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**THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA**

PLANNING DEPARTMENT

April 08, 2019

Memorandum

To: Debbie Diaz, Town Manager

From: Cameron Ray, Assistant Planning Director 

Subject: Zoning Amendment Request—Alex Wolcott— Amend §153.176 Commercial Zone Permitted Uses and §153.076(D) Off-Street Parking and Loading, Table of Parking Requirements—Add Brewery as Permitted Use and Create Parking Standard for Brewery with Secondary Uses

Attached is a zoning amendment request submitted by Mike Robinson, P.E. on behalf of applicant Alex Wolcott to add *Brewery* as a permitted use in the commercial zoning district and create a parking standard for a *Brewery* with secondary uses. As proposed, a *Brewery* would have a parking ratio of 1 space per every 200 square feet of gross floor area and secondary use(s) would have a parking ratio as required of §153.076(D) Off-Street Parking and Loading. An application is attached for your review. The requested amendment is in line with the recent amendment to allow breweries as a secondary use to a restaurant be parked at 1 parking space per every 200 square feet of gross floor area.

The Planning Board reviewed this request on March 19, 2019 and forwarded it to the Board with a favorable recommendation. Staff recommends setting the public hearing for the April 24, 2019 Board of Commissioners meeting.

ATTACHMENT CA-3A



Kill Devil Hills Code Amendment Application

Name of Applicant: Alex Wolcott

Address of Applicant: P.O. Box 2185, Kitty Hawk, NC 27949

Telephone Number: 252-489-0336

Agent for Applicant (if applicable): Mike Robinson, P.E.

Agent Address: P.O. Box 2852, Kill Devil Hills, NC 27948

Telephone Number: 252-255-8026

I hereby request an amendment to the following specific section of the Town Code: _____

Sect. 153.176 Permitted Use in Commercial Zone and Sect. 153.076 Off Street Parking and Loading

Proposed language for code amendment: See attachment

Justification for Amendment: To add a usage for the Commercial Zone.

A parking standard for Brewery with secondary uses is also included.

Signature of Applicant/Agent: _____

Date Received: <u>3/14/19 (Revised)</u>	Staff Only:
Received by: <u>[Signature]</u>	

PROPOSED TEXT AMENDMENT TO THE TOWN OF KILL DEVIL HILLS CODE OF ORDINANCES, TITLE XV: LAND USAGE, CHAPTER 153, SPECIFICALLY TO COMMERCIAL ZONE (C) - SECTION 153.176- PERMITTED USES .

§ 153.176 PERMITTED USES.

Within the Commercial Zone, no lot, building or structure shall be used and no building or structure shall be erected which is intended or designed for any other than one or more of the following specified purposes:

- (A) Single-family dwellings;
- (B) Duplex dwellings;
- (C) Multi-family dwellings of three or more units per dwelling;
- (D) Hotels and motels;
- (E) On-site accessory structures;
- (F) Clinics, hospitals (with a maximum of 30 beds) and nursing homes;
- (G) Home occupations as defined herein;
- (H) Town-owned and leased facilities;
- (I) Playgrounds;
- (J) Auditoriums or convention centers, assembly halls, museums;
- (K) Places of worship, daycare centers, schools (public or private);
- (L) Banks, financial institutions, business or professional offices, post office;
- (M) Theaters;
- (N) Retail business, including drug or grocery stores, hardware stores, gift shops, clothing shops, book stores, music stores, bait and tackle shops, furniture stores, arts and crafts, florists, pet stores, produce markets, cycle and skate shops, photo shops, rental shops, electronic equipment, automobile sales, automobile rentals and repairs, hammocks, boat sales, boat rentals and repairs, automobile supplies, thrift/consignment stores, appliance store, toy stores, convenience store, taxicabs, car washes and home care systems;
- (O) Restaurants, bars, night clubs, drive-ins, bakeries, and outdoor waiting activity area(s);
- (P) Places of business where service is rendered, including barber shops, beauty parlors, nail salons, personal spa salons, electronic repair shops, shoe repair shops, dry cleaner, clothes tailor, laundromat, blue print shop, tanning salons, and realty and construction office without property management;
- (Q) Public or private parking lots;

(R) Stores or shops for custom work or for producing products to be sold at retail on the premises, including art galleries, antique stores, jewelry shops, trophy and engraving shops, wood crafts and hobbies, sign business, frame shop;

(S) Swimming pools, tennis courts;

(T) Bed and breakfasts (see § 153.156(J) for requirements);

(U) Communication broadcast studios and sales offices;

(V) Motorcycle sales and service subject to the following conditions:

(1) All partially dismantled vehicles, cycles or parts shall be stored indoors;

(2) Applicants' operations comply with § 130.02;

(W) Rooming houses, boarding houses;

(X) Billiard parlors, video and amusement arcades;

(Y) Paint/wall treatment stores, carpet and flooring stores, windows and doors stores, video, audio and lighting stores, and pool and hot tub spa stores, such that the activity would not constitute warehousing as defined by this chapter;

(Z) Haunted houses; and

(AA) Indoor athletic and exercise facilities.

(BB) Shopping center/office complex.

(CC) Automated ice vending structure.

(DD) Astrology and tarot card office.

(EE) Internet and/or electronic gaming operations as defined in § 153.002 Definitions and regulated in § 153.310 Special Regulations for Internet and/or Electronic Gaming Operations;

(HH) Brewery.

PROPOSED TEXT AMENDMENT TO THE TOWN OF KILL DEVIL HILLS CODE OF ORDINANCES, TITLE XV: LAND USAGE, CHAPTER 153, SPECIFICALLY TO GENERAL REGULATIONS - SECTION 153.076- OFF STREET PARKING AND LOADING.

§ 153.076 OFF-STREET PARKING AND LOADING.

(D) *Table of parking requirements.*

Restaurant Use: Brewery with secondary use(s) (bar, restaurant, retail and the like)

Required Parking: 1 parking space per 200 square feet of gross floor area for the Brewery, plus parking for secondary uses as required in this chapter.