



MEMORANDUM

Town of Nags Head

Planning & Development Department

To: Board of Commissioners

Planning Board

From: Kelly Wyatt, Planning Director
Kate Jones, Deputy Planning Director

Date: January 26, 2023

Subject: Planning and Development Director's Report (F-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 February 1st, 2023.

Monthly Activity Report

Attached for the Board's review is the *Planning and Development Monthly Report for December 2022*. 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:

- Tuesday, January 3rd – Technical Review Meeting (no applications to review)
- Wednesday, January 4th – Board of Commissioners Meeting
- Thursday, January 5th – CRS Users Group (Dave Hallac, NPS Supt. guest)
- Wednesday, January 11th – Committee for Art and Culture Meeting
- Thursday, January 12th – Board of Adjustment Meeting
- Tuesday, January 17th – Planning Board Meeting

Planning Board - Pending Applications and Discussions

The Planning Board's most recent meeting was held on Tuesday, January 17th, 2022 and included the election of Chair and Vice Chair for Calendar Year 2023. The Board voted unanimously to appoint Megan Vaughan as the Planning Board Chair, and Megan Lambert as the Vice Chair. The Planning Board then continued their discussion of the Historic Character Area. At their previous meeting, the Planning Board acknowledged the extent of text amendments that would be necessary to the C-1, Neighborhood Commercial District in order for it reflect the nature and character of the Historic Character Area and as such, expressed interest in establishing a new zoning district for this particular area from Danube Street north to Hollowell Avenue, between NC 12 and US Highway 158. Staff prepared draft ordinance amendments for the establishment of the C-5, Historic Character Commercial Zoning District which includes the creation of an intent narrative, outline of the proposed districts purpose, updated table of uses and activities, establishing dimensional requirements, creating special development standards for commercial buildings, and identifying various other areas of the Town

Code and Unified Development Ordinance (UDO) that would require updating, should this new C-5 District be adopted. At the conclusion of their discussion, the Planning Board voted unanimously to recommend adoption of the proposed text amendments to the Unified Development Ordinance to create the C-5, Historic Character Commercial Zoning District including amendments to the table of uses and activities, dimensional standards and special commercial building design criteria. The Planning Board also voted unanimously to recommend adoption of a zoning ordinance text amendment to rezone the moratorium area to a combination of the R-3, High Density Residential Zoning District and the C-5, Historic Character Commercial Zoning District.

The Planning Board's next meeting is scheduled for February 21st, 2023. At this time, the agenda is expected to include adoption of the 2023 Submittal Calendar, continued discussion of a potential text amendments as it relates to the definition of dwelling unit, what elements constitute a dwelling and clarification of language related to accessory structures and accessory uses. Planning staff will also provide the Planning Board with a finalized version of the Historic Character Area text amendments incorporating all their recommended revisions from the January 2023 meeting.

Planning staff will be presenting an update on the Planning Board's recommendation at the Board of Commissioners February 1st, 2023 meeting.

Board of Adjustment – Pending Applications

The appeal application submitted by Woda Cooper Development, Inc. scheduled to be heard on Thursday, January 12th, 2023 was withdrawn from consideration prior to the meeting date.

Additional Updates

- **DWMP/Septic Health Advisory Committee** – The next meeting of the Septic Health Advisory Committee is scheduled for Tuesday, January 31st at 10am in the Board Room. Staff is requesting that the Board of Commissioners consider the appointment of new members to this committee at their February 1st, 2023, meeting. As previously noted, staff sent a targeted mailer to property owners in higher risk areas of groundwater rise, specifically sent to property owners in South Nags Head. Approximately 480 letters were sent out, and since then we have noticed an increase in inquiries, resulting in 15 new inspection requests. Staff will soon be sending out this same letter to property owners within Old Nags Head Cove Subdivision as that area has also been identified as high risk of septic failure due to groundwater rise.
- **Estuarine Shoreline Management Plan** – Planning staff and the consultant team of Biohabitats and Moffit and Nichol, provided an update on the draft Estuarine Shoreline Management Plan Report to the Board of Commissioners at their January 4th, 2023 meeting. Any comments received have since been incorporated into the plan and staff is requesting that the Board of Commissioners consider adoption of the plan at their February 1, 2023 meeting.

- **NC Resilient Coastal Communities Program** – With installation of the data loggers complete, data is now being collected for improved accuracy in calibrating the hydrologic and hydraulic model for the installation of the infiltration system design.

Town staff has requested a six (6) month extension to the RCCP Phase 3 grant program contract based upon feedback received from state and federal agency representatives from the NCDEQ pre-application scoping meeting, that identified potential barriers to permitting. Additional data collection may be necessary and alternative approaches required to address the specific regulatory concerns and comments.

- **Electric Vehicle Action Plan** – No new updates currently.
- **ETIPP Project/Program** – Jordan Burns, from the National Renewable Energy Lab (NREL-DOE) will be providing an update via zoom to the Board of Commissioners at their February 1st, 2023, meeting.
- **Whalebone Park: Phase 1 Planning** – No new updates currently.
- **Dune Management Cost Share Program** – Currently there are 70 property owners that have submitted applications for the dune management cost share program. \$270,000 was the total amount funded to this program, and \$247,000 is currently allocated, leaving a balance of \$23,000 as of January 25, 2023.
- **Nags Head Dog Park** - \$30,000 is the total amount funded for various improvements to the dog park. Staff has updated the proposed site plan based upon a reduced scope of work. Currently awaiting pricing on the reduced scope of work.
- **Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture** –The Art and Culture Committee is looking forward to providing the Board of Commissioners with their update in March 2023 on the 2022 Season and ideas for the discussion regarding the upcoming 2023 Season.

Upcoming Meetings and Other Dates

- Wednesday, February 1st – Board of Commissioners Meeting
- Thursday, February 2nd – CRS Users Group Meeting & Planners Lunch
- Tuesday, February 7th – Technical Review Meeting
- Wednesday, February 8th – Committee for Art and Culture Meeting
- Thursday, February 9th – Board of Adjustment Meeting (no hearings scheduled)
- Tuesday, February 21st – Planning Board Meeting

**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT
MONTHLY REPORT
DECEMBER 2022**

DATE SUBMITTED: January 7, 2023

	Dec-22	Dec-21	Nov-22	2022-2023 FISCAL YTD	2021-2022 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
BUILDING PERMITS ISSUED - RESIDENTIAL						
New Single Family	1	2	1	8	10	(2)
New Single Family, 3000 sf or >	1	2	0	6	7	(1)
Duplex - New	0	0	0	0	0	0
Sub Total - New Residential	2	4	1	14	17	(3)
Miscellaneous (Total)	31	58	46	206	221	(15)
<i>Accessory Structure</i>	1	3	2	16	23	(7)
<i>Addition</i>	3	3	1	11	10	1
<i>Demolition</i>	0	1	0	0	7	(7)
<i>Move</i>	0	0	0	0	0	0
<i>Remodel</i>	14	20	17	66	66	0
<i>Repair</i>	13	31	26	113	115	(2)
Total Residential	33	62	47	220	238	(18)
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	1	0	1
Subtotal - New Commercial	0	0	0	1	0	1
Miscellaneous (Total)	9	12	6	34	35	(1)
<i>Accessory Structure</i>	1	4	2	12	12	0
<i>Addition</i>	0	0	0	0	0	0
<i>Demolition</i>	0	0	0	0	0	0
<i>Move</i>	0	0	0	0	0	0
<i>Remodel</i>	5	3	2	12	9	3
<i>Repair</i>	3	5	2	10	14	(4)
Total Commercial	9	12	6	35	35	0
Grand Total	42	74	53	255	273	(18)
SUB-CONTRACTOR PERMITS						
Electrical	38	26	40	249	221	28
Gas	3	1	5	16	12	4
Mechanical	24	20	27	189	162	27
Plumbing	5	1	10	38	30	8
Fire Sprinkler	0	0	0	2	0	2
VALUE						
New Single Family	\$900,000	\$916,925	\$582,000	\$4,184,000	\$4,885,195	(\$701,195)
New Single Family, 3000 sf or >	\$1,038,733	\$1,525,000	\$0	\$5,998,733	\$4,930,000	\$1,068,733
Duplex - New	\$0	\$0	\$0	\$0	\$0	\$0
Misc (Total Residential)	\$1,556,579	\$1,980,763	\$2,068,942	\$8,218,963	\$6,256,650	\$1,962,313
Sub Total Residential	\$3,495,312	\$4,422,688	\$2,650,942	\$18,401,696	\$16,071,845	\$2,329,851
Multi-Family - New	\$0	\$0	\$0	\$0	\$0	\$0
Motel/Hotel - New	\$0	\$0	\$0	\$6,425,994	\$0	\$6,425,994
Business/Govt/Other - New	\$0	\$0	\$0	\$0	\$0	\$0
Misc (Total Commercial)	\$567,273	\$721,349	\$311,970	\$1,570,024	\$1,554,088	\$15,936
Sub Total Commercial	\$567,273	\$721,349	\$311,970	\$7,996,018	\$1,554,088	\$6,441,930
Grand Total	\$4,062,585	\$5,144,037	\$2,962,912	\$26,397,714	\$17,625,933	\$8,771,781

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ZONING						
Zoning Permits	48	47	49	234	237	(3)
CAMA						
CAMA LPO Permits	3	2	2	15	15	0
CAMA LPO Exemptions	7	2	4	18	12	6
Sand Relocations	18	6	16	34	20	14
CODE COMPLIANCE						
Cases Investigated	7	15	20	245	216	29
Warnings	0	5	8	53	58	(5)
NOVs Issued	0	10	10	64	157	(93)
Civil Citations (#)	0	8	0	10	51	(41)
Civil Citations (\$)	\$0	\$42,000	\$0	\$23,150	\$262,500	(\$239,350)
SEPTIC HEALTH						
Tanks inspected	3	13	12	54	52	2
Tanks pumped	1	4	12	46	22	24
Water quality sites tested	1	0	2	118	161	(43)
Personnel Hours in Training/School	20	0	0	82	29	53


 Kelly Wyatt, Planning Director