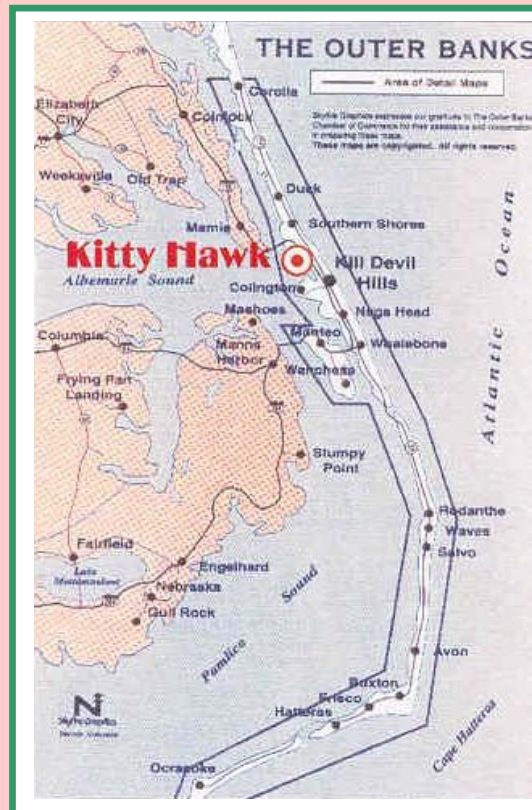


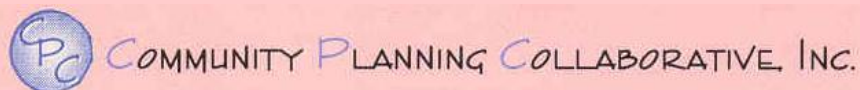
# KITTY HAWK NORTH CAROLINA



## CAMA CORE LAND USE PLAN UPDATE 2003-2004

LOCAL ADOPTION: APRIL 6, 2005 / COASTAL RESOURCES COMMISSION CERTIFICATION: JUNE 17, 2005

The preparation of this document was financed in part through a grant provided by the North Carolina Coastal Management Program, through funds provided by the Coastal Zone Management Act of 1972, as amended, which is administered by the Office of Ocean and Coastal Resource Management, National Oceanic and Atmospheric Administration.



# KITTY HAWK, NORTH CAROLINA 2003-2004 CAMA CORE LAND USE PLAN UPDATE

## TABLE OF CONTENTS

Table of Contents .....	i	
List of Exhibits.....	v	
List of Appendices .....	vii	
Executive Summary.....	viii	
PHASE I		
Chapter I: Introduction		
A. This is Kitty Hawk, North Carolina .....	I-1	
B. Purpose and Authority to Plan.....	I-1	
C. Planning Methodology.....	I-3	
D. Citizen Participation and Intergovernmental Coordination	I-3	
Chapter II: Concerns and Aspirations		
A. Existing and Emerging Conditions.....	II-1	
1. Population Changes.....	II-2	
2. Housing Trends.....	II-2	
3. Land Development.....	II-2	
4. Water Quality.....	II-2	
5. Economic Conditions.....	II-2	
6. Natural Resource Related Industries.....	II-3	
7. Transportation.....	II-3	
8. Potable Water.....	II-3	
9. Public Policies.....	II-3	
10. Public Safety.....	II-3	
B. Management Topics and Issues, Problems, and Assets.....	II-3	
1. Atlantic Ocean Shoreline.....	II-3	
2. Beach Driving.....	II-5	
3. Beach Nourishment and Dune Stabilization .....	II-6	
4. Commercial Development.....	II-6	
5. Community Appearance.....	II-6	
6. Currituck Sound Shoreline, Kitty Hawk Bay, and Albemarle Sound .....	II-7	
7. Development Design Standards.....	II-7	
8. Federal and State Properties and Programs.....	II-7	
9. Infrastructure Carrying Capacity and Provision of Public Facilities.....	II-7	
10. Intergovernmental Relations.....	II-9	
11. Land Use Compatibility.....	II-9	

Table of Contents

	12.	Natural Hazard Areas.....	II-10
	13.	Parking and Loading/Off-loading Areas .....	II-10
	14.	Public Access.....	II-11
	15.	Public Safety.....	II-11
	16.	Redevelopment.....	
		.....	II-12
	17.	Residential Development.....	II-12
	18.	Septic Tank Use.....	
		.....	II-13
II-13	19.	Sexually Oriented Businesses.....	
	20.	Solid Waste Management.....	
II-14		.....	
	21.	Storm Water Management.....	
		.....	II-14
	22.	Tourism.....	II-15
	23.	Transportation.....	II-15
	24.	Uses of and Activities In and On Ocean and Sound Waters.....	II-15
	25.	Water Quality.....	II-16
C.		Town Vision.....	II-16
	1.	Desired General Physical Appearance and Form.....	
		.....	II-18
	2.	General Land Use Plan Objective.....	II-18
 Chapter III: Population, Housing, and Economy			
A.		Population.....	III-1
	1.	Permanent Population Growth Trends.....	
		.....	III-1
	2.	Permanent and Seasonal Population Estimates.....	
		.....	III-1
	3.	Key Population Characteristics.....	
		.....	III-2
	4.	Age.....	III-4
	5.	Income.....	III-5
	6.	Population Projections.....	III-5
B.		Housing Stock.....	
III-6		.....	
	1.	Current Housing Stock.....	
III-6		.....	
	2.	Building Permit Activity.....	III-9
C.		Economy.....	III-10

Chapter IV: Natural Systems

- A. Natural Features.....IV-1
  - 1. Areas of Environmental Concern (AEC) and Environmentally Fragile Areas.....  
IV-1
  - 2. Soil Characteristics.....  
IV-4
  - 3. Flood and Other Natural Hazard Areas.....  
IV-5
  - 4. Storm Surge Areas.....  
.....IV-6
  - 5. Non-Coastal Wetlands-Probable 404 Wetlands.....  
IV-6
- B. Environmental Conditions Composite.....IV-8
- C. Environmental Conditions Assessment.....  
IV-12
  - 1. Water Quality.....  
IV-12
    - a. Surface Water Quality.....  
IV-12
    - b. Shellfish Waters.....  
.....IV-17
    - c. Chronic Wastewater Treatment System Malfunctions.....  
IV-18
    - d. Public Health Hazards.....  
IV-18
  - 2. Natural Hazards.....  
IV-18
    - a. Storm Hazards and Floods and Wind Damage Estimates.....  
IV-18
    - b. Shoreline Erosion.....  
IV-19
  - 3. Natural Resources.....  
IV-19
    - a. Natural Heritage Areas.....  
IV-19
    - b. Mineral Resource Areas and Productive Soils.....  
IV-20

Chapter V: Land Use and Development

A.	Existing Land Use.....	
V-1		
1.	Land Use Categories.....	
V-2		
2.	Land Allocated to Each Land Use.....	
V-2		
3.	Land Use Conflicts and Land Use - Water Quality Conflicts.....	
V-5		
B.	Development Trends and Projected Development Areas.....	V-6
C.	Projections of Future Land Needs.....	
V-6		
Chapter VI: Town Facilities		
A.	Water Supply and Wastewater Treatment Systems.....	
VI-1		
B.	Transportation Systems.....	
VI-3		
C.	Storm Water Systems.....	VI-5
D.	Other Facilities .....	VI-6
Chapter VII: Land Suitability Analysis		
A.	Land Suitability Analysis Process .....	VII-1
B.	Characteristics of Land Suitable for Development.....	VII-2
C.	Development Suitability Factors.....	VII-2
D.	Relative Importance of Land Suitability Factors and Land Suitability Rating.....	
VII-3		
E.	Land Suitability Analysis Map .....	VII-4
Chapter VIII:	Review of Current CAMA Land Use Plan .....	VIII-1

PHASE II

Chapter IX: Plan for the Future		
A.	Introduction.....	IX-1
B.	Management Topics and Local Areas of Concern.....	IX-1
C.	Goals, Objectives, and Policies .....	IX-3
1.	Introduction .....	IX-3
2.	Issue Areas' Goals, Objectives, and Policies.....	IX-4

---

D.	Future Land Use.....	IX-26
IX-26	1. Land Classification Scheme.....	
IX-26	2. Future Land Use Map.....	
IX-28	E. Policy Analysis.....	
IX-31	1. Consistency With Management Topics.....	
IX-31	a. Consistency of Town Goals With Management Topics.....	
IX-31	b. General Direction of Policies.....	
IX-36	c. Consistency of Future Land Use Map and Land Use Plan Requirements.....	
IX-39	2. Impact of Town Policies on Management Topics.....	
IX-40		
Chapter X: Tools for Managing Development		
A.	Guide for Land Use Decision-Making.....	X-1
X-1	B. Existing Development Management Program.....	
X-3	C. Additional Tools.....	
X-10	1. Ordinances.....	
X-10	2. Capital Improvements Program.....	
X-11	3. Acquisition Program.....	
X-11	4. Specific Projects.....	
X-11	D. Action Plan/Schedule.....	
X-11		
	Workshops and Meetings.....	WS-1
	Sources Consulted.....	SC-1

Index..... IN-1  
Appendices.....AP-1

## LIST OF EXHIBITS

	Page No.
Chapter I: Introduction	
Exhibit I-A Kitty Hawk, North Carolina Regional Setting .....	I-2
Chapter III: Population, Housing, and Economy	
Exhibit III-A Kitty Hawk, North Carolina Estimated Seasonal Population .....	III-2
Exhibit III-B Kitty Hawk, North Carolina Marital Status 2000 .....	III-3
Exhibit III-C Kitty Hawk, North Carolina School Enrollment.....	III-3
Exhibit III-D Kitty Hawk, North Carolina Education Attainment.....	III-4
Exhibit III-E Kitty Hawk, North Carolina Population By Age 1990 and 2000 .....	III-5
Exhibit III-F Kitty Hawk, North Carolina Units in Structure 1990 and 2000 Total Housing Units.....	III-7
Exhibit III-G Kitty Hawk, North Carolina Rooms Per Housing Unit 1990 and 2000 .....	III-7

Exhibit III-H Kitty Hawk, North Carolina House Heating Fuel – Occupied Housing Units 2000 .....III-8

Exhibit III-I Kitty Hawk, North Carolina Age of Housing Units – Year Structure Built .....III-9

Exhibit III-J Kitty Hawk, North Carolina Building Permit Activity 1997-2004 .....III-9

Chapter IV: Natural Systems

Exhibit IV-A Kitty Hawk, North Carolina Interpretation of Natural Features Development Compatibility.....IV-7

Exhibit IV-B Kitty Hawk, North Carolina Composite Natural Features Analysis.....IV-9

Exhibit IV-C Kitty Hawk, North Carolina Composite Environmental Conditions Map .....IV-11

Exhibit IV-D Kitty Hawk, North Carolina Use Support Ratings (2000) For Monitored and Evaluated\*\* Streams (miles) in Pasquotank River Subbasin 03-01-56.....IV-13

Exhibit IV-E Kitty Hawk, North Carolina Long Term Annual Shoreline Change Rates Updated Through 1998.....IV-21

Chapter V: Land Use and Development

Exhibit V-A Kitty Hawk, North Carolina Existing Land Use Categories.....V-3

Exhibit V-B Kitty Hawk, North Carolina Existing Land Use and Community Facilities.....V-4

Exhibit V-C Kitty Hawk, North Carolina Existing Land Use Tabulations (Estimate).....V-5

Chapter VII: Land Suitability Analysis

Exhibit VII-A Kitty Hawk, North Carolina Relative Importance of Land Suitability Factors.....VII-5

Exhibit VII-B Kitty Hawk, North Carolina Relative Development Suitability Ratings.....VII-6

Exhibit VII-C Kitty Hawk, North Carolina Land Suitability Analysis Map.....VII-7

Chapter IX: ..... Plan for the Future



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Exhibit IX-A	Kitty Hawk, North Carolina Summary of Land Use Plan Management Topics.....	
	IX-2	
Exhibit IX-B	Kitty Hawk, North Carolina Future Land Use Map.....	
	IX-30	
Exhibit IX-C	Kitty Hawk, North Carolina Projected Future Land Use Totals.....	
	IX-31	
Exhibit IX-D	Kitty Hawk, North Carolina Consistency Review-Kitty Hawk Goals and Management Topics.....	
	IX-32	
Exhibit IX-E	Kitty Hawk, North Carolina General Direction of Policies.....	
	IX-36	
Exhibit IX-F	Kitty Hawk, North Carolina Policy Analysis Matrix-Town Policies as Beneficial, Neutral, or Detrimental to State Management Topic Benchmarks.....	
	IX-41	
Exhibit IX-G	Kitty Hawk, North Carolina Future Land Use Map Classifications Existing & Future Development (Building) Density and Intensity Estimates .....	IX-48
Exhibit IX-H	Kitty Hawk, North Carolina Policies/Future Land Use Classifications And Zoning Consistency .....	IX-49
 Chapter X: Tools for Managing Development		
Exhibit X-A	Kitty Hawk, North Carolina Action Plan and Schedule.....	X-12

## LIST OF APPENDICES

APPENDIX 1	Locally Significant Sites (circa 1900), Kitty Hawk, NC.....	A1-1
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APPENDIX 2 Dare County Water System Serving Kitty Hawk, NC ..... A2-1

EXECUTIVE SUMMARY

- The Kitty Hawk 2003-2004 CAMA Core Land Use Plan Update (Update) seeks to help position the Town of Kitty Hawk to continue its proactive stance toward land use planning. This Update builds from the Town's current land use plan and considered concepts from similar plans developed by neighboring and/or similar jurisdictions and Dare County.
- The Update was organized according to the outline in the Coastal Area Management Act (CAMA) Technical Manual for land use planning.
- The Update been reviewed by the State Division of Coastal Management (DCM) staff for consistency with State rules and the Town has, to the best of its ability, addressed State review comments.
- The Town believes the Update meets the substantive requirements of the 2002 LUP Guidelines and that there are no conflicts evident with either State or Federal law, or the State's Coastal Management Program.
- The Coastal Area Management Act of 1974 (CAMA) establishes a cooperative program between local governments and the State. Land use planning lies at the center of local government's involvement. Land Use Planning Guidelines were adopted by the State to help localities prepare local plans. Kitty Hawk's land use plan update, when reviewed and certified by the North Carolina Coastal Resources Commission (CRC), will become part of the North Carolina Coastal Management Plan for the protection, preservation, orderly development, and management of the coastal area of North Carolina.
- Land use planning is one of the ways a community looks into the future. The land use plan will look ahead to the next 10 to 20 years. It will be reviewed and updated every five years.
- Kitty Hawk, while recognized by many people as a slow paced, coastal village and family oriented vacation destination, is also a vibrant and growing community in terms of both permanent and seasonal population. With about 3,500 permanent residents, the Town's peak population during the summer grows to about 17,000 people. Indications are that Kitty Hawk, like its Outer Banks neighbors, will likely see increases in its permanent population as well.
- The Update is one of the major tools Kitty Hawk will use to manage growth and development. The Update will help the Town ensure that new development and new land uses, as well as redevelopment initiatives, are compatible with its coastal village atmosphere and with the desires and

aspirations of its residents and property owners. The Update will help the Town plan for essential services to meet the needs of its permanent and seasonal population. Moreover, the Update will help Kitty Hawk protect the essential coastal resources that help define the community's life style.

- The Update will provide a solid foundation for day-to-day and long range functions. Day-to-day functions relate to the Town's administration of its growth and development management ordinances and guidelines, and public understanding and use of these tools for decisions regarding their own property with respect to land use and development. For the Planning Board and Town Council, the Plan will be a policy and decision guide on matters concerning land use and development in Kitty Hawk. The policies, objectives, and future land use map included in the Plan will help guide Kitty Hawk's decisions about ordinances and policies such as the zoning ordinance and development design guidelines. The Plan will also be used as the Town Council makes decisions on the Town's capital and annual operating budgets and the allocation of financial and personnel resources.
- The Town's residents and property owners played a major role in the development of the Update, its goals, policies, and objectives, and the future land use map. The Town, and the planning process, benefited greatly from the efforts of the Kitty Hawk Planning Board which was available for meetings on a monthly basis for over two years beginning in early 2003 through the end of 2004. All Planning Board meetings were open to the public. In addition, opportunities for citizens to participate in the planning process included: an initial public input session; a future land use planning public input session; Town Council and Planning Board meetings; presentations at neighborhood and civic association meetings; and, distribution of a community questionnaire. The questionnaire, which was distributed at public sessions and at neighborhood and civic association meetings, was also posted on the Town's web site. The Town also posted the draft Update on its website, made review copies available to the public, and distributed copies to neighboring localities.
- The Update was developed in two phases. Phase I consists of two basic components:
  1. Description of Town concerns and aspirations and a Town planning vision. Chapters in Phase I: analyze the growth and development issues in Kitty Hawk that emerged during the citizen participation process; and, describe a planning vision for the Town that provides a

foundation for effective land use and development goals, policies, and objectives.

2. Analysis of existing and emerging trends. Phase I chapters also: provide the technical basis for policy development with respect to trends and forecasts of population, housing, and local economy; discuss opportunities and limitations presented by the Town's natural systems as well as its assets and some of the resources Kitty Hawk may use to meet its goals; and, examine existing land uses and recent trends and provides information on community facilities. An analysis of land suitability for development synthesizes the information contained in the chapters comprising this component.

Phase II of the Plan also consists of two basic components:

1. Land use goals, policies, and objectives. The Town's land use and development goals, policies, and objectives are found in Chapter IX Plan for the Future. Goals, policies, and objectives for twenty-five (25) issue areas evolved from the Town's planning vision and provide direction for implementing the Plan. The Update's issue areas include five management topics identified by the CRC (Public Access, Land Use Compatibility, Infrastructure Carrying Capacity, Natural Hazard Areas, and Water Quality). The Update's issue areas also include twenty local areas of concern regarding ocean and sound shoreline management, development and redevelopment activities, community appearance, community infrastructure, public health and safety, transportation, parks and trails, and tourism. The land use and development goals and policies related to these issues provide guidance on decisions, programs, initiatives, and projects to help the Town implement the Update.
  2. Tools for managing development. This Phase II component identifies tools for managing development. It outlines Kitty Hawk's strategies and action plan for implementing the Update's policies: development and/or amendment of ordinances; implementation (or continuance) of land use and development related programs and initiatives; capital investments; and, funding resources to achieve identified goals.
- The Update includes an analysis to determine the consistency of Kitty Hawk's land use policies and the future land use map with the goals of the Coastal Area Management Act and the Coastal Resources Commission's land use management topics. The analysis concludes that there is a high level of consistency.

## Chapter I: Introduction

### A. This is Kitty Hawk, North Carolina

The Town of Kitty Hawk was incorporated in 1981 and uses a Council-Manager form of government. It is located in Dare County and borders the towns of Southern Shores and Kill Devil Hills, the Currituck Sound, Kitty Hawk Bay, Albemarle Sound, and the Atlantic Ocean. See EXHIBIT I-A. The Town contains 8.2 square miles of land area (5,248 acres) and enjoys a reputation as a cottage community, appealing to tens of thousands of tourists yearly, and about 3,500 permanent residents.

The Town prepared its first CAMA land use plan in 1983. The Town hired its first professional planner, who also served as zoning administrator, in 1987. The Town updated its land use plan in 1989, 1994, and 1998. The Town continues to employ a professional planner whose duties also include zoning administration and environmental planning and erosion and sediment control monitoring. The Town employs a code enforcement officer responsible for issuing CAMA minor permits. It also employs one building inspector.

Kitty Hawk – as an area and as a town – has a rich history and tradition that have dictated a controlled pattern of growth. The Town’s leaders remain cognizant of factors that may serve to disrupt the tranquil, environmentally attuned community it desires to be.

### B. Purpose and Authority to Plan

The Coastal Area Management Act of 1974 (CAMA) establishes a cooperative program of coastal area management between local governments and the State. Land use planning lies at the center of local government’s involvement. Subchapter 7B – Land Use Planning Guidelines of the North Carolina Administrative Code, October 1989, were promulgated for the purpose of assisting localities with the preparation of land use plans and updates and sets forth standards for their review. Land use plans are to be updated every five years and submitted for State review.

The land use plan update, when certified by the North Carolina Coastal Resources Commission (CRC), will become part of the North Carolina Coastal Management Plan for the protection, preservation, orderly development, and management of the coastal area of North Carolina.

### EXHIBIT I-A KITTY HAWK, NORTH CAROLINA REGIONAL SETTING



Land use planning is one of the ways a community looks into the future to determine what it wants to be and what it wants to look like. The land use plan looks ahead to the next several years. One of the key elements of the plan is citizen participation. This ensures that the plan is truly designed by the community for the community. A land use plan can describe how a community desires to develop physically, economically, and socially.

### C. Planning Methodology

The Kitty Hawk Planning Board served as the body responsible for guiding the CAMA land use plan update effort. The Planning Board received assistance from the Kitty Hawk Planning Department and the planning consulting firm Community Planning Collaborative, Inc.

The Planning Board met on a monthly basis as needed throughout the project period on the third Thursday of each month. Meetings were held at the Kitty Hawk Town Hall in the Town Council Meeting Room in Kitty Hawk at 6:30 p.m. unless otherwise specified and advertised. Meetings were open to the public and meeting times advertised in the local news media. In addition to the Planning Board's orientation meeting and an initial public information meeting, subsequent meetings of the Planning Board focused on review and discussion of information gathered and analyses made. The Planning Board reviewed draft material prepared by the planning consultant, assisted in defining land use and development issues and concerns, and provided general input. The Kitty Hawk Planning Department staff served as the local coordinators of the CAMA land use plan update project.

### D. Citizen Participation and Intergovernmental Coordination

According to 15 A NCAC Subchapter 7L, local governments receiving Department of Environment and Natural Resources (DENR) funding for Coastal Area Management Act (CAMA) land use plan preparation, shall develop and implement a citizen participation plan. Local governments shall employ a variety of educational efforts and participation techniques to assure that all socioeconomic segments of the community and non-resident property owners have opportunities to participate during CAMA land use plan development. Examples are: surveys or questionnaires;



informational brochures or materials; community outreach; and, public information meetings.

At the start of CAMA land use plan update process, the Kitty Hawk Town Council adopted a citizen participation plan to be implemented—and amended as necessary—throughout the process. Interested citizens had opportunities to participate in the development of the CAMA land use plan update through oral and written comments as provided for in the citizen participation plan.

Copies of informational materials were provided at all meetings of the Planning Board that related to the plan update. The citizen participation plan was available to the public throughout the planning process.

Kitty Hawk recognized the importance of providing citizens with opportunities to participate in the planning process. The Town relied primarily on public meeting opportunities, informational materials, questionnaires, and the news media to solicit citizen input and participation throughout the process and report on progress with respect to the land use plan update.

The Town also recognized that citizen participation and citizen education must be made available on a continuing basis. During and after the CAMA land use plan update project, the Town would like to educate citizens with respect to the importance of land use planning and its effect on their quality of life; listen to citizens concerning issues important to them; create opportunities to collaborate with citizens to achieve community consensus; and, create a base of citizen support for implementing the land use plan update.

Copies of the draft land use plan update were provided for review and comments to Dare County and the towns of Southern Shores and Kill Devil Hills. Written comments from Dare County were received. No other written comments were received within the specified 45-day review period, although representatives from Kill Devil Hills acknowledged via telephone receipt of the plan and complimented its content, format and thoroughness. No jurisdictional issues were identified. Municipal planners from many of the Outer Banks communities meet quarterly to discuss regional issues.



## Chapter II: Concerns and Aspirations

This chapter provides general guidance and direction for the development of the Kitty Hawk Land Use Plan Update. Determining concerns and aspirations is one of the points where the Town's citizen participation process is directly linked to the land use planning process. The citizen participation plan provides opportunities for stakeholders to express their concerns and aspirations. Assessing the Town's concerns and aspirations includes the identification of existing and emerging conditions and key issues important to Kitty Hawk. Several issues--labeled by the State as management topics--must also be addressed according to CAMA guidelines.

The vision statement is also a major component of the planning process. The vision depicts in words what Kitty Hawk is striving to become and serves as the starting point for the creation (and implementation) of the land use plan update. It recognizes trends and driving forces that will affect the Town during the planning period and acknowledges the concerns, opinions, and values identified by stakeholders and citizens. Vision statements blend priority issues, driving forces, citizen values, and the preferences of the Town. The vision helps to guide the development of the planning information base, short-term and long-term policies, the future land use plan map, and the plan's implementation strategies. The vision also helps describe the desired general physical appearance and form Kitty Hawk will take and forms the basis of the Town's land use plan objectives.

### A. Existing and Emerging Conditions

Many of the issues identified in the Town's 1997 Plan continue to warrant attention and are included in this update. Today, as in 1997, some of the central issues influencing this update and some of the dominant growth related conditions that influence land use, development, water quality, and other environmental concerns include: continuing pressure by the development community for greater development densities (oversized single-family dwellings), conversion of properties to year-round rather than seasonal uses, beach erosion and dune loss, beach nourishment and dune stabilization, provision of public accesses and related parking facilities, and planning for and provision of recreational facilities. Residential growth in Kitty Hawk has continued at a steady pace since 1997. Since 1990, the percentage of year-round residents--as opposed to seasonal residents--has risen greatly and thus the number of seasonal use structures has decreased. In addition, some large commercial buildings have been constructed along US 158.

Descriptions of existing and emerging conditions follow. These broad themes and trends provided background and context for the identification of planning issues discussed later in this chapter.

### 1. Population Changes

Dramatic population fluctuations in Kitty Hawk and the surrounding region occur as tourists continue annual migrations to the area. Many observers feel that the total number of visitors is increasing annually and that the summer season is not the only time Kitty Hawk and the rest of the Outer Banks are seeing large numbers of visitors. To many, the traditional ten week summer tourist period now extends from the spring to Thanksgiving. Increasing numbers of tourists can impact infrastructure and service delivery systems. Management of resources can become more complicated as more persons use facilities. The percentage of year-round residents has increased dramatically since 1990 as evidenced by U.S. Census figures.

### 2. Housing Trends

Housing patterns and types are generally established in Kitty Hawk and the region. There are still multiple isolated lots remaining throughout Town, although land prices have risen dramatically. Single family detached homes still represent the vast majority of housing found in Kitty Hawk and the region. There are still a few cottage courts in Kitty Hawk. The Town also has a number of multi-family type developments. Housing values continue to increase. Demand for housing is high while there is limited availability, particularly in the medium price ranges.

### 3. Land Development

Land development in Kitty Hawk and the region could potentially exceed the capability of the land to support it. There are still some building lots in various areas of Town. In the past ten years, several small subdivisions have been developed in Kitty Hawk, generally containing tens lots or less. The residential development pattern for Kitty Hawk Village is established and redevelopment proposals may be the wave of the future. Several properties along the oceanfront have fallen into disrepair or have been damaged by storms and rendered unusable. The Town has condemned some properties along the oceanfront in an attempt to allow for

stabilization of the ocean beach and the protection of NC 12 and the properties adjacent thereto.

Commercial areas are also established in Kitty Hawk. Commercial development is found along the length of US 158, particularly near the boundary with Southern Shores, in Kitty Hawk Village, and along NC 12.

#### 4. Water Quality

In Kitty Hawk and the region, water quality protection and issues related to uses that could negatively impact water quality continue to be very important. Contamination from storm water runoff and/or septic tank system problems or failures is a threat. The Town commissioned a storm water management plan in 1999-2000. However, many of its recommendations have not been implemented. The 1999-2000 storm water management plan is was reviewed and updated in winter 2004 to prioritize short term and long term planning actions and develop a capital improvements plan. Also, Kitty Hawk participated in a regional study of storm water problems on the Outer Banks initiated by Senator Marc Basnight on August 30, 2004. Recommendations are pending.

#### 5. Economic Conditions

The economic condition and outlook in Kitty Hawk and the region is very positive. Generally, Kitty Hawk's businesses appear to be diverse, successful, and well maintained. Employee turnover in shops and eateries may become an issue, particularly since housing costs continue to rise.

#### 6. Natural Resource Related Industries

Kitty Hawk's natural resources feature the Atlantic Ocean, the Currituck Sound, Kitty Hawk Bay, Albemarle Sound, and the vast natural area known as Kitty Hawk Woods. Businesses (supply and rental shops) which cater to the use and enjoyment of these resources are found in Town and throughout the region.

#### 7. Transportation

Traffic and transportation issues revolve around the protection and preservation of NC 12 and the type and extent of potential changes to US 158. The development occurring along the Outer Banks contributes to increasing traffic through Town. Pedestrian-vehicular interaction occurs at many areas throughout Town. The construction of a bridge connecting the Currituck County mainland to its beaches would have a positive

effect in Kitty Hawk. The facility would ease some of the traffic congestion along US 158 from the Wright Brothers Bridge over Currituck Sound to the area near the Visitors Center in Kitty Hawk. Erosion problems along NC 12 at locations such as mile post 4 are (and will be more) problematic.

## 8. Potable Water

Potable water is supplied to Kitty Hawk through the Dare County water system and is--or can be made--available to all parts of the Town. Wastewater is removed through septic tank systems. No plans to construct a central sewer system (collecting and treating waste at a central plant) have been developed or are anticipated.

## 9. Public Policies

Currently, Kitty Hawk enforces a variety of land use related ordinances and regulations and relies on State and Federal agencies and programs to assist with land use management. The land use plan update process will allow the Town to reassess its future land use. This in turn may lead to zoning ordinance reassessment and perhaps the study of mechanisms such as design standards and smart growth practices in development and redevelopment proposals. Storm water management is problematic in Kitty Hawk and the region generally. Implementation of the recommendations found in the Town's storm water management plan should be addressed.

## 10. Public Safety

Public safety issues in Kitty Hawk primarily revolve around the transportation system, most importantly US 158. Kitty Hawk benefits from having its own professional police force and top-notch paid/volunteer fire department. Education of visitors concerning local laws and practices will also help with some safety issues.

## B. Management Topics and Issues, Problems, and Assets

CAMA guidelines require a description of land use and development related issues in terms of the Coastal Resources Commission's major management topics: public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality. Growth and development related issues identified by the Town should be cognizant of these management topics. Other issues identified by Kitty Hawk include:

Atlantic Ocean Shoreline  
Beach Driving  
Beach Nourishment and Dune Stabilization  
Commercial Development  
Community Appearance  
Currituck Sound Shoreline, Kitty Hawk Bay, and Albemarle  
Sound  
Development Design Standards  
Federal Properties and Programs  
Intergovernmental Relations  
Parking and Loading/Off-loading Areas  
Public Safety  
Redevelopment  
Residential Development  
Septic Tank Use  
Sexually Oriented Businesses  
Solid Waste Management  
Storm Water Management  
Tourism  
Transportation  
Uses of and Activities In and On Ocean and Sound Waters

Management topics and issues are examined relative to problems or obstacles that may prevent the Town from addressing issues. Problem statements are not intended to state or imply solutions; that comes later in the planning process. Issues are also examined relative to assets that may be available to assist Kitty Hawk. Assets are opportunities or resources (features, facilities, organizations, and programs) that can be cited by the plan to help the Town address issues.

### 1. Atlantic Ocean Shoreline

The issue facing the Town is how to preserve and protect this resource and ensure future generations are able to enjoy its beauty and bounty and can continue to use the beach and water for active and passive recreation and leisure activities. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of local (Town) resources (technical and financial)
- Magnitude of effort required to police, manage, preserve, and protect the ocean beach and waters
- Degradation of the resource resulting from litter, pollution, and undesirable activities conducted on and off-shore
- Erosion along NC 12
- Lack of primary dunes
- Forces of nature.

Features, facilities, organizations, and programs that may be available to assist the Town include:

State and Federal agencies, programs, and regulations are the main assets available to the Town to address this issue. The Town will enforce applicable ordinances and the CAMA land use plan..

## 2. Beach Driving

The issue facing the Town is how to regulate beach driving. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

The Town should not encounter problems or obstacles addressing this issue.

Features, facilities, organizations, and programs that may be available to assist the Town include:

The Town will rely on its police department to enforce the beach driving ordinance.

## 3. Beach Nourishment and Dune Stabilization

The issue facing the Town is to stay informed and involved relative to Federal, State, and/or regional studies and initiatives concerning beach nourishment and dune stabilization. This issue is related to the following State management topic(s): public access, land use compatibility,



infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

The Town should not encounter problems or obstacles addressing this issue. At present, only a small portion of Kitty Hawk's ocean front is included in Dare County's Beach Re-nourishment Program. Erosion along (and stabilization of NC 12) continues to be a problem, particularly during nor'easters.

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, NCDOT, and local elected and appointed leadership will assist the Town as it monitors beach nourishment and dune stabilization studies and initiatives.

#### 4. Commercial Development

The issue facing the Town is how to support the placement of commercial development in areas zoned for such activities and to encourage local support and patronage of Town businesses. This issue is related to the following State management topic(s): land use compatibility and infrastructure carrying capacity (and provision of public facilities and services).

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Business closures/failures
- Divergent/conflicting interests within the business community
- Local, regional, and/or national economic downturns

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, and the business community will work together to address this issue.

#### 5. Community Appearance

The issue facing the Town is how to remain aesthetically pleasing while maintaining its coastal village image and charm. This issue is related to the following State management topic(s): land use compatibility.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of development design standards
- Private initiatives that may be contrary to Town goals
- Lack of local (Town) financial and technical resources

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, and the development community will work together to address Town goals. The Town will acquire technical expertise as it develops its staff and will use its police powers to ensure desirable development patterns in Town.

## 6. Currituck Sound Shoreline, Kitty Hawk Bay, and Albemarle Sound

The issue facing the Town is how to preserve and protect these resources and ensure future generations are able to enjoy their beauty and bounty and can continue to use

it for passive and active recreation and leisure activities. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of local (Town) financial and technical resources
- Magnitude of effort required to police, manage, preserve, and protect the Sounds' and Bay's shorelines and waters
- Degradation of the resources resulting from litter, pollution, and undesirable activities conducted on and off-shore
- Forces of nature.

Features, facilities, organizations, and programs that may be available to assist the Town include:

State and Federal agencies, programs, and regulations are the main assets available to the Town to address this issue.

## 7. Development Design Standards

The issue facing the Town is how to develop and utilize development design standards to continue and enhance its desired development character. This issue is related to the following State management topic(s): public access, land use compatibility, natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of local (Town) technical resources
- Private initiatives that may be contrary to Town goals

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, and the development community will work together to address this issue. The Town will acquire technical expertise as it develops its staff and will use its police powers to ensure desirable development in Town.

## 8. Federal and State Properties and Programs

The issue facing the Town is how is to ensure that Federal and State properties and programs are used in ways that are consistent with the Town's established growth patterns and image. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

Potential for Federal or State decision makers to disregard or act contrary to Town goals if/when properties are being considered for land use changes or during program development and implementation.

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, and State and Federal elected representatives will work together to address this issue.

## 9. Infrastructure Carrying Capacity and Provision of Public Facilities and Services

The issue facing the Town is how to ensure that public systems and services are sized, located, and managed to protect or restore the quality of areas of environmental concern or other fragile areas while providing adequate levels of service to meet the needs of citizens. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of local (Town) technical and financial resources
- Balancing the needs of year-round and seasonal populations in planning for public facilities

Features, facilities, organizations, and programs that may be available to assist the Town include:

Local elected and appointed leadership, State and Federal elected representatives, Dare County, and service providers will work to address this issue.

## 10. Intergovernmental Relations

The issue facing the Town is how to interact with local governments in the region and State and Federal agencies on a routine basis to promote its interests and to make others aware of its positions on local, regional, State, and Federal issues. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

Regional, State, and/or Federal decision making processes that do not allow

Town input will be the main problem or obstacle that will prevent the Town from addressing this issue.

Features, facilities, organizations, and programs that may be available to assist the Town include:

Local elected and appointed leadership, State and Federal elected representatives and agencies, regional organizations, and membership/lobbying organizations such as the North Carolina League of Municipalities will work together to address Town goals.

## 11. Land Use Compatibility

The issue facing the Town is how to ensure that development and use of land resources is consistent with the compatibility of the land to accommodate such development and uses. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of local (Town) technical resources
- Private initiatives that may be contrary to Town goals

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, and the development community will work together to address this issue. The Town will acquire technical expertise as it develops its staff and will use its police powers to ensure land use compatibility.

## 12. Natural Hazard Areas

The issue facing the Town is how to conserve protective functions of barrier dunes, beaches, flood plains, and other coastal features. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of local (Town) technical and financial resources
- Private initiatives that may be contrary to the Town goals

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, State agencies such as the North Carolina Department of Environment and Natural Resources, Division of Coastal Management, and Federal agencies such as the U.S. Army Corps of Engineers and Environmental Protection Agency will help the Town address this issue.

### 13. Parking and Loading/Off-loading Areas

The issue facing the Town is how to ensure adequate parking and loading /off-loading areas for commercial and public land uses. This issue is related to the following State management topic(s): land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of land for additional parking and loading/off-loading areas
- Private property rights

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, the business community, and the North Carolina Department of Transportation will work together to address this issue.

### 14. Public Access

The issue facing the Town is how to maximize access to beach, sound, and public trust waters while respecting private property rights and the character, image, and development patterns of Kitty Hawk. This issue is related to the following State management topic(s): public access, land

use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of Town-owned land for public access sites
- Lack of local (Town) financial and technical resources

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, and the North Carolina Department of Environment and Natural Resources will work together to address this issue.

## 15. Public Safety

The issue facing the Town is how to ensure safety of residents and visitors--on land and in water--and maintain the image of Kitty Hawk as a family vacation destination. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of local (Town) financial resources
- Major increases in the seasonal population and lengthening of the traditional vacation season

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, Kitty Hawk Ocean Rescue, Kitty Hawk Police Department, North Carolina Highway Patrol (State Police), and Dare County Sheriff's Department will work together to address this issue.

## 16. Redevelopment

The issue facing the Town is how to monitor and consider redevelopment proposals for consistency with stated Town land use and development

goals. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of local (Town) technical resources
- Private development initiatives that may be contrary to Town goals

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, and the development community will work together to address this issue. The Town will acquire technical expertise as it develops its staff and use its police powers to ensure redevelopment proposals are consistent with the Town's land use and development goals.

## 17. Residential Development

The issue facing the town is how to ensure the continuance of established residential development patterns and ensure future development is in character with existing development with regard to size, lot coverage, architectural design, and construction materials and methods. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of local (Town) technical resources
- Private development initiatives that may be contrary to Town goals

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, and the development community will work together to address this issue. The Town will acquire technical expertise as it develops its staff and use its police powers to



ensure residential development proposals are consistent with the Town's land use and development goals.

## 18. Septic Tank Use

The issue facing the Town is how to ensure that the performance of existing septic tank systems is monitored; that existing systems are properly maintained; and, that proposed systems are installed according to approved plans under the supervision of appropriate agencies. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

With the exception of beach areas, the Town should not encounter problems or obstacles addressing this issue.

Features, facilities, organizations, and programs that may be available to assist the Town include:

The Town will rely on the Dare County Health Department to assist in addressing this issue.

## 19. Sexually Oriented Businesses

The issue facing the Town is how to discourage the establishment of sexually oriented businesses within its borders. This issue is related to the following State management topic(s): land use compatibility.

Problems or obstacles that may inhibit the Town from addressing this issue include:

-Private development initiatives that may be contrary to Town goals

Features, facilities, organizations, and programs that may be available to assist the Town include:

The Town will enforce its ordinance regarding sexually oriented businesses.

## 20. Solid Waste Management

The issue facing the Town is how to ensure efficient, economical collection and disposal of solid waste. This issue is related to the following State management topic(s): land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Increased disposal costs
- Greater demand on collection and disposal systems due to increased seasonal population

Features, facilities, organizations, and programs that may be available to assist the Town include:

The Town will continue to contract for solid waste collection and disposal services. The Town's elected and appointed leadership will monitor the demands placed on the system to determine if and when changes are needed.

## 21. Storm Water Management

The issue facing the Town's is obtaining assistance in developing a storm water management plan and implementing (infrastructure) system improvements. This issue is related to the following State management topic(s): land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of local (Town) financial and technical resources
- Extent and patterns of existing development
- Private initiatives that may be contrary to Town goals
- Balancing private property rights and the benefits of public storm water management systems

Features, facilities, organizations, and programs that may be available to assist the Town include:

Local elected and appointed leadership, the development community, North Carolina Division of Water Quality, NCDOT, and the North Carolina Department of Environment and Natural Resources, Division of Coastal Management will work together to address this issue.

## 22. Tourism

The issue facing the Town is how to promote itself as a family oriented tourist destination. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Storms and natural disasters
- Local, regional, and/or national economic downturns

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local and elected leadership, groups and agencies such as the Outer Banks Visitors Bureau, and the business community will work together to address this issue.

## 23. Transportation

The issue facing the Town is how to ensure the provision of a safe, efficient transportation system given State and local finances, topography, geography, and natural systems and surrounding land uses and development. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Construction of a bridge connecting mainland and coastal Currituck County which would ease traffic along US 158 is years away at best
- Lack of agreement or commitment on the construction of a mid-county bridge

-Lack of public transit or alternative transportation modes.

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, State and Federal representatives, and the North Carolina Department of Transportation will assist the Town in addressing this issue.

#### 24. Uses of and Activities In and On Ocean and Sound Waters

The issue facing the Town is how to ensure the safe and environmentally friendly use of the waters of the ocean and sound by residents and visitors alike. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of local (Town) financial and technical resources
- Magnitude of effort required to patrol ocean and sound waters

Features, facilities, organizations, and programs that may be available to assist the Town include:

Citizens, local elected and appointed leadership, the Kitty Hawk Police Department, Kitty Hawk Ocean Rescue, the Dare County Sheriff's Department and State and Federal agencies and programs will assist the Town in addressing this issue.

#### 25. Water Quality

The issue facing the Town is how to maintain, protect, and restore the quality of coastal waters. This issue is related to the following State management topic(s): public access, land use compatibility, infrastructure carrying capacity (and provision of public facilities and services), natural hazard areas, and water quality.

Problems or obstacles that may inhibit the Town from addressing this issue include:

- Lack of local (Town) financial and technical resources

- Magnitude of effort required to patrol, police, manage, preserve, and protect water quality
- Degradation of the resource resulting from litter, pollution, and undesirable activities

Features, facilities, organizations, and programs that may be available to assist the Town include:

State and Federal agencies, programs, and regulations are the main assets available to the Town to address this issue.

### C. Town Vision

The vision statement has two main planning purposes. It provides a foundation for setting priorities, defining goals, and developing land use policies to achieve them. It also allows Kitty Hawk to build consensus among various stakeholders on a unified approach to its land use and development issues. Through its vision statement, Kitty Hawk describes what it wants to be and how it wants to look in the future. The Kitty Hawk vision statement:

- is developed using information about driving forces, priority issues, and citizen values and aspirations concerning what Kitty Hawk should look like in the future;
- is written in positive terms and in the present tense;
- includes a description of how the Town will look in the future;
- is not time-bound and extends beyond the horizon of the land use plan;
- is not lengthy, but provides for goals and policies developed as a part of the land use plan;
- is tailored to Kitty Hawk; and,
- is endorsed by the Kitty Hawk Town Council.

### KITTY HAWK VISION STATEMENT

Kitty Hawk is a cottage community:

- rich in history and tradition
- tranquil and environmentally attuned
- portraying a unique mixture of resort beach and traditional Outer Banks village
- characterized by low to medium density, single family residential development with commercial establishments serving its residents and seasonal visitors

- wherein development remains on a human scale and is in harmony with nature
- possessing undisturbed natural areas such as Kitty Hawk Woods, a vast maritime forest
- whose special atmosphere comes from a combination of natural beauty and small-scale development
- whose major tourist attractions include the Atlantic Ocean and the waters of the Currituck Sound, Kitty Hawk Bay, and Albermarle Sound
- set apart by the fact that it has clearly expressed a preference for being a family oriented beach community
- which neither encourages or permits high rise apartments, condominiums, time shares, urban density, intense waterfront development, carnivals, amusement parks, or racetracks
- intent upon remaining a low density family oriented community, a year-round community, a retirement community, a traditional coastal village community, and a resort-tourist community in harmony with the natural environment

## 1. Desired General Physical Appearance and Form

The continuation of its present physical appearance and form is important-if not critical-to the Town if it is to maintain its unique character among coastal villages. Development patterns are well established. Redevelopment proposals which seek to build "higher and closer" will challenge the Town with respect to maintaining and enhancing its desired physical appearance and form. Architectural design standards and development review processes are tools that may aid the Town. The Town must work to educate citizens and the development community with respect to its desired physical appearance and form.

## 2. General Land Use Plan Objectives

The land use plan should help the Town:

- preserve its character as a coastal village;

- protect and preserve the natural environment;
- provide adequate public facilities and services;
- achieve support and consensus for Town initiatives;
- promote unity in its residential and commercial communities; and,
- make infrastructure improvements that compliment but do not duplicate existing systems.

## Chapter III: Population, Housing, and Economy

### A. Population

The study of population and growth patterns in Kitty Hawk provides an essential foundation for long range planning and for planning of capital improvements. This chapter contains text and exhibits which describe the past and present nature of the Town's population and projections of future growth. Information presented here introduces issues which are central to the land use plan update. An understanding of these issues is necessary in order to effectively plan for the future. Land use planning must be sensitive to the changing characteristics of the population of a community. Changes in population create changing demands for housing, commercial services, and public facilities and services.

#### 1. Permanent Population Growth Trends

The permanent population in Kitty Hawk grew by 1,054 persons (54.4%) from 1,937 persons in 1990 to 2,991 persons in 2000. Kitty Hawk was Dare County's fastest growing town during the period. Dare County's population as a whole grew 31.7% from 1990 to 2000.

#### 2. Permanent and Seasonal Population Estimates

The 2000 Census put the Town's population at 2,991 persons. The State estimates the Town's 2002 population was 3,206 persons. The Town, by this estimate, grew by 7.2% from 2000 to 2002.

The demand for public services and the impact on public facilities increases at a proportional rate as seasonal visitors arrive. The year-round population of Dare County, according to Census 2000, is 29,967. The seasonal population peak is approximately 200,000. Kitty Hawk's portion of this figure, as discussed below, could be over 16,000 persons. The Dare County Carrying Capacity Study Final Report (Booz, Allen & Hamilton, Inc. 1986) projected the Town's peak plus permanent population in 2001 would be between 15,144 people and 17,076 people.

According to Dare County, there were 1,967 single family residences in Kitty Hawk in January 2003. There were 458 units in multi-family developments (condominiums, townhouses, timeshares, and co-ownership properties) in Town.

In addition to single family structures and multifamily developments, Kitty Hawk has about 160 rooms for rent at hotels, motels, and cottage courts,



32 rooms at bed and breakfast establishments, and 300 units in trailer/RV park campgrounds. EXHIBIT III-A estimates Kitty Hawk’s total peak (permanent population plus visitors) based generally on assumptions (provided in the DCM Technical Manual for Land Use Planning) about the number of visitors that may occupy different types of accommodations.

**EXHIBIT III-A  
KITTY HAWK, NORTH CAROLINA  
ESTIMATED PEAK SEASONAL POPULATION**

TYPE OF ACCOMMODATION	ESTIMATED # OF UNITS	AVERAGE # OF PERSONS PER UNIT*	TOTAL PEAK POPULATION*
Single family detached and attached residential structures	1,967	6.5	12,786
Multi-family developments	458	3.5	1,603
Hotels, motels, and cottage courts	160	4.0	640
Bed and Breakfasts	32	2.0	64
Trailer Parks and Campgrounds	300	4.0	1,200
TOTAL	2,917		16,293

\*Estimated

The non-peak periods have also grown increasingly popular, extending the tourist season or “shoulder season” from Easter to Thanksgiving. Also, property owners of the resort homes offered for short-term rentals often use their property for vacations during spring and fall months. During the winter months, Kitty Hawk and the rest of Dare County reverts to its static population base, with reserve capacity for almost every public service. However, even during winter months, there are occasional spikes in population due to three-day week-end holidays in January and February.

The major impact of the seasonal population is on the service delivery and infrastructure support. Water and other utility systems must be designed to meet the capacity needs of the peak demands but most of the time, operate at much less than peak demands. The most overstressed of the Kitty Hawk infrastructure is the transportation system. The increased traffic affects the response time of emergency services. The increased number of emergency calls due to seasonal population surges also has an impact.

### 3. Key Population Characteristics

Census 2000 reflects that 98.1% (2,935) of Kitty Hawk residents were white and 0.66% (19) residents were black, and the remaining 1.24% (37) were American Indian, Asian, or other races or more than one race. In 1990, 98.8% (1,914) of the residents of the Town were white and 1.2% (23) were black or other races or combination of races.

In 2000, the Town's population was 50.9% (1,523) male and 49.1% (1,468) female. There were a total of 2,439 married persons 15 years or older in Kitty Hawk, according to Census 2000. EXHIBIT III-B provides a breakdown of marital status.

**EXHIBIT III-B  
KITTY HAWK, NORTH CAROLINA  
MARITAL STATUS 2000**

	NUMBER	PERCENT
Population 15 years and Over	2,439	100.0
Never Married	455	18.7
Now Married, Except Separated	1,517	62.9
Separated	71	2.9
Widowed	133	5.5
Divorced	263	10.8

SOURCE: Census 2000. Data based on a sample.

There were 1,265 total households in Kitty Hawk in 2000. Of this total, 68.5% (867) were family households and 31.5% (398) were non-family households. Of the non-family households, 23.8% (301) were situations wherein the householder lived alone. In 2000, the average household size in Kitty Hawk was 2.35 persons while the average family size was 2.79 persons.

In 2000, 620 persons, or 20.7% of the Town's total population were enrolled in schools, the majority attending elementary school (grades 1-8). See EXHIBIT III-C.

**EXHIBIT III-C  
KITTY HAWK, NORTH CAROLINA  
SCHOOL ENROLLMENT  
(Population 3 Years and Over Enrolled in School)**

SCHOOL TYPE	NUMBER	PERCENT
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Nursery School, Preschool	44	7.1
Kindergarten	28	4.5
Elementary School (Grades 1-8)	318	51.3
High School (Grades 9-12)	155	25.0
College or Graduate School	75	12.1
TOTAL	620	100.0%

SOURCE: U.S. Census Bureau, Census 2000. Data based on a sample.

In 2000, over 88.8% of Kitty Hawk's population aged 25 years and over were high school graduates or higher. Nearly 24.3% held a bachelor's degree or higher. See EXHIBIT III-D.

EXHIBIT III-D  
KITTY HAWK, NORTH CAROLINA  
EDUCATION ATTAINMENT  
(Population 25 years and Over)

LEVEL	NUMBER	PERCENT
Less Than 9 <sup>th</sup> Grade	57	2.6
9 <sup>th</sup> to 12 <sup>th</sup> Grade, No Diploma	186	8.5
High School Graduate (Includes equivalency)	632	29.0
Some College, No Degree	618	28.4
Associate Degree	154	7.1
Bachelor's Degree	365	16.8
Graduate or Professional Degree	165	7.6
TOTAL	2,177	100.0%

SOURCE: Census 2000. Data based on a sample.

#### 4. Age

The median age of residents in 2000 was 40.6 years as compared to 35.5 years in 1990. This has been in keeping with both nationwide and statewide trends toward an older population. This increase in the age of

the population stems from a decrease in the birth rate. Fewer children are being born; therefore, the general population grows older with each passing year. In addition, the number of older persons coming to the Town is increasing. As previously discussed, the Town's population grew by over 54% from 1990 to 2000. EXHIBIT III-E provides a breakdown of Kitty Hawk residents by age group.

**EXHIBIT III-E  
KITTY HAWK, NORTH CAROLINA  
POPULATION BY AGE 1990 AND 2000**

AGE	1990		2000	
	NUMBER	PERCENT	NUMBER	PERCENT
Under 5 years	139	7.2	169	5.7
5-9 years	158	8.2	174	5.8
10-14 years	87	4.5	203	6.8
15-19 years	87	4.5	163	5.4
20-24 years	118	6.1	104	3.5
25-34 years	363	18.7	394	13.2
35-44 years	355	18.3	551	18.4
45-54 years	192	9.9	489	16.3
55-59 years	98	5.0	188	6.3
60-64 years	115	5.9	168	5.6
65-74 years	158	8.2	262	8.8
75-84 years	54	2.8	105	3.5
85 years and over	13	0.7	21	0.7
TOTAL	1,937	100.0%	2,991	100.0%

SOURCE: 1990 Census and Census 2000.

## 5. Income

The median household income (in 1999) was \$42,813.00 for 1,263 reported households in Kitty Hawk. The median family income (in 1999) was

\$48,676.00 for 862 reported families in Kitty Hawk. Per capita income reported for 1999 was \$22,960.00

## 6. Population Projections

Kitty Hawk should continue to experience moderate to high population growth over the next three decades. The North Carolina State Demographics section projects population growth for counties but not for towns. Dare County's population in April 2000 was estimated to be 29,967. The County is projected to grow 22.4% (36,681) by 2010, by 17.1% (42,940) by 2020, and to 12.5% (48,315) by 2030.

The State does not project population growth for towns but it does provide projections at the County level. Dare County's population in 2000 was 29,967 persons and Kitty Hawk's population was 2,991 persons, or 9.98% of the County total. The State projects Dare County will grow to 33,324 persons by 2005. At 9.98% of this total, Kitty Hawk's projected population in 2005 will be about 3,326 persons. The State projects Dare County will have 36,681 persons by 2010. At 9.98% of this total, Kitty Hawk's population will be 3,660 persons. If Kitty Hawk grows by 9.98% between 2010 and 2015, the estimated population in Town in 2015 will be 4,025 persons. By 2020, the State projects Dare County will grow to 42,940 persons. At 9.98% of this total, Kitty Hawk's population will be 4,285 persons.

### B. Housing Stock

The significant growth in Kitty Hawk's permanent population goes hand in hand with the apparent conversion of more and more of the Town's traditionally vacation homes/cottages being occupied by year-round residents. In Kitty Hawk in 1990, there were 2,105 total housing units. Of this total, 38.0% (799) were occupied while 62.0% (1,306) were vacant. In 2000, there were 2,622 total housing units. Of this total, 48.3% (1,265) were occupied while 51.7% (1,353) were vacant. Thus, the 2000 housing units were nearly evenly split between occupied units and vacant units.

Proposals to construct larger (square footage) houses in Kitty Hawk prompted the Town to amend its zoning ordinance (2003-2004) to require greater setbacks and larger lot sizes for oversized single-family dwellings. The Town feels these changes will significantly reduce the proliferation of large houses in Kitty Hawk.

The information and data in the following sections was taken from Demographic

Profiles generated by the U.S. Census Bureau as a part of Census 2000, and from Kitty Hawk building permit records.

### 1. Current Housing Stock

According to Census 2000, the total number of housing units in Kitty Hawk increased from 2,105 units in 1990 to 2,622 units in 2000. The number of occupied housing units increased from 38.0% in 1990 to 48.3% in 2000. These increases, coupled with improvements to structures with deficiencies noted in 1990 point to a general improvement in the Town's housing stock.

Single-family structures continue to be the dominant housing type in Kitty Hawk.

Single units (detached) accounted for 67.8% (1,178 units) of the Town's total units in 2000.

The number of mobile homes in the Town increased from 133 in 1990 to 333 in 2000.

EXHIBIT III-F provides an inventory of housing units in the Town in 1990 and 2000 by number of units in the structure. EXHIBIT III-G compares total housing units in 1990 and 2000 by the number of rooms. The median number of rooms in 2000 in Kitty Hawk was 5.3 rooms.

EXHIBIT III-F  
KITTY HAWK, NORTH CAROLINA  
UNITS IN STRUCTURE 1990 AND 2000  
TOTAL HOUSING UNITS

UNITS IN STRUCTURE	1990		2000	
	NUMBE R	PERCEN T	NUMBE R	PERCEN T
1 Unit, Detached	1,368	65.0	1,178	67.8
1 Unit, Attached	69	3.3	211	8.0
2 Units	50	2.4	30	1.1

3 or 4 Units	32	1.5	55	2.1
5 to 9 Units	422	20.0	180	6.9
10-19 Units	15	0.7	23	0.9
20 or More Units	0	0.0	6	0.2
Mobile Homes	133	6.3	333	12.7
Boat, RV, Van, Etc.	16	0.8	6	0.2
TOTAL	2,105	100.0%	2,622	100.0%

SOURCE: 1990 Census and Census 2000. 2000 data based on a sample.

**EXHIBIT III-G  
KITTY HAWK, NORTH CAROLINA  
ROOMS PER HOUSING UNIT 1990 AND 2000**

ROOMS	1990		2000	
	NUMBER	PERCENT	NUMBER	PERCENT
1	23	1.1	8	0.3
2	29	1.4	75	2.9
3	281	13.3	246	9.4
4	485	23.0	424	16.2
5	515	24.5	744	28.4
6	453	21.5	577	22.0
7	176	8.4	319	12.2
8	78	3.7	142	5.4
9 or More	65	3.1	87	3.3
TOTAL	2,105	100.0%	2,622	100.0%

SOURCE: 1990 Census and 2000 Census.

There are a number of variables which can indicate that a dwelling unit is substandard. It is common practice to use "lacking complete plumbing facilities" to approximate the number of substandard units. The potential fallacy of this method

relates to the fact that a unit may have all plumbing facilities but still be substandard.

Many factors enter into one's housing experience or the conditions encountered in the housing unit. Among these are the availability of plumbing, appliances, communications, means of mobility, and spatial comfort and shelter.

Of the Town’s 1,259 occupied housing units in 2000, only 5 lacked complete plumbing facilities while none lacked complete kitchen facilities. Only 7 did not take telephone service in 2000. Only 26 did not have a vehicle available at the unit.

Most occupied housing units in 2000 relied on electricity for heating fuel (climate control) as shown on EXHIBIT III-H.

**EXHIBIT III-H  
KITTY HAWK, NORTH CAROLINA  
HOUSE HEATING FUEL – OCCUPIED  
HOUSING UNITS 2000**

HOUSE HEATING FUEL	NUMBER	PERCENT
Utility gas	4	0.3
Bottled, tank, or LP gas	101	8.0
Electricity	1,101	87.5
Fuel oil, kerosene , etc.	34	2.7
Coal or coke	0	0
Wood	17	1.4
Solar energy	0	0
Other fuel	0	0
No fuel used	2	0.2
TOTAL	1,259	100.0%

SOURCE: Census 2000. Data based on a sample.

In 2000, only 1,353 units (51.7%) of the Town’s total housing units were classified vacant, while 1,265 (48.3%) were occupied. Forty-eight percent of the vacant units were for seasonal, recreational, or occasional use.

In 2000, owners occupied 74.7% (945) of 1,265 occupied housing units while renters occupied 25.3% (320) of the occupied housing units.

In 2000, 98.5% of occupied housing units had one or less occupant per room. Only 9 units had over 1.5 occupants per room.

Nearly 79% (2,061) of the total housing units (2,622) recorded in 2000 in Kitty Hawk have been built since 1980. EXHIBIT III-I displays the eras housing units were built.

**EXHIBIT III-I**



**KITTY HAWK, NORTH CAROLINA  
AGE OF HOUSING UNITS – YEAR STRUCTURE BUILT**

YEAR STRUCTURE BUILT	NUMBER	PERCENT
1999 to March 2000	82	3.1
1995 to 1998	251	9.6
1990 to 1994	343	13.1
1980 to 1989	1,385	52.8
1970 to 1979	314	12.0
1960 to 1969	136	5.2
1940 to 1959	74	2.8
1939 or earlier	37	1.4
<b>TOTAL HOUSING UNITS</b>	<b>2,622</b>	<b>100.0%</b>

SOURCE: Census 2000.

**2. Building Permit Activity**

EXHIBIT III-J provides a breakdown of building permits for new construction issued by Kitty Hawk from 1997 through 2004. Building activity in Kitty Hawk is occurring at a fast pace and indications are that this trend will continue.

**EXHIBIT III-J  
KITTY HAWK, NORTH CAROLINA  
BUILDING PERMIT ACTIVITY  
1997-2004**

YEAR	SINGLE FAMILY	MULTI-FAMILY	MOBILE HOMES	COMMERCIAL	POOLS
2004	56	2	2	2	44
2003	52	2	0	3	28
2002	67	9	0	7	6
2001	72	6	0	7	11
2000	63	1	3	5	6
1999	73	6	4	4	13
1998	64	10	6	8	5
1997	61	4	0	1	0
<b>TOTAL</b>	<b>508</b>	<b>40</b>	<b>15</b>	<b>37</b>	<b>113</b>

SOURCE: Kitty Hawk Inspections Department.

## C. Economy

Kitty Hawk's economy is based primarily on recreational tourism and the service related support businesses such as real estate, accommodations, restaurants, sporting goods, golfing, professional services, retail stores, construction activities, and supplies. This heavy reliance on tourism creates the need to attempt to broaden the economic base to include non-tourist related activities to provide some sense of stability in the event that the Outer Banks becomes less attractive as a tourist area.

According to Census 2000, there were 1,605 employed persons (16 years old and over) in Kitty Hawk. There were 33 persons employed in agriculture, forestry, fishing, and hunting and mining; 285 persons employed in construction; 202 persons employed in retail trade; 201 persons employed in education, health, and social services; 211 persons employed in arts, entertainment, recreation, accommodations, and food services; 183 persons employed in finance, insurance, real estate, and rental and leasing; 149 persons employed in professional, scientific, management, administrative, and waste management services; and, 87 persons employed in public administration. The balance of persons employed (254 persons) were employed in either manufacturing, wholesale trade, transportation and warehousing and utilities, information, or other services.

As with all of the communities on the Outer Banks, Kitty Hawk's economy bustles from May to September and continues at a slower, more relaxed pace in the off season. This annual cycle is part of the Town's character and appeal. While much more retail activity occurs during the summer months, a certain number of stores and professional offices operate year-round to meet the needs of Kitty Hawk's residents, which include a large number of retired persons, and an increasing number of off-season visitors.

Many of the Town's residents commute to jobs in nearby communities such as Kill Devil Hills, Nags Head, Manteo, and Wanchese. Conversely, some people who live in these communities work in Kitty Hawk.

Kitty Hawk has no commercial agriculture or forestry operations, nor does it have large-scale fisheries. However, several people in Kitty Hawk Village have small-scale, independent commercial fishing and crabbing operations. As Kitty Hawk's residents have done for generations, these people harvest fish, shellfish, and crabs when the season is right, keeping some for themselves and selling the rest. These operations and their small scale are part of Kitty Hawk Village's traditional economy and way of life.

The Town will continue to rely on tourism as its main industry throughout the planning period. There may be pressure from the commercial sector to re-examine land use policies and the Town's approach to land use planning.

## Chapter IV: Natural Systems

The analysis of natural systems is intended to describe and analyze the natural features and environmental conditions in Kitty Hawk and to assess their capabilities and limitations for development. In the context of land use planning, environmental conditions describe the physical state of the Town's environment and fitness for development. Three specific dimensions are addressed: water quality, natural hazards, and natural resources. Capabilities and limitations are similar terms that may represent opposite sides of the same coin. Environmental capability is the capacity of land with a particular natural feature to accommodate a specified type or intensity of development. Similarly, an environmental limitation is a natural feature or group of features that places restraints on a specified type or intensity of development.

This chapter contains a three part analysis of the Town's natural features in order to assess conditions, capabilities, and limitations. Section A is an assessment of natural features present in Kitty Hawk and interpretations of the capabilities or limitations that the features identified have for development. Section B builds from the interpretation of the capabilities and limitations of each natural feature category. Based on interpretation of their relative capabilities and limitations, natural features are combined into three categories (classes) on a single map (EXHIBIT IV-C Composite Environmental Conditions Map). Section C assesses environmental conditions in Kitty Hawk relative to water quality, natural hazards, and natural resources.

### A. Natural Features

Data files used to generate various natural features maps were provided by the State at the outset of the land use planning process. For Kitty Hawk, natural features include: areas of environmental concern and environmentally fragile areas; soil characteristics; flood and natural hazard areas; storm surge areas; and, non-coastal wetlands and probable 404 wetlands.

#### 1. Areas of Environmental Concern (AEC) and Environmentally Fragile Areas

One of the basic purposes of North Carolina's Coastal Area Management Act (CAMA) is to establish a State management plan that is capable of rational and coordinated management of coastal resources. The act recognizes that the key to more effective protection and use of the land and water resources of the coast is the development of a coordinated

approach to resource management. The Coastal Area Management Act provides two principal mechanisms to accomplish this purpose. First, the formulation of local land use plans and second, the designation of areas of environmental concern for the protection of areas of statewide concern within the coastal area.

Areas of Environmental Concern (AEC) are grouped into four broad categories. These are: estuarine and ocean systems, ocean hazard areas, natural and cultural resource areas, and public water supplies.

Included within the estuarine and ocean system are the following AEC categories: estuarine waters, coastal wetlands, public trust areas, and estuarine and public trust shorelines. Each of the AEC is either geographically within the estuary or, because of its location and nature, may significantly affect the estuarine and ocean system. Kitty Hawk is impacted by all these estuarine and ocean system AEC categories which are found along the ocean and sound shoreline.

The lands and waters that comprise the estuarine system hold enormous economic, biological, social, and aesthetic values for Kitty Hawk and North Carolina. These lands and waters are interdependent and must be managed as a unit. Any alteration however slight, in one component of the estuarine system may result in unforeseen consequences to seemingly unrelated areas of the system. In order to protect the estuarine system, the Coastal Resources Commission (CRC) has designated individual components of it as AEC and adopted guidelines for their use. These components are the estuarine waters, coastal wetlands, public trust areas, and estuarine shorelines. Each of these is either directly within the estuary itself or significantly affects the estuary. All of these are found within Kitty Hawk.

The estuarine waters AEC includes all waters of the State's bays, sounds, and streams seaward of the dividing line between coastal fishing waters and inland fishing waters as set forth by a joint agreement between the Wildlife Resources Commission and the Marine Fisheries Commission. In Kitty Hawk, the estuarine waters AEC include the manmade tributaries of Currituck Sound and Kitty Hawk Bay. Natural streams such as High Bridge Creek (Northern Gut, Jean Guite Creek, or Ginguite Creek) and Duck Pond Creek are classified inland waters.

The coastal wetlands AEC includes any salt marsh or other marsh subject to regular or occasional flooding by tides, whether or not the tidal waters reach the wetlands through natural or artificial watercourses. Coastal wetlands are important because they yield high levels of organic detritus

and nutrients which serve as a primary food source for various species of fish, shellfish, and waterfowl. Their dense vegetation and root networks also help retard shoreline erosion and trap sediments before they reach the estuarine waters. There are no coastal wetlands along Kitty Hawk's ocean shoreline. However, extensive wetlands line Currituck Sound and Kitty Hawk Bay.

The public trust waters AEC includes:

- all waters of the Atlantic Ocean and the lands there under from the mean high water mark to the seaward limit of State jurisdiction;
- all other bodies of water subject to lunar tides and the lands there under below the mean high water level;
- all waters in artificially created bodies of water containing significant public fishing resources or other public resources which are accessible to the public by navigation from bodies of water in which the public has rights of navigation; and
- all waters in artificially created bodies of water in which the public has acquired rights by prescription, custom, usage, dedication, or any other means.

In Kitty Hawk, the public trust waters AEC covers the waters and submerged lands of the Atlantic Ocean, Currituck Sound, and Kitty Hawk Bay. It also covers the many navigable natural and man-made channels that open into Currituck Sound and Kitty Hawk Bay.

The estuarine shoreline AEC covers non-ocean shorelines which are typically subject to erosion, flooding, and other adverse effects of wind and water. Though the estuarine shorelines are typically dry land, they are intimately connected to the estuary. Development along the shoreline can have a strong effect on the quality of estuarine waters, coastal wetlands, and their ability to sustain their economic, biological, social, and aesthetic values. As defined by the CRC, the estuarine shoreline AEC extends from the mean high water level or normal water level along the estuarine waters AEC to a line 75 feet landward. In Kitty Hawk, the estuarine shoreline AEC encompasses the entire shoreline along Currituck Sound and Kitty Hawk Bay.

The next broad grouping is composed of those AEC that are considered natural hazard areas along the Atlantic Ocean shoreline where, because of their special vulnerability to erosion or other adverse effects of sand, wind, and water, uncontrolled or incompatible development could unreasonably endanger life or property. Ocean hazard areas include beaches, frontal dunes, inlet lands, and other areas in which geologic,

vegetative, and soil conditions indicate a substantial possibility of excessive erosion or flood damage. The ocean hazard system of AEC includes all of the following areas: ocean erodible areas, high hazard flood areas, and unvegetated beach areas. Kitty Hawk is impacted by all of these AEC.

The Atlantic Ocean shoreline is especially vulnerable to erosion and other adverse effects of wind and water. Uncontrolled or incompatible development within these areas can present an unreasonable danger to life and property. In Kitty Hawk, there are two types of ocean hazard AEC. These are ocean erodible areas and high hazard flood areas.

The ocean erodible AEC includes that area in which there exists a substantial possibility of significant erosion and shoreline fluctuation. The seaward boundary of this area is the mean low water line. The landward boundary of this area is determined as a combination of:

- a distance landward from the first line of stable natural vegetation to the recession line established by multiplying the long-term annual erosion rate, as most recently determined by the CRC, by 60 for large structures and by 30 for small structures. Where there has been no long-term erosion or the rate is less than two feet per year, this line is 120 feet landward from the first line of stable natural vegetation for large structures, 60 feet for small structures; plus
- the distance landward from the above recession line to a second recession line that would be generated by a storm having a one percent chance of being equaled or exceeded in any given year.

In Kitty Hawk, the ocean erodible AEC covers the entire Atlantic Ocean shoreline and consists of three separate segments with different rates of erosion and different setbacks established by the CRC from the first line of stable natural vegetation.

The high hazard flood AEC is the oceanfront area subject to flooding and high velocity waters including wave wash in a storm having a one percent chance of being equaled or exceeded in any given year.

The third broad grouping of AEC includes valuable small surface water supply watersheds and public water supply well fields. Public water supplies as a broad category include two AEC's: small surface water supply watersheds and public water supply well fields. None of these AEC has been identified in Kitty Hawk.

The fourth and final group of AEC is gathered under the heading of fragile coastal natural and cultural resource areas and is defined as areas

containing environmental, natural or cultural resources of more than local significance in which uncontrolled or incompatible development could result in major or irreversible damage to natural systems or cultural resources, scientific, educational, or associative values, or aesthetic qualities. AEC within the fragile coastal natural and cultural resource category include coastal complex natural areas that sustain remnant species, unique coastal geologic formations, significant coastal architectural resources, and significant coastal historic architectural resources. In Kitty Hawk, the most notable and largest fragile coastal natural and cultural resource area(s) are the Kitty Hawk Woods conservation areas.

## 2. Soil Characteristics

The soils in Kitty Hawk belong to three general soil map units: Newhan-Duckston-Corrolla; Fripp-Ousley-Osier; and Hobonny-Carteret-Currituck. Soils in the Newhan-Duckston-Corrolla general soil map unit are used mainly for the recreational activities associated with beaches or for wildlife habitat. The sandy texture, seasonal droughtiness and wetness, and flooding of low areas during high-wind tides are the main limitations. These types of major soils generally are not used as cropland or woodland because of the seasonal droughtiness and wetness and the flooding during high-wind tides. The urban and recreational uses in areas of this unit are those associated with beach activities.

Soils in the Fripp-Ousley-Osier general soils map unit are commonly on gently sloping or sloping ridges, on flats, and in depressions on the sound side of the Outer Banks.

The major soils in this unit are used as woodland. The slope, the sandy texture, seasonal droughtiness and wetness, and flooding are the main management concerns. The major soils in this unit are not generally used as cropland. The main limitations that affect urban and recreational uses are the slope, the sandy texture, wetness, seepage, and flooding.

Soils in the Hobonny-Carteret-Currituck general soil map unit are on broad flats in marshes on Roanoke Island, the eastern shore of the mainland, and the sound side of the Outer Banks. These soils generally are used only as habitat for wildlife because of the landscape position, wetness, and frequent flooding by tides for long periods. The wildlife includes certain fur-bearing animals, marsh birds, some migrating waterfowl, and snakes.

Soil limitation ratings refer to the soil's capacity to support various uses such as septic tank drain fields. A rating of slight means that the soil's chemical and physical properties are generally favorable for these uses or



that any limitations are minor and easy to overcome. A rating of severe means that the soil's properties are unfavorable and that these limitations are difficult to correct or overcome. A rating of severe does not preclude possible development. However, any unfavorable conditions must be overcome by appropriate land development techniques. In all cases, on-site investigations of the soil are necessary for the proper design and placement of buildings, foundations, roads, utility lines, and septic systems.

All of the major soils units in Kitty Hawk have severe limitations for septic tank absorption fields. However, sound land planning and development, special site planning and current technology, can address some of the concerns associated with soil limitations. The Dare County Health Department determines if soils will permit the use of septic tank systems on a case by case basis.

### 3. Flood and Other Natural Hazard Areas

Flood hazard areas are found along the entire length of Kitty Hawk's ocean and sound shorelines and encompass significant parts of the interior of the Town. Development in these areas are subject to flood plain regulations.

### 4. Storm Surge Areas

Storm surge areas encompass large parts of Kitty Hawk. A fast hurricane storm surge could inundate much of the Town.

### 5. Non-Coastal Wetlands and Probable 404 Wetlands

In Kitty Hawk, non-coastal and 404 wetland areas are covered under existing CAMA or U.S. Army Corps of Engineers' regulations.

Some freshwater swamps and marshes are thought to exist but are not mapped. One example, the "Bull Ridge Gut," apparently starts somewhere in the Beach Residential (BR-3) zoning district, continues south past Kitty Hawk Road, crosses Moore Shore Road, and empties into Kitty Hawk Bay. How far from the mouth is brackish is not known. There are other guts or streams where the same information is not known.

The U.S. Army Corps of Engineers has jurisdiction over 404 Wetlands as provided by Section 404 of the Federal Clean Water Act. The Corps of Engineers often allows filling of 404 Wetlands in exchange for the creation of comparable amounts of wetlands elsewhere. This was the case in the Shoreside Center project. Also, the Corps administers a Nationwide Permit program for the fill of typically small amounts of 404 Wetlands (less than one acre). The location of 404 Wetlands is determined as a part of site plan applications. The Corps verifies the information presented by applicants.

Mapping provided by the State for this land use plan update shows the general locations of wetlands in Kitty Hawk and was used to create the composite environmental conditions map exhibit included in this chapter.

To analyze development capabilities and limitations, the Town profiled the features of its natural systems. The purpose of such a profile is to show the fit between natural features and the land uses and development activities associated with community development. The following questions helped construct the profile:

- Does the natural feature perform a function that is vital for environmental health and the quality of life of Kitty Hawk residents?
- Does the feature constitute a consequential threat to people or property if development is located there?
- Does the feature provide a scenic amenity that is valued by the Town and that should be considered in the development of land use policies?
- Does the area contain rare outstanding elements of natural diversity of the Town or the State that merit special consideration as land use and development decisions are made?
- Do the characteristics of the feature materially limit the type or intensity of development that can take place without unacceptable environmental costs or significant investment in public facilities?

EXHIBIT IV-A lists the natural features and uses numbers to indicate their degree of development compatibility. Development includes all of the land use activities that are generally considered to be urban development: higher density residential, commercial and industrial uses, and availability of basic services.

#### EXHIBIT IV-A

**KITTY HAWK, NORTH CAROLINA  
INTERPRETATION OF NATURAL FEATURES  
DEVELOPMENT COMPATABILITY**

NATURAL FEATURES	DEVELOPMENT COMPATABILITY
AEC: Coastal wetlands	(3)
AEC: Estuarine waters	(2)
AEC: Estuarine shoreline	(2)
AEC: Public trust areas	(2)
AEC: Unvegetated beach area	(3)
AEC: Ocean erodible area	(3)
AEC: High hazard flood area	(2)
AEC: Inlet hazard area	(2)
SOILS: Slight septic limitations	(1)
SOILS: Slight erosion hazards	(1)
SOILS: Severe septic limitations	(3)
SOILS: Severe erosion hazards	(3)
NON-COASTAL WETLANDS	(2)
CONSERVATION AREAS	(3)
HAZARDS: Within 100-year flood	(2)
HAZARDS: Within storm surge area	(2)
WATER QUALITY	(2)

(1) Generally Compatible      (2) Less Compatible      (3) Least Compatible

**B. Environmental Conditions Composite**

Based on the Town's interpretation of the capabilities and limitations of identified natural features, land in Kitty Hawk has been generally classified into three categories. Class I is land that contains only minimal hazards and limitations that can be addressed by commonly accepted land planning and development practices. Class I land will generally support the more intensive types of land use and development. Class II is land

that has hazards and limitations for development that can be addressed by restrictions on land uses, special site planning, or the provision of public services, such as water and sewer. Land in this class will generally support only the less intensive uses, such as low-density residential, without significant investment in services. Class III is land that has serious hazards and limitations. Land in this class will generally support very low-intensity uses such as conservation and open space.

The features that are included in each class are described in EXHIBIT IV-B Composite Natural Features Analysis. Classifications are not intended to prohibit or regulate land use and development. They serve to present a picture of natural systems' capabilities and constraints with respect to land use and development.

**EXHIBIT IV-B  
KITTY HAWK, NORTH CAROLINA  
COMPOSITE NATURAL FEATURES ANALYSIS**

CLASSIFICATION	MAPPING SYMBOL	NATURAL SYSTEM OPPORTUNITIES AND CONSTRAINTS
Class I – land containing only minimal hazards and having only slight limitations that may be addressed by sound land planning and development practices	I	Soils with slight limitations for septic tanks. Soils with slight erosion hazards. Non-wetland area or wetland rated beneficial and not high potential risk (NC-CREWS). Land located outside 100-year flood hazard area. Land located outside storm surge area (slow moving storm).
Class II – land containing development hazards and limitations that may be addressed by methods such as restrictions on types of land uses, special site planning, or provision of public services	II	Estuarine shoreline Ocean erodible area High hazard flood area Inlet hazard area Soils with moderate to severe limitations for septic tanks. Soils with moderate to severe erosion hazards. Non-coastal wetlands rated as beneficial and high potential risk or substantial significance (NC-CREWS). Land located within a 100-year flood hazard area. Land located within a storm surge area (slow moving storm).
Class III – land containing serious hazards for development or lands where the impacts of development would cause serious damage to the values of natural systems	III	Coastal wetland Estuarine waters Public trust areas Unvegetated beach area Conservation Areas Non-coastal wetlands rated as substantial significance with high potential risk or exceptional significance with or without high potential risk (NC-CREWS)

EXHIBIT IV-C Composite Environmental Conditions Map shows the general locations of land classifications based on the composite natural feature analysis. Given that all of the soils in Kitty Hawk are rated as severe for septic tank drain fields, no Class I lands are shown. Although the soils in Kitty Hawk, as reported in the Dare County Soils Study, are rated as severe for septic tank absorption systems, sound land use planning and development, special site planning and development and current technology can address some of the concerns associated with soils' limitations.

Class II lands are generally those found in storm surge areas, flood hazard areas and non-coastal wetlands rated as beneficial and high potential risk or substantial significance. Class II lands are found along the estuarine shoreline, in ocean erodible areas, high hazard flood areas, and inlet hazard areas. Class II lands have soils with moderate to severe limitations for septic tanks.

Class III lands are generally coastal wetlands and non-coastal wetlands rated as substantial significance with high potential risk or exceptional significance without high potential risk, estuarine waters, public trust areas, unvegetated beach areas. Class III lands also include conservation areas.

EXHIBIT IV-C  
KITTY HAWK, NORTH CAROLINA  
COMPOSITE ENVIRONMENTAL CONDITIONS MAP

## C. Environmental Conditions Assessment

CAMA Land Use Planning guidelines also require an assessment of three categories of environmental conditions or features: water quality, natural hazards, and natural resources. This information will be the basis for developing goals and policies to maintain and restore water quality, reduce vulnerability to natural hazards, and protect valuable natural resources.

### 1. Water Quality

#### a. Surface Water Quality

Basinwide water quality planning is a nonregulatory watershed-based approach to restoring and protecting the quality of North Carolina's surface waters. Basinwide water quality plans are prepared by the NC Division of Water Quality (DWQ) for each of the seventeen major river basins in the State. Each basinwide plan is revised at five-year intervals. While these plans are prepared by the DWQ, their implementation and the protection of water quality entails the coordinated efforts of many agencies, local governments, and stakeholders in the State.

Kitty Hawk is located within the Pasquotank River basin in subbasin 03-01-56. The 1997 Pasquotank River Basinwide Plan was updated in 2002. DWQ prepared the 2002 Pasquotank River Basinwide Water Quality Management Plan, July 2002. The Pasquotank River basin encompasses 3,635 square miles of low-lying lands and vast open waters, including Albemarle Sound, in the State's northeast outer coastal plain. The basin includes all or portions of Camden, Chowan, Currituck, Dare, Gates, Hyde, Pasquotank, Perquimans, Tyrell, and Washington counties. The basin also contains numerous small watersheds that drain into Albemarle, Currituck, Croatan, Roanoke, and Pamlico Sounds.

The Pasquotank River basin is part of the Albemarle-Pamlico Estuarine system, the second largest estuarine system in the United States. In 1987, this estuarine system became part of the Environmental Protection



Agency Estuary Program and was the subject of a major study known as the Albemarle-Pamlico Estuarine Study.

Subbasin 03-01-56 of the Pasquotank River contains the highest population density (305 persons/square mile) in the entire Pasquotank River basin with the second highest density falling far behind at 80 persons/square mile. The subbasin has also undergone the highest rate of population density growth over the 1980-2000 period, growing from 130 persons/square mile to 305 persons/square mile.

Only one facility holds a NPDES minor permit in subbasin 03-01-56: Villas Association, Inc. The facility is nonmunicipal and discharges using an on-site land application method. The Villas Association, Inc. facility is located in Nags Head. The Town of Kill Devil Hills Wastewater Treatment Plant holds a NPDES permit to discharge into Buzzard Bay as per an addendum dated December 2003 to the 2002 Pasquotank River Basinwide Water Quality Plan. There are no individual NPDES stormwater permits issued in the basin; however, there are two general stormwater permits issued.

In basinwide plans, surface waters are classified according to their best intended uses. Determining how well a water supports its designated uses (use support status) is an important method of interpreting water quality data and assessing water quality. Waters are rated fully supporting (FS), partially supporting (PS) or not supporting (NS). The terms refer to whether the classified uses of the water (i.e., aquatic life protection, recreation, and water supply) are being met. For example, waters classified for aquatic life protection and secondary recreation (Class C for freshwater and SC for saltwater) are rated FS if data used to determine use support did not exceed specific criteria. However, if these criteria were exceeded, then the waters would be rated as PS or NS, depending on the degree of degradation. Waters rated PS or NS are considered to be impaired. Waters lacking data, or having inconclusive data, are listed as not rated (NR). The use support ratings for subbasin 03-01-56 are shown on EXHIBIT IV-D.

**EXHIBIT IV-D  
KITTY HAWK, NORTH CAROLINA  
USE SUPPORT RATINGS (2000) FOR MONITORED AND EVALUATED\*\* STREAMS  
(MILES) IN PASQUOTANK RIVER SUBBASIN 03-01-56**

Use Support Category	FS	PS	NS	NR	Total*
Aquatic Life/	12,463.2	0	0	15,830.2	28,293.5

Secondary Recreation**	estuarine ac			estuarine ac 23.8 fresh ac 34.2 coastal mi	estuarine mi 23.8 fresh ac 34.2 coastal mi
Fish Consumption***	0	34.2 coastal mi	0	0	34.2 coastal mi
Primary Recreation	12,851.8 estuarine ac 34.2 coastal mi	0	21.4 estuarine ac	15,411.9 estuarine ac	28,285.1 estuarine mi 34.2 coastal mi
Shellfish Harvesting	18,775.0 estuarine ac	0	1,712.9 estuarine ac	0	20,487.0 estuarine ac

\*Total stream miles/acres assigned to each use support category in this subbasin. Column is not additive because some stream miles are assigned to more than one category. \*\*For the fish consumption use support category, only monitored stream miles are presented. \*\*\*These water are impaired because of a regional fish consumption advisory. SOURCE: Pasquotank River Basinwide Water Quality Plan, July 2002. There are 34.2 Atlantic Ocean coastal miles in subbasin 03-01-56 which are partially supporting that were monitored for fish consumption. All waters in this subbasin are currently partially supporting (PS) on an evaluated basis for the fish consumption use support category because of a regional fish consumption advisory for shark, swordfish, king mackerel, tilefish, largemouth bass, bowfin (or blackfish), and chain pickerel (or jack).

Only a small portion of the subbasin’s water (21.4 estuarine acres in the Roanoke Sound) is currently not supporting primary recreation. These waters are in the Roanoke Sound.

Waters in subbasin 03-01-56 currently prohibited for commercial shellfish harvesting include portions of Roanoke Sound, Pond Island, and Rockhall Creek. Contamination sources included nonpoint source pollution from adjacent land uses. The surface waters in the subbasin containing Kitty Hawk are fully supporting designated uses or are not rated based on recent DWQ monitoring.

Subbasin 03-01-56 has undergone a great increase in population between 1980-2000. Growth management within the next five years will be

imperative in order to maintain good water quality in this subbasin. Growth management can be defined as the application of strategies and practices that help achieve sustainable development in harmony with the conservation of environmental qualities and features of an area. On a local level, growth management often involves planning and development review requirements that are designed to maintain or improve water quality.

The Albemarle Sound, Kitty Hawk Bay, Currituck Sound, Jean Guite Creek, and the Atlantic Ocean are extremely important to fisheries production and support significant commercial and recreational fisheries. The shallow waters of Albemarle and Currituck sounds, Kitty Hawk Bay, Jean Guite Creek and their tributaries function as important nursery areas for spot, croaker, weakfish, spotted seatrout, red drum, white perch, yellow perch, flounder, blue crabs and other commercially and recreationally important species.

Nursery areas are defined as those areas in which for reasons such as food, cover, bottom type, salinity, temperature and other factors, young finfish and crustaceans spend the major portion of their initial growing season. Primary Nursery Areas are those areas in the estuarine system where initial post-larval development takes place. Secondary Nursery Areas are those areas in the estuarine system where later juvenile development takes place. Populations are usually composed of developing sub-adults of similar size, which have migrated from an upstream Primary Nursery Area to the Secondary Nursery Area located in the middle portion of the estuarine system. [NCAC 15A 3N. 0102]. The North Carolina Marine Fisheries Commission (MFC) adopted regulations in 1977 to protect these nursery areas as defined above.

The importance of these nursery areas to finfish and Invertebrate production is recognized through designation of the following areas. Jean Guite Creek was designated as an Inland Primary Nursery Area by the North Carolina Wildlife Resources Commission in 1990. This designation was based on established criteria and sampling conducted by DMF.

In August 2003, the MFC approved designation of Kitty Hawk Bay as a Special Secondary Nursery Area. The abundance and diversity of juvenile fish within the bay warranted the designation.

The internal and ocean waters that border Kitty Hawk are utilized by commercial and recreational fisherman that pursue many of the species previously mentioned.

Submerged aquatic vegetation (SAV) is found throughout Albemarle Sound and Currituck sounds, as well as Jean Guite Creek and Kitty Hawk Bay. SAV's are an important habitat utilized by finfish and Invertebrates. Beds of SAV are one of the critical habitat types defined by the MFC [NCAC 15A 3 I.0101(20)(A)].

Wetlands are of great importance to fisheries production serving as sources of biological productivity, directly and indirectly, nursery areas and reducing sedimentation/turbidity to improve water quality.

North Carolina's Water Quality Standards program adopted classifications and water quality standards for all the State's river basins in 1963. All surface waters are assigned a primary classification that is appropriate to the best uses of that water. Surface waters may also be assigned supplementary classifications. Class SA waters are waters classified for commercial shellfish harvesting. Class SA waters are by definition classified as high quality waters (HQWs). Fecal coliform bacteria in Class SA water shall meet the current sanitary and bacteriological standards as adopted by the Commission for Health Services. Domestic wastewater discharges are not allowed in these waters, and additional provisions for stormwater control are required.

There are 395,371.3 acres of shellfish harvesting waters (Class SA) in the Pasquotank River basin. There are 5,033.3 (1.3%) acres currently rated as impaired for shellfish use. Kitty Hawk is located within subbasin 03-01-56. There are 20,487.9 acres of Class SA waters in this subbasin that were assessed in the shellfish harvesting use support category. In this subbasin, 1,712.9 acres (\*.4%) were considered impaired for the shellfish harvesting use support category.

The Environmental Sciences Branch of DWQ collects a variety of biological, chemical and physical data to assess water quality. Since 1995, DWQ has not conducted any fish tissue surveys in the Pasquotank River basin. However, there are currently fish consumption advisories in the basin. DWQ has systematically monitored and reported fish kill events across the State since 1996. Field reports since 1996 have generally shown light fish kill activity (ten or less events) in the Chowan River and Pasquotank River basins each year.

Kitty Hawk lies within Pasquotank River subbasin 03-01-56. This subbasin consists of the lower portions of Currituck Sound, outer Albemarle Sound, Kitty Hawk Bay, and the eastern Roanoke Sound in Dare County. DWQ did not collect any benthic microinvertebrate, fish community, fish tissue, or ambient water quality data in this subbasin. Water quality use support

determinations are based on fish consumption advisories, DEH sanitary surveys, water treatment plant operator reports, and recreational waters testing.

There are 34.2 Atlantic coastal miles which are partially supporting that were monitored for fish consumption. All waters in subbasin 03-01-56 are currently partially supporting (PS) on an evaluated basis for the fish consumption use support category because of a regional fish consumption advisory for shark, swordfish, king mackerel, tilefish, largemouth bass, bowfin (or blackfish), and chain pickerel (or jack).

The portion of Roanoke Sound (21.4 estuarine acres) around the Villa Association, Inc. outfall in Nags Head, is currently not supporting primary recreation. DEH Recreational Water Quality issued a swimming advisory for a portion of Roanoke Sound centered around the Villas Association, Inc. direct discharge. The advisory closure due to rule had been posted since 1998. Villas Association, Inc. exceeded its ammonia limits by over 40 percent over the last quarter of 1998 and the first quarter of 1999.

There are 20,487.9 acres of Class SA waters in this subbasin that were assessed in the shellfish harvesting use support category. In this subbasin, 1,712.9 acres (8.4%) are considered impaired for the shellfish harvesting use support category.

According to the 2002 Pasquotank River Basinwide Water Quality Plan, subbasin 03-01-56 contains portions of three DEH Growing Areas: H1, H6, and I2. DEH Growing Area H1 contains the waters of the Roanoke Sound. The DEH Growing Area overlaps several subbasins, and DWQ has improved its reporting methodology to provide area closure information by subbasin. Waters currently prohibited for commercial shellfish harvesting include portions of Roanoke Sound, Pond Island and Rockhall Creek. Contamination sources included nonpoint source pollution from adjacent land uses. Analysis of the bacteriological data for the DEH Growing Area indicated that little change in water quality occurred throughout the area during 1993-1999.

Public health hazards have been identified in the Pasquotank River basin. The NC Department of Health and Human Services (NCDHHS) has developed guidelines to advise people to what fish are safe to eat. DWQ considers uses of waters with a consumption advisory for one or more species of fish to be impaired. Elevated methylmercury levels have been found in shark, swordfish, king mackerel, tilefish, largemouth bass, bowfin (or blackfish), and chain pickerel (or jack). As of April 2002, these fish are under an advisory.

According to the 2002 Pasquotank River Basinwide Water Quality Plan, there are 395,371.3 acres of shellfish harvesting waters (Class SA) in the Pasquotank River basin. There are 5,033.3 (1.3%) acres currently rated as impaired in the shellfish harvesting use support category. Many of the impaired waters are in areas that have a high value shellfish resource. The following sections describe programs that monitor shellfish harvesting waters, methods for determining use support in class SA waters, and recommendations for addressing impairment class SA waters.

There are 390,338.0 acres of shellfish harvesting (Class SA) waters that are classified as approved by DEH Shellfish Sanitation in the Pasquotank River basin. These areas are always open to shellfish harvesting and close only after heavy rainfall events such as hurricanes. As of 2001, there were no Conditionally Approved-Open or Conditionally Approved-Closed shellfish harvesting waters in the Pasquotank River basin.

There are 5,033.3 acres of shellfish harvesting (Class SA) waters that are prohibited or restricted for shellfish harvesting in the Pasquotank River basin. Most of these areas receive runoff that consistently results in fecal coliform bacteria levels above the state standard. As noted above, the sources of fecal coliform bacteria may be many. DEH Shellfish Sanitation shoreline surveys attempt to identify possible sources. In many areas, the contamination may be from several different sources at different times of the year including, but not limited to, adjacent development and marinas.

Dioxin has prompted an advisory since March 2001 in the Albemarle Sound from Bull Bay to Harvey Point, west to the mouth of the Roanoke River and north to the mouth of the Chowan River at the US Highway 17 Bridge. Weyerhaeuser Company, located at the mouth of Welch Creek in the Roanoke River basin, previously discharged directly to the creek. During the 1980's, officials recognized that dioxin, a carcinogenic by-product of the chlorine bleaching process, was accumulating in fish tissue. In 1988, Weyerhaeuser made improvements and relocated the discharge to the Roanoke River. Weyerhaeuser is required by DWQ to provide extensive monitoring in the Roanoke River from Williamston down the Roanoke and out into the Albemarle Sound as far as Bull Bay. Data recently collected by Weyerhaeuser Company indicate a decline in dioxin concentrations. In October 2001, the advisory was partially lifted for game fish. However, an advisory remains in place for bottom-dwelling fish such as carp and catfish.

#### b. Shellfish Waters

Class SA waters are waters classified for commercial shellfish harvesting.

Class SA waters are by definition classified as high quality waters (HQWs). Fecal coliform bacteria in Class SA water shall meet the current sanitary and bacteriological standards as adopted by the Commission for Health Services. Domestic wastewater discharges are not allowed in these waters, and additional provisions for stormwater control are required.

The North Carolina Department of Health, Shellfish Sanitation Section protects the consuming public from shellfish and crustacean which could cause illness. Rules and regulations following national guidelines have been implemented to ensure the safety of harvesting waters and the proper sanitation of establishments that process shellfish and crustacean for sale to the general public.

The Pasquotank River basin contains many prohibited shellfish harvesting areas, which are now given a use support rating of not supporting (NS) shellfish harvesting based on the DEH designation. This use support rating differs significantly from the historical use support ratings of partially supporting (PS) for prohibited shellfish harvesting areas. Of the 395,371.3 acres of monitored streams in the entire Pasquotank River basin, 98.7% (390,338.0 acres) are rated as fully supporting while only 1.3% (5,033.3 acres) are rated as impaired. The waters of Kitty Hawk Bay are closed to shellfish (mollusks and bi-valves) harvesting. (However, many commercial and recreational blue crab fisheries occur in Kitty Hawk Bay.)

#### c. Chronic Wastewater Treatment System Malfunctions

There are no central public wastewater treatment plant systems in Kitty Hawk or its environs.

#### d. Public Health Hazards

The Dare County Health Department was contacted to identify any subdivisions in Kitty Hawk experiencing septic tank problems and to identify areas in Town experiencing chronic septic system problems. Department staff advised that cases were evaluated as applications were received and processed. The on-site inspections that are subsequently

conducted would reveal what, if any building size limitations would be imposed or what special steps would be required.

## 2. Natural Hazards

### a. Storm Hazards and Floods and Wind Damage Estimates

Property damage in Kitty Hawk resulting from storms occurs along the Atlantic Ocean shoreline and areas adjacent to NC 12. The Town has requested that the State Department of Emergency Services supply repetitive loss data for properties in the Town, but no information has been provided as of this writing. Property losses due to recent hurricanes has been substantial including destroyed or seriously damaged structures, downed trees, standing flood waters, and power outages. A portion of the Kitty Hawk ocean front is included in plans to nourish the beach. Also, the Town has been active in acquiring and removing damaged or destroyed structures along the beach.

### b. Shoreline Erosion

At present, no database is available for structures and facilities threatened by shoreline erosion. The Division of Coastal Management provides mapping that shows long term shoreline erosion rates. Long Term Average Annual Shoreline Change Study and Setback Factors can be accessed at: [http://dcm2.enr.state.nc.us/Maps/ER\\_1998/SB\\_Factor.htm](http://dcm2.enr.state.nc.us/Maps/ER_1998/SB_Factor.htm).

EXHIBIT IV-E shows the area including Kitty Hawk from N. Kill Devil Hills to S. Duck from the DCM study.

As it developed this land use plan update, the Town examined erosion “hot spots” including the area along NC 12 at milepost 4.

## 3. Natural Resources

### a. Natural Heritage Areas

Several public lands and Significant Natural Heritage Areas occur in Pasquotank River subbasin 03-01-56, including Jockey’s Ridge State Park, Nags Head Woods Preserve, Run Hill State Natural Area, Wright Brothers National Memorial, and Kitty Hawk Woods Coastal Reserve.

Conservation areas account for 1,300 acres of Kitty Hawk’s total area (5,428 acres). Kitty Hawk Woods, a vast maritime forest, is near the physical center of the Town. Kitty Hawk Woods is significant in that it



contains a wider variety of species than either Nags Head Woods or Buxton Woods and includes species not observed again until 100 miles inland.

Grassy marshes and forested swamps occupy much of the area of the southwestern corner of the Town. There are significant undeveloped stretches of back dunes west of US 158.

The North Carolina Natural Heritage Program is a part of the Office of Conservation and Community Affairs within the NC Department of Environment and Natural Resources. The program inventories, catalogues, and facilitates protection of the rarest and the most outstanding elements of the natural diversity of the State. These elements of natural diversity include those plants and animals which are so rare or the natural communities which are so significant that they merit special consideration as land-use decisions are made.

North Carolina is home to approximately 5,700 species of plants, more than 700 species of vertebrates, and more than 10,000 species of invertebrates. The Natural Heritage Program has been able to identify and to develop lists of those plants and animals which are most rare and, thus most in need of protection, by working closely with experts from across the State and in cooperation with the U.S. Fish and Wildlife Service, the Plant Conservation Program of the N.C. Department of Agriculture and Consumer Services and the Nongame and Endangered Wildlife Program of the N.C. Wildlife Resource Commission.

The NC Natural Heritage Program tally the elements of natural diversity (rare plants and animals, rare and exemplary natural communities, and special animal habitats) known to occur in all North Carolina counties and according to USGS 7.5-minute quadrangles. The information on which these lists is based comes from a variety of sources, including field surveys, museums, herbaria, scientific literature, and personal communications. These lists are dynamic, with new records continually being added and old records being revised as new information is received. Current lists for the quadrangle that covers Kitty Hawk and its environs can be accessed at <http://www.ncsparks.net/nhp/search.html>. The quadrangle is titled Kitty Hawk.

The list includes: four natural communities (maritime swamp forest, maritime deciduous forest, dune grass, and brackish marsh); two vascular plants (fen orchid and woolly beach heather); one insect (giant swallowtail); one fish (shortnose sturgeon); one reptile (loggerhead); one bird (bald eagle); and one mammal (West Indian Manatee).

The potential for development in many areas of Kitty Hawk, particularly areas in and adjacent to natural hazard areas is extremely limited due to poor soils, abundant wetlands and protected areas, and large areas of publicly held lands.

b. Mineral Resource Areas and Productive Soils

The North Carolina Department of Natural Resources, Division of Land Resources monitors mining activities and serves as the State's issuing agency for mining permits. At the time of this writing, the Division reports that eleven mining operations are currently permitted in Dare County. Some of the permitted operations are inactive. Currently, there are no permitted mining operations in Kitty Hawk. The Division reports that as of April, 2003, no applications have been submitted this year for permit renewals, new mining operations, or changes to existing permitted operations.

According to the 1992 Soil Survey of Dare County, North Carolina, none of the soils present in Kitty Hawk are suited for crop production.

EXHIBIT IV-E  
KITTY HAWK, NORTH CAROLINA  
LONG TERM ANNUAL SHORELINE CHANGE  
RATES UPDATED THROUGH 1998

SOURCE: North Carolina Division of Coastal Management.

## Chapter IX: Plan for the Future

### A. Introduction

The “Plan for the Future” sets Kitty Hawk’s course of action to achieve its vision. This element has three components: land use and development goals, policies, and a future land use map. As a whole, the plan sets out the strategies, actions, and programs the Town will implement to achieve its goals, and it provides a roadmap for future land use and development in the Town.

The policies and the future land use map address the Coastal Resources Commission’s (CRC) six management topics. These management topics are intended to ensure that local land use plans support the overall goals of CAMA and provide a “substantive basis” for CRC review and certification of local plans. The plan’s goals, the types of policies and their content, and the spatial policies of the future land use map address the CRC management topics for land use plans.

In addition, this chapter analyzes and evaluates the Town’s policies to demonstrate that they support the management topics. The management topics require two levels of policy analysis. At a more general or summary level, this plan demonstrates that its policy framework goals, policies, and future land use map – will “guide land use and development in a manner that is consistent with the ... management topics.” A second, more detailed analysis is intended to determine the impact of the plan’s policies – including the future land use map – on the management topics.

### B. Management Topics and Local Areas of Concern

Management topics are categories of local land use and development policies determined by the CRC to be essential for achieving the local land use planning mission. The purpose of the management topics is to support the important tie between the goals of CAMA and local land use plans by clearly describing the CRC’s planning goals and expectations for local land use plans and providing benchmarks for the development of local policies.

EXHIBIT IX-A summarizes the management topic categories. The first five of the topics on the list address planning concerns associated with the goals of CAMA.

EXHIBIT IX-A  
KITTY HAWK, NORTH CAROLINA  
SUMMARY OF LAND USE PLAN MANAGEMENT TOPICS

Public Access – strategies for maximizing community access to beaches and public trust areas.

Land Use Compatibility – management of land use and development in a way that minimizes its primary and secondary impacts on natural and man-made resources.

Infrastructure Carrying Capacity – strategies to ensure that infrastructure is available to support anticipated and planned development and that it is managed to protect areas of environmental concern and other fragile areas.

Natural Hazard Areas – policies to reduce the community’s vulnerability to natural hazards.

Water Quality – land use and development policies and strategies to protect quality waters and to restore quality in waters that are non-supporting.

Local Areas of Concern – specific policies and strategies to address local planning and development goals.

The sixth management topic, Local Areas of Concern, is intended to incorporate specific issues, concerns, and opportunities that are identified by the Town. For Kitty Hawk, these issues include:

- Atlantic Ocean Shoreline
  - Beach Driving
- Beach Nourishment and Dune Stabilization
  - Commercial Development
  - Community Appearance
- Currituck Sound Shoreline, Kitty Hawk Bay, and Albemarle Sound
  - Development Design Standards

- Federal Properties and Programs
  - Intergovernmental Relations
- Parking and Loading/Off-loading Areas
  - Public Safety
  - Redevelopment
  - Residential Development
    - Septic Tank Use
  - Sexually Oriented Businesses
  - Solid Waste Management
  - Storm Water Management
    - Tourism
  - Transportation
- Uses of and Activities In and On Ocean and Sound Waters

For each of the management topics and the issues listed above, goals, objectives, and policies were developed. Policies were developed recognizing management goals, planning objectives, and land use plan requirements. The management goals define the desired outcomes or results that the CRC seeks through its overall management of coastal resources. A second part is a planning objective, which defines the more immediate role that local land use plans play in achieving the management goal. And finally, planning requirements are specific minimum content requirements for policies that are included in land use plans to address the management topics.

## C. Goals, Objectives, and Policies

### 1. Introduction

Goals are the desired ends toward which the policies and programs of the land use plan are directed. Goals are often considered to be the values and general principles that guide the development of a community. They put in words a community's preferred future. Goals also provide a benchmark for developing effective policies and programs to achieve the desired future. The desired ends in the goal statements are fairly general, but they are consistent with the desires expressed in the Town's vision. Goals are not time-bound.

There is no mandatory process for setting goals and no required format or content for goal statements. The guidelines require consideration of two initial plan elements in developing goals: the community concerns and aspirations, and the needs and opportunities identified in the analysis of existing and emerging conditions (see Chapter II). Kitty Hawk opted to list and include goal statements for a number of local areas of concern to

address its specific needs and circumstances. The State designated management topics' goals and planning objectives are listed and included as well. Some of these have been modified to more accurately address local needs and concerns.

Objectives help identify the steps that will be taken to achieve Kitty Hawk's goals and strengthen the link between its goals and policies. Objectives also assist in the completion the required analysis of policies to demonstrate that they address the management topics. And finally, objectives make it easier for the Town to measure its progress toward attaining its goals and to assess the effectiveness of its plan.

For the purposes of the CAMA land use plan, policies are a consistent set of principles and decision guidelines or courses of action, adopted by an elected board, that are intended to attain the locality's land use and development goals and objectives.

The State requirements allow flexibility in developing policies. However, the planning guidelines have three major requirements that affect policy content. These requirements are:

1. Policies must be consistent with the goals of the Coastal Area Management Act and other applicable state and federal rules;
2. Policies must effectively guide development and use of land in a manner that is consistent with goals, planning objectives, and land use plan requirements of each management topic; and
3. If a policy has a negative impact on any State management topic, the plan must include additional policies, methods, programs, and/or processes to mitigate the negative impact.

Generally, the guidelines require two types of policies in the land use plan. The first type, basic policies, deals with the central issues of land use planning. The second type, land use and development policies, and the associated future land use map, are closely tied to basic policies, but are more detailed. And they relate primarily to the land classifications or generalized land use designations, the land use principles and guidelines included in the classification or designation, and their spatial distribution on the future land use map.

The policies will guide both day-to-day and long-range decisions and actions of the local government. They may assist with a zoning decision or they may guide long-range planning. They may also provide the foundation for the specific actions that the local government will take to implement the plan. As a result of the range of purposes that they serve, there may be significant range in the content and specificity of the policies. Policies are deemed regulatory and are used by the Division of

Coastal Management in making consistency determinations for issuance of CAMA permits.

Local policies are also used in Federal consistency determinations.

## 2. Issue Areas' Goals, Objectives, and Policies

Several action oriented terms are used in this land use plan and as a part of many of the policy statements in this chapter. The terms are defined as follows:

**Should** – An officially adopted course or method of action intended to be followed to implement goals. Though not as mandatory as “shall”, it is still an obligatory course of action unless clear reasons can be identified that an exception is warranted. Elected, appointed, and administrative officials may be involved at all levels from planning to implementation.

**Create** – Bring about the desired goal, usually with elected and appointed officials and staff involved and actions, which may involve financial support, as appropriate at all levels from planning to implementation.

**Continue** – Follow past and present procedures and funding, if appropriate, to maintain desired goal, usually with elected and appointed officials and staff involvement and actions at all levels from planning to implementation.

**Density** – Quantity per unit area.

**Encourage** – Foster the desired goal through Town policies and actions, including financial support, if appropriate.

**Enhance** – Improve current goal to a desired state through the use of policies and actions at all levels of planning using external resources and Town financial support as appropriate.

**Identify** – Catalog and confirm issues, resource(s), and potential or desired actions.

**Implement** – Act to accomplish land use plan objectives.

**Intensity** – Magnitude of development per unit area.



**Maintain** – Keep in good condition the desired state of affairs through the use of Town policies and with elected and appointed officials and staff involvement, funding, and actions as appropriate.

**Prevent** – Stop described event through the use of appropriate Town policies and regulations, as well as coordination with other local, State, and Federal planning and regulatory agencies and programs. Actions may involve Town financial support, if appropriate.

**Promote** – Advance the desired state through the use of Town policies and elected and appointed officials and staff involvement, and take action as appropriate.

**Protect** – Guard against a deterioration of the desired state through the use of Town policies, regulations, and funding, as appropriate, in concert with other local, State, and Federal programs and regulations. Enlist the cooperative efforts of elected and appointed officials, staff, and external resources including other local, State and Federal agency personnel.

**Provide** – Take the lead role in supplying the appropriate support to achieve the desired goal. The Town is typically involved in all aspects from planning to implementation to maintenance. Actions may involve Town financial support, if appropriate.

**Strengthen** – Improve and reinforce the desired goal through the use of Town policies and regulations in concert with other local, regional, statewide, or Federal programs and regulations. Elected and appointed officials and staff, as well as external resources may be involved and take action, including financial support, if appropriate.

**Support** – Adopt and pursue policies and take action to coordinate activities and supply necessary resources, as appropriate, to achieve desired goal.

**Sustain** – Uphold the desired state through Town policies and regulations, appropriate financial assistance, and elected and appointed official and staff involvement and actions to achieve the desired goal.

**Work** – Cooperate and act through the use of staff, Town officials, outside resources and volunteers to create the desired goal.

### ISSUE AREA #1: ATLANTIC OCEAN SHORELINE

**GOAL #1:** Preserve, protect, and enhance the Atlantic Ocean Shoreline and ensure future generations are able to enjoy its beauty and bounty and can continue to use the beach and water for active and passive recreation and leisure activities.

**POLICY#1a:** Kitty Hawk will continue to regulate and support the management of oceanfront shoreline development to protect and preserve the natural and recreational resources along the oceanfront and will continue to acquire oceanfront properties as appropriate.

**POLICY #1b:** Kitty Hawk will adopt, enforce, and amend as necessary and appropriate ordinances and procedures to protect the Atlantic Ocean Shoreline.

**POLICY #1c:** Kitty Hawk supports applicable State and Federal laws and regulations regarding building, land uses, and development in areas of environmental concern.

**POLICY #1d:** Kitty Hawk will review, comment, advocate, or oppose any proposed regulations or programs that may affect the regulation of ocean shoreline areas of environmental concern.

**POLICY #1e:** Kitty Hawk does not support the continuous replacement of septic tanks on ocean front lots that do not meet the minimum standards as set forth in the Town Code and the Coastal Area Management Act and its appurtenant regulations.

**POLICY #1f:** Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.

*Objectives that will help the Town achieve its goal and implement its policies include:*

**OBJECTIVE #1a:** Enforce, and amend as necessary, the Town ordinance prohibiting beach fires and open burning.

**OBJECTIVE #1b:** Maintain/provide ocean rescue services, emergency medical services, and police protection.

**OBJECTIVE #1c:** Adopt and apply development policies that balance protection of natural resources and fragile areas with residential and economic development.

**OBJECTIVE #1d:** Provide clear direction to assist decision making and consistency findings for zoning, divisions of land, and public and private projects.

OBJECTIVE #1e: Develop policies that minimize threats to life, property, and natural resources resulting from development located in or adjacent to hazard areas, such as those subject to erosion, high winds, storm surge, flooding, or sea level rise.

OBJECTIVE #1f: Develop location, density, and intensity criteria for new, existing development and redevelopment including public facilities and infrastructure so that they can better avoid or withstand natural hazards.

OBJECTIVE #1g: Use the Town website and newsletter to disseminate information to residents and visitors concerning beach use and related issues.

OBJECTIVE #1h: Prohibit temporary, portable, or itinerate type commercial activity on the ocean beach.

OBJECTIVE #1i: Develop, adopt, and enforce, and amend as necessary, a shoreline overlay zoning district to address development, redevelopment, and uses along shorelines and in adjacent waters.

OBJECTIVE #1j: Seek ways to balance competing demands for uses of (and on) ocean front and sound front areas.

OBJECTIVE #1k: Seek ways to maintain public access to beaches by the general public.

OBJECTIVE #1l: Develop a shoreline access plan.

OBJECTIVE #1m: Support cooperative efforts between Town, State, and Federal agencies to acquire unbuildable oceanfront lots.

OBJECTIVE #1n: Support the limitation of repetitive replacement of on-site septic systems for properties in and adjacent to oceanfront AEC.

## ISSUE AREA #2: BEACH DRIVING

GOAL #2: Regulate beach driving.

POLICY #2a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate beach driving.

POLICY #2b: Kitty Hawk regulates the use of off-road vehicles within its borders. The Town prohibits driving on its beaches, except by emergency vehicles during emergency situations, by commercial fishermen for setting and retrieving nets, and during special events approved by Town Council.

*Objectives that will help the Town achieve its goal and implement its policies include:*

OBJECTIVE #2a: Enforce, and amend as necessary, the Town beach driving ordinance.

OBJECTIVE #2b: Use the Town website and newsletter to disseminate information to residents and visitors concerning beach driving regulations and related issues.

### ISSUE AREA #3: BEACH NOURISHMENT AND DUNE STABILIZATION

GOAL #3: Nourish the ocean beach and stabilize dunes.

POLICY #3a: Kitty Hawk will continue to participate in beach nourishment projects and supports beach nourishment as the preferred shoreline management alternative along the ocean beach. Kitty Hawk supports nourishment projects that utilize sediment with adequate, compatible grain size, address secondary and cumulative impacts, and limit the size and density of structures along the oceanfront in order to maximize the public use of the nourished beach and keep unsuspecting property owners out of harm's way.

POLICY #3b: Kitty Hawk will support cooperative efforts between Town, State, and Federal agencies to acquire oceanfront lots that cannot be built on.

*Objectives that will help the Town achieve its goal and implement its policies include:*

OBJECTIVE #3a: Stay informed and involved relative to Federal, State, and/or regional studies and initiatives concerning beach nourishment.

OBJECTIVE #3b: Seek the most economical and beneficial (to the citizens of Kitty Hawk) method(s) of beach nourishment.

### ISSUE AREA #4: COMMERCIAL DEVELOPMENT

GOAL #4: Ensure continued commercial development in commercially zoned areas of Kitty Hawk and the continued vitality of existing businesses.

POLICY #4a: Kitty Hawk, through its zoning ordinance, will continue to direct the placement of commercial development in areas zoned for such activities.

POLICY 4b: Kitty Hawk encourages the continued existence and development of locally owned businesses and encourages commercial building designs, color designs, and construction materials and methods that reflect Kitty Hawk's coastal village character.

**POLICY #4c:** Kitty Hawk does not support, and will use its zoning ordinance to prevent, the recruitment or siting of traditional, heavy manufacturing-type industrial development with its borders—especially off-shore drilling and support industries.

**POLICY #4d:** Kitty Hawk supports the provision of traditional recreational facilities within its borders; but does not support, promote, or encourage outdoor uses such as (but not limited to) amusement parks, carnivals and carnival rides, or go-cart, motorcycle, or terrain vehicle tracks or any other similar uses. The Town does not support the promotion or encouragement of commercialized horse activities and/or the use of the Town roads and rights-of-way, lands, and public beaches by non-resident horsepersons. The Town does not support the encouragement or promotion of any commercial activities which include nudity, semi-nudity, pornographic materials, mud wrestling, and similar activities and will use its zoning ordinance to prohibit such activities.

**POLICY #4e:** Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.

**POLICY #4f:** Kitty Hawk will continue to regulate building intensity and oversized structures by enforcing, and amending as necessary, the zoning ordinance. The zoning ordinance regulates building intensity factors such as building height, lot coverage, and building setback(s) for commercial and residential building development. The ordinance also specifies maximum and minimum building sizes for commercial buildings.

*Objectives that will help the Town achieve its goal and implement its policies include:*

**OBJECTIVE #4a:** Enforce, and amend as necessary, the Town zoning ordinance and provisions regulating signs.

**OBJECTIVE #4b:** Encourage local support and patronage for Town businesses.

**OBJECTIVE #4c:** Consider developing commercial building/development design guidelines and standards including signs, landscaping, building color(s), styles, and materials, and interconnected driveways.

**OBJECTIVE #4d:** Seek input from business owners concerning Town policies.

**OBJECTIVE #4e:** Seek ways to provide and ensure a safe environment for pedestrians in commercial areas; to minimize pedestrian-vehicular conflicts in commercial areas; and, to improve circulation patterns in commercial areas.

OBJECTIVE #4f: Encourage low density commercial development.

OBJECTIVE #4g: Periodically assess land use type needs, commercial zoning district boundaries, economic development conditions and emerging trends, and the types of permitted uses allowed in commercial zoning districts.

OBJECTIVE #4h: Consider creating an office and institutional zoning district to serve as a transition zone between typical commercial activities and residential land uses.

#### ISSUE AREA #5: COMMUNITY APPEARANCE

GOAL #5: Remain aesthetically pleasing while maintaining coastal village image.

POLICY #5a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures (including the sign ordinance) to regulate and improve community appearance.

POLICY #5b: Kitty Hawk supports local identification, recognition, and protection of cultural and historical resources. Through the development review process, the Town will encourage landscaping and landscaping features maintenance throughout the Town's commercial areas; and, use concepts such as maximum lot coverage percentages and open space requirements to maintain Kitty Hawk's low density and intensity coastal village image.

*Objectives that will help the Town achieve its goal and implement its policies include:*

OBJECTIVE #5a: Enforce, and amend as necessary, the Town zoning ordinance and provisions regulating signs.

OBJECTIVE #5b: Develop commercial building/development design guidelines and standards.

OBJECTIVE #5c: Use the Town website and newsletter to disseminate information to residents and visitors concerning community appearance (litter, signage, etc.), lot coverage requirements, open space requirements, and related issues.

#### ISSUE AREA #6: CURRITUCK SOUND SHORELINE, KITTY HAWK BAY, AND ALBEMARLE SOUND

GOAL #6: Preserve, protect, and enhance the Currituck Sound, Kitty Hawk Bay, and Albemarle Sound shorelines and ensure future generations are

able to enjoy their beauty and bounty and can continue to use them for passive and active recreation and leisure activities.

**POLICY #6a:** Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate land use, development, and redevelopment along and adjacent to the Currituck Sound, Kitty Hawk Bay, and Albemarle Sound. The Town supports applicable State and Federal laws and regulations regarding building, land uses, and development in areas of environmental concern.

**POLICY #6b:** Kitty Hawk supports continued management of the Currituck Sound, Kitty Hawk Bay, and Albemarle Sound shorelines to protect and preserve the natural resources of the water and shoreline, relying primarily on the CAMA permit program and the Areas of Environmental Concern (AEC) designated under the CAMA program.

**POLICY #6c:** Kitty Hawk will review, comment, advocate, or oppose any regulations or programs that may affect the regulation of estuarine waters and/or the estuarine shoreline.

**POLICY #6d:** Kitty Hawk supports the construction of properly permitted estuarine bulkheads. It is the policy of Kitty Hawk to support State rules regarding bulkheading. Alternative uses such as sills and marsh plantings and other more environmentally friendly erosion control measures will be welcomed and preferred to bulkheading when conditions are favorable to such use.

**POLICY #6e:** Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.

*Objectives that will help the Town achieve its goal and implement its policies include:*

**OBJECTIVE #6a:** Adopt and apply development policies that balance protection of natural resources and fragile areas with residential and economic development.

**OBJECTIVE #6b:** Provide clear direction to assist decision making and consistency findings for zoning, divisions of land, and public and private projects.

**OBJECTIVE #6c:** Develop policies that minimize threats to life, property, and natural resources resulting from development located in or adjacent to hazard areas, such as those subject to erosion, high winds, storm surge, flooding, or sea level rise.

OBJECTIVE #6d: Develop location, density, and intensity criteria for new, existing development and redevelopment including public facilities and infrastructure so that they can better avoid or withstand natural hazards.

OBJECTIVE #6e: Use the Town website and newsletter to disseminate information to residents and visitors concerning sound use and related issues.

OBJECTIVE #6f: Develop, adopt, and enforce, and amend as necessary, appropriate regulations of public and private recreational uses.

OBJECTIVE #6g: Consider development, adoption, and enforcement (and amend as necessary) a shoreline overlay zoning district to address development, redevelopment, and uses along shorelines and in adjacent waters.

### ISSUE AREA #7: DEVELOPMENT DESIGN STANDARDS

GOAL #7: Develop commercial and residential design standards.

POLICY #7a: Kitty Hawk supports the concept of development design standards.

POLICY #7b: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.

*Objectives that will help the Town achieve its goal and implement its policies include:*

OBJECTIVE #7a: Enforce, and amend as necessary, the Town zoning ordinance to meet the goals specified in this land use plan.

OBJECTIVE #7b: Develop commercial building/development design guidelines and standards including signs, landscaping, and building color(s), styles, and materials.

OBJECTIVE #7c: Use the Town website and newsletter to disseminate information to residents and visitors concerning commercial building/development design standards and related issues.

### ISSUE AREA #8: FEDERAL PROPERTIES AND PROGRAMS

GOAL #8: Ensure Federal properties and programs are used or implemented in a manner consistent with Town growth patterns, character, and image.



**POLICY #8a:** Kitty Hawk supports applicable Federal laws and regulations regarding land uses and development in areas of environmental concern. Additional Federal regulatory programs or expansion of existing programs will be reviewed on a case by case basis.

**POLICY #8b:** Kitty Hawk will support, oppose, review, or comment on additional regulations that may impact the Town and its economy. Local public hearings by Federal or State agencies should be extensively advertised and conducted in Dare County – preferably in Kitty Hawk – before any new regulations are adopted or existing programs are expanded.

*Objectives that will help the Town achieve its goal and implement its policies include:*

**OBJECTIVE #8a:** Monitor Federal programs that could affect Town goals, objectives, and policies and support programs that benefit the Town.

**OBJECTIVE #8b:** Ensure that the Town has the opportunity to purchase all or part of Federal properties within its borders should properties be offered for sale.

**OBJECTIVE #8c:** Ensure that future land uses of Federal properties, whether by public or private entities, is consistent with the Town's goals, objectives, and policies.

#### **ISSUE AREA #9: INFRASTRUCTURE CARRYING CAPACITY AND PROVISION OF PUBLIC FACILITIES AND SERVICES**

**GOAL #9:** Ensure that public systems and services are sized, located, and managed to protect or restore the quality of areas of environmental concern or other fragile areas while providing adequate levels of service.

**POLICY #9a:** Kitty Hawk will provide or support the provision of public systems and services at appropriate levels adequate to meet the needs of residents and visitors.

*Objectives that will help the Town achieve its goal and implement its policy include:*

**OBJECTIVE #9a:** Monitor local levels of service issues and take a proactive approach toward ensuring service demands are met.

**OBJECTIVE #9b:** Identify and/or establish service area boundaries for existing and future infrastructure.

OBJECTIVE #9c: Correlate future land use map categories of this (and subsequent updates to) land use plan with existing and planned infrastructure.

OBJECTIVE #9d: Use the Town website and newsletter to disseminate information to residents and visitors concerning Town services, schedules, and related issues.

OBJECTIVE #9e: Participate in any discussions of infrastructure and service provision affecting Kitty Hawk.

OBJECTIVE #9f: Identify alternatives to enhance and improve current services.

OBJECTIVE #9g: Investigate alternative service providers to enhance and improve service provision and to provide economic (fiscal) advantages to the Town

OBJECTIVE #9h: Ensure continuity of services and cost effectiveness of services.

OBJECTIVE #9i: Update the hazard mitigation plan as needed.

OBJECTIVE #9j: Implement the storm water management plan and update as needed.

OBJECTIVE #9k: Study methods and alternatives to generate funding for facilities and services.

OBJECTIVE #9l: Update and utilize the Town's capital improvement plan to establish priorities and develop annual budgets.

#### ISSUE AREA #10: INTERGOVERNMENTAL RELATIONS

GOAL #10: Promote government cooperation and interaction.

POLICY #10a: Kitty Hawk will work to improve intergovernmental relations and cooperative, multi-jurisdictional efforts to solve regional and area problems by sharing information with its neighbors and interacting with local, State, and Federal governmental agencies and officials.

POLICY #10b: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.

*Objectives that will help the Town achieve its goal and implement its policies include:*

OBJECTIVE #10a: Interact and coordinate with local governments in the region and State and Federal agencies on a routine basis to promote the Town's interests.

OBJECTIVE #10b: Make other governmental agencies aware of Kitty Hawk's positions on local, regional, State, and Federal issues.

OBJECTIVE #10c: Seek cooperative agreements with other local governments to provide or enhance and improve services such as technology infrastructure and public safety.

OBJECTIVE #10d: Enter mutual aid agreements for ocean rescue, emergency medical services, and police services.

OBJECTIVE #10e: Seek opportunities to share services to achieve economies of scale by partnering with other localities for mutual interests.

OBJECTIVE #10f: Develop cooperative relationships with local, State, and Federal elected and appointed officials.

### ISSUE AREA #11: LAND USE COMPATIBILITY

GOAL #11: Ensure that development and use of resources or preservation of land minimizes direct and secondary environmental impacts, avoids risks to public health, safety and welfare and is consistent with the capability of the land based on considerations of interactions of natural and manmade features.

POLICY #11a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate land use, development, redevelopment, and to protect the unique character of the Town and supports applicable State and Federal laws and regulations regarding land uses and development in areas of environmental concern.

POLICY #11b: Kitty Hawk does not support mining or mining related activities such as stockpiling or transfer activities involving mined materials within its borders. The Town does not support the placement of additional electric generating plants within its borders nor does it support inshore or outer continental shelf exploration or the placement of refineries, storage facilities, or transshipment facilities within its borders or adjacent thereto. The Town does not support either the siting of a landfill or a refuse transfer station within its borders.

POLICY #11c: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.

POLICY #11d: Kitty Hawk will maintain the pattern of current development specifically low density residential (no more than 4 dwelling units per acre) and small scale commercial development with provisions for discretionary review of large scale commercial development.

*Objectives that will help the Town achieve its goal and implement its policies include:*

OBJECTIVE #11a: Adopt and apply local development regulations and procedures to ensure protection of natural resources and fragile areas supporting appropriate levels of economic development.

OBJECTIVE #11b: Adopt regulations and procedures that provide clear direction to assist local decision making and consistency findings for zoning, divisions of land, and public and private projects.

OBJECTIVE #11c: Enforce, and amend as necessary, the Town zoning ordinance which includes designation(s) of permitted and conditional uses intensity and density criteria.

OBJECTIVE #11d: Evaluate development and redevelopment proposals according to goals, objectives, and policies and the land suitability analysis and future land use map developed as a part of this land use plan.

OBJECTIVE #11e: Establish mitigation criteria and concepts that may include but are not limited to cluster subdivision design, buffer and landscape requirements, impervious surface limits, density and intensity standards, and effective innovative storm water management alternatives.

OBJECTIVE #11f: Implement the storm water management plan and update as necessary.

OBJECTIVE #11g: Consider creating an office and institutional zoning district to serve as a transition zone between typical commercial activities and residential land uses.

#### ISSUE AREA #12: NATURAL HAZARD AREAS

GOAL #12: Conserve and maintain maritime forests, barrier dunes, beaches, wetlands, and other coastal features for their natural storm protection functions and their natural resources giving recognition to public health, safety, and welfare issues.

POLICY #12a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate land use, development, and redevelopment in and adjacent to natural hazard areas. The Town supports applicable State and Federal laws and regulations regarding land uses and development in areas of environmental concern.

**POLICY #12b:** Kitty Hawk supports CAMA regulations as applicable and also the U.S. Army Corps of Engineers in its enforcement of regulations pertaining to “404 Wetlands” with the exception of the Corps’ allowance of mitigation measures to be undertaken on sites outside of Town when filling is allowed within the Town.

**POLICY #12c:** Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.

**POLICY #12d:** Kitty Hawk encourages the use of pervious materials and new technologies that provide for safe and efficient driveway and parking areas and that appropriately address storm water runoff areas.

**POLICY #12e:** Kitty Hawk supports State and Federal policies that regulate the location and intensity of development in State designated areas of environmental concern.

**POLICY #12f:** Kitty Hawk will discourage inappropriate development by limiting residential and commercial development density, structure size and development intensity.

**POLICY #12g:** Kitty Hawk will allow development and redevelopment within special flood hazard areas subject to the provisions and requirements of the National Flood Insurance Program, CAMA regulations, and the Town’s zoning ordinance.

**POLICY #12h:** Kitty Hawk will adopt and periodically update a Hazard Mitigation Plan that addresses the Town’s natural hazards and meets the requirements of the NC Division of Emergency Management and the Federal Emergency Management Agency.

**POLICY #12i:** Kitty Hawk supports efforts and programs to maintain or improve the Community Rating System (CRS) score to make the Town safer from flood risks and reduce premiums for Federal Flood Insurance.

**POLICY #12j:** Kitty Hawk will take actions locally and in conjunction with NCDOT and adjacent jurisdictions to improve traffic safety and drainage to mitigate the impact of localized flooding and seek alternative methods of hazard avoidance.

**POLICY #12k:** Kitty Hawk will consider adoption of overlay districts to regulate uses and activities in and on the Atlantic Ocean and Currituck Sound to address the impacts of development and redevelopment and

uses on natural features to avoid introduction of hazards to these sensitive environmental resources.

*Objectives that will help the Town achieve its goal and implement its policies include:*

OBJECTIVE #12a: Develop policies that minimize threats to life, property, and natural resources resulting from development located in or adjacent to hazard areas, such as those subject to erosion, high winds, storm surge, flooding, or sea level rise.

OBJECTIVE #12b: Develop location, density, and intensity criteria for new, existing development and redevelopment including public facilities and infrastructure so that they can better avoid or withstand natural hazards.

OBJECTIVE #12c: Support State efforts and initiatives to maintain shellfish water throughout the region.

OBJECTIVE #12d: Consider developing regulations for responsible development in flood plains and amend as necessary.

### ISSUE AREA #13: PARKING AND LOADING/OFF-LOADING AREAS

GOAL #13: Ensure adequate parking and loading/off-loading areas.

POLICY #13a: Kitty Hawk will utilize its zoning ordinance to require the provision of well designed, properly marked and designated, and functional parking and loading/off-loading areas.

*Objectives that will help the Town achieve its goal and implement its policy include:*

OBJECTIVE #13a: Enforce, and amend as necessary, the Town zoning ordinance.

OBJECTIVE #13b: Consider developing commercial building/development design guidelines and standards.

OBJECTIVE #13c: Obtain technical assistance concerning parking and loading/off-loading improvements.

OBJECTIVE #13d: Study requiring bicycle racks at commercial establishments.

OBJECTIVE #13e: Seek ways to provide and ensure a safe environment for pedestrians in commercial areas; to minimize pedestrian-vehicular conflicts in commercial areas; and, to improve circulation patterns in commercial areas.

### ISSUE AREA #14: PUBLIC ACCESS

**GOAL #14:** Maximize public access opportunities to beaches and public trust waters.

**POLICY #14a:** Kitty Hawk will provide and continue to seek public access opportunities to beaches and public trust waters and supports the development of additional State funded shoreline accesses.

**POLICY #14b:** Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.

**POLICY #14c:** Kitty Hawk will develop and implement a shoreline access plan which will address local criteria for the frequency and type of access facilities needed, that will provide public access for all segments of the community, including persons with disabilities. The Town's plan will establish access criteria for beach areas targeted for nourishment.

**POLICY #14d:** Kitty Hawk will seek opportunities, including memorandums of understanding, easements, and deeded property, for beach access(s).

*Objectives that will help the Town achieve its goal and implement its policies include:*

**OBJECTIVE #14a:** Examine shoreline access issue to include the study and development of policies (to address access needs and opportunities, to include strategies to develop public access, and to identify feasible funding options) that provide beach and public trust water access opportunities to all segments of the Town populace – including persons with disabilities – along the shoreline.

**OBJECTIVE #14b:** Pursue publicly held lands for public access development before considering privately held lands.

**OBJECTIVE #14c:** Examine opportunities for appropriate public accesses on publicly held lands.

**OBJECTIVE #14d:** Consider accepting donations of land for use in developing appropriate public accesses.

**OBJECTIVE #14e:** Consider purchase or condemnation of land for use in developing appropriate public accesses.

**OBJECTIVE #14f:** Seek ways to balance competing demands for uses of (and on) ocean front and sound front areas.

**OBJECTIVE #14g:** Seek ways to maintain public accesses to beaches by the general public.

**OBJECTIVE #14h:** Develop a shoreline access plan.

**OBJECTIVE #14i:** Examine opportunities for appropriate locations and funding for public parking areas for beach access.

## ISSUE AREA #15: PUBLIC SAFETY

**GOAL #15:** Ensure safety of residents and visitors.

**POLICY #15a:** Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to ensure public safety. The Town supports State and Federal laws and regulations and the enforcement of criminal statutes.

*Objectives that will help the Town achieve its goal and implement its policy include:*

**OBJECTIVE #15a:** Enforce, and amend as necessary, the Town ordinance prohibiting beach fires and open burning.

**OBJECTIVE #15b:** Promote and maintain the image of Kitty Hawk as a family vacation destination.

**OBJECTIVE #15c:** Support the efforts and programs of the Kitty Hawk Fire Department, Ocean Rescue, Kitty Hawk Department, Dare County Emergency Medical Services, the North Carolina Highway Patrol (State Police), and the Dare County Sheriff's Department to protect the citizens and visitors of Kitty Hawk.

**OBJECTIVE #15d:** Develop policies that minimize threats to life, property, and natural resources resulting from development located in or adjacent to hazard areas, such as those subject to erosion, high winds, storm surge, flooding, or sea level rise.

**OBJECTIVE #15e:** Develop location, density, and intensity criteria for new, existing development and redevelopment including public facilities and infrastructure so that they can better avoid or withstand natural hazards.

**OBJECTIVE #15f:** Correlate existing and planned development with existing and planned evacuation infrastructure.

**OBJECTIVE #15g:** Use the Town website and newsletter to disseminate information to residents and visitors concerning emergency services, contact information, and related issues.

**OBJECTIVE #15h:** Develop a disaster management plan.

**OBJECTIVE #15i:** Seek ways to minimize conflicts between pedestrians and vehicles and improve safety along NC 12 and US 158, particularly at cross streets and parking area entrances and exits.

**OBJECTIVE #15j:** Encourage the placement of appropriate signage and marking(s) along the Town's multi-use trails to improve safety.



## ISSUE AREA #16: REDEVELOPMENT

**GOAL #16:** Ensure redevelopment consistent with Town image and land use and development goals.

**POLICY #16a:** Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate redevelopment. The Town supports applicable State and Federal laws and regulations regarding building, land uses, and development.

**POLICY #16b:** Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.

**POLICY #16c:** Kitty Hawk will continue to regulate building intensity and oversized structures by enforcing, and amending as necessary, the zoning ordinance. The zoning ordinance regulates building intensity factors such as building height, lot coverage, and building setback(s) for commercial and residential building development. The ordinance also specifies maximum and minimum building sizes for commercial buildings.

*Objectives that will help the Town achieve its goal and implement its policies include:*

**OBJECTIVE #16a:** Monitor and consider redevelopment proposals for consistency with stated Town land use and development goals.

**OBJECTIVE #16b:** Adopt regulations and procedures that provide clear direction to assist local decision making and consistency findings for zoning, divisions of land, and public and private projects.

**OBJECTIVE #16c:** Enforce, and amend as necessary, the Town zoning ordinance which includes designation(s) of permitted and conditional uses intensity and density criteria.

**OBJECTIVE #16d:** Evaluate development and redevelopment proposals according to Town goals, objectives, and policies and the land suitability analysis and future land use map developed as a part of this land use plan update.

**OBJECTIVE #16e:** Establish local mitigation criteria and concepts that may include but are not limited to cluster subdivision design, buffers and landscaping, impervious surface limits, and effective innovative storm water management alternatives.

**OBJECTIVE #16f:** Ensure redevelopment is consistent with established community appearance standards, improves public safety, protects or preserves the natural environment, and maintains the unique character of Kitty Hawk.

## ISSUE AREA #17: RESIDENTIAL DEVELOPMENT

**GOAL #17:** Continue established residential development patterns.

**POLICY #17a:** Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate residential development and redevelopment. The Town supports applicable State and Federal laws and regulations regarding building, land uses, and development.

**POLICY #17b:** Detached residential structures are the preferred type of residential land use in Kitty Hawk.

**POLICY #17c:** Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.

**POLICY #17d:** Kitty Hawk will continue to regulate building intensity and oversized structures by enforcing, and amending as necessary, the zoning ordinance. The zoning ordinance regulates building intensity factors such as building height, lot coverage, and building setback(s) for commercial and residential building development. The ordinance also specifies maximum and minimum building sizes for commercial buildings.

*Objectives that will help the Town achieve its goal and implement its policies include:*

**OBJECTIVE #17a:** Ensure the continuance of established residential development patterns.

**OBJECTIVE #17b:** Ensure future development is consistent with adopted goals, objectives, and policies and regulations including building code requirements and is in character with existing development with respect to features such as building size, lot coverage, architectural design standards, and construction materials and methods.

**OBJECTIVE #17c:** Adopt regulations and procedures that provide clear direction to assist local decision making and consistency findings for zoning, divisions of land, and public and private projects.

**OBJECTIVE #17d:** Enforce, and amend as necessary, the Town the zoning ordinance including designation(s) of permitted and conditional use intensity and density criteria.

**OBJECTIVE #17e:** Evaluate development and redevelopment proposals according to goals, objectives, and policies and the land suitability

analysis and future land use map developed as a part of the land use plan.

OBJECTIVE #17f: Establish mitigation criteria and concepts that may include but are not limited to cluster subdivision design, enacting local buffers, impervious surface limits, and effective innovative storm water management alternatives.

OBJECTIVE #17g: Encourage stewardship, proper use, and maintenance of common areas in private developments by property owners and homeowner associations.

OBJECTIVE #17h: Encourage dissemination of information concerning applicable private restrictive covenants and public laws to property owners, residents, builders, and homeowners associations.

### ISSUE AREA #18: SEPTIC TANK USE

GOAL #18: Ensure properly installed and maintained sewage disposal systems.

POLICY #18a: Kitty Hawk recognizes the use of individual on-site sewage treatment as the primary method of wastewater treatment in Kitty Hawk and will continue to utilize the Dare County Health Department to regulate (permit and monitor) systems. Package treatment plants should be considered only when natural conditions prohibit the use of septic systems, as remedial efforts to correct existing failing septic improvements, or if required by ordinance and should be constructed to serve a specific development without excess capacity for off-site wastewater treatment connections. Maintenance of privately owned package treatment plants should be supervised by the NC Utilities Commission or other public agencies. In addition, the Town will ensure that wastewater treatment options are appropriately sized, located, and managed so that they do not serve as a catalyst for intensive uses that will damage or pollute adjacent lands and waters. In particular, wetlands and other fragile areas shall not be impacted by development supported by the use of innovative systems such as peat systems.

*Objectives that will help the Town achieve its goal and implement its policy include:*

OBJECTIVE #18a: Coordinate with Dare County Health Department to ensure that the performance of existing septic tank systems is monitored; that existing systems are properly maintained; and, that proposed systems are installed according to approved plans under their supervision.

OBJECTIVE #18b: Encourage the use of new and improved technologies related to on-site sewage disposal systems.

OBJECTIVE #18c: Monitor technical improvements and advancements to on-site sewage disposal systems.

### ISSUE AREA #19: SEXUALLY ORIENTED BUSINESSES

GOAL #19: Ensure no sexually oriented businesses in Kitty Hawk.

POLICY #19a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to prohibit or regulate sexually oriented businesses.

*Objectives that will help the Town achieve its goal and implement its policy include:*

OBJECTIVE #19a: Discourage the establishment of sexually oriented businesses within Kitty Hawk.

OBJECTIVE #19b: Develop ordinances or regulations to prevent or discourage the establishment of sexually oriented businesses within Kitty Hawk.

OBJECTIVE #19c: Enforce, and amend as necessary, the Town zoning ordinance.

### ISSUE AREA #20: SOLID WASTE MANAGEMENT

GOAL #20: Ensure efficient, economical collection and disposal of solid waste.

POLICY #20a: Kitty Hawk will: continue to use contracted solid waste collection and disposal; participate in a regional solid waste authority; and, continue voluntary recycling efforts. Additional programs for hazardous materials disposal and large item pick-ups are also supported and will be utilized.

*Objectives that will help the Town achieve its goal and implement its policy include:*

OBJECTIVE #20a: Continue to contract for solid waste collection and disposal services.

OBJECTIVE #20b: Monitor the demands placed on the system to determine if and when changes are needed.

OBJECTIVE #20c: Use the Town website and newsletter to disseminate information to residents and visitors concerning solid waste management system related issues.

OBJECTIVE #20d: Encourage recycling and vegetative waste removal programs.

OBJECTIVE #20e: Develop a Solid Waste Management Plan.

### ISSUE AREA #21: STORM WATER MANAGEMENT

GOAL #21: Ensure comprehensive storm water management.

POLICY #21a: Kitty Hawk is committed to minimizing and mitigating the effects of storm water drainage and to implementing a comprehensive approach to storm water management. The Town supports the concept of ocean outfalls as a means to remove storm water from low lying areas during emergency situations. Kitty Hawk supports the concept that all storm water should be contained on the property where it was generated, except in circumstances where rainfall exceeds that of a five-year storm.

*Objectives that will help the Town achieve its goal and implement its policy include:*

OBJECTIVE #21a: Implement the storm water management plan and update as necessary.

OBJECTIVE #21b: Ensure that the North Carolina Department of Transportation provides appropriate and timely levels of service with respect to storm water drainage issues within Kitty Hawk.

OBJECTIVE #21c: Develop location, density, and intensity criteria for new, existing development and redevelopment including public facilities and infrastructure so that they can better avoid or withstand natural hazards.

OBJECTIVE #21d: Develop policies that minimize threats to life, property, and natural resources resulting from development located in or adjacent to hazard areas, such as those subject to erosion, high winds, storm surge, flooding, or sea level rise.

### ISSUE AREA #22: TOURISM

GOAL #22: Ensure Kitty Hawk continues as a family oriented tourist destination.

POLICY #22a: Kitty Hawk recognizes the vital importance of tourism to the local economy and supports efforts to maintain its status as a desirable place to visit and vacation. The Town also recognizes the need to address

the infrastructure and service demands of the seasonal populations that may occur.

**POLICY #22b:** Kitty Hawk supports the concept of combining natural resources and tourism to promote the area's ecological values, known as "eco-tourism" and supports passive recreation activities such as biking and walking/jogging.

*Objectives that will help the Town achieve its goal and implement its policies include:*

**OBJECTIVE #22a:** Encourage programs and initiatives to promote Kitty Hawk as a family-oriented tourist destination.

**OBJECTIVE #22b:** Cooperate with the Outer Banks Tourist Bureau and the Kitty Hawk business community to promote the Town as a tourist destination.

**OBJECTIVE #22c:** Use the Town website and newsletter to disseminate information to residents and visitors concerning events, schedules, and related issues.

### ISSUE AREA #23: TRANSPORTATION

**GOAL #23:** Ensure a safe, efficient transportation system given State and local finances, topography, geography, and natural systems and surrounding land uses and development.

**POLICY #23a:** Kitty Hawk supports the construction of a mid-Currituck County bridge and the continued maintenance and protection of NC 12 through Kitty Hawk.

**POLICY #23b:** Kitty Hawk encourages intergovernmental cooperation with other Outer Banks municipalities and Dare County to study of the transportation needs of Kitty Hawk and the region.

**POLICY #23c:** Kitty Hawk shall not be responsible for the cost of maintaining or repairs to privately owned streets. Experimental programs sponsored by the State to maintain private roads are supported.

*Objectives that will help the Town achieve its goal and implement its policies include:*

**OBJECTIVE #23a:** Support the construction of a mid-Currituck County bridge.

OBJECTIVE #23b: Support efforts to improve the intersection of US 158 and NC 12 (Duck Road) at the Kitty Hawk and Southern Shores.

OBJECTIVE #23c: Lobby for maintaining and protecting NC 12 in its present configuration through Kitty Hawk.

OBJECTIVE #23d: Ensure that the North Carolina Department of Transportation provides appropriate and timely levels of service with respect to storm water drainage issues within Kitty Hawk.

OBJECTIVE #23e: Consider proposals to provide a public transportation system in the region which would serve Kitty Hawk.

OBJECTIVE #23f: Ensure high levels of maintenance of private and State roads.

OBJECTIVE #23g: Require new developments and large scale redevelopments to build roads to State standards.

OBJECTIVE #23h: Enforce, and amend as necessary, the Town zoning ordinance and provisions regulating signs.

OBJECTIVE #23i: Maintain and enhance the multi-use trail system.

OBJECTIVE #23j: Encourage the provision of reverse frontage for residential lots adjoining U.S. 158.

OBJECTIVE #23k: Study methods and alternatives to improve and maintain private, unimproved ways such as alleys and have them accepted into the road maintenance system.

OBJECTIVE #23l: Develop a master plan for multi-use paths in Town and adopt as a part of the land use planning process.

OBJECTIVE #23m: Encourage inter-parcel connections between commercial lots adjoining US 158.

#### ISSUE AREA #24: USES OF AND ACTIVITIES IN AND ON OCEAN AND SOUND WATERS

GOAL #24: Ensure safe, environmentally friendly water use.

POLICY #24a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate uses of and activities in and on the Atlantic Ocean and Currituck Sound.

POLICY #24b: Kitty Hawk supports the construction and operation of properly permitted marinas but does not support the location of floating homes within its borders or its Extraterritorial Jurisdiction (ETJ) area. Proposals for dry stack storage facilities will be evaluated on a case by case basis.

POLICY #24c: Kitty Hawk does not support the placement of additional electric generating plants within its borders nor does it support inshore or

outer continental shelf exploration or the placement of refineries, storage facilities, or transshipment facilities within its borders or adjacent thereto.

**POLICY #24d:** Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.

*Objectives that will help the Town achieve its goal and implement its policies include:*

**OBJECTIVE #24a:** Ensure the safe and environmentally friendly use of the waters of the ocean and sound by residents and visitors alike.

**OBJECTIVE #24b:** Regulate personal watercraft use.

**OBJECTIVE #24c:** Use the Town website and newsletter to disseminate information to residents and visitors concerning personal watercraft use, water quality, and related issues.

**OBJECTIVE #24d:** Develop, adopt, and enforce, and amend as necessary, a shoreline overlay zoning district to address development, redevelopment, and uses along shorelines and in adjacent waters.

**OBJECTIVE #24e:** Ensure private and public recreational uses within Town waters are appropriate with respect to maintaining water quality, ensuring public safety, and ensuring quality of leisure experiences.

**OBJECTIVE #24f:** Seek ways to balance competing demands for uses of (and on) ocean front and sound front areas and adjacent waters.

**OBJECTIVE #24g:** Seek ways to maintain public access to beaches by the general public.

**OBJECTIVE #24h:** Develop a shoreline access plan.

#### ISSUE AREA #25: WATER QUALITY

**GOAL #25:** Maintain, protect, and where possible enhance water quality in all coastal waters, wetlands, and estuaries.

**POLICY #25a:** Kitty Hawk will use its zoning ordinance, flood damage prevention ordinance, environmental control ordinance, and soil erosion and sedimentation control ordinance to protect water quality.

**POLICY #25b:** Kitty Hawk will continue to promote the protection and improvement of water quality by adopting, enforcing, and amending as necessary ordinances and procedures to regulate land use, development, and redevelopment as appropriate in natural hazard areas and areas of environmental concern. The Town supports applicable State and Federal laws and regulations regarding building, land uses, and development in areas of environmental concern.



POLICY #25c: Kitty Hawk does not support the point source discharge of wastewater into the waters of the Currituck Sound, Kitty Hawk Bay, Atlantic Ocean, or any stream, ditch, canal, or water body(s) within its borders.

POLICY #25d: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.

POLICY #25e: Kitty Hawk will create landscaping provisions in Town ordinances to create vegetative buffers to assist in improvements of water quality.

POLICY #25f: Kitty Hawk will consider adoption of local erosion and sedimentation control, filling, and grading regulations to address and control adverse effects on water quality.

POLICY #25g: Kitty Hawk will undertake a comprehensive storm water management program that controls the amount and quality of storm water runoff that is consistent with maintaining and enhancing water quality in the Ocean and Sound.

POLICY #25h: Kitty Hawk will ensure that land use and development regulations are consistent with the proper management of water resources and applicable State and Federal development regulations.

*Objectives that will help the Town achieve its goal and implement its policies include:*

OBJECTIVE #25a: Assist the State to adopt policies for coastal waters to help ensure that water quality is maintained if not impaired and improved if impaired.

OBJECTIVE #25b: Assist the State to adopt policies that help prevent or control non-point source discharges (sewage and storm water) such as, but not limited to the following: impervious surface limits, vegetated riparian buffers, natural areas, natural area buffers, and wetland protection.

OBJECTIVE #25c: Support State efforts aimed at protecting open shell fishing waters and restoring closed or conditionally closed shell fishing waters.

OBJECTIVE #25d: Request adequate sampling of Currituck Sound waters by Dare County to ensure effective and timely analysis of water conditions within Kitty Hawk Bay and elsewhere to enable dissemination of timely information to the public.

OBJECTIVE #25e: Use the Town website and newsletter to disseminate information to residents and visitors concerning water quality and related issues.

OBJECTIVE #25f: Support efforts and programs to restore shellfish waters.

## D. Future Land Use

### 1. Land Classification Scheme

The land classification scheme serves to explain and display the Town's vision and preferences for future land use within its borders. As with any plan, it is subject to change as circumstances may dictate and should be reviewed by the Town on a regular basis with citizen input and involvement. The land classification scheme does not preclude, supercede, negate, or repeal current or future zoning regulations and districts in Kitty Hawk; nor does the land classification scheme supercede any private restrictive covenants in force. Proposals for development and redevelopment will be evaluated according to the current zoning regulations in effect at the time such proposals are submitted for review and the potential benefit to Kitty Hawk.

The land classification scheme utilized by the Town was chosen based on its appropriateness for the goals and policies developed by the Town as well as the purpose for which the plan is used and the Town's capacity to implement the plan.

A land use design approach was chosen by Kitty Hawk for its land classification scheme. The land use design approach includes the designation of typical functional land use areas which include: 1) conservation; 2) open space and public and private recreation areas, 3) residential areas, 4) commercial, shopping, and working areas, 5) community facilities areas; and, 6) growth and in-fill development areas.

Conservation areas are areas conducive to and appropriate for passive public and private recreational facilities such as trails and parks, public and private utilities and facilities, governmental uses, and conservation. Maintaining the openness of these spaces should be the Town's goal. Uses should be minimal and low impact and contribute to maintaining the Town's image and character.

Open space and public and private recreation areas are acreage tracts envisioned for low impact, public and private recreation facilities for the benefit of residents and visitors. Uses are envisioned to include golf courses and associated maintenance buildings and structures and recreational parks. These areas are not conducive to residential building

and provide the Town with green spaces and areas of transition to surrounding land uses which are typically residential or commercial.

Residential areas should provide for the low-density development of single-family detached dwellings in an environment which preserves natural features to the extent possible and promotes stable, permanent neighborhoods. In some parts of Kitty Hawk, residential areas should provide for the development of moderate density residential neighborhoods (with a mix of permanent and short-term seasonal residences) and serve as a transition zone between the low density areas and more densely developed areas.

Commercial, shopping, and working areas include areas that primarily encourage the concentration of commercial facilities in clusters or group developments and to provide readily accessible shopping facilities and will provide for the proper grouping and development of commercial facilities to serve permanent and seasonal residents and the general public. Some of these areas are envisioned to provide limited mixed uses.

Community facilities areas are Town, State, or Federal properties and facilities that provide typical government services to serve the Town's residents and visitors. The Town's numerous beach access points and Town buildings are a part of this classification. Governmental uses are envisioned for transitional areas.

Uses envisioned for in-fill and growth areas will likely include single family, detached residential development and some commercial growth. In-fill and growth areas are found throughout Kitty Hawk and many are "within" or nearly surrounded by residential and/or commercial, shopping, and working areas.

Consistent with the Future Land Use Map, the Town prefers 2-3 story residential and commercial structures, generally 35' in height or less. No residential district currently allows more than 4 dwelling units per acre. Floor area ratios are not a concept in the Town code. The Town uses building height limits, setbacks, and lot coverage as the criteria for commercial intensity. Also, the commercial zoning districts have a maximum building size in the general description.

With respect to future land use, the Town: made assumptions relative to package sewage treatments plants and redevelopment; defined small scale commercial development; and, clarified its position with respect to

“big boxes”, “four, six, and eight story structures, and larger structures replacing older, smaller structures.

Kitty Hawk assumes package treatment plants will only serve the developments (or buildings) they currently serve and will not provide sewer service to adjacent residential areas. No central sewer system is planned or projected for the Town.

In Kitty Hawk, an increasing number of (previously) seasonal homes are becoming year-round residences; most often with little structural changes occurring. As in other Outer Banks communities, infrastructure systems are sized to meet peak population demands and thus are capable of meeting the needs of the property owners who are now living year round in Kitty Hawk. Most of the anticipated redevelopment activity likely to occur will involve conversion of previously developed (old and/or underused) residential and commercial properties into refurbished or new residential and commercial uses.

In Kitty Hawk, small scale commercial development is generally defined as single or limited proprietorships in buildings that are less than 5,000 square feet.

Kitty Hawk does not support the construction of any additional “big box” retail buildings; residential structures that are greater than 35’ in height; or, the concept of replacing smaller, older residential structures with larger residential structures.

## 2. Future Land Use Map

In addition to showing the general extents of the land classifications, EXHIBIT IX-B, Future Land Use Map shows the 14 digit hydrological unit encompassing Kitty Hawk and the existing road network serving the Town. Dare County water system lines and fire hydrants extend and are found throughout the Town. There is no central wastewater collection and treatment system and no storm sewer system in Kitty Hawk. At present, no major community facilities’ extensions or development is planned and therefore no cost estimates have been developed. During the planning period, the Town will update its Capital Improvements Plan. Land has been acquired along US 158 as a site for a future fire station.

During the land use planning process, the Town visually compared its future land use map (EXHIBIT IX-B), the composite environmental conditions map (EXHIBIT IV-D), and the land suitability analysis map (EXHIBIT VIII-C) by overlaying color versions of each map with vellums

(black and white, see through) of other maps. From this process, a high level of consistency was apparent and noted between the maps. The composite environmental conditions map (Chapter IV, EXHIBIT IV-C, page IV-11) and the land suitability analysis map (Chapter VII, EXHIBIT VII-C, page VII-7) helped to develop the future land use map. EXHIBIT IX-C provides the estimated amount of land envisioned for the various future land use classifications.

EXHIBIT IX-B  
KITTY HAWK, NORTH CAROLINA  
FUTURE LAND USE MAP

EXHIBIT IX-C  
KITTY HAWK, NORTH CAROLINA  
PROJECTED FUTURE LAND USE TOTALS

FUTURE LAND USE CLASSIFICATION	AREA IN ACRES*
Conservation Areas	2,407.6
Open Space and Public and Private Recreation Areas	141.7
Lower Density Residential Areas	1,832.0
Medium Density Residential Areas	141.8
Higher Density Residential Areas	135.5
Commercial, Shopping, and Working Areas	344.1
Community Facilities Areas	60.2
<b>TOTAL AREA**</b>	<b>5,062.9</b>

\*Estimated.

\*\*Estimated areas included in each future land use classification shown. Does not include rights of way, easements, canals, ponds, creeks, etc.

## E. Policy Analysis

### 1. Consistency With Management Topics

State CAMA planning guidelines require an analysis to “demonstrate how the land use and development goals, policies and future land use map...will guide development in a manner that is consistent with the specific management goal(s), planning objectives(s), and land use plan requirements of each Management Topic” [.0702 (d)(2)(A)].

The sections and exhibits which follow demonstrate that the Town’s goals, policies, and future land use map will guide development in a manner that is consistent with each component of the Management Topics. The Management Topics are summarized in EXHIBIT IX-A on page IX-2 of this chapter.

#### a. Consistency of Town Goals With Management Topics

EXHIBIT IX-D describes the consistency between the Town’s goals as contained in this land use plan update with the Management Topics.

EXHIBIT IX-D  
KITTY HAWK, NORTH CAROLINA  
CONSISTENCY REVIEW-KITTY HAWK GOALS  
AND MANAGEMENT TOPICS

<u>ISSUE AREA</u>	<u>GOAL STATEMENT</u>	<u>CONSISTENCY WITH MANAGEMENT TOPICS</u>
1. Atlantic Ocean Shoreline	Goal #1, pg. IX-6 public topics as it	The Town's goal is consistent with the land use compatibility, natural hazard areas, access, and water quality management seeks to preserve, protect, and enhance the shoreline and to ensure its use for passive and active recreation and leisure activities.
2. Beach Driving	Goal #2, pg. IX-7	The Town's goal is consistent with the land use compatibility management topic as it seeks to regulate beach driving.
3. Beach Nourishment and Dune Stabilization	Goal #3, pg. IX-8 areas, and	The Town's goal is consistent with the land use compatibility, natural hazard water quality management topics as it seeks to encourage beach re-nourishment and maintenance.
4. Commercial Development topic development of existing	Goal #4, pg. IX-8	The Town's goal is consistent with the land use compatibility management as it seeks to ensure commercial small specialty type shops and the vitality of businesses continues.
5. Community use Appearance	Goal #5, pg. IX-9	The Town's goal is consistent with the land compatibility management topic as if seeks to maintain its coastal village image.
6. Currituck Sound Shoreline, Kitty Hawk Bay, and Albemarle Sound	Goal #6, pg. IX-10	The Town's goal is consistent with the land use compatibility, natural hazard areas, public access, and water quality management topics as it seeks to preserve, protect, and enhance the shoreline and to ensure its use for



		passive and active recreation and leisure activities.
7. Development Design Standards	Goal #7, pg. IX-11	The Town's goal is consistent with the land use compatibility management topic as it seeks to manage land use and development to minimize primary and secondary impacts on resources through standards for developments.

**EXHIBIT IX-D (continued)  
KITTY HAWK, NORTH CAROLINA  
CONSISTENCY REVIEW-KITTY HAWK GOALS  
AND MANAGEMENT TOPICS**

<u>ISSUE AREA</u>	<u>GOAL STATEMENT</u>	<u>CONSISTENCY WITH MANAGEMENT TOPICS</u>
8. Federal Properties and Programs	Goal #8, pg. IX-12	The Town's goal is consistent with the land use compatibility, natural hazard areas, and water quality management topics as it seeks to ensure Federal properties and programs are used in a manner consistent with the Town's character and image.
9. Infrastructure Carrying Capacity and Provision of Public Facilities and Services	Goal #9, pg. IX-12	The Town's goal is essentially a restatement of the infrastructure carrying capacity management topic.
10. Intergovernmental Relations	Goal #10, pg. IX-13	The Town's goal is consistent with the infrastructure carrying capacity and land use compatibility management topics as it seeks cooperation and interaction between government agencies which will help to facilitate the provision of adequate and planned infrastructure and managed land use and development.

11. Land Use of the Compatibility	Goal #11, pg. IX-14	The Town’s goal is essentially a restatement of land use compatibility management topic.
12. Natural Hazard Areas	Goal #12, pg. IX-15	The Town’s goal is consistent with the land use compatibility, natural hazard areas, and water quality management topics as it seeks to conserve protective functions of dunes, beaches, wetlands, flood plains, and other shoreline features.
13. Parking and Loading/Off-Loading Areas	Goal #13, pg. IX-16	The Town’s goal is consistent with the infrastructure carrying capacity management topic as it seeks to provide infrastructure to serve existing and anticipated development, maintain its coastal village image, and promote safe and efficient pedestrian movement.
14. Public Access	Goal #14, pg. IX-17	The Town’s goal is consistent with the public access management topic as it seeks to provide public access opportunities.
15. Public Safety	Goal #15, pg. IX-18	The Town’s goal is consistent with the infrastructure carrying capacity management topic as it seeks to provide infrastructure to serve existing and anticipated development.

**EXHIBIT IX-D (continued)  
KITTY HAWK, NORTH CAROLINA  
CONSISTENCY REVIEW-KITTY HAWK GOALS  
AND MANAGEMENT TOPICS**

<u>ISSUE AREA</u>	<u>GOAL STATEMENT</u>	<u>CONSISTENCY WITH MANAGEMENT TOPICS</u>
16. Redevelopment	Goal #16, pg. IX-19	The Town’s goal is consistent with the land use compatibility, natural hazards, infrastructure carrying capacity, and water quality management topics as it seeks environmentally friendly and sustainable development consistent with its image and character.
17. Residential Development	Goal #17, pg. IX-19	The Town’s goal is consistent with the land use compatibility, natural hazards, infrastructure carrying capacity, and water quality

		management topics as it seeks environmentally friendly and sustainable development consistent with its image and character.
18. Septic Tank Use	Goal #18, pg. IX-21	The Town's goal is consistent with the infrastructure carrying capacity, water quality, and land use compatibility management topics as it seeks properly installed and maintained septic systems and managed land use and development.
19. Sexually Oriented Businesses	Goal #19, pg. IX-21	The Town's goal is consistent with the land use compatibility management topic as it seeks to maintain its coastal village image.
20. Solid Waste Management	Goal #20, pg. IX-22	The Town's goal is consistent with the infrastructure carrying capacity management topic as it seeks to provide infrastructure to serve existing and anticipated development.
21. Storm Water Management	Goal #21, pg. IX-22	The Town's goal is consistent with the infrastructure carrying capacity management topic as it seeks to provide infrastructure to existing and anticipated development and the land use compatibility, natural hazard area, and water quality management topics as it seeks to conserve protective functions of wetlands, flood plains, and other coastal shoreline features.

EXHIBIT IX-D (continued)  
KITTY HAWK, NORTH CAROLINA  
CONSISTENCY REVIEW-KITTY HAWK GOALS  
AND MANAGEMENT TOPICS

<u>ISSUE AREA</u>	<u>GOAL STATEMENT</u>	<u>CONSISTENCY WITH MANAGEMENT TOPICS</u>
22. Tourism	Goal #22, pg. IX-23	The Town's goal is consistent with the land use compatibility, natural hazard areas,

- public access, and water quality management topics as it seeks to preserve, protect, and enhance the shoreline and to ensure its use for passive and active recreation and leisure activities. The Town's goal is also consistent with the land use compatibility management topic as it seeks to remain a family oriented tourist destination.
23. Trans-            Goal #23, pg. IX-23  
    portation  
    The Town's goal is consistent with the infrastructure carrying capacity management topic as it seeks to provide infrastructure to existing and anticipated development through NC 12 remaining a two-lane facility in its present location and through the construction of a mid-Currituck County bridge.
24. Uses of and    Goal #24, pg. IX-24  
    Activities in  
    and on Ocean  
    and Sound  
    Waters  
    The Town's goal is consistent with the land use compatibility, natural hazard areas, and water quality management topics as it seeks to ensure ocean and sound waters are used in a manner consistent with the Town's character and image, in a manner that preserves, protects, and enhances public trust waters, and ensures their use for passive and active recreation and leisure activities.
25. Water            Goal #25, pg. IX-25  
    Quality  
    The Town's goal is essentially a restatement of the water quality management topic.

b. General Direction of Policies

EXHIBIT IX-E summarizes the general direction of Kitty Hawk’s policies.

EXHIBIT IX-E  
KITTY HAWK, NORTH CAROLINA  
GENERAL DIRECTION OF TOWN POLICIES

<u>ISSUE AREA</u>	<u>POLICY</u>	<u>GENERAL POLICY DIRECTION</u>
1. Atlantic Ocean Shoreline	Policy #1, pg. IX-6	The Town supports the continued management of oceanfront shoreline development to protect and preserve the natural and recreational resources along the oceanfront. Kitty Hawk will use its police powers to adopt and enforce ordinances and procedures to regulate land use, development, and redevelopment and supports applicable State and Federal laws and regulations regarding building, land uses, and development in areas of environmental concern.
2. Beach Driving	Policy #2, pg. IX-7	The Town will use its police powers to adopt and enforce ordinances and procedures to regulate beach driving.
3. Beach Nourishment and Dune Stabilization	Policy #3, pg. IX-8	The Town supports the concepts of beach re-nourishment and maintenance as the preferred shoreline management alternative along the ocean beach.
4. Commercial Development	Policy #4, pg. IX-8	The Town: supports the placement of commercial development in areas zoned for such uses; encourages commercial design standards; does not support heavy manufacturing-type development; supports traditional type recreational development; does not support commercialized horse activities; supports patronage of local businesses; and, supports the use of police powers to regulate land use, redevelopment, and placement of commercial development.
5. Community Appearance	Policy #5, pg. IX-9	The Town will use its police powers to regulate land use, development, redevelopment, and community appearance.

- |  |                             |  |
|--|-----------------------------|--|
| <p>6. Currituck Sound<br/>Shoreline, Kitty Hawk Bay,<br/>Albemarle Sound</p> | <p>Policy #6, pg. IX-10</p> | <p>The Town will use its police powers to regulate land use, development, and redevelopment and supports State and Federal laws regarding building, land uses, and development in areas of environmental concern. Kitty Hawk supports management of the Currituck Sound shoreline and the CAMA permit program.</p> |
|--|-----------------------------|--|

**EXHIBIT IX-E (continued)  
DUCK, NORTH CAROLINA  
GENERAL DIRECTION OF TOWN POLICIES**

<u>ISSUE AREA</u>	<u>POLICY</u>	<u>GENERAL POLICY DIRECTION</u>
<p>7. Development Design Standards</p>	<p>Policy #7, pg. IX-11</p>	<p>The Town supports the concept of development design standards.</p>
<p>8. Federal Properties and Programs</p>	<p>Policy #8, pg. IX-12</p>	<p>The Town supports applicable Federal laws and regulations regarding land uses and development in areas of environmental concern.</p>
<p>9. Infrastructure and Carrying Capacity and Provision of Public Facilities and Services</p>	<p>Policy #9, pg. IX-12</p>	<p>The Town supports adequate public systems services.</p>
<p>10. Intergovernmental Relations</p>	<p>Policy #10, pg. IX-13</p>	<p>The Town supports intergovernmental relations and multi-jurisdictional efforts to solve problems.</p>
<p>11. Land Use Compatibility</p>	<p>Policy #11, pg. IX-14</p>	<p>The Town will use its police powers to regulate land use, development, and redevelopment and supports State and Federal laws regarding building, land uses, and development in areas of environmental concern. Kitty Hawk does not support mining activities within its borders, the placement of additional electrical generating facilities within its borders, outer continental shelf exploration, or landfill development within its borders.</p>

12. Natural Hazard Areas	Policy #12, pg. IX-15	The Town will use its police powers to regulate land use, development, and redevelopment and supports State and Federal laws regarding building, land uses, and development in areas of environmental concern. Kitty Hawk does not support wetlands mitigation measures to be undertaken on sites outside of Town when filling of wetlands is allowed within the Town.
13. Parking and Loading/Off-Loading Areas	Policy #13, pg. IX-16	The Town supports the provision of well designed, properly marked and designated, and functional parking and loading/off-loading areas.
14. Public Access	Policy #14, pg. IX-17	The Town will seek public access opportunities and supports a State funding of additional shoreline accesses.

**EXHIBIT IX-E (continued)  
KITTY HAWK, NORTH CAROLINA  
GENERAL DIRECTION OF TOWN POLICIES**

<u>ISSUE AREA</u>	<u>POLICY</u>	<u>GENERAL POLICY DIRECTION</u>
15. Public Safety	Policy #15, pg. IX-18	The Town supports adequate public systems and services and will use its police powers to adopt and enforce ordinances and procedures to regulate land use, development, and redevelopment. Kitty Hawk supports the enforcement of criminal statute.
16. Redevelopment	Policy #16, pg. IX-19	The Town will use its police powers to regulate land use, development, and redevelopment and supports State and Federal laws regarding building, land uses, and development in areas of environmental concern.
17. Residential Development	Policy #17, pg. IX-20	The Town will use its police powers to regulate land use, development, and redevelopment and supports State and Federal laws regarding building, land uses, and development. Detached residential

structures are the preferred type of residential land use in Kitty Hawk.

- |                                  |                       |   |
|----------------------------------|-----------------------|---|
| 18. Septic Tank Use              | Policy #18, pg. IX-21 | The Town supports the use of individual, on-site sewage disposal systems. Package treatment plants should only be used when natural conditions prohibit the use of septic systems, as remedial efforts to correct existing failing septic systems, or if required by ordinance.   |
| 19. Sexually Oriented Businesses | Policy #19, pg. IX-21 | The Town will use its police powers to adopt and enforce ordinances and procedures to regulate sexually oriented businesses.  |
| 20. Solid Waste Management       | Policy #20, pg. IX-22 | The Town supports the use on contracted solid waste collection and disposal, continued participation in a regional solid waste authority, and voluntary recycling.  |
| 21. Storm Water Management       | Policy #21, pg. IX-22 | The Town supports efforts and programs to minimize and mitigate the effects of storm water drainage.  |
| 22. Tourism                      | Policy #22, pg. IX-23 | The Town supports and recognizes the vital importance of tourism to the local economy and supports efforts to maintain its status as a desirable place to visit and vacation. The Town also recognizes the need to address the infrastructure and service demands of the seasonal populations. Kitty Hawk supports the concept of "eco-tourism" and supports passive recreational activities. |

**EXHIBIT IX-E (continued)**  
**KITTY HAWK, NORTH CAROLINA**  
**GENERAL DIRECTION OF TOWN POLICIES**

<u>ISSUE AREA</u>	<u>POLICY</u>	<u>GENERAL POLICY DIRECTION</u>
23. Transportation	Policy #23, pg. IX-23	The Town supports the construction of a mid-Currituck County bridge and the protection of NC 12 through Kitty Hawk.
24. Uses of and Activities in and On Ocean and Sound Waters	Policy #24, pg. IX-24	The Town will use its police powers to adopt and enforce ordinances and procedures to regulate uses of and activities in and on the Atlantic Ocean and Currituck Sound.



25. Water Quality      Policy #25, pg. IX-25      The Town will use its police powers to regulate land use, development, and redevelopment and supports State and Federal laws regarding building, land uses, and development in areas of environmental concern.

### c. Consistency of Future Land Use Map and Land Use Plan Requirements

The future land use map (EXHIBIT IX-B, page IX-24) includes six land classifications. The residential density and development intensity anticipated in the land classifications shown on the future land use map are as follows:

- Conservation areas are public and private properties not likely to experience any residential development.
- Open space and public and private recreation areas are not likely to experience any residential growth.
- Residential areas are likely to experience high to medium density residential development.
- Commercial, shopping, and working areas are likely to experience high to medium density commercial development and limited residential development.
- Community facilities areas are likely to experience no residential development.
- Growth and in-fill development areas are likely to experience medium to high density residential development and medium density commercial development in some areas.

The future land use map was developed using the composite environmental conditions map (EXHIBIT IV-C, page IV-11) and the land suitability analysis map (EXHIBIT VII-C, page VII-7) as the primary guiding tools. Portions of most all of the land classifications envisioned by the Town are projected to occur or continue in areas wherein any development constraints (hazards and limitations) present may be addressed by methods such as restrictions on types of land uses, special site planning, or the provision of public services, as shown on the composite environmental conditions map. Generally, these areas are also found in areas of the Town shown as having medium to high suitability for development according to the land suitability analysis.

Portions of all of the land classifications envisioned by the Town as shown on the future land use map contain areas shown on the composite environmental conditions map as having development constraints

(hazards and limitations) present that may be addressed by methods such as restrictions on types of land uses, special site planning, or the provision of public services or contain serious hazards for development or lands where the impacts of development would cause serious damage to the values of natural systems. Generally, these areas are found in areas of the Town shown as having low suitability or being least suitable for development according to the land suitability analysis.

No material differences appear between the development patterns shown on the future land use map and the development constraints shown on the natural systems composite map and the land suitability patterns shown on the land suitability map.

There are no material differences between the spatial patterns of land classifications that depend on public water and sewer and the planned development or extension of water and sewer. Public water is available to areas developed or likely to develop. No public sewer is planned for or by Kitty Hawk.

Limited development, if any, is likely to occur in the Town's natural hazard areas, particularly in conservation areas.

Projected land use patterns, density, and intensity will continue to impact the Town's evacuation infrastructure which is comprised of US 158 and NC 12.

There are no open shell fish waters in Kitty Hawk.

## 2. Impact of Town Policies on Management Topics

CAMA guidelines require that the land use plan contain "a description of the type and extent of analysis completed to determine the impact of CAMA Land Use Plan policies on the Management Topics. Both positive and negative impacts of...policies on the Management Topics must be described. Policies that have any negative impacts on Management Topics must include a description of the policies, methods, programs and processes (either currently in place or included in the plan) to mitigate any negative impacts..."[.0702(d)(2)(B)].

EXHIBIT IX-F is a matrix describing the analysis of the impacts of Town policies on Management Topics. The goals, planning objectives, and land use plan requirements for each Management Topic have been summarized into benchmarks. References to Town policies are listed in the left column and each Town policy is compared to the Management

Topic benchmarks and whether it is beneficial, neutral, or detrimental to attainment of the policy benchmark labeled.

**EXHIBIT IX-F  
KITTY HAWK, NORTH CAROLINA  
POLICY ANALYSIS MATRIX ~  
TOWN POLICIES AS BENEFICIAL, NEUTRAL, OR DETRIMENTAL TO  
STATE MANAGEMENT TOPIC BENCHMARKS**

State Management Topics	Public Access	Land Use Compatibility	Infrastructure	Natural Hazards	Water Quality
<p><b>Benchmarks</b></p> <p>More planned access locations</p> <p>Upgrades to existing access locations</p> <p><b>Town Land Use and Development Policies</b></p>	<p>Reduction in habitat loss and fragmentation related to impacts of land use and development</p> <p>Reduction of water resource and water quality degradation</p>	<p>Water, sewer, and other key community facilities and services being available in required locations at adequate capacities to support planned community growth and development patterns</p>	<p>Land uses and development patterns that reduce vulnerability to natural hazards</p> <p>Land uses and development patterns that take into account the existing and planned capacity of evacuation infrastructure</p>	<p>Land use and development criteria and measures that abate impacts that degrade water quality</p>	
1. Atlantic Ocean Shoreline, Policy #1, pg. IX-6	BENEFICIAL	BENEFICIAL	NEUTRAL	BENEFICIAL	BENEFICIAL
2. Beach Driving, Policy #2, pg. IX-7	NEUTRAL	NEUTRAL	NEUTRAL	NEUTRAL	NEUTRAL
3. Beach Nourishment and Dune Stabilization, Policy #3, pg. IX-8	NEUTRAL	NEUTRAL	NEUTRAL	NEUTRAL	NEUTRAL
4. Commercial Development, Policy #4, pg. IX-8	NEUTRAL	BENEFICIAL	NEUTRAL	NEUTRAL	NEUTRAL

**EXHIBIT IX-F (continued)**  
**KITTY HAWK, NORTH CAROLINA**  
**POLICY ANALYSIS MATRIX~**  
**TOWN POLICIES AS BENEFICIAL, NEUTRAL, OR DETRIMENTAL TO**  
**STATE MANAGEMENT TOPIC BENCHMARKS**

State Management Topics	Public Access	Land Use Compatibility	Infrastructure	Natural Hazards	Water Quality
Benchmarks	More planned access locations  Upgrades to existing access locations	Reduction in habitat loss and fragmentation related to impacts of land use and development  Reduction of water resource and water quality degradation	Water, sewer, and other key community facilities and services being available in required locations at adequate capacities to support planned community growth and development patterns	Land uses and development patterns that reduce vulnerability to natural hazards  Land uses and development patterns that take into account the existing and planned capacity of evacuation infrastructure	Land use and development criteria and measures that abate impacts that degrade water quality
Town Land Use and Development Policies					
5. Community Appearance, Policy #5, pg. IX-9	NEUTRAL	NEUTRAL	NEUTRAL	NEUTRAL	NEUTRAL
6. Currituck Sound Shoreline, Kitty Hawk Bay, and Albemarle Sound Policy #6, pg. IX-10	BENEFICIAL	BENEFICIAL	NEUTRAL	BENEFICIAL	BENEFICIAL
7. Development Design Standards, Policy #7, pg. IX-11	NEUTRAL	BENEFICIAL	NEUTRAL	NEUTRAL	NEUTRAL
8. Federal Properties and Programs, Policy	NEUTRAL	BENEFICIAL	NEUTRAL	BENEFICIAL	BENEFICIAL

#8, pg. IX-12					
9. Infrastructure, Policy #9, pg. IX-12	NEUTRAL	NEUTRAL	BENEFICIAL	NEUTRAL	NEUTRAL

**EXHIBIT IX-F (continued)**  
**KITTY HAWK, NORTH CAROLINA**  
**POLICY ANALYSIS MATRIX~**  
**TOWN POLICIES AS BENEFICIAL, NEUTRAL, OR DETRIMENTAL TO**  
**STATE MANAGEMENT TOPIC BENCHMARKS**

State Management Topics	Public Access	Land Use Compatibility	Infrastructure	Natural Hazards	Water Quality
<p><b>Benchmarks</b></p> <p>More planned access locations</p> <p>Upgrades to existing access locations</p> <p><b>Town Land Use and Development Policies</b></p>	<p>Reduction in habitat loss and fragmentation related to impacts of land use and development</p> <p>Reduction of water resource and water quality degradation</p>	<p>Water, sewer, and other key community facilities and services being available in required locations at adequate capacities to support planned community growth and development patterns</p>	<p>Land uses and development patterns that reduce vulnerability to natural hazards</p> <p>Land uses and development patterns that take into account the existing and planned capacity of evacuation infrastructure</p>	<p>Land use and development criteria and measures that abate impacts that degrade water quality</p>	
10. Intergovernmental Relations, Policy #10, pg. IX-13	NEUTRAL	BENEFICIAL	BENEFICIAL	NEUTRAL	NEUTRAL
11. Land Use Compatibility, Policy #11, pg. IX-14	NEUTRAL	BENEFICIAL	NEUTRAL	NEUTRAL	NEUTRAL
12. Natural Hazard Areas, Policy #12, pg. IX-15	NEUTRAL	BENEFICIAL	NEUTRAL	BENEFICIAL	BENEFICIAL
13. Parking and Loading/Off-Loading Areas, Policy #13, pg. IX-	NEUTRAL	NEUTRAL	BENEFICIAL	NEUTRAL	NEUTRAL

16					
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EXHIBIT IX-F (continued)  
KITTY HAWK, NORTH CAROLINA  
POLICY ANALYSIS MATRIX~  
TOWN POLICIES AS BENEFICIAL, NEUTRAL, OR DETRIMENTAL TO  
STATE MANAGEMENT TOPIC BENCHMARKS

State Management Topics	Public Access	Land Use Compatibility	Infrastructure	Natural Hazards	Water Quality
<p>Benchmarks</p> <p>More planned access locations</p> <p>Upgrades to existing access locations</p> <p>Town Land Use and Development Policies</p>	<p>Reduction in habitat loss and fragmentation related to impacts of land use and development</p> <p>Reduction of water resource and water quality degradation</p>	<p>Water, sewer, and other key community facilities and services being available in required locations at adequate capacities to support planned community growth and development patterns</p>	<p>Land uses and development patterns that reduce vulnerability to natural hazards</p> <p>Land uses and development patterns that take into account the existing and planned capacity of evacuation infrastructure</p>	<p>Land use and development criteria and measures that abate impacts that degrade water quality</p>	
14. Public Access, Policy #14, pg. IX-17	BENEFICIAL	NEUTRAL	NEUTRAL	NEUTRAL	NEUTRAL
15. Public Safety, Policy # 15, pg. IX-18	NEUTRAL	NEUTRAL	BENEFICIAL	NEUTRAL	NEUTRAL
16. Redevelopment, Policy #16, pg. IX-19	NEUTRAL	BENEFICIAL	BENEFICIAL	BENEFICIAL	NEUTRAL
17. Residential Development, Policy #17, pg. IX-20	NEUTRAL	BENEFICIAL	BENEFICIAL	BENEFICIAL	BENEFICIAL
18. Septic Tank					

Use, Policy #18, pg. IX-21	NEUTRAL	BENEFICIAL	BENEFICIAL	NEUTRAL	BENEFICIAL
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EXHIBIT IX-F (continued)  
KITTY HAWK, NORTH CAROLINA  
POLICY ANALYSIS MATRIX~  
TOWN POLICIES AS BENEFICIAL, NEUTRAL, OR DETRIMENTAL TO  
STATE MANAGEMENT TOPIC BENCHMARKS

State Management Topics	Public Access	Land Use Compatibility	Infrastructure	Natural Hazards	Water Quality
Benchmarks	More planned access locations  Upgrades to existing access locations	Reduction in habitat loss and fragmentation related to impacts of land use and development  Reduction of water resource and water quality degradation	Water, sewer, and other key community facilities and services being available in required locations at adequate capacities to support planned community growth and development patterns	Land uses and development patterns that reduce vulnerability to natural hazards  Land uses and development patterns that take into account the existing and planned capacity of evacuation infrastructure	Land use and development criteria and measures that abate impacts that degrade water quality
Town Land Use and Development Policies					
19. Sexually Oriented Businesses, Policy #21, pg. IX-21	NEUTRAL	NEUTRAL	NEUTRAL	NEUTRAL	NEUTRAL
20. Solid Waste Management, Policy #20, pg. IX-22	NEUTRAL	NEUTRAL	BENEFICIAL	NEUTRAL	NEUTRAL
21. Storm Water Management, Policy #21, pg. IX-22	NEUTRAL	BENEFICIAL	BENEFICIAL	BENEFICIAL	BENEFICIAL
22. Tourism,					

Policy #22, pg. IX-23	NEUTRAL	NEUTRAL	NEUTRAL	NEUTRAL	NEUTRAL
23. Transportation, Policy #23, pg. IX-23	NEUTRAL	NEUTRAL	BENEFICIAL	NEUTRAL	NEUTRAL

**EXHIBIT IX-F (continued)**  
**KITTY HAWK, NORTH CAROLINA**  
**POLICY ANALYSIS MATRIX~**  
**TOWN POLICIES AS BENEFICIAL, NEUTRAL, OR DETRIMENTAL TO**  
**STATE MANAGEMENT TOPIC BENCHMARKS**

State Management Topics	Public Access	Land Use Compatibility	Infrastructure	Natural Hazards	Water Quality
<p>Benchmarks</p> <p>Town Land Use and Development Policies</p>	<p>More planned access locations</p> <p>Upgrades to existing access locations</p>	<p>Reduction in habitat loss and fragmentation related to impacts of land use and development</p> <p>Reduction of water resource and water quality degradation</p>	<p>Water, sewer, and other key community facilities and services being available in required locations at adequate capacities to support planned community growth and development patterns</p>	<p>Land uses and development patterns that reduce vulnerability to natural hazards</p> <p>Land uses and development patterns that take into account the existing and planned capacity of evacuation infrastructure</p>	<p>Land use and development criteria and measures that abate impacts that degrade water quality</p>
24. Uses of and Activities in and on Ocean and Sound Waters, Policy #24, pg. IX-24	BENEFICIAL	NEUTRAL	NEUTRAL	NEUTRAL	BENEFICIAL
25. Water Quality, Policy #25, pg. IX-25	NEUTRAL	NEUTRAL	NEUTRAL	NEUTRAL	BENEFICIAL



EXHIBIT IX-G displays the Town's future land use classifications with respect to existing and future development (building) density and intensity estimates. EXHIBIT IX-H compares policies and future land use classifications with current Town zoning for consistency.

**EXHIBIT IX-G  
KITTY HAWK, NORTH CAROLINA  
FUTURE LAND USE MAP CLASSIFICATIONS EXISTING & FUTURE DEVELOPMENT (BUILDING) DENSITY AND  
INTENSITY ESTIMATES**

Future Land Use Category	Existing Development Density & Intensity (Estimate) (a. Average Units Per Acre) (b. Average Building Height) (c. Peak Seasonal Population) (d. Lot Coverage)	Current Water Usage (Estimate)**	Future Development Density & Intensity (Estimate)*** (a. Average Units Per Acre) (b. Average Building Height) (c. Peak Seasonal Population) (d. Lot Coverage)	Projected Water Usage (Estimate)****
Conservation Areas	a. N/A b. N/A c. N/A d. N/A	N/A	a. N/A b. N/A c. N/A d. N/A	N/A
Open Space & Public and Private Recreation Areas	a. N/A b. N/A c. N/A d. N/A	N/A	a. N/A b. N/A c. N/A d. N/A	N/A
Lower Density Residential Areas	a. 2 units/acre (15,000sq.ft.min.) b. 35 feet c. 6,000 people d. 30%	300,000 gallons per day	a. 2 units/acre (15,000sq.ft.min.) b. 35 feet c. 8,000 d. 30%	360,000 gallons per day
Medium Density Residential Areas	a. 4 units/acre (BR-2, VR-2) b. 35 feet c. 6,000 d. 30%	300,000 gallons per day	a. 4 units/acre (BR-2, VR-2) b. 35 feet c. 8,000 d. 30%	360,000 gallons per day
Higher Density Residential Areas	a. 4 units/acre (BR-3, VR-3*) b. 35 feet c. 6,000 d. 30%	300,000 gallons per day	a. 4 units/acre (BR-3, VR-3*) b. 35 feet c. 8,000 d. 30%	360,000 gallons per day
Commercial, Shopping, and Working Areas	a. N/A b. 35 feet***** c. N/A d. 60%	700,000 gallons per day	a. N/A b. 35 feet c. N/A d. 60%	900,000 gallons per day
Community Facilities Areas	a. N/A b. 35 feet c. N/A d. 60%	5,000 gallons per day	a. N/A b. 35 feet c. N/A d. 60%	5,000 gallons per day
Rights of Way, Easements, Canals, Ponds, Creeks, Etc.	a. N/A b. N/A c. N/A d. N/A	N/A	a. N/A b. N/A c. N/A d. N/A	N/A

**NOTES:**

\*Not including bonus density in VR-3, see Kitty Hawk Town Code.

\*\* Estimate based on approximately 3,000 total residential customers (1,000 customers per residential area designated) using 300 gallons per day each; 175 commercial customers using 4,000 gallons per day each; and, 10 community facilities customers using 500 gallons per day each.

\*\*\*20 year projection.

\*\*\*\*20 year estimate based on 3,600 total residential customers (1,000 customers per residential area designated) using 300 gallons per day each; 225 commercial customers using 4,000 gallons per day each; and, 10 community facilities customers using 500 gallons per day each.

\*\*\*\*\*An increased height was approved for a specific hotel development project in 2004.

**EXHIBIT IX-H  
KITTY HAWK, NORTH CAROLINA**

**POLICIES/FUTURE LAND USE CLASSIFICATIONS AND ZONING CONSISTENCY**

**ZONING DISTRICTS\***

<b>POLICY STATEMENTS AND FUTURE LAND USE CLASSIFICATIONS</b>	<b>BR</b>	<b>BC</b>	<b>BH</b>	<b>VR</b>	<b>VC</b>	<b>KHW</b>	<b>PCD</b>	<b>PUD</b>	<b>ETJ</b>	<b>MS-1</b>	<b>OSR</b>
POLICY #1a: Kitty Hawk will continue to regulate and support the management of oceanfront shoreline development to protect and preserve the natural and recreational resources along the oceanfront and will continue to acquire oceanfront properties as appropriate.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #1b: Kitty Hawk will adopt, enforce, and amend as necessary and appropriate ordinances and procedures to protect the Atlantic Ocean Shoreline.	GC	GC	GC	N/A	N/A	NA	GC	GC	GC	GC	GC
POLICY #1c: Kitty Hawk supports applicable State and Federal laws and regulations regarding building, land uses, and development in areas of environmental concern.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #1d: Kitty Hawk will review, comment, advocate, or oppose any proposed regulations or programs that may affect the regulation of ocean shoreline areas of environmental concern.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #1e: Kitty Hawk does not support the continuous replacement of septic tanks on ocean front lots that do not meet the minimum standards as set forth in the Town Code and the Coastal Area Management Act and its appurtenant regulations.	GC	GC	GC	N/A	N/A	N/A	GC	GC	GC	GC	GC
POLICY #1f: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #2a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate beach driving.	GC	GC	GC	N/A	N/A	N/A	GC	GC	GC	GC	GC
POLICY #2b: Kitty Hawk regulates the use of off-road vehicles within its borders. The Town prohibits driving on its beaches, except by emergency vehicles during emergency situations, by commercial fishermen for setting and retrieving nets, and during special events approved by Town Council.	GC	GC	GC	N/A	N/A	N/A	GC	GC	GC	GC	GC
POLICY #3a: Kitty Hawk will continue to participate in beach nourishment projects and supports beach nourishment as the preferred shoreline management alternative along the ocean beach. (See additional policy language on page IX-8.)	GC	GC	GC	N/A	N/A	N/A	GC	GC	GC	GC	GC
POLICY #3b: Kitty Hawk will support cooperative efforts between Town, State, and Federal agencies to acquire oceanfront lots that cannot be built on.	GC	GC	GC	N/A	N/A	N/A	GC	GC	GC	GC	GC

<b>POLICY STATEMENTS AND FUTURE LAND USE CLASSIFICATIONS</b>	<b>BR</b>	<b>BC</b>	<b>BH</b>	<b>VR</b>	<b>VC</b>	<b>KHW</b>	<b>PCD</b>	<b>PUD</b>	<b>ETJ</b>	<b>MS-1</b>	<b>OSR</b>
POLICY #4a: Kitty Hawk, through its zoning ordinance, will continue to direct the placement of commercial development in areas zoned for such activities.	GC	GC	GC	GC	GC	N/A	GC	GC	N/A	GC	GC
POLICY 4b: Kitty Hawk encourages the continued existence and development of locally owned businesses and encourages commercial building designs, color designs, and construction materials and methods that reflect Kitty Hawk's coastal village character.	N/A	GC	N/A	N/A	GC	N/A	GC	GC	N/A	GC	GC
POLICY 4c: Kitty Hawk does not support, and will use its zoning ordinance to prevent, the recruitment or siting of traditional, heavy manufacturing-type industrial development within its borders-especially off-shore drilling and support industries.	N/A	GC	N/A	N/A	GC	N/A	GC	GC	GC	GC	GC
POLICY #4d: Kitty Hawk supports the provision of traditional recreational facilities within its borders; but does not support, promote, or encourage outdoor uses such as (but not limited to) amusement parks, carnivals and carnival rides, or go-cart, motorcycle, or terrain vehicle tracks or any other similar uses. The Town does not support the promotion or encouragement of commercialized horse activities and/or the use of the Town roads and rights-of-way, lands, and public beaches by non-resident horsepersons. The Town does not support the encouragement or promotion of any commercial activities which include nudity, semi-nudity, pornographic materials, mud wrestling, and similar activities and will use its zoning ordinance to prohibit such activities.	GC	GC	GC	GC	GC	N/A	GC	GC	N/A	GC	GC
POLICY #4e: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #4f: Kitty Hawk will continue to regulate building intensity and oversized structures by enforcing, and amending as necessary, the zoning ordinance. The zoning ordinance regulates building intensity factors such as building height, lot coverage, and building setback(s) for commercial and residential building development. The ordinance also specifies maximum and minimum building sizes for commercial buildings.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #5a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures (including the sign ordinance) to regulate and improve community appearance.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC

<b>POLICY STATEMENTS AND FUTURE LAND USE CLASSIFICATIONS</b>	<b>BR</b>	<b>BC</b>	<b>BH</b>	<b>VR</b>	<b>VC</b>	<b>KHW</b>	<b>PCD</b>	<b>PUD</b>	<b>ETJ</b>	<b>MS-1</b>	<b>OSR</b>
POLICY #5b: Kitty Hawk supports local identification, recognition, and protection of cultural and historical resources. Through the development review process, the Town will encourage landscaping and landscaping features maintenance throughout the Town's commercial areas; and, use concepts such as maximum lot coverage percentages and open space requirements to maintain Kitty Hawk's low density and intensity coastal village image.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #6a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate land use, development, and redevelopment along and adjacent to the Currituck Sound, Kitty Hawk Bay, and Albemarle Sound. The Town supports applicable State and Federal laws and regulations regarding building, land uses, and development in areas of environmental concern.	N/A	N/A	N/A	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #6b: Kitty Hawk supports continued management of the Currituck Sound, Kitty Hawk Bay, and Albemarle Sound shorelines to protect and preserve the natural resources of the water and shoreline, relying primarily on the CAMA permit program and the Areas of Environmental Concern (AEC) designated under the CAMA program.	N/A	N/A	N/A	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #6c: Kitty Hawk will review, comment, advocate, or oppose any regulations or programs that may affect the regulation of estuarine waters and/or the estuarine shoreline.	N/A	N/A	N/A	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #6d: Kitty Hawk supports the construction of properly permitted estuarine bulkheads. (See additional policy language on page IX-10.)	N/A	N/A	N/A	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #6e: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #7a: Kitty Hawk supports the concept of development design standards.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #7b: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #8a: Kitty Hawk supports applicable Federal laws and regulations regarding land uses and development in areas of environmental concern. Additional Federal regulatory programs or expansion of existing programs will be reviewed on a case by case basis.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC

<b>POLICY STATEMENTS AND FUTURE LAND USE CLASSIFICATIONS</b>	<b>BR</b>	<b>BC</b>	<b>BH</b>	<b>VR</b>	<b>VC</b>	<b>KHW</b>	<b>PCD</b>	<b>PUD</b>	<b>ETJ</b>	<b>MS-1</b>	<b>OSR</b>
POLICY #8b: Kitty Hawk will support, oppose, review, or comment on additional regulations that may impact the Town and its economy. Local public hearings by Federal or State agencies should be extensively advertised and conducted in Dare County – preferably in Kitty Hawk – before any new regulations are adopted or existing programs are expanded.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #9a: Kitty Hawk will provide or support the provision of public systems and services at appropriate levels adequate to meet the needs of residents and visitors.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #10a: Kitty Hawk will work to improve intergovernmental relations and cooperative, multi-jurisdictional efforts to solve regional and area problems by sharing information with its neighbors and interacting with local, State, and Federal governmental agencies and officials.	N/A	N/A	N/A	N/A	N/A	GC	N/A	N/A	N/A	N/A	N/A
POLICY #10b: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #11a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate land use, development, redevelopment, and to protect the unique character of the Town and supports applicable State and Federal laws and regulations regarding land uses and development in areas of environmental concern.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #11b: Kitty Hawk does not support mining or mining related activities such as stockpiling or transfer activities involving mined materials within its borders. The Town does not support the placement of additional electric generating plants within its borders nor does it support inshore or outer continental shelf exploration or the placement of refineries, storage facilities, or transshipment facilities within its borders or adjacent thereto. The Town does not support either the siting of a landfill or a refuse transfer station within its borders.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #11c: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #11d: Kitty Hawk will maintain the pattern of current development specifically low density residential (no more than 4 dwelling units per acre) and small scale commercial development with provisions for discretionary review of large scale commercial development.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC

<b>POLICY STATEMENTS AND FUTURE LAND USE CLASSIFICATIONS</b>	<b>BR</b>	<b>BC</b>	<b>BH</b>	<b>VR</b>	<b>VC</b>	<b>KHW</b>	<b>PCD</b>	<b>PUD</b>	<b>ETJ</b>	<b>MS-1</b>	<b>OSR</b>
POLICY #12a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate land use, development, and redevelopment in and adjacent to natural hazard areas. The Town supports applicable State and Federal laws and regulations regarding land uses and development in areas of environmental concern.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #12b: Kitty Hawk supports CAMA regulations as applicable and also the U.S. Army Corps of Engineers in its enforcement of regulations pertaining to "404 Wetlands" with the exception of the Corps' allowance of mitigation measures to be undertaken on sites outside of Town when filling is allowed within the Town.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #12c: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #12d: Kitty Hawk encourages the use of pervious materials and new technologies that provide for safe and efficient driveway and parking areas and that appropriately address storm water runoff areas.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #12e: Kitty Hawk supports State and Federal policies that regulate the location and intensity of development in State designated areas of environmental concern.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #12f: Kitty Hawk will discourage inappropriate development by limiting residential and commercial development density, structure size and development intensity.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #12g: Kitty Hawk will allow development and redevelopment within special flood hazard areas subject to the provisions and requirements of the National Flood Insurance Program, CAMA regulations, and the Town's zoning ordinance.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #12h: Kitty Hawk will adopt and periodically update a Hazard Mitigation Plan that addresses the Town's natural hazards and meets the requirements of the NC Division of Emergency Management and the Federal Emergency Management Agency.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #12i: Kitty Hawk supports efforts and programs to maintain or improve the Community Rating System (CRS) score to make the Town safer from flood risks and reduce premiums for Federal Flood Insurance.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC



<b>POLICY STATEMENTS AND FUTURE LAND USE CLASSIFICATIONS</b>	<b>BR</b>	<b>BC</b>	<b>BH</b>	<b>VR</b>	<b>VC</b>	<b>KHW</b>	<b>PCD</b>	<b>PUD</b>	<b>ETJ</b>	<b>MS-1</b>	<b>OSR</b>
POLICY #12j: Kitty Hawk will take actions locally and in conjunction with NCDOT and adjacent jurisdictions to improve traffic safety and drainage to mitigate the impact of localized flooding and seek alternative methods of hazard avoidance.	GC	GC	GC	GC	GC	GC	GC	GC	N/A	GC	GC
POLICY #12k: Kitty Hawk will consider adoption of overlay districts to regulate uses and activities in and on the Atlantic Ocean and Currituck Sound to address the impacts of development and redevelopment and uses on natural features to avoid introduction of hazards to these sensitive environmental resources.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #13a: Kitty Hawk will utilize its zoning ordinance to require the provision of well designed, properly marked and designated, and functional parking and loading/off-loading areas.	N/A	GC	GC	N/A	GC	N/A	GC	GC	N/A	GC	GC
POLICY #14a: Kitty Hawk will provide and continue to seek public access opportunities to beaches and public trust waters and supports the development of additional State funded shoreline accesses.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #14b: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #14c: Kitty Hawk will develop and implement a shoreline access plan which will address local criteria for the frequency and type of access facilities needed, that will provide public access for all segments of the community, including persons with disabilities. The Town's plan will establish access criteria for beach areas targeted for nourishment.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #14d: Kitty Hawk will seek opportunities, including memorandums of understanding, easements, and deeded property, for beach access(s).	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #15a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to ensure public safety. The Town supports State and Federal laws and regulations and the enforcement of criminal statutes.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #16a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate redevelopment. The Town supports applicable State and Federal laws and regulations regarding building, land uses, and development.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC

<b>POLICY STATEMENTS AND FUTURE LAND USE CLASSIFICATIONS</b>	<b>BR</b>	<b>BC</b>	<b>BH</b>	<b>VR</b>	<b>VC</b>	<b>KHW</b>	<b>PCD</b>	<b>PUD</b>	<b>ETJ</b>	<b>MS-1</b>	<b>OSR</b>
POLICY #16b: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #16c: Kitty Hawk will continue to regulate building intensity and oversized structures by enforcing, and amending as necessary, the zoning ordinance. The zoning ordinance regulates building intensity factors such as building height, lot coverage, and building setback(s) for commercial and residential building development. The ordinance also specifies maximum and minimum building sizes for commercial buildings.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #17a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate residential development and redevelopment. The Town supports applicable State and Federal laws and regulations regarding building, land uses, and development.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #17b: Detached residential structures are the preferred type of residential land use in Kitty Hawk.	GC	N/A	N/A	GC	N/A	N/A	GC	N/A	N/A	N/A	N/A
POLICY #17c: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #17d: Kitty Hawk will continue to regulate building intensity and oversized structures by enforcing, and amending as necessary, the zoning ordinance. The zoning ordinance regulates building intensity factors such as building height, lot coverage, and building setback(s) for commercial and residential building development. The ordinance also specifies maximum and minimum building sizes for commercial buildings.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #18a: Kitty Hawk recognizes the use of individual on-site sewage treatment as the primary method of wastewater treatment in Kitty Hawk and will continue to utilize the Dare County Health Department to regulate (permit and monitor) systems. Package treatment plants should be considered only when natural conditions prohibit the use of septic systems, as remedial efforts to correct existing failing septic improvements, or if required by ordinance and should be constructed to serve a specific development without excess capacity for off-site wastewater treatment connections. Maintenance of privately owned package treatment plants should be supervised by the NC Utilities Commission or other public agencies. (See additional policy language on page IX-21.)	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC

<b>POLICY STATEMENTS AND FUTURE LAND USE CLASSIFICATIONS</b>	<b>BR</b>	<b>BC</b>	<b>BH</b>	<b>VR</b>	<b>VC</b>	<b>KHW</b>	<b>PCD</b>	<b>PUD</b>	<b>ETJ</b>	<b>MS-1</b>	<b>OSR</b>
POLICY #19a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to prohibit or regulate sexually oriented businesses.	N/A	GC	GC	N/A	GC	N/A	GC	N/A	N/A	GC	GC
POLICY #20a: Kitty Hawk will: continue to use contracted solid waste collection and disposal; participate in a regional solid waste authority; and, continue voluntary recycling efforts. Additional programs for hazardous materials disposal and large item pick-ups are also supported and will be utilized.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #21a: Kitty Hawk is committed to minimizing and mitigating the effects of storm water drainage and to implementing a comprehensive approach to storm water management. The Town supports the concept of ocean outfalls as a means to remove storm water from low lying areas. (See additional policy language on page IX-22.)	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #22a: Kitty Hawk recognizes the vital importance of tourism to the local economy and supports efforts to maintain its status as a desirable place to visit and vacation. The Town also recognizes the need to address the infrastructure and service demands of the seasonal populations that may occur.	N/A	GC	GC	N/A	GC	N/A	GC	GC	N/A	N/A	GC
POLICY #22b: Kitty Hawk supports the concept of combining natural resources and tourism to promote the area's ecological values, known as "eco-tourism" and supports passive recreation activities such as biking and walking/jogging.	N/A	GC	GC	N/A	GC	N/A	GC	GC	N/A	N/A	GC
POLICY #23a: Kitty Hawk supports the construction of a mid-Currituck County bridge and the continued maintenance and protection of NC 12 through Kitty Hawk.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #23b: Kitty Hawk encourages intergovernmental cooperation with other Outer Banks municipalities and Dare County to study of the transportation needs of Kitty Hawk and the region.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #23c: Kitty Hawk shall not be responsible for the cost of maintaining or repairs to privately owned streets. Experimental programs sponsored by the State to maintain private roads are supported.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #24a: Kitty Hawk will continue to adopt, enforce, and amend as necessary ordinances and procedures to regulate uses of and activities in and on the Atlantic Ocean and Currituck Sound.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC

<b>POLICY STATEMENTS AND FUTURE LAND USE CLASSIFICATIONS</b>	<b>BR</b>	<b>BC</b>	<b>BH</b>	<b>VR</b>	<b>VC</b>	<b>KHW</b>	<b>PCD</b>	<b>PUD</b>	<b>ETJ</b>	<b>MS-1</b>	<b>OSR</b>
POLICY #24b: Kitty Hawk supports the construction and operation of properly permitted marinas but does not support the location of floating homes within its borders or its Extraterritorial Jurisdiction (ETJ) area. Proposals for dry stack storage facilities will be evaluated on a case by case basis.	N/A	GC	GC	N/A	GC	N/A	GC	GC	GC	GC	GC
POLICY #24c: Kitty Hawk does not support the placement of additional electric generating plants within its borders nor does it support inshore or outer continental shelf exploration or the placement of refineries, storage facilities, or transshipment facilities within its borders or adjacent thereto.	N/A	GC	N/A	N/A	GC	N/A	GC	GC	GC	GC	GC
POLICY #24d: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #25a: Kitty Hawk will use its zoning ordinance, flood damage prevention ordinance, environmental control ordinance, and soil erosion and sedimentation control ordinance to protect water quality.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #25b: Kitty Hawk will continue to promote the protection and improvement of water quality by adopting, enforcing, and amending as necessary ordinances and procedures to regulate land use, development, and redevelopment as appropriate in natural hazard areas and areas of environmental concern. The Town supports applicable State and Federal laws and regulations regarding building, land uses, and development in areas of environmental concern.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #25c: Kitty Hawk does not support the point source discharge of wastewater into the waters of the Currituck Sound, Kitty Hawk Bay, Atlantic Ocean, or any stream, ditch, canal, or water body(s) within its borders.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #25d: Kitty Hawk will review and analyze development and redevelopment proposals for consistency with the future land use map included in this land use plan.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #25e: Kitty Hawk will create landscaping provisions in Town ordinances to create vegetative buffers to assist in improvements of water quality.	GC	GC	GC	GC	GC	N/A	GC	GC	GC	GC	GC
POLICY #25f: Kitty Hawk will consider adoption of local erosion and sedimentation control, filling, and grading regulations to address and control adverse effects on water quality.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC

<b>POLICY STATEMENTS AND FUTURE LAND USE CLASSIFICATIONS</b>	<b>BR</b>	<b>BC</b>	<b>BH</b>	<b>VR</b>	<b>VC</b>	<b>KHW</b>	<b>PCD</b>	<b>PUD</b>	<b>ETJ</b>	<b>MS-1</b>	<b>OSR</b>
POLICY #25g: Kitty Hawk will undertake a comprehensive storm water management program that controls the amount and quality of storm water runoff that is consistent with maintaining and enhancing water quality in the Ocean and Sound.	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
POLICY #25h: Kitty Hawk will ensure that land use and development regulations are consistent with the proper management of water resources and applicable State and Federal development regulations	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
<b>FUTURE LAND USE CLASSIFICATION – CONSERVATION AREAS</b>	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
<b>FUTURE LAND USE CLASSIFICATION – OPEN SPACE AND PUBLIC AND PRIVATE RECREATION AREAS</b>	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
<b>FUTURE LAND USE CLASSIFICATION – LOWER DENSITY RESIDENTIAL AREAS</b>	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
<b>FUTURE LAND USE CLASSIFICATION – MEDIUM DENSITY RESIDENTIAL AREAS</b>	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
<b>FUTURE LAND USE CLASSIFICATION – HIGHER DENSITY RESIDENTIAL AREAS</b>	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
<b>FUTURE LAND USE CLASSIFICATION – COMMERCIAL, SHOPPING, AND WORKING AREAS</b>	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
<b>FUTURE LAND USE CLASSIFICATION – COMMUNITY FACILITIES AREAS</b>	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC
<b>FUTURE LAND USE CLASSIFICATION – RIGHTS OF WAY, EASEMENTS, CANALS, PONDS, CREEKS, ETC.</b>	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC	GC

**KEY: Zoning Districts:**

**\*Some of the zoning district designations used for this exhibit represent groupings of similar, but different zoning districts as explained below.**

- BR includes:** **BR-1** Low Density Beach Residential; **BR-2** Medium Density Beach Residential; and, **BR-3** High Density Beach Residential
- BC includes:** **BC-1** General Beach Commercial; **BC-2** Beach Commercial; and **BC-3** Community Shopping Mall
- BH includes:** **BH** Beach Hotel and **BH-2** Beach Hotel-2
- VR includes:** **VR-1** Low Density Village Residential; **VR-2** Medium Density Village Residential; and, **VR-3** High Density Village Residential
- VC includes:** **VC-1** Village Commercial; **VC-2** Commercial; and, **VC-3** Village Commercial
- KHW:** Kitty Hawk Woods
- PCD:** Planned Commercial Development (Overlay District)
- PUD:** Planned Unit Development (Overlay District)
- ETJ:** Extra Territorial Jurisdiction
- MS-1:** Medical Emergency and Government Services
- OSR:** Open Space and Recreation

**Relationship/consistency determination –**

**GC** – general consistency    **CC** – conditionally consistent    **I** – inconsistent    **N/A** – Not Applicable

## Chapter V: Land Use and Development

The analysis of land use and development provides the Town with a snapshot of current land use patterns, an assessment of emerging development trends, and a forecast of the location of future development, given current trends. Existing land use is a major part of the foundation upon which land use policies and the future land use maps are built. The land use information developed in the part of the plan serves several purposes. Some of these include helping develop policies that address land use conflicts; establishing relationships between land use and development and water quality; identifying areas where land use is in transition; and identifying areas where in-fill development or redevelopment are feasible.

### A. Existing Land Use

The pattern of development in Kitty Hawk is a mixture of resort beach and traditional Outer Banks village. Kitty Hawk Village and Kitty Hawk Beach are two distinctly identifiable parts of the Town. Both Village and Beach are characterized by low to medium-densities, single-family residential development served by small businesses.

As in most communities, detached, single-family homes constitute the greatest share of development in Kitty Hawk. Densities in Kitty Hawk Beach are somewhat higher than in Kitty Hawk Village, a result of the area's attractiveness for tourist and retirement homes. Most of the Beach's homes are only occupied seasonally. Kitty Hawk Village is an easily-defined cluster of homes and other buildings that lies away from the ocean along Kitty Hawk Road and side roads leading south toward Kitty Hawk Bay. Most of the Village's homes are occupied year round. Newer subdivisions are found along Currituck Sound and in Kitty Hawk Woods.

Commercial uses are interspersed throughout the residential areas, with the major businesses concentrated along NC 12 and US 158. The rest are scattered throughout Kitty Hawk Village. Except for an asphalt plant, a concrete plant and a stone, soil, and sand supplier, the businesses are primarily small, independent operations that serve the needs of year round residents and summertime visitors. Occasionally, land use compatibility problems are witnessed as interspersed commercial and residential uses come into conflict. The use of buffers is seen as an acceptable means of minimizing such conflicts, as are regulations governing outdoor displays. In a similar manner, public/semi-public/institutional/community facilities uses are scattered throughout the

community, as are churches and a cemetery. Kitty Hawk is still home to several cottage courts and travel trailer parks.

Kitty Hawk has no agricultural, forestry, or confined animal feeding operations. There is no industrial zoned property in Kitty Hawk. There is an asphalt plant within one of the Town's commercial zones. Use conflicts between this use and some surrounding residential landowners have been expressed to Town officials. Dominion North Carolina Power has an electric generating facility in Kitty Hawk. No use conflicts have been expressed to Town officials.

Much land in Kitty Hawk remains undeveloped. As of May 2003, Dare County reports some 950 parcels of land in Town (including publicly held parcels) remain vacant. This total represents about 26% of the 3,704 parcels in Town. The estimated total acreage of undeveloped/vacant lands is about 2,500 acres.

Conservation areas account for 1,300 acres of Kitty Hawk's 5,248 total acres. Kitty Hawk Woods, a vast maritime forest, is near the physical center of the Town, accounting for nearly all of the conservation acres reported. Kitty Hawk Woods is significant in that it contains a wider variety of species than either Nags Head or Buxton Woods and includes species not observed again until 100 miles inland. Grassy marshes and forested swamps occupy much of the area of the southwestern corner of the Town. There are also significant undeveloped stretches of back dunes west of US 158.

## 1. Land Use Categories

CAMA guidelines require the collection of data on existing land uses and the provision of a map of the land use categories and activities. EXHIBIT V-A (page V-3) shows the land use categories applicable to Kitty Hawk and EXHIBIT V-B (page V-4) shows the existing land uses and locations of community facilities in Kitty Hawk.

While there are locally important historic sites and buildings in Town, there are no historic, cultural, and scenic areas that are designated by a local, State, or Federal agency within Kitty Hawk. The Town, through Dare County, has prepared a map exhibit showing some locally important sites. The map exhibit is included as APPENDIX 1.

## 2. Land Area Allocated to Each Land Use



Exhibit V-C (page V-6) estimates the number of acres and the percentage of the Town's total acres allocated to each of the land use categories. This also shows an estimate of the total acres per person in each category based on the Town's 2001 (State) estimated permanent population of 3,116 persons.

**EXHIBIT V-A  
 KITTY HAWK, NORTH CAROLINA  
 EXISTING LAND USE CATEGORIES**

Existing Land Use Category

Land Use Activities

Residential - Single Family Detached	Single family residential structures
Residential - Duplexes	Two-family residential structures
Residential - Multi Family	Apartments, condominiums, town houses
Commercial	General and specialty retail, convenience stores, paving, building, and industrial supplies, personal services, professional services and offices, and mixed uses, motels and hotels, bed and breakfast establishments
Public/Semi-public/ Institutional/Community Facilities	Publicly held lands, public buildings and sites
Trailer Park	Travel trailer campgrounds and parks, mobile/manufactured home parks

Church/Cemetery	Places of worship, burial parks
Conservation	Lands held for the purpose of conserving their natural state
Undeveloped/Vacant	Land in an idle state and not used for any open-space function
Beach Access	Town owned public beach access

EXHIBIT V-B  
KITTY HAWK, NORTH CAROLINA  
EXISTING LAND USE AND COMMUNITY FACILITIES

**EXHIBIT V-C  
KITTY HAWK, NORTH CAROLINA  
EXISTING LAND USE TABULATIONS (ESTIMATE)**

Land Use Category	# of Acres*	% of Total	Persons per Acre
Residential – Single Family Detached	1,052	20.1%	2.96
Residential – Duplexes	17	0.3%	183.3
Residential – Multi-family	102	1.9%	30.5
Commercial	221	4.2%	14.1
Public/Semi public/ Institutional/Community Facilities	76	1.4%	41.0
Trailer Parks	17	0.3%	183.3
Church/Cemetery	27	0.5%	115.4
Conservation	1,900	36.0%	1.6
Undeveloped/Vacant**	1,836	35.0%	1.7
Beach Access	N/A	N/A	N/A
<b>TOTALS</b>	<b>5,248</b>	<b>100%</b>	<b>.59%</b>

\*Estimate.

\*\*Includes approximately 250 acres devoted to roadway rights of way and

easements.

### 3. Land Use Conflicts and Land Use-Water Quality Conflicts

Existing land use conflicts and existing land uses that have negative impacts on water quality are deemed minimal in Kitty Hawk. In Kitty Hawk, there are no hazardous operations in close proximity to heavily developed areas, although the proximity of the asphalt plant and the concrete plant to some nearby residential uses have contributed to some land use compatibility issues and conflicts. There are no blighted areas, and the Town's public accesses are clearly delineated and existing residential development does not impact on this type of public use. While there is development in flood hazard areas--the norm in coastal regions--structures are required to be elevated and are generally constructed so as to better withstand the effects of storm events. The vast majority of land in Kitty Hawk has been platted and is zoned for residential development. The Town relies on the Dare County Health Department to ensure proper placement and construction of septic tank drain field systems. During the development of this land use plan update, the Town developed a large structure ordinance coordinating building size with lot size.

#### B. Development Trends and Projected Development Areas

Current development trends in Kitty Hawk are expected to continue during the next five years. Most notable is the trend toward redevelopment of properties which is expected to continue at a brisk pace. Remaining platted and developable lots are dispersed throughout the Town so there is not one area that will likely see a majority of development activity. The trend to develop subdivisions with less than ten lots on the isolated parcels remaining throughout Town will likely continue as well.

#### C. Projections of Future Land Needs

Kitty Hawk's population is projected to grow to about 3,326 people by 2005. By 2010, the Town's population is projected to be about 3,660 persons. By 2020, the Town will have about 4,285 persons. The seasonal population is projected to grow as well throughout the planning period. The permanent peak plus permanent population in Kitty Hawk is estimated to be about 16,000 people. The Dare County Carrying Capacity Study Final Report (Booz, Allen & Hamilton, Inc. 1986) projected

the Town's peak plus permanent population in 2001 would be between 15,144 people and 17,076 people.

There is sufficient vacant land and land that could potentially be redeveloped in Town to meet the demands anticipated for the planning period. As of August 25, 2004, the Dare County Tax Department reports that there are 985 platted, but un-built upon lots in Kitty Hawk. Of this total, 844 are privately owned. The lots are dispersed throughout Kitty Hawk. Kitty Hawk still contains a significant amount of acreage that has not been platted into lots. However, much of the land in the southwest quadrant of Town is wetlands and as noted previously, vast tracts making up the Kitty Hawk Woods natural area has been given over to government protection and restriction through a conservation easement.

Conversions of vacation (seasonal use) housing to year round use will likely continue and thus could accommodate a part of the population growth anticipated. Based on Census 2000 figures, 51.7% of housing units in Kitty Hawk were vacant (seasonal use) while only 48.3% were occupied. Anticipated conversions of seasonal housing to permanent occupancy and the development of remaining platted and zoned lots and tracts will more than accommodate the populations projected in Kitty Hawk for the ensuing 5, 10, and 20 year periods. The amount of commercially zoned land in Kitty Hawk is also deemed adequate to meet the projected populations for the planning period.

## Chapter VI: Town Facilities

The analysis of community facilities provides the Town with basic information about major types of public systems such as public water supplies, streets and roads, and storm water management structures. These facilities have been termed growth shapers for the role that they play in local land development. Infrastructure, whether built by the Town, other governmental entities, or private entities, can have a major influence on local growth and development. In addition, the Town's policies for the operation, maintenance, extension, and development of facilities can have a major impact on the Town's natural environment and its fiscal situation.

The Coastal Resources Commission's Land Use Management Topics recognize the importance of infrastructure in the location and timing of land development. The management goal of the Infrastructure Carrying Capacity management topic is to ensure that public infrastructure systems are appropriately sized, located, and managed so that the quality and productivity of areas of environmental concern and other fragile areas are restored and protected.

The Infrastructure Carrying Capacity management topic requires the land use plan update to identify or establish service area boundaries for existing and planned infrastructure. This requirement focuses on water, sewer, and roads. In addition, the future land use map categories which will be developed as a part of this land use plan update must be correlated with existing and planned infrastructure.

Utilities and services in and provided to Kitty Hawk are deemed adequate to meet the current normal needs of the citizens. Potable water and wastewater is discussed later in this chapter as are the transportation system and design capacities and utilization of community facilities which include: recreation and beach areas, police protection, emergency medical services, fire fighting, solid waste, schools, libraries, and public health. Community facilities (Town-owned and otherwise) are shown on EXHIBIT V-B in the preceding chapter.

### A. Water Supply and Wastewater Treatment Systems

Kitty Hawk receives its potable water from the Dare County water system. Potable water is available to all areas in Town. As of 2003, there were 2,218 residential customers and 167 commercial customers in Kitty Hawk.

The three primary water sources that feed the Dare County system are:

- Deep wells in Skyco on Roanoke Island
- Fresh Pond; and,
- Reverse Osmosis Plant

Quantity issues with respect to the water supply for Kitty Hawk are not pressing. Other issues related to the water system serving the Town include looping of water lines and the enhancement of fire fighting capabilities along US 158.

The Dare County Regional Water System supplies water to Kitty Hawk. Through water lines in place throughout the Town, water service is, or can be made available to all parts of Kitty Hawk. The Dare County system has ample capacity to serve the Town's current and projected needs. The system is being upgraded from three (3) million gallons per day to five (5) million gallons per day. The number of wells supplying water to the system is being increased from 10 wells to 14 wells. Demands on the system will not exceed 80% of available supply before the year 2020. APPENDIX 2 is a map showing the Dare County Water System serving Kitty Hawk.

According to the Dare County Local Water Supply Plan (02/26/01), the County currently has a well head protection plan. There are no wells producing water for the Dare County system located in Kitty Hawk.

Future community facilities and utilities needs anticipated as the result of projected growth will be adequately met during the planning period by the Dare County Water System and other utility providers. Systems are capable of meeting the needs of the seasonal peaks in population and visitors Kitty Hawk and other Outer banks localities experience. Off-peak seasonal demands are normally easily met by existing systems.

Nearly all of the homes and businesses in Kitty Hawk rely on septic tank and drain field systems to treat and dispose of wastewater. While under good conditions, such systems are perfectly adequate, Kitty Hawk's natural environment presents enough hazards to the proper functioning of septic systems that their use must be carefully monitored. Most of the soils in the Town are not well-suited for septic tanks and drain fields. Periodic high water tables in certain areas can block the proper percolation of wastewater throughout the soil and can lead to the contamination of estuarine waters. In addition, placing septic systems too close to wells creates a threat to human health. The Dare County Health Department is responsible for overseeing and permitting the use of septic systems in Kitty Hawk; in doing so, 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 cover the design and location of septic tanks and drain fields. The standards are currently adequate to meet Kitty Hawk's needs and concerns.

In addition to septic systems, package treatment plants are gaining popularity in North Carolina's coastal communities. Such plants are usually constructed and maintained by developers to service commercial and condominium projects. Currently, there are two package treatment plants in Kitty Hawk serving the Shore Side Center and Barrier Island respectively. The Dare County Health Department (Environmental Health Division) inspected both systems in spring 2004. The Barrier Island system was functioning properly. The Shore Side Center system required some repair and maintenance work which was performed and was in fall 2004. No degradation of water quality was noted and the systems pose no threat to the public.

Unless a package treatment plant is properly maintained and continuously monitored, it can easily break down, inconvenience the property owners who depend on it, and threaten public health. An improperly managed plant can also become a financial liability to the Town if the developer or homeowners abdicate responsibility for operating it. The Town will avoid these problems by not allowing such plants or obtaining financial and legally binding assurances from developers and homeowners associations that package treatment plants will be properly managed and maintained. No public sewer exists in Kitty Hawk and no such system is planned.

## B. Transportation Systems

The North Carolina Department of Transportation (NCDOT) maintains the major highways within the Town and routinely develops plans for system improvements. The Town is committed to a policy of maintaining local streets. In Kitty Hawk, several different classifications of roads afford vehicular movement in and through the Town. As of July 2004, there were a total of 21.02 miles of local streets in Kitty Hawk with an average width of not less than 16 feet. Of this total, there were 1.18 miles of soil, stone, or gravel type surfaced local streets. In addition, there were 4.27 miles of local streets with an average width of less than 16 feet in Town. The State primary and secondary systems in Town consist of 19.67 total miles. The Town utilizes funds received through the NCDOT through the Street Aid Allocation Program to maintain the public roads that are not maintained by NCDOT directly.



North Carolina Department of Transportation (NCDOT) representatives with the Edenton Residency Office indicated that there have been no determinations of roadway segments that have an unacceptable level of service in Kitty Hawk.

There are several State roads in Town that could provide access to Currituck Sound, Kitty Hawk Bay, and along some canals for expanded recreational opportunities. These areas offer limited recreation at the present time. However, with good planning, they could become tremendous assets to the community. They could support a variety of recreational activities including small parks, picnic facilities, boat ramps, wading and swimming areas, and crabbing and fishing areas. In some areas, periodic dredging of the Sound and Bay may be necessary to enable even small craft to adequately reach them from the canals, streams, and shores of Kitty Hawk.

Given the unpredictability of storm events and variations in usage, transportation system demands anticipated for the planning period may become more problematic and may not be adequately met by the existing system. Although development patterns along US 158, the main evacuation route for Kitty Hawk and many other Outer Banks communities, are well established, the Town remains cognizant of the facility's importance. During the planning process, several concepts were generally discussed relative to the transportation system. US 158 figured prominently in these discussions. Many of the concepts were developed into objective statements (Chapter IX Plan for the Future) including:

- Support the construction of a mid-Currituck County bridge.
- Support efforts to improve the intersection of US 158 and NC 12 (Duck Road) at Kitty Hawk and Southern Shores.
- Lobby for maintaining and protecting NC 12 in its present configuration through Kitty Hawk.
- Ensure that the North Carolina Department of Transportation provides appropriate and timely levels of service with respect to storm water drainage issues within Kitty Hawk.
- Consider proposals to provide a public transportation system in the region which would serve Kitty Hawk.
- Encourage the provision of reverse frontage for residential lots adjoining US 158.
- Study methods and alternatives to improve and maintain private, unimproved ways such as alleys and have them accepted into the road maintenance system.
- Encourage inter-parcel connections between commercial lots adjoining US 158.

Planned system improvements both at the local and inter-jurisdictional levels must be accelerated. Some long range planning for alternate evacuation routes for residents located in the Bay Drive area has already occurred. For example, the Town can open the Moore Shore Road/Wright brothers Multi-use Path for emergency evacuation.

Most of Kitty Hawk's major transportation system needs and impacts are the result of growth in the region. The US 158/NC12 intersection at the Kitty Hawk/Southern Shores boundary is a prime example. The construction of a mid-Currituck County would ease traffic congestion greatly.

There are two projects included in NCDOT's seven year Transportation Improvement Plan (TIP) that will positively impact the existing motor vehicle transportation system in Kitty Hawk. One pedestrian project, the Kitty Hawk Village/Twiford Street Multi-use Path (project #E4903) is in the constructions stage.

Growth levels and development will not increase or decrease as a result of the TIP projects in the planning stages for facilities in and around Kitty Hawk. However, overall conditions (safety, traffic movement, emergency evacuation, etc.) will improve greatly. These improvements will not spur growth but improve the overall system. Growth patterns along the Town's major transportation routes are already well established and development of vacant properties must comply with Town regulations, primarily zoning. Projects in the TIP include: NC12/US 64-264 to Putter Lane (project #3419); US 158/NC 12 intersection (project #4457); Improvement in the vicinity of SR 1206 (project #2917); and the mid-Currituck County Bridge (project # 2576).

### C. Storm Water Systems

Pollutants that enter waters fall into two general categories: point sources and non-point sources. Point sources are typically piped discharges and are controlled through regulatory programs administered by the State. All regulated point source discharges in North Carolina must apply for and obtain a National Pollutant Discharge Elimination System (NPDES) permit from the State. In Kitty Hawk, there are four NPDES permit holders. No issues have been raised or cited by permitting agencies with regard to water quality related to these point source dischargers of waste water. Non-point sources are from a broad range of land use activities and are typically carried to waters by rainfall, runoff, or snowmelt.

The Environmental Protection Agency's (EPA) Storm Water Phase II Final Rule covers two classes of storm water dischargers: operators of small municipal separate storm sewer systems (called MS4s) in urbanized areas as defined by the Bureau of the Census and operators of small construction activities that disturb equal to or greater than one (1) and less than five (5) acres of land. Kitty Hawk does not operate a municipal separate storm sewer system, nor is the Town conducting construction projects.

The Town relies on structures, swales and ditches (associated with the transportation system), ponds, and natural areas to handle storm water run-off. Chapter 16 of the Kitty Hawk Town Code, Soil Erosion and Sedimentation Control was adopted for the purpose of regulating certain land-disturbing activity to control accelerated erosion and sedimentation in order to prevent the pollution of water and public and private property by sedimentation. It establishes procedures through which this purpose can be fulfilled. Also, Chapter 8 of the Kitty Hawk Town Code, Flood Damage Prevention was adopted to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas. This is accomplished by provisions designed to:

- Restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- Require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- Control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
- Control filling, grading, dredging and other development which may increase erosion or flood damage; and,
- Prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its flood insurance study for the Town (as amended from time to time), with accompanying maps and other supporting data and any revision thereto, are adopted by reference as a part of the Kitty Hawk Town Code.

The Town commissioned a Stormwater Management Study in 1999-2000. Seven (7) problem drainage areas were identified. These include: Kitty Hawk Estates (poor drainage and standing water); flooding on US 158 at Beacon Drive (roadway flooding and blockage of emergency vehicle access); ponding of rainfall and ocean overwash between US 158 and N.C. 12; ponding of runoff on Ascension Drive and Tateway Road near US 158, Kitty Hawk Landing (poor drainage and standing water); and, lot flooding on Light Keepers Way due to street runoff from Beacon Drive. These areas are shown on EXHIBIT IV-C in Chapter IV Natural Systems on page IV-11.

#### D. Other Facilities

At present, most community facilities generally appear to be adequate to meet existing demands. However, for the ten year planning period (2004-2014), facilities' maintenance and upgrading of facilities will become more crucial. The Town needs more public recreational facilities and has convened a recreational facilities committee. The Fire Department has identified needs. The study of potential locations for a new Fire Department building has been completed and a new location for the Fire Department has been selected. Space needs, particularly at Town Hall, must also be considered. A public space needs study was completed in August, 2004. Improvements to electrical utility facilities and the provision of natural gas will help the overall situation during the planning period.

The solid waste disposal needs of Kitty Hawk will be met for at least the next decade through agreement with Dare County utilizing the regional solid waste facility in Bertie County.

The educational needs of Kitty Hawk are also the responsibility of and are being met by Dare County. The operating building capacities for Dare County schools serving Kitty Hawk residents are:

- First Flight Elementary School. . . . . 410
- First Flight Middle School. . . . . 527
- Kitty Hawk Elementary School. . . . .  
509
- Manteo High School. . . . . 593

Construction of the First Flight High School has been completed and the school opened in September, 2004. The new high school is in Kill Devil Hills near the campuses of First Flight Elementary School and the First Flight Middle School. The school had an opening capacity of 800 students.

Library services for Kitty Hawk residents are provided by Dare County. Library services to the entire area were greatly enhanced with the opening of a branch of the Dare County Library in Kill Devil Hills in 1990.

Medical services to the Town and area are provided by a regional medical center (in Kitty Hawk) which is a satellite facility of the Albemarle Hospital in Elizabeth City and a regional hospital in Nags Head.

Basic public health services are available to all Town residents at the Dare County Health Department in Manteo. Emergency medical cases in Kitty Hawk and elsewhere in Dare County can also be evacuated by ambulance or helicopter to Albemarle Hospital in Elizabeth City and/or Chesapeake General Hospital in Chesapeake, Virginia.

Insect control in the Town falls within the jurisdiction of Dare County.

Police, emergency medical transport services, and fire fighting services of and for the Town are deemed adequate to meet current and projected needs.

Established in 1981, a professional police force provides police protection to the Town. Currently, the force is comprised of fifteen (15) officers and a fleet of fifteen (15) patrol vehicles. The department is quartered on West Kitty Hawk Road.

Dare County provides emergency medical services to Kitty Hawk through a paid force emergency medical technicians (EMT). These include paramedics, advanced/intermediate emergency medical technicians, and basic emergency medical technicians. Ambulances and an emergency medical service helicopter are available to serve Kitty Hawk and Dare County.

Firefighting services are provided by the Kitty Hawk Fire Department. The Department has a full time staff of five firefighters including the Chief and two part time positions that are covered daily from the ranks of volunteers who are also paid for their time. The department has three fire engines, one ladder truck, one ocean rescue vehicle, one rescue car, one staff vehicle, one utility/miscellaneous vehicle, and a service van. The

department is quartered on West Kitty Hawk Road. The department provides assistance at automobile accidents as well as extrication and operates at the Operation Level during hazardous material incidents.

The Beach Central Communications System makes it possible for those in need to dial 9-1-1 to report the need for police, fire, or emergency medical assistance to a central dispatcher. The system, funded as a part of the Dare County budget, operates from headquarters in the Dare County Detention Center in Manteo.

The Town continues to review its needs with respect to recreation and recreational facilities. In Kitty Hawk, the major tourist attractions are the Atlantic Ocean and the waters of the Currituck Sound and Kitty Hawk Bay. Typical water related recreational activities occur in and along the ocean, bays, and sounds surrounding the Town. These include boating, kayaking, fishing, crabbing, sailing, and sunbathing. The Town's multi-use/bike trail extends about three miles along the Woods Road. There are ten public beach access points along Kitty Hawk's four-mile oceanfront. Limited parking, however, is available near many of these sites. The Town is working to create more parking areas along many streets and has constructed a parking area at Byrd Street which has greatly improved the parking situation. The Town has erected uniform, brightly-colored signs provided by the North Carolina Division of Coastal Management at each access point. The Town has also built and maintains a public bath house with a parking lot. The Town also provides lifeguard protection.

There is an 18-hole private golf course within the Town and baseball, football, and basketball facilities are provided by Dare County at Kitty Hawk Elementary School in neighboring Southern Shores.

The Town provides public access to Kitty Hawk Bay at Windgrass Circle Park which is the entrance to the Wright Brothers Multi-use Path along the sound front on Kitty Hawk Bay. Also, the Town is developing a recreational area known as the Harris Tract on the Woods Road.

## Chapter VII: Land Suitability Analysis

The land suitability analysis (LSA) required by State planning guidelines is a process for determining the supply of land in the Town that is suitable for development. The overall purpose of this analysis is to provide the Town with information on the best areas for development in order to guide the formulation of local policies and the design of the future land use map. As a part of the suitability analysis, the Town must produce a land suitability map. This map shows the relative degree which land in the Town is suitable for development. The general process for suitability analysis and the production of the suitability map includes:

1. Identifying the factors that should be considered.
2. Determining the relative importance of these factors.
3. Determining the suitability of each factor—the relative development suitability of land with a particular factor.
4. Preparing appropriate maps and overlays of each factor.
5. Combining the overlays to produce a land suitability map.

The sections that follow discuss the process of developing the LSA, characteristics (attributes) of suitable land, the method used to rate suitability factors, and results of the Kitty Hawk LSA developed by the Town for use in this land use plan update.

As discussed below, the State supplied a land use suitability program and map for localities to review and use if desired. The State used a geographic information system (GIS) based program. The State analyzed land suitability for the counties that are required to develop or update land use plans as per CAMA guidelines. The program rates the suitability of acre sized parcels of land based on a variety of land suitability factors or attributes. The program weights the attributes to score them, combines the weighted scores for a numerical total score, and assigns the parcel a rating of least suitable, low suitability, medium suitability, or high suitability. The State's program classifies lands in Kitty Hawk as having medium or high suitability for urban type development. The Town chose to use the State's methodology, program, and results as a reference tool as it developed its land suitability analysis map. The extent of environmental conditions (and related factors such as regulations concerning development in fragile areas) and the relatively poor soils conditions in Kitty Hawk, and the amount of land held under preservation or conservation easements or programs greatly impact most of the Town with respect to the land's suitability for intensive, urban type development.

## A. Land Suitability Analysis Process

The State supplied geographic information system (GIS) based LSA program was reviewed and used as a reference tool for the Town as it developed its LSA. (The State supplied land suitability analysis map is on file in the Kitty Hawk Planning Office.) The State supplied program presents a general, macro view of Dare County's lands with respect to land suitability. Isolating Kitty Hawk from the general macro view of Dare County (as presented by the State supplied program) results in a view of land suitability in the Town that is not as useful or representative as it might be. Thus, the Town undertook its own analysis using mapping that is more detailed.

To construct its analysis, the Town consulted mapping and data supplied by the State, the composite environmental conditions map and the existing land use analysis and map (prepared as a part of this land use plan update), the Town's current zoning map, flood hazard areas mapping, a variety of maps supplied by the State concerning environmental conditions in and around Kitty Hawk, and maps and exhibits prepared as a part of the Town storm water management study. Kitty Hawk's analysis also considered initiatives undertaken by the Town such as the acquisition of threatened or condemned ocean front properties. In addition, the Town constructed its analysis cognizant of the fact that many hundreds of acres of land in Kitty Hawk are protected and/or in conservation programs and thus will not be developed during the planning period, if at all.

## B. Characteristics of Land Suitable for Development

To determine development suitability, State guidelines identify several general sets of suitability characteristics that must be considered. These factors relate primarily to the Town's physical appearance and environment:

- Environmental characteristics, natural features, and water quality conditions
- Existing development and man-made features
- Proximity to existing development
- Compatibility with existing land uses
- Potential impact of development on historically, culturally significant, or scenic sites
- Availability and capacity of community facilities



- Regulatory restrictions on land development – Town, State, and Federal

### C. Development Suitability Factors

Defining the characteristics that make land suitable for development is the starting point for the land suitability analysis. State guidelines require the identification of specific types of suitability factors that will be considered in the analysis.

To define these specific factors, it is helpful to look at Kitty Hawk through the eyes of a land developer. What are the best natural features for development? What natural amenities are desirable? What types of public facilities are needed? How far can facilities be extended to serve development? What types of existing land uses should be avoided? What types of development should be located nearby?

In Kitty Hawk, specific development suitability factors include:

- Access to roads
- Access to public water
- Upland topography (lack of wetlands)
- Septic tank use suitability
- Allowable current zoning
- Proximity to compatible development
- Landscape interests and scenic areas and views
- Environmental concerns and regulations
- Proximity to protected/conservation lands
- Use permitted by State and Federal regulations
- Proximity to developed land
- Proximity to flood hazard area

These factors are related to a single class of development that lumps together all of the land use activities generally considered to be urban development: higher density residential development, commercial (and industrial) uses, and the availability of basic services. The land suitability analysis is based on the suitability of land for urban type development. Evaluating the land's suitability for less intense type development would result in a different picture of the degree to which areas would be suitable for develop.

## D. Relative Importance of Land Suitability Factors and Land Suitability Rating

EXHIBIT VII-A displays the suitability factors (identified above) and assigns a relative importance using a qualitative scale. It is a common practice to use a qualitative scale that can be converted to a numerical scale to assign weights to the factors. The chart below illustrates how a weighting scale can be developed.

<u>Relative Importance</u>	<u>Numerical Weight</u>
Important	1
Very Important	2
Extremely Important	3

Using this scale, one may decide that the presence of a flood hazard is an important factor and that access to roads is an extremely important factor. In the weighting process, access to roads is 3 times as important as the presence of a flood hazard in determining the development suitability of a particular location. The assignment of factors' relative importance, though subjective, were formulated based on examination of the mapping and data prepared (and noted above) for this land use plan update, field surveys, and the collective knowledge and input of Town leaders.

Ratings for suitability factors are a way to approximate the development suitability of land that has a particular type of factor or characteristic. Ratings are typically the result of professional judgments and are expressed generally as either a number or a qualitative description – high, medium, or low. Take special flood hazard area for example. For this particular factor, land inside a flood hazard area may be shown as having low suitability; land outside a flood hazard area may be shown as having high suitability. The classes shown on the composite environmental conditions map (Chapter IV, EXHIBIT IV-C, page IV-11) prepared in the natural systems analysis readily lend themselves to suitability ratings. Again, the factors' ratings are subjective. They served as a guide when examining the relative suitability of lands in Town for urban type development and were formulated based on field surveys, mapping and data prepared for this land use plan update, and the collective knowledge and input of Town leaders. See EXHIBIT VII-B.

## E. Land Suitability Analysis Map

Kitty Hawk is a town with several distinct geographic areas and identifiable sub-regions. This has occurred given the extent and complexity of environmental factors affecting Kitty Hawk, its natural geographic boundaries, its existing development patterns, constraints to development (regulatory and otherwise), and the vast amount of protected and/or conserved acreage within the Town. Generally, the areas or sub-regions are areas along the Atlantic Ocean shoreline east of NC 12, areas west of NC 12 extending westward to and beyond US 158, isolated upland areas, sound shorelines, floodways and wetlands, and areas under control, protection, and/or conservation that are to be left in a natural state. These areas were evaluated for development suitability based on the attributes discussed above using a qualitative scale.

The output of LSA is a land suitability map that classifies land areas in one of the following 4 classifications: least suitable; low suitability; medium suitability; and, high suitability. EXHIBIT VII-C is the land suitability analysis map for Kitty Hawk.

**EXHIBIT VII-A  
KITTY HAWK, NORTH CAROLINA**

RELATIVE IMPORTANCE OF LAND SUITABILITY FACTORS

SUITABILITY FACTOR	IMPORTANT 1	VERY IMPORTANT 2	EXTREMELY IMPORTANT 3
Access to roads		X	
Access to public water			X
Upland topography (lack of wetlands)		X	
Septic tank use suitability			X
Allowable current zoning	X		
Proximity to compatible Development		X	
Landscape interests and scenic areas and views	X		
Environmental concerns and Regulations			X
Proximity to protected/conservation lands			X
Quality water nearby		X	
Use permitted by State and Federal regulations			X
Proximity to developed land		X	
Within flood hazard area		X	

**EXHIBIT VII-B  
KITTY HAWK, NORTH CAROLINA  
RELATIVE DEVELOPMENT SUITABILITY RATINGS**

SUITABILITY FACTOR	LOW (1)	MEDIUM (2)	HIGH (3)
Access to roads	>1 mi. (1)	0.5-1.0 mi. (2)	<0.5 mi. (3)
Access to public water	> 5 mi. (1)	0.25-0.5 mi. (2)	<0.25 mi. (3)
Upland topography (lack of wetlands)	No (1)	~	Yes (3)
Septic tank use Suitability	Poor (1)	Fair (2)	Good (3)
Allowable current zoning	No (1)	~	Yes (3)
Proximity to compatible Development	>1 mi.	0.5-1.0 mi.	<0.5 mi. (3)
Landscape interests and Scenic areas and views	Yes (1)	~	No (3)
Environmental concerns and regulations	Yes (1)	~	No (3)
Proximity to protected/ conservation lands	Within (1)	0.5-1.0 mi. (2)	>1.0 mi. (3)
Quality water nearby	>0.5 mi. (1)	0.5-1.0 mi. (2)	>1.0 mi. (3)
Use permitted by State and Federal regulations	No (1)	~	Yes (3)
Proximity to developed land	>1 mi. (1)	0.5-1.0 mi. (2)	<0.5 mi. (3)
Within flood hazard area	Within (1)	~	Outside (3)

**EXHIBIT VII-C  
KITTY HAWK, NORTH CAROLINA  
LAND SUITABILITY ANALYSIS MAP**

## Chapter VIII: Review of Current CAMA Land Use Plan

The 1994 Town of Kitty Hawk Land Use Plan Update (1994 Update) contains statements of local policy on land use issues. The 1994 Update was later re-adopted in 1997 with no changes to land use issues, policies, or implementation strategies. The issues were grouped under five general headings:

- Resource Protection Issues;
- Resource Management Issues;
- Economic and Community Development Issues;
- Citizen Participation; and,
- Natural Hazards.

The issues under each heading were:

- Resource Protection Issues
  - Septic Tank Use (Issue 1)
  - Areas of Environmental Concern (AEC) (Issue 2)
  - Hazardous or Fragile Areas (Issue 3)
    - a. Freshwater Swamps and Marshes
    - b. Maritime Forests
    - c. Pocosins and 404 Wetlands
  - Package Treatment Plants (Issue 4)
  - Stormwater Runoff and Its Impact on Coastal Wetlands, Surface Waters, or other Fragile Areas (Issue 5)
  - Marinas, Floating Homes, and Dry Stack Storage Facilities (Issue 6)
  - Industrial Impact on Fragile Areas (Issue 7)
  - Restriction of Development Within Areas Up To Five Feet Above Mean High Water That Might Be Susceptible To Sea Level Rise and Wetland Loss (Issue 8)
  - Upland Excavation For Marina Basins (Issue 9)
  - Estuarine Bulkhead Installation (Issue 10)
  - Ocean Outfall (Issue 11)
- Resource Management Issues
  - Existing and Potential Mineral Production Areas (Issue 12)

- Commercial and Recreational Fisheries; Shellfishing Waters; and, Nursery and Habitat Areas (Issue 13)
- Off-Road Vehicles and Driving on Beaches (Issue 14)
- Kitty Hawk Woods Conservation Easement (Issue 15)
  
- Economic and Community Development Issues
  - Types and Locations of Industries Desired (Issue 16)
  - Local Commitment to Providing Services to Development (Issue 17)
  - Types of Urban Growth Patterns Desired (Issue 18)
  - Redevelopment of Developed Areas (Issue 19)
  - Commitment to State and Federal Programs (Issue 20)
  - Channel Maintenance and Beach Nourishment (Issue 21)
  - Energy Facility Siting and Development (Issue 22)
    - a. Electric Generating Plants
    - b. Inshore and Outer Continental Shelf Exploration
  - Tourism (Issue 23)
  - Coastal and Estuarine Water Beach Access (Issue 24)
  - Types, Densities, Location, and Units Per Acre of Anticipated Residential Development and Services Necessary to Support Such Development (Issue 25)
  - Existing Tax Base and Employment Opportunities (Issue 26)
  - Special Tax Districts (Issue 27)
  - Menhaden Boats (Issue 28)
  - Signs (Issue 29)
  - Community Appearance (Issue 30)
  - Litter Control and Removal (Issue 31)
  - Recreational Facilities (Issue 32)
  - Public Safety (Issue 33)
  - Education (Issue 34)
  - Consolidation (Issue 35)
  - Electrical Facilities (Issue 36)
  - Cable Television Facilities (Issue 37)
  - Public Water Facilities (Issue 38)
  - Public Sewer Facilities (Issue 39)
  - Transportation System (Issue 40)
    - a. Widening of U.S. 158
    - b. Thoroughfare Plan
    - c. Vehicular Movement
    - d. Pedestrian Movement
    - e. Bicycle Trails
    - f. Maintenance

- g. Beach Road/Lindbergh Avenue
  - Horseback Riding (Issue 41)
  - Landfill Siting (Issue 42)
  - Multi-Use Center (Issue 43)
  - Adult Entertainment (Issue 44)
  - Uses of and Activities in and on Ocean and Sound Waters (Issue 45)
  - Point Source Wastewater Discharge (Issue 46)
  - Cultural or Historical Resources (Issue 47)
- Citizen Participation (Issue 48)
- Natural Hazards (Issue 49)

CAMA guidelines require a review and evaluation of the current land use plan to evaluate the Town's success in implementing the land use plan and the effectiveness of its policies in achieving the goals of the plan. The Town is required to consider three factors in the review:

1. The consistency of the Town's current land use and development ordinances with the land use plan policies.
2. Adoption of the plan's implementation measures by the Town Council.
3. Efficacy of current policies.

#### Issue 1: Septic Tank Use

##### 1997 Policy:

The Town supports the proper installation of septic tank systems and the strict application of State septic tank installation and use standards by the Dare County Health Department as it approves and monitors such installations.

##### Implementation Strategies:

- The Town will refer developers and builders to the Laws and Rules for Sewage Treatment and Disposal Systems on a case by case basis.
- The Town will rely on the North Carolina Department of Environment, Health, and Natural Resources Division of Environmental Health for guidance and clarification concerning laws and rules for sewage treatment and disposal systems on a case by case basis.
- The Town will rely on the Dare County Health Department to site and inspect septic tank systems on a case by case basis.



- The Town will enforce Chapter 19, Subdivisions, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will study the feasibility and statutory authority during Fiscal Year 1995-96 for adopting local restrictions to limit the number of occupants of rental properties.
- The Town will study the feasibility of amending applicable chapters of the Kitty Hawk Town Code during Fiscal Year 1996-97 to limit septic tank effluent infiltration into wetlands and channels.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town relied on the State and the Dare County Health Department for enforcement of applicable rules and regulations and enforced its own ordinances with Town staff. The Town did not study the feasibility of adopting local restrictions to limit the number of occupants of rental properties and did not study the feasibility of amending the Town Code to limit septic tank effluent infiltration into wetlands and channels, opting instead to rely on the Dare County Health Department.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective. No septic tank problems have been cited by the Dare County Health Department in Kitty Hawk.

#### Issue 2: Areas of Environmental Concern (AEC)

##### 1997 Policy:

The Town supports the guidelines of the Coastal Area Management Act and the associated policies of the Coastal Resources Commission but reserves the right to review and oppose sections of the CAMA or its implementation that may be deemed contrary to the Town's land use policies and development preferences.

#### Implementation Strategies:

- The Town will be represented at Coastal Resources Commission meetings and workshops and will participate in discussions and public hearings concerning issues relevant to the Town's interests as opportunities are presented and issues arise.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify any formal action by the Town Council. The Town relied on the Dare County representative to the Coastal Resources Commission to represent Kitty Hawk's interests before the body. The Town Planner routinely worked with other localities planners on issues that effected or potentially affected the Town and region on a case by case basis.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 3: Hazardous or Fragile Areas

##### 1997 Policy:

The Town supports CAMA regulations as applicable and also the U.S. Army Corps of Engineers in its enforcement of regulations pertaining to 404 Wetlands with the exception of the Corps' allowance of mitigation measures to be undertaken on sites outside of Town when filling is allowed within the Town. It also supports public and private efforts to preserve and protect the maritime forest.

#### Implementation Strategies:

- The Town will enforce Chapter 19, Subdivisions, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will monitor development proposals for compliance with Section 404 of the Federal Clean Water Act on a case by case basis.

- The Town will enforce Chapter 16, Soil Erosion and Sedimentation Control, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will monitor the development and implementation of the pending Section 401 Surface Water and Wetland Standards to be administered by the North Carolina Environmental Management Commission.
- The Town will seek State technical assistance and funding to study and prepare a management plan for the maritime forest in Fiscal Year 1995-96.
- The Town will continue to support and assist State, Federal, and private organizations in their respective efforts to preserve and protect the maritime forest.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The Town supported land acquisition to expand the maritime forest and participated with the State in the preparation of a management plan for the maritime forest. The Town enforced its ordinances.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 4: Package Treatment Plants

##### 1997 Policy:

The Town discourages the use of package treatment plants.

##### Implementation Strategies:

- The Town will enforce and amend, as necessary, Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.

- The Town will apply and enforce locally adopted rules governing the installation and use of package treatment plants within its borders.
- The Town will study and adopt, as necessary, additional rules to regulate the installation and use of package treatment plants during the planning period.
- The Town, on a case by case basis, will rely on permitting agencies to discourage package treatment plant use where possible.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The Town enforced its ordinances.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective although one package sewage treatment system was installed to serve Barrier Island as this alternative was deemed to be the best alternative for addressing this particular development's waste water removal/treatment needs.

#### Issue 5: Stormwater Runoff and its Impact on Coastal Wetlands, Surface Waters, Or Other Fragile Areas

##### 1997 Policy:

The Town supports the mitigation of adverse impacts associated with stormwater runoff with Town limits.

##### Implementation Strategies:

- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will enforce Chapter 19, Subdivisions, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will consult its 1994 Land Use Plan Update as development proposals are reviewed.
- The Town will seek grant monies from the State to prepare a stormwater management plan in Fiscal Year 1996-97.
- The Town will study the feasibility and statutory authority in Fiscal Year 1995-96 for requiring buffer areas along shorelines.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The Town did commission a storm water management study in 1999-2000 but the study's recommendations were not implemented. The Town enforced its ordinances.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 6: Marinas, Floating Homes, and Dry Stack Storage Facilities

##### 1997 Policy:

The Town supports the construction and operation of properly permitted marinas but does not support the location of floating homes or dry stack storage facilities within its borders or its Extraterritorial Jurisdiction (ETJ) area.

##### Implementation Strategies:

- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will study the development of ordinances or ordinance amendments to regulate floating homes, dry stack storage facilities, and the mooring of vessels in public trust waters and will rely on

CAMA permitting regulations and land use plan consistency review in the interim.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. However, the Town adopted extraterritorial jurisdiction provisions to cover uses on the water and do not allow floating homes and dry stack storage facilities.

The Town enforced its ordinances.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 7: Industrial Impact on Fragile Areas

##### 1997 Policy:

The Town supports the protection of fragile areas and measures to mitigate potential adverse effects of industrial uses.

##### Implementation Strategies:

- The Town will implement and participate in the CAMA Minor Permit Program on a daily or case by case basis.
- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

The Town enforced its ordinances.

#### Adoption of Implementation Strategies by Town Council:

The Town implemented the minor permit program and enforced the zoning ordinance.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 8: Restriction of Development Within Areas Up to Five Feet Above Mean High

Water That Might Be Susceptible to Sea Level Rise and Wetland Loss

#### 1997 Policy:

The Town supports the restriction of development with areas up to five feet above mean high water susceptible to sea level rise and wetland loss.

#### Implementation Strategies:

- The Town will enforce Chapter 8, Flood Damage Prevention, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will continue to participate in the National Flood Insurance Program throughout the five-year planning period.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The Town did adopt a Hazard Mitigation Plan in 2002 and the Town's community insurance rating improved. The Town enforced its ordinances.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

## Issue 9: Upland Excavation For Marina Basins

### 1997 Policy:

The Town supports properly permitted excavation of upland areas for marina basin development.

### Implementation Strategies:

- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy. This has not been an issue in Kitty Hawk

### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify any formal action by the Town Council. The Town enforced its ordinances.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

## Issue 10: Estuarine Bulkhead Installation

### 1997 Policy:

The Town supports the construction of properly permitted estuarine bulkheads.

### Implementation Strategies:



- The Town will continue to participate in the CAMA Minor Permit Program with the Department of Environment, Health, and Natural Resources on a daily or case by case basis.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify any formal action by the Town Council. The Town relied on the State and the Town's local permit officer for CAMA permitting.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 11: Ocean Outfall

##### 1997 Policy:

The Town supports the concept of ocean outfall as a means to remove stormwater from low lying areas.

#### Implementation Strategies:

- The Town will cooperate with the NC Department of Transportation as it designs an ocean outfall in Town during the planning period.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify any formal action by the Town Council. The Town participated in and supported the North Carolina Department of Transportation's engineering design of an ocean outfall which was subsequently abandoned.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 12: Existing and Potential Mineral Production Areas

#### 1997 Policy:

The Town does not support mining or mining related activities such as stockpiling or transfer activities involving mined materials within its borders.  
Implementation Strategies:

- The Town will enforce, and amend as necessary, Chapter 7, Environmental Controls, of the Kitty Hawk Town Code on a daily basis.
- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy. This has not been an issue.

### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The Town enforced its ordinances.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 13: Commercial and Recreational Fisheries; Shellfishing Waters; and, Nursery and Habitat Areas

#### 1997 Policy:

The Town supports the protection of commercial and recreational fisheries, shellfishing water, nurseries, and habitat areas and does not

support dredging activities – except for CAMA permitted maintenance dredging activities – in Primary Nursery Areas and areas of Submerged Aquatic Vegetation.

#### Implementation Strategies:

- The Town will, by adopted resolution, on a case by case basis, voice its opposition to dredging activities allowed by CAMA regulations.
- The Town will enforce its adopted Extraterritorial Jurisdiction (ETJ) regulations as found in Chapter 20, Zoning of the Kitty Hawk Town Code.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The Town enforced its ordinances.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 14: Off-Road Vehicle and Driving on Beaches

##### 1997 Policy:

The Town does not support the use of off-road vehicles within its borders, nor does it support driving on its beaches, except by emergency vehicles during emergency situations, by commercial fishermen for setting and retrieving nets, and during special events approved by Town Council.

#### Implementation Strategies:

- The Town will use its local police powers to enforce vehicle operation laws and beach driving restrictions as a routine, on-going function.
- The Town will enforce Chapter 4, Beaches, Boats, and Waterways, of the Kitty Hawk Town Code on a daily or case by case basis.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The Town enforced its ordinances.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

## Issue 15: Kitty Hawk Woods Conservation Easement

### 1997 Policy:

The Town supports the preservation, protection, and orderly management of the Kitty Hawk Woods Conservation Easement.

### Implementation Strategies:

- The Town will seek State assistance and funding to prepare and implement a management plan in Fiscal Year 1995-96.
- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

### Adoption of Implementation Strategies by Town Council:

The Town participates in a Kitty Hawk Woods Conservation Easement management

group. The State has employed a local manager for the resource and a management plan has been developed and implemented. The Town enforced its ordinances.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 16: Types and Locations of Industries Desired

##### 1997 Policy:

The Town does not support the recruitment of siting of traditional, heavy manufacturing-type industrial development within its borders – especially off-shore drilling and support industries – but does support the recruitment and siting of non-tourist related, environmentally compatible light industry.

##### Implementation Strategies:

- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will support the promotion of tourism and season extending events by the Dare County Tourism Board and the Outer Banks Chamber of Commerce on a case by case basis.
- The Town will study amendments to Chapter 20, Zoning, of the Kitty Hawk Town Code to designate permitted uses related to non-tourist related, environmentally compatible light industry in Fiscal Year 1997-98.

##### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

##### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The Town enforced its ordinances. Town Council passed an amendment that specifically prohibits asphalt plants and cement plants within the Town of Kitty Hawk with the exception of the current plants that are grandfathered by conditional use permits.

## Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 17: Local Commitment to Providing Services to Development

#### 1997 Policy:

The Town supports the extension of public water service and road systems to new developments by the developers of such developments and supports the provision of other typical public services through its auspices or those of Dare County.

#### Implementation Strategies:

- The Town will enforce Chapter 19, Subdivisions, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a case by case basis.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The Town enforced its ordinances and worked with Dare County to extend water lines and complete water line looping along The Woods Road and Kitty Hawk Woods.

## Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 18: Types of Urban Growth Patterns Desired

#### 1997 Policy:

The Town supports zoning regulations and land use planning concepts that allow the continuance of its development as a low density, residential beach community and does not support the rezoning of lands for commercial uses.

#### Implementation Strategies:

- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will enforce Chapter 19, Subdivisions, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will consult its 1994 Land Use Plan Update as development proposals are reviewed.
- The Town Planning Board will review zoning districts and regulations, the land classification system and map, and other land use regulations as may be applicable to gauge whether or not such tools are insuring that the desired development pattern is or will be achieved. The Planning Board's review will be conducted during the Town's annual budget cycle.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The Town enforced its ordinances and consulted its 1994 Land Use Plan when reviewing development proposals. The Town has not granted any commercial rezoning of large parcels in the last ten years.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 19: Redevelopment of Developed Areas

##### 1997 Policy:

The Town supports redevelopment of developed areas only after the review of any redevelopment plans for consistency with the Town's land use plan and development regulations.

### Implementation Strategies:

- The Town will review all redevelopment plans for consistency with the 1994 Land Use Plan Update.
- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will enforce Chapter 19, Subdivisions, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will record and evaluate in Fiscal Year 1995-96 the actual development on commercially and residentially zoned lands and forecast the type, potential, and probability of redevelopment activities that may occur on these lands.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The Town enforced its ordinances and consulted the 1994 Land Use Plan when reviewing development proposals.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 20: Commitment to State and Federal Programs

#### 1997 Policy:

The Town supports interaction with State and Federal legislators and State and Federal agencies concerning their respective programs and supports – or in some cases does not support – those State and Federal programs as specified in the various policy statements contained in this Update.

#### Implementation Strategies:



- The Town will have representatives attend public hearings and meetings wherein State and Federal rules and policies are discussed as opportunities are presented.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed to be consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify formal action by the Town Council. The Town enforced its ordinances.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 21: Channel Maintenance and Beach Nourishment

##### 1997 Policy:

The Town supports the current State and Federal funded study of a beach nourishment program but does not support the expenditure of ad valorem tax monies to finance nourishment measures that may be recommended. The Town does not support the provision of borrow and spoils areas or work easements for channel maintenance or dredging activities.

##### Implementation Strategies:

- The Town will seek grant monies for beach renourishment programs if such programs are deemed compatible with the Town's land use policies and development preferences.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

Only a portion of the Town's needy areas were deemed to meet Federal cost benefit standards for re-nourishment so re-nourishment activities will only effect about ½ mile of Kitty Hawk's beach in the event the program, which is on hold at the Federal level, is started. The Town did receive grant money for a canal snagging project (but no dredging). Dare County has done some dredging however.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 22: Energy Facility Siting and Development

##### 1997 Policy:

The Town does not support the placement of additional electric generating plants within its borders nor does it support inshore or outer continental shelf exploration or the placement of refineries, storage facilities, or transshipment facilities within its borders or adjacent thereto.

##### Implementation Strategies:

- The Town will monitor the activities of firms or groups, as situations arise, that would promote inshore or outer continental shelf exploration or the placement of refineries, storage facilities, or transshipment facilities with its borders or adjacent thereto.
- The Town will oppose any off-shore exploration for energy sources through lobbying efforts and the adoption of local regulations as necessary on a case by case basis.
- The Town will oppose the siting of public and multi-service energy facilities in the Town through lobbying efforts and the adoption of local regulations as necessary on a case by case basis.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

No formal action was taken by the Town Council. This has not been an issue in Kitty Hawk.

## Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 23: Tourism

#### 1997 Policy:

The Town supports tourism and the recognition of tourism as an industry by State and Federal authorities. It also supports season extending events that are deemed to promote and enhance the Town's image.

#### Implementation Strategies:

- The Town will investigate the concept and promotion of ecotourism and its relevance to Kitty Hawk and report findings during Fiscal Year 1995-96.
- The Town will request that the North Carolina Department of Transportation and the Virginia Department of Transportation place Kitty Hawk's name and the mileage to its Town Hall on their respective highway mileage signs approaching the Town during Fiscal Year 1995-96.
- The Town will support the efforts of the Outer Banks Chamber of Commerce and the Dare County Tourism Board on a case by case basis to promote season extending events for those events the Town deems proper and worthy.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. However, the Town did adopt an ordinance to regulate kayaking. The Town created Heritage Day (annually in September) and erected welcome signs along the Town's main gateways.

## Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 24: Coastal and Estuarine Water Beach Access

#### 1997 Policy:

The Town supports State and Dare County funding for the provision, improvement, and maintenance of coastal and estuarine water beach accesses.

#### Implementation Strategies:

- The Town will seek grant monies from the State or lobby Dare County officials to provide, improve, or maintain coastal and estuarine water beach accesses as needs are identified.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town completed the Byrd Street access and parking area. The Town's bath house has been re-built. The Town has created additional parking areas on public rights of way on various cross streets between Lindbergh Avenue and NC 12.

## Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 25: Types, Densities, Location and Units Per Acre of Anticipated Residential Development and Services Necessary to Support Such Development

#### 1997 Policy:

The Town supports the use of adopted zoning regulations, subdivisions and development requirements, and land use planning concepts that will ensure that the types, densities, and locations of anticipated residential development and necessary support services are consistent with the existing low density, low rise residential character of the Town.

#### Implementation Strategies:

- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will enforce Chapter 19, Subdivisions, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will consult its 1994 Land Use Plan Update as development proposals are reviewed.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The Town enforced its ordinances and consulted the 1994 Land Use Plan when considering development proposals.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 26: Existing Tax Base and Employment Opportunities

##### 1997 Policy:

The Town supports the retention of existing commercial development through the efforts of the Outer Banks Chamber of Commerce. It also supports the location of commercial and service firms and environmentally compatible, non-tourist related, light industrial firms in the Town as long as such firms are compatible with the character of existing development and are cognizant of the Town's desire to remain a low density, residential beach community.

### Implementation Strategies:

- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will cooperate with the Outer Banks Chamber of Commerce with respect to business recruitment and retention on a daily or case by case basis.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council. The town enforced its ordinances.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 27: Special Tax Districts

#### 1997 Policy:

The Town supports the concept of special tax districts to collect revenue to offset the cost of the delivery of special services in such areas on a case by case basis.

### Implementation Strategies:

- The Town will investigate the concept and establishment of special tax districts and the feasibility of their use in Kitty Hawk and report findings during Fiscal Year 1996-97.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify any formal action by the Town Council although some discussion has occurred concerning trash containers in the area of Town between US 158 and NC 12.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 28: Menhaden Boats

#### 1997 Policy:

The Town does not support the restriction of menhaden boats in the waters off Kitty Hawk.

#### Implementation Strategies:

- The Town will adhere to its stated position against restricting menhaden boats on a daily or case by case basis.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify any formal action by the Town Council.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 29: Signs

#### 1997 Policy:

The Town supports the proper installation of approved signs within its borders.

Implementation Strategies:

- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will enforce the provisions of Ordinance No. 91-14, Signs, of the Kitty Hawk Town Code on a daily or case by case basis.

Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

Adoption of Implementation Strategies by Town Council:

The Town's implementation strategies do not specify any formal action by the Town Council.

Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

Issue 30: Community Appearance

1997 Policy:

The Town supports private, local, State, and Federal efforts and regulations that help to preserve and maintain the Town's appearance. It also supports the concept of a community appearance theme.

Implementation Strategies:

- The Town will develop a position paper outlining its desires for maintaining its established community theme as a low density, low rise residential beach community with coast guard station style architecture predominant by the end of Fiscal Year 1997-98.
- The Town will seek funding through the state to landscape the gateways into Town along U.S. 158 during Fiscal Year 1995-95.



- The Town will study the creation of an architectural overlay district as an amendment to Chapter 20, Zoning, of the Kitty Hawk Town Code during Fiscal Year 1997-98.
- The Town will participate in beach clean-ups on an annual basis.
- The Town will encourage the North Carolina Department of Transportation to maintain litter free rights-of-way on a case by case basis.
- The Town will study the creation of an architectural review board during Fiscal Year 1997-98.
- The Town will encourage the Adopt a Highway Program through the North Carolina Department of Transportation on a case by case basis.
- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will enforce Chapter 19, Subdivisions, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will consult its 1994 Land Use Plan Update as development proposals are reviewed.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town did not develop a position paper outlining its desires for maintaining its appearance and image and did not create an architectural overlay district or an architectural review board. The Town established a beautification committee as a part of its parks and recreation committee. The Town enforced its ordinances. At the Town's request, NCDOT installed new planting beds along US 158 east of the Wright Memorial Bridge.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 31: Litter Control and Removal

### 1997 Policy:

The Town supports local and State litter control and removal programs, the enforcement of applicable legal measures, and the expenditure of Town funds in certain cases to control and remove litter.

### Implementation Strategies:

- The Town will continue to maintain litter receptacles at beach accesses on an as needed basis.
- The Town will develop and disseminate information concerning refuse collection, refuse disposal, and litter related regulations through real estate sales and rental agencies during Fiscal Year 1995-96.
- The Town will appoint a Community Appearance Committee during Fiscal Year 1995-96. The Committee's charge will be to establish guidelines and procedures for community appearance awards and to conduct studies and make recommendations addressing problems of litter on beaches and along roads.
- The Town will promote an "Adopt-a-Beach" program and educate the public through local media concerning community appearance needs.
- The Town will consider locating additional recycling containers at beach accesses and the installation of roadside litter receptacles.
- The Town will study and report findings on the techniques, feasibility, and costs of instituting and implementing a year-round recycling program in 1994-95.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

### Adoption of Implementation Strategies by Town Council:

The Town increased the penalty for littering to \$1,000.00. The Town established a manned recycling center on Bob Perry Road in 2003 and established a beautification committee.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

## Issue 32: Recreational Facilities

### 1997 Policy:

The Town supports the provision of traditional recreational facilities within its borders; but does not support, promote, or encourage outdoor uses such as (but not limited to) amusement parks, carnivals and carnival rides, or go-cart, motorcycle, or terrain vehicle tracks or any other similar uses.

Outdoor uses should be of low intensity and should utilize the natural terrain as much as possible without the addition of tracks, mechanized facilities or structures necessary for the conduct of the use.

### Implementation Strategies:

- The Town will review, amend, and implement Chapter 13, Parks and Recreation, of the Kitty Hawk Town Code during Fiscal Year 1995-96.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

### Adoption of Implementation Strategies by Town Council:

The Town worked with the North Carolina Department of Transportation to expand the shoulders on Kitty Hawk Road to accommodate bikers and pedestrians. The Town completed The Woods Road multi-use path. The Town established Heritage Day and acquired the Harris tract for use as a recreation area. The Town cleaned up the boat ramp and revised Chapter 13.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

## Issue 33: Public Safety

### 1997 Policy:

The Town supports the provision of public safety services through its police department, Dare County agencies, State and Federal agencies, and the Kitty Hawk Volunteer Fire Department.

## Implementation Strategies:

- On a daily, or case by case basis, the Town will:
  - seek extra-territorial jurisdiction;
  - continue to seek parking solutions along NC 12 and adjacent streets;
  - continue cooperation with the North Carolina Department of Justice and the North Carolina Association of Police Chiefs in the development and implementation of appropriate performance standards;
  - support the provision of an upgraded emergency communication system;
  - continue to have a volunteer fire department;
  - continue to use the "Fire Suppression Rating Schedule" administered by the North Carolina Insurance Commission to obtain the lowest possible fire insurance rating for Kitty Hawk;
  - work with the Kitty Hawk Volunteer Fire Department and Dare County to assure that all fire hydrants are properly maintained, regularly flushed, and clearly marked at the site for quick identification both day and night;
  - seek the cooperation of the County and State Department of Transportation in the installation of a working fire hydrant, which is accessible to equipment, on the site of the Aycock Brown Welcome Center on US 158 and NC 12;
  - review the appropriate ordinances to assure that fire hydrants are readily accessible for fire fighting equipment based on accessibility, not just straight line mathematical distances, and make code amendments where necessary which provides better fire protection;
  - pay particular attention to access problems for the west side of US 158 because of the location of the fire hydrants on the east side;
  - seek grant assistance appropriate for the installation of "dry" hydrants in those locations where natural water is available to supplement the water line hydrants;
  - continue to support Beach Central Communications System and seek ways to improve, when necessary, electronic communications;
  - continue to support mutual aid with other fire departments;
  - continue to use the expertise of the Kitty Hawk Volunteer Fire Department in the development of policies, ordinance amendments and appropriate site development matters;

- encourage Dare County, by adopted resolution in Fiscal Year 1995-96, to provide fire hydrants on the west side of US 158; and,
- investigate the acquisition of ramps to facilitate vehicular movement along US 158 in Fiscal Year 1995-96. The ramps will be used during fire fighting activities to allow vehicles to pass over fire hoses which may be extended across the travel lanes of the highway.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

No formal action was taken by the Town Council encouraging Dare County to provide fire hydrants on the west side of US 158 and the Town did not acquire ramps to facilitate vehicular movement along US 158 in the event fire hoses were across the road during a fire emergency. Generally, however, the balance of implementation items listed were addressed. The Kitty Hawk Fire Department initiated a program to install house numbers on posts at the street for Kitty Hawk property owners for a fee of \$20.00. This program greatly helps to facilitate prompt fire and emergency medical transport services to locations throughout Town.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 34: Education

##### 1997 Policy:

The Town supports the provision of quality educational opportunities and facilities to its residents through the auspices of the Dare County School Board.

#### Implementation Strategies:

- The Town will monitor the activities and policies of the Dare County School Board and make the School Board aware of any concerns the Town may have with respect to educational opportunities and facilities by adopted resolution on a case by case basis.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify any formal action by the Town Council.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 35: Consolidation

##### 1997 Policy:

The Town will not consider consolidation of its existing governmental functions, agencies or services with those of any other governmental entity unless a detailed study of the function shows that its consolidation will provide a better service at a lesser cost and will still reflect the distinctive image of Kitty Hawk that is expressed in its Land Use Plan.

##### Implementation Strategies:

- The Town will enter into discussions with other governmental entities geared toward further consolidation of its existing governmental functions when those discussions include detailed study and review of the subject function and its impact on Kitty Hawk.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policies.

### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify any formal action by the Town Council.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 36: Electrical Facilities

#### 1997 Policy:

The Town supports the provision of adequate electrical distribution facilities within its borders so long as such facilities are installed and maintained in a manner that does not negatively impact the existing low density, low rise residential beach character of the Town and are placed underground.

#### Implementation Strategies:

- The Town will monitor the activities and policies of Dominion NC Power regarding the placement of electrical distribution and generation facilities on an as needed basis.
- The Town will consider adoption of an ordinance within the next five years to require underground utilities for new construction and substantial improvements to existing structures.

### Consistency of Existing Land use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

### Adoption of Implementation Strategies by Town Council:

No formal action has been taken by Town Council on this issue and no new facilities have been proposed by Dominion NC Power. The Town continues to require underground placement of utilities.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 37: Cable Television Facilities

#### 1997 Policy:

The Town supports the provision of adequate cable television distribution facilities within its borders so long as such facilities are installed underground and maintained in a manner that does not negatively impact the existing low density residential character of the Town.

#### Implementation Strategies:

- The Town will monitor the activities and policies of Falcon Cable TV regarding the placement of cable television distribution facilities on an as needed basis.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

No formal action has been taken by Town Council. Falcon Cable has been replaced by Charter Cable TV which has installed fiber optic lines throughout Town and provides high speed internet and cable services.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 38: Public Water Facilities

#### 1997 Policy:

The Town supports the provision, by Dare County, of potable water to all areas within the Town as needed.

#### Implementation Strategies:



- The Town will encourage Dare County, by adopted resolution in 1994-95, to incorporate the looping of water lines where and when applicable in the Town.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.  
Adoption of Implementation Strategies by Town Council:

No formal action was taken by Town Council on a resolution but the Town has continued to ask Dare County to complete loops in the water system whenever feasible and practicable.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy his deemed effective.

#### Issue 39: Public Sewer Facilities

##### 1997 Policy:

The Town does not support the construction of either a town-wide or an area-wide public sewer system.

##### Implementation Strategies:

- The Town will not enter into discussions or negotiations during the planning period geared toward the construction of either a town-wide or an area-wide public sewer system.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

##### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify any formal action by the Town Council.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 40: Transportation System

##### 1997 Policy:

With respect to the Transportation Systems, the Town:

- does not support the widening of US 158 to six lanes;
- supports the concept of thoroughfare planning by the North Carolina Department of Transportation if such planning is conducted in conjunction with Town officials and reflects local needs and development characteristics;
- supports the replacement of existing culverts as applicable and necessary with structures that allow upstream navigation;
- supports the provision of sidewalks along NC 12 and the installation of additional pedestrian crossing lights along US 158;
- supports the provision of properly designed and located bicycle trails through State funding and private initiatives;
- supports increased State funding toward the cost of maintenance of all Town streets; and,
- does not support evacuation plans that rely on the Beach Road (NC 12) and Lindbergh Avenue as alternative evacuation routes in the event evacuation becomes necessary.

##### Implementation Strategies:

- The Town will go on record by adopted resolution in Fiscal Year 1995-96 opposing the widening of US 158 to six lanes.
- The Town will review the thoroughfare planning efforts of the North Carolina Department of Transportation and make its position on same known to the Department, area legislators, and neighboring localities during Fiscal Year 1995-96, or as soon as the Department submits its final recommendations.
- The Town will submit a written request during Fiscal Year 1994-95 to the North Carolina Department of Transportation to have the Department study intersections for additional pedestrian lighting along US 158. Upon review of the Department's findings, the Town may request additional pedestrian lighting installations.
- The Town will submit a written request during Fiscal Year 1995-96 to the North Carolina Department of Transportation to have the

Department study the feasibility of providing additional bicycle trails.

- The Town will consider the provision of bicycle trails as it develops plans for the area contained in the Kitty Hawk Woods conservation easement.
- The Town will submit a written request during Fiscal Year 1995-96 to the North Carolina Department of Transportation, with copies to State legislators representing the Town, to request additional funding for maintenance of Town streets.
- The Town staff will investigate other sources and methods of funding the maintenance of Town streets and make a report and recommendations in Fiscal Year 1995-96.
- The Town will encourage early evacuation orders during storm events on a case by case basis.
- The Town will not pursue the further dedication of right-of-way along Lindbergh Avenue as an alternative evacuation route.
- The Town will develop a pedestrian movement and bicycle trail master plan during the planning period.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town did not go on record by resolution opposing the widening of US 158 to six lanes nor did it request a study of additional pedestrian lighting at intersections or request additional lighting. The Town continued to use Powell Bill funds for road construction and maintenance but did not request additional funding. The Town did not develop a master plan for pedestrian and bicycle movement. However, the Town Recreation Board is developing a multi-use path master plan.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 41: Horseback Riding

##### 1997 Policy:

The Town does not support the promotion or encouragement of commercialized horse activities and/or the use of the Town roads and rights-of-way, lands, and public beaches by non-resident horsepersons.

Implementation Strategies:

- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will monitor locations where horses are corralled, pastured, or kept to ascertain if commercial boarding of the animals is occurring and take appropriate legal steps to discontinue such activities on a case by case basis.
- The Town will recognize Kitty Hawk residents non-commercial horse owners' recreational activities so long as the public safety and welfare are not affected.

Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.  
Adoption of Implementation Strategies by Town Council:

The Town adopted an ordinance to allow local horse owners to register each year and ride in Town and at certain times on the beach.

Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

Issue 42: Landfill Siting

1997 Policy:

The Town does not support either the siting of a landfill or a refuse transfer station within its borders.

Implementation Strategies:

- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify any formal action by the Town Council. The Town enforced its ordinances.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

### Issue 43: Multi-Use Center

#### 1997 Policy:

The Town supports public participation in the decision process leading to the planning, financing, siting, purpose, features, construction, maintenance, and management of public facilities such as the multi-use center.

#### Implementation Strategies:

- The Town will continue to make its position on planning for the proposed multi-use center known to the Dare County Board of Commissioners through its Town Council and appointed staff as opportunities are presented.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify any formal action by the Town Council.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 44: Adult Entertainment

##### 1997 Policy:

The Town does not support the encouragement or promotion of any commercial activities which include nudity, semi-nudity, pornographic materials, mud wrestling, and similar activities.

##### Implementation Strategies:

- The Town will enforce, and amend as necessary, Chapter 20, Zoning, of the Kitty Hawk Town Code, on an as needed or case by case basis.

##### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

##### Adoption of Implementation Strategies by Town Council:

The Town adopted an ordinance relative to adult entertainment and enforced Chapter 20, Zoning, of the Town Code.

##### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 45: Uses Of and Activities In and On Ocean and Sound Waters

##### 1997 Policy:

The Town supports the exercise of legislatively authorized local police power to separate conflicting water uses and activities in and on the ocean and sound waters along its borders.

##### Implementation Strategies:

- The Town will study and may develop and adopt regulation concerning uses and activities on and in the ocean waters along its shores in 1995-96.
- The Town will exercise its Extraterritorial Jurisdiction regulations on a daily or case by case basis.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town adopted ordinances concerning jet-ski and kayak use.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 46: Point Source Wastewater Discharge

##### 1997 Policy:

The Town does not support the point source discharge of wastewater into the waters of the Currituck Sound, Kitty Hawk Bay, Atlantic Ocean, or any stream, ditch, canal, or water body(s) within its borders.

#### Implementation Strategies:

- The Town will refer developers and builders to the Laws and Rules for Sewage Treatment and Disposal Systems on a case by case basis.
- The Town will rely on the North Carolina Department of Environment, Health, and Natural Resources, Division of Environmental Health for guidance and clarification concerning laws and rules for sewage treatment and disposal systems on a case by case basis.
- The Town will rely on Dare County Health Department to site and inspect septic tank systems on a case by case basis.
- The Town will enforce Chapter 19, Subdivisions, of the Kitty Hawk Town Code on a daily or case by case basis.

- The Town will study the feasibility and statutory authority during Fiscal Year 1995-96 for adopting local restrictions to limit the number of occupants of rental properties.
- The Town will study the feasibility of amending applicable chapters of the Kitty Hawk Town Code during Fiscal Year 1996-97 to limit septic tank effluent infiltration into wetlands and channels.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town's implementation strategy does not specify any formal action by the Town Council.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 47: Cultural or Historical Resources

##### 1997 Policy:

The Town supports local identification, recognition, and protection of cultural and historical resources.

#### Implementation Strategies

- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will enforce Chapter 19, Subdivisions, or the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will consult its 1994 Land Use Plan Update as development proposals are reviewed.
- The Town will study the creation of a cultural and historical committee during Fiscal Year 1997-98 to inventory local historical and culturally significant sites and make recommendations for regulations and programs to protect and promote such sites.
- The Town will develop a position paper outlining its desires for maintaining its established community theme as a low density, low



- rise residential beach community with coast guard station style architecture predominant, by the end of Fiscal Year 1997-98.
- The Town will study the creation of an architectural overlay district as an amendment to Chapter 20, Zoning, of the Kitty Hawk Town Code during Fiscal Year 1997-98.
  - The Town will study the creation of an architectural review board during Fiscal Year 1997-98.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

The Town enforced its ordinances but did not take formal action on the creation of an architectural review board or standards. The Town did not create a cultural and historical committee nor did it develop a position paper outlining its desires with respect to community appearance.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 48: Citizen Participation

##### 1997 Policy:

The Town supports citizen participation in all land use decisions and procedure development processes and encourages citizen input via its boards, commissions, and agencies.

#### Implementation Strategies:

- The Town will continue to use advertisements in newspapers, radio public service announcements, and direct mailings to announce meetings and encourage participation by citizens, interest groups, news media, and other interested parties.

#### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

#### Adoption of Implementation Strategies by Town Council:

No formal action was taken by Town Council. The Town continued to comply with advertising requirements for public meetings.

#### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

#### Issue 49: Natural Hazards

##### 1997 Policy:

The Town supports:

- the strict adherence to the provisions governing post disaster reconstruction with respect to the designation of a local damage assessment team, infrastructure repair, and building permit issuance as provided in Chapter 7, Environmental Controls, Article IV. Post Storm

##### Reconstruction, of the Kitty Hawk Town Code:

- the strict adherence to and enforcement of CAMA policies as of January 1, 1989 prohibiting structures designed to stiffen the coast and impede the natural processes that are an integral part of the barrier island system;
- the strict adherence to and enforcement of the North Carolina Building Code;
- the participation of its residents in the National Flood Insurance Program;
- cooperative efforts between Town, State, and Federal agencies to acquire unbuildable, oceanfront lots;
- the continuation of its low density residential development patterns;
- the concept of a moratorium on requests for amendments to Chapter 20, Zoning and Chapter 19, Subdivisions, of the Kitty Hawk Town Code for an appropriate period following an officially declared disaster;

- the concept of a construction moratorium for an appropriate period following an officially declared disaster; and,
- the development of a Natural Hazards Plan.

#### Implementation Strategies:

- The Town will rely on the State to enforce CAMA regulations regarding beach stiffening devices on a daily or case by case basis.
- The Town will enforce the North Carolina Building Code on a daily or case by case basis.
- The Town will enforce Chapter 8, Flood Damage Prevention, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will insure that those Town employees responsible for the enforcement of the North Carolina Building Code are properly trained and their work loads manageable.
- The Town will explore the possibility of creating a mutual aid program to secure the services of extra building inspectors following a disaster.
- Whenever the Town undertakes to build a new public structure, it will insure that it is designed to withstand the impact of coastal storms.
- The Town will join with other local governments to urge that the Building Code be professionally reviewed to insure that its provisions are adequate for a coastal setting.
- The Town will enforce Chapter 20, Zoning, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will enforce Chapter 7, Environmental Controls, of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will enforce Chapter 6, Emergency Preparedness, Civil Emergencies, Etc., of the Kitty Hawk Town Code on a daily or case by case basis.
- The Town will urge Dare County and the State during Fiscal Year 1995-96 to formulate an evacuation plan which recognizes the regional nature of the problem.
- The Town will participate in Dare County's evacuation drills on a case by case basis.
- The Town will lobby State and Federal legislators as opportunities are presented for funding or evacuation route improvements and the establishment of a post-disaster fund of public monies to supplement Federal disaster relief aid.
- The Town will develop a Natural Hazards Plan in Fiscal Year 1996-97.
- The Town will participate, when asked, in the update or revision of the Dare County Emergency Management Plan.

### Consistency of Existing Land Use and Development Ordinances with Policy:

Existing ordinances are deemed consistent with the Town's stated policy.

### Adoption of Implementation Strategies by Town Council:

The Town updated the Hazard Mitigation Plan in 2003 and adopted the 2004 Hazard Mitigation Plan. The Town enforced its ordinances.

### Effectiveness of Policy in Creating Desired Land Use Patterns and Protecting Natural Systems:

The Town's stated policy is deemed effective.

## Chapter X: Tools for Managing Development

Taken together, this chapter and the preceding one (Chapter IX Plan for the Future) are arguably the most important parts of the land use plan. These chapters state the Town's goals, objectives, and policies and its strategy and action plan for implementing policies. In this chapter, State guidelines require identification and description of the tools and the actions that the Town has selected to implement its land use plan. This chapter has four parts:

- Guide for land use decision-making. (Description of the role of the plan and the status of its policies in Kitty Hawk's land use and development decisions.)
- Existing development management program. (Description of Kitty Hawk's existing policies, ordinances, codes, and regulations and how they will be coordinated and employed to implement the land use and development policies.)
- Additional tools. (Additional tools, such as new or amended ordinances, capital improvements planning, purchase of property, or other specific projects, selected by Kitty Hawk to implement the plan.)
- Action plan and schedule. (Description of the priority actions that Kitty Hawk will take to implement the plan and a general schedule for accomplishing these actions.)

### A. Guide for Land Use Decision-Making

The land use plan should be used by the Town's elected and appointed officials and the community as a guide in making decisions about or that affect land use and development. It is generally accepted that the policies and the future land use map are decision-making guides and that they do not have the force of law. However, in considering the roles and status of the plan, the Town must remain cognizant that the policies and the map are frequently used in a "regulatory" manner in the issuance of State and Federal permits. For example, consistency with the local land use plan is a major consideration in the issuance of major and minor CAMA development permits.

The plan and its policies serve a short-term purpose and the plan is used by various sectors. Developers and/or others seeking Town review or intervention may consult the policies to formulate a request that is

consistent with the policies, thereby increasing the chances of approval. The Town staff will review requests in light of policies, pointing out those policies: (1) that support the request; (2) that are in conflict; and (3) that carry the most weight, thereby shaping the overall staff response. Planning Board members can make individual determinations as to the consistency of the request with the policies. The Planning Board may consider staff recommendations, but may choose to give different weights to the policies. The general public can reference the policies when speaking in favor of or against a petition. Town Council can take into account and weigh the policy interpretations by the petitioner, the staff, the Planning Board, and residents, as well as its own interpretations and priorities in making its decision.

The plan also serves important long-term functions. It gives guidance to new development management tools and to major adjustments of or amendments to existing tools. The plan may be used in the development of plans for major capital facilities. And finally, it may guide the development of plans for projects that support implementation of the plan.

The land use plan's function with respect to zoning is of prime importance. Proper administration of the Kitty Hawk zoning ordinance requires any review of a proposed text or map amendment – whether by the staff, the Planning Board, and the Town Council – to be based on consideration of whether the proposed amendment is consistent with the Kitty Hawk Land Use Plan and otherwise advances the public health, safety, and general welfare.

Because the land use plan's standards are wide ranging but explicit, it should be the principal guide to the Planning Board's discussions and actions concerning development proposals, and particularly zoning ordinance amendments. The Board, however, should also look beyond the plan and also consider whether the proposed development proposal and/or proposed ordinance amendment, even if consistent with the plan, advance the best interests of public health, safety, and general welfare. This very general criterion calls for consideration of a wide range of issues, including, but not limited to, the proposed development's (or amendment's) potential impacts on:

- the natural environment and important natural resources – i.e., how development or an amendment might affect air quality, water quality, flooding, erosion, important natural areas, etc.;
- the transportation system – i.e., whether any additional traffic generated by development or allowed by an amendment can be

- safely and efficiently accommodated by the Town's transportation facilities;
- the provision of utilities and services – i.e., whether any additional demands for water supply, electricity, refuse collection, fire and police protection, education, health care, recreation, etc. generated by development or allowed by an amendment can be safely and efficiently accommodated by public, community, or private utility and service systems;
  - the Town economy – i.e., how the development or development allowed by an amendment might affect employment opportunities and the general health of the Kitty Hawk economy;
  - important architectural and cultural resources – i.e., how development or an ordinance amendment might threaten or enhance the continued existence and integrity of resources of architectural, archeological, or cultural significance;
  - neighboring development – i.e., how development or an ordinance amendment might affect living or working conditions in neighboring areas (including whether development might deter or enhance the appropriate development or conservation of neighboring property; and,
  - community function, character, and attractiveness – i.e., how development or an amendment might enhance the attractive and functional mix of land uses needed to meet the needs of future populations and avoid adverse impacts.

## B. Existing Development Management Program

State land use planning guidelines require that the plan include the following information related to development management: (1) a description of the Town's existing development management program; (2) a description of the role that this program will play in implementing the plan; and (3) a description of the steps that the Town will take to coordinate the ordinances and codes to implement the plan. The Town's existing development management program includes all of the ordinances, regulations, codes, policies, and directives that affect land use and development in the planning area.

Kitty Hawk uses the police powers vested in the Town Council to enforce a number of land use regulations. The Town also maintains a professional staff to administer these and relies on advisory groups – particularly the Planning Board – to develop plans and to make recommendations to the Council concerning land use and growth management. Chapter 14, Planning and Development, of the Kitty Hawk Town Code, establishes the

Town's Planning Board and sets forth the duties and responsibilities of same. In addition, various State and Federal agencies are relied upon to conduct studies and offer input in areas effecting land use such as soils evaluation and transportation system planning.

The following paragraphs briefly discuss land use related plans, studies, and regulations (ordinances, codes, and/or policies) that have been adopted or implemented by Kitty Hawk and which department(s), if applicable, is responsible for managing the program. These documents are available for public review in the Kitty Hawk Town Hall. A brief statement of how each will be used to implement the plan is also included. The State management topics that are affected are noted. If necessary, major adjustments or amendments that are needed to make the existing development program components more effective tools for implementing the plan are noted.

#### Land Use Plan Kitty Hawk North Carolina 1994 (readopted in 1997)

The Land Use Plan Kitty Hawk North Carolina 1994, approved by the Town Council on May 1, 1995 and certified by the North Carolina Coastal Resources Commission, has served as the Town's chief planning document. The Land Use Plan was readopted in 1997. The Land Use Plan was the third plan developed by the Town and represented an update of a similar document prepared and adopted in 1989.

Managing department: Town Planner's Office.

Use in plan implementation: This document provides land use related guidance to the Town's land use planning board and sets forth land management policies, thereby contributing to the health, safety, and general welfare of residents and visitors and the protection of natural features and environmentally fragile areas.

State management topic(s) affected: Land Use Compatibility, Infrastructure Carrying Capacity, Public Access, Natural Hazard Areas, and Water Quality.

Needed adjustments or amendments: The document is updated every five years.

#### Soil Survey of Dare County, North Carolina

This document is a publication of the National Cooperative Soil Survey, a joint effort of the United States Department of Agriculture (USDA), and State and local agencies. The USDA's Soil Conservation Service was the lead agency in the effort to survey soils in Dare County. Field work for the survey was completed in 1986. The types of soils and their locations in the Town, and a discussion of soils suitability, limitations, and management for specified uses is provided in the report.



Managing department: Dare County Health Department

Use in plan implementation: This document is used to help promote and ensure regulated placement of septic tank drain field systems and building and site development, thereby contributing to the health, safety, and general welfare of residents and visitors and the protection of natural features and environmentally fragile areas.

State management topic(s) affected: Public Access, Land Use Compatibility, Infrastructure Carrying Capacity, Natural Hazard Areas, and Water Quality.

Needed adjustments or amendments: No major adjustments are envisioned during the planning period.

### Kitty Hawk Town Code, Chapter 20, Zoning

Shortly after its incorporation in 1981, Kitty Hawk adopted – with minor changes – the existing Dare County Zoning Ordinance that was in effect at the time as its own ordinance. This action was mainly one of expediency. State law gives a new community 60 days to adopt a new zoning ordinance, adopt the one under which it had been operating, or be without a zoning ordinance. Recognizing that a new zoning ordinance could not be developed and approved within 60 days, and that operating without a zoning ordinance was unacceptable, the Town adopted a modified version of the Dare County Zoning Ordinance.

Since 1981, the Zoning Ordinance has undergone significant changes which provide for more efficient management of growth and development. There is substantially more emphasis on unified plans for commercial development. There are still problems of a transitional nature, such as: residential uses in commercial zones; mixed commercial uses; parking; mobile homes; streets; and, conservation and environmental concerns. These will probably result in further Zoning Ordinance amendments.

Currently, there are seventeen zones and two overlay districts in force. These are:

- BR-1 Low Density Beach Residential;
- BR-2 Medium Density Beach Residential;
- BR-3 High Density Beach Residential;
- BC-1 General Beach Commercial;
- BC-2 Beach Commercial;
- BC-3 Community Shopping Mall;
- BH Beach Hotel;
- BH-2 Beach Hotel-2;
- VR-1 Low Density Village Residential;

- VR-2 Medium Density Village Residential;
- VR-3 High Density Village Residential;
- VC-1 Village Commercial;
- VC-2 Commercial;
- VC-3 Village Commercial;
- KHW Kitty Hawk Woods;
- PCD Planned Commercial Development (Overlay District);
- PUD Planned Unit Development (Overlay District);
- ETJ Extra territorial Jurisdiction; and,
- MS-1 Medical Emergency and Government Services.
- OSR Open Space and Recreation

Managing department: Town Planner's Office.

Use in plan implementation: This ordinance is used to promote and ensure orderly, managed building, land use, and development patterns, thereby contributing to the health, safety, and general welfare of residents and visitors and the protection of natural features and environmentally fragile areas.

State management topic(s) affected: Land Use Compatibility, Public Access, Infrastructure Carrying Capacity, Natural Hazard Areas, and Water Quality.

Needed adjustments or amendments: As discussed in this land use plan update, the Town will study several issues that may result in amendments during the planning period.

#### Ordinance No. 91-14, Signs

This ordinance, included in the Kitty Hawk Town Code, Chapter 20, Zoning, as Article VI, Division 3, is intended to: encourage the effective use of signs as a means of communication in the Town; maintain and enhance the aesthetic environment and the Town's ability to attract sources of economic-development and growth; be appropriate to and improve pedestrian and traffic safety; minimize the possible adverse effect of signs on nearby public and private property; and, enable the fair and consistent enforcement of these sign restrictions. Signs may be erected, placed, established, painted, created, or maintained in Town only in conformance with the standards, procedures, exemptions, and other requirements of this ordinance.

Managing department: Town Planner's Office.

Use in plan implementation: This ordinance is used to regulate signs and their placement to promote and ensure the continuance of Kitty Hawk's appealing visual character, thereby contributing to the health, safety, and general welfare of residents and visitors and the protection of natural features and environmentally fragile areas.

State management topic affected: Land Use Compatibility, Natural Hazard Areas, and Water Quality.

Needed adjustments or amendments: No major adjustments are envisioned during the planning period although amendments will periodically be proposed.

### Planned Unit Development

Regulations governing Planned Unit Development are found in the Kitty Hawk Town Code, Chapter 20, Zoning, as Article V, Division 3. They are intended to provide developers with an option by which they can achieve flexibility of design, the integration of mutually compatible uses, and optimum land planning with greater efficiency, convenience and amenity than may be permitted as of right under the other parts of the Zoning Ordinance. A planned unit development is a privilege, not a right.

Within specified districts designated in the Zoning Ordinance, planned unit development regulations are intended to permit, on application and on approval of detailed site, use, building and development plans, the establishment of planned unit developments in areas which are suitable with respect to location, size, and physical character for development as units. Suitability of such tracts for the planned unit development proposed shall be determined primarily by reference to the goals and objectives of the land use plan and the planned unit development ordinance, characteristics of the site and area, and by the nature of the surrounding development. These regulations are intended to accomplish the purpose of zoning and control to the same degree as those regulations are intended to control development on a lot-by-lot rather than unified basis. They are to promote economical and efficient land use, a higher level of amenities, appropriate and harmonious variety in physical development, creative design, and an improved living and working environment.

Planned unit developments may be established as a conditional use where tracts suitable in location and character for the uses and structures proposed are to be planned and developed as units, according to the requirements and procedures set forth in this division. Planned unit developments shall be appropriately located with respect to intended function, the pattern and timing of development existing or proposed in the land use plan, and to public and private facilities, existing or clearly to be available by the time development reaches the stage where they will be needed.

Managing department: Town Planner's Office.

Use in plan implementation: These regulations are used to promote and ensure orderly, managed building, land use, and development patterns, thereby contributing to the health, safety, and general welfare of

residents and visitors and the protection of natural features and environmentally fragile areas.

State management topic(s) affected: Land Use Compatibility, Public Access, Infrastructure Carrying Capacity, Natural Hazard Areas, and Water Quality.

Needed adjustments or amendments: No major adjustments are envisioned during the planning period.

#### Kitty Hawk Town Code, Chapter 19, Subdivision

The purpose of this chapter is to establish procedures for the development and subdivision of real estate within the Town in an effort to: insure proper legal description, identification, placing of monuments, and recordation of real estate boundaries; further the orderly layout and appropriate use of land; provide safe, convenient, and economic circulation of vehicular traffic; provide suitable building sites which drain properly and are readily accessible to emergency vehicles; assure the proper installation of road and utilities; promote the eventual elimination of unsafe or unsanitary conditions arising from undue concentration of population; and, help conserve and protect the physical and economic resources of Kitty Hawk. The chapter sets forth lot size, setback requirements, buffer and easement provisions, and platting and approval procedures.

Managing department: Town Planner's Office.

Use in plan implementation: This ordinance is used to promote and ensure orderly, managed building, land use, and development patterns, thereby contributing to the health, safety, and general welfare of residents and visitors and the protection of natural features and environmentally fragile areas.

State management topic(s) affected: Land Use Compatibility, Public Access, Infrastructure Carrying Capacity, Natural Hazard Areas, and Water Quality.

Needed adjustments or amendments: No major adjustments are envisioned during the planning period although amendments will likely be proposed.

#### Kitty Hawk Town Code, Chapter 16, Soil Erosion and Sedimentation Control

This chapter was adopted for the purpose of regulating certain land-disturbing activity to control accelerated erosion and sedimentation in order to prevent the pollution of water and public and private property by sedimentation. It establishes procedures through which this purpose can be fulfilled. This chapter applies to land-disturbing activities undertaken by any person, with four exclusions. The four exclusions are:

- activities undertaken on agricultural land for the production of plants and animals useful to man;

- activities undertaken on forest land for the production and harvesting of timber and timber products;
- activity undertaken by persons as defined in G.S. Paragraph 113A-52(8) who are otherwise regulated by the provision of The Mining Act of 1971 [G.S. paragraph 74-46 et seq.]; and,
- land disturbing activity over which the State by stature has exclusive regulatory jurisdiction, which are those: conducted by the State; conducted by the United States; conducted by persons having the power of eminent domain; conducted by Town Council; licensed by the State or the United States; and, funded in whole or in part by the State or the United States.

Managing department: Town Planner's Office.

Use in plan implementation: These regulations are used to promote and ensure orderly, managed land disturbing activities, thereby contributing to the health, safety, and general welfare of residents and visitors and the protection of natural features and environmentally fragile areas.

State management topic(s) affected: Land Use Compatibility, Public Access, Infrastructure Carrying Capacity, Natural Hazard Areas, and Water Quality.

Needed adjustments or amendments: No major adjustments are envisioned during the planning period.

#### Kitty Hawk Town Code, Chapter 8, Flood Damage Prevention

The purpose of this chapter is to promote the public health, safety, and general welfare, and to minimize public and private losses due to flood conditions in specific areas. This is accomplished by provisions designed to:

- restrict or prohibit uses which are dangerous to health, safety, and property due to water or erosion hazards, or which result in damaging increases in erosion or in flood heights or velocities;
- require that uses vulnerable to floods, including facilities which serve such uses, be protected against flood damage at the time of initial construction;
- control the alteration of natural floodplains, stream channels, and natural protective barriers which are involved in the accommodation of floodwaters;
- control filling, grading, dredging and other development which may increase erosion or flood damage; and,
- prevent or regulate the construction of flood barriers which will unnaturally divert floodwaters or which may increase flood hazards to other lands.

The areas of special flood hazard identified by the Federal Emergency Management Agency (FEMA) in its flood insurance study for the Town (as amended from time to time), with accompanying maps and other supporting data and any revision thereto, are adopted by reference and declared to be a part of this chapter.

Managing department: Town Planner's Office/Building Inspector.

Use in plan implementation: This ordinance is used to promote and ensure orderly, managed building, land use, and development patterns and properly regulated development in flood plain areas, thereby contributing to the health, safety, and general welfare of residents and visitors and the protection of natural features and environmentally fragile areas.

State management topic(s) affected: Land Use Compatibility, Public Access, Infrastructure Carrying Capacity, Natural Hazard Areas, and Water Quality.

Needed adjustments or amendments: No more adjustments are envisioned during the planning period.

#### Kitty Hawk Town Code, Chapter 7, Environmental Control

Chapter 7, Environmental Control, encompasses three very important areas of land use regulation. These are Sand Dune Protection, Coastal Management, and Post Storm Reconstruction.

Article II (Sand Dune Protection) of Chapter 7 was adopted to preserve and promote the protection of the Town by maintaining the existence of natural and constructed dunes which help protect it from the danger of flooding and erosion of land against the actions of sand, wind, and water. The practice of destroying sand dunes and removing vegetation there/from within the Town constitutes a serious threat to the safety of adjacent properties. This article was adopted for the health, safety, and welfare of persons living, visiting, or sojourning to and in the Town and for the protection of public and private property.

Article III (Coastal Management) of Chapter 7 establishes:

- procedures to be followed in issuing minor development permits in areas of environmental concern within the Town, including methods of coordinating with other local permits;
- scope and coverage, including the geographic extent of jurisdiction of the coastal area management program;
- responsibilities and capabilities of the permit-letting agency, including a description of the criteria to be used in choosing the permit officer;

- methods of identifying and taking into account projects and impacts of regional, State, and national concern, where applicable;
- procedures to ensure that the program is consistent with the approved land use plan; and,
- procedures to ensure that copies of all existing or proposed local ordinances relating to zoning and land use in areas of environmental concern to which the plan applies shall be submitted to the commission within the required time after final designation or areas of environmental concern, and that to the greatest extent possible the ordinances and regulations will be made consistent with the management program described in the article.

The issuance of minor development permits required by the CAMA is administered and enforced in those areas of environmental concern (or parts of those areas of environmental concern) which are located within the corporate boundaries of the Town.

Article IV (Post-Storm Reconstruction) of Chapter 7 includes regulations that are in keeping with the intent of the Town to allow rebuilding and reconstruction of damaged structures in an orderly manner. The Town will control the issuance of building permits to manage the location, timing, and sequence of reconstruction and repair. To further the intent of this section, the Town will make every effort to develop its capacity to identify and orchestrate various post-storm reconstruction resources, while at the same time ensuring maximum local control over the reconstruction process.

Managing department: Town Planner's Office/Building Inspector.

Use in plan implementation: This ordinance is used to: promote and ensure orderly, managed rebuilding and reconstruction following a storm event; support the CAMA process; and, protect sand dunes, thereby contributing to the health, safety, and general welfare of residents and visitors and the protection of natural features and environmentally fragile areas.

State management topic(s) affected: Land Use Compatibility, Public Access, Infrastructure Carrying Capacity, Natural Hazard Areas, and Water Quality.

Needed adjustments or amendments: No adjustments are envisioned during the planning period.

Coordination of the various components of the development management program can be an important part of effective implementation of the plan. Management of the development program in Kitty Hawk, unless otherwise noted, is coordinated through the Town Planner's Office.

### C. Additional Tools

Tools (in addition to those already included in the existing development management program) that will be used to implement the plan include: ordinances, capital improvement program, acquisition program and specific projects. The following sections describe their use by Kitty Hawk.

#### 1. Ordinances

Although no new ordinances are anticipated to be developed by the Town during the planning period, the Town will likely continue to study amendments to its zoning ordinance. The Town developed an Open Space and Recreation (OSR) zoning district. The Town may study amendments to its zoning ordinance to institute residential building architectural standards and commercial building architectural standards. In addition, the Town may study additional zoning overlay districts for beach front areas and redevelopment areas, if and when such areas are identified.

#### 2. Capital Improvements Program

The Town developed a capital improvements plan (CIP) in 1998. The Town has formed a capital improvements committee to review and assess capital spending requests. During the planning period, the Town will update the CIP document and incorporate the practice and process of planning for capital projects as a part of its annual budgetary process.

#### 3. Acquisition Program

The acquisition of land and the acceptance of land that may be offered or dedicated to the Town will be evaluated as needs and opportunities are identified. In the last few years, the Town has acquired residential properties along the ocean front and has also acquired land for a fire station building. As the Town continues to develop its multi-use trail, additional land acquisition may be contemplated to provide connectivity or to provide public spaces adjacent to the trail.

#### 4. Specific Projects



In addition to the ordinance work described above (and as a part of the action plan which follows), the Town may undertake several specific projects during the planning period as future circumstances dictate and opportunities occur.

#### D. Action Plan/Schedule

State guidelines require that the plan include a separate action plan and schedule. The action plan includes the priority actions that Kitty Hawk will undertake to implement the plan. The accompanying schedule includes the fiscal year in which the actions are initiated and the year that they are complete. The schedule covers a 5-year period. Each action plan item contains references to the policies (included in Chapter IX) the action item will impact. The action plan and schedule will be used to prepare the implementation status report, which is required by CAMA land use planning grant rules, found in 15A NCAC 7L .0511. These rules require submission of an Implementation Status Report every two years for as long as the plan remains in effect.

State guidelines also require the action plan to include a description of the specific steps that will be taken to involve citizens in the implementation of the plan. EXHIBIT X-A outlines the Town's Action Plan and Schedule.

### EXHIBIT X-A KITTY HAWK, NORTH CAROLINA ACTION PLAN AND SCHEDULE

#### 1. Update the capital improvements plan (CIP).

Initiation: 2004

Completion: Annual Updates

Policy References: Policy #'s: 1, 2, 3, 5, 6, 7, 8, 9, 10, 14, 15, 18, 20, 21, and 23.

#### 2. Seek State funding assistance to develop a shoreline access plan.

Initiation: 2005

Completion: 2005

Policy References: Policy #'s: 1, 2, 3, 5, 6, 9, 10, 11, 12, 14, 24, and 25.

3. Develop a *parks, trails, and recreational facilities master plan.*

Initiation: 2005

Completion: 2006

Policy References: Policy #'s: 1, 2, 3, 4, 5, 6, 8, 9, 10, 11, 12, 14, and 24.

4. Seek State funding assistance to develop a *corridor study and plan for the NC 12*

*corridor and the ocean front* to include identification of: needs and opportunities;

areas that may be targeted for improvement(s); and, improvement(s) options and

alternatives. The study should also examine beach re-nourishment and preservation issues and options.

Initiation: 2005

Completion: 2006

Policy References: Policy #'s: 1, 2, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 16, 17, 22, 23, 24, and 25.

5. Seek State funding and technical; assistance to develop a *corridor study and plan*

*to address land use compatibility issues along U.S. 158 Bypass* to include:

residential and commercial building and development design guidelines and

standards; parcel inter-connectivity and reverse frontage developments;; and,

general strategies to improve vehicular and pedestrian movement and visual

aesthetics and reduce land use conflicts.

Initiation: 2005

Completion: 2006

Policy References: Policy #'s: 4, 5, 7, 8, 9, 10, 11, 13, 15, 16, 17, 22, and 23.

EXHIBIT X-A (continued)  
KITTY HAWK, NORTH CAROLINA  
ACTION PLAN AND SCHEDULE

6. Continue *citizen participation* in the Town planning process.

Initiation: On-going

Completion: On-going

Policy References: Policy #'s: 4, 5, 7, 10, 11, 16, and 17.

7. Update *1999-2000 Storm Water Management Study*.

Initiation: 2004

Completion: 2005

Policy References: Policy #'s: 12, 21, and 25.

## APPENDICES

APPENDIX 1 Locally Significant Sites (circa 1900), Kitty Hawk, NC.....  
AP-2

APPENDIX 2 Dare County Water System Serving Kitty Hawk, NC.....  
AP-3

## INDEX

NOTE: This section is provided to assist the user/reader in locating information pertaining to a variety of items (terms, issue areas, concepts, facilities, programs, agencies, etc.) discussed or referenced in the Kitty Hawk 2003-2004 CAMA CORE Land Use Plan Update. Some of the items are specific to Kitty Hawk, while most are generally associated with North Carolina CAMA land use planning. The items listed, and the page numbers provided for each, may not be totally inclusive, and thus serve to help guide the user/reader to items of interest.

### A

Action Plan and Schedule: X-12 through X-13

Age Range: III-4

Albemarle Hospital: VI-7

Albemarle-Pamlico Estuarine System: IV-12

Albemarle Sound: II-4, II-7, IV-12, IV-14, IX-2, IX-10

Appendices: AP-1

Areas of Environmental Concern: IV-1 through IV-7, multiple references in Chapter IX

Atlantic Ocean/Shoreline: I-1, II-4, II-5, IV-2, IV-14, multiple references in Chapter IX

### B

Beach Central Communications System: VI-8

Beach Driving: II-4, II-5, IX-2, IX-7

Beach Nourishment (and Dune Stabilization): II-4, II-6, IX-2, IX-8

Bertie County: VI-6

Building Permit Activity: III-9

Bull Ridge Gut: IV-6

Buxton Woods: IV-19

### C

Camden County: IV-12

Capital Improvements Plan: IX-13, X-11

Census/Census Bureau: multiple references in Chapter III

Chesapeake General Hospital: VI-7

Chowan County: IV-12

Coastal Area Management Act: multiple references throughout document

Coastal Resources Commission (and/or Division of Coastal Management): multiple references throughout document

Coastal Wetland Significance Areas: IV-6

Commercial Development: II-4 through II-6, IX-2, IX-8

Community Appearance: II-4, II-7, IX-2, IX-9  
Community Planning Collaborative: I-2  
Community Rating System: IX-16  
Composite Environmental Conditions: IV-1, IV-8 through IV-11  
Croatan Sound: IV-2, IV-12  
Currituck County: IV-12, IV-14  
Currituck Sound: I-1, II-4, II-7, multiple references in Chapter IV, IX-2, IX-10, IX-24, IX-25

## D

Dare County: multiple references throughout document  
Dare County Detention Center: VI-8  
Dare County CAMA Land Use Plan: SC-1  
Dare County Emergency Services: VI-7, IX-18  
Dare County Health Department: IV-5, IV-8, VI-6, IX-21  
Dare County Library: VI-7  
Dare County Schools: VI-6, VI-7  
Dare County Sheriff's Department: IX-18  
Dare County Water System: VI-1, VI-6  
Department of Agriculture and Consumer Services: IV-20  
Department of Environment and Natural Resources: multiple references throughout document  
Department of Transportation: IV-15, VI-4, IX-22, IX-23  
Development Design Standards: II-4, II-8, IX-2, IX-11  
Division of Coastal Management: multiple references throughout document  
Division of Health and Human Services: IV-6  
Division of Land Resources: IV-20  
Division of Water Quality: multiple references in Chapter IV  
Duck Pond Creek: IV-2

## E

Economy: III-10  
Economic Conditions: multiple references in Chapter III  
Educational Attainment: III-4  
Elizabeth City: VI-7  
Environmental Conditions Composite: IV-8 through IV-10  
Environmental Protection Agency: IV-12  
Environmental Sciences Branch: IV-15  
Erosion: III-1  
Estuarine and Ocean Systems AEC: IV-2  
Estuarine Shoreline AEC: IV-3  
Existing Development Management Program: X-3 through X-10  
Existing Land Use: multiple references in Chapter V

Extra-territorial Jurisdiction: IX-24

## F

Federal Clean Water Act: IV-16

Federal Properties: II-4, II-8, IX-2, IX-12

First Flight Elementary School: VI-7

First Flight High School: VI-7

First Flight Middle School: VI-7

Flood and Other Natural Hazard Areas: IV-5, multiple references in Chapter IV

Future Land Use: IX-26 through IX-31

## G

Gates County: IV-12

Gimquite Creek: IV-2

## H

Hazard Mitigation Plan: IX-16

Housing: II-2, III-6

High Bridge Creek: IV-2

High Hazard Flood AEC: IV-4

Hyde County: IV-12

## I

Infrastructure Carrying Capacity: II-4, II-8, IX-2, IX-12

Intergovernmental Relations: II-4, II-9, IX-2, IX-13

Institutional Land Use: V-3

## J

Jean Guite Creek: IV-2, IV-14

Jockeys Ridge State Park: IV-19

## K

Kill Devil Hills: VI-4, IV-12

Kitty Hawk Bay: I-1, II-4, II-7, IV-2, IV-14, IX-2, IX-10, IX-25

Kitty Hawk Elementary School: VI-7

Kitty Hawk Woods Coastal Reserve: IV-4, IV-19

Kitty Hawk Village: V-1

## L

Land Development: II-2

Land Use Compatibility: II-4, II-9, IX-2, IX-14

Land Use Planning Guidelines: I-1

Land Suitability Analysis: multiple references in Chapter VII

Local Water Supply Plan: VI-2

M

Management Topics: II-4, multiple references in Chapter II and Chapter IX

Manteo High School: VI-7

Marital Status: III-3

Marine Fisheries Commission: IV-14

Mid-Currituck County Bridge: IX-23

Multi-family Residential: V-3

N

Nags Head: IV-12

Nags Head Woods Preserve: IV-19

NC 12: II-2, II-5, II-6, IX-18, IX-23

National Flood Insurance Program: IX-15

National Pollutant Discharge Elimination System (NPDES): IV-12

Natural and Cultural Resource Areas AEC: IV-2

Natural Hazard Areas: II-4, II-10, IV-1, IV-18, IX-2, IX-15

Natural Heritage Areas: IV-19

Natural Heritage Program: IV-19

Natural Resource Related Industries: II-3

Natural Systems: multiple references in Chapter IV

Non-game and Endangered Wildlife Program: IV-20

Non-coastal Wetlands: IV-1, IV-6

North Carolina Administrative Code: I-1

North Carolina Division of Water Quality: IV-12

North Carolina Highway Patrol: IX-18

North Carolina Power: V-1

North Carolina Utilities Commission: IX-21

Northern Gut: IV-12

O

Ocean Erodible AEC: IV-3, IV-4

Ocean Hazards AEC: IV-2

Ocean Rescue: IX-18

Outer Banks: I-4

Outer Banks Tourist Bureau: IX-23

P

Package Treatment Plants: VI-2, IX-21

Pamlico Sound: IV-12

Parking and Off-Loading Areas: II-4, II-10, IX-2, IX-16

Pasquotank County: IV-12

Pasquotank River: multiple references in Chapter IV



Pasquotank River Basin Wide Water Quality Plan: multiple references in Chapter IV

Peak Seasonal Population: multiple references in Chapter III

Perquimans County: IV-12

Planning Board: I-3

Policy Analysis: IX-31 through IX-59

Population: multiple references in Chapter III

Potable Water: II-3

Primary Nursery Areas: IV-14, multiple references in Chapter IV

Public Access: II-4, II-11, IX-2, IX-17

Public Health: IV-18

Public Policies: II-3

Public Safety: II-4, II-11, IX-2, IX-18

Public Trust Waters: IV-2

Public Water Supply AEC: IV-2

## Q

No items cited.

## R

Redevelopment: II-4, II-12, IX-2, IX-19

Regional Setting: I-2

Residential Development: II-4, II-12, IX-2, IX-19

Roanoke Sound: IV-12, IV-14

Run Hill State Natural Area: IV-19

## S

School Enrollment: III-3

Secondary Nursery Areas: IV-14

Septic Tanks: II-4, II-13, IX-2, IX-21

Sexually Oriented Businesses: II-4, II-13, IX-2, IX-21

Shellfish Sanitation and Waters: IV-17

Shoreline Erosion: IV-19

Single-family Residential: multiple references in Chapter V

Soils: multiple references in Chapter IV

Solid Waste Management: II-4, II-14, IX-2, IX-22

Sources Consulted: SC-1

Southern Shores: I-4

State Demographics Office: III-5

Storm Hazards: IV-18

Storm Surge: IV-1, IV-6

Storm Water Management: II-4, II-14, IX-3, IX-22

Subdivisions: X-7

Submerged Aquatic Vegetation: IV-15

Surface Water Quality: IV-12

T

Tools for Managing Development: X-3 through X-11  
Tourism: II-4, II-15, IX-3, IX-23  
Town Council: I-3, multiple references in Chapter VIII  
Town Facilities: multiple references in Chapter VI  
Town Vision: II-16  
Transportation: II-3, II-4, II-15, IX-3, IX-23  
Transportation Improvement Plan: VI-12  
Tyrrell County: IV-12

U

U.S. 158: II-1, II-2, multiple references in Chapter VI  
U.S. Army Corps of Engineers: IV-6  
Use Support Ratings: multiple references in Chapter IV  
Uses of and Activities In and On Ocean and Sound Waters: II-5, II-16, IX-3,  
IX-27

V

Villas Association: IV-12  
Vision Statement: II-16

W

Washington County: IV-12  
Wastewater: IV-18  
Water Quality: II-2, II-4, II-16, IX-2, IX-25  
Wetlands: IV-1  
Wildlife Resource Commission: IV-2  
Wind Damage: IV-18  
Workshops and Meetings: WS-1  
Wright Brothers National Memorial: IV-19

X

No items cited.

Y

No items cited.

Z

Zoning: multiple references in Chapter IX and Chapter X

