



Currituck County PLANNING BOARD AGENDA

Tuesday, April 8, 2025, 6:00 PM
Historic Currituck Courthouse Board Room
153 Courthouse Road
Currituck, North Carolina 27929

Pages

Call to Order - 6:00 PM

1. Pledge of Allegiance and Moment of Silence
2. Ask for Disqualifications
3. Announce Quorum Being Met
4. Election of Chairman
5. Election of Vice Chairman
6. Approval of Agenda
7. Approval of Minutes for December 10, 2024

2

Old Business

New Business

1. **PB 25-03 Currituck County Text Amendment**
Currituck County requests an amendment to the Unified Development Ordinance, Chapter 2. Administration, to clarify community meeting requirements for major subdivisions.

6

Announcements

Adjournment



**CURRITUCK COUNTY
NORTH CAROLINA**

Minutes- Regular Meeting of the Planning Board

December 10, 2024, 6:00 p.m.

Present:	K. Bryan Bass Garry Owens Michael Corbell Brian P. Innes Juanita Krause	Chairman Vice Chairman Board Member Board Member Board Member
Absent:	Thomas Hurley	Board Member
Staff Present:	Cheri Grego Jennie Turner Bill Newns	Clerk to the Board Assistant Planning Director Planning & Inspections Director

1. Call to Order - 6:00 PM

The Currituck County Planning Board held a Regular Meeting at 6:00 PM in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina. Chairman Bass Called the meeting to order.

1. Pledge of Allegiance and Moment of Silence

Chairman Bass led the Pledge of Allegiance and asked for a moment of silence.

2. Ask for Disqualifications

There were no conflicts of interest or disqualifications noted.

3. Announce Quorum Being Met

Chairman Bass announced a quorum present with five board members in attendance.

4. Approval of Agenda

Ms. Krause moved for approval of the agenda as presented. Vice Chairman Owens seconded the motion. The motion passed, 5-0, and the agenda was approved.

5. Approval of Minutes for November 12, 2024

Ms. Krause motioned to approve the minutes for November 12, 2024, as presented. Vice Chairman Owens seconded the motion. The motion passed 5-0 and the minutes were approved.

2. Old Business

1. PB 24-22 Currituck County

Ms. Turner presented the staff report, reviewed the requested changes, gave staff's recommendation of approval with the suggested Consistency Statement, and directed the board to the Text Amendment Review Standards.

Ms. Krause asked specifically when the notice content for evidentiary hearing procedures would be mailed. Ms. Turner said the notice will be included in the community meeting notice letters sent by the applicants.

There were no citizens present to speak.

Vice Chairman Owens moved to **approve PB 24-22 Currituck County** because the request is in conformance with the Unified Development Ordinance and clarifies evidentiary hearing procedures. The request is not in conflict with the Imagine Currituck 2040 Vision Plan.

Mr. Innes seconded the motion and the motion was approved unanimously 5-0.

MOVER: Garry Owens

SECONDER: Brian P. Innes

AYES (5): K. Bryan Bass, Garry Owens, Michael Corbell, Brian P. Innes, and Juanita Krause

ABSENT (1): Thomas Hurley

RESULT: Approved (5 to 0)

3. New Business

1. PB 24-04 Currituck County

Ms. Turner presented the staff report and said the requested text amendment was necessary to provide a better definition for shopping center. Ms. Turner reviewed the current definition in relation to the proposed definition, all changes and noted that the other developments

not defined as a shopping center would still need to meet their specified design standards. Ms. Turner requested the board review the text amendment review standards found in the staff report and said staff recommends approval of the request subject to the suggested Consistency Statement which includes Land Use Goal 3.

Mr. Innes asked for the difference between a zoning compliance permit and the special use permit. Ms. Turner said the zoning permit is approved by staff for shopping centers less than 30,000 square feet of floor area while the special use permit would go through the quasi-judicial process for approval by the Board of Commissioners for shopping centers 30,000 square feet or more. Ms. Turner also noted the requirement for a traffic plan when shopping centers are 30,000 square feet or more.

There were no more questions from the board and there were no citizens present to speak.

Mr. Corbell moved to **approve PB 24-04 Currituck County** because the request is in conformance with the Unified Development Ordinance and Imagine Currituck 2040 Vision Plan Land Use Goal 3.

Mr. Innes seconded the motion and the motion was approved unanimously 5-0.

MOVER: Michael Corbell

SECONDER: Brian P. Innes

AYES (5): K. Bryan Bass, Garry Owens, Michael Corbell, Brian P. Innes, and Juanita Krause

ABSENT (1): Thomas Hurley

RESULT: Approved (5 to 0)

4. Announcements

Ms. Turner introduced Patrick Leary as the new Planner for the Planning and Inspections Department.

Board members and staff wished everyone a Merry Christmas.

5. Adjournment

Vice Chairman Owens motioned to adjourn the meeting. Ms. Krause seconded the motion and the meeting adjourned with a unanimous vote at of 5-0 at 6:14 PM.

MOVER: Garry Owens

SECONDER: Juanita Krause

AYES (5): K. Bryan Bass, Garry Owens, Michael Corbell, Brian P. Innes, and Juanita Krause

ABSENT (1): Thomas Hurley

RESULT: Approved (5 to 0)



Currituck County

Planning and Inspections Department
153 Courthouse Road Suite 109
Currituck NC 27929
252-232-3055

To: Planning Board
From: Planning Staff
Date: April 3, 2025
Subject: PB 25-03 Currituck County Text Amendment
Community meetings

The enclosed text amendment submitted by the Currituck County Planning and Inspections Department will revise the Unified Development Ordinance (UDO) to provide clarity for community meeting applicability and require community meetings for Type II preliminary plats of more than 20 lots as directed by the Board of Commissioners during the work session on February 26, 2025.

During the process of updating the UDO to clarify public participation procedures for evidentiary hearings, it became clear that additional clarification is needed regarding community meeting applicability. Since the adoption of the UDO, community meetings have been required for major subdivisions resulting in 50 or more lots. The UDO contains inconsistent language relating to community meeting requirements, this text amendment will clarify the requirements.

Text Amendment Review Standards

The advisability of amending the text of the UDO is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. In determining whether to adopt or deny the proposed text amendment, the Board of Commissioners may weigh the relevance of and consider whether and the extent to which the proposed text amendment:

1. Is consistent with the goals, objectives, and policies of the Land Use Plan and other applicable county-adopted plans;
2. Is not in conflict with any provision of this Ordinance or the County Code of Ordinances;
3. Is required by changed conditions;
4. Addresses a demonstrated community need;
5. Is consistent with the purpose and intent of the zoning districts in this Ordinance, or would improve compatibility among uses and ensure efficient development within the county;
6. Would result in a logical and orderly development pattern; and
7. Would not result in significantly adverse impacts on the natural environment, including but not limited to water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment.

Staff Recommendation

Staff recommends approval of this text amendment subject to the suggested Consistency Statement:

The requested text amendment is in conformance with the Unified Development Ordinance and clarifies community meeting requirements. The request is not in conflict with the *Imagine Currituck 2040 Vision Plan*.



**PB 25-03 CURRITUCK COUNTY
TEXT AMENDMENT
PLANNING BOARD
APRIL 8, 2025**

Currituck County requests an amendment to the Unified Development Ordinance, Chapter 2. Administration, to clarify community meeting requirements for major subdivisions.

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 2.3.3, is amended by deleting the following strikethrough language and adding the underlined language:

2.3.3. Community Meeting

A. Purpose

The purpose of the community meeting is to inform owners and occupants of nearby lands about a proposed development application that is going to be reviewed under this Ordinance, and to provide the applicant an opportunity to hear comments and concerns about the development proposal as a means of resolving conflicts and outstanding issues, where possible.

B. Favored Practice

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

C. Applicability

(1) Community Meeting Mandatory

A community meeting is required before submittal of any of the following applications:

- (a) Zoning map amendments to establish a more intense base zoning district;
- (b) Conditional rezonings;
- (c) Planned developments;
- (d) Special use permits (except Type I preliminary plats); and
- (e) Type II preliminary plats (for major subdivision) of 50 lots or more.

Item 2: That Chapter 2, Section 2.3.6, is amended by adding the underlined language:

TABLE 2.3.6.B: PUBLIC NOTIFICATION TIMING REQUIREMENTS

APPLICATION TYPE [1]	TYPES OF REQUIRED PUBLIC NOTICE		
	PUBLISHED NOTICE	MAILED NOTICE	POSTED NOTICE
Text Amendment [2]	Once a week for 2 successive calendar weeks, with first notice between 10 and 25 days before hearing		
Zoning Map Amendment [2]	Once a week for 2 successive calendar weeks, with first notice between 10 and 25 days before hearing	Between 10 and 25 days before hearing [3]	At least 10 days before hearing
Conditional Rezoning [2]	Once a week for 2 successive calendar weeks, with first notice between 10 and 25 days before hearing	Between 10 and 25 days before hearing	At least 10 days before hearing
Planned Development [2]	Once a week for 2 successive calendar weeks, with first notice between 10 and 25 days before hearing	Between 10 and 25 days before hearing	At least 10 days before hearing
Special Use Permit [2]	Once a week for 2 successive calendar weeks, with first notice between 10 and 25 days before hearing	Between 10 and 25 days before hearing	At least 10 days before hearing
Type II Preliminary Plat (for Major Subdivision)	Once a week for 2 successive calendar weeks, with first notice between 10 and 25 days before hearing	Between 10 and 25 days before hearing	<u>At least 10 days before hearing</u>
Variance		Between 10 and 25 days before hearing	At least 10 days before hearing
Administrative Adjustment		At least 10 days before a decision is rendered	
Appeal	Once a week for 2 successive calendar weeks, with first notice between 10 and 25 days before hearing	Between 10 and 25 days before hearing [4]	At least 10 days before hearing [4]
Development Agreement	Once a week for 2 successive calendar weeks, with first notice between 10 and 25 days before hearing	Between 10 and 25 days before hearing	At least 10 days before hearing

NOTES:

[1] Only those development application types listed here require public hearing notification. Public notification of public meetings held by the Planning Board is not required.

[2] Applications that would change the range of allowable uses within five miles of a military installation require mailed notice be delivered by certified mail to the military base commander between 10 and 25 days before the hearing.

[3] Mailed notice shall not be required when a zoning map amendment includes more than 50 lots or tracts, owned by at least 50 different landowners, provided the county publishes a notice (occupying at least one-half (½) of a newspaper page) showing the boundaries of the affected area in a newspaper of general circulation once a week for two successive calendar weeks, with the first notice published not less than ten days nor more than 25 days before the date fixed for the public hearing. Affected land owners residing outside the newspaper circulation area shall be notified via first class mail pursuant to Section 2.3.6, Public Hearing Scheduling and Public Notification.

[4] Mailed and posted notification are required only in cases where the appeal pertains to a specific parcel of land.

Item 3: That Chapter 2, Section 2.4.8, is amended by deleting the following strikethrough language:

(3) **Type II Preliminary Plat / Special Use Permit Procedure**

(a) **Pre-Application Conference**

Applicable (see Section 2.3.2).

(b) **Community Meeting**

Applicable for ~~plats of 50 lots or more~~ (see Section 2.3.3).

Item 4: Statement of Consistency:

[STATEMENT OF CONSISTENCY TO BE ADDED FOLLOWING BOARD ACTION]

Item 5: 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 6: This ordinance amendment shall be in effect from and after the _____ day of _____, 2025.

Board of Commissioners' Chairman
Attest:

Leeann Walton
Clerk to the Board

DATE ADOPTED: _____
MOTION TO ADOPT BY COMMISSIONER: _____
SECONDED BY COMMISSIONER: _____
VOTE: _____AYES _____NAYS _____
.....

PLANNING BOARD DATE: _____
PLANNING BOARD RECOMMENDATION: _____
VOTE: _____AYES _____NAYS _____
ADVERTISEMENT DATE OF PUBLIC HEARING: _____
BOARD OF COMMISSIONERS PUBLIC HEARING: _____
BOARD OF COMMISSIONERS ACTION: _____
POSTED IN UNIFIED DEVELOPMENT ORDINANCE: _____
AMENDMENT NUMBER: _____



Text Amendment Application

OFFICIAL USE ONLY:
Case Number: PB 25-03
Date Filed: 2/27/2025
Gate Keeper: [Signature]
Amount Paid: [Signature]

Contact Information

APPLICANT:

Name: Currituck County Planning and Inspections Department
Address: 153 Courthouse Road, Suite 110
Currituck, NC 27929
Telephone: 252-232-3055
E-Mail Address: bill.news@currituckcountync.gov

Request

I, the undersigned, do hereby make application to change the Currituck County UDO as herein requested.

Amend Chapter(s) 2. Administration Section(s) 2.3.3, 2.4.6, and 2.4.8 as follows:

Amend Section 2.3.3. Community Meeting, 2.4.6 Special Use Permit and 2.4.8. Subdivision to provide clarity for
community meeting applicability and to require community meetings for preliminary plats of more than 20 lots.

*Request may be attached on separate paper if needed.

[Signature]
Petitioner

2/27/2025
Date