



AGENDA

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

TUESDAY, JULY 15, 2025; 9:00 AM

REGULAR SESSION

A. CALL TO ORDER

B. APPROVAL OF AGENDA

C. PUBLIC COMMENT/AUDIENCE RESPONSE

D. APPROVAL OF MINUTES

1. May 20th, 2025

E. ACTION ITEMS

1. Consideration of a text amendment request submitted by TW's Outdoor Outfitters, LLC to amend Section 10.86.2.4.2 of the Unified Development Ordinance to reduce the required building separation from 20 feet to 10 feet when the additional building serves as an accessory use to the principal commercial use on the same site.

F. REPORT ON BOARD OF COMMISSIONERS ACTIONS

1. June 11th and July 2nd, 2025

G. TOWN UPDATES - AS REQUESTED

H. DISCUSSION ITEMS

1. Continued discussion of Strategic Plan Action Item 2.2 as it relates to the examination of allowable uses within the Commercial Outdoor Recreation Overlay District.
2. Planning & Development Directors Report, June 11th and July 2nd, 2025.
3. Attorney Lauren Arizaga-Womble will provide Planning Board training at the August 19th, 2025, meeting.

I. PLANNING BOARD MEMBERS' AGENDA

J. PLANNING BOARD CHAIRMAN'S AGENDA

K. ADJOURNMENT

**Town of Nags Head
Planning Board
May 20, 2025**

The Planning Board of the Town of Nags Head met on Tuesday, May 20th, 2025, in the Board Room at the Nags Head Municipal Complex.

Planning Chair Megan Vaughan called the meeting to order at 9:00 a.m. as a quorum was present. Chair Vaughan noted that Mr. Elder would not be present for the meeting. She also mentioned that Kristy Wright had sent an email regarding her departure and expressed appreciation for her years of loyal service. Chair Vaughan stated that the Board of Commissioners would work on replacing her in the coming months.

Members Present

Megan Vaughan, Meade Gwinn, Molly Harrison, David Thompson, Basil Belsches

Members Absent

David Elder

Others Present

Kelly Wyatt, Joe Costello, Andy Garman, David Ryan, Lily Nieberding

Approval of Agenda

David Thompson moved to approve the agenda as presented, Meade Gwinn seconded, and the motion passed by unanimous vote.

Public Comment/Audience Response

None

Approval of Minutes

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

Mr. Gwinn pointed out a correction needed in the minutes. He noted that Macey White was referenced as working for Village Realty, but she actually works for Seaside Realty Management.

Action Items

Consideration of Site Plan Amendment submitted by the Town of Nags Head for the redevelopment of the existing Employee Wellness Facility, located at 5401 S. Croatan Highway, Nags Head.

Planning Director Kelly Wyatt presented the site plan amendment for the redevelopment of the existing employee wellness facility. She explained that the town was the applicant for this project,

which involves the construction of a 2-story, 3,200 square foot employee wellness facility with two residential workforce housing units above, along with associated site improvements.

Key points of the presentation included:

- The property is currently zoned R3 and is being considered for rezoning to SPDC Institutional.
- A 10-foot wide transitional protective yard is required along the southern property line.
- The property is in an X flood zone with a local elevation standard of 9 feet. The proposed building will be elevated to 10 feet.
- The project is consistent with the 2017 Comprehensive Plan and Future Land Use Plan.
- Lot coverage will slightly decrease from 44.12% to 44% with the redevelopment.
- The building height will be 34 feet, complying with the 35-foot limit.
- The building design meets architectural standards with 155 residential design points.
- Parking requirements are met when considering the entire town hall facility.
- Landscaping and buffering requirements are met.
- No lighting or signage is proposed at this time.
- Wastewater approval is in process with the Dare County Health Department.

Chair Vaughan inquired about the hours of operation for the fitness facility. Town Manager Andy Garman explained that it would use a badge system, allowing 24/7 access for employees. Mr. Garman confirmed for Mr. Gwinn that Planning Board members can get a badge to use the facility; those interested can contact Jan Mielke, Human Resources.

Mr. Garman confirmed for Mr. Belsches that the units would be furnished.

Board members expressed support for the project, particularly the inclusion of workforce housing. David Thompson noted that the town was leading by example and setting a good precedent.

David Thompson moved to recommend approval of the Site Plan Amendment as presented. Basil Belsches seconded, and the motion passed unanimously.

Nomination of Planning Board member to serve on the Septic Health Advisory Committee (SHAC).

Basil Belsches volunteered to serve on the Septic Health Advisory Committee, citing his background from working on the decentralized wastewater management project.

There being no other volunteers, Chair Vaughan called for a motion.

A motion to nominate Mr. Belsches to serve on the Septic Health Advisory Committee was made by Molly Harrison and seconded by Meade Gwinn. The motion passed unanimously.

Ms. Wyatt informed Mr. Belsches that the next SHAC meeting would be on May 28th at 10 AM in the conference room at Town Hall. Ms. Wyatt offered to send him notes to catch up on the committee's current work, including the distribution of a \$500,000 grant through a no-interest loan program for high-risk properties.

Report on Board of Commissioners Actions – May 7, 2025

Ms. Wyatt provided a brief report on the Board of Commissioners' actions from their May 7th meeting. Of note: the consent agenda included the map amendment for rezoning the southern portion of the employee wellness facility property from R3 to Village Institutional, as well as the associated text amendment; Ms. Wyatt gave an update on a draft scope and framework for implementing the

\$500,000 zero-interest loan awarded by the Division of Water Infrastructure; Deputy Planning Director Joe Costello presented information on a collaboration opportunity with the county through the hazard mitigation grant program for property elevation or acquisition.

Town Updates

Ms. Harrison requested, and Ms. Wyatt gave an update on the recent BOA case and variance that was granted for a property on Lakeside Street.

Mr. Gwinn requested more information, and Mr. Costello gave more details regarding the house elevations/acquisitions opportunity through the Hazard Mitigation Grant Program.

Discussion Items

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

Mr. Costello presented an update on the examination of allowable uses within the Commercial Outdoor Recreation Overlay District (CORD). He reviewed the area covered by the overlay district and discussed potential changes to allowed uses, and infrastructure improvements.

Key points of the discussion included:

- The need to support existing businesses by allowing flexibility and expansion of uses.
- Consideration of removing some C2 uses from the CORD that may be incompatible.
- Managing heights and development to keep the sound visible and accessible.
- Potential for the area to become a second major activity center for seasonal tourists.
- Improving connectivity between the Whalebone activity area and the sound side activity node.
- Developing a way-finding action plan and considering public art installations.
- Continuing to implement and update the pedestrian plan.
- Advocating for the US 158 access management plan.

David Thompson emphasized the popularity of boardwalks along the water, referencing recent articles in Southern Living magazine. He suggested that such attractions could draw people away from the beach and create new opportunities for activities.

Chair Vaughan inquired about public input. Board members discussed the importance of public input with Mr. Thompson noting that with public engagement “we’ll get more ideas”. Mr. Gwinn agreed noting that “public input would be valuable”. Staff and the Board agreed that they need to clearly define what input they’re looking for.

Chair Vaughan suggested prioritizing items that don’t rely on possible legislation. The Board and Staff agreed that focusing on infrastructure improvements and wayfinding could generate interest and excitement about the area.

Staff will prioritize potential actions and continue the discussion at the next meeting.

Planning & Development Director’s Report – May 7th, 2025

Ms. Wyatt provided brief updates on ongoing projects and activities:

- The Estuarine Shoreline Management Plan is progressing, with recent drone imagery captured to identify subaquatic vegetation.

- The sand relocation phase of the dune management program has ended, but applications for dune cost share program are still being accepted until mid-June.
- The Planning Department achieved good permit turnaround times in the third quarter.
- Summer events at Dowdy Park are starting, with yoga sessions already underway.

Planning Board Members' Agenda

None

Planning Board Chairman's Agenda

None

Adjournment

Town Manager Andy Garman invited board members to attend an open house at the new Public Services Complex following the meeting.

A motion to adjourn was made by Molly Harrison. The time was 9:50 AM.

Respectfully submitted,
Lily Campos Nieberding



AGENDA ITEM SUMMARY

Town of Nags Head Planning Board

REGULAR SESSION: July 15, 2025

AGENDA ITEM E.1.

Consideration of a text amendment request submitted by TW's Outdoor Outfitters, LLC to amend Section 10.86.2.4.2 of the Unified Development Ordinance to reduce the required building separation from 20 feet to 10 feet when the additional building serves as an accessory use to the principal commercial use on the same site.

Prepared by

Kelly Wyatt, Planning Director

Reviewed by

Kelly Wyatt

Staff Comments/Recommendation

Staff believe that the requested text amendment to the UDO is inconsistent with the Town's adopted Comprehensive Plan and would recommend denial of the proposed amendment. The town's development pattern has consistently favored smaller-scale, visually distinct structures with adequate building separation to support aesthetic quality and community character. The current 20-foot separation contributes to improved environmental elements, including enhanced air flow, light access, and opportunities for stormwater infiltration and landscaping between structures. These are all factors that contribute to the town's integrity, sustainability and resiliency. Reducing the building separation requirement would undermine these objectives and could set a precedent inconsistent with the overall goals of the Commercial Design Standards as well as the Comprehensive Plan.

Specific Action Requested

This item is provided for Board review and recommendation.

Summary

Consideration of a text amendment submitted by Chris Greening of TW's Outdoor Outfitters, LLC to amend Section 10.86.2.4.2 of the Unified Development Ordinance (UDO), specifically the Commercial Design Standards related to Building Size/Dimensions. The proposed amendment would reduce the minimum required building separation on properties with multiple buildings from twenty (20) feet to ten (10) feet when the building serves as an accessory use to the principal commercial use on the same site.

Section 10.86.2.4.2 is part of the broader Commercial Design Standards established to guide the appearance and form of commercial development in the Town of Nags Head. The entirety of the Town's Commercial Design Standards can be reviewed [HERE](#). The specific section reads:

Section 10.86 - Building Size/Dimensions

10.86.2. Standards.

10.86.2.4. To prevent the appearance of large, disproportionate, and/or "strip" style buildings, the following standards shall apply:

10.86.2.4.1. The length of a principal building shall not exceed three times the width of the building. The length shall be considered the longest dimension of the structure to include porches and open decks. The width shall be considered to be the widest consistent dimension through at least forty percent (40%) of the length of the building,

which may be interrupted; for example, if a building has a width of twenty-two (22) feet for 20% of its length, reduces to a width of 18' for 60% of its length, and then widens to a width of 20' for 20% of its length, the building shall be determined to have a width of 20' and shall have a length of no more than 60'.



10.86.2.4.2. Properties with multiple buildings shall have each building separated by at least twenty (20) feet and shall not have the appearance of being one structure. For example, multiple buildings may appear to be one structure where there is a continuous roofline over the main structure that carries between two buildings.

10.86.2.4.3. Buildings shall be connected using exterior pedestrian walkways. Covered walkways are allowed; however, the roof covering the walkway shall be generally limited to the walkway itself.

BACKGROUND

The Town adopted its first Commercial Design Standards in May 2004, with the intent of promoting development that is consistent with the community’s architectural character and scale. The standards emphasize smaller-scale structures and discourage long, linear, or strip-style buildings.

From a historical perspective:

- **1977 Zoning Ordinance:** While there was no 3:1 length-to-width limitation at that time, group developments were permitted by conditional use, with a requirement that buildings be separated by no less than 20 feet.
- **1983 Zoning Ordinance:** Introduced language limiting the length of principal residential and commercial structures to three (3) times their width.
- **1987–1988 Ordinances:** Carried forward both the 3:1 length-to-width ratio and the 20-foot separation requirement for group developments and shopping centers.
- This language and intent remained consistent through subsequent zoning ordinance updates and was ultimately incorporated into the UDO's Commercial Design Standards in 2019.

This longstanding emphasis on separation and scale reflects the town’s desire to preserve its character, promote pedestrian-scale development, and avoid the visual monotony of large, uninterrupted commercial facades.

While text amendments apply broadly and are not site-specific, it is helpful to understand that this request is driven by the applicant’s intent to develop a retail complex that includes both principal retail space and accessory storage space within a single structure. However, the existing 3:1 length-to-width limitation and the 20-foot minimum building separation standard present design challenges for the proposed configuration. The applicant has indicated that reducing the required building separation to 10 feet may allow the project to move forward in a manner consistent with their goals.

It is worth noting that in October 2024, the applicant successfully requested a rezoning of the subject property from C-3, Commercial Services to C-2, General Commercial, stating the desire to pursue constructing uses such as retail that were not permitted in the C-3, Commercial Services District. The C-3 District has historically been exempt from these dimensional limitations due to its intended use for higher-intensity, utility-oriented, or light industrial land uses that are generally incompatible with residential and commercial districts.

COMPREHENSIVE LAND USE PLAN 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:

- Development that blends with the landscape, preserving natural vegetation, open spaces, and environmental quality.
- Buildings with a residential scale and appearance with low heights and small footprints that are designed to reflect the heritage of Nags Head.
- Commercial development that serves the needs of residents and visitors but respects the goals of the community related to design and appearance.

LU-15: Promote architectural standards for commercial development in keeping with the Nags Head style architecture.

- LU-15a: Examine buildings constructed since the architectural requirements were established and determine if the regulations have created the desired scale and appearance for commercial development. Identify examples of favorable design projects and determine how the regulations or guidelines should be modified to achieve this.

LU-24: Support land use compatibility and business development through flexibility in the application of design standards that achieve project goals and preserves the overall spirit and intent of the town's ordinances and land use goals.

In support of Land Use Policy LU-15 of the Town's Comprehensive Land Use Plan, which encourages the Town to *"examine buildings constructed since the architectural requirements were established and determine if the regulations have created the desired scale and appearance for commercial development". Identify examples of favorable design projects and determine how the regulations or guidelines should be modified to achieve this.*

Staff reviewed aerial imagery and GIS data to evaluate several larger, strip-style commercial developments within the town. The purpose of this review is to compare the year of construction with the implementation of applicable design standards, particularly the 3:1 length-to-width limitation and the 20-foot minimum building separation requirement, and assess general compliance and visual outcomes.

Below is a summary of the findings: Outlets Nags Head (Developed 1990): Appears to generally comply with the 3:1 length-to-width ratio. Building separations vary between approximately 40 and 60 feet; however, the continuous roofline may create the visual impression of a single, uninterrupted structure when viewed from the roadway.

- Outer Banks Mall (Developed 1983):

Constructed prior to the adoption of many of the current architectural standards.

- Croatan Center (Developed 1996):

It seems to meet the 3:1 length-to-width ratio, and the buildings are separated by 20 feet. Despite this, the shared continuous roofline reduces the visual distinction between buildings, giving the development the appearance of a single, extended structure.

- Surfside Plaza (Developed 1978):

Constructed prior to the adoption of many of the current architectural standards but does meet the 20-foot separation which was in place in 1977.

- Pirates Quay (Developed 1984):

Constructed shortly after the adoption of the 3:1 requirement. Based on available imagery, the structure does not appear to meet the 3:1 length-to-width ratio.

- South Beach Plaza (Developed 2007–2008):

Developed under the Group Development use provisions. The buildings comply with both the 3:1 length-to-width requirement and the 20-foot separation standard. This development demonstrates more compliance with the Town's Commercial Design Standards and offers a more articulated and visually separated form.

STAFF ANALYSIS

Staff does not support the proposed text amendment to reduce the required building separation from 20 feet to 10 feet for accessory-use buildings. The current standard is not just about function but is fundamentally about the visual form and character desired within the town. The 20-foot separation achieves several objectives:

- Maintains the desired architectural style and visual breaks along commercial corridors, helping to prevent the appearance of large or strip-style buildings.
- Enhances pedestrian and public realm experiences, creating a more human-scale environment with a sense of space and openness.
- Promotes environmental benefits, including better air circulation and natural light penetration between structures.
- Improves fire safety and building access, ensuring that emergency personnel and equipment can adequately access areas between buildings. While this request is for a text amendment, it is important to note that such amendments are not site-specific. Although the applicant may have a particular development design in mind, any future site plan would be subject to applicable building and fire codes, which may impose additional requirements related to building separation, fire suppression, emergency access routes, and overall accessibility. These elements are not evaluated through the text amendment process. Should the applicant proceed with development, detailed review by the relevant departments would be required during the Technical Review phase, prior to Site Plan Review by the Planning Board and Board of Commissioners.

Allowing a reduced building separation, even if the secondary structure is an accessory in use, compromises the intent of the standard. From a visual standpoint, the reduced distance with roof overhangs, etc. would likely convey as a single structure, particularly when viewed from US Highway 158 or neighboring properties. The accessory function of the interior space does not mitigate the exterior visual effect.

As noted by the applicant, properties in the C-3 district are exempt from these dimensional requirements, which is

consistent with that district's intended use for utility and light industrial purposes. However, the subject property is now zoned C-2, General Commercial, where compatibility with surrounding development and architectural standards is expected.

If the Planning Board is inclined to recommend approval of this amendment, it is important to note that the requested amendment would revise the Commercial Design Standards and would affect all commercial development within the Town, not just the site the applicant is interested in developing. This would represent a departure from a long-standing policy direction maintained since at least the mid-1980s.

STAFF RECOMMENDATION

Staff believe that the requested text amendment to the UDO is inconsistent with the Town's adopted Comprehensive Plan and would recommend denial of the proposed amendment. The town's development pattern has consistently favored smaller-scale, visually distinct structures with adequate building separation to support aesthetic quality and community character. The current 20-foot separation contributes to improved environmental elements, including enhanced air flow, light access, and opportunities for stormwater infiltration and landscaping between structures. These are all factors that contribute to the town's integrity, sustainability and resiliency. Reducing the building separation requirement would undermine these objectives and could set a precedent inconsistent with the overall goals of the Commercial Design Standards as well as the Comprehensive 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

1. TW's Text Amendment Ordinance
2. TW's Text Amend Application

(DRAFT)
**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN
OF NAGS HEAD, NORTH CAROLINA AS IT PERTAINS TO BUILDING SEPARATION
WITHIN THE COMMERCIAL DESIGN STANDARDS.**

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, Chris Greening of TW’s Outdoor Outfitters, LLC has requested that Section 10.86.2.4.2 of the Unified Development Ordinance, be amended to reduce the minimum required building separation on properties with multiple buildings from 20 feet to 10 feet when the additional building serves as an accessory use to the principal commercial use on the same site.

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 **Section 10.86.2.4.2, Building Size/Dimension Standards,** shall be amended as follows:

10.86.2.4.2. Properties with multiple buildings shall have each building separated by at least twenty (20) feet and shall not have the appearance of being one structure. This separation may be reduced to ten (10) feet if the additional building is deemed to be an accessory use, serving the principal commercial use on the same site. For example, multiple buildings may appear to be one structure where there is a continuous roofline over the main structure that carries between two buildings.

PART II. 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 ____ 2025.

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

Unified Development Ordinance (UDO) Text Amendment ☒ \$750
Zoning Map Amendment ☐ \$750 +
\$500/acre or fraction thereof

UNIFIED DEVELOPMENT ORDINANCE TEXT/
ZONING MAP AMENDMENT APPLICATION
TOWN OF NAGS HEAD, NORTH CAROLINA

Applicant TW's Outdoor Outfitters, LLC

Mailing address PO BOX 969 Nags Head, NC 27959

Explanation of request

- ☐ Unified Development Ordinance (UDO) - Section(s) _____
Attach amendment in ordinance form.
- ☐ Zoning Map
Attach copy of current Zoning Map with affected property outlined in red.
Attach names and mailing addresses of the property owners of all parcels of land
abutting the parcel in question.

Nature of request

Under 10.86.2.4.2 we are requesting amended code to allow for separation of 10' on properties with multiple buildings when the additional building is deemed 'accessory use' and serving the primary buildings operation.

It is also important to take note that the property with this request was previously zoned under Industrial C-3 where this limitation doesn't exist.

Property owner will work to ensure architectural and landscaping designs are appealing and without disturbance to neighboring commercial or residential properties.

If amended code is unsupported, property owner will most likely rezone back to Industrial C3 and develop less appealing light commercial service bays as previously approved.

Reason for request

To support the growing needs of our business both locally and nationally through online sales, we are in need of additional accessory storage for our inventory and a retail space for often requested items that we are unable to stock in our current footprint.

The layout being presented is also of such nature to improve operations that today are problematic due to the high NE winds that are common to this area. The existing gap between accessory and retail is so great that the staff routinely has inventory and packaging blown across the back lot area when traversing between the buildings.

Chris Greening

Applicant

6/10/2025

Date



**BOC ACTIONS
WEDNESDAY, JUNE 11, 2025**

1. Call to order - Mayor Cahoon called the meeting to order at 9:00 a.m. A moment of silence was followed by the Pledge of Allegiance. He then recognized former elected officials in attendance: Bob Oakes, Webb Fuller, Bob Muller, and Renée Cahoon.
2. Agenda – The Board approved the June 11th agenda as presented. Mayor Pro Tem Siers was not present and excused.
3. Recognition –
INTRODUCTION OF LIFEGUARDS – Ocean Rescue Director Chad Motz introduced the 2025 summer season lifeguards – Public Information Officer Roberta Thuman announced the premiere of a new short film titled "Service and Heroism: The Nags Head Ocean Rescue Story" to be held on July 15th at 7p.m. at Jennette's Pier.

NEW EMPLOYEE – Deputy Town Manager/Finance Director Amy Miller introduced Customer Services Representative Abigail Larsen who was welcomed by the Board to Town employment.

TEN YEARS – Public Services Director Nancy Carawan introduced Fleet Mechanic Jason Brickhouse who was recognized for ten years of service.

THIRTY YEARS – Public Services Director Nancy Carawan introduced Water Operations Superintendent David Perry who was recognized for thirty years of service.

PRESENTATION - 2025 Nags Header – Dr. Bruce Bortz was awarded the Nags Header of the Town for 2025 and joined the list of Town Nags Header recipients which began in 2005 with Nellie Myrtle Midgett Pridgen.

PRESENTATION - 2025 Town Lightkeeper – J. Webb Fuller was awarded the Lightkeeper of the Town for 2025 and joined the list of Town Lightkeepers which began in 2000 with Carl Nunemaker.

4. Public Comment – Bob Muller, Nags Head resident, thanked the town for its participation in the 50th anniversary celebration of Jockey's Ridge State Park. He highlighted the successful concert, drone show, and other activities. Muller specifically commended the Nags Head Police Department for their unobtrusive but effective presence in managing traffic and safety.
5. Recess/Reconvene – The Board took a brief recess at 10:00 a.m. and reconvened at 10:10 a.m.
6. Consent Agenda – The Consent Agenda was approved as presented and consisted of the following:
 - Consideration of Budget Amendment #14 to FY 24/25 Budget
 - Consideration of Tax Adjustment Report
 - Approval of Minutes
 - Annual Write-Off of Uncollectible Water Accounts
 - Consideration of Resolution Authorizing the Town of Nags Head to join the Carolina Public Entity Cooperative (CPEC)
 - Consideration of NC DEQ/DWI ARPA Funding Resolution Authorizing the Deputy Town

Manager/Finance Officer as an Authorized Representative.

- Request for Public Hearing to Consider Proposed Financing for FY 2025/26 Project (Phase I Town Hall Campus Master Plan - Fitness Facility/Apartments)
- Request for Public Hearing to Consider a North Carolina Public Beach and Coastal Waterfront Access Grant Application to Fund the Replacement of the Hargrove Street Bathhouse

- 7.** Public Hearing to consider citizen comments on the Town Manager's proposed operating budget for July 1, 2025 – June 30, 2026, and additional documents – The Board passed motions to approve the following documents as presented:
 - o Pay Plan
 - o Personnel Policy for the Police Clothing Allowance and Investigative Salary Differential
 - o Capital Improvement Requests for FY 25/26 through FY 29/30
 - o Consolidated Fee Schedule
 - o FY 25/26 Budget Ordinance
 - o Septic Health Initiative Program increasing water pump out credit to \$250
- 8.** Public Hearing – The Board unanimously adopted the ordinance amending the Zoning Map for a portion of the Nags Head Municipal Complex Property (5401 S Croatan Highway - Parcel #026404000 and 012187000) from R-3 (High-Density Residential) to SPD-C (Village) Institutional as presented.
- 9.** Public Hearing – The Board unanimously adopted the ordinance for a Zoning Text Amendment to the UDO - Section 9.36, Table of Uses and Activities for the SPD-C District, to Modify the List of Accessory Uses in Conjunction with the "Municipal Building" use within the Village Institutional Zoning Classification as presented.
- 10.** Planning Director – Planning Director Kelly Wyatt summarized her monthly report and was thanked by the Board for her efforts.
- 11.** Planning Director – The Board approved the site plan amendment submitted by the Town of Nags Head for the redevelopment of the Employee Wellness Facility and addition of Workforce Housing, located at 5401 S. Croatan Hwy, NH as presented.
- 12.** Planning Director – The Board unanimously appointed Basil Belsches as the Planning Board member to serve on the Septic Health Advisory Committee (SHAC).
- 13.** Committee Reports
 - Comr. Sanders – Reported on the Jockey's Ridge State Park 50th Anniversary Celebration, highlighting various "firsts" including an outdoor concert introduced by Governor Stein, horseshoes, yoga, and a pop-up disc golf course.
 - Comr. Lambert – Acknowledged the report given by Planning Director Wyatt regarding the Septic Health Advisory Committee and expressed excitement at the proactive approach being used to identify high-risk properties. She also noted that Government Access Channel has not met but will meet at the end of the month. Lastly, she highlighted the upcoming premiere of the Nags Head lifeguard film in July.
 - Mayor Cahoon – Noted that he was unable to attend the Jennette's Pier Advisory Committee meeting and deferred the update to Manager Garman who reported that the pier's decking was being replaced with a more durable material which will cause the sponsored fish to be displayed in a new way that is still being discussed.

- 14.** Disaster Debris Removal and Monitoring Contract Renewals - The Board approved the renewal agreements for Disaster Debris Removal and Monitoring as presented. This includes authorization for the Town Manager to execute the renewal agreements with DRC Emergency Services and with DebrisTech, LLC.
- 15.** Appointment to Town Board/Committee - The Board appointed Bradley Carey to the Planning Board for a three-year term.
- 16.** The Board unanimously approved the Resolution Opposing Senate Bill 257 Institution of Tolls and Increase of Existing Tolls on North Carolina Ferry Service Operations as presented.
- 17.** Attorney Leidy – Attorney Leidy provided an update on the inquiry regarding beach equipment or furniture left on dunes overnight. He explained that the area in question was part of the dune system and outside the ocean beach area, thus not subject to public trust rights. Leidy noted that the town lacks legislative authority to regulate such activity on private property in the dune area, as that authority is granted to the Department of Environment and Natural Resources, specifically the Division of Environmental Quality and the Division of Coastal Management.
- 18.** Town Manager Garman – Deputy Town Manager/Finance Director Amy Miller presented a Resolution in appreciation of David Clawson, Dare County Deputy County Manager & Finance Director. The Board unanimously approved the resolution.
- 19.** Town Manager Garman - Deputy Fire Chief Shane Hite summarized the 2025 Town Fireworks display; Zambelli is conducting the fireworks for July 4th at 9:25 pm at Nags Head Fishing Pier. The rain date is July 5th.
- 20.** Mayor Cahoon – Mayor Cahoon reported on recent visit to the state legislature with Commissioner Lambert and Town Manager Garman. The mayor also mentioned concerns about zoning legislation, noting that while a particularly problematic bill (HB 765) had died, pieces of it were being incorporated into other bills.
- 21.** Mayor Cahoon – The Board unanimously approved the Resolution in Opposition to Offshore Oil and Gas Development.
- 22.** Other Business – Mayor Cahoon shared details about his recent trip to Providence, Rhode Island, where he attended the award ceremony for the Orville T. Magoon Sustainable Coasts Award presented to Town Engineer David Ryan. Engineer Ryan expressed that he felt this award was not just his but a collaborative effort.
- 23.** Closed Session – The Board entered Closed Session to consider a personnel issue pursuant to 143-318.11(a)(6). The time was 11:16 a.m.
- 24.** Open Session - The Board re-entered Open Session at 11:32 a.m.
- 25.** Adjournment - The Board adjourned at 11:33 a.m.



BOC ACTIONS
WEDNESDAY, JULY 2, 2025

1. Call to order - Mayor Cahoon called the meeting to order at 9:02 a.m. A moment of silence was followed by the Pledge of Allegiance.
2. Agenda – The Board approved the July 2nd agenda as presented.
3. Recognition –
FIFTEEN YEARS – Fire Chief Randy Wells introduced Fire Engineer Anthony Dillon who was recognized for fifteen years of service.
4. Public Comment – Chris Sawin - CEO Outer Banks Community Foundation addressed the board regarding a new disaster recovery initiative called the Trusted Partners Program. Sawin described the program's purpose as community outreach and buy-in during "blue skies" to prepare for potential future disasters. He explained that the program aims to build a network of contacts who can be quickly mobilized for fundraising and information dissemination in the event of a disaster. Sawin invited board members and the public to sign up for the program at obcf.org/trusted.
5. Consent Agenda – The Consent Agenda was approved as presented and consisted of the following:
 - Consideration of Budget Amendment #1 to FY 25/26 Budget
 - Consideration of Tax Adjustment Report
 - Consideration of Order to Collect Taxes
 - Consideration of Business License/Registration Fee Debt Release/Write-Offs
 - Approval of Minutes
 - Annual Write-Off of Uncollectible Water Accounts
 - Consideration of Resolution Authorizing Higher Federal Micro-Purchase Thresholds
 - Consideration of Town-Wide Multi-Year Copier Contract
6. Actions necessary to approve FY 2026 Project - Phase I of a Town Hall Campus Master Plan – Employee Wellness Facility and Apartments – The Board passed motions to approve the following documents as presented:
 - o Award construction contract to A.R. Chesson and authorized Town Manager to execute the construction contract contingent upon Town Attorney review
 - o Resolution Approving First National Bank Financing Terms-Phase I of a Town Hall Campus Master Plan – Employee Wellness Facility and Apartments
 - o Resolution Authorizing the Filing of an Application for Approval of a Financing Agreement-Phase I of a Town Hall Campus Master Plan – Employee Wellness Facility and Apartments
 - o Reimbursement Resolution - Phase I of a Town Hall Campus Master Plan – Employee Wellness Facility and Apartments
 - o Associated Budget Amendment
7. Public Hearing – The Board held the public hearing. After receiving no public comment, the Board unanimously granted permission to apply for a NC Public Beach and Coastal Waterfront Access grant to replace/upgrade the bathhouse at the Hargrove Street Public Beach Access.

- 8.** Planning Director – Planning Director Kelly Wyatt summarized her monthly report and was thanked by the Board for her efforts. A sand relocation grant report will be presented at the August meeting.
- 9.** Committee Reports
 - Mayor Pro Tem Siers – Reported that last month was Dare County Tourism Bureau's budget month, and they are still working on the stoplight at the Soundside event site. He noted that the Dare Community Housing Task Force has voted to move forward as a non-profit, and they have identified properties to build housing on.
 - Comr. Lambert – Reported on the Government Access Channel meeting noting an extension on an LDPI grant and continued discussions about a potential film festival. She then reminded citizens of the upcoming premiere of the Nags Head lifeguard film on July 15th at 7:00 p.m. at Jennette's Pier.
- 10.** Appointment to Town Board/Committee - The Board appointed Genevieve Stewart to the Arts & Culture Committee for a three-year term.
- 11.** The Board of Commissioners wished everyone a happy and safe Fourth of July and noted special appreciation to those who will be working.
- 12.** Mayor Cahoon – Mayor Cahoon informed the board that he would be in Washington, D.C. the following week to participate in discussions regarding offshore oil leasing plans. He will be meeting with members of Congress alongside representatives from Oceana and other organizations.
- 13.** Closed Session – The Board entered Closed Session to consider Jan 2025 – Jun 2025 Closed Session minutes and their disposition pursuant to GS 143-318.11(a)(1) and to consider a personnel issue pursuant to 143-318.11(a)(6). The time was 09:38 a.m.
- 14.** Open Session - The Board re-entered Open Session at 09:56 a.m.
- 15.** Attorney Leidy reported that the Board approved Jan 2025 – Jun 2025 Closed Session minutes and their disposition as presented, then discussed personnel matters but no other actions were taken.
- 16.** Adjournment - Mayor Cahoon reminding everyone to stay safe during the Fourth of July celebrations and the Board adjourned at 09:57 a.m.



AGENDA ITEM SUMMARY

Town of Nags Head Planning Board

REGULAR SESSION: July 15, 2025

AGENDA ITEM H.1.

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

Prepared by

Joseph Costello, Deputy Planning Director

Reviewed by

Joseph Costello
Lily Nieberding

Staff Comments/Recommendation

This item is provided for Board information and update.

Specific Action Requested

Planning Board Discussion

Summary

Staff provided the Planning Board with a presentation on the Commercial Outdoor Recreation Zoning Overlay District (CORD) at their March 18, 2025 meeting. The initiation of discussion around the CORD stems from the Town of Nags Head's 2024 Strategic Plan. The strategic plan serves as a guiding framework for the community, directing the prioritization of initiatives, allocation of resources, establishment of goals, and implementation of departmental operations and projects. The plan is organized around four key focus areas: Environment, Development, Economy, and Community Services. Within the Development goal, several objectives and action items are outlined to promote thoughtful and sustainable growth. One such action item, Strategic Plan Action Item 2.2, calls for the identification and resolution of land use incompatibility throughout the town, ensuring alignment between the Comprehensive Plan and the Unified Development Ordinance (UDO). Specifically, Item D under Action Item 2.2 directs the Town to "examine the allowable uses within the Commercial Outdoor Recreation District".

Development



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

Objective #1:	Objective #2:	Objective #3:	Objective #4:
Proactively balance appropriate types of land uses	Ensure resilient development and infrastructure	Ensure public spaces are preserved and maintained equitably	Ensure efficient traffic movement and pedestrian safety

Action Items:

#	Action	Related Objective(s)
2.1	Apply for a grant to place conservation easements on Town-owned properties (ensuring equitable access)	#3
2.2	Identify and correct areas of land use incompatibility within the town; correct inconsistencies between the Comprehensive Plan and the Unified Development Ordinance. (i.e. this involves eliminating land uses permitted within a zoning district but may not be compatible with existing development and/or the future development plan as described in the Comprehensive Plan). Items to consider: a. Revisit the appropriateness of the Hotel Overlay District b. Identify areas where the zoning designation and existing development patterns may not be aligned c. Examine Beach Road vs US 158 uses (Corridors Character Area) d. Examine the allowable uses within the Commercial Outdoor Recreation District	#1

Staff prepared an Existing Conditions Report for the Commercial Outdoor Recreation Overlay District (CORD), providing a comprehensive overview of the district's location, background, and purpose. The report highlights relevant guidance from the Comprehensive Land Use Plan, with particular attention to the Whalebone Character Area and the Soundside Activity Node. The report also considers insights from key planning documents, including the Beach Road Plan, 2023 Pedestrian Plan, and US 158 Access Management Plan. Additionally, the report outlines existing regulatory requirements within the Unified Development Ordinance (UDO), along with an analysis and preliminary staff recommendations for potential revisions.

The report was provided to Planning Board members via email on Friday, March 28, 2025, and is included as an attachment to this staff report.

During the April 15, 2025 Planning Board meeting, Staff led a discussion around the following questions. In red are the Planning Board's summarized answers:

Discussion:

- Do you think the current uses in the CORD reflect the original intent of the district? Should we consider refining the allowable uses to encourage more of the desired development, less of those uses that deemed undesirable? **Yes, the current uses reflect the original intent and yes, we should consider refining the allowable uses to ensure development continues to align with the goals of the Comprehensive Plan.**
- In what ways does the current mix of uses contribute to or detract from the character of the Soundside Activity Node and the goals in the Comprehensive Plan? **The existing mix of uses contribute to the character of the Soundside Activity Node with a mix of outdoor recreation, retail, public access/soundside event center in the area. Long-term preservation of the uses is important.**

- Is the purpose of the overlay district still relevant today, or should it evolve to reflect broader goals? **The purpose of the overlay district is relevant, and it should evolve to reflect broader goals.**
- Are there any specific uses or development patterns that feel out of place or inconsistent with the vision/intent for this area? **General sense that the uses and development patterns are desirable but need to make sure this mix is sustained.**
- Would you support allowing more flexibility in development (like multiple principals uses or accessory residential units) to encourage reinvestment while preserving the outdoor recreation character? **Yes.**
- What walkability improvements (paths, connections, crosswalks, public art) would make this area more attractive or better connected to nearby destinations like Jennette's Pier or Whalebone Junction? **Continue to make safe. Consider crosswalks or elevated pedestrian walkway across US 158. Consider better signage for motorists to be aware of pedestrians/traffic lights. Continue to pursue US 158 Redesign in STIP. Continue to pursue funding for the existing pedestrian plan. Consider area for public art.**

Key Points from April Discussion of CORD Report

1. Support existing businesses by allowing flexibility and expansion of uses.
2. Support current mix of uses by removing some C2 uses from the CORD.
3. Manage heights and development to keep the Sound visible and accessible.
4. The area has the potential to be the second major activity area/counterweight for seasonal tourists besides going to the beach.

A. Improve Wayfinding

- i. Kiosks
- ii. Pavement signage
- iii. Maps
- iv. Signage for motorists
- v. Hiking, biking, trail information, distance posting
- vi. Website

B. Improve sense of place. It Should Feel Like a Place.

- i. Install public art
- ii. Improve the areas branding "not CORD" ... "park once play all day"
- iii. Increase vegetation/shrubbery
- iv. Reduce Vehicle speeds-
 - o advocate for 45mph zone

- consider traffic light ahead warning signs additions

C. Improve infrastructure

- Improve pedestrian and bicycle connections between disconnected destinations.
- Improve connection between Soundside and Whalebone Activity Nodes
- Make the area safer for bikes including places to park and safe areas to ride.
- Consider the reality of golf carts and ebikes increased usage and develop policies/supportive infrastructure for them.
- Charging stations

Action Items:

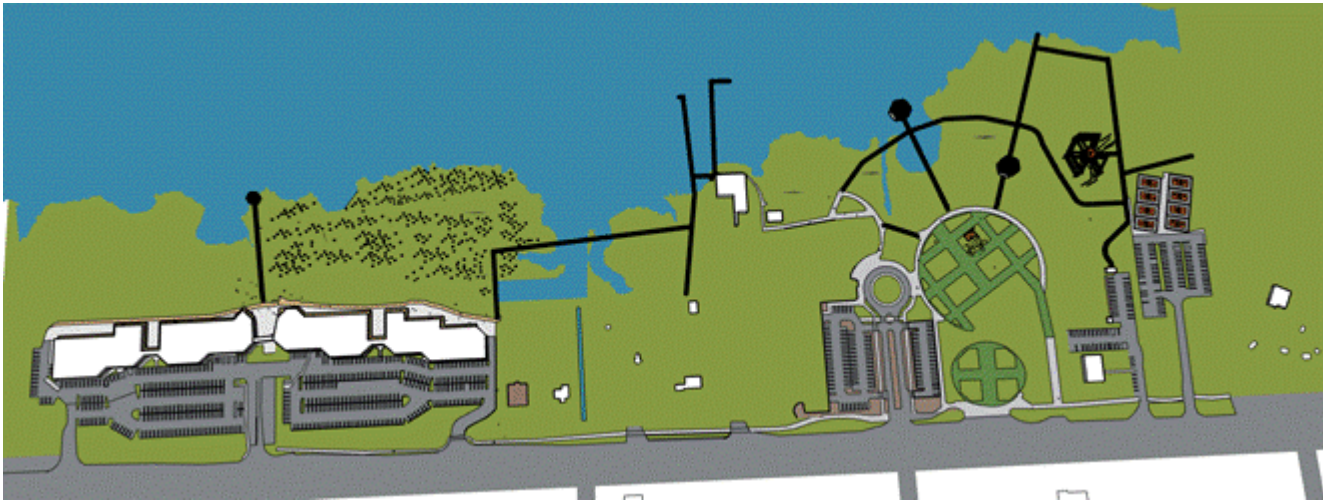
- Consider amending the CORD to add new accessory uses to existing CORD overlay and mixed-use options (yellow and green highlights in the table of the CORD Report starting on page 18).
 - Maintain existing 35-foot height limitation and pursue the removal of the Hotel Overlay, dependent on state general assembly repeal of S.B 382. This would result in no longer allowing increased heights of 60 feet for hotel development in this area.
 - Develop a wayfinding action plan for the area and implement.
- b:
- Work with the Arts and Culture Committee to consider art installations, murals etc.
 - Consider new brand development- work with businesses to create a theme, slogan, logo, website, social media presence and marketing strategy. Must also find funding source and administrative support to implement.
 - Work with NCDOT and the Tourism Board and business owners to develop landscaping that is cohesive, low maintenance, doesn't block views of the Sound but also helps improve the bare highway commercial aesthetic.
 - Work with NCDOT to consider viable changes to improve pedestrian safety and perception of safety. Reduce accidents in the corridor and severity of accidents.
- c:
- Implement Pedestrian Plan. Update the future plan with the CORD connectivity in mind.
 - Improve connection between Soundside and Whalebone Activity Nodes via crosswalks, US 158 Access Management project implementation, and maybe someday a pedestrian bridge.
 - Add bike parking and bike friendly markings and signage.
 - Provide information on golf carts/low speed vehicles and e-bikes on appropriate speeds and locations for usage

May Discussion of CORD Report

During the May meeting, staff synthesized Planning Board discussion into action items. The Planning Board advised that items need to be prioritized at the following meeting and that the focus should be on items that can be accomplished. The Planning Board also asked for public input and believed that we should look to get the public involved and get some feedback.

July Update

Staff has developed a to-scale 3d model of the area to aid in visualizing future development of a boardwalk and changes to existing structures and land uses within the area. Staff is working on an animation that incorporates the discussed elements and recommendations for the area to guide further discussion and to provide a vision of development for the area.



Updated CORD Priority List

1. Support the extension of the boardwalk to connect to the outlets.
2. Change zoning to increase flexibility of uses within the CORD but don't remove any incompatible uses given our inability to do so.
3. Work with the property owners to include a greater mix of uses and increased connections with the sound.

Next steps include:

- Further discussion and fine-tuning of key CORD area planning priorities with the Planning Board at their July meeting.
- Coordination and discussion with property owners in the CORD, with the aim of inviting them to the August Planning Board meeting for a more open discussion.
- Staff expects to present a concept animation to the Board of Commissioners during their August meeting to receive further direction on key aspects of the CORD report and recommendations.
- August Planning Board meeting with key stakeholders within the area and presentation of the final animation as a basis for discussion.

- Initiate zoning text amendments to better align allowable uses within the UDO with respect to the comprehensive plan's vision for the area.

A. Appropriate Land Uses

Appropriate land uses in each area are outlined in the following table. This is only a general listing that should be further articulated through subsequent review of zoning standards for each area.

Table 2.6.2.A: Appropriate Land Uses in the Whalebone Junction Character Area

Whalebone Core [1]	Soundside [1]
- Single-Family Residential (5,000 sq. ft. or less) - Hotel/Boutique Hotel - Mixed Use - Accessory residential to residential - Commercial (10,000 sq. ft. or less) - Accessory residential to commercial - Office as an accessory use - Retail - Equipment rentals - Restaurant (Walk-up, sit down, no drive-thrus) - Gallery/Museum - Institutional (Parks, School, Non-Profit) - Personal Service Establishment - Cottage Court	- Multi-Family - Hotel/Boutique Hotel - Accessory residential to commercial - Mixed Use - Commercial - Office as an accessory use - Retail - Restaurant (Walk-up, sit down, no drive-thrus) - Personal Service Establishment - Indoor entertainment - Indoor/Outdoor Recreation - Water Dependent Uses (i.e. pier/boardwalk) - Accessory water dependent use to commercial use, mixed use, or hotel (i.e. pier/boardwalk) - Outdoor Events, Festivals, and Amusements

Table 2.6.2.A: Appropriate Land Uses in the Whalebone Junction Character Area

Whalebone Core [1]	Soundside [1]
	- Gallery/Museum - Institutional (Parks, School, Non-Profit) - Gymnasium/Fitness Studio

NOTES:

[1] Uses are listed in no particular order and do not reflect a priority or any other ranking.

Yellow highlighted uses below have a recommended change to be permitted as accessory to an outdoor recreation use.

Green highlighted uses below have a recommended change to be permitted as allowed with an outdoor recreation use.

Use Category	Use Type	Use	Supplemental Regulations	Notes
Residential	Cottage Court	SR	Section 7.2	Multi-Family is listed as appropriate use per Comp Plan

Residential	Dwelling, Multi-Family (Small)	PR		Multi-Family is listed as appropriate use per Comp Plan
Residential	Dwelling, Two-Family	SR	Section 7.60	Accessory residential to commercial is appropriate use per Comp Plan
Residential-Group	Bed and Breakfast	S		Boutique Hotel uses are strongly supported per Comp Plan
Retail	Beach Recreation Equipment Rental/Sales			Appropriate Use in Character Area
Service	Group Fitness- Aerobics/Dance/Karate/Yoga	P		Appropriate Use in Character Area
Food Service	Coffee Shop/Juice Bar	PR	Section 7.25	Mixed Uses and restaurants are appropriate uses per Comp Plan
Food Service	Ice Cream Shop	P		Mixed Use and restaurants are appropriate per Comp Plan
Commercial Mixed Uses	Group Development	S	Section 7.32	Mixed Uses are appropriate use
Commercial Mixed Uses	Multiple Principal Uses	SR	Section 7.32, 7.36	Comp Plan supports use in area
Accessory Uses	Outdoor Stands, Accessory to Shopping Centers and Group Developments	PR	Section 7.76	Comp Plan supports use in area

Definitions for reference:

Group Development- Means a group of buildings on a single site which are occupied and used for professional offices, retail, personal services, indoor recreation facilities, and or restaurant uses.

Multiple Principal Uses- means multiple, unrelated, primary or predominate uses located within one building.

Attachments

1. CORD



COMMERCIAL OUTDOOR RECREATION OVERLAY DISTRICT REPORT

March, 2025

Town of Nags Head Planning & Development Department



Contents

Background	3
Location	3
Purpose	4
Comprehensive Plan	4
Whalebone Character Area	5
Soundside Activity Node Development	7
Essential Policies and Considerations	7
The Beach Road Design Plan	8
2023 Pedestrian Plan	9
US 158 Access Management Plan	10
Key UDO Sections	10
Map of Key Locations within The CORD	11
Northern CORD	12
Central CORD	13
Causeway CORD	14
Map of Vacant Private Property in CORD	15
Structures Square Footage in CORD	15
Soundside Boardwalk Concepts	16
Analysis	17
Recommendations - Zoning	18
Recommendations - Walkability	23
Existing, Planned and Proposed Pedestrian Connections in CORD	25
Public Art Examples	26

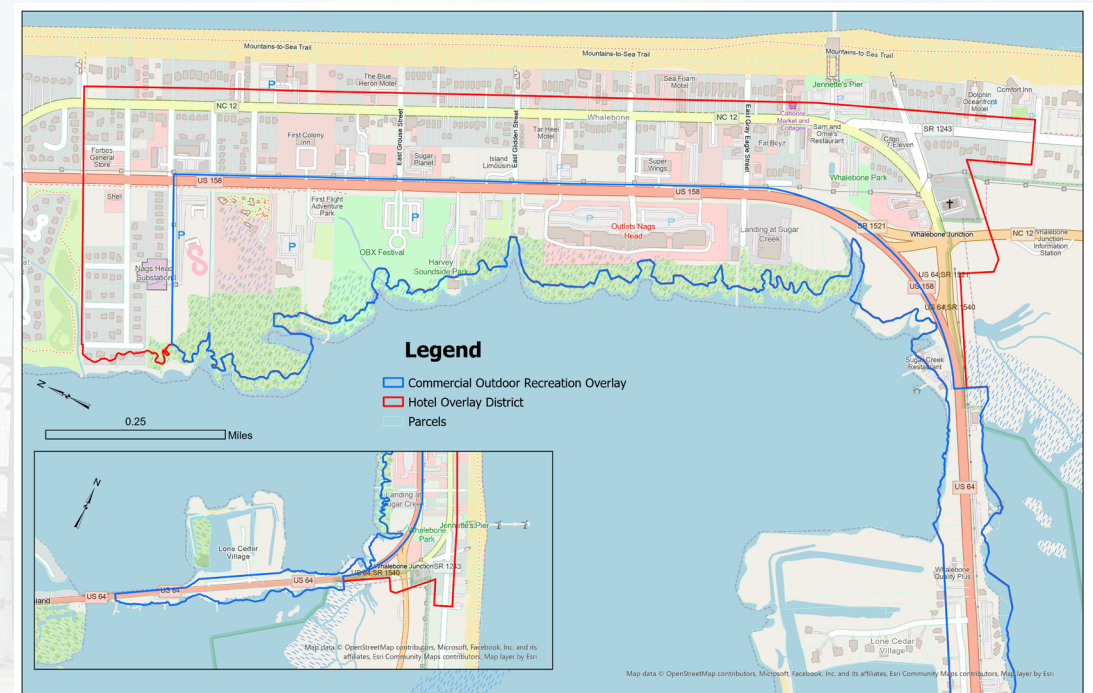
Background

The Commercial Outdoor Recreation District (CORD) was established in 1995. The district was created to address recreational uses located throughout the C2, General Commercial District as they were creating land use incompatibility issues. As an example, a go-cart track next to residential development was considered problematic due to noise. In reviewing minutes from the March 1, 1995 Board of Commissioners Meeting, Planner Bruce Bortz pointed out regulations regarding noise, hours of operation etc. were moved to Chapter 3 Amusements, Entertainment and Crowd Gathering in the Town Code.

The 2000 and 2010 Land Use Plan both state that The Commercial Outdoor Recreational Use Overlay Zoning District was established to accommodate the ever-growing commercial recreational development requests made to the Town. It shall be a policy of the Town to periodically review the adequacy of these regulations and make the necessary modifications when public health, safety and welfare issues arise. The Town shall not enlarge the overlay district and shall consider reducing the district in size or amending the uses when conflicts develop

Location

The Commercial Outdoor Recreation District (in blue) runs from Forbes St (N) to the south side of Whalebone Junction. The Hotel District (in red) runs from Forrest St (N) to Governor St. (S) The Outdoor Recreation District overlaps and is within Hotel District. Both extend down the Causeway. The underlying zoning for the Commercial Outdoor Recreation Overlay District is C2, General Commercial for all properties.



Purpose

The Town is examining the regulations of the CORD and the underlying C-2 District to ensure they align with Soundside Character Area goals in the Comprehensive Land Use Plan.

The Town's strategic plan stipulates goals, objectives and action items to be carried out over the year. Action items must be accomplished to achieve stated objectives and goals. The development goal within the strategic plan states: To achieve responsible, adaptive development that aligns with our community vision. Action 2.2 states: Identify and correct areas of land use incompatibility within the town; correct inconsistencies between the Comprehensive Plan and the UDO. Item D. mentions specifically examining allowable uses within the Commercial Outdoor Recreation Overlay District (CORD).

This report consolidates key planning documents related to planning and development of the CORD zoning overlay district. The zoning district largely overlaps with the Soundside Activity Node in the Whalebone character area as described in the Town's Comprehensive Plan. Documents reviewed include the comprehensive plan, the Beach Road Plan and the 2023 Pedestrian Plan, past staff reports, presentations and text amendments related to the area. This report documents existing conditions and provides analysis and recommendations to support the implementation of the Soundside Activity Node's development goals. Recommendations include revising allowable uses in the CORD and enhancing pedestrian safety to create a cohesive and accessible environment.

Comprehensive Plan

The Town of Nags Head is comprised of several distinct areas and each have their own unique characteristics. The Comprehensive Plan recognizes these areas as Character Areas. Character Areas denote specific geographic areas of the town that:

- Have unique or special characteristics to be preserved or enhanced;
- Have the potential to evolve into unique areas with more intentional guidance of future development through planning and implementation; or
- Require special attention due to unique development issues.

These Character Areas represent areas where more detailed, planning and implementation of certain policies, investment, incentives, or regulations may be applied in order to preserve, improve, or influence their future development patterns that are consistent with the town's vision.

Character areas provide both the vision and policy direction for the desired use, design, infrastructure, and other elements that new development must consider. Character area planning provides the policy direction that regulations must work to achieve. This means that the town's ordinances, development standards, design standards, and other programs should work together to allow achievement of character area goals.

Comprehensive Plan

Each Character Area in the Comprehensive Plan outlines key elements that define the areas identity and future development:

Area Description: Highlights significant features, attributes, infrastructure, land uses, and overall sense of place.

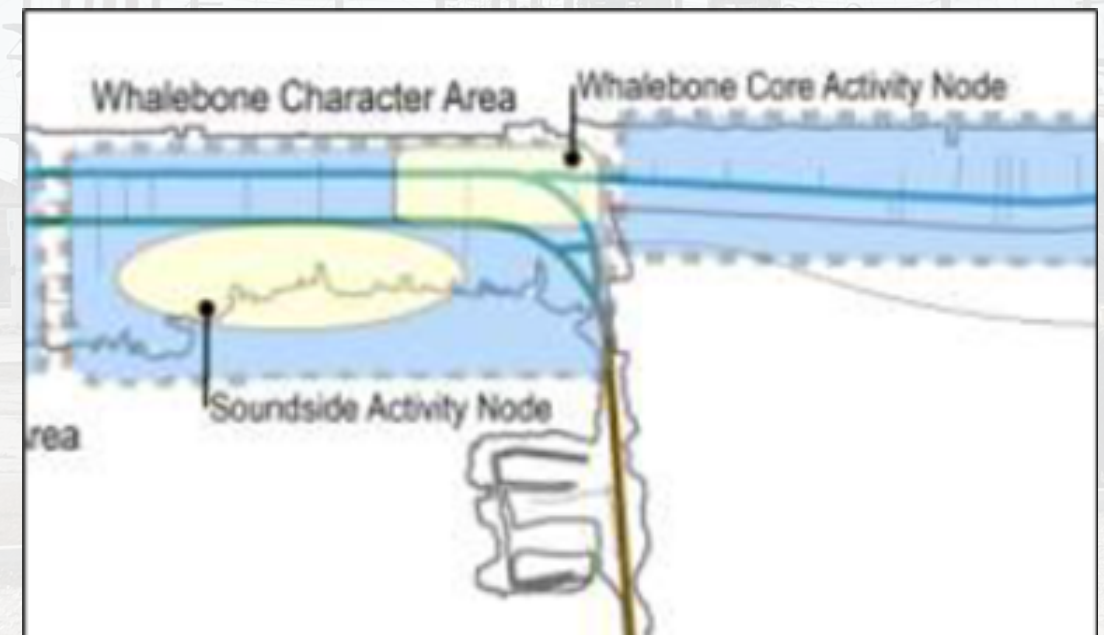
Development Plan: describes the hopes and concerns for each character area and further outlines the future desires for land use types, form, height, density, architectural characteristics, important infrastructure and desired bicycle and pedestrian connections. It also considers regulatory constraints and land use compatibility.

Activity Nodes: are areas that are anticipated for future concentration of uses that serve as destinations or hubs of activity for the surrounding area. These are characterized by higher intensity uses, compact development patterns, walkability, and a higher standard of architectural and site design. Activity centers include a mix of residential and commercial uses including retail, dining, and office. Areas designated as activity centers should be planned in a way to encourage pedestrian activity.

Legacy Establishments, Structures, or Locations contribute to the overall sense of place or tell the story of Nags Head's past. These establishments, structures, or locations often remind you of the past and are nostalgic

Whalebone Character Area

Whalebone Junction is the southern gateway to the Town and Cape Hatteras National Seashore. All traffic coming to the Outer Banks via Hwy 64, regardless of the destination, must pass through this juncture to travel north or south to other Outer Banks destinations. This area encompasses the area between Whalebone Junction and Forrest Street and contains many institutional, cultural, and recreational attractions including Jennette's Pier, the Soundside Event Site, Whalebone Park, and the Harvey Soundside Park. The Whalebone Junction Character Area represents the southernmost node of commercial activity in the town and contains many examples of legacy type establishments that embody the heritage of the town. This area is also known for its expansive, scenic views of the Roanoke Sound and marshes that are often visible from US 158 Corridor and at Whalebone Junction.



Whalebone Character Area

The Whalebone Junction Character Area accommodates uses such as restaurants, convenience/grocery stores, outdoor recreational opportunities, small scale shopping, and the only retail outlet center in the Outer Banks and northeastern North Carolina. These commercial uses are located within walking distance of surrounding residential accommodations.

The Whalebone core is outside of the CORD and will not be included in this report.

The Soundside Activity Node is described as follows in the Comprehensive Plan:

The Soundside Activity Node is located on the west side of US 158 between West Forbes and West Grey Eagle in the general vicinity of the new Soundside Event Site and the Town's Harvey Soundside Park. The core of the Soundside Character Area is the Soundside Event Site, previously the location of Windmill Point Restaurant. The Soundside Event Site was purchased in 2008 and is a 10 acre area adjacent to the Roanoke Sound. The property is owned by the town and Dare County Tourism Board.

The Soundside Activity Node is known for its scenic viewsheds of the Roanoke Sound and marshes that are visible from the US 158 corridor. This area is an asset to the town because of the large expanses of marshes and the presence of estuarine shoreline. The estuarine shoreline not only adds to the sense of place and quality of life but provides important nursery habitat for seafood and birds. This area is relatively low density and comprised of outdoor entertainment, water-based recreation, and commercial uses such as dining and shopping. This area is viewed as a community gathering location due the many programmed events and festivals held at the Soundside Event Site.

Whalebone Character Area Development Plan

A. Appropriate Land Uses

Appropriate land uses in each area are outlined in the following table. This is only a general listing that should be further articulated through subsequent review of zoning standards for each area.

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NOTES:

[1] Uses are listed in no particular order and do not reflect a priority or any other ranking.

This area is envisioned to be a destination where people can park their car and enjoy exploring the surrounding area by foot or bike. This area is imagined as primarily commercial with a mix of retail and restaurant and a high degree of walkability. The Advisory Committee identified this character area as the model of future beach road development.

Soundside Activity Node Development

In both the Whalebone Core Activity Node and the Soundside Activity Node, the town may consider unique zoning techniques at the center of these activity nodes to facilitate the desired arrangement of land uses and encourage neighborhood commercial development.

The Soundside Activity Node is envisioned to develop as a high quality, mixed use area and prime location for recreational uses and hotel development. Further, the area is highly desirable for additional dining opportunities and local, boutique style shopping that is designed as a planned, highly walkable, destination type development. Mixed use development should utilize vertical and horizontal development with groupings of commercial, dining, office, and accommodations. This area was identified as appropriate for hotel development with a desire for a more specialty, boutique type hotel. Additionally, there is a preference for groupings of smaller scale buildings over a single, massive structure.

Pedestrian connections between uses are strongly encouraged. In addition, all future development should work to protect the viewsheds of the sound from the US 158 corridor and avoid "walling off" the sound. Building sizes in this area should be evaluated and additional study conducted to determine appropriate building sizing for the character area.

Future development should work to increase bike and pedestrian connections from the Soundside to the Whalebone Junction Core and other residential areas to the north and south. Traffic calming and pedestrian safety measures, such as improved cross walks, should be implemented in order to safely move pedestrians and cyclists across US 158.

Essential Policies and Considerations

- Develop standards through future ordinance revisions to implement the development plan as described herein. (LU-1, LU-4, LU-11, LU-14, LU-15, LU-16, LU-24, LU-25)
- Develop pedestrian infrastructure for this character area as described in this section and as listed in the Transportation Element in Chapter 3. This includes but is not limited to a multi-use path on US 158 between Gull Street and the Event Site and between Jennette's Pier and Gull Street on NC 12. (TP-1, TP-3, PR-4, PR-8)
- Recognize legacy businesses and encourage their preservation. (EC-6, EC-7)
- Promote and expand a diverse range of housing accommodations through incentives and removal of regulatory barriers. (LU-27)
- Protect viewsheds from US 158 of the Roanoke Sound and marshes. (NR-1, NR-4)

Corridors Character Area

US 158

- More walkable and safe
- Lower speed limit

The Beach Road Design Plan

In January 2006, the Town of Nags Head invited the NC State University College of Design to conduct a study on determining future development trends and character on NC 12, which stretches roughly 6.5 miles along the area north of Whalebone Junction. The study proposes a vision plan with development strategies and design recommendations which resulted from the analysis of existing conditions, as well as the assessment of community perceptions and expectations.

The plan analyzes the Whalebone Junction corridor as a gateway to the Beach Road, to the Town of Nags Head and to the Outer Banks. During public input sessions, it was noted that the district currently provides a minimum of opportunities for a walkable environment due to:

- fast automobile traffic, a lack of warnings, and insufficient directional signage at the entrance to the Beach Road and at speed limit changes;
- a lack of entry signs (such as "history" and "welcome" types);
- a lack of traffic calming features; and parked cars in front of buildings, or along the road, generating safety concerns for pedestrians and blocking the flow of traffic.

The Beach Road Design Plan

The plan goes on to make numerous recommendations around appropriate land uses, parking, building design, scale, streetscape, signage, lighting and pedestrian access. The plan conceptually recommends updating the circulation of the district as shown below.



2023 Pedestrian Plan

In 2023, the Town of Nags Head updated its Pedestrian Plan, prioritizing key projects to improve connectivity, safety, and accessibility. The update ranked projects based on priority, cost, and impact, with several directly enhancing pedestrian access to the Commercial Outdoor Recreation District (CORD) and surrounding areas.

Key priority projects include:

- Project 5: A multi-use trail between S. Seachase Drive and W. Baymeadow Drive, filling a critical gap in the pedestrian network and improving access from the north to the CORD.
- Project 6: A sidewalk extension in front of the outlet mall, enhancing pedestrian movement in a high-traffic area.
- Project 13: A sidewalk along Grouse Street, providing a direct link between Beach Road and the Soundside Event Site.
- Project 15: Further extending the multi-use path, ensuring stronger connections within the CORD.
- Project 19: Though just outside the CORD, this project enhances pedestrian access between nearby residential areas and the new Inn at Whalebone Hotel.

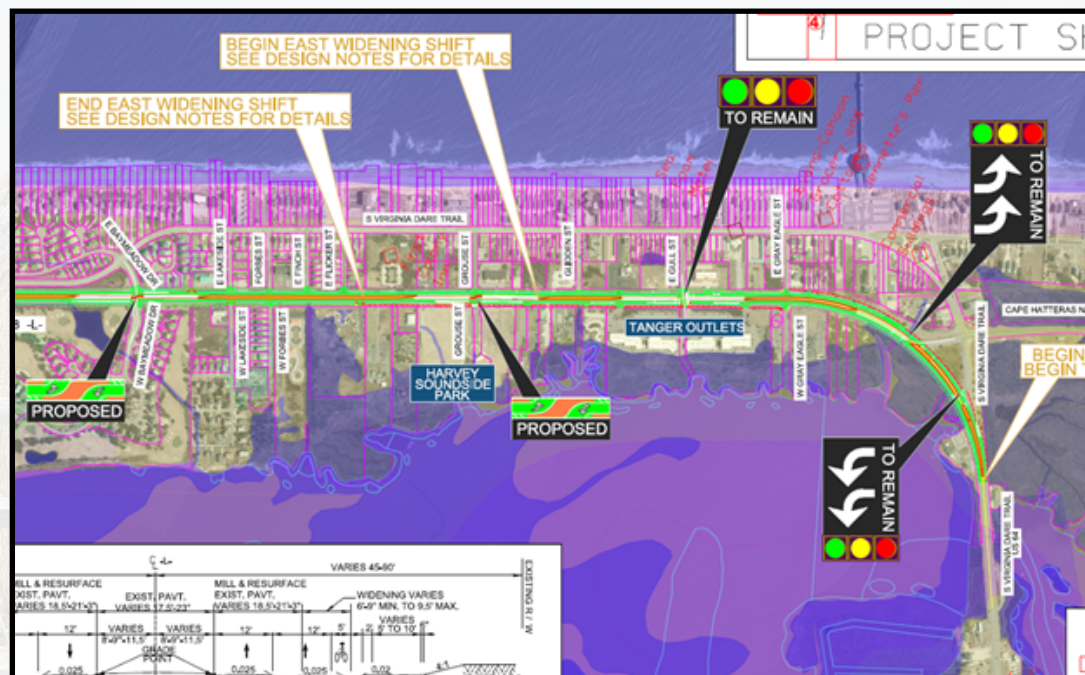
Together, these projects will significantly improve walkability in the area, with an estimated total cost of approximately \$2.5 million.

2023 Pedestrian Plan

Rank	Project Description	Cost	Length
1	W. Side Multi-Use Path (Carolista to Soundside Road)	\$1,298,548	6,645
2	E. Epstein St.	\$57,750	420
3	Wrightsville Ave - E Bonnett St to S. VA Dare Trail	\$479,935	1,910
4	S. Seachase Dr. (Epstein)	\$45,150	420
5	W. Side Multi Use Path (S. Seachase-W. Baymeadow Dr.	\$1,500,750	4,350
6	W. Side Multi-Use Path (Gull St. to Gray Eagle St.)	\$289,800	720
7	E. Barnes St.	\$21,120	110
8	E. Admiral St.	\$51,975	550
9	W. Soundside Rd.	\$330,000	2,400
10	W. Blue Jay St.	\$44,550	360
11	W. Baymeadow Dr.	\$70,840	560
12	Intersection Saterfield Landing to Driftwood	\$52,200	290
13	E. Grouse St.	\$65,588	450
14	W. Windjammer Dr.	\$101,832	805
15	W. Side Multi-Use Path (W. Gary Eagle St. to Sugar Creek Restaurant)	\$668,800	1,900
16	W. Woodhill Dr.	\$103,125	750
17	W. Saterfiled Lnading Rd.	\$115,115	800
18	W. Villa Dunes Dr.	\$151,250	1,10
19	W. Lakeside St.	\$73,645	515
20	W. Oak Knoll Dr.	\$99,000	600

US 158 Access Management Plan

The US 158 Access Management Plan is currently in the State Transportation Improvement Program (STIP). The STIP is NCDOT's long-range transportation plan. It identifies the construction funding and schedule for state transportation projects over a 10-year period. NCDOT updates the STIP approximately every two years. The project is currently on the 'back end' and has not received funding to fully design or construct. It is at least 5 years away from being funded and many years further from being constructed. Below is the concept redesign for the area of US 158 adjacent to the CORD.



Key Sections of the Unified Development Ordinance

6.3.1. CO Commercial-Outdoor Recreational Uses Overlay District. The Commercial-Outdoor Recreational Uses Overlay District is established to provide a set of comprehensive land use regulations for the operation of commercial-outdoor recreational uses while protecting the residentially zoned areas of the Town. This shall be the only area within the Town where these uses are allowed.

8.5.2.4. **Uses Allowed.** The underlying zoning district to the Commercial-Outdoor Recreational Uses Overlay District is the C-2 General Commercial Zoning District. The outdoor recreational uses allowed in this district may be allowed as stand-alone uses or in combination with other outdoor recreational uses. Outdoor recreational uses may also be combined with certain uses allowed in the underlying C-2 zoning district. However, when any non-recreation related use is combined with a recreation use, the non-recreation use must be accessory and subordinate to an outdoor recreation use. In this instance, only the following uses shall be allowed as accessory to an outdoor recreation use and shall be contained within the principal building:

- 8.5.2.4.1. Concession.
- 8.5.2.4.2. Amusement arcade.
- 8.5.2.4.3. Restaurant.
- 8.5.2.4.4. Retail.
- 8.5.2.4.5. Single-family dwelling.

Lots may also be developed with any of the principal uses allowed in the C-2 zoning district. When this occurs, these lots shall not be utilized in combination with any of the recreation uses allowed within this overlay district.

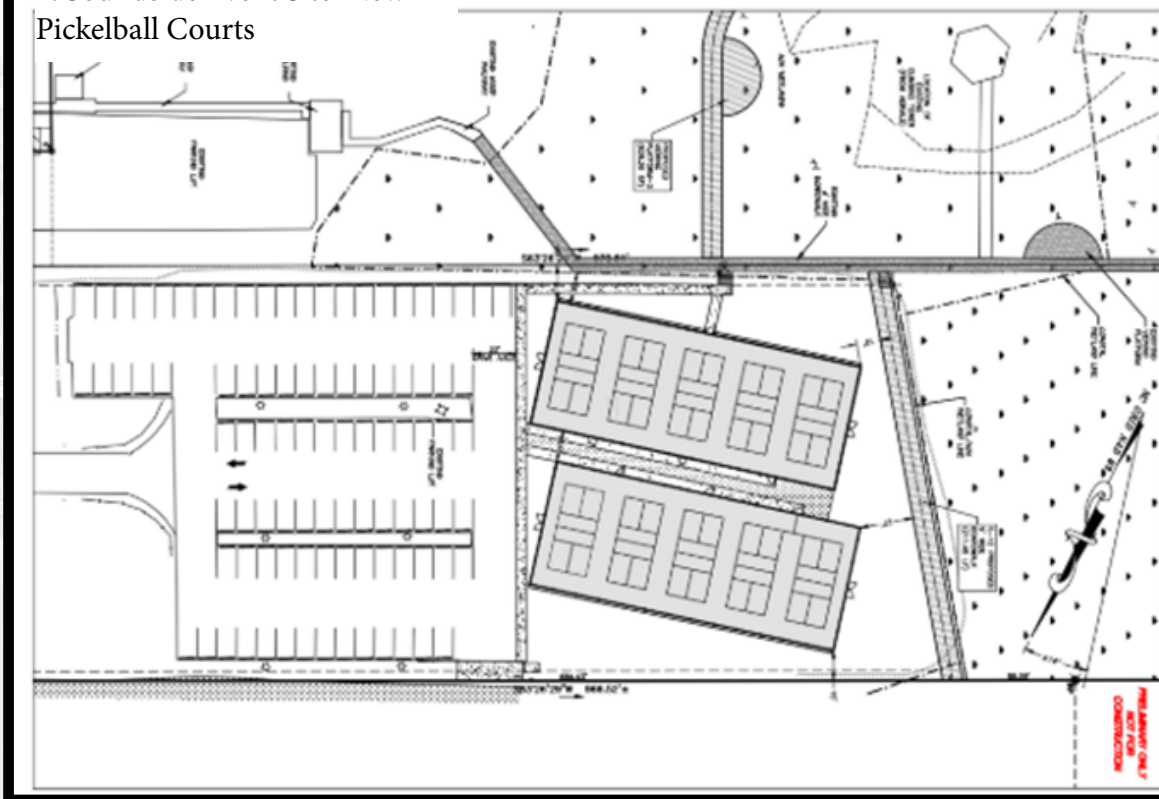
Reference Map of Key CORD Locations



Northern CORD

The Northern Portion of the CORD is located south of the Lakeside residential neighborhood and west of US 158. The western portion of the CORD fronts the Roanoke Sound. The area is characterized by classic outdoor recreation uses including mini golf, go karts and concessions. The northern CORD also contains the Sounside Event Site which has grown to include the First Flight Adventure Park. The Soundside Event Site is a major gathering site for the Outer Banks community. The site hosts numerous popular events including the Seafood Festival and the OBX Rod and Custom Festival among others. The site has recently received site plan approval to construct pickleball courts and a new boardwalk. The Town has also received grant funding to construct a living shoreline to protect the land from erosion while encouraging the marsh and sound interface to remain which is crucial for natural habitat. The area has good pedestrian infrastructure highlighted by the 10' wide, concrete, multi-use trail connecting the Village at Nags Head neighborhood from Baymeadow Drive to the Outlet Mall in the Central CORD. With the construction of the new boardwalk at the Soundside Event Site, there is an opportunity to expand the boardwalk to the Central CORD area. The existing multi-use path runs adjacent to US 158 but lacks shade, seating and visual interest. Adding vegetation, benches and public art could enhance the pedestrian experience, creating a more comfortable and inviting corridor.

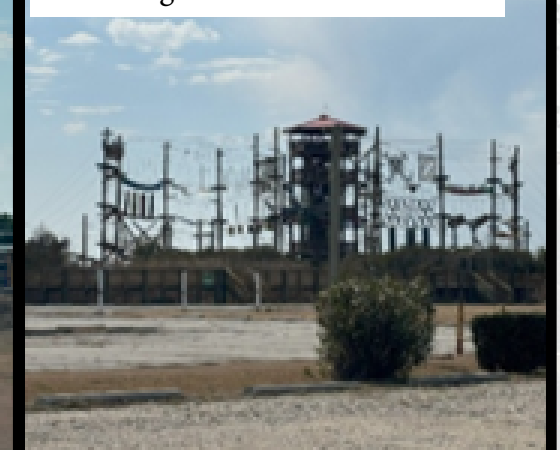
4. Soundside Event Site New Pickleball Courts



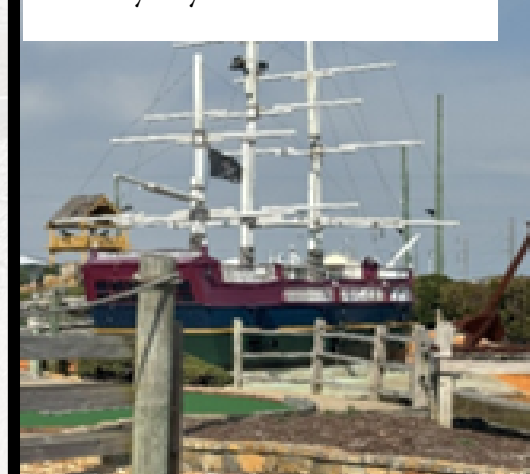
1. Full Throttle Speedway



3. First Flight Adventure Park



2. Mutiny Bay Adventure Golf



5. Soundside Event Site



Central CORD

The Central Portion of the CORD is located south of the Soundside Event Site and west of US 158. The western portion of the CORD fronts the Roanoke Sound. The area is characterized by the Outlets, and high density residential at the Landings at Sugar Creek. Common land uses include retail, residential, outdoor recreation including put-put golf and go kart racing. The central CORD contains the open parcels at the bend in US 158 known as “Catfish Farm” parcels. This catfish farm parcels being preserved open-space will help maintain the visual connection with the Sound from the street. The area contains a six-foot multi-use path up to Gull Street. At Gull Street, the sidewalk ends with no connection to the Landings at Sugar Creek to the south. This sidewalk connection is planned and listed in the 2023 Pedestrian Plan. There is an opportunity to expand the boardwalk connection from the Soundside Event Site to the central CORD in the future. The only crosswalk and traffic light across US 158 in this area is located at Gull Street. There is an opportunity to improve connections to the destinations across US 158 located within the Whalebone Activity node. There is also an opportunity to allow for small multi-family housing or single or two family housing as an accessory use in this area. There may also be an opportunity to allow outdoor stands to engage pedestrians and activate the corridor.

9. Outlets Nags Head



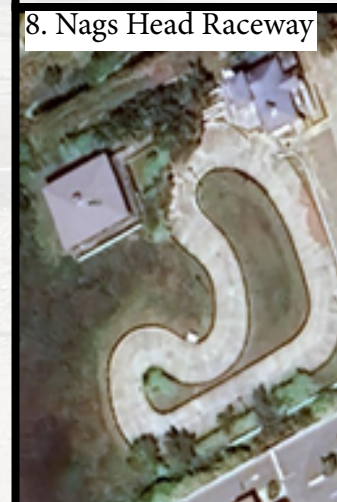
6. Harvey Soundside Public Access



7. Jurassic Putt



8. Nags Head Raceway



10. The Landings at Sugar Creek



Causeway CORD

The Causeway Portion of the CORD is located along the US 64 bridge bounded by the Roanoke Sound to the north and the south. The area is characterized by a blend of land uses including retail stores, restaurants, watersports rentals, gas stations, a public pier and kayak launch and single family residential homes. The Causeway CORD area contains small open space parcels that are not suitable for commercial construction, providing excellent views of the Sound and undeveloped marshlands to the south. The Causeway CORD area serves as a gateway to the southern Outer Banks as well as to Nags Head. It serves as the first impression for many visitors when arriving to the Outer Banks on vacation. This section of the CORD has poor pedestrian infrastructure and commercial businesses are only safely accessed by automobiles. At Gull Street, the sidewalk ends with no connection to the Landings at Sugar Creek to the south. There is limited return on investment for constructing a sidewalk or boardwalk to this area from the central CORD. Given the distance and isolation of the area, it is unlikely to be well used, although that could change in the future. Sidewalk connections to this area are currently limited to the planned sidewalk connection to the Sugar Creek Restaurant. There may be an opportunity in this area for more boutique hotels and accessory residential land uses.

13. Kitty Hawk Kites



16. Basnights Lone Cedar Care



17. Causeway Watersports



11. Sugar Creek Restaurant



12. Nags Head Public Pier



14. Nags Head Watersports



15. Nags Head Watersports



Vacant Private Property in CORD



There are currently 9 privately held parcels that are still vacant within the CORD with a total acreage of 3.463272 acres. There is a larger number of commercially zoned properties just outside the CORD on the eastside of US 158 that are currently vacant and have the potential to be developed commercially or residentially.

Structure Square Footage in CORD

Full Throttle Speedway – 400 sq. ft.
Blackbeards Mini Golf – 2,100 sq. ft.
Millers Restaurant – 6,510 sq. ft.
Kitty Hawk Water Sports – 1,040 sq. ft.
Jurassic Putt – 248 sq. ft.
Outlets Nags Head – four buildings of 19,000 to 22,000 sq. ft.
Sugar Creek Restaurant – 7,331 sq. ft.
Whalebone Quality Plus Gas Station – 1,208 sq. ft.
Causeway Watersports – 896 sq. ft.
Fishing Unlimited Bait & Tackle – 1,182 sq. ft.
Basnights Lone Cedar Restaurant – 13,785 sq. ft.
Valero Gas Station – 4,292 sq. ft.
Tale of the Whale Restaurant – 6,332 sq. ft.
Kitty Hawk Kites– 840 sq. ft.
Oceans East Bait & Tackle – 3,200 sq. ft.

Town Soundside Boardwalk Concepts

The idea of a soundside boardwalk was first identified in the Town's Parks and Recreation Plan, with planning funds allocated in the 2013/2014 budget to explore feasibility. The Town's goals included conducting property owner outreach, researching environmental permitting, and developing a viable boardwalk alignment.

To guide this effort, the Board of Commissioners appointed a stakeholder committee in February 2013. Shortly after, the Town engaged Environmental Professionals, Inc., which developed a preliminary alignment and conducted outreach to affected property owners.

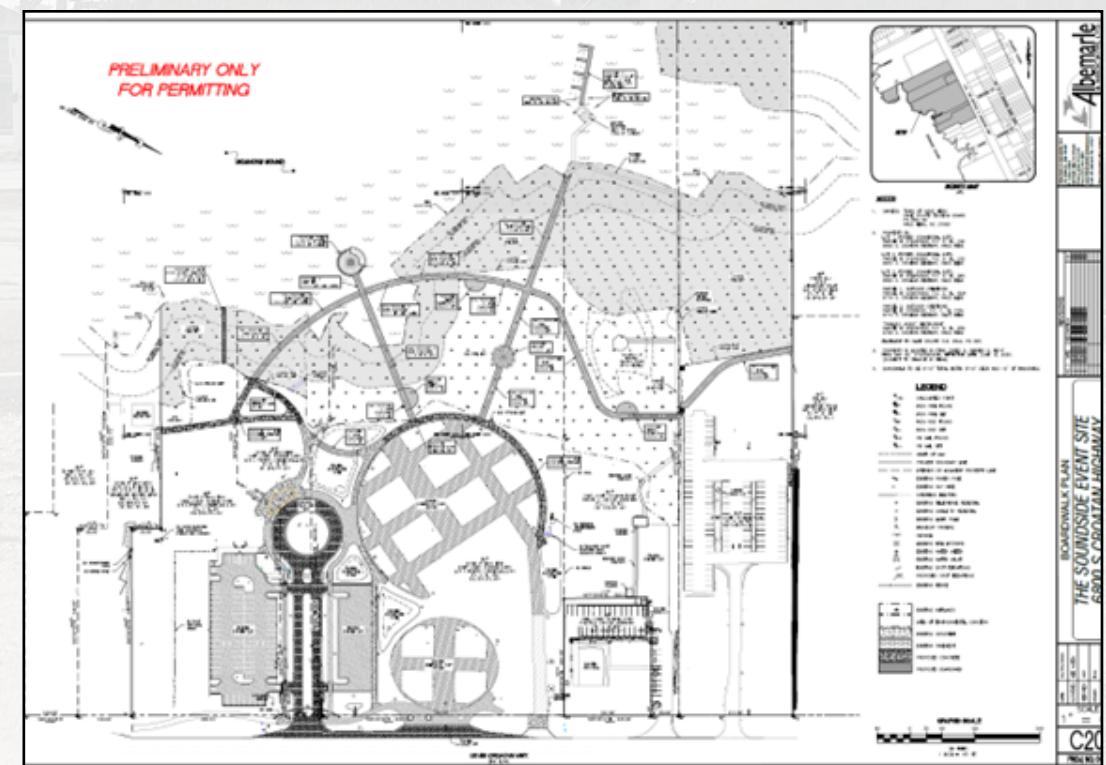
In 2016, the Board of Commissioners considered a text amendment to exempt private property owners from lot coverage and minimum yard requirements for boardwalk construction within designated easements. However, after review, the Board ultimately decided not to move forward with permitting and construction. The conceptual alignment developed during this planning process remains a foundation for future discussions, should interest in a soundside boardwalk be revisited. Below are preliminary drawings from the time:



Soundside Event Center Boardwalk



In late 2024, the Soundside Event Center received CAMA and Town approvals to construct a boardwalk, completing part of the concept.



Analysis

Strengths:

- Existing grouping/cluster of outdoor recreation businesses
- The Soundside Event Center serves as an anchor attraction, drawing visitors and activity
- Proximity of the CORD to hotels, cottage courts and large vacation rentals supporting visitor demand
- Town ownership of key local parks and properties in and near the CORD including, Whalebone Park, Nags Head Public Pier, Harvey Soundside Park and preserved 'Catfish Farm' Properties enhance the districts appeal
- Proximity to Jennette's Pier and Whalebone Activity Node, increasing visibility and accessibility
- Views of and proximity to the ocean and the sound adds to desirability

Weaknesses:

- Lack of zoning protection in that the full range of C2, General Commercial Uses are allowed by right, meaning residential redevelopment or non-recreational commercial uses could disrupt the districts continuity and character
- Potential for development that reduces visibility of the sound
- Lack of pedestrian connectivity to and from the district from points east and north

Analysis

Weaknesses, Continued:

- Challenge and viability of new outdoor recreation related businesses due to cost of land, development and doing business
- Current zoning only allows non-recreational uses as accessory to recreation based business, limiting opportunity for diverse mixed use projects/multiple principle uses

Opportunities:

- Improve Pedestrian connectivity - expand walkways, crosswalks, bike paths to link district to surrounding areas
- Remove incompatible uses to preserve district continuity long term
- Allow small multifamily development as an accessory use
- Soundside Event Site expansion helps bring events and programming to the CORD, central destination that could be expanded on to help retain existing CORD businesses
- Increased connection to sound and natural landscape via boardwalk, boat parking, maintaining visual connection to the sound, public art and installing living shorelines in the area to reduce erosion and support natural habitat
- Allow multiple principal uses with CORD Use. Eg. allow multiple principal uses in the CORD such as restaurant and mini golf

Recommendations - Zoning

To align the Commercial Outdoor Recreation District (CORD) with the Comprehensive Plan and ensure consistency with the Unified Development Ordinance (UDO) the following zoning amendments are recommended:

Recommendation 1. Amend the UDO to reflect CORD goals

- Remove noncompatible uses from the C2 district within the CORD to maintain recreational focus
- Expand allowable accessory only uses within the CORD, offering flexibility while ensuring they compliment outdoor recreation
- Consider allowing multiple principal uses within CORD properties, such as allowing a restaurant and outdoor recreation use on the same site.

P = Permitted by Right, Administrative

R = Supplemental Regulations

S = Special Use

Yellow Highlighted uses below have a recommended change to be permitted as accessory to an outdoor recreation use.

Red Highlighted uses are recommended to no longer be allowed within the CORD.

Blue highlighted is a housekeeping change.

Green highlighted is a mixed use option to consider allowing with Outdoor Recreation Use.

Recommendations - Zoning

Use Category	Use Type	Use	Supplemental Regulation	Notes
Residential	Short Term Rental	PR		
Service	Massage and Bodywork Therapy	PR	Section 7.21	
Recreation-Land Dependent	Aerial Adventure Park	SR	Section 7.57	
Recreation-Land Dependent	Designated Public Events Site	SR	Section 7.58	
Recreation-Land Dependent	Go Kart Track	SR	Section 7.59	
Recreation-Land Dependent	Grass Surface Putting Course	SR	Section 7.60	
Recreation-Land Dependent	Mini-Golf	S		
Recreation-Land Dependent	Outdoor Amusement Rides/Games	SR	Section 7.61	
Recreation-Land Dependent	Outdoor Sport Climbing Wall	SR	Section 7.62	
Recreation-Water Dependent	Parasail Rental	C		Change to S
Recreation-Water Dependent	Tour Boat, (49 Passengers or less)	C		Change to S
Recreation-Water Dependent	Watercraft Rental, Non-Powered	SR	Section 7.63	
Recreation-Water Dependent	Watercraft Rental, Powered	SR	Section 7.63	
Recreation-Water Dependent	Watercraft, Personal (Jet-Ski)	SR		

Recommendations - Zoning

Use Category	Use Type	Use	Supplemental Regulation	Notes
Residential	Cottage Court	SR	Section 7.2	Multi-Fam listed as appropriate use per Comp Plan
Residential	Dwelling, Large Residential	PR	Section 7.4	Counter to CORD development vision.
Residential	Dwelling, Multi-Family (small)	PR		Multi-Fam listed as appropriate use per Comp Plan
Residential	Dwelling, Multi-Family (large)	SR		
Residential	Dwelling, Single-Family (detached)	P		
Residential	Dwelling, Two-Family	SR	Section 7.60	Accessory residential to commercial appropriate per Comp Plan
Residential	Granny Pods/ Temporary Health Care Structures	PR	Section 7.6	
Residential	Home Occupation Class 1	PR	Section 7.7	
Residential	Home Occupation Class 2	PR	Section 7.7	
Residential	Home Occupation Class 3	PR	Section 7.7	Change to S

Recommendations - Zoning

Use Category	Use Type	Use	Supplemental Regulation	Notes
Residential	Short-term Rental	P		
Residential-Group	Bed and Breakfast	SWW		Boutique Hotel type uses strongly supported per Comp Plan
Residential-Group	Boarding Houses	SR	Section 7.8	
Residential-Group	Dormitory	SR	Section 7.10	
Residential-Group	Family Care Homes/Half-way Homes	PR	Section 7.11	Counter to CORD
Residential-Group	Family Foster Homes	P		
Retail	Art Gallery	P		
Retail	Art Gallery – Owner Occupied	P		appropriate per Comp Plan
Retail	Artisan's Workshop < 3,000 sq. ft.	SR	Section 7.13	
Retail	Artisan's Workshop >3,000 sq. ft.	SR	Section 7.13	
Retail	Auction House	PR	Section 7.14	
Retail	Beach Recreation Equipment Rental/Sales	P		
Retail	Bicycle shop (repair, retail, rental)	P		
Retail	Convenience Store	P		

Recommendations - Zoning

Use Category	Use Type	Use	Supplemental Regulation	Notes
Retail	Firearms Sales and Service	P		
Retail	Food/Grocery Store	P		
Retail	Furniture Store	P		
Retail	General Retail	P		
Retail	Jewelry	PR		
Retail	Greenhouse/Plant Nursery	P		
Retail	Hardware Store	P		
Retail	Pet Shop/Dog Grooming	PR		
Retail	Pharmacy	P		
Retail	Production/Repair/Sales eyeglasses, Hearing Aids, Prosthetics	P		
Service	Automobile Repair	SR	Section 7.15	
Service	Bail Bonds	P		
Service	Banking Institution	P		
Service	Broadcasting Studios	P		
Service	Car Washes (automated and self service)	CS		
	Section 7.18		Section 7.73	
Service	Child Care Facility, Child Care Center	SR	Section 7.39	

Recommendations - Zoning

Use Category	Use Type	Use	Supplemental Regulation	Notes
Service	Dry Cleaners and Laundromats (pickup only)	P		
Service	Food Bank	SR		
Service	Fueling Station	SR		
Service	Funeral Home	P		
Service	Group Fitness-Aerobics/Dance/Karate/Yoga	P		Appropriate use in character area
Service	Hair Salon	P		
Service	Indoor Fitness/Gymnasium	P		
Service	Indoor Public Assembly	P		
Service	Locksmiths	P		
Service	Massage and Bodywork Therapy	PR	Section 7.21	
Service	Metaphysical Wellness Services	SR	Section 7.22	
Service	Parking Lots	P		
Service	Shoe Repair	P		
Service	Spa	P		
Service	Tailor	P		
Service	Taxi/Limousine	S		
Service	Telecommunications Sales and Service	P		

Recommendations - Zoning

Use Category	Use Type	Use	Supplemental Regulation	Notes
Service	Veterinary Clinic with Animal Boarding	SR	Section 7.21.1	
Service	Veterinary Clinic with no Animal Boarding	PR	Section 7.24.2	
Food Service	Coffee Shop/ Juice Bar	PR	Section 7.25	Mixed Use and restaurant appropriate per Comp Plan
Food Service	Ice Cream Shop	P		Mixed Use and restaurant appropriate per Comp Plan
Food Service	Food Truck	PR	Section 7.26	
Food Service	Microbreweries	SR	Section 7.27	
Food Service	Restaurant-Drive in	SR	Section 7.28	
Food Service	Restaurant-Neighborhood		Section 7.30	
Food Service	Restaurant- Sit Down		Section 7.31	
Food Service	Restaurant-Take Out			
Office	Building Contractor's Office	P		
Office	Professional Office,	P		
Commercial Mixed	Commercial with accessory residential	PR	Section 7.32, 7.33	

Recommendations - Zoning

Use Category	Use Type	Use	Supplemental Regulation	Notes
Commercial Mixed Uses	Group Development	S	Section 7.32	Comp Plan Supports in CORD
Commercial Mixed Uses	Mixed Use Development	SR	Section 7.32, 7.34	Comp Plan Supports in CORD
Commercial Mixed Uses	Multiple Principal Uses	SR	Section 7.32, 7.35	Comp Plan Supports in CORD
Commercial Mixed Uses	Shopping Center	SR	Section 7.32	Counter to CORD
Institutional	Adult Day Service Center	SR	Section 7.36	
Institutional	Colleges, Universities, Community Colleges	S	Section 7.37	
Institutional	Education and Research Facilities	S		appropriate per Comp Plan
Institutional	School	SR	Section 7.38	
Institutional	Municipally Operated Farmer's Market	P		
Institutional	Libraries	S		
Institutional	Museum	P		
Institutional	Nonprofit/ Community Outreach Center	P		

Recommendations - Zoning

Use Category	Use Type	Use	Supplemental Regulation	Notes
Institutional	Post Office	P		
Institutional	Private Club-house for 501©8 Frater-nal Beneficiary Societies as defined by the IRS	PR		
Institutional	Public Utility Facility	SR	Section 7.44	
Institutional	Religious Complex	SR	Section 7.45	
Institutional	Religious Complex w/ Accessory School/Day Care	SR	Section 7.45	
Medical	Alcohol & Drug Outpa-tient treatment	P		
Medical	Dialysis Cen-ter	P		
Medical	Medical Office	P		
Recreation	Bowling Alley	S		
Recreation	Community Garden	SR	Section 7.48	
Recreation	Fishing Pier	SR	Section 7.50	
Recreation	Indoor Enter-tainment	PR	Section 7.51	
Recreation	Public Beach/ Sound Access/ Bathhouse	P		
Recreation	Municipal Park	PR	Section 7.55	

Recommendations - Zoning

Use Category	Use Type	Use	Supplemental Regulation	Notes
Recreation	Skate Park Facility	SR	Section 7.56	
Recreation	Theater	P		Boutique Hotel type uses strongly supported per Comp Plan
Telecommunica-tions	Concealed Building mounted An-tenna Installed Flush to Roof-line	PR	Section 7.65	
Telecommunica-tions	Concealed Building mounted Antenna Not Installed Flush to Roofline	S		
Telecommunica-tions	Small Wireless Facilities	PR		
Warehouse/Light Industrial	Commercial Crop Produc-tion, Indoor	P		Counter to CORD
Warehouse/Light Industrial	Fine Craft and Folk Art Production	P		
Accessory Uses	Bulkhead/Es-tuarine Bulk-head	P		appropriate per Comp Plan
Accessory Uses	Customary Accessory Church Facil-ities	S		
Accessory Uses	Docking Facil-ity, Accessory to Restaurant	P	Section 7.73	

Recommendations - Zoning

Use Category	Use Type	Use	Supplemental Regulation	Notes
Accessory Uses	Electric Vehicle Battery Exchange Station	P	Section 7.16	
Accessory Uses	Garage	P		
Accessory Uses	Greenhouses	P		
Accessory Uses	On-site Rental of Beach Chairs & Umbrellas	PR	Section 7.75	
Accessory Uses				
Accessory Uses	Outdoor Stands- Accessory to Shopping Centers and Group Developments	PR	Section 7.76	Could add to more walkable/active street
Accessory Uses	Shed	P		
Accessory Uses	Solar Energy Facility, Accessory	P		
Accessory Uses	Swimming Pool	P		
Accessory Uses	Walls and Fences	PR	Section 7.78	
Accessory Uses	Wind Energy Facility, Rooftop	PR	Section 7.79.1	
Accessory Uses	Wind Energy Facility, Small	P		
Accessory Uses	Wind Energy Facility, Vertical Axis	P	Section 7.79.2	

Recommendations - Walkability

The Comprehensive Plan states at the beginning of the Whalebone Character Area Development Plan, "This area is envisioned to be a destination where people can park their car and enjoy exploring the surrounding area by foot or bike. This area is imagined as primarily commercial with a mix of retail and restaurant and a high degree of walkability." The plan then further elaborates in the Soundside Activity Node section of the Comprehensive Plan "Pedestrian connections between uses are strongly encouraged. And further, "Future development should work to increase bike and pedestrian connections from the Soundside to the Whalebone Junction Core and other residential areas to the north and south." Creating a pedestrian destination will help support outdoor recreation uses. Being able to park at Jennette's Pier or Whalebone Park in the south east or at the Soundside Event Site in the northwest and then seamlessly and safely allow people to walk from either activity node to the other would help support businesses and encourage more activity in the area. The linkage of activity nodes and improving the pedestrian experience are essential steps in accomplishing the development vision for the area as stated in the Comprehensive Plan.

Recommendations - Walkability

To create a more accessible, pedestrian friendly and welcoming environment, the town should focus on strengthening connections, enhancing the walking experience and supporting multi-modal accessibility.

Recommendation 2. Strengthen Key Connections:

- a) Improve the connection between the Soundside and Whalebone Activity Nodes to support seamless movement between destinations
- b) Improve connections to points north by completing the section of multi-use trail between Seachase Drive and Baymeadow Drive as planned

Recommendations - Walkability

Recommendation 3. Enhance the Walking Experience:

a) Implement strategies from the Beach Road Plan to make walking the area more engaging and comfortable, including:

- Public art, murals, sculptures, creative installations to add character and interest
- Vegetation/shade trees - provide shade and enhance aesthetics
- Temporary commercial/vendor stands - can activate pedestrian spaces.

b) Continue to support NCDOT funding the proposed access management project for US 158, which remains in the State Transportation Improvement Plan but is currently unfunded.

c) Reconsider/explore construction of the Soundside Boardwalk from the Outlets to the Soundside Event Site recommended in the Town's Parks and Recreation Plan:

- Helps support CORD businesses as a destination to park, walk and shop/play
- Encourages visitors to patronize multiple businesses in the CORD instead of driving to individual business

Existing, Planned and Proposed Pedestrian Connections in CORD



Public Art Examples

Public Art is a great way to engage the pedestrians and improve placemaking. Interactive art pieces are well liked and photographed. The Town could work with local artists through the Arts and Culture Committee to bring sculptures to the area as they have a history of doing in other areas of town. The Town has recently partnered Manteo High School's National Art Honor Society to paint an "Under the Sea" themed crosswalk on E. Bonnett Street near Dowdy Park and Nags Head Elementary School. This idea could be replicated somewhere within or near the CORD. The town has a variety of other successful examples of public art including:

- Dowdy Park Entrance Whale Ribs
- 8 art panels at beach accesses as part of art mast project
- One Love Mural at Dowdy Park
- Nature Loom at Town Park
- Painted Crosswalk at Bonnett and Memorial Avenue
- Chris Wheeler's murals at the Skatepark

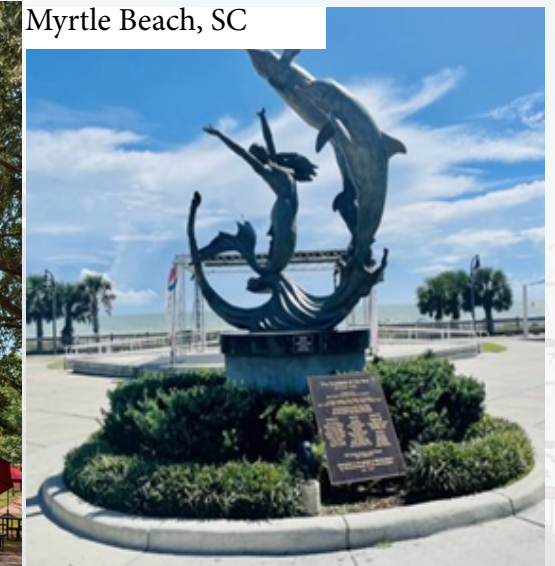
Nags Head, NC



Lake Norman, NC



Myrtle Beach, SC



Cagnes-Sur-Mer, French Riviera



Wilmington, NC





AGENDA ITEM SUMMARY

Town of Nags Head Planning Board

REGULAR SESSION: July 15, 2025

AGENDA ITEM H.2.

Planning & Development Directors Report, June 11th and July 2nd, 2025.

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.

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, July 2, 2025.

Monthly Activity Report

Attached for the Board's review is the Planning and Development Monthly Report for May 2025. 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 June:

- Tuesday, June 3rd - Technical Review Committee Meeting
- Wednesday, June 11th - Board of Commissioners Meeting
- Wednesday, June 11th - Committee for Arts and Culture Meeting
- Thursday, June 12th - Board of Adjustment Meeting (no hearings scheduled)
- Tuesday, June 17th - Planning Board Meeting (canceled)
- Tuesday, June 24th - Meet with Mount Pleasant, SC staff regarding Septic Health Initiative
- Tuesday, June 24th - Meet with Dominion Energy regarding fixtures and lighting within Town
- Thursday, June 26th - Crisis Track Training
- Dowdy Park Farmers Market - June 12th, 19th, and 26th
- Summer Concert Series - June 18th and 25th

Planning Board - Pending Applications and Discussions

The Planning Board did not meet in June.

The Board's next meeting is scheduled for July 15, 2025. The anticipated agenda includes consideration of a text amendment request submitted by TW's Outdoor Outfitters, LLC, proposing to amend Section 10.86.2.4.2 of the Unified Development Ordinance to reduce the required building separation from 20 feet to 10 feet. The Board is also expected to continue its discussion and evaluation of the Commercial Outdoor Recreation Overlay District.

Board of Adjustment – Recent and Pending Applications

There were no items for Board of Adjustment consideration in June 2025.

Additional Updates

- DWMP/Septic Health Advisory Committee- The Septic Health Advisory Committee (SHAC) will hold its next quarterly meeting during the last week of July 2025. In the meantime, staff are continuing to develop the scope and framework for implementing the \$500,000 zero-interest loan awarded by the Division of Water Infrastructure (DWI). This work includes establishing a process to pre-qualify contractors to ensure compliance with the Davis-Bacon Act wage requirements and American Iron and Steel requirements. Deputy Town Manager Amy Miller has also coordinated to place this DWI loan on the agenda for review and approval at the Local Government Commission (LGC) meeting on August 5th.
- Estuarine Shoreline Management Plan - Geotechnical work and bathymetric data collection have been completed for the estuarine marsh stabilization projects along Villa Dunes Drive and W. Soundside Road. The Town has received survey maps and a geotechnical report. Dare County Soil and Water has assisted by collecting drone imagery of the area to determine the locations of subaquatic vegetation. Field verification surveying of the subaquatic vegetation took place on June 23rd and June 24th. The drone imagery was 98% accurate. Residents were mailed a notice giving them information with regards to the upcoming work planned. Coastal Hydrodynamic Modeling and design will be conducted during the month of July, and the Town will receive the Basis of Design Report which is scheduled for completion on August 1st. The first community engagement workshop will be scheduled sometime in August or September 2025. Staff are applying for a NFWF Grant which is due on July 17th for funds to complete the final design documents for sites one and two.

For the Harvey Estuarine Site/OBVB site, staff are waiting on NCLWF for finalization of the contract for the \$500k funding awarded for design and construction. McAdams has provided a scope of work for both design and construction. Due to rising material and installation costs, additional funding is needed to complete the project. Staff has recently applied for a phase 4 RCCP Grant for the gap in funding to deliver the project.

- Sand Relocation and Dune Management Cost Share Program - In order to successfully reimburse applicants under the Dune Management Cost Share Program, all paperwork was required to be processed through the Finance Department by Thursday, June 26th. Upon the close of this season's program, we awarded 94 dune grants totaling \$213,000.
- Hargrove Street CAMA Access Grant - A public hearing has been scheduled for the Board of Commissioners' July 2, 2025, meeting to consider the NC Public Beach and Coastal Waterfront Access Grant Application to fund the replacement of the Hargrove Street Bathhouse (Item F-2). The final grant application is due by July 31, 2025, and staff are actively working on preparing the submittal.
- Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture - The Committee for Art and Culture met on Wednesday, June 11, to discuss the exciting lineup of summer events and to begin brainstorming and planning for the upcoming holiday season. June activities were very well attended, despite the heat. Our June yoga sessions matched previous July numbers, with an average of 42 participants each morning. The first Family Fun Times event, held in the morning, was very successful. Children and parents alike enjoyed Ascension Music. The first Waggin Wednesday took place on June 25th, with six dogs and 23 people in attendance. Although attendance was lower due to the heat, all were visitors from out of town who had positive experiences and great interactions.

July will be a busy month. See below for a summary of scheduled activities in Town:

- Yoga at Dowdy Park is held every Tuesday from 7:30 – 8:30 a.m. and will continue through the end

of October.

- Fitness Fridays at Dowdy Park – Every Friday from 7:30 to 8:15 a.m., running through August 22. These sessions include tai chi, Pilates, and core, balance, and stretching activities.
- Summer Concert Series at Dowdy Park – Every Wednesday from 6:30 to 8 p.m. Upcoming performances include: Partly Crowdy on July 2nd, British Invaders on July 9th, Dalchord on July 16th, Ten Feet Tall on July 23rd, and Justin Trawick & The Common Good on July 30th.
- Family Fun Times at Dowdy Park – Every Tuesday from 10 to 11:30 a.m. through August 19. This free event features Ascension Music Academy, J.R. Shanty Storytellers, a visit from Riptide of the Corolla Wild Horse Fund, and an interactive theater show.
- Kids Move More at Dowdy Park – Kicking off on Friday, July 4, from 10 to 11 a.m. This free event will include fun kid-friendly games, obstacle courses, bubbles, and more.
- Waggin' Wednesdays – Every Wednesday from 10 to 11 a.m. at Satterfield Landing Park.

Upcoming Meetings and Other Dates

- Tuesday, July 1st - Technical Review Committee Meeting
- Wednesday, July 2nd - Board of Commissioners Meeting
- Wednesday, July 9th - Committee for Art & Culture Meeting (No July meeting)
- Thursday, July 10th - Board of Adjustment Meeting (no hearings scheduled)
- Tuesday, July 15th - Planning Board Meeting
- Wednesday, July 16th - Board of Commissioners mid-month meeting (if scheduled)
- Wednesday, July 30th - Septic Health Advisory Committee
- Dowdy Park Farmers Market - July 3rd, 10th, 17th, 24th, and 31st
- Summer Concert Series - July 2nd, 9th, 16th, 23rd, 30th

TOWN OF NAGS HEAD

Want the latest scoop?
Stay in the loop!
NagsHeadNC.gov/
DowdyParkEvents

Family Fun Times

UPCOMING DATES AND HOSTS

June 24: Ascencion Music Academy
July 1: Ascencion Music Academy
July 8: J.R. Shanty Storytellers
Special Date July 11: Riptide from Corolla Wild Horse Fund
July 15: J.R. Shanty Storytellers
July 18: Jef Interactive Theater Show
July 29: Riptide from Corolla Wild Horse Fund
August 5: Ascencion Music Academy
August 19: N.E.S.T.
Special Date and Time August 26 3:30PM-6PM Kids Back to School

Tuesdays 10am-11:30am
June 24-August 19 2025





Attachments

1. 7 G1 Planning Monthly Report
2. June 11th Directors Report

**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT
MONTHLY REPORT
MAY 2025**

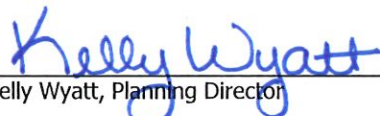
DATE SUBMITTED: June 7, 2025

	May-25	May-24	Apr-25	2024-2025 FISCAL YTD	2023-2024 FISCAL YTD	FISCAL YEAR INCREASE/DECREASE
BUILDING PERMITS ISSUED - RESIDENTIAL						
New Single Family	0	2	2	17	16	1
New Single Family, 3000 sf or >	0	1	1	9	5	4
Duplex - New	0	0	0	0	1	(1)
Sub Total - New Residential	0	3	3	26	22	4
Miscellaneous (Total)	39	46	59	482	466	16
<i>Accessory Structure</i>	7	2	4	46	39	7
<i>Addition</i>	2	0	1	15	26	(11)
<i>Demolition</i>	0	0	0	5	5	0
<i>Move</i>	0	1	0	1	1	0
<i>Remodel</i>	4	11	14	102	119	(17)
<i>Repair</i>	26	32	40	313	276	37
Total Residential	39	49	62	508	488	20
BUILDING PERMITS ISSUED - COMMERCIAL						
Multi-Family - New	0	0	0	0	0	0
Motel/Hotel - New	0	0	0	1	0	1
Business/Govt/Other - New	0	0	0	1	0	1
Subtotal - New Commercial	0	0	0	2	0	2
Miscellaneous (Total)	7	2	9	79	83	(4)
<i>Accessory Structure</i>	4	0	4	29	31	(2)
<i>Addition</i>	0	0	0	0	0	0
<i>Demolition</i>	0	0	0	0	1	(1)
<i>Move</i>	0	0	0	0	0	0
<i>Remodel</i>	1	1	1	19	25	(6)
<i>Repair</i>	2	1	4	31	26	5
Total Commercial	7	2	9	81	83	(2)
Grand Total	46	51	71	589	571	18
SUB-CONTRACTOR PERMITS						
Electrical	85	90	66	578	594	(16)
Gas	4	3	2	20	35	(15)
Mechanical	56	57	47	387	375	12
Plumbing	17	6	13	114	122	(8)
Fire Sprinkler	0	0	0	1	4	(3)
VALUE						
New Single Family	\$0	\$650,000	\$1,360,000	\$8,266,157	\$8,802,995	(\$536,838)
New Single Family, 3000 sf or >	\$0	\$2,000,000	\$300,000	\$7,633,200	\$4,642,945	\$2,990,255
Duplex - New	\$0	\$0	\$0	\$0	\$711,000	(\$711,000)
Misc (Total Residential)	\$1,449,113	\$1,116,214	\$1,389,609	\$15,484,524	\$16,525,941	(\$1,041,417)
Sub Total Residential	\$1,449,113	\$3,766,214	\$3,049,609	\$31,383,881	\$30,682,881	\$701,000
Multi-Family - New	\$0	\$0	\$0	\$0	\$0	\$0
Motel/Hotel - New	\$0	\$0	\$0	\$18,000,000	\$0	\$18,000,000
Business/Govt/Other - New	\$0	\$0	\$0	\$1,400,000	\$0	\$1,400,000
Misc (Total Commercial)	\$146,042	\$65,750	\$396,350	\$4,537,247	\$4,755,890	(\$218,643)
Sub Total Commercial	\$146,042	\$65,750	\$396,350	\$23,937,247	\$4,755,890	\$19,181,357
Grand Total	\$1,595,155	\$3,831,964	\$3,445,959	\$55,321,128	\$35,438,771	\$19,882,357

**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT
MONTHLY REPORT
MAY 2025**

DATE SUBMITTED: June 7, 2025

	May-25	May-24	Apr-25	2024-2025 FISCAL YTD	2023-2024 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
ZONING						
Zoning Permits	52	57	73	614	620	(6)
Soil & Erosion	0	3	1	28	19	N/A
Stormwater Plans	2	2	1	20	31	N/A
CAMA						
CAMA LPO Permits	1	3	4	21	36	(15)
CAMA LPO Exemptions	2	15	13	74	72	0
Sand Relocations			19	210	281	N/A
CODE COMPLIANCE						
Cases Investigated	32	38	30	331	305	26
Warnings	6	6	10	52	37	15
NOVs Issued	26	32	20	260	263	(3)
Civil Citations (#)	0	0	0	0	1	(1)
Civil Citations (\$)	\$0	\$0	\$0	\$0	\$0	\$0
SEPTIC HEALTH						
Tanks Inspected	6	6	12	112	100	12
Tanks pumped	8	10	12	81	110	(29)
Water quality sites tested	1	26	1	118	97	21
Personnel Hours in Training/School	8	32	24	316	403	(87)



Kelly Wyatt, Planning Director



AGENDA ITEM SUMMARY

Town of Nags Head Board of Commissioners

REGULAR SESSION: June 11, 2025

AGENDA ITEM G.1.

Update from Planning Director

Prepared by

Kelly Wyatt, Planning Director

Reviewed by

Kelly Wyatt
Brittany Phillips
Andy Garman

Staff Comments/Recommendation

Please find attached a monthly update from Planning Director Kelly Wyatt

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, June 11, 2025.

Monthly Activity Report

Attached for the Board's review is the Planning and Development Monthly Report for April 2025. 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 May:

- Tuesday, May 6th - Technical Review Committee Meeting
- Tuesday, May 6th - Meeting with OTT Hydromet on Water Quality Installation
- Wednesday, May 7th - Board of Commissioners Meeting
- Thursday, May 8th - Board of Adjustment Meeting - Schroeder Property Variance, 109 E. Lakeside Street
- Wednesday, May 14th - Committee for Arts and Culture Meeting (no May meeting)
- Tuesday, May 20th - Planning Board Meeting
- Wednesday, May 21st - Board of Commissioners mid-month meeting - Budget Workshop

Planning Board - Pending Applications and Discussions

The Planning Board's most recent meeting was held on Tuesday, May 20, 2025. The following items were heard:

- Consideration of a Site Plan Amendment submitted by the Town of Nags Head for the redevelopment of the Employee Wellness Facility at 5401 S. Croatan Highway. The proposal includes a two-story 3,200-square-foot building with a wellness center on the first floor and residential workforce housing above. The Planning Board unanimously recommended approval.
- The Planning Board nominated Basil Belsches to fill the vacancy on the Septic Health Advisory Committee

(SHAC) for Planning Board representation. The Board of Commissioners will consider the formal appointment at their June 11th, 2025 meeting.

- Staff and the Planning Board continued their discussion of Action Item 2.2 from the Town's Strategic Plan, focusing on the review of allowable uses within the Commercial Outdoor Recreation Overlay District. While in its early stages, there does appear to be some consensus on several actions, including exploring ways to support existing businesses by allowing flexibility and expansion of uses, supporting the current mix of uses by removing some less desirable C-2 uses from the Commercial Outdoor Recreation Overlay District, taking measures to manage heights and development to keep the Sound visible and accessible, improve wayfinding and sense of place, and explore improving pedestrian and bicycle connections between disconnected destinations.

The Planning Board's next meeting is scheduled for Tuesday, June 17, 2025. At this time, the agenda is expected to include continued discussions on evaluation of the Commercial Outdoor Recreation Overlay District.

Board of Adjustment – Recent and Pending Applications

The Nags Head Board of Adjustment held a meeting on Thursday, May 8, 2025, to consider a variance request submitted by property owners Mark and Carla Schroeder to exceed the maximum allowable lot coverage in order to install an above-ground pool at 109 E. Lakeside Street. The Board voted to grant the minimum variance necessary to accommodate the pool, based on documentation from a physician indicating that the pool was medically necessary to manage a diagnosed condition. Pursuant to NCGS 160D-705, a variance may be granted as a reasonable accommodation under the Federal Fair Housing Act for individuals with disabilities. The variance was approved with the condition that the pool must be removed when it is no longer required as a medical accommodation for the current property owner, upon transfer or sale of the property to an unrelated party, or if the property is used as a short- or long-term rental.

Additional Updates

- DWMP/Septic Health Advisory Committee - The Septic Health Advisory Committee (SHAC) met on May 27, 2025, to continue refining the scope and framework for implementation of the \$500,000 zero-interest loan awarded by the Division of Water Infrastructure (DWI). Following a review of GIS data and analysis prepared by Planning staff, the committee reached consensus on prioritizing the first year of the four-year loan period for properties identified as "high risk."

High-risk properties are defined as those located adjacent to water bodies, such as the sound, canals, the Memorial Avenue ditch, and the west side of South Old Oregon Inlet Road near the marsh. Properties were excluded if they met any of the following criteria:

- Had a septic repair/replacement permit issued by Dare County Environmental Health within the past five years,
- Utilize a non-conventional septic system,
- Previously participated in the Septic Health Initiative,
- Have a ground elevation greater than 3 feet mean sea level (msl).

Applying these criteria resulted in a priority list of approximately 280 properties, with concentrations in South Nags Head, Old Nags Head Cove, Lakeside Street/Old Nags Head, Pond Island, Lone Cedar, and Soundside Road. The committee also discussed key next steps, including establishing a contractor pre-qualification process to ensure compliance with Davis-Bacon wage requirements and American Iron and Steel provisions and securing

Local Government Commission (LGC) approval, which will require a public hearing.

Once the program framework is finalized and approved, the committee recommends launching a targeted outreach and community engagement effort. This would include an informational video or brochure, followed by a letter to the 280 identified property owners, inviting them to a community meeting (offered both in-person and virtually) to explain the program and why their property was included in the targeted area. The committee supports focusing on high-risk areas during the program's first year, noting that participation by these properties would have the greatest impact on environmental quality/water quality. Broader program eligibility may be considered in subsequent years.

- Estuarine Shoreline Management Plan - Geotechnical work and bathymetric data collection have been completed for the estuarine marsh stabilization projects along Villa Dunes Drive and W. Soundside Road. The Town has received survey maps and a geotechnical report. Dare County Soil and Water has assisted by collecting drone imagery of the area to determine where to do more intensive subaquatic vegetation surveying. Subaquatic vegetation field verification is to take place between now and mid-June. Residents have been mailed a notice giving them information with regards to the upcoming work planned. Once this assessment is complete, coastal hydrodynamic modeling will be conducted, and the Town will receive the basis of design report as part of the agreed-upon deliverables. The first community engagement workshop will be scheduled sometime in late June or early July of 2025.

For the Harvey Estuarine Site/OBVB site, staff is finalizing a contract with NCLWF for the \$500k funding awarded. McAdams has provided a scope of work for both design and construction. Due to rising material and installation costs, additional funding is needed to complete the project. Staff have recently applied for a Phase 4 RCCP Phase 4 Grant and a NFWF Grant to close the funding gap and deliver the project.

- Sand Relocation and Dune Management Cost Share Program - While the sand relocation season has officially concluded, the Town is still accepting applications for the Dune Management Cost Share Program through June 23, 2025. As of June 6, a total of \$208,500 has been allocated to approved applicants. A news flash was distributed to promote the program, and an article was published by the Outer Banks Voice, both of which have prompted several residents to contact us for more information.
- Hargrove Street CAMA Access Grant - The Town has been notified that its pre-application for the Hargrove Street CAMA Public Access Grant has been selected to move forward to the final application stage. The final application is due July 31, 2025, and staff are currently preparing the submittal.
- Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture - The Committee for Art and Culture will meet on Wednesday, June 11th to discuss the exciting lineup of summer events and begin planning for the upcoming holiday season. Activities at Dowdy Park ramp up in June, starting with the return of the popular Dowdy Park Farmers Market, held every Thursday from June 12 through August 21, from 9:00 a.m. to 1:00 p.m.

There are also several free fitness opportunities available throughout the summer:

- Yoga at Dowdy Park is held every Tuesday from 7:30 – 8:30 a.m. and will continue through the end of October.
- Fitness Fridays begin on June 13th and run through August 22nd, also starting at 7:30 a.m. and concluding at 8:15 a.m. These sessions include disciplines such as tai chi, pilates, and core, balance and stretch.

The much-anticipated Summer Concert Series kicks off on Wednesday, June 18th and continues weekly through early September. Concerts begin at 6:30 p.m. and end around 8 p.m. June performances include Will Overman on June 18th and The BarCats on June 25th.

This Friday, June 13th, Movie Night at Dowdy Park returns with The Sandlot, sponsored by Outer Banks Health. The movie will begin around 8:30 p.m. Additional upcoming events include Family Fun Time on June 24th from 10 - 11:30 a.m. and the first Waggin' Wednesday at Satterfield Landing Dog Park on June 25th, from 10 - 11 a.m.

Upcoming Meetings and Other Dates

- Tuesday, June 3rd - Technical Review Committee Meeting
- Wednesday, June 11th - Board of Commissioners Meeting
- Wednesday, June 11th - Committee for Art & Culture Meeting
- Thursday, June 12th - Board of Adjustment Meeting (no hearings scheduled)
- Tuesday, June 17th - Planning Board Meeting
- Wednesday, June 18th - Board of Commissioners mid-month meeting (if scheduled)
- Dowdy Park Farmers Market - June 12th, 19th, and 26th
- Summer Concert Series - June 18th and 25th



Attachments

1. 6 G1 Planning Monthly Report