



**AN ORDINANCE AMENDING THE UNIFIED DEVELOPMENT ORDINANCE OF THE TOWN OF NAGS HEAD, NORTH CAROLINA AS IT PERTAINS TO MODIFYING THE SUPPLEMENTAL REGULATIONS FOR CONFORMING COTTAGE COURTS**

**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; and

**WHEREAS**, applicant, George E. Goodrich, requested consideration of an amendment to the UDO which, if adopted would amend the supplemental regulations for conforming cottage courts as it pertains to the maximum allowable gross floor area and the number of allowable stories; and

**WHEREAS**, the proposed text amendment is consistent with the Town of Nags Head 2017 Comprehensive 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 7.2.2. Cottage Courts, Size and Arrangement, and Architectural Design, be amended as follows: Cottage courts shall be designed and intended for transient guests on a rental basis, with the exception of living quarters for the property owner or on-site management. Individual dwelling units must be designed and arranged for occupancy by one family operating as a housekeeping unit.

Individual cottages and shall contain at least five hundred (500); ~~but no more than fifteen hundred (1,500)~~ square feet. Cottages shall be limited to the following size and design restrictions:

<b># Of Units</b>	<b>Stories</b>	<b>Square Footage</b>
<u>1/3</u>	<u>Shall not exceed 1-story</u>	<u>Shall not exceed 1,500 sf. habitable area.</u>
<u>1/3</u>	<u>An additional 1/3 of the units shall not exceed 1 1/2 stories</u>	<u>Shall not exceed 1,500 sf. habitable area.</u>
<u>1/3</u>	<u>The remaining 1/3 of the units shall not exceed to two stories</u>	<u>Shall not exceed 1,750 sf. habitable area.</u>

In addition to the above restrictions, ~~One~~ structure may be up to five thousand (5,000) square feet if it is combined with on-site management or another complementary business use. Each cottage court unit shall contain separate sleeping, bathing and living areas.

**PART II.** That Section 7.2.3.2 Cottage Courts, Architectural Design, be deleted in its entirety: ~~7.2.3.2. Individual cottages shall not contain more than 1 1/2 two (2) stories. No more than 1/3 of the cottages shall be two (2) stories in height. At least one third of the cottage court units shall not exceed one story.~~

That the sections below 7.2.3.2 be renumbered accordingly.

PART III. 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 **August 2022**.

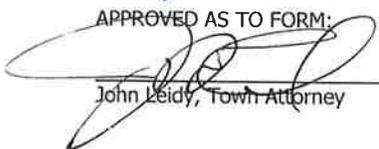


Benjamin Cahoon, Mayor  
Town of Nags Head

ATTEST:

  
Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

  
John Leidy, Town Attorney

Date adopted: August 3, 2022

Motion to adopt by Commissioner \_\_\_\_\_  
Motion seconded by Commissioner \_\_\_\_\_  
Vote: \_\_\_\_\_ AYES \_\_\_\_\_ NAYS