

MEMORANDUM

To: Frank Rogers, County Administrator

From: F.E. "Tripp" Isenhour, III, County Attorney

Subject: AGENDA ITEM – Public Hearing – Fall Code Update

Date: November 20, 2025

BACKGROUND:

Semi-annually the Board of Supervisors updates the Code of Campbell County with mandated changes that result from action of the General Assembly and discretionary changes that are initiated by either the Board or staff during the year.

DISCUSSION:

Some of the proposed amendments to the County Code for the regular fall update are mandated changes to mirror state law changes that were effective July 1. Others are discretionary changes requested by staff or are minor amendments clarifying certain aspects of the Code. Staff will review the summaries for the semi-annual update at the Board meeting. The amended text for all chapters has been available electronically with a paper copy available in the County Administrator's Office. The summary of all changes is attached to this memorandum. The proposed changes to Chapters 21 and 22 of the County Code were reviewed at a Planning Commission public hearing on December 1, 2025.

RECOMMENDATION:

Staff recommends that the Board review the Code changes and conduct the necessary public hearing required to take action on the list of proposed changes to the County Code. Following the public hearing, the Board should consider adopting so many of the above changes as the Board finds to be appropriate.

Fall 2025 Update of the Campbell County Code of 1988
Summary of Proposed Amendments

§9-1.3	Clarifies in Code that penalty shall be calculated upon the tax amount due prior to the application of tax relief. This change is declarative of current law and simply codifies long-term practice derived from 2005 tax relief legislation. This is a request from the Treasurer.
§9-14.6	Adds a new section allowing for the exemption of taxes upon the property of a surviving spouse of a full time or volunteer law enforcement officer, search and rescue personnel, firefighter, or emergency medical services personnel killed in the line of duty. This is a request from the Public Safety Director.
§10-41	Clarifies that the distance of any open fire from any combustibles must be no less than 300 feet. Prior law allowed 150 feet in certain circumstances and 300 in others, leading to confusion in application. This is a request from the Fire Marshal.
Chapter 21	Chapter 21 has been updated throughout to reflect the statutory change removing Planning Commission review of subdivision plats and transferring the same authority to the Designated Agent of the County. Changes are mandatory to conform to State Code.
§21-7(C)(2)	Reduces approval time allowed from 45 to 30 days. Mandatory to conform to State Code.
§21-8(B)(3)	Added new subsection related to timing of plat approval following state agency review. Mandatory to conform to State Code.
§22-2(B)(97)	Adds the definition of “Nicotine Vapor Products”.
§22-2(B)(117)	Adds the definition of “Recreational Substances”.
§22-2(B)(118)	Adds the definition of a zoning use named “Recreational substances retail, off-site use”, commonly known as “Vape Shops”.
§22-2(B)(119)	Adds the definition of a zoning use named “Recreational substances retail, on-site use”, commonly known as “Vape Shops”.
§22-2(B)(123)	Adds the definition of “Retail Tobacco Product”.
§22-9(B)(1)	Amends the defined minimum lot size to one-half acre for lots not served by public sewer in Residential – Single Family.
§22-10(B)(1)	Amends the defined minimum lot size to one-half acre for lots not served by public sewer in Residential – Multifamily.
§22-11(B)(1)	Amends the defined minimum lot size to one-half acre for lots not served by public sewer in Residential – Manufactured Housing.
§22-12(A)(28)	Allows Vape Shops as a special use in Business-Limited Commercial when greater than 10 miles from the property line of any child day care center or public, private, or parochial school.
§22-12(B)(1)	Amends the defined minimum lot size to one-half acre for lots not served by public sewer in Business-Limited Commercial.