



**ORDINANCE # 2026-04-01**  
**Approving Text Amendment 02-26**  
**TO AMEND CHAPTER 154:**  
**FLOODS in the Elizabeth City**  
**Code of Ordinances**

**WHEREAS**, NC Emergency Management issued an order on November 27, 2023 requesting the amendment of Chapter 154: Floods, specifically sections 154.26, 154.41, 154.96, 154.97 and 154.98; and.

**WHEREAS**, these sections must be revised in order to comply with state law and to be consistent with directives from NCEM and the North Carolina Department of Safety; and

**WHEREAS**, the ordinance is used to regulate development in the floodplains in order to reduce flood damage and to maintain or reduce the risks associated with the other buildings in or next to the floodplain; and

**WHEREAS**, TA 02-26 appeared as a Call for a Public Hearing during the City Council's March 23, 2026 Work Session, which was subsequently held on April 13, 2026 during such time that a quorum of the City Council was present; and

**WHEREAS**, the following text is to be adopted (changes are in red):

**City Code Text Amendment:**

**Amend Title XV § 154.26 FLOODPLAIN DEVELOPMENT APPLICATION, PERMIT, AND CERTIFICATION REQUIREMENTS - Section C, subsection (5)(c) as follows:**

(c) Accessory structures that are **600 150** square feet or less or \$3,000 or less in cost and which meet the requirements of § 154.41(H).

**Amend Title XV § 154.41 SPECIFIC STANDARDS as follows:**

(1) When accessory structures (sheds, detached garages, and the like) **with a footprint of no more than 600 square feet** are to be placed within **A, AO, AH, AE, and A99 flood zones a special flood hazard area**, **wet floodproofing may be permitted when** the following criteria **shall be** are met:

**\*Subsections (a) through (f) to remain unchanged**

(g) Flood openings to facilitate automatic equalization of hydrostatic flood forces shall be provided below regulatory flood protection elevation in conformance with the provisions of **division § 154.41(D)(4)** above.

(2) **All other accessory structures must comply with the elevation or floodproofing standards and certification requirements in accordance with § 154.26(C)(5) and § 154.41(B).**

- (3) An accessory structure with a footprint less than ~~600-150~~ square feet or less or that costs \$3,000 or less in A, AO, AH, AE, and A99 zones and satisfies the criteria outlined above in subsection (1) is not required to meet the elevation or floodproofing certification requirements standards of division (B) above of §154.26(C). Elevation or floodproofing certifications are required for all other accessory structures in accordance with § 154.26(C).

**Amend Title XV LEGAL STATUS PROVISIONS § 154.96 EFFECT ON RIGHTS AND LIABILITIES UNDER EXISTING FLOOD ORDINANCE as follows:**

This ordinance in part comes forward by re-enactment of some of the provisions of the Flood Damage Prevention Ordinance enacted January 1, 1975 as amended, and it is not the intention to repeal but rather to re-enact and continue to enforce without interruption of such existing provisions, so that all rights and liabilities that have accrued thereunder are reserved and may be enforced. The enactment of this ordinance shall not affect any action, suit, or proceeding instituted or pending. All provisions of the Flood Damage Prevention Ordinance of The City of Elizabeth City enacted on January 1, 1975, as amended, which are not reenacted herein, are repealed.

The date of the initial Floodplain Management Regulations for Pasquotank County is January 23, 1976.

The date of the initial Floodplain Management Regulations for Camden County is December 4, 1985.

**Amend Title XV § 154.97 EFFECT UPON OUSTANDING FLOODPLAIN DEVELOPMENT PERMITS as follows:**

Nothing herein contained shall require any change in the plans, construction, size, or designated use of any development or any part thereof for which a floodplain development permit has been granted by the Floodplain Administrator or his or her authorized agents before the time of passage of this ordinance; provided, however, that when construction is not begun under such outstanding permit within a period of six (6) months subsequent to the date of issuance of the outstanding permit, construction or use shall be in conformity with the provisions of this ordinance.

**Amend Title XV § 154.98 SEVERABILITY as follows:**

If any section, clause, sentence, or phrase of the Ordinance is held to be invalid or unconstitutional by any court of competent jurisdiction, then said holding shall in no way affect the validity of the remaining portions of this Ordinance.

**NOW THEREFORE, BE IT ORDAINED** that the City Council of the City of Elizabeth City does hereby amend Chapter 154 of the Elizabeth City Code of Ordinances as detailed above.

**ADOPTED** this the 13<sup>th</sup> day of April 2026.

*Edward Kirk Rivers*

\_\_\_\_\_  
E. Kirk Rivers  
Mayor



Attest:

*April D. Ohley*  
April D. Ohley, NCCMC  
City Clerk



**ORDINANCE #2026-04-02**  
**VOLUNTARY ANNEXATION**  
**A PETITION RECEIVED UNDER G. S. 160A-31**  
**TANGLEWOOD CROSSING**  
**P56 (PINs 7993 741815 & 7993 757018)**

**WHEREAS**, a petition requesting annexation of an area described in said petition has been received on January 26, 2026 by the City Council; and

**WHEREAS**, the City Council has by resolution directed the City Clerk to investigate the sufficiency thereof; and

**WHEREAS**, certification by the City Clerk as to the sufficiency of said petition has been made; and

**WHEREAS**, the City Council accepted certification and adopted a resolution fixing date for public hearing on March 9, 2026;

**WHEREAS**, notice of said public hearing was published at least ten (10) days prior to the date of the said public hearing;

**WHEREAS**, adjacent property owners within 100 feet of the subject properties were notified of public hearing for voluntary annexation.

**NOW, THEREFORE, BE IT RESOLVED**, by the City Council of the City of Elizabeth City:

**Section 1:** The area proposed for annexation is described as follows be approved for official annexation to the City of Elizabeth City's Municipal Limits:

Being a portion of the property described in Book 1017 Page 808.

Beginning at a point marked by an existing iron rebar set in the easterly right-of-way margin of Tanglewood Parkway South (Map Book 50, Page 49, in the Pasquotank County Public Registry), which existing iron rebar is located South 26° 45' 02" West 1,329.37 feet from control monument "TANGLEWOOD CONTROL MONUMENT 3" NC Grid — natrf2022 (N — 936714.762' and E — 2797656.632' — combined factor 1.00004280), and which existing iron rod marks the southwest corner of that property,

now or formerly owned by Tanglewood Crossing, LLC (Deed Book 1017, Page 808, and Map Book 55, Page 33, in the Pasquotank County Public Registry); thence from said existing iron rod and point of beginning and running along the easterly right-of-way margin of Tanglewood Parkway South, South 10° 40' 32" East 342.46 feet to an iron rod which marks the southern terminus of the Tanglewood Parkway South right-of-way, and marks the northeastern corner of that property, now or formerly, owned by Tanglewood South, LLC (Deed Book 1034, Page 448, and Map Book 49, Page 19, in the Pasquotank County Public Registry); thence departing said right-of-way and running South 10° 40' 32" East 833.37 feet to an iron rod; thence cornering and running North 72° 53' 05" East 1,217.09 feet to an existing iron rebar in the westerly right-of-way margin of an unnamed public right-of-way; thence cornering and running along said right-of-way margin North 21° 05' 52" West 8.81 feet to an existing iron rebar which marks the northern terminus of an unnamed public right-of-way, and which marks the easterly margin of the southern terminus of the Mount Everest Drive South right-of-way; thence running along the southern terminus of the Mount Everest Drive South right-of-way North 21° 05' 52" West 100.00 feet to an existing iron rebar which marks the westerly margin of the southern terminus of the Mount Everest Drive South right-of-way, and marks the southwestern corner of that property, now or formerly, owned by Stockbridge 17, LLC (Deed Book 1493, Page 567, and Map Book 67, Page 27, in the Pasquotank County Public Registry);

Thence running North 21° 05' 52" West 947.93 feet to an existing iron rebar which marks the northwest corner of the Stockbridge 17, LLC property; thence cornering and running South 79° 19' 28" West 82.35 feet to an existing iron rebar which marks the southwest corner of that property, now or formerly, owned by Amerco Real Estate Company (Deed Book 1439, Page 228, and Map Book 52, Page 31, in the Pasquotank County Public Registry), and marks the southeast corner of the Tanglewood Crossing, LLC property; thence running South 79° 19' 28" West 936.09 feet to the existing rebar and point of beginning, being a portion of that same property described and delineated on that plat entitled in part, "property being conveyed to Tanglewood Crossing, LLC" dated March 18, 2008, prepared by Paul J. Toti, Professional Land Surveyor, which plat is recorded in Map Book 48, Page 6, in the Pasquotank County Public Registry, and which plat is incorporated herein by reference;

And

BEGINNING AT A POINT marked by an existing iron rebar set in the northerly right-of-way margin of that 100' Railroad R/W (Map Book 36, Page 30, in the Pasquotank County Public Registry), which existing iron rebar is located North 20° 21' 42" East 9,141.54 feet from NCGS Monument "CAMA" NC Grid — NAD '83 (N - 924910.440' and E — 2795739.983' — Combined Factor 1.00003310), and which existing iron rod marks the southwest corner of that property, now or formerly, owned by SAT-DEV, LLC (Deed Book 1021, Page 228, and Map Book 48, Page 17, in the Pasquotank County Public Registry); thence from said existing iron rod and POINT OF BEGINNING and running

along the northerly right-of-way margin of that 100' Railroad R/W South 65° 18' 29" West 3,124.29 feet to a R/W Monument which marks the point of intersection of the easterly right-of-way margin of US Highway 17 Bypass and the northerly right-of-way margin of that 100' Railroad R/W, and which R/W Monument is located South 79° 14' 03" East 158.48 feet from "TANGLEWOOD CONTROL MONUMENT 6" NC Grid — NAD '83 (N — 932205,2378' and E — 2795926.4071' — Combined Factor L00003773); thence cornering and running along the easterly right-of-way margin of US Highway 17 Bypass (RN/ by Monuments) the following courses and distances: North 02° 39' 33" East 88.17 feet to a R/W Monument; thence running North 14° 28' 19" East 147.82 feet to a R/W Monument; thence running North 02° 37' 00" West 403.37 feet to a R/W Monument; thence running North 06° 35' 33" West 402.32 feet to a R/W Monument; thence running North 08° 47' 58" West 334.65 feet to a R/W Monument; thence running North 14° 34' 04" West 200.93 feet to a R/W Monument; thence running north-northwest along a curve (Curve Data: Radius is 7,754.24; Tangent is 611.17; Delta is 09° 00' 48"; Bearing is North 13° 21' 12" West; and Chord Distance is 1,218.57 feet) a distance of 1,219.83 feet to an existing iron rebar, which existing iron rebar marks the southwest corner of Lot 4 (Map Book 47, Page 31, in the Pasquotank County Public Registry); thence cornering and running away from US Highway 17 Bypass North 79° 19' 28" East 1,470.33 feet to an existing iron rebar, which existing iron rebar marks the southeast terminus of Tanglewood Parkway South (Map Book 47, Page 31, in the Pasquotank County Public Registry); thence cornering and running South 10° 40' 32" East 833.37 feet to an existing iron rebar, which existing iron rebar marks the southwest corner of that property, now or formerly, owned by Tanglewood Crossing, LLC (Deed Book 1017, Page 808, and Map Book 48, Page 6, in the Pasquotank County Public Registry); thence cornering and running North 72° 53' 05" East 1,217.29 feet to an existing iron rebar, which existing iron rebar marks the southeast corner of that property, now or formerly, owned by Tanglewood Crossing, LLC (Deed Book 1017, Page 808, and Map Book 48, Page 6, in the Pasquotank County Public Registry); thence cornering and running South 21° 05' 52" East 1,341.05 feet the existing iron rebar and POINT OF BEGINNING, being that same property described and delineated on that plat entitled in part, "Boundary Survey for TMS Property Management, LLC," dated August 21, 2008, prepared by Paul J. Toti, professional land surveyor, which plat is recorded in Map Book 49, Page 19, in the Pasquotank County Public Registry, and which plat is incorporated herein by reference.

**ADOPTED** this the 13<sup>th</sup> day of April 2026

*Edward Kirk Rivers*

*April Ohley*  
April Ohley, NCCMC  
City Clerk



\_\_\_\_\_  
E. Kirk Rivers  
Mayor



**Ordinance # 2026-04-03**  
**Rezoning Request RZ-05-25**  
**Tanglewood Crossing – Tax Map P56 – 3 & 3B**  
**PINs: 7993 741815 & 7993 757018)**

**WHEREAS**, on December 2, 2025, the Planning Commission reviewed Petition RZ-05-25, a request to rezone a 157+/- acre tract adjacent to the Tanglewood Parkway South subdivision at the southern terminus of Tanglewood Parkway South and the western boundary of Stockbridge at Tanglewood and the terminus of Mount Everest South from the C-1 Commercial and I-2 Industrial to Residential R-6 and R-8 Districts; and

**WHEREAS**, the Planning Commission voted to unanimously to recommend approval of the project, and staff recommended approval of the application as the rezoning was found to be reflective of the current land use patterns emerging in the Tanglewood portion of the City; and

**WHEREAS**, the City Council called for a public hearing on February 23, 2026, which was held on March 9, 2026, at which time they considered any public comments received during the meeting; and

**WHEREAS**, the Joint Pasquotank County/Elizabeth City Land Use Plan was considered; and

**WHEREAS**, after consideration of the technical merits of the request during the March 9<sup>th</sup> public hearing, the City Council has approved the rezoning provided the following requirements are satisfied:

- I. The applicant shall enter into a MOU with the City of Elizabeth City within 30 days;
- II. The MOU shall state that the applicant will utilize the City of Elizabeth's electric utility for service at this development;
- III. The City of Elizabeth City shall not be required to take ownership or assume maintenance of the life station that will be constructed as part of this future development.

**NOW THEREFORE, BE IT ORDAINED** that the City Council of the City of Elizabeth City does hereby approve the request to amend the Official Zoning Map to show that **157 acres between the 17 Bypass and Stockbridge at Tanglewood (PINs 7993 741815 & 7993 757018)** is rezoned from C-1 Commercial and I-2 Industrial to Residential R-6 and R-8 and has issued the following consistency statement:

***"The City Council of the City of Elizabeth City approves the rezoning from C-1 Commercial and I-2 Industrial to Residential R-6 and R-8 as it is appropriate for the area and conditionally consistent with the 2012 Elizabeth City and Pasquotank County Land Use Plan. The project supports the goals of the LUP to provide a variety of housing opportunities and promotes diversified economic development."***

**ADOPTED**, this the 13<sup>th</sup> day of April 2026.

*Edward Kirk Rivers*

*April D. Onley*

April D. Onley, NCCMC  
City Clerk

\_\_\_\_\_  
E. Kirk Rivers  
Mayor







<b>AGENDA ITEMS</b>	<b>Council Meeting Date:</b>
Reference No. _____	Monday, March 23, 2026
Department: <u>Police</u>	<b>Public Hearing:</b>
Fund Number/Department Number: <u>10.5100</u>	Yes <input type="checkbox"/> No <input type="checkbox"/>

**BACKGROUND:** Occasionally, budget amendments are needed after the initial budget is adopted by the City Council in June for the following fiscal year. These amendments are necessary for a variety of reasons - to carry forward projects that were approved in the prior year; but, were not foreseen and previously budgeted; for increases in costs that were estimated in the budget at a lower amount; and for increases in revenue that were estimated in the budget at a lower amount.

**Financial Impact:**  One Time  Recurring

Comments

**Analysis:** The City has received insurance proceeds totaling \$21,070 for two police vehicles. At this time, the Police Department respectfully requests authorization to replace one of the vehicles with a 2026 Ford Bronco, to be placed into service within the Criminal Investigation Division.

**Department Head Recommendation:** By motion, approve the attached Budget Ordinance Amendment to modify the appropriation of funds.

**Attachments:**  Yes  No

**Reviewed by:**

Department Head: <u>[Signature]</u>	<b>FINANCE DEPT OFFICE USE</b>
Date: <u>03/19/2026</u>	
Interim Finance Director: <u>[Signature]</u>	
Date: <u>03/19/2026</u>	
City Manager: <u>[Signature]</u>	<input checked="" type="radio"/> Recommend for Approval
Date: <u>3/19/26</u>	<input type="radio"/> Do not recommend