



AGENDA
Town of Nags Head Planning Board
Nags Head Municipal Complex Board Room
Tuesday, February 18, 2020; 9:00 a.m.
- D R A F T -

- A. Call To Order
- B. Approval Of Agenda
- C. Joint Discussion With Board Of Commissioners
to Review Draft Flood Damage Prevention Ordinance Amendments
- D. Public Comment/Audience Response
- E. Approval Of Minutes
January 21, 2020 Planning Board Meeting
- F. Establishment Of Regular Meeting Dates For Calendar Year 2020

Documents:

[2020 SUBMITTAL DATES.PDF](#)

- G. Action Items
 - 1. Consideration Of A Text Amendment
to the Unified Development Ordinance to correct identified typographical errors.
- H. Report On Board Of Commissioners Actions
February 5, 2020 BOC Meeting

Documents:

[FEB 5 2020 BOC ACTIONS.PDF](#)

- I. Town Updates - As Requested
- J. Discussion Items
 - 1. Continued Discussion Of Regulation Of Large Occupancy/Event Homes
 - 2. Discussion Of Legacy Establishments/Structures
 - 3. Discussion Of Residential Stormwater Regulations
 - 4. Discussion Of FY20-21 Planning & Land Use Work Plan

K. Planning Board Members' Agenda

L. Planning Board Chairman's Agenda

M. Adjournment

Town of Nags Head

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Planning and Development 2020 Submittal Dates					
	Tech. Review ¹	Planning Board	Board of Commissioners	Board of Adjustment ²	
Submittal Date	Meeting Date	Meeting Date	Meeting Date	Meeting Date	Deadline
December 19, 2019	January 7, 2020	January 21, 2020	February 5, 2020	January 9, 2020	December 10, 2019
January 16, 2020	February 4, 2020	February 18, 2020	March 4, 2020	February 13, 2020	January 7, 2020
February 13, 2020	March 3, 2020	March 17, 2020	April 1, 2020	March 12, 2020	February 11, 2020
March 19, 2020	April 7, 2020	April 14, 2020	May 6, 2020	April 9, 2020	March 10, 2020
April 16, 2020	May 5, 2020	May 19, 2020	June 3, 2020	May 14, 2020	April 14, 2020
May 14, 2020	June 2, 2020	June 16, 2020	July 1, 2020	June 11, 2020	May 12, 2020
June 18, 2020	July 7, 2020	July 21, 2020	August 5, 2020	July 9, 2020	June 9, 2020
July 16, 2020	August 4, 2020	August 18, 2020	September 2, 2020	August 13, 2020	July 14, 2020
August 13, 2020	September 1, 2020	September 15, 2020	October 7, 2020	September 10, 2020	August 11, 2020
September 17, 2020	October 6, 2020	October 20, 2020	November 4, 2020	October 8, 2020	September 8, 2020
October 15, 2020	November 3, 2020	November 17, 2020	December 2, 2020	November 12, 2020	October 13, 2020
November 12, 2020	December 1, 2020	December 15, 2020	January 6, 2021	December 10, 2020	November 10, 2020
December 17, 2020	January 5, 2021	January 19, 2021	February 3, 2021	January 14, 2021	December 15, 2020
January 14, 2021	February 2, 2021	February 16, 2021	March 3, 2021	February 11, 2021	January 12, 2021
Board of Commissioner Submittal/Meeting Dates may be obtained from Carolyn Morris, Town Clerk at 252-441-5508.					
* Planning Board Items are due by 1 PM on submittal date: site plan check-in takes about 15 minutes.					
* Digital version of submittal is required in addition to required paper copies.					
¹ Tentative dates - meetings subject to cancellation/change					
² Meetings scheduled as necessary					



BOC ACTIONS
WEDNESDAY, FEBRUARY 5, 2020

1. Call to order - Mayor Cahoon called the meeting to order at 9:00 a.m.

2. Agenda – the Board approved the Feb 5th agenda as presented.

3. Recognition

Police Chief Phil Webster introduced Police Officer Terrance Flaughter who was welcomed by the Board to Town employment.

Public Works Director Ralph Barile introduced Facilities Maintenance Technician Nehmias Cortez who was welcomed by the Board to Town employment.

Finance Director Amy Miller introduced Dep Finance Officer Brooke Norris who was welcomed by the Board to Town employment.

Public Works Director Ralph Barile introduced Sanitation Supervisor Keefe White who was congratulated by the Board for 25 years of service to the Town.

Town Manager Cliff Ogburn introduced Town Clerk Carolyn F. Morris who was congratulated by the Board for 25 years of service to the Town.

4. Jennette’s Pier - Executive Director Mike Remige presented the annual update on Jennette’s Pier with a powerpoint presentation which was well received.

5. Public Comment

Susie Walters, Nags Head resident; spoke concerning recyclables which are now being incinerated; she encouraged the Board to allow for incineration of recyclables to continue while more information is gathered.

Al Friedman, Nags Head resident; he participates in Special Olympics events each year; the closest polar bear plunge is in Virginia Beach; he asked the Board to consider bringing this event to this area.

Cheri Pain, Nags Head resident; she has operated a homeowners association management business for 30 years in the Town; she very much appreciates the Town which is shaped by the hard work of the Board and many other individuals, she asked the Board to continue the Town’s recycling program.

David Masters, Jr., Nags Head resident; he mentioned the possibility of the Board rescinding the roll-back trash carts ordinance and is aware there are a lot of issues with this subject; he urged the Board to take another look at this issue rather than striking the ordinance.

6. Consent Agenda – The Consent Agenda consisted of the following items:

Budget Adjustment #8 to FY 19/20 Budget
Consideration of Tax Adjustment Report

Request to advertise delinquent taxes
Approval of minutes
Resolution authorizing Town Mgr to execute DEQ grant contract for Islington Beach Access
Amendments to Consolidated Fee Schedule
Resolution updating Town officials with banking authority
Resolution clarifying Dare County Control Group / Town Oct 2015 Memorandum of Agreement
Ratification of actions from Board of Commissioners Jan 23-24, 2020 Retreat

The Board approved the Consent Agenda – with removal of agenda item #E-8 re: Resolution clarifying Dare County Control Group/Town Oct 2015 MOA - for consideration at the Feb 18th mid-month mtg.

7. Public Hearing – to consider a Vested Right Site Plan for the Outer Banks Hospital, 4923 & 4927 S. Croatan Highway, 4922, 4926 & 4928 Passage Way, submitted by Quible and Associates P.C. on behalf of Outer Banks Hospital; the application involves the demolition of the Urgent Care Facility and construction of 10,400 square foot addition to the existing Radiation Therapy building. Applicant is seeking a Conditional Use Permit to reduce the number of required parking spaces and modify certain parking requirements, and to rezone the properties at 4922, 4926 & 4928 Passage Way from SPD-C/SF-2 to SPD-C/Hotel District – The following motions were unanimously passed:

Motion #1 - To approve the request to rezone parcels located at 4922, 4926 and 4928 S. Passage Way from the SPD-C/SF-2 District to the SPD-C/Hotel District as presented.

Motion #2 – To approve the vested right site plan/application with the required four (4) findings of fact for conditional use permits.

Motion #3 – To approve the conditional use permit to reduce required parking and loading zone dimensions with five (5) findings of fact and three (3) recommended conditions.

8. Planning Director update – Several items were specifically addressed to include the Flood Prevention Ordinance – for discussion at the joint workshop with the Planning Board on Feb 18th; Planning Board request for feedback on regulation of large occupancy/event homes; and legacy options in the UDO for discussion at an upcoming Planning Board meeting.

9. Workforce Housing – the Mayor suggested that the Board take this report into consideration and come back with recommendations at a future meeting.

10. Lunch – The Board recessed for lunch at 11:55 a.m. and reconvened at 1 p.m.

11. Audit contract – the Board passed a motion to select Johnson, Mizelle, Straub & Murphy of Kitty Hawk as the Town’s auditor.

12. Town Attorney Leidy – he congratulated Town Clerk Carolyn F. Morris on her 25th anniversary with the Town.

13. Town Manager – Beach Nourishment - *Proposed Municipal Service District (MSD)* – The Board passed a motion directing staff to prepare the MSD Report (includes map, statement, and plan) to include the north end of Town (to Kill Devil Hills Town line) for discussion at the Mar 4th Board meeting.

14. Town Manager – Sanitation/Recycling

- *Consideration of modification to contract with Bay Disposal dated Feb 5, 2019 re: curbside recycling* – The Board passed a motion to continue the contract with Bay Disposal authorizing them to divert the recyclable materials to be incinerated until the end of this fiscal year.

Consideration of changes to winter sanitation/recycling schedule - It was Board consensus to make no changes to the recycling schedule at this time.

Consideration of ordinance to rescind Town Code Sec. 30-6 (e) Storage and removal of trash and recycling carts - Town Manager Ogburn asked for additional time to evaluate/research the rescinding of the ordinance requiring the roll back of trash carts – for review at the Mar 4th Board meeting.

15. Comr. Renée Cahoon – Workforce Housing – she thanked staff for the work already done – she suggested to not expend any more money until additional details are known concerning how the money will be spent.

16. Comr. Brinkley – he thanked Susie Walters and Cheri Pain who spoke today expressing interest in maintaining the recycling program. Comr. Brinkley also thanked Al Friedman for speaking about the Special Olympics - Town Manager Ogburn said he would follow up.

17. Comr. Fuller – Staff was asked to follow-up on the issue mentioned during today’s discussion on the Outer Banks Hospital facility site plan to make sure La Fogata Restaurant has adequate parking after renting 11 spaces to the Hospital.

18. Mayor Cahoon – CIP/Budget Workshops – the schedule was approved as follows:

CIP Workshop / Continuation if needed	Mar 25 th - 9 am / Apr 8 th – 9 am
Presentation of Manager’s Recommended Budget	May 6 th - 9 am
Budget Workshop / Continuation if needed	May 13 th - 9 am / May 27 th – 9 am
Public Hearing (PH)	Jun 3 rd - 9 am
Budget Workshop (w/PH comments incorporated)	Jun 10 th - 9 am
Adoption of Budget (mid-month meeting)	Jun 17 th - 7 pm

Comr. Brinkley will not be available for the Mar 25th workshop; Comr. Renée Cahoon will not be available for the Apr 8th workshop. The Soundside Boardwalk item is to be included on a Board meeting agenda for discussion prior to being considered at the CIP Workshop.

19. Mayor Cahoon - Envisioning the future of Nags Head – Staff is to include this item under the Mayor’s agenda as a standing item for each upcoming Board meeting.

20. Mayor Cahoon – He noted that the Urgent Care Facility that is to be demolished – from today’s Outer Banks Hospital site plan discussion – was a bldg. he worked on as architect many years ago.

21. Mayor Cahoon – He shared that he would be out of town tomorrow and Friday (Feb 6-7). Mayor Pro Tem Siers will be available if needed.

22. Mayor Cahoon – He reported that next week (week of Feb 9-15) he may be in Puerto Rico assisting Emergency Management with hurricane damage inspection.

23. Adjournment - The Board recessed to a Joint Workshop with the Planning Board on Feb 18th at 9 am – The workshop will be followed by a Board mid-month mtg at 1 pm. The time was 2:11 p.m.