivision street sidewalk.
6. The waterline extension from Tulls Creek Road and installation of Campus Drive from Tulls Creek Road to the parking lot entrance shall be installed prior to issuance of a certificate of compliance for any building construction.



**PB 08-37 MOYOCK PUBLIC LIBRARY
SPECIAL USE PERMIT**

0 235 470 940 1,410 Feet
Currituck County Planning Department



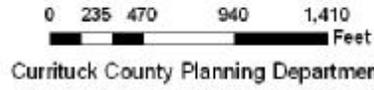
**PB 08-37 MOYOCK PUBLIC LIBRARY
SPECIAL USE PERMIT**

0 230 460 920 1,380 Feet
Currituck County Planning Department





**PB 08-37 MOYOCK PUBLIC LIBRARY
SPECIAL USE PERMIT**



Currituck County Planning Department





Currituck County

Department of Planning
Post Office Box 70
Currituck, North Carolina 27929
252-232-6029
FAX 252-232-3026

MEMORANDUM

To: Board of Commissioners

From: Planning Department

Date: August 6, 2008

Re: PB 08-23 Conservation Subdivision Open Space Text Amendment

Larry Gaither is requesting a text amendment to the conservation subdivision open space requirements of the Unified Development Ordinance (UDO). The intent of this request is to allow an individual building lot(s) to construct an elevated walkway through dedicated conservation open space to a navigable body of water.

The current UDO requirement allows open space to be encumbered with an elevated walkway (or other amenity) provided such structure is for recreational purposes and accessible to all residents of the subdivision or the general public. This request is proposing to allow individual elevated walkways for individual use through established conservation areas and dedicated open space.

Planning staff is concerned with the concept of individual elevated walkways constructed in dedicated conservation open space. In evaluating the long-term implications of amending the conservation subdivision ordinance as proposed, staff has identified the following issues:

- By preserving and minimizing the amount of land disturbance that occurs in primary conservation areas (CAMA and 404 wetlands), the county is better able to preserve water quality and limit the amount of flooding that occurs in major storm events.
- The open space requirements included in the conservation subdivision ordinance provide for creative subdivision design and help protect the county's natural resources. The county first adopted the conservation subdivision ordinance in 1996 and the preservation of primary conservation areas (CAMA and 404 wetlands) has been a component of the ordinance since that initial adoption.
- Requiring Open Space dedication and preserving conservation areas is a way for the public to enjoy the benefits of undeveloped, natural lands with little or no cost to tax payers.

- The NC Coastal Land Trust or similar conservation groups do not accept conservation easements on land that has private boardwalks. This is an important aspect of this request, as the conservation subdivision requires that in exchange for smaller lot sizes and density bonuses, the developer of a tract must place primary conservation areas (CAMA and 404 wetlands) in a permanent conservation easement or under the control of a homeowners association. If the UDO is amended in a manner that prevents primary conservation areas from being placed in a permanent conservation easement, the intent and rationale behind a conservation subdivision is defeated.
- There is an opportunity in Currituck County to partner with other governmental agencies and land preservation groups to promote eco-tourism on the mainland. The idea of conserving and protecting natural buffers along navigable waterways is a logical approach toward promoting paddle trails or water bound recreation opportunities that would help stimulate the local economy and capitalize on Currituck County's rural heritage. Local governments and nonprofits in other areas such as the Roanoke River basin, Perquimans River, and Great Dismal Swamp have been successful in securing partnerships and obtaining grant funds to develop very successful eco-tourism projects. Considering Currituck County's close proximity to the population centers of the Hampton Road area and tourist destinations of the Outer Banks, there is a very real opportunity to promote eco-tourism on the mainland. The key to this type of economic development activity is protecting the natural resources that exist, while carefully planning for public access points that service the community as a whole.
- The North Carolina Constitution requires local governments to aid in the conservation of natural resources.
- Homeowner Association declarations of restrictive covenants, deed restrictions, and by-laws for existing conservation subdivisions would require amending and re-recording in order to allow the encumbrance of open space with a structure (individual walkways) not accessible to all residents.

Additionally, a significant amount of land has been classified Conservation by the Currituck County Land Use Plan. The Land Use Plan identifies 81,183 acres as not appropriate for development, and provides for the long-term protection of these areas. The Land Use Plan also includes numerous policy objectives designed to protect the water quality throughout the county.

Some applicable Land Use and Development Policies are:

POLICY PA4: The LOCATION OF PUBLIC ACCESS SITES shall generally be determined by a rational examination of the sound and ocean resource, the distribution of existing access sites, and the availability of appropriate new sites. In addition to advanced planning, however, the County will remain open to any site that offers good shoreline access for the public, as unforeseen opportunities may arise.

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

POLICY WQ5: Development that preserves the NATURAL FEATURES OF THE SITE, including existing topography and significant existing vegetation, shall be encouraged. COASTAL AND NON-COASTAL WETLANDS shall not be considered part of a lot's acreage for the purpose of determining minimum lot size or development density.

POLICY ES6: The location and design of piers and docks shall not unduly interfere with the rights of the public to the free and unobstructed use of PUBLIC TRUST WATERS for navigation, fishing, and other uses. Efforts to limit the length of piers into public trust waters shall be supported.

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.

POLICY ML3: The interests of Mainland Area residents in having ACCESS TO THE AREA'S OCEAN AND ESTUARINE WATERS shall be fostered through County actions to increase the number of additional public access sites at a rate commensurate with the population growth of the Currituck County. Included in the actions taken to increase public access shall be a consideration given to transportation needs, including boat docks and ferry services.

PLANNING BOARD DISCUSSION – July 8 meeting

Mr. West stated that these would be private boardwalks at the end of the individual's lot, but the section that would cross over the dedicated conservation open space, who owns this?

Mr. Woody stated it could be owned by the Homeowners Association.

Mr. West asked how the applicant proposes to keep the public off this portion of the boardwalk because it is in the open space which is public.

Mr. Woody stated this may be a question for the applicant. Mr. Woody stated that when you go with a conservation subdivision you receive density bonuses. As part of that exchange for higher density you have to put your wetlands in conservation and provide a lot of open space.

Mr. Gaither stated that when this subdivision was developed it was an oversight that the walkways were not part of the site plan. He did not want to change the UDO. They have 12 lots that could have walkways. He has no intention of having thousands of lots that can have boardwalks that do not meet CAMA restrictions. He is asking for these 12 lots to have walkways. Mr. Gaither addressed each item in the staff analysis.

- ∅ Exchange for smaller lot sizes and density bonuses, the developer of a tract must place primary conservation areas in a permanent conservation easement or under the control of a homeowners association. *They can and will put the control under the homeowners association.*
- ∅ To promote eco-tourism on the mainland. *They are also interested in protecting natural resources. They can and will require that any walkway that is built to the water will comply with the standards of the NC Coastal Management up to six feet wide and three feet off the ground. Current regulations require this to prevent damage to the wetlands.*
- ∅ Damage to wetlands. *Comply with the NC Coastal Management regulations.*

Mr. Gaither addressed the County's Land Use Plan regarding this project.

- ∅ Policy PA4 – Location of Public Access Sites – *an existing boat ramp and several other acres for public access were identified.*
- ∅ Policy ES3 – Coastal Wetlands – *will comply with CAMA regulations.*
- ∅ Policy ES6 – Location and Design of Piers and Docks – *the walkways that they are requesting will not interfere with any individual rights to access the river.*
- ∅ Policy PR4 – Open Space Greenways – *use of natural corridors such as streams and floodplains shall be emphasized.*
- ∅ Policy ML3 – Access to the Area's Ocean and Estuarine Waters – *an existing boat ramp and several other acres for public access were identified.*

Mr. Gaither stated it must be a way that would allow these 12 lots access to the water when the present configuration of the subdivision now doesn't allow a view of the creek.

Mr. Keel asked Mr. Woody how many lots have they gained by making this a conservation subdivision.

Mr. Woody stated that in the ordinance that once you have 40 lots or more, you are required to do a conservation subdivision.

ACTION

Mr. Keel motioned to recommend denial of the request to amend the Currituck County UDO to allow an individual building lot(s) to construct an elevated walkway through the dedicated conservation open space to a navigable body of water. Mr. Winter seconded the motion. Motion passed unanimously.

Conservation Subdivision Open Space Requirements
PB 08-23
LARRY GAITHER
UDO AMENDMENT REQUEST

An amendment to Chapter 10, Section 10.4.1 and 10.4.4 of the UDO to allow an individual building lot(s) to construct an elevated walkway through the dedicated conservation open space to a navigable body of water.

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 Section 10.4.1 is amended by adding the following underlined language:

10.4.1 Applicability and Definition

C. For purposes of this section, open space means an area that:

1. Is not encumbered with any structure unless such structure is for recreational purposes available and accessible to all residents of the subdivision or general public, including indoor tennis courts, swimming pool and other facilities. This requirement shall not apply to elevated walkways connecting individual lots to a navigable body of water;

Item 2: That Section 10.4.4 is amended by adding the following underlined language:

10.4.4 Conservation Subdivision Open Space Requirements

B. Both primary and secondary conservation areas required to be preserved for open space shall be placed in undivided preserves, which may adjoin housing areas that have been designed more compactly to create larger areas that may be enjoyed equally by all residents of the development.

1. Where open space wetlands separate individual building lots from a navigable body of water and it is feasible to construct an elevated walkway to this water from such a lot, an easement may be granted by the developer or home owners association to an individual lot owner to create such a walkway, provided that the granting of such an easement does not deprive other property owners of previously existing access to said open spaces.

I. Undivided open space shall be directly accessible and interconnected to the largest practicable number of lots within an open space development. The

majority of house lots should abut undivided open space in order to provide direct views and access. Safe and convenient pedestrian access to the open space from all lots not adjoining the open space shall be provided (except in the case of farmland, or other resource areas vulnerable to trampling damage or human disturbance). Where the undivided open space is designated as separate, non-contiguous parcels, no parcel shall consist of less than three acres in area, except such areas that are specifically designed as village greens, ball fields, upland buffers to wetlands, water bodies or watercourses, or designed as trail links.

1. To further allow for the enjoyment of wetlands and neighboring navigable bodies of water, the developer may propose that lots which abut wetlands may be connected by an individually permitted elevated walkway to a navigable body of water. Only those lots which could be connected by such a walkway that reaches the watercourse by the shortest possible route may be considered for inclusion in the proposal.

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 _____, 2008.

Board of Commissioners' Chairman
Attest:

Gwen H. Keene
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: AYES _____ NAYS _____

PLANNING BOARD DATE: _____

PLANNING BOARD RECOMMENDATION: _____
VOTE: AYES _____ NAYS _____
ADVERTISEMENT DATE OF PUBLIC HEARING: _____
BOARD OF COMMISSIONERS PUBLIC HEARING: _____
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____



3609 Highway 24 (Ocean) Newport, NC 28570

Northeast Regional Office: P.O. Box 475, Manteo, NC 27954

June 30, 2008

Currituck County Board of Commissioners
Currituck County Planning Board
P.O. Box 39
Currituck, NC 27929

Dear Commissioners and Planning Board Members,

I am writing to urge you to deny the proposal to allow individual land owners to build private boardwalks and piers through platted conservation lands, as proposed in the Shingle Creek Landing subdivision.

As you know, last year a group of county residents, working with the Coastal Federation and the North Carolina Coastal Land Trust, completed a study of lands that could be placed in conservation to protect water quality in the county's creeks, rivers, and sound. The project was a collaborative effort to preserve the beauty of the county's natural resources, and in June NCCF honored the county for its participation with a Pelican Award. As an outgrowth of that project, we are working with your planning department to design conservation corridors along certain waterways, including the tributaries of the Northwest River. We are particularly concerned about protecting water quality in the Northwest River and its tributaries because of its proximity to Hampton Roads. The northern section of the county is under the most stress from population growth.

We hope to procure conservation easements on land that fronts much of the Northwest River and Shingle Landing Creek. This would enable the county to create a paddling trail that would be an attractive addition to its ecotourism offerings. The conservation easements would protect the cleanliness of local waters and serve as a destination for kayakers and canoe aficionados.

Each conservation easement must be held by a nonprofit organization. This could be the county, NCCF, or NCCLT. Whoever holds the conservation easement will be responsible for making sure the land is not disturbed. You should know that building individual piers and boardwalks across the conservation portions of a subdivision will decrease the land's conservation value and make it much more difficult to find an organization that is willing to hold the conservation easement. It is simply impossible to guarantee that a land buffer will remain undisturbed and valuable to fish and wildlife if it is crossed by numerous structures.

"Citizens Working Together For A Healthy Coast"

Phone: 252-393-8185 • Fax: 252-393-7508 • Email: nccf@nccoast.org • Website: www.nccoast.org



We hope you will deny the request and maintain the ecological integrity of the platted conservation lands.

Sincerely,



Jan DeBlieu
Cape Hatteras Coastkeeper



CURRITUCK COUNTY BOARD OF COMMISSIONERS AGENDA ITEM #

Meeting Date

ITEM TO BE CONSIDERED

SUBJECT

Request for Currituck County to determine Standard or Electing county for the Work First Program

REQUESTED ACTION

To make a determination as to whether Currituck County will be a standard or electing county for the Work First Program. Standard counties follow the policies set by the state, whereas electing counties write their own policies.

Submitted By

Department

Date

Attachments: Yes No

REVIEW PROCESS

	<u>Approved</u>		<u>Attachment</u>
Finance Director	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/>
County Attorney	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/>
County Manager	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/>
<input type="text"/>	Yes <input type="checkbox"/>	No <input type="checkbox"/>	<input type="checkbox"/>

REVIEW COMMENTS

_____ County, North Carolina

Request for Standard or Electing Status for the Work First Program

The Board of Commissioners of _____ County voted on _____
to request Standard or Electing (Check one) Status for the Work First
Program. (date)

The vote was _____ for and _____ against (at least two-thirds in favor).

Commission Chair Signature Date

The primary contact person for our Work First Block Grant planning process will be:

Name: _____
Position/Title: _____
Address: _____
Phone: _____
Fax: _____
Email: _____

Due Date: August 29, 2008

Submit to: Sara Anderson Mims, Program Administrator
Work First/CPS Policy Team
Family Support and Child Welfare Services Section
North Carolina Division of Social Services
325 N. Salisbury St.
2408 Mail Service Center
Raleigh, NC 27699-2408
Fax: (919) 715-6714



Number 2009007

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of August 2008, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
50548-561000	Professional Services	\$ 8,101	
50548-588000	Contingency		\$ 8,101
		<u>\$ 8,101</u>	<u>\$ 8,101</u>

Explanation: Knotts Island Fire Department Construction (50548) - To transfer contingency funds to professional services to relocate Verizon line which will cost \$6,921.59 and for additional architect fess in the amount of \$1,179.31.

Net Budget Effect: County Governmental Construction Fund (50) - No change.

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board



Number 2009008

BUDGET AMENDMENT

The Currituck County Board of Commissioners, at a meeting on the 18th day of August 2008, passed the following amendment to the budget resolution for the fiscal year ending June 30, 2009.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		<u>Decrease Revenue or Increase Expense</u>	<u>Increase Revenue or Decrease Expense</u>
29390-499900	Fund Balance Appropriated	\$ 250,118	
29690-590000	Capital Outlay		\$ 250,118
		<u>\$ 250,118</u>	<u>\$ 250,118</u>

Explanation: Fire Equipment Replacement (29690) - To reduce appropriated fund balance for Crawford Fire Truck that was ordered in FY 2008. This was fully budgeted to carry-forward to FY 2009; however, the first payment was made in FY 2008.

Net Budget Effect: Fire Equipment Replacement Fund (29) - Decreased by \$250,118

Minute Book # _____, Page # _____

Journal # _____

Clerk to the Board

CURRITUCK COUNTY
NORTH CAROLINA
August 4, 2008

The Board of Commissioners met 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 Nelms, Commissioners Bowden, Gregory, Taylor and Etheridge.

Invocation & Pledge of Allegiance

The Reverend Glenn McCranie was present to give the invocation.

Approval of Agenda

Commissioner Bowden moved to approve the agenda by adding Item 5A, Approval of Agreement to Purchase Easement on Tulls Creek Road. Commissioner Gregory seconded the motion. Motion carried.

- Item 2** **Public Comment**
Please limit comments to items not appearing on the regular agenda, please limit comments to 3 minutes.
- Item 3** **Public Hearing and Action PB 08-32 Historic Jarvisburg Colored School, Inc.: Request a Special Use Permit for a museum located at 7302 Caratoke Highway and approximately 400 feet north of Colonial Beach Road, Tax Map 109, Parcel 114B, Poplar Branch Township.**
- Item 4** **A Resolution of the Board of Commissioners for the County of Currituck Declaring Its Intention to Consider the Permanent Closing of Portions of Rock Lane, Shad Lane and Shark Lane in Fruitville Township.**
- Item 5** **Consideration of Bid Award Recommendation for RO Deep Wells-Mainland Water System Upgrades**
- Item 6** **Consent Agenda:**
1. Budget Amendments
2. Petition to NCDOT for Road Addition - Bayview Road
3. Petition to NCDOT for Road Addition - Armstead Court
4. Final Adjusting Change Order-Law Enforcement Kitchen Addition
5. Approval of July 21, 2008, Minutes
- Item 7** **Commissioner's Report**
- Item 8** **County Manager's Report**

Adjourn

Tourism Development Authority Meeting

Public Comment

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

Chairman Nelms opened the public comment period.

Chip Friedman presented the Board with his proposal for Moyock Commons Wastewater Project and requested the Board to move forward with his proposal.

The Board agreed to hold a work session on this subject at their next meeting August 18, 2008 at 5:00 p.m.

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

Public Hearing and Action PB 08-32 Historic Jarvisburg Colored School, Inc.: Request a Special Use Permit for a museum located at 7302 Caratoke Highway and approximately 400 feet north of Colonial Beach Road, Tax Map 109, Parcel 114B, Poplar Branch Township.

Sworn testimony was given prior to making comments.

Ben Woody, Planning Director, reviewed the request.

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Church	Zoned A
SOUTH:	Residential	Zoned A
EAST:	Residential/Dominion Power Substation	Zoned GB
WEST:	Church/Residential	Zoned A/R

NARRATIVE:

1. The Historic Jarvisburg Colored School is proposing to construct a 416 square foot visitor's center on the same parcel as the historic school. The structures will be used as a museum.
2. The property contains 41,580 square feet.
3. This property is zoned Agricultural and museums are listed as a permissible use requiring a special use permit in the Table of Permissible Uses.

SPECIAL USE PERMIT CRITERIA:

Special use permits are intended to allow the Board of Commissioners flexibility in the administration of the UDO. In order to approve a special use permit, certain criteria must be satisfied. The criteria are outlined as follows:

1. *COMPLETENESS OF THE APPLICATION*

Suggested Findings:

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

2. *COMPLIANCE WITH ORDINANCE REQUIREMENTS*

Suggested Findings:

a. The proposed development generally complies with the provisions of the UDO.

A. The applicant's proposal will be required to maintain compliance with all UDO requirements and any additional requirements of the Board of Commissioners.

i. The proposed use will not materially endanger the public health or safety for the following reasons:

Suggested Findings:

Public health and safety issues including stormwater management, wastewater disposal and access for emergency services have been adequately addressed for this development.

ii. The proposed use will not substantially injure the value of adjoining or abutting property for the following reasons:

Suggested Findings:

The proposed construction of a 416 square foot visitor's center in conjunction with the existing historic school used as a museum should have no negative impact on adjoining property. The adjoining uses include residential and religious uses. The proposed development is consistent with the objectives of the Currituck County Unified Development Ordinance and promotes compatibility between the subject property and surrounding area.

iii. The proposed use will be in harmony with the particular neighborhood or area in which it is to be located.

Suggested Findings:

The preservation and cultural Historic Colored School and proposed museum should be compatible with the neighborhood, and have no negative impact on the adjoining property.

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

Suggested Findings:

The 2006 Land Use Plan classifies the site as **Limited Services** within the **Jarvisburg** sub-area.

The purpose of the Limited Services Area class is to ensure that the existing community character is preserved. Design criteria should be established to ensure to ensure that commercial development protects and preserves the existing community in scale, architectural style, materials, landscaping, and site design. Businesses designed to serve the tourist industry should not be prohibited provided the character and intensity of the use is in keeping with the character of the surrounding area.

The following Land Use Plan policies are also relevant to this request:

POLICY HP1: Local efforts to identify, designate and preserve SITES, BUILDINGS, AND DISTRICTS OF PARTICULAR HISTORIC SIGNIFICANCE shall be supported.

POLICY HP3: Development of the TOURISM AND EDUCATIONAL POTENTIAL of the area’s architectural, historic and cultural resources shall be encouraged.

POLICY HP7: The County, working in cooperation with non-profit groups and private organizations, shall seek to maintain and restore the architectural and cultural HERITAGE OF VARIOUS “COMMUNITIES” in Currituck County.

The proposed development is consistent with the objectives of the Currituck County Unified Development Ordinance, 2006 Land Use Plan, and promotes compatibility between the subject property and surrounding area.

- C. *Will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the 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 the UDO.*

Suggested Findings:

Approval of this request should have no negative impact on public facilities.

TECHNICAL REVIEW COMMENTS:

Fire Marshal Comments (James Mims 252-232-6641):

No Comment.

Building Inspector Comments (Spence Castello 252-232-6020):

Approved as is.

Soil Conservation Comments (Mike Doxey 252-232-3360):

Approved as is.

County Engineer Comments (Eric Weatherly 252-232-6035

Approved as is including 2.9% increased lot coverage allowance.

Public Works, Utilities, Comments (Pat Irwin 252-232-2769):

Flushometers toilets and urinals will require a one inch service. *Comment: The revised plans indicate a one inch water service.*

Albemarle Regional Health Services (Kevin Carver):

Approved. The engineer wants proposed structure at 480 gpd and plans state 600 gpd.

Comment: The revised plans indicate 480 gpd.

NCDOT Comments (Roger Ward) 252-331-4737:

A driveway permit is required.

County Manager, Dan Scanlon

No comments received.

STAFF RECOMMENDATION

The proposal appears to meet the criteria for granting a Special Use Permit and staff recommends **APPROVAL** with the following conditions:

1. The site plan shall meet the requirements of the UDO.
2. A type C bufferyard shall be installed along Caratoke Highway and identified on the site plan.
3. A landscape reduction from a type A bufferyard to a type C bufferyard will be authorized once the written acknowledgement is received from Corinth Missionary Baptist Church. All required landscaping along the church property line shall be located so that it does not interfere with the adjoining church parking area as well as access to the neighboring properties.
4. All exterior display racks must be properly secured and materials removed during periods of severe weather conditions.
5. The access to the parking area shall be clearly identified with signage to guide traffic entering the property to the designated parking areas.
6. An overflow parking area shall be identified. If the overflow parking area is located on an adjacent property, written authorization shall be provided.

PLANNING BOARD DISCUSSION

Mr. Stewart stated that the property line between the church and school house the way it is set up is where the church parking is and a buffer will not work in this location. Mr. Stewart stated he got permission from the church to waive the requirements for the buffer in this area.

Mr. Woody stated that the ordinance does require a buffer with some type of landscaping and trees.

Mr. Stewart stated it would be a good idea to plant trees, but what you would be doing is inconveniencing the people that you are trying to protect if the bufferyard is for the benefit of the adjoining property owners which are the church people who will want to park there.

Mr. Woody stated that the Planning Board does not have the authority to delete the bufferyard, but they could reduce it. The planning staff can work with the applicant where the trees should be planted.

Mr. Stewart stated that they could come up with the number of trees required and have a consensus between the church and the planning staff where the trees could be planted in a reasonable location.

ACTION

Mr. Kovacs motion to recommend approval with staff recommendations for a Special Use Permit for a museum. Mr. West seconded the motion. Motion passed unanimously.

Chairman Nelms opened the public hearing.

Bob Stewart, Engineer, stated that the buffer questions have been resolved.

There being no further comments, Chairman Nelms closed the public hearing.

Commissioner Gregory moved to approve. Commissioner Etheridge seconded the motion. Motion carried.

Resolution of the Board of Commissioners for the County of Currituck Declaring Its Intention to Consider the Permanent Closing of Portions of Rock Lane, Shad Lane and Shark Lane in Fruitville Township.

Ike McRee, County Attorney, reviewed the request.

Commissioner Bowden stated that there was no Shark Lane, just an easement for pedestrian access.

Commissioner Gregory moved to approve the resolution and set public hearing for September 2, 2008. Chairman Nelms seconded the motion. Motion carried.

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE COUNTY OF CURRITUCK DECLARING ITS INTENTION TO CONSIDER THE PERMANENT CLOSING OF PORTIONS OF ROCK LANE, SHAD LANE AND SHARK LANE IN FRUITVILLE TOWNSHIP

The Board of Commissioners for the County of Currituck, North Carolina, hereby adopts the following resolution:

BE IT RESOLVED, that the Board of Commissioners for the County of Currituck hereby declares its intention to consider the permanent closing of that portion of certain roads described as follows:

Rock Lane

Being a certain tract of land lying and situated in Fruitville Township, Currituck County, North Carolina and being further described as follows:

Beginning at a point situated at the south west corner of Lot 15, Block 4, Section 1, Carova Beach recorded in the Currituck County Public Registry, Deed Book 116, Page 1, and Map Book 2, Page 113, and also being situated on the northeast corner of the intersection of Sandfiddler Road, a 60' public right of way and Rock Lane, a 60' public right of way. Said point of beginning also being located on the northern right of way of the aforementioned Rock Lane at a point where Rock Lane becomes a 40' public right of way.

Thence leaving said point of beginning and running and binding with the northern right of way line of the aforementioned Rock Lane and the southern line of the aforementioned Lot 15 N 88°15'00" E approximately 536.95 feet to a point, the Mean High Water Line of the Atlantic Ocean as observed on February 14, 2008. Thence running with the aforementioned Mean High Water Line S 00°43'42" E approximately 40.01 feet to a point situated on the southern right of way line of the aforementioned Rock Lane, said point also being on the northern boundary of Carova Beach Business Area, Lot A, Section 2, Carova Beach recorded in the Currituck County Public Registry, Deed Book 115, Page 453 and Map Book 2, Page 125.

Thence leaving the Mean High Water Line of the Atlantic Ocean and running and binding with the south right of way of the aforementioned Rock Lane and the north line of the aforementioned Lot A S88°15'00" W approximately 536.24 feet to a point at the intersection of the south right of way of the aforementioned Rock Lane and the east right of way of the aforementioned Sandfiddler Road, said point also being situated at the north west corner of the aforementioned Lot A.

Shad Lane

Being a certain tract of land lying and situated in Fruitville Township, Currituck County, North Carolina and being further described as follows:

Beginning at a point situated on the south west boundary of Carova Beach Business Area, Lot A, Section 2, Carova Beach recorded in the Currituck County Public Registry, Deed Book 115, Page 453, and Map Book 2, Page 125, and also being situated on the northeast corner of the intersection of Sandfiddler Road, a 60' public right of way and Shad Lane, a 60' public right of way. Said point of beginning also being situated S 01°45'00" E 310.00 feet of the intersection of the aforementioned Sandfiddler Road and Rock Lane, a 60' public right of way and also being located on the northern right of way of the aforementioned Shad Lane.

Thence leaving said point of beginning and running and binding with the northern right of way line of the aforementioned Shad Lane and the southern line of the aforementioned Lot A S 46°45'00" E 56.57 feet to a point. Thence running and binding with the northern right of way of Shad Lane and the south line of Lot A N 88°15'00" E approximately 492.73 feet to a point, the Mean High Water Line of the Atlantic Ocean as observed on February 14, 2008. Thence running with the aforementioned Mean High Water Line S 00°35'07" W approximately 30.02 feet to a point on the Mean High Water Line. Thence running with the Mean High Water Line S 01°45'00" E 30.00 feet to a point situated on the southern right of way line of the aforementioned Shad Lane, said point also being on the northern boundary of Lot 1, Block 1, Section 2, Carova Beach recorded in the Currituck County Public Registry, Deed Book 893, Page 809 and Map Book 2, Page 125.

Thence leaving the Mean High Water Line of the Atlantic Ocean and running and binding with the south right of way of the aforementioned Shad Lane and the north line of the aforementioned Lot 1 the following two (2) courses and distances:

- 1) S 88°15'00" W approximately 491.51 feet to a point
- 2) S 43°15'00" W 56.57 feet to a point situated in the intersection of the south right of way of the aforementioned Shad Lane and the east right of way of the aforementioned Sandfiddler Road, said point also being situated at the south west corner of the aforementioned Lot 1.

Thence leaving the south right of way of Shad Lane and running and binding with the east right of way of Sandfiddler Road N 01°45'00" W 140.00 feet to a point, the point and place of beginning, containing 33,509 square feet more or less.

Said parcel of land being a portion of Shad Lane, a 60' public right of way including the intersection triangle with Sandfiddler Road extending from the east right of way of Sandfiddler Road to the Mean High Water Line of the Atlantic Ocean.

Shark Lane

Being a certain tract of land lying and situated in Fruitville Township, Currituck County, North Carolina and being further described as follows:

Beginning at a point situated at the south west corner of Lot 15, Block 4, Section 5, Carova Beach recorded in the Currituck County Public Registry, Deed Book 463, Page 574, and Map Book 2, Page 139, and also being situated N 35°07'12" E 100.00 feet of the south east intersection of Sandfiddler Road a 60' public right of way and Shark Lane, a 60' public right of way. Said point of beginning also being located on the eastern right of way of the aforementioned Sandfiddler Road.

Thence leaving said point of beginning and running and binding with the southern line of the aforementioned Lot 15 N 88°15'00" E approximately 639.62 feet to a point, the Mean High Water Line of the Atlantic Ocean as observed on February 14, 2008. Thence running with the aforementioned Mean High Water Line S 01°49'58" E approximately 20.00 feet to a point situated on the northern line of the Lot 2A, the north 100 feet of Business Area A, Section 5, Carova Beach recorded in the Currituck County Public Registry, Deed Book 353, Page 652 and Map Book 2, Page 139.

Thence leaving the Mean High Water Line of the Atlantic Ocean and running and binding with the north line of the aforementioned Lot 2A S 88° 15'00" W approximately 639.65 feet to a point at the intersection of the east right of way of the aforementioned Sandfiddler Road, said point also being situated at the north west corner of the aforementioned Lot 2A.

Thence leaving the north line of Lot 2A and running and binding with the east right of way of Sandfiddler Road N 01°45'00"W 20.00 feet to a point, the point and place of beginning, containing 12,793 square feet more or less.

Said parcel of land being a 20' public pedestrian beach access extending from the east right of way line of Sandfiddler Road to the Mean High Water Line of the Atlantic Ocean.

The Petitioner having set forth the following:

WHEREAS, Rock Lane, Shad Lane and Shark Lane, described above, were dedicated to the public upon approval of Carova Beach Subdivision; and

WHEREAS, the portions of Rock Lane, Shad Lane and Shark Lane proposed to be closed have never actually been opened and used by the public or by any other party within fifteen years from and after the filing or record of the plat of Carova Beach Subdivision in the office of the Register of Deeds of Currituck County, North Carolina, and the County of Currituck has never actually opened or assumed responsibility for maintaining any portion of the sections of the roads proposed for closing; and

WHEREAS, no property owner would be deprived of a reasonable means of ingress and egress to his or her property by virtue of the closing of the portion of the road described above.

NOW, THEREFORE, BE IT RESOLVED, that the Board of Commissioners for the County of Currituck hereby declares its intention to consider the permanent closing of that section of Sandfiddler Road described above and that appropriate notice of public hearing of this matter be given pursuant to §§ 153A-241 of the General Statutes of North Carolina, and that the public hearing be at the Board's regular meeting at 7:00 o'clock P.M., or as soon thereafter as the matter can be reached, on the 2nd day of September, 2008.

Consideration of Bid Award Recommendation for RO Deep Wells-Mainland Water System Upgrades

Eric Weatherly, Engineer, reviewed the bids that were received and recommended Magette Well & Pump be awarded the bid.

Commissioner Etheridge moved to award bid to Magette in the amount of \$687,171.20. Commissioner Taylor seconded the motion. Motion carried.

Approval of Agreement to Purchase Easement on Tulls Creek Road.

Ike McRee, County Attorney, reviewed the agreement for an easement that will be used for the mainland water treatment plant. The agreement is for \$2,565.00.

Commissioner Gregory moved to approve agreement. Commissioner Bowden seconded the motion. Motion carried.

Consent Agenda:

1. Budget Amendments
2. Petition to NCDOT for Road Addition - Bayview Road
3. Petition to NCDOT for Road Addition - Armstead Court
4. Final Adjusting Change Order-Law Enforcement Kitchen Addition
5. Approval of July 21, 2008, Minutes

Commissioner Gregory moved to approve. Commissioner Bowden seconded the motion. Motion carried.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
50640-570004	Reimbursable Expenses	\$ 47,309	
50640-588004	Contingency		\$ 47,309
		\$ 47,309	\$ 47,309

Explanation: Cooperative Extension Building (50640) - To transfer funds from contingency for computer technology, drapes, seeding and final closeout items for the Cooperative Extension Building.

Net Budget Effect: County Governmental Construction Fund (50) - No change.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10441-590000	Capital Outlay Fund Balance	\$ 59,700	
10390-499900	Appropriated		\$ 59,700
		\$ 59,700	\$ 59,700

Explanation: Information Technology (10441) - To carryforward the following capital purchases from FY 2008 to FY 2009:

Phone System Upgrades	\$ 50,000
Anti-virus software	\$ 1,700
2 Domain Controllers	\$ 8,000
	\$ 59,700

Net Budget Effect:

Operating Fund (10) - Increased by \$59,700.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
50550-592008	Hangar/Taxiway 36237.8.7.1	\$ 123,600	
50550-592009	Rehab Taxiway A	\$ 260,000	
50330-448000	State Aide to Airports		\$ 345,240
50390-495015	T F - Occupancy Tax		\$ 38,360
		\$ 383,600	\$ 383,600

Explanation: Airport Expansion (50550) - To increase appropriations for Airport Project 36237.8.7.1 - Hangar and Taxiway Construction for \$123,600 and for Airport Project 36244.10.3.1 - Rehabilitate Taxiway A & Concrete Apron. These projects will be funded with a 90% grant from the Division of Aviation and 10% matching funds from Occupancy Tax - Tourism Related Expenditures.

Net Budget Effect:

County Governmental Construction Fund (50) - Increased by \$383,600.

Commissioner's Report

No comments

County Manager's Report

Dan Scanlon, updated the Board on the Tulls Creek Road Bridge and completion date.

Adjourn

There being no further business, the meeting adjourned.

Tourism Development Authority Meeting

Call to Order

Chairman Nelms called the Authority meeting to order.

Budget Amendments

Commissioner Gregory moved to approve the budget amendments. Commissioner Taylor seconded the motion. Motion carried.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15442-526201	Promotional Items	\$ 21,475	
15380-481000	Investment Earnings	.	\$ 21,475
		\$ 21,475	\$ 21,475

Explanation: Occupancy Tax - Promotion (15442) - To increase appropriation to contract with Lawrence-Park LLC to prepare an Economic Development marketing plan to promote Economic Development in Currituck County.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$21,475.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
15447-587050	T T - County Govt Construction	\$ 38,360	
15380-481000	Investment Earnings	.	\$ 38,360
		\$ 38,360	\$ 38,360

Explanation: Occupancy Tax - Tourism Related Expenditures (15447) - To increase appropriations to provide 10% matching funds for airport projects 36237.8.7.1 for Hangar and Hangar Taxiway Construction and 36244.10.3.1 to rehabilitate Taxiway A and Concrete apron.

Net Budget Effect: Occupancy Tax Fund (15) - Increased by \$38,360.

Adjourn

There being no further business, the meeting adjourned.