



Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-255-0876

info@southernshores-nc.gov

www.southernshores-nc.gov

PLANNING BOARD GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

Date: 5 / 8 / 2026 **Filing Fee:** \$200 **Receipt No.:** N/A **Application No.:** ZTA-2026-02

NOTE: The Planning Board will follow the specific provisions of the Zoning Ordinance Chapter 36. Article X Administration and Enforcement, Section 36-299.

Please check the applicable Chapter/Article:

- Chapter 30. Subdivisions-Town Code
- Chapter 36. Article VII. Schedule of District Regulations. Section 36-207 C-General Commercial District
- Chapter 36. Article IX. Planned Unit Development (PUD)
- Chapter 36. Article X. Administration and Enforcement, Section 36-299 (b) Application for Building Permits and Site Plan Review other than one and two family dwelling units *
- Chapter 36. Article X. Section 36-300-Application for Permit for Conditional Use
- Chapter 36. Article X. Section 36-303 Fees
- Chapter 36. Article X. Section 36-304-Vested Rights
- Chapter 36. Article XIV. Changes and Amendments

Certification and Standing: As applicant of standing for project to be reviewed I certify that the information on this application is complete and accurate.

Applicant

Name Town of Southern Shores

Address: 5375 N. Virginia Dare Trl.
Southern Shores, NC 27949

Phone (252) 261-2394 Email whaskett@southernshores-nc.gov

Applicant's Representative (if any)

Name _____

Agent, Contractor, Other (Circle one)

Address _____

Phone _____ Email _____

Property Involved: ___ Southern Shores ___ Martin's Point (Commercial only)

Address: _____ Zoning district _____

Section _____ Block _____ Lot _____ Lot size (sq.ft.) _____

Request: ___ Site Plan Review ___ Final Site Plan Review ___ Conditional Use ___ Permitted Use
___ PUD (Planned Unit Development) ___ Subdivision Ordinance ___ Vested Right ___ Variance

Change To: ___ Zoning Map Zoning Ordinance

W. Whaskett
Signature

5-8-2026
Date

* Attach supporting documentation.



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ZTA-2026-02

5-14-2026

Ordinance 2026-XX-XX

AN ORDINANCE AMENDING THE CODE OF ORDINANCES
OF THE TOWN OF SOUTHERN SHORES, NORTH CAROLINA

ARTICLE I. Purpose(s) and Authority.

WHEREAS, pursuant to N.C.G.S. § 160D-701, the Town of Southern Shores (the “Town”) may enact and amend ordinances regulating the zoning and development of land within its jurisdiction and specifically the location and use of buildings, structures, and land. Pursuant to this authority and the additional authority granted by N.C.G.S. § 160D-702, the Town has adopted a comprehensive zoning ordinance (the “Town’s Zoning Ordinance”) and has codified the same as Chapter 36 of the Town’s Code of Ordinances (the “Town Code”); and

WHEREAS, in accordance with the findings above, the amendment of the Town’s Zoning Ordinance as stated below will serve a public purpose and advance the public health, safety and general welfare.

WHEREAS, the amendment of the Town’s Zoning Ordinance as stated below is based on reasonable consideration, among other things, as to the character of the district, suitability for uses in the area, conserving value of buildings and encouraging the most appropriate use of land throughout the Town.

WHEREAS, the Town’s currently adopted Land Use Plan contains Policies and Action Items that are applicable to the amendments, including but not limited to the following:

LUC 3.1: Support development design and approvals that reinforce the low-density nature of the community and are at an appropriate scale for the commercial district.

ARTICLE II. Construction.

For purposes of this ordinance amendment, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein but are instead replaced by an ellipses (“...”) shall remain as they currently exist within the Town Code.

1 **ARTICLE III. Amendment of Zoning Ordinance.**

2
3 **NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of
4 Southern Shores, North Carolina, that the Town Code shall be amended as follows:

5
6 **PART I.** That **Sec. 132. Regulation of structures and uses nonconforming.** Be
7 amended as follows:
8

9 **Sec. 36-132. Regulation of structures and uses nonconforming.**

10
11 ...
12

13 (2) *Recombination required.* If any of the following situations apply, all adjacent
14 lots under the same ownership shall be recombined into: (i) a single lot which
15 may or may not meet the minimum requirements for the district in which such
16 lots are located; or (ii) multiple lots which all meet the minimum requirements
17 for the district in which such lots are located:

- 18 a. Development, excluding when there is no proposed increase in the
19 footprint of existing decks and/or stairs, is proposed upon land which
20 includes one or more nonconforming lots adjacent to one or more other
21 lots under the same ownership;
- 22 b. Demolition or redevelopment, excluding when there is no proposed
23 increase in the footprint of existing decks and/or stairs, exceeding 50
24 percent of an existing structure's value is proposed and any portion of the
25 existing structure or associated use is currently or has been within the
26 previous seven years located upon or occurring on two or more lots under
27 the same ownership, as measured from the time of application;
- 28 c. Development is proposed of a new structure or use, excluding when there
29 is no proposed increase in the footprint of existing decks and/or stairs, to
30 be located on two or more lots under the same ownership;
- 31 d. Prior to the sale or transfer of land when any portion of the land being sold
32 or transferred was a parcel or part of a parcel of land upon which an
33 existing structure or associated use is currently or has been within the
34 previous seven years located upon or occurring on two or more lots under
35 the same ownership, as measured from the time of application; or
- 36 e. Prior to the sale or transfer of land including a nonconforming lot or lots
37 adjacent to one or more other lots under the same ownership;

38 A plat prepared by a North Carolina licensed surveyor showing the
39 recombination shall be recorded in the Dare County public registry,
40 and a copy of the recorded plat shall be provided to the town prior to the
41 issuance of a zoning or building permit for development or redevelopment upon
42 any of the newly created lots. Lots created by a recombination required by this

1 section shall be deemed to equal or exceed the standards of the town under
2 chapter 30, and are exempt from the subdivision process under chapter 30.

3 ...

4
5 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
6 **Reasonableness.**

7
8 The Town’s adoption of this ordinance amendment is consistent with the Town’s adopted
9 comprehensive zoning ordinance, land use plan and any other officially adopted plan that
10 is applicable. For all of the above-stated reasons and any additional reasons supporting the
11 Town’s adoption of this ordinance amendment, the Town considers the adoption of this
12 ordinance amendment to be reasonable and in the public interest.

13
14 **ARTICLE V. Severability.**

15
16 All Town ordinances or parts of ordinances in conflict with this ordinance amendment are
17 hereby repealed. Should a court of competent jurisdiction declare this ordinance
18 amendment or any part thereof to be invalid, such decision shall not affect the remaining
19 provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the
20 Town of Southern Shores, North Carolina which shall remain in full force and effect.

21
22 **ARTICLE VI. Effective Date.**

23
24 This ordinance amendment shall be in full force and effect from and after the ____ day of
25 _____, 2026.

26
27
28 _____
Elizabeth Morey, Mayor

29 ATTEST:

30
31 _____
32 Town Clerk

33
34 APPROVED AS TO FORM:

35
36 _____
37 Town Attorney

38
39 Date adopted:

40
41 _____
42 Motion to adopt by Councilmember:

43
44 _____
45 Motion seconded by Councilmember:

Vote: ___AYES___NAYS