



AGENDA ITEM SUMMARY

Town of Nags Head Board of Commissioners

REGULAR SESSION: November 6, 2024

AGENDA ITEM F.2.

Public Hearing to Consider Amendments to the UDO within the SPD-C, Village at Nags Head Commercial-1 Zoning District to Accommodate a New Use, EMS Station

Prepared by

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Reviewed by

Kelly Wyatt
Carolyn Morris
John Leidy
Andy Garman

Staff Comments/Recommendation

Staff Analysis and Recommendation - Planning staff finds the proposed text amendment to be consistent with the 2022 Comprehensive Land Use Plan and recommends adoption of the amendment as presented.

Planning Board Recommendation - At their September 17, 2024, meeting, the Planning Board voted unanimously to recommend adoption of the text amendments as presented.

If the Board of Commissioners is inclined to adopt this proposed text amendment, please reference Appendix A for the Statement of Consistency with the Town's adopted Comprehensive Land Use Plan requirements (attached).

Specific Action Requested

Conduct the Public Hearing

Summary

BACKGROUND

In late 2023, staff presented a brief update to the Planning Board regarding the potential future construction of a Dare County EMS Station at 105 W. Seachase Drive. During that update, staff indicated that amendments to the Unified Development Ordinance (UDO) may be required to facilitate this project. The Planning Board reached a consensus at that time, agreeing that staff should move forward with preparing the necessary amendments if deemed appropriate.

Dare County has been working with Oakley Collier Architects on the proposed design for the county's emergency services project. After reviewing the preliminary site development renderings and analyzing the existing SPD-C Village Commercial-1 District standards, the following amendments to the Unified Development Ordinance (UDO) would be necessary:

- **Amend Section 9.36, Table of Uses and Activities** within the SPD-C, Village at Nags Head Commercial-1 District to include "County EMS Station" as a permitted use in the district.
- **Amend Section 9.21.8.2** to reduce the front yard setback requirement from 75 feet to 45 feet. Upon review of this section, it appears that the current regulations were designed to apply primarily to the large

community shopping center within the Village Commercial-1 district (OBX Mall), rather than stand-alone commercial structures that are unaffiliated with or separate from the shopping center. Additionally, Section 9.17, Transportation Standards within the SPD-Village District, specifies a 45-foot setback from US 158, further suggesting that the 75-foot setback applies solely to the shopping center. This amendment would provide clarity and, importantly, would only impact the subject property, as the only other Village Commercial-1 designated property adjacent to US 158 in the Village at Nags Head is the shopping center. The property located at 111 W. Seachase Drive (Rusty Crow Quilt Shop) is zoned Village Commercial-1, however it is not adjacent to US 158.

- **Amend Section 10.16, Required Parking by Use**, to establish a parking standard for the new use category of "County EMS Station."

POLICY CONSIDERATIONS

LU-9, Encourage land uses that serve the needs of both year-round and seasonal residents in support of the town’s overall vision for the community.

Attachments

1. 11 F2 PH UDO EMS Station ord
2. 11 F2 PH UDO EMS Station statement of consistency
3. 11 F2 PH UDO EMS Station pn