

AGENDA

**TOWN OF SEVEN DEVILS PLANNING BOARD
REGULAR MEETING
MAY 15, 2018 – 5:30PM**

- 1. Call to Order**
- 2. Adopt Agenda**
- 3. Approve Minutes – March 20, 2018 and April 17, 2018**
- 4. Administrative Comments**
- 5. Old Business**
 - a) CLUP – Manager Notes for CLUP updates 2018**
 - b) CLUP**
- 6. New Business - None**
- 7. Citizens Comments**
- 8. Member Comments**
- 9. Adjourn**

**Town of Seven Devils
Planning Board Minutes
Regularly Scheduled Meeting and Organizational Meeting
March 20, 2018**

The Seven Devils Planning Board met on Tuesday, March 20, 2018 at Town Hall. Town Manager Powers called the meeting to order at 5:30 PM. Members present were George Ehlinger, Bob Haugh, Barry Isquith, Butch McLean, Brady Sasse, Frank Sell; member Jack Byrnes was absent. Town Attorney Rob Angle was in attendance. The minutes were recorded by Hillary Gropp, Town Clerk.

Swearing in of Re-Appointed Members

Town Clerk Gropp swore in the following re-elected members: George Ehlinger and Bob Haugh.

Election of Chair and Vice-chair

Manager Powers opened the floor for nominations for Chair. Member Haugh nominated Butch McLean; Member Sasse seconded the motion. All members present voted and agreed unanimously that Member Butch McLean be elected as Planning Board Chair.

Manager Powers passed the gavel to Chair Butch McLean and he opened the floor for nominations of Vice-chair. Member Sell nominated Jack Byrnes; Member Sasse seconded the nomination. With no further nominations, Chair McLean closed the floor for nominations. All members present voted, and agreed unanimously. Member Jack Byrnes was elected as Planning Board Vice-chair.

Adopt Agenda

Chair McLean asked for a motion to adopt the agenda. Member Haugh made a motion to adopt the agenda; Member Sasse seconded the motion. The members agreed unanimously.

Approve Minutes—January 17, 2017

Chair McLean asked for a motion to approve the minutes of January 17, 2017. Member Sasse made a motion to approve the January 17, 2017 minutes; Member Isquith seconded the motion. The members agreed unanimously.

Administrative Comments

Chair McLean offered his sincere thankfulness to Manager Powers and Town Clerk Gropp for the administrative support of tonight's meeting.

Manager Powers reports at some date in the future the Planning Board will need to meet and create ordinances that address 1) Beekeeping 2) Drones and 3) an update to the Tree Ordinance as a requirement for the Tree City USA designation.

Old Business—NONE

New Business

8)

a) Review Comprehensive Land Use Plan – CLUP

Manager Powers explained the current CLUP has not been updated since 2009. Before dialogue could continue, Member Ehlinger asked that this New Business item be moved to a later date.

b) Regional Training Workshops – UNC SOG

Manager Powers encouraged the Planning Board members to attend the Regional Board Workshop for Planning and Development Regulation. There are several dates and locations, with the closest being Asheville on May 10, 2018. The Town will cover the cost of registration. Chairman McLean stated the benefit of attending is to increase knowledge as a Planning Board Member. ~CLOSED~

c) Hawksnest Zipline Re-Zoning Application Review

The Re-Zoning Application is to request a change from Recreation to High Density Residential (HDR) zoning.

Chair McLean allowed Attorney Tucker Deal, (Representative for the Applicant, Lenny Cottom) to give a presentation. Attorney Deal identified the property location on the current Town zoning map; he asked the question, "Is this location is an appropriate location for a HDR zoning classification?" Attorney Deal states the UDO does a very good job of incorporating the goals of the CLUP into the regulations. Realizing that the emphasis of the CLUP is single family homes, we feel there is room for inclusion of multi-family dwellings, while maintaining community character. The highlights of his presentation include:

1. Harmony with the surrounding area, as there is a significant boundary between zoning classifications.
2. The property does not lend itself to other recreational activities; a zoning change will add tax value to the Town.
3. The property sits down below the road, so any residential buildings would not negatively impact the views of others.
4. Environmentally, tree cover will be preserved & protected, with additional tree planting upon development will help the Town's goal of Tree City, USA.
5. Currently, there is a sewer treatment plant with adequate capacity and permits to handle the extra flow.

Attorney Deal requested a positive recommendation from the Planning Board.

Chair McLean began dialogue among the Planning Board members that they understand the pros and cons of this Re-Zoning request. Chair McLean asked if there are any citizens comments.

Lou McLean – 130 Wildwood Court – She states she is not favor of rezoning, as she wants to maintain the quality of life & peacefulness that she has enjoyed in Seven Devils. She states since the opening of Otter Falls, it has caused disruption to the natural wildlife such as deer and turkey sightings. She experiences noise pollution, an increase in dust & dirt, along with safety issues from vehicle traffic. If the rezoning application is allowed she is concerned about a potential for increase in crime.

Member Sell asked Attorney Deal the following:

Has the current sewer treatment plant been evaluated by a professional to confirm it can handle the increased usage? Attorney Deal states he defers to the Owner, Lenny Cottom, as he has no personal knowledge of the capacity.

Member Sell then inquired with Town Manager Powers if the Town's current water system is sufficient to handle the increase for usage? Manager Powers replied that depending on the total number of new units built, likely there will be a need for an additional well. All infrastructure would be provided by the developer, per the subdivision ordinance in the UDO.

Member Ehlinger requested this item to be deferred to another meeting so detailed dialogue can occur with Public Safety Officer Chief Chuck Davis, Fire Chief Bobby Powell, Public Works Director Kevin Aldridge and Town Engineer David Poore regarding effects on Town infrastructure and support services.

Member Sell comments that the job of the Planning Board is to uphold the content of the CLUP, emphasizing single family homes. Town Manager stated that the main objective of the Planning Board is to create a written recommendation to the Town Council that addresses plan consistency (NC GS 160A-383) when it approves or rejects any proposed zoning map amendments. "The board's statement must describe how the action is or is not consistent with the plan and briefly explain why the board considers the action reasonable and in the public interest." Quote from David Owens - UNC SOG Publication "Introduction to Zoning and Development Regulations".

Discussion continued regarding potential questions:

- 1) Hire extra Police
- 2) Purchase additional Police vehicles
- 3) Town Engineer - Set backs from Main Road - Skyland Drive
- 4) How far down can they build? On flat?
- 5) Water - additional lines, additional well, tankage constraints
- 6) Fire - hydrant capacity
- 7) Storm water concerns
- 8) Impact on Tax Base
- 9) Increased traffic - during construction & after completion
- 10) Effect on wildlife

Email questions to Town Manager or Town Clerk and the list of questions will be consolidated for next meeting.

Discussed possible scenarios - Minimum - Mid - Maximum impacts.

Citizen Comments - No additional comments

Board Member Comments-None

Recess

Member Ehlinger made a motion to recess the Planning Board meeting until Tuesday, April 17, 2018 at 1:00pm; Member Sell seconded. The members agreed unanimously. The meeting recessed at 6:28pm.

Town of Seven Devils
Planning Board Minutes
Continuation Meeting
April 17, 2018

The Seven Devils Planning Board met on Tuesday, April 17, 2018 at 1:00pm as a continuation of the Recessed meeting of Tuesday, March 20, 2018. Members present were Jack Byrnes, Barry Isquith, Butch McLean, Brady Sasse, Frank Sell; a quorum was met. Members George Ehlinger and Bob Haugh were absent. Town Attorney Rob Angle was not present at this Continuation Meeting. Manager Powers was present, and the minutes were recorded by Hillary Gropp, Town Clerk.

Call to Order

Chair McLean called the meeting out of recess at 1:00pm.

Adopt Agenda

Chair McLean asked for a motion to amend the agenda to dismiss 5) Old Business a) Hawksnest Zipline Re-Zoning Application Review. Member Byrnes made a motion to amend the agenda; Member Isquith seconded the motion. The members agreed unanimously.

Review of Minutes

The draft minutes of the Planning Board meeting of March 20, 2018 were provided for review. No action taken.

Administrative Comments-None

Old Business

Update: The Hawksnest Zipline Re-Zoning Application dated 2/27/2018 has been withdrawn, effective 4/16/2018. No discussion occurred.

Member Sasse made a motion to close this Old Business item; Member Byrnes seconded the motion. The members agreed unanimously. ~CLOSED~

New Business

Review Comprehensive Land Use Plan -CLUP; The CLUP updates listed below are suggestions by Manager Powers:

1. Page 4 of 13 – V. References-High Country Regional Hazard Mitigation Plan of 2017, update with the year 2018.
2. Page 6 of 13 – Community Characteristics – Update population/housing units/tax valuation.

3. Page 7 of 13 – Surrounding Vicinity – Update Boone population/ASU population/delete Newland from HCMA.
4. Page 7 of 13 – Infrastructure & Public Facilities – Update to include 6 wells/15.5 miles of roads/Pickle ball courts.
5. Page 8 of 13 – Community Growth – Update graph/building permit process.

Manager Powers asked the Planning Board for suggestions and feedback to any updates. The deadline for the feedback is May 1st to the Town Manager or Town Clerk. This Item is tabled for further discussion at the May 15, 2018 Planning Board meeting. No action taken.

Member Comments- None

Adjourn

Member Isquith made the motion to adjourned; Member Sell seconded the motion. The members agreed unanimously. The meeting adjourned at 1:10pm.

Butch McLean, Chair

Hillary Gropp, Town Clerk

Manager's Notes for CLUP update 2018:

1. Page 4 of 13 – V. References – High County Regional Hazard Mitigation Plan of 2017 – passed in January 2018
2. Page 6 of 13 – Community Characteristics – update population/housing units/ tax valuation
3. Page 7 of 13 – Surrounding Vicinity – update Boone population/ASU population/delete Newland from HCMA
4. Page 7 of 13 – Infrastructure and Public Facilities – update wells/miles of roads/pickle ball
5. Page 8 of 13 – Community Growth – update graph/building permit process

COMPREHENSIVE LAND USE PLAN



TOWN OF SEVEN DEVILS NORTH CAROLINA

Adopted: June 20, 2000

Amended: February 14, 2005-November 9, 2009-June 12, 2018

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**The Comprehensive Land Use Plan of the Town of Seven Devils, North Carolina
Adopted by the Town Council of the Town of Seven Devils**

I. INTRODUCTION

Vision Statement of the Town of Seven Devils

The Vision Statement of the Town of Seven Devils, given below, encapsulates the essence of this Comprehensive Land Use Plan. With these words, full recognition is given to the fact that the Town's natural setting is the stage upon which all aspects of community life revolve and depend. It is from this point that the work begins for maintaining a sustainable region of beauty that enhances the quality of life for all residents and visitors. With the adoption of this Vision Statement on June 20, 2000, the Town embarked on a clear course of action.

Part I

The Town of Seven Devils is a residential and recreational community whose citizens and governance are committed to managing its growth, with a primary focus on owner-occupied single-family homes and on the preservation and enhancement of the distinctive and irreplaceable natural beauty of its mountain setting.

The Town of Seven Devils is committed to managing its expenditures to ensure maximum benefit to its taxpayers. Primary focus is on services that provide for public health and safety.

The Town of Seven Devils is committed to exploring and developing cooperative relationships with neighboring communities.

The Town of Seven Devils ensures that all citizens are treated with respect, dignity, and fairness. All citizens are kept informed on issues relating to community development and governance, and they have opportunities to participate actively.

The Town of Seven Devils Town management, Town Council, and boards enforce all ordinances promptly and impartially. The ordinance structure is reviewed, monitored, and revised as necessary to reflect and support this Vision of the community.

The Town Council, all boards, commissions, committees, Town administrative departments and other groups created or supported by Town Council ensure that their activities reflect commitment to achieving and sustaining this Vision.

Part II

At least every five years after adoption or amendment, this Vision Statement shall be reviewed and amended as appropriate.

Purpose and scope of the Comprehensive Land Use Plan

Determining the appropriate extent of development is a matter of setting priorities among the various alternatives, which range from full development to complete preservation of existing land use. By carefully building on its understanding of current conditions and anticipation of future conditions, development issues, and infrastructure limitations, the Town of Seven Devils is taking a proactive rather than reactive role in guiding the area's growth. The Comprehensive Land Use Plan, hereafter referred to as the Plan, embodies a public statement of the most desirable land use projections for the Town of Seven Devils for the next 20 years.

A well-defined planning and development process helps developers, builders, and the public understand the Town's position and approach to existing and proposed developments. For example, developers will have an understanding of what information decision makers will use to determine the desirability and acceptability of their proposals, as well as an indication of the considerations they must include to make their proposals both desirable and acceptable.

In general, this Plan has five purposes. (1) It helps translate the Town of Seven Devils' Vision Statement into policies and procedures that ensure a focus on single-family development and ensure that land uses are properly located and suitably related to one another and to other Town features. Moreover, it ensures that new developments enhance and help maintain the type of community the residents of the Town of Seven Devils want. (2) Preparing the Plan was a participatory process that provides a procedure for determining public policy. By identifying community values and establishing goals and objectives based on those values, appointed and elected officials can use the Plan to guide their decisions on matters related to the physical development of the Town. (3) The Plan itself is a means for establishing a logical and legal rationale for development policy and its implementation. It is a blueprint for community programs, public and private sector initiatives, and investment in facilities and infrastructure. (4) The completed Plan communicates policy and rationale to decision makers in both the public and private sectors. (5) The completed Plan is the land-use reference resource for public officials.

However, the Plan is not intended to stifle growth or development. Rather, it sets guidelines for growth to occur in a responsible manner. It promotes innovation in development techniques in order to obtain maximum livability and excellence in planning and design that respond to the specifics of the site. It encourages excellence in all private developments and public services within the constraints of economic reality. Economic reality should not be interpreted as maximum profit for minimum investment, but as optimum initial expenditures justified by long-range social, economic, and aesthetic benefits derived from those expenditures.

Finally, the Plan itself is not intended to be, and cannot become, an enforceable document; the Plan achieves its purpose through guiding the development of ordinances and Town action consistent with the Plan's focus.

How the Plan was developed

The 2001 Plan was a composite of policy recommendations reflecting public input, the Comprehensive Land Use Plan Committee's research, and the expertise of personnel in the North Carolina Department of Commerce's Division of Community Assistance, High Country Council of Governments' Planning and Economic Development section, and faculty at Appalachian State University. The Committee (a) documented the current social and economic status of the community, its attitudes and its current land use; (b) assessed projected public health and safety needs, the natural environment and its limitations, the Town's rapid and unplanned development, and real estate market issues; (c) reviewed the effectiveness of current Town ordinances, programs, services, facilities, and funding to achieve the Town's Vision; and (d) reviewed ordinances, programs, and services used by other communities to best meet the needs of their residents. Lastly, the Comprehensive Land Use Plan Committee considered the public's comments when the Committee finalized the version of the Plan presented to the Town Council for adoption February 20, 2001.

Public input and comment were obtained from (a) *Planning Issues for Seven Devils, North Carolina, 1992*, which defined Town attributes the public wanted to preserve and the public's concerns for the future; (b) four community surveys conducted by private citizens and Town management between 1997 and 2000; (c) public input into development of the Vision Statement, including a comprehensive citizen survey (52 responses) and a public hearing (25 participants) on June 20, 2000; (d) public participation in the activities of this committee (whose weekly meetings were announced each month in the *Council Connection*), including public input on the draft document before it was presented to Town management, Town Council, the Planning Board, and other committees; (e) a meeting to which representatives of surrounding communities were invited; and (f) a public hearing on the completed document held on Jan. 9, 2001.

From this information, the Committee defined problems, identified and evaluated possible solutions, and selected courses of action. The Planning Board, Town Council, and the Town's legal counsel further reviewed and revised the Plan.

In 2004, a process of evaluating the effectiveness of the Plan was begun by the Planning Board using a group consisting of several members of the Town Council, Planning Board and town citizens. The process began with reviewing the Plan for clarity and consistency with the Town Vision Statement. This activity resulted in a revised Plan that was adopted by the Town Council on February 14, 2005. The evaluation continued with the determination of the extent to which the Town ordinance structure and town actions effectively addressed objectives and Action Plans of the revised Plan.

In 2009, the plan was reviewed and updated. Additional information included data supplied by scientific investigation of water resources, steep slopes, recreation and other ongoing studies of the land and people. This activity resulted in a revised Plan that was adopted by the Town Council on November 9, 2009.

How the Plan is organized

The Comprehensive Land Use Plan has five parts:

I. The INTRODUCTION describes the Vision of the Town of Seven Devils, the purpose and process of creating this Plan, how the Town is expected to use the Plan, the Plan's relationship to other governing documents, and Action Plans.

II. COMMUNITY HIGHLIGHTS describes in brief where the community currently stands in the context of its history, present day situation, trends, and future.

III. IMPLEMENTATION PROGRAMS addresses four areas: Managing Development, Preserving and Enhancing Natural Beauty, Public Health and Safety, and Community Facilities and Community Involvement. Coverage of each area begins with an Objective and includes specific Action Plans to effectively achieve the Objective. Each Action Plan identifies the party responsible for implementation. Both the Objectives and Action Plans are sensitive to the realities of the Town's capabilities and limitations, as well as to the resources of the community at large.

In some cases, Action Plans are overlapping and their implementation may support more than one Objective. For this reason, the Plan should be approached as a unified document. For example, Action Plans designed to preserve and enhance the natural environment and Action Plans to promote public health and safety as well as those aimed at managing development may all require zoning ordinances or subdivision-regulation amendments.

IV. PLAN IMPLEMENTATION, MONITORING AND AMENDMENT describes the process of careful, orderly review and change so that this Plan may reflect the changing needs of the Town.

V. REFERENCES: (located on the Town Hall Reference bookshelf)

**Comprehensive Land Use Plan for the Town of Seven Devils: 2001
Brief History of the Town of Seven Devils (Comprehensive Land Use Plan of
2001)**

High Country Regional Hazard Mitigation Plan of 2017 (passed Jan 2018)

Using the Plan and its relationship to other governing agencies and documents

A primary consideration in the preparation of the Plan has been its expected usefulness. Implementation should move government operations from a reactive mode to a mode of foresight and anticipation. In addition, it should provide a vehicle for the public to understand government action. It is essential to distinguish between the Plan itself and implementing measures. Further, it is essential to recognize how the Plan relates to governing agencies and documents. The Plan applies the Vision Statement to the land-use aspects of the Town's growth and development. It also coordinates the factors that influence community development, such as water, transportation, housing, commerce, recreation, and natural resources.

The Plan's recommendations will require subsequent actions by the Town in order to transform them into reality. Adoption and implementation will require review of existing land use and zoning regulations to determine the appropriateness of the zoning to the achievement of the Plan's long-range goals and objectives for conservation and development. Although the Plan does not automatically change zoning, the Plan and the implemented zoning ordinances should be consistent with each other, with zoning ordinances reflective of the Plan. Implementation of the Plan may also include assigning the responsibilities of implementing all Action Plans identified in the Plan to the appropriate board and commission.

The Plan must be consistent with the General Statutes of the State of North Carolina, including High Quality Water standards and the Mountain Ridge Protection Act of 1983. In light of some activities and operations in the Town being within the dual jurisdictions of Avery County and Watauga County, the Plan must also be consistent with the governing county's policies and procedures. Input into the High Country Municipal Association by representatives of the Town of Seven Devils should complement and support the Plan.

The Town of Seven Devils, other agencies, private businesses, and individuals should use the Plan in planning for future investments and lifestyles. Expectations for the future use of land in the Town are defined so that property commitments can be made with a degree of confidence and reliance on land use controls. This assists anyone involved with land in the Town in making decisions that will be in the best interests of themselves and the public. Before a decision is made to invest in or develop property, the property owner should consult Town ordinances. If property owners purchase land that is not designated for the owners' intended use, then they must bear the responsibility of the speculative decision.

The Plan as a work in progress

Because the content of the Plan and the actions it recommends are intended to reflect the Town of Seven Devils' assessment of its needs and opportunities today and into the future, the Town of Seven Devils Comprehensive Land Use Plan is not an end product. Rather, it is an important first step in an on-going process of rational, balanced and creative decision-making regarding the future of the Town. While the Plan is being used to guide development, the recommendations of the Plan will be reviewed regularly and refined as follow-up studies and plans are completed.

The success of the Town of Seven Devils Comprehensive Land Use Plan will only be realized through a process of cooperative hard work involving elected and appointed bodies, Town staff, and committed citizens. As time and resources permit, Town agencies should identify additional strategies to further realize the objectives of this Plan.

General Mission Statement

The Town of Seven Devils' mission is to preserve, protect, and enhance those gifts of Nature that make up the unique quality of our Town and its environs and ensure that all values inherent in the Town Vision Statement are realized and reflected through the enactment, revision, and enforcement of supporting ordinances, appropriate Town action and other measures as may be necessary.

II. Community Highlights

This section briefly describes historical and current conditions that are the background data from which trends can be noted and planning assumptions developed. Our heritage, values, assets, opportunities and challenges are delineated in six areas: History, Environmental Setting, Community Characteristics, Surrounding Vicinity, Infrastructure and Public Facilities, and Community Growth.

History

Native Americans, who found the winters too severe for settlement, used the lands around Grandfather Mountain and the headwaters of the Watauga River as hunting grounds. The area was opened for settlement in 1775; descendants of that era are still found in the area. Timbering and farming were primary occupations.

In 1964, Seven Devils Resort began as a private development with land in both Watauga and Avery Counties. At that time, roads were built, lots laid out, and the ski lodge, golf course, and lake were constructed. The Seven Devils Resort Club was formed as a property owners' association to provide management. The Resort Club kept things going during several changes of ownership and a final bankruptcy in 1976. Incorporation on June 30, 1979, provided equitable continuity of services.

Environmental Setting

Seven Devils is nestled in a valley surrounded by three mountains and related ridges. Elevation ranges from 3,200 to 5,200 feet. Steep ridges discard rather than collect water and soil. Soil scientists have determined that under normal conditions nature will create one inch of topsoil every 500 years in a typical deciduous forest. The soil conditions in and around Seven Devils are more extreme than average, and the rate of soil creation is probably much slower. Therefore, greater care is required. The rock-filled terrain contains boulders remaining from the clash of tectonic plates that formed the Blue Ridge. Oak, ash, birch, buckeye, locust, and maple are the primary hardwood trees, and there are stands of great laurel and Catawba rhododendron. Flame azaleas may be found throughout the area. Wildlife within Town limits includes bear, bobcats, foxes, deer, ground hogs, wild turkeys, falcons, and grouse.

Community Characteristics

The Seven Devils population is composed of predominately well-educated retired individuals of above median income for whom the Town is a second home. In 2016, the North Carolina Office of State Budget and Management estimated the permanent population at 213. Seven Devils had 583 housing units in May 2018; 462 of these were single-family detached houses whose mean tax valuation is \$246,909. The remaining 121 units are condominiums whose mean value is \$156,672. The combined mean tax valuation of all housing units is \$228,181. Residential population peaks in the summer and falls in the winter. Transient population reaches its peak during weekends that support snowtubing and other winter sports. The recreation opportunities offered in the region bring many visitors to Seven Devils. Since many homes in Seven Devils are rented as vacation rentals, (currently approximately 100 units are rentals) the peak permanent and transient population is often as high as an estimated 1,500 (based on an average of 3 people per dwelling unit).

Citizens have a strong sense of community, serving on the Town Council, Planning Board, and various committees.

Over the last decade, the southeastern United States has been discovered as a desirable place to work and live. This interest has brought with it a tremendous influx of people and improvement in the region's road system. The improved accessibility has created a boom in tourism and second-home development. The Town of Seven Devils is caught in the middle of this wave, and there is a sense that the qualities of serenity and escape are threatened. Fortunately, there is also the belief that a more sophisticated system of development controls could serve to protect those qualities held dear by Seven Devils residents.

Surrounding Vicinity

Boone, N.C., (pop. 18,834) is the business, commercial and educational center for several smaller High-Country communities, of which Seven Devils is one. In addition to housing Appalachian State University with its 18,811 on-campus students (Spring Semester 2018), Boone is the county seat of Watauga County, where managing development is the most vexing problem. Tourism is the area's largest industry.

Several regional organizations have been developed to help deal with issues that cut across political boundaries. These include; High Country Host (to promote tourism), North Carolina Department of Transportation's new visitor center in Wilkes County (to promote tourism), High Country Council of Governments (to provide consultative assistance to municipal and county governments) and most recently, the High Country Municipal Association (to foster cooperation among the communities of Sugar Mountain, Banner Elk, Beech Mountain, and the Town of Seven Devils).

Infrastructure and Public Facilities

The Town of Seven Devils has a 5-member elected Town Council. The Council elects a Mayor from its membership. The Council appoints residents to various bodies, including Planning Board, Board of Adjustment, Public Safety Committee, Public Works Committee, Recreation Commission, and Tourism Development Authority.

The Town Manager, appointed by the Council, supervises the Town staff whose responsibility areas include: public safety, finance, clerical, public works, and zoning administration.

The Town's water system is comprised of six wells with three large water storage tanks. Two subdivisions - Woodwinds One (1) and Woodwinds Two (2) - have private wells. Additionally, twelve other houses outside of Woodwinds have private wells. Most residents use private septic systems, although private wastewater treatment plants serve some. Eighty-five percent of residences are within 500 feet of a fire hydrant.

Police officers are Public Safety Officers (cross trained as firemen) and work with the volunteer fire department. The Police Department provides an officer on duty 24 hours a day, seven days a week. The Fire Department earned and maintains a fire protection class insurance rating of "6" throughout the Town. The Town is responsible for 15.48 miles of roads and two public tennis/pickleball courts. There is a privately-owned snow tubing and zipline facility, both open to the public. Otter Falls is a 10-acre public park with marked trails totaling 1.2 miles, which was completed in 2017.

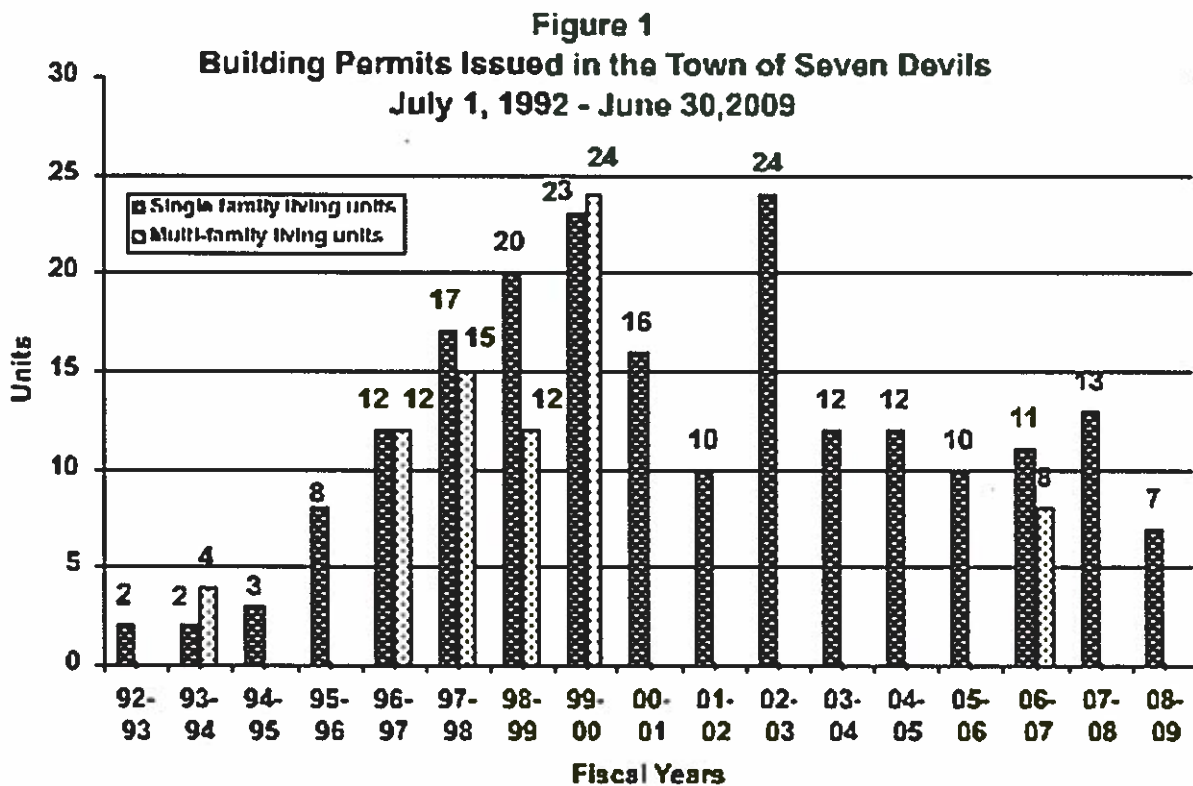
Bear Paw State Natural Area (total acreage 345 acres) is owned by the State of NC – 147 acres are within Town limits.

Community Growth

Seven Devils is primarily comprised of single-family houses, although the Town also has a number of condominiums. Almost half of the condominium growth occurred in 1996-2000. Since 2000, growth has primarily consisted of single-family dwellings. An annual average of 13.3 houses was permitted from July 1, 2000 to June 30, 2009, up slightly from the seventeen-year average of 12.8 illustrated in the graph below. The number of dwelling units permitted in a single year has ranged from 2 (July 1992—June 1993) to 47 (July 1999—June 2000) to 71 (July 2000 – June 2017).

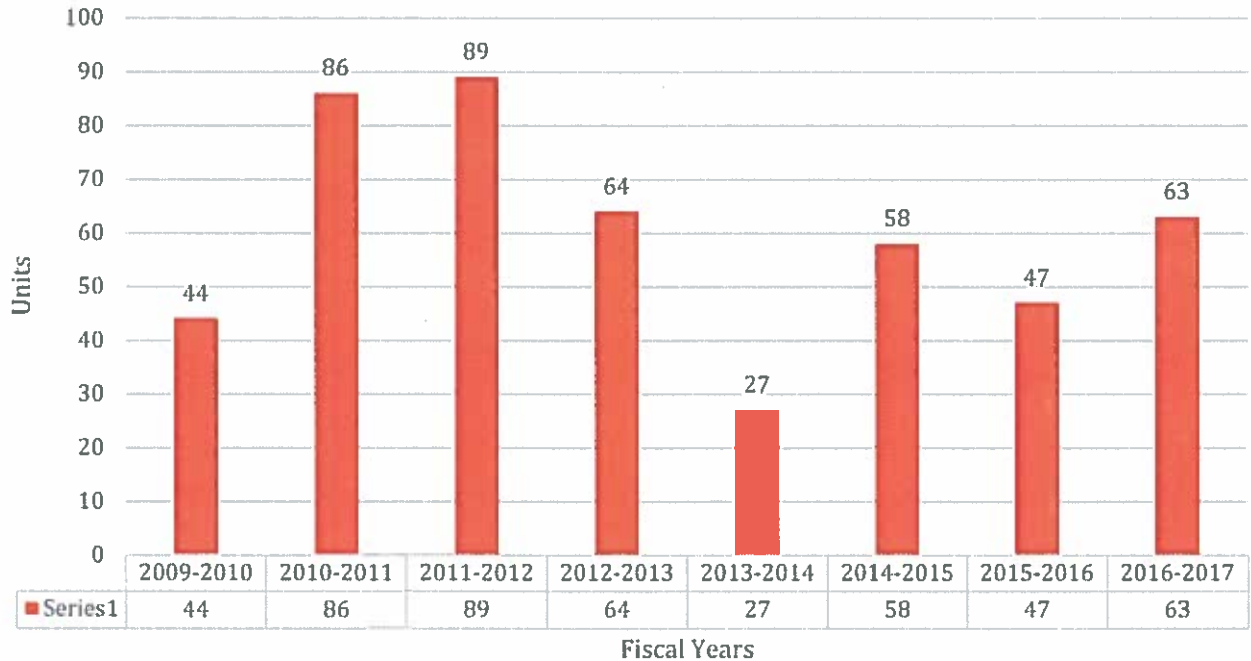
Currently there are 583 housing units in the Town of Seven Devils.

Figure 1 below illustrates the number of building permits issued from 1992-2009.



In 2009, the Town contracted with Watauga County to perform all permitting and inspections (see Figure 2) to view all permits issued by the County between July 2009 – June 2017. The bulk of permits issued were remodel-related, such as footers, decking, electrical, plumbing, rough-ins, framings, HVAC, insulation, and slabs. New home permits were average between 2000 and 2008, but because of faltering economic conditions starting in 2008, new housing starts were almost non-existent from 2008 until 2017.

Figure 2
Building Permits Issued in the Town of Seven Devils
July 2009 - June 2017



III. IMPLEMENTATION PROGRAMS

The Objectives in this section are founded on (a) the Vision Statement of the Town of Seven Devils; (b) community characteristics related to population, environment, public health and safety, and infrastructure; and (c) input from citizens in response to surveys, public hearings, and participation in the deliberations of the Comprehensive Land Use Plan Committee. They reflect the most valued qualities of life and the most critical citizen concerns in the Town of Seven Devils, and they provide an objective basis for the land-use decisions of elected officials, planners, and property owners. They attempt to address competing resource preservation goals and development preferences, and they minimize conflicts between divergent land uses. The Action Plans are sensitive to the realities of the Town’ capabilities and limitations, as well as to the resources of the community at large.

This section contains Objectives and Action Plans to Manage Development, to Preserve and Enhance Natural Beauty, for Public Health and Safety, and for Community Facilities and Community Involvement. Overarching these specific areas are general expectations that:

- a. Community desires as stated in this Comprehensive Land Use Plan and its succeeding documents should be reflected in the development of land use ordinances, standards, and policies.

- b. Town Council and town management should develop, enforce and regularly re-evaluate ordinances, standards, and policies that protect the public health, safety and welfare and that contribute to the quality of life of Town of Seven Devils residents.
- c. Governing bodies, town management, and town staff should consider environmental conservation, protection, and enhancement.
- d. Town management and staff are trained and dedicated to the impartial provision of municipal services and the enforcement of the Town of Seven Devils' ordinances, standards and policies.
- e. Plans and ordinances are consistent with the overall philosophy of sustainable development.

A. MANAGING DEVELOPMENT

Managed development is more economically and socially beneficial than is haphazard, unplanned development. Managing development means guiding growth in relation to community goals, which focus on single-family homes as a major housing source and recognize residents' desires for the Town of Seven Devils to maintain its small-town character. It means that decisions shall be made in concert with the land's natural carrying capacity and the community's ability to financially support development through the provision of infrastructure and related community services and facilities. Managing growth means recognizing the essential role design and construction technology can play in protecting the environment.

Objective: The Town of Seven Devils manages growth with a primary focus on single-family/owner occupied housing with environmental safeguards; limits commercial and business developments to that which is compatible with a residential and recreational community; and addressing issues related to construction activity.

Action Plan:

1. The Town Council should establish, revise as needed, and enforce an ordinance structure that is consistent and reflects the values in the Town Vision Statement and this Comprehensive Land Use Plan to ensure:
 - a. Each single-family building lot, subdivision, commercial development or multi-family development will have a site plan approved by the Town staff before permits of any kind (tree removal, grading, building, etc.) are issued.
 - b. Architectural standards will be followed for all construction and manufactured homes to assure consistency with the rural character of the Town of Seven Devils' mountain setting.
 - c. All construction will follow orderly procedures and produce minimum inconvenience to Town residents.

- d. The Town Council should authorize necessary demographic and population studies as they relate to availability of known and projected resources.
2. The Planning Board should reevaluate zoning designations and make any recommendations for zoning changes in light of:
 - a. The Town of Seven Devils Vision Statement.
 - b. The need to manage multi-family development.
 - c. The use of transitional zones between competing uses.
 - d. Topography when determining lot sizes for non-platted lots.
 - e. Use of cluster developments as a means of encouraging development configurations that may better safeguard existing natural land and water resources.
 - f. Current locations of commercial / business and multi-family development and areas for future commercial development.
 - g. Waste-water treatment options and potential well sites.
 - h. Existing man-made and natural boundaries such as water courses and rock formations.
 - i. Community character.
 3. Town management should continue to work with county offices to provide land records, maps, etc., for accurate identification and permanent location of real property boundaries.
 4. Following any revision of the subdivision regulations and zoning ordinances (including zoning map), the Town Council should determine if additional measures are required to manage growth and development.
 5. The Town Council should consider requiring any construction, land-disturbing activity, or infrastructural installation or repair undertaken by or on behalf of the Town of Seven Devils to satisfy all of the same requirements imposed upon any other property owner in Seven Devils including architectural, construction, erosion / sedimentation, and landscaping standards.

B. LAND USE TO PRESERVE AND ENHANCE NATURAL BEAUTY

In recognition of the integral role natural beauty plays in the Town of Seven Devils being a desirable place to live, vacation and invest, the Town recognizes its obligation to conserve scenic resources and protect their aesthetic appearance; to protect and, where appropriate, designate areas of significant environmental concern; and to protect natural areas from incompatible development and specifically limit those uses that would cause irreparable damage. The Town also recognizes its obligation to collaborate with other entities within and beyond the Town, to educate those who live and invest in the Town, and to participate in efforts to protect the Watauga River Basin watershed.

Objective: The Town of Seven Devils conserves, protects, restores and enhances the natural beauty of its setting and minimizes disturbances to the natural environment.

Action Plan:

1. The Town Manager and Recreation Commission should identify areas of ecological and recreational significance and pursue their preservation.
2. The Planning Board should assure ordinances that provide for the following:
 - a. Restricting the installation of commercial- and government-use communication towers and energy-generating devices to the commercial / business and government areas. Require appropriate landscaping and the latest in concealment strategies for all commercial, government, and non-commercial communication tower installations, and for all energy-generating devices.
 - b. Controlling erosion and sedimentation from any land-disturbing activity. Study the feasibility of a process for (1) evaluation of current conditions, (2) engineering to prevent run-off, and (3) enforcement.
 - c. Requiring a minimum 50-foot-wide vegetative buffer along all perennial streams that are within the Town of Seven Devils.
 - d. Protection and preservation of trees.
3. The Town Council should regularly review and implement plans for hazard mitigation, especially to include control of storm water runoff to minimize damage to public and private property.

C. LAND USE FOR PUBLIC HEALTH AND SAFETY

It is the goal of the Town of Seven Devils that the land use plan and the public health and safety infrastructure mutually support each other. The following Objective and Action Plan are meant to ensure that the intensity and design of land uses maintain the adequate and economic provision of transportation, water, fire and police protection, and other public services.

Objective: The Town of Seven Devils promotes municipal services and facilities that provide for the health, safety, and welfare of its residents in a cost-effective manner.

Action Plan:

1. The Town Manager should identify and implement the process to determine how best to provide safer roadways, including signage.

2. The Public Works Committee, in cooperation with the Department of Public Works, should continue to monitor water system and roadway needs and funding sources.
3. The Town Council should manage Town expenditures to ensure maximum benefit to taxpayers, which should include a capital improvement plan covering the next 5 years.
4. The Fire Chief should develop, implement, and maintain a community fire prevention program to include education and proactive components (e.g., brush clearing).
5. The Town Council should maintain liaison with EMS agencies in Watauga and Avery Counties to ensure timely EMS response to residents.

D. LAND USE FOR COMMUNITY FACILITIES AND COMMUNITY INVOLVEMENT

Because the Town values an informed citizenry, it promotes opportunities for citizen input and participation while expanding methods and opportunities to keep citizens informed. The Town values continuing interface with surrounding communities in recognition of mutual interdependence.

Objective: The Town of Seven Devils fosters and encourages the continued growth of a sense of community within the Town and surrounding area.

Action Plan:

1. In preparation for adoption by Town Council, the Planning Board should prepare or revise ordinances that assure that subdivisions and multi-family properties include open space as appropriate.
2. The Town of Seven Devils' representatives to the High Country Municipal Association should encourage collaboration on transportation, communication, aesthetics, and shared recreational opportunities.
3. The Town Council, Planning Board, Recreation Commission, Town management, and interested citizens should create vehicles for public input and should enhance the effectiveness of citizen input through committees, advisory panels, educational forums, public workshops, and Town meetings.
4. The Town Council, Planning Board, Recreation Commission, Town management, and interested citizens should establish an ongoing program of community events that create citizen dialog and involvement in land-use issues, including the philosophy of citizens as the land's stewards and trustees rather than merely as the land's owners.
5. The Town Council should encourage communication and cooperation among departments within Town government, between Town management and entities within the Town (e.g., the Seven Devils Resort Club, businesses, and homeowners' associations) and with other communities and towns (e.g., Foscoe, Grandfather Village, Watauga County municipalities, and participants in the High Country Municipal Association).

6. The Recreation Commission should develop, implement, and maintain recreation facilities and activities for Seven Devils.

IV. PLAN IMPLEMENTATION, MONITORING AND AMENDMENT

Boards and committees responsible for adoption, implementation and enforcement

The Town Council of the Town of Seven Devils is responsible for adoption of the Comprehensive Land Use Plan, pursuit of the Objectives and Action Plans, and periodic review of its provisions.

Plan monitoring and adjustment

The Comprehensive Land Use Plan of the Town of Seven Devils is intended to reflect the Town's assessment of its needs and opportunities at the time of its adoption and into the future, and it serves as a local planning guide for growth and development during the period covered by the Plan. The Plan should be reviewed every three to five years.