



Town of Southern Shores

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Ordinance No. 2007-09-02

AN ORDINANCE OF THE SOUTHERN SHORES TOWN COUNCIL AMENDING THE TOWN OF SOUTHERN SHORES ZONING ORDINANCE TO ADD A GOVERNMENT AND INSTITUTIONAL DISTRICT ZONE

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 Zoning Ordinance of Southern Shores, Dare County, North Carolina, which was originally adopted by the Town Council on July 7, 1981 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 Section 6.01. Off-street parking requirements.

Section 6.01 of the Southern Shores Zoning Ordinance is hereby amended as follows:

C. Minimum parking requirements. The number of off-street parking spaces required by this section shall be provided on the same lot with the principal use and the required number of off-street parking spaces specified for each use shall be considered as the absolute minimum. Where a fraction of a space is required by this article, the next whole number shall be provided. In addition, a developer shall evaluate his own needs to determine if they are greater than the minimum specified by this article.

3. Retail and office uses:

- *Animal hospitals: Five (5) spaces per veterinarian plus one (1) space for each employee but no less than sixteen (16) spaces.*
- *Funeral Home: One (1) parking space for each four (4) seats in the chapel or parlor.*
- *Garden center/nursery: One (1) space for every five hundred (500) square feet of outdoor retail display area.*

- *General or professional offices, banks (other than doctors dentists, see Clinic requirements): One (1) parking space for each two hundred (200) square feet of gross floor space plus one (1) space for each two (2) employees.*
- *Grocery stores and appliance stores: One (1) parking space for each five hundred (500) square feet of gross floor area.*
- *Municipal building: One (1) parking space for each two hundred (200) square feet of net office areas, plus one (1) space for each two (2) seats in municipal council chambers.*
- *Municipal complex: One (1) parking space for each two hundred (200) square feet gross floor space.*
- *Restaurant: One (1) parking space for every three (3) customer seats, plus one (1) additional parking space for each employee.*
- *Retail uses not otherwise listed: One (1) parking space for each two hundred (200) square feet of floor area.*
- *Theaters: One (1) parking space for each three (3) seats.*
- Non-profit entities: A minimum of three (3) parking spaces shall be provided.

Article IV. Amend Section 6.03 Regulations governing signs.

Section 6.03 of the Southern Shores Zoning Ordinance is hereby amended as follows:

The Town of Southern Shores adopts these standards and regulations to insure that permitted signs reflect the aesthetics desired by its residents; promote traffic safety; and, provide minimum interference with individual property rights.

M. Signs permitted in Government and Institutional (G/I) district.

1. Town owned facilities are subject to the following conditions.

a. One (1) free standing sign with frame or one attached sign with frame per facility. Any such freestanding sign with frame shall not exceed forty-eight (48) square feet, shall be located permanently on the ground and the sign structure and the sign shall not exceed four (4) feet above street grade. Any such attached sign with frame shall not exceed twenty-four (24) square feet, shall be placed on the exterior wall of the building which it identifies and shall not extend more than fifteen (15) inches beyond the wall surfaces.

b. Directional signs as permitted in Section 6.03.H.

2. Non-Profit entities qualified under Section 501 (c) (3) of the Internal Revenue Code.

a. One (1) free standing sign with frame or one attached sign with frame per facility. Any such freestanding sign with frame shall not exceed four (4) square feet, shall be located permanently on the ground and the sign structure and the sign shall not exceed three (3) feet above street grade. Any such attached sign with frame shall not exceed four (4) square feet.

b. Directional signs as permitted in Section 6.03.H.

Article V. Add Section 7.06 Southern Shores Zoning Ordinance – Government and Institutional District

A. Intent. The Government and Institutional Zoning District is established to create a proper location and setting for government and institutional operations and structures necessary to provide services operated by government and institutional operations and structures necessary to provide public services operated by governmental entities and non-profit entities.

B. Permitted uses. The following uses are permitted by right:

1. Governmental offices, office buildings, and meeting rooms.
2. Town authorized uses of Town owned facilities.
3. Police stations.
4. Other Town owned facilities.
5. Residential uses which comply with the requirements of Section 7.01, the RS-1 Single Family Residential District.
6. Offices for non-profit entities qualified under Section 501 (c) (3) of the Internal Revenue Code. Notwithstanding other provisions of the Southern Shores Town Ordinances, the following shall apply to permitted uses under this section:
 - a. Handicapped accessibility shall be provided.

C. Conditional uses permitted. The following uses are permitted subject to the requirements of this district and such additional regulations and requirements as may be imposed by the Town council as provided in article X:

1. Community recreation facilities including, golf courses, tennis courts, community centers, libraries, picnic areas, and concessions integral thereto, provided that there is no open commercial activity and no sign other than a directional non-commercial sign is allowed.

D. Dimensional requirements.

1. Minimum lot size: Ten thousand (10,000) square feet.
2. Minimum lot width: Fifty (50) feet (measured at the building setback line).
3. Minimum front yard (setback): Twenty-five (25) feet.
4. Minimum side yard (setback): Ten (10) feet; an additional five (5) foot side yard adjacent to the street is required for a corner lot. Fifteen (15) feet for swimming pools.
5. Minimum rear yard (setback): Twenty-five (25) feet.

6. Maximum allowable lot coverage: Thirty (30) percent, except Town-owned facilities and fire stations. Eighty-five (85) percent for Town-owned facilities and fire stations.

7. Height:

Height, top plate: Twenty-six (26) feet.

Height, maximum: Thirty-five (35) feet.

Article VI. 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 VII: Effective Date

This Ordinance is effective immediately upon adoption.

Adopted this the 4th day of September 2007.




Don Smith, Mayor

ATTEST:

VOTE: 4 Aye 1 Nay


Carrie Gordin, Town Clerk

Approved as to form:


Ike McRee, Town Attorney

DATE(S) ADVERTISED:
NAME OF NEWSPAPER:
DATE OF PUBLIC HEARING:

AUGUST 16, AND AUGUST 30, 2007
COASTLAND TIMES
SEPTEMBER 4, 2007