



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

WHEREAS, The Town's Land Use Plan states that the Town, "shall continually assess and evaluate the Stormwater Management Plan... and shall actively work to minimize the rate and amount of stormwater runoff into ocean and sound waters and the impact that stormwater has on those waters;" and

WHEREAS, The expansion of usage applications for porous concrete allows improved stormwater management in some areas; and

WHEREAS, the Town finds that these text amendments are 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;

NOW THEREFORE 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:

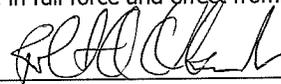
**PART I.** That **Section 48-163(5), Parking Lot Requirements for all uses other than Single Family and Two Family (Duplex) Dwelling Units**, be amended as follows:

(5) All interior drive aisles, ~~with the exception of drive aisles within the C-3 zoning district;~~ and all parking lot entrances providing access to required parking spaces and loading spaces shall be graded and paved with asphalt or concrete. As an alternative, within interior drive aisles, porous concrete is permissible as approved by the Town Engineer. The porous concrete pavement section shall be structurally designed to withstand the intended vehicular loading associated with the development use, and in accordance with North Carolina Fire Code, latest edition, Section 503 Fire Apparatus Access Road-Surface, (503.2.3). The pavement section shall also be designed and installed in accordance with current ACI specifications, or equivalent standards, with hydrological and operation and maintenance considerations in accordance with those described in Chapter 18 Permeable Pavement, NCDENR-Division of Water Quality, Stormwater Best Management Practices, latest edition.

Operation and Maintenance Agreement documents shall be executed and filed with the Town in accordance with Section 34-9, Operation and maintenance, and in accordance with Chapter 18 Permeable Pavement, NCDENR BMP Manual, as noted above. Records of operation and maintenance shall be submitted to the Town on an annual basis or made available upon request.

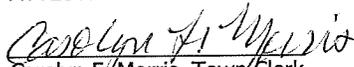
Within the C-3 zoning district, and When porous concrete is proposed within the interior drive aisles as noted above, all parking lot entrances providing access to required parking spaces and loading spaces shall be graded and paved with asphalt or concrete extending a minimum of 50 feet from the right-of-way as measured along the centerline of the parking lot entrance. Interior drive aisles established beyond the required asphalt or concrete parking lot entrance may be graded and paved with porous paving as approved by the town engineer or an open face paving block over sand and filter-cloth base, provided that the open-face paving block is equivalent to Turfstone™ with regards to compressive strength, density, absorption and durability.

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 3<sup>rd</sup> day of April 2013. .



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: April 3, 2013

Motion to adopt by Commissioner \_\_\_\_\_

Motion seconded by Commissioner \_\_\_\_\_

Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS