



MEMORANDUM

Town of Nags Head

Planning & Development Department

To: Board of Commissioners
Planning Board

From: Michael Zehner, Director of Planning & Development

Date: May 26, 2021

Subject: Planning and Development Director's Report (H-1)

This memo provides an overview of selected Planning and Development Department activities, projects, and initiatives. If requested, Staff will be prepared to discuss any of this information in detail at the Board of Commissioners meeting on June 2, 2021.

Monthly Activity Report

Attached for the Board's review is the *Planning and Development Monthly Report for April 2021*. In addition to permitting, inspections, code enforcement, and Todd D. Krafft Septic Health Initiative activities, Staff was involved in the following meetings or activities of note during the month:

- Wednesday, April 7 - Board of Commissioners Meeting
- Thursday, April 8 - Board of Adjustment Meeting
- Monday, April 12 - Planning & Development Department Staff Meeting
- Wednesday, April 14 - Arts & Culture Committee Meeting
- Thursday, April 15 - Dare County Tourism Board Meeting
- Thursday, April 15 - DWMP Update Advisory Committee Worksession
- Monday, April 19 - CAMA Land Use Coordination Call with DCM
- Tuesday, April 20 - Planning Board Meeting
- Tuesday, April 27 - Permitting, Inspections, and Code Enforcement Team Meeting
- Wednesday, April 28 - Planning & Zoning; Environmental Planning; Hazard Planning Staff Meeting

RFQ for Estuarine Shoreline Management Plan

An RFQ seeking a consultant for development of an Estuarine Shoreline Management Plan for the Town was released on May 24, 2021, with responses due July 7, 2021 ([LINK](#)). Staff would request the Board's authorization to advertise a request for volunteers to serve on an advisory/steering committee for the project, with candidates to be presented to the Board for consideration and appointment.

Outdoor Dining

The Board of Commissioners discussed temporary outdoor dining at their meeting on May 5, 2021 meeting, indicating their support to allow for the continued issuance of

Temporary Use Permits until November 28, 2021 should the declared state of emergency be lifted. The Board additionally asked Staff to work on a text amendment to allow temporary allowances for outdoor dining regardless of a declared state of emergency. Staff will initiate this discussion with the Planning Board at their June 15, 2021 meeting.

Planning Board - Pending Applications and Discussions

The Planning Board returned to in-person meetings on May 18, 2021; the meeting included an initial discussion of a scope for the Electric Vehicles Action Plan and preliminary discussion regarding amendments to the Town's Sign Ordinance. The Planning Board also discussed ways to better understand the changes in the Town's population (permanent, daytime, and seasonal) and implications that such changes may have on the provision of services; Staff showed the Board a video of one data solution that had been used for Nantucket <https://www.youtube.com/watch?v=TCpcKtG7ATc>

The Board's next meeting is scheduled for June 15, 2021. At this time, the agenda is expected to include continued discussion of the scope for the Electric Vehicle Action Plan, preliminary discussion regarding amendments to the Town's Sign Ordinance, and preliminary discussion regarding amendments to allow for temporary allowances for outdoor dining. Additionally, there are active pending conditional use permit applications for the property at 205 E. Baltic Street (a.k.a. the Dream Center) and The Soundside Event Site and associated properties; continuances were requested from the April meeting to the May meeting; however, further continuance requests are not unanticipated.

Additional Updates

- **CAMA Land Use Plan Update** - Staff worked with DCM staff on May 12, 2021 to coordinate final revisions to the Land Use Plan. Staff is working to complete final revisions and develop a schedule for local adoption.
- **Outdoor Lighting; Street Lights** - The Board recently adopted amendments to the Town's UDO pertaining to outdoor lighting and the lighting of signs. In their review of the amendments, the Planning Board did indicate an interest in wanting to consider additional changes in the future. A related consideration that has been identified by Staff is that the current ordinance prohibits "Outdoor miniature lights on strings except from mid-November until mid-January, provided that such lighting does not create glare or is a nuisance to adjacent properties;" it has been noted that this prohibition does not necessarily relate to many of the string lights being installed throughout Town, and whether or not those installations are undesirable.

Related, Town Staff was recently contacted by Dominion Energy regarding plans to convert the Town's streetlights to LED. Staff is expecting to review LED fixtures that have already been installed in Town, as well as review potential sites for the use of "amber" fixtures that are more consistent with the needs of nesting turtles. The Board of Commissioners requested the locations of LED fixtures to allow for their review, and Staff is working to compile detailed information on the location and specifications for these fixtures.

- **Electric Vehicles Action Plan; Level 2 Charger** - As noted above, Staff held a preliminary discussion with the Planning Board concerning the scope of the Electric Vehicles Action Plan; Staff has received interest from Duke University in having a Masters student from the Energy and Environment Program work on this project.

Staff continues to consider opportunities and work with vendors to source a charger for location on Town property through a “host” arrangement.

- **Town Workforce Housing Study & Plan/RFI** - The RFI seeking solutions for the Town’s lifeguard housing needs was released on April 21, 2021, with responses due on June 7, 2021.
- **LID Manual; Review of Residential Stormwater Regulations** - In their review of a text amendment to update the UDO to reference the recently updated *Low Impact Development and Stormwater Reference Manual*, to replace the *Low Impact Development Solutions to Reduce Stormwater Runoff Manual*, and to adopt the same, the Board continued consideration until their July 7, 2021 meeting and requested that Staff coordinate with the building community. These actions are pending, and will likely include a larger discussion concerning the recommendations for updates to the residential stormwater regulations made by Staff and the Planning Board.
- **Skate Park Renovation - Phase 1** - A survey seeking input from the community with regard to potential future improvements to the Skate Park was conducted from March 9 to April 26, 2021. A total of 551 responses were received. A summary of the responses is attached for the Board’s review.
- **Decentralized Wastewater Management Plan** - To this point, three meetings have been held with the project Advisory Committee. Much of the effort to this point has involved the collection of relevant data and information, the identification of stakeholders, issues, and opportunities, and the development of an engagement plan. Victor D’Amato, who was serving as the lead project manager with Tetra Tech, has recently departed Tetra Tech for the North Carolina Division of Water Infrastructure; existing project staff has backfilled Mr. D’Amato’s role, including Mary Clark, who was a consultant on the original DWMP.
- **Dowdy Park Farmer’s Market** - The first Market of the season will be held on Thursday, May 27 from 9a to 1p. Markets will be held every Thursday, through Thursday, September 9.
- **Draft Scope for Estuarine Shoreline Management Plan** - As noted above, an RFQ has been released, with responses due July 7, 2021.
- **Islington Street Beach Access** - With the exception of signage, we have been notified that the improvement of the Islington Street Beach Access has been completed. Staff will begin working to close out the grant with DCM.

- **GIS Platform Update, Phase 1** - An RFI seeking information on GIS services was released by the Town, also on behalf of the towns of Kill Devil Hills, Kitty Hawk, Southern Shores, and Duck, resulted in 10 responses. Interviews with the respondents began on May 17 and will be completed on May 28.
- **ETIPP Project/Program** - As previously reported, Staff was notified on April 19, 2021 of the Town's acceptance into the Energy Transitions Initiative Partnership Project (ETIPP) Community Technical Assistance Program offered by the U.S. Department of Energy and the National Renewable Energy Laboratory (NREL) for assistance in addressing electric utility resilience for the Town and the Outer Banks, with a focus on renewable energy sources. Project scoping meetings have been held on May 6 and May 24, and a final project scope is expected to be approved on June 17.
- **NC AIA Activate Technical Assistance** - Staff is working to coordinate next steps on the ACTIVATE technical assistance award from the North Carolina Chapter of the American Institute of Architects; the project would develop best practices for building design related to renewable energy and energy and water efficiency.
- **Flood/Tide Gauges** - As previously reported, the Town had submitted a letter of support to participate in a joint grant to fund additional tide gauges to be located in Town, as well as other locations in Dare County. The Town was notified on January 3, 2021 that the collaborative request was selected for funding, and Town Staff subsequently coordinated the installation of a gauge on a dock in the Village at Nags Head; once online, there will be three gauges in the Town providing up-to-date tide and flood data: the gauge located in the Village, one at Jennette's Pier, and another at on Little Bridge.
- **LID Stormwater Demonstration Project** - As previously noted, the Town was notified that it was successfully awarded \$2,500 in cost share assistance from the Dare Soil and Water Conservation District through the Community Conservation Assistance Program for the development of a rain garden at Town Hall to improve local water quality and serve as a Low Impact Development demonstration and education project. Staff is waiting on direction from the District regarding design before initiating installation.
- **Provisions for the Registration of Events Held at Residential Properties** - When it is appropriate, Staff would request feedback from the Board of Commissioners as to whether they would like to consider for adoption provisions requiring the registration of events held at residential properties. As noted in the memorandum to the Planning board ([LINK](#)), a more comprehensive review and amendment of Chapter 4, *Amusements, Entertainments, Mass Gatherings and Commercial-Outdoor Recreational Uses*, may be necessary given issues that have arisen; provisions addressing events at residential properties could be addressed separately now, or be incorporated into this more comprehensive review and amendment.

- **Grants and Assistance**

- Staff had submitted a request under the Hazard Mitigation Grant Program (Tropical Storm Michael) to update the Town's Emergency Operations Plan. While staff originally learned that funding under that event was no longer being considered, and that the request may be considered under funding decisions related to Hurricane Dorian, we have now been informed that it is being considered for funding under a separate storm event, DR-4543-NC, associated with severe storms, tornadoes, and flooding that occurred in February 2020.
- Staff submitted a Letter of Interest ("LOI") under the Hazard Mitigation Grant Program related to Hurricane Dorian for the acquisition of property, and assisted Fire Chief Wells in the submission of an LOI for replacement of a generator; we have been notified that the generator request has been selected for further consideration and is under review by FEMA. With respect to the acquisition of property, Staff has been informed that previous insurance claims would be subtracted from any potential purchase price, which may make the potential offer price unacceptable to the property owner.
- On April 16, 2021, Staff submitted a pre-application for a CAMA Access Grant for improvements to the Epstein Beach Access. Staff was notified on May 13, 2021 that the Town was invited to submit a Final Application for the Epstein Street Public Beach Access, due by August 16, 2021.

Upcoming Meetings and Other Dates

- Monday, May 24 - Friday, May 28 - GIS Presentations
- Wednesday, May 26 - Planning & Zoning; Environmental Planning; Hazard Planning Staff Meeting
- Wednesday, May 26 - Deadline to Post Answers to RFI Questions
- Thursday, May 27 - Farmer's Market
- Thursday, May 27 - Permitting and Inspections; Code Enforcement Staff Meeting
- Friday, May 28 - Whalebone Park Site Visit with Committee for Arts & Culture
- Monday, May 31 - Memorial Day, Office Closed
- Wednesday, June 2 - Board of Commissioners Meeting
- Thursday, June 3 - Farmer's Market
- Friday, June 4 - CSI Student Orientation - Tentative
- Monday, June 7 - Housing Discussion with Hospital
- Tuesday, June 8 - ETIPP Foundations of Resilience Workshop
- Wednesday, June 9 - Committee for Arts & Culture Meeting
- Thursday, June 10 - Farmer's Market
- Thursday, June 10 - Board of Adjustment Meeting
- Tuesday, June 15 - Planning Board Meeting

**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT
MONTHLY REPORT
APRIL 2021**

DATE SUBMITTED: April 7, 2021

	Apr-21	Apr-20	Mar-21	2020-2021 FISCAL YTD	2019-2020 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
BUILDING PERMITS ISSUED - RESIDENTIAL						
New Single Family	0	0	1	12	7	5
New Single Family, 3000 sf or >	0	1	1	7	6	1
Duplex - New	0	0	0	0	0	0
Sub Total - New Residential	0	1	2	19	13	6
Miscellaneous (Total)	37	26	54	375	359	16
<i>Accessory Structure</i>	8	1	6	45	37	8
<i>Addition</i>	1	1	3	28	16	12
<i>Demolition</i>	1	0	0	4	2	2
<i>Move</i>	0	0	0	0	0	0
<i>Remodel</i>	6	11	12	108	81	27
<i>Repair</i>	21	13	33	190	223	(33)
Total Residential	37	27	56	394	372	22
BUILDING PERMITS ISSUED - COMMERCIAL						
Multi-Family - New	0	0	0	0	0	0
Motel/Hotel - New	0	0	0	0	0	0
Business/Govt/Other - New	0	0	0	0	2	(2)
Subtotal - New Commercial	0	0	0	0	2	(2)
Miscellaneous (Total)	11	7	7	73	75	(2)
<i>Accessory Structure</i>	6	0	2	28	17	11
<i>Addition</i>	0	0	0	0	0	0
<i>Demolition</i>	0	0	0	1	4	(3)
<i>Move</i>	0	0	0	0	0	0
<i>Remodel</i>	2	4	2	17	25	(8)
<i>Repair</i>	3	3	3	27	29	(2)
Total Commercial	11	7	7	73	77	(4)
Grand Total	48	34	63	467	449	18
SUB-CONTRACTOR PERMITS						
Electrical	35	20	65	392	360	32
Gas	3	1	3	26	18	8
Mechanical	36	23	56	316	274	42
Plumbing	12	15	5	78	81	(3)
Fire Sprinkler	0	0	0	3	1	2
VALUE						
New Single Family	\$0	\$0	\$250,000	\$3,997,336	\$1,864,797	\$2,132,539
New Single Family, 3000 sf or >	\$0	\$150,000	\$1,340,000	\$5,165,000	\$3,982,561	\$1,182,439
Duplex - New	\$0	\$0	\$0	\$0	\$0	\$0
Misc (Total Residential)	\$548,529	\$482,560	\$966,574	\$9,488,554	\$8,225,149	\$1,263,405
Sub Total Residential	\$548,529	\$632,560	\$2,556,574	\$18,650,890	\$14,072,507	\$4,578,383
Multi-Family - New	\$0	\$0	\$0	\$0	\$0	\$0
Motel/Hotel - New	\$0	\$0	\$0	\$0	\$0	\$0
Business/Govt/Other - New	\$0	\$0	\$0	\$0	\$1,030,000	(\$1,030,000)
Misc (Total Commercial)	\$201,233	\$678,489	\$183,019	\$1,981,727	\$3,690,386	(\$1,708,659)
Sub Total Commercial	\$201,233	\$678,489	\$183,019	\$1,981,727	\$4,720,386	(\$2,738,659)
Grand Total	\$749,762	\$1,311,049	\$2,739,593	\$20,632,617	\$18,792,893	\$1,839,724

**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT
MONTHLY REPORT
APRIL 2021**

DATE SUBMITTED: April 7, 2021

	Apr-21	Apr-20	Mar-21	2020-2021 FISCAL YTD	2019-2020 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
ZONING						
Zoning Permits	52	31	74	374	269	105
CAMA						
CAMA LPO Permits	0	2	5	25	29	(4)
CAMA LPO Exemptions	7	5	9	52	95	0
Sand Relocations	28	46	28	117	143	N/A
CODE COMPLIANCE						
CCO Inspections	83	193	68	609	631	(22)
Cases Investigated	39	19	33	356	95	261
Warnings	14	5	10	113	219	(106)
NOVs Issued	25	14	23	244	39	205
Civil Citations (#)	8	0	10	57	0	57
Civil Citations (\$)	\$42,000	\$0	\$52,000	\$303,500	\$0	\$303,500
SEPTIC HEALTH						
Tanks inspected	7	0	8	144	32	112
Tanks pumped	13	5	12	83	125	(42)
Water quality sites tested	23	23	23	138	121	17
Personnel Hours in Training/School	8	21	4	144	71	73



Michael D. Zehner, Director of Planning & Development

Skate Park Community Feedback Survey Results Summary

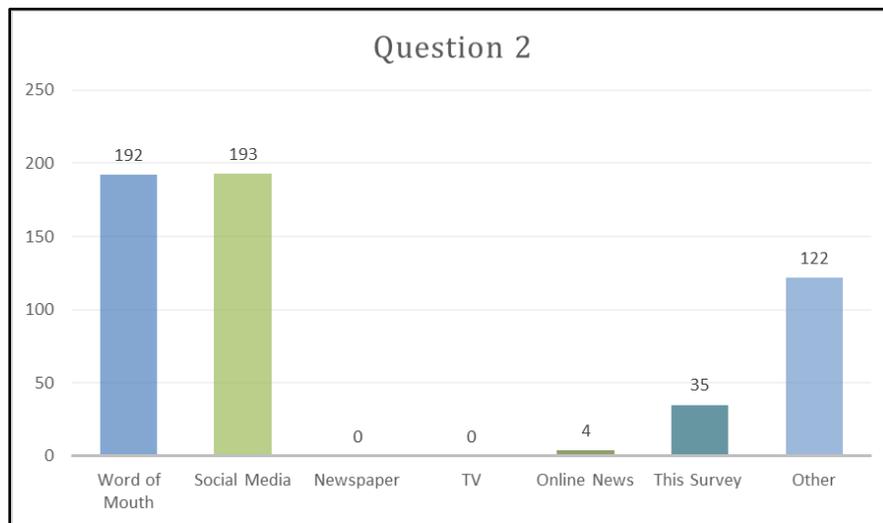
1. Where do you live? Please write in your answer.

Answered: 551 responses

- 212 respondents indicated that they live in Nags Head.
- 186 respondents indicated that they live in either Kill Devil Hills (including Collington) or Kitty Hawk.

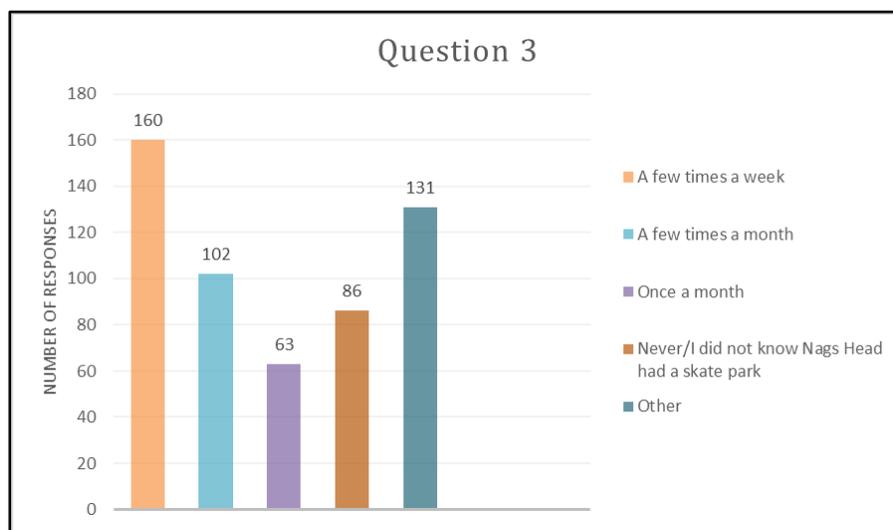
2. How did you first hear about the the Town of Nags Head Skate Park?

Answered: 546 responses



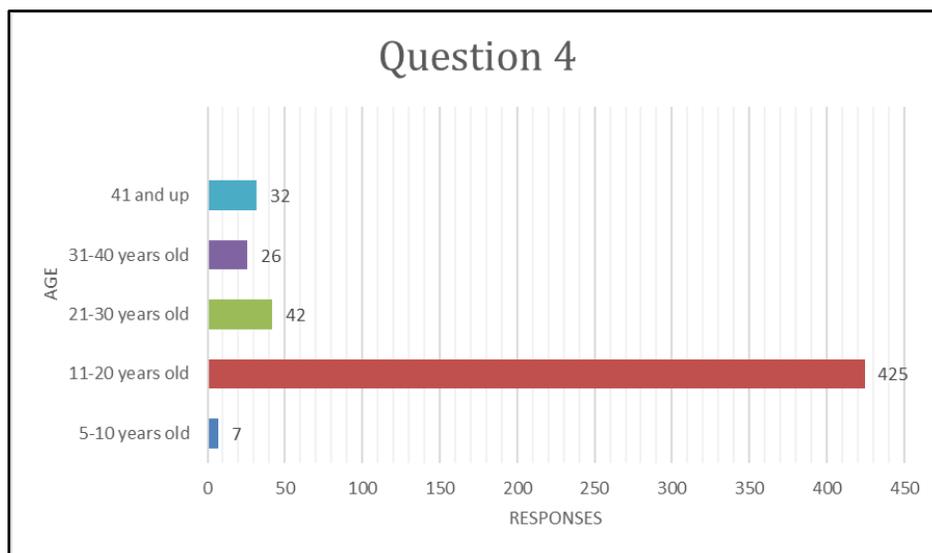
3. How often do you use the Town of Nags Head Skate park?

Answered: 542 responses

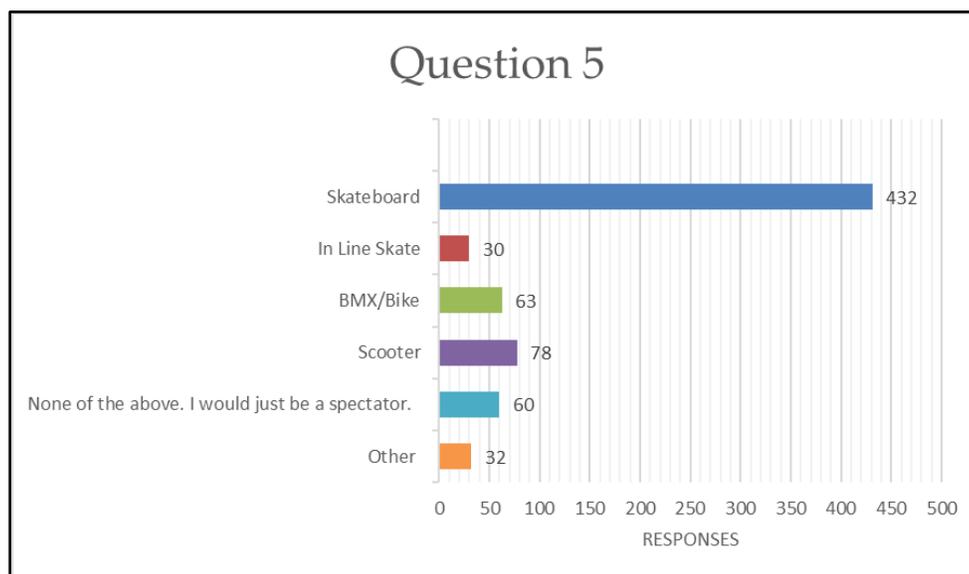


Skate Park Community Feedback Survey Results Summary

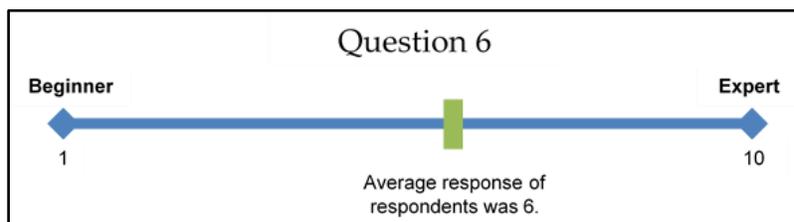
4. What is your age range?
Answered: 547 responses



5. I'm interested in using the following at the Skate Park. Choose all that apply to you...
Answered: 549 responses



6. What is your skill level from 1-10 (Beginner being 1 and Expert being 10)
Answered: 524 responses



Skate Park Community Feedback Survey Results Summary

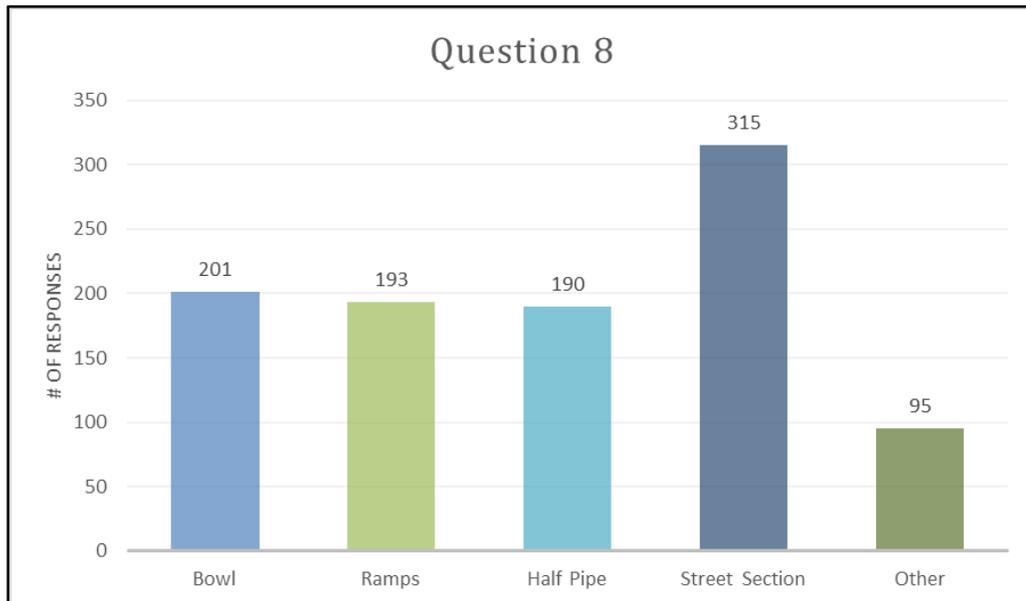
7. Do you visit other skate parks in the area? If so, which ones and what do you like about them?

Answered: 401 responses



8. What do you like about the Town of Nags Head Skate Park? Choose all that apply:

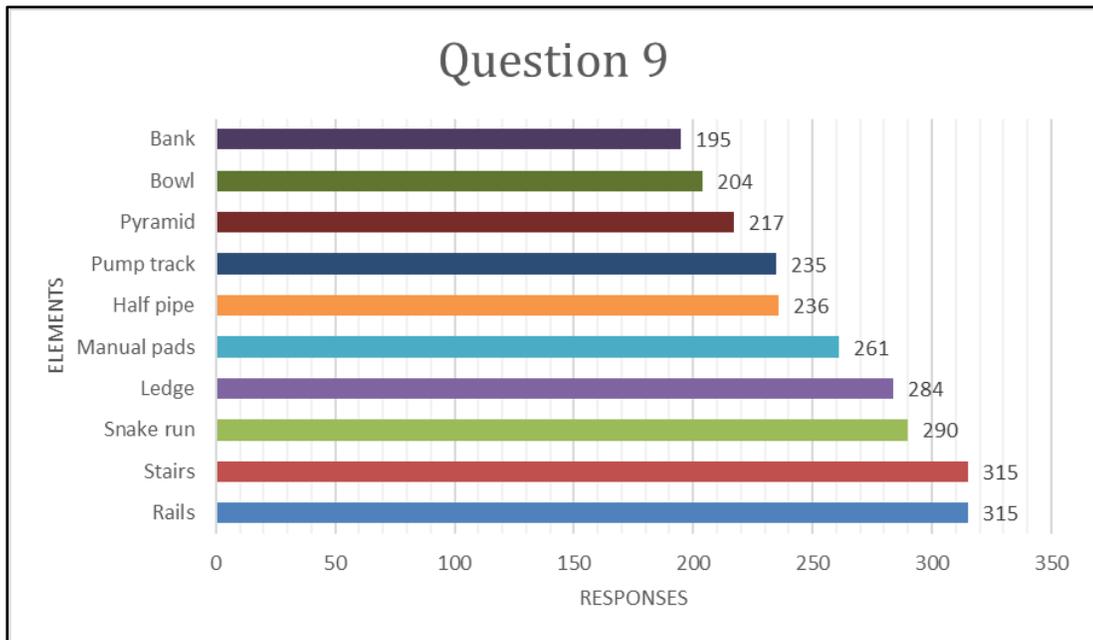
Answered: 525 responses



Skate Park Community Feedback Survey Results Summary

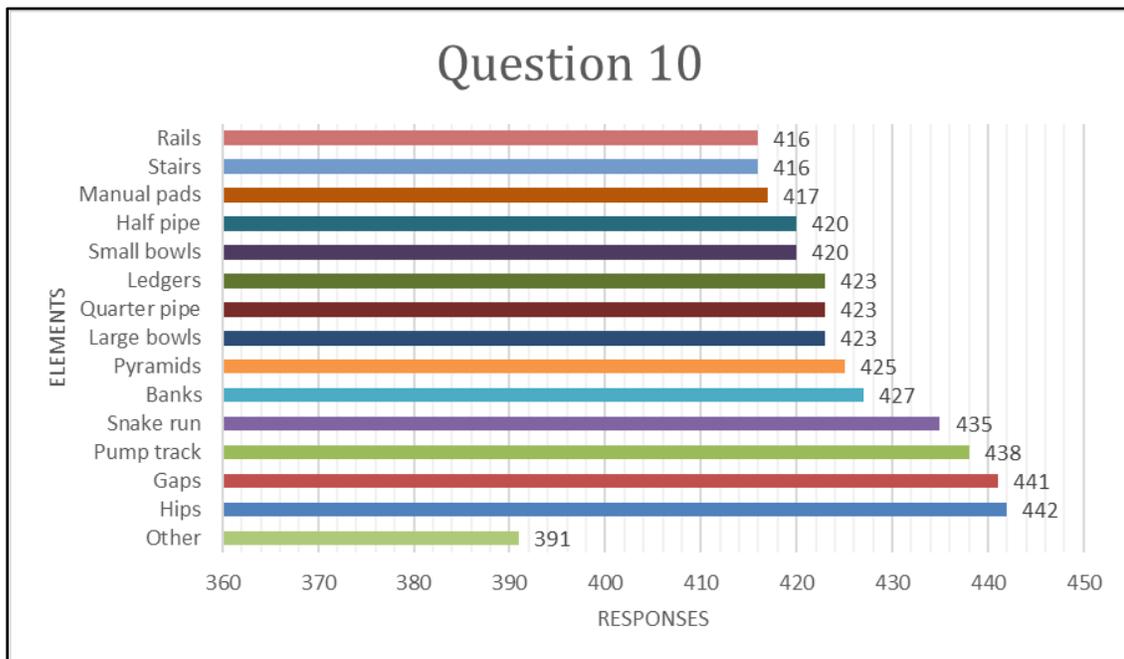
9. What type of skate elements would you like to see incorporated into any new design at the Nags Head Skate Park?

Answered: 525



10. Rank the following skate elements below in order of most desired to least desired:

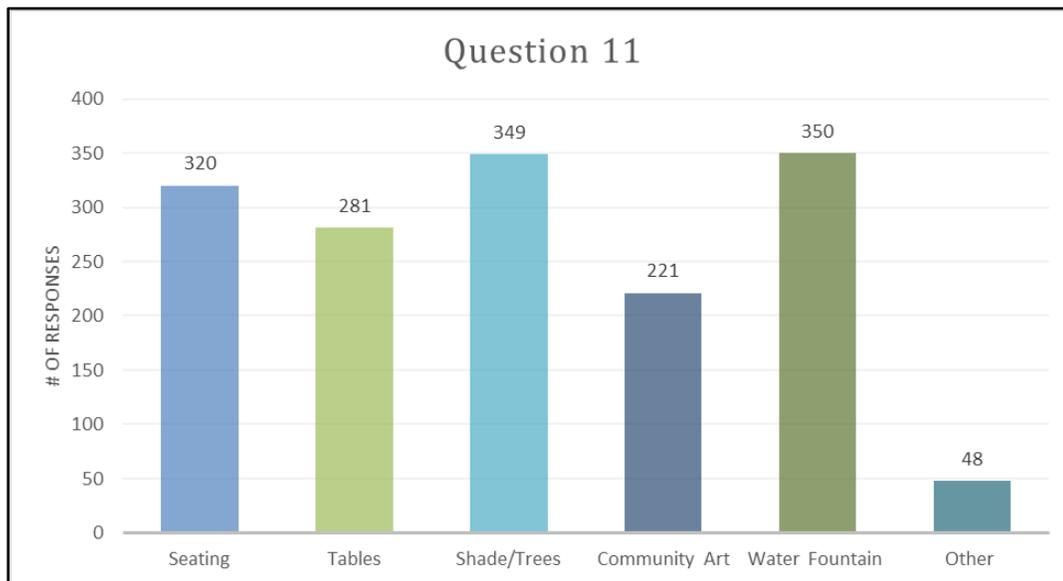
Answered: 478



Skate Park Community Feedback Survey Results Summary

11. What are other elements you would like to see? Choose all that apply:

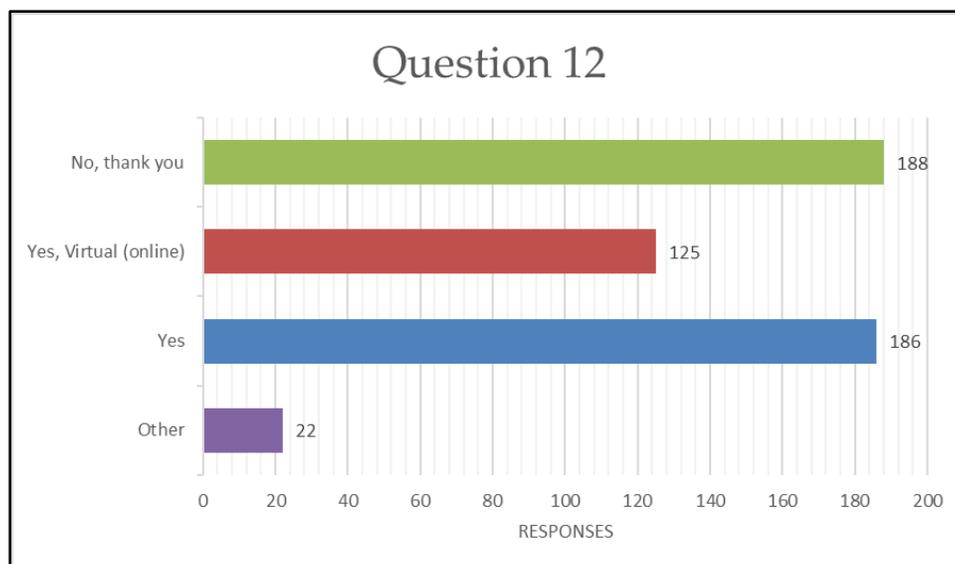
Answered: 522



Other:

Street skate lights park Vending machine drinks
Bathroom

12. In the future, would you be willing to participate in a public meeting and provide input on the design of the park?



Skate Park Community Feedback Survey Results Summary

13. Would you like to know about future opportunities to weigh in on the skate park design? If so, provide us with your email!

142 Respondents left emails.

14. Other Comments

