

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director



NORTH CAROLINA
Environmental Quality

July 1, 2019

Bob White, Chairman
Currituck County Board of Commissioners
153 Courthouse Rd., Ste. 206
Currituck, NC 27929

CERTIFIED MAIL RETURN RECEIPT
REQUESTED

Daniel Scanlon
County Manager
153 Courthouse Rd., Ste. 204
Currituck, NC 27929

CERTIFIED MAIL RETURN RECEIPT
REQUESTED and electronically:
dan.scanlon@currituckcountync.gov

**Re: Certification of Third Amendment to the Currituck County 2006 CAMA
Land Use Plan**

Dear Chairman White and Mr. Scanlon:

Please find enclosed the written Final Agency Decision granting the County's request for certification of a third amendment to the Currituck County 2006 Land Use Plan. Let me know if you have any questions.

Very truly yours,

Braxton C. Davis, Director
NC Division of Coastal Management

cc via email: M. Renee Cahoon, Chair
Mary L. Lucasse, Commission Counsel
Laurie LoCicero, AICP, Currituck County Planning Director
Charlan Owens, AICP, Elizabeth City District Planner



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IN THE MATTER OF CURRITUCK
COUNTY'S REQUEST FOR
CERTIFICATION OF THE THIRD
AMENDMENT TO THE 2006 LAND USE
PLAN

FINAL AGENCY DECISION

FACTS

1. Currituck County (hereinafter the "County") is located in northeastern North Carolina and is bounded by the State of Virginia to the north, the Atlantic Ocean to the east, the Town of Duck in Dare County and the Albemarle Sound to the south, and Camden County and the North River to the west. The County is geographically divided by the Currituck Sound.
2. On May 18, 2007, the North Carolina Coastal Resources Commission ("Commission") issued a final agency decision granting the County's request for certification of the Currituck County 2006 Land Use Plan ("2006 LUP").
3. On September 25, 2008, the Commission issued a final agency decision granting the County's request for certification of a map amendment (Amendment 1) to change 40 acres on the Future Land Use Plan Map from a "Conservation" designation to a "Full Service" designation and 80 acres from a "Limited Service" designation to a "Conservation" designation, along with an associated text amendment revising acreage totals for each designation for comparison to projected land needs.
4. On June 24, 2009, the Commission issued a final agency decision granting the County's request for certification of a map amendment (Amendment 2) to change 58 acres on the Future Land Use Plan Map from "Limited Service" to "Full Service", an associated text amendment revising acreage totals for each designation for comparison to projected land need, and other text amendments.
5. Currituck County is requesting certification of a map amendment (Amendment 3) to the 2006 LUP. The amendment will change 25.857 acres on the Future Land Use Plan Map from

“Limited Service” to “Full Service”. An associated text amendment is not required under the Land Use Planning Requirements effective February 1, 2016 and has therefore not been provided.

6. The Currituck County Board of Commissioners held a duly advertised public hearing to consider the proposed third amendment to the 2006 LUP and unanimously voted, by ordinance, to adopt the third amendment on March 18, 2019.

7. The public had an opportunity to provide written comments on the third amendment up to thirty (30) calendar days after local adoption. No comments were received.

CONCLUSIONS OF LAW

1. The third amendment to the 2006 LUP has met the substantive requirements outlined within the Land Use Planning Requirements effective February 1, 2016.

2. There are no conflicts evident in the third amendment to the 2006 LUP with either state or federal law or the State’s Coastal Management Program.


3. The elected body of Currituck County made a final decision on the contents of the third amendment to the 2006 LUP and provided opportunity for the public to provide written comment following local adoption of the plan, as required by N.C.G.S. § 113A-110 and 15A NCAC 7B .0802 and .0803, and the third amendment was submitted to the NC Division of Coastal Management without written objection or comment from the public.

4. During its regularly scheduled meeting on November 7-8, 2017, the North Carolina Coastal Resources Commission delegated to the Director of the North Carolina Division of Coastal Management, Department of Environmental Quality, its authority to approve Land Use Plans pursuant to N.C.G.S. §113A-110(f). The conditions under which the delegation was made are included in the November 20, 2017 letter to Braxton Davis, Director from Commission Chair Renee Cahoon. Pursuant to that delegation, the undersigned makes the following decision.

DECISION

For the reasons stated herein, the request for certification of the third amendment to the 2006 Land Use Plan is GRANTED.

This the 2th day of July 2019.



Braxton C. Davis, Director
N.C. Division of Coastal Management

CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the attached **Final Agency Decision** to the Currituck County and the North Carolina Coastal Resources Commission by the means specified below:

Method of Service

Bob White, Chairman
Currituck County Board of Commissioners
153 Courthouse Rd., Ste. 206
Currituck, NC 27929

CERTIFIED MAIL RETURN RECEIPT
REQUESTED

Daniel Scanlon
County Manager
153 Courthouse Rd., Ste. 204
Currituck, NC 27929

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and Electronically:
dan.scanlon@currituckcountync.gov

M. Renee Cahoon, Chair
Coastal Resources Commission

Electronically: Renee.Cahoon@ncdenr.gov

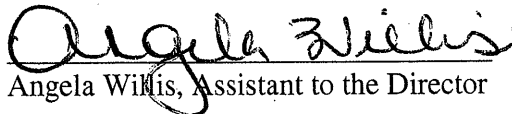
Mary L. Lucasse
Commission Counsel
NC Coastal Resources Commission
PO Box 629
Raleigh, NC 27602

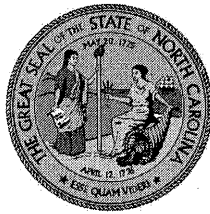
Electronically: mlucasse@ncdoj.gov

Laurie LoCicero,
Currituck County Planning Director

Electronically:
laurie.locicero@currituckcountync.gov

This is the 2nd day of July 2019.


Angela Willis, Assistant to the Director



NORTH CAROLINA
Environmental Quality

Braxton -
Recommend Certification
Mike

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

MEMORANDUM

TO: Mike Lopazanski, Policy and Planning Section Chief
Division of Coastal Management

FROM: Charlan Owens, AICP, NE District Planner
Division of Coastal Management

SUBJECT: Certification of an Amendment (Amendment 3) to the Currituck County 2006 Land Use Plan

DATE: May 21, 2019

Recommendation

Certification of an Amendment to the *Currituck County 2006 Land Use Plan* based on the determination that the County has met the substantive requirements outlined in the 15 NCAC 7B Land Use Plan Guidelines and that there are no conflicts evident with either state or federal law or the State's Coastal Management Program.

Overview

Currituck County is seeking certification of a future land use plan map amendment to change the designation of 25.857 acres from "Limited Service Areas" (Areas Preferred for Low Density Development) to "Full Service Areas" (Areas Preferred for Community Centers). The change will allow an increase in residential density from 1.5 units per acre to 3 units per acre. An exhibit of the proposed map change is ATTACHED.

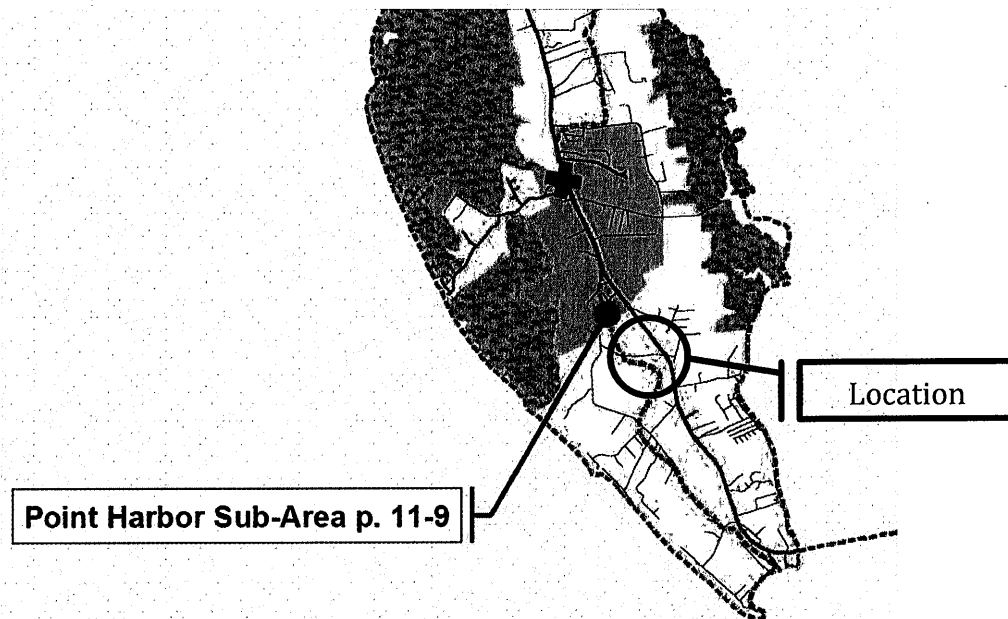
The County held a duly advertised public hearing on the amendment at their March 18, 2019 regular meeting and it was adopted by unanimous vote.

The public was provided the opportunity to submit written comments on the LUP amendment up to 30 days after the local adoption (April 17, 2019). No written comments or objections were received.

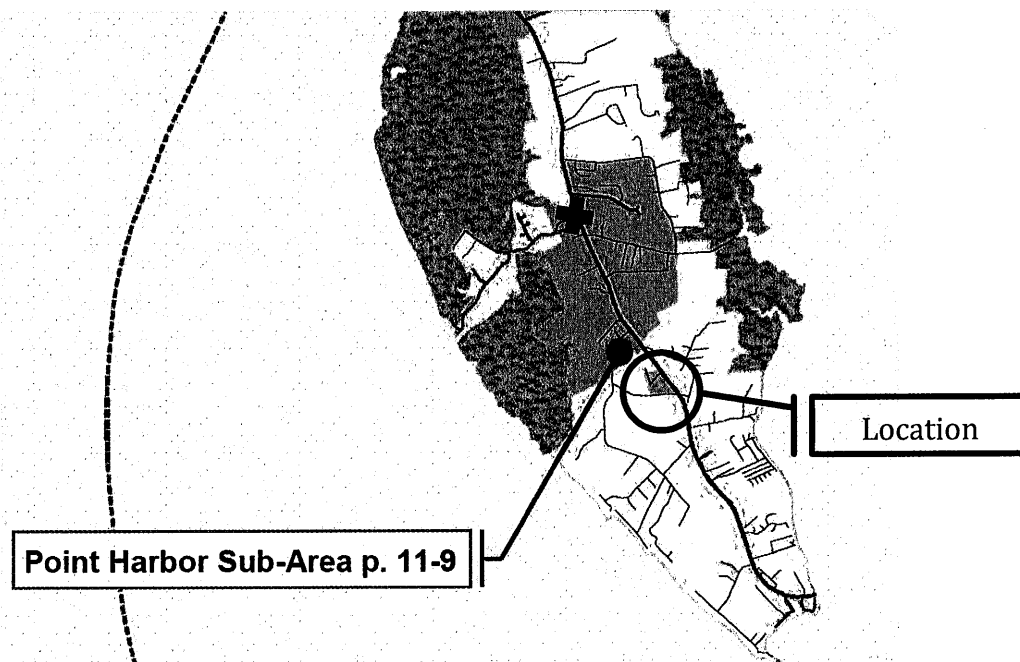
The current LUP is available at the following link: <https://deq.nc.gov/about/divisions/coastal-management/coastal-management-land-use-planning/certified-lups/currituck-county>
The Future Land Use Plan Map is on the last page.



ATTACHMENT
Exhibit of Proposed Amendment to Map 11.1 Future Land Use Plan Map



Existing Designation – Limited Service (Yellow)



Proposed Designation – Full Service (Orange)

