



Text Amendment Application

OFFICIAL USE ONLY:

Case Number:

Date Filed:

Gate Keeper:

Amount Paid:

1622-18
10/13/22
C. [Signature]

Contact Information

APPLICANT:

Name: Currituck County Development Services Department

Address: 153 Courthouse Road, Suite 110
Currituck, NC 27929

Telephone: (252) 232-3055

E-Mail Address: kevin.kemp@currituckcountync.gov

Request

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

Amend Chapter(s) 1 Section(s) 1.4 as follows:

This proposed text amendment exempts county and county school projects, from the
requirements of the Unified Development Ordinance.

Add 1.4.2.C.- "Development by the county or its agencies or departments or by the
county Board of Education."

Remove Section 1.4.3.A. "Development by the county or its agencies or departments."

*Request may be attached on separate paper if needed.

[Signature]
Petitioner

10/21/2022

Date

Text Amendment Submittal Checklist

Staff will use the following checklist to determine the completeness of your application. Only complete applications will be accepted.

Text Amendment Submittal Checklist

Date Received: 10/22/2022

Project Name: Text Amendment- County Exemptions

Applicant/Property Owner: Currituck County Development Services Department

Text Amendment Submittal Checklist

1	Complete Text Amendment application	
2	Application fee (\$300)	
3	2 hard copies of ALL documents	
4	1 PDF digital copy of all documents (ex. Compact Disk – e-mail not acceptable)	

For Staff Only**Pre-application Conference**

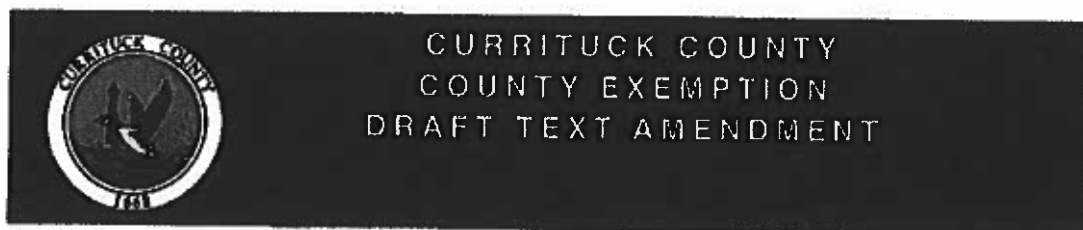
Pre-application Conference was held on October 11, 2022 and the following people were present:

Fall Retreat- Board of Commissioners, County Manager, County Attorney, County Clerk, Development Services Director, Assistant Planning Director

Comments

Amendment to Chapter 4 of the UDO- Exemption of County facilities from UDO requirements

Summary- This proposed text amendment would exempt all county facilities from the requirements of the UDO. This would be applicable to all county owned facilities, including but not limited to schools, county offices, utility installations, airports, parks and recreation facilities, and libraries.



Currituck County requests an amendment to the Unified Development Ordinance to expressly exempt development by the county from all Ordinance provisions.

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 is amended by adding the following underlined language and deleting the strike-through language and renumbering accordingly:

1.4. APPLICABILITY AND JURISDICTION

1.4.1. 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.

1.4.2. 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.
- B.** Court-ordered subdivisions of land that comply with state law and all relevant requirements of this Ordinance.

C. Development by the county or its agencies or departments.

1.4.3. Application to Governmental Units

Except as stated herein, the provisions of this Ordinance shall apply to:

- A. ~~Development by the county or its agencies or departments;~~**
- B. Development of buildings by the State, public colleges or universities, or other political subdivisions of the state, in accordance with the North Carolina General Statutes; and**
- C. Development owned or held in tenancy by the government of the United States, its agencies, departments or corporate services, to the full extent permitted by law.**

Item 3: The requested zoning text amendment is consistent with the goals, objectives, and policies of the Imagine Currituck 2040 Vision Plan including:

The request is reasonable and in the public interest because:

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 _____ day of _____, 2022.

Board of Commissioners' Chairman
Attest:

Leeann Walton
Clerk to the Board