



MEMORANDUM

Town of Nags Head

Planning & Development Department

To: Board of Commissioners
Planning Board

From: Michael Zehner, Director of Planning & Development

Date: April 29, 2021

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 May 5, 2021.

Monthly Activity Report

Attached for the Board's review is the *Planning and Development Monthly Report for March 2021*. 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:

- Monday, March 1 - GIS Services RFI released
- Tuesday, March 2 - Permitting, Inspections, and Code Enforcement Team Meeting
- Wednesday, March 3 - Board of Commissioners Meeting
- Wednesday, March 3 - Planning & Zoning Team Meeting
- Thursday, March 4 - Jockey's Ridge State Park Soundside Access Working Group Meeting
- Wednesday, March 10 - Arts & Culture Committee Meeting
- Wednesday, March 10 - DWMP Advisory Committee Meeting
- Thursday, March 11 - Board of Adjustment Meeting
- Thursday, March 11 - Jockey's Ridge State Park Soundside Access Working Group Meeting
- Monday, March 15 - "Amber" Streetlight discussion with Dominion
- Tuesday, March 16 - Planning Board Meeting
- Wednesday, March 17 - Weather Station Meeting
- Friday, March 19 - DWMP Coordination Meeting
- Thursday, March 25 - GIS Services RFI response deadline
- Thursday, March 25 - Jockey's Ridge State Park Soundside Access Working Group Meeting
- Monday, March 29 - Housing RFI Coordination Meeting
- Tuesday, March 30 - Permitting and Inspections; Code Enforcement Staff Meeting
- Wednesday, March 31 - Board of Commissioners CIP Workshop

- Wednesday, March 31 - Planning & Zoning; Environmental Planning; Hazard Planning Staff Meeting

Dune Vegetation Cost-Share Program

The Dune Vegetation Cost Share program currently has 8 participants. To date, the Town has paid out \$2,000 in grant funds, and will pay out another \$2,000 once invoices have been submitted and plantings approved. The program runs until the end of May 2021, so it is possible that we will receive more applicants over the next month. Generally, the program has been well received. To increase participation in the next season, the program could begin in November, which would expand the American beach grass planting window by several months. It will also be important that future sand relocation and sand fence installation projects are coordinated with this effort.

Related, future consideration should be given to expanding the program to the estuarine shoreline, something that should be discussed in the development of the Estuarine Shoreline Management Plan, as well as being used as a cost share for the purchase of native plants for use in stormwater measure such as swales and rain gardens.

Planning & Development Department and Septic Health FY2021-2022 Strategic Work Plan

Attached for the Board's information is the current version of the *Planning & Development Department and Septic Health FY2021-2022 Strategic Work Plan*, identifying in list form the major projects and initiatives that Staff is currently working on, intends to initiate in the next fiscal year, and pursue in future fiscal years. Similar to the *FY2020-2021 Work Plan*, the Work Plan was reviewed with the Planning Board for input.

Planning Board - Pending Applications and Discussions

The April 20, 2021 meeting of the Planning Board (held remotely) included consideration of text amendments concerning lot coverage related to dumpster conversions and updates to the UDO for N.C.G.S. 160D, as well as review of the Planning & Development Department and Septic Health FY2021-2022 Strategic Work Plan.

The Board's next meeting is scheduled for May 18, 2021, and it is expected that this meeting will be held in person. At this time, the agenda is expected to include discussion of the scope for the Electric Vehicle Action Plan and preliminary discussion regarding amendments to the Town's Sign Ordinance. Additionally, there are active pending conditional use permit applications for the property at 205 E. Baltic Street (a.k.a. the Dream Center) and The Soundside Event Site and associated properties; continuances were requested from the April meeting to the May meeting; however, further continuance requests are not unanticipated.

Additional Updates

- **CAMA Land Use Plan Update** - Staff participated in virtual meetings with DCM staff on January 13, 2021 and February 25, 2021 to review the comments

returned as part of the State review. Additionally, Staff participated in a third meeting with DCM staff on April 19. At this time Staff has received constructive direction and expects to work directly with DCM staff to finalize revisions that will allow local adoption.

- **Outdoor Lighting** - A public hearing to consider associated amendments was held at the Board's April 7, 2021 meeting; the Board continued consideration of the amendments to their meeting on May 5, 2021. It should be noted, in their review of the amendments, the Planning Board did indicate an interest in wanting to consider additional changes in the future.

Related to these considerations, Town Staff was recently contacted by Dominion Energy regarding plans to convert the Town's streetlights to LED. Staff is expecting to review LED fixtures that have already been installed in Town, as well as review potential sites for the use of "amber" fixtures that are more consistent with the needs of nesting turtles. The Board of Commissioners requested the locations of LED fixtures to allow for their review, and Staff is working to compile detailed information on the location and specifications for these fixtures.

- **Level 2 Charger** - Included on the Board's April 7, 2021 consent agenda is a request to schedule a public hearing on text amendments to support the installation and use of Electric Vehicle Charging Stations within the community, including on Town-owned properties. Staff continues to consider opportunities to source a charger for location on Town property through a "host" arrangement.
- **Town Workforce Housing Study & Plan/RFI** - The RFI seeking solutions for the Town's lifeguard housing needs was released on April 21, 2021, with responses due on June 7, 2021.
- **Nonconforming Hotels and Fishing Piers - Legacy Establishments/ Structures** - At their April 7, 2021 meeting, the Board approved amendments responsive to this item, allowing hotels in existence as of January 1, 2021 as a permitted use in the CR zoning district subject to a conditional use permit.
- **Review of Residential Stormwater Regulations** - Staff is awaiting further direction from the Board of Commissioners as to whether the Board wishes to discuss the Town's Residential Stormwater Regulations at a workshop, potentially with the Planning Board. At the Planning Board's March 16, 2021 meeting, members indicated an interest in requiring maintenance plans in association with installation of SCMs, noting that if we are providing incentives based upon these improvements, that ongoing maintenance should be ensured.

Staff is proceeding with a text amendment to update the ordinance to reference the recently updated *Low Impact Development and Stormwater Reference Manual*, to replace the *Low Impact Development Solutions to Reduce Stormwater Runoff Manual*; a public hearing on these amendments is on the Board's May 5, 2021 agenda.

- **Provisions for the Registration of Events Held at Residential Properties -**
When it is appropriate, Staff would request feedback from the Board of Commissioners as to whether they would like to consider for adoption provisions requiring the registration of events held at residential properties. As noted in the memorandum to the Planning board ([LINK](#)), a more comprehensive review and amendment of Chapter 4, *Amusements, Entertainments, Mass Gatherings and Commercial-Outdoor Recreational Uses*, may be necessary given issues that have arisen; provisions addressing events at residential properties could be addressed separately now, or be incorporated into this more comprehensive review and amendment.

- **Skate Park Renovation - Phase 1 -** A survey seeking input from the community with regard to potential future improvements to the Skate Park closed on April 26, 2021. A total of 551 responses were received. Staff will compile a summary report of the responses to provide as part of the next Director's Report.

Staff learned that the Town's application for the National Endowment for the Arts Our Town Grant was not successful. While the Town was awarded \$30,000 in grant funds from the Tourism Board, additional funding opportunities will be explored.

- **Art Masts -** Staff will work with the Arts and Culture Committee to look into expansion of the Art Masts project in the future.

- **Decentralized Wastewater Management Plan -** To this point, two meetings have been held with the project Advisory Committee. Much of the effort to this point has involved the collection of relevant data and information, and the identification of stakeholders, issues, and opportunities.

- **Dowdy Park Farmer's Market -** Vendors for the 2021 Market Season have been selected and Staff is working on final coordination, with the first Market to be held on Thursday, May 27. While Staff intends to continue with sanitation measures, with the Governor's recent Executive Order no longer mandating the wearing of masks outdoors, the Board's input with respect to the expectation for the Market and Dowdy Park would be valued.

- **Draft Scope for Estuarine Shoreline Management Plan -** With the Board's endorsement of the scope for the proposed Estuarine Shoreline Management Plan, Staff is working on development of the RFQ/RFP to solicit consultant services to assist in the development of the Plan.

- **GIS Platform Update, Phase 1 -** An RFI seeking information on GIS services was released by the Town, also on behalf of the towns of Kill Devil Hills, Kitty Hawk, Southern Shores, and Duck, on March 1, with responses due by March 25. A total of 10 responses were received. Staff from all of the towns are reviewing the responses, and consideration is being given to scheduling interviews/demonstrations with the respondents.

- **Grants and Assistance**

- Staff had submitted a request under the Hazard Mitigation Grant Program (Tropical Storm Michael) to update the Town's Emergency Operations Plan. While staff originally learned that funding under that event was no longer being considered, and that the request may be considered under funding decisions related to Hurricane Dorian, we have now been informed that it is being considered for funding under a separate storm event, DR-4543-NC, associated with severe storms, tornadoes, and flooding that occurred in February 2020.
- Staff submitted a Letter of Interest ("LOI") under the Hazard Mitigation Grant Program related to Hurricane Dorian for the acquisition of property, and assisted Fire Chief Wells in the submission of an LOI for replacement of a generator; we have been notified that the generator request has been selected for further consideration and is under review by FEMA. With respect to the acquisition of property, Staff has been informed that previous insurance claims would be subtracted from any potential purchase price, which may make the potential offer price unacceptable to the property owner.
- As noted, the Town's application for the National Endowment for the Arts Our Town Grant to prepare designs for the renovation of the Town's Skate Park was not approved.
- As previously reported, the Town had submitted a letter of support to participate in a joint grant to fund additional tide gauges to be located in Town, as well as other locations in Dare County. The Town was notified on January 3, 2021 that the collaborative request was selected for funding. Town Staff coordinated the installation of a gauge on a dock in the Village at Nags Head.
- As previously noted, the Town was notified that it was successfully awarded \$2,500 in cost share assistance from the Dare Soil and Water Conservation District through the Community Conservation Assistance Program for the development of a rain garden at Town Hall to improve local water quality and serve as a Low Impact Development demonstration and education project. Once this award is finalized, Staff will begin working to refine the plan for this improvement.
- Town Staff was notified on April 19, 2021 of its acceptance into the Energy Transitions Initiative Partnership Project (ETIPP) Community Technical Assistance Program offered by the U.S. Department of Energy and the National Renewable Energy Laboratory (NREL) for assistance in addressing electric utility resilience for the Town and the Outer Banks, with a focus on renewable energy sources; the news release may be accessed here <https://www.nagsheadnc.gov/CivicAlerts.aspx?AID=463> A project scoping meeting is scheduled for May 6, 2021.

- Related, Staff also worked to submit for a technical assistance opportunity from the North Carolina Chapter of the American Institute of Architects to develop best practices for building design related to renewable energy and energy and water efficiency, a request which was recently approved.

- On April 16, 2021, Staff submitted a pre-application for a CAMA Access Grant for improvements to the Epstein Beach Access.

Upcoming Meetings and Other Dates

- Friday, April 30 - Permitting Discussion with DCM Staff
- Tuesday, May 4 - Technical Review Committee Meeting
- Wednesday, May 5 - Board of Commissioners Meeting
- Thursday, May 6 - ETIPP Kickoff and Scoping Meeting
- Monday, May 10 - Planning & Development Department Staff Meeting
- Wednesday, May 12 - Arts & Culture Committee Meeting
- Wednesday, May 12 - NCDOT RP2021-19 Ferry Feasibility Study Meeting
- Thursday, May 13 - Board of Adjustment Meeting
- Tuesday, May 18 - Planning Board Meeting
- Thursday, May 20 - DWMP Advisory Committee Meeting

**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT
MONTHLY REPORT
MARCH 2021**

DATE SUBMITTED: April 7, 2021

	Mar-21	Mar-20	Feb-21	2020-2021 FISCAL YTD	2019-2020 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
BUILDING PERMITS ISSUED - RESIDENTIAL						
New Single Family	1	2	0	12	7	5
New Single Family, 3000 sf or >	1	0	1	7	5	2
Duplex - New	0	0	0	0	0	0
Sub Total - New Residential	2	2	1	19	12	7
Miscellaneous (Total)	54	64	54	338	333	5
<i>Accessory Structure</i>	6	9	4	37	36	1
<i>Addition</i>	3	3	4	27	15	12
<i>Demolition</i>	0	0	0	3	2	1
<i>Move</i>	0	0	0	0	0	0
<i>Remodel</i>	12	7	19	102	70	32
<i>Repair</i>	33	45	27	169	210	(41)
Total Residential	56	66	55	357	345	12
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	1	0	0	2	(2)
Subtotal - New Commercial	0	1	0	0	2	(2)
Miscellaneous (Total)	7	9	12	62	68	(6)
<i>Accessory Structure</i>	2	3	3	22	17	5
<i>Addition</i>	0	0	0	0	0	0
<i>Demolition</i>	0	1	0	1	4	(3)
<i>Move</i>	0	0	0	0	0	0
<i>Remodel</i>	2	3	5	15	21	(6)
<i>Repair</i>	3	2	4	24	26	(2)
Total Commercial	7	10	12	62	70	(8)
Grand Total	63	76	67	419	415	4
SUB-CONTRACTOR PERMITS						
Electrical	65	40	35	357	340	17
Gas	3	3	3	23	17	6
Mechanical	56	30	23	280	251	29
Plumbing	5	9	4	66	66	0
Sprinkler	0	0	0	3	1	2
VALUE						
New Single Family	\$250,000	\$572,000	\$0	\$3,997,336	\$1,864,797	\$2,132,539
New Single Family, 3000 sf or >	\$1,340,000	\$0	\$1,250,000	\$5,165,000	\$3,832,561	\$1,332,439
Duplex - New	\$0	\$0	\$0	\$0	\$0	\$0
Misc (Total Residential)	\$966,574	\$1,242,053	\$1,422,469	\$8,940,025	\$7,742,589	\$1,197,436
Sub Total Residential	\$2,556,574	\$1,814,053	\$2,672,469	\$18,102,361	\$13,439,947	\$4,662,414
Multi-Family - New	\$0	\$0	\$0	\$0	\$0	\$0
Motel/Hotel - New	\$0	\$0	\$0	\$0	\$0	\$0
Business/Govt/Other - New	\$0	\$650,000	\$0	\$0	\$1,030,000	(\$1,030,000)
Misc (Total Commercial)	\$183,019	\$497,155	\$389,889	\$1,780,494	\$3,011,897	(\$1,231,403)
Sub Total Commercial	\$183,019	\$1,147,155	\$389,889	\$1,780,494	\$4,041,897	(\$2,261,403)
Grand Total	\$2,739,593	\$2,961,208	\$3,062,358	\$19,882,855	\$17,481,844	\$2,401,011

**TOWN OF NAGS HEAD PLANNING AND DEVELOPMENT
MONTHLY REPORT
MARCH 2021**

DATE SUBMITTED: April 7, 2021

	Mar-21	Mar-20	Feb-21	2020-2021 FISCAL YTD	2019-2020 FISCAL YTD	FISCAL YEAR INCREASE/ DECREASE
ZONING						
Zoning Permits	74	45	62	322	238	84
CAMA						
CAMA LPO Permits	5	0	3	25	27	(2)
CAMA LPO Exemptions	9	22	5	45	90	0
Sand Relocations	28	86	27	89	97	N/A
CODE COMPLIANCE						
CCO Inspections	68	124	50	526	717	(191)
Cases Investigated	33	9	37	317	286	31
Warnings	10	3	12	99	50	49
NOVs Issued	23	5	25	219	233	(14)
Civil Citations (#)	10	0	8	49	1	48
Civil Citations (\$)	\$52,500	\$0	\$42,000	\$251,500	\$0	\$251,500
SEPTIC HEALTH						
Tanks inspected	8	18	0	137	114	23
Tanks pumped	12	5	6	70	22	48
Water quality sites tested	23	0	0	115	112	3
Personnel Hours in Training/School	4	29	7	136	148	(12)



Michael D. Zehner, Director of Planning & Development

Planning & Development Department and Septic Health FY2021-2022 Strategic Work Plan

Activity Categories

- Community Character
- Sustainability & Resiliency
- Economic & Cultural Development
- Hazard & Emergency Planning
- Responsive & Transparent Government

Current FY Projects

**Indicates projects expected to be completed in the current Fiscal Year
~~Strike through~~ indicates projects completed*

- Skate Park Renovation; Phase 1, Assessment of Preferences (Pre-Planning)*
- Dune Vegetation Cost-Share Program*
- CAMA Land Use Plan Update*
- ~~Art Mast Project~~
- Islington Street Beach Access*
- ~~Weather Station Installation~~
- ~~Soundside Tidal/Flood Gauges~~
- GIS Platform Update, Phase 1*
- ~~Hotels in the CR (fka Legacy Establishments/Structures)~~
- Land Use & Policy Regulation Review - UDO Update for 160D, Review of Residential Stormwater Regulations, Update of Sign Ordinance, UDO Cleanup*
- LID Stormwater Demonstration Project
- Town Workforce Housing (fka Workforce Housing)
- UDO Reference Manual & Permitting Workflow Development
- Decentralized Wastewater Master Plan Update
- Estuarine Shoreline Management Plan
- Electric Vehicles Action Plan

FY21-22 Projects

- Skate Park Renovation; Phase 2, Design & Construction
- Fitness-Focused Enhancements at Dowdy Park (Biba Interactive Playground and multi-generational opportunities)
- Development of Complete Streets Policy
- CAMA Access Grant - Epstein Street
- Workforce Shuttle/Transportation Coordination
- Develop Business Retention & Succession Resources
- NC Resilient Coastal Communities - Phases 1 & 2
- Records Management & Digitization, Phase 1 - Planning
- Whalebone Park; Phase 1 - Planning
- Emergency Operations Plan Update
- GIS Platform Update, Phase 2
- Implementation of Estuarine Shoreline Management Plan
- Renewable Energy & Energy Efficiency Planning - ETIPP & AIA Activate

Future Projects

- Art Mast Project - Phase 2
- Implementation of Estuarine Shoreline Master Plan
- Whalebone Park; Phase 2 - Construction
- CAMA Access Grant
- NC Resilient Coastal Communities - Phases 3 & 4
- Wayfinding & Branding Plan
- Records Management & Digitization, Phase 2 - Implementation
- Watershed Plan