



**COUNTY OF DARE**  
PO Box 1000, MANTEO, NC 27954

**DARE COUNTY BOARD OF COMMISSIONERS**

Dare County Administration Building  
954 Marshall C. Collins Dr., Manteo, NC

**Monday, October 5, 2020, 9:00 a.m.**

**“HOW WILL THESE DECISIONS IMPACT OUR CHILDREN AND FAMILIES?”**

**AGENDA**

- 9:00 AM            CONVENE, PRAYER, PLEDGE OF ALLEGIANCE**
- ITEM 1            Opening Remarks - Chairman's Update**
- ITEM 2            Public Comments**
- ITEM 3            Presentation of County Service Pins - October 2020**
- ITEM 4            Dare County Department of Health and Human Services, Proclamation  
National Breast Cancer Awareness Month**
- ITEM 5            Revised Travel Trailer Park Ordinance -- Request for a Public Hearing**
- ITEM 6            Consent Agenda**
- 6 (1) Approval of Minutes
- 6 (2) Dare County Wilkenson Building Lease
- 6 (3) DHHS - Social Services Division: COVID APS/CPS Essential Worker  
  Funding Amendment
- ITEM 7            Upcoming Board Appointments**
- ITEM 8            Commissioners' Business & Manager's/Attorney's Business**

***Adjourn Until 5:00 p.m. on October 19, 2020***



*Opening Remarks - Chairman's Update*

**Description**

Dare County Chairman Robert Woodard will make opening remarks.

**Board Action Requested**

Informational Presentation

**Item Presenter**

Chairman Robert Woodard, Sr.



*Public Comments*

**Description**

The Board of Commissioners encourages citizen participation and provides time on the agenda at every regularly scheduled meeting for Public Comments. This is an opportunity for anyone to speak directly to the entire Board of Commissioners for up to five minutes on any topic or item of concern.

Covid-19 changes:

Public comment may be presented to the Board by sending an email during the meeting to: [dcbo@darenc.com](mailto:dcbo@darenc.com)

**Board Action Requested**

Hear Public Comments

**Item Presenter**

Robert Outten, County Manager



*Presentation of County Service Pins - October 2020*

**Description**

The following employees are scheduled to receive service pins this month:

- Charles "Chuck" Budd - 10 year pin
- Michael Ferguson - 10 year pin
- Angie Hooper - 15 year pin
- Karen Patton - 20 year pin
- Eric Pfeifer - 25 year pin
- Elisa "Sissy" Campbell 25 year pin

**Board Action Requested**

Approval

**Item Presenter**

Robert Outten, County Manager



*Dare County Department of Health and Human Services  
A Proclamation  
National Breast Cancer Awareness Month*

**Description**

The Dare County Department of Health and Human Services in its effort to promote awareness with regard to breast cancer, respectfully asks that the Dare County Board of Commissioners proclaim October 2020 as National Breast Cancer Awareness Month.

**Board Action Requested**

Proclaim October 2020 as National Breast Cancer Awareness Month.

**Item Presenter**

N/A



**A Proclamation  
Declaring October 2020 as National Breast Cancer Awareness Month**

**WHEREAS**, breast cancer is the most commonly diagnosed cancer and the second leading cause of cancer deaths among women in the United States;

**WHEREAS**, over 6,000 North Carolina women will be diagnosed with breast cancer and over 1,000 will die from the disease;

**WHEREAS**, the age adjusted death rate for breast cancer in Dare County is 21.9 compared to 21.6 NC and 21.2 US;

**WHEREAS**, every woman is at risk for breast cancer even if she has no family history of the disease, but women over the age of 50 are at the greatest risk for being diagnosed with breast cancer;

**WHEREAS**, a mammogram is the single most effective method of detecting breast changes long before physical symptoms that may be cancer can be seen or felt;

**WHEREAS**, October is designated as *National Breast Cancer Awareness Month*;

**WHEREAS**, the pink ribbon is the internationally recognized symbol of breast cancer awareness;

**WHEREAS**, community organizations, churches, synagogues and other places of worship, and work sites can play an important role in educating the community about breast cancer;

**NOW, THEREFORE**, the Dare County Board of Commissioners does hereby recognize October 2020 as *National Breast Cancer Awareness Month*. The Board of Commissioners encourages the residents to wear pink ribbons in recognition of breast cancer and in honor of women who are now courageously fighting the battle with breast cancer. The Board further encourages women to consult with their health care providers about regular screening and to promote early detection of breast cancer by having regular clinical breast examinations, getting regular mammograms and practicing monthly breast self-examination.



This the 5<sup>th</sup> day of October, 2020.

SEAL

\_\_\_\_\_  
Robert Woodard, Sr., Chairman

Attest: \_\_\_\_\_  
Cheryl C. Anby, Clerk to the Board



*Revised Travel Trailer Park Ordinance -- Request for Public Hearing*

**Description**

For several months, the Planning Board and staff have been working on revisions to the Dare County Travel Trailer Park Ordinance. At the September 14, 2020 Planning Board meeting, a recommendation on the revised ordinance was made by the Planning Board. The draft ordinance and detailed staff report are attached for the Board's review. A text amendment to the C-3 zoning district was also included as part of the Planning Board's recommendation to add travel trailer parks and campgrounds to the list of uses permitted in the C-3 district. Campgrounds in the C-3 district previously have been approved based on an interpretation that such uses were consistent with the C-3 district. The C-3 text amendment would add the use instead of relying on a staff interpretation.

**Board Action Requested**

Motion to schedule a public hearing on draft TTPCO and C-3 text amendment on October 19, 2020 at 5:00 p.m.

**Item Presenter**

Donna Creef, Planning Director

## STAFF REPORT – OCTOER 5, 2020 BOARD OF COMMISSIONERS MEETING

FROM: Donna Creef, Planning Director

RE: Revised Travel Trailer Park Ordinance

Earlier this year, the Planning Board began work on revising the Travel Trailer Park Ordinance to update the ordinance to reflect market trends and to revise the review provisions to be similar to those procedures for subdivisions. The TTPO was originally adopted in 1985 and established procedures and standards similar to those for subdivisions. However site plans for travel trailer parks are not recorded in the Register of Deeds. Ownership of individual camping sites is not transferred like subdivision lots. The Planning Department has received several inquiries about the location of eco-tents (alternative camping units) and camping cabins in campgrounds. The TTPO in effect today does not include any standards for these other units.

The revised ordinance is attached to my staff memorandum but I have summarized the changes as follows:

1. The title of the ordinance has been revised to be Travel Trailer Park and Campground Ordinance.
2. Section 160-03 Definitions – several new definitions have been added including camping cabin, alternative camping unit, and camping tent.
3. Procedures for Approval – this section has been revised to follow the same review procedures for subdivisions—Planning Board approval of a preliminary site plan and final site plan approval by the Planning Director unless the Zoning Ordinance establishes that travel trailer parks and campgrounds are subject to conditional use review.
4. Standards – the bulk of the proposed revisions are in this part of the ordinance. The standards have been revised to allow camping cabins and alternative camping units in parks, not just travel trailers. If a park is proposed to feature other camping units besides travel trailers, then a minimum of 50% of all camping spaces shall be designated as travel trailer spaces. This 50% provision was the subject of a great deal of discussion by the Planning Board members with the Board voting 4-3 to support this 50% standard. The three members not supporting the 50-space limit felt the developer should decide the appropriate mix of units. The Board members supporting the cap indicated if a developer wanted to develop a site with small homes offered as overnight accommodations, then the group development standards should apply and not the park ordinance.



I had drafted language to allow PARKS with 100% camping cabins but after the August Planning Board meeting, the Planning Board indicated this language should be removed based on their 4-3 vote. Such language would have allowed 100% camping cabin parks in those districts where campground are currently permitted subject to review as conditional use permits as residential group housing developments. You have received email comments from one local developer who is a vocal proponent of parks with no limit on the number of camping cabins requested the Board of Commissioners remove the 50% cap as recommended by the Planning Board.

5. 160.22 (G) language was added to recognize Parks as commercial uses afforded a 60% lot coverage, this lot coverage is not specifically established in the current version.
6. 160.22 (R) – language to address employee housing was added to the ordinance. Currently only one mobile home for a park manager is allowed.
7. 160.22 (W) language to establish a 90-day occupancy of any camping units was added. Currently the ordinance allows the units to remain in a park on a year-round basis provided they are kept in a highway-ready state. This has not changed but with provisions for camping cabins now proposed, the Planning Board felt it was important to include language to specifically address the tenure of occupancy of these units. The 90-day limit is consistent with the timeframe established in the NC Vacation Rental Act. No other provisions of the NC Vacation Rental Act are referenced.
8. 160.22 (X) – language prohibiting the sale of individual camping spaces has been added.
9. 160-23 Configuration of camping spaces – new regulations to allow for a fixed site configuration of 1500 square foot spaces or a freeform configuration based on a density limitation have been added to the revised ordinance. The freeform concept was added based on public input the Planning Board received during their work on the revisions. For the freeform spaces, separation standards and density of spaces is regulated since the minimum space size is not applied.
10. 160.24 Additional Standards for Camping Cabins, Alternative camping Units and Camping Tents – specific regulations for these types of units including a size limitation of 600 square feet of enclosed space with up to 300 square feet of unenclosed space for camping cabins and alternative camping units. The size limitation was debated extensively by the Planning Board and this figure was selected based on research of other ordinances and other campgrounds in Dare County and beyond.
11. 160-26 – Roads – standards have been updated to allow for turnaround areas other than a traditional cul-de-sac and the level of improvements of gravel and/or asphalt millings.

12. 160.27 Stormwater– The requirement for an engineered stormwater plan for any proposed park was added. In most instances a State stormwater permit will be required anyway due to the amount of land disturbance associated with the development of a park.
13. 160.30 Water and Wastewater Facilities – this section has been updated to recognize the use of restroom facilities in camping cabins or alternative camping units.
14. 160.31 Recreational Amenities – new section added to address the location and ownership of recreational amenities in a park. Individual pools at camping cabins or alternative camping units are not permitted.
15. 160.32 Camping spaces in conjunction with other commercial uses – new section added to establish provisions for the location of camping spaces at commercial developments. A minimum of 20 spaces is established. This will apply in C-3, I-1, S-1 and Hwy 345 districts and not in those commercial districts where campgrounds are not already permitted in the Zoning Ordinance or in the R-2A or R-2B districts, which are predominantly residential districts.
16. 160.34 –Emergency Use of Travel Trailers – this is a new section added to recognize the potential use of travel trailers for housing following a storm.
17. 160.51 – Storm Response Plan – a new section added to require park owners to develop a storm response plan and to notify park guests when an evacuation order is issued by Dare County. This requirement is not retroactive for existing parks.

A text amendment to the C-3 commercial zoning district was also recommended for approval by the Planning Board in conjunction with the revised TTPCO. Currently the C-3 district does not specifically list travel trailer parks or campgrounds as a use permitted in that district although there is a large park located on C-3 zoned land that was approved by Dare County in 1997. An amendment to the C-3 district will address the location of the park in the district by right versus an interpretation of consistency with the C-3 district that was applied in 1997 when the park was approved. The C-3 district allows a broad range of uses and campgrounds are consistent with the uses already allowed in the district. It is a better practice to have the use specifically addressed instead of relying on interpretations.

**SUMMARY:** The revised and updated Travel Trailer Park and Campground Ordinance was reviewed by the Planning Board over the course of several months. The revisions were initiated by me in response to several requests my office had received about the placement of alternative camping units and cabins in travel trailer parks. The TTPO does not currently include any provisions for such units and hence the standards to address these types of units. The revised ordinance, as recommended by the Planning Board, is designed to provide an easier to follow review

process, updated standards better suited for parks and not subdivisions, and to reflect the current trend of parks offering camping cabins and alternative camping units. The standards for a 50% mix, size limitation, occupancy timeframe, and park ownership have been included to address concerns that units will be used for permanent dwellings versus seasonal accommodations. The updated standards will allow developers the flexibility to offer non-traditional camping spaces in parks and represents what the Planning Board and staff identified as appropriate measures for future parks and campgrounds. If it is the consensus of the Board of Commissioners to consider the revisions, a public hearing is needed. The earliest possible date for a hearing is October 19, 2020.

Should the Board wish to make revisions based on public comments already received, then the draft ordinance can be revised to do so and such revisions advertised for public hearing as well. Advertisement of language to remove the 50%-cap as recommended by the Planning Board will allow for adoption following the hearing without delay and/or a second hearing should the Board wish to entertain that option as requested by public comments.

**Motion to schedule hearing on draft ordinance as recommended by the Planning Board:** *“I move that the draft travel trailer park and campground ordinance and C-3 text amendment as recommended by the Planning Board be scheduled for public hearing on October 19, 2020”.*

**Motion to schedule a public hearing as recommended by the Planning Board and with a second option of no cap on the number of camping cabins:** *“I move the draft travel trailer park and campground ordinance and C-3 text amendment be scheduled for public hearing on October 19. I further move that an option to delete the 50% cap on camping cabins be advertised also.”*

## Chapter 160 TRAVEL TRAILER PARKS and CAMPGROUNDS

### GENERAL PROVISIONS

#### 160.01. Permits

It shall be unlawful for any person, firm or entity to develop, construct, alter or extend any travel trailer or campground within the unincorporated area of the County of Dare unless a valid permit issued by Dare County.

#### 160.02 Applicability

This Ordinance shall apply to all areas of unincorporated Dare County in those zoning districts where travel trailer parks and campgrounds are authorized according to the Dare County Zoning Ordinance. The terms campground and travel trailer park are used interchangeably in this ordinance and the Dare County Zoning Ordinance.

#### 160.03 Use of Major Recreational Equipment

Major recreational equipment parked or stored on residential property or in any location other than an approved travel trailer park or campground shall not be used for living, sleeping, or housekeeping purposes. This does not preclude the parking or storage of such equipment on one's own property while not in use. Major recreational equipment is defined as including boats and boat trailers, pickup campers or coaches designed to be mounted on motor vehicles, motorized dwellings, tent trailers, travel trailers and recreational vehicles (RVs).

#### 160.04 Definitions (Amended 7—20—92; 5-21-2012)

ALTERNATIVE CAMPING UNIT. A camping unit constructed of canvas or other similar materials to be located in a PARK. Such units shall be constructed for compliance with any applicable sections of the North Carolina building code and the Dare County Flood Damage Prevention Ordinance. Alternative camping units may or may not include restroom and kitchen facilities. Such units shall be used as temporary quarters or shelter during periods of recreation, vacation, leisure time or travel and shall not be used for permanent living quarters. The term alternative camping unit includes terms such as yurts, eco-tents or other similar names.

~~ALL WEATHER SURFACE.~~ ~~A level of roadway improvement other than soil that has been graded, compacted and maintained in such a manner that it provides reliable vehicular access in any weather conditions.~~

CAMPING CABIN A structure constructed according to the North Carolina residential code that is intended to be located in a PARK. Such cabins shall be compliant with the Dare County Flood Damage Prevention Ordinance. Camping cabins may or may not include restroom and/or kitchen facilities. Such units shall be used as temporary quarters or shelter during periods of recreation, vacation, leisure time or travel and shall not be used for permanent living quarters.

CAMPING SPACE – a designated space designed for the parking of a travel trailer or for the location of a camper cabin, alternative camping unit or a camping tent.

CAMPING TENT. A temporary shelter constructed of canvas, fabric, plastic, or other similar materials supported and sustained by a pole(s) and/or guy lines. Camping tents shall be used for temporary quarters or shelter during periods of recreation, vacation, leisure time or travel and shall not be used for permanent living quarters and/or occupied by the same person or person for more than 30 consecutive days.

ENCLOSED AREA – An area that is fully contained or surrounded by rigid or solid walls that are connected to and covered by a roof.

ENTRANCE LANDING. – Structure including stairs or stairway used for the purpose of access to a travel trailer. Such landings shall not be constructed with walls and/or a roof or enclosed in any fashion other than handrails, lattice work, and/or pickets around the landing area. Entrance landings shall not exceed 100 square feet in area and shall not be permanently attached to the travel trailer. (5-21-2012)

PERMANENTLY ATTACHED ADDITIONS. Structural improvements that are bolted, strapped, or otherwise directly connected to a travel trailer. The Dare County Building Inspectors shall be responsible for making determinations on what constitutes “permanently attached addition”. (5-21-2012)

TRAVEL TRAILER. A self-propelled vehicle or structure, or a structure which is or may be situated upon or hauled by the body of a self-propelled vehicle, which contains sleeping or kitchen quarters or both sleeping and kitchen quarters. The definition shall include the terms camper, camping vehicle, and recreational vehicle.

TRAVEL TRAILER PARK AND/OR CAMPGROUND. A parcel (or contiguous parcels) of land which has been so designated, improved, and/or used so that it contains 2 or more sites or spaces available to the general public for rent and the placement thereon of travel trailers, camping cabins, alternative camping units or camping tents for occupancy. For the purposes of this ordinance, a travel trailer park and campground shall be hereinafter referred to as a PARK. PARKS may be comprised of a mix of travel trailers, camping cabins, alternative camping units and camping tents.

UNENCLOSED AREA An area that is not contained or surrounded by rigid or solid walls. Unenclosed areas may be covered by a roof and may have partial walls constructed of pickets, lattice work, boards or other similar materials. Insect screening may be used in conjunction with partial walls in unenclosed areas. Windows or glass coverings shall not be allowed in unenclosed areas.

### *PROCEDURES FOR APPROVAL*

#### 160.15 Preliminary Approval

- (A) Any proposed PARK shall be subject to review by the Planning Board unless the Dare County Zoning Ordinance specifies the PARK shall be subject to conditional use permit review. If so, the procedures for review as a conditional use permit shall be followed with submittal of the preliminary site plan for review by the Planning Board and approval of the preliminary site plan by the Board of Commissioners.
- (B) Submission and Contents The applicant shall submit to the Planning Board, at least fifteen (15) days prior to a regularly scheduled meeting of the Planning Board, ten (10) print copies and one (1) digital copy of a site plan of the proposed PARK prepared by a professional engineer or land surveyor currently licensed or

registered by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors containing the following information:

- (1) A vicinity map of the proposed PARK showing its location in relation to neighboring tracts, subdivisions, roads, and waterways;
- (2) The boundaries of the entire tract and the portion of the tract to be developed;
- (3) The total acreage to be developed;
- (4) The existing and proposed uses of the land within the PARK and the existing uses of adjoining lands including names of owners of adjoining lands;
- (5) The proposed street layout with pavement and right-of-way width, site layout and size of sites;
- (6) The name, address, and telephone number of the owner and, if applicable, a written and acknowledged statement of the owner designating the applicant or other person to act as his agent for the submission of plats;
- (7) The name of the proposed PARK;
- (8) Streets and lots of adjacent developed or platted properties;
- (9) Title Block containing:
  - (a) Property designation
  - (b) Name of Owners
  - (c) Location (including township, county and state)
  - (d) Date or dates survey was conducted and plat prepared
  - (e) A scale of drawing in feet per inch listed in words or figures
  - (f) Name, address, registration number and seal of the land surveyor and/or professional engineer
- (10) Corporate limits, township boundaries, county lines if on the tract
- (11) The names, titles, firm association, addresses and telephone numbers of all owners, developers, mortgagees, planners, architects, landscape architects, and engineers responsible for the PARK.
- (12) North arrow and orientation
- (13) Boundary lines of the tract, fully dimensioned by lengths and bearings, and the location of existing boundary lines of adjoining lands
- (14) Minimum building setback lines, front, side and rear as applied to the entire parcel.
- (15) The zoning classifications of the tract and adjoining properties .

(16) Existing buildings or other structures, water courses, bridges, culverts, storm drains, both on the proposed PARK and adjoining lands.

(17) Proposed camping spaces and dimensions numbered consecutively throughout the PARK

(18) Wooded areas, marshes, swamps, mean high tide line, vegetation line, primary and other dunes, ponds or lakes, streams or streambeds and any other natural features affecting the site.

(19) Flood hazard, floodway and floodway fringe areas and regulatory flood elevation data if available

(20) The following data concerning streets:

(a) Proposed streets

(b) Existing and platted streets on adjoining properties and in *the* proposed PARK

(c) Rights-of-way, location and dimensions including width of the proposed improved area

(d) Approximate grades and linear footage of roads

(e) Design engineering data for all corners and curves

(f) Typical street cross sections

(g) Street names – such names shall not conflict with other existing street names in unincorporated Dare County. Street name signs shall be erected in the PARK by the PARK owner.

(21) The location and dimensions of all (if applicable):

(a) Utility and other easements

(b) Riding trails, pedestrian and/or bicycle paths

(c) Parks and recreation areas with specific type indicated

(d) Areas to be dedicated to or reserved for public use

(22) The plans for utility layouts including:

(a) Wastewater systems

(b) Stormwater management systems or improvements

(c) Water distribution lines

(d) Electric, gas, telephone, cable or other utility services

(e) Illustrative connections to existing systems, line sizes, the location of fire hydrants, blowoffs, manholes, force mains and gate valves, etc.

(f) Plans for individual water supply and sewage disposal systems.

(23) Site calculations including:

(a) Acreage in total tract including any wetland areas

(b) Total number of camping spaces

(c) Size of smallest space in the PARK.

(d) The names and location of any property or buildings within the proposed PARK or within any contiguous property that is located on the U.S. Department of Interior's National Register of Historic Places

(e) Sufficient engineering data to determine readily and reproduce on the ground every straight or curved lines, street line, lot lines, right-of-way line, easement line, and setback line, including dimensions, bearings, or deflection angles, radii, central angles, and tangent distance for the center line or curved property lines that are not the boundary line of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute

(f) The accurate locations and descriptions of all monuments, elevations, markers, and control points

(g) Topographic map when it is determined by the planning board that one is needed, with contour intervals and scale as determined by the planning board

(h) Boundaries of all Areas of Environmental Concern designated in accordance with the Coastal Area Management Act of 1974

(24) If the PARK is to be developed in phases, the boundaries of each phase and the sequence in which each is to be developed

(25) An inventory and evaluation of the soil and water resources within the proposed PARK

**(C) Review**

(1) Review by Other Agencies. A copy of the preliminary site plan shall be submitted to the district highway engineer, the county health director and to other appropriate agencies to assure coordination with the North Carolina Coastal Management Program and offices of the County for their review and recommendations.

(2) Review by Planning Board

(a) After considering any report and/or recommendations received in addition to any comments which the applicant may have, the Planning Board shall approve or disapprove the preliminary site plan. If the Planning Board disapproves the preliminary site plan, the reasons for such action shall be stated, and recommendations made on the basis of which the proposed PARK could be approved.

(b) Once the Planning Board has approved the preliminary site plan, work to install the infrastructure and other park improvements may begin. Any necessary building permits shall be obtained from the Dare County Building Inspector.



(c) For those PARKS subject to conditional use permit review, the review procedures set forth in the Dare County Zoning Ordinance shall be followed. Work to install the infrastructure and other park improvements may begin after conditional use approval is granted by the Board of Commissioners. Any necessary building permits shall be obtained from the Dare County Building Inspector.

#### 160.16. Final Approval

(A) Preparation of Final Site Plan and Installation of Improvements. Prior to approval of a final site plan, the applicant shall install all the improvements as approved on the preliminary site plan. No final site plan will be accepted for review unless accompanied by a statement signed by the applicant certifying that all of the provisions of this Ordinance have been complied with and that all of the required improvements have been installed.

(B) *Submission of the final site plan.*

(1) Upon completion of all improvements, the applicant shall submit the final site plan to the Dare County Planning Director for review.

(2) The final plat for the PARK shall be submitted not more than 12 months after the date on which the preliminary site plan was approved by Dare County; otherwise approval of the preliminary site plan shall expire and be null and void.

(3) The Planning Board may grant an additional 12 months for the installation of improvements and submission of the final site plan if the PARK owner applies for such extension in writing before the expiration of the initial period and has begun to install the required improvements.

(4) Five copies of the final site plan shall be submitted to the Dare County Planning Director for review and final approval.

(5) The final site plan shall be prepared by a land surveyor or professional engineer currently licensed and registered in the State of North Carolina by the North Carolina State Board of Registration for Professional Engineers and Land Surveyors.

(6) If the final site plan is disapproved by the Planning Director, the reasons for such disapproval shall be stated in writing, specifying the provisions of this ordinance with which the final site plan does not comply. If the final site plan is disapproved the applicant may make such changes as will bring the final site plan into compliance and resubmit for reconsideration by the Planning Director as if it were an original submission of a final site plan. The Planning Director may recommend the final site plan be submitted to the Planning Board for review and approval if the final site plan is inconsistent with the approved preliminary site plan.

(G) Once the final site plan has been approved by the Planning Director, the PARK may operate as approved by Dare County.

\_160.17 Certification.

The following signed and acknowledged certificates or required portions thereof shall appear on all copies of the final plat:

Certificate of Ownership

I hereby certify that I am the owner of the property shown and described hereon, which is located in the unincorporated jurisdiction of the County of Dare and that I hereby adopt this plan for a Travel Trailer Park and Campground with my free consent and agree to the operate the Park according to the provisions of the Dare County Travel Trailer Park/Campground Ordinance and the approved site plan for the Park.

\_\_\_\_\_  
DATE OWNERS

I, \_\_\_\_\_, hereby certify that personally appeared before me this day and acknowledged the due execution of this certificate. Witness my hand and official seal this the \_\_\_\_\_ day of \_\_\_\_\_, 20

\_\_\_\_\_

Signature

Official Seal

State of North Carolina Dare County

I, \_\_\_\_\_, certify that this map was (drawn by me) (drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision) (deed description recorded in Book \_\_\_\_\_, Page \_\_\_\_\_, Book \_\_\_\_\_ Page \_\_\_\_\_, etc.) (other); that the ratio of precision as calculated by latitudes and departure is 1: \_\_\_\_\_; that the boundaries not surveyed are shown as broken lines plotted from information found in Book \_\_\_\_\_, Page \_\_\_\_\_; that this map was prepared in accordance with G.S. 47— 30, as amended; and that the prescribed reference points have been properly placed. Witness my hand and seal this \_\_\_\_\_ day of \_\_\_\_\_ 20

Certificate of Approval

I hereby certify that the PARK shown hereon has been found to comply with the relevant portions of the Travel Trailer Park and Campground Ordinance of the County of Dare and that this site plan has been approved by Dare County.

\_\_\_\_\_

Date

Dare County Planning Director

*STANDARDS*

160.20. Development Standards (See Section 160.32 for development standards for camping spaces in conjunction with other commercial uses.)

Each PARK shall comply with the design standards of this ordinance as minimums and shall contain the improvements specified which shall be installed and paid for by the applicant. Land shall be dedicated or reserved as required.

160.21 Reference Points:

Prior to the approval of the final plat, permanent reference points shall have been placed in accordance with section 39-32.1 et seq. of the General Statutes of North Carolina. At least one corner of the PARK shall be designated by course and distance (tie) from a readily discernible reference marker. Each PARK shall be adequately staked to show the boundaries of the lot with stakes not less than three feet long and driven into the ground not less than two feet.

160.22. General Standards for all PARKS:

(A) The design and development of a PARK shall preserve the natural terrain, natural drainage, existing topsoil, trees and natural vegetation to the maximum extent possible.

(B) All PARKS shall contain at least two acres of contiguous area.- This two acre minimum shall not include any coastal or freshwater wetland areas.

(C) PARKS may be comprised of all travel trailers or may feature a mix of travel trailers, camping cabins, alternative camping units and camping tent sites. The preliminary and the final site plan shall identify the proposed use of each space or camping area. If a PARK is proposed to feature other camping units than travel trailers, a minimum of 50% of all camping spaces shall be designated and used as travel trailer spaces.

(D) All PARKS shall have utilities and facilities such as sewer, gas, electrical and water systems located and constructed to minimize flood damage.

(E) All development, improvements, structures, and utilities shall comply with the applicable Areas of Environmental Concern (AEC) Standards and any other rules promulgated pursuant to the Coastal Area Management Act of 1974.

(F) Where deemed necessary by the Planning Board, a pedestrian walk may be required to provide convenient access to a public area such as a park or school, to a water area, or to areas such as shopping centers, religious or transportation facilities.

(G) PARKS shall be considered commercial land uses and the maximum overall lot coverage of impervious surfaces shall be 60% of the total parcel acreage excluding freshwater and coastal wetland areas unless a different lot coverage limitation for travel trailer parks/campgrounds is established by the applicable zoning district regulations for the site.

(H) Camping spaces shall be located a minimum of ten (10) feet from any property line of the overall PARK boundaries.

(I) Each camping space shall be properly graded to obtain a reasonably flat site and to provide adequate drainage away from the space.

(J) No camping space shall have direct vehicular access to a public road.

(K) The PARK shall be developed with proper drainage ditches. All banks shall be sloped and seeded.

(L) When the park has more than one direct access to a public road, each access shall not be less than three hundred (300) feet apart or closer than three hundred (300) feet to a public road intersection unless topographical conditions or unusual site conditions demand otherwise.

(M) The PARK shall have a buffer strip adjacent to the park boundary extending along the entire perimeter of the park. The planting strip shall not be a portion of any lot, road, or private drive. The buffer strip shall consist of a planted strip of land at least five (5) feet in width composed of indigenous deciduous and/or evergreen trees, spaced not more than ten (10) feet apart, and not less than one (1) row of indigenous dense shrubs, spaced not more than five (5) feet apart and five (5) feet or more in height after one growing season, which shall be planted and maintained in a healthy, growing condition by the property owner.

(N) The PARK shall provide all utilities required by this section.

(O) Each PARK shall have a central structure or structures that will provide separate toilet and shower facilities for both sexes. Concession areas with retail sales and laundry facilities may be provided in the PARK for PARK guests.

(P) Where electrical service is used, the installation and use of such facilities shall conform with all applicable codes.

(Q) Mobile homes in Travel Trailer/Campgrounds. It shall be unlawful for a person to occupy, park or store a mobile home in a PARK unless mobile homes are used for employee housing. –

(R) Residential structures may be located within the PARK for use as employee housing for an on-site PARK manager and other employees. Employee housing units shall be located in a designated area in the PARK and identified on the preliminary and final site plan. The total number of employee housing units shall not exceed the overall number of employees. Travel trailers and alternative camping units shall not be used for employee housing.

(T) Sales of travel trailers and/or camping vehicles in a PARK on a commercial basis shall be unlawful.

(U) Sales of travel trailer spaces shall be unlawful within a PARK.

(V) Travel trailers/recreational vehicles placed on sites within a Special Flood Hazard Area shall either:  
(1) Be on site for fewer than 180 consecutive days,  
(2) Be fully licensed and ready for highway use, or

(3) Meet all the requirements for new construction, including anchoring and elevation requirements of the Dare County Flood Damage Prevention Ordinance.

A travel trailer/recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

Entrance landings as defined in this ordinance shall be allowed.

(W) The length of occupancy of any travel trailer, camper cabin, alternative camping unit and/or camping tent shall be less than 90 consecutive days.

(X) Ownership of camping spaces shall be retained by the PARK owners. Camping cabins and alternative camping units shall not be individually conveyed or sold in fee simple title, as condominiums, fractural ownership or interval ownership. Camping units shall be used as temporary quarters or shelter during periods of recreation, vacation, leisure time or travel and shall not be used for permanent living quarters.

#### 160.23 Configuration of Camping Spaces

Camping spaces may be constructed with a fixed site layout with individual camping spaces configured in a linear layout based on a minimum camping space area or camping spaces may be constructed with a freeform layout with camping spaces configured in a non-linear layout whereby camping spaces are separated by a minimum distance. A combination of the two formats may be used with the PARK boundaries.

##### (A) Fixed configuration

1. Each camping space shall consist of a minimum area of fifteen hundred (1500) square feet with a minimum width of 30 feet with side space lines at right angles or radial to street lines. Each camping space shall be designated on the ground by markers or monuments. Each camping space shall be identified on the preliminary and final site plans.

2. No more than one (1) travel trailer, camping cabin or alternative camping unit may be parked or placed on any one camping space. A minimum of one 10' x 20' parking space for a motor vehicle shall be located and identified within each camping space. Internal access roads shall not be blocked by motor vehicles or travel trailers.

3. Each camping space that will be utilized by a travel trailer shall be improved with a surface material such as gravel or concrete to provide a stabilized area for travel trailers. Impervious surfaces shall be counted as lot coverage.

##### (B) Freeform configuration

1. Camping spaces may be configured to allow flexibility in siting of camping spaces without the minimum area of 1500 square feet applied to each camping space. In lieu of the minimum camping

space area, a maximum density of 28 camping spaces per one (1) acre of land shall be applied to freeform camping areas. Density of freeform camping areas shall be adjusted based on this 28-space limitation for areas less than one acre that are designated for freeform camping spaces within the PARK boundaries.

2. Camping units within freeform camping areas shall be separated from other camping units or other structures within the PARK by a minimum of 15 feet. This separation shall be measured from the footprint of a camping unit to the footprint of any adjoining camping unit or other structures in the PARK. Each freeform camping space shall be designated on the preliminary and final site plans with the separation measurements from other camping units, PARK boundaries, and other structures included on the site plan. Tent guy lines shall be excluded from the footprint area of separation.

3. A minimum of one 10' x 20' parking space for a motor vehicle shall be located and identified for each freeform camping space. Internal access roads shall not be blocked by motor vehicles or travel trailers.

4. Each camping space that will be utilized by a travel trailer shall be improved with a surface material such as gravel or concrete to provide a stabilized area for travel trailers. Impervious surfaces shall be counted as lot coverage.

#### 160.24 Additional Standards for Camping Cabins, Alternative Camping Units and Camping Tents.

(1) Camping cabins and alternative camping units shall be constructed according to North Carolina State residential codes, the Dare County Flood Damage Prevention Ordinance and all other applicable federal, state and local regulations.

(2) Camping cabins and alternative camping units shall not exceed 600 square feet of enclosed area. The square footage of decks and unenclosed areas shall not exceed 50% of the square footage of a camping cabin or alternative camping unit but in no instance shall the square footage of decks and unenclosed areas exceed a maximum of 300 square feet. Steps, stairs, and stairways shall not be included in the square footage of the unenclosed areas.

(3) A maximum of two camping cabins and alternative camping units may be connected by unenclosed areas according to the square footage limitations of subsection (2) of this section and the units shall be separated by a minimum of fifteen (15) feet.

(4) Camping cabins and alternative camping units may contain sleeping, restroom and kitchen facilities.

(5). Areas for camping tents may be dedicated within the boundaries of any PARK and should be delineated on the preliminary and final site plans. Such areas shall be used for camping tents only. Camping tents shall be used for temporary quarters or shelter during periods of recreation, vacation, leisure time or travel and shall not be used for permanent living quarters and/or shall not be occupied for 30 consecutive days or more.

### 160.25 Suitability of Land

Areas that have been used for the disposal of solid waste shall not be used for a PARK lots until the disposal of solid waste has been discontinued for at least ten years and then only if tests by the County Health Department, a structural engineer and a soils expert determine that the land is suitable for the purpose proposed.

### 160.26 Roads and Access

(A) Internal access roads shall be used to provide access to all camping sites.

(B) Internal access roads shall be a minimum width of twenty (20) feet for two-way traffic. In some instances, one-way streets, twelve (12) feet in width, may be authorized by Dare County to access amenity areas or camping spaces where maneuverability of travel trailers or recreational vehicles is not compromised by the decreased road width.

(C) Internal access roads are encouraged to be of a circular design to allow maneuverability of travel trailers and other recreational vehicles using the PARK. The design of any cul-de-sac or turnaround area shall be consistent with North Carolina Department of Transportation standards.

(D) Internal access roads shall be improved with eight inches of ABC or STBC type 3 base course materials. Recycled asphalt or asphalt millings may be used but if used, then such material shall be considered an impervious surface and counted as lot coverage.

(E) Internal access roads shall be maintained by the PARK owner.

### 160.27 Storm Water Drainage System

A stormwater management plan prepared by a licensed North Carolina engineer shall be submitted in conjunction with the site plan for any proposed PARK. Design criteria used for the stormwater plan shall be consistent with those used by the State of North Carolina for development activities in coastal counties but at a minimum shall be designed to capture and retain a 10-year 24-hour storm event. The design criteria shall be identified in the plan and appropriate on-site improvements to address stormwater conditions shall be installed as part of the preliminary plat approval.

### 160. 28 Park Name

The name of the ~~Travel Trailer~~ Park shall not duplicate nor closely approximate the name of an existing subdivision or travel trailer park/campground\_within Dare County.

### 160.29. Solid Waste Collection

Solid waste containers shall be provided on site and shall be identified on the preliminary and final site plans submitted to the Planning Board. The location of solid waste containers and the appropriate number required for each PARK shall be subject to review and approval by the Dare County Public Works Department. A copy of the preliminary site plan shall be provided to the Public Works Department as part of the Planning Board review process. Solid waste containers shall be placed on the site prior to final plat review and approval.

### 160.30. Water and Wastewater Systems

(A) PARKS not connected to municipal or county water and/or sanitary sewer systems must have a suitable source of water supply and sanitary sewage disposal, which complies with the regulations of the Dare County Health Department and with the applicable laws of North Carolina and is approved by the County Health Department.

(B) A sewage dumping station may be provided at the PARK but shall not be used in lieu of the facilities required in subsection (D) below. Any dumping station shall be approved by the applicable State agencies.

(C). Individual utility connections for sites may be provided in addition to service buildings. The provision of individual utility connections do not alleviate the need to provide permanent service facilities as specified below:

(D) One (1) flush toilet, one shower and one lavatory for each sex per every twenty approved camping spaces provided that camping cabins and alternative camping units that include individual restroom facilities in the unit shall be counted at 50% in the fixture-to camping space ratio calculation.

(E) All toilet, shower, lavatory and laundry facilities shall be provided and maintained in a clean, sanitary condition and kept in good repair at all times. They shall be safely and adequately lighted. Facilities shall be easily accessible and conveniently located.

(F) All toilet, urinals, shower, lavatory and laundry room facilities shall be constructed according to North Carolina building codes and the Dare County Flood Damage Prevention Ordinance.

### 160. 31 Recreational Amenities

Recreational amenities may be provided in the PARK and shall be identified as common areas on the preliminary and final site plans. Such amenities shall be constructed according to all applicable federal, state, and county ordinances. Ownership of the recreational amenities shall be retained by the PARK owners. The construction of swimming pools at any individual camping space shall be prohibited.

### 160.32 Camping Spaces at Commercial Sites

In areas zoned C-3, I-1, S-1 and Hwy 345, camping spaces may be developed on a commercial site in conjunction with other commercial uses according to the following provisions and shall not be considered as a PARK.

(A) A minimum of twenty (20) camping spaces shall be provided for travel trailers and alternative camping units only. If camping cabins are proposed in conjunction with other commercial uses, then Section 22-31 Group Developments shall apply.

(B) The camping spaces shall be developed according to the provisions of Section 160.23 (A) or (B), Camping Area Configuration.



(C) The development of camping spaces at existing commercial sites shall be subject to conditional use permit review and approval.

(D) All camping spaces shall be grouped in one area of the site used exclusively for camping spaces. The camping spaces shall not be interspersed throughout the commercial site. The perimeter of the camping spaces shall be buffered according to Section 160.22 (N) of this ordinance.

(E) Water and wastewater facilities as established in Section 160. 30 shall apply however the use of shared facilities may be authorized by the Board of Commissioners on a case by case basis as determined during the conditional use review and approval process.

(F) Ownership of camping spaces shall be retained by the property owner. Camping spaces shall not be individually conveyed or sold in fee simple title, as condominiums, fractural ownership or interval ownership. Camping units shall be used as temporary quarters or shelter during periods of recreation, vacation, leisure time or travel and shall not be used for permanent living quarters.

#### 160.33 Year-round Placement of Units in PARK

Travel trailers and other recreational vehicles may be located in a PARK on a year-round basis and shall not be used for permanent dwellings or year-round occupancy by individuals or groups of individuals.

160.34 Temporary Emergency Use of Travel Trailers – The use of travel trailers for temporary housing may be authorized by the Dare County Board of Commissioners during storm recovery and reconstruction. Emergency use of travel trailers shall not be subject to the provisions of this ordinance.

#### 160.40 NONCONFORMING TRAVEL TRAILER PARKS

All travel trailer parks that existed on or before March 18, 1985 shall be considered to be pre-existing and non-conforming and shall be exempt from the standards of this ordinance except for the following:

(A) Roads — Access and circulation roads shall be of an all- weather surface and shall be maintained on a regular basis to eliminate ruts, potholes, etc. The road maintenance shall be the responsibility of the park owner/operator. The Dare County Planning Department may inspect roads on a regular basis to determine if the roads are at an acceptable level of improvement. If roads are found to be in need of maintenance, the Planning Department shall notify the park owner/operator in writing of the need for road maintenance. The park operator shall have 90 days from receipt of the notice in which to complete the necessary maintenance to bring the roads back to an acceptable level.

(B) Recreational vehicles placed on sites within a Special Flood Hazard Area shall either:

- (1) Be on site for fewer than 180 consecutive days,
- (2) Be fully licensed and ready for highway use, or
- (3) Meet all the requirements for new construction, including anchoring and elevation requirements of Dare County Flood Damage Prevention Ordinance.

A recreational vehicle is ready for highway use if it is on its wheels or jacking system, is attached to the site only by quick disconnect type utilities and security devices, and has no permanently attached additions.

Entrance landings as defined in this ordinance shall be allowed. (5-21-2012)

(C) In existing trailer parks where travel trailers are set up with porches, decks, screened rooms, or additions other than the allowable entrance landing, the non-conforming improvements may continue to exist as they did prior to July 20, 1992 until ownership or occupancy of the travel trailer has changed or the non-conforming improvements have been otherwise destroyed provided that such improvements are not permanently attached to a travel trailer by bolting, strapping or some other method. Should there be a change in ownership, occupancy or some other occurrence that results in the loss of the non-conforming improvement, such improvement shall be not reconstructed. It may however be replaced with a 100 square foot entrance landing as defined in this ordinance. (revised 5-21-2012)

(D) Any travel trailer park or campground in existence on ????? 2020 shall be considered a pre-existing PARK and shall not be subject to the provisions of this chapter. However, any existing PARK, if expanded, shall adhere to the revisions to the ordinance as adopted by the Dare County Board of Commissioners on ??? 2020. Any existing park may be modified to include camper cabins, alternative camping units or camping tent sites subject to the provisions of this chapter as adopted by the Dare County Board of Commissioners on ????? 2020.

160.50 Debris Removal (added to ordinance on 5-21-2012)

Dare County will not be responsible for the removal of damaged RVs. Damaged units shall not be placed or abandoned on the right-of-way of any public or private road. Park owners shall be responsible for any debris removal or clean-up costs that may result for storm conditions or other natural disasters that occur. Violations of this section of this ordinance shall be considered to be a violation of Chapter 96 Littering of the Dare County Code of Ordinances and subject to the terms of the chapter.

160.51 Storm Response Plan (for PARKS developed after insert date of adoption) – Each PARK owner shall develop a storm response plan of appropriate actions that will be taken before, during and after storm events. In the event evacuation orders are issued by Dare County, the PARK owner shall notify PARK guests of the order.

160.60 Enforcement and Administration (added to ordinance on 5-21-2012)

Park owners shall be notified in writing of any violations of this ordinance that are identified by the Dare County Planning Department. The written notification shall state the nature of the violation, the identified method of correction of the violation, and the timetable for correction of the violation. Park owners shall be responsible for informing the individual RV owner of any violation and ensuring that the violation is corrected as notified by the Planning Department. Violations of this ordinance shall be subject to the general penalties set forth in Chapter 10.99 of the Dare County Code of Ordinances.

[Print](#)

## Dare County, NC Code of Ordinances

**SECTION 22-26 - C-3 COMMERCIAL DISTRICT**

The following regulations shall apply to the C-3 commercial district:

**(a) Intent.** The C-3 district is established to provide for the development of commercial facilities to furnish a broad range of services and commodities to serve the entire community.

**(b) Permitted uses.** The following uses shall be permitted by right:

**(1)** All permitted uses allowed within the C-2 general commercial district. Single-family dwellings, multi-family dwellings and duplexes according to the dimensional requirements of the R-3 residential district. The maximum dwelling density for multi-family structures shall not exceed ten units per acre. (Amended 10-15-2018)

**(2)** Automobile sales and service.

**(3)** Indoor recreation activities.

**(4)** Building supply and equipment sales.

**(5)** Plumbing supply and equipment sales.

**(6)** Cabinet and woodworking shops.

**(7)** Bus terminals.

**(8)** Building contractors offices and storage areas.

**(9)** Farm machinery supplies, sales and repairs.

**(10)** Mobile home or recreational vehicle display and sales.

**(11)** Boat display and sales.

**(12)** County owned or leased facilities.

**(13)** Boat engine repair and boat maintenance. (Adopted 5-2-2011)

**(14)** Workforce housing - administrative review for one WHU subject to provisions of Section 22-58.7.

**(15)** Commercial storage yards as defined in Section 22-2 provided the following conditions are met:

**a.** Storage areas shall be enclosed with fencing for security purposes. Such fencing shall be at least 6 feet in height but shall not exceed 10 feet in height. The security fencing shall be maintained as needed by the property owner.

**b.** A vegetative buffer in addition to the security fencing shall be installed and perpetually maintained where the storage yard abuts a residential zone or a residential use to the side or the rear of the site. The vegetative buffer shall be of a sufficient size and height to effectively buffer the site from the abutting residential zone or residential use. A plan detailing the type, size, and species of vegetation proposed for use as a buffer shall be provided to the Zoning Administrator for review and approval. Existing on-site vegetation may be used if deemed to be sufficient by the Zoning Administrator.

**c.** There shall be no storage of inoperable or junked vehicles and equipment; unoccupied mobile (manufactured) homes; unattached flatbed trailers or container-type trailers designed for connection to tractor-trailer trucks; or large pieces of equipment used in dredging operations, road construction, and other industrial uses. Any vehicle or trailer stored on the site shall have a valid license plate and/or valid owner registration.

**d.** No recreational vehicles, travel trailers, or campers stored on the site shall be occupied or used for habitation while stored at the site.

**e.** All vehicles and equipment stored on the site shall be locked, enclosed or otherwise fashioned to such an extent that it is impossible for a child to obtain access or be entrapped in such vehicle or equipment.

**f.** There shall be no bulk storage of fuel, paint, or other combustible or hazardous materials at the site. (Adopted 10-21- 2019)

**(c) Conditional Uses.** The following conditional uses shall be permitted, subject to the requirements of this district and additional regulations and requirements imposed by the Board of Commissioners as provided in Article IX of this chapter or Chapter 152 of this code:

**(1)** Automobile service stations; provided that no principal or accessory building shall be located within fifty feet of a residential use or district, that there shall be not storage of wrecked or abandoned cars and that no portion of a service station building, equipment or gas pumps shall be nearer than twenty-five feet to any right-of-way.

**(2)** Public and private utility facilities.

**(3)** Seafood market.

**(4)** Outdoor recreation activities. Outdoor recreation activities, including amusement parks, rides and other similar activities, may be permitted subject to other requirements of this chapter and provided the following conditions are met:

**a.** The site shall not be located closer than 500 feet to any land suitable for development and zoned residential.

**b.** Paved parking shall be provided at the rate of one parking space per 200 square feet of principal use ground area plus one for each two employees.

**c.** Holding lanes shall be provided on the site for automobiles entering and leaving the site to minimize traffic congestion on public roads.

**d.** Lighting shall be arranged and shielded so that light and glare is directed away from surrounding property.

**e.** Loudspeakers or sound amplification devices which are audible over 100 hundred feet from the site shall not be permitted.

The entire site shall be buffered by dense vegetative planting or natural vegetation not less than eight feet in height and ten feet in width. Suitable plant types for a site not containing natural vegetation shall be those recommended for the coastal area by the U.S. Department of Agriculture, such as Japanese Pine, Bayberry, Wax Myrtle or other types, which will reach a matured growth of eight to ten feet within three years.

**(5)** Biodiesel fuel production, subject to the following conditions and additional regulations and requirements imposed by the Dare County Board of Commissioners as provided in Article IX of this chapter or Chapter 152 of this code:

- a.** A structure, of suitable size to house all production equipment shall be approved by the Dare County Health Department, Building Inspector and Fire Marshal;
  - b.** All production facilities including structures, storage tanks, equipment and other appurtenances shall conform with setbacks established for primary use structures;
  - c.** Verification from the U.S. Environmental Protection Agency, and all other applicable agencies, shall be submitted to indicate that all environmental requirements have been met;
  - d.** The facility shall be registered with the North Carolina Department of Revenue;
  - e.** The developer shall verify that production waste will be disposed of with a suitable disposal service or facility;
  - f.** Reactor size shall not exceed a 700 gallon capacity. Assurance of reactor size shall be provided by the manufacturer and/or registered engineer;
  - g.** Fuel production shall not exceed 500 gallons per week;
  - h.** A 5 foot wide vegetative buffer is required along those property boundaries adjacent to a residential use or district; and
  - i.** A 15 foot wide, improved access shall be provided to the site. (Adopted 12-1-2008)
- (6)** Vehicle storage impoundment facility provided the following conditions are met:
  - a.** Vehicles shall only be stored on a short-term basis which is defined as 60 consecutive days for the purpose of this regulation.
  - b.** A vehicle storage impoundment facility shall be located on a site no greater than 40,000 square feet in area.
  - c.** Storage areas shall be enclosed with fencing for security purposes. Such fencing shall be 8 feet in height. If chain link fencing is approved for use by Dare County, then such fencing shall include slatting within the fence openings in the same color as the fence material. The security fencing shall be maintained as needed by the property owner. Solid fencing may be required by Dare County as determined during conditional use review of the site based on the existing land uses adjacent to the proposed vehicle storage impoundment facility.
  - d.** A vegetative buffer in addition to the security fencing shall be installed and perpetually maintained where the storage yard abuts a residential zone or a residential use to the side or rear of the site. The vegetative buffer shall be of a sufficient size and height to effectively buffer the site from the abutting residential zone or residential use. Existing vegetation may be used if of sufficient size to effectively buffer the site. If existing vegetation cannot be used, then a plan detailing the type, size and species of vegetation proposed for use as a buffer shall be provided to the Zoning Administrator for review and approval. The vegetative buffer shall be maintained as needed by the property owner. Solid fencing of wood or other solid materials may be required by Dare County.
  - e.** All vehicle storage areas and buffers shall be located a minimum distance of 100 feet from the front property line of any property that abuts US Highway 64 on Roanoke Island or abuts NC 12 Highway on Hatteras Island shall be established. All other sites that do not abut these highways shall be subject to the front yard setback of 15 feet as established for the C-3 district.
  - f.** All vehicles stored on the site shall be locked, enclosed or otherwise secured to such an extent that it is impossible for a child to obtain access or be entrapped in a vehicle.
  - g.** The location of all proposed light fixtures shall be depicted on a site plan. Lighting fixtures shall be located on the site and designed, shielded, or oriented in such a manner as to

minimize light spill across property lines. No light fixture shall exceed 18 feet in height and the maximum allowable footcandle from any light fixture shall not exceed a maximum of 8 footcandles. Documentation certifying the footcandle rating of any proposed light fixtures shall be submitted with the site plan. It shall be the responsibility of the property owner to ensure that all light fixtures are maintained to ensure compliance with the footcandle rating. (Adopted 1-22-2013)

(7) Workforce housing units - conditional use review if two or more WHU units subject to provisions of Section 22-58.7.

(8) Educational housing projects subject to the provisions of Section 22-58.8.

(9) Conditional use subdivisions subject to the provisions of Section 22-58.9.

**(d) Dimensional requirements:**

(1) Minimum lot size: Commercial lots shall be of sufficient size to meet requirements of the County Health Department, to provide adequate siting for structures and to provide parking, loading and maneuvering space for vehicles as required by Article VII of this chapter. In addition, a visual buffer is required where a commercial use or zone abuts a residential use or zone.

(2) Minimum front yard: 15-feet.

(3) Minimum side yard: 10-feet; no side yards required if commercial building constructed with a common wall. An additional 5-foot yard adjacent to the street is required for a corner lot.

(4) Minimum rear yard: 20-feet.

(5) Maximum allowable lot coverage by principal use and all accessory structures: 60%.

(6) Height limitation: 35 feet.

(11-20-75, art. 7, 7.11, 2-6-78, 2, 3, 6.)

(7) Maximum gross building size: 20,000 square feet excluding decks, porches and similar non-heated space. Non-heated space including decks and porches shall not be used as retail space for the display of goods, or other commercial activities.

Group developments with a maximum area of 20,000 square feet per individual building, excluding decks and porches.

This gross building size limitation shall not apply to hotels and/or motels.

(Adopted by the Dare County Board of Commissioners on May 6, 2002)

(8) In the event a natural disaster or accidental occurrence leads to extensive damage (in excess of 50% value) of a structure or group development project in existence prior to May 6, 2002, such structure or group development may be repaired, replaced or reconstructed to 100% of its status prior to damage or destruction but no greater unless otherwise authorized by the Dare County Board of Commissioners.

(Adopted 2-19-07)

(Am. Ord. passed 9-16-2019)



*Consent Agenda*

**Description**

1. Approval of Minutes - September 21, 2020
2. Dare County Wilkenson Building Lease
3. DHHS - Social Services Division COVID APS/CPS Essential Worker Funding Amendment

**Board Action Requested**

Approval

**Item Presenter**

Robert Outten, County Manager



*Approval of Minutes*

**Description**

The Board of Commissioners will review and approve their previous Minutes, which follow this page.

**Board Action Requested**

Approve Previous Minutes

**Item Presenter**

Robert Outten, County Manager





# County of Dare

P.O. Box 1000 | Manteo, NC 27954

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## MINUTES

### DARE COUNTY BOARD OF COMMISSIONERS MEETING

Dare County Administration Building, Manteo, NC

**5:00 p.m., September 21, 2020**

Commissioners present: Chairman Robert Woodard, Vice Chairman Wally Overman  
Steve House, Jim Tobin, and Ervin Bateman  
Commissioner Danny Couch attending remotely

Commissioners absent: Rob Ross

Others present: County Manager/Attorney, Robert Outten  
Deputy County Manager/Finance Director, David Clawson  
Master Public Information Officer, Dorothy Hester  
Clerk to the Board, Cheryl Anby

A full and complete account of the entire Board of Commissioners meeting is archived on a video that is available for viewing on the Dare County website [www.darenc.com](http://www.darenc.com).

At 5:03 p.m. Chairman Woodard called to order the regularly scheduled meeting with appropriate prior public notice having been given. He presented an invocation prepared by Rev. David Feyrer, of All Saints Episcopal Church, and then led the Pledge of Allegiance to the flag.

#### **ITEM 1 – OPENING REMARKS – CHAIRMAN’S UPDATE**

Following is a brief outline of the items mentioned by Chairman Woodard during his opening remarks, which can be viewed in their entirety in a video on the Dare County website:

- He noted Commissioner Couch would be attending tonight’s meeting via a remote connection due to Hwy 12 closure. Commissioner Ross would not be in attendance.
- Covid-19 was still being dealt with locally and nationally. While Dare had seen an encouraging lower number of cases in the past few weeks, he warned that could change quickly. Everyone should continue to follow the 3 W’s to reduce any possible spread.
- An on-line survey had been released to seek information from employers for suitable housing options for employees. The County had engaged the services of the Development Finance Initiative (DFI) from the NC School of Government to help identify opportunities for new development. The Dare website contained a link to the survey at [darenc.com/employerhousingsurvey](http://darenc.com/employerhousingsurvey).
- The COA project was moving forward with the old school coming down in a few weeks. The building holds many memories for Dare residents. The long history of providing education at this site would continue and the new campus would bring new opportunities for those pursuing an associate’s degree or technical trade skills.

Dare County Board of Commissioners – September 21, 2020

- Warned everyone to continue to pay attention to updates of weather with this very active hurricane season. He noted even storms that stay off shore can bring extreme conditions with flash flooding and ocean overwash. Everyone should have a plan ready.
- Reported the lawsuit brought against Dare County by the Blackburns had been dismissed by the US District Court on September 15.
- Noted the Nation mourns with half-staff flags with the loss of Supreme Court Justice Ruth Bader Gidsburg. She dedicated her life to public service and advocacy for social justice with her twenty-seven years of service in the Supreme Court.
- Highway NC12 was still closed due to overwash and severe coastal dune loss. NCDOT, working diligently, was hopeful for reopening sometime tomorrow. As a result, trash collection had been rescheduled for Rodanthe, Avon, Salvo and Waves due to road conditions.

## **ITEM 2 – PUBLIC COMMENTS**

At 5:17 p.m. the Manager outlined the procedure for making public comments via email to the Board. No one responded to the invitation to address the Board and the Manager closed Public Comments at 5:18 p.m.

## **ITEM 3 – CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL REPORTING**

Chairman Woodard introduced this item. He explained for twenty-nine consecutive years, Dare County has received the Certificate of Excellence in their Financial Reporting by the Government Finance Officers Association of the US and Canada and added David Clawson had been the finance director for every award year. As the person primarily responsible for preparing the report, Sally DeFosse, Assistant Finance Director, accepted the award.

## **ITEM 4 – RESOLUTION OPPOSING OFFSHORE DRILLING AND SEISMIC TESTING – (Att. #1)**

Chairman Woodard had asked the Board to consider another resolution to reaffirm opposition to offshore drilling and testing, and to ask the President to extend the moratorium to North Carolina, as he had for Georgia, Florida and South Carolina. He was pleased to announce the resolution would not be necessary as he had received a call from U.S. Senator Thom Tillis that North Carolina would be included under the moratorium which prohibited offshore development between July 1 2022 and June 30, 2032. Chairman Woodard thanked the President for listening to North Carolinians and to those on the coast.

## **ITEM 5 – DARE COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES – A PROCLAMATION “SUICIDE PREVENTION AWARENESS MONTH” (Att. #2)**

In order to promote awareness and reduce the stigma associated with suicide, the Dare County Department of Health and Human Services presented the Board with a resolution to proclaim September 2020 as “Suicide Prevention Awareness Month”.

### **MOTION**

Commissioner House motioned to adopt the proclamation.

Commissioner Bateman seconded the motion.

VOTE: AYES unanimous

### **ITEM 6 – UPDATE TO COUNTY TRAVEL POLICY**

Mr. Clawson introduced a revised Dare County Travel Policy. The existing policy had not been updated since 2014 and significant changes were outlined in the summary. Airline travel had changed and other scenarios had not been addressed in the old policy. Some revisions addressed were the types of fares booked, refundable versus non-refundable, how many checked bags would be paid for; travel cancellations and the deduction of hotel-provided meals from per diem. Clarification for the point of departure for travel was also addressed for mileage claims for all boards and committees. The updated policies had been reviewed by the Finance Department, Human Resources and the County Manager. Commissioner Tobin offered it should be considered to add some specifics regarding charter air travel. If someone flew on a charter aircraft, the policy should address payment for the seat should be at the same rate as a non-refundable seat, as on a commercial aircraft. The Board unanimously agreed to add the charter flight scenario to the revised travel policy. Mr. Clawson indicated the updated policy would go in affect immediately.

#### **MOTION**

Vice-Chairman Overman motioned to adopt the updated County Travel Policy, as presented, with the addition of the charter aircraft specifics.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

### **ITEM 7 – CHANGE TO NC C-19 RELIEF FUND PLAN AND AMENDMENT TO GRANT PROJECT ORDINANCE (Att. #3)**

Mr. Clawson advised of the update on FEMA approved reimbursement for PPE, cleaning and other Covid-19 health compliance costs to be applied to only first responders and their facilities effective September 15, 2020. Non-eligible costs currently totaled \$71,063. Schools were also affected by the change. Dare County schools had been slated to purchase check stations for each school at a total sum of \$86,937, previously allowed under FEMA reimbursement guidelines. Amendments to the budget and grant ordinance were presented which reduced the health department, salaries and fringes by \$158,000, increased by \$71,063 for the County's PPE costs and further increased \$86,937 for the schools. Vice Chairman Overman commented the check stations could realize continued use past Covid-19 concerns and may prove helpful in the regular flu seasons that follow.

#### **MOTION**

Commissioner Tobin motioned to authorize the NC C-19 Relief Fund Plan Version 3; adopt the amendment to the grant project ordinance; and authorize the County Manager to execute an interlocal grant agreement with the Dare County Schools.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

### **ITEM 8 – REQUEST TO SELL 48944 NC HIGHWAY 12, PARCEL 026511000 – BUXTON HARBOR**

Mr. Outten advised an offer had been received by the agent for C. Daniel Burrus for the purchase of 28,640 square feet of the subject parcel, as noted on an exhibit. The land area was very small and over years the boundaries were unclear. The County had spent time trying to utilize the property but found it too small for development. Dare County's appraiser had reviewed the appraisal provided and agreed it was an appropriate value. If the Board agreed to sell the parcel, the property would have to be declared surplus with the adoption of a resolution pursuant to General Statute 160A-269. The County Manager advised the

proposed sale did not include the parcel adjoining the road. Commissioner Tobin commented the parcel currently reflected a tax record value of \$318,400, with a miscellaneous value of \$84,000, assumedly for a bulkhead. In his opinion, the property was worth more than \$20,000 and it was a low offer. The County Manager explained the majority of the value was assigned to the property on the road. He reaffirmed the County appraiser's assessment of the parcel considered for sale closely matched what had been submitted by the offeror's appraiser. He added the bulkhead was in disrepair. Commissioner Tobin asked if it was a spoil site and whether it would be needed in the future. The County Manager indicated it had been created as a spoil site but with limited public use, it was not an area to be dredged unless the Board considered doing so at a later time. Commissioner Couch had received calls expressing concern over selling the parcel advocated the sale.

**MOTION**

Commissioner Bateman motioned to authorize the sale of the parcel, approve the offer and approve adoption of the resolution declaring the parcel as surplus property.

Vice-Chairman Overman seconded the motion.

VOTE: AYES unanimous

**ITEM 9 – CONSENT AGENDA**

The Manager announced the items as they were visually displayed in the meeting room.

**MOTION**

Commissioner House motioned to approve the Consent Agenda:

- 1) Approval of Minutes (09.08.20) **(Att. #4)**
- 2) 2020 Update – Dare County Repetitive Loss Area Analysis
- 3) Tax Collector's Report
- 4) Reimbursement Resolution for Series 2020B LOBs for Manteo High School Roof Project

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**ITEM 10 – BOARD APPOINTMENTS**

- 1) Health and Human Services Board

**MOTION**

Vice-Chairman Overman motioned to reappoint Janine Sewell to fill the current vacancy.

Seconded by Commissioner Bateman

VOTE: AYES unanimous

**ITEM 11 – COMMISSIONERS' BUSINESS & MANAGER'S/ATTORNEY'S BUSINESS**

The following is a brief summary outline of the items mentioned by Commissioners:

Chairman Woodard

- He explained the North Carolina Ferry Division would be submitting an application to the Federal Land Access Program (FLAP). A letter had been prepared to bolster support from Dare County for their petition for funding.

**MOTION**

Commissioner Tobin motioned to provide a letter of support for NC Ferry Division's application to FLAP.

Vice-Chairman Overman seconded the motion

VOTE: AYES unanimous

- The Chairman presented a resolution to be considered by the Board regarding continued support of terminal groins and jetties for Oregon Inlet. Congressman Greg Murphy had reached out to inquire if Dare County would be interested in his pursuit of legislation aiming to move forward with these types of projects.

**MOTION – Att. #5**

Commissioner House motioned to adopt the resolution for supporting terminal groins and jetties

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

The National Association of County Commissioners (NACCO) annually requested each county to provide their legislative goals. Several of our smaller neighboring counties had asked that we continue to seek legislation, funding and other efforts to expand digital infrastructure and broadband capabilities to the unserved and underserved areas of the state. This would provide better telemedicine, distance learning, promote economic development and help with social isolation.

**MOTION**

Commissioner House motioned that Dare County adopt to continue to seek legislation, funding and other efforts to expand digital infrastructure and broadband capabilities to surrounding counties as one of our legislative goals.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

**Commissioner Couch**

- He thanked the Chairman for his comments on the recent passing of Ruth Bader Ginsburg and commented on her relationship with Justice Antonin Scalia. Their unlikely friendship survived their polar opposite views on many issues. He respected her and encouraged others to follow her example.
- He reported on Hatteras Island's weather conditions, which had prevented his live attendance to the meeting. Although there was still a lot of water to deal with, it had begun to dissipate. Some visitors were surprised yet many were enjoying the experience.

**Commissioner Bateman**

- He asked about an update on the discussion regarding NCDOT implementing traffic quieting devices such as rumble strips or poles off of the Basnight Bridge into Manns Harbor. Similarly something would need to be considered once the Jug Handle Bridge was completed to insure safety of those crossing. The County Attorney advised he would recommunicate the concerns to Sterling Baker and provide an update.
- He inquired as to the status of the passenger ferry and the County Attorney responded he would also look into an update from NCDOT.
- Agreed with the continued support of expanding broadband coverage to neighboring counties, especially with the increased reliance on the internet for treatment of mental health, AA Zoom meetings and other sources to deal with depression.

**Vice-Chairman Overman** – advised he had nothing further to report.

### Commissioner House

- He offered his condolences to the Ginsburg family and added she fought as a warrior against her cancer over the years and had been a strong force in the Supreme Court.
- The flounder season began September 15 and would close October 6, 2020. The season had already been shortened by five days due to rough water and winds. He would be asking Director Murphy if there would be a possibility to have an extension because of the financial hardships caused by the weather.
- There would be a Working Watermen Commission meeting soon to discuss other fishing issues and he would provide an update.
- He reported on the new initiative called Always NC Fresh. The website funded by the North Carolina Commercial Fishing Resource Fund was working to increase awareness of commercial fishing and fisherman. He urged everyone to take a look at the site, as it would also provide faces and commentary from area fisherman.
- Reported on the establishment of the International Day of Peace by the United Nations on September 21, 1981 and noted September 22, 2020 was recognized as National Voter Registration Day.

### Commissioner Tobin

- Oregon Inlet Task Force had met with good reports. The Currituck had been here and was able to dredge several days. However, Currituck has gone north to the shipyard and would be out of service until 2022 for a total rebuild. The Merritt should be back in Oregon Inlet as long as no other emergencies occur. The Merdin had been out of service for some time and should be back on the third week of October.
- He commended Dave Clawson, Sally DeFosse and the entire staff in finance, stating what they accomplish was “second to none”.
- In response to Chairman Woodard, he explained there would be a laying of the keel for the new dredge and he would follow up with more information once construction progresses.

### **MANAGER’S/ATTORNEY’S BUSINESS**

County Manager Outten had nothing additional to report. He commended Dave Clawson, Sally DeFosse and the finance department; not only on their recent financial reporting award but for the good work they did every day for the County.

Dave Clawson advised the auditors were here this week.

Dorothy Hester reported on the housing survey, which had received over 248 responses so far. She noted there were only nine days left in the final push for completion of the 2020 Census and Dare County’s most recent response rates had been shown to be 83%, which was the expected average.

At the conclusion of the meeting, Chairman Woodard asked for a motion to adjourn.

### **MOTION**

Commissioner House motioned to adjourn the meeting.

Commissioner Tobin seconded the motion.

VOTE: AYES unanimous

At 6:41 p.m., the Board of Commissioners adjourned until 9:00 a.m., October 5, 2020.

Respectfully submitted,

[SEAL]

By: \_\_\_\_\_  
Cheryl C. Anby, Clerk to the Board

APPROVED: By: \_\_\_\_\_  
Robert Woodard, Sr., Chairman  
Dare County Board of Commissioners

Note: Copies of attachments (Att.), ordinances, resolutions, contracts, presentations, and supporting material considered by the Board of Commissioners at this meeting are on file in the office of the Clerk to the Board.



*Dare County Wilkenson Building Lease*

**Description**

Dare County published a notice informing the public that it plans to lease the 2nd floor of the County-owned Wilkenson Building in Kill Devil Hills to the Department of Transportation for an annual payment of \$6,000.

**Board Action Requested**

Approve lease and authorize signature by the County Manager

**Item Presenter**

Robert Outten, County Manager



**THIS LEASE DOES NOT BECOME EFFECTIVE UNTIL EXECUTED  
BY THE NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY**

STATE OF NORTH CAROLINA

COUNTY OF DARE

**LEASE AGREEMENT**

THIS LEASE AGREEMENT, made and entered into this the \_\_\_\_\_ day of \_\_\_\_\_, 2020, by and between, **COUNTY OF DARE**, hereinafter designated as Lessor, and the **STATE OF NORTH CAROLINA**, hereinafter designated as Lessee;

**W I T N E S S E T H:**

THAT WHEREAS, authority to approve and execute this lease agreement was delegated to the Department of Administration by resolution adopted by the Governor and Council of State on the 1st day of September, 1981; and as amended on September 8, 1999 and December 7, 1999, and

WHEREAS, the parties hereto have mutually agreed to the terms of this lease agreement as hereinafter set out,

WHEREAS, the Department of Administration has delegated to this State agency the authority to execute this lease agreement by a memorandum dated the 18<sup>th</sup>. day of January, 2017 and,

NOW THEREFORE, in consideration of the rental hereinafter agreed to be paid and the terms and conditions hereinafter set forth, Lessor does hereby let and lease unto Lessee and Lessee hereby takes and leases from Lessor for and during the period of time and subject to the terms and conditions hereinafter set out certain space in the **City of Kill Devil Hills, County of Dare**, North Carolina, more particularly described as follows:

**Being ± 1,085 net square feet of office space located at Wilkinson Building 2<sup>nd</sup>. Floor, 2601 North Croatan Highway, Kill Devil Hills, Dare County, North Carolina. See Attached Exhibit "A" Floor Plan**

**DEPARTMENT OF PUBLIC SAFETY – HIGHWAY PATROL**

THE TERMS AND CONDITIONS OF THIS LEASE AGREEMENT ARE AS FOLLOWS:

1. The term of this lease shall be for a period of **three (3) years**, commencing on the **1<sup>st</sup>. day of August, 2020**, or as soon thereafter as the leased premises are ceded to the Lessee and terminating on the **31<sup>st</sup>. day of July, 2023**.

2. During the term of the lease, the Lessee shall pay to the Lessor as rental for said premises the sum of **\$6,000.00** Dollars per annum, which sum shall be paid in equal monthly installments of **\$500.00** Dollars, said rental to be payable within five (5) days from receipt of invoice.

The Lessee agrees to pay the aforesaid rental to Lessor at the address specified, or, to such other address as the Lessor may designate by a notice in writing at least fifteen (15) days prior to the due date.

3. Lessor agrees to furnish to the Lessee, as a part of the consideration for this lease, the following services and utilities to the reasonable satisfaction of the Lessee:

- A. Heating facilities, air conditioning facilities, adequate electrical facilities, adequate lighting fixtures and sockets, hot and cold water facilities, and adequate toilet facilities.
- B. Lessor to provide required fire extinguishers and servicing, pest control, and outside trash disposal including provision for the handling of recyclable items such as aluminum cans, cardboard and paper.
- C. Maintenance of lawns, sidewalks, shrubbery, paved areas and common areas is required.
- D. Janitorial services and supplies.
- E. Parking.
- F. All utilities except telephone.
- G. Lessor covenants that the leased premises are generally accessible to persons with disabilities. This shall include access into the premises from the parking areas (where applicable), into the premises via any common areas of the building and access to accessible restroom.
- H. All fire or safety inspection fees and storm water fee shall be paid by lessor.
- I. All land transfer tax/fees imposed by the County or Town which the space is located.
- J. All other terms and conditions of the signed "Proposal to Lease to the State of North Carolina" Form P0-28 and "Specifications for Non-Advertised Lease".
- K. If Lessor fails to comply with provisions of paragraph 3 above or the provisions of the attached "Specifications of Non Advertised Lease", Lessee's sole remedy shall be termination after which neither party shall have any further obligation or liability to the other.

4. During the lease term, the Lessor shall keep the leased premises in good repair and tenantable condition, to the end that all facilities are kept in an operative condition. Maintenance shall include, but is not limited to furnishing and replacing electrical light fixture ballasts, air conditioning and ventilating equipment filter pads, if applicable, and broken glass. In case Lessor shall, after notice in writing from the Lessee in regard to a specified condition, fail, refuse, or neglect to correct said condition, or in the event of an emergency constituting a hazard to the health or safety of the Lessee's employees, property, or invitees, it shall then be lawful for the Lessee in addition to any other remedy the Lessee may have, to make such repair at its own cost and to deduct the amount thereof from the rent that may then be thereafter become due hereunder. The Lessor reserves the right to enter and inspect the leased premises, at reasonable times, and to make necessary repairs to the premises.

5. It is understood and agreed that Lessor shall, at the beginning of said lease term

as hereinabove set forth, have the leased premises in a condition satisfactory to Lessee, including repairs, painting, partitioning, remodeling, plumbing and electrical wiring suitable for the purposes for which the leased premises will be used by Lessee. Occupation of the premises by Lessee constitutes Lessee's acceptance of the premises. By execution of this lease, Lessee acknowledges compliance with the provisions of this paragraph.

6. The Lessee shall have the right during the existence of this lease, with the Lessor's prior consent, to make alterations, attach fixtures and equipment, and erect additions, structures or signs in or upon the leased premises. Such fixtures, additions, structures or signs so placed in or upon or attached to the leased premises under this lease or any prior lease of which this lease is an extension or renewal shall be and remain the property of the Lessee and may be removed therefrom by the Lessee prior to the termination of this lease or any renewal or extension thereof, or within a reasonable time thereafter. The Lessee shall have no duty to remove any improvement or fixture placed by it on the premises or to restore any portion of the premises altered by it. In the event Lessee elects to remove his improvements or fixtures and such removal causes damage or injury to the demised premises, Lessee will repair only to the extent of any such damage or injury.

7. If the said premises be destroyed by fire or other casualty without fault of the Lessee, this lease shall immediately terminate and the rent shall be apportioned to the time of the damage. In case of partial destruction or damage by fire or other casualty without fault of the Lessee, so as to render the premises untenable in whole or in part, there shall be an apportionment of the rent until the damage has been repaired. During such period of repair, Lessee shall have the right to obtain similar office space at the expense of Lessee or the Lessee may terminate the lease by giving fifteen (15) days written notice to the Lessor.

8. Lessor shall be liable to Lessee for any loss or damages suffered by Lessee which are a direct result of the failure of Lessor to perform an act required by this lease, and provided that Lessor could reasonably have complied with said requirement.

9. Upon termination of this lease, the Lessee will peaceably surrender the leased premises in as good order and condition as when received, reasonable use and wear and damage by fire, war, riots, insurrection, public calamity, by the elements, by act of God, or by circumstances over which Lessee had no control or for which Lessor is responsible pursuant to this lease, excepted.

10. The Lessor agrees that the Lessee, upon keeping and performing the covenants and agreements herein contained, shall at all times during the existence of this lease peaceably and quietly have, hold, and enjoy the leased premises free from the adverse claims of any person.

11. The failure of either party to insist in any instance upon strict performance of any of the terms and conditions herein set forth shall not be construed as a waiver of the same in any other instance. No modification of any provision hereof and no cancellation or surrender thereof shall be valid unless in writing and signed and agreed to by both parties.

12. Any hold over after the expiration of the said term or any extension thereof, shall be construed to be a tenancy from month to month, and shall otherwise be on the terms and conditions herein specified, so far as applicable; however, either party shall give not less than sixty (60) days written notice to terminate the tenancy.

13. The parties to this lease agree and understand that the continuation of this

lease agreement for the term period set forth herein, or any extension or renewal thereof, is dependent upon and subject to the appropriation, allocation or availability of funds for this purpose to the agency of the Lessee responsible for payment of said rental. The parties to this lease also agree that in the event the agency of the Lessee or that body responsible for the appropriations of said funds, in its sole discretion, determines, in view of its total local office operations that available funding for the payment of rents are insufficient to continue the operation of its local offices on the premise leased herein, it may choose to terminate the lease agreement set forth herein by giving Lessor written notice of said termination, and the lease agreement shall terminate immediately without any further liability to Lessee.

14. All notices herein provided to be given, or which may be given by either party to the other, shall be deemed to have been fully given when made in writing and deposited in the United States mail, certified and postage prepaid and addressed as follows: To the Lessor at **P. O. Box 1000, Manteo, North Carolina 27954**. The Lessee at **3030 Hammond Business Place, Raleigh, North Carolina 27603**. Nothing herein contained shall preclude the giving of such notice by personal service. The address to which notices shall be mailed as aforesaid to either party may be changed by written notice.

15. N.C.G.S. § 133-32 and Executive Order 24 prohibit the offer to, or acceptance by, any State Employee of any gift from anyone with a contract with the State, or from any person seeking to do business with the State. By execution of any response in this procurement, you attest, for your entire organization and its employees or agents, that you are not aware that any such gift has been offered, accepted, or promised by any employees of your organization.

**[Remainder of page intentionally left blank; signatures on following pages]**

IN TESTIMONY WHEREOF, this lease has been executed by the parties hereto, in duplicate originals, as of the date first above written.

LESSOR:  
**COUNTY OF DARE**

By: \_\_\_\_\_(SEAL)  
Bobby Outten, Dare County Manager

STATE OF NORTH CAROLINA

COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in the County and for the State aforesaid, do hereby certify that **Bobby Outten, Dare County Manager**, personally came before me this day and acknowledge the due execution of the foregoing instrument for the purposes therein expressed.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal this the \_\_\_\_ day of \_\_\_\_\_, 2020.

Notary Public: \_\_\_\_\_

Printed Name: \_\_\_\_\_

My Commission expires \_\_\_\_\_

LESSEE:  
**STATE OF NORTH CAROLINA**

By: \_\_\_\_\_(SEAL)  
Joanne Rowland,  
Director of Purchasing & Logistics

STATE OF NORTH CAROLINA  
COUNTY OF \_\_\_\_\_

I, \_\_\_\_\_, a Notary Public in and for the aforesaid County and the State aforesaid, do certify that **Joanne Rowland**, personally came before me this day and acknowledged that she is the Purchasing Director of the Department of Public Safety, State of North Carolina, and that by authority duly given and as the act of the Department, has signed the foregoing instrument.

IN WITNESS WHEREOF, I have hereunto set my hand and Notarial Seal, this the \_\_\_ day of \_\_\_\_\_, 2020.

Notary Public: \_\_\_\_\_

Printed Name: \_\_\_\_\_

My Commission expires \_\_\_\_\_

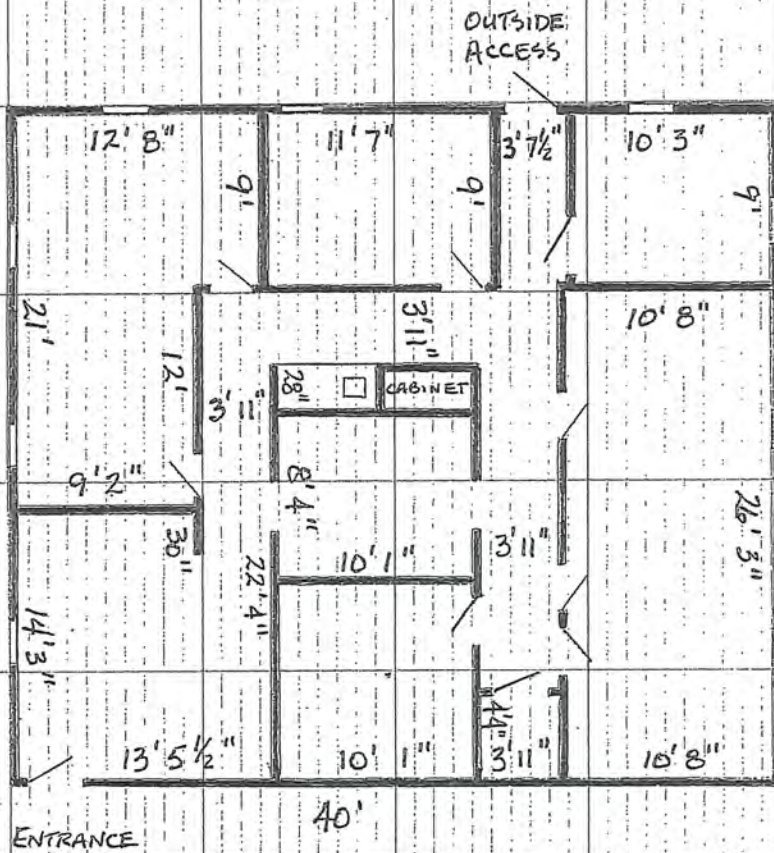
SPECIFICATIONS FOR NON-ADVERTISED LEASE

1. A floor plan to scale or a plan with room dimensions is required. Plan should show building exits for the proposed space. Also provide the year the building was constructed.
2. This facility must provide environment that is barrier free and easily accessible to physically disabled staff, visitors and clientele. Compliance with the State Building Code and the Americans with Disabilities Act is required. Toilet facilities shall be ADA accessible and code compliant.
3. Air conditioning and heating system shall be maintained by Lessor including frequent filter cleaning and replacement. Year round ventilation shall be provided to prevent stale air problems and unacceptable CO2 content. Waiting areas, LAN room and conference room(s) may require additional HVAC.
4. Telecommunication room temperature should be within a range of 65° to a maximum of 75°. This is a 24-hour per day, 7 days per week requirement. A separate HVAC system may be required to maintain this temperature range.
5. All lighting and electrical maintenance shall be furnished by Lessor including the replacement of ballasts, light tubes and replacement bulbs.
6. The Lessor shall provide required fire extinguishers and servicing, pest control (by a licensed technician) and outside trash disposal including provision for the handling of recycling items such as aluminum cans, cardboard and paper. Year-round maintenance is required to maintain a neat and professional appearance of the site at all times.
7. Internal signage to be customary (directory) to the building that will provide easy identification of the office by the general public. All other signage is to be provided by the Lessor as agreed upon by the County.
8. Locking hardware is required on all storage rooms, equipment rooms, files rooms and LAN room. Supply storage closets require shelving.
9. Lessor shall shampoo all carpet and clean the outside of the building windows annually.
10. Lessor shall be responsible for snow removal as quickly as possible to avoid work delays.
11. The per square foot price proposal is based on the floor plan and repair lists agreed upon by the State of North Carolina and includes but it not limited to: all partitions, demolition, and up fitting costs: building and grounds maintenance; property taxes; insurance; fire and safety inspection fees; storm water fees; land transfer tax; common area maintenance and other building operational costs.
12. The number of keys to be provided to the State for each lockset shall be reasonably determined by the State prior to occupancy, at no cost to the State.
13. All parking areas shall be adequately lighted and located within a reasonable distance of the office.

Lessor is in agreement with the above conditions and the conditions of the also signed "proposal to Lease to the State of North Carolina" Form P0-28.

\_\_\_\_\_  
Signature of the Lessor

\_\_\_\_\_  
Date



SCALE 1" BLOCKS

1440 sq ft

**Exhibit "A"**

NAME	Highway Patrol Office
PIN	
PARCEL	
PERMIT	
EST. COST	
STREET ADDR	
	DSTR
	ROUTE

PUSE		BUSE	
STYLE		RF CVR	
EXT. WL		FLR	
RF STRT		AIR	
INT. FIN		BATHS	
HEAT		AGE	
GRADE			
BEDS			
DEPR			





*DHHS - Social Services Division COVID APS/CPS Essential Worker Funding Amendment*

**Description**

This is to budget COVID APS/CPS Essential Worker Additional Cost Funding. These funds will be used to purchase additional laptops. There is no effect on county funds as this is 100% federal funding.

**Board Action Requested**

Approve Amendment

**Item Presenter**

n/a

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# DARE COUNTY

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## BUDGET AMENDMENT

F/Y 2020/2021

ACCOUNT	CODE			INCREASE	DECREASE
	Org	Object	Project		
<u>Department: DHHS - SSD</u>					
<u>Revenues:</u>					
State & Fed Aid - Admin.	103026	42301		20,410	
 <u>Expenditures:</u>					
Supplies	104610	513300		20,410	

**Explanation:**

This is to budget COVID APS/CPS Essential Worker Additional Cost Funding. These funds will be used to purchase additional laptops. There is no effect on county dollars as this is 100% federal funding.

**Approved by:**

Board of Commissioners: \_\_\_\_\_

Date: \_\_\_\_\_

County Manager: \_\_\_\_\_

Date: \_\_\_\_\_

(sign in red)

*Finance only:*

Date entered: \_\_\_\_\_ Entered by: \_\_\_\_\_ Reference number: \_\_\_\_\_

**COVID - APS/CPS Essential Worker - Additional Costs Funding**

<b>County</b>	<b># CPS/APS Combined</b>	<b>% of total APS/CPS Assessments (Combined)</b>	<b>Allocation</b>
ALAMANCE	1395	1.6%	\$133,670
ALEXANDER	396	0.5%	\$37,945
ALLEGHANY	109	0.1%	\$10,444
ANSON	211	0.2%	\$20,218
ASHE	319	0.4%	\$30,567
AVERY	99	0.1%	\$9,486
BEAUFORT	622	0.7%	\$59,601
BERTIE	146	0.2%	\$13,990
BLADEN	271	0.3%	\$25,967
BRUNSWICK	988	1.1%	\$94,671
BUNCOMBE	2964	3.4%	\$284,013
BURKE	1121	1.3%	\$107,415
CABARRUS	1452	1.7%	\$139,132
CALDWELL	958	1.1%	\$91,796
CAMDEN	56	0.1%	\$5,366
CARTERET	668	0.8%	\$64,008
CASWELL	211	0.2%	\$20,218
CATAWBA	2067	2.4%	\$198,062
CHATHAM	370	0.4%	\$35,454
CHEROKEE	350	0.4%	\$33,537
CHOWAN	108	0.1%	\$10,349
CLAY	138	0.2%	\$13,223
CLEVELAND	1342	1.5%	\$128,592
COLUMBUS	435	0.5%	\$41,682
CRAVEN	750	0.9%	\$71,866
CUMBERLAND	3821	4.4%	\$366,131
CURRITUCK	250	0.3%	\$23,955
DARE	213	0.2%	\$20,410
DAVIDSON	1653	1.9%	\$158,392
DAVIE	343	0.4%	\$32,867
DUPLIN	591	0.7%	\$56,630
DURHAM	1780	2.1%	\$170,561
EDGECOMBE	523	0.6%	\$50,114
FORSYTH	2554	2.9%	\$244,726
FRANKLIN	148	0.2%	\$14,181
GASTON	3422	4.0%	\$327,899
GATES	51	0.1%	\$4,887
GRAHAM	134	0.2%	\$12,840
GRANVILLE	406	0.5%	\$38,903
GREENE	143	0.2%	\$13,702
GUILFORD	3099	3.6%	\$296,949

County	# CPS/APS Combined	% of total APS/CPS Assessments (Combined)	Allocation
HALIFAX	393	0.5%	\$37,658
HARNETT	927	1.1%	\$88,826
HAYWOOD	691	0.8%	\$66,212
HENDERSON	1216	1.4%	\$116,518
HERTFORD	150	0.2%	\$14,373
HOKE	578	0.7%	\$55,384
HYDE	27	0.0%	\$2,587
IREDELL	1311	1.5%	\$125,621
JACKSON	365	0.4%	\$34,975
JOHNSTON	1244	1.4%	\$119,201
JONES	85	0.1%	\$8,145
LEE	269	0.3%	\$25,776
LENOIR	528	0.6%	\$50,593
LINCOLN	794	0.9%	\$76,082
MACON	190	0.2%	\$18,206
MADISON	165	0.2%	\$15,810
MARTIN	218	0.3%	\$20,889
MCDOWELL	525	0.6%	\$50,306
MECKLENBURG	9134	10.5%	\$875,227
MITCHELL	221	0.3%	\$21,176
MONTGOMERY	261	0.3%	\$25,009
MOORE	838	1.0%	\$80,298
NASH	577	0.7%	\$55,289
NEW HANOVER	3064	3.5%	\$293,595
NORTHAMPTON	111	0.1%	\$10,636
ONslow	2422	2.8%	\$232,078
ORANGE	697	0.8%	\$66,787
PAMLICO	79	0.1%	\$7,570
PASQUOTANK	280	0.3%	\$26,830
PENDER	590	0.7%	\$56,534
PERQUIMANS	76	0.1%	\$7,282
PERSON	291	0.3%	\$27,884
PITT	1224	1.4%	\$117,285
POLK	225	0.3%	\$21,560
RANDOLPH	1179	1.4%	\$112,973
RICHMOND	730	0.8%	\$69,949
ROBESON	2200	2.5%	\$210,806
ROCKINGHAM	1190	1.4%	\$114,027
ROWAN	1696	2.0%	\$162,512
RUTHERFORD	1081	1.2%	\$103,582
SAMPSON	621	0.7%	\$59,505
SCOTLAND	399	0.5%	\$38,233
STANLY	570	0.7%	\$54,618

County	# CPS/APS Combined	% of total APS/CPS Assessments (Combined)	Allocation
STOKES	354	0.4%	\$33,921
SURRY	415	0.5%	\$39,766
SWAIN	177	0.2%	\$16,960
TRANSYLVANIA	395	0.5%	\$37,849
TYRRELL	41	0.0%	\$3,929
UNION	1234	1.4%	\$118,243
VANCE	402	0.5%	\$38,520
WAKE	4097	4.7%	\$392,578
WARREN	63	0.1%	\$6,037
WASHINGTON	87	0.1%	\$8,336
WATAUGA	136	0.2%	\$13,032
WAYNE	1052	1.2%	\$100,804
WILKES	855	1.0%	\$81,927
WILSON	770	0.9%	\$73,782
YADKIN	271	0.3%	\$25,967
YANCEY	162	0.2%	\$15,523
			\$8,300,000



*Upcoming Board Appointments*

**Description**

The Dare County Board of Commissioners welcomes citizen participation on its many Boards and Committees.

Following is a list of the Boards and Committees that have terms expiring during the next 3 months. The list indicates when the item will be presented to the County Commissioners and any requirements that may pertain to the appointment.

Instructions on how to obtain and submit an application are attached along with additional information about each of the Boards and Committees with upcoming term appointments.

**Board Action Requested**

None

**Item Presenter**

Robert Outten, County Manager

## Upcoming Board & Committee Appointments

The Dare County Board of Commissioners welcomes citizen participation on Advisory Boards and Committees. This type of grassroots public involvement is the foundation of democracy and a vital part of maintaining Dare County as a quality place to live.

Following is a list of Boards and Committees that have terms expiring during the next three months. The list highlights when the item will be presented to the Board of Commissioners along with any special requirements that may pertain to the appointment.

Information on how to obtain and submit applications follows the list.

### **November, 2020**

Older Adult Services Advisory Council - 1 term expiring

### **December, 2020**

Equalization and Review Board - 5 terms expiring

Nursing Home Community Advisory Council - 1 term expiring

Parks and Recreation Advisory Council - 1 term expiring

Special Motor Vehicle Valuation Review Committee - 3 terms expiring

### **January, 2021**

Nursing Home Community Advisory Council - 1 term expiring

Older Adult Services Advisory Council - 1 term expiring

Tourism Board - 6 terms expiring

Working Watermen Commission - 2 terms expiring

### **~~~~~Instructions for Obtaining and Submitting Applications~~~~~**

An application must be submitted in order for your name to be considered for a Board or Committee appointment. The form is available on the Dare County website, or by calling:

**Cheryl C. Anby, Clerk to the Board at 475-5800**



*Commissioners' Business & Manager's/Attorney's Business*

**Description**

Remarks and items to be presented by Commissioners and the County Manager.

**Board Action Requested**

Consider items presented

**Item Presenter**

Robert Outten, County Manager