



**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](http://www.southernshores-nc.gov)

**PITTS CENTER**

**Tuesday, August 03, 2021 at 5:30 PM**

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## **AGENDA**

### **Call Meeting to Order**

Pledge of Allegiance

Moment of Silence

### **Amendments to / Approval of Agenda**

#### **Consent Agenda**

1. Minute Approval **EMAILED TO COUNCIL**
2. Pickups and Releases **PAGE 2**
3. Emergency Paid Sick Leave and Emergency FMLA Policy-Update **PAGE 3**
4. Retitle of Position-Lieutenant to Deputy Chief **PAGE 8**

#### **Staff Reports**

5. Deputy Town Manager/ Planning Director
  - Police Chief
  - Fire Chief
  - Town Manager
    - Traffic report
    - Beach nourishment
    - BRIC grant application
    - Future Tourism Impact Grant application
  - Town Attorney

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

#### **Old Business**

#### **New Business**

6. Budget Amendments 1-10 Encumbered Funds **PAGE 9**
7. Planning Board Appointment **PAGE 20**
8. Approval of Planning Board Officers **PAGE 24**
9. Public Hearing-TCA-21-06 General Requirements (Lots) **PAGE 25**

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

#### **Council Business**

#### **Adjourn**

**TOWN OF SOUTHERN SHORES  
TAX DEPARTMENT**

**8/3/2021**

**PICKUPS**

**RELEASES**

Janaury Real

\$ 23.02

**TOTAL**

**\$0.00**

**\$23.02**



# 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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The Town provides eligible employees with emergency paid sick leave and emergency FMLA leave under certain conditions as required by the Families First Coronavirus Relief Act. These are two separate forms of leave that in some cases are governed by different rules, as set forth below.

## Eligibility

All classes of employees are eligible for emergency paid sick leave and emergency FMLA leave. All employees are eligible for emergency paid sick leave under this policy regardless of the length of their employment. To be an “eligible” employee for purposes of emergency family or medical leave available under this policy, the employee must have been employed by the Town for at least 30 calendar days before requesting the leave and be fully vaccinated or provide proof from a doctor of a medical reason for not being vaccinated by 9/17/21.

## A. Reason for Emergency Paid Sick Leave

You may take Emergency Paid Sick Leave if you are unable to work (or telework, if allowed) due to a need for leave because:

1. You are subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. You have been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
3. You are experiencing symptoms of COVID-19 and are seeking a medical diagnosis;
4. You are caring for an individual who is subject to an order as described in 1, above or who has been advised to quarantine or isolate due to concerns related to COVID-19;
5. You are caring for your own child (i) because their school or place of care is closed, or (ii) because your child’s childcare provider is unavailable, due to COVID-19 precautions; or
6. Obtaining a COVID-19 vaccination;
7. Recovering from an injury, disability, illness or condition related to COVID-19 vaccination; or

8. Seeking or awaiting results of COVID-19 testing or diagnosis because either the employee has been exposed to COVID-19 or the employer requested the test or diagnosis.

#### Duration/Compensation

Employees are entitled to Emergency Paid Sick Leave:

- **Full-time employees:** Up to 80 hours of pay for non-exempt employees, two weeks of pay for exempt employees, or a two-week equivalent of pay for police, at their regular pay rate. However, when caring for a family member (for reasons 4 or 5 above), Emergency Paid Sick Leave is paid at two-thirds the employee's regular rate.
- **Part-time employees:** Emergency Paid Sick Leave provided under this Policy is calculated based on the number of hours the employee works, on average, over a two-week period. Except in extraordinary circumstances, the two-week period used will be the two full weeks immediately preceding the date the leave is requested.
- Paid leave under this shall not exceed \$511 per day (\$5,110 in total) where leave is taken for reasons 1, 2, 3, 6, 7 & 8 described above (generally, an employee is unable to work because of their own illness or quarantine); or \$200 per day (\$2,000 in total) where leave is taken for reasons 4 or 5 (where the employee is unable to work due to a need to care for others or school closures).

#### Leave Rules

- You may elect to use Emergency Paid Sick Leave before using any accrued paid leave. You are not required to use any other paid leave before using Emergency Paid Sick Leave.
- No leave provided by the Town before April 1, 2020 may be credited against your leave entitlement. In addition, Emergency Paid Sick Leave provided under this Policy cannot be carried over after December 31, 2020 and will not be paid out upon termination.

#### Requesting Emergency Paid Sick Leave

- If you need to take Emergency Paid Sick Leave, provide notice as soon as possible. Normal call-in procedures apply to all absences from work. You are not required to search for or find a replacement employee to cover the hours during which you are using leave under this policy.

#### B. Reason for Emergency FMLA Leave

An eligible employee is entitled to Emergency FMLA Leave if the employee is unable to work (or telework, if allowed) due to a need for leave to care for their own child < 18 y.o. because the school or childcare facility for the child has been closed due to public health emergency, or because the childcare provider of such child is unavailable due to a public health emergency.

#### C. Reason for Emergency FMLA Leave

You may take Emergency FMLA Leave if you are unable to work (or telework, if allowed) due to a need for leave because:

1. You are subject to a federal, state, or local quarantine or isolation order related to COVID-19;
2. You have been advised by a health care provider to self-quarantine due to concerns related to COVID-19;
3. You are experiencing symptoms of COVID-19 and are seeking a medical diagnosis;
4. You are caring for an individual who is subject to an order as described in 1, above or who has been advised to quarantine or isolate due to concerns related to COVID-19;
5. You are caring for your own child (i) because their school or place of care is closed, or (ii) because your child's childcare provider is unavailable, due to COVID-19 precautions; or
6. Obtaining a COVID-19 vaccination;
7. Recovering from an injury, disability, illness or condition related to COVID-19 vaccination; or
8. Seeking or awaiting results of COVID-19 testing or diagnosis because either the employee has been exposed to COVID-19 or the employer requested the test or diagnosis.

#### Duration/Compensation

- No pay is available for first 10 days of leave unless the employee elects to substitute any accrued vacation leave, sick leave or Emergency Sick Leave.
- After 10 days, part-time and full-time employees will receive two-thirds of the employee's regular rate of pay for the number of hours they would normally be scheduled to work, capped at \$200/day and \$10,000 total.

#### Leave Rules

You may elect to use any accrued paid leave during the first 10 days of Emergency FMLA Leave.

#### Requesting Emergency FMLA Leave

Where the need for Emergency FMLA Leave provided for in this policy is foreseeable, the employee must provide their supervisor with as much notice of the leave as is practicable.

#### Job Restoration

The return to work provision of the Town's FMLA Leave policy shall apply to an employee who takes Emergency FMLA leave under this policy.

#### D. General Provisions

##### Retaliation

The Town will not retaliate against any employee who requests or takes Emergency Paid Sick Leave or Emergency FMLA Leave in accordance with this policy.

##### Expiration

This policy and the leave options provided by it expires on December 31, 2020. On January 5, 2021, Town Council renewed this policy and the leave options provided by it until the end of the COVID-19 pandemic.

Adopted by Wes Haskett, Interim Manager 3/30/20

By Town Council on 4/7/20

Council approved updates to policy on 4/13/21, with a retroactive date of 4/1/21





## AGENDA ITEM SUMMARY

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**MEETING DATE:** August 3, 2021

**ITEM TITLE:** Amendment to the Emergency Paid Sick Leave and Emergency FMLA Policy

**ITEM SUMMARY:**

Council first adopted the attached policy on April 7, 2020. At the 1/5/21 Town Council Meeting, the Council approved the voluntary continuation of the EPSL (Emergency Paid Sick Leave) and EFMLA (Emergency Family Medical Leave Act) through the end of the COVID-19 pandemic. On March 11, 2021, The American Rescue Plan Act of 2021 (ARPA) was signed into law. The adoption of the ARPA added 3 additional qualifying reasons to use the EPSL by an employee which Council added to the Town's policy on April 13, 2021, which must be adhered to in order to receive a tax credit by an employee which Council added to the Town's policy on April 13, 2021.

1. Obtaining a COVID-19 vaccination;
2. Recovering from an injury, disability, illness or condition related to a COVID-19 vaccination; or
3. Seeking or awaiting results of COVID-19 testing or diagnosis because either the employee has been exposed to COVID-19 or the employer requested the test or diagnosis.

**STAFF RECOMMENDATION:**

Staff recommends adding a requirement that in order for an employee to be considered "eligible" under this policy that they must be fully vaccinated or provide proof of a medical reason for not receiving a vaccination. In order to give staff time to receive a vaccine, a policy effective date of September 17, 2021 is recommended.

**REQUESTED ACTION:** Staff recommends that the Town Council approve a motion to amend the Emergency Paid Sick Leave and Emergency FMLA Policy as presented.



## AGENDA ITEM SUMMARY

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**MEETING DATE:** August 3, 2021

**ITEM TITLE:** Retitle Police Lieutenant to Deputy Police Chief

**ITEM SUMMARY:**

The consultant, Piedmont Triad Regional Council, determined during the interview process that the Lt position within the Police Department held and functioned as the Deputy Chief. During their market comparisons the Lt position was compared to each department's Assistant Chief, Deputy Chief, or to the position directly under the Chief, regardless of position title. Following that, the grade assignment for the Lt was commensurate with that "second in command" position in all other PDs included in the study.

This change in title was not included with the adoption of the pay study. There is no impact in salary or creation of a new position as a result, and the requested action will only retitle the Police Lieutenant to Deputy Police Chief.

**STAFF RECOMMENDATION:** Staff agrees with the conclusion drawn by the consultant performing the Town's Pay Plan and Classification Study.

**REQUESTED ACTION:** Motion to approve the consent agenda which includes retitling of the Police Lieutenant position to Deputy Police Chief





## AGENDA ITEM SUMMARY

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**MEETING DATE:** August 3, 2021

**ITEM TITLE:** Budget Amendments #1-10 Encumbered Funds

**ITEM SUMMARY:**

Budget Amendments #1-10 are encumbered funds from FY 20-21 budget. The goods or services were not delivered or complete before 6/30/21 so the funds must be budgeted in FY 21-22 budget to pay for the goods or services when they arrive, or services are rendered.

**STAFF RECOMMENDATION:**

Staff recommends the approval of the budget amendments as presented.

**REQUESTED ACTION:** Council needs to vote to approve the budget amendments.

**Town of Southern Shores  
Budget Amendment Number # 1**

## Increases

Account Number	Description	Amount
40-39909	<p><b><u>Revenues</u></b></p> <p>Unassigned Fund Balance</p>	\$39,642
59-50151	<p><b><u>Expenditures</u></b></p> <p>Equipment Purchase</p>	\$39,642
<b>TOTAL</b>		

## Decreases

[illegible]

Explanation: The purchase of the Toro Dingo Equipped with 4 in 1 bucket, grapple rake and brush mower was authorized by Council at the May 2021 meeting. Equipment was ordered but has not been delivered. Money was encumbered from FY 20-21 budget.

Recommended By:

Approved By: Town Council

Cliff Ogburn, Town Manager

Tom Bennett, Mayor

Date \_\_\_\_\_

## Town of Southern Shores Budget Amendment Number #2

[illegible]

Explanation: Money encumbered from FY 21-22 budget for the installion and signage for car charging station.

Recommended By:

Cliff Ogburn, Town Manager

Approved By:

Tom Bennett, Mayor

Date \_\_\_\_\_

**Town of Southern Shores  
Budget Amendment Number # 3**

## Public Works Increases

Account Number	Description	Amount
40-39909	<p><b><u>Revenues</u></b></p> <p>Unassigned Fund Balance</p>	\$1,630
59-50151	<p><b><u>Expenditures</u></b></p> <p>Equipment Purchase</p>	\$1,630
	<b>TOTAL</b>	

## Decreases

[illegible]

Explanation: To encumber money from FY 20-21 budget for the purchase of pole saw, pole pruner and blowers for the Public Works Department.

Recommended By:

Cliff Ogburn, Town Manager

Approved By: Town Coucil

Tom Bennett , Mayor

Date \_\_\_\_\_

**Town of Southern Shores  
Budget Amendment Number # 4**

**Streets, Beaches, Canals**

**Increases**

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
<b><u>Revenues</u></b>		
40-39909	Unassigned Fund Balance	\$157,517
<b><u>Expenditures</u></b>		
57-50131	Beach Nourishment Permitting	\$5,844
57-50135	Beach Nourishment Profile Study	\$11,724
57-50154	Beach Nourishment Engineering	\$105,694
57-50161	BN- Construction Monitoring	\$34,255

**Decreases**

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>

Explanation: To encumber funds from FY 20-21 budget for beach nourishment expenses

Approved By:

Cliff Ogburn, Town Manager

Tom Bennett, Mayor

Date

# Town of Southern Shores Budget Amendment Number # 5

## Streets

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
40-39909	<p align="center"><b><u>Revenues</u></b></p> <p align="center">Unassigned Fund Balance</p>	\$14,998
57-50980	<p align="center"><b><u>Expenditures</u></b></p> <p align="center">Sea Oats</p>	\$14,998
	TOTAL	

## Decreases

[illegible]

Explanation: To encumber funds from FY 20-21 budget for work not completed by 6/30/21.

Recommended By:

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Cliff Ogburn, Town Manager

Approved By:

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Tom Bennett, Mayor

Date \_\_\_\_\_

# Town of Southern Shores Budget Amendment Number # 6

## Increases

### Decreases

[illegible]

Explanation: To encumber funds from FY 20-21 budget to complete the pavement study on town streets

Recommended By:

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T. Cliff Ogburn, Town Manager

Approved By:

---

Tom Bennett, Mayor

Date \_\_\_\_\_

**Town of Southern Shores  
Budget Amendment Number # 7**

## Increases

Account Number	Description	Amount
40-39909	<p><b><u>Revenues</u></b></p> <p>Unassigned Fund Balance</p>	\$4,000
42-50120	<p><b><u>Expenditures</u></b></p> <p>Contracted Services</p>	\$4,000
<b>TOTAL</b>		

### Decreases

[illegible]

Explanation: To encumber funds from FY 20-21 budget to complete the revision of the Town's personnel policy

Recommended By:

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T. Cliff Ogburn, Town Manager

Approved By:

---

Tom Bennett, Mayor

Date \_\_\_\_\_



# Town of Southern Shores Budget Amendment Number # 8

## Increases

### Decreases

[illegible]

Explanation: To encumber funds from FY 20-21 budget for Police vehicles that were ordered but not delivered before 6/30/21.

Recommended By:

Approved By:

Cliff Ogburn, Town Manager

Tom Bennett, Mayor

Date \_\_\_\_\_

**Town of Southern Shores  
Budget Amendment Number # 9**

[illegible]

Explanation: To encumber funds from FY 20-21 for Police uniforms that were ordered but not delivered before 6/30/21.

Recommended By:

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Cliff Ogburn, Town Manager

Approved By:

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Tom Bennett, Mayor

Date \_\_\_\_\_

# Town of Southern Shores

## Budget Amendment Number # 10

## Increases

### Decreases

[illegible]

Explanation: To encumber funds from the FY 20-21 budget for Police Radios that were ordered but not delivered before 6/30/21.

Recommended By:

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Cliff Ogburn, Town Manager

Approved By:

---

Tom Bennett, Mayor

Date \_\_\_\_\_



## AGENDA ITEM SUMMARY FORM

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**MEETING DATE:** August 3, 2021

**ITEM TITLE:** Planning Board Appointment

**ITEM SUMMARY:**

We have received an application from Richard Garganski (95 Osprey Ln.) to fill the currently vacant Alternate 2 position on the Town Planning Board. The term for the position began on July 1, 2021 and expires on June 30, 2024. There are currently no other applications on file.

**STAFF RECOMMENDATION:**

Appointment of Richard Garganski to fill the Alternate 2 position on the Town Planning Board.

**REQUESTED ACTION:**

Motion to appoint Richard Garganski as Alternate 2 on the Town Planning Board.

**TOWN OF SOUTHERN SHORES  
BOARD VOLUNTEER APPLICATION**

Item 7.

DATE: 7-16-2021

Municipal Board(s), Commission(s), or Committee(s) interested in:

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NAME: RICHARD A. GALGANSKI PHONE: (HOME) 252-619-6541

PHONE: (WORK) \_\_\_\_\_

Email: COROLLA FIRE CHIEF6@GMAIL.COM

ADDRESS: 95 OSPREY LN SOUTHERN SHORES

OCCUPATION (Past & Present)

FIRE CHIEF (RET)

TRAILER DRIVER

FIRE CHIEF (RET)

EMPLOYER

COROLLA FIRE & RESCUE INC.

WRITTEN PARCEL SERVICE

HILLSBOROUGH TWP, N.J.

EDUCATIONAL BACKGROUND

School(s)

Dates

Area of Study

Cert or Degree

HIGH SCHOOL

1972

EXTENSIVE FIRE CERTS

EQ-HIGH RISE - HAZ-MAT - CONDOS  
CONSTRUCTION

Specific experiences, training or interest, which you have that you feel would be useful in the work of this Board, Commission, or Committee: (Use additional pages if needed)

FIRE CHIEF / FIRE ADVISORY BOARD / TRC-TECHNICAL REVIEW COMMITTEE  
ARCHITECTURAL COMMITTEE - MOTELRAY SHORES

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# SOUTHERN SHORES PLANNING BOARD

**BOARD MEMBER STATUS AS OF 6/30/2021**

[illegible]

SOUTHERN SHORES PLANNING BOARD  
*BOARD MEMBER STATUS AS OF 6/30/2021*




## AGENDA ITEM SUMMARY FORM

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**MEETING DATE:** August 3, 2021

**ITEM TITLE:** Approval of Planning Board Officers

**ITEM SUMMARY:**

At the July 19, 2021 Planning Board meeting, the Board reelected Andy Ward as Chairperson and Tony DiBernardo as Vice Chairperson. Section 24-24 of the Town Code states that the Planning Board shall elect its Chairperson and Vice Chairperson subject to the approval of the Town Council. If approved, they will serve as Chairperson and Vice Chairperson until July, 2022 when the next election of officers is held.

**STAFF RECOMMENDATION:**

Approval of Andy Ward as Chairperson and Tony DiBernardo as Vice Chairperson.

**REQUESTED ACTION:**

Motion to approve Andy Ward as Chairperson and Tony DiBernardo as Vice Chairperson on the Town Planning Board.





## AGENDA ITEM SUMMARY FORM

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**MEETING DATE:** August 3, 2021

**ITEM TITLE:** Public Hearing-TCA-21-06 General Requirements (Lots)

**ITEM SUMMARY:**

At the June 1, 2021 Town Council meeting, Council conditionally approved PSP-21-01 and instructed the Planning Board to recommend a Town Code amendment that would eliminate the possibility of subdividing property that does not have frontage on a public street. At the June 21, 2021 Planning Board meeting, Town Staff provided and the Planning Board recommended approval of ZTA-21-07, Lot Access Requirements. After further review of ZTA-21-07, it was determined that the ZTA would render existing lots with frontage on an easement nonconforming and Council took no action on it at the July 6, 2021 Town Council meeting. TCA-21-06 removes the possibility of creating a new lot or lots that only have frontage on an easement in Section 30-96 (f). It also removes suggestions with the word "should" in Section 36-96 (f) and (g), as recommended by the Planning Board.

**STAFF RECOMMENDATION:**

Town Staff has determined that the proposed amendments are consistent with the Town's currently adopted Land Use Plan and Town Staff recommends approval of the proposed TCA. The Town Planning Board unanimously recommended approval (6-0) of the TCA, with additional amendments to Section 30-96 (f) and (g), at the July 19, 2021 Planning Board meeting.

**REQUESTED ACTION:**

Motion to approve TCA-21-06.

## STAFF REPORT

**To:** Southern Shores Town Council  
**Date:** August 3, 2021  
**Case:** TCA-21-06  
**Prepared By:** Wes Haskett, Deputy Town Manager/Planning Director

### **GENERAL INFORMATION**

**Applicant:** Town of Southern Shores

**Requested Action:** Amendment of the Town Subdivision Ordinance by amending Section 30-96, General Requirements

### **ANALYSIS**

At the June 1, 2021 Town Council meeting, Council conditionally approved PSP-21-01 and instructed the Planning Board to recommend a Town Code amendment that would eliminate the possibility of subdividing property that does not have frontage on a public street. At the June 21, 2021 Planning Board meeting, Town Staff provided and the Planning Board recommended approval of ZTA-21-07, Lot Access Requirements. After further review of ZTA-21-07, it was determined that the ZTA would render existing lots with frontage on an easement nonconforming and Council took no action on it at the July 6, 2021 Town Council meeting. TCA-21-06 removes the possibility of creating a new lot or lots that only have frontage on an easement in Section 30-96 (f). It also removes suggestions with the word “should” in Section 36-96 (f) and (g), as recommended by the Planning Board.

The Town’s currently adopted Land Use Plan contains the following Policy that is applicable to the proposed TCA:

- **Policy 2:** The community values and the Town will continue to comply with the founder’s original vision for Southern Shores: a low-density residential community comprised of single-family dwellings on large lots (served by a small commercial district for convenience shopping and services located at the southern end of the Town. This blueprint for land use naturally protects environmental resources and fragile areas by limiting development and growth.

### **RECOMMENDATION**

Town Staff has determined that the proposed amendments are consistent with the Town’s currently adopted Land Use Plan and Town Staff recommends approval of the proposed TCA. The Town Planning Board unanimously recommended approval (6-0) of the TCA, with additional amendments to Section 30-96 (f) and (g), at the July 19, 2021 Planning Board meeting.



## Town of Southern Shores

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TCA-21-06

### 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-801, the Town of Southern Shores (the “Town”) may enact and amend ordinances regulating the subdivision of land within its planning and development regulation jurisdiction. Pursuant to this authority, the Town has adopted a comprehensive subdivision ordinance (the “Town’s Subdivision Ordinance”) and has codified the same as Chapter 30 of the Town’s Code of Ordinances (the “Town Code”); and

**WHEREAS**, the Town further finds that in accordance with the finding above it is in the interest of and not contrary to the public's health, safety, and general welfare for the Town to amend the Town’s Subdivision Ordinance and Town Code of Ordinances as stated below.

#### ARTICLE II. Construction.

For purposes of this ordinance amendment, underlined words (underline) shall be considered as additions to existing Town Code language and strikethrough words (~~strikethrough~~) shall be considered deletions to existing language. Any portions of the adopted Town Code which are not repeated herein, but are instead replaced by an ellipses (“...”) shall remain as they currently exist within the Town Code.

#### ARTICLE III. Amendment of Subdivision Ordinance.

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

**PART I.** That **Sec. 30-96. General requirements.** Be amended as follows:

#### **Sec. 30-96. General requirements.**

- (a) *Conformity to existing maps or plans.* The location and width of all proposed roads shall be in conformity with official plans or maps of the town and with existing or amended plans of the planning board.

- (b) *Continuation of existing roads.* The proposed road layout shall be coordinated with the existing road system of the surrounding area and, where possible, existing principal roads shall be extended.
- (c) *Access to adjacent properties.* Where, in the opinion of the planning board, it is desirable to provide access to an adjoining property, proposed roads shall be extended by dedication to the boundary of such property and a temporary turnaround shall be provided.
- (d) *Large tracts or parcels.* Where land is subdivided into larger parcels than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future roads and logical further resubdivision.
- (e) *Contour map.* A subdivider shall submit to the planning board a contour map of a specified interval or a grid survey on 200-foot grids, or smaller if specified, to show natural drainage and improved street locations.
- (f) *Lots.* All lots shall front upon a public road ~~or access easement. Double frontage lots should be avoided.~~
- (g) *Road names.* Proposed roads which are obviously in alignment with existing roads ~~should~~ shall be given the same name. In assigning new names, the proposed name shall not duplicate an existing name or ~~duplication should be avoided and in no case should the proposed name~~ be phonetically similar to existing names, irrespective of the use of the suffix: street, avenue, boulevard, drive, place, court, etc.
- (h) *Solid waste collection.* The planning board may require for each 25 lots an easily accessible site, not exceeding 400 square feet, to be reserved for the location of a solid waste container or containers for the unrestrained use of public or private waste collection.

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

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

#### **ARTICLE V. Severability.**

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

#### **ARTICLE VI. Effective Date.**

1  
2 This ordinance amendment shall be in full force and effect from and after the \_\_\_\_ day of  
3 \_\_\_\_\_, 2021.  
4

5  
6 \_\_\_\_\_  
Tom Bennett, Mayor

7 ATTEST:  
8

9 \_\_\_\_\_  
10 Town Clerk  
11

12  
13 APPROVED AS TO FORM:  
14

15 \_\_\_\_\_  
16 Town Attorney  
17

18 Date adopted:  
19

20 \_\_\_\_\_  
21 Motion to adopt by Councilmember:  
22

23 \_\_\_\_\_  
24 Motion seconded by Councilmember:  
25

26  
27 Vote: \_\_\_\_AYES\_\_\_\_NAYS