

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 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 Federal, State, and Local Agency regulations, may not be used for the minimum lot size. **All upland areas must be continuous, contiguous and connected to meet minimum lot size requirements.**

**BR-1; 42-247(d)1:** The minimum lot size is 15,000 square feet. Marsh and wetland areas, as determined by Federal, State, and Local Agency regulations, and areas waterward of the oceanfront vegetation line, as determined by CAMA regulations, may not be used for the minimum lot size. **All upland areas must be continuous, contiguous and connected to meet minimum lot size requirements.**

**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 Federal, State, and Local Agency regulations, and areas waterward of the oceanfront vegetation line, as determined by CAMA regulations, may not be used for the minimum lot size. **All upland areas must be continuous, contiguous and connected to meet minimum lot size requirements.**

**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 Federal, State, and Local Agency regulations, and areas waterward of the oceanfront vegetation line, as determined by CAMA regulations, may not be used for the minimum lot size. **All upland areas must be continuous, contiguous and connected to meet minimum lot size requirements.**

**VR-1; 42-273(d)** The minimum lot size is 15,000 square feet. Marsh and wetland areas, as determined by Federal, State, and Local Agency regulations, ~~and areas waterward of the oceanfront vegetation line, as determined by CAMA regulations,~~ may not be used for the minimum lot size. **All upland areas must be continuous, contiguous and connected to meet minimum lot size requirements.**

**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

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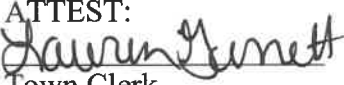
wetland areas, as determined by Federal, State, and Local Agency regulations, ~~and areas waterward of the oceanfront vegetation line, as determined by CAMA regulations,~~ may not be used for the minimum lot size. **All upland areas must be continuous, contiguous and connected to meet minimum lot size requirements.**

**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 Federal, State, and Local Agency regulations, ~~and areas waterward of the oceanfront vegetation line, as determined by CAMA regulations,~~ may not be used for the minimum lot size. **All upland areas must be continuous, contiguous and connected to meet minimum lot size requirements.**

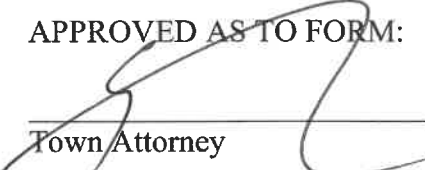
This ordinance amending the Kitty Hawk Town Code shall take effect the 1<sup>st</sup> day of April, 2024. Passed and adopted at a regular meeting held by the Town Council of Kitty Hawk the 1<sup>st</sup> day of April, 2024, with a 4-1 approval vote.

  
Mayor


ATTEST:  
  
Town Clerk



APPROVED AS TO FORM:

  
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 7<sup>th</sup> day of June, 2024, at 9 o'clock am.

  
Town Clerk