



Agenda Item Summary Sheet

Item No: **E-8**
Meeting Date: **February 7, 2024**

Item Title: Request for Public Hearing to consider text amendments to the Unified Development Ordinance re: prohibiting drive-through restaurants

Item Summary:

At their January 3rd meeting, the Board of Commissioners voted unanimously to direct staff to initiate the text amendment process to eliminate the use of "Restaurant, Drive Through" as a permissible use within the Unified Development Ordinance (UDO) to create consistency between the UDO and the 2017 Comprehensive Land Use Plan's guidance. Additionally, staff contacted the Village at Nags Head Property Owner's Association to make them aware of the requested changes and at the Village Property Owner's Association Board of Directors meeting, the VNHPOA Board supported the recommendation to remove the use of restaurant drive-through from the Village Commercial Districts.

The following text amendments to the UDO are being proposed for the Board of Commissioners' consideration:

- Section 6.6, Table of Uses and Activities to remove the use of Restaurant, Drive Through as an allowable special use.
- Section 7.29 to remove the supplemental regulations related to the use of Restaurant, Drive Through.
- Section 7.30 to remove reference to Restaurant, Drive Through as part of the use Restaurant, Neighborhood.
- Section 7.31 to remove reference to Restaurant, Drive Through as part of the use Restaurant, Sit Down.
- Section 9.36 to remove the use of Restaurant, Drive Through as an allowable special use within the Village's commercial districts.
- Section 9.375 to the supplemental regulations related to the use of Restaurant, Drive Through within the Village's commercial districts.
- Section 10.16, Table 10-2 Required Parking by Use, to remove the use of Restaurant, Drive Through from the table.

Planning Board Recommendation

At their January 16, 2024, meeting the Planning Board voted unanimously to recommend approval of the proposed text amendment.

Number of Attachments: 0

Specific Action Requested:

Request to hold a Public Hearing on the text amendments at the March 6, 2024 Board meeting.

Submitted By: Planning and Development

Date: January 31, 2024

Finance Officer Comment:

N/A

Signature: Amy Miller

Date: January 31, 2024

Town Attorney Comment:

N/A

Signature: John Leidy

Date: January 31, 2024

Town Manager Comment and/or Recommendation:

N/A

Signature: Andy Garman

Date: January 31, 2024