



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: 7 / 18 / 2025

Filing Fee: \$200

Receipt No.: N/A

Application No.: ZTA-25-05

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

Wm Haskett
Signature

7-18-2025
Date

* Attach supporting documentation.



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ZTA-25-05

8-18-2025

Ordinance 2025-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, the Town's currently adopted Comprehensive Land Use Plan contains the following Policy that is applicable to the proposed amendments,

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.

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.

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:

1 **PART I.** That **Sec. 1-14. Reconsideration of action on development and**
2 **amendment requests.** Be added as follows:
3

4 **Sec. 1-14. Reconsideration of action on development and amendment requests.**
5

6 (a) If an application for an administrative development approval, zoning map amendment,
7 regulation amendment, or any other legislative development request is denied by the
8 decision-making authority, on any basis other than the failure of the applicant to
9 submit a complete application, no same application proposing the same or similar
10 development on all or part of the same land or the same or similar text amendment
11 shall be submitted within one (1) year after the date of denial unless the decision-
12 making authority waives this time limit as follows:
13

14 (1) The owner of land subject to this subsection, or the owner's authorized
15 agent, may submit a written request for waiver of the time limit, along with
16 a fee to defray the cost of processing the request, to the zoning
17 administrator, who shall transmit the request to the decision-making
18 authority.
19

20 (2) The decision-making authority may grant a waiver of the time limit only on
21 a finding by two-thirds of its membership that the owner or agent has
22 demonstrated that:
23

24 a. There is a substantial change in circumstances relevant to the issues
25 or facts considered during review of the prior application that might
26 reasonably affect the decision-making authority's application of the
27 relevant review standards to the development proposed in the new
28 application; or
29

30 b. New or additional information is available that was not available at
31 the time of review of the prior application and that might reasonably
32 affect the decision-making authority's application of the relevant
33 review standards to the development proposed in the new
34 application. A request to be heard on this basis must be filed with
35 the zoning administrator within 30 days from receipt of the written
36 notice of the decision. However, such a request does not extend the
37 30-day period within which an appeal must be taken; or
38

39 c. The new application proposed to be submitted is materially different
40 from the prior application; or
41

42 d. The final decision on the prior application was based on a material
43 mistake of fact.
44

1 (b) If an application for a quasi-judicial development decision is denied, on any basis
2 other than the failure of the applicant to submit a complete application, no application
3 proposing the same or similar development on all, or part of the same land shall be
4 reconsidered unless the applicant submits a new application that clearly demonstrates
5 the following:

6
7 (1) There is a substantial change in circumstances relevant to the issues or facts
8 considered during review of the prior application that might reasonably
9 affect the decision-making authority's application of the relevant review
10 standards to the development proposed in the new application; or

11
12 (2) New or additional information is available that was not available at the time
13 of review of the prior application and that might reasonably affect the
14 decision-making authority's application of the relevant review standards to
15 the development proposed in the new application; or

16
17 (3) The new application proposed to be submitted is materially different from
18 the prior application; and

19
20 (4) The decision-making authority determines the new application is authorized
21 in accordance with this subsection.
22

23 (c) The zoning administrator or decision-making authority may, however, at any time
24 consider a new application affecting the same property as an application previously
25 denied. A new application is one that differs in some substantial way from the one
26 previously considered.

27
28 **PART II. That Sec. 36-414. Motion to amend. Be amended as follows:**
29

30 **Sec. 36-414. Motion to amend.**

31
32 (a) The town council may, on its own motion or upon motion or upon petition by any
33 person within any zoning jurisdiction of the town, after public notice and hearing,
34 amend, supplement, change, modify or repeal the regulations herein established or
35 the maps which are part of this chapter, subject to the rules prescribed in this article.
36 No regulation or map shall be amended, supplemented, changed, modified or
37 repealed until after a public hearing in relation thereto, at which parties in interest
38 and citizens shall have an opportunity to be heard. Prior to adopting or rejecting any
39 zoning amendment, the planning board shall adopt a statement describing whether
40 its action is consistent with the adopted town comprehensive land use plan and
41 explaining why the planning board considers the action taken to be reasonable and in
42 the public interest. That statement is not subject to judicial review. A notice of such

1 hearing shall be given one a week for two successive calendar weeks in a newspaper
2 of general circulation in the town, said notice to be published the first time not less
3 than ten days nor more than 25 days prior to the date fixed for the hearing.

4
5 (1) For all proposed regulation amendments, an application shall be submitted that
6 includes the name(s) and address(es) of the applicant(s), accompanied by the
7 actual text of the proposed amendment in a format provided by the town, and
8 the applicable fee in accordance with the town's adopted fee schedule.

9
10 ...

11
12 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
13 **Reasonableness.**

14
15 The Town's adoption of this ordinance amendment is consistent with the Town's adopted
16 comprehensive zoning ordinance, comprehensive land use plan and any other officially
17 adopted plan that is applicable; for all the above-stated reasons, including but not limited
18 to it encourages the use of low impact development techniques and sound environmental
19 preservation practice, encourages lot preparation methods that preserve natural vegetation
20 and minimize clear cutting and furthers the founder's original vision for Southern Shores
21 of a low-density residential community served by a small commercial district. The Town
22 considers the adoption of this ordinance amendment to be reasonable and in the public
23 interest.

24
25 **ARTICLE V. Severability.**

26
27 All Town ordinances or parts of ordinances in conflict with this ordinance amendment are
28 hereby repealed. Should a court of competent jurisdiction declare this ordinance
29 amendment or any part thereof to be invalid, such decision shall not affect the remaining
30 provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the
31 Town of Southern Shores, North Carolina which shall remain in full force and effect.

32
33 **ARTICLE VI. Effective Date.**

34
35 This ordinance amendment shall be in full force and effect from and after the ____ day of
36 _____, 2025.

37
38
39 _____
Elizabeth Morey, Mayor

40 ATTEST:

41
42 _____
43 Town Clerk

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Vote: AYES NAYS