



Town of Southern Shores

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Ordinance 2018-07-02

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. § 160A-381, the Town of Southern Shores (the "Town") may enact and amend ordinances regulating the zoning and development of land within its jurisdiction and specifically the location and use of buildings, structures and land. Pursuant to this authority and the additional authority granted by N.C.G.S. Chap. 160A, Art. 19 et. seq, 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, pursuant to N.C.G.S. § 160A-174 the Town may also enact and amend ordinances that define, prohibit, regulate, or abate acts, omissions, or conditions, detrimental to the health, safety, or welfare of its citizens and the peace and dignity of the Town; 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, morals 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 Section 36-163 the Town Code shall be amended as follows:

PART I. That Town Code Sec. 36-163, (1) be amended as follows:

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n. Required parking spaces for fire stations that cannot be provided on the site of the fire station may be located on Town-owned property and/or within the Town right-of-way.

PART II. That Town Code Sec. 36-163, (3), c be amended as follows:

- ~~7~~ 8. Fire Stations: one parking space for each employee plus one space for each 4 seats in the training room.
- ~~8~~ 9. Restaurant: one parking space for each three customer seats, plus one additional parking space for each employee.
- ~~9~~ 10. Retail uses not otherwise listed: one parking space for each 300 square feet of floor area.
- ~~10~~ 11. Theaters: one parking space for each three seats.
- ~~11~~ 12. Nonprofit entities: a minimum of three parking spaces shall be provided.

PART III. That Town Code Sec. 36-165, (1), c be amended as follows:

c. Legal notices, identifications, directional and informational signs erected or required by governmental bodies, fire stations, public utilities or civic associations with the approval of town council;

PART IV. That Town Code Sec. 36-205, (d) be amended as follows:

(d) Dimensional requirements.

- (1) Minimum lot size.
 - a. Minimum lot size for all uses other than country club shall be 20,000 square feet.
 - b. For country club, the minimum lot size shall be 150 acres.
- (2) Minimum lot width: 100 feet (measured at building setback line).
- (3) Minimum front yard (setback): 25 feet.
- (4) Minimum side yard (setback).

- 1 a. Minimum side yard setback for all other uses shall be 15 feet;
- 2 b. An additional five-foot side yard adjacent to the street is required for a corner
- 3 lot;
- 4 c. ~~Minimum side yard setback shall be 15 feet for swimming pools.~~ Minimum
- 5 side yard setback for fire stations shall be 10 feet when adjacent to Town-
- 6 owned property or a Town right-of-way;
- 7 d. Minimum side yard setback shall be 15 feet for swimming pools.
- 8 (5) Minimum rear yard (setback): ~~25~~ feet.
- 9 a. Minimum rear yard setback for all other uses shall be 25 feet;
- 10 b. Minimum rear yard setback for fire stations shall be 0 feet from Town-owned
- 11 property

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13 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**

14 **Reasonableness.**

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16 The Town's adoption of this ordinance amendment is consistent with the Town's adopted

17 comprehensive zoning ordinance, land use plan and any other officially adopted plan that

18 is applicable. For all of the above-stated reasons and any additional reasons supporting

19 the Town's adoption of this ordinance amendment, the Town considers the adoption of

20 this ordinance amendment to be reasonable and in the public interest.

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22 **ARTICLE V. Severability.**

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24 All Town ordinances or parts of ordinances in conflict with this ordinance amendment

25 are hereby repealed. Should a court of competent jurisdiction declare this ordinance

26 amendment or any part thereof to be invalid, such decision shall not affect the remaining

27 provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the

28 Town of Southern Shores, North Carolina which shall remain in full force and effect.

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30 **ARTICLE VI. Effective Date.**

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32 This ordinance amendment shall be in full force and effect from and after the 10 day of

33 July, 2018.

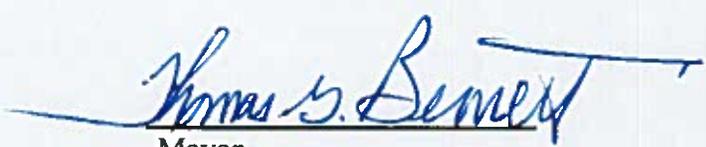


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39 ATTEST:

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41 Town Clerk

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Mayor

Date: 7-10-2018

Vote: Ayes Naves

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APPROVED AS TO FORM:


Town Attorney