

**AN ORDINANCE ADDING CRITERIA FOR APPROVAL
OF CONDITIONAL USE PERMITS**

Ordinance 19-03

WHEREAS, the Town Council has found that establishing approval criteria will guide and assist the Planning Board and Town Council when evaluating conditional use permit applications; and

WHEREAS, the Town Council has found that establishing approval criteria will assist applicants with understanding the process and preparing relevant application information; and

WHEREAS, the Duck Planning Board voted unanimously to recommend approval of this ordinance at its public meeting on April 10, 2018.

NOW THEREFORE BE IT ORDAINED by the Town Council for the Town of Duck, North Carolina:

PART I. That Subsection 156.155(E) of the Duck Town Code be amended by the addition of the following wording:

“Additionally, to grant a conditional use permit, the Town Council shall find that the applicant has produced substantial evidence that:


- (1) The use meets all required conditions and specifications of the ordinance;
- (2) The use does not materially endanger the public health or safety; and
- (3) The use will not substantially injure the value of adjoining property, unless the use is a public necessity; and
- (4) The use will be in harmony with the area in which it is located and be in general conformity with the comprehensive plan (CAMA land use plan).”

PART II. This ordinance shall be effective upon its adoption.



Don Kingston, Mayor

ATTEST:



Lori Ackerman, Town Clerk

Date adopted: June 5, 2019

Motion to adopt by: Chuck Boudick

Vote: 4 AYES 0 NAYS

