

**AN ORDINANCE AMENDING THE KITTY HAWK TOWN CODE**

WHEREAS, the Kitty Hawk Zoning Ordinance did not specifically address pool water surface in the lot coverage definition; and

WHEREAS, a pool surface acts as stormwater retention up until the level in which is full and the water level flush with the ground; and

WHEREAS, lot coverage is a measure of developed intensity of land use addressing impervious and covered surfaces; and

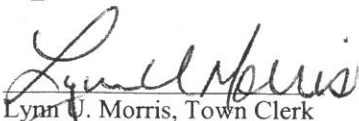
WHEREAS, the Town Council of Kitty Hawk has found this amendment to be consistent with the Town's adopted CAMA Land Use Plan.

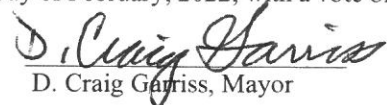
BE IT ORDAINED by the Town Council of Kitty Hawk that Section 42-1 of the Kitty Hawk Town Code be amended as follows:

*Lot coverage* means a measure of the developed intensity of land use. The term "lot coverage" includes, but is not limited to, all areas covered by buildings, parking areas, accessory structures, driveways, roads, sidewalks, decks and any area of concrete or asphalt. Permeable pavement (see permeable pavement definition) lot coverage shall be reduced, upon site plan approval by the town, by the built-upon area (BUA) credit established in section C-5, Permeable Pavement, of the NC DEQ Stormwater Design Manual, latest edition, or if a proposed permeable pavement BUA credit has not been assigned by the NCDEQ Stormwater Design Manual, the BUA credit will be as confirmed by NC DEQ Stormwater Section upon evaluation.

- 1. The "wet" or water area of a swimming pool shall be exempt from the lot coverage calculations up to 500 square feet. Any pool water area in excess of 500 square feet will count towards lot coverage calculations.**

This ordinance amending the Kitty Hawk Town Code shall take effect the 7th day of February, 2022. Passed and adopted at a regular meeting held by the Town Council of Kitty Hawk the 7th day of February, 2022, with a vote of 5 to 0.

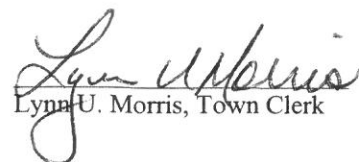
  
Lynn U. Morris, Town Clerk

  
D. Craig Garriss, Mayor

APPROVED AS TO FORM:

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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 8<sup>th</sup> day of February, 2022, at 4:05 o'clock P.M.

  
Lynn U. Morris, Town Clerk