



PB 25-01 CURRITUCK COUNTY TEXT AMENDMENT BOARD OF COMMISSIONERS DECEMBER 1, 2025

Currituck County Planning and Inspections Department requests an amendment to the Unified Development Ordinance, Chapter 1. General Provisions, Chapter 4. Use Standards, Chapter 5. Development Standards, Chapter 6. Subdivisions and Infrastructure, 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 1, Section 1.4.2 is amended by deleting the following strikethrough language:

1.4 APPLICABILITY AND JURISDICTION

1.1.1. General Applicability

This Ordinance applies to the development of all lands within the County of Currituck, unless land or development is expressly exempted by a specific section or subsection of this Ordinance.

1.1.2. Exemptions

The following are exempted from this Ordinance:

- A. Bona fide farm lands being used for farming purposes, except that the standards in Section 7.4, Flood Damage Prevention shall apply to bona fide farm lands. A bona fide farm consists of:
 - (1) ~~The permanent residence of the farm owner, the parent, the grandparent, or the child of the farm owner or owner occupant, provided the owner or owner occupant receives at least 75 percent of their income from the farm.~~
 - (2) ~~Lands used for the production of agricultural products or activities related to agricultural products, as defined in Section 106-581.1 of the North Carolina General Statutes.~~
 - (3) ~~Land used for the production of a nonfarm product that the Department of Agriculture and Consumer Services recognizes as a "Goodness Grows in North Carolina" product that is produced on a farm subject to Section 106-743.2 of the North Carolina General Statutes.~~
 - (4) ~~Lands used for forestry purposes, subject to a forestry management plan.~~

Item 2: That Chapter 4, Section 4.2.2. is amended by adding the underlined language:

4.2.2. Residential Uses

(4) Dwelling, Manufactured Home

(a) General

- (i) Manufactured homes may not be used as storage or accessory structures.
- (ii) Two or more manufactured homes shall not be joined or connected together as one dwelling, nor may any accessory building be attached to a dwelling.
- (iii) In no instance shall a Class “C” manufactured home be located within the county.
- (iv) Replacement of a nonconforming Class “B” or “C” manufactured home on an individual lot with another manufactured home shall be limited to Class “A” manufactured homes.
- (v) Replacement of a nonconforming manufactured home within a manufactured home park or manufactured home subdivision with another manufactured home shall be limited to Class “A” or Class “B” manufactured homes.

(b) Class “A” Manufactured Homes

In addition to the general standards in (a) above, all Class “A” manufactured homes shall comply with the following standards:

- (i) The home’s length may not exceed three times its width;
- (ii) The pitch of the home's roof shall maintain a minimum vertical rise of one foot for each five feet of horizontal run, and be finished with a type of shingle commonly used in standard residential construction;
- (iii) The exterior siding shall consist of wood, hardboard, or vinyl;
- (iv) A continuous, permanent masonry curtain wall, unpierced except for required ventilation and access, shall be installed under the home prior to occupancy (unless the manufactured home located on land leased to the homeowner); and
- (v) The tongue, axles, transporting lights, and removable towing apparatus shall be removed prior to occupancy.

(c) **Class “B” Manufactured Homes**

In addition to the general standards in (a) above, Class “B” manufactured homes shall be located in approved manufactured home parks or manufactured home subdivisions and comply with the following standards:

- (i) The roofing material shall be compatible with residential construction within the area where it will be located;
- (ii) The exterior materials shall be of a color, material, reflectivity, and scale comparable with those of nearby residential construction; and
- (iii) The siding, trim and features shall be compatible with residential construction within the area where it is located.

Item 3: That Chapter 4, Section 4.3.3.X is amended by deleting the following strikethrough language and adding the underlined language:

X. Shared Storage Parking of Major Recreational Equipment in Major Subdivisions

- (1) Subdivisions subject to the procedures of Section 2.4.8. Subdivision, shall meet the requirements of Section 6.1.3.E., Recreational Equipment Storage, and shall not be subject to the standards of this section.
- (2) Shared storage parking of major recreational equipment shall comply with the following standards:
 - (a) The accessory use shall be located in an existing residential major subdivision approved and recorded prior to January 1, 2013.
 - (b) The property used for shared storage parking of major recreational equipment shall:
 - (i) Be owned by the homeowner’s association or property owner’s association and shall be located within the subdivision for which the association has control; and,
 - (ii) Not be located in required open space.
 - (c) The shared storage parking area shall be screened with a Type D buffer along the property lines in accordance with Section 5.2.7., Screening.
 - (d) Equipment ~~parked or~~ stored shall not be connected to electricity, water, gas, or sewer facilities.
 - (e) At no time shall the equipment be used for housekeeping purposes.
 - (f) All equipment stored in the facility shall be owned by property owners, tenants, or occupants in the subdivision for which the storage parking area is provided.
 - (g) All equipment shall be kept in good repair and carry the current year’s license and/or registration.
 - (h) ~~Vehicular use area~~ Shared storage of major recreational equipment areas shall comply with Section 5.1.4., Configuration of Vehicular Use Area.

- (i) Storage Parking spaces shall be a minimum of 12' x 40' with adequate drive aisles. No ~~parking~~ or storage shall occur in the drive aisles.

Item 4: That Chapter 5, Section 5.1 is amended by deleting the following strikethrough language, adding the underlined language, and modifying Figure 5.1.5, Parking Stall Measurement to reflect the changes:

5.1 OFF-STREET PARKING STANDARDS AND LOADING

5.1.3. Off-Street Parking Standards

D. Stacking Spaces

(1) Required Number of Stacking Spaces

In addition to meeting the off-street parking standards in Table 5.1.3.C, Minimum Off-Street Parking Standards, uses with drive-through facilities and other auto-oriented uses where vehicles queue up to access a service shall provide the minimum number of stacking/standing spaces established in Table 5.1.3.D, Required Stacking Spaces, and Figure 5.1.3.D, Stacking Spaces.

(2) Design and Layout

Required stacking spaces shall:

- (a) Be a minimum of 9 ~~10~~ feet wide and 20 feet long; and,
- (b) Not impede on-site and off-site vehicular, bicycle, or pedestrian movements or movements into or out of required off-street parking spaces.

5.1.5. Dimensional Requirements

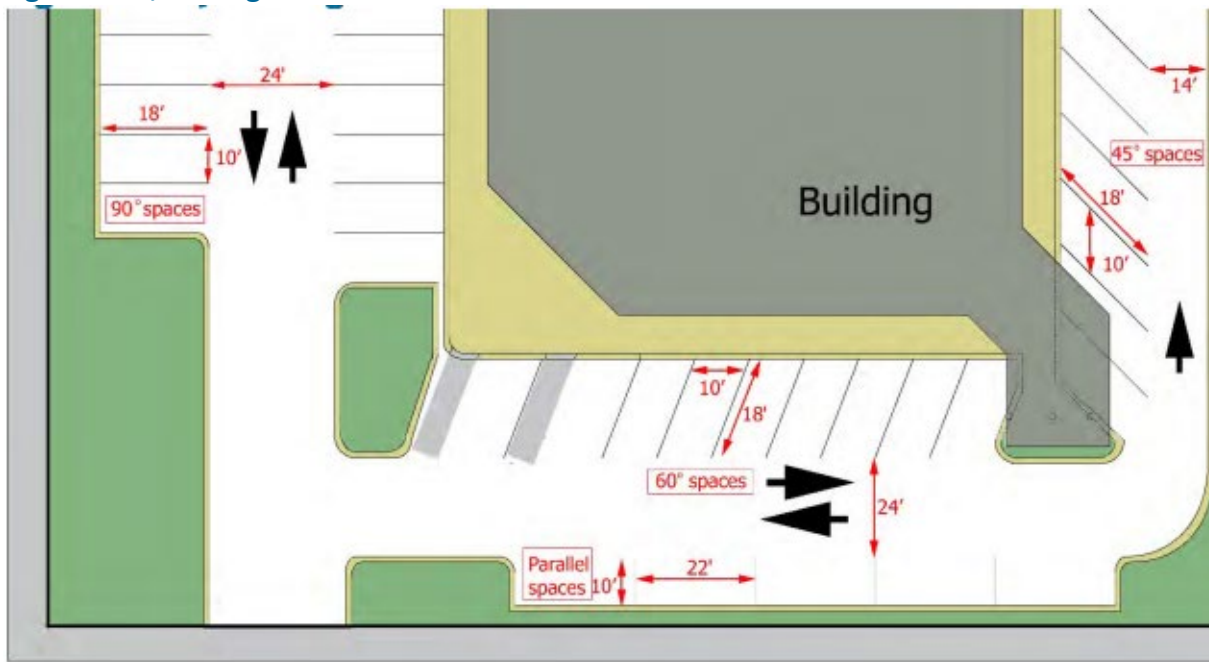
A. General

Standard car parking spaces and parking lot aisles shall comply with the minimum dimensional standards established in Table 5.1.5, Dimensional Standards for Parking Spaces and Aisles, and Figure 5.1.5, Parking Stall Measurement.

TABLE 5.1.5: DIMENSIONAL STANDARDS FOR PARKING SPACES AND AISLES				
PARKING SPACE TYPE	MINIMUM WIDTH (FEET)	MINIMUM DEPTH (FEET)	MINIMUM AISLE WIDTH (FEET) [1]	
			ONE-WAY	TWO-WAY
Parallel (0°)	<u>9</u> 10	22	12	20
Angled (45°)		18	14	20
Angled (60°)			16	24
Perpendicular (90°)			24	24

[1] Parking lot aisles not adjoining parking spaces shall have a minimum width of 10 feet for one-way traffic and 20 feet for two-way traffic

Figure 5.1.5, Parking Stall Measurement



Item 5: Chapter 5, Section 5.6.6. is amended by deleting the following strikethrough language and adding the underlined language:

1.1.1.1. Development Entry Points

- A. Minimum development entry points shall comply with the North Carolina State Fire Prevention Code. ~~Unless exempted in accordance with subsection (D) below, all subdivisions shall provide access from the development to the street system outside the development in accordance with Table 5.6.6, Required Subdivision Access:~~

TABLE 5.6.6: REQUIRED SUBDIVISION ACCESS	
DEVELOPMENT TYPE	MINIMUM NUMBER OF ACCESS POINTS
RESIDENTIAL USES	
50 or fewer units	1
51 to 100 units	2
101 or more units	3
ALL OTHER USES	
Less than 5 acres	1
5 to 20 acres	2
More than 20 acres	2+ 1 every additional 20 acres

- B. ~~Nothing in this section shall limit the total number of streets providing access to the street system outside a development, or exempt a development from meeting all applicable external street connectivity standards.~~
- C. ~~Street stubs shall be credited as an access point when all ingress or egress to a development is only available from a single major arterial street.~~
- D. ~~Development shall be exempted from these standards if it is demonstrated the following conditions apply:~~
 - ~~(1) No other street access points can be located due to existing lot configurations, absence of connecting streets, environmental, or topographic constraints;~~
 - ~~(2) NCDOT will not authorize the required number of entrances; or~~
 - ~~(3) Alternative access can be provided in a manner acceptable to the county that is supported by a transportation impact analysis.~~

Item 6: That Chapter 6, Section 6.3. is amended by deleting the following strikethrough language and adding the underlined language:

6.3 PERFORMANCE GUARANTEES

6.3.1 Performance Guarantees

C. Form of Performance Guarantee

- (1) Where required, the owner or developer shall furnish a performance guarantee in any of the following acceptable forms:
 - (a) Cash deposit with the county;
 - (b) Cashier's check from a North Carolina lender ~~in a form acceptable to the County Attorney;~~ or
 - (c) ~~Irrevocable letter~~ Letter of credit, ~~valid for at least three years,~~ from a North Carolina banking institution ~~in a form acceptable to the County Attorney.~~
 - (d) Surety bond issued by any company authorized to do business in North Carolina ~~in a form acceptable to the County Attorney.~~

The performance guarantee shall be conditioned on the performance of all work necessary to complete the installation of the required improvements within the term of the performance guarantee. Performance guarantees shall provide that in case of the owner's or developer's failure to complete the guaranteed improvements, the county shall be able to immediately obtain the funds necessary to complete installation of the improvements.

Item 7: That Chapter 8, Section 8.2 is amended by adding the underlined language:

8.2 NONCONFORMING USES

8.2.4. Replacement of a Nonconforming Manufactured Home

Class B or C manufactured homes that are nonconforming uses may be replaced by a Class A manufactured home or another Class B manufactured home, provided:

- A.** Replacement of a nonconforming Class “B” or “C” manufactured home on an individual lot with another manufactured home shall be limited to Class “A” manufactured homes.
- B.** Replacement of a nonconforming manufactured home within a manufactured home park or manufactured home subdivision with another manufactured home shall be limited to Class “A” or Class “B” manufactured homes.
- C.** The replacement manufactured home is as large or larger than the manufactured home being replaced;
- D.** The replacement manufactured home is located on the lot within 180 days of removal of the original manufactured home;
- E.** All required permits related to sewage treatment are issued by the Albemarle Regional Health Services Department;
- F.** A masonry curtain wall is placed around a Class A manufactured home (unless the manufactured home is located on land leased to the homeowner);
- G.** An all-weather base underpinning material is placed around a Class B manufactured home; and
- H.** The manufactured home complies with the setback requirements in this Ordinance, to the maximum extent practicable

Item 8: That Chapter 10, Section 10.3 is amended by deleting the following strikethrough language, adding the underlined language and numbering accordingly:

10.3 RULES OF MEASUREMENT

10.3.3 Lots

(4) **Lot Coverage**

Lot coverage is a measure of intensity of a use of land that represents the portion of a site that is covered by impervious surface. For the purposes of determining maximum lot coverage, the following features shall be considered as impervious surface:

- (a) The area covered by building rooftops, including eaves, awnings, and canopies, of all principal and accessory buildings;
- (b) The area covered by porches, patios, decks, balconies, and boardwalks that prevent infiltration of rainwater; and
- (c) Walkways, sidewalks, and vehicular use areas that prevent infiltration of rainwater.

The following features shall not be considered as impervious surface:

- (a) A slatted deck.
- (b) The water area of a swimming pool.
- (c) A surface of number 57 stone, as designated by the American Society for Testing and Materials, laid at least four inches thick over a geotextile fabric.
- (d) A trail as defined in G.S. 113A-85 that is either unpaved or paved as long as the pavement is porous with a hydraulic conductivity greater than 0.001 centimeters per second (1.41 inches per hour).
- (e) Landscaping material, including, but not limited to, gravel, mulch, sand, and vegetation, placed on areas that receive pedestrian or bicycle traffic or on portions of driveways and parking areas that will not be compacted by the weight of a vehicle, such as the area between sections of pavement that support the weight of a vehicle.
- (f) Artificial turf, manufactured to allow water to drain through the backing of the turf, and installed according to the manufacturer's specifications over a pervious surface.

Item 9: That Chapter 10, Section 10.5 is amended by deleting the following strikethrough language and adding the underlined language.

BONA FIDE FARM

Any tract or tracts of land used for farm purposes, ~~including the production and activities relating or incidental to the production of crops, fruits, vegetables, ornamental and flowering plants, dairy, livestock, poultry, and all other forms of agriculture as defined in Section 106-581.1 of the North Carolina General Statutes, including:~~ ~~In addition, the production of a nonfarm product that the Department of Agriculture and Consumer Services recognizes as a "Goodness Grows in North Carolina" product that is produced on a farm subject to a conservation agreement under Section 106-743.2 of the North Carolina General Statutes is a bona fide farm purpose. Any of the following shall constitute sufficient evidence that the property is being used for bona fide farm purposes:~~

- a. The cultivation of soil for production and harvesting of crops, including but not limited to fruits, vegetables, sod, flowers and ornamental plants.
- b. The planting and production of trees and timber, including pine orchards planted and maintained for the purpose of harvesting pine needles for sale, or the harvesting of pine needles for sale from land with a forest management plan.
- c. Dairying and the raising, management, care, and training of livestock, including horses, bees, poultry, and other animals for individual and public use, consumption, and marketing. The raising, management, care, and training of horses includes the boarding of horses.
- d. Aquaculture as defined in G.S. 106-758.
- e. The operation, management, conservation, improvement, and maintenance of a farm and the structures and buildings on the farm, including building and structure repair, replacement, expansion, and construction incident to the farming operation.
- f. When performed on the farm, "agriculture", "agricultural", and "farming" also include the marketing and selling of agricultural products, agritourism, biofuel production for commercial sale, the storage and use of materials for agricultural purposes, packing, treating, processing, sorting, storage, and other activities performed to add value to crops, livestock, and agricultural items produced on a farm, and similar activities incident to the operation of a farm.
- g. A public or private grain warehouse or warehouse operation where grain is held 10 days or longer and includes, but is not limited to, all buildings, elevators, equipment, and warehouses consisting of one or more warehouse sections and considered a single delivery point with the capability to receive, load out, weigh, dry, and store grain.

For purposes of determining whether a property is being used for bona fide farm purposes, any of the following is sufficient evidence, but other evidence may also be considered:

- a. A farm sales tax exemption certificate issued by the Department of Revenue.
- b. A copy of the property tax listing showing that the property is eligible for participation in the present use value program pursuant to Section 105-277.3 of the North Carolina General Statutes.
- c. A copy of the farm owner's or operator's Schedule F from the owner's or operator's most recent federal income tax return.
- d. A forest management plan.
- e. ~~A Farm Identification Number issued by the United States Department of Agriculture Farm Service Agency.~~

DWELLING, MANUFACTURED HOME - CLASS A

A manufactured home ~~constructed after July 1, 1976~~ that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction and that satisfies each of the following additional criteria:

- a. the home has a length not exceeding three times its width;
- b. the pitch of the home's roof has a minimum vertical rise of one foot for each five feet of horizontal run, and the roof is finished with a type of shingle that is commonly used in standard residential construction;
- c. the exterior siding consists of wood, hardboard, or aluminum (vinyl covered or painted, but in no case exceeding the reflectivity of gloss white paint) comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction;
- d. a continuous, permanent masonry curtain wall, unpierced except for required ventilation and access, is installed under the home after placement on the lot and before occupancy (unless the manufactured home is on land leased to the homeowner); and
- e. the tongue, axles, transporting lights, and removable towing apparatus are removed after placement on the lot and before occupancy.

DWELLING, MANUFACTURED HOME - CLASS B

A manufactured home ~~constructed after July 1, 1976~~, that meets or exceeds the construction standards promulgated by the U.S. Department of Housing and Urban Development that were in effect at the time of construction but that does not satisfy the criteria necessary to qualify the house as a class A manufactured home.

DWELLING, MANUFACTURED HOME - CLASS C

Any manufactured home that does not meet the definitional criteria of a class A or class B manufactured home. Class C manufactured homes ~~are manufactured homes constructed prior to July 1, 1976, and are not permitted in Currituck County.~~

IMPERVIOUS SURFACE

A surface composed of any material that significantly impedes or prevents natural infiltration of water into the soil. ~~Impervious surfaces include, but are not limited to: non-vegetated roofs, structures, swimming pools, streets, parking areas, sidewalks, driveways, and any concrete, asphalt, or compacted gravel surface.~~

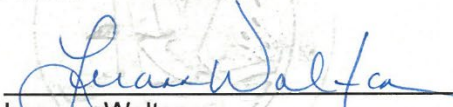
Item 10: Statement of Consistency:

The request is consistent with the Imagine Currituck 2040 Vision Plan and the Unified Development Ordinance (UDO), and it brings the ordinance into compliance with the North Carolina General Statutes.

Item 11: 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 12: This ordinance amendment shall be in effect from and after the 1st day of December 2025.


Board of Commissioners' Chairman
Attest:


Leeann Walton
Clerk to the Board

DATE ADOPTED: 12.1.2025
MOTION TO ADOPT BY COMMISSIONER: J. Jarvis
SECONDED BY COMMISSIONER: M. Payment
VOTE: 7-0 AYES 7 NAYS 0

PLANNING BOARD DATE: 11/12/2025
PLANNING BOARD RECOMMENDATION: Approved
VOTE: 4 AYES 0 NAYS
ADVERTISEMENT DATE OF PUBLIC HEARING: 11/19/2025 & 11/26/2025
BOARD OF COMMISSIONERS PUBLIC HEARING: 12/1/2025
BOARD OF COMMISSIONERS ACTION: Approved
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: 12/2/2025
AMENDMENT NUMBER: 120