



# TOWN OF KILL DEVIL HILLS

*Land Where Flight Began*

MEMORANDUM

May 13, 2019

TO: Mayor and Board of Commissioners

FROM: Debora P. Diaz, Town Manager

REF: Old Business

## 1. Chapter 111: Special Events – Charitable Events (Attached OB-1)

Planning Director Meredith Guns has prepared the attached information which provides the Board of Commissioners with recommendations for itinerant vendors and special events based on discussions from the April 9, 2019 Board meeting. The proposed amendments to Chapter 111:

- Allow businesses to use 10% of the required parking for a special event while remaining open for regular business;
- Allow businesses to have outdoor sales (much like yard sales) with Town approval during other community events (bike week, car shows, marathons, etc.). Allow use of 10% of the required parking without disruption to regular business hours. This could be charitable or non-charitable. Limit a business location to four times per year, no more than five consecutive days; and,
- Modify the application for simplicity including instructions and adding “if applicable” to each line item.

These recommendations will not allow non-charitable events except as approved by the Board of Commissioners.

The Planning Department also prepared summaries of special events held in KDH in 2018, and to-date in 2019.

The final recommendation in Ms. Guns’ memorandum pertains to itinerant vendors – food trucks, t-shirt sales, hot dog stands, etc. - outside of an approved event. No provision has been made for these types of independent business ventures and if the Board of Commissioners would like to address them, Staff recommends a new chapter of the Town Code be developed.

Director of  
Planning and Inspections  
MEREDITH GUNS

Building Inspector  
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CHARLES THUMAN

Code Enforcement Officer  
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**THE TOWN OF KILL DEVIL HILLS  
NORTH CAROLINA**

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**PLANNING DEPARTMENT**

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May 13, 2019

## Memorandum

To: Debbie Diaz, Town Manager

From: Meredith Guns, Planning Director *MBG*

Subject: Chapter 111: Special Events – Charitable Events

As you recall, at the April 8, 2019 meeting the Board of Commissioners directed staff to develop recommendations for itinerant vendors and special events based on discussion from the meeting. There has been lengthy discussion on the type of events we have in Town. Attached to this memorandum are the special events that occurred in Kill Devil Hills in 2018 and to date 2019. There were no special event applications denied in 2018 or 2019 to-date.

From discussions over the past month, staff submits the following recommended changes to Chapter 111:

- Allow businesses to use 10% of the required parking for a special event while remaining open for regular business.
- Allow businesses to have outdoor sales (much like yard sales) with Town approval during other community events (bike week, car shows, marathons, etc). Allow use of 10% of the required parking without disruption to regular business hours. This could be charitable or non-charitable. Limit a business location to 4 times per year, no more than 5 consecutive days.
- Modify the application for simplicity including instructions and adding "If applicable" to each line item.

These recommendations will not allow non-charitable events (except as approved by Board of Commissioners) in order to protect permanent business owner's interest but will allow a business owner to sell at their sites if they desire. Additionally, allowing a parking concession will provide more opportunities for events at no cost to the business owner, which may attract more events in Town.

At this time, the ordinance still does not permit itinerant vendors outside of an approved event (food trucks, t-shirt vendors, hot dog stands etc). If the Board of Commissioners would like to address this staff recommends creating new a chapter of the Town code as to not confuse it with the special events, which are intended to be short-term fundraisers or celebrations not an independent business venture.

## Events Approved Under Chapter 111

### 2018 Events

**Frostbite 5k** – Annual event held by the Outer Banks Running Club (a non-profit organization). Starts at Aviation Park and goes to Nags Head Woods.

**Running of the Leprechauns** – Annual event held by Outer Banks Sporting Event to raise money for Dare Foundation and OBX Relief Foundation. Runs through Ocean Acres, Nags Head Woods and 8<sup>th</sup> Street.

**OBX Running Club Adult Social Run** – A free run held by the OBX Running Club. Starts at the Brewing Station and along Mustian Street.

**KDH Bicycle Bash** – Event held by the KDH Police Dept. at Publix to teach bike safety.

**Sunrise Easter Worship Service** – Held at the Ocean Bay Blvd. Beach Access.

**The Flying Pirate** – Annual event held by Outer Banks Sporting Events with proceeds going to the Dare Education Foundation and OBX Relief Foundation.

**Special Olympics Dare County** – Annual event held on the First Flight High School Football Field. They get tent permits for this event.

**Local District Surfing Contest** – This contest was held at Ferris Street Beach Access.

**End Polio Now Campaign** – Event held by First Flight Rotary Club at Professor Hacker's Lost Treasure Golf.

**Bonzer Shack/Outerbabes Surf Yard Sale** – Yard sale held at Bonzer Shack to raise money for Outer Babes.

**Rundown 5K** – Annual social run held by Outer Banks Running Club. Begins at Aviation Park and continues through the neighborhoods to Lake Ridge Estates.

**Jack Browns /Outer Banks SPCA** – Event held at Jack Browns to raise money for the Dare County SPCA with bands, cornhole, and other games.

**Outer Banks Running Club ¼ Mile, 1 mile and 3 mile foot race** – Event held by the Running Club to raise money for the Elizabeth City Hero Operations. Starts at KDH War Memorial on Veterans Drive.

**Plaza Azteca Cinco de Mayo celebration** – Annual event held at Plaza Azteca with proceeds going to the Outer Banks Youth Soccer Association. Event included a DJ and bouncy house for the kids.

**25<sup>th</sup> Annual Paddle Board Race** – Event held at the Ocean Bay Blvd. Beach Access.

**National Night Out** – KDH Police Department event held at Lowes.

**Skate Nights at the skating rink** – Event held by MP8SK8 (Derby Girls) at Aviation Park. The event was held every Friday throughout the summer. The girls skated and invited other people to come out and join them.

**Outer Banks Running Club 1 mile and 5k Fun Run** – The event started at the KDH War Memorial and along Veterans Drive.

**KDH Fire Department BBQ plate fund raiser** – Fund raiser at the Fire Department for Louis Rodriguez.

**Boxing in the Backyard** – Event held in the grassy area at Secret Island Restaurant. Proceeds went to the OBX Boxing Club for anti-bullying organizations and a scholarship fund.

**Dementia Task Force walk** – Annual event. Begins at the Brewing Station to Veterans Drive.

**Movies in the Backyard/See Sea Motel** – Event held on the grassy area behind the motel for the people staying in the motel. Halloween themed movies and they had a food truck.

**Matt Costa/(4)1/4 mile laps** - Event held at Brewing Station and along the sidewalk to Meadowlark Street. Fund raiser for Elizabeth City Hero Operations.

**5<sup>th</sup> Annual Outer Banks Halloween Parade** – 2018 was the first year this was held in KDH. It was held at Aviation Park. Non-profit group.

**Towne Bank Marathon/Half Marathon/8k/5k/Fun Run** – Annual event. Proceeds go to the Outer Banks Relief Foundation and Dare Education Foundation.

**Holy Redeemer by the Sea Annual Our Lady of Guadalupe Fun Run** – Annual event – The run begins in Kitty Hawk at Holy Redeemer Church and goes through KDH to Nags Head.

**Fund raiser at Jack Browns for New Horizons** – Fund raiser with music, corn hole, raffle to support suicide prevention and mental illness awareness.

**Matt Costa/(4) ¼ mile laps** – Event begins at Brewing Station, along the sidewalk to Meadowlark Street. Proceeds go to the Elizabeth City Hero Operations.

## **2019 Events**

**Frostbite 5K** – Annual event held by the Outer Banks Running Club. Starts at Aviation Park and goes through the neighborhoods to Nags Head Woods.

**Running of the Leprechauns** – Annual event held by Outer Banks Sporting Events to raise money for Dare Education Foundation and OBX Relief Foundation. Runs through Ocean Acres, Nags Head Woods and 8<sup>th</sup> Street.

**Matt Costa/1 mile fun run** – Event begins at the Brewing Station, along the sidewalk to Mustian Street. Proceeds go to the Elizabeth City Hero Operations.

**Blackbeards Revenge 100 Mile Relay** – 100 mile relay. Starts at Corolla Park and follows Highway 12 to Hatteras. Proceeds go to the Graveyard of the Atlantic Museum.

**Flying Pirate Half Marathon/First Flight 5K** – Annual event held by Outer Banks Sporting Events. Proceeds go to Dare Education Foundation and OBX Relief Foundation.

**Secret Island Restaurant/Bike Week vendors** – Bike week vendors on grassy area. One vendor set up in parking spaces because they have a few extra spaces. Proceeds go the Dare County SPCA.

**Plaza Azteca Cinco de Mayo celebration** – Annual event held at Plaza Azteca. Proceeds go to Mano al Hermano. DJ and bouncy house for the kids.

**End Polio Now** – Event held by the First Flight Rotary Club at Professor Hackers Lost Treasure Golf.

**Worrell 1000 Reunion Race** – Boats will land at 107 South Va. Dare Trail overnight.