



PB 26-07 CURRITUCK COUNTY TEXT AMENDMENT BOARD OF COMMISSIONERS

REFLECTING BOARD ACTION OF JULY 6,
2026, AS AMENDED AND APPROVED ON
JULY 20, 2026

Request to amend the Unified Development Ordinance, Chapter 2: Administration, Chapter 5: Development Standards, and Chapter 6: Subdivision and Infrastructure Standards.

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 2, Section 2.4.6 Special Use Permit is amended by deleting the following strikethrough language and adding the underlined language:

2.4.6 Special Use Permit

D. Special Use Permit Review Standards

A special use permit shall be approved on a finding the applicant demonstrates the proposed use is in compliance with the provisions of this Ordinance and will:

- (1) Not endanger the public health or safety;
- (2) Not injure the value of adjoining or abutting lands ~~and will be in harmony with the area in which it is located;~~
- (3) Be in conformity with the Land Use Plan or other officially adopted plan and will be in harmony with the area in which it is located.
- (4) Not exceed the county's ability to provide adequate public school facilities.

Item 2: That Chapter 2, Section 2.4.8 Subdivision is amended by deleting the following strikethrough language and adding the underlined language:

2.4.8 Subdivision

E. Major Subdivision

(1) Overview

(b) Preliminary Plat

- (i) The preliminary plat is a detailed plan that shows the general organization, layout, and phasing (if appropriate) of the subdivision. It does not have to include all design

details. It is expected to be modified as more detailed planning and engineering are completed on the site.

- (ii) There are two types of preliminary plats, a type I and a type II. A type I preliminary plat is required for a subdivision creating 20 or fewer lots, and is reviewed and decided upon by the TRC. Approval of a type II preliminary plat (see Section 2.4.8.E.3) by the Board of Commissioners is required for subdivisions of 21 or more lots.
- (iii) Type I preliminary plats do not require concurrent approval of a special use permit unless one or more of the applicable public facilities is within 85 percent or more of capacity. Type II preliminary plats require concurrent approval of a special use permit.
- (iv) ~~If phasing is proposed, it should generally be included in the preliminary plat, even though review may be waived until the final plat stage. Proposed land uses and land use mixes shall be identified in the phasing. Type II subdivisions shall be developed in phases as approved by the Board of Commissioners.~~
- (v) For Type II subdivisions containing 50 lots or fewer, each phase shall contain no more than 20 lots or 50 percent of the total number of proposed lots, whichever is greater.
- (vi) For Type II subdivisions containing more than 50 lots, each phase shall contain no more than 35 percent of the total number of proposed lots or 25 lots, whichever is greater; provided, however, that no phase shall contain more than 50 lots unless otherwise approved by the Board of Commissioners pursuant to this section.
- (vii) No more than one phase may be recorded within any twelve-month period, measured from the recordation date of the previous final plat.
- (viii) If the approved preliminary plat contains 3 or more phases, the third phase and each subsequent phase shall not be recorded until building permits have been issued for at least 65 percent of the lots within the immediately preceding recorded phase.
- (ix) For Type II subdivisions containing more than 200 lots, the Board of Commissioners may approve an increase to the maximum phase size during the Special Use Permit approval process upon finding that the revised phasing plan provides for the orderly development of the subdivision and adequately addresses infrastructure and public facility impacts.
- (x) When application of the phasing standards would result in a final phase containing fewer than 15 lots, the Board

of Commissioners may approve a revised phasing plan to eliminate the final remainder phase, provided the intent of the phasing requirements is maintained.

- (xi) The preliminary plat shall identify the proposed phase boundaries and sequence of development. Final plats shall be submitted in accordance with the approved phasing plan and the requirements of this section.

(c) **Construction Drawings**

Construction drawings are the detailed, engineered drawings showing individual lots and all the information necessary to install required public improvements. The construction drawings are combined with the preliminary plat to prepare the final plat.

(d) **Final Plat**

- (i) The final plat shall be in substantial conformance with the preliminary plat and construction drawings, and include only minor modifications created by final engineering, surveying, or other minor design enhancements. Major changes (e.g., increase in the number of lots, reduction in the amount of open space, significant change in the location of streets, etc.) at final plat stage may, at the discretion of the Director, require re-review of the preliminary plat.
- (ii) All construction of on-site improvements on the land subject to the final plat shall be in accordance with the final plat and engineering. Final engineering may be modified in the field, provided as-built drawings are submitted. As-built drawings must be reviewed by the Technical Review Committee. If unacceptable, the work must be corrected at the developer's expense, prior to accepting improvements and return of any surety.
- (iii) Lots not meeting the standards of this Ordinance shall be considered in violation of this Ordinance and all development stopped until revised plats meeting the standards of this Ordinance are submitted and approved in accordance with this section. All final plats must be in accordance with applicable state law.
- (iv) Final plats shall be recorded in accordance with the phasing requirements of Section 2.4.8.E.(1)(b).

Item 3: That Chapter 5, Section 5.2.6. Perimeter Landscape Buffers is amended by deleting the following strikethrough language and adding the underlined language:

5.2.6 Perimeter Landscape Buffers

A. Purpose and Intent

Perimeter landscape buffers are intended to mitigate potential negative effects of contiguous uses in different zoning districts and to provide appropriate transitions between new major subdivisions and adjacent residential properties.

B. Applicability

All development shall provide a perimeter landscape buffer to separate it from adjacent lands with a different zoning district designation, in accordance with Table 5.2.6.A, Buffer Types, and Table 5.2.6.B, Buffer Type Application. Major subdivisions shall provide a buffer adjacent to existing residential development and residential subdivisions.

C. Types of Buffers

When development subject to the requirements of this section is in a zoning district adjacent to a different zoning district, the buffer requirement of this section shall apply. Where a particular buffer type is required in Table 5.2.6.B., Buffer Type Applications, the requirement may be met using either Option 1 or Option 2, as appropriate. Option 3 is available for use in the VC district. Where an option utilizing a fence is selected, the fence shall comply with the standards of Section 5.3., Fences and Walls, as appropriate. Major subdivisions shall provide a Type B buffer adjacent to existing residential development and residential subdivisions.

Item 4: That Chapter 6, Section 6.1.3.A is amended by deleting the following strikethrough language and adding the underlined language:

6.1.3 Subdivision Standards

Subdivisions of land subject to the procedures in Section 2.4.8, Subdivision, and the following standards and other requirements:

A. Timing

In addition to the phasing standards of Section 2.4.8.E.(1)(b), ~~The the Board of Commissioners, may in its sole discretion, set lot phasing requirements allocate the total number of lots that may be included on a final plat,~~ based upon adequate public school facilities in accordance with Section 6.6, Adequate Public School Facility Standards.

Item 5: Statement of Consistency:

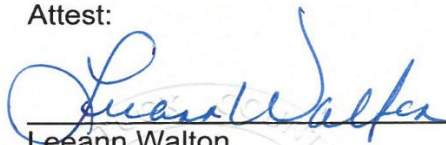
This request is in conformance with the General Purpose and Intent of the Unified Development Ordinance and is consistent with the goals, objectives, and policies of the Imagine Currituck 2040 Vision Plan, including Land Use Goal 1.4, 1.5, and Land Use Policy 2, and Infrastructure and Community Services Goals 1 and 2.

Item 6: 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 7: This ordinance amendment shall be in effect from and after the 20th day of July 2026.

This document reflects the action of the Board of Commissioners as approved on July 6, 2026, and amended and approved on July 20, 2026.


Board of Commissioners' Chairman
Attest:


Leeann Walton
Clerk to the Board

(SEAL)

DATE ADOPTED: July 20, 2026
MOTION TO ADOPT BY COMMISSIONER: Selina Jarvis
SECONDED BY COMMISSIONER: Janet Rose
VOTE: 6-0 AYES 6 NAYS 0

PLANNING BOARD DATE: 6/9/2026

PLANNING BOARD RECOMMENDATION: Approved

VOTE: 7 AYES 0 NAYS

ADVERTISEMENT DATE OF PUBLIC HEARING: 5/27/2026 & 6/3/2026

BOARD OF COMMISSIONERS PUBLIC HEARING: Action on 7/6/2026, as amended and approved on 7/20/2026

BOARD OF COMMISSIONERS ACTION: Approved with BOC edits

POSTED IN UNIFIED DEVELOPMENT ORDINANCE: 7/21/2026

AMENDMENT NUMBER: 125