



TOWN OF SOUTHERN SHORES
TOWN COUNCIL REGULAR MEETING

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

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

www.southernshores-nc.gov

PITTS CENTER

Tuesday, June 02, 2026 at 10:00 AM

AGENDA

Call Meeting to Order

Pledge of Allegiance

Moment of Silence

Amendments to / Approval of Agenda

Consent Agenda

1. Minutes Approval (emailed)
2. Fee Schedule Amendment -CAMA Minor Permit Fee From \$100.00 To \$119.00 as Amended by the State
3. Budget Amendment #22

Presentations

4. Door Saver Program
5. Employee Recognition-Introduction and Ceremonial Swearing in of Deputy Fire Chief Jim Davidson

Staff Reports

Deputy Town Manager / Planning Director

Police Chief

Fire Chief

Town Attorney

Town Manager

6. Mid Currituck Bridge Update

General Public Comment (Limit: 3 minutes per speaker.)

Old Business

7. Public Hearing-consider ZTA-2026-01, a Zoning Text Amendment application submitted by Dan Osman to amend Town Code Section 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. side yard (setback) requirement and a 20 ft. rear yard (setback) requirement for pool equipment, pool sheds, accessory structures up to 150 square feet, and mechanical equipment (HVAC) in the RS-1 zoning district.

New Business

8. Public Hearing- Consider ZTA-2026-02, a Zoning Text Amendment application submitted by the Town of Southern Shores to amend Town Code Section 36-132 to amend the Town's lot

recombination requirements by establishing an exclusion for development when there is no proposed increase in the footprint of existing decks and/or stairs.

- [9.](#) Public Hearing-consider ZTA-2026-03, a Zoning Text Amendment application submitted by the Town of Southern Shores to add Town Code Section 36-103 to establish requirements for the approval of a reduction in minimum yard requirements based on error in building, structure or site feature location.
- [10.](#) Public Hearing- Consider ZTA-2026-04, a Zoning Text Amendment application submitted by the Town of Southern Shores to amend Town Code Section 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. side yard (setback) requirement and a 20 ft. rear yard (setback) requirement for generators, accessory structures up to 144 square feet, pool equipment, mechanical equipment (HVAC), and their associated platforms, in the RS-1 zoning district.
11. Public Hearing-Town Manager's Recommended Budget FY 2026-2027
 - [11a.](#) FY 2026-27 Budget Ordinance #2026-06-01
 - [11b.](#) Adoption of Pay & Classification Study
 - [11c.](#) Fire Department Project Ordinance #2026-06-02
- [12.](#) Planning Board Appointment/Reappointment

Council Business

Adjourn

BE IT ORDAINED BY THE SOUTHERN SHORES TOWN COUNCIL AS FOLLOWS:

Item 2.

TOWN OF SOUTHERN SHORES FEE SCHEDULE

Adopted: 3/4/2003 | Amendment Date: ~~05/06/2025~~ 06/02/2026

* All fees shall include, whenever applicable, the reasonable cost of any expert advice obtained by the Town or other direct expenses incurred by the Town during the review of the application. All fees must be paid in full prior to any further reviews by the Town or prior to issuance of any permits sought, whichever comes first. Submitted fees shall not be refunded.

Item	Fee
Miscellaneous:	
Returned Checks/charge back (NSF)	Current Bank Fee
Credit Card Convenience Fee	3%
Cemetery Lot Purchase:	
TOSS Property Owners	\$500.00
Non-property Owners	\$2,000.00
Cost of Copies	\$0.25 B/W \$0.30 Color
Annual Lease Fee –Town Canal-Street Right of Way	\$5.00
Beach Parking Tag or Sticker-Replacement	\$75.00
Receptacle Lid	\$45.00
Receptacle Wheels	\$40.00
Apparel Merchandise/T-Shirts	\$20.00
Planning	
Development Review:	
Zoning Map Amendment	\$300.00
Zoning Text Amendment	\$200.00
Zoning Compliance Letter	
a. Residential	\$35.00
b. Commercial	\$75.00
Application to Board of Adjustment	\$350.00
(includes cost of certified mailings and public notices)	
Conditional Use Permit	\$300.00
(includes cost of certified mailings and public notices)	
Filing fee for site plan for dwelling or lodging unit, other than single-family detached homes, per unit.	\$50.00
Filing fee for commercial structures and improvements	\$0.10/SF
Wireless Applications:	
a. Application for new tower	\$200.00
b. Tower annual renewal	\$100.00
c. New collocation	\$100.00
d. Collocation annual renewal	\$50.00
Subdivision Plat Review:	
a. Exempt	\$50.00/lot
b. Subdivision	\$100.00/lot
Building Inspections	
Plan Review:	
Lot Disturbance and Stormwater Management Permit	\$150.00
Zoning Permit	\$75.00
Single family new construction	\$150.00
Single family addition or renovation minimum	\$100.00
New Building Permits for Structures/Additions/Reconstruction:	
Heated/living areas - Single Family	\$0.60/SF
All Others	\$0.75/SF
Non heating areas, i.e., deck, porch, garages, etc. - Single Family	\$0.30/SF
All Others	\$0.35/SF
Remodeling and alterations to existing structures (no additional square footage, \$10.00 Per \$1,000 of Construction Cost)	\$10.00
Swimming Pools and Tennis Courts (flat fee)	\$250.00
Demolition	\$150.00
Generator	\$150.00
Sign	\$100.00
Bulkhead	\$150.00
Trade (HVAC, Mechanical, Plumbing, Gas, Electrical)	\$150.00
Re-inspection charge	\$100.00
Work Proceeding Without Necessary Inspections	1/2 Permit Fee
Work Proceeding Without Necessary Permit	Double Permit Fee

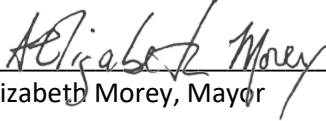
House Moving:

Out of Southern Shores	\$1	Item 2.
Within Southern Shores	\$250.00	
Into Southern Shores from elsewhere	\$350.00	

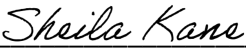
Miscellaneous:

Contractors Licensing Board Fee (Homeowner's Recovery Fund)	\$10.00
CAMA Permit: minor development permit if the project is within the Ocean Hazard or Estuarine AECs and does not qualify for an Exemption	\$100.00 \$119.00
Construction & Demolition Debris Disposal Permit	\$50.00

NOTWITHSTANDING THE ABOVE, THE MINIMUM FEE SHALL BE: \$100.00


Elizabeth Morey, Mayor

Attest:


Sheila Kane, Town Clerk

Adopted: 3/4/2003

Amended 1/6/04, 2/3/04, 6/27/06, 1/23/07, 2/26/08, 5/27/08, 3/2/2010, 11/3/10, 9/20/2011, 6/2/2015, 6/7/2016, 11/09/2021, 6/07/2022, 02/21/2023, 12/5/2023, 09/03/2024, 05/06/2025



AGENDA ITEM SUMMARY

Item # Manager's Report

MEETING DATE: June 6, 2026

ITEM TITLE: Mid-Currituck Bridge

Attached please find a letter written by Charlie Ries and signed by several individuals in support of the mid-Currituck Bridge.

A list of mailing addresses for our local legislators and candidates is also included.

The Town encourages all those with an interest in seeing the bridge built to mail a similar letter.

June 6, 2026

The Honorable Josh Stein,
Governor
North Carolina Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

Dear Governor Stein:

We, the undersigned, write to ask for your leadership in securing the necessary state and federal funding to build the Mid-Currituck Bridge, and to do so expeditiously. On April 14, 2026, the Albemarle Regional Planning Organization (ARPO), a coalition of 10 counties in Northeastern North Carolina, reaffirmed their support for maintaining the Mid-Currituck Bridge as a transportation priority for the region. ARPO first prioritized this project in 2014 and has listed it as a top priority ever since. Since 2016, NCDOT has expended over \$60 million in planning, engineering, permitting, acquiring right of ways, and litigation in preparation for construction.

As residents and voters, we can tell you that this bridge is critical to the safety and economic development of the Northern Outer Banks. Summer traffic burdens on our towns have reached dire proportions. Three days each week, visitors transiting our towns enroute to Corolla and other Currituck County ocean communities -- an estimated 600,000 over the season, according to the Tourism Board -- on a single two-lane access road (NC12) spend two or more hours barely moving.

The bottleneck impairs community safety. EMS trucks are delayed in traffic so snarled they have difficulty finding ways through. Trucks are late to fires. In the event of a summer hurricane or wildfire, it would take many days to evacuate the northern beaches. The lessons of Hurricane Katrina are apt.

As year-round residents and homeowners, we are also grievously affected in our daily lives. We cannot move north or south during these gridlock periods. Employees from the mainland spend two or three hours trying to get to their jobs in the Corolla area. Visitors desperate to avoid the gridlock swarm neighborhood roads in Southern Shores, preventing residents from moving out of their own driveways, depositing trash, and causing air pollution.

A Mid-Currituck Bridge between Aydlett and Corolla, which has been studied for years, is now acutely needed. Yet the delays in planning, the legal challenges, and other priorities have meant that the estimated costs have gone up, by some accounts, to \$1.2 billion. A significant portion of the cost can be borne by users, under either the state turnpike authority or a public-private partnership. Leveraging expected toll contributions can make a major contribution to the capital costs, especially if assumptions about tolling rates are seriously re-examined. But state and federal funding will be needed. Federal funding is appropriate because many, many of the visitors stuck in these epic jams are from other states to our north, such as Ohio, Pennsylvania, New Jersey, Virginia, and New York.

The Commissioners of Dare and Currituck County, and the town councils of Duck, Southern Shores, Kitty Hawk, and Nags Head, recently adopted resolutions affirming strong support for the Mid-Currituck Bridge, showing its breadth of local support.

We ask that you speak out on the importance of the bridge, its status as a state priority, and help North Carolina obtain federal grant funding to help it become a reality. Our town's future depends on it.

Sincerely,

The Honorable Josh Stein,
Governor
North Carolina Office of the Governor
20301 Mail Service Center
Raleigh, NC 27699-0301

The Honorable Thom Tillis
Senator
United States Senate
113 Dirksen Senate Office Building
Washington, D.C. 20510

Representative Keith Kidwell
North Carolina State House
16 West Jones Street, Rm. 1206
Raleigh, NC 27601-1096
Keith.Kidwell@ncleg.gov

The Honorable Don Davis
U.S. House of Representatives
1123 Longworth House Office Building
Washington, DC 20515

Mr. Jerry Tillett
Candidate for NC Senate
North Carolina First Senate District
tillettforsenate@gmail.com

Representative Edwin Goodwin
North Carolina State House
16 West Jones Street #2217
Raleigh, NC 276011-1096
Edward.Goodwin@ncleg.gov

The Honorable Greg Murphy, MD
U.S. House of Representatives
407 Cannon House Office Building
Washington, DC 201515

Michael Whatley
Candidate for U.S. Senate North Carolina
info@whatleyforsenate.com

The Honorable Ted Budd
Senator
United States Senate
354 Russell Senate Office Building,
Washington, DC 20510

Col. (Ret.) Laurie Buckhout
Laurie Buckhout for Congress
PO Box 97275
Raleigh, NC 27624

The Honorable Roy Cooper
Cooper for North Carolina
PO Box 1190
Raleigh, North Carolina 27602
info@roycooper.com

Senator Bobby Hanig
North Carolina State Senate
300 N. Salisbury Street, Rm. 629
Raleigh, NC 27603
Bobby.Hanig@ncleg.gov



AGENDA ITEM SUMMARY FORM

MEETING DATE: June 2, 2026

ITEM TITLE: Public Hearing-ZTA-2026-01

ITEM SUMMARY:

At the May 5, 2026 Town Council meeting, Council tabled their decision on ZTA-2026-01, a Zoning Text Amendment application submitted by Dan Osman to amend Town Code Sections 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. minimum side yard (setback) requirement and a 20 ft. minimum rear yard (setback) requirement for pool equipment, pool sheds, accessory structures up to 150 square feet, and mechanical equipment (HVAC) in the RS-1 zoning district. The proposed amendments would allow pool equipment, pool sheds, accessory structures up to 150 square feet, and mechanical equipment (HVAC) to be at least 10 ft from side property lines and 20 ft. from rear property lines instead of at least 15 ft. from side property lines and 25 ft. from rear property lines in the RS-1 zoning district.

Council also directed Town Staff to draft a Zoning Text Amendment that accompanies ZTA-2026-01 that includes generators, 144 square foot accessory structures, and other service equipment that Town Staff recommends. As a result, Town Staff drafted ZTA-2026-04, which includes proposed amendments to Town Code Section 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. side yard (setback) requirement and a 20 ft. rear yard (setback) requirement for accessory structures up to 144 square feet, generators, pool equipment, mechanical equipment (HVAC), and their associated platforms, in the RS-1 zoning district.

STAFF RECOMMENDATION:

At the May 5, 2026 Town Council meeting, Town Staff recommended approval of the application with amendments. However, Town Staff now recommends denial of the application and approval of ZTA-2026-04 with the exception of establishing a 10 ft. side yard (setback) requirement and a 20 ft. rear yard (setback) requirement for generators. The Town Planning Board unanimously (5-0) recommended approval of the application with amendments at the April 20, 2026 Planning Board meeting with amendments. However, the Board also recommended approval of ZTA-2026-04 at the May 18, 2026 Planning Board meeting with the exception of establishing a 10 ft. minimum side yard (setback) requirement and a 20 ft. minimum rear yard (setback) requirement for accessory structures up to 144 square feet.

REQUESTED ACTION:

Motion to deny ZTA-2026-01.



Town of Southern Shores

Item 7.

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

PLANNING BOARD GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

Date: 3 / 19 / 2026 **Filing Fee:** \$200 **Receipt No.** 1264 **Application No.** ZTA-2026-01

NOTE: The Planning Board will follow the specific provisions of the Zoning Ordinance Chapter 36. Article X Administration and Enforcement, Section 36-299.

Please check the applicable Chapter/Article:

- Chapter 30. Subdivisions-Town Code
- Chapter 36. Article VII. Schedule of District Regulations. Section 36-207 C-General Commercial District
- Chapter 36. Article IX. Planned Unit Development (PUD)
- Chapter 36. Article X. Administration and Enforcement, Section 36-299 (b) Application for Building Permits and Site Plan Review other than one and two family dwelling units
- Chapter 36. Article X. Section 36-300-Application for Permit for Conditional Use
- Chapter 36. Article X. Section 36-303 Fees
- Chapter 36. Article X. Section 36-304-Vested Rights
- Chapter 36. Article XIV. Changes and Amendments

Certification and Standing: As applicant of standing for project to be reviewed I certify that the information on this application is complete and accurate.

Applicant

Name Daniel S. Osman
Address: 39 11th Avenue
Southern Shores, NC 27949
Phone 252-202-4599 Email osmandanny@gmail.com

Applicant's Representative (if any)


Name N/A
Agent, Contractor, Other (Circle one)
Address _____
Phone _____ Email _____

Property Involved: Southern Shores Martin's Point (Commercial only)

Address: _____ Zoning district _____
Section _____ Block _____ Lot _____ Lot size (sq.ft.) _____

Request: Site Plan Review Final Site Plan Review Conditional Use Permitted Use
 PUD (Planned Unit Development) Subdivision Ordinance Vested Right Variance

Change To: Zoning Map Zoning Ordinance


Signature

3-20-26
Date

* Attach supporting documentation including proposed language in ZTA ordinance format



Town of Southern Shores

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ZTA-2026-01

3-19-2026

Ordinance 2026-XX-XX

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. § 160D-701, 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. § 160D-702, 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, in accordance with the findings above, the amendment of the Town’s Zoning Ordinance as stated below will serve a public purpose and advance the public health, safety and general welfare.

WHEREAS, the proposed amendment will allow property owners to use more of their outdoor living space to promote health and wellness.

WHEREAS, the amendment of the Tow’s Zoning Ordinance as stated below is based on reasonable consideration, among other things, as to the character of the district, suitability for uses in the area, conserving value of buildings and encouraging the most appropriate use of land throughout the Town.

WHEREAS, the Town’s currently adopted Land Use Plan contains Policies and Action Items that are applicable to the amendments, including but not limited to the following:

Policy: Land Use Compatibility (LUC 7) Continue to enforce community design standards such as regulating building height, lot coverage, building size, and capacity, and other standards that preserve local character.

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

1 (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the
2 adopted Town Code which are not repeated herein but are instead replaced by an ellipses
3 (“...”) shall remain as they currently exist within the Town Code.
4

5 **ARTICLE III. Amendment of Zoning Ordinance.**
6

7 **NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of
8 Southern Shores, North Carolina, that the Town Code shall be amended as follows:
9

10 **PART I.** That **Sec. 36-202(d). Dimensional requirements.** Be amended as follows:
11

12 **Sec. 36-202(d). Dimensional requirements.**
13

14 ...
15

16 (d) *Dimensional requirements.*

- 17 (1) Minimum lot size: 20,000 square feet.
- 18 (2) Minimum lot width for lots created after June 6, 2023: 100 feet (measured from
19 the front lot line at right angles to the rear lot line).
- 20 (3) Minimum front yard (setback): 25 feet.
- 21 (4) Minimum side yard (setback).
 - 22 a. Minimum side yard setback shall be 15 feet;
 - 23 b. An additional five-foot side yard adjacent to the street is required for a
24 corner lot;
 - 25 c. Minimum side yard setback shall be 15 feet for swimming pools.
 - 26 d. Notwithstanding the above, for pool equipment, pool sheds, accessory
27 structures up to 150 sf, and mechanical equipment (HVAC), the minimum
28 side yard setback shall be 10 feet.
- 29 (5) Minimum rear yard (setback): 25 feet.
 - 30 a. Notwithstanding the above, for pool equipment, pool sheds, accessory
31 structures up to 150 sf, and mechanical equipment (HVAC), the minimum
32 rear yard setback shall be 20 feet.

33
34 ...
35

36 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
37 **Reasonableness.**
38

1 The Town’s adoption of this ordinance amendment is consistent with the Town’s adopted
2 comprehensive zoning ordinance, land use plan and any other officially adopted plan that
3 is applicable. For all of the above-stated reasons and any additional reasons supporting the
4 Town’s adoption of this ordinance amendment, the Town considers the adoption of this
5 ordinance amendment to be reasonable and in the public interest.

6
7 **ARTICLE V. Severability.**

8
9 All Town ordinances or parts of ordinances in conflict with this ordinance amendment are
10 hereby repealed. Should a court of competent jurisdiction declare this ordinance
11 amendment or any part thereof to be invalid, such decision shall not affect the remaining
12 provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the
13 Town of Southern Shores, North Carolina which shall remain in full force and effect.

14
15 **ARTICLE VI. Effective Date.**

16
17 This ordinance amendment shall be in full force and effect from and after the ___ day of
18 _____, 2026.

19
20
21 _____
Elizabeth Morey, Mayor

22 ATTEST:
23
24 _____
25 Town Clerk

26
27
28 APPROVED AS TO FORM:
29
30 _____
31 Town Attorney

32
33 Date adopted:
34
35 _____

36 Motion to adopt by Councilmember:

37 _____
38 Motion seconded by Councilmember:

39
40 Vote: ___AYES___NAYS



AGENDA ITEM SUMMARY FORM

MEETING DATE: June 2, 2026

ITEM TITLE: Public Hearing-ZTA-2026-02

ITEM SUMMARY:

At the May 6, 2025 Town Council meeting, Council directed Town Staff to draft Town Code amendments to modernize the Town Code. As a result, Town Staff has drafted ZTA-2026-02 to amend the Town's lot recombination requirements by establishing an exclusion for development when there is no proposed increase in the footprint of existing decks and/or stairs. Town Code Sections 36-132(a)(2)a., b., and c., currently require all adjacent lots that are under the same ownership to be recombined into a single lot which may or may not meet the minimum requirements for the district in which such lots are located, or multiple lots which all meet the minimum requirements for the district in which such lots are located, prior to issuance of a Building Permit and/or Zoning Permit when:

- a. Development is proposed upon land which includes one or more nonconforming lots adjacent to one or more other lots under the same ownership;
- b. Demolition or redevelopment exceeding 50 percent of an existing structure's value is proposed and any portion of the existing structure or associated use is currently or has been within the previous seven years located upon or occurring on two or more lots under the same ownership, as measured from the time of application;
- c. Development is proposed of a new structure or use to be located on two or more lots under the same ownership;

Town Code Section 1-2 defines "development" as:

1. The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure.
2. The excavation, grading, filling, clearing, or alteration of land.
3. The subdivision of land as defined in Section 30-2.
4. The initiation or substantial change in the use of land or the intensity of use of land.

The proposed amendment would allow property owners to obtain a Building Permit and/or Zoning Permit for development when there is no proposed increase in the footprint of existing decks and/or stairs (in accordance with all other applicable requirements) without having to go through the recombination process in situations that involve adjacent lots under the same ownership.

STAFF RECOMMENDATION:

Town Staff has determined that the proposed amendment is consistent with the Town's currently adopted Comprehensive Land Use Plan and Town Staff recommends approval of the application. The Town Planning Board unanimously (3-0) recommended approval of the application at the May 18, 2026 Planning Board meeting.

REQUESTED ACTION:

Motion to adopt ZTA-2026-02.

STAFF REPORT

To: Southern Shores Town Council
Date: June 2, 2026
Case: ZTA-2026-02
Prepared By: Wes Haskett, Deputy Town Manager/Planning Director

GENERAL INFORMATION

Applicant: Town of Southern Shores
Requested Action: Amendment of Town Code Section 36-132 to amend the Town’s lot recombination requirements by establishing an exclusion for development when there is no proposed increase in the footprint of existing decks and/or stairs.

ANALYSIS

At the May 6, 2025 Town Council meeting, Council directed Town Staff to draft Town Code amendments to modernize the Town Code. As a result, Town Staff has drafted ZTA-2026-02 to amend the Town’s lot recombination requirements by establishing an exclusion for development when there is no proposed increase in the footprint of existing decks and/or stairs. Town Code Sections 36-132(a)(2)a., b., and c., currently require all adjacent lots that are under the same ownership to be recombined into a single lot which may or may not meet the minimum requirements for the district in which such lots are located, or multiple lots which all meet the minimum requirements for the district in which such lots are located, prior to issuance of a Building Permit and/or Zoning Permit when:

- a. Development is proposed upon land which includes one or more nonconforming lots adjacent to one or more other lots under the same ownership;
- b. Demolition or redevelopment exceeding 50 percent of an existing structure's value is proposed and any portion of the existing structure or associated use is currently or has been within the previous seven years located upon or occurring on two or more lots under the same ownership, as measured from the time of application;
- c. Development is proposed of a new structure or use to be located on two or more lots under the same ownership;

Town Code Section 1-2 defines “development” as:

1. The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure.
2. The excavation, grading, filling, clearing, or alteration of land.
3. The subdivision of land as defined in Section 30-2.
4. The initiation or substantial change in the use of land or the intensity of use of land.

The proposed amendment would allow property owners to obtain a Building Permit and/or Zoning Permit for development when there is no proposed increase in the footprint of existing decks and/or stairs (in accordance with all other applicable requirements) without having to go through the recombination process in situations that involve adjacent lots under the same ownership.

The Town's current Comprehensive Land Use Plan contains the following Policy that is applicable to the proposed ZTA:

- LUC 3.1: Support development design and approvals that reinforce the low-density nature of the community and are at an appropriate scale for the commercial district.

RECOMMENDATION

Town Staff has determined that the proposed amendment is consistent with the Town's currently adopted Comprehensive Land Use Plan and Town Staff recommends approval of the application. The Town Planning Board unanimously (3-0) recommended approval of the application at the May 18, 2026 Planning Board meeting.



Town of Southern Shores

Item 8.

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

PLANNING BOARD GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

Date: 5 / 8 / 2026 **Filing Fee:** \$200 **Receipt No.:** N/A **Application No.:** ZTA-2026-02

NOTE: The Planning Board will follow the specific provisions of the Zoning Ordinance Chapter 36. Article X Administration and Enforcement, Section 36-299.

Please check the applicable Chapter/Article:

- Chapter 30. Subdivisions-Town Code
- Chapter 36. Article VII. Schedule of District Regulations. Section 36-207 C-General Commercial District
- Chapter 36. Article IX. Planned Unit Development (PUD)
- Chapter 36. Article X. Administration and Enforcement, Section 36-299 (b) Application for Building Permits and Site Plan Review other than one and two family dwelling units *
- Chapter 36. Article X. Section 36-300-Application for Permit for Conditional Use
- Chapter 36. Article X. Section 36-303 Fees
- Chapter 36. Article X. Section 36-304-Vested Rights
- Chapter 36. Article XIV. Changes and Amendments

Certification and Standing: As applicant of standing for project to be reviewed I certify that the information on this application is complete and accurate.

Applicant

Name Town of Southern Shores
Address: 5375 N. Virginia Dare Trl.
Southern Shores, NC 27949
Phone (252) 261-2394 Email whaskett@southernshores-nc.gov

Applicant's Representative (if any)

Name _____
Agent, Contractor, Other (Circle one)
Address _____
Phone _____ Email _____

Property Involved: ___ Southern Shores ___ Martin's Point (Commercial only)

Address: _____ Zoning district _____
Section _____ Block _____ Lot _____ Lot size (sq.ft.) _____

Request: ___ Site Plan Review ___ Final Site Plan Review ___ Conditional Use ___ Permitted Use
___ PUD (Planned Unit Development) ___ Subdivision Ordinance ___ Vested Right ___ Variance

Change To: ___ Zoning Map Zoning Ordinance

W. Whaskett
Signature

5-8-2026
Date

* Attach supporting documentation.



Town of Southern Shores

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

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

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ZTA-2026-02

5-14-2026

Ordinance 2026-XX-XX

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. § 160D-701, 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. § 160D-702, 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, in accordance with the findings above, the amendment of the Town’s Zoning Ordinance as stated below will serve a public purpose and advance the public health, safety and general welfare.

WHEREAS, the amendment of the Town’s Zoning Ordinance as stated below is based on reasonable consideration, among other things, as to the character of the district, suitability for uses in the area, conserving value of buildings and encouraging the most appropriate use of land throughout the Town.

WHEREAS, the Town’s currently adopted Land Use Plan contains Policies and Action Items that are applicable to the amendments, including but not limited to the following:

LUC 3.1: Support development design and approvals that reinforce the low-density nature of the community and are at an appropriate scale for the commercial district.

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.

1 **ARTICLE III. Amendment of Zoning Ordinance.**

2

3 **NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of
4 Southern Shores, North Carolina, that the Town Code shall be amended as follows:

5

6 **PART I.** That **Sec. 132. Regulation of structures and uses nonconforming.** Be
7 amended as follows:

8

9 **Sec. 36-132. Regulation of structures and uses nonconforming.**

10

11 ...

12

13 (2) *Recombination required.* If any of the following situations apply, all adjacent
14 lots under the same ownership shall be recombined into: (i) a single lot which
15 may or may not meet the minimum requirements for the district in which such
16 lots are located; or (ii) multiple lots which all meet the minimum requirements
17 for the district in which such lots are located:

18

a. Development, excluding when there is no proposed increase in the
19 footprint of existing decks and/or stairs, is proposed upon land which
20 includes one or more nonconforming lots adjacent to one or more other
21 lots under the same ownership;

22

b. Demolition or redevelopment, excluding when there is no proposed
23 increase in the footprint of existing decks and/or stairs, exceeding 50
24 percent of an existing structure's value is proposed and any portion of the
25 existing structure or associated use is currently or has been within the
26 previous seven years located upon or occurring on two or more lots under
27 the same ownership, as measured from the time of application;

28

c. Development is proposed of a new structure or use, excluding when there
29 is no proposed increase in the footprint of existing decks and/or stairs, to
30 be located on two or more lots under the same ownership;

31

d. Prior to the sale or transfer of land when any portion of the land being sold
32 or transferred was a parcel or part of a parcel of land upon which an
33 existing structure or associated use is currently or has been within the
34 previous seven years located upon or occurring on two or more lots under
35 the same ownership, as measured from the time of application; or

36

e. Prior to the sale or transfer of land including a nonconforming lot or lots
37 adjacent to one or more other lots under the same ownership;

38

A plat prepared by a North Carolina licensed surveyor showing the
39 recombination shall be recorded in the Dare County public registry,
40 and a copy of the recorded plat shall be provided to the town prior to the
41 issuance of a zoning or building permit for development or redevelopment upon
42 any of the newly created lots. Lots created by a recombination required by this

1 section shall be deemed to equal or exceed the standards of the town under
2 chapter 30, and are exempt from the subdivision process under chapter 30.

3 ...

4

5 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
6 **Reasonableness.**

7

8 The Town’s adoption of this ordinance amendment is consistent with the Town’s adopted
9 comprehensive zoning ordinance, land use plan and any other officially adopted plan that
10 is applicable. For all of the above-stated reasons and any additional reasons supporting the
11 Town’s adoption of this ordinance amendment, the Town considers the adoption of this
12 ordinance amendment to be reasonable and in the public interest.

13

14 **ARTICLE V. Severability.**

15

16 All Town ordinances or parts of ordinances in conflict with this ordinance amendment are
17 hereby repealed. Should a court of competent jurisdiction declare this ordinance
18 amendment or any part thereof to be invalid, such decision shall not affect the remaining
19 provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the
20 Town of Southern Shores, North Carolina which shall remain in full force and effect.

21

22 **ARTICLE VI. Effective Date.**

23

24 This ordinance amendment shall be in full force and effect from and after the ____ day of
25 _____, 2026.

26

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Elizabeth Morey, Mayor

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ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

Date adopted:

Motion to adopt by Councilmember:

Motion seconded by Councilmember:

Vote: ___AYES___NAYS



AGENDA ITEM SUMMARY FORM

MEETING DATE: June 2, 2026

ITEM TITLE: Public Hearing-ZTA-2026-03

ITEM SUMMARY:

At the May 5, 2026 Town Council meeting, Council directed Town Staff to draft a Zoning Text Amendment that adds administrative relief as an option when errors in building occur. As a result, Town Staff has drafted ZTA-2026-03 to add Town Code Section 36-103 to establish requirements for the approval of a reduction in minimum yard requirements based on error in building, structure or site feature location. Discussion of administrative relief began during consideration of ZTA-2026-01, a Zoning Text Amendment request submitted by Dan Osman to amend Town Code Sections 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. minimum side yard (setback) requirement and a 20 ft. minimum rear yard (setback) requirement for pool equipment, pool sheds, accessory structures up to 150 square feet, and mechanical equipment (HVAC) in the RS-1 zoning district. Council tabled their decision on ZTA-2026-01 at the May 5, 2026 Town Council meeting prior to directing the proposed amendment.

The proposed amendment, which is similar to the Town of Duck's reduction in minimum yard requirements, would establish that the Zoning Administrator may approve a reduction in the minimum yard requirements where an existing or partially constructed building or structure does not comply with the requirements that were applicable when construction of a building or structure began, provided that

1. The error does not exceed 10% of the minimum yard (setback) requirement;
2. The noncompliance occurred in good faith by the property owner and/or his agent, or was the result of an error in the location of the building or other site feature subsequent to the issuance of a building permit and/or zoning permit, if it was required;
3. The reduction will not be detrimental to the use and enjoyment of other property in the immediate vicinity or result in unsafe conditions;
4. To enforce compliance with the minimum yard or setback requirements would cause unreasonable hardship upon the owner and/or his agent; and
5. The reduction will not result in an increase in density or finished area ratio.

In approving a reduction, the Zoning Administrator shall allow only a reduction necessary to provide the requested relief. Upon the issuance of written approval of a reduction for a particular building or structure in accordance with the provisions of this section, the same shall be deemed to be lawful.

STAFF RECOMMENDATION:

Town Staff has determined that the proposed amendment is consistent with the Town's currently adopted Comprehensive Land Use Plan and Town Staff recommends approval of the application. The Town Planning Board unanimously (3-0) recommended approval of the application at the May 18, 2026 Planning Board meeting.

REQUESTED ACTION:

Motion to adopt ZTA-2026-03.

STAFF REPORT

To: Southern Shores Town Council
Date: June 2, 2026
Case: ZTA-2026-03
Prepared By: Wes Haskett, Deputy Town Manager/Planning Director

GENERAL INFORMATION

Applicant: Town of Southern Shores
Requested Action: Amendment of the Town Code by adding Town Code Section 36-103 to establish requirements for the approval of a reduction in minimum yard requirements based on error in building, structure or site feature location.

ANALYSIS

At the May 5, 2026 Town Council meeting, Council directed Town Staff to draft a Zoning Text Amendment that adds administrative relief as an option when errors in building occur. As a result, Town Staff has drafted ZTA-2026-03 to add Town Code Section 36-103 to establish requirements for the approval of a reduction in minimum yard requirements based on error in building, structure or site feature location. Discussion of administrative relief began during consideration of ZTA-2026-01, a Zoning Text Amendment request submitted by Dan Osman to amend Town Code Sections 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. minimum side yard (setback) requirement and a 20 ft. minimum rear yard (setback) requirement for pool equipment, pool sheds, accessory structures up to 150 square feet, and mechanical equipment (HVAC) in the RS-1 zoning district. Council tabled their decision on ZTA-2026-01 at the May 5, 2026 Town Council meeting prior to directing the proposed amendment.

The proposed amendment, which is similar to the Town of Duck's reduction in minimum yard requirements, would establish that the Zoning Administrator may approve a reduction in the minimum yard requirements where an existing or partially constructed building or structure does not comply with the requirements that were applicable when construction of a building or structure began, provided that

1. The error does not exceed 10% of the minimum yard (setback) requirement;
2. The noncompliance occurred in good faith by the property owner and/or his agent, or was the result of an error in the location of the building or other site feature subsequent to the issuance of a building permit and/or zoning permit, if it was required;
3. The reduction will not be detrimental to the use and enjoyment of other property in the immediate vicinity or result in unsafe conditions;
4. To enforce compliance with the minimum yard or setback requirements would cause unreasonable hardship upon the owner and/or his agent; and
5. The reduction will not result in an increase in density or finished area ratio.

In approving a reduction, the Zoning Administrator shall allow only a reduction necessary to provide the requested relief. Upon the issuance of written approval of a reduction for a particular building or structure in accordance with the provisions of this section, the same shall be deemed to be lawful.

The Town's current Comprehensive Land Use Plan contains the following Policy that is applicable to the proposed ZTA:

- LUC 7: Continue to enforce community design standards such as regulating building height, lot coverage, building size, and capacity, and other standards that preserve local character.

RECOMMENDATION

Town Staff has determined that the proposed amendment is consistent with the Town's currently adopted Comprehensive Land Use Plan and Town Staff recommends approval of the application. The Town Planning Board unanimously (3-0) recommended approval of the application at the May 18, 2026 Planning Board meeting.



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

PLANNING BOARD GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

Date: 5 / 8 / 2026 Filing Fee: \$200 Receipt No.: N/A Application No.: ZTA-2026-03

NOTE: The Planning Board will follow the specific provisions of the Zoning Ordinance Chapter 36. Article X Administration and Enforcement, Section 36-299.

Please check the applicable Chapter/Article:

- Chapter 30. Subdivisions-Town Code
- Chapter 36. Article VII. Schedule of District Regulations. Section 36-207 C-General Commercial District
- Chapter 36. Article IX. Planned Unit Development (PUD)
- Chapter 36. Article X. Administration and Enforcement, Section 36-299 (b) Application for Building Permits and Site Plan Review other than one and two family dwelling units *
- Chapter 36. Article X. Section 36-300-Application for Permit for Conditional Use
- Chapter 36. Article X. Section 36-303 Fees
- Chapter 36. Article X. Section 36-304-Vested Rights
- Chapter 36. Article XIV. Changes and Amendments

Certification and Standing: As applicant of standing for project to be reviewed I certify that the information on this application is complete and accurate.

Applicant

Name Town of Southern Shores

Address: 5375 N. Virginia Dare Trl.
Southern Shores, NC 27949

Phone (252) 261-2394 Email whaskett@southernshores-nc.gov

Applicant's Representative (if any)

Name _____

Agent, Contractor, Other (Circle one)

Address _____

Phone _____ Email _____

Property Involved: ___ Southern Shores ___ Martin's Point (Commercial only)

Address: _____ Zoning district _____

Section _____ Block _____ Lot _____ Lot size (sq.ft.) _____

Request: ___ Site Plan Review ___ Final Site Plan Review ___ Conditional Use ___ Permitted Use
___ PUD (Planned Unit Development) ___ Subdivision Ordinance ___ Vested Right ___ Variance

Change To: ___ Zoning Map X ___ Zoning Ordinance

W. Whaskett
Signature

5-8-2026
Date

* Attach supporting documentation.



Town of Southern Shores

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ZTA-2026-03

5-18-2026

Ordinance 2026-XX-XX

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. § 160D-701, 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. § 160D-702, 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, in accordance with the findings above, the amendment of the Town’s Zoning Ordinance as stated below will serve a public purpose and advance the public health, safety and general welfare.

WHEREAS, the amendment of the Town’s Zoning Ordinance as stated below is based on reasonable consideration, among other things, as to the character of the district, suitability for uses in the area, conserving value of buildings and encouraging the most appropriate use of land throughout the Town.

WHEREAS, the Town’s currently adopted Land Use Plan contains Policies and Action Items that are applicable to the amendments, including but not limited to the following:

LUC 7: Continue to enforce community design standards such as regulating building height, lot coverage, building size, and capacity, and other standards that preserve local character.

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.

1 **ARTICLE III. Amendment of Zoning Ordinance.**

2
3 **NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of
4 Southern Shores, North Carolina, that the Town Code shall be amended as follows:

5
6 **PART I.** That **Sec. 36-202(d). Dimensional requirements.** Be added as follows:
7

8 **Sec. 36-103. Reduction in minimum yard requirements based on error in**
9 **building, structure or site feature location.**

10
11 Notwithstanding any other provision of this chapter, the zoning administrator may
12 approve a reduction in the minimum yard requirements where an existing or partially
13 constructed building or structure does not comply with the requirements that were
14 applicable when construction of a building or structure began, provided that:

15 (a) The zoning administrator determines that:

16 (1) The error does not exceed 10% of the minimum yard (setback) requirement;

17 (2) The noncompliance occurred in good faith by the property owner and/or his
18 agent, or was the result of an error in the location of the building or other site
19 feature subsequent to the issuance of a building permit and/or zoning permit, if
20 it was required;

21 (3) The reduction will not be detrimental to the use and enjoyment of other
22 property in the immediate vicinity or result in unsafe conditions;

23 (4) To enforce compliance with the minimum yard or setback requirements would
24 cause unreasonable hardship upon the owner and/or his agent; and

25 (5) The reduction will not result in an increase in density or finished area ratio.

26 (b) In approving a reduction, the zoning administrator shall allow only a reduction
27 necessary to provide the requested relief.

28 (c) Upon the issuance of written approval of a reduction for a particular building or
29 structure in accordance with the provisions of this section, the same shall be deemed
30 to be lawful.

31
32 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
33 **Reasonableness.**

34
35 The Town’s adoption of this ordinance amendment is consistent with the Town’s adopted
36 comprehensive zoning ordinance, land use plan and any other officially adopted plan that
37 is applicable. For all of the above-stated reasons and any additional reasons supporting the
38 Town’s adoption of this ordinance amendment, the Town considers the adoption of this
39 ordinance amendment to be reasonable and in the public interest.
40

1 **ARTICLE V. Severability.**

2
3 All Town ordinances or parts of ordinances in conflict with this ordinance amendment are
4 hereby repealed. Should a court of competent jurisdiction declare this ordinance
5 amendment or any part thereof to be invalid, such decision shall not affect the remaining
6 provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the
7 Town of Southern Shores, North Carolina which shall remain in full force and effect.

8
9 **ARTICLE VI. Effective Date.**

10
11 This ordinance amendment shall be in full force and effect from and after the ____ day of
12 _____, 2026.

13
14
15 _____
Elizabeth Morey, Mayor

16 ATTEST:

17
18 _____
19 Town Clerk

20
21
22 APPROVED AS TO FORM:

23
24 _____
25 Town Attorney

26
27 Date adopted:

28
29 _____
30 Motion to adopt by Councilmember:

31
32 _____
33 Motion seconded by Councilmember:

34
Vote: __AYES__ NAYS

TOWN OF DUCK § 156.052 REDUCTION IN MINIMUM YARD REQUIREMENTS IN RESIDENTIAL DISTRICTS BASED ON ERROR IN BUILDING, STRUCTURE OR SITE FEATURE LOCATION.

Notwithstanding any other provision of this chapter, the Zoning Administrator may approve a reduction in the minimum yard requirements where an existing or partially constructed building or structure, driveway, patio, swimming pool or pool deck, sign or similar feature does not comply with the requirements applicable when construction of a building or structure or similar features noted above began, provided that:

(A) The Zoning Administrator determines that:

- (1) The error does not exceed 10% of the minimum yard or setback requirement;
- (2) The noncompliance occurred in good faith and through no fault of the property owner, or was the result of an error in the location of the building or other site feature subsequent to the issuance of a building permit, if it was required;
- (3) The reduction will not be detrimental to the use and enjoyment of other property in the immediate vicinity or result in unsafe conditions;
- (4) To enforce compliance with the minimum yard or setback requirements would cause unreasonable hardship upon the owner; and
- (5) The reduction will not result in an increase in density or floor area ratio from that permitted by the applicable zoning district regulations.

(B) In approving a like reduction, the Zoning Administrator shall allow only a reduction necessary to provide the requested relief and may prescribe conditions, including, but not limited to, landscaping and screening measures, to mitigate any negative impacts of the reduction.

(C) Upon the issuance of written approval of a reduction for a particular building, sign, structure or similar site feature in accordance with the provisions of this section, the same shall be deemed to be lawful.

Town of Nags Head Section 4.14 Administrative Adjustments

4.14.1. Purpose.

The purpose of this section is to provide an administrative mechanism for allowing minor variations, or adjustments, to certain dimensional requirements or numerical standards (i.e., setbacks, parking, etc.) of the zoning provisions based on specific standards, with the intent of providing relief where application of a requirement or standard creates practical difficulties in allowing development that would otherwise advance the purposes served by the standards and is compatible with the surrounding area.

4.14.2. Timing and Review.

4.14.2.1. An administrative adjustment may be requested either as a stand-alone application or in conjunction with other application(s).

4.14.2.2. If an administrative adjustment application is submitted in conjunction with another application, it shall be reviewed and decided prior to the other application. (For example, if an administrative adjustment application is submitted in conjunction with a site plan application because the administrative adjustment is needed to achieve the plan for development in the site plan, the administrative adjustment application shall be reviewed and decided upon prior to review of the site plan application.)

4.14.2.3. Such requests shall be submitted in writing and acted upon by the UDO Administrator within 14 calendar days.

4.14.2.4. The UDO shall administer shall either approve or deny such requests in writing.

4.14.3. Applicability.

Administrative adjustment requests may be granted by the UDO Administrator or his or her designee only for the following requirements or standards:

4.14.3.1. Modifications in a minimum yard by up to ten percent of the setback requirement;

4.14.3.2. Modifications to non-residential parking requirements by no more than two spaces; and

4.14.3.3. Modifications to the building height by no more than six inches of the maximum limitation of the district in which the structure is located. This only applies in instances where an error occurred during the construction process.

4.14.4. Administrative Adjustment Review Standards.

An application for an administrative adjustment shall be approved upon finding that the applicant demonstrates that all of the following standards are met:

4.14.4.1. The administrative adjustment does not exceed the limitations established in subsection 4.5.2;

4.14.4.2. The administrative adjustment is consistent with the character of development on surrounding land, and is compatible with surrounding land uses;

4.14.4.3. The administrative adjustment is consistent with one or more of the following purposes:

4.14.4.3.1. Compensates for some unusual aspect of the site or the proposed development that is not shared by landowners in general;

4.14.4.3.2. Supports an objective or goal of the zoning district where it is located;

4.14.4.3.3. Saves healthy existing trees; or

4.14.4.3.4. Is necessary to rectify a building siting or placement error that occurred subsequent to the issuance of a building permit where the noncompliance occurred in good faith and through no fault of the property owner.

4.14.4.4. The administrative adjustment will not pose a danger to the public health or safety;

4.14.4.5. Any adverse impacts will be mitigated, to the maximum extent practicable;

4.14.4.6. The site is not subject to a series of multiple, incremental administrative adjustments that result in a reduction in development standards by the maximum allowed; and

4.14.4.7. The administrative adjustment is not designed to increase the building footprint of structures or the overall intensity of development.

4.14.5. Expiration of Development Approval for Administrative Adjustments.

Unless otherwise specified in the approval, an application for a building permit shall be approved within one year of the date of the approval of the administrative adjustment, or the administrative adjustment shall become null and void, and automatically expire. Permitted timeframes do not change with successive owners.



AGENDA ITEM SUMMARY FORM

MEETING DATE: June 2, 2026

ITEM TITLE: Public Hearing-ZTA-2026-04

ITEM SUMMARY:

At the May 5, 2026 Town Council meeting, Council directed Town Staff to draft a Zoning Text Amendment that accompanies ZTA-2026-01 that includes generators, 144 square foot accessory structures, and other service equipment that Town Staff recommends. As a result, Town Staff has drafted ZTA-2026-04 which includes proposed amendments to Town Code Section 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. side yard (setback) requirement and a 20 ft. rear yard (setback) requirement for accessory structures up to 144 square feet, generators, pool equipment, mechanical equipment (HVAC), and their associated platforms, in the RS-1 zoning district. The direction from Council was given following consideration of ZTA-2026-01, a Zoning Text Amendment request submitted by Dan Osman to amend Town Code Sections 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. minimum side yard (setback) requirement and a 20 ft. minimum rear yard (setback) requirement for pool equipment, pool sheds, accessory structures up to 150 square feet, and mechanical equipment (HVAC) in the RS-1 zoning district. Council tabled their decision on ZTA-2026-01 at the May 5, 2026 Town Council meeting prior to directing the proposed amendments.

The proposed amendments would allow accessory structures up to 144 square feet, generators, pool equipment, mechanical equipment (HVAC), and their associated platforms to be at least 10 ft. from side property lines and 20 ft. from rear property lines instead of at least 15 ft. from side property lines and 25 ft. from rear property lines in the RS-1 zoning district. The current rear yard (setback) requirement has been in place since 1981 (with some exceptions), and the current side yard (setback) requirement was increased from 10 ft. to 15 ft. for all structures (with some exceptions) in May, 2000.

STAFF RECOMMENDATION:

Town Staff has determined that the proposed amendments are consistent with the Town's currently adopted Comprehensive Land Use Plan and Town Staff recommends approval of the application with the exception of establishing a 10 ft. side yard (setback) requirement and a 20 ft. rear yard (setback) requirement for generators. The Town Planning Board recommended approval (2-1) of the application at the May 18, 2026 Planning Board meeting with the exception of establishing a 10 ft. minimum side yard (setback) requirement and a 20 ft. minimum rear yard (setback) requirement for accessory structures up to 144 square feet.

REQUESTED ACTION:

Motion to adopt ZTA-2026-04 with the exception of establishing a 10 ft. minimum side yard (setback) requirement and a 20 ft. minimum rear yard (setback) requirement for accessory structures up to 144 square feet.

STAFF REPORT

To: Southern Shores Town Council
Date: June 2, 2026
Case: ZTA-2026-04
Prepared By: Wes Haskett, Deputy Town Manager/Planning Director

GENERAL INFORMATION

Applicant: Town of Southern Shores
Requested Action: Amendment of Town Code Section 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. side yard (setback) requirement and a 20 ft. rear yard (setback) requirement for accessory structures up to 144 square feet, generators, pool equipment, mechanical equipment (HVAC), and their associated platforms, in the RS-1 zoning district.

ANALYSIS

At the May 5, 2026 Town Council meeting, Council directed Town Staff to draft a Zoning Text Amendment that accompanies ZTA-2026-01 that includes generators, 144 square foot accessory structures, and other service equipment that Town Staff recommends. As a result, Town Staff has drafted ZTA-2026-04 which includes proposed amendments to Town Code Section 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. side yard (setback) requirement and a 20 ft. rear yard (setback) requirement for accessory structures up to 144 square feet, generators, pool equipment, mechanical equipment (HVAC), and their associated platforms, in the RS-1 zoning district. The direction from Council was given following consideration of ZTA-2026-01, a Zoning Text Amendment request submitted by Dan Osman to amend Town Code Sections 36-202(d)(4) and 36-202(d)(5) to establish a 10 ft. minimum side yard (setback) requirement and a 20 ft. minimum rear yard (setback) requirement for pool equipment, pool sheds, accessory structures up to 150 square feet, and mechanical equipment (HVAC) in the RS-1 zoning district. Council tabled their decision on ZTA-2026-01 at the May 5, 2026 Town Council meeting prior to directing the proposed amendments.

The proposed amendments would allow accessory structures up to 144 square feet, generators, pool equipment, mechanical equipment (HVAC), and their associated platforms to be at least 10 ft. from side property lines and 20 ft. from rear property lines instead of at least 15 ft. from side property lines and 25 ft. from rear property lines in the RS-1 zoning district. The current rear yard (setback) requirement has been in place since 1981 (with some exceptions), and the current side yard (setback) requirement was increased from 10 ft. to 15 ft. for all structures (with some exceptions) in May, 2000.

The Town's current Comprehensive Land Use Plan contains the following Policy that is applicable to the proposed ZTA:

- LUC 7: Continue to enforce community design standards such as regulating building height, lot coverage, building size, and capacity, and other standards that preserve local

character.

RECOMMENDATION

Town Staff has determined that the proposed amendments are consistent with the Town's currently adopted Comprehensive Land Use Plan and Town Staff recommends approval of the application with the exception of establishing a 10 ft. side yard (setback) requirement and a 20 ft. rear yard (setback) requirement for generators. The Town Planning Board recommended approval (2-1) of the application at the May 18, 2026 Planning Board meeting with the exception of establishing a 10 ft. minimum side yard (setback) requirement and a 20 ft. minimum rear yard (setback) requirement for accessory structures up to 144 square feet.



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

PLANNING BOARD GENERAL APPLICATION FORM TOWN OF SOUTHERN SHORES, NC 27949

Date: 5 / 8 / 2026 **Filing Fee:** \$200 **Receipt No.:** N/A **Application No.:** ZTA-2026-04

NOTE: The Planning Board will follow the specific provisions of the Zoning Ordinance Chapter 36. Article X Administration and Enforcement, Section 36-299.

Please check the applicable Chapter/Article:

- Chapter 30. Subdivisions-Town Code
- Chapter 36. Article VII. Schedule of District Regulations. Section 36-207 C-General Commercial District
- Chapter 36. Article IX. Planned Unit Development (PUD)
- Chapter 36. Article X. Administration and Enforcement, Section 36-299 (b) Application for Building Permits and Site Plan Review other than one and two family dwelling units *
- Chapter 36. Article X. Section 36-300-Application for Permit for Conditional Use
- Chapter 36. Article X. Section 36-303 Fees
- Chapter 36. Article X. Section 36-304-Vested Rights
- Chapter 36. Article XIV. Changes and Amendments

Certification and Standing: As applicant of standing for project to be reviewed I certify that the information on this application is complete and accurate.

Applicant

Name Town of Southern Shores
Address: 5375 N. Virginia Dare Trl.
Southern Shores, NC 27949
Phone (252) 261-2394 Email whaskett@southernshores-nc.gov

Applicant's Representative (if any)

Name _____
Agent, Contractor, Other (Circle one)
Address _____
Phone _____ Email _____

Property Involved: ___ Southern Shores ___ Martin's Point (Commercial only)

Address: _____ Zoning district _____
Section _____ Block _____ Lot _____ Lot size (sq.ft.) _____

Request: ___ Site Plan Review ___ Final Site Plan Review ___ Conditional Use ___ Permitted Use
___ PUD (Planned Unit Development) ___ Subdivision Ordinance ___ Vested Right ___ Variance

Change To: ___ Zoning Map X ___ Zoning Ordinance

W.W. Hutt
Signature

5-8-2026
Date

* Attach supporting documentation.



Town of Southern Shores
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ZTA-2026-04
5-8-2026
Ordinance 2026-XX-XX

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. § 160D-701, 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. § 160D-702, 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, in accordance with the findings above, the amendment of the Town’s Zoning Ordinance as stated below will serve a public purpose and advance the public health, safety and general welfare.

WHEREAS, the amendment of the Tow’s Zoning Ordinance as stated below is based on reasonable consideration, among other things, as to the character of the district, suitability for uses in the area, conserving value of buildings and encouraging the most appropriate use of land throughout the Town.

WHEREAS, the Town’s currently adopted Land Use Plan contains Policies and Action Items that are applicable to the amendments, including but not limited to the following:

LUC 7: Continue to enforce community design standards such as regulating building height, lot coverage, building size, and capacity, and other standards that preserve local character.

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.

1
2 **ARTICLE III. Amendment of Zoning Ordinance.**

3
4 **NOW, THEREFORE, BE IT ORDAINED** by the Town Council of the Town of
5 Southern Shores, North Carolina, that the Town Code shall be amended as follows:

6
7 **PART I.** That **Sec. 36-202(d). Dimensional requirements.** Be amended as follows:
8

9 **Sec. 36-202(d). Dimensional requirements.**

10
11 ...

12
13 (d) *Dimensional requirements.*

- 14 (1) Minimum lot size: 20,000 square feet.
- 15 (2) Minimum lot width for lots created after June 6, 2023: 100 feet (measured from
16 the front lot line at right angles to the rear lot line).
- 17 (3) Minimum front yard (setback): 25 feet.
- 18 (4) Minimum side yard (setback).
 - 19 a. Minimum side yard setback shall be 15 feet;
 - 20 b. An additional five-foot side yard adjacent to the street is required for a
21 corner lot;
 - 22 c. Minimum side yard setback shall be 15 feet for swimming pools.
 - 23 d. Notwithstanding the provisions above, the minimum side yard setback for
24 generators, pool equipment, mechanical equipment (HVAC), and their
25 associated platforms, shall be 10 feet.
 - 26 e. Notwithstanding the provisions above, the minimum side yard setback for
27 accessory structures up to 144 square feet shall be 10 feet.
- 28
29 (5) Minimum rear yard (setback): 25 feet.
 - 30 a. Notwithstanding the provisions above, the minimum rear yard setback for
31 generators, pool equipment, mechanical equipment (HVAC), and their
32 associated platforms, shall be 20 feet.
 - 33 b. Notwithstanding the provisions above, the minimum rear yard setback for
34 accessory structures up to 144 square feet shall be 20 feet.

35
36 ...

1 **ARTICLE IV. Statement of Consistency with Comprehensive Plan and**
2 **Reasonableness.**

3
4 The Town’s adoption of this ordinance amendment is consistent with the Town’s adopted
5 comprehensive zoning ordinance, land use plan and any other officially adopted plan that
6 is applicable. For all of the above-stated reasons and any additional reasons supporting the
7 Town’s adoption of this ordinance amendment, the Town considers the adoption of this
8 ordinance amendment to be reasonable and in the public interest.

9
10 **ARTICLE V. Severability.**

11
12 All Town ordinances or parts of ordinances in conflict with this ordinance amendment are
13 hereby repealed. Should a court of competent jurisdiction declare this ordinance
14 amendment or any part thereof to be invalid, such decision shall not affect the remaining
15 provisions of this ordinance amendment nor the Zoning Ordinance or Town Code of the
16 Town of Southern Shores, North Carolina which shall remain in full force and effect.

17
18 **ARTICLE VI. Effective Date.**

19
20 This ordinance amendment shall be in full force and effect from and after the ____ day of
21 _____, 2026.

22
23
24 _____
Elizabeth Morey, Mayor

25 ATTEST:

26
27 _____
28 Town Clerk

29
30 APPROVED AS TO FORM:

31
32
33 _____
34 Town Attorney

35 Date adopted:

36
37 _____
38 Motion to adopt by Councilmember:

39
40 _____
41 Motion seconded by Councilmember:

42
43 Vote: __AYES__ NAYS



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

Ordinance No. 2026-06-01

An Ordinance of the Southern Shores Town Council Adopting a Budget and Tax Rate for FY 2026-27

BE IT ORDAINED by the Town Council of the Town of Southern Shores, North Carolina that the following be the various budgets for FY 2026-27:

SECTION I. GENERAL FUND

A. Appropriations: The following amounts are appropriated for the operation of the Town Government and its activities for the fiscal year beginning July 1, 2026, and ending June 30, 2027:

Administration Department	\$ 1,860,276
Code Enforcement & Inspections Department	\$ 523,533
Fire Department	\$ 2,323,908
Ocean Rescue Services	\$ 237,164
Police Department	\$ 2,803,037
Public Works Department	\$ 928,309
Public Works Department – Streets, Bridges, Beaches & Canals	\$ 3,055,124
Sanitation Services	\$ 1,071,503
Contribution to Capital Reserve Fund for Canals	\$ 75,000
Contribution to Capital Reserve Fund for Beach Nourishment	\$ 103,936
Total General Fund Appropriations	\$ 12,981,790

B. Estimated Revenues: It is estimated that the following revenues will be available during the fiscal year beginning July 1, 2026, and ending June 30, 2027 to meet foregoing appropriations:

Property Taxes- Current Year	\$ 4,607,091
NCVTS- Current Year	\$ 134,350
MSD 1 Taxes	\$ 214,781
MSD 2 Taxes	\$ 194,084
Town Wide – Beach Nourishment	\$ 712,598
Property & Vehicle Taxes- Prior Years, Penalties and Interest	\$ 8,000
Subtotal: Property and Vehicle Taxes	\$ 5,870,904

Land Transfer	\$ 382,500
Local Option Sales Tax	\$ 1,796,387
Occupancy Tax	\$ 1,753,969
Other Intergovernmental Revenues	\$ 1,136,523
Building Permits & Fees	\$ 187,500
Unassigned Fund Balance	\$ 537,007
Other Revenues	\$ 367,000
Transfer IN from Capital Reserve Fund- Streets	\$ 950,000
Total General Fund Revenues	\$ 7,110,886
	\$ 12,981,790

for the purpose of raising revenue included in "Property Taxes-Current Year" and "NCVTS" in the General Fund, being Section I.B. of this ordinance.

SECTION V. EXPENDITURES

All expenditures must be made in accordance with governing North Carolina General Statutes and adopted Town policies regarding purchasing and bidding. The Budget Officer is authorized to expend funds consistent with the governmental functions and amounts shown as appropriated and to execute such documents necessary for same.

Notwithstanding Town policies regarding purchasing and bidding, the Budget Officer is authorized to execute documents for the following items or services in accordance with the specific appropriations established by this Ordinance or as the budget may be amended during the fiscal year: multi-year lease, lease-purchase, or purchase of vehicles and equipment.

In accordance with G.S. 143-64.32 and as outlined in Town Council Resolution #2024-03-01, the Budget Officer is authorized to exempt contracts for design services from the qualifications-based selection requirements of G.S. 143-64.31 if the estimated fee is less than \$50,000 and provided that exemption be in writing.

SECTION VI. LEASE REVENUES

The Budget Officer is hereby authorized to negotiate in the best interest of the Town and execute such documents necessary for the realization of revenues or other consideration from lease or use of any Town property with a term not to exceed three years.

SECTION VII. BUDGET OFFICER LINE TRANSFER AUTHORIZATION

The Budget Officer is authorized to re-allocate intra-departmental appropriations among the various objects of expenditures as he considers necessary for effective budget performance and is also authorized to affect inter-departmental transfers within the same Fund for effective budget performance. The Budget Officer is also authorized to affect, within the same Fund, intra-departmental and inter-departmental transfers from a Departmental contingency line appropriation established in accordance with NCGS §159-13(b)(3), with such contingency line transfers being in accordance with NCGS §159-13(b)(3).

SECTION VIII. BUDGET OFFICER RESTRICTIONS

No salary increases may be made without approval of the Town Council. Inter-fund transfers not established in this budget document may only be performed by authorization of the Town Council.

SECTION IX. UTILIZATION OF BUDGET AND BUDGET ORDINANCE

This Ordinance and the Budget Document shall be the basis of the financial plan for operations of the Town of Southern Shores, North Carolina Municipal Government during the fiscal year 2025-26. Copies of this Budget Ordinance shall be furnished to the Clerk of the Town Council and to the Budget Officer and Finance Officer and is to be kept on file by them for their direction in the disbursement of funds.

ADOPTED this _____ day of June, 2026.

Mayor Elizabeth Morey

ATTEST:

Sheila Kane, Town Clerk

seal





AGENDA ITEM SUMMARY

Item # 11b

MEETING DATE: June 6, 2026

ITEM TITLE: Adoption of revised Pay and Classification Plan

ITEM SUMMARY:

The last Classification and Pay Study was performed in February of 2020. This year, staff worked with The MAPS Group who is the preferred vendor for the North Carolina League of Municipalities, for an internal and external review of current salaries. The study looked at salary ranges for positions and recommends changes to the current scale. Individual salaries are not compared. Funding of \$82,163 is recommended to bring up salaries of those positions below the average. The results of the study indicate that we have stayed competitive in most positions except at the Department and Deputy Department Head level. The study compared our salaries and benefits against those of the following locations.

- | | |
|------------------|------------------|
| Carolina Beach | Chesapeake, VA |
| Duck | Edenton |
| Emerald Isle | Kill Devil Hills |
| Kitty Hawk | Manteo |
| Nags Head | Topsail Beach |
| Currituck County | Dare County |

Previously the Town established a separate pay structure for fire fighters and captains, as well as police recruits, officers, corporal, and sergeants. By doing so, the Town put itself in a competitive position against those the study compared. All these positions will remain at the same grade. The scale will advance by 3% TO mirror the recommended COLA amount.

Excluding fire fighters and police officers the Town has 11 separate classifications of positions each with a grade assigned. There are seventeen total positions within the classifications as some classifications have more than one position assigned to it. Compared to the average pay ranges of the agencies surveyed, we are currently above

the average for starting salaries in nine positions and below the average in eight positions. The scale will advance by approximately 3.7%, which includes a slight market adjustment and 3% COLA.

Requested Action: A motion to approve the Pay Classification Plan as presented.

Attachment: PowerPoint provided by The MAPS Group
Comparison of old and new pay and classification plan

Town of Southern Shores Classification and Pay Study 2026



NC

★ Designed by TownMapsUSA.com

The MAPS Group

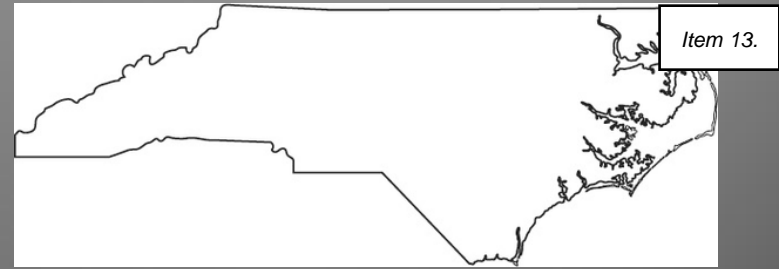
- ❑ The MAPS Group
 - Preferred provider of the North Carolina League of Municipalities
 - Founded in 1983
 - 8 consultants across the State

- ❑ Partner with:
 - Only public employers in North Carolina – Cities, Counties, Special Districts, Libraries, and others

- ❑ Provide Public Sector Human Resource Services
 - Classification & Pay Studies
 - Personnel Policy development
 - Management & Supervisory Training
 - Performance Evaluation
 - Assessment Centers

The logo for The MAPS Group, featuring the text "The MAPS Group" in a stylized, handwritten font. "The" is in a smaller, cursive script, while "MAPS" is in a larger, bold, blocky font, and "Group" is in a smaller, cursive script below it. A horizontal line is drawn under the word "Group".

Clients Include



▶ Municipalities

- Apex
- Boone
- Garner
- Fairmont
- Forest Town
- Garner
- Henderson
- Hendersonville
- Salisbury
- Whiteville

▶ Counties

- Alleghany
- Beaufort
- Cherokee
- Harnett
- Mitchell
- Nash
- Orange
- Scotland
- Stanly
- Vance

▶ Non-Profits

- North Wilkesboro Housing Authority
- Smithfield Housing Authority
- Dunn Housing Authority
- Laurinburg Housing Authority
- Tuckasegee Water & Sewer Authority
- Outer Banks Visitors Bureau

What is a Class and Pay Study?

- ▶ Study the Town Positions/classifications and corresponding compensation in the current pay plan
- ▶ Examine **INTERNAL PAY EQUITY** (relationships between positions) – ensure that positions with similar levels of complexity, responsibility, knowledge/skills required are classified comparably in the pay plan
- ▶ Analyze external competitiveness (pay relationships with labor market competitors) (**EXTERNAL PAY EQUITY**)
- ▶ Update the Town's personnel policy
- ▶ Update and write new class specifications (job descriptions)

Primary Goals of the Study

- ▶ Ensure market competitiveness with peer communities and the regional labor market
 - (positions and pay plan)
- ▶ Ensure that the Town of Southern Shores can attract, retain, and motivate high quality employees



Why Do A Classification Study?

- Jobs Change
 - New Technology & New Services
 - Reorganization / Shift in duties
- Market/Industry changes
- Helps to Enhance the Recruitment/Retention
- Ensure Equitable Compensation System/Equal Pay for Equal Work
- Ensure Legal Compliance
 - Fair Labor Standards Act, ADA, OSHA

Steps in Class\Pay Study

- ▶ Identify Need
- ▶ Employee Orientation
- ▶ Questionnaires
- ▶ Interviews
- ▶ Salary Survey
- ▶ Analysis/Position Review
- ▶ Complete Analysis & Write Draft Report
- ▶ Finalize Report
- ▶ Write class specifications
- ▶ Personnel Policy Update

Job Analysis – Classification Factors

Item 13.

(Use to Compare Positions)

- *Education, Training, and Certifications/Licenses*
- *Experience Required for Position*
- *Difficulty, Complexity and Variety of work*
- *Problem Solving/Ingenuity*
- *Independence of Action*
- *Responsibility for Resources*
- *Contacts with Others-Internal/External*
- *Supervision Received and/or Given to Others*
- *Consequences of Error/Job Decisions Made on the Job/Risk Exposure*
- *Working Conditions/Hazards/Physical and Mental Demands*

Market Study

Item 13.

- *Comparable organizations*
- *In the same market or similar market*
- *Other organizations you recruit and hire from*
- *Organizations offering similar services*
- *Organizations you lose employees to*
- *Typically within a commutable distance*

Market Survey Organizations

Item 13.



Town of Duck (776)

Town of Kill Devil Hills (7,852)

Town of Kitty Hawk (3,791)

Town of Manteo (1,636)

Town of Nags Head (3,233)

Town of Carolina Beach (6,791)

Town of Topsail Beach (510)

Town of Emerald Isle (4,018)

Town of Edenton (4,458)

City of Chesapeake, VA

Currituck County

Dare County

Classifications by Grade

Item 13.

(sample pay plan)

Salary Grade	Class Title	Minimum	Midpoint	Maximum
16	Park Technician Maintenance Worker	\$32,819	\$41,024	\$49,229
17	Equipment Operator WWTP Operator	\$34,460	\$43,075	\$51,690
18	Recreation Coordinator Maintenance Crew Leader Administrative Specialist	\$36,183	\$45,229	\$54,275
19	Deputy Planner	\$37,992	\$47,490	\$56,988
20	Planner II Deputy Sergeant Customer Service Supervisor	\$39,892	\$49,865	\$59,838

Project Overview

- ▶ Pay Plan: The MAPS Group developed an updated pay plan tailored to the study results
- ▶ Grade Assignments: Determined based on internal equity (job evaluation) and external market review
- ▶ Implementation: Multiple implementation options were provided for the updated pay plan to assist the Town in adopting the new classification and compensation system

Key Market Findings

- ▶ Most positions are in line with or above market
- ▶ Positions falling below market – Department heads and senior level staff
- ▶ Competitive gaps identified

Recommendations

We recommend the Town consider:

- *Adopting the recommended class and pay plan with grade assignments*
- *Adopt the updated personnel policy*
- *Continue efforts to maintain the classification and compensation system:*
 - *Routinely review positions, job descriptions, and market conditions*
 - *Continue to adjust the pay plan and salaries, annually, to keep pace with the market*

Current Grade	Recommended Grade	Town of Southern Shores Pay and Classification Scale	Current Salary Range		Recommended Salary Range	
		CLASSIFICATION	MIN	MAX	MIN	MAX
10	11	Not Assigned	43,710	65,565	47,630	76,208
11	12	Maintenance Technician	45,896	68,844	50,011	80,018
12		Not Assigned	48,252	72,286		
13	13	Police Administrative Assistant	50,600	75,900	52,522	84,018
13	13	Fire Administrative Assistant	50,600	75,900	52,522	84,018
14	14	Permit Officer	53,130	79,695	55,136	88,219
15	15	Not Assigned	55,787	83,679	57,893	92,628
**	16	Public Information Officer/ Administrative Assitant	58,575	87,864	60,787	97,259
**	16	Fiscal Support Specialist	58,575	87,864	60,787	97,259
	17	Public Works Supervisor	61,505	92,257	63,826	102,121
	18	Not Assigned			67,016	107,227
18	19	Town Clerk	64,579	96,870	70,367	112,588
18	19	Building Inspector/ Code Enforcement Officer	64,579	96,870	70,367	112,588
19		Not Assigned			67,809	101,714
20	20	Asst. Fire Chief	71,200	106,799	73,884	118,216
21	21	Not Assigned	74,759	112,139	77,578	124,125
	22	Not Assigned			81,456	130,330
	23	Not Assigned			85,529	136,846
22	24	Deputy Police Chief	78,497	117,746	89,804	143,687
22	24	Deputy Fire Chief	78,497	117,746	89,804	143,687
23	25	Public Works Director	82,422	123,634	94,294	150,871
24		Not Assigned	86,544	129,815		
25	26	Not Assigned	90,871	136,306	99,008	158,414
	27	Not Assigned			103,958	166,334
26	28	Finance/ Human Resources Officer	95,414	143,122	105,977	169,563
*	26	Police Chief	95,414	143,122	105,977	169,563
*	26	Fire Chief	95,414	143,122	105,977	169,563
	27	Not Assigned	100,185	150,277		
*	28	Deputy Town Manager/ Planning Director	105,194	157,790	114,613	183,381
	29	Not Assigned	110,453	165,680	120,343	192,550

Average salary range of those surveyed

42,935 671,207 a

46,274 69,672 a

46,274 69,672 a

48,162 73,832 a

56,174 89,036 a

56,174 89,036 a

55,653 87,084 a

70,489 110,549 b

60,827 96,531 a

?

92,412 141,941 b

88,693 137,527 b

94,720 151,139 b

101,647 161,083 b

103,566 160,768 b

97,208 153,323 b

114,083 182,620 b

** position added post survey

Police and Fire Pay Scale

Grade	POLICE and Fire Pay Scale	Current		Recommended	
		MIN	MAX	MIN	MAX
50	Police Recruit	42,543	63,815	43,819	65,729
51	Firefighter	56,724	85,086	58,425	87,638
51	Police Officer	56,724	85,086	58,425	87,638
52	Police Corporal	62,289	93,434	64,157	96,237
53	Police Sergeant	71,872	107,808	74,028	111,042
53	Fire Captain	71,872	107,808	74,028	111,042

Average salary range of those surveyed

50,829 77,981

53,939 84,154

65,531 102,046

66,684 102,550



AGENDA ITEM SUMMARY

Item # 11c

MEETING DATE: June 2, 2026

ITEM TITLE: Consideration of approval for the adoption of Fire Department Project Ordinance #2026-06-02

ITEM SUMMARY:

A capital project ordinance in North Carolina is a specialized legal and budgeting tool that allows local governments to authorize and fund a multi-year project for its entire lifespan, rather than re-appropriating money for it every fiscal year. Governed by the Local Government Budget and Fiscal Control Act under North Carolina General Statute § 159-13.2, this ordinance serves as an alternative budgeting method specifically tailored for long-term investments. The ordinance must be balanced at the time of adoption, meaning estimated project revenues (loans, bonds, grants, transfers) must exactly equal total project appropriations (construction costs, professional fees).

The local governing board must clearly identify the capital asset being built or acquired, outline all revenue streams, and detail the approved expenditures. Local boards do not need to re-read or re-adopt the ordinance in subsequent fiscal years, though the local budget officer must include status updates about active ordinances in each annual budget proposal. Under North Carolina law, a capital project involves either: A project financed in whole or in part by the proceeds of bonds, notes, or debt instruments. A project involving the design, construction, or acquisition of a long-term capital asset (such as public buildings, water infrastructure, or parks).

Attached is suggested capital project ordinance to recognize the acquisition of Southern Shores Volunteer Fire Department assets and related debt along with supporting detailed numbers used. This is necessary for financial reporting purposes. This will keep this significant accounting transaction separate from the general fund and will prevent us from having to explain large variances between FY 25 and FY 26 revenues and expenditures as well as making it simpler and cleaner to calculate percentages such as undesignated fund balance.

STAFF RECOMMENDATION AND REQUESTED ACTION:

Staff recommends the Council adopt the attached capital project ordinance for the purpose of recognizing the assets donated by the SSVFD to the Town along with the related debt acquisition absorbed by the Town. Staff requests the Town Council approve a motion to adopt Fire Department Project Ordinance #2026-06-02

Attachments: Fire Department Project Ordinance #2026-06-02
List of assets acquired from Southern Shores Volunteer Fire Department
§ 159-13.2. Project ordinances.



Town of Southern Shores

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

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FIRE DEPARTMENT PROJECT ORDINANCE #2026-06-02

BE IT ORDAINED by the Governing Board of the Town of Southern Shores, North Carolina, that, pursuant to Section 13.2 of Chapter 159 of the General Statutes of North Carolina, the following capital project ordinance is adopted June 2, 2026, as follows:

Section 1. The authorized project is to recognize the Town’s acquisition of assets of the Southern Shores Volunteer Fire Department, including the building (and related debt), a 2022 E-One Ariel Ladder Truck, VIN 4ENLAAA87N1004388 (and related debt), and other equipment. This capital project fund recognizes only those assets that meet the Town’s fixed asset capitalization threshold of \$ 10,000. All assets under this fixed asset capitalization threshold also transferred to the Town and are considered to have a de minimis value based on age and condition. The Town will continue to pay the debt service on the building and truck that has previously been funded by the Town and paid through a contract to the Southern Shores Volunteer Fire Department. Town is using ad valorem revenues and other revenue sources to pay the debt payments and operation expenses of the department.

Section 2. The officers of this unit are hereby directed to proceed with the capital project within the terms of the budget contained herein.

Section 3. The following amounts are appropriated for the project:

Capital outlay	\$ 7,695,000
----------------	--------------

Section 4. The following revenues are anticipated to be available to complete this project:

Contributions	\$ 2,382,737
Debt proceeds (debt acquisition)	<u>\$ 5,312,263</u>
Total Revenues	\$ 7,695,000

Section 5. The Finance Officer is hereby directed to maintain within the Capital Project Fund sufficient detailed accounting records to satisfy any legal regulations and accounting standards.

Section 6. The Budget Officer is directed to include a detailed analysis of past and future costs and revenues in this capital project in every budget submission made to this Board.

Section 7. Copies of this project ordinance shall be furnished to the Clerk of the Governing Board, and to the Budget Officer and Finance Officer for direction in carrying out this project.

Adopted this 2nd day of June 2026.

Elizabeth Morey, Mayor

ATTEST:

Sheila Kane, Town Clerk

Town of Southern Shores

Assets acquired from Southern Shores Volunteer Fire Department

(items that meet Town's fixed asset capitalization threshold of \$ 10,000 per individual item)

<u>Description</u>	<u>Amount</u>	<u>Debt Assumed</u>	<u>Net Donation</u>
2009 Pierce Impel Pumper (VIN 748)	258,000	-	258,000
2009 Pierce Impel Pumper (VIN 726)	258,000	-	258,000
2022 E-One Aerial Ladder	989,000	(665,841)	323,159
2005 KME Apparatus	68,000	-	68,000
2004 Ford F250	15,000	-	15,000
2014 Ford F150	26,000	-	26,000
2016 Chevrolet Suburban	22,000	-	22,000
2021 Ford F150	36,000	-	36,000
2022 Ford F250	70,000	-	70,000
2024 Ford F250	85,000	-	85,000
Paratech heavy vehicle ext kit	45,000	-	45,000
Lion digital fire training system	23,000	-	23,000
Building	5,500,000	(4,646,422)	853,578
Land	300,000	-	300,000
Total	7,695,000	(5,312,263)	2,382,737

valuation method

- outside professional opinion
- outside professional opinion
- outside professional opinion
- outside professional opinion
- estimate by Chief
- estimate by Chief
- estimate by Chief
- estimate by Chief
- estimate by Chief
- estimate by Chief
- estimate by Chief
- estimate by Chief
- estimate based on 2020 building cost
- estimate based on tax and market values

§ 159-13.2. Project ordinances.

(a) Definitions. – The following definitions apply in this section:

- (1) Capital project. – A project financed in whole or in part by the proceeds of bonds or notes or debt instruments or a project involving the construction or acquisition of a capital asset.
- (2) Grant project. – A project financed in whole or in part by revenues received from the federal and/or State government or other grant source for operating or capital purposes as defined by the grant contract.
- (3) Project ordinance. – The ordinance adopted pursuant to this section governing the life of any of the following:
 - a. Capital project.
 - b. Grant project.
 - c. Settlement project.
- (4) Settlement project. – A project financed in whole or in part by revenues received pursuant to an order of the court or other binding agreement resolving a legal dispute.

(b) Alternative Budget Methods. – A unit or public authority may, in its discretion, authorize and budget for a capital project, grant project, or settlement project either in its annual budget ordinance or in a project ordinance adopted pursuant to this section. A project ordinance authorizes all appropriations necessary for the completion of the project and neither it nor any part of it need be readopted in any subsequent fiscal year. Neither a bond order nor an order authorizing any debt instrument constitutes a project ordinance.

(c) Adoption of Project Ordinances. – If a unit or public authority intends to authorize a capital project, grant project, or settlement project by a project ordinance, it shall not begin the project until it has adopted a balanced project ordinance for the life of the project. A project ordinance is balanced when revenues estimated to be available for the project equal appropriations for the project. A project ordinance shall clearly identify the project and authorize its undertaking, identify the estimated revenues that will finance the project, and make the appropriations necessary to complete the project. A local government or public authority may incur obligations and make disbursements authorized by the budget appropriations before receiving estimated revenues and may use available fund balance from the general fund or enterprise fund associated with the project to fund the disbursements.

(d) Project Ordinance Filed. – Each project ordinance shall be entered in the minutes of the governing board. Within five days after adoption, copies of the ordinance shall be filed with the finance officer, the budget officer, and the clerk to the governing board.

(e) Amendment. – A project ordinance may be amended in any manner so long as it continues to fulfill all requirements of this section.

(f) Inclusion of Project Information in Budget. – Each year the budget officer shall include in the budget information in such detail as the budget officer or the governing board may require concerning each capital project, grant project, or settlement project (i) expected to be authorized by project ordinance during the budget year and (ii) authorized by previously adopted project ordinances which will have appropriations available for expenditure during the budget year. (1975, c. 514, s. 8; 1979, c. 402, s. 3; 1987, c. 796, s. 3(3), 3(4); 2022-74, s. 40.8; 2024-1, s. 1.1(a).)



AGENDA ITEM SUMMARY FORM

MEETING DATE: June 2, 2026

ITEM TITLE: Planning Board Appointment

ITEM SUMMARY:

The appointment term assigned to regular Planning Board member Ed Lawler will expire on June 30, 2026. Mr. Lawler has indicated he is interested in serving another three-year term. Town Staff has no other applications on file submitted by residents that are interested in serving on the Board.

STAFF RECOMMENDATION:

Reappointment of Ed Lawler as a regular member on the Town Planning Board with a term that begins on July 1, 2026 and expires on June 30, 2029.

REQUESTED ACTION:

Motion to reappoint Ed Lawler as a regular member on the Town Planning Board with a term that begins on July 1, 2026 and expires on June 30, 2029.

