



AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF NAGS HEAD, NORTH CAROLINA TO CHANGE THE ZONING OF LOT 2A-1R OF THE CHARLES SINEATH SUBDIVISION (PARCEL # 005618002) FROM C-3, COMMERCIAL SERVICES TO C-2, GENERAL COMMERCIAL

WHEREAS, Chris Greening of Bluewater Capital, LLC submitted this zoning map amendment request with authorization from the current property owner, Mazzi, LLC to change of the zoning of the subject property from C-3 Commercial Services, to C-2, General Commercial; AND

WHEREAS, the C-3 Commercial Services District is to provide for higher intensity land uses that are not compatible with other areas of the Town, the C-3 District must be at least 10 acres in size. The requested rezoning would reduce the overall acreage of the C-3 by 0.8 acres, leaving approximately 36 acres of C-3, Commercial Services remaining; AND

WHEREAS, the C-2 General Commercial District is to provide for the proper grouping and development of commercial facilities to serve the entire community. All C-2 districts shall be at least 5 acres in area and the proposed amendment would result in an increase in the total acreage of C-2 designation; AND

WHEREAS, the following 2022 Comprehensive Land Use Plan policies are consistent with proposed rezoning: LU-10, LU-10b, EC-1, EC-5; AND

WHEREAS, the proposed rezoning is consistent with the goal stated in the 2022 Comprehensive Land Use Plan that the boundaries of and uses permitted in the C-3 District not be expanded into the other parts of Town; AND

WHEREAS, the property in question is bordered by C-2, General Commercial to the east and north, R-2, Medium Density to the south, and C-3 to the west. The requested rezoning would be in harmony with the zoning of adjoining and nearby properties and would provide desired and enhanced transition from other property zoned C-3 in the area; AND

WHEREAS, at their August 20, 2024 meeting the Planning Board voted unanimously to recommend approval of the proposed map amendment as requested; AND

WHEREAS, thereafter, the Planning Board submitted its recommendation from the August 20, 2024 meeting to the Board of Commissioners recommending approval of said zoning map amendment of the lands hereinafter described, all in accordance with the requirements of the Town of Nags Head Unified Development Ordinance a public hearing was held hereon on the 2nd day of October 2024 before the Board of Commissioners, pursuant to due notice mailed, the property posted and notice published pursuant to G.S. § 160D-602.

NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COMMISSIONERS OF THE TOWN OF NAGS HEAD, THAT:

Section 1: The lands that are the subject of the Ordinance are those certain lands depicted in Attachment A, which is incorporated herein by reference, and said lands are hereafter referred to as the "Rezoned Lands."

Section 2: The lands that are the subject of the Ordinance and described in Attachment "A", are located within the Town of Nags Head's planning jurisdiction and/or corporate limits.

Section 3: The Town of Nags Head Unified Development Ordinance, including the Nags Head North Carolina Official Zoning Map, which is a part of said Ordinance, is hereby amended by changing the zoning classification of the "Rezoned Lands" from C-3 General Commercial to C-2, General Commercial.

Section 4: The Unified Development Ordinance Administrator is hereby authorized and directed to cause the said Official Zoning Map for the Town of Nags Head, North Carolina, to be physically revised and amended to reflect the zoning changes ordained by this Ordinance.

Section 5: After reviewing all the information presented at the public hearing and the Town of Nags Head plans, policies and ordinances, the Nags Head Board of Commissioners finds the zoning map amendment request reasonable and consistent with the 2022 Town of Nags Head Comprehensive Plan.

Section 6: This ordinance shall be in full force and effect from and after its adoption.

Benjamin Cahoon, Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

John Leidy, Town Attorney

Date adopted: October 2, 2024

Motion to adopt by Commissioner _____

Motion seconded by Commissioner _____

Vote: _____ AYES _____ NAYS