



AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF NAGS HEAD, NORTH CAROLINA AS IT PERTAINS TO A NEW USE OF COUNTY EMS STATION WITHIN THE SPD-C, VILLAGE AT NAGS HEAD, COMMERCIAL – 1 DISTRICT.

ARTICLE I. Purpose(s) and Authority.

WHEREAS, pursuant to N.C.G.S. § 160D-701, the Town of Nags Head (the "Town") may enact and amend ordinances regulating the zoning and development of land within its jurisdiction and specifically the location and use of buildings, structures and land; pursuant to this authority and the additional authority granted by N.C.G.S. Chap. 160D-702, the Town has adopted comprehensive zoning regulations and has codified the same within the Unified Development Ordinance, Part II of the Town Code, adopted pursuant to N.C.G.S. § 160D-103, which allows the Town to combine certain land development ordinances into a unified ordinance;

WHEREAS, Section 2.4.4.3 of the Unified Development Ordinance provides that the powers and duties of the Planning Board include developing and recommending policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner;

WHEREAS, Section 3.5.1. of the Town Code makes clear that a zoning ordinance text amendment may be initiated by motion of the Board of Commissioners, by motion of the Planning Board, or by application by any person within the zoning jurisdiction of the Town;

WHEREAS, Planning staff requested the Planning Board initiate the amendments necessary to construct a County EMS Station at 105 W. Seachase Drive at their September 2023 meeting;

WHEREAS, the requested amendment is consistent with the 2022 Comprehensive Land Use Plan;

ARTICLE II. Construction.

For purposes of this ordinance amendment, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein but are instead replaced by an ellipsis ("...") shall remain as they currently exist within the Town Code.

ARTICLE III. Amendment of the Unified Development Ordinance.

PART I. That **Section 9.36 – Table of Uses and Activities for the SPD-C District**, be amended as follows:

Use Category/Class	Use Type	C1	C2	I	Hotel	SF-DET	SF-ATT	MF	TH	REC	Supp Reg
Institutional	Municipal building, including fire station, police station, and administrative office, <u>and County EMS Station</u>	<u>P</u>		P							

PART II. That **Section 9.28.8.2 Table of Development Standards, Minimum Front Yard**, be amended as follows:

9.21.8.2. Minimum Front Yard. 75 feet from the main complex or the easternmost portion thereof from US 158. Properties that are not affiliated with the community shopping center shall follow the 45-foot front yard setback provided in Section 9.17, Transportation Standards.

PART III. That **Section 10.16, Table 10:2, Required Parking by Use,** be amended as follows:

Use Category/Class	Use Type	Required Parking
<u>Institutional</u>	<u>Emergency Services Facility (Police, Fire, EMS)</u>	<u>1 parking space per employee on duty and 1 parking space per 200 square feet of training facility and customer service areas.</u>

PART IV. 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 6th day of November 2024.

Benjamin Cahoon, Mayor

ATTEST:

Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

John Leidy, Town Attorney

Date adopted: November 6, 2024

Motion to adopt by Commissioner _____

Motion seconded by Commissioner _____

Vote: _____ AYES _____ NAYS