

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:

§153.076 OFF-STREET PARKING AND LOADING.

(D) *Table of parking requirements.*

<u>Retail Office and Related Uses:</u>	<u>1 space per 200 square feet of gross floor area</u>
<u>Exceptions to Retail, Office and Related Use:</u>	
<u>Medical Offices (not urgent care), Dentist, Hairstylist, Barber, Bank and Financial institutions and Business/Professional Offices with 5,000 gross floor area or less</u>	<u>1 space per 250 square feet of gross floor area provided the area that would be required for parking at the ratio above remain open area used for landscaping, stormwater or other use that does not create impervious areas.</u>
<u>5,001-10,000 gross square feet or less</u>	<u>1 space per 250 square feet of gross floor area provided the area that would be required for parking at the ratio above remain open area used for landscaping, stormwater or other use that does not create impervious areas.</u>
<u>10,001 gross square feet and over</u>	<u>1 space per 300 square feet of gross floor area provided the area that would be required for parking at the ratio above remain open area used for landscaping, stormwater or other use that does not create impervious areas.</u>
<u>Furniture stores with a minimum of 4,000 square feet</u>	<u>One parking space per 400 square feet of gross floor area</u>

Retail, office and related uses	Required parking—One parking space per 200 square feet of gross floor area for the following uses:	
	Antique shops	Hammocks
	Appliance stores	Hardware stores
	Art galleries	Home care systems (wheelchairs and the like)
	Arts and crafts	Jewelry stores
	Astrology and tarot card reading office	Laundromats
	Auto supplies	Medical offices less than 4,000 square feet with a minimum of 5 spaces
	Automobile sales, rentals, and repair	Motorecycle sales and service
	Bait and tackle shops	Music stores
	Bank	Paint and wall treatment stores
	Beauty parlors/barber shops/nail salons	Personal spas
	Blueprint business (reproductions and the like)	Pet stores
	Boat sales, rentals, and repair	Pharmacies/drug store
	Body piercing	Photo shops (film processing, sales and the like)
	Books	Pools and spas
	Broadcast studios	Post office
	Business/professional	Produce markets
	Carpet and flooring	Rental shops
	Clothing	Safety equipment
	Clothing (tailor)	Shoe repair
	Convenience stores	Sign business

	Cycle and skate shops	Tanning salons
	Dry cleaners	Taxicab operations
	Electronic equipment, sales and repair	Thrift stores/consignment shop
	Embroidering/screen printing shops	Toy stores
	Financial institutions	Trophy and engraving shop
	Florists	Surfboard manufacture shop
	Food/produce/grocery store	Video, audio, and lighting
	Frames (picture frames, matting and the like)	Water care products and supplies
	Furniture	Window and door stores
	Gift shops	Wood crafts and hobbies
	Government offices	Dental offices

This amendment to Chapter 153, Zoning, shall be in full force and effect from and after the ____ day of _____, 2021. Adopted and approved by the Board of Commissioners of the Town of Kill Devil Hills at a regular meeting held on the ____ day of _____, 2021, 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 _____, 2021 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

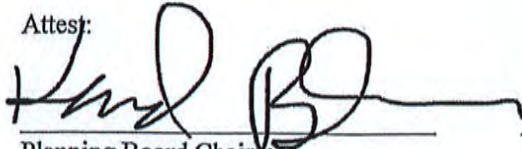
Proposed Amendment Title: Proposed Zoning Amendment Chapter 153.076(D) Off-Street Parking And Loading - Modify Table of Parking Requirements for Retail, Office and Related Uses

Approval: Planning Board finds that the proposed amendments to Chapter 153, Zoning Chapter 153.076(D) Off-Street Parking And Loading to modify table of parking requirements for Retail, Office and Related Uses 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 7 to 0, this the eighteenth day of January, 2021.

Attest:



Planning Board Chairman



Secretary of Planning Board