



TOWN OF KILL DEVIL HILLS
Land Where Flight Began

MEMORANDUM

June 14, 2021

TO: Mayor and Board of Commissioners

FROM: Debora P. Díaz, Town Manager

REF: Public Hearings

1. Public Hearings

Notices for the following items have been published in the *Coastland Times*, meeting or exceeding the N.C.G.S. requirements for public hearings, posted on the Town's bulletin boards, website at <https://www.kdhnc.com/904/June-14-2021-Board-of-Commissioners-Meet>, and social media platforms, and have been disseminated through the town's electronic distribution list. Bound copies have also been made available for public inspection at the entrance of Town Hall.

A. Town Manager's Recommended Budget for Fiscal year 2021/2022 (Attached PH-1A)

The Town Manager's Recommended Budget for the upcoming fiscal year was presented to the Board of Commissioners at the May 10 meeting, in accordance with the Local Government and Fiscal Control Act. At that meeting, the Board scheduled a budget worksession for the May 26 meeting and a required public hearing, scheduled for this evening's meeting.

The Board has previously received a bound, paper copy of the Town Manager's Recommended Budget. It has also been placed on the Town's website and at the entrance at Town Hall for public inspection.

Finance Director Beverly Kissinger's attached memorandum highlights the updated information on the Town's Workers Comp premiums.

At the conclusion of the public hearing, Staff recommends the Board discuss the Recommended Budget and any information presented, and Staff will return with an up-to-date Budget Ordinance at the Board's Wednesday, June 23, 2021, meeting for consideration.

B. KDH Land Use amendments mandated by North Carolina General Statute 160D reorganization (Attached PH-1B (1)(2))

For the purposes of this meeting, Chapter 152, Subdivisions, and Chapter 153, Zoning, which combined are well over 200 pages in length, have been provided to the BOC in their entirety; however, we are using the summary of ordinance changes to identify the amended

language for adoption. In the final meeting materials, the permanent record will include the executed documents.

- 1. Chapter 152. Subdivisions**
- 2. Chapter 153. Zoning**

In 2019, The North Carolina General Assembly adopted legislation that reorganized Planning and Development regulations statutes for counties and municipalities. Because of the legislation, Kill Devil Hills is required to amend its Town Code to be in compliance. Although six chapters are affected, only three sections in the Land Use section require public hearing prior to the Board taking any action.

At its April 2021, meeting, the Planning Board reviewed the requested amendments and voted to forward the amendments with a favorable recommendation. The Board of Commissioners received a summary of the required amendment changes at its May 10, 2021, meeting, and scheduled this public hearing for consideration.

Staff recommends the Board of Commissioners approve the requested amendments to Chapter 152 – Subdivisions and Chapter 153 – Zoning, as presented.

(Note: the required public hearing on Chapter 150, Building Regulations, is scheduled for Wednesday, June 23, 2021, at 6:00 p.m.)

C. Proposed Amendment to Chapter 153, Zoning, §153.177 Conditional Uses – to allow tattoo studios as conditional uses within the Commercial Zone (Attached PH-1C)

The Planning Board reviewed the application at its May 18, 2021, meeting, which was originally a request to amend §153.176 Commercial Zone Permitted Uses to add Tattoo Studio(s). Planning Director Meredith Guns' memorandum documented the actions of that meeting, which included a modification of the application to reassign the amendment to §153.177 Conditional Uses, which was agreeable to the applicant. The Planning Board voted to recommend approval of the revised amendment, recommending approval by the Board of Commissioners, with conditions that are highlighted in Ms. Guns' memorandum. At its May 26, 2021, meeting, the Board of Commissioners scheduled this public hearing.

At the conclusion of each public hearing, the Board of Commissioners may take action, including approval, denial, or tabling the item(s).