



Ordinance No. 13-01-004  
BOC Meeting January 16, 2013  
SED-80 Lot Coverage

**Robert O. Oakes, Jr.**  
Mayor

**Doug Remaley**  
Mayor Pro Tem

**Cliff Ogburn**  
Town Manager

**Town of Nags Head**  
Post Office Box 99  
Nags Head, North Carolina 27959  
Telephone 252-441-5508  
Fax 252-441-0776  
www.nagsheadnc.gov

**Anna D. Sadler**  
Commissioner

**M. Renée Cahoon**  
Commissioner

**Susie Walters**  
Commissioner

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

WHEREAS, The Planning Board finds that the facility known as Colony Ridge and the adjacent property owned by The Town and currently in use by the Coastal Studies Institute or located at a distance removed from the areas of environmental concern which the SED-80 District regulations are designed to protect; and

WHEREAS, The Planning Board finds that some flexibility in lot coverage is necessary for these facilities located within the SED-80, to be improved for future use, but that an expansion of lot coverage would not be appropriate in other locations within the SED-80; and

WHEREAS, The properties under consideration are already constructed and will need to be renovated and updated for future use and improvements for the benefit of the community; and

WHEREAS, The medical and nursing home facility of Colony Ridge provides an important service to our community and allows our citizens to stay within Nags Head, even as they age to the point of needing continual care; and

WHEREAS, The Town Land Use Plan states that,

- "The natural environment is an integral part of our community and must be considered in all decisions," and
- That "we recognize that in order to secure this future we must work together, treating all with respect and fairness and focusing on our common goals," and
- That the Town desires "a carefully managed sound front that preserves the natural and beneficial functions of the estuarine environment while balancing respect for private property rights and the need to provide public access;" and.
- That the Town will "maintain its relative self-sufficiency by providing adequate services and amenities for residents and visitors."

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 48-442(f) Special Environmental District, Dimensional Requirements** be amended as follows:

(f) Dimensional Requirements.

(3) For municipally owned government facilities, including medical offices, nursing and convalescent homes, and dormitories, not adjacent to estuarine waters or located within an AEC as defined by CAMA:

(a) Dimensional Requirements of subsection (f) 2 shall apply, except that lot coverage shall not exceed 20 percent of the total lot area.

- (b) In the case of lots abutting estuarine waters (as defined by division of marine fisheries and used by CAMA), or located within the estuarine AEC, as defined by CAMA, lot coverage shall not exceed 15 percent. Lot coverage allowances shall not be transferred from one portion of the lot to another.
- (c) The area necessary for shared access-ways of this chapter shall be excluded from the total lot coverage allowance for an individual lot.

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 16<sup>th</sup> day of January 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: January 16, 2013

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

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

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