



**BOARD OF COMMISSIONERS  
AGENDA**

**JUNE 2, 2014**

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**REVISED**  
**Currituck County**  
**Board of Commissioners Agenda**  
Historic Currituck County Courthouse

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**Date: Monday, June 02, 2014**

**Time: 7:00 PM**

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**Work Session**

6:00 PM Compatibility Standards

**7:00 pm Call to Order**

- A) Invocation-Reverend Kimberly Ferebee, New Bethlehem Church of Christ/DC
- 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.***

**Administrative Reports**

- A) **Presentation by Chris Turner, Wildlife Resources Commission, on Coyotes**
- B) ~~Presentation by Jeniffer Albanese-Interfaith Community Outreach, Inc.~~ Presentation not given

**Public Hearings**

- A) **Consideration and Action:** PB 90-07 Pine Island, PUD: Request an amended sketch plan/use permit to allow 6 additional lots, reconfigure the beach club property and Lot 2R, removal of 3.35 acres of commercial allocation from the racquet club lot, and re-establishing 3 acres commercial allocation north of the fire station on the west side of NC 12, Tax Map 128, Parcels 2D and 2E, and Tax Map 127, Parcel 3M, Poplar Branch Township.
- B) **Consideration and Action:** PB 14-05 The Gables: Request a preliminary plat/use permit for 66 residential lots located on the north side of Guinea Road, approximately 0.75 mile from the intersection of Caratoke Highway and Guinea Road, Tax Map 22, Parcels 64A, 64E, and 71B, Moyock Township.
- C) **Consideration and Action:** PB 14-09 Currituck County – Utility Use Landscaping: Request to amend the Unified Development Ordinance

Chapter 5: Development Standards to create an alternative landscape plan for utility uses.

- D) **Consideration and Action:** PB 14-07 Ecoplexus, Inc.: Request for a use permit for a solar array (solar energy farm) located in Shawboro on Shawboro Road directly across from Shawboro Elementary School, Tax Map 33 Parcel 1C, Crawford Township.

**Old Business**

- A) **Consideration of Motion to Repeal Direction of Board of Commissioners Remanding PB14-03 Currituck County: Outdoor Shooting Ranges to the Planning Board**

**New Business**

- A) **Presentation of FY 2014-2015 Budget and Set Date for Public Hearing**  
B) **Board Appointments:**  
    1. Appointment to Senior Citizens Advisory Board  
C) **Consent Agenda:**  
    1. Approval of May 19, 2014 Minutes  
    2. CDBG Monthly Status Report  
    3. Change Orders – Generator Sets for YMCA and NC Cooperative Ext Complexes  
    4. Project Ordinance for Central Elementary School Parking  
    5. Resolution Opposing Any Action by the NC General Assembly to Require the UNC Board of Governors to Study the Feasibility of Dissolving or Developing a Plan to Dissolve Elizabeth City State University  
D) Commissioner’s Report  
E) County Manager’s Report

**Special Meeting**

Tourism Development Authority

Presentation of FY 2014-2015 Tourism Development Authority Budget and Set Date for Public Hearing

**Closed Session**

~~Closed Session pursuant to G.S. 143-318.11(a)(3) to consult with the County Attorney in order to preserve attorney-client confidentiality in the matter entitled Swan Beach Corolla, LLC v. Currituck County~~

Adjourn



# Currituck County Agenda Item Summary Sheet

## Agenda Item Title

PB 90-07 Pine Island, PUD requests amended sketch plan/use permit to allow 6 additional lots, reconfigure the beach club property and Lot 2R, removal of 3.35 acres of commercial allocation from the racquet club lot, and re-establishing 3 acres commercial allocation north of the fire station on the west side of NC 12, PIN 0128-000-002E-0000, 0128-000-002D-0000, and 0127-000-003M-0000, Poplar Branch Township.

## Brief Description of Agenda Item

Quible and Associates is requesting amended sketch plan/use permit to allow the creation of 6 residential lots, reconfigure the beach club property (open space) and lot 2R (diner lot), remove 3.35 acres of commercial allocation from the racquet club lot, and re-establish 3 acres commercial allocation north of the fire station on the west side of NC 12. The project density is 0.99 units per acre, proposed commercial allocation is 30.91 acres, and 142.1 acres of open space is proposed.

### PLANNING BOARD RECOMMENDATION:

Mr. Cooper moved to approve PB 90-07 with the findings of fact and staff recommendations included in the case analysis. Mr. Craddock seconded the motion and motion carried unanimously.

## Board Action Requested

Action

## Person Submitting Agenda Item

Ben Woody

## Presenter of Agenda Item

Ben Woody

**CASE ANALYSIS FOR THE  
BOARD OF COMMISSIONERS  
DATE: June 2, 2014  
PB 90-07 Pine Island, PUD**

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**ITEM:** PB 90-07 Pine Island, PUD, amended sketch plan/use permit to allow 6 additional lots, reconfigure the beach club property and Lot 2R (diner lot), remove of 3.35 acres of commercial allocation from the racquet club lot, and re-establish 3 acres commercial allocation north of the fire station on the west side of NC 12.

**LOCATION:** Corolla: Pine Island PUD, Poplar Branch Township

**TAX ID:** 0128-000-002E-0000  
0128-000-002D-0000  
0127-000-003M-0000

**ZONING DISTRICT:** SFO (Single Family Residential Outer Banks) Base District with PUD Overlay

**PRESENT USE:** Planned Unit Development

**OWNER:**

0128-000-002E-0000	PI Beach Club, LLC	1100 C.S. Stratford Road, Suite 300 Winston Salem, NC 27103
0128-000-002D-0000	PI Open Space, LLC	1100 C.S. Stratford Road, Suite 300 Winston Salem, NC 27103
0127-000-003M-0000	Turnpike Properties PI Diner, LLC	1100 C.S. Stratford Road, Suite 300 Winston Salem, NC 27103

**APPLICANT:** Quible & Associates, PC  
PO Drawer 870  
8 Juniper Trail  
Kitty Hawk, NC 27949

**LAND USE/ZONING OF SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Residential (Currituck Club)	SFO -PUD Overlay
<b>SOUTH:</b>	Dare County	N/A
<b>EAST:</b>	Atlantic Ocean	N/A
<b>WEST:</b>	Undeveloped	SFO

**LAND USE PLAN**

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

**SIZE OF SITE:** 366.22 acres

**NUMBER OF UNITS:** 340 units

**PROJECT DENSITY:** 0.99 units/acre

**COMMERCIAL ALLOCATION:**

30.91 acres proposed  
36.62 maximum allowed (10%)

**OPEN SPACE:**

142.1 acres proposed  
128.18 acres required (35%)

**UTILITIES:**

The proposed development will be served by Southern Outer Banks Water System (SOBWS) and Pine Island Currituck, LLC (PICLLC) wastewater system.

**RECREATION AND PARK AREA:**

The required park area dedication is 0.153 acres. The TRC will review the park area dedication with Phase 9 preliminary plat.

**I. NARRATIVE OF REQUEST:**

- The applicant is requesting amended sketch plan/use permit approval of the following:
  - 6 additional lots (residential)
  - Reconfiguration of open space
  - Relocation of commercial allocation
- The developer is requesting 3.35 acres of commercial allocation be removed from the racquet club property. This request would revert the racquet club lot SFO with PUD overlay and the property would remain in open space.
- The developer is requesting 3 acres commercial allocation on land located to the north of the fire station on the west side of NC 12 (Ocean Trail). This land is currently open space zoned SFO with PUD Overlay.
- The applicant is removing a section of the Currituck County Emergency Beach Access and Hatteras Ramp located at the current beach club lot. The site is proposed for residential lots and a portion of the hatteras ramp will be relocated.

**II. USE PERMIT REVIEW STANDARDS:**

**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 staff findings of fact are outlined as follows:

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

Based on the suggested finding provided by the applicant, staff has determined it is probably true that the use will not endanger the public health or safety.

**Suggested Findings:**

- a. The proposed residential use is intended to be served via the existing roadway, the recreational uses are existing and will remain. The commercial use will be in harmony with the surrounding uses and the northern adjoining PUD.

*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.*

Based on the suggested findings provided by the applicant, staff has determined it is probably true that 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 residential use will simply be an extension of the recently developed PIR residential development. The commercial use will blend in well between the Currituck Club commercial and the municipal services to the south.

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

Based on the suggested findings, staff has determined it is probably true that the use will be in conformity with the Land Use Plan or other officially adopted plans.

**Suggested Findings:**

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

The Full Service area identifies a residential base development density to be 2 units per acre, but could be increased to 3-4 units per acre through overlay zoning depending upon services available and potential impacts on the surrounding area.

The policy emphasis for the Corolla subarea is to allow for predominately medium density residential development (2 to 3 units per acre) with minimal commercial development arranged in clusters. An overall density of no more than 3 units per acre should apply to PUDs with a mandated 30% permanent open space requirement.

The proposed use 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. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. For example, projects falling within the Full Services areas of the Future Land Use Map would be permitted a higher density because of the availability of infrastructure as well as similarity to the existing development pattern. Such projects could be developed at a density of two (2) or more dwelling units per acre. 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 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural 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.
2. COMPACT, MIXED USE DEVELOPMENTS or DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map.

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.*

Based on the suggested findings, staff has determined it is probably true that 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.

**Suggested Findings:**

- a. The existing roadways are proposed to be utilized for the proposed SFD lots, existing utility services are proposed to service the new uses, wastewater capacity is available, and on-site stormwater management is proposed to address additional runoff.

**III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:**

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends conditional approval of the amended sketch plan/use permit subject to the following:

1. The Currituck County emergency beach access and hatteras ramp located on proposed lot 1A shall be relocated in a 20' easement. The developer will remove vegetation within the easement, install an emergency access that is equivalent to the existing crossing (i.e. surface, stabilization).
2. A pedestrian easement and access shall be provided along the western side of NC 12 Phase 1 commercial tract. In addition, a pedestrian crossing shall be provided at the southern beach access.
3. The following plan corrections shall be provided:
  - a. Remove LBH reference from the racquet club in the Summary Data Table (Development Areas).
  - b. Correct the development area calculated acreage that equals a calculated total 366.22 acres (including open space, total commercial allocation).
  - c. Correct the total commercial acreage to a calculated total 30.92 acres.
  - d. Add Turnpike Properties to the General Notes (Owners).
  - e. Remove Phase 9 Note on Sheet 4 of 5 or correct to reflect the ordinance language.

**IV. PLANNING BOARD RECOMMENDATION:**

Mr. Cooper moved to approve PB 90-07 with the findings of fact and staff recommendations included in the case analysis. Mr. Craddock seconded the motion and motion carried unanimously.

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

**PLANNING BOARD DISCUSSION (5.13.14)**

Mr. Cooper asked if the commercial allocation is the same size.

Ms. Voliva said not exactly, 3.35 acres of commercial allocation will be removed from the racquet club lot, and re-establish 3 acres commercial allocation north of the fire station on the west side of NC 12.

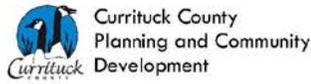
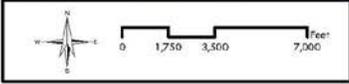
Mr. Strader, Quible & Associates said staff did a good job explaining the staff analysis. The proposed plan is in compliance with the Land Use Plan (LUP) and the applicant is agreeable with all conditions. Mr. Strader will be glad to answer any questions the board may have.

**ACTION**

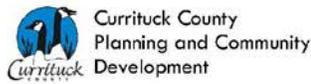
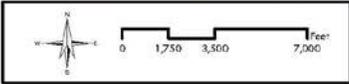
Mr. Cooper moved to approve PB 90-07 with the findings of fact and staff recommendations included in the case analysis. Mr. Craddock seconded the motion and motion carried unanimously.



**PB 90-07**  
**Pine Island, PUD**  
 Amended Sketch Plan/Use Permitt - Aerial



**PB 90-07**  
**Pine Island, PUD**  
 Amended Sketch Plan/Use Permitt - LUC



## MEMORANDUM

**To:** Turnpike Properties, LLC  
PI Beach Club, LLC  
PI Open Space, LLC

**From:** Donna Voliva, Senior Planner

**Date:** April 16, 2014

**Re:** Pine Island, PUD, Amended Sketch Plan-(Special) Use Permit

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The following comments have been received for the April 16, 2014 TRC meeting. The required revisions must be submitted by April 21, 2014 to tentatively remain on the Planning Board meeting for May 13, 2014. TRC comments are valid for six months from the date of the TRC meeting.

### **Planning, Donna Voliva 252-232-6032**

Approved with comments

1. The existing county emergency access and hatteras ramp appears to be relocated within an established 10 foot easement. Please indicate who will remove the vegetation, grade/replace the emergency beach access. The county is concerned with the limited width of the access and the fact that it will be located on a private lot. Would the developer consider placing this access within a right of way or removing from lot 1A.
2. The extension of Lindsey Lane through Phase 9 of Pine Island PUD will require a right of way dedication.
3. Re-establish the FLNSV and CAMA AEC for the new development areas. Please remove the old small and large structure setback references or provide notes that indicate the CAMA setbacks are based on the CAMA regulations in effect at the time the subdivision phase received final approval from Currituck County NCDENR, DCM and all proposed phases are subject to the CAMA rules in effect at the time of CAMA permit application.
4. Please indicate Phase 9 as Proposed on Sheet 4 of 5.
5. Please provide documentation of the relocation of Well Field C.
6. Please provide the letter of commitment for centralized water and sewer services for proposed properties.
7. Please clarify the Summary Data Table as the calculations appear to be incorrect for the total commercial allocation based on the plans submitted.
8. Please indicate that Pine Island Reserve is not a part of the PUD.
9. Please remove the reference to LBH or LB zoning designations as it should be commercial allocation.

10. The UDO transition standards (Section 1.8.6) require the lot coverage to be based on the land use not the zoning district. All residential lots will be subject to residential maximum lot coverage requirements. The Phase 9 notes located on sheet 4 of 5 shall be removed.
11. It is understood that no changes are proposed in Phase 5B at this time however, the proposed 60 villas do not appear in the total number of units for Pine Island. Please clarify this discrepancy.
12. Site plan approval is required for improvements (parking, building, etc.) on the beach club lot (Parcel 1G).
13. Please indicate the ownership of the beach club parcel.
14. Please clarify the easement and access on the PI Racquet Club proposed lot/open space.
15. The county will recommend the following condition to the use permit that will apply to Pine Island PUD, specifically the proposed 3 acre commercial allocation proposed to the north of the Corolla Fire Department:
  - a. Provide pedestrian easement access and crossing along the western side of NC 12 as well as to the Southern Beach Access.
16. Items to consider at preliminary plat:
  - a. The previous access (Audubon Road and access to PI Racquet Club) was not considered a road right of way but an easement/driveway. The road shall be certified to be meeting the minimum DOT construction standards and meet the minimum street width requirements.
  - b. Recreation and park area dedication or fee in lieu of is required for the new residential lots.
  - c. Please indicate the proposed plans for the existing electrical easement on Phase 9 and lot 2R properties, and the water and sewer easements on proposed lot 1G and 2R.

**Currituck County Engineer, Michelle Perry, Eric Weatherly**  
**Currituck Soil and Water, Mike Doxey**

Approved

1. Sketch Plan approved - we will discuss and determine stormwater requirements at the time the developments come forward for Site Plan/Preliminary review.

**Currituck County Utilities, Pat Irwin**

Approved

**Currituck County Parks and Recreation, Jason Weeks**

Reviewed

**Currituck County Inspections, Spence Castello**

Reviewed

1. ALL AMENITIES ARE CONSIDERED PUBLIC AND ARE TO BE ACCESSIBLE AND BUILT TO COMMERCIAL CODE.

**Currituck County GIS, Harry Lee**

Reviewed

**Corolla Fire and Rescue, Chief Rick Galganski**

Reviewed

1. Would like to know the type of commercial use that is planned on going in.

**NC Division of Coastal Management, Charlan Owens**

Reviewed

1. A CAMA Minor Permit will be required for land disturbance of less than 1 acre; otherwise a CAMA Major Permit will be required. Please contact Ron Renaldi, DCM Field Representative, at 252-264-3901 for permitting assistance.

**NC State Archaeology, Lawrence Abbot**

Approved

1. An archaeological survey is not recommended.

**NC DENR, Pat McClain**

Reviewed

1. An approval of erosion and sedimentation control plan and a coastal stormwater permit must be obtained prior to commencing this project.  
NOTE: The drawings existing conditions submitted as part of this review package bear little resemblance to what is shown on available aerial photography.

**Albemarle Regional Health Services, Joe Hobbs**

Reviewed

1. NOTE: CONSULT WITH NC DIVISION OF WATER RESOURCES (WASHINGTON REGIONAL OFFICE-252-946-6481) REGARDING WASTEWATER SYSTEM APPROVAL/ REQUIREMENTS FOR THIS PROPOSED DEVELOPMENT.

**US Postal Service, Moyock Postmaster**

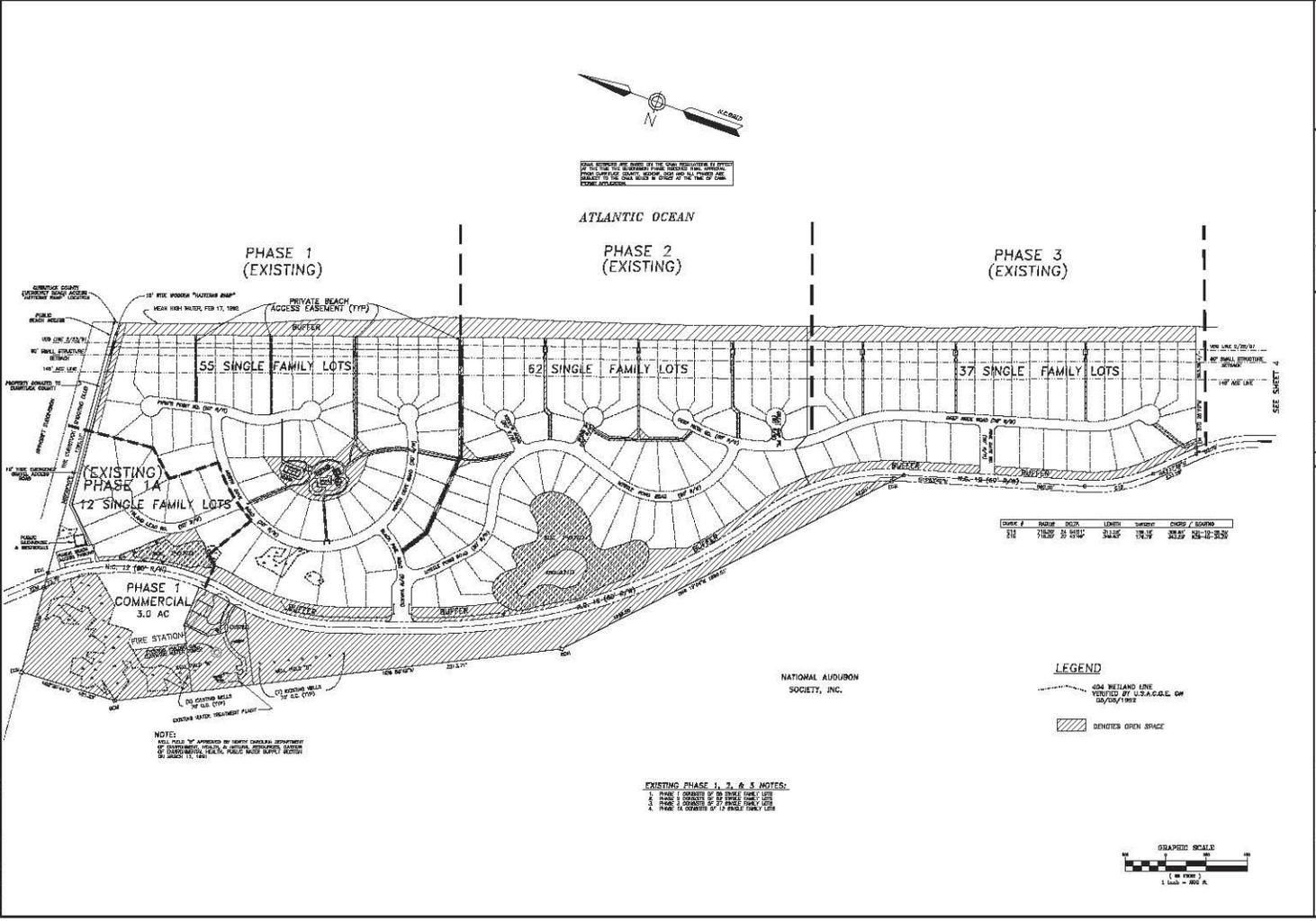
1. Please contact the local postmaster (Corolla) to determine the mode of delivery and type of delivery equipment required for this development.

Comments were not received from:

**Currituck County Emergency Management, James Mims 252-264-6641**

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

- 3 - full size copies of revised plans.
- 10 – 11” x 17” copies of the revised preliminary plat
- 1- 8.5”x11” copy of all revised plans.
- 1- PDF digital copy of all revised documents and plans.

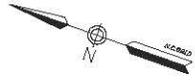


**Quibic & Associates, P.C.**  
REGISTERED PROFESSIONAL ARCHITECTS  
1000 W. 10TH AVENUE, SUITE 100  
DENVER, COLORADO 80202  
TEL: 303.733.1111 FAX: 303.733.1112

**PHASES 1, 2, 3 & 1A**  
**AMENDED SKETCH PLAN**  
**FINE ISLAND P.U.D.**

PROJECT NO. 990286  
OWNER: SCB/AMK  
DATE: 11/06/01

SHEET NO. **5**  
OF 5 SHEETS



DATE PREPARED AND SCALE FOR THE TOTAL DEVELOPMENT AS SHOWN ON THIS PLAN. THE DEVELOPMENT SHALL BE SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT AND THE STATE OF NORTH CAROLINA.

ATLANTIC OCEAN

PHASE 5

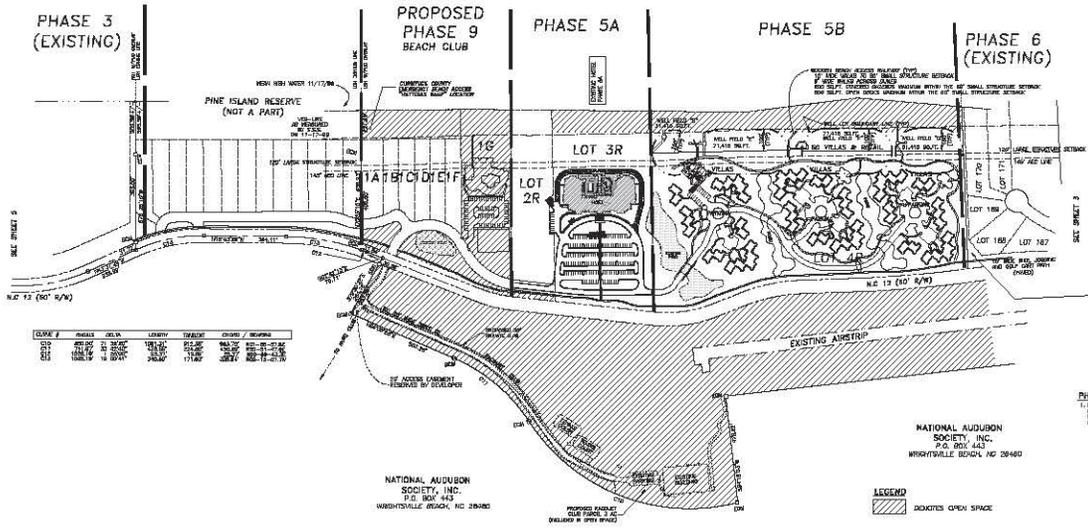
PHASE 3 (EXISTING)

PROPOSED PHASE 9 BEACH CLUB

PHASE 5A

PHASE 5B

PHASE 6 (EXISTING)



CLUMP #	AREAS	AREA	LENGTH	WIDTH	PERIMETER	AREA / PERIMETER
01	LOT 1G	1.00	100.00	100.00	628.32	0.16
02	LOT 2R	2.00	200.00	200.00	1256.64	0.16
03	LOT 3R	3.00	300.00	300.00	1885.00	0.16

- LOT 131  
MELISSA H. STONE  
7410 N. 71ST STREET  
PARADISE VALLEY, AZ 85023-3527
- LOT 129  
BRITNEY M. KORTHAUS  
103 CUMBERLAND CT.  
DANVILLE, VA 22021
- LOT 188  
DEBRA K. BOWMAN  
2805 OLD CLUB ROAD  
WINSTON-SALEM, NC 27106-8232
- LOT 185  
KAREN W. HONEY  
8004 CHANCE ST.  
KINGSTON, MD 20885-3853
- LOT 182  
KATHLEEN J. PACE TRUST  
2308 NEWBY HILL COURT  
MCLEAN, VA 22102
- OPEN SPACE  
N.C. LAND CO. INC.  
P.O. BOX 2086  
CITY PARK, NC 27749

PHASE 9 NOTES:  
1. PHASE 9 SHALL BE THE QUINCY COUNTY LAND TRUSTS ESTABLISHED IN 1997 AND 1998. THE TRUSTS SHALL BE OWNED BY THE QUINCY COUNTY LAND TRUSTS AND SHALL BE SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT AND THE STATE OF NORTH CAROLINA.

NATIONAL AUDUBON SOCIETY, INC.  
P.O. BOX 443  
WRIGHTSVILLE BEACH, NC 28400

LEGEND  
[Hatched Box] INDICATES OPEN SPACE

- PARCEL WEST OF N.C. 12 NOTES:
1. PARCEL WEST OF N.C. 12 WHICH CONTAINS THE EXISTING AIRSTRIP IS OPEN SPACE TO BE USED FOR OPEN SPACE PURPOSES. THE AIRSTRIP IS TO BE USED FOR OPEN SPACE PURPOSES AND SHALL BE SUBJECT TO THE APPROVAL OF THE LOCAL GOVERNMENT AND THE STATE OF NORTH CAROLINA.
  2. EXISTING AIRSTRIP IS OF POTENTIAL INTEREST FOR ACCESS TO AND FROM AIRCRAFT.



**Quible & Associates, P.C.**  
REGISTERED PROFESSIONAL ARCHITECT  
1111 W. 10TH STREET, SUITE 100  
WILMINGTON, NC 28401  
TEL: 773-444-1111  
FAX: 773-444-1112

**PHASES 5 & 9**  
**AMENDED SKETCH PLAN**  
**FINE ISLAND P.U.D.**  
QUINCY COUNTY, NORTH CAROLINA

OWNER: NATIONAL AUDUBON SOCIETY, INC.  
PROJECT NO: PRO2086  
DATE: 11/16/07  
SHEET NO: 4  
OF 5 SHEETS



# Use Permit Application

**OFFICIAL USE ONLY:**

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

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

Name: Turnpike Properties, LLC  
Address: 1100C S. Stratford Rd., Suite 300  
Winston Salem, NC 27103  
Telephone: (919) 833-8380  
E-Mail Address: rblizzard1@me.com

**PROPERTY OWNER:**

PI Beach Club, LLC  
PI Open Space, LLC  
Name: Turnpike Properties, LLC  
Address: 1100C S. Stratford Rd., Suite 300  
Winston Salem, NC 27103  
Telephone: (919) 833-8380  
E-Mail Address: rblizzard1@me.com

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: Same

**Property Information**

Physical Street Address: Along NC 12 from southern Currituck County line to Spindrift Subd.

Location: Pine Island PUD, southern Currituck County Outer Banks

Parcel Identification Number(s): 0128000002E0000, 0128000002D0000, 0127000003M0000 (Respectively to Owners)

Total Parcel(s) Acreage: Gross PUD Area = 385.38 ac., 10.66 ac., 3 ac., 18.49 ac. respectively

Existing Land Use of Property: PUD varies; Beach Club recreational & vacant, undeveloped; Racquet Club recreational; Future Commercial Area is vacant, undeveloped open space

**Request**

Project Name: Pine Island PUD

Proposed Use of the Property: Varies (Residential & Rec. Open space, Rec. Open Space & Commercial, respectively)

Deed Book/Page Number and/or Plat Cabinet/Slide Number: DB/PG: 268/840-888

Total square footage of land disturbance activity: N/A

Total lot coverage: N/A Total vehicular use area: N/A

Existing gross floor area: N/A Proposed gross floor area: N/A

**Community Meeting**

Date Meeting Held: 03/19/14 Meeting Location: P.I. Racquet Club

Purpose of Special Use Permit and Project Narrative (please provide on additional paper if needed):         
This Use Permit and Amended Sketch Plan is being submitted to amend the existing  
Pine Island PUD allowing for six (6) single family dwellings and reconfigured Beach  
Club between Lot 2R and Pine Island Reserve on the east side of NC 12, Subdivision  
of the Racquet Club, and future commercial development area at the northwestern  
most portion of the PUD (West side, north of the Fire Station). Open space being  
reallocated while open space and density continue to meet PUD requirements.

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 proposed use will not materially endanger the public health or safety and conforms  
to adjacent land uses. The proposed residential use is intended to be served via the  
existing roadway, the recreational uses are existing and will remain, & the commercial  
use will be in harmony with the surrounding uses and the northern adjoining PUD.
- 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 proposed use will not injure the values of adjoining or abutting properties and will  
compliment the adjoining existing uses. The proposed residential use will simply be an  
extension of the recently developed PIR residential development. The commercial use will  
blend in well b/w The Currituck Club commercial & the municipal services to the south.
- C. The use will be in conformity with the Land Use Plan or other officially adopted plan.  
The proposed use is in general conformance with the County's Land Use Plan,  
current UDO and the latest approved Sketch Plan. The proposed uses are within the  
PUD, meet the UDO's Bulk & Dimensional Standards as specified in the Transitional  
Provisions in Chapter 1, and match the County's Future Land Use Plan.
- 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.  
The proposed use will not exceed the County's ability to provide adequate public  
facilities. The existing roadways are proposed to be utilized for the proposed SFD lots,  
existing utility services are proposed to service the new uses, wastewater capacity is  
available, and on-site stormwater management is proposed to address additional runoff.

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\*

3/24/14

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

March 27, 2014

Jason Litteral  
Currituck County Planning and Community Development  
P.O. Box 73  
Currituck, NC 27927

**RE: Community Meeting Report**  
Use Permit Application and Amended Sketch Plan for Pine Island PUD  
Parcel ID Nos. 0128000002E0000, 0128000002D0000, and 0127000003M0000  
Corolla, Currituck County, NC

Mr. Litteral,

A community meeting for the proposed Use Permit Application and Amended Sketch Plan of the above referenced parcels within Pine Island PUD was held on Wednesday, March 19, 2014 at 10:00 a.m. in the Pine Island Racquet Club in Corolla. The meeting was conducted by Quible & Associates, P.C. (Quible) on behalf of Turnpike Properties, LLC, with representatives from Turnpike Properties, LLC, Currituck County, and Pine Island POA in attendance.

## **Purpose**

The purpose of the meeting was to inform the community in the vicinity of the subject parcels of the intent to amend the sketch plan and use permit to allow for increased density, subdivision of the Racquet Club, subdivision of additional residential lots, and reallocation of the open space areas to accommodate additional commercial use development area.

## **Meeting synopsis**

The Pine Island Racquet Club was opened to the public at approximately 9:45 a.m. and attendees began arriving shortly thereafter. Prior to beginning the community meeting, an "Open House" viewing of the Amended Sketch Plan, Beach Club and Single Family Lots Sketch, and Racquet Club Sketch, along with the Use Permit Application and the surrounding property owner notification letters and certified mail receipts were available to the public. The exhibits were mounted on poster boards and placed on an easel for ease of viewing.

As attendees arrived, they were asked to provide their contact information on the sign-in sheet at the check in table and were advised that if they had any comments that they did not want to verbalize at the meeting that they could provide written comments on the provided comment sheets. Attendees were also advised that comments could be received by Quible & Associates, P.C. either by email or telephone.

At 10:00 am a presentation of the proposed amendment to the uses and site development was provided by Quible & Associates. A copy of the agenda was distributed to everyone in attendance and the sign-in sheet was routed throughout the room. The presentation followed

the Agenda (Exhibit 1) that was provided to the attendees and is summarized in the following sections.

Quible & Associates (Michael W. Strader, Jr.) introduced the Owner Representatives (Rolf Blizzard and Allen Ives with Turnpike Properties, LLC) and the County Representatives (Jason Litteral and Jenny Newbern Turner) and began with a brief discussion about the County procedures for reviewing and approving the proposed project and purpose for the community meeting and the proposed development.

The parcels proposed for use permit amendments, subdivision, open space and commercial area reallocation were described and identified on the exhibits. The proposed amended sketch plan, sketches and use permit application were described as being in compliance with the current Currituck County UDO PUD requirements.

At the conclusion of the presentation, the floor was opened for questions from the audience. Comments and questions received during the meeting were as follows:

1. A question was raised by Mr. Hinson about the beach access parking at the north end of the PUD. Mr. Ives explained that the County had approached Turnpike about providing property for additional parking and that the developer was in conversations about making space available in that general location.
2. A question was asked about clarifying the location of the Commercial Area and Mr. Strader advised and illustrated the location using the poster boards.
3. A question was raised regarding the location of the commercial entrance into the proposed commercial use area. It was explained that the commercial area had not been designed yet and that the entrance location had not yet been determined.
4. A question was raised regarding the Diner lot and Mr. Strader advised that the Diner lot had already been recombined and subsequently recorded in an earlier proceeding and that there were no plans under the current project scope to change the recently adopted plan.
5. A question was raised about lot coverage and Mr. Strader advised that the developer intended to seek 65% lot coverage consistent with the original underlying zoning designation, adjoining properties, and the location within the PUD.
6. A question was raised about deed restrictions on the number of rooms per unit on each lot. Mr. Blizzard responded that the plan contemplated 12 bedroom homes. Mr. Strader added that the homes would naturally be limited by sewer availability from the community sewer system.
7. Mr. Perrot requested information about how the plan would impact the "Dixon Easement" agreement. Mr. Strader and the developers illustrated the buffers and setbacks illustrating that the plan intends to address the "Dixon Easement" agreement.

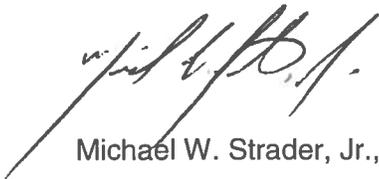
8. Mr. Perrot raised a question about ocean setback. Mr. Strader advised that rear setbacks would be determined in accordance with the first line of natural stabilization and the associated erosion rate but did not believe that it would be too different than the adjacent owners.
9. A question was raised regarding the longevity of the airstrip. The developers explained that no changes to the airstrip were included in their current development plan.
10. A question was raised about new parking at the Beach Club and Mr. Strader advised that there would be more parking at the Beach Club as shown on the representative sketch. It was explained that the existing parking area was proposed to be removed and relocated to the area immediately to the west of the existing Beach Club and than more spaces were being proposed to accommodate future expansion.
11. A question was raised about lot coverage on the first (northern) lot and Mr. Strader advised that the entire lot area would be utilized in determining the maximum allowable lot coverage.
12. A question was raised about the V-Zone and COBRA Zone FIRM lines and Mr. Strader advised that the property was not in a COBRA Zone and indicated the V-Zone lines on the associated sketch plan.
13. A question was raised about the timing of the development schedule and Mr. Strader addressed the County approval process and the developer's intent to move as swiftly as possible. It was explained that the preliminary plat and construction plans were in process and would be submitted to the County for review before the final approval of the use permit application approval.

Upon the conclusion of the discussions, attendees were again reminded that any further questions or comments not addressed at the meeting can be forwarded to Quible & Associates and the meeting was adjourned.

Copies of all handouts, exhibits, and other documents available at the meeting are provided in attachments to this document.

Please do not hesitate to contact me at (252) 261-3300 or mstrader@quible.com should you have any questions and/or concerns.

Sincerely,  
**Quible & Associates, P.C.**



Michael W. Strader, Jr., P.C.

cc: Rolf Blizzard, Turnpike Properties, LLC

P.O. Drawer 870 • Kitty Hawk, NC 27949  
Telephone (252) 261-3300 • Fax (252) 261-1260

## **COMMUNITY MEETING EXHIBITS**

**EXHIBIT 1 : Meeting Agenda**

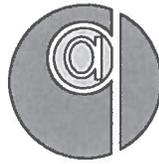
**EXHIBIT 2 : Presentation Posters – Amended Sketch Plan, Beach Club & SFD  
Lots Sketch, & Racquet Club Sketch**

**EXHIBIT 3 : Attendance Sign-In Sheet**

**EXHIBIT 4 : Attendee Comment Sheet**

**EXHIBIT 5 : Letters to Property Owners**

**EXHIBIT 1 : Meeting Agenda**



**Community Meeting for the Use Permit Application – Amended Sketch Plan for  
Pine Island PUD  
Parcel Identification Numbers 012800002E0000, 012800002D0000, and  
0127000003M0000  
Corolla, Currituck County, NC**

March 19, 2014

**AGENDA**

**1. General Introduction**

- a. Quible & Associates, P.C.
- b. Turnpike Properties, LLC
- c. Currituck County

**2. Proposed Parcels Subject to Use Permit Amendment**

- a. 10.66 acre Lot 1R, a parcel of land located at 351 Ocean Trail and identified by County Parcel Identification Number 0128000002E0000. This parcel is identified as Lot 1R on the recorded Recombination Plat, Pine Island PUD – Phase 5, Tax Map 128, Parcels 2E & 2F. This parcel currently includes the Pine Island Beach Club, Pool and associated parking lot located along Audubon Drive immediately north of the Hampton Inn hotel.
- b. 3 acre parcel of land located on the west side of NC12 along Racquet Club Drive that is currently a part of the 52.88 acre Airstrip parent tract identified by County Parcel Identification Number 0128000002D0000. The Racquet Club currently resides on this parcel located at 290 Audubon Drive, on the west side of NC12 immediately across from the Hampton Inn hotel.
- c. 18.49 acre parcel of land located along the west side of NC12 immediately north of the Fire Station and identified by County Parcel Identification Number 0127000003M0000.

**3. Proposed Use Amendment**

- a. The Beach Club parcel, which will now be referred to as Phase 9, is proposed to be reconfigured to accommodate the Beach Club lot and six (6) additional single-family oceanfront lots.
- b. The Racquet Club parcel will be subdivided from the Airstrip parent tract of land to result in an approximate 3 acre parcel on which the Racquet Club building, parking area, and tennis courts will reside. A 30' width private right-of-way is proposed to follow the existing Racquet Club Drive.
- c. 3 acres of land within the parent tract is proposed to be reallocated as “commercial use” for future commercial development area.

**4. Land Usage**

- a. Phase 9 Beach Club parcel existing land use includes the recreational beach club as well as vacant, undeveloped land. The proposed use will include the same recreational beach club



use in addition to six (6) residential, single-family lots. The open space area calculation will be reallocated to include the beach club and not the SFDs.

- b. The Racquet Club parcel existing recreational land use will remain unchanged. The entire parcel will be included in the open space area calculation.
- c. The future commercial development area will be reallocated to include 3 acres of commercial area and the resultant open space area calculation updated accordingly.

#### **5. PUD Summary Table**

- a. The PUD will remain in conformance with the County's Unified Development Ordinance Bulk and Dimensional Standards as specified in the Transitional Provisions in Chapter 1, Section 1.8.6, Paragraph B.(1).
- b. The PUD will remain in general conformance with the County's Future Land Use Plan.

#### **6. Development Objectives**

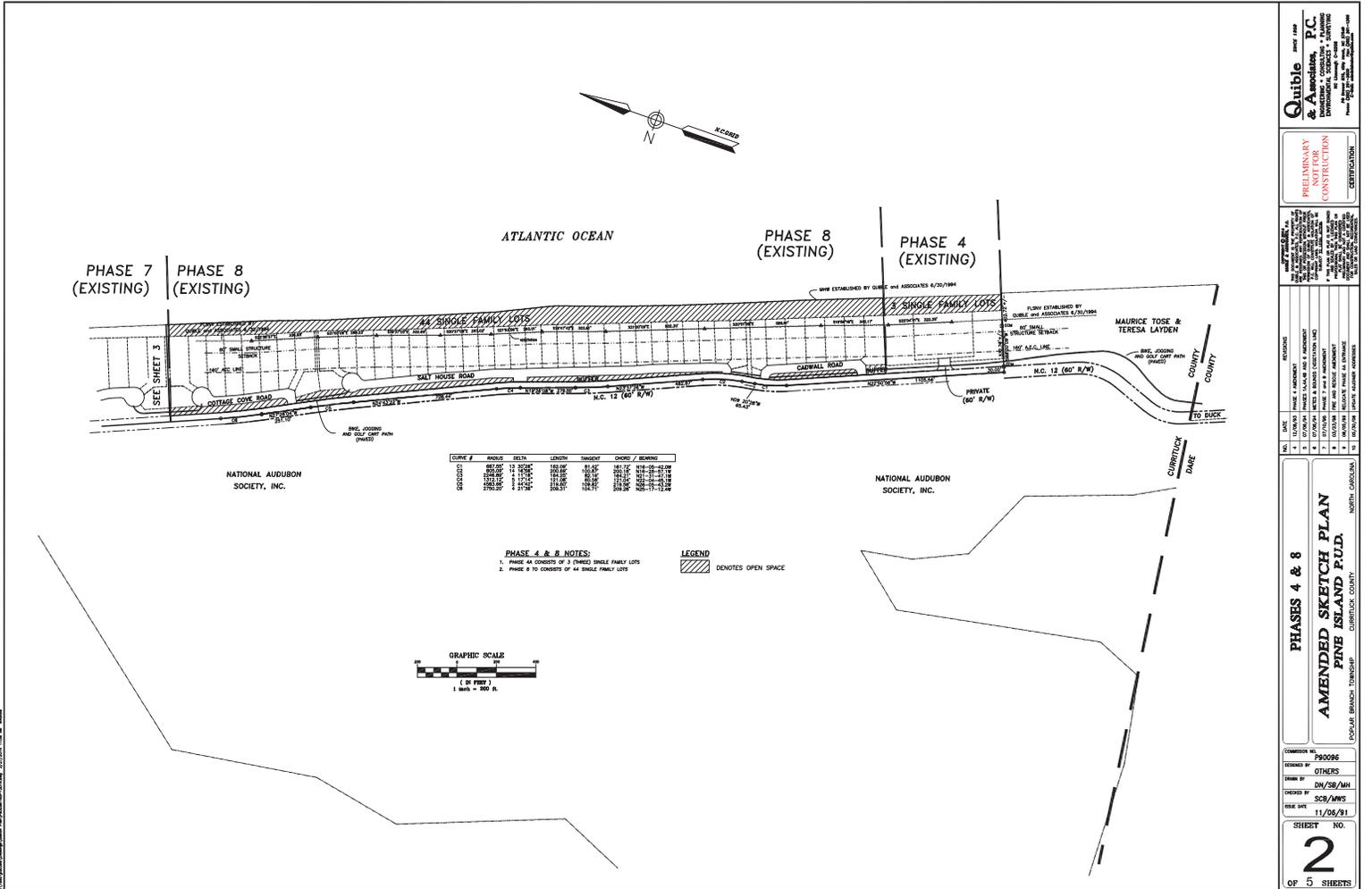
- a. Maintain the character of the Pine Island PUD
- b. Provide additional SFD lots to compliment the recently constructed Pine Island Reserve
- c. Provide a new commercial area to promote business that both supports and is compatible with the Pine Island PUD and The Currituck Club.
- d. Promote recreational open space by maintaining and preserving the Beach Club and Racquet Club amenities that service the Pine Island PUD community.

#### **7. Questions & Comments**

- a. Quible & Associates, Owner and County will be available to answer questions and comments
- b. Comments can be provided in writing on Comment Forms provided or they can be sent to Michael W. Strader, Jr., P.E. of Quible & Associates, P.C. email at [mstrader@quible.com](mailto:mstrader@quible.com) or by phone at 252-261-3300.

**EXHIBIT 2 : Presentation Posters**  
**Amended Sketch Plan, Beach Club & SFD Lots Sketch, & Racquet Club Sketch**

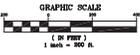




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**PHASE 4 & 8 NOTES:**  
 1. PHASE 48 CONSISTS OF 3 THREES SINGLE FAMILY LOTS  
 2. PHASE 8 TO CONSISTS OF 14 SINGLE FAMILY LOTS

**LEGEND**  
 [Hatched Box] DENOTES OPEN SPACE



**PHASES 4 & 8**  
**AMENDED SKETCH PLAN**  
**PINE ISLAND P.U.D.**

CURLAND BRANCH TOWNSHIP    CURTISVILLE COUNTY    NORTH CAROLINA

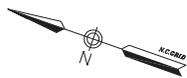
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**CONTRACTOR:** POORE  
**DESIGNED BY:** OTHERS  
**DRAWN BY:** DH/SB/AH  
**CHECKED BY:** SCR/AWS  
**DATE:** 11/06/91

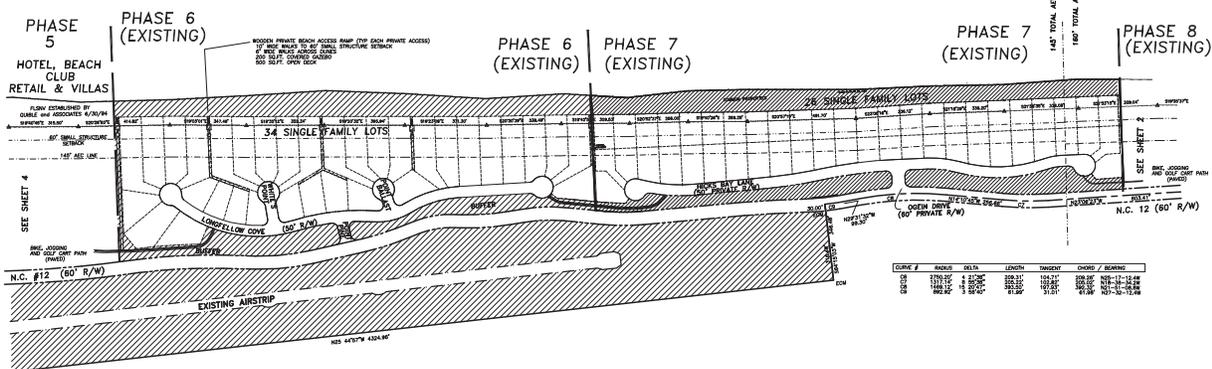
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**SHEET NO.**  
2  
**OF 5 SHEETS**

**Quible**  
**& Associates, P.C.**  
 PRELIMINARY NOT FOR CONSTRUCTION  
 CURTISVILLE COUNTY, NORTH CAROLINA



ATLANTIC OCEAN

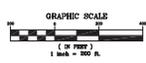


NATIONAL AUDUBON SOCIETY, INC.

**LEGEND**  
 DENOTES OPEN SPACE

**PHASE 7 & 6 NOTES:**  
 1. PHASE 7 TO CONSIST OF 26 SINGLE FAMILY LOTS  
 2. PHASE 6 TO CONSIST OF 34 SINGLE FAMILY LOTS

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24	1275.00'	112.10°	311.12'	1275.00'	112.10°
25	1275.00'	112.10°	311.12'	1275.00'	112.10°
26	1275.00'	112.10°	311.12'	1275.00'	112.10°



**PHASES 6 & 7**  
**AMENDED SKETCH PLAN**  
**PINE ISLAND P.U.D.**

DODDLE BRANCH TOWNSHIP    CURTIS COUNTY    NORTH CAROLINA

SHEET NO.  
3  
 OF 5 SHEETS

**Quible & Associates, P.C.**  
 ARCHITECTS  
 1000 W. MARKET STREET, SUITE 200  
 WILMINGTON, NC 28401  
 PHONE: 910.343.2222  
 FAX: 910.343.2223  
 WWW: QUIBLEANDASSOCIATES.COM

PRELIMINARY NOT FOR CONSTRUCTION

DATE: 11/05/11  
 DRAWN BY: DH/SB/AH  
 CHECKED BY: SCR/AWS  
 SCALE: 1" = 50'

CONSTRUCTION BY: PBOONE

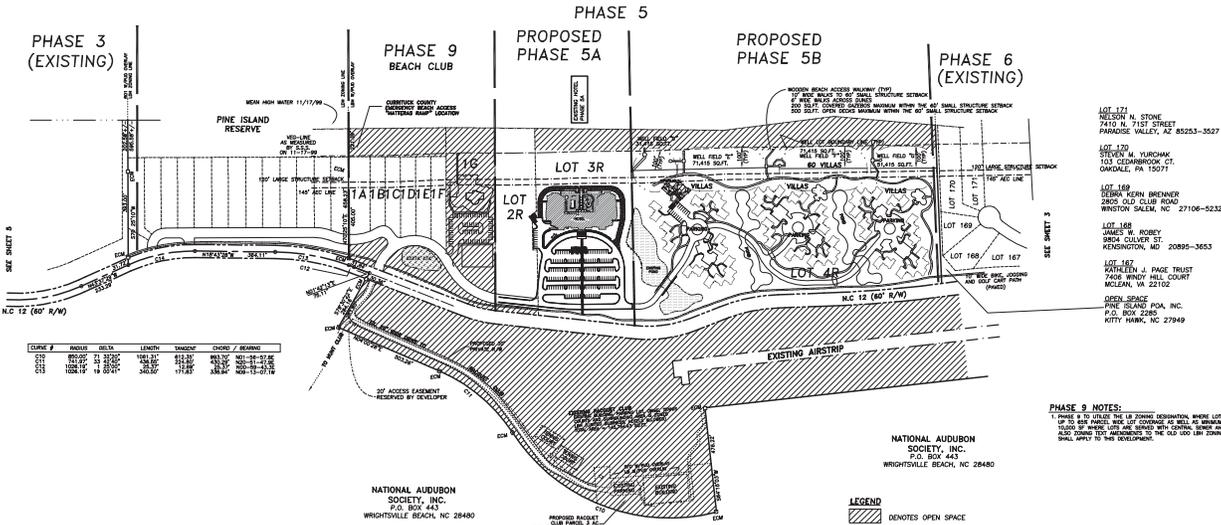
OTHERS:

REVISIONS:

NO.	DATE	DESCRIPTION
1	11/05/11	PRELIMINARY SKETCH PLAN
2	11/05/11	REVISED PER COMMENTS
3	11/05/11	REVISED PER COMMENTS
4	11/05/11	REVISED PER COMMENTS
5	11/05/11	REVISED PER COMMENTS
6	11/05/11	REVISED PER COMMENTS
7	11/05/11	REVISED PER COMMENTS
8	11/05/11	REVISED PER COMMENTS
9	11/05/11	REVISED PER COMMENTS
10	11/05/11	REVISED PER COMMENTS



ATLANTIC OCEAN



CURVE #	ANGLE	DELTA	LENGTH	CHORD	BEARING
1	90.00	100.00	100.00	100.00	N 00° 00' 00" E
2	90.00	100.00	100.00	100.00	N 00° 00' 00" E
3	90.00	100.00	100.00	100.00	N 00° 00' 00" E
4	90.00	100.00	100.00	100.00	N 00° 00' 00" E
5	90.00	100.00	100.00	100.00	N 00° 00' 00" E
6	90.00	100.00	100.00	100.00	N 00° 00' 00" E
7	90.00	100.00	100.00	100.00	N 00° 00' 00" E
8	90.00	100.00	100.00	100.00	N 00° 00' 00" E
9	90.00	100.00	100.00	100.00	N 00° 00' 00" E
10	90.00	100.00	100.00	100.00	N 00° 00' 00" E

**PHASE 9 NOTES:**  
 1. PHASE 9 TO UTILIZE THE 12 ZONING DESIGNATION. BEACH LOTS ARE PERMITTED UP TO 500 SQUARE FEET OF COVERED DECK AS WELL AS NUMBER OF BEACH CHAIRS TO BE USED BY BEACH LOTS ARE LIMITED TO 100. BEACH AND PUBLIC UTILITY AND ZONING REGULATIONS OF 100-100-100-100 SHALL APPLY TO THIS DEVELOPMENT.

**PARCEL WEST OF N.C. 12 NOTES:**  
 1. PARCEL ON WEST SIDE OF N.C. 12 WITH COVERING THE EXISTING AIRSTRIP. EXISTING OWNER COUNTY AND THE CONTIGUOUS PROPERTY HAS AND HAS BEEN OF THE SOUTH BRANCH OF CHARLES RIVER.  
 2. DEVELOPER REQUESTS A 20' PERPETUAL EASEMENT FOR ACCESS TO AND FROM BEACH CLUB.

**LEGEND**  
 [Hatched Box] DENOTES OPEN SPACE



**PHASES 5 & 9  
 AMENDED SKETCH PLAN  
 PINE ISLAND P.U.D.**

DODDLE BRANCH TOWNSHIP      CURTISVILLE COUNTY      NORTH CAROLINA

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**CONTRACT NO. P30086**  
**DESIGNED BY OTHERS**  
**DRAWN BY DH/SB/AH**  
**CHECKED BY SCR/MS**  
**DATE 11/06/91**

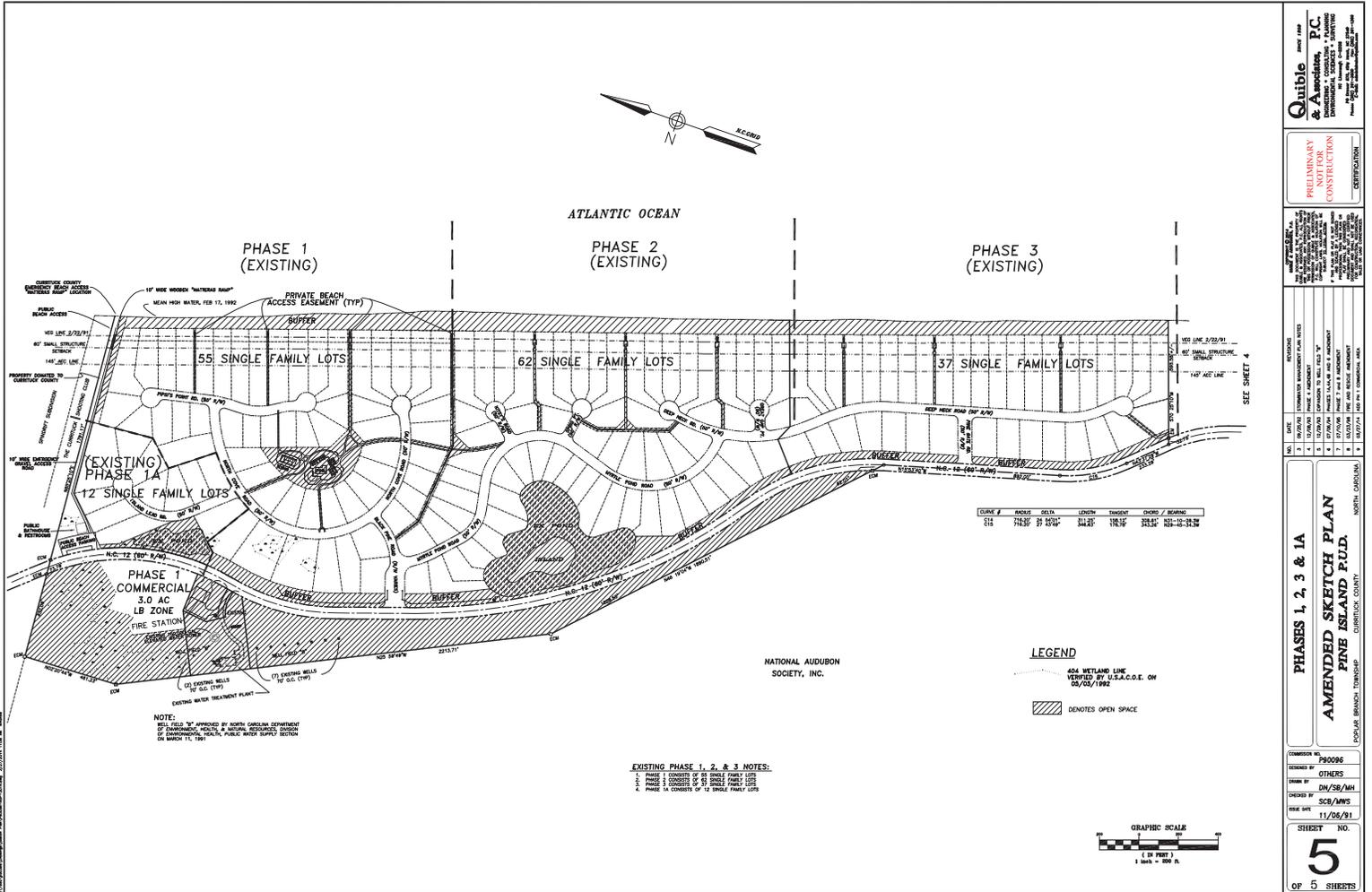
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**SHEET NO. 4**  
 OF 5 SHEETS

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**Quible & Associates, P.C.**  
 ARCHITECTS  
 7410 N. 71ST STREET  
 PARADISE VALLEY, AZ 85253-3527

**PRELIMINARY NOT FOR CONSTRUCTION**



**PHASES 1, 2, 3 & 1A  
 AMENDED SKETCH PLAN  
 PINE ISLAND P.U.D.**

DODDLE BRANCH TOWNSHIP      CURTIS COUNTY      NORTH CAROLINA

CONTRACT NO. P3008

DESIGNED BY: OTHERS

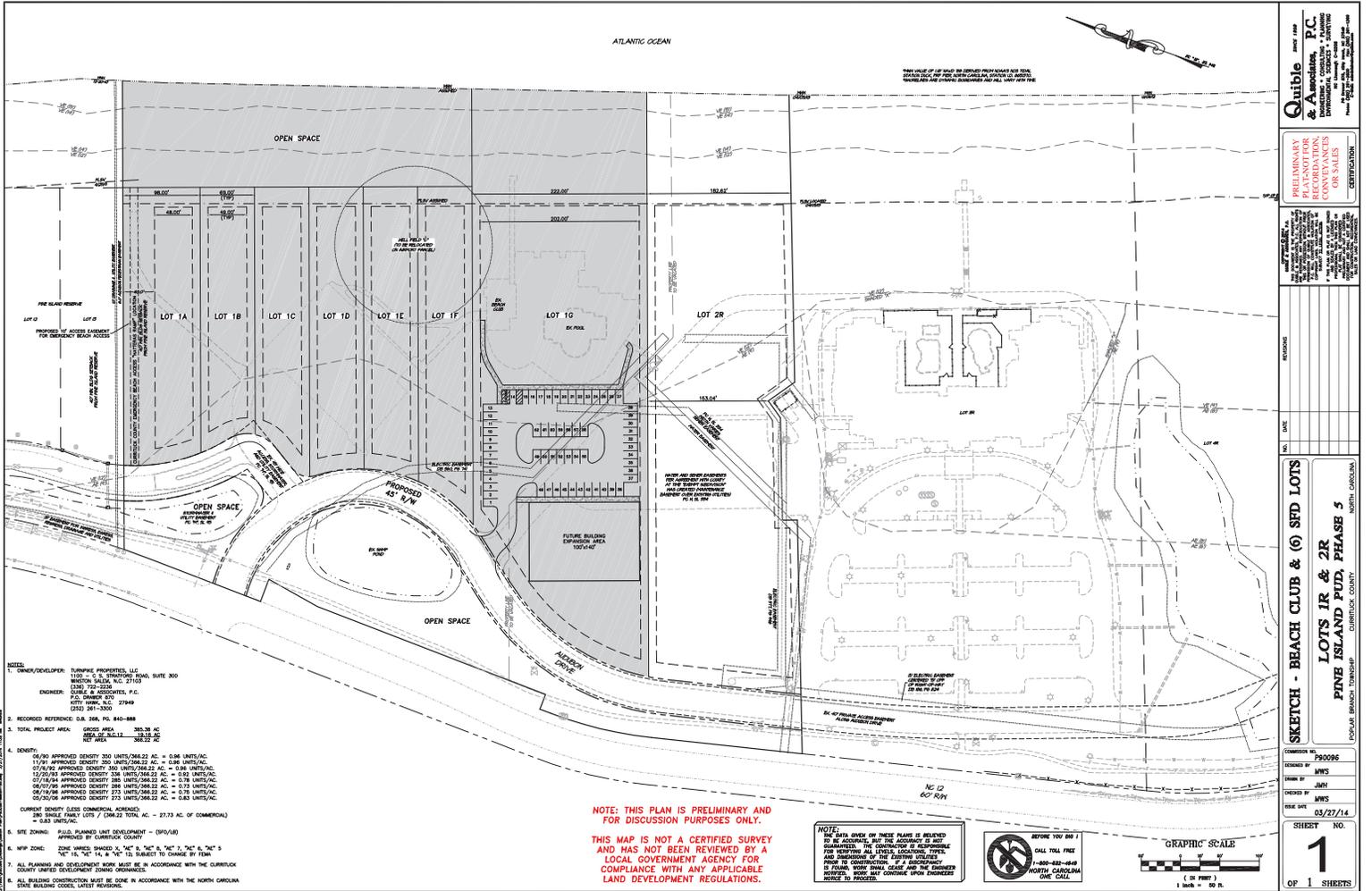
DRAWN BY: DH/SB/AH

CHECKED BY: SCB/AWS

DATE: 11/06/91

SHEET NO. **5**  
 OF 5 SHEETS

**Quible**  
 PRELIMINARY NOT FOR CONSTRUCTION  
 CONSTRUCTION CERTIFICATION



**NOTE: THIS PLAN IS PRELIMINARY AND FOR DISCUSSION PURPOSES ONLY.**  
**THIS MAP IS NOT A CERTIFIED SURVEY AND HAS NOT BEEN REVIEWED BY A LOCAL GOVERNMENT AGENCY FOR COMPLIANCE WITH ANY APPLICABLE LAND DEVELOPMENT REGULATIONS.**

**NOTE:**  
 THE DATA SHOWN ON THESE PLANS IS BELIEVED TO BE ACCURATE, BUT THE ACCURACY IS NOT GUARANTEED. THE SURVEYOR IS RESPONSIBLE FOR VERIFYING ALL LEVELS, LOCATIONS, TIES, AND PROPERTIES OF THE EXISTING UTILITIES PRIOR TO CONSTRUCTION. IT IS RECOMMENDED THAT THE OWNER OBTAIN A PROFESSIONAL ENGINEER'S REPORT AND THE CONTRACTOR VERIFY THE DATA AND CONTACT THE ENGINEER PRIOR TO PROCEEDING.



**Quible & Associates, P.C.**  
 PRELIMINARY RECORDATION, CONVEYANCES, SURVEYING, ENGINEERING, ARCHITECTURE, INTERIOR DESIGN, LANDSCAPE ARCHITECTURE, PLANNING, DESIGN, AND CONSTRUCTION SERVICES.  
 1000 W. HARRIS STREET, SUITE 200, WILMINGTON, NC 28401  
 TEL: 704.762.1100 FAX: 704.762.1101  
 WWW.QUIBLEANDASSOCIATES.COM

**SKETCH - BEACH CLUB & (6) SFD LOTS**  
**LOTS 1R & 2R**  
**PINE ISLAND PUD, PHASE 5**  
 CURRITUCK COUNTY, NORTH CAROLINA  
 LOCAL BRANCH TOWNSHIP

COMMISSION NO. P20096  
 DRAWN BY: MWS  
 CHECKED BY: JAH  
 DATE: 03/27/14  
 SHEET NO. 1  
 OF 1 SHEETS





# Currituck County Agenda Item Summary Sheet

## Agenda Item Title

PB 14-05 The Gables requests a preliminary plat/use permit for 66 residential lots located on the north side of Guinea Road, approximately 0.75 mile from the intersection of Caratoke Highway and Guinea Road, PIN 0022-000-064A-0000, 0022-000-064E-0000, and 0022-000-071B-0000, Moyock Township.

## Brief Description of Agenda Item

The applicant is requesting preliminary plat/use permit approval of a 66-lot traditional subdivision for residential purposes. On July 1, 2013, the Board of Commissioners approved the conditional zoning of 97.75 acres to CD-SFM. The proposed development has a project density of 0.67 units per acre and 29.27 acres open space. The proposed lots will be served by county water and individual on-site septic.

### PLANNING BOARD RECOMMENDATION:

Mr. Cartwright moved to approve PB 14-05 with the findings of fact and staff recommendations included in the case analysis. Ms. Bell seconded the motion and motion carried unanimously.

## Board Action Requested

Action

## Person Submitting Agenda Item

Ben Woody

## Presenter of Agenda Item

Ben Woody

CASE ANALYSIS FOR THE  
BOARD OF COMMISSIONERS  
DATE: June 2, 2014  
PB 14-05 The Gables

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**ITEM:** PB 14-05 The Gables preliminary plat/use permit for 66 residential lots in a traditional subdivision.

**LOCATION:** Moyock: located on the north side of Guinea Road, the subdivision entrance is approximately 0.75 mile from the intersection of Caratoke Highway and Guinea Road, Moyock Township

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

**ZONING DISTRICT:** Conditional District - Single Family Mainland (CDSFM)

**PRESENT USE:** Woodland/Farmland

**OWNER:** Brooks R. and Tina M. Clements  
4625 East Princess Anne Road  
Norfolk, VA 23502

**APPLICANT:** Bissell Professional Group  
3512 North Croatan Highway  
PO Box 1068  
Kitty Hawk, NC 27949

**LAND USE/ZONING OF SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Farmland/Woodland	AG
<b>SOUTH</b>	Low density residential	AG
<b>EAST:</b>	Undeveloped	SFM
<b>WEST:</b>	Low density residential	AG

**LAND USE PLAN**

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

**SIZE OF SITE:** 97.79 acres  
97.42 acres (total development area)

**NUMBER OF UNITS:** 66 lots

**PROJECT DENSITY:** 0.67 units/acre – overall density

**OPEN SPACE:** 29.23 Acres Required  
29.27 Acres Provided

**UTILITIES:** The proposed lots will be served by county water and individual on-site septic systems.

**RECREATION AND PARK AREA:** The required park area dedication is 1.683 acres. The TRC requests a payment in lieu of the dedication. The payment, based on the current tax value, is \$10,478 and must be paid prior to final plat approval.

**I. NARRATIVE OF REQUEST:**

- The applicant is requesting preliminary plat/use permit approval of a 66 lot residential traditional subdivision.
- On July 1, 2013, the Board of Commissioners approved the conditional zoning of 97.75 acres to CD-SFM with the following conditions:
  - The proposed use will be a 66 lot residential subdivision.
  - 50' buffer will be provided adjacent to farmland.
  - Additional screening to include trees, shrubs, fencing, and berms, as appropriate and in general conformance with the conceptual development plan, will be provided:
    - Adjacent to existing residential properties along the entrance road; and,
    - Adjacent to developed residential properties.
  - 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 proposed development provides for a hard-surfaced, ADA-accessible trail located within the open space and along the front of some lots.

**II. USE PERMIT REVIEW STANDARDS:**

**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 staff findings of fact are outlined as follows:

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

Based on the suggested finding provided by the applicant, staff has determined it is probably true that the use will not endanger the public health or safety.

**Suggested Findings:**

- a. The use will adhere to county health and safety standards, including recommendations that were made by Albemarle Regional Health Services, and should therefore not adversely impact the 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.*

Based on the suggested findings provided by the applicant, staff has determined it is probably true that 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. Most of the surrounding land has been zoned for development and has either been developed as single family residential, or is slated to be developed as follows:
  - (1) Currituck Reserve to the north and west (zoned PUD)
  - (2) Beckmoore Estates adjacent to the southwest (single-family under construction)
  - (3) Existing single family homes to the south
  - (4) SF subdivision planned to the east (Holly Ridge)
- b. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area, as the subdivision is of similar density to the surrounding area.

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

Based on the suggested findings, staff has determined it is probably true that the use will be in conformity with the Land Use Plan or other officially adopted plans.

**Suggested Findings:**

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

The Full Service area identifies a residential base development density to be 2 units per acre, but could be increased to 3-4 units per acre through overlay zoning depending upon services available and potential impacts on the surrounding area.

The policy emphasis for the Moyock subarea indicates in areas where on-site wastewater is proposed and other County services are limited, development density should be limited to 1-2 units per acre. The proposed development density is 0.67 units per acre.

The proposed use 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. LOCATION AND DENSITY FACTORS shall include whether the development is within an environmentally suitable area, the type and capacity of sewage treatment available to the site, the adequacy of transportation facilities providing access to the site, and the proximity of the site to existing and planned urban services. For example, projects falling within the Full Services areas of the Future Land Use Map would be permitted a higher density because of the availability of infrastructure as well as similarity to the existing development pattern. Such projects could be developed at a density of two (2) or more dwelling units per acre. 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 1 dwelling unit per 3 acres because of the lack of infrastructure in the area, the existing low density development pattern, and presence of environmentally sensitive natural 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.
2. COMPACT, MIXED USE DEVELOPMENTS or DEVELOPMENTS NEAR A MIXTURE OF USES that promote a return to balanced, self-supporting community centers generally served by centralized water and sewer. The types of development are contemplated for the Full Service Areas identified on the Future Land Use Map.

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

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

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.* Based on the suggested findings, staff has determined it is probably true that 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.

**Suggested Findings:**

- a. Based on the student generation rates, this subdivision will generate the following students:
  - i. 16 elementary students
  - ii. 5 middle school students
  - iii. 9 high school students
- b. The proposed development 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 of the proposed 66 lot residential subdivision with the following conditions:

1. The pedestrian circulation for the proposed development will be accomplished by a trail in lieu of sidewalks on both sides of the street and be subject to the following:
  - a. The trail must be hard surfaced, ADA-accessible, and located within open space set-asides, where possible.
  - b. All pedestrian cross walks shall be aligned with cross walks on the opposing side of the street.
  - c. Pedestrian circulation shall be extended to property boundaries where street interconnection (Thayne Drive and Clements Way) also extend to property boundaries.
2. The 30' access easement (Clements/Spruill) shall be labeled.
3. Currituck County will accept payment in lieu of recreation and park area dedication in accordance with the UDO.

**IV. PLANNING BOARD RECOMMENDATION:**

Mr. Cartwright moved to approve PB 14-05 with the findings of fact and staff recommendations included in the case analysis. Ms. Bell seconded the motion and motion carried unanimously.

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

**PLANNING BOARD DISCUSSION (5.13.14)**

Mr. Cooper asked of examples of hard surfaces.

Ms. Voliva said concrete, asphalt, or it could be wood.

Ms. Bell said the property is located in a Full Service District in Moyock, but they have to have a septic tank on each lot.

Ms. Voliva stated this is correct.

Mr. Klebitz provided an overview of the proposed project. Mr. Klebitz said his client is in agreement with staff recommendations.

Mr. Cooper said he liked the idea of the path in the open space. Mr. Cooper asked what the surface on the path will be.

Mr. Klebitz said they have not decided, but it will have to be ADA compliance. Mr. Klebitz said there will be two entrances to the project and they will be clearly marked.

Ms. Bell asked what the size and price of the homes will be.

Mr. Klebitz said approximately 1700-3100 sq. ft. and range from \$279,000-\$349,000.

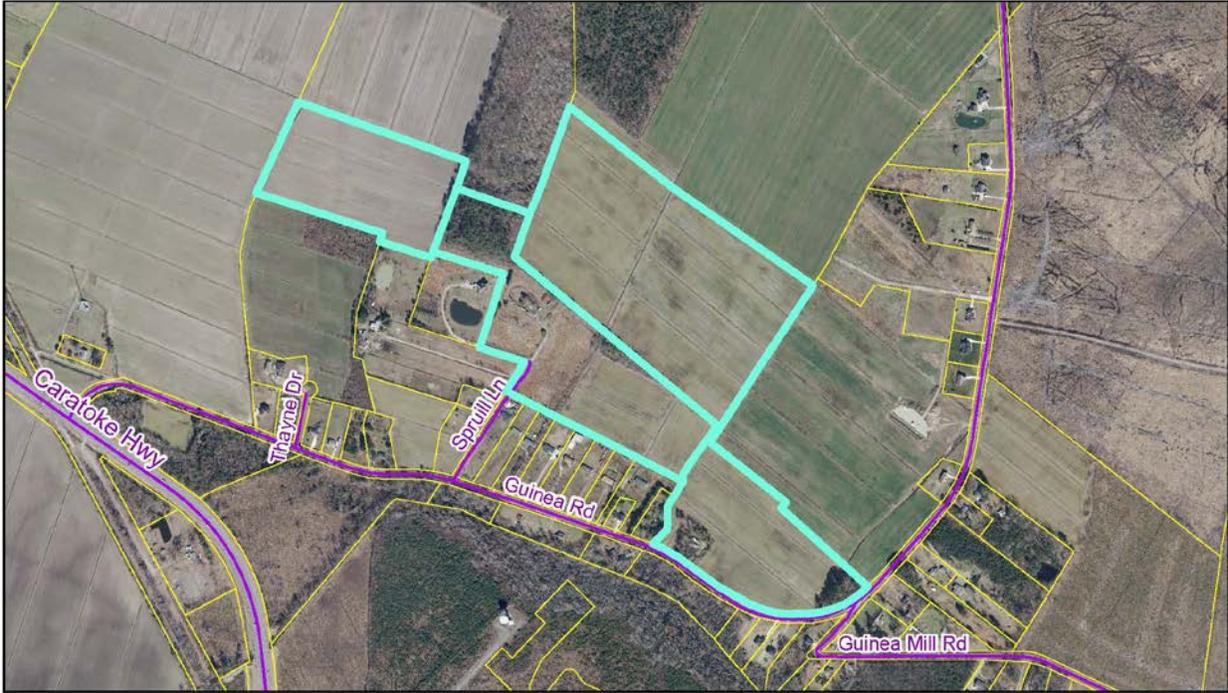
Ms. Helvestine asked once the stormwater ponds goes in, who will maintain the ponds. Ms. Helvestine is concerned with who is going to maintain the ponds and who she should contact if they are not being maintain. Ms. Helvestine asked if the ponds will have fountains in them.

Ms. Voliva said you may contact the county for enforcement which may include contacting the state. Ms. Voliva said the state stormwater deals with more water quality and the county looks at the water quantity standpoint.

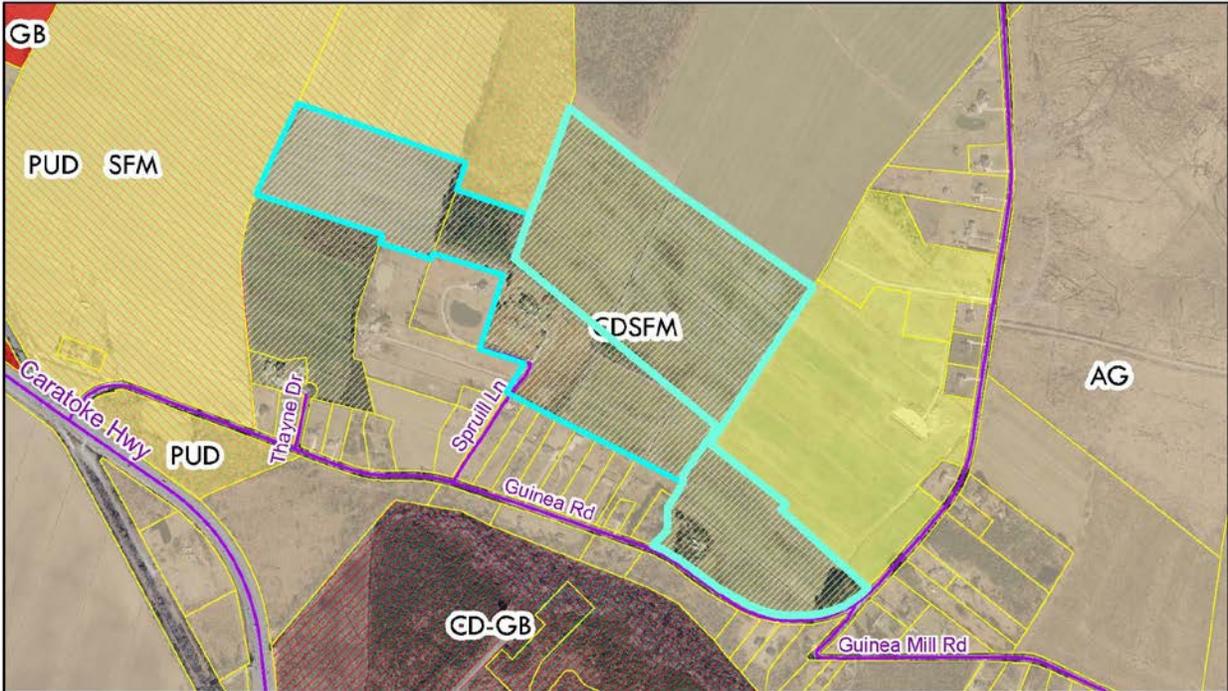
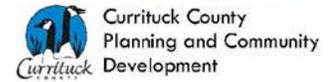
Mr. Woody said the county has a stormwater ordinance and the ponds will have to be maintained in accordance with approved plans.

**ACTION**

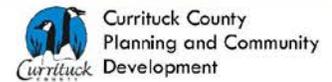
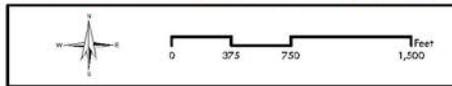
Mr. Cartwright moved to approve PB 14-05 with the findings of fact and staff recommendations included in the case analysis. Ms. Bell seconded the motion and motion carried unanimously.

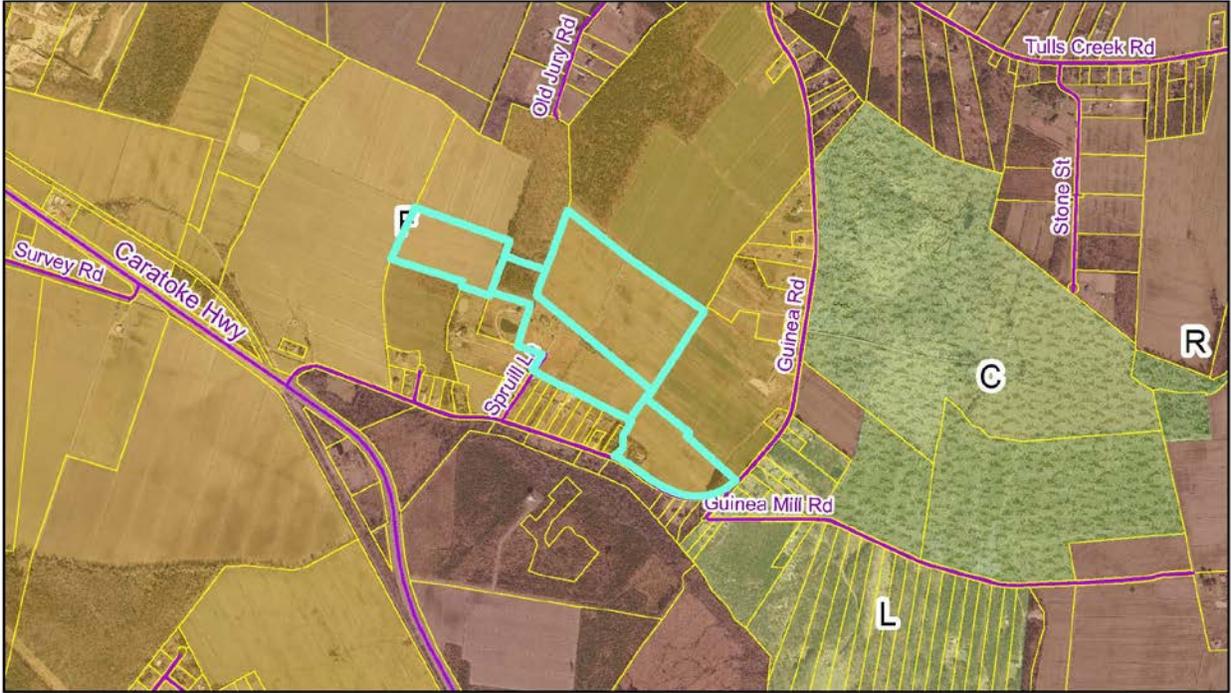


PB 14-05  
The Gables  
Preliminary Plat - Aerial

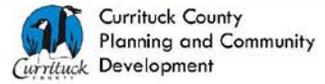
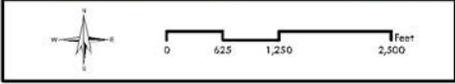


PB 14-05  
The Gables  
Preliminary Plat - Zoning





**PB 14-05**  
**The Gables**  
**Preliminary Plat - LUP**



## MEMORANDUM

**To:** Brooks and Tina Clements  
Bissell Professional Group

**From:** Planning Staff

**Date:** March 19, 2014

**Re:** The Gables, Preliminary Plat

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The following comments have been received for the March 19, 2014 TRC meeting. The required revisions must be submitted by March 24, 2014 to tentatively remain on the Planning Board meeting for April 8, 2014. TRC comments are valid for six months from the date of the TRC meeting.

### **Planning, Donna Voliva 252-232-6032**

Approved with comments

1. The preliminary plat shall indicate all required building setbacks.
2. The preliminary plat shall contain all approved zoning conditions.
3. Please provide a copy of the USACOE approved map and letter.
4. Please remove the Environmental Concern Certificate since there are no areas of environmental concern (DCM) jurisdictional areas.
5. Please correct the Stormwater Certificate to read Improvements Certificate
6. The preliminary plat shall indicate a 5' non access buffer for the corner lots. The non access buffer shall be applied to the more traveled road.
7. Please provide pedestrian connections for phases 1 and 2.
8. The street trees shall provide four tree species.
9. Site triangles shall be provided at the intersection of Clements Way and Ashbee Court.
10. Pavement for interconnection streets shall be provided to property lines.
11. Please correct the township on the preliminary plat.
12. The proposed recreation and park area dedication lands shall be indicated on the preliminary plat. The TRC will then determine if the lands are acceptable or if a payment in lieu of dedication is necessary.
13. Interconnection street, (proposed Four Square) shall provide the same name as the existing and proposed Thayne Drive.
14. Street lights are proposed and illumination shall be in accordance with a plan designed by the utility company. Street lights shall be located inside full cut-off fixtures mounted on non-corrosive poles served by underground wiring. The light structure and light color of street lights shall be consistent throughout the subdivision.
15. The conceptual development that was part of the approved conditional rezoning indicated proposed screening along all existing property lines with existing development. Specifically, a buffer was proposed (but is not indicated on the landscaping buffering plan) along the property line adjacent to the proposed Beckmoore Subdivision (open space adjacent to lot 1; rear of lots 13, 12, and 11; open space behind lots 54, 55, and 56; open space beside lot 54; and open space beside lot 53. A 25' minimum tree buffer

shall be provided adjacent to the Jerry L. Old property line. The plan appears to meet this requirement; however the note indicates a variable width.

**Currituck County Engineer, Michelle Perry, Eric Weatherly**  
**Currituck Soil and Water, Mike Doxey**

Approved with conditions

1. We would like to discuss the wetland storage BMP elevation in comparison to the surrounding drainage area elevations and also the function of inlets vs. outlets.
2. Even though the ordinance does not require downstream improvements, would the owner/developer consider improving downstream outlets?.

**Currituck County Utilities, Pat Irwin**

Approved

**Currituck County Emergency Management, James Mims 252-264-6641**

Reviewed

1. The fire hydrant does not appear to be within 500' of all road frontage of lot 1 and lot 9.

**Currituck County Inspections, Spence Castello**

No comment

**Currituck County GIS, Harry Lee**

Reviewed

1. Four Square as a street name has been denied.  
Due to the proposed "Four Square" being in alignment with the previously approved Thayne Drive on the adjacent property, the UDO requires the name Thayne Drive to be continued.

Address Assignment:

- Lot 1 = 201 Thayne Dr
- Lot 2 = 203 Thayne Dr
- Lot 3 = 205 Thayne Dr
- Lot 4 = 207 Thayne Dr
- Lot 5 = 117 Artisan Way or 204 Thayne Dr
- Lot 6 = 115 Artisan Way
- Lot 7 = 113 Artisan Way
- Lot 8 = 111 Artisan Way
- Lot 9 = 109 Artisan Way
- Lot 10 = 110 Artisan Way
- Lot 11 = 112 Artisan Way
- Lot 12 = 114 Artisan Way
- Lot 13 = 116 Artisan Way or 200 Thayne Dr
- Lot 14 = 100 Artisan Way or 129 Gables Pl
- Lot 15 = 131 Gables Pl
- Lot 16 = 133 Gables Pl
- Lot 17 = 135 Gables Pl
- Lot 18 = 137 Gables Pl

Lot 19 = 139 Gables Pl  
Lot 20 = 138 Gables Pl  
Lot 21 = 136 Gables Pl  
Lot 22 = 134 Gables Pl  
Lot 23 = 132 Gables Pl  
Lot 24 = 130 Gables Pl  
Lot 25 = 128 Gables Pl  
Lot 26 = 126 Gables Pl  
Lot 27 = 124 Gables Pl  
Lot 28 = 122 Gables Pl  
Lot 29 = 114 Gables Pl  
Lot 30 = 101 Ashbee Ct or 112 Gables Pl  
Lot 31 = 103 Ashbee Ct  
Lot 32 = 105 Ashbee Ct  
Lot 33 = 107 Ashbee Ct  
Lot 34 = 109 Ashbee Ct  
Lot 35 = 111 Ashbee Ct  
Lot 36 = 113 Ashbee Ct  
Lot 37 = 115 Ashbee Ct  
Lot 38 = 117 Ashbee Ct  
Lot 39 = 114 Ashbee Ct  
Lot 40 = 112 Ashbee Ct  
Lot 41 = 110 Ashbee Ct  
Lot 42 = 108 Ashbee Ct  
Lot 43 = 106 Ashbee Ct or 101 Clements Way  
Lot 44 = 104 Ashbee Ct or 100 Clements Way  
Lot 45 = 102 Ashbee Ct  
Lot 46 = 100 Ashbee Ct or 108 Gables Pl  
Lot 47 = 107 Gables Pl  
Lot 48 = 109 Gables Pl  
Lot 49 = 111 Gables Pl  
Lot 50 = 113 Gables Pl  
Lot 51 = 115 Gables Pl  
Lot 52 = 117 Gables Pl  
Lot 53 = 119 Gables Pl  
Lot 54 = 123 Gables Pl  
Lot 55 = 125 Gables Pl  
Lot 56 = 127 Gables Pl or 101 Artisan Way  
Lot 57 = 101 Briton Way  
Lot 58 = 103 Briton Way  
Lot 59 = 105 Briton Way  
Lot 60 = 107 Briton Way  
Lot 61 = 109 Briton Way  
Lot 62 = 108 Briton Way  
Lot 63 = 106 Briton Way  
Lot 64 = 104 Briton Way  
Lot 65 = 102 Briton Way  
Lot 66 = 100 Briton Way

**NC Division of Coastal Management, Charlan Owens**

No comment

**NC State Archaeology, Lawrence Abbot**

No comment

1. No previously recorded archaeological sites noted within the project area. An archaeological survey is not recommended.

**Albemarle Regional Health Services, Joe Hobbs**

Reviewed

1. PLEASE CONSULT WITH KEVIN CARVER R.S. AT 252-232-6603 TO OBTAIN SEPTIC APPROVAL (SEPTIC TANK PERMITS) FOR EACH LOT THAT MAKE UP THIS PROPOSED SUB-DIVISION.

**US Postal Service, Moyock Postmaster**

1. Please contact the local postmaster (Moyock) to determine the mode of delivery and type of delivery equipment.

**SURVEY LEGEND**

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



NC GRID NAD83(2011)



**LINE TABLE**

LINE	LENGTH	BEARING
L1	48.07	S39°23'42"W
L2	193.70	N54°05'48"W
L3	104.98	N44°57'24"E
L4	147.56	N04°44'43"E
L5	86.13	N30°05'06"E
L6	109.45	N31°26'30"E
L7	104.95	N63°05'30"W
L8	136.95	N62°54'45"W
L9	215.00	N31°57'40"E
L10	292.85	N72°32'34"W
L11	40.33	S18°46'37"W
L12	49.17	N19°47'47"E

**CURVE TABLE**

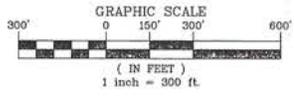
CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
C1	208.21	905.57	207.75'	N55°56'19"E	13°10'24"
C2	359.57	661.71	355.16'	N80°41'14"E	31°08'03"
C3	329.63	665.34	326.27'	S71°22'29"E	28°23'10"
C4	179.06	6221.48	179.05'	S54°55'16"E	1°38'56"
C5	208.17	1237.89	207.92'	N58°54'50"W	9°38'06"
C6	30.87	2259.69	30.87'	N66°53'44"W	0°46'58"

**CENTERLINE LINE TABLE**

LINE	LENGTH	BEARING
CL-L1	39.02	N27°28'28"E
CL-L2	18.49	N70°47'58"W
CL-L3	27.50	N70°36'17"W
CL-L4	92.17	N22°49'41"W
CL-L5	50.00	S19°38'08"W

**CENTERLINE CURVE TABLE**

CURVE	LENGTH	RADIUS	CHORD	BEARING	DELTA
CL-C1	72.20	500.00	72.14'	N23°20'15"E	8°16'26"
CL-C2	250.24	750.00	249.09'	N62°18'54"W	19°27'01"
CL-C3	531.65	400.00	493.37'	N18°52'34"W	76°09'12"
CL-C4	326.45	1000.00	325.00'	N66°16'44"W	18°42'18"
CL-C5	1055.28	500.00	870.04'	S15°10'04"E	120°55'34"
CL-C6	135.61	300.00	134.46'	N32°20'43"E	25°54'00"
CL-C7	212.92	250.00	206.55'	S47°13'39"E	48°47'55"
CL-C8	205.66	250.00	199.91'	N46°23'40"W	47°07'58"
CL-C9	183.13	1500.00	183.02'	S21°32'29"W	6°59'42"
CL-C10	141.46	1500.00	141.41'	N22°20'14"E	5°24'12"
CL-C11	820.34	500.00	731.38'	S28°37'44"E	94°00'15"
CL-C12	234.94	500.00	232.78'	S31°50'03"W	26°55'19"



**BISSELL**  
 Biswell Professional Group  
 Firm License # C-556  
 P.O. Box 1008  
 1008 North Carolina 27949  
 (252) 738-3000  
 (252) 738-3001  
 FAX (252) 251-1760

**THE GABLES**  
 PARCEL OVERVIEW  
 CURRITUCK COUNTY NORTH CAROLINA  
 MOYOCK TOWNSHIP  
 PRELIMINARY PLAT

REVISIONS

NO.	DATE	DESCRIPTION	BY
1		ISSUED ADDRESS, INC.	DMK

**PRELIMINARY**  
 For Review Purposes Only

DATE:	02-27-14	SCALE:	1"=300'
DRAWN:	BPG	DESIGNED:	DMK
CHECKED:	DMB	APPROVED:	BPG
SHEET:	2	OF	6
CAD FILE:	450300PP1		
PROJECT NO.:	4503		



# Major Subdivision Application

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

### Contact Information

APPLICANT:	PROPERTY OWNER:
Name: <u>Brooks R &amp; Tina M. Clements</u>	Name: <u>Same</u>
Address: <u>4625 E Princess Anne Rd</u>	Address: _____
<u>Norfolk, VA 23502</u>	_____
Telephone: <u>Cell: (252) 619-3514</u>	Telephone: _____
E-Mail Address: <u>tshirts2@aol.com</u>	E-Mail Address: _____

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: PARTNER

### Request

Subdivision Name: The Gables

Number of Lots or Units: 66 Lots Phase: 252 619 3514

#### 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.

TINA CLEMENTS Tina M. Clements  
BROOKS R. CLEMENT [Signature]  
 Property Owner(s)/Applicant\*

2-21-14  
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: Monday, 2/24/14 at 6:00pm Meeting Location: Re/Max Realty  
378 Caratoke Hwy  
Moyock, NC 27958



# Use Permit Application

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

### Contact Information

<b>APPLICANT:</b>	<b>PROPERTY OWNER:</b>
Name: <u>Brooks R &amp; Tina M. Clements</u>	Name: <u>Same</u>
Address: <u>4625 E Princess Anne Rd</u>	Address: _____
<u>Norfolk, VA 23502</u>	_____
Telephone: <u>Cell: (252) 619-3514</u>	Telephone: _____
E-Mail Address: <u>tshirts2@aol.com</u>	E-Mail Address: _____
LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: <u>Same</u>	

### Property Information

Physical Street Address: 418 Guinea Road; 1214 OFF SR; the 3rd Parcel does not have a physical address on GIS

Location: Moyock, NC 27958

Parcel Identification Number(s): 0022000064A0000, 0022000064E0000 & 0022000071B0000

Total Parcel(s) Acreage: 97.75 AC

Existing Land Use of Property: Farmland

### Request

Project Name: The Gables

Proposed Use of the Property: Residential Sub-division

Deed Book/Page Number and/or Plat Cabinet/Slide Number: DB651, P 238 & 425@301

Total square footage of land disturbance activity: \_\_\_\_\_

Total lot coverage: \_\_\_\_\_ Total vehicular use area: \_\_\_\_\_

Existing gross floor area: \_\_\_\_\_ Proposed gross floor area: \_\_\_\_\_

### Community Meeting

Date Meeting Held: 2/24/14 @ 6:00pm Meeting Location: Re/Max - Moyock

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

See Attached pages (2)

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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

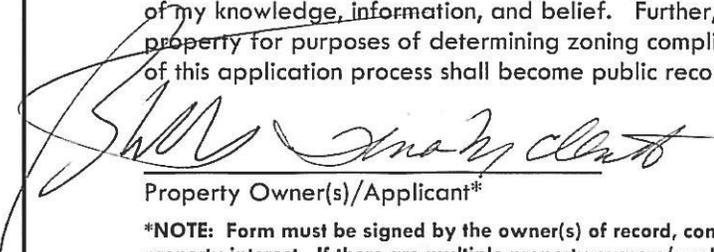
C. The use will be in conformity with the Land Use Plan or other officially adopted plan.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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\*

2-24-12  
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.

Purpose of Special Use Permit and Project narrative (please provide an additional paper if needed):

The project proposes the division of approximately 97.75 acres into 66 40,000 square foot lots, along with buffers and common areas. Open space and stormwater management are provided in accordance with the new Currituck County U.D.O and in accordance with commitments that were made to neighbors at the initial community meeting. The project conforms to the development plan that was presented in connection with the conditional zoning approval that was granted in July, 2013.

Suggested Findings:

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

The use will adhere to county health and safety standards, including recommendations that were made by Albemarle Regional Health Services, and should therefore not adversely impact the public health or safety.

- 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:

Most of the surrounding land has been zoned for development and has either been developed as single-family residential, or is slated to be developed, as follows:

- a. Currituck Reserve to the north & west (zoned PUD)
- b. Beckmoore Estates adjacent to the southwest (single-family under construction)
- c. Existing single family homes to the south
- d. SF subdivision planned to the east (Holly Ridge)

The use will not injure the value of adjoining or abutting lands and will be in harmony with the area, as the subdivision is of similar density to the surrounding area.

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

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.

The policy emphasis for the Moyock subarea indicates development densities with on-site wastewater should be limited to one-two units per acre. The proposed development is only 0.675 units per acre.

The following Land Use plan policy statements are relevant to and support 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 HN8: To protect the County's tax base and to ensure the long-term viability of the County's neighborhoods and housing stock, the County will continue to enforce appropriate CONSTRUCTION AND SITE DEVELOPMENT STANDARDS for residential developments. Such standards may include, for example, that all homes have a permanent masonry foundation (except where flood levels require elevation) and a pitched roof and overhang, and that local roads much be built to meet NCDOT acceptance standards.

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

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

POLICY WQ5: Development that preserves the NATURAL FEATURES OF THE SITE, including existing topography and significant existing vegetation, shall be encouraged. If COASTAL AND NON-COASTAL WETLANDS are considered part of 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.

- 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.

The County has adequate public facilities to serve the proposed subdivision.

## The Gables

### Community Meeting for Preliminary Plat

Monday, February 24, 2014

Scheduled Time/Place: 6:00pm, ReMax Realty Office, Moyock, NC

Meeting Began: 6:12pm (waited for late arrivals)/ Meeting Ended: 6:50pm+/-

#### Attendees:

Community Residents – See attached sign-in sheet

Tina Clements, Landowner

Donna Voliva, Currituck County

David Klebitz, Project Manager, Bissell Prof. Group

Mark Bissell, Bissell Professional Group

Comments from the Community	How Addressed
When will construction start	Summer of 2014 if approvals are in place
Question about septic systems and potential impact on Ann Spruill's well	Health Department has evaluated each lot for suitability and separation; closest system is about 600 feet away from Ann's well; other development is closer
Trails - like the idea	Trails will be provided

#### Summary:

A summary of the previous community meeting was provided including the way that previous concerns had been addressed (stormwater management and buffers/screening of existing development). The development plan is substantially the same as what was approved in connection with the conditional zoning approval. Details of the plan were outlined for the benefit of the one resident who did not attend the first community meeting. Phasing was discussed. The residents seemed to generally support the plan.

# Community Meeting Sign-In Sheet

for

## The Gables

Monday, February 24, 2014

NAME	ADDRESS	TELEPHONE	E-MAIL
<i>[Signature]</i>	474 Guinea	599-7596	
BRIAN GIBSON	JENNINGS FARM	757 377 3800	bgibson@LEADSUP
JOE McVASTINE	406 Guinea RD	757.477.6405	SPRINKLERS.COM
TINA CLEMENTS			
SCOTT MACK			
DONNA VOLIVA			
DAVID KEBITE			
MARC BISSOL			



## Economic and Public Facilities Impact Analysis

For

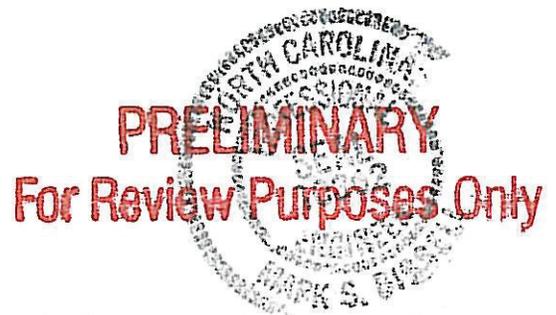
# The Gables

66-Lot Major Subdivision

Moyock Township

February 27, 2014

Developer: Brooks R. Clements and Tina M. Clements



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- **Directional Distribution**
- **Volume Impact**

# The Gables

## PHYSICAL ANALYSIS

### **Development Profile & Expected Housing Types**

The Gables will be a development of well-coordinated, single family homes. The project is expected to reach build-out over a period of three to five years. Strict covenants and required approval of construction by an architectural review committee will ensure that the homes in The Gables are upscale in design and size with homes ranging in size from 1,900 to over 3,000 square feet.

The Gables will be a traditional residential subdivision as defined by the Currituck County Unified Development Ordinance. A neighborhood community of 66 40,000 square-foot, single-family home sites, the homes in The Gables will typically have 4 bedrooms with a minimum of 2 to 3 bathrooms, 1,900 to 2,400 square feet on average, with some home sizes expected to increase to 3,000 or 3,100 square feet. The restrictive covenants of the subdivision will preserve a consistent and complementary style of homes, based on the Craftsman style design, throughout the subdivision. Some examples of the type of homes expected to be constructed in The Gables are attached.

### **Projected Values**

The developer anticipates selling lot and home packages to individual buyers. Lot values will approximate \$90,000 each, yielding a total approximate land value of \$6 million. At build-out, the total estimated valuation of the subdivision will approximate \$21 million with home and lot packages estimated to average between \$279,000 and \$349,000.

### **Amenities**

The total project area of The Gables subdivision is 97.75 acres, with open space of 29.3 acres. The subdivision lends itself to meandering walking paths, fostering a sense of neighborhood throughout the community. Near the larger pond in the middle of the subdivision, park benches and a gathering area are planned, so that the residents of the

community can gather and enjoy the splendor of the pond. Walking trails are planned so that families can gather and nurture friendships within the community.

## **Existing Features Analysis**

The land use design of Laurel Woods Estates takes advantage of its natural topography and drainage system, blended with an aesthetically pleasing neighborhood layout of meandering roadways and connecting trails that become the primary features on the subdivision.

Buffers ranging from 25 feet to more than 50 feet in width are provided on all sides of the community, to buffer the residents from adjacent farm activity, and to buffer existing residents from the new community. Decorative fencing, vegetated berms, drainage swales and tree buffers are all used where appropriate to buffer the surrounding areas.

The specific design of the open space areas in The Gables embraces three main themes: (1) a well-coordinated and connected trail of walking paths through an integrated greenway system, (2) a natural neighborhood gathering area centering at and around the largest pond, and (3) perimeter buffering. The design and layout of the open space areas within The Gables strives to be as contiguous as possible – embodying the subdivision’s design principle to encourage walking and bicycling throughout the neighborhood and thereby nurturing community friendships.

The neighborhood feel of the community will be anchored by activities situated at the larger pond to which the trails will lead. Located at the larger pond area will be a gathering area to encourage neighborhood and family gatherings. A bike rack will be located at the main pond area, encouraging the use of bicycles in the community.

## **Phasing of the Project**

The phasing of The Gables will begin with the construction and sale of lots 1-10 near the connection to Beckmoore subdivision (an adjacent tract that is currently under construction).

It is the developer’s intent to phase in the development of The Gables over a 3 to 5 year period in 10 to 20-lot increments approximately as shown on the Phasing Plan that was submitted with the Preliminary Plat. This phasing plan will allow the County time to appropriately identify any additional public infrastructure needs.









## FISCAL ANALYSIS

The following is a summary of the details of the anticipated Fiscal Impact The Gables subdivision in Moyock Township, Currituck County, North Carolina:

### **A. Estimated Total Property Valuation, Before Build-Out**

66 lots average valuation @ \$90,000 / lot = \$5,940,000

### **Estimated Total Property Valuation, After Build-Out**

66 lots & homes total valuation (range from \$279,000 to \$349,000) =  
\$18,400,000 to \$23,000,000

### **B. Tax Revenue (Annual)**

Based on the project being sold and built-out using the values outlined above, the positive operational impact on Currituck County is estimated to be as follows (based on the current ad valorem tax rate):

Ad Valorem Tax: \$ 0.485 / 100 x \$20,700,000 (average) =	\$100,395
Solid Waste Fee: \$114 / year x 66 lots =	<u>\$ 7,524</u>
TOTAL ESTIMATED ANNUAL TAX REVENUE:	\$107,919

### **C. Other Revenue Sources**

Fees and Licenses: (\$100 / lot)	\$ 6,600
Other Permit Fees: (approximately \$600 / lot)	\$ 39,600
Land Transfer Taxes: 1.0% x \$20,700,000	\$207,000
Revenue Stamps: 0.2% x \$20,700,000	\$41,400
Water Connection Fees: \$6,000 x 66	<u>\$396,000</u>

TOTAL ESTIMATED OTHER REVENUE

\$690,600

**D. Anticipated Services Impact**

The projected one-time revenue source of \$690,600 combined with the yearly projected revenue stream of approximately \$108,000 is anticipated to more than offset any additional service impacts upon fire services, solid waste collection, social services and other public services which may result from the development of this subdivision.

## ENVIRONMENTAL IMPACT (water and wastewater)

The Gables is designed as a 66-lot conventional residential subdivision. It is anticipated that Currituck County will provide water to the home sites via connection to the existing waterline along Guinea Road. The waterline will be looped and fire protection will be provided in accordance with North Carolina standards. Each lot will be served by an individual septic system since Albemarle Regional Health Services has determined that the project's soil conditions will be provisionally suitable for the installation of septic systems once appropriate grading and drainage improvements have been completed.

### **Estimated Water Consumption**

The basis of design for this project is 120 gallons per day per bedroom with three and four-bedroom typical homes. Utilizing the more conservative 4-bedroom average of 480 gallons, the basis of design for the water and sewer facilities for this project is:

66 Single Family Dwellings @ 480 gpd/home = 31,680 GPD

### **Wastewater Treatment Disposal**

Albemarle Regional Health Services has evaluated each one of the 66 lots, and determined that, with the addition of appropriate fill and/or drainage, the lots will all support septic systems that will adequately meet the needs of the subdivision.

### **Stormwater**

Infiltration and collector swales will be installed as needed. A low density stormwater permit will be required, but the project also will have on-site stormwater detention ponds to attenuate the stormwater runoff during storm conditions. Stormwater will be retained to the degree required by the NC Division of Water Quality, the Currituck County Unified Development Ordinance, and the new County Stormwater Manual.

To best accommodate stormwater runoff, existing ditches will be improved as well as the creation of additional ditches around and through the subdivision. These ditches are part of the overall drainage plan that will work hand-in-hand with the proposed pond system. A stormwater narrative with additional detail is included as part of the application.

### **Wetland Buffers**

There is a small (1.97 acre) wetland area that will be buffered from the development in accordance with UDO requirements. This wetland will also aid in the temporary storage and filtering of stormwater runoff.

No filling of any wetlands is proposed in connection with this development.

## TRAFFIC ANALYSIS

### **General Site and Land Use**

The proposed project is to be developed on a 97.75 acre site located off Guinea Road in Moyock Township. The site will have 66 single family home sites with over 29 acres set aside as open space. The subdivision will have two connections to Guinea Road, one direct connection and a second connection through the adjacent Beckmoore Estates subdivision, currently under development. In addition, connectivity is being provided for future development to both the north and east.

### **Trip Generation**

Using the standard NCDOT total of approximately 10 trips per house per day, the project at build-out is anticipated to generate traffic volume by the year 2019 upwards of 660 trips per day.

$$\text{Year 2019} \quad 66 \text{ dwelling units @ } 10 \text{ trips / day} = 660 \text{ trips / day}$$

### **Directional Distribution**

Of the projected 660 daily trips entering onto US 158, about 20 percent are projected to head north to Tulls Creek Road, with 80% expected to travel west to NC 168. This distribution results in a total of about 132 trips per day to the north and 528 trips per day to the west.

### **Volume Impact**

Information on the volumes of existing traffic on the roads in the vicinity of the proposed development was obtained from the North Carolina Department of Transportation. The latest data available from NCDOT show an average daily traffic volume of about 600 trips per day on Guinea Rd and 13,000 vehicles per day on US 168 north of its connection with Guinea Road. The additional traffic volume projected by this subdivision at build-out will increase the Guinea Road traffic to about 1100 trips per day, which is not anticipated to drop its level of service below an "A" rating. The additional traffic added to NC 168 represents an increase of about 4 percent, most likely distributed as 3% to the north and 1% to the south. This increase in the average traffic volume is not expected to have a significant impact on the highway's level of service.



**Currituck County**  
**Preliminary Stormwater Management Narrative**

***Project:***

***The Gables Residential Subdivision***

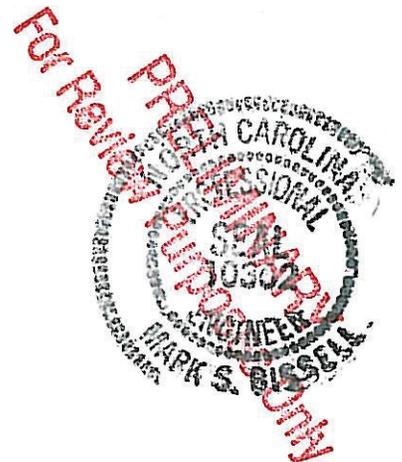
Moyock, Currituck County, North Carolina

***Prepared By:***

***Bissell Professional Group***

P.O. Box 1068  
3512 N. Croatan Highway  
Kitty Hawk, North Carolina 27949

February 27, 2014



## **PRELIMINARY STORMWATER MANAGEMENT NARRATIVE:**

### **PROPOSED DEVELOPMENTAL ACTIVITIES**

The intent of the design, to the maximum extent possible, will be to employ the use of vegetative conveyances, vegetative buffers and Best Management Practices (BMP) to manage stormwater runoff generated by the proposed development. The development will be designed in accordance with NCDENR's criteria for Low-Density Stormwater Management Permitting, thus limiting overall coverage to 24% or less. Stormwater management measures will also be designed in accordance with Chapter 7.3 of the Currituck County Unified Development Ordinance. "The Gables" subdivision will be located off the north side of Guinea Rd. (SR 1214), (36.4998204N, 76.131067W), in the Moyock Township, Currituck County, North Carolina.

The total proposed developmental activities include the following:

- a) (66) 40,000 sf + single family residential home lots
- b) 6,970 l.f+/- of typical asphalt subdivision roadways, with cul-de-sacs.
- c) Waterline Improvements
- d) Walking Trails and Community Recreational Improvements
- e) Drainage and Stormwater BMP Improvements

The project is anticipated to be developed in the following Phases:

- Phase 1: Lots 1-13
- Phase 2: Lots 14-28, 52-56
- Phase 3: Lots 29-51
- Phase 4: Lots 57-66

### **SITE SOILS**

The following is a summary of the soils typically found within the project boundary limits.

#### **SOIL DESCRIPTION**

The majority of the site is composed of:

StA: State Fine Sandy Loam: Well drained soils on low ridges along Currituck and Albemarle Sound. Permeability is moderate at 0.6-2.0 in/hr and a seasonal high water table that fluctuates between depths of 4 and 6 feet.

At: Augusta Fine Sandy Loam: Somewhat poorly drained soils on smooth, slightly convex ridges near or adjacent to small streams and rivers. Permeability is moderate at 0.6-2.0 in/hr and a seasonal high water table that fluctuates between depths of 1.0 and 2.0 feet.

Ro: Roanoke Fine Sandy Loam: Nearly level, poorly drained soil on broad flats and in slightly depressed waterways. Permeability is slow with a seasonal high water table at or near the surface. Permeability in the first 45" of soil is described as being 0.06 in/hr – 2.0 in/hr.

To: Tomotley Fine Sandy Loam: Nearly level, poorly drained soil on broad flats and in slightly depressed waterways. Permeability is moderate to moderately slow at 0.6-2.0 in/hr and a seasonal high water table at or near the surface.

- *Information referenced from United States Department of Agriculture, Soil Conservation Service, Soil Survey of Currituck County, North Carolina*

## EXISTING SITE TOPOGRAPHY AND DRAINAGE FEATURES

The property is composed of the (3) existing parcels totaling approximately 97.8 acres. The site's topography generally gently slopes from it's northern boundary towards the southern boundary and east towards Guinea Rd. Elevations across the site range from approx. 7' msl in NE corner receding down to approx. 2' msl in the SE corner, along Guinea Road, with an average elevation of 5'-6' msl. An existing 2 ac. wetland area has been identified within a wooded area near the center of the property. A number of existing farm ditches cross the property, draining from North to South and discharging to Roland Creek located along and paralleling the south side of Guinea Road. Roland Creek drains East to Tulls Creek, Tulls Bay and ultimately empties to the Currituck Sound. Land use on the property is currently agricultural. Surrounding land use is a mix of residential development and agricultural.

## STORMWATER MANAGEMENT DESIGN CRITERIA

In addition to NCDENR's low-density permitting requirements, the development will also be designed in accordance with Currituck County's UDO and the Stormwater Management Plan requirements for Major Subdivisions as outlined in the County's Stormwater Manual and as follows.

"Currituck County requires that all major subdivisions provide adequate stormwater controls to retain the-post development 10-year, 24-hour peak discharge so that it does not release a peak discharge greater than the 2-year, 24 hour peak discharge using a wooded site condition, regardless of actual pre-development site conditions."

## STORMWATER RUNOFF COLLECTION AND MANAGEMENT

Based upon the size, topography and phasing of the proposed development, it will likely be divided into four Drainage Areas. *(Please Reference Attachment A for "Drainage Basin Delineation Exhibit")* Please also Reference the Preliminary Development Plans for details regarding the following drainage area plans and typical details of the proposed BMP's.

### Drainage Area #1

This drainage area is anticipated to encompass Lots 1-13 and the associative roadway improvements proposed in Phase 1, approximately 20 acres. Preliminarily, stormwater runoff will be directed to and managed by the existing adjoining wetland area. A Stormwater Wetland, "BMP-D", will be created by constructing a perimeter impoundment berm around the. An outlet device and overflow spillway will be provided that will discharge west to a boundary ditch proposed along the north boundary and tying to the existing farm ditch running along the western development boundary that drains south.

### Drainage Area #2

This largest drainage area is anticipated to encompass Lots 14-53 and the associative roadway improvements proposed in Phases 2 & 3, approximately 54 acres. Preliminarily, stormwater runoff will be directed to and managed by the Stormwater Pond, "BMP-A", proposed in the center of the development. An outlet device and overflow spillway will be provided that will discharge north to a boundary ditch proposed along the northern boundary, the eastern boundary, and then east again tying to the existing farm ditch running through the property that drains south. A second outlet device will be provided that will discharge south and connect to the existing farm ditches that run through the development and continue to drain south.

### Drainage Area #3

This smallest drainage area is anticipated to encompass Lots 54-56 proposed in Phases 2, approximately 3.5 acres. Preliminarily, stormwater runoff will be directed to and managed by the Stormwater Pond, "BMP-B", proposed along the south side of Lot 54. An outlet device and overflow spillway will be provided that will discharge south to the existing ditch running along the west side of Spruill Lane that continues to drain south.

### Drainage Area #4

This drainage area is anticipated to encompass Lots 57-66 and the associative roadway improvements proposed in Phases 4 and the entrance roadway, approximately 14.5 acres. Preliminarily, stormwater runoff will be directed to and managed by the Stormwater Pond, "BMP-C", proposed in the southeast corner along Guinea Rd. An outlet device and overflow spillway will be provided that will discharge east to the existing farm ditch running through the property that drains south.

### In General

Rainfall runoff from the residential lots will primarily sheet flow overland into vegetative side property line swales. Runoff from the roadway will be collected by typical roadway swales. The roadway swales will convey runoff to the BMPs as illustrated and described above. Drawdown from the BMPs is anticipated to be handled via a typical drawdown device and overflow be will be managed through a typical spillway. Property line swales will act as, shallow, vegetative filters, constructed with side slopes of 3:1 or greater and vegetated with grass. Longitudinal slopes are kept relatively flat, to provide for low velocity flow, thereby aiding infiltration and sediment removal. This practice is also described as passive in accordance with best management practices. The BMP's will be sized to manage the design criteria as outlined Stormwater Management Design Criteria section above.

## **STORMWATER MANAGEMENT OVERVIEW**

The following information is in conformance with the Currituck County Unified Development Ordinance:

- 1) Impervious coverages will be limited in accordance with NCDENR Low-Density Stormwater Management permitting requirements.
- 2) Vegetative conveyance swales proposed along property lines and roadway swales to collect and transport stormwater runoff from all impervious surfaces to the proposed BMPs.
- 3) BMPs with a drawdown device and overflow spillway will be designed to manage pre and post development runoff conditions in accordance with Currituck County's Stormwater Management Manual before discharging to adjoining outlets.
- 4) Provision of vegetative buffers along wetlands and adjoining farm lands.
- 5) Minimum Building Pad Elevations will be prescribed by lot based on exceeding the 10 year, 24 hour design storm elevation as determined for the respective drainage area.
- 6) Minimum First Floor Elevations will be prescribed by lot based on exceeding the Regulatory Base Flood elevation, or 18 inches above the 10 year, 24 hour design storm elevation, whichever is higher as determined for the respective drainage area.

## **OPERATION & MAINTENANCE**

### **SCHEDULE OF COMPLIANCE**

The developer shall maintain the responsibility for the stormwater management system until at which time a Property Owner's Association assumes responsibility. The stormwater measures are to be installed and maintained as follows;

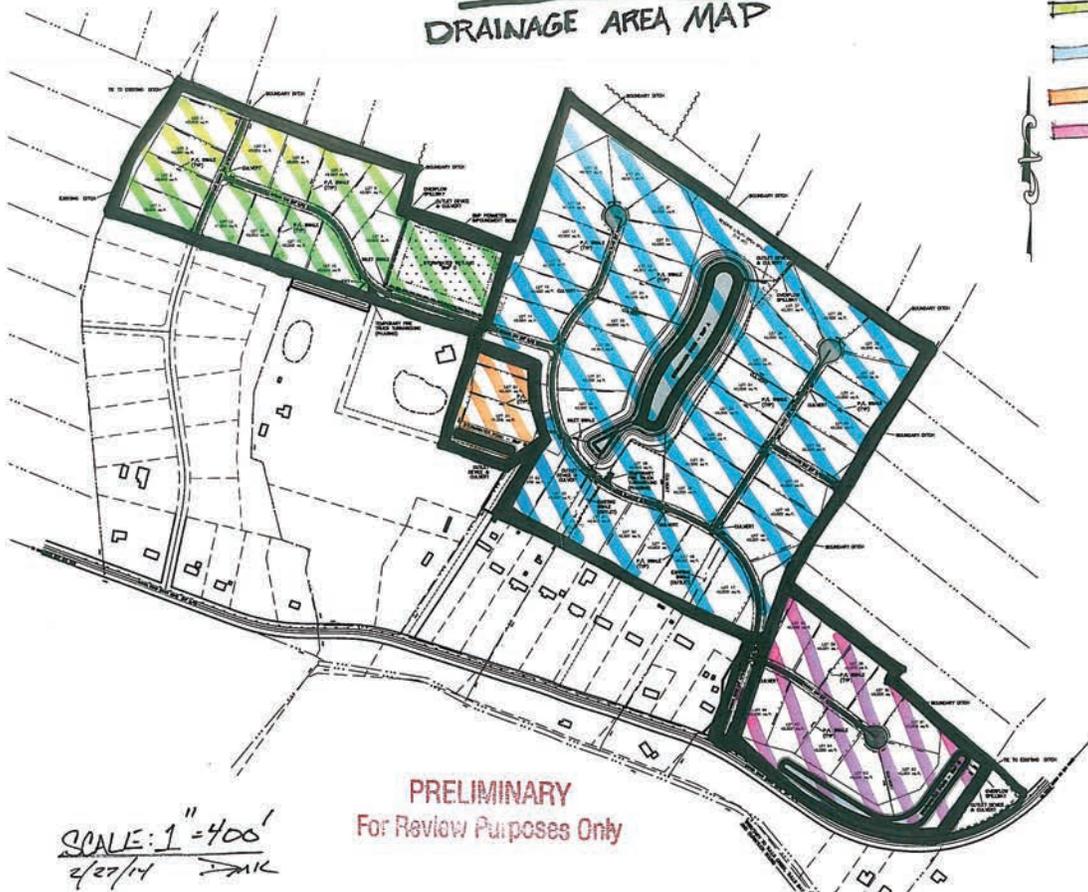
- A. The BMPs, swales and other vegetated conveyances shall be constructed as phased, vegetated, and maintained to be operational.

- B. During construction, erosion shall be kept to a minimum and any eroded areas of the swales or other vegetated conveyances will be repaired immediately.
- C. The following operation & maintenance measures must be performed on all stormwater management measures for optimum efficiency of the stormwater management system;
  - 1. Inspections- at least (1) every 6 months or after any significant rainfall event.
  - 2. Sediment Removal - at least (1) every 6 months or after any significant rainfall.
  - 3. Mowing, and revegetating of the side slope once a month.
  - 4. Immediate repair of eroded slopes.
  - 5. General maintenance of side slopes in accordance with approved plans & specs.



# THE GABLES DRAINAGE AREA MAP

- DRAINAGE AREA #1
- DRAINAGE AREA #2
- DRAINAGE AREA #3
- DRAINAGE AREA #4



SCALE: 1" = 400'  
2/27/14 JMK

PRELIMINARY  
For Review Purposes Only



# Currituck County Agenda Item Summary Sheet

## Agenda Item Title

PB 14-09 Utility Landscaping Standards – Request to amend the Unified Development Ordinance Chapter 5: Development Standards to create an alternative landscape plan for utility uses.

## Brief Description of Agenda Item

The proposed text amendment would allow for utility uses to apply for an alternative landscape plan in which a reduction in the required landscaping standards is permitted. Under the the alternative landscape plan, the permit issuing authority may allow for an adjustment in planting locations or a reduction in the type or total number of required caliper inches provided the utility provider demonstrates the required landscaping interferes with the utility equipment or service.

### PLANNING BOARD RECOMMENDATION:

Mr. Craddock moved to approved PB 14-09 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development and with opaque buffering. Mr. Cooper seconded the motion and motion carried unanimously.

## Board Action Requested

Action

## Person Submitting Agenda Item

Ben Woody

## Presenter of Agenda Item

Ben Woody



## 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: May 22, 2014  
Subject: PB 14-09 Utility Landscaping Standards

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The enclosed text amendment submitted by the Currituck County Planning and Community Development Department establishes an alternative landscaping plan for utility uses including solar arrays.

Currently, the UDO requires certain areas of nonresidential sites to be landscaped. Utilities uses, such as electrical stations and solar arrays, may be burden by these landscaping requirements. Such landscaping, especially canopy trees, can interfere with the utility equipment or service.

This proposed text amendment would allow for utility uses to apply for an alternative landscape plan in which a reduction in the required landscaping standards is permitted. Under the alternative landscape plan, the permit issuing authority may allow for an adjustment in planting locations or a reduction in the type or total number of required caliper inches provided the utility provider demonstrates the required landscaping will interfere with the utility equipment or service.

While the proposed alternative landscape plan for utility uses does allow for a reduction in required landscaping, it does also aim to screen the use from right-of-ways and developed land by requiring a Type C buffer along those uses.

Staff recommends approval of this request as it:

1. Is consistent with the goals, objectives, and policies of the Land Use Plan, specifically:

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

POLICY CA2: A CANOPY OF STREET TREES shall be encouraged along all major highways in the County. This canopy may be implemented through the preservation of existing trees or the planting of trees that will reach substantial size at maturity. The

PB 14-09  
Utility Landscaping Text Amendment  
Page 1 of 6

preservation or planting of such trees shall be encouraged in the area immediately adjoining the right of way.

POLICY CA3: LANDSCAPE IMPROVEMENTS at existing and new commercial developments, particularly as related to breaking up and softening the appearance of expansive parking areas, and absorbing storm water runoff, shall be required.

2. Would improve the compatibility among uses and ensure efficient development within the county.

The Planning Board recommended unanimous approval at their May 13, 2014 meeting.

**PLANNING BOARD DISCUSSION (5.13.14)**

Ms. Glave provided an overview of the text amendment.

**ACTION**

Mr. Craddock moved to approved PB 14-09 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development and with opaque buffering. Mr. Cooper seconded the motion and motion carried unanimously.

**Utility Landscaping  
UDO AMENDMENT REQUEST**

Amendment to the Unified Development Ordinance Chapter 5: Development Standards, to create an alternative landscape plan for utility uses.

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 5.2.9: Alternative Landscape Plan is amended by adding the following underlined language:

**A. General**

Alternative landscape plans, materials, or methods may be justified due to natural conditions, such as streams, estuarine or wetland areas, topography, and physical conditions related to the site. Lot configuration and utility uses and easements may justify an alternative landscape plan, as well as impractical situations that would result from application of Section 5.2, Landscaping Standards.

**B. Allowable Deviations**

The Planning Director or if noted, the permit issuing authority, shall approve an Alternative Landscape Plan if it meets the purpose and intent of the landscaping standards in this section. Allowable deviations from the standards of this section include, but are not limited to the following:

**(6) Utility Uses**

A reduction in the required landscaping standards may be allowed for utility uses in accordance with the following standards:

**(a) An adjustment to planting locations or reduction in the type or total number of required caliper inches may be allowed by the permit issuing authority provided the utility provider demonstrates the required landscaping will interfere with the utility equipment or service.**

**(b) Utility equipment and associated security fencing shall be screened from rights-of-ways and existing developed land by a Type C buffer. The buffer may be reduced in accordance with Subsection (a) above.**

**Item 2:** That Section 5.11: Farmland Compatibility Standards is amended by adding the following underlined language and deleting the strikethrough language:

**5.11.2 Applicability**

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Except where exempted by Section 5.11.3, Exemptions, the standards in this section shall apply to all major subdivisions (see Section 2.4.8), planned developments (see Section 2.4.5), or site plans (see Section 2.4.7) on lots or tracts of ten acres in area or greater proposed adjacent to a bona fide farm or agricultural use associated with a bona fide farm.

**5.11.3 Exemptions**

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The standards in this section shall not apply to the following:

- A. ~~Family subdivisions~~ Utility uses in accordance with Section 5.2.9: Alternative Landscape Plan; and
- B. Portions of a conservation subdivision adjacent to an agricultural use or activity taking place within the conservation subdivision’s open space set-aside.

**Item 3:** The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

**Item 4:** This ordinance amendment shall be in effect from and after the \_\_\_\_\_ day of \_\_\_\_\_, 2014.

\_\_\_\_\_  
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: \_\_\_\_\_



# Currituck County Agenda Item Summary Sheet

## Agenda Item Title

PB 14-07 Ecoplexus, Inc. requests a use permit for a solar array (solar energy farm) located in Shawboro on Shawboro Road directly across from Shawboro Elementary School, PIN 0033-000-001C-0000, Crawford Township.

## Brief Description of Agenda Item

Ecoplexus, Inc. requests a use permit for a solar array (solar energy farm). The solar energy farm will consist of approximately 86,400 300-Watt panels arranged in rows that are affixed to a metal racking structure and attached to the ground with either driven posts or ground screws. The facility will produce clean, renewable energy for an average of 1,900 local homes.

### PLANNING BOARD RECOMMENDATION:

Mr. Bell moved to approve PB 14-07 with the findings of fact, technical review committee recommendations (1-17) and staff recommendations (1-6) included in the case analysis and signage on the gate in case of emergency. Mr. Cartwright seconded the motion and motion carried unanimously.

## Board Action Requested

Action

## Person Submitting Agenda Item

Ben Woody

## Presenter of Agenda Item

Ben Woody

**CASE ANALYSIS FOR THE  
Board of Commissioners  
DATE: June 2, 2014  
PB 14-07 Ecoplexus, Inc.**

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**ITEM:** PB 14-07 Ecoplexus, Inc. request a use permit to operate a solar array (solar energy farm).

**LOCATION:** Shawboro: Shawboro Road (Directly across from Shawboro Elementary)

**TAX ID:** 0033-000-001C-0000

**ZONING DISTRICT:** Agricultural (AG)

**PRESENT USE:** Active Farmland

**OWNER:** Guy Newman  
707 London Bridge Rd  
Va Beach VA 23454

**APPLICANT:** Ecoplexus, Inc  
650 Townsend St #310  
San Francisco CA 94103

**LAND USE/ZONING OF SURROUNDING PROPERTY:**

	<b>Land Use</b>	<b>Zoning</b>
<b>NORTH:</b>	Elementary School/Manned Convenience Center/Low Density Residential	AG
<b>SOUTH</b>	Active Farmland/Low Density Residential/Undeveloped	AG
<b>EAST:</b>	Active Farmland/Low Density Residential/Undeveloped	AG
<b>WEST:</b>	Active Farmland/Low Density Residential/Undeveloped	AG

**LAND USE PLAN**

**CLASSIFICATION:** The 2006 Land Use Plan classifies the site as Rural within the Shawboro-Crawford subarea.

**SIZE OF SITE:** 225.46 acres

**COMMUNITY MEETING:** A community meeting was held on October 15, 2013 at the Shawboro Elementary School. Approximately 20 residents attended the meeting. A summary of the meeting can be found in the attached application.

**I. NARRATIVE OF REQUEST:**

1. The applicant is requesting to operate a solar energy farm.
2. The solar energy farm will consist of approximately 86,400 300-Watt panels arranged in rows that are affixed to a metal racking structure and attached to the ground with either driven posts or ground screws.

3. The applicant states that the facility will produce clean, renewable energy for an average of 1,900 local homes, in addition to providing short-term economic stimulus and job creation along with long-term tax revenue while requiring no provision of additional services or infrastructure.
4. According to the G.S. 105-275(45), the county can tax the solar energy electrical system at 20% of the value. It is estimated that this project will add approximately 34,000 to the tax base annually.
5. The UDO specifically states that the solar arrays must be configured to avoid glare and heat transference to adjacent lands. The applicant states that the whole concept of efficient solar power is to absorb as much light as possible while reflecting as little light as possible. Solar panels are designed to produce less glare than standard window glass. These solar panels will use "high-transmission, low-iron" glass which absorbs more light, thus producing smaller amounts of glare than normal glass.

## 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.*

Based on the suggested finding provided by the applicant, staff has determined it is probably true that the use will not endanger the public health or safety.

#### **Suggested Findings:**

- a. According to the applicant, the use will propose no additional burden on public infrastructure and services. It will be an unmanned site and there will be no buildings associated with the use.

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.*

Based on the suggested findings provided by the applicant, staff has determined it is probably true that 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. According to the applicant, all of the surrounding parcels fall under the AG zoning district and have a Rural Land Use Plan designation. Both of these elements restrict any residential development that could take place to small scale residential uses or low density conservation subdivisions.
- b. According to the applicant the facility can actually enhance the surrounding area. While traditional agriculture produces dust and runoff, the solar farm will produce neither, nor is there any traffic created after the construction period. Also, the facility will be nearly silent.

- c. According to the applicant, the facility represents a consistent, predictable land use that will be in harmony with the surrounding area by not contributing to urbanization of the landscape.

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

Based on the suggested findings, staff has determined it is probably true that the use will be in conformity with the Land Use Plan or other officially adopted plans.

**Suggested Findings:**

The 2006 Land Use Plan classifies this site as Rural within the Shawboro-Crawford subarea. The intent of the Rural area is to provide for agriculture, forestry, and other allied uses traditionally associated with a rural area. Preferred uses include very low density dispersed development associated directly with farm uses. The proposed use is in keeping with the policies of the plan, some of which are:

- a. POLICY AG1: ACTIVE AGRICULTURAL LANDS having high productive potential, and especially those removed from infrastructure and services, should be conserved for continued agricultural uses. (According to the applicant, the facility represents a very low impact use of the land; additionally, it can be decommissioned and disassembled at the end of its useful life, allowing the underlying land to be returned to agricultural use. In this sense, the facility acts as a long-term conservation easement, keeping the land free of more intensive development during the 30 year minimum lifespan of the facility.)
- b. POLICY AG4: County growth management tools, including particularly zoning, should provide PROTECTION TO AGRICULTURE and other RESOURCE BASED ACTIVITIES from incompatible land uses, such as a residential subdivision in the midst of generally uninterrupted farmland. (According to the applicant, the proposed facility is highly compatible with agriculture and resource based activities; neither the solar farm nor surrounding agriculture will have any ill effects on one another.)
- c. POLICY WQ5: Development that preserves the NATURAL FEATURES OF THE SITE, including existing topography and significant existing vegetation, shall be encouraged. (According to the applicant, they intend to maximize existing topography and vegetation to the greatest degree possible. This includes utilization of existing drainage, as feasible, and providing appropriate setbacks from any jurisdictional streams or wetlands.)

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:*

Based on the suggested findings, staff has determined it is probably true that 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.

**Suggested Findings:**

- a. The use will not create any burden on public facilities and will have no impact on schools.

### III. TECHNICAL REVIEW COMMITTEE RECOMMENDATION:

Pursuant to the Unified Development Ordinance, the Technical Review Committee recommends approval of the use permit subject to the findings of fact as listed above and the following conditions:

1. Identify potential wetlands and call out the Wetland/Riparian buffer. No development is allowed within 50 feet of wetlands. Development proposed near the wetlands as illustrated on the county's GIS would require a wetland delineation approved by the US Army Corps of Engineers. (UDO Section 7.6.1)
2. Identify the sight triangle. (UDO Section 5.3.4)
3. Barbed/concertina wire and aboveground electrified fences are not allowed. (UDO Section 5.3.7). You may submit a Security Plan proposing barbed/concertina wire or aboveground electrified fence for security reasons. (UDO Section 5.3.5)
4. The driveway must have an apron of asphalt or six inches of concrete for a distance of 15 feet from the edge of pavement. Driveway must align with existing driveways on the opposite side of the road. (UDO Section 5.6.7)
5. An NCDOT driveway permit is required.
6. Any development/removal of trees is subject to tree protection standards and will require a tree inventory. (UDO Section 7.2)
7. The property is in an AE flood zone with a base flood elevation of 5.4 feet and design flood elevation of 6.4 feet. The electrical/mechanical equipment must be elevated above the design flood elevation or be flood proofed. An elevation certificate prepared by a licensed North Carolina surveyor may be required after installation to confirm the elevation. Utilities must be located and constructed to minimize flood damage. (UDO Section 7.4)
8. Landscaping standards, including farmland buffers, will be developed by a separate text amendment that will track with this case. Plans must be modified to meet the proposed landscaping standards prior to the Planning Board meeting.
9. The solar modules must be anchored to withstand 120 mph winds.
10. Must be designed for hydrostatic pressures in the event of a flood per Chapter 16 of the NC Building Code.
11. Please put sign on fence AUTHORIZED PERSONS ONLY
12. Address sign at site entry.
13. All drainage easements need to be 25 feet from the top of embankment.
14. It appears the solar panels are not in alignment with and will cross the existing farm ditches. Provisions must be made to cross these ditches.
15. Appropriate ground cover/grass is required.
16. The main drainage ditches need to be cleaned out of sediment/debris during initial construction.
17. An approval of erosion and sedimentation control plan and a coastal stormwater permit must be obtained prior to commencing this project.

#### **Suggested use permit conditions**

1. Provide a glare analysis or documentation as approved by the Federal Aviation Administration since this solar energy system is near the Currituck County Airport prior to building permit approval. (FAA publication "Technical Guidance for Evaluating Selected Solar Technologies on Airports")

2. The total height of the solar energy system, including any mounts, shall not exceed 15 feet above the ground when orientated at maximum tilt.
3. The solar energy system, including its security fence, shall be fully screened (opaque) from rights-of-way and properties containing a residential use. *(The Planning Board may wish to add this condition to the utility landscaping text amendment that is tracking with this case. This would ensure that this condition becomes a requirement for all utility facility use permits.)*
4. Any electrical wiring used in the system shall be underground (trenched) except where wiring is brought together for interconnection to system components and/or the local utility power grid.
5. Prior to the issuance of a building permit, provide a plan for decommissioning. The solar energy system owner shall have 12 months to complete decommissioning of the facility if no electricity is generated for a continuous 12 month period. Decommissioning shall include removal of solar collectors, cabling, electrical components, and any other associated items.
6. Provide a copy of the private lease agreement and plan for removal of the facility and equipment.

#### **IV. PLANNING BOARD RECOMMENDATION:**

Mr. Bell moved to approve PB 14-07 with the findings of fact, technical review committee recommendations (1-17) and staff recommendations (1-6) included in the case analysis and signage on the gate in case of emergency. Mr. Cartwright seconded the motion and motion carried unanimously.

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

Board of Commissioners: [www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm](http://www.co.currituck.nc.us/board-of-commissioners-minutes-current.cfm)

## **PLANNING BOARD DISCUSSION (5.13.14)**

Ms. Overstreet asked with it close to the airport, will any reflective glare affect aircrafts?

Ms. Glave said the FAA requires a glare analysis for anything close to an airport and the FAA will have to sign off on it.

Mr. Craddock asked what happens to the use permit during the 24 months (12 months to complete decommissioning of the facility if no electricity is generated for a continuous 12 month period).

Ms. Glave said the use permit will run with the land.

Mr. Woody said the board would have to set a condition in the use permit.

Mr. Cooper asked staff if this request is in harmony with area in which it is located.

Ms. Glave said in looking at the application, applying the ordinance and suggested opaque bufferyard from rights-of-way and residential uses, this request is in harmony with the area.

Mr. Craddock asked if Ecoplexus is manufacturing the solar panels or the contractor leasing the property.

Mr. Rogers said Ecoplexus is the contractor.

Ms. Hamby, Hyman & Robey provided an overview of the project. Ms. Hamby said the developers do not have any issues with any conditions in the case analysis.

Mr. Bell asked the height of the buffer/landscape.

Ms. Hamby said they will be using native landscape trees that will be approximately 40 feet tall when they reach maturity. The panels and the fence will be well hidden.

Mr. Craddock asked if there will be a building on site to hold materials, and if so what material will it be made of.

Mr. Kendrick said no structure will be on the site, but they will have a small storage shed to hold spare parts.

Mr. Rogers provided pictures of what the solar panels will look like.

Mr. Cooper said the solar modules must withstand 120 mph winds.

Mr. Kendrick said they are designed for 125 mph winds.

Mr. Bell asked the applicant if they have done any projects within the state of North Carolina.

Mr. Kendrick stated no.

Mr. Cooper asked Ms. Hamby what is the ground elevation.

Ms. Hamby said it varies from 4 – 4.5 feet and the flood elevation is 5 feet.

Mr. Cooper asked if freeboard will apply.

Ms. Glave said yes.

Ms. Bell asked what kind of material will be used for the fence.

Ms. Hamby said a security plan will be submitted and the fence will be made of welded wire at 5 feet in height and 1 foot of barb wire across the top. The fence will be on the back side of the buffer.

Ms. Bell asked if any maintenance will be done to the property once it is completed.

Ms. Hamby stated the property will be periodically mowed and this will include the 8 foot path between the panels.

Mr. Rogers provided an overview of the solar farms.

The board discussed the number of solar panels on the property, design and size of each panel, acreage, height of panels, material of panels, security, average voltage of DC current in the junction box, removable vs. stationary panels, etc.

Mr. Bell asked how long will the construction take.

Mr. Kendrick said approximately 3 months of construction and 3 months of wiring.

Ms. Overstreet asked is there any information on how these panels will do during a hurricane.

Mr. Kendrick said it will come back to the structural engineer.

Mr. Bell asked since the facility will be locked, will the local power company have a way to get into the facility in the event of an emergency?

Mr. Kendrick said yes.

Mr. Cooper asked based on any information they may have, what is the fire hazard risk?

Mr. Kendrick said the major conductors are underground, will be inspected by county inspectors, and built to compliance to the ordinance. Mr. Kendrick said they do not have any data on the fire hazard risk.

Mr. Craddock stated the invertors do not have fire suppression system in them, is this correct?

Mr. Kendrick said yes.

Mr. Cooper said the panels that are adjusted to the position of the sun may be a challenge for the wind.

Mr. Kendrick said they work with an engineer to design for the land.

Mr. Craddock asked if the fire department would have access to the interior of the property.

Mr. Kendrick said yes.

Mr. Craddock asked if signs are posted on the fence of who to call in case of an emergency.

Mr. Kendrick stated this is something that can be done.

Mr. Bell said this is a different type of project for the area. Mr. Bell asked what is the life span of the panels.

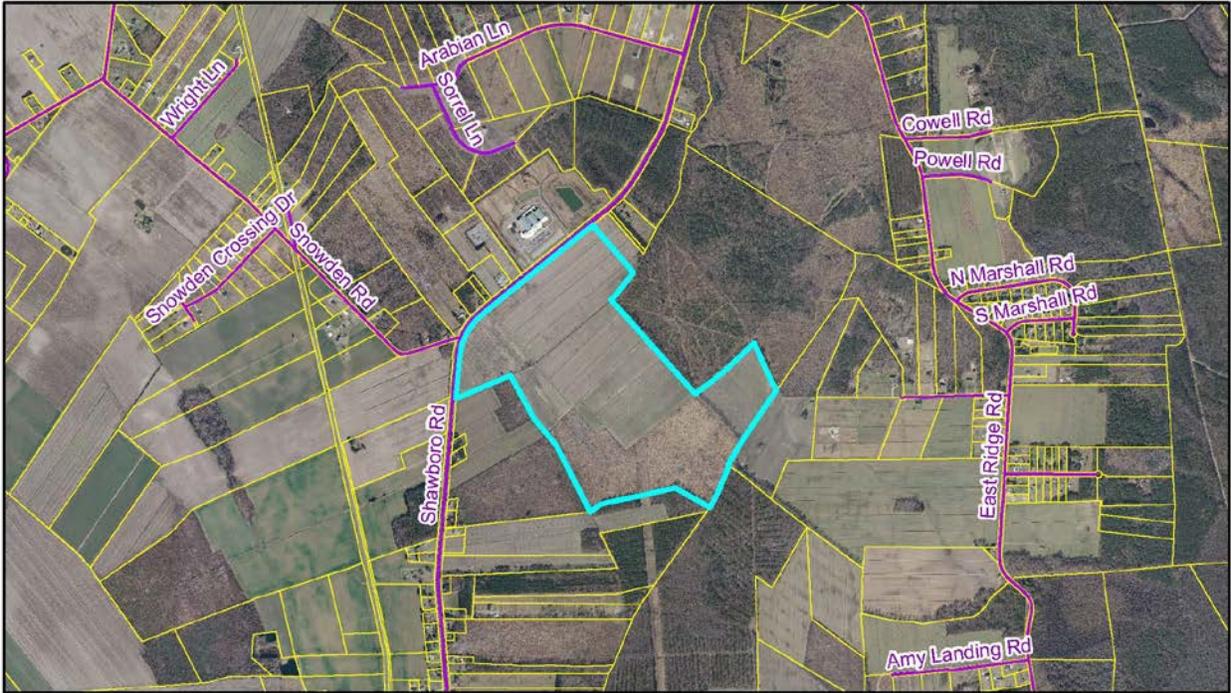
Mr. Kendrick said 50 years.

Mr. Cooper asked staff if this will fall under the new stormwater manual.

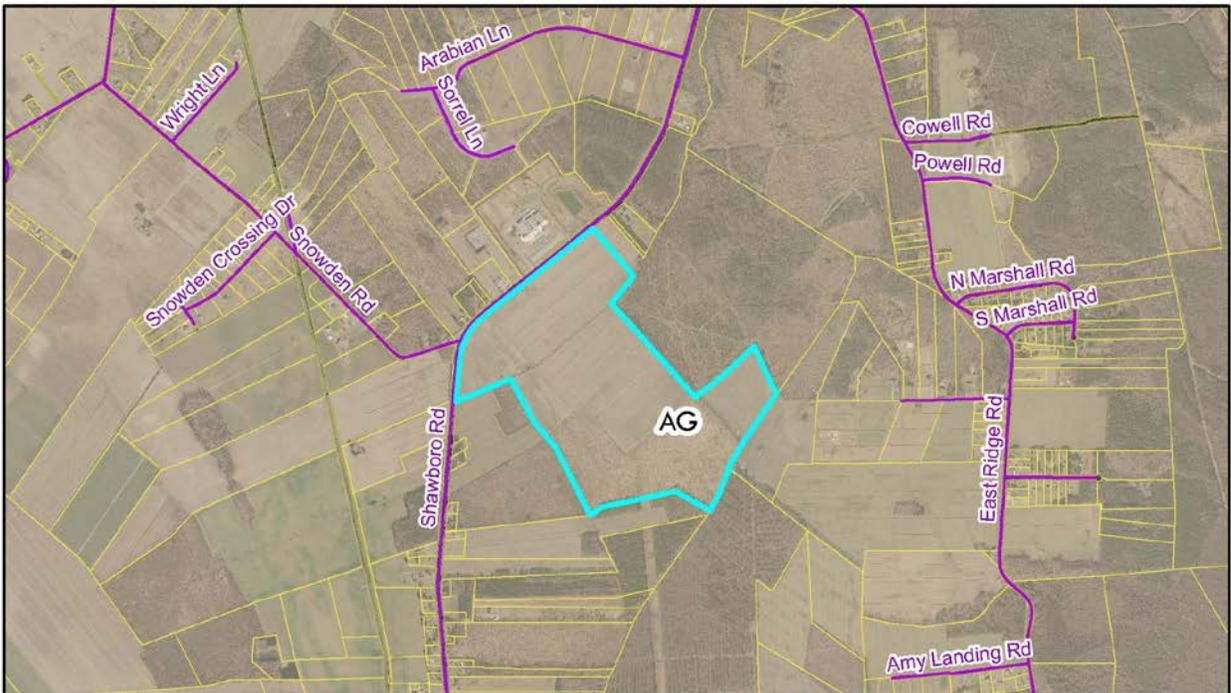
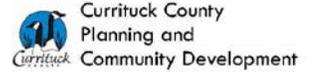
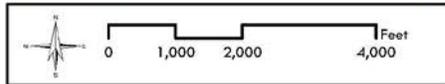
Ms. Glave said yes.

**ACTION**

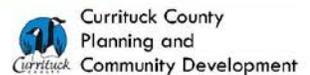
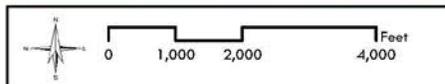
Mr. Bell moved to approve PB 14-07 with the findings of fact, technical review committee recommendations (1-17) and staff recommendations (1-6) included in the case analysis and signage on the gate in case of emergency. Mr. Cartwright seconded the motion and motion carried unanimously.

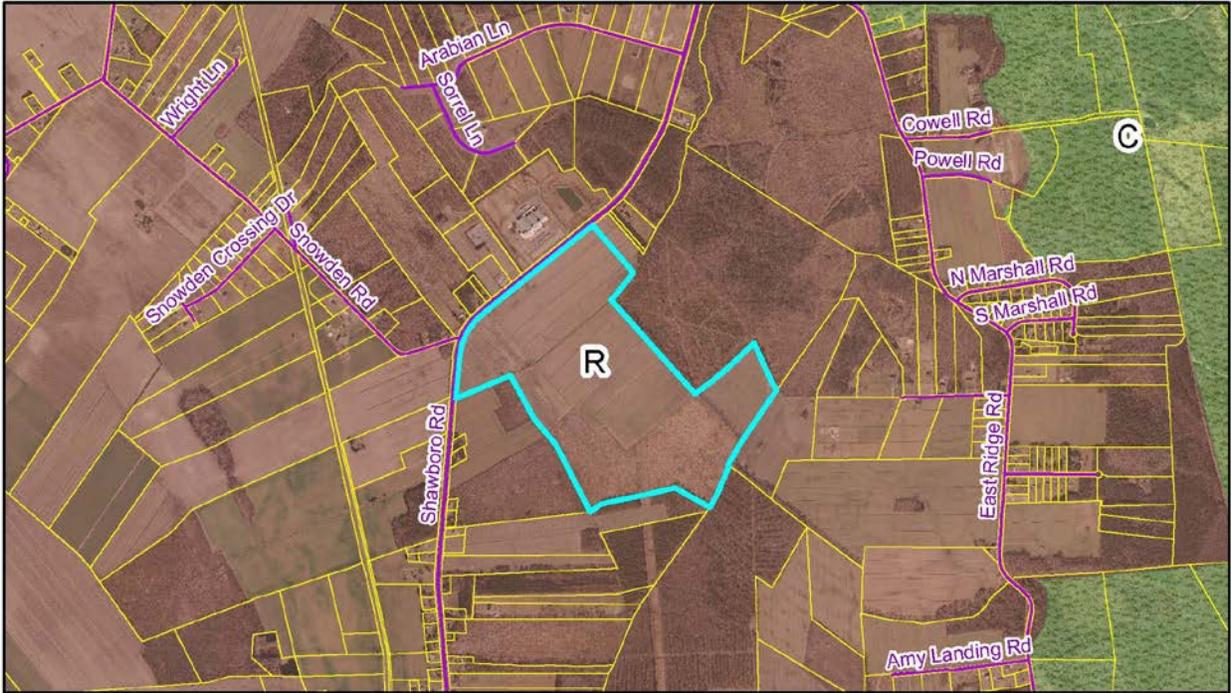


PB 14-07 Ecoplexus, Inc.  
 Use Permit  
 2012 Aerial Photography

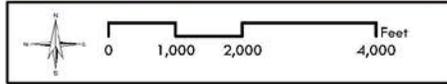


PB 14-07 Ecoplexus, Inc.  
 Use Permit  
 Zoning





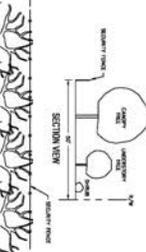
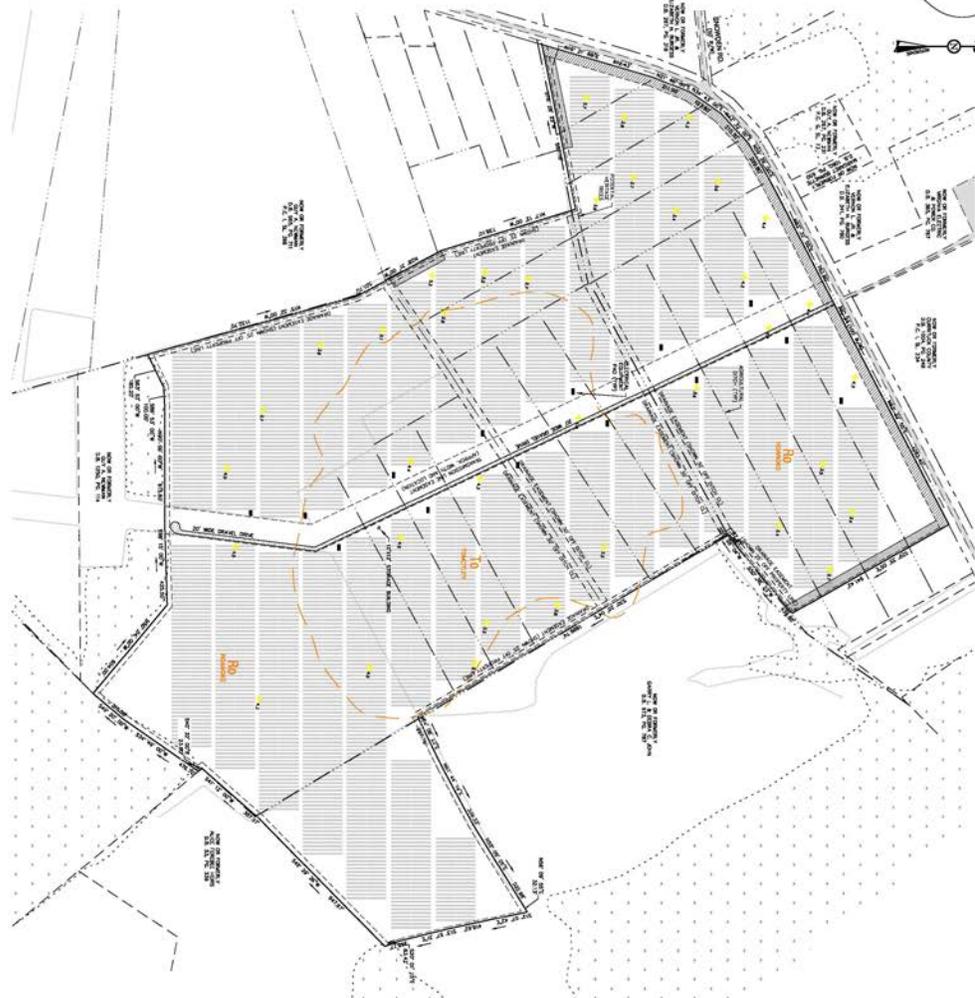
PB 14-07 Ecoplexus, Inc.  
 Use Permit  
 LUP Classification



 Currituck County  
 Planning and  
 Community Development



- BY DATE:**
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**LEGEND**

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## MEMORANDUM

**To:** Ecoplexus Inc, Applicant  
Guy Newman, Owner

**From:** Tammy Glave, Planner II

**Date:** April 10, 2014

**Re:** Ecoplexus Solar Energy Farm – Use Permit

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The following comments have been received for the April 16, 2014 Technical Review Committee meeting. All revisions to the plat must be submitted by noon on April 21, 2014 in order for your request to be scheduled for the May 13, 2014 Planning Board meeting. TRC comments are valid for six months from the date of the TRC meeting.

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

Approved with comments:

1. Identify potential wetlands and call out the Wetland/Riparian buffer. No development is allowed within 50 feet of wetlands. Development proposed near the wetlands as illustrated on the county's GIS would require a wetland delineation approved by the US Army Corps of Engineers. (UDO Section 7.6.1)
2. Identify the location of the proposed fence. If within 25' of Shawboro Road, additional regulations apply (UDO Section 5.3.6).
3. Identify the sight triangle and height of the fence within the sight triangle (if applicable). (UDO Section 5.3.4)
4. Barbed/concertina wire and aboveground electrified fences are not allowed. (UDO Section 5.3.7). You may submit a Security Plan proposing barbed/concertina wire or aboveground electrified fence for security reasons. (UDO Section 5.3.5)
5. The driveway must have an apron of asphalt or six inches of concrete for a distance of 15 feet from the edge of pavement. Driveway must align with existing driveways on the opposite side of the road. (UDO Section 5.6.7)
6. An NCDOT driveway permit is required.
7. Any development/removal of trees is subject to tree protection standards and will require a tree inventory. (UDO Section 7.2)
8. The property is in an AE flood zone with a base flood elevation of 5.4 feet and design flood elevation of 6.4 feet. The electrical/mechanical equipment must be elevated above the design flood elevation or be flood proofed. An elevation certificate prepared by a licensed North Carolina surveyor may be required after installation to confirm the elevation. Utilities must be located and constructed to minimize flood damage. (UDO Section 7.4)
9. Landscaping standards, including farmland buffers, will be developed by a separate text amendment that will track with this case. Plans must be modified to meet the proposed landscaping standards prior to the Planning Board meeting.

### **Suggested use permit conditions**

1. Provide a glare analysis or documentation as approved by the Federal Aviation Administration since this solar energy system is near the Currituck County Airport.

(FAA publication “Technical Guidance for Evaluating Selected Solar Technologies on Airports”)

2. The total height of the solar energy system, including any mounts, shall not exceed 15 feet above the ground when orientated at maximum tilt.
3. The solar energy system, including its security fence, shall be fully screened from rights-of-way and properties containing a residential use.
4. Any electrical wiring used in the system shall be underground (trenched) except where wiring is brought together for interconnection to system components and/or the local utility power grid.
5. Provide a plan for decommissioning. The solar energy system owner shall have 12 months to complete decommissioning of the facility if no electricity is generated for a continuous 12 month period. Decommissioning shall include removal of solar collectors, cabling, electrical components, and any other associated items.
6. Prior to the issuance of a building permit, the owner of the solar energy system shall provide a cash bond or irrevocable letter of credit in favor of the Currituck County in an amount equal to an Engineer’s estimated removal cost of the solar collectors, cabling, electrical components, and any other associated facilities. The bond or letter of credit shall remain in full force and effect until any necessary site restoration is completed to restore the site to a condition comparable to that which existed prior to the issuance of the use permit.

**Currituck County Building Inspector (Bill Newns/Spence Castello, 252-232-3378)**

Reviewed with comments:

1. The solar modules must be anchored to withstand 120 mph winds.
2. Must be designed for hydrostatic pressures in the event of a flood per Chapter 16 of the NC Building Code.
3. Please put sign on fence AUTHORIZED PERSONS ONLY
4. Address sign at site entry.

**Currituck County Engineer (Eric Weatherly/Michelle Perry, 252-232-6035/Currituck Soil and Water (Mike Doxey, 252-232-3360)**

Approval with corrections:

1. All drainage easements need to be 25 feet from the top of embankment.
2. It appears the solar panels are not in alignment with and will cross the existing farm ditches. What provisions are being made to cross these ditches? Will there be access roads or paths?
3. What type of ground cover/grass will be used?
4. The main drainage ditches need to be cleaned out of sediment/debris during initial construction.

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

Reviewed without comment.

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

Reviewed with comment:

1. GIS will assign address(es) during final site plan review.

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

Reviewed without comment.

**Currituck County Utilities (Pat Irwin, 252-232-6061)**

Approved without comment.

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

Reviewed with comment:

1. Consult with Health Department if a septic system or a private well will be needed at site.

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

Reviewed without comment.

**NC Division of Environment and Natural Resources – Land Quality Section (Pat McClain, 252-946-6481)**

Reviewed with comment:

1. An approval of erosion and sedimentation control plan and a coastal stormwater permit must be obtained prior to commencing this project.

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

Reviewed with comment:

1. No previously recorded sites noted in the project area. Low probability for significant sites. An archaeological survey is not recommended.



## Use Permit Application

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

### Contact Information

APPLICANT:	PROPERTY OWNER:
Name: <u>Ecoplexus, Inc.</u>	Name: <u>Guy A. Newman</u>
Address: <u>650 Townsend St., #310</u> <u>San Francisco, CA 94103</u>	Address: <u>707 London Bridge Road</u> <u>Virginia Beach, VA 23454</u>
Telephone: <u>415.626.1802</u>	Telephone: <u>(757) 340-8019</u>
E-Mail Address: <u>nrorgers@ecoplexus.com</u>	E-Mail Address: <u>N/A</u>

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: \_\_\_\_\_  
Applicant has executed an Option to Lease Agreement with the Property Owner.

### Property Information

Physical Street Address: +/- 441 Shawboro Road  
Location: east side of Shawboro Road (NC 34) across from Snowden Road  
Parcel Identification Number(s): 0033000001C0000  
Total Parcel(s) Acreage: 225.46  
Existing Land Use of Property: vacant - woods and farm land with aerial transmission lines

### Request

Project Name: Shawboro Solar Farm (Shawboro PV1)  
Proposed Use of the Property: solar energy farm  
Deed Book/Page Number and/or Plat Cabinet/Slide Number: DB 267, Pg 231 PC G, Sld 73  
Total square footage of land disturbance activity: currently unknown  
Total lot coverage: approx. 2 acres Total vehicular use area: approx. 1.75 acres  
Existing gross floor area: -0- Proposed gross floor area: 120 sf

### Community Meeting

Date Meeting Held: October 15th, 2013 Meeting Location: Shawboro Elementary School

Purpose of Special Use Permit and Project Narrative (please provide on additional paper if needed): \_\_\_\_  
Please see attached documentation.

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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.

Please see attached documentation.

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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.

Please see attached documentation

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

Please see attached documentation

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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.

Please see attached documentation

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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\*

March 25th, 2014

\_\_\_\_\_  
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



**SPECIAL USE PERMIT APPLICATION**

***Shawboro Solar Farm***

**Written Responses**

**March 27<sup>th</sup>, 2014**

**ecoplexus**

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## **SECTION 1. Purpose of Special Use Permit and Project Narrative**

### Section 1.1. Introduction

Ecoplexus, Inc., a San Francisco-based developer of solar photovoltaic (PV) facilities for the commercial, municipal, industrial, and utility markets, seeks a Use Permit for its 20 megawatt (MW) Shawboro Solar Farm (the Facility). If approved, the Facility would be the first of its kind in Currituck County and produce clean, renewable energy for an average of 1,900 local homes, in addition to providing short-term economic stimulus and job creation along with long-term tax revenue while requiring no provision of additional services or infrastructure.

### Section 1.2. Applicant Background

Ecoplexus believes in a clean energy future. With a focus on distributed generation projects in the 1 - 20 MW range, Ecoplexus is a leader in the design, development, and financing of solar energy systems for the commercial, municipal, non-profit, and utility sectors – in the US as well as key markets abroad.

Founded in 2008 and based in San Francisco with offices in New York, Dallas, Tokyo, and Istanbul, Ecoplexus develops and operates distributed generation solar photovoltaic (PV) projects that serve on-site load or export energy via utility procurement programs. The Company's current focus is on large-scale municipal and commercial projects as well as distribution-level utility-scale projects. Ecoplexus has completed 41 projects to date and has approximately 500 MW<sub>DC</sub> of distributed generation and utility-scale projects in various stages of development across six different states as well as Japan. The Company's development team has experience with most types of project sites and designs, including ballasted ground-mounts at environmentally sensitive municipal locations. While Ecoplexus maintains a valid Class B General Engineering Contractor's license and select employees also maintain C10 and C46 licenses, the Company has established relationships with a variety of top-tier local and national engineering and construction firms, including Black & Veatch, Power Secure, and Vaughn Industries. The Company is privately held by its founders, but maintains active investment relationships with two Fortune 500 companies as well as a variety of private equity firms, banks, and providers of project finance debt.

### Section 1.3. Project Narrative – Facility Description

Ecoplexus proposes to develop a 20 MW<sub>AC</sub> solar PV facility on the 225-acre parcel located at approximately 441 Shawboro Road, Shawboro, NC 27958. The Facility will consist of eighty-six thousand four hundred (86,400) 300-Watt direct current (DC) poly-crystalline silicon photovoltaic modules (panels) arranged in rows that are affixed to a metal racking structure and attached to the ground with either driven posts or helical ground screws. Ecoplexus is currently evaluating use of what's known as a "fixed tilt" system, in which the panels are mounted at a fixed angle relative to the sun, or a "single-axis tracking" system that would allow the panels to rotate in an east-west direction and track the sun throughout the duration of the



day. The fixed-tilt system would require roughly 110 acres to accommodate the proposed Facility; however, the single-axis tracking system requires greater spacing between each row of panels to avoid inter-row shading and, thus, would cover the majority of the site.

The Conceptual Site Plan included in the application package illustrates the larger single-axis tracking system in order to show what would be the largest possible system footprint. The final decision to pursue either a fixed-tilt or single-axis tracking system will be arrived at pending detailed financial and engineering models to understand which type of system is most cost-effective. However, site constraints, such as wetlands, that may be uncovered during subsequent due diligence could possibly preclude usage of the single-axis tracking system due to space constraints. In either case, the maximum height of the Facility will be 8'.

The electrical current from the modules will be collected by a series 500 Kilowatt (kW) inverters, which will invert the direct current (DC) produced by the modules to alternating current (AC), which is the type of current used by both the electrical grid and common appliances. The outputs of the inverters are collected at a main service board, routed to a "step-up" utility transformer that increases the voltage, or pressure, of the system to 34.5 kilovolts (kV) to match that of Dominion North Carolina Power's electrical distribution system, and then sent onward to a point of interconnection with the grid at a power pole on site. Once the power from the Facility enters the distribution system, it will flow freely to the nearest entity using power at that time.

The Applicant has successfully completed the required interconnection study, which involves a detailed analysis and evaluation of possible impacts to the grid by the proposed project. Following the completion of the interconnection study, the Applicant received the necessary Interconnection Agreement (IA) from Dominion North Carolina Power (the Utility). The IA provides permission to Ecoplexus to construct and operate the Facility as proposed and details the upgrades required on the local distribution system in order to accommodate the Facility, as well as their cost. Said cost of such upgrades will be borne solely by Ecoplexus and will not be charged to the Utility's customers. The power from the Facility will be sold to the Utility under a Power Purchase Agreement (PPA), the term of which will be for 30 years. The final terms of the PPA are currently being negotiated, and the Applicant expects it to be mutually executed by June of 2014.

The Applicant has also successfully received a Certificate of Public Convenience and Necessity (CPCN) from the North Carolina Utilities Commission (NCUC). The CPCN is required for all new electrical generators in North Carolina over 2 MW in size. The NCUC docket number for the CPCN application is SP-2665, Sub 13; copies of each filing related to the proceeding are available by utilizing the docket search function on the NCUC website at [www.ncuc.com](http://www.ncuc.com). A copy of the CPCN has been included as part of the Use Permit application package.

#### Section 1.4. Project Narrative – Site Description



The site of the proposed Facility is a 225-acre parcel located at approximately 441 Shawboro Road, across the street from the Shawboro Elementary School. The parcel is owned by Mr. Guy Newman of Virginia Beach, and is currently being used for agriculture. The site is bordered by NC 34 to the north and a combination of agriculture and cut over timber on all other sides. While the majority of the parcel consists of cleared farmland, roughly 65 acres along the southern portion of the property consist of cut over timber. The parcel features a series of drainage ditches running across the property in both northeasterly and southeasterly directions. The site also features a Dominion North Carolina Power high-voltage transmission line running down the center of it.

The majority of the parcel consists of Roanoke soil, with the middle section of the parcel consisting of Tomotley soil. The Currituck County Geographic Information Systems (GIS) map shows potential hardwood flat wetlands located along the southwestern edge of the parcel, which is called out on the preliminary site plan provided as part of the use permit application package, along with a small amount of potential managed pineland wetlands in the very southern tip of the parcel. The presence of wetlands and their precise location will be confirmed by a formal wetlands delineation prior to final design and engineering.

#### Section 1.5. Project Narrative – Zoning

The parcel and all coterminous parcels fall under the Agriculture (AG) Zoning District. Similarly, the Land Use Plan Class for both the host site and all adjacent parcels is Rural. The parcel and all surrounding parcels are listed as the Shawboro-Crawford Land Use Plan Subarea. The “solar array” use type, which is classified under the Utilities Use Category as per Table 4.1.1. of the Currituck County Unified Development Ordinance (UDO), is permitted in an AG Zoning District by way of a Use Permit. Applicable site setbacks for Traditional Development in AG Zoning Districts include a 50’ Major Arterial Street Setback, a 15’ minimum Side Setback, and a 25’ minimum rear Setback.

#### Section 1.6. Project Narrative – Use Specific Standards

UDO Sec. 4.2.3.H.1. states that “Solar arrays shall be configured to avoid glare and heat transference to adjacent lands.” In general, since the whole concept of efficient solar power is to absorb as much light as possible while reflecting as little light as possible, solar panels are designed to produce less glare and reflectance than standard window glass. More specifically, solar panels use “high-transmission, low-iron” glass, which absorbs more light, thus producing smaller amounts of glare and reflectance than normal glass.

In addition to the superior refractive/reflective properties of solar glass versus standard glass, many PV suppliers use stippled solar glass for their panels. The basic concept behind stippling is for the surface of the glass to be “textured” with small indentations. As a result, stippling allows more light energy to be channeled/transmitted through the glass while diffusing (weakening) the reflected light energy. These concepts explain why the reflection off of a high-quality solar panel will look hazy and less defined than the same reflection off of standard glass. This occurs



because the stippled and light-trapping PV glass and cell texture are transmitting a larger percentage of light to the solar cell while breaking up the intensity of the reflected energy. In addition, as of 2014, there are many PV installations at airports and Air Force bases, including the 2.1 MW solar farm at the Chattanooga Airport. The FAA has issued the categorical statement "No Hazard to Air Navigation," which is the status consistently applied to large PV arrays installed on and around airfields. In a major study conducted by the FAA, it was determined that the percentage of sunlight reflected by PV panels was more than asphalt and less than bare soil<sup>1</sup>.

Regarding heat transference to adjacent lands, this is not a concern with solar electric systems. As opposed to a solar thermal system that is intended to heat water, a solar electric system is designed to harvest sunlight (photons) and not heat. In fact, solar panels operate at a reduced efficiency as the air temperature rises; this is why maximum solar output will occur on a sunny, clear day in winter. Moreover, the panels are arranged rows with both ample inter-row spacing and approximately half an inch of space between each panel in order to maximize wind diffusion throughout the array, thus using natural ventilation to reduce the ambient temperature of each panel and the overall system.

#### Section 1.7. Project Narrative - Development Standards

The Applicant is aware that it must conform to several design specifications contained in Chapter 5, Development Standards, of the UDO. Each of these is discussed in subsequent sections.

##### *Section 1.7.1. Project Narrative - Development Standards: Landscaping*

As per Sec. 10.4.4. of the UDO, solar arrays fall under the "Institutional" Use Classification within the "Utilities" use category. Given this, the Facility would traditionally be subject to the landscaping requirements for Public and Institutional Uses as per Table 5.2.4., Required Site Landscaping Plantings. However, given that the required canopy trees would cast a shadow on the solar array causing a diminishment in power production, as well impart a significant cost on the overall development due to the size of the parcel in question, Staff and the Planning Director have agreed to submit a Text Amendment to the UDO to address the special circumstances posed by solar arrays and the Utilities Use Category, in general, by allowing for a reduction in the landscaping requirements under this section. The consensus is that the Text Amendment will call for an 8' buffer along any areas of the perimeter of the site that adjoin Residential Zoning Districts, single-family dwellings or subdivisions, and/or Commercial Use Types.

Also, the Applicant is aware that North Carolina Highway 34 (NC 34) is considered a major arterial; hence, the portion of the perimeter of the proposed Facility abutting the highway will be subject to some degree of landscaping standards for Institutional, Commercial, and Mixed-Uses as described in Sec. 5.2.8, Streetscape. This portion of the perimeter and an appropriate 50' landscaping buffer have been called out on the attached Conceptual Site Plan. However, the



canopy trees called for under this section present the same challenges in terms of shading and cost; thus, Staff and the Planning Director will seek to incorporate modifications to the Streetscape landscaping requirements into the aforementioned Text Amendment, which will call for an 8' landscape buffer along NC 34.

Additionally, the Applicant has reviewed Sec. 5.1.1., Farmland Compatibility Standards, and understands that, since the proposed Facility is to be sited on a lot that is greater than ten acres in size and situated adjacent to bona fide farms or agricultural uses along certain sections of the perimeter, any such areas that abut an existing agricultural use would traditionally be subject to the vegetated buffer requirements as per Sec. 5.11.5. The areas along the perimeter that may be subject to the vegetated buffer standards have been called out on the attached Conceptual Site Plan. However, Staff and the Planning Director have indicated that these standards were intended to insulate residences and other incompatible uses from the adverse impacts of agricultural operations, such as dust, odors, and noise, which could be the cause of complaints directed at the farm and its operations. Given that the proposed Facility presents no potential constraints on any adjacent farming operations and neither would any agricultural activities pose negative impacts to the operation of the solar farm, it is understood by the Applicant, Staff, and the Planning Director that an agricultural buffer is not necessary for the proposed use. As such, Staff and the Planning Director intend to incorporate an exemption to the Farmland Compatibility Standards for the Utilities Use Category into the aforementioned Text Amendment, to be submitted concurrently with the Applicant's Use Permit Application.

*Section 1.7.2. Project Narrative - Development Standards: Fencing*

The Applicant is aware that the UDO is highly prescriptive in terms of fencing in order to maintain visual harmony and protect adjacent properties from indiscriminate placing of fences and walls. Given that the Proposed facility will be a medium voltage electrical facility similar to that of a utility substation and contains valuable materials that could be the subject of theft, the Applicant will submit a site security plan detailing a fence that may need to be taller than those allowed under Sec. 5.3.5. of the UDO and requiring the use of barbed/concertina wire. The proposed fencing has been called out on the attached Conceptual Site Plan.

*Section 1.7.3. Project Narrative - Development Standards: Exterior Lighting*

The Applicant proposes no exterior lighting to be included as part of the Facility.

*Section 1.7.4. Project Narrative - Development Standards: Development Entry Points and Driveway/Access Standards*

The Applicant has reviewed UDO Sec. 5.6.6., Development Entry Points, and understands that, typically, all non-residential uses in excess of 20 acres are required to include a minimum of two entry points with one additional entry point for every 20 additional acres. However, upon completion of construction, vehicle trips to and from the site would be limited to a single maintenance vehicle several times per year to respond to operational issues or perform routine



maintenance. As such, the Applicant requests that the County consider reducing these standards to allow only one entry point for the proposed development. The UDO allows for an exception to these standards if "Alternative access can be provided in a manner acceptable to the County that is supported by a transportation impact analysis" (Sec. 5.6.6.D.1). Additionally, since the primary entry point to the proposed Facility will be off of NC 34, the development will be subject to Sec. 5.6.7.E.2, which imposes a maximum of three entry points for lots fronting a restricted access street with more than 1,000 feet of frontage distance. The single entry point as currently proposed on the Conceptual Site Plan is shown as being aligned with the existing driveway for the Dominion substation located across the street; however, placement of the entry point may have to be modified in the event that the Applicant is not able to secure permission to encroach on the existing transmission line easement.

Regardless, any/all entry points will conform with North Carolina Department of Transportation (NCDOT) regulations as well the applicable design standards under Sec. 5.6.7 and associated subsections, including an apron of either asphalt or 6" of concrete for a distance of 15' from the edge of the pavement. The Applicant will secure the required Driveway Permit from NCDOT prior to applying for a Building Permit.

*Section 1.7.5. Project Narrative - Development Standards: Off-Street Parking and Loading*

The proposed Facility will require no off-street parking or loading areas. A laydown area for use during construction will be designated at such time in which civil engineering is under taken and a construction-ready site plan is produced. However, after construction is complete, no formal parking spaces will be needed. Table 5.1.3.C. of the UDO states that solar arrays shall have no minimum parking requirements; hence, the Applicant's proposal is in conformance with County policy.

*Section 1.7.6. Project Narrative – Development Standards: Internal Circulation*

The proposed Facility will not require any internal streets, as post-construction vehicle traffic will be limited to a single pickup truck several times a year for operations and maintenance purposes. Internal circulation will be achieved by provision of a gravel access path to the equipment pad to provide all-year access, the width of which will presumably be dictated by the County Fire Marshall. It is anticipated at this time that the primary portion of the access path will be under the existing utility transmission Right-of-Way, starting from a driveway aligned with the substation on the other side of NC 34, barring an inability to secure the aforementioned permission to encroach on the transmission easement. Internal circulation to other parts of the array (besides the main equipment pads) will be achieved by provision of a grass path roughly 8' wide.

Section 1.8. Project Narrative – Infrastructure and Public Facilities

The proposed Facility will require no provision of infrastructure (water, sewer, roads, etc.) or public facilities (schools, fire fighting, police) from Currituck County.



### Section 1.9. Project Narrative – Environmental Protection

The Applicant is aware that the proposed Facility must conform to several standards described in UDO Chapter 7., Environmental Protection. Each relevant standard is discussed in subsequent sections below.

#### *Section 1.9.1. Project Narrative – Environmental Protection: Tree Protection*

Depending on the final layout of the proposed Facility, tree-clearing may be required on approximately 65 acres of cut-over timber located in the southern portion of the parcel. The Applicant is aware that, prior to any tree-clearing activities, a wetlands delineation will need to be completed in order to ensure that no wetlands occur within the subject area; additionally, a tree inventory will need to be performed in order to assess the presence of any potential heritage trees and to document the location, species, and diameter of non-heritage trees that may be able to be retained and credited towards landscaping requirements as per Sec. 5.2.3.D, Credit for Existing Vegetation. Should either any heritage trees be identified or non-heritage trees be able to be preserved and credited towards landscaping, a tree protection zone diagram shall be prepared and submitted concomitantly with the tree inventory and demarcated on the final site plan and grading plan.

Any such trees within a tree protection zone shall be protected during construction according to the standards set forth in UDO Sec. 7.2.5., including provision of protective fencing, signage, and trenching, as needed, to protect the roots of trees within tree protection zones from removal of adjacent trees.

#### *Section 1.9.2. Project Narrative – Environmental Protection: Stormwater Management*

This proposed Facility will require a state Stormwater Management Permit that will be issued by NCDENR. The state Stormwater Management Permit is triggered by one of two situations: the first of which being if an Erosion and Sedimentation Control Permit is required. Erosion and Sedimentation Control Permits are required in the event of proposed disturbance of more than one acre; this permit requires a concomitant application for a Stormwater Management Permit. The second scenario requiring Stormwater Management Permit is for any site intending to create 10,000 square feet of impervious surface that is not already covered under a different permit. While the proposed Facility will require an Erosion and Sedimentation Control and Stormwater Management Permit due to the disturbance of more than one acre, it will qualify as a low-density project and no detention or treatment of stormwater will be required.

Currituck County has a Stormwater Manual and requirements for stormwater plans. Based on the limited amount of impervious coverage intended for this site, it will be exempt from the County's stormwater plan requirements as per Section 2.2.3.G., Stormwater Plan Exemptions, which states: "Development or expansion on a nonresidential, multi-family, or mixed-use lot by less than 5,000 square feet of impervious surface or resulting in less than 10 percent total lot coverage. This exemption does not include multiple, incremental expansions that result in a



reduction of stormwater management standards.” It is anticipated that amount of coverage created for this site will be well below 10 percent of the site. (For example: one mile of 20’ wide gravel road would be only 1.08 percent of 225 acres.)

Stormwater runoff will be handled as much as possible by the existing ditch system on the site. Where necessary for placement of equipment or for access, existing ditches will be filled or rerouted and new grass lined drainage swales will be created.

*Section 1.9.3 Project Narrative – Environmental Protection: Floodplain Development and Flood Damage Prevention*

The Applicant is aware that the site of the proposed developments lies within a Federal Emergency Management Administration (FEMA) designated Special Flood Hazard Area (SFHA), which means that the area is subject to flooding by the 1% annual chance flood. The specific SFHA designation for the site is Zone AE, which specifies that a Base Flood Elevation (BFE) has been determined. The BFE for the site is 5.4’. Copies of the FEMA Flood Insurance Rate Map (FIRM) panel (numbers 3720894800J) have been included as part of the Use Permit application package. The Applicant will comply with UDO Sec. 2.4.12 in obtaining a floodplain development permit prior to application for a building permit; in addition, the Applicant will submit an Elevation Certificate (FEMA Form 81-31) prior to scheduling rough inspection as per Sec. 7.4.5.

Additionally, the Applicant has reviewed and is aware of UDO Sec. 7.4.6.A.1., Standards Applied to All Development. The standards relevant to the Facility proposed herein and to which the Applicant will comply are (paraphrased):

- (a) new construction will be designed and adequately anchored to prevent flotation, collapse, and lateral movement;
- (c) constructed by methods and practices that minimize flood damage;
- (d) designing or locating electrical equipment so as to prevent water from entering or accumulating within the components during conditions of flooding;
- (k) have adequate drainage provided to reduce flood hazards; and
- (l) have obtained necessary permits required by Federal or State law.

Finally, Sec. 7.4.6.3. contemplates specific standards for non-residential development that are prescribed in addition to the general standards. These include (a): ensuring that the reference level is elevated is no lower than the regulatory flood protection elevation. The Applicant anticipates that all panels, inverters, switchgear, and other above-ground components of the solar array will be elevated 1-2’ above BFE, or as instructed by the State Floodplain Administrator. Standard (b) allows for flood-proofing in lieu of elevation, provided that a registered professional engineer or architect has certified that the prescribed flood-proofing standards have been met in accordance with Sec. 7.4.5.B, Flood-Proofing Certificate (Standard C). The Applicant will conform to these sections and standards for any of the equipment it seeks to flood-proof as opposed to elevate.



*Section 1.9.4. Project Narrative – Environmental Protection: Sedimentation and Erosion Control*

All utility-scale solar facilities in North Carolina are required to obtain an Erosion and Sedimentation Control Permit from the North Carolina Department of Environment and Natural Resources (NCDENR), prior to commencement of construction. Sec. 7.5.1 of the UDO requires approval of the erosion and sedimentation control plan by the NC Sedimentation Control Commission (which is understood by the Applicant to be the appropriate regional office of NCDENR). As such, presuming the use permit is issued with conditions by the Currituck County Board of Commissioners, prior to returning to the TRC for approval of conditions and issuance of the final permit, the Applicant will have obtained approval of its sedimentation and erosion control plan by the Washington regional NCDENR office.

*Section 1.9.5. Project Narrative – Environmental Protection: Riparian Buffers and Drainage Easements*

UDO Sec. 7.6.4. prescribes a 50' riparian buffer for all surface waters, estuarine waters, wetlands, and canals. This buffer requires the first 30' (Zone 1) to be left completely undisturbed, with the exception development activities allowed under Sec. 7.6.5., Development Within Buffer. The subsequent 20' (Zone 2) allows for grading and replacement of removed vegetation but precluding development activities, with the exception of those allowed under the aforementioned section. Also, Staff informed the Applicant that it shall maintain a 25' drainage easement along one side of major drainage ways and an additional 25' drainage easement along any ditch that drains an adjacent property.

The County's riparian buffer requirements generally mimic those of NCDENR Division of Water Resources (DWR), which require a 50' riparian buffer on either side of a jurisdictional intermittent, perennial, or modified natural stream located in the Neuse, Tar-Pamlico, and Catawba River basins, or Randleman, Goose Creek, and Jordan Lake Watersheds. And while NCDENR DWR does not require riparian buffers in Currituck County, it does require that a stream determination be performed if any stream crossings or roads will be placed within 50' of a potentially jurisdictional stream in a coastal county. Similarly, the U.S. Army Corps of Engineers (USACOE) typically requires a 50' buffer from any 404 jurisdictional wetlands.

Given these various requirements, prior to returning to the TRC for approval of the final site plan and conditions of the use permit, the Applicant will have had a stream determination performed by NCDENR, if necessary, to determine if there are any jurisdictional streams on site that could be impacted by the development, and will have obtained a Preliminary or Final Jurisdictional Determination from the USACOE, subsequent to having a wetlands delineation performed. Additionally, the Applicant and its consultant team will work with Staff, the Planning Director, and TRC to determine which surface water features (e.g., streams, canals, ditches) are subject to either the 50' County riparian buffer requirements or a 25' drainage easement.



## SECTION 2. Findings of Fact

### Section 2.1. The use will not endanger the public health or safety.

Solar photovoltaic technology has proven to be a highly reliable and extremely safe form of electrical generation: one with no pollutants, discharges, or emissions of toxic compounds during its use. The photovoltaic effect was first observed, in 1839, by Alexandre Edmund Becquerel. In 1954, Bell Labs introduced the first solar PV device that produced a usable amount of electricity. By 1958, solar cells were being used in small-scale scientific and commercial applications<sup>2</sup>. These include solar-powered watches and calculators.

Most solar PV applications, including the Facility proposed herein, use solar panels made from Crystalline Silicon (c-Si) or “solar grade silicon,” which feature silicon modules or wafers cut from either cylindrical or cast square ingots. The advantages of using silicon in solar panels include its high level of efficiency, abundance in nature, and lack of toxicity; disadvantages include its weight and relative inflexibility. Other components of solar panels include glass, aluminum (from which the frame is fabricated), and a bonding compound to hold all of the components together.

Solar PV is now a common, mainstream form of electrical generation. There are over 13,000 MW of cumulative solar electric capacity operating in the United States<sup>3</sup>, and, in 2013, North Carolina added 335 MW of installed solar PV capacity<sup>4</sup>. Moreover, solar PV has been installed on or adjacent to a variety of uses: residential, commercial, industrial, and municipal, as well as educational and other institutional uses. These are in addition to ground-mounted “utility-scale” solar PV arrays, such as the type contemplated by the Facility proposed herein. In all, 140,000 individual solar installations were completed in the U.S. in 2013, and there are over 445,000 solar PV systems in operation in the U.S. today<sup>5</sup>. Moreover, there are 792 MW of installed residential PV capacity<sup>6</sup> operating safely on the rooftops of homes across the country. Ecoplexus has installed over 5 MW of solar PV for both municipalities and owners/operators of multi-family affordable housing, which primarily consist of rooftop-mounted systems, in addition to solar carports and installations at water treatment facilities. These entities demand the utmost in safety from their solar systems in order to protect the individuals who live and work underneath and around them.

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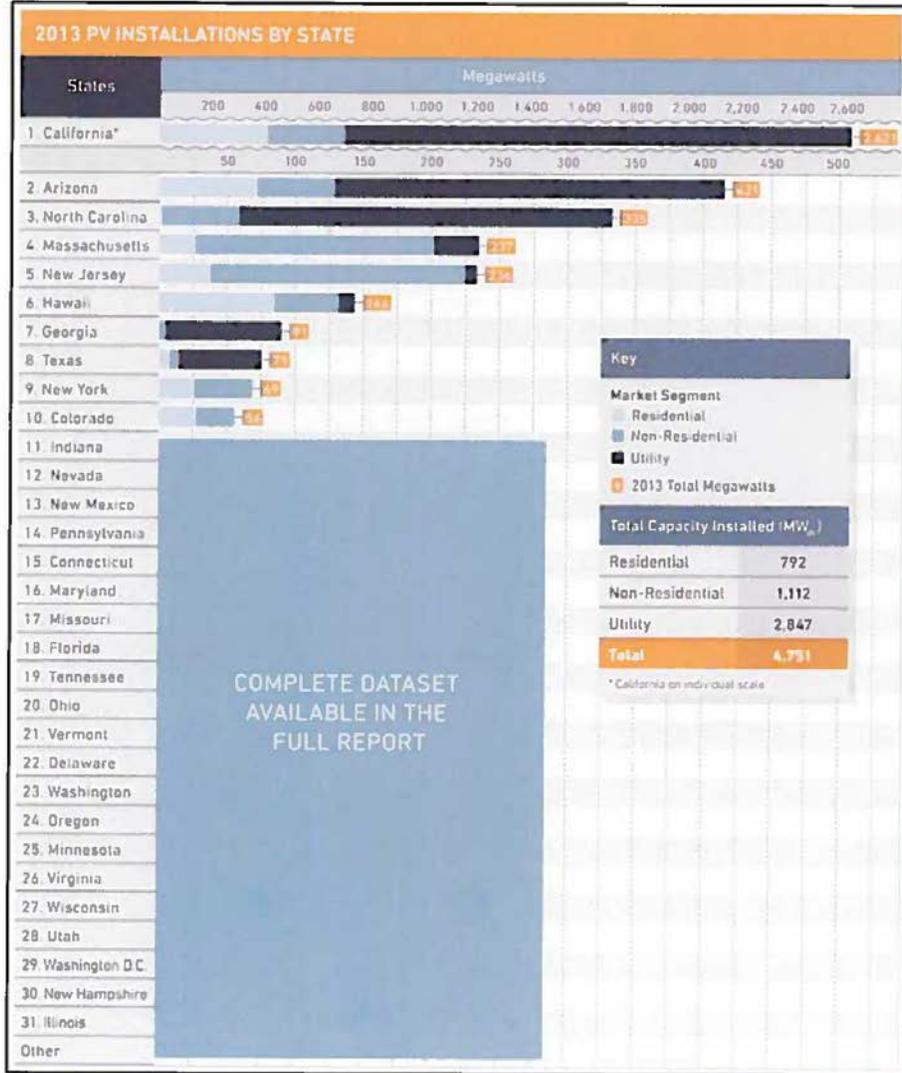
**Figure 1. List of Ecoplexus' selected municipal and affordable housing clients.**

CLIENT	MW <sub>DC</sub>	DESCRIPTION
Eden Housing, Inc.	2	Multiple affordable housing sites featuring a variety of installation typologies: solar canopies, asphalt and composite tile roofs, and flat membrane roofs
City of Milpitas, CA	1	Non-penetrating, ballasted water tank top-mount systems at water treatment facilities and solar canopies at a sewage pump station
County of Santa Clara, CA	0.94	Multiple interconnection points: rooftop and carport systems at the County's administrative headquarters
Mission Housing Development Corporation	0.7	Roof-mounted, net-metering system installed at multi-family affordable housing complex in San Francisco
South Bayside Waste Management Authority	0.772	Fixed-tilt, standing seam rooftop systems at three buildings and ground-mount system at a municipal recycling facility and transfer station
City of Watsonville, CA	0.65	Ballasted, ground-mount system at a waste water treatment plant

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Figure 2. Solar installations by state, 2013<sup>7</sup>.



In addition, the Shawboro Solar Farm will employ a variety of design and engineering features intended to enhance the overall safety of the proposed Facility. These include:

- Security fencing
- Code complaint wiring practices and materials
- “Bonding” of all metals to prevent fire in the case of a ground fault
- Usage of panels rated to 150 MPH wind speed
- Racking system will be engineered to withstand a minimum of 110 MPH 3-second wind gust
- Elevated 1-2’ above BFE to prevent flood damage

Section 2.2. 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.

Of the more common concerns that arise when a solar farm is being proposed, perhaps the most common is the potential impact on property values. This is particularly true in instances where the proposed solar farm is adjacent to or nearby residential areas. Despite the near ubiquity of this question, to the best of the Applicant’s knowledge, there have been no studies performed to assess what impact, if any, solar facilities have on adjoining property values. This sentiment has been echoed by thought-leaders in the solar field such as Miriam Makhyouun, Manager of Market Intelligence for the N.C. Sustainable Energy Association, who was quoted at a public forum on the results of solar energy production in North Carolina as saying: “No research has been found specific to ground-mounted solar photovoltaic [panels] and property values.”<sup>8</sup>

In terms of the Facility proposed herein, it is important to keep in mind that all of the surrounding parcels fall under the AG Zoning District and have a Rural Land Use Plan Class designation. Both of these elements restrict any residential development that could take place to small-scale residential uses or low-density Conservation Subdivisions. Moreover, the Facility’s landlord, Mr. Guy Newman, owns two of the adjoining parcels. Additionally, the portion of the Facility abutting NC 34 will be subject to the landscaping standards under Sec. 5.2.8., Streetscape, hence limiting any potential visual impact to the residents across the street. The view onto the site by other nearby residences – including those located at 527 Shawboro Road the one at 343 Shawboro Road – is severely limited due to significant natural screening.

In reference to how the proposed use will be in harmony with the surrounding area, it is worth noting that the proposed Facility can actually enhance it. For example, while traditional agriculture produces dust and runoff, the proposed solar farm will produce neither. (This is echoed in the underlying logic behind the County’s Agricultural Buffer.) Nor is there any traffic that will be created after the construction period has finished. Also, the Facility will be nearly silent, with the exception of the slight electrical “hum” produced by the inverters that should only be able to be heard within a 60’ diameter of the equipment. And given that the maximum height of the Facility will be 8’, it will be roughly the same height or shorter than other nearby



structures. The proposed Facility also represents a consistent, predictable land use that will be in harmony with the surrounding area by not contributing to urbanization of the landscape. Given that the PPA with Dominion North Carolina Power will be for 30 years, no substantial changes to the site will take place during that time. This means no additional traffic, subdivision of the land, or need for additional services during that time.

Section 2.3. The use will be in conformity with the Land Use Plan or other officially adopted plan.

The Applicant has reviewed the Currituck County's 2006 Land Use Plan and has identified numerous policies that it believes are relevant to the Facility proposed herein. Each of these has been provided below (in italics), along with a brief explanation of how the proposed Facility comports with the specific policy.

*POLICY ES1: New development shall be permitted to locate only in areas with SUITABLE SOIL and where ADEQUATE INFRASTRUCTURE is available. For existing development located on poor soils, and where sewage treatment upgrades are necessary, engineering solutions may be supported, provided that environmental concerns are fully addressed.*

Utility-scale solar farms can be engineered such that they can be sited on a variety of different soils, including poor ones. A soils test will be performed prior to construction in order to assess what type of racking structure is most suitable for the soils on site. Also, the proposed Facility will require no provision of County infrastructure.

*POLICY ES2: NON-COASTAL WETLANDS, including FRESHWATER SWAMPS, AND INLAND, NON-TIDAL WETLANDS, shall be conserved for the important role they play in absorbing floodwaters, filtering pollutants from stormwater runoff, recharging the ground water table, and providing critical habitat for many plant and animal species. Currituck County supports the efforts of the U.S. Army Corps of Engineers in protecting such wetlands through the Section 404 permit program of the Clean Water Act, as well as Section 401 water quality certifications by the State of North Carolina.*

The Applicant will have a wetlands delineation performed prior to returning to the TRC for final approval of conditions. The wetlands delineation will be confirmed via a Preliminary or Final Jurisdictional Determination by the ACOE. No development will take place in Section 404 waters.

*POLICY AG1: ACTIVE AGRICULTURAL LANDS having a high productive potential, and especially those removed from infrastructure and services, should be conserved for continued agricultural use.*

The proposed Facility represents a very low-impact use of the land; additionally, it can be decommissioned and disassembled at the end of its useful life, allowing the underlying land to be returned to agricultural use. In this sense, the proposed Facility acts as a long-term conservation easement, keeping the land free of more intensive development during the 30-



year minimum lifespan of the Facility.

*POLICY AG4: County growth management tools, including particularly zoning, should provide PROTECTION TO AGRICULTURE and other RESOURCE BASED ACTIVITIES from incompatible land uses, such as a residential subdivision in the midst of generally uninterrupted farmland.*

The proposed Facility is highly compatible with agriculture and resource based activities: neither the solar farm nor surrounding agriculture will have any ill effects on one another. Hence, the proposed use comports with both the spirit of this policy and the applicable sections in the UDO.

*POLICY CD7: Attractive, environmentally beneficial LANDSCAPING shall be provided by new commercial or office developments, and in the rehabilitation and upgrading of existing developments. Appropriate BUFFERING or other effective DESIGN FEATURES may be employed to allow less intensive forms of commercial and office development to adjoin existing or planned residential uses.*

While not a commercial or office development, the proposed Facility will feature landscaping as required by the County.

*POLICY ID1: To diversify the local economy and broaden the local tax base, the County shall encourage a public service and regulatory environment conducive to COMPATIBLE INDUSTRIAL DEVELOPMENT. "Compatible" shall be defined as, among other things, industries that do not adversely impact the environmental quality of the area, or overburden the local infrastructure.*

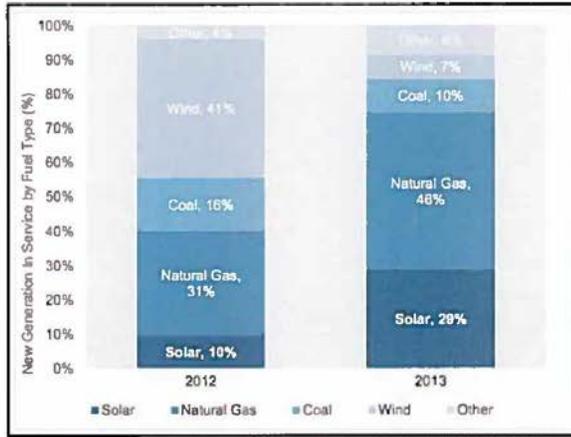
While not an industrial development, the proposed Facility is part of an industry that is new to Currituck County, thus helping to diversify the local economy. Additionally, it will broaden the local tax base without adversely impacting the environmental quality of the area or overburdening local infrastructure.

*POLICY ID9: Currituck County shall not support the exploration or development of ENERGY PRODUCING FACILITIES within its jurisdiction including, but not limited to, oil and natural gas wells, and associated staging, transportation, refinement, processing or on-shore service and support facilities.*

This policy might, at first, seem that it would discourage permitting a solar farm. HOWEVER, the land use plan was written in 2006, long before utility-scale solar started to emerge as an industry and potential land use. Additionally, now in the year 2014, solar competes directly with natural gas in terms of new electrical generation capacity. (Please see the chart below.)



**Figure 3. New U.S. Electrical Generation Capacity, 2012 vs. 2013<sup>9</sup>**



As is clear from the above chart based on data provided by the Federal Energy Regulatory Commission (FERC), natural gas and solar are both increasing their shares of new electrical capacity, while other forms of generation are decreasing. Therefore, the best way to combat new drilling or “fracking” for oil and natural gas and to achieve the goal of this Policy is to permit new solar generation capacity.

**POLICY PP2:** *Currituck County shall continue to implement a policy of ADEQUATE PUBLIC FACILITIES, sufficient to support associated growth and development. Such facilities may include but not be limited to water supply, school capacity, park and open space needs, fire fighting capability, and law enforcement.*

Again, the proposed Facility will require no additional provision of infrastructure or public facilities.

**POLICY PP3:** *The costs of infrastructure, facilities and services (e.g. schools, parks, water supply, etc.) related to the DEMAND CREATED BY NEW GROWTH AND DEVELOPMENT shall be borne, in equitable proportion, by those creating the additional demand. So as to lessen the burden on the general property tax payer, this approach may include a land transfer tax, impact fees on new development, upzoning fees, and user fees for new facilities.*

While the proposed Facility will not create any additional demand for infrastructure, facilities, or services of its own, by virtue of adding approximately \$34,000<sup>10</sup> per year to the tax base, it will pay above and beyond its share for the cost of adding new infrastructure, services, and facilities for other types of growth and development for which provision of such is needed.

**POLICY NH3:** *New PUBLIC FACILITIES AND STRUCTURES, as well as improvements to existing*



*public facilities and structures, shall be located and designed to mitigate natural hazards. When placement in a natural hazard area is unavoidable, compliance with the National Flood Insurance Program and County Flood Damage Prevention Ordinance shall be required.*

The proposed Facility will be located in a Special Flood Hazard Area and will comply with all County, State, and Federal ordinances pertaining to development in a floodplain.

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

As detailed in the Project Narrative, the Applicant will comply with all applicable policies in this regard. The Facility will require an Erosion and Sedimentation Control Permit along with a Stormwater Management Permit, both of which will be obtained from NCDENR. However, the Facility will be exempt from Currituck County stormwater requirements due to the fact that the site will feature less than 10% impervious surfaces.

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

Given that the proposed Facility will feature minimal impervious surfaces and because the spacing between each solar panel and each row of panels allows for infiltration of water in, around, and through the system, the soil will have the same absorption capacity as it did when it was in agricultural use. Additionally, the site will make use of the existing drainage system to the greatest extent possible. Hence, post-development runoff should not exceed pre-development volumes.

*POLICY WQ5: Development that preserves the NATURAL FEATURES OF THE SITE, including existing topography and significant existing vegetation, shall be encouraged. If COASTAL AND NON-COASTAL WETLANDS are considered part of 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.*

The Applicant intends to maximize existing topography and vegetation to the greatest degree possible: this includes utilization of existing drainage, as feasible, and providing appropriate setbacks from any jurisdictional streams or wetlands.

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

The Applicant will have a stream determination and wetlands delineation performed and apply



appropriate buffers from any jurisdictional 401 or 404 waters.

*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.*

The proposed Facility meets all three of the requirements above. It represents the first major investment by the solar development industry in Currituck County, which is one of the fastest growing sectors in both the United States and North Carolina, with the state currently ranking second in installed solar PV capacity. Each solar farm that is permitted and built represents dozens of temporary but full-time construction and construction support-services jobs (e.g., fencing and grading contractors), in addition to jobs for more skilled workers such as electricians, surveyors, and engineers. The proposed Facility will preserve the environmental quality of the County by: avoiding any impacts to the County's estuarine system and wetlands, producing no emissions after construction, and utilizing construction techniques that minimize long-term soil impacts (i.e., ground-screws for the racking system instead of poured concrete).

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

Being that the proposed Facility is to be situated adjacent to NC 34, the Applicant will comply with Streetscape landscaping requirements as deemed appropriate by Staff, the Planning Director, TRC, and the Board of Commissioners.

*POLICY ML1: Currituck County recognizes the particular interest of residents and property owners in the Mainland Area in PRESERVING FARMLAND AND OPEN SPACE. The County shall exercise diligence in applying policies, plans and actions that will encourage compact growth and the preservation of farmland and open space in the Mainland Area.*

The Applicant is aware that preservation of farmland is of great importance to Currituck County and its residents. Given that the Facility can be decommissioned and disassembled at the end of its useful life, the land can be returned to agricultural use. In this sense, the proposed Facility acts as a long-term conservation easement, keeping the land free of more intensive development during the next 30 years.



## REFERENCES

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2. Solar Energy Industries Association. (2014). <http://www.seia.org/policy/solar-technology/photovoltaic-solar-electric>
3. Solar Energy Industries Association. (2014). <http://www.seia.org/research-resources/solar-industry-data>
4. Ibid.
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6. Greentech Media and Solar Energy Industries Association. (2014). *U.S. Solar Market Insight Report: 2013 Year-In-Review. Executive Summary*. Pg. 9.
7. Ibid.
8. *The Robesonian*. (2013). Forum shines sunlight on growing solar farm industry.  
<http://robsonian.com/news/news/2537609/Forum-shines-sunlight-on-growing-solar-farm-industry>
9. Federal Energy Regulatory Commission (2014). Cited in Greentech Media and Solar Energy Industries Association (2014). *U.S. Solar Market Insight Report: 2013 Year-In-Review. Executive Summary*. Pg. 9.
10. Calculation based on an estimated \$1.35 / Watt installed cost x 25.9 million Watts = \$34,965,000 - 80% abatement for renewable energy allowed under North Carolina statute = \$6,993,000 x .00485% Currituck County 2013 effective tax rate = \$33,916.05 annually.



SENIOR CITIZEN ADVISORY BOARD  
2 Year Terms

<b>Incumbent</b>	<b>Nominated by</b>	<b>New Appointee</b>	<b>Nominated by</b>	<b>Date of Appointment</b>	<b>End of Term</b>
Heidi Montalbine	District 1		Vance Aydlett	2/20/12	1st 3/1/2015
Edith Meekins	District 2		David Griggs	7/15/2013	1st 7/20/2016
Rose Wright	District 3		Butch Petrey	5/20/13	2nd 3/15/2016
Doris Ballance	District 4		Kevin McCord	10/7/2013	2nd 9/7/2016
Rick Bell	District 5		Marion Gilbert	3/17/14	1st 2/1/2016
Marcia Steele	At-Large		Paul Martin	1/24/14	1st 2/1/2016
<b>Joanne DiBello*</b>	<b>At-Large</b>		<b>Paul O'Neal</b>	<b>6/4/2012</b>	<b>Unexpired Term 4/15/2014</b>

**\* Also Serving on Library Board**

Commissioner Martin

CURRITUCK COUNTY  
NORTH CAROLINA  
May 19, 2014

The Board of Commissioners met in the Historic Courthouse Conference Room at 6:00 PM for a closed session pursuant to General Statute 143-318.11(a)(6) to discuss personnel matters.

The Board of Commissioners met at 7:00 PM for its regularly scheduled meeting at the Historic Courthouse in the Board Meeting Room with the following members present: Chairman Paul O'Neal, Vice-Chair Paul Martin, Commissioners Aydlett, Gilbert, Griggs, McCord and Petrey.

Chairman O'Neal called the meeting to order at 7:05 PM and announced that the Board had met in a closed session at 6:00 PM on personnel issues.

**A) Invocation**

Reverend Glenn McCranie gave the invocation.

**B) Pledge of Allegiance**

Reverend Glenn McCranie led the Pledge of Allegiance.

**C) Approval of Agenda**

Commissioner Aydlett moved to approve the agenda. Commissioner Gilbert seconded the motion. Motion carried unanimously.

**APPROVED AGENDA**

**7:00 pm Call to Order**

- A) Invocation-Reverend Glenn McCranie, Navy Captain, 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 Hearing**

- A) **Public Hearing and Action:** PB 14-03 Currituck County - Outdoor Shooting Ranges: Request to amend the Unified Development Ordinance to establish Outdoor Shooting Ranges as a permitted use in the Resource Conservation (RC), Agricultural (AG), and Heavy Industrial (HI) zoning districts with use specific standards.

**New Business**

- A) **Consideration and Adoption of License Agreement Authorizing Ocean Club Centre Owners Association, Inc. to Locate Sign on County Property Located at Ocean Club Centre and N.C. Highway 12**

- B) **Consideration and Adoption of An Ordinance Amending Section 10-64 of the Currituck County Code of Ordinances to Authorize Law Enforcement Seizure of ATV Permits that are Expired, Revoked, Cancelled, Suspended, Unlawfully or Erroneously Issued or Unlawfully Used**
- C) **Consideration and Adoption of An Ordinance Amending Chapter 8 of the Currituck County Code of Ordinances by Adding Article V to Regulate Peddlers and Solicitors**
- D) **Recommendation of Award for Banking Services to Towne Bank**
- E) **Board Appointments:**
  - 1. Appointments to Fire and EMS Advisory Board
  - 2. Appointments to Whalehead Preservation Trust Board of Directors
  - 3. Appointment to Senior Citizen Advisory Board
  - 4. Appointment of Joanne DiBello as Delegate to NC Senior Tar Heel Legislature and Regional Advisory Council
  - 5. Reappointment of Bobby Hanig to Northeastern Workforce Development Board
  - 6. Appointment of Margarette Etheridge to Social Services Board
- F) **Consent Agenda:**
  - 1. Approval of May 5, 2014 Minutes
  - 2. Budget Amendments
  - 3. Policy on Waiver of Tipping Fees for Voluntary Removal of Dilapidated Structures
  - 4. Petition to NC Department of Transportation for Road Addition for Maintenance of Fox Lane
  - 5. Petition to NC Department of Transportation for Road Addition for Maintenance of Laurel Woods Blvd., Laurel Woods Way, Bay Leaf Drive, Mulberry Court, and Sugar Maple Pass
  - 6. Consideration and Action on Resolution Authorizing the "Piggybacking" on a Purchase Agreement From the State of South Carolina for Purchase of Grounds Keeping Equipment From The Toro Company
  - 7. Consideration and Approval of Reciprocal Easement Agreement and Amendment to and Partial Release of Declaration of Protective Covenants With Food Lion, LLC
  - 8. ITS Surplus Resolution
- G) **Commissioner's Report**
- H) **County Manager's Report**

Adjourn

**D) Public Comment**

Chairman O'Neal opened the Public Comment period.

Mary Etheridge, Shawboro, stated that in December 2011, Commissioners voted to allow a junkyard in her neighborhood. Several questions needed to be satisfied to approve the zoning under the UDO, and there was evidence against all questions. Her family chose to appeal and won. She wanted to assure that all citizens know what the Commissioners did.

Chairman O'Neal asked several questions of Mr. Woody and Mr. McRee regarding the past use of the property in Shawboro, reason for originally calling the project a "junkyard" (because the UDO had no use called "recycling center" at the time) and that the courts had asked the attorney to call the project a recycling center, not a junkyard.

Joanne DiBello, Currituck, delegate to the NC Senior Tar Heel Legislature, announced an awareness walk for elder abuse on June 6 and a seminar on scamming the elderly on June 11.

Larry Simmons, Moyock, spoke about the EMS situation. He related the story of the death of his daughter despite a coordinated effort by the EMS. He was concerned about the changes and the termination of the trainer and called for reinstatement of Ms. Wheeler.

Sybil O'Neal, Maple, read a statement by Janet Willis which related she expected the best care for her family and the cries of the EMS employees were always ignored. Many problems had gone on too long. It was time to stand up and make a change.

Paul Simmons, Moyock, stated that Ms. Wheeler was an asset to the county. The problem was Glover and the board needed to fix the problem. He told them he would be back at each meeting until the problem is resolved.

Wende Shannon, Moyock, applauded those running for office. She reminded them they are servants of the taxpayers and they need to support all. Employees are also servants to taxpayers. She urged the Board to take the high road. The seats they are sitting in belong to the taxpayers, not the commissioners. The needs of the many outweigh the needs of the few.

John Snowden, Maple, stated they should let Glover go. He also spoke on the upcoming ordinance regarding peddlers and solicitors, commending the County Attorney on its content; however, he felt there was a loophole regarding vegetable sales. It needed to say they could only sell what they grow.

Chairman O'Neal announced there would be an outside investigation of the EMS Department. County Manager Dan Scanlon has recommended the county establish an assessment team to evaluate the EMS system and report back to him with recommendations to enhance the function and capability of the system. The assessment will include a review of management strategies and discussions with the affected county employees.

County Manager Dan Scanlon recognized Leeann Walton, who will be the new Clerk to the Board upon the retirement of Mary Gilbert.

There being no further comments, Chairman O'Neal closed the Public Comment period.

### **Public Hearings**

- A) Public Hearing and Action: PB 14-03 Currituck County - Outdoor Shooting Ranges: Request to amend the Unified Development Ordinance to establish Outdoor Shooting Ranges as a permitted use in the Resource Conservation (RC), Agricultural (AG), and Heavy Industrial (HI) zoning districts with use specific standards.**

Ben Woody, Planning and Community Development Director, reviewed the text amendment and recommendations of the staff and Planning Board.

On behalf of the Board of Commissioners, Currituck Planning & Community Development submits the following request to amend to the Unified Development Ordinance (UDO). The proposed amendment establishes outdoor shooting ranges as a permitted use in the Agricultural (AG) and Heavy Industrial (HI) zoning districts. Also proposed are use-specific standards and off-street parking standards.

This proposed amendment is in response to a request for an outdoor shooting range in the Moyock Township. Upon reviewing the UDO, staff determined that commercially operated outdoor shooting ranges are not a permitted use of land in the county. If the Board of Commissioners establishes outdoor shooting ranges as a permitted use in the county, any existing or proposed commercial outdoor shooting range will be subject to all UDO standards and permitting procedures. The UDO already includes allowances for police firing ranges, indoor shooting ranges, and security training facilities.

Staff recognizes that outdoor shooting ranges are reasonable uses in rural areas as long as precautions are taken to mitigate noise impacts and ensure the safety of both range users and nearby residents. The operation of an outdoor shooting range will be subject to the county noise control ordinance, and the proposed use-specific standards establish setbacks and shooting range design standards. These proposed requirements should aid in minimizing impacts to adjacent property owners. The Board may also need to consider the type of permit required for an outdoor shooting range as a means for providing notice and public comment opportunities to surrounding properties.

Staff recommends approval of this request provided the Board makes a finding that the amendment is reasonable and in the public interest, results in a logical development pattern, and does not result in significantly adverse impacts to adjacent property owners.

The Planning Board ***recommended unanimous approval*** at their April 8, 2014 meeting with the following conditions:

- Administratively approval with a one-half mile setback from property lines.
- Use permit for all other approvals.
- Adjoining property owner notification will be one-half mile.
- Shooting range shall be one-half mile from residential dwelling and residential zoning.
- No shooting range shall be located within one-half mile of an existing waterfowl impoundment (flooded area) or any existing Currituck Game Commission sanctioned rest area.

*The Planning Board recommendations are italicized in the text amendment request.*

#### **PLANNING BOARD DISCUSSION (4-8-14)**

Mr. Clark opened up PB 14-03 for discussion.

Mr. Wright said no part of a shooting range shall be located within one-half mile of an existing waterfowl impoundment or any existing Currituck Game Commission sanctioned rest area. Mr. Wright said the sanctioned rest areas are not permanent and often move.

Mr. Clark said if there is a sanction rest area and a shooting range is one-half mile away from it, the Game Commission cannot change it to where the shooting range would be illegal.

Mr. Cartwright asked if the shooting range would be grandfather in.

Mr. Woody said it would be a nonconforming use.

Mr. Craddock said that currently the Unified Development Ordinance (UDO) states that adjoining property owners notifications are mailed to owners within 200 ft of the property. Mr. Craddock would like to recommend one-quarter of mile or one-half of mile for adjoining property owners to be notified of a proposed shooting range.

Ms. Overstreet asked if a shooting range is located within 200 ft of any property line, but less than one-half mile from an existing residential dwelling; and you have a piece of property that is zoned residential, but a house is not there now, should the board include residential zoned property?

Mr. Woody said the board can specify zoning.

Mr. Woody said you could have a zoning permit which is staff approved, conditional zoning process which would go to the Planning Board and Board of Commissioners for approval, or a use permit which would go to the Planning Board and Board of Commissioners for approval. If it is staff approved there would be no public hearing or public notifications, but with a conditional zoning or use permit you would have a public hearing.

Mr. Cartwright said if you have a large parcel of land which meets all the criteria then it should be administratively approved. If the shooting range is located one mile from any residential dwelling or residential zoning district it could be administratively approved subject to these standards.

The Planning Board discussed quasi-judicial vs. legislative, conditional zoning vs. use permit, berms, landscaping, property lines, distance, types of weapons, safety issues, noise levels, and distance for adjoining property notification.

Mr. Craddock asked if a future applicant for a shooting range requested the property to be rezoned through a conditional zoning request and the use stopped, would the property revert back to the zoning before the request.

Mr. Woody said no.

Mr. Craddock provided examples of different sizes and caliber of bullets.

Ms. Overstreet asked for clarification on the parking standards for outdoor shooting range of 1.5 per range.

Mr. Woody said staff will change it to 1.5 per station.

Mr. Craddock asked what advantage to a property owner if it is a use permit vs. a conditional zoning request.

Mr. Woody said if he was a property owner he would prefer it to be a use permit. If you were an adjoining property owner a conditional zoning is preferable because you can oppose the application.

Mr. Woody said the use permit is quasi-judicial and the conditional zoning is legislative.

**PLANNING BOARD ACTION**

Mr. Cartwright moved to approve PB 14-03 due to its consistency with the 2006 Land Use Plan and that the request is reasonable and in the public interest and promotes orderly growth and development with the following conditions:

- Administratively approval with a one-half mile setback from property lines.
- Use permit for all other approvals.
- Adjoining property owner notification will be one-half mile.
- Shooting range shall be one-half mile from residential dwelling and residential zoning.
- No shooting range shall be located within one-half mile of an existing waterfowl impoundment (flooded area) or any existing Currituck Game Commission sanctioned rest area.

Mr. Craddock seconded the motion and motion carried unanimously.

**Outdoor Shooting Range  
UDO AMENDMENT REQUEST**

Amendment to the Unified Development Ordinance Chapter 4: Use Standards, Chapter 5: Development Standards, and Chapter 10: Definitions and Measurement, to establish Outdoor Shooting Ranges as a permitted use with use specific standards.

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 4.1.2 Use Table is amended by adding the following underlined language and deleting the strikethrough language:

**TABLE 4.1.1: SUMMARY USE TABLE**

Z = Zoning Compliance Permit; U = Use Permit; MP = Allowed with Master Plan;  
CZ = Allowed in a Conditional Zoning District blank cell = Prohibited

USE CATEGORY	USE TYPE	ZONING DISTRICT															REQ	
		[NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]																
		RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M	PD-O	
<b>COMMERCIAL USE CLASSIFICATION</b>																		
Recreation / Entertainment, Outdoor	Automotive Racing													U				
	Arena, amphitheater, or stadium								U		U	U			M P	M P	M P	4.F. 1
	Athletic facility			Z	Z		Z	Z	Z	Z	Z	Z			M P	M P	M P	4.F. 2
	Golf course			U	U			U							M P	M P	M P	
	Golf driving range							Z	Z	Z					M P	M P		
	Marinas							U	Z		Z	Z	Z		M P	M P	M P	4.F. 3
	Outdoor shooting range		Z/U											Z/U				

**TABLE 4.1.1: SUMMARY USE TABLE**

Z = Zoning Compliance Permit; U = Use Permit; MP = Allowed with Master Plan;  
 CZ = Allowed in a Conditional Zoning District blank cell = Prohibited

USE CATEGORY	USE TYPE	ZONING DISTRICT															REQ	
		[NOTE: OVERLAY OR SUB-DISTRICT REQUIREMENTS MAY FURTHER LIMIT USES]																
		RC	AG	SFM	SFO	SFR	SFI	MXR	GB	LB	CC	VC	LI	HI	PD-R	PD-M	PD-O	
	Outdoor tour operator								U	U	Z	Z				M P	M P	4.F. 56
	Recreation, outdoor							U	Z	Z	Z	Z			M P	M P	M P	4.F. 4
<b>INSTITUTIONAL USE CLASSIFICATION</b>																		
Public Safety	Correctional facility												U	U				
	Police, fire, or EMS facility		U Z	U Z	U Z	U Z	U Z	U Z	Z	Z	Z	Z	Z	Z	M P	M P	M P	
	Security training facility		U															3.F

**Item 2:** That Section 4.2.4.F Recreation/Entertainment, Outdoor is amended by adding the following underlined language and renumbering accordingly:

**Outdoor Shooting Range**

Outdoor shooting ranges shall comply with all applicable standards in the county Code of Ordinances and the following standards:

- (a) Outdoor shooting ranges located less than one-half mile from an existing property line are subject to an approved use permit (see Section 2.4.6). Required mailed notice of any public hearing shall be provided to the owners of land within one-half mile of the property lines of land subject to the use permit application and shall comply with subsection 2.3.6.B Public Notification.
- (b) Outdoor shooting ranges shall be located on a site or parcel with an area of at least ten acres.
- (c) No part of a shooting range shall be located within 200 feet of any property line and less than one-half mile from an existing residential zoning district, residential dwelling, school, waterfowl impoundment (flooded area), or Currituck Game Commission sanctioned waterfowl rest area.
- (d) Shooting range facilities shall be designed, constructed and maintained as specified by the most current edition of the National

Rifle Association of America (NRA) Range Source Book, including but not limited to the following protective barriers:

Backstops with a minimum height of 20 feet;

Side berms or walls with a minimum height of eight feet; and

Firing line covers or overhead safety baffles.

- (e) Shooting range facilities shall be designed to contain all bullets, shot, or other debris on the range facility and must implement best management practices for lead management as specified by the Environmental Protection Agency's (EPA's) most current edition of Best Management Practices for Lead at Outdoor Shooting Ranges.
- (f) Weapon types are restricted to pistol, rifle, or shotgun. The use of explosives is prohibited.
- (g) Hours of operation shall be no earlier than sunrise to no later than sunset, except that shooting shall not commence before 12:30 P.M. on Sundays.
- (h) The operators of an outdoor shooting range shall provide proof of accident and liability insurance coverage. A minimum coverage of \$500,000 shall be established and maintained.
- (i) A registered engineer shall certify that the design, specifications, and plans for range construction are in compliance with the standards in this subsection.

**Item 3:** That Section 5.1.3 Off-Street Parking Standards is amended by adding the following underlined language:

TABLE 5.1.3.C: MINIMUM OFF-STREET PARKING STANDARDS		
USE CATEGORY	USE TYPE	MINIMUM NUMBER OF PARKING SPACES
<b>COMMERCIAL USE CLASSIFICATION</b>		
<b>Recreation / Entertainment, Outdoor</b>	Marinas	1 per slip or mooring
	Outdoor shooting range	1.5 per firing station
	Outdoor tour operator	1 per every 2 employees + 1 per every 5 persons of total tour vehicle capacity
	Recreation, outdoor	See Section 5.1.3.E

**Item 4:** That Subsection 10.4.5: Commercial Use Classification is amended by adding the following underlined language:

## H. Recreation/Entertainment, Outdoor

### (1) Characteristics

The Outdoor Recreation/Entertainment Use Category includes use types that are large, generally commercial, and provide continuous recreation or entertainment-oriented activities that primarily take place outdoors. They may take place in a number of structures that are arranged together in an outdoor setting. Accessory uses may include concessions, parking, and maintenance facilities.

### Examples

Example use types include privately-owned arenas, amphitheaters, or stadiums, outdoor commercial recreation uses (including private golf driving ranges and privately-owned miniature golf facilities; go-cart racing, race-track, or dirt-track facilities; drive-in movie theaters; privately-owned outdoor commercial tourist attractions, water parks, and amusement parks; and privately-owned active sports facilities such as ball fields, courts, shooting ranges, and archery ranges), athletic facilities, and private golf courses, and outdoor swimming pools (private).

### Exceptions

- (a) Publicly owned golf courses, tennis courts, swimming pools, basketball courts, ball fields, and other similar outdoor recreational or entertainment-oriented facilities are classified as Parks and Open Space.
- (b) Police firing ranges are classified as Public Safety Facilities.

**Item 5:** That Section 10.5: Definitions is amended by adding the following underlined language and reordering alphabetically:

### OUTDOOR SHOOTING RANGE

The commercial use of land for the discharging of firearms for the purposes of target practice, skeet and trap shooting, temporary shooting competitions, or instructional classes.

**Item 6:** 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.

Commissioner Petrey noted the Sheriff recommended nothing less than ½ mile.

Commissioner Griggs questioned any distinction between private and commercial outdoor ranges. He had requested Mr. Woody to prepare an overlay to determine where a range could be located. He pointed out that most permitted areas would be in wetlands and 97% of the county would be prohibited. He suggested tabling the item pending further review.

There was further discussion about exploding targets and permitted areas for construction as well as conditions for administrative approval.

Commissioner Martin questioned whether existing permitted ranges would have to comply to which Mr. Woody responded that existing ranges could not expand.

Chairman O'Neal opened the Public Hearing.

Cathy Gray, Shawboro, stated she lived in front of Powells Farm Shooting Range and opposed the amendment. She also stated noise abatement was needed.

Denise Holmes, Shawboro, was opposed to shooting ranges. No good would come from them. Property values were decreasing, it was not a reasonable use of the land and no one wants them in their back yard. She asked the Board to say no to outdoor shooting ranges.

Brian Kingston, Shawboro, lives one mile from the range and asked how the Commissioners would feel if it was near their home. He urged them not to pass any more until they address what they have.

Wende Shannon, Moyock, understood the problem but felt compromise was possible. She felt there would be a commercial benefit.

Troy Moser, Moyock, supported outdoor shooting ranges, the need for structural environment, properly managed. They would be good neighbors, revenue producing.

John Snowden, Maple, noted there were 494 acres in a half mile circle. This amendment would be a de facto ban. Notice was not excessive. If well-planned, it could attract travel and tourism.

There being no further comments, Chairman O'Neal closed the Public Hearing.

Commissioner Griggs moved to table the request for further review and further direction from the Planning Board. Commissioner Gilbert seconded the motion.

Commissioner Petrey felt the need to set a date for bringing the item back for action.

Commissioner McCord wanted to include establishing days and hours of operation.

Commissioner Griggs amended his motion to remand back to the Planning Board and/or staff for clarification of the points he had raised . Commissioner Gilbert seconded the amendment. Motion carried.

### **New Business**

**A) Consideration and Adoption of License Agreement Authorizing Ocean Club Centre Owners Association, Inc. to Locate Sign on County Property Located at Ocean Club Centre and N.C. Highway 12**

County Attorney Ike McRee related that the current Ocean Club Centre sign was located on Spindrift property, and Spindrift wanted it removed. The License Agreement would allow the sign to be located on County property. County staff recommended approval, and that the sign be moved prior to the season. The sign would meet the County sign ordinance. The term would be indefinite unless 60 days' notice was given by the County.

Commissioner Aydlett moved to adopt the License Agreement. Commissioner Gilbert seconded the motion. Motion carried unanimously.

**B) Consideration and Adoption of An Ordinance Amending Section 10-64 of the Currituck County Code of Ordinances to Authorize Law Enforcement Seizure of ATV Permits that are Expired, Revoked, Cancelled, Suspended, Unlawfully or Erroneously Issued or Unlawfully Used**

County Attorney Ike McRee noted this amendment addressed concerns expressed by law enforcement. If an ATV permit were seized, the Sheriff's office would report it to the County Manager's office and return the permit. There would be an appeal process.

Commissioner Aydlett moved to table to the next meeting in order to discuss with Jason Banks, Sheriff's Office, for more clarification. Commissioner Petrey seconded the motion. Motion carried unanimously.

**C) Consideration and Adoption of An Ordinance Amending Chapter 8 of the Currituck County Code of Ordinances by Adding Article V to Regulate Peddlers and Solicitors**

County Attorney Ike McRee had discussed this ordinance with the Sheriff's Office and learned the State Bureau of Investigation (SBI) required further steps regarding criminal background checks. He noted that aggressive sales persons going door-to-door had been the cause for the ordinance. He recommended that adoption be continued to a future meeting pending information from the SBI.

Commissioner Petrey moved to continue to the second meeting in June. Commissioner McCord seconded the motion. Motion carried unanimously.

**D) Recommendation of Award for Banking Services to Towne Bank**

Sandra Hill, Finance Director, related that bids had been received for banking services and she recommended Towne Bank.

Commissioner Petrey moved to approve the award for banking services to Towne Bank. Commissioner Martin seconded the motion.

Given that Chairman O'Neal was an employee of Towne Bank, he asked County Attorney Ike McRee to explain his opinion that Chairman O'Neal must vote on the motion since he would not directly benefit from the action.

County Manager Dan Scanlon noted that the present bank had been sold and Towne Bank offered the best financial deal of those submitting bids.

Motion carried unanimously.

**E) Board Appointments:**

1. Appointments to Fire and EMS Advisory Board

Commissioner Petrey moved to reappoint Charles Berry for a two year term expiring April 2016. Donnie Mathias was appointed by the Fire Departments for a two year term expiring April 2016.

Appointments were unanimously approved.

2. Appointments to Whalehead Preservation Trust Board of Directors

Motion was made to reappoint Carl Ross and Jeanne Meiggs for two year terms expiring May 2016. Commissioners Gilbert and Martin moved to table their nominations.

Appointments were unanimously approved.

3. Appointment to Senior Citizen Advisory Board

Continued

4. Appointment of Joanne DiBello as Delegate to NC Senior Tar Heel Legislature and Regional Advisory Council

Appointment was unanimously approved for a term expiring July 2016.

5. Reappointment of Bobby Hanig to Northeastern Workforce Development Board

Appointment was unanimously approved for a term expiring June 30, 2016.

6. Appointment of Margarette Etheridge to Social Services Board

Appointment was unanimously approved for a term expiring June 30, 2017.

**F) Consent Agenda:**

1. Approval of May 5, 2014 Minutes
2. Budget Amendments
3. Policy on Waiver of Tipping Fees for Voluntary Removal of Dilapidated Structures
4. Petition to NC Department of Transportation for Road Addition for Maintenance of Fox Lane
5. Petition to NC Department of Transportation for Road Addition for Maintenance of Laurel Woods Blvd., Laurel Woods Way, Bay Leaf Drive, Mulberry Court, and Sugar Maple Pass
6. Consideration and Action on Resolution Authorizing the "Piggybacking" on a Purchase Agreement From the State of South Carolina for Purchase of Grounds Keeping Equipment From The Toro Company
7. Consideration and Approval of Reciprocal Easement Agreement and Amendment to and Partial Release of Declaration of Protective Covenants With Food Lion, LLC
8. ITS Surplus Resolution

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10790 513000	Utilities	\$ 1,000	
10790 511000	Telephone & Postage		\$ 1,000
		\$ 1,000	\$ 1,000

**Explanation:** *Library (10790) - Transfer funds for increasing utility bills for this fiscal year.*

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

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10795 576012	Adult Basketball	\$ 135	
10795 576002	Youth Basketball		\$ 135
		\$ 135	\$ 135

**Explanation:** *Parks & Recreation (10795) - Transfer funds for Championship shirts & plaques for Adult Basketball.*

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

<u>Account Number</u>		<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10796	532000	Supplies	\$ 1,450	
10796	513000	Utilities		\$ 500
10796	514500	Training & Education		\$ 950
			<u>\$ 1,450</u>	<u>\$ 1,450</u>

**Explanation:** *Rural Center (10796) - Transfer funds for operations for this remainder of this fiscal year.*

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

<u>Account Number</u>		<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10512	513000	Utilities	\$ 1,000	
10512	531000	Gas	\$ 2,000	
10512	514500	Training & Education		\$ 1,000
10512	532000	Supplies		\$ 1,000
10512	542000	Rabies Vaccinations		\$ 1,000
			<u>\$ 3,000</u>	<u>\$ 3,000</u>

**Explanation:** *Animal Control (10512) - Transfer funds for operations for the remainder of this fiscal year.*

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

<u>Account Number</u>		<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense

10511	532000	Supplies	\$	1,000	
10511	514500	Training & Education	\$	50	
10511	513000	Utilities			\$ 1,050
				<u>\$ 1,050</u>	<u>\$ 1,050</u>

**Explanation:** Jail (10511) - Transfer funds for operations for the remainder of this fiscal year.

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

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10750 590000	Capital Outlay Technology > \$1000 - Special	\$ 12,244	
10752 590443	Adoption	\$ 400	
10441 590000	Capital Outlay		\$ 12,244
10752 545003	Contract Services - Special Adoption		\$ 400
		<u>\$ 12,644</u>	<u>\$ 12,644</u>

**Explanation:** Information Technology (10441); Social Services Administration (10750); Social Services Public Assistance (10752) - Transfer funds from ITS budget to DSS to purchase computers for DSS.

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

<u>Account Number</u>	<u>Account Description</u>	<u>Debit</u>	<u>Credit</u>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10441 545000	Contract Services	\$ 2,720	
10450 553000	Dues & Subscriptions		\$ 2,720
		<u>\$ 2,720</u>	<u>\$ 2,720</u>

**Explanation:** Information Technology (10441); Tax (10450) - Transfer funds to cover iCare Tax appraisal website upgrade.

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

<u>Account Number</u>		<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10441	545000	Contract Services	\$ 1,714	
10441	516000	Repairs & Maintenance		\$ 1,714
			<u>\$ 1,714</u>	<u>\$ 1,714</u>

**Explanation:** *Information Technology (10441) - Transfer funds for additional annual maintenance fees for the Dell server.*

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

<u>Account Number</u>		<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
			Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
10460	590003	Capital Outlay	\$ 8,580	
10750	590000	Capital Outlay	\$ 2,920	
10490	590000	Capital Outlay - Court Facilities		\$ 5,000
10490	532000	Supplies - Court Facilities		\$ 500
10490	516000	Repairs & Maintenance		\$ 2,000
10490	516003	Repairs & Maintenance - Other		\$ 3,000
10460	561000	Professional Fees		\$ 1,000
			<u>\$ 11,500</u>	<u>\$ 11,500</u>

**Explanation:** *Public Works (10460); Social Services Administration (10750) - Transfer funds to replace compressors in the Corolla Community Meeting Room and DSS Director's office and to replace the HP-4 unit at the Health Department.*

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

<u>Account Number</u>		<u>Account Description</u>	<b>Debit</b> Decrease Revenue or Increase Expense	<b>Credit</b> Increase Revenue or Decrease Expense
10750	561000	Professional Services	\$ 50,000	
10330	431000	DSS Administration		\$ 18,000
10380	482000	Miscellaneous Revenue		\$ 32,000
			<u>\$ 50,000</u>	<u>\$ 50,000</u>

**Explanation:** *Social Services Administration (10750) - Increase DSS Professional Services needed for increases in foster care cases.*

**Net Budget Effect:** Operating Fund (10) - Increased by \$50,000.

<u>Account Number</u>		<u>Account Description</u>	<b>Debit</b> Decrease Revenue or Increase Expense	<b>Credit</b> Increase Revenue or Decrease Expense
52543	590000	Capital Outlay	\$ 155,935	
52390	495012	T F - Fire Services Fund		\$ 155,935
12541	587052	T T - Multi-year Grant Fund	\$ 155,935	
12390	499900	Appropriated Fund Balance		\$ 155,935
			<u>\$ 311,870</u>	<u>\$ 311,870</u>

**Explanation:** *Moyock VFD (12543); Multi-year Grants (52543) - Appropriate funds for reimbursable grant for airpacks for Moyock VFD.*

**Net Budget Effect:** Fire Services Fund (12) - Increased by \$155,935.  
Multi-year Grant Funds (52) - Increased by \$155,935.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
12548	514515	Training and Education	\$ 1,400
12548	516015	Repairs & Maintenance	\$ 13,000
12548	590015	Capital Outlay	\$ 15,490
12548	536115	PPE	\$ 13,000
12548	532115	Fire Supplies	\$ 10,490
12548	516115	Building & Grounds	\$ 5,400
12548	513015	Utilities	\$ 1,000
10535	590000	Capital Outlay	\$ 15,490
10330	449900	Miscellaneous Grants	\$ 15,490
		\$ 29,890	\$ 29,890

**Explanation:** *Knotts Island VFD (12548) - Transfer funds for operations and to purchase additional 800 MHz radios.*

**Net Budget Effect:** Operating Fund (10) - Increased by \$15,490.  
Fire Services Fund (12) - No change.

<u>Account Number</u>	<u>Account Description</u>	<b>Debit</b>	<b>Credit</b>
		Decrease Revenue or Increase Expense	Increase Revenue or Decrease Expense
61818	590000	Capital Outlay	\$ 1,325
61818	557100	Software License	\$ 512
61818	553000	Dues & Subscriptions	\$ 813
60808	590001	Capital Outlay	\$ 1,325
60808	557101	Software License	\$ 178
60808	561001	Professional Services	\$ 1,147
		\$ 2,650	\$ 2,650

**Explanation:** *Ocean Sands Water & Sewer (60808); Mainland Water (61818) - Transfer funds to purchase ESRI Arc GIS concurrent use license.*

**Net Budget Effect:** Ocean Sands Water and Sewer District Fund (60) - No change.  
Mainland Water Fund (61) - No change.

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 PLANNING AND COMMUNITY DEVELOPMENT
 

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 SUBJECT: Voluntary Removal of Dilapidated Structures.
 

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 EFFECTIVE DATE: May  
19, 2014

 APPROVED BY:  
Currituck County Board of Commissioners

PURPOSE

To establish a policy for the waiving of tipping fees for identified dilapidated structures, when the property owners volunteer to remove the structure.

GENERAL

In an effort to rid the county of dilapidated structures and in recognition of the expense to the owners of such buildings, the County of Currituck will assist property owners by relieving a portion of the cost of tipping fees.

PROCEDURES

1. A notice will be sent to those owners whose property has been identified as a possible condemnation.
2. In order to qualify for relief of tipping fees an application must be submitted to the office of the Chief Building Inspector. The structure must have either been identified as a possible condemnation or must qualify as such in the opinion of the Chief Building Inspector.
3. Once the application has been submitted and approved, the building inspector will measure the footprint of the structure(s) and calculate the square footage of the structure(s) (footprint only).
4. Tipping fees will be paid using the following formula: (Square foot of footprint x 50lbs / 2,000lbs x tipping fee = maximum fee amount waived). Example: (2,500 sf. x 50lbs = 125,000lbs) (125,000lbs / 2,000lbs = 62.5 tons) (62.5 tons x \$71 = \$4,437.50).
5. In the above example the county will pay up to \$4,437.50 in tipping fees for a 2,500 sf. house footprint. Tonnage over this amount will be the property owner's responsibility. This formula will be used on one and multi-story structures. All efforts to minimize the amount of debris carried to the landfill should be made. Examples include controlled burns by the local volunteer fire department or the recycling of materials from the demolished structure.
6. A voucher will be provided to the owner to be filled out by the landfill attendant and returned to the office of the Chief Building Inspector. Only debris from the approved site will be allowed to be included in the voucher.
7. The property owner must remove the structure(s) and clean the lot within the allotted time or no fees will be waived.
8. The owner is responsible for the hiring of contractors to demolish and remove the structure(s).
9. Proof of weight delivered to the landfill will be required by the returning of the voucher. If any material is found to have come from another site, tipping fees will not be paid and all fees will be the responsibility of the property owner.
10. Should the property owner fail to respond to this offer and the structure is condemned the property owner will be responsible for all fees.

**RESOLUTION**

WHEREAS, the Board of Commissioners of Currituck County, North Carolina during its regularly scheduled meeting held on May 19, 2014 authorized the following, pursuant to GS 160A and 270(b), that the property listed below, be sold at auction or given to another governmental entity:

<u>Description</u>	<u>Service Tag/Serial No.</u>	<u>Asset Tag</u>	<u>Item No.</u>
Dell Latitude D830	BVHBTG1	6922	K001
Dell Optiplex GX620	G530N81	6070	K002
Dell Optiplex GX270	66MN251	5858	K003
Dell Optiplex GX620	8071NB1	6281	K004
Dell Optiplex GX620	DS8TK91	6181	K005
Dell Optiplex 745	8J5X4D1	6675	K006
APC Smart-UPS (SU2200RML3U)	QS0519110001	6014 (PARTIAL)	K007
Dell Optiplex GX270	8YW3951	5898	K008
Dell Optiplex GX620	3071NB1	6283	K009
Dell Optiplex GX620	J530N81	6071	K010
Dell Optiplex 745	2H5X4D1	6674	K011
Dell Optiplex GX620	GZ61NB1	6280	K012
Dell Precision M6300	3LGQ3F1	6589	K013
Dell Optiplex 745	B7GPHC1	6405	K014
Dell Optiplex 745	47GPHC1	6403	K015
Dell Optiplex 745	9G5X4D1	6676	K016
Dell Optiplex 620	C99FPB1	6276	K017
Dell Optiplex GX280	33R8V71	6037	K018
Dell Latitude D830	FVHBTG1	6925	K019
Dell Optiplex 755	DS95BG1	6877	K020
Dell Latitude D830	HVHBTG1	6926	K021
Dell Optiplex GX280	3YLCL11	6352	K022
Dell Precision M6300	9LGQ3F1	6588	K023
Dell Optiplex 755	6MQ8LF1	6753	K024
Dell Optiplex 745	9H5X4D1	6669	K025
Dell Optiplex GX620	JQS8L81	6044	K026
Compaq nx9110	2UA442P2CR	5930	K027
Equus Computer VIP System-DT	1169479	7183	K028
Dell OptiPlex 760	HV5P4J1	7062	K029
Equus Computer VIP System-DT	1103884	NONE	K030
Dell PowerEdge 840	JZ3L5D1	6498	K031
Dell PowerEdge 2850	J617K91	6149	K032
Dell PowerEdge 2950	8LX3NB1	6287	K033
Dell Latitude D410	61YJK81	6042	K034
AKAI TV/VHS/DVD Combo (DVD does not work)	3CBTC05240V	NONE	K035

**G) Commissioner's Report**

Commissioner McCord recognized that the CCHS baseball team was still in the playoffs. High school sports programs are coming back. He noted the recent Mud Run had raised funds for YMCA scholarships. He also announced EMS Appreciation Week and thanked them for what they do.

Commissioner Martin noted Memorial Day was coming up and holiday tourists would be on the roads.

Commissioner Gilbert thanked all who attended the Currituck Kids event.

Commissioner Aydlett noted the Legislature was in short session and ferry tolling was to be resolved shortly. He urged everyone to write letters to the House and Senate Transportation

Committees and thanked Becky Howard for encouraging letter writing. He stated this is a Currituck County issue.

Chairman O'Neal noted other bills in the General Assembly, mileage tax for miles driven and workers compensation insurance to be paid from county funds on county teachers who are state employees. He also recognized National EMS Week and the wonderfully professional people who are employed by the County. He announced the re-opening of Waterside Villages on May 29.

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

County Manager Dan Scanlon noted bills tracking in the General Assembly including the local housing of all misdemeanants instead of those being incarcerated for 90 days or less.

#### **Adjourn**

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



# Currituck County Agenda Item Summary Sheet

## Agenda Item Title

April 2014 CDBG Monthly Progress Report

## Brief Description of Agenda Item

Progress report for April's activities regarding the Community Development Block Grant (CDBG).

## Board Action Requested

Action

## Person Submitting Agenda Item

Tammy Glave

## Presenter of Agenda Item

Ben Woody



**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: May 8, 2014

SUBJECT: April 2014 CDBG #11-C-2308 Scattered Site Housing Project Update

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

- Completed the CDBG Monthly Report for signature and forwarding to the Division of Community Assistance.
- Preconstruction conferences conducted to sign two private well contracts.
- Preconstruction conferences conducted to sign three septic system contracts.
- Preconstruction conferences conducted to sign three reconstruction contracts.
- Private well, septic system, and reconstruction contracts executed and notices to proceed issued.
- Followed-up on status of well, septic and reconstruction contracts.
- Requested temporary relocation payment for reconstruction Case #4.
- Requested temporary storage facility payments for Case #1 and Case #4.
- Continued on-going general administration and financial management responsibilities.
- Attached is the March Monthly Status Report for your review. Thank you.

Attached is the April Monthly Status Report for your review. Thank you.





Eric T. Weatherly, P.E.  
County Engineer

## Currituck County

Post Office Box 38  
Currituck, North Carolina 27929  
252-232-2504, ext. 242  
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eweatherly@co.currituck.nc.us

### MEMORANDUM

To: Board of Commissioners  
Date: May 21, 2014  
Subject: Change Orders – Generator Sets for YMCA and NC Cooperative Ext Complexes

#### Project Description

Emergency Management secured a grant in the amount of \$206,000 to fund two generators – a 100KW generator for the NC Cooperative Extension Building and a 300KW generator for the YMCA/Senior Center/Parks & Recreation Building. These generators will be placed in service when power fails in natural or manmade disasters so the two buildings can be used as temporary shelters.

#### Change Orders Attached

When the bids for the generators were solicited, the specifications called for diesel powered generators due to concerns about being able to meet the budget. The bids for diesel powered generators came in with very favorable pricing and we were able to request pricing to upgrade to natural gas powered generators.

Natural gas operated generators are much more desirable than diesel operated generators. The diesel generators have a 48 hour fuel supply while the natural gas will have unlimited supply. The natural gas supply is via underground pipe that is always available at the site. During a crisis, diesel fuel will have to be trucked in every 2 days at a minimum. We are located in a rural area and have tree lined roads that may flood so reliance on trucked in fuel may be a difficult until roads are made passable. The natural gas is supplied via underground pipes located on the site. Buried utilities are favorable over aerial utilities or trucked in fuel that can be affected by fallen trees or flooding. Natural gas generators are cleaner for the environment and are cheaper to operate.

Diesel fuel spillage is a concern during filling operations. One of the generators is located next to an open water body where spilled fuel would be an environmental issued. It is unlikely there would be a fuel spill but it has happened and natural gas would prevent any spillage concerns.

#### Conclusion

We recommend changing the diesel powered generators to natural gas powered generators. These change orders will bring the total amount of the generators project to \$ 204,478 – maintaining a project total within budget of the grant received.

**CHANGE ORDER**

Order No. 1

Agreement Date: April 23, 2014

NAME OF PROJECT: Standby Generators – YMCA and NC Cooperative Ext sites

OWNER: County of Currituck

CONTRACTOR: B & M Contracting, Inc.

The following changes are hereby made to the CONTRACT DOCUMENTS:

List the change order

Change from diesel powered generators to natural gas powered generators

Justification:

List reason for change

**Change to CONTRACT PRICE:**

Original CONTRACT PRICE: \$ 160,307

Current CONTRACT PRICE adjusted by previous CHANGE ORDER \$ 160,307

The CONTRACT PRICE due to this CHANGE ORDER will be (increased)(decreased) by: \$ 44,171

The new CONTRACT PRICE including this CHANGE ORDER will be \$ 204,478

The **CONTRACT TIME** will be <sup>BMM</sup> (~~increased~~)(~~decreased~~) by 90 calendar days from June 3, 2014.

The date for completion of all WORK will be September 1, 2014 (Date)

COUNTY OF CURRITUCK

By: \_\_\_\_\_ Date \_\_\_\_\_  
Daniel F. Scanlon II, County Manager

CONTRACTOR

By: H. Monette Meads Date 5-21-14  
H. Monette Meads, President



MECHANICAL: (252) 338-6090  
 ELECTRICAL: (252) 338-3916  
 FAX: (252) 338-7696  
 WWW.HVACNG.COM



### CHANGE PROPOSAL FORM

Project: Currituck YMCA Gensets

COP-1

Contract: \_\_\_\_\_

Contractor: Not applicable

**Short description of change:** Change 100kW unit to natural gas  
 Provide natural gas genset in lieu of diesel set. Provide gas piping installation turnkey.

<b>Added B&amp;M Materials</b> (Attach list with Qty, Item, Unit \$, Unit mh, Total mh, OT mh, Total \$)			
2 Total Direct Cost of Materials	\$	2,637.13	\$ 2,637.13
3 Sales Tax			\$178.01
4 Shipping & Transportation			\$0.00
9 Overhead & Profit on Item 2. (20% maximum)			\$527.43
			<b>\$3,342.56</b>

<b>Added B&amp;M Labor</b>			
5 Electrician	29.27 MH @	\$ 19.50	570.765
6 Overhead & Profit on Item 5. (20% maximum on straight labor cost)			\$114.15
7 Labor burden	40.0%		\$228.31
			<b>\$913.22</b>

<b>Equipment Rental</b>			
8 Equipment Rental			
9 Overhead & Profit on Item 8. (15% maximum)			\$0.00
			<b>\$0.00</b>

<b>Subcontractors</b> (Include quotes with material & equipment backup)			
			\$1,355.00
12 Overhead & Profit on subcontractors. (10% maximum)			\$135.50
			<b>\$1,490.50</b>

			<b>Subtotal of Proposal</b>	<b>\$5,746.29</b>
<b>Bond fee</b>	3.5% of change order			\$201.12
				\$0.00
			<b>TOTAL OF CHANGE PROPOSAL</b>	<b>\$5,947.00</b>

The Contractor agrees to perform the work outlined in this change proposal for the amount specified above and in accordance with the Contract documents if the work is authorized by the Owner.

Contractor's Signature: Dennis Allen Carvite Date: 5/13/2014



MECHANICAL: (252) 338-6090  
 ELECTRICAL: (252) 338-3916  
 FAX: (252) 338-7696  
 WWW.HVACNC.COM



**CHANGE PROPOSAL FORM**

Project: Currituck YMCA Gensets

COP-2

Contract: \_\_\_\_\_  
 Contractor: Not applicable

**Short description of change:** Change 300kW diesel set to natural gas unit  
 Provide natural gas genset in lieu of diesel set. Provide gas piping installation turnkey except for work by the utility. Utility will replace gas meter to accommodate generator. Cost for utility work is not covered in our bid.

**Added B&M Materials** (Attach list with Qty, Item, Unit \$, Unit mh, Total mh, OT mh, Total \$)

2 Total Direct Cost of Materials	\$ 27,117.28	\$ 27,117.28	
3 Sales Tax		\$1,830.42	
4 Shipping & Transportation		\$0.00	
9 Overhead & Profit on Item 2. (20% maximum)		\$5,423.46	\$34,371.15

**Added B&M Labor**

5 Electrician	82.06 MH @ \$19.50	1600.17	
6 Overhead & Profit on Item 5. (20% maximum on straight labor cost)		\$320.03	
7 Labor burden	40.0%	\$640.07	\$2,560.27

<b>Subtotal of Proposal</b>		\$36,931.42	
<b>Bond fee</b>	3.5% of change order	\$1,292.60	
		\$0.00	
<b>TOTAL OF CHANGE PROPOSAL</b>		\$38,224.00	

The Contractor agrees to perform the work outlined in this change proposal for the amount specified above and in accordance with the Contract documents if the work is authorized by the Owner.

Contractor's Signature: Dennis Allen Casate Date: 5/13/2014

DATE: 05/13/14

ESTIMATE WORK SHEET -- AS ENTERED -- (ADMINISTRATIVE)

B & M CONTRACTORS, INC.

790 PITTS CHAPEL ROAD

ELIZABETH CITY, NC 27909

Job Description : YMCA STANDBY GENSET ELEC  
 Estimate Number : 920084  
 Estimator Name : ALLEN LASSITER  
 Page Name/Location: ADD LG. GENERATOR GAS SERVICE

ITEM #	DESCRIPTION	QTY	PRICE	T-PRICE	LABOR	T-LABOR
BIP-200XCLOSE-N	2" X CL BLACK IRON NIPPLE	3.00	3.59	10.77	0.03	0.09
BIP-200X250N	2"X21/2" BLACK IRON NIPPLE	3.00	4.12	12.36	0.03	0.09
BIP-200X300N	2" X 3" BLACK IRON NIPPLE	2.00	4.12	8.24	0.03	0.06
BIP-200X400N	2" X 4" BLACK IRON NIPPLE	2.00	4.97	9.94	0.03	0.06
BIP-200X500N	2" X 5" BLACK IRON NIPPLE	2.00	5.74	11.48	0.03	0.06
BIP-200X550N	2"X51/2" BLACK IRON NIPPLE	1.00	6.71	6.71	0.03	0.03
BIP-125X100RC	11/4"X 1" CONCENTRIC REDUCER	1.00	4.58	4.58	0.21	0.21
BIP-100	1" BLACK IRON PIPE	5.00	2.09	10.45	0.14	0.72
BIP-100L45	1" BLACK IRON 45 DEG ELBOW	2.00	3.17	6.34	0.18	0.36
BIP-100L90	1" BLACK IRON 90 DEG ELBOW	2.00	2.62	5.24	0.18	0.36
BIP-100UN	1" BLACK IRON UNION	1.00	8.06	8.06	0.21	0.21
BIP-100XCLOSE-N	1"X CL BLACK IRON NIPPLE	1.00	1.65	1.65	0.03	0.03
BIP-100X150N	1"X11/2" BLACK IRON NIPPLE	1.00	1.65	1.65	0.03	0.03
BIP-100X200N	1"X 2" BLACK IRON NIPPLE	1.00	1.83	1.83	0.03	0.03
BIP-100X250N	1"X21/2" BLACK IRON NIPPLE	1.00	1.93	1.93	0.03	0.03
BIP-100X350N	1"X31/2" BLACK IRON NIPPLE	1.00	2.40	2.40	0.03	0.03
BIP-100X500N	1"X 5" BLACK IRON NIPPLE	1.00	2.84	2.84	0.03	0.03
BIP-150L45	11/2" BLACK IRON 45 DEG ELBOW	2.00	7.23	14.46	0.30	0.60
BIP-150L90	11/2" BLACK IRON 90 DEG ELBOW	2.00	5.54	11.08	0.30	0.60
BIP-150T	11/2" BLACK IRON TEE	1.00	7.97	7.97	0.39	0.39
BIP-150UN	11/2" BLACK IRON UNION	1.00	14.28	14.28	0.36	0.36
BIP-150XCLOSE-N	11/2 X CL BLACK IRON NIPPLE	1.00	2.63	2.63	0.03	0.03
BIP-150X200N	11/2"X 2" BLACK IRON NIPPLE	1.00	2.84	2.84	0.03	0.03
BIP-150X350N	11/2X31/2" BLACK IRON NIPPLE	1.00	3.55	3.55	0.03	0.03
BIP-150X450N	11/2X41/2" BLACK IRON NIPPLE	1.00	4.35	4.35	0.03	0.03
BIP-150X500N	11/2"X 5" BLACK IRON NIPPLE	1.00	4.35	4.35	0.03	0.03
BIP-150X125RC	11/2"X11/4" CONCENTRIC REDUCER	2.00	5.76	11.52	0.27	0.54
BIP-150X150X125T	11/2"X11/2"X11/4" BIP TEE	1.00	8.02	8.02	0.37	0.37
LAB-4081	LABOR ONLY - 1.00 HR	24.00	0.00	0.00	1.00	24.00
COR-9007	DRILLING CONC. - 3.50	2.00	0.00	0.00	1.25	2.50
CONCRETE	POUR SIDEWALK W/FORMS	1.00	325.00	325.00	6.00	6.00
GENERATOR COST ADDER		1.00	22,925.00	22,925.00	0.00	0.00

PAGE TOTAL = \$27,117.28 82.06

NORMAL PAGES = \$27,117.28 82.06

EXTRA PAGES = \$0.00 0.00

SUB TOTAL = \$27,117.28 82.06

HOLD PAGES = \$0.00 0.00

TOTAL ALL PAGES = \$27,117.28 82.06

DATE: 05/13/14 ESTIMATE WORK SHEET -- AS ENTERED -- (ADMINISTRATIVE)

B & M CONTRACTORS, INC. 790 PITTS CHAPEL ROAD ELIZABETH CITY, NC 27909

Job Description : YMCA STANDBY GENSET ELEC  
 Estimate Number : 920084  
 Estimator Name : ALLEN LASSITER  
 Page Name/Location: ADD LG. GENERATOR GAS SERVICE

ITEM #	DESCRIPTION	QTY	PRICE	T-PRICE	LABOR	T-LABOR
GAS-200	GAS FLEX. CONNECTOR	1.00	410.00	410.00	0.25	0.25
PEP-200	PE PIPE REM-10LP6618R	1.00	710.00	710.00	4.00	4.00
PEP-200SE	PE SERV ELL REM-10LP6570	2.00	310.00	620.00	0.25	0.50
TAPE	TRACER TAPE REM-10LP6602	1.00	30.00	30.00	0.20	0.20
WWD-200PRV	2" PRESSURE REDUCING VALVE	2.00	480.00	960.00	0.50	1.00
--- ASSEMBLY ---						
BIP-200PG	PRESSURE GAUGE FOR 2" PIPE					
BIP-200X200X125T	2"X 2"X1 1/4" BIP TEE	1.00	14.70	14.70	0.46	0.46
BIP-125XCLOSE-N	1 1/4"X CL BLACK IRON NIPPLE	1.00	2.11	2.11	0.03	0.03
BIP-125X050RCP	1 1/4"X1/2" BIP REDUCE COUPLING	1.00	2.48	2.48	0.21	0.21
BIP-050XCLOSE-N	1/2" X CL BLACK IRON NIPPLE	2.00	1.00	2.00	0.03	0.05
BIP-050GC	1/2" GAS COCK	1.00	2.23	2.23	0.21	0.21
BIP-050X025RCP	1/2"X1/4" BIP REDUCE COUPLING	1.00	0.97	0.97	0.13	0.13
LPG-025PG	1/4" LPG PRESSURE GAUGE	1.00	35.00	35.00	0.25	0.25
*****						
--- ASSEMBLY ---						
BIP-200	2" BLACK IRON PIPE	50.00	4.48	224.00	0.20	10.00
BIP-200COUP	2" BLACK IRON COUPLING	5.00	9.58	47.90	0.38	1.90
BIP-PDOPE 1/2PT	LP/NG PIPE DOPE 1/2PT	0.25	5.04	1.26	0.00	0.00
BIP-200CH	2" CLEVIS PIPE HANGER	5.00	3.08	15.40	0.30	1.50
SCR-TR3/8	3/8" THREADED ROD	30.00	0.38	11.28	0.00	0.00
SCR-HN3/8	3/8" HEX NUT	20.00	0.02	0.48	0.00	0.00
SCR-WF3/8	3/8" FLAT WASHER	20.00	0.07	1.40	0.00	0.00
CAD-BC	BEAM CLAMP FOR 1/4 & 3/8 ROD	5.00	1.44	7.20	0.00	0.00
BIP-200CH	2" CLEVIS PIPE HANGER	50.00	3.08	154.00	0.30	15.00
SCR-TR3/8	3/8" THREADED ROD	300.00	0.38	112.77	0.00	0.00
SCR-HN3/8	3/8" HEX NUT	200.00	0.02	4.84	0.00	0.00
SCR-WF3/8	3/8" FLAT WASHER	200.00	0.07	14.00	0.00	0.00
CAD-BC	BEAM CLAMP FOR 1/4 & 3/8 ROD	50.00	1.44	72.00	0.00	0.00
*****						
BIP-200TJ	2" BIP THREADING ONE JOINT	4.00	0.00	0.00	0.11	0.44
BIP-200L45	2" BLACK IRON 45 DEG ELBOW	2.00	10.62	21.24	0.38	0.76
BIP-200L90	2" BLACK IRON 90 DEG ELBOW	10.00	9.50	95.00	0.38	3.80
BIP-200T	2" BLACK IRON TEE	2.00	13.47	26.94	0.49	0.98
BIP-200CAP	2" BLACK IRON CAP	2.00	5.15	10.30	0.29	0.58
BIP-200UN	2" BLACK IRON UNION	2.00	16.54	33.08	0.45	0.90
BIP-200GC	2" GAS COCK	2.00	16.59	33.18	0.50	1.00

**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, bid and construction of Central Elementary School Parking Project.

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

Central Parking Project	\$	350,000
Professional Services	\$	76,755
Contingency	\$	23,245
	\$	<u>450,000</u>

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

Residual funding from Jarvisburg Elementary School	\$	85,664
Residual funding from Soccer Lighting/Bleacher Project	\$	17,405
Residual funding from Shawboro Elementary School	\$	231,624
Investment earnings	\$	115,307
	\$	<u>450,000</u>

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

**SECTION 5. SPECIAL APPROPRIATIONS AND RESTRICTIONS**

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

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

**SECTION 6. CONTRACTUAL OBLIGATIONS**

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

- a. He may execute contracts for construction or repair projects which do not require formal competitive bid procedures.

- b. He may execute contracts for (1) purchases of apparatus, supplies, and materials, or equipment which are within the budgeted departmental appropriations; (2) leases of personal property for a duration of one year or less and within budgeted departmental appropriations; and (3) services which are within budgeted departmental appropriations.
- c. He may execute contracts, as the lessor or lessee of real property, which are of a duration of one year or less which are within the budgeted departmental appropriations.

**SECTION 7. USE OF BUDGET ORDINANCE**

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

ADOPTED this 2nd day of June 2014.

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S. Paul O'Neal, Chairman  
Board of Commissioners

ATTEST:

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Mary S. Gilbert  
Clerk to the Board

## **RESOLUTION**

Opposing Any Action by the North Carolina General Assembly  
to Require the UNC Board of Governors to Study the Feasibility of Dissolving  
or Developing a Plan to Dissolve Elizabeth City State University

WHEREAS, Senate Bill 744 entitled “The Current Operations and Capital Improvements Appropriations Act of 2014” reads in Section 11.6 as follows: “The Board of Governors of The University of North Carolina shall study the feasibility of dissolving any constituent institution whose fall full time equivalent student enrollment declined by more than twenty percent (20%) between the 2010-2011 fiscal year and the 2013-2014 fiscal year and shall develop a plan for its dissolution. The Board of Governors shall report its findings and recommendations, including the plan for dissolution, to the 2015 General Assembly”; and

WHEREAS, Elizabeth City State University is not specifically named in Section 11.6 of Senate Bill 744; but it is the only campus in the 16-member University of North Carolina system that meets the stated criteria; and

WHEREAS, Elizabeth City State University was established by the North Carolina General Assembly in 1891 and plays an important role as one of the country’s historically black colleges and universities; and

WHEREAS, it is acknowledged and agreed that Elizabeth City State University has suffered an enrollment decline in recent years, which has led to a significant budget shortfall; however, major steps have been taken to address the budget challenges and progress is being made under the direction of capable leadership; and

WHEREAS, Elizabeth City State University leadership has devised a plan alongside University of North Carolina System governance to increase its enrollment; and the University is currently in the midst of conducting a search for a permanent Chancellor; therefore, the University must be granted the necessary time to reverse its downward enrollment trend of recent years and move forward with its critical mission to provide quality educational opportunities; and

WHEREAS, it must also be properly appreciated that in addition to its role of providing educational opportunity to a populace that might otherwise not be able to attain a higher education and the better life afforded by that education, Elizabeth City State University has been and continues to be a major economic engine for an oft-forgotten, economically depressed Northeastern North Carolina by creating, as the region’s third-largest employer, \$118 million in output sales, \$83 million in gross regional product and \$59 million in labor income; and

WHEREAS, local government officials are currently engaged in major economic development efforts, which will require collaboration with Elizabeth City State University to provide the necessary training for high-paying jobs in a blossoming local aviation industry; and

WHEREAS, a large majority of K-12 teachers hired in Northeastern North Carolina are educated at Elizabeth City State University; and

WHEREAS, it is the finding of the Board of Commissioners of Currituck County that the simple exercise of performing the proposed study would stymie the University's efforts to increase enrollment, engage a chancellor, retain qualified and dedicated instructors and staff and grow the University as is desired by all concerned; and further would do irreparable harm to the economy of Northeastern North Carolina.

NOW THEREFORE, BE IT RESOLVED by the Board of County Commissioners of Currituck County that any action by the North Carolina General Assembly to require the UNC Board of Governors to study the feasibility of dissolving or developing a plan to dissolve Elizabeth City State University is vehemently opposed.

ADOPTED this the 2<sup>nd</sup> day of June 2014.

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S. Paul O'Neal, Chairman  
Currituck County Board of Commissioners

ATTEST:

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Mary S. Gilbert  
Clerk to the Board