



PROPOSED AGENDA
KITTY HAWK TOWN COUNCIL
Monday, February 3, 2025
Kitty Hawk Town Hall, Smith Room
6:00 PM

- 1. Call to Order**
- 2. Moment of Silence/Pledge of Allegiance**
- 3. Approval of Agenda**
- 4. Presentation:**
 - a) Dare County Housing Task Force- Donna Creef**
- 5. Public Comment** – The public is invited to address the Town Council on any topic. Please sign up with the Town Clerk before the meeting and when your name is called, come forward and speak into the microphone at the lectern. Please limit comments to 3 minutes.
- 6. Consent Agenda** – Items on the consent agenda are considered to be non-controversial, routine in nature, or items not requiring a presentation to discuss by the Town Council in order to consider the items(s). Any item may be removed for discussion by the council or by any member of the audience who wants to hear the item presented and discussed.
 - a) Approval of January 6, 2025, Regular Session Council Minutes** – Approval of the consent agenda will approve these minutes.
 - b) Budget Amendment 12- Donation to the Police Department**
 - c) Capital Project Fund 40- Fire Truck Purchase**
 - d) Financial Statements as of January 24, 2025**
 - e) Government Communicators Day Proclamation**
- 7. Items Removed from Consent Agenda:**
- 8. Planning:**
 - a) Schedule Public Hearing:** Re-adoption of State Certified CAMA Land Use Plan
 - b) Subdivision Review - Kitty Hawk Meadows, 740 W Kitty Hawk Rd, 3 lots**
- 9. New Business:**
- 10. Old Business:**
- 11. Reports/General Comments from Town Manager**
- 12. Reports/General Comments from Town Attorney**
- 13. Reports/General Comments from Town Council**



TOWN OF KITTY HAWK

14. Adjourn

***To Watch Livestream on YouTube:** <https://youtube.com/live/UE2SefKZ1c4?feature=share>

The meeting will also be available to watch on the Town's YouTube channel on demand the next day.

****Send Comments and/or Questions via email:**

You may always send comments or questions at any time to info@kittyhawkncc.gov. If you would like your question or comment read at this meeting, please send it by 2:30 PM on February 3, 2025, and note that you would like it to be read at the meeting. Be sure to include your full name and address. Please keep your comments to three minutes.

Si habla español, los servicios de asistencia lingüística están disponibles de forma gratuita. Llame al 252-261-3552 para obtener ayuda.



Draft Minutes
KITTY HAWK TOWN COUNCIL
Monday, January 6, 2025
Kitty Hawk Town Hall, Smith Room
6:00 PM

1. **Call to Order**
2. **Moment of Silence/Pledge of Allegiance**
3. **Approval of Agenda**
4. **Staff Introductions- Police Department new hires- lateral hires Ryan Lowry and Matthew Newton, recruits Charles Bailey, Jack Frisoli, Jesus Reyes. Announcement of swearing in of Ben Elko.**
5. **Public Comment** – The public is invited to address the Town Council on any topic. Please sign up with the Town Clerk before the meeting and when your name is called, come forward and speak into the microphone at the lectern. Please limit comments to 3 minutes.
6. **Consent Agenda** – Items on the consent agenda are considered to be non-controversial, routine in nature, or items not requiring a presentation to discuss by the Town Council in order to consider the items(s). Any item may be removed for discussion by the council or by any member of the audience who wants to hear the item presented and discussed.
 - a) **Approval of December 2, 2024, Regular Session Council Minutes** – Approval of the consent agenda will approve these minutes.
 - b) Budget Amendment #6- Donation to Fire and Police Department
 - c) Budget Amendment #7- Donation to the Police Department
 - d) Budget Amendment #8- Interfund Transfer from Reserve to the General Fund
 - e) Budget Amendment #9- Capital Project Fund 41 Police Station Furniture
 - f) Budget Amendment #10- General Fund Balance Appropriation
 - g) Budget Amendment #11- Donation to the Police Department
 - h) Amendment to the Fund 41 Capital Project Ordinance Remodeling Building at 5200 N Croatan Hwy
7. **Items Removed from Consent Agenda:**
8. **New Business:**
 - a. **Appointment of Board of Adjustment Members**
9. **Reports/General Comments from Town Manager**
10. **Reports/General Comments from Town Attorney**
11. **Reports/General Comments from Town Council**



12. Closed Session- N.C.G.S. § 143-318.11(a)(3) to consult with the town attorney regarding matters protected within the attorney-client privilege and to preserve that privilege; and as allowed by N.C.G.S. § 143-318.11(a)(6) to discuss one or more confidential Board of Adjustment matters.

13. Adjourn

Council Members Present:

Mayor Craig Garriss, Mayor Pro Tem Jeff Pruitt, Councilman David Hines, Councilwoman Charlotte Walker, and Councilman Dylan Tillett.

Staff Members Present:

Town Manager Melody Clopton, Finance Officer Liliana Noble, Police Chief Mike Palkovics, Chief Mike Talley, Planning Director Rob Testerman, Public Information Officer/Town Clerk, Lauren Garrett

- 1. Call to Order**
- 2. Moment of Silence/Pledge of Allegiance**

Garriss: Thank you, everyone. Council, I need a motion to approve tonight's agenda, please.

3. Approval of Agenda

Hines: So, moved.

Garriss: Motion by David, second?

Tillett: Second.

Garriss: Second by Dylan. All in favor?

All Council: Aye.

Garriss: All opposed? None. Thank you, Council. Chief Palkovics, you have some new department members to introduce.

4. Staff Introduction

Chief Palkovics: Good evening, Mr. Mayor and Council, it is my honor and pleasure to introduce four of our five new officers that have recently started with us on December 23rd. If you all would come up, please. I wish I had a better biography written up, but this was the last minute since these gentlemen were able to make it here tonight. I'm going to say very little but let them tell you about themselves. First, I would like to introduce Jack Frisoli. Jack comes to us from Northern Virginia, he is new to law enforcement, he'll be going through the full basic law enforcement training. Next to him is Jesus Reyes, who is from Kill Devil Hills via California. He too will be going through basic law enforcement training. Charles Bailey could not make it here tonight; he is from Elizabeth City, and he will also be going through BLEET with these gentlemen. Matt Newton comes to us from Northern Virginia, from the Fredericksburg area. He worked with Prince William Police Department for nearly 10 years and then Hanover County for 4 years. Next to me is Ryan Lowry. Ryan comes to us from Louisa, Virginia having worked most recently in Charlottesville Police Department and Sheriff's Office. I can't tell you how excited we are to have them join our team. This brings us up to full complement once we have them all trained. We are really looking forward to them being a part of the team, hitting the road and serving the public. I will let each of them tell you a little about themselves.



Frisoli, Jack: I'm Jack, I was 23 years old when I started my first job in law enforcement. I'm super excited to be here, I love the beach and everyone in the department has been super nice. The Town is very involved and I'm happy to be here.

Reyes, Jesus: My name is Jesus, I'm 36 years old and as Chief said I'm originally from California. I moved to Kill Devil Hills about a year and a half ago. I'm very excited about this opportunity to work for the Town, thank you.

Newton, Matthew: I'm Matthew Newton, I'm 34 years old. I came here from the Stafford, Virginia area with my wife and three kids. My wife wanted a better life for our children, better school systems, so we moved. We bought a house back in October and moved in on Christmas Day. I'm looking forward to working with this department, so far have nothing but nice things to say.

Chief Palkovics: Fun fact about Matt, he came to us on a recommendation from our former Sergeant Travis Harden, having worked with Travis in Prince William for several years. One of the things that Matt brings is that he was a detective in Hanover, so he has that experience as well.

Lowry, Ryan: I'm Ryan Lowry, I'm 28 years old. I come from Virginia, and it's an honor to be here. I enjoy hunting, fishing, and farming. Thank you.

Chief Palkovics: Again, we're excited to have them. We'll introduce Charles Bailey at the next meeting if possible. Welcome gentlemen, thank you for joining us.

Garriss: If you're wondering why two of them are wearing sweatsuits, BLET started today, and they had their first physical training assessment this afternoon. I know what time you finished and know you made a beeline to come here to be with us tonight so thank you very much. We're so glad to have you here.

Chief Palkovics: We had a swearing in for one of our new officers, and it's great that they were able to get out of class and be here for the swearing in, hence the reason for their attire. Their presence is much more important than what they are wearing.

Garriss: Yes sir, thank you, Chief. Lauren, do we have anyone signed up for Public Comment?

5. Public Comment

Garrett, Lauren: Yes, sir, Ralph Buxton has signed up to speak at Public Comment.

Garriss: Thank you, come on up, sir.

Buxton, Ralph: Good evening, Mr. Mayor and Council, and happy New Year. My name is Ralph Buxton, last time I was here talking to you about the 150th anniversary of the Lifesaving Service on the Outer Banks and we had a successful event in October. Thank you very much for your support for that event. Tonight, this is the anniversary, as of January 4th, the anniversary of the Signal Corps at the Kitty Hawk Lifesaving Station. It was January 4, 1875, that the Signal Corps of the US Army sent an attachment here to Kitty Hawk. They were housed and operated from the Kitty Hawk Lifesaving Station and there they manned and operated the telegraph service. They also collected weather information, the telegraph service of course connected all the way to Cape Hatteras lighthouse and up to Cape Henry. All the Lifesaving Stations in between were connected, and weather information could then be collected and sent to Washington where it was used to make forecasts and send warnings out to ships at sea, or weather information in general to farmers and the public. We all know how important it is to know what the weather is doing so that was a great stride forward. It brought the outside world to Kitty Hawk and as time went along by 1890 the Signal Corps turned over that service to the US Weather Bureau which was set up specifically more for civilian operation and we all know about the Wright



brothers contacting that weather station that was by that point a separate building next to the Lifesaving service on the beach here in Kitty Hawk. JJ Doshier was the chief then; he wrote them back and said that this was a great place for them to do their experiments. Subsequently, they did come down in October of 1900 and camped just outside of town for the first year to survey the area. While they were here, they took many pictures and they had good equipment, many of those pictures survived and others were unfortunately lost in a flood back in Dayton, Ohio but from one of those pictures I had made a close up of the Kitty Hawk Lifesaving Station and the Weather Bureau from up the hill. They digitally enhanced and colorized this picture. I love the view, and I love the surf break here. I would like to present this to the Town in appreciation for your support and to encourage you to continue to celebrate the culture and history, and heritage we have here in Kitty Hawk. Thank you.

Garriss: Thank you so much, Mr. Buxton. Lauren, has anyone else signed up to speak at Public Comment?

Garrett, Lauren: No, sir.

Garriss: Is there anyone else who would like to speak tonight during Public Comment? Okay, Lauren, let the record show that no one else chose to speak at Public Comment. Okay, we had no items removed from the Consent Agenda.

7. Items Removed from Consent Agenda

Clopton, Melody: We need to approve the Consent Agenda.

Garriss: I'm sorry, can I get a motion to approve tonight's Consent Agenda?

6. Consent Agenda

Pruitt: So, moved, Mr. Mayor.

Garriss: Thank you, Jeff. Second?

Hines: Second.

Garriss: Thank you, David. All in favor?

All Council: Aye.

Garriss: All opposed? None. Thank you.

Hines: Do we need to move up the alternate members first?

8. New Business:

a. Appointment of Board of Adjustment Members

Garriss: We need to do that first, so we then have alternate positions to backfill. We have two full-time regular positions open and two alternate members who have expressed a desire to move up if the Council so desires. Do I have a motion?

Hines: I make a motion to move up Kip Tabb and Bill Yetzer to full-time members.

Garriss: Okay, we have a motion. Any more names or nominations? Do I have a second to David's motion?

Pruitt: I will second that.



Garriss: Second by Jeff, any further discussion? All in favor, say “aye”.

All Council: Aye.

Garriss: All opposed? None. Thank you. Can we make those notifications tomorrow, Lauren, to Kip and Bill Yetzer? Thank you both for volunteering. Now, we have those two alternate positions open. Open for nominations.

Walker, Charlotte: I make a motion to appoint Fran Dunn as an alternate member of the Board of Adjustment. I spent a good bit of time interviewing and talking with her and she’ll be a good candidate for an alternate.

Garriss: Fran Dunn. Any more names?

Hines: Yes, I move to nominate Justin Langley as an alternate member to the Board of Adjustment.

Garriss: Okay, any more nominations?

Tillett: Mr. Mayor, I would like to nominate Mark Perry as an alternate member of the Board of Adjustment. He’s demonstrated a lot of passion for the Town and a lot of dedication.

Garriss: Any more names? This is a good problem to have, all three are great people. I’m going to tell you that I do not like late applications coming in. I do not like it. We’re given names, we’re given a list, each Council member in their packet, so we have time to think about and study over it. I do not like to come to this meeting and have other names appear.

Hines: I will take responsibility for that.

Garriss: I think you said you had some email problems.

Hines: I did but I take responsibility for that.

Garriss: Our cut off time is 2:30, correct, Lauren?

Garrett, Lauren: Yes, sir.

Garriss: So, I think that one is good. But I don’t like late things coming in before a meeting, that’s my opinion.

Walker, Charlotte: I would like to second Mark Perry, please.

Garriss: We have a motion and a second for Mark Perry. Do I have a second for Fran Dunn or Justin Langley?

Pruitt: Mr. Mayor, I make a second for Justin Langley.

Garriss: Do we have a second for Fran Dunn? It looks like we have two names here to vote on, Mark Perry and Justin Langley, correct? We’ve got a motion and a second for both.

Varnell, Casey: That’s a valid way to do it, there’s several different ways but that is fine. It’s been narrowed down, and one candidate did not get a second so there are only two names at this point.

Garriss: I figured that would be the best way under the circumstances. We have a motion and a second for Justin Langley and a motion and a second for Mark Perry. All in favor, say “aye”.

All Council: Aye.

Garriss: All opposed? None. Thank you, Council. If we could notify Mark Perry and Justin Langley. Two very good candidates, so is Ms. Dunn. Thank you, Council. We always welcome new volunteers and people who want to come serve on board. Okay, report from the Town Manager.



9. Reports/General Comments from Town Manager

Clopton, Melody: I don't have a whole lot this evening, we did have our bi-weekly meeting at the police department building. Things are moving along; everything is on schedule and on budget. They have installed all the window frames and glass. They are working on getting the siding installed if you haven't noticed and it looks very nice. They have received the lights for the soffits and those will be installed starting this week and next, then they will complete the siding. On the inside they are still doing the electrical and mechanical work, that will probably go on for two more weeks. Once that is done, they will move on to drywall. The cupola areas that will have the accent metal roof, that should begin next week. We are making progress and moving along. We're excited. That's all I have.

Garriss: Thank you, Melody. Great job. Town attorney, Casey?

10. Reports/General Comments from Town Attorney

Varnell, Casey: Mr. Mayor, I have nothing. Happy New Year, guys.

Garriss: Thank you, Casey. Happy New Year. Town Council, David?

11. Reports/General Comments from Town Council

Hines: I want to thank the new recruits for stepping up. I'm looking forward to having a complete police force on hand. It's going to take some time, but we are happy to see them here. Happy New Year, looking forward to 2025. Police department being done on time and on budget. Maybe under budget which would be even better. Thank you, Melody. Thank you for staying on top of it, I know you're working hard on it.

Garriss: Thank you. Dylan?

Tillett: I echo that, welcome Jack, Jesus, Matthew, Ryan, Ben and Charles. We appreciate all your efforts and happy New Year.

Garriss: Thank you, Dylan. I hate to be all about the police department but our staff during the holidays really did a great job. It was a distinct honor at 5 o'clock today to swear in Officer Ben Elko. He had a huge family turn out, it was great and very emotional. The police officers that have joined our force. A big thank you, we all know about the whale that was on the beach, me and about 300 other people showed up to see the whale. To look at and smell the whale. Officer Drew Weston was out there all day long, he was answering questions from the public. He walked off when I left and dealt with a parking violation because people were parked everywhere blocking traffic. He was awesome. I went up and thanked him and he said he was having a ball. He's a great officer. Thank you to him. Thanks to all our staff, 2025 is going to be a big year. Jeff?

Pruitt: I wanted to thank everyone who participated in the holiday festivities around the Town, the police department and Charlotte, everybody who made that a great event. I was able to watch the parade go by and watch all the helpers. It's nice of everyone to pitch in and it's a really nice example of the Town and how we all stick together. It's nice to let our guard down and have a little fun.



Walker, Charlotte: Jeff, I hope you got everything you asked for at Christmas. It was such a joy to be a part of that and I was Mrs. Santa Claus. I got a lot of requests for kittens and puppies and brothers and sisters. I don't know if any of them got those things or not, but I had many requests. A lot of fun.

Garriss: Thank you, Charlotte. Folks, we're getting ready to go into Closed Session. I'll have to ask everyone here tonight to leave the premises. Thank you so much for coming, I think this has been one of our shortest regular session meetings in a long time. Thank you all for coming.

12. Closed Session- N.C.G.S. § 143-318.11(a)(3) to consult with the town attorney regarding matters protected within the attorney-client privilege and to preserve that privilege; and as allowed by N.C.G.S. § 143-318.11(a)(6) to discuss one or more confidential Board of Adjustment matters.

Garriss: For the record, Town Attorney, can you please provide a synopsis of the Closed Session.

Varnell, Casey: Mr. Mayor, Council Closed Session to consult with the town attorney regarding matters protected within the attorney-client privilege and to preserve that privilege; and to discuss confidential Board of Adjustment matters.

Garriss: Thank you, Casey. Anything else, Council? If not, I will entertain a motion to adjourn.

Hines: So, moved.

Garriss: Motion made by David. Second?

Tillett: Second.

Garriss: Second by Dylan. All in favor?

All Council: Aye.

Garriss: Thank you, we are adjourned.

13. Adjourn

Adjourned at 6:53 pm.

The Minutes of the January 6, 2025, Kitty Hawk Town Council Meeting are approved at the February 3, 2025, Kitty Hawk Town Council Meeting.

D. Craig Garriss, Mayor

Lauren Garrett, Town Clerk

AGENDA ITEM # 6B

DATE: February 3, 2025

SUBMITTED BY: Finance Director

SUBJECT: Budget Amendment #12- Donation to the Police Department

REF: Donation by Fred W Gentry

BACKGROUND:

This budget amendment recognizes the revenue donation. The Police Department will use the donation for employee engagement.

DISCUSSION:

RECOMMENDED MOTION:

Consent Agenda Item

TOWN OF KITTY HAWK
Budget Amendment Number #12 (FY 2024-2025)

INCREASE

DECREASE

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Description</u>
REVENUES				
10-4310-3434-0000	Donation to Police Department	\$1,500		
EXPENDITURES				
10-4310-5520-0000	Employee Engagement	\$1,500		
	TOTAL			TOTAL

Explanation: To recognize a donation to the police department by Fred W Gentry.

Recommended by :

Liliana Noble

 Liliana Noble- Finance Director

Approved by:

_____ **D. Craig Garriss- Mayor**

Date: _____

AGENDA ITEM # 6C

DATE: February 3, 2025

SUBMITTED BY: Finance Director

SUBJECT: Capital Project Fund 40 Ordinance – Fire Truck Purchase

REF: Adopt the Capital Project Fund 40 to acquire a capital asset.

BACKGROUND:

On November 4, 2024, the Governing Board approved the purchase of the Fire Truck for \$961,320. The Estimated period to build and deliver this truck is 1000 – 1025 calendar days. The funding for this asset has been saved in the capital reserve fund.

G.S 159-13.2 (c) If a unit or public authority intends to authorize a capital project, it shall not begin until it has adopted a balanced project ordinance for the project's life. A project ordinance shall identify the project and authorize its undertaking, identify the estimated revenues that will finance the project, and make the appropriations necessary to complete the project.

This ordinance will establish the budget for the purchase of the fire truck.

DISCUSSION:

RECOMMENDED MOTION:

Consent Agenda Item

**Capital Project Ordinance Fund 40
For the Town of Kitty Hawk**

BE IT ORDAINED by the Governing Board of the Town of Kitty Hawk, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is hereby adopted as follows:

Section 1: The project authorized is the purchase of a fire truck to be constructed by the approved vendor over a period of approximately 1000- 1025 calendar days to be delivered to the Town upon completion.

Section 2: The purchase was approved by the Town Council on November 4, 2024, and the appropriate Town officers are hereby authorized to execute the contract on behalf of the Town.

Section 3: The following amounts are appropriated for the project:

Capital Outlay Vehicle	\$961,320
Total appropriations	\$961,320

Section 4: The following revenues and funding sources are available to complete this project:

Transfer from Capital Reserve Fund designated for Fire Truck	\$961,320
Total estimated revenues	\$961,320

Section 5: The Finance Director is directed to report at least annually on the financial status of this project until it is completed. The report should be in a format that shows the project budget and project-to-date revenues, funding sources, and expenditures.

Section 6: Copies of this capital project ordinance shall be furnished to the Clerk, the Governing Board, and the Finance Director for direction in carrying out this project.

Adopted on the 3rd day of February 2025.

Lauren Garrett, Town Clerk

D. Craig Garriss, Mayor

AGENDA ITEM # 6D

DATE: Monday, February 3, 2025

SUBMITTED BY: Finance Director

SUBJECT: FINANCIAL STATEMENTS

REF: Financial Statements as of January 24, 2025

BACKGROUND:

Town of Kitty Hawk Financial Statements General Fund -10
Revenues
Expenditures by Department

Town of Kitty Hawk Financial Statement 5200 N Croatan Hwy Project Fund- 41
Revenues and Expenditures
Construction Contingency

DISCUSSION:

RECOMMENDED MOTION:

Consent Agenda Item

TOWN OF KITTY HAWK STATEMENT OF REVENUES
FUND 10- GENERAL FUND as of January 24, 2025

REVENUE SOURCE	AMENDED BUDGET	YR TO DATE as 01/2025	AMOUNT OVER/UNDER	% COLLECTED
TAXES - PROPERTY				
Ad Valorem Tax (\$.0265)	3,890,205	3,388,588	(501,617)	87.11%
Ad Valorem (\$.035) BN	513,801	448,677	(65,124)	87.33%
Ad Valorem (\$.10) MSD	552,521	477,964	(74,557)	86.51%
Ad Valorem Prior Year	15,000	8,498	(6,502)	56.66%
AD valorem & Vehicle Penalties, fees, interest	6,000	(3,428)	(9,428)	-57.13%
Motor Vehicle Tax	208,473	102,115	(106,358)	48.98%
Motor Vehicle Tax - BN	27,534	13,557	(13,977)	49.24%
Motor Vehicle Tax - MSD	11,136	5,767	(5,369)	51.79%
subtotal	5,224,670	4,441,738	(782,932)	85.01%
TAXES - OTHER				
Local Option Sales Tax	1,955,670	1,093,471	(862,199)	55.91%
Local Option Sales Tax - BN MSD	234,330		(234,330)	0.00%
Land Transfer Tax	480,000	226,386	(253,614)	47.16%
Occupancy Tax	2,217,697	1,200,506	(1,017,191)	54.13%
Beer and Wine Tax	16,000		(16,000)	0.00%
Telecom Tax	14,800	3,596	(11,204)	24.29%
Electric Utility Tax	426,800	153,949	(272,851)	36.07%
Cable Franchise Tax	71,200	16,367	(54,833)	22.99%
Piped Natural Gas Tax	3,900	388	(3,512)	9.96%
PEG Channel	25,600	6,944	(18,656)	27.13%
Solid Waste Disposal Tax	2,900	759	(2,141)	26.17%
Mixed Beverage Tax (ABC)	86,000	30,780	(55,220)	35.79%
subtotal	5,534,897	2,733,147	(2,801,750)	49.38%
PERMITS AND FEES				
Building Permits	175,000	114,659	(60,341)	65.52%
Homeowner Recovery Fee	1,265	540	(725)	42.69%
CAMA Permits	2,585	1,645	(940)	63.64%
Planning Permit and Fees	15,000	9,878	(5,122)	65.86%
Board of Adjustment Fees	100		(100)	0.00%
Site Plan Review Fees	100		(100)	0.00%
Sanitation Fees (Garbage Carts)	10,000	6,005	(3,995)	60.05%
subtotal	204,050	132,727	(71,323)	65.05%
INTERGOVERNMENTAL				
Department of Justice Asset Forfeiture	1,000	32,460	31,460	3245.99%
Powell Bill Allocation (pass through)	131,724	144,263	12,539	109.52%
NCDOR Unauthorized Substance Tax Dist	3,000	37	(2,963)	1.22%
Federal Grant Revenue			0	#DIV/0!
State Grant Revenue -Canal Ditches Debris			0	#DIV/0!
Dare Co. - Sand Fencing (pass through)	24,000		(24,000)	0.00%
Dare Co. -Payment to Bonds (pass through)	186,148	-	(186,148)	0.00%
subtotal	345,872	176,759	(169,113)	51.11%
FINES & FORFEITS				
Dare County Court fees	1,500	1,640	140	109.34%
Code Enforcement Fines	1,500	575	(925)	38.33%
Fines and Forfeitures	500		(500)	0.00%
subtotal	3,500	2,215	(1,285)	63.29%
INTEREST EARNINGS				

TOWN OF KITTY HAWK STATEMENT OF REVENUES
FUND 10- GENERAL FUND as of January 24, 2025

REVENUE SOURCE	AMENDED BUDGET	YR TO DATE as 01/2025	AMOUNT OVER/UNDER	% COLLECTED
Interest on Investments	159,724	285,481	125,757	178.73%
subtotal	159,724	285,481	125,757	
OTHER REVENUE				
Town Merchandise Sales	500	229	(271)	45.71%
General Donations	8,250	8,750	500	106.06%
Building Rents	165,237	114,356	(50,881)	69.21%
Sale of Surplus Property	10,000	14,950	4,950	149.50%
Miscellaneous Revenue	15,000	13,798	(1,202)	91.99%
Insurance Claims and reimbursements	-	1,063	1,063	#DIV/0!
Icarus International	3,000	15,400	12,400	513.33%
subtotal	201,987	168,546	(33,441)	83.44%
FUND BALANCE				
Fund Balance-Appropriated	1,894,019		(1,894,019)	0.00%
subtotal	1,894,019	-	(1,894,019)	
TRANSFERS IN FROM OTHER FUNDS				
Transfers from Capital Reserve Fund	278,200	28,200	(250,000)	10.14%
subtotal	278,200	28,200	(250,000)	10.14%
TOTAL REVENUES	13,846,919	7,968,814	(5,878,105)	57.55%

TOWN OF KITTY HAWK STATEMENT OF EXPENDITURES
FUND 10 - GENERAL FUND as of January 24, 2025

ACCT. NO.	EXPENDITURES BY DEPARTMENT	AMENDED BUDGET	YR TO DATE as 01/2025	AVAILABLE	% USED
4100	Non-Departmental	663,341	471,644	191,697	71.10%
4110	Governing Body(Town Council)	41,197	21,618	19,579	52.47%
4111	Recreation Committee	10,400	-	10,400	0.00%
4120	Administrative Services	667,773	351,882	315,891	52.69%
4130	Finance Department	310,443	199,849	110,594	64.38%
4270	Public Works Department	1,363,599	804,513	559,086	59.00%
4310	Police Department	3,402,709	1,650,558	1,752,151	48.51%
4311	Police Separation Allowance	95,916	57,751	38,165	60.21%
4340	Fire Department	2,435,807	1,429,048	1,006,759	58.67%
4370	Ocean Rescue	219,682	105,527	114,155	48.04%
4410	Beach Nourishment	1,525,470	1,150,155	375,315	75.40%
4510	Transportation	1,292,000	1,127,522	164,478	87.27%
4710	Environmental Services	1,266,000	606,329	659,671	47.89%
4910	Planning & Inspections Department	542,434	301,039	241,395	55.50%
4980	Planning Board	5,883	2,907	2,976	49.41%
4990	Board of Adjustment	4,265	377	3,888	8.83%
Total Expenditures:		13,846,919	8,280,720	5,566,199	59.80%

Fund Summary	
Revenues	7,968,814
minus Expenses	8,280,720
Total surplus (deficit)	(311,906)

**FUND 41-TOWN OF KITTY HAWK REMODELING BUILDING
5200 N CROATAN HWY as of January 24, 2025**

	AMENDED BUDGET January 6th, 2025	Fiscal Year 2022-2023	Fiscal Year 2023-2024	Current Yr 2024-2025	Project to Date activity	AVAILABLE BUDGET
--	---	----------------------------------	----------------------------------	---------------------------------	-------------------------------------	-----------------------------

REVENUES

Transfer in from General Fund 10	5,110,512.00	4,426,143.00	230,307.00	454,062.00	5,110,512.00	0.00
Transfer in from Capital Reserve Fund 21	1,203,583.00	1,203,583.00			1,203,583.00	0.00
Transfer in from Capital Project Fund 40	2,620,274.00	2,620,274.00			2,620,274.00	0.00
Total Revenues	8,934,369.00	8,250,000.00	230,307.00	454,062.00	8,934,369.00	0.00

EXPENSES

Special Agent Inspections	32,574.00	0.00		5,070.00	5,070.00	27,504.00
Pre-construction Schematic Design	49,872.00	49,872.00			49,872.00	0.00
Design and Construction Management	354,679.00	15,703.70	246,881.70	27,861.29	290,446.69	64,232.31
Maintenance & Repairs B & Grounds	236,481.00	236,480.55			236,480.55	0.45
Capital Outlay Equipment	159,079.00				0.00	159,079.00
Capital Outlay Equipment(furniture)	241,662.00					
Capital Outlay Land Purchase	4,107,622.00	4,107,622.00			4,107,622.00	0.00
Capital Outlay Building Remodeling	3,540,000.00			1,531,976.17	1,531,976.17	2,008,023.83
Budgetary Contingency	212,400.00				0.00	212,400.00
Total expenses	8,934,369.00	4,409,678.25	246,881.70	1,564,907.46	6,221,467.41	2,471,239.59

Project summary	
Revenues	8,934,369.00
minus expenses	6,221,467.41
available	2,712,901.59

FUND 41-TOWN OF KITTY HAWK REMODELING BUILDING
5200 N CROATAN HWY as of January 24, 2025

CONTINGENCY

212,400.00

Change order # 001 Replace existing Exterior Wall Hydrants 1,572.04
Change order # 002 Remove & replace Existing Drywall 40,626.43
Change order # 003 Remove & replace Existing Insulation 18,173.17
Change order # 004 Remove GWB from Exterior Side Wall 6,252.40
Change order # 005 Remove & Replace existing damaged roof sheathing 5,504.35
Change order # 006 Credit remove dishwasher and dryer from the project scope of 7,136.26

Change order #007 Power to Helipad location **ON REVIEW**

Change Order # 008 Ceramic Wall Tile in showers

15,422.00

Contingency available

131,985.87

6e

**PROCLAMATION
GOVERNMENT COMMUNICATORS DAY
FEBRUARY 21, 2025**

WHEREAS, the role of government communications professions is to inform, educate and engage their communities; and

WHEREAS, robust communication in government creates trust and inspires residents to take action and be involved; and

WHEREAS, government communications create relationships and calls to action, build awareness and understanding through storytelling, engage and foster engagement on civic issues and use all channels to include people in critical decisions; and

WHEREAS, it is essential to have strong communications in government because it is a foundational element of living in a democracy where citizens have the freedom to make their voice heard; and

WHEREAS, the Town of Kitty Hawk is proud and has deep gratitude and recognition for government communicators' professionalism, dedication, hard work, commitment, enthusiasm and sacrifice;

NOW, THEREFORE, I, the Mayor of the Town of Kitty Hawk do hereby proclaim February 21, 2025, as

GOVERNMENT COMMUNICATORS DAY

in Kitty Hawk, North Carolina and encourage all residents to thank the Public Information Officers who have dedicated their careers to ensure the Town of Kitty Hawk has effective, impactful and successful communication strategies that resonate and are relevant.

Dated this 3rd day of February 2025

Attest: _____
Lauren Garrett, Town Clerk

D. Craig Garriss, Mayor

8A

Post Office Box 549
101 Veterans Memorial Drive
Kitty Hawk, NC 27949



Phone (252) 261-3552
Fax (252) 261-7900
www.townofkittyhawk.org

MEMORANDUM

TO: Mayor Garriss and Members of the Town Council
FROM: Rob Testerman, AICP, CFM, CZO, Director of Planning & Inspections
DATE: February 3, 2025
RE: **CAMA Land Use Plan Update – Revised**

As Council will remember, in September 2023 the updated CAMA Land Use Plan was adopted by Town Council to serve as the Town’s updated comprehensive plan. The state’s adoption of Ch. 160D required that in order to lawfully practice zoning, localities must have a “reasonably maintained” comprehensive plan. As the Town’s previous plan was adopted in 2003/2004, it was determined that to comply with the “reasonably maintained” criteria, an update was required.

As one of the coastal communities that is regulated by the Coastal Area Management Act (CAMA), our plan was created, and adopted with the intent to also serve as our CAMA Land Use Plan. As stated in the plan, as a comprehensive plan, it is used as a tool guiding development decisions. As a CAMA-certified plan, it is used by the North Carolina Department of Environmental Quality’s Division of Coastal Management to make CAMA permitting decisions.

In the time since the Town’s adoption of the plan to serve as our comprehensive plan, the Division of Coastal Management has been reviewing the plan, and working with Stewart Inc, the consultants who aided in developing the plan, to ensure that the plan is able to be certified by the state. In response to the state’s review, several edits were made to address DCM’s comments. A list of those edits, as well as the edited pages are attached to this staff report.

With the edits having been made, the Town must now re-adopt the plan, which requires a new public hearing

Town Council Recommended Motion

“I move to set a public hearing at the Town Council meeting on March 3, 2025 to consider adoption of the revised Kitty Hawk CAMA Land Use Plan.”

Town of Kitty Hawk

Below is a list of edits from DCM staff review that were made after the September 5, 2023 adoption.

1. CAMA Matrix updates
 - a. Pg 117, Community Vision- Description of the general physical appearance and form that represents the local government's plan for the future shall include objectives to be achieved by the plan and identify changes that may need to be made to achieve the planning vision. **Updated to pages 33-35.**
 - b. Pg 118, Natural Systems- Flood and other natural hazard areas- **Updated to pages 94-101.**
 - c. Pg 118, Natural Systems- Water supply watersheds or wellhead protection areas – **Updated to page 111 and updated the description of wellhead location on page 111.**
 - d. Pg 118, Natural Systems- Primary nursery areas. **Updated to page 93.**
 - e. Pg. 118, Environmental Conditions- Areas experiencing chronic wastewater treatment malfunctions. **Updated page number from 108-109 to page 92.**
 - f. Pg. 118, Environmental Conditions- Areas with water quality or public health problems related to non-point source pollution. **Updated page number from page 108 to page 90.**
 - g. Pg 118- Environmental Conditions- Environmentally fragile areas (as defined in Part (c)(2)(A)(ix) of this Rule) or areas where resources functions are impacted as a result of development. **Updated page number from page 92 to page 104.**
 - h. Pg 119, Community Facilities- Description of existing public and private water supply systems to include: Documented overflows, bypasses or other problems that may degrade water quality or constitute a threat to public health as documented by the DWR. **Updated page numbers from 108-109 to pages 110-111.**
 - i. Pg 119, Community Facilities- Description of existing public and private wastewater systems to include: Existing Conditions, Existing Capacity, & Documented overflows, bypasses or other problems that may degrade water quality or constitute a threat to public health as documented by the DWR. **Updated page numbers from 108-109 to pages 110-111.**
 - j. Page 119, Community Facilities- Identification of existing drainage problems and water quality issues related to point-source discharges of stormwater runoff. **Updated from N/A to Page 113.**
 - k. Page 120, Infrastructure Carrying Capacity- **Added row for Establish service criteria, Policy 2.3, 6.1, 6.3, 6.4, 6.8 and Page 49, 54,55.**
2. Page 6, **Edited the description under Header What's a CAMA Comprehensive Land Use Plan.**
3. Page 9-10, **Corrected formatting error.**
4. Page 24, **Corrected image error.**
5. Page 27, **Added percentages to pie chart.**
6. Page 41, **Decreased the sizes of Highway 12 markers.**

7. Page 49, **Policy 2.1 added a sub-bullet describing the intent of the policy for the Coastal Resources Commission.**
8. Page 56, **Policy 7.2, added a sub-bullet describing the intent of the policy for the Coastal Resources Commission.**
9. Page 98, **Areas Experiencing Significant Shoreline Erosion, Edited the description of shoreline erosion areas.**
10. **Pg. 104- 107. Expanded on the description of Natural Heritage Areas on page 104. Added descriptions and explanation of existing wetlands in Kitty Hawk on page 106. Provided a description of coastal shorelines including both estuarine and public trust shorelines on page 107.**
11. Page 108, **Added captions to images.**
12. Page 109, **Updated map labels.**
13. Page 111, **Included a map of existing water lines and non-discharge permits in and around the Town of Kitty Hawk.**
14. Page 111, **Updated description of existing septic systems in Kitty Hawk.**
15. Page 113, **Updated map legend.**

Below is a list of edits from State Agency Review that were made after the September 5, 2023 adoption.

1. NC Emergency Management Comment- The Outer Banks Regional Hazard Mitigation Plan is currently undergoing its quinquennial update and there are several goals and measures identified in the LUP that should be noted in the HMP---specifically measures concerning flood mitigation, stormwater studies and stormwater management as these investigations and actions may be suitable candidates for future grant proposals under the FEMA Building Resilient Infrastructure and Communities (BRIC) program. The BRIC program has a funding category for Capability and Capacity Building grants (C&CB Grants) that can be used for engineering studies and design work including benefit/cost analysis which can be used to support development of future project funding applications. Participation in the HMP update can also lead to a few extra points on your CRS rating—our contractors are aware of this and have instructions to work with communities to maximize this credit. **Updated bullets under Policy 6.7 to include completion of Phases 1 and 2 of the Resilient Coastal Communities Program, pursuance of Phase 3 and 4 of the Resilient Coastal Communities Program, and the pursuance of grant funding including BRIC and C&CB grants for engineering studies and/or design work.**
2. NC Department of Environmental Quality Division of Water Resources Comment- I don't have any comment on the Kitty Hawk plan. Their water supply is through Dare County and the Dare County Local Water Supply Plan doesn't separate the KH population or demand. Their population projects seem consistent with the Dare County LWSP. That LWSP has a good handle on future water demand, so I don't see any issues.
3. NC Division of Cultural Resources- While the Town of Kitty Hawk notes that there are no National Register of Historic Places-listed properties in the town, in Policy 12.3 the town in celebrating the area's unique history recognizes that there are properties on the State Historic Preservation Office's Study List that could be nominated to the National Register and with listing could be eligible for tax credits for the rehabilitation of those properties. Thus, it recommends in Policy 12.3 on page 60 that the town "Consider hosting an educational program for study-listed property owners on the benefits of being included on

the National Register of Historic Places.” We applaud this recommendation and stand ready to help in developing and presenting such a meeting. According to the OSA GIS database, there are two known, recorded archaeological sites within Kitty Hawk Town Limits. These are 31DR17 (potential prehistoric occupation site) and 31DR96 (Gurles Sanderlin Tate Hayman Swain Cemetery). The former is currently located underneath the housing development south of Sound Landing, and the former is located within the Kitty Hawk Woods Coastal Reserve. Additionally, there are numerous recorded historic cemeteries within Kitty Hawk Town Limits. These should be considered in future planning and development efforts. Historic properties that may be impacted by natural hazards like flooding, and that will be considered for relocation or raising, may have corresponding archaeological resources located on the property. Future undertakings that are subject to the environmental review process, on these properties, as well as on previously undeveloped and unassessed parcels, may require archaeological surveys to assess and identify the impacts to those known and unknown resources. **Included both archeological sites on page 110 and added bullets under Policy 12.3 including the encouragement of National Register nomination for study-listed properties, educational programs explaining the potential benefits of listing on the National Register, assess of potential impacts to known or unknow archeological resources during activities that are subject to environmental review, and contacting the State Medical Examiner and State Archeologist if any human remains are found on a construction site.**

CAMA MATRIX

Matrix for Land Use Plan Elements – 15A NCAC 7B .0702		Policy and/or Page Reference(s)
Organization of the Plan		
<ul style="list-style-type: none"> Matrix that shows the location of the required elements as set forth in this Rule 		Pages 117-122
Community Concerns and Aspirations		
<ul style="list-style-type: none"> Description of the dominant growth-related conditions that influence land use, development, water quality and other environmental concerns in the planning area 		Pages 9-10
Description of the land use and development topics most important to the future of the planning area, including:		
<ul style="list-style-type: none"> Public Access 		Page 9
<ul style="list-style-type: none"> Land Use Compatibility 		Page 9
<ul style="list-style-type: none"> Infrastructure Carrying Capacity 		Page 10
<ul style="list-style-type: none"> Natural Hazard Areas 		Page 10
<ul style="list-style-type: none"> Water Quality 		Page 9
Community Vision		
<ul style="list-style-type: none"> Description of the general physical appearance and form that represents the local government's plan for the future. It shall include objectives to be achieved by the plan and identify changes that may be needed to achieve the planning vision. 		Pages 33-35
Existing and Emerging Conditions		
Population, Housing and Economy		
Discussion of the following data and trends:		
<ul style="list-style-type: none"> Permanent population growth trends using data from the two most decennial Censuses 		Page 14
<ul style="list-style-type: none"> Current permanent and seasonal population estimates 		Page 15, Page 17
<ul style="list-style-type: none"> Key population characteristics including age and income 		Pages 18-19
<ul style="list-style-type: none"> Thirty-year projections of permanent and seasonal population in five-year increments 		Page 16
<ul style="list-style-type: none"> Estimate of current housing stock, including permanent and seasonal units, tenure, and types of units (single-family, multifamily, and manufactured) 		Pages 20-21
<ul style="list-style-type: none"> Description of employment by major sectors and community economic activity 		Pages 22-25
Natural Systems		
Description of natural features in the planning jurisdiction to include:		
<ul style="list-style-type: none"> Areas of Environmental Concern (AECs) as set forth in Subchapter 15A NCAC 07H 		Pages 81-83

Matrix for Land Use Plan Elements – 15A NCAC 7B .0702	Policy and/or Page Reference(s)
<ul style="list-style-type: none"> Soil characteristics, including limitations for septic tanks, erodibility, and other factors related to development 	Pages 84-85
<ul style="list-style-type: none"> Environmental Management Commission (EMC) water quality classifications and related use support designations 	Pages 88-92
<ul style="list-style-type: none"> Division of Marine Fisheries (DMF) shellfish growing areas and water quality conditions 	Pages 90-92
<ul style="list-style-type: none"> Flood and other natural hazard areas 	Pages 94-101
<ul style="list-style-type: none"> Storm surge areas 	Pages 94- 95
<ul style="list-style-type: none"> Non-coastal wetlands, including forested wetlands, shrub-scrub wetlands and freshwater marshes 	Pages 86-87
<ul style="list-style-type: none"> Water supply watersheds or wellhead protection areas 	Page 111
<ul style="list-style-type: none"> Primary nursery areas 	Page 93
<ul style="list-style-type: none"> Environmentally fragile areas, such as wetlands, natural heritage areas, areas containing endangered species, prime wildlife habitats, or maritime forests 	Pages 104-107
<ul style="list-style-type: none"> Additional natural features or conditions identified by the local government 	N/A
Environmental Conditions	
Discussion of environmental conditions within the planning jurisdiction to include an assessment of the following conditions and features:	
<ul style="list-style-type: none"> Status and changes of surface water quality; including: <ul style="list-style-type: none"> Impaired streams from the most recent Division of Water Resources (DWR) Basin Planning Branch Reports Clean Water Act 303 (d) List Other comparable data 	Page 92
<ul style="list-style-type: none"> Current situation and trends on permanent and temporary closures of shellfishing waters as determined by the Report of Sanitary Survey by the Shellfish Sanitation and Recreational Water Quality Section of the DMF 	Page 92
<ul style="list-style-type: none"> Areas experiencing chronic wastewater treatment malfunctions 	N/A
<ul style="list-style-type: none"> Areas with water quality or public health problems related to non-point source pollution 	Pages 91- 92
<ul style="list-style-type: none"> Areas subject to recurrent flooding, storm surges and high winds 	Page 92
<ul style="list-style-type: none"> Areas experiencing significant shoreline erosion as evidenced by the presence of threatened structures or public facilities 	Page 90
<ul style="list-style-type: none"> Environmentally fragile areas (as defined in Part (c)(2)(A)(ix) of this Rule) or areas where resources functions are impacted as a result of development 	Pages 94-97
<ul style="list-style-type: none"> Natural resource areas that are being impacted or lost as a result of incompatible development. These may include, but are not limited to the following: coastal wetlands, protected open space, and agricultural land. 	Pages 98-99
Existing Land Use and Development	Page 104
MAP of existing land use patterns	Page 104
	Page 103

Matrix for Land Use Plan Elements – 15A NCAC 7B .0702	Policy and/or Page Reference(s)
<ul style="list-style-type: none"> Description of the existing land use patterns 	Page 102
<ul style="list-style-type: none"> Estimates of the land area allocated to each land use category 	Page 102
<ul style="list-style-type: none"> Characteristics of each land use category 	Page 102
MAP of historic, cultural, and scenic areas designated by a state or federal agency or by the local government	Page 109
<ul style="list-style-type: none"> Descriptions of the historic, cultural and scenic areas 	Page 108
Community Facilities	
Evaluation of existing and planned capacity, location and adequacy of community facilities to include:	
MAP of existing and planned public and private water supply service areas	
<ul style="list-style-type: none"> Description of existing public and private water supply systems to include: <ul style="list-style-type: none"> Existing condition Existing capacity Documented overflows, bypasses or other problems that may degrade water quality or constitute a threat to public health as documented by the DWR Future water supply needs based on population projections 	Page 110
<ul style="list-style-type: none"> Existing condition 	Page 110
<ul style="list-style-type: none"> Existing capacity 	Page 110
<ul style="list-style-type: none"> Documented overflows, bypasses or other problems that may degrade water quality or constitute a threat to public health as documented by the DWR 	Pages 110-111
<ul style="list-style-type: none"> Future water supply needs based on population projections 	Page 16
MAP of existing and planned public and private wastewater service areas	
<ul style="list-style-type: none"> Description of existing public and private wastewater systems to include: <ul style="list-style-type: none"> Existing condition Existing capacity Documented overflows, bypasses or other problems that may degrade water quality or constitute a threat to public health as documented by the DWR Future wastewater system needs based on population projections 	Page 110
<ul style="list-style-type: none"> Existing condition 	Page 110
<ul style="list-style-type: none"> Existing capacity 	Page 110
<ul style="list-style-type: none"> Documented overflows, bypasses or other problems that may degrade water quality or constitute a threat to public health as documented by the DWR 	Pages 110-111
<ul style="list-style-type: none"> Future wastewater system needs based on population projections 	N/A
MAP of existing and planned multimodal transportation systems and port and airport facilities	Page 113
<ul style="list-style-type: none"> Description of any highway segments deemed by the NC Department of Transportation (NCDOT) as having unacceptable service as documented in the most recent NCDOT Transportation and/or Thoroughfare Plan 	Pages 113-115
<ul style="list-style-type: none"> Description of highway facilities on the current thoroughfare plan or current transportation improvement plan 	Page 115
<ul style="list-style-type: none"> Description of the impact of existing transportation facilities on land use patterns 	Page 113-115
<ul style="list-style-type: none"> Description of the existing public stormwater management system 	Page 113
<ul style="list-style-type: none"> Identification of existing drainage problems and water quality issues related to point-source discharges of stormwater runoff 	Page 113
Future Land Use	Page 41

Matrix for Land Use Plan Elements – 15A NCAC 7B .0702		Policy and/or Page Reference(s)
Policies		
<ul style="list-style-type: none"> • Policies that exceed the use standards and permitting requirements found in Subchapter 7H, State Guidelines for Areas of Environmental Concern 		N/A
Policies that address the Coastal Resources Commission's (CRC's) management topics:		
Public Access Management Goal: <i>Maximize public access to the beaches and the public trust waters of the coastal region.</i>		
The planning objectives for public access are local government plan policies that:		
<ul style="list-style-type: none"> • Address access needs and opportunities 	Policy 1.1, 1.2, 1.3, 1.6, 2.1, 2.2	Page 48-49
<ul style="list-style-type: none"> • Identify strategies to develop public access 	Policy 1.1, 1.2, 1.3, 1.4, 1.6	Page 48
<ul style="list-style-type: none"> • Address provisions for all segments of the community, including persons with disabilities 	Policy 1.4, 1.5	Page 48
<ul style="list-style-type: none"> • For oceanfront communities, establish access policies for beach areas targeted for nourishment 	Policy 2.2, 7.1	Page 49, 55
Land Use Compatibility Management Goal: <i>Ensure that development and use of resources or preservation of land balance protection of natural resources and fragile areas with economic development, and avoids risks to public health, safety, and welfare.</i>		
The planning objectives for land use compatibility are local government plan policies that:		
<ul style="list-style-type: none"> • Characterize future land use and development patterns 	Policy 2.1, 3.2, 3.3, 3.4, 3.5, 5.1	Page 49, 50, 51, 52, 53
<ul style="list-style-type: none"> • Establish mitigation criteria and concepts to minimize conflicts 	Policy 2.2, 2.3, 2.4, 3.1, 4.1, 4.3, 5.1	Page 49, 50, 51, 52, 53
Infrastructure Carrying Capacity Management Goal: <i>Ensure that public infrastructure systems are sized, located, and managed so the quality and productivity of AECs and other fragile areas are protected or re-stored.</i>		
The planning objectives for infrastructure carrying capacity are local government plan policies that:		
<ul style="list-style-type: none"> • Establish service criteria 	Policy 2.3, 6.1, 6.3, 6.4, 6.8	Page 49, 54, 55

INTRODUCTION

PURPOSE

Imagine Kitty Hawk 2050 is the Coastal Area Management Act (CAMA) Land Use Plan, that will function as the Town of Kitty Hawk's CAMA and Comprehensive Plan. It incorporates and updates plans previously adopted by the Town of Kitty Hawk and creates a framework to guide responsible growth and natural resource conservation over a 25-year planning horizon.

WHAT'S A CAMA COMPREHENSIVE LAND USE PLAN?

A Coastal Area Management Act (CAMA) Land Use Plan is a document that contains elements that are required by the Coastal Area Management Act and recommendations to achieve a shared community vision. A reasonably maintained comprehensive plan is required by Chapter 160D of the North Carolina General Statutes as a condition to continue enforcing zoning.

As a Comprehensive Land Use Plan, this plan is intended to be a tool used by the residents of Kitty Hawk, policy makers that represent them, and the Town's staff who support them. It provides guidance for businesses, builders, future citizens, and scholars or students who want to learn more about the Town of Kitty Hawk.

As a CAMA-certified plan, this plan is used by the North Carolina Department of Environmental Quality (DEQ's), Division of Coastal Management (DCM) to make CAMA permit decisions.

PLANNING PROCESS

The Town of Kitty Hawk engaged in a one-year long update of its CAMA Land Use Plan to review and refine the vision for the community. This plan will provide guidance on land use, development design, economic development, recreation, and infrastructure decisions for years to come. It includes an assessment of the community as well as an updated vision, goals, and recommendations. Feedback from stakeholders, members of the public, and elected and appointed leadership were foundational to the creation of this plan.



TRENDS AND COMMUNITY CONCERNS

Through input from staff, elected officials and community members a set of emerging trends and concerns has emerged that should be the focus of Town efforts over the coming years. Some of these issues, such as the need to maintain the character of Kitty Hawk, were noted in previous plans, others, such as sea level rise, are relatively new issues whose potential impacts are just now becoming more clear.

CORRECTED **FORMAT / LAYOUT**
OF TEXT. **NO CHANGE IN**
CONTENT



Development Scale and Character

The Town of Kitty Hawk currently has strict limits on height to maintain ocean and sound views. Community engagement indicated the desire to maintain the strict height requirements and improve the Town's existing character. Plan recommendations and code revisions could give consideration to site and building design standards for nonresidential uses.

Housing Availability

Because of its coastal location, tourism is a major component of the Town's economy. With increasing numbers of vacation rentals, it becomes difficult to balance housing availability and affordability. Several community members expressed their concerns about housing availability and affordability. The Town should prioritize these issues through code revisions and targeted investments.



Water Quality and Access

Kitty Hawk has estuaries (Albemarle Sound and Kitty Hawk Bay) and the Atlantic Ocean on the east and west sides. The Albemarle Sound is considered an impaired water body and has been permanently closed for shellfishing. Survey participants indicated improving water quality and increasing public access to estuaries and the Atlantic Ocean should remain a Town priority.



Tourism and Visitation

Tourism in Dare County generates millions of State and Local tax revenues, as well as, billions of dollars in visitor spending. In fact, Dare County is ranked #4 among North Carolina's 100 counties in terms of visitor spending. The sudden influx of seasonal visitors increases demands on public services and infrastructure. It is eminent that the Town balance the negative impacts of tourism in order to thrive amid increasing visitation.



Infrastructure and Service Capacity

The sudden influx of visitors to Kitty Hawk puts increasing demands on septic systems, public infrastructure, and public services. Coordination with Dare County is needed to mitigate water capacity issues during tourist season.



Resiliency and Flooding

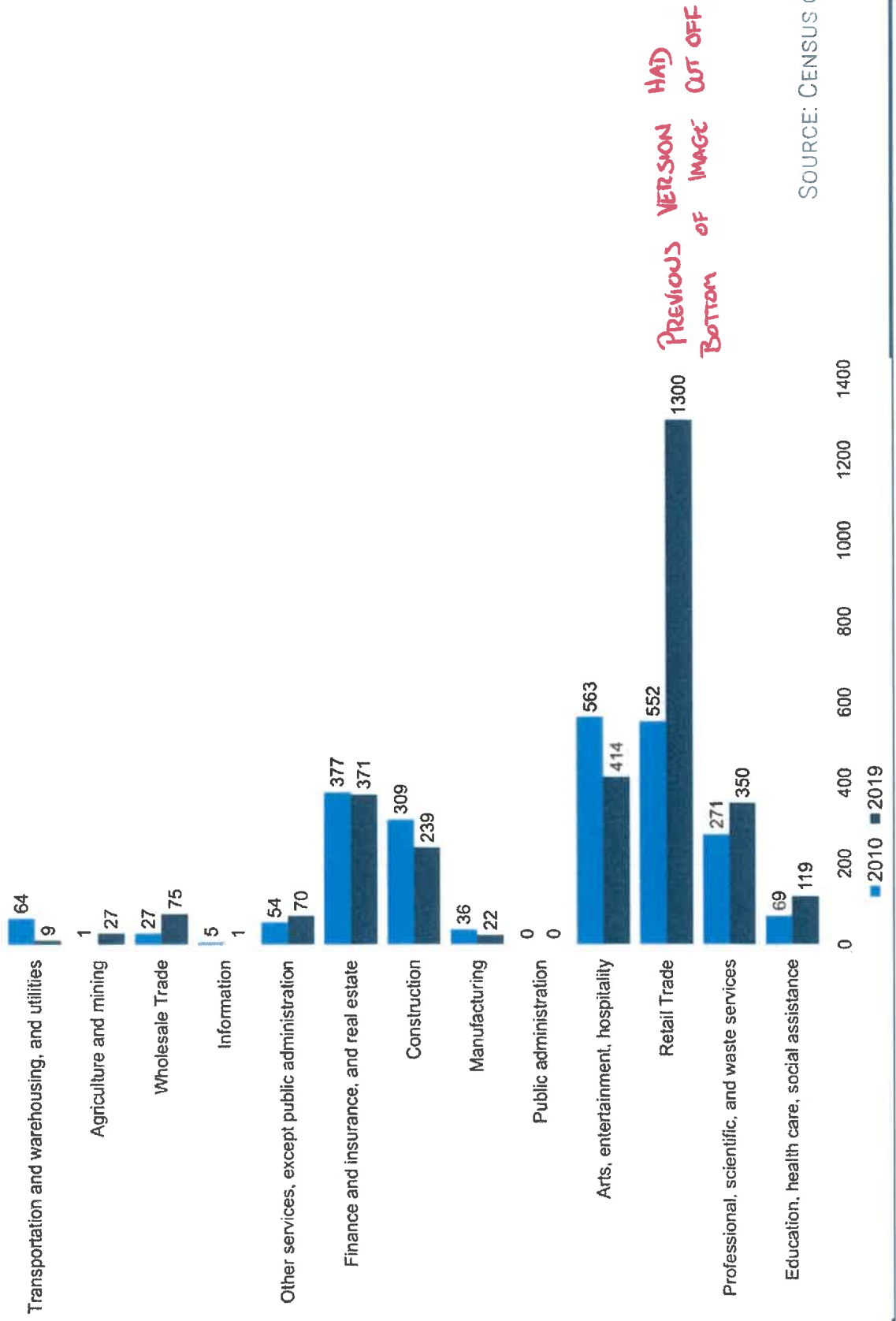
Location on the coast makes the Town of Kitty Hawk more vulnerable to the effects of climate change, high winds, storm surge, and flooding. Adaptation strategies to address climate risks to residences, buildings, and infrastructure should be made in the town's most vulnerable areas to increase resilience.



Pedestrian and Bicycle Facilities

Increasing pedestrian and bicycling facilities was the number one priority in the community survey. These are vital components in a community's transportation infrastructure. They provide recreational opportunities that encourage healthy lifestyles while increasing the multi-modal network. The Town should prioritize pedestrian safety and improve or expand existing facilities.

EMPLOYMENT BY INDUSTRY (RESIDENTS' JOBS)



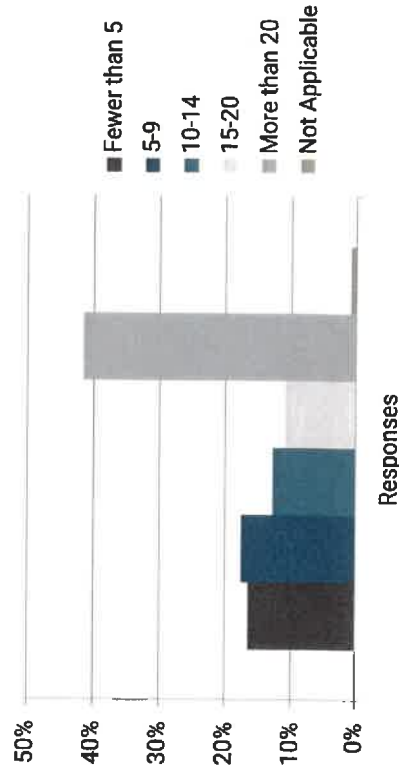
SURVEY RESULTS

The community survey ran from December 12, 2022 to January 16, 2023. Town staff encouraged participation through outreach and advertising on multiple platforms. The survey consisted of 11 questions, 2 of which being open ended. 276 people participated in the survey to provide their input, a majority of which live in Kitty Hawk full time (126) and have for 15+ years.

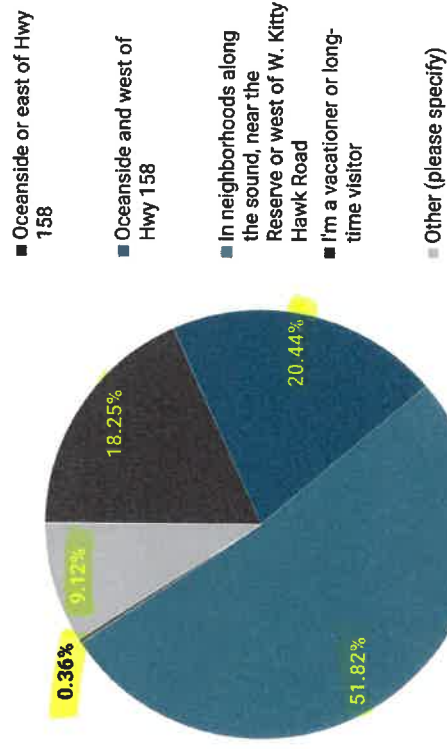
How do you relate to Kitty Hawk?



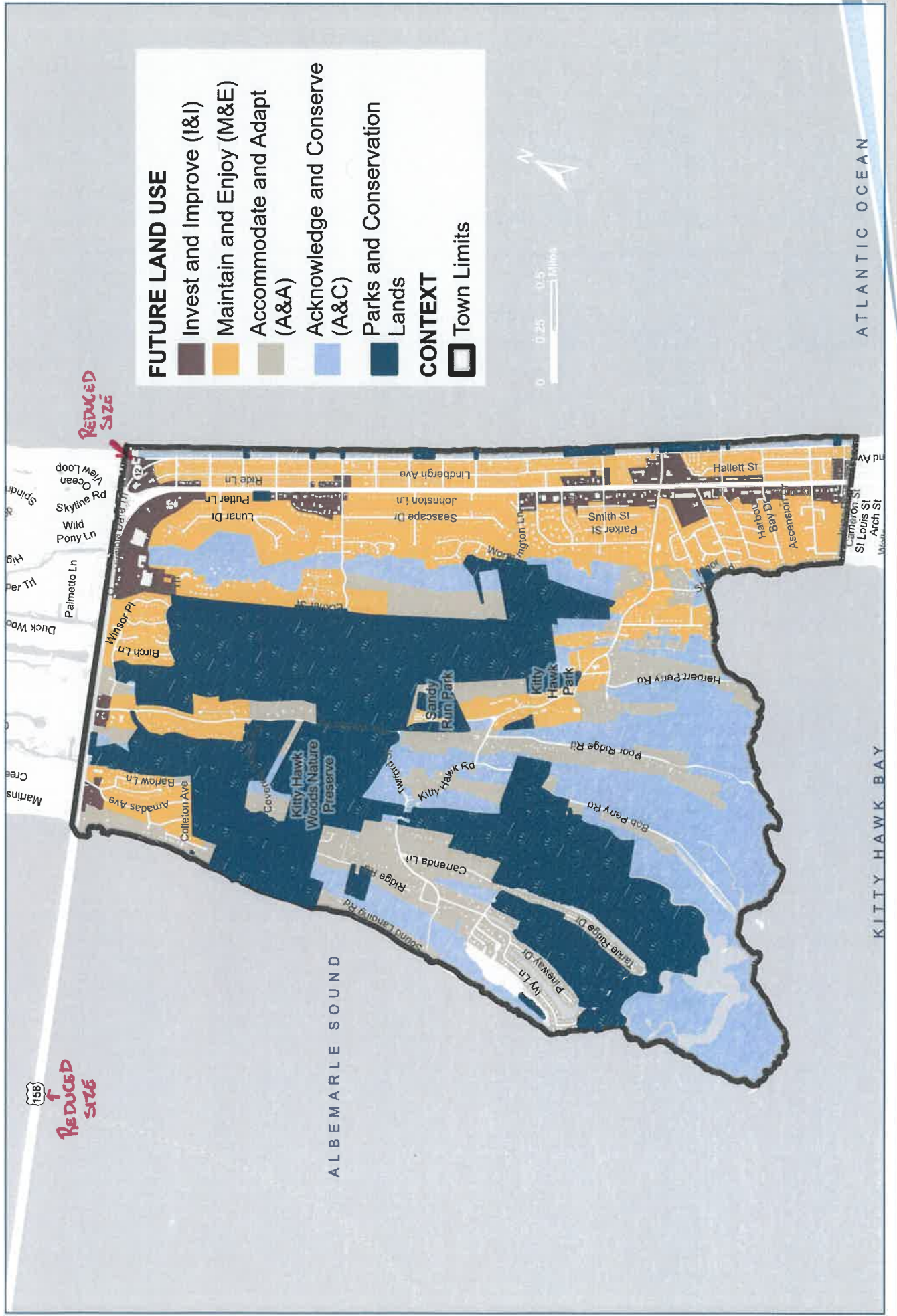
How many years have you lived, worked, or owned property or a business in Kitty Hawk?



Generally speaking, where do you live or own property?



FUTURE LAND USE MAP



LAND USE COMPATIBILITY

Goal 2: Preserve, protect, and enhance the Atlantic Ocean, Currituck Sound, Kitty Hawk Bay, and Albemarle Sound shorelines so that future generations can use the beach and water for recreation and leisure activities.

Policy 2.1: Regulate and support the management of oceanside development to protect and preserve the natural and recreational resources along the oceanfront.

- » Ensure new development adheres to CAMA requirements in the Ocean Hazard Area of Environmental Concern (See 15A NCAC 7H .0306 for building and setback requirements)
 - ▶ The intent is to defer to 15A NCAC 7h.0306 and allow applicants to apply for a variance.
- » Update, enforce and amend ordinances and procedures to protect the Atlantic Ocean Shoreline and associated sand dunes.

Policy 2.2: Support cooperative efforts between land owners and Town, State, and Federal agencies to acquire unbuildable oceanfront lots as appropriate.

Policy 2.3: Ensure properly installed and maintained sewage disposal systems.

- » Coordinate with the Dare County Health Department to permit and monitor systems.
- » Ensure new septic tanks meet county and state requirements.
- » Discourage new development that relies on septic tanks in areas that will be inundated with a 2' rise in sea level.
- » Establish a program for addressing impaired septic leach fields.

Policy 2.4: Require stormwater management systems in new development that mimic pre-development runoff conditions.

- » Continue to enforce stormwater regulations including:
 1. Require adequate stormwater BMPs.
 2. Maintain lot coverage maximums for different zoning districts.
- » Consider additional incentives for green stormwater infrastructure including pervious pavements, bioswales, rain gardens and green roofs.
 - ▶ Current regulations allow for additional lot coverage in commercial districts if permeable pavements

Case Study: Town of Nags Head Septic Monitoring Program

On-site septic systems must be maintained in order to function properly and often fail due to age, improper use, and/or over-use through high occupancy. The Town of Nags Head provides free non-emergency septic system inspections to homeowners with systems that are sized less than 3000 gallons per day. This includes locating your system, discussing maintenance and installation concerns, and inspecting the system. Town staff provides a follow-up report that outlines the location of the system and if there are any issues with it. If the system needs to be replaced, the town offers low-interest loans. The Town of Nags Head also has the ability to provide credits on water accounts because they provide water service to its residents.



NATURAL HAZARD AREAS

Goal 7: Continue beach nourishment and dune stabilization activities.

Policy 7.1: Continue to restore natural coastal buffers to protect inland areas from storm damage, flooding, sea level rise, while maintaining habitat and ecosystem functions for coastal species.

- » Continue to maintain and enhance access to areas that receive beach nourishment.
- » Continue regular dune plantings.
- ▶ A beach nourishment occurs every five years. These projects are important for ecotourism and storm protection.

Policy 7.2: Regulate and support the management of oceanside development to protect and preserve the natural and recreational resources along the oceanfront.

- » Ensure new development adheres to CAMA requirements in the Ocean Hazard Area of Environmental Concern (See 15A NCAC7H .0306 for building and setback requirements)
- ▶ The intent is to defer to 15A NCAC 7h.0306 and allow applicants to apply for a variance.
- » Update, enforce and amend

ordinances and procedures to protect the Atlantic Ocean Shoreline and associated sand dunes.

Goal 8: Evaluate the long-term viability of roadways and neighborhood infrastructure in high hazard and high vulnerability areas.

Policy 8.1: Study infrastructure exposure including roads and other key assets in vulnerable areas.

- » Potentially vulnerable areas include back side marshes, N. Virginia Dare Trail (NC Hwy 12), Ivy Lane, and Moor Shore Road.
- » Support studies that analyze vulnerability and analyze public costs of alternative solutions.
- » Evaluate relocation opportunities of public facilities in high hazard areas, especially critical facilities (water or electric supply, evacuation, etc.).
- » Consider living shoreline installations to protect key infrastructure.
- » Plan for abandonment or armoring of critical facilities where other solutions are not feasible.
- » Condemnation and/or public buy-outs are to be considered as a last resort only. Continued beach nourishment is preferable to retreat.



Beach nourishment was conducted for approximately 3.97 miles of shoreline from Southern Shores / Kitty Hawk town line to Kitty Hawk / Kill Devil Hills limits from August to October of 2022 at a cost of \$9,600,000.

AREAS EXPERIENCING

SIGNIFICANT SHORELINE EROSION

Ocean beaches and shorelines are lands consisting of unconsolidated soil materials (i.e., sand) that extend from the mean low water line landward to a point where either (a) the growth of vegetation occurs; or (b) a distinct change in slope or elevation alters the configuration of the land form, whichever is farther landward. The extent of this area is the distance landward from the first line of stable and natural vegetation as defined in 15A NCAC 07H .0305(a)(5).

The Town of Kitty Hawk has an east-facing beach and its shoreline is approximately 3.6 miles long. This entire area constitutes an Ocean Hazard AEC as defined by CAMA. The Ocean Hazard AEC is subject to long-term erosion and significant shoreline changes in response to wind, waves, fluctuating sea levels, and human influences.

The ocean hazard setbacks are determined by the size of the development and the shoreline long term erosion rate as defined in 15A NCAC 07H .0304. In Kitty Hawk, since there are areas experiencing shoreline erosion at a rate greater than 2 feet per year, there are two setback factors. North of Balchen St., the setback factor is 2, south of Balchen St. to E. Kitty Hawk Rd.



is 3, and from E. Kitty Hawk Rd. to the town limits boundary the setback factor is 2.

The Coastal Resources Commission updates long-term erosion rates every five to ten years, using aerial imagery to examine shoreline changes. This information is available from the Division of Coastal Management and can be viewed using their interactive map viewer.

The ocean shoreline adjacent to the Town of Kitty Hawk is dynamic and susceptible to erosion. This erosion has impacted rights-of-way along NC Highway 12 where dunes are beginning to encroach onto the highway in some areas.

Kitty Hawk has experienced oceanfront erosion along their beaches with a long term average of 2.2 ft of shoreline erosion, with some areas experiencing up to 3.3 ft of erosion. The southern beaches of Kitty Hawk have a lower long term annual erosion rate, however the lowest erosion amount is approximately 8.5 inches annually. See the Ocean Erodible Areas map on the following page.

Beach nourishment is the only tool in North Carolina to mitigate erosion along the oceanfront. Beach nourishment programs provide additional storm protection for coastal structures and enhances the beach for recreational purposes. However, beach nourishment is costly and is not a

permanent solution to control erosion due to the erosive forces of waves, storms, high winds, and rising sea levels. In addition, beach nourishment may have unintended consequences, such as changing wave patterns, altering habitat, or increasing rate of erosion. Beach nourishment must be repeated periodically. In Kitty Hawk, beach nourishment requires a 5-year maintenance cycle. Beach nourishment of the 3.6 miles of Kitty Hawk beaches was completed in 2022.

It should be noted that currently there are no threatened structures or public facilities at risk due to shoreline erosion. If beach nourishment activities were ceased (i.e., based on long-term erosion rates 3.3 ft per year) ocean overwash and/or erosion could threaten NC Highway 12 and structures within the dunes and west of the highway.

NATURAL AND CULTURAL ASSETS

NATURAL RESOURCES

Natural resources in and around Kitty Hawk include public trust waters, coastal and non-coastal wetlands, natural heritage areas, areas containing endangered species, prime wildlife habitats, and maritime forests. Currently, no natural resource areas are being impacted or lost as a result of incompatible development.

ENVIRONMENTALLY FRAGILE AREAS

Environmentally fragile areas natural resource functions may be negatively impacted as a result of development. These areas include wetlands, Significant Natural Heritage Areas (SNHA), and areas containing endangered species, prime wildlife habitats, or maritime forests. These natural resources are highly valued by residents (both year-round and seasonal).

NATURAL HERITAGE AREAS

Kitty Hawk Woods Reserve is a Significant Natural Heritage Area located near the center of Kitty Hawk. Kitty Hawk Woods consists of 1,890 acres that are privately, locally, and state-owned conservation areas. The site is also a Dedicated Nature Preserve.



The North Carolina Natural Heritage Program (NCNHP) identifies and inventories these areas, evaluates and assigns conservation priority ratings to the Natural Areas based on the biodiversity within them, and works with many partners to implement voluntary protection for them. The Natural Area boundaries are drawn by NCNHP staff, based on field surveys, and are ecological in nature.

The Natural Heritage Program is the state's most comprehensive source of information on rare and endangered animals and plants, and exemplary natural communities, known collectively as "elements of natural diversity."

The area consists of maritime deciduous forest, maritime swamp forests, and freshwater wetlands. Kitty Hawk Woods hosts several globally rare plant communities and four species of orchids. The ridges and swales of Kitty Hawk Wood contain a variety of wetland and upland plants.

Due to its diversity of habitats, a wide variety of plants and animals are found in Kitty Hawk Woods. In addition to raccoons, owls, and river otters, Kitty Hawk Woods is a great place to go for bird watching. A list of rare and/or endangered species that can



be potentially found in the area is located

in Appendix A of this plan. Fragmentation of forest adjacent to Kitty Hawk Woods may impact existing species that rely on existing habitat.

WETLANDS

There is a total of 2,634 acres of wetlands within the Town of Kitty Hawk, of which 1,111 is considered coastal wetlands. Non-coastal and coastal wetlands perform various functions, including acting as efficient and cost-effective filtration systems by trapping sediment and removing nutrients and harmful components before water enters creeks and the sound. Additionally, wetlands have the ability to store large amounts of water to slow runoff of freshwater into brackish estuaries.

Wetland vegetation is often very dense offering shoreline erosion protection by absorbing energy and reducing wave action during storms. Both non-coastal and coastal wetlands provide critical habitat. Wetlands can be impacted by development directly and indirectly. Direct impacts include additional runoff and sedimentation from new development. Indirect impacts include removal of vegetated uplands adjacent to wetlands,



which can negatively impact species that utilize these uplands during life cycles. In order to protect these critical wetland areas, the Town of Kitty Hawk recently updated its land development code and does not allow for marsh and wetland areas to be used towards meeting the minimum lot size requirements.



Sound estuarine shorelines include a total of 271,394 linear feet, of which 34,034 has been modified. The remaining 237,360 linear feet includes coastal wetlands, sediment bank, non-coastal wetlands, or is considered miscellaneous. There are 3 public access points to sound shorelines including access at Sandy Run Park, the boat ramp on Bob Perry Road, and Windgrass Circle.

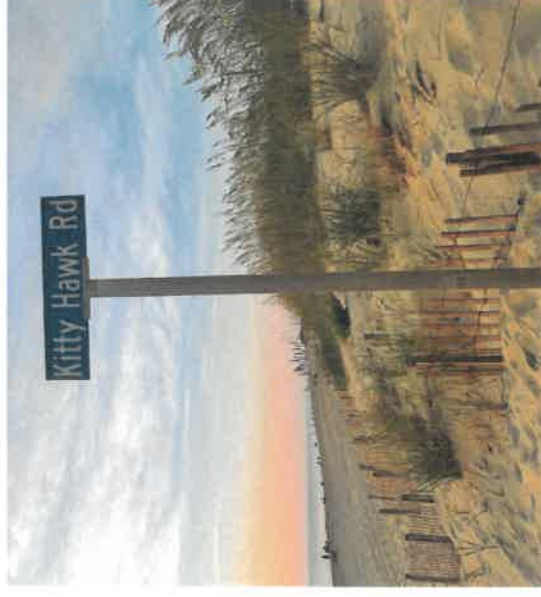
COASTAL SHORELINES

Coastal shorelines include both estuarine and public trust shorelines. Estuarine shorelines AEC are those non-ocean shorelines extending from the normal high water level or normal water level along the estuarine waters, estuaries, sounds, bays, fresh and brackish waters, and public trust areas as set forth in an agreement adopted by the Wildlife Resources Commission and the Department of Environment and Natural Resources [described in Rule .0206(a) of this Section] for a distance of 75 feet landward. Public trust shorelines AEC are those non-ocean shorelines immediately contiguous to public trust areas, as defined in Rule 07H .0207(a) of this Section, located inland of the dividing line between coastal fishing waters and

inland fishing waters as set forth in that agreement and extending 30 feet landward of the normal high water level or normal water level.

Kitty Hawk has an extensive inventory of ocean and sound estuarine shorelines both of which provide significant value to the town, public and private property owners, and visitors for their natural, recreational, and storm protective qualities. The ocean shoreline consists of approximately 3.6 publicly accessible miles and is an economic driver for the Town of Kitty Hawk. Ocean shorelines include beaches and dunes which provide storm protection for oceanfront development. Erosion concerns of the ocean shoreline has been a primary focus of the town's management efforts for years and the town established a beach nourishment plan to reduce vulnerability on public infrastructure, homes within the town that front the Atlantic Ocean, and reduce flooding from ocean overwash. Beach nourishment was completed in 2022, but renourishments are expected to occur on 5-year cycles.

In addition to beach nourishment, local groups assist with regular dune plantings and other protective measures to protect dunes. Local boy scout troops annually collect Christmas trees after the holidays to assist in dune management. Regular



dune plantings ensure there is a variety of dune vegetation and using trees to restore the dunes provides an extra level of protection for the town and private land owners.

The Town of Kitty Hawk offers 14 public access points to its coastal shorelines.

HISTORIC AND CULTURAL AREAS

Kitty Hawk is one of the oldest towns on the Outer Banks. It began as a small self-sufficient community along the shores of Kitty Hawk Bay. Originally two communities existed, the community of Otila was located on the western end of Kitty Hawk Road and the Kitty Hawk community was centered near the road's eastern end.

The North Carolina Historic Preservation Office maintains a statewide survey of historic buildings, districts, and landscapes. The map on page 95 shows properties that have been surveyed and those that have been study listed. Many of the study listed properties and surveyed properties are located along Kitty Hawk Road, west of the beach area. This area was home to many of the early families that called Kitty Hawk home.

There are no properties currently listed on the National Register of Historic Places or any local landmarks. The Town of Kitty Hawk does not currently have a historic preservation ordinance.

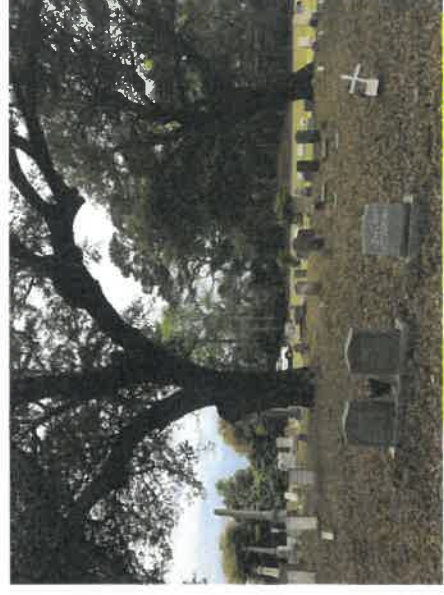
The Former Kitty Hawk Lifesaving Station was located on the ocean side of N. Virginia Dare Trail near the intersection with W. Kitty Hawk Road. The structure is described as a shingled lifesaving station built in 1911 and was listed to the National Register of Historic Places in 1984. Since then, the structure has been relocated to another site down the road and has been at its new location since 1992. The structure at its new location has been surveyed by the North Carolina Historic Preservation Office but does not have its previously held National Register status.

There are three properties in Kitty Hawk that have been study listed. The Study List has been part of North Carolina's National Register program since 1969. The Study List is a preliminary step in the review of potential nominations to the National Register of Historic Places. The Study List identifies properties and districts that are likely to be eligible for the National Register. Inclusion in the Study List does not guarantee eligibility. Study listed properties include:

- ◆ Kitty Hawk School



Providence Primitive Baptist Church, located on West Kitty Hawk Rd.



Austin Cemetery, located on Rogers St.

2.47 miles of distribution lines. In 2021, 1,200 feet of new water mains were added to the system and 1,816 meters were replaced. The oldest meters in the system are 34 years old. The system is flushed semi-annually.

According to the "2021 Local Water Supply Plan", in 2021 Dare County was using 83% of its supply, with greater demands on the system during seasonal peaks in population. Off-season demands are easily met by existing systems. To meet future supply needs Dare County will begin a leak detection program and fund engineering studies for plant expansion. Anticipated upgrades to the North Reverse Osmosis includes nanofiltration to create an additional 1 MGD of water. Dare County plans on expanding the Skycro plant by two trains in 2024/2045 to provide an additional 1 MGD per train.

Nearly all homes and businesses in Kitty Hawk rely on septic tank and drainage field systems to treat and dispose wastewater. Most of the soils in Kitty Hawk are not well-suited for septic systems and drain fields; this is mainly due to being located on a barrier island where the depth of the soil to the water table is shallow. Septic systems should be carefully monitored to limit the possibility of contamination to estuarine waters.

The Dare County Health Department is responsible for overseeing and permitting the use of septic systems in Kitty Hawk. The Health Department uses standards adopted by the State of North Carolina's Department of Environment and Natural Resources, Division of Environmental Health. These standards determine the design and location of septic tanks and drainage fields.

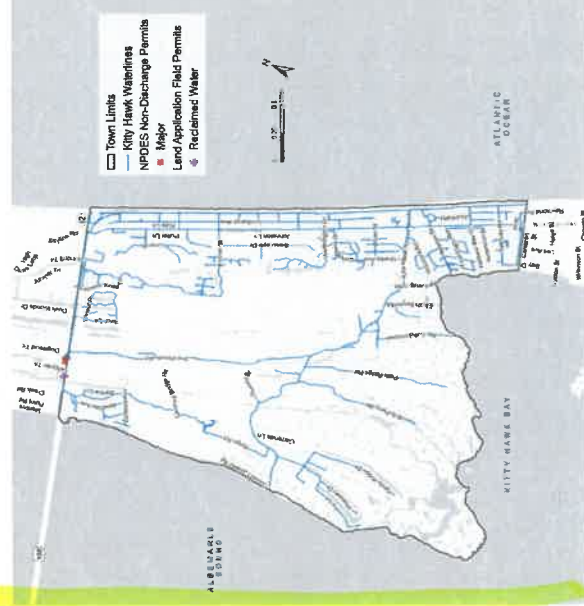
Currently, Kitty Hawk does not have public sewer and no such system is planned.

It's important to note that there were not any documented overflows, bypasses or private or public water supply and wastewater problems that may degrade water quality or constitute a threat to public health as documented by the Division of Water Resources during this process.

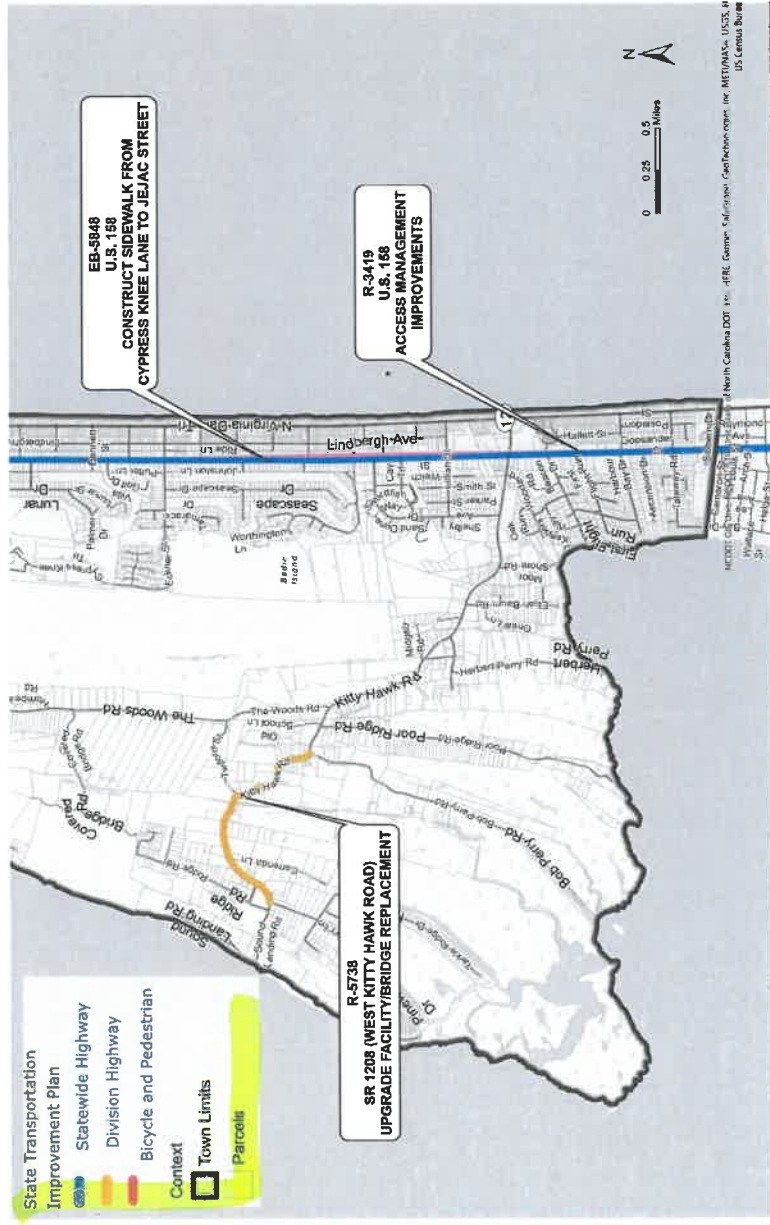
WATER SUPPLY WATERSHEDS OR WELLHEAD PROTECTION AREAS

The closest water supply watershed to the study area is located North of Elizabeth City and falls in both Camden and Pasquotank Counties. There are no wellhead protection areas within the study area.

WATER SUPPLY AND NON-DISCHARGE PERMITS



STATE TRANSPORTATION IMPROVEMENT PLAN



The State Transportation Improvement Plan (STIP) is a multi-year improvement document which denotes the scheduling and funding of construction projections across the state over a minimum 4-year time frame. North Carolina's STIP covers a 10-year period, with the first six years (2020-2025) as the delivery STIP and the latter four years (2026-2029) as the development STIP. The STIP is updated every two years and developed in concert with federal and state revenue forecasts. The map to the left illustrates the planned improvements in the Town of Kitty Hawk. According to the STIP, B-5937 and R-5738 are under construction and EB-5848 is planned for 2025. R-4457 and R-3419 are planned to begin in the latter years of the current STIP.

INFRASTRUCTURE CARRYING CAPACITY

Goal 6: Ensure public infrastructure and facilities are improved to provide high quality service to existing development while also being responsive to changing environmental conditions.

- » Coordinate with the North Carolina Department of Transportation (NCDOT) on the maintenance and improvement of state roads.
- » Plan and budget for continued maintenance of Town-owned roads and pedestrian facilities.

Policy 6.1: Maintain and provide ocean rescue services, emergency services and fire and police protection.

- » Continue with plans to move the police station to the former site of the Sentara Medical Center.
- » Consider adding a satellite fire station on Highway 158 near the county EMS station in order to have the capability of positioning trucks and personnel in a staging area more resilient to flooding.

Policy 6.2: Maintain existing parks, trails and recreational facilities and address future needs.

- » Continue to implement the Town's Recreation Master Plan.

Policy 6.3: Maintain and improve roadways and other transportation facilities.

Policy 6.4: Continue stormwater upgrades and implement the Stormwater Management Study (2012)

- » Consider updating the Stormwater Management Study within the next few years.

Policy 6.5: Maintain and enhance the stormwater removal system in place that clears flooding on streets to allow for emergency vehicle access.

- » Consider adding pumps or drainage pipes at additional locations where pumping is needed to clear roads for emergency vehicle response.
- » Study alternative solutions to pumping stormwater to the beach/ocean. Alternatives may include infiltration tanks (which discharge into the ground during dry weather conditions) in key locations.



The Town plans to relocate the police station to the former site of the Sentara Medical Center on Highway 158.

Policy 6.6: Evaluate areas of flooding and options for low-lying neighborhoods and roadways.

Policy 6.7: Pursue and utilize state and federal grants to study areas of persistent flooding and potential solutions.

- » The Town of Kitty Hawk completed Phase 1 (Community Engagement and Risk & Vulnerability Assessment) and Phase 2 (Planning, Project Selection, & Prioritization) of the Resilient Coastal Communities Program (RCCP).

- » **The Town should pursue Phase 3 (Engineering and Design) and Phase 4 (Implementation) of RCCP grant funding.**
- » Pursue additional grant funding including FEMA Building Resilient Infrastructure and Communities (BRIC) program grants, specifically Capacity and Capacity Building grants (C&CB Grants) that can

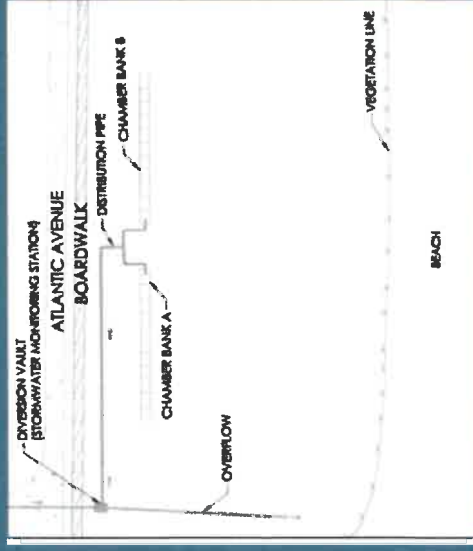
be used for engineering studies and design work to support the development of future projects.

Policy 6.8: Coordinate with adjacent municipalities and Dare County to ensure a high level quality of service for water infrastructure is continued.

- » In coordination with Dare County, explore alternative forms of financing for infrastructure to prevent a decline in level of services provided for residents.
- » The Town could consider the encouragement of water conservation measures during summer months.

Dune Infiltration System Project Example

The Town of Kure Beach has installed a Dune Infiltration System (DIS) that reduces outflows from existing stormwater discharge pipes on the beach. Instead of flowing directly to the ocean, stormwater is stored in an infiltration system beneath the dunes. This project has shown reductions in measured bacteria loads at stormwater discharge sites. For more information see: <https://content.ces.ncsu.edu/dune-infiltration-systems-for-reducing-stormwater-discharge-to-coastal-recreational-beaches>



LOCAL CONCERNS

Policy 12.2: Continue to enhance recreational facilities and programs and community-building experiences for year-round residents.

- » Explore potential recreational enhancements near Town Hall. These could include trails or a gathering space for events.
- » Create more programs and facilities for youth and senior sports.

Policy 12.3: Celebrate the area's unique history by maintaining and celebrating local cultural resources.

- » Encourage National Register nomination on study-listed properties in Kitty Hawk.
- » Consider hosting an educational program for study-listed property owners on the benefits of being included on the National Register of Historic Places.
- » Assess potential impacts to known and unknown archaeological resources for activities that are subject to the environmental review process, such as infrastructure projects and/or raising or relocation historic resources.

- » Contact the State Medical Examiner and State Archaeologist if any inadvertent discovery of human remains on a construction site and stop work immediately.

Town Hall Nature Trail Concept



The town hall is located on a property that includes wetlands and maritime forest. The addition of a nature trail, boardwalk, and other amenities could provide another recreation option for residents.

COMMUNITY FACILITIES

- ◆ Providence Primitive Baptist Church
- ◆ Decatur Beacham House

Properties that are listed on the National Register of Historic Places are eligible for state and federal tax credits. Properties that have been identified as study listed could proceed with an application to the National Register to benefit from these tax credits. Any identified historic properties that may be impacted by natural hazards, such as flooding

In addition, there are two known archaeological sites within the town limits. These are not included on the map but can be found on the Office of Archeology GIS maps and include:

- ◆ 31DR17 (Potential prehistoric occupation site)
- ◆ 31DR96 (Gurles Sanderlin Tate Hayman Swain Cemetery)

There are several recorded historic cemeteries within the town limits. These should be considered in future planning and development efforts.

PUBLIC AND PRIVATE WATER SUPPLY AND WASTEWATER SYSTEMS

The protection of public water supplies for drinking water, irrigation, and industry is one of CAMA's main goals. The CRC has designated two AEC categories, small surface water supply watershed and public water supply well fields, that protect designated coastal public water supplies from the negative impacts of development. The small surface water supply watershed protects coastal drainage basins that contain a public water supply designated for public drinking water and classified as A-II by the NC Environmental Management Commission. This classification does not apply to Kitty Hawk.

Public water supply well fields are areas of rapidly draining sands extending to a shallow groundwater table that supplies public drinking water. Since the previous 2003-2004 CAMA plan, a wellhead protection plan for Dare County was approved in 2014 to prevent contamination of groundwaters used as public drinking water supplies. There are no well fields in Kitty Hawk.

The Dare County Water Department provides water service to the community. Kitty Hawk's potable water is provided by both Skyco Water Plant and the North Reverse Osmosis Plant.

Kitty Hawk's water supply draws from the confined Yorktown aquifer, which is isolated from the land surface by a clay

sedimentary unit confining layer. The North Reverse Osmosis Plant located in Kill Devil Hills has a set of five wellhead protection areas for its 14 wells. The Skyco Plant located in Manteo has one large single wellhead protection area for its 10 wells. These plants are located in areas with greater business and residential land usage. The Skyco and North Reverse Osmosis wellfields are extensive in size, and have more potential contamination sources. The North Reverse Osmosis wellfields located in Kill Devil Hills and Nags Head and the Skyco wellfield located on Roanoke Island, north of Wanchese, are at the most risk due to their location in areas where there is high seasonal traffic. The sudden increase in population increases traffic flow, places greater demand on logistics, and causes rapid turnover of business inventories, which all increase the likelihood that a release will occur. There are no wells producing water for the Dare County system located in Kitty Hawk.

The permitted capacity for the North Reverse Osmosis and Skyco water plants is 11.3 million gallons per day (MGD). There are 24 total wells supplying water to the system. Distribution lines consist of asbestos cement (2%), ductile iron (4%), and polyvinyl chloride (94%) ranging in sizes from 2-30 inches in diameter. The Dare County Regional system consists of

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101 Veterans Memorial Drive
Kitty Hawk, NC 27949



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Fax (252) 261-7900
www.townofkittyhawk.org

MEMORANDUM

TO: Mayor Garriss and Members of the Town Council
FROM: Rob Testerman, AICP, Planning Director
DATE: February 3, 2025
RE: Preliminary Plat: Kitty Hawk Meadows (3 Lots)

Note: Subdivision reviews are an administrative decision. If all requirements are met, the applicant is entitled to approval.

Proposal

The applicant has submitted an application and preliminary plat for the subdivision of a 2.42-acre parcel located at 740 W. Kitty Hawk Rd. The proposal outlines the subdivision of the existing parcel into three separate lots on the north side of W. Kitty Hawk Rd. No new public or private road is proposed. However, a 15-foot-wide access easement is planned, which will be maintained and repaired by the property owners.

A previous proposal to subdivide the parcel into four lots was approved in 2021. However, the plat was never recorded, and the approval has since expired.

Staff Analysis

Zoning: The subject property is zoned VC-1, village commercial. The VC-1 district allows single family residences as a permitted use, by-right, with limited permitted commercial as an accessory to the single-family residence.

Lot Size: The minimum lot size in the VC-1 district is 15,000 square feet of contiguous uplands. The proposed lots are:

<i>Lot</i>	<i>Total Sq. Ft.</i>	<i>Contiguous Upland Sq. Ft.</i>
Lot 1	20,198	20,198
Lot 2	35,135	18,763
Lot 3	50,300	16,329

Wetlands: A large amount of area on the site are potential jurisdictional wetlands, however the proposed lot divisions are done in a manner to contain an adequate building area.

Density: Sec. 42-276 does not list a specific density requirement for the VC-1 district. The proposal comes to a total of 1.24 dwellings (lots) per acre, which is consistent with the district's general intent for low-density residential development.

Lot Width: The minimum lot width in the VC-1 district is seventy-five feet (75'), measured at

the front building setback line on each parcel, with a minimum width of at least fifty feet (50') at the road frontage. As shown on the plat, each proposed lot meets this requirement.

It should be noted that Sec. 38-105(b)4 expressly prohibits flag lots, however, after discussing the proposed configuration with the Town Attorney in 2021, it was determined that as the lots meet and maintain the 50' minimum road frontage requirements, these proposed lots do not meet the definition of a "flag lot", defined by 38-1 as "a lot which has a narrow frontage on a street and a thin strip of land which provides access from the street right-of-way to a wider portion of the lot."

	<i>Lot width at front building setback</i>
Lot 1	121'
Lot 2	75'
Lot 3	75'

Road Frontage: Lots must have a minimum road frontage fifty feet.

	<i>Road Frontage</i>
Lot 1	115'
Lot 2	50'
Lot 3	50'

Building Setbacks: Minimum building setbacks in the VC-1 district are 15 in the front, and 20 feet in the rear, however, 42-276(b) dictates that single-family dwellings in the VC-1 district are to adhere to the dimensional requirements of the VR-1. This would require the front and rear setbacks to be 25' and side yards to be a minimum of 10'. Additionally, 42-273(d)(2) indicates that the minimum lot width shall be measured at the minimum front building setback line, meaning that the setback is measured from where the lot becomes 75'.

The rear setback line for lots 2 and 3 are shown on the eastern property boundary. This configuration allows a greater separation from the developed lots to the east versus dictating the rear setback to be at the northern boundaries.

Road Rights-of-Way: There are no new rights-of-way proposed as part of this subdivision, however, there is a private access easement proposed to come off of W. Kitty Hawk Rd in one single location that would access all four lots. Owners of the lots would be responsible for maintenance and repair.

Road Access: The proposal includes one curb cut onto W. Kitty Hawk road that would access all four lots via an access easement, which would be maintained and repaired by the owners of the four lots. As it is not proposed to be a public or private street, it is not required to meet Town road standards.

Septic: All of the proposed lots will be served by individual, onsite septic systems. A septic permit must be obtained from the Health Department prior to the issuance of a building permit for each lot.

Water: Dare County Water has no comments/concerns

Fire Dept Review: Fire Department has no comments/concerns

Planning Board Recommendation

At its January 16, 2025 meeting, the Planning Board unanimously recommended approval of the Preliminary/Final Plat.

Note: Per Sec. 38-50, should the planning board recommend disapproval or conditional approval of the preliminary plat, the reasons for such action shall be noted in the minutes of the board **and reference shall be made to the specific sections of Chapter 38 of town code which the preliminary plat does not comply**, and the subdivider shall be so notified.

Recommended Motion

Should the Town Council decide to recommend approval of the preliminary/final plat, the motion could be worded in the following manner:

“I move to approve of the preliminary/final plat for 740 W Kitty Hawk Rd, as shown on the submitted plat.”

Should Council wish to deny the preliminary plat, the following motion could be made:

“I move to deny approval of the preliminary plat/final for 740 W Kitty Hawk Rd. The proposed plat is not compliant with the following sections of Town Code: *Cite specific sections of code here*”

Directions to the Subject Property

(from Kitty Hawk Post Office, N. Croatan Highway & Kitty Hawk Road)

Drive west on W. Kitty Hawk Road for 0.7 miles, subject parcel is the vacant lot on the right, located between the Kitty Hawk Police Station and Elijah Baum Road.