



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

MEMORANDUM

April 24, 2019

TO: Mayor and Board of Commissioners

FROM: Debora P. Diaz, Town Manager

REF: Consent Agenda

1. Minutes (Attached CA-1A)

A. April 8, 2019

2. Budget amendments (Attached CA-2A and 2B)

A. #20 – to appropriate FEMA/Hurricane Florence reimbursement

B. #21 – to appropriate additional funds for South Memorial culvert repair

3. Recommendation for acceptance of street improvements in the Water Oak Subdivision, Phase I: Harpoon Drive, Harmony Lane, Tranquil Place, and Zen Lane (Attached CA-3)

New streets in the Water Oak Subdivision, Phase I, are presented at this meeting for approval by the Board of Commissioners: Harpoon Drive, Harmony Lane, Tranquil Place, and Zen Lane. There is a 200-foot length of sidewalk that must be raised approximately four inches, and one stormwater structure that requires adjustment at Harmony Lane/West First Street intersection. A bond in the amount of \$12,750 has been submitted to guarantee the work be completed and Barnhill has included its commitment that it will be completed on or before June 20, 2019.

The conceptual right of way improvement plan for these improvements was approved by the Board of Commissioners on January 8, 2018. Approval of the Consent Agenda will adopt the attached resolution, which:

- Accepts the street, water main, and right of way improvements on West Eden and West Palmetto Streets from Bath Street to Bay Drive (improvements will be eligible for Powell Bill funding);
- Adopts the official traffic map revised to reflect the improvements;
- Adopts the revised Powell Bill Map to reflect the improvements.

The traffic map and Powell Bill Map will each be posted in the Meeting Room prior to the meeting, and included with the electronic packet on the Town's website, www.kdhnc.com.

4. Schedule public hearings on requested amendments to Chapter 153, Zoning (Attached CA-4A and 4B)

A. Proposed amendment to Chapter 153, Zoning - §153.080 Electrical and Communication Services – clarify *communication services*

This proposed amendment to the Zoning Ordinance updates the language by removing *telephone* and replacing that outdated term with *communication services*, which includes all types of communication – telephone, cell phone, and/or other devices.

It was reviewed by the Planning Board at their April 16, 2019 meeting, at which time it was voted to be forwarded to the Board of Commissioners with favorable recommendation for a public hearing to be scheduled.

B. Proposed amendment to Chapter 153, Zoning - §153.075(C) Telecommunication Towers – Use Guidelines and Dimensional Requirements – to modify setbacks for Monopole Towers

This proposed amendment also updates existing language and regulation in the Zoning Ordinance as it pertains to telecommunications towers, including the monopole tower the Town is constructing, which, when completed, will become the site of the communications arrays currently located on the existing elevated water tank; the new elevated tank will not have antennae on top of it.

The amendment provides greater incentives for co-location of services on a tower, and the use of a monopole; modifies the failure or collapse zone to include no building or structures and that it be certified by a NC-licensed design professional; and, the setbacks are modified to agree with the fall zone requirements, also certified by a NC-licensed design professional.

The modifications are consistent with current tower practices and will protect surrounding structures and properties in the event a tower were to fail.

The Planning Board reviewed this proposed amendment at its April 16, 2019 meeting, at which time it was voted to be forwarded to the Board of Commissioners with favorable recommendation for a public hearing to be scheduled.

Staff recommends the Board of Commissioners schedule Consent Agenda Items 4A and 4B for public hearing on Monday, May 13, 2019 at 5:30 p.m. and approval of the Consent Agenda will record that direction.

Staff recommends approval of the Consent Agenda as submitted and a motion will be in order.