

AN ORDINANCE AMENDING THE KITTY HAWK TOWN CODE

WHEREAS, the amendment will encourage stormwater management best management practices in the MS-1 district; and

WHEREAS, allowing extra lot coverage for use of permeable pavement will incentivize the usage; and

WHEREAS, Policy 4F of the adopted CAMA Land Use Plan states that Kitty Hawk will continue to regulate building intensity and oversized structures by enforcing, amending as necessary, the zoning ordinance. The zoning ordinance regulates building intensity factors such as building height, lot coverage and building setbacks for commercial and residential building development. The ordinance also specifies maximum and minimum building sizes for commercial buildings.; and

WHEREAS, Policy 21A of the adopted CAMA Land Use Plan states that Kitty Hawk is committed to minimizing and mitigating the effects of stormwater drainage and to implementing a comprehensive approach to stormwater management. The Town supports the concept of ocean outfall as a means to remove stormwater from low lying areas; and


WHEREAS, the amendment makes the MS-1 consistent with the lot coverage requirements of the other commercial districts in Kitty Hawk,

WHEREAS, the Town Council of Kitty Hawk has found this amendment to be consistent with the Town's adopted CAMA Land Use Plan.

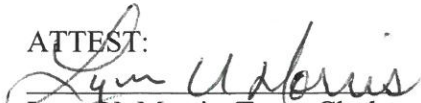
BE IT ORDAINED by the Town Council of Kitty Hawk that Chapter 42 of the Kitty Hawk Town Code be amended as follows:

42-446(e). The maximum allowable lot coverage by principal use and all accessory structures is 60 percent. **Use of permeable pavement shall allow a maximum lot coverage physical area of 72 percent. Permeable pavement failure shall require that the failed permeable pavement is removed and replaced by a pavement meeting the definition of permeable pavement herein with design pavement performance equal to, or better than, the represented performance of the approved pavement.**

This ordinance amending the Kitty Hawk Town Code shall take effect the 6th day of December, 2021. Passed and adopted at a regular meeting held by the Town Council of Kitty Hawk the 6th day of December, 2021, with a unanimous approval vote of 5 to 0.


Craig Garriss, Mayor

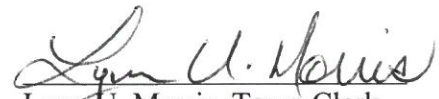
ATTEST:


Lynn U. Morris, Town Clerk

APPROVED AS TO FORM:

Casey Varnell, Town Attorney

The undersigned certifies that the foregoing official ordinance designated ORDINANCE AMENDMENT OF THE TOWN CODE OF KITTY HAWK, NORTH CAROLINA was filed in the Kitty Hawk Ordinance Book on the 7th day of December, 2021, at 2 o'clock p.m.


Lynn U. Morris, Town Clerk