



Town of Southern Shores

"A Town of Volunteers"

6 Skyline Road, Southern Shores, NC 27949
Telephone: (252) 261-2394 Fax: (252) 261-0452
Web Site: southernshores.org

Special Council Meeting
February 29, 2000
2:00 p.m.-Pitts Center

Mayor Sutherland called the meeting to order at 2:00 p.m.

Councilman Kennedy led the Pledge of Allegiance

Mayor Sutherland asked that each Council member use the microphone

Mayor Sutherland announced there were 2 bidders for the construction of the Town's multi-use path, Barnhill Contractors and RPC Contracting. Barnhill Contractors were the low bidders in the amount of \$438,740.00. RPC Contracting bid is \$607,815.00.

Council has no objection to letting the bid go to Barnhill; NCDOT is taking care of the project. Mayor Sutherland stated the proposed date for completion is May 16, 2000 and that there is a heavy penalty clause in the contract for delay of the project.

Mayor Sutherland stated that Council is meeting today to vote again on the proposed zoning ordinance regarding the necessary zoning amendments for the Kitty Hawk Hotel project. He explained that when Council voted on the amendment on February 16, 2000 it did not receive a 2/3-majority vote so it needs to go before Council again.

Councilman Campbell asked if the amended zoning ordinance needs to be voted on if it is a permitted use? Mayor Sutherland stated nothing has changed from the last vote.

Councilman Denny made a motion to adopt the amended zoning ordinance as presented. Councilman Kennedy seconded. 3 Ayes 2 Noes. Approved. Councilman Smith and Councilman Campbell voting no.

Mayor Sutherland stated that the Town has the right to refuse or grant the ingress/egress onto NC 12 for the property.

Planning Board Chairman Robin Morgan stated that the final site plan would not show the ingress/egress onto NC 12. She stated that the Planning Board recommended the approval of the zoning amendment with the condition that there be no driveway onto NC 12 as the site plan now shows.

Page 2
Special Council Meeting
February 29, 2000

Councilman Campbell stated the site plan now shows the driveway onto NC 12. He asked if it should be addressed now?

Councilman Smith stated the final site plan has not been presented or approved.

Joe Lamb, III, Attorney for the project stated that they had hoped the amendment to the zoning ordinance and the site plan would be approved at the same time and Council can still approve the site plan today stipulating the condition that there be no access onto NC12.

Jim Morrison commented that he did not remember the minutes of the Planning Board meeting referencing the final site plan.

Chairman Morgan suggested the minutes be reviewed before a decision is made.

Mayor Sutherland stated that the site plan could be approved showing the driveway but with Council stating the condition that it will not be allowed but he recommends Council review this and act if possible on the site plan presented.

Councilman Kennedy reported that Dare County Solid Waste has agreed to the proposed changes in summer garbage pickup to Monday and Friday beginning on Memorial Day. He explained that would mean no more Thursday or Saturday pickups. Councilman Kennedy made a motion that Council accepts this offer and authorize the Mayor to write a letter to the County accepting it. Councilman Campbell seconded. Approved unanimously.

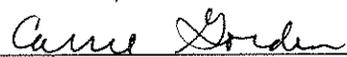
Mayor Sutherland made a motion to adjourn the meeting at 2:15 p.m. Approved unanimously.

ATTEST:

Respectfully Submitted:



Mayor Sutherland



Town Clerk



Town of Southern Shores

"A Town of Volunteers"

6 Skyline Road, Southern Shores, NC 27949

Telephone: (252) 261-2394 Fax: (252) 261-0452

Web Site: southernshores.org

E-mail: toss@beachlink.com

AN ORDINANCE AMENDMENT OF THE ZONING ORDINANCE OF THE TOWN OF SOUTHERN SHORES

BE IT ORDAINED by the Town Council of the Town of Southern Shores of North Carolina that the Zoning Ordinance of the Town of Southern Shores be amended as follows:

PART I. Article VII, Section 7.10, C- **General Commercial District**, B, Permitted Uses, is hereby amended to add item 7 as follows:

7. Parking lots and sewage treatment drain fields when located on a lot which is adjacent to and adjoins real property in an adjacent municipality upon which a principal building or use has been approved by the municipality and to which the parking lot and sewage treatment drain fields are necessary or incidental.

PART II. Article VII, Section 7.10, C – **General Commercial District**, D, Dimensional Requirements (1) and (8) is hereby amended to read:

- (1) Minimum lot size: Commercial lots shall be of sufficient size to meet requirements of the Dare County Health Department, to provide adequate siting for structures, and to provide parking, loading and maneuvering space for vehicles as required by Section 6.01 of this Ordinance. In addition, a visual buffer strip is required where a commercial use or zone abuts a residential zone.
- (8) Where a commercial use or zone abuts a residential zone, a buffer of dense vegetative planting or natural vegetation is required. The buffer area shall have a minimum width of 20 feet with 2 rows of planting material placed 10 feet on center that are a minimum of 5 feet in height when installed that expect to achieve a height of 8 feet within three years. Suitable plant types shall be those recommended for the coastal area by the U.S. Department of Agriculture which can be expected to reach mature growth of 8 to 10 feet. Vegetation plan to be approved by the Town Council.

PART III. All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

PART IV. If this ordinance or the application of this ordinance to any person or circumstances is held invalid such invalidity shall not affect other provisions or application of the ordinance which can be given separate affect and to that end the provisions of this ordinance are declared to be severable.

PART V. This ordinance shall be in full force and affect from and after the 29th day of February 2000.



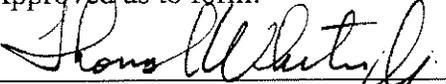
Paul Sutherland, Mayor

ATTEST:



Carrie Gordin, Town Clerk

Approved as to form:



Thomas L. White, Jr., Town Attorney