

ROY COOPER

Governor

ELIZABETH S. BISER

Secretary

BRAXTON DAVIS

Director



NORTH CAROLINA
Environmental Quality

March 16, 2022

Mayor Ben Cahoon
Town of Nags Head
2616 S. Compass Lane
Nags Head, NC 27959

CERTIFIED MAIL RETURN RECEIPT
REQUESTED

Andy Garman, Town Manager
Town of Nags Head
P. O. Box 99
5401 S. Croatan Highway
Nags Head, NC 27959

CERTIFIED MAIL RETURN RECEIPT
REQUESTED and electronically:
andy.garman@nagsheadnc.gov

Re: Certification of Town of Nags Head Comprehensive and CAMA Land Use Plan

Dear Mayor Cahoon and Mr. Garman:

Please find enclosed the written Final Agency Decision granting the Town of Nags Head's request for certification of its Land Use Plan Update. Please let me know if you have any questions.

Very truly yours,

A handwritten signature in black ink, appearing to read "Braxton C. Davis".

Braxton C. Davis, Director
NC Division of Coastal Management

cc via email: M. Renee Cahoon, Chair
Mary L. Lucasse, Commission Counsel
Charlan Owens, AICP, Elizabeth City District Planner



North Carolina Department of Environmental Quality | Division of Coastal Management
Elizabeth City Office | 401 South Griffin Street, Suite 300 | Elizabeth City, North Carolina 27909
252.264.3901

IN THE MATTER OF THE REQUEST
FOR CERTIFICATION OF THE TOWN
OF NAGS HEAD COMPREHENSIVE
AND CAMA LAND USE PLAN

FINAL AGENCY DECISION

FACTS

1. This is the Town of Nags Head Comprehensive and CAMA Land Use Plan adopted October 6, 2021 by the Town of Nags Head (“Land Use Plan Update”).
2. The Town of Nags Head is located in Dare County and is bounded by the Town of Kill Devil Hills to the north, the Atlantic Ocean to the east, the Cape Hatteras National Seashore and Roanoke Sound to the south, and the Albemarle and Roanoke sounds to the west.
3. As of 2020, the permanent population of Nags Head was 3,168 persons and the estimated peak population was 45,015 persons.
4. The Town of Nags Head is requesting certification of the Land Use Plan Update that replaces the Town of Nags Head 2010 Land Use Plan certified by the Coastal Resources Commission on February 24, 2011, as amended through December 12, 2013.
5. The Land Use Plan Update supports the Town’s vision to preserve and protect its 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, while also addressing public beach and waterfront access, land use compatibility, infrastructure carrying capacity, natural hazard areas, and water quality.
6. A duly advertised public hearing on the Land Use Plan Update was held on September 1, 2021. No comments were received at the public hearing.

7. The Town of Nags Head adopted the Land Use Plan Update by resolution on October 6, 2021. The public had the opportunity to provide written comments on the plan to the Division of Coastal Management up to thirty (30) calendar days after local adoption. No comments were received.

CONCLUSIONS OF LAW

1. The Town of Nags Head Comprehensive and CAMA Land Use Plan (“Land Use Plan Update”) has met the substantive requirements outlined within the Land Use Planning Requirements effective February 1, 2016.

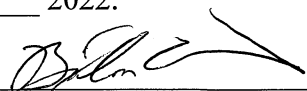
2. There are no conflicts evident in the Land Use Plan Update with either state or federal law or the State’s Coastal Management Program.

3. The elected body of the Town of Nags Head made a final decision on the contents of the Land Use Plan Update and provided opportunity for the public to provide written comment following local adoption of the plan, as required by N.C.G.S. § 113A-110 and 15A NCAC 7B .0802 and .0803, and the Land Use Plan Update was submitted to the NC Division of Coastal Management Commission without written objection or comment from the public.

DECISION

For the reasons stated herein, the Town of Nags Head’s request for certification of the Town of Nags Head Comprehensive and CAMA Land Use Plan (Update) is GRANTED.

This the 16th day of MARCH 2022.



Braxton C. Davis, Director
N.C. Division of Coastal Management

CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the attached **Final Agency Decision** to the Town of Nags Head and the North Carolina Coastal Resources Commission by the means specified below:

Method of Service

Mayor Ben Cahoon
Town of Nags Head
2616 S. Compass Lane
Nags Head, NC 27959

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Andy Garman, Town Manager
Town of Nags Head
P. O. Box 99
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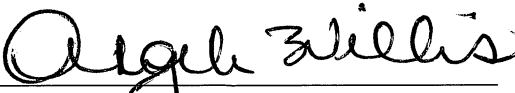
M. Renee Cahoon, Chair
Coastal Resources Commission

Electronically: Renee.Cahoon@ncdenr.gov

Mary L. Lucasse
Commission Counsel
NC Coastal Resources Commission
PO Box 629
Raleigh, NC 27602

Electronically: mlucasse@ncdoj.gov

This is the 16th day of March 2022.


Angela Willis Assistant to the Director