



# PB 24-06 CURRITUCK COUNTY TEXT AMENDMENT BOARD OF COMMISSIONERS APRIL 1, 2024

Currituck County requests an amendment to the Unified Development Ordinance, Chapter 3: Zoning Districts, to reestablish dimensional standards for existing lots and minor subdivision lots in the AG and SFM Zoning Districts.

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 3, Section 3.3.3 is amended by adding the following underlined language:

### **3.3.3. Agriculture (AG) District**

<b>F. DIMENSIONAL STANDARDS</b>					
MS= Minor Subdivision and Existing Lot Development [8]			CS = Conservation Subdivision Development		
	MS	CS		MS	CS
Max. Gross Density (du/ac)			Max. Lot Coverage (%)	<u>30</u>	30
With 50% Open Space (du/ac)			Min. Front Setback (ft) [4]	<u>50/20</u>	50/20    3
County Water Supply		0.33	Min. Corner Side Setback (ft)	<u>50/20</u>	50/20    4
No County Water Supply [7]		0.15	Min. Major Arterial Street Setback (ft)	<u>50</u>	50    5
With 60% Open Space (du/ac)		0.4	Min. Side Setback (ft)	<u>15</u>	15    6
Max. Nonresidential FAR (%)	<u>0.4</u>	N/A	Min. Rear Setback (ft)	<u>25</u>	25    7
Min. Lot Area <del>{4}</del>	<u>[1]</u>		Min. Agriculture Setback (ft) [5]	<u>N/A</u>	50    8
County Water Supply (square feet)		30,000	Min. Accessory Use Setback (ft)	<u>10</u>	10    9
No County Water Supply (acres) [7]		2	Min. Driveway/Parking Setback (ft)	<u>10</u>	10    0
Max. Lot Area (acres)	<u>N/A</u>	N/A	Min. Fill Setback from all Lot Lines (ft)	<u>10</u>	10
Min. Lot Width, Interior Lot (ft) [2]	<u>125</u>	N/A	Min. Wetland/Riparian Buffer (ft) [5]	<u>30</u>	30
Min. Lot Width, Corner Lot (ft)	<u>135</u>	N/A	Max. Building Height (ft) [6]	<u>35</u>	35    -
Max. Lot Depth	<u>[3]</u>	N/A	Min. Spacing Between Principal Buildings (ft)	<u>10</u>	10    =

[1] Minor subdivision lots shall be at least 40,000 square feet in area on public water supply and, 3 acres in area when the proposed minor subdivision exceeds the county water supply connection distance formula. Family subdivision lots shall be at least 40,000 square feet in area.

[2] All lots shall maintain a minimum street frontage of 35 feet

[3] Lot depth shall not exceed four times the lot width

[4] Front setbacks shall be measured from ultimate ROW lines. Lots approved after September 5, 2023 shall be subject to a 50' front and side corner setback. Lots approved prior to September 6, 2023 shall be subject to a 20' front and corner side setback

[5] Applied to major subdivisions platted after January 1, 2013 and site plans on lots 10 acres in area and greater

[6] Not applied to farm structures meeting minimum setbacks plus an additional setback of one foot for each foot in height over 35 feet

[7] Applied to subdivisions that exceed the county water supply connection distance formula in Chapter 6

[8] Applied to minor subdivisions and existing lot development

**Item 2:** That Chapter 3, Section 3.4.2. is amended by adding the following underlined language:

**3.4.2. Single-Family Residential Mainland (SFM) District**

<b>F. DIMENSIONAL STANDARDS</b>					
<u>MS= Minor Subdivision and Existing Lot Development [6]</u>			<u>CS = Conservation Subdivision Development</u>		
	<u>MS</u>	<u>CS</u>		<u>MS</u>	<u>CS</u>
			Min. Front Setback (ft) [4]	<u>50/20</u>	50/20
Max. Gross Density – Conservation Sub.			Min. Corner Side Setback (ft) [4]	<u>50/20</u>	50/20 <b>3</b>
In Rural/Conservation Areas (du/ac)		0.33	Min. Major Arterial Street Setback (ft)	<u>50</u>	50 <b>4</b>
In Limited Service Areas (du/ac)		0.75	Min. Side Setback (ft)	<u>10</u>	10 <b>5</b>
In Full Service Areas (du/ac)		1.0	Min. Rear Setback (ft)	<u>25</u>	25 <b>6</b>
Max. Nonresidential FAR (%)	<u>0.4</u>	N/A	Min. Agriculture Setback (ft) [5]	<u>50</u>	50 <b>7</b>
Min. Lot Area (sf ft)	<u>40,000</u>	25,000	Min. Accessory Use Setback (ft)	<u>10</u>	10 <b>8</b>
Max. Lot Area (acres)	<u>N/A</u>	N/A	Min. Driveway/Parking Setback (ft)	<u>10</u>	10 <b>9</b>
Min. Lot Width, Interior Lot (ft) [1]	<u>125</u>	N/A	<b>1</b>	Min. Fill Setback from all Lot Lines (ft)	<u>10</u>
Min. Lot Width, Corner Lot (ft)	<u>135</u>	N/A	<b>2</b>	Max. Building Height (ft)	<u>35</u>
Max. Lot Depth	<u>[2]</u>	N/A		Min. Wetland/Riparian Buffer (ft) [5]	<u>30</u>
Max. Lot Coverage (%)	<u>30 [3]</u>	30		Min. Spacing Between Principal Buildings (ft)	<u>10</u>
<p>[1] All lots shall maintain a minimum street frontage of 35 feet                  [2] Lot depth shall not exceed four times the lot width                  [3] 35% for platted lots of 19,000 sf in area or less                  [4] Front setbacks shall be measured from ultimate ROW line. Lots approved after September 5, 2023 shall be subject to a 50' front and side corner setback. Lots approved prior to September 6, 2023 shall be subject to a 20' front and corner side setback.</p>			<p>[5] Applied to major subdivisions platted after January 1, 2013 and site plans on lots 10 acres in area and greater                  [6] Applied to minor subdivisions and existing lot development</p>		

**Item 3:** Statement of Consistency:

The requested text amendment 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 *Imagined Currituck 2040 Vision Plan*, including Land Use Goal I.

**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 1<sup>st</sup> day of April 2024.

  
Board of Commissioners' Chairman  
Attest:

  
Leann Walton  
Clerk to the Board



DATE ADOPTED: 4.1.2024  
MOTION TO ADOPT BY COMMISSIONER: S. Jarvis  
SECONDED BY COMMISSIONER: Bob White  
VOTE: 7 AYES 0 NAYS

PLANNING BOARD DATE: 3/12/2024  
PLANNING BOARD RECOMMENDATION: Approved  
VOTE: 6 AYES 0 NAYS  
ADVERTISEMENT DATE OF PUBLIC HEARING: 3/20/2024 and 3/27/2024  
BOARD OF COMMISSIONERS PUBLIC HEARING: 4/1/2024  
BOARD OF COMMISSIONERS ACTION: Approved  
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: 4/2/2024  
AMENDMENT NUMBER: 99