

## AGENDA

Catawba County Board of Commissioners Meeting  
Monday, July 21, 2014, 7:00 p.m.  
Robert E. Hibbitts Meeting Room, 1924 Courthouse  
30 North College Avenue, Newton, NC

1. Call to Order.
2. Pledge of Allegiance to the Flag.
3. Invocation.
4. [Approval of the minutes from the Board's June 16, 2014 Meeting.](#)
5. Recognition of Special Guests.
6. Public Comment for Items Not on the Agenda.
7. Presentations:
  - a. [Presentation of Badge and Gun \(after declared surplus by the Board of Commissioners\) to Retired Deputy Tammy Johnson by the Board of Commissioners and Sheriff Coy Reid.](#)
  - b. Presentation of National Association of Counties (NACo) 2014 Achievement Awards –
    1. [Remote Access Permitting Terminal \(RAPT\) – presented to Teresa Wofford, Administrative Assistant II, Utilities and Engineering Permit Center.](#)
    2. [Commercial Recycling and Waste Reduction Partnership Program – presented to Amanda Kain, Waste Reduction Coordinator.](#)
8. Public Hearing:  
[Rezoning Request – Applicants: Catawba County Economic Development Corporation and Property Owners Ruth B. Lutz \(Ruth A. Hollar, trustee\), Kevin Lutz, Carol Y. Lutz and W. R. Lutz Jr., Brenda G. Lutz, and Brenda Lutz Kiser. Presented by Planner Chris Timberlake.](#)
9. [Appointments.](#)
10. Consent Agenda:
  - a. [Donation of Surplus Vehicles:](#)
    1. [Propst Crossroads Fire Department.](#)
    2. [Newton-Conover Rescue Squad.](#)
  - b. [Proposed Amendment to the Personnel Code – Section 28-170 – Grievance Procedure.](#)
  - c. [Waiver of Permit Fees for 2014 Greater Hickory Kia Classic at Rock Barn.](#)
  - d. [Approval of the Alcoholic Beverage Control Board Travel Policy.](#)
  - e. [Library Services and Technology Act \(LSTA\) Grants:](#)
    1. [Planning Grant.](#)
    2. [Project Access and Digitization Grant.](#)
    3. [Literacy and Lifelong Learning Grant.](#)

11. Departmental Reports:
  - A. Catawba Valley Medical Center (CVMC)  
*Interest Rate Cap on Variable Interest Rates on 2009 Bonds. Presented by David J. Boone, Sr. VP Finance/CFO, CVMC.*
  - B. Social Services  
*Work First County Plan 2016-19. Presented by Social Services Director John Eller.*
12. Other Items of Business.
13. Attorneys' Report.
14. Manager's Report.
15. Adjournment.

**PERSONS WITH DISABILITIES:** Individuals needing assistance should contact the County Clerk at 828-465-8990 within a reasonable time prior to the meeting. Access to the 1924 Courthouse for individuals with disabilities is at the south side ("A" Street). The elevator is located at the north end of the building. Participation in public meetings is without regard to race, creed, religion, national origin, sex, age, color, or disability.

**INFOTALK/INTERNET:** The Catawba County Telephone Information System will allow you to use your touch tone telephone to obtain current information on Catawba County 24 hours a day. Information is updated on a regular basis. Dial 465-8468 and INFOTALK will direct your questions with easy to understand instructions. Reach Catawba County on the Internet at <http://www.catawbacountync.gov>.

**CALENDAR:** The August 2014 Board of Commissioners meetings will take place on Monday, August 4, 2014 at 9:30 a.m. in the 1924 Courthouse in Newton and on Monday, August 18, 2014 at 7:00 p.m. **in the 2<sup>nd</sup> Floor Meeting Room of the Government Center in Newton due to the Soldiers Reunion.**



**PREVIEW OF COUNTY COMMISSION AGENDA  
MONDAY, JULY 21, 2014, 7:00 P.M.  
ROBERT E. HIBBITTS MEETING ROOM  
1924 COURTHOUSE, NEWTON, N.C.**



The Catawba County Board of Commissioners will hold a public hearing on a request by property owners Ruth B. Lutz (Ruth A. Hollar, trustee), Kevin Lutz, Carol Y. Lutz and W. R. Lutz Jr., Brenda G. Lutz, and Brenda Lutz Kiser and the Catawba County Economic Development Corporation to rezone approximately 174 acres, at 2255, 2349, 2355, 2369, 2405 and 2415 Startown Road from R-20 Residential to Planned Development-Industrial Park-Conditional District for the new purpose of a creating a Class A Business/Industrial Park, when the Board meets at 7 p.m. on Monday, July 21, 2014, at the 1924 Courthouse at 30 North College Avenue in Newton. The proposed business/industrial park would meet many of the Startown Small Area Plan (SAP) guiding principles and recommendations, Board of Commissioners' 2014 – 2015 goals and strategies, and a set of binding negotiated conditions regarding the park's development.

The Board will consider a request to approve an interest cap on variable interest rate bonds for Catawba Valley Medical Center. The Board will consider whether to pursue "electing county" status for another year for the Department of Social Services, which gives the department greater control over local welfare policies and available funding. It will consider accepting three State grants awarded to the County Library, which would be used to implement a long-range strategic plan for the library, new technology to improve tracking of library inventory, and development of a robotics camp for young adults to promote science, technology, engineering and math career paths. The Board will consider declaring two Ford Crown Victoria automobiles as surplus and donating one to the Newton-Conover Rescue Squad and one to the Propst Crossroads Volunteer Fire Department. The Board will consider amending the County Personnel Code to allow County employees to appeal a written warning to the County Manager. The Board will consider a proposed travel policy for the Catawba County Alcoholic Beverage Control Board. And the Board will consider waiving normally charged permit fees applicable to the 2014 Greater Hickory Kia Classic at Rock Barn.

The Board will also recognize two National Association of Counties Achievement Awards presented to the County's Department of Utilities and Engineering for its Commercial Recycling Program and Rapid Access Permit Terminal, and will honor retiring Sheriff's Deputy Tammy Johnson with the traditional presentation of her badge and service weapon.

### **PRESENTATIONS**

**A.** The Board will honor Sheriff's Deputy Tammy Johnson, who retired effective July 1, 2014 after eighteen years with the Catawba County Sheriff's Office. Under North Carolina General Statute 20-187.2, the Board will consider declaring as surplus the service sidearm and badge of Deputy Johnson, and present those items to her.

**B.** The Board will recognize two National Association of Counties (NACo) Achievement Awards presented to the County's Department of Utilities and Engineering. The first is for the development of the Remote Access Permitting Terminal (RAPT) which provides real-time interaction between a citizen needing a permit at Hickory City Hall and a Permit Center Specialist located in the Catawba County Government Center in Newton. RAPT gives customers the ability to apply for and obtain residential and trade permits, or ask questions and receive answers about the permitting process from a remote location. RAPT utilizes video conferencing technology to allow citizens and contractors seamless interaction with Permit Center staff without the added time and expense of travelling from Hickory to Newton to conduct business. The system has allowed the County's permitting process to evolve and maintain a high level of customer service without hiring additional staff to physically operate a second office.

The second NACO Achievement Award recognizes the Commercial Recycling Program, a free and voluntary program that encourages local businesses to take proactive steps to improve their environmental record while improving their bottom-line. The program recognizes businesses in Catawba County that operate in an environmentally friendly manner by practicing the 4R's (reduce, reuse, recycle, rebuy). The program currently includes nineteen businesses. Companies enrolled in the program are able to access a wide range of data and assistance and receive technical assistance at no cost. County staff helps partners find markets for their recyclable materials, both locally and around the state.

### **PUBLIC HEARING**

The Board will hold a public hearing to receive citizens' comments and consider an application to rezone approximately

174 acres from R-20 Residential (allowing a minimum lot size of 20,000 square feet or 2 dwellings per acre) to Planned Development-Industrial Park-Conditional District (PD-IP-CD) to allow Park 1764, a Class A Business Park.

Although the local economy has shown signs of improvement, it is still struggling and lags behind other areas of the state. The Hickory/Lenoir/Morganton Metropolitan Statistical Area (MSA) continues to rank in the lower tier (11<sup>th</sup> of the 14 MSAs in North Carolina) in unemployment rate, currently standing at 7.4%. Lack of job opportunities and quality of life amenities are contributing factors to the loss of the 20-44 year age group as reflected in the 2010 Census. A review of assets needed to make the county more competitive and more attractive to younger generations determined that a Class A Business/Industrial Park would help reverse that trend. A Class A park aids in providing opportunities and attracting companies to locate or relocate to the county, diversifying the economy and providing much needed higher wage jobs.

Through the Conditional Zoning component of the request, Park 1764 is proposing to meet many of the Startown Small Area Plan (SAP) guiding principles and recommendations, Board of Commissioners' 2014 – 2015 goals and strategies, and a set of binding negotiated conditions identified below.

**The Startown Small Area Plan guiding principles and recommendations** include the following: under Land Use, **“Target industrial growth within the study area to specific, appropriate sites.” (page 16)**- Park 1764 is appropriate due to its scale and its being 0.7 mile from the Hickory City Limits and Catawba Valley Community College, 1.5 miles from Catawba Valley Mall and a regional shopping center, 1.6 miles from Highway 70 Business; two miles from Interstate 40; and 0.18 miles from the area earmarked in the Plan for a Neighborhood Commercial Node to the south. The node is just north of the intersection of Settlemyre Bridge Road at the proposed intersection of Startown Road and a future Southern Corridor.

**“Preserve open space, pastures and scenic views.” (page 17)**- the conceptual plan as part of the PD-IP-CD rezoning provides for 116 acres (66%) of the land area to contain parking, sidewalks, trails, landscaping, open space, and other undisturbed vegetative areas (such as the tributary of Muddy Creek).

**“Protect natural resources.” (page 17)**- The Park 1764 conceptual plan proposes to leave intact the tributary of Muddy Creek and its surrounding native vegetation.

**“Develop options for passive recreational uses.” (page 17)**- The Park 1764 conceptual plan includes extensive natural surface trails and outdoor areas.

**“A high-density mixed-use Village is proposed in the northern portion of the SAP west of Startown Road. Multi-family homes should be permitted in the village area, which may include a mixture of apartments, patio homes, cluster developments, and zero lot line developments.”(page 18)**- The majority of the Park 1764 property (100 acres out of 174 acres) was identified in the high-density mixed use village with an emphasis on residential uses (depicted on Map 5 of the SAP). This future high-density land use change was earmarked for this area due to its close proximity to the Hickory City Limits.

**“The land currently zoned for industrial uses is adequate.”(page 21)**- The Startown SAP highlighted a considerable amount of land appropriate for future industrial development along the 321 Corridor (depicted on Map 5). The Economic Development Corporation has been limited in its ability to negotiate the acquisition of suitable tracts for industrial development.

**“Industrial zoned property which is developed or redeveloped should strive to preserve the rural viewshed by adhering to the design standards for commercial development.” (page 21)**- The Park 1764 Class A standards will meet and/or exceed the Unified Development Ordinance (UDO) requirements. The required minimum front setback along Startown Road is 30 feet; however, the Park 1764 PD-IP-CD Development Conditions propose a minimum 300 foot setback from Startown Road. The required minimum front setback along Robinwood Road is 30 feet; however, the Park 1764 PD-IP-CD Development Conditions propose a 100 foot minimum setback along Robinwood Road. These additional front setbacks ensure protection of viewsheds in a north south direction along both Startown Road and Robinwood Road. The topography of the site slopes away from both roads, to a lower elevation along the tributary of Muddy Creek, helping to protect the east and west viewsheds across the property.

**“Abundant landscaping should be provided to screen parking, loading, storage and maintenance areas.” (page 21)**-

The Park 1764 conceptual plan and PD-IP-CD Development Conditions exceed landscaping requirements of the UDO.

The “Economic development” section of the Startown Small Area Plan included the following principles:

**“Create more aesthetically pleasing commercial, industrial, and mixed-use developments.” (page 42)-** Park 1764 addresses this principle by allowing only Class A buildings.

**“Industrial areas should be directed to areas with appropriate infrastructure.” (page 42)-** Park 1764 is proposed at a location where public water and sewer infrastructure exist. It is also bordered to the east by a major thoroughfare and west by a minor thoroughfare.

**Board of Commissioners’ 2014 – 2015 Goals and Strategies:** Park 1764 is intended to address the following Board of Commissioners’ 2014 – 2015 goals and strategies: *“In partnership with the private sector, support a coordinated effort to create jobs and property tax base by investing in infrastructure, the development of the County’s quality of place and educational opportunities. Specific strategies include: Facilitate spec building space in order to enhance the EDC’s recruitment efforts for jobs and increased tax base. Partner with the private sector and municipalities to focus on a framework to increase small and/or entrepreneurial businesses. Partner with the private and public sectors to implement Innovate Catawba.*

***Binding Negotiated Development Conditions for Park 1764 include:*** conditions regarding landscaping, berms and recreation including a condition that a berm and decorative fencing will be constructed and installed along the eastern park boundary adjacent to Startown Road, similar in size and scale associated with Sarstedt property, from the southern portion of the property, extending north, and stopping near Valley View Drive. No berm will be constructed between the development and the adjacent residential property to the northwest as requested by the adjacent property owners. No berm will be constructed between the development and the adjacent residential properties to the northeast as requested by the adjacent property owners. A mixture of deciduous and evergreen trees will be planted along Startown Road and Robinwood Road. A walking trail will be created within the park, not adjacent to neighboring properties. And a permanent easement will be established for the trail and conservation easements will be established along the stream.

Distribution facilities, heavy trucking, and heavy manufacturing uses are prohibited in the development.

The long term maintenance of Park 1764 will be accomplished through a Property Owners Association.

Turn lanes and road improvements will be installed as required by North Carolina Department of Transportation.

Conditions for development standards are as follows: 1) building setbacks along Startown Road will be a minimum of 300 feet; 2) building setbacks along Robinwood Road will be a minimum of 100 feet; 3) the maximum building height within Park 1764 is that of the Highway Commercial and Light Industrial district (70 feet); 4) metal facades are not permitted within Park 1764. All buildings will be designed to exist in a complementary fashion to rural business park setting in as much as possible; 5) themed signage will be limited to monument style signs. Pole signs will not be used; 6) the silos adjacent to Startown Road will be preserved if possible in an effort to aid in the retention of the property’s rural character. If the liability or cost of keeping the silos becomes unfeasible, they will need to be removed; 7) the history of the property as a dairy farm shall be recognized in a permanent manner on the site, recognizing the history and heritage of the dairy industry.

The R-20 Residential district is considered a high-density residential district providing opportunities for single-family development and agricultural uses. It allows minimum lot sizes of 15,000 square feet where public water and/or sewer are available. The PD Planned Development-Industrial Park district is considered a “special district,” for the establishment of complementary groupings of related manufacturing, processing, assembly, research activities, and related uses. Developments in the district must be designed to: reduce traffic friction, serve as an alternative to further extensions of industrial zoning, and protect stability and property values in surrounding residential neighborhoods. Conditional districts allow for the consideration of certain uses that, because of their nature or scale, have particular impacts on both the immediate area and the community as a whole and are created or established for selected criteria such as large tract size and square footage of development, planned developments, or proposed uses which don’t necessarily meet the recommendations of the small area plan (future land use recommendations). The development of these uses cannot be predetermined and controlled by general district regulations. In addition, circumstances arise when a general zoning district

designation would not be appropriate for a certain property, but specific uses permitted under the district would be consistent with the objectives of the conditional zoning district. The conditional district zoning process is established to accommodate those situations. A conditional zoning district is not intended for securing speculative zoning for a proposal but is based on a firm development proposal.

The properties are located at 2255, 2349, 2355, 2369, 2405, and 2415 Startown Road in the Startown Small Area Planning District, currently zoned R-20, and contain a mixture of residential houses, accessory structures and pasture land. The surrounding property includes twenty parcels containing single family homes, eleven undeveloped parcels, and one parcel containing a nonconforming distribution center.

Applicants who propose a planned development usually have more opportunity for master planning a larger area than is possible under conventional zoning regulations considering smaller parcels. The Planned Development-Industrial Park district can accommodate industrial uses allowed in the Light Industrial and General Industrial districts as well as business and professional service offices. However, the applicant (Economic Development Corporation) is not interested in promoting and developing all uses allowed in the General Industrial district. One of the conditions associated with the will be to prohibit distribution and heavy trucking facilities and heavy manufacturing uses within the development.

The Planned Development-Industrial Park district allows for a Floor Area Ratio of 1:3, meaning that one-third of the property can be occupied with building space while the other two-thirds is open land. This project would allow 58 acres of floor area or building footprints and 116 acres in open land containing parking, sidewalks, trails, landscaping, and other vegetation. All electric and telephone lines are required to be underground. Maximum building heights within planned developments are determined during the rezoning process. The applicant is proposing the maximum building height of 70 feet associated with Highway Commercial and Light Industrial districts. The elevation along Startown Road is 975 feet above sea level and the elevation of the closest proposed building pad is 945 feet above sea level. If a 70 foot tall building was built on the closest building pad, the impact would be that of a 40 foot tall building because the pad is considerably lower (30 feet) than the road elevation.

The EDC intends to preserve the rural character of the property as much as possible and develop the property as a Class A business park. According to information from the EDC, buildings are generally classified as being Class A, Class B, or a Class C. There is no definitive formula for classifying a building, but in general Class A buildings represent the highest quality buildings in their market. They are generally the best looking buildings with the best construction, and possess high quality building infrastructure. Class A buildings also are well-located, have good access, and are professionally managed. As a result of this, they attract the highest quality tenants and also command the highest rents.

As part of the Conditional District zoning request, the EDC has proposed a set of additional development conditions supplementing the Overall Proposed 1764 Park Site Plan which would be binding to future development of the property if the rezoning request is approved.

Public water and sewer is available to the site provided by the City of Hickory. Startown Road is designated as a major thoroughfare in the 2035 Greater Hickory Urban Area Long Range Transportation Plan. The plan recognizes that traffic on Startown Road is expected to increase over time and therefore recommends widening of Startown Road to a 4-lane divided boulevard with a grass median in the future. The Startown Road widening is not listed in the State Transportation Improvement Plan (North Carolina Department Of Transportation (NCDOT)'s five year construction plan). Annual average daily traffic counts for Startown Road in 2011, measured 11,000 north of the site and 8,700 south of the site. Based on design and construction, the road capacity in this area is approximately 12,000 to 15,000 vehicles per day. The road is currently operating at 27% under capacity.

Robinwood Road is designated as a minor thoroughfare in the 2035 Greater Hickory Urban Area Long Range Transportation Plan. There are no recommended improvements for Robinwood Road within the plan. Annual average daily traffic counts on Robinwood Road in 2011, north and south of the site, were 3,300 and 2,400 respectively. The capacity of Robinwood Road is approximately 11,000 vehicles per day. The road is currently accommodating approximately 3% of its capacity.

The current R-20 zoning district affecting the properties allows for approximately 505 single-family lots supported by public water or sewer. According to the Institute of Transportation Engineers, single-family housing generates an average of ten vehicle trips per day per home which would generate approximately 5,000 vehicle trips per day for the Startown and

Robinwood Road area. The concept of the Park 1764 plan is similar to Treyburn Park in Durham County, which is an approximate 5,000 acre park situated around a golf course, residential subdivisions, and industry all accessed by two-lane local roads. The 2035 Greater Hickory Urban Area Long Range Transportation Plan also recommends the establishment of a southern corridor which will facilitate suburban travel as well as inter-city travel between Hickory, Newton, Conover, Long View and eastern Burke County. The proposed route has not been studied, but is generally located to the south of the properties connecting to Settlemyre Bridge Road. The Southern Corridor is currently an unfunded project in the State Transportation Improvement Plan. The North Carolina Department of Transportation is responsible for reviewing all proposed development to determine which on and off-site transportation improvements would be necessary. The developer is responsible for completing any and all improvements specified by NCDOT prior to starting business operations.

The Startown Small Area Plan serves as the current land use plan for this area. Future Land Use Recommendations depict the properties as being located in an area designated for a high-density mixed use village and high-density single family residential development. The guiding principles listed in the Economic Development chapter of the plan include: facilitate and encourage new, community-focused economic development in the Startown area, create more aesthetically pleasing commercial, industrial and mixed-use developments and direct industrial areas to locations with appropriate infrastructure.

Staff recommends the approximate 174 acres be rezoned from R-20 Residential to Planned Development-Industrial Park-Conditional District based upon: the development meeting landscape requirements and preserving the rural character of the property as much as possible; the proposed development conditions and conceptual site plan prepared by McGill and Associates; the request promoting the harmony and compatibility of the proposed conditional zoning district in relationship to the surrounding land uses (proximity to Catawba Valley Community College, nonconforming distribution facility on Robinwood Road, and non-residential uses just north on Startown Road); and promoting economic development and the guiding principles from the Startown Small Area Plan.

The Planning Board held a public hearing on June 30, 2014 to consider the request. Scott Millar, of the EDC, and two others spoke in favor of the request. General comments included the intent to create a high-end, high-tech park providing high paying job opportunities preserving the heritage of the community, and benefiting the area. Eight people spoke in opposition to the request. The general concerns of those opposed to the request included increased traffic, desire to preserve the residential nature of the area, keep industrial uses in other areas, future property values, and environmental impacts. Comments from the Planning Board included the concern over cost to restore existing dysfunctional and obsolete buildings compared to building new buildings and that many of the concerns would be shared if another location were being considered. The Planning Board voted 8-0 to submit a favorable recommendation to rezone approximately 174 acres from R-20 Residential to Planned Development-Industrial Park-Conditional District to the Catawba County Board of Commissioners based upon the reasons listed above for staff's recommendation.

### **CONSENT AGENDA**

**A** The Board will consider adopting resolutions approving the donation of a 2007 Ford Crown Victoria to the Propst Crossroads Fire Department and a 2006 Ford Crown Victoria to the Newton-Conover Rescue Squad, as requested by those departments. These vehicles will be used primarily to transport Department members to department meetings and training classes. They will replace other vehicles the departments are now using, and will not be an expansion to their fleets. The 2007 vehicle has been driven for 146,000 miles and the 2006 vehicle has been driven for 124,337 miles.

North Carolina General Statute 160A-279 authorizes the County to convey personal property to a non-profit organization without monetary consideration as long as the property will be used for a public purpose. The process begins with the governing board adopting a resolution authorizing the conveyance of the property and a ten-day public notice. The Board's Finance and Personnel Subcommittee recommends the donation of these vehicles

**B.** The Board will consider an amendment to the County Personnel Code, allowing an employee to appeal a written warning to the County Manager. The grievance procedure currently allows employees the following levels of appeals: written warnings and performance evaluations may be grieved to the Department Head and suspensions without pay, involuntary demotions, dismissals and reductions in force may be grieved up to the County Manager.

Currently, employees who believe they have unfairly received disciplinary action in the form of a written warning may file

an appeal of that written warning to their department head, whose decision regarding the appeal may not be appealed. A recent survey conducted by Human Resources found that, of those counties allowing the appeal of written warnings, the appeal was heard by the County Manager. Years ago, the Personnel Code allowed employees to appeal written warnings to the County Manager. For employees in departments where there are few layers of supervision or where supervisors consult with the department head on matters of discipline, employees are potentially placed in the position of appealing a written warning to their department head even though the department head may have appropriately provided consultation and guidance to the supervisor initiating the written warning. For the employee, this could result in an appeal process that feels neither fair nor impartial. Allowing employees the opportunity to appeal the written warning to the County Manager provides an additional level of review, to enhance fairness and impartiality in the disciplinary process. All other disciplinary actions recognized by the Personnel Code (suspensions without pay, involuntary demotions, and dismissals) are currently appealable to the County Manager. To ensure employees receive a timely resolution to their grievances, the Personnel Code allows for the County Manager to appoint a designee to hear an appeal and this flexibility would be extended to appeals of written warnings as well. The Board's Finance and Personnel Subcommittee recommends approval of this amendment.

**C.** The Board will consider waiving normally charged permit fees, applicable to the Catawba County Fee Schedule, Building Permit Fees section, for the 2014 Greater Hickory Kia Classic Golf Tournament at Rock Barn. The County received a request from Mr. Peter Fisch, Tournament Manager, to waive the permit fees for the 2014 tournament. The event is scheduled to be held at the Rock Barn Golf and Spa in Conover from October 13-19, 2014.

Building Permit Fees have been waived for the previous Greater Hickory Kia Classic events, now in its 12<sup>th</sup> year. The request to waive permit fees is applicable only to the section of the Catawba County Fee Schedule associated with Building Permit Fees. In order to protect the safety, health, and welfare of citizens and visitors to Catawba County for this event, the approval will not negate permit issuance or inspections. The waived permit fees are estimated to be valued at less than \$4,000. It has been estimated that last year's event impacted the local economy in excess of \$15 million. The event attracts more than 65,000 spectators, volunteers and vendors, and airs over 15 hours of live and replay coverage on the Golf Channel. The Board's Policy and Public Works Subcommittee recommends the waiver of these fees.

**D.** The Board will consider a proposed Travel Policy for the Alcoholic Beverage Control (ABC) Board. The ABC Board has requested that the Board of Commissioners approve an ABC Travel Policy that has been approved by the Catawba County ABC Board. The North Carolina Alcoholic Beverage Control Commission requires that the Catawba County ABC Board provide proof that its appointing authority has approved its travel policy on an annual basis. The proposed policy very closely mirrors the County's travel policy. The Board of Commissioners' Policy and Public Works Subcommittee recommends approval of this travel policy.

**E.** The Board will consider acceptance and appropriation of the following Library Services and Technology Act Grants awarded to Catawba County Library by the State Library of North Carolina:

1. A Planning Grant in the amount of \$20,352 that will be used to assess current services and gather community input to strategically identify priority goals for increasing alignment with citizens needs, resulting in a long-range strategic plan to assist with outcome development and prioritizing library services. The grant does not require a local match. The library will be cross-collaborating with the Hickory Public Library with this project. The Hickory Public Library also received a grant for strategic planning with the same consultant.

2. A Project Access and Digitization Grant in the amount of \$100,000 that will be used to install and implement Radio Frequency Identification (RFID) technology at the Main Library and St. Stephens Branch. RFID implementation will increase library customers' access to library holdings by utilizing technology that improves inventory tracking, increases work efficiencies, and allows staff to focus on improved personal service. The grant requires a \$14,950 match, which will be funded from the Library reinventing budget. Library staff is working on a Request for Proposals for the project to coordinate with the Purchasing Department.

3. A Literacy and Lifelong Learning Grant in the amount of \$10,220 that will be used to partner with local business and educators to host an eight week robotics camp for young adults; promoting science, technology, engineering and math career paths and supporting 21st century learning skills needed for students to succeed in the global market. Following the camp, libraries will maintain open robotics labs at each branch for continued exploration. The grant does not

require a local match.

The Board's Finance and Personnel Subcommittee recommends the acceptance and appropriation of these grant funds.

## **DEPARTMENTAL REPORTS**

### **A. CATAWBA VALLEY MEDICAL CENTER (CVMC)**

The Board will consider adopting a resolution approving the County entering into a new interest rate cap agreement for 2009 North Carolina Taxable Variable Rate Demand Hospital Revenue Bonds used to fund renovations to CVMC's surgical suite, improvements to its central energy plant and equipment acquisitions. The 2009 Bonds bear interest at variable rates.

On December 15, 2010, the County also issued \$22 million of Hospital Revenue Bonds (the "2010 Bonds") for the benefit of CVMC. The 2010 Bonds were used to fund a new five level patient tower with an outpatient infusion center, 16 inpatient oncology beds, a new birthing center and a 20 bed special care nursery. The 2010 Bonds bear interest at fixed rates. Both the 2009 Bonds and the 2010 Bonds are secured with a pledge of hospital revenues. No County funds or County assets are pledged for either bond issue.

As a pre-condition to issuing the 2010 Bonds, the North Carolina Local Government Commission ("LGC") advised CVMC and the County that they needed to enter into an interest rate cap to protect against future upward interest rate fluctuations associated with the variable interest rates on the 2009 Bonds as long as the 2009 Bonds remain outstanding. Under an interest rate cap, CVMC pays an upfront fixed fee to the cap counterparty; and the counterparty agrees to make periodic payments to CVMC equal to the amount of interest payable on the 2009 Bonds that is in excess of the cap rate. Since the County is the issuer of the 2009 Bonds, the County is a necessary party to the interest rate cap. CVMC pays the upfront fixed fee from CVMC revenues. After payment of the upfront fixed fee, neither CVMC nor the County has any ongoing financial liability under an interest rate cap. The initial interest rate cap was entered into with BB&T as the cap counterparty. This initial interest rate cap expires on August 1, 2014, and must be replaced with a new interest rate cap with a new cap counterparty. BB&T is no longer a permitted cap counterparty for this transaction. The LGC must approve the terms and provisions of the new interest rate cap. Under current LGC policies, an interest rate cap advisor must be retained. CVMC has hired Efficient Capital Corporation (ECC) to serve as advisor on the interest rate cap on the 2009 Bonds. CVMC will pay ECC's fee from CVMC revenues.

The cap counterparty on the new interest rate cap will be selected through a competitive bid process that will be conducted by ECC. Detailed bid forms will be sent out by ECC to the three most competitive providers of interest rate cap agreements that also meet the ratings qualifications established by the County's existing Interest Rate Cap Policy. The competitive bid process is intended to generate the best possible price, in the opinion of ECC, for the new interest rate cap.

The requested resolution will authorize the Senior Vice President of Finance and Chief Financial Officer of CVMC to solicit and negotiate the terms of the interest rate cap agreement, authorize the Finance Director of the County to file an application for the required LGC approval of the interest rate cap and to execute and deliver the interest rate cap agreement and other related documents or certificates on behalf of the County, authorize other designated representatives of the County to take any and all other actions necessary or advisable to put the interest rate cap on the 2009 Bonds in place, and make certain findings required by North Carolina statutory provisions applicable to interest rate cap agreements. Catawba Valley Medical Center's Board of Trustees Executive Committee has approved a similar resolution.

### **B. SOCIAL SERVICES**

The Board will consider informing the North Carolina Department of Health and Human Services that Catawba County intends to pursue Electing County Status and appointing members to serve on a Planning Committee.

In 1996, Congress ended the national welfare program known as AFDC (Aid to Families with Dependent Children) and crafted legislation to allow states to implement their own welfare programs. This federal devolution of authority enabled the North Carolina General Assembly to go even further with welfare reform. The legislature took the next step; allowing counties to compete for Electing County status, in essence offering a limited number of counties the opportunity to have greater control over local welfare policies, as well as greater control over available funding. Catawba County has pursued Electing County status from the beginning in January 1998. With welfare reform, counties were encouraged to "think outside the box" and offer suggestions for innovative policy changes that would enable families to move more quickly to

higher levels of personal responsibility and economic self-sufficiency. Catawba County's Electing Plans have clearly communicated to all that the expectation in this county is that all "able-bodies" persons will seek and maintain employment and support their families to the best of their ability. The Work First caseload has dropped by 88% since the beginning of Welfare Reform in 1995.

On July 3, 2014, Social Services received notice that all counties must once again participate in the Work First biennial planning process. Current Electing Counties must notify the state by August 4, 2014, if they wish to remain Electing. In prior years, there were numerous advantages to being an Electing County. Electing Counties are given greater flexibility in establishing eligibility policies (who is eligible to receive assistance and under what conditions). However, through the years, the State has gradually adapted a State plan to mirror the policies recommended by counties vying for Electing status. The primary reason for pursuing Electing County status for the 2016-19 biennium would be to realize funding flexibility within the Work First County Block Grant. Funds available for distribution to electing counties will be adjusted based on State and/or Federal legislation. When electing counties are preparing their plans and deciding whether to remain as electing or change to standard, counties must be cognizant that any estimates received from the North Carolina Division of Social Services Budget Office will be based on current available dollars and subject to change based on legislative decisions.

North Carolina General Statute 108A-27 requires a Board of County Commissioners to appoint a committee of local leaders to assist in the development of the county Work First Block Grant plan. Membership of the committee must include, but is not limited to, representatives of: Board of Social Services, Board of County Commissioners, Partners Behavioral Health Management (LME), Public Health, Local School System, Business Community, Department of Commerce Division of Workforce Solutions (NC Works Career Center), Community-based organizations (that represent the population to be served), Childcare Service Provider, Transportation Service Provider, Vocational Rehabilitation and Social Service staff.

CONTACT: DAVE HARDIN, PUBLIC INFORMATION OFFICER 465-8464



**CATAWBA COUNTY OFFICE OF SHERIFF**

**COY REID, SHERIFF**

P O Box 385 • 100 B South West Boulevard • Newton North Carolina 28658 0385  
[www.catawbacountync.gov/depts/shf/](http://www.catawbacountync.gov/depts/shf/)

• Office 828 464 5241  
• Jail 828 465 8999  
• Fax 828 465 8471

April 10 2014

Chair Kitty Barnes  
Catawba County Board of Commissioners  
Catawba County Government Center  
Newton NC 28658

Dear Chair Barnes

Upon my retirement effective July 1<sup>st</sup> 2014 I am requesting my service weapon and badge This is pursuant to North Carolina Statute 20 187 2 of which a copy is enclosed I have also enclosed my pistol purchase permit for the weapon

I have been employed as a Deputy Sheriff for over 18 years with Catawba County Sheriff s Office I have enjoyed my tenure and have made many dear friends and acquaintances I have enjoyed my years of service with the Sheriff's Office and would like to have these items to commemorate my service with the department

I thank you for your consideration of my request

Sincerely

A handwritten signature in cursive script that reads "Tammy Johnson".

Tammy Johnson  
Catawba County Sheriff's Office

cc Coy Reid Sheriff  
J Thomas Lundy County Manager

Enclosures  
Copy of Statute §20 187 2  
Original Pistol Purchase Permit

**§20 187 2 Badges and service side arms of deceased or retiring members of State, city and county law enforcement agencies, weapons of active members**

- (a) Surviving spouses or in the event such members die unsurvived by a spouse surviving children of members of North Carolina State city and county law enforcement agencies killed in the line of duty or who are members of such agencies at the time of their deaths and retiring members of such agencies shall receive upon request and at no cost to them the badge worn or carried by such deceased or retiring member The governing body of a law enforcement agency may in its discretion also award to a retiring member or surviving relatives as provided herein upon request the service side arm of such deceased or retiring members at a price determined by such governing body upon securing a permit as required by G S 14 402 **et seq** or 14 409 1 **et seq** or without such permit provided the weapon shall have been rendered incapable of being fired Governing body shall mean for county and local alcohol beverage control officers the county or local board of alcoholic control for all other law enforcement officers with jurisdiction limited to a municipality or town the city or town council for all other law enforcement officers with countywide jurisdiction the board of county commissioners for all State law enforcement officers the head of the department
- (b) Active members of North Carolina State law enforcement agencies upon change of type of weapons may purchase the weapon worn or carried by such member at a price which shall be the average yield to the State from the sale of similar weapons during the preceding year (1971 c 669 1973 c 1424 1975 c 44 1977 c 548 1979 c 882 1987 c 122 )

# PISTOL PURCHASE PERMIT

## NORTH CAROLINA

2014-1129G

I COY REID Sheriff of said county do hereby certify that I have conducted a criminal

background check of the applicant TAMMY ANN JOHNSON

whose place of residence is 1420 11TH ST DR NW 3

HICKORY NC 28601

in Catawba County North Carolina and have received no information to indicate that it would be a violation of the State or Federal law for the applicant to purchase transfer receive or possess a handgun The applicant has further satisfied me as to his her (or) their good moral character Therefore a license or permit is issued to

TAMMY ANN JOHNSON

to purchase one (1) pistol from any person firm or corporation authorized to dispose of the same

This license or permit expires five years from its date of issuance

On this date 11-April-2014

Coy Reid SHERIFF

Signature Coy Reid

**NOTE ORIGINAL MUST BE TURNED IN TO SELLER AT TIME OF PURCHASE**

## CATAWBA COUNTY PROGRAMS HONORED BY NATIONAL ASSOCIATION OF COUNTIES

Four Catawba County programs have been named winners of a 2014 National Association of Counties (NACo) Achievement Award.

The winning programs include a Public Health Farmers Market designed to offer fresh fruits and vegetables and improve community health; a computer access terminal that allows citizens at Hickory City Hall access to Permit Center staff in Newton; a program that streamlined the process for finding permanent placements for children in foster care, resulting in less trauma for the child and faster decisions; and a Commercial Recycling Program that is one of many initiatives that helped Catawba County attain the #1 ranking in the state in recycling, per person, in two of the last three years.

"NACo awards demonstrate Catawba County's continuing effort to find innovative and creative ways to deliver the very best services to our citizens," said Kitty Barnes, Chair of the Catawba County Board of Commissioners. "My fellow commissioners and I are very proud of this national recognition."

The NACo Achievement Awards program, now in its 43rd year, gives national recognition to significant and innovative programs that improve county organization, management and service delivery. Catawba County has won 199 awards over the history of the NACo program and has been honored during each of its 43 years.

**Catawba County's Utilities and Engineering Department won two of the four awards. "The Commercial Recycling Program is a free and voluntary program that encourages local businesses to take proactive steps to improve their environmental record while improving their bottom-line," said Amanda Kain, Catawba County Recycling Coordinator. "The program recognizes businesses in Catawba County that operate in an environmentally friendly manner by practicing the 4R's (reduce, reuse, recycle, rebuy)."**

**The Commercial Recycling Program currently includes nineteen businesses. Companies enrolled in the program are able to access a wide range of data and assistance including a 49-page Resource Guide For Commercial Recycling And Waste Reduction. Program partners receive technical assistance at no cost. County staff helps partners find markets for their recyclable materials, both locally and around the state.**

**The Remote Access Permitting Terminal or RAPT provides real-time interaction between a citizen needing a permit at Hickory City Hall and a Permit Center Specialist located in the Catawba County Government Center in Newton. RAPT gives customers the ability to apply for and obtain residential and trade permits, or ask questions and receive answers about the permitting process from a remote location. RAPT utilizes video conferencing technology to allow citizens and contractors seamless interaction with Permit Center staff without the added time and expense of travelling from Hickory to Newton to conduct business. The system has allowed the County's permitting process to evolve and maintain a high level of customer service without hiring additional staff to physically operate a second office.**

**"RAPT has been a success since it was first implemented," said Jack Chandler, Catawba County's Assistant Director of Utilities and Engineering. "It filled in a service gap within our permitting program. Rather than closing an existing Permit Center, RAPT allowed the County to continue offering permitting services in Hickory, instead of requiring all those who need permit services to travel to Newton to conduct business. Second, RAPT improved the cost effectiveness of an existing program by allowing the County to avoid replacing staff members when they retired. Service was not interrupted and the County was able to realize cost savings."**

The Catawba County **Public Health Farmers Market** won the third 2014 National Association of Counties Achievement Award. In partnership with the Women, Infants, and Children (WIC) program, the market’s goal is to improve individual and community health by increasing access to fresh fruits and vegetables.

WIC clients receive Farmers Market Nutritional Program vouchers when available to supplement their WIC food benefits with fresh, local produce during the summer months. Of the 415 customers surveyed at last year’s market, 88.4% said the market helped increase the amount of fresh produce their family ate. For surveyed WIC clients, that number was 95%.

“We started the market hoping to see not just increased access to healthy foods, but also increased redemption of WIC Farmers Market Nutritional Program vouchers,” said Julie Byrd, WIC Director. “With the addition of this new market to our community, the WIC program had the third highest redemption rate, 62.9%, of Farmers Market Nutritional Program vouchers in North Carolina last year. The statewide average, which tends to hover around 50%, was 48.47% in 2013.”

Catawba County Social Services’ **Children and Youth Investment Team (CAY-IT)** also won a 2014 National Association of Counties Achievement Award. The program seeks to streamline the process for finding permanent placements for children in foster care, resulting in less trauma for the child and faster decisions. CAY-IT brings together professionals from several different governmental units to work collaboratively in planning for permanent placements for foster children who have been in care longer than average.

“The State's goal is for children to remain in foster care no longer than one year,” said Regina Arrowood, CAY-IT Process Coordinator. “In March 2014, Catawba County Social Services cared for 201 foster children. Twenty of them had been in care 36 months or more, and 45 more had been in care more than 24 but less than 36 months. Mental health and legal issues are often the reasons for longer-than-average placement times for these children. The CAY-IT team meets every other month and includes social workers, social work supervisors, guardians ad-litem for the children, mental health professionals and residential care professionals. The CAY-IT approach is already yielding cross-disciplinary discussions, which help the team move more quickly toward the best outcome for each child.

The program has improved permanency planning for children in foster care by bringing a wide range of expertise to the planning process,” Arrowood added. “No longer are social workers making decisions without input from partners from the mental health and legal systems, which also impact these children. The result is a faster, better decision-making process. By pulling together different units that work on different parts of a child's treatment program, the CAY-IT team helps develop a more holistic approach to improving the child's life. It is well-known by adoption and foster care workers that foster care should be used for as short a time as needed, and the child should not be subjected to numerous foster care placements. By analyzing as a group what stands in the way of moving toward permanence, children can be moved through the system more quickly, resulting in less trauma to the child.”

Catawba County’s NACo Awards will be presented to County officials during the Association’s annual conference in New Orleans in July. Employees involved in the four programs will be recognized at an upcoming Board of Commissioners meeting and at the annual County Awards Night dinner in October.

CONTACT:	AMANDA KAIN, RECYCLING COORDINATOR	828-465-8217
	JACK CHANDLER, ASST. DIR. OF UTILITIES/ENGINEERING	828-465-8940
	KELLY SCHERMERHORN, PUBLIC INFORMATION OFFICER (PH)	828- 695-5843
	MARGARET ALLEN, PUBLIC INFORMATION OFFICER (SS)	828-695-6583
	DAVE HARDIN, PUBLIC INFORMATION OFFICER	828-465-8464

# 2014 ACHIEVEMENT AWARD WINNER

*"That some achieve great success, is proof to all that others can achieve it as well."*

– Abraham Lincoln

The National Association of Counties is proud to award

**Catawba County**

A 2014 Achievement Award for its program titled:

**Remote Access Permitting Terminal (RAPT)**



Matthew Chase, NACo Executive Director



Linda Langston, NACo President



# 2014 ACHIEVEMENT AWARD WINNER

*"That some achieve great success, is proof to all that others can achieve it as well."*

– Abraham Lincoln

The National Association of Counties is proud to award  
**Catawba County**

A 2014 Achievement Award for its program titled:

**Commercial Recycling and Waste Reduction Partnership Program**



Matthew Chase, NACo Executive Director



Linda Yangston, NACo President



## MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Chris Timberlake, Planner

DATE: July 21, 2014

IN RE: Rezoning Request – Applicants are Catawba County Economic Development Corporation and Property Owners Ruth B. Lutz (Ruth A. Hollar, trustee, Kevin Lutz, Carol Y. Lutz and W. R. Lutz Jr., Brenda G. Lutz, and Brenda Lutz Kiser

---

### REQUEST

Consider an application to rezone approximately 174 acres from R-20 Residential (allowing a minimum lot size of 20,000 square feet, 2 dwellings per acre) to Planned Development-Industrial Park-Conditional District (PD-IP-CD) to allow Park 1764, a Class A Business Park. The applicants are the Economic Development Corporation and property owners are Ruth B. Lutz (Ruth A. Hollar, trustee, Kevin Lutz, Carol Y. Lutz and W. R. Lutz Jr., Brenda G. Lutz, and Brenda Lutz Kiser).

#### *Why Needed?*

Although the local economy has shown signs of improvement it is still struggling and lags behind other areas of the state. The Hickory/Lenoir/Morganton Metropolitan Statistical Area (MSA) continues to rank in the lower tier (11<sup>th</sup> of the 14 MSAs) in the unemployment rate currently standing at 7.4%. Lack of job opportunities and quality of life amenities are contributing factors to the loss of the 20 – 44 year age group as reflected in the 2010 Census. How do we reverse this trend in the County and MSA? Upon review of assets needed to make our county more competitive and more attractive to our younger generations, it was deemed that Class A Business/Industrial Park would help reverse that trend. A Class A park aids in providing opportunities and attracting companies to locate or relocate to our County, thereby diversifying our economy and providing much needed higher wage jobs.

Through the Conditional Zoning component of the request, Park 1764 is proposing to meet:

- Many of the Startown Small Area Plan (SAP) guiding principles and recommendations,
- Board of Commissioners' 2014 – 2015 goals and strategies, and
- A set of binding negotiated conditions identified below.

#### **Startown Small Area Plan Guiding Principles and Recommendations**

- Land Use –
  - SAP Principle – **“Target industrial growth within the study area to specific, appropriate sites.”** (page 16) The Park 1764 is appropriate due to its scale and

close proximity to:

- .7 mile from the Hickory City Limits and Catawba Valley Community College;
  - 1.5 miles from Catawba Valley Mall and a regional shopping center;
  - 1.6 miles from Highway 70 Business;
  - 2 miles from Interstate 40; and
  - .18 miles from the area earmarked for a Neighborhood Commercial Node to the south. The node is just north of the intersection of Settlemyre Bridge Road at the proposed intersection of Startown Road and future Southern Corridor. Note: [See attached map titled Startown/Robinwood Roads - Future Land Uses and Transportation Map.](#)
- SAP Principle – **“Preserve open space, pastures and scenic views.”** (page 17) The conceptual plan as part of the PD-IP-CD rezoning provides for 116 acres (66%) of the land area to contain parking, sidewalks, trails, landscaping, open space, and other undisturbed vegetative areas (such as the tributary of Muddy Creek).
  - SAP Principle – **“Protect natural resources.”** (page 17) The Park 1764 conceptual plan proposes to leave intact the tributary of Muddy Creek and its surrounding native vegetation.
  - SAP Principle – **“Develop options for passive recreational uses.”** (page 17) The Park 1764 conceptual plan includes extensive natural surface trails and outdoor areas.
  - SAP Recommendation – **“A high-density mixed-use Village, as shown in brown on Map 5 is proposed in the northern portion of the SAP west of Startown Road. Multi-family homes should be permitted in the village area, which may include a mixture of apartments, patio homes, cluster developments, and zero lot line developments.”** (page 18) The majority of the Park 1764 property (100 acres out of 174 acres) was identified in the high-density mixed use village with an emphasis on residential uses as depicted on [Map 5](#) of the SAP. Also see attached map titled Startown/Robinwood Roads - Future Land Uses and Transportation Map. This future high-density land use change was earmarked for this area due to its close proximity to the Hickory City Limits.
  - SAP Recommendation – **“The land currently zoned for industrial uses is adequate.”** (page 21) The Startown SAP highlighted a considerable amount of land appropriate for future industrial development along the 321 Corridor (SAP [Map 5](#)). The Economic Development Corporation has been limited in its ability to negotiate the acquisition of suitable tracts for industrial development.
  - SAP Recommendation – **“Industrial zoned property which is developed or redeveloped should strive to preserve the rural viewshed by adhering to the design standards for commercial development.”** (page 21) The Park 1764 Class

A standards will meet and/or exceed the Unified Development Ordinance (UDO) requirements. The required minimum front setback along Startown Road is 30 feet; however, the Park 1764 PD-IP-CD Development Conditions propose a minimum 300 foot setback from Startown Road. The required minimum front setback along Robinwood Road is 30 feet; however, the Park 1764 PD-IP-CD Development Conditions propose a 100 foot minimum setback along Robinwood Road. These additional front setbacks ensure protection of viewsheds in a north south direction along both Startown Road and Robinwood Road. The topography of the site slopes away from both roads, to a lower elevation along the tributary of Muddy Creek, helping to protect the east and west viewsheds across the property.

- SAP Recommendation – **“Abundant landscaping should be provided to screen parking, loading, storage and maintenance areas.”** (page 21) The Park 1764 conceptual plan and PD-IP-CD Development Conditions exceed landscaping requirements of the UDO.
- Economic development –
  - SAP Principle – **“Create more aesthetically pleasing commercial, industrial, and mixed-use developments.”** (page 42) Park 1764 addresses this principle by allowing only Class A buildings.
  - SAP Principle – **“Industrial areas should be directed to areas with appropriate infrastructure.”** (page 42) Park 1764 is proposed at a location where public water and sewer infrastructure exist. It is also bordered to the east by a major thoroughfare and west by a minor thoroughfare.

*Note: The Startown Small Area Plan document along with Map 5 Future Land Use Recommendations and Residential Densities is attached.*

### **Board of Commissioners’ 2014 – 2015 Goals and Strategies**

Park 1764 is intended to address the following Board of Commissioners’ 2014 – 2015 goals and strategies:

- In partnership with the private sector, support a coordinated effort to create jobs and property tax base by investing in infrastructure, the development of the County’s quality of place and educational opportunities.

Specific strategies include:

- Facilitate spec building space in order to enhance the EDC’s recruitment efforts for jobs and increased tax base.
- Partner with the private sector and municipalities to focus on a framework to increase small and/or entrepreneurial businesses.

- Partner with the private and public sectors to implement Innovate Catawba.

### **Park 1764 Binding Negotiated Development Conditions**

#### *Landscaping / Berms / Recreation*

1. A berm and decorative fencing will be constructed and installed along the eastern park boundary adjacent to Startown Road, similar in size and scale associated with Sarstedt property, from the southern portion of the property, extending north, and stopping near Valley View Drive. No berm will be constructed between the development and the adjacent residential property to the northwest as requested by the adjacent property owners. No berm will be constructed between the development and the adjacent residential properties to the northeast as requested by the adjacent property owners.
2. A mixture of deciduous and evergreen trees will be planted along Startown Road and Robinwood Road.
3. A walking trail will be created within the park, not adjacent to neighboring properties.
4. A permanent easement will be established for the trail and conservation easements will be established along the stream.

#### *Uses*

5. Distribution facilities, heavy trucking, and heavy manufacturing uses are prohibited in the development.

#### *Property Maintenance*

6. The long term maintenance of Park 1764 will be accomplished through a Property Owners Association.

#### *Transportation*

7. Turn lanes and road improvements will be installed as required by North Carolina Department of Transportation.

#### *Development Standards*

8. Building setbacks along Startown Road will be a minimum of 300 feet. Building setbacks along Robinwood Road will be a minimum of 100 feet.
9. Maximum building height within Park 1764 is that of the Highway Commercial and Light Industrial district (70 feet).
10. Metal facades are not permitted within Park 1764. All buildings will be designed to exist in a complementary fashion to rural business park setting in as much as possible.
11. Themed signage will be limited to monument style signs. Pole signs will not be used.
12. The silos adjacent to Startown Road will be preserved if possible in an effort to aid in the retention of the property's rural character. If the liability or cost of keeping the silos becomes unfeasible, they will need to be removed.
13. The history of the property as a dairy farm shall be recognized in a permanent manner on the site, recognizing the history and heritage of the dairy industry.

### Unified Development Ordinance – Purpose of Specific Zoning Districts

Currently all properties in the request are zoned R-20 Residential district which is considered a high-density residential district providing opportunities for single-family development and agricultural uses. The R-20 Residential district allows minimum lot sizes of 15,000 square feet where public water and/or sewer are available.

The Conditional District zone for Park 1764 is proposed for the purpose of accommodating industrial and business uses that are: in harmony and compatible with the larger community based upon its close proximity to the urban area, promoting economic development, to ensure the development follows an approved conceptual site plan, a set of negotiated conditions which exceed the basic requirements of the UDO, and in general agreement with guiding principles and recommendations of the SAP.

### **REVIEW/BACKGROUND**

#### Location/Zoning

The properties are located at 2255, 2349, 2355, 2369, 2405, and 2415 Startown Road in the Startown Small Area Planning District, Newton Township, and further identified by Parcel Identification Numbers 3721-17-22-0111, 3721-14-32-0698, 3721-18-32-4209, 3721-17-11-9870, 3721-18-31-1271, 3721-17-10-5489, 3721-18-30-2926. The applicants are the Economic Development Corporation and property owners Ruth B. Lutz (Ruth A. Hollar, trustee), Kevin Lutz, Carol Y. Lutz and W. R. Lutz Jr., Brenda G. Lutz, and Brenda Lutz Kiser.

The properties depicted as Parcel 1A through 1G, on the attached maps, are zoned R-20 Residential. The properties contain a mixture of residential houses, accessory structures, and pasture land. The surrounding parcels contain the zoning districts and uses as described below.

- *North* – Parcels 2 through 6 are zoned R-20 Residential. Three of the parcels contain single-family homes. Two of the parcels are undeveloped.
- *South* – Parcels 15, 16, and 17 are zoned R-20 Residential. Parcels 15 and 17 contain single-family homes. Parcel 16 is undeveloped.
- *East* – Parcels 7 through 14 are zoned R-20 Residential. Three of the parcels contain single-family homes or accessory structures. Five of the parcels are undeveloped.
- *West* – Parcel 19 through 34 are zoned R-20 Residential. Twelve of the parcels contain single-family homes. One of the parcels contains a nonconforming distribution center. Three of the parcels are undeveloped.

#### Zoning History

There is no zoning history specific to the properties.

### Land Use

Applicants who propose a planned development usually have more opportunity for master planning a larger area than is possible under conventional zoning regulations considering smaller parcels. The Planned Development-Industrial Park district can accommodate industrial uses allowed in the Light Industrial and General Industrial districts as well as business and professional service offices. However, the applicants (Economic Development Corporation and property owners Ruth B. Lutz (Ruth A. Hollar, trustee), Kevin Lutz, Carol Y. Lutz and W. R. Lutz Jr., Brenda G. Lutz, and Brenda Lutz Kiser) are not interested in promoting and developing all uses allowed in the General Industrial district. One of the conditions associated with the Conditional District zoning request will be to prohibit distribution and heavy trucking facilities and heavy manufacturing uses within the development.

The Planned Development-Industrial Park district allows for a Floor Area Ratio of 1:3, meaning that one-third of the property can be occupied with building space while the other two-thirds is open land. This project would allow 58 acres of floor area or building footprints and 116 acres in open land containing parking, sidewalks, trails, landscaping, and other vegetation. All electric and telephone lines are required to be underground. Maximum building heights within planned developments are determined during the rezoning process. The applicants are proposing the maximum building height of 70 feet associated with Highway Commercial and Light Industrial districts. The elevation along Startown Road is 975' above sea level and the elevation of the closest proposed building pad is 945' above sea level. If a 70' tall building was built on the closest building pad, the impact would be that of a 40' tall building because the pad is considerably lower (30') than the road elevation.

The EDC intends to preserve the rural character of the property as much as possible and develop the property as a Class A business park. Class A buildings represent the highest quality buildings in their market and are the best looking buildings with the best construction, and possess high quality building infrastructure. Class A buildings also are well-located, have good access, and are professionally managed. As a result of this, they attract the highest quality tenants and also command the highest rents.

As part of the Conditional District zoning request, the EDC has proposed a set of additional development conditions supplementing the Overall Proposed 1764 Park Site Plan which would be binding to future development of the property if the rezoning request is approved.

### Utilities

Public water and sewer is available to the site provided by the City of Hickory.

### Transportation

Startown Road – designated as a major thoroughfare in the 2035 Greater Hickory Urban Area Long Range Transportation Plan. The plan recognizes that traffic on Startown Road is expected to increase over time and therefore recommends widening of Startown Road to a 4-lane divided boulevard with a grass median in the future. The Startown Road widening is not listed in the State Transportation Improvement Plan (STIP - NCDOT's five year construction plan).

Annual average daily traffic counts for Startown Road in 2011, measured 11,000 north of the site and 8,700 south of the site. Average daily traffic has decreased since the 2007 measurements. Based on design and construction, the road capacity in this area is approximately 12,000 to 15,000 vehicles per day. The road is currently operating at 27% under capacity.

Robinwood Road - designated as a minor thoroughfare in the 2035 Greater Hickory Urban Area Long Range Transportation Plan. There are no recommended improvements for Robinwood Road within the plan. Annual average daily traffic counts on Robinwood Road in 2011, north and south of the site, were 3,300 and 2,400 respectively. The capacity of Robinwood Road is approximately 11,000 vehicles per day. The road is currently accommodating approximately 3% of its capacity.

[Sweetwater Road and extension](#) – designated as a radial minor thoroughfare in the 2035 Greater Hickory Urban Area Long Range Transportation Plan. The extension would connect US 70 to Robinwood Road at its intersection with Startown Road across the CVCC Campus. The design calls for a 3-lane roadway and is rated as a top 6 project based upon NCDOT’s new Strategic Mobility Formula at the division level (initial draft).

[Southern Corridor](#) – designated as a future major thoroughfare in the 2035 Greater Hickory Urban Area Long Range Transportation Plan. The corridor will facilitate suburban travel as well as inter-city travel between Hickory, Newton, Conover, Long View and eastern Burke County. The proposed route has not been studied, but is generally located to the south of the properties connecting to Settlemyre Bridge Road. The Southern Corridor is currently an unfunded project (U-2532) in the State Transportation Improvement Plan.

The current R-20 zoning district affecting the properties allows for approximately 505 single-family lots supported by public water or sewer. According to the Institute of Transportation Engineers (ITE), single-family housing generates an average of 10 vehicle trips per day per home which would generate approximately 5,000 vehicle trips per day for the Startown and Robinwood Road area. In comparison, if Park 1764 were to create 505 jobs, according to ITE, it would generate 1,687 trips per day (33% of the trips generated by a comparable 505 single-family home development).

The impacts of a Park 1764 are minimal when compared to Treyburn Park in Durham County, situated on approximately 5,000 acre including a golf course, residential subdivisions, and industry all accessed by two-lane local roads.

#### Public Participation Process

Public involvement included the following:

June 12, 2014 - An informal drop-in session was held from 5pm – 7pm, hosted by EDC, introducing the public to the request and proposed park plan. EDC notified adjacent property owners of the drop-in session consistent with

the same list staff would use for its public hearings. Staff along with EDC answered the public's questions concerning the proposal. Approximately 25 people attended.

- June 13, 2014 - Notices were sent to all adjacent property owners, notifying them of the Planning Board's June, 30 2014 Public Hearing.
- June 17, 2014 - Property was posted in two (2) locations along Startown Road and two (2) locations along Robinwood Road notifying the public of the proposed rezoning. The signs have been in place continually through today's date.
- June 18, 2014 - Advertisement was forwarded to The Hickory Daily Record to run the legal ad of the Planning Board public hearing on June 20<sup>th</sup> and June 27<sup>th</sup>. The legal ads ran in the paper on both dates.
- June 25, 2014 - Rezoning information (final map, supplemental material, application, proposed development conditions) about the request was posted on the Planning Department's website and that information has been available since that date.
- June 30, 2014 - Planning Board held a public hearing to consider the request.
- July 10, 2014 - Advertisement was forwarded to The Hickory Daily Record to run the legal ad of the Board of Commissioners public hearing on July 11<sup>th</sup> and July 18<sup>th</sup>.

#### Staff Recommendation

Staff recommends the approximate 174 acres be rezoned from R-20 Residential to Planned Development-Industrial Park-Conditional District based upon:

- 1) Promoting economic development and the guiding principles from the Startown Small Area Plan;
- 2) The request promoting the harmony and compatibility of the proposed conditional zoning district in relationship to the surrounding land uses (proximity to Catawba Valley Community College, nonconforming distribution facility on Robinwood Road, and non-residential uses just north on Startown Road);
- 3) The development meeting landscape requirements and preserving the rural character of the property as much as possible; and
- 4) The proposed development conditions and conceptual site plan prepared by McGill and Associates (see attached).

#### Public Hearing Discussion

The Planning Board held a public hearing on June 30, 2014 to consider the request. Scott Millar, of the EDC and two others spoke in favor of the request. General comments included the intent

to create a high-end, high-tech park providing high paying job opportunities preserve heritage of the community, and benefiting the area. Eight people spoke in opposition to the request. The general concerns of those opposed to the request included increased traffic, desire to preserve the residential nature of the area, keep industrial uses in other areas, future property values, and environmental impacts. Comments from the Planning Board included the concern over cost to restore existing dysfunctional and obsolete buildings compared to building new buildings and that many of the concerns would be shared if another location were being considered.

### **PLANNING BOARD RECOMMENDATION**

The Planning Board voted 8 – 0 to submit a favorable recommendation, to rezone approximately 174 acres from R-20 Residential to Planned Development-Industrial Park-Conditional District, to the Catawba County Board of Commissioners based upon:

- 1) Promoting economic development and the guiding principles from the Startown Small Area Plan;
- 2) The request promoting the harmony and compatibility of the proposed conditional zoning district in relationship to the surrounding land uses (proximity to Catawba Valley Community College, nonconforming distribution facility on Robinwood Road, and non-residential uses just north on Startown Road);
- 3) The development meeting landscape requirements and preserving the rural character of the property as much as possible; and
- 4) The proposed development conditions and conceptual site plan prepared by McGill and Associates (see attached).

### **ZONING MAP AMENDMENT CONSISTENCY STATEMENT**

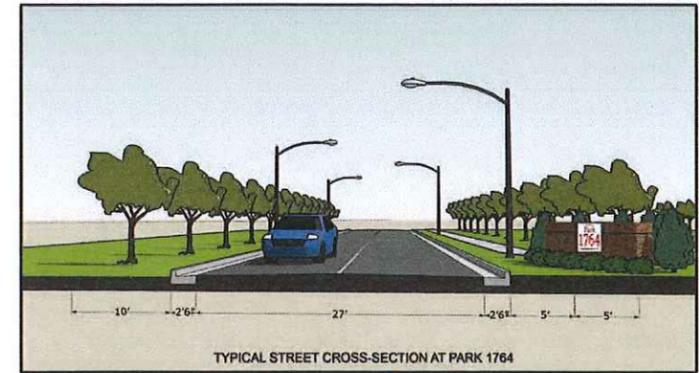
On July 21, 2014 the Catawba County Board of Commissioners conducted a public hearing for the purpose of considering a zoning map amendment to PINs 3721-17-22-0111, 3721-14-32-0698, 3721-18-32-4209, 3721-17-11-9870, 3721-18-31-1271, 3721-17-10-5489, 3721-18-30-2926 (Case #RZ2014-02). The applicants are the Economic Development Corporation and property owners Ruth B. Lutz (Ruth A. Hollar, trustee), Kevin Lutz, Carol Y. Lutz and W. R. Lutz Jr., Brenda G. Lutz, and Brenda Lutz Kiser.

Upon considering the matter, the Catawba County Board of Commissioners finds the request to be consistent with a substantial number of Economic Development and Land Use guiding principles and recommendations of the Startown Small Area Plan and reasonable for rezoning based upon:

- 1) Promoting economic development and the guiding principles from the Startown Small Area Plan;
- 2) The request promoting the harmony and compatibility of the proposed conditional zoning district in relationship to the surrounding land uses (proximity to Catawba Valley

Community College, nonconforming distribution facility on Robinwood Road, and non-residential uses just north on Startown Road);

- 3) The development meeting landscape requirements and preserving the rural character of the property as much as possible; and
- 4) The proposed development conditions and conceptual site plan prepared by McGill and Associates (see attached).



THIS SITE HAS BEEN EVALUATED AS PART OF  
DUKE ENERGY'S SITE READINESS PROGRAM

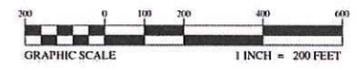
# OVERALL PROPOSED 1764 PARK SITE



THIS SITE HAS BEEN EVALUATED AS PART OF  
DUKE ENERGY'S SITE READINESS PROGRAM



# OVERALL EXISTING CONDITIONS





## Key Points

**Park 1764 Mission:** to develop a business park compatible with the surrounding community, to promote an ecologically sensitive development for job creation for Catawba County citizens, and to continue the heritage established by Ulrich Crowder in 1764. Natural lands will be set aside within this park for permanent conservation, Covenants will be established to protect the park environment and the adjacent community, the grounds and amenities are designed to be an asset to immediate area, including public walking paths, landscaping & berms. The entire marketing appeal is developed based on the 1764 theme of Catawba's first settler and his development plans.

**Approach:** Park 1764 is patterned after Treyburn Business Park in rural Durham County, a high-end and much larger park with owners ranging from Merck Pharmaceuticals to a ceramics division of Corning, and in a smokestack-free, low-impact, two-lane rural environment that is unique in feel and opportunity. Park 1764 will be marketed as a higher-end business park setting unlike any between Asheville, Winston-Salem, and Charlotte. From the silos at the entrance to the berms and white fences separating the park from the neighbors, Park 1764 is intended to preserve the recognition of Crowder's Town in NC history while creating a lasting legacy of jobs.

**Jobs:** Park 1764 will be the only Class A Business Park in the entire region and will appeal to international and upper-end business opportunities. Every 100 jobs created in the park equates to 177 total jobs throughout the community.

**Revenues:** The financial impact of just 100 new jobs is equal to handing every citizen in both North and South Carolina \$1 and asking them to spend it in Hickory. This park could grow to support many times that.

**Neighboring Impacts:** The creation of this Park will not facilitate the annexation of surrounding properties. Covenants and Restrictions will be in place to determine the appropriate uses of the park and are intended to be low-impact, eco-sensitive, and appropriate to the rural setting. Distribution Centers will not be an allowable use within the park nor will heavy manufacturing. LEED facilities will be encouraged.

**Traffic:** Heavy traffic generators such as distribution centers and heavy trucking will not be allowable uses within the park. We are working with NCDOT to determine the need and placement of any necessary turn/deceleration lanes that are needed for current or future developments. Traffic is currently 86% of the peak traffic generated in 1997 on Startown Road prior to the opening of US321.

**Design:** Designed to integrate into the neighborhood, with berms and landscaping similar to the Sarstedt property to the south, the silos will frame an appealing entrance and set the stage for this development. There will be public walking trails for the neighbors throughout the Park. The view from Startown and Robinwood Roads will be shielded by berms and landscaping to the greatest degree.

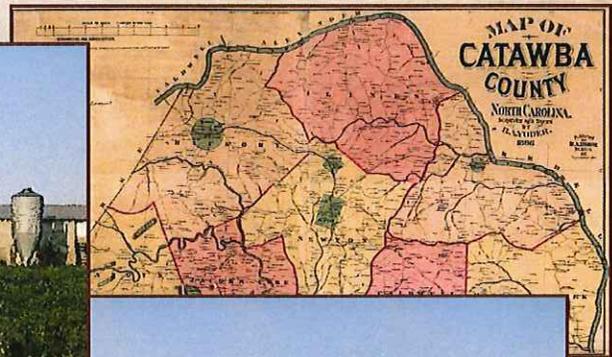
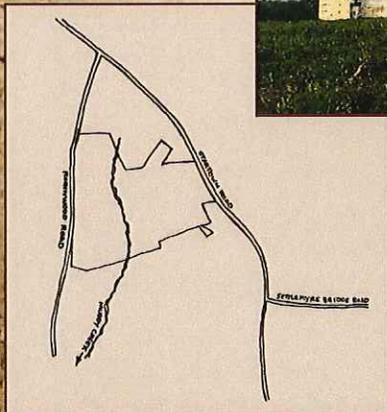
**Change:** While it is recognized this is a change in use from the current farm setting, this project protects the neighborhood and preserves the area much better than breaking the property into many different parcels for residential or other uses. The added benefit of the creation of higher technology jobs is substantial and is unlike any other opportunity in the region.

# Park 1764

**Invitation:** We welcome you to consider Park 1764, a proposed eco-sensitive 170+ acre business park in Catawba County intended to provide jobs & to preserve the recognition of Crowder's Town as a place in North Carolina history.

**History:** A rich history of property situated on Henry Whitener's Muddy Creek reveals the arrival in the Spring of 1763 of a man named Ulrich Krauter. Traveling from Germany through Charleston, he later moved to a German community on the South Fork of the Catawba River and the "Dutch Meeting House". Whitener/Weidner was Catawba County's first settler. On April 21, 1764, the British Crown granted Crowder (Krauter) 450 acres of land on the South Fork of the Catawba (Catawba) River as part of the Granville proprietary. Ulrich Crowder had development plans for this property and started selling lots in Ulrichsburg, a section of the Crowdertown/Crowder's Town parcel, with the sale of 16 lots of 9/10 acre each. The popular 1886 map of Catawba County drawn by R.A. Yoder locates Crowder Town Stock Farm and Crowder Town Road along the Muddy Creek of Henry's Fork and identifies J. Lutz, or John B. Lutz (b. 1835), the father of Henry P. Lutz (b. 1870) and W. Raymond Lutz (b. 1874), dairy farmers and co-owners of the Crowdertown lands. The Lutz family is still involved in this property and interested in preserving the name and the heritage of these lands and developing it in a way the industrious Ulrich Krauter may have originally intended.

**Mission:** to develop a business park compatible with the surrounding community and to promote ecologically sensitive developments for job creation for Catawba County citizens, and to continue the heritage established by Ulrich Crowder in 1764 for these lands. Natural lands will be set aside within this park for permanent conservation as a result of the project and Covenants will be established to protect the park environment and the adjacent community.



# Park 1764



# **100 = 177.3**

If a company expands or creates 100 jobs in Catawba County it actually benefits us by 177.

With every 100 jobs by people directly employed at a facility  
(Direct Jobs),

+

36.8 other Jobs get created at suppliers, vendors & professional services for that facility (Indirect Jobs)

+

40.8 Other jobs are created in the community due to the fact those 100 have money to spend on New & Used Cars, Movies, Restaurants, General Merchandise (Induced Jobs).

# **100 = \$17,500,000**

100 Jobs also creates \$17,500,000 in Gross Regional Product, the same as if we handed every citizen in North and South Carolina \$1, and asked them to spend it in Catawba County.

# REZONING REQUEST MAP

Lutz  
 PIN - 372117220111, 372118324209,  
 372118302926, 372118311271,  
 372117105489, 372117119870, &  
 372114320698  
 R-20 Residential to  
 PD-IP Planned Development-Industrial Park

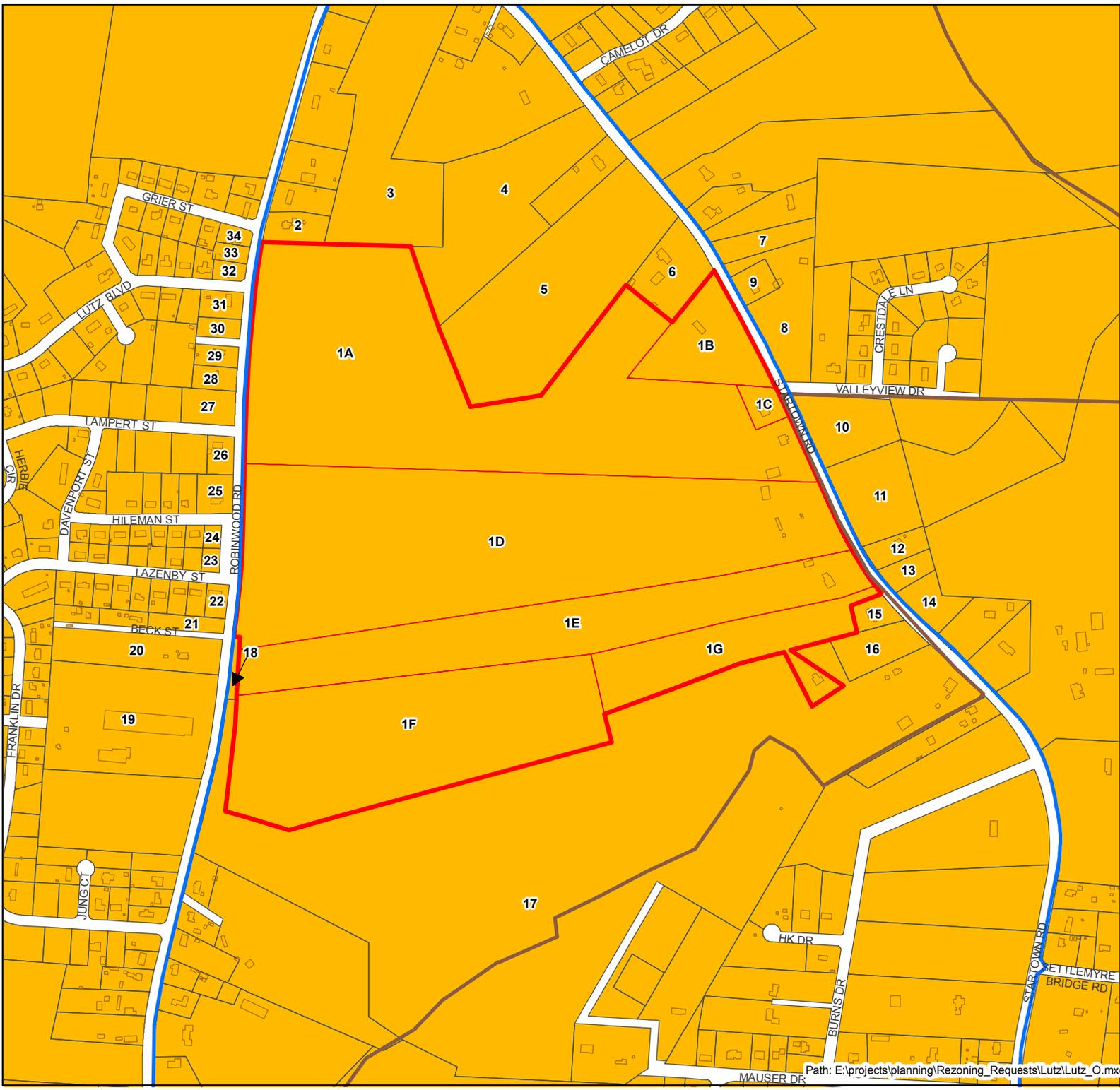
-  Sewerlines
-  Waterlines
-  Subject Parcel
-  Structures
-  Parcels
-  R-20

1 Through 34 - See Adjacent Property Owner List



1 inch = 750 feet

This map product was prepared from the Catawba County, NC, Geographic Information System. Catawba County has made substantial efforts to ensure the accuracy of location and labeling information contained on this map. Catawba County promotes and recommends the independent verification of any data contained on this map product by the user. The County of Catawba, its employees and agents disclaim, and shall not be held liable for any and all damages, loss or liability, whether direct, indirect or consequential which arises or may arise from this map product or the use thereof by any person or entity.



# REZONING REQUEST MAP

Lutz  
PIN - 372117220111, 372118324209,  
372118302926, 372118311271,  
372117105489, 372117119870, &  
372114320698  
R-20 Residential to  
PD-IP Planned Development-Industrial Park

-  Subject Parcel
-  Structures
-  Parcels
-  Contour Lines
-  Creeks

1 Through 34 - See Adjacent Property Owner List

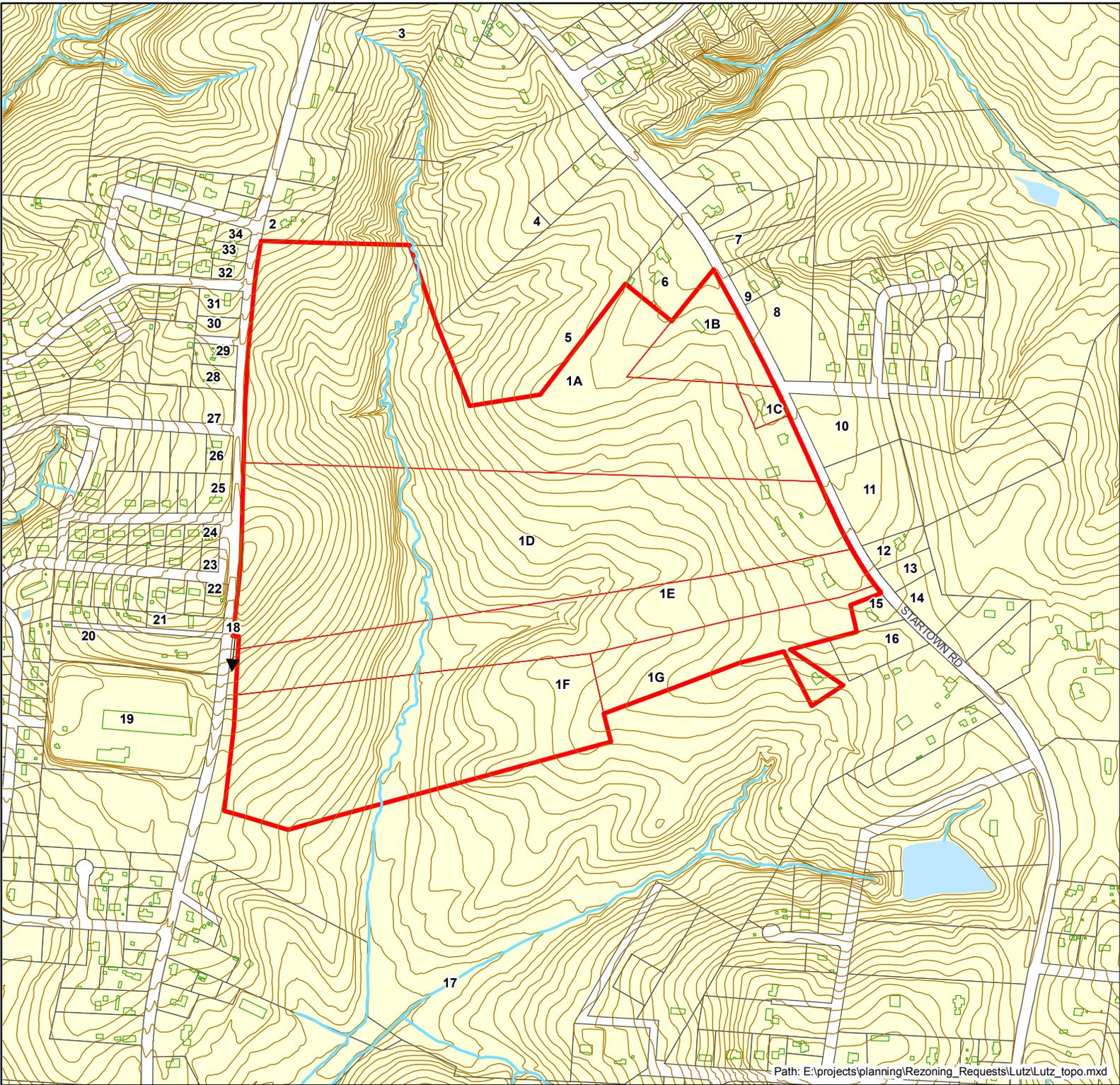


1 inch = 750 feet

This map product was prepared from the Catawba County, NC, Geographic Information System. Catawba County has made substantial efforts to ensure the accuracy of location and labeling information contained on this map. Catawba County promotes and recommends the independent verification of any data contained on this map product by the user. The County of Catawba, its employees and agents disclaim, and shall not be held liable for any and all damages, loss or liability, whether direct, indirect or consequential which arises or may arise from this map product or the use thereof by any person or entity.



CATAWBA COUNTY, NC



# REZONING REQUEST MAP

Lutz  
 PIN - 372117220111, 372118324209,  
 372118302926, 372118311271,  
 372117105489, 372117119870, &  
 372114320698  
 R-20 Residential to  
 PD-IP Planned Development-Industrial Park

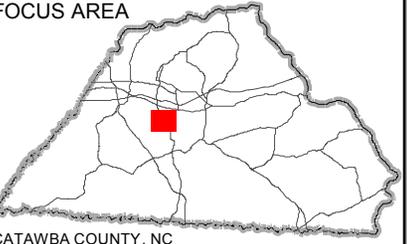
-  Sewerlines
-  Waterlines
-  Subject Parcels
-  Parcels

1 Through 34 - See Adjacent Property Owner List



1 inch = 750 feet

This map product was prepared from the Catawba County, NC, Geographic Information System. Catawba County has made substantial efforts to ensure the accuracy of location and labeling information contained on this map. Catawba County promotes and recommends the independent verification of any data contained on this map product by the user. The County of Catawba, its employees and agents disclaim, and shall not be held liable for any and all damages, loss or liability, whether direct, indirect or consequential which arises or may arise from this map product or the use thereof by any person or entity.



CATAWBA COUNTY, NC



ADJACENT PROPERTIES

<u>Number</u>	<u>PIN</u>	<u>Acreage</u>	<u>Owner</u>	<u>Owner2</u>	<u>Mailing Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>	<u>Bldg No</u>	<u>Street Name</u>
1A	372117220111	55.00	BRENDA LUTZ-KISER		1355 SHEARERS RD STE A	MOORESVILLE	NC	28115-7008	2355	STARTOWN RD
1B	372114320698	6.00	BRENDA G LUTZ		2367 STARTOWN RD	NEWTON	NC	28658-8353	2255	STARTOWN RD
1C	372118324209	1.02	BRENDA LUTZ-KISER		1355 SHEARERS RD STE A	MOORESVILLE	NC	28115-7008	2349	STARTOWN RD
1D	372117119870	54.97	KEVIN ERIC LUTZ		3514 HIGHWAY 182	LINCOLNTON	NC	28092-1751	2369	STARTOWN RD
1E	372118311271	22.45	RUTH B LUTZ IRREVOCABLE TRUST	RUTH A HOLLAR TRUSTEE	2405 STARTOWN RD	NEWTON	NC	28658-8354	2405	STARTOWN RD
1F	372117105489	30.98	CAROL YOUNT LUTZ		2437 SETTLEMYRE BRIDGE RD	NEWTON	NC	28658-8569		
1G	372118302926	9.97	CAROL YOUNT LUTZ		2437 SETTLEMYRE BRIDGE RD	NEWTON	NC	28658-8569	2415	STARTOWN RD
2	372113038219	1.34	STEPHEN RANDOLPH HARRISON	LAURA CHARRISON	1182 ROBINWOOD RD	NEWTON	NC	28658-9548	1182	ROBINWOOD RD
3	372113142071	16.97	THOMAS F KIRBY	KAY K ROGERS	109 FILLERY DR	GREENVILLE	SC	29615-4730	2087	STARTOWN RD
4	372113139415	12.40	DAVID L RITCHIE	MARY S RITCHIE	2145 STARTOWN RD	NEWTON	NC	28658-8352		
5	372113222922	18.95	CHRISTIAN FELLOWSHIP CHURCH OF HICKORY NC		506 7TH ST NE	CONOVER	NC	28613-1691	2201	STARTOWN RD
6	372114238039	3.31	JERRY C LAEL	BARBARA BARGER LAEL	2217 STARTOWN RD	NEWTON	NC	28658-9549	2217	STARTOWN RD
7	372114334203	1.57	MARTHA S LUTZ		3827 ROBINSON RD	NEWTON	NC	28658-9715	2240	STARTOWN RD
8	372114325864	4.81	MARTHA S LUTZ		3827 ROBINSON RD	NEWTON	NC	28658-9715	2294	STARTOWN RD
9	372114323965	0.91	ROBERT ADRIAN LUTZ	LINDA W LUTZ	2252 STARTOWN RD	NEWTON	NC	28658-9549	2252	STARTOWN RD
10	372118328189	3.78	ROBERT A LUTZ	LINDA W LUTZ	2252 STARTOWN ROAD	NEWTON	NC	28658-9549		
11	372118410729	4.59	DANIEL STEVE ROBBINS	KATHIE D ROBBINS	350 8TH AVE NE	HICKORY	NC	28601-3826		
12	372118411449	1.09	DALE EDWIN HOLLAR	RUTH ANN HOLLAR	2398 STARTOWN RD	NEWTON	NC	28658-8353	2398	STARTOWN RD
13	372118412306	0.91	DALE EDWIN HOLLAR	RUTH ANN HOLLAR	2398 STARTOWN RD	NEWTON	NC	28658-8353		
14	372118413201	1.59	CAROL YOUNT LUTZ		2437 SETTLEMYRE BRIDGE RD	NEWTON	NC	28658-8569		
15	372118410103	0.87	KATIE R SMITH ELLER		2425 STARTOWN RD	NEWTON	NC	28658-8354	2425	STARTOWN RD
16	372118400934	2.26	MARGARET ALICE RADER		PO BOX 3315	HICKORY	NC	28603-3315		
17	372118301185	99.33	MARGARET B LUTZ		2461 STARTOWN RD	NEWTON	NC	28658-8354	2461	STARTOWN RD
18	372117004861	0.34	JAMES FRANKLIN LUTZ	DOLLIE G LUTZ	2590 LESTER JONES LN	GRANITE FALLS	NC	28630-8158		
19	371120909532	12.46	BROOKS-DEHART FURNITURE XPRESS INC		1459 ROBINWOOD RD	NEWTON	NC	28658-8322	1459	ROBINWOOD RD
20	371120909923	4.16	BROOKS-DEHART FURNITURE XPRESS INC		1459 ROBINWOOD RD	NEWTON	NC	28658-8322	2819	BECK ST
21	372117011048	0.82	CHARLIE WILLIAM MCREYNOLDS	TERESSA MCREYNOLDS	1407 ROBINWOOD RD	NEWTON	NC	28658-8322	1407	ROBINWOOD RD
22	372117013260	0.52	BILLY WAYNE ROSSER		232 CASTLES GATE DR	MOORESVILLE	NC	28117-4407	1841	LAZENBY ST
23	372117013433	0.31	POWELL RENTALS INC		1107 FOX CHASE DR	NEWTON	NC	28658-8011	1840	LAZENBY ST
24	372117013536	0.29	A XIONG		2950 JACK WHITENER RD	NEWTON	NC	28658-9374	2973	HILEMAN ST
25	372117013749	0.99	JACK GRANT		1135 KNOLLWOOD DR	CLAREMONT	NC	28610-8217	2976	HILEMAN ST
26	372117023081	0.73	ROBERT HOWARD HORTON	MARTHA H HORTON	1309 ROBINWOOD RD	NEWTON	NC	28658-8321	1309	ROBINWOOD RD
27	372117023228	1.33	DONALD R BARGER REVOCABLE LIVING TRUST	CAMELLIA C BARGER REVOCABLE LIVING TRUST	2973 BARGER ST	NEWTON	NC	28658-9539		
28	372117023454	0.73	DIANA SHOOK BOYD		1265 ROBINWOOD RD	NEWTON	NC	28658-8320	1265	ROBINWOOD RD
29	372113023561	0.65	JAVIER MARTINEZ	CRISTINA DOGGETT	1259 ROBINWOOD RD	NEWTON	NC	28658-8320	1259	ROBINWOOD RD
30	372113023669	0.59	JERRY SAMUEL LUTZ	LINDA B LUTZ	3015 LUTZ BLVD	NEWTON	NC	28658-8343		
31	372113023874	0.84	DEAN F MCINTOSH LFI	BEULAH P MCINTOSH LFI	1227 ROBINWOOD RD	NEWTON	NC	28658-8320	1227	ROBINWOOD RD
32	372113034023	0.44	SCOTTIE SUE WRIGHT		2968 LUTZ BLVD	NEWTON	NC	28658-9547	2968	LUTZ BLVD
33	372113034134	0.44	ETHEL G DEAL LFI		1203 ROBINWOOD RD	NEWTON	NC	28658-8320	1203	ROBINWOOD RD
34	372113034244	0.43	BETTY SUE BOLICK		1193 ROBINWOOD RD	NEWTON	NC	28658-9548	1193	ROBINWOOD RD

# Subject and Adjacent Properties – North/East Startown Road



# Subject and Adjacent Properties – South/East Startown Road



# Subject and Adjacent Properties –West Robinwood Road



# Subject and Adjacent Properties –West Startown Road and Robinwood Road





**Catawba County Rezoning/Ordinance Text Amendment Application**

Applicant CATAWBA COUNTY EDC Phone # (828) 267-1564  
 Applicant's Fax (828) 267-1884 Applicant's Email smillar@catawba-county.nc.gov  
 Applicant's Mailing Address PO BOX 3388 City, State, Zip HICKORY NC 28603  
 Property Owner KEVIN ERIC LUTZ Phone # (704) 472-7448  
 Property Owner's Mailing Address 3514 HWY. 182 City, State, Zip LINCOLNTON NC 28092  
 Parcel 911 Address 2369 STARTOWN ROAD PIN # 372117119870  
 Subdivision Name and Lot # \_\_\_\_\_  
 Current Zoning District R-20 Proposed Zoning District PD-1P

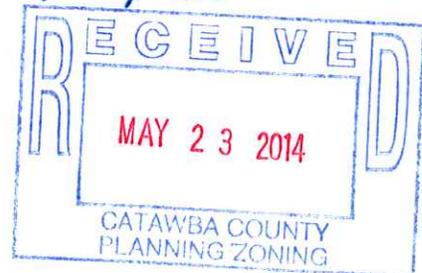
Type of Rezoning Application:

- General Rezoning**
  - The general information listed below shall be submitted with the rezoning application.
- Planned Development Rezoning**
  - All information contained in the Planned Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
- Special District Rezoning**
  - All information contained in the Special District Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
- Conditional District Rezoning**
  - All information contained in the Conditional District Development Chart of the Procedures Manual is to be shown on a plan submitted with the application. The complete application includes the general information below and specific development conditions substantially agreed to by the staff and applicant as well as a development agreement if applicable.
- Manufactured Home Park Rezoning**
  - All information contained in the Manufactured Home Park Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
  - Proposed Park Name \_\_\_\_\_
- Ordinance Text Amendment**
  - Submit general information listed below.

General Information to be attached:

- If a portion of an existing parcel is requested to be rezoned, a survey of the portion of the parcel(s) covered by the proposed amendment at a scale no smaller than 1 inch equals 200 feet, on a 18 x 24 inch map and one 8 x 11 inch map (30 copies).
- Submittal of 30 copies of each map including digital copies in .pdf or .jpg format.
- If applicable, a legal description of such land
- If applicable, a detailed statement of any alleged error in the Unified Development Ordinance which would be corrected by the proposed amendment, and a detailed explanation of the manner the proposed amendment will correct the alleged error.
- A detailed statement of all other circumstances, factors, and reasons, which applicant offers in support of the proposed zoning map or text amendment.
- Filing Fee: Per Catawba County Fee Schedule

Property Owner's  
 Applicant's Signature [Signature] Date 5-21-14  
 Property Owner's Signature [Signature] Date 5/23/2014  
 Applicant's



Catawba County Rezoning/Ordinance Text Amendment Application

Applicant CATAWBA COUNTY EDC Phone # (828) 267-1564  
 Applicant's Fax (828) 267-1884 Applicant's Email similar@catawba county nc.gov  
 Applicant's Mailing Address PO Box 358 City, State, Zip HICKORY NC 28603  
 \* Property Owner RUTH B LUTZ IRREVOCABLE TRUST Phone # (828) 381-0075  
 Property Owner's Mailing Address 2405 STARTOWN ROAD City, State, Zip \_\_\_\_\_  
 Parcel 911 Address 2405 STARTOWN ROAD PIN # 37211831271  
 Subdivision Name and Lot # \_\_\_\_\_  
 Current Zoning District R-20 Proposed Zoning District PD-1P

Type of Rezoning Application:

- General Rezoning**
  - The general information listed below shall be submitted with the rezoning application.
- Planned Development Rezoning**
  - All information contained in the Planned Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
- Special District Rezoning**
  - All information contained in the Special District Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
- Conditional District Rezoning**
  - All information contained in the Conditional District Development Chart of the Procedures Manual is to be shown on a plan submitted with the application. The complete application includes the general information below and specific development conditions substantially agreed to by the staff and applicant as well as a development agreement if applicable.
- Manufactured Home Park Rezoning**
  - All information contained in the Manufactured Home Park Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
  - Proposed Park Name \_\_\_\_\_
- Ordinance Text Amendment**
  - Submit general information listed below.

General Information to be attached:

- If a portion of an existing parcel is requested to be rezoned, a survey of the portion of the parcel(s) covered by the proposed amendment at a scale no smaller than 1 inch equals 200 feet, on a 18 x 24 inch map and one 8 x 11 inch map (30 copies).
- Submittal of 30 copies of each map including digital copies in .pdf or .jpg format.
- If applicable, a legal description of such land
- If applicable, a detailed statement of any alleged error in the Unified Development Ordinance which would be corrected by the proposed amendment, and a detailed explanation of the manner the proposed amendment will correct the alleged error.
- A detailed statement of all other circumstances, factors, and reasons, which applicant offers in support of the proposed zoning map or text amendment.
- Filing Fee: Per Catawba County Fee Schedule

Applicant's Signature [Signature] Date 5/22/2014  
 Property Owner's Signature Ruth Ann Hollar Date 5/22/14

\* RUTH B. LUTZ IRREVOCABLE TRUST, RUTH ANN HOLLAR (TRUSTEE)

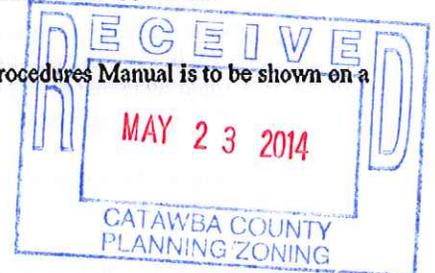


Catawba County Rezoning/Ordinance Text Amendment Application

Applicant CATAWBA COUNTY EDC Phone # (828) 267-1564  
 Applicant's Fax (828) 267-1884 Applicant's Email smillar@catawba-county.nc.gov  
 Applicant's Mailing Address PO Box 3388 City, State, Zip HICKORY NC 28683  
 Property Owner BRENDA G. LUTZ Phone # (704) 517-2805  
 Property Owner's Mailing Address 2367 STARTOWN RD City, State, Zip NEWTON, NC 28658  
 Parcel 911 Address Three (3) PARCELS - see below PIN # SEE BELOW  
 Subdivision Name and Lot # \_\_\_\_\_  
 Current Zoning District R-20 Proposed Zoning District PD-1P

Type of Rezoning Application:

- General Rezoning
  - The general information listed below shall be submitted with the rezoning application.
- Planned Development Rezoning
  - All information contained in the Planned Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
- Special District Rezoning
  - All information contained in the Special District Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
- Conditional District Rezoning
  - All information contained in the Conditional District Development Chart of the Procedures Manual is to be shown on a plan submitted with the application. The complete application includes the general information below and specific development conditions substantially agreed to by the staff and applicant as well as a development agreement if applicable.
- Manufactured Home Park Rezoning
  - All information contained in the Manufactured Home Park Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
  - Proposed Park Name \_\_\_\_\_
- Ordinance Text Amendment
  - Submit general information listed below.



General Information to be attached:

- If a portion of an existing parcel is requested to be rezoned, a survey of the portion of the parcel(s) covered by the proposed amendment at a scale no smaller than 1 inch equals 200 feet, on a 18 x 24 inch map and one 8 x 11 inch map (30 copies).
- Submittal of 30 copies of each map including digital copies in .pdf or .jpg format.
- If applicable, a legal description of such land
- If applicable, a detailed statement of any alleged error in the Unified Development Ordinance which would be corrected by the proposed amendment, and a detailed explanation of the manner the proposed amendment will correct the alleged error.
- A detailed statement of all other circumstances, factors, and reasons, which applicant offers in support of the proposed zoning map or text amendment.
- Filing Fee: Per Catawba County Fee Schedule

Property Owner's  
 Applicant's Signature Brenda Lutz Date 5-21-2014  
 Property Owner's Signature [Signature] Date 5/22/2014  
 Applicant's [Signature]

PIN# 372114320698 2255 STARTOWN ROAD (BRENDA G. LUTZ)  
 PIN# 372118324209 2349 STARTOWN ROAD (BRENDA LUTZ-KISER)  
 PIN# 372117220111 2355 STARTOWN ROAD (BRENDA LUTZ-KISER)

LISTED AS:

RZ 2014-02

RZ-05-2014-19135

Catawba County Rezoning/Ordinance Text Amendment Application

Applicant CATAWBA COUNTY EDC Phone # (828) 267-1564  
 Applicant's Fax (828) 267-1884 Applicant's Email suillar@catawbacountync.gov  
 Applicant's Mailing Address P.O. Box 3388 City, State, Zip Hickory NC 28603  
 Property Owner CAROL Y. LUTZ Phone # (828) 381-7882  
 Property Owner's Mailing Address 2437 SETTLEMYRE PK. ROAD City, State, Zip NEWTON NC 28658  
 Parcel 911 Address 2 parcels - see below PIN # see below  
 Subdivision Name and Lot # \_\_\_\_\_  
 Current Zoning District R-20 Proposed Zoning District PD-1P

Type of Rezoning Application:

- General Rezoning**
  - The general information listed below shall be submitted with the rezoning application.
- Planned Development Rezoning**
  - All information contained in the Planned Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
- Special District Rezoning**
  - All information contained in the Special District Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
- Conditional District Rezoning**
  - All information contained in the Conditional District Development Chart of the Procedures Manual is to be shown on a plan submitted with the application. The complete application includes the general information below and specific development conditions substantially agreed to by the staff and applicant as well as a development agreement if applicable.
- Manufactured Home Park Rezoning**
  - All information contained in the Manufactured Home Park Development Chart of the Procedures Manual is to be shown on a plan submitted with the application and the general information below.
  - Proposed Park Name \_\_\_\_\_
- Ordinance Text Amendment**
  - Submit general information listed below.

General Information to be attached:

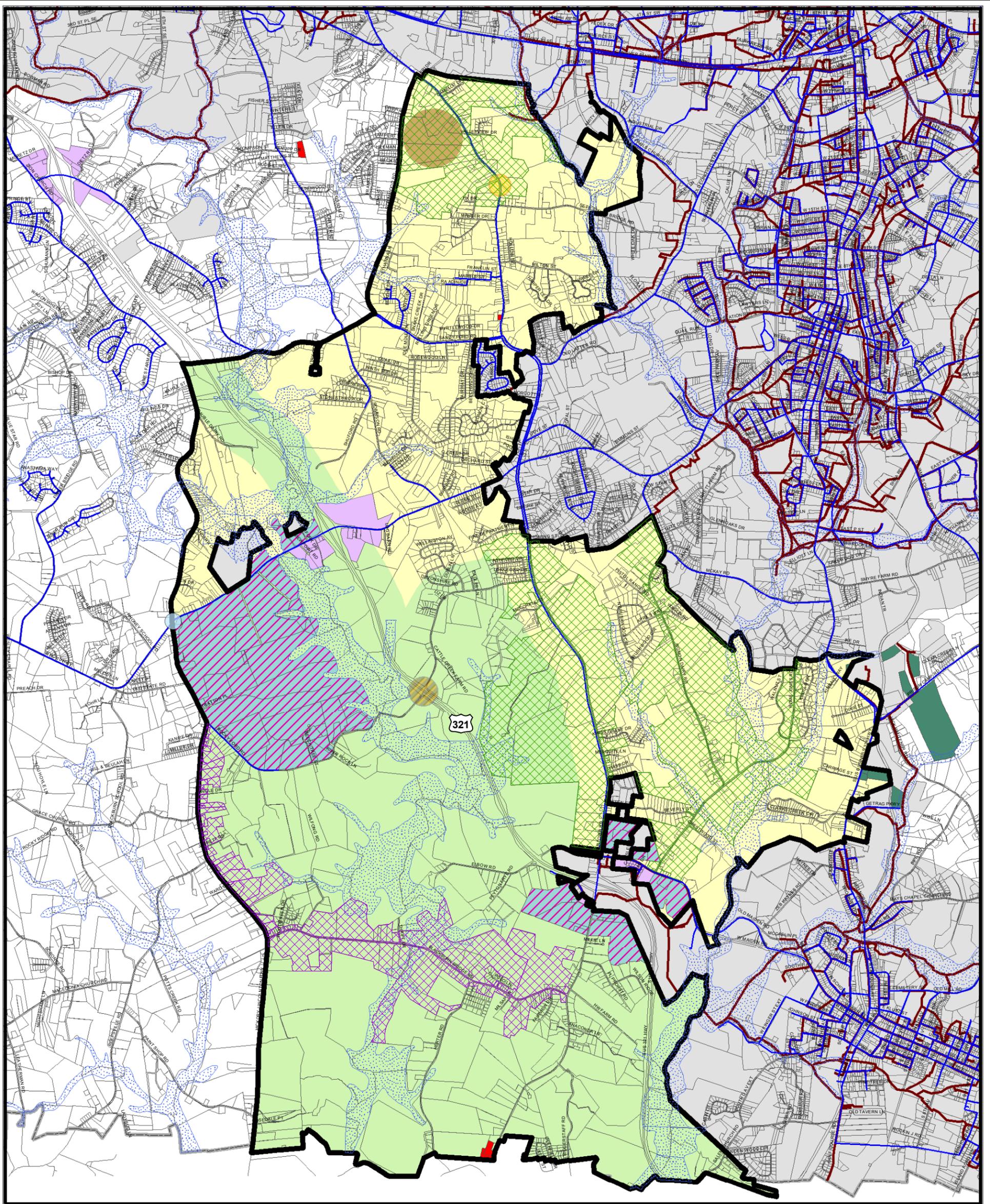
- If a portion of an existing parcel is requested to be rezoned, a survey of the portion of the parcel(s) covered by the proposed amendment at a scale no smaller than 1 inch equals 200 feet, on a 18 x 24 inch map and one 8 x 11 inch map (30 copies).
- Submittal of 30 copies of each map including digital copies in .pdf or .jpg format.
- If applicable, a legal description of such land
- If applicable, a detailed statement of any alleged error in the Unified Development Ordinance which would be corrected by the proposed amendment, and a detailed explanation of the manner the proposed amendment will correct the alleged error.
- A detailed statement of all other circumstances, factors, and reasons, which applicant offers in support of the proposed zoning map or text amendment.
- Filing Fee: Per Catawba County Fee Schedule

Applicant's Signature [Signature] Date 5/22/2014  
 Property Owner's Signature Carol Mount Lutz Date 5/21/14

PIN# 372117105489 OFF HICKORY STARTOWN ROAD

PIN# 372118302926 2415 STARTOWN ROAD





**Map 5.**

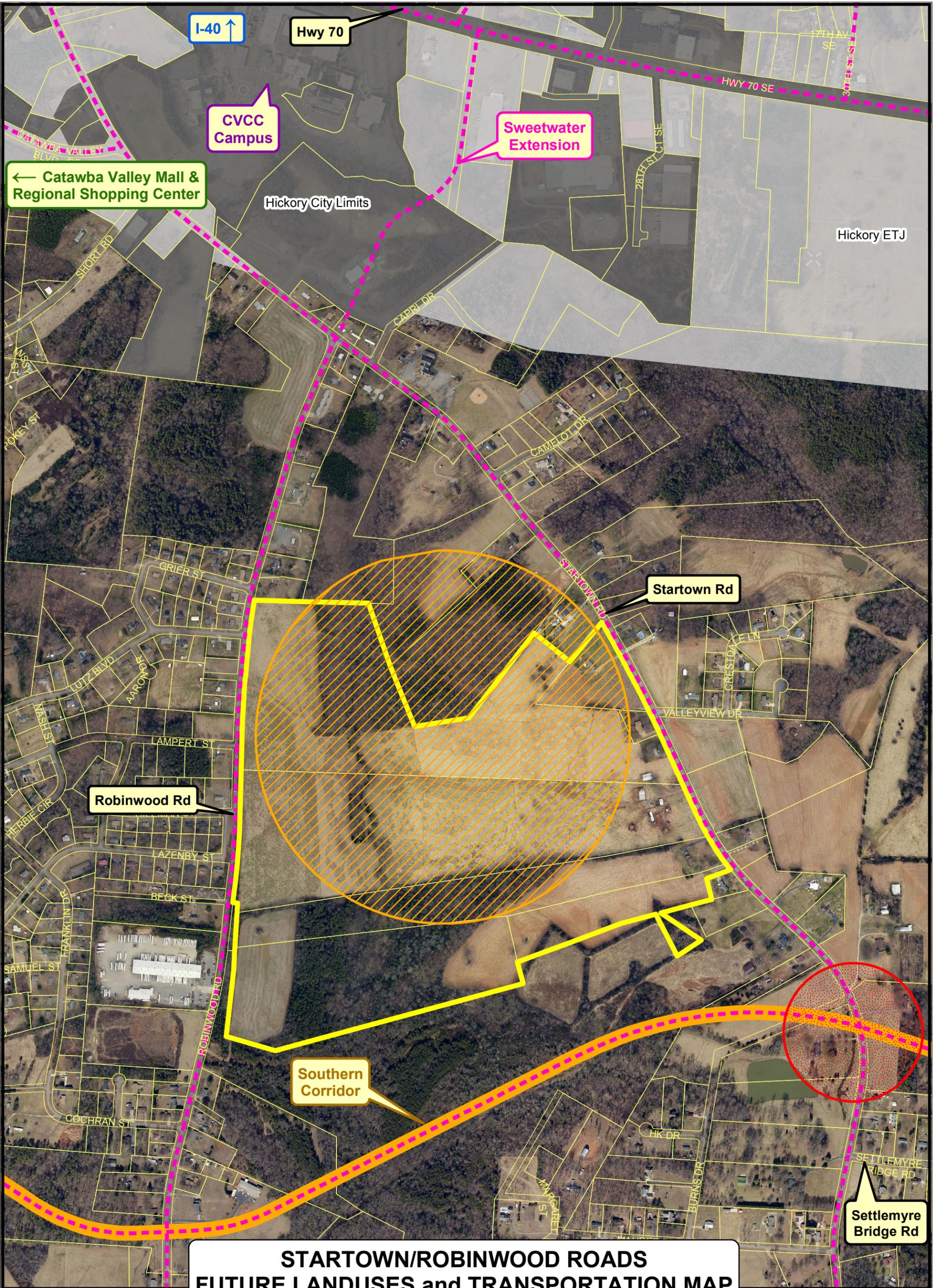
**Startown SAP Future Land Use Recommendations and Residential Densities**

- |   |                 |                        |  |
|---|-----------------|------------------------|--|
| Rural Commercial Nodes                          | Flood Plain     | <b>County Zoning</b>   | Residential Density: Village - Mixed Uses  |
| Neighborhood Commercial Nodes                   | Parcels         | C-2                    | Maximum High Density Residential<br>1 House per .5 Acre without Water<br>1 House per .34 Acre with Water |
| Community Commercial Nodes                      | County Boundary | E-2                    | Maximum Low Density Residential<br>1 House per 2 Acres   |
| SAP Boundary                                    | Existing Roads  | ED-I                   |  |
| Local Cities                                    | Water Lines     | ED-MX                  |  |
| Cluster Subdivisions and 100' Setbacks Required | Sewer Lines     | 100' Setbacks Required |  |



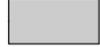
This map was created by the Western Piedmont Council of Governments using the most current data provided by Catawba County GIS.





**STARTOWN/ROBINWOOD ROADS  
FUTURE LANDUSES and TRANSPORTATION MAP**

-  Village - Mixed Uses
-  Neighborhood Commercial Node
-  Southern Corridor
-  Thoroughfares
-  Subject Area

- City Limits**
-  Hickory
- ETJ**
-  Hickory



1 inch = 650 feet



This map product was prepared from the Catawba County, NC, Geographic Information System. Catawba County has made substantial efforts to ensure the accuracy of location and labeling information contained on this map. Catawba County promotes and recommends the independent verification of any data contained on this map product by the user. The County of Catawba, its employees and agents disclaim, and shall not be held liable for any and all damages, loss or liability, whether direct, indirect or consequential which arises or may arise from this map product or the use thereof by any person or entity.

# Startown Small Area Plan

Recommended by the Startown SAP Committee – August 30, 2005. 2005  
Recommended by the Catawba County Planning Board – September 26, 2005  
Accepted by the Catawba County Board of Commissioners – October 17, 2005



## **PLAN PARTICIPANTS**

### **CATAWBA COUNTY BOARD OF COMMISSIONERS**

Kitty W. Barnes, *Chair*  
Dan A. Hunsucker, *Vice Chair*  
Barbara G. Beatty  
Glenn E. Barger  
Lynn M. Lail

### **STARTOWN SMALL AREA PLAN COMMITTEE**

Tony Wolfe, *Chair*  
Berkley “Chip” Canupp, *Vice Chair*  
William “Rusty” Lutz, *Planning Board Liaison*  
Clarence Hood  
Thomas Jones  
Jerry Lael  
Dawn Mull  
Reba Reinhardt  
Glenn Pattishall, City of Newton  
Kevin Sanders, Town of Maiden  
Keith Stahley, City of Hickory (*formerly*)  
Charlie Wyant

### **CATAWBA COUNTY PLANNING BOARD**

Ray Von Caldwell, *Chair*  
Steve Von Drehle, *Vice Chair*  
Anne B. Barrier  
Paul A. Beatty, Jr.  
Charles F. Connor, III  
Edward C. Neill  
William “Rusty” Lutz  
Aaron “Al” L. King  
Stuart DeWitt  
Debbie Pitts, *Alternate*  
Dr. Eric Shook, *Alternate*  
Cliff Isaac, *Alternate*

### **CATAWBA COUNTY PLANNING STAFF**

Jacky Eubanks, Director of Planning and Development  
Mary George, Senior Planner  
Susan Ballbach, County Planner  
Connie Killian, Planning Technician

### **OTHER PARTICIPANTS, SPECIAL THANKS**

Cal Overby, City of Hickory Planner  
John C. Tippet, Jr., MPO Coordinator  
Barry Edwards, Utilities and Engineering Director

***Technical Assistance Provided by:***  
*Western Piedmont Council of Governments*

# PLAN CONTENTS

<b>INTRODUCTION.....</b>	<b>5</b>
BACKGROUND.....	5
Purpose of Small Area Planning.....	5
Process.....	5
STUDY AREA.....	7
HISTORICAL CONTEXT.....	7
<b>COMMUNITY PROFILE.....</b>	<b>8</b>
ASSETS AND KEY ISSUES .....	8
Community Assets.....	8
Key Issues.....	8
MAJOR POINTS OF REFERENCE.....	9
DEMOGRAPHIC PROFILE.....	9
DEMOGRAPHIC PROJECTIONS.....	12
<b>LAND USE AND COMMUNITY DESIGN.....</b>	<b>13</b>
CURRENT CONDITIONS AND TRENDS.....	13
Current Land Use.....	13
Land Use Distribution.....	13
Site Development Patters and Land Design Trends.....	14
GUIDING PRINCIPLES.....	16
PLAN RECOMMENDATIONS.....	18
<b>TRANSPORTATION.....</b>	<b>23</b>
CURRENT CONDITIONS AND TRENDS.....	23
Roads & Highways.....	23
Pedestrian System.....	24
Bicycle System .....	25
Transit System.....	25
Passenger Rail.....	25
GUIDING PRINCIPLES.....	26
PLAN RECOMMENDATIONS.....	28
<b>COMMUNITY FACILITIES AND PUBLIC SERVICES.....</b>	<b>31</b>
CURRENT CONDITIONS AND TRENDS.....	31
Schools.....	31
Parks and Greenways.....	32
Libraries.....	32
Water Service .....	32
Sewer Service .....	32
Emergency Services.....	32
Law Enforcement.....	33
Fire.....	33
EMS .....	33
GUIDING PRINCIPLES.....	34
PLAN RECOMMENDATIONS.....	35
<b>HOUSING.....</b>	<b>37</b>
CURRENT CONDITIONS AND TRENDS.....	37
GUIDING PRINCIPLES.....	38
PLAN RECOMMENDATIONS.....	39

**ECONOMIC DEVELOPMENT .....41**  
CURRENT CONDITIONS AND TRENDS.....41  
GUIDING PRINCIPLES.....42  
PLAN RECOMMENDATIONS.....43  
**NATURAL/CULTURAL RESOURCES.....45**  
CURRENT CONDITIONS AND TRENDS.....45  
Natural Resources.....45  
Recreational Opportunities.....46  
Cultural Resources.....47  
GUIDING PRINCIPLES.....49  
PLAN RECOMMENDATIONS.....50  
**APPENDIX A.....52**

**MAPS**

**following page number:**

**Map 1: Study Area.....8**  
**Map 2: Census Tracts .....10**  
**Map 3: Current Land Uses.....14**  
**Map 4: Current Zoning .....14**  
**Map 5: Future Land Use Recommendations & Residential Densities.....18**  
**Map 6A: Transportation Recommendations... ..28**  
**Map 7: Proposed Zoning Map Amendments..... 40**  
**Map 8: Natural & Cultural Resources.....50**

# **INTRODUCTION**

## **BACKGROUND**

### **Purpose of Small Area Planning**

The concept of conducting small area plans for Catawba County was one of sixteen growth strategies resulting from the County's long-range *Strategic Growth Plan* (1999). The Growth Plan stated that the Small Area Plans "would explore general development patterns and trends and evaluate public service/facility deficiencies needing attention." The document further stated that the plans should also "include conceptual sketch plans based upon appropriate land use and zoning concepts and be used for consideration for future zoning changes and subdivision standards." In developing the small area plan, a committee would assess their area's current quality of life and sustainability on issues such as traffic congestion, residential development patterns, water quality, library service levels, utility capacities and school facilities. Upon reviewing these issues, the committee then would recommend measures for improvement.

Specifically, the Startown Small Area Planning Committee was asked to discuss and develop goals and action statements for the following issues: 1) economic development; 2) natural resources; 3) cultural resources; 4) community facilities and public services; 5) housing; 6) land use and community design; and 7) transportation. The plan would then include implementation strategies for the goals and action statements, whether it is through ordinance or policy amendments, modified capital improvement plans, or coordination with other agencies to complete specific tasks.

### **Process**

The process for developing this small area plan was a grassroots effort that began with the appointment of the Startown Small Area Planning Committee in January 2004 by the Board of Commissioners. The 12 Committee members were interested citizens who live or own land in the Small Area Plan boundary and volunteered their time to develop a small area plan for their community. The Committee also included a Planning Board member who served as liaison to the Board. The Committee held its first meeting in January 2004. The County Planning staff and the Western Piedmont Council of Governments educated and assisted the Committee in the development of their community plan.

During the process of developing the plan, the Committee solicited input from citizens in the planning area through a Community Input Meeting held in May 2004. At this meeting, citizens were asked how they saw their community developing in the future using a 10 to 20 year planning period. Forty residents participated in this meeting, held at the Startown Elementary School Cafeteria. Results from this Community Input Meeting are provided in Appendix A. The Committee used this input in developing the plan's guiding principles and recommendations. Upon completion of a draft plan, the Committee sponsored another public meeting in May 2005, which also was held at Startown Elementary. At this meeting, the Plan's maps and recommendations were presented to the community. Input from the 30

residents who participated at this meeting was considered by the Committee in amending the draft plan. The Committee met on August 30, 2005 to finalize the Plan and voted to recommend the Plan to the Planning Board for its consideration.

It should be noted here that the City of Newton, through its representative Planning Director Glenn Pattishall, did not agree with the Committee's recommendation to remove the extension of Catawba Valley Boulevard from the STIP. Newton and Maiden also objected to the Committee's decision to propose a new alignment of Robinson Road from NC Highway 10 south to Rocky Ford Road and to suggest removing the extension of Robinson Road south from Rocky Ford to Startown Road near Maiden.

When the Committee's recommendations were complete, the final document was presented to the Planning Board and Board of Commissioners for review and consideration for adoption. Presentation to these Boards was through a public hearing process, with the public invited to express its comments on the proposed plan. The Committee and the Planning Board held a joint work session in September 2005 to review the plan recommendations in detail. Based on discussions at this meeting, several minor amendments were made. The Committee then presented the final document to the Planning Board at its September 26, 2005 meeting. Upon hearing citizens' comments at the meeting, the Planning Board recommended the plan to the Board of Commissioners with Transportation Map 6A, which included the deletion of the Catawba Valley Blvd. Ext. and Robinson Rd. Ext. projects.

The Board of Commissioners reviewed the plan in August 2005. At its October 17, 2005 meeting, the Board of Commissioners conducted its public hearing and accepted the plan as presented, with the inclusion of Transportation Map 6A. In accepting the plan, the Board agreed with the concern that perhaps too many east-west thoroughfares were being planned. The Board acknowledged that the recommendation in the plan to delete the Catawba Valley Blvd. and Robinson Road extension roadways does not remove the projects from the thoroughfare plan. The Metropolitan Planning Organization's actions supersede those of the Board of Commissioners as they relate to thoroughfare planning; therefore, the roadway layout in the Thoroughfare Plan remains in existence. As the MPO Thoroughfare Plan is updated within the next two years, NCDOT will undertake additional traffic studies to look at all the east-west corridors between I-40 and Highway 10. Therefore, the concerns raised by the Startown Small Area Plan Committee will be addressed, as a thorough analysis will occur before a new Thoroughfare Plan is adopted by the MPO.

Over the next five years, issues may arise that have not been addressed in this document. Since the plan is an active document, it is capable of adapting to changes and new challenges. The Startown SAP Committee recommends reviewing the plan every five years, or as conditions change. Amendments to the Plan have a potential impact on all residents and businesses in the Startown area and therefore should be treated in a manner that would allow for public input, through notice and hearings, during the amendment procedure.

## STUDY AREA

In general, the Startown Small Area Plan study area is located west of Newton, south of Hickory and north of Maiden between US Highway 321-Business and Zion Church Road and its continuation, called the Hickory-Lincolnton Highway. The new US Highway 321 freeway bisects the area and provides easy connections between Catawba County and I-85 either to Charlotte or west to South Carolina and Atlanta. The Startown SAP study area encompasses 19,428 acres, excluding land in dedicated rights-of-way. One significant natural feature flowing through the study area is the South Fork of the Catawba River flowing south into Lincoln County. See *Map 1, "Startown SAP Boundary."*

## HISTORICAL CONTEXT

Within decades after Adam Sherrill crossed the Catawba in the 1740s, white pioneers began settling the land that was to become Catawba County. Mostly these men and women were engaged in farming, drawn to the area by cheap land and abundant opportunities for farming. By the 1770s between 400 and 500 families were estimated to have settled the land west of the Catawba River, according to reports Governor William Tryon sent back to London.

Settlement continued throughout the 18<sup>th</sup> and into the 19<sup>th</sup> centuries. As towns grew along the railroad in the central part of the County, farming continued to dominate the Startown area throughout the late 19<sup>th</sup> century and into the first decades of the 20<sup>th</sup> century, even as manufacturing began to make its presence felt.

Nine 18<sup>th</sup>- and 19<sup>th</sup>-century farms and houses in or adjacent to the Startown area are listed on the National Register of Historic Places. One church from 1797, Grace Union Church and Cemetery, is located on the western edge of the Startown area on the Hickory-Lincolnton Highway. Another eight houses and cemeteries of local historic interest can also be found in the Startown planning area. The rural nature of the Startown community reflects the largely agricultural heritage of the community which still remains. Residents continue to identify churches as significant contributors to the community, and Startown Elementary School occupies a site in continuous operation as a school for over 100 years.

## **COMMUNITY PROFILE**

### **ASSETS AND KEY ISSUES**

During the May 2004 community meeting, Startown area residents participated in small group discussions to identify their likes, dislikes and future visions of the community. As a result of the discussions, the Startown Small Area Planning Committee identified broad categories of assets and key issues to direct their work. In the following sections of the plan, more specific comments from the community meeting comprise the guiding principles of each topic.

#### **Community Assets**

- Rural setting
  - Open space, farmlands and wetlands
  - Lack of congestion
  - Sense of neighborhoods
- Community and family orientation
- Good transportation routes, especially US Highway 321
- Public services
  - Schools
  - Zoning enforced

#### **Key Issues**

- Traffic, especially on Startown Road
- Fear of annexation
- Overcrowded schools
- Unnecessary expansion/extension of highways
- Loss of farmland and open space
- Balancing pressures for growth with rural qualities
- Commercial development

## **MAJOR POINTS OF REFERENCE**

The Startown SAP encompasses 20,118 acres (including right-of-ways) in southern Catawba County. The US 321 highway traverses the planning area from north to south. Significant natural features in the area include the Henry Fork and Jacob Fork Rivers which join near the US Highway 321 interchange at NC Highway 10 and flow south as the South Fork of the Catawba River.

## **DEMOGRAPHIC PROFILE**

The Startown study area experienced moderate population growth from 1990 to 2000. The number of people residing in the Startown area grew at a rate of 8.5%. The population in 1990 for the area was 3,755 while the 2000 Census indicated a population of 4,076, an increase of 321 persons (see chart below). The growth rate for the entire county was 19.7%, more than double the rate for this area. The study area's net gain of 321 persons represented about 1.37% of the total County population increase.

<b>Startown SAP Small Area Plan, Study Area Growth, 1990 to 2000</b>				
<b>Year</b>	<b>1990</b>	<b>2000</b>	<b>Net Change</b>	<b>% Change</b>
<b>Persons</b>	3,755	4,076	321	8.5%
<b>Households</b>	1,442	1,608	166	11.5%
<b>Persons/Household</b>	2.60	2.53	-0.07	-2.7%

Source: US Census, 1990, and 2000; compiled by WPCOG Data Center, July 2003.

The number of households grew faster than the number of persons in the study area, resulting in a lower average of persons per household. This trend is consistent with county, state and national trends, all indicating a lower number of persons per household.

<b>Catawba County Population Growth, 1990 to 2000</b>				
<b>Year</b>	<b>1990</b>	<b>2000</b>	<b>Net Change</b>	<b>% Change</b>
<b>Persons</b>	118,412	141,685	23,273	19.7
<b>Households</b>	45,700	55,533	9,833	21.5
<b>Persons/Household</b>	2.59	2.55	-0.04	-1.5

Source: US Census, 1990, and 2000; Catawba County GIS, 2000; as compiled by WPCOG Data Center, July 2003.

The Startown area is comprised of portions of Census Tracts 116, 117.01 and 117.02. See *Map 2, "Startown Small Area Plan Census Tracts."* The following information is presented in some detail for the comparison of the Startown SAP, Census Tracts 116, 117.01, 117.02 and Catawba County.

As is true across Catawba County, the population is predominately white with slightly higher proportions of minority populations in Census Tract 117.02. Most of the minority residents live outside the study area in the Maiden urban area.

<b>Race and Ethnicity, 2000</b>				
<b>Place</b>	<b>White</b>	<b>Black</b>	<b>Other</b>	<b>Hispanic (any race)</b>
<b>Startown SAP</b>	92.1%	2.9%	5.0%	1.8%
<b>Census Tract 116</b>	91.1%	4.3%	4.6%	4.0%
<b>Census Tract 117.01</b>	89.7%	4.2%	6.1%	5.4%
<b>Census Tract 117.02</b>	87.0%	8.5%	4.5%	2.7%
<b>Catawba County</b>	85.0%	8.4%	6.6%	5.6%

Source: US Census Bureau, 2000; WPCOG Data Center 2003.

Residents aged between 19 and 64 comprise the largest population group of residents in the study area, Census Tracts 116, 117.01, 117.02 and Catawba County. The percent of persons aged 65 and older is somewhat lower in the Startown area than in the County as a whole.

<b>Age of Population, 2000</b>			
<b>Place</b>	<b>Persons Age 18 and under (% of all persons)</b>	<b>Persons Age 19 to 64 (% of all persons)</b>	<b>Persons Age 65 and older (% of all persons)</b>
<b>Startown SAP</b>	1,006 (24.7%)	2,606 (63.9%)	464 (11.4%)
<b>Census Tract 116</b>	2,150 (24.1%)	5,840 (65.4%)	939 (10.5%)
<b>Census Tract 117.01</b>	903 (24.0%)	2,359 (62.6%)	503 (13.4%)
<b>Census Tract 117.02</b>	1,660 (25.6%)	4,168 (64.4%)	644 (10.0%)
<b>Catawba County</b>	34,392 (24.3%)	89,868 (63.4%)	17,425 (12.3%)

Source: US Census Bureau, 2000; WPCOG Data Center 2003.

Between 1995 and 2000, 57% of Startown residents remained in the same home compared to 56.2% of persons across Catawba County. However, Startown experienced 17.7% in-migration, which is slightly less than the 18.4% experienced by Catawba County. In-migration refers to those persons that moved into the listed place from another Metropolitan Statistical Area (MSA) between 1990 and 2000.

<b>Change in Housing and Migration, 1995 to 2000</b>		
<b>Place</b>	<b>% of Persons living in the same house between 1995 and 2000</b>	<b>In-migration 1995 and 2000 (% of population)</b>
<b>Startown SAP</b>	57.0%	720 (17.7%)
<b>Census Tract 116</b>	57.2%	1,812 (21.5%)
<b>Census Tract 117.01</b>	54.7%	641 (18.2%)
<b>Census Tract 117.02</b>	56.3%	1,117 (18.5%)
<b>Catawba County</b>	56.2%	24,359 (18.4%)

Source: US Census Bureau, 2000.

In 2000, the average commute time for Startown residents was 22.2 minutes, which is slightly higher than the County average of 20.7 minutes. This indicates that most workers who reside in the study area travel to the urban areas for employment.

<b>Commuting Time to Work, 2000</b>		
<b>Place</b>	<b>Average Work Commute Time</b>	<b>% of Workers commuting over 40 minutes to work</b>
<b>Startown SAP</b>	22.2 minutes	9.4%
<b>Census Tract 116</b>	19.7 minutes	9.4%
<b>Census Tract 117.01</b>	21.3 minutes	8.4%
<b>Census Tract 117.02</b>	23.7 minutes	10.2%
<b>Catawba County</b>	20.7 minutes	8.9%

Source: US Census Bureau, 2000.

Approximately 16.7% of the Startown residents work outside Catawba County. Only 15.6% of Catawba County residents, as a whole, work outside the county.

<b>Place of Work, 2000</b>	
<b>Place</b>	<b>% of Workers Employed Outside County of Residence</b>
<b>Startown SAP</b>	16.7%
<b>Census Tract 116</b>	23.1%
<b>Census Tract 117.01</b>	12.0%
<b>Census Tract 117.02</b>	18.1%
<b>Catawba County</b>	15.6%
<b>Hickory-Morganton MSA</b>	25.6%

Source: US Census Bureau, 2000.

In 2000, 24.7% of the study area residents were employed in professional occupations compared to 23.8% in Catawba County. Employment in the service and professional support occupations also showed little difference between the Startown study area (35.4%) and Catawba County (37.4%). Both the study area and Catawba County as a whole had more workers employed in manufacturing occupations than in the service and professional support sector. Farming occupations represented only 1% of the study area employment, slightly more than the 0.5% for Catawba County.

<b>Employment, 2000</b>				
<b>Place</b>	<b>% Employed in Professions</b>	<b>% Employed in Service &amp; Prof. Support</b>	<b>% Employed in Manufacturing</b>	<b>% Employed in Farming</b>
<b>Startown SAP</b>	24.7%	35.4%	38.9%	1.0%
<b>Census Tract 116</b>	19.5%	35.6%	43.0%	1.9%
<b>Census Tract 117.01</b>	32.0%	33.5%	33.2%	1.3%
<b>Census Tract 117.02</b>	21.3%	36.3%	41.8%	0.6%
<b>Catawba County</b>	23.8%	37.4%	38.3%	0.5%

Source: US Census Bureau, 2000.

Household income data from 1999 indicates somewhat higher median household income in the study area compared to Catawba County. The percent of persons with household income over \$60,000 was also higher in the Startown area than in the County.

<b>Household Income, 1999</b>			
<b>Place</b>	<b>1999 Estimated Median Household Income</b>	<b>% of 1999 Households with Incomes Below \$10,000</b>	<b>% of 1999 Household Incomes over \$60,000</b>
<b>Startown SAP</b>	\$44,138	5.0%	32.6%
<b>Census Tract 116</b>	\$42,138	7.3%	27.4%
<b>Census Tract 117.01</b>	\$41,848	7.4%	34.2%
<b>Census Tract 117.02</b>	\$42,379	4.7%	29.7%
<b>Catawba County</b>	\$41,058	7.8%	27.7%

Source: US Census Bureau, 2000.

## **DEMOGRAPHIC PROJECTIONS**

If job demand increases over the next 10 to 20 years, as predicted, the population in the Startown area is projected to increase at a substantial rate. By 2015 the population of Startown could exceed 5,371 persons, a 31.8% increase. The trend of fewer people per household is expected to continue.

<b>Startown Small Area Plan: Projected Study Area Growth, 2000 to 2015</b>						
<b>Year</b>	<b>2000</b>	<b>2005</b>	<b>2010</b>	<b>2015</b>	<b>Growth 2000 to 2015</b>	<b>% Change</b>
<b>Persons</b>	4,076	4,529	4,973	5,371	1,295	31.8
<b>Households</b>	1,608	1,804	1,997	2,174	566	35.2
<b>Persons/Household</b>	2.53	2.51	2.49	2.47	-0.06	-2.4

Source: WPCOG Data Center, July 2003.

This significant population growth for the Startown area is predicated on growth rates that are more than 31% for the area. Future population growth within the Startown planning will be largely affected by the availability of public water and sewer and the County subdivision policy restricting development in school districts at or near 110% of their school capacity. If current subdivision policies remain in place, population growth will be limited in part by pre-existing or potential small lot development. However, if County policies on school capacities change, or if multi-family or new residential subdivision growth is stimulated by the extension of water or sewer services, the potential growth will increase significantly. These population projections would then need to be revised or updated extensively.

## **LAND USE AND COMMUNITY DESIGN**

### **CURRENT CONDITIONS AND TRENDS**

#### **CURRENT LAND USE**

Residential uses and open space occupy the vast majority of land in the Startown study area. Accordingly, most parcels are zoned for residential uses with the bulk of the area falling into the R-2 district (see *Map 4, "Startown SAP Current Zoning"*). The R-2 zoning district is intended to accommodate low-density residential development, agriculture and the necessary governmental and support services in the more rural portions of the County. It permits modular and site-built homes as well as single-wide and double-wide manufactured homes. It also permits bona fide farms. The R-2 zoning applies to most of the large undeveloped tracts of land throughout the study area (see *Map 3, "Startown SAP Current Land Uses"*).

R-1 zoning is permitted along Robinson Road and Sandy Ford Road as well as south of Newton along Rome Jones Road. The R-1 zoning district is similar to R-2 except that it does not permit manufactured homes or two-family dwelling units.

Mixed-use development (ED-MX) and industrial development (ED-I) are permitted along US Highway 321 at the NC Highway 10 and Startown Road interchanges. These zoning districts were designated by the *US 321 Corridor District Plan*, adopted by Catawba County in July 1996. The ED-MX and ED-I districts promote higher quality development through stringent design standards. The ED-MX zoning district allows for any combination of retail/commercial, office/institutional and residential components but never exclusively large-lot, single-family homes. The ED-I district allows for primarily industrial/warehousing/distribution uses with accessory office uses permitted. Commercial uses are very limited within the Startown study area at this time.

The Newton water intake is located in the western part of the Startown study area along Highway 10. Development is limited in the WS-III Critical Area surrounding the intake, required by the NC Water Supply Watershed legislation. The Critical Area requires one acre for each single-family residential lot. Multi-family and non-residential development in the Critical Area is limited to 12% percent lot coverage. The WS-III Protected Area allows more development, requiring at least one-half acre (20,000 sq. ft.) for each single-family residential lot. Multi-family and non-residential development in the Protected Area is limited to 24% percent lot coverage.

#### **LAND USE DISTRIBUTION**

The Startown SAP encompasses 19,428 acres of land (not including right-of-ways). Most of this land (91%) is zoned residential; the remaining 9% is zoned for non-residential uses (industrial and commercial).

<b>Startown SAP: Total Zoned Acreage</b>			
	<b>Total Acreage</b>	<b>Non-Residential Acreage</b>	<b>Residential Acreage</b>
<b>Startown SAP</b>	19,428 (100%)	1,781 (9.2%)	17,647 (90.8%)

Source: Catawba County GIS, 2004.

Non-residential zoning consists of 1,470 acres designated for industrial uses, 47% of which is vacant, and 311 acres of commercially zoned land, of which 70% is vacant. All of the vacant industrial and commercial land is located along the US Highway 321 Corridor.

<b>Startown SAP: Acreage Zoned Non-Residential</b>			
<b>LAND USE</b>	<b>Total Acreage</b>	<b>Total Vacant Acreage</b>	<b>% Vacant</b>
<b>Industrial</b>	1,470	684	47%
<b>Commercial</b>	311	219	70%
<b>Office-Institutional</b>	0	0	N/A

Source: Catawba County GIS, 2004.

Residential uses occupy the greatest percentage of land in the study area (17,647 acres); yet over 82% of the residentially zoned land is vacant or in tracts larger than four acres with a structure. 8,062 acres are entirely vacant while 7,898 acres are in lots of four acres or more that could be subdivided into two or more lots. If 85% of the land available for residential use were developed, the Startown area could see an additional 13,560 acres developed for residential purposes. These land use statistics suggest that a substantial amount of additional development could occur in the Startown study area.

<b>Startown SAP: Acreage Zoned Residential</b>				
	<b>Total Residential Acreage</b>	<b>Total Vacant Acreage</b>	<b>&gt;4 Acres + Structure</b>	<b>&lt;4 Acres + Structure</b>
<b>Startown SAP</b>	17,647	8,062 (41.5%)	7,898 (40.7%)	1,687 (8.7%)

Source: Catawba County GIS, 2004.

### **SITE DEVELOPMENT PATTERNS AND LAND DESIGN TRENDS**

Historically, rural and agricultural uses were the most dominant land use in the Startown study area. In recent decades, scattered housing developments have been built throughout the area. The most dense residential growth has occurred immediately west of Newton and south of Hickory. More growth is expected in areas where public water and sewer lines are extended. Generally, residential activity has consisted of a mixture of site-built subdivisions and manufactured home communities.

Greater industrial activity is also expected in the Startown area along US 321 where the highway provides the infrastructure necessary to support industrial uses. The *US 321 Corridor Plan* anticipates this growth by requiring more stringent development standards than are permitted in other parts of the county. Commercial uses may increase along US Highway 321; however, large strip centers and big box retailers are unlikely to emerge in the Startown

area. Hickory, Newton and Conover offer large shopping alternatives for residents of the study area.

## **GUIDING PRINCIPLES**

The Committee recognizes that some portions of the Startown area may be annexed by surrounding municipalities. If annexation occurs, the Committee requests that the municipalities consider the land use recommendations listed in the Startown Small Area Plan.

### **RESIDENTIAL**

- Balance growth with the community's rural character.
- Organize and plan residential development.
- Encourage aesthetically pleasing subdivision design.
- Promote affordable housing for people in all stages of life.
- Reserve open space in new subdivisions.
- Encourage residential design qualities that do not negatively impact air quality, including pedestrian options such as sidewalks, walking trails and bike paths.

### **COMMERCIAL**

- Focus commercial growth in Commercial Development Nodes, rather than strip development along highways in the Startown area.
- Pursue incentives to encourage quality, community-oriented businesses.
- Require more aesthetically pleasing designs for commercial uses.
- Buffer commercial uses from residential areas.
- Encourage quality mixed-use development on appropriate sites.

### **OFFICE-INSTITUTIONAL**

- As with commercial uses, require more aesthetically pleasing designs and buffers from residential areas.

### **INDUSTRIAL**

- Target industrial growth within the study area to specific, appropriate sites.

## **OPEN SPACE**

- Preserve open space, pastures and scenic views.
- Support and encourage agricultural uses.
- Protect natural resources.
- Develop options for passive recreational uses.

---

## **LAND USE PLAN RECOMMENDATIONS**

### **RESIDENTIAL**

- Designate residential density districts, as shown on *Map 5, "Startown SAP Future Land Use Recommendations and Residential Densities."* The densities indicated are average densities and are not minimum lot sizes.
- A high-density mixed-use Village, as shown in brown on *Map 5*, is proposed in the northern portion of the SAP west of Startown Road. Multi-family homes should be permitted in the village area, which may include a mixture of apartments, patio homes, cluster developments and zero-lot line developments. Multi-family homes should adhere to the following design concepts:
  - Limit access in new subdivisions to landscaped interior roads and networks.
  - Provide a 30-foot landscaped buffer along road frontages.
  - Limit signage to monument-style signs that are low to the ground.
- Internal open space is proposed in the Village, either for passive or active use, at a rate of 5% of the property or 10,000 square feet, whichever is greater. A community building, bicycle path, tennis courts, etc. could be included; the 30-foot landscaped road frontage buffer, however, may not be included in this calculation.
- The area proposed for high-density residential development, as shown in yellow on *Map 5*, is located in two portions of the Startown SAP, north of NC Highway 10 and east of Startown Road between Newton and Maiden. Residential development in these areas should adhere to the following design concepts:
  - Single-family homes should be developed at a maximum density of one unit per 0.5 acres with no public water OR one unit per 0.34 acres where water is available.
  - Mandatory clustering should be required for all major subdivisions on Startown Road south of NC 10, Sigmon Dairy Road and Rome Jones Road in order to preserve the rural character of the area. Mandatory clustering is also required for all major subdivisions on Startown Road north of Settlemyre Road.
  - All subdivisions and individual homes along Startown Road north of Settlemyre Road and south of NC Highway 10, Sigmon Dairy Road and Rome Jones Road should be set back 100 feet from the right-of-way. Where a 30-foot landscaped buffer is required, it may be included within the 100-foot setback.
- The area proposed for low-density residential development, as shown in green on *Map 5*, is located approximately ¼ mile west of Startown Road to the western SAP boundary and south of NC Highway 10 to the Lincoln County border. Low-density residential is also

recommended for the ½ mile corridor along US 321 north of NC Highway 10 in order to preserve the rural views from the highway. Residential development in this area should adhere to the following design concepts:

- Single-family homes should be developed at a maximum density of one unit per two acres.
- Cluster subdivision design is encouraged.
- All subdivisions and individual homes along Blackburn Bridge Road and Hickory-Lincolnton Highway north of Blackburn Bridge Road should be set back 100 feet from the right-of-way. Where a 30-foot landscaped buffer is required, it may be included within the 100-foot setback.
- All major residential subdivisions in the Startown SAP should incorporate the following additional design criteria:
  - Landscaping/buffering – a 30-foot natural buffer with trees and/or dense shrubbery should be required around the perimeter of all subdivisions, at entrance(s) and along thoroughfares; the purpose of this buffer is to help preserve the rural character of the Startown community.
  - Provide 30% common open space that is easily accessible and is usable for recreation; some of the required open space should be located outside the 100-year floodplain. The 30-foot landscaped road frontage buffer may be included in this calculation.
  - Limit access in new subdivisions to interior roads and networks (see Transportation Recommendations).
  - Encourage traditional neighborhood design by adopting such techniques as pedestrian-accessible and walkable neighborhoods through connected streets, sidewalks or greenways, street trees, and community amenities such as neighborhood parks. Neighborhoods should also provide a variety of housing types and sizes.
- It is recommended that school capacity no longer be a consideration regarding minimum lot sizes for new developments.

## **COMMERCIAL**

- Coordinate with NCDOT and the Town of Maiden to establish a gateway entrance to Catawba County with attractive signage on US Highway 321 at the Startown Road interchange. Encourage NCDOT to landscape all interchanges along US Highway 321.

- An interchange is proposed on US Highway 321 at Rocky Ford Road (see Transportation Recommendations). Development at this interchange should adhere to the design standards established in the *US 321 Corridor Plan*.
- Businesses in the Startown SAP should adhere to the following appearance and design criteria:
  - Encourage parking areas to be located to the side or rear of buildings.
  - Encourage mixed-use development at commercial nodes. (This concept allows residential and commercial uses in the same building).
  - Commercial development should be aesthetically pleasing, designed at a walkable pedestrian scale and create a desirable destination point.
  - Require landscaped areas along road frontages and within parking areas located in front or side yards.
  - Abundant landscaping should be provided at site entrances, in public areas, and adjacent to buildings. All loading, storage, and maintenance areas should also be heavily landscaped. Where possible, landscaping and buffering should be done with native vegetation. Native plants generally survive better and require less maintenance than non-native species.
  - Lighting at all commercial or mixed-use development be angled downward and shielded to avoid illuminating the night sky.
  - Encourage brick or masonry fronts on buildings while avoiding blank walls. Visual interest can be achieved through architectural details, distinctive lighting or awnings.

## **COMMERCIAL DEVELOPMENT NODES**

- A Community Center Node should be designated at the following intersection (see Map 5, “*Startown SAP Future Land Use Recommendations*”):
  - The proposed interchange at US Highway 321 and Rocky Ford Road

The Community Center Node should include regional commercial and mixed uses with a total area of 20 to 40 acres per node and a maximum gross leasable area of 100,000 square feet per lot.

- A Neighborhood Commercial Node should be designated at the following intersection (see Map 5, “*Startown SAP Future Land Use Recommendations*”):

- Settlemyre Bridge Road at Startown Road (an intersection of the future “Southern Corridor”).

The Neighborhood Commercial Node should include a mix of commercial and residential uses with a site area of 10 to 25 acres and maximum gross leasable area of 50,000 square feet per lot.

- A Rural Commercial Node should be designated at the following intersection (See *Map 5, “Startown SAP Future Land Use Recommendations”*):
  - NC Highway 10 and Hickory-Lincolnton Highway.

The Rural Commercial Node should serve residents of the immediate neighborhood with maximum site area of 10 acres and a maximum gross leasable area of 15,000 square feet per lot.

## **OFFICE-INSTITUTIONAL**

- Office and institutional uses should be allowed in Neighborhood Commercial Nodes as well as in mixed-uses permitted at the interchanges on US Highway 321.
- Office and institutional uses should strive to preserve the rural viewshed by adhering to the design standards recommended for commercial development.
- Abundant landscaping should be provided to screen parking, loading, storage and maintenance areas.

## **INDUSTRIAL**

- The land currently zoned for industrial uses is adequate.
- Industrial zoned property which is developed or redeveloped should strive to preserve the rural viewshed by adhering to the design standards recommended for commercial development.
- Abundant landscaping should be provided to screen parking, loading, storage and maintenance areas.

## **OPEN SPACE**

- Thirty percent (30%) of total acreage in major single-family subdivisions should be required to be dedicated as open space or natural areas, which may be located within the development for community use. The 30-foot landscaped road frontage buffer may be included in this calculation. (Existing vegetation should be allowed to provide this open space buffer if deemed adequate).

- Preserve green space specifically for passive recreational uses, including hiking trails, primitive camping areas, canoe access, etc.
- Develop passive recreation facilities on the Blackburn Landfill as land becomes available.

# TRANSPORTATION

## CURRENT CONDITIONS AND TRENDS

### ROADS AND HIGHWAYS

Transportation planning for the Startown study area is coordinated by the Greater Hickory Metropolitan Planning Organization (GHMPO). The GHMPO was created from the Hickory-Newton-Conover MPO when the Hickory urban area expanded after the 2000 Census. The southern portion of the Startown area is included in the County Thoroughfare Plan. Although significant growth in retail, commercial and residential land uses have generated sharp increases in traffic in certain areas of Catawba County, growth has been slower in parts of the Startown area as evidenced by moderate traffic increases.

The NCDOT Secondary Road system serves the Startown study area, except for the federal and state highways, US Highway 321 and NC Highway 10. US Highway 321 is the freeway connecting Hickory south to Gastonia and Charlotte (via I-85) and north to Lenoir and the mountains. NC Highway 10, the other major thoroughfare, bisects the study area from east to west. The following table illustrates average daily traffic counts (number of vehicles per day or ADT) at various locations in the study area (see *Map 6A, "Startown SAP Transportation Recommendations"*). Data for 1991 through 2002 are actual numbers recorded on site; 2025 data are projections based on NCDOT modeling.

<b>Startown SAP: Average Daily Traffic Count, 1991-2025</b>				
	<b>NC Hwy 10 east of Hky-Lincolnton Hwy</b>	<b>Rocky Ford Rd east of Hky-Lincolnton Hwy</b>	<b>Hky-Lincolnton Hwy north of Reepsville Rd</b>	<b>Blackburn Bridge Rd east of Hky-Lincolnton Hwy</b>
<b>1991</b>	5,800	700	1,600	N/A
<b>1999</b>	8,400	1,000	2,300	1,200
<b>2002</b>	8,300	1,200	N/A	1,200
<b>2025</b>	14,900	N/A	7,800	N/A

Source: NCDOT AADT maps, 1991-2002; and *Hickory-Newton-Conover Urban Area Transportation Plan, Technical Update #1*, 2001 (for 2025 projections).

In addition to traffic counts at these locations, NCDOT also provided two counts on the northern portion of Startown Road, at Milton Street in 1999 (8,700 vehicles daily) and just south of the Old Conover-Startown Road in 2001 at 11,000 vehicles per day. Two traffic counts are also available in Maiden, just outside the study area, at Startown Road north of West Maiden Road (8,300 vehicles daily in 2002) and on US Highway 321 south of the Startown interchange (24,000 vehicles in 2002).

To reduce traffic congestion and adequately provide for future travel demands, the MPO adopted the Hickory-Newton-Conover Urban Area Transportation Plan in 1986 and updated the plan in 1996 and 2001. The most current update includes one project that will

significantly affect the Startown study area: the Southern Corridor, passing through the northern Startown study area south of Catawba Valley Boulevard. The County's Thoroughfare Plan, also recently updated, includes the Robinson Road extension, from NC Highway 10 south to West Maiden Road. Although these thoroughfare improvements are recommended by the local governments, the Robinson Road extension is not yet included in the *State Transportation Improvement Program (STIP)*. The Southern Corridor, however, is included in the *STIP* but is unfunded at this time. *Map 6A, "Startown SAP Transportation Recommendations,"* illustrates the current and planned transportation system in the Startown area.

#### US Highway 321:

- This highway is included in a special Corridor district with specific development standards, approved by Catawba County, Hickory, Maiden and Newton in the mid-1990s;
- The *Mountain View Small Area Plan* proposes a North Carolina "Scenic Highway" designation for US Highway 321 north of NC Highway 10.

#### Robinson Road Extension:

- Although NCDOT has completed a "functional design" based on existing subdivisions, topography and likely road alignment, the project is not yet included in the *STIP*.

#### Southern Corridor:

- This proposed road would connect Settlemyre Bridge Road from the bridge west to River Road near its intersection with US Highway 321. The road will extend west to I-40 at Interchange 121 in Long View and east to US 321-Business in Newton.
- The project is included in the unfunded section of the *STIP*.
- The Mountain View SAP also supported construction of this thoroughfare with a four-lane, landscaped median design.
- Design standards for the Southern Corridor should include accommodations for bicyclists, according to the Mountain View SAP.

### **PEDESTRIAN SYSTEM**

Presently, Catawba County does not require sidewalk construction in new developments. In general, the Startown SAP area lacks a pedestrian system with sidewalk connections between residential areas. However, it is now policy of the MPO and NCDOT to evaluate any new road construction project for potential pedestrian needs (i.e., sidewalks and crossover) and bicycle accommodations.

### **BICYCLE SYSTEM**

The Startown SAP study area does not currently have an integrated system of bicycle trails. NCDOT has funded a Bicycle Route Map and signing project that has been underway since the summer of 2001 with expected completion in 2006.

### **TRANSIT SYSTEM**

The Piedmont Wagon Transit System offers limited transit service to Startown residents. Vans are available, five days per week, through Piedmont Wagon to transport senior citizens and disabled residents. No fixed Piedmont Wagon routes currently exist in the Startown area.

### **PASSENGER RAIL**

NCDOT has determined that the next major expansion of passenger rail service in the state will be in western North Carolina. Plans are underway to initiate service between Raleigh and Asheville with a stop in downtown Hickory. A portion of the former Hickory Depot, now entirely occupied by a restaurant, will revert to a passenger waiting area. This service is expected to be operational by 2009.

## **GUIDING PRINCIPLES**

### **ROADS & HIGHWAYS**

- Encourage better communication between NCDOT and citizens when transportation plans are developed and implemented.
- Alleviate traffic safety problems and congestion on major highways, including increased numbers of traffic signals or turn lanes where appropriate.
- Anticipate and plan for growth that will result from road improvements and widening.
- Adopt transportation policies that do not negatively impact air quality.
- Minimize speeding.
- Preserve good roads, areas of low traffic and scenic highways.
- Maintain adequate stormwater drainage systems.
- Coordinate transportation policies with land use policies.
- Encourage alternate modes of transportation, including increased use of existing means such as public buses, school buses, railroads, bicycles and pedestrian.
- Provide for better connectivity of road systems.

### **PEDESTRIAN SYSTEM**

- Provide safe alternatives for pedestrians.

### **BICYCLE SYSTEM**

- Provide safe options for bicyclists.

### **TRANSIT SYSTEM**

- Increase opportunities to link with existing transit routes.

## **PASSENGER RAIL**

- Study connections, via the Piedmont Wagon Transit System, with the Western North Carolina Passenger Rail Service.

## **TRANSPORTATION PLAN RECOMMENDATIONS**

Catawba County does not maintain roads and therefore the following recommendations will be forwarded to NCDOT or used in areawide thoroughfare planning. Note: For the following recommendations, refer to *Map 6A, "Startown SAP Transportation Recommendations."*

### **ROADS & HIGHWAYS**

- Improve communication by transportation officials when advertising public hearings for new roads, road changes, etc., which may include individual notification to affected property owners.
- Coordinate with NCDOT and the Town of Maiden to establish a community gateway entrance to Catawba County with attractive signage on US Highway 321 at the Startown Road interchange. Encourage NCDOT to landscape all interchanges along US Highway 321.
- Explore possible local Scenic Byway designation for the following roads:
  - US Highway 321
  - NC Highway 10 west of Startown Road to Hickory-Lincolnton Highway south to Blackburn Bridge Road to Startown Road, back to NC Highway 10. Coordinate with Lincoln County the possibility of extending this scenic loop south along Startown Road to River Road or Ritchie Road then north back into Catawba County.

#### **Request from NCDOT District Office:**

- Add turn lanes with turn signals or make intersection improvements at the following intersections:
  - West Maiden Road at Canslers Crossroads (traffic signal)
  - NC Highway 10 and Startown Road (left turn signal turning west onto Highway 10)
  - Improve intersection of Sigmon Dairy Road and NC Highway 10 to increase turn radius for truck traffic
  - Install traffic light with protected left arrow on Startown Road at Sandy Ford Road
  - Reduce visibility problems at the intersection of Sigmon Dairy Road and Rome Jones Road
- Explore with NCDOT the possibility of diverting truck traffic from Sandy Ford Road between Robinwood Road and Startown Road.
- Improve the following roads to enhance safety (for example, improved bridges, curves, drainage issues):
  - Curves on Robinson Road north of Sandy Ford Road

Revisions to the Unifour MPO and Catawba County Thoroughfare Plans:

- Recommend a new interchange on US Highway 321 at Rocky Ford Road to accommodate industrial traffic, especially trucks from the Blackburn Landfill, on Hickory-Lincolnton Highway. The proposed interchange on US 321 at Rocky Ford Road should adhere to the design standards established by the *US 321 Corridor Plan*. This recommendation would also require improvements to Rocky Ford Road.
- Evaluate the feasibility of extending Robinson Road from NC Highway 10 south to Rocky Ford Road, on a new route west of existing subdivisions to the intersection of Rocky Ford Road and US Highway 321.
- Recommend eliminating the Robinson Road extension project south of Rocky Ford Road to West Maiden Road due to concerns about loss of open space in the US Highway 321 Corridor.
- Recommend that future phases of Catawba Valley Boulevard not be built because of concerns over increased commercial development in the northern Startown SAP area and the number of east-west connecting roads between I-40 and Settlemyre Bridge Road.
- Focus attention on the Southern Corridor as the top priority east-west road for future development as an alternative to Catawba Valley Boulevard Extension.
- Recommend that the Southern Corridor west of Startown Road be built as a four-lane, divided, landscaped boulevard design. East of Startown Road, a four-lane “urban design” is recommended, which requires less right-of-way.
- Incorporate the Early Action Compact for air quality into the *State Transportation Improvement Plan*.

Amend the County Zoning and Subdivision Ordinances to:

- Establish regulations that all new residential driveways connecting to arterial and collector streets must be at least 12 feet wide for the first 20 feet of length with a minimum 3-foot turn radii. These roads include:
  - Hickory-Lincolnton Highway
  - Startown Road
  - NC Highway 10
  - Robinson Road
  - Sandy Ford Road
  - West Maiden Road

- Driveways along thoroughfares should be minimized by encouraging service roads for residential and non-residential development.

### **PEDESTRIAN SYSTEM**

- Sidewalks should be included with the construction of the Southern Corridor and, if built, the extensions of Catawba Valley Boulevard and Robinson Road.

### **BICYCLE SYSTEM**

- The Startown SAP supports the bicycle routes recommended by the Catawba County Bicycle Mapping Committee, which has been submitted to NCDOT for approval (see *Map 6A*).
- Increase pavement width to the maximum extent feasible along the designated bicycle routes for increased safety.

### **TRANSIT SYSTEM**

- Enhance Piedmont Wagon routes to provide increased service for the elderly.
- Request Catawba County to initiate a feasibility study for expanding the Piedmont Wagon route into the Startown community.

### **PASSENGER RAIL**

- Encourage Piedmont Wagon to schedule trips to coordinate with the western North Carolina passenger rail service.
- Determine the feasibility of creating a light rail passenger service along the existing rail corridor from Catawba to Hickory with stops at urban centers.

---

## **COMMUNITY FACILITIES AND PUBLIC SERVICES**

### **CURRENT CONDITIONS AND TRENDS**

#### **SCHOOLS**

The Startown study area is located within the Startown and Blackburn Elementary School districts with a majority of students attending Startown Elementary. A majority of these elementary students then attend Tuttle Middle School and Maiden High School for their middle school and secondary education. Elementary students in the western third of the Startown planning area are currently assigned to Blackburn Elementary, and they then attend Jacobs Fork Middle School and Fred T. Foard High School. A few students in the southeast corner of the Startown planning area attend Maiden Elementary School.

In 1999, the Catawba County, Hickory, and Newton-Conover Schools systems commissioned the Western Piedmont Council of Governments to develop the *Catawba County Growth Estimation Model*. This model identified and examined various factors and trends that impact student population and helps plan for future school facilities. This model was updated in July 2004, and data is currently being analyzed for the 2005 update.

#### **The “new” Maiden High School**

Presently under construction, the new Maiden High School is scheduled to be completed on a new site in the Town of Maiden, west of its present location on W. Main St. It will be built to accommodate 1,000 students, nearly twice as large as the capacity of the current high school. Plans call for the new high school to welcome its first students in August 2006. Community meetings to discuss new school attendance boundaries have been held this spring and will continue according to Catawba County school officials.

It seems likely that some students currently in the Fred T. Foard or Bandys High School attendance districts may be assigned to the new Maiden High School. This change may help relieve some of the current enrollment pressures at Foard and Bandys. Students assigned to the new Maiden High School attendance district may also attend the old Maiden High, reconfigured as a middle school. Plans also call for converting Tuttle Middle School, east of Maiden, to an elementary school.

#### **Startown Elementary School**

Startown Elementary occupies an historic site on Startown Road near the NC Highway 10 intersection. A public school has occupied this site for over 100 years. Preliminary data for the *Catawba County Growth Estimation Model* shows that the student population at Startown Elementary School remains near building capacity (775 students) since 2000 and will remain near capacity until 2011.

#### **Blackburn Elementary**

Preliminary data also shows that the student population at Blackburn Elementary School has exceeded building capacity (675 students) since 2000 and will remain over capacity until

2011. After the 2008-09 school year, enrollment seems likely to exceed 110% of building capacity, a point at which school overcrowding becomes apparent.

### **PARKS AND GREENWAYS**

At this time, there are no public parks or greenways in the Startown planning area. The City of Newton is in the initial stages of developing a 100-acre park at its water intake along NC Highway 10 just west of US Highway 321. The park will be located at the point where the Jacob Fork and the Henry Fork Rivers join to form the South Fork of the Catawba. Newton proposes to develop softball and soccer fields, hiking and mountain bike trails, a canoe launch and picnic areas. The park will enable people to enjoy the Jacob Fork River in active and passive ways. The City is seeking a cooperative venture with Catawba County in developing this park.

### **LIBRARIES**

Catawba County operates a well-established library system. The Catawba County Library System operates one central library, a law library and six branch libraries. Although the study area is served by three of those branches, only a small portion of the Startown SAP is within the three-mile primary service area of a branch library. The main Newton library and the Maiden branch directly serve the eastern portion of the study area. The Southwest branch is located in Mountain View on Highway 127. Currently, no additional library branches are planned for Catawba County.

### **WATER SERVICE**

The City of Hickory, City of Newton, Town of Maiden and Catawba County have provided water service to areas within the Startown study area. In some cases, the County pays for construction of the water lines while the municipalities maintain the lines. In such cases, revenues are shared between the County and the respective municipality. The major water lines in the study area extend along Startown Road, NC Highway 10 and Sandy Ford Road

In coordination with the municipalities, utility service providers in Catawba County have formed the Utilities Technical Advisory Committee to address water and sewer issues on a County-wide basis.

### **SEWER SERVICE**

Sewer service is not available in most of the study area; however, the City of Hickory, City of Newton and the Town of Maiden have sewer lines in close proximity to the Startown planning area. The City of Hickory operates a sewer line which extends into the northeastern section of the study area. The City of Newton has extended a sewer line along NC Highway 10 and south along Hickory-Lincolnton Highway. The municipalities have long-range plans to extend sewer service into various parts of the Startown SAP. The Utilities Technical Advisory Committee addresses sewer concerns on a county-wide basis.

### **EMERGENCY SERVICES**

The Catawba County Emergency Communications Center is the central receiving point for all 911 calls in Catawba County. The center is regarded as one of the most advanced centers in

western North Carolina utilizing the newest software and technology. The center dispatches all fire, medical, rescue and police calls for service within Catawba County, except police for Hickory, Newton and Maiden. The center also gives medical instructions to callers while they await the arrival of medical personnel.

### **Law Enforcement**

The Catawba County Sheriff's Department serves the study area. The patrol division is made up of twenty-six officers among four shifts. The Sheriff's Department also operates a jail and maintains security for the court system in Catawba County. Crime prevention, investigations and civil enforcement are other functions conducted by the Sheriff's Department.

### **Fire Protection**

Fire protection in the northern portion of the Startown study area is provided by the City of Hickory. The Fairbrook Station, located on Sweetwater Road near US Highway 70, responds to rural fire calls as necessary. Located on Catawba Valley Boulevard, the Southeast Station opened in July 2003 and provides fire protection to the Robinson Road and Sandy Ford Road areas.

The Mountain View Volunteer Fire Department is located on NC Highway 127 and serves the northwestern portion of the Startown study area surrounding the US Highway 321 Corridor. Areas east of this district are served by the Startown Fire Department, located on Startown Road adjacent to Startown Elementary School. The Newton Fire Department acquired the Startown Volunteer Fire Department through a merger in 2001.

The southern portion of the Startown study area is served by the Maiden Fire Department and the Propst Crossroads Fire Department. The Maiden Fire Department is located in downtown Maiden and serves the Startown Road area west to the South Fork of the Catawba River. The area west of the South Fork is served by the Propst Crossroads Fire Department, located at the intersection of NC Highway 127 and NC Highway 10. A new station is being considered in the Propst fire district near southwest corner of the Startown area.

### **Emergency Medical Services**

Although an EMS base is not located within the study area, two bases respond to calls within the Startown area. The Propst Crossroads Base is located at the intersection of NC Highway 10 and NC Highway 127. This base responds to calls for the southwestern portion of Catawba County. The Newton base, located in southern Newton off US Highway 321-Business, also serves the study area.

## **GUIDING PRINCIPLES**

### **SCHOOLS**

- Plan to accommodate student enrollment growth.
- Plan for community-based, neighborhood schools.

### **PARKS AND GREENWAYS**

- Encourage conservation easements and/or greenways along the Henry and Jacob Fork Rivers and the South Fork of the Catawba River.
- Provide adequate recreation facilities, both active and passive, for all segments of the population.

### **LIBRARIES**

- Maintain adequate level of library services for the community.
- Encourage continued cooperation with municipalities.

### **WATER/SEWER SERVICES**

- Provide water and sewer services in higher density areas in close proximity to existing municipal boundaries.
- Take a cooperative regional approach to planning of future water and sewer infrastructure.

### **EMERGENCY SERVICES**

- Maintain existing levels of service and expand those services as demand requires.
- Consider ways to expand emergency facilities by locating them with existing or future public facilities.

## **COMMUNITY FACILITIES AND PUBLIC SERVICES PLAN RECOMMENDATIONS**

### **SCHOOLS**

- Continue to use and enhance school facilities for comprehensive community and recreation activities.
- The County should remove school capacity as a factor in determining residential density for new developments when the Startown Small Area Plan land use and housing recommendations are implemented.
- School planners should use the future residential density recommendations (see Land Use Plan Recommendations) when identifying school expansion needs.
- Explore the feasibility of funding options for constructing school facilities.

### **PARKS AND GREENWAYS**

- Work with landowners and local conservancies to establish passive recreational uses and/or boating options on the South Fork River.
- Explore the adaptive reuse of the Blackburn landfill site for recreational activities, such as a golf or putt-putt course, hiking, biking and walking trails, picnic areas, a ropes course, an educational forest, a swimming pool or a community meeting facility.

### **LIBRARIES**

- Continue cooperation with municipalities in providing library service.
- Maintain existing levels of library service and increase as needed.
- Explore options for locating public library facilities on school sites.

### **WATER/SEWER SERVICES**

- Major utility expansions in high-density areas, as indicated on *Map 5, "Startown SAP Future Land Use Recommendations,"* should have a priority.
- Partner with municipalities to provide utilities that are consistent with adopted land use plans and "smart growth" principles.
- Continue to pursue Community Development Block Grants for the expansion of utilities.
- Areas with septic failures should be considered for public sewer service.

## **EMERGENCY SERVICES**

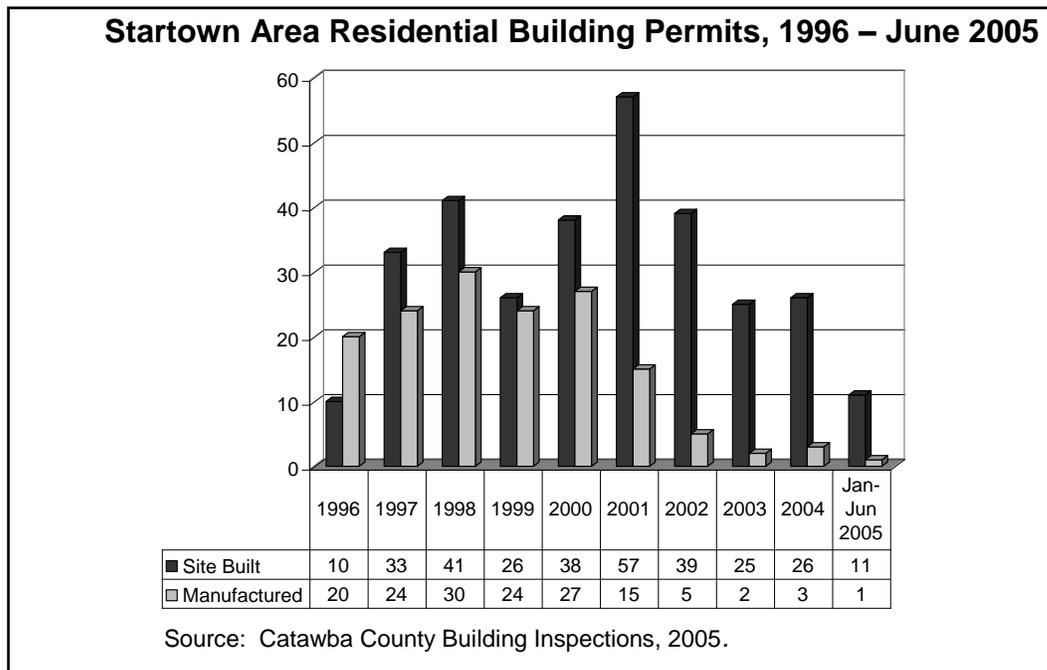
- Maintain existing levels of service.
- Continue to support and develop measures to reduce medical response times.

## HOUSING

### CURRENT CONDITIONS AND TRENDS

Since 2001, the average number of houses constructed every year has decreased steadily in the Startown study area. The decline in new construction can be largely attributed to the economic downturn during recent years. The total population is still growing slowly, however, which suggests that residents are choosing to purchase existing homes rather than building new ones.

Catawba County issues building permits for all new construction. The following table shows the total number of building permits issued from 1996 through June 2005 by type of home (site-built or manufactured home). Since 1996, a total of 457 housing units have been added, including 306 site-built homes and 151 manufactured homes.



Until 2000, the construction of manufactured homes kept pace with the number of site-built homes in the area. Since 2001, however, the number of permits issued for manufactured homes has dropped dramatically. This trend may be explained by the rising costs of manufactured housing, closing much of the cost gap with stick-built homes. The rising costs of manufactured homes may be attributed to two factors: the appearance standards adopted by the County in 1996 and consumer demand for larger homes with more amenities. The trend of fewer manufactured homes in the Startown area, especially single-wides, is consistent with other areas of the County.

## **GUIDING PRINCIPLES**

### **SINGLE- FAMILY**

- Encourage aesthetically-pleasing subdivision design.
- Encourage the preservation of open spaces as development increases.
- Encourage a diverse range of housing densities and types that will meet the needs of all segments of the population, household requirements and income levels.

### **MANUFACTURED HOMES**

- Provide for the equitable location of manufactured housing that meets the housing needs of the population while maintaining the character of the community.

### **MULTI- FAMILY**

- Encourage the construction of multi-family housing as an affordable housing option.
- Development of multi-family housing should occur where appropriate infrastructure and services exist.

### **RETIREMENT**

- Promote low maintenance, alternative housing opportunities for seniors.

## **HOUSING PLAN RECOMMENDATIONS**

### **ALL RESIDENTIAL USES**

- The Planning Board and staff investigate the possibility of developing a County-wide minimum housing standards. It should apply to single-family, multi-family housing and rental housing, with standards limiting the number of individuals inhabiting a single dwelling unit.
- Where possible, landscaping and buffering should be done with native vegetation. Native plants generally survive better and require less maintenance than non-native species.
- All subdivisions and individual homes along Startown Road north of Settlemyre Road and south of NC Highway 10, Sigmon Dairy Road, Rome Jones Road, Blackburn Bridge Road and Hickory-Lincolnton Highway north of Blackburn Bridge Road should be set back 100 feet from the right-of-way. Where a 30-foot landscaped buffer is required, it may be included within the 100-foot setback.

### **SINGLE- FAMILY**

- Residential subdivisions should incorporate the following additional design criteria:
  - Landscaping/buffering – a 30-foot natural buffer with trees and/or dense shrubbery should be required around the perimeter of all subdivisions, at entrance(s) and along thoroughfares; the purpose of this buffer is to help preserve the rural character of the Startown community.
  - Provide 30% common open space that is easily accessible and is usable for recreation; some of the required open space should be located outside the 100-year floodplain. The 30-foot landscaped road frontage buffer may be included in this calculation.
  - Limit access in new subdivisions to interior roads and networks (see Transportation Recommendations).
  - Encourage traditional neighborhood design by adopting such techniques as pedestrian-accessible and walkable neighborhoods through connected streets, sidewalks, street trees, and community amenities such as neighborhood parks. Neighborhoods should also provide a variety of housing types and sizes.
  - Cluster subdivisions are required in certain high-density residential areas and encouraged in low-density residential areas (see Land Use Plan Recommendations). Clustering preserves open space and rural character.

- Development of higher density single-family housing should occur where appropriate infrastructure and services exist or are planned.

## **MANUFACTURED HOMES**

- Rezone the areas shown on *Map 7, "Startown SAP Proposed Zoning Map Amendments."*
- Twenty-five percent (25%) of the land in the Startown SAP is proposed for rezoning to R-1 (which allows stick-built or modular homes). The basis for this rezoning is to protect property values, appearance and character of the community where higher density is proposed. Furthermore, the demand for manufactured housing in the Startown area has decreased consistently over the past several years, suggesting that less land needs to be zoned to permit this type of housing.
- Sixty-four percent (64%) of the land in the Startown SAP is proposed for rezoning to R-3 (which allows double-wide manufactured homes, modular homes and site-built homes). The proposed rezoning permits double-wide manufactured homes as an affordable housing option, while the required 100-foot setbacks along certain roads and low density will preserve the rural character of the Startown community.
- Allow existing manufactured homes in the R-1 and R-3 zoning district to be replaced with manufactured homes based on their nonconforming status. Subdivisions that have been approved for manufactured homes should continue to be allowed to place them on remaining vacant lots.

## **MULTI- FAMILY**

- The areas already zoned 321-ED(MX), the proposed Village along Startown Road, and the proposed Neighborhood Commercial and Community Center Nodes are sufficient to accommodate the need for multi-family housing in the Startown planning area. These areas are appropriate for multi-family development once public water and sewer service are available.
- Duplex or two-family homes should continue to be allowed as a permitted use in all residential districts regardless of the availability of water or sewer infrastructure.

## **RETIREMENT**

- Options for retirement living are suggested in the ED-MX zoning district and in the proposed mixed-use Village on Startown Road.
- Retirement housing is an alternative at the other recommended commercial nodes if the appropriate infrastructure is available.

## **ECONOMIC DEVELOPMENT**

### **CURRENT CONDITIONS AND TRENDS**

In the last decade, Catawba County's economy has moved away from its dependence on traditional manufacturing industries (such as textile, hosiery and furniture) as an increasingly lively service sector has begun to develop. During the 1990s, jobs in manufacturing grew by 6.2% while service sectors jobs grew by 39.7%. It should be noted that service sector jobs often pay less than manufacturing jobs and may provide fewer benefits. However, this sector also includes workers in the health professions, legal services, auto repair, hotels and motels, and engineering.

During the last four years, manufacturing has sustained heavy job losses in Catawba County and across North Carolina. Between the second quarter of 2000 and the second quarter of 2004, over 14,600 jobs in Catawba County were lost with 12,497 of these jobs in manufacturing alone. While the manufacturing sector is beginning to improve at the national level, such improvements have not yet been experienced locally.

Two significant efforts are currently underway to assist the County in overcoming these job losses. FORESIGHT, the continuing Catawba County strategic planning effort, has completed a series of strategies designed by a Task Force focusing exclusively on "Jobs and the Economy." Their recommendations are in the initial implementation stages. Another effort, called Future Forward, has developed a comprehensive economic development strategy for a twelve-county area stretching from I-77 west to McDowell County and from the mountains to the South Carolina state line. These counties, mainly located in the Tenth and Twelfth US Congressional Districts, worked together to create strategies, several of which have received significant funding from the federal Economic Development Administration.

Since few commercial or industrial facilities are located in the Startown community, most residents work in the urban areas of Catawba County. The few existing commercial and industrial uses in the Startown SAP are located north of the County landfill between Rocky Ford Road and NC Highway 10, and at the US Highway 321 interchanges.

## **GUIDING PRINCIPLES**

- Facilitate and encourage new, community-focused economic development in the Startown area.
- Create more aesthetically pleasing commercial, industrial and mixed-use developments.
- Industrial areas should be directed to areas with appropriate infrastructure.
- Encourage limited commercial and office-institutional development, which observes established development standards, to provide additional retail opportunities for area residents closer to home. These areas should be adjacent to similar commercial developments, such as along NC Highway 10 or at the interchanges of US 321.

## **ECONOMIC DEVELOPMENT PLAN RECOMMENDATIONS**

- Pursue a high-quality, attractive business and light industrial park along NC Highway 10 near the US Highway 321 interchange on land currently zoned ED-I (see *Map 5, Startown SAP Future Land Use Recommendations*).
  - In this complex, allow industrial uses in a campus-like setting.
  - This development should observe the following appearance and design criteria:
    - Landscaped areas along road frontage
    - Use native vegetation where possible
    - Limit size of signs
    - Require internal streets as well as interconnectivity among the several businesses and industries
    - Design standards and other access management methods that will control traffic movement and driveway connections from major roads
    - Require sidewalks at the proposed business/light industrial park
  - The EDC, the County and the City of Newton should partner on development plans for the proposed Business/Light Industrial Park.
- In the area currently zoned 321-ED(MX), support the development of commercial, office and residential uses consistent with the standards outlined in the Land Use Plan Recommendations.
- A Community Center Commercial Node is recommended for the intersection of US Highway 321 and the proposed interchange with Rocky Ford Road. See *Map 5, "Startown SAP Future Land Use Recommendations."*

This node should include regional commercial and mixed uses with a total area of 20 to 40 acres per node and a maximum gross leasable area of 100,000 square feet per lot. Businesses in this area should buffer structures and parking from US Highway 321. Architectural controls and landscaping for parking areas should be required at this Community Center development.

- A Neighborhood Commercial Node is proposed for the intersection of Startown Road and the extension of Settlemyre Bridge Road (the new Southern Corridor). See *Map 5, "Startown SAP Future Land Use Recommendations."*

This node should include a mix of commercial and residential uses with a site area of 10 to 25 acres and maximum gross leasable area of 50,000 square feet per lot.

- A Rural Commercial Node should be designated at the following intersection (see *Map 5, "Startown SAP Future Land Use Recommendations"*):

- NC Highway 10 and Hickory-Lincolnton Highway.

The Rural Commercial Node should serve residents of the immediate neighborhood with maximum site area of 10 acres and a maximum gross leasable area of 15,000 square feet per lot.

- Explore the adaptive reuse of the Blackburn landfill site for joint economic development and educational options, perhaps including relocating the Catawba Valley Community College turf management program to this site to partner with turf and landscaping operations.

## **NATURAL AND CULTURAL RESOURCES**

### **CURRENT CONDITIONS AND TRENDS**

#### **NATURAL RESOURCES**

Two major rivers run through the Startown area and affect not only the quality of the surface water but have important cultural and historic ties to the community (see *Map 8, "Startown SAP Natural and Cultural Resources"*). The headwaters of the Henry Fork and Jacob Fork Rivers rise in the South Mountains and drain east into the Startown area. The Henry Fork and Jacob Fork join near the US Highway 321 interchange at NC Highway 10 and flow south as the South Fork of the Catawba River. Considerable land bordering these rivers is floodplain, limiting its development but providing natural habitat for fish, birds, small mammals as well as trees and flowering plants. The floodplain also offers good opportunities for passive recreational activities, such as hiking, canoeing and picnicking.

Clark Creek, a major creek located on the eastern end of the district, was placed on the 303(d) list of impaired streams in 2002 by the North Carolina Division of Water Quality after significant concentrations of fecal coliform and copper were discovered. As a result, the Division of Water Quality developed a Total Maximum Daily Load (TMDL) program to assess, monitor and improve the water quality in Clark Creek. The TMDL encourages local governments to seek initiatives to involve the public and development community in improving water quality.

To protect water quality, the State of North Carolina enacted the Water Supply Watershed Protection Program in 1989. The program requires all local governments with land use planning jurisdiction in designated watersheds to administer a Water Supply Watershed Protection Ordinance to protect surface drinking water. The Jacob Fork is the source for Newton's water supply and, as a result, a small portion of the western Startown area surrounding the Newton water intake falls within the WS-III Watershed. Another small portion of the SAP boundary along the South Fork is located within the WS-IV Watershed, which drains south into Lincoln County.

Development within the WS-III Critical Area surrounding the Newton water intake is limited to one house per acre for single-family development. Multi-family and non-residential development is allowed to cover 12% of the lot area with impervious material such as asphalt, gravel and buildings. The WS-III Protected Area allows one house per half acre for single-family development. Multi-family and non-residential development is limited to 24% lot coverage or 70% impervious surface if a "5%/70% Bonus" permit is approved by the Catawba County Board of Adjustment.

The WS-IV Protected Area in the southern portion of the Startown area requires 15,000 square-foot lots when curb and gutter is not used, and public water or sewer service are provided. When no public utilities (water and sewer) or curb and gutter are installed, lots cannot be smaller than one-half acre. Multi-family and non-residential uses are limited to

24% impervious coverage of the lot with curb and gutter and 36% without curb and gutter. Within the Protected Area, planned developments may use the high-density option of 70% impervious coverage with stormwater controls.

The Catawba Lands Conservancy has been an active participant in preserving open space along the South Fork. The organization now owns or partially owns 3,000 acres in Catawba, Lincoln and Gaston Counties. Currently, the Catawba Lands Conservancy has two projects in the Startown area (see *Map 8*). A 66-acre tract, part of the historic Oakwood Farm, was donated to the organization in 2003. At least one other landowner of the former Oakwood Farm has placed his land in a conservation easement and is the process of restoring the historic buildings on the property. Eventually, the farm may be opened to the public as a historical and educational resource. Further south, the Catawba Lands Conservancy owns 280 acres, known informally as the Viles Farm, which received a Clean Water Management Trust Fund grant to preserve water quality along the South Fork.

Besides protected watersheds and undeveloped land along the area's creeks, another significant natural feature is the rural, undeveloped land that still remains in many portions of the community. Considerable acreage simply remains as undeveloped woodland and open fields. These open spaces and floodplains along its creeks constitute much of what symbolizes for residents the quiet, rural character of the Startown area.

## **RECREATIONAL OPPORTUNITIES**

In addition to the passive recreational opportunities offered by the floodplain along the South Fork, other unique recreational opportunities exist in the Startown area. For example, the Optimist Club is very active in the community and offers youth basketball, baseball and football at Startown Elementary School.

Catawba County is currently exploring innovative recreational uses for the Blackburn Landfill on Rocky Ford Road. The Board of Commissioners approved a conceptual plan in 1998 to allow the buffer area surrounding the landfill to be used for recreational activities such as a golf course, walking trails or ball fields. Other recreational options could include activities such as a picnic area, ball fields for sports programs of civic clubs, a putt-putt course, a ropes course, a swimming pool, a community meeting facility or an educational forest. The revenue generated from these activities could be used to fund their operating costs. The land directly over the landfill sections that have been filled and closed would be preserved as open space and wildlife habitat.

The City of Newton is in the initial stages of developing a 100-acre park at its water intake along NC Highway 10 just west of US Highway 321. The park will be located at the point where the Jacob Fork and the Henry Fork Rivers join to form the South Fork of the Catawba. Newton proposes to develop softball and soccer fields, hiking and mountain bike trails, a canoe launch and picnic areas. The park will enable people to enjoy the Jacob Fork River in active and passive ways. The City is seeking a cooperative venture with Catawba County in developing this park.

## CULTURAL RESOURCES

The Startown area contains the original site of the historical town of Crowdertown (also known as “Ulrichsburg,” “Crowderstown” or “Crowder’s Town”). The “town” was established by the German settler, Ulrich Krauter, near the present-day intersection of Startown Road and Settlemyre Bridge Road. According to a 1999 article by Mills Yoder Bridges, Ulrich Krauter arrived in the Carolinas around 1763 and traveled northwest up the Wateree River. The British Crown granted him 450 acres of land in Mecklenburg and Lincoln Counties (Catawba County had not yet been established), which he sold as smaller lots in July 1789 and established Crowdertown. Although several lots were developed as farms, no physical traces of Crowdertown remain today.

The Startown area is fortunate to have several sites listed on the National Register of Historic Places. These properties have been recognized by state and federal historians as worthy of preservation for their significance in American history, architecture and culture. Many other properties of local historic significance also exist in the Startown area. The Committee has emphasized the importance of several of these properties, which are shown on *Map 8*. Persons interested in a more comprehensive list are encouraged to consult the Catawba County Historical Association or Sidney Halma’s *Catawba County: An Architectural History*.

The Wilfong-Wilson Farm and the Weidner Rock House are located north of NC Highway 10 near the US 321 Highway. The Wilfong-Wilson Farm is one of the largest remaining active farms north of NC Highway 10. The Weidner Rock House is a two-story stone structure constructed in 1789 by the son of the first settler in the area. Although the house was originally constructed in the floodplain overlooking the confluence of the Henry and Jacob Fork Rivers, it was moved uphill to its current location in the 1840s with teams of mule-drawn wagons.

Along Hickory-Lincolnton Highway, the western boundary of the Startown planning area, there are three properties listed on the National Register. The Shuford-Hoover House is a well-preserved cottage originally built in 1790 with later additions around 1840 and 1925 to accommodate the large farm families that lived there during the nineteenth and early twentieth centuries. South of the Rocky Ford Road intersection is the Grace Union Church and Cemetery, which is the only remaining mid-nineteenth century church building in Catawba County. Although the church was constructed in 1857, the cemetery has grave markers dating from the 1820s. Further south on Hickory-Lincolnton Highway is the Abraham-Anthony Farm which contains a two-story brick house built in 1877.

East of Startown Road are four farmhouses listed on the National Register. The Rudisill-Wilson House was constructed between 1818 and 1821. After being sold to Mr. Ezekial Wilson in 1855, the property remained in the Wilson family until 1949. The Franklin D. Reinhardt House and William Pinckney Reinhardt House, located along Sigmon Dairy Road, are nearly identical houses constructed by two brothers in the mid-1840s. Mr. Franklin Reinhardt served four terms in the North Carolina General Assembly before returning to the area to serve as one of Catawba County’s first magistrates. The Harren-Hood House is located further north on Sigmon Dairy Road. The house is a two-story, late-Victorian frame

house built around 1908. Mr. Alonzo Harren sold the house and land to Mrs. Ella Hood in 1925 and it has remained in the Hood family since.

## **GUIDING PRINCIPLES**

### **NATURAL RESOURCES AND OPEN SPACE**

- Water quality is a vital concern for the public and should be protected.
- Encourage cluster development to preserve open space, wildlife habitats and the rural character of the Startown area.
- Preserve ample open space for future generations.
- Encourage conservation easements or greenways along the Henry and Jacob Fork Rivers and the South Fork of the Catawba Fork.

### **RECREATION OPPORTUNITIES**

- Provide adequate recreational opportunities, both active and passive, for all segments of the population.
- Encourage innovative ideas to create new recreational opportunities.
- Continue to use and enhance school facilities for comprehensive community and recreation activities.

### **CULTURAL RESOURCES**

- Preserve properties of local and national historic significance.
- Encourage the application of adaptive reuse techniques for historic properties in the Startown area.

## **NATURAL AND CULTURAL RESOURCES PLAN** **RECOMMENDATIONS**

### **NATURAL RESOURCES AND OPEN SPACE**

- Preserve the community's open spaces through density controls, zoning and subdivision regulations which establish two density areas, higher-density (one dwelling unit per 0.34 acres with public water, one dwelling per 0.5 acres without public water), and lower-density (one dwelling per two acres). Since these densities are recommended averages and not minimum lot sizes, cluster development is encouraged (or required in certain areas) to preserve open space. See *Map 5, "Startown SAP Future Land Use Recommendations and Residential Densities."*
- Thirty percent (30%) of total acreage should be required as open space in single-family subdivisions. The 30-foot landscaped road frontage buffer may be included in this calculation.
- Encourage residential subdivisions to follow design criteria for preserving trees or replacing them with native species, if necessary.
- Seek approval for a NCDOT Scenic Byway designation for the route recommended on *Map 6A, "Startown SAP Transportation Recommendations."*
- Consider requesting North Carolina General Assembly, if necessary, to allow Transfer of Development Rights (TDR), which would encourage development in areas with adequate infrastructure and preserve open space in more rural parts of the county like the Startown community.

### **RECREATION OPPORTUNITIES**

- Request the County to explore cooperative ways to partner with Newton in developing Jacob Fork Park.
- Work with landowners and local conservancies to establish passive recreational uses and/or boating options on the South Fork River, including the Henry and Jacob Fork Rivers.
- Explore the adaptive reuse of the southern portion of the Blackburn landfill site for recreational activities, such as a golf or putt-putt course, hiking, biking and walking trails, picnic areas, a ropes course, an educational forest, a swimming pool or a community meeting facility.
- Explore the adaptive reuse of the Blackburn landfill site for joint economic development and educational options, perhaps including relocating the Catawba Valley Community

College turf management program to this site to partner with turf and landscaping operations.

## **CULTURAL RESOURCES**

- Support the establishment of an historical marker on Startown Road showing the original location of Crowdertown.
- Support the preservation of Oakwood Farm, an historic dairy farm near the intersection of US Highway 321 and NC Highway 10.

## **APPENDIX A**

The following are the results from the first community meeting held May 11, 2004 at the Startown Elementary School. Forty (40) residents participated in this meeting.

### **Community Meeting Results (May 11, 2004)**

Specific issues that residents voted on are listed below. The number beside each issue indicates the number of votes it received. If an issue does not have a number beside it, the issue was listed for voting but no one voted for it.

### **What do you like about the Startown Area?**

#### **Transportation – (2)**

Easy traffic flow (1)  
Good location – within easy distance of shopping, towns, etc. (1)  
Highway 321 – travel to Charlotte easier  
No billboards

#### **Community – (5)**

Neighborhoods (2)  
Active church community (2)  
Sense of community (1)  
Small community atmosphere  
Familiarity of people  
Quiet/people oriented community  
Growing/diversification  
Pace of life  
Historical sites  
Not congested/low density  
Opportunity

#### **Residential – (2)**

Limited mobile homes (2)  
Limited apartments  
Majority residential  
Majority owner occupied homes

#### **Public Services – (7)**

Schools (4)  
Good Zoning (Enforced) (3)  
Few restrictions  
Police/Emergency/Fire Protection  
Service/Infrastructure

## **Environment – (19)**

Open spaces (7)  
Rural (6)  
Pasture land for domestic animals (2)  
Farmland (1)  
Seeing stars in night sky (1)  
Naturalness of area (1)  
Wetlands – streams/ponds (1)  
Walnut Creek  
Forest land  
Cows & horses  
Wildlife  
Clean

### **Other Comments**

We think the Startown area is a beautiful area, but it's behind the times with the world growing as fast as it is. We need to have more stores and maybe a recreation center for kids to have things to occupy their time.

**What concerns do you have for the Startown Area?**

**Transportation – (18)**

Don't want Catawba Valley Boulevard Extension to cross New Jerusalem Church property  
(leave as is – protect scenic property) (15)  
Traffic on Startown road (speeding, large trucks) (2)  
Left turn signal at Startown and Highway 10  
Do not want Startown Road to be a “4” lane  
Too much traffic (1)  
Widening of roads breaks up farms/other lands  
Traffic around school  
Robinson Road Extension design around school  
Questioning the need/location of extending Robinson Road  
Against 2 lane road from Robinson Road to Cansler Crossroads  
Don't want Highway 64-70 to be another Independence Boulevard  
Lack of maintained/paved roads

**Community – (25)**

Annexation (12)  
Balance of property owner rights vs. restrictions (6)  
Historic preservation (4)  
Urban sprawl/overdevelopment (2)  
Unclean areas and houses (1)  
Changing of land use  
Growing without a plan  
Rapid growth  
Impact of growth on rural character  
Congestion – don't become a Mountain View  
No expansion of Hospice

**Environment – (17)**

Loss of the farm (13)  
Incentives to keep the farms running (2)  
Air Quality Control (1)  
Protection of waterways and basins (Catawba River) (1)  
Encourage environmental neighborhoods (more green space)

**Public Services – (9)**

Overcrowded schools (5)  
Lack of public input on land use decisions (funeral home) (2)  
Lack of quality development standards  
Lack of school capacity/use of trailers for classrooms (1)  
Want sewer (1)  
High insurance rates based on lack of fire protection (water lines, hydrants, etc.)  
Water and sewer (don't care to have it extended)  
Pave/sewer promises from Newton  
Lack of recreation facilities parks/wellness facilities  
Landfill expansion/possible contamination

Bus service

## **Residential**

Placement of mobile/modular homes

Manufactured homes and habitat homes which depreciate – Robinson Road

Too much residential development

High density residential developments

## **Commercial/Industrial – (2)**

Industrialization along US Highway 321 (1)

Encourage utilization of existing commercial buildings (1)

Too many businesses

Industrial complexes

Limiting commercial development to major intersections

Don't have strip development (put along roads and disperse but in pods)

Potential for strip commercial along Startown Road

Have commercial or industrial zoning (want residential)

Big box retailers

## **Other Comments**

I am concerned that it will become more congested, too commercialized, and will not remain as residential as it is now due to the new 321. The Hwy 10 and Startown intersection is so congested. We need left turn signals at that intersection. The intersection of Old Conover Road and Startown Road even has a left turn lane and left turn signal light at it and there is not near the traffic as at the Startown intersection with Hwy 10. I would like to see some restrictions on planned single housing and less mobile homes. I would like to see more police presence in the area. My fear is Hwy 10 and Startown may slowly become another Hwy 70 or 321 business, or god forbid another Mountain View (Hwy 127) catastrophe.

Our concerns for this area is Startown school needs to be bigger to handle more children in the area. We also think that Startown Road needs to be wider. They also need a policeman at the school earlier in the morning when the traffic starts to pickup and not just for 15 minutes

**What is your future vision of the Startown Area?**

**Transportation – (15)**

- Rural dirt roads paved (7)
- No additional 4 lane roads (3)
- No road on new Jerusalem (3)
- Improve existing major roads (Hwy. 10, Hwy. 321, Startown Rd., Robinson Rd.) (1)
- Widen Startown Road (1)
- Additional road built to reduce traffic on Startown Road
- Scenic by-way (Highway 321)
- Utilization of existing roads before new roads are built
- Rocky Ford Road blocked at end of pavement
- Develop road system for business/residence – such plan should precede development

**Public Services – (14)**

- Expansion of water/sewer services (4)
- People should be able to do what they want on their land (3)
- Organized zoning (2)
- Full paid fire protection (2)
- New cultural facilities, library, museum, historical and recreational venues, park, community center (2)
- Adequate school facilities (1)
- Use schools for recreation/cultural activities
- Startown Middle School
- More educational facilities
- Services for the elderly (transportation/medical)
- Coordinate “infrastructure” (cable, internet) with road development
- “Low” taxes

**Residential – (16)**

- Village concept (12)
- Planned communities like “Stone’s Throw” (landscaping, trees, entrance) (2)
- Dillworth in Charlotte – dense, able to walk to stores, restaurants, etc. (1)
- Minimum lot size five acres (1)
- Good mix of high, medium, low density residential
- No apartments
- Ownership of homes

**Rural character/more family/less industry**

**Commercial/Industrial – (7)**

- Shops in downtown Newton occupied (3)
- Density closer to city (don’t want industrial area) (1)
- Reuse of existing facilities (1)
- Neighborhood retail (1)
- Limited industrial (1)
- More “restrictions” on industrial development for 321 – Highway 10
- Limit commercial/industrial development along 321 to interchanges

No commercial development around Highway 321  
Businesses on main thoroughfares  
Wendy's restaurant on corner  
Direct business towards US 321  
Jobs

**Environment – (2)**

Rural (2)  
Open space preserved if property owners compensated  
Green space – improvement of air & water quality

**Community – (18)**

Modest growth with enforced good zoning (9)  
Leave Startown as is (7)  
If eventually annexed would prefer Newton (1)  
Organized development (1)  
BANANA (Build Absolutely Nothing Near Anybody)

**Other Comments**

I hope it will not become too commercialized. We have a fire department, churches, grocery store, gas stations-we need a park and possibly a pharmacy, maybe a small family restaurant. Sidewalks would be nice and public transportation would be wonderful. I hope the small community atmosphere will continue

We think that the future of this area can be a great one, with more stores, possibly industries and recreation for the kids. And I also think that North Carolina needs a lottery, so that the revenue can stay in this state to get things that we need.



Planning and Parks Department  
PO Box 389  
100 A Southwest Boulevard  
Newton, NC 28658  
828-465-8380  
Fax: 828-465-8484  
[www.catawbacountync.gov/](http://www.catawbacountync.gov/)

## ZONING MAP AMENDMENT CONSISTENCY STATEMENT

On July 21, 2014 the Catawba County Board of Commissioners conducted a public hearing for the purpose of considering a zoning map amendment to PINs 3721-17-22-0111, 3721-14-32-0698, 3721-18-32-4209, 3721-17-11-9870, 3721-18-31-1271, 3721-17-10-5489, 3721-18-30-2926 (Case #RZ2014-02). The applicants are the Economic Development Corporation and property owners Ruth B. Lutz (Ruth A. Hollar, trustee), Kevin Lutz, Carol Y. Lutz and W. R. Lutz Jr., Brenda G. Lutz, and Brenda Lutz Kiser.

Upon considering the matter, the Catawba County Board of Commissioners finds the request to be consistent with a substantial number of Economic Development and Land Use guiding principles and recommendations of the Startown Small Area Plan and reasonable for rezoning based upon:

- 1) The development meeting landscape requirements and preserving the rural character of the property as much as possible;
- 2) The proposed development conditions and conceptual site plan prepared by McGill and Associates (see attached);
- 3) The request promoting the harmony and compatibility of the proposed conditional zoning district in relationship to the surrounding land uses (proximity to Catawba Valley Community College, nonconforming distribution facility on Robinwood Road, and non-residential uses just north on Startown Road); and
- 4) Promoting economic development and the guiding principles from the Startown Small Area Plan.

The Catawba County Board of Commissioners therefore approves the zoning map amendment. This approval was affirmed by a vote of \_\_\_\_ - \_\_\_\_ of the Catawba County Board of Commissioners.

\_\_\_\_\_  
Presiding Officer

\_\_\_\_\_  
Date



Ordinance No. 2014-\_\_\_\_\_

**AMENDMENT TO THE CATAWBA COUNTY ZONING MAP**

**BE IT ORDAINED BY THE BOARD OF COMMISSIONERS**, that the Catawba County Official Zoning Atlas is hereby amended by rezoning the following described property from R-20 Residential to Planned Development-Industrial Park-Conditional District (PD-IP-CD).

Approximately 174 acres as identified on the conceptual site plan prepared by McGill and Associates. The portions of property are located at 2255, 2349, 2355, 2369, 2405, and 2415 Startown Road in the Startown Small Area Planning District, Newton Township, and further identified by Parcel Identification Numbers 3721-17-22-0111, 3721-14-32-0698, 3721-18-32-4209, 3721-17-11-9870, 3721-18-31-1271, 3721-17-10-5489, 3721-18-30-2926. The applicants are the Economic Development Corporation and property owners Ruth B. Lutz (Ruth A. Hollar, trustee), Kevin Lutz, Carol Y. Lutz and W. R. Lutz Jr., Brenda G. Lutz, and Brenda Lutz Kiser.

**PLAN CONSISTENCY STATEMENT:**

Pursuant to NCGS 153A-341, the Catawba County Board of Commissioners finds the request to be consistent with a substantial number of Economic Development and Land Use guiding principles and recommendations of the Startown Small Area Plan and reasonable for rezoning based upon:

- 1) The development meeting landscape requirements and preserving the rural character of the property as much as possible;
- 2) The proposed development conditions and conceptual site plan prepared by McGill and Associates (see attached);
- 3) The request promoting the harmony and compatibility of the proposed conditional zoning district in relationship to the surrounding land uses (proximity to Catawba Valley Community College, nonconforming distribution facility on Robinwood Road, and non-residential uses just north on Startown Road); and
- 4) Promoting economic development and the guiding principles from the Startown Small Area Plan.

This, the 21st day of July 2014.

---

Katherine W. Barnes, Chair

## APPOINTMENTS

There are thirteen recommendations for appointments.

### DAN HUNSUCKER (Due) Public Health Board

06/30/14	Dr. William Geideman	Eligible for a 3 <sup>rd</sup> term
	Brenda Watson	Eligible for a 3 <sup>rd</sup> term
	Susan Witherspoon	Not Eligible for Reappt

Commissioner Hunsucker recommends the reappointment of Dr. William Geideman and Brenda Watson for third terms on the Public Health Board. These terms will expire June 30, 2017.

### DAN HUNSUCKER (Due) Newton-Conover Auditorium Authority Board of Directors

6/30/14	Ann Gaither	Eligible for a 3 <sup>rd</sup> term
	Jerry McCombs	Eligible for a 3 <sup>rd</sup> term

3-year term

Commissioner Hunsucker recommends the reappointment of Ann Gaither and Jerry McCombs for third terms on the Newton-Conover Auditorium Authority Board of Directors. These terms will expire June 30, 2017.

### DAN HUNSUCKER (Due) Dangerous Dog Appellate Board

Vacant

3-year term

Commissioner Hunsucker recommends the appointment of Richard Shook to a vacant position on the Dangerous Dog Appellate Board. This term will expire July 20, 2017.

### RANDY ISENHOWER (Due) Juvenile Crime Prevention Council

06/30/14	Chief Don Brown	Doesn't wish to be reappt
	Tara Conrad	Eligible for a 4 <sup>th</sup> term
	Dr. Walter Hart	Eligible for a 1 <sup>st</sup> term
	Heather Reedy	Eligible for a 4 <sup>th</sup> term

2-year terms

Vice-Chair Isenhower recommends the reappointment of Dr. Walter Hart for a first term and Tara Conrad and Heather Reedy for fourth terms on the Juvenile Crime Prevention Council. These terms will expire June 30, 2016.

### BARBARA BEATTY (Due) Town of Maiden Board of Adjustment

06/30/14	Roger Isenhour	Eligible for a 3 <sup>rd</sup> term
	Lewis Parlier	Eligible for a 6 <sup>th</sup> term

**3-year terms**

Commissioner Beatty recommends the reappointment of Roger Isenhour for a third term and Lewis Parlier for a sixth term on the Town of Maiden Board of Adjustment. These terms will expire June 30, 2017.

**LYNN LAIL (Upcoming) Nursing and Rest Home Advisory Board**

<b>08/04/14</b>	<b>Dr. Kathy Wood</b>	<b>Eligible for a 2<sup>nd</sup> term</b>
-----------------	-----------------------	---

**3-year terms**

Commissioner Lail recommends the reappointment of Dr. Kathy Wood for a second term on the Nursing and Rest Home Advisory Board. This term will expire August 4, 2017.

**LYNN LAIL (Due) Home & Community Block Grant Advisory Board**

<b>06/30/14</b>	<b>Miriam Davis</b>	<b>Eligible for an 8<sup>th</sup> term</b>
	<b>Frances Frock</b>	<b>Doesn't wish to be reappt</b>
	<b>Tami Hefner</b>	<b>Eligible for a 4<sup>th</sup> term</b>
	<b>Rev. Luther Knauff</b>	<b>Doesn't wish to be reappt</b>
	<b>Alice Layne</b>	<b>Eligible for a 6<sup>th</sup> term</b>
	<b>Gail Miller</b>	<b>Eligible for a 2<sup>nd</sup> term</b>
	<b>Mary Mode</b>	<b>Eligible for a 6<sup>th</sup> term</b>
	<b>Michelle Roseman</b>	<b>Eligible for a 2<sup>nd</sup> term</b>
	<b>John Waters</b>	<b>Eligible for a 6<sup>th</sup> term</b>
	<b>Sheila Weeks</b>	<b>Eligible for a 7<sup>th</sup> term</b>

**3-year terms**

Commissioner Lail recommends the reappointment of Gail Miller and Michelle Roseman for second terms, Tami Hefner for a fourth term, Alice Layne, Mary Mode and John Waters for sixth terms, Sheila Weeks for a seventh term and Miriam Davis for an eighth term on the Home & Community Block Grant Advisory Board. These terms will expire June 30, 2017.

**LYNN LAIL (Due) Community Service Block Grant Advisory Board**

<b>06/30/13</b>	<b>Michael Blackburn</b>	<b>Eligible for a 2<sup>nd</sup> term</b>
	<b>Christopher Johnson</b>	<b>Eligible for a 2<sup>nd</sup> term</b>
	<b>Linda Lutz</b>	<b>Eligible for a 2<sup>nd</sup> term</b>
<b>01/17/14</b>	<b>Laura McPherson</b>	<b>Eligible for a 2<sup>nd</sup> term</b>

**3-year terms.**

Commissioner Lail recommends the reappointment of Michael Blackburn, Linda Lutz and Laura McPherson for second terms on the Community Service Block Grant Advisory Board. Commissioner Lail also recommends the appointment of Arnita Dula to succeed Christopher Johnson. The terms of Mr. Blackburn, Ms. Lutz, and Ms. Dula will expire June 30, 2016; Ms. McPherson's term will expire January 17, 2017.

**KITTY BARNES (Due) Social Services Board**

Commissioner Lail expressed her desire to remain on the Social Services Board after she leaves her position as the Commissioner representative on this Board. The Social Services Commission has appointed her to the Social Services Board to succeed Jennie Connor who was not eligible for reappointment. Commissioner Lail's term will be July 1, 2014 – June 30, 2017. Vice-Chair Isenhower has agreed to take the Commissioner position on this Board for the remainder of Commissioner Lail's term. Vice-Chair Isenhower's term expires December 1, 2014.

**KITTY BARNES (Due) Subdivision Review Board**

06/30/14

Jason Cloninger

Eligible for a 3<sup>rd</sup> term

2-year terms

Chair Barnes recommends the reappointment of Jason Cloninger for a third term on the Subdivision Review Board. This term will expire June 30, 2016.

**KITTY BARNES (Due) Hickory Regional Planning Commission**

06/30/14

Dr. John Eldridge

Eligible for a 6<sup>th</sup> term

3-year terms

Chair Barnes recommends the reappointment of Dr. John Eldridge for a sixth term on the Hickory Regional Planning Commission. This term will expire June 30, 2017.

**KITTY BARNES – Designation of Voting Delegate to NCACC Annual Conference**

Chair Barnes recommends that she be designated as the Voting Delegate to the NCACC Annual Conference in Buncombe County on August 14-17, 2014.

**TOM LUNDY (Due) Tax Collector and Deputy Tax Collector**

County Manager J. Thomas Lundy recommends the reappointment of Lori Mathes for a first term as Tax Collection and Jeanne Jarrett for a seventh term as Deputy Tax Collector. These terms will expire June 30, 2016.

MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Finance and Personnel Subcommittee

DATE: July 21, 2014

SUBJECT: Donation of Surplus Vehicle to Propst Crossroads Fire Department

**Requested**

The Finance and Personnel Subcommittee recommends the Board of Commissioners approve the donation of a 2007 Crown Victoria to Propst Crossroads Fire Department.

**Background**

Propst Crossroads Fire Department requests a surplus 2007 Crown Victoria. This vehicle will be used primarily to run medical first response calls and may at times be utilized to transport Fire Department members to department meetings and training classes. This vehicle will replace a current vehicle the department is using and will not be an expansion to their fleet.

The vehicle to be donated is a 2007 Crown Victoria with 146,000 miles.

North Carolina General Statute 160A-279 authorizes the county to convey personal property to a nonprofit organization without monetary consideration as long as the property will be used for a public purpose. The process begins with the governing board adopting a resolution authorizing the conveyance of the property and a ten-day public notice.

**Recommendation**

The Finance and Personnel Subcommittee recommends the Board of Commissioners adopt the following resolution donating personal property to the Propst Crossroads Fire Department.

**RESOLUTION No.**  
**DECLARATION OF SURPLUS PROPERTY AND DONATION TO THE**  
**PROPST CROSSROADS FIRE DEPARTMENT**

WHEREAS, Catawba County owns a 2007 Crown Victoria that is no longer needed for any governmental use;

WHEREAS, North Carolina General Statute 160A-279 authorizes a county to convey personal property by private sale to a nonprofit organization;

WHEREAS, North Carolina General Statute 160A-279 authorizes the conveyance without monetary consideration if the recipient ensures the property will be used for a public purpose;

WHEREAS, the Propst Crossroads Fire Department is a nonprofit organization that provides a public service;

THEREFORE, the Catawba County Board of Commissioners resolves that:

1. A 2007 Crown Victoria is declared surplus property.
2. The property will be donated to the Propst Crossroads Fire Department without monetary consideration.
3. The Purchasing Manager shall be authorized to conduct the transfer of property and shall publish a notice summarizing the contents of this resolution and the property shall be conveyed anytime after ten days after the notice publication.

This the 21st day of July.

Katherine W. Barnes, Chair  
Catawba County Board of Commissioners

## MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Finance and Personnel Subcommittee

DATE: July 21, 2014

SUBJECT: Donation of Surplus Vehicle to Newton-Conover Rescue Squad

### **Requested**

The Finance and Personnel Subcommittee recommends the Board of Commissioners approve the donation of a 2006 Crown Victoria to Newton-Conover Rescue Squad.

### **Background**

Newton-Conover Rescue Squad requests a surplus 2006 Crown Victoria. This vehicle will be used primarily to run medical first response calls and may at times be utilized to transport squad members to squad meetings and training classes. This vehicle will replace a current vehicle the department is using and will not be an expansion to their fleet.

The vehicle to be donated is a 2006 Crown Victoria with 124,337 miles.

North Carolina General Statute 160A-279 authorizes the county to convey personal property to a nonprofit organization without monetary consideration as long as the property will be used for a public purpose. The process begins with the governing board adopting a resolution authorizing the conveyance of the property and a ten-day public notice.

### **Recommendation**

The Finance and Personnel Subcommittee recommends the Board of Commissioners adopt the following resolution donating personal property to the Newton-Conover Rescue Squad.

**RESOLUTION No.**  
**DECLARATION OF SURPLUS PROPERTY AND DONATION TO THE**  
**NEWTON-CONOVER RESCUE SQUAD**

WHEREAS, Catawba County owns a 2006 Crown Victoria that is no longer needed for any governmental use;

WHEREAS, North Carolina General Statute 160A-279 authorizes a county to convey personal property by private sale to a nonprofit organization;

WHEREAS, North Carolina General Statute 160A-279 authorizes the conveyance without monetary consideration if the recipient ensures the property will be used for a public purpose;

WHEREAS, the Newton-Conover Rescue Squad is a nonprofit organization that provides a public service;

THEREFORE, the Catawba County Board of Commissioners resolves that:

1. A 2006 Crown Victoria is declared surplus property.
2. The property will be donated to the Newton-Conover Rescue Squad without monetary consideration.
3. The Purchasing Manager shall be authorized to conduct the transfer of property and shall publish a notice summarizing the contents of this resolution and the property shall be conveyed anytime after ten days after the notice publication.

This the 21<sup>st</sup> day of July, 2014

Katherine W. Barnes, Chair  
Catawba County Board of Commissioners

## **MEMORANDUM**

**TO:** Catawba County Board of Commissioners

**FROM:** Finance and Personnel Subcommittee

**DATE:** July 21, 2014

**RE:** Proposed amendment to the Personnel Code, Section 28-170, Grievance procedure

### **REQUEST**

The Finance and Personnel Subcommittee recommends to the Board of Commissioners the approval of an amendment to Section 28-170 of the Personnel Code, allowing an employee to appeal a written warning to the County Manager.

### **BACKGROUND**

The grievance procedure currently allows employees the following levels of appeals:

- Written warnings and performance evaluations may be grieved to the Department Head.
- Suspensions without pay, involuntary demotions, dismissals and reductions in force may be grieved up to the County Manager.

Currently, employees who believe they have unfairly received disciplinary action in the form of a written warning may file an appeal of that written warning to their department head, whose decision regarding the appeal may not be appealed. A recent survey conducted by Human Resources found that of those counties allowing the appeal of written warnings, the appeal was heard by the County Manager. Years ago, our Personnel Code allowed employees to appeal written warnings to the County Manager.

For employees in departments where there are few layers of supervision or where supervisors consult with their department head on matters of discipline, employees are potentially placed in the position of appealing a written warning to their department head even though the department head may have appropriately provided consultation and guidance to the supervisor initiating the written warning. For the employee, this could result in an appeal process that feels neither fair nor impartial. Allowing employees the opportunity to appeal the written warning to the County Manager provides an additional level of review, to enhance fairness and impartiality in the disciplinary process. All other disciplinary actions recognized by the Personnel Code (suspensions without pay, involuntary demotions, and dismissals) are currently appealable to the County Manager. To ensure employees receive a timely resolution to their grievances, the Personnel Code allows for the County Manager to appoint a designee to hear an appeal, and this flexibility would be extended to appeals of written warnings as well.

**RECOMMENDATION**

The Finance and Personnel Subcommittee recommends to the Board of Commissioners the approval of an amendment to Section 28-170 of the Personnel Code, allowing an employee to appeal a written warning to the County Manager, effective July 21, 2014. The proposed Personnel Code revision is attached.

Attachment

### **Sec. 28-170. - Grievance procedure**

The grievance procedure exists to provide prompt and orderly resolution of a dispute or employee concern regarding a disciplinary action, performance evaluation, or reduction in force. Grievances which are not received within the time allowed as prescribed in this section or which are not filed with the designated authorities as prescribed in this section shall be dismissed.

This grievance procedure applies to all departments and employees of the County, except in those instances when North Carolina statutes apply to certain activities of the Sheriff or Register of Deeds. Employees in Social Services and Public Health have additional rights under the State Personnel Act.

- 1) All permanent employees shall have the right to grieve the following:
  - a) ~~Written warnings and P~~performance evaluations may be grieved to the Department Head.
  - b) ~~S~~Written warnings, ~~S~~suspensions without pay, involuntary demotions, and dismissals may be grieved up to the County Manager.
  - c) Reductions in force may be grieved to the County Manager.
- 2) The grievance procedure does not apply to the following issues:
  - a) Complaints of workplace harassment covered by the Workplace Harassment Policy. Procedures for filing a workplace harassment complaint are outlined in the County's Workplace Harassment Policy.
  - b) Personnel Actions which do not result in any harm to the employee, such as an assignment to another position or location where the employee does not suffer any loss of pay.
- 3) The grievance procedure is to be used internally only and does not confer upon any party any remedy other than those expressly contained herein. All parties involved in a proceeding within the purview of this policy shall be protected from reprisals for such involvement. Parties engaging in any form of retaliation will be subject to disciplinary action, up to and including dismissal. When an employee has a grievance, the following successive steps are to be taken. The number of days indicated at each level should be considered as the maximum number of days unless provided otherwise, and every effort should be made by those involved to expedite the process. However, when mutually agreed upon in writing, time limits given below may be extended. If the grieving employee does not follow the timelines for successive steps, it may be considered as a withdrawal of the grievance and the grievance may be dismissed accordingly.
  - a) An employee must file a grievance, in writing, with the Human Resources Director and the immediate supervisor within fifteen calendar days of the date of the action being grieved. The written notice of filing shall include the date of the disputed action, the reasons for the grievance, and the remedy being sought. A conference will be scheduled to consider the employee's grievance.

- b) Employees shall be allowed one hour from regular duties to work on their grievance or prepare for the grievance conference.
- c) An employee shall have the right to legal counsel, and the expense of legal counsel shall be borne by the employee. However, no attorneys representing either side may attend the grievance conference.
- d) The County Manager or Department Head has the discretion to appoint a designee to act in his stead for this process. The official conducting the hearing shall within seven calendar days of receiving the grievance contact the employee to set the date, place and time for oral presentation of the grievance.
- e) The County official shall make every possible effort to achieve an equitable solution to the problem at this meeting but may take the necessary time to investigate the problem.
- f) In no event shall the County official delay rendering a written decision more than seven calendar days from the grievance conference without the written consent of the employee. The written decision shall also contain notice of appeal rights, if applicable, and shall designate the County or other official who should hear a continuation of the grievance.
- g) If the conclusions are satisfactory, the procedure is ended and the documents are filed in the Human Resources Department. If the conclusions are unsatisfactory, the employee may proceed up the chain of command, dependent upon where the grievance began and whether the employee is entitled to appeal. The employee shall have fifteen calendar days from the receipt of the decision to file a written notice with the Human Resources Director for continuation of the appeal. The employee shall attach all additional information and supporting documents to the written notice. The notice of appeal shall be received by the Human Resources Director by 5:00 p.m. on the fifteenth day.
- h) The decision of the County Manager is administratively final, except that permanent employees of Social Services and Public Health who are subject to the ~~State Personnel Act~~ **State Human Resources Act** shall have 30 calendar days to appeal a decision of the County Manager to the Office of Administrative Hearings in accordance with NCGS150B-23(a). Employees should consult with the ~~Office of State Personnel~~ **Office of State Human Resources** regarding the State appeals procedures.
- i) Employees of Social Services or Public Health filing a grievance which alleges discrimination may proceed through the County's internal grievance procedure or proceed directly to the State for a hearing by the Office of Administrative Hearings. Such appeals must be filed with the Office of Administrative Hearings within 30 calendar days of the alleged discriminatory act. Employees should consult with the ~~Office of State Personnel~~ **Office of State Human Resources** regarding the State appeals procedures.

*Exceptions.* An initial probationary employee as set forth in section 28-119 may be released at any time during the probationary period for causes relating to the performance of duty or personal conduct without right of grievance or appeal process.

(Ord. No. 2003-19, 10-6-2003)

## **MEMORANDUM**

**TO:** Catawba County Board of Commissioners

**FROM:** Policy and Public Works Subcommittee

**DATE:** July 21, 2014

**IN RE:** Waiver of Permit Fees for 2014 Greater Hickory Kia Classic at Rock Barn

### **REQUEST**

The Policy and Public Works Subcommittee recommends the Board of Commissioners waive the permit fees applicable to the Catawba County Fee Schedule, Building Permit Fees section for the 2014 Greater Hickory Kia Classic Golf Tournament at Rock Barn.

### **BACKGROUND**

The County received a request from Peter Fisch, Tournament Manager of the Greater Hickory Kia Classic at Rock Barn, to waive the permit fees for the 2014 Tournament. The event is scheduled to be held at the Rock Barn Golf and Spa in Conover, October 13 – 19, 2014. The letter of request is attached.

The Building Permit Fees have been waived for the previous Greater Hickory Kia Classic events, now in its 12<sup>th</sup> year. The request to waive permit fees is applicable only to the section of the Catawba County Fee Schedule associated with the Building Permit Fees. In order to protect the safety, health, and welfare of the citizens and visitors to Catawba County for this event, the approval will not negate permit issuance or inspections. The waived permit fees are estimated to be valued at less than \$4,000.

It has been estimated that last year's event impacted our local economy in excess of \$15 million. The event attracts more than 65,000 spectators, volunteers, and vendors, and airs over 15 hours of live and replay coverage on the Golf Channel.

### **RECOMMENDATION**

The Policy and Public Works Subcommittee recommends the Board of Commissioners waive the permit fees applicable to the Catawba County Fee Schedule, Building Permit Fees section for the 2014 Greater Hickory Kia Classic Golf Tournament at Rock Barn.

Attachment:

Letter Requesting Waiver of Permit Fees

**Past Champions**

Craig Stadler, 2003  
Doug Tewell, 2004  
Jay Haas, 2005  
Andy Bean, 2006  
R.W. Eaks, 2007



**Past Champions**

R.W. Eaks, 2008  
Jay Haas, 2009  
Gary Hallberg, 2010  
Mark Wiebe, 2011  
Fred Funk, 2012

May 22, 2014

Cindy Meadows  
Catawba County  
P.O. Box 389  
Newton, North Carolina 28658-0389

COPY

Dear Ms. Meadows,

Please accept this letter as an official request for Catawba County to waive all permit fees for the 2014 Greater Hickory Kia Classic at Rock Barn. The County has been supportive enough to do this for each event since the inception in 2003 and we hope you will consider the same for this year's 12<sup>th</sup> annual event.

The 2014 Greater Hickory Kia Classic at Rock Barn takes place October 13 – 19, 2014 at Rock Barn Golf & Spa in Conover.

Thank you in advance for your cooperation. Please feel free to contact me with any questions or concerns.

Sincerely,

Peter Fisch  
Associate Tournament Director  
Greater Hickory Kia Classic at Rock Barn

CC: Jim Correll, Greater Hickory Kia Classic at Rock Barn



The Greater Hickory Kia Classic at Rock Barn  
3763 Golf Drive | Conover, NC 28613  
office 828.459.4000 | fax 828.459.4010  
www.greaterhickorykiaclassic.com



MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Ray Abernathy, General Manager, Catawba County Alcoholic Beverage Control Board

DATE: July 21, 2014

IN RE: Travel Policy for Alcoholic Beverage Control Board

REQUEST

The Catawba County Alcoholic Beverage Control (ABC) Board requests the Board of Commissioners approve the ABC Board's Travel Policy. This policy has not been changed since its approval by the Board of Commissioners on February 16, 2010.

BACKGROUND

The North Carolina Alcoholic Beverage Control Commission requires that the Catawba County ABC Board provide proof that its appointing authority has approved its travel policy on a yearly basis. This travel policy very closely mirrors that the County's. A copy of the travel policy is attached.

# **Catawba County Alcoholic Beverage Control Board**

## **ABC POLICY AND PROCEDURE MANUAL**

### TRAVEL POLICY FOR EMPLOYEES AND BOARD MEMBERS

#### **Purpose.**

(a) The intent of this article is to make uniform provision for payment or reimbursement of necessary expenses of Catawba County ABC Board employees and board members who are required to travel within or without the county boundaries in the performance of their duties and in the interest of board affairs.

(b) It is the board's intent to allow adequate, comfortable accommodations for employees or board members who are required to travel on ABC board business. It is expected that employees or board members will use discretion and good judgment in spending ABC board funds. Use of first class sections of airplanes is prohibited unless prior approval by the general manager is obtained. Resort hotels, luxury restaurants, and items of like nature are usually considered to be in excess of normal business needs and are not acceptable under this article. Employees and board members will be responsible for unauthorized costs and any additional expenses incurred for personal preference or convenience. Each employee is expected to be familiar with and abide by this policy, and willful violations may result in disciplinary action, including possible dismissal.

#### **Definitions.**

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

**Authorizing party** means the individual authorized by the general manager or the board chair to approve or disapprove travel requests and travel reimbursement requests.

**Mileage allowance** means the amount to be reimbursed to an employee for use of a privately owned vehicle, which is based on actual miles driven. The amount reimbursed per mile will be reviewed each time a per-mile rate increase is authorized by the Internal Revenue Service. The general manager or board chair may approve estimated mileage when odometer readings are available.

**Necessary expense** means all reasonable charges incurred by an employee or board member caused by travel in the interest of the board, including transportation, lodging, meals, and related incidental expenses. It does not include fines, illegal expenses, laundry charges, or similar personal expense.

**Requesting party** means the employee or board member who will be reimbursed for travel costs incurred while conducting board business.

**Subsistence** means costs incurred during travel for lodging and meals, including tips.

**Transportation** means costs incurred for travel by automobile, taxi, rental car, bus, train or plane. It includes tolls, parking fees, and tips for the handling of baggage.

**Travel** means going from the normal job location to conduct board business in another location and returning to the workplace.

# **Catawba County Alcoholic Beverage Control Board**

## **ABC POLICY AND PROCEDURE MANUAL**

### TRAVEL POLICY, continued

*Travel expense form* means a form provided for the traveler to fill out upon the completion of a specific trip, within ten days after the travel period ends, for which the reimbursement is being requested. It should list all mileage, private or public transportation, lodging, meals and other expenses which are reimbursable. Receipts for lodging, commercial travel, meals and other expenses are required.

Cross references: Definitions generally

#### **Guidelines.**

The following guidelines shall be used for the purposes of this article:

(1) *Travel authorization and types of travel.* Guidelines for travel authorization and types of travel are as follows:

a. *Responsibility.* The general manager is responsible for the administration of this article, except for travel or expenses not covered by this policy. The approving authority for this exception is the board chair.

b. *Authorization.* Authorization of travel requests will be based upon need and cost/benefit of travel as determined by the authorizing party.

c. *Special local travel.* Employees who, in the interest of the board and with general manager approval, travel to conferences and meetings within the county may be reimbursed for the following:

1. Transportation cost.
2. Meals, subject to suggested maximum reimbursement rates that are a part of the travel meetings.
3. Necessary incidental expenses.

d. *Travel outside county.* Approved travel expenses outside the county for board purposes in the best interest of the board, for training, conferences, professional meetings, work assignments, and the like, may be reimbursed, to the limits of the policy, for the following:

1. Transportation cost.
2. Meals, subject to suggested maximum reimbursement rates.
3. Lodging.
4. Necessary incidental costs.

e. *Extraordinary travel or cost.* For travel not covered by this article or where the actual necessary cost exceeds the maximum reimbursement allowed and the travel is in the best interest of the board, the general manager may approve the reimbursement of actual cost beyond the maximum stated in this article. Prior approval must be obtained and, if granted, documented and attached to the actual travel receipt. These cases should be rare.

f. *Travel advances.* Travel advances are not allowed.

# **Catawba County Alcoholic Beverage Control Board**

## **ABC POLICY AND PROCEDURE MANUAL**

### TRAVEL POLICY, continued

(2) **Procedure, arrangements, accommodations, and vehicle allowance.** The procedure, arrangements, accommodations, and vehicle allowance shall be in accordance with the following:

- a. All arrangements for travel must be approved by the authorizing party. The requesting party is encouraged to reserve transportation and lodging in advance, when possible.
- b. The requesting party is encouraged to travel with other employees and board members when possible. The requesting party will be reimbursed for actual costs incurred only, subject to the suggested guidelines established.

#### **Transportation.**

(a) **Reimbursement costs.** All necessary transportation used pursuant to this article will be obtained at the most economical rate available. Reimbursements will be made for actual costs that are incurred and receipt supported. The cost of travel from the point of departure (normal job location or the personal residence) to the trip's end (normal job location or the personal residence) is a reimbursable cost. This includes the cost of taxi service and parking fees.

(b) **Vehicles.** Use of vehicles shall be in accordance with the following:

(1) **Personal automobile.** A requesting party may use his personal automobile for travel and be reimbursed at the approved rate.

(2) **Board vehicles.** Board automobiles may be used for any authorized travel. The requesting party must obey all laws of the jurisdiction in which the automobile will be used for the purpose of conducting board business only. A minimal amount of personal use is allowed, such as driving the automobile to and from lunch or dinner. Spouses and children of employees may accompany them in board-owned vehicles if space is available and the trip is strictly for official board business.

(3) **Rental vehicles.** A rental vehicle will be used when it is determined that no other mode of transportation is as economical or practical. A rental automobile should be used for business purposes only. A minimal amount of personal use, such as driving to and from dinner, will be permitted. Use of a rental automobile must be approved in advance.

(c) **Local transportation.** Local transportation costs incurred while on out-of-town business will be reimbursed. The most economical and reasonable form of transportation will be used. Receipts will be obtained, when possible, and submitted with travel reimbursement requests.

#### **Subsistence.**

(a) **Lodging.** Subject to the restrictions noted in subsection (c) of this section, lodging costs for employees under this article will be reimbursed at the actual amount incurred. Receipts for lodging costs must be submitted with the travel voucher. The lodging rate is limited to the lowest available single-room rate when an employee is traveling with his spouse and children.

**Catawba County Alcoholic Beverage Control Board**  
**ABC POLICY AND PROCEDURE MANUAL**

TRAVEL POLICY, continued

(b) **Meals.** Meals shall be reimbursed as follows:

(1) Subject to the restrictions noted in subsection (c) of this section, three meals will be reimbursed at actual cost.

(2) Meals served as part of a convention or conference will be reimbursed at actual cost. Documentation of actual cost must be attached to the travel voucher when requesting reimbursement.

(c) **Lodging and meals.** Lodging and meals shall be reimbursed as follows:

(1) Guidelines for reimbursement rates for a 24-hour period for travel within this state are as follows:

a. Breakfast: \$7.00.

b. Lunch: \$10.00.

c. Dinner: \$18.00.

d. Reserved.

e. Lodging: conference rates.

(2) Tips and taxes are considered to be included in the meal rates in subsection (c)(1).

(3) Employees must obtain actual meal receipts in order to be reimbursed. If there is no receipt, no reimbursement will be paid. The reimbursement rates for travel may be waived by the authorizing party, when actual meal costs for the locations involved exceed the suggested maximums.

(4) The lodging will be reimbursed at the conference rates.

(d) **Other costs.** Other costs shall be reimbursed as follows:

(1) Long distance personal telephone calls are not reimbursable. Phone calls for official board business are reimbursable expenses.

(2) Receipt-supported registration fees for a conference or convention will be reimbursed.

(3) Movies, including pay TV movies, theater tickets, tours, and all other forms of entertainment, are not reimbursable.

(4) Alcoholic beverages are not reimbursable.

**Reimbursement procedures.**

(a) **Submitting expense reports.** Expense reports for travel conducted pursuant to this article shall be submitted in accordance with the following:

(1) A requesting party will complete a travel voucher and attach receipts for expenses as required and submit it to the authorizing party no later than ten working days after returning from travel.

(2) A requesting party submitting a falsified travel voucher will be subject to disciplinary action. The authorizing party or finance director who approves a travel voucher which he knows to be false will be subject to disciplinary action.

(b) **Approval and processing of reimbursement requests.** The procedure for approval and processing of reimbursement requests is as follows:

***Catawba County Alcoholic Beverage Control Board***  
***ABC POLICY AND PROCEDURE MANUAL***

TRAVEL POLICY, continued

(1) A travel voucher will be submitted to the authorizing party for approval. After the approval by the authorizing party, the travel voucher should be forwarded to the finance department.

(2) The finance department will determine that the travel voucher has been properly approved, that it is mathematically correct, and that requested reimbursements agree to submitted receipts and are within the limits set by this article. If an error in the reimbursement request is found, the requesting party will be informed and the error will be corrected before payment is made.

Revised February 16, 2010

**MEMORANDUM**

TO: Catawba County Board of Commissioners  
FROM: Finance and Personnel Subcommittee  
DATE: July 21, 2014  
IN RE: Library Services and Technology Act (LSTA) Planning Grant – Appropriation of Grant Funds

**REQUEST**

The Finance and Personnel Subcommittee recommends the Board of Commissioners accepts and appropriates grant funds for the LSTA Planning Grant awarded to Catawba County Library on June 11, 2014. These grant funds will be used to develop and implement a long-range strategic plan to increase library service and program alignment with community needs.

**BACKGROUND**

The State Library of North Carolina awarded a grant of \$20,352 to the Catawba County Library on June 11, 2014 to contract with a planning consultant to develop and implement a long-range strategic plan. With this grant project, the library will assess current services and gather community input to strategically identify priority goals for increasing alignment with citizens needs, resulting in a long-range strategic plan to assist with outcome development and prioritizing library services. The grant does not require a local match. The library will be cross-collaborating with the Hickory Public Library with this project (Hickory Public Library also received a grant for strategic planning with the same consultant).

**RECOMMENDATION**

The Finance and Personnel Subcommittee recommends the Board of Commissioners accepts and appropriates the grant funds to develop and implement a long-range strategic plan to increase library service and program alignment with community needs.

**Revenue**

110-810050-631910	\$20,352
EZ-LSTA Planning Grant	

**Expenditure**

110-810050-841057	\$20,352
Planning	

## MEMORANDUM

TO: Catawba County Board of Commissioners

FROM: Finance and Personnel Subcommittee

DATE: July 21, 2014

IN RE: Library Services and Technology Act (LSTA) Project Access and Digitization Grant –  
Appropriation of Grant Funds

### REQUEST

The Finance and Personnel Subcommittee recommends the Board of Commissioners accepts and appropriates grant funds for the LSTA Project Access and Digitization Grant awarded to Catawba County Library on June 3, 2014. These grant funds will be used to install and implement Radio Frequency Identification (RFID) technology at the Main Library and St. Stephens Branch.

### BACKGROUND

The State Library of North Carolina awarded a grant of \$100,000 to the Catawba County Library on June 3, 2014 to install and implement Radio Frequency Identification (RFID) technology at the Main Library and St. Stephens Branch. RFID implementation will increase library customers' access to library holdings by utilizing technology that improves inventory tracking, increases work efficiencies, and allows staff to focus on improved personal service.

The grant requires a \$14,950 match, which will be funded from the library reinventing budget. Library staff is working on a Request for Proposals for the project to coordinate with the Purchasing Department.

### RECOMMENDATION

The Finance and Personnel Subcommittee recommends the Board of Commissioners accepts and appropriates the grant funds to install and implement Radio Frequency Identification (RFID) technology at the Main Library and St. Stephens Branch.

### Revenue

110-810050-631911	\$100,000
LSTA Access Digitization Grant	

### Expenditure

110-810050-841058	\$100,000
Access and Digitization	



## MEMORANDUM

TO: Catawba County Board of Commissioners  
FROM: David J. Boone  
Sr. VP Finance/CFO  
Catawba Valley Medical Center  
DATE: July 21, 2014  
IN RE: Interest Rate Cap on Variable Interest Rates on 2009 Bonds

### Background

Catawba County issued its \$25,000,000 County of Catawba, North Carolina Taxable Variable Rate Demand Hospital Revenue Bonds (Catawba Valley Medical Center Project), Series 2009 (the “2009 Bonds”) for the benefit of CVMC on August 12, 2009. The 2009 Bonds were used to fund renovations to CVMC’s surgical suite, improvements to its central energy plant and equipment acquisitions. The 2009 Bonds bear interest at variable rates.

On December 15, 2010, the County also issued \$22,000,000 of Hospital Revenue Bonds (Catawba Valley Medical Center Project), Series 2010 (the “2010 Bonds”) for the benefit of CVMC. The 2010 Bonds were used to fund a new five level patient tower with an outpatient infusion center, 16 inpatient oncology beds, a new birthing center and a 20 bed special care nursery. The 2010 Bonds bear interest at fixed rates.

Both the 2009 Bonds and the 2010 Bonds are secured with a pledge of hospital revenues. No County funds or County assets are pledged for either bond issue.

As a pre-condition to issuing the 2010 Bonds, the North Carolina Local Government Commission (“LGC”) advised CVMC and the County that they needed to enter into an interest rate cap to protect against future upward interest rate fluctuations associated with the variable interest rates on the 2009 Bonds as long as the 2009 Bonds remain outstanding. Under an interest rate cap, CVMC pays an upfront fixed fee to the cap counterparty; and the counterparty agrees to make periodic payments to CVMC equal to the amount of interest payable on the 2009 Bonds that is in excess of the cap rate. Since the County is the issuer of the 2009 Bonds, the County is a necessary party to the interest rate cap.

CVMC pays the upfront fixed fee from CVMC revenues. After payment of the upfront fixed fee, neither CVMC nor the County has any ongoing financial liability under an interest rate cap.

The initial interest rate cap was entered into with BB&T as the cap counterparty. This initial interest rate cap expires on August 1, 2014, and must be replaced with a new interest rate cap with a new cap counterparty. Under the provisions of Dodd-Frank, BB&T is no longer a permitted cap counterparty for this transaction. The LGC must approve the terms and provisions of the new interest rate cap.

Under current LGC policies, an interest rate cap advisor must be retained. CVMC has hired Efficient Capital Corporation (“ECC”), which is on the LGC’s list of approved advisors, to serve as advisor on the interest rate cap on the 2009 Bonds. CVMC will pay ECC’s fee from CVMC revenues.

The cap counterparty on the new interest rate cap will be selected through a competitive bid process that will be conducted by ECC. Detailed bid forms will be sent out by ECC to the three most competitive providers of interest rate cap agreements that also meet the ratings qualifications established by the County’s existing Interest Rate Cap Policy. These providers are SMBC (Sumitoma Capital Markets), the Bank of New York/Mellon Trust Company and Commonwealth Bank of Australia. The competitive bid process is intended to generate the best possible price in the opinion of ECC for the new interest rate cap.

The provisions of Dodd-Frank also impose certain procedural and documentation requirements that must be followed by the County, CVMC and the cap counterparty in connection with execution of the new interest rate cap.

The documents expected to be involved include the interest rate cap agreement/confirmation, an Appendix/Addendum to County’s existing Interest Rate Cap Policy to incorporate Dodd-Frank requirements to have a “Designated Qualified Independent Representative” and required representations letter under rules of Commodity and Futures Trading Commission.

The Board of Commissioners is being asked to adopt a resolution (attached) that (i) authorizes the Senior Vice President of Finance and Chief Financial Officer of CVMC to solicit and negotiate the terms of the interest rate cap agreement, subject to the limitations stated in the resolution, (ii) authorizes the Finance Director of the County to file an application for the required LGC approval of the interest rate cap and to execute and deliver the interest rate cap agreement and other related documents or certificates on behalf of the County, (iii) authorizes other designated representatives of the County to take any and all other actions necessary or advisable to put the interest rate cap on the 2009 Bonds in place, and (iv) makes certain findings required by the NC statutory provisions applicable to interest rate cap agreements. Catawba Valley Medical Center’s Board of Trustees Executive Committee has approved a similar resolution.

#### Request

Catawba Valley Medical Center requests the Board of Commissioners adopt the resolution approving the County entering into a new interest rate cap agreement for the 2009 Bonds and the execution of any related documents and/or certificates.

**EXTRACT FROM MINUTES OF  
MEETING OF THE BOARD OF COMMISSIONERS FOR  
THE COUNTY OF CATAWBA, NORTH CAROLINA**

A regular meeting of the Board of Commissioners for the County of Catawba, North Carolina, was held in the Robert E. Hibbits Meeting Room of the 1924 County Courthouse in Newton, North Carolina, the regular place of meeting, at 7:00 p.m., on July 21, 2014.

PRESENT: Chair \_\_\_\_\_, presiding, and \_\_\_\_\_

---

ABSENT: \_\_\_\_\_

ALSO PRESENT: \_\_\_\_\_

\* \* \* \* \*

Commissioner \_\_\_\_\_ introduced the following resolution, a copy of which had been provided to each Commissioner and which was read by title:

**RESOLUTION # 2014-\_\_\_\_**

RESOLUTION AUTHORIZING AND APPROVING AN INTEREST RATE CAP AGREEMENT FOR OUTSTANDING REVENUE BONDS INCURRED FOR BENEFIT OF CATAWABA VALLEY MEDICAL CENTER; ADOPTING MODIFICATIONS TO EXISTING POLICY REGARDING INTEREST RATE CAP AGREEMENTS RELATED TO DEBT INCURRED FOR BENEFIT OF CATAWABA VALLEY MEDICAL CENTER; AND AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS IN CONNECTION THEREWITH

**WHEREAS**, The Board of Hospital Trustees of Catawba County, North Carolina has requested the County to approve the execution and delivery of an interest rate cap agreement related to the \$25,000,000 County of Catawba, North Carolina Taxable Variable Rate Demand Hospital Revenue Bonds (Catawba Valley Medical Center Project), Series 2009 (the “2009 Bonds”), all of which are currently outstanding, and to authorize Catawba Valley Medical Center (“CVMC”), on behalf of the County, to solicit and negotiate an interest rate cap agreement to be executed and delivered by the County for the 2009 Bonds with one or more counterparties, as determined by CVMC in its discretion;

**WHEREAS**, the Board of Commissioners (the “Board”) desires to approve the execution and delivery of an interest rate cap agreement for the 2009 Bonds, subject to the limitations set forth herein, to authorize CVMC to solicit and negotiate an interest rate cap agreement for the 2009 Bonds with one or more counterparties, as determined by CVMC and to authorize other actions in connection therewith;

**WHEREAS**, on November 15, 2010, the Board adopted a “Policy Regarding Interest Rate Cap Agreements Related to Debt Incurred for Benefit of CVMC” (the “Interest Rate Cap Policy”); and

**WHEREAS**, the Board desires to adopt certain amendments to the Interest Rate Cap Policy in order to incorporate additional procedures and requirements that are currently

applicable to interest rate cap agreements as a result of Dodd-Frank and other statutory and regulatory requirements;

**WHEREAS**, there has been submitted to this meeting a document entitled “Appendix I to Policy Regarding Interest Rate Cap Agreements Related to Debt Incurred for Benefit of CVMC” (“Appendix I”);

**WHEREAS**, the Board desires to approve and adopt Appendix I, which will also be approved and adopted by CVMC;

**NOW, THEREFORE, BE IT RESOLVED** by the Board as follows:

Section 1. Subject to the limitations set forth in this resolution, the Senior Vice President of Finance and Chief Financial Officer of CVMC is hereby authorized to solicit and negotiate an interest rate cap agreement for the 2009 Bonds with one or more counterparties, as determined by CVMC in its discretion; provided, however, that (a) the notional amount of the interest rate cap agreement for the 2009 Bonds shall not exceed \$25,000,000, (b) the interest rate under the interest rate cap agreement for the 2009 Bonds shall not exceed 8% per annum, and (c) the scheduled termination date of the initial interest rate cap agreement for the 2009 Bonds shall not extend beyond August 12, 2019. The Finance Director is hereby authorized to execute and deliver the final interest rate cap agreement for the 2009 Bonds on behalf of the County, and the execution and delivery thereof by the Finance Director shall be conclusive evidence of the approval and authorization thereof by the County.

Section 2. The Finance Director is hereby authorized to file an application with the North Carolina Local Government Commission for approval of the County and CVMC entering into an interest rate cap agreement for the 2009 Bonds under the terms set forth in this resolution, and the North Carolina Local Government Commission is hereby requested to approve the same. In connection with the Local Government Commission’s consideration of such application, the Board makes the following findings and determinations:

- a. The annual audits of the County show the County to be in strict compliance with debt management policies and that the budgetary and fiscal management policies are in compliance with law and the County is not in default on any of its debt service obligations.
- b. Entering into the interest rate cap agreement for the 2009 Bonds is necessary or expedient.
- c. No increase in taxes will be necessary to enable the County and CVMC to make the payments expected to be required with respect to the interest rate cap agreement for the 2009 Bonds; CVMC will make all such payments from CVMC’s revenues.
- (d) The County has considered the nature and amount of its outstanding debt incurred for the benefit of CVMC in proposing the interest rate cap agreement for the 2009 Bonds.
- (e) CVMC has employed Efficient Capital Corporation (“ECC”) as interest rate cap agreement advisor; and ECC has advised CVMC as to the structure, risks and benefits of an interest rate cap agreement.

Section 3. The Chair, the Vice-Chair, the County Manager, the Finance Director, the County Attorney and the Clerk to the Board of Commissioners, or any of them or their deputies,

are hereby authorized to take any and all such further action, and to execute and deliver for and on behalf of the County such other documents and certificates as they may deem necessary or advisable to carry out the intent of this resolution and to execute and deliver an interest rate cap agreement for the 2009 Bonds. The Clerk to the Board of Commissioners is hereby authorized to affix the seal of the County to such documents and certificates as may be appropriate and to attest to the same and to execute and deliver such certificates as may be appropriate.

Section 4. Appendix I is hereby approved and adopted.

Section 5. All actions heretofore taken by the officers or other representatives of the County, CVMC or the Board of Hospital Trustees of CVMC relating to an interest rate cap agreement for the 2009 Bonds or approval and adoption of Appendix I are hereby ratified, authorized and approved.

Section 6. The County hereby requests a temporary waiver by the LGC or the Secretary of the Local Government Commission until August 12, 2014 of the requirement under the Interest Rate Cap Policy that, commencing December 7, 2010, the County and CVMC will have a cost effective interest rate cap or other interest rate protection agreement in effect with respect to the 2009 Bonds.

Section 7. This Resolution shall take effect immediately upon its passage.

Upon motion of Commissioner \_\_\_\_\_, and unanimously carried, the Board approved the passage of the foregoing resolution entitled "RESOLUTION AUTHORIZING AND APPROVING AN INTEREST RATE CAP AGREEMENT FOR OUTSTANDING REVENUE BONDS INCURRED FOR BENEFIT OF CATAWBA VALLEY MEDICAL CENTER; ADOPTING MODIFICATIONS TO EXISTING POLICY REGARDING INTEREST RATE CAP AGREEMENTS RELATED TO DEBT INCURRED FOR BENEFIT OF CATAWABA VALLEY MEDICAL CENTER; AND AUTHORIZING THE EXECUTION AND DELIVERY OF RELATED DOCUMENTS IN CONNECTION THEREWITH."

I, Barbara Morris, Clerk to the Board of Commissioners for the County of Catawba, North Carolina, DO HEREBY CERTIFY that the foregoing is a true copy of so much of the proceedings of said Board at a regular meeting held on July 21, 2014, as relates in any way to the passage of a resolution (No. 2014-\_\_\_) authorizing and approving an interest rate cap agreement for certain outstanding revenue bonds incurred for the benefit of Catawba Valley Medical Center, adopting modifications to the existing Policy Regarding Interest Rate Cap Agreements Related to Debt Incurred for Benefit of CVMC, and authorizing the execution and delivery of related documents, and that said proceedings are recorded in Minute Book No. \_\_\_ of the minutes of said Board, beginning at page \_\_\_\_\_.

I DO HEREBY FURTHER CERTIFY that a schedule of regular meetings of said Board, stating that regular meetings of said Board are held on the first and third Mondays of each month at 9:30 a.m. and 7:00 p.m., respectively, (with such exceptions applicable thereto) in the Robert E. Hibbits Meeting Room of the 1924 County Courthouse in Newton, North Carolina, has been on file in my office as of a date not less than seven days before the date of said meeting in accordance with G. S. §143-318.12.

WITNESS my hand and the corporate seal of said County, this \_\_\_\_ day of July, 2014.

---

Clerk to the Board of Commissioners

**Appendix I to Policy Regarding Interest Rate Cap Agreements**  
**Related to Debt Incurred for Benefit of the County of Catawba, North Carolina**

**1. Designated Qualified Independent Representative (“QIR”) Selection**

- A.** The County of Catawba, North Carolina (“the County”) is required to have a Designated Qualified Independent Representative (“QIR”) in place either to enter or terminate a Swap. The term Swap includes Interest Rate Swaps, Caps and Collars as well as certain types of investment of bond proceeds per the Dodd-Frank Act, the SEC, and the Commodities Futures Trading Commission (“CFTC”)
- B.** Selection of Designated QIR.
  - 1. Require any potential QIR to meet the definition of “qualified independent representative” of CFTC Regulation 23.450 (attached as Exhibit I).
  - 2. Determine that the Designated QIR satisfies the applicable requirements of CFTC Regulation 23.450(b)(1) (contained in Exhibit I).
  - 3. Require that the Designated QIR be registered with, and regulated by, the SEC and the MSRB.
  - 4. Selection Procedures for the Designated QIR may be any method acceptable to the County. (i.e. Negotiated Basis, Interview, Referral or History or Prior Satisfactory Work for the County, etc.)
  - 5. The Designated QIR must comply with any requests by the County to demonstrate compliance with Section B.
- C.** Ongoing Monitoring of Performance
  - 1. The Designated QIR will provide yearly certifications of compliance with Sections B(1), B(2) and B(3) upon request of the County.

**2. Capable Person Policy**

- A.** The individual responsible for evaluating the swap recommendation and execution/termination decisions on behalf of the County is capable of doing so.
  - 1. The ability of the identified Capable Person will be demonstrated by meeting at least two of the following criteria:
    - (a) Educational Background – such as a college degree in Business;
    - (b) Work History – 5 or more years of financial employment experience;
    - (c) Designations such as, but not limited to, “Certified Public Accountant”, “Certified Financial Analyst” and “Chief Financial Officer;”
    - (d) Prior fixed-income investment experience.
- B.** The identified Capable Person shall prepare a signed letter that they meet at least two of the qualifications in 2 (A) (1) and are able to make an informed decision

regarding a Swap, in consultation with the Qualified Investment Representative, internal and external Counsel and other professionals involved in the decision. This letter will be attached to this Appendix I.

**C. Continuing Education**

1. As long as a Swap for the County is in existence, the Capable Person shall take steps to continue to educate themselves regarding Swaps. If none are outstanding, a Capable Person shall be identified before a Swap is executed.

## EXHIBIT I

### **§23.450 Requirements for swap dealers and major swap participants acting as counterparties to Special Entities.**

(a) *Definitions.* For purposes of this section:

(1) The term “principal relationship” means where a swap dealer or major swap participant is a principal of the representative of a Special Entity or the representative of a Special Entity is a principal of the swap dealer or major swap participant. The term “principal” means any person listed in §3.1(a)(1) through(3) of this chapter.

(2) The term “statutory disqualification” means grounds for refusal to register or to revoke, condition, or restrict the registration of any registrant or applicant for registration as set forth in Sections 8a(2) and 8a(3) of the Act.

(b)(1) Any swap dealer or major swap participant that offers to enter or enters into a swap with a Special Entity, other than a Special Entity defined in §23.401(c)(3), shall have a reasonable basis to believe that the Special Entity has a representative that:

(i) Has sufficient knowledge to evaluate the transaction and risks;

(ii) Is not subject to a statutory disqualification;

(iii) Is independent of the swap dealer or major swap participant;

(iv) Undertakes a duty to act in the best interests of the Special Entity it represents;

(v) Makes appropriate and timely disclosures to the Special Entity;

(vi) Evaluates, consistent with any guidelines provided by the Special Entity, fair pricing and the appropriateness of the swap; and

(vii) In the case of a Special Entity as defined in §23.401(c)(2) or (4), is subject to restrictions on certain political contributions imposed by the Commission, the Securities and Exchange Commission, or a self-regulatory organization subject to the jurisdiction of the Commission or the Securities and Exchange Commission; provided however, that this paragraph (b)(1)(vii) of this section shall not apply if the representative is an employee of the Special Entity.

(2) Any swap dealer or major swap participant that offers to enter or enters into a swap with a Special Entity as defined in §23.401(c)(3) shall have a reasonable basis to believe that the Special Entity has a representative that is a fiduciary as defined in Section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002).

(c) *Independent.* For purposes of paragraph (b)(1)(iii) of this section, a representative of a Special Entity will be deemed to be independent of the swap dealer or major swap participant if:

(1) The representative is not and, within one year of representing the Special Entity in connection with the swap, was not an associated person of the swap dealer or major swap participant within the meaning of Section 1a(4) of the Act;

(2) There is no principal relationship between the representative of the Special Entity and the swap dealer or major swap participant;

(3) The representative:

(i) Provides timely and effective disclosures to the Special Entity of all material conflicts of interest that could reasonably affect the judgment or decision making of the representative with respect to its obligations to the Special Entity; and

(ii) Complies with policies and procedures reasonably designed to manage and mitigate such material conflicts of interest;

(4) The representative is not directly or indirectly, through one or more persons, controlled by, in control of, or under common control with the swap dealer or major swap participant; and

(5) The swap dealer or major swap participant did not refer, recommend, or introduce the representative to the Special Entity within one year of the representative's representation of the Special Entity in connection with the swap.

(d) *Safe harbor.* (1) A swap dealer or major swap participant shall be deemed to have a reasonable basis to believe that the Special Entity, other than a Special Entity defined in §23.401(c)(3), has a representative that satisfies the applicable requirements of paragraph (b)(1) of this section, provided that:

(i) The Special Entity represents in writing to the swap dealer or major swap participant that it has complied in good faith with written policies and procedures reasonably designed to ensure that it has selected a representative that satisfies the applicable requirements of paragraph (b) of this section, and that such policies and procedures provide for ongoing monitoring of the performance of such representative consistent with the requirements of paragraph (b) of this section; and

(ii) The representative represents in writing to the Special Entity and swap dealer or major swap participant that the representative:

(A) Has policies and procedures reasonably designed to ensure that it satisfies the applicable requirements of paragraph (b) of this section;

(B) Meets the independence test in paragraph (c) of this section; and

(C) Is legally obligated to comply with the applicable requirements of paragraph (b) of this section by agreement, condition of employment, law, rule, regulation, or other enforceable duty.

(2) A swap dealer or major swap participant shall be deemed to have a reasonable basis to believe that a Special Entity defined in §23.401(c)(3) has a representative that satisfies the applicable requirements in paragraph (b)(2) of this section, provided that the Special Entity provides in writing to the swap dealer or major swap participant the representative's name and contact information, and represents in writing that the representative is a fiduciary as defined in Section 3 of the Employee Retirement Income Security Act of 1974 (29 U.S.C. 1002).

(e) *Reasonable reliance on representations of the Special Entity.* A swap dealer or major swap participant may rely on written representations of a Special Entity and, as applicable under this section, the Special Entity's representative to satisfy any requirement of this section as provided in §23.402(d).

(f) *Chief compliance officer review.* If a swap dealer or major swap participant initially determines that it does not have a reasonable basis to believe that the representative of a Special Entity meets the criteria established in this section, the swap dealer or major swap participant shall make a written record of the basis for such determination and submit such determination to its chief compliance officer for review to ensure that the swap dealer or major swap participant has a substantial, unbiased basis for the determination.

(g) Before the initiation of a swap, a swap dealer or major swap participant shall disclose to the Special Entity in writing:

(1) The capacity in which it is acting in connection with the swap; and

(2) If the swap dealer or major swap participant engages in business with the Special Entity in more than one capacity, the swap dealer or major swap participant shall disclose the material differences between such capacities.

(h) This section shall not apply with respect to a transaction that is:

(1) Initiated on a designated contract market or swap execution facility; and

(2) One in which the swap dealer or major swap participant does not know the identity of the counterparty to the transaction prior to execution.

## MEMORANDUM

To: Catawba County Board of Commissioners

From: John Eller, Social Services Director

Date: July 21, 2014

Subject: Work First County Plan 2016-19

**BACKGROUND:** In 1996, Congress ended the national welfare program known as AFDC (Aid to Families with Dependent Children) and crafted legislation to allow states to implement their own welfare programs. This federal devolution of authority enabled the North Carolina General Assembly to go even further with welfare reform. The legislature took the next step; allowing counties to compete for Electing County status – in essence offering a limited number of counties the opportunity to have greater control over local welfare policies, as well as greater control over available funding.

Catawba County has pursued Electing County status from the beginning in January 1998. With welfare reform, counties were encouraged to “think outside the box” and offer suggestions for innovative policy changes that would enable families to move more quickly to higher levels of personal responsibility and economic self-sufficiency. Catawba County’s Electing Plans have clearly communicated to all that the expectations in this county is that all ‘able-bodies’ persons will seek and maintain employment and support their families to the best of their ability. The Work First caseload has dropped by 88% since 1995 – the beginning of Welfare Reform.

**REVIEW:** On July 3, 2014, the Agency received notice that all counties must once again participate in the Work First biennial planning process. Current Electing Counties must notify the state by August 4, 2014 if they wish to remain Electing.

In prior years, there were numerous advantages to being an Electing County. Electing Counties are given greater flexibility in establishing eligibility policies (who is eligible to receive assistance and under what conditions). However, through the years, the state has gradually adapted the state plan to mirror the policies recommended by counties vying for Electing status.

The primary reason for pursuing Electing County status for the 2016-19 biennium would be to realize funding flexibility within the Work First County Block Grant. Funds available for distribution to Electing counties will be adjusted based on state and/or federal legislation. When Electing counties are preparing their plans and deciding whether to remain as Electing or change to Standard, counties must be cognizant that any estimates received from the Division of Social Services Budget Office will be based on current available dollars and subject to change based on legislative decisions.

North Carolina General Statute (NCGS) 108A-27 requires the Board of Commissioners to appoint a committee of local leaders to assist in the development of the county Work First Block Grant plan. Membership of the committee must include, but is not limited to representatives of:

- Board of Social Services
- Board of County Commissioners
- Partners Behavioral Health Management (LME)
- Public Health
- Local School System
- Business Community
- Department of Commerce Division of Workforce Solutions (NC Works Career Center)
- Community-based organizations (that represent the population to be served)
- Childcare Service Provider
- Transportation Service Provider
- Vocational Rehabilitation
- Social Service staff

**Recommendation:**

It is recommended that the Board of Commissioners inform the North Carolina Department of Health and Human Services that Catawba County intends to pursue Electing County Status and appoint members to serve on the Planning Committee (list of members attached).

Members to serve on the 2016-2019 Work First County Planning Committee:

Lynn Lail	Board of Social Services / the Board of County Commissioners
Michael Smith	Partners Behavioral Health Management
Dana Lynch	Public Health
Angela Simmons	Local School System Representative
Michael Pons	Business Community
Veronica Grantham	Department of Commerce Division of Workforce Solutions
Barbara Rush	Greater Hickory Cooperative Christian Ministry
Robert Silber	Eastern Catawba Cooperative Christian Ministry
Captain Harris	Salvation Army
Henry Steele	Vocational Rehabilitation Manager
Malle Vue	Goodwill Manger
Cassie Nantz	Child Care Service Provider
Joyce Watson	HRD Director
Bob Skinner	Qualified Substance Abuse Professional (QPSA)
Julie Walker	Cognitive Connection Corporation
Lori Williams	Prevention Unit Supervisor
Kristen Sigmon	Child Support Unit Program Manager
Julie Raper	Food Assistance Program Manager
Karen Mace	Medicaid Program Manager
Bruce McCoury	Transportation Supervisor
Karen Heffner	Work First / Day Care Program Manager
Susan Parrish	Program Administrator

Work First Electing County Plan Timeline  
2016-2019

July 21	Board of Commissioners-- Request Electing Status
August 3	Electing Status Form due to the State
August 5 - 11	Committee Meeting & Writing the Plan
August 12	Social Services Board Memo and Plan to Dawn
August 15	Material to Barbara M for Board of Commissioners Subcommittee
August 19	Social Services Board Meeting - Review of Plan
August 25- 29	Public Comment
Sept. 2	Board of Commissioners Subcommittee meeting
Sept. 8	Board of Commissioners Meeting Approval of Plan
Sept. 30	Plan Due to the State