



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: 10 / 13 / 21

Filing Fee: \$200

Receipt No. N/A

Application No. ZTA-21-09

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

Wm H. H. H.
Signature

10-13-21
Date

* Attach supporting documentation.



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ZTA-21-09

Ordinance 2022-01-02

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. 36-202. RS-1 single-family residential district.** Be amended as follows:

Sec. 36-202. RS-1 single-family residential district.

...

(d) *Dimensional requirements.*

1 ...
2
3 (6) Maximum allowable lot coverage.

- 4 a. Maximum allowable lot coverage shall be 30 percent, except for town-
5 owned facilities and fire stations;
6 b. Maximum allowable lot coverage shall be 85 percent for town-owned
7 facilities and fire stations.
8 c. Gravel walkways shall not contribute to lot coverage.
9 d. Open-slatted decks that allow water to penetrate through to pervious
10 material, not exceeding a total of 25 percent of the total footprint area of
11 the attached single-family dwelling, shall not contribute to lot coverage.
12 e. Those allowances and/or exemptions listed in subsection d. of this
13 paragraph (6) shall be available only to an applicant for a building/zoning
14 permit for a single-family dwelling or attached open-slatted deck over
15 pervious material, upon presentation of a survey with all applicable
16 requirements including plan certification, for a lot disturbance and
17 stormwater management permit as described in subsection 36-171(3) of
18 the Town Code of Ordinances.

19 In the case of ~~an oceanfront~~ a lot where the boundary is the Atlantic Ocean,
20 only that portion of the lot area landward of the first line of stable natural
21 vegetation (as defined by CAMA) shall be used for ~~calculating the calculation~~
22 of lot coverage as it pertains to impervious surface limits included in the
23 maximum allowable lot coverage constraints.

24
25 **PART II.** That **Sec. 36-203. RS-8 multifamily residential district.** Be amended as
26 follows:

27
28 **Sec. 36-203. RS-8 multifamily residential district.**

29 ...
30
31

32 (d) *Dimensional requirements.*

33
34 ...
35

- 36 (6) Maximum allowable lot coverage by principal use and all accessory structures:
37 30 percent. In the case of ~~an oceanfront~~ a lot where the boundary is the Atlantic
38 Ocean, only that portion of the lot area landward of the first line of stable
39 natural vegetation (as defined by CAMA) shall be used for ~~calculating the~~
40 calculation of lot coverage as it pertains to impervious surface limits included
41 in the maximum allowable lot coverage constraints.

1 **PART III.** That **Sec. 36-204. RS-10 residential district.** Be amended as follows:

2
3 **Sec. 36-204. RS-10 residential district.**

4
5 ...

6
7 (d) *Dimensional requirements.*

8
9 ...

- 10
11 (6) Maximum allowable lot coverage: 30 percent. In the case of ~~an oceanfront~~ a lot
12 where the boundary is the Atlantic Ocean, only that portion of the lot area
13 landward of the first line of stable natural vegetation (as defined by CAMA)
14 shall be used for calculating the calculation of lot coverage as it pertains to
15 impervious surface limits included in the maximum allowable lot coverage
16 constraints.

17
18 ...

19
20 **PART IV.** That **Sec. 36-205. R-1 low-density residential district.** Be amended as
21 follows:

22
23 **Sec. 36-205. RS-1 low-density residential district.**

24
25 ...

26
27 (d) *Dimensional requirements.*

28
29 ...

- 30
31 (6) Maximum allowable lot coverage.

- 32 a. Maximum allowable lot coverage shall be 30 percent, except for town-owned
33 facilities and fire stations;
34 b. Maximum allowable lot coverage shall be 85 percent for town-owned
35 facilities and fire stations; and
36 c. Maximum allowable lot coverage shall be 40 percent for school facilities.

37 In the case of ~~an oceanfront~~ a lot where the boundary is the Atlantic Ocean,
38 only that portion of the lot area landward of the first line of stable natural
39 vegetation (as defined by CAMA) shall be used for calculating the calculation
40 of lot coverage as it pertains to impervious surface limits included in the
41 maximum allowable lot coverage constraints.

1
2
3
4 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
5 **Reasonableness.**
6

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

13 **ARTICLE V. Severability.**
14

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

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

23 This ordinance amendment shall be in full force and effect from and after the ____ day of
24 _____, 2021.
25

26
27 _____
Tom Bennett, Mayor

28 ATTEST:
29

30 _____
31 Town Clerk
32
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 _____
Motion seconded by Councilmember:
45
46

Vote: __AYES__ NAYS