

AN ORDINANCE AMENDING THE KILL DEVIL HILLS TOWN CODE,  
CHAPTER 153, ZONING

BE IT HEREBY ORDAINED BY THE Kill Devil Hills Board of Commissioners that Chapter 153, Zoning, of the Kill Devil Hills Town Code, shall be amended by adding the underlined language and deleting the following stricken language to the sections identified below, as follows:

**§ 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.

*Lot dimensions.* All parcels shall have a minimum width of ~~400~~ 75 feet abutting NC 12.

**§ 153.310 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.

*Lot dimensions.* All parcels shall have a minimum width of ~~400~~ 75 feet abutting NC 12.

This amendment to Chapter 153, Zoning, shall be in full force and effect from and after the \_\_\_\_\_ day of \_\_\_\_\_, 2020. Adopted and approved by the Board of Commissioners of the Town of Kill Devil Hills at a regular meeting held on the \_\_\_\_\_ day of \_\_\_\_\_, 2020, by a vote of \_\_\_\_\_ in favor and \_\_\_\_\_ opposed.

SEAL

\_\_\_\_\_  
Ben Sproul  
Mayor

ATTEST:

\_\_\_\_\_  
James Michael O'Dell  
Deputy Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Casey C. Varnell  
Town Attorney

The undersigned hereby certifies that the foregoing official amendment, designated AN ORDINANCE AMENDING CHAPTER 153, ZONING, was placed in the Kill Devil Hills Town Code Book on the \_\_\_\_\_ day of \_\_\_\_\_, 2020 at \_\_\_\_\_ .m.

\_\_\_\_\_  
James Michael O'Dell  
Deputy Town Clerk

## 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

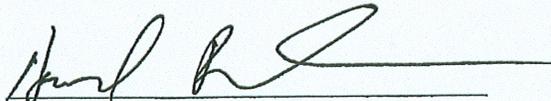
**Proposed Amendment Title:** Proposed Zoning Amendment—§153.310 Cottage Court(s) and §153.311 Cluster Homes — Modify Cottage Court(s) and Cluster Homes minimum lot dimensions abutting NC 12

**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