AGENDA

TOWN OF NAGS HEAD BOARD OF COMMISSIONERS
NAGS HEAD MUNICIPAL COMPLEX - BOARD ROOM
WEDNESDAY, FEBRUARY 7, 2024, 9:00 A.M.

A. CALL TO ORDER / MOMENT OF SILENCE / PLEDGE OF ALLEGIANCE

B. ADOPTION OF AGENDA

C. RECOGNITION

1. Recognition

   NEW EMPLOYEE – Public Services – Sanitation Equipment Operator Larry Bunting – Jan 8, 2024

   FIVE YEARS – Public Safety - Fire Engineer/EMT Guy Crocker – Jan 22, 2019

   TWENTY-FIVE YEARS – Public Safety – Fire Lieutenant Diego Dayan – Dec 29, 1998

   PROCLAMATION – Annual Safety Week – March 4 – 8, 2024

   Documents:

   2 C RECOGNITION SUMMARY.PDF
   2 C RECOGNITION SAFETY WEEK PROC.PDF

D. PUBLIC COMMENT

E. CONSENT AGENDA

1. Consideration Of Budget Amendment #8 To FY 23/24 Budget

   Documents:

   2 E1 BUDGET AMEND TO FY 23-24 SUMMARY.PDF
   2 E1 BUDGET AMENDMENTS 8 WORKSHEETS.PDF

2. Consideration Of Tax Adjustment Report

   Documents:

   2 E2 TAX ADJ REPORT SUMMARY.PDF
   2 E2 TAX ADJ MSD REPORT.PDF
   2 E2 TAX ADJ TOWN-WIDE REPORT.PDF

3. Request To Advertise Delinquent Taxes

   Documents:

   2 E3 TAX DELINQ TAXES SUMMARY.PDF
   2 E3 TAX DELINQ TAXES MEMO.PDF

4. Approval Of Minutes

   Documents:

   2 E4 MINUTES SUMMARY.PDF
   2 E4 MINUTES NOV 16-17 2023 RETREAT MINS.PDF
   2 E4 MINUTES JAN 3 2024 MINS.PDF

5. Consideration Of Personnel Policy Change
   - Holiday Schedule amendment

   Documents:

   2 E5 PP AMEND HOLIDAY POLICY SUMMARY.PDF
   2 E5 PP AMEND HOLIDAY POLICY.PDF

6. Consideration Of Amendment To The Beach Nourishment Maintenance Capital Project Ordinance

   Documents:

   2 E6 BN CAP PROJ AMEND 10 SUMMARY.PDF
   2 E6 BN CAP PROJ AMEND 10 ORD.PDF

7. Consideration Of Resolution To Accept The American Rescue Plan Grant

   Documents:

   2 E7 ARP STORM PROJ GRANT SUMMARY.PDF
   2 E7 ARP STORM PROJ RES.PDF
   2 E7 ARP STORM PROJ CONDITIONS.PDF
   2 E7 ARP STORM PROJ COSTS.PDF
   2 E7 ARP STORM PROJ STATE LTR.PDF

8. Request For Public Hearing To Consider
   text amendments to the Unified Development Ordinance re: prohibiting drive-through restaurants

   Documents:

   2 E8 RPH DRIVE-THRU REST SUMMARY.PDF

F. PUBLIC HEARINGS

1. Public Hearing To Consider Special Use/Site Plan
   review submitted by Quible & Associates, P.C. and Beacon Architecture and Design PLLC,
   for the construction of a Trade Center. The property is zoned C-3, Commercial Services and
   is located on Lot 2a of the Charles L. Sineath Subdivision (PIN# 989317113533), vacant lot
   directly behind TW's Bait and Tackle

Documents:

2 F1 PH TRADE CENTER SUMMARY.PDF
2 F1 PH TRADE CENTER PN.PDF
2 F1 PH TRADE CENTER MEMO.PDF

2. Public Hearing To Consider Various Text
amendments to the Unified Development Ordinance (UDO) as it relates to multi-family development

Documents:

2 F2 PH MULTI-FAMILY SUMMARY.PDF
2 F2 PH MULTI FAMILY PN.PDF
2 F2 PH MULTI-FAMILY MEMO ORD.PDF
2 F2 PH MULTI-FAMILY APPENDIX A.PDF

G. REPORTS AND RECOMMENDATIONS FROM THE PLANNING BOARD AND THE PLANNING AND DEVELOPMENT DIRECTOR

1. Update From Planning Director

Documents:

2 G1 PLANNING DIRECTOR SUMMARY.PDF
2 G1 PLANNING DIR REPORT.PDF

H. OLD BUSINESS TABLED FROM PREVIOUS MEETINGS

1. From Jan 3rd Board Meeting
- Final acceptance/approval of the Emergency Operations Plan

Documents:

2 H1 EOP APPROVAL SUMMARY.PDF
2 H1 EOP APPROVAL FINAL.PDF
2 H1 EOP PROMUL LETTER.PDF

I. NEW BUSINESS

1. Presentation From Fire Planning Committee
Time Specific 10:30 a.m.

Documents:

2 I1 FIRE PLAN COMM PRES SUMMARY.PDF
2 I1 FIRE PLAN COMM MEMO.PDF
2 I1 FIRE PLAN COMM PRES.PDF

2. Presentation From Beach Nourishment Project Consultant – Time Specific 11:00 A.m.

Documents:

2 I2 BN PROJ CONSULT PRES SUMMARY.PDF

3. Committee Reports

   Documents:

   2 I3 COMMITTEE REPORTS SUMMARY.PDF

4. Consideration Of Board/Committee Appointments
   - Planning Board

   Documents:

   2 I4 BOARDS-COMMITTEES SUMMARY.PDF
   2 I4 CURRENT - PLNG BD.PDF
   2 I4 CANDIDATE - PLNG BD.PDF

5. Overview Of Ocean Rescue – 2023 Season/Lifeguard Pay/New Flag System
   – 2023 Season/Lifeguard pay/New Flag System

   Documents:

   2 I5 OR OVERVIEW SUMMARY.PDF
   2 I5 OR RED FLAG MEMO.PDF
   2 I5 OR LIFEGUARD PAY MEMO.PDF
   2 I5 OR OVERVIEW POWERPOINT.PDF

6. Presentation Of Strategic Plan
   from Nov 2023 Board Retreat

   Documents:

   2 I6 STRATEGIC PLAN SUMMARY.PDF
   2 I6 DRAFTSTRATEGICPLAN.PDF

J. ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN ATTORNEY

K. ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN MANAGER

1. Update On Public Services Facility

   Documents:

   2 K1 TM PUBLIC SVCS FAC UPDATE SUMMARY.PDF

--. Update On Dare County Housing Task Force Meeting

   Documents:

   2 K2 TM DC HOUSE TASK FORCE SUMMARY.PDF
   2 K2 TM HOUSING TASK FORCE - MISSION STATEMENT.PDF
   2 K2 TM DC HOUSE TASK FORCE MINS 01.18.24.PDF

L. BOARD OF COMMISSIONERS AGENDA

M. MAYOR'S AGENDA

N. CLOSED SESSIONS

1. Request For Closed Session
   to discuss possible acquisition of real property in accordance with GS 143-318.11(a)(5)

   Documents:

   2 N1 CS TM SUMMARY.PDF

O. OTHER BUSINESS

P. ADJOURNMENT

1. Adjournment/ RECESS TO PUBLIC SERVICES FACILITY TOUR

Agenda Item Summary Sheet

Item No: **C**
Meeting Date: **February 7, 2024**

Item Title: Recognition

Item Summary:

Recognition at the February 7th Board of Commissioners meeting includes the following:

NEW EMPLOYEE – Public Services – Sanitation Equipment Operator Larry Bunting – Jan 8, 2024

FIVE YEARS – Public Safety - Fire Engineer/EMT Guy Crocker – Jan 22, 2019

TWENTY-FIVE YEARS – Public Safety – Fire Lieutenant Diego Dayan – Dec 29, 1998

PROCLAMATION – Annual Safety Week – March 4 – 8, 2024
- Please see attached proposed proclamation.

Number of Attachments: 1

Specific Action Requested:
Provided for Board recognition.

Submitted By: Administration Date: January 31, 2024

Finance Officer Comment:
N/A

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:
N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

Congratulations!

Signature: Andy Garman Date: January 31, 2024

PROCLAMATION
SAFETY WEEK

WHEREAS, the Town of Nags Head Board of Commissioners, employees and citizens are committed to the maintenance of a safe and healthful workplace; AND

WHEREAS, the Town has assumed an active role in the promotion of a safe and healthful work environment by a program of regular occupational worksite evaluations and employee safety education; AND

WHEREAS, the Town strives to stimulate and maintain an interest in loss control and accident prevention and recognizes past and future services to the employees and citizens of Nags Head; AND

WHEREAS, the Town seeks to guide and encourage the adoption and institution of safe work practices by all employers and employees in Nags Head.

NOW, THEREFORE, the Town of Nags Head Board of Commissioners does hereby proclaim

March 4 - 8, 2024 as
SAFETY WEEK

in the Town of Nags Head, and commends this observance to our citizens.

FURTHERMORE, in recognition of this proclamation, I invite all Nags Head employees to attend the annual Nags Head Safety Luncheon/Chili Cook-Off on Thursday, March 7, 2024 from 12:00 Noon to 2:00 p.m. at the Douglas A. Remaley Fire Station #16.

This the 7th day of February 2024.

_____
Benjamin Cahoon, Mayor
Town of Nags Head

ATTEST:

_____
Carolyn F. Morris, Town Clerk

Agenda Item Summary Sheet

Item No: **E-1**
Meeting Date: **February 7, 2024**

Item Title: Consideration of Budget Amendment #8 to FY 23/24 Budget

Item Summary:

Attached please find Budget Amendment #8 to the FY 23/24 Budget which is provided for Board review and approval at the February 7th Board of Commissioners meeting. Budget Amendment #8 is in accordance with the FY 23/24 Budget Ordinance, adopted at the June 21, 2023 meeting.

Number of Attachments: 1

Specific Action Requested:

Request Board approval of attached Budget Amendment #8.

Submitted By: Administrative Services Date: January 31, 2024

Finance Officer Comment:

Request Board approval of attached Budget Amendment #8.

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

I concur with staff's request.

Signature: Andy Garman Date: January 31, 2024

TOWN OF NAGS HEAD

BUDGET AMENDMENT REQUEST
FY 2023-2024

BUDGET AMENDMENT NO. 8
Amendment 8.1

SOURCE OF FUNDS				USE OF FUNDS		
CODE	ACCOUNT	AMOUNT		CODE	ACCOUNT	AMOUNT
	Capital Investment Fund Revenues				**Capital Investment Fund Expenditures**	
11-499000	Appropriated Fund Balance	5,000.00		911-590081	Transfers to General Fund	5,000.00
	General Fund Revenues				**General Fund Planning Expenditures**	
10-492111	Transfers from Capital Investment Fund	5,000.00		490-577400	Capital Outlay Equipment	5,000.00
TOTAL CHARGES		$ 5,000.00		TOTAL CREDITS		$ 5,000.00

JUSTIFICATION

Use CIF funds for budget shortfall - EV charging station at Town Hall.

ADMINISTRATIVE SERVICES 2/1/2024
RECOMMENDED BY DATE

APPROVED BY BOC: DATE

POSTED TO GENERAL LEDGER:

INITIALS

BUDGET AMENDMENT REQUEST
FY 2023-2024

BUDGET AMENDMENT NO. 8
Amendment 8.2

SOURCE OF FUNDS				USE OF FUNDS		
CODE	ACCOUNT	AMOUNT		CODE	ACCOUNT	AMOUNT
	General Fund				**General Fund**	
	Board of Commissioners Expenditures				**Board of Commissioners Expenditures**	
410-544500	Contracted Services	5,000.00		410-577400	Capital Outlay Equipment	10,250.00
	General Fund					
900-599900	Manager's Contingency	5,250.00				
TOTAL CHARGES		$ 10,250.00		TOTAL CREDITS		$ 10,250.00

JUSTIFICATION

Move budgeted funds from contracted services towards digital audio processor, ceiling microphones, and installation/programming (BOC room). This is part of the GovEd LPDI grant. We received $5,000 but need additional $5,250 for microphones, installation, and programming. This $5,250 shortfall will come from Manager's Contingency.

ADMINISTRATIVE SERVICES 2/1/2024
RECOMMENDED BY DATE

APPROVED BY BOC: DATE

POSTED TO GENERAL LEDGER:

INITIALS

TOWN OF NAGS HEAD

BUDGET AMENDMENT REQUEST
FY 2023-2024

BUDGET AMENDMENT NO. 8
Amendment 8.3

SOURCE OF FUNDS | USE OF FUNDS

CODE	ACCOUNT	AMOUNT		CODE	ACCOUNT	AMOUNT
	General Fund Revenues				**General Fund Expenditures Adopt-A-Bench**	
10-473015	Adopt-A-Bench	3,600.00		530-566300	Dowdy Park	3,600.00
TOTAL CHARGES		$ 3,600.00		TOTAL CREDITS		$ 3,600.00

JUSTIFICATION

Two Dowdy Park bench donations received.

ADMINISTRATIVE SERVICES 2/1/2024
RECOMMENDED BY DATE

APPROVED BY BOC: DATE

POSTED TO GENERAL LEDGER:

INITIALS

Agenda Item Summary Sheet

Item No: **E-2**
Meeting Date: **February 7, 2024**

Item Title: Consideration of Tax Adjustment Reports

Item Summary:

Attached please find the list of adjustments to the 2023 Tax Levy (per information received from Dare County) for the monthly Property and MSD valuations.

These reports are submitted for your approval at the February 7th Board of Commissioners meeting.

Number of Attachments: 2

Specific Action Requested:

Tax reports provided for Board review and approval.

Submitted By: Linda Bittner, Tax Collector Date: January 31, 2024

Finance Officer Comment:

No unbudgeted fiscal impact.

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

I concur with staff.

Signature: Andy Garman Date: January 31, 2024

Town of Nags Head, North Carolina
Schedule of Ad Valorem 2023-2024 Taxes Receivable
2023 Tax Levy As of January 31, 2024 for the February 7, 2024 BOC Mtg

	BEACH NOURISHMENT DISTRICT					
	MSD Valuation	Rate	Total Levy	MSD Excluding Registered Motor Vehicles	Registered Motor Vehicles	
Original MSD Levy:						
MSD Beach Nourishment at Current 2023 Dist 1 Rate	578,093,598	0.00143	826,674.06	826,674.06		
MSD Beach Nourishment at current 2023 Dist 2 Rate	473,945,007	0.00143	677,741.67	677,741.67		
MSD Beach Nourishment at Current 2023 Dist 3 Rate	1,053,729,707	0.00005	52,687.93	52,687.93		
MSD Beach Nourishment at Current 2023 Dist 4 Rate	665,352,580	0.00010	66,535.07	66,535.07		
MSD Beach Nourishment at Current 2023 Dist 6 Rate	374,308,126	0.00005	18,716.25	18,716.25		
Registered Motor Vehicles at Current 2023 Dist 1 Rate	430,275	0.00143	615.30		615.30	
Registered Motor Vehicles at Current 2023 Dist 2 Rate	762,336	0.00143	1,090.14		1,090.14	
Registered Motor Vehicles at Current 2023 Dist 3 Rate	2,456,069	0.00005	122.80		122.80	
Registered Motor Vehicles at Current 2023 Dist 4 Rate	1,868,646	0.00010	186.88		186.88	
Registered Motor Vehicles at Current 2023 Dist 5 Rate	185,845	0.00000	0.00		0.00	
Registered Motor Vehicles at Current 2023 Dist 6 Rate	1,545,391	0.00005	74.18		74.18	
Registered Motor Vehicles at 2022 Dist 1 Rate	272,667	0.00143	389.90		389.90	
Registered Motor Vehicles at 2022 Dist 2 Rate	340,787	0.00143	487.34		487.34	
Registered Motor Vehicles at 2022 Dist 3 Rate	1,281,022	0.00005	64.08		64.08	
Registered Motor Vehicles at 2022 Dist 4 Rate	885,425	0.00010	88.59		88.59	
Registered Motor Vehicles at 2022 Dist 5 Rate	59,870	0.00000	0.00		0.00	
Registered Motor Vehicles at 2022 Dist 6 Rate	1,145,479	0.00005	57.32		57.32	
Registered Motor Vehicles at 2021 rate	22,000	0.00143	5.28		5.28	
Penalties			0.00			
Total	**3,156,684,830**		**1,645,536.79**	**1,642,354.98**	**3,181.81**	
Discoveries & Adjustments:						
Current year discoveries & adjustments	8,221		7.64	7.64		
Total	**8,221**		**7.64**	**7.64**		
Releases & Adjustments:						
DMV Current year valuation adjustments	0		0.00	0.00	0.00	
DMV Current year tax releases	0		(0.12)	0.00	(0.12)	
Real/Personal Current year releases & adjustments and circuit breakers	127,576		(6.42)	(6.42)		Dist.3&6
Total	**127,576**		**(6.54)**	**(6.42)**	**(0.12)**	
Write-offs (under $1.00) or Adjustments:			0.00	0.00		
Total MSD Valuation	**3,156,820,627**					
Net levy		**1,645,537.89**		**1,642,356.20**	**3,181.69**	
TOTAL UNCOLLECTED MSD AS OF 01/31/24:		**(32,606.73)**		**(32,606.73)**	**0.00**	
CURRENT YEAR MSD COLLECTED:		**1,612,931.16**		**1,609,749.47**	**3,181.69**	
CURRENT MSD COLLECTION PERCENTAGE:		**98.018%**		**98.015%**	**100.000%**	

Town of Nags Head, North Carolina
Schedule of Ad Valorem 2023-2024 Taxes Receivable
2023 Tax Levy As of January 31, 2024 for the February 7, 2024 BOC Mtg

	Town-Wide Tax			Total Levy	
	Property Valuation	Rate	Total Levy	Property Excluding Registered Motor Vehicles	Registered Motor Vehicles
Original levy:					
Property taxed at current 2023 rate	3,057,530,927	0.003300	10,089,869.38	10,089,869.38	
Registered Motor Vehicles at current 2023 rate	18,924,860	0.003300	62,434.61		62,434.61
Registered Motor Vehicles at 2022 year's rate	12,769,992	0.002875	36,713.73		36,713.73
Registered Motor Vehicles at 2021 year's rate	102,612	0.002875	295.01		295.01
Penalties	0		7,355.82	7,355.82	
Total	**3,089,328,391**		**10,196,668.55**	**10,097,225.20**	**99,443.35**
Discoveries & Adjustments:					
Current year discoveries & adjustments tax	1,837,704		5,032.44	5,032.44	
Town wide beach nourishment tax			463.16	463.16	
Corporate Utilities discoveries & tax	22,654,828		69,097.22	69,097.22	
Corporate Utilities town wide beach nourishment			5,663.71	5,663.71	
Penalty Discoveries			1,746.31	1,746.31	
Total	**24,492,532.00**		**82,002.84**	**82,002.84**	
Releases & Adjustments:					
Current year releases/adjustments/circuit breaker	(955,727)		(4,164.46)	(3,738.47)	(425.99)
Town wide beach nourishment/circuit breaker			(306.53)	(306.53)	
Penalty Releases			(226.63)	(226.63)	
Total	**(955,727)**		**(4,697.62)**	**(4,271.63)**	**(425.99)**
Write-offs (under $1.00) or Adjustments:			0.00	0.00	
Total Property Valuation	**3,112,865,196**				
Net levy		**10,273,973.77**		**10,174,956.41**	**99,017.36**
Uncollected Taxes & Penalties		(169,578.24)		(169,578.24)	0.00
Uncollected Town Wide Beach Nourishment		(13,789.77)		(13,789.77)	0.00
TOTAL UNCOLLECTED TAXES AS OF 01/31/24:		**(183,368.01)**		**(183,368.01)**	**0.00**
CURRENT YEAR TAXES COLLECTED:		**10,090,605.76**		**9,991,588.40**	**99,017.36**
CURRENT LEVY COLLECTION PERCENTAGE:		**98.215%**		**98.198%**	**100.000%**

Agenda Item Summary Sheet

Item No: **E-3**
Meeting Date: **February 7, 2024**

Item Title: Consideration of request to advertise delinquent taxes

Item Summary:

At the February 7th Board of Commissioners meeting, Board approval is requested to advertise tax liens in the newspaper on Wednesday, March 20, 2024 in accordance with NCGS 105-369.

In addition, authorization is requested to begin the Foreclosure process on 2023 taxes where necessary, no earlier than 30 days after advertising. Please see the attached memo for additional information.

Number of Attachments: 1

Specific Action Requested:

Request Board approval to advertise tax liens; request Board authorization to begin foreclosure process on 2023 taxes as appropriate.

Submitted By: Linda Bittner, Tax Collector Date: January 30, 2024

Finance Officer Comment:

No unbudgeted fiscal impact.

Signature: Amy Miller Date: January 30, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 30, 2024

Town Manager Comment and/or Recommendation:

I concur with staff's request.

Signature: Andy Garman Date: January 30, 2024

Town of Nags Head

Post Office Box 99
Nags Head, North Carolina 27959
Telephone 252-441-5508
Fax 252-441-4680
www.nagsheadnc.gov

MEMORANDUM

To: Mayor and Board of Commissioners

From: Linda Bittner, Tax Collector

Date: February 7, 2024

RE: Request for Order of Advertisement and Request to Begin Foreclosures on 2023 Taxes

Request for Approval for Advertisement:

In accordance with NCGS 105-369 advertisement of tax liens on real property for failure to pay taxes "... The municipal tax collector shall advertise municipal tax liens by posting a notice of the liens at the city or town hall and by publishing each lien at least one time in one or more newspapers having general circulation in the taxing unit. Advertisements of tax liens shall be made during the period of March 1 thru June 3… The posted notice and newspaper advertisement shall set forth the following information: …The name of the record owner as of the date the taxes became delinquent for each parcel on which the taxing unit has a lien for unpaid taxes; in alphabetical order;…a brief description of each parcel of land to which a lien has attached and a statement of the principal amount of the taxes constituting a lien against the parcel; a statement that the amounts advertised will be increased by interest and costs and that the omission of interest and costs from the amounts advertised will not constitute waiver of the taxing unit's claim for those items; …a statement that the taxing unit may foreclose the tax liens and sell the real property subject to the liens in satisfaction of its claim for taxes; costs – each parcel of real property advertised pursuant to this section shall be assessed an advertising fee to cover the actual cost of the advertisement…."

With your approval, staff intends to advertise the liens in the newspaper on March 20, 2024 in accordance with NCGS 105-369 for all amounts outstanding as of end of business on March 15, 2024.

Request for Authorization to Begin Foreclosures on 2023 Taxes:

In accordance with NCGS 105-374, "Foreclosure of tax lien by action in nature of action to foreclose a mortgage..." and/or NCGS 105-375, "In Rem method of foreclosure… "docketing certificate of taxes as judgment - in lieu of following the procedure set forth in NCGS 105-374, the governing body of any taxing unit may direct the tax collector to file with the clerk of superior court, no earlier than 30 days after the tax liens were advertised…"

With your direction, staff will begin the foreclosure process where necessary on the 2023 delinquent taxes thirty days after advertising.

Agenda Item Summary Sheet

Item No: **E-4**
Meeting Date: **February 7, 2024**

Item Title: Approval of minutes from Board of Commissioners meetings/workshops

Item Summary:

Attached for Board review and approval are the following DRAFT Board of Commissioners meeting/workshop minutes:

November 16-17, 2024 Board of Commissioners Retreat minutes

January 3, 2024 Regular Board of Commissioners meeting

Number of Attachments: 2

Specific Action Requested:

Provided for Board review and approval.

Submitted By: Carolyn F. Morris, Town Clerk Date: January 31, 2024

Finance Officer Comment:

No unbudgeted costs associated with this agenda item.

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

N/A

Signature: Andy Garman Date: January 31, 2024

DRAFT MINUTES
TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS RETREAT
THURSDAY/FRIDAY, NOVEMBER 16-17, 2023

The Nags Head Board of Commissioners met in person for a Board Retreat at 2521 S Virginia Dare Trail, Nags Head, North Carolina on Thursday/Friday, November 16-17, 2023.

Thursday, November 16, 2023

Attendees:

Board of Commissioners
Ben Cahoon, Mayor
Michael Siers, Mayor Pro Tem
Kevin Brinkley, Commissioner
Bob Sanders, Commissioner
Renée Cahoon, Commissioner
Megan Lambert, newly elected Commissioner

Staff
Andy Garman, Town Manager
Amy Miller, Deputy Town Manager
Perry Hale, Chief of Police
Nancy Carawan, Director of Public Services
David Ryan, Town Engineer
Kelly Wyatt, Director of Planning and Development
Randy Wells, Fire Chief
Jan Mielke, Director of Human Resources
Roberta Thuman, Public Information Officer
Carolyn Morris, Town Clerk
Shane Hite, Deputy Fire Chief
Chris Montgomery, Deputy Police Chief
Brooke Norris, Deputy Finance Director
Joe Costello, Deputy Planning Director
Michelle Gray, Deputy Town Clerk

CALL TO ORDER
Mayor Cahoon called the Retreat Workshop to order at 8 a.m.

Emily Groo of Zelos facilitated the Retreat:

We started with a clear purpose for the retreat: To align and connect staff and the Board through the creation of a strategic plan including mission, vision, values, goals, objectives, and action items.

An agenda was provided in advance, see **Appendix A**.

We started the day by asking staff and the Board what stood out to them or felt critical from the Community Survey feedback.

Community Survey
Don't become too commercial
What do we permit?
Values system
See how other community's regulations have played out
Keep Nags Head unique but not stagnant
"Keep Nags Head in front"
Beach nourishment, sidewalks, streets, stormwater, other infrastructure, better on equipment
Keep our regulations – Board
Dowdy Park & Farmer's Market
Emphasis on stormwater – Hurricane Matthew
We caught up and are now forward thinking
Communication gap
Housing – theme but contradiction
Need but less support for decisions from public
Housing Density
Need for long-term housing
Restaurant housing – Airbnb's
Want low density but not housing
Open to ADUs
Employees – ocean rescue
Regional discussions
Build back trust
Affordable housing vs. workforce housing
Broad solutions
Positive interactions with town staff – visible staff
Satisfied staff
Traffic and overcrowding at homes
Communicate with property managers
Overall positive
Increased tax wasn't a big concern
Visible action of taxes – beach & streets
Social media – credibility

We reviewed and updated the Town of Nags Head Mission & Vision statements.

Mission

To provide for the well-being of the citizens, property owners, and visitors by providing municipal services in a flexible, cost-effective, customer-friendly manner and to achieve this through an open, consensus-driven process that treats all with respect.

Open, respectful, and responsive

Vision
To thoughtfully preserve our unique coastal environment and character now and for the future.

We reviewed and updated the Goals

Goals

Heritage & Lifestyle: Protect our community's distinctive heritage and unique lifestyle

Environment: Safeguard our critical natural resources and coastal ecosystem

Development: Achieve responsible, adaptive development that aligns with our community vision

Economy: Promote a sustainable economy that supports residents and visitors

Community Services: Maintain an efficient government that provides high-quality and cost-effective services

We then heard short briefings from staff on topics within each goal area. We asked the rest of the participants to take notes on what they heard in terms of "what's been done", "what's the current state", and "what's next"?

Goal #1 – Heritage & Lifestyle Staff Briefing

Topics:
Keeping the character of Nags Head (both in terms of small-town charm, beach access, parks, etc.)
What's been done?
Comprehensive Plan adopted, regulate building size, regulate residential stormwater management, new zoning district adopted
Minimum lot size, etc., architect requirement, residential bus. size, stormwater requirements, C-5 rezoning, continuous work, back and forth with community involvement
Comp plan/LUP, architectural requirements, size of buildings, stormwater, flood regs, UDO corridor/ character, C5 zoning district
Establish C-5 zoning district
What's the current state?
Hotel height 60' overall dist., bldg. height 42', short term rental allowed everywhere
C-1 zoning districts vs C-2
C-5 zoning districts, gas stations - no

What's next?
C-2 land use incompatibility (land use incompatibility in general)
C-1 zoning standards and uses

Dream Center? Eliminate residential from C-2?
Accessory Dwelling Units
How to limit short term rentals to encourage long-term housing
Residential lighting
How to address overoccupancy issues
Zoning land use – align with community expectations (ahead of anticipating issues)
Height for residential structures /overlay districts (hotels)
Soundside residential districts?
Residential in commercial outdoor recreation district?
Limit single family uses/new zoning districts

Goal #2 – Environment Staff Briefing

Topics:
Stormwater management
Shoreline management
What's been done?
Focus on updating master plan - ran out of funds, challenges in Hurricane Matthew, morphed into CIP
Thirteen (13) project areas.
Complete: Gallery Row, NH Acres, Village @ NH, Soundside Road, S. Ridge – Deering St., Kipper Ct.
Not complete: North Ridge
13 projects, 7 projects done or maintained, working with Old Nags Head Place
Have added employees focused on stormwater maintenance
Have adopted a stormwater project plan
Have focused on obtaining grant funds to augment town funding
Have earmarked funding for stormwater projects (created separate budget)
Have analyzed projects for cost-benefit to determine priority
What is current state?
Old Nags Head Place, waiting on grant funding, finding money to pay for projects, shoreline management plan adopted
Being proactive

What's next?
Update Stormwater Master Plan, Implement PA #12-13, NEW prioritized CIP list, Infrastructure condition assessment, Watershed Restoration Plan
Stormwater work areas, #12, 9, 13, 5; Watershed plan
Stormwater Plan Update, Projects #13 & 14, #13 Fall '24, #14 '25; Watershed restoration plan; additional grant, comparison other coastal communities
Work on easement along Soundside Road for estuarine rehabilitation

Goal #3 – Development Staff Briefing

Topics:
Infrastructure
Traffic and pedestrian safety
What's been done?
Paving in coordination with waterline / stormwater improvements
Stormwater, water, streets connected plan, beach access replacement
Build connected program – streets plan
Connected Program: assessment of streets plan and integrated sewer and water works, old Nags Head community, Barnes street, East Soundside road

What is current state?
Current State Development: second round of streets plan, South memorial corridor, replacing beach accesses and (1) estuarine access, red light monitoring
Controlled mayhem
Back on track with current 20-year plan, grant info coming Dec
2nd round of streets package (next)

What's next?
Hargrove Bathhouse, Albatross, water main replace many streets, Golden leaf grant to support, update applications
Pipe upsizing, need to hit benchmarks to go forward
Current state, new zoning district

Goal #4 – Economy Staff Briefing

Topics:
Housing (keeping low-density housing and finding ways to get workforce housing)
What's been done?
Lots of conversations about housing
Height? Density/ADUs, Duplexes
What is current state?
No "affordable housing", lack of EE (including LG [lifeguard]) housing
Need more housing, ambiguity of public opinion

What's next?
Further discuss lifeguard housing
Investigate financial legality of deed restrictions/incentives, look at CDC building, ADU discussion – density vs housing survey contradictions
Research methods for sustainable housing

Goal #5 – Community Services Staff Briefing

Topics:
Employee Total Rewards
Service delivery/Values
What's been done?
Longevity % to $, medical 75/25 to 60/40
Base model: comp, dev, benefits, recognition
COLA increase, 401k increase, recognition, career progression
FSA
Longevity changed from % to static #
Career progression to all depts, town wellness events (spring & fall), 401k to 5%
Gives cost of living, increased 401k, host annual Christmas party, gives 12 weeks paid maternity leave without taking vacation or sick
Monthly newsletter to keep employees informed
Offers $ to quit smoking and lose weight, manager attends individual dept. crew meeting, offers four hours to attend child school events

What is current state?
1. Career progression, 2. Better events for wellness, 3. Communication, 4. Being consistent

Progression communications, targeted approaches towards specific areas of improvement based on engagement survey results -> moving the needle!!

What's next?
Possible lifestyle spending credit, possible performance-based incentive, possible increase to 75%
Improve public safety and infrastructure
Lifestyle spending account for wellness-related purchases
Add holiday?
Consider longevity pay (1% - 5%)
Performance-based incentives
Reconsider the medical premium, build on total rewards program, review of other government plans, implement wellness program
Employee benefit review
Funding CIP
Employee retention

RECESS

Mayor Cahoon recessed the Board Retreat to Friday, November 17th, at 9 a.m. in the same location. The time was 4:50 p.m.

Friday, November 17, 2023

We brainstormed Objectives and Action Items for each Goal.

The Draft Plan document includes mission, vision, values, goals, objectives, and action items.

We reviewed the Core Values and asked "how are the core values currently being used?" We decided to keep the Core Values as they are.
How Core Values are currently being used
Included in internal newsletter
Shoutouts reflect values
Town Manager message reflects values
Manager coaching
Most conversations about are attitude and accountability
Plans to redo-internal evaluation to connect
Employee of the year

We then prioritized the most important action items that are not already in progress.

<u>Action Item Prioritization</u>
Assess the zoning districts including the ADU discussion
Define the Town's position on the housing taskforce
Implementing merit and insurance for staff
Find a model for housing staff
Educate residents on septic health
Purchase light shades
Find non-regulatory approaches to lighting issues
We reviewed next steps so that staff and the Board are clear about what happens next.

Next Steps

- Staff will finalize the draft at the December 13th meeting with Zelos
- Present draft back to Board and share with public, connect back to community survey results
- Goal – to finalize Strategic Plan by February 2024, and present at the town-wide staff meeting with employee engagement results

ADJOURNMENT

The Board adjourned the Board Retreat at 12:10 p.m.

_____
Carolyn F. Morris, Town Clerk

Date Approved: _____

Mayor: _____
Benjamin Cahoon

Appendix A: Retreat Agenda

Day 1—November 16

Time	Agenda activities
8:00 am – 8:30 am	Welcome and agenda review Introductions and opening activity
8:30 am – 9:15 am	Learn from community survey results to guide the strategic plan discussion
9:15 am – 9:25 am	Break
9:25 am – 11:30 am	Using Zelos strategic planning model, definitions, and means for evaluation: Review existing mission & vision and make any desired updates Review and update existing goals & goal statements *Breaks as needed. We can move to the next section sooner, if needed.*
11:30 am – 12:00 pm	Lunch
12:00 pm – 4:30 pm	Draft objectives and action items to align with the goals Review goal and goal statement For each updated goal area, together, we will: Hear staff topic briefings on topics that align with the goal areas What's been done? What is the current state? What's next? Write objectives Identify the immediate action(s) to meet objectives and achieve goals **Breaks and energizers, as needed*
4:30 pm – 5:00 pm	Review & next steps Closing activity

Day 2—November 17

Time	Agenda activities
8:00 am – 8:30 am	Welcome and agenda review Opening activity – values
8:30 am – 9:30 am	Continue work on strategic plan as described in Day 1
9:30 am – 9:35 am	Break
9:35 am – 10:50 am	Continue work on strategic plan as described in Day 1
10:50 am – 10:55 am	Break
10:55 am – 11:30 am	Review strategic plan as drafted, and prioritize action items
11:30 am – 12:00 pm	Wrap-up, next steps, and closing

DRAFT MINUTES
TOWN OF NAGS HEAD
BOARD OF COMMISSIONERS
REGULAR MEETING
WEDNESDAY, JANUARY 3, 2024

The Nags Head Board of Commissioners met in person at the Board Room located at 5401 S Croatan Highway, Nags Head, North Carolina on Wednesday, January 3, 2024 at 9:00 a.m. for a Regular Meeting.

Board members Present:	Mayor Ben Cahoon; Mayor Pro Tem Michael Siers; Comr. Kevin Brinkley; Comr. Bob Sanders; and Comr. Megan Lambert
Board members Absent:	None
Others present:	Town Manager Andy Garman; Attorney John Leidy; Kelly Wyatt; Amy Miller; David Ryan; Perry Hale; Randy Wells; Gray; Roberta Thuman; Bob Muller; Anna Sadler; John Ratzenberger; Renée Cahoon; Charlene Heroux; Robert Heroux; Carolyn McCormick; Duke Geraghty; Dorothy Hester; Molly Harrison; Megan Vaughan; Valerie Netsch; Gayle Felton; Webb Fuller; Meade Gwinn; Crouse Gray; Emily Mills; Shanti Smith-Copeland; Michelle Gray; and Town Clerk Carolyn F. Morris

CALL TO ORDER
Mayor Cahoon called the meeting to order at 9 a.m. He recognized the following in attendance: former Mayor Bob Muller, former Comr. Anna Sadler, former Town Manager Webb Fuller, and former Dep Town Clerk Michelle Gray.

ADOPTION OF AGENDA

MOTION: Comr. Brinkley made a motion to approve the January 3rd meeting agenda as presented. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

RECOGNITION

NEW EMPLOYEE – Finance Officer Amy Miller introduced new Water Billing Specialist Shannon Beatty who was welcomed by the Board to Town employment.

RECOGNITION OF FORMER COMR. RENÉE CAHOON

Mayor Cahoon introduced former Comr. Renée Cahoon who was present with her family and friends for Board recognition. Mayor Cahoon spoke the following:

"Today, as we begin a new year, we are pushing pause on the normal course of town business for a brief while, to honor a dedicated and long-time public servant, M. Renée Cahoon.

'In July 2023, Renée chose not to run for reelection to Nags Head's Board of Commissioners. Except for four years when she sat on the Dare County Board of Commissioners, Renée has served on Nags Head's Board since 1991, including several terms as its mayor. Renée continues to serve as Chair of the North Carolina Coastal Resources Commission.

'Renée's passionate, tireless public service has left a lasting imprint not only on Nags Head, but also on the other coastal areas of our state. Because of Renée, Nags Head is still, at its heart, the community that it was over 60 years ago when her family took over the store and cottages at Whalebone."

Ms. Cahoon introduced those that were with her and she thanked them and others for coming to support her at today's meeting.

A video prepared by the Town was shown of Ms. Cahoon with various officials that worked with her over the years being interviewed highlighting their experiences serving with her. The video included former Town Attorney Tom White, former Mayor Bob Muller, former Commissioner Wayne Gray, former Commissioner Anna Sadler, and former Town Manager/Commissioner Webb Fuller.

Mayor Cahoon thanked Town Public Information Officer Roberta Thuman and other staff for preparation of the video.

Mayor Cahoon read the remarks from Braxton Davis, Director of the NC Division of Coastal Management and Director of NC Division of Marine Fisheries:

"Renee, I am very sorry to miss today's event - I unfortunately had a conflict, but I still wish to offer a few brief comments to those assembled there today.

'As director of the NC coastal program, I've worked with Renee for a little over 12 years now. As you all know, she wears many hats, but most of our work together has involved the NC Coastal Resources Commission, where she has served as Chair since 2017 and as a commissioner since being appointed by Governor Easley in 2002.

'Working on the state coastal commission is all about balance. While developing rules and policies for development, and making decisions on complex coastal projects, the Commission is always seeking the appropriate <u>balance</u> between economic growth, environmental protection, property rights, and competing uses, all with a focus on protecting our coast for future generations to enjoy.

'I wanted to commend Renee today for being an exceptional coastal commissioner and strong representative of Nags Head's and Dare County' interests over the years. Having grown up on the Outer Banks and served the public in so many ways, Renee has developed vast knowledge, experiences and connections with coastal NC, and those experiences have resulted in valuable perspectives that she brings to the Commission's work every day.

'We appreciate Renee for her balanced, solution-oriented approach to complex coastal challenges. She has a passion for doing the right thing for the coast - and doing it well, I might add. And she has represented the Town and Dare County very well over the years.

'So, on behalf of the NC Division of Coastal Management, congratulations and we look forward to continuing to work with you in the years ahead!"

Others spoke concerning their time with Ms. Cahoon:

Former Mayor Bob Muller said that he remembers being at the Skylark Restaurant in 1991 when hearing that Renée Cahoon and Wayne Gray had just been elected as commissioners; on behalf of everyone he thanked Ms. Cahoon for all that she has done for the Town over the years.

Former Town Manager and commissioner Webb Fuller thanked Renée for doing so much for the Town; people don't realize that a family atmosphere was a strong motivating factor for her and her supportive family was always indicative of her family values.

Duke Geraghty, Outer Banks Homebuilders representative; on behalf of the Outer Banks Homebuilders Association, he congratulated Renée and wished her well and stated that the homebuilders have always been treated with respect by Ms. Cahoon even though they didn't always agree.

Dorothy Hester, Dare County Public Information Director, she worked with Ms. Cahoon years ago when she was on the Dare County Board of Commissioners and remembered how good she was about paying close attention to the details. Ms. Hester also stated that Craig Harris wanted to be here today and Ms. Hester read his comments thanking Ms. Cahoon for her service on the GOV-ED Channel Committee.

Meade Gwinn of the Village at Nags Head, thanked Ms. Cahoon for being "Nags Head" and for everything that she's done for the Town; he also expressed he and his wife's appreciation for Cahoon's Market.

Board members spoke of their time with Ms. Cahoon:

Comr. Lambert thanked Ms. Cahoon for her vision, her willingness to follow thru on her vision, and her support.

Mayor Pro Tem Siers thanked Ms. Cahoon for having a true commitment and for putting in a lot of time and effort in her job.

Comr. Brinkley pointed out that everything said in the video was true; Ms. Cahoon is a true public servant.

Comr. Sanders said that he can't add much more than what others have stated; her vision for the Town has been great and he has the most respect for her – community survey indicated that most are overwhelmingly in support of where the Town is going; she is also a good friend.

Mayor Ben Cahoon thanked Ms. Cahoon for all she has done for the Town over the years.

Town Manager Garman – on behalf of the staff – thanked Ms. Cahoon for all she has done and for always working to make those less visible to the community, more visible.

Ms. Cahoon thanked those for coming out and for their support over the years; her family has been very supportive and tolerant over the years; she has loved the Town and its people over the past decades; she looks forward to the future.

Presentation of Marcia Cline painting and Governor's Long Leaf Pine Award

On behalf of the Board, Mayor Cahoon presented an original painting of a view from Cahoon's Cottages/gazebo looking out over the ocean. The original painting was done especially for Ms. Cahoon by local artist Marcia Cline.

The Governor's Order of the Long Leaf Pine, the highest award for state service granted by the Office of the Governor, was presented to Ms. Cahoon. This was followed by a brief video presentation of Governor Roy Cooper thanking Ms. Cahoon for her service and wishing her well.

RECESS/RECONVENE
The Board took a brief recess at 9:40 a.m. and reconvened at 9:50 a.m.

PUBLIC COMMENT

DUKE GERAGHTY – MULTI-FAMILY ORDINANCE

Duke Geraghty, representative of the Outer Banks Homebuilders Association; he spoke concerning the Public Hearing, scheduled for the February Board meeting, re: multi-family ordinance; he has sat through numerous Planning Board meetings during the detailing of the multi-family ordinance; he asked Board members to please look closely at the ordinance next month and to understand the comments that were made; he would like to simplify the ordinance in order to allow housing for workers/employees; he also thanked the Board for what has been done for former commissioner Renée Cahoon.

There being no one else present who wished to speak, Attorney Leidy concluded Public Comment at 9:54 a.m.

CONSENT AGENDA

The Consent Agenda consisted of the following items:

Budget Amendment #7 to FY 23/24 Budget
Tax Adjustment Report
Approval of minutes
Resolution to accept the American Rescue Plan Act grant offer for Stormwater Master Plan Update
Consideration of modification to Pay Plan
Consideration of annual audit contract

Request for Public Hearing to consider Special Use/Site Plan review submitted by Quible & Associates, P.C. and Beacon Architecture and Design PLLC, for the construction of a Trade Center. The property is zoned C-3, Commercial Services and is located on Lot 2a of the Charles L. Sineath Subdivision (PIN# 989317113533), vacant lot directly behind TW's Bait and Tackle

Request for Public Hearing to consider various text amendments to the Unified Development Ordinance (UDO) as it relates to multi-family development

MOTION: Comr. Brinkley made a motion to approve the Consent Agenda as presented. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

Budget amendment #7, as approved, is attached to and made a part of these minutes as shown in Addendum "A".

The Tax Adjustment Report, as approved, is attached to and made a part of these minutes as shown in Addendum "B".

The resolution to accept the American Rescue Plan Act grant offer for Stormwater Master Plan Update, as adopted, read in part as follows:

"WHEREAS, the American Rescue Plan Act (ARPA) funded from the State Fiscal Recovery Fund was established in Session Law (S.L.) 2021-180 to assist eligible units of local government with meeting their drinking water, wastewater and/or stormwater infrastructure needs; and

'WHEREAS, the North Carolina Department of Environmental Quality has offered LASII American Rescue Plan Act (ARPA) funding in the amount of $400,000 to perform the work detailed in the submitted application; and

'WHEREAS, the Town of Nags Head intends to perform said project in accordance with the agreed scope of work.

'NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF NAGS HEAD:

1. That the Town of Nags Head does hereby accept the American Rescue Plan Act (ARPA) offer of $400,000;

2. That the Town of Nags Head does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Funding Offer and Acceptance (award offer) will be adhered to; has substantially complied, or will substantially comply, with all federal, State of North Carolina (State), and local laws, rules, regulations, and ordinances applicable to the project; and to federal and State grants and loans pertaining thereto; and

3. That Andy Garman, Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the North Carolina Department of Environmental Quality, Division of Water Infrastructure."

The modification to the Pay Plan was approved as presented in the agenda summary sheet, which read in part as follows:

"Overview
Currently, the Fleet Maintenance Division has a staff of four which includes the following positions: Superintendent, Sr. Fleet Mechanic and two Fleet Mechanics. Staff requests to re-align the structure of the Fleet Maintenance Division to add a Crew Lead position and allow for a maximum of two headcount between the existing classifications of Fleet Mechanic and Sr. Fleet Mechanic. This does not increase headcount; however, it provides promotional opportunities for current staff and recognizes the level of expertise and responsibility of our staff (~10% pay increase over a 6-month period). This structure is similar to Facilities Maintenance and would allow better organization and distribution of work for the Fleet Maintenance team, creating enhanced support for the Nags Head vehicle and equipment fleet. The cost of this proposal for FY 2024 is ~$7,000. Additional costs would be included in the FY 2025 budget.

'Requested Changes

1. Add a position classification for a Fleet Crew Lead at a Grade 9.

2. Maintain the current classifications of Fleet Mechanic (Grade 7) and Sr. Fleet Mechanic (Grade 8). Allow the total headcount between the two Grades not to exceed two. Currently, the headcount max at Fleet Mechanic is two, and the headcount max for Sr. Fleet Mechanic is one."

The agenda summary sheet presenting the annual audit contract read in part as follows:

"At the February 2, 2022 Board of Commissioners meeting, a contract with Potter & Company for audit services for the next five (5) years was approved with the understanding that the contract is to be submitted for Board approval each year. An approximate annual 4% inflation increase was also approved."

The contract, as approved, is on file in the Town Clerk's Office.

The Request for Public Hearing re: Trade Center, as approved for the February 2024 Board meeting, read in part as follows:

"A Special Use Permit/Site Plan Review was submitted by Quible & Associates, P.C. and Beacon Architecture and Design, PLLC for the construction of an 11,200 square foot building that includes eight (8) units operating as a "Trade Center". The property is zoned C-3, Commercial Services and is located on Lot 2a-1r of the Charles L. Sineath Subdivision (PIN# 989317113533), a vacant lot directly behind TW's Bait and Tackle located at 2230 S. Croatan Highway, Nags Head. Note that the Board of Commissioners originally reviewed and approved this Special Use/Site Plan Review on November 2, 2022. Absent the issuance of a building permit for this project, the Special Use Permit/Site Plan approval expires 12 months from the date of the Commissioners approval. This Special Use Permit/Site Plan Review is being requested for reconsideration as the original approval expired on November 2, 2023.

'By definition, "Trade Center" means a structure containing two or more individual units, primarily devoted to service and wholesale operations and the storage of materials for off-site work.

'Staff Recommendation/Planning Board Recommendation
The Planning, Fire, Police, and Public Services Department as well as the Town Engineer have reviewed the submittal and find it to be consistent, and still in compliance with the November 2, 2022, approved submittal. There have been no changes in the applicable codes for each respective department over the past year that would affect this submittal, therefore staff recommends approval of the Special Use/Site Plan Review application as submitted.

'At their December 19, 2023, meeting the Planning Board voted unanimously to recommend approval of the Special Use Permit/Site Plan Review as presented."

The Request for Public Hearing re: multi-family development, as approved for the February 2024 Board meeting, read in part as follows:

"In January of 2023 the Board of Commissioners adopted an ordinance removing multi-family as a permitted use within the C-2, General Commercial zoning district. This text amendment came about when staff, the Planning Board, and the Board of Commissioners were in the process of evaluating appropriate use standards for the C-5 Historic Character Commercial zoning district and determined that multi-family was not an appropriate use in that district, and in addition became aware of several other issues and inconsistencies within the existing ordinance. The Board then requested that staff and the Planning Board work to propose adequate

corrections/clarifications as well as undertake a comprehensive review of multi-family standards. As such, planning staff began working with the Planning Board at their May 2023 meeting to complete a thorough review and identify issues and inconsistencies with the current multi-family language. Following eight (8) consecutive months/meetings of discussion, the Planning Board has prepared a comprehensive set of draft text amendments for the Board of Commissioners review and consideration. These amendments include but are not limited to:

- Allow multi-family development in the C-2, General Commercial zoning district on properties with frontage on US Hwy 158 only.
- All new multi-family development shall be deed restricted to long-term tenancy/occupancy and a portion will additionally be deed restricted for workforce housing.
- Create standards and regulations for "small" multi-family developments and "large" multi-family developments. These include minimum lot sizes, setbacks, density, maximum number of units, lot coverage, height, buffering, architectural design, etc.
- Design considerations such that large multi-family developments shall consist of townhouse style development only and small multi-family developments may consist of both townhouse and apartment style design.
- Create definitions for the following terms, "Dwelling, Multiple Family (Multi-family)", "Townhouse", "Large Multi-family", "Small Multi-family", "Long-term occupancy/tenancy", "Principal Place of Residence", "Qualified Person", and "Workforce Housing".

'Planning Board Recommendation
At their December 19, 2023, meeting the Planning Board voted unanimously to move forward the proposed text amendments for the Board of Commissioners review and consideration."

MOVE PLANNING DIRECTOR'S REPORT UP ON THE AGENDA

Board members agreed to move the Planning Director's Report to this portion of the agenda to allow more time for those interested in attending the upcoming Public Hearing to arrive.

REPORTS AND RECOMMENDATIONS FROM THE PLANNING BOARD AND THE PLANNING AND DEVELOPMENT DIRECTOR

Update from Planning Director

Planning Director Kelly Wyatt summarized the Planning Dept monthly report which read in part as follows:

"This memo provides an overview of selected Planning and Development Department activities, projects, and initiatives. If requested, Staff will be prepared to discuss any of this information in detail at the Board of Commissioners meeting on January 3rd, 2024.

'Monthly Activity Report
Attached for the Board's review is the *Planning and Development Monthly Report for November 2023*. In addition to permitting, inspections, code enforcement, and Todd D. Krafft Septic Health Initiative activities, Staff was involved in the following meetings or activities of note during the month:

- Tuesday, December 5th – Technical Review Committee Meeting
- Wednesday, December 6th - Board of Commissioners Meeting
- Thursday, December 7th - CRS Users Group Meeting
- Wednesday, December 13th – Committee for Arts and Culture Meeting

- Wednesday, December 13th – Strategic Plan Implementation Session
- Thursday, December 14th – Board of Adjustment Meeting (no hearings scheduled)
- Thursday, December 14th – Flashlight Candy Cane Hunt
- Wednesday, December 19th – Planning Board Meeting
- Wednesday, December 20th – Board of Commissioners mid-month meeting (if needed)
- Saturday, December 2nd & 9th from 9am – noon – Dowdy Park Holiday Markets

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

'Consideration of Special Use/Site Plan Review for construction of a Trade Center on Lot 2a of Charles Sineath Subdivision, vacant lot behind TW's Bait and Tackle. The November 2, 2022 approval had expired. The Planning Board voted unanimously to recommend approval of the SUP/Site Plan as presented.

'Consideration of text amendments that if adopted would allow the long-term rental of units within existing hotels and motels. The Planning Board and applicant had productive discussion and staff will be returning to the January 2024 Planning Board meeting with an updated draft amendment based upon discussion.

'Consideration of various text amendments to the UDO as it pertains to multi-family development. The Planning Board completed a thorough review of the draft amendments, and requested some minor revisions that will now be provided to the Town Attorney for review. The Planning Board voted unanimously to go ahead and move the amendments forward in order to schedule the Public Hearing before the Board of Commissioners at their February 7th, 2024 meeting.

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

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

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

'Additional Updates

'DWMP/Septic Health Advisory Committee – Over the course of two days in early December, Environmental Planner Conner Twiddy and a representative from OTT HydroMet installed 14 groundwater level loggers and 2 water quality loggers throughout the Town as recommended in the recent Decentralized Wastewater Master

Plan. The loggers will soon be calibrated and sending real-time ground water and water quality data to the town.





'Electric Vehicle Action Plan – Staff are currently working with Daniel Parsons of LoWire Technologies to finalize a quote for the acquisition, installation, and future maintenance of the EvoCharge equipment. Staff is also working to identify contractors to construct ADA accessible parking spaces and to fabricate and install signage in accordance with the DEQ grant requirements. Staff will continue to update on this item.

'Sand Relocation and Dune Management Cost Share Program – Staff will provide updated information on this item at the January 3rd, 2024, meeting.

'Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture – The 2nd Annual Flashlight Candy Cane Hunt was well attended this year and many parents expressed their appreciation for the festive holiday cheer it and the Dowdy Park lighting brought. Kenneth and Kathleen Morgan were the winners of the Holiday Decorating Contest. Event Coordinator Paige Griffin has begun preparing for the upcoming Winter Markets. These markets will be held on the 2nd Saturday of January - April, from 9am – noon at Dowdy Park. These markets are open to producer/consumable vendors only.

'Upcoming Meetings and Other Dates

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

PUBLIC HEARINGS

Public Hearing to consider text amendments to the Unified Development Ordinance as it pertains to including the use of "Restaurant, Drive Through" as a permissible use within Commercial Mixed-Use Developments, as well as amending the supplemental regulations associated with this use (Public Hearing held Dec 6, 2023)

Town Attorney Leidy introduced the Public Hearing to consider text amendments to the Unified Development Ordinance as it pertains to and includes the use of "Restaurant, Drive Through" as a permissible use within Commercial Mixed-Use Developments, as well as amending the supplemental regulations associated with this use. A Public Hearing was held at the December 6, 2023 Board of Commissioners meeting. The time was 10:00 a.m.

Notice of the Public Hearing was published in the *Coastland Times* on Wednesday, December 20, 2023 and on Wednesday, December 27, 2023, as required by law.

Dep Planning Director Joe Costello summarized his report which read in part as follows:

"At the Board of Commissioners meeting on December 3, 2023, the Board noted that there was conflict in the appropriateness and permitting of the Restaurant, Drive-Through use between the Comprehensive Land Use Plan and the Unified Development Ordinance. The Unified Development Ordinance allows the Restaurant, Drive-Through use as a special use within the C-2, General Commercial zoning district with supplemental regulations. However, the Comprehensive Land Use Plan excludes Restaurant, Drive-Through as an appropriate use in all of the identified character areas within the town, and notably the Corridors Character Area and Whalebone Character Area. The Board of Commissioners voted 4-1 to pass a motion to table this item and send it back to the Planning Board to resolve the apparent conflict between the Comprehensive Land Use Plan and the Unified Development Ordinance.

'At their December 19, 2023, meeting planning staff presented to the Planning Board the updated information as included below.

'It should be noted that the Comprehensive Land Use Plan is an official policy document adopted to strategically plan for and enhance the quality of life and physical character of the community. While this plan is not regulatory in nature it builds upon adopted plans and policies to provide a foundation for decision making, future regulations, and project development. The plan was created utilizing community input to illustrate the vision for the future of Nags Head and define steps to secure that future. The Comprehensive Land Use Plan was developed over the course of two years, was overseen by a Board of Commissioners appointed Advisory Committee consisting of nine members of the community. These committee members met in excess of 15 times to discuss and provide guidance on the plan development. In addition, the process of developing the plan included four community and public engagement opportunities and approximately 70 stakeholder interviews/ meetings.

'Staff has reviewed the agendas, notes, and minutes of the advisory committee meetings and found two instances where drive-through restaurants were discussed. The first is from a set of notes that reads:

'Whalebone - Concern
Traffic patterns might impact walkability and safety, also just hard to maneuver a vehicle in this area.
Would be great to have a walking path on opposite side of the road - Town wide concern.
Don't want more fast food or drive thru type restaurants.
Want to distinguish between bypass and beach road between types of business

Not appropriate for drive thru on beach road
Encourage future development like legacy.

'The second is a formal minute's document from the advisory committee's December 8, 2016, meeting and is attached for the Board of Commissioners review.

'To resolve the conflict between the Unified Development Ordinance and the Comprehensive Land Use Plan, the Board of Commissioners may wish to consider one of the following two options:

- Consider amending the UDO as necessary to remove the use of "Restaurant, Drive Through" from the C-2, General Commercial Zoning District. This action would represent implementation of the recommendation of appropriate uses within the Corridors and Whalebone Character Areas.

- Consider amending the Comprehensive Land Use Plan to include the "Restaurant, Drive-Through" use as an appropriate use in one or more character areas.

'Timeline of Events

- April 13, 2023: Text Amendment Application submittal.
- May 16, 2023: The Planning Board considered a text amendment application and Starbucks sketch plan. The Planning Board voted unanimously to recommend denial of the text amendment.
- June 7, 2023: The Board of Commissioners approved a Request for Public Hearing to consider text amendment.
- July 18, 2023: The Planning Board considered a revised text amendment application. The Planning Board voted unanimously to recommend denial of the text amendment.
- September 11, 2023: Text Amendment Application third submittal received.
- August 2, 2023: The Board of Commissioners approved a Request for Public Hearing to consider text amendment unanimously.
- October 17, 2023: Planning Board considered a revised text amendment application. The Planning Board voted unanimously to recommend denial of the text amendment.
- December 3, 2023: Board of Commissioners requested the Planning Board resolve the apparent conflict between the Comprehensive Land Use Plan and the Unified Development Ordinance.
- December 19, 2023: Planning Board considered the text amendment application and how to resolve the conflict between the UDO and the Comprehensive Land Use Plan. The Planning Board voted unanimously to recommend denial of the text amendment.

'Updated Staff Analysis for Planning Board and Board of Commissioners Meeting - There are currently three (3) establishments that meet the definition of "Restaurant, Drive Through" within the town.

➢ Sonic, located at 5205 S. Croatan Highway was approved within the Village at Nags Head SPD-C ordinance allowances.

➢ KFC/Taco Bell, located at 7320 S. Virginia Dare Trail is currently non-conforming as Section 7.29, Supplemental Regulations for Drive-Through Restaurants states that the restaurant must front on US 158 right-of-way.

➢ Dunkin Donuts, located at 2424 S. Croatan Highway is currently nonconforming in that the Unified Development Ordinance does not currently allow Restaurant, Drive- Through within commercial mixed-use developments such as South Beach Plaza.

'Should the Planning Board be inclined to recommend removal of the Restaurant, Drive Through use from the C-2, General Commercial zoning district it would have a limited effect on existing drive-through development as KFC/Taco Bell and Dunkin Donuts drive-through restaurants are already non-conforming and Sonic would not be affected as it is located within the Village at Nags Head Commercial-2 Zoning District.

'Amending the Comprehensive Land Use Plan to include Restaurant, Drive Through as an appropriate use in the Corridors Character Area and Whalebone Character Area, has the potential to lead to proliferation of drive-through restaurants on C2, General Commercial zoned property in the area. A total of approximately 231 acres within 250 unique parcels in the Whalebone Character Area would be directly impacted by the change to the Comprehensive Plan. Significantly more properties are zoned C-2 within the Corridors Character Area. Although the special use permit process would still require review and approval from the Planning Board and Board of Commissioners respectively, the justification would exist in the Comprehensive Plan to support future Restaurant, Drive Through development applications.

Map of C2 Zoned Property in Whalebone Character Area



'Planning Board Recommendation from December 19, 2023 Meeting

'At their December 19, 2023 meeting the Planning Board heard this request and considered the conflict between the Unified Development Ordinance and the Comprehensive Land Use Plan. The Planning Board again voted unanimously to recommend denial of the text amendment as proposed. Additionally, it was their recommendation that the conflict between the UDO and the Comprehensive Land Use Plan be rectified by amending the UDO as necessary to remove the use "Restaurant, Drive-Through" from the C-2, General Commercial zoning district.

'Should the Board of Commissioners be inclined to give staff direction to move forward with this, they may also wish to request staff initiate a discussion with the Village at Nags Head to receive guidance on whether they would recommend that the "Restaurant, Drive Through" remain within the Village at Nags Head Commercial-2 zoning designation.

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

Mayor Pro Tem Siers confirmed with Mr. Costello that he is referring to getting rid of "drive-through restaurants" and not "drive-throughs".

Attorney Crouse Gray, spoke representing the applicant; he wants to narrow things down – they do not want to request a change that would allow drive-throughs throughout the town – they want it only with specific requirements so that it wouldn't be opened up to everywhere else in the Town; a benefit to the Town would include cutting down on the number of septic systems in the Town by putting it into a known existing facility.

Gayle Felton of Soundside Road; her parents purchased their house in 1944; she is not in favor of Nags Head becoming another "french fry alley"; she feels that bringing in a Starbucks would create a dangerous situation and also doesn't seem to go with the vision of Nags Head.

Megan Vaughan of Soundside Road and also Chair of the Planning Board; on behalf of the Planning Board she stated that they voted unanimously four separate times against the amendments; they found no real compelling reason to change the UDO; there is no underserved area not being served in the Town; the Town-wide community survey confirmed that they want to keep Nags Head as is; she felt that both the Comprehensive Plan and the Unified Development Ordinance, as well as the recent Community Survey all speak against drive through restaurants.

Meade Gwinn, Village at Nags Head resident; he voiced his opposition to the proposed text amendment re: drive-thru restaurants as a permissible use in Nags Head; the 2019 Nags Head Report he read from pointed out that the vision indicates that the land should be compatible to the community; drive-thru restaurants do not add to the Nags Head vision; approving this amendment would not be in the public's interest.

Bob Muller, Nags Head Cove Road resident; he stated that he feels there is a conflict and that the ordinance should be brought into compliance with the vision; the Board is only being asked to add drive-thru restaurants into shopping centers; what does a mall look like – a large parking lot with people parking and then going to a fixed set of stores; but the business model of drive-thru restaurants is a different goal and would be a conflict between the pedestrians and the vehicles in the drive-thru. He also pointed out that the applicant has recognized this as they have narrowed the request to only be allowed at the one location. He asked the Board to consider this conflict when making their decision.

John Ratzenberger, Nags Head resident; he spoke in opposition to the proposed text amendments; he has reviewed the minutes where the applicant tried to make the drive-thru restaurant fit in the shopping mall. In the first diagram he saw there were 17 drive-thru lanes listed which is a conflict between the pedestrians and vehicles; it just doesn't fit and it just doesn't make sense.

Webb Fuller, Villa Dunes Drive resident; he is opposed to the proposed text amendments; a similar issue was brought up recently and the Board went with the Land Use Plan which trumps the Unified Development Ordinance; he feels that the Planning Board has it right; as a citizen he is against the proposal.

Molly Harrison; Nags Head resident; as a member of the Focus Group that worked on the Land Use Plan years ago she said that it was agreed upon how the Town was to look; she does not want the Board to go with a company coming in asking to modify our ordinances; she would like to see the ordinances modified to not allow drive through restaurants.

Renée Cahoon, Nags Head resident; there is no need for drive-through restaurants and she feels this would only be the first of many in the Town - the planning documents should take precedence; delete drive-thru restaurants and put on the list that the Town does not allow them town-wide.

Valerie Netsch, of Soundside Road; does not support the amendment because she fully supports and is in favor of the 2017 Land Use Plan; she appreciates the Town staff and Planning Board efforts on this; she asked the Board to listen to the recommendations from the Planning Board, the Land Use Plan and the residents of Nags Head who rely on the decision making of the Board.

There being no one else present who wished to speak, Attorney Leidy concluded the Public Hearing at 10:38 a.m.

MOTION: Mayor Pro Tem Siers made a motion to deny the proposed text amendments and to modify the UDO to prohibit all drive-through restaurants. The motion was seconded by Comr. Lambert.

Attorney Leidy explained that modifying the Unified Development Ordinance to prohibit all drive-through restaurants would require going through the Planning Board and the Public Hearing processes.

MOTION: Mayor Pro Tem Siers modified his motion to deny the proposed text amendment as presented today. The motion was seconded by Comr. Brinkley which passed 4 – 1 with Mayor Cahoon casting the NO vote.

Comr. Lambert thanked those for coming out today to speak at the public hearing concerning drive-through restaurants.

NEW BUSINESS

Presentation from Town Auditors – Via Zoom platform – Time Specific 10:30 a.m.

Emily Mills, a partner with Potter & Co presented the annual audit for the Town for the year ending June 30, 2023. She issued an unmodified opinion – the highest level of compliance that can be issued.

She pointed out that the two issues that the Town needs to respond to from the Local Government Commission (LGC) are based on changes made this past year and are as follows:

Two FPIC (Financial Performance Indicators of Concern) responses are required to submit to the LGC (Local Government Commission) within 60 days of the audit presentation. One is related to the newly implemented GASB 96 relating to SBITAs (Subscription-Based Information Technology Arrangements), which was resolved in fiscal year 2024 with Budget Amendment #7. One was related to a performance indicators benchmark on the LGC data input sheet.

Ms. Mills expressed her appreciation on being able to work with the Town's staff who were professional and very helpful; Finance Officer Amy Miller also expressed her appreciation on working with Ms. Mills during the audit process.

Presentation of Emergency Operations Plan – Time Specific 11:00 a.m.

Fire Chief Randy Wells summarized the agenda summary sheet and introduced Shanti Smith-Copeland of IParametrics. The agenda summary sheet read in part as follows:

"At the January 3rd Board of Commissioners meeting, representatives from IParametrics, LLC will be in attendance to present the updated Emergency Operations Plan. This item is time specific for 11:00 a.m.

'The Town of Nags Head utilized a $75,000 FEMA Hazard Mitigation Grant (HMGP) to update its Emergency Operations Plan (EOP), and selected the consulting firm of Iparametrics to prepare the plan. Beginning on 08/22/2022, a core planning team, comprising of members from the Town Manager's office, Fire, Police, Public Services, Planning, and Finance Departments, was formed to guide the initiative.

'The EOP is a comprehensive document outlining coordinated actions before, during, and after emergencies. It encompasses a framework for town-wide operations, event-specific playbooks offering tactical guidelines, and an Emergency Operations Center Operation Guide, detailing when, how, and why to utilize the EOC based on incident severity and how it should be staffed depending on the circumstances. We believe this updated plan enhances the Town's readiness and response capabilities.

'A copy of the Emergency Operations Base Plan is attached, which provides a broad overview of the Town's emergency management structure, functions, and operational picture. Although several other documents were produced as part of this effort, including the incident/hazard specific playbooks and an EOC guide, they are primarily for internal use and are not part of this presentation. Staff would ask for the Board's approval of the attached Emergency Operations Plan."

Ms. Smith-Copeland of IParametrics presented the updated Town Emergency Operations Plan. She stated that she appreciated the amount of time staff put into preparation of input for the Plan.

Any questions or concerns can be submitted to Ms. Smith-Copeland until the end of January 2024 before Board consideration of the new Emergency Operations Plan in February.

Committee Reports

Comr. Sanders – Estuarine Shoreline Master Plan – the grant was not received for the Master Plan and Comr. Sanders indicated that he has spoken to Manager Garman about options.

Comr. Brinkley – Jennette's Pier Advisory Committee – He was unable to attend the December 11th meeting due to COVID but will forward minutes once received.

Consideration of appointment/reappointment to Boards/Committees

- Government Education Access Channel Committee
- Septic Health Advisory Committee
- Firemen's Relief Fund Board
- Board of Adjustment Alternate
- Annual appointment of BOA Chair and Vice-Chair

GOV-ED Committee

Comr. Lambert indicated that she was willing to serve on the Gov-Ed Committee on behalf of the Town.

MOTION: Mayor Pro Tem Siers made a motion to appoint Comr. Lambert to represent the Town on the Government Education Access Channel Committee. The motion was seconded by Comr. Brinkley which passed unanimously.

Septic Health Advisory Committee

MOTION: Comr. Brinkley made a motion to appoint Planning Board member Gary Ferguson to the Septic Health Advisory Committee. The motion was seconded by Comr. Lambert which passed unanimously.

Firemen's Relief
MOTION: Mayor Pro Tem Siers made a motion to reappoint Anne Farmer to another term on the Firemen's Relief Fund Board. The motion was seconded by Comr. Brinkley which passed unanimously.

Board of Adjustment

MOTION: Mayor Pro Tem Siers made a motion to reappoint Bobby Gentry to another three-year term on the Board of Adjustment. The motion was seconded by Comr. Brinkley which passed unanimously.

MOTION: Comr. Brinkley made a motion to appoint Dru Ferrence as an alternate BOA member. The motion was seconded by Mayor Pro Tem Siers which passed unanimously.

MOTION: Mayor Pro Tem Siers made a motion to reappoint Margaret Suppler and Bobby Gentry as Chair and Vice-Chair respectively of the Board of Adjustment. The motion was seconded by Comr. Brinkley which passed unanimously.

ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN ATTORNEY

Attorney Leidy reported on the litigation filed by all municipalities against the State re: the Dare County Local Act (House Bill 592) – the State has received additional time to respond. Attorney Leidy also confirmed that the Board was aware of the resolution adopted by the Dare County Board of Commissioners yesterday where they stated they would not use House Bill 259 to exempt any workforce housing solutions from the local government zoning authority. He said further that the resolution does not modify the litigation but any effects would remain to be seen.

ITEMS REFERRED TO AND PRESENTATIONS FROM TOWN MANAGER

Town Manager Garman - Update on Public Services Facility

Town Engineer David Ryan provided an update on the new Public Services Facility construction via a photo presentation; he is also planning a tour of the new site for the Board to take place after the February Board meeting, as requested.

Engineer Ryan's photos shown during his presentation are attached to and made a part of these minutes as shown in Addendum "C".

BOARD OF COMMISSIONERS AGENDA

Mayor Pro Tem Siers – Thank you to staff for Renée Cahoon's presentation

Mayor Pro Tem Siers thanked staff for putting together today's presentations on Renée Cahoon which was very much appreciated.

Mayor Pro Tem Siers – Thank you to Dare County for the resolution

Mayor Pro Tem Siers thanked Dare County for adopting the resolution yesterday which stated that they would not use House Bill 259 to exempt any workforce housing solutions from the local government zoning authority as part of any proposed solution.

Mayor Pro Tem Siers – Amend the UDO to reflect the LUP for drive-through restaurants

Mayor Pro Tem Siers said that he would like to see an amendment to the Unified Development Ordinance to reflect the Land Use Plan – not just to prohibit drive-through restaurants as discussed earlier today but for other issues of concern also.

Comr. Sanders – Thank you to staff for Dowdy Park lighting

Comr. Sanders thanked staff for the display of lights at Dowdy Park during the Christmas season.

Mayor Pro Tem Siers – Amend the UDO to reflect the LUP for drive-through restaurants (Continued)

It was Board consensus to ask the Planning Board to begin the process to amend the Unified Development Ordinance to reflect the Land Use Plan to prohibit drive-through restaurants and to also review other items of concern. Town Manager Garman stated that Planning Director Kelly Wyatt and her staff have been working on a list to bring forward.

ADJOURNMENT

MOTION: Comr. Brinkley made a motion to adjourn. The motion was seconded by Mayor Pro Tem Siers which passed unanimously. The time was 11:10 a.m.

_____
Carolyn F. Morris, Town Clerk

Date Approved: _____

Mayor: _____
Benjamin Cahoon

Agenda Item Summary Sheet

Item No: **E-5**
Meeting Date: **February 7, 2024**

Item Title: Consideration of Personnel Policy Change – Holiday Policy

Item Summary:
Staff recommends changing the Holiday Policy. Currently, the Town follows the NC State holiday calendar. When Christmas falls on a Wednesday, the NC State holiday schedule observes December 24th (Tuesday), December 25th (Wednesday), and December 26th (Thursday) as holidays, for a total of 3 days. Staff proposes that when Christmas falls on a Wednesday, the Town observes December 23rd (Monday), December 24th (Tuesday), and December 25th (Wednesday), for a total of 3 days.

Number of Attachments: 1

Specific Action Requested:
Approval of Holiday Policy Change

Submitted By: Administrative Services Date: January 26, 2024

Finance Officer Comment:
No fiscal impact.

Signature: Amy Miller Date: January 26, 2024

Town Attorney Comment:
N/A

Signature: John Leidy Date: January 26, 2024

Town Manager Comment and/or Recommendation:

I concur with staff's request.

Signature: Andy Garman Date: January 26, 2024

Section 1. Holidays

The following days are Town observed holidays.

Holiday*
New Year's Day**
Martin Luther King Jr. Day
Good Friday
Memorial Day
Independence Day**
Labor Day
Veterans Day**
Thanksgiving (2 days)
Christmas (3 days)**

*The Town of Nags Head will follow the NC State holiday calendar for all holidays except when Christmas Day falls on a Wednesday. When Christmas Day falls on a Wednesday, the Town will observe December 23rd (Monday), December 24th (Tuesday), and December 25th (Wednesday) as holidays.

**Employees that work in the Fire and Police departments will observe the following Holidays: New Year's Day on January 1st, Independence Day on July 4th, Veterans Day on November 11th and Christmas on December 24th, 25th and 26th.

Agenda Item Summary Sheet

Item No: **E-6**
Meeting Date: **January 4, 2023**

Item Title: Consideration of amendment to the Beach Nourishment Maintenance Capital Project Ordinance

Item Summary:

Amendment #10 records grant revenue and associated costs per the State Coastal Storm Damage Mitigation (CSDM) grant - Town of Nags Head Dune Planting. Dare County will provide $48,000 towards the local match, which is already budgeted in the General Fund. The Project is to plant native dune vegetation within a ten-mile length of oceanfront.

Please find attached the capital project ordinance amendment #10 for your consideration.

Number of Attachments: 1

Specific Board Action Requested:

Request adoption of Beach Nourishment Maintenance Capital Project Ordinance Amendment #10.

Submitted By: Administration Date: January 31, 2024

Finance Officer Comment:

Provided for Board adoption of amendment #10 to the Beach Nourishment Maintenance Capital Project Ordinance.

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

I concur with staff.

Signature: Andy Garman Date: January 31, 2024

BEACH NOURISHMENT MAINTENANCE CAPITAL PROJECT ORDINANCE
- AMENDMENT #10

BE IT ORDAINED by the Governing Board of the Town of Nags Head, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance as adopted December 16, 2020, amended February 3, 2021, amended September 1, 2021, amended January 5, 2022, amended August 3, 2022, amended October 5, 2022, amended December 7, 2022, amended December 21, 2022, amended March 1, 2023, amended August 2, 2023, is hereby further amended as follows:

Section 1. The project authorized is a locally funded beach nourishment project to be financed by appropriation of Beach Nourishment Capital Reserve Fund Balance and grants committed by the Federal Emergency Management Agency (FEMA), the N.C. Department of Public Safety (NCDPS), and the N.C. Department of Environmental Quality (NCDEQ).

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3. The following amounts are appropriated for the project:

Engineering and construction oversight	$ 1,002,636
Pumping Costs	6,175,419
Mobilization/Demobilization	5,023,000
Professional fees	793,000
Surveying and monitoring	472,200
Sand fencing	161,000
Capital outlay-other	670,500
Sprigging	616,750
Turtle monitoring	80,000
Contingency	98,359
	$ 15,092,864

Section 4. The following revenues are anticipated to be available to complete this project:

Intergovernmental Grants	$13,319,042
Contribution from Capital Reserve Fund	1,773,822
	$ 15,092,864

Section 5. The Finance Director is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy federal, state, and local regulations.

Section 6. The Finance Director is directed to report, on a quarterly basis, on the financial status of each project element in Section 3.

Section 7. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues in this capital project in every budget submission made to this Board.

Section 8. Copies of this project ordinance shall be furnished to the Clerk of the Governing Board, and to the Budget Officer and Finance Director for direction in carrying out this project.

Section 9. The Town Manager, or in his absence his designee, is hereby authorized to execute change orders or amendments to contracts in amounts up to $50,000 appropriated from contingency when it contains sufficient funds. The Budget Officer is authorized to reallocate appropriations between contingency and the various objects of expenditures as a result. Such changes shall be reported to the Governing Body at the next regular meeting.

Section 10. In case of emergency which threatens lives, health, and safety of public, the Town Manager may execute contractual documents and authorize expenditures in an amount necessary to meet the emergency so long as such amount does not exceed the amount in the contingency account not to exceed $125,000 and the expenditure is reported to the Board of Commissioners as soon as possible, and the appropriate budget amendments are submitted at the next regular meeting.

Amended this 7th day of February 2024.

_____
Benjamin Cahoon, Mayor

ATTEST:

_____
Carolyn F. Morris, Town Clerk

Agenda Item Summary Sheet

Item No: **E-7**
Meeting Date: **February 7, 2024**

Item Title: Consideration of resolution to accept the American Rescue Plan Grant offer for S Old Oregon Inlet Road (SOOIR) Stormwater Infrastructure Improvements

Item Summary:

The attached resolution is provided for Board consideration at the February 7th Board of Commissioners meeting. The resolution is required by the State and is to accept the American Rescue Plan Grant offer of $2,957,961 for the South Old Oregon Inlet Road Stormwater Infrastructure improvements.

Associated documentation is also attached for the Board's information.

Number of Attachments: 4

Specific Action Requested:

Resolution attached for Board review and approval.

Submitted By: Finance Officer Amy Miller Date: January 31, 2024

Finance Officer Comment:

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

I concur with staff.

Signature: Andy Garman Date: January 31, 2024

RESOLUTION ACCEPTING AMERICAN RESCUE PLAN (ARP) FUNDING FROM THE STATE FISCAL RECOVERY FUND FOR A STORMWATER INFRASTRUCTURE GRANT

WHEREAS, the American Rescue Plan Act (ARPA) funded from the State Fiscal Recovery Fund was established in Session Law (S.L.) 2021-180 to assist eligible units of local government with meeting their drinking water and/or wastewater and/or stormwater infrastructure needs; and

WHEREAS, the North Carolina Department of Environmental Quality has offered LASII American Rescue Plan Act (ARPA) funding in the amount of $2,957,961 to perform the work detailed in the submitted application; and

WHEREAS, the Town of Nags Head intends to perform said project in accordance with the agreed scope of work.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF NAGS HEAD:

1. That the Town of Nags Head does hereby accept the American Rescue Plan Act (ARPA) offer of $2,957,961; and
2. That the Town of Nags Head does hereby give assurance to the North Carolina Department of Environmental Quality that any Conditions or Assurances contained in the Funding Offer and Acceptance (award offer) will be adhered to; has substantially complied, or will substantially comply, with all federal, State of North Carolina (State), and local laws, rules, regulations, and ordinances applicable to the project; and to federal and State grants and loans pertaining thereto; and
3. That Andy Garman, Town Manager, and successors so titled, is hereby authorized and directed to furnish such information as the appropriate State agency may request in connection with this project; to make the assurances as contained above; and to execute such other documents as may be required by the North Carolina Department of Environmental Quality, Division of Water Infrastructure.

Adopted this the 7th day of February 2024.

_____
Benjamin Cahoon, Mayor
Town of Nags Head

ATTEST:

_____
Carolyn F. Morris, Town Clerk

APPLICABLE STANDARD CONDITIONS
Project Applicant: Town of Nags Head **Project Number(s): SRP-SW-ARP-0019**

1. Acceptance of this Funding Offer does not exempt the Recipient from complying with requirements stated in the U.S. Treasury's Final Rule for the Coronavirus State and Local Fiscal Recovery Funds (SLFRF) and the SLFRF Compliance and Reporting Guidance not explicitly referred to in this document and any future requirements implemented by the U.S Treasury.

2. Acquisition of Real Property must comply with all applicable provisions of the Uniform Relocation and Real Property Acquisition Policies Act of 1970 (PL 92-646), as amended. The applicant shall certify that it has or will have a fee simple or such other estate or interest in the site of the project, including necessary easements and rights-of-way, to assure undisturbed use and possession for the purpose of construction and operation for the estimated life of the project using a certification form provided by DEQ.

3. Specific MBE/WBE (DBE) forms and instructions are provided that are to be included in the contract specifications. These forms will assist with documenting positive efforts made by recipients, their consultants and contractors to utilize disadvantaged businesses enterprises. Such efforts should allow DBEs the maximum feasible opportunity to compete for subagreements and subcontracts to be performed. Documentation of efforts made to utilize DBE firms must be maintained by all recipients, and construction contractors, and made available upon request.

4. Subrecipients shall fully comply with Subpart C of 2 CFR Part 180 entitled, "Responsibilities of Participants Regarding Transactions Doing Business with Other Persons," as implemented and supplemented by 2 CFR Part 1532. Recipient is responsible for ensuring that any lower tier covered transaction, as described in Subpart B of 2 CFR Part 180, entitled "Covered Transactions," includes a term or condition requiring compliance with Subpart C. Recipient is responsible for further requiring the inclusion of a similar term or condition in any subsequent lower tier covered transactions. Subrecipients may access suspension and debarment information at: http://www.sam.gov. This system allows subrecipients to perform searches determining whether an entity or individual is excluded from receiving Federal assistance.

5. Projects with a total cost of $10,000,000 or more must meet U.S. Treasury requirements for prevailing wage rates, project labor agreements, and related requirements. Recipients can either certify meeting the requirements or provide plans and reports as the SLFRF Compliance and Reporting Guidance specifies.

6. The Uniform Guidance 2 CFR 200.317 through 2 CFR 200.327 gives minimum requirements for procurement, with 2 CFR 200.319(b) addressing engineering services procurement guidelines. ARPA-funded projects must also adhere to North Carolina State law, specifically NC General Statute 143-64.31, Article 3D Procurement of Architectural, Engineering, and Surveying (A/E) Services. NCGS 143-64.32 cannot be used to exempt funding recipients from a qualification-based selection for A/E. The State provides applicable certification forms that must be completed prior to receiving funds for any engineering services covered under this funding offer.

7. Local government units designated as distressed must complete associated requirements of statute §159G-45(b).

8. Funds made available by the ARPA that are not disbursed to the entity accepting the funds in this document by December 31st, 2026, will no longer be available for the project. Unused Federal funds will revert from the State of North Carolina to the U.S. Treasury.

ASSURANCES
Project Applicant: Town of Nags Head **Project Number(s): SRP-SW-ARP-0019**

1. The Applicant intends to construct the project or cause it to be constructed to final completion in accordance with the Application approved for financial assistance by the Division. The recipient acknowledges that in the event a milestone contained in the Letter of Intent to Fund is missed, the Department of Environmental Quality will rescind this Funding Offer.

2. The Applicant is responsible for paying for the costs ineligible for ARPA funding.

3. The construction of the project, including the letting of contracts in connection therewith, conforms to the applicable requirements of State and local laws and ordinances.

4. The Applicant will provide and maintain adequate engineering supervision and inspection.

5. The recipient agrees to establish and maintain a financial management system that adequately accounts for revenues and expenditures. Adequate accounting and fiscal records will be maintained during the construction of the project and these records will be retained and made available for a period of at least three years following completion of the project.

6. All ARPA funds shall be expended solely for carrying out the approved project, and an audit shall be performed in accordance with G.S. 159-34. Partial disbursements on this loan will be made promptly upon request, subject to adequate documentation of incurred eligible costs, and subject to the recipient's compliance with the Standard Conditions of this Award. The Applicant agrees to make prompt payment to its contractor, and to retain only such amount as allowed by North Carolina General Statute.

7. The applicant will expend all of the requisitioned funds for the purpose of paying the costs of the project within three (3) banking days following the receipt of the funds from the State. Please note that the State is not a party to the construction contract(s) and the Applicant is expected to uphold its contract obligations regarding timely payment.

8. Funds must be fully spent (i.e., fully disbursed to the recipient) by December 31, 2026.

9. The applicant acknowledges that loan funds contained in this Funding Offer require approval from the North Carolina Local Government Commission before they can be disbursed.

STATE OF NORTH CAROLINA
DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER INFRASTRUCTURE

Funding Offer and Acceptance

Legal Name and Address of Award Recipient

Town of Nags Head
PO Box 99
Nags Head, North Carolina 27959

Project Number(s): SRP-SW-ARP-0019

Assistance Listing Number: 21.027
Unique Entity ID Number: QHFXEKKHA8R3

Funding Program

Drinking Water ☐ **Stormwater** ☒ **Wastewater** ☐	**Additional Amount for Funding Increases**	**Previous Total**	**Total Offered**
State Revolving Fund-Repayable Loan ☐			
State Revolving Fund-Principal Forgiveness ☐			
State Reserve Loan ☐			
State Reserve Grant ☐			
State Reserve Earmark (S.L. 2023-134) ☐			
American Rescue Plan Act - LASII ☒			$2,957,961

Project Description:

South Old Oregon Inlet Road Stormwater Infrastructure Improvements

Total Financial Assistance Offer: **$2,957,961**
Total Project Cost: $3,161,461
Estimated Closing Fee*: $0.00
For Loans
Interest Rate:
Maximum Loan Term:

**Estimated closing fee calculated based on grant and loan amount.*

Pursuant to North Carolina General Statute 159G:

- The applicant is eligible under Federal and State law,
- The project is eligible under Federal and State law, and
- The project has been approved by the Department of Environmental Quality as having sufficient priority to receive financial assistance.

The Department of Environmental Quality, acting on behalf of the State of North Carolina, hereby offers the financial assistance described in this document.

For The State of North Carolina: **Shadi Eskaf, Director, Division of Water Infrastructure**
North Carolina Department of Environmental Quality

Signature Date

On Behalf of: Town of Nags Head
Name of Representative in Resolution: _____
Title (Type or Print): _____

I, the undersigned, being duly authorized to take such action, as evidenced by the attached CERTIFIED COPY OF AUTHORIZATION BY THE APPLICANT'S GOVERNING BODY, do hereby accept this Financial Award Offer and will comply with the attached Assurances and the Standard Conditions.

Signature Date

ROY COOPER
Governor
ELIZABETH S. BISER
Secretary
SHADI ESKAF
Director

NORTH CAROLINA
Environmental Quality

February 1, 2024

Amy Miller, Deputy Town Manager / Financial Services
Town of Nags Head
PO Box 99
Nags Head, NC 27959

SUBJECT: Funding Offer
Project No. SRP-SW-ARP-0019
South Old Oregon Inlet Road Stormwater Infrastructure Improvements

Dear Ms. Miller:

The Town of Nags Head has been approved for funding assistance according to the subject funding offer. This offer is made subject to the Assurances and Conditions attached to this document.

Upon your acceptance, please submit the following items to Pam Whitley, via email at Pam.Whitley@deq.nc.gov, or via mail at Division of Water Infrastructure (DWI), 1633 Mail Service Center, Raleigh, North Carolina 27699-1633:

1. One (1) copy of the original Offer and Acceptance Document executed by the Authorized Representative for the project, along with the Conditions and Assurances. **Retain the other copy for your files.**

2. A resolution adopted by the governing body accepting the funding offer and making the applicable Conditions and Assurances contained therein. (Sample copy attached)

3. Federal Identification Number and Unique Entity ID Number of the Recipient (UEID required for federally funded projects)

4. Sales-Tax Certification (attached)

5. Professional Engineering Services Procurement Form (not applicable for DWSRF projects)

The Site Certification, a Capital Project Ordinance (or budget ordinance covering the project), and the Professional Engineering Services Procurement Form (not applicable for DWSRF projects) are due before disbursements begin.

Documentation throughout the project can be submitted to Laserfiche at the following link: https://edocs.deq.nc.gov/Forms/DW-Document-Upload-Form. Disbursement requests should be sent to the Division of Water Infrastructure Business Office at the following email dwi.businessoffice@deq.nc.gov or uploaded to the noted Laserfiche link. A reference copy of the Disbursement Request Form (also found on the DWI website) has been enclosed for your convenience.

On behalf of the Department of Environmental Quality, I am pleased to make this funding offer. Should you have any questions concerning this offer of funding, or any of the stipulations outlined in this offer package, please contact Allen Baker at allen.baker@deq.nc.gov or 910-796-7399.

Sincerely,

Shadi Eskaf, Director
Division of Water Infrastructure, NCDEQ

Enclosures:
Offer and Acceptance Document (two copies)
Assurances & Conditions
Federal ID and UEID Number Request Memo
Resolution to Accept Funding Offer (suggested format)
Sales-Tax Certification Form
Disbursement Request Form
Professional Engineering Services Procurement Form (not applicable for DWSRF)
Site Certification
Capital Project Ordinance (Sample)

cc:
Amy Miller, Deputy Town Manager / Financial Services (amy.miller@nagsheadnc.gov)
Hunter Freeman, PE, McAdams, (freeman@mcadamsco.com)
Mark Hubbard (Via DocuSign)
Allen Baker (Via DocuSign)
DWI Administrative Unit (Via DocuSign)
Carrie Short (Via DocuSign)
Jennifer House (Via DocuSign)
Pam Whitley (Via Email)
FILE: ARP Project File **(COM_LOX)**
Agreement ID#: 2000067292

Revised 01/12/24

Agenda Item Summary Sheet

Item No: **E-8**
Meeting Date: **February 7, 2024**

Item Title: Request for Public Hearing to consider text amendments to the Unified Development Ordinance re: prohibiting drive-through restaurants

Item Summary:
At their January 3rd meeting, the Board of Commissioners voted unanimously to direct staff to initiate the text amendment process to eliminate the use of "Restaurant, Drive Through" as a permissible use within the Unified Development Ordinance (UDO) to create consistency between the UDO and the 2017 Comprehensive Land Use Plan's guidance. Additionally, staff contacted the Village at Nags Head Property Owner's Association to make them aware of the requested changes and at the Village Property Owner's Association Board of Directors meeting, the VNHPOA Board supported the recommendation to remove the use of restaurant drive-through from the Village Commercial Districts.

The following text amendments to the UDO are being proposed for the Board of Commissioners' consideration:

- Section 6.6, Table of Uses and Activities to remove the use of Restaurant, Drive Through as an allowable special use.
- Section 7.29 to remove the supplemental regulations related to the use of Restaurant, Drive Through.
- Section 7.30 to remove reference to Restaurant, Drive Through as part of the use Restaurant, Neighborhood.
- Section 7.31 to remove reference to Restaurant, Drive Through as part of the use Restaurant, Sit Down.
- Section 9.36 to remove the use of Restaurant, Drive Through as an allowable special use within the Village's commercial districts.
- Section 9.375 to the supplemental regulations related to the use of Restaurant, Drive Through within the Village's commercial districts.
- Section 10.16, Table 10-2 Required Parking by Use, to remove the use of Restaurant, Drive Through from the table.

Planning Board Recommendation
At their January 16, 2024, meeting the Planning Board voted unanimously to recommend approval of the proposed text amendment.

Number of Attachments: 0

Specific Action Requested:
Request to hold a Public Hearing on the text amendments at the March 6, 2024 Board meeting.

Submitted By: Planning and Development Date: January 31, 2024

Finance Officer Comment:
N/A

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:
N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:
N/A

Signature: Andy Garman Date: January 31, 2024

Agenda Item Summary Sheet

Item No: **F-1**
Meeting Date: **February 7, 2024**

Item Title: Public Hearing to consider a Special Use/Site Plan Review submitted by Quible & Associates, P.C. and Beacon Architecture, PLLC on behalf of Mazzi, LLC. for construction of a Trade Center

Item Summary:
Special Use Permit/Site Plan Review submitted by Quible & Associates, P.C. and Beacon Architecture and Design, PLLC for the construction of an 11,200 square foot building that includes eight (8) units operating as a "Trade Center". The property is zoned C-3, Commercial Services and is located on Lot 2a-1r of the Charles L. Sineath Subdivision (PIN# 989317113533), a vacant lot directly behind TW's Bait and Tackle located at 2230 S. Croatan Highway, Nags Head. Note that the Board of Commissioners originally reviewed and approved this Special Use/Site Plan Review on November 2, 2022. Absent the issuance of a building permit for this project, the Special Use Permit/Site Plan approval expires 12-months from the date of the Board of Commissioners approval. This Special Use Permit/Site Plan Review is being requested for reconsideration as the original approval expired on November 2, 2023.

By definition, "Trade Center" means a structure containing two or more individual units, primarily devoted to service and wholesale operations and the storage of materials for off-site work.

Staff Recommendation/Planning Board Recommendation
The Planning, Fire, Police, and Public Services Departments as well as the Town Engineer have reviewed the submittal and find it to be consistent, and still in compliance with the November 2, 2022, approved submittal. There have been no changes in the applicable codes for each respective department over the past year that would affect this submittal, therefore staff recommends approval of the Special Use/Site Plan Review application as submitted.

At their December 19, 2023, meeting the Planning Board voted unanimously to recommend approval of the Special Use Permit/Site Plan Review as presented.

Number of Attachments: 2

Specific Action Requested:
Conduct the Public Hearing for the SUP/Site Plan Review.

Submitted By: Planning and Development Date: January 30, 2024

Finance Officer Comment:

Signature: Amy Miller Date: January 30, 2024

Town Attorney Comment:

Signature: John Leidy Date: January 30, 2024

Town Manager Comment and/or Recommendation:
I concur with staff.

Signature: Andy Garman Date: January 30, 2024

Benjamin Cahoon
Mayor

Michael Siers
Mayor Pro Tem

Andy Garman
Town Manager

Town of Nags Head
Post Office Box 99
Nags Head, NC 27959
Telephone 252-441-5508
Fax 252-441-0776
www.nagsheadnc.gov

Kevin Brinkley
Commissioner

Bob Sanders
Commissioner

Megan Lambert
Commissioner

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Nags Head Board of Commissioners will conduct public hearings on **Wednesday, February 7, 2024** beginning at 9:00 am in the Board Room of the Municipal Complex, 5401 S Croatan Highway, Nags Head, NC to consider and take action upon the following requests:

1) Public Hearing to consider Special Use/Site Plan review submitted by Quible & Associates, P.C. and Beacon Architecture and Design PLLC, for the construction of a Trade Center. The property is zoned C-3, Commercial Services and is located on Lot 2a of the Charles L. Sineath Subdivision (PIN# 989317113533), vacant lot directly behind TW's Bait and Tackle

2) Public Hearing to consider various text amendments to the Unified Development Ordinance (UDO) as it relates to multi-family development

A copy of the application requests will be available for public inspection at the Nags Head Planning and Development Department and the Office of the Town Clerk, Town Municipal Complex, 5401 S. Croatan Hwy, Nags Head, NC 27959, telephone (252) 441-5508 during normal business hours.

As a result of these hearings, substantial changes may be made in the proposals as advertised to reflect objections, debate and discussion at the hearings. Any person desiring to be heard on the proposals as stated above should appear at the time and place specified above.

This the 22nd day of January 2024.

Kelly Wyatt
Planning Director

For publication in the Coastland Times on Wednesday, January 24th and on Wednesday, January 31st 2024.
Please use Nags Head logo and legal print.

MEMORANDUM
Town of Nags Head
Planning & Development Department

To: Board of Commissioners
From: Kelly Wyatt, Planning Director
Joe Costello, Deputy Planning Director

Date: January 30, 2024
Subject: SUP/Site Plan Review, Lot 2A-1R, Charles Sineath Division, Trade Center

BACKGROUND INFORMATION

The initial Special Use/Site Plan review for the Trade Center was reviewed and approved by the Nags Head Board of Commissioners on November 2nd, 2022. This 2022 approval was not a vested right, so the site plan approval expired one (1) year from the date of approval, meaning the site plan approval expired on November 2nd, 2023. Section 4.15, Time Limits for Site Plan, Zoning Permits, & Building Permits, of the Unified Development Ordinance, sets forth the timeline for permitting following Board approval, and is included below for your review.

Section 4.15 - Time Limitations for Site Plans, Zoning Permits, & Building Permits.

The following provisions pertaining to time limitations to obtain building permits, and to commence, continue and complete construction, shall apply in all cases in which a site plan approval or development permit is required unless otherwise provided for in Section 3.6, Establishment of Vested Rights.

4.15.1. Time Limitation to Obtain Building Permit.
Final approval of a site plan by the Board of Commissioners or approval of a zoning permit by the UDO Administrator shall be valid for twelve (12) months from date of approval. The Building Inspector may issue a building permit within twelve (12) months from the date of such approval, provided that all other requirements are met. If a building permit is not issued within twelve (12) months from the date of final approval of the site plan or zoning permit, the site plan or zoning permit shall expire and the applicant must submit a new site plan conforming to the then current provisions of this Ordinance for review by the Planning Board and Board of Commissioners or a new zoning permit application for review by the UDO Administrator and pay the applicable fees. Upon the issuance of a building permit, the approval of the underlying site plan or zoning permit shall remain valid as long as the corresponding building permit remains valid as provided for in this section.

Note that following site plan approval by the Board of Commissioners a building permit must be issued within twelve (12) months from the date of approval, or the site plan approval expires, and the applicant must then submit a new site plan review conforming with the current

provisions of the Unified Development Ordinance. Given that a development permit application has not been submitted and a building permit issued, the applicant is requesting re-consideration of the initial approved submittal. As such, the applicant has resubmitted their previously reviewed and approved Special Use/Site Plan Review application for the Planning Board and Board of Commissioners consideration. The staff report from the Board of Commissioners November 2nd, 2022 meeting has been provided below for consideration.

The Planning, Fire, Police, and Public Services Departments as well as the Town Engineer have reviewed the submittal and find it to be consistent, and still in compliance with the November 2, 2022 approved submittal. There have been no changes in the applicable codes for each respective department over the past year that would affect this submittal, therefore staff recommends approval of the Special Use/Site Plan Review application as submitted.

PLANNING BOARD RECOMMENDATION

At their December 19, 2023, meeting the Planning Board voted unanimously to recommend approval of the Special Use Permit/Site Plan Review as presented.

Pursuant to Section 3.8.4.6 of the Unified Development Ordinance the Board of Commissioners shall issue a Special Use Permit if it has evaluated an application through a quasi-judicial process and determined that:

1. The use will not materially endanger the public health and safety if located where proposed and developed according to the plan as submitted.

2. The use, as proposed, will not overburden the firefighting capabilities and the municipal water supply capacity of the Town as such facilities and capabilities will exist on the completion date of the conditional use for which application is made.

3. The conditional use will be in harmony with the existing development and uses within the area in which it is to be located.

4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Attachments: SUP/Site Plan Application, DCHD, Checklist Plan Set, Site Narrative.

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STAFF REPORT FROM NOVEMBER 2ND, 2022 BOARD OF COMMISSIONERS MTG

GENERAL INFORMATION

Applicant: Quible & Associates, PC. & Beacon Architecture and Design, PLLC on behalf of Mazzi LLC.

Application Type: Special Use/Site Plan Review.

Purpose/Request: Construction of an 11,200 square foot building that includes 8 units operating as a "Trade Center", with parking and all associated site improvements.

Property Location: 2A-1R, Charles Sineath Division, 0 Satterfield Landing Rd, Nags Head.

Existing Land Use: Vacant.

Zoning Classification of Property: C-3, Commercial Services Zoning District.

Zoning Classification of Surrounding Properties: Property to the north, directly across Satterfield Landing Road is zoned C-2, General Commercial and developed commercially (OBX Bowling Center). Property to the south is zoned R-2, Medium Density Residential and it is undeveloped. Property to the west, is zoned C-3 Commercial Service and is developed commercially (Village Realty & Management Service). Property to the east is zoned C-2, General Commercial and developed commercially (TW's Bait & Tackle).

Flood Hazard Zone of Property: Property is located in an X Flood Zone, per the Town of Nags Head local ordinance, the property is subject to an RFPE/LES of 9 ft. The first floor of the trade center is proposed at 11 feet msl and is therefore compliant.

Land Use Plan Map/Policies: The 2017 Comprehensive Plan Future Land Use Map classifies this property as Commercial Services. This proposal is consistent with this land use classification and stated Land Use Policies.

SPECIFIC INFORMATION

Applicable Zoning Regulations:

- Use Regulations: Section 6.6, Table of Uses and Activities lists "Trade Center" as a Special Use within the C-3, Commercial Services District, with supplemental regulations set forth in Section 7.72 and included below.

  Trade centers are permitted in accordance with Section 6.6, Table of Uses and Activities, subject to other requirements of this UDO and provided that the following conditions are met:

  7.72.1. *Each individual unit may contain an office/sales area; however, this area shall not exceed twenty-five (25) percent of the gross floor area of the unit.*

  7.72.2. *Each individual unit shall at a minimum contain a commode, shower facility and lavatory.*

Distance from Fresh Pond	Maximum Permeable Pavement	Maximum Impermeable Surface	Minimum Open Space
0—500 feet	25%	30%	45%
Over 500 feet	25%	45%	30%

7.72.3. *All work conducted on-site shall be entirely within the enclosed structure.*

The proposal consists of eight (8) 1,400 square foot units. Approximately 14% of each unit is dedicated to office use and restroom facilities. The remaining area is dedicated to parking area and storage. Sheet A1.1 of the submittal package shows the floor plan for the units, note that a toilet and sink has been shown in each unit. With regard to the requirement for each unit to contain a "shower facility", staff has reviewed the minutes from the Planning Board and Board of Commissioners meetings in 1988 in hopes of gaining insight on this requirement. Unfortunately, there was no discussion in the minutes related to the shower requirement. Given the nature of the trade center use, where one may be working with, exposed to, or come into contact with injurious corrosive materials it seems fitting that eye wash stations and safety showers would be required to allow for quick drenching and flushing of the eyes and body in emergency situations. Staff would add that while one proposed tenant of a trade center unit may not be working with materials that would necessitate shower facilities, a future tenant may so, as a matter of consistency in approval, each unit should provide a shower or emergency shower for safety purposes. A combination eye wash and shower station has been proposed and shown on sheet A1.2 of the plan set. Lastly, the applicant has noted in the site narrative included in the packet that there will be no outdoor display areas or storage of materials.

- Lot Coverage: Section 8.6.6.4 of the UDO sets forth allowable lot coverage within the C-3, Commercial Services district as it pertains to the developments distance from the Fresh Pond AEC. This property is not located within the Fresh Pond AEC.

  Proposed impermeable surfaces on this site are 44.8% and therefore compliant. The proposed permeable surfaces on this site are 10.1% and therefore compliant. As proposed, over 44% of the site is retained in open space and therefore is compliant.

- Height: The maximum allowable building height within the Town is 35 feet; however, pursuant to Section 8.2.1, Dimensional requirements, total height may be increased to 42 feet with the use of an 8:12 roof pitch or greater. The applicant has proposed a structure with an overall height of 20'-5", therefore height is compliant.

- Architecture Design Standards: Section 10.82 of the UDO, Applicability, states that Commercial Design Standards shall not apply to projects located within the C-3, Commercial Services Zoning District.

- Parking: Pursuant to Article 10, Table 10-2, Required Parking by Use, Warehouse/Light Industrial, Trade Centers shall provide parking at one (1) parking space for each 750 gross square feet of floor area in each unit, but no less than 3 parking spaces per unit. With eight (8) units proposed, a total of 24 parking spaces is required. A total of 24 parking spaces has been proposed therefore parking is compliant. Note that the applicant has proposed 14 of the parking spaces to be interior to the trade center and as such the building will be designed to provide fire suppression.

  With regard to the loading zone requirements, Section 10.17.1. sets forth the requirements for the number and type of loading zone required based upon the use. This section also states, "A loading space need not be necessarily a full berth but shall be sufficient to allow normal loading and unloading operations of a kind and magnitude appropriate to the use. The Town Engineer shall determine the sufficiency of loading space but in no case shall the use of such space hinder the free movement of vehicles and pedestrians over a street, sidewalk, parking lot or alley". The applicant has requested that consideration be given to a reduced loading and unloading zone. Based upon the anticipated use and building size, the applicant is requesting a 12' x 30' dedicated loading zone. The applicant anticipates limited product pick-up and delivery with deliveries expected to include UPS and FedEx.

  Section 10.92.14.4 of the UDO, Surface Materials, requires a minimum of twenty (20) percent of the surface area of the parking area and drive aisles to be constructed of permeable surface material. The applicant has proposed developing approximately 40% of the exposed surface of the parking area in a permeable surface material.

- Buffering/Landscaping: Several sections of the Unified Development Ordinance speak to Buffering and Landscaping as it applies throughout this proposed site:

  - Section 10.92.6.2 of the UDO, Parking and Drive Aisle Setbacks, requires that where off-street parking is provided between the building and the street right-of-way line, a parking lot buffer of at least ten (10) feet in width shall be provided between the parking lot and the street right-of-way. Where the proposed parking along the northern boundary is adjacent to Satterfield Landing Road, the applicant has proposed a compliant 10-foot-wide buffer yard with the appropriate number of plantings.

  - Section 10.93.3.2 of the UDO, Commercial Transitional Protective Yards, requires increased landscaping to be provided and maintained when non-residential land uses are adjacent to a residential use or residential zoning district. Additionally, Section 10.93.3.3 lists "Trade Center" as a High Impact Use. Section 10.93.3.2.2. states that where a high impact use abuts a residential zoning district, a buffer strip of at least twenty-five (25) feet in width along the entire length of the lot shall be provided. The buffer yard shall consist of three rows of plant material. A compliant 25-foot-wide transitional protective yard has been proposed along the southern property line where this property abuts the R-2, Medium Density Residential Zoning District.

  - Section 10.93.3.7, Interior Parking Lot Landscaping and Section

10.93.3.8, Vegetation Preservation/Planting Requirements are not applicable to projects within C-3, Commercial Services District pursuant to Section 10.82, Applicability of Commercial Design Standards.

- Lighting: A lighting plan compliant with the requirements of Article 10.37.1 of the Unified Development Ordinance will be required prior to the issuance of any development permits. In addition, a light audit will be required prior to issuance of occupancy permits. Staff is currently reviewing the lighting information submitted with this Special Use application.

- Signage: No signage is being proposed at this time; however, any signage will need to be reviewed and approved prior to installation.

Water and Sewage Disposal: The Dare County Health Department has reviewed and approved the proposal as presented (DCHD Approval Email Attached).

Traffic Circulation: Traffic circulation has been reviewed and approved by the Town Engineer as presented.

Stormwater Management: Stormwater management has been reviewed and approved by the Town Engineer with a condition that the roadway swale on the west side of the proposed driveway apron be extended to the western property corner. See all engineering comments in the attached email correspondence dated September 16, 2022.

Fire: The project will be required to comply with all applicable NC Fire Prevention Code requirements as part of building permit application review and issuance. The building will be sprinkler protected and the structure design will meet the appropriate fire ratings as required.

Public Works: The Public Works Director has reviewed and approved the proposed site plan as presented.

ANALYSIS

Staff finds that the proposal is consistent with the applicable use and development standards, as well as relevant land use policies.

During the Sketch Plan Review for this Special Use/Site Plan application there were questions concerning the types of uses that would be permissible within the proposed units. As the property is located within the C-3, Commercial Services Zoning District, only those uses permitted within this district would be allowed. Furthermore, only uses that meet the intent of the Trade Center use would be permitted. The definition of Trade Center is provided below:

> ***Trade center*** *means a structure containing two or more individual units, primarily devoted to service and wholesale operations and the storage of materials for off-site work.*

Reviewing Section 6.6, Table of Permitted Uses and Activities, the following are examples of uses allowed in the C-3 District within the use categories devoted to service and wholesale operations that are representative of the uses that would be permitted, this is not a comprehensive list: Carpet Installation, Fire Safety Equipment Services, Locksmiths, Real Estate Rental Management Facility, Security System Services, Wallpaper

.

Installation, Water Well Drillers Services, Assembly and Packaging of Articles, Canvas, Fabric and Upholstery, Electrical Equipment storage. Note, automobile repair is not permissible in the C-3 District and would not be permitted as part of the proposed “Trade Center” use.

STAFF RECOMMENDATION

Based upon Staff’s review of the proposal and conditioned on the Town Engineer’s requirement that the roadway swale on the west side of the proposed driveway apron be extended to the western property corner, staff recommends approval of the Special Use/Site Plan Review as presented.

PLANNING BOARD RECOMMENDATION

At their September 20, 2022, meeting the Planning Board voted unanimously to recommend approval of the Special Use Permit/Site Plan Review conditioned upon the Town Engineers request that the proposed driveway apron be extended to the western property corner.

The applicant has addressed the Town Engineers request that the driveway apron be extended to the western property corner in the submittal for Board of Commissioner consideration.

Pursuant to Section 3.8.4.6 of the Unified Development Ordinance the Board of Commissioners shall issue a Special Use Permit if it has evaluated an application through a quasi-judicial process and determined that:

1. The use will not materially endanger the public health and safety if located where proposed and developed according to the plan as submitted.

2. The use, as proposed, will not overburden the firefighting capabilities and the municipal water supply capacity of the Town as such facilities and capabilities will exist on the completion date of the conditional use for which application is made.

3. The conditional use will be in harmony with the existing development and uses within the area in which it is to be located.

4. Adequate utilities, access roads, drainage, parking, or necessary facilities have been or are being provided.

5. Adequate measures have been or will be taken to provide ingress and egress so designed as to minimize traffic congestion in the public streets.

Attachments: SUP/Site Plan Application, DCHD, and Checklist Plan Set, Site Narrative, September 16th engineering correspondence.

TOTAL PROPOSED SQUARE FOOTAGE _____ x .50 = $_____ +

CONDITIONAL USE ☐ ($200.00)
(Optional) VESTED RIGHT ☐ ($200.00)
(Optional) BOTH ☐ ($300.00)
= TOTAL FEE DUE _____

TOWN OF NAGS HEAD

DATE RECEIVED _____

SITE PLAN REVIEW APPLICATION & CHECKLIST FOR CONDITIONAL USES

1. **LOCATION AND ZONING INFORMATION**
   - A. PROJECT TITLE Trade Center Facility, Lot 2A-1R, Charles L. Sineath Division
   - B. STREET ADDRESS 0 W Satterfield Landing Road, Nags Head, NC 27959
   - C. SUBDIVISION _____
     LOT(S) 2A-1R BLOCK n/a SECTION n/a
   - D. PRESENT ZONING C-3
   - E. PRESENT USE vacant
   - F. EXISTING NONCONFORMITIES n/a
   - G. ABUTTING PROPERTY ZONING R2, R2, C2, C3
   - H. ABUTTING PROPERTY USE Vacant land, vacant land, retail, dance studio

2. **CERTIFICATION AND STANDING**
   - A. As applicant of standing of the above named project, I certify that the information on this checklist and the site plan is complete and accurate.

     OWNER ☐ AGENT ☒ CONTRACT PURCHASER ☐
   - B. APPLICANT/DEVELOPER: NAME Mazzi, LLC
     ADDRESS 114 West Oregon Ave Kill Devil Hills, NC 27948
     TELEPHONE _____
   - C. CONTACT PERSON: NAME Michael W Strader
     ADDRESS 8466 Caratoke Hwy, Bldg 400 Powells Point, NC 27966
     TELEPHONE 252-491-8147

3. **ADJACENT OWNERSHIP INFORMATION (TO BE SHOWN ON SITE PLAN)**

   NAME/ADDRESS (N) N/A (W Satterfield Blvd)
   NAME/ADDRESS (S) Santos Ventura Machado; 308 Sandpiper Drive, Kill Devil Hills, NC 27948
   NAME/ADDRESS (E) Bottom Rig, LLC; PO Box 279 27949
   NAME/ADDRESS (W) Village Realty and Management Services; PO Box 1807, Nags Head, NC 27959
   (If additional space is needed, please attach separate sheets.)

   NAME/ADDRESS (S) Michael W. Kelly; PO Box 1089, Nags Head, NC 27959

4. **SITE PLAN AND SITE PLAN ATTACHMENT DATA**

A. Site plan preparer Quible & Associates, PC - Cathleen M. Saunders, P.E. Phone # 252.491.8147

NC Registered ☒ Engineer ☐ Architect ☐ Surveyor. License # 043652

B. The design for the attached Stormwater Management Plan includes:

☐ 1.5", 2-hour rainfall: retained on-site.

☒ 4.3", 2-hour rainfall: no important access or health-related impacts.

☐ 5.0", 2-hour rainfall: no unapproved impacts.

Drainage calculations have been prepared ☒ YES ☐ NO ATTACHED ☐ YES ☒ NO

Note: Stormwater Managment Plan MUST be approved by the Town Engineer prior to Planning Board review for all listed permitted uses in the zoning ordinance.

C. Sewage disposal approval is being submitted in the form of:

☒ Attached tentative approval letter dated 8/9/2022

☐ Attached final permit dated .

☐ State ☐ County

D. Project involves condominium ownership.

☒ NO ☐ YES, Three copies of condominium documents attached.

E. Amount of land-disturbing activity proposed 46,000 square feet.

A Soil Erosion and Sedimentation Control Plan has been prepared. Will be prepared after sketch plan approval

☒ NO ☐ YES; (1) Copy attached,

(2) Copy submitted to Dare County Soil Conservation Service, Manteo NC 27954.

F. Coastal Area Management Act (CAMA) permit. ☐ YES ☒ NO

5. **INFORMATION TO BE SHOWN ON SITE PLAN**

Twelve (12) copies for Planning Board review

A. **Property and ownership**	YES	COMMENTS
1. Present recorded owner and map book/cabinet reference of the site property.	X	
2. Current PIN Number.	X	
3. Site Address.	X	
4. Owners' names, lot numbers or map book and page reference of all adjacent property owners.	X	
5. Boundary of the entire parcel by course and distance.	X	
6. Widths of the existing rights-of-way that abut the site.	X	
7. Nature or purpose, location and size of existing easements.	X	
8. At all lot corners, points of tangents and any angle point along a given course of the site, iron pins minimum 3/8-inch diameter or 4x4-inch concrete monuments.	X	
9. Plan to at least 1"=50' scale, showing north arrow and whether true or magnetic.	X	
10. Signature and seal of preparer.	N/A	
B. Existing features		
1. Streets, curbs, and sidewalks with type and width of pavement.	X	
2. Topographic features of site and existing grades for any streets, storm drainage system including existing grades at four corners of all structures.	X	

	YES	COMMENT
3. Flood zone(s) as determined by latest FEMA Flood Insurance Rate Map, with notation, "flood zone subject to change by FEMA."	X	
4. All underground utilities and facilities including gasoline tanks and existing septic facilities (including tanks and fields).	X	
5. If the lot is within an ocean hazard Area of Environmental Concern, the location of the first line of stable natural vegetation, the CAMA setback line, and contour lines at 2-foot intervals depicting any dunes located within an oceanfront AEC that are to be disturbed by construction.	N/A	
6. The location of any marsh areas or estuarine waters or US Army Corps of Engineers 404 wetlands within or abutting the lot.	N/A	
7. If the lot is within the small surface water supply watershed AEC (within 1,200 feet from the Fresh Water Pond), the distance between the pond and proposed septic or sewage treatment system.	N/A	
8. Percentage of site to be included in calculation for undisturbed vegetation preservation compliance in Section 48-371.	X	
C. **Site improvements** in accordance with regulations of state of North Carolina, Dare County, and Town of Nags Head		
1. Proposed building type (e.g., concrete or frame), number of floors and dimensions.	X	
2. Proposed building elevations of all sides of building labeled in accordance with proposed architectural design criteria of Section 48-370.	X	ARCHITECTURAL ELEVATIONS PROVIDED AT THIS TIME
3. Total height and number of stories of proposed structure(s). If increased height is being proposed in conjunction with increased setbacks, show increase allowed in tabular form on plan. Note definition of height in Section 48-7 of the Town Code of Ordinances.	X	
4. Existing and proposed ground elevations at the corners of proposed structure(s).	N/A	GRADING AND SANITARY CONNECTIONS TO BE DETERMINED ONCE SKETCH IS REVIEWED
5. Sanitary sewer facilities with connection to sewer system or septic tank.	N/A	
6. Approximate locations of proposed underground utilities and any necessary easements.	N/A	
7. Screened dumpster pad(s) accessible to left-side loaders and sized in accordance with the Town Code of Ordinances.	X	
8. Proposed fire hydrants and extensions of water distribution lines in accordance with size and density requirements found in Section 48-363 of the Town Code of Ordinances.	X	
9. Location and height of proposed free-standing signs. See requirements of Chapter 48-Article VIII of the Town Code of Ordinances.	N/A	SIGN PLACEMENT TO BE DETERMINED ONCE SKETCH IS REVIEWED
10. Location of all sidewalks, curbs, drives, and parking within the site and proposed finished elevations.	X	
11. Handicapped parking spaces, walks, ramps, and entrances in accordance with the NC State Building Code. Handicapped parking spaces to be 13 feet wide, marked with a free-standing handicapped sign.	X	
12. The Vegetative Buffer Yard areas have been identified and the proper buffer yard provision(s) have been identified (i.e. Buffer Yard A, B,C,D,E as outlined in Chapter 48 Article XIII of the Town Code of Ordinances.	X	
13. Layout of numbered stalls/loading zones in accordance with Chapter 48 Article V of the Town Code of Ordinances.	X	

Commercial [X] Residential [ ]	Parking Spaces Required	Parking Spaces Shown	Loading Spaces
1 STORIES BUILDING SQUARE FOOTAGE: PRINCIPAL 11,200 sf ACCESSORY 0 sf TOTAL 11,200 sf			
# EMPLOYEES 16			
# DWELLING/LODGING UNITS 8 TRADE UNITS			

D. **EXPLANATORY NOTES**

1. Vicinity map.
2. Total square feet of land area to undergo land-disturbing activity.
3. The total required parking spaces versus the total parking spaces provided. Parking spaces to be numbered.
4. Cross-section details of all streets, roads, ditches, and parking lot improvements.
5. The number of dwelling/commercial units. If more than one use is proposed (e.g., large hotel with shops, etc.), show breakdown of units or square footage by building.
6. If additional height above 35 feet is being proposed, the additional height and increased setbacks shall be laid out in tabular form.
7. Total site coverage calculations. (Refer to Zoning Ordinance to calculate lot coverage for lots abutting ocean or sound).
8. Components of the lighting plan (pole location, pole height, type of fixture, wattage, source of illumination, etc.). See Chapter 48 Article IX of the Town Code of Ordinances.
9. A completed architectural points worksheet for commercial structures subject to residential design criteria.

6. **PLAN AND ATTACHMENT PREPARER CERTIFICATION**

A. I certify that all information for which I am responsible is complete and accurate.

8/9/22
DATE

SIGNATURE OF ENGINEER [X] ARCHITECT [ ] SURVEYOR [ ]

B. The following individuals have contributed information or attachments to the plan:

Name	Phone #	Information provided
Chris Nason, Beacon Architecture	(252)441-6767	Building design

Site Specific Development Plan Option - Vested Right for Site Plans

Please be advised that as the owner, or agent for the owner, you have the opportunity to apply for and receive a Site Specific Development Plan that will establish a Vested Right for this project for a period of time not to exceed two (2) years from the date the Board of Commissioners approves the plan. You must secure a building permit for this project within two (2) years of the approval date or your Site Specific Development Plan will expire. If you elect not to apply for a Site Specific Development Plan, you must secure a building permit within six (6) months or else your site plan will expire.

If you choose the Site Specific Development Plan option, please keep in mind the following concerns:

1. Although your project may be classified as a permitted use, by requesting a Site Specific Development Plan your project will be processed as a Conditional Use for which a public hearing will be held, and an additional fee of $200.00 will be charged to process your application.
2. Once your Site Specific Development Plan has been approved with vested rights status no modifications can be made to the plan.

If you wish to take advantage of the Vested Right process please check off the Vested Right box on page one. If you do not then leave the box blank.

SITE NARRATIVE

Trade Center Facility
0 W. Satterfield Landing Rd.
Nags Head, Dare County, North Carolina

Prepared for:
Mazzi, LLC
114 W. Oregon Ave
Kill Devil Hills, NC 27948

Prepared by:
Quible & Associates, P.C.
PO Drawer 870
Kitty Hawk, NC 27949

September 9, 2022
P05044.2

Overview
The subject property is located at PID 005618002 with an address of 0 W. Satterfield Landing Rd. Nags Head, NC 27959. The site is approximately 450 feet west of US 158 and W. Satterfield Landing Rd. intersection. The property is located along the south side of W. Satterfield Landing Rd in Nags Head, Dare County.

The site development proposes the construction of a 11,200 sq. ft. building that includes 8 units that will operate as trade centers. No outdoor display areas or storage of materials are proposed. The project development will include the associated parking, drainage, water, and wastewater improvements for the development of the 0.87-acre lot. The following narrative, application, and calculations will demonstrate the parameters of the proposed major site plan for the Town of Nags Head review. The site is zoned C-3 within the Town of Nags Head zoning districts. Trade centers are permitted uses within this zoning.

Coverages
The parcel has an overall acreage of approximately 0.87 acres. The zoning of C-3 will require the following coverages shown within Table 1 (a summary of the proposed coverages is also included):

Table 1: Summary of Coverages

	Allowable Coverage	Proposed Coverage
Impermeable surface (45%)	17,034.75 sq. ft.	16,964.0 sq. ft.
Minimum Landscaped Area (30%)	11,356.5 sq. ft.	17,039.0 sq. ft.
Permeable Surface (25%)	9,463.75 sq. ft.	3,820.0 sq. ft.

Access
The Trade Center will be accessed by a proposed entrance off W. Satterfield Landing. The proposed placement allows for approx. 200’ and 230’ (center to center) from the west and east existing drives, respectively. Driveway placement has been chosen to maximize separation.

We respectfully request a reduced loading and unloading zone be considered. Based on the anticipated use and building size, we are requesting a 12’x30’ dedicated loading zone. Due to the anticipated use, deliveries are anticipated for limited product pick-up and delivery. Deliveries are anticipated to include UPS, Fedex, or refuse pick up.

Given the types of frequency of loading/unloading events, the developer proposes to provide a reduced loading berth of 12’x30’.

Parking
The number of proposed parking spaces for the site development is 24. The proposed building contains 11,200 sq. ft. gross square footage and 8 trade center units. Parking requirements are calculated using trade centers at 1 space per 750 sf of gross floor area or 3 spaces per unit minimum. A total of 24.0 spaces are required and 24 spaces have been provided (including 1 ADA accessible parking spaces). 14 parking spaces are provided interior to the trade center garage units, as such, the building will be designed to provide fire suppression.

The proposed drive aisle will be 22’ wide and capable of withstanding 75,000 lbs, allowing for fire access to the site. Permeable pavements within the drive aisle shall be Belgard Pavers or

Permeable Concrete to meet strength requirements. Signage will be provided within the parking area to notify employees and visitors that the drive aisle is a provided fire lane.

Stormwater Management Plan
Stormwater to serve the proposed site improvements will be managed by an infiltration basin and permeable pavements. The proposed stormwater management facilities will be designed to provide above 4.3" of storage, which is in agreement with the Town ten-year two-hour storm (4.3") requirement.

The USDA NRCS Soil Survey lists the soil in the vicinity of the stormwater infiltration basin as described below. Geotechnical reports for the site indicate the seasonal high-water table is approximately at elevation 6.65'.

- CoB – Corolla Fine Sand
  This soil typically has 0 to 6 percent slopes. Corolla fine sand typically has a very high runoff rate and is moderately well drained. This soil is categorized in Hydrologic Soil Group: A

These stormwater management facilities will provide an adequate system to meet State and local requirements for stormwater storage. As the proposed impervious coverage exceeds 10,000 sq. ft., a high-density stormwater permit is required by NC DEQ DEMLR prior to construction.

The proposed infiltration basin, basin, extends along the south and east property lines and is designed to treat all stormwater on site.

Table 2: Above Grade Storage Calculations For Infiltration Basin

Elev (Ft.)	Area (Sf)	Avg Area (Sf)	Volume (Cf)	Cum Vol. (Cf)
8.00	3,681			
		5,123	5,123	
9.00	6,564			
				5,123 (Vg)

The above grade storage provided within the infiltration basin is approximately 5,123 cf. This exceeds the storage required by State regulations (2,680 cf). Based on Soils Boring Memo (attached) the anticipated drawdown is calculated at approximately 20 inches/hour or 0.6 hours.

Table 3: Below Grade Storage Calculations For Infiltration Basin 1

Storage Area (A) =	6,564.00 sf
Storage Elev. (E)	9.00 ft
Season High Water Table (Wt) =	6.65 ft
Soil Depth Above SWHT (Ds) = B-Wt	2.35 ft
Soil Volume (Sv) = A*Ds-Vg =	10,303 cf
Void Ratio (Vr)=	20%
Subsurface Void Vol. (Vss) = A*Ds*Vr=	2,061 cf

The below grade storage provided within the infiltration basin is approximately 2,061 cf. The total storage provided within the front infiltration basin is 7,183 cf.

The void space under the proposed permeable pavement contributes an additional 1,017 cf of storage. See the detailed calculations within the **Appendix** for a breakdown of storage within the aggregate base and soil under the permeable pavement.

The total storage within this drainage area is 8,200 cf. This exceeds the storage required by State regulations (2,680 cf) and Town of Nags Head requirements (7,683 cf).

The infiltration basin will provide an adequate system to meet State and local requirements for stormwater storage. As the proposed impervious coverage exceeds 10,000 sq. ft., a high-density stormwater permit is required by NC DEQ DEMLR prior to construction.

Utilities
The site is proposed to have one (1) meter and one (1) backflow preventer (fire suppression line). The existing water line adjacent to the site is provided by The Town of Nags Head and the proposed service size will be reviewed and confirmed during design of the building plans to determine an adequate size. A Public Water Supply permit is not required. The proposed water service shall be installed per Town of Nags Head standard water specifications and details.

The building will be sprinkler protected and the structure design will meet the appropriate fire ratings as required.

Buffers and Site Vegetation
A 25’ landscape buffer is required adjacent to the residential properties to the south (zoned R-2). This buffer has been proposed to provide 3 rows of planting at 22 total canopy trees and 111 shrubs. A 10’ bufferyard has been provided along Satterfield Landing Rd, which will include 7 canopy trees, 37 shrubs, and 74 ornamental grasses, meeting landscaping requirements for the site.

Trade Center Facility date 9/12/2022

page 1

Town of Nags Head Stormwater Calculations

Storage Calculations

	DA #1 (sq.ft.)	DA #1 (acre)
Drainage Area =	42,541	0.98
Open Space =	25,008	0.57
Permeable Walks/Parking =	3,852	0.09
Building =	11,200	0.26
Parking =	5,452	0.13
Walks =	965	0.02
Offsite Impervious =	0	0.00
Impervious =	21,469	0.49
Total Impervious =	21,469	0.49

Runoff generated by Rainfall Event (NCDEQ Simplified Method)

Ia = Impervious Percentage = Impervious Area/Drainage Area

Rv= Runoff Coefficient, 0.05+0.9Ia

Rd= Rain fall depth

V= Runoff Volume, 3630*Rd*Rv*A

	DA #1 (1.5")	DA #1 (4.3")
Ia =	50.5%	50.5%
Rv=	0.50	0.50
Rd (in.)=	1.5	4.3
A (ac.) =	0.98	0.98
V (cf.)=	**2680**	**7683**

Total Storage Required by NCDEQ = 2680 cf

Total Storage Required by Nags Head = 7683 cf

Infiltration Basin Stormwater Calculations for NCDEQ

Above Grade Storage Provided In Infiltration Basin

Infiltration Basin 1 (FRONT) - Above Grade Storage				
Elev	Area (sf)	Avg area (sf)	Volume (cf)	Cum Vol. (cf)
8.00	3681			0
		5123	5123	
9.00	6564			5123

Above Grade Storage Provided = 5123 cf

Infiltration Basin 1 (FRONT)- Below Grade Storage	
Storage Area (A) =	6564.00 sf
Storage Elev. (E)	9.00 ft
Season High Water Table (Wt) =	6.65 ft
Soil Depth Above SWHT (Ds) = B-Wt	2.35 ft
Soil Volume (Sv) = A*Ds-Vg =	10303 cf
Void Ratio (Vr)=	20%
Subsurface Void Vol. (Vss) = A*Ds*Vr=	2061 cf

Below Grade (Voids) Storage Provided = 2061 cf

Total Storage Provided (above & below) = 7183 cf

Total Storage Rainfall Equivalent Storage = 4.0 in

Permeable Pavement Storage	
Storage Area (A) =	3852.00 sf
Storage Elev. (E)	11.00 ft
Season High Water Table (Wt) =	6.65 ft
Bedding Thickness (Ds) =	0.66 ft
Soil Volume (Sv) = A*Ds =	2542 cf
Void Ratio (Vr)=	40%
Subsurface Void Vol. (Vss) = A*Ds*Vr=	1017 cf

Bedding (Voids) Storage Provided = 1017 cf

Total Storage Provided (above & below) = 8200 cf

Total Storage Rainfall Equivalent Storage = 4.6 in

Infiltration Basin 1 Drawdown Calculations

Hydraulic Conductivity = 20 in/hr

Max Stored Depth = 12 in

Drawdown Time = Stored Depth / Hydraulic Conductivity

Drawdown Time = 0.60 hrs or 0.03 days

United States Department of Agriculture

NRCS

Natural Resources Conservation Service

A product of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local participants

Custom Soil Resource Report for Dare County, North Carolina



August 9, 2022

Preface

Soil surveys contain information that affects land use planning in survey areas. They highlight soil limitations that affect various land uses and provide information about the properties of the soils in the survey areas. Soil surveys are designed for many different users, including farmers, ranchers, foresters, agronomists, urban planners, community officials, engineers, developers, builders, and home buyers. Also, conservationists, teachers, students, and specialists in recreation, waste disposal, and pollution control can use the surveys to help them understand, protect, or enhance the environment.

Various land use regulations of Federal, State, and local governments may impose special restrictions on land use or land treatment. Soil surveys identify soil properties that are used in making various land use or land treatment decisions. The information is intended to help the land users identify and reduce the effects of soil limitations on various land uses. The landowner or user is responsible for identifying and complying with existing laws and regulations.

Although soil survey information can be used for general farm, local, and wider area planning, onsite investigation is needed to supplement this information in some cases. Examples include soil quality assessments (http://www.nrcs.usda.gov/wps/portal/nrcs/main/soils/health/) and certain conservation and engineering applications. For more detailed information, contact your local USDA Service Center (https://offices.sc.egov.usda.gov/locator/app?agency=nrcs) or your NRCS State Soil Scientist (http://www.nrcs.usda.gov/wps/portal/nrcs/detail/soils/contactus/?cid=nrcs142p2_053951).

Great differences in soil properties can occur within short distances. Some soils are seasonally wet or subject to flooding. Some are too unstable to be used as a foundation for buildings or roads. Clayey or wet soils are poorly suited to use as septic tank absorption fields. A high water table makes a soil poorly suited to basements or underground installations.

The National Cooperative Soil Survey is a joint effort of the United States Department of Agriculture and other Federal agencies, State agencies including the Agricultural Experiment Stations, and local agencies. The Natural Resources Conservation Service (NRCS) has leadership for the Federal part of the National Cooperative Soil Survey.

Information about soils is updated periodically. Updated information is available through the NRCS Web Soil Survey, the site for official soil survey information.

The U.S. Department of Agriculture (USDA) prohibits discrimination in all its programs and activities on the basis of race, color, national origin, age, disability, and where applicable, sex, marital status, familial status, parental status, religion, sexual orientation, genetic information, political beliefs, reprisal, or because all or a part of an individual's income is derived from any public assistance program. (Not all prohibited bases apply to all programs.) Persons with disabilities who require

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How Soil Surveys Are Made

Soil surveys are made to provide information about the soils and miscellaneous areas in a specific area. They include a description of the soils and miscellaneous areas and their location on the landscape and tables that show soil properties and limitations affecting various uses. Soil scientists observed the steepness, length, and shape of the slopes; the general pattern of drainage; the kinds of crops and native plants; and the kinds of bedrock. They observed and described many soil profiles. A soil profile is the sequence of natural layers, or horizons, in a soil. The profile extends from the surface down into the unconsolidated material in which the soil formed or from the surface down to bedrock. The unconsolidated material is devoid of roots and other living organisms and has not been changed by other biological activity.

Currently, soils are mapped according to the boundaries of major land resource areas (MLRAs). MLRAs are geographically associated land resource units that share common characteristics related to physiography, geology, climate, water resources, soils, biological resources, and land uses (USDA, 2006). Soil survey areas typically consist of parts of one or more MLRA.

The soils and miscellaneous areas in a survey area occur in an orderly pattern that is related to the geology, landforms, relief, climate, and natural vegetation of the area. Each kind of soil and miscellaneous area is associated with a particular kind of landform or with a segment of the landform. By observing the soils and miscellaneous areas in the survey area and relating their position to specific segments of the landform, a soil scientist develops a concept, or model, of how they were formed. Thus, during mapping, this model enables the soil scientist to predict with a considerable degree of accuracy the kind of soil or miscellaneous area at a specific location on the landscape.

Commonly, individual soils on the landscape merge into one another as their characteristics gradually change. To construct an accurate soil map, however, soil scientists must determine the boundaries between the soils. They can observe only a limited number of soil profiles. Nevertheless, these observations, supplemented by an understanding of the soil-vegetation-landscape relationship, are sufficient to verify predictions of the kinds of soil in an area and to determine the boundaries.

Soil scientists recorded the characteristics of the soil profiles that they studied. They noted soil color, texture, size and shape of soil aggregates, kind and amount of rock fragments, distribution of plant roots, reaction, and other features that enable them to identify soils. After describing the soils in the survey area and determining their properties, the soil scientists assigned the soils to taxonomic classes (units). Taxonomic classes are concepts. Each taxonomic class has a set of soil characteristics with precisely defined limits. The classes are used as a basis for comparison to classify soils systematically. Soil taxonomy, the system of taxonomic classification used in the United States, is based mainly on the kind and character of soil properties and the arrangement of horizons within the profile. After the soil

scientists classified and named the soils in the survey area, they compared the individual soils with similar soils in the same taxonomic class in other areas so that they could confirm data and assemble additional data based on experience and research.

The objective of soil mapping is not to delineate pure map unit components; the objective is to separate the landscape into landforms or landform segments that have similar use and management requirements. Each map unit is defined by a unique combination of soil components and/or miscellaneous areas in predictable proportions. Some components may be highly contrasting to the other components of the map unit. The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The delineation of such landforms and landform segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, onsite investigation is needed to define and locate the soils and miscellaneous areas.

Soil scientists make many field observations in the process of producing a soil map. The frequency of observation is dependent upon several factors, including scale of mapping, intensity of mapping, design of map units, complexity of the landscape, and experience of the soil scientist. Observations are made to test and refine the soil-landscape model and predictions and to verify the classification of the soils at specific locations. Once the soil-landscape model is refined, a significantly smaller number of measurements of individual soil properties are made and recorded. These measurements may include field measurements, such as those for color, depth to bedrock, and texture, and laboratory measurements, such as those for content of sand, silt, clay, salt, and other components. Properties of each soil typically vary from one point to another across the landscape.

Observations for map unit components are aggregated to develop ranges of characteristics for the components. The aggregated values are presented. Direct measurements do not exist for every property presented for every map unit component. Values for some properties are estimated from combinations of other properties.

While a soil survey is in progress, samples of some of the soils in the area generally are collected for laboratory analyses and for engineering tests. Soil scientists interpret the data from these analyses and tests as well as the field-observed characteristics and the soil properties to determine the expected behavior of the soils under different uses. Interpretations for all of the soils are field tested through observation of the soils in different uses and under different levels of management. Some interpretations are modified to fit local conditions, and some new interpretations are developed to meet local needs. Data are assembled from other sources, such as research information, production records, and field experience of specialists. For example, data on crop yields under defined levels of management are assembled from farm records and from field or plot experiments on the same kinds of soil.

Predictions about soil behavior are based not only on soil properties but also on such variables as climate and biological activity. Soil conditions are predictable over long periods of time, but they are not predictable from year to year. For example, soil scientists can predict with a fairly high degree of accuracy that a given soil will have a high water table within certain depths in most years, but they cannot predict that a high water table will always be at a specific level in the soil on a specific date.

After soil scientists located and identified the significant natural bodies of soil in the survey area, they drew the boundaries of these bodies on aerial photographs and

identified each as a specific map unit. Aerial photographs show trees, buildings, fields, roads, and rivers, all of which help in locating boundaries accurately.

Soil Map

The soil map section includes the soil map for the defined area of interest, a list of soil map units on the map and extent of each map unit, and cartographic symbols displayed on the map. Also presented are various metadata about data used to produce the map, and a description of each soil map unit.

Custom Soil Resource Report
Soil Map



Map Scale: 1:1,040 if printed on A landscape (11" x 8.5") sheet.

N

Meters
0 15 30 60 90

Feet
0 50 100 200 300

Map projection: Web Mercator Corner coordinates: WGS84 Edge tics: UTM Zone 18N WGS84

MAP LEGEND

Area of Interest (AOI)
- Area of Interest (AOI)

Soils
- Soil Map Unit Polygons
- Soil Map Unit Lines
- Soil Map Unit Points

Special Point Features
- Blowout
- Borrow Pit
- Clay Spot
- Closed Depression
- Gravel Pit
- Gravelly Spot
- Landfill
- Lava Flow
- Marsh or swamp
- Mine or Quarry
- Miscellaneous Water
- Perennial Water
- Rock Outcrop
- Saline Spot
- Sandy Spot
- Severely Eroded Spot
- Sinkhole
- Slide or Slip
- Sodic Spot
- Spoil Area
- Stony Spot
- Very Stony Spot
- Wet Spot
- Other
- Special Line Features

Water Features
- Streams and Canals

Transportation
- Rails
- Interstate Highways
- US Routes
- Major Roads
- Local Roads

Background
- Aerial Photography

MAP INFORMATION

The soil surveys that comprise your AOI were mapped at 1:24,000.

Warning: Soil Map may not be valid at this scale.

Enlargement of maps beyond the scale of mapping can cause misunderstanding of the detail of mapping and accuracy of soil line placement. The maps do not show the small areas of contrasting soils that could have been shown at a more detailed scale.

Please rely on the bar scale on each map sheet for map measurements.

Source of Map: Natural Resources Conservation Service
Web Soil Survey URL:
Coordinate System: Web Mercator (EPSG:3857)

Maps from the Web Soil Survey are based on the Web Mercator projection, which preserves direction and shape but distorts distance and area. A projection that preserves area, such as the Albers equal-area conic projection, should be used if more accurate calculations of distance or area are required.

This product is generated from the USDA-NRCS certified data as of the version date(s) listed below.

Soil Survey Area: Dare County, North Carolina
Survey Area Data: Version 22, Jan 21, 2022

Soil map units are labeled (as space allows) for map scales 1:50,000 or larger.

Date(s) aerial images were photographed: Data not available.

The orthophoto or other base map on which the soil lines were compiled and digitized probably differs from the background imagery displayed on these maps. As a result, some minor shifting of map unit boundaries may be evident.

Map Unit Legend

Map Unit Symbol	Map Unit Name	Acres in AOI	Percent of AOI
CoB	Corolla fine sand, 0 to 6 percent slopes, rarely flooded	2.2	100.0%
Totals for Area of Interest		**2.2**	**100.0%**

Map Unit Descriptions

The map units delineated on the detailed soil maps in a soil survey represent the soils or miscellaneous areas in the survey area. The map unit descriptions, along with the maps, can be used to determine the composition and properties of a unit.

A map unit delineation on a soil map represents an area dominated by one or more major kinds of soil or miscellaneous areas. A map unit is identified and named according to the taxonomic classification of the dominant soils. Within a taxonomic class there are precisely defined limits for the properties of the soils. On the landscape, however, the soils are natural phenomena, and they have the characteristic variability of all natural phenomena. Thus, the range of some observed properties may extend beyond the limits defined for a taxonomic class. Areas of soils of a single taxonomic class rarely, if ever, can be mapped without including areas of other taxonomic classes. Consequently, every map unit is made up of the soils or miscellaneous areas for which it is named and some minor components that belong to taxonomic classes other than those of the major soils.

Most minor soils have properties similar to those of the dominant soil or soils in the map unit, and thus they do not affect use and management. These are called noncontrasting, or similar, components. They may or may not be mentioned in a particular map unit description. Other minor components, however, have properties and behavioral characteristics divergent enough to affect use or to require different management. These are called contrasting, or dissimilar, components. They generally are in small areas and could not be mapped separately because of the scale used. Some small areas of strongly contrasting soils or miscellaneous areas are identified by a special symbol on the maps. If included in the database for a given area, the contrasting minor components are identified in the map unit descriptions along with some characteristics of each. A few areas of minor components may not have been observed, and consequently they are not mentioned in the descriptions, especially where the pattern was so complex that it was impractical to make enough observations to identify all the soils and miscellaneous areas on the landscape.

The presence of minor components in a map unit in no way diminishes the usefulness or accuracy of the data. The objective of mapping is not to delineate pure taxonomic classes but rather to separate the landscape into landforms or landform segments that have similar use and management requirements. The delineation of such segments on the map provides sufficient information for the development of resource plans. If intensive use of small areas is planned, however, onsite investigation is needed to define and locate the soils and miscellaneous areas.

An identifying symbol precedes the map unit name in the map unit descriptions. Each description includes general facts about the unit and gives important soil properties and qualities.

Soils that have profiles that are almost alike make up a *soil series*. Except for differences in texture of the surface layer, all the soils of a series have major horizons that are similar in composition, thickness, and arrangement.

Soils of one series can differ in texture of the surface layer, slope, stoniness, salinity, degree of erosion, and other characteristics that affect their use. On the basis of such differences, a soil series is divided into *soil phases*. Most of the areas shown on the detailed soil maps are phases of soil series. The name of a soil phase commonly indicates a feature that affects use or management. For example, Alpha silt loam, 0 to 2 percent slopes, is a phase of the Alpha series.

Some map units are made up of two or more major soils or miscellaneous areas. These map units are complexes, associations, or undifferentiated groups.

A *complex* consists of two or more soils or miscellaneous areas in such an intricate pattern or in such small areas that they cannot be shown separately on the maps. The pattern and proportion of the soils or miscellaneous areas are somewhat similar in all areas. Alpha-Beta complex, 0 to 6 percent slopes, is an example.

An *association* is made up of two or more geographically associated soils or miscellaneous areas that are shown as one unit on the maps. Because of present or anticipated uses of the map units in the survey area, it was not considered practical or necessary to map the soils or miscellaneous areas separately. The pattern and relative proportion of the soils or miscellaneous areas are somewhat similar. Alpha-Beta association, 0 to 2 percent slopes, is an example.

An *undifferentiated group* is made up of two or more soils or miscellaneous areas that could be mapped individually but are mapped as one unit because similar interpretations can be made for use and management. The pattern and proportion of the soils or miscellaneous areas in a mapped area are not uniform. An area can be made up of only one of the major soils or miscellaneous areas, or it can be made up of all of them. Alpha and Beta soils, 0 to 2 percent slopes, is an example.

Some surveys include *miscellaneous areas*. Such areas have little or no soil material and support little or no vegetation. Rock outcrop is an example.

Dare County, North Carolina

CoB—Corolla fine sand, 0 to 6 percent slopes, rarely flooded

Map Unit Setting

National map unit symbol: 3qgs
Elevation: 0 to 10 feet
Mean annual precipitation: 42 to 58 inches
Mean annual air temperature: 61 to 64 degrees F
Frost-free period: 190 to 270 days
Farmland classification: Not prime farmland

Map Unit Composition

Corolla and similar soils: 85 percent
Minor components: 7 percent
Estimates are based on observations, descriptions, and transects of the mapunit.

Description of Corolla

Setting

Landform: Troughs on barrier islands
Landform position (two-dimensional): Backslope, toeslope
Landform position (three-dimensional): Base slope
Down-slope shape: Concave
Across-slope shape: Concave
Parent material: Eolian sands and/or beach sand

Typical profile

A - 0 to 3 inches: fine sand
C - 3 to 26 inches: fine sand
Ab - 26 to 32 inches: sand
Cg - 32 to 80 inches: sand

Properties and qualities

Slope: 0 to 6 percent
Depth to restrictive feature: More than 80 inches
Drainage class: Moderately well drained
Runoff class: Very high
Capacity of the most limiting layer to transmit water (Ksat): Very high (19.98 to 39.96 in/hr)
Depth to water table: About 18 to 36 inches
Frequency of flooding: Rare
Frequency of ponding: None
Maximum salinity: Slightly saline to strongly saline (4.0 to 16.0 mmhos/cm)
Sodium adsorption ratio, maximum: 20.0
Available water supply, 0 to 60 inches: Very low (about 1.2 inches)

Interpretive groups

Land capability classification (irrigated): None specified
Land capability classification (nonirrigated): 7s
Hydrologic Soil Group: A
Hydric soil rating: No

Minor Components

Duckston

Percent of map unit: 5 percent
Landform: Depressions
Down-slope shape: Concave
Across-slope shape: Concave
Hydric soil rating: Yes

Carteret, high

Percent of map unit: 2 percent
Landform: Tidal marshes
Down-slope shape: Linear
Across-slope shape: Linear
Hydric soil rating: Yes

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MEMORANDUM

Quible & Associates, P.C. SINCE 1959
ENGINEERING * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING
Phone: (252) 261-3300
Fax: (252) 261-1260
Web: www.quible.com

To: **Cathleen Saunders, P.E., Quible & Associates**

From: Brian Rubino, P.G.

Date: June 30, 2022

Re: **P05044.2 Soil and Groundwater Investigation**
Lot 2A-1R, Charles L. Sineath Division

Cathleen,

On Wednesday June 29, 2022, representatives from Quible visited the Site to conduct shallow soil borings in the location of potential a future stormwater collection basin or infiltration area. The purpose of our evaluation was to understand lithologic conditions, to determine the depth and elevation of the Static Water Table (WT), Season High Water Table (SHWT), and to measure infiltration rates for Stormwater Management System design.

Soils consisted of:

- 0-3" bgs: dry, semi-decomposed organic topsoil beneath pine straw
- 3-26" bgs: clean, dry, fine-medium grained sand (10 YR 5/3)
- 26-36" bgs: clean, dry, fine-coarse grained sand (10 YR 5/4)
- 36-48" bgs: medium-coarse grained sand (10YR 5/2)

A summary of elevation data collected and observed is as follows:

Soil Boring	Ground Elevation (ft); (NAVD 88)	Groundwater Elevation (ft); (NAVD 88)	Approx. Elevation of SHWT (ft); (NAVD 88)	Measured infiltration Rates (in/hr.)
SB-1	9.74'	6.35'	6.65'	24

Ground elevation data was collected on the date of the soil borings using an RTK GPS system. A temporary piezomter, using a two-inch .010 slot pvc well screen was installed at the boring locations and was allowed to recover for a period of at least 1 hour before the depth to groundwater was measured using an electronic water level checker.

Infiltration rate field testing of the in-situ soils in the immediate vicinity of the soils boring location was conducted using a double ringed infiltrometer (12-inch inner diameter and 24-inch outer diameter). This procedure measures the natural downward movement of water to the groundwater table which can be relied upon to design Site stormwater collection, storage and treatment systems in the area tested. Prior to measuring the infiltration rates, water was added to the rings to saturate underlying soils until a constant infiltration rate was obtained. Duplicate 15-minute infiltration tests were conducted and the results were averaged (see table above). As expected, based on the clean (beach-type) sand conditions, infiltration rates exceed 20 inches/hr.

Improvement Permit
County of Dare
PO Box 669
Manteo NC 27954

10/27/22

FEE Copy

S4-13393

Phone: (252) 475-5080

DARE COUNTY DEPARTMENT OF PUBLIC HEALTH

An Improvement Permit (IP) issued pursuant to this application is not affected by change in ownership provided the site and wastewater characteristics remain unchanged. An IP issued with a plat is valid without expiration. An IP issued with a site plan is valid for 60 months from the date of issuance.

Parcel: 005618002	LOT: 2A-1R BLK: SEC:	Permit: S4-13393	
Location:	W SATTERFIELD LANDING RD – NAGS HEAD		
Subdivision:	CHARLES L SINEATH DIVISION		
Owner Name:	MAZZI LLC	Permit Date:	09/26/2022
Owner Address:	4638 S BLUE MARLIN WAY	Permit Type:	WW COMMERCIAL NEW
	NAGS HEAD, NC 27959		

Number of bedrooms:	0	Gallons per day:	480
Occupancy:	0	Tank type:	PRECAST
Water Supply:	PUBLIC	Tank size:	1000
Nitrific field size sqft:	192	Pump tank size:	1150
Number of lines:	3	Grease trap size:	0
Trench length (feet):	64	Septic type:	LPP System < 3000 gpd
Trench width (inches):	18	Septic code:	COMMERCIAL
Trench depth (inches):	18	Distribution:	LOW PRESSURE PIPE
Gravel depth (inches):	12	Distance from building:	5
Rock Under (inches):	6	Distance from water supply:	10
Rock Above (inches):	2	Distance from property line:	10
Bed system dimensions:	N/A	Distance from open water:	50

Design Specifications:

-- CLEAR VEGETATION AND FILL AREA 74'X25'X18'' WITH 1:3 SIDE SLOPES. MUST CALL FOR FILL INSPECTION AND APPROVAL BEFORE CONSTRUCTION AUTHORIZATION IS ISSUED. SYSTEM TO BE INSTALL EXACTLY AS DESIGNED BY QUIBLE AND ASSOCIATES, P.E. 100% REPAIR AREA SHOWN. MUST MAINTAIN 10' FROM PROPERTY LINES. ALL WATER LINES MUST BE 10' FROM SYSTEM.

Note: This Permit is subject to all provisions of the 15A NCAC .1900 rules governing the installation of septic systems. The person making the installation must notify the Health Department when the septic tank system is ready for inspection. If any septic tank system or part thereof is covered before being inspected and approved, it shall be uncovered at the direction of the Health Officer at the expense of the one responsible for making the installation.

Issued 09/26/2022

Permit Fee: $ 500.00

Environmental Health Specialist

Applicant signature here

Applicant Signature: QUIBLE & ASSOCIATES, P.C.

Application Reference# 8065

SHEET INDEX

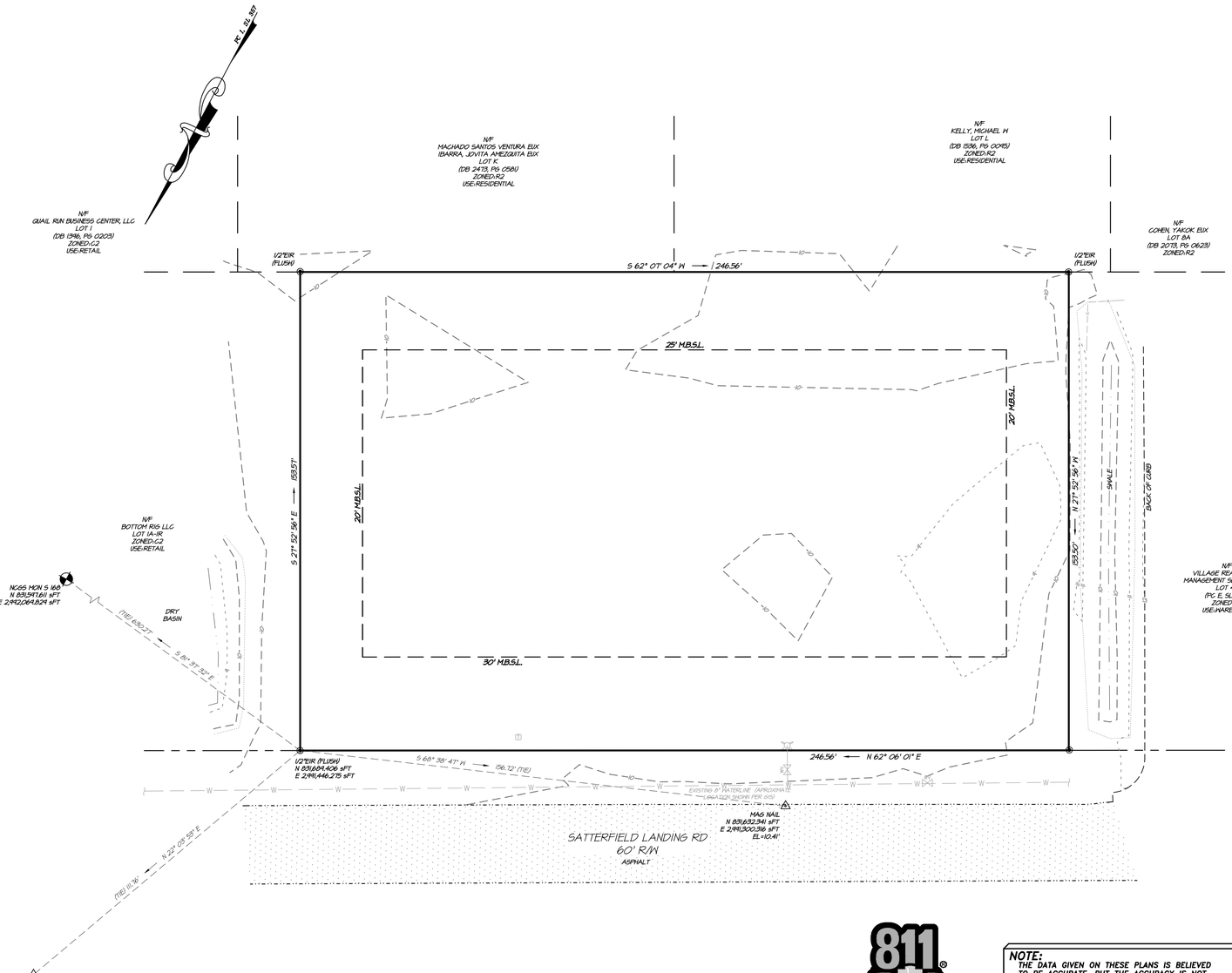
1 EXISTING CONDITIONS
2 UTILITY PLAN
3 GRADING PLAN
4 SOIL EROSION SEDIMENT CONTROL PLAN
5 SITE & LANDSCAPING PLAN
6 SITE & UTILITY DETAILS
7 SITE & STORM DETAILS
8 SESC DETAILS

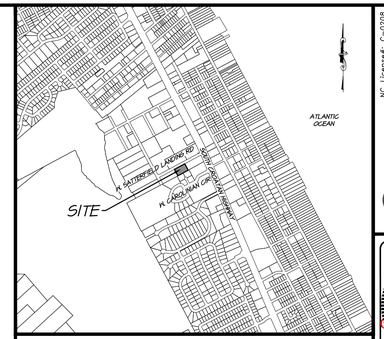
NOTES:

1. CURRENT OWNER: MAZZI, LLC
   106A ASCENSION DRIVE
   KITTY HAWK, NC 27959
2. PROPERTY IDENTIFICATION: PIN / PID: (LOT 2A-1R) 989317113533 / 005618002
3. LOT AREA = 37,855 SF / 0.87 AC (AREAS BY COORDINATE METHOD.)
4. ZONING: GENERAL COMMERCIAL DISTRICT (C-3)
5. SUBJECT REFERENCES: (LOT 2A-1R PARCELS) DB 1651, PG 0001; PC I, SL 357
6. FIELD SURVEY BY QUIBLE & ASSOCIATES, P.C. DATES: 06-02-2022 (HORIZONTAL GROUND DISTANCES)
7. VERTICAL DATUM NAVD 1988 / HORIZONTAL DATUM NAD 1983 (2012)
8. PROPERTY IS LOCATED IN NFIP FLOOD ZONE "X" AND SUBJECT TO CHANGES. BASED ON COMMUNITY CID NO. 375356; PANEL 9893; SUFFIX K. (MAP NUMBER 3720989300K) EFFECTIVE DATE: 06/19/2020.
9. SETBACKS SHOWN ARE PER TOWN OF NAGS HEAD AND DO NOT REFLECT ANY RESTRICTIVE COVENANTS THAT MAY EXIST.
10. PROJECT SCOPE: PERMITTING AND CONSTRUCTION OF EIGHT 1,500 SQ.FT. WAREHOUSE UNITS WITH ASSOCIATED PARKING AND APPURTENANCES.
11. WATER SUPPLY PER TOWN OF NAGS HEAD. WATER CONNECTION MUST BE MADE IN ACCORDANCE WITH TOWN OF NAGS HEAD SPECIFICATIONS AND SHALL BE PERFORMED BY A LICENSED WATER UTILITY CONTRACTOR. NOTIFY TOWN PRIOR TO INSTALLATION.
12. ALL UTILITIES TO BE PLACED UNDERGROUND UNLESS OTHERWISE NOTED
13. LANDSCAPING AND BUFFERYARDS TO BE IN ACCORDANCE WITH ARTICLE 10 OF THE TOWN OF NAGS HEAD UNIFORM DEVELOPMENT ORDINANCES.
14. SITE WILL BE LIGHTED IN ACCORDANCE WITH ARTICLE 10, PART IV "OUTDOOR LIGHTING" OF THE TOWN OF NAGS HEAD CODE OF ORDINANCES.
15. PRIOR TO LAND DISTURBANCE, A TOWN APPROVED SOIL EROSION AND SEDIMENTATION CONTROL PLAN IS REQUIRED.
16. NO U.S.A.C.O.E. SECTION 404 JURISDICTIONAL WETLANDS EXIST ON SITE.
17. EXISTING VEGETATION TO BE PRESERVED WHERE POSSIBLE.
18. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL PROPERTY MONUMENTS DURING CONSTRUCTION. DISTURBED OR REMOVED PROPERTY MONUMENTS SHALL BE REPLACED BY A NORTH CAROLINA LICENSED PROFESSIONAL LAND SURVEYOR.
19. ALL WORK WITHIN THE NC DOT RIGHT-OF-WAY REQUIRES AN APPROVED NC DOT RIGHT-OF-WAY ENCROACHMENT AGREEMENT.
20. A STATE HIGH DENSITY STORMWATER PERMIT IS REQUIRED IN ADVANCE OF ANY ONSITE DISTURBANCE. RECEIVING STREAM: ATLANTIC OCEAN (SB)
21. THIS PLAN SET TO BE UTILIZED FOR THE INSTALLATION OF SITE LAYOUT IMPROVEMENTS INCLUDING, BUT NOT LIMITED TO, GRADING & DRAINAGE, INSTALLATION OF SEDIMENT CONTROL MEASURES, WATER SYSTEM AND WASTEWATER CONNECTION. FOR BUILDING DESIGN AND ASSOCIATED PLUMBING, SEE APPROPRIATE SEPARATE PLANS.

DEMOLITION NOTES:

1. CONTRACTOR SHALL LOCATE EXISTING UNDERGROUND SERVICES – TO INCLUDE BUT NOT LIMITED TO ELECTRIC, CABLE, TELEPHONE, GAS, SANITARY SEWER AND WATER – AND SHALL COORDINATE PROPER PROTECTION AND/OR RELOCATE WITH APPROPRIATE OWNER/UTILITY COMPANY.
2. CONTRACTOR SHALL WALK THE SITE AND BE FAMILIAR WITH THE SCOPE OF DEMOLITION REQUIRED. ALL DEMOLITION WORK REQUIRED TO CONSTRUCT NEW IMPROVEMENTS WILL BE PERFORMED BY THE CONTRACTOR AND BE UNCLASSIFIED EXCAVATION.
3. DEMOLITION SHALL INCLUDE BUT IS NOT LIMITED TO THE EXCAVATION, HAULING AND OFFSITE DISPOSAL OF CONCRETE CURBS AND GUTTERS, BITUMINOUS CONCRETE PAVEMENTS, BOULDERS AND ALL MATERIALS OR VEGETATION CLEARED AND STRIPPED TO THE EXTENT NECESSARY FOR THE INSTALLATION OF NEW IMPROVEMENTS AND WITHIN THE LIMITS OF CLEARING AND GRADING. COORDINATE WITH APPROPRIATE DRAWINGS.
4. THE CONTRACTOR SHALL PROTECT ALL PROPERTY AND STRUCTURES AND UTILITIES ON THE PROPERTY NOT TO BE DEMOLISHED. DAMAGE TO THE PROPERTY DUE TO THE CONTRACTOR'S ACTIVITIES SHALL BE REPLACED IN KIND BY THE CONTRACTOR AT NO COST TO THE OWNER.
5. ALL EXISTING IMPROVEMENTS INDICATED OR REQUIRED TO BE DEMOLISHED SHALL INCLUDE REMOVAL FROM PROJECT AREA.
6. EXISTING PAVEMENT, CURB AND GUTTER, LIGHTS, FENCES, TREE/VEGETATION AND UTILITIES NOT INTENDED FOR DEMOLITION SHALL BE MAINTAINED, PROTECTED, AND UNDISTURBED DURING DEMOLITION. CONTRACTOR SHALL COORDINATE THE REMOVAL OF BITUMINOUS CONCRETE PAVEMENTS AND CURB AND GUTTER WITH THE SITE PLAN.
7. SMOOTH SAW CUT OF EXISTING PAVEMENTS, CURBS AND CURBS AND GUTTERS TO BE DEMOLISHED SHALL BE PROVIDED.
8. ALL DEMOLITION WORK SHALL BE DONE IN STRICT ACCORDANCE WITH FEDERAL, STATE AND LOCAL LAWS AS WELL AS OSHA REGULATIONS.
9. CONTRACTOR'S ACTIVITIES SHALL NOT IMPEDE USAGE OR INGRESS/EGRESS TO ADJACENT PROPERTIES. COORDINATE WITH OWNER MAINTENANCE OF TRAFFIC/PEDESTRIAN CIRCULATION DURING CONSTRUCTION.
10. MAINTAIN POSITIVE DRAINAGE AWAY FROM BUILDINGS AT ALL TIMES DURING DEMOLITION.
11. DEMOLITION SHALL NOT BEGIN UNTIL WRITTEN AUTHORIZATION IS RECEIVED FROM THE OWNER AND CONTRACTOR HAS OBTAINED THE REQUIRED PERMITS FROM ALL LOCAL, STATE, AND FEDERAL AGENCIES HAVING JURISDICTION TO AUTHORIZE DEMOLITION WORK.
12. DEMOLITION PLAN DOES NOT PURPORT TO SHOW ALL OBJECTS OR UTILITIES EXISTING ON THE SITE. IT SHALL BE THE RESPONSIBILITY OF THE CONTRACTOR TO VERIFY THE EXISTENCE AND LOCATION OF ALL UTILITIES AND IMPROVEMENTS WITHIN THE LIMITS OF WORK. CONTRACTOR SHALL COORDINATE ALL UTILITY DISCONNECTION, (I.E. SANITARY SEWER, WATER, GAS, TELEPHONE, ELECTRIC, ETC.) TO BUILDINGS, STRUCTURES AND OTHER CONNECTIONS AS NECESSARY FOR DEMOLITION WITH THEIR RESPECTIVE UTILITY PROVIDER. ALL UTILITIES, ABOVE, ON OR BELOW GROUND SHALL BE REMOVED AS DENOTED ON THE PLAN AND SHALL MEET ALL REQUIREMENTS OF UTILITY OWNERS. THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING EACH UTILITY COMPANY TO DETERMINE THE EXACT HORIZONTAL AND VERTICAL LOCATION OF ALL UTILITIES PRIOR TO BEGINNING OF WORK. BEFORE ANY DEMOLITION, THE CONTRACTOR SHALL CALL NORTH CAROLINA ONE-CALL 1-800-632-4949 TO HAVE ALL UNDERGROUND UTILITIES LOCATED ON AND NEAR THE VICINITY OF THE SITE.
13. EXISTING WATER METERS, ELECTRICAL TRANSFORMERS, TELECOMMUNICATION TERMINALS, ETC. ARE THE PROPERTY OF THE UTILITY COMPANIES SERVICING THE SITE AND CONTRACTOR SHALL BE RESPONSIBLE TO COORDINATE WITH UTILITY OWNERS THE REMOVAL, TRANSPORTATION, AND STORAGE OF THE SAME.
14. WHERE BUILDING FOUNDATION WALLS, FOOTINGS, CONCRETE SLABS, STOOPS, PAVEMENTS, SIDEWALKS, CURB, OR CURB AND GUTTER ARE INDICATED TO BE REMOVED CONTRACTOR SHALL INCLUDE THE REMOVAL OF BASE MATERIAL DOWN TO SUB-GRADE.
15. DEMOLITION PLAN DOES NOT GUARANTEE THE ACCURACY OR QUANTITIES OF THE DEMOLITION STRUCTURES AND MATERIALS; IT WAS DEVELOPED TO ASSIST THE CONTRACTOR. IT IS EXPRESSLY STATED HEREON THAT THE OWNER OR ENGINEER WILL NOT BE RESPONSIBLE FOR INTERPRETATIONS OR CONCLUSIONS DRAWN THEREFROM BY THE CONTRACTOR.
16. ALL WASTE MATERIALS SHALL BE REMOVED FROM THE SITE DAILY IN A MANNER WHICH PREVENTS INJURY OR DAMAGE TO PERSONS, PRIVATE PROPERTY, AND/OR PUBLIC RIGHTS-OF-WAY; CONTRACTOR SHALL LEGALLY DISPOSE OF ALL DESIGNATED DEMOLITION DEBRIS FROM THE PROJECT SITE TO A DISPOSAL SITE APPROVED BY ALL AUTHORITIES HAVING JURISDICTION.





VICINITY MAP (NAGS HEAD)
N.T.S.

LEGEND

- EXISTING ASPHALT PAVEMENT
- EXISTING CONCRETE
- PROPOSED DEMOLITION
- EX. IRON ROD
- EX. DRILL HOLE
- EX. MAG NAIL
- EX. UTILITY POLE
- EX. FIRE HYDRANT
- EX. WATER VALVE
- EX. SEWER MANHOLE
- EX. WATER METER
- EX. ELECTRICAL CONNECTION
- EX. EXTERIOR LIGHT
- EX. LIGHT POLE
- EXISTING CONTOUR
- EXISTING SPOT GRADE

811 Know what's below. Call before you dig.

NOTE: THE DATA GIVEN ON THESE PLANS IS BELIEVED TO BE ACCURATE, BUT THE ACCURACY IS NOT GUARANTEED. THE CONTRACTOR IS RESPONSIBLE FOR VERIFYING ALL LEVELS, LOCATIONS, TYPES, AND DIMENSIONS OF THE EXISTING UTILITIES PRIOR TO CONSTRUCTION. IF A DISCREPANCY IS FOUND, WORK SHALL CEASE AND THE ENGINEER NOTIFIED. WORK MAY CONTINUE UPON ENGINEERS NOTICE TO PROCEED.

GRAPHIC SCALE
20' 0 10' 20' 40'
(IN FEET)
1 inch = 20 ft.

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SINCE 1959
ENGINEERING** * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING*
CIVIL ENGINEERING SOFTWARE & PLANNING OFFICE
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pointoffice@quible.com

NORTH CAROLINA PROFESSIONAL ENGINEERS — CERTIFICATION

PRELIMINARY NOT FOR CONSTRUCTION

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QUIBLE & ASSOCIATES, P.C.
THIS DOCUMENT IS THE PROPERTY OF QUIBLE & ASSOCIATES, P.C. ANY ALTERATION OF THIS DOCUMENT IS PROHIBITED.
IF THIS DOCUMENT IS NOT SIGNED AND SEALED BY A LICENSED PROFESSIONAL ENGINEER, IT SHALL BE CONSIDERED PRELIMINARY, NOT A CERTIFIED DOCUMENT AND NOT FOR CONSTRUCTION, RECORDATION, SALES OR ANY OTHER PURPOSE UNLESS OTHERWISE NOTED.

NO.	DATE	REVISIONS
1	09/19/22	ISSUED FOR WASTEWATER PERMITTING
2	09/21/22	REVISED PER TOWN COMMENTS
3	10/13/22	ISSUED FOR STORMWATER PERMITTING
4	08/21/23	UPDATE LANDSCAPING TABLE
5	10/14/23	UPDATE PER ARCHITECTURAL PLANS

EXISTING CONDITIONS

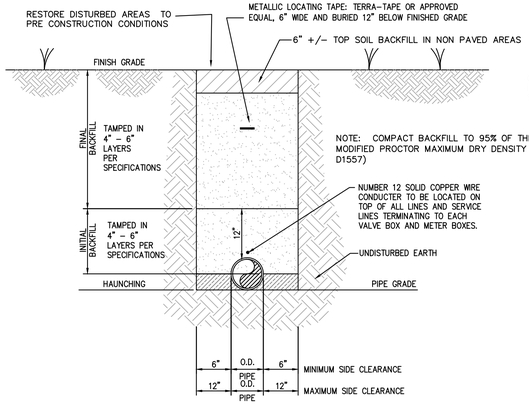
TRADE CENTER FACILITY
LOT 2A-1R, CHARLES L. SINEATH DIVISION

TOWN OF NAGS HEAD — DARE COUNTY — NORTH CAROLINA

PROJECT NO. P05044.2
DESIGNED BY CMS
DRAWN BY CMS/CMT
CHECKED BY MWS
ISSUE DATE 09/12/22

SHEET NO. 1 OF 8 SHEETS

G:\2005\P05044\Drawings\P05044 CV\P05044-2-BASE.dwg 10/14/2023 3:15 PM Quible

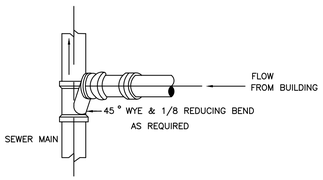


NOTES:

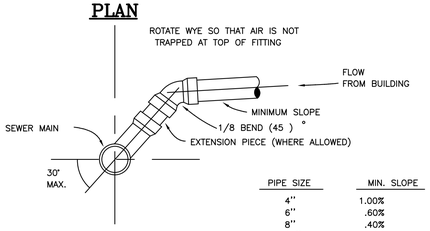
1. FOR TRENCHES REQUIRING SHORING AND BRACING, DIMENSIONS SHALL BE TAKEN FROM THE INSIDE FACE OF THE SHORING AND BRACING
2. NO ROCKS OR BOULDERS 4" AND LARGER SHALL BE USED IN INITIAL BACKFILL AREA.
3. ALL BACKFILL MATERIAL SHALL BE SATISFACTORY SOIL MATERIALS UNLESS OTHERWISE SPECIFIED BY THE ENGINEER. (SATISFACTORY SOIL FILL SHALL CONSIST OF SAND OR GRAVEL CONTAINING LESS THAN 20% BY WEIGHT OF FINES [SW, SP, SP-SM, SM], HAVING A LIQUID LIMIT LESS THAN 20 AND PLASTIC LIMIT LESS THAN 6, AND FREE OF RUBBLE, ORGANICS, CLAY, DEBRIS, AND OTHER UNSUITABLE MATERIAL.)

TYPICAL WATERLINE BACKFILLING REQUIREMENTS AND TRENCH BOTTOM DIMENSIONS

N.T.S.



PLAN

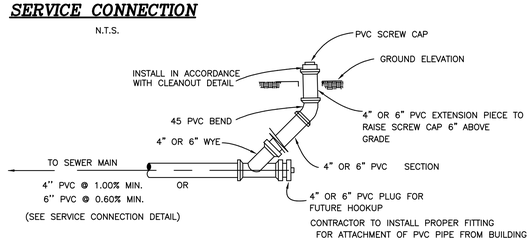


PIPE SIZE	MIN. SLOPE
4"	1.00%
6"	.60%
8"	.40%
12"	.22%

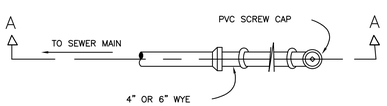
SECTION

SERVICE CONNECTION

N.T.S.



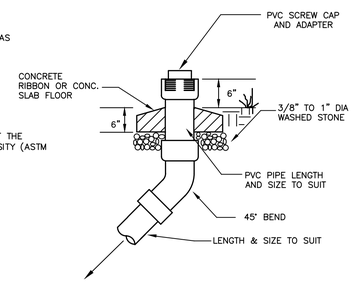
SECTION A



PLAN VIEW

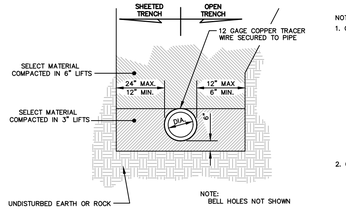
SINGLE SERVICE LATERAL CONNECTION

N.T.S.



TYPICAL SEWER CLEAN-OUT

N.T.S.



STANDARD EXCAVATION

NOTE:
MINIMUM 30" COVER IN PIEDMONT AND COASTAL AREAS

NOTES:

1. CROSSING A WATER MAIN OVER A SEWER;
   WHENEVER IT IS NECESSARY FOR A WATER MAIN TO CROSS OVER A SEWER, THE WATER MAIN SHALL BE LAID AT SUCH AN ELEVATION THAT THE BOTTOM OF THE WATER MAIN IS AT LEAST 18" ABOVE THE TOP OF THE SEWER, UNLESS LOCAL CONDITIONS OR BARRIERS PREVENT AN 18 INCH VERTICAL SEPARATION; IN WHICH CASE BOTH THE WATER MAIN AND SEWER SHALL BE CONSTRUCTED OF FERROUS MATERIALS AND WITH JOINTS THAT ARE EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING.
2. CROSSING A WATER MAIN UNDER A SEWER;
   WHENEVER IT IS NECESSARY FOR A WATER MAIN TO CROSS UNDER A SEWER, BOTH THE WATER MAIN AND THE SEWER SHALL BE CONSTRUCTED OF FERROUS MATERIALS AND WITH JOINTS EQUIVALENT TO WATER MAIN STANDARDS FOR A DISTANCE OF 10 FEET ON EACH SIDE OF THE POINT OF CROSSING. A SECTION OF WATER MAIN PIPE SHALL BE CENTERED AT THE POINT OF CROSSING.

TYPICAL SANITARY SEWER TRENCHING

N.T.S.

WASTEWATER NOTES

1. CONTRACTOR IS RESPONSIBLE FOR LOCATING EXISTING UNDERGROUND UTILITIES IN AREAS OF WORK PRIOR TO ANY WORK. PROVIDE ADEQUATE MEANS OF SUPPORT AND PROTECTION IF UTILITIES ARE TO REMAIN IN PLACE.
2. REMOVE TREES, GRASSES, SHRUBS AND OTHER VEGETATION, IMPROVEMENTS OR OBSTRUCTIONS INTERFERING WITH INSTALLATION OF NEW CONSTRUCTION UNLESS NOTED OTHERWISE.
3. NEW WASTEWATER SYSTEM DESIGN PARAMETERS:

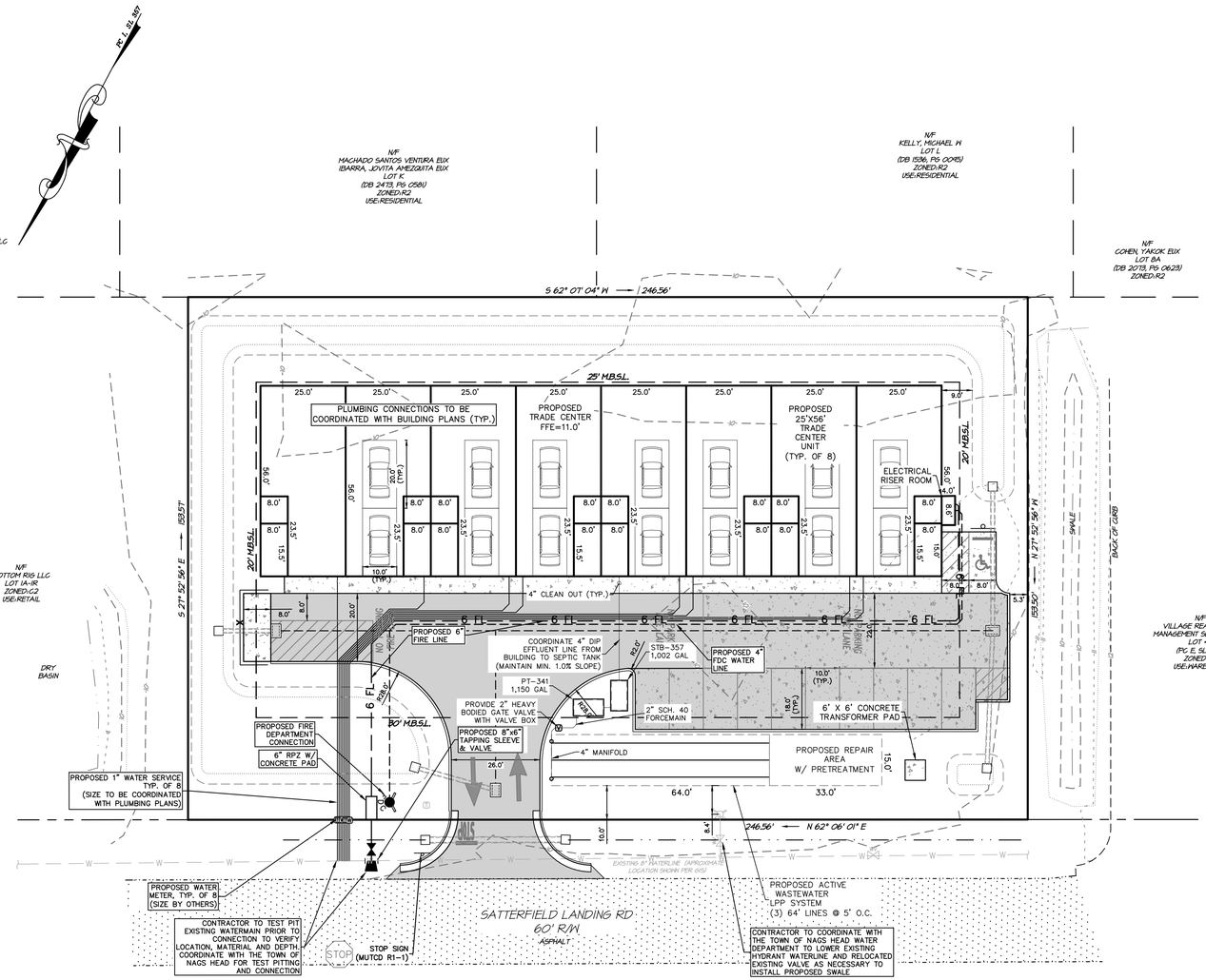
   DESIGN FLOW: 480 GPD (ALLOWS FOR UP TO 19 EMPLOYEES AT 25 GPD/EMPLOYEE)

   ACTIVE: LONG TERM APPLICATION RATE (LTAR) 0.5 GPD/SQ.FT.
   480 GPD/0.5 = 960 SQ.FT.
   960 SQ.FT./5 FT. TRENCH = 192 LN. FT.
   (3) 64' LATERALS @ 5' O.C

   REPAIR: LONG TERM APPLICATION RATE (LTAR) 1.0 GPD/SQ.FT. (TS-II PRE-TREATMENT)
   480 GPD/1.0 = 480 SQ.FT.
   480 SQ.FT./5 FT. TRENCH = 96 LN. FT.
   480 SQ.FT. REPAIR AREA SHOWN
4. UNLESS OTHERWISE INDICATED ON THE PLAN, CONSTRUCTION OF SEWAGE COLLECTION, TREATMENT AND DISPOSAL SYSTEM IS TO CONFORM WITH SECTION .1900 "LAWS AND RULES FOR SEWAGE TREATMENT AND DISPOSAL SYSTEMS" OF NORTH CAROLINA ADMINISTRATIVE CODE, DEPARTMENT OF ENVIRONMENT AND NATURAL RESOURCES, DIVISION OF ENVIRONMENTAL HEALTH, ON-SITE WASTEWATER SECTION (15 NCAC 18A.1900).
5. CONSTRUCTION OF SEWAGE COLLECTION SYSTEM, TREATMENT AND DISPOSAL SYSTEM IS TO CONFORM WITH ANY CONDITIONS IMPOSED BY THE LOCAL HEALTH DEPARTMENT.
6. MATERIAL USED FOR COLLECTION AND DISPOSAL SYSTEM SHALL CONFORM WITH SAME REQUIREMENTS AS #4 ABOVE.
7. FILL MATERIAL SHALL HAVE SUCH SOIL TEXTURE TO BE CLASSIFIED AS SAND OR LOAMY SAND (SOIL GROUP I) UP TO THE TOP OF THE NITRIFICATION TRENCHES. THE FINAL SIX INCHES OF FILL USED TO COVER THE SYSTEM SHALL HAVE A FINER TEXTURE (SUCH AS GROUP II, III) FOR THE ESTABLISHMENT OF A VEGETATIVE COVER. THE FILL MATERIAL AND THE EXISTING SOIL SHALL BE MIXED TO A DEPTH OF SIX INCHES BELOW THE INTERFACE. HEAVY VEGETATIVE COVER OR ORGANIC LITTER SHALL BE REMOVED BEFORE THE FILL MATERIAL IS INCORPORATED.
8. ALL SURFACE RUNOFF SHALL BE DIVERTED AROUND AND AWAY FROM THE DRAINFIELD AREA. FINISH GRADE SHALL BE LANDSCAPED TO PREVENT PONDING OF SURFACE WATER. VEGETATE DRAINFIELD AREA AS SPECIFIED IN LANDSCAPE PLAN.

NOTES:

1. CURRENT OWNER: MAZZI, LLC, 106A ASCENSION DRIVE, KITTY HAWK, NC 27959
2. PROPERTY IDENTIFICATION: PIN / PID: (LOT 2A-1R) 989317113533 / 005618002
3. LOT AREA = 37,855 SF / 0.87 AC (AREAS BY COORDINATE METHOD.)
4. ZONING: GENERAL COMMERCIAL DISTRICT (C-3)
5. SUBJECT REFERENCES: (LOT 2A-1R PARCELS) DB 1651, PG 0001; PC I, SL 357
6. FIELD SURVEY BY QUIBLE & ASSOCIATES, P.C. DATES: 06-02-2022 (HORIZONTAL GROUND DISTANCES)
7. VERTICAL DATUM NAVD 1988 / HORIZONTAL DATUM NAD 1983 (2012)
8. PROPERTY IS LOCATED IN NFIP FLOOD ZONE "X" AND SUBJECT TO CHANGES. BASED ON COMMUNITY CID NO. 375356; PANEL 9893; SUFFIX K. (MAP NUMBER 3720989300K) EFFECTIVE DATE: 06/19/2020.
9. SETBACKS SHOWN ARE PER TOWN OF NAGS HEAD AND DO NOT REFLECT ANY RESTRICTIVE COVENANTS THAT MAY EXIST.
10. PROJECT SCOPE: PERMITTING AND CONSTRUCTION OF EIGHT 1,500 SQ.FT. WAREHOUSE UNITS WITH ASSOCIATED PARKING AND APPURTENANCES.
11. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL PROPERTY MONUMENTS DURING CONSTRUCTION. DISTURBED OR REMOVED PROPERTY MONUMENTS SHALL BE REPLACED BY A NORTH CAROLINA LICENSED PROFESSIONAL LAND SURVEYOR.
12. WATER SUPPLY PER TOWN OF NAGS HEAD. WATER CONNECTION MUST BE MADE IN ACCORDANCE WITH TOWN OF NAGS HEAD SPECIFICATIONS AND SHALL BE PERFORMED BY A LICENSED WATER UTILITY CONTRACTOR. NOTIFY TOWN PRIOR TO INSTALLATION.
13. ALL UTILITIES TO BE PLACED UNDERGROUND UNLESS OTHERWISE NOTED



LEGEND

- PROPOSED CONCRETE
- PROPOSED PERMEABLE PAVEMENT
- PROPOSED ASPHALT
- EX. IRON ROD
- EX. DRILL HOLE
- EX. MAG NAIL
- EX. UTILITY POLE
- EX. FIRE HYDRANT
- EX. WATER VALVE
- EX. SEWER MANHOLE
- EX. WATER METER
- EX. ELECTRICAL CONNECTION
- EX. EXTERIOR LIGHT
- EX. LIGHT POLE
- PROPOSED 6" CURB (NO GUTTER)
- PROPOSED 8" CONCRETE RIBBON
- PROPOSED STORM PIPE
- PROPOSED WATERLINE
- PROPOSED SANITARY SEWER
- PROPOSED TREES/SHRUBS

811 Know what's below. Call before you dig.

NOTE:
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GRAPHIC SCALE
20' 0 10' 20' 40'
(IN FEET)
1 inch = 20 ft.

NC License# C-0208
Quible & Associates, P.C.
SINCE 1959
ENGINEERING** * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING**
**NORTH CAROLINA BOARD OF EXAMINERS FOR ENGINEERS AND SURVEYORS
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NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 040181 CHRISTOPHER M. SMOKER — CERTIFICATION

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3	10/13/22	ISSUED FOR STORMWATER PERMITTING
4	08/21/23	UPDATE LANDSCAPING TABLE
5	10/14/23	UPDATE PER ARCHITECTURAL PLANS

UTILITY PLAN

TRADE CENTER FACILITY
LOT 2A-1R, CHARLES L. SINEATH DIVISION
TOWN OF NAGS HEAD — DARE COUNTY — NORTH CAROLINA

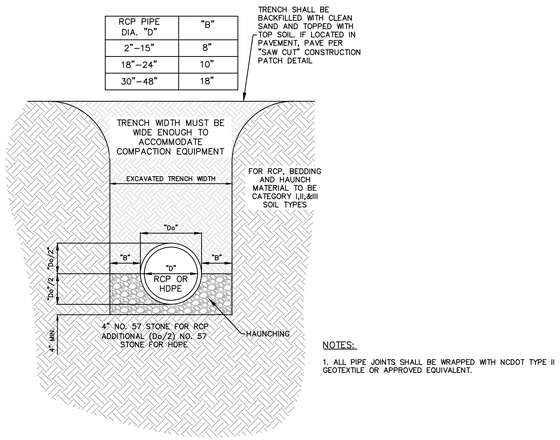
PROJECT NO.	P05044.2
DESIGNED BY	CMS
DRAWN BY	CMS/CMT
CHECKED BY	MWS
ISSUE DATE	09/12/22

SHEET NO. 2 OF 8 SHEETS

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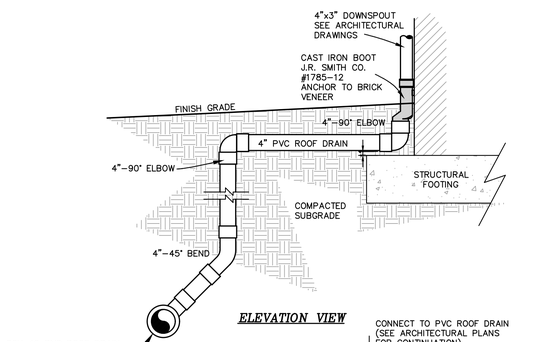
HDPE NOTES:
1. ALL PIPE SYSTEM SHALL BE INSTALLED IN ACCORDANCE WITH THESE SPECIFICATIONS OR AS MODIFIED BY THE OWNER.
2. TRENCH BOX OR OTHER SHORING METHODS SHALL NOT DISTURB THE PIPE BEDDING AND BACKFILL MATERIAL AFTER THEIR COMPACTION.
3. WHERE THE TRENCH BOTTOM IS UNSTABLE, THE CONTRACTOR SHALL EXCAVATE TO A DEPTH INDICATED ON THE DRAWING OR AS DIRECTED BY THE OWNER AND REPLACE WITH BEDDING MATERIAL.
4. BEDDING MATERIAL SHALL BE CRUSHED STONE OR WASHED #67 STONE, UNLESS OTHERWISE NOTE ON THE DRAWINGS OR REQUIRED BY THE OWNER. MINIMUM BEDDING THICKNESS SHALL BE 6-INCHES.
5. BACKFILL MATERIAL SHALL CONFORM TO THE FOLLOWING:
   A. INITIAL BACKFILL:
      AGGREGATE NO. 25, 26, 21A, OR 21 B; AS INDICATED ON THE DRAWINGS OR AS DIRECTED BY THE OWNER, SHALL BE INSTALLED AS INITIAL BACKFILL IN THE PIPE ZONE EXTENDING NOT LESS THAN 12-INCHES ABOVE THE CROWN OF PIPE. MATERIAL SHALL BE INSTALLED AS REQUIRED IN ASTM 02321, LATEST EDITION.
   B. FINAL BACKFILL:
      FINAL BACKFILL MATERIALS SHALL BE THE SAME AS THE INITIAL BACKFILL UNLESS OTHERWISE INDICATED ON THE DRAWINGS OR DIRECTED BY THE OWNER.
6. MINIMUM COVER:
   TRAFFIC APPLICATIONS – MINIMUM COVER SHALL BE 24", MEASURED FROM THE TOP OF THE PIPE TO THE BOTTOM OF FLEXIBLE PAVEMENT OR TO THE TOP OF RIGID PAVEMENT.
   NON-TRAFFIC APPLICATIONS – MINIMUM COVER IN GRASS OR LANDSCAPE AREA IS 12-INCHES FROM THE TOP OF THE PIPE TO GROUND SURFACE.

NOTES:
1. SELECT MATERIAL PIPE COVER SHALL BE 12" (MINIMUM) DEEP OVER TOP OF PIPE.
2. SELECT MATERIAL BACKFILL SHALL BE CBR 20 COMPACTED TO 95% DENSITY. BACKFILL COMPACTED IN 12" LIFTS.



NOTES:
1. ALL PIPE JOINTS SHALL BE WRAPPED WITH NCDOT TYPE II GEOTEXTILE OR APPROVED EQUIVALENT.

STORM PIPE TRENCH SECTION
N.T.S.

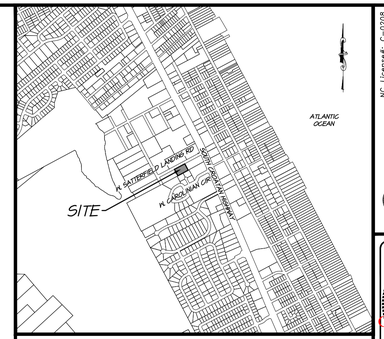


ELEVATION VIEW

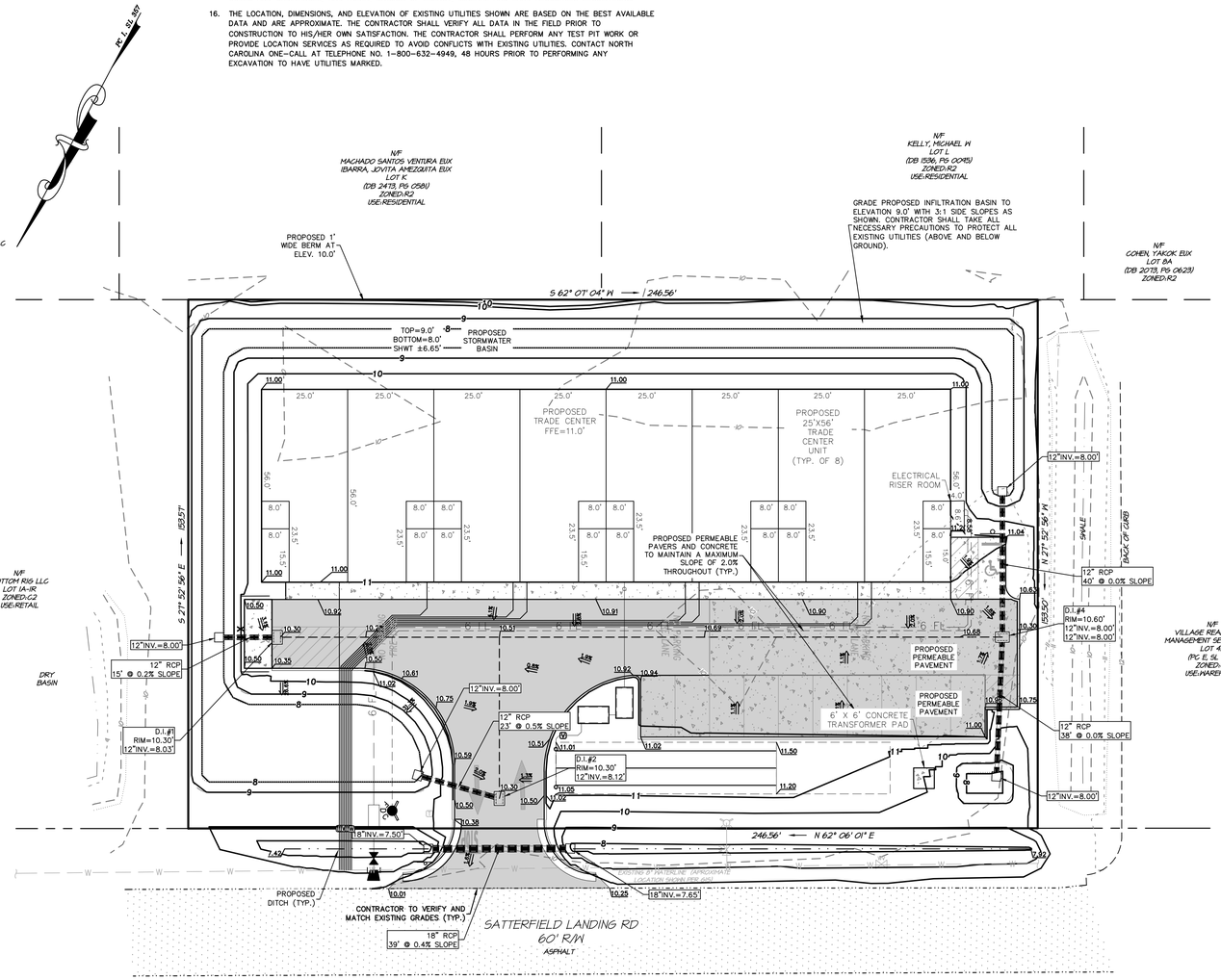
PLAN VIEW

ROOF DRAIN COLLECTION LATERAL
N.T.S.

NOTES:
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10. PROJECT SCOPE: PERMITTING AND CONSTRUCTION OF EIGHT 1,500 SQ.FT. WAREHOUSE UNITS WITH ASSOCIATED PARKING AND APPURTENANCES.
11. SETBACKS SHOWN ARE PER TOWN OF NAGS HEAD AND DO NOT REFLECT ANY RESTRICTIVE COVENANTS THAT MAY EXIST.
12. HANDICAP PARKING SPACES SHALL NOT EXCEED 2% GRADE.
13. AREAS OF FILL SHALL BE EXCAVATED TO COMPACTED SUBGRADE AND BACKFILLED IIN 6" LIFTS.
14. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL PROPERTY MONUMENTS DURING CONSTRUCTION. DISTURBED OR REMOVED PROPERTY MONUMENTS SHALL BE REPLACED BY A NORTH CAROLINA LICENSED PROFESSIONAL LAND SURVEYOR.
15. ALL WORK SHALL BE PERFORMED IN ACCORDANCE WITH THESE DRAWINGS, APPLICABLE TOWN OF NAGS HEAD CODES AND ORDINANCES, AND NCDEQ DIVISION OF ENERGY, MINERAL AND LAND RESOURCES REGULATIONS.
16. THE LOCATION, DIMENSIONS, AND ELEVATION OF EXISTING UTILITIES SHOWN ARE BASED ON THE BEST AVAILABLE DATA AND ARE APPROXIMATE. THE CONTRACTOR SHALL VERIFY ALL DATA IN THE FIELD PRIOR TO CONSTRUCTION TO HIS/HER OWN SATISFACTION. THE CONTRACTOR SHALL PERFORM ANY TEST PIT WORK OR PROVIDE LOCATION SERVICES AS REQUIRED TO AVOID CONFLICTS WITH EXISTING UTILITIES. CONTACT NORTH CAROLINA ONE-CALL AT TELEPHONE NO. 1-800-632-4949, 48 HOURS PRIOR TO PERFORMING ANY EXCAVATION TO HAVE UTILITIES MARKED.
17. THE CONTRACTOR SHALL PROVIDE SMOOTH TRANSITIONS FROM PROPOSED FEATURES TO EXISTING FEATURES AS NECESSARY.
18. THE CONTRACTOR SHALL SEAL THE EDGE OF EXISTING ASPHALT PAVEMENT WITH TACK COAT IN ACCORDANCE WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS WHERE NEW PAVEMENT JOINS EXISTING PAVEMENT.
19. ALL PAVEMENT JOINTS SHALL BE SAW-CUT PRIOR TO PAVING TO PROVIDE A DURABLE AND UNIFORM JOINT.
20. PROOF ROLL ALL NEW PAVED AREAS. NOTIFY OWNER AND ENGINEER OF ANY UNACCEPTABLE AREAS.
21. ALL PORTIONS OF ROOF DRAIN COLLECTION SYSTEM WITH LESS THAN 36" OF COVER IN TRAFFIC RATED CONDITIONS SHALL BE DUCTILE IRON PIPE.
22. TEMPORARY CONSTRUCTION EASEMENT MUST BE OBTAINED PRIOR TO ANY WORK ON ADJACENT PROPERTIES.
23. A STATE HIGH DENSITY STORMWATER PERMIT IS REQUIRED IN ADVANCE OF ANY ONSITE DISTURBANCE.
24. ALL STORMWATER CONTROL MEASURES (SCM'S) ASSOCIATED WITH THE SITE MUST BE PERMITTED WITH THE STATE OF NORTH CAROLINA DEPARTMENT OF ENVIRONMENTAL QUALITY'S (NCDEQ) DIVISION OF ENERGY, MINERAL, AND LAND RESOURCES. THE PERMITTED SCM FOOTPRINT, PLUS AN ADDITIONAL TEN FEET, SHALL BE ENCOMPASSED BY AN ACCESS AND MAINTENANCE EASEMENT FOR THE BENEFIT OF NCDEQ AND MAINTENANCE PERSONONEL.THE ACCESS AND MAINTENANCE EASEMENT SHALL ALSO INCLUDE THE SIDE SLOPES, EMBANKMENT, AND EMERGENCY SPILLWAY OF ALL SCM'S SHOWN ON THE PLAN.
25. CONTRACTOR SHALL PROVIDE SMOOTH TRANSITION BETWEEN SPOT ELEVATION GRADES AND MAINTAIN POSITIVE DRAINAGE.
26. ALL PIPES TO BE CLASS IV REINFORCED CONCRETE, UNLESS OTHERWISE NOTED.
27. ALL REINFORCED CONCRETE PIPES (RCP) TO HAVE END TREATMENTS, EITHER FLARED END SECTIONS (FES) OR END WALLS. END WALLS TO BE CONSTRUCTED AS PER NCDOT STANDARD 838.01.



VICINITY MAP (NAGS HEAD)
N.T.S.



LEGEND
- PROPOSED CONCRETE
- PROPOSED ASPHALT
- PROPOSED PERMEABLE PAVEMENT
- PROPOSED RIP RAP
- EXISTING CONTOUR
- EXISTING SPOT GRADE
- 9.0 PROPOSED CONTOUR
- 9.0 PROPOSED SPOT GRADE (TOP OF ASPHALT/FLOW LINE UNLESS OTHERWISE NOTED)
- 9.00"TC PROPOSED TOP OF CONCRETE ELEV.
- PROPOSED FLOW DIRECTION AND SLOPE
- EX. IRON ROD
- EX. DRILL HOLE
- EX. MAG NAIL
- EX. UTILITY POLE
- EX. FIRE HYDRANT
- EX. WATER VALVE
- EX. SEWER MANHOLE
- EX. WATER METER
- EX. ELECTRICAL CONNECTION
- EX. EXTERIOR LIGHT
- EX. LIGHT POLE

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1 inch = 20 ft.

Quible & Associates, P.C.
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NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 036777 MATTHEW W. SMITH — PRELIMINARY NOT FOR CONSTRUCTION — CERTIFICATION

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GRADING PLAN

TRADE CENTER FACILITY
LOT 2A-1R, CHARLES L. SINEATH DIVISION
TOWN OF NAGS HEAD — DARE COUNTY — NORTH CAROLINA

PROJECT NO. P05044.2
DESIGNED BY CMS
DRAWN BY CMS/CMT
CHECKED BY MWS
ISSUE DATE 09/12/22

SHEET NO. 3 OF 8 SHEETS

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NOTES:

1. CURRENT OWNER: MAZZI, LLC
   106A ASCENSION DRIVE
   KITTY HAWK, NC 27959
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11. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL PROPERTY MONUMENTS DURING CONSTRUCTION. DISTURBED OR REMOVED PROPERTY MONUMENTS SHALL BE REPLACED BY A NORTH CAROLINA LICENSED PROFESSIONAL LAND SURVEYOR.

SOIL EROSION & SEDIMENTATION CONTROL PLAN NOTES:

1. AREA TO BE DISTURBED: ±42,083.2 SQ.FT. (±0.96 ACRES)
2. PROVIDE A GROUNDCOVER STABILIZATION (TEMPORARY OR PERMANENT) ON ALL DENUDED DOWNSTREAM SURFACES FOLLOWING THE COMPLETION OF LAND DISTURBING ACTIVITIES PER THE CRITERIA LISTED BELOW:
   a. PERIMETER DIKES, BERMS, SWALES, DITCHES AND SLOPES SHALL BE STABILIZED IN 7 DAYS.
   b. HIGH QUALITY WATER (HQW) ZONES SHALL BE STABILIZED IN 7 DAYS.
   c. DOWNSTREAM SLOPES STEEPER THAN 3:1 SHALL BE STABILIZED IN 7 DAYS. IF SLOPES ARE 10' OR LESS AND ARE NOT STEEPER THAN 2:1, 14 DAYS ARE ALLOWED.
   d. DOWNSTREAM SLOPES 3:1 OR FLATTER AND LESS THAN 50' IN LENGTH SHALL BE STABILIZED IN 14 DAYS. SLOPES 3:1 OR FLATTER EXCEEDING 50' IN LENGTH SHALL BE STABILIZED IN 7 DAYS.
   e. ALL OTHER DOWNSTREAM AREAS WITH SLOPES 4:1 OR FLATTER SHALL BE STABILIZED WITHIN 14 DAYS.
   f. GROUND COVER SHALL BE PROVIDED ON CUT AND FOR FILL SLOPES WITHIN 21 CALENDAR DAYS AFTER COMPLETION OF ANY PHASE OF GRADING. GROUND COVER OVER OTHER AREAS SHALL BE PROVIDED WITHIN SHORTER OF 15 WORKING OR 90 CALENDAR DAYS (60 DAYS IN HQW ZONES) OF COMPLETION OF CONSTRUCTION OF DEVELOPMENT.
3. IF LAND DISTURBING ACTIVITIES OCCUR OUTSIDE THE PERMANENT VEGETATION SEEDING DATES (APR. 1– SEP.30) THEN TEMPORARY VEGETATION SEEDING SPECIFICATIONS SHALL BE FOLLOWED FOR PLANTING UNTIL THE NEXT APPROPRIATE PERMANENT SEEDING PERIOD, AT WHICH TIME PERMANENT VEGETATION SHALL BE ESTABLISHED ACCORDING TO PERMANENT VEGETATION SEEDING SPECIFICATIONS (SEE PERM. & TEMP. SEEDING SPECIFICATIONS).
4. IF EXCESSIVE WIND EROSION OR STORMWATER RUNOFF EROSION DEVELOPS DURING TIME OF CONSTRUCTION ANY LOCATION ON THE PROJECT SITE, ADDITIONAL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED IMMEDIATELY AS DIRECTED BY THE ENGINEER TO ADDRESS THE PROBLEM AREA AND PREVENT DAMAGE TO ADJACENT PROPERTIES.
5. SOIL EROSION AND SEDIMENTATION CONTROLS TO BE INSPECTED, MAINTAINED AND REPAIRED AS NECESSARY UNTIL PERMANENT CONTROLS ARE ESTABLISHED.
   a. A RAIN GAUGE MUST MUST BE KEPT ON SITE.
   b. DEDICATED DEMOLITION AND OTHER WASTE AREAS AND EARTHEN MATERIAL STOCKPILES MUST BE LOCATED AT LEAST 50 FEET FROM DRAINS OR STREAMS UNLESS NO ALTERNATIVE IS FEASIBLE.
   c. ALL EROSION AND SEDIMENT CONTROL MEASURES MUST BE INSPECTED AT LEAST ONCE A WEEK AND WITHIN 24 HOURS AFTER ANY STORM EVENT GREATER THAN A HALF INCH (DURING A 24 HOUR PERIOD). IMMEDIATE CORRECTIVE ACTION MUST BE TAKEN FOR ANY DEVICE FAILURE.
   d. INSPECT ALL OUTLETS WHERE RUNOFF LEAVES SITE AND EVALUATE EFFECT ON NEARBY STREAMS. TAKE CORRECTIVE ACTION IF NECESSARY.
   e. MAINTAIN RECORDS OF INSPECTIONS AND CORRECTIVE ACTIONS.
   f. EARTHWORK NOTE: OFFSITE BORROW MATERIAL SHALL COME FROM AN NCDENR LAND QUALITY SECTION APPROVED SITE. OFFSITE DISPOSAL OF EXCESS MATERIAL SHALL BE TO AN NCDENR LAND QUALITY SECTION APPROVED SITE.

CONSTRUCTION SEQUENCE:

PRECONSTRUCTION:

1) OBTAIN PLAN APPROVAL AND OTHER APPLICABLE PERMITS.
2) FLAG AND/OR ROUGH STAKE WORK LIMITS.
3) FLAG EXISTING VEGETATION TO REMAIN/PROTECT.
4) HOLD PRECONSTRUCTION CONFERENCE (OWNER, CONTRACTOR, ENGINEER, AND APPROPRIATE GOVERNMENT OFFICIALS) AT LEAST ONE WEEK PRIOR TO START OF CONSTRUCTION ACTIVITIES.

CONSTRUCTION:

5) INSTALL SILT FENCING AT LOCATIONS SHOWN ON PLAN
6) COMPLETE CLEARING, GRUBBING AND DEMOLITION PROCEDURES.
7) GRADE SITE ACCORDING TO PLAN AND BEGIN CONSTRUCTION OF PROPOSED IMPROVEMENTS, INCLUDING UTILITY RECONNECTIONS.
8) INSTALL CONTRIBUTING STORM CONVEYANCES AND ASSOCIATED EROSION CONTROLS.
9) ALL EROSION & SEDIMENTATION CONTROLS SHALL BE INSPECTED WEEKLY AND AFTER HEAVY RAINFALL EVENT. NEEDED REPAIRS AND MAINTENANCE WILL BE MADE IMMEDIATELY. FURTHERMORE, IF ANY WIND OR STORMWATER RUNOFF EROSION DEVELOPS DURING THE CONSTRUCTION OF THE PROJECT, ADDITIONAL EROSION AND SEDIMENTATION CONTROL MEASURES SHALL BE INSTALLED TO ADDRESS THE PROBLEM AREA.
10) ONCE THE SITE CONSTRUCTION IS COMPLETE AND DENUDED SURFACES ARE FULLY STABILIZED; ALL STORMWATER CONVEYANCES, STRUCTURES AND PIPING SHALL BE CLEANED OF ALL SILT/DEBRIS WHICH MAY HAVE ACCUMULATED DURING CONSTRUCTION. CONTRACTOR SHALL VERIFY DESIGN GRADES OF ALL STORMWATER CONVEYANCES AND RESTORE TO DESIGN SPECIFICATIONS AS NECESSARY.
11) UPON THE REMOVAL OF ACCUMULATED SEDIMENTS AND SITE STABILIZATION, ALL REMAINING EROSION CONTROLS MAY BE REMOVED FROM THE DEVELOPMENT. ALL DOWNSTREAM EROSION CONTROLS SHALL REMAIN IN PLACE UNTIL THE COMPLETION OF ALL OTHER DEVELOPMENT CONSTRUCTION ACTIVITIES.

SEEDBED PREPARATION:
LOOSEN SOILS TO A DEPTH OF 6-8 INCHES USING A RIPPER, HARROW, OR CHISEL PLOW, BREAK UP CLODS, REMOVE UNACCEPTABLE GROWTH (STICKS, ROOTS), STONES (>3"), AND OTHER MATERIALS, AND WORK THE TOP 3-4 INCHES OF THE SOIL INTO A SEEDBED. THE AREA TO BE SEEDED SHALL BE RE-COMPACTED UTILIZING A CULTIPACKER ROLLER AND A SMOOTH EVEN SOIL SURFACE WITH A LOOSE, UNIFORMLY FINE TEXTURE SHALL BE THE FINISHED GRADE.

SOIL AMENDMENTS:
OBTAIN A SOIL TEST TO DETERMINE APPLICATION RATES AND FOLLOW RECOMMENDATIONS OF SOIL TESTS. WHEN A SOIL TEST IS NOT POSSIBLE, APPLY 3,000 LB/ACRE GROUND AGRICULTURAL LIMESTONE AND 1,000 LB/ACRE 10-10-10 STARTER FERTILIZER.

MULCHING:
APPLY 4,000 LB/ACRE GRAIN STRAW OR EQUIVALENT COVER OF ANOTHER SUITABLE MULCH. ANCHOR STRAW BY TACKING WITH ASPHALT, NETTING, ROVING OR BY CRIMPING WITH A MULCH ANCHORING TOOL.

MAINTENANCE:
SATISFACTORY STABILIZATION AND EROSION CONTROL REQUIRES A COMPLETE VEGETATIVE COVER. EVEN SMALL BREACHES IN VEGETATIVE COVER CAN EXPAND RAPIDLY AND, IF LEFT UNATTENDED, CAN ALLOW SERIOUS SOIL LOSS FROM AN OTHERWISE STABLE SURFACE. A SINGLE HEAVY RAIN IS OFTEN SUFFICIENT TO GREATLY ENLARGE BARE SPOTS, AND THE LONGER REPAIRS ARE DELAYED, THE MORE COSTLY THEY BECOME. PROMPT ACTION WILL KEEP SEDIMENT LOSS AND REPAIR COST DOWN. NEW SEEDLINGS SHOULD BE INSPECTED FREQUENTLY AND MAINTENANCE PERFORMED AS NEEDED. IF RILLS AND GULLIES DEVELOP, THEY MUST BE FILLED IN, RE-SEEDED, AND MULCHED AS SOON AS POSSIBLE. DIVERSIONS MAY BE NEEDED UNTIL NEW PLANTS TAKE HOLD.

MAINTENANCE REQUIREMENTS EXTEND BEYOND THE SEEDING PHASE. (COMPLETE VEGETATIVE COVER IS REQUIRED REGARDLESS OF COUNTY ISSUANCE OF A CERTIFICATE OF OCCUPANCY AND FINAL PAYMENT WILL NOT BE AWARDED UNTIL COMPLETE ESTABLISHMENT OF VEGETATIVE COVER.)
WEAK OR DAMAGED SPOTS MUST BE RELIMED, FERTILIZED, MULCHED, AND RESEEDED AS PROMPTLY AS POSSIBLE. REFERTILIZATION MAY BE NEEDED TO MAINTAIN PRODUCTIVE STANDS.

PERMANENT VEGETATION

SEEDING DATES: APRIL 1 – AUGUST 31:

SEED MIXTURE	APPLICATION RATES/ACRE
REBEL II FESCUE	130 LBS.
COMMON BERMUDA 'SAHARA' (HULLED)	215 LBS.

SEEDING DATES: SEPT. 1 – MARCH 31:

SEED MIXTURE	APPLICATION RATES/ACRE
REBEL II FESCUE	250 LBS.
COMMON BERMUDA 'SAHARA' (UNHULLED)	215 LBS.

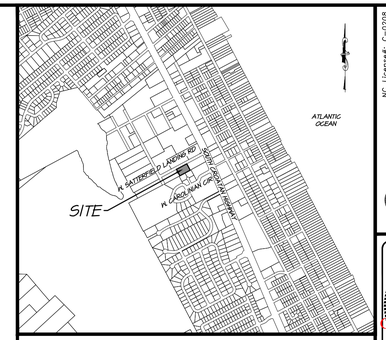
TEMPORARY VEGETATION

SEEDING DATES: AUG. 16 – APRIL 15:

SEED MIXTURE	APPLICATION RATES/ACRE
RYE GRAIN	120 LBS

SEEDING DATES: APRIL 16 – AUG. 15:

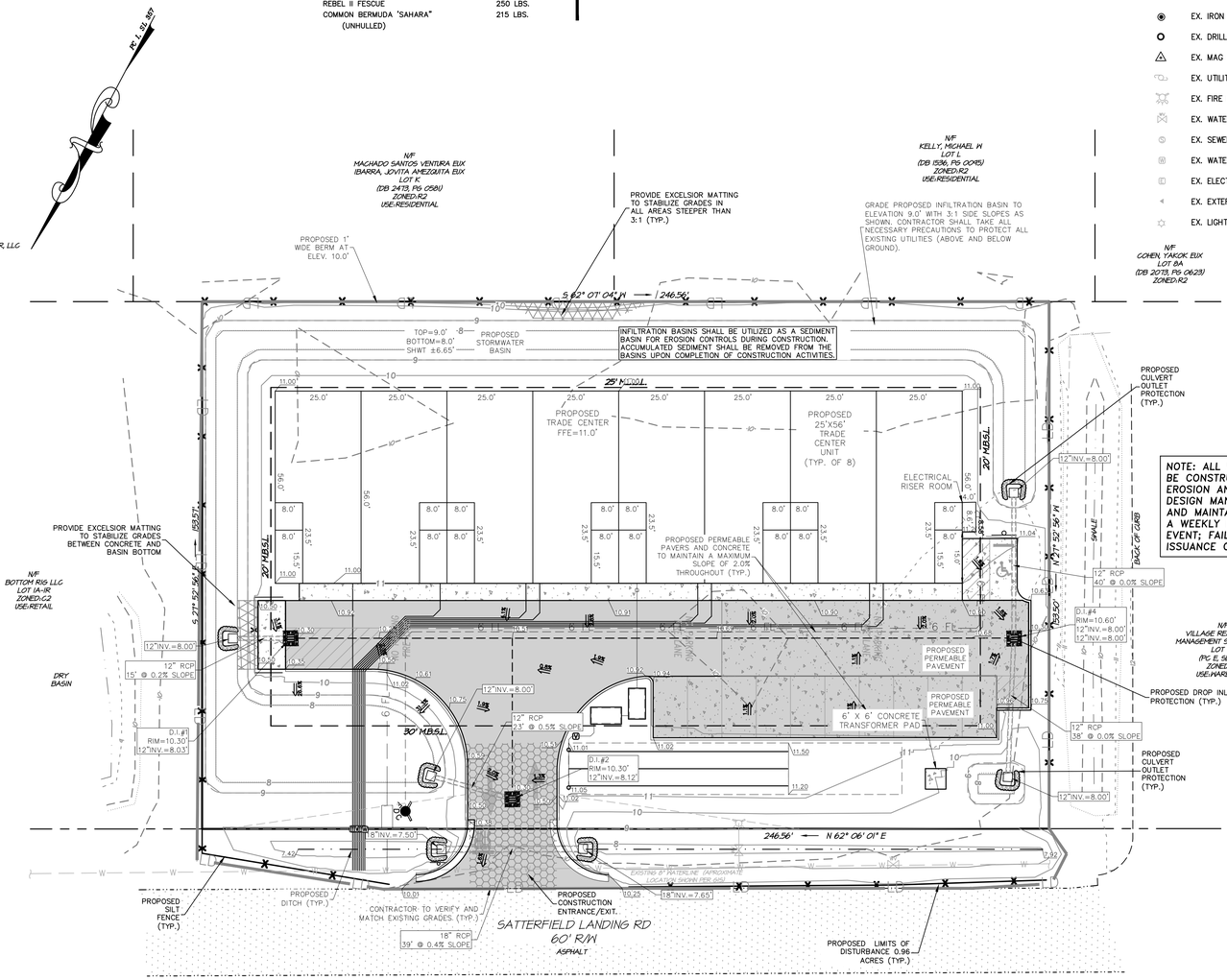
SEED MIXTURE	APPLICATION RATES/ACRE
GERMAN MILLET	40 LBS



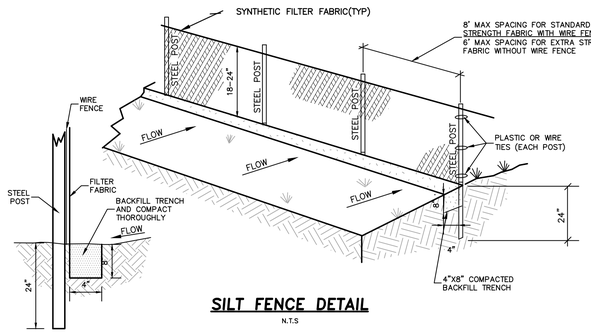
VICINITY MAP (NAGS HEAD)
N.T.S.

LEGEND

- EX. IRON ROD
- EX. DRILL HOLE
- EX. MAG NAIL
- EX. UTILITY POLE
- EX. FIRE HYDRANT
- EX. WATER VALVE
- EX. SEWER MANHOLE
- EX. WATER METER
- EX. ELECTRICAL CONNECTION
- EX. EXTERIOR LIGHT
- EX. LIGHT POLE
- PROPOSED CONCRETE
- PROPOSED ASPHALT
- PROPOSED EXCELSIOR MATTING
- EXISTING CONTOUR
- EXISTING SPOT GRADE
- PROPOSED CONTOUR
- PROPOSED FLOW DIRECTION AND SLOPE
- PROPOSED LIMITS OF DISTURBANCE
- PROPOSED CULVERT INLET PROTECTION
- PROPOSED CONSTRUCTION LIMITS /SILT FENCE



NOTE: ALL EROSION CONTROL MEASURES SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE NC EROSION AND SEDIMENT CONTROL PLANNING AND DESIGN MANUAL. CONTRACTOR SHALL INSPECT AND MAINTAIN ALL EROSION CONTROL DEVICES ON A WEEKLY BASIS AND AFTER EACH MAJOR STORM EVENT; FAILURE TO KEEP ORDER MAY RESULT IN ISSUANCE OF A STOP WORK ORDER.



SILT FENCE DETAIL
N.T.S

Know what's below. Call before you dig.

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GRAPHIC SCALE
20' 0 10' 20' 40'
(IN FEET)
1 inch = 20 ft.

Quible & Associates, P.C.
ENGINEERING** * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING*
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MANTEO, NC 27954
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quiblesurveying@gmail.com

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 049317 CHRISTOPHER M. SIMONS REGISTERED
CERTIFICATION

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3	10/13/22	ISSUED FOR STORMWATER PERMITTING
4	08/21/23	UPDATE LANDSCAPING TABLE
5	10/14/23	UPDATE PER ARCHITECTURAL PLANS

SOIL EROSION SEDIMENT CONTROL PLAN

TRADE CENTER FACILITY
LOT 2A-1R, CHARLES L. SINEATH DIVISION

TOWN OF NAGS HEAD — DARE COUNTY, NORTH CAROLINA

PROJECT NO.	P05044.2
DESIGNED BY	CMS
DRAWN BY	CMS/CMT
CHECKED BY	MWS
ISSUE DATE	09/12/22

SHEET NO. 4 OF 8 SHEETS

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NOTES:

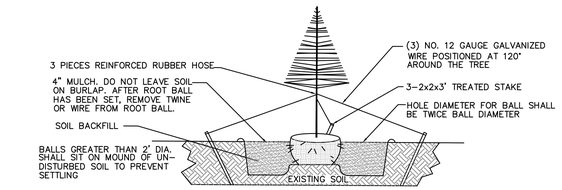
1. CURRENT OWNER: MAZZI, LLC
106A ASCENSION DRIVE
KITTY HAWK, NC 27959
2. PROPERTY IDENTIFICATION: PIN / PID: (LOT 2A-1R) 989317113533 / 005618002
3. LOT AREA = 37,855 SF / 0.87 AC (AREAS BY COORDINATE METHOD.)
4. ZONING: GENERAL COMMERCIAL DISTRICT (C-3)
5. SUBJECT REFERENCES: (LOT 2A-1R PARCELS) DB 1651, PG 0001; PC I, SL 357
6. FIELD SURVEY BY QUIBLE & ASSOCIATES, P.C. DATES: 06-02-2022 (HORIZONTAL GROUND DISTANCES)
7. VERTICAL DATUM NAVD 1988 / HORIZONTAL DATUM NAD 1983 (2012)
8. PROPERTY IS LOCATED IN NFIP FLOOD ZONE "X" AND SUBJECT TO CHANGES. BASED ON COMMUNITY CID NO. 375356; PANEL 9893; SUFFIX K. (MAP NUMBER 3720989300K) EFFECTIVE DATE: 06/19/2020.
9. SETBACKS SHOWN ARE PER TOWN OF NAGS HEAD AND DO NOT REFLECT ANY RESTRICTIVE COVENANTS THAT MAY EXIST.
10. PROJECT SCOPE: PERMITTING AND CONSTRUCTION OF EIGHT 1,500 SQ.FT. WAREHOUSE UNITS WITH ASSOCIATED PARKING AND APPURTENANCES.
11. PROPOSED LOT COVERAGE:

COMMERCIAL BUILDING	11,200.0 SF
DUMPSTER PAD	300.0 SF
ASPHALT DRIVE	5,464.0 SF
PERMEABLE PAVEMENT	3,852.0 SF (COUNTED AS SEPERATE LOT COVERAGE)
TOTAL IMPERMEABLE COVERAGE	16,964.0 SF (44.8%)
TOTAL PERMEABLE PAVEMENT COVERAGE	3,852.0 SF (3.9%)

MAXIMUM ALLOWABLE COVERAGE:

IMPERMEABLE SURFACE	17,034.75 SF (45%)
PERMEABLE SURFACE	9,463.75 SF (25%)
MINIMUM OPEN SPACE	11,356.5 SF (30%)

12. REQUIRED PARKING:
ONE PARKING SPACE FOR EACH 750 GROSS SQ. FT., BUT NO LESS THAN 3 SPACES PER UNIT.
8 UNITS X 3 = 24 SPACES REQUIRED
PROPOSED PARKING: 24 SPACES PROVIDED (1 ADA SPACE)
13. ALL UTILITIES TO BE PLACED UNDERGROUND UNLESS OTHERWISE NOTED
14. LANDSCAPING AND BUFFERYARDS TO BE IN ACCORDANCE WITH ARTICLE 10 OF THE TOWN OF NAGS HEAD UNIFORM DEVELOPMENT ORDINANCES.
15. SITE WILL BE LIGHTED IN ACCORDANCE WITH ARTICLE 10, PART IV "OUTDOOR LIGHTING" OF THE TOWN OF NAGS HEAD CODE OF ORDINANCES.
16. PRIOR TO LAND DISTURBANCE, A TOWN APPROVED SOIL EROSION AND SEDIMENTATION CONTROL PLAN IS REQUIRED.
17. NO U.S.A.C.O.E. SECTION 404 JURISDICTIONAL WETLANDS EXIST ON SITE.
18. EXISTING VEGETATION TO BE PRESERVED WHERE POSSIBLE.
19. THE CONTRACTOR SHALL TAKE ALL NECESSARY PRECAUTIONS TO PROTECT ALL PROPERTY MONUMENTS DURING CONSTRUCTION. DISTURBED OR REMOVED PROPERTY MONUMENTS SHALL BE REPLACED BY A NORTH CAROLINA LICENSED PROFESSIONAL LAND SURVEYOR.
20. ALL WORK WITHIN THE NC DOT RIGHT-OF-WAY REQUIRES AN APPROVED NC DOT RIGHT-OF-WAY ENCROACHMENT AGREEMENT.
21. A STATE HIGH DENSITY STORMWATER PERMIT IS REQUIRED IN ADVANCE OF ANY ONSITE DISTURBANCE.
22. THE ENTIRE SITE WILL BE IN FULL COMPLIANCE WITH ALL APPLICABLE NFPA REGULATIONS PERTAINING TO FIRE PROTECTION INCLUDING BUT NOT LIMITED TO NFPA 30 AS WELL AS VOLUME V OF THE NC STATE BUILDING CODE.
23. ALL BUILDING SIGNAGE SHALL BE IN ACCORDANCE WITH ARTICLE VIII SECTION 48-284 OF THE TOWN OF NAGS HEAD CODE OF ORDINANCES.
24. THIS PLAN SHALL COMPLY WITH VOLUME 1C OF THE NC BUILDING CODE.
25. THE PROPOSED BUILDING SHALL COMPLY WITH CHAPTER 10 OF THE TOWN OF NAGS HEAD CODE OF ORDINANCES.
26. BUILDING CONSTRUCTION TO CONFORM TO 2018 NC FIRE PREVENTION CODE OR LATEST EDITION.
27. THE LOCATION, DIMENSIONS, AND ELEVATION OF EXISTING UTILITIES SHOWN ARE BASED ON THE BEST AVAILABLE DATA AND ARE APPROXIMATE. THE CONTRACTOR SHALL VERIFY ALL DATA IN THE FIELD PRIOR TO CONSTRUCTION TO HIS/HER OWN SATISFACTION. THE CONTRACTOR SHALL PERFORM ANY TEST PIT WORK OR PROVIDE LOCATION SERVICES AS REQUIRED TO AVOID CONFLICTS WITH EXISTING UTILITIES. CONTACT NORTH CAROLINA ONE-CALL AT TELEPHONE NO. 1-800-632-4949, 48 HOURS PRIOR TO PERFORMING ANY EXCAVATION TO HAVE UTILITIES MARKED.
28. THE CONTRACTOR SHALL PROVIDE SMOOTH TRANSITIONS FROM PROPOSED FEATURES TO EXISTING FEATURES AS NECESSARY.
29. THE CONTRACTOR SHALL SEAL THE EDGE OF EXISTING ASPHALT PAVEMENT WITH TACK COAT IN ACCORDANCE WITH THE NORTH CAROLINA DEPARTMENT OF TRANSPORTATION STANDARD SPECIFICATIONS WHERE NEW PAVEMENT JOINS EXISTING PAVEMENT.
30. ALL PAVEMENT JOINTS SHALL BE SAW-CUT PRIOR TO PAVING TO PROVIDE A DURABLE AND UNIFORM JOINT.
31. PROOF ROLL ALL NEW PAVED AREAS. NOTIFY OWNER AND ENGINEER OF ANY UNACCEPTABLE AREAS.

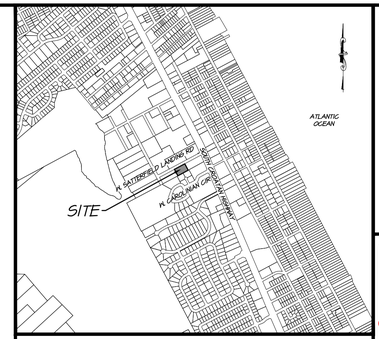


TREE PLANTING DETAIL

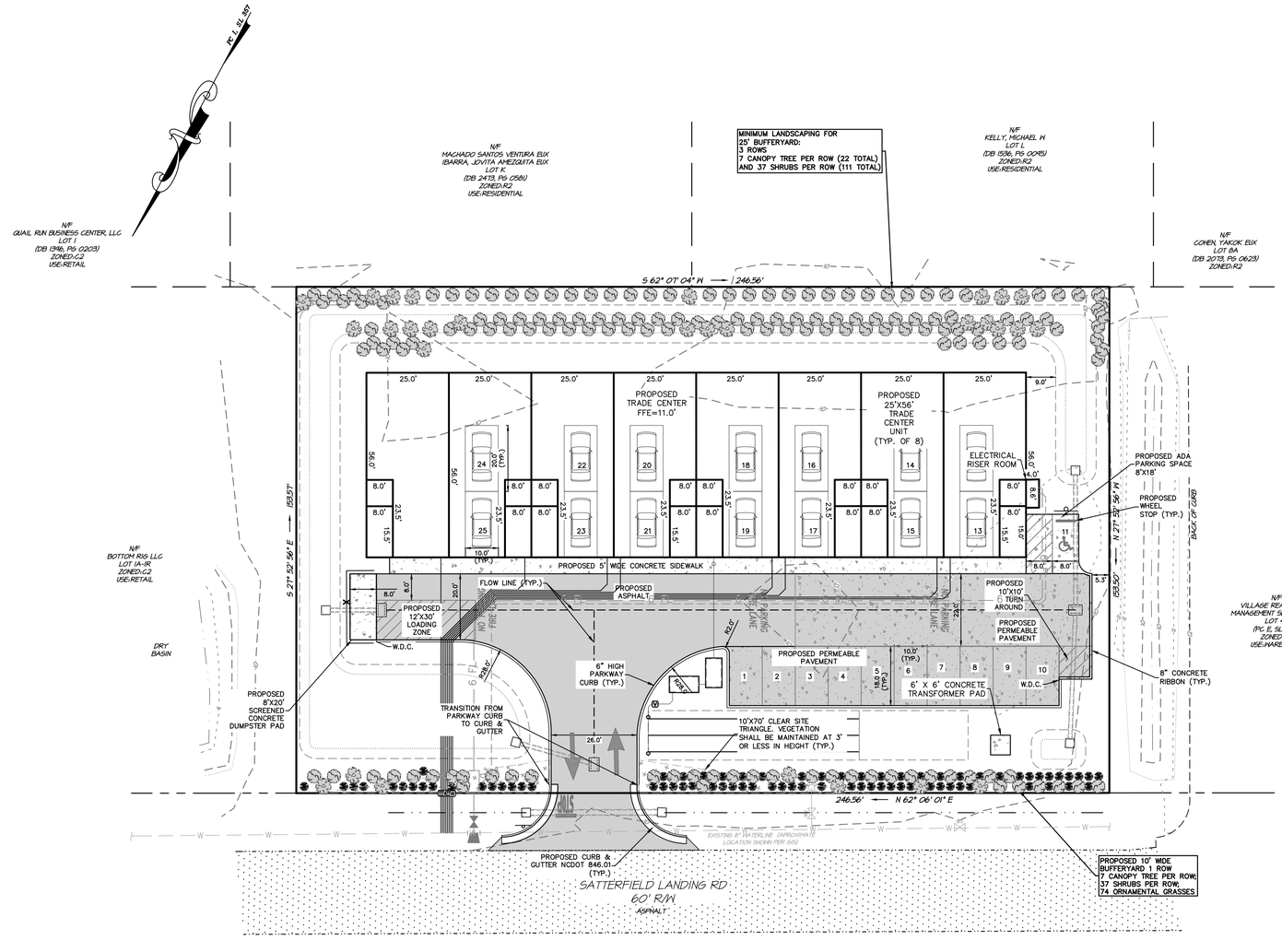
LANDSCAPING NOTES

SYMBOL	QUANTITY	COMMON NAME	HEIGHT	SPREAD	MIN. SIZE @ PLANTING
	148	INDIAN HAWTHORN	4' - 5' HT.	3' O.C.	1.5 FT HT.
	29	MUSKOGEE CRAPE MYRTLE	15' - 20' HT.	5' O.C.	5 FT HT. / 1" CALIPER
	74	PINK MUHLY GRASS	3' - 5' HT.	3' O.C.	1.5 FT HT.

* COORDINATE INSTALLATION WITH OWNER. ORNAMENTAL SHRUB/GRASS SPECIES MAY BE SUBSTITUTED AS APPROVED BY THE TOWN OF NAGS HEAD



VICINITY MAP (NAGS HEAD)
N.T.S.



LEGEND

- PROPOSED RIP RAP
- PROPOSED CONCRETE
- PROPOSED ASPHALT
- PROPOSED PERMEABLE PAVEMENT
- EX. IRON ROD
- EX. DRILL HOLE
- EX. MAG NAIL
- EX. UTILITY POLE
- EX. FIRE HYDRANT
- EX. WATER VALVE
- EX. SEWER MANHOLE
- EX. WATER METER
- EX. ELECTRICAL CONNECTION
- EX. EXTERIOR LIGHT
- EX. LIGHT POLE
- EX. TREES/SHRUBS
- PROPOSED 6" CURB (NO GUTTER)
- PROPOSED 8" CONCRETE RIBBON
- PROPOSED STORM PIPE
- PROPOSED WATERLINE
- PROPOSED SANITARY SEWER
- PROPOSED TREES/SHRUBS

Know what's below. Call before you dig.

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GRAPHIC SCALE
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(IN FEET)
1 inch = 20 ft.

Quible & Associates, P.C.
NC License# C-0208
SINCE 1959
ENGINEERING** * CONSULTING * PLANNING
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FAX: (252) 441-8146
90 CHURCH STREET
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BLACK MOUNTAIN, NC 28711
Phone: (828) 357-5149

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 040999 MICHAEL W. SWEENEY
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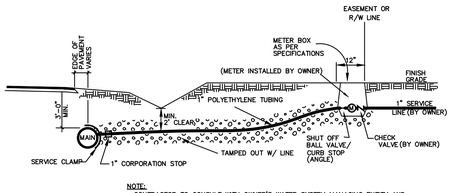
SITE & LANDSCAPING PLAN

TRADE CENTER FACILITY
LOT 2A-1R, CHARLES L. SINEATH DIVISION
TOWN OF NAGS HEAD — DARE COUNTY — NORTH CAROLINA

PROJECT NO.	P05044.2
DESIGNED BY	CMS
DRAWN BY	CMS/CMT
CHECKED BY	MWS
ISSUE DATE	09/12/22

SHEET NO. 5 OF 8 SHEETS

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NOTE:
CONTRACTOR TO CONSULT WITH OWNER'S WATER SYSTEM MANAGING ENTITY AND OWNER'S ENGINEER PRIOR TO ORDERING METER BOX AND SHUT OFF BALL VALVE/ CURB STOP TO MAKE SURE THEY MEET THEIR REQUIREMENTS.

STANDARD 1" SERVICE LINE AND METER BOX INSTALLATION

N.T.S.

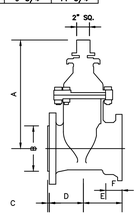
NOMINAL PIPE SIZE	SLEEVE O.D. RANGE (INCHES)	CATALOG NUMBER			APPROX. WEIGHT (LBS.)
		SLEEVE NUMBER	BY	BRANCH SIZE	
4"	4.40 – 4.80 4.70 – 5.00 5.10 – 5.30	SST – 4.00 SST – 4.00 SST – 5.30	X	3" FLG. 4" FLG.	28# 30#
6"	6.60 – 7.00 6.90 – 7.30 7.10 – 7.50	SST – 7.30 SST – 7.30 SST – 7.50	X	3" FLG. 4" FLG. 6" FLG.	32# 38# 45#
8"	7.90 – 8.30 8.62 – 9.06 9.04 – 9.48 9.30 – 9.80 9.90 – 10.30	SST – 8.30 SST – 9.06 SST – 9.48 SST – 9.80 SST – 10.30	X	3" FLG. 4" FLG. 6" FLG. 8" FLG.	42# 44# 48# 66#

TYPICAL TAPPING SLEEVE DETAIL

ROMAC INDUSTRIES, INC. "SST" STAINLESS STEEL TAPPING SLEEVE

DIMENSION	VALVE SIZE				
	4"	6"	8"	10"	12"
A	13-3/8	16-3/4	20-3/16	24-1/8	27-1/2
B +.000/-.031	4.984	6.984	8.984	10.984	12.984
C ±.016	.188	.250	.250	.250	.250
D (FLANGED END)	4-1/2	5-1/4	5-3/4	6-1/2	7
E (MJ END)	5-5/8	6	6-7/8	7-3/8	8-5/16
F	2-1/2	2-1/2	2-1/2	2-1/2	2-1/2
NO. OF TURNS TO OPEN	13	19	26	32	38
MAX. CUTTER DIAMETER	3-3/4	5-3/4	7-3/4	9-3/4	11-3/4

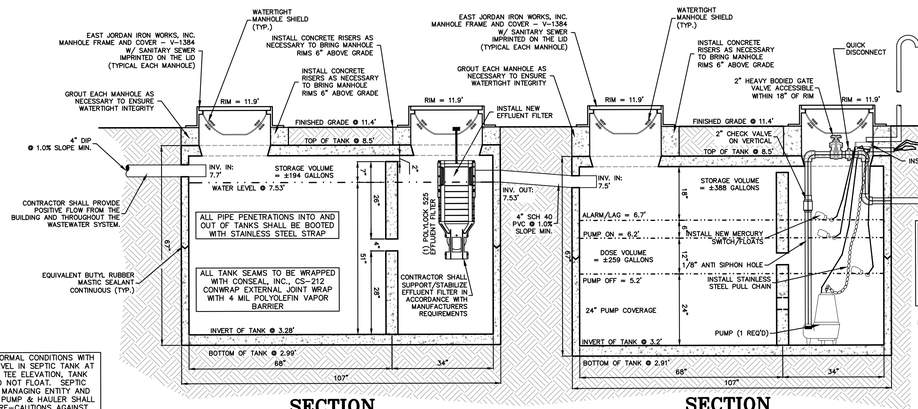
NOTES:
1. DO NOT EXCEED THE RECOMMENDED TAPPING MACHINE CUTTER DIAMETER LISTED IN THE TABLE. FAILURE TO DO SO MAY RESULT IN DAMAGE TO THE SEALING SURFACES OF THE VALVE.
2. VALVE MEETS OR EXCEEDS APPLICABLE REQUIREMENTS OF ANSI/AWWA C509 WITH WALL THICKNESS WHICH EXCEED THE MINIMUM REQUIREMENTS OF ANSI/AWWA C153/A21.53.
3. UL LISTED FM APPROVED. VALVE MUST BE ORDERED IN CONFIGURATIONS WHICH ARE UL LISTED AND FM APPROVED AND HAVE PERMANENT UL/FM MARKINGS.
4. 250 PSI RATED WORKING PRESSURE.
5. FUSION BONDED EPOXY COATING MEETS OR EXCEEDS REQUIREMENTS OF AWWA C550.
6. MECHANICAL JOINT ENDS ARE IN ACCORDANCE WITH ANSI/AWWA C111/A21.11.
7. BOLT PATTERNS OF FLANGED ENDS ARE IN ACCORDANCE WITH ANSI/AWWA C110/A21.10 (ANSI B16.1, CLASS 125).
8. RAISED PILOT DIMENSIONS OF FLANGED ENDS ON TAPPING VALVES ARE IN ACCORDANCE WITH MSS SP-60.



TYPICAL TAPPING VALVE DETAIL

AMERICAN FLOW CONTROL SERIES 2500 RESILIENT WEDGE VALVE

UNDER NORMAL CONDITIONS WITH LIQUID LEVEL IN SEPTIC TANK AT OUTLET TEE ELEVATION, TANK SHOULD NOT FLOAT. SEPTIC SYSTEM MANAGING ENTITY AND SEPTAGE PUMP & HAULER SHALL TAKE PRE-CAUTIONS AGAINST SEPTIC TANK FLOATING WHEN BEING PUMPED OUT.



PUMP: (1 REQUIRED)
LITTLE GIANT, (WS3OM EFFLUENT SERIES)
– SUBMERSIBLE EFFLUENT PUMP
– MODEL WS3OM
– 1/3 Hp, 115 V, SINGLE PHASE
– 2" NPT DISCHARGE
OR EQUAL AS APPROVED BY ENGINEER
CAPACITY: 20 GPM @ 11.05 FT. TDH

NOTES:
1. SEWER CONTRACTOR TO PLUMB DISCHARGE PIPING IN SUCH A MANNER THAT ALLOWS EASY ACCESS TO GATE VALVE FOR FLOW ADJUSTMENT AND/TO UNION FOR PUMP REMOVAL.
2. CONTRACTOR TO STABILIZE PUMP DISCHARGE PIPING SO NO EXCESSIVE VIBRATION OCCURS DURING OPERATION.
3. PULL CHAIN TO BE STAINLESS STEEL OR NYLON ROPE. PULL CHAIN TO BE ATTACHED TO HATCH COVER OR CONCRETE RISERS WITHIN EASY ACCESS OF TOP OF HATCH.
4. ALL PIPE OPENINGS SHALL BE GROUTED FOR WATERTIGHT SEALS.
5. ALL ELECTRICAL CONDUIT OPENINGS SHALL BE WATERTIGHT AND GASTIGHT.
6. ALL PIPE WITHIN TANK SHALL BE SCH 40 PVC(UNLESS OTHERWISE SPECIFIED)
7. THIS SYSTEM LIES ADJACENT TO CLASS "SB" WATERS. 24 HOURS OF STORAGE PROVIDED

SECTION
1,002 GAL. SEPTIC TANK

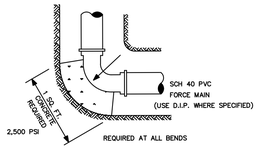
N.T.S.

GREEN ACRES LAND DEVELOPMENT STB 357 SEPTIC TANK OR EQUAL AS APPROVED BY ENGINEER
CONCRETE: 3500 PSI AT 28 DAYS
21.6 GALLONS PER INCH

SECTION
1,150 GAL. PUMP TANK

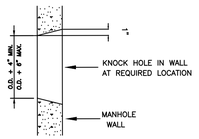
N.T.S.

GREEN ACRES LAND DEVELOPMENT PT-341 PUMP TANK OR EQUAL AS APPROVED BY ENGINEER
CONCRETE: 3500 PSI AT 28 DAYS
21.6 GALLONS PER INCH



FORCE MAIN THRUST BLOCKS @ BENDS

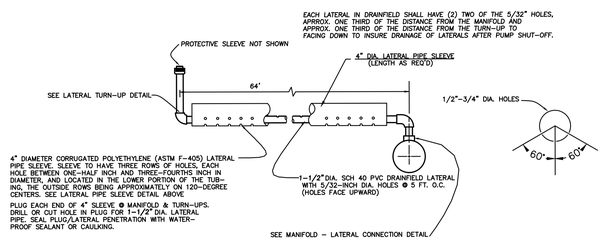
N.T.S.



IN FIELD PIPE OPENINGS

N.T.S.

NOTES:
1. THIS APPLIES TO ALL PIPES 6" DIAMETER OR LESS UNLESS OTHERWISE SPECIFIED.
2. CLOSE WITH NON-SHRINK GROUT AFTER PIPE INSTALLATION.

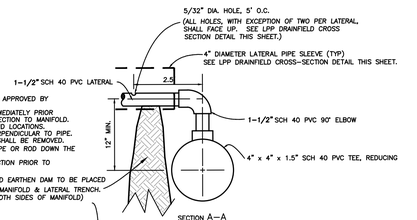


LOW-PRESSURE PIPE DRAINFIELD CROSS SECTION

N.T.S.

NOTE: HOLE SPACING IS 5 FEET ON CENTERS

TESTING AND INSPECTION
1.) LATERAL LINES AND MANIFOLDS TO BE STAKED-OUT AND APPROVED BY ENGINEER PRIOR TO CONSTRUCTION.
2.) INDIVIDUAL LATERALS TO BE INSPECTED BY ENGINEER IMMEDIATELY PRIOR TO PLACEMENT IN RESPECTIVE TRENCH LINES AND CONNECTION TO MANIFOLD. ENGINEER WILL INSPECT LATERAL ORIFICE HOLE SIZES AND LOCATIONS. CONTRACTOR TO DRILL ORIFICES IN A STRAIGHT LINE PERPENDICULAR TO PIPE. ALL BURRS LEFT AROUND THE HOLES INSIDE THE PIPE SHALL BE REMOVED. THIS CAN BE DONE BY SLIDING A SMALLER DIAMETER PIPE OR ROD DOWN THE PIPE TO KNOCK OFF THE BURRS.
3.) ENGINEER MUST APPROVE DRAINFIELD TRENCH CONSTRUCTION PRIOR TO BACKFILLING TRENCH.

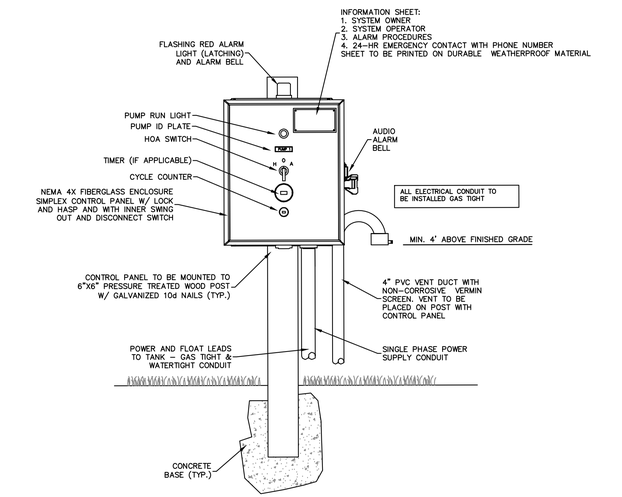


MANIFOLD–LATERAL CONNECTION

N.T.S.

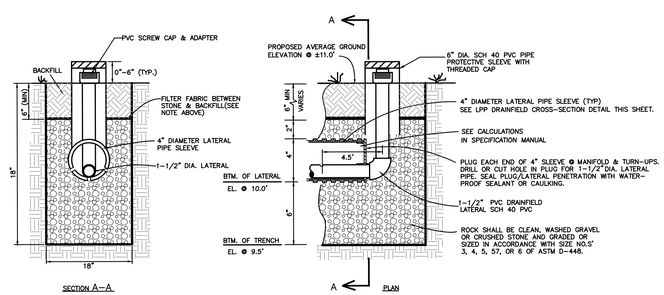
NOTE: 1-1/2" DIA. SCH40 PVC LATERAL SIZE

NOTE: HOLE SPACING IS 5 FEET ON CENTERS



SIMPLEX CONTROL PANEL & VENT MOUNTING

N.T.S.



DRAINFIELD

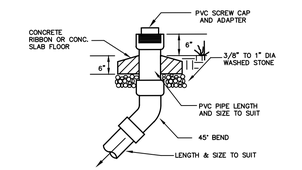
NOTE: MINIMUM 18" FILL REQUIRED

LATERAL TURN-UP & TRENCH X-SECTION

N.T.S.

NOTES:
1. ACTIVE DRAINFIELD AREA SHALL BE GRADED SO THAT STORMWATER RUNOFF DOES NOT POND ON DRAINFIELD AREA.
2. VEGETATE DRAINFIELD AND REPAIR AREAS AS PER SEEDING SPECIFICATION.
3. FILTER FABRIC SHALL BE TREVIRA SPUNBOND TYPE 1112 ENGINEERING FABRIC OR EQUAL AS APPROVED BY ENGINEER.
4. ALL TRENCHES, LATERALS, AND MANIFOLDS SHALL BE INSTALLED LEVEL.

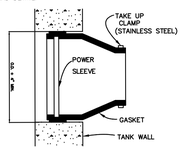
NOTE: HOLE SPACING IS 5 FEET ON CENTERS



TYPICAL SEWER CLEAN-OUT

N.T.S.

NOTES:
1. PIPE TO MANHOLE CONNECTION TO CONFORM TO LATEST ASTM C-478 SPECIFICATION.
2. PSX FLEXIBLE BOOT CONNECTOR TO CONFORM TO LATEST ASTM C-923 SPECIFICATION.
3. BOOT CONNECTOR IS MANUFACTURED BY THE PRESS SEAL GASKET CORP. FORT WAYNE, IN.
4. SEE MANUFACTURES LITERATURE FOR FURTHER INFORMATION AND DETAIL.



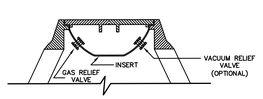
BOOTED PIPE OPENINGS

N.T.S.



MANHOLE INSERT ISOMETRIC

INSERT TO BE BY PARSONS ENVIRONMENTAL PRODUCTS, INC. OR APPROVED EQUAL

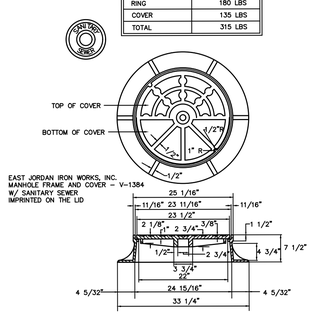


SECTION E–E

WATERTIGHT MANHOLE INSERT

N.T.S.

MINIMUM AVERAGE WEIGHTS	
RING	180 LBS
COVER	135 LBS
TOTAL	315 LBS



TYPICAL MANHOLE RING & COVER DETAILS

NTS

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Waynesville, NC 28711
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quiblewaynesville@quible.com

NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 049106 ENGINEER CATHERINE M. WILLIAMS
ENGINEERING CERTIFICATION

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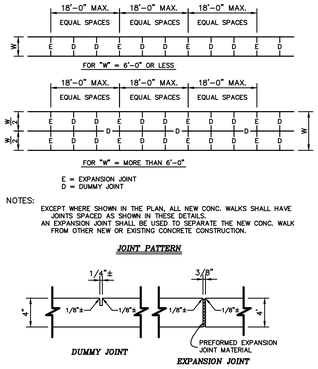
SITE & UTILITY DETAILS

TRADE CENTER FACILITY
LOT 2A-1R, CHARLES L. SINEATH DIVISION
TOWN OF NAGS HEAD — DARE COUNTY — NORTH CAROLINA

PROJECT NO: P05044.2
DESIGNED BY: CMS
DRAWN BY: CMS/CMT
CHECKED BY: MWS
ISSUE DATE: 09/12/22

SHEET NO. 6 OF 8 SHEETS

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NOTES:

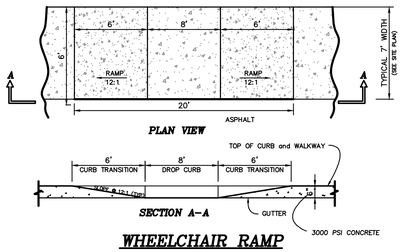
EXCEPT WHERE SHOWN IN THE PLAN, ALL NEW CONC. WALKS SHALL HAVE JOINTS SPACED AS SHOWN IN THESE DETAILS. AN EXPANSION JOINT SHALL BE USED TO SEPARATE THE NEW CONC. WALK FROM OTHER NEW OR EXISTING CONCRETE CONSTRUCTION.

JOINT PATTERN

JOINT DETAIL

SIDEWALK JOINTS

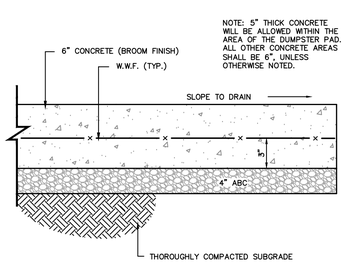
N.T.S.



WHEELCHAIR RAMP

N.T.S.

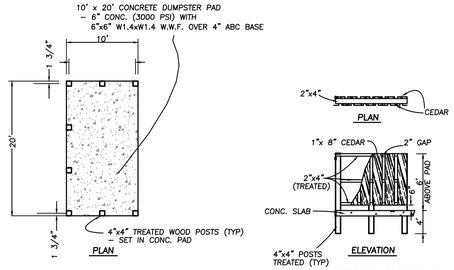
1. USE ADJACENT TO ALL HANDICAPPED SPACES



NOTE: 5" THICK CONCRETE WILL BE ALLOWED WITHIN THE AREA OF THE DUMPSTER PAD. ALL OTHER CONCRETE AREAS SHALL BE 6", UNLESS OTHERWISE NOTED.

CONCRETE PAVEMENT SECTION

N.T.S.

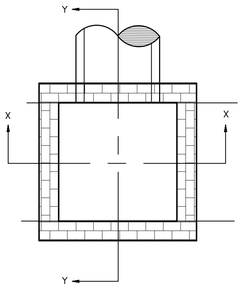


DUMPSTER PAD *ENCLOSURE*

CONCRETE DUMPSTER PAD AND ENCLOSURE

N.T.S.

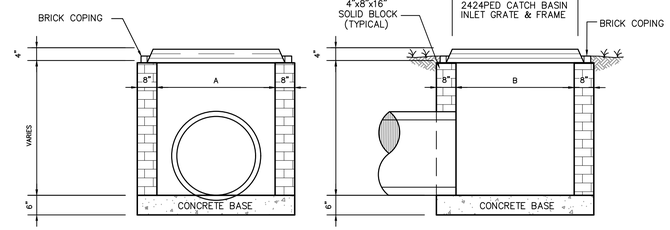
(NOTE: DUMPSTER PAD DRAIN NOT SHOWN)



PLAN

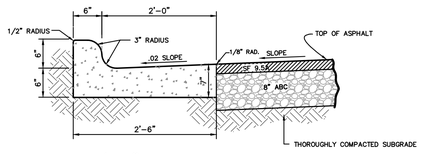
WITH COPING REMOVED

MIN. DIMENSIONS FOR CATCH BASIN (NCDOT 840.05)			
PIPE	SPAN	WIDTH	HEIGHT
D	A	B	H
12"	3'-6"	2'-3"	1'-10"
15"	3'-6"	2'-3"	2'-1"
18"	4'-0"	2'-8"	2'-4"



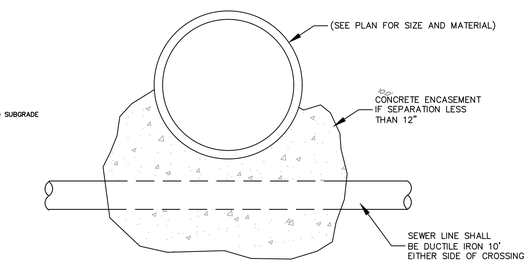
STORM INLET DETAIL

N.T.S.



2'-6" CURB and GUTTER

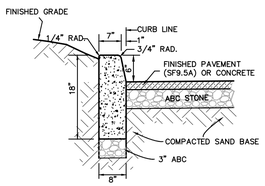
REF. NCDOT STD. 846.01
N.T.S.



STORM SEWER OVER SANITARY SEWER
IF LESS THAN 12"

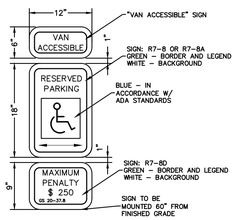
STORM SEWER AND SANITARY SEWER CROSSING

N.T.S.



PARKWAY CURB

N.T.S.



ADA RESERVED PARKING SIGN DETAIL

N.T.S.

TYPICAL SPECIFICATIONS

SPECIFICATIONS FOR SIDEWALKS, CURBS, ALLEYS, CONCRETE PAVEMENT

ALL REINFORCING STEEL SHALL BE GRADE 60 (ASTM A615)

ALL WELDED WIRE FABRIC SHALL BE 6 x 6, W1.4 x W1.4 (ASTM A185)

A 1–1/2" CLEAR CONCRETE COVER SHALL BE MAINTAINED ON ALL REINFORCEMENT

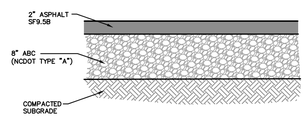
ALL CONCRETE SHALL BE 3000 PSI FIBER MESH UNLESS OTHERWISE NOTED SPECIFICATIONS OF ASPHALT

ALL ABC STONE SHALL BE COMPACTED TO 100% OF STANDARD PROCTOR (ASTM D698)

ASPHALT SHALL BE 2" SF9.5A

SPECIFICATIONS FOR SUBBASE

ALL SUBBASE SHALL BE COMPACTED TO 95% OF STANDARD PROCTOR (ASTM D698)



TYPICAL ASPHALT SECTION

N.T.S.

COMPACTION NOTES:
1. PROOF ROLL ALL NEW PAVED AREAS. NOTIFY OWNER AND ENGINEER OF ANY UNACCEPTABLE AREAS.
2. COMPACT BACKFILL AND SUBGRADE TO 95% OF THE MODIFIED PROCTOR MAXIMUM DRY DENSITY (ASTM D1557) ALL BACKFILL MATERIAL SHALL BE SELECT BACKFILL UNLESS OTHERWISE SPECIFIED BY THE ENGINEER.
3. SELECT FILL SHALL CONSIST OF SAND OR GRAVEL CONTAINING LESS THAN 20% BY WEIGHT OF FINES [SP, SM, SW, GP, GW] HAVING A LIQUID LIMIT LESS THAN 20 AND PLASTIC LIMIT LESS THAN 6, AND FREE OF RUBBLE, ORGANICS, CLAY, DEBRIS, AND OTHER UNSUITABLE MATERIAL.

COMPACTION NOTES

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NORTH CAROLINA PROFESSIONAL ENGINEER SEAL 036825 CHARLES M. SINEATH — CERTIFICATION

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SITE & STORM DETAILS

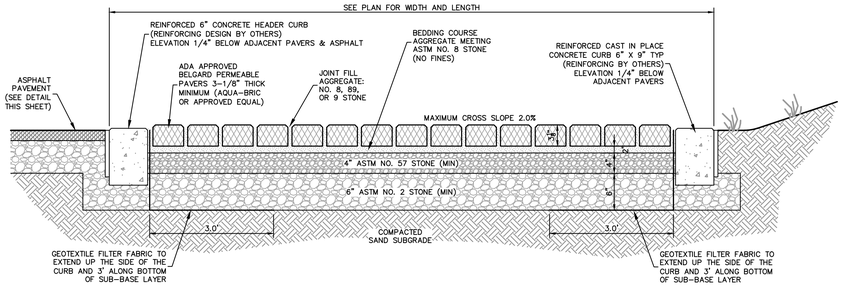
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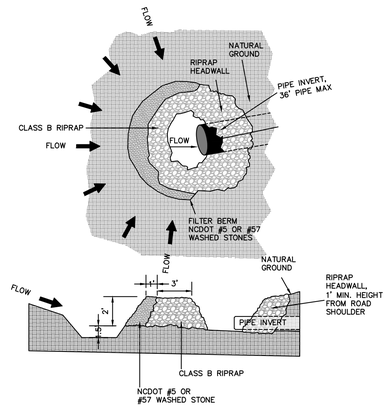
SHEET NO. 7 OF 8 SHEETS

D:\QUIBLE\P05044\Drawings\P05044 2A1SD044 2-SHEET.dwg 10/14/2023 3:16 PM GA Castro



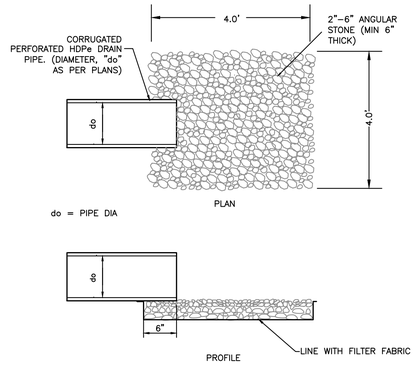
TYPICAL BELGARD® PERMEABLE PAVER INSTALLATION DETAIL

N.T.S.



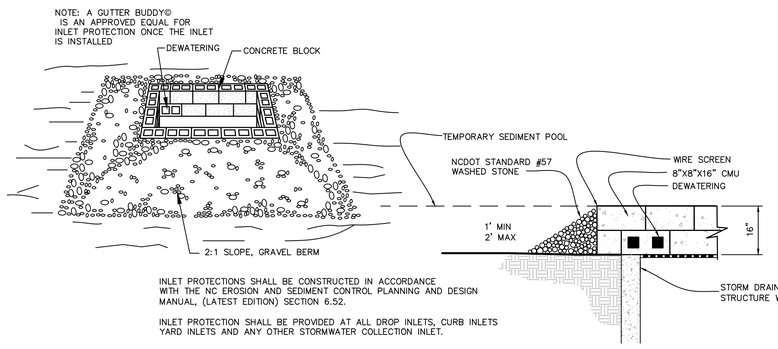
CULVERT INLET PROTECTION

N.T.S.



DRAIN PIPE OUTLET DETAIL

N.T.S.

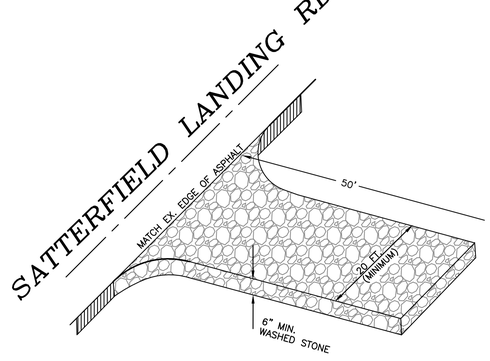


INLET PROTECTIONS SHALL BE CONSTRUCTED IN ACCORDANCE WITH THE NC EROSION AND SEDIMENT CONTROL PLANNING AND DESIGN MANUAL, (LATEST EDITION) SECTION 6.52.

INLET PROTECTION SHALL BE PROVIDED AT ALL DROP INLETS, CURB INLETS YARD INLETS AND ANY OTHER STORMWATER COLLECTION INLET.

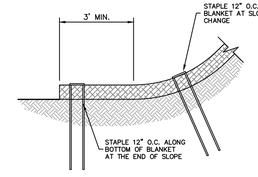
INLET PROTECTION

N.T.S



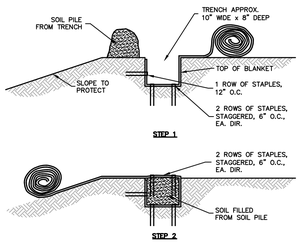
GRAVEL CONSTRUCTION ENTRANCE/EXIT DETAIL

N.T.S



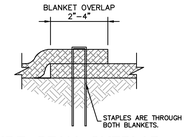
BOTTOM OF SLOPE TERMINATION

N.T.S.



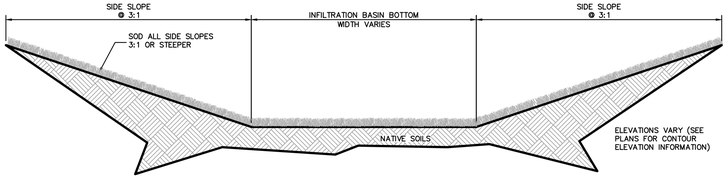
SLOPE TRENCHING METHOD "B"

N.T.S.



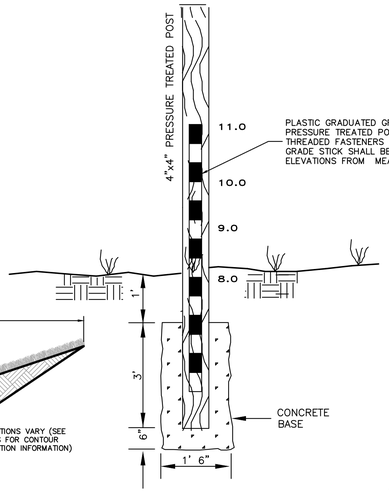
SIDE SEAM OVERLAP STAPLE DETAIL

N.T.S.



TYPICAL INFILTRATION BASIN CROSS-SECTION DETAIL

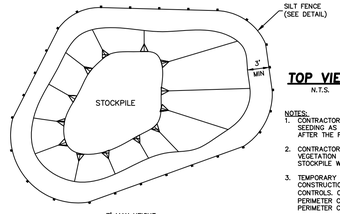
N.T.S.



PLASTIC GRADUATED GRADE STICK ATTACHED TO PRESSURE TREATED POST WITH STAINLESS STEEL THREADED FASTENERS – ELEVATIONS SHOWN ON GRADE STICK SHALL BE BASED ON TRUE ELEVATIONS FROM MEAN SEA LEVEL.

DEPTH BENCHMARK

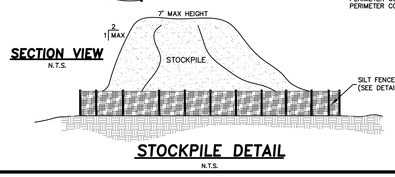
N.T.S.



TOP VIEW

N.T.S.

NOTES:
1. CONTRACTOR MUST PROTECT TOPSOIL STOCKPILES BY TEMPORARILY SEEDING AS SOON AS POSSIBLE, NO MORE THAN 21 CALENDAR DAYS AFTER THE FORMATION OF THE STOCKPILE
2. CONTRACTOR MUST STABILIZE STOCKPILES WITH PERMANENT VEGETATION TO CONTROL EROSION AND WEED GROWTH IF THE STOCKPILE WILL LAY DORMANT FOR MORE THAN 90 DAYS
3. TEMPORARY STOCKPILES ON THE INTERIOR PORTION OF THE CONSTRUCTION SITE MAY NOT REQUIRE STOCKPILE PERIMETER CONTROLS. OTHER DOWN GRADIENT CONTROLS (INCLUDING SITE PERIMETER CONTROL) MUST BE IN PLACE TO REMOVE STOCKPILE PERIMETER CONTROLS

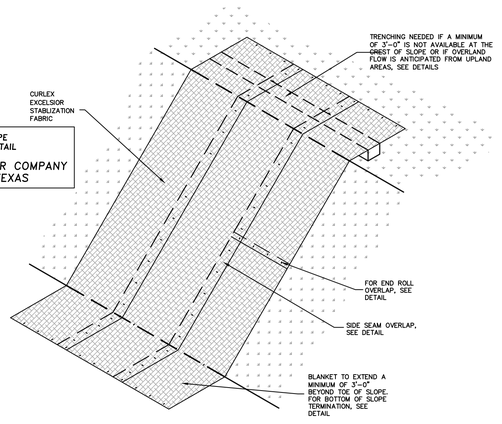


SECTION VIEW

N.T.S.

STOCKPILE DETAIL

N.T.S.

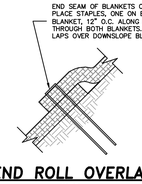


CURLEX® SLOPE APPLICATION DETAIL

AMERICAN EXCELSIOR COMPANY
ARLINGTON, TEXAS

SLOPE DETAIL

N.T.S.



END ROLL OVERLAP

N.T.S.

NOTES:
1. STAPLE PATTERNS ARE DEPENDENT ON SITE CONDITIONS. SEE CURLEX® STAPLE PATTERN GUIDE FOR DETAILS.

Quible & Associates, P.C.
NC License#: C-0208
SINCE 1959
ENGINEERING** * CONSULTING * PLANNING
ENVIRONMENTAL SCIENCES * SURVEYING*
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NORTH CAROLINA REGISTERED LANDSCAPE ARCHITECT — PRELIMINARY NOT FOR CONSTRUCTION — CERTIFICATION

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NO.	DATE	REVISIONS
1	09/19/22	ISSUED FOR WASTEWATER PERMITTING
2	09/21/22	REVISED PER TOWN COMMENTS
3	10/13/22	ISSUED FOR STORMWATER PERMITTING
4	08/21/23	UPDATE LANDSCAPING TABLE
5	10/14/23	UPDATE PER ARCHITECTURAL PLANS

SOIL EROSION SEDIMENT CONTROL DETAILS

TRADE CENTER FACILITY
LOT 2A-1R, CHARLES L. SINEATH DIVISION

TOWN OF NAGS HEAD — DARE COUNTY — NORTH CAROLINA

PROJECT NO.	P05044.2
DESIGNED BY	CMS
DRAWN BY	CMS/CMT
CHECKED BY	MWS
ISSUE DATE	09/12/22

SHEET NO. 8 OF 8 SHEETS

D:\JOBS\P05044\Drawings\P05044 SHEETS.dwg 10/4/2023 3:48 PM cmcarroll

From: David Ryan
To: Kelly Wyatt
Subject: Trade Center Review
Date: Friday, September 16, 2022 8:48:14 AM
Attachments: image001.png

Comments from Engineering:

- Internal traffic circulation approved as submitted
- Loading berth- pursuant to Section 10.17.1 of the Unified Development Ordinance a loading berth has been provided for this application. A loading space need not be necessarily a full berth but shall be sufficient to allow normal loading and unloading operations of a kind and magnitude appropriate to the use. Based on the submitted plan and narrative information provided by the applicant, the loading berth dimensions are appropriate for this particular use.

- Stormwater Management: The applicant has provided on-site capacity to manage and treat a 4.3 inch rainfall event.
- In accordance with Sec. 36-4(g) of the Town Code of Ordinances, it is recommended the roadway swale on the west side of the proposed driveway apron be extended to the wester property corner.
- A state high-density stormwater permit will be required for this application and be required to be submitted in advance of the issuance of a building permit.
- A copy of the as-built improved conditions shall be submitted to the Town for review in advance of the issuance of a certificate of occupancy.
- A copy of the engineer's certification for the stormwater management system shall be submitted to the Town in advance of the issuance of a certificate of occupancy.
- The stormwater management approval shall be conditioned on the extension of the roadway swale noted above.

- Sedimentation & Erosion Control: a pre-construction conference is requested on-site with the contractor, engineer & Town staff prior to land disturbing activities occurring.

Thank you.

David M. Ryan, P.E.
Town of Nags Head
PO Box 99 |Nags Head, NC 27959
P: 252.441.6221 | F: 252.441.3350
www.nagsheadnc.gov

TOWN OF NAGS HEAD

Agenda Item Summary Sheet

Item No: **F-2**
Meeting Date: **February 7, 2024**

Item Title: Public Hearing to consider text amendments to various sections of the Unified Development Ordinance as it pertains to Multi-Family Dwelling Development

Item Summary:
In January of 2023 the Board of Commissioners adopted an ordinance removing multi-family as a permitted use within the C-2, General Commercial zoning district. This text amendment came about when staff, the Planning Board, and the Board of Commissioners were in the process of evaluating appropriate use standards for the C-5 Historic Character Commercial zoning district and determined that multi-family was not an appropriate use in that district, and in addition became aware of several other issues and inconsistencies within the existing ordinance. The Board then requested that staff and the Planning Board work to propose adequate corrections/clarifications as well as undertake a comprehensive review of multi-family standards. As such, planning staff began working with the Planning Board at their May 2023 meeting to complete a thorough review and identify issues and inconsistencies with the current multi-family language. Following eight (8) consecutive months/meetings of discussion the Planning Board has prepared a comprehensive set of draft text amendments for the Board of Commissioners review and consideration. These amendments include but are not limited to:

- Allow multi-family development in the C-2, General Commercial zoning district on properties with frontage on US Hwy 158 only.
- All new multi-family development shall be deed restricted to long-term tenancy/occupancy and a portion will additionally be deed restricted for workforce housing.
- Create standards and regulations for "small" multi-family developments and "large" multi-family developments. This includes minimum lot sizes, setbacks, density, maximum number of units, lot coverage, height, buffering, architectural design, etc.
- Design considerations such that large multi-family developments shall consist of townhouse style development only and small multi-family developments may consist of both townhouse and apartment style design.
- Create definitions for the following terms, "Dwelling, Multiple Family (Multi-family)", "Townhouse", "Large Multi-family", "Small Multi-family", "Long-term occupancy/tenancy", "Principal Place of Residence", "Qualified Person", and "Workforce Housing".

Planning Board Recommendation
At their December 19, 2023, meeting the Planning Board voted unanimously to move forward the proposed text amendments for the Board of Commissioners review and consideration.

Number of Attachments: 3

Specific Action Requested:

Conduct the Public Hearing for the proposed Multi-Family Dwelling ordinance amendments.

Submitted By: Planning and Development Date: February 1, 2024

Finance Officer Comment:

N/A

Signature: Amy Miller Date: February 1, 2024

Town Attorney Comment:

The Town Attorney has reviewed the ordinance and comments are incorporated.

Signature: John Leidy Date: February 1, 2024

Town Manager Comment and/or Recommendation:

I will participate in the discussion as necessary.

Signature: Andy Garman Date: February 1, 2024

Benjamin Cahoon
Mayor

Michael Siers
Mayor Pro Tem

Andy Garman
Town Manager

Town of Nags Head
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Kevin Brinkley
Commissioner

Bob Sanders
Commissioner

Megan Lambert
Commissioner

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Nags Head Board of Commissioners will conduct public hearings on **Wednesday, February 7, 2024** beginning at 9:00 am in the Board Room of the Municipal Complex, 5401 S Croatan Highway, Nags Head, NC to consider and take action upon the following requests:

1) Public Hearing to consider Special Use/Site Plan review submitted by Quible & Associates, P.C. and Beacon Architecture and Design PLLC, for the construction of a Trade Center. The property is zoned C-3, Commercial Services and is located on Lot 2a of the Charles L. Sineath Subdivision (PIN# 989317113533), vacant lot directly behind TW's Bait and Tackle

2) Public Hearing to consider various text amendments to the Unified Development Ordinance (UDO) as it relates to multi-family development

A copy of the application requests will be available for public inspection at the Nags Head Planning and Development Department and the Office of the Town Clerk, Town Municipal Complex, 5401 S. Croatan Hwy, Nags Head, NC 27959, telephone (252) 441-5508 during normal business hours.

As a result of these hearings, substantial changes may be made in the proposals as advertised to reflect objections, debate and discussion at the hearings. Any person desiring to be heard on the proposals as stated above should appear at the time and place specified above.

This the 22nd day of January 2024.

Kelly Wyatt
Planning Director

For publication in the Coastland Times on Wednesday, January 24th and on Wednesday, January 31st 2024.
Please use Nags Head logo and legal print.

MEMORANDUM
Town of Nags Head
Planning & Development Department

To:	Board of Commissioners
From:	Kelly Wyatt, Planning Director
	Joe Costello, Deputy Planning Director
Date:	February 2, 2024
Subject:	Consideration of various text amendments to the Unified Development Ordinance as it relates to Multi-Family Development.

In January 2023 the Nags Head Board of Commissioners adopted an ordinance removing "Multi-Family Dwelling" as a permitted use within the C-2, General Commercial zoning district. This amendment was a result of staff, the Planning Board, and the Board of Commissioners going through the process of evaluating appropriate standards for the C-5, Historic Character Commercial zoning district and determining that multi-family was not an appropriate use in that district, and in addition became aware of several other issues and inconsistencies within the ordinance. The Board of Commissioners then requested that staff and the Planning Board work to propose adequate corrections/clarifications for these issues as well as undertake a comprehensive review of the town's multi-family standards. Planning staff began working with the Planning Board at their May 2023 meeting to complete a thorough review of the multi-family standards and identify issues and/or inconsistencies with the existing multi-family language. Over the course of eight (8) consecutive months/meetings the Planning Board has developed a comprehensive set of draft text amendments for the Board of Commissioners review and consideration. Staff has provided a timeline of notable events during this eight-month process below:

<u>May 16th, June 20th and July 18th, 2023, Planning Board Meeting Highlights</u>
Staff prepared a list of issues and inconsistencies found within the current multi-family development standards for the Planning Boards consideration. In subsequent meetings, staff provided analysis of each issue, offered comments and ideas, and posed questions to help guide the discussion. As a result, the following elements had Planning Board consensus:

- The creation of new definitions for the terms, "Multi-Family Dwelling" and "Townhouse."
- Removal of the "Townhouse" use from Section 6.6, Table of Uses and Activities, as all agreed that townhouse is a form of multi-family development. The townhouse use remains in Article 9 of the UDO, The Village at Nags Head SPD-C Ordinance.

- To allow multi-family development use in the C-2, General Commercial zoning district via Special Use Permit process with supplemental regulations to be crafted and located in Section 7.5 of the UDO.
- Removal of the "Townhouse" use from SPD-20, Special Planned Development zoning district. This action would result in The Villa's, located at 500 W. Villa Dunes Drive, becoming a nonconforming use. Please note that recent amendments to the regulation of nonconforming uses would allow structures within the Villa's development to be repaired, maintained, or replaced with an identical or similar structure and identical use, regardless of the value provided no new nonconformities are created. In addition, site improvements could be made so long as the improvements met the design and dimensional requirements in the current Unified Development Ordinance.
- Consensus that Section 7.5, Table 7-1, Requirements for Multi-Family Dwellings, Density Standards, be revised to eliminate the language pertaining to the application of a density bonus for "affordable" multi-family dwelling projects. The UDO does not currently define "affordable."
- Consensus that the Town should explore incentivizing multi-family developments in cases where it will accommodate the local workforce.

August 2nd, 2023, Planning Board & Board of Commissioners Joint Workshop

At this meeting staff provided a brief update on the progress made by the Planning Board to date and reviewed a report provided by Attorney Robert Hobbs on how deed restrictions could potentially be used to control the occupancy of multi-family housing to either long term use and/or for use by members of the local workforce. It was noted at the joint workshop that there is workforce housing issue and multi-family housing development could serve as a piece of the workforce housing puzzle.

Attendees of joint workshop generally agreed on the following:

- Multi-family development should be allowed within the C-2, General Commercial zoning district upon lots which front on US Highway 158.
- Density and lot coverage are important considerations in the conversation and maxing out a development is not in keeping with the Nags Head vision. Developing projects at an appropriate density to include adequate greenspace is what separates Nags Head from other areas.
- The minimum lot size for multi-family in the C-2 District should be 26,000 square feet.
- Allow townhome style development but not apartment style developments.
- Multi-family dwelling units should be used as workforce housing only and not affiliated with salary or income, and
- Deed restrictions should be utilized to control occupancy for workforce housing. No direction was provided on whether all units should be deed restricted, or just a percentage.

The group was in agreement that reintroducing a higher density form of housing in Nags Head needs to further a specific goal. The goal should be to create housing opportunities for the workforce and/or residents and not to increase the supply of vacation rentals. Several members of the group asserted that any multi-family housing units should be deed restricted for these purposes.

August 15th, 2023 Planning Board Meeting Highlights

At this meeting staff and the Planning Board continued the conversation from the Joint Workshop. Staff provided a presentation to the Planning Board on both vacant and developed properties within the Town that would meet the minimum criteria for multi-family development as had been discussed thus far, being properties zoned C-2, a minimum lot size of 26,000 square feet, and frontage on US Highway 158. Using lot area provided in the Dare County parcel cards, staff projected the number of units that could be developed using the standard of 26,000 sf of lot area for the first three (3) units and 3,500 square feet of lot area for each additional unit. It was after this presentation that Planning Board members expressed surprise at the number of properties that would be available for the multi-family use, while also expressing concern with the number of units that many of these lots could yield. Recognizing concerns with the current density standard, the Planning Board requested that staff prepare additional information to help visualize what density may look like with varying square footages required for additional units, i.e.: 4,500 or 5,500 square feet as opposed to 3,500 square feet.

It was at this meeting that staff and the Planning Board began discussing the use of deed restrictions, using information from the Vail InDEED and Breckenridge Housing Helps Program to better understand the concept. Referencing the consensus by all members of the both the Board of Commissioners and the Planning Board at the August 2nd Joint Workshop that the Town does not want multi-family development for the purpose of providing any short-term rental opportunities, the Planning Board decided that ALL units in a new multi-family development should be deed restricted to long term occupancy/tenancy and to additionally deed restrict as necessary to ensure that no less than 60% of the total number of units are allocated for workforce housing.

Additionally, at this meeting the Planning Board came to consensus that long-term occupancy/tenancy should mean that occupant resides in the dwelling unit a minimum of 90 days (NC Vacation Rental Act). They felt as though the 90-day minimum may still be beneficial for summer workers and lifeguards as a minimum of 6-month occupancy would preclude these employees.

September 19th, 2023 Planning Board Meeting Highlights

A significant takeaway from this meeting was that density remains a notable concern and the Planning Board requested that staff explore the potential to create different density standards for large multi-family developments versus smaller pockets or clusters of multi-family development.

In the same vein as encouraging small pockets or clusters of multi-family developments, the Planning Board noted that Accessory Dwelling Units (ADU's) and duplexes represent other opportunities for solutions to the larger housing problem and still need to be discussed.

The Planning Board also discussed potential incentives that could be offered for the development of multi-family units for the purpose of providing housing for the local workforce. Those incentives included:

- Slight increase in the maximum building height for multi-family. The current requirement is 40 feet to the top plate or roof panel to original grade or finished grade, whichever is the greatest distance and total height shall not exceed 47 feet.
- Reduction in the minimum 35-foot setback for side yards.
- Reduction in parking minimums for multi-family development.
- Offer fee waivers for the site plan submittal fee, permit fees or other fee reduction opportunities. The required fee for a Site Plan Review is .50cents/square foot.

It was the consensus of the Planning Board that a waiver of review fees would be the most acceptable form of incentive.

At this meeting the Planning Board discussed architectural design requirements at length noting that any multi-family development should be architecturally consistent with the Nags Head Style.

October 17th, 2023 Planning Board Meeting Highlights

At this meeting planning staff introduced the concept of having two separate standards for multi-family development, a standard for large multi-family development projects and a standard for small multi-family development projects. The proposed standards for small multi-family developments are notably less stringent than those for large multi-family developments in an effort to incentivize the small pockets of multi-family development.

November 21st, 2023 Planning Board Meeting

At this meeting staff and the Planning Board were focused on finalizing the final elements of the proposed draft ordinances including the following:

- Language was added to the definition of workforce housing clarify that employers can purchase multi-family dwelling units to provide accommodations for their employees so long as the employee meets the employment criteria.
- In an effort to encourage and incentivize small multi-family developments there is not a maximum lot area but rather a maximum number of six (6) dwelling units allowed.
- Language has been included to require building design variations.
- The Planning Board unanimously felt as though apartment style development should be allowed as part of the small multi-family development category as both a principal use and accessory use.

December 19th, 2023 Planning Board Meeting Highlights

Attorney Robert Hobbs had an opportunity to review the proposed amendments and suggested several revisions for clarity and consistency purposes. In addition to the attorney recommendations the Planning Board made the following recommendations:

- Large Multi-Family Dwelling developments shall be considered a High Impact Use, requiring the 25-foot commercial transitional protective yard when adjacent to a residential district.
- Additional accessory uses were added to both the large and small multi-family development categories to include a shed, one pool per development, walls and fences, private parks, and playgrounds.

- Require that both small and large multi-family developments, regardless of size, adhere to the Sketch Plan Review process as outlined in Section 10.84 of the UDO.
- Require that any site improvements occurring on an approved multi-family development site following the original Boad of Commissioners Special Use approval be submitted to the UDO Administrator to determine whether additional stormwater management measures may be necessary or recommended.

In summary, the proposed amendments before the Board of Commissioners at their February 7th Public Meeting would accomplish the following:

- Allow multi-family development in the C-2, General Commercial zoning district on properties with frontage on US Hwy 158 only.
- Require that all new multi-family development shall be deed restricted to long-term tenancy/occupancy and a portion will additionally be deed restricted for workforce housing.
- Create standards and regulations for "small" multi-family developments and "large" multi-family developments. This includes minimum lot sizes, setbacks, density, maximum number of units, lot coverage, height, buffering, architectural design, etc.
- Require both "small" multi-family and "large" multi-family developments to be reviewed via the Special Use Permit process.
- Design considerations such that large multi-family developments shall consist of townhouse style development only and small multi-family developments may consist of both townhouse and apartment style design.
- Create definitions for the following terms, "Dwelling, Multiple Family (Multi-family)," "Townhouse", "Large Multi-family", "Small Multi-family", "Long-term occupancy/tenancy", "Principal Place of Residence", "Qualified Person", and "Workforce Housing".

Planning Staff will be available for discussion at the Board of Commissioners February 7th, 2023 meeting.

(DRAFT)
AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF NAGS HEAD, NORTH CAROINA AS IT RELATES TO MULTI-FAMILY DWELLING DEVELOPMENTS WITHIN THE TOWN.

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, the Board of Commissioners requested that staff and the Planning Board undertake a comprehensive review of the town's multi-family standards and recommend how to re-introduce this use into the Unified Development Ordinance, and

WHEREAS, Planning staff began working with the Planning Board at their May 2023 meeting to complete a thorough review of the multi-family standards and identify issues and/or inconsistencies with the existing multi-family language. Over the course of eight (8) consecutive months/meetings the Planning Board has developed a comprehensive set of draft text amendments for the Board of Commissioners review and consideration.

WHEREAS, the 2017 Comprehensive Land Use Plan provides the following policies and actions which should guide the Town's zoning and development actions:

> Table 2.2.2.A, pg. 2-12 lists "Multi-Family" as an appropriate land use in the Gallery Row – Community Center Character Area, Northern Commercial Node.
>
> Table 2.4.2.A, pg. 2-25 lists "Multi-Family" as an appropriate land use in the Village Municipal Service Character Area.
>
> Table 2.6.2.A, pg. 2-36 lists "Multi-Family" as an appropriate land use in the Whalebone Junction Character Area, Soundside Activity Node.
>
> Table 2.8.2.A, pg. 2-48 lists "Multi-Family Residential" as an appropriate land use in the Corridors Character Area, US 158/US 64 only.

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, dunes, open spaces, and environmental quality.
- Buildings with a residential scale and appearance with lot heights and small footprints that are designed to reflect the heritage of Nags Head.
- Land uses that are compatible with the community and with adjacent properties that don't create excessive noise, light, unsafe conditions, or other nuisances.
- Development of low density and intensity served primarily with on-site wastewater systems.

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

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

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

LU-27 – Promote and expand the types of housing and accommodations for varying income levels, aging populations, and the seasonal workforce within the town.4e – Develop regulations that prevent incompatible commercial development adjacent to areas with historical designations or significance.

WHEREAS, consistent with Section 3.5.4 of the UDO (and subparts to that section) the Board finds that the proposed text amendment recommended by the Planning Board advances the public health, safety, or welfare; will help preserve the residential and historic character of areas of Town where commercial and non-residential uses or increases in or expansions of such uses are not compatible or desirable; is reasonable and in the public interest; and is consistent with the Town of Nags Head Comprehensive Land Use Plan.

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. Appendix A – Definitions

Dwelling, Multi-Family or Dwelling Unit, Multi-Family means a single-family dwelling unit located within a multi-family development.

Apartment or Apartment Style Design means a residential architectural and planning design characterized by single-family attached dwelling units constructed on multiple floors and separated by shared vertical walls and shared horizontal ceilings, floors, planes, or surfaces. For the purposes of this chapter, a series or group of **Apartment** units shall be considered a multi-family development.

~~**Townhouse** means a single-family dwelling on its own individual lot but connected on two sides, by means of a common wall for at least ten feet of its length, to two other single-family dwellings or an end dwelling of a row of such dwellings~~.

Townhouse or Townhouse Style Design means a residential architectural and planning design characterized by single-family attached dwelling units constructed in a series or group of units and separated by shared vertical walls. For the purposes of this chapter, a series or group of **Townhouse** units shall be considered a multi-family development.

~~**Dwelling, multi-family** means a dwelling containing three or more dwelling units, designed for or occupied by three or more families living independently of each other. Multifamily dwelling shall include a townhouse and any similar building, irrespective of the form of legal title.~~

Multi-Family Development means a development containing no less than three multi-family dwelling units and shall be characterized as either a large multi-family development or a small multi-family development.

Large Multi-Family Development means a development containing more than six multi-family dwelling units and less than sixty-one multi-family dwelling units.

Small Multi-Family Development means a development containing no less than three multi-family dwelling units and no more than six multi-family dwelling units.

Long-term occupancy/tenancy means the occupancy of a single-family dwelling by an owner, tenant, or other lawful occupant for a period of ninety (90) consecutive calendar days or more.

Principal Place of Residence means the home or place in which one's habitation is fixed and to which one has present intention of returning after a departure or absence therefrom.

Qualified Person means a person working/employed in Dare County, NC. A qualified person includes but is not limited to any person who has an internship with an employer if the employer's place of business is physically located in Dare County, NC, or a person who works remotely for an employer if the person's principal place of residence and the

employer's place of business are both physically located in Dare County, NC.

Workforce Housing or **workforce housing unit** means the following:

a. A dwelling unit which is occupied by at least one qualified person under a long- term occupancy/tenancy, and

b. A dwelling unit which is the principal place of residence for at least one qualified person, and

c. A dwelling unit which has been encumbered by the owner of the dwelling unit with recorded restriction covenants to ensure compliance with this definition and Section 7.5 of the Town Code. The recorded restrictive covenant shall expressly identify the Town as the sole beneficiary of the recorded restrictive covenant, which shall include the express power and authority of the Town to enforce the recorded restrictive both in law and in equity, including the use of judicial injunctive relief. The Town staff shall provide the owner with the exact wording of the restrictive covenant to be recorded by the owner with the Dare County Register of Deeds in order to satisfy this requirement, and Town staff shall verify such recordation. The recorded restrictive covenant shall appear in the recorded chain of title of the dwelling unit and in the case of a multi-family development, the recorded restrictive covenant shall also be contained in the multi-family development's recorded declaration of covenants establishing the multi-family development.

Nothing in this definition shall preclude employers from purchasing workforce housing units to provide accommodation for their employees, provided the employees are qualified persons who occupy such workforce housing units within Dare County and the workforce housing unit is the employee's principal place of residence, even if owned by the employer.

PART II. That **Section 6.6, Table of Permitted Uses and Activities** be amended as follows:

			Residential Districts			Commercial Districts						Special Districts				Overlay Districts		
	Use Category/Class	**Use Type**	**R-1**	**R-2**	**R-3**	**CR**	**C-1***	**C-2**	**C-3**	**C-4**	**C-5**	**SPD-20**	**SED-80**	**SPD-C***	**O&S**	**CO**	**HO**	**SRO**
1	Residential	Dwelling, Large Residential	PR	PR	PR	PR		PR			PR	PR	PR		PR			PR
1	Residential	Dwelling, Multi-Family (Small) Townhouse & Apartment Style Design						SR										
1	Residential	Dwelling, Multi-Family (Large) Townhouse Style Design Only						SR										
1	Residential	Dwelling, Single-Family (detached)	P	P	P	P	P	P		P	P	P	P		P			P
1	Residential	Dwelling, Two-Family		P	P	P	P	P		P	P							
~~1~~	~~Residential~~	~~Townhouse~~						~~SR~~				~~SR~~						

PART III. Section 7.5 Dwellings, Multi-Family shall be replaced in its entirety by the following:

Multi-family dwelling units are permitted in accordance with Section 6.6, Table of Uses and Activities, provided that the following additional requirements and conditions are met:

TABLE 7-1: REQUIREMENTS FOR MULTI-FAMILY DWELLINGS			
	Large Multi-Family C-2	**Small Multi-Family C-2**	**C-1**
Min. Lot Width for Multi-Family Site	150 feet	No minimum	
Min. Site Area in Uplands	26,000 square feet	16,000 square feet	
Location of Multi-Family Site	Properties with frontage on US Hwy 158 only.	Properties with frontage on US Hwy 158 only.	
Setbacks	All buildings shall be setback a minimum 35 feet to all property lines.	All buildings shall meet the minimum setbacks: Front: 30 feet Side: 12 feet or 15 feet for corner lots Rear: 20% lot depth not to exceed 30 feet.	
Location of dwelling structure	No dwelling structure established as part of a multi-family development shall be situated on a site so as to face/front the rear of another dwelling structure within the development or on an adjoining property.	No dwelling structure established as part of a multi-family development shall be situated on a site so as to face/front the rear of another dwelling structure within the development or on an adjoining property.	
Density	Minimum 26,000 square feet for first three units; 4,500 square feet of additional lot size for each additional unit	Minimum 16,000 square feet for the first three units; 3,500 square feet of additional lot size for each additional unit.	
Maximum number of units	60 dwelling units	6 dwelling units.	
Number of dwelling units per townhome structure	6 dwelling units.	No maximum.	

TABLE 7-1: REQUIREMENTS FOR MULTI-FAMILY DWELLINGS			
	Large Multi-Family C-2	**Small Multi-Family C-2**	**C-1**
Height	Maximum of 35 feet, may be increased to 42 feet with the use of an 8:12 roof pitch or greater. Additionally, no building shall exceed three (3) habitable floors.	Maximum of 35 feet, may be increased to 42 feet with the use of an 8:12 roof pitch or greater. Additionally, no building shall exceed three (3) habitable floors.	
Open Space	50% of side yards to remain as open space.	50% of side yards to remain as open space.	
Lot Coverage	55%	55%	
Deed Restrictions	All multi-family dwelling units within a multi-family development shall be deed restricted for long- term occupancy/tenancy. No less than 60% of all units shall be deed restricted for workforce housing.	All multi-family dwelling units in a multi-family development shall be deed restricted for long term occupancy/tenancy and workforce housing.	
Unit Size	Minimum 800 square feet. Maximum 1,750 square feet.	Minimum 800 square feet. Maximum 1,750 square feet.	
Buffer	In addition to the buffering requirements included in the Commercial Design Standards, a minimum 10-foot-wide commercial transitional protective yard shall be provided consistent with Section 10.93.3.2 and 10.93.3.3 of the UDO.	In addition to the buffering requirements included in the Commercial Design Standards, a 10-foot-wide commercial transitional protective yard shall be provided consistent with Section 10.93.3.2 of the UDO.	
Architectural Design Requirements	All multi-family dwelling buildings, regardless of size, shall go through the Sketch Plan process as outlined in Section 10.84 of the UDO. Multi-family dwelling buildings shall meet the requirements of Article 10, Part VI, Commercial Design Standards.	All multi-family dwelling buildings, regardless of size, shall go through the Sketch Plan process as outlined in Section 10.84 of the UDO. Multi-family dwelling buildings shall meet the requirements of Article 10, Part VI, Commercial Design Standards.	

TABLE 7-1: REQUIREMENTS FOR MULTI-FAMILY DWELLINGS			
	Large Multi-Family C-2	**Small Multi-Family C-2**	**C-1**
	In addition, all multi-family dwelling buildings shall incorporate building design variations such as varying stories and habitable area.	In addition, all multi-family dwelling buildings shall incorporate building design variations such as varying stories and habitable area.	
Building Separation	40 feet; a sidewalk or boardwalk constructed to provide a grade separation from vehicular traffic of at least six inches shall connect all principal buildings on the site. Separate buildings shall be connected with pedestrian passageways that are striped when crossing traffic lanes.	Buildings shall be separated from one another by a minimum of ten feet, including projections. Separate buildings shall be connected with pedestrian passageways that are striped when crossing traffic lanes.	
Accessory Uses	Management/sales office, not including a trailer, provided that the management office shall be included as a permanent structure in the project's design or may occupy one of the dwelling units. A management/sales office may include, within the particular project, spaces for maintaining supplies, service products and amenities to be used in connection with the units within the project. There shall be sanitary facilities available for customers and employees. Shed. Pool (only one pool per development), Walls and Fences. Private Park/Playgrounds.	Shed. Pool (only one pool per development). Walls and Fences. Private Park/Playgrounds	Multi-family allowed as accessory mixed use only.

TABLE 7-1: REQUIREMENTS FOR MULTI-FAMILY DWELLINGS			
	Large Multi-Family C-2	**Small Multi-Family C-2**	**C-1**
Outdoor Amenity Area/Comm on Area	An area designated on the site plan for multi-family development as "common area" or as an area to be held in separate ownership for the use and benefit of residents occupying the dwelling units shown on such plan provided that it is conveniently accessible to all residents of the development.		

7.5.1 The multi-family development shall have a mandatory homeowners' association, with one of its duties expressed in a recorded declaration of covenants being to ensure compliance with Section [7.5]. This includes a required annual certification to the town of the multi-family development's compliance with the restrictive covenant and workforce housing occupancy requirements, using a required certificate of compliance form provided to the association by town staff upon request.

7.5.2 Any site improvements, including construction of additions of any size, accessory structures of any size, and landscaping and buffering projects, that occur following the original Board of Commissioners Special Use Approval of a Multi-family dwelling development shall be submitted for consideration by the UDO Administrator to determine whether additional stormwater management measures are necessary.

PART IV. That Section 10.93.3.3, High Impact Uses, be amended as follows:

10.93.3.3. High Impact Uses**.** High impact uses are particular uses of land, which considered as a whole because of their peculiar or operational and physical characteristics are expected to have an adverse effect on adjoining or adjacent properties. High impact uses include, but are not limited to:

10.93.3.3.27. Large Multi-Family Dwelling Development.

ARTICLE V. 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 _____, 2024.

_____

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

APPENDIX A

SECTION 3.5.4. ACTION BY THE BOARD OF COMMISSIONERS

Pursuant to Section 3.5.4.2. of the UDO, the Board of Commissioners may proceed to vote on the proposed ordinance, refer it to a committee for further study, or take any other action consistent with its usual rules of procedure.

Pursuant to Section 3.5.4.5. of the UDO, prior to voting to adopt or reject the proposed text amendment, the Board should adopt a statement approving the amendment and describing the amendment's consistency with the Town's adopted Comprehensive Plan and explaining why the action taken is reasonable and in the public interest, a statement rejecting the amendment and describing its inconsistency with the adopted Comprehensive Plan and explaining why the action taken is reasonable and in the public interest, or a statement approving the amendment and containing at least all of the following:

- A declaration that the approval is also deemed an amendment to the Comprehensive Plan. The Board of Commissioners shall not require any additional request or application for amendment to the Comprehensive Plan.

- An explanation of the change in conditions the Board of Commissioners took into account in amending the UDO to meet the development needs of the community.

- Why the action was reasonable and in the public interest.

Agenda Item Summary Sheet

Item No: **G-1**
Meeting Date: **February 7, 2024**

Item Title: Update from Planning Director

Item Summary:

Please find attached a monthly update, with attachments, from Planning Director Kelly Wyatt.

Number of Attachments: 1

Specific Action Requested:

Provided for Board information and update.

Submitted By: Planning and Development Date: January 31, 2024

Finance Officer Comment:

N/A

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

I will participate in the discussion as necessary.

Signature: Andy Garman Date: January 31, 2024

MEMORANDUM
Town of Nags Head
Planning & Development Department

To: Board of Commissioners
Planning Board

From: Kelly Wyatt, Planning Director
Joe Costello, Deputy Planning Director

Date: January 31, 2024

Subject: Planning and Development Director's Report (G-1)

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 February 7th, 2024.

Monthly Activity Report

Attached for the Board's review is the *Planning and Development Monthly Report for December 2023*. In addition to permitting, inspections, code enforcement, and Todd D. Krafft Septic Health Initiative activities, Staff was involved in the following meetings or activities of note during the month:

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

Planning Board - Pending Applications and Discussions

The Planning Board's most recent meeting was held on Tuesday, January 16th, 2023, and included the following:

- Election of the Chair, Vice Chair, and acceptance of the 2024 Submittal Calendar.
- Consideration of text amendments that if adopted would allow the long-term rental of units within existing hotels and motels. The Planning Board and applicant continued to have a productive discussion and staff will be preparing an amendment for the Planning Board recommendation at their February 20th meeting.
- Consideration of text amendments to remove the use of "Restaurant-Drive-Through" from all zoning districts within the town. The Planning Board voted unanimously to recommend adoption of the proposed ordinance amendment at their January 16th meeting.
- Planning staff presented a draft 2024 Workplan for the Planning Department which included the following:
  - Identify and correct areas of incompatibility between the Comprehensive Land Use Plan guidance and the UDO.

- Develop and present an Accessory Dwelling Unit (ADU) Ordinance with a menu of regulatory options to consider.
- Develop and prioritize strategies for implementation of the Estuarine Shoreline Management Plan.
- Continue implementation of the of the DWMP and devise creative strategies to increase participation in the Septic Heath Initiative.
- Develop non-regulatory approaches to minimize residential lighting impacts, focus on education and outreach.
- Continue digitization and records management efforts within the department.

The Planning Board's next meeting is scheduled for Tuesday, February 20th, 2024. Currently, the agenda is expected to include consideration of a text amendment to allow the long-term rental of units within existing hotels and motels and consideration of a proposed text amendment requiring that septic systems and all other components have a barrier around them to prevent vehicles from parking on and possibly damaging them.

Board of Adjustment – Recent and Pending Applications

At their January 11, 2024 meeting the Board of Adjustment heard an Appeal of an Administrative Decision submitted by Joseph Surles with regard to the issuance of a building permit for the property located at 4313 W. Soundside Road, Nags Head (Martin Residence). The Board of Adjustment voted unanimously to affirm the staff's issuance of the building permit.

The Board of Adjustment will meet on Thursday, February 8, 2024 to hear an Appeal of Administrative Decision submitted by Bryan Harvey with regard to the issuance of a Notice of Violation for utilizing a detached accessory structure as an unpermitted second dwelling unit. The subject property is located at 309 W. Soundside Road, Nags Head.

Additional Updates

- **DWMP/Septic Health Advisory Committee** – The Septic Health Advisory Committee met on January 30, 2024 and newly appointed members Rob Crawford and Gary Ferguson introduced themselves to the group. The committee received updates on the installation of the ground water loggers and water quality loggers, expressing excitement over the intake of more real time data and its uses moving forward. Bob Muller noted that he would like to see more water quality loggers purchased in the future as was recommended in the DWMP. Staff updated the committee on upcoming educational opportunities within the community to get the word out on the Septic Health Initiative, including Realtorfest, Farmers Markets, and a meeting with members of OBAR as facilitated by Government Affairs Director, Donna Creef. Staff are actively preparing the draft ordinance amendments recommended by the Septic Health Advisory Committee requiring a barrier be placed around the perimeter of septic and drain field areas to prevent vehicles from driving over, parking on them and potentially damaging them. This amendment is anticipated to be presented to the Planning Board at their February 20, 2024 meeting.

- **Estuarine Shoreline Management Plan** – Following notification that the town was not awarded the National Fish and Wildlife Foundation grant, staff has initiated several meetings to discuss next steps in terms of funding opportunities, potential partnerships and site selection. Meetings with the town's grant writing consultants, Coastal Federation, and Dare County Soil and Water Conservation have led to promising conversations about potential partnerships for living shoreline opportunities along the Nags Head Causeway in the area of Catfish Farm and in collaboration with the Outer Banks Visitors Bureau as they design and construct their soundside boardwalk.

- **Electric Vehicle Action Plan** – If approved by the Board of Commissioners at their February 7, 2024 meeting, the requested budget amendment (Item E-1) would enable the town to move forward with securing LoWire Technologies to obtain and install the Level 2 EvoCharge equipment. Also included is a five (5) year maintenance agreement with LoWire Technologies as required by the grant. Planning and Public Services are collaborating on creating and installing the required signage and bollard protections.

- **Sand Relocation and Dune Management Cost Share Program** – As of February 1st, $187,000 of the $320,000 allocated to the Dune Management Cost Share Program has been encumbered by 64 applicants. Additionally, we have received 142 Sand Relocation Applications of which 131 have been approved and issued authorization letters.

- **Dowdy Park Events/Farmers Market/Holiday Markets/Art & Culture** – The Town held its first Winter Market on Saturday, January 13th from 9am to noon. This market was well attended with over 100 visitors stopping by and many expressing their appreciation for the Town hosting the Winter Markets. These markets are held on the 2nd Saturday of the month through April, the next market will be held on Saturday, February 10th from 9am – noon with five vendors participating. In addition to attending the annual NC Event Planners Conference, Event Coordinator Paige Griffin has been busy getting organized for the upcoming summer markets, booking bands for the upcoming summer concert series, lining up groups and organizations for Family Fun Nights, and meeting with potential sponsors for 2024 happenings. The Committee for Art and Culture will be prepared to give the Board of Commissioners an update on the 2023 Season and their vision for the 2024 Season at their March 6, 2024 regularly scheduled meeting.

Upcoming Meetings and Other Dates

- Tuesday, February 6th - Technical Review Committee Meeting
- Wednesday, February 7th - Board of Commissioners Meeting
- Thursday, February 8th - CRS Users Group Meeting
- Thursday, February 8th – Board of Adjustment Meeting (Harvey Appeal)
- Saturday, February 10th – Winter Market from 9am - noon
- Wednesday, February 14th – Committee for Arts and Culture Meeting
- Thursday, February 15th – Townwide Staff Meeting
- Tuesday, February 20th – Planning Board Meeting
- Wednesday, February 21st – Board of Commissioners mid-month meeting (if needed)

TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT
MONTHLY REPORT
DECEMBER 2023

DATE SUBMITTED: January 7, 2024

	Dec-23	Dec-22	Nov-23	2023-2024 FISCAL YTD	2022-2023 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
BUILDING PERMITS ISSUED - RESIDENTIAL						
New Single Family	0	1	4	8	8	0
New Single Family, 3000 sf or >	0	1	0	3	6	(3)
Duplex - New	0	0	0	1	0	1
Sub Total - New Residential	0	2	4	12	14	(2)
Miscellaneous (Total)	37	31	54	223	206	17
Accessory Structure	*5*	*1*	*3*	20	*16*	4
Addition	*2*	*3*	*3*	19	*11*	8
Demolition	*0*	*0*	*3*	3	*0*	3
Move	*0*	*0*	*0*	0	*0*	0
Remodel	*10*	*14*	*15*	50	*66*	(16)
Repair	*20*	*13*	*30*	131	*113*	18
Total Residential	**37**	**33**	**58**	**235**	**220**	15
BUILDING PERMITS ISSUED - COMMERCIAL						
Multi-Family - New	0	0	0	0	0	0
Motel/Hotel - New	0	0	0	0	0	0
Business/Govt/Other - New	0	0	0	0	1	(1)
Subtotal - New Commercial	0	0	0	0	1	(1)
Miscellaneous (Total)	7	9	9	34	34	0
Accessory Structure	*4*	*1*	*3*	15	*12*	3
Addition	*0*	*0*	*0*	0	*0*	0
Demolition	*0*	*0*	*0*	0	*0*	0
Move	*0*	*0*	*0*	0	*0*	0
Remodel	*1*	*5*	*2*	10	*12*	(2)
Repair	*2*	*3*	*4*	9	*10*	(1)
Total Commercial	**7**	**9**	**9**	**34**	**35**	(1)
Grand Total	**44**	**42**	**67**	**269**	**255**	14
SUB-CONTRACTOR PERMITS						
Electrical	42	38	39	251	249	2
Gas	1	3	6	22	16	6
Mechanical	23	24	20	157	189	(32)
Plumbing	8	5	14	62	38	24
Fire Sprinkler	0	0	0	2	2	0
VALUE						
New Single Family	$0	$900,000	$1,775,000	$3,859,282	$4,184,000	($324,718)
New Single Family, 3000 sf or >	$0	$1,038,733	$0	$1,135,000	$5,998,733	($4,863,733)
Duplex - New	$0	$0	$0	$711,000	$0	$711,000
Misc (Total Residential)	$1,400,398	$1,556,579	$2,561,700	$9,150,621	$8,218,963	$931,658
Sub Total Residential	**$1,400,398**	**$3,495,312**	**$4,336,700**	**$14,855,903**	**$18,401,696**	($3,545,793)
Multi-Family - New	$0	$0	$0	$0	$0	$0
Motel/Hotel - New	$0	$0	$0	$0	$6,425,994	($6,425,994)
Business/Govt/Other - New	$0	$0	$0	$0	$0	$0
Misc (Total Commercial)	$401,993	$567,273	$962,286	$2,526,924	$1,570,024	$956,900
Sub Total Commercial	**$401,993**	**$567,273**	**$962,286**	**$2,526,924**	**$7,996,018**	($5,469,094)
Grand Total	**$1,802,391**	**$4,062,585**	**$5,298,986**	**$17,382,827**	**$26,397,714**	**($9,014,887)**

TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT
MONTHLY REPORT
DECEMBER 2023

DATE SUBMITTED: January 7, 2024

	Dec-23	Dec-22	Nov-23	2023-2024 FISCAL YTD	2022-2023 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
ZONING						
Zoning Permits	47	48	70	298	234	64
Soil & Erosion	4	N/A	2	11	N/A	N/A
Stormwater Plans	2	N/A	5	18	N/A	N/A
CAMA						
CAMA LPO Permits	2	3	3	19	15	4
CAMA LPO Exemptions	1	7	3	18	18	0
Sand Relocations	41	18	47	88	34	N/A
CODE COMPLIANCE						
Cases Investigated	23	7	24	169	245	(76)
Warnings	2	0	4	19	53	(34)
NOVs Issued	21	0	20	150	64	86
Civil Citations (#)	0	0	0	1	10	(9)
Civil Citations ($)	$0	$0	$0	$0	$23,150	($23,150)
SEPTIC HEALTH						
Tanks inspected	0	3	11	62	54	8
Tanks pumped	7	1	8	63	46	17
Water quality sites tested	1	1	2	65	118	(53)
Personnel Hours in Training/School	4	20	109	254	82	172

Kelly Wyatt

Kelly Wyatt, Planning Director

Agenda Item Summary Sheet

Item No: **H-1**
Meeting Date: **February 7, 2024**

Item Title: From Jan 3rd Board meeting – Final acceptance/approval of the Emergency Operations Plan

Item Summary:

At the January 3rd Board of Commissioners meeting, Shanti Smith-Copeland of IParametrics presented the updated Town Emergency Operations Plan, prepared with input from a Town core planning team comprised of members from town departments. At that time she requested that comments be provided to her by the end of January 2024.

A copy of the Emergency Operations Base Plan is attached and provides a broad overview of the Town's emergency management structure, functions, and operational picture.

Fire Chief Wells reports that suggested corrections have been made and the Plan is provided for final Board acceptance and approval on February 7th.

Number of Attachments: 1

Specific Action Requested:

Emergency Operations Plan provided for Board approval.

Submitted By: Public Safety – Fire Dept Date: January 31, 2024

Finance Officer Comment:

N/A

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

I concur with staff.

Signature: Andy Garman Date: January 31, 2024

Town of Nags Head Emergency Operations Plan

January 3, 2024

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PROMULGATION

[Insert Promulgation Letter from the Town Commissioners and/or Mayor]

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Concurrence of Town Departments

The following departmental representatives of the Town of Nags Head concur with the content of the Town of Nags Head Emergency Operations Plan. As needed, revisions will be submitted to the Fire and Ocean Rescue Department. Signed:

Ben Cahoon, Mayor	Date Signed
Andy Garman, Town Manager	Date Signed
Randy Wells, Fire Chief	Date Signed
Perry Hale, Police Chief	Date Signed
Nancy Carawan, Public Services Director	Date Signed
Kelly Wyatt, Planning and Development Director	Date Signed
Amy Miller, Finance Director	Date Signed
Jan Mielke, Human Resources Officer	Date Signed
David Ryan, Town Engineer	Date Signed
Karen Snyder, Information Technology Administrator	Date Signed
Roberta Thuman, Public Information Officer	Date Signed

Carolyn Morris, Town Clerk Date Signed

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DISTRIBUTION

The Fire and Ocean Rescue Department prepares, coordinates, publishes, and distributes the Emergency Operations Plan (EOP) under the direction of the Town Manager. The EOP is distributed to the Town departments, incorporated municipal governments, state and federal agencies, utility companies, and Dare County identified in **Table i-1**. The EOP is also posted on the Town of Nags Head website and is available upon request to other interested external organizations.

Table i-1. EOP Distribution

Town Departments/Offices	Local Organizations	Other Organizations
Mayor	Dare County Emergency Management	Outer Banks Hospital
Town Manager	Dare County Emergency Medical Services	Nags Head Elementary School
Town Board of Commissioners	Dare County Health and Human Services	North Carolina Department of Transportation
Town Clerk	Dare County Sheriff's Office	National Park Service
Fire and Ocean Rescue	Dare County Water Department	North Carolina State Parks
Police	Dominion Power	
Public Services	Town of Kill Devil Hills	
Code Enforcement	Town of Manteo	
Finance and Administrative Services	Peak Resources	
Human Resources	The Nature Conservancy	
Town Engineer		
Planning and Development		
Human Resources		
Public Information		
Town Attorney		

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Record of Changes

Each update or change to this EOP is tracked. When updates to the EOP are made, the change number, the date of the change, the name of the person who made the change, and a summary description of the change is documented in **Table i-2**. See **Section 12, Plan Development and Maintenance** for more information on the process for reviewing and revising the plan.

Table i-2. Record of Changes

Change No.	Description	Date Entered	Posted By
1	Full review, analysis, and revision	[Date]	[Name]

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1. Introduction

The Town of Nags Head's emergency management program is managed by the Fire Department, with significant support from Town departments. Together, they are committed to preparing the Town and the community to effectively respond to and recover from emergencies – minimizing the loss of lives, damage to property and the environment; and enabling the restoration of continuity of services.

This Town of Nags Head Emergency Operations Plan (EOP) provides an overview of the jurisdiction's approach to emergency operations. It identifies emergency response policies, describes the response and recovery organization, and identifies specific roles and responsibilities for Town departments, external government partners, and community partners.

This plan complies with the National Incident Management System (NIMS), the National Response Framework (NRF), the Incident Command System (ICS), and is in alignment with the Dare County Emergency Operations Plan, and the North Carolina EOP.

1.1 Purpose

This EOP is the programmatic and legal document that establishes the Town of Nags Head's emergency management organization providing a basis for the Town's coordinated actions before, during, and after a disaster. The primary purpose of the EOP is to outline the Town's all-hazard, whole community approach to emergency operations to protect the safety, health, and welfare of its citizens.

Additionally, this EOP establishes the foundational policies and procedures that define how the Town will prepare for, respond to, recover from, and mitigate against natural or human-caused disasters. It provides a description of the emergency management organization and how it is activated. Objectives for this EOP include:

- Identify the departments and other organizations designated to perform preparedness, response, recovery, and mitigation activities while specifying their roles and responsibilities.
- Set forth lines of authority and organizational relationships to show how all actions will be directed and/or coordinated.
- Define how the Town coordinates efforts across all levels of government, the private sector, and nonprofit organizations.
- Demonstrate the Town's understanding and adoption of state and federal policies and guidance used to manage emergency operations.

- Specify the coordination and communications procedures and systems that will be relied upon to alert, notify, recall, and dispatch emergency response personnel; warn the public; and protect residents, property, and the environment.
- Identify plans and procedures applicable to the EOP as supporting annexes or appendices.
- Describe how the Town maintains continuity of operations and government during emergencies that disrupt normal operations.
- Describe how the emergency management response organization transitions to achieve post-disaster recovery objectives.

1.2 Scope and Applicability

The level of detail and focus of a plan is defined by its scope. The scope of a plan can be broad or narrow in its applicability. The scope of an emergency plan can be defined by various factors including, but not limited to: geographic or jurisdictional boundaries, organizational authorities, roles, and responsibilities, demographics, specific threats, hazards, or functions, and phases of time. Depending on the scope, emergency plans fall within three broad categories: Strategic, Operational, or Tactical. **Table 1-1** below illustrates the relationships of Town plans and how their scopes fit within each level of planning.

Table 1-1. Levels of Planning

Strategic Planning	Sets Policy	• Town of Nags Head Emergency Operations Plan – Base Plan • Town of Nags Head Comprehensive and CAMA Land Use Plan • Outer Banks (OBX) Regional Hazard Mitigation Plan
Operational Planning	Defines objectives, desired outcomes, and provides direction	• Emergency Operations Center Guide • Incident- and function-specific Playbooks
Tactical Planning	Executes directives to achieve objectives	• Departmental Emergency Plans[1]

[1] Departments are responsible for developing and maintaining the necessary tactical plans to assist in executing their department-specific responsibilities during an emergency incident.

		• Standard Operating Procedures (SOP) • Incident Action Plans (IAP)

This EOP is a strategic plan with some operational elements designed to encompass the capabilities of the Town, the whole community, external partners, and the entire spectrum of hazards and threats addressed in the OBX Regional Hazard Mitigation Plan (HMP).

An EOP (this EOP) is often referred to as the Base Plan, because it has the flexibility to be applicable for any anticipated or unanticipated emergency or planned event which provides the framework necessary to support response to and recovery from these incidents. The EOP is the centerpiece of the Town's emergency planning effort, but it is not meant to define narrowly applicable operational or tactical procedures, and it is not the only plan that addresses emergency management functions. As a framework, it is supported by operational and tactical level plans which are applications of the concepts defined in the EOP. Some of these plans are identified in **Table 1-1**.

1.2.1 Phases of Emergency Management

Emergency management activities are often categorized in phases. In the past, the phases were limited to mitigation, preparedness, response, and recovery. However, with increased focus on human-caused disasters, guidance from the National Governor's Association and the National Fire Protection Association adds a fifth phase: prevention.

1.2.1.1 Prevention

The prevention phase includes activities, tasks, programs, and systems intended to avoid or intervene in order to stop an incident from occurring. Prevention can apply both to human-caused incidents (such as terrorism, vandalism, sabotage, or human error) as well as naturally occurring incidents. Prevention of human-caused incidents can include applying intelligence and other information to a range of activities that includes such countermeasures as:

- Deterrence operations
- Heightened inspections
- Improved surveillance and security operations
- Investigations to determine the nature and source of the threat
- Law enforcement operations directed at deterrence, preemption, interdiction, or disruption

1.2.1.2 Preparedness

The preparedness phase involves activities that are undertaken in advance of an emergency or disaster. These activities ensure operational capabilities and effective responses to a disaster. Emergency plans are developed and revised to guide disaster response and enhance capabilities. Planning activities include developing hazard analyses, training response personnel, improving public information including communications systems, and exercising and evaluating plans, processes, and capabilities. Preparedness activities fall into two basic areas: readiness and capability.

Readiness activities shape the framework and create the basis of knowledge necessary to complete a task or mission. Readiness activities might include, but are not limited to:

- Implementing hazard mitigation projects
- Developing hazard analyses
- Developing and maintaining emergency plans and procedures
- Conducting general and specialized training
- Conducting drills and exercises
- Developing agreements with other organizations
- Improving emergency public education and emergency warning systems

Capability activities involve the procurement of items or tools necessary to complete tasks or missions. Capability activities include, but are not limited to:

- Assessing the Town and its resources
- Comparing and analyzing anticipated resource requirements against available resources
- Identifying local sources for additional resources
- Purchasing new response systems, vehicles, personal protective equipment, etc.
- Establishing stand-by emergency contracts to expand capabilities.

1.2.1.3 Response

The Response Phase includes the activities that occur immediately before, during, and after the impacts of a disaster are observed. The Response Phase is typically divided into three sub-phases. Each phase has distinct considerations, which seldom flow sequentially, often occurring simultaneously. These phases are: increased readiness, initial response, and extended response. The Response Phase focuses on saving lives, reducing the severity of impacts to public health, the economy, and the environment. Additional operational details for the Response Phase are discussed in **Section 4, Concept of Operations**.

1.2.1.4 Recovery

Recovery activities involve the restoration of services to the public and returning the affected area(s) to pre-emergency conditions. Recovery activities may be short term, intermediate, and long term. These activities range from restoration of essential utilities, such as water and power, to mitigation measures designed to prevent future occurrences of a given threat. **Section 11, Recovery Operations** provides the recovery framework for the Town of Nags Head.

1.2.1.5 Mitigation

Mitigation efforts occur both before and after emergencies or disasters. Post-disaster mitigation is actually part of the recovery process. This includes eliminating or reducing the impact of hazards that exist within the Town. Details on the Town's mitigation activities (particularly post-disaster) are included in **Annex C, OBX Regional HMP**. Mitigation efforts include, but are not limited to:

- Amending local ordinances and statutes, such as zoning ordinances, building codes, and other enforcement codes
- Initiating structural retrofitting measures
- Assessing tax levies or abatements
- Emphasizing public education and awareness
- Assessing and altering land use plans and/or codes
- Beach renourishment and dune reinforcement

1.3 Intended Audience

The Town's emergency management program serves the entire community. Since this EOP defines the programmatic framework of the Town's emergency management program, it is intended to be read and understood by the whole community. It is the intent of the Town to socialize the concepts defined in this EOP across the whole community with the goal of achieving a common purpose of preparedness and when a disaster occurs, responding with a united communitywide effort.

The primary audience of this EOP are the Town departments, elected Town officials, and representatives of private businesses and nongovernmental organizations (NGOs) that may staff positions in the Town of Nags Head Emergency Operations Center (EOC) or who provide support in the Town's prevention, preparedness, response, recovery, and mitigation efforts. This EOP is also a reference for other municipal governments in Dare County and State and Federal government agencies that may provide assistance.

1.4 Emergency Management Priorities

The following overarching operational priorities govern resource allocation and the response strategy for the Town of Nags Head during an emergency or disaster:

1. **Save Lives** – The preservation of life is the top priority of emergency managers and first responders and takes precedence over all other considerations.
2. **Protect Health and Safety** – Measures should be taken to mitigate the emergency's impact on public health and safety.
3. **Protect Property** – All feasible efforts must be made to protect public, private property, and resources, including critical infrastructure, from damage during and after a
4. **Preserve the Environment** – All possible efforts must be made to preserve the environment and protect it from damage during an emergency.

Commitment to serving vulnerable populations - Aligned with each of these priorities, the Town acknowledges that people with disabilities and others with access and functional needs in the community have unique vulnerabilities that often lead to disproportionate impacts during disaster response and recovery. Protecting these populations and meeting their needs is a high priority of the Town prior to, during, and after a disaster or emergency incident. It is a goal of all Town departments to actively look for opportunities to enhance communication with vulnerable communities.

1.5 Planning Assumptions

For planning purposes, The Town of Nags Head makes the following assumptions:

- The Town will commit ~~all~~ available resources to save lives, minimize injury to persons, and minimize damage to property and the environment.
- Emergencies may result in casualties, fatalities, and may displace people from their homes.
- An emergency can result in property loss, interruption of essential public services, damage to basic infrastructure, and significant harm to the environment.
- Emergency management activities are accomplished using NIMS and coordinated from a centralized Emergency Operations Center (EOC) during complex incidents.
- Local authorities maintain operational control and responsibility for emergency management activities within their jurisdiction, unless otherwise superseded by statute or agreement.
- The greater the complexity, impact, and geographic scope of an emergency, the more multiagency coordination will be required.

- The Town Manager, as the Director of Emergency Services, will coordinate the Town's disaster response in compliance with Town municipal Code cited in **Appendix B: Authorities and References**.
- Mutual aid assistance is requested when disaster relief requirements exceed the Town's ability to meet them.
- Mutual aid assistance is provided when requested if resources are available, but may take 72 hours or longer to arrive.
- Individuals, community-based organizations, and businesses will offer services and support in time of disaster.
- People with disabilities, access and functional needs, and other vulnerable populations may require unique resources and approaches to meet their needs during a disaster.

2. Situation Overview

Understanding the "situation," is an essential, early step in developing an effective emergency plan. The situation is framed by the assessment of the Town's risk, vulnerabilities, and capabilities. The situation also includes details on the Town's climate, geography, economic activity, critical infrastructure, and community demographics. A complete understanding of the situation enables the Town to determine which capabilities are necessary to effectively response and recover.

Annex G – Town of Nags Head, of the **OBX Regional HMP**, includes a detailed and historical analysis of these elements, including hazard maps, historical occurrences, and relevant supporting data, providing a comprehensive description of the Town's situation. The sections below provide a profile of the Town of Nags Head and descriptions of each hazard.

2.1 Town of Nags Head Profile

Nags Head is an incorporated municipality and a barrier island community located in northern Dare County. It is neighbored by Kill Devil Hills to the north and unincorporated Dare County to the south. Route 64 and the Melvin R. Daniels Bridge run from Roanoke Island to Nags Head, with the town line extending to the eastern foot of the Virginia Dare bridge. The Town comprises a total land area of 6.59 square miles. **Appendix E, Map of the Town of Nags Head** illustrates the Town's location. A detailed description of the Town of Nags Head boundary is codified under Town ordinance, in Part I, Section 2 – Boundaries and Corporate Limits.

2.2 Hazard Assessment

For each threat and hazard, a profile has been established describing the threat or hazard in general, as well as details specific to Nags Head, when available. High risk hazard profiles are described in detail in **Annex C, OBX Regional HMP** and discuss the following topics: hazard description, strength/magnitude, past occurrences, location, frequency/ probability of future occurrence, and future condition considerations.

A brief description of each threat and hazard is provided below in alphabetical order; the order does not signify the level of risk to the Town. Additionally, playbooks for high-risk threats and hazards are found in **Annex B, Scenario- and Function-Specific Playbooks**.

2.2.1 Active Shooter

An "active shooter," is an individual actively engaged in killing or attempting to kill people in a confined and populated area; in most cases, active shooters use firearms(s) and there

is no pattern or method to their selection of victims or the locations where they can occur.[2] Active shooter situations are unpredictable and evolve quickly. Typically, the immediate deployment of law enforcement is required to stop the shooting and mitigate harm to victims.

2.2.2 Civil Disturbance

Civil disturbance, is described as "any incident intended to disrupt community affairs and threaten public safety." Civil disturbance is a result of civil unrest, when individuals or groups within the general population feel they are being discriminated against or that their rights are not being upheld. Triggers can include racial tension, immigration control, unpopular political decisions, loss of essential services or supplies, and natural disasters. Civil disturbance spans a variety of actions including strikes, demonstrations, riots, and rebellion.

Civil disturbance can be divided into the following three categories:

- Peaceful, non-obstructive demonstrations (low severity).
- Non-violent, disruptive demonstrations (moderately severe).
- Violent, disruptive demonstrations (severe).

In general, a low-severity disturbance such as a strike will cause little concern and little to no involvement from law enforcement. A moderately severe civil disturbance—such as a protest that disrupts nearby businesses and possibly causes some property damage—will require law enforcement intervention to restore order without using chemical agents or physical force. A severe civil disturbance—such as rioting, arson, looting, and assault—will require aggressive police action, including tear gas, curfews, and mass arrests. Severe civil disturbances may result in deaths, injuries, and property damage of varying degrees.

2.2.3 Communicable Disease Outbreak (Pandemic)

Communicable diseases are caused by pathogenic organisms, which can be a virus, bacteria, fungi, or parasites. Disease can affect any living organism, including people, animals, and plants which spread directly (through infection) and indirectly (through secondary effects). Some diseases can directly affect both people and animals. The major

[2] US DHS. Active Shooter: How to Respond. https://www.dhs.gov/xlibrary/assets/active_shooter_booklet.pdf, October 2008

concern with respect to disease in humans is the evolution of an epidemic or pandemic resulting from a disease that is virulent (severe), with a high morbidity (sickness/symptoms) rate combined with a high mortality (death) rate. Communicable diseases can also be released intentionally as a weapon of terror.

Pandemic viruses are different from seasonal outbreaks of influenza that are caused by subtypes of influenza viruses that already circulate among people. Viral outbreaks are usually caused by entirely new (novel) subtypes to which the population has no immunity because the subtype has either never circulated among people or has not circulated for a long time.

In 1918, the world experienced a severe influenza pandemic, the Spanish Flu. Worldwide fatalities were estimated to be between 20 and 50 million. Here in the United States deaths were estimated to be near 700,000.[3]

In April 2009, a novel strain of the influenza virus called swine flu (or H1N1) emerged. The virus was first detected in the United States and spread around the world. It spread in much the same way that seasonal influenza viruses spread. From April 12, 2009 to April 10, 2010, the Centers for Disease Control and Prevention (CDC) estimated there were 60.8 million cases, 274,304 hospitalizations, and 12,469 deaths in the United States due to the H1N1 virus.[4]

In January 2020, a novel strain of coronavirus called SARS-CoV-2 or COVID-19 emerged. The virus originated from China and eventually made its way to the United States. The virus is highly contagious – more contagious than the seasonal flu or the 2009 H1N1 influenza virus. Several unique aspects of COVID-19 made limiting the spread of the virus more difficult. Some of these include: a longer incubation period (time before symptoms appear), asymptomatic infected individuals unknowingly spreading the virus, and longer durations of being contagious.[5] As of May 2023, the CDC estimates more than 1.1 million deaths in the United States due to the COVID-19 virus.[6] The response to COVID-19 caused governments and businesses to employ extreme mitigation measures to limit in-person social interaction. Many businesses, government offices, schools, places of worship, and social events shutdown, either temporarily or permanently. Many people began conducting business and socializing virtually. The economy was severely impacted with several people losing their jobs and required significant government assistance. As of the date of this plan, the United States is still feeling the impacts of these measures and the

[3] http://1918.pandemicflu.gov/the_pandemic/index.htm

[4] https://www.cdc.gov/flu/pandemic-resources/2009-h1n1-pandemic.html

[5] https://www.cdc.gov/flu/symptoms/flu-vs-covid19.htm

[6] https://covid.cdc.gov/covid-data-tracker/#trends_dailytrendscases

virus itself. It may take several years to understand the full impacts of COVID-19 and to learn the critical lessons to enhance preparedness and response to future pandemics.

2.2.4 Cyber-attack

Cyber-attacks can disrupt vital government services and prevent access to vital records. Nation-states, criminal organizations, terrorists, and other malicious actors conduct attacks against critical cyber infrastructure on an ongoing basis. Denial of service (DoS) and ransomware attacks on government agencies have increased in recent years. Cybercriminals attack vulnerabilities in cyber-infrastructure which includes electronic information and communications systems, and the information contained in those systems. Computer systems, control systems such as Supervisory Control and Data Acquisition (SCADA) systems, and networks such as the Internet are all part of cyber infrastructure.

2.2.5 Earthquake

Earthquakes are caused by the movement of large pieces of the earth's crust, called tectonic plates. As the tectonic plates move against each other, they can become stuck together, causing stress between plates to build up until it eventually overcomes the friction holding them together. When this happens, the stress is released and the plates suddenly slip past each other, creating the shaking called an earthquake.

While minimal seismic activity does occur in western North Carolina, parts of Virginia and South Carolina, Nags Head faces minimal risk of earthquake generated impacts due to its location in the eastern part of North Carolina away from these seismic zones.

2.2.6 Flooding

Flooding is the accumulation of water where usually none occurs or the overflow of excess water from a stream, river, lake, reservoir, or coastal body of water onto adjacent floodplains.

In addition to severe tropical weather, less intense rainfall events have caused flooding in several areas of the Town. Identified areas include:

- The northern portion of Vista Colony subdivision.
- A small section in North Ridge near Buccaneer Drive.
- An area around Northport Lane and Lookout Road.
- An area near the Latter Day Saints Church also in the North Ridge Subdivision.
- The southeast corner of the Nags Head Acres subdivision.

- The area between Driftwood Street and Bonnett Street and along Wrightsville Avenue.
- Subdivisions including Old Nags Head Place, Dolphin Run, and Seven Sisters.
- Several locations along NC 12 and NC 1243. These two roads have seen an increase in flooding due to development growth and the increasing practice of filling of residential lots, which tends to displace water onto Town roadways during storm events.

The topography and development patterns in the Town result in vulnerability to flood damages from heavy rainfall events. The natural topography of the barrier island creates a low-lying "trough" between the maritime forest zone west of US 158, the primary beach, and foredunes in the vicinity of NC 12. In general, the maritime ridge serves as the breakpoint for overland surface runoff and subsurface groundwater flow between the Atlantic Ocean and the Roanoke Sound. Most of the developed properties exist east of the maritime ridge and are concentrated in the lower lying areas between the beach and maritime forest zones. Runoff tends to accumulate in the lower elevations of developed areas, creating a bowl like effect which leads to localized flooding by way of elevated groundwater conditions, surface runoff, or a combination of the two. Additionally, there is an increase in chronic flooding resulting from an increase in occurrences of "extreme" rainfall events.

The Town's stormwater drainage system is ~~very~~ limited and relies heavily on five ocean outfalls maintained by the North Carolina Department of Transportation (NCDOT). These outfalls are undersized for the Town's needs.

Flooding poses numerous risks to critical facilities and infrastructure. Risks, harm, or losses that are likely to result from exposure to flooding include:

- Roads that are blocked or damaged can prevent access throughout the area and can isolate residents and emergency service providers needing to reach vulnerable populations or to make repairs.
- Sections of causeway and/or bridges washed out or blocked by floods or debris from floods can cause isolation.
- Floodwaters can back up drainage systems, causing localized flooding.
- Floodwaters can get into drinking water supplies, causing contamination.
- Sewer systems can back up, causing waste to spill into homes, neighborhoods, and bodies of water.
- Underground utilities can be damaged.

2.2.7 Hurricane/Tropical Weather

Hurricanes and tropical storms are formed from tropical low-pressure systems that intensify and produce high winds, waves, rain, and flooding. Typically, they have a well-defined center of circulation and counterclockwise winds in the northern hemisphere. These low-pressure systems become tropical storms when their sustained winds reach 39 mph. They become hurricanes when their sustained winds reach 74 mph. Hurricanes and severe tropical storms represent serious threats to life and property on the North Carolina coast. Hurricanes can create a storm surge not only in the Atlantic Ocean but also in estuarine waters causing flooding along the sound shoreline. Much of land along the estuarine shoreline is low in elevation and can and does flood frequently. In reviewing several recent storms and other rain events, the Town has identified the following areas as particularly troublesome. Additional Town resources (people and equipment) are needed and allocated to these areas before, during, and after a storm event.

There have been a number of storms since 1950 that have affected North Carolina, Dare County and Nags Head. Recent notable hurricanes have included Gloria, 1985; Charlie, 1986; Bob, 1991; Emily, 1993; Arthur and Fran, 1996; Bonnie 1998; Dennis and Floyd, 1999; Isabel in 2003, Alex in 2004, Irene in 2011, Arthur in 2014, Matthew in 2016, and Dorian in 2019. Many of the above named storms resulted in both wind and flood damage and evacuation orders for Dare County. While there have been other storms that have affected the area, the above are the most noteworthy.

2.2.8 Public Safety Power Shutoff

Although a Public Safety Power Shutoff (PSPS) is technically not a threat or a hazard, it is included in this section because the initiation of a PSPS can have similar impacts to a community as an emergency that causes a power outage in the Town. There are three types of electrical power outages: planned for maintenance, unplanned, and preemptive - PSPS. A PSPS could include rotating outages due to transmission grid emergencies, the risk of causing wildfires, existing wildfires that could damage facilities or present a hazard to firefighters, or other circumstances where electrical lines are de-energized for public safety (i.e., severe weather).

A PSPS can leave communities and essential facilities without power, which brings its own risks and hardships. Shutoffs may last as long as six days. It is key to keep community members informed and to connect with those who depend on power for certain medical and independent living needs both before and during de-energization events.

2.2.9 Wildfire

A wildfire is an uncontrolled fire spreading through vegetative fuels. Wildfires can be caused by human activities (such as arson or campfires) or by natural events (such as

lightning). Wildfires often occur in forests or other areas with ample vegetation. In areas where structures and other human development meets or intermingles with wildland or vegetative fuels—which are referred to as the wildland urban interface (WUI) —wildfires can cause significant property damage and present extreme threats to public health and safety.

Wildfire danger is a threat across fuel-rich areas. High fuel areas, along with geographical and topographical features, create the potential for both natural- and human-caused fires that can result in loss of life and property damage. These factors, combined with natural weather conditions common to the area including significant winds, can result in fires. Any fire, once ignited, has the potential to quickly become large and out of control.

Wildfire risk is highest in northern Nags Head within Nags Head Woods and along the sound toward Cedar Island and Pond Island. Northern Nags Head and Cedar Island also contain low to moderate burn probability and coincide with areas in the WUI.

Residential development of single-family homes now borders the entire eastern edge of Nags Head Woods. There are more than 50 other homes within the forest itself. Most of these homes are constructed from wood, and many are immediately adjacent to the forest vegetation. Additionally, there is no fire break between these homes and the forest. This urban/forest interface is a significant concern for local fire departments and The Nature Conservancy.

Wildfire poses numerous risks to critical facilities and infrastructure. Risks, harm, or losses that are likely to result from exposure to wildfire include:

- Casualties (fatalities and injuries).
- Utility outages.
- Economic losses for repair and replacement of critical facilities, roads, buildings, etc.
- Indirect economic losses, such as income lost during the downtime that results from damage to private property or public infrastructure.
- Loss of natural and cultural resources.
- Smoke and air pollution.
- Creation of more favorable conditions for other hazards such as flooding and erosion.

2.2.10 Winter and Extratropical Storms

In addition to hurricanes, Nags Head is subject winter and other unnamed extratropical storms. These storms are often more complex and less predictable than tropical storms. Low pressure systems moving across the United States often strengthen once offshore, creating intense winds and rainfall and the potential for flooding. This strengthening occurs more often in wintertime when there is a temperature gradient between air over a cold landmass and the warm waters of the Gulf Stream. Perhaps the most notable event of this type was the Ash Wednesday Storm in March 1962. This storm, while not a hurricane, caused millions of dollars in damage not only to Nags Head but too much of the eastern seaboard. Another notable storm was an extratropical storm, the "storm of century", which occurred in March 1993. This storm originated in Florida, traveled inland through North Carolina, and produced a storm surge that flooded estuarine areas of the Town with up to eight feet of water. Very little wind damage was associated with this storm. These storms can also often cause substantial beach erosion and oceanfront property damage.

Additionally, the Town is subject to snow and ice storms. The last ice storm the Town experienced was in 1996. This storm produced minimal damage. A severe winter storm occurred in 2003 with eight+ inches of snow accumulation in Town and ice on roadways for several days. The majority of damage was limited to frozen pipes. However, there was one residential structure fire where a residence was totally destroyed that was directly related to this winter storm.

2.3 Capability Assessment

The Town's capability assessment, found in **Annex C, OBX Regional HMP**, identifies and evaluates the legal and regulatory, human and technical, and financial resources available to accomplish mitigation. The assessment illustrates the capabilities that currently exist, which helps to assess and prioritize potential mitigation actions. Mitigation actions enhance a community's resiliency, but the actions need to be grounded in something achievable with existing capabilities. The assessment also identifies gaps in capabilities and resources and provides an opportunity to determine how capabilities can be improved and expanded. Indicated in **Annex C, OBX Regional HMP**, Nags Head has an overall capability rating of High.

3. Program Administration

An effective municipal government emergency management program requires the participation of each Town employee and the support of the community. This section describes the Town of Nags Head's approach to administering its emergency management program. Specifically, this section describes the program's leadership, state and federal guidelines, and the whole community approach to emergency management.

3.1 Program Roles and Responsibilities

The Town's emergency management program relies on the collective leadership and participation of each Town department and the Town's elected officials. Responsibilities for administering the program are described below.

3.1.1 Town Mayor

The Town Mayor is granted specific emergency management authorities in Chapter 14 of the Town's municipal code (see **Appendix B, Authorities and Regulations**). In addition to those authorities, the Town Mayor:

- Supports the Town Manager in managing Town resources during an emergency through policy solutions and external collaboration.
- Participates with other senior leaders and key personnel within Dare County in collaborative discussions to ensure public health and safety within the Town and across Dare County.
- Approves and executes Local Emergency declarations.
- Commits Town personnel, facilities, and equipment resources in support of emergency/disaster response operations.
- Informs the Town Manager of the details of senior leader decisions and authorizes actions in support of emergency/disaster operations within the Town or in support of other jurisdictions, when requested.
- Assesses the needs of the Town and shares related information with other senior leaders.

3.1.2 Town Manager

As the Town's chief executive officer, the Town Manager is responsible for ensuring the Town has an effective emergency management program. During an emergency, the Town Manager:

- Serves as the Emergency Management Director.
- Coordinates the acquisition of assistance from other government agencies and from the private-sector.
- Provides direction to Town departments in emergency management activities.
- Ensures appropriate information is provided to the public and response partners.
- Serves as the EOC Director when the EOC is activated.

3.1.3 Emergency Management Coordinator

The Town Manager designates an Emergency Management Coordinator to oversee the day-to-day responsibilities associated with the Town's emergency management program. Under direction from the Town Manager, the role of the Emergency Management Coordinator, is performed by the Town's Fire Chief, with significant support from each Town department and agency. Responsibilities of the Emergency Management Coordinator include:

- Advising the Town Manager as well as elected and appointed officials during all phases of emergency management.
- Conducting response operations in accordance with the NIMS.
- Coordinating the development of plans, and working cooperatively with other local agencies, community organizations, private sector businesses, and NGOs.
- Developing and maintaining mutual aid and assistance agreements.
- Advising and informing local officials and the public about emergency preparedness guidance.
- Developing and executing accessible public awareness and education programs.
- Conducting exercises to rehearse response activities; test personnel, plans and systems; and identify areas for improvement.

- Coordinating integration of the whole community into emergency planning and response including, but not limited to, individuals with disabilities, individuals from racially and ethnically diverse backgrounds, and others with access and functional needs.
- Helping to ensure the continuation of essential services and functions through the development and implementation of continuity of operations plans (COOP).

3.1.4 Town Departments

Town department heads and/or designees collaborate with the Emergency Management Coordinator during the development of this EOP and supporting emergency plans and providing key response resources. Participation of each department/agency in the planning process helps to ensure that function-specific capabilities are integrated into a comprehensive, executable, and scalable plan to safeguard the community. The department heads and/or designees and their staff develop, plan, and train on internal policies and procedures to meet response needs safely, and they participate in training and exercises to develop and maintain necessary capabilities.

In addition to their normal day-to-day functions and specific departmental emergency / disaster operational tasks, the following responsibilities are common to all Town departments:

- Prepare to perform primary functions for emergency/disaster operations that may impact the Town, including periods of planning, increased readiness, response, and recovery.
- Prepare appropriate emergency plans, Standard Operating Procedures, and/or Guidelines (SOP's & SOG's) to address emergency/disaster situations.
- Conduct regular internal reviews of assigned tasks.
- Establish procedures to assess and report emergency conditions (i.e., injuries, loss of life, and damages to facilities, properties and equipment).
- Develop department-specific public information materials for distribution to the public in emergency/disaster situations.
- Communicate emergency/disaster responsibilities to employees to ensure their readiness to respond to emergency/disaster situations.
- Prepare to work in non-traditional roles, when needed.

3.2 National Response Framework

The National Response Framework (NRF) is a guide to how all levels of government respond to all types of disasters and emergencies. The NRF is built on scalable, flexible, and adaptable concepts identified in NIMS to align key roles and responsibilities across the Nation. The NRF describes specific authorities and best practices for managing incidents that range from serious but purely local to those that are catastrophic and national in scope.

3.2.1 National Incident Management System

NIMS provides a comprehensive approach to emergency management for all hazards. NIMS integrates existing best practices into a consistent, nationwide approach to domestic emergency management applicable to all jurisdictional levels (public and private) and across functional disciplines. NIMS incorporates ICS, a standardized on-scene emergency management concept designed to provide an integrated organizational structure for single or multiple emergencies, and to enable emergency response across jurisdictional boundaries.

The Town of Nags Head's emergency management program complies with Federal and State guidance to use NIMS. The Town's support for NIMS was formally codified by resolution in 2005. Each system is described in detail below.

3.2.2 Incident Command System

The Town of Nags Head responds to disasters using ICS, which is a primary component of NIMS. This standardized incident management concept allows responders to adopt an integrated organizational structure equal to the complexity and demands of any single incident or multiple incidents without being hindered by jurisdictional boundaries.

ICS is based on a flexible, scalable response organization. This organization provides a common framework within which people can work together effectively. Because response personnel may be drawn from multiple agencies that do not routinely work together, ICS is designed to establish standard response and operational procedures. Using ICS reduces the potential for miscommunication during incident response.

The concepts of ICS are applied at each level of response. Each level is described below.

3.2.2.1 Field

The field-level is where emergency response personnel and resources, under the command of responsible officials, carry out tactical decisions and activities in direct response to an incident or threat. In a major emergency, the Town of Nags Head's EOC may

be activated to coordinate and support the overall response while field responders use ICS. The Incident Commander will initially be the most senior officer of the first responding agency. Responding agencies will determine the most appropriate agency and officer to assume Incident Command. Field coordination occurs under the leadership of the Incident Commander at an Incident Command Post (ICP).

Incident Commanders will report directly to the EOC, usually to their departmental counterpart. When the EOC is directly overseeing Incident Command teams, the EOC is operating in a centralized coordination and direction mode.

Unified Command is an application of NIMS/ICS and may be established at the field response level when more than one agency has jurisdictional authority or when incidents cross-jurisdictional boundaries. Agencies work together through the designated members of the Unified Command to establish their designated Incident Commanders at a single ICP. In the Unified Command, entities develop a common set of objectives and strategies which provides the basis for a unified IAP.

3.2.2.2 Municipality

Municipalities are local governments which include incorporated cities, towns, and villages, and designated special districts. The Town of Nags Head is a local municipality. Local municipalities manage and coordinate the overall emergency response and recovery activities within their jurisdiction and statutory authorities.

3.2.2.3 County

A County is a local government and an intermediate level of the State's emergency management organization; it encompasses all unincorporated areas within a county's boundaries and all local municipalities within the county. The Town of Nags Head falls within Dare County. The County facilitates and/or coordinates information sharing, resource requests, and other support for local municipalities in the County. The County serves as the coordination and communication link between local municipalities and the State.

3.2.2.4 State

The State level prioritizes tasks and coordinates State resources in response to requests from counties; it coordinates mutual aid and assistance among the counties. The State level also serves as the coordination and communication link between the State and the Federal emergency response system. The State level requests assistance from other state governments through the Emergency Management Assistance Compact and similar interstate compacts/agreements; it coordinates with the Federal Emergency Management

Agency (FEMA) when Federal assistance is requested. The State of North Carolina operates out of the NC EOC.

3.2.2.5 Federal

When an incident occurs that exceeds or is anticipated to exceed local, state, tribal, territorial, or insular area resources or when an incident is managed by federal departments or agencies acting under their own authorities, the Federal Government may use the management structures described within the NRF. Additionally, the Federal Government may use supplementary or complementary plans to involve all necessary department and agency resources to organize the federal response and ensure coordination among all response partners.

Different federal departments and agencies may play significant roles in response activities, depending on the nature and size of an incident. Many of the arrangements by which departments and agencies participate are defined in the ESF annexes coordinated through pre-scripted mission assignments in a Stafford Act response, formalized in interagency agreements, or described in supplementary plans.

When the Federal Government provides assistance to a State or Region, it may establish a Joint Field Office to support communication, coordination, and collaboration.

3.3 Emergency Declarations

Nags Head Municipal Code, Section 14 empowers the Mayor to declare a State of Emergency and to request the Governor to declare a State of Emergency. A Local Emergency should be declared if there is extreme peril to the safety of persons and property within the Town or when the Town is overwhelmed and unable to abate an existing or potential emergency and requires resources from other unaffected political subdivisions and jurisdictions.

All prohibitions or restrictions issued under the State of Emergency Declaration, shall be proclaimed in writing and signed by the Town Mayor. The Town Mayor shall take reasonable steps to give notice of the terms of the proclamation to those affected by it and shall post a copy of it in the town hall and can post it to the Town's website. Text of any proclamation shall be retained and certified copies shall be furnished upon request. Additionally, the State of Emergency declaration and all associated proclamations should be submitted to Dare County EM through WebEOC.

3.3.1 Purpose

The purpose[7] of a municipal emergency declaration is as follows:

- Enables the Town to request and receive assistance from other agencies and from the State.
- Promulgate orders and regulations necessary to provide for protection of life and property including the undertaking of extraordinary police powers.
- Authorizes the issuance of orders and regulations to protect life and property (e.g., curfews).
- Activates pre-established local emergency provisions such as special purchasing and contracting.
- Serves as a prerequisite for requesting a Governor's Declaration of a State of Emergency and/or a Presidential Declaration of a Major Disaster.
- In the absence of a Presidentially-proclaimed State of War Emergency or State of Emergency, enables the Town to recover from the State the cost of extraordinary services or costs incurred in executing mutual aid agreements.

3.3.2 Notification

When issuing an emergency declaration, the following notifications should be made:

- The Town will notify Dare County and provide a copy of the local emergency declaration as soon as possible.
- Dare County should notify the North Carolina Department of Emergency Management (NCDEM) and provide a copy of the proclamation as soon as possible.
- Dare County is the primary contact between NCDEM and the Town of Nags Head for updates or on any requests for assistance.
- NCDEM responds in writing to the Town of Nags Head concerning the status of any requests for assistance included within the local proclamation or accompanying letter.

3.4 Whole Community Approach

The Town Nags Head understands the importance of engaging the whole community in each phase of its emergency management program. For this EOP and supporting plans

[7] N.C.G.S. § 166A-19.22. Municipal or county declaration of state of emergency.

and procedures to guide successful response and recovery outcomes, they need to reflect the diversity of the Town's entire community. This diversity is represented by individual and organizational capabilities, by the way individuals perceive and respond to threats or hazards, and by the diversity of impacts individuals and organizations may experience following a disaster.

Understanding the whole community requires continued active engagement with all members of the community with the goal of establishing a common purpose and enhancing individual, organizational, and overall community resilience. The Town of Nags Head employs several approaches to engaging the whole community. Some of the key strategies are described in the section below.

3.4.1 People with Disabilities and Other with Access and Functional Needs

People with disabilities require additional planning and support to ensure they receive equal access and services as required under the Stafford Act as well as other state and federal legislation such as the Americans with Disabilities Act (ADA). Covered disabilities are not always apparent and may include impairments of mobility, vision, and hearing as well as some cognitive disorders and mental illnesses.

The Town has a diverse population which includes a wide variety of people with disabilities. To meet the needs of these individuals, the Town is committed to supporting efforts and activities designed to improve and develop capabilities in support of people with disabilities, including but not limited to:

- Notification and warning procedures (ex. non-verbal communications for the deaf and hard of hearing community).
- Evacuation, transportation, and sheltering considerations (ex. use of appropriate vehicles and transportation for those with mobility issues or special equipment).
- Accommodations for service animals (ex. shelter or mass care settings when safety of others can be developed).
- Accessibility to information (ex. use of existing community and social networks to extend communications beyond social and traditional media systems).

The Town requires vendors and third party vendors providing services in an emergency to comply with Title II of the ADA. In addition, the Town looks to integrate people with disabilities and their advocates directly into preparedness activities.

In addition to people with disabilities, the Town recognizes that supplementary or adjusted support may also be needed to support those persons with access and functional needs.

Access and functional needs are not necessarily related to a specific condition, diagnosis, or impairment and are based upon functional areas such as:

- Maintaining independence
- Effective communication
- Transportation
- Supervision
- Medical care

Individuals with access and functional needs may not have access to support networks outside of their immediate communities or be able to self-evacuate. As a result, they may have additional needs before, during, and after an incident. Those with functional needs often include children, the elderly, tourists, and other segments of the population, including:

- People with disabilities
- People living in institutionalized settings
- People from diverse cultures
- People with limited English proficiency
- People without transportation
- People who are economically disadvantaged

The PIO, care providers, and other community representatives work together to convey information in multiple formats through multiple avenues, identify impacts and needs, and identify specific courses of action to care for these vulnerable communities.

The Town has identified and continues to identify individuals in the community who have special needs and those that are more vulnerable to incidents with specific impacts, such as incidents that cause extended power outages or require evacuation.

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4. Concept of Operations

The Concept of Operations describes how the Town's emergency response organization accomplishes its mission. It includes roles and responsibilities, the organizational element of the overall emergency management program, a brief discussion of the EOC activation levels, and a description of control, direction, and intra- and interagency coordination.

4.1 Emergency Management Organization

The Town's emergency management organization consists of representatives from each department, executing their functional roles in response to an emergency incident. However, upon the activation of the Town's EOC, these departments send representatives to fill coordination and support roles that may or may not fall outside the representative's typical day-to-day functional roles. Departmental emergency management responsibilities are provided in **Section 4.2** and the Town's EOC Organizational Structure is described in **Section 4.1.2**.

4.1.1 Emergency Operations Center

The Nags Head EOC is a location from which centralized emergency management can be performed. The use of an EOC to manage and coordinate is a standard practice in emergency management. However, while it is preferred that key EOC positions operate from within the EOC, this might not be feasible, due to staff availability, EOC accessibility, or when remote work is ordered or encouraged.

The primary Nags Head EOC is at Town Hall, located **5401 S. Croatan Hwy. Nags Head, NC 27959**. The alternate Nags Head EOC is located at the Public Services Administration building on Lark Avenue.

If the primary EOC is unsafe or inaccessible, activities typically coordinated and managed from the primary EOC will be moved to the alternate EOC or another location. In addition to the Public Services Administration building, other locations have been identified capable of hosting an alternate EOC. Selecting the location of the alternate EOC will be determined based on the geographical scope of the existing threat/hazard and the current conditions and capabilities of those locations. Mobile radios, phones, and lap-top computers will permit re-location of the EOC to any appropriate location as circumstances dictate. Additionally, greater reliance on Town departments to coordinate activities from their locations or virtually may be required.

The Town has an activate Memorandum of Understanding with the Town of Cary to support relocation of Town administration, including its EOC. However, variables of the

incident may require the co-location of Town EOC staff with Dare County EOC staff at another location.

4.1.2 EOC Organizational Structure

The Town of Nags Head's EOC organizational structure reflects the application of ICS to the coordination and support role of the EOC. The structure is designed to provide flexibility based on the nature of incident impacts and community needs and staffing capabilities. The organizational structure adheres to ICS principles of:

- Modular organization, adapting in size and scope based on the complexity of the incident.
- Span of control (ensuring that the number of individuals or resources that one supervisor can effectively manage).
- Unity of command (reporting to and receiving assignments from only one supervisor).
- Integrates management functions (Management, Operations, Planning, Logistics, and Finance and Administration) into a NIMS-compliant departmental structure.
- A supervisory position assumes the responsibilities of a subordinate position when that subordinate position is vacant.

While similar, the field-level ICS structure and the EOC structure differ slightly based on their different roles in managing the response. The EOC serves in a support role while the field-level incident command structure provides direction and manages execution. The Town of Nags Head's EOC departmental organization structure is hybrid in design, providing management and direction in addition to coordination and support. **Figure 4-1** shows the organizational structure for the Nags Head EOC when fully activated.

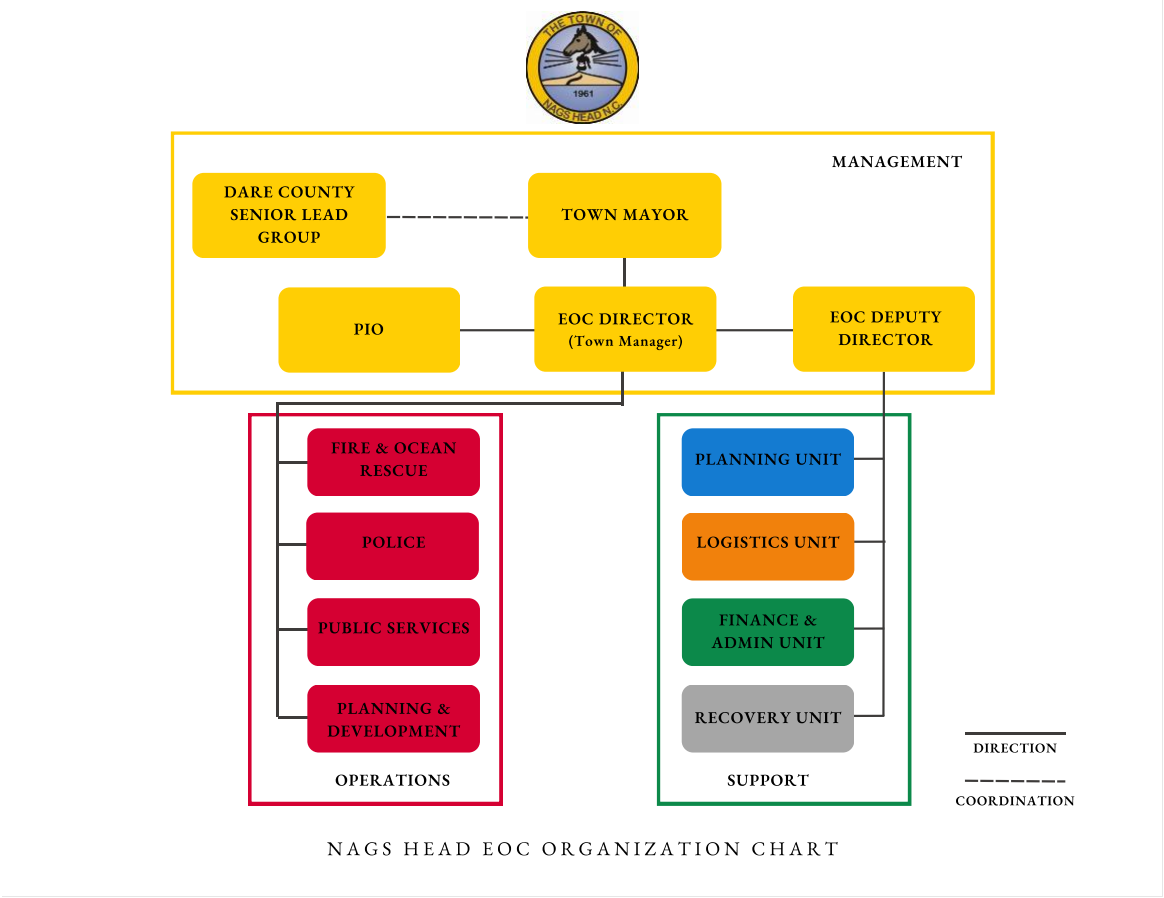


Figure 4-1. Emergency Operations Center Organization Chart

4.1.3 Activation

The activation level of the EOC and associated staffing needs vary with the specific emergency situation. The Town EOC is activated when an incident response requires additional coordination to support for field-level operations. Circumstances that might trigger EOC activation include:

- More than one jurisdiction becomes involved in an incident and/or the incident involves multiple agencies.
- The Incident Commander or Unified Command indicates an incident could expand rapidly, involve cascading effects, or require additional resources.
- A similar incident in the past led to EOC activation.
- The Town Manager directs that the EOC be activated.

- An incident is imminent (e.g., hurricane warning, existing or expected flooding, predictions of hazardous weather, active wildfire, elevated threat levels).
- Significant impacts to the Town's population are anticipated.

When activating the EOC, the Town Manager should consider the following as part of the process of activation:

- Determine the scope of the incident.
- Determine the appropriate level of activation.
- Notify and recall necessary EOC staff for activation.
- Open the EOC and prepare the facility to host operations.

4.1.4 Activation Levels

The level of activity within an EOC often grows as the size, scope, and complexity of the incident grows. If the field-level, incident management efforts require additional support and coordination, the EOC Director may activate additional staff to involve more disciplines, mobilize additional resources, inform the public, address media inquiries, involve elected officials, and request outside assistance. **An activated EOC does not require all assigned EOC personnel to work from within the EOC.**

Table 4-1 lists the Town's EOC activation levels, along with potential triggers for determining the appropriate activation level. Any of these levels can involve both in-person and off-site personnel coordinating virtually. The activation level numbers are consistent with activation levels provided by state and federal guidance.

Table 4-1. EOC Activation Levels

Level	EOC Status	Situation	Activity Description	EOC Staffing
3	**Monitoring/ No Activation**	• No active threats or hazards • Monitoring potential threats or hazards • Severe weather warning • Incident(s) impacting neighboring jurisdictions with potential to impact the Town or require the Town's assistance. • PSPS planned with anticipated impacts to the Town (short-term duration)	Specific EOC positions may be notified to monitor a credible threat, risk, or hazard, or to support the response to an evolving incident (ramping up or winding down) that doesn't require a large organization to coordinate operations. All departments are preparing for escalation in complexity of the incident, and the EOC is readied for potential activation.	• None **EOC staff notified and remain working from normal duty stations**
2	**Partial Activation**	• Hurricane with moderate damage reported/expected. • High winds, significant rain, or localized flooding • Ice storm and/or snow accumulation above 3 inches • Wildfire outside the Town with the potential to spread to the Town. • Major planned/ scheduled event • Public health emergency (pandemic) • PSPS planned with anticipated impacts to the Town (long-term duration)	Specific EOC positions are activated to coordinate assessment of impacts from an incident, or coordinate response operations of moderate complexity. Deputy EOC Director performs planning, logistics, and finance/admin functions.	• EOC Director • PIO • Deputy EOC Director • Department Directors (managing incident-related operations) **Department Directors work from normal duty stations. EOC Director, PIO, and Deputy EOC Director work in the EOC.**

Table 4-1. EOC Activation Levels

Level	EOC Status	Situation	Activity Description	EOC Staffing
		• Significant incident impacting neighboring jurisdictions requiring support from the Town. • An incident requiring the evacuation of a small portion of the Town		
1	**Full Activation**	• Any incident with severe to catastrophic impacts reported/ expected in the Town. • Hurricane with severe to catastrophic damage reported/expected. • Severe flooding • Wildfire in the Town and/or surrounding response area threatening structures • Any incident requiring significant resource coordination • Any incident requiring a large portion of the Town to evacuate	Full EOC team is activated, including personnel from all assisting organizations, to support the response to a major incident or credible threat with the potential for severe to catastrophic impacts. All functions of EOC are performed and all formal processes are followed.	• All EOC positions are staffed. • Additional positions staffed as necessary - including liaisons, technical specialists, and the integration of external supporting organization representatives. • May include integration of staff to augment EOC positions. **Some EOC staff with field-level responsibilities may not work within EOC but will provide situation reports or attend briefings according to defined schedules.**

4.1.5 Deactivation

At a point in time when response activities transition to recovery activities, the EOC Director we begin to demobilize the EOC and activity will transition to the Town's Recovery Organization (**Section 11**). Recovery activities will continue long after deactivation of the EOC. The decision to deactivate the EOC is determined by situational analysis of field-level response activity and resource needs. The Planning Unit and Finance and Administrative Services Unit is responsible for planning for the transition from response to recovery operations.

Prior to deactivating the EOC, all internal and external partners will be notified of the decision to deactivate and the date/time of deactivation, while providing instructions for continued coordination outside the EOC. After deactivation, all documentation should be gathered and maintained to support recovery efforts and the After-Action Review. Additionally, the EOC should be resupplied and prepared for future activations.

4.2 Roles and Responsibilities

Emergency management roles and responsibilities for Town and County departments with jurisdictional authority in the Town are described in **Table 4-2**. EOC primary and supporting functional roles and responsibilities for each Town department are presented in **Table 4-3**.

Position-specific roles and responsibilities in the EOC, including position-specific checklists that identify tasks associated with each position can be found in **Annex A, EOC Operation Guide**.

Table 4-2. Emergency Management Responsibilities

Position/ Department	Responsibilities
Finance/ Administrative Services	• Provide emergency procurement support (facility space, office equipment/supplies, contracting services, etc.). • Develop financial mechanisms, procurement vehicles, and contracts to support procurement. • Provide fiscal oversight and track expenses. • Manage disaster recovery assistance programs.

Table 4-2. Emergency Management Responsibilities

Position/ Department	Responsibilities
Fire & Ocean Rescue	• Conduct firefighting operations. • Conduct rescue operations and coordinate with Dare County Emergency Medical Services (EMS) regarding medical transport. • Coordinate mass casualty/fatality management operations. • Conduct search and rescue operations. • Coordinate hazardous materials response operations – requesting Regional Response Team assistance (when necessary) • Support emergency public warning as needed. • Support preparation of the EOC for activation and operation. • Lead fire and rescue Mutual Aid coordination. • Support damage assessment efforts • Provide incident planning and management support as needed.
Human Resources	• Oversee personnel time-keeping. • Oversee compensation and claims. • Provide guidance on human resources policies. • Support re-assignment (when necessary) of personnel during an incident that disrupts Town essential functions. • Support recruitment and onboarding or emergency hires (when necessary).
Information Technology	• Protect, restore, and sustain Town information technology resources. • Maintain communications systems in support of field and EOC incident management operations. • Coordinate with telecommunications service providers. • Restore and repair telecommunications infrastructure. • Provide GIS mapping support as needed.
Planning and Development	• Manage and conduct safety and damage assessments. • Support structural safety assessment operations and advise on structure re-entry standards. • Provide damage assessment documentation (i.e., Crisis Track) to support emergency declarations and state and federal recovery assistance.

Table 4-2. Emergency Management Responsibilities

Position/ Department	Responsibilities
Police	• Conduct law enforcement operations. • Support evacuation operations. • Conduct and coordinate emergency public warnings as needed. • Provide facility, site, and resource security. • Coordinate with NC Office of the Chief Medical Examiner (OCME) for fatality management operations. • Lead law enforcement Mutual Aid coordination. • Conduct security planning and provide technical resource assistance. • Impose and enforce curfew as directed. • Provide public safety and security support. • Provide traffic control. • Provide access control, traffic management, and crowd control at commodity distribution sites. • Coordinate the maintenance and operation of all Town traffic signals.
Public Information	• Serve as the central coordination point for the Town for all media inquiries and information releases. • Coordinate with the Planning Unit as necessary to ensure that the public within the affected area receives complete, accurate, timely, and consistent information about threats and hazards, response activities, services offered, and other vital situational information. • Monitor social media to identify questions, concerns, and/or needs in the community. • Develop public messages and coordinate with the EOC Director for approval. • Prepare for and hold press conferences as required. • Prepare Town representatives for press conferences and interviews. • Maintain a relationship with media representatives. • Participate in (if lead by another jurisdiction) or lead a Joint Information Center if necessary.

Table 4-2. Emergency Management Responsibilities

Position/ Department	Responsibilities
Public Services	• Provide logistical support for emergency operations. • Conduct initial, emergency debris clearance for critical facilities. • Consult with debris removal and debris monitoring vendors for debris clearance and removal operations. • Conduct flood fight operations (when appropriate). • Lead public services Mutual Aid coordination. • Provide engineering and construction management services (Town Engineer). • Maintain all Town drainage structures. • Support damage assessment efforts for roads and water transportation infrastructure. • Coordinate potable water system resources for prioritized public safety operations. • Monitor potable water quality and perform sampling/testing as needed. • Conduct fleet, fuel, and generator management. • Provide facility repairs and maintenance of all Town-owned facilities. • Manage Town facilities and coordinate use of non-Town facilities. • Coordinate the provision of alternate water supply (when necessary). • Prepare beach, Town facilities, and waste customers for storm impacts. • Conduct preliminary beach erosion assessments, coordinate with state and federal agencies. • Coordinate with Carolina Water Services when necessary. • Coordinate with Dominion Energy on PSPS activities and electrical power restoration.
Town Attorney	• Review formal proclamations related to Local Emergency declarations. • Assess Town operations and provide legal counsel as needed. • Review potential or threatened litigation as needed.
Town Clerk	• Coordinate with Town Mayor on the development and issuance of all proclamations related to a Local Emergency declaration. • Oversee preservation of vital records. • Monitor impacts to continuity of government.

Table 4-2. Emergency Management Responsibilities

Position/ Department	Responsibilities
Town Manager	• Direct the emergency management organization – Department Directors. • Establish response priorities and objectives. • Issue mission assignments. • Issue or request declaration of a Local Emergency. • Lead action planning. • Direct resources and personnel. • Develop and maintain communication with Mayor and Town Commissioners. • Approve emergency public information. • Engage media and foster community relations.
Town Mayor	• Support public information efforts as needed. • Support community engagement. • Attend public meetings as needed. • Review potential or threatened litigation as needed. • Serve as a liaison with other town, county, state and/or federal representatives as needed. • Review, approve, and execute the declaration of Local Emergency. • Visit impacted areas, shelters, and other temporary facilities. • Review requirements for special legislation and development of policy. • Consider short- and long-term recovery staff recommendations. • Communicate / consult with other members of the Board of Commissioners.
Dare County – (only departments with jurisdictional authority in the Town of Nags Head are listed)	

Table 4-2. Emergency Management Responsibilities

Position/ Department	Responsibilities
Health and Human Services	• Provides technical guidance and issues orders through the authority of the Health Officer to protect and preserve the public's health (e.g., to prevent the spread of disease). • Provides information on health surveillance, disease control measures, and risk avoidance. • Coordinates the mass distribution of pharmaceuticals to prevent or treat disease in response to communicable disease outbreaks or acts of bioterrorism. • Manages the Medical Countermeasures Program for Dare County. • Coordinates the activation of shelters for the County. • Provides support services at the Family Assistance Center when activated. • May support municipalities by providing staff to operate disaster shelters. • Provides programs for childcare, general assistance, housing assistance, food stamps, and Supplemental Security Income for disaster victims in need.
Emergency Medical Services	• Provides emergency medical care and transportation services within the County. • Provides triage, medical care, and transportation support during mass casualty incidents. • Coordinates with health care facilities and emergency medical response providers • Coordinates requests for medical/health Mutual Aid.

4.3 Response Phases

Preparation and operational activities during an incident response evolve in phases. For incidents where there is prior warning, response activities may begin prior to experiencing the incident's impact. For incidents that occur without warning response activities are more reactionary.

4.3.1 Pre-incident (Increased Readiness)

Increased readiness is required upon receipt of a warning or in anticipation that an emergency situation is imminent or likely to occur. The Town initiates actions to increase its readiness. Increased readiness activities may include, but are not limited to:

- Briefing the Town Mayor, Town Board of Commissioners, applicable department representatives, and all Town employees.
- Reviewing the EOP and all relevant annexes, policies, and procedures.
- Increasing public information capabilities.
- Providing just-in-time training.
- Inspecting critical facilities and equipment, including the testing of warning and communications systems.
- Recruiting additional staff and registering volunteers.
- Warning at-risk elements of the population.
- Conducting precautionary evacuations in the potentially impacted area(s).
- Mobilizing personnel and pre-positioning resources and equipment.
- Contacting local, State, and Federal agencies that may provide support.

4.3.2 Initial Response

The Town's initial response activities are primarily performed at the field level. Emphasis is placed on saving lives and minimizing the effects of the emergency or disaster. Examples of initial response activities include, but are not limited to:

- Activating the EOC and establishing incident command.
- Making all necessary notifications, including those to the Town's Emergency Management Organization, Town departments, Dare County, and other external partners.
- Disseminating warnings, emergency public information, and instructions to the community members of the Town.
- Conducting evacuations and/or rescue operations.
- Caring for displaced persons and treating the injured.
- Conducting initial safety and damage assessments and surveys.
- Assessing the need for mutual aid assistance.
- Restricting movement of traffic/people and unnecessary access to affected areas.
- Developing and implementing Action Plans (e.g., field, EOC, etc.).
- Coordinating with local, state, and federal agencies.
- Declaring a Local Emergency.

4.3.3 Extended Response

The Town's extended response activities are conducted in the field and in the EOC. Extended emergency response activities involve the coordination and management of personnel and resources to mitigate an emergency and facilitate the transition to recovery operations. Examples of extended response activities include, but are not limited to:

- Disseminating emergency public information.
- Preparing detailed damage assessments.
- Declaring a State of Emergency (if not already declared).
- Coordinating with Dare County EM to support the issuance of a Gubernatorial Declaration and/or Federal Declaration that protects, controls, and allocates vital resources.
- Documenting situation status.
- Documenting expenditures.
- Restoring vital utility services.
- Coordinating care and sheltering operations.
- Developing and implementing Action Plans (e.g., field, EOC, etc.) for extended operations.
- Conducting advance planning activities.
- Procuring required resources to sustain operations.
- Tracking resource allocation and status.
- Coordinating with local, state, and federal agencies.

4.3.4 Transition to Recovery

The Town will transition to recovery operations as response activities subside. The transition will focus on demobilizing personnel and deactivating the EOC. Examples of activities during the transition from response to recovery include, but are not limited to:

- Notifying all internal and external organizations active in the response of the intent to deactivate the EOC.
- Demobilizing personnel and reassigning them back to their pre-disaster roles.
- Collecting and compiling all documentation.
- Conducting a post-response after-action review.
- Establishing the formal recovery organization and assigning recovery roles and responsibilities.

4.4 Direction, Control, and Coordination

Direction, control, and coordination will be managed according to ICS and NIMS. The subsequent subsections describe the framework for all direction, control, and coordination activities. The position who has tactical and operational control of response assets is also described. In addition, how multi-jurisdictional and multi-agency coordination systems support the efforts of the Town to coordinate efforts across jurisdictions while retaining its own authorities is explained.

4.4.1 Direction and Control

The Emergency Management Director (Town Manager) has the authority to direct staff and civilian responses in the Town and to settle questions of authority and responsibility. If necessary to protect life and property or to preserve public order and safety, the Town Mayor may promulgate orders and regulations. These must be in writing and must be given widespread publicity.

As Emergency Management Director and EOC Director (when activated), the Town Manager will oversee all response and recovery activity conducted by Town departments/agencies. However, town departments/agencies are encouraged to establish, in addition to their EOC participation, decentralized command and control structures to execute their functional responsibilities. Consistent with NIMS, department/agency heads will lead their teams in the execution of their functional roles to achieve incident response objectives.

4.4.2 Coordinating with Field-Level Incident Command Posts

The EOC is activated to support field-level operations when an emergency requires additional resources, or when requested resources exceed what is available within the Town. Field supervisors through their department/agency heads will establish communications with the EOC when activated. Situational status information and requests for assistance will be submitted by department/agency heads through the EOC. Situational status information, status of resource requests, Town-wide response priorities and objectives, and other critical information updates will be conveyed by the EOC to department/agency heads and field supervisors.

4.4.3 Coordinating with Dare County

The Town EOC coordinates with the Dare County EOC when activated. Coordination occurs to coordinate activities and messaging, request resources, and share information. Communication between the Town EOC and County EOC occurs between position/functional counterparts. For example, the Town EOC Planning Unit Leader

communicates with the County EOC Planning Section Chief. Additionally, during complex or large-scale incidents, the Town may send a liaison to the County EOC to facilitate communication and coordination, especially in support of resource management. The Mayor may attend collaboration meetings at the Dare County EOC with other elected officials, and the Town's PIO may serve as part of a Joint Information Center (JIC).

4.4.4 Coordinating with NGOs/Private-Sector Organizations

During emergencies, the Town's EOC is generally a focal point for coordination of response activities with many nongovernmental organizations and private businesses. When possible, relationships with these organizations should be established and maintained prior to an incident to clarify the roles and/or services they might provide to the Town during disasters.

Organizations that play key roles in the response may have representatives attend EOC briefings or station representatives at the EOC. If representation in the EOC is not practical, the Town will establish the process for communicating and sharing information.

4.4.5 Coordinating with Town Elected Officials

During an incident response and subsequent EOC activation, it is necessary to periodically update the Town Mayor and other elected officials on specific aspects of response operations and progress towards the achievement of objectives. The Town Manager with support from the PIO will schedule and conduct briefings with the Town Mayor, when necessary or requested. The Town Mayor will update the Town Board of Commissioners, as necessary. The Town Clerk will coordinate with the Town Mayor on the development and issuance of all proclamations related to a Local Emergency declaration. Additionally, as key developments occur, the Town Manager or PIO will communicate new information to the Town Mayor between briefings so that they have the most current information.

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5. Information Collection, Analysis, and Dissemination

Obtaining situational awareness is one of the most critical tasks following an incident or catastrophic disaster. Information collection consists of the processes, procedures, and systems to communicate timely, accurate, and accessible information on the incident's cause, size, and current situation to the public, responders, and additional stakeholders (both directly affected and indirectly affected). Information must be coordinated and integrated across jurisdictions and across organizations; among Federal, State, and municipal governments; and with the private sector and NGOs.

The EOC serves as a hub for collecting, analyzing, and disseminating timely, accurate, consistent, and accessible information relating to the incident or event. Establishing a common operating picture and maintaining situational awareness are essential to incident management and are a major role of the EOC.

5.1 Information Collection

Information relating to the incident or event is often collected before an incident through routine monitoring of warning sources and credible threats. This information is used for advance preparedness and planning and to devise incident management strategies and action plans and to make decisions about notifying the public. The Town will use this information to determine what steps should be taken, such as recommending activation of the EOC and the emergency organization.

During an incident Information may be collected from a variety of sources, such as:

- Windshield surveys and on-scene observation.
- Field-level personnel/Incident Command Posts (when activated).
- Emergency Dispatch.
- Law enforcement monitoring networks (such as the North Carolina Information Sharing and Analysis Center).
- Media reports.
- Social media.
- Email.
- Conference calls or in person briefings with Dare County Emergency Management and NCDEM.

The Planning Unit with support from the PIO is responsible for gathering information to support decision-making in accordance with established operational priorities. The EOC Director will establish information collection priorities. Critical items of information required by decision-makers to make timely decisions and prioritize key tasks and information requests vary by incident. Examples of critical information, including the types and sources of information are provided in **Annex A, EOC Operations Guide**.

5.2 Analyzing Information

All information acquired by the Town of Nags Head should be analyzed and confirmed prior to disseminating it further and prior to providing direction to staff or making other decisions based on the acquired information.

Analysis of information may occur before or during an incident. Information that is made available through monitoring and warnings must be analyzed in the context of risk assessment, infrastructure/ structural vulnerability, forecasts, social vulnerabilities, current events, and other factors.

When the EOC is activated, a critical task of the Planning Unit is turning the collected information into actionable intelligence. Raw information and data require evaluation, verification, and assessment for relevance. The Planning Unit will process information made available, validate and organize relevant components, and ensure that the resulting intelligence is evaluated by qualified personnel.

5.3 Sharing Information

Sharing accurate and timely information is a critical function of emergency management. The Town will share validated information internally and externally in different formats using difference avenues of sharing and dissemination.

5.3.1 Situation Status Reports

Intelligence collected throughout the incident will be documented in a Situation Status Report. The Planning Unit of the EOC develops the report. Situation Status Reports create a common operating picture and will be used to adjust the operational goals, priorities, and strategies. The flow of situation reports among the levels of government should occur consistently with NIMS, as shown below:

1. **Incident Command Post(s):** Situational status and other relevant information from the field should be compiled and documented in situation status reports by Incident Commanders or department representatives. These reports may be conveyed verbally but should be provided in writing to the EOC Planning Unit within the established operational period.

2. **Town of Nags Head EOC:** The EOC Planning Unit will summarize and verify reports received from the field and provide a consolidated Town of Nags Head Situation Status Report to the Dare County EOC, if necessary, once each operational period. The Situation Status Report will also be made available to all participants in the Town's emergency management organization to provide situational awareness.
3. **Dare County EOC:** The Dare County EOC will summarize situation status reports received from activated local municipality EOCs within Dare County, Dare County field-level units, Dare County Department Operations Centers (if activated), and other reporting disciplines and forward a consolidated Dare County Situation Report to NCDEM.
4. **NC EOC:** If activated, the NC EOC will summarize situation status reports received from the County EOCs, state DOCs, state agencies, and other reporting disciplines and distribute to state officials and others on the distribution list.
5. **Joint Field Office (JFO):** When a JFO is activated to support local, state, and federal coordination, including FEMA, the County EOC and NC EOC situation status reports will be assimilated into the JFO situation report. The NC EOC may be co-located with the federal organization at the JFO.

5.3.2 Displaying Information

Critical information may be displayed in the EOC for all personnel to reference. Whiteboards, flip charts, and/or wall monitors may be used. Additionally, all critical information will be entered into WebEOC to ensure situational awareness and a common operating picture. The Planning Unit will be responsible for updating and maintaining all displays and entering information into WebEOC.

5.3.3 EOC Incident Action Plans

The EOC Director will convey operational response information to department heads through the use of EOC IAPs in conjunction with regularly scheduled EOC briefings (usually one briefing conducted early in each operational period or as needed).

The primary focus of the EOC IAP should be on planning for the achievement of Town objectives. The EOC IAP sets overall objectives for the Town. It can also include assignments to specific departments, provide policy and cost constraints, and incorporate interagency considerations. Properly prepared, the EOC IAP becomes an essential input to developing field-level/departmental IAPs.

Incident action planning is based around the use of an operational period. The length of the operational period for the EOC is determined by first establishing a set of objectives

and priority actions that need to be performed and then establishing a reasonable time frame for accomplishing those actions. Generally, the actions requiring the longest time period will define the length of the operational period.

Typically, operational periods at the beginning of an emergency are short, sometimes only a few hours. As the emergency progresses, operational periods may be longer, but should not exceed 24 hours.

The initial EOC IAP may be a verbal plan put together in the first hour after EOC activation. The verbal plan is usually put together by the EOC Director in concert with department heads. There must be adequate representation of key organizational components, organizations, and agencies with representatives participating in the planning process having technical expertise and authority to commit to accomplishing these tasks. Once the EOC is fully activated, EOC IAPs should be written and produced by the Planning Unit. EOC IAPs should be documented in WebEOC. Details regarding the incident action planning process and IAP content are found in **Annex A, EOC Operations Guide**.

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6. PUBLIC INFORMATION

Public education and communications strategies help to ensure that lifesaving measures, evacuation routes, threat and alert systems, and other public safety information are coordinated and communicated to numerous audiences in a timely, consistent manner. The purpose of public information is to provide factually and current information to the public to encourage individuals to take appropriate actions to avoid hazards and receive assistance. Similar to obtaining situational awareness, public information includes processes, procedures, and organizational structures required to gather, verify, coordinate, and disseminate information.

6.1 Public Information Officer

The Town's PIO supports the Town Manager and the entire emergency management organization prior to, during, and following an emergency incident or disaster. The PIO supports the EOC Director and/or the Incident Commander in the field as a member of their command staff. The PIO advises leadership on all public information matters relating to the management of the incident. The PIO handles inquiries from the media, the public, and elected officials; emergency public information and warnings; rumor monitoring and response; media monitoring; and other functions required to gather, verify, coordinate, and disseminate accurate, accessible, and timely information related to the incident, particularly regarding information on public health, safety, and protection.

Due to the critical need for accurate and timely information, the PIO works closely with the EOC Planning Unit to obtain and share information. Additionally, when a Joint Information Center (JIC) is activated, the Town's PIO will participate to the extent possible at the discretion of the EOC Director.

6.2 Joint Information System

The Joint Information System (JIS) is the broad mechanism that organizes, integrates, and coordinates information to ensure timely, accurate, accessible, and consistent messaging activities across multiple jurisdictions and/or disciplines with the private sector and NGOs. It includes the plans, protocols, procedures, and structures used to provide public information. Federal, State, local, and private sector PIOs and established JICs at each level of NIMS are critical elements of the JIS.

6.3 Joint Information Center

The JIC is a central location that facilitates operation of the JIS. It is a location where personnel with public information responsibilities from multijurisdictional agencies and departments, perform critical emergency information functions, crisis communications,

and public affairs functions. JICs may be established at various levels of NIMS, at incident sites, or can be components of Federal, State, or local multi-agency coordination (MAC) groups (e.g., MAC Groups or EOCs). Depending on the requirements of the incident, JICs can be established in the field to support the incident commander.

6.4 Message Development and Approval

Messages intended to be disseminated to the public or to other agencies or organizations may be developed by department representatives and subject matter experts working in support of the Town's response efforts. These messages are reviewed by the PIO to correct inaccuracies and to maintain consistency in messaging. Prior to disseminating any public messages, the PIO will coordinate with the EOC Director to obtain approval.

6.5 Methods of Dissemination

The Town uses various technologies and methods to disseminate public information, according to the urgency of the message and its intended audience. Among them are: social media (i.e., Facebook, Twitter, Instagram), standard media, radio, OBX Alerts, print, electronic signs, Wireless Emergency Alerts, and through door-to-door notifications when necessary.

Additionally, the Town will partner with community organizations and leaders to convey information through them to the communities they support. This approach may consist of sending informational releases to forward, and/or setting up briefings or meetings with specific community groups.

7. COMMUNICATIONS

Establishing and maintaining the capability to communicate internally and externally is fundamental to incident management. When communication connections are successful, information can be shared protecting lives, maintaining situational awareness, and providing direction. The sections below provide an overview of the systems and methods the Town uses to communication with internal and external organizations and the community.

7.1 Alert, Warning, and Notifications

The Town will use **OBX Alerts** as its main emergency-alert system to notify the community of information such as evacuation advisories, shelter-in-place, and boil-water notices.

The timing of dissemination and content of alert/warning messages will be coordinated with the Town Mayor, Town Manager, Emergency Management Coordinator, and PIO. Additionally, these messages will be coordinated with Dare County Emergency Management, neighboring municipalities, and other organizations who may need prior notice of the messages prior to their dissemination.

The Town's notification mechanisms include:

- **OBX Alerts**: Managed and maintained by Dare County Emergency Management
- **Notify Me®**: Nags Head news flash information (i.e., weekly email broadcasts, bid notices, street closures, weather alerts, water system information, trash schedule changes, red "no swimming" flag notices, etc.)
- **Website:** www.nagsheadnc.gov
- **Social Media:**
    - **Facebook** - https://www.facebook.com/Townofnagshead
    - **Twitter** - https://twitter.com/Townofnagshead
    - **Instagram** - https://www.instagram.com/townofnagshead/
- **News Media:** Local TV and newspapers.
- Door-to-door notifications (dependent on situation).

Additional systems that Federal agencies and other public-safety agencies may use include:

- The **Emergency Alert System (EAS)** addresses the American public via TV, radio and National Oceanic and Atmospheric Administration (NOAA) weather radios. In addition to federal agencies, state and local authorities may use the EAS to send

emergency information and AMBER (missing children) alerts. An EAS alert can be requested through NC DEM or local National Weather Service office.

- The **Wireless Emergency Alerts (WEA)** system alerts people about public-safety emergencies via text message on smartphones and other compatible devices. WEA is a public safety system that allows customers who own certain wireless phones and other enabled mobile devices to receive geographically-targeted, text-like messages alerting them of imminent threats to safety in their area.

7.2 Methods of Communication

EOC communications will be maintained and supported by the Information Technology Department. Primary communications during a disaster will occur through the use of Town-provided or personal cellular telephones. The Town EOC is equipped with multipurpose and redundant communication technologies allowing the sharing of information across multiple platforms through different modalities. The communication capabilities are routinely exercised and updated as technology advances. Current communication resources in the Town EOC include:

- Land-line based phones.
- Voice Over Internet Protocol (VoIP) phones.
- Cellular telephones.
- Satellite phones (if available).
- Internet enabled computers.
- Government Emergency Telecommunications Services (GETS).
- Land mobile radios.
- WebEOC.

If additional communications capabilities are needed outside of what can be provided by the Town, the following systems and/or teams are available for request:

- **Town of Nags Head Command Post Trailer.**
- **NC EM Communications Trailer.**
- **American Red Cross Communications Trailer.**
- **Dare County Sheriff's Office 911 Communications Center -** Computer Aided Dispatch (CAD) responsible for communicating with law, fire, EMS, public services, utilities, animal control, and Dare County Health and Human Services.
- **RACES** – Radio Amateur Civil Emergency Service.
- **ARES** – Amateur Radio Emergency Service.

- **Private telecommunications providers** – several telecommunications companies that provide services in North Carolina have emergency response teams that can provide municipal governments and first responders with communication capability.

8. LOGISTICS

Logistics management is a critical component in support an effective response to a disaster. Managing the numerous resources necessary to support operations requires a standardized system of coordination and detailed processes.

8.1 Resource Management

Resource management involves: identifying and typing resources; qualifying, certifying, and credentialing personnel; planning for resources; and acquiring, staging, and inventorying resources.

8.1.1 Identifying and Typing Resources

In accordance with NIMS, resources are identified by the following characteristics:

- **Capability:** The core capability for which the resource is most useful (e.g., fire management and suppression; on-scene security, protection and law enforcement; public health, healthcare, and emergency medical services).
- **Category:** The function for which a resource would be most useful (e.g., fire/hazardous materials, law enforcement operations, medical and public health).
- **Kind:** A broad characterization, such as personnel, teams, facilities, equipment and supplies.
- **Type:** Provides further details regarding the capability of a specific *kind* of resource that applies a metric to designate it as a specific numbered class (e.g., Type 1 Incident Management Team [IMT], Type 2 IMT, and Type 3 IMT).

8.2 Resource Requests

During the response phase, the real-time tracking of incidents and response resources is critical. Resources may be in short supply, and multiple requests for services can occur. Resource requirements for supplies, equipment, vehicles, facilities, or personnel are initially filled from within Town departments. Once internal resources have been exhausted (to include inventories on hand and procurement from vendors), or when a shortfall is projected, a resource request based on a needed outcome is made from the field (departments) to the Town EOC.

The request is then filled, if possible, by other Town departments. When no internal source exists to fulfill the resource request, or a shortage is anticipated, the request is forwarded to the Finance and Administration representative. The Finance and Administrative Services

representative attempts to fulfill the request by procuring the necessary services or supplies from the private sector or other nongovernmental sources.

When Town of Nags Head resources have been exhausted, resource requests are then routed to the Dare County EOC using WebEOC. If resources are exhausted in the County, requests are routed by the County EOC to NC EOC for assignment by the State's Mission Assignment Coordinator (MAC).

All resource requests made to Dare County should include the following:

- Clearly describe the current situation.
- Describe the requested resources.
- Specify the type or nature of the service the resource(s) is providing.
- Provide delivery location with a common map reference.
- Provide local contact at delivery location with primary and secondary means of contact.
- Provide the name and contact information for the requesting agency.
- Indicate the time the resource is needed and include an estimate of duration of use.
- For resource requests involving personnel and/or equipment with operators, indicate if logistical support is required, (i.e., food, shelter, fuel, and reasonable maintenance).

8.2.1 Requesting Mutual Aid

Local municipalities may call another municipality or county directly to request additional equipment or personnel. All coordination is done by the participating agencies and logistics and reimbursements are specified in the mutual aid agreement. If this mutual aid is utilizing the Statewide Mutual Aid Agreement the requestor must also notify the NCEM 24-hr Watch for documentation of the mutual aid response at nceoc@ncdps.gov, 919-733-3300, or through WebEOC.

When the Town submits Mutual Aid requests, the requests are coordinated through Dare County and should specify, at a minimum:

- Number and type of personnel needed.
- Type and amount of equipment needed.
- Reporting time, location, and point of contact.
- Access points/routes.
- Estimated duration of operations.

- Risks and hazards.

The Planning Unit of the Town EOC will be in charge of tracking/documenting resource status including requests for equipment, resources, and personnel under existing Mutual Aid procedures. The requester will coordinate with the Planning Unit to provide updates on requests and arrival of resources. Resource typing of equipment will be handled by individual law, fire, public services, and others under the guidance issued by NIMS implementation.

(See **Appendix C, North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement**).

8.3 Resource Tracking

Resource tracking occurs prior to, during, and after an incident. This process helps staff prepare to receive and use resources; tracks resource location; facilitates the safety and security of personnel, equipment, teams, and facilities; and enables effective resource coordination and movement. Resource status updates and associated information should flow up from the field to the Town EOC, and continue until the information is received by the resource provider. The Planning Unit will track the status of all requested resources with support from department directors. Resource status can be characterized by the following designations:

- Requested.
- In-route (with estimated time of arrival).
- Staged – awaiting assignment.
- Active (in use).
- Demobilized.

8.4 Use of Volunteers

After a disaster, an influx of spontaneous volunteers and volunteer organizations arrive in impacted communities; however, well-intentioned, uncoordinated volunteers can be ineffective, hinder response operations, and create new risks. Emergency volunteers can be extremely helpful, but must be carefully managed, a function that often falls to county and municipal government.

In the Town of Nags Head, after a disaster, emergent volunteers and volunteer organizations will be encouraged to register at an activated EOC or affiliate with an recognized Volunteer Organizations Active In Disaster (VOAD) organization or other NGO.

9. Finance and Administration

Finance and administration during emergency incidents includes oversight and execution of processes for time tracking, cost tracking, documentation, claims processing, cost recovery, and human resource management.

9.1 Time Tracking

The Finance and Administrative Services Unit of the EOC will track all Town and volunteer time specifically related to response activities under the declaration of a Local Emergency. Time must be documented by each Town employee or volunteer worker by signing in and signing out for each shift. The Planning Unit will maintain the daily sign-in and sign-out logs for the EOC and will provide them to the Finance and Administrative Services Unit at the end of each Operational Period.

9.2 Cost Tracking

Disaster-related expenditures may be reimbursed under a number of state and federal programs. Recovering these costs can be a complex process that requires significant documentation and accurate record keeping to ensure that maximization of reimbursement for eligible activities.

The Finance and Administrative Services Department is responsible for coordinating the Town's efforts to properly apply for state or Federal reimbursement for disaster-related costs and obligations. For disasters involving significant damage to infrastructure, it can take years to obtain project approval, complete the work, and compile supporting documentation necessary for state and Federal reimbursement.

FEMA's Office of the Inspector General routinely audits state and local governments and non-profit organizations that receive FEMA disaster assistance funds. If the Inspector General determines that a grant applicant did not spend disaster assistance funds according to federal regulations and FEMA guidelines, FEMA can rescind the original award. Providing documentation in the form FEMA expects can provide a measure of protection for the Town. In addition to inadequate documentation, common disallowances include expenditures for ineligible items, improper procurement, and duplicate payments from insurance companies. It is important to maintain records and documentation in auditable form for at least three years after the receipt of a closeout letter from NCEM.

9.3 Cost Recovery

Eligible costs are extraordinary costs incurred while providing emergency services required by the direct impact of a declared disaster and for which the service is the responsibility of

the applicant agency (the Town). Eligible costs are generally considered to be the net costs over and above any increased revenue or subsidy for the emergency service. Eligible costs are costs that:

- Are reasonable and necessary to accomplish the eligible work.
- Comply with federal, state, and local requirements for procurement.
- Do not include (or are reduced by) insurance proceeds, salvage values, and other credits.

When determining eligible costs, the defining factor for reimbursement will be whether the documented costs can be deemed "reasonable". The federal government often refers to 2 C.F.R. 200.404 for a definition of "reasonable" cost:

> *A cost is reasonable if, in its nature and amount, it does not exceed that which would be incurred by a prudent person under the circumstances prevailing at the time the decision was made to incur the cost. The question of reasonableness is particularly important when the non-Federal entity is predominantly federally-funded.*

The eligible cost criteria applies to all direct costs, including salaries, wages, fringe benefits, materials, equipment, and contracts awarded for eligible work. Ineligible expenses include costs for standby personnel and/or equipment and lost revenue.

9.4 Documentation and Recordkeeping

NCEM and FEMA require detailed information to support claims for reimbursement. Funding will be approved or denied based upon the information supplied by applicants. Documentation supporting all costs claimed will be required and all information must relate back to individual original source records. Detailed records should be kept from the onset of an incident or event to include, but not be limited to:

- Appropriate extracts from payrolls, with any cross references needed to locate original documents. Labor costs should be compiled separately from vehicle and/or equipment expenses.
- A schedule of vehicles used for emergency operations. This documentation should include the miles and/or hours operated by location and operator. Vehicle operating expenses should include fuel, tires and maintenance.
- A schedule for heavy equipment used for emergency operations. This documentation should include exactly where the equipment was used and for what, hours and minutes used, and the name of the equipment operator if applicable.

- Invoices, warrants, and checks issued and paid for materials, supplies, and equipment expenses used for emergency operations. Costs for supplies and materials must include documentation of exactly where resources were used and for what purpose.
- Copies of requests for proposals issued for work that is contracted out to support eligible disaster-related response or recovery work.
- Justification for all non-competitive procurements.
- Final contracts.
- Invoices submitted by the contractor.
- Warrants authorizing check issuance.
- Work done under inter-community agreements and mutual aid.

Revenues and subsidies for emergency operations must be subtracted from any costs claimed. Expenditure tracking should commence upon notice or obvious occurrence of disasters that require expense of labor, equipment use, materials and other expenses.

The Town may activate a special code for emergency expenditure tracking which is used for both labor and equipment. The EOC Finance and Administrative Services Unit will compile reports, including total expenditures by category. The Finance and Administrative Services Unit Leader will submit a summary report on total costs to the EOC Director when requested. This information will be used for State and Federal disaster assistance applications. Additional details regarding record-keeping requirements can be found in the guidance provided by each grant program. The FEMA Public Assistance Program an Policy Guide provides record-keeping requirement guidance that is generally applicable to most programs.

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10. Continuity of Government

A major disaster could easily result in the death or injury of key Town officials, the partial or complete destruction of established seats of Town government, and the destruction of public and private records essentials to continued operations of government. The Town is responsible for providing continuity of effective leadership and authority, direction of emergency operations and management of recovery operations. To this end, it is particularly essential that the Town of Nags Head continue to function as a local government entity following a major disaster.

The North Carolina Government Code and the Constitution of North Carolina provide the authority for the Town government to reconstitute itself in the event incumbents are unable to serve. Chapter 162B of the North Carolina Government Code (Continuity of Local Government in an Emergency) permits the appointment of interim government executives for each member of the governing body (i.e., Nags Head Town Mayor and Board of Commissioners). This chapter also provides for the succession of officers who head departments responsible for maintaining law and order, or for furnishing public services related to health and safety. The interim officers shall have the same authority and powers as the regular officers or department heads.

Each Town department is encouraged to develop a COOP to ensure the continued performance of their mission essential functions. Identifying alternate work locations, succession planning, and establishing formal delegations of authority are key elements of continuity planning. Additionally, departments should identify and prioritize mission essential functions and develop alternative methods of performing those functions when they are significantly disrupted. Continuity actions will be executed in conjunction with emergency response activities defined in this EOP.

10.1 Orders of Succession

Lines of succession are maintained by all essential organizational elements within the Town to ensure continued performance of mission essential functions. Lines of succession begin when a primary person designated with an essential role is unable to fulfill their assigned duties. If a person cannot execute their responsibilities due to an inability to work, lack of communications/connectivity, geographically separation, or other constraints, succession must be communicated by a verbal hand-off conversation by the most senior manager responsible for supervision over the vacant position. Details regarding assumed authorities, responsibilities of the position, conditions, and the duration of succession should be conveyed.

Assumed authorities and responsibilities will begin upon notification of the person assuming the role and will end when the person is able to resume their duties. The succession list for the Town of Nags Head is provided in **Figure 10-1**.

Table 10-1. Orders of Succession

Function/Department	Order of Succession by Title/Position
Mayor	1. Mayor[8] 2. Mayor Pro Tempore 3. Board of Commissioners Designee
Town Manager	1. Town Manager 2. Deputy Town Manager
Finance and Administrative Services	1. Director 2. Deputy Finance Director
Fire	1. Fire Chief 2. Deputy Fire Chief 3. Senior Captain 4. Fire Lieutenant
Planning and Development	1. Director 2. Deputy Director 3. Chief Building Official
Police	1. Chief of Police 2. Deputy Chief of Police 3. Lieutenant Senior Sergeant
Public Services	1. Director 2. Town Engineer 3. Public Works Superintendent(s) or designee
Public Information	1. Public Information Officer 2. Information Technology Administrator

[8] Town of Nags Head Code of Ordinances. Chapter 14, Section 12 – Absence or disability of the Mayor (Code 1990, § 7-12).

10.2 Reconstitution of Governing Body

If the Town of Nags Head is unable to govern itself due to the significant loss of Town leadership, the Town will be governed by Dare County.

The temporary, alternative seat of Town government for the Town of Nags Head is:

- Dare County

10.3 Relocation of Town of Nags Head Government

In the event of a major event in the Town of Nags Head it may become necessary to relocate the business of government to a remote location not impacted by a disaster. The Town of Nags Head and the Town of Cary have entered into an Memorandum of Agreement (see **Appendix D, Memorandum of Agreement between the Town of Nags Head and the Town of Cary**) that allows The Town of Nags Head to send staff to The Town of Cary to operate certain functions of government.

10.4 Protection of Vital Records

Vital records are defined as those records that are essential to the rights and interests of individuals, governments, corporations and other entities, including vital statistics, land and tax records, license registers, articles of incorporation, and historical and health information. The Town Clerk as the custodian for all the Town's records, shall in coordination with the Information Technology Administrator be responsible for preservation and protection of vital records. Each department within the Town shall identify, maintain, and protect its vital records. Departments and offices should take necessary steps to store copies of vital records in locations wherein survival of these records would be assured.

Vital records of the Town of Nags Head are routinely stored in the Town Clerk's Office or are stored electronically. Vital records which are stored electronically, are routinely backed up in multiple off-site locations.

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11. Recovery Operations

Following a coordinated response to a disaster impacting the Town of Nags Head, the Town will transition from response to recovery operations. In the aftermath of a major incident, many members of the community will have specific needs that must be met before they can return to some semblance of normality.

As part of the Town's emergency preparedness efforts, the Town focuses on ensuring that the community will be able to achieve recovery following any incident regardless of size or scale, and it considers the full spectrum of threats and hazards, including natural, technological/accidental, and adversarial/ human-caused.

The Town follows state and federal policies and guidance to help ensure that the Town can coordinate recovery efforts to address the unique needs of the community, including restoration of government services. The Town uses an inclusive recovery process, engaging traditional and nontraditional community partners, and provides a strategic approach to lead, manage, and coordinate recovery efforts while increasing the resilience of its community.

Although no single definition fits all situations, successful recoveries do share conditions in which the community:

- Demonstrates a capability to be prepared, responsive, and resilient in dealing with the consequences of disasters.
- Successfully overcomes the physical, emotional, and environmental impacts of the disaster.
- Reestablishes an economic and social base that instills confidence in the community members and businesses regarding community viability.
- Rebuilds by integrating the needs of residents with disabilities and others with access and functional needs reducing their vulnerability to all future hazards.
- Ensures that the recovery needs of the Town's vulnerable and culturally diverse populations are integrated into recovery plans to avoid disproportionate impacts to some of its most vulnerable communities.

The Town of Nags Head will manage long-term recovery activities for the Town, separate from, but in coordination with, recovery activities managed through Dare County.

11.1 Recovery Objectives

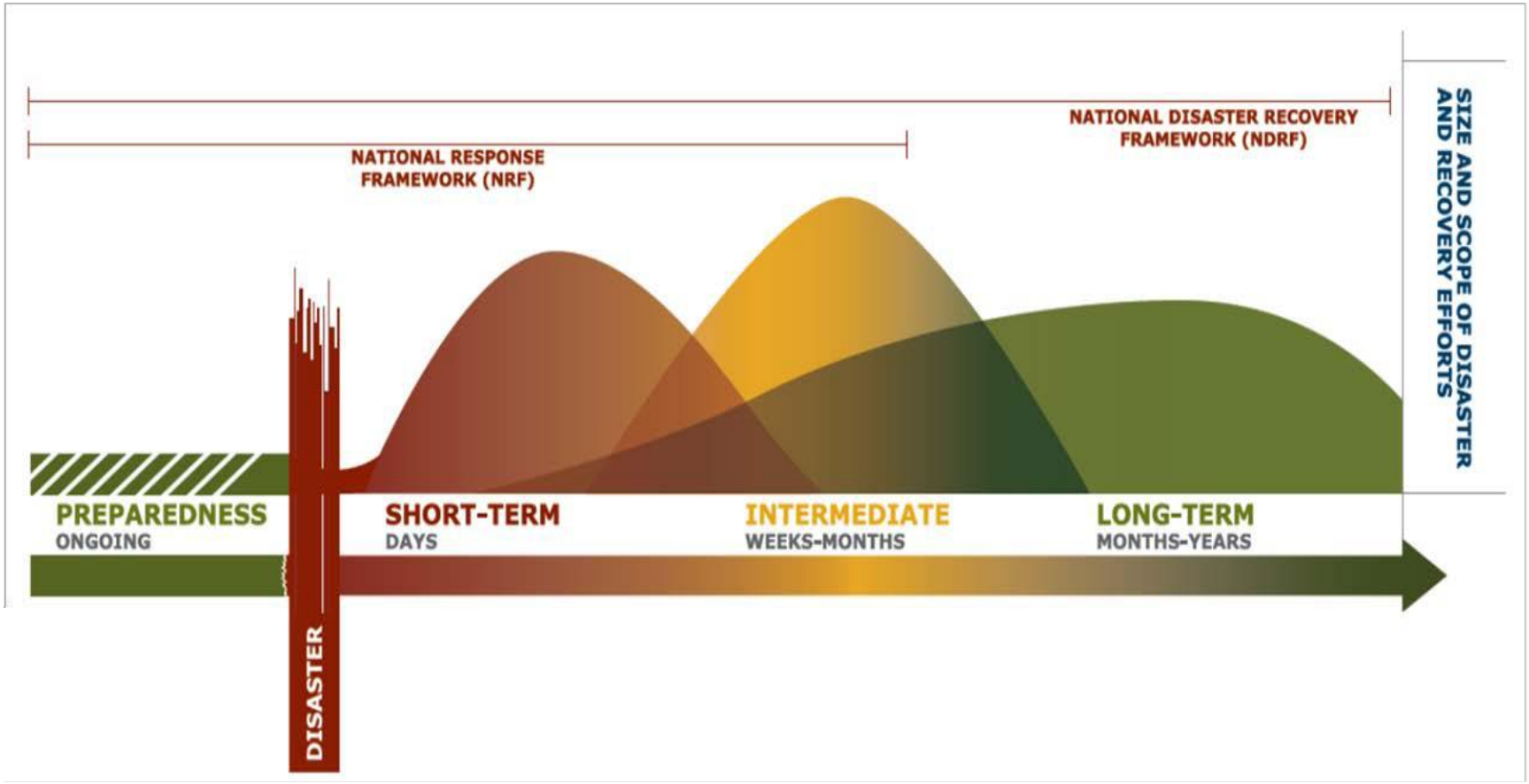
In order to achieve these conditions, the Town of Nags Head has adopted the following recovery objectives:

- Restoration of basic health and social services.
- Improvement of land use planning to build resilience and mitigate against the negative impacts of future incidents.
- Facilitation of the transition of displaced populations from shelters to interim and long-term housing arrangements.
- Facilitation of the resumption of employment and economic activity of businesses in the Town.
- Identification of repairs that can be implemented immediately as well as long-term restoration needs of critical infrastructure—such as transportation, communications, and utilities—to enable the resumption of basic services.
- Resumption of the delivery of a full range of government services.
- Resumption of educational services.
- Development of an incident-specific comprehensive recovery plan for the Town that is consistent with Town policies and priorities, including focused development, environmental sustainability, equitable use of resources, and historic preservation (when applicable).
- Maximizing the recovery of disaster response costs and funding for recovery efforts, including funding from state and federal assistance programs.

Achievement of these objectives will require the support and involvement of the entire community, as well as, support from Dare County, NCDEM, and FEMA.

11.2 Phases of Recovery

The phases of recovery, or the "recovery continuum," as defined in the National Disaster Recovery Framework (NDRF), offer a strategic process of interdependent and often concurrent activities that seek to progressively advance a community toward a successful recovery. However, decisions made and priorities set early in the recovery process by the Town can have a cascading effect on the nature and speed of the recovery progress. **Figure 11-1** from the NDRF, indicates the phased transition from response to long-term recovery.



Source: National Disaster Recovery Framework, June 2016

Figure 11-1. Recovery Continuum

11.2.1 Short-Term Recovery

Recovery operations begin concurrently with or shortly after the commencement of response operations. Short-term recovery activities occur within 90 days of the incident, but may continue beyond that point. Short-term recovery includes actions required to:

- Stabilize the situation
- Restore essential services
- Begin the process of restoring community and economic functions

Short-term recovery operations are initially coordinated from the EOC but will rely heavily on Town departments based on their functional responsibilities. Therefore, the EOC may only be partially activated as Town departments coordinate recovery functions as part of their daily missions or functions. Short-term recovery activities typically include:

- Expansion of social, medical, and mental health services
- Restoration of government services
- Damage assessment
- Debris removal and the abatement and demolition of hazardous structures
- Restoration of utilities such as water, wastewater, and electrical power services
- Restoration of basic transportation routes
- Provision of temporary housing

11.2.2 Intermediate-Term Recovery

Intermediate or mid-term recovery involves returning individuals, families, critical infrastructure, and essential government or commercial services to a functional, if not pre-disaster, state. Such activities are often characterized by temporary actions that provide a bridge to permanent measures, that are typically achieved in the Long-Term recovery phase.

11.2.3 Long-Term Recovery

Long-term recovery includes those activities necessary to restore the Town community to its pre-disaster state, given the inevitable changes that result from a major disaster. Long-term recovery requires significant planning to maximize opportunities and mitigate risks after a major incident. Long-term recovery can continue for years and may include the following:

- Reconstructing public and private facilities and infrastructure
- Planning and rebuilding of housing

- Implementing waivers, zoning changes, and other land-use legislation to promote recovery, and enhance resilience
- Providing long-term assistance to displaced families, including financial support as well as social and health services
- Restoring the local economy to pre-disaster levels
- Integrating mitigation strategies into rebuilding efforts
- Recovering disaster-related costs for infrastructure restoration through state and federal grant programs

11.3 Recovery Organization

As previously described, activities shift from response to short-term recovery as the requirements to save lives, protect public health and safety, and protect property and the environment diminishes. When response activities subside, the Town of Nags Head may deactivate the EOC and transition the coordination of recovery operations to a Recovery Task Force.

11.3.1 Recovery Task Force

To manage and coordinate recovery efforts for the Town and promote and prioritize the effective use of resources, the Town may establish a Recovery Task Force. The Recovery Task Force is managed and directed by the Town Manager or designee and consists of representatives from Town departments and partner organizations with primary and supporting roles in the Town's recovery. Alternatively, the Town may serve on a Recovery Task Force established by Dare County.

11.4 Roles and Responsibilities

Responsibility for directing, coordinating, and supporting recovery efforts in the Town after a disaster is shared among several Town departments as well as external partners. The organizations below play important roles in helping the Town achieve its recovery objectives.

11.4.1 Town Manager's Office

The Town Manager's Office has the following recovery responsibilities:

- Leads the recovery organization and sets priorities for recovery.
- Manages the political process.
- Facilitates interdepartmental coordination.
- Reviews and develops policies to facilitate recovery operations.

- Coordinates with special districts in the Town.
- Develops, reviews, approves, and disseminates public information.
- Coordinates the provision of temporary housing.
- Coordinates with property managers and developers on long-term housing solutions.
- Advises Town Manager on housing policy.
- Coordinates with Administrative Services Department on housing-related public assistance.

11.4.2 Planning and Development Department

The Town Planning and Development Department has the following recovery responsibilities:

- Discusses and, when needed, implements land use, zoning, and other development regulations.
- Processes permits and controls for new development.
- Reviews, revises, and enforces building regulations and codes.
- Reviews plans.
- Compiles damage assessment information.
- Completes building safety inspections.

11.4.3 Public Services Department

The Public Services Department has the following recovery responsibilities:

- Completes damage assessment of infrastructure to include water, streets, and stormwater drainage.
- Completes ocean-front and sound-front damage assessments.
- Restores utility services (water distribution).
- Oversees contracted repair and/or construction services on water infrastructure.
- Completes the formal damage/safety assessment for the Town transportation and stormwater drainage infrastructure.
- Coordinates debris clearance and removal from Town-maintained transportation infrastructure.
- Oversees contracted repair and/or construction of water and/or transportation infrastructure.
- Manages demolition and construction of Town facilities.

- Coordinates debris clearance and removal related to Town-owned facilities.

11.4.4 Finance and Administrative Services Department

The Finance and Administrative Services Department has the following recovery responsibilities:

- Manages Town finances.
- Reviews contracts and for policy compliance.
- Processes claims and insurance settlements.
- Manages the disaster assistance application process.
- Completes disaster response cost-tracking, documentation, and reimbursement application.
- Liaises with state and federal assistance providers.

11.5 Intergovernmental Coordination

Recovery for the Town can be complex in that it may rely on resources shared by other municipal governments in Dare County and other counties in the region, like transportation systems and infrastructure, and an employee base that commutes into and out of the Town. To facilitate the progressive advancement towards recovery, all levels of government must effectively coordinate and prioritize activities and funding.

A major disaster that impacts the Town of Nags Head will likely impact other areas of Dare County and may even impact other jurisdictions in the coastal region. Even though the Town will manage its own recovery, when disaster impacts extend beyond the Town and recovery efforts are being coordinated at a higher level of NIMS, the Town will participate in those meetings and briefings.

11.6 Local Assistance Center

A Local Assistance Center (LAC) is a centralized location where individuals and families can access available disaster assistance programs and services following a disaster. Municipal, county, state, and federal agencies, as well as nonprofit and voluntary organizations, may provide staff at the centers. FEMA may open separate assistance centers through which only the services of federal programs are offered.

In cooperation with local municipalities, Dare County assesses the need for a LAC and may establish one to support the needs of individuals in the community. NCDEM will ensure that an appropriate number of LACs are established, based on assessed needs, and coordinates the participation of state and federal agencies at the centers. Not all areas

affected by an incident require LACs. NCDEM may provide financial and logistical support to the County for the operation of LACs.

11.7 Damage Assessments

Following an incident that results in damage to buildings, systems, infrastructure, and/or the environment, safety assessments and an initial damage estimate are performed in the response phase. These assessments are performed by the Planning and Development Department and Public Services to ensure both private and public structures are safe to enter (Safety Assessment) or to justify emergency declarations (Initial Damage Estimate). The findings of these assessments are documented using the Crisis Track application and the information is accessible and compiled by Dare County.

To enable the Town to receive federal and state disaster assistance in the recovery phase, NCDEM, FEMA, and local officials will jointly conduct a preliminary damage assessment in the Town. This assessment will provide the basis for obtaining a Federal Disaster Declaration which grants the Town and its community access to federal assistance programs.

11.8 Recovery Programs

The State of North Carolina, FEMA, and other federal agencies offer disaster assistance. Emergency declaration thresholds and resource requests typically determine the amount and type of assistance required. When assistance is available, it is typically provided through the following assistance programs:

- North Carolina State Emergency Response and Disaster Relief Fund (G.S. 166A-19.42) - provides State assistance to support recovery in a Gubernatorial-declared emergency area for which federal assistance under the Stafford Act is either not available or does not adequately meet the needs of the citizens in that emergency area. Assistance may be provided in the form of Individual Assistance and Public Assistance.
- North Carolina Community Foundation Disaster Relief Fund - provides grants to nonprofit and charitable organizations in North Carolina communities impacted by disasters that: address long-term recovery and resiliency, meet unmet needs that are not being fulfilled by other resources, and build stronger and more prepared communities.
- FEMA's Individual and Household Assistance Program – provides assistance for individuals and families, including the provision of temporary housing.
- FEMA's Public Assistance Program – provides assistance to state and local governments and certain private nonprofit organizations for extraordinary costs

related to response, removal of debris, and damage to buildings and infrastructure.

- FEMA's Hazard Mitigation Grant Program – provides assistance to state and local governments for measures to reduce damage from future disasters.
- The U.S. Department of Housing and Urban Development (HUD) – provides assistance to state and local governments, in the form of grants, to help states and local governments recover from Presidentially declared disasters, especially in low-income areas.
- The Small Business Administration (SBA) - provides low-interest loans for repairs to damaged homes and for damage to businesses
- The Federal Highway Administration (FHWA) – provides funding to state and local governments for the restoration of damaged roads, bridges, and other features that are part of the of the system of federal-aid routes.
- The United States Department of Agriculture (USDA) – provides disaster assistance funding through numerous programs.

11.8.1 Delivery of Assistance

FEMA coordinates Stafford Act programs, such as the Public Assistance Program, with NCDEM through the Joint Field Office. Coordination of other programs, such as the Emergency Relief Program, may occur outside the Joint Field Office. Federal funding for these programs, such as the Public Assistance Program, may pass through the state; or it may be delivered directly to recipients, such as with assistance to individuals through the Individual Housing Program.

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12. Plan Development and Maintenance

The EOP is developed under the authority of the Town Board of Commissioners. It is a living document, subject to revision based on agency organizational changes, new laws or guidance, and experience obtained from exercises or responding to real incidents. As such, it is important to have a plan development and maintenance process for keeping the EOP current, relevant, and in compliance with NIMS and other applicable instructions.

12.1 Development and Maintenance Responsibilities

Under director of the Town Manager, the Fire and Ocean Rescue Department is responsible for the development and maintenance of the EOP. Each Town department is responsible for reviewing and understanding portions of the EOP relevant to their roles and responsibilities and for contributing their expertise in the development and revision of this EOP.

12.2 Development Process

The initial development of the EOP and any update efforts follow basic guidelines for strategic planning guidance defined in FEMA's Comprehensive Preparedness Guide 101 (CPG 101). The steps for the strategic planning process are shown in **Figure 12-1**. The process is led by the Fire and Ocean Rescue Department with support from Town departments and other stakeholders who contribute to the development of the EOP.



Source: FEMA Comprehensive Preparedness Guide 101, Version 3, Draft Version 0.5, November 2020

Figure 12-1. Steps in the Planning Process

12.3 Revision and Maintenance Process

A review of the EOP is conducted periodically to ensure the plan elements are valid, current, and remain in compliance with NIMS and other instructions. Similar to the

development process, each department reviews and provides input into EOP revisions and/or modifies its standard operating procedures as required based on deficiencies identified during exercises or real incidents. All revisions to the EOP are documented in the **Record of Changes** at the front of the plan.

12.4 Training and Exercises

The conduct of training and exercises are critical in enhancing capabilities and enabling effective execution of activities associated with emergency response and recovery.

12.4.1 Training

The Fire and Ocean Rescue Department informs other Town departments and pre-identified EOC personnel of training opportunities associated with emergency management and EOC operations. Departments with emergency management responsibilities defined in this plan must ensure their personnel are properly trained to carry out their responsibilities.

Each Town employee should obtain training in basic ICS (100, 200, 700, 800), which can be obtained through FEMA Independent Study. All first responders should obtain training in ICS 300 and all management staff in the EOC should obtain training in both ICS 300 and 400. Recommended training for each EOC position is found in **Annex A, EOC Operations Guide**.

12.4.2 Exercises

Exercises provide personnel with an opportunity to become thoroughly familiar with the procedures, facilities, and systems used in emergency situations. The Town prepares for and participates in an all-hazards exercise program that involves emergency management/response personnel from multiple disciplines and multiple jurisdictions. The Town prepares to design exercises that:

- Are as realistic as possible.
- Stress the application of standardized emergency management.
- Are based on risk assessments (credible threats, vulnerabilities, and consequences).
- Include non-governmental organizations and the private sector, when appropriate.
- Incorporate the concepts and principles of NIMS.
- Demonstrate continuity of operations challenges and actions.

- Incorporate issues related to individuals with disabilities and others with access and functional needs.

Elements of this EOP are exercised annually. The types of exercises the Town utilizes include:

- **Seminars/Workshops** are low-stress, informal discussions in a group setting with little or no simulation, and used to provide information and introduce people to policies, plans, and procedures.
- **Drills/Tests** are conducted on a regular basis to maintain the readiness of operational procedures, personnel, and equipment. Examples include tests of outdoor warning systems and the Emergency Alert System.
- **Tabletop Exercises** provide a convenient and low-cost method designed to evaluate policy, plans, procedures, and resolve coordination and responsibilities. Such exercises are a good way to see if policies and procedures exist to handle certain issues.
- **Functional Exercises** are designed to test and evaluate the capability of an individual function such as communications, evacuation, or shelter operations.
- **Full-Scale Exercises** simulate an actual emergency. They typically involve complete emergency management staff and are designed to evaluate the operational capability of the emergency management system.

The federal government, through FEMA, promulgates the Homeland Security Exercise and Evaluation Program (HSEEP), which is a standardized methodology for exercise design, development, conduct, evaluation, and improvement to ensure homeland security and terrorist response capabilities are adequately tested and exercised. Any jurisdiction that receives certain homeland security grant funding may be required to develop an HSEEP-compliant training and exercising plan.

12.5 After-Action Review

After an exercise or actual incident, the Town conducts an After-Action Review and develops an After-Action Report (AAR). The review consists of soliciting feedback and observations from exercise or incident participants with the objective of identifying strengths and areas for improvement for the Town's emergency management program. The AAR contains the following content elements:

- Situation overview, including key events or decision points
- Observations (strengths and areas for improvement)
- Analysis of each observation

- Recommendations related to each observations

Using the recommendations defined in the AAR, the Fire and Ocean Rescue Department leads a corrective action planning process to develop an Improvement Plan (IP) that assigns specific improvement tasks to appropriate responsible departments. The IP serves as a task- and milestone-based plan for improving this EOP and emergency management capabilities. This After-Action Review process follows the guidance found in HSEEP.

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APPENDICES

Appendix A: Acronyms and Glossary

Appendix B: Authorities and References

Appendix C: North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement

Appendix D: Memorandum of Agreement between the Town of Nags Head and the Town of Cary (relocation of Nags Head government functions)

Appendix E: Emergency Contact Information

Appendix F: Map of the Town of Nags Head

Appendix G: Map of Dare County

Appendix H: Map of the Outer Banks

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APPENDIX A:

ACRONYMS AND GLOSSARY

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A. Acronyms and Glossary

A.1 Acronyms

AAR..... After-Action Report
CAD ..... Computer Aided Dispatch
CDC ..... Centers for Disease Control and Prevention
CFR..... Code of Federal Regulations
COOP ..... Continuity of Operations Plan
CPG ..... Comprehensive Preparedness Guide
EAS ..... Emergency Alert System
EMAC..... Emergency Management Assistance Compact
EMS ..... Emergency Medical Services
EOC ..... Emergency Operations Center
EOP ..... Emergency Operations Plan
FEMA..... Federal Emergency Management Agency
HMP ..... Hazard Mitigation Plan
HSEEP..... Homeland Security Exercise and Evaluation Program
HSPD..... Homeland Security Presidential Directive
HUD ..... U.S. Department of Housing and Urban Development
ICS ..... Incident Command System
IMT ..... Incident Management Team
IAP ..... Incident Action Plan
ICP..... Incident Command Post
IP ..... Improvement Plan
JIC ..... Joint Information Center
JIS..... Joint Information System
JFO..... Joint Field Office
LAC ..... Local Assistance Center
NCDEM ..... North Carolina Department of Emergency Management
NDRF..... National Disaster Recovery Framework
NGO ..... Non-Governmental Organization
NIMS ..... National Incident Management System
NOAA ..... National Oceanic and Atmospheric Administration
NRF..... National Response Framework
PIO ..... Public Information Officer
PSPS..... Public Safety Power Shutoff
SBA..... Small Business Administration

USC..... United States Code
USDA..... United States Department of Agriculture
VOAD..... Volunteer Organizations Active in Disaster
VoIP..... Voice Over Internet Protocol
WEA..... Wireless Emergency Alerts

A.2 Glossary

A

Access and Functional Needs: Individuals having access and functional needs may include, but are not limited to, people with disabilities, older adults, and individuals with limited English proficiency, limited access to transportation, and/or limited access to financial resources to prepare for, respond to, and recover from the emergency. Federal civil rights law and policy require nondiscrimination, including on the bases of race, color, national origin, religion, sex, age, disability, English proficiency, and economic status. Many individuals with access and functional needs are protected by these provisions.

After Action Report (AAR): Following an exercise or response to a real emergency, a report documenting response actions, application of NIMS, modifications to plans and procedures, training needs, and recovery activities.

Assessment: The evaluation and interpretation of measurements and other information to provide a basis for decision-making. Relevant assessments in emergency management include: damage and safety assessment, risk assessment, community impacts and needs assessment.

C

Capability: The means to accomplish a mission, function or objective.

Care and Shelter: A phase of operations that meets the food, clothing, and shelter needs of people on a mass care basis.

Catastrophic Disaster: Although there is no commonly accepted definition of a catastrophic disaster, the term implies an emergency incident, which produces severe and widespread damages of such a magnitude as to result in the requirement for significant resources from outside the affected area to provide the necessary response.

Command: The act of directing, and/or controlling resources at an incident by virtue of explicit legal, agency, or delegated authority. May also refer to the Incident Commander.

Common Operating Picture: A broad view of the overall situation as reflected by situation reports, aerial photography, and other information or intelligence.

Community: A political or geographical entity that has the authority to adopt and enforce laws and ordinances for the area under its jurisdiction. In most cases, the community is an incorporated town, Town, township, village or unincorporated area of a county. However, each state defines its own political subdivisions and forms of government.

Continuity: The ability to provide uninterrupted services and support while maintaining organizational viability, before, during and after an incident that disrupts normal operations.

Continuity of Government: All measures that may be taken to ensure the continuity of essential functions of governments in the event of emergency conditions, including line-of-succession for key decision makers.

Coordination: The process of systematically analyzing a situation, developing relevant information, and informing appropriate command authority of viable alternatives for selection of the most effective combination of available resources to meet specific objectives. The coordination process (which can be either intra- or inter-agency) does not involve dispatch actions. However, personnel responsible for coordination may perform command or dispatch functions within the limits established by specific agency delegations, procedures, legal authority, etc. Multi-agency or Inter-agency coordination is found at all levels of government.

D

Damage Assessment: Appraising or determining the number of injuries and deaths, damage to public and private property and status of key facilities and services (e.g., hospitals and other health care facilities, fire and police stations, communications networks, water and sanitation systems, utilities, transportation networks) resulting from a human-caused or natural disaster.

Declaration: The formal action by a local elected official, Governor, and President to codify the existence of an emergency. A declaration of a Local Emergency, State Emergency, and/or Major Disaster allows for the provision of State and Federal assistance to eligible communities under the Robert T. Stafford Disaster Relief and Emergency Assistance Act, PL 3-288, as amended (the Stafford Act). Additionally, a declaration grants specific authorities to elected officials which they do not have outside of a formal declaration.

Delegation of Authority: Identification, by position, of the authorities for making policy determinations and decisions. Generally, pre-determined delegations of authority will take

effect when normal channels of direction have been disrupted and will lapse when these channels have been reestablished.

Designation: The action by the FEMA Associate Director, State and Local Programs and Support Directorate (SLPSD), to determine the type of assistance to be authorized under the Stafford Act for a particular declaration; and the action by the FEMA Regional director to determine specifically what counties, or county equivalents, are eligible for such assistance.

Direction and Control (Emergency Management): The provision of overall operational control and/or coordination of emergency operations, whether it be the actual direction of field forces or the coordination of joint efforts of governmental and private agencies in supporting such operations.

Disability: Individual who has a physical or mental impairment that substantially limits one or more major life activities (an "actual disability"), or a record of a physical or mental impairment that substantially limits a major life activity ("record of"), or an actual or perceived impairment, whether or not the impairment limits or is perceived to limit a major life activity, that is not both transitory and minor ("regarded as"). And specific changes to the text of the Americans with Disabilities Act. State laws and local ordinances may also include individuals outside the federal definition.

Disaster: A sudden calamitous emergency event bringing great damage loss or destruction.

Disaster Assistance Program: A program that provides state funding or reimbursement for local government response related personnel costs incurred in response to an incident.

E

Emergency (or Disaster): A sudden condition threatening the safety of persons, property, and/or the environment caused by such conditions as severe weather, air pollution, fire, flood, hazardous material incident, disease epidemic/pandemic, riot, acts of terrorism or violence, drought, and sudden and severe energy shortage.

Emergency Alert System (EAS): A system that enables the President and federal, state, and local governments to communicate through commercial radio and television broadcast stations with the general public in the event of a disaster.

Emergency Management Coordinator: The individual within each jurisdiction that is delegated the day-to-day responsibility for the development and maintenance of all emergency management coordination efforts.

Emergency Operations Center Director: The individual within each political subdivision that has overall responsibility for jurisdiction emergency management coordination efforts.

Emergency Medical Services (EMS): Treatment of casualties necessary to maintain their vital signs prior to treatment at a medical center.

Emergency Operations: Those actions taken during the emergency period to protect life and property, care for the people affected, and temporarily restore essential community services.

Emergency Operations Center (EOC): The physical location where the coordination of information and resources to support incident management activities (on-scene operations) normally takes place. An EOC may be a temporary facility or located in a more central or permanently established facility, perhaps at a higher level of organization within a jurisdiction.

Emergency Public Information: Information disseminated to the public by official sources during an emergency, using broadcast and print media. Emergency Public Information includes: (1) instructions on survival and health preservation actions to take (what to do, what not to do, evacuation procedures, etc.), (2) status information on the disaster situation (number of deaths, injuries, property damage, etc.), and (3) other useful information (state/federal assistance available).

Emergency Response Personnel: Personnel involved with an agency's response to an emergency.

Event: A planned, non-emergency activity. ICS can be used as the management system for a wide range of events, e.g., parades, concerts or sporting events.

Exercise: Maneuver or simulated emergency condition involving planning, preparation, and execution; carried out for the purpose of testing, evaluating, planning, developing, training, and/or demonstrating emergency management systems and individual components and capabilities, to identify areas of strength and weakness for improvement of an emergency operations plan (EOP).

F

Federal: Of or pertaining to the Federal Government of the United States of America.

Federal Disaster Assistance: Provides in-kind and monetary assistance to disaster victims, state, or local government by federal agencies under the provision of the Federal Disaster Relief Act and other statutory authorities of federal agencies.

Field Responder: Any individual from a government organization who responds to incidents occurring specifically in the field to mitigate their effects. This definition includes all first responders.

First Responder: This term refers to individuals whose organization's specific and primary responsibility is to respond to life safety incidents.

Function: The five major activities defined for a traditional ICS structure, i.e., Management, Operations, Planning, Logistics, and Finance/Administration. Additionally, it refers to the roles performed by departments/agencies.

Functional Element: Refers to a part of the incident EOC or DOC organization such as section, branch, group, or unit.

H

Hazard: Natural or man-made source of danger or difficulty to people or property.

Hazard Area: A geographically defined area in which a specific hazard presents a potential threat to life and property.

Hazardous Material: A substance or combination of substances, which, because of quantity, concentration, physical, chemical, radiological, explosive, or infectious characteristics, poses a potential danger to humans or the environment. Generally, such materials are classed as explosives and blasting agents, flammable and nonflammable gases, combustible liquids, flammable liquids and solids, oxidizers, poisons, disease-causing agents, radioactive materials, corrosive materials, and other materials including hazardous wastes.

Hazard Mitigation Plan: The plan resulting from a systematic evaluation of the nature and extent of vulnerability to the effects of natural hazards, including the actions needed to minimize future vulnerability to identified hazards.

I

Incident: An occurrence, natural or human-caused, that necessitates a response to protect life or property. In this document, the word "incident" includes planned events as well as emergencies and/or disasters of all kinds and sizes.

Incident Action Plan (IAP): An oral or written plan containing the objectives established by the EOC Director, incident commander, or unified command and addressing objectives, tactics, and support activities for the planned operational period, generally 12 to 24 hours.

Incident Commander (IC): The individual responsible for the command of all functions at the field response level.

Incident Command Post (ICP): The location at which the primary command functions are executed. The ICP may be co-located with the incident base or other incident facilities.

Incident Management Team: A rostered group of ICS-qualified personnel consisting of an incident commander, command and general staff and personnel assigned to other key ICS positions.

Individual Assistance (IA): Supplementary Federal assistance provided under the Stafford Act to individuals and families adversely affected by a major disaster or an emergency. Such assistance may be provided directly by the Federal Government or through State, local governments or disaster relief organizations.

J

Joint Field Office (JFO): The primary federal incident management field structure. The JFO is a temporary federal facility that provides a central location for coordinating organizations with primary responsibility for response and recovery, including state, local, territorial, tribal, insular area and federal governments and private sector and nonprofit organizations.

Joint Information Center (JIC): A facility in which personnel coordinate incident-related public information activities. The JIC serves as the central point of contact for all news media. Public information officials from all participating agencies co-locate at, or virtually coordinate through, the JIC.

Joint Information System (JIS): Integrates incident information and public affairs into a cohesive organization designed to provide consistent, coordinated, timely information during crisis or incident operations. The mission of the JIS is to provide a structure and system for developing and delivering coordinated interagency messages; developing, recommending, and executing public information plans and strategies on behalf of the IC; advising the IC concerning public affairs issues that could affect a response effort; and controlling rumors and inaccurate information that could undermine public confidence in the emergency response effort.

Jurisdiction: Jurisdiction has more than one definition. Each use depends on the context:

- A range or sphere of authority. Public agencies have jurisdiction at an incident related to their legal responsibilities and authority. Jurisdictional authority at an incident can be political or geographical (e.g., Town, county, tribal, state or federal boundary lines) or functional (e.g., law enforcement, public health).
- A political subdivision (e.g., federal, state, county, parish, municipality) with the responsibility for public safety, health and welfare within its legal authorities and geographic boundaries.

L

Leader: The ICS title for an individual responsible for a functional unit, task forces, or teams.

Local Assistance Center (LAC): A facility established by local government within or adjacent to a disaster impacted area to provide disaster victims a "one-stop" service in meeting their emergency representatives of local, state, and federal governmental agencies, private service organizations and certain representatives of the private sector.

Local Emergency: The formal declaration of the existence of conditions of disaster or of extreme peril to the safety of persons and property within the territorial limits of a county, Town and county, or Town, caused by such conditions as air pollution, fire, flood, storm, pandemic, civil disturbance, or earthquake or other conditions, other than conditions resulting from a labor controversy, which conditions are or are likely to be beyond the control of the services, personnel, equipment, and facilities of that political subdivision and required the combined forces of political subdivisions to combat.

Local Government: A county, municipality, Town, town, township, local public authority, school district, special district, intrastate district, council of governments (regardless of whether the council of governments is incorporated as a not-for-profit corporation under state law), regional or interstate government entity or agency or instrumentality of a local government; a rural community, unincorporated town or village or other public entity.

Logistics: Providing resources and other services to support incident management.

M

Major Disaster: Any hurricane, tornado, storm, flood, high-water, wind-driven water, tidal wave, tsunami, earthquake, volcanic eruption, landslide, mudslide, snowstorm, drought, fire, explosions, or other catastrophe in any part of the United States which, in the determination of the President, causes damage of sufficient severity and magnitude to warrant major disaster assistance under the Federal Disaster Relief Act, above and beyond

emergency services by the Federal Government, to supplement the efforts and available resources of States, local governments, and disaster relief organizations in alleviating the damage, loss, hardship, or suffering caused thereby.

Media: All means of providing information and instructions to the public, including radio, television, newspapers, websites, and social media.

Mitigation: Activities providing a critical foundation in the effort to reduce the loss of life and property from natural and/or human-caused disasters by avoiding or lessening the impact of a disaster and providing value to the public by creating safer communities. Mitigation seeks to lessen the severity of the cycle of disaster damage, reconstruction and repeated damage. Mitigation activities or actions, in most cases, have a long-term sustained effect.

Mutual Aid Agreement: Written agreement between agencies and/or jurisdictions in which they agree to assist one another upon request, by furnishing personnel and equipment.

N

National Incident Management System (NIMS): A systematic, proactive approach to guide all levels of government, nonprofits and the private sector to work together to prevent, protect against, mitigate, respond to and recover from the effects of incidents. NIMS provides stakeholders across the whole community with the shared vocabulary, systems and processes to successfully deliver the capabilities described in the National Preparedness System. NIMS provides a consistent foundation for dealing with all incidents, ranging from daily occurrences to incidents requiring a coordinated federal response.

National Response Framework (NRF): A comprehensive, national, all-hazards approach to domestic incident response. It serves as a guide to enable responders at all levels of government and beyond to provide a unified national response to a disaster. It defines the key principles, roles and structures that organize the way U.S. jurisdictions plan and respond.

Natural Hazard: Source of harm of difficulty created by a meteorological, environmental, or geological phenomena or combination of phenomena.

Non-governmental Organization (NGO): An entity with an association that is based on interests of its members, individuals, or institutions and that is not created by a government, but may work cooperatively with government. Such organizations serve a public purpose, not a private benefit. Examples of NGOs include faith-based charity organizations and the American Red Cross.

Nonprofit Organization: A group that is based on the interests of its members, individuals or institutions. A nonprofit is not created by a government, but it may work cooperatively with government. Examples of nonprofits include faith-based groups, relief agencies, organizations that support people with access and functional needs and animal welfare organizations.

O

Operational Period: The period of time scheduled for execution of a given set of operation actions as specified in the Incident or EOC Action Plan. Operational Periods can be of various lengths, although usually not over 24 hours.

P

Playbook: an incident- or function-specific plan, written to provide guidance to the Town's emergency management team to aide in their management of an emergency response. A playbook typically includes a sequential list of potential actions and assignments relevant to a scenario or function.

Political Subdivision: Includes any Town, Town and county, county, district, or other local governmental agency or public agency authorized by law.

Preparedness: The range of deliberate, critical tasks and activities necessary to build, sustain, and improve the operational capability to prevent, protect against, respond to, and recover from domestic incidents. Preparedness is a continuous process. Preparedness involves efforts at all levels of government and between government and private-sector and nongovernmental organizations to identify threats, determine vulnerabilities, and identify required resources. Within the NIMS, preparedness is operationally focused on establishing guidelines, protocols, and standards for planning, training and exercises, personnel qualification and certification, equipment certification, and publication management.

Prevention: Actions to avoid an incident or to intervene to stop an incident from occurring. Prevention involves actions to protect lives and property. It involves applying intelligence and other information to a range of activities that may include such countermeasures as deterrence operations; heightened inspections; improved surveillance and security operations; investigations to determine the full nature and source of the threat; public health and agricultural surveillance and testing processes; immunizations, isolation, or quarantine; and, as appropriate, specific law enforcement operations aimed at deterring, preempting, interdicting, or disrupting illegal activity and apprehending potential perpetrators and bringing them to justice.

Private Sector: Organizations and entities that are not part of any governmental structure. It includes for-profit and not-for-profit organizations, formal and informal structures, commerce and industry, and private voluntary organizations (PVO).

Protection: The capabilities necessary to secure the homeland against acts of terrorism and human-caused or natural disasters.

Public Information Officer (PIO): The individual in the field or at an EOC that has been delegated the authority to prepare public information releases and to interact with the media. Duties will vary depending upon the agency and level of government.

R

Recovery: Activities traditionally associated with providing Federal supplemental disaster recovery assistance under a Presidential major disaster declaration. These activities usually begin within days after the event and continue after the response activities cease. Recovery includes individual and public assistance programs that provide temporary housing assistance, grants and loans to eligible individuals and government entities to recovery from the effects of a disaster.

Recovery Plan: A incident-specific plan developed by a State, local, or tribal jurisdiction with assistance from responding Federal agencies to restore the affected area.

Resources: Personnel and equipment available, or potentially available, for assignment to incidents or to EOCs. Resources area described by kind and type, and may be used in tactical support or supervisory capacities at an incident or at EOCs.

Response: Activities to address the immediate and short-term effects of an emergency or disaster. Response includes immediate actions to save lives, protect property and the environment, stabilize communities and meet basic human needs following an incident. Based on the requirements of the situation, response assistance will be provided to an affected jurisdiction according to the policies and procedures defined in the National Response Framework, NC EOP, Dare County EOP, and the Town of Nags Head EOP.

Risk: Potential for an unwanted outcome resulting from an incident, even, or occurrence, as determined by its likelihood and associated consequences.

S

Scenario: Hypothetical situation composed of a hazard, an entity impacted by that hazard and associated conditions, including consequences when appropriate.

State Agency: Any department, division, independent establishment, or agency of the executive branch of the state government.

State of Emergency: The duly proclaimed existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by such conditions as air pollution, fire, flood, storm, epidemic, riot, or earthquake or other conditions, other than conditions, resulting from a labor controversy, or conditions causing a "state of war emergency", which conditions by reason of magnitude, are or are likely to be beyond the control of the services, personnel, equipment, and facilities of any single county, Town and county, or Town and require the combined forces of a mutual aid region or regions to combat.

Strategic: Strategic elements of incident management are characterized by continuous long-term, high-level planning by organizations headed by elected or other senior officials. These elements involve the adoption of long-range goals and objectives, the setting of priorities; the establishment of budgets and other fiscal decisions, policy development, and the application of measures of performance or effectiveness.

Subject Matter Expert: An individual with in-depth knowledge in a specific area or field.

T

Terrorism: Under the Homeland Security Act of 2002, terrorism is defined as activity that involves an act dangerous to human life or potentially destructive of critical infrastructure or key resources and is a violation of the criminal laws of the United States or of any State or other subdivision of the United States in which it occurs and is intended to intimidate or coerce the civilian population or influence a government or affect the conduct of a government by mass destruction, assassination, or kidnapping. See Section 2 (15), Homeland Security Act of 2002, Pub. L. 107-296, 116 Stat. 213 5 (2002).

Threat: An indication of possible violence, harm, or danger.

Type: Refers to resource capability. A Type 1 resource provides a greater overall capability due to power, size, capacity, etc., than would be found in a Type 2 resource. Resource typing provides managers with additional information in selecting the best resource for the task.

U

Unified Command: In ICS, Unified Command is a unified team effort which allows all agencies with responsibility for the incident, either geographical or functional, to manage an incident by establishing a common set of incident objectives and strategies. This is

accomplished without losing or abdicating agency authority, responsibility or accountability.

Unit: An organizational element of ICS tasked with functional responsibility. Typically, units have no subordinate elements in the organization.

Unity of Command: The concept by which each person within an organization reports to one, and only one designated person.

V

Volunteers: Individuals who make themselves available for assignment during an emergency. These people may or may not have particular skills needed during emergencies and may or may not be part of a previously organized group. (See, e.g., 16 U.S.C. 742f(c) and 29 CFR 553.101)

Volunteer Organizations Active in Disaster (VOAD): An association of organizations (which can include national, state, and local volunteer organizations) that help governments respond to and recover from the impacts of disasters.

Vulnerability: Physical feature or operational attribute that renders and entity open to exploitation or susceptible to a given hazard.

W

Wildfire: Any instance of uncontrolled burning in grasslands, brush, or woodlands.

Wildfire Urban Interface (WUI): The zone of transition between unoccupied land and human development. It is the line, area or zone where structures and other human development meet or intermingle with undeveloped wildland or vegetative fuels.

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APPENDIX B:

TOWN OF NAGS HEAD
AUTHORITIES AND REFERENCES

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B. AUTHORITIES

The following authorities and references provide direction and guidance for conducting emergency operations by the Town of Nags Head.

B.1 Town of Nags Head Authorities

The following polices stand as authorities directing the Town of Nags Head emergency management program:

- Chapter 14, Emergency Management.
  - Section 14-1, Restrictions authorized (Code 1990, § 7-1; Ord. No. 14-05-012, Pt. I, 5-7-2014).
  - Section 14-2, Proclamation imposing prohibitions and restrictions (Code 1990, § 7-2; Ord. No. 06-06-021, Pt. I, 6-21-2006; Ord. No. 14-05-012, Pt. II, 5-7-2014).
  - Section 14-6, Restriction on access to areas (Code 1990, § 7-6; Ord. No. 14-05-012, Pt. VI, 5-7-2014).
  - Section 14-7, Evacuation of areas (Code 1990, § 7-7; Ord. No. 14-05-012, Pt. VII, 5-7-2014).
  - Section 14-8, Prohibitions and restrictions generally (Code 1990, § 7-8; Ord. No. 06-06-021, Pt. II, 6-21-2006; Ord. No. 14-05-012, Pt. VIII, 5-7-2014).
  - Section 14-9, Amendments to the proclamation (Code 1990, § 7-9).
  - Section 14-10, Removal of prohibitions and restrictions (Code 1990, § 7-10).
  - Section 14-11, Separate and superseding proclamations (Code 1990, § 7-11)
  - Section 14-12, Absence or disability of Mayor (Code 1990, § 7-12).
- Chapter 32, Storm Reconstruction.
- Town of Nags Head, Personnel Policy, January 3, 2022.

B.2 Dare County and Regional Authorities

The following polices stand as authorities directing the Dare County emergency management program:

- Dare County Emergency Operations Plan, July 2020.
- Outer Banks Regional Hazard Mitigation Plan, June 2020.
- Dare County Code of Ordinances, Title IX – General Regulations, Chapter 92-Emergency Management.

B.3 State of North Carolina Authorities

The following State of California plans and polices stand as authorities directing the Town of Nags Head emergency management program:

- N.C. Gen. Stat. 166A, "North Carolina Emergency Management Act."
- N.C. Gen. Stat. 162B, Continuity of Local Government in an Emergency.
- North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement, 2020.
- North Carolina Emergency Operations Plan, March 2022.
- North Carolina Disaster Recovery Framework, January 2020.

B.4 Federal Authorities

The following Federal plans and polices stand as authorities directing the Town of Nags Head emergency management program:

- Robert T. Stafford Emergency Disaster Relief and Emergency Assistance Act (42 United States Code [USC] §§ 5121 et seq.).
- Federal Disaster Relief Regulations: 44 Code of Federal Regulations [CFR] Part 206.
- Individual Assistance (44 CFR §§ 206.101 et seq.).
- Public Project Assistance (44 CFR §§ 206.200 et seq.).
- Hazard Mitigation (44 CFR §§ 206.430 et seq.).
- National Incident Management System (NIMS), October 2017.
- Homeland Security Presidential Directive (HSPD) 5, Management of Domestic Incidents.
- Presidential Policy Directive 8, National Preparedness.
- National Response Framework, October 2019.
- National Disaster Recovery Framework, June 2016.
- Americans with Disabilities Act, 2010.
- HSPD 21, Public Health and Medical Preparedness.

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APPENDIX C:

NORTH CAROLINA STATEWIDE EMERGENCY MANAGEMENT MUTUAL AID AND ASSISTANCE AGREEMENT

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2023 STATEWIDE MUTUAL AID AGREEMENT

FOR THE CITY/COUNTY/TOWN OF _____

THIS AGREEMENT IS ENTERED INTO BETWEEN THE NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY, AND ITS DIVISION OF EMERGENCY MANAGEMENT OF THE STATE OF NORTH CAROLINA AND BY EACH OF THE ENTITIES THAT EXECUTES AND ADOPTS THE UNDERSTANDINGS, COMMITMENTS, TERMS, AND CONDITIONS CONTAINED HEREIN:

WHEREAS, the State of North Carolina is geographically vulnerable to a variety of natural disasters.

WHEREAS, Chapter 166A of the North Carolina General Statutes, entitled the North Carolina Emergency Management Act, recognizes this vulnerability and provides that its intended purposes are to:

1. Reduce vulnerability of people and property of this State to damage, injury, and loss of life and property;

2. Prepare for prompt and efficient rescue, care, and treatment of threatened or affected persons;

3. Provide for the rapid and orderly rehabilitation of persons and restoration of property;

4. Provide for cooperation and coordination of activities relating to emergency and disaster mitigation, preparedness, response, and recovery.

WHEREAS, pursuant to N.C. Gen. Stat. § 166A-19.12(1) the North Carolina Division of Emergency Management is delegated the powers and duties from the Governor and Secretary of Public Safety to coordinate the activities of all State agencies for emergency management within the State;

WHEREAS, in addition to the State, the Federal Emergency Management Agency (FEMA) has recognized the importance of the concept of coordination between the State and local governments;

WHEREAS, under Chapter 166A and other chapters of the North Carolina General Statutes, entities entering into mutual aid and assistance agreements may include provisions for the furnishing and exchanging of supplies, equipment, facilities, personnel and services; and

WHEREAS, the entities which have chosen to become signatories to this Agreement wish to provide mutual aid and assistance amongst one another at the appropriate times.

THEREFORE, pursuant to G.S. 166A-19.72 and Article 20 of Chapter 160A, these entities agree to enter into this Agreement for reciprocal emergency management aid and

assistance, with this Agreement embodying the understandings, commitments, terms, and conditions for said aid and assistance, as follows:

SECTION I. DEFINITIONS

"Agreement" means this document, the North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement.

"Aid and assistance" include personnel, equipment, facilities, services, and supplies.

"Authorized Representative" means a party's employee who has been authorized, in writing by that party, to request, to offer, or to otherwise provide assistance under the terms of this Agreement. The list of Authorized Representatives for each party executing this Agreement shall be attached to the executed copy of this Agreement. (In the event of a change in personnel, unless otherwise notified, the presumption will be that the successor to that position will be the authorized representative.)

"Disaster declaration" means a gubernatorial declaration that the impact or anticipated impact of an emergency constitutes a Type I, II, III disaster as defined in G.S. 166A-19.21(b)

"Emergency" means an occurrence or imminent threat of widespread or severe damage, injury, or loss of life or property resulting from any natural or man-made accidental, military, paramilitary, terrorism, weather-related, public health, explosion-related, riot-related cause, or technological failure or accident, including, but not limited to, a cyber incident, an explosion, a transportation accident, a radiological accident, or a chemical or other hazardous material incident or which may be otherwise be defined in G.S. § 166A-19.3(6).

“Emergency Area” The geographical area covered by a state of emergency.

“Incident” means an occurrence, natural or manmade, that necessitates a response to protect life or property. In this Agreement, the word “incident” includes planned events as well as emergencies and/or disasters of all kinds and sizes.

"Local Emergency Management Agency" means a county agency charged with coordination of all emergency management activities for its geographical limits pursuant to G.S. 166A-19.15. It also means any incorporated municipalities emergency management agencies or joint county and incorporated municipalities emergency management agencies.

"Party" means a governmental entity which has adopted and executed this Agreement.

“Planned Event” means an incident that is a scheduled nonemergency activity including but not limited to elections, sporting event, concert, parade. funeral coverage, or fairs.

"Provider" means the party which has received a request to furnish aid and assistance from another party in need (the "Recipient").

"Recipient" means the party setting forth a request for aid and assistance to another party (the "Provider").

“State of Emergency” means a finding that an emergency exists by the Governor or General Assembly acting under the authority in G.S. 166A-19.20 or by a governing body of a county or a municipality, or by a mayor or chair of the board of county commissioners acting under the authority of G.S. 166A.

SECTION II. INITIAL RECOGNITION OF PRINCIPLE BY ALL PARTIES; AGREEMENT PROVIDES NO

RIGHT OF ACTION FOR THIRD PARTIES

As this is a reciprocal contract, it is recognized that any party to this Agreement may be requested by another party to be a Provider. It is mutually understood that each party's foremost responsibility is to its own residents. The provisions of this Agreement shall not be construed to impose an unconditional obligation on any party to this Agreement to provide aid and assistance pursuant to a request from another party. Accordingly, when aid and assistance have been requested, a party may in good faith withhold the resources necessary to provide reasonable and adequate protection for its own community, by deeming itself unavailable to respond and so informing the party setting forth the request.

Given the finite resources of any jurisdiction and the potential for each party to be unavailable for aid and assistance at a given point in time, the parties mutually encourage each other to enlist other entities in mutual aid and assistance efforts and to enter into such agreements accordingly. Concomitantly, the parties fully recognize that there is a highly meritorious reason for entering into this Agreement, and accordingly shall attempt to render assistance in accordance with the terms of this Agreement to the fullest extent possible.

Pursuant to G.S. 166A-19.60 and as elaborated upon in Section X of this Agreement, all functions and activities performed under this Agreement are hereby declared to be governmental functions. Functions and activities performed under this Agreement are carried out for the benefit of the general public and not for the benefit of any specific individual or individuals. Accordingly, this Agreement shall not be construed as or deemed to be an Agreement for the benefit of any third parties or persons and no third parties or persons shall have any right of action under this Agreement for any cause whatsoever. All immunities provided by law shall be fully applicable as elaborated upon in Section X of this Agreement.

SECTION III. PROCEDURES FOR REQUESTING ASSISTANCE

(i) Mutual aid and assistance shall not be requested unless Recipient deems its resources are inadequate to respond to an imminent or actual emergency. When Recipient becomes affected by an emergency, incident or planned event and deems its resources inadequate, it may request mutual aid and assistance by communicating the request to Provider, indicating the request is made pursuant to this Agreement. The request shall be followed up with a notification to the Division of Emergency Management's 24-Hour Watch whether directly, through WebEOC, or through the appropriate Division of Emergency Management Operations Regional Branch. The Division shall maintain a record of the notification.

A. REQUIRED INFORMATION: Each request for assistance shall include the following information, in writing or by any other available means, to the extent known:

1. Emergency Area and Status: A general description summarizing the condition of the community or emergency area (i.e., whether the emergency and/or disaster declaration is needed, imminent, in progress, or has already occurred) and of the damage sustained to date;

2. Services: Identification of the service function(s) for which assistance is needed and the type of assistance needed;

3. Infrastructure Systems: Identification of the type(s) of public infrastructure system for which assistance is needed (water and sewer, storm water systems, streets) and the type of work assistance needed;

4. Aid and Assistance: The amount and type of personnel, equipment, materials, and supplies needed and a reasonable estimate of the length of time they will be needed;

5. Provider's Traveling Employee Needs--Unless otherwise specified by Recipient, it is mutually understood that Recipient will provide for the basic needs of Provider's traveling employees. Recipient shall pay for all reasonable out-of-pocket costs and expenses of Provider's traveling employees, including, without limitation, transportation expenses for travel to and from the stricken area. Further, Recipient shall house and feed Provider's traveling employees at its (Recipient's) sole cost and expense. If Recipient cannot provide such food and/or housing at the emergency area, Recipient shall specify in its request for assistance that the Provider's traveling employees be self-sufficient.

6. Facilities: The need for sites, structures, or buildings outside Recipient's geographical limits to serve as relief centers or staging areas for incoming emergency goods and services; and

Meeting Time and Place: An estimated time and a specific place for a representative of Recipient to meet the personnel and resources of any Provider.

B. STATE AND FEDERAL ASSISTANCE: Recipient shall be responsible for coordinating requests for state or federal assistance with its (Recipient's) Local Emergency Management Agency

SECTION IV. PROVIDER'S ASSESSMENT OF AVAILABILITY OF RESOURCES AND ABILITY TO RENDER ASSISTANCE

When contacted by the Recipient/Local Emergency Management Agency, Provider's authorized representative shall assess Provider's own local situation in order to determine available personnel, equipment, and other resources. If Provider's authorized representative determines that Provider has available resources, Provider's authorized representative shall so notify the Recipient/Local Emergency Management Agency (whichever communicated the request). Provider shall complete a written acknowledgment, whether on the request form received from Recipient or on another form, regarding the assistance to be rendered (or a rejection of the request) and shall transmit it by the most efficient practical means to the Recipient/Local Emergency Management Agency for a final response. Provider's acknowledgment shall contain the following information:

1. In response to the items contained in the request, a description of the personnel, equipment, and other resources available;

2. The projected length of time such personnel, equipment, and other resources will be available to serve Recipient, particularly if the period is projected to be shorter than one week (as provided in the "Length of Time for Aid and Assistance" section [Section VI] of this Agreement.)

3. The estimated time when the assistance provided will arrive at the location designated by the Authorized Representative of the Requesting Party; and

4. The name of the person(s) to be designated as Provider's supervisor (pursuant to the "Supervision and Control" section [Section V] of this Agreement.)
Where a request has been submitted to the Local Emergency Management Agency, the Local Emergency Management Agency shall notify Recipient's authorized representative and forward the information from Provider. The Recipient/Local Emergency Management Agency shall respond to Provider's written acknowledgment by signing and returning a copy of the form to Provider by the most efficient practical means, maintaining a copy for its file.

SECTION V. SUPERVISION AND CONTROL

Provider shall designate one of its employees sent to render aid and assistance to Recipient as a supervisor or point of contact for equipment only missions. As soon as

practicable, Recipient shall assign work tasks to Provider's supervisor, and unless specifically instructed otherwise, Recipient shall have the responsibility for coordinating communications between Provider's supervisor and Recipient. Recipient shall provide necessary credentials to Provider's personnel authorizing them to operate on behalf of Recipient.

Based upon such assignments from the Recipient, Provider's supervisor shall:

1. Have the authority to assign work and establish work schedules for Provider's personnel. Further, supervisor shall retain direct supervision and control of Provider's personnel, equipment, and other resources. Provider should be prepared to furnish communications equipment sufficient to maintain communications among its respective operating units, and if this is not possible, Provider shall notify Recipient accordingly;

2. Maintain daily personnel time records, material records, and a log of equipment hours;

3. Report work progress to Recipient at mutually agreed upon intervals.

SECTION VI. LENGTH OF TIME FOR AID AND ASSISTANCE; RENEWABILITY; RECALL

Unless otherwise provided, the duration of Provider's assistance shall be for an initial period of seven days, starting from the time of arrival. Thereafter, assistance may be extended in daily or weekly increments as the situation warrants, for a period agreed upon by the authorized representatives of Provider and Recipient.

As noted in Section II of this Agreement, Provider's personnel, equipment, and other resources shall remain subject to recall by Provider to provide for its own citizens if circumstances so warrant. Provider shall make a good faith effort to provide at least twenty-four (24) hours advance notification to Recipient of Provider's intent to terminate mission, unless such notice is not practicable, in which case as much notice as is reasonable under the circumstances shall be provided.

SECTION VII. REIMBURSEMENTS

Except as otherwise provided below, it is understood that Recipient shall pay to Provider all documented costs and expenses incurred by Provider as a result of extending aid and assistance to Recipient. The terms and conditions governing reimbursement for any assistance provided under this Agreement shall be in accordance with FEMA Public Assistance Guidelines in addition to the following provisions, unless otherwise agreed in writing by Recipient and Provider. Recipient shall be ultimately responsible for reimbursement of all eligible expenses. The Provider may waive some or all requirements for reimbursement, however such an agreement must be documented in the request and/or offer of assistance.

A. Personnel-- During the period of assistance, Provider shall continue to pay its employees according to its then prevailing ordinances, rules, and regulations. Recipient

shall reimburse Provider for all direct and indirect payroll costs and expenses including travel expenses incurred during the period of assistance, including, but not limited to, employee retirement benefits as provided by Generally Accepted Accounting Principles (GAAP). However, as stated in Section IX of this Agreement, Recipient shall not be responsible for reimbursing any amounts paid or due as benefits to Provider's personnel under the terms of the North Carolina Workers' Compensation Act (Chapter 97 of the North Carolina General Statutes).

B. Equipment-- Recipient shall reimburse the Providers for the use of equipment during the period of assistance according to either a pre-established local or state hourly rate or according to the actual replacement, operation, and maintenance expenses incurred. For those instances in which costs are reimbursed by the Federal Emergency Management Agency (FEMA), the FEMA-eligible direct costs shall be determined in accordance with general policies for determining allowable costs which are established in 2 CFR 200, subpart E or other applicable federal laws, regulations, and policies as may be in effect at the time the expenses are incurred. Exceptions to those policies as allowed in 2 CFR 200, subpart E and 2 CFR 200.102 are explained in 44 C.F.R. 206.228 or other applicable federal laws, regulations, and policies as may be in effect at the time the expenses are incurred. Provider shall pay for all repairs to its equipment as determined necessary by its on-site supervisor(s) to maintain such equipment in safe and operational condition.

   At the request of Provider, fuels, miscellaneous supplies, and minor repairs may be provided by Recipient, if practical. The total equipment charges to Recipient shall be reduced by the total value of the fuels, supplies, and repairs furnished by Recipient and by the amount of any insurance proceeds received by Provider.

C. Materials And Supplies—Recipient shall reimburse Provider for all materials and supplies furnished and that are used or damaged by Recipient during the period of assistance, except for the costs of equipment, fuel and maintenance materials, labor, and supplies, which shall be included in the equipment rate established in subsection B of this section (Section VII), Recipient will not be responsible for costs where such damage is caused by gross negligence, willful and wanton misconduct, intentional misuse, or recklessness of Provider's personnel. Provider's personnel shall use reasonable care under the circumstances in the operation and control of all materials and supplies used during the period of assistance. The measure of reimbursement shall be determined in accordance with general policies for determining allowable costs which are established in 2 CFR 200, subpart E or other applicable federal laws, regulations, and policies as may be in effect at the time the expenses are incurred. Exceptions to those policies as allowed in 2 CFR 200, subpart E and 2 CFR 200.102 are explained in 44 C.F.R. 206.228 or other applicable federal laws, regulations, and policies as may be in effect at the time the expenses are incurred. In the alternative, the parties may agree that Recipient will replace, with like kind and quality as determined by Provider, Provider’s materials and supplies used or damaged in a reasonable time. If such an agreement is made, it shall be reduced to writing and transmitted to the North Carolina Division of Emergency Management.

D. Record Keeping-- Recipient and North Carolina Division of Emergency Management personnel shall provide information, directions, and assistance for record-keeping to Provider's personnel. Provider shall maintain records and submit invoices for reimbursement by Recipient or the North Carolina Division of Emergency Management using the format used or required by FEMA publications, 2 C.F.R. Part 200 or other applicable federal laws, regulations, and policies as may be in effect at the time the expenses are incurred, applicable Office of Management and Budget (OMB) Circulars, state and local laws and regulations.

E. Payment; Other Miscellaneous Matters as to Reimbursements-- The reimbursable costs and expenses with an itemized notice shall be forwarded as soon as practicable after the costs and expenses are incurred, but not later than sixty (60) days following the period of assistance, unless the deadline for identifying damage is extended in accordance with 44 C.F.R. Part 206 or other applicable federal laws, regulations, and policies as may be in effect at the time the expenses are incurred. Recipient shall pay the bill or advise of any disputed items, not later than sixty (60) days following the billing date. These time frames may be modified in writing signed by both parties by mutual agreement. This shall not preclude Provider or Recipient from assuming or donating, in whole or in part, the costs and expenses associated with any loss, damage, or use of personnel, equipment, and resources provided to Recipient.

F. Contracting – If recipient or provider contracts with a third party to perform any aid or assistance under the provisions of this agreement, then the entity shall follow any applicable local, state, or federal contracting requirements.

SECTION VIII. RIGHTS AND PRIVILEGED OF PROVIDER'S EMPLOYEES

Pursuant to G.S. 166A-19.60 whenever Provider's employees are rendering aid and assistance pursuant to this Agreement, such employees shall retain the same powers, duties, immunities, and privileges they would ordinarily possess if performing their duties within the geographical limits of Provider.

SECTION IX. PROVIDER'S EMPLOYEES COVERED AT ALL TIMES BY PROVIDER'S WORKER'S COMPENSATION POLICY

Recipient shall not be responsible for reimbursing any amounts paid or due as benefits to Provider's employees under the terms of the North Carolina Workers' Compensation Act, Chapter 97 of the North Carolina General Statutes, due to personal injury or death occurring during the period such employees are engaged in the rendering of aid and assistance under this Agreement. It is mutually understood that Recipient and Provider shall be responsible for payment of such workers' compensation benefits only to their own respective employees. Further, it is mutually understood that Provider will be entirely responsible for the payment of workers' compensation benefits to its own respective employees pursuant to G.S. 97-51.

SECTION X. IMMUNITY

Pursuant to G.S. 166A-19.60 all activities performed under this Agreement are hereby declared to be governmental functions. Neither the parties to this Agreement, nor, except in cases of willful misconduct, gross negligence, or bad faith, their personnel complying with or reasonably attempting to comply with this Agreement or any ordinance, order, rule, or regulation enacted or promulgated pursuant to the provisions of this Agreement shall be liable for the death of or injury to persons or for damage to property as a result of any such activity.

SECTION XI. PARTIES MUTUALLY AGREE TO HOLD EACH OTHER HARMLESS FROM LIABILITY

To the extent allowed by applicable law, each party (as indemnitor) agrees to protect, defend, indemnify, and hold the other party (as indemnitee), and its officers, employees and agents, free and harmless from and against any and all losses, penalties, damages, assessments, costs, charges, professional fees, and other expenses or liabilities of every kind and arising out of or relating to any and all claims, liens, demands, obligations, actions, proceedings, or causes of action of every kind in connection with or arising out of indemnitor's negligent acts, errors and/or omissions. Indemnitor further agrees to investigate, handle, respond to, provide defense for, and defend any such claims, etc. at indemnitor's sole expense and agrees to bear all other costs and expenses related thereto. To the extent that immunity does not apply, each party shall bear the risk of its own actions, as it does with its day-to-day operations, and determine for itself what kinds of insurance, and in what amounts, it should carry. Each party understands and agrees that any insurance protection obtained shall in no way limit the responsibility to indemnify, keep, and save harmless the other parties to this Agreement.

Notwithstanding the foregoing, to the extent that each party does not purchase insurance, it shall not be deemed to have waived its governmental immunity by law.

SECTION XII. ROLE OF THE DIVISION OF EMERGENCY MANAGEMENT

Pursuant to GS 166A-19.12(19) and under this agreement, the responsibilities of the North Carolina Division of Emergency Management are: (1) to serve as the central depository for executed Agreements, to maintain a current listing of entities with their authorized representatives and contact information, and to provide this listing to each of the entities on an annual basis; (2) to coordinate the provision of mutual aid and assistance to a requesting party, pursuant to the provisions of this Agreement; (3) to keep a record of all requests for assistance and acknowledgments; (4) to report on the status of ongoing emergency or disaster-related mutual aid and assistance as appropriate; and (5) if the parties so designate, to serve as the eligible entity for requesting reimbursement of eligible costs from FEMA and provide information, directions, and assistance for record keeping pursuant thereto.

SECTION XIII. AMENDMENTS

Manner-- This Agreement may be modified at any time upon the mutual written consent of the Recipient and Provider Addition of Other Entities--Additional entities may become parties to this Agreement upon: (1) acceptance and execution of this Agreement; and (2) sending an executed copy of the Agreement to the North Carolina Division of Emergency Management.

SECTION XIV. INITIAL DURATION OF AGREEMENT; RENEWAL; TERMINATION

This Agreement shall be binding for not less than one (1) year from its effective date, unless terminated upon at least sixty (60) days advance written notice by a party as set forth below. Thereafter, this Agreement shall continue to be binding upon the parties in subsequent years, unless canceled by written notification served personally or by registered mail upon the Director of North Carolina Division of Emergency Management, which shall provide copies to all other parties. The withdrawal shall not be effective until sixty (60) days after notice thereof has been sent by the Director of the North Carolina Division of Emergency Management to all other parties. A party's withdrawal from this Agreement shall not affect a party's reimbursement obligations or any other liability or obligation under the terms of this Agreement incurred prior to withdrawal hereunder. Once the withdrawal is effective, the withdrawing entity shall no longer be a party to this Agreement, but this Agreement shall continue to exist among the remaining parties.

SECTION XV. HEADINGS

The headings of various sections and subsections of this Agreement have been inserted for convenient reference only and shall not be construed as modifying, amending, or affecting in any way the express terms and provisions of this Agreement.

SECTION XVI. SEVERABILITY: EFFECT ON OTHER AGREEMENTS

Should any clause, sentence, provision, paragraph, or other part of this Agreement be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair, or invalidate the remainder of this Agreement. Each of the parties declares that it would have entered into this Agreement irrespective of the fact that any one or more of this Agreement's clauses, sentences, provisions, paragraphs, or other parts have been so declared invalid. Accordingly, it is the intention of the parties that the remaining portions of this Agreement shall remain in full force and effect without regard to the clause(s), sentence(s), provision(s), paragraph(s), or other part(s) invalidated.

In the event that parties to this Agreement have entered into other mutual aid and assistance contracts, for example pursuant to Chapter 160A of the North Carolina General Statutes, those parties agree that to the extent a request for mutual assistance is made pursuant to this Agreement, those other mutual aid and assistance contracts are superseded by this Agreement.

SECTION XVII. EFFECTIVE DATE

This Agreement shall take effect upon its approval by the entity seeking to become a signatory to this Agreement and upon proper execution hereof.

IN WITNESS WHEREOF, each of the parties have caused this North Carolina Statewide Emergency Management Mutual Aid and Assistance Agreement to be duly executed in its name and behalf by its Chief Executive Officer, who has signed accordingly with seals affixed and attested with concurrence of a majority of its governing board, as of the date set forth in this Agreement.

DIVISION OF EMERGENCY MANAGEMENT/DEPARTMENT OF PUBLIC SAFETY

BY:

Eddie M. Buffaloe, Jr.
Secretary

Department of

Public Safety

Date:

BY:

William C. Ray, Director

Division of Emergency

Management

Date:

LOCAL GOVERNMENT UNIT

By: Witness:

Chief Executive Officer/Local

Government Name:

Title:

Date:

APPROVED AS TO PROCEDURES:

BY:

Office of General Counsel/Department of Public Safety

Date:

Attachment 1
List of Authorized Representatives to Contact for Emergency Assistance

The Statewide Mutual Aid Agreement signed by on authorizes:
to maintain and update the primary and alternative representatives. The primary and alternatives may be updated as needed without the formal re-execution of the Statewide Mutual Aid agreement.

PRIMARY REPRESENTATIVE

NAME:

TITLE:

DAY PHONE: NIGHT PHONE:

CELL PHONE: FAX:

FIRST ALTERNATE REPRESENTATIVE

NAME:

TITLE:

DAY PHONE: NIGHT PHONE:

CELL PHONE: FAX:

SECOND ALTERNATE REPRESENTATIVE

NAME:

TITLE:

DAY PHONE: NIGHT PHONE:

CELL PHONE: FAX:

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APPENDIX D:

MEMORANDUM OF AGREEMENT BETWEEN THE TOWN OF NAGS HEAD AND THE TOWN OF CARY

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MEMORANDUM OF AGREEMENT
Between the Town of Cary
and the Town of Nags Head

This Memorandum of Agreement (hereinafter "Agreement") is made on the last date entered below between the Town of Cary and the Town of Nags Head (collectively referred to hereinafter as "the Parties") for the emergency relocation of government during a State of Disaster or Imminent Threat of Disaster and/or a State of Emergency declared pursuant to Nags Head Town Code Chapter 14 and Chapter 166A of the North Carolina General Statutes.

WHEREAS, during a declared State of Disaster or Imminent Threat of Disaster which implements the North Carolina Emergency Operations Plan (hereinafter "NCEOP"), the Town of Nags Head may request the use of designated facilities from the Town of Cary for the purpose of the continuation of government. These facilities would include space to operate a telephone bank and Internet access to communicate with citizens, operations staff, property owners and other parties who need access to Town government; AND

WHEREAS, the Town of Nags Head has requested that it be allowed the opportunity to relocate certain government functions to the Town of Cary and the Town of Cary is willing to provide the necessary facilities; AND

WHEREAS, the Parties have conferred as to the best methods and practices to allow the Town of Nags Head to operate remote government functions; AND

WHEREAS, this Agreement is authorized by N.C.G.S. 166A-19.72.

NOW, THEREFORE, the Parties agree as follows:

1. The Town of Cary will provide space to operate a five (5) person phone bank.

2. The Town of Cary will provide internet access in order that the Town of Nags Head may update its Website.

3. The Town of Cary will provide access to additional facilities such as bathrooms, break rooms, and recreational areas as available during times when Nags Head staff are engaged in work activity.

4. The Town of Cary will provide said facilities for a period not to exceed two weeks unless by further written agreement.

5. The Town of Nags Head will provide and pay for phone service for five phone lines for use by the Town of Nags Head in the facilities designated by the Town of Cary.

6. The Town of Nags Head will pay necessary Internet access charges for the period of use by the Town of Nags Head.

7. The Town of Cary will provide an itemized notice of costs and expenses to be paid to the Town of Cary, and forward this notice as soon as practicable after the costs and expenses are incurred, but

not later than sixty (60) days following the period of assistance. The Town of Nags Head shall pay the bill or advise of any disputed items, not later than 30 (thirty) days following the billing date.

8. The Town of Cary has no legal obligation to provide or maintain communication services for the Town of Nags Head and does not guarantee the quality of communication services that may be provided to the Town of Nags Head as a result of this Agreement.

9. A reasonable effort will be made by the Parties to identify and maintain availability of adequate communication services that the Town of Nags Head has been authorized to install and/or utilize on the Town of Cary's premises for the purpose of this Agreement.

10. The Town of Cary shall not be responsible for reimbursing any amounts paid or due as benefits to the Town of Nags Head personnel under the terms of the North Carolina Workers' Compensation Act (Chapter 97 of the North Carolina General Statutes). It is mutually understood that the Town of Nags Head and the Town of Cary shall be responsible for payment of such workers' compensation benefits only to their own respective employees.

11. It is mutually understood that each Party's foremost responsibility is to its own citizens. The provisions of this Agreement shall not be construed to impose upon the Town of Cary an unconditional obligation to provide aid and assistance pursuant to a request from the Town of Nags Head. Accordingly, when aid and assistance have been requested, the Town of Cary may in good faith withhold the resources necessary to provide reasonable and adequate protection for its own community, by deeming itself unavailable to respond and so informing the Town of Nags Head. Concomitantly, the Town of Cary fully recognizes that there is a highly meritorious reason for entering into this Agreement, and accordingly shall attempt to render assistance in accordance with the terms of this Agreement to the fullest extent possible.

12. The Parties intend that this Agreement be governed by the law of the State of North Carolina.

13. In the event of conflict or default that might arise for matters associated with this Agreement, the Parties agree to informally communicate to resolve the conflict. If any such dispute cannot be informally resolved, then such dispute, or any other matter arising under this Agreement, shall be subject to resolution in a court of competent jurisdiction. Such disputes, or any other claims, disputes or other controversies arising out of, and

    between the Parties shall be subject to and decided by the appropriate general court of justice of Wake County, North Carolina.

14. In the event any provision of this Agreement shall be held invalid or unenforceable by a court of competent jurisdiction, such holding shall not invalidate or render unenforceable any other provision hereof. If one or more paragraphs, sections sentences, clauses, or phrases shall be declared void, invalid or otherwise unenforceable for any reason by the valid, final judgment or decree of any court of competent jurisdiction, such judgment or decree shall not affect the remaining provisions of this Agreement and the same shall continue to be fully effective and enforceable on the basis that said remaining provisions would have been agreed to by the Parties without the incorporation of such void, invalid or otherwise unenforceable paragraph, section, sentence, clause or phrase.

15. This Agreement may be executed in any number of counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument. Either Party may convert a signed original of the Agreement to an electronic record pursuant to a North Carolina

Department of Cultural Resources approved procedure and process for converting paper records to electronic records for record retention purposes. Such electronic record of the Agreement shall be deemed for all purposes to be an original signed Agreement.

16. This Agreement may be modified only upon the written consent and approval of both parties.

17. This Agreement shall be in effect from the last date written below until **October 31, 2025.** This Agreement may be terminated by either party upon submission of a thirty-day advance written notice of termination to the non-terminating party.

18. To provide consistent and effective communication between the Parties, each party shall appoint a Principal Representative to serve as its central point of contact responsible for coordinating and implementing their Agreement. The Principal Representative of the Town of Cary shall be the Director of Technology Services Department or designee. The Principal Representative of the Town of Nags Head shall be the Fire Chief or designee.

19. The governing boards of both parties have concurred in the adoption of this Agreement.

This Agreement shall be effective on the date of the last signature below.

IN WITNESS WHEREOF, the Parties have each executed this Agreement as follows:

TOWN OF CARY

BY: _____

ITS: Deputy Town Manager

ATTEST: Virginia H. Johnson

DATE: August 13, 2021

Date of Governing Board Concurrence: November 12, 2020

TOWN OF NAGS HEAD

BY: _____

ITS: **Mayor**

ATTEST: Carolyn F. Morris

DATE: 8/5/2020

Date of Governing Board Concurrence: **August 5, 2020**

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Ben Cahoon
Mayor

Michael Siers
Mayor Pro Tem

Andy Garman
Town Manager

Town of Nags Head
Post Office Box 99
Nags Head, NC 27959
Telephone 252-441-5508
Fax 252-441-0776
www.nagsheadnc.gov

Kevin Brinkley
Commissioner

Bob Sanders
Commissioner

Megan Lambert
Commissioner

Town of Nags Head Emergency Operations Plan (EOP)
Letter Of Promulgation

By the powers and authority vested in, and on behalf of, the Mayor and Board of Commissioners, I hereby promulgate and issue the revised Town of Nags Head Emergency Operations Plan (EOP), dated February 7, 2024, as guidance to provide for the protection of the residents of Nags Head. The revised Town of Nags Head Emergency Operations Plan, hereafter, will be referred to as the "EOP."

The EOP outlines the coordinated actions to be taken by Municipal officials and volunteer organizations to protect lives and property in natural or manmade disasters. It identifies manpower and other resources available to prevent, minimize, and recover from injury, loss of life, and destruction of property, which tragically characterize disasters. The Town of Nags Head endorses the use of the Incident Command System (ICS) at all levels of response, as promulgated in the EOP.

This plan is an effective tool for emergency response and recovery planning and will be implemented when directed by the Town of Nags Head. The Emergency Management Coordinator (EMC) is responsible for the maintenance and update of the plan, as required by ordinance, in coordination and agreement with appropriate participating agencies and units of government.

The following agree to support the overall concept of operations of the Town of Nags Head Emergency Operations Plan and to carry out the functional responsibilities as assigned in the EOP. The EOP will be reviewed annually. If the EOP has substantial changes/revisions, the updated EOP will be taken before the Board of Commissioners for formal promulgation.

Approved by the Town of Nags Head Board of Commissioners
February 7, 2024

_____
Ben Cahoon, Mayor

_____
Andy Garman, Town Manager

ATTEST:

_____
Carolyn F. Morris, Town Clerk

Agenda Item Summary Sheet

Item No: **I-1**
Meeting Date: **February 7, 2024**

Item Title: Presentation from Fire Planning Committee – Time Specific 10:30 a.m.

Item Summary:

At the February 7th Board of Commissioners meeting, Deputy Fire Chief Hite will deliver the findings and recommendations of the Fire Staffing Workgroup. Attached are the group's report and presentation, which comprehensively outline their findings and work details for your review.

This report encompasses an examination of the Fire Department's existing staffing model, a needs analysis, a review of relevant National standards, and a recommendation aimed at enhancing the current staffing model.

Attached is a copy of the presentation and report.

Number of Attachments: 2

Specific Action Requested:

Report from Fire Planning Committee provided for Board information and update.

Submitted By: Administration Date: January 31, 2024

Finance Officer Comment:

I will respond to questions as necessary.

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

I will participate in the discussion as necessary. The recommendation will be considered as part of the Board's FY 2025 budget process.

Signature: Andy Garman Date: January 31, 2024

Nags Head Fire Rescue
Fire Chief Randy C. Wells
Deputy Chief Shane Hite
5314 S. Croatan Hwy.
P.O. Box 99
Nags Head, NC 27959

Introduction

During the Nags Head Board of Commissioners retreat in 2022, a conversation was initiated regarding staffing levels of the Nags Head Fire Department. No action was taken during the 2023-2024 budget preparation cycle. At the September 2023 Board of Commissioners meeting, a request to establish a staffing committee was presented to the Board of Commissioners. The request was granted, and a committee was established consisting of the following individuals:

Kevin Brinkley- Representing the Nags Head Board of Commissioners
Bob Muller- Past Mayor, Town of Nags Head
Meade Gwinn- Resident of Nags Head
Andy Garman- Town Manager
Amy Miller- Deputy Town Manager
Jan Mielke- Human Resources Director
Randy Wells- Fire Chief
Shane Hite- Deputy Fire Chief

Staffing for the Nags Head Fire Department is important to effectively mitigate hazards within the Town. Staffing recommendations are generated using guidance from the National Fire Protection Association Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments (NFPA 1710). Other considerations included the current daily staffing, leave amounts, minimum staffing, response areas, and call volumes.

Current staffing

The current staffing utilized by Nags Head Fire Rescue has not changed since Station 21 in South Nags Head was brought online in 2006. A need was previously established to add a fire station and staff fire engines to provide a more efficient response to the citizens of the southern parts of Nags Head and to provide additional resources for responses throughout the Town. Staffing for each station was established as three shifts of four firefighters working 24 hours on duty/48 hours off schedule. The total

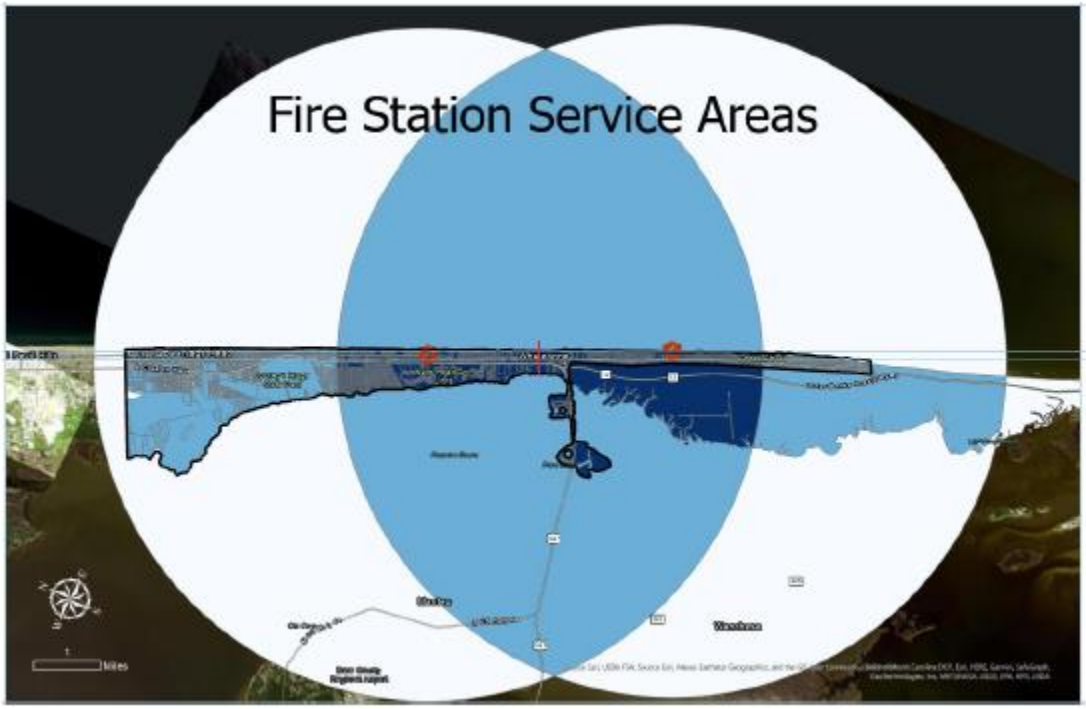
number of staff assigned per day incudes eight firefighters plus a fire chief and deputy chief who work Monday through Friday and are on call during the night and weekends to provide additional staffing and incident management for fires and other emergencies. Each station is staffed daily with a captain, lieutenant, driver operator/engineer and a firefighter. The current staffing model allows for two positions to utilize leave on any given day, reducing the minimum staffing to three on a fire engine or quint. If there are callouts due to sick leave staff members are held over or recalled to ensure the minimum staffing levels are maintained. During fiscal year 21/22, staff worked 878.4 overtime hours and in fiscal year 22/23 1323.75 overtime hours to ensure minimum staffing levels were maintained.

In consideration of the NFPA 1710 staffing recommendation, incident type and volume are considered when determining a staffing need. During 2023, Nags Head Fire Department responded to 34 fire calls, 626 rescue or emergency medical calls, and 51 hazardous condition calls for service. These numbers represent 60.9% of the annual call volume. These call types represent those that relate to the NFPA 1710 standard.

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Illustration 1-

This is an illustration of the two response areas in Nags Head based on a five-mile radius from Stations 16 and 21. The illustration shows a higher number of built upon properties in the Station 16 response area.



2,820 parcels are within a 5-mile radius of both fire stations (dark blue parcels above)

161 vacant parcels are within the 5-mile radius of both fire stations.

2,659 improved parcels are within the 5-mile radius of both fire stations.

Needs analysis

Station response areas are defined with Gull Street being the divide between Station 16 and 21. Station 16, located at 5314 S. Croatan Highway responds first to all calls to the North of Gull and below the address number 7100. Station 21, located at 8806 S. Old Oregon Inlet Rd. responds first due to all calls starting at 7100 to the South and West. During a three-year average, Station 16 responded first due to

74% of the calls in the Town. This area is the highest populated based on residential housing density, commercial property, and population. Station 16 has approximately 4558 developed properties in their response area, whereas Station 21 includes 3179 developed properties. According to Google Maps, Station 21 has a driving time of 12 minutes from their station to the 2500 block of Nags Head. Station 16 has a normal driving time of seven minutes to this same area. In considering these times it is important to note that a unit from Station 16 may be operating for over five minutes before the arrival of a unit from Station 21. There is also a substantial number of temporary visitors staying in vacation homes which increases the risk of a substantial rescue effort during a fire. Shoulder seasons in the fall and spring are showing higher call volumes and population counts than previous years.

The National Fire Protection Association Standard on Fire Department Staffing recommends that four personnel be assigned to each fire apparatus to complete the required fireground tasks efficiently and safely. They also recommend that a minimum of 17 personnel be on the scene within an eight-minute travel time on residential structure fires of up to 2000 square feet.

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Illustration II

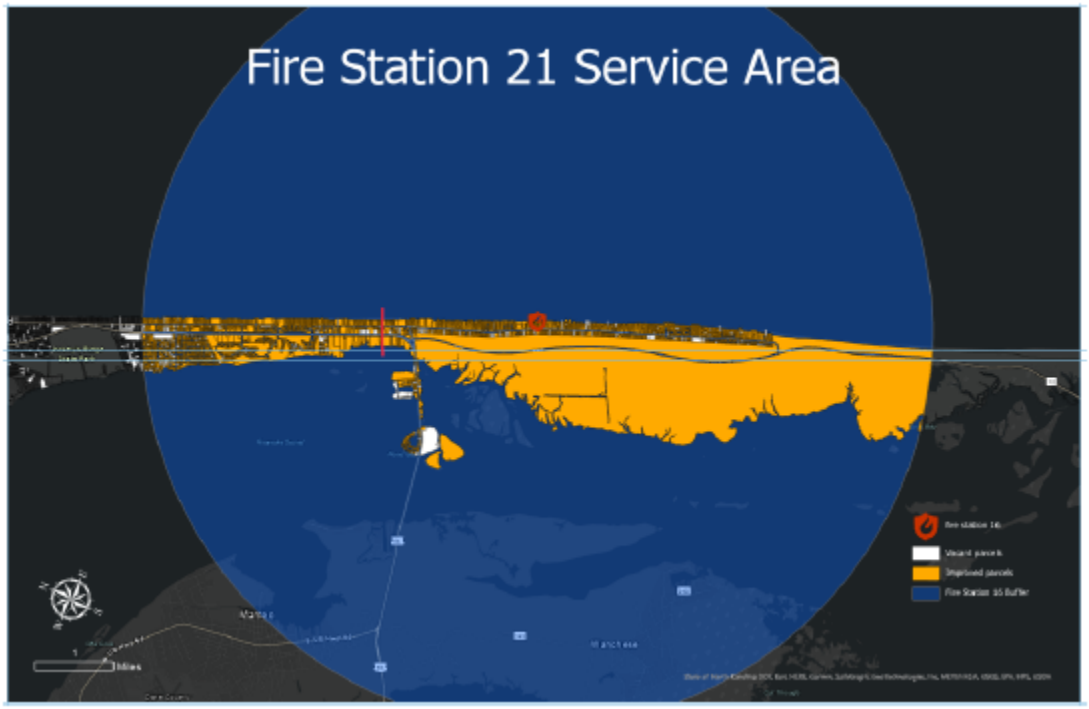
Illustration of the Fire Station 16 response area.



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Deputy Chief Shane Hite
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Nags Head, NC 27959

Illustration III

Illustration of the Fire Station 21 response area.



Mutual aid assistance

Mutual aid departments are documented in reporting data as arriving 20 minutes or more after the initial dispatch to structure fire calls in Nags Head. The assistance received from mutual aid departments can be unpredictable due to circumstances beyond these departments' control. These circumstances include availability due to their own responses, staffing availability due to volunteer and off-duty career staffing, response time to their station, and travel times to Nags Head. This places our fire staff of six in a difficult situation as they attempt to extinguish a fire, prevent it from damaging other structures, and possibly conduct a search with a minimum number of staff.

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Call Volume

The call volume within The Town is approximately 1100 responses per year. There has been an increase over the past year of 8.7%. This is attributed to additional medical calls, lift assists, motor vehicle crashes and alarm activations. The three-year average percentage of fire calls in Nags Head is approximately 3.85%, like North Carolina at 5.1% and the National average of 3.7%. It is unknown if the call volume will continue to increase, decrease, or remain the same. We do know that the hazards that we respond to continue to evolve increasing the need for a highly trained firefighting force in Nags Head. Some of these hazards include lightweight building construction, residential homes with higher populations, density of homes, and lithium-ion batteries. Station 16 responds to a higher number of calls for service of all call types. This number includes approximately 74% of all responses in Nags Head.

Illustration IV

Appendix D illustrates call type percentages based on national data.

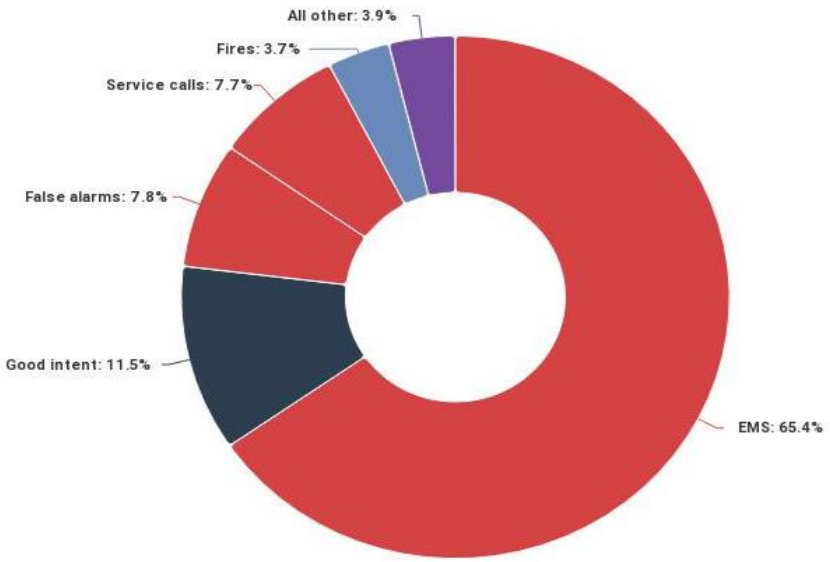
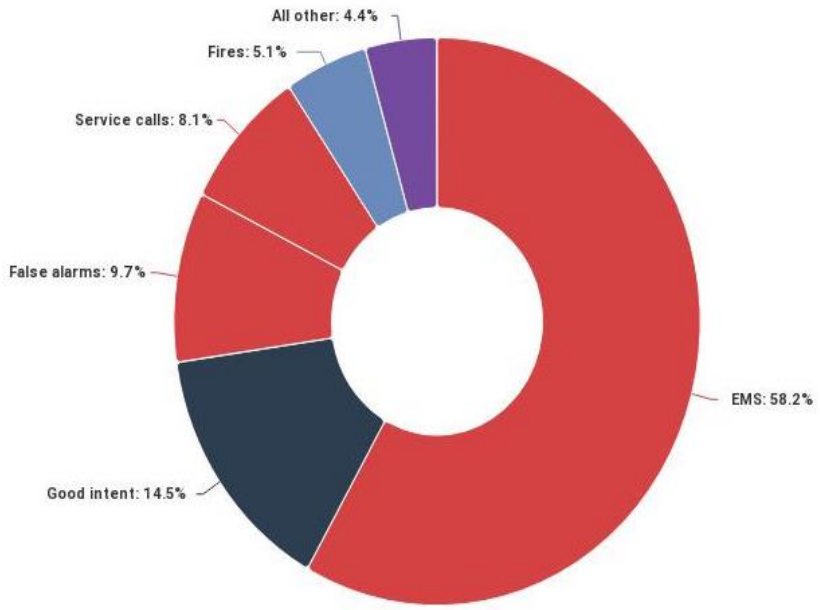


Illustration V

Illustrates the call type percentages based on North Carolina data.



Leave analysis

Annual leave is approximately 10% of the total scheduled hours. This number is from 2021 as it is considered an average year whereas 2022 and 2023 reflected high leave amounts due to numerous sick leave outages. The higher years were the result of several long-term sick leave situations from different employees. The Annual leave includes vacation, sick leave, bereavement leave, and leave related to school functions. The current staffing model allows for two personnel to use leave each day, reducing the daily staffing to six firefighters. Currently, the daily staffing average is 6.7 firefighters per day when considered on an annual basis. As a result of this process, leave policies are being evaluated and updated. Additional considerations for the shift trade policy are also being considered which will allow shift trades on an annual cycle rather than a 28-day pay cycle.

National Standards

The National Fire Protection Association (NFPA) is a U.S.-based international nonprofit organization devoted to eliminating death, injury, property, and economic loss due to fire, electrical, and related hazards.

NFPA 1710, Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments includes recommendations for response times for structure fires and medical calls, the number of firefighters needed to staff fire apparatus, and the total recommended staffing for structure fire and other emergency incidents. Currently, NFPA 1710 recommends that a fire pumper or ladder truck always be staffed with a minimum of four personnel and a quint always be staffed with five firefighters.

OSHA 1910.134 requires that fire departments have a minimum of four personnel on scene prior to making entry into a structure fire or other situation that is immediately dangerous to life and health (IDLH). This is called the two in two out rule. With minimum staffing of three personnel, crews must always wait until a second fire apparatus arrives on scene to enter a structure. If there is an immediate or known rescue, crews can make entry without meeting the two in two out rule.

The National Institute of Standards and Technology (NIST) conducted a study on the tasks associated with residential fireground tasks. This study evaluated the 22 essential tasks that must be completed during a structure fire to operate safely and effectively. These tasks were conducted in real time with firefighters completing tasks to determine what staffing numbers were needed to perform efficiently.

- Studies show that a room can become fully involved in fire in as little as 200 sec or 3.3 minutes.
- Time to water on fire- Four-person crews were 6% (8:41) faster than three-person crews (9:15).
- Ground ladders and ventilation- Four-person crews 25% (7:31) faster than three-person crews (9:35).
- Initiate primary search of a structure-Four person crews 6% (8:47) faster than three-person crews (9:10).

- On average, four-person crews completed the 22 essential tasks 5.1 minutes faster (25%) than three-person crews.

The number of fire personnel on any scene directly affects the efficiency and safety of the operation. Additional staffing during any incident will provide for safer and more effective operations. Additional staffing may also provide for an adjusted response to calls for service. Minor medical responses could be handled with a smaller more efficient vehicle while still providing effective staffing on the larger fire apparatus.

Other duties

Firefighters in Nags Head have additional duties beyond emergency response. Some of these duties include maintenance of items such as vehicles, stations, and equipment. Items such as fire hose testing are completed annually testing approximately 10,000 feet of fire hose. Other items include fire hydrant testing where our staff flow tests approximately 150-200 hydrants per year, and fire inspections through our fire prevention program. This program includes fire and life safety inspections of nearly 300 businesses per year based on the requirements of the North Carolina Fire Prevention Code. Inspectors are certified as Code Enforcement Officials through the North Carolina Building Council as a Level I, II or III inspector. Training and continuing education requirements are also a substantial commitment for the department with members completing an average of 5000 hours per year.

Part-time staffing

Part-time firefighters are an option and some benefits can be recognized. These benefits include firefighters who may work in other departments and are already trained, and a part-time position can be more economical as there are no benefits that are paid. A part-time position is limited to 1000 hours per year which means that 2.6 part-time personnel would be needed to equal one full-time position if the part-time personnel are always available when needed. There has been a national trend of a reduction in volunteer firefighters. This is due to numerous reasons including time limitations, priorities, generational changes, and others. Nags Head will continue to recruit volunteer firefighters and retain them to the best

of our abilities. Part-time staffing can also be challenging as the part-time personnel have other commitments including their career, family and maintaining the required training for the position.

Grant opportunities

A federal grant opportunity exists that may be available for funding. The grant cycle normally begins in February and includes funding for three years if awarded. To date, there has been no notice of funding opportunities or match percentages announced. We would not recommend this funding for these positions. This is based on the unknowns including match amounts, funding announcement, and continuation of funding. This grant will no longer be available if it is not authorized in the upcoming federal budget process.

Staffing recommendation

The staffing group recommends that Station 16 be staffed with a minimum of four firefighters each day. Station 16 responds to the highest percentage of calls for service in the most populated areas of the Town. Establishing a minimum staffing of four firefighters would increase the daily staffing averages to approximately 7.6 firefighters per day. Total daily staffing will vary based on leave amounts and training. It is recommended to leave the Station 21 staffing at four per day with a minimum of three per day.
The most practical solution to achieving a minimum staffing of four personnel at Station 16 is to add three firefighters with one new position assigned to each shift. This would bring the daily total staffing to nine firefighters with a minimum of seven on duty. Station 16 staffing will always be maintained at a minimum of four personnel.

Nags Head Fire Rescue

Staffing Presentation

Introduction

- Discussion initiated at the 2022 Board of Commissioners Retreat
- September 2023- Staff presented a memo to the Board of Commissioners recommending a staffing workgroup be established
- Staffing workgroup worked together to understand the needs of the fire department and to evaluate national standards, laws and regulations regarding fire department staffing

Why is this important?

- A staffing analysis has not been completed since Station 21 was brought online in 2006
- A fire department must have the appropriate number of firefighters to safely and effectively deliver services.

Current Fire Staffing

- Station 16
- Fire Chief
- Deputy Fire Chief
- Office Manager
- Three Fire Captains
- Three Fire Lieutenants
- Three Engineers/Driver Operators
- Three Firefighters

- Station 21
- Three Fire Captains
- Three Fire Lieutenants
- Three Engineers/Driver Operators
- Three Firefighters

Apparatus Types

Quint or Ladder Truck

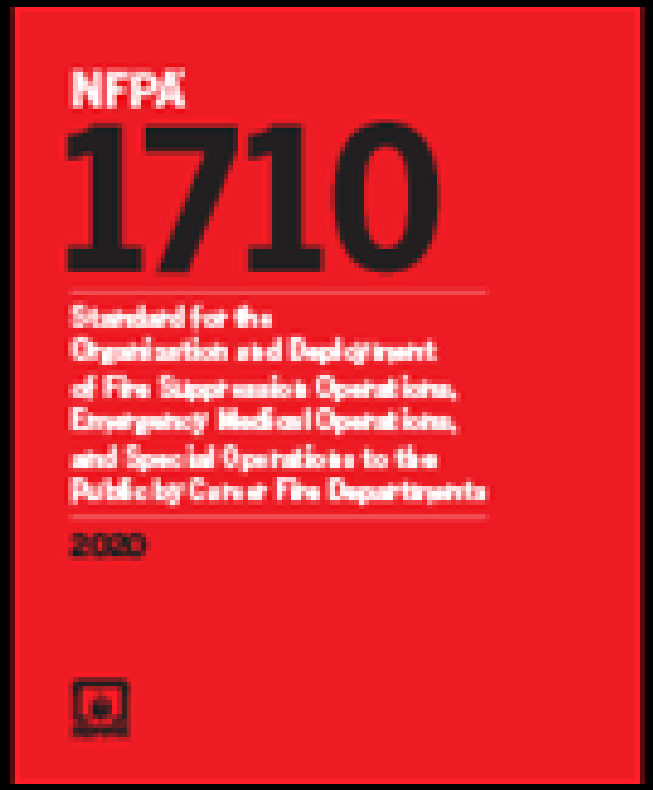


Engine or Pumper



NFPA 1710

- Standard for the Organization and Deployment of Fire Suppression Operations, Emergency Medical Operations, and Special Operations to the Public by Career Fire Departments.
- NFPA 1710 recommends a fire engine or quint be staffed with a minimum of four firefighters



Staffing data

- 8 personnel per day+ Chief and DC
- Minimum of 6 per day due to leave
- Minimum daily staffing of 6
- 21/22- 878.4 overtime hours
- 23/24- 1323.75 overtime hours

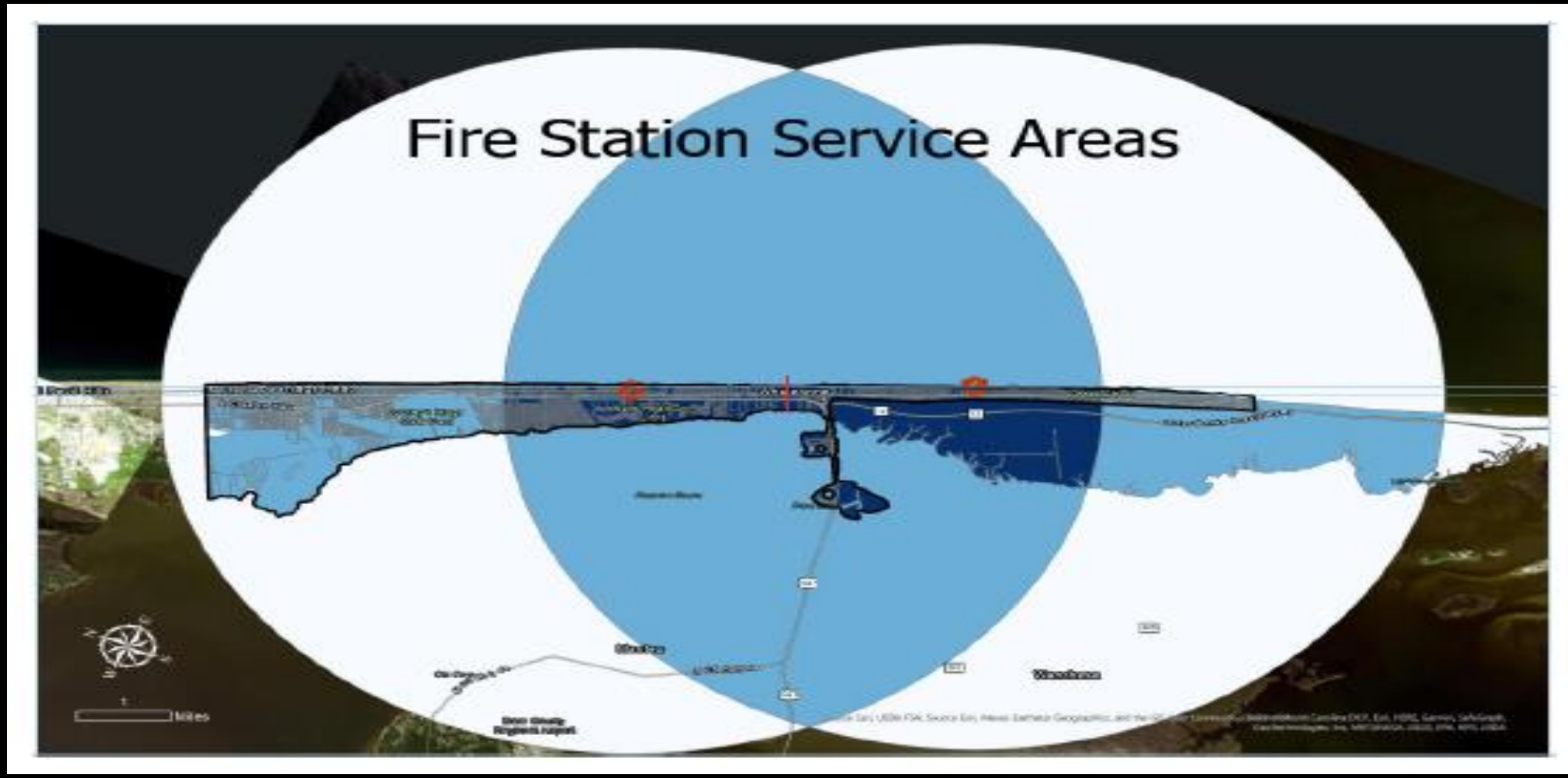
- NFPA 1710 Recommends 4 firefighters on a pumper or ladder truck
- 2023- 34 fire calls- 626 Rescue and or EMS calls- 51 hazardous condition calls for service
- 60.9% of the annual call volume

FY 2021/2022 Staffing

- Daily staffing of eight
- Minimum daily staffing of six
- Total scheduled annual hours 62,400
- Total annual leave- 7167.9 hours= 3045.76 due to sick leave

- Coverages due to illness or extended leave filled using off duty firefighters through strategic staffing and overtime.
- Overtime is not a planned amount based on an anticipated leave amount
- 878.42 overtime hours used to ensure minimum staffing was met

Response areas



Past

- Nags Head Fire Began as a Volunteer Fire Department in 1959
- Transitioned into a combination department- Initially with two personnel per shift- Late 80’s
- Staffing increased to four firefighters per shift mid 90’s



Needs Analysis

- Station 16 responds to 74% of the calls for service in the Town
- Highest populated areas
- Density of properties
- NFPA 1710 recommends that a minimum of 17 personnel be on scene within an eight-minute travel time for a structure fire of up to 2000 square feet

Changes in response needs

- Homes sizes increased
- Population density increased
- Call volumes increased
- Traffic increased



Station 16 First Due Response Area



Station 21 First Due Response Area



Call Volume

- Approximately 1100 Responses annually
- 2019/ 1103- 2020/853 (Covid) 2021/1081- 2022/1017- 2023/1168
- Increase of 8.7% in 2023
- Three-year average of fire calls = 3.85%

Leave Analysis

- Annual leave includes vacation, sick, bereavement, school and FMLA
- Annual leave amounts average 10%
- 2022 and 2023 Incurred higher leave amounts due to several long term FMLA situations

National Standards

- National Fire Protection Association- NFPA 1710
- National Institute of Standards and Technology- Fireground study of 22 essential tasks
- Occupational Safety and Health Association (OSHA)- Two in two out

On average 4-person crews are 25% faster than three person crews

- Studies show that a room can become fully involved in as little as 200 seconds or 3.3 minutes
- Four person crews are 6% faster than three person crews to get water on a fire
- Four person crews 25% faster to set ground ladders and begin ventilating
- Four person crews are 6% faster than three person crews when initiating a search of a structure

Mutual Aid Assistance





Staffing

2022/2023

- Total staffed hours- 58052
- Total training hrs. away- 2357.75
- Total overtime hours- 1323.75
- Vacation- 3336.37
- Sick- 3243.81
- Misc. leave- 962.5
- Leave 12%

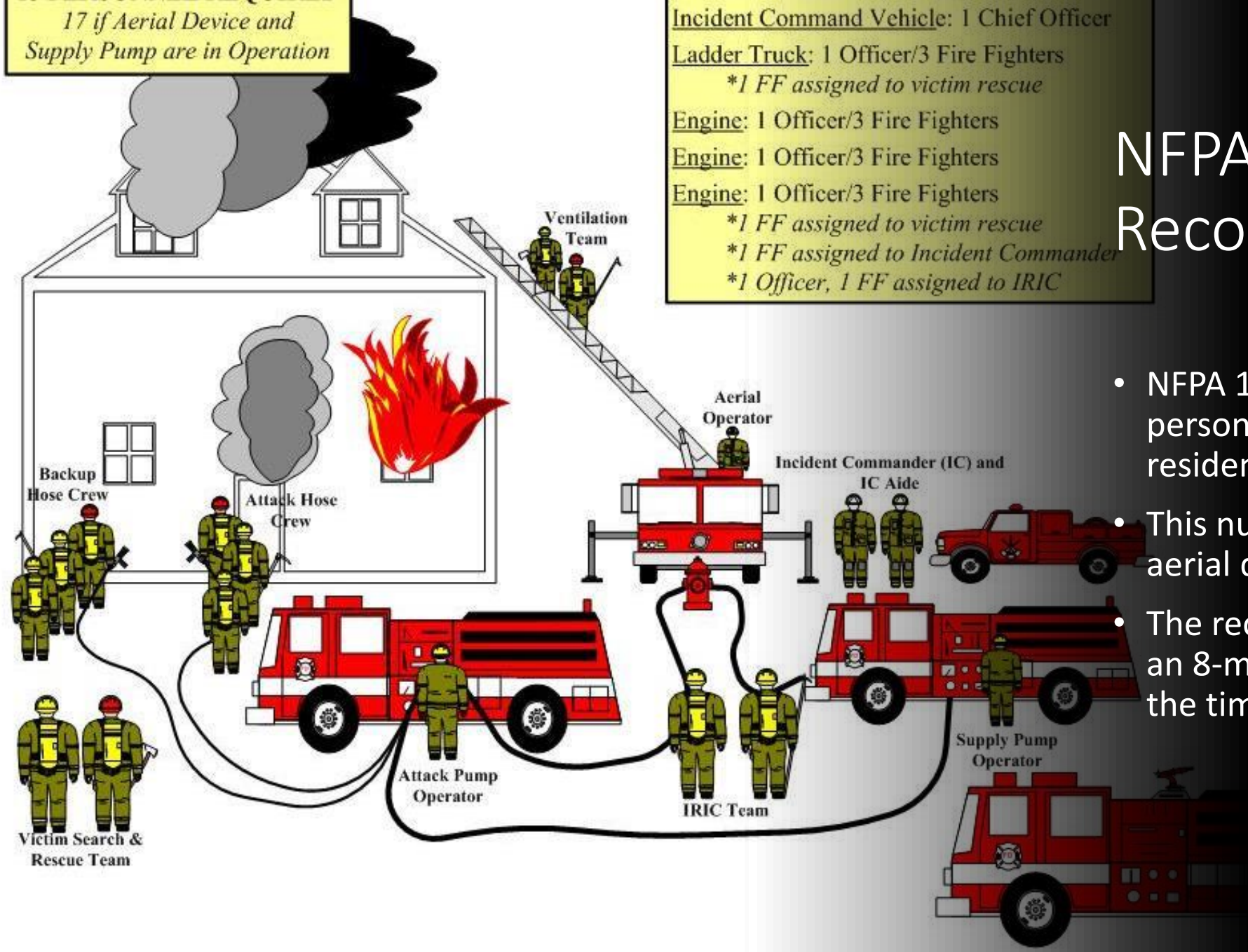
2021/2022

- Total staffed hours- 59565.96
- Total training hrs. away- 1662
- Total overtime hours- 868.42
- Vacation- 4001.15
- Sick- 2689
- Misc. leave- 478
- Leave 11.48%

46 Total Occupants Sleeping When this Fire Started







NFPA Recommendations

- NFPA 1710 recommends 15 personnel for a 2000 square foot residential structure fire
- This number increases to 17 if an aerial device is needed
- The recommendation includes an 8-minute travel time 90% of the time



What can Nags Head Fire Currently Provide?

Other duties

- Fire inspections
- Public education
- Training
- Home inspections as requested
- Apparatus maintenance
- Station maintenance
- Continuing education for numerous certifications



What does the future hold?

- Continued population increase- tourism and year-round residents
- Continued renovation of existing residential and commercial properties
- Volunteerism?
- New technology?
- Additional hazards?



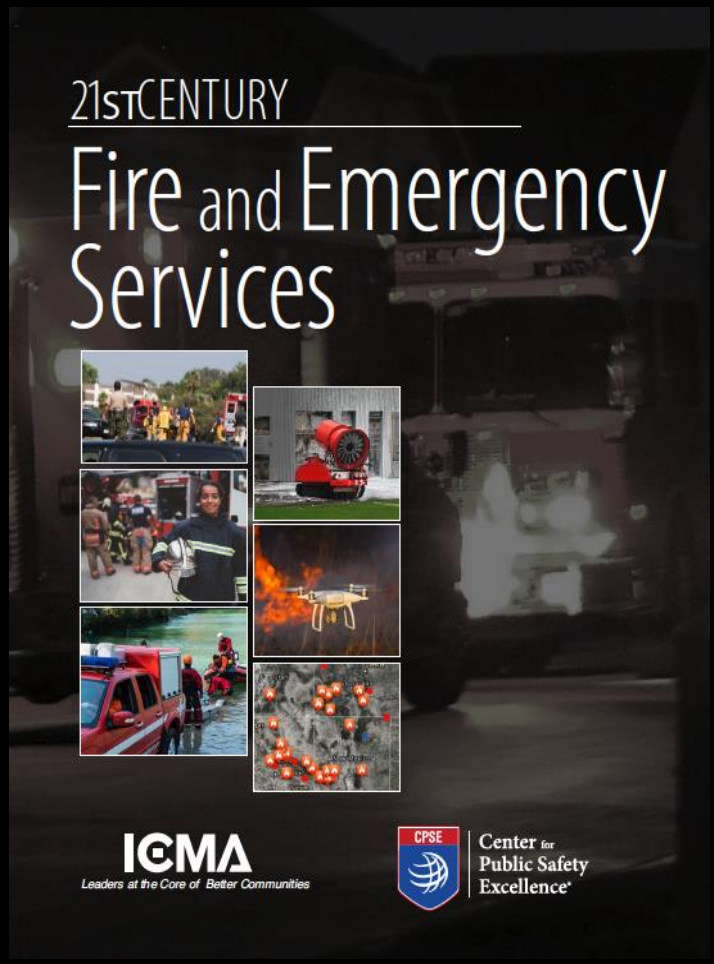
Part Time and Volunteer Staff

- Currently employ four part time fire staff
- Capped at 1000 hours annually- Or by budgeted funds
- 2.6 PT= 1 full time
- Scheduling can be difficult

- Volunteer staff
- Currently four suppression firefighters
- Two administrative
- Volunteer fire staff are declining nationwide

Volunteer Decline

- The Center for Public Safety Excellence shows that “The volunteer fire service has struggled in the last decade in many parts of the United States to recruit and retain enough volunteers to provide adequate services”(Center for Public Safety Excellence, 2020 p.21).



Grant Opportunities

SAFER Grant



Staffing Group Recommendations

- Maintain minimum staffing at no less than four personal at Station 16 and three at Station 21
- Seven firefighters would be available everyday

- Establish three additional positions
- One position assigned to each shift- A-B-C
- Nine personnel would be assigned- Two leave positions allowed daily


Thank you, Are There any Questions?

Agenda Item Summary Sheet

Item No: **I-2**
Meeting Date: **February 7, 2024**

Item Title: Presentation of Summer and Fall Beach Monitoring Survey – Moffat & Nichol
Time Specific 11:00 a.m.

Item Summary:
Annually, the Town subcontracts surveying and engineering services to perform an annual beach condition survey and engineering data analysis in accordance with the Town's Beach Monitoring & Maintenance Plan. The survey scope of work includes the base project data acquisition of 126 profiles in conjunction with additional transect information data acquisition north of the project area, south of the project area and within reaches 3 and 4.

At the October 4, 2023 meeting, authorization was given by the Board to proceed with a Fall/Winter survey to monitor the beach conditions following an active fall season. The monitoring results from the summer survey and late fall surveys will be presented at the upcoming meeting.

The results of the beach surveys aid with forecasting the next beach nourishment maintenance project. Supplemental information will be presented regarding the expected time frame of the next beach nourishment maintenance project and related project construction costs. This information is being presented to assist the Board of Commissioners with financial planning for the next nourishment project.

Beth Sciaudone, Ph.D., PE and Ayse Karanci, PhD, PE from the consulting firm of Moffat & Nichol will present the findings of the condition surveys and will be available to answer questions from the Board.

This item is time-specific for 11:00 a.m.

Attachments: N/A

Number of Attachments: 0

Specific Action Requested:
Provided for Board information and discussion.

Submitted By: Town Engineer David Ryan Date: January 31, 2024

Finance Officer Comment:
I will participate in the discussion as necessary.

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:
Attorney Leidy will participate in the discussion as necessary.

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:
We anticipate discussing the financial forecast for the next project and the master plan recommendations as part of the upcoming budget cycle. This information will be provided to the financial consultant to aid in preparing information for that discussion.

Signature: Andy Garman Date: January 31, 2024

Agenda Item Summary Sheet

Item No: **I-3**
Meeting Date: **February 7, 2024**

Item Title: Committee Reports

Item Summary:

At the February 7th Board of Commissioners meeting, Board members will provide reports from meetings they have attended on behalf of the Town.

Number of Attachments: 0

Specific Action Requested:

Provided for Board information and update.

Submitted By: Administration Date: January 31, 2024

Finance Officer Comment:

N/A

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

N/A

Signature: Andy Garman Date: January 31, 2024

Agenda Item Summary Sheet

Item No: **I-4**
Meeting Date: **February 7, 2024**

Item Title: Consideration of appointment/reappointment to Boards/Committees

Item Summary:
At the February 7th Board of Commissioners meeting, request Board consideration of the following appointment/reappointment:

Planning Board:

- Megan Vaughan's term expired February 3, 2024. She is interested in being reappointed.

Attached please find an updated Current Roster, as well as an updated Planning Board Candidate Chart.

Number of Attachments: 2

Specific Action Requested:
Provided for Board appointment/reappointment.

Submitted By: Administration Date: January 12, 2024

Finance Officer Comment:
No unbudgeted fiscal impact.

Signature: Amy Miller Date: January 12, 2024

Town Attorney Comment:
N/A

Signature: John Leidy Date: January 12, 2024

Town Manager Comment and/or Recommendation:
N/A

Signature: Andy Garman Date: January 12, 2024

Town of Nags Head ***CURRENT*** - Planning Board

Meeting Date: February 7, 2024

Name of Board/Committee	***Current members***	***Contact Info***	***Last appointed date***	***Seat expires***	***Eligible for Re-appointment***	***Notes***
Planning Board 3rd Tuesday at 9:00 7 members 3-year term	Megan Vaughan Chair	Phone/email on file	2/3/21	2/3/24	Term expired	Interested in being reappointed
	Meade Gwinn Vice Chair	Phone/email on file	1/5/22	1/5/25	Term not expired	
	Kristi Wright	Phone/email on file	12/7/22	12/7/25	Term not expired	
	David Elder	Phone/email on file	6/7/23	6/7/26	Term not expired	
	Gary Ferguson	Phone/email on file	12/7/22	12/7/25	Term not expired	
	Molly Harrison	Phone/email on file	12/7/22	12/7/25	Term not expired	
	David Thompson	Phone/email on file	12/6/23	12/6/26	Term not expired	

CANDIDATES Characteristic Chart – Planning Board Meeting Date: February 7, 2024

Applicant Name (Application Received)	Bd/Comm Interested in Serving	Yrs of Residency	Location of Residency	Role in Community	Attributes to offer Bd/Comm	Special Interest in Bd/Comm	Currently serving on Town Bd/Comm
Jim Troutman (6/14/22)	Planning Bd	15 yrs.	Southridge	Retired Banker	Career banker w/construction experience	To assist Town & BOC w/common sense review of future development maintaining NH values	No (Was previous member of Planning Board)
Barbara Ayars (12/1/22)	BOA/Arts & Culture/ Planning Bd	11 yrs.	Gallery Row	Retired attorney	Knowledge of environmental law	Assist w/maintaining a balance between ecosystem protection and use	No
Colleen Oaksmith (3/22/23)	Planning Bd	10 yrs.	Soundside	Active in local environmental groups	Completed NC State Low Impact Devel. course	To continue father's legacy	No
Jeremy Russell (4/3/23)	Planning Bd	10 yrs.	NH Cove	Musician & entertainer		Want to help my community	Arts & Culture
Basil Belsches (7/11/23)	Planning Bd	7 yrs.	Between Highways	Active in local government groups	Strong organization/ communication skills	To provide local resident concerns and input	No
Keith Sawyer (11/27/23)	Planning Bd	16 yrs.	S Nags Head	Active in local government and environmental groups	Knowledge of soil classification, water management, storm water and erosion	To assist in providing a better and uniform community	No, (was previous member of Beach Nourishment Committee)
Paul Kueck (1/2/24)	Planning Bd.	16 yrs.	NH Acres	Active in local community group	Licensed electrical contractor, project management experience	To ensure the Town prospers and meets the need of the public	No

CANDIDATES Characteristic Chart – Planning Board Meeting Date: February 7, 2024

Applicant Name (Application Received)	Bd/Comm Interested in Serving	Yrs of Residency	Location of Residency	Role in Community	Attributes to offer Bd/Comm	Special Interest in Bd/Comm	Currently serving on Town Bd/Comm
Robert T. Snyder (1/18/24)	Planning Bd./BOA/Arts & Culture/Dangerous Animal Appeal/PGP	14 yrs.	Dune Lantern	Condo Assoc President 23 yrs. Served on Tourism Board, Board of Tourism and Maritime Musuem Board of Governors in MD.	Previously served 12 yrs as Commissioner in St. Michaels, MD.	Would like serve community by participating in town government	No

Agenda Item Summary Sheet

Item No: **I-5**
Meeting Date: **February 7, 2024**

Item Title: Overview of Ocean Rescue – 2023 Season/ New Flag System/Ocean Rescue Pay

Item Summary:

At the February 7th Board of Commissioners meeting – Ocean Rescue staff will provide an update on the 2023 Ocean Rescue Operations. In addition, staff will request discussion re: changing the Beach Warning Flag System and Town Code, as appropriate. Staff will also discuss proposed pay rates for Ocean Rescue staff for the upcoming season.

Number of Attachments: 3

Specific Action Requested:

Provided for Board update and discussion.

Submitted By: Fire & Ocean Rescue Date: January 31, 2024

Finance Officer Comment:

I will respond to questions as necessary.

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

I will participate in the discussion.

Signature: Andy Garman Date: January 31, 2024

Nags Head Ocean Rescue
Captain Chad Motz
P.O. Box 99
Nags Head, NC 27959
Cell 252.489.9371

To: Andy Garman, Town Manager

From: Chad Motz, Ocean Rescue Captain

Date: January 31, 2024

Re: Updating Warning Flag System

The Ocean Rescue Division is seeking the board's approval for an updated beach warning flag system. The purpose of updating the system is to align with National and International standards established in 2004. The updated system would also mirror messaging from Dare County Emergency Management's award-winning safety campaign "Love the Beach, Respect the Ocean", where daily beach, surf and rip current conditions are posted based on the National Weather Service rip current forecast.

Our overall goal is to provide better safety education, more consistent messaging, and potentially reduce the number of "Ocean Closed" days.



Nags Head Ocean Rescue
Captain Chad Motz
P.O. Box 99
Nags Head, NC 27959
Cell 252.489.9371

In conjunction with the new flag system, we are requesting modifications to the language in our Town Code. Changes are highlighted in Yellow.

Sec. 8-2. Swimming; prohibited during dangerous conditions.

(a) It is recognized that during certain periods of time, as a result of a combination of environmental conditions, dangerous riptides and undercurrents occur in the ocean surf making ocean conditions unsafe for swimmers. The town manager or their designee is authorized, ~~when he~~ to make a determination that conditions are unsafe for swimmers in the Atlantic Ocean, to prohibit all swimming in the Atlantic Ocean until such time ~~as he shall determine~~ that the unsafe conditions have abated. During such periods in which swimming is prohibited and after reasonable notice is given to the public, ~~by announcement on the local radio station, and by~~ to include the posting of signs on lifeguard stands and "Double Red Flags" at the public accesses to the Atlantic Ocean, swimming in the Atlantic Ocean shall be unlawful. The town manager or their designee shall make the determination of whether or not ocean conditions are safe based upon ~~his~~ observations of the effects of winds, tides, storm conditions and other environmental conditions affecting the surf in the Atlantic Ocean. ~~He~~ The town manager shall also take into consideration weather reports of existing storms in the Atlantic Ocean and the proximity of those storms to the beaches of the town, and the effect thereof.

USLA POSITION STATEMENT ON BEACH WARNING FLAGS

For decades, lifeguard agencies in the U.S. and around the world have employed flags to notify swimmers of conditions, to warn of hazards, to identify safer areas for swimming, and to notify beach users about regulated areas. To help ensure global consistency, in 2004 the International Life Saving Federation developed international guidelines for warning flags.

These guidelines have been adopted, in part, by the International Standards Organization and are endorsed by the United States Lifesaving Association. By consistently following these warning flag guidelines, lifeguard agencies can help ensure a universal understanding of their meaning and thus improve their effectiveness.

These flags are only approved for use on beaches where lifeguards trained to USLA standards are on duty. Flags are not an acceptable substitute for properly trained and equipped rescuers, but rather a tool for their use.

To be fully effective, the use of warning flags to notify the public of current hazard levels should be consistent, based on objective, measurable criteria that can be logged and tracked, and then changed as conditions change. They should be accompanied by good public education efforts to explain the meaning of the flags flown.

Nags Head Ocean Rescue
Captain Chad Motz
P.O. Box 99
Nags Head, NC 27959
Cell 252.489.9371

Ocean conditions vary throughout the U.S. Conditions that may be considered relatively mild in some places may be seen as a significant safety threat in others. Therefore, in each area where warning flags are employed, the USLA recommends that specific local criteria be developed and that the public be clearly notified of those criteria.

In some areas of the U.S., green flags are flown to indicate calm or mild conditions. The International Life Saving Federation (ILS) considered this carefully and decided not to adopt the green flag. The primary reason is the fact that there is always a potential hazard present and the view that it is best to notify people when conditions are unusually challenging, rather than suggesting that they are ever completely safe.

Flag Definitions

The following are specific definitions for each of the flags.

- **Yellow** – Medium hazard. Moderate surf and/or currents are present. Weak swimmers are discouraged from entering the water. For others, enhanced care and caution should be exercised.
- **Red** – High hazard. Rough conditions such as strong surf and/or currents are present. All swimmers are discouraged from entering the water. Those entering the water should take great care.
- **Double red** – Water is closed to public use.

Nags Head Ocean Rescue
Captain Chad Motz
P.O. Box 99
Nags Head, NC 27959
Cell 252.489.9371

To: Andy Garman, Town Manager

From: Chad Motz, Ocean Rescue Captain

Date: January 31, 2024

Re: Proposed Pay Increases for Ocean Rescue Staff

We continue to monitor Ocean Rescue pay both locally and regionally in order to ensure we remain competitive with recruiting. We have seen a significant improvement in recruiting and retention with the increases approved last year. We have learned that one local agency is proposing a base rate of $18.50 per hour for the upcoming season. Currently our base rate is $18 per hour. We would ask that the Board consider a minimum of $18.50 for the upcoming summer season. We would also ask that the Board consider a minimum of $19 for the summer of 2025. Below is an analysis of the budgetary impact of these proposed rates:

2024 Season: $18.50
2025 Season: $19.00

FY 2023-24 increase: $7,928
FY 2024-25 increase: $$25,394

For comparison purposes, if the Board were to approve a base rate increase to $19 to start the upcoming 2024 season, the budgetary impact would be as follows:

FY 23-24 increase: $15,856
FY 24-25 increase: $34,933

Please keep in mind that these proposed rates are based on a calendar year season, however the budgetary impact is based on a fiscal year.

If the Board were to a pay increase at the upcoming meeting, we could begin advertising at the new rate. A revision to the pay plan and a budget amendment could be provided at the March regular meeting.

Nags Head Ocean Rescue

established 1975



2023 Statistics at a glance

- Lifeguard Staff 52
- Water Rescues 326
- Watercraft assisted 2
- Lost Person Search 13
- Medical Calls 93
- Educational Contacts 425, 253
- Estimated Beach Pop. 1,086,169
- Days Beach closed 31

Current Peak Level Operations

- 15 Fixed lifeguard stands
- 6 Roving lifeguards
- 4 Supervisors
- 1 Captain
  - Total = 26 per day



Season Phase up and Phase down

- April 1 to Memorial Day Wkend -> 2 staff/day
  - May 6-12 Supervisor training
  - May 12-24 lifeguard training
- Memorial Day Wkend -> 26 staff/day
- Post Memorial Day to June 20 -> 21 staff/day
- June 21 to August 15 (peak) -> 26 staff/day
- August 16 to Labor Day -> 15-19 staff
- Post Labor day to Sept 30 -> 10 staff/day
- Oct 1 to Oct 15 -> 4 staff/day
- Oct 16 to 31 -> 2 staff/day

Seeking approval for new flag system



Goals of Updated flag system

- National and International standard
- Better education, consistent messaging
- Mirror messaging from NOAA Surf/Rip-current forecasting and DCEM, “love the beach respect the ocean” campaign
- Reduce total number of days that ocean is closed

No Swimming Ordinance

- **Sec. 8-2. Swimming; prohibited during dangerous conditions.**
- (a) It is recognized that during certain periods of time, as a result of a combination of environmental conditions, dangerous riptides and undercurrents occur in the ocean surf making ocean conditions unsafe for swimmers. The town manager is authorized, when he shall make a determination that conditions are unsafe for swimmers in the Atlantic Ocean, to prohibit all swimming in the Atlantic Ocean until such time as he shall determine that the unsafe conditions have abated. During such periods in which swimming is prohibited and after notice is given to the public by announcement on the local radio station and by the posting of signs on the public accesses to the Atlantic Ocean, swimming in the Atlantic Ocean shall be unlawful. The town manager shall make the determination of whether or not ocean conditions are safe based upon his observation of the effects of winds, tides, storm conditions and other environmental conditions affecting the surf in the Atlantic Ocean. He shall also take into consideration weather reports of existing storms in the Atlantic Ocean and the proximity of those storms to the beaches of the town, and the effect thereof.

Suggested Changes/additions

(a) It is recognized that during certain periods of time, as a result of a combination of environmental conditions, dangerous riptides and undercurrents occur in the ocean surf making ocean conditions unsafe for swimmers. The town manager or their designee is authorized, ~~when he~~ to make a determination that conditions are unsafe for swimmers in the Atlantic Ocean, to prohibit all swimming in the Atlantic Ocean until such time ~~as he shall determine~~ that the unsafe conditions have abated. During such periods in which swimming is prohibited and after reasonable notice is given to the public, ~~by announcement on the local radio station, and by~~ to include the posting of signs on lifeguard stands and "Double Red Flags" at the public accesses to the Atlantic Ocean, swimming in the Atlantic Ocean shall be unlawful. The town manager or their designee shall make the determination of whether or not ocean conditions are safe based upon ~~his~~ observations of the effects of winds, tides, storm conditions and other environmental conditions affecting the surf in the Atlantic Ocean. ~~He~~ The town manager shall also take into consideration weather reports of existing storms in the Atlantic Ocean and the proximity of those storms to the beaches of the town, and the effect thereof.

Challenges going forward

- Recruiting and retaining enough quality staff
  - Competitive pay
  - Safe affordable housing



Pay Rate Increase Proposals

2024 Season: $18.50
2025 Season: $19.00

- FY 23 – 24 Increase: $7,928
- FY 24 – 25 Increase: $25,394

2024 & 2025 Season: $19.00

- FY 23 – 24 Increase: $15,856
- FY 24 – 25 Increase: $34,933

Agenda Item Summary Sheet

Item No: **I-6**
Meeting Date: **February 7, 2024**

Item Title: Presentation of Strategic Plan from Nov 2023 Board Retreat

Item Summary:
At the February 7th Board of Commissioners meeting, staff will present the draft 2024 Strategic Plan resulting from the Board's strategic planning retreat held in November of 2023.

The strategic plan has been developed to guide our town's strategic direction and was developed collaboratively with the input from our community members and through a joint effort of our dedicated Board of Commissioners and staff. The starting point for this plan was the mission, vision, and goals from the 2021 Strategic Plan. The foundation of this plan lies in the collective wisdom of Nags Head's residents and property owners. In addition to reviewing strategic guidance from prior plans, the town actively sought the input of our community to understand their needs, concerns, and aspirations for the town's future in the 2023 Community Survey. The insights gathered in the survey played a pivotal role in shaping the strategic priorities outlined in this plan.

The 2024 Strategic Plan establishes a revised mission and vision statement for Nags Head. In addition, the strategic plan goes beyond routine operations and defines a set of goals, objectives, and action items that guide the Town's direction. These items are forward-thinking, innovative, and designed to address both current challenges and future opportunities. They represent a commitment to proactive, intentional efforts to enhance the well-being of all residents and visitors. Most action items will be implemented in two years or less; however, some actions will be ongoing and will be implemented as part of the Town's annual CIP and budget process. Staff looks forward to reviewing the plan with the Board and working to implement the Town's goals for the coming year and beyond.

Number of Attachments: 1

Specific Action Requested:
Provided for Board review and approval.

Submitted By: Administration Date: January 12, 2024

Finance Officer Comment:
No unbudgeted fiscal impact.

Signature: Amy Miller Date: January 12, 2024

Town Attorney Comment:
N/A

Signature: John Leidy Date: January 12, 2024

Town Manager Comment and/or Recommendation:
I appreciate the collaborative effort between the Board and staff to develop the 2024 Strategic Plan and look forward to implementing the Board's vision for the Town.

Signature: Andy Garman Date: January 12, 2024

TOWN OF

NAGS HEAD, NC



Strategic Plan 2024

Draft

Board of Commissioners

Nags Head's Board of Commissioners, comprised of a mayor and four commissioners, makes policy decisions, and adopts ordinances in accordance with procedures and responsibilities set out in North Carolina law. The town manager then carries out these policies and directives.



Mayor
Ben Cahoon



Mayor Pro Tem
Mike Siers



Commissioner
Kevin Brinkley



Commissioner
Megan Lambert



Commissioner
Bob Sanders

2024 Town of Nags Head Strategic Plan

Introduction

Welcome to the 2024 Town of Nags Head Strategic Plan. This document serves as a comprehensive guide to our town's strategic direction and was developed collaboratively with the input from our community members and through a joint effort of our dedicated Board of Commissioners and staff. The starting point for this plan was the mission, vision, and goals from the 2021 Strategic Plan. A big thank you to everyone involved in the creation of our prior strategic planning documents.

Strategic Plan Process

Community Involvement

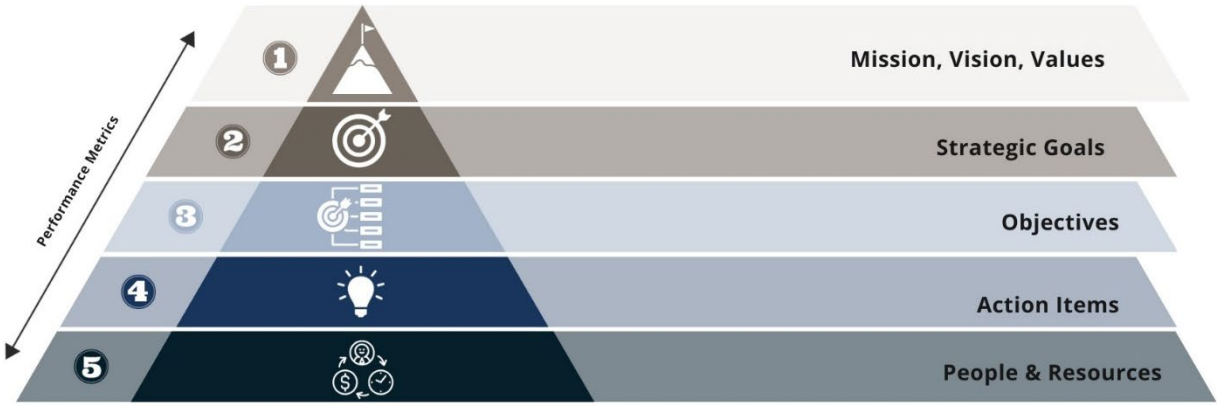
The foundation of this plan lies in the collective wisdom of Nags Head's residents and property owners. In addition to reviewing strategic guidance from prior plans, we actively sought the input of our community to understand their needs, concerns, and aspirations for the town's future in the 2023 Community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

Joint Board and Staff Retreat

To ensure alignment between community expectations and administrative resources, we held a retreat with the Board of Commissioners and Town staff November 16 – 17, 2023. The retreat allowed the Board and staff to align around the Community Survey results and other data, while sharing ideas and working collaboratively. The result is a strategic plan that reflects a shared vision of, and a commitment to, the town's future.

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Included in the Plan



Goals, Objectives, and Strategic Action Items

The strategic plan goes beyond routine operations and defines a set of goals, objectives, and action items that guide the Town's direction. These items are forward-thinking, innovative, and designed to address both current challenges and future opportunities. They represent a commitment to proactive, intentional efforts to enhance the well-being of all residents and visitors.

Beyond Business as Usual

The strategic plan intentionally outlines action items that are outside the scope of "business as usual," so that we can channel resources efficiently and make a lasting impact on Nags Head's future. However, the daily operations of Town staff should be acknowledged as an integral part of our mission and vision.

Conclusion

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

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Mission, Vision, and Goals

As part of the strategic planning process, the Board of Commissioners reviewed the Town's mission and vision statements. The statements below reflect the revisions from this process. The mission statement describes our purpose, or the reason we exist. The vision statement describes the future we would like to create and/or what success looks like for our community. The goals on the following page further articulate what we must accomplish to achieve our vision.

Mission

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

Vision

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

This vision is articulated as follows:

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

Legacy

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

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Goals

ENVIORNMENT



To safeguard our critical natural resources and coastal ecosystem.











DEVELOPMENT



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

ECONOMY



To promote a sustainable economy that supports residents and visitors.

COMMUNITY SERVICES



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

Town of Nags Head Core Values

Attitude is Key • The right attitude is critical to our success • We recognize that positivity is a force multiplier • We treat our community and each other with kindness and respect • We are honest and transparent with each other, even when it is uncomfortable	**Our People are in the Know** • We share relevant and timely information at all levels of the organization • Our community deserves to know what we are doing • We actively seek and value feedback • We communicate and follow-up; this is how we establish credibility
We do What's Right, for the Right • Accountability and integrity are principles we hold dearly • We honor our commitments and do what we say we are going to do • Each team member participates in decision making and takes ownership of the outcomes • We operate with a sense of urgency and get things done	**We are Community Stewards** • Our goal is to provide top- tier community services • Our Town assets, our environment, and our people deserve our greatest effort and undivided attention • Nags Head has a legacy of strong leadership and values, and we carefully consider how this can be strengthened and upheld
Our People Matter • We recognize that the Town's workforce, our team, is the Town's greatest asset • We value different backgrounds, perspectives, and cultures • We create an environment where people can do their best work	**Excellence Requires Innovation &** • Growth is accomplished by challenging the status-quo • We encourage new ideas that positively impact how we do things

DRAFT

Goals, Objectives, and Action Items

Environment



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

Objective #1:	Objective #2:	Objective #3:	Objective #4:
Maintain the natural resources that we have	Mitigate the risk of natural disasters	Educate the public about their natural environment	Have a comprehensive strategy for clean water

Action Items:

#	Action	Related Objective(s)
1.1	Create water rates that incentivize water stewardship	#1
1.2	Develop implementation priorities/strategies for the Estuarine Shoreline Management Plan	#1, #2, #4
1.3	Complete/implement Beach Nourishment Master Plan to include: a. Engineering plan b. Financial plan to include recommended tax rates/revenues c. Include sprigging in all future plans	#1, #2, #4, Action #3.3
1.4	Complete Stormwater Management Plan/develop implementation plan w/ list of projects (for annual CIP)	#1, #2, #4
1.5	Complete Water System Master Plan/Develop implementation plan w/ list of projects (for annual CIP)	#1, #2, #4
1.6	Implement Decentralized Wastewater Management Plan w/ guidance from the Septic Health Advisory Committee	#1, #2, #4
1.7	Develop creative strategies to increase participation in the Septic Health Initiative	#3, #4
1.8	Create an education program to include a video series on the major threats to water quality in Nags Head (i.e. stormwater/ wastewater)	#3
1.9	Consider the impacts of sea level rise and climate change in policies/ordinances/planning studies	#1, #2, #3

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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
2.3	Review the character areas set forth in the Comprehensive Plan and suggest strategies for implementation.	#1, #2,
2.4	Develop and present an accessory dwelling unit (ADU) ordinance with a menu of optional provisions/regulatory standards that may improve community acceptance (i.e. zoning districts allowed, minimum lot size, maximum square footage of unit, height limits, deed restrictions for certain purposes, parking requirements, etc).	#1, #2
2.5	Recommend non-regulatory approaches to minimize residential lighting impacts. Suggestions include increased education on dark	#1

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#	Action	Related Objective(s)
	sky benefits, a program to provide residents with free light shields, a "keep it dark/be a good neighbor campaign", turtle friendly lighting, and education on how to provide security lighting without creating nuisance lighting for neighbors.	
2.6	Implement the current model for streets/water/stormwater CIP projects; incorporate projects resulting from infrastructure planning studies (#2)	#2
2.7	Explore and pursue grant opportunities to leverage town resources for infrastructure planning, maintenance, and enhancements, where necessary	#2
2.8	Develop and recommend a process for handling neighborhood requests for traffic calming	#4
2.9	Discuss the existing Pedestrian Plan priorities with the Board	#4
2.10	Advocate to NCDOT for a corridor study of US 158 to improve safety while considering access, function, and efficiency	#4
2.11	Develop an initiative to improve pedestrian safety at crosswalks/reduce user conflicts on multi-use paths	#4

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Economy



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

Objective #1:	Objective #2:	Objective #3:
Provide workforce housing for the Town	Support and encourage small businesses	Maintain a free, family-friendly, non-commercial, well-maintained beach

Action Items:

#	Action	Related Objective(s)
3.1	Define the Town's goals as a participant in Dare County's Housing Taskforce (and collaborate with the other towns)	#1
3.2	Find a model to provide housing for Town staff, focusing on Ocean Rescue and potentially other employees	#1
3.3	Facilitate the creation of a Merchants Association (or similar) to have more proactive engagement with businesses	#2
3.4	Continue to monitor and facilitate educational opportunities within the community as it pertains over-occupancy issues, including wastewater, traffic, sanitation, noise, etc. Engage local real estate agencies, the Outer Banks Association of Realtors, and local event planners with educational efforts.	#2
3.5	Update portions of the Town Code as needed to clarify that commercialization of the beach is prohibited within the town	#3

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Community Services



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

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

Action Items:

#	Action	Related Objective(s)
4.1	Highlight high performing employees and accomplishments to the Board and the public throughout the year	#1
4.2	Design and implement a performance-based merit structure as part of the FY 2024-25 budget process (incorporate values)	#1, #2
4.3	Evaluate the Town's total rewards framework to ensure competitiveness	#1
4.4	Establish KPIs (performance measures) for departments	#2, #3
4.5	Create and present to the Board a "Town Campus" Master Plan	#3
4.6	Create public services announcement (PSA) videos and events (like Ash Wednesday storm video and event)	#3
4.7	Create formal mechanisms to work with other local or state agencies to align initiatives	#5

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New Action Item Prioritization

We asked the Board and staff to prioritize the most important NEW action items that came out of the retreat. In other words, what are we not already working on that we need to tackle first. Those items are listed below.

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 that are 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

2.4 Develop and present an accessory dwelling unit (ADU) ordinance with a menu of optional provisions/regulatory standards that may improve community acceptance (i.e. zoning districts allowed, minimum lot size, maximum square footage of unit, height limits, deed restrictions for certain purposes, parking requirements, etc).

3.1 Define the Town's goals as a participant in Dare County's Housing Taskforce (and collaborate with the other towns)

4.2 Design and implement performance-based merit structure as part of the FY 2024/25 budget process

4.3 Evaluate total rewards framework to ensure competitiveness

3.2 Find a model to provide housing for Town staff, focusing on Ocean Rescue and potentially other employees

1.7 Develop creative strategies to increase participation in the Septic Health Initiative

2.5 Recommend non-regulatory approaches to minimize residential lighting impacts. Suggestions include increased education on dark sky benefits, a program to provide residents with free light shields, a "keep it dark/be a good neighbor campaign", turtle friendly lighting, and education on how to provide security lighting without creating nuisance lighting for neighbors.

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Plan Implementation

As part of the implementation process, staff will develop timelines and champions who will be responsible for overseeing the action items. Most action items will be implemented in two years or less; however, some actions will be ongoing and will be implemented as part of the Town's annual CIP and budget process.

Staff will also develop mechanisms to track implementation progress of actions. Formal updates on the progress of implementation will be provided to the Board of Commissioners twice a year. The strategic plan will be updated on an annual basis, typically in the fall, to allow for action items to be considered in the budget cycle which begins in February/March of each year.



Agenda Item Summary Sheet

Item No: **K-1**
Meeting Date: **February 7, 2024**

Item Title: Town Manager Garman – Update on Public Services Facility

Item Summary:

Town Manager Andy Garman, along with Town Engineer David Ryan, will present an update on the construction progress of the new Public Services Facility at the February 7th Board of Commissioners meeting.

Number of Attachments: 0

Specific Action Requested:

Provided for Board information and update.

Submitted By: Administration Date: January 31, 2024

Finance Officer Comment:

I will respond to questions as necessary.

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

Update provided for Board information.

Signature: Andy Garman Date: January 31, 2024

Agenda Item Summary Sheet

Item No: **K-2**
Meeting Date: **February 7, 2024**

Item Title: Town Manager Garman – Update on Dare County Housing Task Force meeting

Item Summary:

At the February 7th Board of Commissioners meeting, Town Manager Andy Garman will provide an update on the first Dare County Housing Task Force meeting held on Thursday, January 18, 2024.

Attached is a copy of the draft minutes from the first meeting which have not yet been approved by the Task Force. Also attached is a draft mission statement for your review that will be considered by the Task Force at the upcoming meeting (February 20th).

Number of Attachments: 2

Specific Action Requested:

Provided for Board information and update. I would ask for Board feedback on the mission statement and/or comments on the proceedings from the first meeting.

Submitted By: Administration Date: January 31, 2024

Finance Officer Comment:

N/A

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

Update provided for Board information.

Signature: Andy Garman Date: January 31, 2024

From: Skyler Foley
To: Bob Woodard
Subject: Housing Task Force - Mission Statement
Date: Tuesday, January 23, 2024 2:31:17 PM

Good afternoon everyone,

I am sending the following message on behalf of Chairman Woodard.

Folks, Donna Creef has been gracious enough to write up a draft Mission Statement for the Housing Task Force consideration.
Please review and send me your thoughts.
Respectfully,
Bob

I have copied and pasted the draft mission statement below:

> *DARE COUNTY HOUSING TASK FORCE*
> *MISSION STATEMENT*
> *To collaboratively develop short-term and long-term solutions to address housing issues affecting Dare County residents, business owners and workforce. These solutions include identifying physical sites for construction of housing units, building community support through appropriate outreach activities, and implementing regulatory reforms and options that can be tailored to fit each community's unique characteristics and constituency.*

Thank you,

--
Skyler Foley
Clerk to the Board of Commissioners
Assistant to the County Manager
P.O. Box 1000, Manteo, NC 27954
252.475.5700 phone
www.darenc.com

Email correspondence to and from this address is subject to the North Carolina Public Records Law and may be disclosed to third parties.

County of Dare
P.O. Box 1000 | Manteo, NC 27954

Dare County Housing Task Force

Dare County Administration Building, Manteo, NC

January 18, 2024, 9:00 a.m.

THESE MINUTES ARE PROPOSED AND NOT AN OFFICIAL APPROVED DOCUMENT.

Present: *Robert Woodard, Sr., Robert Outten, Craig Garriss, Sherry Wickstrom, Don Kingston, John Windley, Elizabeth Morey, Matt Neal, Michael Siers, Drew Havens, Andy Garmin, Melissa Dickerson, Melody Clopton, Ryan Lang, Jeff Schwartzenberg, Bob Peele, Caroline Basnight, Ron Payne, Duke Geraghty, Donna Creef, Mitchell Bateman. Malcolm Fearing*

Absent: *Tess Judge, Carol Warnecki, Ronnie Sloan*

Also Attending: *Dorothy Hester, Public Information Officer, Skyler Foley, Clerk, Mary Helen Goodloe-Murphy, Kip Tab, Samuel Walker, John Robbins, Kaity Morgan, Breynn Bailey, B.J. Neal, Jamie Wegener, David Neal, Jody Preiser, Laven Howard, Macey Chovaz, Jennifer Hamlen*

Chairman Woodard called the meeting to order at 9:00 a.m. and led the Pledge of Allegiance to the flag.

All referenced handouts and construction summaries reviewed during this meeting are incorporated and made a part of these minutes. They are available at the Clerk's and Finance Offices.

ITEM 1 WELCOME

The meeting commenced with Chairman Woodard expressing gratitude to the task force members for their participation and conveyed optimism about finding common ground to address the housing challenges.

ITEM 2 INTRODUCTIONS

All members of the task force had the opportunity to introduce themselves and share the organization or entity that they represented.

ITEM 3 HISTORY OF AFFORDABLE HOUSING IN DARE COUNTY

Mr. Outten provided background information on the housing issue and expressed that housing has been a problem in the community for the past 30 years. Efforts were made to address this issue in the past from a group called The Community Development Committee (CDC). They were established to find solutions and conducted various studies with a budget of $100,000 annually. However, despite their efforts, the CDC did not achieve much and eventually transformed into a non-profit organization. Unfortunately, the non-profit group also struggled and eventually closed down due to getting caught in economic times. During this period, the community continuously expressed their concerns about the lack of housing options. In response to this, the county collaborated with NC State to conduct a development study and it was determined that housing was the number one priority.

He further informed the members of the Task Force that the Chairman, other Commissioners, and himself met with experts in Raleigh and attended the NC Housing conference. The experts referred them to a group at UNC called the Development Finance Institute, which specializes in assisting local governments with housing

matters. UNC then conducted a study and confirmed that we do indeed have a housing problem. However, they focused on the unsuccessful Bowsertown project.

Mr. Outten noted that The Tourism Board performed a study and emphasized that our housing problem needs to be addressed before anything else can be successful. The statistics prove that there is a problem that needs to be solved. Throughout the county's history, we have attempted multiple times to address this issue, but have not been successful in gaining momentum. He also shared that it is important to understand that we cannot simply build our way out of this problem.

Mr. Outten further informed the Housing Task Force that the county's perspective on this matter is that we have had numerous individuals reject offers or job opportunities because they cannot find housing. This is not just a unique issue to the county; many businesses in our community have also faced similar challenges. In fact, department heads from various towns have expressed the same concerns. In conclusion, it is evident that the housing problem has significantly worsened over time.

ITEM 4 CONSENSUS ON NEED FOR WORKFORCE HOUSING

Each task force member affirmed their acknowledgment of the housing problem and pledged to collaborate on finding viable solutions. All members agreed that they will support efforts proposed by the task force to address the housing crisis in Dare County.

ITEM 5 MEMBERS OF TASK FORCE COMMENTS

Andy Garmin: Stated that the Town of Nags Head performed a community survey this past year, and housing seemed to be the biggest issue. In addition, the Town of Nags Head performed a strategic planning retreat in November which also determined housing to be an major issue and noted that there are things moving in Nags Head for housing.

Mike Seirs: Expressed the hope that the Task Force approaches this issue with an open mind and consider alternative solutions. Feels that it is important for us to clearly define what each person considers as workforce housing and find a long-term solution.

Donne Creef: Mentioned the historical context of the issue, including the formation of the HACCA group. She emphasized that the construction of more housing units is not necessarily needed as we already have plenty of houses; the problem lies in how they are occupied. Donna suggested exploring ideas at the state level like tax incentives for long-term rentals versus short-term rentals.

Elizabeth Morey: Believes that the solution does not solely lie in building more houses. She mentioned a Dare County Housing Authority could be beneficial and the need of determining what problem are we trying to solve and who the year-round housing options will be for and how to address them. She stated that housing is not just a problem for Dare County but nationwide and acknowledged that the community lacks diverse industry options.

Matt Neal: Expressed concerns about the target audience for housing solutions. He suggested exploring options such as converting short-term rentals into long-term housing using financial incentives. Matt also highlighted that there is not necessarily a need for in increase in the housing stock, but options to make the stock we have available.

Duke Geraghty: Has been involved in formal and informal groups and conversations related to this issue for the past 30 years, and mentioned the resistance of some citizens. He encouraged us to keep an open mind and consider various options instead of dismissing them outright. Duke also mentioned the complaints heard from residents in Raleigh about similar housing issues, in which the legislators there are working to address.

Ron Payne: Stated that we need to define what we are trying to do to the community. This issue has been on the table for 30 years and highlighted the importance of providing affordable housing for teachers in order to maintain a great school system.

Caroline Basnight: Mentioned how the restaurant industry is impacted by the lack of housing during peak tourist season and that Airbnb's have affected the long-term rental market. Acknowledged that this is going to be a challenge to get everyone on the same page.

Bob Peele: Explained that there are restaurant closing two days a week due to the lack of staff mainly because of housing. Felt that it is important to inform the public/community on what this Task Force will be doing, we need to change the perception.

Malcolm Fearing: Discussed more historical context on the issue and emphasized the need to address the housing problem for the next generation and the challenges faced by working-class individuals. He hopes to move forward with building communities and focusing on home-ownership, not just rentals. Applauded the Board of Commissioners for their commitment to the project.

Mitchell Bateman: Perceived that the housing issue is contrasting different scenarios, given the requirements of restaurant and seasonal workers who seek housing for a relatively short period, while on the other hand, public service workers and professional service workers need housing arrangements for a more prolonged permanent duration. Expressed concerns that Dr. Wortham in Manteo will be leaving due to facing challenges in finding suitable housing for him and his wife. He noted that the drastic rise in housing costs have far surpassed the income growth of all of the individuals that we are discussing.

Drew Havens: Shared his experience with the affordable housing issue in Wake County and emphasized the importance of finding solutions that benefit the entire community, from Duck to Hatteras.

Sherry Wickstrom: Stressed the need for housing options that prioritize livability and community integration and it will take creative solutions and felt that a Housing Authority could have advantages in addressing certain challenges.

Bobby Outten: Explained that when you deal with a Local Government Housing Authority they impose rental rate restrictions aligned with HUD guidelines. We have broad spectrum of demographic that we need to accommodate, and a Housing Authority only allows you to meet the lowest end of that demographic, it does not help achieve the bigger issue. Also, unlike municipalities, counties have convoluted statutes pertaining to utilizing county funds for housing, the town's rules are more direct. In addition, government funds can only be used to achieve a rental rate of 80% Area Median Income (AMI) so you are looking at the people that make $60,000 or less. You will need to establish a system that will incentivize a private partner who can then accommodate the individuals that are on the higher end. He further explained that a lot of the other ideas that were presented will require the support from Raleigh because we currently do not have the authority to execute them. He then suggested that the Task Force considers inviting someone from the School of Government to help educate the Task Force on the things they can and cannot do.

John Windley: Expressed he would like the Task Force to determine their primary objective, specifically whether to concentrate on addressing the seasonal workforce housing or year-round housing options. Emphasized that KDH has a substantial amount of housing, but it is predominantly utilized for short-term rentals due to market demands. He also raised the question if the neighboring counties have been reached out to see if there are any opportunities on possibly collaborating on a project.

Chairman Woodard: Stated that they have been contacted and they are not interested.

Bobby Outten: With a private investor involved, they have to take a substantial risk. It is important to select a suitable location to build it to ensure they get a return on their investment which has criteria that has to be met.

Malcolm Fearing: Emphasized that the Task Force needs to look at who is involved from the private partner side and feels that they need to prove that they are committed. He posed the question if the company involved are even able to borrow $60 million?

Bobby Outten: Responded by explaining yes, they can borrow the money, but the real key is for them to have a site to build on that meets the desires and wants of the community. But remove the company currently involved

from the conversation, even if we were to engage with a different builder, it would be necessary for them to take on the risk associated with serving the demographic that surpassed what the local government is limited to.

Chairman Woodard: Noted that the county has not received a large number of builders showing interest in to build projects, we only received three RFQ's. However, the county is not opposed to exploring other possibilities.

Bob Peele: Inquired if there was a timeclock with the $35 million.

Bobby Outten: There is not a statutory clock, but there is an underlying concern that it could be rescinded if left unused.

Jeff Schwartzenberg: Referenced the Long-Range Tourism Management Plan, and stated there were 900 pages of public comments and outside of quality of life, housing was the number one concern. It's essential to recognize that many other counties, particularly those in tourist destinations, are also faced with similar challenges that could beneficial for the Task Force to look into.

Melody Clopton: Emphasize the significance of clarity and the necessity of establishing clear and specific goals and definitions when tackling the housing problem and stated that it is equally vital to ensure that relevant information is effectively communicated to the public. She also acknowledged that addressing this issue will require a multi-faceted approach, as no single solution can solve it entirely. Stated that it is worth noting that many individuals tend to leave the rental market over time due to high home buying costs.

Craig Garriss: Referenced HB 259 and felt that Dare County was involved. He then recognized the effort that Dare County is putting in to prevent the implementation of this bill and acknowledged the Resolution the Board of Commissioners adopted in January which demonstrated stance on the matter. Stated himself and the other Kitty Hawk Council Members have a significant interest in this issue due to a piece of property that is in question is located in the Town of Kitty Hawk. He emphasized that the term "affordable" often carries a negative connotation.

Ryan Lang: Asked what do we want to tackle, short term rentals, long-term rentals, summer workforce housing? Another significant issue that has been highlighted by conversations with the KDH Board and housing is that while housing is available, the market has undergone changes over the past five years due to short-term rental platforms like Airbnb. The task now is to find ways to incentivize property owners to turn those short-term rentals back into long-term rentals.

Melissa Dickerson: She discussed the legal regulations that both the county and towns must adhere to and highlighted their differences. It is vital for everyone to have a clear understanding of these regulations in order to operate effectively. Additionally, she mentioned accommodating private developers who may not be subject to the same rules, and the importance of finding a balance amidst these varying factors. In terms of public perception, there is a concern about who will reside in these housing units. She discussed the examples of Harbortowne and Baytree in Manteo and assured that she has never received any complaints related to these developments despite them being HUD Developments.

Bobby Outten: Referenced other issues in Dare County that caused significant difficulties initially, but once the relevant solutions were implemented, there was widespread support and the complaints ceased.

ITEM 6 NEXT STEPS

The task force identified several items for future discussion, including ideas for defining target markets, levering current state funding, understanding housing authorities, maximizing the use of funding and land, involving all local governments, addressing restrictions on housing projects, engaging the private sector, and developing effective communications regarding the issues. The task force announced its commitment to continuing monthly meetings on the third Tuesday of each month at 9:00 a.m. at the Dare County Administration Building.

The meeting concluded with members of the audience being given the opportunity to share their views and perspectives on the housing situation. Jody Fisher, Bae Jaynele, David Neal, David Shreagar, John Robbins, and Bren Bailey all spoke in favor of a housing project and provided suggestions.

There being no further business, the meeting ended at 10:34 a.m.

Agenda Item Summary Sheet

Item No: **N-1**
Meeting Date: **February 7, 2024**

Item Title: Town Manager Garman - Request for Closed Session

Item Summary:

At the February 7th Board meeting, Town Manager Garman will request a Closed Session to discuss the possible acquisition of real property in accordance with GS 143-318.11(a)(5).

Number of Attachments: 0

Specific Action Requested:

Request for Closed Session.

Submitted By: Administration Date: January 31, 2024

Finance Officer Comment:

N/A

Signature: Amy Miller Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy Date: January 31, 2024

Town Manager Comment and/or Recommendation:

Request for Closed Session.

Signature: Andy Garman Date: January 31, 2024