



# MEMORANDUM

## Town of Nags Head

### Planning & Development Department

---

To: Planning Board

From: Kelly Wyatt, Planning Director  
Joseph Costello, Deputy Planning Director

Date: September 13, 2024

Subject: Public Input Session re: Potential Accessory Dwelling Unit (ADU) ordinance

---

In November 2023, during their Strategic Planning retreat, the Board of Commissioners directed the Planning staff to explore the development of an Accessory Dwelling Unit (ADU) ordinance that incorporates a range of optional provisions and regulatory standards. Accessory Dwelling Units (ADUs) are smaller, secondary housing units located on the same property as a primary residence. ADUs can include detached units, garage conversions, or in-home apartments. ADUs were discussed as one potential solution to provide workforce housing within the Town. This initiative is identified as Action Item #2.2 under the Development Goals within the Strategic Plan. The range of options for consideration includes an analysis of where ADUs might be appropriate (i.e. permitted zoning districts, geographic areas, neighborhoods, etc.), minimum lot size requirements, maximum unit size limitations, height restrictions, deed restrictions, and parking considerations.

The Planning Department had previously researched and presented a draft ADU ordinance to the Board of Commissioners in September 2019, though it was not adopted at that time.

To advance discussions on a potential ADU ordinance, staff presented this item to the Board of Commissioners on July 3, 2024, highlighting the similarities and interconnections between ADUs, partial-home short-term rentals, and duplexes. This same presentation was also shared with the Planning Board on July 16, 2024, and can be viewed [HERE](#) (at approximately the 1 hr. 19 min mark).

Staff would like to emphasize that many of the existing partial-home short-term rentals within the town share similar characteristics and functions with accessory dwelling units. Both provide additional living spaces that can be rented as separate, independent units, with comparable operational features. Additionally, many of these existing partial-home short-term rentals, along with attached ADUs, if permitted, would resemble duplexes in terms of structure and use.

In order to better understand the potential impact of an ADU ordinance, staff believes it is critical to openly discuss and clarify what is currently allowed within the town, the definitions and regulations governing these uses, and the overlap between these uses. Ensuring regulatory consistency is key.

At their August 20, 2024 meeting, the Planning Board emphasized the importance of community awareness and engagement on this issue. As a result, two public input sessions were scheduled: Tuesday, September 17th, at 9:00 AM, in the Board Room at 5401 S. Croatan Highway, and a second session on Wednesday, September 18th, from 6:00 PM to 7:30 PM, to accommodate those unable to attend the morning meeting.

Staff will begin each session with a brief informational presentation, followed by an open forum to hear feedback from attendees.

## Public Input Session – Discussion Points

### - What are Accessory Dwelling Units (ADU's)

Accessory Dwelling Units are smaller, secondary housing units located on the same property as a primary residence. ADU's can include detached units, garage conversions, or in-home apartments.

### - Why ADU's?

Accessory Dwelling Units may be able to help address local housing needs, providing more affordable rental options or housing for family members.

Accessory Dwelling Units can offer a way for older family members to live independently and age in place.

Accessory Dwelling Units can allow homeowners to generate rental income, which can help with mortgage payments or property upkeep.

Accessory Dwelling Units typically use less land and resources as compared to a new development.

### - What are some PRO's of ADU's?

ADU's can create more affordable housing options.

ADU's offer flexibility for multi-generational living or accommodating family members, caregivers, or tenants.

ADU's can help house local workers who may otherwise struggle to afford housing in the area.

ADU's can encourage long-term rentals over short-term options, supporting housing stability.

### - What are some CON's or CONCERNS of ADU's?

Some residents might be concerned about increased traffic, inadequate parking, or noise – especially in quiet areas.

There may be worries about enforcing regulations, such as ensuring ADU's are not turned into unregulated short-term rentals.

There may be concerns about local infrastructure, such as water, septic capacity, and handling increased housing density.

Some homeowners may be concerned about the proximity of ADU's to their own property and potential impacts on privacy.

### - Goals for Allowing Accessory Dwelling Units

The primary goal is to increase the housing supply of workforce housing.

### - Location of ADU's?

If the Town were to allow Accessory Dwelling Units, are there locations within the Town that you believe are more suitable than others? Specific zoning districts, geographical areas of the Town?