



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 the Code of Ordinances shall be amended as follows:

PART I. That **Section 48-869, Recreation District**, be created as follows:

(a) Intent. It is the intent of this district to provide opportunities throughout the Village at Nags Head for active and passive recreation intended for the use, comfort and convenience of the members of the Village Property Owners Association and their guests. The Recreation District shall be that area designated on the official Land Use Plan Map for the Village at Nags Head as "Recreation and Open Space".

(b) Permitted Uses. Permitted Uses within the Recreation District are as follows:

(1) Village at Nags Head Common Open Space.

Purpose – Village Common Open Spaces include but are not limited to "Village" entry areas including islands, medians and signs; buffer and natural areas; Roanoke Sound access areas; Atlantic Ocean access areas; "Village" walkways, drainage easements and structures; lakes, ponds; and other open space areas.

(2) The Village at Nags Head Beach and Tennis Club.

Purpose - The Village at Nags Head Beach and Tennis Club would consist of a private club with facilities which may include a Beach, Swim and/or Tennis Center which may have the following facilities; including a swimming pool, sunbathing areas, club house, eating and drinking establishments, pro shops, bath and toilet facilities, tennis/squash/basketball courts, volleyball area or any other appropriate recreational activity.

(3) The Village at Nags Head Golf Club.

Purpose – The Village at Nags Head Golf Club would consist of a private club with facilities which shall include a Golf Course and Club and those auxiliary facilities that are necessary. The area devoted to Golf Course will have restrictive covenants on the property which will assure that this property can only be used for a golf course or open space for perpetuity.

(4) Village at Nags Head Private Beach Access and Bathhouse.

Purpose – The Village at Nags Head Private Beach Access and Bathhouse, located at 4929 S. Virginia Dare Trail shall consist of a private beach access for use by Village at Nags Head Property Owners Association members and their guests as well as the following:

(a) Onsite rental of beach chairs and umbrellas at the private beach bathhouse located at 4929 S. Virginia Dare Trail provided that:

- i. Storage of such items shall be located westward of the first line of stable natural vegetation and shall not be visible from the beach.
- ii. Beach chairs and umbrella's to be placed upon the beach shall contain no commercial signage. Any other signage shall not be visible from the beach.
- iii. Placement of beach chairs and umbrella's upon the beach shall not restrict or impede the flow of vehicular, pedestrian or emergency services traffic.
- iv. All exchange of monies involved in the operation of this business shall be from within the principal structure, the bathhouse, online, with rental contract or at the Association management company's location.
- v. Signage related to the onsite rental of beach chairs and umbrellas shall not be visible from NC 12.

(c) Dimensional Requirements. Dimensional Requirements within the Recreation District are as follows:

(1) The Village at Nags Head Tennis Club.

i. Parking required: Swimming Pool, one space per one hundred forty (140) square feet of pool water surface area; Basketball, two (2) spaces per basket; Tennis and Racketball courts, two (2) spaces per court, eating and drinking 1 space for each 55 square feet of interior public area.

ii. Landscaping required: There shall be a minimum 20 landscaped or natural buffer around these areas.

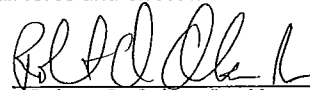
(2) The Village at Nags Head Golf Club.

i. Parking required: Golf Course, minimum of four (4) spaces per tee.

ii. Landscaping required: There shall be a minimum 10 foot landscaped or natural buffer around these facilities.

PART II. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART III. This ordinance shall be in full force and effect from and after the 4<sup>th</sup> day of May 2011.



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: May 4, 2011 (Second Reading)

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

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

Vote: 3 AYES 0 NAYS Mayor Bob Oakes was recused due to conflict of interest.  
Comr. Doug Remaley was absent.