



**Town of Southern Shores
Council Meeting
April 5, 2016**

The Town of Southern Shores Council met in the Pitts Center located at 5375 N. Virginia Dare Trail at 5:30 p.m. on Tuesday, April 5, 2016.

COUNCIL PRESENT: Mayor Bennett, Mayor Pro Tem Fred Newberry, Council Members Leo Holland, Chris Nason and Gary McDonald.

COUNCIL ABSENT: None

CALL TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE

Mayor Bennett called the meeting to order at 5:30 p.m., led the Pledge of Allegiance, and held a moment of silence.

AMENDMENTS / APPROVAL OF AGENDA

MOTION: Council Member Holland moved to approve the agenda as presented. The motion was seconded by Council Member Nason. The motion passed unanimously (5-0).

CONSENT AGENDA

The consent agenda consisted of the following items:

- Approval of Minutes- February 16, 2016 and March 1, 2016
- Tax pickups and releases

[Clerk's Note: A copy of the tax Pickups and Releases is hereby attached as Exhibit A]

MOTION: Council Member Holland moved to approve the consent agenda. The motion was seconded by Council Member Nason. The motion passed unanimously (5-0).

EMPLOYEE RECOGNITION

Police Chief David Kole presented MPO Jeremy Hemilright with his advanced law enforcement certification and also presented Officer Eddie McKeever a five years of service award from the Town of Southern Shores.

**SPECIAL PRESENTATION ON HISTORIC LANDMARKS DESIGNATION PROGRAM
[NCGS §160-400.1; NCGS §105-278]**

Meredith Guns, Assistant Planning Director for the Town of Kill Devil Hills, gave an informational briefing on the Town of Kill Devil Hills's Historic Landmarks Designation Program.

ACTION: By consensus of all Council, the Town Manager and Town Attorney were directed to look into a similar program for Southern Shores and recommend a plan.

[Clerk's Note: A copy of the Kill Devil Hills Code of Ordinances Historic Landmarks Commission is hereby attached as Exhibit B]

GENERAL PUBLIC COMMENT

Mayor Bennett called on public comment and the following citizens offered comment with topic(s) as indicated:

- Gerri Sullivan, Southern Shores Property Owner-street standards
- Andy Ward, Southern Shores Property owner- Density, ordinance needs septic capacity placed back in
- Terry VanderMyde, Southern Shores Property owner -street standards

[Clerk's Note: A copy of the public comment signup sheet is hereby attached as Exhibit B].

STAFF REPORTS

Town Planner:

The Town Planner, Wes Haskett presented the Planning Department's monthly report containing the following:

- Permitting and Inspections March 2016

Southern Shores Police Department

Chief Kole presented the Police Department's monthly report for March, 2016 and the 2015 Annual Report.

Southern Shores Volunteer Fire Department: Deputy Chief presented the Fire Department's monthly report for March 2016.

Town Manager-Briefing on Town Standards used for infrastructure improvements

The Town Manager briefed Council on the current standards (attached) that are used for Town-owned infrastructure improvements in Southern Shores, including street rebuild standards, canal bulkhead protection and replacement standards, and street right-of-way brush trimming standards.

MOTION: Following discussion, Council Member Nason moved to accept the standards as is and to reauthorize the standards. The motion was seconded by Council Member Holland. The motion passed 3-2 with Mayor Bennett, Council Member Nason and Council Member Holland voting YES; Mayor Pro Tem Newberry and McDonald voting NO.

[Clerk's Note: A copy of staff reports are hereby attached as Exhibit C].

BOARD REPORTS

Planning Board Chairman Sam Williams gave a report on the Conditional Use Permit CUP-16-01 submitted by Aston Properties to make improvements to Marketplace Shopping Center.

The applicant seeks a Conditional Use Permit to construct a 13,225 sq. ft. CVS Pharmacy with a drive-through and an approximate 7,210 sq. ft. multi-tenant building which contains two restaurant spaces, one with a drive through, and two retail spaces. The proposed improvements incorporate pervious pavement as recently established in Section 36-207, (d), 5 which allows an increase in the total lot coverage for the site of up to 67% instead of 60%. Group Developments, or substantial improvements to Group Developments, and restaurants are permitted uses in the C, General Commercial District provided that a Conditional Use Permit is granted by the Town Council following a recommendation made by the Town Planning Board.

The Land Use Plan identifies this area as Commercial in the C, General Commercial zoning district which is consistent with the improvements proposed in the application. The Town Planning Board unanimously (5-0) recommended approval of the application and all applicable regulations of the Town Zoning Ordinance.

OLD BUSINESS

Consideration of Retreat Facilitator's DRAFT Strategic Plan 2016

MOTION: After discussion of two separate vision statements, Council Member McDonald moved to repeal the vision statement cited in Resolution (2013-03-01), so that the vision statement in the Town's Land Use Plan is the only Town vision statement. The motion was seconded by Council Member Holland. The motion passed unanimously (5-0).

MOTION: Council Member Holland moved to adopt the retreat facilitator's draft Strategic Plan 2016 as amended by removing the wording referencing "DRAFT", and the responsible party and deadline/progress lines. The motion was seconded by Council Member McDonald. The motion passed unanimously (5-0).

MOTION: Council Member Holland moved to adopt the retreat facilitator's draft Strategic Plan 2016 with the removal of references to "DRAFT" and the deadline/progress lines. Prior to receiving a second, Council Member McDonald asked if Council Member Holland would agree to remove the words "welcoming business and residential growth" from the Plan's Mission Statement as a part of his original motion. Council Member Holland agreed to this request. The motion was then seconded by Council Member McDonald. The motion passed unanimously (5-0).

[Clerk's Note: A copy of the Strategic Plan 2016 is hereby attached as Exhibit D].

Continued consideration of amendments to Rules of Procedure, Section 14. Appointments (Resolution 2016-04-01)

MOTION: Council Member McDonald moved to adopt Resolution 2016-04-01 with the amendment of leaving two Council Members on each of the Standing Committees. The motion was seconded by Mayor Pro Tem Newberry. The motion passed 3-2 with Mayor Bennett, Mayor Pro Tem Newberry and Council Member McDonald voting YES, Council Member Nason and Council Member Holland voting NO.

[Clerk's Note: A copy of the amended Resolution 2016-04-01 is hereby attached as Exhibit E].

Consideration of Approval of DRAFT (RFQ) for publication and solicitation of a contract Town Engineer

MOTION: Mayor Bennett moved to task the Town Manager to solicit qualifications from qualified engineers or firms for a contract Town Engineer using the DRAFT Request for Qualifications considered by Council. The motion was seconded by Council Member McDonald. The motion passed unanimously (5-0).

[Clerk's Note: A copy of the RFQ for Contract Town Engineer is hereby attached as Exhibit F].

Public Hearing-Conditional Use Permit CUP-16-01 submitted by Aston properties to make improvements to the Marketplace Shopping center.

Town Attorney Gallop opened the public hearing and called on those wishing to give testimony to be sworn in with the clerk.

The Town Clerk swore in the individuals giving testimony.

Town Planner Wes Haskett presented the staff report (attached).

Town Attorney Ben Gallop asked Town Planner Wes Haskett to answer the following four finding questions which Mr. Haskett replied an affirmative answer to all findings:

1. The applicant has met the requirements of the applicable provisions of the Town Chapter pertaining to Zoning, Subdivision Chapter, and all other applicable Ordinances.

2. That the use as proposed will conform with the Town's Land Use Plan, and will be compatible with the area in which it is to be located, if developed in accordance with the conditions specified in the Chapter and additionally required by the Town Council as authorized by the Chapter.
3. That the use will not materially endanger the public health and safety if located where proposed and developed according to the plan submitted.
4. That the use as proposed will not overburden the Town Volunteer Fire Department fire-fighting capabilities and the County water supply capacity to the Town, as said facilities and capabilities will exist on the completion date of the conditional use for which the application is made.

The applicant Aston properties presented the site plan and answered Council's questions.

Town Attorney Gallop reminded Council before granting any Conditional Use Permit, the Town Council shall make affirmative findings followed by any conditions.

MOTION: Council Member McDonald moved to approve the conditional use application as presented by staff and the findings of fact appropriate to support the decision. The motion was seconded Council Member Holland. The motion passed unanimously (5-0).

MOTION: Council Member Nason moved to approve staff recommended condition for conditional use permit CUP 16-01 Aston properties as well as an additional condition that the applicant works with staff to improve elevations facing Croatan Highway. The motion was seconded by Council Member Holland. The motion passed unanimously (5-0).

OTHER BUSINESS

Town Manager's report

The Town Manager addressed several matters:

- Wednesday, April 13th is large item pickup.
- Based on a complaint received a few months ago from a citizen at a Council meeting, the Public Works Department is installing low-angled curbing for the safety of the public and to protect that edge of the street asphalt on Hickory Trail.
- The Dogwood Trails Task Force has now published a survey. Staff is assisting the Task Force in publicizing it but staff does not know when it will close.
- The Budget Retreat will be in two weeks, April 19th and the Town Manager and Finance Officer will have projected revenues and expenditures, as of that date, for the upcoming fiscal year. A draft line-item proposed budget will be available for Council to review that day as well as departmental presentations.
- The Budget Officer will submit the proposed budget to Council at the May 3rd meeting and ask for the statutory public hearing to be set for the first meeting in June.
- Solid waste pickup will also be on the April 19th agenda for Council consideration.
- Council will be presented in a subsequent meeting with a budget amendment for the increased and unanticipated solid waste collection fees being realized this current fiscal year.

Council Member's Comment & Responses

Council Member Newberry stated he would like to retract his comments from the previous meeting, March 1st, concerning the Town Engineer's design of the Town dredging project. He stated his comments were based on misinformation he had received.

Council Member Holland stated Council needs to be more diligent on the meeting agendas as many citizens leave due to the length of the meetings and will choose to not attend if the meetings are going to run so late.

Council Member McDonald would like to change the way Council conducts public hearings. He would like any subsequent vote on the matter of a public hearing to be delayed until the next month's scheduled meeting. This would allow members of the public additional time to contact Council and view their opinion on a matter.

Town Attorney Gallop stated this should not be the way any quasi-judicial hearing are done as all testimony but be sworn and this is a dangerous idea. Legislative hearing are okay but not quasi-judicial. He stated the delay is not the problem it is the public calling you that it is a problem.

Council Member McDonald also asked why the Rules of Procedure state the Planning Board can solicit funds, and questioned when and why that was placed in there.

(Note: The Council Rules of Procedure contain no funding-solicitation policy for the Planning Board. Such policy language is referenced in the Town Code of Ordinances Section 24-25 and Section 24-27 (b), with legislative histories following.)

PUBLIC FORUM

Mayor Bennett called on citizens wishing to speak and the following offered comment:

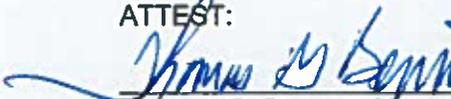
- Patrick Gilbert, Southern Shores Property Owner - supports Council Member McDonald's statement on public hearings and that Council Members should be on standing committees.
- Joe Van Gieson, Southern Shores Property owner - retracted his previous meeting's comment about there being no damage to the bulkhead along Holly Trail and stated he was wrong in making the comment. He stated the Town should contract an arborist, East Dogwood Trail intersection is a 40 ft surface area with two lanes, we do not need 2 lanes, and does not understand the structure of the standing committees, there are no votes, any action is by general consensus, and there should be established protocol.
- Gerri Sullivan, Southern Shores property owner - building height and lot coverage placed to be included in further explored. Does Council remember the quick take meeting? Trinitie Trail is most beautiful in Town as the trees have been left alone.
- Tommy Karole, Southern Shores property owner - Stated Public Works Director Rachel Patrick is not qualified to make any decisions to remove trees, he stated he has pre-tree removal photos of the Holly Trail bulkhead and that the current 'bowing' damage to the bulkhead was actually caused by the Town's recent removal of the trees. He stated low impact design systems have not been followed, and as a result there is now pooling of water at the Dogwood Trails intersection. Roads are 40-50 years old, Fairway Drive could have just been resurfaced.
- Lilia Morrison, Southern Shores property owner - this is a new beginning with a new Council
- Patrick Gilbert, commenting on behalf of Southern Shores property owner Tom Welch - Thanked Council Member Newberry, Town Manager Rascoe, and Town staff for the

prompt attention in fixing the stormwater problem along Skyline Drive at entrance to Route 12.

ADJOURN

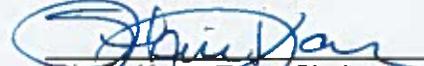
MOTION: Council Member Holland moved to adjourn. The motion was seconded by Council Member Nason. The motion passed unanimously (5-0). The time was 9:20 p.m.

ATTEST:


Thomas G. Bennett, Mayor



Respectfully submitted,


Sheila Kane, Town Clerk

[Print](#)

Kill Devil Hills Code of Ordinances

HISTORIC LANDMARKS COMMISSION**§ 31.40 ESTABLISHED; MEMBERSHIP; TERMS.**

(A) There is hereby established a Kill Devil Hills Historic Landmarks Commission ("Commission") under the authority of Chapter 160A, Article 19, Part 3C of the North Carolina General Statutes.

(B) The Commission shall consist of five members appointed by the Board of Commissioners. All members shall reside within the planning and zoning jurisdiction of Kill Devil Hills. A majority of the members of the Commission shall have demonstrated special interest, experience or education in history, architecture, archaeology or related fields. The Commission may appoint advisory bodies and committees as appropriate.

(C) Members of the Commission shall serve terms of three years. Terms shall be staggered.

(Ord. 04-05, passed 4-12-04; Am. Ord. 14-23, passed 1-12-15)

§ 31.41 POWERS AND DUTIES.

(A) The powers of the Historic Landmarks Commission are as follows:

(1) Undertake an inventory of properties of historical, prehistoric, architectural and/or cultural significance.

(2) Recommend to the Board of Commissioners individual structures, buildings, sites, areas or objects to be designated by ordinance as "Landmarks".

(3) Recommend to the Board of Commissioners that designation of any building, structure, site, area or object as a landmark, be revoked or removed for cause.

(4) Review and act upon proposals for the alteration or demolition of designated landmarks.

(5) Conduct an educational program with respect to historic landmarks within its jurisdiction.

(6) Cooperate with the state, federal and local government in pursuance of the purpose of this subchapter; to offer or request assistance, aid, guidance or advice concerning matters under its purview or mutual interest. The Board of Commissioners, or the Commission when authorized by the Board of Commissioners, may contract with the State or the United States, or any agency of either, or with any other organization provided the terms are not inconsistent with state or federal law.

(7) Enter, solely in performance of its official duties and only at reasonable times, upon private lands for examination or survey thereof. However, no member, employee or agent of the

Commission may enter any private building or structure without express consent of the owner or occupant thereof.

(8) Prepare and recommend the official adoption of a preservation element as part of the Town of Kill Devil Hills comprehensive plan.

(9) Acquire by any lawful means the fee or any lesser included interest, including options to purchase, to any such properties designated as landmarks; to hold, manage, preserve, restore and improve the same; and to exchange or dispose of the property by public or private sale, lease or otherwise, subject to covenants or other legally binding restrictions which will secure appropriate rights of public access and promote the preservation of the property.

(10) Restore, preserve and operate historic properties.

(11) Negotiate at any time with the owner of a building, structure, site, area or object for its acquisition or its preservation, when such action is reasonably necessary or appropriate.

(B) Prior to any official action the Commission shall adopt rules of procedure governing its meetings and the conduct of official business and bylaws governing the appointment of members, terms of office, the election of officers and related matters. A public record shall be kept of the Commission's resolutions, proceedings and actions. The Commission shall also prepare and adopt principles and guidelines for altering, restoring, moving, or demolishing properties designated as landmarks.

(Ord. 04-05, passed 4-12-04)

§ 31.42 HISTORIC LANDMARK DESIGNATION PROCEDURE.

(A) Upon complying with the required landmark designation procedures set forth herein, the Board of Commissioners may adopt and from time to time amend or repeal an ordinance designating one or more historic landmarks. No property shall be recommended for designation as a landmark unless it is deemed and found by the Commission to be of special significance in terms of its historical, prehistoric, design, setting, workmanship, materials, feeling and/or association.

(B) The ordinance shall describe each property designated in the ordinance, the name or names of the owner or owners of the property, those elements of the property that are integral to its historical, architectural or prehistoric value, including the land area of the property so designated, and any other information the governing board deems necessary. For each building, structure, site, area or object so designated as a landmark, the ordinance shall require that the waiting period set forth in this subchapter be observed prior to its demolition. A suitable sign for each property designated as a landmark may be placed on the property at the owner's consent; otherwise the sign may be placed on a nearby public right-of-way.

(C) No property shall be designated as a landmark until the following steps have been taken:

(1) As a guide for the identification and evaluation of landmarks, the Commission shall, at the earliest possible time and consistent with the resources available to it, undertake an inventory of properties of historical, architectural, prehistoric and cultural significance with Kill Devil Hills.

(2) The Commission shall make or cause to be made an investigation and report on the historic, architectural, prehistoric, educational or cultural significance of each building, structure, site, area or object proposed for designation or acquisition. Such report shall be forwarded to the Division of Archives and History, North Carolina Department of Cultural Resources.

(3) The Department of Cultural Resources, acting through the State Historic Preservation Officer, or his or her designee, shall either upon request of the Department or at the initiative of the Commission be given an opportunity to review and comment upon the substance and effect of the designation of any landmark. All comments will be provided in writing. If the Department does not submit its comments to the Commission within 30 days following receipt by the Department of the report, the Commission and the Board of Commissioners shall be relieved of any responsibility to consider such comments.

(4) The Commission and the Board of Commissioners shall hold a joint public hearing (or separate public hearings) on the proposed ordinance. Reasonable notice of the time and place thereof shall be given.

(5) Following the public hearing(s) the Board of Commissioners may adopt the ordinance as proposed, adopt the ordinance with any amendments it deems necessary, or reject the proposed ordinance.

(6) Upon adoption of the ordinance the owners and occupants of each landmark shall be given written notification of such designation insofar as reasonable diligence permits. One copy of the ordinance and all amendments thereto shall be filed by the Commission in the office of the Register of Deeds of Dare County. Each landmark shall be indexed according to the name of the owner of the property in the grantor and grantee indexes in the Register of Deeds office and the Commission shall pay a reasonable fee for filing and indexing. A second copy of the ordinance and all amendments thereto shall be kept on file in the office of the Kill Devil Hills Town Clerk and be made available for public inspection at any reasonable time. A third copy of the ordinance and all amendments thereto shall be given to the building inspector. The fact that a building, structure, site, area or object has been designated a building, structure, site, area or object has been designated a landmark shall be clearly indicated on all tax maps maintained by Dare County for such period as the designation remains in effect.

(7) Upon the adoption of the landmark ordinance or any amendments thereto, it is the duty of the Commission to give notice thereof to the tax supervisor of Dare County. The tax supervisor in appraising it for tax purposes shall consider the designation and any recorded restrictions upon the property limiting its use for preservation purposes.

(Ord. 04-05, passed 4-12-04)

§ 31.43 CERTIFICATE OF APPROPRIATENESS.

(A) *Definition.* For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

EXTERIOR FEATURES. Includes the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs and other appurtenant features. **EXTERIOR FEATURES** may also include

historic signs, color and significant landscape, archaeological and natural features of the area. In the case of outdoor advertising signs, *EXTERIOR FEATURES* shall be construed to mean the style, material, size and location of all such signs.

(B) Certificate of Appropriateness required.

(1) From and after the designation of a landmark, no exterior portion of any building or other structure (including masonry walls, fences, light fixtures, steps and pavement, or other appurtenant features), nor any above-ground utility structure nor any type of outdoor advertising sign shall be erected, altered, restored, moved or demolished on such landmark until after an application for a Certificate of Appropriateness as to exterior features has been submitted to and approved by the Commission. Such a certificate is required to be issued by the Commission prior to the issuance of a building permit or other permit granted for the purpose of construction, altering, moving, or demolishing structures, which certificate may be issued subject to reasonable conditions necessary to carry out the purposes of this subchapter. A Certificate of Appropriateness shall be required whether or not a building or other permit is required.

(2) The State of North Carolina (including its agencies, political subdivisions and instrumentalities), the Town of Kill Devil Hills, and all public utilities shall be required to obtain a Certificate of Appropriateness for construction, alteration, moving or demolition of designated landmarks.

(C) Application for Certificate of Appropriateness.

(1) Applications for a Certificate of Appropriateness shall be obtained from the Planning and Inspection Department and when completed, filed with the Zoning Administrator. The application shall be filed two weeks prior to the next regularly scheduled meeting of the Commission. Each application shall be accompanied by sketches, drawings, photographs, specifications, descriptions and other information of sufficient detail to clearly show the proposed exterior alterations, additions, changes or new construction. The names and mailing addresses of property owners filing and/or subject to the application and the addresses of the property within 100 feet on all sides of the property that is the subject of the application must also be filed. No application that does not include the aforementioned information will be accepted.

(2) It shall be the policy of the Commission, in regard to applications involving new construction or extensive alterations and/or additions to existing structures, that a subcommittee of the Commission shall be available to meet with persons involved in planned or pending applications in order to advise them informally at an early stage in the development process concerning the Commission's guideline, the nature of the area where the proposed project will take place, and other relevant factors. The members of the subcommittee, collectively and individually, shall refrain from any indication of approval or disapproval. Advice or opinions given by a member of the subcommittee at such informal meeting shall not be considered official or binding upon the Commission.

(D) Action on application. The Zoning Administrator shall notify, by certified mail, not less than one week prior to the meeting at which the matter is to be heard, the owners of the property within 100 feet on all sides of the subject property. Application for a Certificate of Appropriateness shall be acted upon within 90 days after filing, otherwise the application shall be deemed approved and a certificate shall be issued. An extension of time may be granted by mutual consent of the Commission and the applicant. As part of the review procedures the Commission may view the premises and seek advice, as it may deem necessary under the

circumstances. The Commission may hold a public hearing on any application when deemed necessary. The action on an application shall be approval, approval with conditions or denial and the decision of the Commission must be supported by specific findings of fact indicating the extent to which the application is or is not congruous with each special character of the landmark.

(E) *Hearing on application; jurisdiction; appeal.*

(1) Prior to the issuance or denial of a Certificate of Appropriateness the applicant or other property owner(s) likely to be materially affected by the application shall be given an opportunity to be heard. All meetings of the Commission shall be open to the public in accordance with the North Carolina Open Meetings Laws, G.S. Ch. 143, Art. 33C.

(2) (a) The Commission shall have no jurisdiction over interior arrangement, except as provided below, and shall take no action under this ordinance except to prevent the construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures, appurtenant features, outdoor advertising signs or other significant features which would be incongruous with the special character of the landmark.

(b) The jurisdiction of the Commission over interior spaces shall be limited to specific interior features of architectural, artistic or historical significance in publicly owned landmarks; and of privately owned landmarks for which consent for interior review has been given by the owners. Such consent of an owner for interior review shall bind future owners and/or successors in title; provided such consent has been filed in the Register of Deeds office and indexed according to the name of the owner of the property in the grantor and grantee indexes. The landmark designation shall specify the interior features to be reviewed and the specific nature of the Commission's jurisdiction over the interior.

(3) (a) In any action granting or denying a Certificate of Appropriateness, an appeal by an aggrieved party may be taken to the Board of Adjustment.

(b) Written notice of the intent to appeal must be sent to the Commission, post marked within 30 days following the decision. Appeals shall be in the nature of certioraris. Appeals of decisions of the Board of Adjustment shall be heard by the Superior Court of Dare County.

(c) The State of North Carolina shall have a right of appeal to the North Carolina Historical Commission, which shall render its decision with 30 days from the date that the notice of appeal by the state is received by the Historical Commission. The decision of the Historical Commission shall be final and binding upon both the state and the Commission.

(Ord. 04-05, passed 4-12-04)

§ 31.44 ADMINISTRATIVE APPROVAL OF MINOR WORKS.

(A) For the purpose of this section, the following definition shall apply unless the context clearly indicates or requires a different meaning.

MINOR WORKS. Those exterior changes that do not involve substantial alterations, additions or removals that could impair the integrity of the property. **MINOR WORKS** shall be limited to those listed in the Commission's "Design Guidelines".

(B) Notwithstanding § 31.43(D), (Action on Certificates of Appropriateness), upon receipt of a completed application the Zoning Administrator may issue a Certificate of Appropriateness for a minor works.

(C) No application may be denied without formal action of the Commission. All minor works applications approved by the Zoning Administrator shall be forwarded to the Commission in time for the next scheduled meeting.

(Ord. 04-05, passed 4-12-04)

§ 31.45 REVIEW CRITERIA.

(A) No Certificate of Appropriateness shall be granted unless the Commission finds that the application complies with the principles and guidelines adopted by the Commission for review changes. It is the intent of these regulations to insure insofar as possible that construction, reconstruction, alteration, restoration, moving or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs, or other significant features of landmarks shall be congruous with the special character of the landmark.

(B) In addition to the principles and guidelines, the following features or elements of design shall be considered in reviewing applications for Certificates of Appropriateness:

- (1) Lot coverage, defined as the percentage of the lot area covered by primary structures;
- (2) Setbacks, defined as the distances from the lot lines to the building;
- (3) Building height;
- (4) Spacing of buildings, defined as the distances between adjacent buildings;
- (5) Proportion, shape, positioning, location, pattern, sizes and style of all elements of fenestration and entry doors;
- (6) Surface materials and textures;
- (7) Roof shapes, forms and materials;
- (8) Use of regional or local architectural traditions;
- (9) General form and proportion of buildings and structures, and the relationship of additions to the main structure;
- (10) Expression of architectural detailing;
- (11) Orientation of the building to the street;
- (12) Scale, determined by the size of the units of construction and architectural details in relation to the human scale and also by the relationship of the building, as to adjoining open space and nearby buildings and structures; maintenance of pedestrian scale;
- (13) Proportion of width to height of the total building facade;
- (14) Archaeological sites and resources associated with standing structures;

- (15) Effect of trees and other landscape elements;
 - (16) Major landscaping which would impact archaeological sites;
 - (17) Style, material, size and location of all outdoor advertising signs;
 - (18) Appurtenant features and fixtures, such as lighting;
 - (19) Structural condition and soundness;
 - (20) Walls - Physical ingredients, such as brick, stone or wood walls, wrought iron fences, evergreen landscape masses or combination of these;
 - (21) Color;
 - (22) Ground cover or paving;
 - (23) Significant landscaping, archaeological and natural features.
- (C) The Secretary of the Interior's "Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" shall be the sole principles and guidelines used in reviewing applications of the State of North Carolina for Certificates of Appropriateness.
- (Ord. 04-05, passed 4-12-04)

§ 31.46 CERTAIN CHANGES NOT PROHIBITED.

Nothing in this subchapter shall be construed to prevent the ordinary maintenance or repair of any exterior architectural feature of a landmark which does not involve a change in design, material, or outer appearance thereof; the ordinary maintenance or repair of streets, sidewalks, pavement markings, street signs or traffic signs; the construction, reconstruction, alteration, restoration or demolition of any such features which the building inspector shall certify is required by the public safety because of an unsafe or dangerous condition. Nothing herein shall be construed to prevent either maintenance, or in the event of an emergency, the immediate restoration of any existing above ground utility structure without approval by the Commission.

(Ord. 04-05, passed 4-12-04)

§ 31.47 ENFORCEMENT AND REMEDIES.

(A) Compliance with the terms of the Certificate of Appropriateness shall be enforced by the Zoning Administrator. Failure to comply with the certificate issued shall be a violation of the Zoning Code and subject to established procedures and penalties for such violations.

(B) In case a building, structure, site, area or object designated as a landmark is about to be demolished, whether a result of deliberate neglect or otherwise, materially altered, remodeled, removed or destroyed except in compliance with this subchapter, the Board of Commissioners, the Commission or other party aggrieved by such action may institute any appropriate action or proceeding to prevent such unlawful demolition, destruction, material alteration, remodeling or removal, to restrain, correct or abate such violations, or to prevent any illegal act or conduct with respect to such a building or structure.

(Ord. 04-05, passed 4-12-04)

§ 31.48 DELAY IN DEMOLITION OF LANDMARKS.

(A) (1) An application for a Certificate of Appropriateness authorizing the demolition, removal, or destruction of a designated landmark may not be denied except as provided in division (C) below. However, the effective date of such a certificate may be delayed for up to 365 days from the date of approval. The period of delay shall be reduced by the Commission if it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return from such property by virtue of the delay. During the delay period the Commission shall negotiate with the owner in an effort to find a means of preserving the building, structure or site.

(2) If the Commission has voted to recommend the designation of a landmark, and the final designation has not been made by the Board of Commissioners, the demolition or destruction of any building, structure or site on the property of the designated landmark may be delayed by the Commission for up to 180 days or until the Board of Commissioners takes final action on the designation, whichever occurs first.

(B) The Board of Commissioners may enact an ordinance to prevent the demolition by neglect of any designated landmark. Such ordinance shall provide appropriate safeguards to protect property owners from undue hardship.

(C) An application for a Certificate of Appropriateness authorizing the demolition of a building, structure or site determined by the State Historic Preservation Officer as having statewide significance as defined in the criteria of the National Register of Historic Places may be denied except where the Commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.

(Ord. 04-05, passed 4-12-04)

**TOWN OF SOUTHERN SHORES
TAX DEPARTMENT**

PICKUPS

RELEASES

September Real
December Real

\$47.20
\$152.75

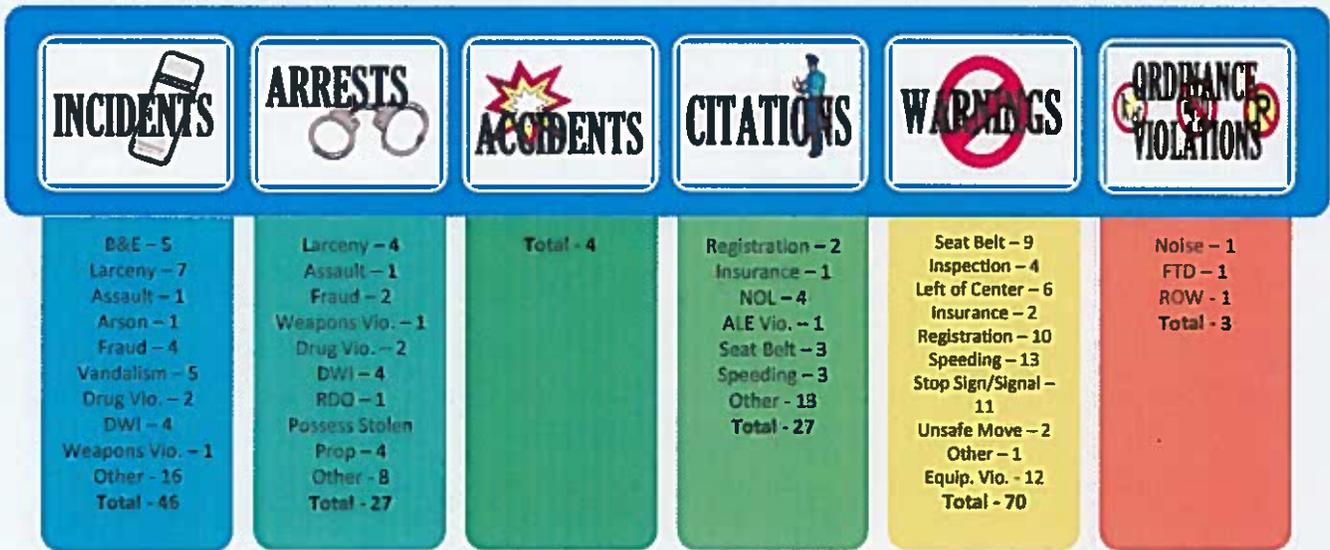
TOTAL

\$0.00

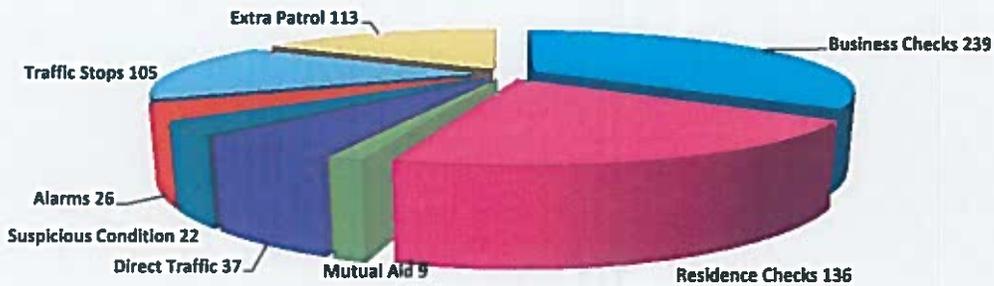
\$199.95

March 2016

Southern Shores Police Department



Calls For Service - 939



TOWN OF SOUTHERN SHORES - PLANNING DEPARTMENT - MONTHLY REPORT FOR MARCH 2016									
ISSUED DATE	PERMIT #	OWNER NAME	ADDRESS	USE	TYPE OF CONSTRUCTION	EST COST	PERMIT FEE	NEW COMM	CONTRACTOR
BUILDING PERMITS									
3/1/2016	9299	SOUTHERN SHORES CIVIC ASSOC. INC.	0 FIFTH AVENUE (0 THIRD AVENUE BEACH ACCESS)	COMMUNITY BEACH ACCESS	REPAIR	\$ 9,252.94	\$ 100.00	C	OLD STATION CORPORATION
3/1/2016	9300	SOUTHERN SHORES CIVIC ASSOC. INC.	0 FIFTH AVENUE (0 NINTH AVENUE BEACH ACCESS)	COMMUNITY BEACH ACCESS	REPAIR	\$ 14,535.13	\$ 100.00	C	OLD STATION CORPORATION
3/1/2016	9302	REC. LLC	45 OCEAN BOULEVARD	SINGLE FAMILY DWELLING	REPAIR	\$ 19,750.00	\$ 197.50	R	ATLANTIC ELEVATORS
3/1/2016	9303	GALLO, BOHNE	166 CHICAHUAHUA TRAIL	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 45,585.00	\$ 100.00	R	OUTTER BANKS HEATING & COOLING
3/2/2016	9287	SHERLOCK, PAULA	66 OCEAN BOULEVARD	SINGLE FAMILY DWELLING	ADDITION/ACCESSORY	\$ 21,500.00	\$ 129.00	R	BRANT MOHR
3/3/2016	9304	BACHMAN, ROBERT	167 BEECHTREE TRAIL	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 5,300.00	\$ 100.00	R	MASTER HEATING & COOLING
3/7/2016	9306	REGAN, PATRICK	1 NINTH AVENUE	SINGLE FAMILY DWELLING	REMODEL/REPAIR	\$ 69,000.00	\$ 700.00	R	G.M. WICKRE CORPORATION
3/7/2016	9308	KARLOS, PAUL	40 TENTH AVENUE	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 6,650.00	\$ 100.00	R	R.A. HOY HEATING & A/C, INC.
3/8/2016	9309	RACKENS, ROBERT	88 SPINDRIFT TRAIL	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 3,000.00	\$ 100.00	R	BEAR ROCK ELECTRIC
3/9/2016	9305	BERRY, GEORGE	279 N. DOGWOOD TRAIL	SINGLE FAMILY DWELLING	ACCESSORY - POOL	\$ 29,999.00	\$ 125.00	R	JLS BUILDER, INC.
3/9/2016	9311	R&T INVESTMENTS, LLC	30 PUNTAIL COURT	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 5,000.00	\$ 100.00	R	ALL-IN-ONE MECHANICAL
3/10/2016	9287 AMENDED 3/9/16	SHERLOCK, PAULA	66 OCEAN BOULEVARD	SINGLE FAMILY DWELLING	ADDITION/ACCESSORY	\$ 5,000.00	\$ 67.50	R	BRANT MOHR
3/10/2016	9310	HOMPTON, WILLIAM	179 CLAM SHELL TRAIL	SINGLE FAMILY DWELLING	REMODEL	\$ 29,000.00	\$ 300.00	R	DONALD F. JENKINGS
3/10/2016	9307	WELMRAKER, G. DAVID	165 OCEAN BOULEVARD	SINGLE FAMILY DWELLING	ADDITION/ENCLOSURE	\$ 84,000.00	\$ 384.00	R	TYLERBUILT CUSTOM BUILDERS, INC.
3/11/2016	9312	GODDINGS, JAMES	42 PURPLE MARTIN LANE	SINGLE FAMILY DWELLING	REPAIR	\$ 3,000.00	\$ 100.00	R	MALE CONSTRUCTION
3/11/2016	9313	SHIPLEY, DAN JR.	110 S. DOGWOOD TRAIL	SINGLE FAMILY DWELLING	REPAIR	\$ 3,000.00	\$ 100.00	R	PROPERTY OWNER
3/11/2016	9315	COURTIER, GEORGE	212 SEA OATS LANE	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 4,000.00	\$ 100.00	R	OUTTER BANKS HEATING & COOLING
3/11/2016	9316	WYDER, GLENN	170 CLAM SHELL TRAIL	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 6,999.00	\$ 100.00	R	OUTTER BANKS HEATING & COOLING
3/14/2016	9314	SWEENEY, TIMOTHY	32 GINGUITE TRAIL	SINGLE FAMILY DWELLING	REMODEL	\$ 27,500.00	\$ 275.00	R	AJ&M HOME IMPROVEMENT
3/15/2016	9317	BROOKS, PAUL	17 TWELFTH AVENUE	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 6,050.00	\$ 100.00	R	MASTER HEATING & COOLING
3/16/2016	9318	EMIG, DAVID	1 MOCKINGBIRD LANE	SINGLE FAMILY DWELLING	REPAIR	\$ 13,473.00	\$ 134.73	R	BRAD LOY BUILDER, LTD.
3/17/2016	9321	CICCOM, JAMES	204 OCEAN BOULEVARD	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 5,600.00	\$ 100.00	R	AMERICAN RETROGERATION & HEAT PUMP REPAIR
3/17/2016	9322	AYDLETT, JOHN	18 FIRST AVENUE	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 10,490.00	\$ 100.00	R	G-MAN INC.
3/18/2016	9326	BOSTICK, REBECCA	1 FIFTH AVENUE	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 3,700.00	\$ 100.00	R	R.A. HOY HEATING & A/C, INC.
3/18/2016	9299 AMENDED 3/15/16	BRILEY, MARY	109 CHICAHUAHUA TRAIL	SINGLE FAMILY DWELLING	ACCESSORY - POOL CABANA	\$ 18,000.00	\$ 100.00	R	SWARTER CONSTRUCTION, INC.
3/21/2016	9327	PEPPER, DORALE TRUSTEE	160 CHICAHUAHUA TRAIL	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 5,265.00	\$ 100.00	R	OUTTER BANKS HEATING & COOLING
3/21/2016	9328	CLONE, MARY	330 SEA OATS TRAIL	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 4,794.00	\$ 100.00	R	OUTTER BANKS HEATING & COOLING
3/21/2016	9329	TEBAULT, CAROLYN	47 MISTLETOE LANE	SINGLE FAMILY DWELLING	OTHER - MECHANICAL	\$ 6,249.00	\$ 100.00	R	OUTTER BANKS HEATING & COOLING
3/21/2016	9325	KICHOKIL, ANDREW	159 YALPOH TRAIL	SINGLE FAMILY DWELLING	OTHER - PIER/PLATFORM	\$ 11,867.00	\$ 100.00	R	BRYAN R. WEISSBECKER G.C., LLC
3/22/2016	9330	GEISMAIR, MICHAEL	1 HICKORY TRAIL	SINGLE FAMILY DWELLING	OTHER - ELECTRICAL	\$ 600.00	\$ 100.00	R	M.O.S. ELECTRIC INC.

3/22/2016	9319	WIDDOWSON, BLAKE	162 WAX MYRTLE TRAIL	SINGLE FAMILY DWELLING	ACCESSORY - POOL	\$ 40,153.00	\$ 125.00	R	KARRISMAN POOLS & SPAS OF THE OUTER BANKS, INC.
3/22/2016	9331	DUCK WOODS COUNTRY CLUB INC.	50 S. DOGWOOD TRAIL	COMMERCIAL - COUNTRY CLUB	OTHER - GAS	\$ 1,553.00	\$ 100.00	C	FREDMONT NATURAL GAS
3/23/2016	9323	RAFT, JOSEPH	134 BENT OAK COURT	SINGLE FAMILY DWELLING	ACCESSORY - DETACHED GARAGE	\$ 130,000.00	\$ 385.00	R	R. LAWSON CONSTRUCTION CO. INC.
3/24/2016	9332	REEVES, MICHAEL	71 WILD SWAN LANE	SINGLE FAMILY DWELLING	OTHER - BULKHEAD/DOCK	\$ 16,910.00	\$ 100.00	R	LAYDEN MARINE, INC.
3/24/2016	9324	MCKIFF, DALE	89 S. DOGWOOD TRAIL	SINGLE FAMILY DWELLING	OTHER - DOCK/BOATLIFT	\$ 13,000.00	\$ 100.00	R	NORTHEASTERN MARINE, INC.
3/24/2016	9333	BURHETTE, MICHAEL	239 OCEAN BOULEVARD	SINGLE FAMILY DWELLING	ADDITION/REPAIR	\$ 28,000.00	\$ 175.00	R	GIRKES & CO. HOMES, INC.
3/28/2016	9334	WASHENKO, GREGORY	1 BLUEFIN LANE	SINGLE FAMILY DWELLING	ACCESSORY - POOL	\$ 33,724.00	\$ 125.00	R	SOUTHERN SCAPES GARDEN CENTER, INC.
3/28/2016	9294	FIRE SERVICE REAL ESTATE, INC.	208 E. DOGWOOD TRAIL	COMMERCIAL - FIRE STATION	ACCESSORY-STORAGE BUILDING	\$ 6,000.00	FEE WAIVED	C	SANDSKI, LLC
3/29/2016	9101 AMENDED 3/29/16	FALLOM, LEE	57 GINGUITE TRAIL	SINGLE FAMILY DWELLING	REMODEL - GAS FIREPLACE	\$ 3,000.00	\$ 30.00	R	FINCH & COMPANY, INC.
3/30/2016	9336	KELLEHER, JAMES	21 NORTH DUNE LOOP	SINGLE FAMILY DWELLING	REMODEL	\$ 40,000.00	\$ 410.00	R	FINCH & COMPANY, INC.
3/30/2016	9338	AKERS FAMILY, LLC	193 N. DOGWOOD TRAIL	SINGLE FAMILY DWELLING	REMODEL	\$ 25,000.00	\$ 260.00	R	BELVIN BURT GENERAL CONTRACTING, INC.
3/31/2016	9337	LANCEK, MICHAEL	183 HAPPY INDIAN COURT	SINGLE FAMILY DWELLING	ACCESSORY - POOL	\$ 25,000.00	\$ 125.00	R	PROPERTY OWNER
3/31/2016	9339	BILLINGSLEY, JOEL	170 SASSAFRAS LANE	SINGLE FAMILY DWELLING	OTHER - ELECTRICAL	\$ 1,200.00	\$ 100.00	R	# D. EVERTON ELECTRICAL CONTRACTOR
					BUILDING PERMIT TOTAL \$ RESIDENTIAL	\$ 410,358.00	\$ 6,148.33		
					BUILDING PERMIT TOTAL \$ COMMERCIAL	\$ 31,341.07	\$ 300.00		
					TOTAL FEES \$ =		\$ 6,448.33		
					# RESIDENTIAL =			39	
					# COMMERCIAL =			4	
					PLAN REVIEW/PLANNING/CAMA FEES		\$ 600.00		
					GRAND TOTAL \$ OF FEES COLLECTED =		\$ 7,048.33		

Southern Shores VFD

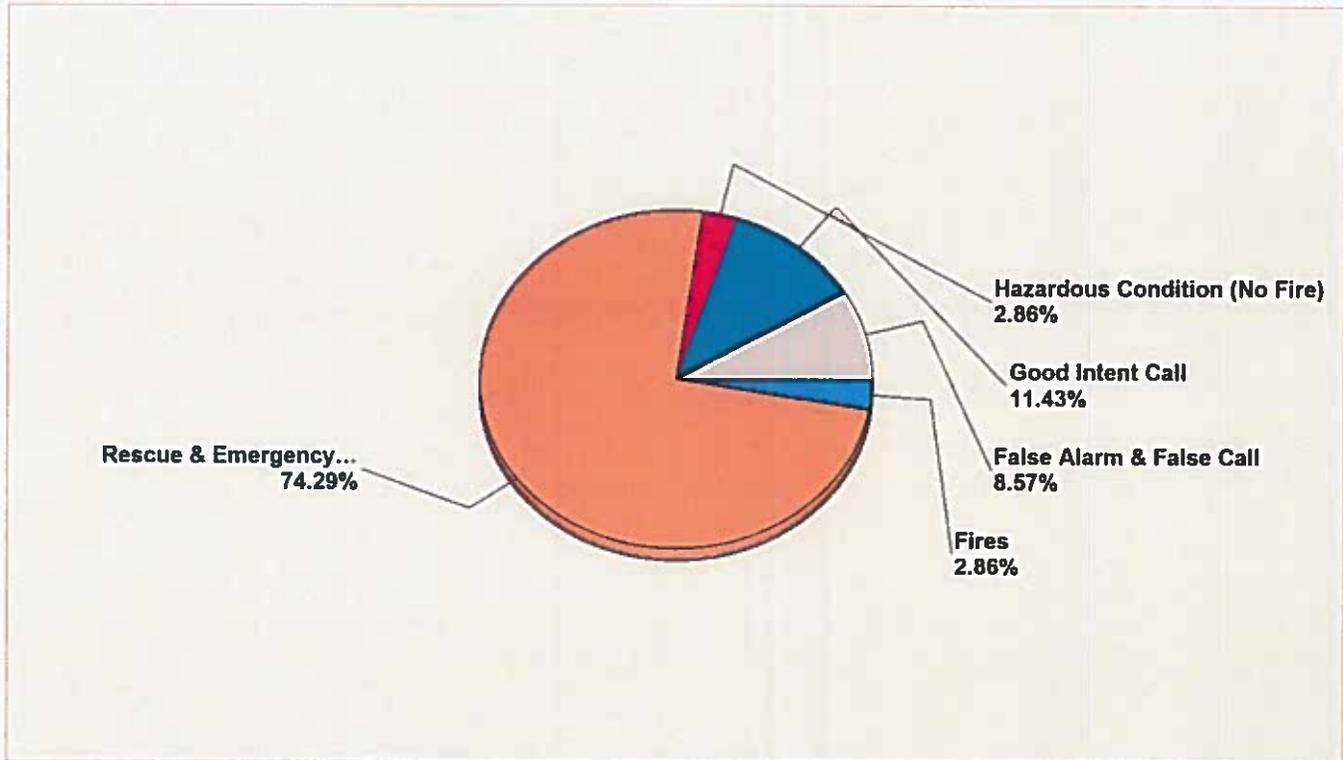
Southern Shores, NC

This report was generated on 4/4/2016 7:34:43 PM



Breakdown by Major Incident Types for Date Range

Zone(s): All Zones | Start Date: 03/01/2016 | End Date: 03/31/2016



MAJOR INCIDENT TYPE	# INCIDENTS	% of TOTAL
Fires	1	2.86%
Rescue & Emergency Medical Service	26	74.29%
Hazardous Condition (No Fire)	1	2.86%
Good Intent Call	4	11.43%
False Alarm & False Call	3	8.57%
TOTAL	35	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.



Detailed Breakdown by Incident Type

INCIDENT TYPE	# INCIDENTS	% of TOTAL
111 - Building fire	1	2.86%
321 - EMS call, excluding vehicle accident with injury	25	71.43%
324 - Motor vehicle accident with no injuries.	1	2.86%
442 - Overheated motor	1	2.86%
600 - Good intent call, other	1	2.86%
611 - Dispatched & cancelled en route	2	5.71%
651 - Smoke scare, odor of smoke	1	2.86%
733 - Smoke detector activation due to malfunction	1	2.86%
743 - Smoke detector activation, no fire - unintentional	1	2.86%
745 - Alarm system activation, no fire - unintentional	1	2.86%
TOTAL INCIDENTS:	35	100.00%

Only REVIEWED incidents included. Summary results for a major incident type are not displayed if the count is zero.



Town of Southern Shores Street Rebuild Standards

1. Appropriate and adequate stormwater management utilizing best Management Practices (BMPs) and Low Impact Development systems (LIDs), and maximizing preservation of existing natural hydrologic conditions where feasible.
2. Re-align centerline in relation to existing R-O-W where practical; Re-align all roadway centerline alignments to eliminate roadway encroachments on to private property. Reconstruction designs will maximize the preservation of existing trees, bulkheads and vegetated medians when practical without adversely impacting public safety.
3. Street curves shall be designed in accordance with NCDOT standards in all locations where these standards can be met within the configuration of the existing rights-of-way. Reconstruction designs will maximize the preservation of existing trees, bulkheads and vegetated medians when practical without adversely impacting public safety.
4. Street width shall be designed in accordance with NCDOT standards. Reconstruction designs will maximize the preservation of existing trees, bulkheads and vegetated medians when practical without adversely impacting public safety.
5. Cul-de-sacs or other NCDOT recognized turn-around areas adequately sized to facilitate the maneuvering of the Town's Fire apparatus shall be installed in all locations where the roadway/right-of-way has no outlet. Cul-de-sacs shall be considered in all locations where the existing right-of-way is platted for or otherwise supports the inclusion of said feature. In locations where adequate area is not available and the need for a larger turn-around is necessary the Town may investigate other design options.
6. Having considered re-alignment of centerline while maximizing preservation of existing trees (Standard #2 above) when practical without adversely impacting public safety, remove trees and tree stumps under the following conditions:
 - a. All trees and tree stumps within 4 feet of the edge of the road pavement matrix of the rebuilt street;
 - b. Trees and tree stumps located within the proposed stormwater management areas;
 - c. Trees and tree stumps impacted by roadway grading;
 - d. Trees and tree stumps known to be in direct conflict with underground utility lines and the related above ground utility appurtenances;
 - e. All Trees and stumps that compromise line of sight at roadway intersections.
7. Asphalt and road base shall be designed to meet NCDOT standards and geotechnical recommendations.
8. Construction installation methods and specifications shall be implemented according to DOT standards.
9. Re-vegetation needs shall be evaluated at 6 month and 12 months following project completion. A landscaping plan shall be developed if appropriate utilizing primarily native species of shrubs and small trees.

*Rebuild of a street is defined as complete removal and replacement of an existing street, or section thereof, due to failing sub-base and/or failing asphalt as a result of substandard initial construction and/or age.



STRATEGIC PLAN 2016

DRAFT - March 5, 2016

Town of Southern Shores
Council Meeting- April 5, 2016
Page 23 of 37

Vision Statement

Note that there was some discussion to use the vision statement from the land use plan - both vision statements have been provided.

VISION STATEMENT FROM THE LAND USE PLAN The Town of Southern Shores is a quiet seaside residential community comprised primarily of small low density neighborhoods consisting of single family homes primarily on large lots (at least 20,000 sq. ft.) interspersed with recreational facilities (marinas, tennis facilities, athletic fields, and parks), beach accesses, walkways and open spaces. These neighborhoods are served by picturesque local roads (rather than wide through streets) along the beach, in the dunes or in the sound-side maritime forest. The scale and architecture of new development and re-development is compatible with existing homes. The community is served by a small commercial district, located on the southern edge of town, which focuses on convenience shopping and services. The desired plan for the future is to maintain the existing community appearance and form.

VISION STATEMENT FOR USE AND ACQUISITION OF PROPERTIES The Town of Southern Shores shall be an inviting place to live and visit. Residents and the general public shall be encouraged to use and enjoy any resources, infrastructure, services, natural areas, recreation areas, public trust areas, and open spaces owned, controlled, administered, or maintained by the Town of Southern Shores. The Town of Southern Shores shall reserve the right to enact ordinances and policies regarding fees, licenses, or permits to ensure users of such facilities equitably contribute towards the cost of acquisition and maintenance. **NOTE: As adopted by Resolution 2013-03-01 - This is only for the use and acquisition of properties – not the vision of the Town as a whole.**

**Town of Southern Shores
Action Plan**

Mission Statement: To provide the highest quality of life through essential infrastructure, public safety, recreation, and welcoming business and residential growth within the perimeters of a fiscally responsible and transparent government. (View details by application)

Goal #1: Develop a Committee Program that is transparent and multi-generational.

Responsible Party	Objectives	Deadline/ Progress
Town Council Town Attorney	Modify Council's current Rules of Procedure to allow Council's input and approval of Committee members	
Public Town Council Town Attorney Town Manager	Upgrade the current Committee Selection Process which allows council to approve the appointments to committees based on interest, experience, registered voter, and current service on a Town Committee	
Town Manager Town Clerk Albemarle Commission Town Council	Create an application both written and online that allows for the creation of an interested participant database	
Town Manager Town Clerk Town Council	Utilize flexible meeting times and methods; including Webex and Conference Calls to attract a greater interest in community involvement	

**Town of Southern Shores
Action Plan**

Mission Statement: To provide the highest quality of life through essential infrastructure, public safety, recreation, and welcoming business and residential growth within the perimeters of a fiscally responsible and transparent government. (text obscured by redaction)

Goal #2: Develop and implement a long-term infrastructure plan in order to revitalize and accommodate the current and future needs of the Town.

Responsible Party	Objectives	Deadline/Progress
Public Works Director Town Engineer Town Council Town Manager	Create an annual street resurfacing and maintenance plan for the Town owned streets utilizing NCDOT Standards that will allow for capital planning and clear direction on what and when streets are scheduled to be resurfaced.	
City Council Civic Association Town Attorney Town Manager	Create a formal partnership with the Civic Associations that would allow for greater grant opportunities, infrastructure upgrades and shared costs.	
Town Attorney Police Chief State Elected Officials Town Manager	Review and identify current Town code and North Carolina General Statutes ordinances or laws that would assist in alleviating cut thru traffic through the neighborhoods and if there are no laws in place, work to institute appropriate legislation with the Town's state elected officials.	
Public Works Director Town Engineer Town Manager Police Chief	Partner with NC DOT to alleviate localized flooding and utilize best practices for lessening access management issues in the Town's neighborhoods	

**Town of Southern Shores
Action Plan**

Mission Statement: To provide the highest quality of life through essential infrastructure, public safety, recreation, and welcoming business and residential growth within the perimeters of a fiscally responsible and transparent government. www.southernshores.com

Goal #3: Develop a Community Involvement Program that encourages involvement of both residents and businesses and bridges multi-generations

Responsible Party	Objectives	Deadline/Progress
Town Council	Create a Community Involvement Committee that will be responsible for organizing community events and activities	
Town Manager Town Clerk Town Council Civic Associations	Survey the residents for topics they would like to have at a speaker series (utilize technology, paper surveys at Town Hall and civic associations)	
Community Involvement Committee	Create a speaker series with topics that are of interest to a multi-generational population	
Community Involvement Committee Town Council Public Works	In partnership with Earth Day – April 22 nd , organize a community clean-up day for the neighborhoods, beaches and roadways, including document shredding followed by a community cook-out.	
Community Involvement Committee Town Council	Create a Town Hall Coffee opportunity to meet with residents and businesses to discuss the needs of the Town and on-going and future Town projects.	

Town of Southern Shores
Action Plan

Mission Statement: *To provide the highest quality of life through essential infrastructure, public safety, recreation, and welcoming business and residential growth within the perimeters of a fiscally responsible and transparent government.* New - drafted by facilitator

Goal #4: Advocate for the Town of Southern Shores in order for Southern Shores to be seen as the lead in fostering best practices of beach communities.

Responsible Party	Objectives	Deadline/Progress
Town Council Public	Create a legislative agenda that supports the Town of Southern Shores action plan on a local, state and federal level	
Town Manager Town Attorney	Based on the Town's legislative agenda, monitor North Carolina General Assembly legislation and committee activities that affect the Town of Southern Shores, including but not limited to subscribing to the North Carolina League of Municipalities legislative tracking system.	
Town Manager Town Clerk	Distribute the League of Municipalities Legislative update, as well as any legislative updates received from county, regional, state and federal elected officials to all council members and post the update to the Town's website	
Town Manager Town Attorney Town Council	Update Ordinances as needed based on changes to the laws that affect the Town's current ordinances	



Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-255-0876

info@southernshores-nc.gov

www.southernshores-nc.gov

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF SOUTHERN SHORES,
NORTH CAROLINA AMENDING THE TOWN COUNCIL'S RULES OF PROCEDURE
(Resolution #2016-04-01)**

WHEREAS, the Town Council of the Town of Southern Shores (the "Town") maintains various temporary and standing committees established by the Town Council and the Town's Mayor; and

WHEREAS, the Town Council desires to modify the procedure for establishing and appointing members to the Town's various committees contained with the Town of Southern Shores Rules of Procedure for Town Council (the "Rules of Procedure")

NOW, THEREFORE BE IT RESOLVED, as follows:

1. To the extent necessary to satisfy any requirements of the Rules of Procedure requiring the Mayor to appoint or remove members from the existing temporary and standing committees of the Town, said rules and requirements are hereby suspended consistent with the actions stated below;
2. **Section 14. Appointments.** of the Rule of Procedure is hereby amended as follows:

When advised of potential vacancies on boards and committees, the Council will direct the Town Manager to seek applications from interested residents of the Town. The list of applicants will be presented to the Council for discussion, nomination and a vote.

The ~~Mayor~~ Town Council may establish and appoint members for such temporary and standing town committees as are needed to help carry on the work of the town government. ~~The Mayor shall appoint council members so that there is an equitable cross-section of Council members represented on the committees.~~ The annual appointment to these committees will be presented to the Council at their first meeting in December.

Standing committees:

-The Planning Committee consists of the Mayor and Mayor Pro Tem with support from the Town Manager and Town Planner.

-The Capital Improvement Planning Committee consists of two (2) Council

members with support from two (2) citizen representatives, the Town Manager, Police Chief, Public Works Director and the Town Engineer.

-The Finance Committee includes two (2) Council members with support from the Town Manager and Finance Officer.

-The Public Safety Committee includes (2) Council members, a minimum of one (1) citizen representative, the Town Manager, the Police Chief, the Fire Chief and the supervisor of the Lifeguard Service.

Adopted this 5 day of April, 2016.

Attest:


Sheila Kane, Town Clerk




Thomas G Bennett, Mayor

Date adopted:

Motion to adopt by Councilmember: Council Member McDonald

Motion seconded by Councilmember: Mayor Pro Tem Newberry

Vote: 3 AYES 2 NAYS



Town of Southern Shores

5375 N. Virginia Dare Trail, Southern Shores, NC 27949

Phone 252-261-2394 / Fax 252-255-0876

www.southernshores-nc.gov

REQUEST FOR QUALIFICATIONS

1. Description of Project:

Pursuant to North Carolina general Statute §143-64.31, the Town Council of the Town of Southern Shores is seeking a qualified North Carolina licensed professional engineer to serve as its contract Town Engineer for the Town of Southern Shores, specifically to provide ongoing general professional engineering, environmental, surveying and related services upon demand and authorization of the Town.

2. Required Qualifications:

In order to be considered for this contract position of Town Engineer, a service provider must be a Professional Engineer licensed and registered in the State of North Carolina. The person or firm must demonstrate that it has significant experience in designing, bidding and contracting, and monitoring and inspecting infrastructure construction projects for local governments.

3. Statement of Qualifications (SOQ):

Any person or firm desiring to be considered for providing the desired services to the Town of Southern Shores, should please submit a SOQ in written format, eight (8) total copies, and in digital format, one (1) copy, to: Town Council, c/o Town Clerk, Town of Southern Shores, 5375 N. Virginia Dare Trail, Southern Shores, NC 27949 and skane@southernshores-nc.gov. All Qualifications Packages must be received by 2:00 PM on May 9, 2016.

4. Contents of SOQ:

The SOQ must be signed by the person expecting to be communicated with during the selection process and must include a direct contact phone number and email address with the signature line. The SOQ should be in letter form and should consist of and describe in concise form the following items:

- a. Biographical information on all professional staff who will provide services, including a list of customary sub-contractors and consultants the person or firm typically uses in providing the described services.
- b. A list of a minimum of six (6) projects performed in the last five (5) years by the person or firm, which indicate experience in designing, bidding and contracting, and monitoring and inspecting infrastructure construction projects for local governments, including examples of any previous collaborations with sub-contractors or consultants listed above in Section 4. a. on any of the listed projects. Note and explain any major legal or technical problems or challenges encountered on those projects.

- c. Provide detailed examples of experience of the specific designer(s), and Engineer-in-Charge of a firm, proposed for this work. Include all certifications, and describe specific examples of local government projects that each designer may have worked on and their role in the project.
- d. Describe in detail the firm or person's current workload, including current projects, and current staffing availability.
- e. Describe in detail the firm or person's experience in utilizing and incorporating into local government infrastructure projects Low Impact Development technology with regard to stormwater management.
- f. Describe in detail the firm's experience in evaluating and mitigating environmental risks associated with their construction designs. Describe further, how they took into account citizens' concerns about environmental and aesthetic impacts of their designs.
- g. Describe in detail the firm or person's experience in designing local government infrastructure any projects permitted, eligible for permitting, or considered alternates to permitting under the National Pollutant Discharge Elimination System (NPDES).
- h. Describe in detail the firm's or person's experience in seeking, applying for, and negotiating permits for local government infrastructure projects under the jurisdiction of the NC Division of Coastal Management under the NC Coastal Area Management Act (CAMA) and/or the US Army Corps of Engineers.
- i. Describe in detail the firm's or person's experience in designing street construction or repair projects utilizing design and construction standards of the North Carolina Department of Transportation.
- j. Describe in detail the firm's or person's experience in designing street construction or repair which maximized the preservation of existing natural resources, while concurrently maximized public safety and the life of the street construction or repair.
- k. Describe in detail the firm's or person's experience in estimating construction materials and costs for proposed local government infrastructure projects in North Carolina. Examples of any budget planning for infrastructure projects (pre-design) for local governments may be included.
- l. Describe in detail the firm's or person's experience in conducting public bidding and contract awarding for local government infrastructure projects in North Carolina. Specific examples are desired, including examples of any projects that have come in over budget and for which the engineer or firm conducted a value engineering and/or re-bid effort to bring the project back in line with the budget.

- m. Describe in detail the firm's or person's experience in construction management of local government infrastructure construction projects in North Carolina.
- n. Describe in detail the firm's or person's experience in administration of local government infrastructure construction project contracts in North Carolina.
- o. Describe in detail the firm's or person's experience in dissemination of public information and conducting public relations initiatives for local government infrastructure construction project contracts in North Carolina.
- p. Describe in detail the firm's or person's experience in conducting periodic and final inspections of local government infrastructure construction project contracts in North Carolina.
- q. Describe in detail the firm's or person's experience in specifying and evaluating geotechnical and construction materials testing for local government infrastructure construction projects.
- r. A written statement acknowledging that the Town is the proprietor of all work product developed for or on behalf of the Town by the selected Town Engineer, regardless of location, type, and format of the work product - and acknowledging that all work product will be retained and submitted to the Town, or a specified agent or contract consultant of the Town at the Town's direction, upon request, regardless of whether the work product is considered a "trade secret".
- s. Provide a minimum of three (3) professional references, including name, organization, telephone number, email address (if available), and applicable project name(s). At least one of the references must be from a local government.
- t. Provide a proposed unit price (hourly rate) for design, bidding and contracting, and monitoring and inspecting infrastructure construction projects for the Town of Southern Shores.
- u. Summarize why you or your firm should be selected.

5. Evaluation Determination:

The Southern Shores Town Council will evaluate the submittals and select the person or firm with whom it will negotiate to serve as the Town Engineer. Upon issuance of this RFQ, Town staff and individual Town officials will not be available to discuss any matter of this project or selection process. Please refrain from contacting these persons in regards to this RFQ.

Communications should be submitted to the Town Council, c/o Town Clerk, Town of Southern Shores, 5375 N. Virginia Dare Trail, Southern Shores, NC 27949, email: skane@southernshores-nc.gov .

In the event the Town Council cannot sufficiently evaluate the person or firms based on the SOQs received, the Town Council may require interviews and/or additional detailed submittals from a group of finalists.

6. SOQ Evaluation Criteria:

Pursuant to NCGS §143-64.31, the Town Council will *select a person or firm qualified to provide such services on the basis of demonstrated competence and qualification or the type of professional services required without regard to fee other than unit price information at this stage, and thereafter to negotiate a contract for those services at a fair and reasonable fee with the best qualified firm.* The selected person or firm should have a demonstrated ability and history of designing and/or managing and administering local government infrastructure projects, including but not limited to street design, construction, and repair, waterway preservation and dredging, and bridge construction and repair. The selected person should be able to demonstrate successful implantation of Low Impact Development technology for stormwater management in the design and successful completion of projects. The selected person should also demonstrate successful maximization of preservation of natural resources, while concurrently maximized public safety and the life of the street construction or repair, in street and/or bridge construction projects. Experience in beach stabilization and re-nourishment will be considered a plus.

7. Proposed Schedule:

<u>DATE/DURATION</u>	<u>EVENT</u>
• April 10, 2016 -	Issuance of RFQ
• May 9, 2016 -	Qualification Packages are due by 2:00 P.M. on this date.

8. Public Records:

Upon receipt by the Town, your Qualifications Package is considered a public record except for material that qualifies as "Trade Secret" information under North Carolina General Statute §66-152, et seq. The Town Council, as well as other Town staff will review your Qualifications Package. In addition, members of the general public who submit public record requests will also have access to information not identified as "Trade Secret". To properly designate material as a trade secret under these circumstances, each person or firm must take the following precautions: (a) any trade secret submitted by a person or firm should be submitted in a separate, sealed envelope marked "Trade Secret- Confidential and Proprietary Information-Do Not Disclose Except for the Purpose of Evaluating this Qualifications Package", and (b) the same trade secret/confidentiality designation should be stamped on each page of the trade secret materials contained in the envelope.

In submitting a Qualifications Package, each person or firm agrees that the Town Council may reveal any trade secret materials contained in such response to all Town officials and Town staff who may be requested by the Town Council to be involved in the selection process and to any outside consultant or other third parties who are may be hired by the Town Council to assist in the selection process. Furthermore, each person or firm agrees to indemnify and hold harmless the Town and each of its officers, employees, and agents from all costs, damages, and expenses incurred in connection with refusing to disclose any material that the person or firm has

designated as a trade secret. Any person or firm that designates its entire Qualifications Package as a trade secret may be disqualified from the selection process.

STAFF REPORT

To: Southern Shores Planning Board
Date: March 31, 2016
Case: CUP-16-01
Prepared By: Wes Haskett, Town Planner/Code Enforcement Officer

GENERAL INFORMATION

Applicant: Aston Properties
610 E. Morehead St.
Charlotte, NC 28202

Representative: Michael Theberge, Bohler Engineering
800 West Hill St.
Charlotte, NC 28207

Requested Action: Conditional Use Permit application to make improvements to the Marketplace shopping center (Group Development). The proposed improvements include construction of a new multi-tenant building with two restaurants, one with a drive-through, and retail space and a new freestanding pharmacy with drive-through.

PIN #: 986720717057
Location: 5500 N. Croatan Hwy.
Zoning: C, General Commercial District

Existing Land Use: "Commercial"

Surrounding Land Use & Zoning:
North- Residential; RS-1, Single-Family Residential District
South- Highway 158, Town of Kitty Hawk
East- Commercial; C, General Commercial District
West- Commercial; C, General Commercial District

Physical Characteristics: Developed (existing Group Development)

Applicable Regulations: Town Zoning Ordinance: Article III, Interpretation and Definition of Terms; Article IV, Application of Regulations; Article VI, General Provisions; Article VII, Schedule of District Regulations; Article X, Administration and Enforcement.

ANALYSIS

The applicant seeks a Conditional Use Permit to construct a 13,225 sq. ft. CVS Pharmacy with a drive-through and an approximate 7,210 sq. ft. multi-tenant building which contains two restaurant spaces, one with a drive through, and two retail spaces. The proposed improvements incorporate pervious pavement as recently established in Section 36-207, (d), 5 which allows an increase in the total lot coverage for the site of up to 67% instead of 60%. Group Developments, or substantial improvements to Group Developments, and restaurants are permitted uses in the C, General Commercial District provided that a Conditional Use Permit is granted by the Town Council following a recommendation made by the Town Planning Board. In granting any

Conditional Use Permit, the Town Council may prescribe appropriate conditions and safeguards in conformity with Article X, Administration and Enforcement. Before granting any Conditional Use Permit, the Town Council shall make affirmative findings that:

- a. The applicant has met the requirements of the applicable provisions of the Town Chapter pertaining to Zoning, Subdivision Chapter, and all other applicable Ordinances.
- b. That the use as proposed will conform with the Town's Land Use Plan, and will be compatible with the area in which it is to be located, if developed in accordance with the conditions specified in the Chapter and additionally required by the Town Council as authorized by the Chapter.
- c. That the use will not materially endanger the public health and safety if located where proposed and developed according to the plan submitted.
- d. That the use as proposed will not overburden the Town Volunteer Fire Department fire-fighting capabilities and the County water supply capacity to the Town, as said facilities and capabilities will exist on the completion date of the conditional use for which the application is made.

RECOMMENDATION

The Land Use Plan identifies this area as Commercial in the C, General Commercial zoning district which is consistent with the improvements proposed in the application. The Town Planning Board unanimously (5-0) recommended approval of the application and all applicable regulations of the Town Zoning Ordinance and all of Town Staff's concerns that are applicable to this application have been identified or are addressed in the recommended conditions. Town Staff offers the following conditions for consideration which were included in the Planning Board's recommendation:

1. The following permits shall be issued prior to submittal of a Building Permit application:
 - a. Soil Erosion Sedimentation Control Plan Permit for land disturbance over 1 acre as issued by the NCDEQ;
 - b. Stormwater Management Permit as issued by the NCDEQ;
 - c. NCDOT Encroachment Agreement for work within the ROW of Hwy 158 as issued by the NCDOT;
 - d. Improvement Permit and Authorization to Construct a new wastewater collection, treatment and disposal system as issued by the DCHD and reviewed and approved by the NCDHHS;
 - e. Review and approval of potable water distribution system modifications or extensions by the DCWD Engineer;
2. If approved, the requested vested right period shall expire two years from the date of the Town Council's approval.
3. The applicant must strictly abide by all requirements of the Town Code and must also strictly comply with all other applicable local, State, and Federal requirements.