



## **AGENDA**

TOWN OF NAGS HEAD PLANNING BOARD  
NAGS HEAD MUNICIPAL COMPLEX – BOARD ROOM

**TUESDAY, APRIL 21, 2026; 9:00 AM**

REGULAR SESSION

**A. CALL TO ORDER**

**B. APPROVAL OF AGENDA**

**C. PUBLIC COMMENT/AUDIENCE RESPONSE**

**D. APPROVAL OF MINUTES**

1. March 17th, 2026

**E. ACTION ITEMS**

1. Consideration of revised language for a previously submitted UDO text amendment by Albemarle & Associates, Ltd., on behalf of Blue Moon Five-2 (Blue Moon Restaurant), to establish a new use titled "Restaurant Waiting Lounge."
2. Consideration of a Board of Commissioners initiated UDO text amendment to establish new allowable uses, "Wine Bar" and "Taproom" with associated supplemental regulations.

**F. REPORT ON BOARD OF COMMISSIONERS ACTIONS**

1. April 1st, 2026 & April 15th, 2026

**G. TOWN UPDATES - AS REQUESTED**

**H. DISCUSSION ITEMS**

1. Planning & Development Director's Report, April 1st, 2026
2. Update on Strategic Plan from February 2026 Board of Commissioners Retreat.

**I. PLANNING BOARD MEMBERS' AGENDA**

**J. PLANNING BOARD CHAIRMAN'S AGENDA**

**K. ADJOURNMENT**

**Town of Nags Head  
Planning Board  
March 17, 2026**

The Planning Board of the Town of Nags Head met on Tuesday, March 17, 2026, in the Board Room at the Nags Head Municipal Complex.

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

***Members Present***

Meade Gwinn, David Elder, David Thompson, Basil Belsches, Brad Carey, Valerie Netsch

***Members Absent***

Beverly Head

***Others Present***

Kelly Wyatt, Joe Costello, Lily Nieberding

***Approval of Agenda***

Chair Gwinn called for Approval of the 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***

Chair Gwinn asked for a motion to approve the minutes of the February 17<sup>th</sup>, 2026, meeting. David Elder moved to approve the minutes as presented; Valerie Netsch seconded, and the motion passed unanimously.

***Action Items***

Consideration of Vested Right/Special Use Permit/Site Plan Amendment submitted by WithersRavenel on behalf of Outer Banks Hospital, requesting a reduction in required parking spaces in order to accommodate a 280 square foot expansion of the existing HVAC mechanical area and redesigned stormwater management infrastructure. This expansion is necessary to support ongoing operational and equipment needs of the existing Cancer Treatment Center. The property is zoned SPD-C, Village Hotel and is located at 4927 S. Croatan Highway.

Planning Director, Kelly Wyatt presented a site plan and explained that the request is for a reduction of 3 parking spaces to accommodate mechanical equipment upgrades at the Cancer Treatment Center at 4927 South Croatan Highway. She explained that the facility was originally approved in 2020 with reduced parking capacity, recognizing that typical medical office parking standards significantly overestimated needs for an infusion treatment facility.

Ms. Wyatt noted that parking studies conducted at the 6 months and 1 year mark after opening showed only 32 spaces were occupied during peak periods, representing just over 56% of available parking. The proposed 280 square foot HVAC expansion requires relocating Stormwater management features to the east which will consuming the 3 parking spaces that the applicant is requesting the reduction for. Ms. Wyatt noted that even after the reduction, there will still be adequate parking based on the analysis. Staff reviewed the request against the site standards and the proposal continues to remain compliant with building coverage, with lot coverage, parking, landscaping requirements, buffering requirements, Stormwater management, fire code, building code and traffic circulation. Based on their review, Ms. Wyatt noted that Staff would recommend approval of the vested right special use site plan amendment as submitted. Ms. Wyatt noted that she as well as the applicants were present and available to answer any questions for the Board.

Michael Strader from WithersRavenel clarified that this was not an increase in intensity of use but merely mechanical improvements needed to control temperature and humidity. Amy Montgomery from Outer Banks Health explained that the original air handling system cannot maintain correct conditions during peak summer months, creating regulatory compliance issues for their pharmacy operations where chemotherapy is mixed. She noted the project would cost \$1.9 million but is necessary for efficient operations.

Mr. Strader confirmed for Mr. Elder and reassured the board that there would be no changes in the current access patterns, ensuring that emergency vehicles and patient access remain unimpeded. Ms. Netsch expressed gratitude towards the facility, highlighting it as a vital community asset that significantly reduces the need for residents to travel long distances for infusion treatments. She emphasized the convenience and necessity of such a center for the town's residents, reflecting on the positive community impact. Mr. Belsches took a moment to commend the thorough and detailed data package presented.

Ms. Wyatt confirmed for Mr. Carey that due to recent legislation the parking spots could be 9-feet wide, but the Town continues to encourage the previous 10-foot requirement.

There being no further discussion, David Elder moved to recommend approval of the Vested Right/Special Use Permit/Site Plan Amendment as presented. David Thompson seconded and the motion carried unanimously.

*Consideration of text amendments submitted by Albemarle & Associates, Ltd on behalf of Blue Moon Five-2, LLC (Blue Moon Restaurant), to create a new use titled "Restaurant Waiting Lounge" together with associated supplemental regulations, parking requirements, and necessary definitional clarifications.*

Ms. Wyatt presented the proposed text amendment to create a new accessory use called "Restaurant Waiting Lounge." She explained that Blue Moon Restaurant's success at their new Dove Street location created parking and waiting challenges, leading owners Scott and Melissa Shields to purchase the property at 101 East Dove Street (formerly Keepers Galley). The property's previous owner had allowed them to use the property previously for overflow parking.

The amendment would establish a detached, fully enclosed structure accessory to a principal restaurant where patrons could gather before being seated. Ms. Wyatt emphasized that the town does not allow standalone bars, taverns, or drinking establishments, and this amendment includes several safeguards to prevent evolution into such uses.

Ms. Wyatt reviewed the key provisions which include requirements that the waiting lounge operate the same hours as the restaurant, serve only restaurant patrons, incorporate the restaurant name in signage, and be approved through special use permit with unified development plan review. The amendment also adds clear definitions for bar, tavern, and drinking establishment to distinguish prohibited uses.

Mr. Belsches raised concern regarding what steps could be implemented to ensure the restaurant waiting lounge would only serve patrons of Blue Moon Restaurant, questioning how control would be maintained in that respect. Ms. Wyatt responded by acknowledging the possibility that some non-patrons might occasionally enter the facility. However, she reassured the board that the special use permit process includes safeguards allowing for the revocation of the permit should any violations occur. This process provides a means to address and resolve potential misuse effectively.

Applicant Jay Overton, from Albemarle and Associates, addressed the Board and further clarified the operational intent behind the waiting lounge, emphasizing that it would **not** function as a standalone bar or separate establishment. Instead, the facility aims to enhance the dining experience by offering a comfortable waiting area for patrons within the Blue Moon Restaurant's operational scope.

Mr. Overton elaborated on the operational dynamics of the lounge, emphasized its role in maintaining the cohesiveness of the overall dining establishment. The Board discussed these provisions, recognizing the efforts made to balance operational needs and regulatory compliance.

Mr. Overton assured them that the Shields family, owners of Blue Moon Restaurant, prioritize maintaining their reputable dining environment, aligning with the Town's expectations and standards.

As this amendment is not site specific, Mr. Elder, expressed concerns about setting a precedent for future applications. Ms. Wyatt addressed these concerns by noting that strict requirements, such as maintaining the same ownership, management, and requiring unified development plan approval, would limit similar opportunities for other establishments.

Mr. Thompson noted that the Board should consider addressing broader restaurant parking issues town-wide at a future date, with Ms. Wyatt being amenable but cautioning about creating nonconformities for existing establishments.

There being no further discussion Basil Belsches moved to recommend approval of the text amendments as presented. David Thompson seconded and the motion carried unanimously.

*Consideration of Special Use Permit/Site Plan Amendment submitted by Albemarle & Associates, Ltd on behalf of Blue Moon Five-2, LLC (Blue Moon Restaurant) seeking approval of the unified development plan for Blue Moon Restaurant and a proposed Restaurant Waiting Lounge pursuant to the supplemental standards proposed in Section 7.31.3 of the UDO. The subject properties are zoned C-5, Historic Character Commercial District, and located at 101 & 102 E. Dove Street, Nags Head.*

Ms. Wyatt presented the unified development plan for Blue Moon Restaurant and the proposed restaurant waiting lounge. She highlighted that the principal restaurant has 2,513 square feet of customer service area, while the waiting lounge is planned to encompass 1,249 square feet. This configuration aligns with the ordinance requirements, clearly establishing the waiting lounge as an accessory and subordinate component to the primary restaurant. The combined on-site parking requirements call for 72 spaces; however, the development plan exceeds this with 86 spaces available.



During the meeting, there was an in-depth discussion regarding pedestrian safety, due to Dove Street separating the two properties and their proximity to the bypass. Mr. Elder expressed concerns about the safety of patrons crossing the street and proposed the creation of designated pedestrian pathways.

Ms. Netsch shared her personal experience of safely traversing between the buildings with her grandchildren. She recommended directing pedestrian flow toward the rear of the restaurant to prevent patrons from crossing near the busy highway entrance. This suggestion aimed to enhance safety by steering pedestrians away from high-traffic areas and reducing potential conflicts with vehicles entering the parking lot.

Ms. Netsch emphasized the importance of incorporating "Blue Moon" in the waiting lounge name to reinforce the connection and prevent independent operation.

Mr. Thompson raised concerns about ALE compliance, noting that open alcoholic beverages cannot be carried across the street. The board discussed various options including crosswalks and signage to direct pedestrian flow. Mr. Overton agreed that directing traffic through the rear of the properties would be beneficial for both safety and operational flow.

Mr. Elder suggested and Ms. Wyatt and the Board agreed that the previously approved amendments be modified to include pedestrian connectivity.

There being no further discussion Basil Belsches moved to recommend approval with the condition that there be some sort of delineated connectivity to help with pedestrian safety between the two buildings. David Thompson seconded and the motion carried unanimously.

### ***Report on Board of Commissioners Actions – March 4th, 2026***

Ms. Wyatt briefly reviewed the actions from the March 4th Board of Commissioners meeting, including presentations by the Arts and Culture Committee, updates to the memorandum of agreement with the North Carolina Sedimentation and Erosion Control Commission, approval of the TWs Bait and Tackle special use permit, approval of pickleball court lighting and approval of the Dare County EMS station site plan. Ms. Wyatt also noted that the Commissioners had heard a presentation from the Town's lobbyist Whitney Campbell Christensen from Ward and Smith.

### ***Town Updates***

None

### ***Discussion Items***

#### ***Planning & Development Director's Report – March 4th, 2026***

Ms. Wyatt briefly reported on the Septic Health Advisory Committee meeting in February, noting the program's success and plans for increased public outreach. She also reported strong participation in sand relocation and dune management cost share programs.

Update on Estuarine Shoreline Management Plan.

Deputy Planning Director Joe Costello provided a comprehensive overview of the Town's Estuarine Shoreline Management planning efforts. He explained the continuum of shoreline treatments from natural vegetation to hard bulkheads, emphasizing the environmental benefits of living shorelines over traditional bulkheads.

Mr. Costello detailed specific projects including the Villa Dunes Drive site, Soundside Road improvements, and the major Harvey Sound living shoreline project featuring offshore breakwater structures and marsh restoration. He showed dramatic erosion patterns over 50 years, with some areas losing nearly 300 feet of shoreline.

The presentation included examples from other communities and discussed the Catfish Farm living shoreline project between Villa Dunes condos and Sugar Creek restaurant. Mr. Costello is hoping for innovative oyster restoration projects where water salinity allows.

Mr. Elder praised the natural approaches as appearing safer and more attractive than hard structures. The Board expressed appreciation for the comprehensive presentation and the Town's proactive approach to shoreline management.

***Planning Board Members' Agenda***

None

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

***Adjournment***

A motion to adjourn was made by David Elder. The time was 10:48 AM.

Respectfully submitted,  
Lily Campos Nieberding



# AGENDA ITEM SUMMARY

**Town of Nags Head Planning Board**

REGULAR SESSION: April 21, 2026

## AGENDA ITEM E.1.

Consideration of revised language for a previously submitted UDO text amendment by Albemarle & Associates, Ltd., on behalf of Blue Moon Five-2 (Blue Moon Restaurant), to establish a new use titled "Restaurant Waiting Lounge."

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### Prepared by

Kelly Wyatt, Planning Director

### Reviewed by

Kelly Wyatt

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### Staff Comments/Recommendation

Staff continues to recommend approval of the proposed amendment as revised. The additional standards and clarifications further define the accessory nature of the use, limit its scale and applicability, and establish operational controls intended to maintain compatibility with surrounding properties. As revised, the ordinance provides a clear and structured framework to ensure the use remains subordinate to a principal Restaurant, Sit Down use and does not function as a bar or independent establishment. These revisions are intended to address concerns raised by the Board and further ensure that the Restaurant Waiting Lounge remains a limited, accessory use that does not function as a bar, tavern, or independent drinking establishment.

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### Specific Action Requested

Consideration of UDO Text Amendments for "Restaurant Waiting Lounge".

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### Summary

#### **REVISED INFORMATION FOR PLANNING BOARD - APRIL 21, 2026 MEETING**

At the April 15, 2026 Board of Commissioners Meeting, the Board considered a request from Albemarle & Associates, Ltd. on behalf of Blue Moon Five-2 (Blue Moon Restaurant) to establish a new use titled "Restaurant Waiting Lounge" with associated supplemental standards.

During that discussion, the Board expressed concern regarding the establishment of stand-alone bars, particularly those where the principal sale of alcohol would include distilled spirits. At the same time, there appeared to be less concern with establishments primarily engaged in the sale and on-premises consumption of beer and wine.

The Board ultimately tabled the applicant's request and directed staff to explore the development of a text amendment to the Unified Development Ordinance (UDO) to create new use categories for "Wine Bar" and "Taproom," with appropriate supplemental regulations.

Following discussion of the Restaurant Waiting Lounge text amendment, the Board voted to table the request to allow for additional refinement. The Board's discussion included questions related to the potential scope of applicability of the use, including how many existing restaurants may qualify, as well as how similar accessory waiting areas might be interpreted under the current UDO.

For reference, the Board's discussion may be viewed on the Town's YouTube channel at the following link: [April 15, 2026 BOC Meeting](#). This item was the first on the agenda, and the presentation and discussion began immediately.

Based on the Board's discussion, staff has revised the proposed ordinance to further clarify the intent of the use and to ensure it remains clearly accessory and subordinate to a principal Restaurant, Sit Down use. Key revisions include:

- Refinement of the definition to clarify that a Restaurant Waiting Lounge is only permitted as part of a single principal Restaurant, Sit Down use on a unified site. This revision limits applicability and ensures the use is not permitted within multi-tenant commercial developments or shopping centers.
- Additional language reinforcing the accessory and subordinate nature of the use, including a limitation that the indoor customer service area of the waiting lounge shall not exceed fifty percent (50%) of the principal restaurant.
- Establishment of hours of operation, requiring the waiting lounge to close no later than 11:00 p.m. and no later than one hour prior to the closing time of the principal restaurant.
- Clarification of operational and business integration, including provisions that the waiting lounge shall not operate independently, shall not be separately advertised, and must remain fully integrated with the principal restaurant in terms of branding and operation.
- Enhanced limitations on entertainment, allowing only low-intensity indoor entertainment that is incidental to the use and prohibiting all outdoor entertainment.
- Additional restrictions on outdoor customer service and patron areas, including limitations on size, requirement for seated use, and requirements for physical delineation and screening to provide privacy and minimize impacts to adjacent properties.
- Clarification of unified development and site design expectations, including continued requirement for approval as part of a unified development plan and provision of a clear pedestrian connection when located across a public street or right-of-way.

These revisions are intended to address concerns raised by the Board and further ensure that the Restaurant Waiting Lounge remains a limited, accessory use that does not function as a bar, tavern, or independent drinking establishment.

While the Planning Board previously reviewed and recommended adoption of the original text amendment, the item is being brought back for your consideration in light of the additional guidance and revisions discussed by the Board of Commissioners.

Staff is seeking the Planning Board's input on these updates, including whether the revisions adequately address the concerns raised, and whether the Planning Board would continue to recommend adoption of the text amendment as revised, or has any additional comments or recommendations for further refinement.

#### **Staff Recommendation:**

Staff continues to recommend approval of the proposed amendment as revised. The additional standards and clarifications further define the accessory nature of the use, limit its scale and applicability, and establish operational controls intended to maintain compatibility with surrounding properties. As revised, the ordinance provides a clear and structured framework to ensure the use remains subordinate to a principal Restaurant, Sit Down use and does not function as a bar or independent establishment. These revisions are intended to address concerns raised by the Board and further ensure that the Restaurant Waiting Lounge remains a limited, accessory use that does not function as a bar, tavern, or independent drinking establishment.

#### **APRIL 15TH BOARD OF COMMISSIONERS STAFF REPORT**

Albemarle & Associates, Ltd., on behalf of Blue Moon Five 2, LLC (Blue Moon Beach Grill), has submitted the attached request to amend the Town of Nags Head Unified Development Ordinance (UDO) to create a new use category titled "Restaurant Waiting Lounge."

Blue Moon Beach Grill relocated to its current location at 102 E. Dove Street in 2023 and has experienced significant

success and popularity as a dining destination within the Town of Nags Head. While the restaurant's success has been positive for the local economy and community, it has also resulted in operational challenges related to customer waiting areas and parking demand during peak dining periods. During busy service times, patrons often wait outside the restaurant or in nearby areas until seating becomes available. During peak periods, this has contributed to patrons circulating through the parking lot seeking available spaces and parking along nearby roadways where parking is not permitted, and occasionally utilizing adjacent vacant lots. While these issues were largely the result of the restaurant's popularity, they created traffic circulation and parking concerns that needed to be addressed.

In late 2024, the owners of Blue Moon Beach Grill (the Shields family) purchased the property located at 101 E. Dove Street, directly across the street from the restaurant, at 102 E. Dove Street. The property was already permitted for Indoor Public Assembly (Keepers Galley). Since acquiring the property, the owners have primarily utilized the site to provide additional parking relief for the restaurant.

Recognizing that ownership of the additional property was helping alleviate many of the overflow parking concerns, the owners began exploring ways the existing structure could be utilized in a manner that would remain operationally connected to the restaurant, while avoiding the creation of a new principal commercial use that could compete for parking.

In early 2025, the Shields and their engineer, Jay Overton of Albemarle & Associates, met with Town staff to discuss potential options. One concept involved utilizing the existing structure as a waiting and gathering space for patrons awaiting seating at the restaurant, where guests could sit comfortably and potentially purchase a beverage while waiting for their table. However, as discussions progressed, it became apparent that the Town's UDO does not currently contain a provision that would allow this type of arrangement between two properties operating in conjunction with a single restaurant use. Likewise, the UDO does not permit stand-alone bars as principal uses.

Additionally, the Alcoholic Beverage Control (ABC) licensing structure required for the proposed waiting area concept differs from the licensing associated with the building's existing Indoor Public Assembly use, which has historically been used primarily for catered events.

Because the ordinance did not provide a mechanism to allow this type of arrangement while maintaining the Town's policy framework, the applicant submitted a text amendment request proposing the creation of a new use category titled Restaurant Waiting Lounge.

The proposed ordinance amendment would establish a new accessory use category titled "Restaurant Waiting Lounge", along with associated definitions, supplemental regulations, and parking standards. If adopted, the ordinance would allow a restaurant to establish a waiting lounge within a detached structure located on the same parcel or on a contiguous parcel separated only by a town maintained public street or right-of-way, provided the parcels are under common ownership or operational control and approved as part of a unified development plan.

Importantly, the ordinance is structured so that the waiting lounge remains accessory and subordinate to the principal restaurant use and cannot operate as an independent establishment.

The Town of Nags Head has historically taken a deliberate approach to limiting bars, nightclubs, and similar alcohol-focused establishments as principal uses due to potential impacts related to public safety, nuisance, and compatibility with nearby residential areas. Establishments primarily oriented toward alcohol service often operate later into the evening and can generate more substantial impacts than traditional restaurants if not properly managed. As a result, the Town's regulatory framework has historically allowed alcohol service primarily as an accessory component of restaurant uses rather than as a stand-alone principal use.

The proposed amendment establishes two new definitions within the UDO. Restaurant Waiting Lounge, defined as an indoor, detached, and fully enclosed permanent structure accessory to a principal restaurant use that provides waiting or gathering space for patrons of the associated restaurant. The definition was intentionally crafted to avoid

confusion with outdoor gathering spaces, patios, bars, stages, tents, or other temporary or unenclosed areas commonly associated with restaurants. The definition ensures that outdoor restaurant spaces remain regulated as part of the principal restaurant use and prevents temporary structures, such as tents, from being used as waiting lounges.

The ordinance also introduces a definition for "Bar, Tavern, or Drinking Establishment" to provide clarity regarding establishments where the principal activity is the sale and consumption of alcoholic beverages. This definition was included to clearly distinguish the proposed waiting lounge use from establishments primarily oriented toward alcohol service. The amendment also updates Section 6.5 – Classification and Review of Unlisted Uses to expressly prohibit Bar, Tavern, or Drinking Establishments as principal uses within the Town's zoning jurisdiction.

Section 6.6, Table of Uses and Activities is proposed to be amended to include "Restaurant Waiting Lounge – Accessory to Restaurant, Sit Down" within the Accessory Uses category. The use would be allowed by Special Use Permit in the same commercial districts where a Restaurant, Sit Down is permitted. Including the use in the table ensures clarity within the ordinance and confirms that the waiting lounge is only permitted as an accessory use to a restaurant and not as a principal commercial use.

The proposed ordinance includes several provisions intended to ensure the waiting lounge remains clearly tied to the restaurant and cannot evolve into a separate alcohol-focused establishment. Key safeguards include:

- Approval through a Special Use Permit and Unified Development Plan.
- Requirement that the lounge remain an accessory and subordinate to the restaurant.
- Limiting the restaurant waiting lounge to the same hours of operation as the restaurant.
- Prohibiting the restaurant waiting lounge from operating as an independent bar, tavern, nightclub, or drinking establishment.
- Requiring signage to incorporate the associated restaurant name.
- Requiring that the lounge serve patrons of the restaurant only.

These provisions are intended to allow restaurants to better manage customer waiting areas while maintaining the Town's longstanding policy of not allowing stand-alone bars or drinking establishments.

The ordinance also clarifies how parking for a Restaurant Waiting Lounge would be calculated. The Town's existing parking standard for Restaurant, Sit Down, requires one parking space for every 55 square feet of indoor customer service area. The amendment updates Section 10.16, Required Parking by Use to specify that the square footage of any Restaurant Waiting Lounge must be included in the calculation of indoor customer service area for the associated restaurant. This ensures that any additional waiting area contributes to the restaurant's total parking demand and prevents the lounge from creating additional parking impacts without being accounted for.

As with all Unified Development Ordinance text amendments, the request before the Board is legislative in nature and not site-specific. While the request was prompted by the circumstances surrounding Blue Moon Beach Grill, if adopted, the ordinance would apply to any restaurant within the applicable zoning districts that meets the ordinance requirements and obtains approval through the Special Use Permit process. The Special Use Permit requirement provides an additional level of oversight by allowing the Board of Commissioners to review each proposal individually and impose conditions as necessary to ensure the use remains clearly accessory to the principal restaurant.

## **POLICY CONSIDERATIONS**

LU-1 — Ensure that the character of Nags Head is preserved as a single-family residential beach community with ties to its natural environment. This character is defined by:

- Commercial development that serves the needs of residents and visitors but respects the goals of the community related to design and appearance.
- Land uses that are compatible with the community and with adjacent properties that don't create excessive noise, light, unsafe conditions, or other nuisances.

LU-5 — Promote contiguous and cohesive nodes of commercial development of appropriate size and massing for the surrounding area.

LU-9 — Encourage land uses that serve the needs of both year-round and seasonal residents in support of the town's overall vision for the community.

LU-10 — Discourage high intensity land uses that produce significant noise, light, heavy vehicle traffic, noxious fumes or poor air quality, are unsightly, encourage unsafe behavior, or require large amounts of land for heavy industrial uses, processing, or storage of material or equipment.

LU-23 — Require sufficient parking for commercial businesses with parking area design regulations that limit impacts on neighbors and surrounding land uses.

EC-6 — Support and foster small, local businesses that preserve and uphold the vision and legacy of the town.

### **STAFF RECOMMENDATION**

Based on staff's review of the request and the proposed ordinance language, staff believes the amendment provides a reasonable regulatory mechanism for restaurants to manage customer waiting areas while maintaining the Town's longstanding policy of not allowing stand-alone bars or drinking establishments. The ordinance establishes clear definitions, operational safeguards, and parking standards to ensure that a Restaurant Waiting Lounge remains subordinate to a principal restaurant and cannot operate independently. Staff therefore recommends approval of the proposed Unified Development Ordinance text amendment creating the use category "Restaurant Waiting Lounge" as presented.

If the Board of Commissioners is inclined to adopt this proposed text amendment, please reference Appendix A for the Statement of Consistency with the Town's adopted Comprehensive Land Use Plan requirements (attached).

### **Attachments**

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1. Restaurant Waiting Lounge Ordinance Revised PB

(DRAFT)  
**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN  
OF NAGS HEAD, NORTH CAROLINA AS IT PERTAINS TO CREATING A NEW USE  
CATEGORY, “RESTAURANT WAITING LOUNGE”.**

**ARTICLE I. Purpose(s) and Authority.**

**WHEREAS**, pursuant to N.C.G.S. § 160D-701, the Town of Nags Head (the “Town”) may enact and amend ordinances regulating the zoning and development of land within its jurisdiction and specifically the location and use of buildings, structures and land; pursuant to this authority and the additional authority granted by N.C.G.S. Chap. 160D-702, the Town has adopted comprehensive zoning regulations and has codified the same within the Unified Development Ordinance, Part II of the Town Code, adopted pursuant to N.C.G.S. § 160D-103, which allows the Town to combine certain land development ordinances into a unified ordinance;

**WHEREAS**, Section 2.4.4.3 of the Unified Development Ordinance provides that the powers and duties of the Planning Board include developing and recommending policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;

**WHEREAS**, Section 3.5.1. of the Town Code makes clear that a zoning ordinance text amendment may be initiated by motion of the Board of Commissioners, by motion of the Planning Board, or by application by any person within the zoning jurisdiction of the Town;

**WHEREAS**, Albemarle & Associates, Ltd. On behalf of Blue Moon Five 2, LLC, has requested that the UDO be amended to create a new use category, Restaurant Waiting Lounge, to include a definition, supplemental regulations, and parking standard.

**ARTICLE II. Construction.**

For purposes of this ordinance amendment, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein but are instead replaced by an ellipsis (“...”) shall remain as they currently exist within the Town Code.

**ARTICLE III. Amendment of the Unified Development Ordinance.**

PART I. That **Appendix A, Section A.4, Definitions**, shall be amended to add the following use definitions:

**Restaurant Waiting Lounge** means an indoor, detached, and fully enclosed permanent structure accessory to a principal Restaurant, Sit Down use that provides waiting or gathering space for patrons of the associated restaurant. The Restaurant Waiting Lounge shall be located on a site occupied by a single principal Restaurant, Sit Down use, and may be located on the same parcel as the principal restaurant or on a parcel that is contiguous to, or separated only by a public street or right-of-way from, the principal restaurant, provided the parcels



are under common ownership or operational control and are developed pursuant to an approved unified development plan.

A Restaurant Waiting Lounge shall operate solely in conjunction with the principal Restaurant, Sit Down use and shall not operate as an independent establishment.

Outdoor seating areas, patios, pergolas, gazebos, stages, bars, or other unenclosed gathering areas contiguous to, and associated with a restaurant shall not be considered a Restaurant Waiting Lounge and shall instead be regulated as part of the principal Restaurant, Sit Down use.

**Bar, Tavern, or Drinking Establishment** means a commercial establishment, or portion thereof, in which the principal use is the sale, service, and on-premises consumption of alcoholic beverages. Such use includes bars, taverns, pubs, cocktail lounges, and similar establishments primarily oriented toward the service and consumption of beer, wine, liquor, or mixed drinks for patrons on site.

The sale or service of food, snacks, or non-alcoholic beverages may occur but shall be incidental and subordinate to the principal alcoholic beverage service.

An establishment shall be considered a bar, tavern, or drinking establishment when it is designed, marketed, licensed, or operated primarily for patrons to assemble, linger, or socialize for the purpose of purchasing or consuming alcoholic beverages independent of a principal restaurant use, rather than for the consumption of meals as the principal activity.

This term shall not include a restaurant in which the preparation and service of meals for on-premises consumption is the principal use and alcoholic beverage service is secondary and incidental to dining. This term shall also not include an approved Restaurant Waiting Lounge that operates solely in conjunction with the principal restaurant and does not function as an independent establishment.

PART II. That **Section 6.5, Classification and Review of Unlisted Uses**, shall be amended as follows:

6.5.3. The following uses are expressly prohibited in the Town of Nags Head Planning jurisdiction:

- COMMERCIAL:
  - Bar, Tavern, or Drinking Establishment (as a principal use).

PART III. That **Section 6.6, Table of Uses and Activities, Accessory Uses**, shall be amended as follows:

| Use Category          | Use Type                                                                                              | Commercial Districts |           |           |     |           |           | Supplemental Regulations |
|-----------------------|-------------------------------------------------------------------------------------------------------|----------------------|-----------|-----------|-----|-----------|-----------|--------------------------|
|                       |                                                                                                       | CR                   | C-1       | C-2       | C-3 | C-4       | C-5       |                          |
| <u>Accessory Uses</u> | <u>Restaurant Waiting Lounge – Accessory to Restaurant, Sit Down (not permitted as principal use)</u> | <u>SR</u>            | <u>SR</u> | <u>SR</u> |     | <u>SR</u> | <u>SR</u> | <u>Section 7.31.3</u>    |

PART IV. That **Section 7.31, Supplemental Regulations for Restaurant, Sit Down**, shall be amended as follows:

**Section 7.31 - Restaurant, Sit Down.**

7.31.3. As an accessory use, a Restaurant Waiting Lounge may be permitted in any district where Restaurant, Sit Down, is permitted upon issuance of a Special Use Permit by the Board of Commissioners, subject to the following conditions:

7.31.3.1. The Restaurant Waiting Lounge shall be accessory and subordinate to a principal Restaurant, Sit Down use and shall be located on the same parcel as the principal restaurant or on a parcel that is contiguous to, or separated only by a public street or right-of-way from, the principal restaurant, provided the parcels are under common ownership or operational control and are developed pursuant to an approved unified development plan.

7.31.3.2. The Restaurant Waiting Lounge shall be located on a site occupied by a single principal Restaurant, Sit Down use and shall not be located within a multi-tenant commercial development or shopping center.

7.31.3.3. Where a Restaurant Waiting Lounge is located on a parcel that is contiguous to, or separated from, the principal restaurant use only by a public street or right-of-way, a clear and visible pedestrian connection shall be provided between the two uses. The pedestrian connection shall identify and reinforce the most direct and safest walking route for patrons traveling between the waiting lounge and the principal restaurant.

The pedestrian connection may be achieved through visual or physical means, including but not limited to pavement markings, surface treatments, signage, or similar design elements, and shall be subject to Town approval. This requirement

is intended to provide clear wayfinding and pedestrian guidance and shall not, in itself, require the installation of a formal or regulated crosswalk unless otherwise determined necessary by the Town.

7.31.3.4. The Restaurant Waiting Lounge shall be approved as part of a unified development plan for the associated restaurant by the Board of Commissioners and shall not be established independently of the principal restaurant use. The Board of Commissioners may impose additional conditions necessary to ensure the waiting lounge remains clearly subordinate and incidental to the principal restaurant use.

7.31.3.5. The approval of a Restaurant Waiting Lounge shall run with the unified development plan for the associated restaurant and shall not be separated from the principal Restaurant, Sit Down use through subdivision, sale, lease, or other conveyance that would allow the restaurant waiting lounge to function independently of the restaurant.

7.31.3.6. The Restaurant Waiting Lounge shall serve patrons of the associated principal restaurant only and shall not be open to the general public independent of a dining wait or reservation at the principal restaurant, nor operate as a stand-alone establishment.

7.31.3.7. The indoor customer service area of the Restaurant Waiting Lounge shall not exceed fifty percent (50%) of the indoor customer service area of the principal Restaurant, Sit Down.

7.31.3.8. Alcoholic beverages may be served and consumed within the Restaurant Waiting Lounge only to patrons of the associated principal Restaurant, Sit Down use; however, the facility shall not operate as a Bar, Tavern, Nightclub, or Drinking Establishment as defined by this Ordinance.

7.31.3.9. Alcoholic beverages may not be served for consumption off premises.

7.31.3.10. The Restaurant Waiting Lounge shall not operate later than 11:00pm and shall close no later than one hour prior to the closing time of the principal restaurant, whichever occurs first.

7.31.3.11. The Restaurant Waiting Lounge shall not operate independently or be separately advertised. All marketing, branding, and representation of the restaurant waiting lounge shall be integrated with and subordinate to the associated principal restaurant.

7.31.3.12. The Restaurant Waiting Lounge shall operate only during the hours the associated principal restaurant is open for business and shall not maintain separate business operations, including but not limited to separate hours of operation, separate kitchen facilities, or separate management or operational control.

7.31.3.13. Entertainment shall be incidental to the primary use.

7.31.3.13.1. Indoor entertainment is permitted, provided it is low intensity in nature and does not include dance floors, DJs, or night-club style operations, and does not function as a primary attraction or regularly scheduled entertainment venue.

7.31.3.13.2. Outdoor entertainment is prohibited, including both amplified and unamplified music, performances, or similar activities.

7.31.3.14. Outdoor customer service and patron areas may be permitted as an accessory use to an approved enclosed Restaurant Waiting Lounge, subject to the following:

7.31.3.14.1. Outdoor areas shall be clearly subordinate and accessory to the enclosed indoor use.

7.31.3.14.2. Outdoor areas shall be limited to seated customer service and patron use.

7.31.3.14.3. The total outdoor customer service and patron area shall not exceed 500 square feet or 25% of the indoor customer service area of the Restaurant Waiting Lounge, whichever is less.

7.31.3.14.4. Outdoor areas shall be clearly defined and physically delineated by fencing, landscaping, or other screening features. Such features shall be designed to provide visual screening and a reasonable degree of privacy from adjacent properties, particularly residential uses, and to assist in minimizing noise and activity impacts.

7.31.3.14.5. All applicable lighting and noise standards of the Ordinance shall be met.

7.31.3.15. Exterior signage for a Restaurant Waiting Lounge shall incorporate the name of the associated restaurant and shall not present the lounge as a separate or independent establishment. Signage must comply with all standards of Article 10, Part III, Sign Regulations of the UDO.

PART V. That **Section 10.16, Required Parking by Use**, shall be amended as follows:

| Use Category/Class | Use Type              | Required Parking                                                                                                                                                                                                                                 |
|--------------------|-----------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Food Service       | Restaurant – Sit Down | One space for every 55 square feet of indoor customer service area. <u>The square footage of any Restaurant Waiting Lounge shall be included in the calculation of indoor customer service area for the associated principal restaurant use.</u> |

PART VI. All Town ordinances or parts of ordinances in conflict with this ordinance amendment are hereby repealed. Should a court of competent jurisdiction declare this ordinance

amendment or any part thereof to be invalid, such decision shall not affect the remaining provisions of this ordinance amendment nor the Unified Development Ordinance or Town Code of the Town of Nags Head, North Carolina which shall remain in full force and effect.

PART VII. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be in full force and effect from and after the \_\_\_\_ day of \_\_\_\_ 2026.

\_\_\_\_\_  
Benjamin Cahoon, Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney

Date adopted: \_\_\_\_\_

Motion to adopt by Commissioner \_\_\_\_\_

Motion seconded by Commissioner \_\_\_\_\_

Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS



# AGENDA ITEM SUMMARY

**Town of Nags Head Planning Board**

REGULAR SESSION: April 21, 2026

## AGENDA ITEM E.2.

Consideration of a Board of Commissioners initiated UDO text amendment to establish new allowable uses, "Wine Bar" and "Taproom" with associated supplemental regulations.

### Prepared by

Kelly Wyatt, Planning Director

### Reviewed by

Kelly Wyatt

### Staff Comments/Recommendation

Staff recommends approval of the proposed text amendment to the Unified Development Ordinance to establish the use categories of "Wine Bar" and "Taproom," with the associated definitions and supplemental regulations as presented.

The proposed amendment provides a clear regulatory framework that distinguishes these uses from prohibited bar or nightclub-type establishments and incorporates operational limitations intended to maintain compatibility with surrounding properties. The amendment is consistent with the Town's existing approach to managing intensity of commercial uses and aligns with the general policy direction of the Land Use Plan.

### Specific Action Requested

Consideration of the proposed text amendment to the Unified Development Ordinance.

### Summary

At the April 15, 2026 Board of Commissioners Meeting, the Board considered a request from Albemarle & Associates, Ltd. on behalf of Blue Moon Five-2 (Blue Moon Restaurant) to establish a new use titled "Restaurant Waiting Lounge" with associated supplemental standards.

During that discussion, the Board expressed concern regarding the establishment of stand-alone bars, particularly those where the principal sale of alcohol would include distilled spirits. At the same time, there appeared to be less concern with establishments primarily engaged in the sale and on-premises consumption of beer and wine.

The Board ultimately tabled the applicant's request and directed staff to explore the development of a text amendment to the Unified Development Ordinance (UDO) to create new use categories for "Wine Bar" and "Taproom," with appropriate supplemental regulations.

The proposed text amendment is intended to establish clear definitions for Wine Bar and Taproom uses, provide a regulatory framework for these lower-intensity alcohol-serving establishments, maintain the Town's longstanding prohibition on stand-alone bars as a principal use, and allow for limited, controlled opportunities for beer and wine focused establishments in appropriate zoning districts.

The draft ordinance (attached) proposes the following changes:

- Addition of new definitions for "Wine Bar", "Taproom", and clarification of "Bar, Tavern, or Drinking

Establishment".

- Amendment to Section 6.5, Classification and Review of Unlisted Uses, to explicitly prohibit Bars, Taverns, or Drinking Establishments as a principal use.
- Amendment to Section 6.6, Table of Uses and Activities, to allow "Wine Bars" and "Taprooms" as permitted uses in the C-1, C-2, C-4 and C-5 zoning districts, consistent with the Microbrewery use.
- Creation of new Section 7.31A establishing supplemental regulations for Wine Bars and Taprooms.
- Amendment to parking standards to apply the same requirement as restaurants and microbreweries: one space per 55 square feet of customer service area.

In reviewing common zoning practices and ordinance language from other jurisdictions, the term "Wine Bar" best reflects establishments focused on the sale and on-site consumption of wine (and beer), while "Taproom" reflects a similar concept oriented toward beer.

While "taprooms" are often associated with outdoor gathering spaces such as beer gardens, those elements are not inherent to the use itself. The proposed ordinance intentionally distinguishes between the principal indoor use and any accessory outdoor activity to avoid unintended impacts related to noise, intensity, and compatibility with surrounding properties.

The proposed supplemental standards are designed to clearly differentiate Wine Bars and Taprooms from prohibited bar or nightclub-type uses. Key provisions include:

- Prohibition on the sale and service of distilled spirits.
- Requirement that the use be designed and operated primarily for seated patron service.
- Limitation of hours of operation, with all service ceasing and the premises closed to patrons by 11:00 p.m.
- Restriction of entertainment to incidental, low-intensity indoor activities.
- Prohibition of all outdoor entertainment, whether amplified or unamplified.
- Regulation of outdoor customer service and patron areas, including size limitations and screening.

Collectively, these standards are intended to ensure that the use remains lower in intensity and does not evolve into a bar, nightclub, or event-driven establishment. From a land use and planning perspective, potential impacts associated with alcohol-serving establishments are more closely related to operational characteristics, such as hours of operation, entertainment, and overall intensity of use, than to the specific type of alcohol served. The proposed ordinance focuses on these operational factors through limitations on hours, restrictions on entertainment, and requirements for seated patron service and controlled outdoor areas, in order to promote compatibility with surrounding properties.

Per Section 10.93.3.3, microbreweries are currently classified as high-impact uses, requiring increased buffering, due to their combined production, event, and outdoor activity components. By contrast, the proposed wine bar and taproom uses are intentionally structured as lower-intensity establishments. With prohibitions on distilled spirits, outdoor entertainment, and late-night operations, these uses are not anticipated to generate the same level of impact on adjacent residential properties and are therefore not proposed to be classified as high-impact uses. Any new commercial development, including these uses, would still be required to comply with Section 10.93.3.2, Commercial Transitional Protective Yards, which requires a minimum 10-foot buffer with two rows of plantings when adjacent to residentially zoned or developed properties.

The proposed amendment allows Wine Bars and Taprooms in the same zoning districts where Microbreweries are currently permitted (C-1, C-2, C-4, and C-5). Staff does not recommend expanding these uses into the CR District at this time, as the oceanfront area is more sensitive to intensity and compatibility concerns.

Parking requirements for Wine Bars and Taprooms are proposed to be consistent with existing standards for restaurants and microbreweries, requiring one parking space per 55 square feet of customer service area.

Staff would submit that the proposed amendment provides a structured and clearly defined framework for limited, lower-intensity food and beverage uses, while maintaining restrictions on higher-intensity bar uses, and is therefore likely consistent with the overall policy direction of the Land Use Plan.

With regard to the Planning Board's review and action, staff recommends consideration of the following UDO provisions:

### 3.5.3. Action by the Planning Board.

3.5.3.1. Every proposed amendment, UDO text amendment or zoning map amendment, shall be referred to the Planning Board for its recommendation and report. The Board of Commissioners is not bound by the recommendations, if any, of the Planning Board.

3.5.3.2. Prior to the consideration by the Board of Commissioners of a proposed UDO text amendment or zoning map amendment, the Planning Board shall advise and comment on whether the proposed amendment is consistent with the Comprehensive Plan. The Planning Board shall provide a written recommendation, certified by the UDO Administrator, to the Board of Commissioners that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the Comprehensive Plan shall not preclude consideration or approval of the proposed amendment by the Board of Commissioners.

3.5.3.3. Members of the Planning Board shall not vote on recommendations regarding any UDO text amendment or zoning map amendment where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.

## **Attachments**

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1. Wine Bar and Taproom Text Amend Ordinance PB



(DRAFT)  
AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN  
OF NAGS HEAD, NORTH CAROLINA AS IT PERTAINS TO CREATING NEW USE  
CATEGORIES, “WINE BAR” AND “TAPROOM”.

**ARTICLE I. Purpose(s) and Authority.**

**WHEREAS**, pursuant to N.C.G.S. § 160D-701, the Town of Nags Head (the “Town”) may enact and amend ordinances regulating the zoning and development of land within its jurisdiction and specifically the location and use of buildings, structures and land; pursuant to this authority and the additional authority granted by N.C.G.S. Chap. 160D-702, the Town has adopted comprehensive zoning regulations and has codified the same within the Unified Development Ordinance, Part II of the Town Code, adopted pursuant to N.C.G.S. § 160D-103, which allows the Town to combine certain land development ordinances into a unified ordinance;

**WHEREAS**, Section 2.4.4.3 of the Unified Development Ordinance provides that the powers and duties of the Planning Board include developing and recommending policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;

**WHEREAS**, Section 3.5.1. of the Town Code makes clear that a zoning ordinance text amendment may be initiated by motion of the Board of Commissioners, by motion of the Planning Board, or by application by any person within the zoning jurisdiction of the Town;

**WHEREAS**, at their April 15, 2026 meeting, the Board of Commissioners directed staff to draft UDO text amendments as necessary to consider the addition of two new use categories, “Wine Bar” and “Taproom”, with supplemental regulations.

**ARTICLE II. Construction.**

For purposes of this ordinance amendment, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein but are instead replaced by an ellipsis (“...”) shall remain as they currently exist within the Town Code.

**ARTICLE III. Amendment of the Unified Development Ordinance.**

PART I. That **Appendix A, Section A.4, Definitions**, shall be amended to add the following use definitions:

**Bar, Tavern, or Drinking Establishment** means an establishment where the primary activity is the on-premises sale and consumption of alcoholic beverages, including beer, wine, and/or distilled spirits, and where food service is limited or incidental to the operation. Characteristics of this use may include, but are not limited to: the absence of a full-service kitchen or only minimal food offerings; the service of distilled spirits as a principal component of the business; extended evening or late-night hours of operation; indoor or outdoor entertainment as a prominent activity, including live music, DJs, or dance areas; and a layout or atmosphere oriented toward bar service rather than seated dining.

**Wine Bar** means an establishment primarily engaged in the on-premises sale and consumption of wine and/or beer, where the sale of distilled spirits is prohibited, and where wine offerings are limited to traditional table wines and similar products, and do not include fortified wines or other high-alcohol products typically used in the preparation of mixed alcoholic beverages. Food service may be provided, but is not required, and may be limited in scope, such as small plates, charcuterie, or similar light fare. The establishment shall not operate in a manner consistent with a Bar, Tavern, or Drinking Establishment, as defined herein, and shall be designed and operated primarily for a seated patron service within an enclosed indoor space.

**Taproom** means an establishment primarily engaged in the on-premises sale and consumption of beer and may include wine offerings limited to traditional table wines that do not include fortified wines or other high-alcohol products typically used in the preparation of mixed alcoholic beverages. A Taproom may

be accessory to a microbrewery or operate independently. The sale of distilled spirits is prohibited. Food service may be provided, but is not required, and may be limited in scope, such as small plates, charcuterie, or similar light fare. The establishment shall not operate in a manner consistent with a Bar, Tavern, or Drinking Establishment, as defined herein, and shall be designed and operated primarily for seated patron service within an enclosed indoor space.

PART II. That **Section 6.5, Classification and Review of Unlisted Uses**, shall be amended as follows:

6.5.3. The following uses are expressly prohibited in the Town of Nags Head Planning jurisdiction:

- COMMERCIAL:
  - Bar, Tavern, or Drinking Establishment (as a principal use).

PART III. That **Section 6.6, Table of Uses and Activities, Accessory Uses**, shall be amended as follows:

|                     |                 | Commercial Districts |           |           |     |           |           | Supplemental Regulations |
|---------------------|-----------------|----------------------|-----------|-----------|-----|-----------|-----------|--------------------------|
| Use Category        | Use Type        | CR                   | C-1       | C-2       | C-3 | C-4       | C-5       |                          |
| Food Service        | Microbreweries  |                      | SR        | SR        |     | SR        | <u>SR</u> | Section 7.27             |
| <u>Food Service</u> | <u>Taproom</u>  |                      | <u>PR</u> | <u>PR</u> |     | <u>PR</u> | <u>PR</u> | <u>Section 7.31A</u>     |
| <u>Food Service</u> | <u>Wine Bar</u> |                      | <u>PR</u> | <u>PR</u> |     | <u>PR</u> | <u>PR</u> | <u>Section 7.31A</u>     |

PART IV. That **Section 7.31A, Supplemental Regulations for Wine Bar and Taproom**, shall be established as follows:

**Section 7.31A – Wine Bar and Taproom.**

Wine Bars and Taprooms are intended to provide lower-intensity food and beverage establishments focused on the on-premises consumption of beer and/or wine in a seated, social setting. These uses are distinguished from Bars, Taverns, Nightclubs, and other Drinking Establishments by the absence of distilled spirits, limited entertainment, and earlier hours of operation, and are intended to be compatible with surrounding commercial and mixed-use areas.

The following supplemental regulations shall apply to all Wine Bars and Taprooms.

7.31A.1. The sale, service, or consumption of distilled spirits shall be prohibited. Establishments shall be limited to the sale of beer and/or wine for on-premises consumption; however, the incidental retail sales of beer and wine for off-premises consumption shall be permitted, provided such sales are limited to products also offered for on-premises consumption and remain clearly subordinate to the primary on-premises use.

7.31A.2. Food service may be provided but is not required. Offerings may include small plates, charcuterie, or similar light fare. Full-service kitchens are not required. Food service, if provided, may be prepared on-site or off-site; however, food trucks and outdoor food service vendors shall not be permitted unless otherwise authorized by the UDO.

7.31A.3. Wine Bars and Taprooms shall not operate in a manner consistent with a Bar, Tavern, Nightclub, or Drinking Establishment. The use shall be designed and operated primarily for seated patron service and shall not function as a standing-room or bar-oriented establishment.

7.31A.4. Wine Bars and Taprooms shall not be open to the public between the hours of 11:00 p.m. and 7:00 a.m. All services, including the sale and consumption of food and beverages, shall cease by 11:00 p.m., and the premises shall be closed to patrons at that time.

7.31A.5. Entertainment shall be incidental to the primary use.

7.31A.5.1. Indoor entertainment is permitted, provided it is low intensity in nature and does not include dance floors, DJs, or night-club style operations, and does not function as a primary attraction or regularly scheduled entertainment venue.

7.31A.5.2. Outdoor entertainment is prohibited, including both amplified and unamplified music, performances, or similar activities.

7.31A.6. Outdoor customer service and patron areas may be permitted as an accessory use, subject to the following:

7.31A.6.1. No outdoor bar service shall be permitted.

7.31A.6.2. Outdoor areas shall be limited to seated customer service and patron use.

7.31A.6.3. Outdoor customer service and patron areas shall remain clearly subordinate and accessory to the enclosed indoor use.

7.31A.6.4. The total customer service and patron area shall not exceed 500 square feet or 25 percent of the indoor customer service area, whichever is less.

7.31A.6.5. Outdoor areas shall be clearly defined and physically delineated by fencing, landscaping, or other screening features. Such features shall be designed to provide visual screening and a reasonable degree of privacy from adjacent properties, particularly residential uses, and to assist in minimizing noise and activity impacts.

7.31A.6.6. All applicable lighting and noise standards of the Ordinance shall be met.

7.31A.7. Where a Taproom is established as an accessory use to a Microbrewery, the Taproom shall comply with the requirements of this Section unless otherwise expressly modified by the Microbrewery standards.

7.31A.8. Wine Bars and Taprooms shall comply with all other applicable provisions of the Ordinance and Town Code, including but not limited to parking, lighting, landscape and buffering, and noise regulations.

PART V. That **Section 10.16, Required Parking by Use**, shall be amended as follows:

| Use Category/Class  | Use Type        | Required Parking                                                    |
|---------------------|-----------------|---------------------------------------------------------------------|
| <u>Food Service</u> | <u>Wine Bar</u> | <u>One space for every 55 square feet of customer service area.</u> |
| <u>Food Service</u> | <u>Taproom</u>  | <u>One space for every 55 square feet of customer service area.</u> |

PART VI. All Town ordinances or parts of ordinances in conflict with this ordinance amendment are hereby repealed. Should a court of competent jurisdiction declare this ordinance amendment or any part thereof to be invalid, such decision shall not affect the remaining provisions of this ordinance amendment nor the Unified Development Ordinance or Town Code of the Town of Nags Head, North Carolina which shall remain in full force and effect.

PART VII. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed. This ordinance shall be in full force and effect from and after the \_\_\_\_ day of \_\_\_\_ 2026.

\_\_\_\_\_  
Benjamin Cahoon, Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney

Date adopted: \_\_\_\_\_

Motion to adopt by Commissioner \_\_\_\_\_

Motion seconded by Commissioner \_\_\_\_\_

Vote: \_\_\_\_\_ AYES    \_\_\_\_\_ NAYS



**BOC ACTIONS**  
**WEDNESDAY, APRIL 1, 2026**

1. Call to order - Mayor Cahoon called the meeting to order at 09:01 a.m. A moment of silence was followed by the Pledge of Allegiance.
2. Agenda – The Board adopted the April 1<sup>st</sup> agenda as presented.
3. Recognition –  
FIFTEEN YEARS – Fire Chief Randy Wells introduced Fire Captain Matthew Swain, who was recognized by the Board for fifteen years of service.

TWENTY YEARS – Police Chief Perry Hale introduced Police Sergeant Chris Braddy, who was recognized by the Board for twenty years of service.

RECESS/RECONVENE – The Board took a brief recess at 09:08 a.m. to correct an audio issue. They reconvened at 09:10 a.m.

PROCLAMATION – Local News Day – The Board adopted the Proclamation declaring April 10, 2026, Local News Day as presented.

PROCLAMATION – Dark Sky Week – Planner Chris Trembly spoke of the progress of the Town's Dark Skies, Bright Stars initiative. He invited the community to attend the Dark Skies, Bright Stars event on April 18, 2026, from 7:30 p.m. - 9:30 p.m., at Town Park. The Board was presented with a red flashlight, lanyard, and cup. The Board adopted the Proclamation declaring April 13-20, 2026, Dark Sky Week as presented.

PROCLAMATION – The Board declared April 2026 as Tick-Borne Disease Awareness Month as presented.

PROCLAMATION – The Board declared April 2026 as Child Abuse Prevention Month as presented.

4. Public Comment –  
Lory Patrick – Nags Head property owner – Addressed safety concerns regarding a deteriorating boardwalk on her Pelican Park property, noting rotted boards, splintered handrails, and exposed nails. She expressed an opinion of a lack of town ordinance enforcement since December 2025 and requested prompt action to secure and remove the structure she views as unsafe and non-compliant.  
  
Mike Kelly – Nags Head resident – Spoke on behalf of the 35<sup>th</sup> Annual Kelly's St. Patrick's Day parade organizers, thanking the town for its support. He recognized town staff, commissioners, the mayor, and public works for their contributions, and acknowledged Bob Muller's 28 years of managing the parade.  
  
Jeff Bellantine – Kelly's staff member – Provided additional details on the Kelly's St. Patrick's Day parade, noting strong community engagement with nearly 30,000 Facebook users reached and approximately 15,000 in-person attendees. He highlighted AI-analyzed aerial footage for attendance

estimates and expressed appreciation for the town's support, noting plans to discuss the parade's future with the Town and Dare County Tourism Board.

Corinne Saunders – Outer Banks Insider –Invited the Board and residents to Local News Day on Friday, April 10, from 9–11 AM at Waveriders in Nags Head. She explained the initiative, launched by Montana Free Press and now statewide, will feature casual conversations, free coffee, and participation from seven news organizations. The event provides an opportunity for the community to meet local journalists.

5. Consent Agenda – The Consent Agenda was approved as presented and consisted of the following:
  - Consideration of Budget Amendment #9 to FY 25/26 Budget
  - Consideration of Tax Adjustment Report
  - Approval of Minutes
  - Consideration of Fair Housing Month Proclamation
  - Request for Public Hearing to consider a Vested Right/Special Use Permit/Site Plan Amendment submitted by WithersRavenel on behalf of Outer Banks Hospital, for the Cancer Treatment Center located at 4927 S. Croatan Highway. The applicant is requesting a reduction in required parking spaces in order to utilize the spaces for other required infrastructure.
6. Planning Director – Planning Director Kelly Wyatt summarized her monthly report and was thanked by the Board for her efforts.
7. NC DWI Septic Health Grant and Zero Interest Loan Program – The Board received a status update outlining next steps and implementation strategy.
8. Town Legislative Agenda – The Board approved the 2026 Legislative Agenda as presented.
9. Committee Reports

Comr. Harrison – Reported that she attended the meeting of the Current TV(GEACC) Committee, in anticipation of replacing Mayor Pro Tem Lambert. Public information officers from nearby local towns discussed upcoming programming initiatives.

Mayor Pro Tem Lambert – Acknowledged Planning Director Wyatt's comprehensive report on the Septic Health Committee and then initiated a motion for Comr. Harrison to replace her on the GEACC.

The Board appointed Comr. Harrison to the Government Education Access Channel Committee.

Comr. Sanders – Stated he had no additional updates beyond what Director Wyatt reported regarding the Estuarine Shoreline Committee.

Comr. Vaughan – Reported that she was unable to attend last week's rescheduled Tourism Board meeting due to a conflict. She noted the upcoming ribbon cutting for the new boardwalk in April and committed to keeping the Board informed on developments.
10. Classification and Compensation Study Report – Human Resources officer Jan Mielke presented the

findings of the study and recommendations for the Board to consider for adoption. She invited the Board to provide questions and comments and will bring the final report back for adoption at the May Board meeting.

- 11.** RECESS/RECONVENE – The Board took a brief recess at 10:23 a.m. and reconvened at 10:32 a.m.
- 12.** 2026 Beach Nourishment Project – The Board received a presentation from Dr. Beth Sciaudone and Dr. Ayse Karanci of Moffatt & Nichol reviewing the project schedule and logistics. The Board approved the McKim & Creed proposal to conduct a post-nourishment monitoring survey.
- 13.** 2026 Beach Nourishment Project – The Board approved the Findings Resolution, which authorizes application to the LGC for beach nourishment financing, as presented.
- 14.** Municipal Property Tax – The Board adopted the Resolution Supporting Continued Direct Local Citizen Input in Municipal Property Tax Program as presented.
- 15.** Town Manager – Deputy Town Manager/Finance Officer Amy Miller presented a financial update to the Board.
- 16.** Town Manager – CIP Funds from Public Services Financing – The Board approved Capital Project Ordinance Amendment #12, Water Capital Project Ordinance Amendment #6, and Budget Amendments #9.3 and #9.4 as presented.
- 17.** Town Manager – Budget Preparation Meetings Schedule – Manager Garman reviewed the upcoming meeting schedule with the Board.
- 18.** Mayor Pro Tem Lambert – Wished everyone a Happy Easter and expressed appreciation to police, fire, and public works personnel for their service during the holiday.
- 19.** Comr. Harrison – Commended Town Clerk Brittany Phillips and Deputy Town Clerk Katie Anzalone on their excellent work on the detailed minutes from the previous quasi-judicial hearing meeting.
- 20.** Mayor Cahoon – The Board passed a motion to appoint Mayor Cahoon to represent the Town as the NCLM Board of Directors Voting Delegate.
- 21.** Closed Session – The Board entered Closed Session to confer re: a matter of attorney/client privilege and to preserve that privilege to include the Cherry Inc. litigation, and other matters protected by attorney/client privilege pursuant to GS 143-318.11(a)(3). The time was 11:19 a.m.
- 22.** Open Session - The Board re-entered Open Session at 11:21 a.m.
- 23.** Closed Session – The Board entered Closed Session to confer re: a matter of attorney/client privilege and to preserve that privilege to include the Cherry Inc. litigation, and other matters protected by attorney/client privilege pursuant to GS 143-318.11(a)(3). and to consider a personnel issue pursuant to 143-318.11(a)(6). The time was 11:22 a.m.

- 24.** Open Session - The Board re-entered Open Session at 12:07 p.m. Mayor Cahoon reported that the Board heard a report on manager compensation but took no action. Attorney Womble reported that the Board discussed confidential litigation matters and other matters within the attorney/client privilege including in relation to this morning's public comment regarding the walkway.
- 25.** Adjournment - The Board recessed to the FY 26/27 Budget Workshop. The time was 12:08 p.m.





**BOC ACTIONS**  
**WEDNESDAY, APRIL 15, 2026**

1. Call to order - Mayor Cahoon called the meeting to order at 09:00 a.m.
2. Agenda – The Board adopted the April 15th agenda as presented.
3. Consent Agenda – The Consent Agenda was approved as presented and consisted of the following:
  - Consideration of Budget Amendment #10 to FY 25/26 Budget
  - Approval of Minutes
4. Public Hearing – to consider UDO text amendments submitted by Albemarle & Associates, Ltd on behalf of Blue Moon Five-2, LLC (Blue Moon Restaurant), to create a new accessory use to Restaurants, "Restaurant Waiting Lounge," with associated supplemental regulations. The Board tabled this item until its May 6, 2026 meeting and subsequently scheduled a public hearing for its May 6, 2026 meeting to consider UDO text amendments to create an allowable use, "Wine Bar, Tap Room, and/or Lounge", with associated supplemental regulations.
5. Public Hearing – to consider a Special Use Permit/Site Plan amendment submitted by Albemarle & Associates, Ltd on behalf of Blue Moon Five-2, LLC (Blue Moon Restaurant) seeking approval of the Unified Development Plan for Blue Moon Restaurant and a proposed Restaurant Waiting Lounge pursuant to the supplemental standards proposed in Section 7.31.3 of the UDO. The Board tabled this item to its May 6, 2026 meeting.
6. Strategic Plan Update – The Board approved the February 2026 Strategic Plan update as presented.
7. Mid-Currituck Bridge – The Board approved the resolution in support of the Mid-Currituck Bridge project as presented.
8. Town Attorney – The Board approved the updated town attorney retainer and fee agreement as presented.
9. Mayor Cahoon – noted that he will be out of town most of next week for Coastal Leadership Institute and NCBIWA Spring Meeting.
10. Adjournment - The Board recessed to the Stormwater Masterplan Workshop. The time was 10:38 a.m.



# AGENDA ITEM SUMMARY

**Town of Nags Head Planning Board**

REGULAR SESSION: April 21, 2026

## AGENDA ITEM H.1.

Planning & Development Director's Report, April 1st, 2026

### Prepared by

Lily Nieberding, Permitting Coordinator

### Reviewed by

Lily Nieberding

Lily Nieberding

### Staff Comments/Recommendation

Please find attached a monthly update from Planning Director Kelly Wyatt that includes permitting and code enforcement data through February 2026.

### Specific Action Requested

This item is provided for Board information and update.

### Summary

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 Wednesday, April 1, 2026.

### Monthly Activity Report

In addition to permitting, inspections, code enforcement, and Todd D. Krafft Septic Health Initiative activities, staff were involved in the following meetings or activities of note during the month of March:

- Tuesday, March 3rd — Technical Review Committee Meeting
- Wednesday, March 4th — Board of Commissioners Meeting
- Wednesday, March 11th — Committee for Arts and Culture Meeting
- Thursday, March 12th — Board of Adjustment Meeting (no hearings)
- Saturday, March 14th — Dowdy Park Winter Market 9am - noon
- Tuesday, March 17th — Planning Board Meeting
- Wednesday, March 18th — Board of Commissioners Mid-Month
- Tuesday, March 24th — All-Hands Staff Meeting

### Planning Board — Pending Applications and Discussions

The Planning Board most recently met on Tuesday, March 17, 2026. At that meeting, the Board took the following actions:

- Consideration of a Vested Right/Special Use Permit/Site Plan Amendment submitted by WithersRavenel on behalf of Outer Banks Hospital, requesting a reduction in required parking spaces to accommodate a 280-square-foot expansion of the existing HVAC mechanical area and redesigned stormwater management infrastructure. The expansion is necessary to support ongoing operational and equipment needs of the existing Cancer Treatment Center. The property is zoned SPD-C, Village Hotel, and is located at 4927 S.

Croatan Highway. The Planning Board voted unanimously to recommend approval of the Special Use Permit/Site Plan Amendment as presented.

- Consideration of text amendments submitted by Albemarle & Associates, Ltd., on behalf of Blue Moon Five-2, LLC (Blue Moon Restaurant), to create a new use titled "Restaurant Waiting Lounge," together with associated supplemental regulations, parking requirements, and definitional clarifications. The Planning Board voted unanimously to recommend approval of the proposed text amendment, with additional language to address pedestrian connectivity between contiguous lots.
- Consideration of a Special Use Permit/Site Plan Amendment submitted by Albemarle & Associates, Ltd., on behalf of Blue Moon Five-2, LLC (Blue Moon Restaurant), seeking approval of a unified development plan for the principal restaurant and a proposed Restaurant Waiting Lounge pursuant to the supplemental standards outlined in Section 7.31.3 of the UDO. The subject properties are zoned C-5, Historic Character Commercial District, and are located at 101 and 102 E. Dove Street. Approval of this request is contingent upon adoption of the proposed "Restaurant Waiting Lounge" use. The Planning Board voted unanimously to recommend approval of the Special Use Permit/Site Plan Amendment with the condition that pedestrian connectivity be provided between the principal restaurant and the Restaurant Waiting Lounge.
- Deputy Planning Director, Joe Costello provided updates on the Estuarine Shoreline Management Plan and the ongoing review of the Commercial Outdoor Recreation Overlay District.

The next Planning Board meeting is scheduled for Tuesday, April 21, 2026. At this time, no formal action items are anticipated, and the meeting will provide an opportunity to focus on staff updates and ongoing departmental initiatives.

**Board of Adjustment – Recent and Pending Applications** — There were no items for the Board of Adjustment's consideration in March 2026.

### **Additional Updates**

- DWMP/Septic Health Advisory Committee — The next meeting of the Septic Health Advisory Committee (SHAC) is scheduled for Monday, April 27th. Staff have worked with Access Design to update a townwide mailer postcard aimed at increasing awareness of and participation in the Town's Septic Health Initiative. The updated mailer emphasizes that the program is voluntary and intended solely to provide education, resources, and support related to septic system health and maintenance. Staff recognize that some property owners may be hesitant to participate due to concerns about regulatory implications; however, the initiative is focused exclusively on septic system function and water quality, not broader code enforcement. The mailer is anticipated to be distributed in the coming week.

In addition, the Town has officially received approval for the scope of work associated with the DWI zero-interest loan program. Staff will provide a brief presentation at the meeting with additional details regarding program implementation and next steps.

- Estuarine Shoreline Management Plan — Work continues to advance multiple priority project areas identified in the ESMP, with several projects moving through design, coordination, and permitting phases.

Harvey/Soundside Event Site Living Shoreline Project — The major permit application was submitted to the Division of Coastal Management on January 14th and is currently under review. Construction is anticipated to occur in fall 2026.

Villa Dunes Drive Project Area — The Town has contracted with Environmental Professionals, Inc. to coordinate directly with Villa Dunes Drive property owners to better understand site-specific concerns and

identify feasible, implementable solutions for this area.

Soundside Road Project Area — Staff have requested a scope modification to the RCCP grant to remove the previously proposed offshore breakwaters and instead focus funding on the design of a resiliency berm along Soundside Road. The request also includes expanding the scope to incorporate stormwater management design as part of the project. A project kickoff meeting was held on March 26th. This effort is focused on developing a nature-based shoreline stabilization approach that reduces wave overtopping, enhances habitat, and protects public infrastructure. Public engagement and due diligence will continue through the summer, with permit application anticipated in January 2027 and design development and permitting targeted for completion by April 2027.

Catfish Farm/Causeway Living Shoreline Project — Staff have also requested a scope modification to redirect RCCP funding toward the design of a living shoreline project at the Catfish Farm/Causeway area, identified in the ESMP as an alternative pilot site. This location includes critical public infrastructure and environmentally sensitive areas that are experiencing ongoing erosion. The project area presents opportunities for nature-based solutions, including potential oyster reef establishment and other habitat-enhancing stabilization techniques, which may provide both erosion control and water quality benefits. The Town-owned Catfish Farm parcels, which are under conservation easement and confirmed to allow living shoreline treatments, are included within the proposed design scope along with adjacent properties.

Staff have submitted all requested scope and location modifications to the RCCP grant team, and all project areas remain active and moving forward.

- Sand Relocation and Dune Management Cost Share Program – Planning staff continue to process a high volume of applications for both the Sand Relocation and Dune Management Cost Share programs. As of March 27, 2026, the Town has received a total of 235 sand relocation applications (nearly 70 of which have been submitted since last month's update) as well as 115 dune management cost share applications. To date, approximately \$340,000 of the \$400,000 allocated for these programs has been committed.
- Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture — The Committee for Art & Culture met in March and continued preparations for the upcoming event season. The Committee voted to maintain the current Farmers Market structure, including retaining all returning full-time vendors and continuing the rotating vendor program without advancing additional vendors to full-time status at this time. This approach reflects a desire to maintain a consistent and manageable market size given space and operational considerations.

The Committee also reviewed and approved updates to the market rules, including the establishment of a Vendor Compliance and Progressive Enforcement Policy. The policy introduces a clear, tiered approach to enforcement, ranging from warnings to suspension and potential removal, and is intended to address challenges related to vendor compliance. The goal is to ensure a consistent, well-managed market environment while maintaining flexibility to respond to more serious or safety-related concerns. The policy will be reviewed by the Town Attorney prior to implementation.

Event Coordinator Paige Griffin has finalized planning for the upcoming summer season, including a 14-week Summer Concert Series, Farmers Markets, fitness and wellness programming, family and children's events, and other recurring offerings such as Waggin' Wednesdays. While much of this work occurs behind the scenes, the coordination required to schedule, staff, and manage a full season of programming is substantial and continues to be a significant undertaking.

Additional public art initiatives are also moving forward. Two new art panels have been received as part of the Art Mast project, one by Dawn Gray Moraga ("RedDawn") honoring Kerry Oaksmith Sanders, to be installed at the Bittern Street beach access, and one by Noah Snyder, to be installed at the June Street beach access in coordination with ongoing walkway improvements. Two additional panels are expected in

the coming months for placement at Forrest Street and Curlew Street. At Dowdy Park, the Peek-A-Boo Wall has been rebuilt by Public Services, and staff are exploring opportunities for a local artist to complete a mural installation on the newly restored surface. Staff also met with local artist Julie Moyer to discuss incorporating artistic elements, such as tile mosaic installations, into the new walking path extension at Dowdy Park as a way to further integrate public art into park improvements.

The final Winter Market of the season is scheduled for Saturday, April 11th from 9:00 a.m. to 12:00 p.m. This season of Winter Markets has been very well received, particularly by local residents who have expressed strong appreciation for the opportunity to access fresh, locally sourced goods during the off-season. The smaller, more relaxed market atmosphere and consistent presence of core vendors continue to make the Winter Markets a valued and well-attended community offering.

### **Upcoming Meetings and Other Dates**

- Wednesday, April 1st — Board of Commissioners Meeting (Budget Workshop)
- Tuesday, April 7th — Technical Review Committee Meeting
- Wednesday, April 8th — Committee for Arts and Culture Meeting
- Thursday, April 9th — Board of Adjustment Meeting (no hearings)
- Saturday, April 11th — Dowdy Park Winter Market 9am - noon
- Wednesday, April 15th — Board of Commissioners Mid-Month Meeting
- Saturday, April 18th - Dark Skies, Bright Stars Stargazing Event, Barnes Street Town Park 7:30pm - 9:30pm
- Tuesday, April 21st — Planning Board Meeting
- Monday, April 27th — Septic Health Advisory Committee Meeting





## Protect your home. Protect our water.

Approximately 80% of properties in Nags Head rely on septic systems. These systems can fail due to age, high occupancy, or improper maintenance, and repairs can cost thousands. The Town of Nags Head offers affordable solutions to help maintain a healthy septic system.

### Don't let this happen to you!

Routine inspection and pumping help prevent failure.



### How the Town can help:

- FREE On-Site Septic Inspection
- \$250 Water Bill Credit *with pump-out*
- Low-Interest Loans for repairs
- Staff assistance locating and evaluating your system

*Inspections are focused solely on your septic system and are educational and preventative in nature.*

Preventative maintenance typically costs \$300-\$500. Full system replacement can cost thousands.



TOWN OF NAGS HEAD

**Todd D. Krafft**  
Septic Health Initiative

To take advantage of this voluntary program, contact Conner Twiddy at 252-449-6047 or [conner.twiddy@nagsheadnc.gov](mailto:conner.twiddy@nagsheadnc.gov)

You can also visit the Town's website at [nagsheadnc.gov](http://nagsheadnc.gov) or scan the code at right to learn more.



# Town of Nags Head DARK SKIES, BRIGHT STARS

Community Stargazing Event

## Town Park

415 W Health Center Dr, Nags Head

**April 18, 2026**

7:30 PM - 9:30 PM

Explore the Night Sky  
& Protect Our Environment

**Free Red Flashlights**  
for the First 50 Participants!

**Free Popcorn & Drinks**

**Bring Your Telescope**

**Learn About Reducing Light Pollution**

**Bring Your Chairs & Blankets**



TOWN OF  
**NAGS HEAD**



## Attachments

1. 4 F1 Planning Monthly Report



**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT**  
**MONTHLY REPORT**  
**FEBRUARY 2026**

DATE SUBMITTED: March 7, 2026

|                                              | Feb-26             | Feb-25             | Jan-26             | 2025-2026 FISCAL<br>YTD | 2024-2025 FISCAL<br>YTD | FISCAL YEAR<br>INCREASE/<br>DECREASE |
|----------------------------------------------|--------------------|--------------------|--------------------|-------------------------|-------------------------|--------------------------------------|
| <b>BUILDING PERMITS ISSUED - RESIDENTIAL</b> |                    |                    |                    |                         |                         |                                      |
| New Single Family                            | 0                  | 1                  | 0                  | 10                      | 13                      | (3)                                  |
| New Single Family, 3000 sf or >              | 0                  | 0                  | 2                  | 4                       | 8                       | (4)                                  |
| Duplex - New                                 | 0                  | 0                  | 0                  | 0                       | 0                       | 0                                    |
| Sub Total - New Residential                  | 0                  | 1                  | 2                  | 14                      | 21                      | (7)                                  |
| Miscellaneous (Total)                        | 55                 | 58                 | 42                 | 343                     | 309                     | 34                                   |
| <i>Accessory Structure</i>                   | 3                  | 4                  | 1                  | 19                      | 29                      | (10)                                 |
| <i>Addition</i>                              | 2                  | 0                  | 4                  | 13                      | 10                      | 3                                    |
| <i>Demolition</i>                            | 0                  | 0                  | 1                  | 6                       | 5                       | 1                                    |
| <i>Move</i>                                  | 0                  | 1                  | 0                  | 2                       | 1                       | 1                                    |
| <i>Remodel</i>                               | 12                 | 12                 | 14                 | 78                      | 69                      | 9                                    |
| <i>Repair</i>                                | 38                 | 41                 | 22                 | 225                     | 195                     | 30                                   |
| <b>Total Residential</b>                     | <b>55</b>          | <b>59</b>          | <b>44</b>          | <b>357</b>              | <b>330</b>              | <b>27</b>                            |
| <b>BUILDING PERMITS ISSUED - COMMERCIAL</b>  |                    |                    |                    |                         |                         |                                      |
| Multi-Family - New                           | 0                  | 0                  | 0                  | 0                       | 0                       | 0                                    |
| Motel/Hotel - New                            | 0                  | 0                  | 0                  | 0                       | 1                       | (1)                                  |
| Business/Govt/Other - New                    | 0                  | 0                  | 0                  | 0                       | 1                       | (1)                                  |
| Subtotal - New Commercial                    | 0                  | 0                  | 0                  | 0                       | 2                       | (2)                                  |
| Miscellaneous (Total)                        | 10                 | 12                 | 13                 | 67                      | 53                      | 14                                   |
| <i>Accessory Structure</i>                   | 1                  | 6                  | 3                  | 16                      | 17                      | (1)                                  |
| <i>Addition</i>                              | 0                  | 0                  | 1                  | 2                       | 0                       | 2                                    |
| <i>Demolition</i>                            | 0                  | 0                  | 0                  | 0                       | 0                       | 0                                    |
| <i>Move</i>                                  | 0                  | 0                  | 0                  | 3                       | 0                       | 3                                    |
| <i>Remodel</i>                               | 6                  | 4                  | 2                  | 25                      | 14                      | 11                                   |
| <i>Repair</i>                                | 3                  | 2                  | 7                  | 21                      | 22                      | (1)                                  |
| <b>Total Commercial</b>                      | <b>10</b>          | <b>12</b>          | <b>13</b>          | <b>67</b>               | <b>55</b>               | <b>12</b>                            |
| <b>Grand Total</b>                           | <b>65</b>          | <b>71</b>          | <b>57</b>          | <b>424</b>              | <b>385</b>              | <b>39</b>                            |
| <b>SUB-CONTRACTOR PERMITS</b>                |                    |                    |                    |                         |                         |                                      |
| Electrical                                   | 56                 | 54                 | 44                 | 327                     | 363                     | (36)                                 |
| Gas                                          | 1                  | 0                  | 1                  | 15                      | 12                      | 3                                    |
| Mechanical                                   | 37                 | 32                 | 18                 | 218                     | 246                     | (28)                                 |
| Plumbing                                     | 11                 | 9                  | 7                  | 61                      | 78                      | (17)                                 |
| Fire Sprinkler                               | 1                  | 1                  | 0                  | 3                       | 1                       | 2                                    |
| <b>VALUE</b>                                 |                    |                    |                    |                         |                         |                                      |
| New Single Family                            | \$0                | \$200,000          | \$0                | \$5,192,030             | \$5,686,157             | (\$494,127)                          |
| New Single Family, 3000 sf or >              | \$0                | \$0                | \$4,644,933        | \$7,444,933             | \$7,333,200             | \$111,733                            |
| Duplex - New                                 | \$0                | \$0                | \$0                | \$0                     | \$0                     | \$0                                  |
| Misc (Total Residential)                     | \$1,954,610        | \$1,294,738        | \$1,782,031        | \$13,370,189            | \$10,925,732            | \$2,444,457                          |
| <b>Sub Total Residential</b>                 | <b>\$1,954,610</b> | <b>\$1,494,738</b> | <b>\$6,426,964</b> | <b>\$26,007,152</b>     | <b>\$23,945,089</b>     | <b>\$2,062,063</b>                   |
| Multi-Family - New                           | \$0                | \$0                | \$0                | \$0                     | \$0                     | \$0                                  |
| Motel/Hotel - New                            | \$0                | \$0                | \$0                | \$0                     | \$18,000,000            | (\$18,000,000)                       |
| Business/Govt/Other - New                    | \$0                | \$0                | \$0                | \$0                     | \$1,400,000             | (\$1,400,000)                        |
| Misc (Total Commercial)                      | \$654,279          | \$534,838          | \$2,911,359        | \$11,601,605            | \$2,935,435             | \$8,666,170                          |
| <b>Sub Total Commercial</b>                  | <b>\$654,279</b>   | <b>\$534,838</b>   | <b>\$2,911,359</b> | <b>\$11,601,605</b>     | <b>\$22,335,435</b>     | <b>(\$10,733,830)</b>                |
| <b>Grand Total</b>                           | <b>\$2,608,889</b> | <b>\$2,029,576</b> | <b>\$9,338,323</b> | <b>\$37,608,757</b>     | <b>\$46,280,524</b>     | <b>(\$8,671,767)</b>                 |



**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT  
MONTHLY REPORT  
FEBRUARY 2026**

DATE SUBMITTED: March 7, 2026

|                                       | Feb-26 | Feb-25 | Jan-26 | 2025-2026 FISCAL<br>YTD | 2024-2025 FISCAL<br>YTD | FISCAL YEAR<br>INCREASE/<br>DECREASE |
|---------------------------------------|--------|--------|--------|-------------------------|-------------------------|--------------------------------------|
| <b>ZONING</b>                         |        |        |        |                         |                         |                                      |
| Zoning Permits                        | 68     | 72     | 64     | 455                     | 404                     | 51                                   |
| Soil & Erosion                        | 0      | 1      | 2      | 14                      | 25                      | N/A                                  |
| Stormwater Plans                      | 2      | 0      | 2      | 13                      | 15                      | N/A                                  |
| <b>CAMA</b>                           |        |        |        |                         |                         |                                      |
| CAMA LPO Permits                      | 1      | 2      | 5      | 25                      | 13                      | 11                                   |
| CAMA LPO Exemptions                   | 17     | 7      | 4      | 70                      | 43                      | 0                                    |
| Sand Relocations                      | 45     | 31     | 22     | 170                     | 116                     | N/A                                  |
| <b>CODE COMPLIANCE</b>                |        |        |        |                         |                         |                                      |
| Cases Investigated                    | 20     | 36     | 20     | 160                     | 221                     | 63                                   |
| Warnings                              | 6      | 10     | 11     | 50                      | 27                      | 13                                   |
| NOVs Issued                           | 14     | 26     | 9      | 110                     | 191                     | 50                                   |
| Civil Citations (#)                   | 0      | 0      | 0      | 0                       | 0                       | 0                                    |
| Civil Citations (\$)                  | \$0    | \$0    | \$0    | \$0                     | \$0                     | \$0                                  |
| <b>SEPTIC HEALTH</b>                  |        |        |        |                         |                         |                                      |
| Tanks inspected                       | 5      | 12     | 9      | 86                      | 74                      | 28                                   |
| Tanks pumped                          | 5      | 13     | 12     | 85                      | 54                      | 28                                   |
| Water quality sites tested            | 1      | 1      | 1      | 153                     | 114                     | 125                                  |
| Personnel Hours in<br>Training/School | 40     | 30     | 50     | 422                     | 252                     | 126                                  |

  
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Kelly Wyatt, Planning Director



# AGENDA ITEM SUMMARY

**Town of Nags Head Planning Board**

REGULAR SESSION: April 21, 2026

## AGENDA ITEM H.2.

Update on Strategic Plan from February 2026 Board of Commissioners Retreat.

### Prepared by

Lily Nieberding, Permitting Coordinator

### Reviewed by

Lily Nieberding

Lily Nieberding

### Staff Comments/Recommendation

Discussion

### Specific Action Requested

This item is provided for Board information and update.

### Summary

The Board of Commissioners adopted the 2026 strategic plan update as presented at their mid-month meeting on April 15, 2026. There are multiple planning related initiatives outlined in the recently passed strategic plan. The strategic plan contains a prioritized list of action items shown below:

| Rank | Action Item                                                                                                                                      | Item # |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 1    | Update the Town's Parks and Recreation Plan                                                                                                      | 2.7    |
| 2    | Determine if the Board wants to pursue a Boardwalk in the Commercial Outdoor Recreation Overlay District                                         | 2.8    |
| 3    | Complete Stormwater Management Master Plan and develop an implementation plan with a list of projects for the annual Capital Improvement Program | 1.3    |
| 4    | Complete Water System Master Plan and develop an implementation plan with a list of projects for the annual Capital Improvement Program          | 1.4    |
| 5    | Develop Phase 2 of the Town Campus Master Plan                                                                                                   | 4.3    |
| 6    | Develop strategies to increase participation in the Septic Health Initiative                                                                     | 1.6    |
| 7    | Create a communication campaign highlighting Town accomplishments, staff, and services                                                           | 4.4    |
| 8    | Continue legislative advocacy                                                                                                                    | 4.10   |
| 9    | Create Organizational Development Strategies                                                                                                     | 4.6    |

Of the prioritized list, three of these are distinct planning items, including the two highest ranked items. Many of the other active action items are planning initiatives. Below is a comprehensive list of active planning related strategic

plan items.

### **Goal Area 1: Environment**

- 1.2 Implement the Estuarine Shoreline Management Plan
- 1.5 Implement the Decentralized Wastewater Management Plan with guidance from the Septic Health Advisory Committee
- 1.6 Develop creative strategies to increase participation in the Septic Health Initiative

### **Goal Area 2: Development**

- 2.1 Identify and correct areas of land use incompatibility within the town; correct inconsistencies between the Comprehensive Plan and the UDO
- 2.2 Review the character areas set forth in the Comprehensive Plan and suggest strategies for implementation
- 2.3 Develop and present an accessory dwelling unit (ADU) ordinance
- 2.4 Recommend non-regulatory approaches to minimize residential lighting impacts
- 2.5 Explore and pursue grant opportunities to leverage Town resources for infrastructure planning, maintenance and enhancements
- 2.6 Advocate to NCDOT for a corridor study of US 158 to improve safety while considering access, function and efficiency
- 2.7 Update the Town's Parks and Recreation Plan
- 2.8 Determine if the Board wants to pursue a boardwalk; work to implement strategies to activate the Commercial Outdoor Recreation Overlay District (CORD)

### **Goal Area 3: Economy**

- 3.1 Create strategies to connect the Town to local businesses, including ways to strengthen communication, resources, and partnerships
- 3.2 Create clarity in Town Code regarding the prohibition of beach commercialization, ensuring the beach remains a free accessible, and family-friendly resource

### **Goal Area 4: Community Services**

- 4.5 Create formal mechanisms to work with other local or state agencies including the National Park Service and NCDOT
- 4.9 Enhance the Arts & Culture program to celebrate and promote Nags Head's unique heritage and community identity

This list constitutes a rough work plan of items to be addressed over the next two years.

### **Attachments**

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- 1. 4 mm F1 Strategic Plan Revised Feb 2026



# TOWN OF NAGS HEAD, NC

## Strategic Plan 2026

Adopted, February 7, 2024 | Updated, February 27, 2026





## Board of Commissioners

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Nags Head's Board of Commissioners is the town's governing body, made up of a mayor and four elected commissioners. Together, they are responsible for setting the policies that guide how the town operates, including adopting local ordinances, approving the town's budget, and making key decisions about land use, infrastructure, and community services. All decisions are made in accordance with procedures established under North Carolina law.

Once the Board sets policy, the Town Manager is responsible for carrying out those directives through the town's professional staff. This structure ensures that elected officials remain accountable to residents while day-to-day operations are managed by experienced professionals.



(Pictured above from left to right: Mayor Ben Cahoon, Commissioner Molly Harrison, Commissioner Megan Vaughan, Mayor Pro Tem Megan Lambert, Commissioner Bob Sanders)

## 2026 Town of Nags Head Strategic Plan

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### Introduction

Welcome to the 2024–2026 Town of Nags Head Strategic Plan. A strategic plan is a formal document that describes where an organization wants to go and how it intends to get there. It is not a day-to-day operations guide; rather, it defines the most important priorities and long-term goals that will shape the community's future over the coming years.

This plan was developed collaboratively with input from community members, and through a joint effort of the Board of Commissioners and town staff. The starting point was the mission, vision, and goals from the 2021 Strategic Plan. We are grateful to everyone who contributed to that earlier work and to this updated version.



## Strategic Plan Process

### Community Involvement

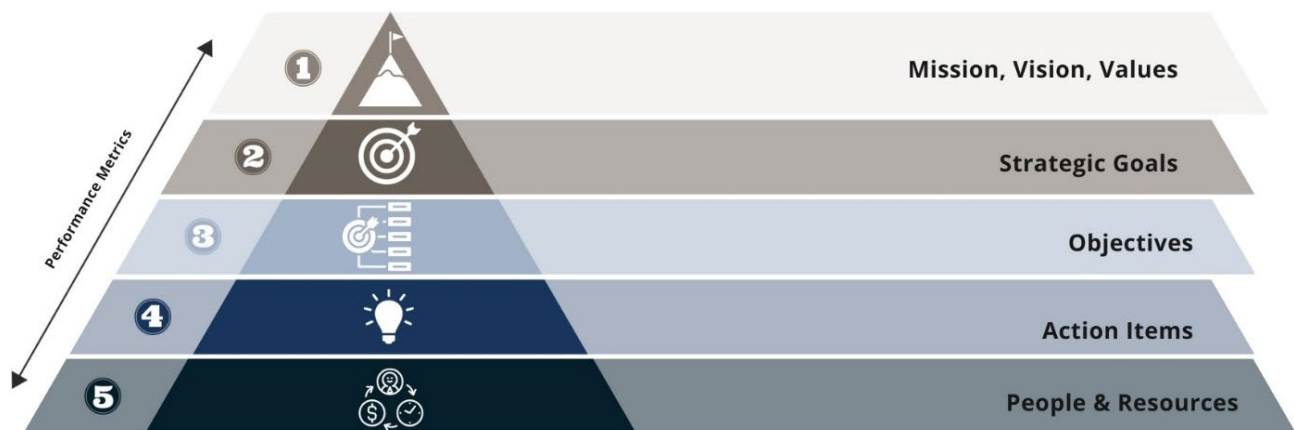
The foundation of this plan lies in the collective wisdom of Nags Head’s residents and property owners. In addition to reviewing strategic guidance from prior plans, the Town actively sought community input through the 2023 Community Survey to better understand residents’ needs, concerns, and aspirations for the town’s future. The insights gathered in the survey played a pivotal role in shaping the strategic priorities outlined in this plan.

### Joint Board and Staff Retreat

To ensure alignment between community expectations and administrative resources, the Board of Commissioners and Town staff held a planning retreat on November 16–17, 2023. The retreat gave the Board and staff the opportunity to review Community Survey results and other data, share ideas, and work collaboratively to set priorities.

The result is a strategic plan that reflects a shared vision and commitment to the town’s future. Staff and Board met again on October 18, 2024, and on February 27, 2026, to review progress and make updates to the plan.

## What’s Included in the Plan



### Goals, Objectives, and Strategic Action Items

The strategic plan goes beyond routine day-to-day operations. It defines a specific set of goals, objectives, and action items that guide the Town’s longer-term direction. These are forward-thinking and designed to address both current challenges and future opportunities.

Think of it this way: Goals are the broad outcomes the Town wants to achieve. Objectives are more specific areas of focus within each goal. Action items are the concrete steps the Town will take to make progress toward those objectives.





## Beyond Business as Usual

The strategic plan intentionally focuses on action items that go beyond routine government functions, things that require dedicated resources, planning, and leadership to accomplish. This helps ensure that the Town channels its energy efficiently and makes a lasting impact on Nags Head's future.

This does not mean that daily operations are unimportant. The work that Town staff perform every day, maintaining roads, providing public safety, managing utilities, and serving residents, is the essential foundation that everything else is built upon.

## Conclusion

The Town of Nags Head Strategic Plan is a dynamic roadmap that reflects the shared aspirations of our community, the dedication of our Board and staff, and a commitment to strategic action that will shape our town's future. As we continue on this journey together, we invite all residents and property owners to actively participate and contribute to the realization of our collective vision.



## Mission, Vision, and Goals

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As part of the strategic planning process, the Board of Commissioners reviewed and revised the Town's foundational statements. These statements provide the philosophical underpinning for everything in this plan.

### MISSION

To support the well-being of our citizens, property owners, and visitors by delivering municipal services in an open, respectful, and responsive manner.

### VISION

To thoughtfully preserve our unique coastal environment, heritage, and lifestyle now and for the future.

## Vision Statement — In Full

The Town of Nags Head is a unique coastal community built upon a legacy rooted in shared values, including our most recognized common bond, a love for the Outer Banks. We recognize that the town must be a good place to live before it can be a good place to visit. We strive to preserve and protect the Nags Head character, environment, tourism-based economy, and sense of place to ensure a high quality of life for residents and a memorable family vacation experience for present and future generations.

## Legacy

We uphold our legacy by protecting and promoting our small-town character that includes a sustainable local economy based on family vacation tourism, a high-quality beach experience, and small, locally owned businesses. Fundamental to our legacy and quality of life are preserving the historic architecture and culture that distinguishes our town; providing residents and visitors with excellent public services and well-maintained recreational amenities; and ensuring access to a well-protected natural coastal environment. Our legacy will be strengthened and preserved by a focused, transparent decision-making process that is comprehensive and consistent with the community's vision.



## Goals Overview

The following goals reflect the Town's highest-level strategic priorities. Each goal is broken down into specific objectives and action items in the section that follows. The four strategic goal areas are:

### ENVIRONMENT



*To safeguard our critical natural resources and coastal ecosystem.*

### DEVELOPMENT



*To achieve responsible, adaptive development that aligns with our community vision.*

### ECONOMY



*To promote a sustainable economy that supports residents and visitors.*

### COMMUNITY SERVICES



*To maintain an efficient government that provides high quality and cost-effective services.*



## Town of Nags Head Core Values

Core values define how the Town of Nags Head conducts itself, the principles and behaviors that guide our staff in serving the community every day. These values were developed collaboratively and reflect a shared commitment to excellence, integrity, and community service.

|                                                                                                                                                                                                                                                                                                                                                                                                                    |                                                                                                                                                                                                                                                                                                                                                                                                     |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p><b>Attitude is Key</b></p> <ul style="list-style-type: none"> <li>• The right attitude is critical to our success</li> <li>• We recognize that positivity is a force multiplier</li> <li>• We treat our community and each other with kindness and respect</li> <li>• We are honest and transparent with each other, even when it is uncomfortable</li> </ul>                                                   | <p><b>Our People are in the Know</b></p> <ul style="list-style-type: none"> <li>• We share relevant and timely information at all levels of the organization</li> <li>• Our community deserves to know what we are doing</li> <li>• We actively seek and value feedback</li> <li>• We communicate and follow-up; this is how we establish credibility</li> </ul>                                    |
| <p><b>We Do What's Right, for the Right Reasons</b></p> <ul style="list-style-type: none"> <li>• Accountability and integrity are principles we hold dearly</li> <li>• We honor our commitments and do what we say we are going to do</li> <li>• Each team member participates in decision making and takes ownership of the outcomes</li> <li>• We operate with a sense of urgency and get things done</li> </ul> | <p><b>We Are Community Stewards</b></p> <ul style="list-style-type: none"> <li>• Our goal is to provide top-tier community services</li> <li>• Our Town assets, our environment, and our people deserve our greatest effort and undivided attention</li> <li>• Nags Head has a legacy of strong leadership and values, and we carefully consider how this can be strengthened and upheld</li> </ul> |
| <p><b>Our People Matter</b></p> <ul style="list-style-type: none"> <li>• We recognize that the Town's workforce, our team, is the Town's greatest asset</li> <li>• We value different backgrounds, perspectives, and cultures</li> <li>• We create an environment where people can do their best work</li> </ul>                                                                                                   | <p><b>Excellence Requires Innovation &amp; Curiosity</b></p> <ul style="list-style-type: none"> <li>• Growth is accomplished by challenging the status quo</li> <li>• We encourage new ideas that positively impact how we do things</li> </ul>                                                                                                                                                     |



## Goals, Objectives, and Action Items

The following section outlines each strategic goal area in detail. For each goal, you will find a brief explanation of why that area matters to Nags Head, a set of specific objectives that define what success looks like, and a list of action items, the concrete steps the Town will take to make progress.

Action items are divided into two groups: Active items currently in progress and Completed & Ongoing items that have been accomplished or are now part of regular Town operations.

### GOAL AREA 1: ENVIRONMENT

Nags Head's natural environment, its beaches, dunes, estuaries, and water systems, is not only what makes the town beautiful, it is the economic engine that drives tourism and the quality of life that residents value. Protecting these resources requires proactive planning, public education, and significant infrastructure investment. This goal area focuses on the stewardship of Nags Head's natural assets for current and future generations.

*Goal: To safeguard our critical natural resources and coastal ecosystem.*

### Objectives

|                                                                    |                                                               |                                                                           |                                                                      |
|--------------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------------------|----------------------------------------------------------------------|
| <b>Objective #1</b><br>Maintain the natural resources that we have | <b>Objective #2</b><br>Mitigate the risk of natural disasters | <b>Objective #3</b><br>Educate the public about their natural environment | <b>Objective #4</b><br>Have a comprehensive strategy for clean water |
|--------------------------------------------------------------------|---------------------------------------------------------------|---------------------------------------------------------------------------|----------------------------------------------------------------------|

### Active Action Items

| #   | Action Item                                           | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | Related Objectives |
|-----|-------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1.1 | Create water rates that incentivize water stewardship | The Town engaged a consultant to complete a cost of service and water rate study, to determine an appropriate rate structure to fund both operating and capital costs to sustain the town's water service. The consultant has suggested several scenarios for the Board's consideration, including separating residential and non-residential customer classes, creating a seasonal rate structure, and charging irrigation at the peak rate. The rate study was conducted as part of the Water Master Plan Asset and Inventory Assessment (AIA) grant. Staff is working to complete the project in conjunction with a water system master plan with the goal of finalizing recommendations for the FY 2027-28 budget. | #1                 |
| 1.2 | Implement the Estuarine Shoreline Management Plan     | The Town is moving forward with several "living shoreline" projects, using natural materials to reduce erosion and flooding, at key sites, with grants, partnerships, and designs already in progress. The town is also considering offering an advisory service to property owners interested                                                                                                                                                                                                                                                                                                                                                                                                                         | #1, #2, #4         |



| #   | Action Item                                                                                                                                     | Description                                                                                                                                                                                                                                                                                                                                                                                                                      | Related Objectives |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
|     |                                                                                                                                                 | in completing nature-based shoreline stabilization solutions.                                                                                                                                                                                                                                                                                                                                                                    |                    |
| 1.3 | Complete Stormwater Management Plan and develop an implementation plan with a list of projects for the annual Capital Improvement Program (CIP) | The Town is updating its stormwater plan to assess drainage systems and create a long-term strategy for managing flooding and water runoff, funded by a state grant from the NC DEQ Division of Water Infrastructure. Early assessment work is complete, and the next steps include finalizing improvement plans, prioritizing projects, and gathering public input before presenting recommendations.                           | #1, #2, #4         |
| 1.4 | Complete Water System Master Plan and develop an implementation plan with a list of projects for the annual Capital Improvement Program (CIP)   | The Town is creating a Water System Master Plan to assess its water infrastructure and prioritize needed upgrades, with ongoing fieldwork to map pipe sizes and materials. This information will help guide future improvement projects once the study is completed.                                                                                                                                                             | #1, #2, #4         |
| 1.5 | Implement the Decentralized Wastewater Management Plan with guidance from the Septic Health Advisory Committee                                  | The Town is working on a plan to better manage septic systems to protect local water quality, including preparing a zero-interest repair loan program with support from the NC DEQ Division of Water Infrastructure and identifying the highest-risk properties for early action. At the same time, officials are increasing public awareness, improving system mapping, and gathering data to guide future septic improvements. | #1, #2, #4         |
| 1.6 | Develop creative strategies to increase participation in the Septic Health Initiative                                                           | The Town's Septic Health Initiative encourages residents to maintain their septic systems through education, outreach, and incentives, like water bill credits for septic tank pump outs, to help protect local water quality. Staff is expanding awareness through events, media, and targeted outreach, especially as they prepare to roll out additional support programs with the NC DEQ Division of Water Infrastructure.   | #3, #4             |
| 1.7 | Create an education program including a video series on the major threats to water quality in Nags Head (e.g., stormwater and wastewater)       | The Town created short educational videos to help residents understand water quality issues like runoff and failing septic systems and shared them on social media where they have gotten strong engagement. The videos will continue to be used online as part of ongoing outreach efforts.                                                                                                                                     | #3                 |





| #   | Action Item                                                                                                                                              | Description                                                                                                                                                                                                                                                                                                                     | Related Objectives |
|-----|----------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 1.8 | Update the One Water philosophy, an integrated approach to managing all water resources (drinking water, stormwater, and wastewater) as a unified system | The Town is updating its One Water philosophy, which takes an integrated approach to managing drinking water, stormwater, and wastewater as a single, coordinated system. This update will help guide long-term planning, improve resource efficiency, and support sustainable water management across all Town infrastructure. | #1, #2, #4         |

## Completed & Ongoing Items

The items below have been completed or are now part of the Town's regular business operations. They are recognized here as achievements and ongoing commitments.

| Action Item                                                                                                                                                                      | Status    | Related Objectives |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------------|
| Complete and implement Beach Nourishment Master Plan, including an engineering plan, a financial plan with recommended tax rates and revenues, and sprigging in all future plans | Completed | #1, #2, #4         |
| Consider the impacts of sea level rise and climate change in policies, ordinances, and planning studies                                                                          | Ongoing   | #1, #2, #3         |

## GOAL AREA 2: DEVELOPMENT

How and where development occurs in Nags Head has lasting consequences for the town's character, safety, and livability. This goal area addresses land use planning, infrastructure resilience, public spaces, and transportation. The aim is to ensure that development decisions reflect the community's values and protect both the built and natural environment.

**Goal:** *To achieve responsible, adaptive development that aligns with our community vision.*

## Objectives

|                                                                           |                                                                        |                                                                                    |                                                                                |
|---------------------------------------------------------------------------|------------------------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|
| <b>Objective #1</b><br>Proactively balance appropriate types of land uses | <b>Objective #2</b><br>Ensure resilient development and infrastructure | <b>Objective #3</b><br>Ensure public spaces are preserved and maintained equitably | <b>Objective #4</b><br>Ensure efficient traffic movement and pedestrian safety |
|---------------------------------------------------------------------------|------------------------------------------------------------------------|------------------------------------------------------------------------------------|--------------------------------------------------------------------------------|



## Active Action Items

| #   | Action Item                                                                                                                                                           | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                       | Related Objectives |
|-----|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 2.1 | Identify and correct areas of land use incompatibility within the town; correct inconsistencies between the Comprehensive Plan and the Unified Development Ordinance. | Staff have begun reviewing mismatches between its long-term plan and zoning rules, but progress has largely been paused after Senate Bill 382 limited its ability to reduce or change property uses. Some of these inconsistencies included: revisiting the Hotel Overlay District, identifying areas where zoning and existing development patterns are misaligned, examining Beach Road vs US 158 corridor uses, and reviewing allowable uses within the Commercial Outdoor Recreation District.                                                                                                                                                | #1                 |
| 2.2 | Review the character areas set forth in the Comprehensive Plan and suggest strategies for implementation                                                              | The town's Comprehensive Plan describes several planning areas within the town with specific strategies to achieve a desired character. The Town is focusing first on improving the Whalebone Junction and Commercial Outdoor Recreation District areas by coordinating several projects, including shoreline restoration, a soundside boardwalk, park upgrades, and efforts to improve walkability and connections to nearby destinations like Jennette's Pier and the Soundside Event site. This area is a priority because multiple related projects are already underway, with plans to review other areas later as time and resources allow. | #1, #2             |
| 2.3 | Develop and present an accessory dwelling unit (ADU) ordinance                                                                                                        | The Town has explored creating an ordinance for accessory dwelling units (ADUs), which are smaller secondary homes on the same property as a main house, with public input showing support, especially for long-term rentals and attached units, while noting concerns about neighborhood character. The ordinance would include a menu of optional provisions covering zoning districts allowed, minimum lot size, maximum square footage, height limits, deed restrictions, and parking requirements.                                                                                                                                           | #1, #2             |
| 2.4 | Recommend non-regulatory approaches to minimize residential lighting impacts                                                                                          | This may include education on dark sky benefits, a program to provide residents with free light shields, a 'keep it dark' campaign, turtle-friendly lighting guidelines, and education on security lighting that avoids nuisance impacts on neighbors. Currently the town has developed a Dark Skies, Bright Stars initiative. Staff is educating the public through demonstrations, the Town's website, local partnerships, and tracking sky quality. Future work may also consider limited regulations for residential lighting.                                                                                                                | #1                 |
| 2.5 | Explore and pursue grant opportunities to leverage Town resources for                                                                                                 | The Town actively pursues grants to support infrastructure projects, having secured millions for stormwater improvements, shoreline restoration, beach access, and conservation initiatives. Staff continue to explore                                                                                                                                                                                                                                                                                                                                                                                                                            | #2                 |



| #   | Action Item                                                                                                                                             | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Related Objectives |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
|     | infrastructure planning, maintenance, and enhancements                                                                                                  | upcoming opportunities for beach access, boardwalks, solar projects, disaster relief, and coastal resilience programs, while maintaining flexibility to pursue additional grants that align with Board priorities.                                                                                                                                                                                                                                                                                                                                            |                    |
| 2.6 | Advocate to NCDOT (NC Department of Transportation) for a corridor study of US 158 to improve safety while considering access, function, and efficiency | The Town is advocating for a corridor study to improve safety and traffic flow along US 158. This would analyze safety and efficient traffic movement within the town and could involve creating a median divided facility. This was a recommendation from the Dare County Comprehensive Transportation Plan. This study would be funded through the NCDOT State Transportation Improvement Program. State funding through the STIP is not yet confirmed. This effort may require legislative assistance to affect the timeline and priority of this project. | #4                 |
| 2.7 | Update the Town's Parks and Recreation Plan                                                                                                             | The Town seeks to update its Parks and Recreation Plan, replacing the 2012 version to reflect community growth, recent park improvements, and evolving needs. The process will involve a consultant team with coastal expertise, community engagement, and a focus on practical, implementable strategies, including ocean and sound access, beach parking, and Whalebone Park amenities, resulting in a community-driven plan that guides future investments and strengthens eligibility for PARTF grants.                                                   | #1, #3             |
| 2.8 | Determine if the Board wants to pursue a boardwalk; work to implement strategies to activate the Commercial Outdoor Recreation Overlay District (CORD)  | The Town is exploring future options for enhancing commercial recreation and pedestrian connectivity, including a potential boardwalk extension in the town's Commercial Outdoor Recreation Overlay District (CORD). This action item includes refining and implementing strategies to achieve the development goals as described for these areas in the town's Comprehensive Plan.                                                                                                                                                                           | #1                 |



## Completed & Ongoing Items

The items below have been completed or are now part of the Town's regular business operations.

| Action Item                                                                                                                                                                    | Status    | Related Objectives |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------------|
| Place conservation easements on Town-owned properties, ensuring equitable public access to these lands                                                                         | Completed | #3                 |
| Implement the current model for streets, water, and stormwater Capital Improvement Program (CIP) projects; incorporate projects resulting from infrastructure planning studies | Completed | #2                 |
| Develop and recommend a process for handling neighborhood requests for traffic calming measures                                                                                | Completed | #4                 |
| Discuss the existing Pedestrian Plan priorities with the Board                                                                                                                 | Completed | #4                 |
| Develop an initiative to improve pedestrian safety at crosswalks and reduce user conflicts on multi-use paths                                                                  | Completed | #4                 |



## GOAL AREA 3: ECONOMY

Nags Head's economy is largely driven by tourism. Maintaining a healthy local economy means supporting the businesses that depend on that tourism while also ensuring that the workforce who serve both residents and visitors have access to housing and stable employment. This goal area also addresses protecting the beach itself, the Town's most valuable economic asset, from over-commercialization.

*Goal: To promote a sustainable economy that supports residents and visitors.*

### Objectives

|                                                                     |                                                               |                                                                                                |
|---------------------------------------------------------------------|---------------------------------------------------------------|------------------------------------------------------------------------------------------------|
| <b>Objective #1</b><br>Provide workforce housing for Town employees | <b>Objective #2</b><br>Support and encourage small businesses | <b>Objective #3</b><br>Maintain a free, family-friendly, non-commercial, well-maintained beach |
|---------------------------------------------------------------------|---------------------------------------------------------------|------------------------------------------------------------------------------------------------|

### Active Action Items

| #   | Action Item                                                                                                                                                   | Description                                                                                                                                                                                                                                                                                                                                                    | Related Objectives |
|-----|---------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 3.1 | Create strategies to connect the Town to local businesses, including exploring ways to strengthen communication, resources, and partnerships                  | This could include new communication methods such as a newsletter for businesses, establishing a staff liaison to the business community, exploring new partnerships, enhancing sponsorship programs, collaborating on events, and continuing programs and services for businesses through police, fire and other departments.                                 | #2                 |
| 3.2 | Create clarity in Town Code regarding the prohibition of beach commercialization, ensuring the beach remains a free, accessible, and family-friendly resource | The Town is reviewing and updating its code to reinforce the long-standing policy of keeping the ocean and estuarine beaches free, family-friendly, and non-commercial. Staff have completed an internal review of rules on rentals, concierge services, and other commercial activities, with plans to finalize and present proposed amendments to the Board. | #3                 |



## Completed & Ongoing Items

The items below have been completed or are now part of the Town's regular business operations.

| Action Item                                                                                                                                                                                                                                                 | Status    | Related Objectives |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------|--------------------|
| Participate in Dare County's Housing Taskforce; apply a menu of strategies from the Taskforce to the Town's housing needs. The town is currently participating in the Dare Housing Foundation.                                                              | Completed | #1                 |
| Evaluate optimal housing options for Ocean Rescue staff within the Town Campus Master Plan, and explore opportunities to accommodate additional employees                                                                                                   | Completed | #1                 |
| Continue to monitor and facilitate educational opportunities regarding over-occupancy issues (including wastewater, traffic, sanitation, and noise), engaging local real estate agencies, the Outer Banks Association of Realtors, and local event planners | Ongoing   | #2                 |

## GOAL AREA 4: COMMUNITY SERVICES

The quality of services delivered by the Town of Nags Head, from public safety and beach operations to administration and communications, directly shapes the experience of every resident and visitor. This goal area focuses on building the internal capacity of Town government to deliver excellent services, communicate effectively, and collaborate with partner agencies to expand what the Town can offer.

**Goal:** *To maintain an efficient government that provides high quality and cost-effective services.*

### Objectives

|                                                                                                         |                                                                                         |                                                                                                                                              |                                                                                                                         |                                                                                                    |
|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|
| <b>Objective #1</b><br>Maintain a work environment where people feel valued, appreciated, and respected | <b>Objective #2</b><br>Provide friendly, accommodating, and responsive customer service | <b>Objective #3</b><br>Provide the highest quality services possible and review the needs of the community to ensure resources are available | <b>Objective #4</b><br>Enhance internal and external communication that reflects the Town's goals, values, and heritage | <b>Objective #5</b><br>Collaborate with other local and state agencies to align or expand services |
|---------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------|





## Active Action Items

| #   | Action Item                                                                                                                                                       | Description                                                                                                                                                                                                                                                                                                                                                                                                                                                   | Related Objectives |
|-----|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
| 4.1 | Develop strategies to integrate the Town's Total Rewards philosophy into daily operations                                                                         | The Town's Total Rewards Program supports employees through pay, benefits, recognition, and development, aiming to create a positive, competitive, and fiscally responsible work environment. Recent updates include a new evaluation system, merit-based pay, service awards, updated health insurance, and participation in a cooperative for better medical cost management, with ongoing improvements to mental health, longevity, and wellness benefits. | #1                 |
| 4.2 | Discuss what department performance data is most meaningful to the Board, and determine the best way to regularly report that data                                | The Town has developed draft Key Performance Indicators (KPIs) for all departments to track progress and align with strategic goals. Staff will work to update and/or create new reporting mechanisms for the board and the community to track progress and provide information on town services and initiatives.                                                                                                                                             | #2, #3             |
| 4.3 | Develop Phase 2 of the Town Campus Master Plan, which guides the long-term development and use of Town-owned facilities and properties                            | The Town Campus Master Plan is guiding development of Town facilities to meet current and future needs, with construction underway on a combined Wellness Center and Ocean Rescue housing facility set for completion in September 2026. Additionally, the Town purchased property for a potential future fire station and is planning improvements to the Board meeting room and other facilities as part of long-term campus development.                   | #3                 |
| 4.4 | Create a communication campaign highlighting Town accomplishments, staff, and services to keep the community informed and engaged                                 | This initiative involves developing a coordinated communication campaign to showcase the Town's achievements, recognize staff contributions, and explain available services, helping residents stay informed, feel connected, and engaged with local government activities.                                                                                                                                                                                   | #1, #3             |
| 4.5 | Create formal mechanisms to work with other local or state agencies to align initiatives, including the National Park Service and NC Department of Transportation | The Town is working to strengthen collaboration with local and state agencies to address regional challenges more effectively. Current efforts include coordinating with NCDOT, participating in county housing and legislative initiatives, engaging in interagency groups on shoreline and coastal management, and identifying opportunities, like resuming quarterly regional shoreline meetings, to improve coordinated planning and communication.       | #5                 |
| 4.6 | Create Organizational Development strategies                                                                                                                      | Human Resources is creating a structured approach to strengthen the workforce and leadership. Talent reviews                                                                                                                                                                                                                                                                                                                                                  | #1, #3             |



| #    | Action Item                                                                                                       | Description                                                                                                                                                                                                                                                                                                                                                                                                                           | Related Objectives |
|------|-------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------|
|      | including talent review, succession planning, team building, and leadership training                              | and succession planning ensure critical roles are filled smoothly and future leaders are prepared, team-building initiatives improve collaboration and morale, and leadership training equips staff with skills to manage teams effectively, adapt to change, and deliver services more efficiently to the community.                                                                                                                 |                    |
| 4.7  | Enhance Ocean Rescue services and staffing to ensure the highest level of beach safety for residents and visitors | The Town is working to strengthen Ocean Rescue services by making the current captain position year-round and considering adding a lieutenant to replace the existing hybrid summer/fall-firefighting role, ensuring consistent leadership and maintaining the highest level of beach safety for residents and visitors.                                                                                                              | #3                 |
| 4.8  | Consider restructuring the Water Department to improve efficiency and service delivery                            | The Town is considering restructuring the Water Department to improve efficiency and service. The town will evaluate strategies to most effectively utilize staff in water operations and water distribution and may even consider a long-term plan to combine the divisions.                                                                                                                                                         | #2, #3             |
| 4.9  | Enhance the Arts & Culture program to celebrate and promote Nags Head's unique heritage and community identity    | Consideration is being given to adding a part-time, year-round support position for the Arts & Culture program to help with event coordination, logistics, communications, and on-site operations. The goal would be to provide continuity beyond seasonal staff, reduce reliance on a single coordinator, and support the growing year-round event schedule, improving program efficiency, sustainability, and community engagement. | #3, #4             |
| 4.10 | Continue legislative advocacy at the state and federal level to advance Nags Head's interests                     | The Board and staff will continue to engage in state and federal legislative advocacy, working with lobbyists and traveling to government offices to represent Nags Head's interests. These efforts help advance funding, policy, and regulatory priorities that support the Town's infrastructure, services, and long-term goals.                                                                                                    | #3, #5             |

## Completed & Ongoing Items

The items below have been completed or are now part of the Town's regular business operations.

| Action Item                                                                                             | Status    | Related Objectives |
|---------------------------------------------------------------------------------------------------------|-----------|--------------------|
| Highlight high-performing employees and accomplishments to the Board and the public throughout the year | Ongoing   | #1                 |
| Design and implement a performance-based merit structure as part of the FY 2024–25 budget process       | Completed | #1, #2             |



## New Action Item Priorities

At the planning retreat, the Board and staff were asked to identify the action items they considered most important and most urgent. The items below represent those top priorities, listed in ranked order. These will receive focused attention and resources in the near term.

| Rank | Action Item                                                                                                                                      | Item # |
|------|--------------------------------------------------------------------------------------------------------------------------------------------------|--------|
| 1    | Update the Town's Parks and Recreation Plan                                                                                                      | 2.7    |
| 2    | Determine if the Board wants to pursue a Boardwalk in the Commercial Outdoor Recreation Overlay District                                         | 2.8    |
| 3    | Complete Stormwater Management Master Plan and develop an implementation plan with a list of projects for the annual Capital Improvement Program | 1.3    |
| 4    | Complete Water System Master Plan and develop an implementation plan with a list of projects for the annual Capital Improvement Program          | 1.4    |
| 5    | Develop Phase 2 of the Town Campus Master Plan                                                                                                   | 4.3    |
| 6    | Develop strategies to increase participation in the Septic Health Initiative                                                                     | 1.6    |
| 7    | Create a communication campaign highlighting Town accomplishments, staff, and services                                                           | 4.4    |
| 8    | Continue legislative advocacy                                                                                                                    | 4.10   |
| 9    | Create Organizational Development Strategies                                                                                                     | 4.6    |

## Plan Implementation

A strategic plan is only as valuable as its implementation. To ensure that this plan drives real results, the Town has established clear accountability and tracking mechanisms.

### Champions & Timelines

For each action item, Town staff have identified a responsible 'champion,' a staff member who will oversee progress and coordinate efforts. Most action items are designed to be implemented within two years. Some items are ongoing and will be addressed through the Town's annual Capital Improvement Program (CIP) and budget process.

### Progress Reporting

Formal updates on the progress of implementation will be provided to the Board of Commissioners twice per year. Staff will develop tracking mechanisms to monitor each action item. The strategic plan will continue to be updated annually, typically in the fall, so that action items can be considered in the upcoming budget cycle, which begins in February/March each year.

