

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 Plan	ning Board will foll	ow the specif	ic provisio	ns of the Zoning Ord	linance Chapter 36. Article X	
Administ	tration and	Enforcement, Secti	on 36-299.				
Please ch	neck the ap	plicable Chapter/Aı	ticle:				
		ubdivisions-Town					
	Chapter 36. Article VII. Schedule of District Regulations. Section 36-207 C-General Commercial Distric						
	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 *						
□ Cha	hapter 36. Article X. Section 36-300-Application for Permit for Conditional Use						
	1						
		Standing: As appli application is comp			ect to be reviewed I	certify that the	
Applican	nt						
		Town of Southern	<u>Shores</u>		1		
	A 1.1	5275 N 17 D	m 1				
	Address:	<u>Southern Shores, 1</u>	are Trl. IC 27040				
	Phone	(252) 261-2394	IC 27373	Email wh	askett@southernsho	res-nc.gov	
					9		
Applican	it's Repre Name	sentative (if any)					
		ent, Contractor, Oth	ner (Circle on	ie)			
	Address						
	Phone		Ema	: 1			
	rnone .		EIIIa	11			
Property	Involved	Southern Shor	resMartin	's Point (C	Commercial only)		
	Address:				Zoning district		
	Section_	Block	Lot		Lot size (sq.ft.)		
Request:	Site P PUD (an ReviewFina Planned Unit Devel	l Site Plan Re opment) S	viewCo Subdivision	onditional UsePen n OrdinanceVeste	rmitted Use d Right Variance	
Change 7	Го: Zor	ing Map X Zoni	ng Ordinance				
\J_\	w A	wth			11-7-9	.\	
Signature	Ů O				Date		

^{*} Attach supporting documentation.



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ZTA-21-10 Ordinance 2022-01-03 11-17-2021

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

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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

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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.

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ARTICLE II. Construction.

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For purposes of this ordinance amendment, underlined words (<u>underline</u>) shall be considered as additions to existing Town Code language and strikethrough words (<u>strikethrough</u>) 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.

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ARTICLE III. Amendment of Zoning Ordinance.

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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:

373839

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

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Sec. 36-207. $\ensuremath{\mathrm{C}}$ general commercial district.

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...

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

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4 5		duce stands. The retail sale of fruits, vegetables, and plants subject to the owing requirements:				
6 7	<u>a.</u>	All stands shall meet the yard requirements for the C general commercial district;				
8	<u>b.</u>	No sales shall be conducted between 8:00 p.m. and 7:00 a.m.;				
9	<u>c.</u>	No additional lighting shall be allowed;				
10 11	<u>d.</u>	All stands shall comply with all applicable Dare County Health Department requirements;				
12	<u>e.</u>	Only one stand per lot shall be allowed;				
13 14 15 16 17	<u>f.</u>	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) offstreet 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;				
19 20	<u>g.</u>	One freestanding sign not exceeding 32 square feet in area or 6 feet in height shall be allowed.				
21	<u>h.</u>	If applicable, a building and/or electrical permit shall be obtained;				
22 23	<u>i.</u>	The display, storage and/or sale area shall not impede vehicular or pedestrian traffic and parking;				
24 25	<u>j.</u>	On-site garbage or trash receptacles must be provided and properly maintained at all times;				
26 27 28	<u>k.</u>	May operate from April 15 th to November 15 th . Any structures, stands and accessory materials shall be removed and the property cleaned up within 3 days upon seasonal closure.				
29 30 31	PART II.	That Sec. 36-209. Prohibited uses. Be amended as follows:				
32 33	Sec. 36-209.	Prohibited uses in all districts.				
34	(a) The follo	The following uses shall be prohibited in all districts:				
35 36 37						
38	(36) Pro	(36) Produce stands;				
39	(37 <u>6</u>)	Satellite dish farms;				

1	(3 <u>87</u>)	Sexually oriented businesses;				
2	(3 <u>98</u>)	Shooting ranges;				
3	(40 <u>39</u>)	Slaughterhouses;				
4	(41 <u>0</u>)	Smoke and vapor shops;				
5	(42 <u>1</u>)	Solar Energy farms;				
6	(432)	Storage or processing of radioactive or infectious waste;				
7	(443)					
	,	Tattoo, body piercing, and body art establishments;				
8	(4 <u>54</u>)	Taxi and pedicab storage and dispatch; or				
9 10 11 12		Use of a boat, houseboat, or other floating structure as a temporary or manent residence (this shall not prevent the overnight occupancy of a vesse approarily moored while in transit on navigable waters).				
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15	ARTICLE IV. Statement of Consistency with Comprehensive Plan and					
16 17	Reasonablen	less.				
18	The Town's a	adoption of this ordinance amendment is consistent with the Town's adopte				
19		comprehensive zoning ordinance, land use plan and any other officially adopted plan that				
20	is applicable.	For all of the above-stated reasons and any additional reasons supporting th				
21		tion of this ordinance amendment, the Town considers the adoption of this				
22 23	ordinance am	endment to be reasonable and in the public interest.				
24	ARTICLE V	7. Severability.				
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26		linances or parts of ordinances in conflict with this ordinance amendment ar				
27 28	hereby repea	1 3				
28 29		or any part thereof to be invalid, such decision shall not affect the remaining this ordinance amendment nor the Zoning Ordinance or Town Code of the				
30	Town of Sout	thern Shores, North Carolina which shall remain in full force and effect.				
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32	ARTICLE V	I. Effective Date.				
33 34	This ordinand	ce amendment shall be in full force and effect from and after theday of				
35	Tins ordinane	, 2021.				
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37		T. D				
38 39	ATTEST:	Tom Bennett, Mayor				
40	1111101,					
41						
42	Town Clerk					

1 2 3 4 5 6 7 8 9 APPROVED AS TO FORM: Town Attorney Date adopted: 10 Motion to adopt by Councilmember: 11 12 Motion seconded by Councilmember: 13 14 15 16 17 Vote:___AYES___NAYS