

The Washington City Council met in a continued session on Monday, August 27, 2007 at the Municipal Building at 4:30 p.m. Present were: Judy Jennette, Mayor; Ed Gibson, Councilman; Richard Brooks, Councilman; Archie Jennings, Councilman; Darwin Woolard, Mayor Pro tem; James Smith, City Manager; Franz Holscher, City Attorney; and Rita A. Thompson, City Clerk. Councilman Gahagan was absent.

Also present were: Carol Williams, Finance Director; Jimmy Davis, Fire Chief; Mick Reed; Police Chief; Bobby Roberson, Community Development Planning Director; Keith Hardt, Electric Director; Gloria Moore, Library Director; Allen Lewis, Public Works Director; James Tripp, Enterprise Funds Controller; and Mike Voss, of the Washington Daily News.

Mayor Jennette called the meeting to order, and Councilman Gibson delivered the invocation.

APPROVAL/AMENDMENTS TO AGENDA

Mayor Jennette noted that this meeting is suppose to end at 6:00 p.m., however, the public hearings don't start until 6:00 p.m.

On motion of Councilman Gibson, seconded by Councilman Jennings, Council unanimously extended the meeting to 7:00 p.m.

Councilman Jennings added two items: (1) the Water Street Study and (2) Reschedule September regular meeting.

On motion of Councilman Gahagan, seconded by Councilman Jennings, Council unanimously approved the agenda, as amended.

CHANGE SEPTEMBER REGULAR COUNCIL MEETING

Councilman Jennings suggested that the regular September 10th meeting be moved the September 17th and not have the September 24th Committee of the Whole Meeting.

On motion of Councilman Jennings, seconded by Councilman Gahagan, Council unanimously approved moving the regular meeting of September 10th to September 17th and not have the September 24th meeting.

BENCHMARKING REPORTS & PERFORMANCE INDICATORS FOR ELECTRIC UTILITIES (JAMES TRIPP)

James Tripp, Enterprise Funds Controller, stated that he passed out some revenue information. He stated it looks like the City will exceed the revenues, or come close to it if you include the installment loan proceeds and the fund balance transfers. He subtracted out the fund balance and the DOT proceeds.

Mr. Tripp stated that the question that has popped up is are we meeting our power sales revenues and the answer is yes. The budgeted power sales revenues were exceeded by actual power sales revenues. Councilman Gahagan pointed out it is the other way around, our actual is more than our budgeted? Mr. Tripp answered yes.

Mr. Tripp stated that there were two or three recommendations pointed out (1) increase days cash on hand and reduce days receivables are due. Our day's sales in receivable are 42.9%, the average being 40%. The average would have been higher if municipalities had been accruing their receivables. Councilman Gahagan asked what that meant? Mr. Tripp stated that it appears they are not accruing their receivables so as a result it makes some city's numbers look low.

They are closing their books and not accounting for receivables that are due. When next year comes around, they have cash on hand early, not matching when the power sales occur and when the revenues go along with those power sales. Smaller cities do not have as good accounting records as here in Washington.

He stated that in looking at most of the key ratios in the report provided by the auditor, Washington is doing as well or better than most municipalities. He stated he has looked at some more municipalities. Given the density of our electric system, it is a handicap for us.

Mr. Tripp stated that the other interesting piece of information provided by Booth & Associates is looking at the net revenues. That means how much you pay for electric per kilowatt and how much you sell it for per kilowatt. Over the last several years, that net revenue figure has been declining which means that while our costs may be increasing, the amount you sell it for is not increasing as fast. He passed out information that expanded on the net revenue picture and compared it to other municipalities. For 2005, the city's net kilowatt rate was 1.9 and there was a smaller net revenue per kilowatt than most of the city's peers. In a nut shell, the city is doing more with less.

Mr. Tripp talked about system losses. There is not much of a chance on increasing return on investment in that particular area. If you look at the average, system loss is 6.8%, while Washington's is 5.9%. Booth & Associates' report expanded that analysis, looking at regional basis, eastern North Carolina, southeastern United States, and United States as a whole. Mr. Tripp stated that it is easier for some cities to have a lower power loss percentage because of their growth.

Mr. Tripp stated that he asked the audit firm if our sales rate was high enough. The accountant didn't answer because that was not in the scope of their agreement. The scope of the agreement with the accounting firm was for benchmarking statistics only, not to make recommendations. There were some recommendations on how to improve on particular statistics, and what factors may change that particular statistic.

Councilman Jennings stated that what he understands is that because we are better than average, it's not worth an additional significant investment to improve on the system losses percentage because the return would not warrant that investment. Mr. Tripp stated that it would appear we are heading in that direction, using those statistics. Also, the City has a twenty year plan to follow. Councilman Jennings asked if the suggestions are compiled in a form inside the twenty year plan? Mr. Tripp stated there are some steps to take, for instance, account for delinquent payments on accounts. There are some areas to focus more on capital improvements. There is no money for a capital reserve plan, no money in electric stabilization fund and these are areas that need positive revenue.

Councilman Gibson stated that the statistics and performance indicators are over two years old and he would be more interested in more current numbers. Mr. Tripp stated that books are just being closed out and the audit report will be presented in October. Councilman Gahagan stated that even 2006 would be better than 2005. Councilman Jennings stated that we need our own numbers even if we can't compare to other cities at this point. Mr. Tripp stated he could do that. Councilman Gibson stated that the report is a combination of an auditor, Booth & Associates, and Bekert, Cherry and Holland and he cannot see, other than what Booth said, any cost savings plan. Councilman Gibson stated that Booth & Associates is saying that we are paying too much for electricity. Mr. Tripp stated that is because of our share of the nuclear power plant system in the 80's.

Councilman Gibson stated that what he came back with from the ElectriCities meeting is that the Finance Department and the Electric Department need to work together to cut these losses down. This needs to happen so we don't have to keep raising electric rates to the public. Mr. Smith stated that our system losses are at 5.9% and we would have to borrow substantial sums of money to reduce system losses further and the debt service we will incur would be in excess of the savings. Councilman Gibson asked if there is any loss in the billing process? Mr. Smith stated that we could save about \$3,000 a year by moving up days receivables from 42.9% to 30%.

Councilman Gibson asked if there has been any effort for the Electric Department to get with the Finance Department to see where there might be a possibility of savings. Mr. Tripp stated that is what part of his job will entail in the future.

Mayor Jennette stated that the report indicates that part of our problem is paying more for power costs and why is ours so much higher? Mr. Tripp stated that includes some of the debt. Councilman Jennings asked what is the outlook and will we benefit going forward? Mr. Hardt answered yes, in the late teens, early 20's.

Mayor Jennette asked if the report touches on the opportunity of consolidating our service area closer to Washington and find opportunities to work with coops. Mr. Tripp stated they have talked to Tideland about that. Mr. Hardt had a discussion with them two months ago. Mr. Smith stated that our costs are fixed and we haven't grown as other cities have grown. To compensate for that, we have moved out and picked up customers around the City, which also increases our costs as to crews, vehicles, etc. He stated he has a proposal to study areas where the City could trade customers with Tideland. The proposal is for a three phase study, 1) introductory meetings and requirements, 2) system review and costs estimates, and 3) negotiations for implementation and engineering. It would be about a \$33,000 project done in phases.

Councilman Jennings stated that we need to look at the revenue statement at another meeting.

Councilman Gibson stated that he cannot see anything in the report that says we can save any money, which is what the report was supposed to do. Mr. Smith stated that the bottom line is, after analyzing the system, there was no outstanding means of saving money, however, they suggested we could shorten the time that we allow people to have before their bills come due, but the savings is minimal. He stated that we will probably have customers asking for payment plans in the next few weeks.

Councilman Gibson stated that we need to keep looking for ways to save, and that is what James Tripp was hired for and would like to see some results of his labor.

Councilman Gahagan stated that he wants to make sure that we don't come in and find that money is not there, losing money and not knowing it. Councilman Gibson stated the problem was that the electric revenues were overestimated in the budget. Councilman Jennings stated he would like to see the Manager, James, Keith and Carol as a team to project proposed strategies and let the Council give direction back as to which of those strategies Council wants to employ.

REPORT - SMART GROWTH CHECK LIST (BOBBY ROBERSON)

Bobby Roberson, Planning and Development Director, presented the Smart Growth Score Card for the City of Washington. This is a tool that can be used as projects come in and can be given to developers and is recommended by the Planning Board.

Council discussed the fact that the Score Card was too lengthy and asked Mr. Roberson to reduce it and have the text that goes with it as a reference.

Mr. Roberson will also ask the Planning Board to look at the four area ratio, the space relationship technique, specifically about the number of units per acre in the four area ratio. This will be brought back to Council.

WATER STREET STUDY

Councilman Jennings stated that when Council started talking about the Water Street Study, it was to be a Study relative to a hotel as a location on Water Street in relationship to the Evans Seafood site. He asked if Council voted on it and gave direction to the Manager. He stated that somewhere along the way it got changed to scope the entire Water Street. Mayor Jennette stated that Bob Trescott, DWOW Director will facilitate a meeting with all the property owners and will get three key property owners to talk to the City. She stated she decided to ask all the property owners to come together and see what they think, before deciding on what kind of study to do. She stated there will be a lot more traffic, with future development that is coming.

Councilman Jennings stated he thought we voted on it. He wants to stay in good form in terms anything the Council voted on versus any change in direction, not that he has a problem with a change in direction. He stated if we have a Council vote out there, we can't just walk away from it. Mayor Jennette stated the money has not been spent yet.

Mr. Smith stated that instead of going to a defined study, he would like to get some suggestions from firms who are in the business of doing corridor wide studies and incorporate that into an RFP.

This will be listed on the October agenda.

**CLOSED SESSION – UNDER G. S. 143-318.11(A)(3)
ATTORNEY/CLIENT PRIVILEGE, (A)(4) ECONOMIC DEVELOPMENT
AND/OR (A)(1) PRIVILEGED OR CONFIDENTIAL INFORMATION
UNDER G.S. 160A-279 (PRIVATE SALE)**

On motion of Mayor Pro tem Woolard, seconded by Councilman Gahagan, Council unanimously agreed to go into closed session under G. S. 143-318.11(a)(3) Attorney/Client Privilege, (a)(4) Economic Development and/or (a)(1) Privileged or Confidential Information under G. S. 160A-279 (private sale)

On motion of Mayor Pro tem Woolard, seconded by Councilman Jennings, Council unanimously agreed to come out of closed session.

**PUBLIC HEARING – ADOPT RESOLUTION DIRECTING THE PROJECT BE
UNDERTAKEN TO PAVE PAMLICO STREET FROM EAST TWELFTH
STREET TO HODGES AVENUE**

Allen Lewis, Public Works Director, stated that Council received a petition requesting that Pamlico Street be paved. The petition noted that the City of Washington would pay 40% of the cost of the entire project, exclusive of water

and sewer connections, and any additional cost occurring at street intersections, with the owners paying the balance of the cost assessed at an equal rate per foot of frontage of the street.

Mayor Pro tem Woolard asked if the signing of the Petition was in 2004? Mr. Lewis stated the Petition was presented to Council in 2005, and at that time the petitioners did not want to be assessed any of the costs. No decision was made on the petition at that time by Council and it laid dormant until three or four months ago.

Mayor Pro tem Woolard asked if everyone was in agreement to this assessment and letters were sent out? Mr. Lewis stated that there are people in the audience who probably want to speak.

Mr. Smith asked if the City usually participates in the construction of new streets in subdivisions? Mr. Lewis answered that the City participated 40% in the construction of streets in Phase 1 of Tree Shade. Where would the money come from if the City paid 60%? Mr. Lewis answered Powell Bill funds which is usually for resurfacing, etc.

Mayor Jennette stated this is a public hearing.

Ms. Sandy Gerard stated they would like the street paved and it is not in a subdivision. She stated that Hodges Street was paved about three years ago and residents were not assessed. At that time there was 2.4 miles of unpaved streets in the City and now there is one mile unpaved street. She stated they feel as taxpayers and citizens, the street should be paved with no assessments. The names on the Petition are the names of the Board of Directors for the Montessori School and they definitely don't have the money to pave the street. Mayor Jennette stated that the policy is 60%-40%.

Mr. Lewis stated that Hodges Street was paid with CDBG funds. Mr. Roberson stated that it was paid with the Local Option Activities money part of the grant and is no longer available. The total cost was borne by the federal government. About four or five projects have been paid with CDBG funds.

Ms. Sandy Warren, a member of the Board of Directors for the Montessori School, stated they are in favor of paving the street but they are non-profit and it would be detrimental to their budget. When they signed the petition three years ago, they assumed the City would cover these costs.

Ms. Buckman, School Administrator, stated that they would like to see the street paved mainly for safety reasons. Financially, the school would be underneath a burden.

Mayor Jennette pointed out that the assessment has to be paid back over a ten year period.

Mayor Jennette closed the public hearing.

Mr. Lewis stated that the estimated costs of paving the street is \$95,000, with \$109,000 in this year's allocation for street improvements. Mr. Lewis stated if this money is used for Pamlico Street, other street improvements would be pushed back a year. Also, he has meet with DOT bridge maintenance personnel to discuss the Brown Street Bridge problem, and there is a possibility the bridge can be repaired between \$50,000 to \$150,000 and would last 20 years. This is another potential project.

Councilman Gibson asked if any portion of the Powell Bill funds could be used? Mr. Lewis stated that if it was done by the Petition, the City would pay

40% or \$38,000 of the \$109,000. There are seven property owners, but assessments are based on lineal feet. Two property owners did not sign the Petition.

Councilman Jennings questioned the validity of the Petition, (1) it is three years old, and (2) some of the signers were not aware they would be assessed. Councilman Jennings stated that it would make sense to put the Petition back to them. Mr. Lewis pointed out that the Petition states the 40%-60% policy. Councilman Gibson asked what is the cost per lineal feet? Mr. Lewis stated it is \$46 per lineal foot payable over a ten year period after the project is completed. The Montessori School assessment would be \$4560, or \$680 at 8% interest for ten years.

Mayor Jennette stated she was approached by the owner of Clara Manor, who initiated this request.

Mayor Pro tem Woolard asked what does one do if they can't pay the assessment? Mayor Jennette stated it would be a lien against their property. Mr. Smith stated that if 51% of the property owners sign the Petition, then they can be assessed.

After discussion, on motion of Councilman Gahagan, seconded by Councilman Jennings, Council adopted the Resolution Directing the Project be undertaken to pave Pamlico Street. Mayor Pro tem Woolard voted no. –Motion carried by majority vote.

**RESOLUTION DIRECTING THAT THE PROJECT BE UNDERTAKEN FOR
THE PAVING OF PAMLICO STREET**

WHEREAS, in 2005, the property owners on that portion of Pamlico Street lying between East 12th Street and the Hodges Avenue filed with the City of Washington a petition for improving said street for the purpose of paving the same; with curb and gutter; and

WHEREAS, the City Clerk has certified to the City Council that said petition is sufficient in all respects, the same having been duly signed by a majority in number of the owners, whose property represents a majority of all the lineal feet of frontage of the lands abutting upon the street or portion of street hereinabove described;

WHEREAS, a preliminary assessment resolution has been adopted by this City Council and a public hearing thereon duly held;

NOW THEREFORE BE IT RESOLVED, BY THE CITY COUNCIL OF THE CITY OF WASHINGTON:

That part of Pamlico Street lying between East 12th Street and Hodges Avenue be improved in the following manner: asphalt paving, curb and gutter and storm drainage under and by virtue of Article 10 of Chapter 160A of the General Statutes of North Carolina and the procedure therein established, and that said project is hereby directed to be undertaken.

That sixty (60) percent of the total cost of said improvement, exclusive of so much of the total cost as is incurred in improving street intersections, be hereafter assessed upon the property receiving the improvements at an equal rate per foot of frontage.

That the assessments herein provided for shall be payable in cash or if any property owner shall so elect, such owner shall have the option of paying the

assessment in ten (10) equal annual installments, said installments to bear interest at the rate of eight (8) percent per annum;

Adopted this the 27th day of August, 2007, in the City of Washington, North Carolina.

s/Rita A. Thompson
**RITA A. THOMPSON, CMC
CITY CLERK**

PUBLIC HEARING – CAMA LAND USE PLAN

Mr. Dale Holland stated that the public hearing is being conducted to consider the draft CAMA Core Land Use Plan for the City of Washington. This process began in November 2004 and through this meeting there have been a total of nineteen public meetings conducted to discuss the preparation of this document. Plans have been available at the Planning Department for public review upon request by the public. He stated he appreciates the effort of the Washington Daily News to help keep the public informed of this process. This public hearing has been advertised twice. At least ten people have checked out copies of the Plan.

Mr. Holland stated there were several major issues that came out of those meetings, including the Central Business District, responding positively to the construction of US 17 Bypass. Developing and improving Gateways into the City, feasibility and cost of capital improvements. capital improvements planning, accommodating multiple users of the river, stabilizing and improving neighborhoods adjacent to historic district, strength code enforcement, promoting the City, encouraging recreation uses on Southern Shore of Tar/Pamlico, cohesive Plan for historic district/coordination with DWOW, impact of new school construction, improving traffic flow in Historic District, and expanded recreational and cultural opportunities.

Mr. Holland stated that as a part of responding to those issues, the Plan has embraced the concept of Smart Growth, which include:

1. Mixed land uses
2. Take advantage of compact building design
3. Create a range of housing opportunities and choices
4. Create walkable neighborhoods
5. Foster distinctive, attractive communities with a strong sense of place
6. Preserve open space, farmland, natural beauty, and critical environmental areas
7. Strength and direct development towards existing communities
8. Provide a variety of transportation choices
9. Make development decisions predictable, fair, and cost effective
10. Encourage community and stakeholder collaboration in development decisions

Mr. Holland stated that the Policies and implementing actions include:

1. Public Access
2. Land Use Compatibility
3. Infrastructure Carrying Capacity
4. Natural Hazard Areas
5. Water Quality
6. Local Areas of Concern

Mr. Holland stated that this Plan has made several departures from the prior Plan. This document is much more comprehensive and detailed than any of the previous plans. One area in particular is the 1996 Plan specifically opposing the establishment of mooring fields and this plan supports the concept. Other areas on the map that has to be corrected are: the Old John Small School Property shown as O&I is now Conservation; the multifamily project that was on East Third Street should be shown as conservation and the property between the river and the proposed Moss Landing Project should be conservation when Council adopts this Plan.

Mayor Jennette questioned the Old John Small School property being shown as Conservation and asked could it be built on? Mr. Holland stated it could still be developed under the condition consistent with the Conservation category.

Mr. Holland stated that once the Plan is adopted it will go to the Coastal Resources Commission for certification at their November 29-30, 2007 meeting. Anyone desiring to offer written comments may do so up to 15 days prior to that meeting.

Councilman Gibson asked what rationale was behind the recommendation of changing some lots to the Conservation category? Mr. Holland stated that one of those parcels is the site of the storm water wetlands and is in fact Conservation. The area on Third Street cannot be developed because of the Flood Buyout Program. The third was the Old John small School site which is surrounded by a Conservation category. Mr. Holland stated that the mixed use category encourages the concept of mixing uses in a single building on a single parcel.

Councilman Jennings asked about the area around the Estuarium that was marked Conservation in the last Plan and, along with the other area that was changed to mixed use, where did that direction come from and what is the rationale behind that? Mr. Holland stated that when the City of Washington had the 1996 Plan, they were working under a different set of rules than now. Those rules define what you have to include in a certified CAMA Land Use Plan. Under the old guidelines, they dealt with a broad range of categories. . . . Conservation, Urban, Urban Transition, and Rural. At that time you didn't get into the level of detail that we now are in this plan. When you look at the mixed use area, that doesn't mean they are not conservation concerns in that area. The policies in the plan supports the minimum use standards for areas of environmental concern, etc. The Plan is saying that within the limitations imposed by those regulations, they are still encouraging mixing of uses, recognizing the limitations have to be dealt with. Another point, other allowable use is the designation that allows someone to be considered in a shoreline area as a urban waterfront area that gives them greater flexibility for development. You establish your own land use categories that apply to those areas of environmental concern and this is what the Planning Board has recommended to Council.

Councilman Jennings asked if in a mixed use category, the City decided we wanted to conserve inside that area, is that an allowable use in a mixed use category? Mr. Holland answered yes. Councilman Gahagan referred to page 226 which referred to 96 feet height and we have an overlay district that is not that high, and should that be spelled out more clearly? Mr. Roberson stated that will be taken care of. Councilman Brooks asked can this be changed than what is shown on the map? Mr. Roberson stated that all the property in the business district is zoned B1H so if the City wanted to build a multi-story parking deck, it would be allowed in the B1H district. This is not superseding our current zone. Councilman Brooks asked if the City could put a moratorium on parking? Mr. Roberson stated you could, but not definitely.

On motion of Councilman Jennings, seconded by Councilman Gahagan, Council unanimously extended the meeting until 7:30 p.m.

Mayor Jennette opened the public hearing.

Mr. John Wehrenberg stated that he owns land at the corner of Old Bath Highway and Slatestone Road which half has been zoned Conservation. Two years ago, half was zoned R9 and the other half was turned down for a business and is still labeled RA20. His concern is that the City should pass, along an ordinance and should be a part of the Land Use Plan, that anytime you label something Conservation that has not been labeled Conservation previously, the landowner should be notified. That is the most restrictive land use you have and without the owner knowing it, it is a hard row to hoe. It has been changed to medium density two weeks ago and he will be coming back again to do something with the problem, probably O&I. It is easier to get to O&I than Conservation. Mayor Jennette agreed that Mr. Wehrenberg makes a good point and property owners should be notified.

Mr. Al Crisp stated that this waterfront belongs to the people in this City and County and he hopes we will never step low enough to consider selling a parking lot or waterfront. Once you sell it, it is gone forever. If anybody that runs for election that wants to consider selling the rest of this land, that's it.

Ms. Susan Cheryl stated that a proper mooring field is the best next step to take and preserving the quality of the waterfront. Four areas for Council to consider is: 1) environment 2) safety 3) community and 4) tourism. She expanded on the four areas of concern.

Ms. Heather Jacobs, Riverkeeper, stated that there is a tremendous amount of information in the document. She stated the City needs to look at sea level rise at long term. Second thing is storm water and development could be degrading the water quality and low impact development design should be looked at and provide natural landscape as a natural filter. The City should look at the existing ordinance structure and make sure there are no barriers to that type of innovative design such as required street width, etc. Also, potential incentives for such developments in the future that could help with storm water issues in the future. She recommended Council continued to look at the possibility of getting offset fees locally instead of going to the state where these projects stand mitigation projects, wetland restoration, etc. that could help with the river. Lastly, she talked about public access to the waterfront. She stated she is concerned about some of the language in the Plan. It is focusing on the waterfront access for the boater mainly. Council needs to recognize that fishermen are just as important. As far as mooring fields, she is disappointed that the process is a bit backwards. The CAMA Land Use Plan will be in affect before the working group looks at the mooring fields.

Mr. Joe Taylor passed out a letter to Council from him. He read a motion that was made at the Recreation Committee meeting appointing him to represent the Committee on the City of Washington's CAMA Land Use Plan and express the Committee's opinion that Stewart Parkway and the green space stay as the same designation as Havens Gardens. He stated his concern is public access in the downtown area. He asked Council to consider classifying the Stewart Parkway and Harding Square and the open space next to the Estuarium as a Conservation classification. Mixed Use is a much broader area and provides for a much broader usage...conservation would provide a much narrow use but it would guarantee the public access. One of the things he doesn't understand is that he assumes when you classify something Conservation, that you couldn't build a home on it but it sounds like you could do that on the John Small School Property. Mr. Roberson stated that the current zoning classification used now is O&I and you can build on a conservation so that is not a controlling factor. Mr.

Taylor encouraged Council to do whatever they could to preserve the waterfront for the public. There are in excess of a couple hundred condos under construction and will need water access. You have 10,000 people that need access somewhere. He again encouraged council to do whatever they could to guarantee to the public they will have public access.

Mr. Bill Sikes stated that part of the Land Use Plan is enclosed a water use and Harbor management plan. The one thing in doing the initial assessment he is very impressed with what Washington has done for the public trust access to water. We can further enhance access to the water and something coming before Council will be the Water Use and Harbor Management Plan which will considerably improve the public's access to the water. The mooring field is an important part of that in that to take control of the waterfront you need to do a mooring field and get state statutes that support the enforcement action in the mooring field. There have been damages to a boat and another boat has been denied access to City property because of them ignoring the rules and regulations. You will be able to protect the waterfront with this Water Use and Harbor Management Plan.

Mr. Eric Green stated that when you make the commitment to go from conservation to mixed use, it is a clear and strong statement that although you do want flexibility, you also are making a clear choice that conservation is less important. We need to acknowledge and he personally does not agree with the shifting of categorization from conservation to mixed use especially within the open space next to the estuarium. By making it mixed use, it is a statement that takes away a level of protection that conservation would have held. It has removed a layer of consideration that would have been there anyway. He stated he is speaking for many people in town.

Mr. Roberson stated that Jason Briley has attended many of the meetings and passed out a letter from him. He stated Mr. Briley's basic concern is that the commercial node at the intersection 15th and 264 should be just as large as the commercial node at the intersection of Whispering Pines and Highway 17 North.

Mr. Roberson stated that as a matter of record for clarification (page 229): allowable density can occur in two specific instances: (1) cluster development and (2) single family residential units can be developed at 1.5 units per acre. The other interesting note is use is not permitted which are non-residential uses so it does encourage residential uses at that density at 1.5 units per acre.

Councilman Jennings stated that the current coding on the map in the plan does not change any zoning that is currently on the table right now or any of the uses that can occur in those zones. So if the City wanted to again designate some parcel as a conservation easement, this change will not prevent that. Mr. Roberson answered that is correct. Mr. Roberson stated that the only time it comes into affect is when you are reviewing rezoning changes. We have another year of the Comprehensive Plan to look at. This is mandated by state law and is done to protect the watershed areas and to restrict the number of uses in close proximity to the water. It is a tool to get to the future land use plans.

Mr. Smith stated that it is important because a Land Use Plan is to guide future development. If there is an area someone wants to change, then you have to go back to the Land Use Plan and Comprehensive Plan and see if it is appropriate. This is basically the foundation for land use and infrastructure in the City.

Mayor Jennette closed the public hearing.

Councilman Gahagan thanked the Planning Board for their hard work.

On motion of Councilman Gahagan, seconded by Councilman Jennings, Council unanimously accepted the recommendation of the Planning Board and follow the Coastal Resources Commission schedule for the September 27th and 28th 2007 meeting on the adoption of the City of Washington's CAMA Plan by adoption of the attached Resolution.

**RESOLUTION OF THE CITY COUNCIL OF THE CITY OF WASHINGTON, NC,
ADOPTING THE CITY'S CAMA CORE LAND USE PLAN**

WHEREAS, the City's CAMA Core Land Use Plan was financed in part through a grant provided by the North Carolina Coastal Management Program through funds provided by the Coastal Zone Management Act of 1972, as amended, which is administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration; and

WHEREAS, from July 1, 2004, through August 27, 2007, the City drafted a Land Use Plan with the assistance of its consultant, Holland Consulting Planners, Inc., and conducted a series of public workshops and meetings as part of a comprehensive public participation program under the leadership of the CAMA Land Use Plan Committee; and

WHEREAS, on June 26, 2007, the Planning Board recommended adoption of the draft CAMA Core Land Use Plan; and

WHEREAS, at a duly advertised Regular Meeting on August 27, 2007, the City Council held a public hearing on the draft CAMA Core Land Use Plan; and

WHEREAS, at the Regular Meeting on August 27, 2007, the City Council of the City of Washington, North Carolina found the policies in the draft CAMA Core Land Use Plan to be internally consistent; and

WHEREAS, at the Regular Meeting on August 27, 2007, the City Council of the City of Washington, North Carolina found the policies and Future Land Use Map in the draft CAMA Core Land Use Plan to be consistent with the City's desired vision for the future and unanimously approved to adopt the draft CAMA Core Land Use Plan as amended; and

WHEREAS, at the Regular Meeting on August 27, 2007, the City Council of the City of Washington, North Carolina found that policy statements and the Future Land Use Map have been evaluated, and determined that no internal inconsistencies exist; and

WHEREAS, the adopted Plan will be submitted as required by state law to the Washington District Planner for the Division of Coastal Management under the North Carolina Department of Environmental and Natural Resources and forwarded to the Coastal Resources Commission; and

WHEREAS, a presentation by the City to the Planning and Special Issues (P&SI) Committee of the Coastal Resources Commission will be scheduled; and

WHEREAS, the P&SI Committee will decide on a recommendation to the Coastal Resource Commission (CRC) at the meeting; and

WHEREAS, the P&SI Committee chairman will submit the recommendation to the CRC and the CRC will then vote on certification of the City's Land Use Plan; and

WHEREAS, a certified City of Washington CAMA Core Land Use Plan will be forwarded to the Office of Ocean and Coastal Resource Management (OCRM) for federal approval.

NOW, THEREFORE, BE IT RESOLVED THAT the City Council of the City of Washington, North Carolina, has unanimously adopted the draft CAMA Core Land Use Plan; and

BE IT FURTHER RESOLVED that the Director of Planning and Development of the City of Washington is hereby authorized to submit the adopted CAMA Core Land Use Plan to the State for certification as described above.

Adopted this 27th day of August, 2007.

s/Judy Jennette
JUDY JENNETTE
MAYOR

ATTEST:

s/Rita A. Thompson
RITA A. THOMPSON, CMC
CITY CLERK

CONTINUE MEETING

On motion of Mayor Pro tem Woolard, seconded by Councilman Brooks, Council unanimously adjourned the meeting until Monday, September 17, 2007 at 4:30 p.m. in the Council Chambers at the Municipal Building.

Rita A. Thompson, CMC
City Clerk