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

PLANNING DEPARTMENT

April 22, 2020

Memorandum

To: Debbie Diaz, Town Manager

From: Cameron Ray, Assistant Planning Director 

Subject: 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

During the January 22, 2020 Board of Commissioners joint work session with the Planning Board, staff was given direction to modify lot dimensions for Cottage Court(s) and Cluster Homes abutting NC 12. Below is a recommended amendment to §153.310 Cottage Court(s) and §153.311 Cluster Homes which reduces the minimum lot width from 100' to 75'. The intent of the amendment is to provide more opportunities for the development of Cottage Court(s) and Cluster Homes abutting NC 12.

Cottage Court(s) were passed by the Board June 2018 and Cluster Homes were passed January 2019. Since adoption there have been no applications for either of these development types.

The Planning Board reviewed this request on February 11, 2020 and forwarded it to the Board with a favorable recommendation. Staff recommends setting the public hearing for the May 11, 2020 Board of Commissioners meeting.

§ 153.310 COTTAGE COURT(S).

Cottage court(s). In addition to the below specific standards, cottage court(s) shall also abide by regulations associated with the zoning district where the development is located.

(A) *Lot dimensions.* All parcels shall have a minimum width of ~~100~~ 75 feet abutting NC 12.

§ 153.311 CLUSTER HOMES.

Cluster homes. In addition to the below specific standards, shall also abide by the regulations associated with the zoning district where the development is located.

(A) *Lot dimensions.* All parcels shall have a minimum width of ~~100~~ 75 feet abutting NC 12.

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—§153.310 Cottage Court(s) and §153.311 Cluster Homes — Modify Cottage Court(s) and Cluster Homes minimum lot dimensions abutting NC 12

Approval/Denial: Planning Board finds that the proposed amendment to Proposed 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 is consistent with the adopted Land Use Plan.

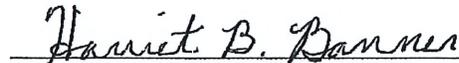
Therefore, the Planning Board finds the proposed amendment is **consistent** with the objectives and policies contained in the Kill Devil Hills Land Use Plan and/ or other officially adopted plans of the Town that are applicable.

This report reflects the recommendation of the Planning Board with a vote of 5 to 0, this eleventh day of February, 2020.

Attest:



Planning Board Chairman



Secretary of Planning Board

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