TOWN OF KILL DEVIL HILLS
Land Where Flight Began

Board of Commissioners
Special Worksession
with the Planning Board
on Long-term Housing
October 18, 2022 at 6:00 p.m.

At its September 12, 2022, meeting, the Board of Commissioners scheduled a joint worksession with the Planning Board in the Town Hall Meeting Room at 102 Town Hall Drive, Kill Devil Hills on Tuesday, October 18, 2022, at 6:00 o'clock p.m., to consider Staff proposals on the following item:

Long-term housing in Kill Devil Hills

Written comments may be submitted to the Office of the Town Clerk by email: info@kdhnc.com, or by mail at: Office of the Town Clerk, PO Box 1719, Kill Devil Hills, NC 27948.

Call to Order
Pledge of Allegiance and Moment of Silence
Joint worksession
1. Long-term housing in Kill Devil Hills
   A. Planning Department recommendations
   B. Program for Public Information Committee (PPI) annual meeting and update

Adjournment

Posted this 3rd day of October 2022.

James Michael O'Dell
Town Clerk

Copies to: Mayor and Board of Commissioners, Town Manager; all department heads; all Town bulletin boards; KDH Sunshine List, including all local news media; KDH Electronic Distribution List; KDH social media; website; file

Director of
Planning and Inspections
MEREDITH GUNS

Building Inspector
MARTY SHAW
CHARLES THUMAN

Code Enforcement Officer
JORDAN BLYTHE

THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

PLANNING DEPARTMENT

Assistant Director of
Planning and Inspections
CAMERON RAY

Senior Planner
RYAN LANG

Zoning Administrator
DONNA ELLIOTT

October 18, 2022

Memorandum

To: Board of Commissioners and Planning Board

From: Meredith Guns, Planning Director MPG

Subject: Long-Term Housing Discussion – Joint Work Session

In the recent months, the Board of Commissioners has focused on the current long-range housing issues that are occurring throughout all of Dare County. The Board has already taken strides in helping to provide long term housing through amendments to the Town Code including: changing setback for mixed use development in the Commercial Zone, allowing Accessory Dwelling Units in the Commercial and Light Industrial Zones, allowing Cluster homes in the Residential Zone (with restrictions), and increasing the Floor Area Ratio for multi-family development in the Light Industrial 2 Zone.

The Board of Commissioners has expressed interest in more dynamic changes to increase long term housing opportunities in Kill Devil Hills.

The following is a list that Staff has developed for consideration. The alternatives are listed in categories and range from lessening current regulations to restrictive regulatory options as well as incentive options.

Regulatory Changes for consideration:

- Revise existing Workforce housing ordinance to remove income requirements to allow for flexibility for year round housing.
- Lessen regulations for duplex dwellings in residential zones.
- Lessen setbacks for mixed use development in the Light Industrial Zone (to match amendments made to the commercial zone).
- Allow ADU's in all zoning districts including Residential Low and Residential High.
- Incentivize mixed use development with zoning concession for long-term development – including requiring no additional parking for residential uses.
- Prohibit short term rentals in specific zoning districts therefore mandating long-term housing by zoning district.

Incentives based recommendations for consideration:

- Create grant funding for voluntary conversion from short to long term housing with restricted covenants for a limited time period (Ex: three years). This will likely need to be considered with the upcoming budget 2023-24.
- File a local bill in NC House and Senate to allow for tax reductions for long term housing to monetarily incentivize those properties that convert to long term housing.

When considering long term housing it is also important to remember that short-term housing is a necessary option in our Town and provides for our primary industry which is tourism. Creating a too-restrictive stance on short-term housing could be detrimental to our economy. Therefore, Staff recommends moving forward with lessening regulations to encourage long-term housing vs mandating.

Staff's goal for the joint work session is for the Board of Commissioners and Planning Board to discuss these alternatives and any others brought forward by the group and prioritize the next steps for Staff to work with the Planning Board to develop. It is not the intent to attempt to develop specific language or regulations at this meeting, but rather to create a priority list for further development and consideration over the next several months.

Director of
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October 18, 2022

Memorandum

To: Board of Commissioners

From: Meredith Guns, Planning Director MBG

Subject: Program for Public Information Committee (PPI) 2022 Annual Meeting and Update

In 2015, the Board of Commissioners adopted a Program for Public Information (PPI) as part of the Town's participation in the Community Rating System. The plan is reviewed and updated annually. In September 2022, the PPI committee discussed the following topics: Review and revise priority audience, topics and associated messages, review completed project(s) and incomplete project(s), create new outreach efforts, and discuss outreach efforts. The committee in attendance included Brandi Bohanan, Doug Styons, Michael O'Steen, Stephanie Walker and Jan Presgraves, absent Willo Kelly.

After discussion of the topics on the agenda, the committee decided to continue with the following. All current audiences with the addition of the audiences that could be affected by a AO zone as a result of the maps adopted in 2020. The Town of Kill Devil Hills has not had AO Special Flood Hazard Areas in the past and informing residents is a priority. The committee decided that it was important to complete any incomplete projects including annual outreach to older adults and other community groups that was halted during COVID. Additionally, the committee desires to provide information about Flood Insurance 2.0 as it will affect all properties in Dare County. There is not a lot a clear concise information available at this time, but staff will continue to follow this issue.

Attached is the PPI Annual Evaluation Report and the packet materials that were reviewed. This summary of the PPI committee report is submitted as part of the annual recertification requirements of the CRS.

PPI Committee Annual Meeting
September 13, 2022
9:00am at 102 Town Hall Drive

Agenda

1. Review minutes from the 2020 Annual meeting
2. Review and Revise Target Audience (Attachment 1)
3. Review and Revise Public Information Efforts - Table 7 (Attachment 2)
4. Review And Revise Key Messages - Table 8 (Attachment 3)
5. Review Complete Project(s) and Incomplete Project(s) (Attachment 4) and Create New Outreach Efforts.

Attachment 1

Target Audiences
After consideration of the community assessment results, the group agreed on six target audiences that would benefit most from public information outreach (See Table 8):

Target Audience #1: Properties located within an X flood zone that border a SFHA. Increase awareness that flood insurance is available as a preferred risk policy. Make them aware of the need for flood insurance.

Target Audience #2: Properties located within various VE, AE flood zones. Property owners in these zones are vulnerable to flood waters from several sources. Include information in regards to permit information, especially ground floor enclosures, elevating mechanical equipment, break away walls and free of obstruction requirements.

Target Audience #3: Lending and insurance companies. These professionals work with people before they purchase a structure and can offer valuable advice and information to educate property owners before they purchase. Provide them with all the information they need to promote flood insurance and inform owners of the dangers of flooding.

Target Audience #4: Short term renters/vacationers. These people may be unaware of flood risks where they are staying. Long term renters need to know their insurance options. Long term renters should also be made aware of what to do in an emergency for evacuations and when to return. Additionally, tourism (short term visitor/renter) is the primary industry of our area. Dare County swells with 10 times as many people in the County in the summer months. The height of tourism season is also the height of Hurricane Season, one of our largest sources of potential flood events. It is important that we try to reach the short term visitors with emergency management information and other protective measures by working with rental agencies and Dare County Tourism Board.

Target Audience #5: Older Adults. Many people retire on the Outer Banks. Their homes may be paid off and they may not carry flood insurance. It is important these people know their risk and that even though flood insurance may not be required, that they can still get a policy to cover their property.

Target Audience #6: Realtor/Contractors/Engineers. Contractors and engineers need to be informed about flood zone regulations and flood risk. Additionally, they are the primary contact and represent the homeowner. They need to have a great understanding both of flood zone construction and options within the flood zone for their customers.

Target Audience #7(added 2019): AO Properties. New flood zone designation under proposed 2020 maps within Town. Educate properties owners about the flood zone designation and what the risk are associated. Encourage owners to keep flood insurance.

Attachment 2

Table 7:

Existing Outreach Project – Kill Devil Hills				
Organization		Project	Subject matter	Frequency
1	Planning Department	Annual outreach newsletter	Various flood related topics and storm protection.	Annually in September each year
2		Repetitive loss areas property owner mailing	Flood related matters and methods to reduce risk sent to property owners within repetitive loss areas.	Annually at the start of Hurricane Season each year
3		FEMA brochures available to the public	Various flood related topics.	Year Round In office
4		Map inquiry services	Identifying flood zones and flood protection measures. Provide information on problem areas not shown on the FIRM map, special flood related hazards, flood depth data, historical flood information, and additional FIRM info not shown on FIRM maps.	
5		Elevation certificates	Maintain/Provide elevation certificates for properties within Town.	
6		FEMA technical bulletins	Provide information and guidance for building or working within a SFHA.	

Existing Outreach Project – Kill Devil Hills				
	Organization	Project	Subject matter	Frequency
7	Planning Department	Property Protection Service - Site Evaluation	Meet property owners on site to discuss how they reduce or prevent flooding. Including retrofitting possibilities and site modifications.	As Requested
8	Administration Department	Facebook Page	Various flood related topics.	Year Round – post a designated topic from CRS least once monthly
9		Website		Year round – page dedicated to flood information including NC Flood Maps, Flood Smart, FEMA link, local ordinances, tips and information
10	Public Services Department	Marking and clearing drains and drainage ways	Maintaining drainage ways to protect water quality.	Year Round – the Public Services Department has a drainage maintenance schedule that is followed and documented.
11	Division of Coastal Management	Coastal and estuarine protection regulations	Permitting authority over construction in Areas of Environmental Concern.	Year Round
12	Dare County Emergency Management (DCEM)	Emergency information	Dare County serves as the Emergency	As Needed in event of storm

Existing Outreach Project – Kill Devil Hills				
	Organization	Project	Subject matter	Frequency
			Management coordinator for all municipalities within Dare County. DCEM issues public information about storms and recovery.	
13	Dare County Library	FEMA publication cataloged and available to the public	Various flood related topics and construction standards in a SFHA.	Year Round - Cataloged
14	Dare Water And Soil Conversation	Mark storm drains that lead to open bodies of water	Protect the environment by preventing pollution into the system.	Year Round
15	Fire Department	Hurricane warning	Fly Hurricane flags for watches and warning to inform the public.	As Needed
16	WAVY10 – Local NBC Station out of Norfolk Virginia	Hurricane Ready Kit	Make available to the public a hurricane ready kit including hurricane preparedness check list and hurricane tracking maps	Each July
17		Public Service Announcements	Post announcements regarding hurricane evacuations in our area, storm updates and	As needed during storm events

Existing Outreach Project – Kill Devil Hills				
Organization		Project	Subject matter	Frequency
			reentry information.	
18	North Beach Sun – Local publication	Article about knowing your flood zone, storm preparedness and construction methods to protect your property	Home preparedness from wind, flooding and during a hurricane. Construction standards for Coastal communities including wind loads and flood vents.	3rd Quarter edition
19	Outer Banks Visitor Bureau	Emergency Information	Provide a link in the Outer Banks Visitor Bureau website to the Dare Emergency Management Information during storm events	During Storm Events
20		Re-entry Information	Provide Re-entry information to the public. The OBVB number is listed on the back of the Dare County Re-entry passes.	As needed after a Storm event requiring a mandatory evacuation.

Attachment 3:

Table 8:

	Message	Outcome
1	KNOW YOUR FLOOD HAZARD "Know your flood zone." "All Properties are susceptible to flooding." "Visit NCfloodmaps.com."	• Increase the number of inquiries about flood zone information from property owners. • Encourage residents go to NCfloodmaps.com for more information about flood hazards in their area. • Increase the number of request for elevation certificates on file to inform public of existing structures elevation.
2	INSURE YOUR PROPERTY FOR YOUR FLOOD HAZARD "Homeowner's Insurance will not cover Flood Damage" "Town strongly encourages all residents to purchase flood insurance" FRP – "Contact you flood insurance agency before you repair"	• Increase the number of flood insurance policies throughout Town particularly in X – zones.
3	PROTECT PEOPLE FROM THE FLOOD HAZARD "Never drive in flooded roadways" "Turn around don't Drown FRP – "don't enter a building that has been flooded"	• Reduce number of injures and personal property damage from flood water. • Keep people away from flooded areas to protect public health with flooded areas and septic tank leaching. • Stop preventable accidents by staying away from standing water.
4	PROTECT YOUR PROPERTY FROM THE HAZARD "There are specific building regulations to protect your structure from flooding" FRP – "Mitigate against future flood loss by elevating mechanical equipment and using flood resistant materials"	• Decrease the number of insurance claims paid after a flood event. • Increase awareness of construction standards to protect property. • Increase inquiry about building elevations. Educate owners about elevation to further protect property or mitigate lower floors.
5	BUILD RESPONSIBLY "Obtain Permits before you develop or repair"	• Decrease the number of Stop Work Orders.

	Message	Outcome
	"Work exceeding 50% of the value is considered substantial…" FRP- "Contact Planning Department to determine permit requirements for repair work"	• Increase the number of Elevation Certificates on file. • Increase the number of permits issued in SFHA. • Bring existing nonconforming structures into compliance.
6	PROTECT NATURAL FLOODPALIN FUNCTIONS Protect natural floodplain functions "Don't dump into Town drainage systems" "Keep storm drains clear of debris and vegetation" FRP – "Proper disposal of storm debris to protect natural resources and drainage function"	• Decrease landscape clippings and chemicals from being washed down. drains into our ocean and estuaries. • Protect wetlands along our estuarine shoreline.
7	HURRICANE PREPAREDNESS "Know your evacuation plan and execute it" "If you are advised to evacuate, do so promptly"	• Educate property owners regarding evacuation safety tips before a flood event. • Decrease the number of calls to 911 during storm events. • Encourage people to follow the evacuation plan and leave the area before the storm.
8	GENERAL PREPAREDNESS – "Inventory and photograph your home contents and put important papers and insurance policies in a safe place" "Develop an emergency plan"	• Reduce flood insurance claims. • Promote personal and property preparedness plan and checklist.
9	BUILDING TO A HIGHER STANDARD "Higher is better" "Increased Elevations will decrease Flood Insurance premiums"	• Increase number of builders/owners to exceed minimum flood regulations including increase freeboard. • Increase number of flood mitigation projects during repairs.

	Message	Outcome
10	FLOOD INSURANCE OPTIONS "Everyone can buy flood insurance"	• Educate residents of flood insurance options to increase insurance in year round rental homes. • Increase number of flood policies in the X zone and rental insurance.
11	FLOOD RISK OUTSIDE SFHA "Don't be flood Foolish" (added 2018)	• Educate properties owners about flood risk even outside the SFHA. Emphasize the importance of having and maintaining flood Insurance even in the "X" zone • Remind properties that flood maps are revised cyclically and property owners will be better off maintaining current flood policy/
12	Flood Risk Outside SFHA "Low Risk is NOT No Risk" (added 2019)	• Target X flood zone properties to maintain flood insurance even in "X' zones
13	PROTECT YOUR PROPERTY FROM HAZARDS "Flood knows no Boundaries – Your property is subject to (added 2019)	• Know your flood hazard. • General outreach to educate even if the property has not flooded in the past does not mean it will not in the future.
14	"Prepare, Protect, Insure" New Outreach Campaign (2021) for public outreach. Mailed, available in town hall and distributed to Insurance agencies and Realty offices. See new Brochure attached.	• Prepare your plan for a storm • Protect your property – build responsibly and other flood safety measures • Insure it – Information about flood insurance and the protection it provides your building.
15	Flood Insurance 2.0 Education and outreach New 2022	• Flood Insurance 2.0 is changing flood insurance in our area significantly. Staff to gather information and start a public information campaign on what it means and where to find information about it.

Attachment 4:

The committee agreed that the Town of Kill Devil Hills should maintain the current programs and incentives outlined in Table 7. In addition to the committee recommends new proposed projects, developed through discussions at the committee meetings. The new projects are highlighted below:

- Create videos for broadcast on GovTV (Charter Cable Channel 191) – The first will address the need for flood insurance by all property owners as well as storm preparedness. The second will address construction and permitting in a SFHA as well as explain substantial damage and improvement. The video will also highlight storm preparedness.
- The CRS coordinator will contact civic groups requesting to speak at their meetings regarding flood safety, general preparedness and flood insurance.
- The CRS coordinator will contact professional groups such as Outer Banks Home Builders and Outer Banks Board of Realtors requesting to speak at their meetings regarding flood zones, flood regulations, and flood insurance.
- The CRS coordinator will hold two annual presentations at the older adult center. One session at the beginning of hurricane season to provide information for storm preparedness and outline services available for the elderly. The second session to provide information and answer questions about flood zones and flood insurance.
- The Town will send a letter to all property owners adjacent to a SFHA to inform them of their risk and request that they consider protecting their property both physically and through the purchase of flood insurance.
- The Town will use the Town's Facebook page to educate the public on various flood related issues including but not limited to flood zone information, flood insurance recommendations and storm preparedness.
- Town will create fliers and informational packets for distribution after a storm to help provide vital information needed for safe and speedy recovery.
- The Town will work with the Outer Banks Visitors Bureau to provide information to visitors about storm preparedness and what to do in the event of a flood.
- The CRS Coordinator will work with insurance companies and local banks to have them provide a link on their website to the Town Flood information page.
- The Town will post flood awareness on the Town garbage trucks for a four months once a year.
- Provide information to the public about Flood Insurance 2.0 as it becomes available. This will significantly change flood insurance in our area and the public should be informed.

All projects are summarizes with project description, messages included, audience reached and schedule of outcome in Table 9