

Director of
Planning and Inspections
MEREDITH GUNS

Building Inspector
MARTY SHAW
CHARLES THUMAN

Code Enforcement Officer
JORDAN BLYTHE



Assistant Director of
Planning and Inspections
CAMERON RAY

Senior Planner
RYAN LANG

Zoning Administrator
DONNA ELLIOTT


THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

PLANNING DEPARTMENT

March 16, 2021

Memorandum

To: Debbie Diaz, Town Manager

From: Cameron Ray, Assistant Planning Director 

Subject: Zoning Amendment Request—Albemarle & Associates, Ltd— Amend §153.076(A)(12)
(d) Off-Street Parking and Loading to Allow Stacked Employee Parking for Hotels and Motels

Attached is a Zoning Amendment request from Albemarle & Associates, Ltd and staff review comments. The request to allow for the use "Hotels and Motels" to be able to configure parking for employees in a stacked configuration at the same standards that is currently allowed for the use "Restaurants". Currently, the regulation for restaurant employee parking allows for the parking to be arranged in a stacked configuration not to exceed 15% of total required spaces, max of (2) stacked parking spaces deep, and required signage to indicate that this parking area is for employees only. The applicant is requesting that this be modified to allow the use "Hotels and Motels".

On February 16, 2021 the Planning Board recommended approval of the below attached amendment to §153.076(A)(12) (d) Off-Street Parking and Loading to allow stacked parking for hotels and motels. Staff recommends setting the required public hearing for April 12, 2021.

§ 153.076 OFF-STREET PARKING AND LOADING.

(A) *Detailed specifications.* Required off-street parking spaces are permanent areas and shall not be used for any other ground purpose; and shall be constructed in accordance with generally accepted engineering practices.

(12) Vehicle circulation and movement.

(d) Spaces for restaurant and hotel/motel employee parking may be arranged in a stacked configuration (spaces one in front of another) not to exceed 15% of the total required spaces. Stacking may not be deeper than two spaces, both of which shall be considered stacked. Signs shall indicate the location of employee parking spaces.

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Kill Devil Hills
Zoning Amendment Application
Chapter 153 Zoning

Name of Applicant: Albemarle & Associates, LTD John M. DeLucia, PE

Address of Applicant: PO Box 3989 Kill Devil Hills, NC 115 W St. Clair St., Kill Devil Hills, NC

Telephone Number: 252 441-2113 Ext 204

Agent for Applicant (if applicable):

Agent Address:

Telephone Number:

I hereby request an amendment to the following specific section of the Zoning Ordinance:

153.076 OFF-STREET PARKING AND LOADING A (12) (d)

Proposed language for zoning amendment:

Spaces for restaurant "and Hotel/Motel" employee parking may be arranged in a stacked configuration (spaces one in front of another) not to exceed 15% of the total required spaces. Stacking may not be deeper than two spaces, both of which shall be considered stacked. Signs shall indicate the location of employee parking spaces.

Justification for Amendment: To allow stacked employee parking for Hotel/Motels at the same standard as Restaurants

A \$250.00 non-refundable application fee is due and payable to the Town of Kill Devil Hills.

Signature of Applicant/Agent: John M. DeLucia, PE

Date Received: 2/5/2021	Staff Only:
Received by: <i>[Signature]</i>	

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.

(A) *Detailed specifications.* Required off-street parking spaces are permanent areas and shall not be used for any other ground purpose; and shall be constructed in accordance with generally accepted engineering practices.

(12) *Vehicle circulation and movement.*

(d) Spaces for restaurant and hotel/motel employee parking may be arranged in a stacked configuration (spaces one in front of another) not to exceed 15% of the total required spaces. Stacking may not be deeper than two spaces, both of which shall be considered stacked. Signs shall indicate the location of employee parking spaces.

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—§153.076(A)(12)(d) Off-Street Parking and Loading to Allow Stacked Employee Parking for Hotels and Motels

Approval/Denial: Planning Board finds that the Proposed Zoning Amendment §153.076(A)(12)(d) Off-Street Parking and Loading to Allow Stacked Employee Parking for Hotels and Motels 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 6 to 0, this the Sixteenth day of February, 2020.

Attest:



Planning Board Chairman



Secretary of Planning Board