



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

MEMORANDUM

July 19, 2018

TO: Mayor and Board of Commissioners
FROM: Debora P. Diaz, Town Manager 
REF: General Worksession

1. Joint worksession with the Planning Board and consultant for discussion of the Town's Land Use Plan Update (Attached GW-1, GW-2, and GW-3)

The Citizen Participation Plan for the Town's 2018 Land Use Plan Update, which was presented to the Board of Commissioners at the January 31, 2018 meeting, called for a joint worksession between the governing board and the Planning Board. This worksession was scheduled at the June 27th meeting of the Board of Commissioners.

The materials for this meeting include:

Attachment GW-1	Table 1	Review and update of February 2009 policies
Attachment GW-2	Table 2	Additional draft policies not considered in 2009
Attachment GW-3		Future Land Use Narrative <u>and</u> Map 11. Future Land Use

This worksession provides both boards the opportunity to discuss the February 2009 policy statements, which were developed through a lengthy input process. Additional policy statements, including those extracted from interviews with citizens, and those resulting from the citizen survey which was distributed in 2017, are included for discussion, as well.

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THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

PLANNING DEPARTMENT

July 19, 2018

Memorandum

To: Debbie Diaz, Town Manager

From: Meredith Guns, Planning Director *MBG*

Subject: 2018 Land Use Plan Update – Joint Worksession

On January 31, 2018, the Board of Commissioners adopted the Public Participation Plan for the Land Use Plan update. The plan assigned the Planning Board as the advisory committee to supervise the development of the plan. Over the past several months, the Planning Board has been reviewing and revising the first chapters of the update. The participation plan also requires one joint worksession with the Board of Commissioners. The purpose of the joint worksession is to discuss the policy statements or “strategies”. Certain policies are required by the CAMA regulations while others are based on Town needs.

Attached are two worksheets. The first (table 1) outlines the policies that were developed in 2009 by the Planning Board and Board of Commissioners. Several of the items are outdated, but serve as a starting point to discuss policy revisions. The second worksheet (table 2) are new policies developed by the consultant and staff based on current development trends and items that had overwhelming public responses for consideration for inclusion in the update. Additionally, staff requests discussion of the future land use plan map, specifically the area between the highways at the north end of Town.

Staff will prepare a PowerPoint for each policy to facilitate discussion at the meeting.

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
1	The Town supports the guidelines of the Coastal Area Management Act (CAMA) and the associated policies of the Coastal Resources Commission (CRC) but reserves the right to oppose specific sections of CAMA and proposed rules or rule changes. The Town is opposed to any additional AEC designations or the extension or enlargement of any existing AEC designations within its borders.				
2	The Town supports US Army Corps of Engineers regulations as applicable, reserving the right to oppose any proposed modification to existing regulations. The Town supports properly permitted mitigation activities.				
3	The Town supports the maintenance and management of maritime forests and supports the use of locally adopted management guidelines. The Town requires private owners of land in maritime forests to retain the natural wooded condition of their property.				
4	The Town supports the establishment of a publicly owned community-wide wastewater treatment system within the Government and Institutional Zone without surface water discharge of effluent for the protection of the health, safety, and welfare of the citizens of Kill Devil Hills and not to promote increased dwelling density.				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
5	The Town supports the use of package treatment plants in the interim if they are affixed to the units they serve and if both the package treatment plants and the units they serve are located within the boundaries of Kill Devil Hills. The Town supports periodic and regular inspection of private septic systems.				
6	The Town supports mitigation of adverse impacts associated with stormwater runoff within Town limits and the policies adopted as a part of the Town Stormwater Management Plan Update (2008) and subsequent updates. The Town supports current and future efforts to mitigate quality and quantity impacts of stormwater.				
7	The Town opposes floating homes and the mooring of vessels in public trust waters adjacent to Kill Devil Hills.				
8	The Town supports the protection of fragile areas such as the Fresh Pond AEC and supports measures to mitigate potential adverse effects of industrial uses. The Town supports the protection of the Fresh Pond as an existing and future potable water supply source.				
9	The Town supports the preservation of the current undeveloped estuarine islands under the jurisdiction of Kill Devil Hills.				
10	The Town supports the continued construction of properly permitted estuarine bulkheads, but does not favor issuing bulkhead permits where substantial wetlands loss is imminent.				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
11	The Town supports the concept and practice of floodplain management and participation in National Flood Insurance Program Community Rating System and enforcement of the Town's Flood Damage Prevention Ordinance.				
12	The Town supports the construction and revegetation of oceanfront sand dunes and opposes the mining of island dunes.				
13	The Town supports the protection of identified areas of archaeological or historical significance.				
14	The Town supports and encourages recreational activities including fishing and discourages commercial agriculture, forestry, and mining.				
15	The Town supports the concept of wildlife management within Town limits. The Town will participate as necessary with The Nature Conservancy to manage deer and other wildlife as appropriate.				
16	The Town supports seasonal restrictions on beach driving and limiting driving to daylight hours.				
17	The Town supports architectural and design standards for all development and redevelopment other than single-family and duplex dwellings.				
18	The Town does not support heavy industry within its borders but supports commercial services and light industry in zoning districts where such uses are considered appropriate.				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
19	The Town supports exactions and impact fees from developers for required services and infrastructure improvements necessary to address impacts created by development.				
20	The Town supports the concept of streetscape planning along US 158 including lighting, landscaping, signage, design standards, traffic calming, sidewalks and other multi-modal improvements to create a uniform corridor. The Town supports maintaining low-density residential development in the vicinity of the Wright Brothers National Historic Site along those portions of US 158 not zoned commercial.				
21	The Town supports redevelopment of developed areas only after review of plans for consistency with the Town's adopted plans and regulations. Redevelopment should enhance the appearance of the Town and improve the community atmosphere.				
22	The Town supports interaction with Federal and State legislators and staff to promote the exchange of ideas and information regarding issues that will affect the Town.				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
23	<p>The Town supports long-term efforts to maintain and enhance the public trust beach through funding of a beach nourishment project using Federal, State, and local funds. The Town supports Dare County's efforts in a storm protection project involving Kill Devil Hills, Kitty Hawk, and Nags Head. It also favors non-structural responses to erosion such as acquisition of existing endangered structures, setbacks for new construction, and measures as may be necessary to protect property endangered due to erosion so severe that non-structural responses are impractical or ineffective. It is the Town's position that individual property owners should bear the cost of site-specific protection measures and mitigation costs when such measures cause damage to public beaches and down drift property owners. The Town supports emergency measures such as emergency dunes and sand placement in response to storm events.</p>				
24	<p>The Town supports channel maintenance activities in surrounding waters, particularly at the Dock Street public boat ramp and including partial local funding when necessary. It supports Federal, State, and Local efforts for navigational dredging projects. The Town opposes permit denial for navigational dredging projects if such denial is based on the presence of submerged aquatic vegetation.</p>				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
25	Any offshore exploration for production of oil or natural gas in the vicinity of the Outer Banks should be linked to a national energy policy with revenue distribution benefiting the state and local economies. Support for such activity will require precautions to protect the Town's established tourist industry, fishing industry, and the preservation of natural and public trust areas – all particularly dependent upon uninterrupted ocean and groundwater of the highest quality.				
26	The Town opposes the placement of public and multi-service energy facilities other than carefully planned substations within Town borders and supports the placement of new and replacement distribution utility lines underground. The Town supports one electric transmission corridor within its municipal boundaries.				
27	The Town supports tourism and its recognition as an industry. The Town supports measures that promote and enhance its public image.				
28	The Town supports the provision of access to the shoreline for residents and visitors of Kill Devil Hills. The Town supports recommendations of the Shoreline Access Plan, acquisition of land and improvements to access facilities including parking, paths, and dune crossovers. The Town favors updating the Shoreline Access Plan every five years or as necessary.				
29	The Town supports curbside recycling through private franchised vendors and the current system of the Town's drop-off recycling center.				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
30	The Town supports consolidation of services through inter-local agreements and contracts when services can be provided more cost efficiently through such agreements.				
31	The Town supports the economical and efficient provision of potable water to its citizens and the construction and maintenance of facilities as necessary. It supports the continued reliance on the Dare County Water Department for providing water. The Town will work with Dare County to study additional and alternative water sources including maintenance of the Fresh Pond as a potable water source.				
32	The Town supports voluntary water conservation measures.				
33	The Town supports regulation of signs through Chapter 153 Zoning. The Town does not support signs using LED, LCD, or similar technologies.				
34	The Town supports a “pay as you go” policy for the construction and improvements of streets as may be necessary to improve traffic flow and drainage. The Town supports the concept of requiring those who generate the demand to pay for street improvements that may be necessary to provide for safe traffic movement. The Town is not opposed to the concept of alternative funding policies including special assessments. The Town supports updates to the Street Improvement Master Plan.				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
35	<p>The Town supports bicycle and pedestrian planning, the provision of paved shoulders, detached sidewalks, multi-use trails, and other multi-modal transportation improvements. The inclusion of bikeways, sidewalks, trails, and other alternatives to the automobile shall be encouraged in both public and private developments.</p>				
36	<p>The Town supports the expeditious completion of the following interjurisdictional road improvement projects by the North Carolina Department of Transportation:</p> <ul style="list-style-type: none"> • Projects necessary to mitigate drainage problems and provide pedestrian and bicycle amenities along NC 12 and US 158. • Replace all wire and pole signals with mast arm signals. • Projects necessary to improve the entire SR 1217 corridor including improvements to facilitate bicycle and pedestrian traffic. • Complete the four-laning of US 64 from Raleigh to the coast. • Construction of "Mid-County Bridge" across the Currituck Sound. • Resurfacing/redesign/reconstruction of US 158. • Pedestrian crossings at signalized intersections on NC 12 and US 158. • Support planning for seasonal public transportation. • Replacement of the Bonner Bridge to Hatteras Island. 				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
37	The Town supports the provision of adequate, accessible, well-maintained public recreational facilities. It also supports organized recreational activities and recommendations of the Recreational Facilities Plan. The Town favors updating the Recreational Facilities Plan every five years or as necessary.				
38	The Planning Board will continue to serve as the Community Appearance Committee. The Committee will advise the Board on improvements to the community's appearance including studies and recommendations as may be necessary to enhance the NC 12 and US 158 corridors. The Town supports development of regulations to control outdoor display and storage of merchandise. The Town supports improvements to the aging residential housing stock.				
39	The Town supports the regulation of land uses of unincorporated land within one mile of the Town's jurisdictional limit and is not opposed to participating in friendly annexations if favorable to the Town.				
40	The Town supports the efforts of the Historic Landmarks Commission to identify and designate the Town's historic structures.				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
41	<p>The Town will maintain its three-tier approach to land use and housing mix, with land west of US 158 used primarily for its permanent population residing in detached single-family dwellings. For land use east of NC 12, development of estate homes, hotels, and multi-family structures for vacation rentals will be acceptable. Commercial zoning districts between the two highways will continue to contain single-family dwellings used in a commercial application as short-term vacation rentals as well as private residences.</p>				
42	<p>The Town supports maintenance of its traditional low profile skyline and image by limiting building height. The Town will consider height increases on the oceanfront when additional setbacks and beach access corridors are provided to prevent excess building mass, shadowing of the beach, and visual barriers from west of NC 12. The Town supports maintaining the building height in the commercial and light industrial zoning districts as well as the lower height regulations in the residential zoning districts.</p>				
43	<p>The Town supports the continued provision of quality, affordable health care and the continued operation of a full service hospital in Dare County.</p>				
44	<p>The Town supports the construction of additional educational facilities as may be necessary. The Town supports attendance districts that allow Kill Devil Hills' residents to attend the First Flight schools.</p>				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
45	The Town supports current regulatory efforts to maintain a moderate growth rate. It also supports government action to promote redevelopment and to make the Town a more desirable place to live and locate.				
46	The Town supports enhancements to and the preservation of its family beach atmosphere and thus does not encourage the construction, establishment, location, or operation of adult establishments within its borders or jurisdiction. However, the Town will permit those establishments in compliance with Town Codes.				
47	The Town supports the safe and regulated operation and use of personal watercraft in its waters. The Town supports no wake operation of personal watercraft within 300' of its shoreline.				
48	The Town supports measures to provide continuous affordable insurance for Outer Banks residents and property owners. The Town opposes insurance increases solely targeted at coastal areas. The Town supports equitable rates statewide validated by data. The Town supports appointment of a state insurance commissioner.				
49	The Town supports retaining existing vegetation on lots and parcels to the extent practicable. The Town supports regulations to require preservation of existing vegetation.				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
50	The Town encourages public participation in all land use decisions and procedure development processes and encourages citizen input via its boards, commissions, and agencies. The Town supports citizen involvement through the Town’s website, email communications, and attendance and participation at public meetings.				
51	The Town supports updating and implementation of its Hazard Mitigation Plan as necessary. It also supports continued enforcement of the Kill Devil Hills Flood Damage Prevention Ordinance and supports a post-disaster fund of state monies to supplement Federal disaster relief aid to be allocated to North Carolina communities that have been declared major disasters.				
52	The Town supports the continued use of procedures currently in place and the implementation, as necessary, of its Hazard Mitigation Plan. It also supports the Dare County Emergency Management Plan.				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
53	<p>The Town supports:</p> <ul style="list-style-type: none"> • Annual awareness campaigns and evacuation exercises. • Bridge and road improvements as may be necessary to increase traffic flow on evacuation routes. • Continuation of a full-time Emergency Management Coordinator and an annual update of the Dare County Hurricane Evacuation Master Plan and Disaster Assessment Team Personnel Roster. • Erection of evacuation route identification signs during hurricane season. • A back-up evacuation shelter design feature to those new public structures that may be built by the Town in the future. 				
54	<p>The Town supports sustaining our tourist economy and diversification of our workforce including expanding medical and educational facilities. Encourage neo-traditional development by increasing land use intensities in selective opportunity areas using environmentally sustainable techniques.</p>				
55	<p>The Town supports the use and location of alternative energy sources within its jurisdiction. The Town will consider regulations that will encourage location of alternative energy production at homes and businesses. The Town supports offshore wind farms.</p>				

TABLE 1 REVIEW AND UPDATE OF FEBRUARY 2009 POLICIES

Number	Policy	Keep	Delete	Revise	Suggested Revision
56	The Town supports efforts to provide housing for its workforce within the Town boundaries.				
57	The Town supports providing safe and accessible pedestrian and bicycle facilities to provide connectivity with housing, businesses, schools, community facilities, and attractions. Sidewalks should be considered in all future roadway improvements particularly along Town collector streets, high volume pedestrian traffic areas, US 158, and NC 12.				
58	The Town advocates a public transportation system which addresses the needs of its seasonal population, seniors, and year-round residents. The Town supports planning for public transportation on the Outer Banks including bus routes and stops to be considered with future roadway improvements.				
59	The Town supports studying the impacts of fill and will consider regulations with standards to minimize fill impacts.				

TABLE 2 ADDITIONAL DRAFT POLICIES NOT CONSIDERED IN 2009

Number	Policy	Like	Dislike	Revise	Suggested Revision/Comments
60	The Town supports the use of alternative energy resources for both residential and non-residential property owners. The Town will work to accommodate the installation and use of alternative energy equipment and resources through amendments to the Town Zoning and Subdivision Ordinances. Potential text amendments will consider potential impacts on adjoining property owners regarding the installation and use of alternative energy.				
61	The Town will continue to assess the impacts of large single-family homes on Kill Devil Hills.				
62	The Town supports the installation of multi-modal transportation facilities as new development occurs, streets are resurfaced, and through local investment as dictated by the Town's annual budget. These facilities should focus on establishing connectivity between bicycle and pedestrian infrastructure which currently exists throughout the Town's corporate limits. Potential facilities should include shared bike lanes, dedicated bike lanes, sidewalks, and multi-use trails. Solutions for various locations will be determined based on suitability and need. Special attention will be given to portions of Town where connectivity among existing facilities is lacking. The Town will continue to fund construction of these facilities through the annual budget, Powell Bill funding, and grant funding (when available).				

TABLE 2 ADDITIONAL DRAFT POLICIES NOT CONSIDERED IN 2009

Number	Policy	Like	Dislike	Revise	Suggested Revision/Comments
63	<p>The Town will consider an update to the Town’s current Zoning, Subdivision, and Floodplain Damage Prevention Ordinances in an effort to streamline the development process and reduce the potential for land use conflicts. The primary focus of this effort will be to deviate from the current Zoning Ordinance structure (discussed on page 3-39) and transition to an ordinance that will segregate uses in a more definitive manner. The ordinance update should consider the following:</p> <ul style="list-style-type: none"> • Provision for a simpler, more flexible, and more easily administered regulatory document. • Ability to insert amendments with ease. • Update of the Town’s official zoning map. • Provision of extensive graphics and illustrations depicting the requirements, recommendations, and concepts detailed in the regulations. • Clear review procedures, development review, approval, and permit issuance. • Provisions establishing limitations on the establishment of impervious surface area on both residential and non-residential developments. • Increase in staff-level approvals. • Consistency with current North Carolina state statutes. • Balance of the needs of new development and existing neighborhoods. • Removal or amendment of outdated standards. • More detailed sign regulations. • Establishment of mixed use provisions. • Improvement in and increase of sidewalk requirements. 				

TABLE 2 ADDITIONAL DRAFT POLICIES NOT CONSIDERED IN 2009

Number	Policy	Like	Dislike	Revise	Suggested Revision/Comments
	<ul style="list-style-type: none"> • Expansion of the range of uses identified in the Table of Permitted Uses. • Greater clarity for landscaping/tree/ screening requirements (increase in landscape requirements including tree protection/ preservation, reducing tree damage during construction, replacing trees lost during construction, planting trees on construction sites where trees do not exist, and long-term maintenance of trees); coordination with the NC Forestry Service grant. • Elimination of confusing and contradictory requirements. • Clarification of quasi-judicial procedures. • Addressing of standards for waterfront projects which protect and/or create public access. • Requirement of interconnectivity of residential developments and interconnectivity of commercial developments (not interconnectivity between residential and commercial). • Encouragement of incentives for rewarding developers that choose to set aside open and green space in perpetuity (e.g., conservation easement). • Requirement of bike racks at all multi-family and commercial developments. • Inclusion of maximum impervious coverage provisions for new developments to mitigate quantity and quality of stormwater runoff. • Inclusion of low impact development and Leadership in Energy and Environmental Design (LEED) concepts. 				

TABLE 2 ADDITIONAL DRAFT POLICIES NOT CONSIDERED IN 2009

Number	Policy	Like	Dislike	Revise	Suggested Revision/Comments
	<ul style="list-style-type: none"> • Addition of regulations for food trucks. • Inclusion of CAMA setback regulations including static vegetation line. • Consideration of regulating floating homes. 				
64	The Town will continue to diligently seek out grant funding for the establishment of new beach access sites throughout the Town’s jurisdiction. Special attention will be given to providing access to handicapped individuals.				
65	The Town supports the development of a passive/public recreation area located within and adjacent to Fresh Pond. These facilities will include both water recreation and open space uses such as walking trails and picnic shelters. The Town will seek grant funding as well as work with the Town of Nags Head to assist in these efforts.				
66	The Town will provide public beach access and parking that meet the US Army Corps of Engineer standards for participation in beach nourishment projects.				
67	The Town is opposed to seismic testing and off-shore drilling for either exploration for or production of either oil or gas, and/or the location of onshore support facilities for such activities.				
68	The Town will continue to maintain a Capital Reserve Fund which will be based on an annually approved Capital Improvements Plan.				
69	The Town will review and encourage implementation of the 2012 Albemarle Regional Bicycle Transportation Plan and will update the plan as NCDOT funding becomes available.				

TABLE 2 ADDITIONAL DRAFT POLICIES NOT CONSIDERED IN 2009

Number	Policy	Like	Dislike	Revise	Suggested Revision/Comments
70	The Town will plan ahead for the timely and conservatively cost-effective provision of major capital improvements and services on the basis of anticipated growth and demand.				
71	The Town will support and participate in the federal Hazard Mitigation Grant Program to elevate severe repetitive loss structures.				
72	The Town will seek to educate those applying for building permits with regard to the benefits of exceeding the minimum standards (e.g., increased freeboard may result in reduced flood insurance premiums on an annual basis).				
73	The Town will maintain or improve its Community Rating System (CRS) score to make the community safer from flood risks and to reduce premiums for federal flood insurance.				
74	The Town will update priorities for the issuance of permits after a disaster to reflect priorities such as life safety services, essential public utilities and services, and repair of storm damage.				
75	The Town will continue to enforce the provision that post-development runoff rates and volumes shall not exceed predevelopment conditions for all non-single/two-family residential development.				
76	The Town will consider establishing a freeboard requirement within the "X" flood zone. There is no standard for this requirement; however, it may be necessary considering the volatile nature of the Outer Banks coastline.				



INTRODUCTION

This section of the plan addresses Future Land Use including potential build-out of the Town of Kill Devil Hills. The Future Land Use Map provides an illustration of the Town's potential in terms of development and growth. There is not a significant amount of vacant property available for development within the Town of Kill Devil Hills. However, current uses of land as well as potential redevelopment indicate that careful consideration should be given to the future uses of land throughout the Town's planning jurisdiction.

It should be noted that the following portions of the plan are based on the draft Future Land Use Map, which makes the assumption that the existing zoning will primarily remain in place. The Conservation District allows single-family residential use with a two-acre minimum lot size. Additionally, there are two areas on the Future Land Use Map designated as TBD (to be determined). It is the Staff's intention to make a determination on the designation of these areas following review and discussion by the Planning Board, and a subsequent joint work session with the Board of Commissioners. Following deliberations by the Planning Board and Board of Commissioners, it is anticipated that this section will be modified to reflect and support the final Future Land Use Map. The following land use classifications, or some combination of these classifications, are suggested for consideration in the TBD areas: Commercial, Residential, and/or Mixed Use. (Note: Highlighted area will be removed prior to final adoption of the plan).

FUTURE LAND USE MAP

Methodology

The Future Land Use Map (Map 11) embodies the Town of Kill Devil Hills' vision for future land use, and should be used as a foundational guide for decisions concerning the zoning/rezoning of property. NCGS 160A-383 requires the following consistency statement with regard to zoning amendments, which shall not be subject to judicial review:

- 1) A statement approving the zoning amendment and describing its consistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.
- 2) A statement rejecting the zoning amendment and describing its inconsistency with an adopted comprehensive plan and explaining why the action taken is reasonable and in the public interest.
- 3) A statement approving the zoning amendment and containing at least all of the following:
 - a. A declaration that the approval is also deemed an amendment to the comprehensive plan. The governing board shall not require any additional request or application for amendment to the comprehensive plan.
 - b. An explanation of the change in conditions the governing board took into account in amending the zoning ordinance to meet the development needs of the community.
 - c. Why the action was reasonable and in the public interest.



If and when a zoning map amendment is requested and adopted upon recommendation of the Planning Board and approval by the Board of Commissioners, the Future Land Use Map will be revised without additional public hearing consistent with the rezoning action as defined in the North Carolina General Statutes.

The future land use analysis includes five (5) Future Land Use categories (refer to Map 11). These sectors are based on:

- 1) Current land use patterns;
- 2) Physical and man-made limitations;
- 3) Environmentally sensitive areas;
- 4) Input received from the Planning Board, public, and Town staff during development of the plan; and
- 5) Future Land Use goals and implementing strategies.

Future Land Use Categories

The following provides a definition of each Future Land Use category as depicted on Map 11.

Commercial

These portions of Town are dedicated to commercial land uses intended to provide goods, tourism-based services, and businesses and professional services to both citizens and visitors. This district allows single-family, duplex, and multi-family residential development as defined within the Town's Zoning Ordinance.

Corresponding Zoning Districts – Commercial (C)

Mixed Use (*This land use category may not be included in the plan depending upon the decisions of the Planning Board and Board of Commissioners concerning the future land use map*).

The Mixed Use classification is not delineated on the draft Future Land Use map. It may be added in portions of or all of the areas shown on the draft map as TBD. Mixed use may be of two types: mixed use on a single parcel or mixed use in a single structure. The following provides general definitions of the two types of mixed use:

Mixed Use, Single Parcel. A tract of land developed for two or more different uses such as, but not limited to, residential, office, manufacturing, retail, public, or entertainment.

Mixed Use, Single Structure. A single building containing more than one type of land use or a single development of more than one building and use, where the different types of land uses are in close proximity, planned as a unified complementary whole, and functionally integrated to the use of shared vehicular and pedestrian access and parking areas.

Corresponding Zoning Districts – Currently no corresponding zoning district



Residential

These areas are planned primarily for single-family and duplex structures; however, multi-family (three units or more) development is permitted (if land is available). This category includes many existing areas that are already developed. It is the Town's intent to encourage only residential in this future land use category.

Corresponding Zoning Districts – Ocean Impact Residential (OIR), Low Density Residential (RL), High Density Residential (RH)

Conservation

The Conservation district involves portions of Town that are considered environmentally sensitive. Large portions of this district are protected from development through North Carolina state-owned deed restrictions and/or environmental conditions. Single-family and duplex dwellings are permitted in this district if platted after November 18, 1991, and containing a minimum of 20,000 s.f. lot area. Multi-family development, if platted after November 18, 1991, is allowed as a conditional use. Lots platted prior to November 18, 1991, are "grandfathered" in.

Corresponding Zoning Districts – Maritime Forest Environmental District (MFED)

Industrial

These portions of Town are intended for use as light industrial facilities, which includes uses such as machine shops, warehousing/storage, and other commercially-based light manufacturing operations. This district provides a location on the Outer Banks for these facilities to serve the community. The availability of land for these uses is limited.

Corresponding Zoning Districts – Light Industrial One (LI-1), Light Industrial Two (LI-2)

Government and Public Institutional

These portions of the Town of Kill Devil Hills are dedicated to governmental/office type uses. This district includes both the Wright Brothers Memorial and the Town/County operational facilities. The properties within this district are not currently available for private sector development.

Corresponding Zoning Districts – Government and Institutional – Public (G/I-Public)

Map 11. Future Land Use

