



## AGENDA

**Town of Nags Head Planning Board  
Nags Head Municipal Complex Board Room  
Tuesday, May 21, 2024; 9:00 a.m.**

- A. Call To Order
- B. Approval Of Agenda
- C. Public Comment/Audience Response
- D. Approval Of Minutes  
April 16th Planning Board Meeting.

Documents:

[APRIL 16 2024 DRAFT MINUTES.PDF](#)

- E. Action Items - No Action Items.
- F. Report On Board Of Commissioners Actions  
May 1st, 2024

Documents:

[MAY 1 2024 BOC ACTIONS KW HIGHLIGHT.PDF](#)

- G. Town Updates - As Requested
- H. Discussion Items
  - 1. Update On Lighting  
associated with LED, digital displays for fueling stations.
  - 2. Presentation On Community Rating System (CRS) Program.
  - 3. Planning & Development Directors Report  
April 26th, 2024

Documents:

PND DIRECTORS REPORT FOR MAY BOC.PDF

- I. Planning Board Members' Agenda
- J. Planning Board Chairman's Agenda
- K. Adjournment

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**Town of Nags Head  
Planning Board  
April 16, 2024  
- DRAFT -**

The Planning Board of the Town of Nags Head met on Tuesday, April 16 2024, in the Board Room at the Nags Head Municipal Complex.

Vice Chair Meade Gwinn called the meeting to order at 9:00 a.m. as a quorum was present.

***Members Present***

Meade Gwinn, Molly Harrison, David Elder, Gary Ferguson, Kristi Wright, David Thompson

***Members Absent***

Megan Vaughan

***Others Present***

Kelly Wyatt, Joe Costello, Lily Nieberding

***Approval of Agenda***

David Elder moved to approve the agenda as presented. David Thompson seconded, and the motion passed by unanimous vote.

***Public Comment/Audience Response***

None

***Approval of Minutes***

Vice Chair Gwinn asked for a motion to approve the minutes of the March 19, 2024, meeting with some editing corrections. David Elder moved to approve the minutes as corrected; Molly Harrison seconded, and the motion passed unanimously.

***Action Items***

*Consideration of Text Amendment submitted by Jordan Harrell of Jernigan Oil Company, Inc. to allow the use of digital LED price signage at gas stations.*

Planning Director Kelly Wyatt explained that at their meeting on March 19, 2024, the Planning Board reviewed and recommended the adoption of proposed text amendments to the Unified Development Ordinance. These amendments would permit the use of LED digital signage exclusively for displaying fuel prices, provided certain supplemental regulations are met.

Following the meeting, the Town's attorney expressed concerns after reviewing the amendments, particularly in light of the Supreme Court decision in Reed v. Town of Gilbert, 576 U.S. 155 (2015).

This ruling has affected how local governments regulate signage, emphasizing the need for content-neutral sign codes that do not favor one type of speech over another. In response to this decision, the Town previously undertook a comprehensive revision of its sign regulations. An article from the North Carolina School of Government has been included in your packet for further information on this case.

Attorney Leidy noted that the Town's current prohibition on LED and digital signs is a valid content neutral regulation of speech, as it does not differentiate based on the content of the speech. However, creating an exemption specifically for fuel price displays would likely introduce content-based discrimination, as it would allow certain messages while continuing to restrict others conveyed through LED and digital signs. Such an amendment could lead to First Amendment challenges from those still restricted by the ordinance, with the exemption for fuel price signs potentially serving as evidence of content-based regulation.

In light of these concerns, staff, in consultation with the attorney and the applicant, has proposed an alternative approach. The revised ordinance language would incorporate the LED digital display standards into the use regulations for fueling stations within Section 7.20 of the UDO. These standards would govern the maximum dimensions of the display, the number of character panels, and the frequency of rotation.

Ms. Wyatt proceeded to review the proposed ordinance for the Board noting that the proposed ordinance allows for a maximum of two elements of the approved freestanding sign to be digital display and the total digital display of all elements combined cannot exceed 11 square feet. Based upon information provided by the applicant, the minimum display area needed for the use of 16-inch digits is approximately 42-inches x 19-inches. This allows for three characters/digits and a panel for the fraction which is commonly used. In applying this restriction, staff believes that it meets the needs of the applicant while maintaining content neutrality. Additionally, the proposed amendment would restrict the display within this designated area from changing more than once in a 24-hour period.

Ms. Wyatt noted that this provision would technically allow a gas station to display a word within the four panels blocks, or an image however Staff believe this is unlikely.

As previously mentioned by staff, the town has valid concerns about signs with rotating, flashing, moving, or alternating lights. However, it may be worth revisiting the possibility of allowing digital signs exclusively for fuel price displays. Although the Town cannot specify that the display area is solely for gas price digits, Staff have proposed a set of narrow restrictions, expecting that they will primarily be used for fuel pricing. With the recommended supplemental standards, staff believes the proposal is generally consistent with the Town's adopted Comprehensive Plan, however Policy LU-19 does state that the Town will not permit signs that are digital.

Ms. Wyatt noted that Mr. Harrell could not attend but had sent a representative from Jernigan Oil in case the Board had any questions.

Mr. Ferguson inquired about the content neutral legislation and what it means for the Town with regards to off-site advertising. Ms. Wyatt confirmed that if a commercial property owner were to advertise an off-site business the Town would not be able to cite them without being challenged in court. Ms. Wyatt noted that is has happened occasionally and the Town has been able to address it via communication with the property owner.

Ms. Harrison inquired if they could put something in the ordinance that speaks to the ability of the Town to request that the lights be dimmed if they are too bright. Ms. Wyatt noted that they could but was concerned about creating a set standard and making sure that staff has the correct equipment to measure it.

The Board briefly discussed commercial and residential lighting, with Mr. Thompson stating that he felt that the Gas Station sign itself puts out more light than the price sign will. Ms. Wyatt noted that she can bring back additional lighting information for the Board's review at their May meeting.

David Thompson moved to recommend approval of the text amendment as presented. David Elder seconded, and the motion passed 5 to 1 with Gary Ferguson casting the Nay vote.

*Consideration of a Text Amendment to prohibit driving or parking on residential septic systems.*

Ms. Wyatt explained that at their meeting on February 20, 2024, the Planning Board reviewed and recommended the adoption of a proposed amendment to the Unified Development Ordinance (UDO) that would stipulate when a physical barrier must be installed to prohibit driving over and parking on residential septic system areas.

After further discussion, both staff and the Planning Board recognized that the original proposal might have imposed unnecessary burdens on many property owners who would not/do not have issues with parking on their septic areas. In light of this, staff has developed a revised amendment that aligns with the septic protection goals discussed by the Septic Health Advisory Committee (SHAC), while only mandating physical barriers for properties if found to be in violation of the ordinance.

Ms. Wyatt reviewed the revised amendment noting that it expressly prohibits parking on designated septic system areas. Should staff become aware of any violations, either through complaints or proactive monitoring by town staff, a Notice of Violation will be issued to the property owner and, if applicable, provided to the rental agency managing the property. This notice will require the installation of a physical barrier to prevent future infractions.

This approach ensures that the enforcement of septic system protection is tied to a formal violation of the UDO, with a clear remedy outlined. Additionally, when evaluating and issuing permits for residential development where there is a potential for excessive or overflow parking, staff will recommend installation of a physical barrier at the outset.

Mr. Elder questioned if required Stormwater measures such as French Drains should be protected as well. Ms. Wyatt confirmed that measures that are part of an approved Stormwater plan are required to be installed prior to CO and must be noted on the site plan. If a physical barrier becomes necessary, Staff will revisit the approved site plan and the installed measures would be taken into consideration as part of the installation process.

Ms. Harrison inquired if there would be an educational component. Ms. Wyatt confirmed that outreach and education on the importance of protecting and maintaining septic systems will continue to be a priority of the Planning Department.

Molly Harrison moved to approve the proposed Text Amendment as presented. David Elder seconded, and the motion passed unanimously.

## **Report on Board of Commissioners Actions – April 3, 2024**

Ms. Wyatt gave an update on the Board of Commissioner Actions, of note:

The Board approved an increase in the Dune Management Cost Share Program; The Mayor announced that the Public Hearing advertised with regards to parking on septic systems would not be held and would be rescheduled after additional Planning Board review; The Board held a Public Hearing to consider text amendments submitted by Golasa Holdings, LLC to allow the long-term rental of units within existing hotels and motels – the Board adopted the ordinance with the additional verbiage providing for an audit to take place not less than annually and which can also be requested by the Town at any time for cause; Ms. Wyatt summarized her monthly report and confirmed for Comr. Brinkley that no additional costs are required for the EV charging stations, just relocation of two parking spaces not near the Town’s geothermal system; Staff gave a presentation on Accessory Dwelling Units (ADUs), after discussion, it was Board consensus that they want to move forward but requested that additional research be done by staff; The Board appointed Comr. Megan Lambert and Planning Board member David Thompson to the Regional Hazard Mitigation Plan Update Committee; It was Board consensus that the Mayor send a letter to the NC Rules Commission on behalf of the Board re: Jockey’s Ridge and the rules concerning the area of environmental concern (AEC). Mayor Cahoon also encouraged comments from the public to be forwarded to the Commission prior to their meeting on Monday, April 8th. The next CRC meeting is in Dare County on April 24-25 for anyone interested in attending. The Planning Board discussed this topic further expressing concern over what is happening; Town Manager Garman provided an update on the meeting of the Dare County Housing Task Force, the Task Force meets the third Tuesday of each month.

### **Town Updates**

Per Mr. Gwinn’s request, Ms. Wyatt gave an update on the Multi-family Working Group and the Board briefly discussed this topic.

### **Discussion Items**

#### *Update on Initiation of Text Amendment related to the installation of netting as a barrier to prevent golf balls from leaving the boundaries of the golf course and causing damage to private property.*

Ms. Wyatt explained that at their last meeting the Board agreed to initiate a text amendment related to the installation of netting as a barrier to prevent golf balls from damaging private property. At that time Ms. Wyatt discussed a concern raised by a property owner whose home sits behind the golf course but is not part of the Village at Nags Head. The property owner was concerned about golf balls causing damage to his home and vehicles and had discussed the possibility of installing netting which might protect his property.

While the Board agreed to initiate the text amendment there was discussion about allowing netting at this height and what negative impacts it could have on birds, waterfowl and other wildlife. Ms. Wyatt started out by contacting the North Carolina Wildlife Commission who referred her to US Fish and Wildlife. Ms. Wyatt discussed the issue with a local conservation biologist. Using computer software, they were able to determine that up to 36 different species of wildlife inhabit that area and could be impacted but noted that if the netting was of a certain thickness, it might not be a problem. Ms. Wyatt also discussed the issue with the Nature Conservancy, noting that there’s a general concern but nothing prohibiting the netting.

While Ms. Wyatt understands the property owner's concerns, she believes that rather than taking this through the text amendment process it would probably be better to just try to work one on one with the property owner and come up with other solutions.

The Board agreed that this was the better way to go.

### March 27th, 2024, Director's Report

Ms. Wyatt briefly discussed her Director's Report with the Board which included an update on the DWMP/Septic Health Advisory Committee and the proposed ordinance the Board voted on earlier in the meeting; Staff are continuing to search for and seek funding to initiate programs related to the Estuarine Shoreline Management Plan; update on installing EV chargers at Town Hall, additional funding for sand relocation; Deputy Planning Director Joe Costello is working on the pre-application for this Public Beach and Waterfront Access Grant through the Division of Coastal Management (DCM) for renovations to the June Street Beach Access; status on Permit Turnaround which is holding strong; and an updated on Dowdy Park events.

### **Planning Board Members' Agenda**

Mr. Elder discussed the possibility of having more ADA access at Public Beach Accesses. Many accesses considered ADA accessible are actually only accessible to a certain point of view of the beach but not accessible to the beach itself. Mr. Elder inquired if there might be grants available for this type of work. Mr. Elder also suggested posting photos of the beach accesses to allow people to see what they look like ahead of time. Mr. Costello stated that he would look into this issue further.

Ms. Wyatt updated Ms. Harrison and the Board on the status of the proposed Hotel on Lakeside. The applicant is working with a consultant to try and meet the conditions placed by the Board of Commissioners to make Lakeside Drive a three-lane roadway or will be requesting consideration by the Boards to have the condition amended or removed.

### **Planning Board Chairman's Agenda**

None

### **Adjournment**

A motion to adjourn was made by David Elder. The time was 10:24 AM.

Respectfully submitted,  
Lily Campos Nieberding



## **BOC ACTIONS**

**WEDNESDAY, MAY 1, 2024**

**1.** Call to order - Mayor Cahoon called the meeting to order at 9 a.m. Mayor Cahoon welcomed Attorney Womble who was substituting for Town Attorney John Leidy. Mayor Cahoon asked that everyone consider, during a moment of silence, the following officers who were killed while attempting to serve warrants earlier this week in Charlotte-Mecklenberg: CMPD Officer Joshua Eyer, US Dep Marshal Thomas Weeks Jr, Police Officer William Elliott, and Police Officer Sam Poloche.

**2.** Agenda – The Board approved the May 1<sup>st</sup> agenda as presented.

**3.** Recognition

Finance Officer/Dep Town Manager Amy Miller introduced Customer Service Rep Shannon Krzyzanowski who was recognized by the Board for five years of service.

Public Services Director Nancy Carawan introduced Senior Fleet Mechanic Peter "Pete" Woickelman who was recognized by the Board for ten years of service.

Public Services Director Nancy Carawan introduced Facilities Maintenance Crew Leader Janis Farmer who was recognized and congratulated for 25 years of service.

Proclamation – The Board adopted the proclamation recognizing National Police Officer's Week as May 12 – 18, 2024 as presented. Police Chief Hale spoke of Sgt. Earl Murray's death in the line of duty May 15, 2009; the 15-year anniversary of Sgt. Murray's passing makes this recognition this week even more important. Mayor Cahoon agreed and he and Board members spoke of the job done by police officers every day.

**4.** Public Comment -

Debbie Swick, Southern Shores resident, president of Ban Balloon Releases organization; she spoke in favor of the ordinance and resolution on today's agenda banning the release of balloons on Town property; she speaks at Town and County councils as balloons need to be relearned and people need to be re-educated; wildlife to include whales continue to be lost due to balloons; she expressed her appreciation to the Board for both the resolution and especially for the ordinance on their agenda today.

**5.** Consent Agenda - The Consent Agenda was approved as presented and consisted of the following:

Budget Amendment #11 to FY 23/24 Budget

Tax Adjustment Report

Approval of minutes

Modification to Consolidated Fee Schedule

Request for Public Hearing to consider citizen comment on the Manager's proposed operating budget for FY25

Request for Public Hearing to consider text amendment to prohibit driving or parking on residential septic systems

Request for Public Hearing to consider text amendment submitted by Jordan Harrell of Jernigan Oil Company, Inc. to allow LED, digital displays for Fueling Stations

**6.** Update from Planning Director - Planning Director Kelly Wyatt provided a monthly update.

**7.** Committee Reports

Comr. Lambert – Government Access Channel Committee – met last week and Town Public Information Officer Roberta Thuman also attended; Comr. Lambert encouraged everyone to view the Jockey’s Ridge video.

Mayor Pro Tem Siers – the Dare County Housing Task Force met and Donna Creef and Malcolm Fearing were voted Chair and Vice Chair, respectively, of what is now a standalone committee.

Comr. Brinkley - Septic Health Advisory Committee – Comr. Brinkley added some figures provided by Septic Health Coordinator Conner Twiddy: six loans, 90 inspections, and 98 water credits have been issued to date with the program.

Comr. Brinkley – The Town Multi-Family Ordinance Working Group met and will meet again May 24<sup>th</sup> prior to a report to the Board in June.

Comr. Brinkley - Jennette’s Pier Advisory Council next meets May 23<sup>rd</sup>.

Comr. Sanders – Jockey’s Ridge 50<sup>th</sup> Anniversary celebration - a lot of behind the scenes work is being done.

Mayor Cahoon – he recently met with the Friends of Jockey’s Ridge Chair; State Sen. Bobby Hanig has proposed legislation for consideration during the short session. The legislation would restore the original protections from the 1970’s for Jockey’s Ridge State Park.

**8.** Appointment/Reappointment to Town Boards/Committees – The Board reappointed Rose Lay to the Firemen’s Relief Fund Board and reappointed Ginny Flowers and Samantha Lock to additional terms on the Arts and Culture Committee.

**9.** Ban on releasing balloons – The Board adopted the ordinance incorporating a ban on the release of balloons on Town property with amended language for paragraph B (2) as follows: “Hot air balloons that are controlled by an operator on board or on ground and are recovered after launching”. The Board also adopted the resolution opposing the release of balloons within the Town as presented.

**10.** Multi-use path signage - It was Board consensus to experiment with pavement markings in a high traffic area in an older part of the multi-use path to see if better pedestrian/cyclist behavior is observed. Mayor Pro Tem Siers expressed his appreciation of staff being proactive on this issue.

**11.** Sanitation Vehicle cameras – The Board approved the request for the purchase/installation of security dash cameras inside/outside sanitation vehicles as presented.

**12.** Town Manager Garman – The Board approved the request for a Public Services Dept Sanitation Equipment Operator and for a part-time/seasonal Planning and Development position.

**13.** Town Manager Garman - Town Engineer David Ryan provided an update on the new Public Services Facility. A lot of progress was made in the last month in the Administration Building and yesterday furniture was put in place; The Water Distribution Building is almost ready for occupancy; No definitive move-in date for the Administration Building due to a delay in delivery of the interior doors.

**14.** Town Manager Garman - Dep Town Manager/Finance Officer Amy Miller distributed the Manager’s Recommended Budget to Board members. Town Manager Garman provided a few highlights to include:

- No tax or water rate increase
- COLA proposed for 4%; Continue with employee within grade increases
- Town Hall and Fire Station Master Plan – to be finalized in the next few months
- Ocean Rescue housing at the former Outer Banks Medical Center (OBMC) building
- Fund the Fire Dept Working Group recommendations
- Asbestos waterline replacement
- S Old Oregon Inlet Road drainage project scheduled for fall 2024
- Alternate power source for traffic signals
- Pedestrian signal at the Soundside Event site in partner with DCTB and DOT
- Next Beach Nourishment Project in summer of 2027 - planning to start in 2025
- New vehicles for Public Services and Police Departments

**15.** Comr. Brinkley - Comr. Brinkley brought up the two fires in Nags Head this past week where both structures were saved by the efforts of the Town's Fire Dept, Police Dept, and several Mutual Aid Fire Depts. All Board members spoke of the excellent job done in saving the two structures with no injuries.

**16.** Mayor Pro Tem Siers – Mayor Pro Tem Siers acknowledged the good work being done by the Town's Multi-Family Ordinance Working Group and the Town's Planning Dept, as he has heard from the community; the working group continues to meet in order to review/suggest changes to the proposed ordinance.

**17.** Next Budget Workshop - It was Board consensus to schedule the Budget Workshop for Tuesday, May 21<sup>st</sup> at 10:30 am in the Town Hall First Floor Police Training Room.

**18.** Closed Session – The Board entered Closed Session to discuss possible acquisition of real property located at 4222 S Croatan Highway, to consult with the Town Attorney regarding matters protected by the attorney/client privilege and to preserve that privilege, to include the Cherry, Inc litigation and the pending litigation re: Dare County municipalities vs the State of NC zoning authority. The time was 10:21 a.m.

**19.** Open Session - The Board re-entered Open Session at 11:24 a.m.

**20.** Adjournment – The Board recessed to Tuesday, May 21<sup>st</sup> at 10:30 a.m. in the Police Training Room. The time was 11:25 a.m.



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# MEMORANDUM

## Town of Nags Head

### Planning & Development Department

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To: Board of Commissioners  
Planning Board

From: Kelly Wyatt, Planning Director  
Joe Costello, Deputy Planning Director

Date: April 26, 2024

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

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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 May 1<sup>st</sup>, 2024.

#### Monthly Activity Report

Attached for the Board's review is the *Planning and Development Monthly Report for March 2024*. 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, April 2<sup>nd</sup> - Technical Review Committee Meeting
- Wednesday, April 3<sup>rd</sup> - Board of Commissioners Meeting
- Wednesday, April 10<sup>th</sup> – Committee for Art and Culture Meeting
- Thursday, April 11<sup>th</sup> – Board of Adjustment Meeting (no hearings)
- Saturday, April 13<sup>th</sup> – Winter Market at Dowdy Park from 9am – noon
- Monday, April 15<sup>th</sup> – June Street CAMA Grant Pre-Application Due
- Monday, April 15<sup>th</sup> – Multi-Family Working Group Meeting
- Tuesday, April 16<sup>th</sup> – Planning Board Meeting
- Wednesday, April 17<sup>th</sup> – Board of Commissioners mid-month meeting (if needed)
- April 22 – 24 – Planner Chris Trembly attending E&S Local Programs Workshop
- April 22 – 25 – Enviro Planner Conner Twiddy attending Onsite Wastewater Operator Training
- Wednesday, April 24<sup>th</sup> – CRS 2024 Cycle Verification Meeting (in-person) *Postponed*.
- Monday, April 29<sup>th</sup> – Multi-Family Working Group Meeting

#### Planning Board - Pending Applications and Discussions

The Planning Board's most recent meeting was held on Tuesday, April 16, 2024, and included the following:

- Consideration of text amendments submitted by Jordan Harrell of Jernigan Oil Company, Inc. to allow the use of LED, digital displays for Fueling Stations. Staff revised the ordinance in light of concerns raised by the Town Attorney related to content neutrality. The Planning Board voted 5-1 to recommend adoption of the proposed amendments as presented and requested additional feedback on light measurements for LED, digital characters.
- Consideration of text amendments prohibiting driving or parking on residential septic system areas. The Planning Board voted unanimously to recommend adoption of the proposed

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amendments as presented.

- Staff provided the Planning Board with an update on previous discussions related to a request to install netting along a residential property boundary as a barrier to prevent golf balls from leaving the boundaries of the golf course and causing damage to private property. Staff spoke with Mr. John Hammond, Fish and Wildlife Biologist with US Fish and Wildlife who generally expressed concern with impacts netting may have on bird flight patterns but noted that a thick netting with a tight weave should make the net visible and conspicuous to birds and would have limited impact with proper precautions. Staff will work with the property to obtain a resolution within our existing code allowances.

The Planning Board's next meeting is scheduled for Tuesday, May 21<sup>st</sup>, 2024. Currently, the agenda is expected to include a Site Plan Amendment (3<sup>rd</sup> Submittal) for Inn at Whalebone, 87-unit Hotel on Lakeside Street for major deviations to the site plan as well as a request to consider amending or eliminating a condition imposed on the previous Site Plan Approval as it pertains to the expansion of W. Lakeside Street.

### **Board of Adjustment – Recent and Pending Applications**

There were no items for the Board of Adjustments consideration in April 2024.

### **Additional Updates**

- **DWMP/Septic Health Advisory Committee** – The Septic Health Advisory Committee met on April 17<sup>th</sup>, 2024 and discussed several items including the revised proposed ordinance amendment prohibiting parking on septic system areas and staff efforts in the coming year to carry out the recommendations of the Updated DWMP such as using GPS to map the location of septic systems within the Town and creating tool to analyze all of the water quality sampling and ground water level information to help aid in outreach and education. Staff also updated committee members on the Septic Health Initiatives' performance so far this fiscal year with 6 loans being issued, 90 septic tank inspections completed and 98 water credits awarded.
- **Estuarine Shoreline Management Plan** – Town staff continues to focus on applying for the necessary grants to continue the implementation of the Estuarine Shoreline Management Plan. Currently, staff are preparing a pre-proposal for a grant from the National Fish and Wildlife Foundation's National Coastal Resilience Fund. This grant is for the design phase of the Villa Dunes and Soundside Road pilot sites. Should we be invited to submit a full proposal, the deadline for submission will be July 2, 2024.
- **Electric Vehicle Action Plan** – Public Services staff were able to locate and mark the outer periphery of the geothermal lines and wells along the southern portion of the parking area at Town Hall. Staff are now exploring other feasible locations for the two Level 2 EV Chargers.
- **Sand Relocation and Dune Management Cost Share Program** – As of April 26, 2024, a total of \$361,000 from the Dune Management Cost Share Program has been allocated to 124 applicants. As of April 15, the deadline for submitting Sand Relocation Applications, we had received 280 applications. Although we are no longer accepting new applications, the sand relocation program permits the movement of sand through April 30<sup>th</sup>. Our staff is currently conducting final inspections and finalizing project closures.
- **Public Beach and Coastal Waterfront Access Grant Program** – Staff have submitted the pre-application for this Public Beach and Waterfront Access Grant through the Division of Coastal Management (DCM) for renovations to the June Street Beach Access.

- **Outer Banks Regional Hazard Mitigation Plan Update** – The Hazard Mitigation Planning Committee, comprised of representatives from Dare County EM, Dare County staff, staff from each town and members of the public from each community, met on Monday, April 22<sup>nd</sup> to discuss the timeline and process for the HMP Update, the aspects of the update that would be undertaken in order to have the HMP qualify for Community Rating System (CRS) points, and the expectations and deliverables needed from each participating community including various forms of outreach efforts.
- **Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture** – At their April meeting, the Committee for Art and Culture selected the new vendors to participate in the 2024 Dowdy Park Farmers Market and all applicants have been notified. These markets will be held on Thursday, June 13<sup>th</sup> – August 15<sup>th</sup> from 9am to 1pm. Event Coordinator Paige Griffin has finalized the 2024 Summer Concert Series (poster attached) as well as the schedule of fitness events for the season including Yoga on the Lawn every Tuesday May 7<sup>th</sup> – October 29<sup>th</sup> from 7:30 – 8:30am and Fitness Friday’s every Friday June 21<sup>st</sup> – August 16<sup>th</sup> from 7:30 – 8:15am. Paige has also booked two storytelling events on Tuesday July 2<sup>nd</sup> and August 6<sup>th</sup> from 5:30-7:00pm. We are also in receipt of two new art panels created by local artists participating in our Art Mast Project. Artist Jackie Koenig has created an art panel with surfers and artist Kate Lawrence has created another with birds. Public Services will be erecting the art masts and installing these new panels soon.



**Upcoming Meetings and Other Dates**

- Wednesday, May 1<sup>st</sup> - Board of Commissioners Meeting
- Tuesday, May 7<sup>th</sup> – Technical Review Committee Meeting
- Wednesday, May 8<sup>th</sup> – Committee for Art and Culture Meeting
- Thursday, May 9<sup>th</sup> – Board of Adjustment Meeting (no hearings)
- Saturday, May 11<sup>th</sup> – Artrageous Kids Art Festival 10am – 2pm @ Dowdy Park
- Wednesday, May 15<sup>th</sup> – Board of Commissioners mid-month meeting
- Tuesday, 21<sup>st</sup> – Planning Board Meeting

**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT  
MONTHLY REPORT  
MARCH 2024**

DATE SUBMITTED: April 7, 2024

|  | Mar-24             | Mar-23              | Feb-24             | 2023-2024<br>FISCAL YTD | 2022-2023<br>FISCAL YTD | FISCAL YEAR<br>INCREASE/<br>DECREASE |
|--|--------------------|---------------------|--------------------|-------------------------|-------------------------|--------------------------------------|
| <b>BUILDING PERMITS ISSUED - RESIDENTIAL</b> |                    |                     |                    |                         |                         |                                      |
| New Single Family                            | 2                  | 1                   | 2                  | 13                      | 12                      | 1                                    |
| New Single Family, 3000 sf or >              | 0                  | 1                   | 1                  | 4                       | 7                       | (3)                                  |
| Duplex - New                                 | 0                  | 0                   | 0                  | 1                       | 0                       | 1                                    |
| Sub Total - New Residential                  | 2                  | 2                   | 3                  | 18                      | 19                      | (1)                                  |
| Miscellaneous (Total)                        | 49                 | 77                  | 47                 | 372                     | 413                     | (41)                                 |
| <i>Accessory Structure</i>                   | 3                  | 8                   | 3                  | 30                      | 34                      | (4)                                  |
| <i>Addition</i>                              | 3                  | 5                   | 1                  | 25                      | 21                      | 4                                    |
| <i>Demolition</i>                            | 0                  | 0                   | 1                  | 5                       | 1                       | 4                                    |
| <i>Move</i>                                  | 0                  | 0                   | 0                  | 0                       | 0                       | 0                                    |
| <i>Remodel</i>                               | 18                 | 11                  | 10                 | 92                      | 105                     | (13)                                 |
| <i>Repair</i>                                | 25                 | 53                  | 32                 | 220                     | 252                     | (32)                                 |
| <b>Total Residential</b>                     | <b>51</b>          | <b>79</b>           | <b>50</b>          | <b>390</b>              | <b>432</b>              | <b>(42)</b>                          |
| <b>BUILDING PERMITS ISSUED - COMMERCIAL</b>  |                    |                     |                    |                         |                         |                                      |
| Multi-Family - New                           | 0                  | 0                   | 0                  | 0                       | 0                       | 0                                    |
| Motel/Hotel - New                            | 0                  | 0                   | 0                  | 0                       | 0                       | 0                                    |
| Business/Govt/Other - New                    | 0                  | 1                   | 0                  | 0                       | 2                       | (2)                                  |
| Subtotal - New Commercial                    | 0                  | 1                   | 0                  | 0                       | 2                       | (2)                                  |
| Miscellaneous (Total)                        | 9                  | 11                  | 7                  | 63                      | 61                      | 2                                    |
| <i>Accessory Structure</i>                   | 3                  | 6                   | 3                  | 24                      | 22                      | 2                                    |
| <i>Addition</i>                              | 0                  | 0                   | 0                  | 0                       | 0                       | 0                                    |
| <i>Demolition</i>                            | 0                  | 0                   | 0                  | 1                       | 1                       | 0                                    |
| <i>Move</i>                                  | 0                  | 0                   | 0                  | 0                       | 0                       | 0                                    |
| <i>Remodel</i>                               | 5                  | 2                   | 3                  | 19                      | 20                      | (1)                                  |
| <i>Repair</i>                                | 1                  | 3                   | 1                  | 19                      | 18                      | 1                                    |
| <b>Total Commercial</b>                      | <b>9</b>           | <b>12</b>           | <b>7</b>           | <b>63</b>               | <b>63</b>               | <b>0</b>                             |
| <b>Grand Total</b>                           | <b>60</b>          | <b>91</b>           | <b>57</b>          | <b>453</b>              | <b>495</b>              | <b>(42)</b>                          |
| <b>SUB-CONTRACTOR PERMITS</b>                |                    |                     |                    |                         |                         |                                      |
| Electrical                                   | 62                 | 45                  | 50                 | 424                     | 405                     | 19                                   |
| Gas  | 2                  | 1                   | 2                  | 29                      | 25                      | 4                                    |
| Mechanical                                   | 40                 | 38                  | 27                 | 264                     | 294                     | (30)                                 |
| Plumbing                                     | 14                 | 7                   | 8                  | 100                     | 71                      | 29                                   |
| Fire Sprinkler                               | 0                  | 0                   | 0                  | 3                       | 3                       | 0                                    |
| <b>VALUE</b>                                 |                    |                     |                    |                         |                         |                                      |
| New Single Family                            | \$1,915,500        | \$867,000           | \$1,349,213        | \$7,592,995             | \$6,459,026             | \$1,133,969                          |
| New Single Family, 3000 sf or >              | \$0                | \$1,235,000         | \$1,507,945        | \$2,642,945             | \$7,233,733             | (\$4,590,788)                        |
| Duplex - New                                 | \$0                | \$0                 | \$0                | \$711,000               | \$0                     | \$711,000                            |
| Misc (Total Residential)                     | \$1,726,871        | \$1,899,507         | \$1,273,570        | \$14,147,156            | \$13,873,971            | \$273,185                            |
| <b>Sub Total Residential</b>                 | <b>\$3,642,371</b> | <b>\$4,001,507</b>  | <b>\$4,130,728</b> | <b>\$25,094,096</b>     | <b>\$27,566,730</b>     | <b>(\$2,472,634)</b>                 |
| Multi-Family - New                           | \$0                | \$0                 | \$0                | \$0                     | \$0                     | \$0                                  |
| Motel/Hotel - New                            | \$0                | \$0                 | \$0                | \$0                     | \$0                     | \$0                                  |
| Business/Govt/Other - New                    | \$0                | \$11,562,356        | \$0                | \$0                     | \$17,988,350            | (\$17,988,350)                       |
| Misc (Total Commercial)                      | \$829,926          | \$397,955           | \$123,645          | \$4,041,563             | \$2,252,129             | \$1,789,434                          |
| <b>Sub Total Commercial</b>                  | <b>\$829,926</b>   | <b>\$11,960,311</b> | <b>\$123,645</b>   | <b>\$4,041,563</b>      | <b>\$20,240,479</b>     | <b>(\$16,198,916)</b>                |
| <b>Grand Total</b>                           | <b>\$4,472,297</b> | <b>\$15,961,818</b> | <b>\$4,254,373</b> | <b>\$29,135,659</b>     | <b>\$47,807,209</b>     | <b>(\$18,671,550)</b>                |

**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT  
MONTHLY REPORT  
MARCH 2024**

DATE SUBMITTED: April 7, 2024

|                                       | Mar-24 | Mar-23 | Feb-24 | 2023-2024<br>FISCAL YTD | 2022-2023<br>FISCAL YTD | FISCAL YEAR<br>INCREASE/<br>DECREASE |
|---------------------------------------|--------|--------|--------|-------------------------|-------------------------|--------------------------------------|
| <b>ZONING</b>                         |        |        |        |                         |                         |                                      |
| Zoning Permits                        | 64     | 101    | 62     | 494                     | 493                     | 1                                    |
| Soil & Erosion                        | 1      | N/A    | 2      | 16                      | N/A                     | N/A                                  |
| Stormwater Plans                      | 6      | N/A    | 3      | 28                      | N/A                     | N/A                                  |
| <b>CAMA</b>                           |        |        |        |                         |                         |                                      |
| CAMA LPO Permits                      | 5      | 4      | 1      | 30                      | 23                      | 7                                    |
| CAMA LPO Exemptions                   | 13     | 10     | 8      | 50                      | 51                      | 0                                    |
| Sand Relocations                      | 67     | 51     | 42     | 250                     | 164                     | N/A                                  |
| <b>CODE COMPLIANCE</b>                |        |        |        |                         |                         |                                      |
| Cases Investigated                    | 25     | 96     | 28     | 248                     | 543                     | (295)                                |
| Warnings                              | 4      | 7      | 3      | 28                      | 78                      | (50)                                 |
| NOVs Issued                           | 20     | 19     | 24     | 216                     | 126                     | 90                                   |
| Civil Citations (#)                   | 0      | 0      | 0      | 1                       | 10                      | (9)                                  |
| Civil Citations (\$)                  | \$0    | \$0    | \$0    | \$0                     | \$23,150                | (\$23,150)                           |
| <b>SEPTIC HEALTH</b>                  |        |        |        |                         |                         |                                      |
| Tanks inspected                       | 10     | 14     | 6      | 86                      | 100                     | (14)                                 |
| Tanks pumped                          | 10     | 11     | 13     | 95                      | 68                      | 27                                   |
| Water quality sites tested            | 2      | 46     | 1      | 69                      | 166                     | (97)                                 |
| Personnel Hours in<br>Training/School | 44     | 52     | 16     | 319                     | 200                     | 119                                  |

  
\_\_\_\_\_  
Kelly Wyatt, Planning Director

# Summer

## CONCERT SERIES

Dowdy Park - 3005 S. Croatan Hwy

**JUNE 19 - AUGUST 21**

Wednesday Evenings 6:30 - 8:00 pm

**JUNE 19** - Black Pearl

**JUNE 26** - Uphill

**JULY 3** - SOUL One

**JULY 10** - The Bee Keepers

**JULY 17** - Troy Breslow Band

**JULY 24** - Will Overman Band

**JULY 31** - Rob Oliver Trio

**AUG 7** - Bar Catz Duo

**AUG 14** - Haze & Dacey

**AUG 21** - Intangible Catz

Brought to you by



TOWN OF  
**NAGS HEAD**