



**PB 25-16 CURRITUCK COUNTY
TEXT AMENDMENT
BOARD OF COMMISSIONERS
SEPTEMBER 2, 2025**

Currituck County requests an amendment to the Unified Development Ordinance, Chapter 8. Nonconformities and Chapter 10. Definitions and Measurement.

BE IT ORDAINED by the Board of Commissioners of the County of Currituck, North Carolina that the Unified Development Ordinance of the County of Currituck be amended as follows:

Item 1: That Chapter 10, Section 10.5 is amended by deleting the following strikethrough language and adding the underlined language:

EXISTING LOT (LOT OF RECORD)

A lot which is a part of an approved subdivision, a plat of which has been recorded in the Office of the Register of Deeds of Currituck County, or a lot described by metes and bounds, the description of which has been so recorded and which at the time of recordation and the time it was originally subdivided met all applicable subdivision and zoning regulations then in effect. In addition, this definition shall include lots created prior to April 2, 1989 for which a plat and/or deed is recorded in the Office of the Register of Deeds and the lot was created prior to August 2, 1965; a lot that existed prior to September 2, 2025 upon which an existing principal structure is located provided a valid building permit was obtained for the construction; or, a lot that existed prior to September 2, 2025 upon which a principal structure was located provided a valid demolition permit was issued prior to removal of the principal structure or, a lot which at the time of creation met all subdivision and zoning requirements provided a plat is approved by the administrator and recorded with the Register of Deeds containing a certification as to having met the then existing regulations in effect. A lot of record is required prior to the issuance of a zoning permit for a principal use or the establishment of a principal use.

Item 2: That Chapter 8, Section 8.4 is amended by deleting the following strikethrough language and adding the underlined language:

1.0. NONCONFORMING LOTS OF RECORD

No use or structure shall be located on a nonconforming lot of record established after ~~April 2, 1989~~ ~~August 2, 1965~~, except in accordance with the standards in this section.

8.4.1 Nonconforming Lot Area, Width, or Lot Coverage

- A. A legally established lot established after ~~April 2, 1989~~ ~~August 2, 1965~~ that does not conform to the minimum lot area, minimum lot width, or maximum lot coverage requirements for the zoning district where located shall be treated as a conforming lot in cases where the lot can comply with all other applicable dimensional or lot configuration standards applicable in the zoning district where located (see Chapter 3: Zoning Districts).
- B. Uses subject to a minimum site size requirement are prohibited on a nonconforming lot smaller than the required minimum site size.

Item 3: Statement of Consistency:

The request is in conformance with the goals, objectives, and policies of the *Imagine Currituck 2040 Vision Plan* and the Unified Development Ordinance including Land Use Goal 1.

Item 4: The provisions of this Ordinance are severable and if any of its provisions or any sentence, clause, or paragraph or the application thereof to any person or circumstance shall be held unconstitutional or violative of the Laws of the State of North Carolina by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions which can be given effect without the invalid provision or application.

Item 5: This ordinance amendment shall be in effect from and after the 2nd day of September 2025.



Board of Commissioners' Chairman
Attest:



Leeann Walton
Clerk to the Board

(SEAL)

DATE ADOPTED: 9.2.2025
MOTION TO ADOPT BY COMMISSIONER: Selina Jarvis
SECONDED BY COMMISSIONER: Mike Payment
VOTE: 6-0 AYES 6 NAYS 0

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PLANNING BOARD DATE: 8/12/2025
PLANNING BOARD RECOMMENDATION: Approved
VOTE: 4 AYES 0 NAYS
ADVERTISEMENT DATE OF PUBLIC HEARING: 8/20/2025 & 8/27/2025
BOARD OF COMMISSIONERS PUBLIC HEARING: 9/2/2025
BOARD OF COMMISSIONERS ACTION: 9/2/2025
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: 9/3/2025
AMENDMENT NUMBER: 119