



**AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE TOWN OF NAGS HEAD, NORTH CAROLINA**

BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that Chapter 48, Zoning, of the Code of Ordinances shall be amended as follows:

PART I. That **Section 48-328(d) specific lighting application standards** be amended as follows:

(d) Architectural and interior lighting.

(1) Light fixtures mounted on the ~~building~~ walls and soffits shall be recessed, fully shielded or directed to the wall surface.

(2) Floodlights may be utilized to up-light opaque wall surfaces from the ground, provided that the light fixture is are located a horizontal distance no greater than 15 feet from the wall, shall not be mounted greater than 30 inches in height, and illumination levels measured at the vertical plane shall not be exceeded.

(3) Floodlights located on a canopy roof surface may be utilized to uplight attached, opaque parapet wall surface and canopy roof lying between the light and the parapet wall surface, provided the roof mounted floodlights are located a horizontal distance no greater than 15 feet from the parapet wall, shall not be greater than 15 inches above the canopy roof surface, and illumination levels at the vertical plane shall not be exceeded.

~~(3)(4)~~ The maximum vertical illumination level of an entrance facade or parapet wall shall not exceed five average maintained footcandles. The maximum illumination level shall not exceed one average maintained footcandle for other wall surfaces.

PART II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.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 1st day of February 2012.

Robert O. Oakes, Jr., Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

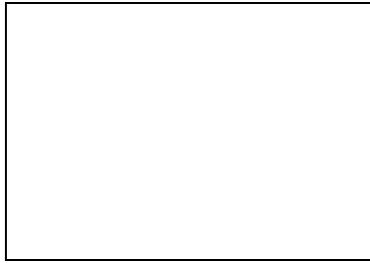
John Leidy, Town Attorney

Date adopted: February 1, 2012

Motion to adopt by Commissioner _____

Motion seconded by Commissioner _____

Vote: _____ AYES _____ NAYS



**TOWN OF NAGS HEAD
STATEMENT OF CONSISTENCY
WITH THE LAND USE PLAN FOR A ZONING TEXT AMENDMENT**

BE IT HEREBY RESOLVED by the Board of Commissioners for the Town of Nags Head, that in accordance with provisions of North Carolina General Statute 160A-383, the Board of Commissioners hereby finds and determines that the adoption of the requested zoning text amendment to amend Town Code Section 48-328(d) Outdoor Lighting, specific lighting application standards, to allow up-lighting from roofs and increasing light levels for architectural lighting.

Is consistent with the goals, objectives and policies of the Town's adopted Land Use Plan, and that this action is reasonable and in the public interest because it:

- Supports the Town's Vision Statement to provide locally owned and operated businesses that share in the building of our community (p. 7); and
- Supports the Land Use Plan Policy of maintaining the Town's self-sufficiency by providing adequate services and amenities for residents and visitors (p.97)

READ, APPROVED AND ADOPTED by a vote of 4 – 0, this 1st day of February 2012.

Robert O. Oakes Jr., Mayor

ATTEST:

Carolyn Morris, Town Clerk

Cliff Ogburn, Town Manager