



**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE TOWN OF NAGS HEAD, NORTH CAROLINA**

BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that the Code of Ordinances shall be amended as follows:

PART I. That **Section 48-482(3), Buffering regulations**, be amended to add the following text (underlined):

A vegetative buffer yard that is no less than five feet in width and a minimum height of five feet when installed. For lots adjacent to U.S. 158 and U.S. 64/264, with existing dune elevations or berms of more than five feet in height from street grade, low growing shrubs or groundcover such as dwarf yaupon holly, shore juniper, indian hawthorne and false indigo, which need not exceed three feet in height at maturity, may be utilized to meet buffering requirements in addition to the dune or berm elevation.

PART II. That **Section 48-485(d), Preservation of Existing vegetation**, be amended to add the following text:

Prior to any removal of vegetation, with a caliper greater than 4 inches measured at one foot above the ground, from the North Carolina Department of Transportation right of way, the applicant must obtain approval from the NCDOT and the Town. Any unauthorized removal of vegetation without prior Town approval will subject the owner to civil penalties in accordance with Section 1-6 general penalty of the Town Code.

PART III. That Section 48-862(g)(1)(b), Commercial 2 District, be amended as follows:

A freestanding sign shall not exceed ten twelve feet in height above street grade.

PART IV. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.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 1st day of June 2011.

Robert O. Oakes Jr., Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk

Motion to Adopt by Commissioner
Motion Seconded by Commissioner
Recorded in Minute Book _____, Page
Vote: 4 AYES Mayor Bob Oakes
Comr. Doug Remaley
Comr. Anna Sadler
Comr. Renée Cahoon

1 NO Mayor Pro Tem Wayne Gray