



## DRAFT AGENDA

**Town of Nags Head Planning Board  
Nags Head Municipal Complex Board Room  
Tuesday, September 17th, 2024; 9:00 a.m.**

- A. Call To Order
- B. Approval Of Agenda
- C. Public Comment/Audience Response
- D. Action Items
  - 1. Consideration Of A Special Use/Site Plan Review  
submitted by Quible & Associates, P.C. and Beacon Architecture, PLLC, on behalf of the Town of Nags Head, for the construction of a 2-story, 8-bedroom dormitory.  
The property is zoned SED-80, Special Environmental District and is located at 425 W. Health Center Drive.
- E. Report On Board Of Commissioners Actions  
September 4th, 2024

Documents:

[SEP 4 2024 BOC ACTIONS KW HIGHLIGHTS.PDF](#)

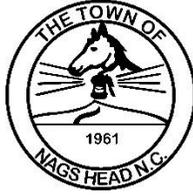
- F. Town Updates - As Requested
- G. Discussion Items
  - 1. Continued Discussion  
of minimum required parking standards for hotel uses and restaurant use.
  - 2. Planning & Development Directors Report  
August 28th, 2024

Documents:

[DIRECTORS REPORT FOR SEPTEMBER BOC.PDF](#)

- H. Planning Board Members' Agenda
- I. Planning Board Chairman's Agenda

J. Adjournment



## **BOC ACTIONS SEPTEMBER 4, 2024**

- 1.** Call to order - Mayor Cahoon called the meeting to order at 9 a.m. and recognized former Mayor Bob Muller in the audience.
- 2.** Agenda – The Board approved the Sep 4<sup>th</sup> agenda as presented.
- 3.** Recognition - Fire Engineer Brandon Stallings and Sanitation Equipment Operator II John McDowell were recognized by the Board for five years of service. Tax Collector Linda Bittner was recognized by the Board for ten years of service.
- 4.** Presentation - Outer Banks Visitors Bureau Executive Director, Lee Nettles, introduced the *Outer Banks Promise* initiative and Community Engagement Manager, Jeff Schwartzberg. Mr. Schwartzberg presented a short video on the *Outer Banks Promise* initiative which encourages people to preserve the natural environment and cultural heritage of the Outer Banks by signing an online pledge.
- 5.** Proclamation - Public Information Officer, Roberta Thuman, presented a *CCEDS Challenge at the Coast* powerpoint, prepared by Coastal Community Environmental Data Scholars (CCEDS) made up of ECU PHD candidates in partnership with the Town, CSI, and NSF. The emphasis is on encouraging water quality protection. The Board approved the proclamation proclaiming Sep 16-20, 2024, as Septic Smart Week.
- 6.** Proclamation - Police Chief Perry Hale summarized upcoming National Night Out activities scheduled for Oct 1<sup>st</sup> at Dowdy Park. He is looking forward to this year's event and appreciates the Board's support and participation. The Board approved the proclamation in support of Oct 1<sup>st</sup> as National Night Out as presented.
- 7.** Proclamation – The Board approved the proclamation proclaiming Diaper Need Awareness Week as Sep 23–29, 2024 as presented.
- 8.** Public Comment  
Steve House, Dare County Comr. and president of the Outer Banks Jeep Invasion organization; he thanked the Town and the Town's Police Dept as well as the Dare County Tourism Board for supporting Jeep Invasion events and he is looking forward to this year's event at the Soundside Event Site - Sep 20 – 22, 2024.  
  
Aida Havel, Salvo; she is running for Dare Co Comr; she spoke of the Buxton beach environmental disaster which is now over one year old; she suggested those interested to view two online videos from the Buxton Civic Association; she asked for the Board's continued support for resolution of this issue; she noted the workforce housing issue later on today's agenda and she is looking for creative solutions.
- 9.** Consent agenda – The Consent Agenda was approved as presented and consisted of the following:
  - Budget Amendment #3 to FY 24/25 Budget
  - Tax Adjustment Reports - FY 24/25 Report (New Year and Year-to-date)
  - Approval of minutes
  - Policy for neighborhoods to request traffic calming devices, presented at the Aug 7<sup>th</sup> Board meeting
  - Request for Public Hearing - to consider map amendment to rezone vacant property from C-3 to C-2
- 10.** Public Hearing - to consider text amendments to the UDO as it pertains to the use of multi-family dwelling development - Town Manager Garman provided a series of slides detailing the background of the

multi-family dwelling process. Robin Morgan, David Shufflebarger, Peter Pinto, Valerie Netsch, David Thompson, David Elder, Bob Muller, Duke Geraghty, Haley Morgan; Katie Wilkins, Megan Vaughan, and Molly Harrison spoke concerning the multi-family issue. The Board tabled consideration of the ordinance and scheduled a workshop for Sep 18<sup>th</sup> at 9 am with action tabled until the Oct 2<sup>nd</sup> Board meeting. The motion to table passed 4 – 1 with Mayor Cahoon casting the NO vote.

**11.** Public Hearing - to consider a text amendment to the UDO submitted by Anlauf Engineering, PLLC on behalf of Ark Church, to modify the definition of "Religious Complex" to include an additional single-family residence for church staff, in addition to the existing allowance for an onsite parsonage. Bob Muller spoke in support of the amendment. The Board adopted the ordinance as presented.

**12.** Public Hearing - to consider amendments to the UDO as it pertains to dormitory use in the SED-80, Special Environmental District – The Board adopted the ordinance as presented.

**13.** Update from Planning Director - Planning Director Kelly Wyatt summarized her monthly report.

**14.** Traffic Study - Results of the Board-requested Vanasse Hangen Brustlin, Inc. (VHB) traffic study at the intersection of Lakeside St and Hwy 158 were discussed. Mayor Cahoon suggested putting all options forward to locate the necessary funds for the signal which would not take place until 2026 at the earliest.

**15.** Committee Reports

Comr. Brinkley – Jennette's Pier update - the June and July visitation numbers exceeded last year's numbers and the expectations of pier management; it has been a busy summer with week-long camps and fishing programs; Wind turbines are to be inspected by an engineer but there is no timeline yet for that to occur.

Comr. Brinkley - Septic Loan – Staff is to prepare septic loan repayment extension for Board consideration.

**16.** Resolution – The Board passed a motion to adopt the resolution in support of Area of Environmental Control (AEC) protections for Jockey's Ridge State Park as presented.

**17.** Town Manager Garman - Town Engineer David Ryan provided an update on the construction of the Public Services Facility.

**18.** Comr. Brinkley - Comr. Brinkley noted that there are two weeks to the Multi-Family Workshop (on Sep 18<sup>th</sup>) and he encouraged staff to actively promote the workshop.

**19.** Comr. Brinkley - Comr. Brinkley spoke of the Nags Head Lifesaving Station Marker that Ralph Buxton brought forward in his presentation at last month's Board meeting. It was Board consensus to concur with the marker and Comr. Brinkley said that he would work with Mr. Buxton on finding the location.

**20.** Comr. Sanders - Comr. Sanders spoke of a recent water leak at his restaurant that staff found via the new AMI Smart Meter software - he was able to fix and repair the leak before major damage was done.

**21.** Mayor Cahoon - Mayor Cahoon recognized Town Manager Andy Garman for ten years of service, noting that he also worked for the Town from 2000 to 2005.

**22.** Closed Session – The Board entered Closed Session to confer with the attorney re: attorney/client privilege and to discuss possible acquisition of property at 4222 S Croatan Hwy. The time was 12:14 pm.

**23.** Open Session - The Board re-entered Open Session at 12:30 p.m.

**24.** Adjournment – The Board recessed to a mid-month Multi-Family Ordinance Workshop on Wednesday, Sep 18<sup>th</sup> at 9 am in the Board Room. The time was 12:31 p.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: August 28, 2024

Subject: Planning and Development Director's Report (G-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 September 4<sup>th</sup>, 2024.

#### Monthly Activity Report

Attached for the Board's review is the *Planning and Development Monthly Report for July 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 of July:

- Tuesday, August 6<sup>th</sup> – Technical Review Committee Meeting
- Wednesday, August 7<sup>th</sup> - Board of Commissioners Meeting
- Thursday, August 8<sup>th</sup> – Board of Adjustment (no hearings scheduled)
- August 10<sup>th</sup> – August 14<sup>th</sup> – Planner Chris Trembly attend Certified Zoning Official Conference
- Wednesday, August 14<sup>th</sup> – Committee for Art and Culture Meeting
- Tuesday, August 20<sup>th</sup> – Planning Board Meeting
- Wednesday, August 21<sup>st</sup> – Board of Commissioners mid-month meeting
- Wednesday, August 28<sup>th</sup> – CRS Cycle Verification Visit
- Wednesday, August 28<sup>th</sup> – Outer Banks Hazard Mitigation Joint Committee Meeting (1pm)
- Dowdy Park Farmers Market – Thursday, August 1<sup>st</sup>, 8<sup>th</sup>, and final market on 15<sup>th</sup>
- Dowdy Park Summer Concert Series – Wednesday, August 7<sup>th</sup>, 14<sup>th</sup>, and 21<sup>st</sup>

#### Planning Board - Pending Applications and Discussions

The Planning Board's most recent meeting was held on Tuesday, August 20, 2024. The following items were heard:

- Consideration of a map amendment request submitted by Chris Greening of Coastal Bluewater Capital, LLC as authorized by property owner Mazzi, LLC to rezone the property located at 0 W. Satterfield Landing Road, Lot 2a-1r of the Charles Sineath Subdivision, (Parcel # 005618002) from C-3, Commercial Services to C-2, General Commercial. This is the vacant property west of TW's Bait and Tackel. The Planning Board voted unanimously to recommend approval of the map amendment request as presented. This item is on the Board of Commissioners September 4<sup>th</sup> Consent Agenda requesting Public Hearing to be held on October 2<sup>nd</sup>, 2024.

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- Consideration of various amendments to the Unified Development Ordinance as it pertains to the use of multi-family dwelling developments. The Planning Board discussed this item at length and voted 5 to 1 to recommend adoption of the Multi-Family Working Group’s draft ordinance with several revisions. The Public Hearing for this item is scheduled for the Board of Commissioners September 4<sup>th</sup>, 2024 meeting.
  - Discussion of minimum required parking standards for hotel use and restaurant use within the Town. Staff will provide the Planning Board with additional requested information at their September 17<sup>th</sup> meeting.
  - Discussion and update on potential Accessory Dwelling Unit (ADU) ordinance and existing conditions within the town. Planning Board members emphasized the importance of hearing from Nags Head citizens, including both supporters of ADUs and those with concerns, before drafting new language. Staff requested that Planning Board members share any groups, organizations, or individuals who should be personally invited to an upcoming meeting. In addition to receiving public comments at their September 17<sup>th</sup> meeting, an evening session has been scheduled for Wednesday, September 18<sup>th</sup>, from 6:00 – 7:00 p.m. in the Board Room for residents unable to attend during work hours. This opportunity for public input has been and will continue to be widely advertised through various channels to encourage community participation.

The Planning Board’s next meeting is scheduled for Tuesday, September 17<sup>th</sup>, 2024. Currently, the agenda is expected to include consideration of a Special Use/Site Plan review for construction of a duplex for the purpose of Town of Nags Head lifeguard housing at 425 W. Health Center Drive, continued discussion on parking standards for hotel and restaurant uses, and continued discussion with community engagement regarding Accessory Dwelling Units (ADU’s).

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

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

### **Additional Updates**

- **Estuarine Shoreline Management Plan** – The Town was awarded a grant of \$500,000 under the N.C. Resilient Coastal Communities Program to assist in completing the engineering and design work for the Villa Dunes and Soundside Road estuarine marsh restoration and marsh stabilization projects. It will be November before we know about the NC Land and Water Fund Grant that was applied for to assist with the Harvey Site/OBVB site. Additionally, staff are researching using a combination of Community Conservation Assistance Program (CCAP) funds and Coastal Federation cost share funds for a shoreline stabilization along the causeway.
- **Electric Vehicle Action Plan** – LoWire Technologies has completed the installation of two-Level II EV chargers at Town Hall. Shoshin is scheduled to install an outside access point for the charging stations. Once we finalize payment and the station management interface, these units will be available for public use. A DEQ representative will conduct an onsite inspection to ensure all grant requirements for reimbursement have been met
- **Sand Relocation and Dune Management Cost Share Program** – Following the Board of Commissioners' allocation of \$400,000 for the FY 24-25 Sand Relocation and Dune Management Cost Share Program, staff is currently reviewing and updating educational materials and the sand relocation application. The application period is expected to open on November 1, 2024, for review purposes only. In preparation, staff will host an educational presentation and Q&A session in mid-October for equipment operators, property owners, and other interested parties interested in participating in this season's program.

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- **Public Beach and Coastal Waterfront Access Grant Program** – Staff has submitted the final application for the improvements at the June Street Beach Access and anticipates receiving notification regarding the grant award by late September or early October.
  - **Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture** – As summer winds down, so have some of our events. The Dowdy Park Farmers Markets have concluded for the season. The rescheduled evening market was a great success, with strong attendance and positive feedback from vendors on their sales. Family Fun Nights have also wrapped up, and Kids Night was a huge hit. Special thanks to the Nags Head Police and Fire Departments for their participation.

The Summer Concert Series has ended as well, with Event Coordinator Paige Griffin noting that concert attendance significantly increased this season. There was a growing sense of excitement and community, with many familiar faces returning for each event.

While Fitness Fridays have concluded, Tuesday morning Yoga sessions will continue through October 22nd.

Movies in the Park will run over the next several months. The next movie night is scheduled for September 6th, featuring *Twister* starting around 8 p.m. Additional movie nights are planned for October 4th and November 1st.

Event Coordinator Paige Griffin is currently finalizing the Holiday Market application process. Keep an eye on our website and social media for details!



### Upcoming Meetings and Other Dates

- Tuesday, September 3<sup>rd</sup> - Technical Review Committee Meeting
- Wednesday, September 4<sup>th</sup> - Board of Commissioners Meeting
- Thursday, September 11<sup>th</sup> – Committee for Art and Culture Meeting
- Thursday, September 12<sup>th</sup> – Board of Adjustment Meeting (no hearings scheduled)
- Thursday, September 12<sup>th</sup> – CRS Users Group Meeting
- Tuesday, September 17<sup>th</sup> – Planning Board Meeting
- Wednesday, September 18<sup>th</sup> – Board of Commissioners mid-month meeting
- Dowdy Park Movie Night, Friday, September 6<sup>th</sup> at 8pm – TWISTER

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

DATE SUBMITTED: August 7, 2024

	Jul-24	Jul-23	Jun-24	2024-2025 FISCAL YTD	2023-2024 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
<b>BUILDING PERMITS ISSUED - RESIDENTIAL</b>						
New Single Family	3	0	0	3	0	3
New Single Family, 3000 sf or >	1	0	1	1	0	1
Duplex - New	0	0	0	0	0	0
Sub Total - New Residential	4	0	1	4	0	4
Miscellaneous (Total)	21	31	31	21	31	(10)
<i>Accessory Structure</i>	3	2	3	3	2	1
<i>Addition</i>	0	1	3	0	1	(1)
<i>Demolition</i>	0	0	1	0	0	0
<i>Move</i>	0	0	0	0	0	0
<i>Remodel</i>	5	7	7	5	7	(2)
<i>Repair</i>	13	21	17	13	21	(8)
<b>Total Residential</b>	<b>25</b>	<b>31</b>	<b>32</b>	<b>25</b>	<b>31</b>	<b>(6)</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	0	0	0	0	0
Subtotal - New Commercial	0	0	0	0	0	0
Miscellaneous (Total)	7	4	2	7	4	3
<i>Accessory Structure</i>	1	2	1	1	2	(1)
<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>	1	2	0	1	2	(1)
<i>Repair</i>	5	0	1	5	0	5
<b>Total Commercial</b>	<b>7</b>	<b>4</b>	<b>2</b>	<b>7</b>	<b>4</b>	<b>3</b>
<b>Grand Total</b>	<b>32</b>	<b>35</b>	<b>34</b>	<b>32</b>	<b>35</b>	<b>(3)</b>
<b>SUB-CONTRACTOR PERMITS</b>						
Electrical	61	61	67	61	61	0
Gas	2	4	2	2	4	(2)
Mechanical	45	44	55	45	44	1
Plumbing	2	10	7	2	10	(8)
Fire Sprinkler	0	0	1	0	0	0
<b>VALUE</b>						
New Single Family	\$1,634,157	\$0	\$0	\$1,634,157	\$0	\$1,634,157
New Single Family, 3000 sf or >	\$1,000,000	\$0	\$975,000	\$1,000,000	\$0	\$1,000,000
Duplex - New	\$0	\$0	\$0	\$0	\$0	\$0
Misc (Total Residential)	\$791,232	\$1,010,866	\$2,253,969	\$791,232	\$1,010,866	(\$219,634)
<b>Sub Total Residential</b>	<b>\$3,425,389</b>	<b>\$1,010,866</b>	<b>\$3,228,969</b>	<b>\$3,425,389</b>	<b>\$1,010,866</b>	<b>\$2,414,523</b>
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	\$0	\$0
Misc (Total Commercial)	\$196,537	\$180,200	\$139,303	\$196,537	\$180,200	\$16,337
<b>Sub Total Commercial</b>	<b>\$196,537</b>	<b>\$180,200</b>	<b>\$139,303</b>	<b>\$196,537</b>	<b>\$180,200</b>	<b>\$16,337</b>
<b>Grand Total</b>	<b>\$3,621,926</b>	<b>\$1,191,066</b>	<b>\$3,368,272</b>	<b>\$3,621,926</b>	<b>\$1,191,066</b>	<b>\$2,430,860</b>

**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT  
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JULY 2024**

DATE SUBMITTED: August 7, 2024

	Jul-24	Jul-23	Jun-24	2024-2025 FISCAL YTD	2023-2024 FISCAL YTD	FISCAL YEAR INCREASE/DECREASE
<b>ZONING</b>						
Zoning Permits	35	44	38	35	44	(9)
Soil & Erosion	5	N/A	4	5	N/A	N/A
Stormwater Plans	1	N/A	4	1	N/A	N/A
<b>CAMA</b>						
CAMA LPO Permits	1	1	3	1	1	0
CAMA LPO Exemptions	1	3	4	1	3	0
Sand Relocations						N/A
<b>CODE COMPLIANCE</b>						
Cases Investigated	42	28	44	42	28	14
Warnings	2	2	3	2	2	0
NOVs Issued	40	26	41	40	26	14
Civil Citations (#)	0	0	0	0	0	0
Civil Citations (\$)	\$0	\$0	\$0	\$0	\$0	\$0
<b>SEPTIC HEALTH</b>						
Tanks inspected	8	17	10	8	17	(9)
Tanks pumped	6	9	9	6	9	(3)
Water quality sites tested	46	20	36	46	20	26
Personnel Hours in Training/School	39	25	34	3	25	(22)

  
Kelly Wyatt, Planning Director