



**TOWN OF KILL DEVIL HILLS**  
*Land Where Flight Began*

MEMORANDUM

April 26, 2023

TO: Mayor and Board of Commissioners

FROM: Debora P. Díaz, Town Manager

REF: Public Hearings

**1. Public Hearings**

Notice for the following items have been published in the *Coastland Times*, meeting or exceeding the N.C.G.S. requirements for public hearings. The notice has been posted on the Town's bulletin boards, on the Town's website at <https://www.kdhnc.com/1101/April-26-2023-Board-of-Commissioners-Mee>, and social media platforms, and has been disseminated through the Town's electronic distribution list.

Assistant Planning Director Cameron Ray's attached memoranda highlight two proposed amendments to the Town Code, which are a result of the joint worksession of the Board of Commissioners and the Planning Board. Discussions at the worksession were to consider options to promote long-term housing in the community, while alleviating the existing housing issues. Staff recommend approval of both amendments.

**A. Proposed Zoning Amendment — §153.211(B) Light Industrial Two Zone & §153.231(B) Light Industrial One Zone — Modify Mixed Use Development Setback Requirements (Attached PH-1A)**

This proposed amendment will align mixed use setbacks in the Light Industrial 1 and Light Industrial 2 Zones to match existing commercial setbacks, unless the property abuts a Residential Low Zoning District. This will protect single family dwellings from a higher intensive land use.

**B. Proposed Zoning Amendment — §153.315 (B) Accessory Dwelling Units, §153.116 (C) Low Density Residential Zone Permitted Uses, §153.156 (E) High Density Residential Zone Permitted Uses — Add Accessory Dwelling Units for Long Term Occupancy (Attached PH-1B)**

This proposed amendment will categorize Accessory Dwelling Units (ADUs) as permitted uses in the High Density Residential and Low Density Residential Zones, and will only permit ADUs if used for long-term occupancy.

Staff recommend approval of both amendments. At its March 21, 2023, meeting, the Planning Board recommended forwarding these amendments to the BOC with favorable recommendations. At its April 5, 2023, meeting, the BOC scheduled this public hearing. At the conclusion of the hearings, a motion will be in order to approve, disapprove, or table these amendments for further consideration.