



# Land Use Plan Amendment Review Process

## Contact Information

Currituck County  
Planning and Inspections Department  
153 Courthouse Road, Suite 110  
Currituck, NC 27929

Phone: 252-232-3055

Website: <http://www.currituckcountync.gov/planning-zoning/>

Email: [ccpz@currituckcountync.gov](mailto:ccpz@currituckcountync.gov)

## Step 1: Pre-application Conference

The purpose of a pre-application conference is to provide an opportunity for the applicant to determine the submittal requirements and the procedures and standards applicable to an anticipated development application. A pre-application conference is also intended to provide an opportunity for county staff to become familiar with, and offer the applicant preliminary comments about the scope, features, and impacts of the proposed development, as it relates to the standards in the Unified Development Ordinance (UDO), Land Use Plan, and other adopted plans.

The applicant shall submit conceptual drawings, if applicable, that show the location, general layout, and main elements of the development to be proposed as part of the application to the Director at least three business days before the pre-application conference.

## Step 2: Community Meeting (Optional)

The purpose of the community meeting is to inform owners and occupants of nearby lands about the application for a land use plan amendment and to provide the applicant an opportunity to hear comments and concerns about the application as a means of resolving conflicts and outstanding issues, where possible.

Community meetings are opportunities for informal communication between applicants and the owners and occupants of nearby lands, and other residents who may be affected by the application.

The community meeting shall comply with the following procedures:

### Time and Place

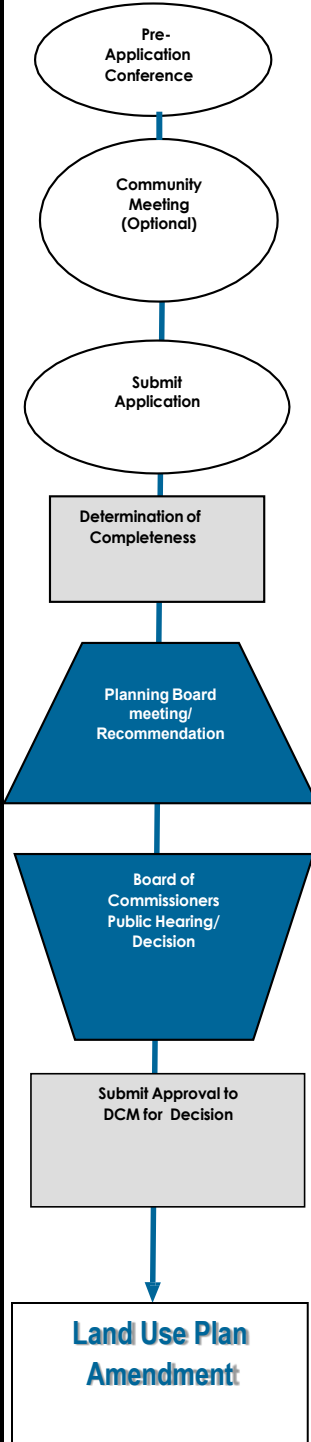
The meeting shall be held at a place that is convenient and accessible to neighbors residing in close proximity to the land subject to the proposed land use plan amendment.

### Notification

#### Mailed Notice

The applicant shall mail notice of the meeting a minimum of ten days in advance of the meeting to the Director and to:

- i. All owners of the land subject to the application;
- ii. All owners of land within 500 feet of the property lines of land subject to the application (including owners of land located outside the county) whose address is known by reference to the latest ad valorem tax records; and
- iii. Commanders of military bases located within five miles of the subject application when the development proposal affects the type of uses allowed.



**Posted Notice**

The applicant shall post notice of the community meeting on the land subject to the application for at least ten days before the date fixed for the meeting, in a form established by the Planning Director. Signs used for posted notice shall have a minimum size of six square feet per side.

**Notice Content**

The notice shall state the time and place of the meeting and the general nature of the land use plan amendment.

**Conduct of Meeting**

At the meeting, the applicant shall explain the development proposal and application, inform attendees about the application review process, respond to question and concerns neighbors raise about the application, and propose ways to resolve conflicts and concerns.

**Staff Attendance**

County staff shall attend the meeting for the purpose of advising attendees about the applicable provisions of the UDO and the land use plan but shall not serve as facilitators or become involved in discussions about the proposed land use plan request.

**Written Summary of Community Meeting**

The applicant shall prepare a written summary of the meeting that includes a list of meeting attendees, a summary of attendee comments, discuss issues related to the land use plan amendment application, and any other information the applicants deems appropriate. The meeting summary shall be included with the application materials and be made available to the public for inspection.

**Response to Summary**

Any person attending the community meeting may submit a written response to the applicant's meeting summary to the Director within 30 days after the application is determined complete. The response may state their understanding of attendee comments, discuss issues related to the development proposal, and include any other information they deem appropriate. All written responses to the applicant's summary of the community meeting shall be transmitted to the applicant, included with the application materials, and made available to for public inspection.

**Step 3: Application Submittal and Acceptance**

The applicant must submit a complete application packet on or before the application submittal deadline date which is usually the fourth Thursday of each month. If submitting on the submittal deadline date, please call 252-232-3055 to schedule an appointment. A complete application packet consists of the following:

Submitted on a USB flash drive or a compact disc (CD):

- Completed Currituck County Land Use Plan Amendment Application.
- Statements of Justification
- Statement of how project conflicts with the current Land Use Plan.
- Statement of how the proposed Land Use Plan amendment otherwise advances public health, safety, and general welfare.
- Site plan drawn to scale. The plan shall include the items listed in the major site plan design standards checklist, if applicable
- Architectural elevations illustrating the design and character of the proposed structures, if applicable.

Applicable Fee: \$500

On receiving an application, staff shall, within ten business days, determine whether the application is complete or incomplete. A complete application contains all the information and materials listed above and is in sufficient detail to evaluate and determine whether it complies with appropriate review standards. If an application is determined to be incomplete, the applicant may correct the deficiencies and resubmit the application for completeness determination. Failure to resubmit a complete application within 45 calendar days after being determined incomplete will result in the application being considered withdrawn.

**Step 4: Staff Review and Action**

Once an application is determined complete, it will be distributed to the appropriate staff for review. Staff shall review the application, prepare a staff report, and provide a recommendation on the application. The report will also include any outstanding concerns with the application.

**Step 5: Advisory Body Review and Recommendation**

After staff prepares the report and provides a recommendation on the application, staff shall schedule the application for a public meeting with the Planning Board. At the public meeting, the Planning Board shall consider the application, relevant support

materials, staff report, and any public comments. It shall then recommend approval, approval subject to additional conditions, or denial, and clearly state that factors considered in making the recommendation. The Planning Board shall provide a recommendation on an application it reviews within two months from the date of its initial meeting to consider the application.

#### Step 6: Public Hearing Scheduling and Public Notification

After the Planning Board provides a recommendation on the application, staff shall ensure that the public hearing on it is scheduled for a regularly scheduled Board of Commissioners meeting, or a meeting specially called for by the Board of Commissioners. The required public hearing with the Board of Commissioners shall be scheduled so there is sufficient time for a staff report to be prepared and for the public notification requirements to be satisfied under state law.

The application shall meet the following public notification requirements:

##### **Published Notice**

Staff shall publish a notice of the hearing not less than 30 days before the hearing in a newspaper having general circulation in the county.

##### **Mailed Notice**

Staff shall be responsible for preparing and mailing a written notice between 10 and 25 days before the public hearing. Notice shall be mailed to:

- All owners of the land subject to the application;
- The applicant, if different from the land owner;
- All owners of land within 500 feet of the property lines of land subject to the application (including owners of land located outside the county) whose address is known by reference to the latest ad valorem tax records; and
- Commanders of military bases located within five miles of the subject application when the development proposal affects the type of uses allowed.

##### **Posted Notice**

At least 10 days before the public hearing, posted notice shall be made by staff. A sign shall be placed in a conspicuous location as to be clearly visible to the traveled portion of the respective street. Where the land subject to the notice does not have frontage on a public street, the sign shall be erected on the nearest street right-of-way with an attached notation generally indicating the direction and distance to the land subject to the application.

#### Step 7: Public Hearing Procedures, and Decision-Making Body Review and Decision

The applicant must be in attendance at the public hearing. During the public hearing, the Director will present the staff report and any review body findings and recommendation to the Board of Commissioners. The applicant will then have the opportunity to present any information they deem appropriate. The burden of demonstrating that an application complies with applicable review and approval standards of the UDO and other adopted plans is on the applicant. The public may be permitted to speak in accordance with the Board of Commissioners rules of procedure, or at their discretion, as appropriate, in support of or in opposition to the application. The applicant and Planning Director may respond to any comments, documents, or materials presented.

The Board of Commissioners shall make one of the following decisions on the application:

- Approval of the Land Use Plan amendment as submitted;
- Approval of the Land Use Plan amendment with revisions agreed upon by the applicant; or,
- Denial of the Land Use Plan amendment application.

#### Step 8: Notice of Decision sent to Division of Coastal Management

Staff will transmit the adopted draft Land Use Plan amendment to the Department of Coastal Management District Planner for approval. Once staff receives the notice of Certification Decision from the Department of Coastal Management, the amended Land Use Plan must be submitted to the Division of Coastal Management District Planner within 90 calendar days of their certification.



# Land Use Plan Amendment Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Gate Keeper: \_\_\_\_\_  
Amount Paid: \_\_\_\_\_

**Contact Information**

**APPLICANT:**

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

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**PROPERTY OWNER:**

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

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: \_\_\_\_\_

**Property Information**

Physical Street Address: \_\_\_\_\_

Location: \_\_\_\_\_

Parcel Identification Number(s): \_\_\_\_\_

Total Parcel(s) Acreage: \_\_\_\_\_ Zoning District: \_\_\_\_\_

Present Land Use: \_\_\_\_\_

Current Land Use Plan designation: \_\_\_\_\_

**Request (attach additional sheets as necessary)**

• Section of plan to be amended: \_\_\_\_\_  
\_\_\_\_\_

• If the request is to amend the Future Land Use Map, please submit a plan showing:

- General site survey showing lot/parcel dimension
- Existing uses and structures
- Zoning of site and surrounding area
- Current and proposed future land use map designation including sub-area
- Proposed boundaries of change
- Location of existing streets that border parcel

• Statements of Justification – provide sufficient information to explain and justify how the Land Use Plan Amendment request satisfies the following questions:

1. Will the proposed amendment support uses that are suitable in the view of the use and development of adjacent and nearby properties? \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

2. Will the proposed amendment adversely affect the existing use or usability of adjacent or nearby properties? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  3. Will the proposed amendment support uses that could result in an excessive or burdensome use of existing public facilities such as streets, schools, transportation facilities, or utilities? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  4. How does the proposed amendment conform to the recommendations of the Future Land Use Plan and any other applicable long range plans? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  5. Are there any existing or changing conditions affecting the use or development of the property which justifies either approval or disapproval of the request? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  6. Is there a public need for additional land space to be classified to this request? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
  7. How does this request relate to the land suitability analysis found in the Land Use Plan? Are there factors that have changed since the suitability analysis was completed? \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_
- Statement of how the Land Use Plan amendment otherwise advances public health, safety, and general welfare: \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

Community Meeting (Optional)

Date Meeting Held: \_\_\_\_\_ Meeting Location: \_\_\_\_\_

**I hereby authorize county officials to enter my property for purpose of determining compliance. All information submitted and required as part of this process shall become public record.**

\_\_\_\_\_  
 Applicant

\_\_\_\_\_  
 Date

\_\_\_\_\_  
 Property Owner(s)

\_\_\_\_\_  
 Date

**\*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.**

**Land Use Plan Amendment Standards Checklist**

The table below depicts the standards of the Land Use Plan amendment application. Please make sure to include all applicable listed items to ensure all appropriate standards are reviewed.

## Land Use Plan Amendment Standards Checklist

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

Planning Board Date: \_\_\_\_\_

Project Name: \_\_\_\_\_

Applicant/Property Owner: \_\_\_\_\_

Land Use Plan Amendment Standards Checklist		
General		
1	Site Plan, if applicable.	
Architectural Elevations		
2	Architectural drawings and/or sketches illustrating the design, character, height, and materials of the proposed buildings, if applicable.	
Justification and Statements of Conformance with Land Use Plan		
3	<b>Statements of Justification.</b> Provide sufficient information to explain and justify the Land Use Plan Amendment (See questions 1-7 on application)	
4	<b>Statement of How the Proposed Land Use Plan Amendment Otherwise Advances Public Health, Safety, and General Welfare.</b> The statement may address the following: Traffic: The additional traffic that could be generated under the proposed land use and its relationship to the current and projected capacity of area roads. Development Compatibility: types and intensities of development allowed under the proposed land use, focusing on compatibility with adjacent areas. (This may cover compatibility with adjacent land uses, with existing or proposed infrastructure or services, and with the environment, including surface and ground water, soils, and air, if applicable.	

Land Use Plan Amendment Submittal Checklist

Staff will use the following checklist to determine the completeness of your application within ten business days of submittal. Please make sure all the listed items are included. Staff shall not process an application for further review until it is determined to be complete.

# Land Use Plan Amendment Submittal Checklist

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

Planning Board Date: \_\_\_\_\_

Project Name: \_\_\_\_\_

Applicant/Property Owner: \_\_\_\_\_

**Land Use Plan Amendment Submittal Checklist - Documents provided on USB flash drive or CD**

1	Complete Land Use Plan Amendment application	
3	Community Meeting Summary (Optional)	
4	Site plan, if applicable	
5	Architectural elevations, if applicable	
6	Application fee (\$500)	

For Staff Only

**Pre-application Conference**

Pre-application conference was held on \_\_\_\_\_ and the following people were present:

\_\_\_\_\_  
\_\_\_\_\_

**Comments**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_