



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: 1 / 6 / 23 **Filing Fee:** \$200 **Receipt No.** N/A **Application No.** ZTA-23-01

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

Whaskett
Signature

1-6-23
Date

* Attach supporting documentation.



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1-6-23

Ordinance 2022-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 North Carolina General Assembly adopted 2019 N.C. Sess. Law 111 to clarify and change the land-use regulatory laws of the State, including the recodification of many existing land-use regulatory laws in a newly created N.C.G.S. Chap. 160D pursuant to 2019 N.C. Sess. Law 111, Part II; and

WHEREAS, the Town desires to amend its land-use and development ordinances to conform to N.C.G.S. Chap. 160D as provided in this ordinance amendment; 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 and Town Code of Ordinances 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:

1
2 **PART I.** That **Sec. 36-57. Definition of specific terms and words.** Be amended as
3 follows:

4
5 **Sec. 36-57. Definition of specific terms and words..**
6

7 The following words, terms and phrases, when used in this chapter, shall have the
8 meanings ascribed to them in this section, except where the context clearly indicates a
9 different meaning:

10
11 ...

12
13 Bedroom means a room designated as sleeping or bedroom on the plans and permit
14 application.

15
16 ...

17
18 Building means any structure ~~enclosed and isolated by exterior walls constructed or~~
19 ~~used for residence, business, industry or public purposes used or intended for supporting~~
20 ~~or sheltering any use or occupancy.~~

21
22 ...

23
24 Dwelling means any building, structure, manufactured home, or mobile home, or
25 part thereof, used and occupied for human habitation or intended to be so used, and
26 includes any outhouses and appurtenances belonging thereto or usually enjoyed
27 therewith. The term does not include any manufactured home, mobile home, or
28 recreational vehicle, if used solely for a seasonal vacation purpose.

29
30 ...

31
32 Dwelling unit means ~~one or more rooms or living spaces connected together,~~
33 ~~constituting a separate, independent housekeeping establishment for owner occupancy, or~~
34 ~~rental or lease, and physically separated from any other rooms, living spaces or dwelling~~
35 ~~units which may be in the same structure, and containing a stove or stoves and/or an oven~~
36 ~~or ovens and sleeping facilities for a single family a single unit providing complete,~~
37 independent living facilities for one or more persons, including permanent provisions for
38 living, sleeping, eating, cooking and sanitation.

39
40 ...

1 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
2 **Reasonableness.**

3
4 The Town’s adoption of this ordinance amendment is consistent with the Town’s adopted
5 comprehensive zoning ordinance, land use plan and any other officially adopted plan that
6 is applicable. For all of the above-stated reasons and any additional reasons supporting the
7 Town’s adoption of this ordinance amendment, the Town considers the adoption of this
8 ordinance amendment to be reasonable and in the public interest.
9

10 **ARTICLE V. Severability.**

11
12 All Town ordinances or parts of ordinances in conflict with this ordinance amendment are
13 hereby repealed. Should a court of competent jurisdiction declare this ordinance
14 amendment or any part thereof to be invalid, such decision shall not affect the remaining
15 provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the
16 Town of Southern Shores, North Carolina which shall remain in full force and effect.
17

18 **ARTICLE VI. Effective Date.**

19
20 This ordinance amendment shall be in full force and effect from and after the ____ day of
21 _____, 2023.
22

23
24 _____
Elizabeth Morey, Mayor

25 ATTEST:

26
27 _____
28 Town Clerk
29

30
31 APPROVED AS TO FORM:

32
33 _____
34 Town Attorney
35

36 Date adopted:

37
38 _____
39 Motion to adopt by Councilmember:

40
41 _____
42 Motion seconded by Councilmember:
43

Vote: ___AYES___NAYS