



Town of Southern Shores

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TCA-21-06

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-801, the Town of Southern Shores (the “Town”) may enact and amend ordinances regulating the subdivision of land within its planning and development regulation jurisdiction. Pursuant to this authority, the Town has adopted a comprehensive subdivision ordinance (the “Town’s Subdivision Ordinance”) and has codified the same as Chapter 30 of the Town’s Code of Ordinances (the “Town Code”); and

WHEREAS, the Town further finds that in accordance with the finding 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 Subdivision 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 Subdivision 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. 30-96. General requirements.** Be amended as follows:

Sec. 30-96. General requirements.

- (a) *Conformity to existing maps or plans.* The location and width of all proposed roads shall be in conformity with official plans or maps of the town and with existing or amended plans of the planning board.

- 1 (b) *Continuation of existing roads.* The proposed road layout shall be coordinated with
2 the existing road system of the surrounding area and, where possible, existing principal
3 roads shall be extended.
- 4 (c) *Access to adjacent properties.* Where, in the opinion of the planning board, it is
5 desirable to provide access to an adjoining property, proposed roads shall be extended
6 by dedication to the boundary of such property and a temporary turnaround shall be
7 provided.
- 8 (d) *Large tracts or parcels.* Where land is subdivided into larger parcels than ordinary
9 building lots, such parcels shall be arranged so as to allow for the opening of future
10 roads and logical further resubdivision.
- 11 (e) *Contour map.* A subdivider shall submit to the planning board a contour map of a
12 specified interval or a grid survey on 200-foot grids, or smaller if specified, to show
13 natural drainage and improved street locations.
- 14 (f) *Lots.* All lots shall front upon a public road or ~~access easement~~ private street. Double-
15 frontage lots should be avoided.
- 16 (g) *Road names.* Proposed roads which are obviously in alignment with existing roads
17 should be given the same name. In assigning new names, duplication should be
18 avoided and in no case should the proposed name be phonetically similar to existing
19 names, irrespective of the use of the suffix: street, avenue, boulevard, drive, place,
20 court, etc.
- 21 (h) *Solid waste collection.* The planning board may require for each 25 lots an easily
22 accessible site, not exceeding 400 square feet, to be reserved for the location of a solid
23 waste container or containers for the unrestrained use of public or private waste
24 collection.

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26 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
27 **Reasonableness.**

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

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

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

Tom Bennett, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Date adopted:

Motion to adopt by Councilmember:

Motion seconded by Councilmember:

Vote: __AYES__ NAYS