



## PB 25-13 CURRITUCK COUNTY TEXT AMENDMENT PLANNING BOARD JULY 8, 2025

Currituck County requests an amendment to the Unified Development Ordinance, Chapter 6. Subdivision and Infrastructure Standards, to remove the requirement for a conservation and development plan to be approved prior to submittal of a conservation subdivision and to remove the minimum project size requirement for conservation 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 Section 6.4, is amended by deleting the following strikethrough language and renumbering accordingly:

### **6.4. CONSERVATION SUBDIVISION**

#### **6.4.1. Purpose and Intent**

The purpose and intent of this section is to provide landowners in the AG and SFM zoning districts a development type that offers additional development flexibility to build on smaller lots when additional open space set-asides are provided, and the development is designed and located in a way that protects the agricultural activities or natural and historic features on the site. This is done in order to:

##### **A. Conserve Open Land**

Conserve open land, including those areas containing productive agricultural soils, unique and sensitive natural features such as floodplains, wetlands, river and stream corridors, area with mature hardwood trees or maritime forests, and watersheds;

##### **B. Retain and Protect Natural Resources**

Retain and protect existing environmental, natural, and cultural resources;

##### **C. Link Open Spaces**

Create a linked network of open lands;

##### **D. Promote Rural Character**

Promote existing rural character within the agricultural portions of the county; and

##### **E. Provide Reasonable Use of Property**

Provide reasonable economic use of the property.

## **6.4.2. Applicability**

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Conservation subdivisions are required for major subdivisions in the Agriculture (AG) and Single-Family Mainland (SFM) zoning districts.

## **6.4.3. Procedure**

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A conservation subdivision shall be approved as a major subdivision in accordance with the procedures and standards in Section 2.4.8.E, Major Subdivision, after approval of a conservation and development plan in accordance with this section.

### **A. Conservation and Development Plan**

Prior to review of an application for preliminary plat approval for a conservation subdivision, an applicant shall have a conservation and development plan for the land reviewed and approved, or approved with conditions by the Director in accordance with this section and the standards of Section 6.4.4, Conservation Subdivision Standards, and Section 6.4.5, Delineation of Conservation Areas and Development Areas.

### **B. Conservation and Development Plan Requirements**

#### **(1) Step 1—Site Analysis Map**

The applicant shall prepare a site analysis map that provides information about existing site conditions and context, and that comprehensively analyzes existing conditions both on the land proposed for the development site and on land within 500 feet of the site, and submit the site analysis map to the Director. It is the intent of this section that the information required to be presented in the site analysis map be produced primarily from existing sources, maps, and data.

#### **(2) Step 2—Site Inspection**

After receipt of the site analysis map, the Director shall schedule a site inspection of the land with the applicant. The applicant or the applicant's representative shall attend the site inspection with a county staff member. The purpose of this site visit is to:

- (a)** Familiarize the county staff with the existing site conditions and natural and historic features of the site;
- (b)** Identify potential site development issues; and
- (c)** Provide an opportunity to discuss site development concepts, including the general layout of conservation areas and potential locations for proposed structures, utilities, streets, and other development features. Comments made by the Director or other county staff during the site inspection shall be interpreted as being only suggestive. No official decision on the conservation and development plan shall be made during the site inspection.

#### **(3) Step 3—Conservation and Development Areas Map**

Based on the site analysis map and the information obtained during the site inspection, the applicant shall prepare a conservation and development areas map that depicts proposed primary conservation areas, secondary conservation areas, and development areas, in

accordance with Section 6.4.5, Delineation of Conservation Areas and Development Areas.

**(4) Step 4—Conservation and Development Plan**

Based on the site analysis map, the information obtained during the site inspection, and the conservation and development areas map, the applicant shall prepare and submit to the Director a conservation and development plan. The conservation and development plan shall include the following:

- (a)** A site analysis map;
- (b)** A conservation and development areas map and theme; and
- (c)** A preliminary site improvements plan, showing proposed site development, including utilities, streets, other development features, buffers (if applicable), and lot lines located in the proposed development area(s).

**C. Review of Conservation and Development Plan**

The Director shall review and make a decision on the conservation and development plan in accordance with the procedures and requirements of Section 2.3.5 Staff Review and Action, the standards of Section 6.4.4, Conservation Subdivision Standards, and Section 6.4.5, Delineation of Conservation Areas and Development Areas.

**D. Review and Approval of Conservation Subdivision**

Following review and approval or approval with conditions of the conservation and development plan by the Director, the application for a preliminary plat of the conservation subdivision shall be submitted and approved, approved with conditions, or denied by the Board of Commissioners in accordance with Section 2.4.8.E, Preliminary Plat.

#### **6.4.4. Conservation Subdivision Standards**

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A conservation subdivision shall comply with the following standards:

**A. Location**

Conservation subdivisions shall be limited to the Agriculture (AG) or Single-Family Residential Mainland (SFM) districts.

**B. Minimum Project Size**

Conservation subdivisions shall be at least ten acres in area;

**C. Required Conservation Area**

**(1) Agriculture District**

The amount of the conservation area may vary in the Agricultural district in accordance with the dimensional standards in Section 3.3.3.F, but in no instance shall the area occupy less than 50 percent of the total acreage of the conservation subdivision site.

**(2) Single-Family Residential-Mainland District**

The conservation area shall occupy a minimum of 40 percent of the total acreage of the conservation subdivision site.

**Item 2:** That Section 7.6.6, is amended by deleting the following strikethrough language and adding the underlined language:

**7.6.6 Depiction of Buffer**

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Riparian buffers shall be depicted on site plans, preliminary plats, final plats, and planned development master plans, ~~and conservation and development plans~~ associated with a conservation subdivision. The above plans shall note the restrictions on the allowable development and land-disturbing activities within the buffer in accordance with this ordinance.

**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.

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Board of Commissioners' Chairman  
Attest:

\_\_\_\_\_  
Leeann Walton  
Clerk to the Board

(SEAL)

DATE ADOPTED: \_\_\_\_\_  
MOTION TO ADOPT BY COMMISSIONER: \_\_\_\_\_  
SECONDED BY COMMISSIONER: \_\_\_\_\_  
VOTE: \_\_\_\_\_AYES \_\_\_\_\_NAYS \_\_\_\_\_  
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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: \_\_\_\_\_