



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

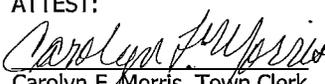
BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that the Code of Ordinances shall be amended as follows:

PART I. That **Section 48-403(b), Permitted Uses, R-2 Medium-Density Residential District**, be amended to add the following use:

- (7) Residential cluster housing, subject to other requirements of this chapter and provided that the following conditions are met:
 - a. Residential clusters shall be on a single oceanfront lot with road frontage on State Highway 1243, of which at least 50 percent of the lot is net buildable land.
 - b. Residential clusters shall be limited to a maximum of three dwelling units per lot.
 - c. Dwellings units eligible for permitting under this use category shall be limited to single-family dwelling(s) already located on the lot and single-family dwelling(s) endangered by shoreline erosion being relocated to the lot.
 - d. Minimum area requirements for residential clusters shall be 20,000 square feet of lot for the first dwelling unit and an additional minimum 15,000 square feet of lot for each additional dwelling unit.
 - e. The minimum separation between detached units in a cluster shall be 20 feet.

PART II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.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 17th day of March 2010.


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: March 17, 2010

Motion to adopt by Commissioner _____
Motion seconded by Commissioner _____
Vote: _____ AYES _____ NAYS

