



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: 11 / 2 / 21 Filing Fee: \$200 Receipt No. N/A Application No. ZTA-21-10

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

W. H. H. H.
Signature

11-2-21
Date

* Attach supporting documentation.



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ZTA-21-10 Ordinance

2022-01-03

11-17-2021

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.

...

(b) *Permitted uses*. The following uses shall be permitted by right:

- ...
- (11) Produce stands. The retail sale of fruits, vegetables, and plants subject to the following requirements:
- a. All stands shall meet the yard requirements for the C general commercial district;
 - b. No sales shall be conducted between 8:00 p.m. and 7:00 a.m.;
 - c. No additional lighting shall be allowed;
 - d. All stands shall comply with all applicable Dare County Health Department requirements;
 - e. Only one stand per lot shall be allowed;
 - f. When located on a lot with fifty (50) or more existing parking spaces, no additional parking spaces will be required. When located on a lot with fewer than fifty (50) existing parking spaces, a minimum of three (3) off-street parking spaces shall be provided. When located on a vacant lot, parking spaces shall be provided on an adjacent lot with existing parking spaces that is under same ownership;
 - g. One freestanding sign not exceeding 32 square feet in area or 6 feet in height shall be allowed.
 - h. If applicable, a building and/or electrical permit shall be obtained;
 - i. The display, storage and/or sale area shall not impede vehicular or pedestrian traffic and parking;
 - j. On-site garbage or trash receptacles must be provided and properly maintained at all times;
 - k. May operate from April 15th to November 15th. Any structures, stands and accessory materials shall be removed and the property cleaned up within 3 days upon seasonal closure.

PART II. That **Sec. 36-209. Prohibited uses.** Be amended as follows:

Sec. 36-209. Prohibited uses in all districts.

- (a) The following uses shall be prohibited in all districts:

...

~~(36)~~ Produce stands;

~~(37)~~ Satellite dish farms;

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APPROVED AS TO FORM:

Town Attorney

Date adopted:

Motion to adopt by Councilmember:

Motion seconded by Councilmember:

Vote: __AYES__NAYS