

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:

HIGH DENSITY RESIDENTIAL ZONE (RH)

§153.160 SITE REQUIREMENTS.

(B) *Lot Area.*

(2) The minimum building site for a duplex shall be ~~20,000~~ **15,000** square feet.

COMMERCIAL ZONE (C)

§153.180 SITE REQUIREMENTS.

(B) *Lot Area.*

(2) The minimum building site for a duplex shall be ~~20,000~~ **15,000** square feet.

LIGHT INDUSTRIAL TWO ZONE (LI-2)

§153.210 SITE REQUIREMENTS.

(B) *Lot Area.*

(2) The minimum building site for a duplex shall be ~~20,000~~ **15,000** square feet.

LIGHT INDUSTRIAL ONE ZONE (LI-1)

§153.230 SITE REQUIREMENTS.

(B) *Lot Area.*

(2) The minimum building site for a duplex shall be 20,000 **15,000** square feet.

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

Recommended Amendment

Chapter 153, Zoning, §153.160, 153.180, 153.210 & 153.230 – Duplex Lot Sizes

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

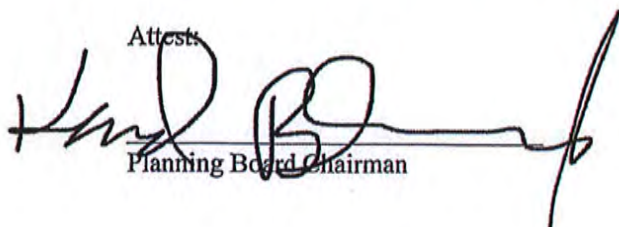
Proposed Amendment Title: Proposed Zoning Amendments Chapter 153, Zoning – Reduce Minimum Lot Size to 15,000 Square Feet for *Duplex Dwelling Units* in 153.160(B)(2) Residential High, 153.180(B)(2) Commercial, 153.210(B)(2) Light Industrial Two and 153.230(B)(2) Light Industrial One

Approval: Planning Board finds that the proposed amendments Chapter 153, Zoning to Reduce Minimum Lot Size to 15,000 Square Feet for *Duplex Dwelling Units* in 153.160(B)(2) Residential High, 153.180(B)(2) Commercial, 153.210(B)(2) Light Industrial Two and 153.230(B)(2) Light Industrial One 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