



# Use Permit Review Process

## Contact Information

Currituck County  
Planning and Community Development  
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## Step 1: Pre-application Conference

The purpose of a pre-application conference is to provide an opportunity for the applicant to determine the submittal requirements and the procedures and standards applicable to an anticipated development application. A pre-application conference is also intended to provide an opportunity for county staff to become familiar with, and offer the applicant preliminary comments about, the scope, features, and impacts of the proposed development, as it relates to the standards in the Unified Development Ordinance (UDO).

The applicant shall submit conceptual drawings that show the location, general layout, and main elements of the development to be proposed as part of the application to the Planning and Community Development Department at least three business days before the pre-application conference.

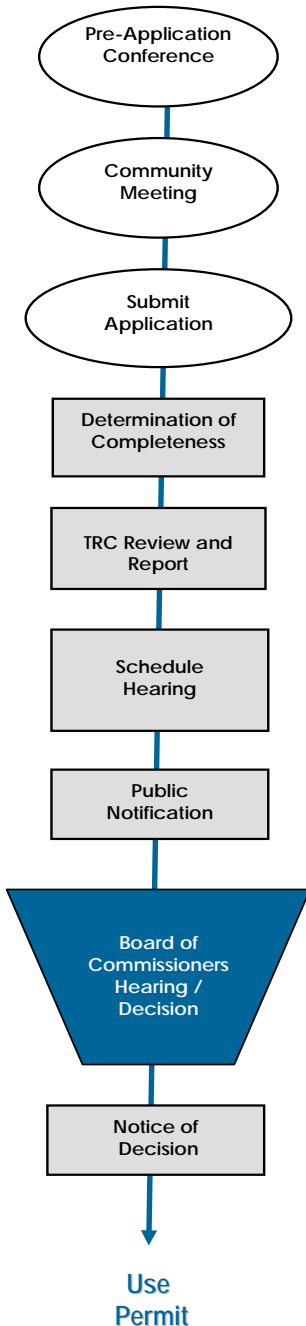
## Step 2: Community Meeting

The purpose of the community meeting is to inform owners and occupants of nearby lands about the application for a use permit that is going to be reviewed under the UDO, and to provide the applicant an opportunity to hear comments and concerns about the application as a means of resolving conflicts and outstanding issues, where possible.

Community meetings are opportunities for informal communication between applicants and the owners and occupants of nearby lands, and other residents who may be affected by the application.

The community meeting shall comply with the following procedures:

- **Time and Place**
  - The meeting shall be held at a place that is convenient and accessible to neighbors residing in close proximity to the land subject to the proposed use permit application.
- **Notification**
  - Mailed Notice
    - The applicant shall mail notice of the meeting a minimum of ten days in advance of the meeting to the Planning Director and to:
      - i. All owners of the land subject to the application;
      - ii. All owners of land within 200 feet of the property lines of land subject to the application (including owners of land located outside the county) whose address is known by reference to the latest ad valorem tax records; and
      - iii. Commanders of military bases located within five miles of the subject application when the development proposal affects the type of uses allowed.



- Posted Notice
  - The applicant shall post notice of the community meeting on the land subject to the application for at least ten days before the date fixed for the meeting, in a form established by the Planning Director. Signs used for posted notice shall have a minimum size of six square feet per side.
- Notice Content
  - The notice shall state the time and place of the meeting and general nature of the use permit application.
- **Conduct of Meeting**

At the meeting, the applicant shall explain the development proposal and application, inform attendees about the application review process, respond to question and concerns neighbors raise about the application, and propose ways to resolve conflicts and concerns.
- **Staff Attendance**

County staff shall attend the meeting for purpose of advising attendees about the applicable provisions of the UDO and the land use plan, but shall not serve as facilitators or become involved in discussions about the use permit application.
- **Written Summary of Community Meeting**

The applicant shall prepare a written summary of the meeting that includes a list of meeting attendees, a summary of attendee comments, discuss issues related to the use permit application, and any other information the applicants deems appropriate. The meeting summary shall be included with the application materials and be made available to the public for inspection.
- **Response to Summary**

Any person attending the community meeting may submit a written response to the applicant's meeting summary to the Planning Director within 30 days after the application is determined complete. The response may state their understanding of attendee comments, discuss issues related to the development proposal, and include any other information they deem appropriate. All written responses to the applicant's summary of the community meeting shall be transmitted to the applicant, included with the application materials, and made available to for public inspection.

### Step 3: Application Submittal and Acceptance

The applicant must submit a complete application packet on or before the application submittal date. A complete application packet consists of the following:

- Completed Currituck County Use Permit Application.
- Application Fee (\$300)
- Written Summary of Community Meeting.
- A conceptual development plan drawn to scale. The plan shall include the items listed in the conceptual plan design standards.
- Architectural elevations and/or sketches illustrating the design and character of the proposed structures.
- Number of Copies Submitted:
  - 2 Copies of conceptual site plans
  - 2 Hard copies of ALL documents
  - 1 PDF digital copy (ex. Compact Disk – e-mail not acceptable) of all plans AND documents

On receiving an application, staff shall, within ten business days, determine whether the application is complete or incomplete. A complete application contains all the information and materials listed above, and is in sufficient detail to evaluate and determine whether it complies with appropriate review standards. If an application is determined to be incomplete, the applicant may correct the deficiencies and resubmit the application for completeness determination. Failure to resubmit a complete application within 45 calendar days after being determined incomplete will result in the application being considered withdrawn.

### Step 4: Staff Review and Action

Once an application is determined complete, it will be distributed to the Technical Review Committee (TRC). TRC shall review the application, prepare a staff report, and provide a recommendation on the application. The staff report may identify and recommend conditions of approval addressing how compliance deficiencies might be corrected and adverse effects of the application might be mitigated.

#### Step 5: Public Hearing Scheduling and Public Notification

After the TRC prepares a staff report and provides a recommendation on the application, staff shall schedule the application for a public hearing for a regularly scheduled Board of Commissioners meeting or a meeting specially called for by the Board of Commissioners. The required public hearing with the Board of Commissioners shall be scheduled so there is sufficient time for a staff report to be prepared and for the public notification requirements to be satisfied under state law.

The application shall meet the following public notification requirements:

- **Published Notice**  
Staff shall publish a notice of the hearing once a week for two successive calendar weeks in a newspaper having general circulation in the county. The first time notice is published, it shall not be less than 10 days nor more than 25 days before the date fixed for the hearing.
- **Mailed Notice**  
Staff shall be responsible for preparing and mailing a written notice between 10 and 25 days before the public hearing. Notice shall be mailed to:
  - All owners of the land subject to the application;
  - The applicant, if different from the land owner;
  - All owners of land within 200 feet of the property lines of land subject to the application (including owners of land located outside the county) whose address is known by reference to the latest ad valorem tax records; and
  - Commanders of military bases located within five miles of the subject application when the development proposal affects the type of uses allowed.
- **Posted Notice**  
At least 10 days before the public hearing, posted notice shall be made by staff. A sign shall be placed in a conspicuous location as to be clearly visible to the traveled portion of the respective street. Where the land subject to the notice does not have frontage on a public street, the sign shall be erected on the nearest street right-of-way with an attached notation generally indicating the direction and distance to the land subject to the application.

#### Step 6: Public Hearing Procedures, and Decision-Making Body Review and Decision

The applicant must be in attendance at the public hearing. During the public hearing, the Planning Director will present the staff report and any review body findings and recommendation to the Board. The applicant will then have the opportunity to present any information they deem appropriate. The burden of demonstrating that an application complies with applicable review and approval standards of the UDO is on the applicant. The public may be permitted to speak in accordance with the Board of Commissioners rules of procedure, or at their discretion, as appropriate, in support of or in opposition to the application. The applicant and Planning Director may respond to any comments, documents, or materials presented.

The Board of Commissioners shall make one of the following decisions on the application:

- Adoption of the use permit;
- Adoption of the use permit subject to conditions or approval; or,
- Denial of the use permit.

The Board of Commissioners may attach additional conditions of approval, including timing limits on residential building lots or units available for occupancy, to assure adequate public facilities remain sufficient to serve the development.

A use permit shall be approved on a finding the applicant demonstrates the proposed use will:

- Not endanger the public health or safety;
- Not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located;
- Be in conformity with the Land Use Plan or other officially adopted plan; and
- Not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

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# Use Permit Application

**OFFICIAL USE ONLY:**

Case Number: \_\_\_\_\_  
Date Filed: \_\_\_\_\_  
Gate Keeper: \_\_\_\_\_  
Amount Paid: \_\_\_\_\_

**Contact Information****APPLICANT:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

**PROPERTY OWNER:**

Name: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

Telephone: \_\_\_\_\_

E-Mail Address: \_\_\_\_\_

LEGAL RELATIONSHIP OF APPLICANT TO PROPERTY OWNER: \_\_\_\_\_

**Property Information**

Physical Street Address: \_\_\_\_\_

Location: \_\_\_\_\_

Parcel Identification Number(s): \_\_\_\_\_

Total Parcel(s) Acreage: \_\_\_\_\_

Existing Land Use of Property: \_\_\_\_\_

**Request**

Project Name: \_\_\_\_\_

Proposed Use of the Property: \_\_\_\_\_

Deed Book/Page Number and/or Plat Cabinet/Slide Number: \_\_\_\_\_

Total square footage of land disturbance activity: \_\_\_\_\_

Total lot coverage: \_\_\_\_\_

Total vehicular use area: \_\_\_\_\_

Existing gross floor area: \_\_\_\_\_

Proposed gross floor area: \_\_\_\_\_

**Community Meeting**

Date Meeting Held: \_\_\_\_\_ Meeting Location: \_\_\_\_\_

Purpose of the Use Permit and Project Narrative (please provide on additional paper if needed): \_\_\_\_\_

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The applicant shall provide a response to the each one of the following issues. The Board of Commissioners must provide specific findings of fact based on the evidence submitted. All findings shall be made in the affirmative for the Board of Commissioners to issue the use permit.

A. The use will not endanger the public health or safety.

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B. The use will not injure the value of adjoining or abutting lands and will be in harmony with the area in which it is located.

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C. The use will be in conformity with the Land Use Plan or other officially adopted plan.

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D. The use will not exceed the county's ability to provide adequate public facilities, including, but not limited to, schools, fire and rescue, law enforcement, and other county facilities. Applicable state standards and guidelines shall be followed for determining when public facilities are adequate.

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I, the undersigned, do certify that all of the information presented in this application is accurate to the best of my knowledge, information, and belief. Further, I hereby authorize county officials to enter my property for purposes of determining zoning compliance. All information submitted and required as part of this application process shall become public record.

\_\_\_\_\_  
Property Owner(s)/Applicant\*

\_\_\_\_\_  
Date

**\*NOTE: Form must be signed by the owner(s) of record, contract purchaser(s), or other person(s) having a recognized property interest. If there are multiple property owners/applicants a signature is required for each.**

**Use Permit Conceptual Plan Design Standards Checklist**

The table below depicts the design standards of the use permit application. Please make sure to include all applicable listed items to ensure all appropriate standards are reviewed.

# Use Permit

## Conceptual Plan Design Standards Checklist

Date Received: \_\_\_\_\_

TRC Date: \_\_\_\_\_

Project Name: \_\_\_\_\_

Applicant/Property Owner: \_\_\_\_\_

| <b>Use Permit Conceptual Plan Design Standards Checklist</b> |  |
|--|--|
| 1  | Property owner name, address, phone number, and e-mail address.  |
| 2  | Site address and parcel identification number.   |
| 3  | North arrow and scale to be 1" = 100' or larger.   |
| 4  | Vicinity map showing property's general location in relation to streets, railroads, and waterways.   |
| 5  | Existing zoning classification and zoning setback lines of the property.   |
| 6  | A scaled drawing showing existing boundary lines, total acreage, adjacent use types, location of streets, rights-of-way, and easements.  |
| 7  | Approximate location of the following existing site features and infrastructure within the property and within 50' of the existing property lines:<br>Pedestrian circulation, vehicular use areas, structures, septic systems, wells, utility lines, water lines, culverts, storm drainage pipes, ditches, canals, streams, wooded areas, ponds, and cemeteries.   |
| 8  | Approximate location of the following proposed site features and infrastructure:<br>Structures and usages, parking and circulation plan (including streets, drives, loading and service areas parking layout and pedestrian circulation features), fences and walls, exterior lighting, drainage patterns and facilities intended to serve the development, landscape buffers and screening, and riparian buffers. |
| 9  | Approximate Flood Zone line and Base Flood Elevation as delineated on the "Flood Insurance Rate Maps/Study Currituck County."  |
| 10   | Approximate location of all designated Areas of Environmental Concern or other such areas which are environmentally sensitive on the property, such as Maritime Forest, CAMA, 404, or 401 wetlands as defined by the appropriate agency.   |
| 11   | Sight distance triangles.  |
| 12   | Proposed common areas, open space set-asides, and required buffers.  |
| 13   | Architectural drawings and/or sketches illustrating the design and character of the proposed uses.   |

**Use Permit Submittal Checklist**

Staff will use the following checklist to determine the completeness of your application within ten business days of submittal. Please make sure all of the listed items are included. Staff shall not process an application for further review until it is determined to be complete.

# Use Permit Submittal Checklist

Date Received: \_\_\_\_\_

TRC Date: \_\_\_\_\_

Project Name: \_\_\_\_\_

Applicant/Property Owner: \_\_\_\_\_

| Use Permit Submittal Checklist |  |  |
|--------------------------------|--|--|
| 1                              | Complete Use Permit application  |  |
| 2                              | Application fee (\$300)  |  |
| 3                              | Community meeting written summary  |  |
| 4                              | Conceptual plan, if applicable   |  |
| 5                              | Architectural elevations, if applicable  |  |
| 6                              | 2 copies of plans  |  |
| 7                              | 2 hard copies of ALL documents   |  |
| 8                              | 1 PDF digital copy of all plans AND documents (ex. Compact Disk – e-mail not acceptable) |  |

**For Staff Only**

**Pre-application Conference**

Pre-application Conference was held on \_\_\_\_\_ and the following people were present:

\_\_\_\_\_  
\_\_\_\_\_

**Comments**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_