

PROJECT QUESTIONNAIRE RESULTS

OVERVIEW

Currituck County has recently undertaken a project to comprehensively revise its Unified Development Ordinance (UDO), which has not undergone a comprehensive update since 1989. The UDO regulates the use of land and development within the county, and is one of the main tools to implement county plans and policies. The county hired Clarion Associates to work with the community on this important project.

During the first phase of the project in late winter 2009, Clarion Associates distributed a project questionnaire to county staff, elected officials, technical advisory group members, and stakeholders. County residents and other interested parties had the opportunity to respond to an on-line version of the questionnaire from November of 2009 to February of 2010. In addition to the 30 written responses, an additional 27 persons completed the on-line questionnaire.

The questionnaire included a mix of 23 questions addressing common problems found in regulations from other areas, such as problems with the organization and formatting, issues related to review procedures, and general performance of the regulatory system. In addition, the questionnaire also asked respondents to identify specific substantive issues that should be addressed by the new UDO. Responses from the survey are used by the Clarion team to help develop the framework of issues to be addressed by the UDO, and also as a means of stimulating discussion with interviewees during the project initiation meetings (conducted in November 2009).



The New Code Currituck Website

Web site viewers were encouraged to complete the project questionnaire by selecting the "QUESTIONNAIRE" link from November 2009 to February 2010.

RESULTS

I. ORGANIZATION AND FORMATTING

The organization and formatting section of the questionnaire posed questions about key "user-friendly" aspects of the current UDO, such as its structural organization, page layout, cross-referencing, and illustrations. Most respondents stressed the necessity of improving the organization, navigability, and language of the UDO. There were numerous remarks about how the current code has been edited in a piecemeal fashion over the years, making it difficult to follow. There were also calls for increased use of images and graphics to make understanding the provisions easier.

2. REVIEW PROCEDURES

The Review Process and Procedures section of the questionnaire asked about development review procedures and review bodies, including issues related to application submittal requirements, notice provisions, and criteria for decision-making authorities. Responses to the questions in this section are organized into four basic topics.

1. Enforcement - A strong majority of respondents thought the UDO is not being enforced properly noting the complaint driven nature of the review process, the perception of a “passive” approach to enforcement taken by the county, and the occurrence of too many routine exceptions to development standards.

2. Troublesome Procedures – Planned unit developments (PUDs) were identified as the most troublesome procedure. Other procedures noted for their difficulty or confusing aspects include culvert certifications and the conditional zoning process.

3. Staff Decision Making Authority - Nearly a third of respondents felt that county staff should be delegated more decision making responsibility in the new UDO.

4. Application Processing and Public Notification - A majority of respondents felt improvements are needed in the balance between processing applications efficiently and ensuring sufficient public notification. Responses noted the need for more diverse methods of notification and a wider range of mechanisms for public input.

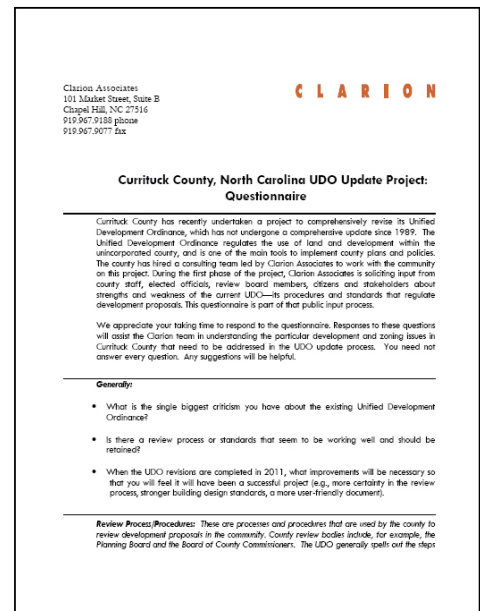
3. SUBSTANTIVE ISSUES

The Substantive Issues section addressed items including the list of permissible uses, zoning districts, setback requirements, and parking and landscape regulations. These standards are focused on promoting proper land use and compatible development.

1. Outdated/Insufficient Content - A strong majority of respondents felt the existing UDO did not accurately reflect the county’s character, and that an effort must be made to balance development and environmental issues in order to adequately protect natural resources and maintain unique character and identity. Additionally, standards must reflect the contrasting needs of the mainland versus the outer banks.

2. Relationship With Other Plans - Respondents indicated that the existing UDO did not adequately implement the goals, objectives, and policies from the LUP, the county’s small area plans, and other planning documents.

3. Parking, Landscaping, and Environmental Standards - Respondents felt new substantive standards are needed for a wide range of parking, landscaping and environmental areas. Noted suggestions include alternative parking lot materials, parking lot landscaping, low impact development (LID) practices, landscaping with native plants, and enhanced buffers to environmentally sensitive lands.



The Project Questionnaire

4. New Standards - Respondents also noted that new substantive standards are needed to promote open space set-aside standards, mixed-use districts, improved commercial design standards, and stormwater management practices.

4. OTHER ISSUES

1. User Disparity - Respondents felt the need to address the gap between the two general types of users: the developers, contractors, and engineers who are generally more aware of and involved in the process, and the individual business owners and homeowners who have less experience with the UDO. Respondents felt current standards are too flexible for people of influence and that narrowing this gap will ensure a level playing field with uniform enforcement consistent for all users.

2. Model Jurisdictions - The Town of Duck, NC and Dare County, NC were identified as models of successful land use standards and review procedures to be considered in the new UDO. Others noted include Nags Head and the Randolph County environmental district.

CODE ASSESSMENT

The key concerns identified in the project questionnaire are the need to improve user-friendliness, modernize content, maintain unique character, protect environmentally sensitive areas, establish new substantive standards for development quality, and ‘level the playing field’ to ensure uniform application and enforcement for all. These themes will be incorporated into the subsequent tasks in the UDO rewrite project. The steps necessary to address these and other concerns will be detailed in the forthcoming Code Assessment document. The Code Assessment is prepared as part of Task 3, and will serve as a “road map” for the new UDO being drafted in Task 4 of the process.