



Currituck County

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To: Planning Board

From: Planning Staff

Date: June 6, 2025

Subject: PB 25-06 Currituck County Text Amendment
Minor Subdivisions

The Currituck County Board of Commissioners is requesting an amendment to the Unified Development Ordinance related to Minor Subdivisions. The topic was initially discussed during the February 26, 2025 work session, and additional direction was provided during the June 2, 2025 work session.

Summary:

1. Amend minor subdivision provisions to allow up to 5 splits from the parent parcel as it existed on April 2, 1989.
2. Provide clarifying language that family subdivision lots shall be initially conveyed to a family member within two degrees of kinship.
3. Allow minor subdivision lots to be created on an existing NCDOT maintained public street.
4. Limit the number of access points on major arterial and restricted access streets to 3.
5. Provide that private access streets may serve up to 5 lots but must meet North Carolina Fire Code if they serve more than 2 lots.
6. Allow family lots to be created on an easement subject to the private access street standards.
7. Reduce minimum lot size for minor subdivision lots in the Agriculture District (AG) from 3 acres to 40,000 square feet without county water connection.
8. Eliminate the lot depth to width requirement for minor subdivision lots in AG.
9. Eliminate the lot depth to width requirement for minor subdivision lots in the Single-Family Residential Mainland District (SFM).
10. Provide clarification on private access street standards and allow for additional private access streets for family subdivisions.
11. Allow minor subdivision lots in SFM without county water connection requirement.
12. Amend water supply standards to allow minor subdivisions without county water connection and to allow minor AG lots without water connection.
13. Provide clarifying language for family subdivision lots to be created on an easement.
14. Amend definitions to reflect the proposed changes to minor subdivisions.
15. *Alternative:* Allow a maximum of one flag lot per parent parcel to be permitted as a minor subdivision and provide clarity to the definition of flag lot.

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 request subject to the suggested Consistency Statement:

The requested text amendment is consistent with the goals, objectives, and policies of *Imagine Currituck 2040 Vision Plan* and the UDO, including:

Land Use Goal 1: Encourage development to occur at densities appropriate for their location and consider factors, including but not limited to: environmentally suitable areas; suitable soils; adequate infrastructure; the type and capacity of sewage treatment available to the site; the adequacy of transportation facilities providing access to the site; and compatibility and proximity of the site to existing and planned County services.