



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town of Kill Devil Hills Planning Board will hold a regular meeting on Tuesday, March 17, 2020 at 5:30 p.m. in the Meeting Room of the Administration Building, 102 Town Hall Drive, off Colington Road. The items to be discussed are listed below:

AGENDA

Call to Order

Agenda Approval

Approval of the Minutes of the February 11, 2020 meeting

Public Comment (Time limit of 3 minutes per person; 5 minutes per group)

Old Business

New Business

1. Recommended Zoning Amendment – § 153.076 Off Street Parking and Loading – Marked Access Aisle (No Parking) For Structures with Eleven or More Bedrooms
2. Recommended Zoning Amendment – § 153 Setbacks (Each Zoning District) – Additional two-foot Side Yard Setback For Single-Family and Duplex Dwellings Greater than 6,000 Square Feet

Public Comment (Time limit of 3 minutes per person; 5 minutes per group)

Response to Public Comment

Board Member Comment

Adjournment

All citizens are cordially invited to attend.

Posted this 12th day of March 2020.

Harriet Banner
Administrative Assistant

Copies to: Mayor and Board of Commissioners, Planning Board members in their packet materials; Town Manager; Town bulletin boards; Sunshine List, including all news media; Electronic Distribution List; Town website and social media; file

Minutes of the February 11, 2020 meeting of the Kill Devil Hills Planning Board held at 5:30 p.m. in the Meeting Room of the Administration Building, 102 Town Hall Drive, off Colington Road.

Members Present: Chair Howard Buchanan, James Almone, Mark Evans, Mike Lowack, Ron Seidman, II, and Eddie Valdivieso

Members Absent: Mary Simpson

Others Present: Meredith Guns, Planning Director; Cameron Ray, Assistant Planning Director; Ryan Lang, Senior Planner; and Harriet Banner, Administrative Assistant

Call to Order

At 5:31 p.m., Chair Howard Buchanan called this meeting of the Kill Devil Hills Planning Board to order and welcomed everyone present.

Agenda Approval

Mark Evans moved to approve the agenda for this meeting, as presented. Ron Seidman, II seconded that motion, and the motion carried by 5-0 vote.

Approval of the Minutes of the December 17, 2019 meeting

Eddie Valdivieso moved to approve the minutes of the December 17, 2019, meeting as presented. James Almone seconded that motion, and the motion carried by 5-0 vote.

Public Comment (Time limit of 3 minutes per person; 5 minutes per group)

Ann Jorgensen – 1723 Apache Street, Kill Devil Hills – Ms. Jorgensen expressed her concern with problems biking up Third Street towards Food Lion and asked if there were any plans to review the condition of the road. On the right side especially, there are a couple of severe dips in the pavement, which can be hazardous unless the sidewalk is available. There are problems near the Jolly Roger Restaurant as well.

Response to Public Comment

Planning Director Meredith Guns explained that the Street Improvement and Special Projects Committee (SISPC) had recently met and Third Street is scheduled to be resurfaced during FY 21-22 with a new road and drainage and a portion of the sidewalk built.

Old Business

New Business

1. **Recommended Zoning Amendment – § 153.073 *Landscaping Requirements* – Modify Landscaping Requirements to Include Single-Family and Duplex Dwellings with Greater than 6,000 Square Feet Lot Coverage**

This amendment was reviewed last fall. It was brought back up during the January 22, 2020 Board of Commissioners joint work session with the Planning Board. Staff was given direction to create landscaping buffer requirements for large single-family and duplex development. Attached is an amendment to § 153.073 *Landscaping Requirements* for single-family and duplex dwellings with greater than 6,000 square feet lot coverage to provide a vegetative buffer. The amendment requires a 5-foot vegetative buffer along the property line similar to commercial development requirements. The 5-foot buffer is not located in a buildable area. The intent is to reduce effects of large single-family dwellings including large parking areas, large structure size, and noise and light glare pollution that are non-compatible with abutting single-family and duplex dwellings with less than 6,000 square feet of lot coverage. The proposed amendment will improve the appearance of the development, provide spatial separation of land uses, and protect, preserve, and promote the aesthetic and visual character of the Town. Staff recommended the Planning Board forward the amendment and consistency statement to the Board of Commissioners with a favorable recommendation.

Mr. Almony asked if the 5-foot buffer always meant height. Mr. Ray explained that actually the 5-foot buffer is horizontal; it is measured from the ground, almost like a setback. There is also the option of using a 6-foot fence with ornamental landscaping.

Mr. Valdivieso asked under *Ornamental Landscaping* paragraph (F)(2)(b) it says “along property lines **not** abutting single-family or duplex dwellings with less than 6,000 SF of lot coverage, and landscape plan shall indicate at least one tree for each 30 linear feet...” The wording was not entirely clear in this statement and Staff will correct it.

Mr. Evans made a motion to forward the recommended amendment to the Board of Commissioners recommending approval with the stated correction and the consistency statement. Mr. Seidman seconded that motion, and the motion carried 5-0.

2. **Recommended Zoning Amendment – §153.310 *Cottage Court(s)* and §153.311 *Cluster Homes* – Modify Cottage Court(s) and Cluster Homes Minimum Lot Dimensions abutting NC 12**

In addition, at the January 22, 2020, joint work session, Staff was given direction to modify lot dimensions for “cottage court(s)” and “cluster homes” abutting NC 12. The recommended amendment reduces the minimum lot width for cottage courts and cluster homes from 100 feet to 75 feet. The intent of the amendment is to provide more opportunities for these two types of development. Cottage courts were approved by the Board of Commissioners on 06/27/2018 and

cluster homes were passed on 01/14/2019. At this time, no applications have been made for either of these development types since they were passed. Staff recommends the Planning Board forward the recommended amendment to the Board of Commissioners with the consistency statement recommending approval.

Mr. Valdivieso made a motion to forward the recommended amendment along with the consistency statement to the Board of Commissioner recommending approval. That motion was seconded by Mr. Almone, and the vote was 5-0.

3. Proposed 2020 Flood Damage Prevention Ordinance – Draft (1) Review

Ms. Guns addressed the Planning Board on the proposed 2020 Flood Damage Prevention Ordinance, the changes to which have been mandated by the State of North Carolina. For Kill Devil Hills, along with text changes, the entire ordinance has been restructured. Kill Devil Hills, as with other local governments, has few options to change the required modifications; however, several additions have been recommended by Staff to help clarify the State’s proposed ordinance, and to create a regulatory flood elevation for areas outside the designated Special Flood Hazard Area (SFHA). Staff’s recommended amendments have been approved by the State.

A significant amendment proposed by the Town is for a minimum building elevation of eight feet be established throughout Town for areas outside the SFHA. In the AE, AO and VE flood zones, minimum building elevations can be achieved through meeting local elevation standards of eight feet or through freeboard requirements, whichever is greater. Also, minimum building elevations of eight feet by a local elevation standard will be applied in the unshaded X and Shaded X flood zones. The Town has developed this local elevation standard concept with other local governments in Dare County.

Ms. Guns proceeded to review the entire ordinance with the Planning Board, including the proposed changes and the areas in which Kill Devil Hills added additional regulations to the ordinance language to achieve the local elevation standard.

A summary of the review, and the four additional changes that were recommended by the Planning Board, follows. This summary is not meant to be all-inclusive; it is also not meant for application to construction projects; summary points must be verified by the actual ordinance:

Article 1, Section D, Objectives

- The State added objectives for the model ordinance and the Town added objectives to regulate the X and Shaded X flood zones.

Article 2, Definitions

- Several existing definitions were modified by the State and definitions for the following terms were added: *Coastal A Zone, Design Flood, Development Activity, Digital Flood Insurance Map, Existing Building and Existing Structure, Flood Resistant Material, Letter of Map Change, Light Duty Truck, Limit of Moderate Wave Action, Technical Bulletin and Technical Fact Sheet, and Temperature Controlled*

- The Town recommended adding several definitions to create a regulatory flood level: *Breakaway Walls, Free of Obstruction, Local Elevation Standard, Reference Level, Regulatory Flood Protection Elevation, Secondary Structure, Shaded X Zone, and X Zone.*
 - The *Regulatory Flood Protection Elevation* definition creates the regulatory elevation standards for all flood zones.

Article 3, General Provision

- Section H, Penalties for Violations, was created at the State level, in accordance with North Carolina General Statute §143-215.58.

Article 4, Administration

- Staff changed the Floodplain Administrator from a building inspector position to the Planning Director or designee.
- The State and the Town identified changes to application requirements, which included
 - Requiring plot plans from a land surveyor or professional engineer
 - Clarification on the datum used for determining elevations was developed
 - The State included a requirement for V Zone Certification of plans and specs by a professional engineer in addition to the V Zone Certification required prior to the Certificate of Occupancy.
- Changes to permit requirements were also made by both the Town and the State
 - Limitation of use below the Regulatory Flood Protection Elevation to parking, building access, and limited storage
 - Below the Regulatory Flood Protection Elevation, flood resistant materials are required.
- There were also changes in elevation and floodplain certification requirements, which involved
 - State clarification on requirements, which include photographs that show the building and foundation, front and rear, including representative examples of flood openings or vents.
 - The Town's recommendation to require an elevation certificate in certain flood zones prior to construction, during construction/foundation completion, and elevation certification on construction completion/as built. These are Kill Devil Hills' current requirements; the prior-to-construction and during-construction/foundation elevation certificates are optional in the State Ordinance.
 - Kill Devil Hills Staff also recommended certificate changes in the unshaded X and Shaded X flood zones, whereby a preconstruction and as-built survey or other approved FEMA form prepared by a licensed professional could be used

to demonstrate natural grade, which could eliminate the need for a foundation certificate.

- State changes require Floodproofing Certificates, with supporting data, and operational plan, and an inspection and maintenance plan prior to the actual start of any new construction. Certificates must be prepared by or under the direct supervision of a professional engineer or architect and certified by same. Deficiencies detected by the Floodplain Administrator must be corrected prior to permit approval, and failure to construct per the permit and certified design is cause for the Certificate of Compliance/Occupancy to be withheld.
- Non-conversion agreements for areas developed below the Regulatory Flood Protection Elevation is a current requirement that remains in place in the proposed ordinance.
- Owner acknowledgement forms indicating the specific flood zone, construction standards for structure elevation, and explanation of use restrictions are required to be completed by the property owner at the time the construction permit(s) are issued.
- Kill Devil Hills Staff recommended extending options for variances of ordinance requirements to the unshaded X and Shaded X zones because of the requirements of the Regulatory Flood Protection Elevation.

Article 5, Provision for Flood Hazard Reduction

- Within General Standards, the State is specifying the type of HVAC equipment, water softener units, bath/kitchen fixtures, ductwork, electric/gas meter panel boxes, utility/cable boxes, water heaters, and electric outlets/switches that shall be used at or above the Regulatory Flood Protection Elevation.
- Specific Standards points
 - The State specifies the type of equipment that shall be used above the Regulatory Flood Protection Elevation.
 - Staff recommended adding properties east of NC 12 to the other VE Zone properties that are required to have one foot free of obstruction to allow water to freely flow under the building. This applies to the oceanfront properties, regardless of flood zone, and prevents slab on grade construction on the oceanfront.
 - There is State clarification of the 50% rule, that any combination of repair, reconstruction, rehabilitation, addition or improvement of a building or structure taking place during a one-year period, the cumulative cost of which equals or exceeds either 50% of the market value or tax value of the structure prior to improvement or repair is begun must comply with the standards for new construction. There are also exemptions which include any improvement

of a structure required to correct existing health, sanitary or safety violations; and, any alteration of a historic structure provided the alteration will not preclude the structure's continued designation as a historic structure. The Town of Kill Devil Hills currently enforces the 50% rule.

- Within the unshaded X and Shaded X zones, Staff recommended setting standards for improvements with the required Regulatory Flood Protection Elevation. Town Staff does not recommend substantial damage or substantial improvement regulations in the unshaded X and Shaded X zones be applied. Staff also recommended allowing interior renovations to existing living space regardless of the Regulatory Flood Protection Elevation, and allowing lateral additional at the existing structure level. Further, Staff recommends requiring the Regulatory Flood Protection Elevation be met if the house is relocated on its lot. And, Staff recommended not to allow conversion of existing unconditioned space to conditioned space if the area is below the Regulatory Flood Protection Elevation.
- On any lot, other structures in addition to the principal use will be required to have finished living space meet all applicable general and specific standards requirements, as applicable.
- The State made several changes in the VE Zone, Coastal High Hazard Area, that include clarification of specifications for concrete pads, swimming pools, and elevators. Previously, these had only been outlined in technical bulletins which were not regulatory.
- The State clarified and codified several construction elements in the VE Zone, including filling/grading, alterations to sand dunes, deck construction, bulkheads and fencing.

Mr. Evans made a motion to modify the four remarks made during this review and forward it to the Board of Commissioners recommending approval. Mr. Seidman seconded that motion and the vote was 5-0.

Public Comment (Time limit of 3 minutes per person; 5 minutes per group)

Response to Public Comment

Board Member Comment

Other Business

Adjournment

There being no further business before the Planning Board at this time, Mr. Evans moved

to adjourn this meeting. Mr. Seidman seconded that motion, and the vote was 5-0.
It was 7:09 p.m.

Submitted by:

Harriet B. Banner
Administrative Assistant

These minutes were approved at the ----- meeting of the Planning Board.

Howard Buchanan
Planning Board Chair

Director of
Planning and Inspections
MEREDITH GUNS



Assistant Director of
Planning and Inspections
CAMERON RAY

Building Inspector
MARTY SHAW
CHARLES THUMAN

Senior Planner
RYAN LANG

Code Enforcement Officer
JORDAN BLYTHE

Zoning Administrator
DONNA ELLIOTT

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

PLANNING DEPARTMENT

March 17, 2020

Memorandum

To: Planning Board

From: Cameron Ray, Assistant Planning Director 

Subject: Proposed Zoning Amendment—§153.076 Off Street Parking and Loading—
Marked Access Aisle (No Parking) for Structures with Eleven or more Bedrooms

During the January 22, 2020 Board of Commissioners joint work session with the Planning Board, staff was given direction to re-draft an amendment to address off street parking issues related to large single family dwellings which had previously been reviewed by the Board of Commissioners. A draft amendment with several options was presented to the Board of Commissioners at the March 09, 2020 meeting.

At the conclusion of the discussion the Board of Commissioners directed staff to forward a proposed amendment to the Planning Board for recommendation. The proposed amendment requires an additional setback for driveways and parking areas of 2 feet for single-family development with required parking greater than eleven spaces. However, the amendment proposes an exemption for the additional setback if a marked access aisle is included within twenty feet of the front of the dwelling. The intent of the amendment is to provide additional circulation and safety measures for the development.

Staff recommends the Planning Board forward the proposed amendment and consistency statement to the Board of Commissioners with a favorable recommendation.

§ 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. Driveway width shall be maintained from the point on entry at the property line for five linear feet. Parking setback shall be equal to the total width of the driveway(s) measured from the property line. 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. Driveway width shall be maintained from the point on entry at the property line for five linear feet. Parking setback shall be equal to the total width of the driveway(s) measured from the property line. 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. Exception: Parking setbacks shall be a minimum of five feet from the property line for driveways, access aisles, and parking areas provided with a clearly marked access aisle including "no parking" with the following design requirements. There shall be a minimum of one access aisle designed open and unobstructed within twenty feet of primary dwelling. Minimum access aisle width shall be ten feet.

d. 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.

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— Marked Access Aisle (No Parking) for Structures with Eleven or more Bedrooms

Approval/Denial: Planning Board finds that the proposed zoning amendment to §153.076 Off Street Parking and Loading— Marked Access Aisle (No Parking) for Structures with Eleven or more Bedrooms ***is/is not*** consistent with the adopted Land Use Plan.

Therefore, the Planning Board finds the proposed amendment is **consistent/inconsistent** 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 ___ to ___, this seventeenth day of March, 2020.

Attest:

Planning Board Chairman

Secretary of Planning Board

Director of
Planning and Inspections
MEREDITH GUNS



Assistant Director of
Planning and Inspections
CAMERON RAY

Building Inspector
MARTY SHAW
CHARLES THUMAN

Senior Planner
RYAN LANG

Code Enforcement Officer
JORDAN BLYTHE

Zoning Administrator
DONNA ELLIOTT

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

PLANNING DEPARTMENT

March 17, 2020

Memorandum

To: Planning Board

From: Cameron Ray, Assistant Planning Director 

Subject: Proposed Zoning Amendment—§153 Setbacks (Each Zoning District)—
Additional 2 Feet Side Yard Setback for Single-Family and Duplex Dwellings
Greater Than 6,000 Square Feet

During the January 22, 2020 Board of Commissioners joint work session with the Planning Board, staff was given direction to draft an amendment to address community fire safety issues related to large single family dwellings. A draft amendment intended to incentivize installation of fire suppression systems in single-family and duplex dwellings greater than 6,000 square feet of gross floor area was presented to the Board of Commissioners at the March 09, 2020 meeting.

The Board of Commissioners directed staff to forward a proposed amendment to the Planning Board. The proposal would be incorporated into all zoning districts and requires a two-foot increase in the side yard setback for single-family/duplex dwellings greater than 6,000 square feet of gross floor area. However, such dwellings can be exempt from this requirement, providing a fire suppression system is reviewed, approved, and inspected annually by the Fire Marshal. The intent of the amendment is to provide safeguards for persons occupying such dwelling, in addition to adjacent properties, and overall community.

Staff recommends the Planning Board forward the proposed amendment and consistency statement to the Board of Commissioners with a favorable recommendation.

OCEAN IMPACT RESIDENTIAL ZONE (OIR)

§ 153.101 SETBACKS.

(A) *Side yard.*

(1) The minimum side yard setback requirements on a lot less than 75 feet in width shall be 10 feet from each side.

(2) For all lots 75 feet to 99 feet in width, the minimum side yard widths shall be 12 feet.

(3) For all lots or aggregate of lots combined for single development 100 feet or greater in width, the minimum side yard setback shall be 12 feet.

(4) All multi-family dwellings in excess of a duplex, hotels and motels shall install and maintain a vegetative buffer of evergreen, salt-tolerant species along the side yards of useable property in conjunction with development in this zone and such may be located within the area of the required setback lines.

(5) Single-family and duplex dwellings greater than 6,000 square feet of total gross floor area shall have an additional 2 feet of side yard setback.

(6) Single-family and duplex dwellings greater than 6,000 square feet of total gross floor area equipped with a fire suppression system reviewed, approved, and inspected annually by the Fire Marshal, shall be exempt from 153.101 (A) (5).

LOW DENSITY RESIDENTIAL ZONES (RL)

§ 153.121 SETBACKS.

(A) *Side yard.*

(1) The minimum side yard setback requirements on a lot with an area of 5,000 square feet or less shall be 6 feet from each side.

(2) The minimum side yard setback requirements on a lot with an area of more than 5,000 square feet but not more than 7,500 square feet shall be 8 feet from each side.

(3) The minimum side yard setback requirements on a lot with an area exceeding 7,500 square feet shall be 10 feet from each side.

(4) Single-family and duplex dwellings greater than 6,000 square feet of total gross floor area shall have an additional 2 feet of side yard setback.

(5) Single-family and duplex dwellings greater than 6,000 square feet of total gross floor area equipped with a fire suppression system reviewed, approved, and inspected annually by the Fire Marshal, shall be exempt from 153.101 (A) (4).

MARITIME FOREST ENVIRONMENTAL DISTRICT (MFED)

§ 153.141 SETBACKS.

(A) *Side yard.* The minimum side yard setback requirements shall be 20 feet.

(1) Single-family and duplex dwellings greater than 6,000 square feet of total gross floor area shall have an additional 2 feet of side yard setback.

(2) Single-family and duplex dwellings greater than 6,000 square feet of total gross floor area equipped with a fire suppression system reviewed, approved, and inspected annually by the Fire Marshal, shall be exempt from 153.101 (A) (1).

HIGH DENSITY RESIDENTIAL ZONE (RH)

§ 153.161 SETBACKS.

(A) *Side yard.*

(1) The minimum side yard setback requirements on a lot with an area of 5,000 square feet or less shall be 6 feet from each side.

(2) The minimum side yard setback requirements on a lot with an area of more than 5,000 square feet but not more than 7,500 square feet shall be 8 feet from each side.

(3) The minimum side yard setback requirements on a lot with an area exceeding 7,500 square feet shall be 10 feet from each side.

(4) Single-family and duplex dwellings greater than 6,000 square feet of total gross floor area shall have an additional 2 feet of side yard setback.

(5) Single-family and duplex dwellings greater than 6,000 square feet of total gross floor area equipped with a fire suppression system reviewed, approved, and inspected annually by the Fire Marshal, shall be exempt from 153.101 (A) (4).

GOVERNMENT AND INSTITUTIONAL ZONE (G&1); PRIVATE OWNERSHIP

§ 153.271 SETBACKS.

(A) *Side yard.* The minimum size for a side yard shall be ten feet. For any structure over 35 feet in total building height, there shall be two feet of side yard setback for each foot of building height over 35 feet in addition to the minimum side yard setback.

(1) Single-family and duplex dwellings greater than 6,000 square feet of total gross floor area shall have an additional 2 feet of side yard setback.

(2) Single-family and duplex dwellings greater than 6,000 square feet of total gross floor area equipped with a fire suppression system reviewed, approved, and inspected annually by the Fire Marshal, shall be exempt from 153.101 (A) (1).

* Commercial Zone, Light Industrial One Zone, Light Industrial Two Zone permitted uses for Single-Family/Duplex dwellings abide by the setback requirements of the High Density Residential (RH) Zone.

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 Setbacks (Each Zoning District)— Additional 2 Feet Side Yard Setback for Single-Family and Duplex Dwellings Greater Than 6,000 Square Feet

Approval/Denial: Planning Board finds that the proposed zoning amendment to §153 Setbacks (Each Zoning District)— Additional 2 Feet Side Yard Setback for Single-Family and Duplex Dwellings Greater Than 6,000 Square Feet ***is/is not*** consistent with the adopted Land Use Plan.

Therefore, the Planning Board finds the proposed amendment is **consistent/inconsistent** 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 ___ to ___, this seventeenth day of March, 2020.

Attest:

Planning Board Chairman

Secretary of Planning Board