



# TOWN OF KILL DEVIL HILLS

*Land Where Flight Began*

MEMORANDUM

May 24, 2023

TO: Mayor and Board of Commissioners

FROM: Debora P. Díaz, Town Manager

REF: New Business

**1. Considerations for additional dune protection coverage (Attached NB-1)**

At the Board of Commissioners' request, Staff has researched and prepared options for consideration to amend the Town's dune protection ordinance. Assistant Planning Director Cameron Ray's attached memorandum highlights the opportunities to provide greater protection for the Town's dune system.

Board guidance is requested.

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

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**PLANNING DEPARTMENT**

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May 24, 2023

Memorandum

To: Debbie Diaz, Town Manager

From: Cameron Ray, Assistant Planning Director 

Subject: 153.079 Dune Protection – Considerations for Additional Dune Protection Regulations

Staff was given direction from the Board of Commissioners to prepare and bring options to discuss dune regulations that could increase the protection and preservation of dunes in Kill Devil Hills. Currently, Town Code section 153.079 "Dune Protection" includes regulations for permitting development in areas with dunes, while encouraging the preservation of dunes. Town staff has reviewed the currently adopted ordinance and will work on several options for strengthening the regulations for greater protection and preservation. However, it is important to note that this ordinance not only regulates the dunes that border our oceanfront, but also dunes that are inland. Town code defines ocean dunes and inland dunes, as they both are considered vital protective barriers to barrier islands against natural hazards such as wind, flood, and erosion.

The existing CAMA regulations allow for development in the ocean dune system that has created concern with several of the recent development projects leading the Board to direct staff to investigate. Staff has consulted with the CAMA regional office in Elizabeth City to ensure that the Town has the ability to adopt higher regulatory standards for dune protection than the existing CAMA regulations. Staff proposes several options below for ways that the Town's Dune Protection ordinance (153.079) could be amended for greater protection and preservation of the dune system;

- Revise the definition of ocean dune to protect the entirety of dunes along the ocean beach/Atlantic Ocean
- Limit the development on ocean dunes to only elevated structures
- Prohibit any removal or relocation of sand from ocean dunes
- Add language for prohibiting destruction or removal of vegetation on dunes without an approved restoration plan
- Delineate development standards between ocean dunes and inland dunes

Staff recommends the Board of Commissioners discuss and provide staff with direction so an ordinance amendment can be prepared for staff to present to Planning Board.