

## **Nags Head Local Business Ad Hoc Committee Meeting**

**April 23<sup>rd</sup>, 2015 Minutes**

### **Nags Had Town Hall; Conference Room**

Committee Members Present: Bobbie Stager, Garry Oliver, Annette Ratzenberger, Bob Sanders, Ralph Buxton, Commissioner Renee Cahoon, Deputy Town Manager Andy Garman, Deputy Planning Director Kelly Wyatt, Principal Planner Holly White.

Public Present: Will Garman.

Commissioner Renee Cahoon opened the meeting, welcomed the committee members and Will Garman, 6<sup>th</sup> grader at First Flight Middle School.

Adoption of Minutes: April 9<sup>th</sup>, 2015. Annette Ratzenberger made a motion to adopt the minutes as presented, Bobbie Stager seconded the motion. The minutes were adopted by unanimous vote.

Staff member, Kelly Wyatt handed out revised ordinance language pertaining to the nonconforming sign ordinance. The ordinance modification would provide businesses with nonconforming signage more flexibility in the maintenance and repair of the signage. Currently, if repairs or modifications to nonconforming signs equal or exceed 25% of the sign's replacement cost, the sign must then be brought into conformity with the current ordinance. It was the consensus of the committee that this threshold should be increased to 50% of the sign's value when the sign is damaged at no fault of the owner. Conversely, if the nonconforming sign is allowed to fall into disrepair through neglect and lack of maintenance, the 25% threshold would remain intact. The committee felt as though the proposed ordinance captured their desires and Commissioner Cahoon indicated it would now be provided to the Board of Commissioner for initiation and would then begin the text amendment process.

Committee members were concerned about the amount of time that could potentially lapse before sign owners receive permits to make the necessary repairs. Commissioner Cahoon stated that following a storm, most business owners will apply for sign repairs quickly for insurance purposes. Once the zoning permit is issued it is then valid for a period of one (1) year.

Deputy Town Manager, Andy Garman continued discussions with the committee on draft landscape/buffer ordinance language. The committee was presented with an informative graph/barrier island transect depicting the types of trees that tend to thrive in each zone (forest, scrub, pioneer, marsh). The committee noted that many of the trees listed are difficult to locate locally. Ralph Buxton requested clarification on reducing the percentage of required evergreen trees from 80% to 50% and noted that it may be helpful to add "Evergreen" as a designation to the chart staff will be compiling. Bob Sanders suggested adding incentives into the code language to encourage the protection of oaks and other substantial trees. The committee agreed that any draft language needs built in flexibility and while a detailed review can be considered with the UDO (Unified Development Ordinance) re-write it

would be most beneficial to have some revisions completed and incorporated as soon as possible. Staff noted that they would put some draft language together in the interim to help save signature/significant trees while incorporating some incentives/trade-offs as discussed. Principal Planner, Holly White noted that some townships handle such incentives/flexibility through a Conditional Use process. It was noted that our current SPD-20 (Special Planned Development) and SED-80 (Special Environmental District) ordinances have specific site design criteria requiring Board review and approval for any tree removal, as such staff would not need to “re-invent the wheel”. Ralph Buxton inquired about the language concerning tree removal in the R-O-W, Commissioner Cahoon briefly gave the committee an overview of the NCDOT enhancement planting project and the obstacles the Town has encountered with a handful of properties removing the vegetation.

Deputy Planning Director, Kelly Wyatt provided the committee with draft ordinance language to allow for the illumination of rooftop signs and to additionally place a maximum height on rooftop signage. Committee members were asked to simply review the language and offer any revisions, suggestions at our following meeting.

Principal Planner, Holly White gave a presentation to the committee on an Action Plan with the recommendation that completing the action plan and providing a summary of the committee actions to date might be very useful to the committee and beneficial for the Board of Commissioners. The Action Plan set forth committee issues/concerns, progress to date, action steps, resources/support needed, potential barriers, timeframes for completion and the responsible party. The committee was asked to review the items and email any comments to Holly White for incorporation.

Staff stated that they would provide to the committee information on all the local business owners in order to help with the creation of a merchants association or similar group to promote their businesses among themselves and keep the community informed.

When discussing the removal of numerous “No-Parking” signs throughout the Town Garry Oliver stated that there are many signs at his Pier property and it has become confusing to his patrons as to where they can legally park. Commissioner Cahoon stated that she would look into the concerns.

Annette Ratzenberger asked if that Town is in a position to look at purchasing properties for parking purposes. Commissioner Cahoon stated that the Town does have a “land bank” however with the recent purchase of the Dowdy property and the Seagull properties it is unlikely that would be an option in the short term.

Staff assured the committee that the sign factsheet mentioned previously would be completed and dispersed prior to the Memorial Day holiday.

Ralph Buxton inquired about other Town projects including the Towns recently adopted Pedestrian Plan and the Soundside Boardwalk. It was stated that elements of the Pedestrian Plan have been incorporated into the CIP however it is a long-term, detailed project and will take time. Additionally, the Soundside Boardwalk project is at a bit of stand still until concerns over grant funding/allowable development is resolved regarding the Town owned land along the causeway known as “catfish farm”.

Also, there are two property owners who have concerns and will not sign the easement agreement therefore a new boardwalk configuration/alignment must be considered. Ralph Buxton expressed concern about safety and traffic flow throughout the recreational district.

The committee briefly discussed the use of trolley/public transportation throughout Nags Head. Will Garman indicated that he felt a trolley system was a great idea because it would afford people more opportunities to frequent local businesses. The committee was in agreement.

The committee meeting wrapped up, Commissioner Cahoon thanked all the committee members for their participation and the next meeting was scheduled for May 14, 2015 at 2:30 pm.

The meeting adjourned at 3:40 pm.