
**Town of Nags Head
Planning Board
August 19, 2025**

The Planning Board of the Town of Nags Head met on Tuesday, August 19th, 2025, in the Board Room at the Nags Head Municipal Complex.

Planning Chair Megan Vaughan called the meeting to order at 9:00 a.m. as a quorum was present.

Members Present

Megan Vaughan, David Elder, Molly Harrison, David Thompson, Basil Belsches, Brad Carey

Members Absent

Meade Gwinn

Others Present

Kelly Wyatt, Joe Costello, Lily Nieberding, Attorney Lauren Arizaga-Womble

Approval of Agenda

Chair Vaughan asked that the agenda be amended to include Planning Board Training provided by Attorney Womble. David Elder moved to approve the agenda as amended, David Thompson seconded, and the motion passed by unanimous vote.

Public Comment/Audience Response

None

Approval of Minutes

Chair Vaughan asked for a motion to approve the minutes of the July 15th, 2025, meeting. David Elder moved to approve the minutes as presented; Molly Harrison seconded, and the motion passed unanimously.

Planning Board Training provided by Attorney Lauren Arizaga-Womble

Town Attorney Lauren Womble gave a presentation on board operations and ethical considerations. She provided an overview of the Planning Board's duties and responsibilities as established in North Carolina General Statute 160D-301 and Town Code section 2.4.4. She explained that the Planning Board serves in an advisory capacity to the Board of Commissioners, reviewing development matters and making recommendations.

Attorney Womble covered the board's role in reviewing and maintaining the comprehensive plan, making recommendations on policies and ordinances, facilitating community involvement, and reviewing zoning amendments and map amendments. She emphasized the importance of the comprehensive land use plan as a guiding document for development decisions.

Attorney Womble discussed various aspects of the board's responsibilities, including:

- The process for text and map amendments
- The board's 30-day timeframe to provide recommendations on text amendments
- The board's role in reviewing special use permits, major site plans, and other development applications
- The quasi-judicial nature of special use permits and the board's ability to suggest reasonable conditions
- Conflicts of interest and how to handle them
- Public records requirements and email communication guidelines

Chair Vaughan asked about guidelines for board members when approached by citizens about matters coming before the board. Attorney Womble explained that while Planning Board members can speak with applicants or citizens, they should ensure the entire board has access to the same information and encourage citizens to attend meetings to share information with all members.

Ms. Harrison asked about limitations on board member gatherings outside of meetings, and Attorney Womble clarified that a quorum (four or more members) should not gather to discuss town business outside of a properly noticed meeting.

Mr. Elder inquired about situations where conflicts of interest are discovered after decisions are made, and Attorney Womble explained the appeal process and statute of limitations for challenging decisions.

Action Items

Consideration of text amendments to the Unified Development Ordinance to comply with Session Law 2023-137, which requires local governments to reduce the minimum width of a standard parking space from 10 feet to 9 feet, length remaining at 20 feet.

Planning Director Kelly Wyatt explained that as a result of House Bill 600, enacted as Session Law 2023-137, the North Carolina General Statutes now require local governments to reduce the maximum width of a standard parking space to no greater than 9 feet, unless the space is designated for handicap, parallel, or diagonal parking. To maintain consistency with state law, the Town must amend the Unified Development Ordinance (UDO) to reflect this requirement.

Ms. Wyatt noted that historically, the Town's parking space standard has been 10 feet wide by 20 feet long. This larger dimension has served the town well given our status as a beach town, with a high volume of visitors arriving in larger vehicles such as SUVs and trucks, often carrying vacation equipment including luggage, bicycles, coolers, kayaks, surfboards, and watercraft. The additional width has also accommodated the realities of high-turnover parking areas, where visitors are frequently loading and unloading gear, cargo boxes, roof racks, equipment, event groceries. The Town's previous 10-foot standard was an intentional planning choice, reflecting local conditions, visitor expectations, and the trend toward wider vehicles, particularly those with towing mirrors, roof-mounted cargo, etc.

Ms. Wyatt explained that the amendment would affect Tables 10-1 and 10-8 of the UDO, which relate to residential and commercial parking standards respectively.

Mr. Elder asked whether the legislation addressed access aisles and whether the town could request access aisles near doors or service windows to accommodate larger vehicles. Ms. Wyatt explained that the legislation was specific to standard parking widths and did not contemplate or revise any standards related to ADA Accessibility requirements, as well as angled and parallel parking. She noted that any exception would require special legislation, which she did not envision the town pursuing at this time.

Mr. Belsches asked if the Staff knew why the state made this change. Ms. Wyatt suggested it might be because in other areas with smaller, compact vehicles, 9-foot or even 8-foot spaces might make sense.

Ms. Harrison asked if businesses would re-stripe their parking lots to gain more parking spaces. Ms. Wyatt responded that existing businesses probably would not, but businesses undertaking additions or remodels might take advantage of the change if they needed additional spaces.

David Thompson moved to recommend approval of the text amendments as presented. David Elder seconded, and the motion passed unanimously.

Report on Board of Commissioners Actions – August 6th, 2025

Ms. Wyatt provided a brief report on the Board of Commissioners' actions from their meeting on August 6th. The text amendment filed by TW Outdoor Outfitters to amend the required space between principal and accessory structures from 20 feet to 10 feet was placed on the consent agenda and will go to public hearing in September; the Board voted to maintain the sand relocation and dune management cost share program funding at \$400,000, which Director Wyatt noted was ideal. She explained that while the town did not use the full amount last year (approximately \$250,000 was used), the program operates on a three-year cycle, and the full amount would likely be needed in the coming years; Deputy Planning Director Joe Costello updated the Board on the Estuarine Shoreline Management Plan.

Town Updates

None

Discussion Items

Continued discussion of Strategic Plan Action Item 2.2 as it relates to the examination of allowable uses within the Commercial Outdoor Recreation Overlay District.

Mr. Costello provided an update on the review of the Commercial Outdoor Recreation Overlay District (CORD). He reminded the board that this strategic plan item addresses the incompatibility between what the UDO recommends for the district and what the comprehensive plan envisions for development in the area.

Mr. Costello recapped that staff had reviewed existing zoning, plans, conditions, land use, and approved site plans, and presented a report to the Planning Board in March with recommendations to better align the UDO with the comprehensive plan. He noted that the multi-use path had been fully built out since the comprehensive plan was developed, and the Sound Side Event Center had received

site plan approval. Costello discussed previous conversations with the board about providing more flexibility in the zoning ordinance to allow for a diversity of uses and more interaction between the commercial area, outdoor recreation uses, and the Sound Side Event Center development.

Mr. Costello explained that he had developed a to-scale 3D model of the area to aid in visualizing future development of a boardwalk and changes to existing structures and land uses within the area as well as an animation that incorporates the discussed elements and recommendations for the area to guide further discussion and to provide a vision of development for the area. He then presented the 3D animation model showing potential development concepts, including a boardwalk connecting various sites, potential building locations, and public art installations which were well received by the Board.

For next steps, Mr. Costello proposed: organizing small group site visits to the Adventure Park to get a bird's-eye view of the area; inviting the Tourism Board to present on the Sound Side Event Center progress and engaging property owners and the public at the September board meeting.

Mr. Thompson suggested rebranding the area from "CORD" to "Sound Side at Nags Head" to generate enthusiasm and excitement. He envisioned marketing opportunities around "sight, sound, strolls, sips, snacks, sunsets" at Sound Side at Nags Head. The board and staff agreed this was a good suggestion.

Mr. Carey asked about funding for the project. Mr. Costello replied that property owner support and access easements would be needed first, followed by exploring funding options such as Tourism Board funding as well as grants such as public access grants.

Chair Vaughan suggested it would be beneficial to have the Tourist Bureau present at the next meeting as their plans for the Sound Side Event Center boardwalk are connected to the concepts being discussed as well as to get an update on where they are on the project.

Mr. Costello confirmed that he would reach out to the Tourism Board as well as business owners and other stakeholders to invite them to the September meeting. Mr. Costello also noted that he would organize site visits for board members in small groups.

Planning & Development Directors Report, August 6th, 2025.

Ms. Wyatt provided updates on several ongoing projects.

1. Septic Health Advisory Committee: The committee met on July 30th and finalized discussions related to the Division of Water Infrastructure no-interest loan program for septic system repairs. The program will provide \$500,000 for property owners with failing septic systems, with a focus on high-risk properties adjacent to water bodies, marshy areas, and with elevations lower than 3 feet. The committee helped establish criteria for pre-qualifying contractors and ensuring compliance with Davis Bacon prevailing wage requirements and the American Iron and Steel Act.
2. Estuarine Shoreline Management Plan: The consultants have completed geotechnical work and modeling. Stakeholder meetings were held on August 7th with property owners adjacent to the focus sites at Villa Dunes Drive, Old Nags Head Woods Road, and Soundside Road. There appears to be support for living shoreline measures at Villa Dunes Drive and Old Nags Head Woods Road, but further discussions are needed for Soundside Road.

3. Dune Management Cost Share Program: The Board of Commissioners approved maintaining funding at \$400,000.
4. Hargrove Street: The town has applied for a grant for improvements and expects to hear back in late September.
5. Dark Skies Bright Stars Initiative: The town has collaborated with NEST to promote "Lights Out for Sea Turtles," creating window clings and green sea turtle stickers for light switches to help visitors identify outdoor lighting controls. Planner Chris Trembly has been engaging local retailers, including our local ACE Hardware, to stock dark sky-friendly fixtures. Mr. Trembly also created an interactive diorama to demonstrate how unshielded lighting diminishes star visibility and washes out surrounding areas, while properly shielded fixtures direct light downward where it's needed, preserving night skies. He debuted the display inside a blackout tent at the Dowdy Park Farmers Market, engaging over 100 visitors with hands-on education about the impacts of lighting on visibility and nature, with overwhelmingly positive feedback.
6. Dowdy Park Events: Due to Hurricane Erin, the Wednesday evening concert was canceled, and the final farmers market was rescheduled from Thursday to Wednesday, August 20th.

Ms. Wyatt also acknowledged the contribution of Emma Ortega, a part-time seasonal employee who had helped make the Dowdy Park events successful before returning to ECU for her senior year.

Planning Board Members' Agenda

None

Planning Board Chairman's Agenda

None

Adjournment

A motion to adjourn was made by David Elder. The time was 10:27 AM.

Respectfully submitted,
Lily Campos Nieberding