



Town of Southern Shores

"A Town of Volunteers"

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MORATORIUM ON TELECOMMUNICATIONS TOWERS

WHEREAS, there is a rapid expansion of telecommunications facilities within Dare County, North Carolina and municipalities within in the county; and

WHEREAS, there are significant land use concerns related to the placement of such towers, some being as follows:

1. The protection of residential neighborhoods by the minimizing of adverse impacts of towers;
2. The encouragement of the location of towers in non-residential zoning areas;
3. Encouraging the joint use of towers in order to minimize numbers of towers;
4. The avoidance of damage to structures and property surrounding tower sites due to structural tower failures, particularly in hurricane prone areas;
5. The minimization of visual impacts through zoning mechanisms; and
6. Considerations of public health and safety in relation to such towers.

AND WHEREAS, the Town of Southern Shores Land Use Plan and Zoning Ordinance do not adequately address these lawful and legitimate concerns and the Planning Board and Town Council need adequate time to properly study these concerns and formulate appropriate land use plan provisions and zoning ordinance regulations which will govern location, placement and standards for Telecommunications Towers;

NOW THEREFORE, The Town Council of the Town of Southern Shores does hereby ordain as follows:

1. For the purposes of this moratorium the Telecommunication Towers is defined as any structure designed and constructed for the purpose of supporting one or more antennas, including without limitation, self-supporting lattice towers, guy towers, or monopole towers. The term also includes radio and television transmission towers, common carrier towers, cellular telephone towers and similar structures. The term also includes any antenna or antenna array attached to the tower structure. The term doesn't include a private communications mast as an accessory use to a residence, which has been approved pursuant to section 4.11 of the Town Zoning Ordinance.
2. The construction, installation, building and relocation of Telecommunications Towers during the period of this moratorium is prohibited: and

Telecommunications Towers Moratorium

3. During the period of this moratorium Town Officials and Boards, including the Zoning Administrator and Planning Board, shall not accept or process any site plan, building permit application, or conditional use application for a Telecommunications Tower either as a principal use or as an accessory use on any lot or structure. This provision does not prohibit any person from submitting a proposed Land Use Plan or Zoning Ordinance Amendment for consideration by the Town; and
4. Nothing in this moratorium shall be interpreted to prohibit the installation of communications antennas on an existing public water tower or of the construction of towers owned by the Town, the Southern Shores Volunteer Fire Department or Dare County which are used solely for fire, emergency service and governmental public service communications.
5. This moratorium shall be in full force and effect from the date and time of its adoption and extend for a period of six months expiring at the adjournment of the first regular meeting of the Town Council the seventh month after adoption.

Adopted this the 6th day June 2000.



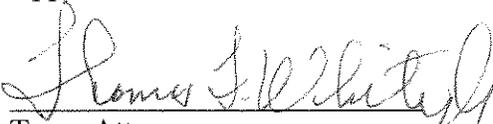
Mayor

ATTEST:



Town Clerk

Approved as to Form:



Town Attorney