

**AN ORDINANCE AMENDING THE
KILL DEVIL HILLS CODE OF ORDINANCES,
CHAPTER 153, ZONING**

BE IT ORDAINED by the Kill Devil Hills Board of Commissioners that Chapter 153, Zoning of the Kill Devil Hills Town Code of Ordinances, shall be amended by adding the underlined language and deleting the following ~~stricken~~ language to the sections identified below, as follows:

GENERAL PROVISIONS

§ 153.002 DEFINITIONS.

DWELLING, LARGE SINGLE FAMILY. A detached building other than a mobile home designed for or occupied exclusively by one family with a gross floor area greater than 6,000 square feet.

PARKING, STACKED. Vehicle parked either parallel or perpendicular to each other with limited egress to drive aisles or right-of-way.

§ 153.076 OFF-STREET PARKING AND LOADING.

- (A) *Detailed specifications.* Required off-street parking spaces are permanent areas and shall not be used for any other ground purpose; and shall be constructed in accordance with generally accepted engineering practices.

Adopted Amendment
Chapter 153, Zoning

153.002 Definitions, 153.076 Off Street Parking and Loading, 153.096 Permitted Use Ocean Impact Residential Zone, and 153.100 Site Requirements Ocean Impact Residential Zone – Define Large Single-Family Dwelling, require an Access Aisle, and apply Floor Area Ratio (FAR) for Large Single Family Dwellings (over 6,000 SF).

(10) *Parking requirements for single-family and duplex structures.*

(a) *Yards.*

3. Dwellings with 11 bedrooms or more:

a. A minimum of one but no more than two paved driveways of at least ten feet in width and not exceeding a single or combined width of 20 feet shall be permitted in this area. Driveway width shall be maintained from the point on entry at the property line for five linear feet. Parking setback shall be equal to the total width of the driveway(s) measured from the property line. Driveways in the required parking setback area cannot be used for calculation of required parking.

b. Parking setbacks shall be a minimum of ~~seven~~ five feet from the property line for both driveways and parking areas.

c. ~~Exception: Parking setbacks shall be a minimum of five feet from the property line for driveways, access aisles, and parking areas provided with a clearly marked access aisle including "no parking" with the following design requirements.~~ There shall be a minimum of one access aisle designed open and unobstructed within 20 feet of primary dwelling. Minimum access aisle width shall be ~~ten~~ twelve feet. Access aisle shall be clearly marked including "No Parking."

d. Turn around area for properties abutting highways, thoroughfares and/or collector streets shall be within the designated parking area outlined in this section. Driveways with a

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minimum width of 20 feet may utilize the driveway area within the required setback as the turnaround area.

OCEAN IMPACT RESIDENTIAL ZONE (OIR)

§ 153.096 PERMITTED USES.

In the OIR Zone, building and/or land shall be used for the following purposes:

- (A) Single-family and large single-family dwellings;

§ 153.100 SITE REQUIREMENTS.

- (D) *Density*.

(1) For any multi-family, cottage courts, cluster homes, or hotel development, the maximum Floor Area Ratio (FAR) shall be up to 0.40 with the following exceptions-:

(1a) Increase the minimum required side yard setbacks by two feet on each side, the FAR shall be up to 0.45; and

(2b) Provide a dedicated/recorded five-foot public easement along a side property line for public access to the Atlantic Ocean in addition to (1)(a) above, the FAR shall be up to 0.50.

(2) For large single-family dwellings, the maximum Floor Area Ratio (FAR) shall be up to 0.25 with the following exceptions:

- (a) Limit stacked parking to four (4) vehicles, the FAR shall be up to 0.30; and

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(b) Increase minimum side yard setbacks by two (2) feet on each side in addition to (2)(a) above, the FAR shall be up to 0.35.

BE IT FURTHER ORDAINED that it is the intent of the Board of Commissioners that the provisions of this ordinance shall be made a part of the Kill Devil Hills Code of Ordinances; the sections of this ordinance may be re-numbered or re-lettered; and the word “ordinance” may be changed to “section,” “article,” “chapter,” or other appropriate designation to accomplish such intention as needed.

This amendment to Chapter 153, Zoning, shall be in full force and effect from and after the 9th day of December, 2024. Adopted and approved by the Board of Commissioners of the Town of Kill Devil Hills at a regular meeting held on the 9th day of December, 2024, by a vote of 5 in favor and 0 opposed.

SEAL





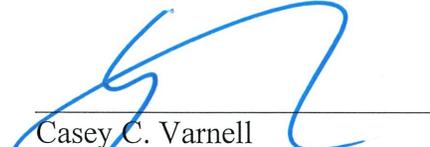
John Windley
Mayor

ATTEST:



James Michael O'Dell
Town Clerk

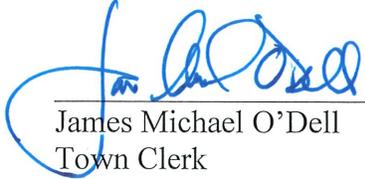
APPROVED AS TO FORM:



Casey C. Varnell
Town Attorney

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The undersigned hereby certifies that the foregoing official amendment, designated AN ORDINANCE AMENDING THE KILL DEVIL HILLS TOWN CODE, CHAPTER 153, ZONING, was placed in the Kill Devil Hills Town Code Book on the 10th day of December, 2024, at 9:00 a.m.



James Michael O'Dell
Town Clerk

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