



**STAFF REPORT
PB 25-09 CRMP, INC.
CONDITIONAL REZONING
PLANNING BOARD
JULY 8, 2025**

APPLICATION SUMMARY

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| Property Owners: Jane Harvey, Raymond Midgett, Edward Markert, Suzanne Midgett, Russell Midgett, James Markert & Jessie Rivers | Applicant: Tim Newsome, CRMP, Inc. |
| Case Number: 25-09 | Application Type: Conditional Rezoning |
| Parcel Identification Number: 0083-000-005A-0000 | Existing Use: Farmland |
| Imagine Currituck Land Use Classification: G-1 Low Density Growth | Parcel Size (Acres): 10.5 |
| Current Zoning: Agriculture (AG) | Zoning History: A-01, A-40, A, AG |
| Request: Conditional Rezoning of 10.5 acres of farmland located south of Aydlett Rd. in Poplar Branch from Agriculture to Conditional – Heavy Industrial to accommodate heavy manufacturing in the form of a batch concrete plant. | Proposed Zoning: Conditional-Heavy Industrial (C-HI) |

REQUEST

NARRATIVE

The applicant is requesting conditional rezoning of 10.5 acres of farmland from Agriculture to Conditional-Heavy Industrial to accommodate heavy manufacturing for the purpose of constructing a concrete batch plant. The property is located in Poplar Branch south of Aydlett Road and immediately north of Muddy Motor Sports Park. The location was chosen due to its proximity to the proposed Mid-Currituck Bridge and the need for time sensitive production and delivery of specific mixes of concrete required for bridge construction. The proposed site is also located equidistant from existing concrete plants in the county and is not near any residential development. Upon completion of the bridge, the site will be situated to allow faster delivery of concrete to the Northern Outer Banks.

SURROUNDING PARCELS

| | Land Use | Zoning |
|-------|---|---------------|
| North | Active Farmland | Agriculture |
| South | Muddy Motor Sports / Waterfowl Impoundment / <1 Acre Mine | Agriculture |
| East | Forest | Agriculture |
| West | Active Farmland | Agriculture |

COMMUNITY MEETING

The applicant held a community meeting on Tuesday, March 18, 2025 at 4:00 pm at the Currituck County Library in Barco. A summary prepared by the applicant is provided in the agenda packet.

Agriculture District Purpose

The Agriculture (AG) district is established to accommodate agriculture and agriculturally-related uses (including residential development) at very low densities in rural portions of the county. The district is intended to preserve and protect active agricultural uses, farmlands, and other open lands for current or future agricultural use. The district accommodates small-scale residential uses and allows farmers to capture a portion of the land's development potential through special provisions for conservation subdivisions that allow a portion of a tract or site to be developed with single-family homes while the balance of the site is left as open lands available for continued agricultural use. The district accommodates a wide range of agricultural and agricultural-related uses like "agri-business" and "agri-entertainment", but prohibits uses that are not directly related to or that do not provide direct support for agricultural activities.

Heavy Industrial District Purpose

The Heavy Industrial (HI) district is established to accommodate intense or heavy manufacturing and industrial uses engaged in assembly, fabrication, processing, distribution, storage, and research and development activities within portions of the county removed from residential and environmentally sensitive areas. The district is intended for large-scale development that includes extensive exterior vehicular movements, outdoor storage of raw materials and finished products, stockpiling of wastes, and the potential for noise, odor, glare, dust, vibration, or negative visual impacts on adjacent uses. In addition to industrial uses, the district allows supporting office and warehousing functions. Residential uses are not permitted in the district, but some institutional, commercial, and office uses are permitted, provided they will not negatively impact the range of allowed uses in the district. Development in the district is subject to development standards that seek to minimize nuisances and address the visual quality of development, as seen from adjacent residential development and public streets.

Manufacturing, Heavy

Manufacturing uses include, but are not limited to: manufacture or assembly of machinery, equipment, instruments, vehicles, appliances, communications equipment, computer or electronic equipment, precision items and other electrical items; the processing of food and related products; lumber mills, pulp and paper mills, and the manufacture of other wood products; and electric power generation plants. Specifically prohibited are rendering, petroleum refining, and manufacture of chemicals, fertilizers, paint, and turpentine.

Heavy Manufacturing Examples

Heavy Manufacturing uses include, but are not limited to: manufacture or assembly of machinery, equipment, instruments, vehicles, appliances, communications equipment, computer or electronic equipment, precision items and other electrical items; asphalt/concrete plants; the processing of food and related products; lumber mills, pulp and paper mills, and the manufacture of other wood products; and electric power generation plants.

Imagine Currituck 2040 Vision Plan

The Imagine Currituck 2040 Vision Plan classifies the site as **G-1 Low Density Growth** which is intended for agricultural lands and compatible low-density rural residential growth that may be supported by limited small-scale neighborhood retail uses. Residential and Non-Residential uses should be in keeping with community character. Limited municipal type service, such as fire protection, emergency services, and community water may be available, but public or private sewer services are not appropriate. Special consideration should be given to protect historically agricultural and wooded areas. The transect profile calls for encouraging neighborhood commercial development to locate near road intersections and existing compatible uses and community facilities.

Appropriate land uses and development types:

- Agriculture and agritourism destinations and related businesses
- County Facilities
- Limited neighborhood commercial
- Low density residential growth that prioritizes preservation of open space and the natural landscapes
- Tourism-oriented commercial, along Caratoke Highway
- Eco-tourism and water dependent uses
- Forestry and other natural resource-based activities

The following land use goals and policies may be relevant to the request:

Land Use

Goal 1: Encourage development to occur at densities appropriate for their location and consider factors, including but not limited to: environmentally suitable areas; suitable soils; adequate infrastructure; the type and capacity of sewage treatment available to the site; the adequacy of transportation facilities providing access to the site; and compatibility and proximity of the site to existing and planned County services.

Policy 1.1: The Future Land Use Map is a guide for decision making, planning for infrastructure and conservation and should not be the sole basis for land use decisions.

Policy 1.3: Consider community character and established visions for the community.

Policy 1.4: Protect the uniqueness of the County through preservation of farmland, wooded areas, open space and water views from roads, walkways and other public spaces.

Goal 2: Carefully consider the design and location of intensive and potentially incompatible land uses to mitigate compatibility issues such as environmental quality, safety, overburdening local infrastructure, scale, use, design, location, and adverse effects.

Policy 2.3: Encourage new industrial uses to locate in existing or planned industrial sites and locate on suitable land with unique location advantages.

Goal 3: Support new and existing commercial developments that adhere to quality community appearance and design standards, including landscaping improvements and signs tailored to achieve a unique community character.

Economic Development

Goal 1: Support the retention and expansion of existing businesses and promote the development of new businesses, especially those that help diversify the local economy and are compatible with the county's natural amenities and environment.

Goal 5: Attract compatible industrial operations and support existing industries.

Policy 5.1: Industrial Development shall be located on land that is physically suitable and has unique locational advantages for industry.

Transportation

Goal 1: Improve safety, traffic flow, access, and appearance of major highways and roads.

Policy 1.1 Support the Mid-County bridge to provide critical traffic relief, to improve emergency access to and evacuation from the Currituck Outer Banks, to promote economic development, and to provide better access to public and private services not readily available to the Outer Banks.

Environment

Goal 2: Ensure the protection and preservation of prime agricultural lands to the extent possible.

Policy 2.1: Support measures to protect and promote forest and farmland as outlined in the adopted Currituck County Agricultural Development Plan.

Policy 2.2: Encourage farmers and timber operators to use best management practices to protect and improve water quality.

Lower Currituck Geographic Area

General

Policy 1.1: Foster growth and development while maintaining the distinctive natural environment and rural character of the community.

Policy 1.2: New development and redevelopment should be properly planned so as to not adversely impact the character of the area and the peace and quiet traditionally enjoyed by its residents.

Policy 1.4: Recognize community desire for additional neighborhood level services, retail, & dining.

Aydlett/Waterlily/Churches Island

Policy 2.1: Continue to encourage predominately low-density residential development.

Mid County Bridge Area

Policy 3.2: Commercial development should locate near US 158.

Policy 3.3: Location and design of development in this area should not compromise traffic moving function of new bridge.

G-1 Transect

Policy 8.1: Conservation subdivisions are valued over other less-compatible development types and density bonuses should be considered for the conservation of additional open space.

Policy 8.2: Support the development of agriculture-based businesses, agritourism ventures, production of value-added agricultural products, and markets in Lower Currituck to establish the area as an agritourism destination.

Community Vision Statement

“Economic development ventures support existing residents and create quality jobs in the community. New commercial and employment development diversifies the local economy while maintaining balance with the existing community character. The County fosters business opportunities by maintaining an excellent education system that prepares students for a prosperous future.”

Guiding Principles

COORDINATED GROWTH. Strategically direct growth toward areas that are accessible to existing or planned transportation networks, water and wastewater infrastructure, and compatible with surrounding land uses. Produce and implement design-focused civic master plans for key growth areas that include an emphasis on natural resource protection.

DESTINATION POINTS. Establish and enhance key destinations throughout Currituck County, including natural and cultural centers. Create walkable, mixed-use neighborhoods and develop destination-quality recreation facilities and trails.

ECONOMIC PROSPERITY AND RESILIENCE. Cultivate a diverse economy that encourages the growth of traditional sectors while fostering new opportunities for nature-based recreation tourism and small business growth. Provide a range of housing types and land development densities appropriate for attracting quality, environmentally compatible businesses and industries that strengthen the County tax base.

LC-ACT-1 Establish Key Gateways at the following locations: 1) US 158 at the Wright Memorial Bridge landing in Point Harbor; 2) Future Mid-Currituck Bridge landing; 3) Caratoke Highway/168 at Spot Road in Powells Point; 3) North and South Gateways into the Grandy Village area.

LC-ACT-14 Develop a Civic Master Plan for the Future Mid-Currituck Bridge landing.

ZONING MAP AMENDMENT REVIEW STANDARDS

The advisability of a conditional rezoning is a matter committed to the legislative discretion of the Board of Commissioners and is not controlled by any one factor. In determining whether to adopt or deny a conditional rezoning, the Board of Commissioners may consider the following Zoning Map Amendment Review Standards:

1. Is consistent with the goals, objectives, and policies of the Land Use Plan, other applicable county-adopted plans, and the purposes of this Ordinance;
Staff Commentary: The application is not consistent with the FLUM of the Imagine Currituck 2040 Vision Plan because heavy manufacturing is not the type of development typically associated with the G-1 transect. Also, the LUP encourages new industrial uses to locate in existing or planned industrial sites and locate on suitable land with unique location advantages. This area is not in an existing or planned industrial site.
2. Is in conflict with any provision of this Ordinance, or the County Code of Ordinances;
Staff Commentary: The application is not in conflict with the UDO and Code of Ordinances with respect to proposed site design requirements.
3. Is required by changed conditions;
Staff Commentary: The applicant is attempting to position the batch concrete plant use for construction of the Mid-Currituck Bridge.
4. Addresses a demonstrated community need;
Staff Commentary: The application may address a demonstrated community need by making concrete more readily available to the Northern Outer Banks; however, the LUP vision for the Off-Road Area deters growth-inducing policies and facilities.
5. Is compatible with existing and proposed uses surrounding the land subject to the application, and is the appropriate zoning district and uses for the land;
Staff Commentary: The application may not be compatible with the neighboring outdoor recreation use, which is only active intermittently, or the active farmland surrounding the parcel. Heavy Industrial is the appropriate zoning district for a concrete batch plant.
6. Adversely impacts nearby lands;
Staff Commentary: The adjacent property to the south is currently permitted for outdoor recreation but is only active intermittently. The application may affect the rural character enjoyed by the community in the Aydlett/Waterlily/Churches Island subarea.

7. Would result in a logical and orderly development pattern;
Staff Commentary: This application will result in a significant change to the area and may result in additional similar rezonings that may further affect the character of the area. The BOC should consider whether this area is appropriate for industrial uses or future industrial parks and if the rezoning is consistent with established visions and community values.
8. Would result in significant adverse impacts on the natural environment— including, but not limited to, water, air, noise, stormwater management, wildlife, vegetation, wetlands, and the natural functioning of the environment;
Staff Commentary: The application may not result in significant adverse impacts on the natural environment but will likely result in some impacts in the form of noise and dust.
9. Would result in development that is adequately served by public facilities (e.g., streets, potable water, sewerage, stormwater management, solid waste collection and disposal, schools, parks, police, and fire and emergency medical facilities);
Staff Commentary: The use will be adequately served by public facilities.
10. Would not result in significantly adverse impacts on the land values in the surrounding area;
Staff Commentary: The use may not have significant impact on the land values based on the current use, but may have an impact on future uses, particularly if the bridge landing area becomes a significant and well planned commercial node.
11. Would not conflict with the public interest and is in harmony with the purposes and intent of this Ordinance.
Staff Commentary: The application may not be in harmony with all the purposes and intent of the Unified Development Ordinance. It may not foster compatible relationships among land uses or protect the county's rural character and agricultural heritage and may affect the rural character enjoyed by the community in the Aydlett/Waterlily/Churches Island subarea.

RECOMMENDATION

Technical Review Committee

Given the inconsistencies with the Imagine Currituck 2040 Vision Plan including the Future Land Use Map, the county's adopted Official Zoning Map, and the fact that master planning for the Mid-Currituck Bridge Area has not been completed with community engagement as recommended in the LUP, the Technical Review Committee is not able to definitively recommend approval of the request.

A conditional rezoning is a legislative decision of the Board of Commissioners. Special consideration should be given to the Imagine Currituck 2040 Vision Plan goals and policies when creating new industrial zoning and heavy manufacturing uses in the county and especially along the Caratoke Highway corridor. The proposed use will be visible from Caratoke Highway and is in an area where preservation of active farmland and low-density growth is encouraged. The potential for well-planned economic development and increased property values in and around the bridge landing area should be considered. The LUP emphasizes strategically planned development at Mid-Currituck bridge landings.

ADVISORY BODY REVIEW AND DECISION

Planning Board

The Planning Board, following a public meeting, shall make a recommendation on the application in accordance with Section 2.3.9, Advisory Body Review and Recommendation, and Section 2.4.4.D, Conditional Rezoning Review Standards.

During its review of the application, the Planning Board may suggest revisions to the proposed conditions (including the conceptual development plan), consistent with the provisions of Section 2.3.11, Conditions of Approval. Only those revisions agreed to in writing by the applicant shall be incorporated into the application.

The Planning Board shall advise on and comment on whether the proposed conditional rezoning is consistent with 2.4.4.B.8(b) and shall make a written recommendation to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate by the Planning Board. The Board of Commissioners is not bound by a Planning Board recommendation.

DECISION MAKING BODY REVIEW AND DECISION

Board of Commissioners

The Board of Commissioners, following a legislative public hearing, shall decide the application in accordance with Section 2.3.10, Decision-Making Body Review and Decision, and Section 2.4.4.D, Conditional Rezoning Review Standards. The decision shall be one of the following:

- (i) Approval of the conditional rezoning subject to the conditions included in the application;
- (ii) Approval of the conditional rezoning subject to any revised or additional conditions agreed to by the applicant, in writing;
- (iii) Denial of the conditional rezoning; or
- (iv) Remand of the conditional rezoning application back to the Planning Board for further consideration.

CONSISTENCY AND REASONABLENESS STATEMENT

A conditional zoning is a legislative decision of the Board of Commissioners. In determining whether to approve or deny a conditional rezoning the Board of Commissioners shall adopt a written statement of consistency and reasonableness.

When making a decision, the Board of Commissioners shall approve a statement of consistency and reasonableness that:

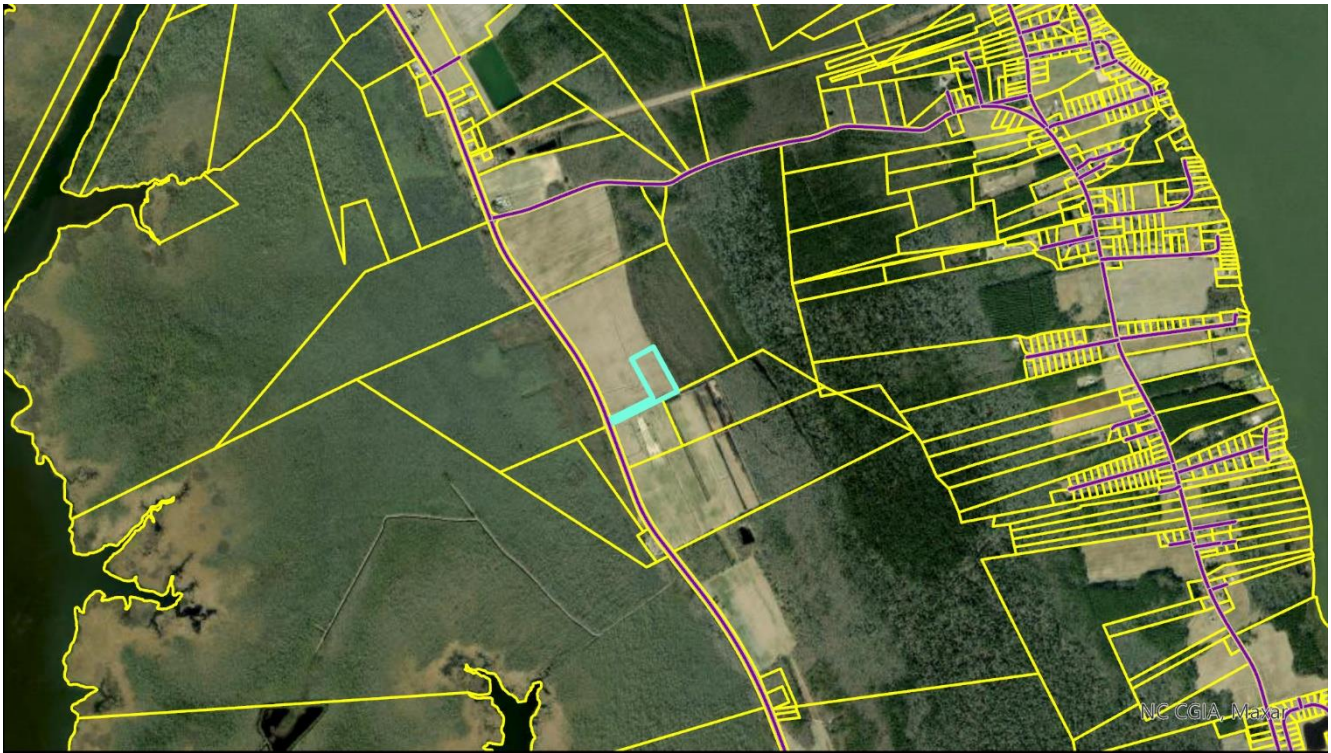
- (i) Describes whether the decision is consistent with all county adopted plans that are applicable; and
- (ii) Explains why the decision is reasonable and in the public interest. When making a statement of reasonableness, the Board of Commissioners may consider, among other factors:
 - (A) The size, physical conditions, and other attributes of any area proposed to be rezoned;
 - (B) The benefits and detriments to the landowners, the neighbors, and the surrounding community;
 - (C) The relationship between the current actual and permissible development and the development permissible under the proposed conditional rezoning;
 - (D) Why the action taken is in the public interest; and
 - (E) Any changed conditions warranting the amendment.

CONDITIONS OF APPROVAL

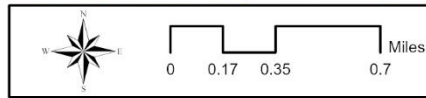
Only conditions mutually agreed to by the owner(s) may be approved as part of a conditional zoning district. Conditions shall be limited to those that address conformance of development and use of the site with county regulations and adopted plans and that address the impacts reasonably expected to be generated by the development or use. No condition shall be less restrictive than the standards of the parallel general use zoning district.

Agreed upon conditions of approval:

1. Development of the property shall conform to the proposed conceptual development plan.
2. The use shall have secure access, including gates with access codes for authorized workers.
3. The use shall include appropriate security measures including surveillance cameras and lighting.
4. The concrete apron shall be extended from Caratoke Highway to the security gate.
5. The driveway shall be improved with washed aggregate or asphalt millings to reduce dust.



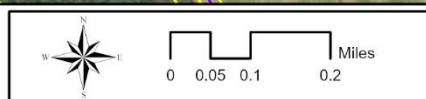
PB 24-09 CRMP, Inc
Conditional Rezoning
Vicinity Map



Currituck County
Planning and Inspections
Department



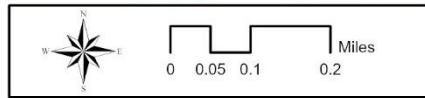
PB 24-09 CRMP, Inc
Conditional Rezoning
2024 Aerial Photography



Currituck County
Planning and Inspections
Department



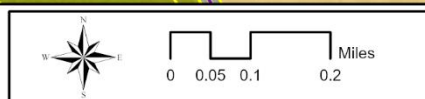
PB 24-09 CRMP, Inc
Conditional Rezoning
Official Zoning Map



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PB 24-09 CRMP, Inc
Conditional Rezoning
Imagine Currituck FLUM



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