



APPROVED

**PLANNING BOARD
REGULAR MEETING
March 11, 2026**

The Planning Board for the Town of Duck convened at the Paul F. Keller Meeting Hall on Wednesday, March 11, 2026.

Present: Chair Bob Wetzel, Vice Chair Bob Webb, James Cofield, Dan Snyder, Irine Devroude, and Council Liaison Sandy Whitman.

Also present: Assistant Town Manager Connor Winstead, Planning and Permits Manager Sandy Cross, Community Planner Jim Gould, and Deputy Town Clerk Christy Hanks.

Absent: None.

CALL TO ORDER

Chair Wetzel called to order the Regular Meeting of the Planning Board for March 11, 2026 at 4:00 p.m.

SWEARING IN NEW PLANNING BOARD MEMBER, IRINE DEVROUDE

Hanks swore in new planning board member, Irine Devroude.

PUBLIC COMMENTS

None.

APPROVAL OF MINUTES

Minutes from the January 14, 2026, Meeting

Cofield motioned to approve the minutes as presented. Webb second the motion.

Motion carried 5-0.

PLANNING AND ZONING E-MODULE LEARNING

a. Local Land Use Planning in North Carolina

The Planning Board watched a 20-minute e-module presented by the UNC School of Government regarding the basics of local development regulations.

ZONING TEXT AMENDMENTS

a. Chapter 156: Land Use

i. General Provisions, Subsection 156.001 -156.012 Review

Cross presented a follow up draft of subsections 156.001 through 156.012 to the Board for review and to continue identifying areas of revision. Staff referenced revisions to Section 156.001, noting a proposed amendment to include “redevelopment” alongside “expansion and development” to better reflect current trends involving the redevelopment of existing structures. On page 13, under Adult Cabaret, to include “digital assets” was acknowledged and added. Discussion moved to baste stamp No. 16 regarding the definition of “bedroom equivalent.” Staff included regulatory language provided by Dare County Environmental Health Department (DCEHD), which had not been available during prior meetings. It was noted that no standard planning dictionary definition had been identified for bedroom equivalent.

Board members discussed the relevance of the term, particularly in relation to occupancy regulations. It was clarified that ordinance enforcement is based on occupancy rather than the number of bedrooms. Occupancy limits are determined by Dare County Environmental Health based on septic capacity and anticipated gallons per day usage, which correlates to the number of occupants rather than designated bedrooms. Wetzel inquired about enforcement of stated occupancy limits. Cross explained that property owners are required by DCEHD to sign documentation specifying occupancy; however, follow-up enforcement is limited. To address this, occupancy limits are included on certificates of occupancy, with parking requirements directly tied to those limits. The Board further discussed that “bedroom equivalents” may be most applicable in determining parking requirements. Examples were provided illustrating that higher occupancy (e.g., four bedrooms accommodating twelve occupants) results in increased parking requirements compared to lower occupancy scenarios. Standard assumption of two persons per sleeping room were noted.

Cross referenced information provided by DCEHD regarding definitions and regulatory alignment. Cross noted that a “bedroom” is defined as a sleeping room under applicable building and recovery codes, with requirements such as doors, windows, and egress determined by building standards. Cross further explained that environmental health evaluations consider factors such as daily design flow (DDF), effluent strength, and site conditions. These determinations are based on the number and function of design units, including the number of bedrooms, occupants per bedroom, or total number of occupants. Cross emphasized that the primary regulatory focus is on total occupancy rather than strictly the number of bedrooms.

Cross revisited the definition of “building setback line,” noting that no revisions have been made pending further review. Cross referenced planning dictionary standards, which define “setback line” rather than “building setback line,” and recommended consideration of removing the word “building” to align with standard terminology. Cross also identified that the current definition includes regulatory language excluding certain features (e.g., uncovered porches, steps, eaves, gutters, and fixtures). She advised that this language is already addressed within the ordinance’s regulatory sections and should be removed from the definition to avoid redundancy and potential confusion. In response to a question from Cofield regarding whether these features are addressed elsewhere, Cross confirmed that the ordinance includes a provision allowing certain building features—such as sills, cornices, bay windows, stoops, covered entryways, and stairs—to project up to three feet into required yard setbacks or beyond building restriction lines.

Cross noted the proposed revision to rename “bulletin board” to “sign, bulletin board” for consistency. She explained that this change will allow the definition to be relocated to the sign section of the ordinance, ensuring that all sign-related definitions are consolidated in one location.

Cross referenced a comment from the recent Council retreat regarding the use of decibel measurements, noting that “dBA” (A-weighted decibels) was suggested as the preferred standard. She indicated that this item has been flagged for further review. Board members discussed existing definitions related to sound and noise, including “sound level,” and considered whether multiple related definitions could be logically consolidated. It was noted that clarity and consistency in terminology will be important. Cross explained that this working document will serve as a guide for a future consultant, pending budget approval, to assist in identifying gaps, inconsistencies, and needed updates within the ordinance. This includes determining appropriate standards for noise measurement. Staff noted that industry standards, such as dBA, may be appropriate to include, but emphasized that the topic is complex and requires careful consideration due to the technical nature of sound measurement.

Discussion then shifted to the definition of “development.” Staff noted prior Board consensus to consolidate definitions from multiple sources, including the floodplain ordinance and Chapter 154 (Areas of Environmental Concern), into a single, clear definition. Cross suggested that, where appropriate, the ordinance could also reference related regulations or external definitions (e.g., general statutes) rather than duplicating language. Further review of both noise-related definitions and the development definition was recommended, as items to be included for consultant evaluation.

ii. *District Regulations, Subsections 156.025 – 156.040*

Cross brought up the discussion of relevancy surrounding manufactured and mobile homes. The board discussed the definition of “seasonal vacation use” within district regulations, noting the difficulty in clearly defining the term and the lack of a clear solution from prior discussions. It was suggested that a potential distinction could be whether a property is used as a permanent residence, such as receiving mail, versus for seasonal purposes. The conversation also addressed the differences between manufactured and mobile homes, with clarification that manufactured homes are prefabricated structures while mobile homes are trailer-style units. Members noted that these distinctions are already defined in state statutes, and while there was a question regarding a pre-1976 cutoff associated with HUD standards, it was confirmed that the regulations rely on existing statutory references rather than establishing new definitions locally.

Cross combined the changes to eating establishments, note that when they are combined, it will read something like provided table or counter service by an employee and just have sections A and B combined.

Cross reviewed the section on impervious surfaces, referencing prior extensive discussion under lot coverage and confirming that no major items appeared to be missing. A clarification was raised regarding terminology, specifically the use of “innovative wastewater systems,” with discussion

distinguishing engineered systems such as peat systems and noting that their plastic components would count toward lot coverage. It was suggested that the language be revised to “innovative/engineered systems” for clarity to the public. Additional questions were raised about gravel or sand base grid systems, with staff confirming that sub-base inspections are conducted to verify proper installation and ensure compliance.

Cross moved on to parking spaces, noting that calculations would be addressed in the definitions section, and noted a correction in the subsection under “personal service establishment,” updating a typographical error from “photograph studies” to “photograph studios.” The “reader board” definition was identified as a type of sign, with “sign” to be added and the term moved to the sign section, “sign, arcade” will be removed due to duplication with similar terms and to avoid confusion.

Cross brought up discussion of the relationship between the definitions of “structure” and “yard,” emphasizing the need to ensure consistency and clarity in how these terms interact within the ordinance. Concerns were raised about the current definition of “yard,” particularly the inclusion of regulatory language (e.g., fences and height limitations), which should instead be moved to an exceptions section for clarity and ease of use. Cross highlighted that placing regulatory details within definitions can make information difficult to locate for both staff and the public. The necessity of including language referencing a “court” was also questioned, with members noting potential confusion between interior courtyards and recreational courts (e.g., tennis or pickleball), suggesting the term should either be clearly defined or removed.

Additional discussion focused on terminology such as “required front” and “required rear” yards, noting that clearer definitions of setbacks may eliminate the need for such qualifiers. Cross considered whether to add references to structures like sheds, decks, and patios, and identified inconsistencies in the use of “setback areas” versus “building setback lines,” recommending either defining the former or standardizing the terminology. Members also expressed confusion with a section restricting structures in yards, noting that in practice such uses exist and that the language may be unclear or unnecessary. Suggestions included revising the wording to explicitly reference setback areas or potentially removing the section if it does not add value. Cross concluded by identifying related sections for further review and noted that the compiled definitions were drawn from the Planner’s Dictionary, though formatting varies due to extraction methods.

Cross provided multiple definitions of “open space,” noting that many refer to community-oriented areas rather than individual properties. Members discussed refining the definition to focus on private use, suggesting language that emphasizes areas intended for residents of a dwelling unit and preserving natural or landscaped space, while avoiding unnecessary or conflicting references. It was agreed that references to patios should be removed from the open space definition, as patios would instead be classified under “structures.” The group supported simplifying the definition to avoid overlap and confusion.

Cross shifted to the definition of “patio,” with consensus that it should fall under the broader category of “structure.” Members reviewed and refined the language, agreeing that a patio may be constructed of various materials and may or may not be elevated above ground level, to account for different design types. It was also noted that related elements such as decks and porches would

be included under the structure definition. The board agreed to carry these revised definitions forward and to continue discussion at the next meeting, beginning with parking, which had not been addressed as originally planned.

STAFF COMMENTS

Summary of Town Council Meetings, February 4, February 24-25, and March 4, 2026

Cross let the Board members know that the Town Council approved the zoning text amendment for outdoor shower exceptions as well as for pool water discharge and general nuisance code Chapter 91-Addition 156.041. Staff will continue to work towards educational standpoints on these ZTA's. From the Town Council Retreat staff were approved to bring back the peddler's ordinance with possibilities for brick-and-mortar businesses. Staff will also be bringing back the noise ordinance with Connor Winstead in charge of working through it.

Project Updates

Cross informed the Board that project from Wood Duck to Pintail has been completed besides working on grass seed for stabilization. The retaining wall at North Georgetown Sands is completed and the contractors are working on cleaning up the area. Teresa Court received bids however, additional money will be needed to complete the project, which Council approved. The project is slated to begin after the 2026 Duck Jazz Festival to not impact homeowners in the area during the main rental season. Parks and Rec committee received approval for the cul-de-sac improvements and will be attempting to have it completed by Easter. The Town will host a Foster a Tree project for bald Cypress trees. Two trees will be purchased and planted, another 25 smaller tubling trees will be planted along the shoreline, and 50 additional baby trees to be passed out to be raised by volunteers and brought back to the Town for planting after 2 years. March 20, 2026, is Earth Day and this will be the day of passing out trees as well as providing information for care. NC OBX Realtors provided a \$5,000 grant for septic inspection program. Staff has also requested additional funding from Council to help provide the service to more properties. The septic inspection program is expected to kick off in April.

BOARD COMMENTS

Webb mentioned the Parks and Recreation Committee meetings and that there are future plans for the nature play and playground renovations. Devroude asked about the current issues with the noise ordinance. Winstead informed her that the Town has recently received a few complaints about excessive noise from commercial businesses that have affected some residences. Overall, the Town sees this as an opportunity for improvement from an enforceability standpoint. Snyder also let Devroude know that she could watch the public comments from the recent Town Council Retreat for more information. Wetzal requested a decent size map of the Town showing different zoning areas.

ADJOURNMENT

Wetzel adjourned.

The time was 6:16 p.m.

Approved: 
Bob Wetzel, Chairman