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

Zoning Administrator
DONNA ELLIOTT

PLANNING DEPARTMENT

September 11, 2019

Memorandum

To: Debbie Diaz, Town Manager

From: Cameron Ray, Assistant Planning Director 

Subject: Proposed Zoning Amendment—§153.076 Off-Street Parking and Loading—
Modify Parking Requirements for Single Family and Duplex Dwellings with
Eleven Bedrooms or More

As you recall, during the August 12, 2019 Board of Commissioners meeting, staff was given direction to create increased off-street parking requirements for large single family and duplex dwellings including increased setbacks for parking areas, access aisle, and limit stacked parking. Attached is a zoning amendment revising 153.076 Off-Street Parking and Loading.

As proposed, an increased side yard parking setback to seven feet, required access aisle to the structure, and limiting no single row of stacked parking to exceed six spaces would apply to all single family and duplex dwellings with eleven bedrooms or more. The increased side yard setbacks for driveways, access aisles, and parking areas would change from five feet to seven feet and will improve spatial separation, safety, and environmental protections for the large required parking areas associated with large single family and duplex dwellings. An access aisle is proposed with a minimum of ten feet in width and shall be open within 40 feet of the dwelling. The access aisle will be allowed to have no more than two parking spaces stacked. An open access aisle within forty feet of the dwelling will improve safety for the dwelling and provide better circulation and movement for vehicles. Additionally, parking areas will be limited to no single row of stacked parking shall exceed six stacked required parking spaces. This will create smaller less congested parking areas and allow for improved vehicular movement.

The Planning Board reviewed this request on August 20, 2019 and forwarded it to the Board with a favorable recommendation. Staff recommends setting the public hearing for the October 14, 2019 Board of Commissioners meeting.

ATTACHMENT CA-5B

§ 153.076 OFF-STREET PARKING AND LOADING.

(10) *Parking requirements for single-family and duplex structures.*

(a) *Yards.*

1. Dwellings with four bedrooms or less:

a. Driveways and parking areas shall not exceed a single or combined width of 80% of the total lot width, not to exceed 40 feet, whichever is less; and

b. Driveways and parking areas shall maintain a minimum of a two-foot side yard setback and must maintain a five-foot setback in rear yards.

2. Dwellings with five or more to ten bedrooms:

a. A minimum of one but no more than two paved driveways of at least ten feet in width and not exceeding a single or combined width of 20 feet shall be permitted in this area. Parking setback shall be equal to the total width of the driveway(s) measured from the property line. Width of the driveway at the property line shall be maintained for a minimum of five feet. Driveways in the required parking setback area cannot be ~~sued~~ used for calculation of required parking.

b. Parking setbacks ~~for the side and rear yard~~ shall be a minimum of five feet from the property line for both driveways and parking areas.

c. Turn around area for properties abutting highways, thoroughfares and/or collector streets shall be within the designated parking area outlined in this section. Driveways with a minimum width of 20 feet may utilize the driveway area within the required setback as the turn around area.

3. Dwellings with eleven bedrooms or more:

a. A minimum of one but no more than two paved driveways of at least ten feet in width and not exceeding a single or combined width of 20 feet shall be permitted in this area. Parking setback shall be equal to the total width of the driveway(s) measured from the property line. Width of the driveway at the property line shall be maintained for a minimum of five feet. Driveways in the required parking setback area cannot be used for calculation of required parking.

b. Parking setbacks shall be a minimum of seven feet from the property line for driveways, access aisles, and parking areas.

c. Turn around area for properties abutting highways, thoroughfares and/or collector streets shall be within the designated parking area outlined in this section. Driveways with a minimum width of 20 feet may utilize the driveway area within the required setback as the turn around area.

e. Minimum of one access aisle shall be designed open and unobstructed to within 40 feet of the primary dwelling. Minimum access aisle width shall be ten feet. No more than two required parking spaces may be located within the access aisle.

e. No single row of stacked parking shall exceed 6 required spaces.

PLANNING BOARD REPORT

Per NCGS 160A-387, all proposed amendments to the zoning ordinance or zoning map shall have a written report provided from the Planning Board to the Town Council within 30 days of referral of the amendment to the Planning Board, or the Town Council may proceed in its consideration of the amendment without the Planning Board report. Furthermore, in no case is the Town Council bound by the recommendations, if any, of the Planning Board.

Per NCGS 160A-383, the Planning Board shall advise and comment on whether the proposed zoning amendment is consistent with all applicable officially adopted plans, and provide a written recommendation to the Town Council that addresses plan consistency and other matters as deemed appropriate by the Planning Board, but a comment by the Planning Board that a proposed amendment is inconsistent with the officially adopted plans shall not preclude consideration or approval of the proposed amendment by the Town Council.

PLANNING BOARD RECOMMENDATIONS

Proposed Amendment Title: Proposed Zoning Amendment—§153.076 Off-Street Parking and Loading— Modify Parking Requirements for Single Family and Duplex Dwellings with Eleven Bedrooms or More

Approval: Planning Board finds that the Proposed Zoning Amendment—§153.076 Off-Street Parking and Loading— Modify Parking Requirements for Single Family and Duplex Dwellings with Eleven Bedrooms or More is consistent with the adopted Land Use Plan.

Therefore, the Planning Board finds the proposed amendment is **consistent** with the objectives and policies contained in the Kill Devil Hills Land Use Plan and/ or other officially adopted plans of the Town that are applicable.

This report reflects the recommendation of the Planning Board with a vote of 5 to 0, this the twentieth day of August, 2019.

Attest:



Planning Board Chairman



Deputy Town Clerk