



Town of Southern Shores

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ZTA-23-05

8-18-23

Ordinance 2023-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. 36-57 Definition of specific terms and words.** Be amended as follows:

Sec. 36-57. Definition of specific terms and words.

...

1 *Building setback line* means a line parallel to or concentric with the street right-of-
2 way establishing the ~~minimum~~ allowable distance between such right-of-way and the
3 nearest portion of any building, excluding the outermost three feet of any uncovered
4 porches, steps, gutters and similar fixtures.

5
6 *Lot width* means the width of a lot at the required building setback line measured at
7 right angles to the rear lot line ~~minimum horizontal distance between the side lot lines of~~
8 ~~a lot measured from the front lot line at right angles to the rear lot line.~~

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10 ...

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12 **PART II.** That **Sec. 36-202. RS-1 single-family residential district.** Be amended as
13 follows:

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

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17 ...

18
19 (d) *Dimensional requirements.*

20 (1) Minimum lot size: 20,000 square feet.

21 (2) Minimum lot width ~~for lots created after June 6, 2023:~~ 100 feet (measured at
22 the building setback line from the front lot line at right angles to the rear lot
23 line).

24 a. For lots that front a cul-de-sac, the building setback line may be established
25 up to 80 feet from the front lot line.

26 b. For all other lots, the building setback line shall be established 25 feet from
27 the front lot line.

28
29 ...

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31 **PART III.** That **Sec. 36-203. RS-8 multifamily residential district.** Be amended as
32 follows:

33
34 **Sec. 36-203. RS-8 multifamily residential district.**

35
36 ...

37
38 (d) *Dimensional requirements.*

39
40 ...

1 (2) Minimum lot width for lots created after June 6, 2023: 100 feet (measured at
2 the building setback line from the front lot line at right angles to the rear lot
3 line).

4 a. For lots that front a cul-de-sac, the building setback line may be established
5 up to 80 feet from the front lot line.

6 b. For all other lots, the building setback line shall be established 25 feet from
7 the front lot line.

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9 ...
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12 **PART IV. That Sec. 36-204. RS-10 residential district.** Be amended as follows:

13
14 **Sec. 36-204. RS-10 residential district.**

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16 ...
17 (d) *Dimensional requirements.*

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19 ...
20
21 (2) Minimum lot width for lots created after June 6, 2023: 100 feet (measured at
22 the building setback line from the front lot line at right angles to the rear lot
23 line).

24 a. For lots that front a cul-de-sac, the building setback line may be established
25 up to 80 feet from the front lot line.

26 b. For all other lots, the building setback line shall be established 25 feet from
27 the front lot line.

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29 ...
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31 **PART V. That Sec. 36-205. R-1 low-density residential district.** Be amended as
32 follows:

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34 **Sec. 36-205. R-1 low-density residential district.**

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36 ...
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38 (d) *Dimensional requirements.*

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40 ...
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42 (2) Minimum lot width for lots created after June 6, 2023: 100 feet (measured at
43 the building setback line from the front lot line at right angles to the rear lot
44 line).

- 1 a. For lots that front a cul-de-sac, the building setback line may be established
2 up to 80 feet from the front lot line.
3 b. For all other lots, the building setback line shall be established 25 feet from
4 the front lot line.

6
7 **PART VI.** That **Sec. 36-206. Government and institutional district.** Be amended as
8 follows:

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10 **Sec. 36-206. Government and institutional district.**

11 ...

12 ...
13
14 (d) *Dimensional requirements.*

15 ...

16 ...
17
18 (2) Minimum lot width for lots created after June 6, 2023: 100 feet (measured at
19 the building setback line from the front lot line at right angles to the rear lot
20 line).

- 21 a. For lots that front a cul-de-sac, the building setback line may be established
22 up to 80 feet from the front lot line.
23 b. For all other lots, the building setback line shall be established 25 feet from
24 the front lot line.

25
26 ...

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28 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
29 **Reasonableness.**

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31 The Town's adoption of this ordinance amendment is consistent with the Town's adopted
32 comprehensive zoning ordinance, land use plan and any other officially adopted plan that
33 is applicable. For all of the above-stated reasons and any additional reasons supporting the
34 Town's adoption of this ordinance amendment, the Town considers the adoption of this
35 ordinance amendment to be reasonable and in the public interest.

36
37 **ARTICLE V. Severability.**

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

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45 **ARTICLE VI. Effective Date.**

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This ordinance amendment shall be in full force and effect from and after the ____ day of _____, 2023.

Elizabeth Morey, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Date adopted:

Motion to adopt by Councilmember:

Motion seconded by Councilmember:

Vote: __AYES__ NAYS