

AN ORDINANCE AMENDING THE KITTY HAWK TOWN CODE

WHEREAS, the Town Council of Kitty Hawk recognizes the importance of providing opportunities for the expansion and development of medical and healthcare services within the Town; and

WHEREAS, the stated purpose of the Emergency and Governmental Services District is to provide for the proper grouping and development of medical services, medical offices, emergency services, and governmental facilities; and

WHEREAS, several routine outpatient medical uses, including physician offices, chiropractic offices, optometrist offices, and pharmacies, are currently classified as Special Uses requiring a quasi-judicial approval process despite being generally compatible with the purpose and intent of the district; and

WHEREAS, the current Special Use Permit process requires a lengthy quasi-judicial review that may create unnecessary barriers to the establishment of routine healthcare services within the Town; and

WHEREAS, hospitals and other more intensive medical uses are currently permitted by right within the district and reviewed administratively through the site plan process; and

WHEREAS, the Town's zoning ordinance currently defines "medical clinic" but does not list the use as either a permitted or special use within any zoning district, creating inconsistency within the ordinance; and

WHEREAS, the proposed amendment will consolidate routine outpatient medical uses under the broader "medical clinic" classification and allow such uses to be reviewed administratively through the site plan process; and

WHEREAS, the proposed amendment will further update the title of the district to include the term "Medical" in order to maintain consistency with the Town's official zoning map; and
WHEREAS, the Town Council finds that the proposed amendment is consistent with the Town's adopted CAMA Land Use Plan, including Policy 12.1, which encourages the identification and recruitment of medical offices and healthcare facilities within the Town; and

WHEREAS, the Town Council finds the proposed amendment to be reasonable and in the public interest because it supports access to healthcare services, improves consistency within the zoning ordinance, and streamlines the review process for routine medical uses;

NOW, THEREFORE, BE IT ORDAINED by the Town Council of the Town of Kitty Hawk, North Carolina, that Chapter 42, Division 5 of the Town Code is hereby amended as follows:

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*DIVISION 5. **MEDICAL**, EMERGENCY AND GOVERNMENTAL SERVICES DISTRICT*

Sec. 42-443. Scope and intent.

Unless stated otherwise, this division applies to the emergency and governmental services district. This district is established to provide for the proper grouping and development of medical services, medical offices, emergency and governmental service facilities in the town.

Sec. 42-444. Permitted uses.

The following are permitted uses in this district:

- (1) Hospitals and medical centers.
- (2) Medical clinic.**
- (3) Pharmacies and sales of medical supplies in support of medical services.**
- ~~(2)~~**(4)** Town owned or leased facilities.
- ~~(3)~~**(5)** State owned facilities.

Sec. 42-445. Special uses.

The following are special uses in this district:

- ~~(1) Licensed physician offices.~~
- ~~(2) Chiropractor offices.~~
- ~~(3) Optometrist offices.~~
- (4) Fire stations.
- (5) Emergency heliport, pursuant to the standards set forth in section 42-250(c)(8).
- (6) Emergency medical station.
- ~~(7) Pharmacies and sales of medical supplies in support of medical services.~~
- (8) Veterinary hospitals and clinics, subject to other requirements of this chapter and provided the following conditions are met:
 - a. No animals shall be kept or boarded outside the principal building and there shall be no structure, runs, or pens used for boarding, holding or restraining animals located upon the site outside of the principal building.
 - b. The principal building shall be constructed in such a manner and with such materials as to prevent any noise originating within the facility from being heard beyond the approved site boundary line. An architect, engineer or other qualified professional must certify on the site plan that the proposed design and materials will allow no animal noise originating within the building to be heard at any point on the approved site boundary.

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- c. All animal waste must be disposed of through the facility septic system and the applicant must submit evidence that the appropriate county or state department has approved the proposed septic systems for the disposal of animal waste.
- d. No dead animal shall be placed in any outside receptacle located on the premises outside the facility.
- e. A vegetated or constructed visual buffer may be required.
- f. Exterior lighting shall be of low intensity and shall reflect upon the site in such a manner as not to interfere with traffic on public streets or highways.

This ordinance amending the Kitty Hawk Town Code shall take effect the 4th day of May, 2026. Passed and adopted at a regular meeting held by the Town Council of Kitty Hawk the 4th day of May, 2026, with a unanimous approval vote.

Charlotte J Walker
Mayor

ATTEST:
Lauren E. Smith
Town Clerk



APPROVED AS TO FORM:
[Signature]
Town Attorney

The undersigned certifies that the foregoing official ordinance designated ORDINANCE AMENDMENT OF THE TOWN CODE OF KITTY HAWK, NORTH CAROLINA was filed in the Kitty Hawk Ordinance Book on the 4th day of May, 2026, at 6 o'clock pm.

Lauren E. Smith
Town Clerk