

**NC COASTAL RESOURCES ADVISORY COUNCIL**  
**February 11-12, 2009**  
**Crystal Coast Civic Center**  
**Morehead City, NC**

*\*\*Per CRAC bylaws, Article XIII, Section 5, Members are reminded to refrain from voting on rules and policies for which they have a significant and unique familial or financial interest.*

**AGENDA**

**Wednesday 11<sup>th</sup>**

- |  |                               |
|--|-------------------------------|
| <b>11:00 Council Call to Order</b> (Quad 3 & 4) <ul style="list-style-type: none"><li>▪ Roll Call</li><li>▪ Approval of November 2008 Minutes</li><li>▪ Announcements – New Members &amp; Reappointments</li></ul> | Dara Royal                    |
| <b>11:10 Land Use Plans</b> <ul style="list-style-type: none"><li>▪ Town of Emerald Isle LUP Amendment</li><li>▪ Town of Manteo LUP Amendment</li></ul>  | Maureen Will<br>Charlan Owens |
| <b>11:30 Draft Resolution on Funding Coastal Infrastructure &amp; Access</b>   | Dara Royal                    |
| <b>11:50 Old/New Business</b> <ul style="list-style-type: none"><li>▪ Future agenda items</li></ul>  | Dara Royal                    |
| <b>12:00 Adjourn</b> ( <i>CRC convenes at 1 pm with terminal groin discussion</i> )  |                               |

**Thursday 20<sup>th</sup>**

*\*\*Meet in session with CRC, see CRC agenda\*\**

NEXT MEETING: April 29-30, 2009  
Sea Trail Resort & Convention Center  
Sunset Beach, NC



*N.C. Division of Coastal Management*  
<http://www.nccoastalmanagement.net>



North Carolina Department of Environment and Natural Resources  
Division of Coastal Management

Beverly Eaves Perdue, Governor

James H. Gregson, Director

Dee Freeman, Secretary

January 22, 2009

**MEMORANDUM**

**TO:** Coastal Resources Advisory Council  
**FROM:** Dara Royal  
**SUBJECT:** Preparation for February Meeting (**Note: 11AM start**)

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Happy New Year everyone! 2009 looks to be a very challenging year, but we still have lots to accomplish. Some of our meetings this year, including our February meeting, will run only on Wednesday-Thursday, instead of the normal Wednesday-Friday. This format is being used to save money, and also means that we will have to be more efficient with the time we have.

You may have seen or been involved in some of the planning being done around terminal groins. Legislation is expected this year that could remove the state's ban and allow the CRC to permit these structures. The CRC is spending the afternoon of February 11<sup>th</sup> hearing presentations about terminal groins, their use in Florida and South Carolina, and about the dynamics of NC's inlets. There will also be a presentation and discussion about the legislative and regulatory history of the hardened structure ban in NC. As this session is very relevant to many of us, we have to modify our agenda in order to participate with the CRC and will meet for one hour starting at 11 am.

We have two land use plan amendments on our agenda. DCM staff says that the Towns of Emerald Isle and Manteo have satisfied substantive and administrative requirements and have submitted their proposed amendments for certification. Please review the materials in your packets and come prepared with any questions.

Our beach infrastructure funding subcommittee has been working on a draft resolution that we will present to you for discussion. Difficult economic times do not diminish the need for sound infrastructure, so we must press forward.

Finally, we have the pleasure of welcoming some new members, some of whom you may recognize. Please take a moment to introduce yourselves and get to know them.

I look forward to seeing you all in Morehead City. Please travel safely, and long live our beaches.

400 Commerce Avenue, Morehead City, North Carolina 28557  
Phone: 252-808-2808 \ FAX: 252-247-3330 \ Internet: [www.nccoastalmanagement.net](http://www.nccoastalmanagement.net)

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**NC Coastal Resources Advisory Council  
Sea Trail Resort, Sunset Beach, NC  
November 19-20, 2008  
Meeting Summary**

**Attendance**

SEAT	MEMBER NAME	Weds.	Thurs.
<b>CAMA Counties</b>			
Beaufort	Paul Spruill		
Bertie	Traci White		
Brunswick	Bob Shupe	Y	Y
Camden	William Wescott		
Carteret	Gary Mercer		
Chowan	W. Burch Perry		
Craven	Tim Tabak	Y	Y
Currituck	Gary McGee	Y	Y
Dare	Ray Sturza		
Gates	Randy Cahoon		
Hertford	<i>Vacant</i>		
Hyde	Eugene Ballance		
New Hanover	Dave Weaver	Y	Y
Onslow	<i>Vacant</i>		
Pamlico	Christine Mele	Y	Y
Pasquotank	W. H. Weatherly		
Pender	Bill Morrison	Y	Y
Perquimans	Lester Simpson	Y	Y
Tyrrell	Joe Beck	Y	Y
Washington	Lyman Mayo		
<b>Coastal Cities</b>			
Columbia	Rhett White	Y	
Edenton	William Gardner, Jr		
Emerald Isle	Frank Rush	Y	Y
Hertford	Carlton Davenport		
Nags Head	Webb Fuller	Y	Y
Oak Island	Dara Royal ( <b>Chair</b> )	Y	Y
Oak Island	Harry Simmons		
Surf City	J. Michael Moore	Y	Y
<b>Lead Regional Planning Orgs</b>			
Albemarle Regional Commission	Bert Banks	Y	Y
Cape Fear Council of Governments	Penny Tysinger ( <b>Vice Chair</b> )	Y	
Eastern Carolina Council	Judy Hills	Y	Y
Mid-East Commission	Eddy Davis	Y	Y
<b>Science &amp; Technology</b>			
Gary Greene Engineering, Raleigh	Gary Greene	Y	Y
NC Sea Grant, Wilmington	Spencer Rogers	Y	Y
Quible & Associates, Kitty Hawk	Joe Lassiter	Y	Y
<b>State Agencies</b>			
Department of Administration	Joy Wayman		
Department of Agriculture	Maximilian Merrill		
Department of Commerce	Lee Padrick	Y	
Department of Cultural Resources	Renee Gledhill-Earley		
DENR, Division of Marine Fisheries	Anne Deaton (Michelle Duval)	Y	Y
DENR, Division of Water Quality	Al Hodge	Y	
NCDOT	Phil Harris	Y	Y
NCDOT	Travis Marshall	Y	Y
State Health Director (Shellfish San.)	<i>Vacant</i>		
<b>Local Health Director</b>	Don Yousey		

## **Wednesday 19<sup>th</sup> November**

### **Call to Order**

Dara Royal called the meeting to order at 1 pm and the Council approved the September 2008 minutes. Royal informed the Council that CRC members have noticed that not many Council members are usually present until the end of the joint CRC-CRAC meetings, even though staff confirms that many members sign in as present. Royal advised members that they are expected to be present for the duration of the meeting, particularly if they sign in as present and request expense reimbursements.

### **Proposed Changes to 7B Land Use Plan Amendment Guidelines**

John Thayer presented staff's recommended amendments to 7B.0901, Land Use Plan Amendment Guidelines. Thayer explained that the changes are being proposed in order to clarify that the public hearing and notice requirements are the same for plan amendments as for initial certifications. The Town of Carolina Beach revealed the lack of clarity during their amendment request at the September 2008 CRC meeting.

Thayer distributed copies of the draft rule language, as well as a summary of the 2009 plan submission deadlines, and an amendment checklist that staff created to assist communities. Thayer said that the materials would be finalized and distributed to local governments.

Penny Tysinger expressed the concern that she had received several comments from communities about necessary changes to the guidelines. Penny asked whether the time was ripe to begin the required update of the CRC's land use planning guidelines, instead of making piecemeal fixes. Thayer replied that DCM does not have the resources to manage the update concurrently with the ongoing plan reviews, and that staff is also being mindful of timing the update relative to the upcoming national census.

### **Town of Carolina Beach Land Use Plan Amendment**

Michael Christenbury, Wilmington District Planner presented the Town of Carolina Beach amendment to the Carolina Beach Land Use Plan. The Carolina Beach Land Use Plan was originally certified by the CRC on November 30, 2007. The Town is requesting CRC Certification an amendment to Policy number 30 of the Land Use Plan to allow appurtenances of up to 10 feet above the 115 feet height limits for Hotels.

This amendment was originally brought before the CRC for Certification at the September 2008 CRC Meeting in Sunset Beach. At that meeting, the CRC voted to deny Certification of the amendment based on the determination that the Town failed to meet the public disclosure requirements per 07B.0801(a).

Following the September CRC meeting, the Town re-advertised and held another hearing for consideration and adoption of this amendment. This hearing was held on October 17, 2008 and was duly advertised on September 16<sup>th</sup>, September 17<sup>th</sup>, October 8<sup>th</sup>, and October 15, 2008.

At the hearing, the Carolina Beach Town Council adopted the amendment by a unanimous vote of those present. At the hearing, no individuals spoke in opposition to this amendment, and one (1) written objection was submitted to the Town.

The public had the opportunity to provide written comment up to fifteen (15) business days (excluding holidays) prior to the CRAC meeting. No comments were received by DCM.

DCM Staff reviewed the amendment and recommended that the CRAC forward this amendment to the CRC for Certification based on the determination that the amendment met the requirements outlined within the 2002 Land Use Plan Guidelines and that there are no conflicts evident with either state or federal law, or the State's Coastal Management Program.

Web Fuller made a motion to recommend Certification to the CRC. The motion was seconded and carried by a unanimous vote.

### **Town of Pine Knoll Shores Land Use Plan Amendment**

Maureen Will presented the Town of Pine Knoll Shores' request for CRC Certification of their Core Land Use Plan. The presentation included an outline of the key issues that were considered during the development of the town's vision and policy statements. There are two policy statements within the plan that are more stringent than the state's standards for development in AECs. The town prohibits the construction of new commercial and residential marinas and any floating homes within the town's jurisdiction.

Brian Kramer, Pin Knoll Shores Town Manager answered questions raised about how the plan addressed sea level rise. Staff recommended that the plan be forward to the CRC for certification, with the findings that the plan meets substantive requirements of the land use planning guidelines and there are no evident conflicts with either state or federal law, and the CRAC did so unanimously.

### **Beach Nourishment Funding Subcommittee Report**

The subcommittee, consisting of Dara Royal, Frank Rush, and Harry Simmons, reported that they had had a conference call and done some background research prior to the meeting. Dara Royal noted that the subcommittee would be presenting those findings along with some funding options for consideration, but would not be making any recommendations at this meeting. Royal noted though that the subcommittee had expanded their scope beyond solely beach nourishment, to include the beneficial use of all beach quality sand, expanding access on oceanfront and non-oceanfront shorelines, waterway dredging, and retreat funding.

Frank Rush began his presentation by posing the question of how much money could be derived from oceanfront counties. Rush recognized the political challenges, but said there needed to be a starting point for discussion. Rush added that since "make the visitors pay" seems to be a popular sentiment, the first two items might be the most palatable. Rush then proceeded to lay out the subcommittee's five potential revenue sources.

#1 was an additional sales tax of perhaps one percent, which could generate about \$97 million per year, combined, from the oceanfront counties. Rush added that ¼ percent might be more politically realistic, and would generate about \$24 million per year. Rush cautioned that counties could potentially agree to levy the tax but keep the revenue for themselves instead of collectively investing in regional projects.

#2 was a prepared meals tax, and Rush cautioned that the estimates should be viewed cautiously. Rush said that a one percent tax could potentially generate about \$11 million.

#3 was an additional room occupancy tax of perhaps two percent, which could generate about \$17.6 million per year. Rush said that while these smaller amounts are not enough to meet the needs, they could be considered as part of a package. Rush noted that state law caps the room occupancy tax at six percent, and that many communities are already at this cap.

#4 was an additional land transfer tax. Rush stated that the projected revenues from a ¼ to 1 percent tax increase would probably be lower now due to the real estate decline, and that in any case every referendum to date has failed and the action is vehemently opposed by the real estate industry and their lobbyists. Rush said, however, that this could still be the largest potential revenue source.

#5 was an annual earmarked appropriation from the General Assembly, which has historically been a regular though varied source. Rush said that GA funds do not cover access or retreat, but are dedicated to dredging and nourishment.

Rush invited additional ideas from members, saying that the goal is to have a dedicated, reliable source or sources of funding. Rush said that boat registrations are another potential source since boaters benefit directly from coastal projects.

Steve Underwood suggested using Peter Ravella's model, perhaps broken down by BIMP regions. Underwood said that if, for example, a town needs \$30 million it could be difficult for the town to raise that much alone, and it would be easier if the burden were spread across a larger region. Underwood said that the plan would get more support if the money is used for other public benefit as well, not just for beach nourishment. Rush said that the subcommittee incorporated Ravella's principles in their work.

Christine Mele asked what happens at the county level. Mele said that she anticipates a greater fiscal burden being passed down incrementally from the state to local governments over the next few years. Mele asked whether citizens recognize the coming burdens. Rush replied that the subcommittee recognizes the burdens, and that although these are challenging times for everyone at all levels the goal is still a dedicated and reliable funding source for these projects. Mele asked if these actions would require local referenda and/or legislative approval. Rush replied that they will ultimately require legislative approval, and some may require local referenda.

Dara Royal said that the subcommittee plans to use the potential revenue figures that Rush presented to show the General Assembly how much revenue could be generated at the local level, and thereby persuade the state to provide a stable match. Royal said that she's looking for a commitment for the state share, and noted that it might be linked to access as it is in other states. Webb Fuller asked whether the subcommittee looked at special district legislation to provide the state match. Rush replied that local governments already have the authority and option, but that in his opinion it didn't appear to be a worthwhile option.

Spencer Rogers said that it makes more sense to him to give the money back to local governments that raised it, otherwise why would they opt in and risk getting less than they put in. Rush said that that in effect would make that money the local share, not the state share. Fuller added that the state has to be shown the benefits and costs of beach infrastructure projects, as well as the cost of doing nothing. Rush said that to some extent there is that understanding, to wit the Division of Water Resources is appropriated funds for beach nourishment. Rush said that the issue under discussion is how to get the state to commit to a larger, stable pot of money, even though the effort might be unsuccessful.

Webb Fuller said that the state of Florida has a funding model that has worked well for over 15 years, and asked whether the subcommittee had examined it. Royal replied that Florida's beach money is a portion of the state's document tax, and that access is weighted heavily in use of those funds.

Judy Hills asked whether oil and gas royalties were a potential source of revenue. Hills said that royalties are not currently available to east coast states, so the federal legislation would need to be changed.

Dara Royal said that the issue clearly needed further discussion, and asked if there was consensus for the subcommittee to continue forward with the broad spectrum of projects/uses as discussed today. The members confirmed their consensus.

Spencer Rogers cautioned that the funding problem in NC has historically been with the local share, not the state share, and that if successful in securing a stable state share the Advisory Council may find that insufficient local share is still a problem.

## **Estuarine Response to Changes in Sea Level, Climate & Land Use**

Dr. Antonio Rodriguez from the UNC Institute of Marine Sciences presented some of his research findings on estuarine responses to sea level, climate, and land use changes, saying that estuaries in the past have been very sensitive to sea level rise but there is not good understanding of how they will respond to future sea level rise.

Dr. Rodriguez had examined sediment accommodation and accumulation data in bay head deltas, middle bay areas, and barrier island complexes. Dr. Rodriguez said that bay head deltas are most sensitive to climate change and sea level rise because they are inherently unstable and flooding causes them to backstep and split into smaller bay head deltas.

Dr. Rodriguez defined sediment accommodation as the physical space available to hold sediments, and accumulation as the actual volume of sediments in a given area. Dr. Rodriguez said that sediment accommodation can be calculated for different sea level rise scenarios, and that sediment accumulation can be directly measured. Sequestration was defined as the ability of an estuary to trap sediments. Dr. Rodriguez stated that climate change and sea level rise affect sediment flux and sequestration. Dr. Rodriguez added that direct anthropogenic modifications to the physical landscape must be factored into accommodation, accumulation and sequestration calculations.

Dr. Rodriguez concluded with the following points:

1. At century time scales we need to think about sediment accommodation and accumulation...not just sea-level rise.
2. Bay-head deltas have a threshold response to changes in accommodation.
3. Anthropogenic impacts on estuarine shorelines are very high and not well understood. This complicates planning for future increased rates of sea-level rise.

## **New Business/Old Business**

### **CRAC Officer Elections**

The Council elected Dara Royal and Penny Tysinger to serve their second consecutive years as Chair and Vice Chair, respectively, for calendar year 2009.

### **Future Agenda Items**

Webb Fuller asked for an update on the removal of derelict vessels from the state's waterways.

Judy Hills said that the state has completed a study on derelict vessels but that no action has followed. Hills mentioned that there has been a recent rise in the number of derelict vessels nationwide, but did not know the trend for North Carolina. Hills said that little progress can be made without legislative action because of the costs to remove derelict vessels.

Spencer Rogers asked whether the CRC's Planning & Special Issues Committee's interpretation of wind turbines as non-water dependent structures (June 2005) was in error and where would be the appropriate place to raise the question to the Commission. Mike Lopazanski said that the CRC is waiting for the Environmental Management Commission to complete their work for the Legislature before the CRC takes any further substantive actions such as rule or policy changes.

Rhett White expressed his disappointment that the CRAC/CRC does not have any meetings scheduled in northeast NC in 2009. Tancred Miller responded that the February 2009 meeting had been scheduled in Duck, but was relocated to Morehead City as a budget saving measure.

With no further business the Council adjourned at 3:10 pm.

## **Thursday 20<sup>th</sup>**

Advisory Council met in session with CRC.

##



North Carolina Department of Environment and Natural Resources  
Division of Coastal Management

Beverly Eaves Perdue  
Governor

James H. Gregson  
Director

Dee Freeman  
Secretary

**CRC 09-02**

**MEMORANDUM**

**To:** Coastal Resources Commission and Coastal Resources Advisory Council  
**From:** Maureen Meehan Will, DCM Morehead City District Planner  
**Date:** January 26, 2009 (February 11-12, 2009 CRC Meeting)  
**Subject:** Amendment of the Town of Emerald Isle Advanced Core Land Use Plan

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The Town of Emerald Isle is requesting Coastal Resource Commission (CRC) certification of six Future Land Use Plan Map amendments, including non-policy related text and charts, to the current CRC Certified Land Use Plan as amended through January 26, 2007.

**Overview**

As part of the implementation of the town's LUP, the town adopted a unified development ordinance and revised their zoning map. The Emerald Isle Board of Commissioners held a duly advertised public hearing for all of the amendments outlined above and voted unanimously, by resolution, to adopt the map amendments on December 9, 2008. After completing the development of the ordinance and zoning map it was apparent that changes to the FLUM were necessary. The public had the opportunity to provide written comments on the LUP up to fifteen business days prior to the CRAC meeting which the amendments are being considered for certification (January 21, 2009). DCM did not receive any comments. Officials from the Town will be available at both the CRAC and CRC meetings to answer any questions.

The adopted changes and proposed amendments to the LUP are outlined below: (see attached memo from the town and attachments for each map amendment)

Amendment 1:

Revise existing parcels from Mixed Residential (3.5 dwelling units – 8 dwelling units) to Single/Dual Residential (3.5 dwelling units – 5.8 dwelling units). The property is located on the north side of Coast Guard Road and known as the Bell Cove Estates and Bell Cove Village Subdivisions. This amendment will affect two parcels that have been subdivided for lower density residential uses.

Amendment 2:

Revise existing parcel from Mixed Residential (3.5 dwelling units – 8 dwelling units) to Commercial Corridor (commercial uses only). The property is located at 8604 Reed Drive. This amendment will change the development potential of the parcel from residential to commercial.



Amendment 3:

Rename and expand the existing from Marine Commercial Area to Marina Village Area. This property consists of two parcels and approximate 4 acres of land and is located at the terminus of Old Ferry Road. Text changes are included with this amendment and attached to this memo. This amendment does not change the nature of the type of development that is permitted it only changes the name and expands the amount of land within the classification.

Amendment 4:

Revise an existing 1.25 acre parcel from Commercial Corridor (commercial uses only) to Single/Dual Residential (3.5 dwelling units – 5.8 dwelling units). The property is located on Emerald Drive and is the current location of Bogue Banks Water Corporation. This amendment affects one parcel of land that will change the nature of potential development to residential.

Amendment 5:

Revise existing 6 acre area from Mixed Residential (3.5 dwelling units – 8 dwelling units) to Single/Dual Residential (3.5 dwelling units – 5.8 dwelling units). This property is located on the north side of Emerald Drive and includes property designated for McLean Park. The amendment changes the residential character of the subject lots and will no longer allow multi-family structures with more than two dwelling units.

Amendment 6:

Revise existing 1 acre area from Single/Dual Residential (3.5 dwelling units – 5.8 dwelling units) to Mixed Residential (3.5 dwelling units – 8 dwelling units). The parcels are located at 2421 and 2414 Emerald Drive. This amendment will allow residential development with three or more units per structure that meet the overall density thresholds.

**DCM Staff Recommendation**

DCM Staff has determined that the Town of Emerald Isle has met the substantive requirements outlined within the 2002 Land Use Plan Guidelines and that there are no conflicts evident with either state or federal law or the State’s Coastal Management Program.

DCM staff recommends that the CRAC forward the Town of Emerald Isle Advanced Core Land Use Plan Amendments (attached here) to the CRC for certification.

Attachments

- Attachment 1 – Future Land Use Map Amendment #1
- Attachment 2 – Future Land Use Map Amendment #2
- Attachment 3A – Marina Village Text Amendment
- Attachment 3B – Future Land Use Map Amendment #3
- Attachment 4 – Future Land Use Map Amendment #4
- Attachment 5 – Future Land Use Map Amendment #5
- Attachment 6 – Future Land Use Map Amendment #6
- Attachment 7 – Land Use Plan/Zoning Consistency Matrix
- Attachment 8 – LUP Policy/Management Topic Analysis
- Attachment 9 – Carrying Capacity Analysis
- Attachment 10 – Resolutions of Adoption of Amendments
- Memo from the Town of Emerald Isle Requesting the Amendments

# Town of Emerald Isle CAMA Land Use Plan Update Future Land Use Map

- Legend**
- Conservation Areas**
    - Coastal Wetlands
    - Non-Coastal Wetlands
    - Estuarine Waters
  - Commercial Areas**
    - Commercial Corridor
    - Village-East
    - Village-West
    - Convenience Commercial
  - Living Areas**
    - Single/Dual Family Residential
    - Mixed Residential
  - Inlet Hazard Area

Proposed "Single/Dual Family Residential Area"



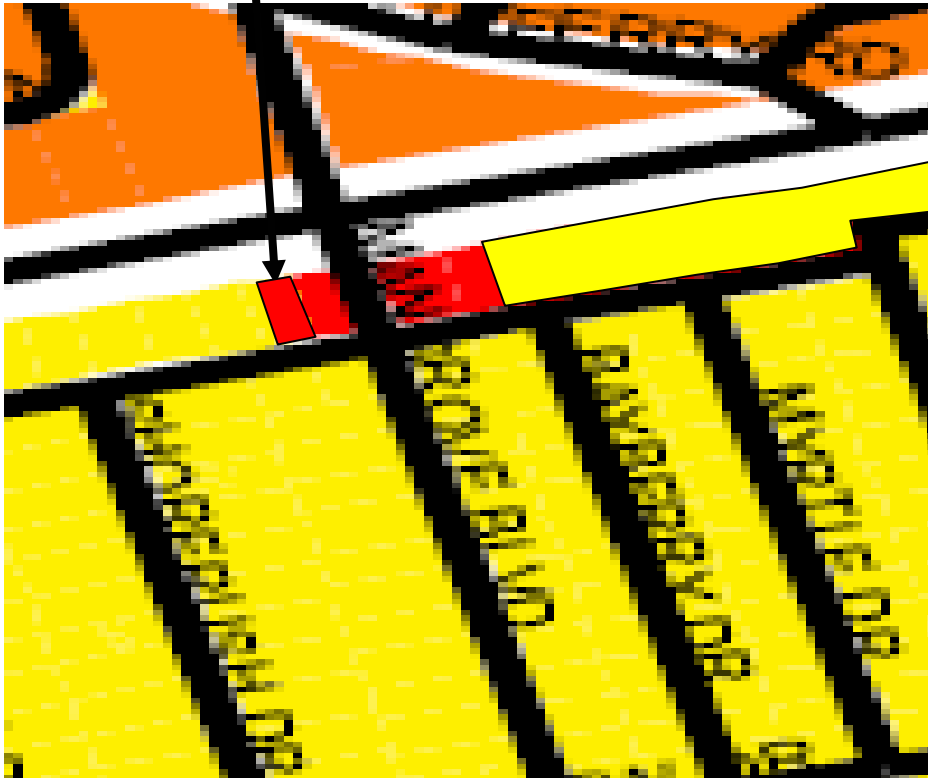
Bell Cove Estates and Bell Cove Village

# Town of Emerald Isle CAMA Land Use Plan Update Future Land Use Map

## Legend

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  - Estuarine Waters
- Commercial Areas**
  - Commercial Corridor
  - Village-East
  - Village-West
  - Convenience Commercial
- Living Areas**
  - Single/Dual Family Residential
  - Mixed Residential
- Inlet Hazard Area

Proposed "Commercial Corridor Area"



Bluewater Tract

### **Attachment 3A**

The Plan would be amended in the following manner. Please note that text which is being added is shown in an underlined format and text which is being deleted is shown in a strikethrough format.

#### **Page 84 would be amended to read as follows:**

Emerald Isle's Future Land Use Map, which follows, uses a land classification system to show desired future uses and land use patterns. This classification system has seven categories of land use and development. These seven categories include the following:

Conservation

Main Business Area

Emerald Drive Business Corridor

Village East – Town Center

Village West

~~Marine Commercial~~ Marina Village

Eastern Commercial Area

Living Areas

Single/Dual-Family

Mixed Residential

#### **Page 85 would be amended to read as follows:**

### **Emerald Isle Main Business Area**

The Main Business Area includes three related areas: The business and mixed use area, called Village-East Town Center, which is centered along Bogue Inlet Drive, the commercial area, called Village-West, which is centered in the Islander Drive area, and the Emerald Drive Business Corridor, which connects the two “Villages” and the Marina Village ~~Marine Commercial~~ Area. The Main Business Area is planned to encourage the provision of quality retail activities and business services to meet the needs of permanent residents and visitors. It will encourage owners to redevelop properties where appropriate and to ensure that new and redeveloped commercial properties are consistent with the Town's goal of maintaining a small-town, family atmosphere, while protecting and enhancing its natural environment.

Page 89 would be amended to add the following:

~~—Marina Village Marine Commercial~~

The planned ~~Marina Village Marine Commercial~~ Area is located at the northern terminus of Old Ferry Road at the existing Island Harbor Marina. The objective of this land use category is to provide residents and visitors with goods and services related to boating, water sports and similar activities. Examples of appropriate land uses in this area are marina, boat/marine repair facilities and providers of other goods and services for these types of uses.

The Town encourages uses in the ~~Marina Village Marine Commercial~~ Area that meet the following guidelines:

- provide marine and boating related services that serve the needs of residents and visitors;
- are consistent with state and federal guidelines for such facilities; and
- allows for supporting businesses and residential land uses.

Amend Table 23, Page 92 to read as follows:

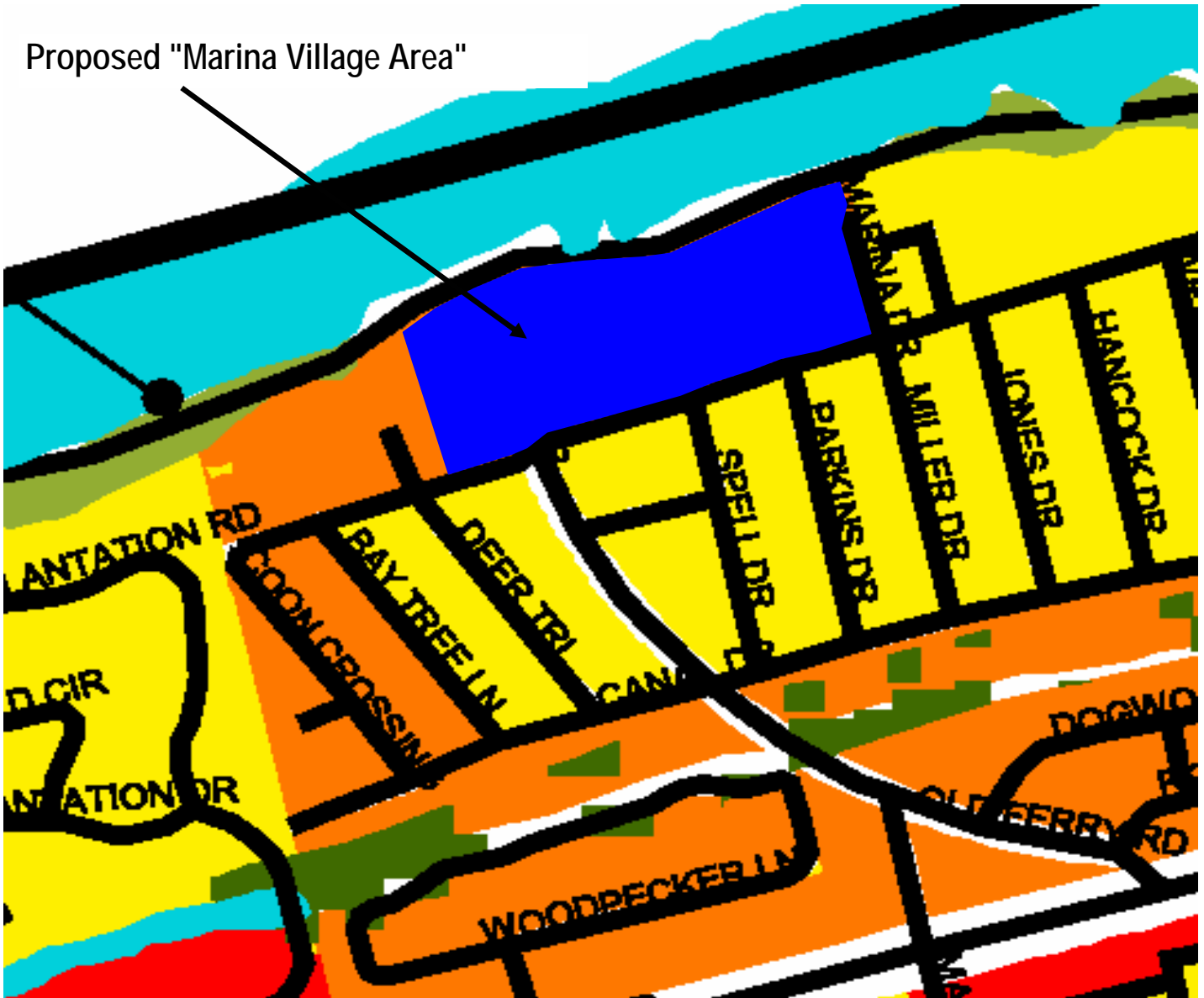
**Table 23**  
**Comparison of Land Allocated to Future Residential Land Use and Projected Land Needs**

Future Land Use Category	Total Acres allocated	Vacant acres
Single/Dual Family Residential	<del>1,919</del> <u>1,940</u>	<del>181</del> <u>202</u>
Mixed residential	<del>258</del> <u>226</u>	<del>76</del> <u>55</u>
Commercial corridor	<del>77</del> <u>76</u>	11
Village East and Village West	84	9
<del>Marine Commercial</del> <u>Marina Village</u>	2 14	NA
Convenience commercial	5	2
Conservation	320	NA

# Town of Emerald Isle CAMA Land Use Plan Update Future Land Use Map

- Legend
- Conservation Areas**
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    - Village-East
    - Village-West
    - Convenience Commercial
  - Living Areas**
    - Single/Dual Family Residential
    - Mixed Residential
  - Inlet Hazard Area

Proposed "Marina Village Area"

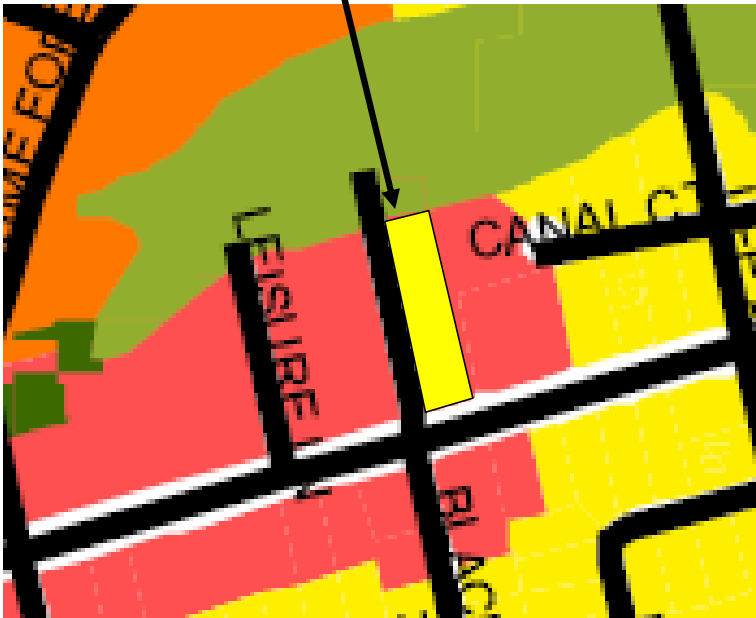


Island Harbor Marina Tract

# Town of Emerald Isle CAMA Land Use Plan Update Future Land Use Map

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- Conservation Areas**
    - Coastal Wetlands
    - Non-Coastal Wetlands
    - Estuarine Waters
  - Commercial Areas**
    - Commercial Corridor
    - Village-East
    - Village-West
    - Convenience Commercial
  - Living Areas**
    - Single/Dual Family Residential
    - Mixed Residential
  - Inlet Hazard Area

Proposed "Single/Dual Family Residential"



Bogue Banks Water Corporation

## Attachment 7

### LAND USE PLAN/ZONING CONSISTENCY

1. The 11.75 and 5.79 acre tracts known as the Bell Cove Estates and Bell Cove Village Subdivisions consists of one zoning district: Residential-2 (R-2)

Residential-2 (R-2) - Generally Consistent  
Residential Multi-Family (RMF) – Conditionally Consistent  
Mobile Home-1 (MH-1) - Inconsistent  
Business (B) - Inconsistent  
Camp (C) – Inconsistent  
Government (G) – Generally Consistent  
Village East (VE) – Inconsistent  
Village West (VW) - Inconsistent  
Marina Village (MV) - Inconsistent

2. The parcel at 8604 Reed Drive consists of one zoning district: Business (B)

Residential-2 (R-2) - Inconsistent  
Residential Multi-Family (RMF) – Inconsistent  
Mobile Home-1 (MH-1) - Inconsistent  
Business (B) – Generally Consistent  
Camp (C) – Inconsistent  
Government (G) – Generally Consistent  
Village East (VE) – Inconsistent  
Village West (VW) - Inconsistent  
Marina Village (MV) - Inconsistent

3. The 14 tract located at the northern terminus of Old Ferry Road and encompassing Island Harbor Marina consists of two zoning district: Marina Village (MV) and Mobile Home-1 (MH-1)

Residential-2 (R-2) – Conditionally Consistent  
Residential Multi-Family (RMF) – Conditionally Consistent  
Mobile Home-1 (MH-1) – Generally Consistent  
Business (B) – Conditionally Consistent  
Camp (C) – Inconsistent  
Government (G) – Generally Consistent  
Village East (VE) – Inconsistent  
Village West (VW) - Inconsistent  
Marina Village (MV) – Generally Consistent



4. The 1.25 acre parcel located on the north side of Emerald Drive at 7412 Emerald Drive consists of one zoning district: Residential-2 (R-2)

Residential-2 (R-2) – Generally Consistent  
Residential Multi-Family (RMF) – Inconsistent  
Mobile Home-1 (MH-1) – Inconsistent  
Business (B) – Inconsistent  
Camp (C) – Inconsistent  
Government (G) – Generally Consistent  
Village East (VE) – Inconsistent  
Village West (VW) - Inconsistent  
Marina Village (MV) – Inconsistent

5. The area containing approximately 6 acres located on the north side of Emerald Drive and includes the Chapel by the Sea property and the proposed McLean Park and consists of two zoning districts; Residential-1 (R-2) and Government (G)

Residential-2 (R-2) – Generally Consistent  
Residential Multi-Family (RMF) – Inconsistent  
Mobile Home-1 (MH-1) – Inconsistent  
Business (B) – Inconsistent  
Camp (C) – Inconsistent  
Government (G) – Generally Consistent  
Village East (VE) – Inconsistent  
Village West (VW) - Inconsistent  
Marina Village (MV) – Inconsistent

6. The parcels located at 2412 and 2414 Emerald Drive consists of one zoning district; Residential Multi-Family (RMF)

Residential-2 (R-2) – Generally Consistent  
Residential Multi-Family (RMF) – Generally Consistent  
Mobile Home-1 (MH-1) – Inconsistent  
Business (B) – Inconsistent  
Camp (C) – Inconsistent  
Government (G) – Generally Consistent  
Village East (VE) – Inconsistent  
Village West (VW) - Inconsistent  
Marina Village (MV) – Inconsistent

## Proposed Land Use Plan Amendment/Management Topic Comparison

Amendment/Management Topic	Public Access	Land Use Compatibility	Infrastructure Carrying Capacity	Natural Hazard Area	Water Quality	Local Concerns (maintaining small Town atmosphere)
Amendment 1 – FLUM amendment from Mixed Residential to Single/Dual Family Residential	<i>Positive</i> The development of the tract for residential purposes will provide for public access to Bogue Sound.	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Positive</i> The development of this tract for one and two-family dwellings is consistent with the Town's goal of maintaining and preserving the small Town atmosphere.
Amendment 2 – FLUM amendment from Single/Dual Family Residential to Commercial Corridor	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>
Amendment 3 – FLUM amendment from Marine Commercial and Mixed Residential to Marina Village	<i>Positive</i> The continued operation of Island Harbor Marina will provide access to Bogue Sound.	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Positive</i> Redevelopment activities will have to comply with the Town's stormwater regulations	<i>Positive</i> Preservation of the marina is consistent with the Town's goal of maintaining and preserving the small Town atmosphere.

Proposed Land Use Plan Amendment/Management Topic Comparison

Amendment/Management Topic	Public Access	Land Use Compatibility	Infrastructure Carrying Capacity	Natural Hazard Area	Water Quality	Local Concerns (maintaining small Town atmosphere)
Amendment 4 – FLUM amendment from Mixed Residential to Single/Dual Family Residential	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>
Amendment 5 – FLUM amendment from Mixed Residential to Single/Dual Family Residential	<i>Positive</i> The development of the tract for residential and public use will provide for public access to Bogue Sound.	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Positive</i> The development of the tract for residential and public use will provide for public access to Bogue Sound.
Amendment 6 – FLUM amendment from Single/Dual Family Residential to Mixed Residential	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>	<i>Neutral</i>

<i>Current Conditions/Current Plan Projections</i>	<b>Amendment 1</b>	<b>Amendment 2</b>
<b>APPROXIMATE LEVEL OF INTENSITY AND DENSITY<sup>1</sup></b>	Property currently contains 17.5 acres and based on the Town’s maximum allowable density for multi-family development approximately 120 units could be constructed with the balance of property for roads, open space and wastewater treatment. The building height limit is 40 feet.	Property currently contains approximately 8,200 square feet and is vacant. The property could be developed for one single-family dwelling. The building height limit is 40 feet. The Town’s Dunes and Vegetation Protection Ordinance will require each lot to maintain 35% of its area in a natural state.
<b>WATER/WASTEWATER INFRASTRUCTURE<sup>234</sup></b>	Current Plan Projections Water = 43,200 gpd Current Plan Projections Wastewater = 19,440 gpd	Current Plan Projections: Residential Water = 360 gpd Current Plan Projections: Residential Wastewater = 162 gpd
<b>TRANSPORTATION</b>	Residents and visitors would have to utilize Coast Guard Road for access. Multi-family development typically has high number of trips per day.	Residents of the lot would utilize Reed Drive for ingress and egress to the property.

<sup>1</sup>Land use types and densities are based on assumptions by Town Planning Staff

<sup>2</sup> Residential and commercial water usage assumptions based on type of land use from data supplied by Bogue Banks Water Corporation and 3 bedrooms per multi, single and two-family unit

<sup>3</sup> Residential wastewater assumption is equivalent to 45% of water usage

<sup>4</sup> Commercial wastewater assumption is equivalent to 100% of water usage

<i>Projected Conditions after Amendments</i>	<b>Amendment 1</b>	<b>Amendment 2</b>
<b>APPROXIMATE LEVEL OF INTENSITY AND DENSITY</b>	Property will be developed for residential use according to two approved subdivisions which contain a total of 21 lots. Assuming that the each home is developed for a duplex structure the total maximum number of dwelling units would be 42. The Town's Dunes and Vegetation Protection Ordinance will require each lot to maintain 35% of its area in a natural state. Building height limit is 40 feet.	Property currently contains approximately 8,200 square feet and is vacant. The property could be developed for limited commercial use. The building height limit is 50 feet. The Town's Dunes and Vegetation Protection Ordinance will require each lot to maintain 15% of its area in a natural state and this area can be utilized for on-site wastewater treatment.
<b>WATER/WASTEWATER INFRASTRUCTURE<sup>567</sup></b>	Residential Water = 15,120 gpd Residential Wastewater = 6,804 gpd	Commercial Water = 150 gpd Commercial Wastewater = 150 gpd
<b>TRANSPORTATION</b>	Residents and visitors would have to utilize Coast Guard Road for access. Single and Dual Family development typically has a fewer number of trips per day.	Workers and visitors to the lot would utilize Reed Drive for ingress and egress to the property.

<sup>5</sup> Residential and commercial water usage assumptions based on type of land use from data supplied Bogue Banks Water Corporation

<sup>6</sup> Residential wastewater assumption is equivalent to 45% of water usage

<sup>7</sup> Commercial wastewater assumption is equivalent to 100% of water usage

<i>Current Conditions/Current Plan Projections</i>	<b>Amendment 3</b>	<b>Amendment 4</b>
<b>APPROXIMATE LEVEL OF INTENSITY AND DENSITY<sup>8</sup></b>	Property currently contains approximately 14 acres and is operated as a commercial marina with 150 boat slips, marina retail space and leased lots for manufactured homes. It is estimated that 95% of property is open space/parking. The building height limits are 40 and 50 feet. Redevelopment as Commercial and Mixed Residential will be limited to building heights of 50 and 40 feet, respectively. A maximum density of 8 units per acre. A projected residential density of 8 units per acre was used for this analysis.	Property currently contains approximately 1.25 acres and is the location of the offices and warehouse for a public service utility (Bogue Banks Water Corporation). The building height limit is 40 feet. The Town's Dunes and Vegetation Protection Ordinance requires each lot to maintain 35% of its area in a natural state.
<b>WATER/WASTEWATER INFRASTRUCTURE<sup>91011</sup></b>	Current Conditions: Commercial Water = 1,644 gpd Commercial Wastewater = 1,644 gpd Current Plan Projections: Residential Water = 28,880 gpd Residential Wastewater = 12,960 gpd	Current Conditions: Commercial Water = 500 gpd Commercial Wastewater = 500 gpd Current Plan Projections: Commercial Water = 1,000 gpd Commercial Wastewater = 1,000 gpd
<b>TRANSPORTATION</b>	Marina visitors use existing Old Ferry Road which provides direct access to NC Highway 58 (Emerald Drive). Mixed Residential development would also utilize existing Old Ferry Road.	Workers and visitors to the property have direct access to NC Highway 58 (Emerald Drive).

<sup>8</sup> Commercial redevelopment land use types and densities are based on assumptions by Town Planning Staff

<sup>9</sup> Residential and commercial water usage assumptions based on type of land use from data supplied by Bogue Banks Water Corporation

<sup>10</sup> Residential wastewater assumption is equivalent to 45% of water usage

<sup>11</sup> Commercial wastewater assumption is equivalent to 100% of water usage

**Attachment 9 (continued)**

<i>Projected Conditions after Amendments</i>	<b>Amendment 3</b>	<b>Amendment 4</b>
<b>APPROXIMATE LEVEL OF INTENSITY AND DENSITY</b>	Property currently contains approximately 14 acres and is operated as a commercial marina with 150 boat slips, marina retail space and leased lots for manufactured homes. Redevelopment Marina Village zoning would limit development to marine commercial and single or multi-family development. Building height limit is 50 feet.	Property currently contains approximately 1.25 acres and if redeveloped, could support a maximum 4 single/dual family structures. The building height limit is 40 feet. The Town's Dunes and Vegetation Protection Ordinance requires each lot to maintain 35% of its area in a natural state.
<b>WATER/WASTEWATER INFRASTRUCTURE</b> <sup>121314</sup>	Current Conditions: Commercial Water = 1,644 gpd Commercial Wastewater = 1,644 gpd Current Plan Projections: Residential Water = 28,880 gpd Residential Wastewater = 12,960 gpd	Residential Water = 2,880 gpd Residential Wastewater = 1,296 gpd
<b>TRANSPORTATION</b>	Marina visitors use existing Old Ferry Road which provides direct access to NC Highway 58 (Emerald Drive). Redevelopment of the property for mixed use would likely result in an increase traffic over current levels.	Residents and visitors to the property would have access to NC Highway 58 (Emerald Drive).

<sup>12</sup> Residential and commercial water usage assumptions based on type of land use from data supplied Bogue Banks Water Corporation

<sup>13</sup> Residential wastewater assumption is equivalent to 45% of water usage

<sup>14</sup> Commercial wastewater assumption is equivalent to 100% of water usage

<i>Current Conditions/Current Plan Projections</i>	<b>Amendment 4</b>	<b>Amendment 5</b>
<b>APPROXIMATE LEVEL OF INTENSITY AND DENSITY<sup>15</sup></b>	Property currently contains approximately 6 acres and is undeveloped except for an existing church and parsonage. Development for Mixed Residential will be limited to a building height of 40 feet. A maximum density of 8 units per acre. A projected residential density of 8 units per acre was used for this analysis.	Properties currently contain approximately 1 acre with one parcel developed as a single-family residence and the second is vacant. The building height limit is 40 feet. The Town's Dunes and Vegetation Protection Ordinance requires each lot to maintain 35% of its area in a natural state.
<b>WATER/WASTEWATER INFRASTRUCTURE<sup>161718</sup></b>	Current Conditions: Commercial and Residential Water = 720 gpd Commercial and Residential Wastewater = 324 gpd Current Plan Projections: Residential Water = 17,280 gpd Residential Wastewater = 7,776 gpd	Current Conditions: Residential Water = 360 gpd Commercial Wastewater = 162 gpd Current Plan Projections: Residential Water = 720 gpd Residential Wastewater = 324 gpd
<b>TRANSPORTATION</b>	Church patrons have direct access to NC Highway 58 (Emerald Drive). Mixed Residential development would have direct access to Emerald Drive.	Residents and visitors to the properties have direct access to NC Highway 58 (Emerald Drive).

<sup>15</sup> Commercial redevelopment land use types and densities are based on assumptions by Town Planning Staff

<sup>16</sup> Residential and commercial water usage assumptions based on type of land use from data supplied by Bogue Banks Water Corporation

<sup>17</sup> Residential wastewater assumption is equivalent to 45% of water usage

<sup>18</sup> Commercial wastewater assumption is equivalent to 100% of water usage



<i>Projected Conditions after Amendments</i>	<b>Amendment 4</b>	<b>Amendment 5</b>
<b>APPROXIMATE LEVEL OF INTENSITY AND DENSITY</b>	Property currently contains approximately 6 acres and is undeveloped except for an existing church and parsonage. Development for Single/Dual Family Residential will be limited to a building height of 40 feet and a maximum density of 6 units per acre. A projected residential density of 6 units per acre was used for this analysis.	Property currently contains approximately 1 acre. Redevelopment for Mixed Residential will be limited to a building height of 40 feet. A maximum density of 8 units per acre. A projected residential density of 8 units per acre was used for this analysis.
<b>WATER/WASTEWATER INFRASTRUCTURE</b> <sup>19 20 21</sup>	Current Conditions: Commercial Water = 720 gpd Commercial Wastewater = 334 gpd Current Plan Projections: Residential Water = 12,960 gpd Residential Wastewater = 5,832 gpd	Residential Water = 2,880 gpd Residential Wastewater = 1,296 gpd
<b>TRANSPORTATION</b>	Church patrons have direct access to NC Highway 58 (Emerald Drive). Single/Dual Family Residential development would have direct access to Emerald Drive.	Residents and visitors to the property would have access to NC Highway 58 (Emerald Drive).

<sup>19</sup> Residential and commercial water usage assumptions based on type of land use from data supplied Bogue Banks Water Corporation

<sup>20</sup> Residential wastewater assumption is equivalent to 45% of water usage

<sup>21</sup> Commercial wastewater assumption is equivalent to 100% of water usage

## Attachment 10

The Plan would be amended in the following manner. Please note that text which is being added is shown in an underlined format and text which is being deleted is shown in a strikethrough format.

### Page 84 would be amended to read as follows:

Emerald Isle's Future Land Use Map, which follows, uses a land classification system to show desired future uses and land use patterns. This classification system has seven categories of land use and development. These seven categories include the following:

Conservation

Main Business Area

Emerald Drive Business Corridor

Village East – Town Center

Village West

~~Marine Commercial~~ Marina Village

Eastern Commercial Area

Living Areas

Single/Dual-Family

Mixed Residential

### Page 85 would be amended to read as follows:

## Emerald Isle Main Business Area

The Main Business Area includes three related areas: The business and mixed use area, called Village-East Town Center, which is centered along Bogue Inlet Drive, the commercial area, called Village-West, which is centered in the Islander Drive area, and the Emerald Drive Business Corridor, which connects the two “Villages” and the Marina Village ~~Marine Commercial~~ Area. The Main Business Area is planned to encourage the provision of quality retail activities and business services to meet the needs of permanent residents and visitors. It will encourage owners to redevelop properties where appropriate and to ensure that new and redeveloped commercial properties are consistent with the Town's goal of maintaining a small-town, family atmosphere, while protecting and enhancing its natural environment.

Page 89 would be amended to add the following:

~~—Marina Village Marine Commercial~~

The planned ~~Marina Village Marine Commercial~~ Area is located at the northern terminus of Old Ferry Road at the existing Island Harbor Marina. The objective of this land use category is to provide residents and visitors with goods and services related to boating, water sports and similar activities. Examples of appropriate land uses in this area are marina, boat/marine repair facilities and providers of other goods and services for these types of uses.

The Town encourages uses in the ~~Marina Village Marine Commercial~~ Area that meet the following guidelines:

- provide marine and boating related services that serve the needs of residents and visitors;
- are consistent with state and federal guidelines for such facilities; and
- allows for supporting businesses and residential land uses.

Amend Table 23, Page 92 to read as follows:

**Table 23**  
**Comparison of Land Allocated to Future Residential Land Use and Projected Land Needs**

Future Land Use Category	Total Acres allocated	Vacant acres
Single/Dual Family Residential	<del>1,919</del> <u>1,949</u>	<del>181</del> <u>211</u>
Mixed residential	<del>258</del> <u>217</u>	<del>76</del> <u>46</u>
Commercial corridor	<del>77</del> <u>76</u>	11
Village East and Village West	84	9
<del>Marine Commercial</del> <u>Marina Village</u>	2 14	NA
Convenience commercial	5	2
Conservation	320	NA

# Town of Emerald Isle

Department of Planning and  
Inspections  
Kevin B. Reed, AICP, Director  
[kreed@emeraldisle-nc.org](mailto:kreed@emeraldisle-nc.org)



7500 Emerald Drive  
Emerald Isle, NC 28594  
Voice 252-354-3338  
Fax 252-354-5387

**DATE:** January 8, 2009

**TO:** Maureen Meehan-Will, District Planner, North Carolina Division of Coastal Management

**FROM:** Kevin B. Reed, AICP, CFM, CZO, Director of Planning & Inspections

**SUBJECT: Proposed Amendments to the Town of Emerald Isle's 2004 CAMA Land Use Plan (LUP) and Future Land Use Map (FLUM)**

As you know, the Town of Emerald Isle recently completed its work on several amendments to its 2004 CAMA Land Use Plan. The primary reason for these amendments is the fact that the Town adopted a new Unified Development Ordinance (UDO) and revised Official Zoning Map on September 9, 2008. The UDO and associated Zoning Map changes have made it necessary to make several adjustments to the Town's Land Use Plan including the Future Land Use Map (FLUM). The amendments to the LUP and FLUM were reviewed by the Town's Planning Board at its October 27, 2008 meeting. After review of the amendments, the Planning Board voted unanimously to recommend to the Board of Commissioners that the amendments be approved. The Board of Commissioners conducted a duly advertised public hearing on the proposed amendments at its December 9, 2008 meeting. Following the public hearing, the Board of Commissioners approved the amendments and adopted the required resolutions.

It is the goal of the Town for these amendments considered by the Coastal Resources Commission (CRC) for certification at its February 2009 meeting. The purpose of this memorandum is to present the proposed LUP text and FLUM changes to you, along with accompanying information, so they may be considered by the CRC in February 2009. The amendments are as follows:

## Amendment 1

Revise the Future Land Use Map in order to show the 11.75 acre tract and the 5.79 acre tract located on the north side of Coast Guard Road, and known as the Bell Code Estates and Bell Cove Village Subdivisions respectively, as Single/Dual Family Residential rather than its current designation as Mixed Residential. These two tracts have been subdivided into individual building lots for one and two-family dwellings. In addition, the Board of Commissioners rezoned these properties to Residential-2 (R-2) as part of the UDO adoption process. The

proposed amendment would make the Future Land Use Map designation consistent with local zoning.

#### Amendment 2

Revise the Future Land Use Map in order to show a parcel located at 8604 Reed Drive as Commercial Corridor rather than its current designation as Mixed Residential. This parcel was rezoned by the Board of Commissioners at the request of the property owner from Residential-2 (R-2) to Business (B). The proposed amendment would make the Future Land Use Map consistent with local zoning.

#### Amendment 3

Revise the Future Land Use Map in order to expand the boundaries of the Marine Commercial Area located at the northern terminus of Old Ferry Road. In addition, the FLUM would be changed to reflect the 14 acre parcel (which is divided into a Tract A and a Tract B) as Marina Village rather than its current designation as Marine Commercial and Mixed Residential. The owners of the property had requested that Parcel A be rezoned from Business (B) and Mobile Home-1 (MH-1) to Marina Village (MV). This rezoning was approved by the Board of Commissioners at its November 12, 2008 meeting. In addition, the Marine Commercial Area will be renamed as the Marina Village Area. Marina Village (MV) is a new mixed use zoning district that was created with the adoption of the UDO. The MV District is intended to help protect and foster marina and related marine commercial land uses. Also Part 3, "Land Use Plan- Goals, Policies and Future Land Use Map" of the Plan would be amended to reflect the name change from Marine Commercial to Marina Village. Thee specific text amendments to the Plan are shown on Attachment 3A. The proposed amendment would make the Future Land Use Map designation consistent with local zoning.

#### Amendment 4

Revise the Future Land Use Map in order to show the 1.25 acre parcel located on the north side of Emerald Drive, and the current location of Bogue Banks Water Corporation (BBWC), Single/Dual Family Residential rather than its current designation as Commercial Corridor. The zoning of the property was changed to Residential-2 (R-2) at the request of BBWC when the Town adopted its new UDO and Official Zoning Map. The proposed amendment would make the Future Land Use Map designation consistent with local zoning.

#### Amendment 5

Revise the Future Land Use Map in order to show an approximately 6 acre area located on the north side of Emerald Drive as Single-Dual Family Residential rather than its current designation as Mixed Residential. The area also contains the Chapel by the Sea Church and land owned by the Town and designated as the location for McLean Park. The Board of Commissioners rezoned these properties to Residential-2 (R-2) and Government (G) as part of the UDO adoption process. The proposed amendment would make the Future Land Use Map designation consistent with local zoning.

#### Amendment 6

Revise the Future Land Use Map in order to show an approximately 1 acre area, located at 2412 and 2414 Emerald Drive, as Mixed Residential rather than its current designation as Single/Dual

Family Residential. The zoning of the property was changed to Residential-2 (R-2) at the request of the property owner when the Town adopted its new UDO and Official Zoning Map. The proposed amendment would make the Future Land Use Map designation consistent with local zoning.

The Town believes there is sufficient infrastructure capacity to adequately accommodate the potential development associated with the proposed amendments. In addition to the foregoing information you will find attached the following pieces of information:

1. Attachment 1 – Future Land Use Map amendment – Bell Cove Estates/Bell Cove Village
2. Attachment 2 – Future Land Use Map amendment – Bluewater Tract
3. Attachment 3A – Text amendments to LUP
4. Attachment 3B – Future Land Use Map amendment – Island Harbor Marina
5. Attachment 4 – Future Land Use Map amendment – Bogue Banks Water Corporation
6. Attachment 5 – Future Land Use Map amendment – Chapel by the Sea/McLean Park
7. Attachment 6 – Future Land Use Map amendment – 2412/2414 Emerald Drive
8. Attachment 7 – Land Use Plan/Zoning Consistency
9. Attachment 8 – LUP Amendment/Management Topic Comparison
10. Attachment 9 – Description of Current Available Public Facilities and Proposed Land Use Amendments
11. Miscellaneous attachments including: Resolutions #1-6 adopted by the Board of Commissioners for the LUP and FLUM Amendments; Copy of Public Hearing Notice; and, Affidavit of Publication for Public Hearing

The Town looks forward to its continued work with you on these amendments to its 2004 CAMA Land Use Plan and Future Land Use Map. Please feel free to contact me if you have any questions or need additional information.

KBR

Attachments

# Town of Emerald Isle

Mayor  
Arthur B. Schools, Jr.

Mayor Pro-Tem  
Floyd Messer, Jr.

Board of Commissioners  
Nita Hedreen  
Tom Hoover, Jr.  
John Wootten  
Maripat Wright



Town Manager  
Frank A. Rush, Jr.  
[frush@emeraldisle-nc.org](mailto:frush@emeraldisle-nc.org)

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Emerald Isle, NC 28594

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Visit our web site at [www.emeraldisle-nc.org](http://www.emeraldisle-nc.org) !

## RESOLUTION AMENDING THE TOWN'S 2004 CAMA LAND USE PLAN – #1 - BELL COVE ESTATES / BELL COVE VILLAGE

**WHEREAS**, the Town of Emerald Isle desires to amend its 2004 CAMA Land Use Plan, specifically the Future Land Use Map, in order to project the future land use of certain properties as Single/Dual Family Residential rather than Mixed-Residential, and

**WHEREAS**, the Town conducted a public hearing on the proposed amendment at a meeting of the Board of Commissioners held on December 9, 2008, and

**WHEREAS**, the Town has sufficient facility capacity to handle the proposed development of the property for residential purposes, and

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

**WHEREAS**, the amendment is consistent with the six management topics outlined in the Town's Plan, and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Emerald Isle Board of Commissioners that


1. The Town's Future Land Use Map be hereby amended to project certain properties in Bell Cove Estates and Bell Cove Village, as depicted on the attached map, as Single/Dual Family Residential rather than Mixed-Residential, and
2. The North Carolina Coastal Resources Commission is hereby asked to certify the aforesaid amendment.

Adopted this the 9th day of December, 2008, by a vote of

Commissioner(s) Hedreen, Hoover, Messer, Wootten, Wright voting for,

Commissioner(s) \_\_\_\_\_ voting against, and

Commissioner(s) \_\_\_\_\_ absent.

A circular seal for the Town of Emerald Isle is partially visible on the left side of the page. The text 'TOWN OF EMERALD ISLE' is visible around the perimeter, and 'SEA' is visible in the center.  
Arthur B. Schools, Jr.  
Arthur B. Schools, Jr., Mayor

ATTEST:

Rhonda Ferebee  
Rhonda Ferebee, Town Clerk



# Town of Emerald Isle

Mayor  
Arthur B. Schools, Jr.

Mayor Pro-Tem  
Floyd Messer, Jr.

Board of Commissioners  
Nita Hedreen  
Tom Hoover, Jr.  
John Wootten  
Maripat Wright



Town Manager  
Frank A. Rush, Jr.  
[frush@emeraldisle-nc.org](mailto:frush@emeraldisle-nc.org)

Mailing Address  
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Visit our web site at [www.emeraldisle-nc.org](http://www.emeraldisle-nc.org) !

## RESOLUTION AMENDING THE TOWN'S 2004 CAMA LAND USE PLAN – #2 – REED DRIVE (BLUEWATER TRACT)

**WHEREAS**, the Town of Emerald Isle desires to amend its 2004 CAMA Land Use Plan, specifically the Future Land Use Map, in order to project the future land use of certain properties as Commercial Corridor rather than Mixed-Residential, and

**WHEREAS**, the Town conducted a public hearing on the proposed amendment at a meeting of the Board of Commissioners held on December 9, 2008, and

**WHEREAS**, the Town has sufficient facility capacity to handle the proposed development of the property for commercial purposes, and

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

**WHEREAS**, the amendment is consistent with the six management topics outlined in the Town's Plan, and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Emerald Isle Board of Commissioners that

1. The Town's Future Land Use Map be hereby amended to project certain property on Reed Drive (Bluewater Tract), as depicted on the attached map, as Commercial Corridor rather than Mixed-Residential, and
2. The North Carolina Coastal Resources Commission is hereby asked to certify the aforesaid amendment.

Adopted this the 9th day of December, 2008, by a vote of


Commissioner(s) Hedreen, Hoover, Messer, Wootten, Wright voting for,

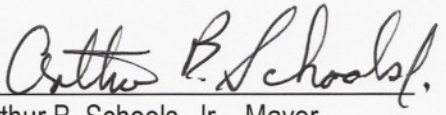
Commissioner(s) \_\_\_\_\_ voting against, and

Commissioner(s) \_\_\_\_\_ absent.



ATTEST:

  
Rhonda Ferebee, Town Clerk

  
Arthur B. Schools, Jr., Mayor

# Town of Emerald Isle

*Mayor*  
Arthur B. Schools, Jr.

*Mayor Pro-Tem*  
Floyd Messer, Jr.

*Board of Commissioners*  
Nita Hedreen  
Tom Hoover, Jr.  
John Wootten  
Maripat Wright



*Town Manager*  
Frank A. Rush, Jr.  
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## **RESOLUTION AMENDING THE TOWN'S 2004 CAMA LAND USE PLAN – #3A – MARINA VILLAGE TEXT AND #3B – MARINA VILLAGE MAP**

**WHEREAS**, the Town of Emerald Isle desires to amend its 2004 CAMA Land Use Plan, specifically Part 3 of the Plan including the Future Land Use Map, in order to project the future land use of certain properties as Marina Village rather than Marine Commercial and Mixed-Residential, and

**WHEREAS**, the Town also desires to amend text in the 2004 CAMA Land Use Plan regarding Marina Village, and

**WHEREAS**, the Town conducted a public hearing on the proposed amendment at a meeting of the Board of Commissioners held on December 9, 2008, and

**WHEREAS**, the Town has sufficient facility capacity to handle the proposed development of the property for commercial and residential purposes, and

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

**WHEREAS**, the amendment is consistent with the six management topics outlined in the Town's Plan, and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Emerald Isle Board of Commissioners that


1. The Town's Future Land Use Map be hereby amended to project certain properties at Island Harbor Marina, as depicted on the attached map, as Marina Village rather than Marine Commercial and Mixed-Residential, and
2. Text regarding Marina Village in the Town's 2004 CAMA Land Use Plan be hereby amended, and
3. The North Carolina Coastal Resources Commission is hereby asked to certify the aforesaid amendment.

Adopted this the 9th day of December, 2008, by a vote of

Commissioner(s) Hedden, Hoover, Messer, Wooten, Wright voting for,

Commissioner(s) \_\_\_\_\_ voting against, and

Commissioner(s) \_\_\_\_\_ absent.

A circular seal for the Town of Emerald Isle, North Carolina, is partially visible on the left side of the page. The seal contains the text "TOWN OF EMERALD ISLE" and "NORTH CAROLINA".  
Arthur B. Schools, Jr.

Arthur B. Schools, Jr., Mayor

ATTEST:

Rhonda Ferebee

Rhonda Ferebee, Town Clerk

# Town of Emerald Isle

Mayor  
Arthur B. Schools, Jr.

Mayor Pro-Tem  
Floyd Messer, Jr.

Board of Commissioners  
Nita Hedreen  
Tom Hoover, Jr.  
John Wootten  
Maripat Wright



Town Manager  
Frank A. Rush, Jr.  
[frush@emeraldisle-nc.org](mailto:frush@emeraldisle-nc.org)

Mailing Address  
Town of Emerald Isle  
7500 Emerald Drive  
Emerald Isle, NC 28594

Voice 252-354-3424  
Fax 252-354-5068

Visit our web site at [www.emeraldisle-nc.org](http://www.emeraldisle-nc.org) !

## RESOLUTION AMENDING THE TOWN'S 2004 CAMA LAND USE PLAN – #4 – BOGUE BANKS WATER CORPORATION

**WHEREAS**, the Town of Emerald Isle desires to amend its 2004 CAMA Land Use Plan, specifically the Future Land Use Map, in order to project the future land use of certain properties as Single/Dual Family Residential rather than Commercial Corridor, and

**WHEREAS**, the Town conducted a public hearing on the proposed amendment at a meeting of the Board of Commissioners held on December 9, 2008, and

**WHEREAS**, the Town has sufficient facility capacity to handle the proposed development of the property for residential purposes, and

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

**WHEREAS**, the amendment is consistent with the six management topics outlined in the Town's Plan, and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Emerald Isle Board of Commissioners that

1. The Town's Future Land Use Map be hereby amended to project certain property owned by Bogue Banks Water Corporation, as depicted on the attached map, as Single/Dual Family Residential rather than Commercial Corridor, and
2. The North Carolina Coastal Resources Commission is hereby asked to certify the aforesaid amendment.

Adopted this the 9th day of December, 2008, by a vote of

Commissioner(s) Hedreen, Hoover, Messer, Wootten, Wright voting for,

Commissioner(s) \_\_\_\_\_ voting against, and

Commissioner(s) \_\_\_\_\_ absent.



Arthur B. Schools, Jr.  
Arthur B. Schools, Jr., Mayor

ATTEST:

Rhonda Ferebee  
Rhonda Ferebee, Town Clerk

# Town of Emerald Isle

Mayor  
Arthur B. Schools, Jr.

Mayor Pro-Tem  
Floyd Messer, Jr.

Board of Commissioners  
Nita Hedreen  
Tom Hoover, Jr.  
John Wootten  
Maripat Wright



Town Manager  
Frank A. Rush, Jr.  
[frush@emeraldisle-nc.org](mailto:frush@emeraldisle-nc.org)

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## RESOLUTION AMENDING THE TOWN'S 2004 CAMA LAND USE PLAN – #5 – CHAPEL BY THE SEA / MCLEAN PARK

**WHEREAS**, the Town of Emerald Isle desires to amend its 2004 CAMA Land Use Plan, specifically the Future Land Use Map, in order to project the future land use of certain properties as Single/Dual Family Residential rather than Mixed Residential, and

**WHEREAS**, the Town conducted a public hearing on the proposed amendment at a meeting of the Board of Commissioners held on December 9, 2008, and

**WHEREAS**, the Town has sufficient facility capacity to handle the proposed development of the property for residential purposes, and

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

**WHEREAS**, the amendment is consistent with the six management topics outlined in the Town's Plan, and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Emerald Isle Board of Commissioners that

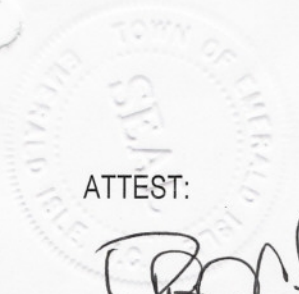
1. The Town's Future Land Use Map be hereby amended to project certain properties known as Chapel By The Sea and McLean Park, as depicted on the attached map, as Single/Dual Family Residential rather than Mixed Residential, and
2. The North Carolina Coastal Resources Commission is hereby asked to certify the aforesaid amendment.

Adopted this the 9th day of December, 2008, by a vote of

Commissioner(s) Hedreen, Hoover, Messer, Wootten, Wright voting for,

Commissioner(s) \_\_\_\_\_ voting against, and

Commissioner(s) \_\_\_\_\_ absent.

A circular seal for the Town of Emerald Isle is partially visible on the left side of the page. It contains the text "TOWN OF EMERALD ISLE" around the perimeter and "SEPT 19 1964" in the center.  
Arthur B. Schools, Jr.  
Arthur B. Schools, Jr., Mayor

ATTEST:

Rhonda Ferebee  
Rhonda Ferebee, Town Clerk



# Town of Emerald Isle

Mayor  
Arthur B. Schools, Jr.

Mayor Pro-Tem  
Floyd Messer, Jr.

Board of Commissioners  
Nita Hedreen  
Tom Hoover, Jr.  
John Wootten  
Maripat Wright



Town Manager  
Frank A. Rush, Jr.  
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## RESOLUTION AMENDING THE TOWN'S 2004 CAMA LAND USE PLAN – #6 – 2412, 2414 EMERALD DRIVE

**WHEREAS**, the Town of Emerald Isle desires to amend its 2004 CAMA Land Use Plan, specifically the Future Land Use Map, in order to project the future land use of certain properties as Mixed Residential rather than Single/Dual Family Residential, and

**WHEREAS**, the Town conducted a public hearing on the proposed amendment at a meeting of the Board of Commissioners held on December 9, 2008, and

**WHEREAS**, the Town has sufficient facility capacity to handle the proposed development of the property for residential purposes, and

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

**WHEREAS**, the amendment is consistent with the six management topics outlined in the Town's Plan, and

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

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

**NOW, THEREFORE, BE IT RESOLVED** by the Emerald Isle Board of Commissioners that


1. The Town's Future Land Use Map be hereby amended to project certain properties at 2412 and 2414 Emerald Drive, as depicted on the attached map, as Mixed Residential rather than Single/Dual Family Residential, and
2. The North Carolina Coastal Resources Commission is hereby asked to certify the aforesaid amendment.

Adopted this the 9th day of December, 2008, by a vote of

Commissioner(s) Hedreen, Hoover, Messer, Wootten, Wright voting for,

Commissioner(s) \_\_\_\_\_ voting against, and

Commissioner(s) \_\_\_\_\_ absent.

A circular seal for the Town of Emerald Isle is partially visible on the left side of the page. It contains the text "EMERALD ISLE" and "TOWN OF EMERALD ISLE".  
Arthur B. Schools, Jr.  
Arthur B. Schools, Jr., Mayor

ATTEST:

Rhonda Ferebee  
Rhonda Ferebee, Town Clerk



North Carolina Department of Environment and Natural Resources  
Division of Coastal Management

Beverly Eaves Perdue, Governor

James H. Gregson, Director

Dee Freeman, Secretary

## MEMORANDUM

CRC-09-03

**To:** The Coastal Resources Commission and Coastal Resources Advisory Council  
**From:** Charlan Owens, AICP, DCM Elizabeth City District Planner  
**Date:** January 29, 2009  
**Subject:** Text Amendment to the Town of Manteo 2007 Core Land Use Plan (LUP) – (February CRC Meeting)

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The Town of Manteo requests a Land Use Plan (LUP) amendment to modify a policy statement concerning the required setback along US 64/264).

The Board of Commissioners adopted the amendment at their December 3, 2008 meeting. No objections were voiced at the public hearing and no written objections were submitted to DCM.

The Town of Manteo 2007 LUP was certified by the CRC on July 27, 2007. A digital version of the certified LUP is available on the DCM website at:

[http://www.nccoastalmanagement.net/Planning/under\\_review.htm](http://www.nccoastalmanagement.net/Planning/under_review.htm)

### OVERVIEW

The Town desires to amend a Land Use Compatibility (LUC) policy as follows:

LUC Policy 11: The Town should continue to require new development and redevelopment ~~on Virginia Dare Road (US64/264)~~ in the County Services and Tourist Oriented Area to be set back 50 feet to accommodate the Voyages Corridor Buffer and sidewalk.

(Underline text is to be added, ~~strikethrough~~ text is to be deleted)

LUC Policy 11 can be found on Page 118 of 192 on the .pdf version of the certified LUP and Page 101 of the printed version.

The LUP amendment has been submitted to ensure consistency with recent changes to the Town's *Zoning Code*. The Board of Commissioners amended the *Zoning Code* on September 3, 2008 to change setbacks along US Hwy 64/264 from 50 feet to 15 feet within the B-2 zoning district. The B-2 zoning district includes properties abutting the highway along the downtown core. At that meeting, it was agreed that a public hearing would be scheduled to amend the LUP to reflect the setback change.

Rather than using a roadway, the “County Services and Tourist Oriented Areas” Future Land Use Map designation has been referenced in the amended policy. A 50 foot setback will be maintained within the designation, which includes certain properties on or near the intersection of N. Virginia Dare Trail and US64/264 at the Town’s southern limits, outside the downtown core. The 50 foot setback will accommodate the Voyages Corridor Buffer, a 50 foot wide planting buffer/multi-use path/bikeway, and sidewalk.

The “County Services and Tourist Oriented Areas” designation can be found on Pages 142 and 143 on the .pdf version of the certified LUP and Pages 125 and 126 of the printed version.

**DCM STAFF RECOMMENDATION:** DCM staff has determined that The Town of Manteo has met the substantive requirements outlined in the 2002 Land Use Plan Guidelines and that there are no conflicts evident within either state or federal law or the State’s Coastal Management Program.

DCM staff recommends that the CRAC forward the Town of Manteo Land Use Plan amendment to the CRC for certification approval.

*If you have any questions please do not hesitate to contact me (Charlan Owens) at 252-264-3901.*

Draft NCCRAC Resolution Seeking Establishment of a  
North Carolina Beach, Inlet and Waterway Trust Fund

**WHEREAS**, North Carolina's coastal area is one of the most desirable along the Atlantic Seaboard; and

**WHEREAS**, North Carolina's public beaches, inlets and waterways are vital to the State's tourism, commercial fishing and recreational boating industries, which are the dominant sources of income and employment in many coastal communities and counties; and

**WHEREAS**, North Carolina's public beaches, inlets and waterways belong to all the State's citizens and provide recreational and economic benefits to our residents statewide; and

**WHEREAS**, North Carolina's public beaches, inlets and waterways are valuable public trust resources of statewide significance that must be preserved and made accessible for use by the general public to enable their enjoyment; and

**WHEREAS**, the degradation of these public trust resources threatens the economic viability of coastal communities and counties resulting in significant reductions in State tax revenues; and

**WHEREAS**, it is in the public interest to properly manage North Carolina's public beaches, inlets and waterways for the benefit of all North Carolinians; and

**WHEREAS**, in order to preserve the public's interest in North Carolina's public beaches, inlets and waterways, it is necessary to establish a dedicated source of State funding that provides for their preservation, restoration, maintenance and accessibility;

**NOW, THEREFORE, BE IT RESOLVED** by the North Carolina Coastal Resources Advisory Council that the Council requests its member representatives in the North Carolina General Assembly introduce legislation to establish a North Carolina Beach, Inlet and Waterway Trust Fund with an annual appropriation of a portion of the State sales tax revenue to be used with local matching funds for the following coastal infrastructure projects: beach nourishment; removal of structures encroaching onto public beach areas; inlet channel realignment; dredging navigation channels in inlets and waterways; and public beach, inlet and waterway access.