



# Town of Southern Shores

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Ordinance 2006-09-01

## AN ORDINANCE OF THE SOUTHERN SHORES TOWN COUNCIL RELATING TO AMENDING THE TOWN CODE CHAPTER 7-PLANNING AND DEVELOPMENT

Dare County, North Carolina

Be It Ordained by the Southern Shores Town Council as follows:

### Article I: Purpose

The purpose of this Ordinance is to amend the Town Code of Southern Shores, Dare County, North Carolina, which was originally adopted by the Town Council on June 7, 1988 and subsequently amended.

### Article II. Construction

For purposes of this Ordinance, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Language of the adopted Town Code shall be shown in italics (*italics*).

### Article III. Amend Article V. SUBDIVISIONS

Section 7-92. Definitions of the Southern Shores Town Code is hereby amended to read as follows:

*Subdivision. All divisions of a tract or parcel of land into two (2) or more lots, building sites, or other divisions, for the purpose, whether immediate or future, of sale or building development, and shall include all divisions of land involving the dedication of a new street or a change in existing streets; provided, however, that the following shall not be included within this definition nor be subject to the regulations prescribed by this article:*

Subdivision. All divisions of a tract or parcel of land into two (2) or more lots, building sites or other divisions when any one or more of those divisions are created for the purpose of sale or building development (whether immediate or future) and shall include all divisions of land involving the dedication of a new street or a change in existing streets; but the following shall not be included within this definition nor be subject to the regulations authorized by this article:

- (1) *The combination or recombination of portions of previously subdivided and recorded lots if the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the town as required by this article.*

- (2) The division of land into parcels greater than ten (10) acres if no street right-of-way dedication is involved.
  - (3) The public acquisition of purchase of strips of land for the widening or opening of streets.
  - (4) The division of a tract of land in single ownership, the entire area of which is no greater than two (2) acres into not more than three (3) lots, where no street right-of-way dedication is involved, and if the resultant lots are equal to or exceed the standards of the town as required by this article.
- (Ord. No. 79-0003, Art. V, 5-23-79)

**Section 7-99. Amendments**

*This article may be amended from time to time by the Town Council as herein specified, but no amendment shall become effective unless it shall have been proposed by or shall have been submitted to the Planning Board for review and recommendation. The Planning Board shall have ~~thirty (30) forty five (45)~~ days within which to submit its report. If the Planning Board fails to submit a report within the specified time, it shall be deemed to have approved the amendment.*  
 (Ord. No. 79-0003, Art. XII, 5-23-79)

State Law References: Procedure for adopting or amending ordinance regulating subdivisions, G.S. 160A-364.

**Article IV.**

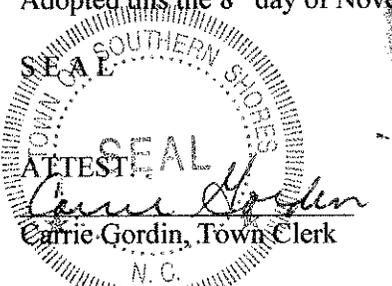
**Severability**

If any words, phrases, language, section or other portion of this Ordinance is held invalid by a court of competent jurisdiction, then all remaining words, phrases, language, section or other portion of this Ordinance shall remain in full force and effect.

**Article V: Effective Date**

This Ordinance is effective immediately upon adoption.

Adopted this the 8<sup>th</sup> day of November 2006.



Carrie Gordin, Town Clerk

Approved as to form:

*[Signature]*  
 Ike McRee, Town Attorney

*[Signature]*  
 Mayor Don Smith

VOTE: 5 Ayes 0 Nays

Date Introduced: September 5, 2006

DATE OF FINAL RECOMMENDATION BY PLANNING BOARD SEPTEMBER 18, 2006

DATE(S) ADVERTISED: OCTOBER 19 AND 26, 2006  
 NAME OF NEWSPAPER: COASTLAND TIMES  
 DATE OF PUBLIC HEARING: NOVEMBER 8, 2006