



# 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:** 9 / 6 / 22      **Filing Fee:** \$200      **Receipt No.** N/A      **Application No.** ZTA-22-10

**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 **X** \_\_\_ Zoning Ordinance

  
Signature

9-6-22  
Date

\* Attach supporting documentation.



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ZTA-22-10

9-6-22

Ordinance 2022-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. 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**, the Town further finds that in accordance with the findings above it is in the interest of and not contrary to the public's health, safety, and general welfare for the Town to amend the Town’s Zoning Ordinance as stated below.

**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.

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

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

**PART I.** That **Sec. 36-207. C general commercial district.** Be amended as follows:

**Sec. 36-207. C general commercial district.**

...

(c) *Special uses.* The following uses shall be permitted as a special use, subject to the requirements of this district; shall be subject to conditions and modifications relating

1 to impacts on adjacent properties, transportation and transportation systems,  
2 transportation interconnectivity, stormwater, utilities and telecommunications  
3 facilities (including capacity), vegetation and other elements of the natural  
4 environment, noise, hours of operation, and other factors that the town council finds  
5 applicable; and additional regulations and requirements imposed by the town  
6 council, as provided in article X of this chapter:

7 ...

8 (11) Mixed use group development of commercial and residential buildings,  
9 provided:

10 ...

11 i. Maximum building height shall be 35 feet, measured from the average of  
12 the existing, undisturbed grade at the building corners. If the average of  
13 the existing, undisturbed grade at the corners of the building is less than  
14 eight feet above mean sea level, the maximum building height may be  
15 measured from up to eight feet above mean sea level.

16  
17 ...

18  
19 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**  
20 **Reasonableness.**

21  
22 The Town's adoption of this ordinance amendment is consistent with the Town's adopted  
23 comprehensive zoning ordinance, land use plan and any other officially adopted plan that  
24 is applicable. For all of the above-stated reasons and any additional reasons supporting the  
25 Town's adoption of this ordinance amendment, the Town considers the adoption of this  
26 ordinance amendment to be reasonable and in the public interest.

27  
28 **ARTICLE V. Severability.**

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

35  
36 **ARTICLE VI. Effective Date.**

37  
38 This ordinance amendment shall be in full force and effect from and after the \_\_\_\_ day of  
39 \_\_\_\_\_, 2022.

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43 ATTEST:

\_\_\_\_\_  
Elizabeth Morey, Mayor

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\_\_\_\_\_  
Town Clerk

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney

Date adopted:

\_\_\_\_\_  
Motion to adopt by Councilmember:

\_\_\_\_\_  
Motion seconded by Councilmember:

Vote: \_\_\_AYES\_\_\_NAYS