
**Town of Nags Head
Planning Board
September 16, 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, Meade Gwinn, David Elder, Molly Harrison, David Thompson, Basil Belsches, Brad Carey

Members Absent

None

Others Present

Kelly Wyatt, Joe Costello, Lily Nieberding, Andy Garman

Approval of Agenda

Chair Vaughan asked to amend the agenda to move up the CORD Discussion before the Action Items. She then called for a motion to approve the agenda as amended. David Elder moved to approve the agenda as presented, Meade Gwinn 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 August 19th, 2025, meeting. David Elder moved to approve the minutes as presented; Molly Harrison seconded, and the motion passed unanimously.

Discussion Items

Continued discussion of the Commercial Outdoor Recreation Overlay District, including an update from the Outer Banks Visitors Bureau on the Soundside Event Site Boardwalk and discussion with property owners on ways to strengthen and enhance this district.

Lee Nettles, Executive Director of the Outer Banks Visitors Bureau, presented an update on the Event Site Boardwalk project. Mr. Nettles shared renderings of the boardwalk design, which includes an archway entrance paying homage to the original sign leading into the Outer Banks. The boardwalk will extend over the sound with 8-foot-wide walkways (9 feet including railings) and will include three observation decks, a gazebo of approximately 2,000 square feet, and a pergola leading to boat slips.

Mr. Nettles explained that the boardwalk was designed to avoid interfering with existing uses such as kiteboarding and sailing. He mentioned that there were some design challenges regarding handrails for the kiteboarding area. The project aims to get people out over the sound with interpretive panels to foster appreciation of the natural environment.

The boardwalk project received CAMA approval in late 2024, with bids approved by the Tourism Board. Funding comes from the Tourism Board's restricted fund budget, which received Dare County Commissioners' consent on September 3rd of 2025. Contracts have been signed with Millstone Marine Construction, with completion expected within 150 days (by the end of February 2026).

Mr. Nettles also addressed questions regarding boat slips, confirming for Ms. Harrison that seven slips are planned. When asked about potential commercial use of the site, he noted that there has been no conversation about this but did mention the possibility of a water shuttle service between the site and Festival Park through Manteo Harbor.

Mr. Thompson noted that there is something similar in Virginia between Norfolk and Portsmouth and it is well utilized. The Board agreed that this could be a positive draw with Chair Vaughan noting that it would help alleviate traffic during events.

Mr. Nettles confirmed for Mr. Carey that although the pickleball courts were approved as part of the site plan, Dare County has decided not to move forward with them at this time.

Regarding future plans, Mr. Nettles explained that while they previously had fully conceived renderings for a sports and events complex, funding limitations have put that on hold. He noted they would like to see improvements in connectivity throughout the site, including an interior road connecting different parts of the property without requiring visitors to use the bypass.

Deputy Planning Director Joe Costello then presented an existing conditions report for the Commercial Outdoor Recreation Overlay District (CORD). He explained that the district, which extends from Forrest Street to Fishing Unlimited, is entirely zoned C-2 and allows uses not permitted elsewhere in town.

Mr. Costello noted that the town's Comprehensive Plan envisions this area as a place where people can park and enjoy walking and biking, with mixed-use development including dining and boutique shopping. The plan recommends connections between the Soundside activity node and the Whalebone activity node.

Mr. Costello presented conceptual rendering showing potential connections between sites and how the area could be enhanced with shade trees, public art, and a more pedestrian-friendly environment. He explained that while they can't remove uses from the zoning without property owner approval due to SB 382, they could potentially allow commercial mixed uses in group developments, permitting outdoor uses alongside retail or restaurants.

Town Manager Andy Garman informed the Board that the Town has a state trails grant for designing additional pedestrian facilities, including paths from Jockey's Ridge State Park to Soundside Road, from Seachase Drive to the southern end of the Village, and from Gulf Street to Gray Eagle Street. Mr. Garman noted that the Town is also exploring traffic lights at Lakeside Street and at the Event Site.

Property owner Bryan Wilson of Miller's Waterfront Restaurant and Schavinger's Water Sports expressed strong support for the boardwalk concept, noting that it would benefit both tourists and locals. He mentioned that having safe outdoor areas would enhance the community and provide access to enjoy the sunsets. Mr. Wilson also inquired about the plans for lighting the boardwalks for safety reasons. Mr. Wilson confirmed for the Board that the boat slips at his restaurant are primarily used by locals who know the waters.

Joanna Tucker, General Manager for the Keith Corporation (new owners of Outlets Nags Head), stated that ownership would be "extremely supportive" of connecting the outlets to the event site via boardwalk. She noted that the outlets already serve as overflow parking for events, and a boardwalk connection would provide safer access between the locations.

Mary Kelley, a Nags Head resident, raised safety concerns about children on the boardwalk and asked about liability, railings, and fishing regulations. Mr. Nettles confirmed that the Tourism Bureau would carry liability insurance for the boardwalk and would be in charge of ensuring cleanliness. Mr. Garman noted that regulations for the boardwalk would need to be established, and Mr. Nettles and the Board agreed that consideration will need to be given to manage conflicting interests.

Action Items

Consideration of proposed text amendments to the Unified Development Ordinance as it relates to proposed updates to the Town's Crowd Gathering Permit process.

Planning Director Kelly Wyatt presented proposed text amendments to the Unified Development Ordinance regarding updates to the Town's crowd gathering permit process. She explained that the amendments stem from observations of permitted events that generated larger impacts on public safety and public services than anticipated.

Ms. Wyatt clarified that Chapter 4 of the Town Code, which regulates crowd gathering activities, is not part of the UDO and doesn't require the same public hearing process for changes. However, there are two sections being proposed for amendment in the UDO:

1. Regulations for the designated public event site (Soundside Event Site), including aligning the application timeline with the crowd gathering permit process instead of the current 14-day minimum.
2. Updates to definitions of "outdoor place of amusement and outdoor entertainment" and "place of amusement and entertainment," which are outdated terms referring to "beer halls" and "billiard halls" dating back to the 1970s-80s.

Ms. Wyatt explained that the proposal would eliminate the outdated section in Chapter 4 and shift it to the UDO, while preserving important regulations such as hours of operation (no operation between midnight and 7 AM).

Mr. Belsches asked about "offshoot demonstrations" mentioned in the staff report. Ms. Wyatt explained these were unpermitted gatherings that tend to occur before or after the actual permitted events, such as mini car shows popping up in shopping center parking lots following the Rod and Custom car show at the event site.

When asked about recently held events at Dowdy Park, Ms. Wyatt clarified that these had gone through the proper permitting process, though in some cases the actual attendance and impact were larger than represented on the permit applications.

Following brief further discussion, David Elder moved to recommend approval of the text amendments as presented. David Thompson seconded, and the motion passed by unanimous vote.

Report on Board of Commissioners Actions – September 3rd, 2025

Ms. Wyatt provided a brief report on the Board of Commissioners' actions from their September 3rd meeting. Of note, Ms. Wyatt introduced a Proclamation for Septic Smart Week (September 15-19), the Board approved the Consent Agenda which included a request for public hearing on UDO text amendments related to parking reduction; the Board held a Public hearing on a text amendment for townhouses to reduce separation between buildings from 20 to 10 feet, which was unanimously denied following the Planning Board's recommendation; Ms. Wyatt presented her Planning Director's report, highlighting Dowdy Park events organized by Event Coordinator Paige Griffin; Mr. Costello gave a Presentation on the Estuarine Shoreline Management Plan, and the Board approved the Town Manager and Deputy Planning Director to act as agents for the hazard mitigation grant program.

Town Updates

None

Discussion Items (Cont'd)

Discussion of multi-family dwelling development as an accessory to commercial development.

Ms. Wyatt reintroduced the topic of multi-family dwelling development as an accessory to commercial development, which had been previously discussed by the Board. She explained that while the Town had developed regulations for multi-family development on vacant lots, they wanted to address how to allow multi-family on existing commercial sites.

Ms. Wyatt presented two options that had been considered:

1. Providing a static number of units allowed for commercial developments
2. Applying a floor area ratio similar to what was established for multi-family development

Ms. Wyatt explained that the Town already allows commercial with accessory residential, (up to two units per commercial use), and Farm Dog Surf School most recently had successfully implemented this model for staff housing.

She then presented an example of how the floor area ratio method could potentially allow up to 59 units at the Shops at 10.5. Ms. Wyatt agreed with Ms. Harrison that parking, septic and other requirements would likely reduce that number. Ms. Wyatt also agreed that they will need to tighten up the language to ensure that any housing is for those working for the businesses, maybe through deed restrictions.

Ms. Wyatt confirmed for Chair Vaughan that there has been interest in the small multi-family option since the ordinance was adopted, including one property owner interested in workforce housing. Board members acknowledged the importance of addressing workforce housing needs and agreed that the topic warranted further discussion at future meetings.

Planning & Development Directors Report, September 3rd, 2025.

Ms. Wyatt reported that the Town has an intern working with the Septic Health Program for the next few months. The intern will be helping with public engagement efforts to promote the program and septic inspections.

Ms. Harrison asked about tracking septic maintenance activities in the town. Ms. Wyatt explained that the Town is only aware of septic maintenance done through their program, and while they've discussed creating brochures for septic companies to distribute to customers in Nags Head, they don't currently have a comprehensive tracking system for all septic activities.

Planning Board Members' Agenda

Mr. Belsches suggested that all speakers at the podium should introduce themselves for the benefit of guests and online viewers. Chair Vaughan agreed this would improve transparency.

Planning Board Chairman's Agenda

None

Adjournment

A motion to adjourn was made by David Elder. The time was 10:46 AM.

Respectfully submitted,
Lily Campos Nieberding