



TOWN OF KILL DEVIL HILLS

Land Where Flight Began

PUBLIC NOTICE

NOTICE IS HEREBY GIVEN that the Town of Kill Devil Hills Planning Board will hold its first meeting of the month on Tuesday, January 5, 2016 at 5:30 p.m. in the Meeting Room of the Administration Building, 102 Town Hall Drive, off Colington Road. The items to be discussed are listed below:

AGENDA

Call to Order

Agenda Approval

Approval of the Minutes of December 15, 2015 meeting

Public Comment (Time limit of 3 minutes per person; 5 minutes per group)

Ongoing Business

New Business

1. **Proposed Amendment to §153.078(A) Access To US158/Croatan Highway And NC12/Virginia Dare Trail** – Clarify Regulations To Apply Only To Corner Lots.

Public Comment (Time limit of 3 minutes per person; 5 minutes per group)

Response to Public Comment

Board Member Comment

Adjournment

All citizens are cordially invited to attend.

Posted this 30th day of December 2015.

Michael O'Dell
Administrative Specialist

Copies to: Mayor and Board of Commissioners, Planning Board members in their packet materials; Town Manager; Town bulletin boards; Sunshine List, including all news media; Electronic Distribution List; Town website and social media; file

Minutes of the December 15, 2015 meeting of the Kill Devil Hills Planning Board held at 5:30 p.m. in the Meeting Room of the Administration Building, 102 Town Hall Drive, off Colington Road.

Members Present: Chair Stan Clough, James Almone, Skip Jones, Pris Shea, and Eddie Valdivieso

Members Absent: Howard Buchanan, Ben Sproul

Others Present: Bryan Brightbill, Senior Planner and Michael O'Dell, Administrative Specialist

Call to Order

At 5:32 p.m., Chair Stan Clough called this meeting of the Kill Devil Hills Planning Board to order, and welcomed everyone present.

Agenda Approval

On a motion by James Almone, seconded by Pris Shea, the agenda for this meeting was approved as presented by a unanimous, 4-0, vote.

Approval of the Minutes of September 15, 2015 meeting

On motion by Ms. Shea, seconded by Mr. Almone, the minutes of the September 15, 2015, Planning Board meeting were approved by a unanimous vote of 4-0.

**Public Comment (Time limit of 3 minutes per person; 5 minutes per group)
Ongoing Business**

New Business

1. 2016 Meeting Schedule

Chair Clough presented a proposed 2016 Planning Board meeting schedule, which set tentative meeting dates as follows:

Tuesday, January 5, 2016	Tuesday, June 21, 2016
Tuesday, January 19, 2016	Tuesday, July 19, 2016
Tuesday, February 2, 2016	Tuesday, August 16, 2016
Tuesday, February 16, 2016	Tuesday, September 20, 2016
Tuesday, March 15, 2016	Tuesday, October 18, 2016
Tuesday, April 19, 2016	Tuesday, November 15, 2016
Tuesday, May 17, 2016	Tuesday, December 20, 2016

On a motion by Mr. Almoney and a second by Ms. Shea, the proposed 2016 Planning Board meeting schedule was approved unanimously by a vote of 4-0.

2. Election of Chairperson & Vice Chairperson

Chair Clough opened the floor for nominations for Planning Board Chairperson and Vice-Chairperson for the 2016 calendar year. Eddie Valdivieso nominated Stan Clough as Planning Board Chairperson and Howard Buchanan as Planning Board Vice-Chairperson. Skip Jones seconded the nominations. With no other names presented, Chair Clough closed nominations. Stan Clough was elected Planning Board Chairperson and Howard Buchanan was elected Planning Board Vice-Chairperson, with a unanimous vote of 4-0.

Public Comment (Time limit of 3 minutes per person; 5 minutes per group)

Response to Public Comment

Board Member Comment

Mr. Jones shared that the large homes issue was being discussed in Raleigh and also by other towns across the State; he said he believed that the approach to large home development would be evolving in the coming years.

Adjournment

There being no further business before the Planning Board at this time, Mr. Valdivieso moved to adjourn this meeting. Mr. Almoney seconded that motion and approval was unanimous, 4-0.

It was 5:41 p.m.

Director of
Planning and Inspections
GREG LOY

Chief Building Inspector
MATT LOWCHER

Building Inspector
CARL HUNT

Code Enforcement Officer
CAMERON RAY



Assistant Director of
Planning and Inspections
MEREDITH GUNS

Senior Planner
BRYAN BRIGHTBILL

Zoning Administrator
DONNA ELLIOTT

THE TOWN OF KILL DEVIL HILLS
NORTH CAROLINA

PLANNING DEPARTMENT

January 5, 2016

Memorandum

To: Planning Board

From: Meredith Guns, Assistant Planning Director 

Subject: Proposed Amendment to §153.078(A) Access To US158/Croatan Highway And NC12/Virginia Dare Trail – Clarify Regulations To Apply Only To Corner Lots.

Attached is a proposed amendment to §153.078(A) Access To US158/Croatan Highway And NC12/Virginia Dare Trail need to be clarified to apply only to corner lots. For many years Kill Devil Hills has supported opportunities to minimize driveway cuts onto either US 158 or NC 12, which provides an additional safety mechanism for the traveling public.

As written, Chapter 153, Zoning Section 153.078(A) currently prohibits driveway cuts on either main thoroughfare if there is ingress/egress available from any other dedicated public right-of-way; for example, in situations where a lot that is located mid-block adjoins US 158 at the front property line and also adjoins Wrightsville Avenue at the rear property line, application of the existing language would require access from Wrightsville Avenue with no driveway cut on US 158. This restriction was not the original intent of the ordinance and the language is actually adverse to businesses whose are landlocked and access would not be visible to the traveling public. The intent was to limit cuts for corner lots that access is clearly visible and easily accessible from the main thoroughfare.

Therefore, Staff recommends this section of the Town Code be amended to require only *corner* lots provide access from adjacent rights-of-way rather than either US 158 or NC 12. Staff recommends the Planning Board forward the proposed amendment and consistency statement to the Board of Commissioners with a favorable recommendation.

§ 153.078 ACCESS TO US 158/CROATAN HIGHWAY AND NC 12/VIRGINIA DARE TRAIL.

(A) Due to the heavy traffic volume on the major thoroughfares in the town and the attendant traffic hazard involved in frequent entrances and exits from and to a major thoroughfare, it is the intent of this section to keep driveways and street intersections along US 158/Croatan Highway and the west side of NC 12/Virginia Dare Trail to the minimum possible. In any district established by this chapter where a corner lot abutting either US 158/Croatan Highway or the west side of NC 12/Virginia Dare Trail also abuts any other dedicated public right-of-way, such right-of-way shall be used for access rather than the highway.

(B) For properties not abutting any other dedicated public right-of-way (only abutting US 158/Croatan Highway) egress direction onto US 158/Croatan Highway shall be determined on a case-by-case basis and approved by the Board of Commissioners.

(C) With regard to the east side of NC 12/Virginia Dare Trail, see § [91.17](#) of this code. (Am. Ord. 01-02, passed 2-28-01; Am. Ord. 13-5, passed 5-13-13)

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 Amendment to §153.078(A) Access To US158/Croatan Highway And NC12/Virginia Dare Trail – Clarify Regulations To Apply Only To Corner Lots.

Approval: Planning Board finds that the proposed amendment to 153.078(A) Access To US158/Croatan Highway And NC12/Virginia Dare Trail to clarify regulations to apply only to corner lots is consistent with the adopted Land Use Plan.

Therefore, the Planning Board finds the proposed amendment is **consistent** 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 ____ to ____, this the 5 day of January 2016.

Attest:

Planning Board Chairman

Secretary of Planning Board