



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

MEMORANDUM

April 14, 2025

TO: Mayor and Board of Commissioners
FROM: Mayor John Windley
REF: Mayor's Agenda

1. **Resolutions and Proclamations (Attached MA-1A, MA-1B, MA-1C, and MA-1D)**
 - A. **Resolution in Opposition to Bill 765 and Similar Legislation to Strip Municipalities of Planning and Zoning Authority**
 - B. **Resolution Encouraging the General Assembly to Expand Authority to Construct Housing for Local Government Employees**
 - C. **Proclamation Designating April as Fair Housing Month**
 - D. **Proclamation Designating Carolinas Rip Current Awareness Week**

The above resolutions and proclamations express our opposition legislation that would greatly limit our planning and zoning authority, support for flexibility in housing options for public sector employees, and designate Fair Housing Month and Carolinas Rip Current Awareness Week.

I recommend approval of these items and a motion or motions would be in order for their adoption.



TOWN OF KILL DEVIL HILLS

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Resolution in Opposition to HB 765 and Similar Legislation to Strip Municipalities of Planning and Zoning Authority

WHEREAS, the Town of Kill Devil Hills recognizes the essential need of planning and zoning regulations for orderly management of growth, public safety, and general welfare of its citizens; and

WHEREAS, the recent trends of some proposed legislation in the General Assembly limit or eliminate a municipality's ability to protect the public with approaches that include overly broad changes to planning and zoning authority for local governments in North Carolina; and

WHEREAS, House Bill 765, entitled

“AN ACT TO REFORM LOCAL GOVERNMENT DEVELOPMENT
REGULATIONS IN THIS STATE”

would result in sweeping changes to planning and zoning standards, including some of the following:

- Burdening a municipality with developing a fiscal note each time any new, amended, or repealed ordinance is proposed, with the note required to identify and estimate the financial costs of the proposed change.
- Increasing an unprecedented conflicts of interest standard for legislative determinations to that of quasi-judicial levels for development regulations.
- Prohibiting a municipality's authority to regulate development by removing the ability to establish or require parking or parking space requirements, including space sizes, the location of spaces, the number of spaces in a development through zoning, and eliminating a municipality's ability to require street standards.
- Introducing new civil penalties / liabilities for local officials and municipalities.
- Elimination of a municipality's ability to establish minimum lot size in residential zoning districts;

and,

WHEREAS, the 550 municipalities in our State are the first contact with the people of North Carolina, with each community and its citizens having the longstanding right and ability granted by the General Assembly to guide their respective planning and zoning processes through public participation with the development of Land Use Plans, ordinances, and policies; and

WHEREAS, multiple bills have been authored and submitted for consideration without any input from municipal representatives to share how these numerous enactments would lead to negative, costly, and potentially dangerous situations for a community and its citizens, businesses, and property owners; Therefore, be it

RESOLVED, that the Board of Commissioners for the Town of Kill Devil Hills opposes the adoption of HB 765 and similar legislation that strips essential authority of municipal governments to protect its citizens and businesses through planning and zoning regulation; and

BE IT FURTHER RESOLVED that the Town of Kill Devil Hills encourages its citizens, businesses, property owners, and sister municipalities in communicating with their representatives and share their concerns regarding HB 765 and similar proposed legislation.

This 14th day of April, 2025.

SEAL

John Windley
Mayor

ATTEST:

James Michael O'Dell
Town Clerk



TOWN OF KILL DEVIL HILLS

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Resolution Encouraging General Assembly to Expand Authority to Construct Housing for Local Government Employees

WHEREAS, the Town of Kill Devil Hills and its neighboring Dare County communities recognize the need for affordable housing for all of its citizens; and

WHEREAS, the state of the housing market, combined with geographical restrictions and unique economic conditions, greatly limits candidates for public sector positions the ability to secure housing in Dare County, where the person would be working, creating a hardship to recruit new employees and maintain efficient and effective operations by local government; and

WHEREAS, the Town of Kill Devil Hills has always been proactive in finding avenues to address the housing crisis in Dare County. In 2007, Kill Devil Hills helped pioneer the development of *Nature's Walk* workforce housing units. Additionally, in 2007 and 2023, at its Board's direction, Kill Devil Hills waived development fees for the establishment and potential expansion of the overwhelmingly successful affordable housing project for local educators; and

WHEREAS, the Dare County Board of Education, through Session law 2004-16, gained the authority to construct affordable housing for educators, which established a precedent in permitting the essential nexus that partnered local government with the development of affordable housing for public sector employees, and an expansion would benefit localities and their search for employees; and

WHEREAS, currently North Carolina General Statutes restricts local governments in providing housing explicitly for employees making any Town involvement in housing projects for the public sector extremely difficult and cumbersome; and

WHEREAS, expanded authorization permitted to local governments would allow the municipalities within Dare County to each take an individual, but proactive approach to the housing challenge and make executive decisions based on their own values and capability; and

WHEREAS, the amount of undeveloped feasible properties in Kill Devil Hills to provide employee housing is lacking. The Town strives to maintain a balance of developing Town-owned property and conserving precious land that all citizens can enjoy. The hope is for other towns to examine their resources and be able to make decisions that would benefit future workers and current residents in regards to developing their property; Therefore, be it

RESOLVED, that the Board of Commissioners for the Town of Kill Devil Hills joins the other Dare County localities to request the General Assembly enact local legislation granting the local governments of Dare County to construct, finance, manage or otherwise provide housing for employees of the municipal and county governments ensuring the effectiveness of critical public services.

This 14th day of March, 2025.

SEAL

John Windley
Mayor

ATTEST:

James Michael O'Dell
Town Clerk



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A Proclamation Designating April 2025 as Fair Housing Month

WHEREAS, the Fair Housing Act enshrined the goal of eliminating racial segregation and ending housing discrimination in the United States into federal law on April 11, 1968; and

WHEREAS, the Fair Housing Act prohibits discrimination in housing based on race, color, religion, sex, familial status, national origin, and disability, and commits recipients of federal funding to affirmatively further fair housing in their communities; and

WHEREAS, the Town of Kill Devil Hills is committed to the mission and intent of Congress to provide fair and equal housing opportunities for all; and

WHEREAS, our social fabric, the economy, health, and environment are strengthened in diverse, inclusive communities; and

WHEREAS, more than fifty years after the passage of the Fair Housing Act, discrimination persists, and many communities remain segregated; and

WHEREAS, acts of housing discrimination and barriers to equal housing opportunity are repugnant to a common sense of decency and fairness; and

WHEREAS, recognizing that following his signing the Act into law, President Lyndon Johnson stated, "We have come some of the way, not near all of it. There is much yet to do.;"

NOW, THEREFORE, the Board of Commissioners of the Town of Kill Devil Hills proclaims the month of April 2025 as

Fair Housing Month

in the Town of Kill Devil Hills, as an inclusive community committed to fair housing and to promoting appropriate activities by private and public entities to provide and advocate for equal housing opportunities for all current and prospective residents in our community.

This 14th day of April, 2025.

SEAL

John Windley
Mayor

ATTEST:

James Michael O'Dell
Town Clerk



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A Proclamation Designating

April 27 – May 2, 2025

as

Carolinas Rip Current Awareness Week

WHEREAS, the beautiful coastline of Kill Devil Hills represents a world-renowned recreational resource; and

WHEREAS, residents and visitors alike are drawn to these beaches by the millions each year for water and beach activities; and

WHEREAS, the ocean environment has dangers, particularly rip currents, that can be effectively managed through public awareness and the vigilance of professional lifeguards; and

WHEREAS, for reasons of public safety, an annual reminder of the joys and hazards associated with the aquatic environment are appropriate at the commencement of the busy summer season; and

WHEREAS, the United States Lifesaving Association (USLA) estimates rip currents are responsible for approximately 100 drownings each year in the United States; and

WHEREAS, almost 200 rip current drownings were reported from 2000-2024 in the Carolinas, making them the number one weather-related killer in the coastal Carolinas;

NOW, THEREFORE, the Board of Commissioners of the Town of Kill Devil Hills does hereby proclaim the week of April 27 – May 3, 2025 as

Carolinas Rip Current Awareness Week

in Kill Devil Hills, North Carolina, and hereby calls upon all citizens and visitors to educate themselves on the threat posed by rip currents and to take appropriate measures to protect themselves and their families.

This 14th day of April, 2025.

SEAL

John Windley
Mayor

ATTEST:

James Michael O'Dell
Town Clerk