

AN ORDINANCE AMENDING THE KITTY HAWK TOWN CODE

WHEREAS, Town Council has acknowledged the importance of wetlands; and

WHEREAS, the amendment will reduce density of new developments in certain scenarios; 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 42-502 Kitty Hawk Town Code be amended as follows:

42-1.- Definitions

Minimum lot size means the minimum lot area as required by the various zoning districts. Marsh and wetland areas, as determined by ~~CAMA and/or CRC regulations, which are contiguous with estuarine waters, sounds and bays, and areas waterward of the oceanfront vegetation line, as determined by CAMA~~ **Federal, State, and Local Agency** regulations, may not be used for the minimum lot size.

BR-1; 42-247(d)1: The minimum lot size is 15,000 square feet. Marsh and wetland areas, as determined by ~~CAMA and/or CRC~~ **Federal, State, and Local Agency** regulations, ~~which are contiguous with estuarine waters, sounds and bays,~~ and areas waterward of the oceanfront vegetation line, as determined by CAMA regulations, may not be used for the minimum lot size.

BR-2; 248(d) (1) The minimum lot size is as follows:

a. For single-family detached residences, a minimum lot size of 15,000 square feet. Marsh and wetland areas, as determined by ~~CAMA and/or CRC~~ **Federal, State, and Local Agency** regulations, ~~which are contiguous with estuarine waters, sounds and bays,~~ and areas waterward of the oceanfront vegetation line, as determined by CAMA regulations, may not be used for the minimum lot size.

BR-3; 42-249(d) (1)The minimum lot size is as follows:

a. For single-family detached residences, a minimum lot size of 15,000 square feet. Marsh and wetland areas, as determined by ~~CAMA and/or CRC~~ **Federal, State, and Local Agency** regulations, ~~which are contiguous with estuarine waters, sounds and bays,~~ and areas waterward of the oceanfront vegetation line, as determined by CAMA regulations, may not be used for the minimum lot size.

VR-1; 42-273(d) The minimum lot size is 15,000 square feet. Marsh and wetland areas, as determined by ~~CAMA and/or CRC~~ **Federal, State, and Local Agency** regulations, ~~which are contiguous with estuarine waters, sounds and bays,~~ and areas waterward of the oceanfront vegetation line, as determined by CAMA regulations, may not be used for the minimum lot size.

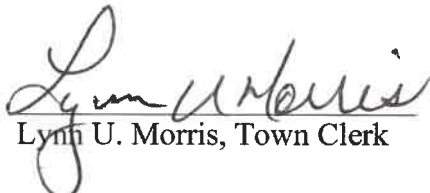
VR-2; 42-274(d) (1) The minimum lot size is as follows:

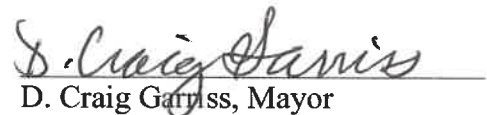
a. For single-family detached residences, a minimum lot size of 15,000 square feet. Marsh and wetland areas, as determined by ~~CAMA and/or CRC~~ **Federal, State, and Local Agency** regulations, ~~which are contiguous with estuarine waters, sounds and bays,~~ and areas waterward of the oceanfront vegetation line, as determined by CAMA regulations, may not be used for the minimum lot size.

VR-3; 42-275(d) (1) The minimum lot size is as follows:

a. For single-family detached residences, a minimum lot size of 15,000 square feet. Marsh and wetland areas, as determined by ~~CAMA and/or CRC~~ **Federal, State, and Local Agency** regulations, ~~which are contiguous with estuarine waters, sounds and bays,~~ and areas waterward of the oceanfront vegetation line, as determined by CAMA regulations, may not be used for the minimum lot size.

This ordinance amending the Kitty Hawk Town Code shall take effect on the 5th day of September, 2023. Passed and adopted at a regular meeting held by the Town Council of Kitty Hawk the 5th day of September, 2023, with 5 in favor and 0 opposed.

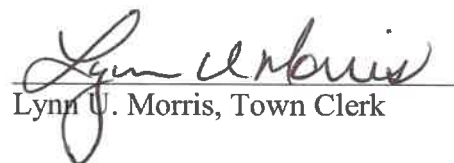

Lynn U. Morris, Town Clerk


D. Craig Garriss, Mayor

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 September, 2023, at 3 o'clock p.m.


Lynn U. Morris, Town Clerk