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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: December 29, 2023

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 January 3<sup>rd</sup>, 2024.

#### **Monthly Activity Report**

Attached for the Board's review is the *Planning and Development Monthly Report for November 2023*. 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, December 5<sup>th</sup> – Technical Review Committee Meeting
- Wednesday, December 6<sup>th</sup> - Board of Commissioners Meeting
- Thursday, December 7<sup>th</sup> - CRS Users Group Meeting
- Wednesday, December 13<sup>th</sup> – Committee for Arts and Culture Meeting
- Wednesday, December 13<sup>th</sup> – Strategic Plan Implementation Session
- Thursday, December 14<sup>th</sup> – Board of Adjustment Meeting (no hearings scheduled)
- Thursday, December 14<sup>th</sup> – Flashlight Candy Cane Hunt
- Wednesday, December 19<sup>th</sup> – Planning Board Meeting
- Wednesday, December 20<sup>th</sup> – Board of Commissioners mid-month meeting (if needed)
- Saturday, December 2<sup>nd</sup> & 9<sup>th</sup> from 9am – noon – Dowdy Park Holiday Markets

#### **Planning Board - Pending Applications and Discussions**

The Planning Board's most recent meeting was held on Tuesday, December 19th, 2023, and included the following:

- Consideration of Special Use/Site Plan Review for construction of a Trade Center on Lot 2a of Charles Sineath Subdivision, vacant lot behind TW's Bait and Tackle. The November 2, 2022 approval had expired. The Planning Board voted unanimously to recommend approval of the SUP/Site Plan as presented.
- Consideration of text amendments that if adopted would allow the long-term rental of units within existing hotels and motels. The Planning Board and applicant had productive discussion and staff will be returning to the January 2024 Planning Board meeting with an updated draft amendment based upon discussion.
- Consideration of various text amendments to the UDO as it pertains to multi-family development. The Planning Board completed a thorough review of the draft amendments,

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and requested some minor revisions that will now be provided to the Town Attorney for review. The Planning Board voted unanimously to go ahead and move the amendments forward in order to schedule the Public Hearing before the Board of Commissioners at their February 7<sup>th</sup>, 2024 meeting.

- Consideration of text amendments related to the use of Drive-Through Restaurants within Commercial Mixed-Use Developments and to discuss a conflict in the Unified Development Ordinance and Comprehensive Land Use Plan. The Planning Board discussed this item again and upheld their original recommendation for denial of the text amendment as it related to the allowance of drive-through restaurants within commercial mixed use developments including shopping centers. Additionally, the Planning Board recommended that the conflict noted between the UDO and Comprehensive Land Use Plan be rectified by eliminating the use of drive-through restaurants within the C-2, General Commercial zoning district.

The Planning Board’s next meeting is scheduled for January 16<sup>th</sup>, 2024. At this time, the agenda is expected to include consideration of a text amendment to allow the long-term rental of units within existing hotels and motels, and consideration of a proposed text amendment requiring that septic systems and all other components are contained within a barrier to prevent vehicle parking. Staff will also update the Planning Board on any revisions requested by the Town Attorney on the proposed multi-family development amendments.

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

There were no items for Board of Adjustment consideration in December 2023. At their January 11, 2024 meeting the Board of Adjustment is expected to hear an Appeal of an Administrative Decision submitted by Joseph Surlis with regard to the issuance of a building permit for the property located at 4313 W. Soundside Road, Nags Head (Martin Residence).

### **Additional Updates**

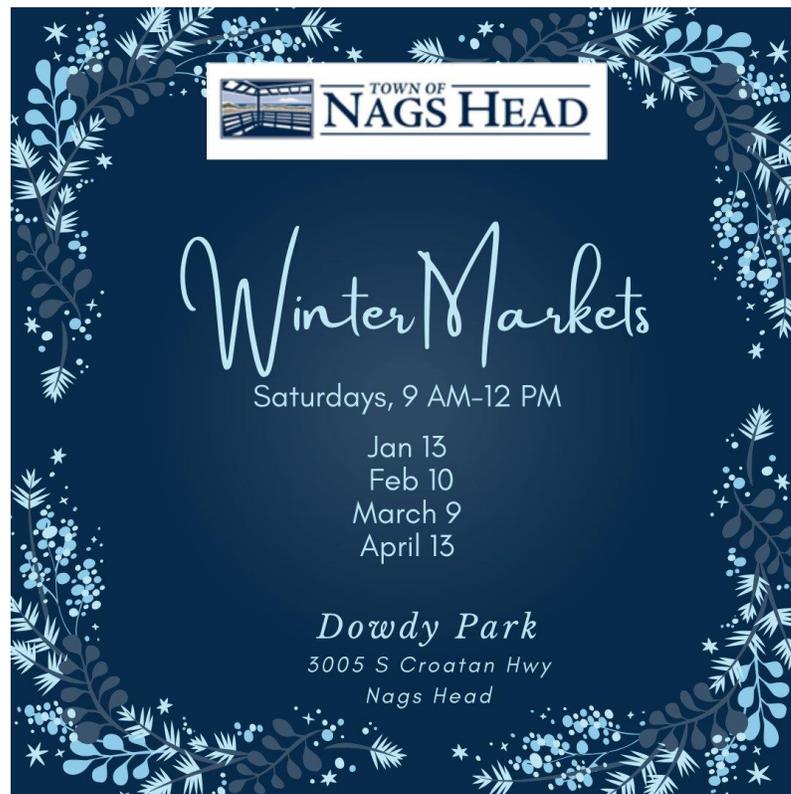
- **DWMP/Septic Health Advisory Committee** – Over the course of two days in early December, Environmental Planner Conner Twiddy and a representative from OTT HydroMet installed 14 groundwater level loggers and 2 water quality loggers throughout the Town as recommended in the recent Decentralized Wastewater Master Plan. The loggers will soon be calibrated and sending real-time ground water and water quality data to the town.



- **Electric Vehicle Action Plan** – Staff are currently working with Daniel Parsons of LoWire Technologies to finalize a quote for the acquisition, installation, and future maintenance of the EvoCharge equipment. Staff is also working to identify contractors to construct ADA accessible parking spaces and to fabricate and install signage in accordance with the DEQ grant requirements. Staff will continue to update on this item.
- **Sand Relocation and Dune Management Cost Share Program** – Staff will provide updated information on this item at the January 3<sup>rd</sup>, 2024, meeting.
- **Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture** – The 2<sup>nd</sup> Annual Flashlight Candy Cane Hunt was well attended this year and many parents expressed their appreciation for the festive holiday cheer it and the Dowdy Park lighting brought. Kenneth and Kathleen Morgan were the winners of the Holiday Decorating Contest. Event Coordinator Paige Griffin has begun preparing for the upcoming Winter Markets. These markets will be held on the 2<sup>nd</sup> Saturday of January - April, from 9am – noon at Dowdy Park. These markets are open to producer/consumable vendors only.

### Upcoming Meetings and Other Dates

- Tuesday, January 2<sup>nd</sup> - Technical Review Committee Meeting (no items)
- Wednesday, January 3<sup>rd</sup> - Board of Commissioners Meeting
- Thursday, January 4<sup>th</sup> - CRS Users Group Meeting
- Wednesday, January 10<sup>th</sup> – Committee for Arts and Culture Meeting
- Thursday, January 11<sup>th</sup> – Board of Adjustment Meeting (Surles Appeal)
- Saturday, January 13<sup>th</sup> – Winter Market from 9am – noon
- Tuesday, January 16<sup>th</sup> – Planning Board Meeting
- Wednesday, January 17<sup>th</sup> – Board of Commissioners mid-month meeting (if needed)



**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT  
MONTHLY REPORT  
NOVEMBER 2023**

DATE SUBMITTED: December 7, 2023

	Nov-23	Nov-22	Oct-23	2023-2024 FISCAL YTD	2022-2023 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
<b>BUILDING PERMITS ISSUED - RESIDENTIAL</b>						
New Single Family	4	1	2	8	7	1
New Single Family, 3000 sf or >	0	0	0	3	5	(2)
Duplex - New	0	0	1	1	0	1
Sub Total - New Residential	4	1	3	12	12	0
Miscellaneous (Total)	54	46	43	186	175	11
<i>Accessory Structure</i>	3	2	5	15	15	0
<i>Addition</i>	3	1	6	17	8	9
<i>Demolition</i>	3	0	0	3	0	3
<i>Move</i>	0	0	0	0	0	0
<i>Remodel</i>	15	17	5	40	52	(12)
<i>Repair</i>	30	26	27	111	100	11
<b>Total Residential</b>	<b>58</b>	<b>47</b>	<b>46</b>	<b>198</b>	<b>187</b>	<b>11</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	1	(1)
Subtotal - New Commercial	0	0	0	0	1	(1)
Miscellaneous (Total)	9	6	5	27	25	2
<i>Accessory Structure</i>	3	2	1	11	11	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>	2	2	2	9	7	2
<i>Repair</i>	4	2	2	7	7	0
<b>Total Commercial</b>	<b>9</b>	<b>6</b>	<b>5</b>	<b>27</b>	<b>26</b>	<b>1</b>
<b>Grand Total</b>	<b>67</b>	<b>53</b>	<b>51</b>	<b>225</b>	<b>213</b>	<b>12</b>
<b>SUB-CONTRACTOR PERMITS</b>						
Electrical	39	40	33	209	211	(2)
Gas	6	5	2	21	13	8
Mechanical	20	27	20	134	165	(31)
Plumbing	14	10	14	54	33	21
Fire Sprinkler	0	0	1	2	2	0
<b>VALUE</b>						
New Single Family	\$1,775,000	\$582,000	\$710,000	\$3,859,282	\$3,284,000	\$575,282
New Single Family, 3000 sf or >	\$0	\$0	\$0	\$1,135,000	\$4,960,000	(\$3,825,000)
Duplex - New	\$0	\$0	\$711,000	\$711,000	\$0	\$711,000
Misc (Total Residential)	\$2,561,700	\$2,068,942	\$2,089,946	\$7,750,223	\$6,662,384	\$1,087,839
<b>Sub Total Residential</b>	<b>\$4,336,700</b>	<b>\$2,650,942</b>	<b>\$3,510,946</b>	<b>\$13,455,505</b>	<b>\$14,906,384</b>	<b>(\$1,450,879)</b>
Multi-Family - New	\$0	\$0	\$0	\$0	\$0	\$0
Motel/Hotel - New	\$0	\$0	\$0	\$0	\$6,425,994	(\$6,425,994)
Business/Govt/Other - New	\$0	\$0	\$0	\$0	\$0	\$0
Misc (Total Commercial)	\$962,286	\$311,970	\$582,425	\$2,124,931	\$1,002,751	\$1,122,180
<b>Sub Total Commercial</b>	<b>\$962,286</b>	<b>\$311,970</b>	<b>\$582,425</b>	<b>\$2,124,931</b>	<b>\$7,428,745</b>	<b>(\$5,303,814)</b>
<b>Grand Total</b>	<b>\$5,298,986</b>	<b>\$2,962,912</b>	<b>\$4,093,371</b>	<b>\$15,580,436</b>	<b>\$22,335,129</b>	<b>(\$6,754,693)</b>

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MONTHLY REPORT  
NOVEMBER 2023**

DATE SUBMITTED: December 7, 2023

	Nov-23	Nov-22	Oct-23	2023-2024 FISCAL YTD	2022-2023 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
<b>ZONING</b>						
Zoning Permits	70	49	63	251	186	65
Soil & Erosion	2	N/A	2	7	N/A	N/A
Stormwater Plans	5	N/A	2	16	N/A	N/A
<b>CAMA</b>						
CAMA LPO Permits	3	2	4	17	12	5
CAMA LPO Exemptions	3	4	4	17	11	0
Sand Relocations	47	16	0	47	16	N/A
<b>CODE COMPLIANCE</b>						
Cases Investigated	24	20	39	146	238	(92)
Warnings	4	8	6	17	53	(36)
NOVs Issued	20	10	33	129	64	65
Civil Citations (#)	0	0	0	1	10	(9)
Civil Citations (\$)	\$0	\$0	\$0	\$0	\$23,150	(\$23,150)
<b>SEPTIC HEALTH</b>						
Tanks inspected	11	12	8	62	51	11
Tanks pumped	8	12	5	56	45	11
Water quality sites tested	2	2	1	64	117	(53)
Personnel Hours in Training/School	109	0	46	250	62	188

  
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Kelly Wyatt, Planning Director