



**BOARD OF COMMISSIONERS
AGENDA**

JULY 1, 2013

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Currituck County Board of Commissioners Agenda

Historic Currituck County Courthouse

Date: Monday, July 01, 2013

Time: 7:00 PM

Work Sessions

4:30 PM Tour of the Regional Aviation and Technical Training Center

7:00 pm Call to Order

- A) Invocation – Reverend Renee Edwards, Sharon United Methodist Church
- B) Pledge of Allegiance
- C) Approval of Agenda
- D) Public Comment

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

Public Hearings

- A) **Public Hearing and Action:** PB 13-09 Schaubach Materials Recovery Facility – Request for a Use Permit for a Transfer Recycling Center. The property is located at 8546 Caratoke Highway, Tax Map 124D, Parcel 039A, Poplar Branch Township.
- B) **Public Hearing and Action:** PB 13-08 Elan Vacations, Inc. – Request to amend the Unified Development Ordinance Chapter 6: Required Infrastructure, Chapter 10: Definitions and Measurement, and Chapter 4: Use Standards to revise existing sewage system requirements for planned developments and multifamily developments.
- C) **Public Hearing and Action:** PB 13-07 Elan Vacations, Inc. – Request to rezone from General Business (GB) to Planned Development - Mixed (PD-M) located at 138 West Mobile Road, Harbinger, Tax Map 131, Parcels 95A and 97, Poplar Branch Township.
- D) **Public Hearing and Action:** PB 13-10 The Gables – Request for conditional zoning from Agricultural (AG) to Conditional District-Single Family Mainland (CD-SFM) of 97.75 acres in Moyock on the north side of

Guinea Road, Tax Map 22, Parcels 71B, 64A, and 64E, Moyock Township.

- E) **Public Hearing and Action:** PB 13-11 Baxter's Lane Estates – Request for preliminary plat/use permit approval of 32 residential lots located in Moyock on the south side of Baxter's Lane, Tax Map 9, Parcel 25G, Moyock Township.

New Business

- A) **Resolution Opposing Revival of the Proposed Black Bear Disposal, LLC, 490 Acre Municipal Waste Landfill in Camden County**
- B) **Board Appointments:**
 - 1. Appointment to Game Commission
- C) **Consent Agenda:**
 - 1. Approval of June 17, 2013 Minutes
 - 2. Approval of Rural Operating Assistance Program (ROAP)
 - 3. Approval of Right of Way Agreement with Dominion for Barco Way
 - 4. Master Fee Schedule - Revised
 - 5. Request to NCDOT regarding Currituck Community Park Roads: Abandonment of a portion of Airport Road & Addition of College Way, Maple Parkway, Aviation Parkway, and a portion of Terminal Road to the NCDOT Maintenance System
 - 6. Community Development Block Grant Update
 - 7. Naming of Tracy Sample as Tax Assessor for a two-year period beginning July 1, 2013
- D) **Commissioner's Report**
- E) **County Manager's Report**

Adjourn

CASE ANALYSIS FOR THE
Board of Commissioners
DATE: July 1, 2013
PB 13-09 Schaubach Materials Recovery Facility

ITEM: PB 13-09 Schaubach Materials Recovery Facility request for a Use Permit for a Transfer Recycling Center.

LOCATION: Powells Point, 8546 Caratoke Highway, Poplar Branch Township.

TAX ID: 124D-000-039A-0000

ZONING DISTRICT: Light Industrial (LI)

PRESENT USE: Office/Outdoor Storage/Recycling Center

**OWNER/
APPLICANT:** Schaubach Rentals LLLP
1384 Ingleside Road
Norfolk, VA 23502

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	SFDs & Undeveloped Land	GB & HI
SOUTH	Industrial	LI
EAST:	Industrial, Commercial, and SFD	LI & GB
WEST:	Industrial	LI

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Full Service within the Point Harbor subarea.

SIZE OF SITE: 5.3 acres

I. NARRATIVE OF REQUEST:

1. The applicant is seeking a use permit to operate a transfer recycling center.
2. Currently, the property has zoning permits for outdoor storage and to handle single-stream or household recyclables. This use permit would allow for the handling of recoverable materials including construction and demolition debris in addition to the household recyclables.
3. The collecting and sorting of the materials will be conducted inside a 3-sided building as required by the UDO. Any storage of the materials outside the building must be within leak proof containers.
4. The facility will receive materials from 7am to 5pm, 5 days a week. It will be staffed with two employees using an excavator and loader. Loaded trailers will exit the facility once full and taken to their recycling facility for processing or landfill; both are located in Virginia. The floor of the facility will be cleared of material every night after 5pm.
5. The only improvements to the site with this use permit will be the installation of a Type "D" buffer consisting of a privacy fence and additional landscaping to screen the open side of the building from off site views.

6. A community meeting was held on April 19, 2013 at the office building on site with 9 people in attendance. Concerns and questions included:
 1. Noise and smell of a dumpster located on an adjacent lot,
 2. Amount of truck traffic to the site and time of operation,
 3. Odors that may arise from the materials, and
 4. Materials that will be accepted and transferred at the facility.

A full community meeting summary prepared by the applicant is attached.

II. QUESTION(S) BEFORE THE BOARD:

Use Permit Criteria and Staff Findings:

Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a UP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

1. The use will not endanger the public health or safety.
Suggested Findings:
 - a. The proposed activities will meet all state and county requirements.
 - b. The operation will not encumber fire apparatus access.
2. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located:
Suggested Findings:
 - a. The proposed use is located within Harbinger Park, an industrial subdivision. There is industrial zoning to the North, South, East, and West of the property.
 - b. Due to the proximity of existing SFDs, hours of operation should be established to promote compatibility and harmony.
3. The use will be in conformity with the Land Use Plan or other officially adopted plan.
Suggested Findings:

The 2006 Land Use Plan classifies this site as Full Service within the Point Harbor subarea. The proposed use is in keeping with the policies of the plan, some of which are:

POLICY ID6: New industrial development shall be encouraged to locate in existing and/or planned INDUSTRIAL PARKS.
4. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.
Suggested Findings:
 - a. The proposed use will not exceed the county's ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval subject to the following permit conditions:

- a. Hours of operation will be from 7am to 7pm with truck traffic being limited to 7am to 5pm.

IV. PLANNING BOARD RECOMMENDATION:

The Planning Board recommended approval of the Use Permit with the staff findings and the Technical Review Committee recommendations.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE:

Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

PLANNING BOARD DISCUSSION (6-11-13)

Mr. Cooper stated there is no change in the operation just in the materials, is that correct?

Mr. Schuler stated yes, with this permit Mr. Schaubach will be able to take construction and demolition materials.

Mr. Schaubach stated he would be glad to answer any questions the board may have.

Mr. Bell asked about the clean up.

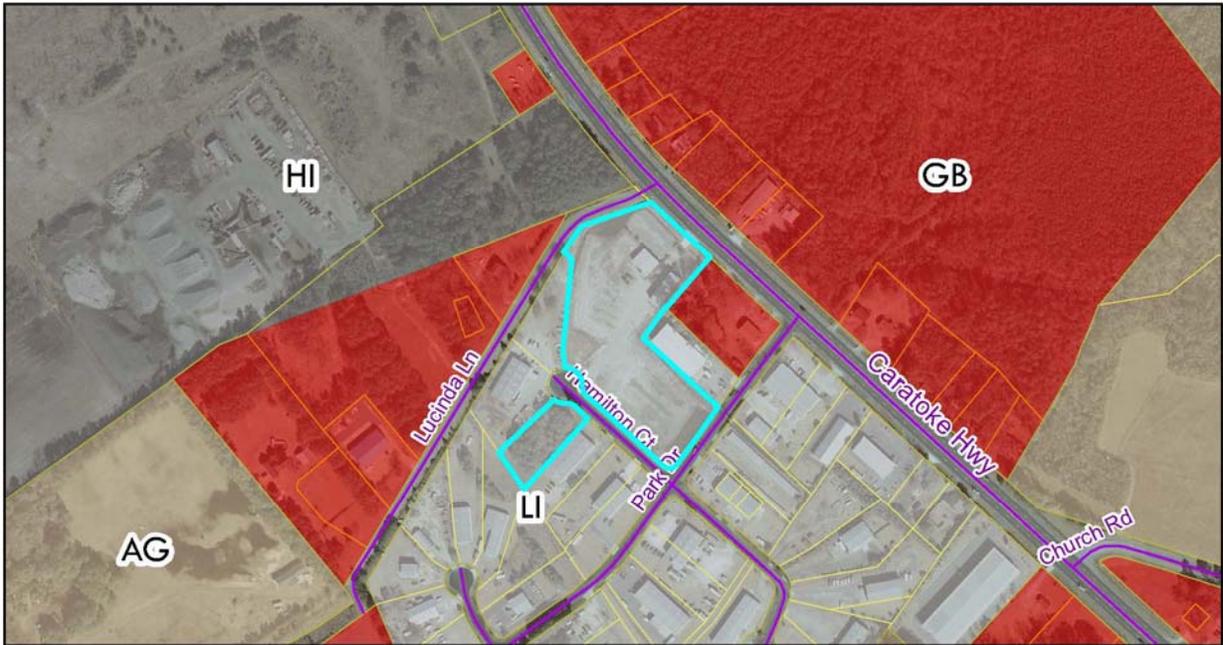
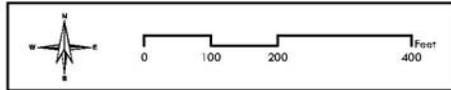
Mr. Schaubach stated it is dry waste and the floor will be kept clean daily.

ACTION

Mr. Cooper moved to approve PB 13-09 with staff findings and the Technical Review Committee recommendations. Mr. Craddock seconded the motion. Motion carried unanimously.

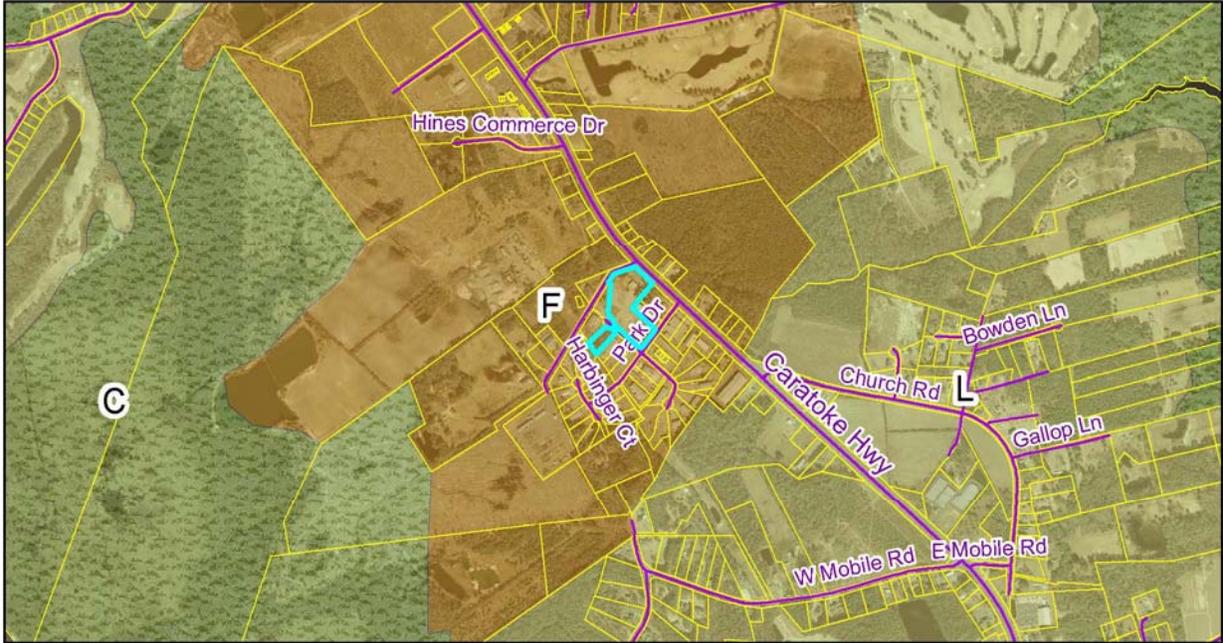


PB 13-09
Schbauch Materials Recovery
Use Permit - Aerial



PB 13-09
Schbauch Materials Recovery
Use Permit - Zoning





PB 13-09
Schbauch Materials Recovery
Use Permit - LUP



MEMORANDUM

To: James D. Schaubach, Schaubach Rentals LLLP
From: Brad Schuler, Planner I
Date: May 9, 2012
Subject: Schaubach Rentals, LLLP – Recycling Center, Transfer

The following comments have been received for the May 15, 2013 TRC meeting. In order to be scheduled for the June 11, 2013 Planning Board meeting, please address all comments and resubmit a corrected plan by 3:00 p.m. on May 20, 2013. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Brad Schuler

Approved with comments

1. Please correct the plan in regards to proposed improvements. The buildings have already been approved from previous submittals. This application will only be adding additional fencing and landscaping.
2. The landscaping is incorrectly credited. Existing trees are given a credit of 1.25 times their actual caliper. For example, an existing 2 inch caliper tree is credited for 2.5 caliper inches.
3. The Administrative Manual requires the landscaping to have species diversification. In addition to the existing maple trees, please plant another species of canopy tree for the required buffer. Staff recommends the bald cypress or river birch.
4. How will trash/garbage that may come in with the recyclable/recoverable material loads be handle? Based on your response, additional conditions may be recommended/added to the permit.

Use Standards

The transfer recycling center use is subject to the standards of Section 4.2.5.E.5 of the Unified Development Ordinance including:

1. All recyclable and recoverable materials must be collected, sorted, and prepared for transfer within the building. Processing of the materials by briquetting, compacting, flattening, grinding, crushing, shredding, cleaning, or altering the materials is prohibited.
2. Recyclable and recoverable materials stored outside must be contained within a leak-proof bin or trailer, and can not be stored on the ground.
3. There is to be no collection or storage of hazardous or biodegradable wastes on the site.

Recommended Conditions

1. Hours of operation: 7am to 7pm with truck traffic being limited to 7am to 5pm.

Currituck Soil and Water, Mike Doxey

Approved

Currituck County Engineer, Eric Weatherly

Approved

Currituck County Utilities, Pat Irwin

Approved

Currituck County Fire Marshal, James Mims

Reviewed

1. No part of the operation is to encumber the required fire apparatus access.

Currituck County Building Inspections, Spence Castello

Approved

Albemarle Regional Health Services, Joe Hobbs

Reviewed

1. Will restroom/water usage be proposed at proposed recycle center building? Consult with Health Department for septic system and private well approval if proposing water usage. Thanks.

Currituck County GIS, Harry Lee

Reviewed

1. An address can be assigned to the buildings if requested.

NC Division of Coastal Management, Charlan Owens

No comment

NC DENR, Land Quality, Pat McClain

No comment

NC State Archaeology, Lawrence Abbot

No comment

1. An archaeological survey is not recommended.

The following items are necessary for resubmittal:

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



Use Permit Application

OFFICIAL USE ONLY:

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

Contact Information**APPLICANT:**

Name: Schaubach Rentals
 Address: 1384 Ingleside Rd
Norfolk, VA 23502
 Telephone: 757-642-4346
 E-Mail Address: james.schaubach@me.com

PROPERTY OWNER:

Name: Schaubach Rentals LLLP
 Address: 1384 Ingleside Rd
Norfolk, VA. 23502
 Telephone: 757-642-4346
 E-Mail Address: james.schaubach@me.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: SAME

Property Information

Physical Street Address: 8546 CARATOKe Highway, Powells Point, NC 27966
 Location: HARBINGER PARK
 Parcel Identification Number(s): 124D-000-039A-000
 Total Parcel(s) Acreage: 4.64 + 0.69 AC = 5.34 AC
 Existing Land-Use of Property: Bay Disposal & John's Brothers Security

Request

Project Name: Schaubach Materials Recovery Facility
 Proposed Use of the Property: TO BRING IN ADDITIONAL RECYCLABLE MATERIALS VIA *open top container*
 Deed Book/Page Number and/or Plat Cabinet/Slide Number: DB 1107, Pg 943
 Total square footage of land disturbance activity: N/A
 Total lot coverage: 141,220 sf +/- Total vehicular use area: 120,437 sf +/-
 Existing gross floor area: 7,766 s.f Proposed gross floor area: 18,500 s.f.

Community Meeting

Date Meeting Held: 4-19-13 Meeting Location: At referenced site.

Purpose of Special Use Permit and Project Narrative (please provide on additional paper if needed): _____

We purpose to bring in open top containers to facility and dump them inside building on concrete floor. Recyclable materials will be removed and the remaining debris will be loaded into trailers and taken to approved landfill.

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

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

All activities are in an enclosed building under direction of licensed SWANA certified transfer operation specialist (TS-2007113)

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

All activities occur inside metal building with associated landscaping and buffers per code.

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

The use conforms to the new UDO for a Recycling transfer station.

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

All activities will be on private property inside fenced site. All activities will be under permit by North Carolina Dept of Environmental Quality.

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

James D. Schaubach
Property Owner(s)/Applicant*

4/24/13
Date

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

Use Permit Application
Page 6 of 9

Community Meeting Summary

BAY Disposal and Recycling held a community meeting on Friday April 19th at 8546 Caratoke Highway. In attendance were Audrey McCain, Pamela Ballance, Minnie Griggs, Rex Filion, Keith Hall, Ken Griggs, Brad Schuller, Mike Norris, and James Schaubach. The meeting opened at 12 pm and lasted approximately 1 1/2 hrs.

Audrey McCain (neighbor to the east) had several concerns primarily dealing with banging of the dumpster and smell of trash coming from the Waste Management Container located behind her house at the cabinet shop. There was also mention of music and paint fumes also coming from cabinet shop.

Pamela Ballance (neighbor on side street) had general comments and concerns about the operation and how it would be run. She was made aware of the solid privacy fence being installed which addressed her concerns of noise and visibility of the operation. We were made aware of blinking lights on our trucks in the morning and agreed to not turn them on until the truck left the yard.

Rex Filion (adjoining neighbor at cabinet shop) stated that we had been good neighbors for the last several years and did not see a problem. He had a general question about any odors that may arise. We assured him that there would not be any due to the fact that we currently run a transfer station, as well

as, a recycling plant and have never had a problem. We agreed that if it became a problem we would address the issue.

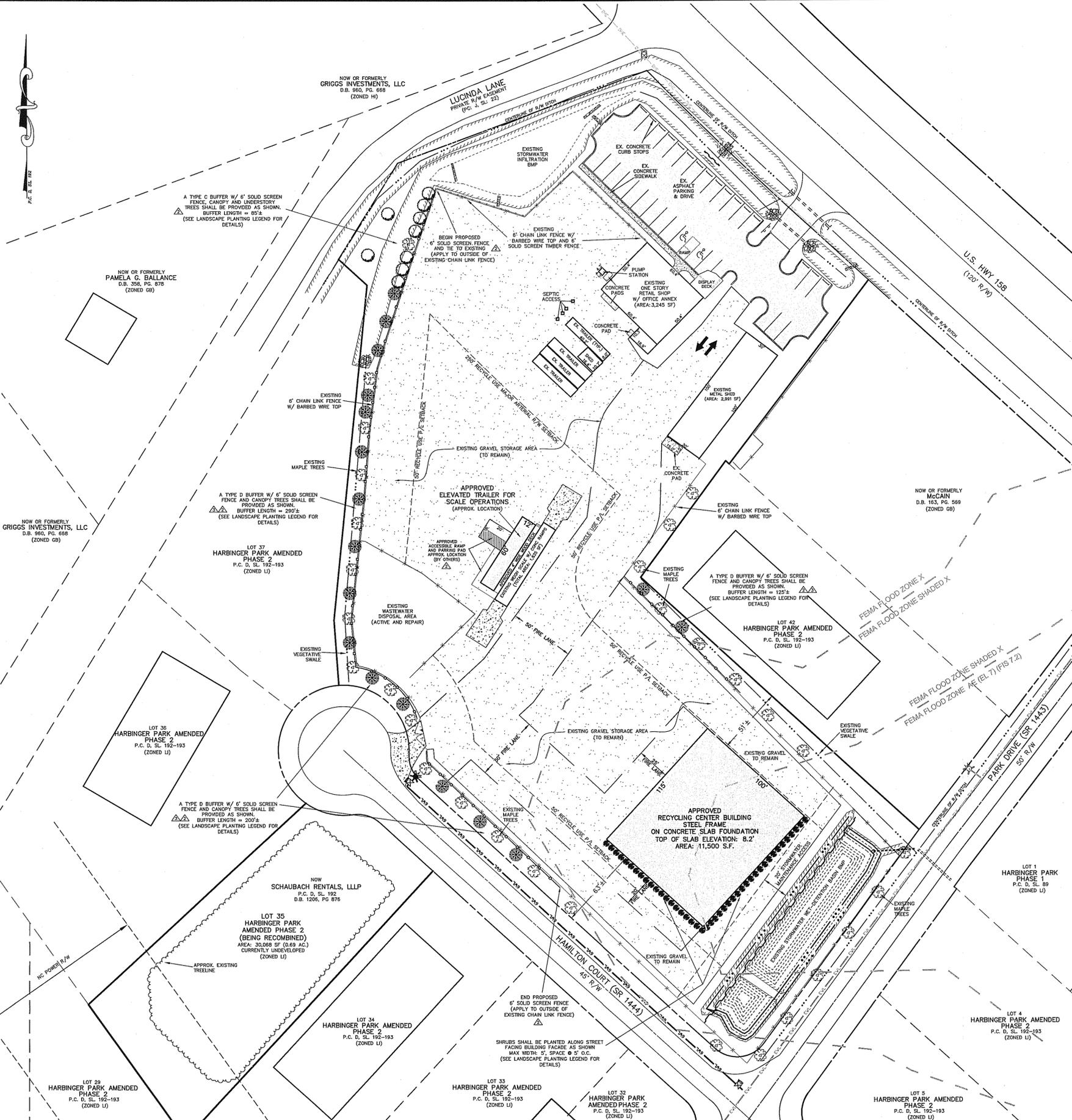
Keith Hall (land owner from across ISB) had concern that as the operation grew we would accept garbage. We told him that ⁱⁿ our permit we would never accept any trash, and we were installing cameras on our scales to view loads as they came in. Any trash loads would be rejected.

After addressing any other concerns, the meeting was adjourned around 1:30 pm.

Operation Narrative

Materials will be delivered to the site in open top containers. Upon entering the yard trucks will be scaled to determine incoming weight. There will also be a camera on the scale to help verify the type of material in the container. Loads of clean recyclable material will be dumped on one side of the building, and mixed loads will be dumped on the other. At this point recyclables will be removed from the mixed loads and the remaining debris will be loaded in a trailer to be taken to an approved landfill. The truck will be weighed on the way out of the facility and given a weight ticket.

The facility will receive material from 7am - 5pm 5 days a week. After 5pm the floor of the facility will be cleaned-up and left debris free for the next day. The facility will be staffed with 2 employees using an excavator and a loader. Loaded trailers will exit the facility once full and drop their loads at the landfill or our Recycling Facility both located in Virginia.



LANDSCAPE PLANTING LEGEND

- EXISTING MAPLE**
 MAPLE TREES ARE CONSIDERED CANOPY TREES.
 THERE ARE (30) EXISTING MAPLE TREES PLANTED AROUND THE PERIMETER OF THE PROPOSED RECYCLE USE AREA. THE AVERAGE BREAST HEIGHT DIAMETER OF THESE TREES IS APPROXIMATELY 1".
 IN ACCORDANCE WITH UDC SECTION 5.2.3.0.(2), EXISTING TREES THAT ARE RETAINED ARE CREDITED TOWARD THE MINIMUM LANDSCAPING REQUIREMENTS AT A RATE OF 1.25 TIMES THEIR ACTUAL DIAMETER.
 THIS EQUATES TO A TOTAL OF 37.5" OF CALIPER CREDIT.
- PROPOSED SHRUB**
 SHRUBS SHALL BE A MINIMUM SIZE OF 3 GALLONS AT TIME OF PLANTING AND HAVE A MINIMUM AVERAGE HEIGHT AND SPREAD OF 3'-5' AT MATURITY. PLANTED AT 5' O.C. AS NOTED.
 SHRUBS MAY BE DWARF YALPON HOLLY, RUCCOSA ROSE, YEDDO HAWTHORN, OR OTHER APPROVED EQUAL AT LEAST 50% OF SHRUBS SHALL BE EVERGREEN.
- (43) SPECIFIED ON THIS PLAN**
 INSTALLED IN ACCORDANCE WITH SECTION 3.5 "PLANTING STANDARDS" OF THE CURRITUCK COUNTY ADMINISTRATIVE MANUAL. OTHERS SHRUBS AS LISTED IN TABLE 3.5.6 IN THE SAME MANUAL MAY BE SUBSTITUTED.
- PROPOSED CANOPY TREE**
 NEW CANOPY TREES SHALL HAVE A MINIMUM CALIPER OF 2 INCHES AT THE TIME OF PLANTING AND SHALL BE A SPECIES HAVING AN EXPECTED HEIGHT AT MATURITY OF 30 FEET OR MORE.
 CANOPY TREES MAY BE BALD CYPRESS, WILLOW OAK, RIVER BIRCH, OR OTHER APPROVED EQUAL. A MIN OF TWO DIFFERENT SPECIES SHALL BE UTILIZED, IN ROUGHLY EQUAL PORTIONS.
- (17) SPECIFIED ON THIS PLAN**
 INSTALL IN ACCORDANCE WITH SECTION 3.5 "PLANTING STANDARDS" OF THE CURRITUCK COUNTY ADMINISTRATIVE MANUAL. OTHERS TREES AS LISTED IN TABLE 3.5.6 OF THE SAME MANUAL MAY BE SUBSTITUTED. CANOPY TREES A MINIMUM OF 8 FEET IN HEIGHT ABOVE GROUND LEVEL AT THE TIME OF PLANTING SHALL BE ALLOWED AS AN ALTERNATIVE TO THE MINIMUM 2 INCH CALIPER.
- PROPOSED UNDERSTORY TREE**
 NEW UNDERSTORY TREES SHALL HAVE A MINIMUM CALIPER OF 1.5 INCHES AT THE TIME OF PLANTING AND SHALL BE A SPECIES HAVING AN EXPECTED HEIGHT AT MATURITY OF NO GREATER THAN 30 FEET.
 CANOPY TREES MAY BE FLORENCE DOGWOOD, AMERICAN HOLLY, CRAPE MYRTLE, OR OTHER APPROVED EQUAL. A MIN OF TWO DIFFERENT SPECIES SHALL BE UTILIZED, IN ROUGHLY EQUAL PORTIONS.
- (9) SPECIFIED ON THIS PLAN**
 INSTALL IN ACCORDANCE WITH SECTION 3.5 "PLANTING STANDARDS" OF THE CURRITUCK COUNTY ADMINISTRATIVE MANUAL. OTHERS TREES AS LISTED IN TABLE 3.5.6 OF THE SAME MANUAL MAY BE SUBSTITUTED. UNDERSTORY TREES A MINIMUM OF 8 FEET IN HEIGHT ABOVE GROUND LEVEL AT THE TIME OF PLANTING SHALL BE ALLOWED AS AN ALTERNATIVE TO THE MINIMUM 1.5 INCH CALIPER.

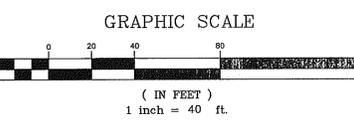
PLAN NOTE:
 THE PERIMETER LANDSCAPE BUFFERS AND SCREENING ILLUSTRATED ON THIS PLAN ARE PER CURRITUCK COUNTY PLANNING STAFF RECOMMENDATIONS.

SITE STABILIZATION NOTES

- NOTE:**
 PROVIDE A GROUND COVER (TEMPORARY OR PERMANENT) ON EXPOSED SLOPES WITHIN 21 DAYS FOLLOWING COMPLETION OF ANY PHASE OF GRADING. A PERMANENT GROUND COVER FOR ALL DISTURBED AREAS WITHIN 15 WORKING DAYS OR 90 CALENDAR DAYS (WHICHEVER IS SHORTER) FOLLOWING COMPLETION OF CONSTRUCTION OR DEVELOPMENT.
- SEED AND STABILIZE DISTURBED AREAS AS NOTED BELOW.**
- STABILIZATION AND LANDSCAPING:**
- A. FERTILIZER: APPLY 3,000 LB/ACRE GROUND AGRICULTURE LIMESTONE AND 500 LB/ACRE 10-10-10 FERTILIZER. TOP DRESS WITH 50 LB/ACRE NITROGEN.
 - B. MULCH: APPLY 4,000 LB/ACRE STRAW ANCHOR STRAW BY TACKLING WITH ASPHALT, NETTING, OR A MULCH ANCHORING TOOL.
 - C. SEEDING/SODDING:
 1. TEMPORARY VEGETATION: IF TEMPORARY SEEDING OCCURS DURING WINTER, EARLY SPRING, OR FALL, APPLY 120 LB/ACRE RYE GRAIN. IF TEMPORARY SEEDING OCCURS DURING SUMMER, APPLY 40 LB/ACRE CENTROGRASS. TEMPORARY VEGETATION CANNOT BE APPLIED WITHIN 30 DAYS OF LAND DISTURBING ACTIVITY.
 2. PERMANENT VEGETATION: APPLY COASTAL MIX CONSISTING OF 50 LB/PENACOLLA BAHADRASS, AND 10 LB/ACRE GERMAN MULLET. APPLY PERMANENT SEEDING BETWEEN APRIL 1 AND JULY 15. REFERTILIZE THE FOLLOWING APRIL WITH 50 LB/ACRE NITROGEN.
 3. SODDING: PERMANENT VEGETATION-SELECT COMPATIBLE SPECIES TO PERMANENT SEEDING TYPE. INSTALL WITH LONGEST DIMENSION PERPENDICULAR TO THE SLOPE AND STABLE IF NECESSARY. ROLL SOD IMMEDIATELY AND WATER TO 4".
- MAINTENANCE:**
 ALL STABILIZED AREAS SHOULD BE CHECKED AFTER EACH SIGNIFICANT RAINFALL EVENT. RILLS AND GULLIES MUST BE REPAIRED, RE-SEEDED AND MULCHED AS SOON AS POSSIBLE. TEMPORARY DIVERSIONS MAY BE NECESSARY UNTIL NEW PLANTS DEVELOP.
 BARE SPOTS MUST BE RELIEVED, FERTILIZED, MULCHED AND RESEEDED AS PROMPTLY AS POSSIBLE. YEARLY REFERTILIZATION MAY BE REQUIRED TO MAINTAIN PRODUCTIVE STANDS.

LEGEND

SYMBOL/LINETYPE	DESCRIPTION
---	= EXISTING RIGHT OF WAY
---	= EXISTING EDGE OF PAVEMENT
---	= EXISTING ROADWAY CENTERLINE
---	= EXISTING PROPERTY LINE
---	= EXISTING SWALE CENTERLINE
---	= EXISTING POWER POLE
---	= EXISTING GUY WIRE
---	= EXISTING WATER METER
---	= EXISTING FIRE HYDRANT
---	= EXISTING GATE VALVE
---	= EXISTING CATV PEDESTAL
---	= EXISTING PHONE PEDESTAL
---	= EXISTING SIGN
---	= EXISTING LIGHT POLE
---	= EXISTING RETAINING WALL
---	= EXISTING FENCE LINE (CHAIN LINK)
---	= EXISTING FENCE LINE (WOOD SCREEN)
---	= EXISTING TREE (SEE LANDSCAPING LEGEND)
---	= EXISTING GRAVEL PARKING & DRIVES
---	= EXISTING ASPHALT PARKING & DRIVES
---	= EXISTING CONCRETE PADS
---	= EXISTING GROUND SPOT ELEVATIONS
---	= EXISTING OVERHEAD UTILITY LINE
---	= EXISTING WATERMAIN
---	= APPROVED WATERMAIN
---	= APPROVED FIRE HYDRANT
---	= APPROVED GATE VALVE
---	= PROPOSED FENCE LINE (TYPE AS NOTED)



BISSELL PROFESSIONAL GROUP
 302 North Green Highway
 Kitty Hawk, North Carolina 27949
 PHONE: 252-281-1760
 FAX: 252-281-1760
 E-MAIL: info@bissell.com
 WWW: www.bissell.com

PROPOSED SITE DEVELOPMENT

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SCHAUBACH MIXED USE DEVELOPMENT
 CURRITUCK COUNTY
 POPULAR BRANCH TOWNSHIP
 NORTH CAROLINA

PROPOSED RECYCLING CENTER ADDITION

REVISIONS

NO.	DATE	BY	DESCRIPTION
1	5/24/12	DMK	REVISED FOR THE PERIMETER LANDSCAPE AND SCREENING RECOMMENDATIONS.
2	5/24/12	DMK	REVISED FOR THE PERIMETER LANDSCAPE AND SCREENING RECOMMENDATIONS.
3	5/24/12	DMK	REVISED FOR THE PERIMETER LANDSCAPE AND SCREENING RECOMMENDATIONS.



DATE: 5-24-12
 SCALE: 1"=40'
 DRAWN: DMK
 CHECKED: MSB
 SHEET: 2 OF 2
 CAD FILE: 354700B2
 PROJECT NO: 3547



Currituck County

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

To: Board of Commissioners
From: Planning Staff
Date: June 20, 2013
Subject: PB 13-08 Sewage Disposal Standards Text Amendment

The enclosed text amendment submitted by Landmark Engineering & Environmental, P.C. is intended to amend the sewage disposal standards for planned developments. The Unified Development Ordinance currently requires that planned unit developments or planned developments be connected and serviced by a centralized wastewater system. The proposed amendment creates an exception to this requirement by allowing the County Engineer to approve an alternative wastewater system.

Planned developments create opportunities for mixed use development and diverse housing types, which is supported in the 2006 Land Use Plan. However, due to the initial cost and long-term maintenance expenses associated with a centralized wastewater system, most small acreage planned developments are not feasible without the flexibility provided by this proposed amendment. The proposed amendment establishes standards for alternative wastewater systems to ensure a similar level of environmental protection. In reviewing the proposed amendment, it may be appropriate for the Board of Commissioners to place more emphasis on centralized management as opposed to centralized treatment.

The proposed amendment includes minor text changes intended to clarify terminology and review procedures, as well as revised definitions that accurately describe types of wastewater systems.

Planning staff recommends **approval** because the proposed text amendment is consistent with the land use plan; addresses a demonstrated community need to promote mixed use development and affordable housing; and would not result significantly adverse impacts on the natural environment.

The Planning Board recommended unanimous approval at their June 11, 2013 meeting.

PLANNING BOARD DISCUSSION (6-11-13)

Mr. White stated the condition of staff not agreeing with the applicant as far as the efficient use of wastewater; stated the reason they are looking at doing individual phase wastewater is to keep the cost down and to provide high levels of treatment to waste generated by either the commercial or residential phase. Mr. White is asking staff to change the word "consistency" to "compatible" in #3 under Master Plan. Mr. White stated that under the Master Plan, #1 states to show vehicular interconnectivity between Phase IIA and IIB. Mr. White does have a concern with this statement, if Phase IIB is a commercial development then he would like to provide pedestrian access and feel the vehicular access can be served from the street right-a-way. Mr. White's main concern is to keep any further commercial traffic to a minimum in the residential area. Typically the centralized wastewater systems are permitted through the Division of Water Quality, where as septic systems through the Division of Environmental Health Wastewater System.

Mr. Craddock asked Mr. White, when it comes to wastewater management is the applicant believing individual septic systems on this property is better than a centralized wastewater systems.

Mr. White talked about individual septic systems vs. a centralized wastewater system. Mr. White stated the reason is to tailor the individual septic systems for a particular use. Mr. White stated all the stormwater will be going to the Division of Water Quality for a state permit. Does not know if the state will require one permit and a modification to the permit for each phase, or individual permits for each phase.

The Planning Board discussed advantages and disadvantages of having individual septic systems vs. a centralized wastewater system.

Ms. Bell asked what the planned use for the 39 residential units will be and will they be sold or used as rentals for vacationers.

Mr. Bibeau stated he is the owner of Elan Vacation. Mr. Bibeau stated Currituck is in need of affordable housing. The town homes will be 2-3 bedrooms, swimming pool, tennis courts, and basketball court. These units will be used as rentals as an overflow from the beach and as short term housing for school teachers, firefighters, and police officers. Mr. Bibeau's intention is not to sell these units.

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Mr. White explained access would be towards the north.

Mr. Clark asked if the applicant has considered hiring a private traffic consultant to do a survey.

The Planning Board discussed interconnectivity between Phase IIA and Phase IIB.

Mr. Watkins stated he is concerned with the affect the town houses will have on property values and traffic safety. It is difficult to understand the site plan and what type of materials will be used in the commercial and residential development. Mr. Watkins does not support this request.

Mr. Craddock stated that the Planning Board has concerns with traffic safety, town homes that would be rental property similar to time share, and thanked Mr. Watkins for representing his community.

Mr. Crank stated what repercussion if the centralized wastewater system would fail, and what affect it would have on surrounding property owners. Mr. Crank stated he was not aware of any other meetings pertaining to the request. Mr. Crank asked what is considered small acreage in a planned development.

Ms. Glave stated 10 acres is the minimum acreage for a planned development.

Ms. Watkins stated she is concerned with lighting, parking spaces per unit, traffic, and the development being served adequately by public facilities.

Mr. Lee stated he is concerned with the septic tank issue and what affect this will have on their water, traffic, and access road.

Mr. White stated he received a list of addresses from the planning department and notices were sent informing of the community meeting. Mr. White talked about the wastewater and septic tank management. Mr. White stated they will be using county water for this development.

Mr. Cooper asked if the architectural standards are part of the Master Plan.

Ms. Glave provided an overview.

ACTION

Mr. Craddock moved to approve PB 13-08 as presented with staff recommendations. Mr. Cooper seconded the motion. Motion carried unanimously.

PB 13-08
UDO AMENDMENT REQUEST

Amendment to the Unified Development Ordinance Chapter 6: Required Infrastructure, Chapter 10: Definitions and Measurement, and Chapter 4: Use Standards to revise existing sewage system requirements for planned developments and multifamily developments.

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 6.2.3 Utility Standards is amended by adding the following underlined language, deleting the strikethrough language, and renumbering accordingly:

E. Sewage Disposal Standards

(1) Sewage System Required

- (a)** Every principal use and every buildable lot in a subdivision shall be served by a ~~sewage disposal~~ wastewater system that complies with all Albemarle Regional Health Services and State standards.
- (b)** All principal uses and buildable lots within a multi-family development, planned unit development, or planned development shall be connected and serviced by a ~~package tertiary treatment plant~~ centralized wastewater system. The County Engineer may approve an alternative wastewater system upon finding that the proposed development:
 - (i)** Is not located within the service area of an existing centralized wastewater system;
 - (ii)** Can be adequately connected and serviced by a decentralized wastewater system that is certified by a registered engineer to provide equal or better performance as otherwise provided by a centralized wastewater system;
 - (iii)** Is subject to a wastewater operation and maintenance plan prepared by a registered engineer that establishes siting standards, performance and monitoring requirements, and a routine maintenance program; and
 - (iv)** Provides tertiary treatment of sewage if cumulative wastewater flows exceed 3,000 gallons per day.
- ~~**(c)** The applicant shall provide a statement from service providers that sewer will be available to serve the proposed development at the time of preliminary plat.~~
- ~~**(d)** All multi-family and townhouse development of fifty or more units shall be served by a central waste water system. The system may include a central shared drainfield, if necessary.~~

(2) Sewage System Requirements

- (a)** No ~~sewage treatment~~ wastewater system shall discharge into surface waters.

- (b) No centralized wastewater system shall be located within an Area of Environmental Concern (AEC).
- (c) When lots in a residential major subdivision are to be served by ~~septic tanks or other ground absorption sewage~~ decentralized wastewater systems, no preliminary plat shall be approved until Albemarle Regional Health Services has certified that each lot on the preliminary plat has been inspected and found provisionally suitable or suitable for an ~~on-site sewage~~ wastewater system capable of ~~servicing~~ dispersing at least a ~~three-bedroom house~~ 360 gallons per day.
- ~~(d) Final plat approval for a residential subdivision to be served by septic tanks or other ground absorption sewage systems shall not be granted until Albemarle Regional Health Services certifies each lot is suitable for an on-site sewage system capable of serving the intended use on the lot. The certification provided as part of the preliminary plat is sufficient provided there is no substantial change in the proposed use following approval of the preliminary plat.~~
- (e) Development permits issued for a development using a ~~sewage treatment~~ wastewater system not subject to the regulatory jurisdiction of Albemarle Regional Health Services shall be contingent upon:
 - (i) The ability to obtain all necessary approvals for the ~~sewage treatment~~ wastewater system from the appropriate regulatory agencies;
 - (ii) Proper installation of the system;
 - (iii) Operation of the system to the satisfaction of the County Engineer; and
 - (iv) Tertiary treatment of sewage.
- (f) Except for conservation subdivisions or other developments employing a clustered or centralized sewage treatment wastewater system, all required ~~septic~~ on-site wastewater system improvements and requirements including, but not limited to the septic tank, drain lines, repair area, and pumps shall be located on the individual lot they are designed to serve.

(3) Reserve Area Required

- (a) Subdivisions of 20 or more lots or dwelling units served by ~~septic tanks~~ on-site wastewater systems shall reserve an area, suitable in terms of size, location, soil type, topography, and other relevant factors to accommodate a ~~community sewage treatment facility~~ clustered or centralized wastewater system if one becomes necessary in the future due to septic tank failure or other health or safety reasons.
- (b) This area is referred to as reserve utility open space, and shall be encumbered by a reserve area easement.
- (c) Lots classified by ~~ARHS~~ Albemarle Regional Health Services as suitable for an on-site ~~sewage~~ wastewater system are not required to be included in the reserve area calculation.

- (d) The developer shall provide plans and specifications, prepared by a qualified professional, including a soil analysis and an analysis of loading rate, depending on the disposal method for an adequate reserve utility open space to the satisfaction of the County Engineer and Board of Commissioners.

(4) Sewage Treatment System

- (a) Proposed development seeking to utilize an existing ~~sewage treatment plant~~ centralized wastewater system shall furnish a letter from the utility owner and the Division of Water Quality indicating the plant has sufficient capacity to serve the development at the time of preliminary plat or site plan, as appropriate.
- (b) When a development proposes a new ~~package treatment plant~~ or centralized sewer wastewater system, the following information shall be provided:
 - (i) A detailed explanation of who shall be responsible for the perpetual maintenance and upkeep of the ~~facility~~ wastewater system;
 - (ii) State approval of the proposed wastewater system; and
 - (iii) The expected life of the ~~facility~~ wastewater system and the establishment of a reserve fund to support the continued maintenance, upkeep and replacement of the facility system.

F. Water/Sewer Districts Required

Whenever a private water and/or ~~sewer treatment~~ wastewater system is utilized to service a development, a water and/or sewer district shall be established in accordance with state law encompassing the boundaries of the development. The district shall be established prior to the first final plat approval and shall be structured in a manner that will ensure the long term viability of the water and /or ~~sewer treatment~~ wastewater system.

G. Backwash or Discharge into Water Bodies

~~(H) Discharges Prohibited~~

Except discharges performed by a governmental agency or approved under a state stormwater permit or in emergency situations, no discharge of water, chemicals, treated water, backwash from reverse osmosis systems, or other wastewater discharge shall be deposited directly or indirectly into the waters of Currituck Sound, Albemarle Sound, or their adjoining tributaries, rivers, streams, creeks, canals or other connecting water ways.

Item 2: That Section 10.5: Definitions is amended by adding the following underlined language, deleting the strikethrough language, and reordering alphabetically:

CENTRALIZED WASTEWATER SYSTEM

A managed system consisting of collection sewers and a single treatment plant used to collect and treat wastewater from an entire service area.

CLUSTERED WASTERWATER SYSTEM

A wastewater collection and treatment system under some form of common ownership that collects wastewater from two or more dwellings or buildings and conveys it to a treatment and dispersal system located on a suitable site near the dwellings or buildings.

DECENTRALIZED WASTERWATER SYSTEM

An onsite or clustered system used to collect, treat, and disperse or reclaim wastewater from a small service area.

ON-SITE WASTERWATER SYSTEM

An on-site system relying on natural processes and/or mechanical components to collect, treat, and disperse wastewater from a single dwelling or building.

TERTIARY TREATMENT

Advanced cleaning of wastewater that goes beyond the secondary or biological stage, removing nutrients such as phosphorus, nitrogen, and most biochemical oxygen demand and suspended solids.

PACKAGE TREATMENT PLANT

A privately or publicly owned facility, other than a conventional residential septic tank system, that is constructed for the purpose of treating sewage and discharging treated effluent.

WASTERWATER TREATMENT, PRIMARY

Wastewater treatment consisting of raw sewage discharges, screened and/or settled sewage discharges and biological treatment which does not include final clarification except that naturally aerated waste stabilization lagoons will be considered secondary treatment.

WASTERWATER TREATMENT, SECONDARY

Wastewater treatment consisting of biological treatment followed by clarification, but includes waste stabilization lagoons.

WASTERWATER TREATMENT, TERTIARY

Wastewater treatment consisting of treatment for the removal of fine suspended solids from secondary facility effluents.

Item 3: That Section 4.1.1 Explanation of Use Table Structure is amended by deleting the strikethrough language and renumbering accordingly:

F. Prohibited Uses

- (1)** A blank cell in the use table indicates that the corresponding use category or use type is prohibited in the corresponding zoning district. Use types with a blank cell are not allowable in a corresponding planned development district, and shall not be included in the planned development master plan.
- (2)** The following activities or use types are not identified in Table 4.1.1, but are prohibited in all zoning districts in the county.

- (a) Use of a parked motor vehicle to buy, sell, or store goods or services, except as allowed in Section 4.3 Accessory Use Standards or Section 4.4, Temporary Use Standards;
- ~~(b) Package treatment plant waste water disposal systems that discharge to surface waters;~~
- (c) Use of a boat, houseboat, or other floating structure as a temporary or permanent residence (this shall not prevent the overnight occupancy of a vessel temporarily docked while in transit on navigable waters);
- (d) Use of a travel trailer as a permanent residence or use of a travel trailer as a temporary residence;
- (e) Operation of a principal (non-accessory) commercial use located solely on the beach strand (uses simply transporting customers to the beach from an approved off-beach location are exempted); and
- (f) Manufactured home parks or private campgrounds as a principal use.

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

Item 5: This ordinance amendment shall be in effect from and after the _____ day of _____, 201__.

 Board of Commissioners' Chairman
 Attest:

 Mary S. Gilbert
 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: _____

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: July 1, 2013
PB 13-07 Elan Vacations**

STAFF NARRATIVE *This is the first Planned Development – Mixed (PD-M) project to be reviewed by the County. The PD-M district was created by the UDO effective January 1, 2013. The PD-M district is intended to encourage the development of a mix of employment generating uses, and may allow low-to-medium density residential uses at appropriate locations on the mainland in a planned and aesthetically pleasing way. This is done by allowing design flexibility as well as mix of uses.*

ITEM: PB 13-07 Elan Vacations, Rezoning from General Business (GB) to Planned Development - Mixed (PD-M)

LOCATION: 138 West Mobile Road, Harbinger, Poplar Branch Township.

TAX ID: 0131-000-095A-0000
 0131-000-0097-0000

**OWNER/
APPLICANT:** Elan Vacations
 8624 Caratoke Hwy
 Powells Point NC 27966

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Residential/Commercial	AG/GB
SOUTH	Residential/Commercial	AG/GB
EAST:	Warehouse/Active Farmland	GB
WEST:	Residential/Horse Farm	AG

**LAND USE PLAN
CLASSIFICATION/
CONSISTENCY**

The 2006 Land Use Plan classifies the site as Limited Service within the Point Harbor subarea. The policy emphasis for the Point Harbor area is to allow the 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. The proposed plan is in keeping with the policies of the plan, some of which are:

Policy HN1: Currituck County shall encourage development to occur at densities appropriate for the location.

Policy HN5: Currituck County recognizes that there are many types of housing, in addition to manufactured housing that are often overlooked in meeting the affordable housing needs of young families, workers of modest income, senior citizens, and others.

Policy CD 8: Mixed-use developments, properly planned from the outset, which allow for a compatible mixture of residential and non-residential uses with a pedestrian scale and design, are encouraged.

Policy ED1: New and expanding industries and businesses should be especially encouraged that: 1) diversify the local economy, 2) train and utilize a more highly skilled labor force, and 3) are compatible with the environmental quality and natural amenity-based economy of Currituck County.

- CURRENT ZONING:** General Business (GB)
- PROPOSED ZONING:** Planned Development – Mixed (PD-M)
- CURRENT USE:** Telecommunications Tower
- SIZE OF SITE:** 26.051 acres
- ZONING HISTORY:** The property was zoned GB on the 1989 zoning map.
- UTILITIES:** County water will service the site and the applicant is proposing on-site advanced wastewater treatment systems (Reference Text Amendment PB 13-08).
- TRANSPORTATION:** Access to the development will be provided by two streets on Caratoke Highway (US 158) and one street on West Mobile Road (SR 1109).
- FLOOD ZONE:** X, Shaded X, AE 6.3, and AE 7.1
- WETLANDS:** There are no wetlands identified by NC Coastal Management.
- SOILS:** Suitable and marginally suitable
- COMMUNITY MEETING:**
A community meeting was held on February 25, 2013 at the Powells Point Senior Center. Please find the summary in the Terms and Conditions document. (See Attachment 2)

MASTER PLAN

The applicant proposes to develop the Planned Development according to the attached master plan. (See Attachment 1)

TERMS AND CONDITIONS

The applicant proposes to develop the Planned Development according to the attached Terms and Conditions document. (See Attachment 2)

DIMENSIONAL AND DEVELOPMENT STANDARDS

The applicant proposes to develop the Planned Development according to the attached dimensional and development standards. (See Attachment 3)

ENVIRONMENTAL STANDARDS

The environmental protection standards in Chapter 7 of the UDO may not be modified by a planned development.

ZONING MAP AMENDMENT REVIEW STANDARDS

Staff suggests that this PD-M map amendment is consistent with the following review standards:

1. It is consistent with the goals, objectives, and policies of the Land Use Plan, other applicable county-adopted plans, and the purposes of the UDO;
2. Is not in conflict with any provisions of the UDO or the County Code of Ordinances;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zoning district and uses for the land;
6. Does not adversely impact nearby lands;
7. Would result in a logical and orderly development pattern;
8. Would not result in significant adverse impacts on the natural environment – including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
9. Would result in the development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities);
10. Would not result in significantly adverse impacts on the land values in the surrounding area; and,
11. Would not conflict with the public interest, and is in harmony with the purpose and intent of the UDO.

COMPLIANCE WITH DISTRICT PURPOSE

Staff agrees that the application meets the following district purposes:

1. It reduces or diminishes the inflexibility or uniform design that sometimes results from strict application of zoning and development standards designed primarily for individual lots;
2. It allows greater freedom in selecting the means of providing access, open space, and design amenities;
3. It allows greater freedom in providing a well-integrated mix of residential and nonresidential land uses in the same development, including a mix of housing types, lot sizes, and densities;
4. It promotes quality design and environmentally sensitive development that respects surrounding established land use character and respects and takes advantage of a site's natural and man-made features, such as trees.

TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

TRC recommends approval of the planned development subject to additional or revised conditions related to the PD-M master plan or PD-M terms and conditions as follows:

MASTER PLAN

1. Provide building elevations for each building type to show compatibility between each phase of the development. (Planning)
2. That commercial areas provide pedestrian oriented amenities such as plazas, outdoor seating, etc. to promote internal pedestrian connectivity. (Planning)

3. That the multi-family amenities package is completed by the time 50% of the townhome units (19 units) receive Certificates of Compliance from the building inspector. (Planning)

TERMS AND CONDITIONS

Staff does not agree that the applicant meets the following district purpose:

1. It provides for efficient use of land resulting in smaller networks of utilities and streets and thereby lowering development and housing cost. *Staff recommends that all utilities and infrastructure, including sewer and stormwater, be designed and integrated to serve the development as a whole and avoid managing utilities and infrastructure individually for each separate phase.*

SITE PLAN FOR EACH PHASE

1. At the time of site plan submittal for each phase, stormwater will be reviewed to the standards in effect at that time. (Engineer)
2. Structures greater than 30' in height will require additional requirements for ladder truck access. (Fire Marshal)
3. Please indicate location of Fire Department Connections (FDC). It appears that as indicated the residential units including the club house will require a fire sprinkler system designed to NFPA 13R. (Fire Marshal)
4. Fire apparatus must be able to be within 150' of all exterior portions of all structures. (Fire Marshal)
5. Fire apparatus must not be required to back greater than 150'. Please indicate access track including turning radius in commercial structure area. (Fire Marshal)
6. Fire hydrants must be within 400' of all exteriors of structures other than one and two single family dwellings. (Fire Marshal)
7. Any gates must be at least 20' wide clear opening. Methods of emergency access must be approved by local fire chief. The gate must be ANSI rated.
8. Please propose Street Names for all interior streets.
9. Proposed community pool will need to be reviewed and permitted. (Environmental Health)
10. This project has more than one acre of planned disturbance. Therefore, an erosion and sedimentation control plan must be submitted to and approved by the WaRO of NCDENR prior to initiating and land disturbance. (Land Quality)
11. Project will require State Stormwater permitting, NPDES permitting, may potentially require 401 permitting if 404 permits are issued by Army Corps. (Water Quality)

PLANNING BOARD RECOMMENDATION:

The Planning Board ***recommended denial*** of the request to rezone from General Business (GB) to Planned Development – Mixed (PD-M).

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

PLANNING BOARD DISCUSSION (6-11-13)

Mr. White stated the condition of staff not agreeing with the applicant as far as the efficient use of wastewater; stated the reason they are looking at doing individual phase wastewater is to keep the cost down and to provide high levels of treatment to waste generated by either the commercial or residential phase. Mr. White is asking staff to change the word "consistency" to "compatible" in #3 under Master Plan. Mr. White stated that under the Master Plan, #1 states to show vehicular interconnectivity between Phase IIA and IIB. Mr. White does have a concern with this statement, if Phase IIB is a commercial development then he would like to provide pedestrian access and feel the vehicular access can be served from the street right-a-way. Mr. White's main concern is to keep any further commercial traffic to a minimum in the residential area. Typically the centralized wastewater systems are permitted through the Division of Water Quality, where as septic systems through the Division of Environmental Health Wastewater System.

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Mr. Cooper asked if the architectural standards are part of the Master Plan.

Ms. Glave provided an overview.

ACTION

Mr. Clark moved to deny PB 13-07 due to traffic and community concerns, and construction standards. Mr. Craddock seconded the motion. Ayes: Mr. Craddock, Mr. Bell, Mr. Wright, Ms. Bell, Ms. Newbern, and Mr. Clark. Nays: Mr. Cooper.



LANDMARK ENGINEERING & ENVIRONMENTAL, P.C.

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TERMS AND CONDITIONS DOCUMENT

University Park

Elan Vacations, Inc. Planned Development, Mixed

Project Narrative
Revised June 20, 2013

The above referenced project is a planned phased development of a of a 26 acre tract located off of Caratoke Highway and adjacent to West Mobile Road, in Harbinger, Currituck County, North Carolina. The planning objectives of this planned development is to provide both high quality commercial development and infrastructure as well as clustered/open space multifamily residential development and/or single family development in the areas away from Caratoke Highway for both Currituck County and in particular, this area in Lower Currituck. There is limited commercial infrastructure in this area, and this development will provide needed business and services to the community, while providing quality and cost effective housing for the residents of Currituck County in this area. Additionally the some of the residential housing may provide short term rentals in this area of Currituck, a market that is not provided currently. The property is currently zoned General Business by Currituck County, and is in the Limited Service District. The allowable residential density for this district is 1.5 units per acre, which currently yields an allowable maximum density of 39 residential units for this planned development. If in the future, this site is placed in the Full Service District, or other land use designation that allows an increase in density, allowable residential density could increase accordingly.

Conceptual Development Phases and Uses

The following is a presumed chronological order of development. However, aside from Phase I, the actual development order may change due to market demand.

Phase I

The first phase of the development will be Phase I, the northern most parcel adjacent to Caratoke Highway. This parcel is shown on the Master Sketch Plan as 2.38 acres in size. Development on this parcel, which will be the first parcel to be developed, will consist of a 6,000 square foot office building (two story, frame construction), and an approximately 4,875 square foot metal warehouse building to serve Elan Vacations, Inc.. The metal warehouse building would have a facade on all four sides of hardiplank or better, in order not to detract from the overall development.

Phase IIIA

Phase IIIA is shown on the Master Sketch Plan as Commercial and consists of approximately 3.97 acres. This parcel fronts Caratoke Highway. Commercial development of this phase would consist of any allowable commercial uses listed for the General Business Zone in the Currituck County Unified Development Ordinance, with the exceptions of those uses listed in the excluded uses section of this Terms and Conditions Document. Commercial development would adhere to setbacks, coverages and densities as listed on the Master Sketch Plan. Based on an allowable commercial FAR of 0.400 a maximum of 69,101 square feet of commercial buildings could be constructed on this parcel. However, due to coverage, setback, and infrastructure limitations, the actual square footage of commercial building area for this parcel will most likely not approach the allowable area based on FAR calculations. This parcel may be further subdivided based on market demand, development needs and or uses.

Phase IIIB

Phase IIIB is shown on the Master Sketch Plan as Commercial and consists of approximately 5.37 acres. This parcel fronts both Caratoke Highway and West Mobile Road. Commercial development of this phase would consist of any allowable commercial uses listed for the General Business Zone in the Currituck County Unified Development Ordinance, with the exceptions of those uses listed in the excluded uses section of this Terms and Conditions Document. Setbacks for commercial development would adhere to setbacks, coverages and densities as listed on the Master Sketch Plan. Based on an allowable commercial FAR of 0.400 a maximum of 93,604 square feet of commercial buildings could be constructed on this parcel. However, due to coverage, setback, and infrastructure limitations, the actual square footage of commercial building area for this parcel will most likely not approach the allowable area based on FAR calculations. This parcel may be further subdivided based on market demand, development needs and or uses.

Phase IIB

Phase IIB is shown on the Master Sketch Plan as Commercial/Residential and consists of approximately 5.69 acres. This parcel fronts West Mobile Road. As per the Current Currituck County Land Use Plan, this parcel would not be allowed to be developed as residential due to the allowable density restriction of 1.5 residential units per acre for the Limited Service District. This allowable density is planned to be utilized by the residential development detailed in Phase IIA. However, this parcel is listed as Commercial/Residential due to the possibility that this planned development may in the future be placed in the Full Service District, or other land use designation that would allow an increase in residential density, allowing additional residential units to be placed in this phase, according to those changes. If this were to occur, the developer would like to have the flexibility to expand the Townhome units as shown in Phase IIA into this

parcel, as allowed by the allowable density changes or other residential housing (ie. Patio, single family, etc.) in this phase according to market demand.

Commercial development of this phase would consist of any allowable commercial uses listed for the General Business Zone in the Currituck County Unified Development Ordinance, with the exceptions of those uses listed in the excluded uses section of this Terms and Conditions Document. Commercial development would adhere to setbacks, coverages and densities as listed on the Master Sketch Plan. Based on an allowable commercial FAR of 0.400 a maximum of 99,096 square feet of commercial buildings could be constructed on this parcel. However, due to coverage, setback, and infrastructure limitations, the actual square footage of commercial building area for this parcel will most likely not approach the allowable area based on FAR calculations. This parcel may be further subdivided based on market demand, development needs and or uses.

Architectural Standards

Architectural standards shall meet the minimum requirements of the Currituck County UDO. Additionally, any metal warehouse buildings shall have a facade of Hardiplank or better on all sides, in order not to detract from the rest of the development. Elevations of all buildings in this planned development will be compatible in design and appearance, in order to provide an aesthetically pleasing development.

Development Standards

Community Form, non residential design as well as multi family design shall meet the minimum requirements of the Currituck County UDO as listed in sections 5.6, 5.7 and 5.8 respectively.

Community Meeting

A community meeting was held at the Lower Currituck County Senior Center. Property owners and/or residents attended as well as the developer, Engineer and a representative of the Currituck County Planning Dept. Concerns were voiced by the property owners and/or residents about:

The effect of the development on their property values:

Staff in their review of this development has concluded that the development would not result in significant adverse impacts to land values in the surrounding area. Based on the design standards required and proposed amenities for both the commercial and residential areas, it is the opinion of the Engineer and Developer that this Planned Development will provide a higher quality development than if the property was developed under the regulations for the current General Business zoning designation.

The type of tenants that could be living in the residential units:

Although this development is intended to provide cost effective housing for, as Policy HN5 states, “young families, workers of modest income, senior citizens and others.” The residential portion of this development will not be used as subsidized or low income housing. It is unfortunate that some citizens view the term “affordable housing” this way. It is the intent of the developer to provide the highest quality housing while not making the cost so high that the market it is intended to serve can not afford to rent or purchase the townhomes.

The traffic generated by the development. Specifically as it related to access out of West Mobile road turning North, which was stated to be a dangerous intersection:

Planning staff required a connection onto West Mobile Road. One of the reasons for this is because of the limited sight distance at the intersection of West Mobile Road and Caratoke Highway, it is a dangerous intersection. By providing a road into the development from West Mobile Road, an access to Caratoke Highway is provided with much better sight distance, increasing safety.

Trip generation counts from the Institute of Traffic Engineers, show that for Townhome condominiums, traffic generation for the residential phase would be 36.4% of what would be expected if that same phase were developed as retail commercial. Therefore this planned development will actually reduce potential traffic as compared to the current zoning designation of General Business. Potential signalization of the West Mobile Road or one of the accesses proposed in the development is determined by the N.C.D.O.T. During the site planning of each phase They may require traffic studies to determine if signalization is warranted, prior to allowing road connections to Caratoke Highway or West Mobile Road.

Infrastructure

Wastewater

All phases of proposed development are envisioned to be served by on-site wastewater treatment systems. These systems may incorporate pretreatment and/or advanced treatment depending on wastewater volume, specifics of the wastewater generated soil conditions and disposal area. All wastewater treatment systems will be approved by the appropriate governmental agency prior to the start of construction of the respective development phase. A conceptual master plan study to address wastewater generation, treatment and disposal has been performed by a Professional Engineer.

Water

Water is to be supplied by Currituck County, both for potable water supply, and fire protection as required. Water main extensions will be required for all phases of the project.

Stormwater

Stormwater generated by the project will be detained and treated on site. A Stormwater Management Plan shall be submitted for approval and permitting by the NCDE&NR Division of Water Quality. Whether the plan is permitted for the entire project area or for individual phases with inter-connectivity between phases will be determined during the site planning phase. The Stormwater Management Plan will also be submitted for review and approval by the County Engineer during the site planning process.

Sedimentation and Erosion Control

A Sedimentation and erosion Control Plan shall be prepared for each development phase and shall be submitted for review and approval by the NCDE&NR Division of Land Quality.

Access

Access to the project from Caratoke Highway and West Mobile Road is as shown on the Master Sketch plan. All necessary permits from Currituck County and NCDOT shall be obtained prior to construction of these access roads. Interior access and circulation shall be designed during the site planning and permitting phase of each development phase. Traffic studies may be required as part of this process.

Buffering/Landscaping

Buffering and Landscaping shall meet the intent minimum requirements of the Currituck County Unified Development Ordinance. The goal of the alternative landscaping plan is to:

- 1.) Utilize existing vegetation wherever possible for both exterior buffers and interior landscaping to the maximum extent practical. The property currently has significant vegetation that will be incorporated to meet the landscaping and buffering requirements. It is the intent of the developer to leave each phase in its natural state as much as possible until the development of that corresponding phase.
- 2.) The developer wants to ensure allowing clustering of shrubs/trees where vehicular traffic patterns would shine light onto other interior uses.

-
- 3.) The developer wants to allow small existing trees which can be saved during development to be credited towards the shrub requirement for both interior street landscaping and exterior buffers.
 - 4.) Exterior Buffer Yards will be Type A at a minimum, and may be greater as determined during the site planning process, based on the development type and intensity.
 - 5.) Interior Buffer Yards are not required between phases of commercial development, but are allowed based on the development type and intensity.
 - 6.) Interior Buffer Yards between residential and commercial development inside the development shall be Type A at a minimum, and may be greater as determined during the site planning process, based on the development type and intensity.
 - 7.) The developer would like to include 5 unit residential buildings to be exempt from Streetscape requirements from Caratoke Highway. This would exempt the residential portion of the development from those requirements, which currently state in the UDO that 4 unit residential buildings are exempt. It is thought that the commercial streetscape requirements from Caratoke Highway as well as the interior buffer between the residential and commercial uses should provide sufficient screening of the residential phases from Caratoke Highway.
 - 8.) Individual buffering/landscape plans shall be reviewed and approved administratively by the County during the site planning phase of each development phase.
 - 9.) Section 3.5 on Planting Standards in the UDO administrative manual is to be incorporated into all buffering/landscaping plans for the development.
 - 10.) Buffer yards along West Mobile Road shall use clustering of landscaping materials to reduce the potential impacts of vehicular lights accessing/exiting commercial uses from the adjacent residential uses on South side of West Mobile Road.

Fencing/Security

The developer proposes to allow varying fencing styles, (if used at all) between phases of development to suit individual uses if the fencing styles are not incompatible, and would not detract from the overall aesthetics of the development. The existing fence around Cellular Tower should be exempt, for the requirements set forth in the UDO, even if in addition to landscaping around it, mesh is installed to further screen it or if barbed wire or other means for security of the tower is deemed necessary by the lease holder.

Site Lighting

Site lighting shall meet the minimum requirements of the Currituck County Unified Development Ordinance, with the exception of light structure and color shall be consistent throughout the development for streets. Individual phases may utilize different styles, structures and colors (for example Sodium Halide vs. Mercury Vapor vs. Halogen, LED, etc.) as long as they are not incompatible, and/or detract from the overall aesthetics of the project. The Currituck County Unified Development Ordinance requires all light fixtures to be of the full cut off type, preventing vertical light pollution. The ordinance also has a requirement for light intensity at the property boundaries.

Parking Requirements

Commercial parking is requested to be as per the requirements set forth in the Currituck County Unified Development Ordinance. Residential parking is requested as 2 spaces per residential unit, consistent with the Currituck County Unified Development Ordinance.

Excluded Uses

Commercial development may consist of any allowable commercial uses listed for the General Business Zone and/or Planned Development - Mixed in the Currituck County Unified Development Ordinance, with the exceptions of those uses listed below:

- 1.) No Industrial Use Classifications are allowed except the following:
 - Warehouse (storage)
 - Wholesale sales
 - Research and Development
 - Contractor Service.

- 2.) All Commercial use Classifications are allowed with the exception of the following:
 - Hunting Lodge
 - Vehicle Sales and Services (both Heavy and Light)
 - Crematory
 - Flea Market
 - Recreation/Entertainment, Outdoor
 - Kennel
 - Animal Shelter
 - Adult Entertainment

- 3.) All Institutional use Classifications are allowed with the exception of the following:
 - Utility (excluding Existing Tower, small wind turbine and small solar as defined by minor utility)

Transportation
Correctional Facility
Security Training Facility
Nursing Home
Adult Day Care

- 4.) Agricultural Use Classifications are not allowed with the exception of the following:

Farmers Market

ATTACHMENT 3

DIMENSIONAL STANDARDS

Residential		
Standard	UDO	Proposed
District area, minimum (acres)	10	26.051
Gross residential density, max (dwelling units/acre)	To be established in master plan	Maximum set by Land Use Plan (currently 1.5)
Lot area, minimum (sq ft)	To be established in master plan	n/a (Townhomes)
Lot width, minimum (ft)	To be established in master plan	n/a (Townhomes)
Spacing between buildings, minimum (ft)	10	20
Residential land area, maximum (% of district total)	35	35
Lot coverage, maximum (% of lot area)	To be established in master plan	65
Individual building size, maximum (sq ft)	To be established in master plan	6,600
Building length, maximum (ft)	n/a	150
Building height, maximum (ft)	To be established in master plan	35 (or as allowed in UDO)
Setbacks		
Setbacks from abutting residential zoning district or existing residential use (ft)	To be established in master plan	50
Setback from GB zone, minimum (ft)	n/a	40 (excluding exterior lots)
Setback from agriculture (ft)	To be established in master plan	50
Setback from major arterial street (ft)	To be established in master plan	50
Setback from exterior (outside PD-M) ROW, minimum (ft)	To be established in master plan	60
Setback from internal ROW, minimum (ft)	To be established in master plan	15
Setback from wetlands or surface waters (ft)	50	n/a

Commercial		
Standard	UDO	Proposed
District area, minimum (acres)	10	26.051
Lot area, minimum (sq ft)	To be established in master plan	65,340 (1.5 acres)
Lot width, minimum (ft)	To be established in master plan	100
Lot coverage, maximum (% of lot area)	To be established in master plan	65
Nonresidential Far, maximum (%)	To be established in master plan	40 (or as allowed by UDO)
Individual building size, maximum (sf)	To be established in master plan	As allowed by UDO
Building height, maximum (ft)	To be established in master plan	Office/Retail: 35 Hotel : 50 (or as allowed by UDO)
Setbacks		
Setbacks from abutting residential zoning district or existing residential use (ft)	To be established in master plan	50
Setback from agriculture (ft)	To be established in master plan	50
Setback from GB (ft)	n/a	40 (excluding interior lots)
Setback from major arterial street (ft)	To be established in master plan	50
		Hotel: additional 5' setback for every 5' in height above 35'
Setback from exterior (outside PD-M) ROW, minimum (ft)	To be established in master plan	60
Setback from internal ROW, minimum (ft)	To be established in master plan	15
Setback from wetlands or surface waters (ft)	50	n/a

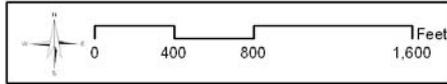
DEVELOPMENT STANDARDS

Standard	UDO	Proposed
Off-street parking & loading	Section 5.1	Per UDO
Landscaping	Section 5.2	Alternative landscape plan in Terms and Conditions document
Tree protection	Section 7.2	Alternative landscape plan in Terms and Conditions document
Open space set-aside, minimum (%)	20	20
Fences and walls	Section 5.3	Alternate plan in Terms and Conditions document
Exterior lighting	Section 5.4	Alternate plan in Terms and Conditions document
Community form	Section 5.6	Per UDO
Nonresidential design	Section 5.8	Per UDO
Multi-family design	Section 5.7	Per UDO
Shopping center design	Section 5.9	Per UDO
Community compatibility	Modifications prohibited	Per UDO
Signage	Modifications prohibited	Per UDO
Adequate public facilities	Modifications prohibited	Per UDO

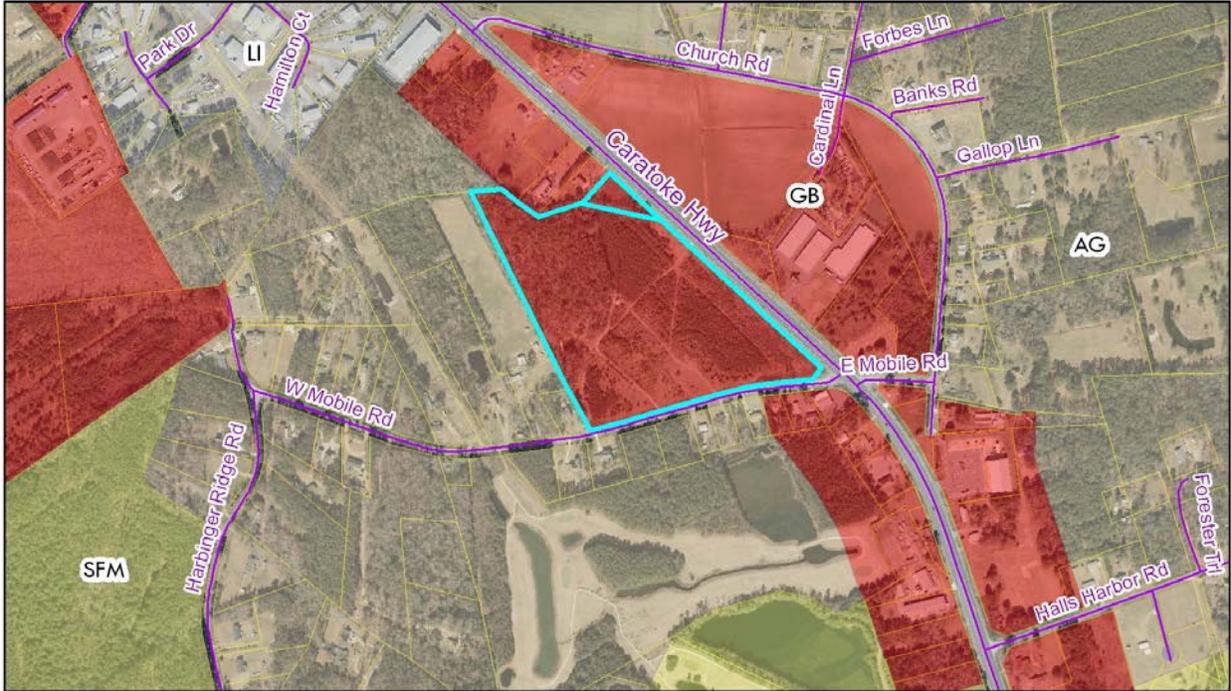
MAPS



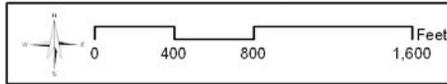
PB 13-07 Elan Vacations
Planned Development - Mixed
2012 Aerial Photography



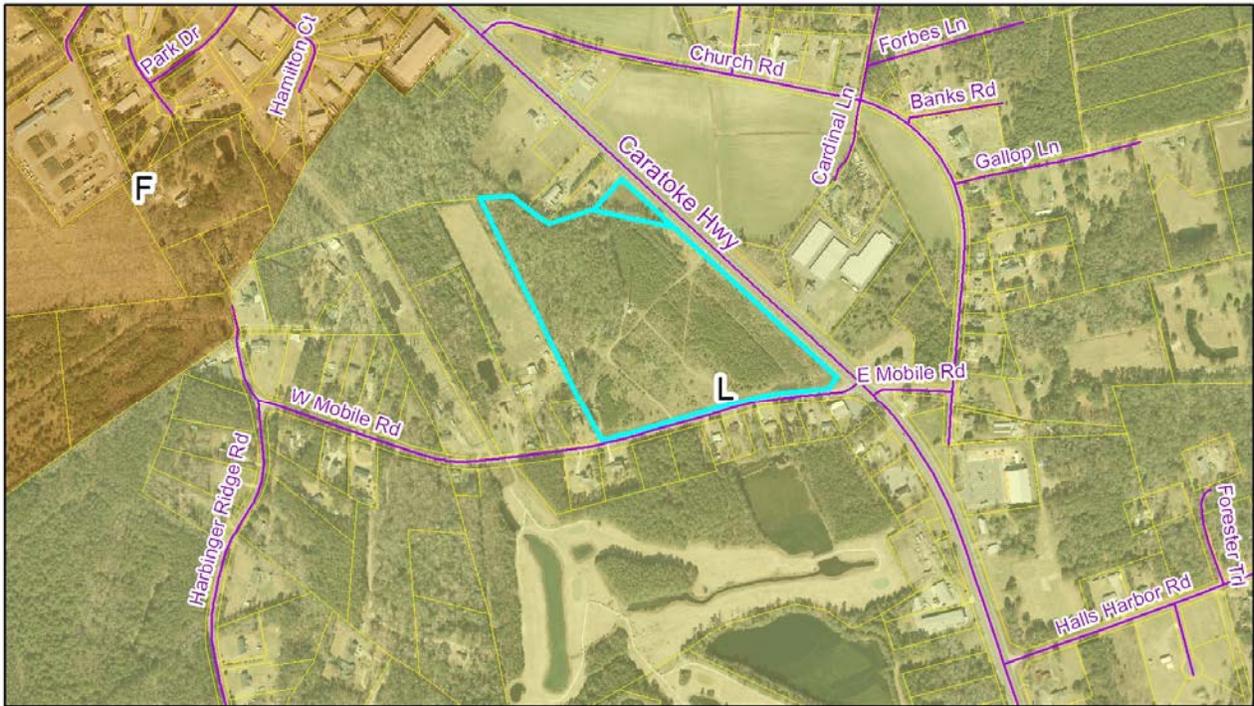
 Currituck County
Planning and
Community Development



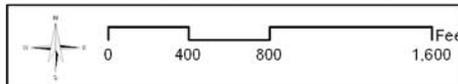
PB 13-07 Elan Vacations
Planned Development - Mixed
Zoning



Currituck County
Planning and
Community Development



PB 13-07 Elan Vacations
Planned Development - Mixed
Land Use Classification



Currituck County
Planning and
Community Development

TRC COMMENTS

Currituck County

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

TO: Norm Bibeau, Elan Vacations
Victor White, Landmark Engineering

FROM: Tammy Glave, Planner II

DATE: May 9, 2013

SUBJECT: Elan Vacations – Planned Development, Master Plan
May 15, 2013 TRC Comments

The following comments have been received for the May 15, 2013 TRC meeting. In order to be scheduled for the June 11, 2013 Planning Board meeting, please address all comments and resubmit corrected plans by 3:00 p.m. on May 20, 2013. TRC comments are valid for six months from the date of the TRC meeting.

Currituck County Planning and Zoning Division (Tammy Glave, 252-232-6025):

Reviewed with comments:

Requirements

1. Submit your community meeting summary to complete your application.
2. Provide a legend on the plan.
3. Identify open space on the plan.
4. Show connection to county water system.
5. Add a maximum building size to the residential site data table.
6. Change “Building Setbacks from Major Arterial Streets” to “Building Setbacks from Streets” in the residential and commercial data tables. West Mobile Road is not a major arterial street.
7. Provide building elevations or architectural standards for all building facades visible from a right-of-way.
8. Provide a statement of planning objectives for the district.
9. The landscaping standards indicate an alternative landscape plan. Please provide the alternate landscape plan as part of this review.
10. The fence and wall standards indicate a security plan that would potentially allow deviation from the standards of the UDO. Please provide the proposed security plan as part of this review.
11. The exterior lighting standards indicate a security plan that would potentially allow deviation from the standards of the UDO. Please provide the proposed security plan as part of this review.
12. Address the following Development Standards as “As Allowed by UDO” or call out specific modifications:
 - a. Community Form

- b. Nonresidential design
- c. Multi-family design

Recommended Conditions

13. Show interconnectivity between Phases IIA and IIB.
14. Extend sidewalks along both sides of each internal street in the residential area.
15. Will there be a building setback for internal streets in the commercial phases?
16. Provide building elevations or architectural standards for each building type to show consistency between each phase of the development.
17. Consider narrowing the uses allowed in the future commercial phases. For example: "All uses allowed in GB except those within the industrial and manufacturing use category." Please do not take this example as being a proposal from the county. It is simply used as a means to relay how uses may be limited in the future phases.

Currituck County Building Inspector (Spence Castello, 252-232-6020)

Approved with conditions:

1. HC parking at basketball court, tennis court, and clubhouse. Accessible route required to BB court.

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

Approved with conditions:

1. At the time of site plan submittal for each phase, stormwater will be reviewed to the standards in effect at that time.

Currituck County Emergency Management (James Mims, 252-232-4024)

Reviewed with comments:

1. Are any structures greater than 30' in height? They will require additional requirements for Ladder truck access.
2. Please indicate location of Fire Department Connections (FDC). It appears that as indicated the residential units including the club house will require a fire sprinkler system designed to NFPA 13R.
3. Fire apparatus must be able to be within 150' of all exterior portions of all structures.
4. Fire apparatus must not be required to back greater than 150'. Please indicate access track including turning radius in commercial structure area.
5. Fire hydrants must be within 400' of all exteriors of structures other than one and two single family dwellings.
6. Any gates must be at least 20' wide clear opening. Methods of emergency access must be approved by local fire chief. The gate must be ANSI rated.

Currituck County Information Technology (Harry Lee, 252-232-2034)

Approved with comment:

1. Please propose Street Names for all interior streets.
2. Addresses will be assigned by GIS at time of building permit application(s).

Currituck County Public Utilities (Pat Irwin, 252-232-2769)

Reviewed without comment.

Currituck County Soil and Water (Mike Doxey 252-232-3360)

Approved without comment.

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

Reviewed with comment:

1. Please consult with Kevin Carver R.S. at 252-232-6603 for wastewater system and private well approval for this proposed development. Also proposed community pool will need to be reviewed and permitted by Health Department.

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

Reviewed without comment.

NCDENR Land Quality, (Pat McClain 252-946-6481)

Reviewed with comment:

1. This project has more than one acre of planned disturbance. Therefore, an erosion and sedimentation control plan must be submitted to and approved by the WaRO of NCDENR prior to initiating any land disturbance.

NCDENR Water Quality, (Amy Adams 252- 948-3917)

Reviewed with comment:

1. Project will require State Stormwater permitting, NPDES permitting, may potentially require 401 permitting if 404 permits are issued by Army Corps.

NC State Archeology (Lawrence Abbott, 919-807-6554)

Reviewed with comment:

1. An archaeological survey is not recommended.

The following items are necessary for resubmittal:

- 5 - full size copies of revised plans.
- 10 - 11"x17" copies of revised plans.
- 1- 8.5"x11" copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.

APPLICATION

PB13-07



Planned Development Application

OFFICIAL USE ONLY:	
Case Number:	_____
Date Filed:	_____
Case Keeper:	_____
Amount Paid:	_____

Contact Information

APPLICANT:

Name: Elan Vacations Inc
 Address: 8624 Carotake Highway
Powells Point NC 27966
 Telephone: (252) 491-8787
 E-Mail Address: _____

PROPERTY OWNER:

Name: Elan Vacations, Inc.
 Address: 8624 Carotake Highway
Powells Point NC 27966
 Telephone: (252) 491-8787
 E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

Property Information

Physical Street Address: 138 West Mink Road
 Location: Hargler, NC 27966
 Parcel Identification Number(s): 0131 0000 95A 0000, 0130 0000 097 0000
 Total Parcel(s) Acreage: 26.05 Acres
 Existing Land Use of Property: Undeveloped, with existing cell phone tower.

Request

Current Zoning of Property: General Business
 Proposed Zoning District: Planned Development - Residential (PD-R)
 Planned Development - Mixed (PD-M)
 Planned Development - Outer Banks (PD-O)

Community Meeting

Date Meeting Held: Feb 25 2018 Meeting Location: Lower Currituck Senior Center

Planned Development Request

It is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound to the master plan, terms and conditions document, use(s) authorized, and subject to such condition(s) as imposed, unless subsequently changed or amended as provided for in the Currituck County Unified Development Ordinance. It is further understood and acknowledged that final plans for any development be made pursuant to any approved development so authorized and shall be submitted to the Technical Review Committee.

Property Owner (s) _____

4/1/2018
Date

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.

**CASE ANALYSIS FOR THE
Board of Commissioners
DATE: July 1, 2013
PB 13-10 The Gables**

ITEM: PB 13-10 The Gables a conditional rezoning of 97.75 acres from AG (Agricultural) to CD-SFM (Single Family Mainland).

LOCATION: Moyock – Guinea Road.

TAX ID: 0022-000-071B-0000
0022-000-064A-0000
0022-000-064E-0000

OWNER: Brooks R. Clements
Tina M. Clements
145 Spruill Lane
Moyock, NC 27958

APPLICANT: Brooks R. Clements
Tina M. Clements

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Base Zoning	Overlay
NORTH:	Farmland	AG/SFM	PUD (portion)
SOUTH	Low Density Residential	CD-SFM/AG	NA
EAST:	Farmland (proposed subdivision)	SFM	NA
WEST:	Farmland	SFM	PUD

**LAND USE PLAN
CLASSIFICATION:**

The 2006 Land Use Plan classifies the site as Full Service within the Moyock subarea.

The full service area identifies a residential base development density to be two units per acre but can be increased to three/four units per acre through overlay zoning depending upon services available and the potential impact on the surrounding area. A greater diversity of housing types is appropriate for the full service area.

The policy emphasis for the Moyock subarea indicates development densities with on-site wastewater should be limited to one-two units per acre.

The following Land Use Plan policy statements are relevant to the request:

POLICY HN1: Currituck County shall encourage development to occur at densities appropriate for the location. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type of capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. For example, projects failing within the Full Services areas of the Future Land Use Map would be permitted at higher density because of the availability of

infrastructure as well as similarity to the existing development pattern. Such projects could be developed at a density of two (2) or more dwelling units per acre. Projects within areas designated as limited service would be permitted a density of one (1) to one and one half (1.5) units per acre depending upon the surrounding development pattern and availability of resources. Projects within areas designated as Rural or Conservation by the Future Land Use Plan would be permitted a much lower density of one dwelling unit per three acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural areas.

POLICY WQ5: Development that preserves the NATURAL FEATURES OF THE SITE, including existing topography and significant existing vegetation, shall be encouraged. If COASTAL AND NON-COASTAL WETLANDS are considered part of a lot's acreage for the purpose of determining minimum lot size or development density, Low Impact Development techniques or appropriate buffers shall be integrated into the development. Open space developments shall be encouraged to REDUCE IMPERVIOUS SURFACE AREAS associated with new development and redevelopment.

- CURRENT ZONING:** AG (Agricultural)
Maximum Density Range – based on open space dedication: 0.4 – 0.66 dwelling units per acre (39-65 dwelling units)
- PROPOSED ZONING:** CD-SFM (Conditional District – Single Family Mainland)
Minimum lot size 40,000 square feet
- CURRENT USE:** Farmland
- SIZE OF SITE:** 97.75 acres
- ZONING HISTORY:** 1989 Official Zoning Map indicates the property was zoned A
1974 Official Zoning Map indicates the property was zoned A-40
- UTILITIES:** The proposed development will connect to the county water system and will be served by individual on site septic systems.
- TRANSPORTATION:** The proposed streets will be constructed to NCDOT design and construction standards. Stub streets are proposed to the adjacent vacant lands.
- FLOOD ZONE:** The proposed development is located within the 100-year (AE 5.4') and 500-year (Shaded X) flood plain.
- WETLANDS:** The county wetland inventory maps indicate a small portion of the property has wetland characteristics; however, a wetland delineation is not required until the submittal of the subdivision plats. The engineer has identified a small wetland area of approximately 1-2 acres on the property.
- SOILS:** According to the Currituck County Soil Survey, 3% of the proposed development is classified as containing suitable soils. In addition,

approximately 22% of the proposed development contains provisionally suitable soils. The remaining 75% of the site contain soils that are considered unsuitable for conventional septic systems.

PROPOSED ZONING CONDITIONS:

The applicant/owner proposes the following conditions:

1. The proposed use will be a residential subdivision with approximately .675 lots per acre.
2. 50' buffer will be provided adjacent to farmland.
3. Additional screening to include trees, shrubs, fencing and berms, as appropriate and in general conformance with the conceptual development plan, will be provided:
 - a. Adjacent to existing residential properties along the entrance road; and,
 - b. Adjacent to developed residential properties.

COMMUNITY MEETING:

The community meeting was held on April 23, 2013 at the Moyock Library. The community concerns include stormwater management, traffic, buffering, height of structures, and general development issues. A full summary prepared by the applicant is available online.

TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

The conditional rezoning request appears to be consistent with the goals, objectives and policies of the Land Use Plan and other applicable county-adopted plans, and the purposes of the UDO. The proposed development shall be evaluated during the subdivision process to ensure the infrastructure impacts on the surrounding area are not increased.

The technical review committee recommends approval of the 97.75 acre rezoning from Agricultural (AG) to Conditional District – Single Family Mainland (CD-SFM) subject to the *revised* conditions that must be agreed in writing by the applicant:

Proposed Zoning Conditions (*Revised*):

~~Strikethrough text shall be deleted (must be agreed in writing by the applicant)~~
Bold and underline text is proposed (must be agreed in writing by the applicant)

1. The proposed use will be a **66 lot** residential subdivision. ~~with approximately .675 lots per acre.~~
2. 50' buffer will be provided adjacent to farmland.
3. Additional screening to include trees, shrubs, fencing and berms, as appropriate and in general conformance with the conceptual development plan, will be provided:
 - a. Adjacent to existing residential properties along the entrance road; and,
 - b. Adjacent to developed residential properties.
4. **The street stub located on the northeast side of the proposed development shall be coordinated with the adjacent land owner, N/F Jerry L. Old. The proposed lots adjacent to the Old property may require reconfiguration to accommodate a street stub that meets the intersection spacing requirements of the UDO. Minor deviations from the concept plan shall be allowed to provide flexibility in the street placement and lot configuration.**

The revision to condition #1 is for consistency.

PLANNING BOARD RECOMMENDATION:

The Planning Board *recommended approved* with staff and the Technical Review Committee recommendations.

THE APPLICATION AND RELATED MATERIALS ARE AVAILABLE ON THE COUNTY'S WEBSITE

Board of Commissioners: www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm

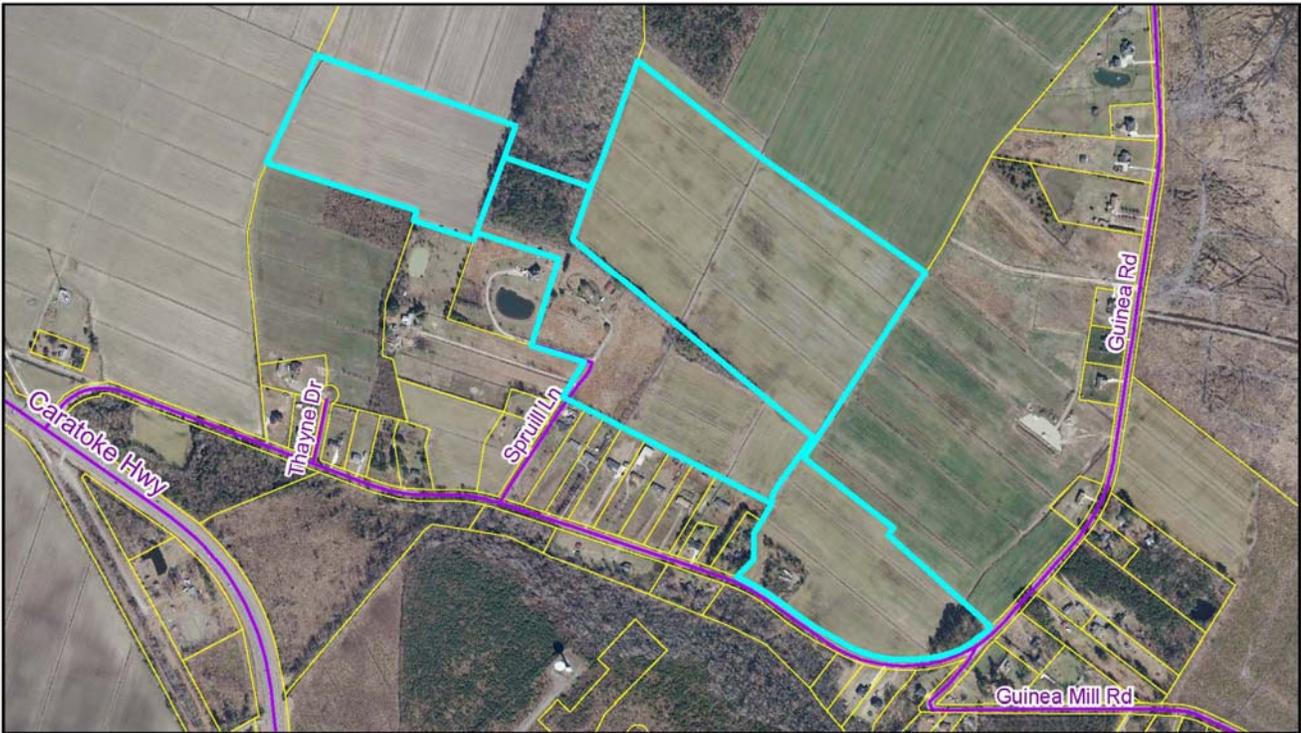
PLANNING BOARD DISCUSSION (6-11-13)

Mr. Bissell provided an overview of the proposed development. Mr. Bissell talked about density, drainage issues, stormwater, and buffering. Homes square footage will range from 1700 to 2500 sq. ft. and will be very attractive. Mr. Bissell provided pictures of the proposed houses.

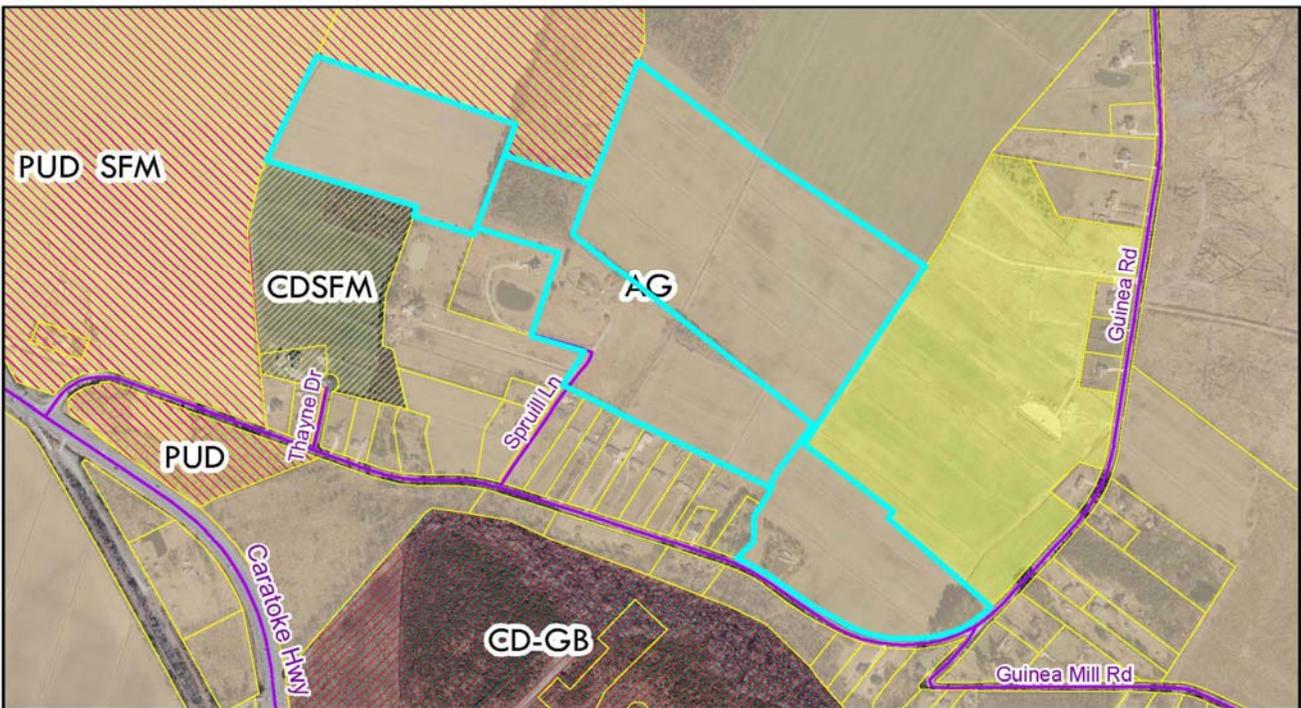
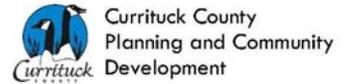
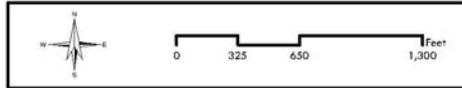
The Planning Board discussed density, square footage, stormwater, retention pond, and buffering.

ACTION

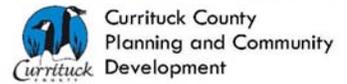
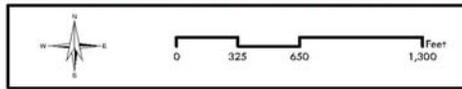
Mr. Cooper moved to approve PB 13-10 as presented with staff and the Technical Review Committee recommendations. Mr. Craddock seconded the motion. Motion carried unanimously.

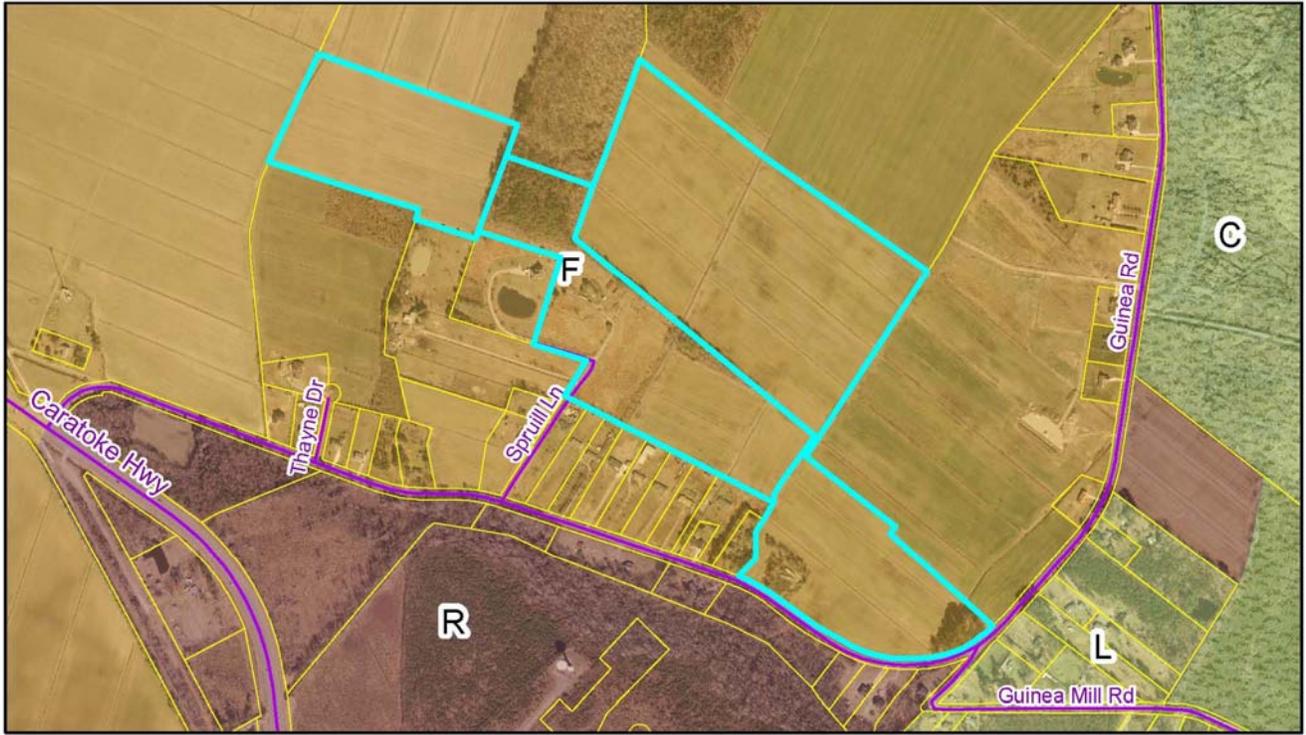


13-10
The Gables
Conditional Rezoning

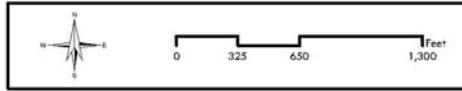


13-10 The Gables
Conditional Rezoning
Zoning





13-10
 The Gables
 Conditional Rezoning



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TYP. 6' SCREEN FENCE



Conditional Rezoning Application

OFFICIAL USE ONLY:	
Case Number:	_____
Date Filed:	_____
Gate Keeper:	_____
Amount Paid:	_____

Contact Information

APPLICANT:

Name: Brooks R. and Tina M. Clements
Address: 145 Spruill Lane
Moyock, NC 27958
Telephone: (252) 619-3514
E-Mail Address: tshirts2@aol.com

PROPERTY OWNER:

Name: Brooks R. and Tina M. Clements
Address: 145 Spruill Lane
Moyock, NC 27958
Telephone: (252) 619-3514
E-Mail Address: tshirts2@aol.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

Property Information

Physical Street Address: 418 Guinea Road; 1214 OFF SR; the 3rd Parcel does not have a physical address on GIS
Location: Moyock
Parcel Identification Number(s): 0022000071B0000; 0022000064E0000; and 0022000064A0000
Total Parcel(s) Acreage: 97.75 Acres +/-
Existing Land Use of Property: Farm Land

Request

Current Zoning of Property: AG Proposed Zoning District: SFM-CD

Community Meeting

Date Meeting Held: April 23, 2013 Meeting Location: Moyock Library

Conditional Rezoning Request

To Chairman, Currituck County Board of Commissioners:

The undersigned respectfully requests that, pursuant to the Unified Development Ordinance, a conditional zoning district be approved for the following use(s) and subject to the following condition(s):

Proposed Use(s):

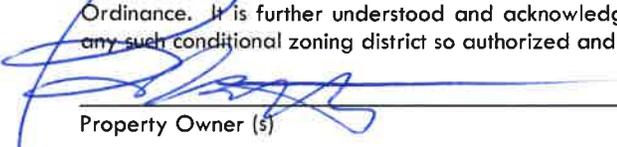
Use as a residential subdivision with an approximate density of 0.675 lot per acre, in general conformance with the accompanying conceptual development plan.

Proposed Zoning Condition(s):

50' Buffers will be provided to adjacent farmland; Additional screening will be provided to existing residential properties along the entrance road; Adjacent developed residential properties will be screened from the development using one or more of the following methods: Trees, shrubs, fencing and berms, as appropriate, in general conformance with the concept plan.

An application has been duly filed requesting that the property involved with this application be rezoned from: AG to: SFM - Conditional District

It is understood and acknowledged that if the property is rezoned as requested, the property involved in this request will be perpetually bound to the conceptual development plan, use(s) authorized, and subject to such condition(s) as imposed, unless subsequently changed or amended as provided for in the Currituck County Unified Development Ordinance. It is further understood and acknowledged that final plans for any development be made pursuant to any such conditional zoning district so authorized and shall be submitted to the Technical Review Committee.


Property Owner (s)

5/19/13
Date

NOTE: Form must be signed by the owner(s) of record. If there are multiple property owners a signature is required for each owner of record.


Property Owner (s)

5-20-13
Date

The Gables

Community Meeting for Conditional Rezoning

Tuesday, April 23, 2013

Scheduled Time/Place: 6:00pm, Moyock Library, Moyock, NC

Meeting Began: 6:03pm / Meeting Ended: 6:50pm

(Several residents stayed after to talk until 7:30)

Attendees:

Community Residents – See attached sign-in sheet

Tina Clements, Landowner

Ross Clements, Landowner

Tammy Glave, Currituck County

Mark S. Bissell, P.E., BPG Inc.

David Klebitz, Project Manager, BPG Inc.

Comments from the Community	How Addressed
When would construction start	Spring of 2014 if approvals are in place
Stormwater concerns regarding Guinea Road	Discussed new stormwater manual criteria
Guinea Road drainage problems, existing flooding	Discussed new stormwater basis of design
Questions about septic systems	Health Department will evaluate each lot at next stage of approval
Doesn't like the idea of additional development on adjacent land	Additional screening to be provided
Concerns regarding traffic at entrance and Guinea road. Will sound buffering to adjacent property be provided?	Screening to be provided at Guinea Road entrance
Visual screening to adjoining property	Additional screening to be provided
Does not want two-story homes overlooking adjacent properties	Offering a mix of one and two-story homes (market driven)
Ann Spruill would like a visual buffer to her property for privacy	Will provide a screening device
Sidewalks - like the idea	Sidewalks will be provided

Summary:

The two biggest concerns are stormwater management, since there is a history of flooding in low areas adjacent to Guinea Road, and the need for buffering the new development. The design criteria promulgated by the new stormwater manual will result in a design that produces significantly less runoff after build-out than what currently runs off from the existing farmland. Buffers and screening will be provided to the greatest degree practicable. There are 2 or 3 residents who will most likely not be happy about any type of development on this property. For the majority of the attendees, we believe the comments and concerns have been adequately addressed through the provision of on-site stormwater detention devices and the addition of screening devices to buffer the development from existing residences.

Community Meeting Sign-In Sheet

for

The Gables

Tuesday, April 23, 2013

NAME	ADDRESS	TELEPHONE	E-MAIL
Sue Helvestine	426 Guinea Road		Workerbee61@gmail.com
Tim Riordan	474 Guinea Road		Riordan@coastal.vet.com
Mike Riordan	474 Guinea Road		Riordan@coastal.vet.com
Tammy Glave	Planning Department		
Doug & K Wills	353 Guinea Road		daywills@mchsi.com
Ann Spruill	127 Spruill Lane		
Carlton Smith, Jr.	115 Spruill Lane		
Davett Stoner	432 Guinea Road		
Alice Stoner	432 Guinea Road		
Ross Clements	145 Spruill Lane		
Scott Mack			
Tina Clements	145 Spruill Lane		

Proposed Development Schedule
for
The Gables

PHASE	NO. OF LOTS	ESTIMATED DEVELOPMENT DATE
1	13	2014
2	20	2015
3	23	2016
4	10	2017















Currituck County

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

MEMORANDUM

To: Brooks R. and Tina M. Clements
Mark Bissell, Bissell Professional Group

From: Donna Voliva, Planner

Date: May 9, 2013

Re: The Gables Conditional Rezoning, TRC Comments

The following comments have been received for the May 15, 2013 TRC meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Donna Voliva 252-232-6032

Reviewed

1. The UDO requires external street connectivity to or along adjoining property boundaries such that a roadway connection or street stub shall be provided for development where practicable and feasible in each direction for development that abuts vacant lands. (5.6.5.) A connection to the Old property is required. The subdivision plat (Holly Ridge) for the Old property appears to be expired. The Sawyer/Arnold property to the north does contain approximately 140 acres with a structure that is approximately 3000 feet from the proposed development. Staff recommends an interconnection this property as well.
2. Please clarify the proposed screening/buffer conditions of the request.
3. For uniformity, the density language should be consistent with the UDO. Densities should be based on an acre as a whole unit. (.667 units per acre).

Currituck Soil and Water, Mike Doxey

Approved

Currituck County Engineer, Eric Weatherly 252-232-6035

Approved

Currituck County Utilities, Pat Irwin

Reviewed

Currituck County Fire and Emergency Management, James Mims 252-232-6641

Reviewed

1. May need a turnaround in front of lot 4.

Currituck County GIS, Harry Lee

Reviewed

Currituck County Building Inspections, Spence Castello 252-232-6020

No comment

NC DENR, Land Quality Section, Pat McClain 252-946-6481

Reviewed

1. This project will disturb more than one acre. Therefore, an erosion and sedimentation control plan must be submitted to and approved by the WaRO of NCDENR prior to beginning any development activity.

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

No comment

NC State Archaeology, Lawrence Abbot

No comment

1. An archaeological survey is not recommended.

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

Reviewed

1. Please consult with Kevin Carver, RS at 252-232-6603 to determine septic system approval of all lots that make up this subdivision.

The following items are necessary for resubmittal:

- 10 – 11” x 17” copies of the revised plan
- 1- 8.5”x11” copy of all revised plans
- 1- PDF digital copy of all revised or new documents and plans

CASE ANALYSIS FOR THE
Board of Commissioners
DATE: July 1, 2013
PB 13-11 Baxter's Lane Estates

ITEM: PB 13-11 Baxter's Lane Estates request for preliminary plat – use permit approval of 32 residential lots.

LOCATION: Moyock - Baxter's Lane, Moyock Township.

TAX ID: 0009-000-025G-0000

ZONING DISTRICT: CD-SFM 12-16

PRESENT USE: Recently Cleared Woodland

OWNER: Farms & Timberland, Inc.
2225 Spinnaker Circle
Virginia Beach, VA 23451

APPLICANT: Quality Homes of Currituck, LLC
PO Box 473
Moyock, NC 27958

LAND USE/ZONING OF SURROUNDING PROPERTY:

	Land Use	Zoning
NORTH:	Low density residential/Farmland	AG
SOUTH	Undeveloped/County owned open space	LI/SFM
EAST:	Low density residential/Farmland	AG
WEST:	Farmland	AG

LAND USE PLAN

CLASSIFICATION: The 2006 Land Use Plan classifies the site as Rural within the Moyock subarea.

SIZE OF SITE: 52.14 acres (Type II tract)
55.82 acres (including existing 4 lot minor subdivision)

NUMBER OF UNITS: 32 lots (Type II)
4 lot (existing 4 lot minor subdivision)

PROJECT DENSITY: 0.64 units per acre (including minor subdivision)

**RECREATION AND
PARK AREA**

DEDICATION: The required recreation and park area dedication for the proposed development is 1.05 acres. If the technical review committee determines the land dedication meets the criteria in Section 6.5.4 of

the UDO, a payment in lieu of the dedication shall be collected based on the land's assessed value. The technical review committee is currently evaluating the potential land dedication and a determination will be made prior to the planning board recommendation.

UTILITIES: The proposed development will be served by county water and individual on-site wastewater.

I. NARRATIVE OF REQUEST:

1. The applicant is requesting preliminary plat approval and a use permit for 32 residential lots off of Baxter's Lane in Moyock.
2. On October 1, 2012, the Board of Commissioners approved the conditional rezoning of 55.82 acres from Agricultural (A) to Conditional District – Single Family Mainland (CD-SFM). The conditions of the rezoning are as follows:
 - a. The proposed use is a 36-lot single family subdivision having a minimum size of 40,000 square feet and an overall density of 0.64 dwelling units/acre.
 - b. Site built single family homes.
 - c. The extension of a 6" water line and arrangements to ensure improvements of the road to the county property.
 - (1) OPTION 1: Bring a 6" water line from Moyock Landing Dr. north across the property owned by Currituck County through this tract to make a loop connection with the 4: water line at Baxter Lane.
 - (2) OPTION 2: Extend the existing 6" waterline from the railroad tracts on Baxter Lane to the site. This option will be a dead end line.
3. The applicant selected Option 1 for the water line extension. They continue to work with the county and other developments to determine line sizing. The final plans will be approved with the construction drawings.
4. The proposed development consists of two parent parcels. A minor subdivision was approved on each of the two parent parcels. A five lot minor subdivision was approved by staff August 3, 2012, and a four lot minor subdivision was approved on August 24, 2012.
5. The proposed major subdivision will consist of two phases that will include 17 lots in phase 1 and 15 lots in phase 2.

II. QUESTION(S) BEFORE THE BOARD:
Use Permit Criteria and Staff Findings:

Use permits (UP) are intended to allow the Board of Commissioners flexibility in the administration of the UDO. Through the UP procedure, property uses which would otherwise be considered undesirable in certain districts can be developed subject to conditions of approval to minimize any negative effects they might have on surrounding properties.

In order to approve a UP, certain criteria must be satisfied. The criteria and suggested findings of fact are outlined as follows:

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

Suggested Findings:

- a. The subdivision should have little to no negative impact on public health or safety.
2. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

Suggested Findings:

- a. The minimum lot size for the proposed development is 40,000 square feet, and is consistent with residential densities in the surrounding area.
3. The use will be in conformity with the Land Use Plan or other officially adopted plan.

Suggested Findings:

- a. The UDO indicates that a Type II subdivision is allowed in the SFM zoning district with a use permit.

The 2006 Land Use Plan classifies this site as Rural within the Moyock subarea. The policy emphasis of the Land Use Plan is for the Moyock subarea to properly manage the increased urban level of growth that this area is sure to experience. All four land use classifications are included in the Moyock subarea. The existing environmentally sensitive areas that can not support higher density and do not have access to services are classified as either Conservation or Rural areas. Residential The proposed use is in keeping with the policies of the plan, some of which are:

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

POLICY HN3: Currituck County shall especially encourage two forms of residential development, each with the objective of avoiding traditional suburban sprawl:

1. OPEN SPACE DEVELOPMENTS that cluster homes on less land, preserving permanently dedicated open space and often employ on-site or community sewage treatment. These types of developments are likely to occur primarily in the Conservation, Rural, and to a certain extent the Limited Service areas identified on the Future Land Use Map.
4. The special use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate. Such facilities must be in place or programmed to be in place within two years after the initial approval of the plan (sketch plan in the case of major subdivisions).

Suggested Findings:

- a. The proposed 32 lot residential subdivision will not exceed the county's ability to provide adequate public facilities.

III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends conditional approval subject to the following plan corrections:

1. Note #19 should identify the following:
Number of Links: 3
Number of Nodes: 1

IV. PLANNING BOARD RECOMMENDATION:

The Planning Board *recommended approval* of the request with staff and the Technical Review Committee recommendations and a payment in lieu of the dedication of land shall be collected based on the land's assessed value.

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

PLANNING BOARD DISCUSSION (6-11-13)

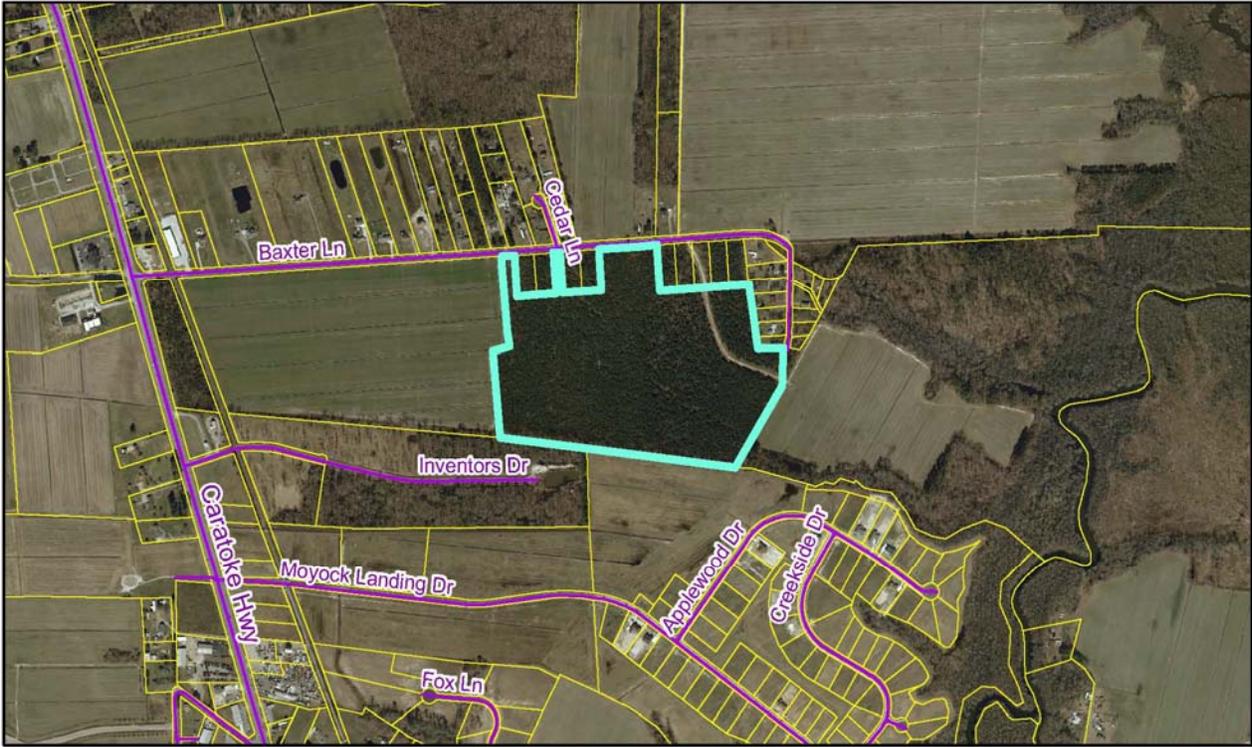
Mr. Hyman stated he would be glad to answer any questions.

Ms. Bell asked what the square footage will be.

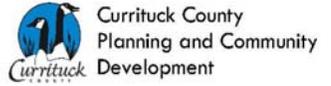
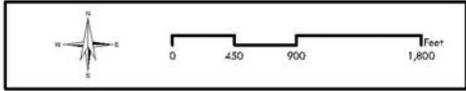
Mr. Hyman stated the square footage of homes will range from 2000 to 2500 sq. ft.

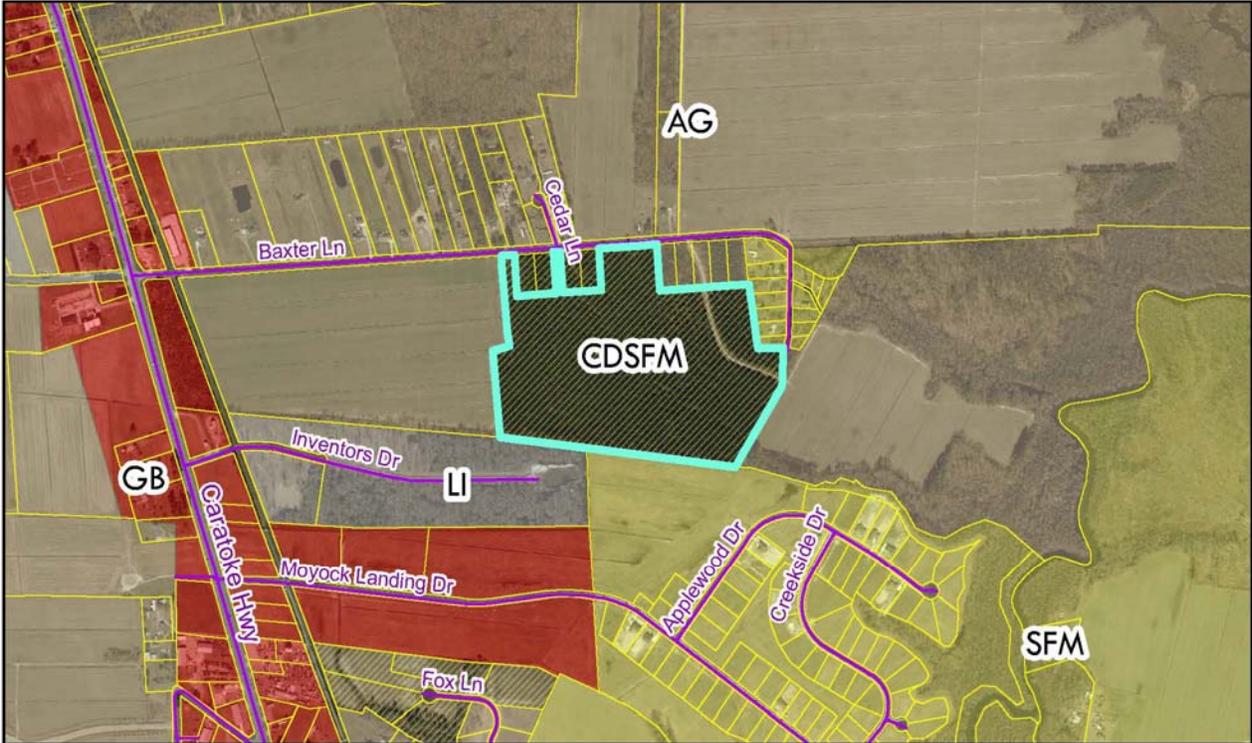
ACTION

Mr. Bell moved to approve PB 13-11 as presented with staff and the Technical Review Committee recommendations and a payment in lieu of the dedication of land shall be collected based on the land's assessed value. Mr. Cooper seconded the motion. Motion carried unanimously.



PB 13-11
Baxter's Lane Estates
Preliminary Plat - Aerial

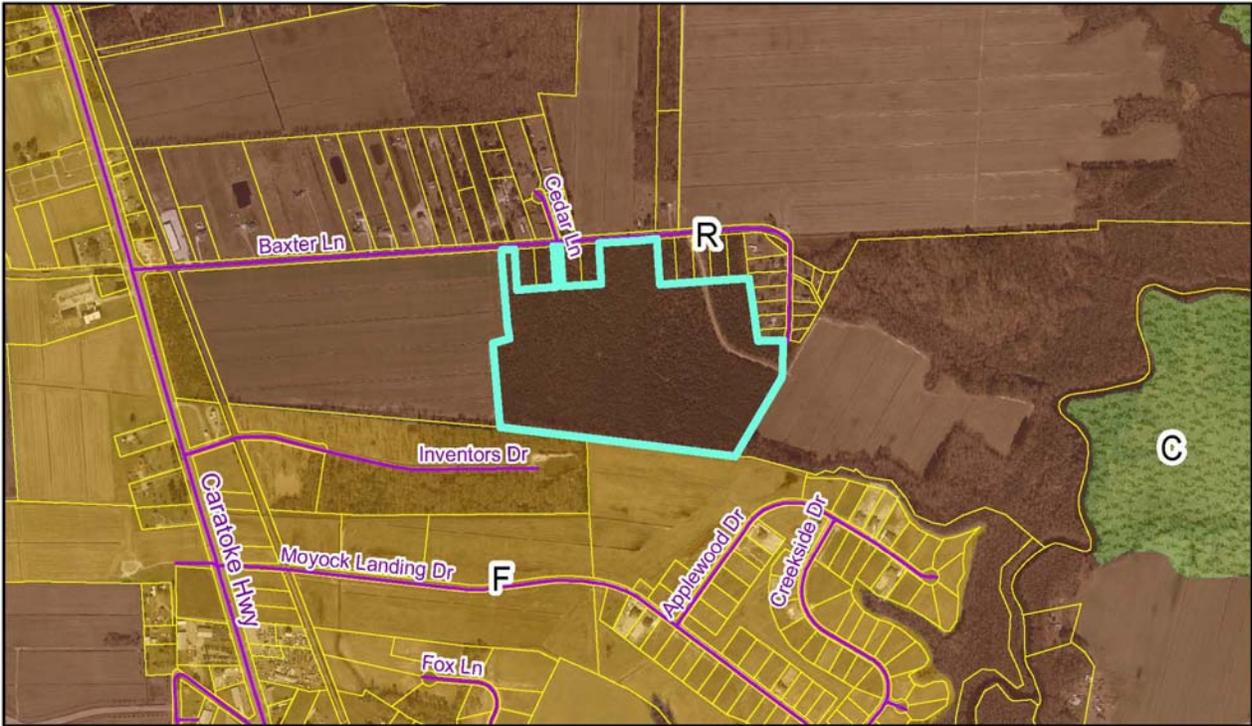




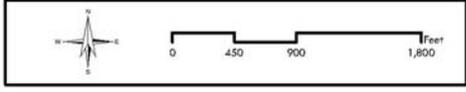
PB 13-11
 Baxter's Lane Estates
 Preliminary Plat - Zoning



 Currituck County
 Planning and Community
 Development

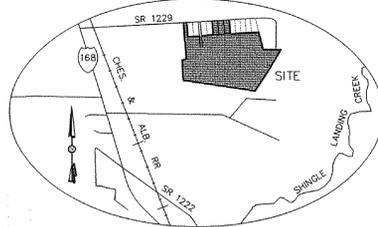


PB 13-11
 Baxter's Lane Estates
 Preliminary Plat - LUC



 Currituck County
 Planning and Community
 Development

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VICINITY MAP
NTS

SITE DATA:

- OWNERSHIP:
FARMS & TIMBERLAND, INC.
C/O W. LEE NORMAN
2225 SPINNAKER CIRCLE
VIRGINIA BEACH, VA 23451
PH: (757) 491-0161
- PH: 0009-000-0250-0000
REFERENCE: D.B. 1209, PG. 263
P.C. "M", SLIDE 112
TRACT AREA: 52.15 AC. (MEASURED)
ADDRESS: LOCATED OFF BAXTER'S LANE
CURRENT ZONING: CDSFM (12-16)
- THIS SITE IS LOCATED IN FLOOD ZONE "SHADED X" AND "AE (EL. 5.4) AS SHOWN ON F.I.R.M. MAP 3721902200L, EFFECTIVE DATE: DECEMBER 16, 2005. FLOOD ZONES ARE SUBJECT TO CHANGE BY FEMA.
- SITE AREA:
AREA OF LOTS: 1,369,554 SF = 31.44 AC (60.3%)
AREA OF R/W: 144,787 SF = 3.32 AC (6.4%)
OPEN SPACE: 757,148 SF = 17.38 AC (33.3%)
TOTAL: 2,271,492 SF = 52.15 AC (100%)
NOTE: DETENTION POND OCCUPIES 97,105 SF (12.8% OF TOTAL OPEN SPACE).
- TOTAL NUMBER OF LOTS: 32
MINIMUM LOT SIZE: 40,000 SF
- PROPOSED STREETS:
ARROW HEAD LANE (50' R/W) = 1,410 LF
LITTLE ACORN TRAIL (50' R/W) = 1,535 LF
- A 10' EASEMENT FOR UTILITIES AND DRAINAGE ALONG SIDE AND REAR PROPERTY LINES AND A 20' EASEMENT FOR UTILITIES AND DRAINAGE ALONG RIGHTS-OF-WAY AND EXTERNAL PROPERTY LINES ARE HEREBY ESTABLISHED, UNLESS OTHERWISE LABELED. DRAINAGE EASEMENTS THAT VARY ARE AS LABELED.
- MIN. BUILDING SETBACKS (FOR SFM):
FRONT: 20'
REAR: 25'
SIDE: 10'
CORNER: 20'
AGRICULTURAL: 50'
- ANY EXCAVATED MATERIAL REMOVED FROM SITE MUST BE TRANSPORTED TO AN APPROVED LOCATION. ANY FILL MATERIAL TRANSPORTED TO SITE MUST BE FROM AN APPROVED LOCATION.
- EXISTING UTILITIES ARE SHOWN FOR THE CONVENIENCE OF THE CONTRACTOR. ALL EXISTING UTILITY LOCATIONS ARE APPROXIMATE. EXISTING UTILITIES MUST BE FIELD LOCATED BY THE CONTRACTOR.
- ELEVATIONS TIED TO MONUMENT:
"BOARD" ELEV=8.83 (NAVD 88)
- TREES SHALL BE RETAINED PER UDO SECTION 5.8.
- NO BUILDABLE LOT IS ALLOWED OVER 24" OF FILL FOR A SEPTIC SYSTEM.
- ACCESS/DRIVEWAYS TO LOTS 14 AND 30 SHALL BE FROM LITTLE ACORN TRAIL.
- SOILS TYPES PRESENT ON SITE: R_o = Roanoke
A_t = Augusta
- RECREATION & PARK (FEE IN LIEU) CALCULATION:
PARENT TRACT SUBDIVIDED AS FOLLOWS:
(9) LOTS IN TWO MINOR SUBDIVISIONS ALONG BAXTER'S LANE
(32) LOTS IN BAXTER'S LANE ESTATES
(41) TOTAL LOTS IN CALCULATION
UPLAND CALC: (41) x 0.0255 = 1.05 ACRES TO BE DEDICATED
PAYMENT-IN-LIEU AMOUNT SEE UDO 6.5.4.
- ZONING CONDITIONS AS APPROVED BY BOARD OF COMMISSIONERS OCTOBER 1, 2012:

- THE PROPOSED USE IS A 36-LOT SINGLE FAMILY SUBDIVISION HAVING A MINIMUM SIZE OF 40,000 SQUARE FEET AND AN OVERALL DENSITY OF 0.64 DWELLING UNITS/ACRE.
- SITE BUILT SINGLE FAMILY HOMES.
- THE EXTENSION OF A 6" WATER LINE AND ARRANGEMENTS TO ENSURE IMPROVEMENTS OF THE ROAD TO THE COUNTY PROPERTY.
a. OPTION 1: BRING A 6" WATER LINE FROM MOYOCK LANDING DR. NORTH ACROSS THE PROPERTY OWNED BY CURRITUCK COUNTY THROUGH THIS TRACT TO MAKE A LOOP CONNECTION WITH THE 4" WATER LINE AT BAXTER LANE.
b. OPTION 2: EXTEND THE EXISTING 6" WATER LINE FROM THE RAILROAD TRACKS ON BAXTER LANE TO THE SITE. THIS OPTION WILL BE A DEAD END LINE.
- ALL SIDEWALKS SHALL BE 4" THICK (MINIMUM), 5' WIDE AND SHALL BE CONSTRUCTED WITHIN THE 5' PEDESTRIAN EASEMENT SHOWN ON THIS PLAN.
- STREET INTERCONNECTIVITY INDEX CALCULATION:
NUMBER OF LINKS = 5
NUMBER OF NODES = 2
CONNECTIVITY INDEX = 5/2 = 2.50
(FOR SFM, MIN. INDEX SCORE REQ'D = 1.20)

NOTE:
ALL PAVEMENT IN VEHICULAR AREAS, INCLUDING 20' ROADWAYS WIDTHS AND TEMPORARY CUL-DE-SACS (DIAM. = 96'), SHALL BE CONSTRUCTED TO THE FULL THICKNESS SHOWN IN THE PAVEMENT SECTION DETAILS COMPLETELY OUT TO ALL EDGE LIMITS SHOWN. THE PAVEMENT SECTION SHALL BE ABLE TO SUPPORT A MINIMUM 75,000 POUNDS AND TEST RESULTS SHALL BE CERTIFIED. FEATHERING OF ANY COURSE IN THE PAVEMENT COMPOSITION SHALL NOT BE ALLOWED.



LEGEND

- BENCHMARK
- EXISTING IRON ROD
- CALCULATED POINT
- EXISTING PK NAIL
- EXISTING CONCRETE MON.
- BOUNDARY LINE
- R/W LINE
- LOT LINE
- PHASING LINE
- PROPERTY EXTENSION
- BUILDING SETBACK
- EXISTING DITCH/SWALE
- PROPOSED DITCH/SWALE
- 5' PEDESTRIAN EASEMENT
- PROPOSED DRAINAGE ESMT
- EXISTING WOODLINE
- EXISTING PAVEMENT
- PROPOSED PAVEMENT
- 50' AGRICULTURAL SETBACK
- FFE = x.xx FINISHED FLOOR ELEVATION (MIN.)

HYMAN ROBEY
SOLUTIONS FROM THE GROUND UP
Hyman & Robey, PC
150 US Hwy 158 E.
PO Box 339
Camden, NC 27921
(252) 338-2913
(252) 338-5552 fax
www.hymanroby.com
License C-0598

BAXTER'S LANE ESTATES

PERMIT DRAWING ONLY
NOT RELEASED FOR CONSTRUCTION

NOTIFY
NC ONE CALL
1-800-632-4949
FOR LOCATION OF EXISTING UTILITIES

MOYOCK TOWNSHIP
CURRITUCK COUNTY
NORTH CAROLINA

KEY PLAN:

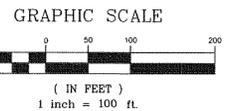
Project #: 120083
Drawing #: 120083 - SITE
Drawn: DAA
Checked: SCR
Approved: ETH
Date: 04/25/13
Sheet #: 1 of 4
Scale: 1:100

REVISIONS:
NUM. DATE DESCRIPTION
1 04/25/13 Prelim. Plat Subm.
2 05/14/13 DENR-DWQ Subm.
3 05/20/13 TRC Revisions

SHEET TITLE:
PRELIMINARY PLAT

SHEET NUMBER:

1





Major Subdivision Application

OFFICIAL USE ONLY:

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

Contact Information

APPLICANT: Quality Homes of
Name: Currituck, LLC
Address: P.O. Box 473
Moyock, NC 27958
Telephone: (252) 207-7704
E-Mail Address: jold@qualityhomes
ofcurrituck.com

PROPERTY OWNER:
Name: Farms & Timberland, Inc.
Address: 2225 Spinnaker Circle
Virginia Beach, VA 23451
Telephone: (757) 481-0161
E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Developer

Request

Subdivision Name: Baxter's Lane Estates

Number of Lots or Units: 32

Phase: _____

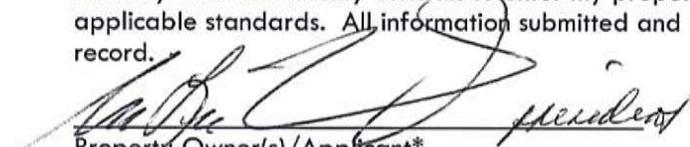
TYPE OF SUBMITTAL

- Conservation and Development Plan
- Preliminary Plat (or amended)
 - Type I OR Type II
- Construction Drawings (or amended)
- Final Plat (or amended)

TYPE OF SUBDIVISION

- Traditional Development
- Conservation Subdivision

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


Property Owner(s)/Applicant*

April 22, 2013
Date

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

Community Meeting, if applicable

Date Meeting Held: _____ Meeting Location: _____



Use Permit Application

OFFICIAL USE ONLY:	
Case Number:	_____
Date Filed:	_____
Gate Keeper:	_____
Amount Paid:	_____

Contact Information

APPLICANT:	Quality Homes of	PROPERTY OWNER:	
Name:	<u>Currituck, LLC</u>	Name:	<u>Farms & Timberland, Inc.</u>
Address:	<u>P.O. Box 473</u>	Address:	<u>2225 Spinnaker Circle</u>
	<u>Moyock, NC 27958</u>		<u>Virginia Beach, VA 23451</u>
Telephone:	<u>(252) 207-7704</u>	Telephone:	<u>(757) 481-0161</u>
E-Mail Address:	<u>jold@qualityhomes</u>	E-Mail Address:	_____
	<u>ofcurrituck.com</u>		
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: <u>Developer</u>			

Property Information

Physical Street Address: Located off Baxter's Lane (access between 216 & 222)
Location: Approximately 1/2 mile east of Caratoke Hwy (NC 168), on right
Parcel Identification Number(s): 0009-000-025G-0000
Total Parcel(s) Acreage: 52.14 Ac (Record)
Existing Land Use of Property: Heavily wooded, but recently cleared

Request

Project Name: Baxter's Lane Estates
Proposed Use of the Property: Residential
Deed Book/Page Number and/or Plat Cabinet/Slide Number: D.B. 1209, PG.263; P.C. "M",
Total square footage of land disturbance activity: 1,974,700 SF Slide 112
Total lot coverage: 9,600 sf per lot Total vehicular use area: 57,915 sf +/-
Existing gross floor area: 0 Proposed gross floor area: per lot basis

Community Meeting

Date Meeting Held: N/A Meeting Location: N/A

Purpose of Special Use Permit and Project Narrative (please provide on additional paper if needed):
Construct a 32 lot Low Density residential subdivision on 52.14
acres, add new roadways, waterlines including fire hydrants,
stormwater detention pond, street and open space landscaping,
drainage swales & ditches including storm pipe crossings under
paved roadways.

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

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

The addition of this 32 lot residential subdivision will not
endanger the area. The residential use is in harmony with
surrounding uses.

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

The addition of new homes in the area should increase land
values because they will be consistent with existing uses
in the area.

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

This Use is in conformity with the Zoning of the property
and with the Land Use Plan as adopted by the County.

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

According to discussions with Planning Staff, this subdivision
will not exceed the County's ability to provide services to the
proposed residences.

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


Property Owner(s)/Applicant*

4-24-13
Date

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

Use Permit Application
Page 6 of 9

PROJECT NARRATIVE
for
Baxter's Lane Estates
Currituck County - North Carolina

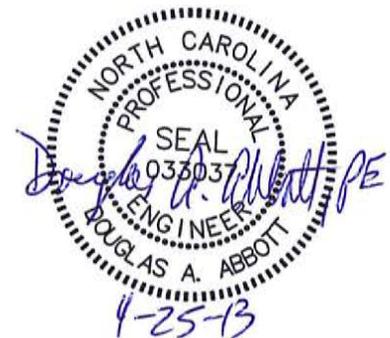
April 25, 2013

Farms & Timberland, Inc., is proposing to develop a 36 lot subdivision in Currituck County. The project is located in Moyock Township off Baxter's Lane (NCSR 1229) east of Caratoke Highway (NC 168). Four of the lots (which front directly on Baxter's Lane) have been platted as a minor subdivision under a different subdivision name and are not part of this Baxter's Lane Estates subdivision.

Recently, 46 acres of heavily wooded land was cleared ahead of planned construction. Timber suitable for sale was removed from site during logging operations. Strips of wooded land, generally 50 feet in width, were retained around the subdivision perimeter. Existing perimeter ditches are to remain undisturbed unless they are otherwise deemed in need of maintenance or cleaned out.

Soils within the subdivision consist predominantly of Roanoke (Ro) and Augusta (At) soils. In general the existing drainage pattern is to the east. Runoff currently sheet flows through the woods with portions of the tract draining west and north to Baxter's Lane ditches or south and east to a large ditch on the site boundary, both outletting into Moyock Run and on to the Northwest River and Currituck Sound.

Proposed drainage includes lot line swales on every lot. These lot line swales can begin at high points near the middle of the lot and flow towards roadside ditches along the lot fronts or to collector ditches along the lots rear lines. These roadside and collector ditches convey stormwater runoff from the majority of the site south and east to a designated detention pond in the southeasternmost corner of the subdivision (the lowest area in the tract). Only a small portion of the subdivision will drain north towards Baxter's Lane roadside ditch. This area includes the three lots fronting on Baxter's Lane (Lots 1-3) and the entrance road off of Baxter's Lane which provides access to the main subdivision body to the south. A high point in roadside ditches of this entrance portion will be located roughly at the rear limits of the Baxter's Lane lots. The detention pond has been sized to hold the difference between the 10 yr post and the 2 yr pre runoff. The pond is two feet deep to hold this volume with 1 foot freeboard to the top of its bank. Stored water will be released via a appropriately size storm pipe near the south or east end of the pond. An emergency riprap overflow weir will be provided for storm events greater than the pond can hold (which also will be in the southeast corner), releasing overflow to existing perimeter ditches. See enclosed calculations for pond design.



BAXTER'S LANE ESTATES DEVELOPMENT IMPACT STATEMENT

PHYSICAL ANALYSIS

This project is a 32 lot traditional subdivision on 52.15 acres of land for residential development. The lots range in size from 0.92 acres to 1.2 acres. Open Space will occupy 17.38 acres, or 33.3% of the subdivision area. The owners plan on selling the lots to individuals who wish to build custom 3 or 4 bedroom homes. It is expected that the homes will be between 1,200 to 1,800 square feet in size. The lots will sell in the range of \$50,000 to \$65,000. The post construction home/lot values at today's cost will be from the \$180,000 to \$225,000.

HOUSING MARKET ANALYSIS

The target market for the Subdivision will be a combination of commuters from the Hampton Roads area, retirees, and Currituck County residents who prefer living in a small community with easy access to the Outer Banks and to amenities found in larger urban settings. The site is located near the community of Moyock off Baxter's Lane in northern Currituck County. Though Baxter's Lane currently doesn't have a significant number of homes or other subdivisions, the area has several developments in the concept and planning stage. This area has the potential to become part of a substantial development.

ENVIRONMENTAL IMPACT

The estimated maximum water consumption for 3 bedroom homes is 360 and 4 bedroom homes is 480 gallons of water per day. The developer intends upon connecting to Currituck County's municipal water system. Total GPD=11,520 to 15,360.

All sanitary sewer disposals will be handled by individual septic systems. Specific requirements for individual septic systems will be determined as necessary. If water consumption =11,520 to 15,360 GPD septic disposal will be the same.

FISCAL IMPACT ANALYSIS

Considering the average value of the home/lot combinations to be \$202,500, the total valuation for Subdivision would be \$6,480,000. The resultant real property taxes would be \$20,736 per year based upon the current countywide tax rate of \$0.32 per \$100.00 of value.

Land transfer taxes (\$1.00 per \$100.00 lot value only) = \$16,000.00.

Estimated personal property valuation; \$106,200.00 per lot.

TRAFFIC ANALYSIS

The estimated number of trips generated daily by the 32 lots once all the homes are complete is 192 trips per day. NCDOT traffic count was unavailable for Baxter's Lane. Our current traffic estimate based on the existing house count (35 houses) is 210 trips per day. Since the capacity for two lane roads such as Baxter's Lane is generally 8,000 – 10,000 vehicles per day, the proposed subdivision is not expected to have a negative impact on Baxter's Lane. Furthermore, interconnectivity to existing and future adjacent subdivisions will also ease the traffic count increase on Baxter's Lane.



Currituck County

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

MEMORANDUM

To: Doug Abbott, Hyman & Robey
Farms & Timberland, Inc.

From: Donna Voliva, Planner

Date: May 15, 2013

Re: Baxter's Lane Estates Preliminary Plat/SUP, TRC Comments

The following comments have been received for the May 15, 2013 TRC meeting. The preliminary plat will require Planning Board recommendation and Board of Commission's action. The preliminary plat comments listed below must be addressed and resubmitted by May 20, 2013 in order to be placed on the June 11, 2013 Planning Board meeting. TRC comments are valid for six months from the date of the TRC meeting.

Planning, Donna Voliva 252-232-6032

Approved with comments

1. Please add zoning conditions to the preliminary plat as approved by the Board of Commissioners.
2. Please provide provisionally suitable or suitable lot evaluations.
3. The drainage and utility easements are 10' along the side and rear property lines
4. Please provide sight triangles at intersections.
5. Please provide the street interconnectivity index on the preliminary plat.
6. The certificates and notes are not required on the preliminary plat, but if the notes are provided please include all required certificates and notes contained in the Administrative Manual.
7. Is phasing or lighting proposed?
8. The agricultural setback shall be 25' undisturbed with 15 ACI of canopy trees per 100 feet of buffer length, incorporating existing and planted vegetation, and provide a separation from the agricultural use (fence, berm, drainage, ditch)
9. One-half of the open space shall be replanted with a hardwood mix (40 trees per acre)/
10. Please clarify the pedestrian easement and proposed material/installation location of the sidewalk included the trail around the stormwater pond.
11. The UDO allows alternate placement for street trees. Staff will work with the applicant to determine available options.

Currituck Soil and Water, Mike Doxey

Approved

Currituck County Engineer, Eric Weatherly 252-232-6035

Approved with corrections

1. Per Note 18 on the Drainage and Utility Schematic, we understand there may be future development on Baxter Lane. A 6" water line extension from Moyock Landing Drive and the existing 4" water line along Baxter Lane will likely be insufficient for future development. The developers have the choice of upsizing the 6" from Moyock Landing Drive or upsizing the 4" along Baxter Lane. The county will want to be involved with discussions with adjacent developments to determine water line up-sizing needs. It is likely that hydraulic modeling of the water mains in the region is needed to determine needed pipe sizes.
2. Please show existing drainage ditches - Is there a plan to clean out any of the existing ditches?

Currituck County Utilities, Pat Irwin

Approval with corrections

1. Show water line sizes on plans.
2. Show a detail of the water line connection to the water line on Moyock Landing Drive.

Currituck County Fire and Emergency Management, James Mims 252-232-6641

No comment.

Currituck County GIS, Harry Lee

Reviewed

1. Address assignment
Lot 1 = 230 Baxter Ln
Lot 2 = 236 Baxter Ln
Lot 3 = 242 Baxter Ln
Lot 4 = 104 Arrow Head Ln
Lot 5 = 106 Arrow Head Ln
Lot 6 = 108 Arrow Head Ln
Lot 7 = 110 Arrow Head Ln
Lot 8 = 112 Arrow Head Ln
Lot 9 = 114 Arrow Head Ln
Lot 10 = 116 Arrow Head Ln
Lot 11 = 117 Arrow Head Ln
Lot 12 = 115 Arrow Head Ln
Lot 13 = 113 Arrow Head Ln
Lot 14 = 111 Arrow Head Ln or 100 Little Acorn Trl
Lot 15 = 102 Little Acorn Trl
Lot 16 = 104 Little Acorn Trl
Lot 17 = 106 Little Acorn Trl
Lot 18 = 108 Little Acorn Trl
Lot 19 = 110 Little Acorn Trl
Lot 20 = 112 Little Acorn Trl
Lot 21 = 114 Little Acorn Trl
Lot 22 = 117 Little Acorn Trl
Lot 23 = 115 Little Acorn Trl
Lot 24 = 113 Little Acorn Trl
Lot 25 = 111 Little Acorn Trl

- Lot 26 = 109 Little Acorn Trl
- Lot 27 = 107 Little Acorn Trl
- Lot 28 = 105 Little Acorn Trl
- Lot 29 = 103 Little Acorn Trl
- Lot 30 = 101 Little Acorn Trl or 109 Arrow Head Ln
- Lot 31 = 107 Arrow Head Ln
- Lot 32 = 105 Arrow Head Ln

Currituck County Building Inspections, Spence Castello 252-232-6020

No comment

NC DENR, Division of Water Quality, Amy Adams 252-948-3917

Reviewed

1. An erosion and sedimentation control plan for the clearing and grubbing of 46 acres on this parcel was approved on 2/22/2013. A revised plan showing improvements – roads, drainage, utilities, etc must be submitted to approved by my office prior to any additional disturbance of the tract. .

NC DENR, Land Quality Section, Pat McClain 252-946-6481

Reviewed

1. This project will disturb more than one acre. Therefore, an erosion and sedimentation control plan must be submitted to and approved by the WaRO of NCDENR prior to beginning any development activity.

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

No comment

NC State Archaeology, Lawrence Abbot

No comment

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

Reviewed

1. Please consult with Kevin Carver RS at 252-232-6603 concerning septic system approval per lot which make up this proposed subdivision.

The following items are necessary for resubmittal:

- 3 - full size copies of revised plans.
- 10 – 11”x17” copies of the plan.
- 1- 8.5”x11” copy of all revised plans.
- 1- PDF digital copy of all revised or new documents and plans.

RESOLUTION OF THE BOARD OF COMMISSIONERS FOR CURRITUCK COUNTY, NORTH CAROLINA OPPOSING REVIVAL OF THE PROPOSED BLACK BEAR DISPOSAL, LLC 490 ACRE MUNICIPAL WASTE LANDFILL IN CAMDEN COUNTY, NORTH CAROLINA

WHEREAS, on November 4, 2002, Camden County, North Carolina granted a franchise agreement to Black Bear Disposal, LLC, a wholly owned subsidiary of Waste Industries USA, Inc. for a 490 acre municipal waste landfill on a 1,060 acre parcel located on land adjacent to and partially in Currituck County; and

WHEREAS, the proposed landfill would be located near the headwaters of the Northwest River, which drains into Tulls Bay located in Currituck County and connected to the Currituck Sound; and

WHEREAS, in a resolution adopted on June 20, 2005 the Currituck County Board of Commissioners expressed concern regarding potential contamination of ground water in an area of Currituck County in which residents rely on wells as the sole source of drinking water; and

WHEREAS, in 2007 the North Carolina General Assembly wisely adopted legislation, upheld by the North Carolina Court of Appeals, that effectively ended the ability to construct the proposed Black Bear Disposal, LLC landfill; and

WHEREAS, the North Carolina Senate has now adopted SB 328 which may allow for construction of the Black Bear Disposal, LLC landfill renewing concerns expressed previously by the Currituck County Board of Commissioners.

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

Section 1. Currituck County opposes the permitting, construction and operation of the proposed Black Bear Disposal, LLC landfill in Camden County, North Carolina.

Section 2. Currituck County opposes the adoption of SB 328 to the extent that SB 328 would allow for the permitting, construction and operation of the proposed Black Bear Disposal, LLC landfill in Camden County, North Carolina.

Section 3. Currituck County requests that Representative Bob Steinburg and Senator Bill Cook take all steps necessary to seek amendment of SB 328 to prevent the permitting, construction and operation of the proposed Black Bear Disposal, LLC landfill in Camden County, North Carolina and to actively oppose SB 328 should language prohibiting the construction of such landfill not be included in SB 328.

Section 4. The Clerk to the Board of Commissioners shall forward a copy of this resolution to Representative Bob Steinburg, Senator Bill Cook and Camden County, North Carolina.

ADOPTED the 1st day of July, 2013.

S. Paul O'Neal, Chair
Board of Commissioners

ATTEST:

Mary S. Gilbert,
Clerk to the Board of Commissioners

(COUNTY SEAL)

GAME COMMISSION
2 Year Terms

Incumbent	Nominated by	New Appointee	Nominated by	Date of Appointment	End of Term
Richard Williams	District 1		Vance Aydlett	5/7/2012	2nd term 6/1/2014
Jeremy Midgette	District 2		David Griggs	5/7/2012	1st term 6/1/2014
Andy Newbern	District 3		Butch Petrey	5/7/2012	1st term 6/1/2014
Louis Davis	District 4		Kevin McCord	6/17/2013	1st term 6/1/2015
Willie Austin**	District 5		Marion Gilbert	6/20/2011	3rd term 6/1/2013
Chandler Sawyer	At-Large		Paul Martin	6/17/2013	2nd term 6/1/2015
Jimmy Markert**	At-Large		Paul O'Neal	5/16/2011	2nd term 6/1/2013

**** To Be Replaced**

CURRITUCK COUNTY
NORTH CAROLINA
June 17, 2013

The Board of Commissioners met at 5:30 p.m. in a work session with Spence Castello, Bill Newns, and Jason Corbell, Building Inspectors, who gave a presentation on disproportionality – ADA accessibility, particularly in the case of remodeling or change of occupancy.

The Board of Commissioners met at 6:30 p.m. in a work session with County Attorney Ike McRee for a discussion on an amendment to the beach driving ordinance.

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 Paul O'Neal, Vice-Chair Paul Martin, Commissioners Aydlett, Gilbert, Griggs, McCord, and Petrey.

A) Invocation

B) Pledge of Allegiance

Reverend Glenn McCranie, Navy Chaplin, Retired, was present to give the invocation and lead the Pledge of Allegiance.

C) Approval of Agenda

Chairman O'Neal added Item A.4. Appointment to the Board of Adjustment under New Business. Commissioner Aydlett moved to approve the Agenda as amended. Commissioner Martin seconded the motion. Motion carried.

APPROVED AGENDA

7:00 pm Call to Order

- A) Invocation – Rev. Glenn McCranie, Navy Chaplin, Retired
- B) Pledge of Allegiance
- C) Approval of Agenda
- D) Public Comment

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

Public Hearings

- A) **Consideration and Action:** PB 07-08 Dennis Anderson Muddy Motorsports Park: Request for renewal of a use permit for a privately owned outdoor recreation facility located at 5243 Caratoke Highway, Tax Map 83, Parcel 6A, Poplar Branch Township.
- B) **Public Hearing and Action:** PB 13-05 Pat's Way: Request zoning an abandoned Right-of-Way (Pat's Way) to General Business (GB), located in Barco, Tax Map 60, Parcel 55D, Crawford Township.

New Business

- A) **Board Appointments:**
 - 1. Appointments to Library Board of Trustees
 - 2. Appointments to Game Commission
 - 3. Appointment of a Commissioner to the Albemarle Rural Transportation Planning

Organization (RPO)

- 4. Appointment to Board of Adjustment

B) Consent Agenda:

- 1. Budget Amendments
- 2. Approval of June 3, 2013 Minutes
- 3. Approval of Airport Rules and Regulations
- 4. Approval of Mutual Aid Agreement with City of Chesapeake Fire Department
- 5. Resolution to declare items surplus from various departments
- 6. Project Ordinance for Replacement of the Ocean Sands Wastewater Treatment Plant - Phase I

C) Commissioner’s Report

D) County Manager’s Report

Adjourn

D) Public Comment

Chairman O’Neal opened the public comment period.

Peter M. Thornton, Sr., Moyock, requested several safety measures and recreational facilities for the Moyock area – an emergency safety center, Nightingale pad, move library, recreation center with pool, second exit for Ranchland and Eagle Creek subdivisions, new fire department, dialysis center, rail cars for scenic and evacuation purposes and a park and ride.

Mary Etheridge, Shawboro, stated she had been involved in litigation with the County for two years concerning illegal spot zoning. Although the courts had ruled in her favor, the County did not pay her legal fees. She read some emails between two commissioners. She wanted to prevent this same thing happening to anyone else. Chairman O’Neal asked County Attorney to comment on court cases.

Gary Michael Smith, Corolla, expressed the need for handicap access ramps for the beach. He also asked for clarification of the beach driving ordinance to designate who can drive on the beach. Regarding the beach cleanup, he asked for review of the hours to consider 6-9:30 a.m. and 5-6:30 p.m. He also suggested that ATV’s would be a safer alternative and less invasive. He then gave a beach cleanup report.

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

Public Hearings

A) Consideration and Action: PB 07-08 Dennis Anderson Muddy Motorsports Park: Request for renewal of a use permit for a privately owned outdoor recreation facility located at 5243 Caratoke Highway, Tax Map 83, Parcel 6A, Poplar Branch Township.

Sworn testimony was given prior to making comments.

Ben Woody, Planning and Community Development Director, reviewed the request and comments from the Technical Review Committee.

History of Request

March 13, 2007	Planning Board Recommended Approval of SUP for	Privately Owned
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May 7, 2007	Outdoor Recreation Facility Board of Commissioners Approved SUP for Privately Owned Recreation Facility for One Year.	Outdoor
June 18, 2007	Board of Commissioners Approved SUP for Privately Owned Facility for Three Years.	Recreation
June 21, 2010	Board of Commissioners Approved Renewal of SUP for Three Years.	

Narrative

This SUP is due to expire on June 21, 2013. The applicant is requesting a renewal of the permit that would not expire. Issues that must be addressed are as follows:

Comments from Planning Staff

1. A special event permit (Formerly called a mass gathering permit) is required for each separate event. The applicant may apply annually for all of the known events for that year.

Comments from Sheriff Johnson

1. The issue of law enforcement to the number of people in attendance is becoming a large issue. With the increase in attendance, crowd control is very difficult with just the two law enforcement officers currently required. I would like to request an increase to a minimum of four.

Comments from Spence Castello, Chief Building Inspector

1. There is a structure made from moving pallets on the site. I was told this was used for selling beer. This would have to be removed and no more structures are allowed without permits.

Comments from James Mims, Fire Marshal

1. These 2010 TRC Comments have still not been addressed:
 - a. Need Public Safety Plan That conforms to the following 403 1 2 Contents The public safety plan shall address such items as emergency vehicle ingress and egress fire protection emergency medical services public assembly areas and the directing of both attendees and vehicles including the parking of vehicles vendor and food concession distribution and the need for the presence of law enforcement and fire and emergency medical services personnel
 - b. Need better clarification in regards to use and expected number of customers
 - c. Need formal agreements with Sheriff EMS Chief and Local Volunteer Fire Chief
 - d. Reminder that tents require permits
 - e. Fireworks require special permits

Comments from David Sweeney, Albemarle Regional Health Services

My office (the Health Dept.) has had NO issues with Dennis Anderson Muddy Motor Sports Park (DAMMPARK) in the past. In the past several years DAMMPARK has always provided Port-o-Johns and we have worked with the vendors in obtaining food service permits, as necessary. However I wanted to include the 2 comments below so that there is no discrepancy for future events.

- 1) Since DAMMPARK does not have a Septic system installed with public restroom facilities, then an adequate number of Port-O-Johns MUST be supplied at any and all events to serve the total number of people in attendance.
- 2) Since DAMMPARK does not have a Food Service Permit that any and all vendors that provide food to any event on this property will be required to be approved by the Local Health Dept. Vendors that already have approved permits and catering capabilities may only need to notify the health department ahead of time. Other vendors that do not already have an approved permit will need to apply at least 15 calendar days before any proposed event. These vendors will be considered on an individual basis. An event coordinators packet should be completed prior to the event to notify the Health Department of the specified vendors, this can be

done at the beginning of each season for the entire season or before each event depending upon the change of vendors.

SPECIAL USE PERMIT GRANTED

On the date(s) listed below, the Board of Commissioners for the County of Currituck met and held a public hearing to consider the following application:

Owner: C.O. Partners of Jarvisburg, LLC
Jerry and Tommy Wright
PO Box 24
Jarvisburg, NC 27947

Applicant: Dennis Anderson
3650 Caratoke Highway
Poplar Branch, NC 27965

Property Location: 5243 Caratoke Highway

Project: PB 07-08 Dennis Anderson Muddy Motorsports Park

Proposed Use: Privately Owned Outdoor Recreation Facility

Meeting Dates: June 21, 2010 – Board of Commissioners' Public Hearing/Action

Having heard all the evidence and argument presented at the hearing, the Board finds that the application is complete, that the application complies with all of the applicable requirements of the Currituck County Unified Development Ordinance for the development proposed, and that therefore the application to make use of the above described property for the purpose indicated is hereby approved subject to all applicable provisions of the Unified Development Ordinance and the following conditions:

- (A) The applicant shall complete the development strictly in accordance with the plans submitted to and approved by the Board of Commissioners, a copy of which is filed in the office of the Planning Department.
- (B) If any of the conditions affixed hereto or any part thereof shall be held invalid or void, then this permit shall be void and of no effect.
- (C) This permit is valid for three (3) years and will expire on June 21, 2013, after which it must be renewed by the Currituck County Board of Commissioners.
- (D) Other conditions:
 1. A ~~Mass Gathering~~ **Special Event** permit is required for each event.
 2. Tents require permits.
 3. Fireworks require special permits.
 4. Structures shall not be located where fire apparatus have no improved area to access them.
 5. Structures must be within 400' from a fire hydrant.
 6. Overnight camping is allowed on premise.
 7. All events must comply with county regulations effective at the time of the event.

IN WITNESS WHEREOF, the County has caused this permit to be issued in its name, and the property owners/applicants of the property above described, do hereby accept this Special Use Permit together with all its conditions, as binding on them and their successors in interest.

Deputy Mark Chappell, in charge of off-duty assignments, explained the necessity of having at least 4 deputies on duty.

Dennis Anderson, applicant, agreed to comply with TRC outstanding issues.

Commissioner Petrey moved to approve Dennis Anderson's request for renewal of a use permit for a privately owned outdoor recreation facility located at 5243 Caratoke Highway with staff findings and comment compliance and that the permit would not expire. Commissioner Gilbert seconded the motion. Motion carried unanimously.

B) Public Hearing and Action: PB 13-05 Pat's Way: Request zoning an abandoned Right-of-Way (Pat's Way) to General Business (GB), located in Barco, Tax Map 60, Parcel 55D, Crawford Township.

Ben Woody, Planning and Community Development Director, reviewed the request.

Brian Innes, applicant, was present.

In 2002, Kemnay Private Access Subdivision was approved creating Pat's Way, a 45' private right-of-way). In February 2013, a recombination plat was recorded that abandoned the private right-of-way and that area became a part of Lot 4 in Kemnay. The new access for the subdivision is provided through an extension of Fyvie Drive. The new section of Fyvie Drive must be improved prior to issuance of a building permit.

Since a right-of-way is an unzoned area of land, the abandoned right-of-way must be zoned. The property owner is requesting that the unzoned, abandoned, right-of-way area be zoned General Business (GB) to make it consistent with the adjoining property. Staff supports this request.

The Planning Board recommended **approval** at their May 14, 2013 meeting.

PLANNING BOARD DISCUSSION (5-14-13)

Mr. Cooper stated that Pat's Way will only access Mr. Innes property and he will continue to use this as a driveway named Pat's Way. The Fyvie Drive new access does not affect anyone's access to their property. There are no drainage concerns with either access.

Mr. Craddock stated that Lot 2 and Lot 3 will not be accessed by Pat's Way, but by Fyvie Drive.

Ms. Glave stated she will work with Harry Lee, Currituck County GIS, to make necessary address changes.

PLANNING BOARD ACTION

Ms. Newbern moved to approve PB 13-05 as presented. Mr. Cartwright seconded the motion. Ayes: Wilson, R. Bell, C. Bell, Cooper, Cartwright, Newbern, and Clark. Nays: Craddock.

Chairman O'Neal opened the Public Hearing. There being no comment, he closed the Public Hearing.

Commissioner Gilbert moved to approve the zoning of abandoned right-of-way (Pat's Way) to General Business. Commissioner Petrey seconded the motion. Motion carried unanimously.

New Business

A) Board Appointments:

1. Appointments to Library Board of Trustees

Commissioner Petrey moved to reappoint Colleen Umphlett, Commissioner Aydlett moved to reappoint Shelly Haskell, Commissioner McCord moved to reappoint Joanne DiBello, Commissioner Gilbert moved to reappoint Lisa Rose, and Commissioner Martin moved to reappoint George Gregory. Motion carried unanimously.

Commissioner Griggs moved to continue his appointment.

Chairman O'Neal requested that future expiration terms be staggered so all did not require appointment in the same year.

2. Appointments to Game Commission

Commissioner McCord moved to appoint Louis Davis and Commissioner Martin moved to reappoint Chandler Sawyer. Motion carried unanimously.

Chairman O'Neal and Commissioner Gilbert moved to continue their appointments.

3. Appointment of a Commissioner to the Albemarle Rural Transportation Planning Organization (RPO)

Chairman O'Neal moved to appoint Commissioner Petrey. Commissioner Gilbert seconded the motion. Motion carried unanimously.

4. Appointment to Board of Adjustment

Commissioner Aydlett moved to appoint Donna McCloud. Commissioner Gilbert seconded the motion. Motion carried unanimously.

B) Consent Agenda:

1. Budget Amendments
2. Approval of June 3, 2013 Minutes
3. Approval of Airport Rules and Regulations
4. Approval of Mutual Aid Agreement with City of Chesapeake Fire Department
5. Resolution to declare items surplus from various departments
6. Project Ordinance for Replacement of the Ocean Sands Wastewater Treatment Plant - Phase I

Commissioner Gilbert moved to approve the Consent Agenda. Commissioner Petrey seconded the motion. Motion carried unanimously.

<u>Account Number</u>		<u>Account Description</u>	Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
			<u> </u>	<u> </u>
60808	587059	T T - OCEAN SANDS CONSTRUCTION	3,578,312	
60390	499900	RETAINED EARNINGS APPROPRIATED		\$ 3,578,312
			<u>\$ 3,578,312</u>	<u>\$ 3,578,312</u>

Explanation: *Ocean Sands Water and Sewer District Fund (60)* - Increase appropriations to transfer funds for Phase I of the Ocean Sands Wastewater Treatment Plant replacement.

Net Budget Effect: Ocean Sands Water and Sewer District (60) - Increased by \$3,578,312.

<u>Account Number</u>		<u>Account Description</u>	Debit	Credit
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
			<u> </u>	<u> </u>
10550	503500	Temporary Services	1,500	
10550	503000	Part time Salaries		\$ 1,500
			<u>\$ 1,500</u>	<u>\$ 1,500</u>

Explanation: *Airport (10550)* - Transfer budgeted funds for a Temporary Airport Lineman to cover a position for the remainder of this fiscal year due to an illness.

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
67878 532000	Supplies	\$ 500	
67878 533800	Chemicals	\$ 7,000	
67878 513000	Utilities		\$ 1,500
67878 561000	Professional Services	1,300	
67390 495057	T F - Moyock Central Sewer Construction		\$ 50,000
67390 495010	T F - Operating Fund		\$ 50,000
67360 470000	Utilities Charges	20,000	
67878 588000	Contingency	72,700	
57878 587067	T T - Moyock Central Sewer Operations	50,000	
57878 596100	Professional Services		\$ 50,000
10990 587067	T T - Moyock Central Sewer Operations	50,000	
10310 400012	Ad Valorem Taxes - 2012 Levy		\$ 50,000
		<u>\$ 201,500</u>	<u>\$ 201,500</u>

Explanation:

Moyock Central Sewer System Operations (67878); Moyock Central Sewer Construction (57878); Operating Fund Transfers (10990) - Transfer funds to close out a portion of the Moyock Sewer Construction Fund and transfer funds from the operating fund as needed to the Moyock Central Sewer Fund for the remainder of this fiscal year.

Net Budget Effect:

Operating Fund (10) - Increased by \$50,000.

Moyock Central Sewer Construction (57) - Increased by \$50,000.

Moyock Central Sewer Operations (67) - Increased by \$80,000.

<u>Account Number</u>	<u>Account Description</u>	Debit	Credit
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10740 545500	Mental Health Center	\$ 3,000	
10330 412000	ABC Bottle Tax		\$ 3,000

\$	3,000	\$	3,000
----	-------	----	-------

Explanation: *Mental Health (10740)* - Increase appropriations due to increase in ABC Bottle Taxes that are passed through the County to East Carolina Behavioral Health.

Net Budget Effect: Operating Fund (10) - Increased by \$3,000.

<u>Account Number</u>	<u>Account Description</u>	Debit Decrease Revenue or Increase Expense	Credit Increase Revenue or Decrease Expense
10545 561000	Medical Examiner Ad Valorem Taxes - 2012	\$ 10,000	
10310 400012	Levy		\$ 10,000
		<u>\$ 10,000</u>	<u>\$ 10,000</u>

Explanation: *Medical Examiner (10545)* - Increase appropriations for increased number of autopsies requested. Currently, the County has only received invoices through April 2013. This is an estimate of expected costs through June 30.

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

RESOLUTION

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on June 17, 2013, authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be disposed of:

- Asset 1371 17' Boat and Trailer
- Asset 2074 Mitrek Remote Control Base Station
- Asset 2075 Mitrek Remote Control Base Station
- Asset 2076 Mitrek Remote Control Base Station
- Assets 3920-3949 UHF Mobile Radios
- Asset 4210 Laptop Computer- Dec P120
- Asset 4430 Voice Stress Analyzer
- Asset 5299A-J Safariland Body Armor Vests
- Asset 5336A-E Safariland Body Armor Vests
- Asset 5384 Safariland Zero G Body Armor
- Asset 5444 2001 Honda Red ATV
- Asset 5445 2001 Honda Red ATV
- Asset 5654 Safariland Body Armor Vests

- Asset 7230 Belgium Malonois Drug Dog- Zeva
- Asset 5874 Credit Card Receipt Printer- Airport
- Asset 3354 Konica 2028 Copier
- Asset 3355 Konica Bin Sorter
- Asset 5350A-K HP Deskjet Printers
- Asset 6581 Beverage Air Solid 2 Door Freezer
- Asset 3041 High Water Signal Control Unit
- Asset 5683 8x8x6 Cedar Shed
- Asset 2912 Iron Treatment Filters
- Asset 2913 Ground Water Storage Tank
- Asset 6108 Bull Horn Alarms- Lift Station
- Asset 5375 Xerox Copier
- Asset 6119 Ice Maker
- Asset 4300 Whalehead Club Scale Model

**COUNTY OF CURRITUCK
CAPITAL PROJECT ORDINANCE**

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

SECTION 1. The project authorized is design and construction of Phase I replacement of the Wastewater Treatment Plant for the Ocean Sands Water and Sewer District.

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

Professional Services	\$ 278,312
Construction	\$ 3,000,000
Contingency	\$ 300,000
	<u>\$ 3,578,312</u>

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

Transfer from Ocean Sands Water and Sewer Operating Fund	\$ 3,578,312
	<u>\$ 3,578,312</u>

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

SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS

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

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

SECTION 6. CONTRACTUAL OBLIGATIONS

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

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

SECTION 7. USE OF BUDGET ORDINANCE

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

C) Commissioner's Report

Commissioner Aydlett reported on the Albemarle Regional Solid Waste Authority meeting held in Currituck concerning recycling. He also announced the Knotts Island Peach Festival the following weekend. He complimented and thanked the Carova Beach, Duck and Corolla Fire Departments on their very professional performance during the recent fire in Carova.

Commissioner Petrey had no report.

Commissioner Gilbert noted the good turnout at the recent Moyock Small Area Plan meeting. She also thanked the volunteers who worked at a recent Animal Lovers Assistance League event.

Commissioner McCord had no report.

Commissioner Griggs had no report.

Commissioner Martin thanked 94.5 radio and Lowe's for making it possible to replace the generators stolen from the animal shelter.

Chairman O'Neal commented on the request for more opportunities for public input regarding the budget. He noted there had been four advertised public meetings.

Regarding a recent news article about illegal signs placed in the right-of-way by non-profits, he related that enforcement of the ordinance was due to citizen complaints.

Chairman O'Neal also directed staff to provide an update on the Moyock Wastewater System and to schedule a work session to discuss expanding the county-owned Walnut Island Wastewater System.

Commissioner Petrey mentioned natural gas was being expanded to Grandy subdivisions.

D) County Manager's Report

County Manager had no report.

Adjourn

There being no further business, Commissioner Aydlett moved to adjourn. Commissioner Martin seconded the motion. The meeting was adjourned.

THIS CONTRACT AND AGREEMENT, made and entered into this 1st day of July, 2014, NUNC PRO TUNC, by and between ALBEMARLE REGIONAL HEALTH SERVICES, d/b/a INTER COUNTY PUBLIC TRANSPORTATION AUTHORITY, Party of the First Part; and CURRITUCK COUNTY, Party of the Second Part;

WITNESSETH:

THAT WHEREAS, the Rural Operating Assistance Program (ROAP) is a state funded public transportation grant program administered by the North Carolina Department of Transportation Public Transportation Division (NCDOT-PTD). ROAP includes the following programs:

- Elderly and Disabled transportation Assistance Program (EDTAP)
- Employment Transportation Assistance Program (EMPL)
- Rural General Public (RGP) Program
- Additional funds, subject to availability. May be added to supplement these programs

The purpose of this program is to provide operating assistance and transportation to rural counties served by the Party of the First Part.

THAT WHEREAS, the basic grant/funds management requirements in G.S. 159, Local Government Finance, and in the Policies Manual for Local Governments apply to ROAP funds. The cost principles of OMB Circular A-87, Cost Principles for State, Local, and Indian Tribal Governments and OMB Circular A-122, Cost Principles for Non-Profit Organizations also apply to ROAP funds. Additionally, funds must be expended according to the program guidelines in the grant application for eligible program expenses identified.

The period of performance for these funds will be July 1 to June 30. The period of performance will remain the same regardless of the date on which ROAP funds are disbursed to the county. Allowable expenses incurred from July 1 for each program are eligible for reimbursement. Any interest earned on the funds will be retained by the transportation program and must be used for transportation related expenses according to program guidelines. Following receipt of the year-end ROAP report, NCDOT will invoice the Party of the First Part to collect any ROAP funds not expended by June 30.

THAT WHEREAS, it is agreed that the Party of the Second Part shall maintain all of their grant records for a period of five (5) years or until all audit

exceptions are resolved, whichever is longer.

It is agreed that all account information shall be provided in the records of the Party of the Second Part to enable tracking of disbursements through the Grantor's accounting system.

It is mutually agreed that the parties hereto shall include the names of all parties to the terms of the contract for the Party of the First and the Party of the Second Part, including the employer tax identification number, address, contract information and the Party of the First Part/Party of the Second Party fiscal year end date.

It is mutually agreed that the contract or agreement shall be signed in due form by all parties with authority to enter into such contract.

It is mutually agreed that this contract shall have a duration from July 1 to June 30 of any year that the parties are working together to provide transportation to rural areas.

It is mutually agreed that funds paid by the Party of the First Part and the Party of the Second Part shall be such funds as are made available and the Party of the Second Part is eligible to receive.

It is mutually agreed that the Party of the Second Part shall assume all duties and responsibilities set forth in the terms and provisions of this contract and agreement, and any other terms and provisions that shall be mandated or dictated by the State of North Carolina.

It is mutually agreed that the said Party of the Second Part shall comply with all reports and reporting deadlines as shall be dictated or required by the Party of the First Part or its funding source, the State of North Carolina.

It is mutually agreed that either party shall have the right and privilege to terminate this contract and agreement by mutual consent with sixty (60) days written to the other party or as otherwise provided by law.

It is mutually agreed that this contract and agreement is contingent upon grants and the direction as to their allocation and appropriation of funds to the Party of the First Part as shall be needed or required by the said Party of the Second Part.

It is mutually agreed that in the event of the termination of this contract, any

funds not appropriately utilized by the Party of the Second Part shall be refunded to and paid to the said Party of the First Part.

It is mutually agreed that the parties contract and agree to comply with the rules and unexpected requirements outlined in North Carolina General Statutes Chapter 143c ed. seq., which shall include the oversight by the Office of the State Auditor, the provision of access to the accounting records by both the funding entity and the Office of the State Auditor, and availability of audit work papers in the possession of any auditor or any recipient of State funding.

It is mutually contracted and agreed that the terms, provisions, payments and other obligation of this contract, which are or could be assigned to a subcontracting entity, then that entity shall be obligated to the parties of this contract and that entity shall NOT be relieved of any of the duties and responsibilities of the original contract. And the sub-grantee or assignee agrees to abide by the standards contained in this contract and agreement and to provide all information to allow the grantee to comply with standards set forth in North Carolina General Statutes Chapter 143c.

It is mutually contracted and agreed that the agencies shall ensure that oversight and monitoring of grantee and subgrantees occurs to prevent the misuse of State funds. Grantees and subgrantees shall manage the day-to-day operations of grant-supported activities. Grantors shall monitor grant-supported activities to assure compliance with applicable compliance requirements and that performance goals are being achieved. Grantee monitoring shall cover each program, function or activity. An evaluation must be performed with a comparison of actual accomplishments to the measurable objectives or outcomes established for the grant.

It is mutually agreed that agencies shall:

(1) Grant Identification-At the time the grant is made, the agency must provide information to the grantee including the required contract provisions as well as the applicable compliance requirements.

(2) During the grant period, the agency shall monitor the grantee's use of State awards through reporting, site visits, regular contact, or other means to provide assurance that the grantee administers State funds in compliance with laws, rules, and the provisions of grant agreements and that performance goals are achieved.

(3) Ensure that subgrantees expending five hundred thousand dollars

(\$500,000) or more in State awards during the subgrantee's fiscal year have met the audit requirements of this Subchapter and that the required audits are completed within nine months of the end of the subgrantee's audit period; issue a management decision on audit findings within six months after receipt of the subgrantee's audit report; and ensure that the subgrantee takes timely corrective action on all audit findings.

(4) Take action using sanctions when a subgrantee has demonstrated a continued liability or unwillingness to provide required audits.

(5) Evaluate the impact of the subgrantee activities on the agency's ability to comply with applicable State rules.

(6) Evaluate the results and outcomes of the activities and accomplishments of the grantee or subgrantee to determine if results were achieved, the success of the activity, and whether the project activities should continue.

This agreement remains in effect until any agency participant provides written notification to all the other parties to this agreement of their intention to terminate this memorandum of understanding. Any written notification of termination of this memorandum of understanding must include a termination date that provides at least thirty (30) days advance notification to all parties.

IN WITNESS WHEREOF, the Party of the First Part and the Party of the Second Part, have caused this instrument to be signed in their names by the authority of their boards duly given.



ALBEMARLE REGIONAL HEALTH SERVICES

_____(SEAL)

_____ COUNTY



Right of Way Agreement

THIS RIGHT OF WAY AGREEMENT, is made and entered into this _____ day of _____, _____, by and between

COUNTY OF CURRITUCK
BARCO WAY

("GRANTOR") and VIRGINIA ELECTRIC AND POWER COMPANY, a Virginia public service corporation, doing business in North Carolina as Dominion North Carolina Power, with its principal office in Richmond, Virginia ("GRANTEE").

WITNESSETH:

1. That for and in consideration of the sum of One Dollar (\$1.00) cash in hand paid and other good and valuable consideration, the receipt and sufficiency whereof is hereby acknowledged, **GRANTOR** grants and conveys unto **GRANTEE**, its successors and assigns, the perpetual right, privilege and non-exclusive easement over, under, through, upon and across the property described herein, for the purpose of transmitting and distributing electric power by one or more circuits; for its own internal telephone and other internal communication purposes directly related to or incidental to the generation, distribution, and transmission of electricity, including the wires and facilities of any other public service company in aid of or to effectuate such internal telephone or other internal communication purposes; and for lighting purposes; including but not limited to the right:

Initials: _____

This Document Prepared by Virginia Electric and Power Company and should be returned to:
Dominion North Carolina Power, PO Box 99 Roanoke Rapids NC 27870.

(Page 1 of 5 Pages)
DNCPIDNo(s). 71-13-0023

Form No. 721043-1 (Mar 2012)
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Right of Way Agreement

1.1 to lay, construct, operate and maintain one or more lines of underground conduits and cables including, without limitation, one or more lighting supports and lighting fixtures as **GRANTEE** may from time to time determine, and all wires, conduits, cables, transformers, transformer enclosures, concrete pads, manholes, handholes, connection boxes, accessories and appurtenances desirable in connection therewith; the width of said easement shall extend TWENTY (20') feet in width across the lands of **GRANTOR**; and

2. The easement granted herein shall extend across the lands of **GRANTOR** situated in CURRITUCK COUNTY, North Carolina, as more fully described on Plat(s) Numbered 71-13-0023 , attached to and made a part of this Right of Way Agreement; the location of the boundaries of said easement being shown in broken lines on said Plat(s), reference being made thereto for a more particular description thereof.

3. All facilities constructed hereunder shall remain the property of **GRANTEE**. **GRANTEE** shall have the right to inspect, reconstruct, remove, repair, improve, relocate on the easement, and make such changes, alterations, substitutions, additions to or extensions of its facilities as **GRANTEE** may from time to time deem advisable.

4. **GRANTEE** shall have the right to keep the easement clear of all buildings, structures, trees, roots, undergrowth and other obstructions which would interfere with its exercise of the rights granted hereunder, including, without limitation, the right to trim, top, retrim, retop, cut and keep clear any trees or brush inside and outside the boundaries of the easement that may endanger the safe and proper operation of its facilities. All trees and limbs cut by **GRANTEE** shall remain the property of **GRANTOR**.

5. For the purpose of exercising the right granted herein, **GRANTEE** shall have the right of ingress to and egress from this easement over such private roads as may now or hereafter exist on the property of **GRANTOR**. The right, however, is reserved to **GRANTOR** to shift, relocate, close or abandon such private roads at any time. If there are no public or private roads reasonably convenient to the easement, **GRANTEE** shall have such right of ingress and egress over the lands of **GRANTOR** adjacent to the easement. **GRANTEE** shall exercise such rights in such manner as shall occasion the least practicable damage and inconvenience to **GRANTOR**.

Initials: _____

(Page 2 of 5 Pages)
DNCPIDNo(s). 71-13-0023

Form No. 721043-2 (Mar 2012)
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Right of Way Agreement

6. **GRANTEE** shall repair damage to roads, fences, or other improvements (a) inside the boundaries of the easement (subject, however, to **GRANTEE's** rights set forth in Paragraph 4 of this Right of Way Agreement) and (b) outside the boundaries of the easement and shall repair or pay **GRANTOR**, at **GRANTEE's** option, for other damage done to **GRANTOR's** property inside the boundaries of the easement (subject, however, to **GRANTEE's** rights set forth in Paragraph 4 of this Right of Way Agreement) and outside the boundaries of the easement caused by **GRANTEE** in the process of the construction, inspection, and maintenance of **GRANTEE's** facilities, or in the exercise of its right of ingress and egress; provided **GRANTOR** gives written notice thereof to **GRANTEE** within sixty (60) days after such damage occurs.

7. **GRANTOR**, its successors and assigns, may use the easement for any reasonable purpose not inconsistent with the rights hereby granted, provided such use does not interfere with **GRANTEE's** exercise of any of its rights hereunder. **GRANTOR** shall not have the right to construct any building, structure, or other above ground obstruction on the easement; provided, however, **GRANTOR** may construct on the easement fences, landscaping (subject, however, to **GRANTEE's** rights in Paragraph 4 of this Right of Way Agreement), paving, sidewalks, curbing, gutters, street signs, and below ground obstructions as long as said fences, landscaping, paving, sidewalks, curbing, gutters, street signs, and below ground obstructions do not interfere with **GRANTEE's** exercise of any of its rights granted hereunder. In the event such use does interfere with **GRANTEE's** exercise of any of its rights granted hereunder, **GRANTEE** may, in its reasonable discretion, relocate such of its facilities as may be practicable to a new site designated by **GRANTOR** and acceptable to **GRANTEE**. In the event any such facilities are so relocated, **GRANTOR** shall reimburse **GRANTEE** for the cost thereof and convey to **GRANTEE** an equivalent easement at the new site.

8. **GRANTEE** shall have the right to assign or transfer, without limitation, to any public service company all or any part of the perpetual right, privilege and easement granted herein.

9. If there is an Exhibit A attached hereto, then the easement granted hereby shall additionally be subject to all terms and conditions contained therein provided said Exhibit A is executed by **GRANTOR** contemporaneously herewith and is recorded with and as a part of this Right of Way Agreement.

10. Whenever the context of this Right of Way Agreement so requires, the singular number shall mean the plural and the plural the singular.

Initials: _____

(Page 3 of 5 Pages)
DNCPIDNo(s). 71-13-0023

Form No. 721043-3 (Mar 2012)
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Right of Way Agreement

11. **GRANTOR** covenants that it is seised of and has the right to convey this easement and the rights and privileges granted hereunder; that **GRANTEE** shall have quiet and peaceable possession, use and enjoyment of the aforesaid easement, rights and privileges; and that **GRANTOR** shall execute such further assurances thereof as may be reasonably required.

12. The individual executing this Right of Way Agreement on behalf of **GRANTOR** warrants that they have been duly authorized to execute this easement on behalf of said County.

IN WITNESS WHEREOF, **GRANTOR** has caused its name to be hereto by authorized officer or agent, described below, on the date first above written.

APPROVED AS TO FORM:

COUNTY OF CURRITUCK

(Name)

By:

County Attorney

Title: County Manager

(Title)

Attest:

Clerk to the Board of Commissioners

State of North Carolina

County of _____, to-wit:

I, _____, a Notary Public in and for the State of _____ at Large, do hereby certify that this day personally appeared before

me in my jurisdiction aforesaid

Daniel F. Scanlon, II, County Manager,

(Name of officer or agent)

(Title of officer or agent)

on behalf of CURRITUCK County, North Carolina, whose name is signed to the foregoing writing

dated this _____ day of June, 2013, and acknowledged the same before

me.

Given under my hand _____, 20_____.

Notary Public (Print Name)

Notary Public (Signature)

My Commission Expires: _____

(Page 4 of 5 Pages)

Currituck County Master Fee Schedule

Rate and Fee Schedule effective July 1, 2013

Dept.	Description	Cost	COMMERCIAL			
			Monthly	Annual in Advance 5% Disc	Annual w/ 3 yr term 10% Disc	3 yr term monthly
Airport	Concession Fees - Flight Lessons two or more Currituck based aircraft	\$ 75.00 annual				
Airport	Concession Fees- Flight Lessons no Currituck based aircraft	\$ 300.00 annual				
Airport	Concession Fees- Flight Lessons one Currituck based aircraft	\$ 150.00 annual				
Airport	Concession Fees- Hang Gliding	\$ 7,000.00 annual				
Airport	Hangar leases, non-commercial	\$ 2,760.00 annual, payable \$230 per month - Effective 8/1/2013				
Airport	Hangars, commercial A-5-T, A-11-T & Office space 2 combined	\$ 5,796.00 Effective 8/1/2013	\$ 483.00	\$ 5,506	\$ 5,216	\$ 435
Airport	Hangars, commercial C-2, C-3, C-4, C-5	\$ 6,555.00 Effective 8/1/2013	\$ 546.25	\$ 6,227	\$ 5,900	\$ 492
Airport	Hangars, commercial A-1-T, A-6-T & office space 1 combined	\$ 5,520.00 Effective 8/1/2013	\$ 460.00	\$ 5,244	\$ 4,968	\$ 414
Airport	Hangars, commercial B-1-C & B-2-C	\$ 5,520.00 Effective 8/1/2013	\$ 460.00	\$ 5,244	\$ 4,968	\$ 414
Airport	Hangars, commercial C-1	\$ 7,590.00 Effective 8/1/2013	\$ 632.50	\$ 7,211	\$ 6,831	\$ 569
Airport	Late Fee	\$ 15.00 Payments received after 10th of each month for each hangar and/or tie-down lease				
Airport	Tie-down leases	\$ 10.00 per month				
Communications	CD: 911 Data	\$ 25.00				
Communications	Copies, 911 transcript	\$ 1.00 per page				
Community Development	Central Permitting Fees:					
Community Development	New construction and additions	\$0.25 per sf Residential \$0.35 per sf Commercial				
Community Development	Alterations	\$0.10 per sf Residential \$0.12 per sf Commercial				
Community Development	Chimney/Woodstove	\$25 \$25				
Community Development	Decks	\$0.25 per sf Residential \$0.35 per sf Commercial				
Community Development	Dune decks and walkways	\$0.25 per sf Residential \$0.35 per sf Commercial				
Community Development	Demolition	\$25 \$75				
Community Development	Detached Buildings	\$0.15 per sf Residential \$0.15 per sf Commercial				
Community Development	Farm Building	No permit Residential \$0.35 per sf Commercial				
Community Development	Fuel Pumps	\$50 per pump				
Community Development	Gas (Propane/Natural)	\$25 \$50				
Community Development	Insulation (new)	\$50 \$100				
Community Development	Insulation (alteration)	\$25 \$50				
Community Development	Metal Carport, pre-manufactured	No fee No fee				
Community Development	Mobile Homes	\$0.10 per sf N/A				
Community Development	Modulars	\$0.10 per sf Residential \$0.12 per sf Commercial				
Community Development	P M E (New)	\$50 each \$100 per suite				
Community Development	P M E (Alterations)	\$25 each \$50 per suite				
Community Development	Roofing	\$25 \$25				
Community Development	Roofing (Shingles only)	No permit No permit				
Community Development	County, State, Federal, Non-profit	No fee No fee				
Community Development	Miscellaneous:					
Community Development	Bulkhead, Pier, Dock, Boatlift	\$50 \$50				
Community Development	CAMA Minor Permit	\$100 \$100				
Community Development	Elevator	\$0.25 per sf Residential \$0.35 per sf Commercial				
Community Development	Fire Alarm	N/A \$50				
Community Development	Hot Tub	\$25 \$100				
Community Development	Moving Permit	\$0.20 per sf Residential \$0.20 per sf Commercial				
Community Development	Retaining wall	\$50 \$50				
Community Development	Swimming Pool (above ground)	\$25 \$100				
Community Development	Swimming Pool (in ground)	\$50 \$100				
Community Development	Swimming Pool electrical	\$25 \$50				
Community Development	Signs (on premise)	N/A \$25 each				
Community Development	Signs (off premise)	N/A \$50 each				
Community Development	Temporary Office	N/A \$60				
Community Development	Tents	N/A \$50 per tent				
Community Development	Towers	\$0.12 per unit				
Community Development	Window, Door, Siding	\$25 \$25				
Community Development	Wind Turbine	\$200 each \$500 each				
Community Development	Minimum permit fee	\$25 \$25				
Community Development	Projects that do not fall within the categories above shall be figured on a cost of construction basis as follows:					
Community Development	\$1-\$5,000	\$50 \$100				
Community Development	Over \$5,000	\$10 per \$1,000 \$20 per \$1,000				
Community Development	Inspection Division Fees:					
Community Development	Re-inspection	\$50 per trip \$50 per trip				
Community Development	Working without a permit	Greater of \$25 or 25% of cost \$25 or 25% of cost				
Community Development	Private Schools/Daycare inspection	N/A \$100				
Community Development	ABC Inspections	N/A \$100				
Community Development	Planning Division Fees:					
Community Development	Minor Subdivision (Conventional)	\$25 per lot \$25 per lot				
Community Development	Private Access or Family Subdivision	\$50 per lot N/A				
Community Development	Sign Return Fee (Unlawfully placed signs)	\$25 \$25				
Community Development	Site Plan (Commercial)	N/A \$0.02 sf gross floor area; \$50 minimum				
Community Development	Zoning/Flood determination letter	\$25 \$25				
Community Development	Board of Adjustment Fees:					
Community Development	Appeal	\$150 \$150				
Community Development	Conditional Use Permit/Amended Conditional Use Permit	\$150 \$150				
Community Development	Conditional Use Permit Renewal	\$25 \$25				
Community Development	Variance	\$150 \$150				
Community Development	Literature and Materials					
Community Development	Unified Development Ordinance (UDO)	\$15.00 \$15.00				
Community Development	Amendments to UDO (Quarterly)	\$12.00 \$12.00				
Community Development	Land Use Plan	\$20.00 \$20.00				
Community Development	Official Zoning Map (Copy)	\$7.50 \$7.50				

Community Development	Planning Board Agenda (Yearly)	\$7.50	\$7.50	
Community Development	Planning Board Minutes (Yearly)	\$35.00	\$35.00	
Community Development	Board of Adjustment Agenda (Yearly)	\$7.50	\$7.50	
Community Development	Board of Adjustment Minutes (Yearly)	\$25.00	\$25.00	
Community Development	Planning Board			
Community Development	Sketch Plans:			
Community Development	Major Subdivision (Inc PUD, RMF)	\$100 per lot	\$100 per lot	
Community Development	Amended Sketch Plan, Prelim Plat, Final Plat	\$250	\$250	
Community Development	Rezoning	\$150 + \$5/acre	\$150 + \$5/acre	
Community Development	Text Amendment to UDO	\$150	\$150	
Community Development	Amend Land Use Plan	\$150	\$150	
Community Development	Special Use Permit (SUP) or Amended SUP	\$150	\$150	
Community Development	Continuance Request	\$100	\$100	
Community Development				
Community Development	Public Copies - 1 sided	\$0.10	\$	0.10
Community Development	Public Copies - 2 sided	\$0.15	\$	0.15
Community Development	Public Copies color up the 8.5" X 14"	\$0.25	\$	0.25
Community Development	Notary Fees			
Community Development	Official County business	No charge	No charge	
Community Development	Other	\$5 per document	\$5 per document	
Community Development	Returned check/credit card/left fee	\$25		
Community Development	Note: Preliminary, amended preliminary, final and amended final plats will be assessed at \$33 per lot fee if the sketch plan was approved prior to March 3, 2003.			
Community Development				
Elections	Copies, color double sided	\$	0.45	
Elections	Copies, color single sided	\$	0.25	
Elections	Copies, standard letter or legal, per copy	\$	0.10	
Elections	Diskette	\$	10.00	
Elections	Labels, per label	\$	0.01	Minimum \$.30
Elections	Print-out, per page	\$	0.05	Minimum \$.25
EMS	Public Copies - 1 sided	\$	0.10	
EMS	Public Copies - 2 sided	\$	0.15	
EMS	Public Copies color up the 8.5" X 14"	\$	0.25	per side
EMS	Notary Fees			
EMS	Official County business	\$	-	no charge
EMS	Other	\$	5.00	per document
EMS	Returned check/credit card/left fee	\$	25.00	
EMS	Stand-by events	\$	50.00	hour
Extension	Facility rental fees			
Extension	Auditorium	\$	500.00	per day
Extension	Auditorium set up fee	\$	100.00	per event
Extension	Conference Room	\$	100.00	per day/per room
Extension	Classrooms	\$	50.00	per day/per room
Extension	Custodian	\$	20.00	per hour - nights/weekends/holidays
Extension	Public Copies - 1 sided	\$	0.10	
Extension	Public Copies - 2 sided	\$	0.15	
Extension	Public Copies color up the 8.5" X 14"	\$	0.25	per side
Extension	Notary Fees			
Extension	Official County business	\$	-	
Extension	Other	\$	5.00	per document
Extension	Returned check/credit card/left fee	\$	25.00	
ITS	CD1: GIS data CD	\$	50.00	
ITS	CD2: 2003 Color Aerial Photography	\$	100.00	
ITS	Copies, GIS Data, Laser 11 x 17 black and white	\$	1.00	
ITS	Copies, GIS Data, Laser 11 x 17 color	\$	2.00	
ITS	Copies, GIS Data, Laser 8 1/2 x 11 black and white	\$	0.50	
ITS	Copies, GIS Data, Laser 8 1/2 x 11 color	\$	1.00	
ITS	Copies, GIS Data, Laser 8 1/2 x 14 black and white	\$	0.75	
ITS	Copies, GIS Data, Laser 8 1/2 x 14 color	\$	1.50	
ITS	Copies, GIS Data, Plotter 20 x 24 up to 28 x 36	\$	5.00	
ITS	Copies, GIS Data, Plotter Greater than 28 x 36 to 36 x 42	\$	8.00	
ITS	Copies, GIS Data, Plotter Greater than 36 x 42	\$	10.00	
ITS	Copies, GIS Data, Plotter less than 20 x 24	\$	3.00	
ITS	M1: Unofficial Zoning Map	\$	10.00	
ITS	MrSid Compressed Digital Orthophotos, 1995, black & white	\$	50.00	
ITS	Street Naming/Name Changing (payable to U.S. Sign Co.)	\$	75.00	plus variable (Exception: Subdivisions created prior to 4/2/89 & sign never installed)
Library	Books, Fines for Overdues	\$	0.10	per day
Library	Copies, standard letter or legal, per copy	\$	0.10	
Library	Fax - Incoming	\$	1.00	
Library	Fax - Outgoing	\$	2.50	plus \$1.00 each additional page
Mainland Water	3" Riser		Actual cost + 20%	
Mainland Water	6" Riser		Actual cost + 20%	
Mainland Water	Backhoe per hour	\$	75.00	
Mainland Water	Bacteriological tests	\$	50.00	
Mainland Water	Check Valve		Actual cost + 20%	
Mainland Water	Chloride tests	\$	15.00	
Mainland Water	Ditch Witch per hour	\$	75.00	
Mainland Water	ERT for Radio Read meter		Actual cost + 20%	
Mainland Water	Excavator per hour	\$	75.00	
Mainland Water	Fire hydrant meter	\$	1,000.00	
Mainland Water	Fire hydrant meter setup fee	\$	50.00	
Mainland Water	High-risk deposit (owner or renter)	\$	200.00	or three months' billing of previous usage, whichever is greater
Mainland Water	Impact Fees 1 inch	\$	5,500.00	
Mainland Water	Impact Fees 2 inch	\$	6,000.00	
Mainland Water	Impact Fees 3 inch	\$	6,500.00	
Mainland Water	Impact Fees 3/4 inch	\$	5,000.00	

Mainland Water	Impact Fees 4 inch	\$	7,000.00	
Mainland Water	Impact Fees 6 inch	\$	7,500.00	
Mainland Water	Impact Fees 6 inch Fire Service	\$	6,000.00	
Mainland Water	Impact Fees for Centers of Worship	\$	3,000.00	
Mainland Water	Labor per man hour	\$	35.00	
Mainland Water	Lid only		Actual cost + 20%	
Mainland Water	Lock		Actual cost + 20%	
Mainland Water	Meter		Actual cost + 20%	
Mainland Water	Meter accessibility charge	\$	35.00	
Mainland Water	Meter Box		Actual cost + 20%	
Mainland Water	Meter tampering fee	\$	75.00	
Mainland Water	Meter testing fee	\$	50.00	If meter accurate
Mainland Water	Meter testing fee		No Charge	If more than 2.5% inaccurate
Mainland Water	Open/reopen/transfer account	\$	25.00	
Mainland Water	Pipe pressure/leakage retest	\$	150.00	
Mainland Water	Pipe pressure/leakage test	\$	100.00	
Mainland Water	Reconnection fee (after cutoff for nonpayment)	\$	50.00	8AM - 5PM
Mainland Water	Renter deposit	\$	150.00	
Mainland Water	Reread meter - our reading correct	\$	25.00	
Mainland Water	Reread meter - our reading incorrect		No Charge	
Mainland Water	Retro		Actual cost + 20%	
Mainland Water	Returned check fee	\$	25.00	
Mainland Water	Road Bore		Actual cost + 20%	
Mainland Water	Special request meter reading	\$	25.00	
Mainland Water	Turn on/off fee, per occurrence	\$	25.00	Normal working hours
Mainland Water	Turn on/off fee, per occurrence	\$	50.00	After normal working hours
Mainland Water	Union half with nut		Actual cost + 20%	
Mainland Water	Water Charge Fire Service (sprinkler systems)		Same as commercial	
Mainland Water	Water Charge Local Government/Board of Education		Same as commercial	
Mainland Water	Water Charge Commercial base 0-2000 gallons	\$	20.00	month
Mainland Water	Water Charge Residential base 0-2000 gallons	\$	20.00	month
Mainland Water	Water Charge up to 5000 gallons, commercial	\$	4.50	per 1000 gal./effective 7/1/2011
Mainland Water	Water Charge up to 5000 gallons, residential	\$	4.50	per 1000 gal./effective 7/1/2011
Mainland Water	Water Charge up to 10,000 gallons, commercial	\$	5.50	per 1000 gal./effective 7/1/2011
Mainland Water	Water Charge up to 10,000 gallons, residential	\$	5.50	per 1000 gal./effective 7/1/2011
Mainland Water	Water Charge up to 15,000 gallons, commercial	\$	6.50	per 1000 gal./effective 7/1/2011
Mainland Water	Water Charge up to 15,000 gallons, residential	\$	6.50	per 1000 gal./effective 7/1/2011
Mainland Water	Water Charge up to 20,000 gallons, commercial	\$	7.50	per 1000 gal./effective 7/1/2011
Mainland Water	Water Charge up to 20,000 gallons, residential	\$	7.50	per 1000 gal./effective 7/1/2011
Mainland Water	Water Charge all over 20,000 gallons, commercial	\$	8.50	per 1000 gal./effective 7/1/2011
Mainland Water	Water Charge all over 20,000 gallons, residential	\$	8.50	per 1000 gal./effective 7/1/2011
Mainland Water	Yoke		Actual cost + 20%	
Mainland Water	Yoke valve with meter nut		Actual cost + 20%	
Maple Commerce Park Sewer	Tap Fee		\$7.700	per EDU (250 gpd)
Maple Commerce Park Sewer	Sewer Utility Charge	1.5x Water Usage Charge	\$30	minimum base rate
Moyock Central Sewer	Tap Fee		\$5,500	per EDU (250 gpd)
Moyock Central Sewer	Sewer Utility Charge	1.5x Water Usage Charge	\$30	minimum base rate
Moyock Commons Sewer	Tap Fee		N/A	
Moyock Commons Sewer	Sewer Utility Charge	3x Water Usage Charge	Minimum \$80/Month	
Newtown Rd Sewer	Damaged parts (not normal wear and tear)		Actual cost + 20%	
Newtown Rd Sewer	Equipment accessibility charge	\$	35.00	
Newtown Rd Sewer	Equipment tampering fee	\$	75.00	
Newtown Rd Sewer	High-risk deposit (owner or renter)	\$	200.00	
Newtown Rd Sewer	Labor per man hour	\$	35.00	
Newtown Rd Sewer	Open/reopen/transfer account	\$	25.00	
Newtown Rd Sewer	Reconnection fee (after cutoff for non-payment)	\$	50.00	8AM - 5PM
Newtown Rd Sewer	Renter deposit	\$	150.00	
Newtown Rd Sewer	Returned check fee	\$	25.00	
Newtown Rd Sewer	Sewer Charges, per commercial unit	\$	40.00	minimum/200% of water
Newtown Rd Sewer	Sewer Charges, per residential dwelling unit, per month	1x Water Usage Charge	\$20	minimum base rate
Newtown Rd Sewer	Turn on/off fee, per occurrence	\$	25.00	Normal working hours
Newtown Rd Sewer	Turn on/off fee, per occurrence	\$	50.00	After normal working hours
Newtown Rd Sewer	Tap-on Fee	\$	500.00	
Planning/Inspections/Comm De	Copies, standard letter or legal, per copy	\$	0.10	1 sided
Planning/Inspections/Comm De	Copies, standard letter or legal, per copy	\$	0.15	2 sided
Parks & Rec	Knotts Island	\$	200.00	per day
Parks & Rec	Maple Park	\$	300.00	per day
Parks & Rec	Maple Skate Park	\$	200.00	per day
Parks & Rec	Sound Park	\$	500.00	per day
Parks & Rec	Veteran's Memorial Park	\$	200.00	per day
Parks & Rec	Walnut Island Park	\$	200.00	per day
Parks & Rec	Adult Softball (men and women)	\$	200.00	per team
Parks & Rec	Youth Cheerleading	\$	20.00	per child - Maximum of \$40.00 per family
Parks & Rec	Youth Flag Football	\$	20.00	per child - Maximum of \$40.00 per family
Parks & Rec	Youth Soccer (Fall and Spring)	\$	20.00	per child - Maximum of \$40.00 per family
Parks & Rec	Youth Tackle Football	\$	25.00	per child - No Maximum Fee
Parks & Rec	Youth T-Ball/Baseball/Softball	\$	25.00	per child - \$35.00 (2 children) Maximum of \$50.00 for a family of 3 or more
Parks & Rec	Youth/Junior Basketball	\$	20.00	per child - Maximum of \$40.00 per family
Parks & Rec	Community Leagues			
Parks & Rec	Concessions		Cost + 100% to 300%	
Parks & Rec	Field Fees - Soccer, Baseball/Softball, Tennis Courts	\$	25.00	1/2 day - does not include staff, security or clean-up charges
Parks & Rec	Field Fees - Soccer, Baseball/Softball, Tennis Courts	\$	50.00	daily - does not include staff, security or clean-up charges
Parks & Rec	Field Set-up Fees - Baseball/Softball	\$	20.00	per field - does not include staff, security or clean-up charges
Parks & Rec	Field Set-up Fees - Soccer	\$	25.00	per field - does not include staff, security or clean-up charges
Parks & Rec	Park Picnic Shelter	\$	25.00	per 1/2 day/\$50 daily

Parks & Rec	Parks			
Parks & Rec	Staff for Events (if required) - Park Attendant	\$	10.00	per hour/per attendant
Parks & Rec	Staff for Events (if required) - Park Superintendent	\$	15.00	per hour
Parks & Rec	Staff for Events (if required) - Recreation Director	\$	25.00	per hour
Parks & Rec	Staff for Events (if required) - Recreation Specialist	\$	15.00	per hour
Ocean Sands	Sewer rate	\$7.95 base + 1.5x Water		Rate increase effective with billings on or after January 1, 2014
Ocean Sands	Sewer Tap Fee	\$	450.00	
Ocean Sands	Sewer Impact Fee	\$	2,000.00	
Solid Waste	Tipping Fees per ton for all solid waste that originates outside the County	\$	81.00	per ton
Solid Waste	Tipping Fees per ton for mixed solid waste MSW	\$	71.00	per ton
Register of Deeds	Birth or Death Amendments (preparation)	\$	10.00	
Register of Deeds	Birth or Death Amendments, NC Vital Records	\$	15.00	payable to N.C. Vital Records Section
Register of Deeds	Birth or Death Legitimations County	\$	10.00	
Register of Deeds	Birth or Death Legitimations State (via check)	\$	10.00	
Register of Deeds	Birth or Death Record, Certified Copy	\$	10.00	
Register of Deeds	Birth, Delayed Birth Applications	\$	20.00	
Register of Deeds	Copies, Certified 1st page	\$	5.00	plus \$2.00 each additional page
Register of Deeds	Copies, Uncertified	\$	0.25	
Register of Deeds	Copies, Uncertified Plats (11"x17")-per page VIA Mail	\$	2.00	
Register of Deeds	Copies, Uncertified Plats (18"x24")-per page	\$	2.00	
Register of Deeds	Copies, Uncertified Plats (18"x24")-per page VIA Mail	\$	3.00	
Register of Deeds	Copies, Uncertified VIA Mail	\$	1.00	
Register of Deeds	Deeds of Trust and Mortgages 1st page	\$	28.00	
Register of Deeds	Deeds of Trust and Mortgages 2nd page and all additional pages	\$	5.00	
Register of Deeds	Deeds of Trust and Mortgages Additional (multi-instrument)	\$	10.00	
Register of Deeds	Deeds of Trust and Mortgages Probate	\$	2.00	
Register of Deeds	Deeds of Trust and Mortgages Satisfaction/Cancellation	\$	Free	
Register of Deeds	Highway Maps 1st page	\$	21.00	
Register of Deeds	Highway Maps Additional Page(s)	\$	5.00	
Register of Deeds	Highway Maps Certified Copy (per 1st page)	\$	5.00	
Register of Deeds	Instrument, General 1st page	\$	12.00	
Register of Deeds	Instrument, General 2nd page and all additional pages	\$	3.00	
Register of Deeds	Instrument, General Additional (multi-instrument)	\$	10.00	
Register of Deeds	Instrument, General Probate	\$	2.00	
Register of Deeds	Marriage License	\$	60.00	
Register of Deeds	Marriage License Certified Copy	\$	10.00	
Register of Deeds	Marriage License Corrections	\$	10.00	
Register of Deeds	Notary Oath	\$	10.00	
Register of Deeds	Notary Verification of Commission	\$	3.00	
Register of Deeds	Plats 1st page (GS 161-10)	\$	21.00	
Register of Deeds	Plats Additional Page(s)	\$	21.00	
Register of Deeds	Plats Certified Copy (per 1st page)	\$	5.00	
Register of Deeds	Uniform Commercial Code Fixture Filing Only 1-2 pages	\$	38.00	
Register of Deeds	Uniform Commercial Code Fixture Filing Only 3-10 pages	\$	45.00	
Register of Deeds	Uniform Commercial Code Fixture Filing Only over 10 pages	\$	45.00	plus \$2.00 each additional page over 10
Rural Center	Facility rental fees			
Rural Center	Complete facility rental fee	\$	500.00	per day.
Rural Center	Picnic Shelter- half day rental	\$	25.00	per day/per room (up to 4 hours)
Rural Center	Picnic Shelter- full day rental	\$	50.00	per day/per room (up to 8 hours)
Rural Center				Minimum fee \$25.00
Rural Center	Indoor Arena:	\$	175.00	per weekend day
Rural Center		\$	125.00	per week day
Rural Center	Hourly rental of indoor arena	\$	25.00	per hour
Rural Center	Outdoor Arena:	\$	125.00	per weekend day
Rural Center		\$	100.00	per week day
Rural Center	Hourly rental of outdoor arena	\$	25.00	per hour
Rural Center	Park Attendant	\$	20.00	per hour - nights/weekends/holidays
Rural Center	Stall Rental:			
Rural Center	Overnight, no event	\$	35.00	per nights
Rural Center	With event	\$	15.00	day stall
Rural Center		\$	25.00	2 day show
Rural Center		\$	30.00	3 day show
Rural Center	Shavings must be used with any stall rental. No one can stall a horse without shavings.			
Rural Center	Shavings	\$	6.75	per bag
Rural Center	RV/Camper Hook-up	\$	15.00	per night
Rural Center	(not yet available)	\$	10.00	per horse for portable turn-out (portable stall or paddock must be approved by Park attendant)
Rural Center	Vendor Hook-up	\$	25.00	per day
Rural Center	Technology fee	\$	50.00	includes wifi, phone, copier, fax access
Rural Center	Notary Fees			
Rural Center	Official County business		No charge	
Rural Center	Other		\$5 per document	
Rural Center	Returned check/credit card/left fee		\$25	
Soil Conservation	Soil surveys/publications		Free	
S Outer Banks Water	3" Riser		Actual cost + 20%	
S Outer Banks Water	6" Riser		Actual cost + 20%	
S Outer Banks Water	Backhoe per hour	VOH	\$	75.00
S Outer Banks Water	Backhoe per hour	OS ABC	\$	75.00
S Outer Banks Water	Backhoe per hour	OS D-Y	\$	75.00
S Outer Banks Water	Bacteriological tests		\$	50.00
S Outer Banks Water	Check Valve		Actual cost + 20%	
S Outer Banks Water	Chloride tests		\$	15.00
S Outer Banks Water	Ditch Witch per hour	VOH	\$	75.00
S Outer Banks Water	Ditch Witch per hour	OS ABC	\$	75.00
S Outer Banks Water	Ditch Witch per hour	OS D-Y	\$	75.00

The promoter will have exclusive rights to the grounds.

S Outer Banks Water	ERT for Radio Read meter		Actual cost + 20%	
S Outer Banks Water	Fire hydrant meter	VOH	\$	1,000.00
S Outer Banks Water	Fire hydrant meter	OS ABC	\$	1,000.00
S Outer Banks Water	Fire hydrant meter	OS D-Y	\$	1,000.00
S Outer Banks Water	Fire hydrant meter setup fee	VOH	\$	50.00
S Outer Banks Water	Fire hydrant meter setup fee	OS ABC	\$	50.00
S Outer Banks Water	Fire hydrant meter setup fee	OS D-Y	\$	50.00
S Outer Banks Water	High risk deposit (owner or renter)	VOH	\$	200.00
S Outer Banks Water	High risk deposit (owner or renter)	OS ABC	\$	200.00
S Outer Banks Water	High risk deposit (owner or renter)	OS D-Y	\$	200.00
S Outer Banks Water	Impact Fee 1 inch for Centers of Worship	OS ABC	\$	3,000.00
S Outer Banks Water	Impact Fee 1" Meter	OS ABC	\$	6,500.00
S Outer Banks Water	Impact Fee 2 inch	OS ABC	\$	7,000.00
S Outer Banks Water	Impact Fee 3 inch	OS ABC	\$	7,500.00
S Outer Banks Water	Impact Fee 3/4" Meter	OS ABC	\$	6,000.00
S Outer Banks Water	Impact Fee 4 inch	OS ABC	\$	8,000.00
S Outer Banks Water	Impact Fee 6 inch	OS ABC	\$	8,500.00
S Outer Banks Water	Impact Fee 6 inch Fire Services	OS ABC	\$	6,000.00
S Outer Banks Water	Impact Fee standard 3/4" meter, commercial	VOH	\$	1,000.00
S Outer Banks Water	Impact Fee standard 3/4" meter, hotels/motels per two rooms	VOH	\$	1,000.00
S Outer Banks Water	Impact Fee standard 3/4" meter, laundry	VOH	\$	1,000.00
S Outer Banks Water	Impact Fee standard 3/4" meter, multifamily	VOH	\$	1,000.00
S Outer Banks Water	Impact Fee standard 3/4" meter, restaurants	VOH	\$	1,000.00
S Outer Banks Water	Impact Fee standard 3/4" meter, sewer	VOH	\$	700.00
S Outer Banks Water	Impact Fee standard 3/4" meter, single family residential	VOH	\$	1,000.00
S Outer Banks Water	Labor per man hour	VOH	\$	35.00
S Outer Banks Water	Labor per man hour	OS ABC	\$	35.00
S Outer Banks Water	Labor per man hour	OS D-Y	\$	35.00
S Outer Banks Water	Lid only		Actual cost + 20%	
S Outer Banks Water	Lock		Actual cost + 20%	
S Outer Banks Water	Meter		Actual cost + 20%	
S Outer Banks Water	Meter accessibility charge	VOH	\$	35.00
S Outer Banks Water	Meter accessibility charge	OS ABC	\$	35.00
S Outer Banks Water	Meter accessibility charge	OS D-Y	\$	35.00
S Outer Banks Water	Meter Box		Actual cost + 20%	
S Outer Banks Water	Meter tampering fee	VOH	\$	75.00
S Outer Banks Water	Meter tampering fee	OS ABC	\$	75.00
S Outer Banks Water	Meter tampering fee	OS D-Y	\$	75.00
S Outer Banks Water	Meter testing fee	VOH	\$	50.00
S Outer Banks Water	Meter testing fee	OS ABC	\$	50.00
S Outer Banks Water	Meter testing fee	OS D-Y	\$	50.00
S Outer Banks Water	Meter testing fee	VOH		No Charge
S Outer Banks Water	Meter testing fee	OS ABC		No Charge
S Outer Banks Water	Meter testing fee	OS D-Y		No Charge
S Outer Banks Water	Open/reopen/transfer account	VOH	\$	25.00
S Outer Banks Water	Open/reopen/transfer account	OS ABC	\$	25.00
S Outer Banks Water	Open/reopen/transfer account	OS D-Y	\$	25.00
S Outer Banks Water	Pipe pressure/leakage retest	VOH	\$	150.00
S Outer Banks Water	Pipe pressure/leakage retest	OS ABC	\$	150.00
S Outer Banks Water	Pipe pressure/leakage test	VOH	\$	100.00
S Outer Banks Water	Pipe pressure/leakage test	OS ABC	\$	100.00
S Outer Banks Water	Pipe pressure/leakage test	OS D-Y	\$	100.00
S Outer Banks Water	Reconnection fee (after cutoff for nonpayment)	VOH	\$	50.00
S Outer Banks Water	Reconnection fee (after cutoff for nonpayment)	OS ABC	\$	50.00
S Outer Banks Water	Reconnection fee (after cutoff for nonpayment)	OS D-Y	\$	50.00
S Outer Banks Water	Renter deposit	VOH	\$	150.00
S Outer Banks Water	Renter deposit	OS ABC	\$	150.00
S Outer Banks Water	Renter deposit	OS D-Y	\$	150.00
S Outer Banks Water	Reread meter - our reading correct	VOH	\$	25.00
S Outer Banks Water	Reread meter - our reading correct	OS ABC	\$	25.00
S Outer Banks Water	Reread meter - our reading correct	OS D-Y	\$	25.00
S Outer Banks Water	Reread meter - our reading incorrect	VOH		No Charge
S Outer Banks Water	Reread meter - our reading incorrect	OS ABC		No Charge
S Outer Banks Water	Reread meter - our reading incorrect	OS D-Y		No Charge
S Outer Banks Water	Retro		Actual cost + 20%	
S Outer Banks Water	Returned check fee	VOH	\$	25.00
S Outer Banks Water	Returned check fee	OS ABC	\$	25.00
S Outer Banks Water	Returned check fee	OS D-Y	\$	25.00
S Outer Banks Water	Road Bore		\$10 per foot	
S Outer Banks Water	Sewer Charges: Equal to 53% of total water charge	OS D-Y	\$	7.95
S Outer Banks Water	Special request meter reading	VOH	\$	25.00
S Outer Banks Water	Special request meter reading	OS ABC	\$	25.00
S Outer Banks Water	Special request meter reading	OS D-Y	\$	25.00
S Outer Banks Water	Tap-on Fee: \$450.00 plus Impact Fee: 2000.00	OS D-Y	\$	2,450.00
S Outer Banks Water	Turn on/off fee, per occurrence	VOH	\$	25.00
S Outer Banks Water	Turn on/off fee, per occurrence	OS ABC	\$	25.00
S Outer Banks Water	Turn on/off fee, per occurrence	OS D-Y	\$	25.00
S Outer Banks Water	Turn on/off fee, per occurrence	VOH	\$	50.00
S Outer Banks Water	Turn on/off fee, per occurrence	OS ABC	\$	50.00
S Outer Banks Water	Turn on/off fee, per occurrence	OS D-Y	\$	50.00
S Outer Banks Water	Union half with nut		Actual cost + 20%	
S Outer Banks Water	Water Charge Base Rate	VOH	\$	15.00
S Outer Banks Water	Water Charge Base Rate	OS ABC	\$	15.00
S Outer Banks Water	Water Charge Base Rate	OS D-Y	\$	15.00
S Outer Banks Water	Water Charge Consumption over 20,000 gallons	VOH	\$	8.50

S Outer Banks Water	Water Charge Consumption over 20,000 gallons	OS ABC	\$	8.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption over 20,000 gallons	OS D-Y	\$	8.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 10,000 gallons	VOH	\$	5.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 10,000 gallons	OS ABC	\$	5.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 10,000 gallons	OS D-Y	\$	5.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 15,000 gallons	VOH	\$	6.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 15,000 gallons	OS ABC	\$	6.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 15,000 gallons	OS D-Y	\$	6.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 2,500 gallons	VOH	\$	3.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 2,500 gallons	OS ABC	\$	3.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 2,500 gallons	OS D-Y	\$	3.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 20,000 gallons	VOH	\$	7.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 20,000 gallons	OS ABC	\$	7.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 20,000 gallons	OS D-Y	\$	7.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 5,000 gallons	VOH	\$	4.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 5,000 gallons	OS ABC	\$	4.50	per 1000 gal.
S Outer Banks Water	Water Charge Consumption up to 5,000 gallons	OS D-Y	\$	4.50	per 1000 gal.
S Outer Banks Water	Yoke			Actual cost + 20%	
S Outer Banks Water	Yoke valve with meter nut			Actual cost + 20%	
S Outer Banks Water	Pipe pressure/leakage retest	OS D-Y	\$	150.00	
Sr. Center	Deposit, Rental of Senior Center Space (Refundable)		\$	100.00	
Sr. Center	Powells Point Bldg- Deposit		\$	100.00	per event
Sr. Center	Powells Point Bldg- Rent		\$	100.00	per event
Sr. Center	Kitchen not used		\$	100.00	
Sr. Center	Kitchen use		\$	125.00	
Sr. Center	Public Copies - 1 sided		\$	0.10	
Sr. Center	Public Copies - 2 sided		\$	0.15	
Sr. Center	Public Copies color up the 8.5" X 14"		\$	0.25	
Sr. Center	Notary Fees		\$	-	
Sr. Center	Official County business		\$	-	
Sr. Center	Other		\$	5.00	per document
Sr. Center	Returned check/credit card/feet fee		\$	25.00	
Tourism	Retail Sales		\$	Cost + 100% to 400%	
Walnut Island Sewer	Tap Fee		\$	4,500.00	
Walnut Island Sewer	Sewer rates equal 150% water rate	\$30 base + 2x Water Usage Charge			
Walnut Island Sewer	Renter deposit		\$	150.00	
Walnut Island Sewer	Renter deposit (High Risk)		\$	200.00	3 months past usage with \$200 min
Walnut Island Sewer	Open/reopen/transfer account		\$	25.00	
Walnut Island Sewer	Reconnection fee		\$	50.00	
Walnut Island Sewer	Meter tampering fee		\$	75.00	
Walnut Island Sewer	Pipe pressure/leakage test (initial)		\$	30.00	
Walnut Island Sewer	Pipe pressure/leakage retest		\$	60.00	
Other	Notary Fees			Free	Official County Business
Other	Notary Fees			\$5.00	Other than County Business
Other	Returned Check Fee			\$25.00	

NOTES:

Moyock Commons	Sewer Charges are equal to three (3) times the water charge for the billing period. Minimum sewer charge is \$80.00 per month.
Moyock Commons	There are no additional fees associated with the Moyock Commons Sewer District; however, as all District customers are connected to the Currituck County Mainland Water System, all charges and fees for water service will apply
Mainland Water	Water Charge: Commercial master meter accts charged at above rates per unit served. Hotels and motels: Four rooms equal one commercial master meter billing unit.
Mainland Water	Impact Fees: All installation costs for labor, materials and equipment shall be paid by the owner/developer/purchaser.
Mainland Water	Subdivisions with active sketch plan approval prior to July 1, 2007 included on attached list will be assessed impact fees at the rate in effect on June 30, 2007 until June 30, 2009. Beginning
Newtown Road Sewer	Commercial sewer: 200% of water charge, \$40.00 minimum.
Inspections	Movable agricultural buildings occupied for farm purposes shall be exempt from fees prescribed above.
Inspections	*Alterations include work within existing structures and upgrading existing service do not include additions, new construction, providing power to structures not previously having power, or new service to existing buildings.
Planning	Preliminary, amended preliminary, final, and amended final plats will be assessed a \$33.00 per lot fee if the sketch plan was approved prior to March 3, 2003.
S Outer Banks Water	VOH Total water charge based on rate block for total consumption. Ex: If 25,000 gallons used, cost is \$8.50/1000 for all gallons used.
S Outer Banks Water	OS ABC Total water charge based on rate block for total consumption. Ex: If 25,000 gallons used, cost is \$8.50/1000 for all gallons used.
S Outer Banks Water	OS D-Y Total water charge based on rate block for total consumption. Ex: If 25,000 gallons used, cost is \$8.50/1000 for all gallons used.
S Outer Banks Water	VOH Commercial master meter accounts charged at the above rates per unit served. Hotels and motels: Four rooms equal one commercial master meter billing unit.
S Outer Banks Water	OS ABC Commercial master meter accounts charged at the above rates per unit served. Hotels and motels: Four rooms equal one commercial master meter billing unit.
S Outer Banks Water	OS D-Y Commercial master meter accounts charged at the above rates per unit served. Hotels and motels: Four rooms equal one commercial master meter billing unit.

Revised July 1, 2013

S. Paul O'Neal, Chairman

Attest:

Mary S. Gilbert, Clerk to the Board



Currituck County

153 Courthouse Road, Suite 302
Currituck, North Carolina 27929
252-232-6034

FAX 252-232-3298

Michelle.Perry@CurrituckCountyNC.gov

MEMORANDUM

Date: June 24, 2013

To: Board of Commissioners
Dan Scanlon

From: Michelle Perry
Eric Weatherly

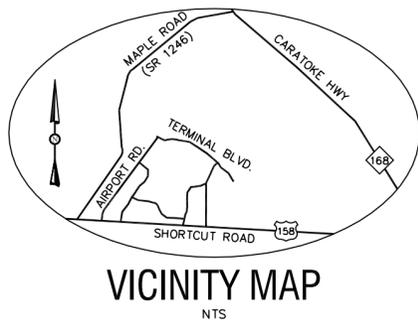
RE: Currituck Community Park Roads
Abandonment of a portion of Airport Road & Addition of College Way, Maple Parkway,
Aviation Parkway, and a portion of Terminal Road to the NCDOT Maintenance System

We are requesting to abandon a portion of Airport Road and add the following Currituck Community Park roads to the NCDOT maintenance system: College Way, Maple Parkway, Aviation Parkway, and a portion of Terminal Road. Barco Way, which is under construction at this time, will be brought forward for addition to the NCDOT maintenance system at a later date.

The County received a NCDOT grant for a portion of the construction costs of Maple Parkway and College Way in the amount of \$750,000. As a requirement of the grant, the County must petition NCDOT to accept these roads into their maintenance system (see attached Road Addition exhibit).

The Connector Taxiway project (connection of the COA Apron to the runway) will warrant the abandonment of a portion of Airport Road from Highway 158 to the Animal Shelter (see attached Airport Road abandonment exhibit). County staff recommends leaving the portion of Airport Road from the Animal Shelter to the Airport Terminal building on the NCDOT maintenance system until the planned Southern Parallel Taxiway is constructed, at which time all of Airport Road will be abandoned. In order to leave this portion of Airport Road, we must have a NCDOT maintained connection to Highway 158 – it is recommended that we also petition Aviation Parkway and a portion of Terminal Road to be added to the NCDOT maintenance system in order to make this connection from Airport Road to Highway 158 (see attached Road Addition exhibit).

We are requesting the Board of Commissioners' approval of the petition to abandon a portion of Airport Road and add College Way, Maple Parkway, Aviation Parkway, and a portion of Terminal Road to the NCDOT maintenance system.



PRELIMINARY
DO NOT USE FOR CONSTRUCTION,
SALES, OR RECORDATION.

EXHIBIT FOR
PETITION FOR
ROAD ADDITION

CURRITUCK
COMMUNITY
PARK & MAPLE
COMMERCE
PARK

CRAWFORD TOWNSHIP
CURRITUCK COUNTY
NORTH CAROLINA

KEY PLAN:

Project #: 130176
Drawing #: EXHIBIT FOR PETITION
Drawn: KDH
Checked: KDH
Approved: SCR
Date: 6/21/13
Sheet #: 1/1
Scale: 1:400

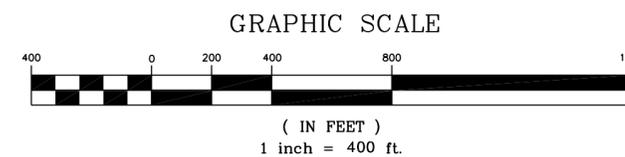
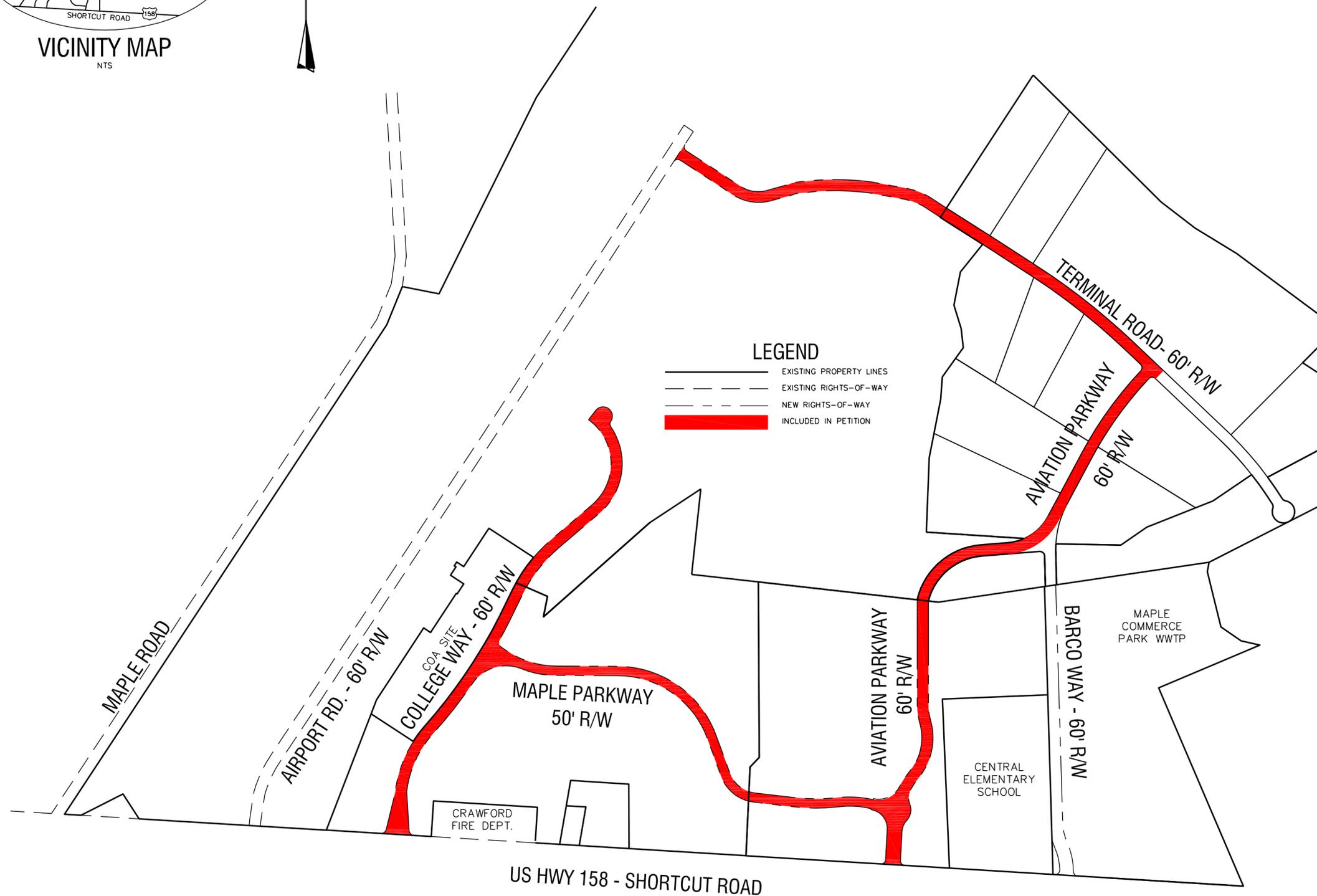
REVISIONS:	NUM.	DATE	DESCRIPTION

SHEET TITLE:

EXHIBIT

SHEET NUMBER:

C100



**North Carolina Department of Transportation
Division of Highways
Petition for Road Addition**

ROADWAY INFORMATION: (Please Print/Type)

County: Currituck Road Name: College Way
(Please list additional street names and lengths on the back of this form.)

Subdivision Name: Currituck Community Park & Maple Commerce Park Length (miles): 0.5

Number of occupied homes having street frontage: 0 Located (miles): 0.35

miles N S E W of the intersection of Route 1246 and Route 158.
(Check one) (SR, NC, US) (SR, NC, US)

We, the undersigned, being property owners and/or developers of Currituck Community Park and Maple Commerce Park in Currituck County, do hereby request the Division of Highways to add the above described road.

CONTACT PERSON: Name and Address of First Petitioner. (Please Print/Type)

Name: Eric T. Weatherly, PE, County Engineer Phone Number: 252-232-6035

Street Address: 153 Courthouse Road, Suite 302, Currituck, NC 27929

Mailing Address: 153 Courthouse Road, Suite 302, Currituck, NC 27929

PROPERTY OWNERS

<u>Name</u>	<u>Mailing Address</u>	<u>Telephone</u>
<u>Currituck County</u>	<u>153 Courthouse Rd., Suite 204, Currituck, NC 27929</u>	<u>252-232-2075</u>

INSTRUCTIONS FOR COMPLETING PETITION:

1. Complete Information Section
2. Identify Contact Person (This person serves as spokesperson for petitioner(s)).
3. Attach two (2) copies of recorded subdivision plat or property deeds, which refer to candidate road.
4. Adjoining property owners and/or the developer may submit a petition. Subdivision roads with prior NCDOT review and approval only require the developer's signature.
5. If submitted by the developer, encroachment agreements from all utilities located within the right of way shall be submitted with the petition for Road addition. However, construction plans may not be required at this time.
6. Submit to District Engineer's Office.

FOR NCDOT USE ONLY: Please check the appropriate block

- Rural Road Subdivision platted prior to October 1, 1975 Subdivision platted after September 30, 1975

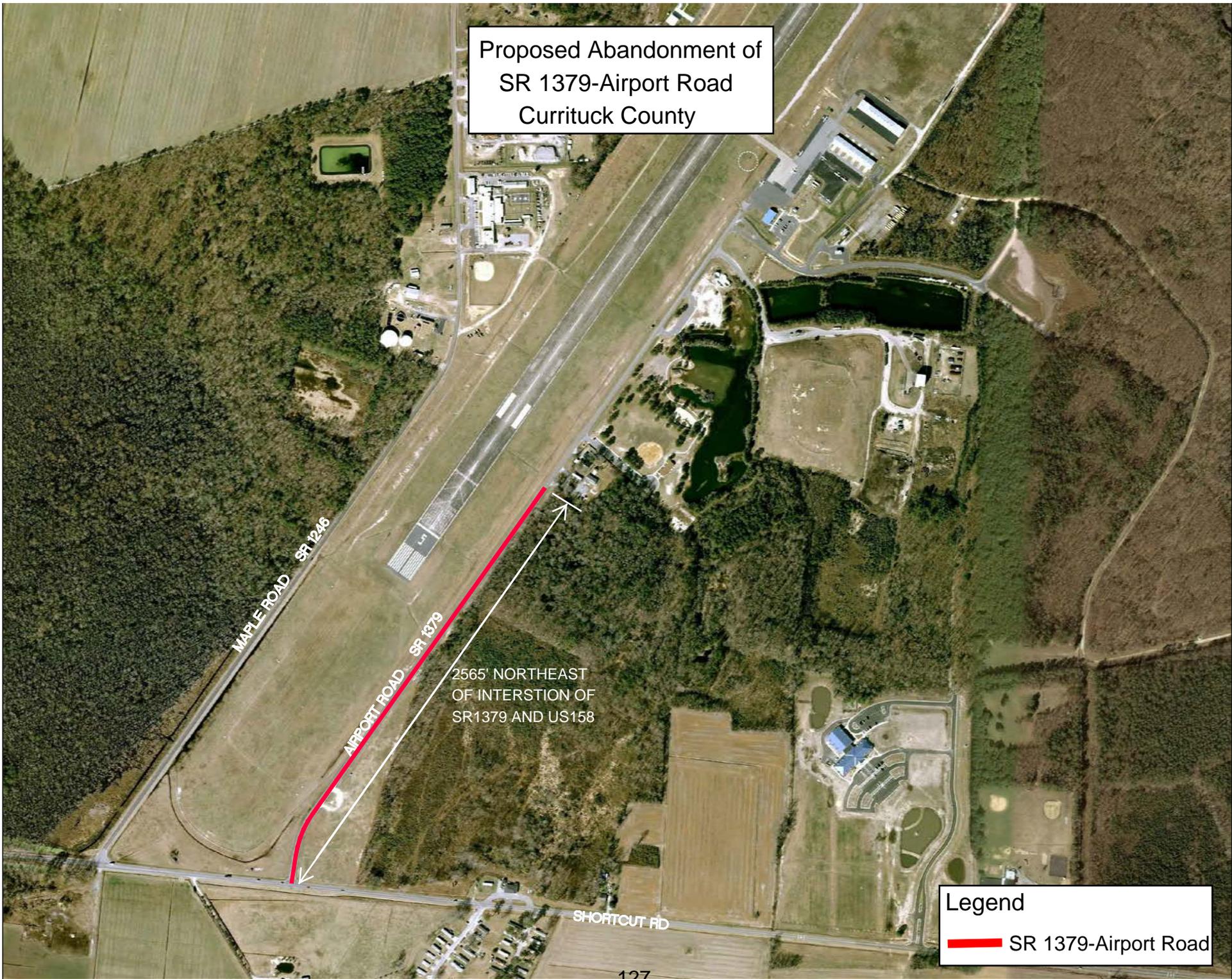
REQUIREMENTS FOR ADDITION

If this road meets the requirements necessary for addition, we agree to grant the Department of Transportation a right-of-way of the necessary width to construct the road to the minimum construction standards of the NCDOT. The right-of-way will extend the entire length of the road that is requested to be added to the state maintained system and will include the necessary areas outside of the right-of-way for cut and fill slopes and drainage. Also, we agree to dedicate additional right-of-way at intersections for sight distance and design purposes and execute said right-of-way agreement forms that will be submitted to us by representatives of the NCDOT. The right-of-way shall be cleared at no expense to the NCDOT, which includes the removal of utilities, fences, other obstructions, etc.

General Statute 136-102.6 states that any subdivision recorded on or after October 1, 1975, must be built in accordance with NCDOT standards in order to be eligible for addition to the State Road System.

<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>	<u>ROAD NAME</u>	<u>HOMES</u>	<u>LENGTH</u>
Maple Parkway	0	0.48 mile			
Aviation Parkway	0	0.64 mile			
Terminal Road	0	0.62 mile			

Proposed Abandonment of
SR 1379-Airport Road
Currituck County



2565' NORTHEAST
OF INTERSECTION
OF SR1379 AND US158

Legend

 SR 1379-Airport Road



COUNTY OF CURRITUCK

Planning and Community Development Department
Planning and Zoning Division
153 Courthouse Road, Suite 110
Currituck, North Carolina 27929
Telephone (252) 232-3055 / Fax (252) 232-3026

Memorandum

TO: Board of Commissioners

FROM: Ben Woody, AICP
Planning Director

DATE: June 17, 2013

SUBJECT: May 2013 CDBG Update

Our 2011 Community Development Block Grant remained on schedule for the month of May. A summary of May's progress follows:

- The contractor for the Lead Based Paint Hazard Reduction/Asbestos Inspection Services has been selected, Matrix Health and Safety Consultants, Inc.
- The Wooten Company continues to work directly with the applicants in determining housing needs.

Attached is the May's Monthly Status Report for your review. Thank you.

Monthly Performance Status Report

(Due on 15th of each month)

Grantee Currituck Grant 11-C-2308 Month: May Year: 2013
 Name: County Number: _____

<u>Activity</u>	<u>Performance Schedule (On/Off)</u>	<u>Current Performance Status (If Off Schedule)</u>	<u>Remedy to get back on Schedule (If Off Schedule)</u>
Rehabilitation-Rehabilitation	ON		
Rehabilitation-Reconstruction	ON		
Rehabilitation-Clearance	ON		
Planning	ON		
Administration	ON		

Prepared By: Brendan Nolan Title: Project Manager
 Endorsed By: Dan Scanlon Title: County Manager (City/County Manager or Clerk)
 Board or Council Update: Dan Scanlon, County Manager Date: 7/1/13

Performance Schedule (Based on *Performance Based Contract*) On/Off Schedule

- ❖ **On Performance Schedule:** Stop and submit report, no current performance status or remedy to get back on schedule is required
- ❖ **Off Performance Schedule:** Provide current performance status and remedy to get back on schedule and submit report