



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

WHEREAS, the Town finds that it is in the public interest to pursue all opportunities to improve stormwater management within new development and redevelopment; and

WHEREAS, the Town finds that use of alternative paving surface which promote infiltration of stormwater into the ground and directing stormwater to retention or treatment areas as part of a best management practice (or "BMP") are beneficial to the diffusion and treatment of stormwater; and

WHEREAS, the Town finds that effective stormwater treatment results in a desired improvement in water quality after storm events and supports the Town's vision of protecting the "natural environment typified by clean water," in accordance with the 2010 Land Use Plan; and

WHEREAS, the Town finds that these text amendments are consistent with the goals, objectives and policies of the Town's adopted Land Use Plan, and that this action is reasonable and in the public interest;

NOW THEREFORE BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that Chapter 48, Zoning, of the Code of Ordinances shall be amended as follows:

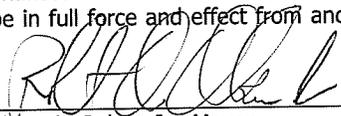
PART I. That **Section 48-163(5), Parking Lot Requirements for all uses other than Single Family and Two Family (Duplex) Dwelling Units**, be amended as follows:

(5) All interior drive aisles, with the exception of drive aisles within the C-3 zoning district, and all parking lot entrances providing access to required parking spaces and loading spaces shall be graded and paved with asphalt or concrete. ~~Interior drive aisles greater than 50 feet from the right of way within the C-3 zoning district may be graded and paved with porous paving as approved by the town engineer or an open face paving block over sand and filter cloth base, provided that the open face paving block is equivalent to Turfstone™ with regards to compressive strength, density, absorption and durability.~~ Within the C-3 zoning district, all parking lot entrances providing access to required parking spaces and loading spaces shall be graded and paved with asphalt or concrete extending a minimum of 50 feet from the right-of-way as measured along the centerline of the parking lot entrance. Interior drive aisles established beyond the required asphalt or concrete parking lot entrance may be graded and paved with porous paving as approved by the Town Engineer or an open face paving block over sand and filter-cloth base, provided that the open face paving block is equivalent to Turfstone™ with regards to compressive strength, density, absorption and durability.

PART II. That **Section 48-163(15), Parking Lot Requirements for all uses other than Single Family and Two Family (Duplex) Dwelling Units**, be amended as follows:

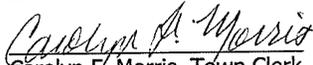
(15) Curbs: All drive aisles which abut open space that is not being utilized for the purposes of stormwater management shall be marked by a fixed concrete curb six inches in height. Where an abutting open space is being utilized for stormwater management purposes and it can be demonstrated that utilization of an alternative to a concrete six inch curb section will provide improved stormwater management capability, the Town Engineer may approve an adequately buffered alternative.

PART III. 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 5<sup>th</sup> day of September 2012.



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

ATTEST:

  
Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

  
John Leidy, Town Attorney

Date adopted: September 5, 2012

Motion to adopt by Commissioner \_\_\_\_\_

Motion seconded by Commissioner \_\_\_\_\_

Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS