



CURRITUCK COUNTY

NORTH CAROLINA

Minutes- Regular Meeting of the Planning Board

June 10, 2025, 6:00 p.m.

Present:	K. Bryan Bass Garry Owens Michael Corbell Steve Hedrick Thomas Hurley Brian P. Innes Juanita Krause	Chairman Vice Chairman Board Member Board Member Board Member Board Member Board Member
Staff Present:	Cheri Grego Jennie Turner Jason Litteral	Clerk to the Board Assistant Planning Director Senior Planner

1. Call to Order - 6:00 PM

The Currituck County Planning Board held a Regular Meeting at 6:00 PM in the Board Meeting Room of the Historic Courthouse, 153 Courthouse Road, Currituck, North Carolina. Chairman Bass Called the meeting to order.

1. Pledge of Allegiance and Moment of Silence

Chairman Bass led the Pledge of Allegiance and asked for a moment of silence.

2. Ask for Disqualifications

There were no conflicts of interest or disqualifications noted.

3. Announce Quorum Being Met

Chairman Bass announced a quorum present with all board members in attendance.

4. Approval of Agenda

Ms. Krause motioned to approve the agenda as presented. Mr. Hedrick seconded the motion, and the agenda was approved 7-0.

MOVER: Juanita Krause

SECONDER: Steve Hedrick

AYES (7): K. Bryan Bass, Garry Owens, Michael Corbell, Steve Hedrick, Thomas Hurley, Brian P. Innes, and Juanita Krause

RESULT: Approved (7 to 0)

5. Approval of Minutes for May 13, 2025

Mr. Corbell motioned to approve the minutes for May 13, 2025 as presented. Vice Chairman Owens seconded the motion, and the minutes were approved 7-0.

MOVER: Michael Corbell

SECONDER: Garry Owens

AYES (7): K. Bryan Bass, Garry Owens, Michael Corbell, Steve Hedrick, Thomas Hurley, Brian P. Innes, and Juanita Krause

RESULT: Approved (7 to 0)

2. Old Business

3. New Business

1. PB 25-11 James Eaton Text Amendment

Agenda Item Summary:

Consideration of a request by Mr. James Eaton to amend the Unified Development Ordinance to establish a new use type titled "Warehouse Storage and Distribution, Limited Access" in the Light Industrial (LI) and Heavy Industrial (HI) zoning districts, along with associated use-specific standards.

Staff Presentation:

Mr. Litteral, representing Planning Staff, presented the proposed text amendment. He outlined that the current UDO permits "storage and distribution" as a use by right in both LI and HI zoning districts. However, the existing standards allow for large-scale operations, including unlimited building size and use of tractor-trailers, subject to a 500-foot setback from residential zoning districts, schools, and child care centers. Mr. Litteral said the proposed amendment seeks to establish a less intensive storage and distribution use, with limitations intended to allow proximity to

residential development without causing significant adverse impacts. The new use type, "Warehouse Storage and Distribution, Limited Access," would be subject to the following use-specific standards (to be codified in Section 4.2.5.B.7 of the UDO):

- Delivery and pickup limited to straight trucks only (e.g., box trucks and pickup trucks).
- Use of tractor-trailers and semi-trucks prohibited.
- Maximum of 20 trips per day (defined as 20 one-way trips, or 10 round trips).
- Maximum total floor area of 10,000 square feet across all associated buildings.
- On-site manufacturing and hazardous material storage prohibited.
- Parking standards to be reviewed by staff with flexibility, including the potential requirement for a Traffic Impact Study.

Discussion Highlights:

Board members discussed the intent and implications of the proposed amendment, including:

- **Setbacks and Buffers:** The new use would not require the 500-foot separation from residential zoning. However, standard zoning district buffers (e.g., Type D) would still apply between industrial and residential zones. Type D buffers are 25 feet wide with specified vegetative density or 10 feet wide if combined with a 6-foot opaque fence.
- **Building Height:** LI zoning allows a maximum building height of 35 feet; HI zoning permits up to 65 feet. Members considered whether a height restriction specific to the new use might be appropriate, particularly for HI lots adjacent to residential areas.
- **Zoning Map Review:** Ms. Turner presented the distribution of LI and HI zones in the county, noting their limited proximity to residential districts.

Applicant Presentation:

Mr. James Eaton (138 Oyster Bend Lane, Southern Shores), owner of *Just for the Beach Rentals*, presented his request to establish a limited-scale warehouse storage use. The proposed facility would be used primarily for off-season storage of beach equipment such as bikes, kayaks, umbrellas, and cribs, with limited in-season vehicle movement for maintenance and item delivery.

- Proposed building: approx. 6,000 sq. ft., well under the proposed 10,000 sq. ft. maximum.
- No use of forklifts or palletized storage; staff will manually handle items.
- Operations involve straight trucks only, no tractor-trailers.
- Office space for 2–3 staff members is planned.
- Site has been cleared of approx. 200 tons of tires and debris from previous use.
- The applicant is supportive of height and operational restrictions proposed in the ordinance.

Board Discussion Concerning Applicant's Presentation:

Setback & Buffer Requirements:

- The 500-ft residential setback in current code is not feasible on the applicant's site.
- Board discussed adding a height restriction to better align with light industrial (35 ft max).
- It was clarified that a Type D buffer (vegetation or fencing) would be required even across a right-of-way.
- Suggestion was made to measure distance from the nearest residential dwelling instead of zoning boundary for future clarity.

Use Intent & Compatibility:

- The board agreed the proposed use is low-impact, non-noisy, and not comparable to high-volume distribution centers.
- Discussion acknowledged that the proposed amendment would apply countywide in all LI and HI districts.
- Concerns were raised about future development near such uses and ensuring compatibility with existing or future residences.

Trip Limitations & Vehicle Types:

- Reinforced that use would be limited to 20 one-way trips/day and straight trucks only, which limits the potential scale and intensity of operations.

Motion:

Ms. Krause motioned to conditional conditionally approve PB 25-11 James Eaton text amendment with the following conditions: The use shall not be located within 100 ft of a residential dwelling unit and buildings associated

with the use in the Heavy Industrial District shall not exceed 35 ft in height because the request is consistent with the goals objectives and policies of imagine Currituck 2040 Vision Plan and the UDO, including Land Use Goals 1 and 3, Land Use Policy 2.2 and Economic Development Goal 1.

Vice Chairman Owens seconded the motion, and the motion carried unanimously 7-0.

Applicant's Next Steps:

Ms. Turner informed Mr. Eaton his text amendment will likely be scheduled for the July 7th Board of Commissioners' meeting.

MOVER: Juanita Krause

SECONDER: Garry Owens

AYES (7): K. Bryan Bass, Garry Owens, Michael Corbell, Steve Hedrick, Thomas Hurley, Brian P. Innes, and Juanita Krause

RESULT: Approved (7 to 0)

2. PB 25-06 Currituck County Text Amendment

Agenda Item Summary:

A Board of Commissioners-initiated text amendment to the Unified Development Ordinance to revise standards for minor subdivisions, family subdivisions, and related infrastructure requirements.

Staff Presentation:

Ms. Turner, representing the Planning Staff, presented the proposed text amendment and explained that the Planning Department has held two work sessions with the Board of Commissioners to develop the proposal. The first session, held on February 26, 2025, provided initial direction, while the second session on June 3, 2025, offered additional guidance and refinements. The amendment aims to address long-standing limitations and inefficiencies in the current subdivision process, particularly issues related to the rigid April 2, 1989, parent parcel date and existing infrastructure requirements. Under the current ordinance, minor subdivisions are defined as divisions of land into three or fewer lots from a parent parcel as it existed on April 2, 1989. Family subdivisions, which allow for up to five lots, operate under a 10-year reset provision and are limited to conveyance to family members within two degrees of kinship.

Current Challenges Identified:

- Difficulty in determining parcel eligibility due to reliance on historical parcel configurations as of April 2, 1989.

- Restrictions on using existing NCDOT-maintained roads for subdivision access.
- The requirement to remove existing driveways if not converted to private access streets.
- Limitations on lot creation due to fire code and water infrastructure requirements.
- Reduced flexibility for rural property owners and family-based land divisions.

Summary of Proposed Amendment:

1. Definition & Lot Allowance Revisions:

- Redefines minor subdivisions to include the division of a parcel into five (5) or fewer lots, including the residual parcel.
- Permits minor subdivision lots on NCDOT-maintained roads, eliminating the requirement to construct a private access street.
- Introduces the option for one flag lot per parent parcel (as of April 2, 1989), with specific conditions.

2. Infrastructure Standards Adjustments:

- Clarifies that any private access street serving more than two (2) lots must comply with North Carolina Fire Code, including fire apparatus turnaround and fire flow provisions.
- Removes the existing requirement that driveways must be removed if not converted to private access roads, providing greater flexibility for existing homes.

3. Zoning and Lot Size Modifications:

- Permits 40,000 square foot lots in the Agricultural (AG) zoning district regardless of connection to county water.
- Allows minor subdivisions in the Single Family Mainland (SFM) district without a required water connection, under specified conditions.

4. Clarifications and Standards for Family Subdivisions:

- Reinforces that family lots must be initially conveyed to family members within two degrees of kinship.
- Specifies that family subdivision lots are restricted to single-family dwellings and customary accessory uses.

- Authorizes the use of easements for family subdivision access, provided the easement is improved to private access street standards and formal documentation of permanent, non-exclusive easement rights is submitted.

5. Access Management and Roadway Controls:

- Imposes a limit of no more than three (3) access points along major arterial or restricted access roads, including:
 - US-158, NC-168, NC-34, NC-136, NC-615, NC-12
 - Tulls Creek Road, Poplar Branch Road, and South Mills Road

Planning Staff Commentary:

- The amendment proposes a practical restructuring of the subdivision process, offering increased flexibility to landowners while upholding safety, infrastructure, and zoning standards.
- The revisions reinstate elements of the pre-2019 private access subdivision approach, broaden minor subdivision eligibility, and reduce regulatory barriers for rural property owners.
- Proposed language has been reviewed by the County Attorney to ensure enforceability and legal sufficiency, particularly regarding easement access and conveyance requirements.

Board Discussion – Concerns & Comments:

- Concern over 40,000 sq. ft. minimum lot size for well/septic use; suggestion made to require 1 acre to avoid contamination risks.
- Discussion on potential abuse of family subdivisions (e.g., immediate resale). A 5-year holding period was suggested based on Camden County's model.
- Inquiry about school impact from increased lot splits—staff indicated school planning does not currently include minor/family lots, but impacts appear manageable.
- Noted the proposed changes reduce the incentive to misuse family subdivisions now that minor subdivisions allow up to five lots.

Motion Discussion:

- Suggestions for stipulations included:
 - Requiring a 1-acre minimum lot size for well/septic subdivisions.
 - A mandatory holding period for family subdivision lots before resale (e.g., 5 years).

Motion Failed:

Ms. Krause motioned to deny PB 25-06 Currituck County Text Amendment because the request is not consistent with the *Imagine Currituck 2040 Vision Plan*. Mr. Hedrick seconded the motion, and the **motion failed** with a 2-5 vote.

Motion Approved:

Mr. Hurley motioned to approved PB 25-06 Currituck County Text Amendment because the request is in conformance with the goals, objectives, and policies of the *Imagine Currituck 2040 Vision Plan* and the UDO, including Land Use Goal 1. Mr. Corbell seconded the motion, and the **motion was approved** with a 5-2 vote.

MOVER: Thomas Hurley

SECONDER: Michael Corbell

AYES (5): K. Bryan Bass, Garry Owens, Michael Corbell, Thomas Hurley, and Brian P. Innes

OPPOSED (2): Steve Hedrick, and Juanita Krause

RESULT: Approved (5 to 2)

4. Announcements

There were no announcements.

5. Adjournment

Mr. Corbell motioned to adjourn the meeting. Chairman Bass seconded the motion, and the motion passed unanimously for adjournment at 7:36 PM.

MOVER: Michael Corbell

SECONDER: K. Bryan Bass

AYES (7): K. Bryan Bass, Garry Owens, Michael Corbell, Steve Hedrick, Thomas Hurley, Brian P. Innes, and Juanita Krause

RESULT: Approved (7 to 0)