

Currituck County and Clarion Associates have prepared a final draft of the new Unified Development Ordinance (UDO). The UDO includes the county’s zoning, subdivision, and environmental regulations. This effort is Currituck County’s first comprehensive rewrite of these regulations since the 1980’s. The objectives of the rewrite include:

- Implement the policies and goals of the CAMA Land Use Plan
- Make the UDO more user-friendly
- Improve development review procedures
- Integrate graphics, illustrations, and examples to more clearly communicate desired outcomes
- Remove outdated regulations and integrate best practices from around the country
- Include innovative approaches to foster sustainable development practices and economic diversity
- Include development regulations that balance growth with the provision of infrastructure
- Incorporate performance based regulations that encourage creativity in design
- Recognize geographic differences and create a sense of place
- Promote growth (community) centers to stimulate economic activity

The following table provides an overview of major changes to the UDO. The table is organized by chapter and includes section references to the public hearing draft. Standards that were carried forward or minor modifications are not included.

<b>Chapter 1. General Provisions</b>		
PUD Transition Standards	Section 1.8.6	- Approved planned unit development overlays may be developed consistent with the latest sketch plan approval (master plan). Modifications to the sketch plan or development of a vacant parcel or phase shall be in accordance with the standards outlined in this section. Standards for <u>new</u> planned developments are included in Chapter 3.
<b>Chapter 2. Administration</b>		
Standard Procedures	Section 2.3	- Standard procedural steps and rules for submitting a development application are consolidated into a single section. Specific review procedures (e.g., use permit, rezoning) include flow charts to illustrate the steps that apply to each development application.
Community Meetings	Section 2.3.3	- The requirement for a community meeting was broadened to include development applications for rezonings, conditional zonings, planned developments, use permits, and preliminary plats (major subdivisions) of 50 lots or more.
New Procedures/Applications	Section 2.4	- Several new procedures or development applications were added to the UDO. These include: major and minor site plan, sign permit, temporary use permit (e.g. special events), clear-cutting permit, administrative adjustment, and development agreement.
Site Plan	Section 2.4.7	- Two different types of site plans are established: major and minor. The Technical Review Committee on a monthly basis reviews major site plans. The Planning Director on a rolling basis reviews minor site plans.

Minor Subdivision	Section 2.4.8.D	- A minor subdivision is permitted only if the created lots front an existing NCDOT maintained public street or a private access street. Subdivisions that require construction of a new street are subject to the major subdivision review standards.
Family Subdivision	Section 2.4.8.D	- Family subdivisions lots must be conveyed solely to family members within two degrees of kinship (e.g. child, grandchild). Family subdivisions are exempt from NCDOT street standards and connection to the county water system.
Major Subdivision	Section 2.4.8.E	- There is no longer a requirement for sketch plan approval. Major subdivisions of less than 20 lots are reviewed administratively and do not require a public hearing.
Administrative Adjustment	Section 2.4.15	- Provides an administrative procedure for allowing deviations in building setbacks and height. This section can be expanded to include development and design standards.
<b>Chapter 3. Zoning Districts</b>		
Base Zoning Districts	Table 3.2.1	- Base zoning districts are established in Table 3.2.1. The acronyms for zoning districts have been modified; however, translations between new and old can be found in Table 1.7.5. New zoning districts include: Resource Conservation (RC), Single-Family Isolated (SFI), Mixed Residential (MXR), Community Center (CC), Village Center (VC), and Planned Development (PD-R, M, O). Deleted zoning districts include: Residential Recreational (RR), Commercial (C), Multi-family Overlay (RMF), and Outer Banks Overlay (OB).
Dimensional Standards	Residential	- Wetland/surface water and agricultural setbacks of 50' for new major subdivisions. Accessory structures prohibited in front of principal building. Increased densities in areas designated Full Service in Land Use Plan. Flexible setbacks and lot sizes for new conservation subdivisions.
Dimensional Standards	Commercial	Wetland/surface water and agricultural setbacks of 50' for development on commercial lots > 10 acres. Accessory structures prohibited in front of principal building. Use permit required for commercial structures > 5,000 square feet if proposed outside area designated Full Service in Land Use Plan. Metal siding prohibited on building facades facing major arterial streets.
Dimensional Standards	Mixed Use	- Wetland/surface water and agricultural setbacks of 50' for major subdivisions and development on commercial lots > 10 acres. Allows increased densities and reduced setbacks.
Dimensional Standards	Industrial	- Wetland/surface water and agricultural setbacks of 50' for development on industrial lots > 10 acres. Increased setback when abutting a residential district. Increased minimum lot size for new industrial subdivisions. Accessory structures prohibited in front of principal building. Metal siding prohibited on building facades facing major arterial streets.
Dimensional Standards	Planned Dev.	- New planned development districts allow increased flexibility in establishing dimensional requirements and development standards in exchange for higher quality development.
Conditional Zoning	Section 3.6	- Conditional zoning requests require a conceptual development plan.
<b>Chapter 4. Use Standards</b>		
Summary Use Table	Table 4.1.1	- The summary use table indicates what land uses (e.g., commercial, residential) are

		<p>permitted in the county's zoning districts. This table allows a property owner to determine the types of land uses that are allowed on their property. Occasionally an owner will request a rezoning of their property to allow for a different range of permitted uses. For comparison purposes, the summary use table includes current and proposed uses.</p> <ul style="list-style-type: none"> <li>- To promote higher quality development along major arterial streets, industrial uses have been removed from commercial zoning districts.</li> <li>- To improve and expedite the development review process, the use permit procedure is diminished in lieu of increased administrative approvals.</li> </ul>
Use-Specific Standards	Section 4.2	<ul style="list-style-type: none"> <li>- Some uses are of a nature that require additional standards to minimize negative impacts on nearby properties. For example, a salvage yard requires additional screening and setbacks. These additional standards have been expanded to allow for more administrative approvals and to reduce the number of use permits.</li> </ul>
Accessory Uses	Section 4.3	<ul style="list-style-type: none"> <li>- Improves the accessory use standards and includes a table of common accessory uses.</li> </ul>
Temporary Uses	Section 4.4	<ul style="list-style-type: none"> <li>- Consolidates allowable temporary uses and establishes a permit process. Special events are approved administratively instead of requiring a use permit.</li> </ul>
<b>Chapter 5. Development Standards</b>		
Parking	Section 5.1	<ul style="list-style-type: none"> <li>- The parking standards ensure adequate parking is provided and configured to promote the safe movement of vehicles and pedestrians. For comparison purposes, the minimum parking standards (Table 5.1.3) include current and proposed parking requirements.</li> <li>- Reduction in the minimum parking requirements (including parking space size) and the establishment of a maximum number of spaces to reduce the amount of impervious coverage. This includes a parking reduction for both nonresidential uses and single family dwellings.</li> <li>- Requirement for cross-access between parking lots.</li> <li>- To provide additional flexibility, an alternative parking plan is allowed</li> </ul>
Landscaping	Section 5.2	<ul style="list-style-type: none"> <li>- Landscaping is concentrated around vehicular use areas (parking lots) and adjacent to major arterial streets. The current ordinance distributes landscaping more uniformly around the development site. Overall, the proposed UDO requires more landscape material than the previous ordinance.</li> <li>- Landscape buffers between properties are based on the adjacent zoning district and not required in all circumstances (e.g., landscape buffers are required between properties zoned commercial and residential).</li> <li>- To provide additional flexibility, an alternative landscape plan is allowed</li> </ul>
Exterior Lighting	Section 5.4	<ul style="list-style-type: none"> <li>- The requirement for full cut-off (shielded) light fixtures and maximum illumination levels is proposed as a countywide standard. Currently this requirement only applies to the Outer Banks and large commercial structures on the Mainland. Single family dwellings remain exempt from the full-cut off requirement. The intent of this section is to maintain the dark sky environment of a rural area.</li> <li>- Beachfront lots are subject to lighting limitations (bulb not directly visible from the beach).</li> </ul>

Multi-Family Design Stds. Nonresidential Design Stds. Shopping Center Design Stds.	Section 5.7 Section 5.8 Section 5.9	<ul style="list-style-type: none"> <li>- The proposed design standards are intended to establish a higher quality of development that enhances the appearance of buildings along major arterial streets and is more compatible with residential development.</li> <li>- The design standards include access and circulation, building placement, and building design (front facade, rooflines, materials).</li> <li>- Industrial development is exempt from the design standards.</li> </ul>
Community Compatibility	Section 5.10	<ul style="list-style-type: none"> <li>- Provides a transition and promotes compatibility between existing single family dwellings and other more intense development. Standards for new development include parking location, building design, and site features (loading and refuse areas, lighting, signage).</li> </ul>
Farmland Compatibility	Section 5.11	<ul style="list-style-type: none"> <li>- Requires a fifty-foot-wide vegetated buffer between new development and existing agricultural uses (also referenced in dimensional standards).</li> </ul>
Sustainability Incentives	Section 5.13	<ul style="list-style-type: none"> <li>- Allows for density bonuses, height increases, parking reductions, signage increases, and open space reductions for development that integrates sustainable development practices.</li> </ul>
<b>Chapter 6. Subdivision &amp; Infrastructure Standards</b>		
Homeowners Associations	Section 6.1.4	<ul style="list-style-type: none"> <li>- A homeowners association must be established for all major subdivisions. Once 51% of lots have sold, the association is responsible for maintaining common areas and infrastructure. Examples of maintenance items include streets and stormwater features.</li> <li>- Prior to transfer of common areas and infrastructure, the developer/subdivider must establish a maintenance reserve fund in the name of the association that contains a minimum balance and provide a report prepared by a licensed engineer indicating the subdivision's infrastructure elements meet the minimum standards of the UDO.</li> </ul>
Performance Guarantees	Section 6.3	<ul style="list-style-type: none"> <li>- Performance guarantees are allowed for public infrastructure and private site improvements. This allows a developer/subdivider to begin constructing houses or receive a certificate of occupancy prior to completing streets, sidewalks, landscaping etc.</li> </ul>
Conservation Subdivision	Section 6.4	<ul style="list-style-type: none"> <li>- Conservation subdivisions are proposed to be mandatory in the AG zoning district and are optional in the SFM district.</li> <li>- The maximum density in the AG district increases with additional open space set-aside. The maximum density in the SFM district is based upon the Land Use Plan designation.</li> <li>- Lot area, lot width, building setbacks, and lot coverage are established by the subdivider.</li> <li>- Minimum open space requirement of 50%, including screening from major arterial streets.</li> </ul>
Rec. and Park Area Dedication	Section 6.5	<ul style="list-style-type: none"> <li>- A subdivider is required to dedicate land or pay a fee in-lieu to the county for the development of new public recreation and park areas. Land dedications must be consistent with the Currituck County Recreation Master Plan, or a payment in-lieu may be required.</li> <li>- The recreation and park area dedication replaces the active recreation requirement that is included in the current ordinance.</li> </ul>
<b>Chapter 7. Environmental Protection</b>		
Open Space	Section 7.1	<ul style="list-style-type: none"> <li>- Minimum open space requirement of 30% for residential development and 20% for mixed use development.</li> </ul>

		<ul style="list-style-type: none"> <li>- An open space set-aside is required for all major subdivisions (&gt; 6 lots). The current ordinance requires open space for subdivisions greater than 20 lots. This change will evenly distribute required open space among all phases of a subdivision.</li> <li>- Environmentally sensitive areas are prioritized for open space set-aside. To reduce the future maintenance burden for a homeowners association, reforestation or other uses may be required for upland areas of the open space set-aside.</li> </ul>
Tree Protection	Section 7.2	<ul style="list-style-type: none"> <li>- Heritage trees are subject to tree protection standards. A heritage tree is defined as a Live Oak with a diameter breast height (DBH) of six inches or greater, as well as all other trees with a DBH of 18 inches or greater.</li> <li>- The removal of trees on platted single family lots, for agricultural or silvicultural purposes, or dead and diseased trees are exempt from the tree protection standards.</li> <li>- The removal of a heritage tree is allowed in order to develop a site and meet the other standards of the ordinance; however, removal of a heritage tree requires replacement trees to be planted.</li> <li>- Tree preservation incentives are available to encourage the preservation of as many trees as practical. The credit allows for a reduction in required landscaping and parking.</li> </ul>
Riparian Buffers	Section 7.6	<ul style="list-style-type: none"> <li>- Requires a fifty-foot-wide vegetated buffer between new development and existing surface waters, estuarine waters, and wetlands (also referenced in dimensional standards).</li> </ul>
<b>Chapter 8. Nonconformities</b>		
Casualty Damage	Section 8.1.7	<ul style="list-style-type: none"> <li>- Outside of a flood zone, nonconforming structures or uses damaged greater than 50% of the assessed value must be restored in a manner that conforms to the ordinance. However, nonconforming single family dwellings damaged greater than 50% of the assessed value may be rebuilt to their previous form.</li> <li>- Inside of a flood zone, nonconforming structures damaged greater than 50% of the assessed value during any 5-year period must be restored in a manner that conforms to the Flood Damage Prevention standards (Section 7.4.6).</li> </ul>
Campground Standards	Section 8.2.6	<ul style="list-style-type: none"> <li>- Campgrounds are no longer a permitted use in the ordinance. The existing campgrounds are nonconforming and subject to the standards included in this section.</li> <li>- Campground subdivisions are modified to allow greater flexibility in establishing single family dwellings on camper lots.</li> </ul>
Nonconforming Sites	Section 8.6	<ul style="list-style-type: none"> <li>- Nonconforming site features such as parking, landscaping, buffers, screening, and lighting are corrected in proportion to the value of an addition and assessed value of the structure.</li> </ul>
<b>Chapter 9. Enforcement</b>		
Remedies and Penalties	Section 9.6	<ul style="list-style-type: none"> <li>- Several enforcement remedies are outlined, including the use of civil penalties.</li> </ul>
<b>Chapter 10. Definitions and Measurement</b>		
Rules of Measurement	Section 10.3	<ul style="list-style-type: none"> <li>- This section clarifies how dimensional standards (e.g., setbacks, lot coverage, height) and other measurements are calculated.</li> </ul>