



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

ARTICLE I. Purpose(s) and Authority.

WHEREAS, pursuant to N.C.G.S. § 160A-381, 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. 160A, Art. 19 et. seq, the Town has adopted a comprehensive zoning ordinance (the "Town's Zoning Ordinance") and has codified the same as Chapter 48 of the Town's Code of Ordinances (the "Town Code"); and

WHEREAS, pursuant to N.C.G.S. § 160A-174 the Town may also enact and amend ordinances that define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the Town; and

WHEREAS, a text amendment was initiated by an applicant to list Veterinary Office and Clinic as a permitted use within the C-4, Village Commercial District; and

WHEREAS, the Town of Nags Head 2010 Land Use Plan states that the Town shall support the policy of maintaining the Town's self-sufficiency by providing adequate services and amenities for residents and visitors; and

WHEREAS, the proposed use will maintain consistency and compatibility with adjacent residential uses in the C-4 district by maintaining residential scale and appearance.

WHEREAS, the Town of Nags Head 2010 Land Use Plan and Code of Ordinances, through policy statements and regulations, places value in mixed commercial-residential opportunities. Furthermore, the Town finds that the proposed amendment is consistent with the Land Use Plan and the Town's desired development patterns and uses; and

WHEREAS, the Town further finds that in accordance with the findings above it is in the interest of and not contrary to the public's health, safety, morals and general welfare for the Town to amend the Town's Zoning Ordinance and Town Code of Ordinances as stated below.

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 ellipses ("...") shall remain as they currently exist within the Town Code.


ARTICLE III. Amendment of Zoning Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Board of Commissioners of the Town of Nags Head, North Carolina, that the Town Code shall be amended as follows:

PART I. That Section **48-409(b), Permitted Uses within the C-4, Village Commercial District**, be amended as follows:


(9) Veterinary Office and Clinic provided that all pens and kennels are in an enclosed, air conditioned building; that there are no outdoor runs, pens or holding areas; and that boarding of animals is limited to that which is necessary for pre- and post-treatment observation and care.

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 **3rd** day of **May 2017**.


Robert C. Edwards, Mayor
Town of Nags Head

ATTEST:

Carolyn F. Morris, Town Clerk

APPROVED AS TO FORM:

John Leidy, Town Attorney



Date adopted: May 3, 2017
Motion to adopt by Commissioner _____
Motion seconded by Commissioner _____
Vote: _____ AYES _____ NAYS