



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, August 02, 2022 at 5:30 PM

AGENDA

Call Meeting to Order

Pledge of Allegiance

Moment of Silence

Amendments to / Approval of Agenda

Consent Agenda

1. FY 2022-2023 Budget Amendments #2-#11 Encumbered Funds
2. Approval of Minutes-July 5, 2022 (emailed to council)

Staff Reports

Deputy Town Manager / Planning Director

- July Permit Report
- Planning Board Report

Police Chief

Fire Chief

Town Manager

- Beach Nourishment Update
- 2022 Street Improvement Project Update
- Water Main Break 7/21/22 Follow-up

Town Attorney

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

Old Business

New Business

3. Southern Shores Fire Department Relief Fund Appointment (Town Rep) - Tim Rhodes
4. Certification of Municipal Declaration To Repeal Speed Limits and Request for Concurrence
5. Consideration of CAMA Land Use Plan Update Proposals
6. Public Hearing-ZTA-22-07, a Zoning Text Amendment application submitted by the Town of Southern Shores to amend multiple Articles in Chapter 36, Zoning to be consistent with N.C.G.S. 160D.
7. Approval of Planning Board Officers
8. Tourism Board Grant-Sidewalk on East Side of NC12 Between NC12/Ocean Blvd. Split to East Dogwood

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

Council Business**Closed Session**

9. Closed Session-Pursuant to NCGS § 143-318.11(3) Attorney-Client Privilege and NCGS § 143-318.11(6) Town Manager's Annual Evaluation

Adjourn

Town of Southern Shores Budget Amendment Number # 2

Streets

Increases

[illegible]

Decreases

[illegible]

Explanation: Contract was entered into prior to June 30 with Fred Smith for work to be done on the Town's Streets. This is work listed as year 1 in the Pavement Plan for the Town and reflects the cost of the project plus a 15% contingency. Money was budgeted in FY 21-22 but was not spent.

Recommended By:

Approved By: Town Council

Cliff Ogburn, Town Manager

Elizabeth Morey, Mayor

Date _____

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

Streets

Increases

Decreases

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
40-39909	<u>Revenues</u> Unassigned Fund Balance	\$19,527			
57-50906	<u>Expenditures</u> Street Maintenance	\$19,527			
TOTAL			TOTAL		\$ -

Explanation: Money budgeted in FY 21-22 to repair sidewalk at Wood Duck Crosswalk

Recommended By:

Cliff Ogburn, Town Manager

Approved By: Town Council

Elizabeth Morey, Mayor

Date _____

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

Public Works

Increases

[illegible]

Decreases

[illegible]

Explanation: Money budgeted in FY 21-22 to repair roof at PW building and door repair and window at Police Dept.

Recommended By:

Cliff Ogburn, Town Manager

Approved By: Town Council

Elizabeth Morey, Mayor

Date _____

**Town of Southern Shores
Budget Amendment Number # 5**

Public Works

Increases[illegible]

Explanation: Money budgeted in FY 21-22 for roll back service for trash cans.

Recommended By:

Cliff Ogburn, Town Manager

Approved By: Town Council

Elizabeth Morey, Mayor

Date _____

**Town of Southern Shores
Budget Amendment Number # 6**

Public Works

Increases

[illegible]

Decreases

[illegible]

Explanation: Money budgeted in FY 21-22 for beach grass. Grass will be purchased and planted after the beach nourishment project is completed in Town.

Recommended By:

Approved By: Town Council

Cliff Ogburn, Town Manager

Elizabeth Morey, Mayor

Date _____

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

Police Increases

Decreases

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
40-39909	<u>Revenues</u> Unassigned Fund Balance	\$4,829			
51-50127	<u>Expenditures</u> Uniforms	\$4,829			
TOTAL			TOTAL		\$ -

Explanation: Money budgeted in FY 21-22 for uniforms for Police.

Recommended By:

Cliff Ogburn, Town Manager

Approved By: Town Council

Elizabeth Morey, Mayor

Date

**Town of Southern Shores
Budget Amendment Number # 8**

Police Increases

Decreases

[illegible]

Explanation: Money budgeted in FY 21-22 for purchase of RMS system for Police.

Recommended By:

Cliff Ogburn, Town Manager

Approved By: Town Council

Elizabeth Morey, Mayor

Date _____

Town of Southern Shores
Budget Amendment Number # 9

Police Increases

Decreases

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
40-39909	<u>Revenues</u> Unassigned Fund Balance	\$9,234			
51-50151	<u>Expenditures</u> Equipment Purchase	\$9,234			
TOTAL			TOTAL		\$ -

Explanation: Money budgeted in FY 21-22 for purchase of gun holsters and car radios for Police.

Recommended By:

Approved By: Town Council

Cliff Ogburn, Town Manager

Elizabeth Morey, Mayor

Date _____

**Town of Southern Shores
Budget Amendment Number # 10**

Police Increases

Decreases

<u>Account Number</u>	<u>Description</u>	<u>Amount</u>	<u>Account Number</u>	<u>Description</u>	<u>Amount</u>
40-39909	<u>Revenues</u> Unassigned Fund Balance	\$540			
51-50125	<u>Expenditures</u> Vehicle Maintenance	\$540			
TOTAL			TOTAL		\$ -

Explanation: Money budgeted in FY 21-22 to remove roof wrap from Police vehicle.

Recommended By:

Cliff Ogburn, Town Manager

Approved By: Town Council

Elizabeth Morey, Mayor

Date _____

Town of Southern Shores
Budget Amendment Number # 11

Admin Increases

Decreases

[illegible]

Explanation: Money budgeted in FY 21-22 to install required PCI Compliance line for credit card machine.

Recommended By:

Approved By: Town Council

Cliff Ogburn, Town Manager

Elizabeth Morey, Mayor

Date _____

**TOWN OF SOUTHERN SHORES****TOWN COUNCIL REGULAR MEETING**

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PITTS CENTER

Tuesday, July 05, 2022 at 5:30 PM

MINUTES**Call Meeting to Order**

Pledge of Allegiance

Moment of Silence

Present

Mayor Elizabeth Morey

Mayor pro tem Matt Neal

Council Member Leo Holland

Council Member Paula Sherlock

Absent

Council Member Mark Batenic

Amendments to / Approval of Agenda

Motion made by Council Member Holland to approve the agenda as presented, Seconded by Council Member Sherlock. The motion passed unanimously (4-0).

Voting Yea: Mayor Morey, Mayor pro tem Neal, Council Member Holland, Council Member Sherlock

Consent Agenda

The consent agenda consisted of the following:

1. Pickups & Releases -Tax Dept.
2. Approval of Minutes- June 7, 2022 & June 21, 2022

Motion made by Council Member Sherlock to approve the consent agenda as presented, Seconded by Council Member Holland. The motion passed unanimously (4-0).

Voting Yea: Mayor Morey, Mayor pro tem Neal, Council Member Holland, Council Member Sherlock

Staff Reports

Deputy Town Manager / Planning Director presented the June Permit Report. He further reported the

Planning Board will be meeting on July 18th at 5:00 p.m. Items of discussion will be ZTA 22-08 submitted by Casey Varnell and ZTA 22-07 submitted by the town to amend multiple articles in Chapter 36. The RFP for Land Use Plan update proposals are due July 22nd at 5:00 p.m.

Police Chief David Kole presented the month of July's Police Department report.

Fire Chief Ed Limbacher presented the month of July's Fire Department report.

Town Manager Cliff Ogburn provided a summary of operational highlights:

Traffic Update-the Town has made a strong effort to try and educate the public and tourist to stay on NC12 and 158 to avoid the congestion within the interior streets. The Mayor has created an educational video, met with the neighboring towns, the Tourist Bureau, and pleaded with property managers. He stated barricades this year have had a different effect than last year. While creating relief for some it has made worse problems and South Dogwood Trail is backed up to the cemetery. Public safety is an issue and suggested the barricades be removed until the volume of tourist traffic decreases to a manageable amount. The Town owns the streets but that makes them public streets, they are not private. Just by essence of the Town owning something, it's public not private. We have the authority to regulate but must do so uniformly.

2022 Street Improvement Project Update-last Thursday was the pre-construction meeting with Fred Smith Co. Once confirmed a graph with street schedule will be placed on the Town website. It will include what it entails and street segments.

Town Attorney Gallop had nothing to report but thanked Council for allowing him to serve as Town Attorney.

Mayor Morey stated it was a very busy weekend. What Council has been told by the Police Chief and Fire Chief is the more barricades that you put up on streets the more potential for public safety incidents. To reduce public safety incidents is one of the reasons to take some time off from the barricades. It has also created tension between the residents and the those driving through our town. The barricades may be good for some but bad for others, a similar pattern as last year. We are a unique town where people drive through our town to get to other destinations but also to destinations in Town, such as the country club, school, and church. The only good part is the heavy bumper to bumper traffic tends to be mostly Saturday afternoons. Mayor Morey further stated she is continuing to reach out to property management companies to stagger more check-in days.

Council Member Sherlock asked Town Manager Ogburn if the 4th of July weekend is typically the heaviest traffic weekend of the summer? Mr. Ogburn confirmed that was correct.

Council Member Sherlock stated Council was forwarded the emails received from residents about the weekend without barricades and it was a mix bag of response. Some residents applauded us for it, others felt it was the worst idea ever. She agreed with the mayor in where you live determines how you are affected and encouraged residents to email the Council or manager and let them know how it affects you.

Council Member Holland stated Hillcrest was hit heavy this past weekend. He is concerned with the incidents between residents and guests and residents with other residents.

Mayor pro tem Neal stated Saturday was horrendous for the northern streets and empathized with the residents on those streets. This past weekend there was 15,000 cars traveling, 5000 of them through Southern Shores streets. Physically trying to manage that level is not feasible.

Council Member Sherlock asked if RV's and boats with trailers could be prohibited on the streets. Town Manager Ogburn stated there can be a weight limit.

General Public Comment

None

Old Business

None

New Business

3. Consideration of Kimley Horn Contract- Trinitie/Juniper Culvert Bridge

Town Manager Ogburn presented the agenda item which read as, The Town Council has been discussing options for replacement of the culvert over Canvases Back Canal on Trinitite Trail.

Issues with the culvert date back to before 1994 when repairs were performed due to similar issues as today. Replacement of the culvert began in January 2012 and was completed in March 2012. Due to soil settling around the culvert, which created depressions in the road, repairs were performed in July 2012, January 2013, and October 2014.

A February 2017 inspection showed that the culvert itself had not appeared to have settled. However, since the original replacement and subsequent reinforcement of the culvert along with fill on both sides being re-packed and settled, the areas on both sides of the culvert continue to settle and produce impressions in the surface of the street on either side of the culvert. Several evaluations for structural integrity have been provided in recent years, most recently in February of 2022. The report concluded in part that it is extremely likely erosion/soil migration from under the roadbed as well as around the culvert walls of the canal below the water surface, and to some extent to the sides of the embankments, is occurring. This is to be expected given the inappropriate design evidenced by:

1. small vertical depth from top of culvert to road surface above and
2. relatively large vertical surface over which to distribute effectively and proportionately the tieback forces and
3. age of the culvert bridge.

The report further states that regardless of how well backfill is compacted, a certain amount is likely over time, especially with repeated vehicular loads. This is further impacted by organic materials like tree stumps and other vegetative organic matter involved in the process under the loaded vehicular area and slightly outside of the loaded vehicular area. Even properly compacted backfills can and do settle over time, more so with repeated loading. The unequally applied soil loads on the top and sides of the culvert are likely causing inward culvert wall movement and it's only natural to expect settlement in the locations where it is occurring.

Kimley-Horn was asked to prepare conceptual level structure plans for three different alternatives to replace the existing pipe culvert. The alternatives include a cast-in-place reinforced concrete slab bridge, a cored slab bridge, and a prefabricated buried arch structure.

The scope of services under this proposal include:

Task 1 Preliminary Hydraulic Study and Technical Memo - \$8,000
 Task 2 Conceptual Roadway Design - \$10,000
 Task 3 Conceptual Structural Plans - \$20,000
 Task 4 Preliminary Utility Coordination - \$5,000
 Total Lump Sum Labor Fee - \$43,000

In North Carolina, the procurement of professional services performed by architects, engineers, surveyors, and construction managers at risk is governed by G.S. 143-64.31, sometimes referred to as the “Mini-Brooks Act.” Local government can exempt themselves from these requirements under G.S. 143-64.32 which reads “Units of local government or the North Carolina Department of Transportation may in writing exempt particular projects from the provisions of this Article in the case of proposed projects where an estimated professional fee is in an amount less than fifty thousand dollars (\$50,000).”

Rather than attempt to maintain what is in place now and experience continued settlement of the road, staff feels it is prudent to determine other, more effective, and lasting means for replacement. Staff recommends approval of the proposal as submitted so the Town Council can consider other options for replacement. It is further recommended that the Town exercise a “Mini-Brooks” exemption by approving the attached resolution.

Motion made by Council Member Sherlock to approve a budget amendment (funds from unassigned fund balance) not to exceed \$43,000 for Kimley-Horn to provide conceptual replacements for the Trinitie Trail Culvert, Seconded by Council Member Holland. The motion passed unanimously (4-0).

Motion made by mayor pro tem Neal to approve Resolution 2022-07-01 exempting the Town from the “Mini-Brooks Act” for the proposed work, Seconded by Council Member Holland. The motion passed unanimously (4-0).

Motion made by Council Member Holland to authorize the Town Manager to execute the attached agreement with Kimley-Horn to provide conceptual replacements for the Trinitie Trail Culvert, Seconded by Council Member Sherlock. The motion passed unanimously (4-0).

Mayor Morey asked Town Manager Ogburn if this big scope of work was typical and if bidders would use the conceptual **proposals** from Kimley Horn for bidding. Town Manager Ogburn confirmed the work is typical and yes it would be used for bidding the project.

General Public Comment

None

Council Business

Mayor Morey announced her Mayor’s Chat scheduled for Wednesday, July 13th. The next Council meeting will be held August 2nd.

Mayor pro tem Neal and other members of Council thanked Town Attorney Gallop for his years of service to the Town.

Council Member Holland provided a Tourism Board report for the month of April. He stated occupancy was up 14%, 10% year to date. Meals were up 14%, 12% year to date. A Tourism Summit meeting will take place November 3, 2022, further details will follow soon.

Adjourn

By Consensus of all Council, the meeting was adjourned at 6:17 p.m.

ATTEST:

Respectfully submitted,

A. Elizabeth Morey, Mayor

Sheila Kane, Town Clerk

The attached documents are incorporated herewith and are hereby made a part of these minutes.



AGENDA ITEM SUMMARY

MEETING DATE: August 2, 2022

ITEM TITLE: Southern Shores Fire Department Relief Fund (Town Rep)

ITEM SUMMARY: Southern Shores Volunteer Fire Department for appointment of a Southern Shores citizen as a Trustee to the Southern Shores Fire District Firefighters' Relief Fund Board of Trustees.

The Fire Department Relief Fund is a board of five members, two of which are appointed by the Town Council. The Fire Chief serves as a tiebreaker vote only.

Tim Rhodes from 180 Clam Shell Trail is the recommendation from the Southern Shores Volunteer Fire Department for appointment of a Southern Shores citizen as a Trustee to the Southern Shores Fire District Firefighters' Relief Fund Board of Trustees. The Fire District Firefighters' Relief Fund is governed by state statutes of Article 84 of Chapter 58.

REQUESTED ACTION: appoint Tim Rhodes as a Trustee to the Southern Shores Fire District Firefighters' Relief Fund Board of Trustees.



AGENDA ITEM SUMMARY # _____

MEETING DATE: August 2, 2022

ITEM TITLE: Certification of Municipal Declaration to Repeal Speed Limits and Request Concurrence

ITEM SUMMARY: In May of 2021, the Town Council discussed and considered a request for a lower speed limit on NC 12 through Southern Shores. As part of that discussion, a traffic study was requested of NCDOT to receive a recommendation based on data so as to have a basis for establishing the appropriate speed limit. In some cases, a municipality will request a specific speed limit for NCDOT to consider. The results of the study in that case will either confirm or contradict the request as the appropriate speed. The Town requested a study to determine what the recommended speed limit for NC 12 should be. The study considers several variables other than speed.

Roadways are initially designed to accommodate certain speeds. If requested for a State Highway System Road, a traffic engineer will perform an engineering and traffic investigation to determine the appropriate speed limit. These investigations examine:

- Road surface characteristics, shoulder conditions, roadway alignment and sight distance.
- Commercial and residential development, and roadside friction (number of driveways, parking, pedestrians, etc.).
- Safe speed for curves and other locations along the section of road being studied.
- Frequency and severity of crashes.
- 85th percentile speed —the speed at or below which 85 percent of the traffic is moving.

At present, the speed limit on NC 12 in Southern Shores is 45 mph except during May 15 to September 15 when the speed limit drops to 35 mph from the southern town line to Trout Run. The results of the study indicate that the present speed limits are consistent with the 85th percentile speed. Motorists traveling above the 85th percentile speed are considered to be exceeding the safe and reasonable speed for road and traffic conditions. The 85th percentile speed should be taken from speed data collected during a 24-hour weekday period. Data for this study was collected during all four seasons in the year.

USLIMITS2 is a web-based tool designed to help practitioners set reasonable, safe, and consistent speed limits for specific segments of roads. For experienced engineers like those in our Division, USLIMITS2 can provide an objective second opinion and increase confidence in speed limit setting decisions. The USLIMITS2 recommendation is 40 mph.

Based upon all the criteria and data evaluated, the report's recommendation is to lower the speed limit the entire stretch of NC 12 through Southern Shores from 45 mph to 35 mph during the full year.

STAFF RECOMMENDATION: The NC General Statutes are written to give "local authorities" the authority upon the bases of an engineering and traffic investigation to set speed limits on state roads through their locality. Setting the speed limit at a consistent rate through town would be less confusing to all motorists. The lower speeds during the summer months were determined to be appropriate. The recommendation from the study performed by professional traffic engineers recommends the speed limit be 35 mph through town the entire year. Staff recommends that the Town Council concur with this recommendation. Shoulder seasons are reaching well beyond September and traffic remains heavy during a larger portion of the year. This increase in traffic will likely continue to make the case for the lower speed limit. The Council should be aware that the lower speed limit will permit LSV (low speed vehicles) to travel all of NC 12 year-round.

REQUESTED ACTION: A motion to repeal the present speed limits on NC 12 through Southern Shores and concur with the recommendation to set the speed limit to 35 mph during the full year.

ATTACHMENTS:

- 1- Traffic study report to determine appropriate speed for NC 12 through Southern Shores
- 2- NC DOT brochure on determining speed limits
- 3- North Carolina General Statute 20-141. Speed restrictions.

[Reset All Pages](#)
NCDOT Speed Limit Review - Data Collection OFFICE Worksheet

Item 4.

Date: 6/15/2022 **Reference #:** _____ **Completed By:** J Davidson

County: Dare **Municipality:** Southern Shores **NCDOT Route ID:** NC 12

Study Road: NC 12 **Length:** 3.6 miles **Study Motivation:** Town Request

Study Segment Begins 0.163 miles south of Skyline Road
(distance) (units) (direction) (reference road)

Study Segment Ends 0.031 miles north of 13th Ave
(distance) (units) (direction) (reference road)

Current Speed Limit: 45/35 mph ☐ Statutory ☒ Ordinance # 1012378 & 1071604 **Terrain:** Flat/Level

Speed Limit Upstream of Starting Point: 35 mph ☒ Statutory ☐ Ordinance # _____

Speed Limit Downstream of Ending Point: 35 mph ☒ Statutory ☐ Ordinance # _____

Past Speed Studies

Date: 2017 Result: Reduced the speed limit seasonally to 35mph.

Date: _____ Result: _____

Road Classification & Area Type

Functional Class: Rural-Arterials-Minor **NCDOT Complete Street Area Type:** Rural Village Main Street

AADT: 12,000 vehicles per day

Driveway/Intersection/Offset

Number of Driveways by Type: 2 Business 202 Residential _____ Other: _____

Driveway Density: ☒ Consistent throughout segment
☐ Considerable variation throughout segment

Number of Intersections by Type: 4 Signalized 21 Unsignalized

Typical Building Offset to Roadway: ☐ Consistent _____ feet (approximate)
☒ Varies from 50 to 90 feet (approximate)

Multimodal Facilities

	Y	N	Note:
Are schools present along the segment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Are parks or recreation areas present along the segment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Are pedestrian facilities present along the segment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Are transit facilities designated along the segment?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____
Are bicycle facilities designated along the segment?	<input checked="" type="checkbox"/>	<input type="checkbox"/>	_____
Is on-street parking designated?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	_____

Crashes

Date: 06 / 01 / 17 to 05 / 31 / 22 TEAAS Mile Post: 74.192 to 77.792

Fatal: 1 A: 2 B: 7 C: 14 PDO: 130

Total Rate: 78.88 per 100 million VMT State-wide rate for road type: 60 per 100 million VMT

NCDOT Speed Limit Review - Data Collection FIELD Worksheet

Item 4.

Date: 6/15/2022

Reference #: _____

Completed By: J DavidsonCounty: DareCurrent Speed Limit: 45/35 mphStudy Road: NC 12 from Pelican Watch to 13th Ave

Surface Treatment

Typical Pavement Width: 24 feetPavement Type: ☒ Asphalt ☐ Concrete ☐ Dirt/Gravel ☐ Other: _____Pavement Condition: ☒ Good/Fair ☐ Poor ☐ NoneMarking Condition: ☒ Good/Fair ☐ Poor ☐ NoneMedian Type: ☒ None ☐ Traversable ☐ Non-Traversable Width: _____ feetTotal # of Thru Lanes: 2 Typical Lane Width: 11 feetTWLTL Present? ☒ Yes ☐ No

Shoulders

Typical Shoulder Width: 1 feet paved ☐ Varies from _____ to _____ feet
10 feet unpaved ☐ Varies from _____ to _____ feetShoulder Condition: ☒ Good/Fair ☐ PoorRecoverable Shoulder: ☒ Yes ☐ No Comment: _____Curb: ☐ Vertical ☐ Sloped ☒ NoneTypical Distance to Roadside Hazards: _____ feet ☒ Varies from 6 to 15 feetRoadsize Hazard Rating: 4

Driving Investigation

Conduct a driving investigation of the segment and note any areas with potentially inadequate sight distance, vertical alignment, or horizontal alignment. Include comments on locations where travel speed is constrained. Attach ball-bank study sheet if needed.

Notes: No major curves. A lot of vegetation minimizing sight distance along route.

Check as appropriate

Pedestrian Activity Observed/Expected: ☐ None ☐ Low ☐ Medium ☒ HighBicycle Activity Observed/Expected: ☐ None ☐ Low ☐ Medium ☒ HighTruck Activity Observed/Expected: ☐ None ☐ Low ☐ Medium ☒ High

Operating Speed Study

Result of current operating speed study (this may include the results from US Limits 2): _____

Off Season 45mph 85th percentile. In Season 35mph 85th percentile. US Limits2 recommended 40mph.

Purpose of Road

Explain the main purpose of the road. See user guide for examples. _____

Main and only route to northern Outer Banks. High amounts of tourists traversing the area.

Item 4.

Use this sheet to record any additional notes about the study segment or the data collection effort. Note any warning or regulatory signs missing or in visible need of replacement or repair. An image or drawing of the site may be provided at the bottom.

[illegible]

Include major intersecting roads and label each intersection control type

intersection control type

Description of any photographs attached (complete as necessary)

Notes:

Check as appropriate and list additional attachments

- ☒ Strip Analysis/Crash Data
 ☒ Features Report
 ☐ Neighborhood Petition
☐ Photographs
 ☐ Speed Data
 ☐ Ball Bank Study Form
☒ Aerial _____

NCDOT Speed Limit Review - Speed Limit Assessment Worksheet

Item 4.

Date: 6/15/2022

Reference #: _____

Completed By: J DavidsonCounty: DareCurrent Speed Limit: 45/35 mphStudy Road: NC 12 from Pelican Watch to 13th Ave

This worksheet helps to record the elements considered by the engineer when determining a speed limit. For each element, place an X in the appropriate column depending on whether the element supports increasing the speed limit, decreasing the speed limit, or maintaining the current speed limit.

In the far column, check the box if the element is critical in determining the speed limit for this road.

Element	Not Evaluated/ Not Applicable	Supports Reducing Speed Limit	Supports No Change in Speed Limit	Supports Increasing Speed Limit	Check If Element is Critical
Road Classification & Area Type		✓			<input checked="" type="checkbox"/>
Driveways / Intersections / Offset		✓			<input checked="" type="checkbox"/>
Multimodal Facilities		✓			<input checked="" type="checkbox"/>
Crashes		✓			<input checked="" type="checkbox"/>
Surface Treatment			✓		<input checked="" type="checkbox"/>
Shoulders			✓		<input checked="" type="checkbox"/>
Driving Investigation			✓		<input checked="" type="checkbox"/>
Operating Speed Study			✓		<input checked="" type="checkbox"/>
Purpose of Road		✓			<input checked="" type="checkbox"/>
Neighborhood Petition		✓			<input checked="" type="checkbox"/>
Statutory Speed Limit		✓			<input checked="" type="checkbox"/>
Other:					<input type="checkbox"/>
Other:					<input type="checkbox"/>
Other:					<input type="checkbox"/>

Recommended Speed Limit: 35 mph☐ Ordinance # _____☐ Ordinance # _____☐ Ordinance # _____

Item 4.

Include any additional factors which influenced the recommended speed limit. This could include observed traffic conflicts, conditions not readily apparent to the driver (e.g. hidden driveways, schools, shopping centers, seasonal generators, or generators which create unique traffic conditions), or known tourist facility. It may also include consistency with other nearby similar roads.

[illegible]

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Study Criteria Summary

County: DARE **City:** All and Rural
Date: 6/1/2017 to 5/31/2022 **Study:** SOUTHERNSHORES2022
Location: NC 12 through Southern Shoes.

Report Details

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
1	106628635	74.215	07/10/2021 10:53	REAR END, SLOW OR STOP	\$ 1500	0	0	0	1	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 20 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 20 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
2	105367851	74.234	01/06/2018 22:17	RAN OFF ROAD - RIGHT	\$ 2000	0	0	0	0	4	5	1		11		
Unit	1 : 1	Alchl/Drgs:	7	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
3	105972275	74.234	08/13/2019 18:32	REAR END, SLOW OR STOP	\$ 8000	0	0	0	0	1	1	1	1	0	14	1
Unit	1 : 1	Alchl/Drgs:	0	Speed: 20 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 5 MPH Dir: S		Veh Mnvr/Ped Actn:				1	Obj Strk:					
4	106703896	74.234	09/12/2021 07:30	REAR END, SLOW OR STOP	\$ 6000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
5	105949537	74.240	07/27/2019 15:53	REAR END, SLOW OR STOP	\$ 9000	0	0	0	0	1	1	1	1	0	10	2
Unit	1 : 1	Alchl/Drgs:	0	Speed: 40 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	7	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				1	Obj Strk:					
6	105621615	74.274	09/18/2018 11:30	REAR END, SLOW OR STOP	\$ 9000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				1	Obj Strk:					
7	105197815	74.336	07/30/2017 09:06	REAR END, SLOW OR STOP	\$ 1300	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	7	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
8	105891774	74.351	05/01/2019 09:58	REAR END, SLOW OR STOP	\$ 8500	0	0	1	0	1	1	1	1	0	0	1
Unit	1 : 1	Alchl/Drgs:	0	Speed: 40 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 5 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					

07/26/2022

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-1-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
9	105169489	74.355	07/01/2017 11:10	REAR END, SLOW OR STOP	\$ 2500	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drugs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drugs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
Unit	3 : 4	Alchl/Drugs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
10	105158689	74.355	07/02/2017 19:35	LEFT TURN, DIFFERENT ROADWAYS	\$ 6000	0	0	0	0	3	1	3	1	1	1	1
Unit	1 : 1	Alchl/Drugs:	0	Speed: 5 MPH Dir: E		Veh Mnvr/Ped Actn:				8	Obj Strk:					
Unit	2 : 5	Alchl/Drugs:	0	Speed: 30 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
11	105197016	74.355	08/03/2017 19:44	PEDESTRIAN	\$ 50	0	0	1	0	1	1	1	1	0	1	1
Unit	1 : 2	Alchl/Drugs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk: 15					
Unit	2 : 24	Alchl/Drugs:	7	Speed: 0 MPH Dir:		Veh Mnvr/Ped Actn:					Obj Strk: 15					
12	106282949	74.355	05/08/2020 13:06	ANGLE	\$ 7000	0	0	0	0	1	1	1	3	0	0	
Unit	1 : 5	Alchl/Drugs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				8	Obj Strk:					
Unit	2 : 2	Alchl/Drugs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
13	106625701	74.355	11/11/2020 13:31	PEDALCYCLIST	\$ 750	0	1	0	0	1	1	1	1	0	1	1
Unit	1 : 23	Alchl/Drugs:	0	Speed: 0 MPH Dir:		Veh Mnvr/Ped Actn:					Obj Strk: 15					
Unit	2 : 4	Alchl/Drugs:	0	Speed: 0 MPH Dir: E		Veh Mnvr/Ped Actn:				1	Obj Strk: 15					
14	106593392	74.356	05/22/2021 16:40	REAR END, SLOW OR STOP	\$ 3000	0	0	0	1	1	1	1	1	0	14	1
Unit	1 : 20	Alchl/Drugs:	0	Speed: 20 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 5	Alchl/Drugs:	0	Speed: 20 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
15	105169475	74.412	07/14/2017 15:11	REAR END, SLOW OR STOP	\$ 3000	0	0	0	0	1	1	1	1	0		
Unit	1 : 3	Alchl/Drugs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 5	Alchl/Drugs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				1	Obj Strk:					
16	105944412	74.440	07/05/2019 16:40	REAR END, SLOW OR STOP	\$ 2500	0	0	0	0	1	1	2	1	0	0	
Unit	1 : 1	Alchl/Drugs:	0	Speed: 15 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 5	Alchl/Drugs:	0	Speed: 5 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
17	105126099	74.485	06/05/2017 06:22	REAR END, SLOW OR STOP	\$ 1600	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 1	Alchl/Drugs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 1	Alchl/Drugs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				1	Obj Strk:					

07/26/2022

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-2-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
18	106939145	74.525	04/11/2022 09:49	REAR END, SLOW OR STOP	\$ 21000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
Unit	3 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
19	105212235	74.774	08/23/2017 14:04	REAR END, SLOW OR STOP	\$ 5200	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 5	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
20	105962309	74.855	08/07/2019 11:09	REAR END, SLOW OR STOP	\$ 1020	0	0	0	0	1	1	1	1	0		
Unit	1 : 4	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
21	106462037	74.879	01/11/2021 23:43	ANIMAL	\$ 2000	0	0	0	0	2	5	3	1	0	0	
Unit	1 : 31	Alchl/Drgs:	0	Speed: 40 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk: 17					
22	106740135	74.879	10/20/2021 18:28	REAR END, SLOW OR STOP	\$ 8000	0	0	0	0	1	2	1	1	11		
Unit	1 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
23	105891775	74.898	05/01/2019 10:50	LEFT TURN, SAME ROADWAY	\$ 2500	0	0	0	0	1	1	1	1	0	0	1
Unit	1 : 2	Alchl/Drgs:	0	Speed: 25 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 25 MPH Dir: NW		Veh Mnvr/Ped Actn:				9	Obj Strk:					
24	106284196	74.898	07/12/2020 15:53	REAR END, SLOW OR STOP	\$ 2500	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 5 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
25	106962923	74.936	05/16/2022 10:17	REAR END, SLOW OR STOP	\$ 1000	0	0	0	0	1	1	1		0		
Unit	1 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
26	106628636	74.946	07/13/2021 11:19	REAR END, SLOW OR STOP	\$ 3500	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 25 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 25 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					

07/26/2022

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-3-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
27	105174247	74.955	07/23/2017 05:26	ANIMAL	\$ 2000	0	0	0	0	1	5	1	1	0		3
Unit	1 : 2	Alchl/Drgs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				4		Obj Strk:			17	
28	106406213	74.955	11/07/2020 07:50	REAR END, SLOW OR STOP	\$ 13000	0	0	0	0	1	1	1	1	0	3	1
Unit	1 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				11		Obj Strk:				
Unit	2 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4		Obj Strk:				
29	106561726	74.963	08/23/2020 18:28	REAR END, SLOW OR STOP	\$ 7000	0	0	0	0	1	1	2	1	0	3	1
Unit	1 : 1	Alchl/Drgs:	0	Speed: 5 MPH Dir: S		Veh Mnvr/Ped Actn:				4		Obj Strk:				
Unit	2 : 4	Alchl/Drgs:	0	Speed: 5 MPH Dir: S		Veh Mnvr/Ped Actn:				4		Obj Strk:				
30	105197819	74.974	08/06/2017 11:46	OTHER COLLISION WITH VEHICLE	\$ 16000	0	0	0	0	1	1	1	1	0		
Unit	1 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: W		Veh Mnvr/Ped Actn:				4		Obj Strk:				
Unit	2 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4		Obj Strk:				
31	105213527	74.974	08/20/2017 08:55	PEDESTRIAN	\$ 0	0	0	0	1	1	1	1	1	0	3	1
Unit	1 : 2	Alchl/Drgs:	0	Speed: 0 MPH Dir: E		Veh Mnvr/Ped Actn:				12		Obj Strk:			14	
Unit	2 : 24	Alchl/Drgs:	0	Speed: 0 MPH Dir:		Veh Mnvr/Ped Actn:						Obj Strk:			14	
32	105481741	74.974	05/13/2018 10:31	REAR END, TURN	\$ 6000	0	0	0	0	1	1	1	1	0		
Unit	1 : 1	Alchl/Drgs:	0	Speed: 20 MPH Dir: N		Veh Mnvr/Ped Actn:				4		Obj Strk:				
Unit	2 : 4	Alchl/Drgs:	0	Speed: 5 MPH Dir: N		Veh Mnvr/Ped Actn:				7		Obj Strk:				
33	105738489	74.974	12/08/2018 12:33	REAR END, SLOW OR STOP	\$ 8000	0	0	0	0	1	1	2	1	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4		Obj Strk:				
Unit	2 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4		Obj Strk:				
34	105910170	74.974	05/18/2019 10:06	REAR END, SLOW OR STOP	\$ 7000	0	0	0	1	1	1	1	1	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1		Obj Strk:				
Unit	2 : 2	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				4		Obj Strk:				
35	105962489	74.974	08/03/2019 12:30	REAR END, SLOW OR STOP	\$ 3500	0	0	0	0	1	1	2	1	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 5 MPH Dir: N		Veh Mnvr/Ped Actn:				4		Obj Strk:				
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1		Obj Strk:				

07/26/2022

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-4-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
36	106554984	74.974	04/16/2021 20:26	PEDESTRIAN	\$ 3000	1	0	0	0	1	5	1	3	0	3	1
Unit	1 : 24	Alchl/Drgs: 7	Speed: 0 MPH	Dir:		Veh Mnvr/Ped Actn:				Obj Strk:			14			
Unit	2 : 4	Alchl/Drgs: 7	Speed: 45 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk: 14						
37	106593391	74.974	05/20/2021 16:02	REAR END, SLOW OR STOP	\$ 1000	0	0	0	0	1	1	1	1	0	3	1
Unit	1 : 4	Alchl/Drgs: 0	Speed: 0 MPH	Dir: S		Veh Mnvr/Ped Actn: 4				Obj Strk:						
Unit	2 : 1	Alchl/Drgs: 0	Speed: 35 MPH	Dir: S		Veh Mnvr/Ped Actn: 11				Obj Strk:						
38	106613348	74.974	06/30/2021 14:46	REAR END, SLOW OR STOP	\$ 7000	0	0	0	0	1	1	1	1	0	3	1
Unit	1 : 4	Alchl/Drgs: 0	Speed: 0 MPH	Dir: N		Veh Mnvr/Ped Actn: 1				Obj Strk:						
Unit	2 : 4	Alchl/Drgs: 0	Speed: 35 MPH	Dir: N		Veh Mnvr/Ped Actn: 1				Obj Strk:						
39	106654561	74.974	08/03/2021 12:42	LEFT TURN, SAME ROADWAY	\$ 10000	0	0	0	0	1	1	1	1	0	3	1
Unit	1 : 4	Alchl/Drgs: 0	Speed: 35 MPH	Dir: S		Veh Mnvr/Ped Actn: 1				Obj Strk:						
Unit	2 : 4	Alchl/Drgs: 0	Speed: 0 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
40	106628632	74.979	07/06/2021 16:07	REAR END, SLOW OR STOP	\$ 500	0	0	0	0	1	1	1	1	0	3	1
Unit	1 : 1	Alchl/Drgs: 0	Speed: 35 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
Unit	2 : 4	Alchl/Drgs: 0	Speed: 0 MPH	Dir: N		Veh Mnvr/Ped Actn: 1				Obj Strk:						
41	105158661	74.993	07/01/2017 15:00	REAR END, SLOW OR STOP	\$ 0	0	0	0	0	1	1	2	1	0	3	1
Unit	1 : 4	Alchl/Drgs: 7	Speed: 2 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
Unit	2 : 4	Alchl/Drgs: 7	Speed: 5 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
42	105944418	75.002	07/20/2019 08:23	REAR END, SLOW OR STOP	\$ 4000	0	0	0	0	1	1	1	1	0	0	1
Unit	1 : 4	Alchl/Drgs: 0	Speed: 20 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
Unit	2 : 1	Alchl/Drgs: 0	Speed: 5 MPH	Dir: N		Veh Mnvr/Ped Actn: 11				Obj Strk:						
43	106658660	75.004	08/14/2021 15:46	REAR END, SLOW OR STOP	\$ 5000	0	0	0	0	1	1	1	3	0	0	
Unit	1 : 2	Alchl/Drgs: 0	Speed: 30 MPH	Dir: N		Veh Mnvr/Ped Actn: 11				Obj Strk:						
Unit	2 : 2	Alchl/Drgs: 0	Speed: 0 MPH	Dir: N		Veh Mnvr/Ped Actn: 1				Obj Strk:						
44	105925709	75.012	06/20/2019 13:09	REAR END, SLOW OR STOP	\$ 1220	0	0	0	2	1	1	1	1	0		
Unit	1 : 4	Alchl/Drgs: 0	Speed: 0 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
Unit	2 : 4	Alchl/Drgs: 0	Speed: 0 MPH	Dir: N		Veh Mnvr/Ped Actn: 11				Obj Strk:						

07/26/2022

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-5-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
45	106300758	75.024	06/17/2020 19:25	REAR END, SLOW OR STOP	\$ 8500	0	0	0	2	1	1	1	1	0	14	1
Unit	1 : 2	Alchl/Drgs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
46	105912168	75.031	05/27/2019 14:43	REAR END, SLOW OR STOP	\$ 6000	0	0	0	1	1	1	1	1	0	2	2
Unit	1 : 5	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
Unit	3 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				3	Obj Strk:					
47	106272862	75.050	07/04/2020 12:46	REAR END, SLOW OR STOP	\$ 899	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 5	Alchl/Drgs:	0	Speed: 5 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
48	105169474	75.069	07/15/2017 15:45	REAR END, SLOW OR STOP	\$ 2000	0	0	0	0	1	1	1	1	0	0	1
Unit	1 : 2	Alchl/Drgs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
49	106688562	75.104	09/04/2021 18:32	REAR END, SLOW OR STOP	\$ 1600	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
50	105542981	75.105	06/30/2018 12:16	ANGLE	\$ 2000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 15 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 15 MPH Dir: W		Veh Mnvr/Ped Actn:				8	Obj Strk:					
51	106458412	75.124	01/06/2021 11:12	RAN OFF ROAD - RIGHT	\$ 5000	0	1	0	0	1	1	1	1	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					37
52	106939144	75.258	04/10/2022 12:34	REAR END, SLOW OR STOP	\$ 8000	0	0	1	0	1	1	1	1	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
53	106309232	75.277	08/05/2020 14:13	REAR END, SLOW OR STOP	\$ 1099	0	0	0	0	1	1	1	1	0	10	1
Unit	1 : 20	Alchl/Drgs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				8	Obj Strk:					
Unit	2 : 5	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				1	Obj Strk:					

07/26/2022

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-6-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
54	105126110	75.308	06/03/2017 15:27	REAR END, SLOW OR STOP	\$ 12000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 25 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				1	Obj Strk:					
55	105445107	75.315	03/30/2018 11:40	REAR END, SLOW OR STOP	\$ 1100	0	0	0	1	1	1	2	1	0		
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 5	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
56	106300757	75.325	06/20/2020 08:41	REAR END, SLOW OR STOP	\$ 2500	0	0	0	0	1	1	2	1	0		
Unit	1 : 1	Alchl/Drgs:	0	Speed: 20 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 20 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
57	106247323	75.334	05/11/2020 09:13	REAR END, SLOW OR STOP	\$ 86000	0	0	0	0	1	1	1	1	0	13	1
Unit	1 : 2	Alchl/Drgs:	0	Speed: 40 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 5	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
Unit	3 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
58	106561727	75.334	04/14/2021 15:46	REAR END, SLOW OR STOP	\$ 4500	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
59	106625710	75.344	07/06/2021 13:07	REAR END, SLOW OR STOP	\$ 15000	0	0	0	0	1	1	1	5	0		
Unit	1 : 5	Alchl/Drgs:	0	Speed: 30 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
Unit	3 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
60	106856678	75.344	12/29/2021 08:35	REAR END, SLOW OR STOP	\$ 13000	0	0	0	0	1	1	1	5	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
Unit	3 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				1	Obj Strk:					
61	105169482	75.353	07/10/2017 08:30	REAR END, SLOW OR STOP	\$ 1001	0	0	0	0	2	1	3	1	11	10	1
Unit	1 : 5	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
62	105445115	75.353	03/28/2018 22:51	ANIMAL	\$ 100	0	0	0	0	1	5	1	1	0	0	
Unit	1 : 3	Alchl/Drgs:	0	Speed: 40 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					

07/26/2022

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-7-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
63	106666134	75.353	08/14/2021 17:01	REAR END, SLOW OR STOP	\$ 50	0	0	0	0	1	1	1	5	0	5	1
Unit	1 : 10	Alchl/Drugs:	0	Speed:	0 MPH Dir: SW	Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drugs:	0	Speed:	0 MPH Dir: SW	Veh Mnvr/Ped Actn:				11	Obj Strk:					
64	105579752	75.355	07/12/2018 19:31	REAR END, SLOW OR STOP	\$ 14000	0	0	0	0	1	1	1	1	0	0	2
Unit	1 : 4	Alchl/Drugs:	0	Speed:	15 MPH Dir: N	Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drugs:	0	Speed:	10 MPH Dir: N	Veh Mnvr/Ped Actn:				11	Obj Strk:					
Unit	3 : 4	Alchl/Drugs:	0	Speed:	0 MPH Dir: N	Veh Mnvr/Ped Actn:				11	Obj Strk:					
65	106628634	75.410	07/09/2021 13:56	REAR END, SLOW OR STOP	\$ 2000	0	0	0	0	1	1	1	5	0	0	
Unit	1 : 4	Alchl/Drugs:	0	Speed:	20 MPH Dir: S	Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drugs:	0	Speed:	20 MPH Dir: S	Veh Mnvr/Ped Actn:				11	Obj Strk:					
66	105155593	75.474	06/23/2017 16:08	REAR END, SLOW OR STOP	\$ 2100	0	0	0	0	1	1	1	1	0		
Unit	1 : 1	Alchl/Drugs:	0	Speed:	35 MPH Dir: N	Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 1	Alchl/Drugs:	0	Speed:	0 MPH Dir: N	Veh Mnvr/Ped Actn:				1	Obj Strk:					
67	105517104	75.474	06/12/2018 11:06	REAR END, SLOW OR STOP	\$ 7000	0	0	0	0	2	1	3	1	0	0	
Unit	1 : 1	Alchl/Drugs:	0	Speed:	35 MPH Dir: N	Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 1	Alchl/Drugs:	0	Speed:	0 MPH Dir: N	Veh Mnvr/Ped Actn:				1	Obj Strk:					
68	105934404	75.474	06/30/2019 13:52	REAR END, SLOW OR STOP	\$ 9000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drugs:	0	Speed:	35 MPH Dir: N	Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 1	Alchl/Drugs:	0	Speed:	0 MPH Dir: N	Veh Mnvr/Ped Actn:				1	Obj Strk:					
69	105542990	75.523	07/06/2018 12:52	HEAD ON	\$ 60000	0	0	4	0	1	1	1	5	0	0	
Unit	1 : 1	Alchl/Drugs:	0	Speed:	35 MPH Dir: N	Veh Mnvr/Ped Actn:				16	Obj Strk:					
Unit	2 : 4	Alchl/Drugs:	0	Speed:	35 MPH Dir: S	Veh Mnvr/Ped Actn:				4	Obj Strk:					
70	106252027	75.580	04/26/2020 08:25	ANIMAL	\$ 2500	0	0	0	0	1	1	1	5	0	0	
Unit	1 : 1	Alchl/Drugs:	0	Speed:	49 MPH Dir: N	Veh Mnvr/Ped Actn:				4	Obj Strk:					
71	106499495	75.589	02/22/2021 10:56	SIDESWIPE, OPPOSITE DIRECTION	\$ 200	0	0	0	0	1	1	2	1	0	0	
Unit	1 : 2	Alchl/Drugs:	7	Speed:	0 MPH Dir: N	Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 5	Alchl/Drugs:	0	Speed:	45 MPH Dir: S	Veh Mnvr/Ped Actn:				4	Obj Strk:					

07/26/2022

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-8-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
72	105743363	75.604	01/02/2018 18:27	SIDESWIPE, OPPOSITE DIRECTION	\$ 999	0	0	0	0	1	5	1	5	0	0	1
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 32	Alchl/Drgs:	7	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
73	105150910	75.608	06/24/2017 12:21	ANGLE	\$ 15000	0	0	0	1	1	1	1	1	0	1	1
Unit	1 : 1	Alchl/Drgs:	0	Speed: 40 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 10 MPH Dir: W		Veh Mnvr/Ped Actn:				4	Obj Strk:					
74	105197818	75.608	07/29/2017 14:05	ANGLE	\$ 56000	0	0	0	0	1	1	2	1	0	1	1
Unit	1 : 1	Alchl/Drgs:	0	Speed: 10 MPH Dir: W		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 5	Alchl/Drgs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	3 : 2	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
75	105621605	75.608	09/24/2018 13:11	REAR END, SLOW OR STOP	\$ 2000	0	0	0	0	1	1	1	1	0	0	2
Unit	1 : 2	Alchl/Drgs:	0	Speed: 30 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				8	Obj Strk:					
76	105697533	75.608	11/16/2018 14:41	REAR END, SLOW OR STOP	\$ 2000	0	0	0	0	1	1	1	5	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
77	106314504	75.703	08/15/2020 07:32	REAR END, SLOW OR STOP	\$ 3000	0	0	0	0	1	1	2	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 20 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 20 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
78	106010181	75.731	09/18/2019 09:19	ANIMAL	\$ 1000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
79	105943619	75.735	07/06/2019 09:26	REAR END, SLOW OR STOP	\$ 500	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 5	Alchl/Drgs:	7	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 5	Alchl/Drgs:	7	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
80	105246341	75.750	09/25/2017 06:14	ANIMAL	\$ 2000	0	0	0	0	1	3	1	1	0	0	1
Unit	1 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					

07/26/2022

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-9-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
81	105542994	75.839	07/06/2018 10:33	REAR END, SLOW OR STOP	\$ 2700	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 2	Alchl/Drugs: 0	Speed: 35 MPH Dir: S	Veh Mnvr/Ped Actn: 11				Obj Strk:								
Unit	2 : 4	Alchl/Drugs: 0	Speed: 35 MPH Dir: S	Veh Mnvr/Ped Actn: 1				Obj Strk:								
82	105441589	75.840	03/18/2018 01:58	RAN OFF ROAD - LEFT	\$ 10500	0	0	0	1	2	5	3	1	0		
Unit	1 : 2	Alchl/Drugs: 3	Speed: 45 MPH Dir: S	Veh Mnvr/Ped Actn: 6				Obj Strk: 18								
83	106303962	75.846	08/08/2020 07:21	REAR END, SLOW OR STOP	\$ 2100	0	0	0	0	1	1	2	1	0	0	
Unit	1 : 2	Alchl/Drugs: 0	Speed: 20 MPH Dir: N	Veh Mnvr/Ped Actn: 4				Obj Strk:								
Unit	2 : 2	Alchl/Drugs: 0	Speed: 20 MPH Dir: N	Veh Mnvr/Ped Actn: 11				Obj Strk:								
Unit	3 : 4	Alchl/Drugs: 0	Speed: 20 MPH Dir: N	Veh Mnvr/Ped Actn: 11				Obj Strk:								
84	105574765	75.849	07/30/2018 10:49	REAR END, SLOW OR STOP	\$ 4500	0	0	0	0	2	1	3	1	0		
Unit	1 : 1	Alchl/Drugs: 0	Speed: 40 MPH Dir: N	Veh Mnvr/Ped Actn: 4				Obj Strk:								
Unit	2 : 4	Alchl/Drugs: 0	Speed: 0 MPH Dir: N	Veh Mnvr/Ped Actn: 1				Obj Strk:								
85	105305257	75.855	11/09/2017 07:11	ANGLE	\$ 3300	0	0	0	0	2	1	3	1	0	3	1
Unit	1 : 1	Alchl/Drugs: 0	Speed: 30 MPH Dir: S	Veh Mnvr/Ped Actn: 4				Obj Strk:								
Unit	2 : 1	Alchl/Drugs: 0	Speed: 0 MPH Dir: E	Veh Mnvr/Ped Actn: 8				Obj Strk:								
86	105424750	75.855	03/05/2018 17:14	REAR END, SLOW OR STOP	\$ 2500	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 2	Alchl/Drugs: 0	Speed: 0 MPH Dir: N	Veh Mnvr/Ped Actn: 1				Obj Strk:								
Unit	2 : 1	Alchl/Drugs: 0	Speed: 30 MPH Dir: N	Veh Mnvr/Ped Actn: 4				Obj Strk:								
87	105948954	75.855	07/27/2019 15:44	ANGLE	\$ 15000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drugs: 0	Speed: 5 MPH Dir: W	Veh Mnvr/Ped Actn: 12				Obj Strk:								
Unit	2 : 4	Alchl/Drugs: 0	Speed: 40 MPH Dir: S	Veh Mnvr/Ped Actn: 4				Obj Strk:								
88	106611679	75.855	06/26/2021 12:16	REAR END, SLOW OR STOP	\$ 500	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drugs: 0	Speed: 5 MPH Dir: N	Veh Mnvr/Ped Actn: 4				Obj Strk:								
Unit	2 : 2	Alchl/Drugs: 0	Speed: 0 MPH Dir: N	Veh Mnvr/Ped Actn: 1				Obj Strk:								
89	106625711	75.855	07/07/2021 09:50	REAR END, SLOW OR STOP	\$ 4000	0	0	0	0	1	1	1	1	0	1	1
Unit	1 : 1	Alchl/Drugs: 0	Speed: 35 MPH Dir: N	Veh Mnvr/Ped Actn: 11				Obj Strk:								
Unit	2 : 3	Alchl/Drugs: 0	Speed: 35 MPH Dir: N	Veh Mnvr/Ped Actn: 4				Obj Strk:								

07/26/2022

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-10-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
90	106613346	75.869	06/30/2021 15:51	REAR END, SLOW OR STOP	\$ 1500	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 30 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				1	Obj Strk:					
91	105531915	75.902	06/16/2018 08:40	REAR END, SLOW OR STOP	\$ 2500	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 25 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 15 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
92	106666135	76.092	08/15/2021 16:07	REAR END, SLOW OR STOP	\$ 9000	0	0	0	0	1	1	1	1	0	3	1
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
93	106738638	76.102	10/24/2021 18:50	ANIMAL	\$ 2000	0	0	0	0	1	5	1	1	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk: 17					
94	106731619	76.103	10/09/2021 12:37	REAR END, SLOW OR STOP	\$ 1000	0	0	0	0	2	1	3	1	0	3	1
Unit	1 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				12	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
95	106470896	76.105	01/20/2021 11:44	SIDESWIPE, SAME DIRECTION	\$ 4000	0	0	0	0	1	1	1	1	0	3	1
Unit	1 : 28	Alchl/Drgs:	0	Speed: 3 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 3	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
96	105441592	76.111	03/15/2018 16:47	REAR END, SLOW OR STOP	\$ 1300	0	0	0	0	1	1	1	1	0	3	1
Unit	1 : 5	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				3	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 15 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
97	105910168	76.111	06/06/2019 13:31	REAR END, SLOW OR STOP	\$ 1200	0	0	0	1	1	1	1	1	0	3	1
Unit	1 : 5	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				1	Obj Strk:					
98	106606131	76.111	06/20/2021 08:48	RIGHT TURN, DIFFERENT ROADWAYS	\$ 6500	0	0	0	0	9	1	3	1	0	3	1
Unit	1 : 2	Alchl/Drgs:	0	Speed: 0 MPH Dir: SE		Veh Mnvr/Ped Actn:				7	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					

07/26/2022

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-11-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

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						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
99	106303963	76.121	08/09/2020 08:30	REAR END, SLOW OR STOP	\$ 1200	0	0	0	0	1	1	1	1	0		
Unit	1 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
100	105367850	76.191	01/04/2018 13:39	REAR END, SLOW OR STOP	\$ 700	0	0	0	0	4	1	2	7	1	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 5 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				3	Obj Strk:					
101	106666133	76.266	07/24/2021 13:10	LEFT TURN, DIFFERENT ROADWAYS	\$ 7000	0	0	0	0	1	1	1	1	0	1	1
Unit	1 : 1	Alchl/Drgs:	0	Speed: 2 MPH Dir: W		Veh Mnvr/Ped Actn:				8	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
102	106610084	76.272	06/26/2021 15:37	ANGLE	\$ 3000	0	0	0	0	1	1	1	3	0		
Unit	1 : 2	Alchl/Drgs:	0	Speed: 5 MPH Dir: SW		Veh Mnvr/Ped Actn:				8	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
103	106424816	76.302	12/01/2020 17:39	ANIMAL	\$ 1000	0	0	0	0	1	5	1	3	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk: 17					
104	106658658	76.312	08/07/2021 16:30	REAR END, SLOW OR STOP	\$ 7000	0	0	0	0	2	1	1	3	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 5 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 2 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
105	106279464	76.522	07/11/2020 17:27	SIDESWIPE, SAME DIRECTION	\$ 3500	0	0	0	0	1	1	1	3	3		
Unit	1 : 28	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 5 MPH Dir: N		Veh Mnvr/Ped Actn:				16	Obj Strk:					
106	105962773	76.551	08/04/2019 12:40	REAR END, SLOW OR STOP	\$ 1499	0	0	0	0	1	1	1	1	0		
Unit	1 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 10 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
107	106470898	76.608	01/24/2021 10:10	ANIMAL	\$ 1000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
108	106787008	76.625	11/27/2021 09:29	REAR END, SLOW OR STOP	\$ 12000	0	0	0	1	1	1	1	1	0	9	1
Unit	1 : 1	Alchl/Drgs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					

07/26/2022

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-12-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
Unit	2 : 1	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
109	105380195	76.627	01/30/2018 16:58	RAN OFF ROAD - LEFT	\$ 5600	0	0	0	0	1	1	1		0		
Unit	1 : 1	Alchl/Drgs:	1	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: E		Veh Mnvr/Ped Actn:				8	Obj Strk:					
110	105463426	76.627	04/18/2018 20:10	LEFT TURN, SAME ROADWAY	\$ 3300	0	0	0	0	1	5	1	1	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 40 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				8	Obj Strk:					
111	105574769	76.627	07/28/2018 12:29	OTHER COLLISION WITH VEHICLE	\$ 3500	0	0	0	0	1	1	2	1	0	1	1
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 5 MPH Dir: W		Veh Mnvr/Ped Actn:				12	Obj Strk:					
112	105621607	76.627	09/09/2018 09:13	REAR END, SLOW OR STOP	\$ 1700	0	0	0	0	2	1	2	1	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 40 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 20 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
113	105626482	76.627	09/18/2018 10:37	PEDALCYCLIST	\$ 0	0	0	0	0	1	1	1	1	0	3	1
Unit	1 : 23	Alchl/Drgs:	0	Speed: 0 MPH Dir:		Veh Mnvr/Ped Actn:					Obj Strk: 15					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: E		Veh Mnvr/Ped Actn:				7	Obj Strk: 15					
114	106611678	76.627	06/12/2021 18:29	LEFT TURN, SAME ROADWAY	\$ 3000	0	0	0	0	1	1	2	1	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 5 MPH Dir: N		Veh Mnvr/Ped Actn:				8	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 5 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
115	106631377	76.627	07/14/2021 22:45	RIGHT TURN, SAME ROADWAY	\$ 6000	0	0	0	0	1	4	1	1	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 5 MPH Dir: N		Veh Mnvr/Ped Actn:				7	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 40 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
116	106666136	76.627	08/21/2021 13:48	ANGLE	\$ 10000	0	0	0	0	1	1	2	1	0	1	1
Unit	1 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: W		Veh Mnvr/Ped Actn:				12	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 40 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
117	105257810	76.703	09/09/2017 10:07	REAR END, SLOW OR STOP	\$ 2100	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 10 MPH Dir: S		Veh Mnvr/Ped Actn:				1	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 10 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					

07/26/2022

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-13-

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report**

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
118	105367854	76.703	01/05/2018 11:30	SIDESWIPE, SAME DIRECTION	\$ 3200	0	0	0	0	4	1	8	7	11	0	
Unit	1 : 10	Alchl/Drgs:	0	Speed: 5 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
119	106001272	76.710	09/09/2019 14:47	ANGLE	\$ 14000	0	0	3	0	1	1	1	1	0	1	1
Unit	1 : 1	Alchl/Drgs:	0	Speed: 5 MPH Dir: W		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 5	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
120	106327114	76.772	09/02/2020 08:19	REAR END, SLOW OR STOP	\$ 2500	0	0	0	1	1	1	2	1	0	0	
Unit	1 : 5	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				11	Obj Strk:					
121	105197816	76.877	08/06/2017 10:24	LEFT TURN, SAME ROADWAY	\$ 6000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				8	Obj Strk:					
Unit	2 : 10	Alchl/Drgs:	0	Speed: 5 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
122	106279466	77.009	07/19/2020 12:35	LEFT TURN, DIFFERENT ROADWAYS	\$ 17000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: NE		Veh Mnvr/Ped Actn:				8	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk: 33					
123	105557296	77.033	07/20/2018 11:15	REAR END, SLOW OR STOP	\$ 1205	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
Unit	2 : 2	Alchl/Drgs:	0	Speed: 30 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
124	106601277	77.052	06/10/2021 08:35	SIDESWIPE, SAME DIRECTION	\$ 2100	0	0	0	0	1	1	2		0		
Unit	1 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				6	Obj Strk:					
125	105936217	77.102	06/29/2019 16:42	REAR END, SLOW OR STOP	\$ 2900	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 20 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 20 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
126	106916483	77.113	04/03/2022 12:19	REAR END, SLOW OR STOP	\$ 8000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					

07/26/2022

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-14-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
127	105305040	77.127	11/21/2017 16:45	ANIMAL	\$ 1200	0	0	0	0	1	5	1	5	0	0	2
Unit	1 : 1	Alchl/Drgs:	0	Speed: 40 MPH Dir: N		Veh Mnvr/Ped Actn:				4		Obj Strk:		17		
128	105934819	77.182	07/02/2019 10:14	REAR END, SLOW OR STOP	\$ 6200	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 10	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				4		Obj Strk:				
Unit	2 : 5	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1		Obj Strk:				
129	106087936	77.182	11/07/2019 14:09	ANIMAL	\$ 5000	0	0	0	0	1	1	1	3	0	0	
Unit	1 : 3	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4		Obj Strk:		17		
Unit	2 : 26	Alchl/Drgs:	7	Speed: 0 MPH Dir:		Veh Mnvr/Ped Actn:						Obj Strk:		17		
130	106367182	77.182	10/08/2020 16:08	SIDESWIPE, OPPOSITE DIRECTION	\$ 2000	0	0	0	0	1	1	1	1	0	3	1
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4		Obj Strk:				
Unit	2 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4		Obj Strk:				
131	106654562	77.182	08/04/2021 15:21	ANIMAL	\$ 4000	0	0	0	0	1	1	1	3	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 10 MPH Dir: S		Veh Mnvr/Ped Actn:				4		Obj Strk:		17		
132	105517107	77.251	05/26/2018 11:13	REAR END, SLOW OR STOP	\$ 9500	0	0	0	0	1	1	1	1	0	0	2
Unit	1 : 4	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				4		Obj Strk:				
Unit	2 : 5	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				11		Obj Strk:				
133	105169483	77.257	07/09/2017 15:03	REAR END, SLOW OR STOP	\$ 1800	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 35 MPH Dir: N		Veh Mnvr/Ped Actn:				11		Obj Strk:				
Unit	2 : 5	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1		Obj Strk:				
134	106240542	77.315	03/27/2020 11:24	REAR END, SLOW OR STOP	\$ 7500	0	0	0	1	1	1	1	1	0	3	1
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4		Obj Strk:				
Unit	2 : 2	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				1		Obj Strk:				
135	106731618	77.322	09/30/2021 19:29	ANIMAL	\$ 1000	0	0	0	0	1	5	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 35 MPH Dir: S		Veh Mnvr/Ped Actn:				4		Obj Strk:		17		
136	106770905	77.409	11/16/2021 20:56	ANIMAL	\$ 2000	0	0	0	0	1	6	1	1	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4		Obj Strk:		17		

07/26/2022

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-15-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
137	106688563	77.423	09/06/2021 16:50	REAR END, SLOW OR STOP	\$ 10000	0	0	0	0	1	1	1	3	0		
Unit	1 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
138	105934398	77.499	06/24/2019 10:26	REAR END, SLOW OR STOP	\$ 2800	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				1	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
139	106165614	77.499	02/18/2020 15:14	OTHER COLLISION WITH VEHICLE	\$ 10500	0	0	2	0	1	1	1	1	0	13	1
Unit	1 : 31	Alchl/Drgs:	0	Speed: 5 MPH Dir: S		Veh Mnvr/Ped Actn:				9	Obj Strk:					
Unit	2 : 1	Alchl/Drgs:	0	Speed: 40 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
140	106327113	77.499	09/01/2020 16:56	REAR END, SLOW OR STOP	\$ 9000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 10 MPH Dir: N		Veh Mnvr/Ped Actn:				7	Obj Strk:					
141	106611677	77.499	05/26/2021 16:44	ANGLE	\$ 6000	0	0	0	0	1	1	1	3	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 10 MPH Dir: NW		Veh Mnvr/Ped Actn:				8	Obj Strk:					
142	106986799	77.501	05/31/2022 12:36	REAR END, SLOW OR STOP	\$ 2000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 5	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: S		Veh Mnvr/Ped Actn:				1	Obj Strk:					
143	106638199	77.571	07/18/2021 10:39	REAR END, SLOW OR STOP	\$ 6000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 2	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				11	Obj Strk: 20					
144	106300765	77.590	06/23/2020 09:18	LEFT TURN, DIFFERENT ROADWAYS	\$ 11000	0	0	1	1	1	1	1	1	0		
Unit	1 : 4	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				8	Obj Strk:					
Unit	2 : 4	Alchl/Drgs:	0	Speed: 0 MPH Dir: N		Veh Mnvr/Ped Actn:				4	Obj Strk:					
145	106415352	77.590	11/21/2020 13:50	ANIMAL	\$ 2000	0	0	0	0	1	1	1	3	0	0	
Unit	1 : 1	Alchl/Drgs:	0	Speed: 45 MPH Dir: S		Veh Mnvr/Ped Actn:				4	Obj Strk: 17					

07/26/2022

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-16-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op
146	105150903	77.594	06/18/2017 14:57	REAR END, SLOW OR STOP	\$ 1300	0	0	0	0	1	1	1	1	0		
Unit	1 : 1	Alchl/Drugs: 0	Speed: 10 MPH	Dir: N		Veh Mnvr/Ped Actn: 1				Obj Strk:						
Unit	2 : 1	Alchl/Drugs: 0	Speed: 10 MPH	Dir: N		Veh Mnvr/Ped Actn: 1				Obj Strk:						
147	105966400	77.679	08/18/2019 07:37	REAR END, SLOW OR STOP	\$ 2100	0	0	0	0	2	1	3	1	0	0	
Unit	1 : 1	Alchl/Drugs: 0	Speed: 20 MPH	Dir: N		Veh Mnvr/Ped Actn: 11				Obj Strk:						
Unit	2 : 1	Alchl/Drugs: 0	Speed: 20 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
148	106281643	77.679	07/19/2020 17:18	REAR END, SLOW OR STOP	\$ 8500	0	0	0	0	1	1	1		0		
Unit	1 : 1	Alchl/Drugs: 0	Speed: 0 MPH	Dir: N		Veh Mnvr/Ped Actn: 1				Obj Strk:						
Unit	2 : 3	Alchl/Drugs: 0	Speed: 0 MPH	Dir: N		Veh Mnvr/Ped Actn: 1				Obj Strk:						
Unit	3 : 1	Alchl/Drugs: 0	Speed: 35 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
149	106631379	77.757	07/16/2021 10:22	REAR END, SLOW OR STOP	\$ 1499	0	0	0	0	1	1	1	1	0		
Unit	1 : 1	Alchl/Drugs: 0	Speed: 0 MPH	Dir: N		Veh Mnvr/Ped Actn: 11				Obj Strk:						
Unit	2 : 5	Alchl/Drugs: 0	Speed: 10 MPH	Dir: N		Veh Mnvr/Ped Actn: 11				Obj Strk:						
150	105942683	77.761	07/16/2019 15:34	RIGHT TURN, SAME ROADWAY	\$ 1800	0	0	0	0	1	1	2	1	0	3	1
Unit	1 : 1	Alchl/Drugs: 0	Speed: 45 MPH	Dir: N		Veh Mnvr/Ped Actn: 1				Obj Strk:						
Unit	2 : 1	Alchl/Drugs: 0	Speed: 45 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
151	106228127	77.767	05/13/2020 08:28	REAR END, SLOW OR STOP	\$ 4000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 5	Alchl/Drugs: 0	Speed: 25 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
Unit	2 : 1	Alchl/Drugs: 0	Speed: 35 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
152	106639502	77.775	07/21/2021 15:50	REAR END, SLOW OR STOP	\$ 9000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 2	Alchl/Drugs: 0	Speed: 25 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
Unit	2 : 2	Alchl/Drugs: 0	Speed: 0 MPH	Dir: N		Veh Mnvr/Ped Actn: 1				Obj Strk:						
Unit	3 : 1	Alchl/Drugs: 0	Speed: 0 MPH	Dir: N		Veh Mnvr/Ped Actn: 1				Obj Strk:						
153	106278151	77.780	07/10/2020 09:39	REAR END, SLOW OR STOP	\$ 6500	0	0	0	0	1	1	2	1	0	0	
Unit	1 : 4	Alchl/Drugs: 0	Speed: 35 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						
Unit	2 : 1	Alchl/Drugs: 0	Speed: 35 MPH	Dir: N		Veh Mnvr/Ped Actn: 11				Obj Strk:						
Unit	3 : 2	Alchl/Drugs: 0	Speed: 35 MPH	Dir: N		Veh Mnvr/Ped Actn: 1				Obj Strk:						
154	105564063	77.784	06/17/2018 10:13	REAR END, SLOW OR STOP	\$ 6000	0	0	0	0	1	1	1	1	0	0	
Unit	1 : 1	Alchl/Drugs: 0	Speed: 0 MPH	Dir: N		Veh Mnvr/Ped Actn: 4				Obj Strk:						

07/26/2022

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-17-

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report**

Item 4.

Acc No	Crash ID	Milepost	Date	Accident Type	Total Damage	Injuries				Condition			Road		Trfc Ctl	
						F	A	B	C	R	L	W	Ch	Ci	Dv	Op

Unit 2 : 1 Alchl/Drgs: 0 Speed: 0 MPH Dir: N Veh Mnvr/Ped Actn: 1 Obj Strk:

**Legend for
Report Details:**

Acc No - Accident Number
Injuries: F - Fatal, A - Class A, B - Class B, C - Class C
Condition: R - Road Surface, L - Ambient Light, W - Weather
Rd Ch - Road Character
Rd Ci - Roadway Contributing Circumstances
Trfc Ctl - Traffic Control: Dv - Device, Op - Operating
Alchl/Drgs - Alcohol Drugs Suspected
Veh Mnvr/Ped Actn - Vehicle Maneuver/Pedestrian Action
Obj Strk - Object Struck

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-18-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Summary Statistics

High Level Crash Summary

Crash Type	Number of Crashes	Percent of Total
Total Crashes	154	100.00
Fatal Crashes	1	0.65
Non-Fatal Injury Crashes	23	14.94
Total Injury Crashes	24	15.58
Property Damage Only Crashes	130	84.42
Night Crashes	14	9.09
Wet Crashes	11	7.14
Alcohol/Drugs Involvement Crashes	1	0.65

Crash Severity Summary

Crash Type	Number of Crashes	Percent of Total
Total Crashes	154	100.00
Fatal Crashes	1	0.65
Class A Crashes	2	1.30
Class B Crashes	7	4.55
Class C Crashes	14	9.09
Property Damage Only Crashes	130	84.42

Vehicle Exposure Statistics

Annual ADT = 12000

Total Length = 3.6 (Miles)

5.794 (Kilometers)

Total Vehicle Exposure = 78.88 (MVMT)

126.95 (MVKMT)

Crash Rate	Crashes Per 100 Million Vehicle Miles	Crashes Per 100 Million Vehicle Kilometers
Total Crash Rate	195.23	121.31
Fatal Crash Rate	1.27	0.79
Non Fatal Crash Rate	29.16	18.12
Night Crash Rate	17.75	11.03
Wet Crash Rate	13.94	8.66
EPDO Rate	680.50	422.84

07/26/2022

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-19-

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report**

Item 4.

Miscellaneous Statistics

Severity Index =	3.49
EPDO Crash Index =	536.80
Estimated Property Damage Total = \$	906591.00

Accident Type Summary

Accident Type	Number of Crashes	Percent of Total
ANGLE	10	6.49
ANIMAL	15	9.74
HEAD ON	1	0.65
LEFT TURN, DIFFERENT ROADWAYS	4	2.60
LEFT TURN, SAME ROADWAY	5	3.25
OTHER COLLISION WITH VEHICLE	3	1.95
PEDALCYCLIST	2	1.30
PEDESTRIAN	3	1.95
RAN OFF ROAD - LEFT	2	1.30
RAN OFF ROAD - RIGHT	2	1.30
REAR END, SLOW OR STOP	96	62.34
REAR END, TURN	1	0.65
RIGHT TURN, DIFFERENT ROADWAYS	1	0.65
RIGHT TURN, SAME ROADWAY	2	1.30
SIDESWIPE, OPPOSITE DIRECTION	3	1.95
SIDESWIPE, SAME DIRECTION	4	2.60

Injury Summary

Injury Type	Number of Injuries	Percent of Total
Fatal Injuries	1	3.03
Class A Injuries	2	6.06
Class B Injuries	13	39.39
Class C Injuries	17	51.52
Total Non-Fatal Injuries	32	96.97
Total Injuries	33	100.00

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Monthly Summary

Month	Number of Crashes	Percent of Total
Jan	9	5.84
Feb	2	1.30
Mar	6	3.90
Apr	7	4.55
May	14	9.09
Jun	24	15.58
Jul	40	25.97
Aug	22	14.29
Sep	14	9.09
Oct	4	2.60
Nov	9	5.84
Dec	3	1.95

Daily Summary

Day	Number of Crashes	Percent of Total
Mon	15	9.74
Tue	19	12.34
Wed	24	15.58
Thu	12	7.79
Fri	15	9.74
Sat	40	25.97
Sun	29	18.83

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-21-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Hourly Summary

Hour	Number of Crashes	Percent of Total
0000-0059	0	0.00
0100-0159	1	0.65
0200-0259	0	0.00
0300-0359	0	0.00
0400-0459	0	0.00
0500-0559	1	0.65
0600-0659	2	1.30
0700-0759	6	3.90
0800-0859	12	7.79
0900-0959	11	7.14
1000-1059	17	11.04
1100-1159	13	8.44
1200-1259	15	9.74
1300-1359	12	7.79
1400-1459	9	5.84
1500-1559	16	10.39
1600-1659	15	9.74
1700-1759	5	3.25
1800-1859	7	4.55
1900-1959	5	3.25
2000-2059	3	1.95
2100-2159	0	0.00
2200-2259	3	1.95
2300-2359	1	0.65

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-22-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Light and Road Conditions Summary

Condition	Dry	Wet	Other	Total
Day	126	9	3	138
Dark	11	2	1	14
Other	2	0	0	2
Total	139	11	4	154

Object Struck Summary

Object Type	Times Struck	Percent of Total
ANIMAL	15	51.72
MOVABLE OBJECT	1	3.45
OFFICIAL HIGHWAY SIGN NON-BREAKAWAY	1	3.45
PARKED MOTOR VEHICLE	1	3.45
PEDALCYCLIST	6	20.69
PEDESTRIAN	4	13.79
TREE	1	3.45

Vehicle Type Summary

Vehicle Type	Number Involved	Percent of Total
FIRETRUCK	2	0.66
LIGHT TRUCK (MINI-VAN, PANEL)	6	1.98
MOTORCYCLE	2	0.66
OTHER	1	0.33
PASSENGER CAR	86	28.38
PEDALCYCLE	2	0.66
PEDESTRIAN	3	0.99
PICKUP	67	22.11
POLICE	2	0.66
SINGLE UNIT TRUCK (2-AXLE, 6-TIRE)	4	1.32
SPORT UTILITY	100	33.00
UNKNOWN	1	0.33
VAN	27	8.91

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Yearly Totals Summary

Accident Totals

Year	Total Accidents	Fatal Accidents	Injury Accidents	Property Damage Only Accidents
2017	24	0	3	21
2018	29	0	3	26
2019	24	0	6	18
2020	27	0	6	21
2021	45	1	4	40
2022	5	0	1	4
Total	154	1	23	130

Injury Totals

Year	Fatal Injuries	Class A, B, or C Injuries
2017	0	3
2018	0	6
2019	0	9
2020	0	9
2021	1	4
2022	0	1
Total	1	32

Miscellaneous Totals

Year	Property Damage	EPDO Index
2017	\$ 143451	46.20
2018	\$ 172904	51.20
2019	\$ 116239	68.40
2020	\$ 223048	139.80
2021	\$ 210949	218.80
2022	\$ 40000	12.40
Total	\$ 906591	536.80

Type of Accident Totals

Year	Left Turn	Right Turn	Rear End	Run Off Road & Fixed Object	Angle	Side Swipe	Other
2017	2	0	13	0	3	0	6
2018	1	0	18	3	1	2	4

07/26/2022

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-24-

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report**

Run Off Road &							
Year	Left Turn	Right Turn	Rear End	Fixed Object	Angle	Side Swipe	Other
2019	1	1	18	0	2	0	2
2020	2	0	17	0	1	2	5
2021	3	2	26	1	3	3	7
2022	0	0	5	0	0	0	0
Total	9	3	97	4	10	7	24

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Strip Diagram

Features	Milepost	Crash IDs
OCEAN VIEW	74.19	
	74.20	
	74.21	106628635
	74.22	
	74.23	105367851 105972275 106703896
	74.24	105949537
	74.25	
	74.26	
	74.27	105621615
	74.28	
	74.29	
	74.30	
	74.31	
	74.32	
	74.33	
SKYLINE	74.34	105197815
	74.35	105891774
	74.36	105169489 105158689 105197016 106282949 106625701 106593392
	74.37	
	74.38	
	74.39	
	74.40	
	74.41	105169475
	74.42	
	74.43	
	74.44	105944412
	74.45	
	74.46	
	74.47	
	74.48	
	74.49	105126099
	74.50	
	74.51	
	74.52	
	74.53	106939145
	74.54	
	74.55	
	74.56	
	74.57	
	74.58	
	74.59	

07/26/2022

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-26-

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report**

Item 4.

Features	Milepost	Crash IDs
	74.60	
	74.61	
	74.62	
	74.63	
	74.64	
	74.65	
	74.66	
	74.67	
	74.68	
	74.69	
	74.70	
	74.71	
	74.72	
	74.73	
	74.74	
	74.75	
	74.76	
	74.77	105212235
	74.78	
	74.79	
	74.80	
	74.81	
	74.82	
	74.83	
	74.84	
	74.85	
	74.86	105962309
	74.87	
	74.88	106462037 106740135
	74.89	
	74.90	105891775 106284196
	74.91	
Mile Marker: 4.0	74.92	
	74.93	
	74.94	106962923
	74.95	106628636
	74.96	105174247 106406213 106561726
CHICAHUAK	74.97	105197819 105213527 105481741 105738489 105910170 105962489 106554984 106593391 106613348 106654561
	74.98	106628632
	74.99	105158661
	75.00	105944418 106658660
	75.01	105925709

07/26/2022

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-27-

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report**

Item 4.

Features	Milepost	Crash IDs
	75.02	106300758
	75.03	105912168
	75.04	
	75.05	106272862
	75.06	
	75.07	105169474
	75.08	
	75.09	
	75.10	106688562
	75.11	105542981
	75.12	106458412
	75.13	
	75.14	
	75.15	
	75.16	
	75.17	
	75.18	
	75.19	
	75.20	
	75.21	
	75.22	
	75.23	
	75.24	
	75.25	
	75.26	106939144
	75.27	
	75.28	106309232
	75.29	
	75.30	
	75.31	105126110
	75.32	105445107 106300757
	75.33	106247323 106561727
	75.34	106625710 106856678
OCEAN	75.35	105169482 105445115 106666134
	75.36	105579752
	75.37	
	75.38	
	75.39	
	75.40	
	75.41	106628634
	75.42	
	75.43	
	75.44	
	75.45	

07/26/2022

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-28-

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report**

Item 4.

Features	Milepost	Crash IDs
PORPOISE	75.46	
	75.47	105155593 105517104 105934404
	75.48	
	75.49	
	75.50	
	75.51	
	75.52	105542990
	75.53	
	75.54	
	75.55	
	75.56	
	75.57	
	75.58	106252027
	75.59	106499495
	75.60	105743363
	75.61	105150910 105197818 105621605 105697533
	75.62	
	75.63	
	75.64	
	75.65	
	75.66	
	75.67	
	75.68	
	75.69	
	75.70	106314504
	75.71	
	75.72	
TROUT RUN	75.73	106010181
	75.74	105943619
	75.75	105246341
	75.76	
	75.77	
	75.78	
	75.79	
	75.80	
	75.81	
	75.82	
DOLPHIN	75.83	
	75.84	105542994 105441589
	75.85	106303962 105574765
	75.86	105305257 105424750 105948954 106611679
		106625711
	75.87	106613346
	75.88	

07/26/2022

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-29-

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report**

Item 4.

Features	Milepost	Crash IDs
Mile Marker: 3.0	75.89	
	75.90	105531915
	75.91	
	75.92	
	75.93	
	75.94	
	75.95	
	75.96	
	75.97	
	75.98	
	75.99	
	76.00	
	76.01	
	76.02	
	76.03	
DOGWOOD DOGWOOD	76.04	
	76.05	
	76.06	
	76.07	
	76.08	
	76.09	106666135
	76.10	106738638 106731619
	76.11	106470896 105441592 105910168 106606131
	76.12	106303963
	76.13	
	76.14	
	76.15	
	76.16	
	76.17	
SANDFIDDLER	76.18	
	76.19	105367850
	76.20	
	76.21	
	76.22	
	76.23	
	76.24	
	76.25	
	76.26	
PERIWINKLE	76.27	106666133 106610084
	76.28	
	76.29	
	76.30	106424816
	76.31	106658658
	76.32	
	76.33	

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-30-

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report**

Item 4.

Features	Milepost	Crash IDs
	76.34	
	76.35	
	76.36	
	76.37	
	76.38	
	76.39	
	76.40	
	76.41	
	76.42	
	76.43	
	76.44	
	76.45	
	76.46	
	76.47	
	76.48	
	76.49	
	76.50	
	76.51	
	76.52	106279464
	76.53	
	76.54	
	76.55	105962773
	76.56	
	76.57	
	76.58	
	76.59	
	76.60	
	76.61	106470898
	76.62	106787008
HICKORY	76.63	105380195 105463426 105574769 105621607 105626482 106611678 106631377 106666136
	76.64	
	76.65	
	76.66	
	76.67	
	76.68	
	76.69	
	76.70	105257810 105367854
	76.71	106001272
	76.72	
FIRST	76.73	
	76.74	
	76.75	
	76.76	
	76.77	106327114

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-31-

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report**

Item 4.

Features	Milepost	Crash IDs
SECOND Mile Marker: 2.0	76.78	
	76.79	
	76.80	
	76.81	
	76.82	
	76.83	
	76.84	
	76.85	
THIRD	76.86	
	76.87	
	76.88	105197816
	76.89	
	76.90	
	76.91	
	76.92	
	76.93	
FOURTH	76.94	
	76.95	
	76.96	
	76.97	
	76.98	
	76.99	
	77.00	
	77.01	106279466
ML-KITTY HAWK ML-SOUTHERN SHORES FIFTH	77.02	
	77.03	105557296
	77.04	
	77.05	106601277
	77.06	
	77.07	
	77.08	
	77.09	
SIXTH	77.10	105936217
	77.11	106916483
	77.12	
	77.13	105305040
	77.14	
	77.15	
	77.16	
	77.17	
SEVENTH	77.18	105934819 106087936 106367182 106654562
	77.19	
	77.20	
	77.21	

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-32-

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report**

Item 4.

Features	Milepost	Crash IDs
EIGHTH	77.22	
	77.23	
	77.24	
	77.25	105517107
	77.26	105169483
	77.27	
	77.28	
	77.29	
	77.30	
	77.31	
HILLCREST	77.32	106240542 106731618
	77.33	
	77.34	
	77.35	
	77.36	
	77.37	
	77.38	
	77.39	
	77.40	
	77.41	106770905
NINTH	77.42	106688563
	77.43	
	77.44	
	77.45	
	77.46	
	77.47	
	77.48	
	77.49	
	77.50	105934398 106165614 106327113 106611677 106986799
	77.51	
ELEVENTH	77.52	
	77.53	
	77.54	
	77.55	
	77.56	
	77.57	106638199
	77.58	
	77.59	106300765 106415352 105150903
	77.60	
	77.61	
	77.62	
	77.63	
	77.64	
	77.65	

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-33-

North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report

Item 4.

Features	Milepost	Crash IDs
TWELFTH	77.66	
	77.67	
	77.68	105966400 106281643
	77.69	
	77.70	
	77.71	
	77.72	
	77.73	
	77.74	
	77.75	
SEA OATS THIRTEENTH	77.76	106631379 105942683
	77.77	106228127
	77.78	106639502 106278151 105564063
	77.79	

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Strip Analysis Report**

Item 4.

Study Criteria

Study Name	Log No.	PH No.	TIP No.	K/A Cf.	B/C Cf.	ADT	ADT Route
SOUTHERNSHORES2022				76.8	8.4	12000	

Request Date	Courier Service	Phone No.	Ext.	Fax No.

County	Municipality

Name	Code	Div.	Name	Code	Y-Line Ft.	Begin Date	End Date	Years
DARE	28	1	All and Rural		0	6/1/2017	5/31/2022	5.00

Location Text	Requestor
NC 12 through Southern Shoes.	

Fiche Roads	
Name	Code
	30000012

Strip Road					
Name	Code	Begin MP	End MP	Miles	Kilometers
	30000012	74.192	77.792	3.600	5.794

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
0.000	270044	Structure	Ferry landing	0.000			
0.000	270045	Structure	Ferry landing	0.000			
0.000	270046	Structure	Ferry landing	0.112			
0.112	50006448	COAST GUARD	At grade intersection, 3 legs	0.008	South and East		
0.120	50002126	BEECH	At grade intersection, 4 legs	0.008	South and East	Y	
0.128	50018913	MARINA	At grade intersection, 4 legs	0.094	South and East		
0.222	50002126	BEECH	At grade intersection, 3 legs	0.107	North and East	Y	
0.329	40001513	SR 1513	At grade intersection, 4 legs	0.000	North and East		
0.329	50008994	DUNE	At grade intersection, 3 legs	0.029	North and East	Y	
0.358	40001276	SR 1276	At grade intersection, 3 legs	0.000	North and East		
0.358	50033521	WOODALL	At grade intersection, 3 legs	0.159	North and East		
0.517	40001241	SR 1241	At grade intersection, 3 legs	0.000	North and East	Y	
0.517	50009133	EAGLE PASS	At grade intersection, 3 legs	0.042	North and East	Y	
0.559	270063	Structure	Bridge	0.369			
0.928	40001258	SR 1258	At grade intersection, 3 legs	0.000	North and East		
0.928	50011287	FULCHER	At grade intersection, 3 legs	0.129	North and East		
1.057	40001266	SR 1266	At grade intersection, 4 legs	0.000	North and East		
1.057	50004366	BURNS MOTEL	At grade intersection, 3 legs	0.000	North and East		
1.057	50035216	WALTHAM	At grade intersection, 3 legs	0.156	North and East		
1.213	50021839	ODEN	At grade intersection, 3 legs	0.129	North and East	Y	
1.342	40001239	SR 1239	At grade intersection, 3 legs	0.000	North and East		
1.342	50016630	KOHLER	At grade intersection, 3 legs	0.025	North and East	Y	
1.367	40001237	SR 1237	At grade intersection, 3 legs	0.000	South and East		
1.367	50016630	KOHLER	At grade intersection, 3 legs	0.104	South and East	Y	
1.471	270008	Structure	Bridge	0.029			
1.500	50037666	CAPTAIN OLIVER	At grade intersection, 4 legs	0.007	South and East		
1.507	40001248	SR 1248	At grade intersection, 4 legs	0.000	South and East		
1.507	50038047	ISLINGTON	At grade intersection, 3 legs	0.120	South and East		
1.627	40001241	SR 1241	At grade intersection, 3 legs	0.000	South and East	Y	
1.627	50009133	EAGLE PASS	At grade intersection, 3 legs	0.145	South and East	Y	
1.772	40001236	SR 1236	At grade intersection, 3 legs	0.064	South and East		
1.836	50037678	HATTERAS ESCAPE	At grade intersection, 3 legs	0.112	North and East		
1.948	40001546	SR 1546	At grade intersection, 3 legs	0.000	North and East		
1.948	50029558	SUMMER	At grade intersection, 3 legs	0.194	North and East		
2.142	50030793	TRACY	At grade intersection, 3 legs	0.078	North and East		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type		Distance to Next	Direction to Next	Loop	Beyond Route Limits
2.220	50021839	ODEN	At grade intersection,	3 legs	0.172	North and East	Y	
2.392	40001272	SR 1272	At grade intersection,	3 legs	0.000	North and East		
2.392	50009540	ELIZABETH	At grade intersection,	3 legs	0.094	North and East		
2.486	50037691	LONESOME VALLEY	At grade intersection,	3 legs	0.084	North and East		
2.570	40001246	SR 1246	At grade intersection,	3 legs	0.000	North and East		
2.570	50001260	AUSTIN	At grade intersection,	3 legs	0.370	North and East		
2.940	40001208	SR 1208	At grade intersection,	4 legs	0.088	South and East	Y	
3.028	BC000048	CL-HYDE			0.940	North and East		
3.968	270055	Structure	Culvert		0.222			
4.190	72.0	Mile Marker			0.230	North and East		
4.420	BM000239	ML-HATTERAS			0.026	South and East		
4.446	50027102	SANDPIPER	At grade intersection,	3 legs	0.052	North and East		
4.498	50023105	OSPREY	At grade intersection,	3 legs	0.085	North and East		
4.583	50000140	ACCESS	At grade intersection,	3 legs	0.058	North and East		
4.641	50037664	CAPE HATTERAS PIER	At grade intersection,	3 legs	0.042	North and East		
4.683	50037711	SURF ON SOUND	At grade intersection,	3 legs	0.072	North and East	Y	
4.755	50018968	MARLIN	At grade intersection,	3 legs	0.069	North and East	Y	
4.824	50037711	SURF ON SOUND	At grade intersection,	3 legs	0.074	North and East	Y	
4.898	50030916	TRENT	At grade intersection,	3 legs	0.097	North and East		
4.995	50035273	HATTERASK	At grade intersection,	3 legs	0.033	North and East		
5.028	40001487	SR 1487	At grade intersection,	3 legs	0.000	North and East		
5.028	50037663	CAPE HATTERAS	At grade intersection,	3 legs	0.044	North and East		
5.072	40001468	SR 1468	At grade intersection,	3 legs	0.000	North and East	Y	
5.072	50035272	RUNS BOAT	At grade intersection,	3 legs	0.052	North and East	Y	
5.124	40001468	SR 1468	At grade intersection,	4 legs	0.000	North and East	Y	
5.124	50035272	RUNS BOAT	At grade intersection,	4 legs	0.027	North and East	Y	
5.151	50037709	SHIPS TIMBERS	At grade intersection,	3 legs	0.023	North and East		
5.174	40001406	SR 1406	At grade intersection,	3 legs	0.000	North and East		
5.174	50026107	ROBBIN	At grade intersection,	3 legs	0.284	North and East		
5.458	50041134	BILLY MITCHELL	At grade intersection,	3 legs	0.084	North and East		
5.542	40001242	SR 1242	At grade intersection,	3 legs	0.000	North and East		
5.542	50029662	SUNSET	At grade intersection,	3 legs	0.000	North and East	Y	
5.542	50029674	SUNSET STRIP	At grade intersection,	3 legs	0.070	North and East		
5.612	40001208	SR 1208	At grade intersection,	4 legs	0.228	South and East	Y	
5.840	50037673	DELMAR WILLIS	At grade intersection,	3 legs	0.087	North and East		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost				
DARE	30000012	0.0	83.877				

MP No	Feature ID	Feature Name/Type	Special Type		Distance to Next	Direction to Next	Beyond Route Limits
5.927	50033116	WILLIS	At grade intersection,	3 legs	0.025	North and East	
5.952	50035271	BAYOU	At grade intersection,	3 legs	0.038	North and East	
5.990	50037689	LESTER FARROW	At grade intersection,	3 legs	0.098	North and East	
6.088	50024266	PINEY RIDGE	At grade intersection,	3 legs	0.163	North and East	
6.251	70.0	Mile Marker			0.022	North and East	
6.273	50035270	ROGUE RETREAT	At grade intersection,	4 legs	0.004	North and East	
6.277	40001523	SR 1523	At grade intersection,	4 legs	0.000	North and East	
6.277	50004959	CARDINAL	At grade intersection,	4 legs	0.043	North and East	
6.320	40001504	SR 1504	At grade intersection,	3 legs	0.000	North and East	
6.320	50028818	SPORTSMAN	At grade intersection,	3 legs	0.185	North and East	Y
6.505	40001507	SR 1507	At grade intersection,	3 legs	0.000	North and East	
6.505	50018259	LOVE	At grade intersection,	3 legs	0.130	North and East	
6.635	50035267	MARE VISTA	At grade intersection,	3 legs	0.246	North and East	
6.881	50020605	MORRIS	At grade intersection,	4 legs	0.061	North and East	
6.942	40001506	SR 1506	At grade intersection,	3 legs	0.000	North and East	
6.942	50013700	HENRY	At grade intersection,	4 legs	0.075	North and East	
7.017	50037698	OLD LANDING	At grade intersection,	3 legs	0.171	North and East	
7.188	50005515	CENTRAL	At grade intersection,	3 legs	0.036	North and East	
7.224	50018682	MAIN	At grade intersection,	3 legs	0.131	North and East	
7.355	40001411	SR 1411	At grade intersection,	3 legs	0.000	North and East	
7.355	50037692	LULLABY	At grade intersection,	3 legs	0.022	North and East	
7.377	50035268	PALMETTO SHORES	At grade intersection,	3 legs	0.111	North and East	
7.488	40001298	SR 1298	At grade intersection,	3 legs	0.000	North and East	
7.488	50017140	LASSITER	At grade intersection,	3 legs	0.590	North and East	
8.078	50041239	TRENT LAKE	At grade intersection,	3 legs	0.062	North and East	
8.140	270061	Structure	Not stated		0.062		
8.202	40001538	SR 1538	At grade intersection,	3 legs	0.000	North and East	
8.202	50030488	TIMBER	At grade intersection,	3 legs	0.105	North and East	
8.307	40001400	SR 1400	At grade intersection,	3 legs	0.000	North and East	
8.307	50004099	BUCCANEER	At grade intersection,	3 legs	0.066	North and East	Y
8.373	40001269	SR 1269	At grade intersection,	3 legs	0.000	North and East	
8.373	50032195	WATER PLANT	At grade intersection,	3 legs	0.000	North and East	
8.373	50035266	WATER ASSOCIATES	At grade intersection,	3 legs	0.047	North and East	
8.420	68.0	Mile Marker			0.030	North and East	
8.450	40001489	SR 1489	At grade intersection,	3 legs	0.000	North and East	

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
8.450	50028756	SPENCER	At grade intersection, 3 legs	0.053	North and East		
8.503	40001526	SR 1526	At grade intersection, 3 legs	0.000	North and East		
8.503	50005470	CEDAR	At grade intersection, 3 legs	0.080	North and East		
8.583	40001295	SR 1295	At grade intersection, 3 legs	0.000	North and East		
8.583	50023379	PARADISE	At grade intersection, 3 legs	0.044	North and East		
8.627	40001482	SR 1482	At grade intersection, 3 legs	0.000	North and East		
8.627	50004099	BUCCANEER	At grade intersection, 3 legs	0.197	North and East	Y	
8.824	50014917	INDIAN RIDGE	At grade intersection, 3 legs	0.047	North and East		
8.871	50037694	MAURICE BURRUS	At grade intersection, 3 legs	0.252	North and East		
9.123	50032966	WILDWOOD	At grade intersection, 3 legs	0.105	North and East		
9.228	50020001	MIDGETT	At grade intersection, 3 legs	0.052	North and East	Y	
9.280	50027573	SERENITY	At grade intersection, 3 legs	0.199	North and East		
9.479	67.0	Mile Marker		0.200	North and East		
9.679	50037697	OLD DOCTORS	At grade intersection, 4 legs	0.156	North and East		
9.835	50037701	QUIDLEY	At grade intersection, 3 legs	0.168	North and East		
10.003	50010290	FARROW	At grade intersection, 3 legs	0.020	North and East	Y	
10.023	50037714	TORNADO	At grade intersection, 3 legs	0.051	North and East		
10.074	50035264	GEORGE GASKINS	At grade intersection, 4 legs	0.034	North and East		
10.108	50037696	NACE JENNETTE	At grade intersection, 3 legs	0.245	North and East		
10.353	50001697	BARLEY	At grade intersection, 3 legs	0.127	North and East		
10.480	40001232	SR 1232	At grade intersection, 4 legs	0.000	North and East	Y	
10.480	50037659	BUXTON BACK	At grade intersection, 3 legs	0.092	North and East	Y	
10.572	50037660	BUXTON CEMETARY	At grade intersection, 3 legs	0.009	North and East		
10.581	66.0	Mile Marker		0.059	North and East		
10.640	50036118	CASKEY	At grade intersection, 4 legs	0.089	North and East		
10.729	50009909	ETHAN	At grade intersection, 3 legs	0.061	North and East		
10.790	50011256	FROG POND	At grade intersection, 3 legs	0.136	North and East		
10.926	50037672	DECOY	At grade intersection, 3 legs	0.055	North and East		
10.981	50037685	JENNETTES CEMETARY	At grade intersection, 3 legs	0.169	North and East		
11.150	40001234	SR 1234	At grade intersection, 4 legs	0.000	North and East		
11.150	50001515	BALLANCE	At grade intersection, 4 legs	0.000	North and East		
11.150	50007511	CROSSWAY	At grade intersection, 4 legs	0.272	North and East		
11.422	40001230	SR 1230	At grade intersection, 3 legs	0.000	South and East		
11.422	50026394	ROLLISON	At grade intersection, 3 legs	0.000	South and East		
11.422	50035263	ROCKY ROLLISON	At grade intersection, 3 legs	0.041	South and East		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
11.463	50015313	JARVIS	At grade intersection, 3 legs	0.037	South and East		
11.500	50027108	SANDS	At grade intersection, 3 legs	0.063	South and East	Y	
11.563	50006786	CONNER	At grade intersection, 3 legs	0.019	South and East		
11.582	40001233	SR 1233	At grade intersection, 3 legs	0.000	South and East		
11.582	50017630	LIGHT PLANT	At grade intersection, 3 legs	0.005	South and East		
11.587	65.0	Mile Marker		0.059	North and East		
11.646	50017494	LEOLA	At grade intersection, 3 legs	0.148	North and East		
11.794	50033054	WILLIAM	At grade intersection, 3 legs	0.058	North and East		
11.852	40001232	SR 1232	At grade intersection, 3 legs	0.000	South and East	Y	
11.852	50001390	BACK	At grade intersection, 3 legs	0.000	South and East		
11.852	50037659	BUXTON BACK	At grade intersection, 3 legs	0.024	South and East	Y	
11.876	50004396	BURRUS	At grade intersection, 3 legs	0.206	South and East		
12.082	50017636	LIGHTHOUSE	At grade intersection, 3 legs	0.098	North and East		
12.180	50037662	BUXTON OAKS	At grade intersection, 3 legs	0.090	North and East		
12.270	40001231	SR 1231	At grade intersection, 4 legs	0.000	North and East		
12.270	50022326	OLD LIGHTHOUSE	At grade intersection, 4 legs	0.063	North and East		
12.333	50035262	ORAMAR	At grade intersection, 3 legs	0.324	North and East		
12.657	64.0	Mile Marker		1.079	North and East		
13.736	63.0	Mile Marker		1.128	North and East		
14.864	62.0	Mile Marker		1.048	North and East		
15.912	61.0	Mile Marker		0.434	North and East		
16.346	40001467	SR 1467	At grade intersection, 3 legs	0.000	North and East		
16.346	50023409	PARK	At grade intersection, 3 legs	0.159	North and East	Y	
16.505	50023969	PHEASANT	At grade intersection, 3 legs	0.053	North and East		
16.558	50001151	ASKINS CREEK	At grade intersection, 3 legs	0.006	North and East		
16.564	50035260	ASKINS	At grade intersection, 3 legs	0.021	North and East		
16.585	50012591	GRIGG	At grade intersection, 3 legs	0.193	North and East		
16.778	40001420	SR 1420	At grade intersection, 4 legs	0.000	North and East		
16.778	40001485	SR 1485	At grade intersection, 4 legs	0.000	North and East		
16.778	50016469	KINNAKEET	At grade intersection, 4 legs	0.000	North and East	Y	
16.778	50035259	KINNAKEET SHORES	At grade intersection, 3 legs	0.134	North and East		
16.912	60.0	Mile Marker		0.001	North and East		
16.913	40001419	SR 1419	At grade intersection, 4 legs	0.212	North and East		
17.125	40001424	SR 1424	At grade intersection, 3 legs	0.000	North and East		
17.125	50027453	SEASIDE	At grade intersection, 3 legs	0.138	North and East		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
17.263	40001423	SR 1423	At grade intersection, 4 legs	0.167	North and East		
17.430	40001422	SR 1422	At grade intersection, 3 legs	0.000	North and East		
17.430	50023335	PAMPAS	At grade intersection, 3 legs	0.154	North and East		
17.584	40001525	SR 1525	At grade intersection, 3 legs	0.000	North and East		
17.584	50033919	YUCCA	At grade intersection, 3 legs	0.155	North and East		
17.739	40001524	SR 1524	At grade intersection, 3 legs	0.000	North and East		
17.739	50030207	TERN	At grade intersection, 3 legs	0.143	North and East		
17.882	50037656	BIG KINNAKEET	At grade intersection, 3 legs	0.080	North and East		
17.962	59.0	Mile Marker		0.015	North and East		
17.977	50037700	PALAZZOLO	At grade intersection, 3 legs	0.011	North and East		
17.988	40001421	SR 1421	At grade intersection, 3 legs	0.000	North and East		
17.988	50021812	OCEAN VIEW	At grade intersection, 3 legs	0.076	North and East	Y	
18.064	50032555	WESTERLY	At grade intersection, 4 legs	0.040	North and East		
18.104	40001547	SR 1547	At grade intersection, 3 legs	0.000	North and East		
18.104	50037680	HERMOLET	At grade intersection, 3 legs	0.048	North and East		
18.152	40001494	SR 1494	At grade intersection, 3 legs	0.000	North and East		
18.152	50020471	MOORE	At grade intersection, 3 legs	0.054	North and East		
18.206	40001413	SR 1413	At grade intersection, 4 legs	0.000	North and East		
18.206	40001445	SR 1445	At grade intersection, 4 legs	0.000	North and East		
18.206	50001290	AVALONA	At grade intersection, 4 legs	0.000	North and East		
18.206	50008994	DUNE	At grade intersection, 3 legs	0.058	North and East	Y	
18.264	50037670	CLYDE GRAY	At grade intersection, 4 legs	0.000	North and East		
18.264	50037713	TIGRONE	At grade intersection, 4 legs	0.050	North and East		
18.314	40001415	SR 1415	At grade intersection, 4 legs	0.000	North and East		
18.314	50000811	ANTILLAR	At grade intersection, 4 legs	0.000	North and East		
18.314	50035258	ANTILLAS	At grade intersection, 4 legs	0.073	North and East		
18.387	40001405	SR 1405	At grade intersection, 4 legs	0.000	North and East		
18.387	40001515	SR 1515	At grade intersection, 4 legs	0.000	North and East		
18.387	50029631	SUNFISH	At grade intersection, 4 legs	0.000	North and East		
18.387	50037715	TUNA TERRACE	At grade intersection, 4 legs	0.034	North and East		
18.421	40001224	SR 1224	At grade intersection, 3 legs	0.000	North and East		
18.421	50013095	HARBOR	At grade intersection, 3 legs	0.014	North and East		
18.435	50033893	YOUNCE	At grade intersection, 3 legs	0.050	North and East		
18.485	50007439	CROAKER	At grade intersection, 3 legs	0.032	North and East		
18.517	50001957	BEACHAM	At grade intersection, 3 legs	0.000	North and East		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

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DARE	30000012	0.0	83.877

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18.517	50002089	BECKHAM	At grade intersection, 3 legs	0.008	North and East		
18.525	50035256	GULLS CRY	At grade intersection, 4 legs	0.064	North and East		
18.589	50021803	OCEAN ISLE	At grade intersection, 3 legs	0.106	North and East	Y	
18.695	50021803	OCEAN ISLE	At grade intersection, 3 legs	0.046	North and East	Y	
18.741	40001229	SR 1229	Deleted Route	0.000	North and East		
18.741	40001299	SR 1299	At grade intersection, 4 legs	0.000	North and East		
18.741	40001472	SR 1472	At grade intersection, 4 legs	0.000	North and East		
18.741	50017519	LESLIE	At grade intersection, 4 legs	0.000	North and East		
18.741	50035255	DUE EAST	At grade intersection, 4 legs	0.065	North and East	Y	
18.806	40001471	SR 1471	At grade intersection, 3 legs	0.000	North and East		
18.806	50035255	DUE EAST	At grade intersection, 4 legs	0.024	North and East	Y	
18.830	40001262	SR 1262	At grade intersection, 3 legs	0.000	North and East		
18.830	50008625	DOLPHIN	At grade intersection, 3 legs	0.073	North and East	Y	
18.903	40001267	SR 1267	At grade intersection, 3 legs	0.000	North and East	Y	
18.903	50001959	BEACHCOMBER	At grade intersection, 3 legs	0.127	North and East	Y	
19.030	58.0	Mile Marker		0.005	North and East		
19.035	40001279	SR 1279	At grade intersection, 3 legs	0.000	North and East		
19.035	50003181	BONITO	At grade intersection, 3 legs	0.016	North and East		
19.051	40001267	SR 1267	At grade intersection, 3 legs	0.000	North and East	Y	
19.051	50001959	BEACHCOMBER	At grade intersection, 3 legs	0.058	North and East	Y	
19.109	40001263	SR 1263	At grade intersection, 3 legs	0.000	North and East		
19.109	40001460	SR 1460	Deleted Route	0.000	North and East		
19.109	50006468	COBIA	Deleted Route	0.000	North and East		
19.109	50026886	SAILFISH	At grade intersection, 3 legs	0.075	North and East		
19.184	40001261	SR 1261	At grade intersection, 3 legs	0.000	North and East		
19.184	50000726	ANGELFISH	At grade intersection, 3 legs	0.073	North and East		
19.257	40001264	SR 1264	At grade intersection, 3 legs	0.000	North and East		
19.257	50027092	SANDFIDDLER	At grade intersection, 3 legs	0.043	North and East	Y	
19.300	40001284	SR 1284	At grade intersection, 3 legs	0.000	North and East		
19.300	50027452	SEASHORE	At grade intersection, 3 legs	0.039	North and East		
19.339	40001268	SR 1268	At grade intersection, 3 legs	0.000	North and East		
19.339	50031894	WAHOO	At grade intersection, 3 legs	0.072	North and East		
19.411	40001282	SR 1282	At grade intersection, 3 legs	0.000	North and East		
19.411	50013375	HATTERAS	At grade intersection, 3 legs	0.078	North and East		
19.489	40001280	SR 1280	At grade intersection, 4 legs	0.000	North and East		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
19.489	40001286	SR 1286	At grade intersection, 4 legs	0.000	North and East		
19.489	50021801	OCEAN	At grade intersection, 4 legs	0.000	North and East	Y	
19.489	50032322	WEAKFISH	At grade intersection, 4 legs	0.065	North and East		
19.554	40001500	SR 1500	At grade intersection, 3 legs	0.000	North and East		
19.554	50021610	NOVA	At grade intersection, 3 legs	0.052	North and East		
19.606	50015061	ISLAND CREEK	At grade intersection, 3 legs	0.013	North and East		
19.619	40001501	SR 1501	At grade intersection, 3 legs	0.000	North and East		
19.619	50016469	KINNAKEET	At grade intersection, 3 legs	0.035	North and East	Y	
19.654	40001464	SR 1464	At grade intersection, 3 legs	0.000	North and East		
19.654	50023329	PAMLICO	At grade intersection, 3 legs	0.427	North and East		
20.081	57.0	Mile Marker		0.140	North and East		
20.221	50041136	RAMP 34	At grade intersection, 3 legs	0.853	North and West		
21.074	56.0	Mile Marker		1.051	North and East		
22.125	55.0	Mile Marker		1.056	North and East		
23.181	54.0	Mile Marker		1.000	North and East		
24.181	53.0	Mile Marker		1.260	North and East		
25.441	52.0	Mile Marker		1.014	North and East		
26.455	51.0	Mile Marker		1.054	North and East		
27.509	50.0	Mile Marker		1.041	North and East		
28.550	49.0	Mile Marker		1.063	North and East		
29.613	48.0	Mile Marker		1.000	North and East		
30.613	47.0	Mile Marker		0.077	North and East		
30.690	50004741	CAMP GROUND	At grade intersection, 3 legs	0.286	North and East		
30.976	50041135	RAMP 23	At grade intersection, 3 legs	0.290	North and West		
31.266	50002126	BEECH	At grade intersection, 3 legs	0.016	North and East	Y	
31.282	50017906	LIVE OAK	At grade intersection, 3 legs	0.129	North and East		
31.411	50019106	MARY JANE	At grade intersection, 3 legs	0.007	North and East		
31.418	40001470	SR 1470	At grade intersection, 3 legs	0.000	North and East		
31.418	50035254	OCEANSPRAY	At grade intersection, 3 legs	0.030	North and East		
31.448	50014379	HOOPER	At grade intersection, 3 legs	0.079	North and East		
31.527	50027837	SHELL	At grade intersection, 3 legs	0.015	North and East		
31.542	40001528	SR 1528	At grade intersection, 3 legs	0.000	North and East		
31.542	50023409	PARK	At grade intersection, 3 legs	0.018	North and East	Y	
31.560	50015195	JACKSON	At grade intersection, 3 legs	0.122	North and West		
31.682	40001532	SR 1532	At grade intersection, 3 legs	0.000	North and West		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
31.682	50027108	SANDS	At grade intersection, 3 legs	0.016	North and East	Y	
31.698	50037677	HAPPY CRAB	At grade intersection, 4 legs	0.037	North and West		
31.735	46.0	Mile Marker		0.018	North and West		
31.753	50037657	BLUE WHALE	At grade intersection, 4 legs	0.008	North and West		
31.761	50032439	WELLINGTON	At grade intersection, 3 legs	0.063	North and East		
31.824	40001446	SR 1446	At grade intersection, 4 legs	0.000	North and East		
31.824	50008709	DORY	At grade intersection, 4 legs	0.047	North and East		
31.871	50028788	SPINDRIFT	At grade intersection, 3 legs	0.017	North and East		
31.888	50029662	SUNSET	At grade intersection, 3 legs	0.018	North and East	Y	
31.906	50037704	ROTH	At grade intersection, 3 legs	0.032	North and West		
31.938	50010290	FARROW	At grade intersection, 3 legs	0.141	North and East	Y	
32.079	40001431	SR 1431	At grade intersection, 3 legs	0.000	North and East		
32.079	50006646	COLONY	At grade intersection, 3 legs	0.116	North and East		
32.195	40001432	SR 1432	At grade intersection, 3 legs	0.000	North and East		
32.195	50003014	BLUEBEARD	At grade intersection, 3 legs	0.081	North and East		
32.276	40001433	SR 1433	At grade intersection, 3 legs	0.000	North and East		
32.276	50015711	JOLLY ROGER	At grade intersection, 3 legs	0.184	North and East		
32.460	40001436	SR 1436	At grade intersection, 3 legs	0.000	North and West		
32.460	50020377	MONITOR	At grade intersection, 3 legs	0.178	North and West		
32.638	40001443	SR 1443	At grade intersection, 3 legs	0.000	North and West		
32.638	50003286	BOSUN	At grade intersection, 3 legs	0.147	North and West		
32.785	45.0	Mile Marker		0.043	North and East		
32.828	40001442	SR 1442	At grade intersection, 3 legs	0.000	North and West		
32.828	50025290	RAMPART	At grade intersection, 3 legs	0.113	North and West		
32.941	50035238	WIMBLE SHORES	At grade intersection, 4 legs	0.029	North and West	Y	
32.970	50037712	THALASSA	At grade intersection, 4 legs	0.097	North and West		
33.067	50031796	VISTA	At grade intersection, 3 legs	0.077	North and West		
33.144	40001449	SR 1449	At grade intersection, 3 legs	0.000	North and West		
33.144	50035241	SEA VISTA	At grade intersection, 3 legs	0.066	North and West		
33.210	50020001	MIDGETT	At grade intersection, 3 legs	0.002	North and West	Y	
33.212	50020001	MIDGETT	At grade intersection, 3 legs	0.038	North and West	Y	
33.250	50037682	IGNATIOUS	At grade intersection, 3 legs	0.073	North and East		
33.323	40001427	SR 1427	At grade intersection, 3 legs	0.000	North and East		
33.323	50017159	LAUGHING GUL	At grade intersection, 3 legs	0.025	North and East		
33.348	50017451	LELAND	At grade intersection, 3 legs	0.046	North and West		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
33.394	50012348	GRAY	At grade intersection,	3 legs	0.037	North and East	
33.431	50007031	COTTAGE	At grade intersection,	3 legs	0.000	North and East	
33.431	50035240	CECIL COTTAGE	At grade intersection,	3 legs	0.042	North and East	
33.473	50027179	SARA	At grade intersection,	3 legs	0.029	North and East	
33.502	40001414	SR 1414	At grade intersection,	3 legs	0.000	North and East	
33.502	50035239	SEA ISLE HILLS	At grade intersection,	3 legs	0.048	North and East	
33.550	40001412	SR 1412	At grade intersection,	3 legs	0.000	North and East	
33.550	50035237	BOLD DUNE	At grade intersection,	3 legs	0.068	North and East	
33.618	50037687	LA WAVES	At grade intersection,	3 legs	0.040	North and East	
33.658	50037688	LEE O'NEAL	At grade intersection,	3 legs	0.174	North and East	
33.832	50037683	ISLAND PINE	At grade intersection,	3 legs	0.032	North and East	
33.864	40001522	SR 1522	At grade intersection,	3 legs	0.000	North and East	
33.864	50035238	WIMBLE SHORES	At grade intersection,	3 legs	0.194	North and East	Y
34.058	40001512	SR 1512	At grade intersection,	3 legs	0.000	North and West	
34.058	50037693	MAC-OCA	At grade intersection,	3 legs	0.021	North and West	
34.079	44.0	Mile Marker			0.236	North and East	
34.315	50037703	RESORT RODANTHE	At grade intersection,	3 legs	0.009	North and West	
34.324	50028017	SHORE	At grade intersection,	3 legs	0.143	North and West	
34.467	40001292	SR 1292	At grade intersection,	3 legs	0.000	North and West	
34.467	50030798	TRADE WINDS	At grade intersection,	3 legs	0.177	North and West	
34.644	40001247	SR 1247	At grade intersection,	3 legs	0.000	North and West	
34.644	50001196	ATLANTIC	At grade intersection,	3 legs	0.024	North and West	Y
34.668	50029255	STOCKTON	At grade intersection,	3 legs	0.095	North and West	
34.763	40001448	SR 1448	At grade intersection,	3 legs	0.000	North and West	
34.763	50014192	HOLIDAY	At grade intersection,	3 legs	0.078	North and West	Y
34.841	40001462	SR 1462	At grade intersection,	3 legs	0.000	North and East	
34.841	50014192	HOLIDAY	At grade intersection,	3 legs	0.077	North and East	Y
34.918	40001537	SR 1537	At grade intersection,	3 legs	0.000	North and East	
34.918	50008043	DEAN	At grade intersection,	3 legs	0.066	North and West	
34.984	50037655	BEULAH O'NEAL	At grade intersection,	3 legs	0.036	North and West	
35.020	50037708	SEA SOUND	At grade intersection,	3 legs	0.059	North and East	
35.079	43.0	Mile Marker			0.005	North and East	
35.084	50037793	SUIDIE PAYNE	At grade intersection,	3 legs	0.042	North and East	
35.126	50037684	JADA MACA	At grade intersection,	3 legs	0.096	North and East	
35.222	50037707	SEA HAVEN	At grade intersection,	3 legs	0.131	North and East	

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type		Distance to Next	Direction to Next	Loop	Beyond Route Limits
35.353	50037686	JOSEPH MIDGETT	At grade intersection,	3 legs	0.035	North and East		
35.388	50020001	MIDGETT	At grade intersection,	3 legs	0.041	North and West	Y	
35.429	40001492	SR 1492	At grade intersection,	3 legs	0.000	North and East		
35.429	50037695	MYRNA PETERS	At grade intersection,	3 legs	0.014	North and East		
35.443	50017168	LAURA	At grade intersection,	3 legs	0.112	North and East		
35.555	40001498	SR 1498	At grade intersection,	3 legs	0.000	North and East		
35.555	50027411	SEA OATS	At grade intersection,	3 legs	0.057	North and East	Y	
35.612	40001516	SR 1516	At grade intersection,	3 legs	0.000	North and East		
35.612	50035236	AMERICA	At grade intersection,	3 legs	0.026	North and East		
35.638	50024482	POINT	At grade intersection,	3 legs	0.048	North and East		
35.686	50041240	PAPPY	At grade intersection,	3 legs	0.032	North and East		
35.718	50001967	BEACON	At grade intersection,	3 legs	0.061	North and East		
35.779	50028658	SOUTHGATE	At grade intersection,	4 legs	0.028	North and East		
35.807	50035235	WIMBLE SHOALS	At grade intersection,	4 legs	0.067	North and East		
35.874	40001495	SR 1495	At grade intersection,	4 legs	0.000	North and West		
35.874	50035234	CORBINA	At grade intersection,	4 legs	0.050	North and East		
35.924	50027410	SEA GULL	At grade intersection,	3 legs	0.017	North and West		
35.941	50037671	CROSS OF HONOR	At grade intersection,	3 legs	0.092	North and West		
36.033	50037652	16TH OF AUGUST	At grade intersection,	3 legs	0.055	North and West		
36.088	42.0	Mile Marker			0.013	North and West		
36.101	50035233	BLUE SEA	At grade intersection,	4 legs	0.065	North and West		
36.166	50034765	GREEN LANTERN	At grade intersection,	3 legs	0.922	North and West		
37.088	41.0	Mile Marker			0.062	North and East		
37.150	50041241	CAMP HATTERAS	At grade intersection,	4 legs	0.980	North and West		
38.130	40.0	Mile Marker			0.992	North and East		
39.122	39.0	Mile Marker			0.983	North and East		
40.105	38.0	Mile Marker			1.121	North and East		
41.226	37.0	Mile Marker			0.427	North and East		
41.653	270069	Structure	Bridge		0.657			
42.310	36.0	Mile Marker			1.000	North and East		
43.310	35.0	Mile Marker			1.101	North and East		
44.411	34.0	Mile Marker			0.953	North and East		
45.364	33.0	Mile Marker			1.191	North and East		
46.555	32.0	Mile Marker			0.760	North and East		
47.315	31.0	Mile Marker			0.337	North and East		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Beyond Route Limits
47.652	40001257	SR 1257	At grade intersection, 3 legs	0.683	North and West	
48.335	30.0	Mile Marker		0.933	North and West	
49.268	270011	Structure	Bridge	0.067		
49.335	29.0	Mile Marker		1.000	North and East	
50.335	28.0	Mile Marker		0.408	North and East	
50.743	40001256	SR 1256	At grade intersection, 3 legs	0.671	North and West	
51.414	27.0	Mile Marker		1.000	North and East	
52.414	26.0	Mile Marker		0.573	North and East	
52.987	50037658	BODIE ISLAND LIGHTHOUSE	At grade intersection, 4 legs	0.000	North and West	
52.987	50037743	COQUINA BEACH	At grade intersection, 4 legs	0.936	North and West	
53.923	25.0	Mile Marker		0.234	North and East	
54.157	40001243	SR 1243	At grade intersection, 3 legs	0.000	North and West	Y
54.157	50034830	OLD OREGON INLET	At grade intersection, 3 legs	0.775	North and West	Y
54.932	24.0	Mile Marker		1.069	North and East	
56.001	23.0	Mile Marker		1.015	North and West	
57.016	22.0	Mile Marker		1.574	North and West	
58.590	20000064	US 64	At grade intersection, 4 legs	0.000	North and East	
58.590	20000158	US 158	At grade intersection, 4 legs	0.000	North and East	
58.590	20000264	US 264	At grade intersection, 4 legs	0.000	North and East	
58.590	30400012	NC 12 SB COUPLET	At grade intersection, 3 legs	0.000	North and West	
58.590	50007442	CROATAN	At grade intersection, 4 legs	0.000	North and East	Y
58.590	50032648	WHALEBONE	At grade intersection, 4 legs	0.244	North and East	
58.834	40001543	SR 1543	At grade intersection, 3 legs	0.000	North and East	
58.834	50007442	CROATAN	At grade intersection, 3 legs	0.069	North and East	Y
58.903	40001544	SR 1544	At grade intersection, 3 legs	0.000	North and East	
58.903	50012731	GULFSTREAM	At grade intersection, 3 legs	0.140	North and East	
59.043	40001243	SR 1243	At grade intersection, 3 legs	0.000	North and East	Y
59.043	50034830	OLD OREGON INLET	At grade intersection, 3 legs	0.139	North and East	Y
59.182	50012370	GRAYEAGLE	At grade intersection, 3 legs	0.161	North and West	
59.343	50012733	GULL	At grade intersection, 4 legs	0.161	North and West	
59.504	50011991	GLIDDEN	At grade intersection, 4 legs	0.160	North and West	
59.664	50012652	GROUSE	At grade intersection, 4 legs	0.204	North and West	
59.868	50010686	FLICKER	At grade intersection, 3 legs	0.057	North and West	
59.925	50010498	FINCH	At grade intersection, 3 legs	0.060	North and West	
59.985	50010785	FORBES	At grade intersection, 3 legs	0.059	North and West	

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
60.044	50016916	LAKE SIDE	At grade intersection, 3 legs	0.068	North and West		
60.112	50010813	FOREST	At grade intersection, 3 legs	0.021	North and West		
60.133	50035276	OCEANWATCH	At grade intersection, 3 legs	0.093	North and West		
60.226	50001928	BAYMEADOW	At grade intersection, 4 legs	0.414	North and West		
60.640	50027422	SEACHASE	At grade intersection, 4 legs	0.080	North and West		
60.720	50003024	BLUEWATER	At grade intersection, 3 legs	0.012	North and West		
60.732	50034865	EPSTEIN	At grade intersection, 4 legs	0.153	North and West	Y	
60.885	50037706	SAND PEBBLE	At grade intersection, 3 legs	0.060	North and West		
60.945	50035073	HAWK NEST	At grade intersection, 4 legs	0.055	North and West		
61.000	BM000383	ML-NAGS HEAD		0.117	North and West	Y	
61.117	50034865	EPSTEIN	At grade intersection, 3 legs	0.214	North and West	Y	
61.331	50018709	MALL	At grade intersection, 3 legs	0.163	North and West		
61.494	50035275	ENGAGEMENT HILL	At grade intersection, 3 legs	0.030	North and West	Y	
61.524	50037690	LOGGERHEAD	At grade intersection, 3 legs	0.063	North and West		
61.587	50035275	ENGAGEMENT HILL	At grade intersection, 3 legs	0.027	North and West	Y	
61.614	50009817	ENTERPRISE	At grade intersection, 3 legs	0.168	North and West		
61.782	50009014	DUNN	At grade intersection, 3 legs	0.086	North and West		
61.868	50008775	DOWITCH	At grade intersection, 3 legs	0.000	North and West		
61.868	50035274	DOWITHER	At grade intersection, 3 legs	0.036	North and West		
61.904	50028406	SMALL	At grade intersection, 3 legs	0.052	North and West		
61.956	50007855	DANUBE	At grade intersection, 3 legs	0.172	North and West		
62.128	50008504	DIXIE	At grade intersection, 3 legs	0.350	North and West		
62.478	50008994	DUNE	At grade intersection, 3 legs	0.251	North and West	Y	
62.729	50028606	SOUND SIDE	At grade intersection, 3 legs	0.179	North and West		
62.908	16.0	Mile Marker		0.410	North and East		
63.318	50006738	CONCH	At grade intersection, 4 legs	0.219	North and West		
63.537	50014235	HOLLOWELL	At grade intersection, 4 legs	0.285	North and West		
63.822	15.0	Mile Marker		0.150	North and East		
63.972	50001442	BAINBRIDGE	At grade intersection, 3 legs	0.183	North and West		
64.155	50001684	BARK	At grade intersection, 4 legs	0.000	North and West		
64.155	50002855	BLADEN	At grade intersection, 4 legs	0.123	North and West		
64.278	50002780	BITTERN	At grade intersection, 4 legs	0.122	North and West		
64.400	50003192	BONNETT	At grade intersection, 4 legs	0.124	North and West		
64.524	50002837	BLACKMON	At grade intersection, 4 legs	0.087	North and West		
64.611	50001712	BARNES	At grade intersection, 4 legs	0.120	North and West		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
64.731	50001550	BALTIC	At grade intersection,	3 legs	0.078	North and West	
64.809	14.0	Mile Marker			0.045	North and East	
64.854	50000212	ADMIRAL	At grade intersection,	4 legs	0.124	North and West	
64.978	50000085	ABALONE	At grade intersection,	4 legs	0.201	North and West	
65.179	50011413	GALLERY	At grade intersection,	4 legs	0.063	North and West	
65.242	50008849	DRIFTWOOD	At grade intersection,	3 legs	0.193	North and West	
65.435	50000327	ALBATROSS	At grade intersection,	4 legs	0.123	North and West	
65.558	50009454	EIGHTH	At grade intersection,	4 legs	0.211	North and West	Y
65.769	50011194	FRESH POND	At grade intersection,	3 legs	0.040	North and West	
65.809	13.0	Mile Marker			0.014	North and East	
65.823	50016874	LAKE	At grade intersection,	3 legs	0.054	North and West	
65.877	50005060	CAROL	At grade intersection,	4 legs	0.000	North and East	Y
65.877	50005080	CAROLINE	At grade intersection,	3 legs	0.105	North and West	
65.982	50021153	NEPTUNE	At grade intersection,	3 legs	0.000	North and West	
65.982	50021797	OCEAN ACRES	At grade intersection,	3 legs	0.160	North and West	
66.142	50014238	HOLLY	At grade intersection,	3 legs	0.085	North and West	
66.227	50001196	ATLANTIC	At grade intersection,	4 legs	0.222	North and West	Y
66.449	50019046	MARTIN	At grade intersection,	4 legs	0.085	North and West	Y
66.534	50004666	CALVIN	At grade intersection,	4 legs	0.086	North and West	
66.620	50006173	CLARK	At grade intersection,	4 legs	0.169	North and West	
66.789	50001896	BAUM	At grade intersection,	3 legs	0.000	North and West	Y
66.789	12.0	Mile Marker			0.228	North and East	
67.017	50023048	OREGON	At grade intersection,	4 legs	0.051	North and West	
67.068	50005006	CARLETON	At grade intersection,	4 legs	0.052	North and West	
67.120	40001217	SR 1217	At grade intersection,	3 legs	0.000	North and West	
67.120	50006618	COLLINGTON	At grade intersection,	3 legs	0.000	North and West	
67.120	50021798	OCEAN BAY	At grade intersection,	4 legs	0.052	North and West	Y
67.172	50033726	WRIGHT	At grade intersection,	3 legs	0.047	North and West	
67.219	50001320	AVIATION	At grade intersection,	4 legs	0.100	North and West	
67.319	50024208	PINEHURST	At grade intersection,	4 legs	0.000	North and West	
67.319	50029738	SUTTON	At grade intersection,	4 legs	0.098	North and West	
67.417	50005017	CARLOW	At grade intersection,	4 legs	0.000	North and West	
67.417	50025238	RALEIGH	At grade intersection,	4 legs	0.099	North and West	
67.516	50001455	BAKER	At grade intersection,	4 legs	0.000	North and West	
67.516	50010288	FARRIS	At grade intersection,	4 legs	0.049	North and West	

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
67.565	50033602	WOODMERE	At grade intersection, 4 legs	0.050	North and West		
67.615	50011962	GLENMERE	At grade intersection, 3 legs	0.024	North and West		
67.639	50024874	PROSPECT	At grade intersection, 3 legs	0.024	North and West	Y	
67.663	50024874	PROSPECT	At grade intersection, 3 legs	0.050	North and West	Y	
67.713	50018310	LOWELL	At grade intersection, 3 legs	0.088	North and West		
67.801	50001115	ASHEVILLE	At grade intersection, 4 legs	0.048	North and West		
67.849	50033276	WINDSONG	At grade intersection, 3 legs	0.028	North and West		
67.877	50030003	TANYA	At grade intersection, 3 legs	0.017	North and West		
67.894	11.0	Mile Marker		0.081	North and East		
67.975	50006901	CORAL	At grade intersection, 3 legs	0.099	North and West		
68.074	50017007	LANDING	At grade intersection, 3 legs	0.197	North and West		
68.271	50010540	FIRST	At grade intersection, 4 legs	0.186	North and West	Y	
68.457	50027472	SECOND	At grade intersection, 4 legs	0.100	North and West	Y	
68.557	BM000286	ML-KILL DEVIL HILLS		0.000	North and West	Y	
68.557	BM000383	ML-NAGS HEAD		0.086	North and West	Y	
68.643	50030308	THIRD	At grade intersection, 4 legs	0.175	North and West	Y	
68.818	10.0	Mile Marker		0.008	North and East		
68.826	50010970	FOURTH	At grade intersection, 3 legs	0.188	North and West	Y	
69.014	50010479	FIFTH	At grade intersection, 4 legs	0.302	North and West	Y	
69.316	50001289	AVALON	At grade intersection, 3 legs	0.047	North and West		
69.363	50028818	SPORTSMAN	At grade intersection, 3 legs	0.028	North and West	Y	
69.391	50002581	BICKETT	At grade intersection, 3 legs	0.046	North and West		
69.437	50023314	PALMETTO	At grade intersection, 3 legs	0.026	North and West		
69.463	50025339	RANDOM	At grade intersection, 3 legs	0.075	North and West		
69.538	50001339	AYCOCK	At grade intersection, 3 legs	0.000	North and West		
69.538	50009337	EDEN	At grade intersection, 4 legs	0.049	North and West		
69.587	50031939	WALKER	At grade intersection, 4 legs	0.050	North and West		
69.637	50000918	ARCHDALE	At grade intersection, 3 legs	0.052	North and West		
69.689	50012873	HAIMON	At grade intersection, 4 legs	0.053	North and West		
69.742	50028599	SOTHEL	At grade intersection, 3 legs	0.050	North and West		
69.792	50006019	CHOWAN	At grade intersection, 4 legs	0.049	North and West		
69.841	50033004	WILKINSON	At grade intersection, 3 legs	0.051	North and West		
69.892	9.0	Mile Marker		0.002	North and East		
69.894	50035232	SEA VILLAGE	At grade intersection, 3 legs	0.161	North and West		
70.055	50013632	HELGA	At grade intersection, 4 legs	0.086	North and West		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Beyond Route Limits
70.141	50000916	ARCH	At grade intersection, 4 legs	0.166	North and West	
70.307	50028100	SIBBERN	At grade intersection, 3 legs	0.174	North and West	
70.481	50030063	TATEWAY	At grade intersection, 3 legs	0.229	North and West	
70.710	40001275	SR 1275	At grade intersection, 3 legs	0.000	North and West	
70.710	50032715	WHITE	At grade intersection, 3 legs	0.142	North and West	
70.852	8.0	Mile Marker		0.220	North and East	
71.072	50035231	HURDLE	At grade intersection, 3 legs	0.031	North and West	
71.103	50023876	PERRY	At grade intersection, 3 legs	0.019	North and West	
71.122	50037676	HALLETT	At grade intersection, 3 legs	0.079	North and West	
71.201	40001206	SR 1206	At grade intersection, 4 legs	0.000	North and West	
71.201	40001208	SR 1208	At grade intersection, 4 legs	0.000	North and West	Y
71.201	50016555	KITTY HAWK	At grade intersection, 4 legs	0.000	North and West	
71.201	50016557	KITTY HAWK WOOD	At grade intersection, 4 legs	0.294	North and West	
71.495	50017656	LILLIAN	At grade intersection, 3 legs	0.130	North and West	
71.625	50029068	STARFISH	At grade intersection, 3 legs	0.233	North and West	
71.858	7.0	Mile Marker		0.003	North and East	
71.861	50014100	HISTORIC	At grade intersection, 3 legs	0.249	North and West	
72.110	50001477	BALCHEN	At grade intersection, 4 legs	0.163	North and West	
72.273	50013423	HAWK	At grade intersection, 4 legs	0.162	North and West	
72.435	50033002	WILKINS	At grade intersection, 4 legs	0.164	North and West	
72.599	50002921	BLERIOT	At grade intersection, 4 legs	0.163	North and West	
72.762	40001249	SR 1249	At grade intersection, 4 legs	0.000	North and West	
72.762	50007975	DAVIS	At grade intersection, 4 legs	0.000	North and West	
72.762	50009302	ECKNER	At grade intersection, 4 legs	0.053	North and West	
72.815	6.0	Mile Marker		0.107	North and East	
72.922	50018424	LUKE	At grade intersection, 4 legs	0.165	North and West	
73.087	50002335	BENNET	At grade intersection, 4 legs	0.163	North and West	
73.250	50019287	MAYNARD	At grade intersection, 4 legs	0.032	North and West	
73.282	BM000286	ML-KILL DEVIL HILLS		0.000	North and West	Y
73.282	BM000292	ML-KITTY HAWK		0.131	North and West	Y
73.413	50010765	FONCK	At grade intersection, 4 legs	0.163	North and West	
73.576	50004498	BYRD	At grade intersection, 4 legs	0.079	North and West	
73.655	40001205	SR 1205	At grade intersection, 3 legs	0.000	North and West	
73.655	50031781	VIRGINA DARE	At grade intersection, 3 legs	0.000	North and West	
73.655	50032926	WILBUR	At grade intersection, 4 legs	0.130	North and West	

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

County	Inventoried Route ID	Begin Milepost	End Milepost
DARE	30000012	0.0	83.877

MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
73.785	5.0	Mile Marker		0.107	North and East		
73.892	40001418	SR 1418	At grade intersection, 4 legs	0.000	North and West		
73.892	40001493	SR 1493	At grade intersection, 4 legs	0.000	North and West		
73.892	50021801	OCEAN	At grade intersection, 4 legs	0.192	North and West	Y	
74.084	50035230	PELICAN WATCH	At grade intersection, 3 legs	0.150	North and West		
74.234	50021812	OCEAN VIEW	At grade intersection, 3 legs	0.121	North and West	Y	
74.355	50028342	SKYLINE	At grade intersection, 3 legs	0.567	North and West		
74.922	4.0	Mile Marker		0.052	North and East		
74.974	50005923	CHICHAUK	At grade intersection, 3 legs	0.379	North and West		
75.353	50021801	OCEAN	At grade intersection, 3 legs	0.255	North and West	Y	
75.608	50024612	PORPOISE	At grade intersection, 3 legs	0.123	North and West		
75.731	50037645	TROUT RUN	At grade intersection, 3 legs	0.124	North and West		
75.855	50008625	DOLPHIN	At grade intersection, 4 legs	0.067	North and West	Y	
75.922	3.0	Mile Marker		0.189	North and East		
76.111	50008601	DOGWOOD	At grade intersection, 4 legs	0.004	North and West	Y	
76.115	50008601	DOGWOOD	At grade intersection, 3 legs	0.080	North and West	Y	
76.195	50027092	SANDFIDDLER	At grade intersection, 3 legs	0.077	North and West	Y	
76.272	50023858	PERIWINKLE	At grade intersection, 3 legs	0.355	North and West		
76.627	50013875	HICKORY	At grade intersection, 4 legs	0.102	North and West		
76.729	50010540	FIRST	At grade intersection, 3 legs	0.067	North and West	Y	
76.796	50027472	SECOND	At grade intersection, 3 legs	0.007	North and West	Y	
76.803	2.0	Mile Marker		0.074	North and East		
76.877	50030308	THIRD	At grade intersection, 3 legs	0.078	North and West	Y	
76.955	50010970	FOURTH	At grade intersection, 3 legs	0.062	North and West	Y	
77.017	BM000292	ML-KITTY HAWK		0.000	North and West	Y	
77.017	BM000509	ML-SOUTHERN SHORES		0.016	North and West	Y	
77.033	50010479	FIFTH	At grade intersection, 3 legs	0.071	North and West	Y	
77.104	50028295	SIXTH	At grade intersection, 3 legs	0.078	North and East		
77.182	50027622	SEVENTH	At grade intersection, 3 legs	0.075	North and West		
77.257	50009454	EIGHTH	At grade intersection, 3 legs	0.074	North and West	Y	
77.331	50014034	HILLCREST	At grade intersection, 4 legs	0.078	North and West		
77.409	50021411	NINTH	At grade intersection, 4 legs	0.090	North and West		
77.499	50030199	TENTH	At grade intersection, 4 legs	0.091	North and West		
77.590	50009511	ELEVENTH	At grade intersection, 3 legs	0.087	North and West		
77.677	50031200	TWELFTH	At grade intersection, 3 legs	0.084	North and West		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
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Item 4.

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MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
77.761	50027411	SEA OATS	At grade intersection, 4 legs	0.000	North and West	Y	
77.761	50030312	THIRTEENTH	At grade intersection, 4 legs	0.097	North and West		
77.858	50035228	JAYCREST	At grade intersection, 3 legs	0.040	North and West		
77.898	50037667	CHARLES JENKINS	At grade intersection, 4 legs	0.052	North and West		
77.950	50035226	BIAS	At grade intersection, 4 legs	0.030	North and West		
77.980	50030452	TIDES	At grade intersection, 3 legs	0.067	North and West		
78.047	50031073	TUCKAHOE	At grade intersection, 4 legs	0.151	North and West		
78.198	40001484	SR 1484	At grade intersection, 4 legs	0.000	North and West		
78.198	50027437	SEAHAWK	At grade intersection, 4 legs	0.082	North and West		
78.280	50027408	SEA BREEZE	At grade intersection, 3 legs	0.029	North and West		
78.309	50037794	OSPREY RIDGE	At grade intersection, 3 legs	0.025	North and West		
78.334	50037675	GEORGETOWN SANDS	At grade intersection, 3 legs	0.070	North and West		
78.404	50027601	SETTLERS	At grade intersection, 3 legs	0.095	North and West		
78.499	40001417	SR 1417	At grade intersection, 4 legs	0.000	North and East		
78.499	50021029	NASH	At grade intersection, 4 legs	0.000	North and West		
78.499	50024440	PLOVER	At grade intersection, 4 legs	0.051	North and West		
78.550	50000660	AMY	At grade intersection, 3 legs	0.089	North and West		
78.639	50010966	FOUR SEASONS	At grade intersection, 3 legs	0.166	North and West		
78.805	50027282	SCARBORO	At grade intersection, 3 legs	0.108	North and West		
78.913	40001409	SR 1409	At grade intersection, 3 legs	0.000	North and West		
78.913	50006057	CHRISTOPHER	At grade intersection, 3 legs	0.044	North and West		
78.957	40001297	SR 1297	At grade intersection, 3 legs	0.000	North and West		
78.957	50024667	POTESKEET	At grade intersection, 3 legs	0.083	North and West		
79.040	50037674	DUCK LANDING	At grade intersection, 3 legs	0.164	North and West		
79.204	50035225	SCHOONER RIDGE	At grade intersection, 3 legs	0.127	North and West		
79.331	50032064	WAMPUM	At grade intersection, 3 legs	0.042	North and West		
79.373	40001425	SR 1425	At grade intersection, 3 legs	0.000	North and West		
79.373	50018968	MARLIN	At grade intersection, 3 legs	0.129	North and West	Y	
79.502	50006828	COOK	At grade intersection, 3 legs	0.063	North and West		
79.565	40001518	SR 1518	At grade intersection, 3 legs	0.000	North and West		
79.565	50008994	DUNE	At grade intersection, 3 legs	0.063	North and West	Y	
79.628	50035224	SEA COLONY	At grade intersection, 3 legs	0.072	North and West		
79.700	50022911	OLDE DUCK	At grade intersection, 3 legs	0.050	North and West		
79.750	50037653	BARRIER ISLAND STATION	At grade intersection, 4 legs	0.126	North and West		
79.876	50027968	SHIPS WATCH	At grade intersection, 3 legs	0.053	North and West		

**North Carolina Department of Transportation
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Item 4.

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79.929	50027143	SANDY RIDGE	At grade intersection, 3 legs	0.702	North and West		
80.631	50035223	NOR BANKS	At grade intersection, 3 legs	0.060	North and West		
80.691	50028914	SPYGLASS	At grade intersection, 3 legs	0.109	North and West		
80.800	50028514	SNOW GEESE	At grade intersection, 3 legs	0.048	North and West	Y	
80.848	50028514	SNOW GEESE	At grade intersection, 3 legs	0.092	North and West	Y	
80.940	40001479	SR 1479	At grade intersection, 3 legs	0.000	North and West		
80.940	50032899	WIDGEON	At grade intersection, 3 legs	0.037	North and West		
80.977	BM000509	ML-SOUTHERN SHORES		0.000	North and West	Y	
80.977	BM000662	ML-DUCK		0.033	North and West		
81.010	40001478	SR 1478	At grade intersection, 3 legs	0.000	North and West		
81.010	50024121	PIN TAIL	At grade intersection, 3 legs	0.068	North and West		
81.078	40001477	SR 1477	At grade intersection, 3 legs	0.000	North and West		
81.078	50033506	WOOD DUCK	At grade intersection, 3 legs	0.069	North and West		
81.147	40001476	SR 1476	At grade intersection, 3 legs	0.000	North and West		
81.147	50004880	CANVAS BACK	At grade intersection, 3 legs	0.065	North and West		
81.212	40001475	SR 1475	At grade intersection, 3 legs	0.000	North and West		
81.212	50035222	SPRIGTAIL	At grade intersection, 3 legs	0.062	North and West		
81.274	40001474	SR 1474	At grade intersection, 3 legs	0.000	North and West		
81.274	50022670	OLD SQUAW	At grade intersection, 3 legs	0.070	North and West		
81.344	50008394	DIANE	At grade intersection, 3 legs	0.073	North and West		
81.417	50018710	MALLARD	At grade intersection, 3 legs	0.054	North and West		
81.471	50030972	TRINITY	At grade intersection, 3 legs	0.086	North and West		
81.557	50035221	SEA TERN	At grade intersection, 3 legs	0.100	North and West		
81.657	40001408	SR 1408	At grade intersection, 3 legs	0.000	North and West		
81.657	50005060	CAROL	At grade intersection, 3 legs	0.079	North and West	Y	
81.736	50037710	SOUND SEA	At grade intersection, 3 legs	0.101	North and West		
81.837	50000160	ACORN	At grade intersection, 3 legs	0.000	North and West		
81.837	50000161	ACORN OAKS	At grade intersection, 3 legs	0.049	North and West		
81.886	50021798	OCEAN BAY	At grade intersection, 3 legs	0.000	North and West	Y	
81.886	50021809	OCEAN PINE	At grade intersection, 3 legs	0.027	North and West	Y	
81.913	50035218	FLIGHT	At grade intersection, 3 legs	0.043	North and West		
81.956	50021809	OCEAN PINE	At grade intersection, 3 legs	0.112	North and West	Y	
82.068	50037699	OYSTER CATCHER	At grade intersection, 3 legs	0.176	North and West		
82.244	50035220	ROYAL TERN	At grade intersection, 3 legs	0.158	North and West		
82.402	50002982	BLUE HERON	At grade intersection, 3 legs	0.000	North and West		

**North Carolina Department of Transportation
Traffic Engineering Accident Analysis System
Features Report**

Item 4.

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MP No	Feature ID	Feature Name/Type	Special Type	Distance to Next	Direction to Next	Loop	Beyond Route Limits
82.402	50037795	BLUE HORN	At grade intersection, 3 legs	0.053	North and West		
82.455	50035219	RUDDY DUCK	At grade intersection, 3 legs	0.114	North and West		
82.569	50037716	WAXWING	At grade intersection, 3 legs	0.042	North and West		
82.611	50011442	GANNETT	At grade intersection, 4 legs	0.000	North and West		
82.611	50035217	GANNETT COVE	At grade intersection, 4 legs	0.244	North and West		
82.855	50019046	MARTIN	At grade intersection, 3 legs	0.031	North and West	Y	
82.886	50025020	QUAIL	At grade intersection, 3 legs	0.190	North and West		
83.076	50035215	STATION BAY	At grade intersection, 4 legs	0.433	North and West		
83.509	50028514	SNOW GEESE	At grade intersection, 3 legs	0.056	North and West	Y	
83.565	50001896	BAUM	At grade intersection, 3 legs	0.312	North and West	Y	
83.877	BC000027	CL-CURRITUCK		0.000	North and West		

Speed Limit Information

Speed limits are controlled by general statutes and local and state ordinances. Within incorporated municipalities, the statutory speed limit is 35 miles per hour (MPH) unless otherwise ordained and posted. The statutory speed limit on roads outside incorporated municipalities is 55 MPH unless otherwise ordained and posted.

Some highways have speed limits of up to 70 MPH on certain sections. However, the speed limit along these routes may drop to 55 MPH when they pass through certain areas. These speed limit reductions are clearly designated in North Carolina, so care should be taken to reduce speed when entering these lower speed zones.

Crash records show that motorists driving too slow can create a safety hazard and cause crashes just as a motorist driving too fast can. If weather and traffic permit, motorists should always try to travel at the posted speed.

Statutory Speed Limits

Rural Areas	55*
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Incorporated Municipalities	35*
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School Buses	45
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Activity Buses	55
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** Unless ordained and posted otherwise*

Reduce speed when hazardous conditions are present such as rain, snow, ice, congestion, darkness or low visibility, etc.



Roy Cooper
Governor

James H. Trogon, III
Secretary of Transportation

Transportation Mobility and Safety Division
1561 Mail Service Center
Raleigh, North Carolina 27699-1561

(919) 814-5000

NCDOT Web Site:
<http://www.ncdot.gov/>

Traffic Safety Web Site:
<https://connect.ncdot.gov/resources/safety/Pages/default.aspx>

August 2018

North Carolina
Department of Transportation

Item 4.

Speed Limits



When traffic problems occur, concerned citizens frequently ask if the speed limit can be lowered. The following information explains how speed limits are established and what they can and cannot do to solve traffic concerns.

How are speed limits determined?

Roadways are initially designed to accommodate certain speeds. If a speed limit change is requested on a State Highway System road, a traffic engineer will perform an engineering and traffic investigation to determine the appropriate speed limit. These investigations examine:

- Road surface characteristics, shoulder conditions, roadway alignment and sight distance.
- Commercial and residential development, and roadside friction (number of driveways, parking, pedestrians, etc.).
- Safe speed for curves and other locations along the section of road being studied.
- Frequency and severity of crashes.
- 85th percentile speed — the speed at or below which 85 percent of the traffic is moving.

This investigation will help the traffic engineer determine if the speed limit is safe and reasonable. The traffic engineer will share the results of the investigation upon request. If a change is recommended, the traffic engineer will request approval from the State Traffic Engineer. Once approved, speed limit signs will be changed and the new speed limit will become legally enforceable.

Will lowering the posted speed limits reduce speeding?

Many people believe that lowering speed limits will reduce motorist speed. However, changing the speed limit is not always the best option. Speed limits are set at a limit that the roadway can safely accommodate by design, the majority of drivers will obey, and law enforcement can reasonably enforce. Engineering studies have shown that there are often no significant changes in vehicle speeds following the posting of an artificially reduced speed limit. This information shows that most motorists drive at the speed they consider to be comfortable and safe. If motorists are regularly exceeding the posted speed limit through an area, enforcement is key to ensuring compliance. Lowering the speed limit by itself cannot guarantee motorists will obey the new regulation.

What are special speed zones?

Some areas such as school zones and work zones have special speed limits to enhance the safety of pedestrians, highway workers and others. These slower speeds may seem inconvenient, but obeying them can prevent a serious crashes and injuries.

What if I have a speeding problem in my neighborhood?

Speeding on residential streets is a common complaint reported to the Department. If you believe motorists regularly exceed the speed limit along a particular road, contact your local law enforcement agency and make them aware of the concern. Police can check the speed of motorists and issue citations to offenders.

Neighborhood traffic often contribute Item 4. problem. Programs such as community watch, neighborhood partnerships, and homeowner's associations are often the most effective way to reach those drivers. The majority of speed offenders in neighborhoods are residents of that neighborhood and not motorists "cutting through."

Common Misconceptions

It is often believed that stop signs, traffic signals and speed bumps will control vehicle speeds. While stop signs and traffic signals are important traffic control devices, they are not used to control vehicle speeds.

The purpose of stop signs and traffic signals is to assign right of way at intersections. Overuse of stop signs and traffic signals reduce both their effectiveness and driver compliance.

For more information about traffic control devices, please visit <http://mutcd.fhwa.dot.gov/>



§ 20-141. Speed restrictions.

(a) No person shall drive a vehicle on a highway or in a public vehicular area at a speed greater than is reasonable and prudent under the conditions then existing.

(b) Except as otherwise provided in this Chapter, it shall be unlawful to operate a vehicle in excess of the following speeds:

- (1) Thirty-five miles per hour inside municipal corporate limits for all vehicles.
- (2) Fifty-five miles per hour outside municipal corporate limits for all vehicles except for school buses and school activity buses.

(c) Except while towing another vehicle, or when an advisory safe-speed sign indicates a slower speed, or as otherwise provided by law, it shall be unlawful to operate a passenger vehicle upon the interstate and primary highway system at less than the following speeds:

- (1) Forty miles per hour in a speed zone of 55 miles per hour.
- (2) Forty-five miles per hour in a speed zone of 60 miles per hour or greater.

These minimum speeds shall be effective only when appropriate signs are posted indicating the minimum speed.

- (d) (1) Whenever the Department of Transportation determines on the basis of an engineering and traffic investigation that any speed allowed by subsection (b) is greater than is reasonable and safe under the conditions found to exist upon any part of a highway outside the corporate limits of a municipality or upon any part of a highway designated as part of the Interstate Highway System or any part of a controlled-access highway (either inside or outside the corporate limits of a municipality), the Department of Transportation shall determine and declare a reasonable and safe speed limit.
- (2) Whenever the Department of Transportation determines on the basis of an engineering and traffic investigation that a higher maximum speed than those set forth in subsection (b) is reasonable and safe under the conditions found to exist upon any part of a highway designated as part of the Interstate Highway System or any part of a controlled-access highway (either inside or outside the corporate limits of a municipality) the Department of Transportation shall determine and declare a reasonable and safe speed limit. A speed limit set pursuant to this subsection may not exceed 70 miles per hour.

Speed limits set pursuant to this subsection are not effective until appropriate signs giving notice thereof are erected upon the parts of the highway affected.

(e) Local authorities, in their respective jurisdictions, may authorize by ordinance higher speeds or lower speeds than those set out in subsection (b) upon all streets which are not part of the State highway system; but no speed so fixed shall authorize a speed in excess of 55 miles per hour. Speed limits set pursuant to this subsection shall be effective when appropriate signs giving notice thereof are erected upon the part of the streets affected.

(e1) Local authorities within their respective jurisdictions may authorize, by ordinance, lower speed limits than those set in subsection (b) of this section on school property. If the lower speed limit is being set on the grounds of a public school, the local school administrative unit must request or consent to the lower speed limit. If the lower speed limit is being set on the grounds of a private school, the governing body of the school must request or consent to the lower speed limit. Speed limits established pursuant to this subsection shall become effective when appropriate signs giving notice of the speed limit are erected upon affected property. A person who drives a motor vehicle on school property at a speed greater than the speed limit set and posted under this subsection is responsible for an infraction and is required to pay a penalty of two hundred fifty dollars (\$250.00).

(f) Whenever local authorities within their respective jurisdictions determine upon the basis of an engineering and traffic investigation that a higher maximum speed than those set forth in subsection (b) is reasonable and safe, or that any speed hereinbefore set forth is greater than is reasonable and safe, under the conditions found to exist upon any part of a street within the corporate limits of a municipality and which street is a part of the State highway system (except those highways designated as part of the interstate highway system or other controlled-access highway) said local authorities shall determine and declare a safe and reasonable speed limit. A speed limit set pursuant to this subsection may not exceed 55 miles per hour. Limits set pursuant to this subsection shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

When local authorities annex a road on the State highway system, the speed limit posted on the road at the time the road was annexed shall remain in effect until both the Department and municipality pass concurrent ordinances to change the speed limit.

The Department of Transportation is authorized to raise or lower the statutory speed limit on all highways on the State highway system within municipalities which do not have a governing body to enact municipal ordinances as provided by law. The Department of Transportation shall determine a reasonable and safe speed limit in the same manner as is provided in G.S. 20-141(d)(1) and G.S. 20-141(d)(2) for changing the speed limits outside of municipalities, without action of the municipality.

(g) Whenever the Department of Transportation or local authorities within their respective jurisdictions determine on the basis of an engineering and traffic investigation that slow speeds on any part of a highway considerably impede the normal and reasonable movement of traffic, the Department of Transportation or such local authority may determine and declare a minimum speed below which no person shall operate a motor vehicle except when necessary for safe operation in compliance with law. Such minimum speed limit shall be effective when appropriate signs giving notice thereof are erected on said part of the highway. Provided, such minimum speed limit shall be effective as to those highways and streets within the corporate limits of a municipality which are on the State highway system only when ordinances adopting the minimum speed limit are passed and concurred in by both the Department of Transportation and the local authorities. The provisions of this subsection shall not apply to farm tractors and other motor vehicles operating at reasonable speeds for the type and nature of such vehicles.

(h) No person shall operate a motor vehicle on the highway at such a slow speed as to impede the normal and reasonable movement of traffic except when reduced speed is necessary for safe operation or in compliance with law; provided, this provision shall not apply to farm tractors and other motor vehicles operating at reasonable speeds for the type and nature of such vehicles.

(i) The Department of Transportation shall have authority to designate and appropriately mark certain highways of the State as truck routes.

(j) Repealed by Session Laws 1997, c. 443, s. 19.26(b).

(j1) A person who drives a vehicle on a highway at a speed that is either more than 15 miles per hour more than the speed limit established by law for the highway where the offense occurred or over 80 miles per hour is guilty of a Class 3 misdemeanor.

(j2) A person who drives a motor vehicle in a highway work zone at a speed greater than the speed limit set and posted under this section shall be required to pay a penalty of two hundred fifty dollars (\$250.00). This penalty shall be imposed in addition to those penalties established in this Chapter. A "highway work zone" is the area between the first sign that informs motorists of the existence of a work zone on a highway and the last sign that informs

motorists of the end of the work zone. The additional penalty imposed by this subsection applies only if signs are posted at the beginning and end of any segment of the highway work zone stating the penalty for speeding in that segment of the work zone. The Secretary shall ensure that work zones shall only be posted with penalty signs if the Secretary determines, after engineering review, that the posting is necessary to ensure the safety of the traveling public due to a hazardous condition.

A law enforcement officer issuing a citation for a violation of this section while in a highway work zone shall indicate the vehicle speed and speed limit posted in the segment of the work zone, and determine whether the individual committed a violation of G.S. 20-141(j1). Upon an individual's conviction of a violation of this section while in a highway work zone, the clerk of court shall report that the vehicle was in a work zone at the time of the violation, the vehicle speed, and the speed limit of the work zone to the Division of Motor Vehicles.

(j3) A person is guilty of a Class 2 misdemeanor if the person drives a commercial motor vehicle carrying a load that is subject to the permit requirements of G.S. 20-119 upon a highway or any public vehicular area at a speed of 15 miles per hour or more above either:

- (1) The posted speed; or
- (2) The restricted speed, if any, of the permit, or if no permit was obtained, the speed that would be applicable to the load if a permit had been obtained.

(k) Repealed by Session Laws 1995 (Regular Session, 1996), c. 652, s. 1.

(l) Notwithstanding any other provision contained in G.S. 20-141 or any other statute or law of this State, including municipal charters, any speed limit on any portion of the public highways within the jurisdiction of this State shall be uniformly applicable to all types of motor vehicles using such portion of the highway, if on November 1, 1973, such portion of the highway had a speed limit which was uniformly applicable to all types of motor vehicles using it. Provided, however, that a lower speed limit may be established for any vehicle operating under a special permit because of any weight or dimension of such vehicle, including any load thereon. The requirement for a uniform speed limit hereunder shall not apply to any portion of the highway during such time as the condition of the highway, weather, an accident, or other condition creates a temporary hazard to the safety of traffic on such portion of the highway.

(m) The fact that the speed of a vehicle is lower than the foregoing limits shall not relieve the operator of a vehicle from the duty to decrease speed as may be necessary to avoid colliding with any person, vehicle or other conveyance on or entering the highway, and to avoid injury to any person or property.

(n) Notwithstanding any other provision contained in G.S. 20-141 or any other statute or law of this State, the failure of a motorist to stop his vehicle within the radius of its headlights or the range of his vision shall not be held negligence per se or contributory negligence per se.

(o) A violation of G.S. 20-123.2 shall be a lesser included offense in any violation of this section, and shall be subject to the following limitations and conditions:

- (1) A violation of G.S. 20-123.2 shall be recorded in the driver's official record as "Improper equipment – Speedometer."
- (2) The lesser included offense under this subsection shall not apply to charges of speeding in excess of 25 miles per hour or more over the posted speed limit.

No drivers license points or insurance surcharge shall be assessed on account of a violation of this subsection.

(p) A driver charged with speeding in excess of 25 miles per hour over the posted speed limit shall be ineligible for a disposition of prayer for judgment continued. (1937, c. 297, s. 2; c. 407, s. 103; 1939, c. 275; 1941, c. 347; 1947, c. 1067, s. 17; 1949, c. 947, s. 1; 1953, c. 1145;

1955, c. 398; c. 555, ss. 1, 2; c. 1042; 1957, c. 65, s. 11; c. 214; 1959, c. 640; c. 1264, s. 10; 1961, cc. 99, 1147; 1963, cc. 134, 456, 949; 1967, c. 106; 1971, c. 79, ss. 1-3; 1973, c. 507, s. 5; c. 1330, s. 7; 1975, c. 225; 1977, c. 367; c. 464, s. 34; c. 470; 1983, c. 131; 1985, c. 764, ss. 29, 30; 1985 (Reg. Sess., 1986), c. 852, s. 17; 1987, c. 164; 1991 (Reg. Sess., 1992), c. 818, s. 1; c. 1034, s. 1; 1993, c. 539, ss. 366, 367; 1994, Ex. Sess., c. 24, s. 14(c); 1995 (Reg. Sess., 1996), c. 652, s. 1; 1997-341, s. 1; 1997-443, s. 19.26(b); 1997-488, s. 1; 1999-330, s. 3; 2000-109, s. 7(c); 2003-110, s. 1; 2004-203, s. 70(a); 2005-349, s. 11; 2007-380, ss. 1, 2; 2009-234, ss. 1, 2; 2011-64, s. 2; 2012-194, s. 9; 2013-360, s. 18B.14(k).)

Certification of Municipal Declaration To Repeal Speed Limits and Request for Concurrence

Concurring State Ordinance Number: 1071604

Division: 1 **County:** DARE

Municipality: SOUTHERN SHORES

Type: Temporary Speed Limits - Municipal

Road: NC 12

Car: 35 MPH

Truck: 35 MPH

Description: Between 0.3 mile north of SR 1493 and Trout Run for seasonal beach traffic (to be in effect from May 15 to September 15, inclusive, each year).

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20_____, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance Number: _____

In witness whereof, I have hereunto set my
hand and the municipal seal this _____ day
of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____

Certification of Municipal Declaration To Repeal Speed Limits and Request for Concurrence

Concurring State Ordinance Number: 1012378

Division: 1 **County:** DARE

Municipality: SOUTHERN SHORES

Type: Municipal Speed Zones

Road: NC 12

Car: 45 MPH

Truck: 45 MPH

Description: NC 12, from a point 0.30 mile north of SR 1493 northward to the northern corporate limits of Southern Shores, a point 3.90 miles north of SR 1493.

Municipal Certification

I, _____, Clerk of _____, do hereby certify that the municipal governing body, pursuant to the authority granted by G.S. 20-141(f), determined upon the basis of an engineering and traffic investigation and duly declared, on the _____ day of _____, 20_____, the repeal of speed limits as set forth above on the designated portion of the State Highway System, which shall become effective when the Department of Transportation has passed a concurring ordinance and signs are erected giving notice of the authorized speed limit.

The said municipal declaration is recorded as follows:

Minute Book: _____ Page: _____ Ordinance Number: _____

In witness whereof, I have hereunto set my
hand and the municipal seal this _____ day
of _____, 20_____.

(signature)

(municipal seal)

Department of Transportation Approval

Division: _____ Title: _____ Date: _____

Region: _____ Title: _____ Date: _____



AGENDA ITEM SUMMARY FORM

MEETING DATE: August 2, 2022

ITEM TITLE: Consideration of CAMA Land Use Plan Update Proposals

ITEM SUMMARY:

A Request For Proposals (RFP) for updating the Town's CAMA Land Use Plan was posted on the Town website and shared with the NCPlan listserv on July 1, 2022 with a deadline for submittals by 5:00 p.m. on July 22, 2022. The updated plan will also serve as the Town's Comprehensive Plan as required by N.C.G.S. Chapter 160D. Two proposals were submitted in response to the RFP and Town Staff confirmed that at least one other consulting group saw the RFP but did not feel that they could submit a competitive proposal. The first was submitted by N-Focus, based out of Kannapolis, N.C., and their estimated fee for the service is \$67,750 (not mentioned in their RFP). The second was submitted by Stewart, based out of Raleigh, N.C., and their estimated fee for the service is \$80,000. The Town Council approved \$80,000 for the project in the FY 2022-2023 budget.

STAFF RECOMMENDATION:

The proposal submitted by Stewart touches on issues and considerations that are important to the Town, including maintaining community character. Stewart has also recently assisted the Towns of Duck and Manteo in updating their CAMA Land Use Plans (and worked with the Town of Kill Devil Hills). Although their fee is the highest of the two, Town Staff believes that they are the most qualified and responsible consultant for this project.

REQUESTED ACTION:

Motion to accept Stewart's proposal to update the Town's CAMA Land Use Plan and authorization to issue a Notice to Proceed.



315 SOUTH MAIN STREET, SUITE 200
KANNAPOLIS, NC 28081



PROPOSAL & STATEMENT OF QUALIFICATIONS

July 2022

Prepared in Response to

The Town of
Southern Shores

Request for Proposals (RFP):

Updating the
CAMA Land Use Plan



Local Government Services

July 22, 2022

Town of Southern Shores
Wes Hackett, Deputy Town Manager/Planning Director
5375 N. Virginia Dare Trail
Southern Shores, NC 27949

RE: RFP – CAMA Land Use Plan Update

Dear Wes,

On behalf of N-Focus, Inc. I am pleased to submit our response to your “Request for Proposals (RFP)” for qualified firms to prepare a new, realistic, and modern Comprehensive Plan (PLAN) that meets all CAMA, State and Federal requirements, with action-oriented policies and strategies. This new plan will replace the current plan adopted in July 18, 2012 by Southern Shores (“TOWN”) and certified by the NC Coastal Resources Commission (CRC) on August 20, 2012. This PLAN shall be prepared in compliance with the provisions of 15A NCAC 7B of the Coastal Area Management Act (CAMA) and serve to guide decision-making by the Town of Southern Shores with respect to the viability of development activities, along with the approval of CAMA permits by the NC Division of Coastal Management within the Town through the planning horizon year of 2050.

Regarding our qualifications to prepare this PLAN:

- N-Focus has been in business since 2002
- **N-Focus works exclusively for NC Local Governments**
- We are a common-sense, no-frills company focusing on the true needs of our clients, with an understanding and appreciation of budget constraints.
- **N-Focus offers its clients over 700 years combined experience (including coastal land use planning) with a knowledgeable, skilled staff**
- N-Focus plans are results oriented and prepared with the goal of being implemented

N-Focus is proposing a project approach and schedule we feel is responsive to the requirements contained in the Town of Southern Shores’ RFP, including management of a robust public outreach and engagement process involving citizens and key stakeholders in a meaningful way. Our goal is to achieve consensus and productive outcomes which are mutually beneficial to property owners, the public, community leaders, business owners and those seeking to invest in your community, **while minimizing impacts on the environment.**

N-Focus, Inc.
315 South Main Street, Suite 200
Kannapolis, NC 28081
704.933.0772
NFocusPlanning.org

We believe this PLAN should not only provide a compelling collective vision for the future growth and development of Town of Southern Shores, but also serve to reinforce sustainable & resilient land use best management practices which will protect the coastal environment, while also ***enabling and attracting economic investment from the private sector.***

N-FOCUS' efforts will support Strategic Goals for both Economic Development and Quality of Life:

- a) Public Safety
- b) Community Wellness
- c) Citizen Engagement
- d) Fiscal Sustainability

In summary, the PLAN proposed by N-Focus will:

1. Guide future land use and development activities, including the use of effective growth management policies, in Town of Southern Shores, consistent with the NC CAMA and best practices, which balance such activity with protection & preservation of the natural environment;
2. Serve as a blueprint for future capital investments in infrastructure improvements for Town of Southern Shores, which are supportive of this plan's vision, goals and objectives;
3. Ensure the protection of areas of environmental concern and the ecosystems they support;
4. Attract future private investment that is consistent with the vision for the future growth and development of the TOWN; and
5. Protect and preserve public access to and enjoyment of the unique coastal resources found in Town of Southern Shores for the next generation of residents, visitors, and businesses.

We believe that the depth of our planning experience in the preparation of comprehensive land use plans, knowledge of coastal land use issues involving CAMA, and the review & approval of development within the coastal area by the NC Division of Coastal Management (NC DCM), make us well-qualified to produce a plan that will guide land use and development decisions for Town of Southern Shores, along with permitting decisions by NC DCM, in response to anticipated growth pressures and challenges well into the future.

Thank you for the opportunity to respond to this RFP and your consideration of our proposal. Please feel free to contact me if you would like further information, or to clarify any elements of our submittal.

We look forward to hearing from you.

Respectfully,

A handwritten signature in blue ink that reads "Patti Rader".

Patricia A. Rader
Manager & COO
PRader@NFocusPlanning.org

TABLE OF CONTENTS

Cover Letter	2
TABLE OF CONTENTS	4
1. Contact Information.....	6
2. Corporate Profile.....	6
Team Members.....	8
Organizational Chart	8
Managers' Bios.....	9
Support Team Bios	11
Project Sub-Consultant	19
Recent Project Examples & References	20
3. Project Understanding	26
Project Scope Of Services	27
TASK 1. <i>Orientation and Scoping Session(s)</i>	27
TASK 2. <i>Research & Analysis</i>	27
TASK 3. <i>Public Participation Plan (PPP)</i>	27
TASK 4. <i>Draft Plan and Implementation Strategy</i>	28
TASK 5. <i>Final Plan</i>	29
4. Summary Timeline	30
5. Certificate of Insurance.....	32

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1. CONTACT INFORMATION



N-Focus, Inc.
Patti Rader, Manager/COO
315 South Main Street, Suite 200
Kannapolis, NC 28081
PRader@NFocusPlanning.org
(704) 933-0772 Office
(704) 699-6770 Mobile

2. CORPORATE PROFILE

N-Focus is chartered in the State of North Carolina as a subchapter “S” corporation. All members of the Board of Directors and Officers of the Corporation are employees of N-Focus, Inc. FIN: 26-0614658

Company Background

N-Focus was established in 2002 as a land planning firm to provide consultation to clients interacting with local governments in high-end development projects. By 2009 N-Focus committed exclusively to North Carolina local governments with emphasis on municipal planning, public administration & code enforcement activities.



Our Mission Statement

“N-Focus is committed to serve the public, to help local governments do their best at local government, and to provide the client jurisdiction with affordable experience and a sense of confidence in our company's capability through the employment of qualified individuals who share a common goal and motivation.”

Our Philosophy

N-Focus acts as a “partner” to the host community, an extension of its existing staff, to provide a turn-key service. to complete the project.

We serve the interests of the local community and bring our collective expertise and experience to assist clients address various aspects of the complex land use planning processes. Most notably, this includes identification of the purposeful ‘path forward’ to promotion of development opportunities while **preserving community aesthetic, relevant historic development patterns, and identified areas of environmental concern.**

In completing work on a Comprehensive Land Use Plan, N Focus staff is not only partnering with the Town of Southern Shores but with CAMA staff as well. Part of our role is to ensure all parties (i.e., local officials and CAMA staff) are working together proactively for the benefit of the residents of Town of Southern Shores.

Company Resources

Recruiting efforts to expand from 5 employees in mid-2009 to a staff of over 20 professionals with a combined experience of over 700 years, is proof of the validity of the firm’s commitment to public service and the calculated approach to our own corporate growth. Whether the need involves growth and development or the changing demands that confront communities across the state, N-Focus has the resources to provide the most appropriate, relevant, compliant, & comprehensive planning products available.

Corporate Organization

Members of the N-Focus Board of Directors are appointed to guide the future growth and expansion of the firm. The Board meets annually.

BOARD OF DIRECTORS

Chair	F. Richard Flowe
Vice Chair	Leamon Brice
Sec./Treas.	Patricia A. Rader
Member	William "Bill" R. Bailey
Member	Robert E. Clark
Member	David C. Flowe
Member	John E. Ganus
Member	Thomas Weitnauer

STOCKHOLDERS

F. Richard Flowe	88.75%
Leamon B. Brice	2.00%
Robert E. Clark	2.00%
John E. Ganus	2.00%
Patricia A. Rader	3.25%
William "Bill" R. Bailey	1.00%
Thomas Weitnauer	1.00%



OFFICERS OF THE CORPORATION

President/CEO	F. Richard Flowe
Sec./Treas., Mgr. & COO	Patricia A. Rader
Executive Vice President	David C. Flowe
VP Public Administration Division	Leamon B. Brice
VP Planning Services Division	Robert E. Clark
VP Code Enforcement Division	John E. Ganus

Professionals active in the provision of service to our clients manage the firm as section directors leading each professional category including planning, public administration, and code enforcement, reporting directly to Patricia A. "Patti" Rader, Manager. The personnel are team-oriented with team leaders working with management to allocate the best possible resources to the challenges of the client's project.

<i>Division Managers</i>				
<u>Vice President Planning</u>	<u>Vice President Public Administration</u>	<u>Vice-President Code Enforcement</u>	<u>President / CEO Special Projects UDO</u>	<u>Special Projects CLUP</u>
Robert E. Clark	Leamon B. Brice	John Ganus	F. Richard Flowe	Thomas Weitnauer
AICP	ICMA - CM	CHCO, CZO	AICP	AICP



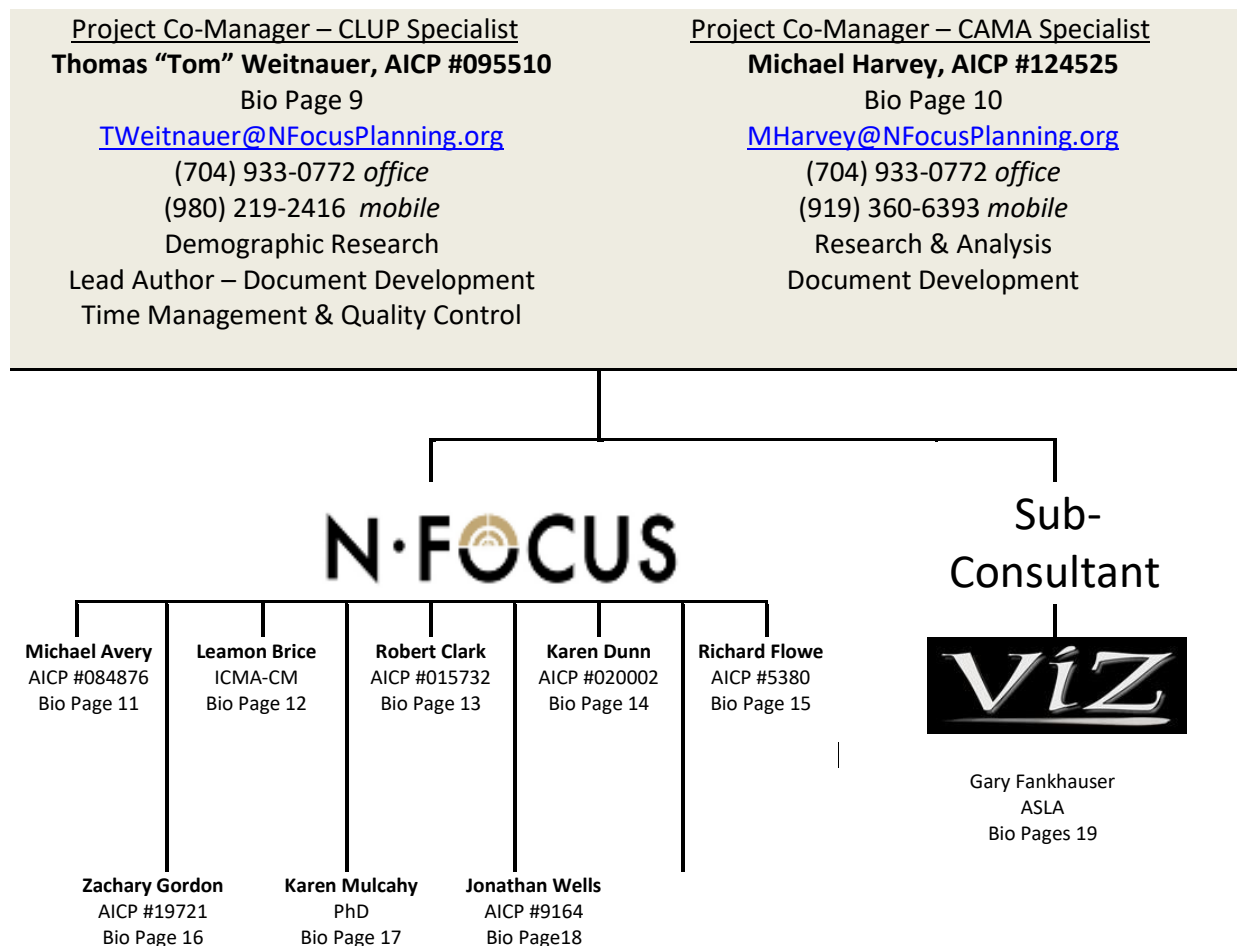
Team Members

N-Focus selects a limited number of special projects (i.e., CLUPs, UDOs, etc.) each year allowing us to provide the highest quality services we possibly can to our local government partners. To that end, each project team is carefully selected to include seasoned planning professionals with expertise in the area to which they are assigned.

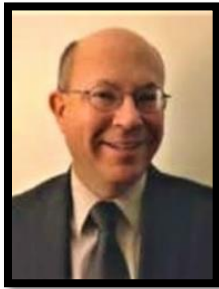
To further ensure performance meets client expectations N-Focus assigns a project manager certified in their respective fields to be responsible for quality assurance and staff performing the agreed services. Supporting and subordinate personnel provided report directly to the Project Manager.

The proposed Project Team Members identified on the following page(s) will be available to complete the project through the public legislative hearing/adoption process and the certification process before the State Coastal Resource Commission (CRC).

Organizational Chart



Managers' Bios



TOM WEITNAUER, AICP 095510
Division Manager – Comprehensive Land Use Plans,
Town Planner, Special Projects, GIS/Mapping Specialist

Project Role: PROJECT Co-MANAGER
Lead Author – Document Development,
Demographic Research,
Time Management & Quality Control

Location: Kannapolis, NC

Mr. Weitnauer's career spans 29 years in planning & project management with municipal governments. His strengths include current & long-range planning, grant administration, pedestrian enhancement projects, personnel & consultant management, urban design, GIS, visioning, coordination of infrastructure, historic preservation, and author of development codes. His expertise in combining infrastructure investments, design & economic opportunities have produced enduring public spaces in a variety of settings. He is an experienced practitioner in writing policy & development ordinances to manage growth, attract commercial investment, improve pedestrian circulation, protect the environment, facilitate entertainment venues, improve civic spaces, and facilitate new technologies for future generations.

Before joining N-Focus, Mr. Weitnauer provided leadership to the City of Greenville, N.C. Planning Division as Chief Planner. Thomas served as project manager for the development of Greenville's comprehensive plan which earned the 2017 APA-NC Outstanding Planning Award, Honorable Mention, for comprehensive planning for a large community. Mr. Weitnauer is an experienced practitioner in writing policy and land development ordinances to manage growth, attract economic development, improve pedestrian circulation, protect the environment, facilitate entertainment venues, improve urban design, and facilitate new technologies.

Prior positions Mr. Weitnauer held include Principal Planner with the City of Daytona Beach where he provided expertise in **historic preservation**, long-range planning, and urban design to write and illustrate form-based codes as part of a new Unified Development Ordinance. Mr. Weitnauer also served in the unique position of Land Use Planner for the Reedy Creek Improvement District which exclusively governs The Walt Disney World Resort. Thomas led planning responsibilities for this special district during The Walt Disney Company's most aggressive expansion period where **he managed development of the district's comprehensive plan and land development regulations, reviewed site plans, managed the timing of infrastructure and coordinated growth impacts with local, regional, and state agencies.**

Mr. Weitnauer's career includes a decade in east Tennessee where he managed grants to revitalize downtown, extend greenway trails, build urban and neighborhood parks, and develop a 300-foot-long signature pedestrian bridge. Prior consulting services include planning in central Florida to prepare comprehensive plans and land development regulations for client communities, including Key West. Drawing on Mr. Weitnauer's architectural design background, Thomas has authored architectural design standards for several cities to ensure new development complements areas having enduring character. In addition, he conducted research and analysis on Kings Mountain's Comprehensive Plan, and prepared maps for the project using ArcGIS Pro.

EDUCATION: Master of City Planning – Georgia Institute of Technology
BA Architecture – University of North Carolina at Charlotte





MICHAEL HARVEY, AICP, CFM, CZO #124525
Town Planner / Special Projects

Project Role: PROJECT Co-MANAGER – CAMA SPECIALIST
Co-Author, Research & Analysis,
Document Development,

Location: Chapel Hill, NC

Mr. Harvey's career spans over 26 years in planning & project management with **municipal/county governments** as both a staff planner and as a consultant. His strengths include current & long-range planning, ordinance and policy development including a special emphasis on development of **environmental and floodplain management policy**, public outreach and education, code enforcement, economic development with a focus on downtown redevelopment and **historic preservation**, GIS mapping, and visioning.

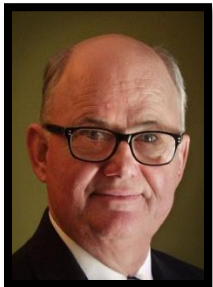
He is an experienced practitioner in writing policy & development ordinances designed to streamline development review processes, make regulatory standards user friendly, manage growth, attract commercial investment, and establish reasonable environmental protections. From a long-range planning perspective, Mr. Harvey has been the author or co-author on several comprehensive land use plans and special planning studies, **including those in coastal communities, addressing the constant need for progressive, enforceable, policies and strategies designed to establish a harmonious balance between encouragement/management of growth while protecting locally identified fragile environmental ecosystems.**

Before joining N-Focus, Mr. Harvey served for nearly 17 years as the Current Planning Supervisor for **Orange County** North Carolina responsible for the administration, interpretation, management, and enforcement the County's land use management program. During his tenure, Mr. Harvey participated in both a team atmosphere, and as the leader, of several special projects including Hazard Mitigation planning efforts, **County Comprehensive Plan update**, and development of small area planning studies.

Prior positions Mr. Harvey has held included serving as a senior planning consultant with Benchmark LLC where he served as the principal staff for **several coastal communities**, including acting as a local **CAMA permit officer**. Including providing professional services on a contract basis for clients his responsibilities involved ordinance development as well as the completion of comprehensive and small area planning studies. Mr. Harvey served for 2½ years as the manager of a downtown revitalization and redevelopment program for Farmville North Carolina where he was responsible for assisting with business recruitment, administration of a façade grant program, and coordination of a downtown marketing program/strategy with the local chamber of commerce.

EDUCATION: BS Political Science – East Carolina University (ECU)
BS Urban Planning – East Carolina University (ECU)

Support Team Bios



MIKE AVERY, AICP #084876
Town Planner / Special Projects

Project Role: CAMA SPECIALIST
Historic, Cultural & Heritage Analysis,
Local & Regional Knowledge,
Public Engagement & Board Presentations

Location: New Bern NC

Mike has over 35 years' experience in the planning profession and served as Director of Planning & Inspections for the **City of New Bern** from 1986 to 2012, where he managed a staff of twenty professionals administering the City's Land Use Ordinances, Development Plans, and building & housing codes. Some of Mike's specific duties included: developing a UDO; administering CDBG & NCHFA programs; New Bern Urban Design Plan; **Historic Preservation**; Transportation Plans; Brownfields (Gateway Development Plan); managing Development Reviews and partnering with non-profit development organizations. Prior to his tenure in New Bern, Mike served as planner-in-charge for **Elizabeth City**. Mike was a member of the N-Focus project team, a sub-consultant on the **2016 Cherry Point Joint Land Use Study (JLUS)**.

EDUCATION: Master of Political Science – Appalachian State University, Boone, NC
BA Political Science – Appalachian State University, Boone, NC



LEAMON BRICE, ICMA
VP of Public Administration Division

Project Role: PUBLIC ADMINISTRATION SPECIALIST,
Public Services & Infrastructure
Inter-governmental Coordination (as needed)

Location: Davidson, NC

Mr. Brice is the VP of N-Focus Public Administration Division. Prior to joining N-Focus Leamon served as manager for the Town of Davidson (1990-2015) and has over 37 years' experience in municipal management. His strengths include Organizational Development, process design, policy definition/implementation and supporting our clients in optimizing organizational structure to maximize local government services delivery.

As a professional municipal manager and consultant to local governments, he has managed parking and multi modal access to downtowns including Davidson, Pineville, and Lowell. He was especially involved in the Davidson effort using public involvement and smart planning principals to create a people friendly downtown environment. In addition, he has provided retreat facilitation services for the Towns of Chapel Hill, Fairview, Hertford, Stallings, Waxhaw, & Wilsons Mills and Union County, and group facilitation for numerous planning projects. Having served as a member of the Metropolitan Transit Commission (governing body of the Charlotte Area Transit System), the Lake Norman Transportation Commission and participated in Charlotte Regional MPO activities he is keenly familiar with transportation issues in the Charlotte Mecklenburg region. For this Plan, Mr. Brice will be available to address public service & infrastructure management questions/issues including inter-government coordination and the development of policy goals/objectives.

EDUCATION: Master of Political Science – Appalachian State University, Boone, NC
BS Political Science – UNCP, Pembroke, NC





ROBERT “BOB” CLARK, AICP #015732
VP Planning Services Division

Project Role: JLUS Study Review,
Recreation & Open Spaces

Location: Greenville, NC

Mr. Clark is the Vice President of N-Focus Planning Services Division and a Master Planner. He has over 40 years’ experience in Eastern North. He joined N-Focus as a Master Planner in 2013. In the 10 years preceding, Mr. Clark was the principal planner/owner of his planning company in service to North Carolina local governments. Notable achievements included city/county parks & recreation master plan for Kinston and Lenoir County, Kenansville’s Pedestrian Master Plan, and preparation and administration of development codes. He also contracted services as the Town of Snow Hill Town Administrator from 2005-2010 and served as Interim Development Services Director for Yadkin County in 2011-2012. In Yadkin County, among other achievements, he facilitated a two-day County Management Team Retreat, prepared a successful PARTF grant for Phase 1 of the 560-acre 5D Reservoir Park (Memorial Park), and succeeded in obtaining a Rural Center’ New Generations Workforce Development Grant for youth employment readiness in local industries. Mr. Clark also facilitated plans review and approvals for expansion of the Lone Hickory Indoor Arena equestrian center near Yadkinville.

As Kinston’s Planning and Community Development Director in the eighties and nineties he was instrumental in leading Kinston’s Main Street efforts and helping plan the transformation of the city’s riverfront and establishing the city’s urban forestry and **historic preservation** programs.

Mr. Clark was a member of the N-Focus subconsultant project team that developed the **MCAS Cherry Point Regional Joint Land Use Study (2016)**. His role included assessing existing development regulations and practices, offering strategies for implementing compatible land use development appropriate to the military mission while serving the needs of Carteret, Craven, and Pamlico counties and municipalities in the JLUS study area, such as the culturally and environmentally sensitive Down East region of Carteret County.

Mr. Clark has extensive project planning **experience working with coastal North Carolina communities** while **preparing CAMA land use plans** for the City of Havelock, the Town of Edenton, and the counties of Pender, Gates, Chowan, and Perquimans. He also prepared waterfront access plans for the Carteret County communities of Morehead City and, along with team member Michael Harvey, the Town of Beaufort. He has updated development regulations for **Chowan and Currituck Counties**, and for the **Town of North Topsail Beach**. He also prepared the **Town of Swansboro’s Stormwater Management Plan**.

Mr. Clark’s professional career includes serving as Director of Planning & Development in Kinston, the Town Administrator in Snow Hill, and Community Planner with the NC Division of Community Assistance. Through N-Focus’ continuing service contracts, he also served as the Planning & Zoning Administrator for the Towns of Archer Lodge, and Youngsville—a community on the leading growth edge of Raleigh and Wake Forest. He is currently participating on planning & development initiatives with several other municipalities, including the City of Greenville.

EDUCATION: MA Geography – University of Northern Iowa
BA Science – University of Northern Iowa



KAREN DUNN, AICP #20002
Town Planner / Special Projects

Project Role: ENVIRONMENTAL SPECIALIST
Stakeholder Communications including Military &
NC Coastal Resources Commission, Local & Regional Knowledge,
Public Engagement & Board Presentations

Location: Wrightsville Beach, NC

As a certified planner with more than 25 years' experience, Karen brings to the N-Focus Team a thorough understanding of state, regional and local government affairs including an extensive background working with citizens, volunteers, stakeholders, non-profit organizations, Complete Streets implementation, low impact development practices, and landscape design. Karen worked with the NC Coastal Federation – Clean Communities Coordinator, Project Manager and Carolina Ocean Studies as an Environmental Education Instructor

Karen's true passion lies with **public engagement** and, as Planning Administrator for the Town of Burgaw, she worked closely with NCDOT Division 3 Engineers designing NC Highway 53 corridor improvements running through the **Burgaw Downtown National Historic District**. The project included public and private property acquisition to increase roadway right-of-way for pedestrian safety enhancements, streetscape design, mid-block greenway crossings, and bicycle pathways.

Also, while in Burgaw, Karen implemented "**Watch for Me NC**", a comprehensive program, run by the North Carolina Department of Transportation (NCDOT) in partnership with local communities, aimed at reducing the number of **pedestrians and bicyclists** hit and injured in crashes with vehicles. Under Karen's direction, the town created a broad coalition with a diverse set of local partners including the Burgaw Police Department, Pender County Board of Education, Pender Memorial Hospital, Pender County Health Department, Burgaw Chamber of Commerce, the town's Public Works, Fire, and Parks and Recreation Departments, local churches, and non-profit organizations.

The Columbus County Town of Fair Bluff, NC experienced catastrophic flooding from Hurricanes Matthew in 2016 and Florence in 2018 that left many homeless and resulted in the temporary or permanent closure of many downtown businesses. Karen led the N-Focus team to help secure *acquisition of 46 lots* in what was its downtown business district. With the assistance from a Disaster Recovery Grant Agreement with the State of North Carolina Office of State Budget and Management and a NC Parks and Trust Fund Grant (PARTF), the town intends to acquire the sites, demolish the buildings, and eventually create a 20± acre Riverside Park along the Lumber River. Despite the ongoing COVID-19 pandemic, to coordinate and procure the downtown properties when funds become available Karen worked very closely with:

- More than 22 private property owners
- NC Certified Appraisers
- NC State Historic Preservation Office (NCSHPO),
- Environmental Engineers
- Columbus County & Fair Bluff officials

Karen's previous service as planning manager for rapidly growing communities in Mecklenburg and Union Counties from 2000-2009 provided effective leadership to acquire parks, greenways, and conservation lands through the subdivision and commercial development approval process.

EDUCATION: MA Sustainable/Ecological Land Planning and Design – The Conway School, Conway, MA
BS Geography with Environmental Concentration – Salem State University, Salem, MA



RICHARD FLOWE, AICP #5380
Founder, President & CEO

Project Role: Zoning Ordinance & Policy Review,
160D compliance, development suitability

Location: Kannapolis, NC

Mr. Flowe is a professional planner who has served various municipal & county governments in both Carolinas for over 33 years. During this time, he has conducted numerous planning studies, prepared plans, composed ordinances, administered planning functions, planned & managed public facilities projects, and managed the design & construction of water, sewer, street & drainage facilities. He is and has been directly responsible for the implementation & administration of plans & ordinances.

During his career, Mr. Flowe has held positions as planner, administrator, director of planning and director of engineering. All positions have been with private firms serving local governments. These accomplishments include serving as the City Planning Director for the City of Kannapolis, NC from May 1987 until July 1998, and as Joint City-County Planning Director for the City of Columbia & Richland County, SC from January 1999 until February 2000.

Mr. Flowe has been continuously involved in various planning activities, including extensive research into the legal & practical implications of planning, annexation, and land use administration. The most intriguing aspect of his professional activity is fostering the effectiveness of public service and his aspiration to improve the image of local government to the citizen customer.

Mr. Flowe's experience in drafting both comprehensive land use plans and unified development ordinances for numerous municipalities in North Carolina underscores his immense experience in evaluating standards & specifications for development. His time spent in private development also contributes substantially to his experience in the applicability of local government policies in North Carolina.

His experience also includes **evaluation of development potential** and applicable policies within numerous jurisdictions in North Carolina on behalf of the NCDOT during the Map Act litigation and subsequent legal actions brought against the NCDOT.

Mr. Flowe serves as the leading principal of N-Focus and has always been a "hands on" leader in the firm. His dedication in the field, by practicing his craft daily, drives our team toward effective results-oriented public service. This experience ensures our team understands the daily intricacies of working with elected officials, property owners, developers, engineers, businesses, and economic development professionals.

EDUCATION: Master of City & Regional Planning – Clemson University
BS – Lander University
Engineering Technology (transferred) – Piedmont Technical College



ZACHARY D. GORDON, AICP #019721
Town Planner / Comprehensive Long-Range Planning/Special Projects

Project Role: Transportation Planning, Economic Development,
Research & Analysis

Location: Kannapolis, NC

Mr. Gordon has served as a professional planner since 1988 in various locations, including New Hampshire, Rhode Island and since 2005 – North Carolina. Mr. Gordon’s areas of expertise include, land use and transportation planning, long-range planning, community, and economic development.

Over the course of his 30 + years’ professional planning career, Mr. Gordon has been engaged in the full spectrum of planning activity from development plan review, and the preparation of long-range plans, to the drafting of development regulations and the establishment of efficient planning systems and processes. Mr. Gordon is also a skilled facilitator, having collaborated successfully with stakeholders (citizens, developers, elected and government officials) in the planning and community development process to achieve consensus and productive outcomes which are mutually beneficial to all.

Before joining N-Focus, Mr. Gordon served as Principal of Gordon Consulting, a planning firm offering consulting services including the preparation of comprehensive plans, land development regulations, project management, land entitlements and expert testimony.

From 2014-2021, Mr. Gordon served as Planning Director for the City of Kannapolis where he was responsible for administration and management of the city’s current planning, long range planning and code enforcement activities, including development plan review, re-zonings; annexations, development code revisions, preparation of long-range plans; transportation planning; growth projections and data analysis. Key accomplishments by Mr. Gordon during his time as Kannapolis Planning Director include adoption of the City’s first ever comprehensive plan – *“Move Kannapolis Forward 2030 Comprehensive Plan”* and the complete rewrite of the City’s Unified Development Ordinance (UDO).

Prior to his tenure with the City of Kannapolis, Mr. Gordon served as Principal Planner for the Town of Huntersville (NC) for 9 years, where he was responsible for the Town’s long-range planning, regional planning, and growth management functions. He authored the *“Town of Huntersville 2030 Plan”* - Recipient of a "Special Projects Award" from the NC Chapter of the American Planning Association.

Mr. Gordon is currently serving as Interim Planner Director for the Town of Harrisburg & Sampson County. He also serves as an Adjunct Faculty member in the Department of Geography and Earth Science at UNC Charlotte, where he teaches environmental planning, including coastal resource management policy and protections.

EDUCATION: Master of Regional Planning – Cornell University
BS – Political Science/Geography (Dual Major) State University of New York at Oneonta



KAREN MULCAHY, Ph.D.
Special Projects

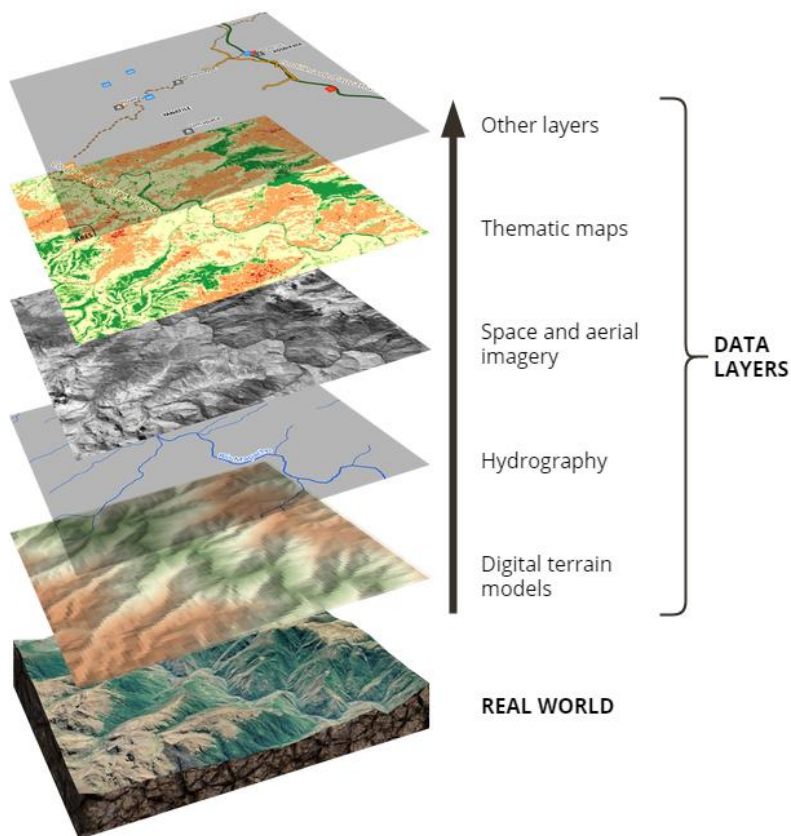
Project Role: GIS/MAPPING SPECIALIST
Geospatial Analysis, GIS Mapping

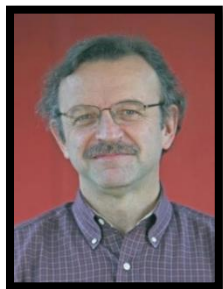
Location: Kinston, NC

Dr. Mulcahy has a doctorate in Earth & Environmental Science and over **30 years of geospatial technology experience** in a variety of private and public settings. She specializes in geospatial/cartographic visualization, Geographic Information Systems, and global navigation satellite systems. She has worked with and for several local governments in geographic information systems and cartographic design.

Dr. Mulcahy has over 20 years of service with East Carolina University as an instructor, researcher, and project developer in geospatial technologies, and has served as a software trainer for **ArcGIS Desktop and ArcGIS Pro software programs** and as an independent consultant providing custom GIS services. She also served as Co-Director of the Center for Geographic Information Science at East Carolina University.

EDUCATION: PhD. Earth & Environmental Sciences, City University of NY Graduate Center NY, NY
MA Geography Hunter College, NY, NY
BA Geography Hunter College, NY, NY





JONATHAN WELLS, AICP #9164
Town Planner / Special Projects

Project Role: Transportation Plan & System Review (MPO Expert),
Demographic/Statistic Research & Analysis,
Schools

Location: Charlotte, NC

- ✓ Experienced in working collaboratively with diverse populations to identify common goals and to reach consensus solutions.
- ✓ Command of NC planning laws and statutes regarding land use and comprehensive planning, land development review, and infrastructure planning
- ✓ Proven leadership in public policy and process review, evaluation, and improvement/enhancement
- ✓ Experience with planning-related demographics and statistics, including redistricting, population estimates, and projections.

After joining the N-Focus team, Jonathan has served as Interim Planner/Planning Director for the Towns of Harrisburg, Marshville, Matthews & Troutman, and the City of Kings Mountain. Also working with the Firm of Parker Poe, he analyzed student enrollment statistics and trends and school classroom availability pertaining to a proposed residential development in Currituck County (NC), and provided expert testimony for the county's APFO (Adequate Public Facilities Ordinance)

During his time in Troutman (2020-2021), Jonathan examined **historical population trends** alongside factors such as household size and housing starts to project the town's population more accurately, to be applied to anticipated town **population-driven service demands, staffing, and capital needs**

Prior to joining N-Focus, Jonathan worked for the City of Charlotte from 2000-2017. Some of his accomplishments/responsibilities were:

- ✓ Led the city's annexation effort, applying Geographic Information Systems (GIS) best practices to aligning factors such as population, households, dwelling units, and acreage to state statutory requirements governing annexation
- ✓ Participated in city's biennial effort to re-balance election districts following major annexations and the 2010 US Census
- ✓ Provided leadership and supervision to the city Planning Department's 6-person GIS team
- ✓ Led the effort to establish a set of "health metrics" that was integrated into the **Charlotte region's Metropolitan Transportation Plan**, which enables the tracking of the health of the region's transportation systems based upon a series of health-related statistics

Mr. Wells was with the Charlotte Mecklenburg (NC) Schools from 1994-2000 and the Rochester (NY) City School District from 1986-1994.

EDUCATION: Master of Public Administration (Urban Studies emphasis) – State University of New York College
BA Environmental Design – State University of NY at Buffalo School of Architecture & Planning

Project Sub-Consultant



VIZ, PLLC
GARY FANKHAUSER, ASLA

Project Role:
Plan Graphics & Illustrations

Location: Cornelius, NC

Prior to forming **VIZ, PLLC** in North Carolina in 2008, Gary Fankhauser, ASLA was an employee of N-Focus from 2005-2008. Mr. Fankhauser's more than 33 years of project experience ranges in scale from 1/8th acre Urban Plazas to 5,000-acre State Parks located throughout the United States. He has worked in the Carolinas since his graduation and has worked in the Charlotte area for almost 25 years.

Mr. Fankhauser has worked for some of the largest Architecture/Engineering firms in North Carolina, and through them gained experience in almost every project type. Gary has a high level of expertise in Design, 2-D and 3-D hand and digital graphics/rendering, understanding and production of Technical and Contract Documents (AutoCAD software), Specifications, and Construction Administration. Gary also has a great amount of experience presenting in public forums, to jurisdictional committees, boards, and council, facilitating public workshops, and hands-on design charrettes.



Kannapolis Parkway Site Plan Master Plan

EDUCATION: BS Landscape Architecture – Ohio State University

CREDENTIALS: Registered Landscape Architect Licensed in:

- NC - #707
- SC - #367
- GA - #001013
- VA - #607
- NM - #483
- OH – #1401327
- TN - #1068

Recent Project Examples & References

N-Focus Staff is **currently** working with the **Towns of Emerald Isle and Pine Knoll Shores** on the creation of their Unified Development Ordinances (UDO) and has just finished providing **Brunswick County** with interim planning support.

2021 – 2022	<u>Town of Emerald Isle</u>
	New Unified Development Ordinance Anticipated adoption October 2022
	Project Manager & Lead Author: Richard Flowe, AICP Project Support: Thomas Weitnauer, AICP Michael Harvey, AICP
	Reference: Matt Zapp, Town Manager (252) 354-3424 mzapp@emeralsisle-nc.org
2021 – 2022	<u>Town of Pine Knoll Shores</u>
	New Unified Development Ordinance Anticipated adoption October 2022
	Project Manager & Lead Author: Richard Flowe, AICP Project Support: Thomas Weitnauer, AICP Michael Harvey, AICP
	Reference: Brian Kramer, Town Manager (252) 247-4353 (252) 723-0013 cell Manager@townofpks.com
2021 – 2022	<u>Brunswick County</u>
	Planning Dept. Support: Karen Dunn, AICP
	Reference: Kirstie Dixon, Planning Director (910) 253-2027 Kirstie.dixon@brunswickcountync.gov

THE FOLLOWING ARE RECENT LAND USE PLANS
N-FOCUS STAFF HAS OR IS IN THE PROCESS OF COMPLETING FOR 160D COMPLIANCE:

2022	<p><u>Town of Chadbourn</u> Fundamental Land Use Plan – Adopted May 3, 2022</p> <p>Project Manager & Lead Author: Thomas Weitnauer, AICP</p> <p>Reference: Pat Garrell, Town Clerk (910) 654-4148 pgarrell@townofchadbourn.com</p> <p>Phillip Britt, Mayor 910-654-4148 ccnrmedic@yahoo.com</p>
2022	<p><u>Town of Morven</u> Fundamental Land Use Plan – Adopted June 6, 2022</p> <p>Project Manager & Lead Author: Thomas Weitnauer, AICP</p> <p>Reference: Corinthia Lemon, Councilwoman (704) 851-9321 clewislemon@townofmorven.org</p>
2022	<p><u>Town of Tabor City</u> Fundamental Land Use Plan – Adopted June 14, 2022</p> <p>Project Manager & Lead Author: Thomas Weitnauer, AICP</p> <p>Reference: Manager, Al Leonard (910) 234-0966 yamman@embarqmail.com</p>
2021 – 2022	<p><u>Town of Ellerbe</u> Fundamental Land Use Plan – Adopted May 2, 2022</p> <p>Project Manager & Lead Author: Thomas Weitnauer, AICP Project Support: Michael Harvey</p> <p>Reference: Jane C. Smith, CMC, NCCMC, Town Clerk (910) 652-6251 JaneCSmith@rsnet.org</p>

2021 – 2022 Town of Elm City

Comprehensive Land Use Plan – Adopted May 10, 2022

Project Manager & Lead Author: Thomas Weitnauer, AICP
Project Support: Michael Harvey

Reference: John Edwards, Town Administrator
(252) 236-4917
JEdwards@ElmCityNC.com

2021-2022 Town of Lilesville

Fundamental Land Use Plan – Adopted May 2, 2022

Project Manager & Lead Author: Thomas Weitnauer, AICP

Reference: Lynn Whitlock, Zoning Administrator
(704) 848-4711
LilesvilleTown@windstream.net

2021 – 2022 Town of McAdenville

Comprehensive Land Use Plan – Adopted June 14, 2022

Project Manager & Lead Author: Thomas Weitnauer, AICP
Project Support: Michael Harvey

Reference: Lesley Dillinger, Town Administrator
(704) 824-3190
Clerk@TownofMcAdenville.org

2021 – 2022 Town of Swepsonville

Comprehensive Land Use Plan – Adopted May 16, 2022

Project Manager & Lead Author: Thomas Weitnauer, AICP

Reference: Brad Bullis, Town Administrator
(252) 336-578-5644
brad.bullis@swepsonvillenc.com

WHILE DEVELOPING COMPREHENSIVE LAND USE PLANS FOR THE FOLLOWING TOWNS
N-FOCUS ALSO DEVELOPED THEIR UNIFIED DEVELOPMENT ORDINANCES:

2021 – 2022 Town of Ranlo

Comprehensive Land Use Plan – Adopted May 12, 2022

Project Manager & Lead Author: Thomas Weitnauer, AICP

Reference: Jonathan Blanton, Town Manager
(704) 824-3461
jblanton@townofranlo.org

2020 – 2021 Town of Biscoe

Comprehensive Land Use Plan and Master Plan 2040 – Adopted April 14, 2021

<https://www.townofbiscoe.com/zoning.html>

Project Manager & Lead Author: Tom Weitnauer, AICP

Reference: Brandon Holland, Town Manager
(910) 428-4112
Manager@TownofBiscoe.com

2020 – 2021 Town of Landis

Comprehensive Land Use Plan 2040 – Adopted May 10, 2021

<https://www.townoflandis.com/assets/LDO-2021/Landis-Town-Plan-2040-20210510-ADOPTED.pdf>[\[https://www.townoflandis.com/assets/LDO-2021/Landis-Town-Plan-2040-20210510-ADOPTED.pdf\]](https://www.townoflandis.com/assets/LDO-2021/Landis-Town-Plan-2040-20210510-ADOPTED.pdf)

Project Manager & Lead Author: Tom Weitnauer, AICP

Reference: Diane Seaford, Town Manager
(704) 857-2411
DSeaford@TownofLandis.com

12/20/21 E-Mail Received from Diane Seaford, Landis Town Manager:

"We are so fortunate to be in partnership with NFocus. during this growth season for us, I do not know what we would do without your services."

2020 – 2021	<u>City of Lowell</u> 2040 Comprehensive Land Use Plan – Adopted April 13, 2021 https://www.lowellnc.com/DocumentCenter/View/885/Lowell---City-Plan-2040-ADOPTED-PDF [https://www.lowellnc.com/DocumentCenter/View/885/Lowell---City-Plan-2040-ADOPTED-PDF] Project Manager & Lead Author: Tom Weitnauer, AICP Reference: Scott Attaway, Town Manager (704) 617-0141 SAttaway@LowellNC.com
2020 – 2021	<u>Town of Rutherfordton</u> Comprehensive Land Use Plan – Adopted December 2, 2020 https://www.rutherfordton.net/documents/rutherfordton-comprehensive-land-use-master-plan-town-plan-2040-approved/ Project Manager & Lead Author: Tom Weitnauer, AICP Reference: Doug Barrick, Town Manager (828) 287-3520 office DBarrick@Rutherfordton.net
2020 – 2021	<u>Town of Troy</u> Comprehensive Land Use Plan and Master Plan 2040 – Adopted February 1, 2021 https://troy.nc.us/2227/Planning-and-Zoning Project Manager & Lead Author: Tom Weitnauer, AICP Reference: Greg Zephir, Town Manager (910) 572-3661 TroyManager@Troy.NC.US
2019	<u>Town of Wilson’s Mills</u> Town Plan 2040 - Adopted December 16, 2019 https://www.wilsonsmillsnc.org/vertical/sites/%7BD00108A2-B308-440E-9FD8-7BDA954DF3A6%7D/uploads/Adopted_CLUP_12.16.19.pdf Project Manager & Lead Author: Richard Flowe, AICP Reference: Leighanna Worley, CMC, Administrator (919) 938-3885 LWorley@WilsonsmillsNC.org

2018-2019 Town of Youngsville

Comprehensive Land Use Plan - Adopted March 14, 2019

Blueprint for Youngsville Action CDP

https://www.townofyoungsville.org/document_center/Planning%20and%20Zoning/Blueprint%20for%20Youngsville%20Action%20items%2020190314.pdf

Town Plan 2040 Comprehensive Development Plan

https://www.townofyoungsville.org/document_center/Planning%20Board%20Meeting/CDP.pdf

Youngsville Downtown Catalyst Map

https://www.townofyoungsville.org/document_center/Planning%20and%20Zoning/2%20Youngsville%20Downtown%20Catalyst%2011-1-18.pdf

Youngsville Future Land Use Plan

https://www.townofyoungsville.org/document_center/Planning%20and%20Zoning/1%20Youngsville%20%20712-3-18.pdf

Youngsville Growth Opportunities Map

https://www.townofyoungsville.org/document_center/Planning%20and%20Zoning/3%20Youngsville%20Growth%20Opportunities12-3-18.pdf

Youngsville Truck Route Concept Map

https://www.townofyoungsville.org/document_center/Planning%20and%20Zoning/4%20Youngsville%20Truck%20Route%20Concept12-10-18.pdf

2015-2016 Cherry-Point

Joint Land Use Study (JLUS) – Sub-Consultant

N-Focus provided an essential role as a sub-consultant in preparation of the Cherry-Point Joint Land Use Study (JLUS). The N-Focus Team assessed existing CAMA Land Use Plans, development regulations and practices; offering strategies for implementing compatible land use development appropriate to the military mission while serving the needs of a diversity of coastal communities in the JLUS study area of Carteret, Craven, and Pamlico Counties.

Project Co-Manager: Bob Clark

Reference: Carteret County Assist. Manager, Eugene Foxworth
(252) 728-8545

Eugene.Foxworth@CarteretCountyNC.gov



3. PROJECT UNDERSTANDING

Preparation of an updated CAMA plan (PLAN) is a requirement for all 20 coastal counties in North Carolina, in accordance with NC Coastal Management Act passed in 1974. The purpose of CAMA is to protect NC coastal resources, in accordance with established regulations and policies. The Coastal Area Management Act requires each of the 20 coastal counties to have a local land use plan in accordance with guidelines established by the Coastal Resources Commission (CRC) as detailed in NC 15A NCAC 07B.

N-FOCUS is mindful of the importance of land use planning in coastal communities. The continued growth of Town of Southern Shores and the accompanying development pressures, highlights the need to plan carefully for the long-term sustainability of the Town’s resources. The PLAN will serve to guide development decision making at the local level by Town of Southern Shores elected officials and Planning Board and provide CRC with guidance in approving development permit(s) within “Area of Environmental Concern” (AEC).

The PLAN will also be prepared in compliance with the requirement of NCGS 160D, which mandates that all NC jurisdictions which have zoning regulations also have a Comprehensive Plan. The PLAN will meet this requirement, allowing for the continued application of zoning by Town of Southern Shores.

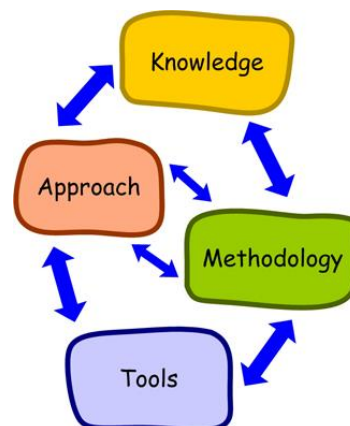
N-FOCUS is aware of the desire for a robust public engagement process. To that end, this proposal includes a detailed outline for a “Public Participation Plan”, hereinafter “PPP”, designed to inform, engage, and activate public participation in the CAMA planning process. We are also cognizant of the importance of stakeholder involvement and participation in the PLAN process, including the Town Council, Planning Board, other governmental agencies and organizations, business owners and citizens.

The PLAN prepared by N-FOCUS will be practical, functional, and intentional. Sustainability and resiliency issues will be given high priority. The PLAN will provide tools for the TOWN to make strategic decisions and investments during the PLAN’s horizon timeframe which reinforce the PLAN recommendations. The PLAN process will result in a graphic-rich substantive PLAN which is both engaging and user friendly for Town of Southern Shores decision-makers, property owners and developers who desire to locate or expand within the Town.

It is our intention to produce a PLAN which includes actionable recommendations (goals, plans, objectives, and policy statements) articulating a clear vision and implementation strategy.

N-FOCUS is committed to producing the highest quality PLAN in a cooperative effort with the TOWN, elected & appointed officials. staff, citizens, property & business owners, and other stakeholders for the benefit of the current and future residents of Town of Southern Shores.

It is a responsibility we do not take lightly.



Project Scope Of Services

TASK 1. *Orientation and Scoping Session(s)*

N-FOCUS will:

- a) Meet with STAFF for project orientation, scoping, communication logistics, and scheduling;
- b) Obtain information about map resources; and
- c) Prepare a PPP for review.

TASK 2. *Research & Analysis*

N-FOCUS will:

- a) Collect & analyze socioeconomic, geographic, and other data to include pertinent population, housing, & economic data, citing issues & trends;
- b) Review State CAMA requirements in NC Administrative Code (NCAC) 07B.0702;
- c) Review planning policy documents previously adopted by TOWN;
- d) Identify policies addressing issues of concern to STAFF;
- e) Review & evaluate:
 - 1) Current plans and status for water, sewer, electricity, and wireless coverage;
 - 2) Information regarding local & regional economic organizations and indicators; and
 - 3) Information regarding historic resources.
- f) Review of Transportation Plan and documentation related to major transportation projects
- g) Conduct data inventory and land use capacity analysis of existing conditions, as well as rational projection of the community in 2035-2050.
- h) Review & evaluate:
 - 1) Planned future developments;
 - 2) Potential construction limitations (zoning, flood zones, protected species, wetlands, historic site, etc.)

TASK 3. *Public Participation Plan (PPP)*

N-FOCUS will work with STAFF, and CAMA staff to formalize the format of project related announcements.



N-FOCUS will implement an aggressive PPP that will include:

- a) **Community Interviews:**
N-FOCUS will conduct interviews with key local stakeholders and business leaders as previously identified. Feedback received will also serve as a proxy for those represented by/or associated with these stakeholders, concerning future growth, development, and land use opportunities and constraints within the region.
- b) **Community Survey:**
N-FOCUS will develop a survey designed to engage residents, property owners, businesses owners, and local stakeholders regarding:
 - 1) Attitudes on current development opportunities and constraints;
 - 2) Feedback on the implementation of the current CAMA Plan goals, policies, and objectives;
 - 3) What respondents would like to see change/not change in the TOWN;
 Results will allow N-FOCUS, STAFF, and elected officials to begin review of existing goals/policy objectives and evaluate possible changes as part of PLAN update.
- c) **One-on-One Conversations** with up to five (5) stakeholder groups (to be identified by STAFF.
- d) **Public Workshops {minimum of two (2)}** to identify *“Areas of Strategic Focus”*
- e) **Monthly Progress Reports** to summarize activities, progress, and obstacles.
- f) **Planning Board Meetings (Number TBD)** to seek guidance & recommendation(s).
- g) **Governing Board Work Session** to review the project and input.

NOTE:

**In-person meetings may be replaced with virtual meetings,
depending on future Covid-19 precautions.**

TASK 4. Draft Plan and Implementation Strategy

N-FOCUS will:

- a) Prepare the initial draft PLAN, to include:
 - i. Vision Statement, Goals & Objectives; and
 - ii. Major Elements of the PLAN
 - 1) Why Plan Our TOWN?;
 - 2) About the TOWN;
 - 3) Community Profile and Vision;
 - 4) Existing and Emerging Conditions;
 - 5) Natural, Cultural & Historic Resources including comprehensive review of Areas of Environmental Concern (AEC) as set forth in Subchapter 15A NCAC 07H;
 - 6) Voice of the Community (i.e. community concerns and aspirations) – Businesses, Citizens, and Stakeholders;
 - 7) Economic Development;
 - 8) Infrastructure;
 - 9) Planning & Development (including Future Land Use & Growth Opportunities Maps)
 - 10) Management Goals for the TOWN;
 - 11) Blueprint (i.e., tools for managing development) – Summary and PLAN Implementation.
- b) Prepare PLAN to include, but not be limited to, the following:
 - i. **Community Concerns and Aspirations** – Section describing/analyzing current dominant growth-related conditions that influence land use, development, water quality and other environmental concerns in the community including detailed analysis/discussion on development topics such as:
 - 1) Community Vision;
 - 2) Land Use Compatibility;
 - 3) Infrastructure Carrying Capacity;
 - 4) Natural Hazard Identification/Definition and Analysis; and
 - 5) Water Quality.
 - ii. **Review/Analysis of Existing and Emerging Conditions;**
 - iii. **Review/Analysis of Areas of Environmental Concerns (AECs);**
 - iv. **Existing & Future Land Use Map** and Matrix including inclusion of the local community's 'Management Goals' intended to ensure development & use of resources and/or preservation of natural resources/fragile areas avoids risks to public health, safety, and welfare; and
 - v. **Tools for Managing Development**
 - 1) Description of what role the PLAN will have in land use & development decision-making by TOWN.
 - 2) Identification & adoption of ***tools to manage development*** within the community addressing economic development needs in concert with resource preservation.
- c) Incorporate a strategy to both ***limit Public Investment & leverage Private Investment*** and stimulate Growth within Catalyst Area(s) identified;
- d) Submit initial draft PLAN for internal STAFF review;
- e) Incorporate STAFF comments into revised "Draft PLAN";
- f) Present Draft PLAN to Planning Board in public information meeting & request formal recommendation;
- g) Provide draft final PLAN to TOWN for submission to DCM; and
- h) Post Draft online on the TOWN's website.

TASK 5. Final Plan

N-FOCUS will incorporate changes if any, into the Draft PLAN as recommended by Planning Board and submit “**Final Draft PLAN**” to TOWN Governing Board at public legislative hearings.



4. SUMMARY TIMELINE

TOWN OF SOUTHERN SHORES CAMA LAND USE PLAN	Months 1-2	Months 3-4	Months 5-6	Months 7-8	Months 9-10	Months 11-12
TASK 1. ORIENTATION & SCOPING SESSION(S)						
a) Kick-Off Meeting w/TOWN Staff Develop PPP						
b) Identify Mapping Resources & features						
c) Prepare PPP for review & comment						
TASK 2. RESEARCH & ANALYSIS						
a) Analyze existing plans, maps, documents, data & other materials relevant to the project						
b) Review CAMA requirements						
c) Review Planning Policy Documents						
d) Identify policies of concern						
e) Review & evaluate						
f) Review Transportation Plan						
g) Conduct Data Inventory						
h) Review & Evaluate Future Development, & Construction limitations						
MONTHLY MEETINGS AT A MINIMUM WITH STAFF AND PHONE/E-MAIL AVAILABILITY BETWEEN MEETINGS FOR CONSULTATION						
TASK 3. PUBLIC PARTICIPATION PLAN						
a) Community Interviews						
b) Community Survey						
c) One-on-One Conversations						
d) Public Workshops						
e) Monthly Progress Reports						
f) Planning Board Meetings {minimum of (3)}						
g) Governing Board Work Session						
TASK 4. DRAFT PLAN and IMPLEMENTATION STRATEGY Consistent with NCGS 160D & NC CAMA 15A NCAC 07B						
a), b), C) Prepare Initial Draft PLAN						
d), e) Submit initial draft PLAN for STAFF Review						
f) Present Draft to Planning Board						
g) Provide Draft PLAN for DCM Submission						
h) Post Draft online						



TOWN OF SOUTHERN SHORES CAMA LAND USE PLAN	Months 11-12
TASK 5. FINAL PLAN	
Submit Final Draft PLAN to Governing Board at Public Legislative Hearing for Adoption	
DCM Certification Process – N-FOCUS will assist through the DCM certification process and attend CRC hearings if needed	

This proposal is valid through October 31, 2022



5. CERTIFICATE OF INSURANCE

ACORD®		CERTIFICATE OF LIABILITY INSURANCE		DATE (MM/DD/YYYY) 01/05/2022																						
<p>THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.</p> <p>IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).</p>																										
PRODUCER State Farm Melanie Franklin 1270 Hendersonville Rd Asheville, NC, 28704		CONTACT NAME: Donna Dark PHONE (A/C No. Ext): 828-274-2420 FAX (A/C No): 828-274-2423 E-MAIL ADDRESS:																								
INSURED NFOCUS INC 313 S MAIN ST STE 110 KANNAPOLIS NC 28081		<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th colspan="2">INSURER(S) AFFORDING COVERAGE</th> <th>NAIC #</th> </tr> </thead> <tbody> <tr> <td>INSURER A:</td> <td>State Farm Fire and Casualty Company</td> <td>25143</td> </tr> <tr> <td>INSURER B:</td> <td>State Farm Mutual Automobile Insurance Company</td> <td>25178</td> </tr> <tr> <td>INSURER C:</td> <td></td> <td></td> </tr> <tr> <td>INSURER D:</td> <td></td> <td></td> </tr> <tr> <td>INSURER E:</td> <td></td> <td></td> </tr> <tr> <td>INSURER F:</td> <td></td> <td></td> </tr> </tbody> </table>				INSURER(S) AFFORDING COVERAGE		NAIC #	INSURER A:	State Farm Fire and Casualty Company	25143	INSURER B:	State Farm Mutual Automobile Insurance Company	25178	INSURER C:			INSURER D:			INSURER E:			INSURER F:		
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<p>COVERAGES CERTIFICATE NUMBER: REVISION NUMBER:</p> <p>THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.</p>																										
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A	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/> N/A	93-EH-G042-7	03/24/2021	03/24/2023	PER STATUTE OTH-ER E.L. EACH ACCIDENT \$ 100,000 E.L. DISEASE - EA EMPLOYEE \$ 100,000 E.L. DISEASE - POLICY LIMIT \$ 500,000																				
DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required) Thirty days written notice will be given prior to cancellation and subsequent to any adverse change in coverage.																										
CERTIFICATE HOLDER			CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS. AUTHORIZED REPRESENTATIVE ©1988-2015 ACORD CORPORATION. All rights reserved.																							

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CAMA LAND USE PLAN UPDATE

TOWN OF SOUTHERN SHORES, NC

Stewart

223 S. West Street / Suite 1100 / Raleigh, NC 27603

O 919.380.8750

F 919.380.8752

stewartinc.com

JULY 22, 2022



Preferred Partner



STEWART

July 22, 2022

Wes Haskett, Deputy Town Manager/Planning Director
5375 N. Virginia Dare Trail
Southern Shores, NC 27949

RE: Request for Proposals for Updating the Town’s CAMA Land Use Plan

Dear Mr. Haskett,

Southern Shores is embarking on an important planning initiative - to update the Town’s CAMA Land Use Plan. Stewart is pleased to submit our proposal for this project. This is an exciting venture, one that will serve as an important tool to guide public and private decisions about the future of the Town over both the short and long term.

We have assembled an exemplary team of professionals for this assignment that are available to begin upon a notice-to-proceed. **I will oversee this project as the Principal, and Jay McLeod, AICP will serve as Project Manager, responsible for regular communications with the Town.** He will be supported by a team of Certified Planners with decades of public and private sector planning experience, as well as professional landscape architects and engineers.

Stewart is well-positioned to provide the Town with an innovative community engagement strategy and a well-managed plan development process, which will lead to a visually engaging guidance document with actionable strategies that assist with implementation and capital planning. Our firm’s recent planning experience includes comprehensive plans, CAMA plans, small area plans, and development ordinance updates in Duck, Manteo, Swansboro, Pasquotank County, Carolina Beach, Beaufort, Lillington, Smithfield, Ayden, Princeville, and Winterville, just to name a few.

STEWART | THE BEST TEAM FOR YOUR PROJECT

Experienced Community Planning Team

Our team has several Certified Planners with decades of North Carolina-centered local planning experience. Our staff is proficient in land use planning, ordinance comprehension, zoning, GIS mapping, and understands the interplay between land use, potential growth/preservation areas, infrastructure needs, and other elements necessary to craft an effective plan.

Planning and Private Development Experience

Stewart’s planners, landscape architects, and engineers utilize these plans and documents on a daily basis assisting municipalities throughout the state. Our experience in land development projects allows us to “ground truth” the documents prior to implementation.

Focus on Small- to Mid-Size Communities

Our team works almost exclusively with small- to mid-size communities and understands the complexities of allocating financial resources to achieve large visions. Stewart will meet the project schedule and budget requirements of the project.

Core Values

Stewart has developed a rich culture of servant leadership that closely aligns with the services that local governments provide.

NCLM Preferred Partner

Stewart’s Community Planning Practice is endorsed as a Preferred Partner by the NC League of Municipalities.

CAMA Plans

Our project team has experience with developing CAMA-compliant land use plans that meet state requirements but also incorporate a community’s specific vision and goals.

We appreciate the opportunity to submit this RFP response. We look forward to the prospect of working with Southern Shores. Please call me at 919.866.4761 or email at dtaylor@stewartinc.com should you have any questions or need additional information.

Sincerely,



Doug Taylor, PE, CPM

Vice President | Practice Leader, Transportation & Planning

POINTS OF CONTACT

PRINCIPAL-IN-CHARGE/ AUTHORIZED NEGOTIATOR

Doug Taylor, PE

223 S. West Street, Suite 1100
Raleigh, NC 27603
919.866.4761
dtaylor@stewartinc.com

PROJECT MANAGER **Jay McLeod, AICP**

223 S. West Street, Suite 1100
Raleigh, NC 27603
919.866.4858
jmcLeod@stewartinc.com

FIRM OVERVIEW**STEWART** STRONGER BY DESIGN

Stewart is a planning, design, and engineering firm located in Raleigh, Wilmington, Durham, Charlotte, and Columbia, SC, serving clients throughout the southeastern US. With a unique collaborative, cross-disciplinary approach that results in stronger and more creative design solutions, Stewart offers a full range of services to meet the needs of its clients, including:

- Civil Engineering
- Geomatics
- Geotechnical & Construction Services
- Landscape Architecture
- Structural Engineering
- **Transportation & Planning**



Preferred Partner

communityviz®

Gold Consultant

Founded in 1994 by Willy E. Stewart, PE, the firm has more than 200 employees. Stewart is a corporation, owned by a select group of professionals who are personally involved in our clients' projects.

Stewart has developed a rich culture of servant leadership, summarized by the acronym, THREAD: Trust, Humility, Respect, Excellence, Accountability, and Discipline. These core values are at the heart of how we work with each other, our clients, our partners, and our community. THREAD has evolved into a curriculum that is taught to employees through our THREAD Institute.

MINORITY BUSINESS STATUS

The firm is a certified Historically Underutilized Business (HUB) with the State of North Carolina through the Statewide Uniform Certification (SWUC) program.

Members of Stewart's Transportation & Planning practice, with President Lee Anne Nance and CEO Willy Stewart, at a recent staff retreat.

**STEWART****MISSION STATEMENT**

Strengthening communities by serving, leading, and working in a creative and interdisciplinary way.

AWARDS

2021 AIA Charlotte Design Award for New Construction Merit
Eastway Recreation Center

2021 ABC Carolinas Chapter Excellence in Construction Eagle Award
American Legion Memorial Stadium (Historical Restoration/Renovation)

2021 Project of the Year
ASCE North Carolina
Riverfront Park

2021 Downtown Raleigh Alliance Imprint Award
The Fairweather

2020 ENR Mountain States Award of Merit
UC Health Steadman Hawkins Clinic
Denver and CU Sports Medicine

2020 AIA Triangle Design Honor Award
Durham County Main Library

2020 Durham Golden Leaf Awards People's Choice Award
Durham Innovation District
Southern Gateway

2020 Durham Golden Leaf Awards Large Development Award
Durham Police Headquarters
Complex and Emergency 911 Call Center

2019 ASLA Southeast Region Award of Excellence
Ann and Jim Goodnight Museum
Park at NC Museum of Art

2019 ENR-Southeast Best University Project Award
NC A&T University Student Center

PRACTICE AREA PROFILE

TRANSPORTATION AND PLANNING

The Transportation & Planning practice area has impacted numerous municipalities and counties in the state. This practice area brings an emphasis on interdisciplinary collaboration and can leverage years of combined experience from planners, urban designers, landscape architects and engineers.

Stewart Transportation & Planning is uniquely positioned to lead Southern Shores in this initiative, as we have completed many such plans for other communities. Projects currently underway include developing CAMA plans, comprehensive plans, small area plans, Unified Development Ordinances, and corridor plans as well as providing on-call planning services. Through these projects, Stewart is making an impact that can be seen throughout the state by providing communities with the tools they need to monitor, support, and manage growth while enhancing quality of life.

Stewart emphasizes the importance of building relationships with its clients and communities - even after project completion. Stewart's Transportation & Planning Practice understands the unique challenges and requirements of the communities we serve and customizes a team to address them. We have the capacity to bring together the technical skills of civil engineers and GIS professionals, the keen attention to design of landscape architects, and the community vision of planners for each project. This emphasis on interdisciplinary collaboration effectively delivers on the clients' needs and expertly positions the firm to create documents and underpinning spatial decision support systems that will guide future policy in a meaningful and actionable way.

"Stewart's planning team used a collaborative approach that incorporated infrastructure analysis, scenario planning, and opportunities for meaningful public input that resulted in a quality plan that will provide a strong foundation for Granville County for years to come."

- Barry Baker
Planning Director
Granville County

PLANNING PROJECT LOCATIONS

Stewart's certified planners and urban design professionals are providing support to achieve clients' visions of successful communities all across North Carolina.

MAP LEGEND

- Municipalities
- Counties
- Projects
- Stewart Office Locations

MUNICIPALITIES

1. Ayden
2. Kinston
3. Huntersville
4. Chapel Hill
5. Highlands
6. Waynesville
7. Franklin
8. Wilson's Mills
9. Garner
10. Cullowhee
11. Eden
12. Fayetteville
13. Clayton
14. Carolina Beach
15. Smithfield
16. Lillington
17. Garland
18. Cashiers
19. Harrisburg
20. Swansboro
21. Duck
22. Wake Forest
23. Winterville
24. Butler
25. Lexington, SC
26. Knightdale
27. Beaufort
28. Boone
29. Hope Mills
30. Asheboro
31. Salisbury
32. Lewisville
33. Pittsboro
34. Princeville
35. Green Level
36. Garysburg
37. Goldsboro
38. Star
39. Ahoskie
40. Castalia
41. Newton Grove
42. Peletier
43. Salemburg
44. Farmville
45. Spring Lake
46. Roseboro
47. Brevard
48. Manteo
49. Lucama
50. Kill Devil Hills
51. Washington

COUNTIES

- Alamance County
- Franklin County
- Granville County
- Guilford County
- Harnett County
- Henderson County
- Jackson County
- Johnston County
- Pender County
- Pitt County
- Pasquotank County

OTHER

- Upper Coastal Plains Council of Governments



DOUG TAYLOR PE
PRINCIPAL-IN-CHARGE



JAY McLEOD AICP
PROJECT MANAGER

STEWART Prime Consultant

Community Planning

Jake Petrosky, AICP
Allison Evans, AICP
Jaquasha Colón, AICP
Andrea Radford
Morgan Rowden

Landscape Architecture/Graphics

Stephen Faber, PLA

At Stewart, we believe in servant leadership, continuous improvement, and our core values of Trust, Humility, Respect, Excellence, Accountability, and Discipline, or THREAD. We seek out opportunities to put those values into action.



Top left: employees flip flapjacks at a pancake fundraiser for a good cause; Top right: The Planning team after a greenway clean up; Bottom left: a blood drive; Bottom right: staff sporting red on Wear Red Day, an event to raise awareness about cardiovascular disease

**JAY W. McLEOD** AICP**PROJECT MANAGER, PLANNING MANAGER**

Jay has over ten years of planning experience in long-range, regional, and local/current planning. He likes to focus on research and analysis before focusing on achieving desired outcomes through placemaking and public realm enhancement and design. His local government experience provides a heightened awareness of how plans are implemented. He has coordinated urban and long-range planning projects and is also experienced in ordinance creation and implementation with a focus on progressive and achievable outcomes.

RELEVANT EXPERIENCE**Beaufort CAMA Land Use Plan and Unified Development Ordinance | Beaufort, NC**

Project Manager | The Town of Beaufort hired Stewart to assist the Town in concurrently creating a Comprehensive Land Use Plan and Unified Development Ordinance. The land use plan component is in the adoption stages and has received general support from both the community and elected leadership. Another component of this comp plan is the Resilient Coastal Communities Program grant which identified coastal hazard vulnerabilities and priority mitigation projects.

Swansboro CAMA Future Land Use Update | Swansboro, NC

Project Planner | The Town of Swansboro engaged Stewart to update its Coastal Area Management Act (CAMA) Land Use Plan. The Plan, complies with the CAMA regulations, provides a framework and establish priorities for making land use decisions and the investment of public resources. Community engagement was comprehensive, with members of the steering committee going into the community to provide information about the project, a survey, open house-style workshops, and attendance at summer community events.

Town of Manteo CAMA Land Use Plan | Manteo, NC

Project Manager | The Town contracted Stewart to help provide a comprehensive plan update that would also fulfill the requirements of a CAMA land use plan, to help guide the future of this unique coastal gem. This coastal town also has significant vulnerabilities to coastal hazards such as regular high tide flooding which is only predicted to get worse in the future. The CAMA-compliant comprehensive land use plan update included an analysis of potential future environmental conditions and a planning overlay to help reduce asset exposure in the future.

**EDUCATION**

Master of Urban Planning
University of Florida

Master of Biology
University of Louisville

Bachelor of Science in
Biology Florida State
University

**REGISTRATION**

American Institute of
Certified Planners (AICP):
#268453

PROJECT HIGHLIGHT**TOWN OF DUCK CAMA LAND USE PLAN | DUCK, NC**

The Planning process is an opportunity for residents and business and property owners of Duck to tell their story and help shape the distinct vision and unique identity for the community. It also communicates a cohesive community direction and provides a framework for making land use decisions. Stewart was engaged to coordinate a CAMA land use plan and comprehensive plan update, including public engagement, visioning, public survey, future land use, and policy recommendations. In particular, this Comprehensive and CAMA Land Use Plan dealt with issues of septic system and coastal erosion vulnerability to sea level rise, community character, and connectivity. This unique coastal community required a unique approach due, in part, to their tourism-dependent economy and character rich, coastal village feel.

**JAKE PETROSKY** AICP**DIRECTOR**

Jake is responsible for Land Use Planning and Urban Design at Stewart. His duties include project management, analysis, conceptual design and public engagement activities. Jake has 17 years of experience in land use and comprehensive plans, small area plans, multi-modal transportation planning, parks, greenways, and environmental planning. He believes in data-driven, design-oriented planning and has a professional and personal interest in well designed, connected places and open spaces and how they can improve quality of life.

RELEVANT EXPERIENCE**Town of Winterville Land Use Plan | Winterville, NC**

Project Manager | Stewart worked on a new Comprehensive Land Use Plan for the Town of Winterville. The Plan addresses the impacts and growth resulting from major transportation investments, a shifting employment base, a desire to preserve open space, and the unique constraints of a high water table and flooding. A visioning process with innovative outreach activities like a multi-day charrette builds on Stewart's strength as an integrated planning, design, and engineering firm to develop implementation concepts that have community buy-in and are both aspirational and buildable.

Pitt County Southwest Bypass Land Use Plan | Pitt County, NC

Project Manager | Stewart prepared a land use plan that addresses potential growth along the Southwest Bypass Corridor. The plan included the development of land use scenarios and policy recommendations that will lead to context-sensitive design that protects the rural character of the area while accommodating growth.

Town of Ayden Land Use Plan and UDO Update | Ayden, NC

Project Manager | The project prompts the community to address multiple topics over a long-time horizon, and contemplate how a development ordinance could incrementally achieve the vision in the near term. This parallel process relies on a well-structured public engagement strategy, data-rich mapping, and strong visual communication skills to help the community see both the big picture and the essential details of implementation.

**EDUCATION**

Master of Urban Planning
University of Florida

Bachelor of Community
and Regional Planning
Appalachian State
University

**REGISTRATION**

American Institute of
Certified Planners (AICP):
#026937

PROJECT HIGHLIGHT**TOWN OF FRANKLIN COMPREHENSIVE LAND USE PLAN | FRANKLIN, NC**

Stewart worked with the Town of Franklin, North Carolina on a new Town Plan. Stewart led a multi-disciplinary team to create a strategic plan that seeks to diversify the economy, guide growth and development, protect natural resources, and build on the successful downtown. The plan includes conceptual plans for the re-purposing of a town-owned site for a park and middle-income housing. A visualization of a park and redevelopment centered around The Nikwasi Indian Mound, a historic Cherokee site, and a future cultural center/museum that has been proposed by the tribe is also shown in the plan. The Comprehensive Land Use Plan was adopted by the Town in June 2020.



ALLISON EVANS AICP

SENIOR PLANNER

Allison brings municipal experience in Boston and Raleigh, combined with international study in the area of urban design. She has worked on area plans with the City of Raleigh, and knows firsthand what local governments need when it comes to a consultant. She also is experienced in urban design policy analysis and development, and has a special interest in the intersection of planning, design, and economic development.

RELEVANT EXPERIENCE

Beaufort CAMA Land Use Plan and Unified Development Ordinance | Beaufort, NC

Planner | The Town of Beaufort hired Stewart to assist the Town in concurrently creating a Comprehensive Land Use Plan and Unified Development Ordinance. Their current Land Development Ordinance was adopted in 2013, and though there have been amendments over the years, the Town desired to transition to a cleaner, consolidated Unified Development Ordinance. The Unified Development Ordinance will consolidate the Land Development Ordinance standards, Subdivision Ordinance and Flood Damage Prevention Ordinance into one comprehensive document. The existing Comprehensive Land Use Plan for the Town was developed in 2007, with few updates since. There have been significant changes to the Town and surrounding areas since the plan's original inception.

Town of Manteo CAMA Land Use Plan | Manteo, NC

Planner | The Town contracted Stewart to help provide a comprehensive plan update that would also fulfill the requirements of a CAMA land use plan, to help guide the future of this unique coastal gem. This coastal town also has significant vulnerabilities to coastal hazards such as regular high tide flooding which is only predicted to get worse in the future. The CAMA-compliant comprehensive land use plan update included an analysis of potential future environmental conditions and a planning overlay to help reduce asset exposure in the future.

EDUCATION

Master of Science in Urban Design and City Planning
University College London

Bachelor of Arts in Urban Studies
Northeastern University

REGISTRATION

American Institute of Certified Planners (AICP):
#33373

PROJECT HIGHLIGHT



TOWN OF DUCK CAMA LAND USE PLAN | DUCK, NC

The Planning process is an opportunity for residents and business and property owners of Duck to tell their story and help shape the distinct vision and unique identity for the community. It also communicates a cohesive community direction and provides a framework for making land use decisions. Stewart was engaged to coordinate a CAMA land use plan and comprehensive plan update, including public engagement, visioning, public survey, future land use, and policy recommendations. In particular, this Comprehensive and CAMA Land Use Plan dealt with issues of septic system and coastal erosion vulnerability to sea level rise, community character, and connectivity. This unique coastal community required a unique approach due, in part, to their tourism-dependent economy and character rich, coastal village feel.



JAQUASHA COLÓN AICP

PLANNER

Jaquasha is a planner with a background in urban, landscape, and architectural design, and believes all communities deserve a standard of great design. Part of any planning process should include robust engagement that educates and empowers the community to make decisions best suited to their needs. She has over four years of experience centered on planning and designing for complete streets retrofits, and understands just how multimodal accessibility can impact a community. Additionally, she has participated and helped organize ten project charrettes as a designer and assistant project manager.

RELEVANT EXPERIENCE

Town of Highlands Comprehensive Plan | Highlands, NC

Planner | The Plan envisions a vibrant scenic mountain village and provides recommended solutions for many long-standing and emerging issues. The plan had to balance long-range recommendations that build on decades of stewardship of the built and natural environments with actionable short to medium-term implementation steps to address the most pressing issues on the Highlands plateau. Land use recommendations address how to reinforce the built form and character of Downtown Highlands, support existing neighborhoods and protect natural resources in the surrounding area. Other topics that were addressed include downtown improvements, short-term rentals, greenways and trails and infrastructure priorities.

Town of Huntersville Community Plan Update | Huntersville, NC

Planner | The town is experiencing significant growth and has several NCDOT projects planned for its future. The existing Comprehensive Plan did not address growth on the scale the town is currently exhibiting and did not prepare the Town for the rapid change it has seen in the past decade. The intent of the plan is to direct growth responsibly while maintaining the Town's natural resources and character that have been its longtime attraction.

EDUCATION

Master of Landscape Architecture
North Carolina State University

Master of Urban Design
University of North Carolina at Charlotte

Bachelor of Science in Architectural Studies
Florida Agricultural & Mechanical University

REGISTRATION

American Institute of Certified Planners (AICP):
#33262

CERTIFICATIONS

NCI Charrette System Training Certificate, National Charrette Institute, Michigan State University

ORGANIZATIONS

Member, American Planning Association (North Carolina)

PROJECT HIGHLIGHT



BEAUFORT CAMA LAND USE PLAN AND UNIFIED DEVELOPMENT ORDINANCE | BEAUFORT, NC

The Town of Beaufort hired Stewart to assist the Town in concurrently creating a Comprehensive Land Use Plan and Unified Development Ordinance. Their current Land Development Ordinance was adopted in 2013, and though there have been amendments over the years, the Town desired to transition to a cleaner, consolidated Unified Development Ordinance. The Unified Development Ordinance will consolidate the Land Development Ordinance standards, Subdivision Ordinance and Flood Damage Prevention Ordinance into one comprehensive document. The existing Comprehensive Land Use Plan for the Town was developed in 2007, with few updates since. There have been significant changes to the Town and surrounding areas since the plan's original inception.



ANDREA RADFORD

PLANNER

Andrea has five years of experience in community planning. She serves on the Town of Wake Forest Historic Preservation Commission and served several years as a Board of Directors member for a downtown development non-profit organization. Combining a degree in urban and regional planning with a background in historic preservation, architecture, and urban design, her research focuses on sustainable place-making, community building, and civic engagement. She has a strong background in data collection, analytical research, technical writing, and public outreach to develop projects, studies, and programs.

RELEVANT EXPERIENCE

Town of Manteo CAMA Land Use Plan | Manteo, NC

Planner | The Town contracted Stewart to help provide a comprehensive plan update that would also fulfill the requirements of a CAMA land use plan, to help guide the future of this unique coastal gem. This coastal town also has significant vulnerabilities to coastal hazards such as regular high tide flooding which is only predicted to get worse in the future. The CAMA-compliant comprehensive land use plan update included an analysis of potential future environmental conditions and a planning overlay to help reduce asset exposure in the future.

Resilient Coastal Communities Program | Beaufort, NC

Planner | The Resilient Coastal Communities Program is a novel technical and financial assistance program designed to assist coastal resilience efforts throughout the state's 20 coastal counties. Stewart was chosen to lead this inaugural state program related to identifying and mitigating coastal hazard vulnerability in the Town of Beaufort. This effort involved creating a community-driven prioritization of potential local projects to reduce exposure. The results of this planning effort will be used to pursue design interventions to reduce vulnerability of public and community assets to storm surge, high tide flooding, sea level rise, and the stronger storms that are predicted in the future. This project involved bringing the best available predictive data of future climatic conditions, distilling that information to estimate the most likely local impacts over the next 50 years, and summarizing it for the community.

EDUCATION

Master of Urban and
Regional Planning
University of Florida

Graduate Certificate, GIS for
Urban and Regional Planners
University of Florida

Bachelor of Arts in
Interior Design
University of Charleston

PROJECT HIGHLIGHT



BEAUFORT CAMA LAND USE PLAN AND UNIFIED DEVELOPMENT ORDINANCE | BEAUFORT, NC

The Town of Beaufort hired Stewart to assist the Town in concurrently creating a Comprehensive Land Use Plan and Unified Development Ordinance. Their current Land Development Ordinance was adopted in 2013, and though there have been amendments over the years, the Town desired to transition to a cleaner, consolidated Unified Development Ordinance. The Unified Development Ordinance will consolidate the Land Development Ordinance standards, Subdivision Ordinance and Flood Damage Prevention Ordinance into one comprehensive document. The existing Comprehensive Land Use Plan for the Town was developed in 2007, with few updates since. There have been significant changes to the Town and surrounding areas since the plan's original inception.



MORGAN ROWDEN CZO

GIS PLANNER

Morgan recently joined the Stewart team bringing experience in GIS planning including interactive development mapping, development of a field application for Code Enforcement, detailed site plans, and zone mapping with modern cartography. As a cartographer and GIS analyst, Morgan synthesizes data and designs spatially analyzed user experiences through the mediums of maps and apps. Her effective information architecture ingenuity makes data visualization engaging to its audience. She has worked on projects with the Town of Zebulon and has enthusiasm for integrating our natural environment with urban development.

RELEVANT EXPERIENCE

Henderson County Comprehensive Plan | Henderson County, NC

The 2045 Henderson County Comprehensive Plan is a tool used for guiding the growth, redevelopment, and overall improvement of the county. The plan will serve as the official statement by Henderson County of its vision, intentions, goals, objectives, and strategies for future land use, economic development, environmental preservation, housing, parks and recreation, and more. The Plan will update the County's future land use map and address new issues and priorities. It will also address several topics including balancing housing growth and preservation of agriculture, planning strategically for infrastructure and economic development, and protecting key natural resources.

Warren County Comprehensive Plan | Warren County, NC

Planner | Stewart was hired to prepare a Comprehensive Development Plan that is forward thinking and in alignment with the County's values and strategic goals; it addresses anticipated growth in a way that preserves community character, takes a community-minded and strategic approach to economic development, and recognizes the County's natural assets. The Comprehensive Development Plan is both functional and intentional and provides tools for the County to make strategic investments and plan for the next twenty years with implementation broken down by short-, intermediate-, and long-term strategies.

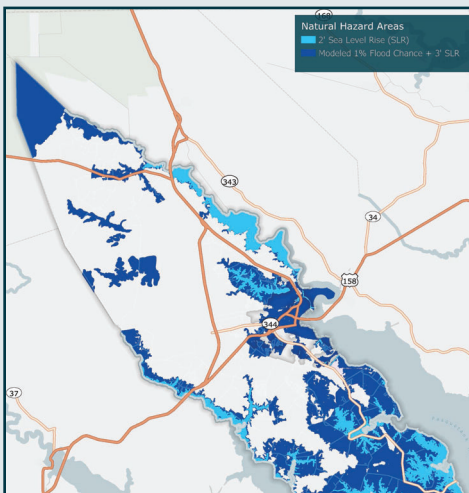
EDUCATION

Bachelor of Science in
Geography
Minor in Meteorology and
Climatology
Southern Illinois University
Edwardsville

REGISTRATION

Certified Zoning Official

PROJECT HIGHLIGHT



PASQUOTANK COUNTY CAMA LAND USE PLAN UPDATE | PASQUOTANK COUNTY, NC

Stewart was engaged to help facilitate an update to the County's CAMA land use plan in a manner that would elevate it to act as the County's Comprehensive Plan as well. This involved incorporating recent efforts in transportation, public health, economic development, as well as developing a better baseline understanding of how the changing climate would impact existing and future investment decisions. The facilitated all aspects of information gathering, visioning, public engagement, land use, and plan creation. Working closely with staff during the survey distribution and other public engagement activities helped ensure the community was involved at every step. This low-lying, inner coastal county is at the forefront of dealing with the impacts of rising seas along its shoreline. Helping the community better understand where those vulnerabilities will be and how they can refocus development and investment will help ensure that the community can be more resilient to disruptions from storms and other coastal hazards while continuing to build on economic development opportunities along the future I-87.

**STEPHEN FABER** PLA, ASLA**LANDSCAPE ARCHITECT/GRAPHICS**

Stephen has over 13 years of experience across multiple project types. Through research, design and real estate advisory services, Stephen combines design and strategic planning to drive positive outcomes for clients, users, and the environment in projects of varying scales from residential design to large master-planned communities. Stephen's work includes mixed-use development, education planning and design, urban infill design, residential design, resort planning, brownfield reclamation, public open space and park design, greenways and roadway corridors, campus and community master-planning, and ecological restoration.

RELEVANT EXPERIENCE**Smithfield Comprehensive Growth Management Plan | Smithfield, NC**

Landscape Designer | Stewart facilitated the creation of a new Comprehensive Growth Management Plan for the Town of Smithfield. The development of the plan included a visioning process with innovative outreach activities like pop-up meetings at festivals, district conversations with residents, and an interactive, advanced, custom survey platform website. The plan includes a housing and economic analysis, land use suitability analysis, downtown revitalization strategies, conceptual designs, and a focus on tying together land use and infrastructure recommendations and investment decisions.

Waynesville Comprehensive Land Use Plan | Waynesville, NC

Landscape Designer | Stewart prepared the update to the Town of Waynesville 2002 Plan. The planning process presented an opportunity for residents, business owners, and other stakeholders to have a say in the Town's future growth, development, and quality of life through a variety of public engagement efforts including a survey, large public workshop, and small group presentations. The final Comprehensive Land Use Plan and Future Land Use Map reflects the identity of the community and vision of the residents establishing goals and strategies relevant to land use, economic development, housing and neighborhoods, natural resources, and more.

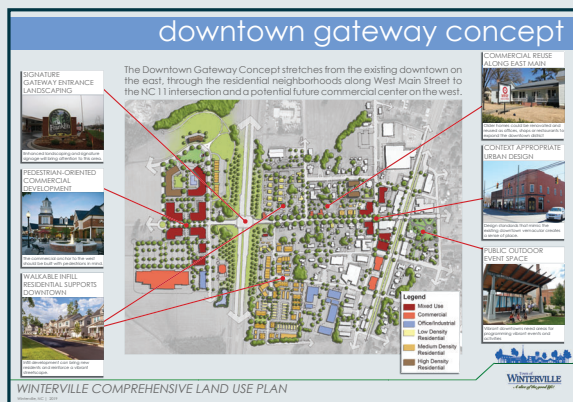
EDUCATION

Master of Real Estate Development
Clemson University

Bachelor of Landscape Architecture, minor in Horticulture
University of Arkansas

REGISTRATION

Professional Landscape Architect:
North Carolina #2054

PROJECT HIGHLIGHT**TOWN OF WINTERVILLE COMPREHENSIVE LAND USE PLAN | WINTERVILLE, NC**

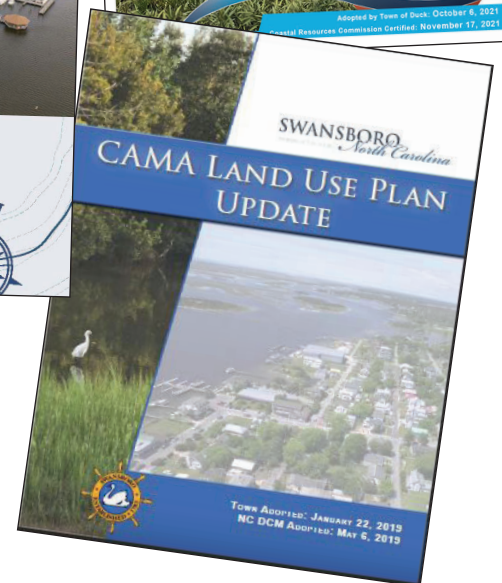
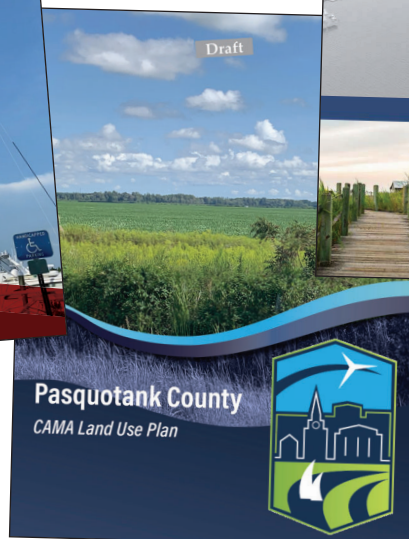
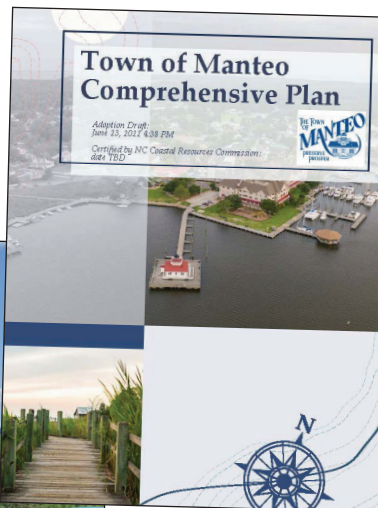
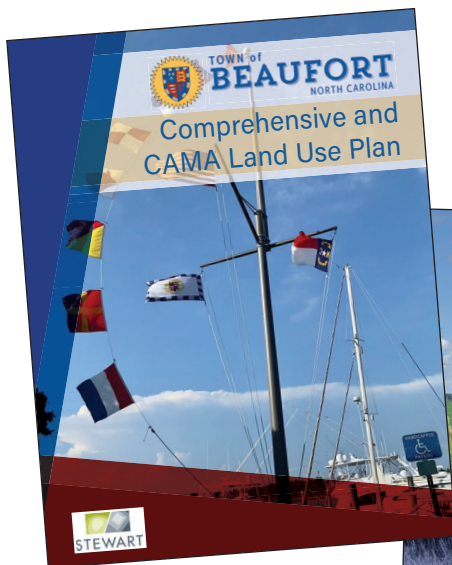
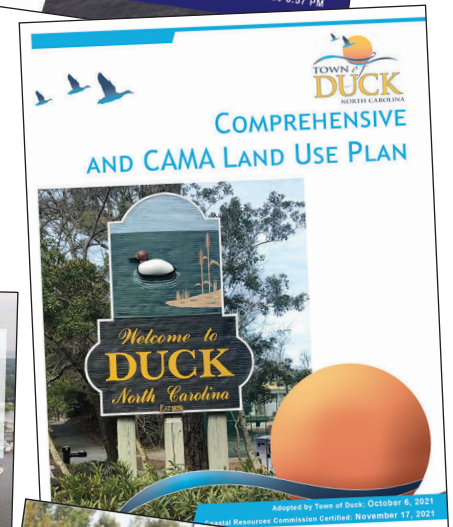
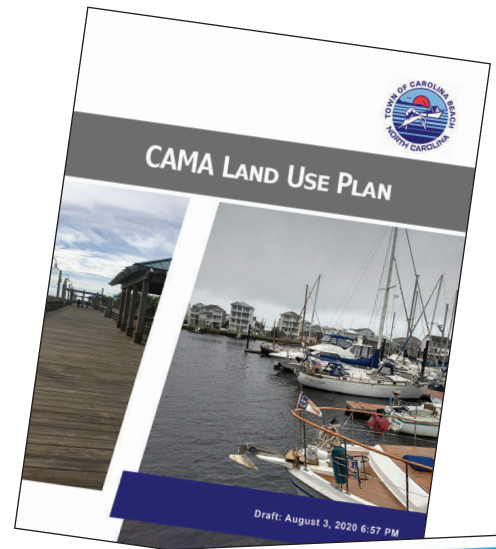
Stewart completed a new Comprehensive Land Use Plan for the Town of Winterville. The Plan addresses the impacts and growth resulting from major transportation investments, a shifting employment base, a desire to preserve open space, and the unique constraints of a high water table and flooding. A land use suitability analysis was conducted to determine future land use recommendations. The plan also included conceptual plans for downtown revitalization including gateway improvements, infill opportunities and a new public space.

STATEMENT OF QUALIFICATIONS

Stewart has a very experienced team that has completed Comprehensive Plans and CAMA Plans for many communities in North Carolina. Our team has decades of experience and understands how to engage with the public to create planning documents that reflect the character and desires of the communities we serve. We view our projects as an opportunity to partner with a local government and serve their constituents and leadership in a way that shines a light on their shared values, goals, expertise, and priorities.

Our team is made up of certified planners and landscape architects with decades of planning experience. Several of our team members have studied urban planning and most also have direct municipal experience. Our Transportation & Planning Practice has focused primarily on small- to mid-sized communities, but we also have experience working with mid- to large-sized communities, including City of Fayetteville, Henderson County, Town of Huntersville, Alamance County, Granville County, Pender County, and Franklin County, among others.

Stewart has been based in North Carolina for more than 28 years working in a variety of communities from the coast to the mountains. Stewart's Transportation & Planning practice area understands the needs of these communities. Stewart is also endorsed by the North Carolina League of Municipalities as a Preferred Partner.



COMPREHENSIVE AND CAMA LAND USE PLAN TOWN OF DUCK, NORTH CAROLINA



View the project website here: <https://www.townofduck.com/lup/>

View the plan here: <https://www.townofduck.com/wp-content/uploads/Duck-LUP-FINAL-CRC-APPROVED-2021-11-17-low-res.pdf>



LOCATION

Duck, NC

OWNER

Town of Duck
Joe Heard
Director of Community Development
1200 Duck Road
Duck, NC 27949
252.255.1234
jheard@townofduck.com

DATES

Start: May 2019
Completion: August 2020

TEAM

Jay McLeod, AICP
Project Manager
Allison Evans
Planner

PROJECT OVERVIEW

This small, coastal village is tourism-driven and has a sound-side commercial district that is unique in North Carolina. The plan addressed community-informed challenges such as stormwater flooding and increased vulnerability to erosion and potentially compromised septic systems due to rising seas. Preservation and enhancement of local character was a key element of the future land use map, as well as identifying opportunities for enhanced pedestrian connectivity. The Plan looks at the interconnectedness between land uses, transportation, utilities, recreation, economic development, and the like.

STEWART RESPONSIBILITIES

Stewart was engaged to coordinate a CAMA land use plan and comprehensive plan update, including public engagement, visioning, public survey, future land use, and policy recommendations.

PROJECT CHALLENGES & SOLUTIONS

This resort/vacation community has a strong character, built-out development pattern that relies on septic, and is sandwiched between the Atlantic Ocean and the Currituck Sound. Stewart took all of this into account when working with Duck to develop their CAMA Land Use Plan tailored to the Town.

Stewart's public participation strategy was so successful in Duck that it caught the attention of steering committee member Doug Brook, a professor in Duke's Sanford School of Public Policy. Stewart's project manager, Jay McLeod, was invited as a guest speaker to Dr. Brook's class, which showcased the unique quantitative and qualitative information gathering techniques from the plan update process.

COMPREHENSIVE AND CAMA LAND USE PLAN/ UDO
TOWN OF BEAUFORT, NORTH CAROLINA

View the project website here: www.beaufortnc.org/future



PROJECT OVERVIEW

The Town of Beaufort hired Stewart to assist the Town in a multi-year project to create a Comprehensive and CAMA Land Use Plan and revise their land development regulations. The existing Comprehensive Land Use Plan for the Town was developed in 2007, with few updates since. There have been significant changes to the Town and surrounding areas since the plan's original inception. Their current Land Development Ordinance was adopted in 2013, and the review and revision is scheduled to commence later in 2022. Among other items, it will involve updates to enhance resilience to coastal hazards.

STEWART RESPONSIBILITIES

The Stewart Team has approached the Beaufort Comprehensive Plan and UDO update with a community-driven and data-informed planning process that will prioritize local issues and refine the Town's vision while also meeting the requirements of a CAMA land use plan. The update is informed by past planning efforts and trends, but looks to current stakeholders and future trends for context and guidance. It will include policies and strategies to guide land use regulations, promote economic development, and direct public policy related to services and investments. The subsequent UDO reorganization and update will be compliant with the state's 160D regulations and will also begin to implement the vision and goals established in the comprehensive plan.

LOCATION

Beaufort, NC

CLIENT/OWNER

Town of Beaufort
Kyle Garner, Planning Director
701 Front Street
Beaufort, NC 28516
252.728.2141
k.garner@Beaufortnc.org

DATES

Start: November 2020
Completion: August 2021 (Projected)

TEAM

Jay McLeod, AICP
Project Manager
Jake Petrosky, AICP
Planner
Allison Evans, AICP
Senior Planner
Jaquasha Colon, AICP
Planner
Andrea Radford
Planner

COMPREHENSIVE AND CAMA LAND USE PLAN TOWN OF MANTEO, NORTH CAROLINA



View the project website here: <https://www.manteonc.gov/departments/planning-and-zoning/comprehensive-and-cama-land-use-plan>



LOCATION

Dare County, NC

CLIENT/OWNER

Town of Manteo
Melissa Dickerson, Town Manager
407 Budleigh Street
Manteo, NC 27954
252.473.4112
mdickerson@manteonc.gov

DATES

Start: Sept. 2021
Completion: Sept. 2022 Est.

TEAM

Jay McLeod, AICP
Project Manager
Allison Evans, AICP
Senior Planner
Andrea Radford
Planner

PROJECT OVERVIEW

This historic town with its quintessential waterfront downtown is a community that deeply treasures the coastal village life and charm. The Town is dealing with an increase in coastal hazards exacerbated by sea level rise, increasing interest from developers in a community that is largely built-out, and a legacy and desire to protect affordable housing options for residents and workers. The Town contracted Stewart to help provide a comprehensive plan update that would also fulfill the requirements of a Coastal Area Management Act (CAMA) land use plan, to help guide the future of this unique coastal gem.

STEWART RESPONSIBILITIES

As in all of Stewart's plan updates, research into local issues and public engagement have driven the plan development process. This coastal town also has significant vulnerabilities to coastal hazards such as regular high tide flooding which is only predicted to get worse in the future. The CAMA-compliant comprehensive land use plan update included an analysis of potential future environmental conditions and a planning overlay to help reduce asset exposure in the future.

PROJECT CHALLENGES & SOLUTIONS

This low-lying community has a vocal group of citizens who care strongly about the identity and future of the Town. Moving forward in time, they will need to make decisions about how to allocate scarce public resources to combat the impacts of climate change. The plan update was another step in moving those conversations forward.

CAMA LAND USE PLAN UPDATE TOWN OF CAROLINA BEACH, NORTH CAROLINA



View the draft plan here: <https://bit.ly/321gEFz>



LOCATION

Carolina Beach, NC

OWNER

Town of Carolina Beach
Ed Parvin
Interim Town Manager
910.458.2526
ed.parvin@carolinabeach.org

DATES

Start: October 2018
Adoption Date: September 2020

TEAM

Jay McLeod, AICP
Project Manager
Jake Petrosky, AICP
Planning Manager

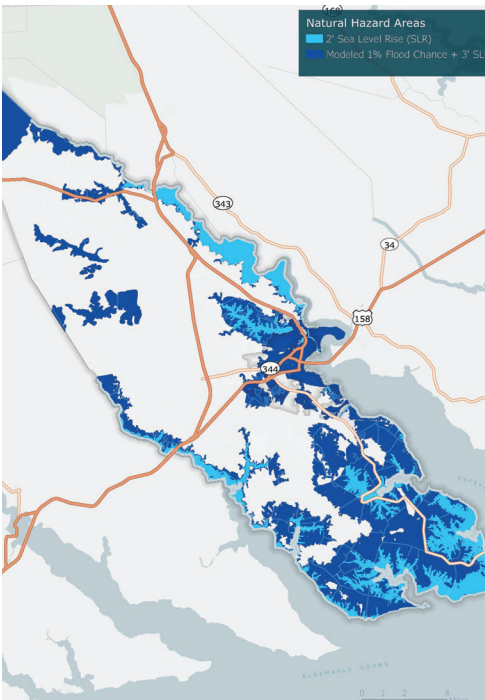


PROJECT OVERVIEW

Redevelopment is becoming the rule rather than the norm in Carolina Beach. To prepare for and ensure continuing prosperity, Stewart is facilitating the Town in updating their CAMA (Coastal Area Management Act) Land Use Plan, which guides future land use decisions and policies relating to development, the environment, and other state-mandated requirements. CAMA Land Use Plans are required for coastal counties by the State's Coastal Resource Commission, though most jurisdictions like Carolina Beach also have a plan.

The Plan has a number of functions, including regulating development that impacts public environmental resources in coastal communities. The town is driven by three broad interest groups – residents, businesses, and tourism – and finding the balance is key as the community furthers the broader conversation about their collective future vision.

COMPREHENSIVE AND CAMA LAND USE PLAN PASQUOTANK COUNTY



LOCATION

Elizabeth City, NC

CLIENT/OWNER

Pasquotank County, Shelley Cox
Planning & Inspections Director
206 E. Main Street
Elizabeth City, NC 27909
252.335.1891
CoxS@co.pasquotank.nc.us

DATES

Start: October 2021
Completion: Ongoing

TEAM

Jay McLeod, AICP
Project Manager
Allison Evans, AICP
Senior Planner
Andrea Radford
Planner
Morgan Rowden, CZO
GIS Planner

PROJECT OVERVIEW

Stewart was engaged to help facilitate an update to the County's CAMA land use plan in a manner that would elevate it to act as the County's Comprehensive Plan as well. This involved incorporating recent efforts in transportation, public health, economic development, as well as developing a better baseline understanding of how the changing climate would impact existing and future investment decisions.

STEWART RESPONSIBILITIES

The Stewart team facilitated all aspects of information gathering, visioning, public engagement, land use, and plan creation. Working closely with staff during the survey distribution and other public engagement activities helped ensure the community was involved at every step.

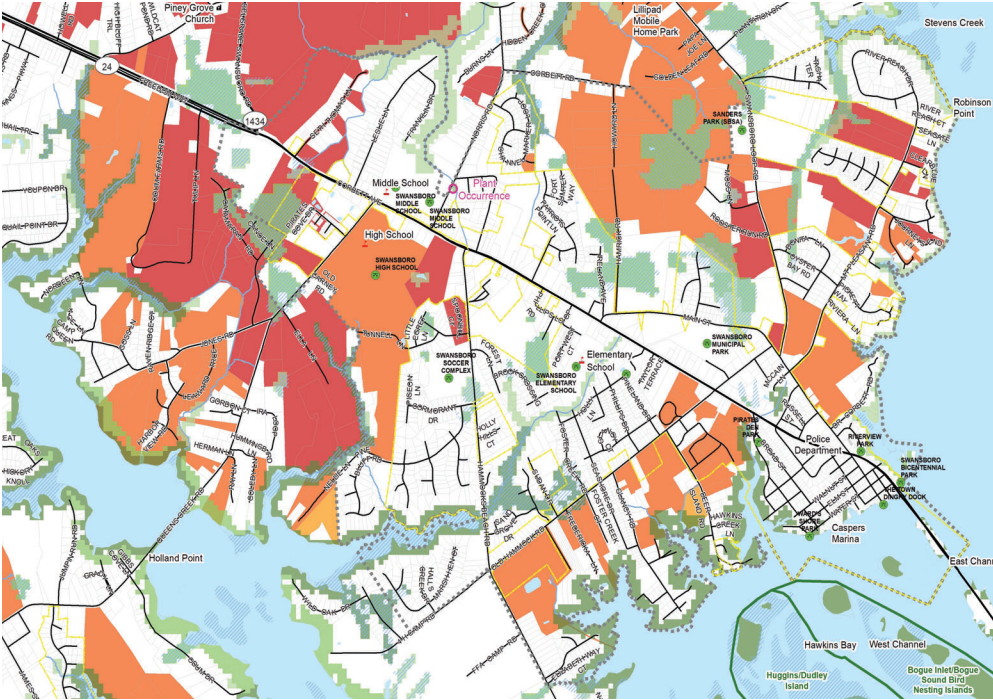
PROJECT CHALLENGES & SOLUTIONS

This low-lying, inner coastal county is at the forefront of dealing with the impacts of rising seas along its shoreline. Helping the community better understand where those vulnerabilities will be and how they can refocus development and investment will help ensure that the community can be more resilient to disruptions from storms and other coastal hazards while continuing to build on economic development opportunities along the future I-87.

CAMA LAND USE PLAN UPDATE TOWN OF SWANSBORO, NORTH CAROLINA



View the CAMA Land Use Plan Update here: <https://bit.ly/2vHAfl1>



LOCATION

Swansboro, NC

OWNER

Town of Swansboro
Scott Chase
Former Town Manager
601 W. Corbett Avenue
Swansboro, NC 28584
919.567.4020
scott.chase@hollyspringsnc.us

DATES

Start: May 2018
Completion: January 2019

TEAM

Jay McLeod, AICP
Project Manager
Jake Petrosky, AICP
Planning Manager

PROJECT OVERVIEW

The Town of Swansboro engaged Stewart to update the Future Land Use element of its CAMA Land Use Plan. Stewart analyzed existing conditions including patterns of land use, transportation, and natural resources to prepare a plan that addresses future land use suitability for this small coastal community.

The Plan complies with the Coastal Area Management Act (CAMA) and provides a framework for land use decisions and the investment of public resources. The community engagement included an enthusiastic steering committee, stakeholder interviews, a user-friendly website, online survey, open-house style workshops, and going into the community to attend events and distribute information about the project. The Plan was adopted in January 2019.

The goal of the project was to balance community growth and corridor development with preservation of wetlands and natural areas.

Since plan adoption, the Planning Board and Town staff have been aggressively pursuing implementation of plan-identified actions. However, due to the pandemic, a delayed highway widening, and other issues, the Town has re-engaged Stewart, nearly 4 years later, to help identify and refine additional actions based on these recently changed conditions. This exemplifies the strong bond that Stewart forms with their partner communities and the mutual respect and collaboration that can lead to successful plan implementation.

RESILIENT COASTAL COMMUNITIES PROGRAM TOWN OF BEAUFORT, NORTH CAROLINA



Photo by Heather Pollock

LOCATION

Beaufort, NC

CLIENT/OWNER

NC Division of Coastal Management
Tancred Miller
400 Commerce Avenue
Morehead City, NC 28557
252.808.2808 x224
tancred.miller@ncdenr.gov

DATES

Start: Sept. 2021
Completion: April 2022, Est.

TEAM

Jay McLeod, AICP
Project Manager
Allison Evans, AICP
Senior Planner
Andrea Radford
Planner

PROJECT OVERVIEW

The Resilient Coastal Communities Program is a novel technical and financial assistance program designed to assist coastal resilience efforts throughout the state's 20 coastal counties.

STEWART RESPONSIBILITIES

Stewart was competitively chosen to lead this inaugural state program related to identifying and mitigating coastal hazard vulnerability in the Town of Beaufort. Along with partners at CPE and the Town, this effort involved creating a community-driven prioritization of potential local projects to reduce exposure. The results of this planning effort will be used to pursue design interventions to reduce vulnerability of public and community assets to storm surge, high tide flooding, sea level rise, and the stronger storms that are predicted in the future.

PROJECT CHALLENGES & SOLUTIONS

This project involved bringing the best available predictive data of future climatic conditions and distilling that information down to estimate the most likely local impacts over the next 50 years. This highly technical data was then summarized for communication to the community to help them better understand the Town's exposure.

PROJECT APPROACH

COMPREHENSIVE AND CAMA LAND USE PLAN

PROJECT UNDERSTANDING

Stewart approaches the Southern Shores Comprehensive Plan and CAMA Land Use Plan update with a community-driven and data-informed planning process that will prioritize local issues and refine the Town's vision while also meeting the requirements of a CAMA land use plan. It will include policies and strategies to guide land use regulations, maintain community character, and promote economic prosperity.

PROJECT APPROACH

Prior to beginning the planning process, our team will meet with staff to refine the work plan and milestones, deliverables, community engagement methods, project schedule, budget, and other items related to project execution.

The Stewart team will work together with Town staff in all facets of the project including identification of stakeholders, data analysis and mapping, and the creation of policies and implementation strategies. Community engagement is an ongoing, collaborative process between the project team and the staff and citizens of Southern Shores, including virtual and online communication. The Stewart team will involve residents, business owners, and other stakeholders to ensure that multiple opportunities are provided to ask questions, voice concerns, and be part of the process. Ultimately, a successful public engagement process enhances community support and buy-in and bolsters the confidence of Town leaders to implement future projects and prioritize resources.

Our approach begins with refining the community engagement process and project brand during the project

CAMA Considerations

Since this plan will function as a CAMA land use plan, there are several topics that must be considered, including the 5 CAMA land use management topics. Stewart's planners have conducted many successful CAMA land use plan updates, including providing all CAMA-required datasets and technical analysis, and know how to ask questions of the public that will lead to CAMA-compliant recommendations.

kickoff. Community engagement opportunities are identified early on and communicated to the general public so they know what to expect and when they can be best involved. People are busy, so making them aware early in the process can help them participate to the extent of their desire to do so. Visual branding of the project is reflected in outreach materials and carried throughout the land use plan update process.

The team will then dive deep into information gathering and initial public engagement. This occurs through a community tour, plan review, and in-person interviews with leadership, boards, staff, and/or stakeholders. The Stewart team will review existing, adopted plans (including the current CAMA land use plan) as well as GIS data from many sources (state, national, county, local), and discuss these items and findings with staff. An online public survey is also typically part of this phase, in order to better ascertain community values and priorities. This public survey instrument will be focused toward issues unique to the Town and usually also

The project team anticipates the following public engagement and discussion events, at a minimum:

- **Stakeholder and Town staff interviews**
- **Public Online Survey** – explore values, priorities, and issues
- **Public Workshop #1** – discuss existing conditions and plan update status, identification of issues and plan sections to be updated
- **Public Workshop #2** – draft plan rollout for public review and discussion
- **3 Planning Board meetings** – seeking recommendation for any/all proposed updates
- **1 Town Council hearing** – for approval of the updated plan

Note: additional engagements may be added, pending discussion with staff during contract negotiations and development of a more refined public engagement plan.



Even in today's physically distanced environments, interactive exercises can be designed that allow for a balance of structured and informal input that can be used to create a plan framework.

involves an inquiry into whether previous plan goals still apply and to what extent previous plan objectives are perceived as “accomplished”. Polling the public in this way allows us to build on past successes and identify future opportunities.

A public engagement event will also be held to share information gathered to-date and to help build a shared pool of knowledge for participants. It is important to keep community members involved in this transparent process. The planning board will also be involved early on (and regularly) to make sure that objective information gathering and data analysis is tempered with local perspective and knowledge.

Following the information gathering phase, the project team will begin drafting the plan. This is an iterative process that will involve review and comments in order to refine any best practices proposed by the project team. During this phase, the plan and recommendations will be developed.

After the plan is drafted, it will be presented to the planning board and general public for their review and comment. The plan will be refined based on these comments, in order to bring an adoption draft forward to the Town leadership for consideration and referral to the Coastal Resources

Commission for CAMA land use plan certification.

Because this document will be a CAMA land use plan as well as a comprehensive plan, the document will then need to be reviewed by the NC Coastal Resources Commission. Stewart’s team can help the Town navigate this process, which can take up to 75 days or longer.

The following mapping deliverables will be explored during this update process.

- Existing Land Use Inventory
- Environmental Constraints Map (Floodplains, Wetlands, Vulnerable Areas, and other sensitive resources)
- Multimodal Transportation Inventory
- Infrastructure and Services (Water, Sewer, Storm, Electric, Gas, Police, Fire, and EMS, as appropriate)
- Parks, Recreation, and Open Space
- Cultural and Historic Resources and other major community cornerstones or social resources

Key members of the Stewart team will be available to attend the official Planning Board review meeting and will attend the Town Council adoption hearing. Following the Town’s endorsement, the project team will advise the Town in the submission of the plan for review by the Coastal Resources Commission.

SUMMARY TIMELINE

04

PROPOSED TIMELINE

Typically, a plan update of this scope and magnitude can be completed in 10-14 months, not including any associated Coastal Resources Commission review or certification time. The Stewart Team will work with the Town staff to identify a timeline that is mutually agreeable, with the anticipation that 10-12 months as a target. The following timeline milestones are tentatively proposed, subject to further discussion with Town staff.

START	MONTH 1	MONTH 3	MONTH 6	MONTH 10	MONTH 11	AFTER CRC CERTIFICATION
Contract Execution and Notice to Proceed	Administrative Kickoff Meeting Stakeholder Interviews Community Tour	Public Survey Draft Background Chapters	Public Workshop #2 Draft Plan Recommendations and Future Land Use Map	Planning Board Review and Recommendation	Town Council Adoption Hearing and Referral to CRC for Review	Transfer Final Plan Document and Associated Deliverables Including Bound Plan Copies

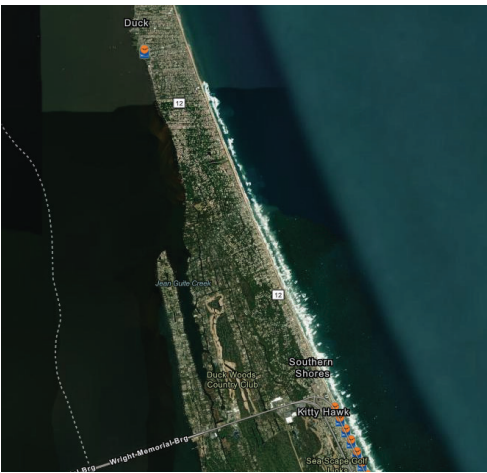
NOTE Additional public engagement events will also occur in between these milestones, such as update meetings with planning board and regular coordination and review with Town staff.

ESTIMATED FEE

FEE PROPOSAL

05

All components outlined herein necessary to create a NCGS Chapter 160D-compliant land use plan, also functioning as a CAMA-compliant land use plan, can be provided for a base fee of \$80,000. This fee estimate is provided with the understanding that some fine-tuning will be needed through discussions with Town staff regarding composition and size of participating groups, a more refined understanding of the desired extent of certain public engagement efforts, and other plan elements that may require additional effort. If selected, Stewart’s project manager will work with Town staff to find the proper balance of needs to budget, including refining the project schedule and engagement to best work within the constraints of the Town and citizenry. For instance, this might involve timing certain public engagement events to avoid the busy peak tourist season and gather input from locals and property owners when they have more capacity to participate.



Public access to public trust waters, like the ocean and sound are important considerations in any CAMA land use plan. Similar to its neighbor to the north (Duck), Southern Shores does not register many public access points on the state’s online CAMA public access map. However, it may also be the case that residents and property owners have adequate access, with most access points being privately owned and maintained.

Sea Level Rise Vulnerability

Coastal Risk Reduction Strategies

COASTAL RISK REDUCTION

Unless mitigating actions are taken, NOAA projects that sea level rise will cause **chronic inundation** of some properties, with major impacts possibly occurring as early as 2060.

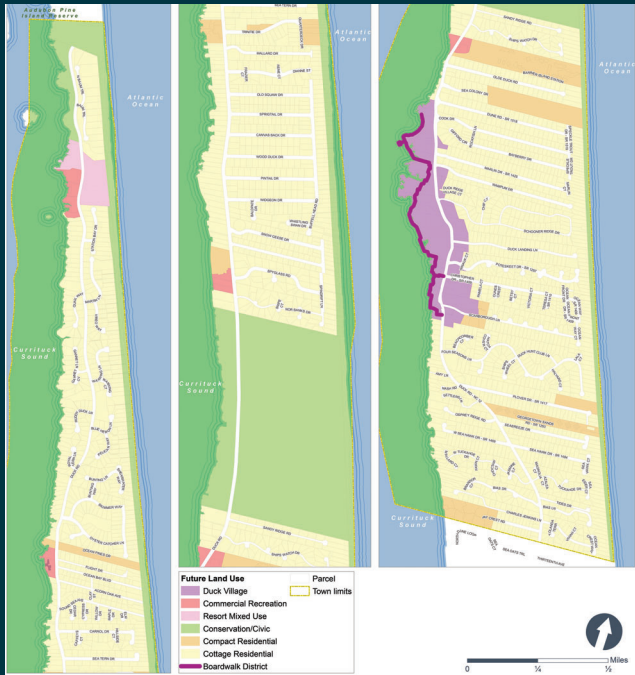
Source: US Army Corps of Engineers (NAACCS, 2015)

Septic System Vulnerability to Rising Seas

Digital Elevation Model with Areas of Potential Future Septic Failure

The project team can conduct analyses similar to these to communicate environmental vulnerabilities related to sea level rise and other climate change related hazards. Stewart has the creativity and expertise to anticipate, communicate, plan for, and mitigate these challenges.

From top-left, clockwise, Beaufort’s sea level rise projection, preliminary septic vulnerability analysis in Duck, and a selection of USCAE coastal risk reduction interventions.



Stewart's work with the Town of Duck, which is a community where most activity is actually redevelopment, focused not so much on changing the future land use map or identifying new growth areas as it did on polishing and refining the character areas to help guide ordinance updates that would enhance and enshrine local character in land development regulations. These detailed descriptions can also be used by decision-makers when engaging in quasi-judicial permit decisions or conditional rezonings where discretion is required.

FLU: Mixed Use Center

General Character

Mixed Use Centers allow flexibility to respond to market demands by emphasizing the form of development over use or intensity. These areas feel made for people and have just a little "hustle-and-bustle" with some small-town hospitality mixed in.

Typical Components	
Density	No limit on upper story residential, up to 20 units per acre elsewhere
Lot coverage	High to very high
Building height	2-4 stories
Parking	Off-street or on-street
Street pattern	Urban grid
Right-of-way width	50'-60', less for alleys
Block length	400'-600'
Drainage	Curb-and-gutter
Bicycle/Pedestrian	Wide sidewalks
Civic Space	10-20%, Plazas or greens as organizing elements, greenways, pocket parks, naturalized stormwater detention
Potential zoning	C-B, possibly M-R, G-B, C-N or O-I, potentially a need for a new district

Uses

Retail, restaurants, and shopping create active street frontage, with upper story residential and office adding diversity. Stand-alone commercial, office and multi-family possible as part of larger-scale developments. Smaller detached and attached housing options blend with existing homes.

Buildings & Parking

Buildings are packed closely together and pulled up to the street, which creates a walkable environment. On-street parking and high lot coverage maximize the amount of attractions available.

Streets & Connections

The streets have wide sidewalks that foster an active pedestrian environment. The tight grid and pleasant streetscapes encourage walking and window-shopping.



Detailed character area descriptions will be used to capture Southern Shores's unique development character while also providing inspiration and detailed recommendations for future zoning updates.

NC LEAGUE OF MUNICIPALITIES ENDORSEMENT



Stewart's Transportation & Planning Practice is endorsed as a Preferred Partner by the North Carolina League of Municipalities, a member-driven organization representing the interests of cities and towns in the state. Through their collective efforts, League member cities and towns better serve their residents and improve quality of life.



Cut-through and vacationer traffic is a constant nuisance in the Town. Recent discussions and actions by the Town, including discussing decreasing local connectivity and actively supporting the mid-Currituck bridge, may have significant impacts to the community. The plan update may be a fertile opportunity to help resolve any remaining issues.



WHY CHOOSE STEWART?

EXPERIENCE + PARTNERSHIP + OUR CORE VALUES = SUCCESS

01

EXPERIENCE

We have worked with more than 40 towns, cities, and counties to complete long-range plans tailored to their character and dreams. Our experienced planners, engineers, and landscape architects have the knowledge and experience needed to assist Southern Shores with this CAMA Land Use Plan.

02

WE FOCUS ON SMALL- TO MID-SIZED COMMUNITIES

Our team works almost exclusively with small- to mid-size communities and we understand that these communities also have the complexities of allocating financial resources to achieve large visions. Stewart will meet the project schedule and budget requirements of the project.

03

WE WORK WITH YOU, EVEN AFTER OUR WORK IS DONE

As part of our Continuing Service promise, Stewart will be available by phone or email for a period of six months following plan adoption to assist staff with questions about the plan and associated implementation. This continuing service is included in our base fee and is not an additional cost to the Town. This service stems from Stewart's desire to remain a community partner, even after the contract has been fulfilled.

04

WE LISTEN TO YOU

Every great project begins with a solid understanding of how we can use our experience and skills to make an improvement for our client. From the start of any planning effort, our team dives in, first getting to know the city and then gaining a clear picture of the desired outcome through a kickoff meeting with our client.

05

THREAD & PROFESSIONAL ETHICS

Stewart has developed a rich culture of servant leadership, summarized by the acronym, THREAD: Trust, Humility, Respect, Excellence, Accountability, Discipline. Each Stewart employee attends our THREAD Institute and learns how to incorporate these core values in our work with clients, collaboration with teammates, and impact on our communities. From returning calls quickly to delivering on our promises, Stewart team members strive every day to live our THREAD values.



STRONGER BY DESIGN
stewartlinc.com



AGENDA ITEM SUMMARY FORM

MEETING DATE: August 2, 2022

ITEM TITLE: Public Hearing-ZTA-22-07

ITEM SUMMARY:

In 2019, the N.C. General Assembly enacted North Carolina General Statutes Chapter 160D, Local Planning and Development Regulation, which consolidated and clarified former Chapters 160A and 153A that addressed development regulations for Municipalities and Counties. The Chapter became effective January 1, 2021 with the requirement that all Municipalities and Counties update their ordinances to be compliant with it by July 1, 2021. Due to the Town Code Update project, Town Staff chose to postpone amending the Town Code to be compliant with Chapter 160D until the amendments from the Town Code Update project were complete.

As a result of that postponement, and in an effort to bring the Town Code into compliance with Chapter 160D without making numerous amendments, the Town Council adopted Town Code Amendment TCA-21-05 on July 6, 2021 that clarified that the North Carolina General Statutes (in particular Chapter 160D) must be satisfied whenever the Town Code conflicts with, contradicts or is otherwise inconsistent with the North Carolina General Statutes. At this point, we are moving forward with updating Chapter 36, Zoning to be consistent with N.C.G.S. 160D. The first of several ZTAs is ZTA-22-07 which includes amendments to multiple Articles in Chapter 36 that remove all references to Conditional Use Permits and replaces them with Special Use Permits.

The proposed language also defines Special Use Permit as a permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards. The term includes permits previously referred to as conditional use permits or special exceptions. Like Conditional Use Permits, Special Use Permits require a recommendation from the Town Planning Board and Town Council approval following a quasi-judicial public hearing.

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 application. The Town Planning Board unanimously (6-0) recommended approval of the application at the July 18, 2022 Planning Board meeting.

REQUESTED ACTION:

Motion to approve ZTA-22-07.

STAFF REPORT

To: Southern Shores Town Council
Date: August 2, 2022
Case: ZTA-22-07
Prepared By: Wes Haskett, Deputy Town Manager/Planning Director

GENERAL INFORMATION

Applicant: Town of Southern Shores

Requested Action: Amendment of the Town Code by amending multiple Articles in Chapter 36, Zoning

ANALYSIS

In 2019, the N.C. General Assembly enacted North Carolina General Statutes Chapter 160D, Local Planning and Development Regulation, which consolidated and clarified former Chapters 160A and 153A that addressed development regulations for Municipalities and Counties. The Chapter became effective January 1, 2021 with the requirement that all Municipalities and Counties update their ordinances to be compliant with it by July 1, 2021. Due to the Town Code Update project, Town Staff chose to postpone amending the Town Code to be compliant with Chapter 160D until the amendments from the Town Code Update project were complete.

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

- **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 application. The Town Planning Board unanimously (6-0) recommended approval of the application at the July 18, 2022 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

Item 6.

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

Date: 7 / 11 / 22

Filing Fee: \$200

Receipt No. N/A

Application No. ZTA-22-07

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. H. Hunt
Signature

7-11-22
Date



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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 www.southernshores-nc.gov

ZTA-22-07
 7-18-22
 Ordinance 2022-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. 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, the Town further finds that in accordance with the findings above it is in the interest of and not contrary to the public's health, safety, and general welfare for the Town to amend the Town’s Zoning Ordinance as stated below.

ARTICLE II. Construction.

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

ARTICLE III. Amendment of Zoning Ordinance.

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

PART I. That **Chapter 36. Zoning.** Be amended as follows:

...

**ARTICLE II. ESTABLISHMENT OF ZONING DISTRICTS AND PROVISION FOR ZONING
 MAP**

*Town of Southern Shores, NC
 ZTA-22-07
 7-18-22
 Page 1 of 142*

Sec. 36-25. Official zoning map.

- (a) For the purpose of this article, the town and its ETJ area are hereby divided into zones or districts as shown on the official zoning map, which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this article.
- (b) The official zoning map shall be identified by the signature of the mayor and attested by the town clerk and bear the seal of the town under the following words:

"This is to certify that this is the official zoning map referred to in article II of the zoning ordinance of the Town of Southern Shores, North Carolina," together with the date of the adoption of this chapter.

- (c) If, in accordance with article XIV of this chapter, changes are made in district boundaries or other matter portrayed on the official zoning map, those changes shall be promptly entered on the official zoning map after the amendment has been approved by the town council.
- (d) Regardless of the existence of purported copies of this official zoning map which may be made or published, the official zoning map, which shall be located in the town office, shall be the final authority as to the current zoning status of land and water areas, buildings, and other structures in the town.

(Code 1988, § 11-2.01)

Sec. 36-26. Rules governing the interpretation of district boundaries.

Where uncertainty exists with respect to the boundaries of any of the districts as shown on the official zoning map, the following rules shall apply:

- (1) Boundaries indicated as approximately following the centerlines of streets, highways, or alleys shall be construed to follow such centerlines;
- (2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;

- (3) Boundaries indicated as approximately following town limits shall be construed as following such town limits;
- (4) Boundaries indicated as following ocean and estuarine shore lines shall be construed to follow such shore lines and, in the event of change in the shore line, shall be construed as moving with the actual shore line; boundaries indicated as approximately following the centerlines of streams, rivers, canals, lakes or other bodies of water shall be construed to follow such centerlines;
- (5) Boundaries indicated as parallel to or extensions of features indicated in subsections (1) through (4) of this section, shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map;
- (6) Where physical or cultural features existing on the ground are at variance with those shown on the official zoning map, or in other circumstances not covered by subsections (1) through (5) of this section, the board of adjustment shall interpret the district boundaries;
- (7) Where a district boundary line divides a lot which was in single ownership at the time of passage of this chapter, the town council may permit, as ~~conditional~~ a special use, the extension of the regulations for either portion of the lot, not to exceed 50 feet beyond the district line, into the remaining portion of the lot;
- (8) Where zoning boundaries have been defined by legal description and adopted by the town, such metes and bounds description shall control on the ground as depicted on the zoning map.

(Code 1988, § 11-2.02)

Secs. 36-27—36-55. Reserved.

ARTICLE III. INTERPRETATION AND DEFINITION OF TERMS

Sec. 36-56. Interpretation of common words and terms.

For the purpose of this chapter, certain words or terms used herein shall be interpreted as follows:

- (1) Words used in the present tense include the future tense.
- (2) Words used in the singular shall include the plural and words used in the plural shall include the singular.
- (3) The word "person" includes a firm, copartnership, company, organization, trust, association, or corporation, as well as an individual.
- (4) The word "lot" includes the words "plot," "site," "parcel," or "tract."
- (5) The word "building" includes the word "structure."

- (6) The word "used" or "occupied," as applied to any land or building, shall be construed to include the words "intended, arranged or designed to be used or occupied."
- (7) The word "shall" is always mandatory.
- (8) The word "may" is permissive.

(Code 1988, § 11-3.01)

Sec. 36-57. Definition of specific terms and words.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Accessory use. See *Use, accessory*.

Adult arcade means any place to which the public is permitted or invited wherein coin- operated or token-operated or electronically, electrically, or mechanically controlled still or motion picture machines, projectors, or other image-producing devices are maintained to show images to one or more persons per machine at any one time, and where the images so displayed are distinguished or characterized by the depicting or describing of specified sexual activities or specified anatomical areas.

Adult bookstore means as defined in G.S. 14-202.10(1) which is incorporated herein by reference.

Adult cabaret means a nightclub, bar, restaurant, or similar commercial establishment that, for at least ten percent of its business hours in any day, features:

- (1) Persons who appear in a state of nudity or seminudity;
- (2) Live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities;
- (3) Films, motion pictures, videocassettes, slides, or other photographic reproductions that are characterized by the depiction or description of specified sexual activities or specified anatomical areas; or
- (4) Persons who engage in lewd, lascivious or erotic dancing or performances that are intended for the sexual interests or titillation of an audience or customers.

Adult escort means a person who, for consideration, agrees or offers to act as a companion, guide, or date for another person for the purpose of participating in, engaging in, providing, or facilitating specified sexual activities.

Adult escort agency means a person or business that furnishes, offers to furnish, or advertises to furnish adult escorts as one of its business purposes for consideration.

Adult establishment means as defined in G.S. 14-202.10(2) which is incorporated herein by reference.

Adult live entertainment means as defined in G.S. 14-202.10(3) which is incorporated herein by reference.

Adult live entertainment business means as defined in G.S. 14-202.10(4) which is incorporated herein by reference.

Adult media center includes, but is not limited to, an adult bookstore and an adult video store and means any place:

- (1) Which receives more than 50 percent of its gross income during any calendar month from the sale, rental, or both of books, periodicals, magazines, videotapes, CD-ROMs, computer software, movies, and other products offered in photographic, print, electronic, magnetic, or digital or other imaging medium which are distinguished or characterized by their emphasis on matter depicting, describing, or presenting specified anatomical areas as defined in G.S. 14-202.10(10), or specified sexual activities as defined in G.S. 14-202.10(11), or sexually oriented devices as defined in G.S. 14-202.10(9), or any combination thereof.
- (2) Has more than 25 percent of its merchandise inventory consisting of books, periodicals, magazines, videotapes, CD-ROMs, computer software, movies, and other products offered in photographic, print, electronic, magnetic, or digital or other imaging medium which are distinguished or characterized by their emphasis on matter depicting, describing, or presenting specified anatomical areas as defined in G.S. 14-202.10(10), or specified sexual activities as defined in G.S. 14-202.10(11), or sexually oriented devices as defined in G.S. 14-202.10(9), or any combination thereof.
- (3) Which is a commercial establishment and may have other business purposes on the same building site that do not involve the offering for sale or rental of material depicting or describing specified sexual activities or specified anatomical areas and still be categorized as adult media center. Such other business purposes will not serve to exempt such commercial establishments from being categorized as an adult media center so long as one of its business purposes is the offering for sale or rental for consideration the specified materials which depict or describe specified sexual activities or specified anatomical areas.

Adult mini motion picture theater means as defined in G.S. 14-202.10(6) which is incorporated herein by reference.

Adult motel means a hotel, motel or similar commercial establishment that:

- (1) Offers accommodation to the public for any form of consideration and provides patrons with closed-circuit television transmission, films, motion pictures, videocassettes, slides, or other photographic reproductions that are characterized by the depiction or description of specified sexual activities or specified anatomical areas; and has a sign visible from the public right-of-way that advertises the availability of this adult type of photographic reproductions;
- (2) Offers a sleeping room for rent for a period of time that is less than 12 hours; or
- (3) Allows a tenant or occupant of a sleeping room to subrent the room for a period of time that is less than 12 hours.

Adult motion picture theater means as defined in G.S. 14-202.10(5) which is incorporated herein by reference.

Adult theater means a theater, concert hall, auditorium, or similar commercial establishment that for at least ten percent of its business hours in any day, features persons who appear in a state of nudity or live performances that are characterized by the exposure of specified anatomical areas or by specified sexual activities.

Adult video store means a commercial establishment that, as one of its principal business purposes, offers for sale or rental for any form of consideration any one or more of the following: books, magazines, periodicals or other printed matter, or photographs, films, motion picture, videotapes or videocassettes, video reproductions, CD-ROMs, slides, or other visual representations which depict or describe specified sexual activities or specified anatomical areas; or any combination thereof.

Bank means a building, property or activity, the principal use or purpose of which is the provision of financial services including, at a minimum, the operation of indoor and outdoor teller windows for the intake and disbursement of funds, including cash, to and from customer financial accounts, including individual checking, savings, or credit accounts.

Buffer strip means a device of material and/or space used to provide sight and sound screening from adjoining properties. The required height and width of the buffer strip and the materials used in its construction may vary according to use. Vegetated buffer strips shall be composed of evergreen trees and shrubs.

Building means any structure enclosed and isolated by exterior walls constructed or used for residence, business, industry or public purposes.

Building, accessory, means a subordinate building consisting of walls and a roof, the use of which is clearly incidental to that of the principal building on the same lot, even where the accessory building is attached to the principal structure by breezeways, covered walkways, walkways, or other structures not constituting enclosed living space.

Building inspector means a code enforcement officer who is appointed by the town manager to perform the function, in whole or in part, of a building inspector as authorized by this chapter.

Building, principal, means a building in which is conducted the principal use of the lot on which it is located.

Building setback line means a line parallel to or concentric with the street right-of-way establishing the minimum allowable distance between such right-of-way and the nearest portion of any building, excluding the outermost three feet of any uncovered porches, steps, gutters and similar fixtures.

Child day care means any child care arrangement where three or more children, less than 13 years old, receive care away from their own home by persons other than their parents, grandparents, aunts, uncles, brothers, sisters, first cousins, guardians or fulltime custodians, or in the child's own home where other unrelated children are in care.

Child day care center means any child care facility which provides care for more than six children, other than the provider's own children, under the age of 13 years on a regular basis of at

least once per week for more than four hours per day but less than 24 hours per day, regardless of the time of day and regardless of whether the same or different children attend.

Child day care, small home, means a child care facility in which care is provided in the provider's home for a maximum of six children, other than the provider's own children, under the age of 13 years. A small child day care home shall not be deemed a home occupation as provided in this section.

Code enforcement officer means one or more persons appointed by the town manager to perform the function, in whole or in part, of the code enforcement officer as authorized by this chapter.

Communications tower, municipal and fire station means a customary accessory structure to a fire station or municipal building consisting of a tower 80 feet or less in height measured from ground level to the highest point which provides emergency, municipal, fire and/or police communications services only.

Community beach access means beach access ocean dune platforms, walks, ramps (including Hatteras ramps), steps, sidewalks and related accessories such as bike racks, parking areas, flagpoles and signage owned or operated by a not-for-profit entity which is constructed for, open to, and available for use by property owners, members, and their guests or by the town.

Community recreational facilities means a recreational facility owned and operated by a not-for-profit entity which is constructed for, open to, and available for use by members, property owners, and their guests.

Condominium means ownership in common with others of a parcel of land and certain parts of a building thereon which would normally be used by all the occupants together with individual ownership in fee simple of a particular unit in such building.

Country club means a private recreational facility which is open to members and their guests and shall include a golf course and clubhouse. A swimming pool, tennis courts, and meal services may also be provided.

Delicatessen means a retail store with no customer seating specializing in the sale of prepared cooked meats, smoked fish, cheeses, sandwiches and other specialty food items.

Drive-in restaurant or refreshment stand means any place or premises used for sale, dispensing, or serving of food, refreshments, or beverages in automobiles, including those establishments where customers may serve themselves and may eat or drink the food, refreshments, or beverages on the premises.

Drive-through facility or establishment (large) means a customer service facility located on a lot greater than or equal to two and one-half acres within the principal structure, which is intended to enable the customer to transact business with a customer service person located within the principal structure without exiting the motor vehicle. It is presumed that the motor vehicle exits the premises immediately upon the transaction of business.

Drive-through facility or establishment (small) means a customer service facility located on a lot less than 20,000 square feet within the principal structure, which serves items over a general service counter for the customer to carry to a small seating area, to a motor vehicle, or off-premises.

Driveway means private driveway, road, field road, or other traveled way or path, that allows motorized vehicle access from a public highway, town road, or a private road to one or more buildings located or to be constructed on adjacent lands.

Dwelling, large home, means any residential structure exceeding the maximum size, maximum transient occupancy capacity or maximum septic capacity for such structures in the zoning district in which it is located. Large home dwellings are not a permitted use in any zoning district.

Dwelling, multifamily, means a building or portion thereof used or designed as a residence for three or more families living independently of each other and doing their own cooking therein, including apartment houses and condominiums.

Dwelling, single-family, means a detached building designed for or occupied exclusively by one family.

Dwelling, two-family (duplex), means a detached building, divided horizontally or vertically, and designed for or occupied by two single-family housekeeping units contained entirely under one roof and having one dividing partition common to each unit, or having the ceiling structure of the lower unit and the floor structure of the unit above.

Dwelling unit means one or more rooms or living spaces connected together, constituting a separate, independent housekeeping establishment for owner occupancy, or rental or lease, and physically separated from any other rooms, living spaces or dwelling units which may be in the same structure, and containing a stove or stoves and/or an oven or ovens and sleeping facilities for a single-family.

Enclosed living space. See *living space*.

Establishment means that portion of a building owned or held through tenancy used for the purpose specified.

Event facility means an establishment, structure or property designed, maintained, advertised or actually used for the primary purpose of hosting pre-planned events. The term "events", includes, but is not limited to, private parties, community uses, weddings, rehearsal dinners, corporate meetings, retreats, sporting events, cultural events, musical events, celebrations, festivals, fairs, carnivals, circuses or similar events that are planned in advance of their occurrence. The term "community uses" means meetings of charitable, political, governmental or civic groups. The term "private parties" means events that are not open to the public, and are held by or on behalf of an individual or organization for the primary purpose of socializing or gathering. On site sales of food and/or beverages at an event facility shall constitute a restaurant as defined in section 36-57 which shall require a ~~conditional~~ special use permit. The term "event facility" does not include the use of a residential structure or property on which a residential structure is located for non-commercial social gatherings or for traditional family events. The term "traditional family events" includes, but is not limited to, holiday parties

and meals, birthday parties, funeral services, religious ceremonies and weddings for family members related by blood or marriage to: (i) any of the individual holders of legal title to the property; (ii) a majority of the owners of a business entity holding legal title to the property; or (iii) the beneficiaries of a trust holding legal title to the property.

Family means one or more persons occupying a single-family dwelling unit, provided that unless all members are related by blood or marriage or that the dwelling unit is being used as a vacation rental under the North Carolina Vacation Rental Act (N.C.G.S. Chap. 42A), then no such family shall contain more than five persons.

Fill material means material that is of substantially similar composition to the soils present on the lot being filled and shall not include debris, organic material, or be finished with soils or materials that will adversely affect the absorption of precipitation. Materials for landscaping shall not be included in this definition.

Footprint means an area as located on the ground directly beneath a structure, as measured on the vertical plane along the outside perimeter of the structure, including the areas of any raised, elevated, or cantilevered portions of the structure located on or above the ground or on pilings.

Ground elevation, average, means the average elevation of the finished grade or the original grade, whichever is lower, at the corners of the structure.

Ground elevation, lowest, means the lowest elevation of the finished grade or the original grade, whichever is lower, at the corners of the structure.

Group development means multiple principal buildings on a single lot.

Group development, residential, means detached single-family or townhouses on individual lots less than 20,000 square feet permitted only in the RS-10 district.

Habitable floors and stories means enclosed living space within a structure located below the top plate.

Habitable space. See *living space*.

Height, maximum, means the vertical distance measured from the lowest ground elevation to the top of the tallest part of a structure.

Height, top plate, means the vertical distance measured from the average ground elevation to the top of the highest top plate.

Home occupation/home-based business means a business, profession, occupation or trade conducted for gain or support within a residential dwelling. See article VIII of this chapter, pertaining to home occupation/home based business regulations.

Ice vending structure (automated) means an enclosed, free standing, unmanned structure that produces and vends bagged and bulk ice.

Indoor entertainment means performances, entertainment, or presentations consisting of or using electric or electronic amplified sound by live entertainers, or by prerecorded media, presented before audiences or customers. Sexually oriented business activities and adult live entertainment are specifically excluded from this indoor entertainment definition.

Indoor entertainment facilities means facilities as a part of, or included in the design or plan of, a building or structure to accommodate indoor entertainment as a principal or accessory use. Indoor entertainment facilities must be constructed to meet noise buffering requirements of the zoning district where located.

Living space means enclosed conditioned areas within a structure that are designed or constructed for human habitation. All conditioned areas within a structure are presumed to be constructed for human habitation unless affirmatively shown to be to the contrary in a manner such that the use of the area cannot be modified, i.e. a conditioned wine cellar or refrigerated storage area.

Lot means any piece or parcel of land entirely within the town, the boundaries of which have been established by some legal instrument of record, which fronts on and has ingress and egress by means of a public right-of-way or a town approved private street and which is occupied or intended to be occupied by a building or group of buildings as provided herein with the customary accessories and open spaces. For the purposes of this chapter only that area within the town will be considered as a single lot.

Lot area means the total surface areas included within the lot line measured on a horizontal plane.

Lot, corner, means a lot which at least two adjoining sides abut for their full lengths on a street, provided that the interior angle at the intersection of two such sides is less than 135 degrees.

Lot coverage means that portion of the lot area, expressed as a percentage, that is occupied and obstructed by any structure above the ground including, but not limited to, building, decks, pools, parking areas, accessways, private sidewalks, driveways, and roadways, and any accessory use or structure requiring location on or above the ground. Government owned and maintained sidewalks and multipurpose pathways located on private property are excluded from the calculation of lot coverage.

Lot depth means the average distance from the street line of the lot to its rear line measured in a general direction of the side lines of the lot.

Lot lines means the lines bounding a lot as defined herein:

- (1) *Lot line, front*. The line separating said lot from that street which is designated as the front street on the building permit, certificate of occupancy or subdivision plat.
- (2) *Lot line, rear*. The lot boundary opposite and most distant from the front lot line. In the case of a pointed or irregular lot, it shall be an imaginary line parallel to and farthest from the front lot line, not less than 30 feet long and wholly within the lot.
- (3) *Lot line, side*. A side lot line is any lot boundary line not a front lot line or rear lot line.

Lot of record means a lot which is part of a subdivision recorded in the office of the county register of deeds, or a lot or parcel described by metes and bounds, the description of which has been so recorded.

Lot width means the width of a lot at the required building setback line measured at right angles to depth.

Medical clinic means a building or structure or portion thereof where medical services are provided for outpatients only.

Mobile home (include doublewide and triplwide homes) means a preassembled dwelling unit built on a chassis, with body width exceeding eight feet and body length exceeding 32 feet, designed to be used as a dwelling, with or without a permanent foundation, when connected to the required utilities. A travel trailer is not to be considered a mobile home.

Modular homes means a factory fabricated transportable building designed to be used by itself or to be incorporated with similar units at a building site into a modular structure. The term is intended to apply to major assemblies and does not include prefabricated panels, trusses, plumbing trees, and other prefabricated sub-elements which are to be incorporated into a structure at the site.

Motel means any group of separate or connected dwelling units or lodging units used for the purpose of accommodating transient guests whether designated as a motel, hotel, inn, motor lodge, or otherwise.

Net acreage means total area to be developed minus any area covered by waterways, marshes or wetlands.

Nude model studio means any place where a person who appears in a state of nudity or displays specified anatomical areas is provided to be observed, sketched, drawn, painted, sculptured, photographed, or similarly depicted by other persons who pay money or any form of consideration. There is excepted from this definition any studio which is part of a school for artists who are regularly enrolled in a course of instruction in the arts, and in which the use of nude models involves less than ten percent of the course hours.

Nudity or state of nudity means the appearance of a human bare buttock, anus, male genitals, female genitals, or female breast without a fully opaque complete covering of the breast below a point immediately above the top of the areola, or human male genitals in a discernibly turgid state even if completely and opaquely covered.

Ocean dune platform means a platform constructed on the frontal dune.

Oceanfront setback means a line which is shoreward from the mean high water line of the Atlantic Ocean seaward of which no structure may be located unless approved by the town council as required for beach access or pier construction under the ~~conditional~~ special use provisions of this chapter.

Open space means an unoccupied space open to the sky.

Open storage means an unroofed storage area, whether fenced or not.

Parking space means a vehicular storage space plus the necessary access space.

Person means an individual, proprietorship, partnership, corporation, association, or other legal entity.

Planned unit development means complete development of land which is under central control or for which central control mechanisms have been established. The plan will be in accordance with such guides and objectives as may be established by the planning board and town council in article IX of this chapter.

Post means to erect, attach, or affix in any manner, including without limitation nailing, tacking, tying, gluing, pasting, painting, staking, marking, or writing.

Public right-of-way means the entire area between property boundaries, which is owned by a government, dedicated to public use, or impressed with an easement for public use; which is primarily used for pedestrian or vehicular travel; and which is publicly maintained, in whole or in part, for such use; and includes without limitation the street, gutter, curb, shoulder, sidewalk, sidewalk area, parking or parking strip, planting strip, and any public way.

Recreational equipment means boats and boat trailers, pickup campers or coaches (designed to be mounted on automotive vehicles), motorized dwellings, tent trailers, and the like.

Restaurant means a business engaged in the service of food and beverages to patrons seated inside a building, on a deck as delineated in a site plan approved by the town or in a vehicle at a drive-through facility. To qualify as a restaurant, an establishment shall have all the following:

- (1) A food preparation area occupying at least 20 percent of the gross square footage of the establishment;
- (2) At least 75 percent of all customer seats designated for either fast casual or full-service, full-menu, dining; and
- (3) No more than 15 percent of the total square footage of the establishment devoted to the following permitted accessory entertainment uses, including and limited to; dance floor, stage, live performance and disc jockey areas. Accessory entertainment uses referenced in this definition shall be permitted in a restaurant provided these uses are clearly subordinate in area, extent, hours of operation, and purpose to areas designated for food preparation, service, and consumption.

Retail shopping center means a commercial structure which includes or is designed to include two or more establishments with combined floor area of at least 20,000 square feet planned for a single or contiguous lot or parcel.

Seminude means a state of dress in which clothing covers no more than the human bare buttock, anus, male genitals, female genitals, or female breast without a fully opaque complete covering of the breast below a point immediately above the top of the areola, or human male genitals in a discernibly turgid state even if completely and opaquely covered.

Sexual encounter center means a business or commercial enterprise that, as one of its business purposes, offers for any form of consideration:

- (1) Physical contact by customers in the form of wrestling or tumbling between persons of the opposite sex; or
- (2) Activities between male and female persons, or persons of the same sex when one or more of the persons is in a state of nudity or seminudity.

Sexually oriented business means a business which offers its customers or patrons any device, activity or demonstration depicting specified sexual activities, or which is intended to appeal to sexual interests, titillation or arousal of the customer or patron. A sexually oriented business shall include an adult establishment as defined in G.S. 14-202.10(2) and, in addition, without limitation: adult arcade, adult bookstore, adult video store, adult cabaret, adult media center, adult live entertainment business, adult motel, adult motion picture theater, adult mini motion picture theater, adult theater, adult escort agency, nude model studio, and sexual encounter center.

Sexually oriented business activities means those activities usually provided for, promoted, or offered by a sexually oriented business as defined herein, whether or not, as the principal business purpose or as a sideline or accessory business purpose and whether or not in connection with or on the same premises with a business which is not a sexually oriented business.

Sexually oriented devices means as defined in G.S. 14-202.10(9) which is incorporated herein by reference.

Sign means any writing, pictorial representation, illustration, decoration (including any material used to differentiate sign copy from its background), landscaping form, emblem, symbol, design, trademark, banner, flag, pennant, captive balloon, streamer, spinner, ribbon, sculpture, statue, or any other figure or character that:

- (1) Is a structure or any part thereof (including the roof or wall of a building); or
- (2) Is written, printed, projected, painted, constructed, or otherwise placed or displayed upon or designed into landscaping or a structure or a board, plate, canopy, awning, marquee, or vehicle, or upon any material object or device whatsoever; and
- (3) By reason of its form, color, wording, symbol, design, illumination or motion, attracts or is designed to attract attention to the subject thereof or is used as a means of identification, advertisement, or announcement or political or artistic expression or decoration; but
- (4) Landscaping constitutes a sign only to the extent that it is planted, trimmed, graded, arranged, or installed in such a manner as to convey an explicit commercial message.

Sign, commercial, means a sign which identifies, advertises, or directs attention to a business, or is intended to induce the purchase of goods, property, or service, including, without limitation, any sign naming a brand of goods or service and real estate signs, as further defined below.

Sign, noncommercial, means a sign designed and intended to promote, support, call attention to, or give notice to a cause, nonprofit and noncommercial service, or political message of an individual, charitable organization, political group or other entity. Any symbols, letters or other identifying characteristics describing the commercial sponsor of a noncommercial sign shall not exceed four inches in height and may not be repeated on the same face of the sign. A noncommercial sign shall contain no commercial advertising or statements, logos, designs or trademarks designed or intended to promote or produce financial gain other than donations for charitable organizations such as groups which are tax exempt pursuant to the Internal Revenue Code.

Sign, noncommercial charity event, means a temporary sign designed and intended to promote, support, call attention to, or give notice to a specific noncommercial event wholly organized by a nonprofit individual, charitable organization, political group or other entity that is tax exempt pursuant to the Internal Revenue Code.

Sign, off-site, means an off-site sign is any sign other than an on-site sign including signs erected for the provision of outdoor displays or display space as a business on a lease or rental basis.

Sign, on-site, means a sign relating in its subject matter to the premises on which it is located, or to products, services, accommodations, or activities on these premises.

Sign, real estate, means a sign indicating the availability for sale, rent, or lease of the specific lot, building, or portion of a building upon which the sign is posted.

Sign, temporary, means a sign intended to display either commercial or noncommercial messages of a transitory or temporary nature. Portable signs, or any sign not permanently embedded in the ground, or not permanently affixed to a building or sign structure that is permanently embedded in the ground, are considered temporary signs. A temporary sign is:

- (1) Intended for a temporary period. The temporary period may be different for various types of events or circumstances the sign advertises;
- (2) Typically constructed from nondurable materials, including paper, cardboard, cloth, plastic, and/or wallboard;
- (3) Does not constitute a structure subject to the town's building code and zoning code provisions.

Sign, vehicle, means a permanent or temporary sign affixed, painted on or placed in or upon any parked vehicle, parked trailer or any parked device capable of being towed, which is displayed in public view under such circumstances as to location on the premises, time of day, duration, availability of other parking space on the premises, and the proximity of the vehicle to the area on the premises where it is loaded, unloaded or otherwise carries out its principal function, which circumstances indicate that the primary purpose of said display is to attract the attention of the public rather than to serve the business of the owner thereof in the manner which is customary for said vehicle.

Special use permit means a permit issued to authorize development or land uses in a particular zoning district upon presentation of competent, material, and substantial evidence establishing compliance with one or more general standards requiring that judgment and discretion be exercised as well as compliance with specific standards. The term includes permits previously referred to as conditional use permits or special exceptions.

Specified anatomical areas means as defined in G.S. 14-202.10(10) which is incorporated herein by reference.

Specified sexual activities means as defined in G.S. 14-202.10(11) which is incorporated herein by reference.

Street means any permanently dedicated public right-of-way which has been accepted for maintenance by the state department of transportation or the town or, any other open area providing the principal means of access for vehicles or pedestrians from a public right-of-way to a building or use of land and which has been approved by the town council as a street to satisfy the requirements of this chapter.

Structure means anything constructed or erected, the use of which requires location of the ground, or attachment to something having location on the ground.

Swimming lessons means a period of instruction in teaching a person to propel through water by means of movement of the body. A residential service, which shall not be deemed a home occupation as provided in this section.

Swimming pool means any structure intended for swimming or recreational bathing that contains waters over 24 inches deep. This includes in-ground, aboveground and on-ground pools, hot tubs and spas.

Top plate means the point at which the structural wall framing and the structural roof framing join together at the top of the uppermost habitable floor. When a building is designed with top plates at more than one horizontal level, the uppermost plate is the one referred to and regulated by this chapter.

Tourist-oriented directional signs (TODS) means guide signs that display the business identification of and directional information for tourist-oriented businesses and tourist-oriented facilities (as defined in G.S. 136-140.15) or for a class of businesses or facilities that are tourist- oriented.

Townhouse means a single-family dwelling unit on its own individual lot but connected, by means of a common wall for at least ten feet of its length, to one or more other single-family dwelling unit. No more than six such dwelling units may be attached in a single group.

Trailer includes any of the following:

- (1) *Travel trailer.* A vehicular, portable structure built on a chassis, designed to be used as a temporary dwelling for travel, recreational, and vacation uses.
- (2) *Pickup coach.* A structure designed to be mounted on a truck chassis for use as a temporary dwelling for travel, recreation, and vacation.
- (3) *Motor home.* A portable, temporary dwelling to be used for travel, recreation, and vacation, constructed as an integral part of a self-propelled vehicle.
- (4) *Camping trailer.* A folding structure of canvas or other material mounted on wheels and designed for travel, recreation and vacation use.

Transient occupancy, means overnight occupancy in a residential structure for periods of less than 30 days for vacation, leisure, recreation or other purposes by a person or persons who have a place of residence to which they intend to return including when such property or structure is offered in whole or in part for rent or use by the day, week, or other period of less than 30 days.

Use means:

- (1) Any purpose for which a building or other structure or a tract of land may be designed, arranged, intended, maintained, or occupied; or
- (2) Any activity, occupation, business or operation carried on, or intended to be carried on, in a building or other structure or on a tract of land.

Use, accessory, means a building, structure or use which meets all of the following criteria:

- (1) It is clearly incidental to and customarily found in connection with a principal building or use;
- (2) It is subordinate to and serves a principal building or principal use served;
- (3) It is subordinate in area, extent or purpose to the principal building or principal use served;
- (4) It contributes to the comfort, convenience or needs of occupants, or business in the principal building or the principal use served;
- (5) It is located on the same lot as the principal building or use; and
- (6) It is not a sexually oriented business or a sexually oriented business activity.

~~*Use, conditional*, means a use that would not be appropriate, generally or without restriction, throughout a particular zoning district but which, if controlled as to number, area, location or relation to the neighborhood, would preserve the intent of this chapter to promote the public health, safety, morals and general welfare. Specific provisions are made for conditional uses which may be permitted in certain zones and the procedures for application are set out in section 36-300.~~

Use, nonconforming, means a use of building or land which does not conform with the regulations of the district in which such building or land is situated but was lawful before adoption of this chapter.

Vacation cottage, means the use of a property and associated single-family dwelling in whole or in part for any part of a calendar year for the purpose of transient occupancy. Any property or structure advertised in a manner meeting the definition of vacation cottage shall be presumed to be actually in use as a vacation cottage.

Variance means a relaxation of the terms of this chapter where such variance will not be contrary to the public interest and where, owing to conditions peculiar to the property and not the result of the actions of the applicant, a literal enforcement of this chapter would result in unnecessary and undue hardships.

Yard means a required open space, other than a court, unoccupied and unobstructed by any structure or portion of a structure, from 30 inches above the ground level of the graded lot upward, provided, however, that eaves, fences, walls, poles, posts, ocean dune platforms, walks, accessible ramps, steps and other customary yard accessories, ornaments, and furniture may be permitted in any yard subject to height limitations and requirements limiting obstruction of visibility or any other requirements of this chapter.

- (1) *Yard, front*. A yard extending between side lot lines across the front of a lot adjoining

the public street. Depth of required front yard shall be measured at right angles to a

straight line joining the foremost points of the side lot lines. The foremost point of the side lot line, in the case of rounded property corners at street intersections, shall be assumed to be the point at which the side and front lot lines would have met without such rounding. Front and rear yard lines shall be essentially parallel.

- (2) *Yard, rear.* A yard extending across the rear of the lot between side lot lines. Depth of a required rear yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the rear lot line.
- (3) *Yard, side.* A yard extending from the rear line of the required front yard to the rear yard. Width of a required side yard shall be measured in such a manner that the yard established is a strip of the minimum width required by district regulations with its inner edge parallel with the side lot line.

Zoning administrator: A person who is appointed by the town manager and is responsible for administering and enforcing this chapter.

Zoning permit: A permit issued by the zoning administrator which authorizes the recipient to make use of property in accordance with the requirements established in this chapter.

(Code 1988, § 11-3.02; Ord. No. 01-10-016, pt. I, 10-2-2001; Ord. No. 02-06-019, pt. II, 6-25-2002; Ord. No. 05-04-03, art. III, 5-3-2005; Ord. No. 05-08-02, art. III, 11-1-2005; Ord. No. 06-11-01, art. III, 11-8-2006; Ord. No. 2006-09-02, art. III, 11-28-2006; Ord. No. 2007-05-01, art. III, 6-5-2007; Ord. No. 2007-07-01, art. III, 8-7-2007; Ord. No. 2009-08-01, pt. VI, 1-5-2010; Ord. No. 2011-01-01, art. VIII, pt. I, 1-4-2011; Ord. No. 2011-04-01, art. III, pt. I, 4-5-2011; Ord. No. 2011-12-01, art. III, pt. I, 12-6-2011; Ord. No. 2012-02-01, art. III, pt. I, 2-7-2012; Ord. No. 2013-03-01, art. III, pt. I, 3-5-2013; Ord. No. 2013-06-02, art. III, pt. I, 6-18-2013; Ord. No. 2016-01-01, art. III, pt. I, 1-22-2016; Ord. No. 2016-01-02, art. III, pt. I, 1-22-2016; Ord. No. 2016-01-04, art. III, pt. I, 1-22-2016; Ord. No. 2017-12-02, art. III, pt. I, 12-5-2017; Ord. No. 2018-05-02, art. III, pt. I, 6-5-2018; Ord. No. 2019-05-02, art. III, pt. I, 5-7-2019; Ord. No. 2019-11-01, art. III, pt. I, 11-6-2019; Ord. No. 2021-07-01, art. III, pt. I, 7-6-2021)

Secs. 36-58—36-87. Reserved.

ARTICLE IV. APPLICATION OF REGULATIONS

Sec. 36-88. Territorial application.

The provisions of this article shall apply to all lands, waters, structures, and uses thereon, within the zoning areas designated on the official zoning map.

(Code 1988, § 11-4.01)

Sec. 36-89. Use, occupancy and construction.

- (a) No building, structure, or land shall hereafter be used or occupied, and no structure or part thereof shall hereafter be constructed except in conformity with all of the regulations herein specified for the district in which it is located.
- (b) Permitted, prohibited and ~~conditional~~ special uses are listed by district, within the schedule of district regulations.

(Code 1988, § 11-4.02; Ord. No. 2021-07-03 , art. III, pt. I, 7-6-2021)

Sec. 36-90. Height, bulk, density, lot coverage, yards and open spaces.

After the effective date of the ordinance from which this chapter is derived, no building or other structure shall be erected or altered to exceed the height or bulk requirements of this article; nor to accommodate a greater number of families than allowed by this article; nor to have narrower or smaller front yards, side yards, rear yards, or other open spaces than required by this article; nor shall any building, structure or land be used in any other manner contrary to the provisions of this article.

(Code 1988, § 11-4.03)

Sec. 36-91. Computation of required spaces.

- (a) No part of a yard, or other open space, or off-street parking or loading space required about or in connection with any building for the purpose of complying with this article, shall be included as part of a yard, open space, or off-street parking or loading space similarly required for any other building except as specifically allowed by this article.
- (b) All lots created shall have all of the minimum square footage contiguous to all other minimum square footage within the same lot. No street or road right-of-way, or body of water may separate one area of a lot from another area of the same lot. No recombination of two or more lots shall create a lot where the minimum square footage is not contiguous to all other minimum square footage.

(Code 1988, § 11-4.04; Ord. No. 04-10-01, art. III, 11-17-2004)

Sec. 36-92. Reduction of lots or areas below minimum.

- (a) No yard or lot existing on or after July 7, 1981, shall be reduced in dimension or area below the minimum requirements set forth herein.
- (b) Yards or lots created on or after July 7, 1981, shall meet at least the minimum requirements established by this article.

(Code 1988, § 11-4.05; Ord. No. 05-09-01, art. III, 11-1-2005)

Sec. 36-93. Classification of added territory.

All territory not included under the provisions of this article hereafter added to the zoned area shall be considered to be RS-1 until otherwise classified.

(Code 1988, § 11-4.06)

Sec. 36-94. One principal building on any lot.

Only one principal building and its customary accessory building may hereafter be erected on any lot, except as authorized in this article.

(Code 1988, § 11-4.07)

Sec. 36-95. Lot access requirements.

- (a) No structure requiring a building permit shall be erected on any lot having less than 30 feet of frontage and which:
 - (1) Does not abut either a public right-of-way or a private street or easement which has been approved in accordance with the provisions of this article, the subdivision ordinance set forth in chapter 30, or any applicable town ordinance and recorded by the county register of deeds; or
 - (2) Does not have access to a public street or highway, which access is described in an instrument recorded in the county register of deeds office prior to adoption of the ordinance from which this chapter is derived.
- (b) Single-family residential home sites and site plans shall include a driveway with a minimum width of eight feet extending from the front property line to the principal structure, as well as required external parking spaces. Where a driveway is not shown on a proposed site plan, a line that is the shortest distance from the building to the front property line shall be drawn and a second, parallel line, eight feet wide to scale, shall be drawn, demarking the required driveway to calculate contribution of the driveway toward lot coverage.
- (c) Home sites and site plans shall not require vehicles to back into the public right-of-way. Home sites and site plans shall include a minimum ten-foot by ten-foot area adjacent to the required driveway to allow for vehicle turnaround.

(Code 1988, § 11-4.08; Ord. No. 05-09-01, art. IV, 11-1-2005; Ord. No. 2006-09-02, art. IV, 11-28-2006)

Sec. 36-96. Vision clearance at intersections.

On a corner lot which abuts town- or state-maintained rights-of-way in any district, no planting, structure, fence, wall or other obstruction to vision more than three feet in height shall be placed or maintained within the triangular area formed by the intersecting street right-of-way lines, each of which is 25 feet distant from the point of intersection. On other rights-of-way, the

proper setback for vision clearance shall be determined by the zoning administrator, but in no case shall the requirement exceed that previously stated.

(Code 1988, § 11-4.09; Ord. No. 2011-01-01, art. VIII, pt. II, 1-4-2011)

Sec. 36-97. Walls and fences.

The setback requirements of these regulations shall not prohibit any necessary retaining wall or prohibit any wall or fence. However, within or abutting any residential district, no wall or fence shall exceed six feet in height and within any commercial or industrial district, no fence shall exceed ten feet in height. For wireless telecommunications sites, no wall or fence shall exceed ten feet in height.

(Code 1988, § 11-4.10; Ord. No. 2013-07-01, art. III, pt. I, 7-16-2013)

Sec. 36-98. Structures excluded from height limitations.

Except for banks in the general commercial district, the board of adjustment may vary the height limits of these regulations up to four feet above the roofline of the building, for the following structures, providing such variances shall be in harmony with the general purpose and intent of this chapter and will not be injurious to the neighborhood or otherwise detrimental to the public welfare:

- (1) Church spires or belfries.
- (2) Decorative cupolas that do not exceed five feet in width on any side or 25 square feet in cross section.
- (3) Flagpoles.
- (4) Communications masts (private TV antenna excluded).

(Code 1988, § 11-4.11; Ord. No. 2011-12-01, art. III, pt. II, 12-6-2011)

Sec. 36-99. Ocean dune platforms, walkway, steps.

Regulation of these structures is intended to preserve the natural appearance and integrity of the frontal dune and provide minimal interference with the natural accretion of sand and growth of vegetation.

- (1) *Ocean dune platforms.* Ocean dune platforms shall not exceed 200 square feet in area and no supporting posts shall be placed within four feet of the east side of the frontal dune. At the time of construction, ocean dune platforms will be at least 18 inches and no more than 24 inches above the highest natural grade within the footprint of the proposed platform. No part of the platform structure, except a flagpole, shall extend more than three feet above the deck. Permanently attached seating and areas incorporating permanently attached seating are considered part of such ocean dune platforms.

- (2) *Walkway and/or steps.* One walkway and/or steps are permitted across the dunes provided that the walkway and/or steps are constructed in a manner which entails negligible alterations to any dune. Walkways and steps shall not exceed four feet in width. Walkways and steps constructed on the frontal dune will reasonably follow the contour of the dune and will be placed at least 18 inches and not more than 24 inches above natural grade.
- (3) *Exceptions.* Community recreation facilities may erect:
 - a. Dune platforms not to exceed 500 square feet.
 - b. A sunshade on the dune platform provided the footprint of the sunshade does not exceed 180 square feet; the sides are not enclosed; the height from the deck does not exceed 11 feet; and it is set back 25 feet from side property lines. No platform containing a structure extending more than three feet above the platform deck shall be constructed within 1,000 feet of a like structure.
- (4) *Nonconforming structures.* Existing ocean dune platforms, walkways and steps that do not meet the above requirements are considered nonconforming structures (article V). All structures covered by this section require a building permit.

(Code 1988, § 11-4.12; Ord. No. 05-08-02, art. IV, 11-1-2005)

Sec. 36-100. Beach obstacles.

No obstruction to the passage of permitted vehicles will be placed, constructed, or maintained oceanward of the first line of vegetation.

(Code 1988, § 11-4.13)

Sec. 36-101. Habitable floors.

- (a) For the purposes of this chapter, the area or space above the top plate of a habitable floor which is open, unrestricted, and unobstructed, such as used in an A-frame, cathedral ceiling or opposed shed roof type construction, shall not be considered as a part of such habitable space.
- (b) The enclosed area above the top plate of a structure shall not be inhabited by any person or used for any purpose other than storage of personal effects or property.

(Code 1988, § 11-4.14)

Sec. 36-102. Living space within accessory structures.

On lots where enclosed living space is permitted within accessory structures, the living space within an accessory structure shall count towards any living space restrictions for the principal building.

(Ord. No. 2017-12-02, art. III, pt. V, 12-5-2017)

Secs. 36-103—36-130. Reserved.

ARTICLE V. NONCONFORMITIES

Sec. 36-131. Intent.

- (a) Within the districts established by this chapter or amendments that may later be adopted, there exist lots, structures, uses of land and structures, and characteristics of use which were lawful before the ordinance from which this chapter is derived was passed or amended, but which would be prohibited, regulated, or restricted under the terms of this chapter or future amendments. It is the intent of this article to permit these nonconformities to continue until they are removed, but not to encourage their survival. It is further the intent of this article that nonconformities shall not be enlarged upon, expanded or extended, nor be used as grounds for adding other structures or uses prohibited elsewhere in the same district.
- (b) To avoid undue hardship, nothing in this article shall be deemed to require a change in the plans, construction, or designated use of any building on which actual construction was lawfully begun prior to the effective date of adoption or amendment of the ordinance from which this chapter is derived and upon which actual building construction has been carried on diligently. Actual construction is hereby defined to include the placing of construction materials in a permanent position and fastening in a permanent manner. (See section 36-448.) Where excavation or demolition or removal of an existing building has been substantially begun preparatory to rebuilding, such excavation, demolition, or removal shall be deemed to be actual construction, provided that work shall be carried on diligently.

(Code 1988, § 11-5.01)

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

- (a) *Nonconforming lots of record.*
 - (1) *Development and sale of certain nonconforming lots without recombination.* In any district in which single-family dwellings are permitted, a single-family dwelling and customary accessory building may be erected on any currently nonconforming single lot which met all legal requirements at the time of its creation and recording in the Dare County public registry if:
 - a. The lot is not under the same ownership as any adjacent lot;
 - b. The lot meets or exceeds the lot area requirements for the district and is located adjacent to a single conforming lot under the same ownership on which is located an existing single-family dwelling;
 - c. The lot is one of three or less adjacent nonconforming lots under the ownership of related siblings on September 6, 2019; or
 - d. The lot is located adjacent to land under the same ownership on which is located

an existing single-family dwelling, and the adjacent land is made up of:

1. No more than two lots all of which are nonconforming; or
2. A single conforming lot not adjacent to any other land under the same ownership that was created after January 1, 2015 due to a recombination of two previously nonconforming lots.

If a currently nonconforming single lot meets the requirements of subsection (a)(1)a, b, c or d then the lot may be sold without being recombined with the remaining land if recombination would have been required by subsection (a)(2) below. All applicable dimensional requirements other than lot area and lot width shall be met for development or redevelopment of such a lot except that a lot having a lot width of 50 feet or less may use a side yard setback of 12 feet.

- (2) *Recombination required.* If any of the following situations apply, all adjacent lots under the same ownership shall be recombined into: (i) a single lot which may or may not meet the minimum requirements for the district in which such lots are located; or (ii) multiple lots which all meet the minimum requirements for the district in which such lots are located:
- 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;
 - d. Prior to the sale or transfer of land when any portion of the land being sold or transferred was a parcel or part of a parcel of land upon which an 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; or
 - e. Prior to the sale or transfer of land including a nonconforming lot or lots adjacent to one or more other lots under the same ownership;

A plat prepared by a North Carolina licensed surveyor showing the recombination shall be recorded in the Dare County public registry, and a copy of the recorded plat shall be provided to the town prior to the issuance of a zoning or building permit for development or redevelopment upon any of the newly created lots. Lots created by a recombination required by this section shall be deemed to equal or exceed the standards of the town under chapter 30, and are exempt from the subdivision process under chapter 30.

- (3) For purposes of this subsection (a), the term "same ownership" shall be construed broadly to effectuate the reduction of nonconforming lots within the town. Land and

lots under the same ownership shall include, but not be limited to, any of the following or any combination of the following:

- a. A lot is owned, in whole or in part, by an individual and another lot is owned by the same individual or by an affiliate of the same individual; and/or,
 - b. A lot is owned, in whole or in part, by a legal entity and another lot is owned by the same legal entity or by an affiliate of the same legal entity.
- (4) For purposes of this subsection (a), the following definitions apply:
- a. An "affiliate" of an owner shall mean:
 - 1. In the case of an individual owner, a family member of the owner, or a legal entity controlled by the owner or a family member of the owner.
 - 2. In the case of a legal entity owner, an individual who controls the legal entity or their family member, another legal entity controlled by the owner or controlled by a family member of any individual who controls the owner.
 - b. "Controlled" or "controls" shall mean the power, by ownership, operation of law or contract, whether exercised or not, directly or indirectly, actually or effectively, to operate, supervise, or manage a legal entity, or to appoint or elect the management of the legal entity, or to otherwise direct the operation, supervision or management of the legal entity.
 - c. "Family member" of an owner shall mean the owner's spouse, lineal descendants, siblings and parents whether related by blood or marriage.
- (b) *Nonconforming uses of land.* Where at the time of passage of this article lawful use of land exists which would not be permitted by the regulations imposed by this chapter, and where such use involves no individual structure with a replacement cost exceeding \$1,000.00, the use may be continued so long as it remains otherwise lawful, provided:
- (1) No such nonconforming use shall be enlarged or increased, nor extended to occupy a greater area of land than was occupied at the effective date of adoption or amendment of this article.
 - (2) No such nonconforming use shall be moved in whole or in part to any portion of the lot or parcel other than that occupied by such use at the effective date of adoption or amendment of this article.
 - (3) If any such nonconforming use of land ceases for any reason for a period of more than 30 days, any subsequent use of such land shall conform to the regulations specified by this chapter for the district in which such land is located.
 - (4) No additional structures not conforming to the requirements of this article shall be erected in connection with such nonconforming use of land.
- (c) *Nonconforming structures.* Where a lawful structure exists at the effective date of adoption or amendment of this chapter that could not be built under the terms of this article by reason of restriction on area, lot coverage, height, yards, its location on the lot, or other

requirements concerning the structure, such structure may be continued so long as it remains lawful, subject to the following provisions:

- (1) No such nonconforming structure may be enlarged or altered in a way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity. In the case of a structure on pilings with a nonconforming side, front or rear yard setback, enclosing the space below any portion of the structure does not increase its nonconformity unless the footprint of the structure within the nonconforming setback is increased by such enclosure. In the case of a residential primary structure with a nonconforming side yard setback which was compliant with the side yard setback in effect at the time of construction of the nonconforming portion of the structure, the enlargement or alteration of the structure in a manner which violates the current side yard setback does not increase the structure's nonconformity unless the enlargement or alteration also:
 - a. Extends into the side yard beyond the existing nonconforming portion of the structure; or
 - b. Violates the side yard setback in effect at the time the nonconforming portion of the structure was initially constructed.
- (2) Should such nonconforming structure or nonconforming portion of a structure be destroyed by any means to an extent of more than 50 percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this article. An exception is a nonconforming structure (or nonconforming portion of a structure) which is destroyed due to fire, flood, windstorm, or natural disaster, to an extent that the structure is declared unusable or to the extent that greater than 50 percent of its replacement cost at the time of destruction may be reconstructed on the same footprint existing at the time of its destruction, except as provided in article XVI of this chapter, pertaining to hurricane and storm reconstruction and redevelopment and general use standards for ocean hazard areas. If the footprint cannot be verified by an on-site inspection, then an "as-built" survey containing the seal of a state-licensed land surveyor made prior to destruction must be provided in order to utilize the benefits of this provision.
- (3) Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
- (4) Any such nonconforming structure located on a lot adjacent to the Atlantic Ocean or sound waters may be moved on the same lot provided that such movement does not increase the nonconformity of the structure in any way.
- (5) Residential accessory structures existing as of January 1, 2017 which were otherwise lawful and duly permitted at the time of their construction or modification and which are nonconforming due solely to the inclusion of living space within the accessory structure shall be considered legally nonconforming under this article. Such accessory structures may be modified in conformance with this chapter and the nonconforming

living space within them may continue so long as the nonconformity is not expanded.

(d) *Nonconforming uses of buildings or of buildings and premises in combination.* If lawful use involving buildings with a replacement cost of \$1,000.00 or more, or of building and premises in combination, exists at the effective date of adoption or amendment of the ordinance from which this chapter is derived, that would not be allowed in the district under the terms of this article, the lawful use may be continued so long as it remains otherwise lawful, subject to the following provisions:

- (1) No existing structure devoted to use not permitted by this article in the district in which it is located shall be enlarged, extended, constructed, reconstructed, moved, or structurally altered except in changing the use of the structure to a use permitted in the district in which it is located.
- (2) Any nonconforming use may be extended throughout any parts of a building which were manifestly arranged or designed for such use at the time of adoption or amendment of this article, but no such use shall be extended to occupy any land outside such building.
- (3) If no nonconforming structural alterations are made, any nonconforming structure or use of structures may be changed to any conforming use, with the approval of the town council.
- (4) Any structure, or structure and land in combination, in or on which a nonconforming use is superseded by a permitted use, shall thereafter conform to the regulations for the district, and the nonconforming use may not thereafter be resumed.
- (5) When a nonconforming use of a structure, or structure and premises in combination, is discontinued or abandoned for ten consecutive months (except when government action impedes access to the premises), the structure, or structure and premises in combination, shall not thereafter be used except in conformity with the regulations of the district in which it is located.
- (6) Where nonconforming use status applies to a structure and premises in combination, removal or destruction of the structure shall eliminate the nonconforming status of the land. Destruction for the purpose of this subsection is defined as damage to an extent of more than 50 percent of the replacement cost at time of destruction.
- (7) No mobile home or trailer existing as a nonconforming use may be returned or replaced after removal.

(e) *Repairs and maintenance.*

- (1) In any nonconforming structure or portion of a structure containing a nonconforming use, work may be done in any period of 12 consecutive months on ordinary repairs, or on repair or replacement of nonbearing walls, fixtures, wiring, or plumbing, to an extent not exceeding ten percent of the current replacement cost of the nonconforming structure or nonconforming portion of the structure, as the case may be, provided that the cubic content existing when it became nonconforming shall not be increased.
- (2) If a nonconforming structure or portion of a structure containing a nonconforming use becomes physically unsafe or unlawful due to lack of repairs and maintenance, and is

declared by the building inspector to be unsafe or unlawful by reason of physical condition, it shall not thereafter be restored, repaired, or rebuilt except in conformity with the regulations of the district in which it is located.

- (3) Nothing in this article shall be deemed to prevent the strengthening or restoring to a safe condition of any building or part thereof declared to be unsafe by any official charged with protecting the public safety, upon order of such official.
- (f) *Uses under ~~conditional~~ special use provisions not nonconforming.* Any use which is permitted as a ~~conditional~~ special use in a district under the terms of this article shall not be deemed a nonconforming use in such district, but shall without further action be considered a conforming use.

(Code 1988, § 11-5.02; Ord. No. 05-01-01, art. III, 3-1-2005; Ord. No. 05-09-01, art. V, 11-1-2005; Ord. No. 2008-12-01, art. III, 2-3-2009; Ord. No. 2017-07-04, art. III, pt. I, 7-11-2017; Ord. No. 2018-06-03, art. III, pt. I, 9-5-2018; Ord. No. 2019-09-01, art. III, pt. I, 9-10-2019)

Secs. 36-133—36-162. Reserved.

ARTICLE VI. GENERAL PROVISIONS

Sec. 36-163. Off-street parking requirements.

At the time of erection of any building or structure, or at the time any main building or structure is enlarged or increased in capacity by adding dwelling units, guest rooms, seats or floor area, or before conversion from one zoning use or occupancy to another, permanent off- street parking space shall be provided according to the amounts and specifications provided by this section.

- (1) *General provisions.*
 - a. Each parking space, for other than single-family residential homes, shall have a minimum length of 18 feet and a minimum width of nine and one-half feet. Drive aisle width shall be a minimum of 22 feet. It shall have vehicular access to a publicly dedicated or town approved private street and be located outside of any dedicated right-of-way.
 - b. When a parking space abuts an open space, the two feet at the end of the parking space shall be left unpaved to allow for drainage, in which case a bumper or wheel stop shall be installed.
 - c. Sufficient maneuvering space shall be provided so that no vehicle will be required to back into the public right-of-way. Such space shall be a minimum dimension of ten feet by ten feet and contiguous with the driveway if a required parking space is located in the driveway.
 - d. No parking spaces for residential use, except for single-family and two-family use, shall be located in the required front yard.

- e. Required parking spaces and driveways for other than single-family and two-family uses shall be graded, improved with concrete or I-2 asphalt and maintained in a manner which will provide a surface permitting safe and convenient use in all weather conditions.
- f. Required off-street parking spaces are permanent areas and shall not be used for any other ground purpose.
- g. All space requirements which are based upon employment shall be computed on the basis of the greatest number of persons on duty at any one period during time of peak use. In instances where calculations indicate a portion of one space is required, an additional full space shall be provided.
- h. Each application for a zoning permit submitted to the zoning administrator shall include information as to the location and dimensions of off-street parking and loading space and the means of ingress and egress to such space. This information shall be in sufficient detail to enable the zoning administrator to determine whether or not the requirements of this section are met. All required parking and drive areas shall be shown on the site plan application.
- i. The required parking space for any number of separate uses may be combined in one lot, but the required space assigned to one use may not be assigned to another use, except that one-half of the parking space required for churches, theaters, or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night or on Sundays.
- j. Any off-street parking space required by a use permitted in any residential district shall be provided on the same lot with the use by which it is required. Off-street parking space in conjunction with commercial uses in other districts shall not be permitted in a residential district.
- k. Where off-street parking is provided between the building line and the street right-of-way line for any business use, a buffer strip of at least five feet in width shall be provided adjacent to such street right-of-way line. Curb cuts through such buffer strips shall be separated by a minimum of 50 feet unless otherwise approved by the town council.
- l. All parking spaces which abut open space or buffer space shall have a fixed wheel stop of concrete, plastic or chemically-treated wood six inches in height. Allowances shall be made for two feet of overhang within the parking space so that no part of any car can be located within the required yard.
- m. Where a driveway meets the paved street in the town right-of-way there may be not more than two flares or aprons constructed. The sum of the two flares shall not exceed the width of the driveway by more than five feet. The sum of all construction in the town right-of-way on one platted lot cannot exceed 20 feet.
- n. Provisions for compact or short vehicular parking spaces. Marked compact parking spaces may be allowed within group development parking lots for no

greater than ten percent of the total number of provided parking spaces. Each

compact parking space shall have a minimum length of 15 feet and a minimum width of eight feet. Drive aisle width shall be a minimum of 22 feet.

- o. Required parking spaces for fire stations that cannot be provided on the site of the fire station may be located on town-owned property and/or within the town right-of-way.
- (2) *Shared parking.* Within any one site, or on contiguous commercial sites, the required parking for any number of separate uses may be combined on the site or sites, but the number of parking spaces assigned to one use may not be assigned to another use, except as provided in this subsection.
 - a. Shared parking shall be a ~~conditional~~ special use requiring approval by the town council and subject to requirements imposed by the town council as provided in section 36-300.
 - b. A portion of parking spaces required for one use may be used to meet the parking requirements of another use on the same, or on contiguous commercial, parcel(s) when the peak hours of operation and parking demands of the uses occur at different times of day which shall be established in the ~~conditional~~ special use permit.
 - c. In the event that the peak hours of operation or parking demands of either site(s) change(s) such that the peak hours of operation are no longer different or the number of parking spaces required for either site increases, each site shall be brought into compliance with the parking requirements of this chapter.

Prior to final approval of the shared parking proposal, a shared parking agreement, in recordable form and executed by the property owners sharing parking, shall be submitted to the town. The shared parking agreement shall contain terms consistent with the provisions of the shared parking requirements set forth herein; shall contain terms prohibiting its revocation or modification without the town's prior notification; and upon final approval of the site plan, the shared parking agreement shall be recorded in the county registry at owners' expense.

- d. Shared parking agreements between adjacent lots require adequate and safe pedestrian access to and from the shared parking areas.
- (3) *Requirements for parking lots.* Where parking space for five or more cars is permitted or required (other than single-family detached dwellings and townhouses), the following provisions shall be complied with:
 - a. *Curb bumpers.* The required front and side yards shall be set off from the parking area by a fixed curb approved by the zoning administrator, not less than six inches or more than two feet high.
 - b. *Drainage.* Parking lots shall not drain onto or across public sidewalks, roadways or into adjacent property except where a drainage easement has been provided or obtained.

- c. *Entrances.* On all corner lots, no vehicular openings shall be located at closer than 15 feet from the point of intersection of the established street right-of-way lines. No entrance or exit, whether on a corner lot or not, shall exceed 30 feet in width at the property line, or 40 feet at the curblin. There shall be a minimum distance between one-way driveways of 50 feet measured along the curblin.
- d. *Internal circulation.* The internal circulation plan of parking lots shall be approved by the town council.
- e. *Lighting.* Any lighting shall be so arranged as to direct the light and glare away from streets and adjacent property.
- f. *Markings.* Each parking space shall be marked off and maintained so as to be distinguishable.
- g. *Off-street loading.*
 - 1. One or more loading spaces shall be provided for standing, loading and unloading operations, either inside or outside a building and on the same premises with every building or structure erected after the enactment of this article, and shall be in accordance with the requirements of the following table. A loading berth shall have minimum plan dimensions of 12 feet by 60 feet and a 14 foot overhead clearance. A loading space need not be necessarily a full berth but shall be sufficient to allow normal loading and unloading operations of a kind and magnitude appropriate to the property served thereby. The town engineer shall determine the sufficiency of loading space but in no case shall the use of such space hinder the free movement of vehicles and pedestrians over a street, sidewalk, parking lot or alley.

Use Classification	Space Requirements
Retail operations, and all first floor non-residential uses, with a gross floor area of less than 20,000 square feet.	A loading space (not necessarily a full berth) as defined in this section.
Retail operations, including restaurant and office buildings with a gross floor area of 20,000 square feet or more.	One loading berth for every 20,000 square feet, or fraction thereof, of floor area.
Office building with a gross floor area of 100,000 square feet or more.	One loading berth for every 100,000 square feet of floor area.

- 2. Loading spaces shall be located at least 50 feet from any street right-of-way and shall be paved with asphalt, concrete, or porous paving as approved by the town engineer or an open-face paving block over sand and filter-cloth base, provided the open-face paving block is equivalent to turfstone with regards to compressive strength, density, absorption and durability.
- h. *Planting.* Buffer strips (subsection (1)k. of this section) and not less than 15 percent of any parking lot land area shall be planted with trees or shrubs. The

buffer shall be comprised of planting material placed ten feet on center and having

minimum height of five feet when planted and expected to reach a height of eight feet within three years. Suitable plant types shall be those recommended for the coastal area by the U.S. Department of Agriculture. The vegetation plan shall be approved by the town council.

- i. *Solid waste and recycling container requirements.* Sufficient space shall be provided on the premises for the location of a solid waste container. Such solid waste container location may be in a required parking lot provided, however, that such location does not occupy a required parking space or maneuvering space and further provided that such solid waste container location shall provide convenient and safe access to the servicing vehicle.
 - j. *Surfacing.* All parking lots shall be provided and maintained with concrete or I-2 asphalt surface and paved drainage facilities adequate to provide safe and convenient access in all weather conditions.
 - k. *Yards.* No parking lot shall be located closer than five feet to a public right-of-way. The area between the parking lot and the street right-of-way shall be planted in accordance with subsection (2)h. of this section and maintained with lawn or other appropriate planting, or shall be improved otherwise as approved in site plan review.
- (4) *Minimum parking requirements.* The number of off-street parking spaces required by this section shall be provided on the same lot with the principal use, or in combination with adjacent lots, provided the applicant has secured a shared parking agreement, and ~~conditional~~ special use permit, as described in subsection 36-163(1)j., and the required number of off-street parking spaces specified for each use shall be considered as the absolute minimum. Where a fraction of a space is required by this article, the next whole number shall be provided. In addition, a developer shall evaluate his own needs to determine if they are greater than the minimum specified by this article.
- a. *Residential and related uses.*
 - 1. Detached single-family dwelling units, two-family dwelling units and townhouses: three parking spaces for each dwelling unit with up to eight-person septic capacity and one additional space for each two persons of septic capacity, or fraction thereof, in excess of eight-person septic capacity up to 12-person septic capacity and one additional space for each person of septic capacity over 12.
 - i. The number of persons of septic capacity shall be determined by the county health department in establishing residence occupancy limits for wastewater/septic system.
 - ii. An eight-foot-wide drive aisle shall be provided, which must be separate from any parking spaces, such that no vehicle will be required to back into the public right-of-way. The following exception shall apply: one required parking space may be located behind each parking space in an under house parking area or

enclosed garage, or lined up outside in such a manner that it is located in the drive aisle.

- iii. Each parking space shall have a minimum length of 18 feet and a minimum width of eight feet.
- 2. Multifamily residence group housing projects and condominiums: two and one-half parking spaces on the same lot for each unit.
- 3. Hotel, motel: one and one-half parking spaces for each room to be rented plus one additional parking space for each employee.
- b. *Public and semipublic uses.*
 - 1. Churches: one parking space for each three seats in the sanctuary.
 - 2. Clinic (medical and dental): five parking spaces for each doctor assigned plus one parking space for each employee, but not less than ten spaces total.
 - 3. Elementary school: one parking space for each classroom and administrative office.
 - 4. Event facilities: one space for each 150 square feet of floor area.
 - 5. Public or private clubs: one parking space for each 200 square feet of gross floor space.
 - 6. Telephone switching stations or electric substations: one parking space for each employee.
- c. *Retail and office uses.*
 - 1. Animal hospitals: five spaces per veterinarian, plus one space for each employee, but not less than 16 spaces.
 - 2. Funeral home: one parking space for each four seats in the chapel or parlor.
 - 3. Garden center/nursery: one space for every 500 square feet of outdoor retail display area.
 - 4. General or professional offices, banks (doctors and dentists, see clinic requirements): one parking space for each 300 square feet of gross floor space, plus one space for each two employees.
 - 5. Grocery or appliance stores: one parking space for each 500 square feet of gross floor area.
 - 6. Municipal building: one parking space for each 200 square feet of net office area, plus one space for each two seats in municipal council chambers.
 - 7. Municipal complex: one parking space for each 200 square feet of gross floor space.
 - 8. Fire Stations: one parking space for each employee plus one space for each four seats in the training room.

9. Restaurant: one parking space for each three customer seats, plus one additional parking space for each employee.
 10. Retail uses not otherwise listed: one parking space for each 300 square feet of floor area.
 11. Theaters: one parking space for each three seats.
 12. Nonprofit entities: a minimum of three parking spaces shall be provided.
 13. Drive-through facility or establishment (small): one parking space for each three customer seats, plus one additional parking space for each employee.
- d. *Off-street parking and/or storage of certain vehicles prohibited.*
1. Trucks, trailers, semitrailers, (self-propelled or detached) and prefabricated cargo shipping containers or similar containers shall not be used as a storage or other type of accessory structure in any zoning district.
 2. Nothing in this section shall apply to any vehicle stored in compliance with applicable town codes. This regulation shall not be interpreted to prohibit the timely unloading and loading of commercial trailers in any district.
- e. *Reduction of required parking for commercial uses within group developments with the use of bicycle racks holding at least four bicycles.* The total parking requirement for every 50 parking spaces for the proposed use may be reduced by one parking space for each bicycle rack located on the site for up to four bicycle racks.

(Code 1988, § 11-6.01; Ord. No. 2006-09-02, art. V, 11-28-2006; Ord. No. 2007-07-01, art. IV, 8-7-2007; Ord. No. 2007-09-02, art. III, 9-4-2007; Ord. No. 2011-01-01, art. VIII, pts. III, IV, 1-4-2011; Ord. No. 2012-02-01, art. III, pt. II, 2-7-2012; Ord. No. 01-04, art. III, pt. 7, 1-22-2016; Ord. No. 2016-03-01, art. III, 3-1-2016; Ord. No. 2018-05-01, art. III, 5-1-2018; Ord. No. 2018-05-02, art. III, pt. II, 6-5-2018; Ord. No. 2018-07-02, art. III, pts. I, II, 7-10-2018; Ord. No. 2021-05-05, art. III, pt. I, 5-4-2021)

Sec. 36-164. Water supply and sewage disposal requirements.

The building inspector shall not issue a building permit for any use or structure requiring a water supply or sewage disposal or both unless the application is accompanied by approval, in writing, by the appropriate authority, of the water supply and method of sewage disposal.

(Code 1988, § 11-6.02)

Sec. 36-165. Regulations governing signs.

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

(1) *Exclusions.* The following shall not be included in the application of these regulations:

- a. Signs not exceeding one square foot in area and bearing only property numbers, post box numbers, names of occupants of premises, or other identification of premises not having commercial connotations;
 - b. Flags and insignia of any government except when displayed in connection with commercial promotion;
 - c. Legal notices, identifications, directional and informational signs erected or required by governmental bodies, fire stations, public utilities or civic associations with the approval of town council;
 - d. Integral decorative or architectural features of buildings, except letters, trademarks, moving parts, or moving lights;
 - e. Signs directing and guiding traffic and parking on private property, but bearing no advertising matter;
 - f. Temporary signs of less than one day duration.
- (2) *Number and area.*
- a. For the purpose of determining number of signs, a sign shall be considered to be a single display surface or display device containing elements organized, related, and composed to form a unit. Where matter is displayed in a random manner without organized relationship of elements, or where there is reasonable doubt about the relationship of elements, each element shall be considered to be a single sign.
 - b. The surface area of a sign shall be computed as including the entire area within a regular geometric form or combination of regular geometric forms comprising all of the display area of the sign and including frames and all of the elements of the matter displayed. The area of a double-faced sign shall be the area of one face of the sign, provided that the two faces are of the same size and are parallel to one another with no more than 24 inches between each sign face.
- (3) *Sign permit required.* No sign shall hereafter be erected or attached to, suspended from, or supported on a building or structure, nor shall any existing sign or outdoor advertising structure be structurally altered, remodeled or relocated, until a sign permit for same has been issued by the zoning administrator. No permit is required for signs enumerated in subsection (8), (11) or (12) of this section or any sign not exceeding three square feet in area.
- (4) *Material and design.* All signs shall be constructed and designed, according to generally accepted engineering practices, to withstand wind pressures and load distribution as specified in the current building code.
- (5) *Inspection required.* Each sign or outdoor advertising structure subject to the regulations of subsection (3) of this section may be subject to an annual inspection by the building inspector for the purpose of ensuring that the structure is maintained in a safe condition. The fee for the annual inspection shall be in accordance with a regularly adopted fee schedule of the town. When a sign becomes structurally unsafe, the

building inspector shall give written notice to the owner of the sign or outdoor advertising structure that the sign or outdoor advertising structure shall be made safe or removed within ten days of receipt of such notice.

- (6) *Illuminated signs.* All signs or outdoor advertising structures in which electrical wiring and connections are to be used shall require a permit and shall comply with the electrical code of the state and be approved by the building inspector. The light source shall not be visible from the road right-of-way or from adjacent property.
- (7) *Prohibited signs.* The following signs, sign construction, and displays are prohibited:
 - a. Any sign erected or maintained which is a copy or imitation of an official highway sign and carrying the words "STOP" or "DANGER" except such signs installed to regulate bicycle traffic on town-owned multipurpose pathways.
 - b. Any sign that obstructs corner visibility or visibility at a driveway between a height of two feet and ten feet.
 - c. A sign attached to any traffic sign, utility pole or structure, or tree.
 - d. Any sign that obstructs ingress and egress to any window, door, fire escape, stairway, ladder or opening intended to provide light, air, ingress or egress for any room or building as required by law.
 - e. Any sign that violates any provision of any law of the state relative to outdoor advertising.
 - f. Any off-site signs.
 - g. Any sign which contains, employs, or utilizes lights or lighting which rotates, flashes, moves or alternates.
 - h. Any sign located within a public or private right-of-way.
 - i. Any signs painted on or affixed to a roof surface.
 - j. Vehicle signs.
 - k. Signs supported in whole or in part by water, air or gas.
 - l. Tourist-oriented directional signs.
- (8) *Signs permitted in residential districts.*
 - a. Directional signs not over four square feet in area indicating the location of churches, schools, hospitals, parks, scenic or historic places, or other places of general interest. Any such sign and mounting shall not exceed three feet in total height.
 - b. One two-sided name sign or bulletin board, not to exceed a total height of nine feet above approved grade as shown on the site plan, or exceeding 32 square feet in size per face (excluding any support structure), for any permitted church, school or other semipublic institution, which sign or board may be indirectly lighted and shall be set back at least 15 feet from the property line.

- c. Temporary real estate sign, provided such sign shall be located on the site it advertises, shall be neatly painted and maintained, shall be removed when the property has been sold, shall not be illuminated, and in accordance with the following standards:
 - 1. "For Sale" sign: One "For Sale" sign not to exceed five square feet in area, including riders, shall be permitted to be placed on the site it advertises. The lower edge of "For Sale" sign shall be no more than three feet above ground level, and the upper edge no more than five feet above ground level.
 - 2. "For Lease" or "For Rent" sign: One "For Lease" or "For Rent" sign not to exceed 3½ square feet in area shall be permitted to be placed on the principal building it advertises.
- d. Temporary nonilluminated signs not exceeding six square feet in area advertising the general contractor, contractor, subcontractor, architect, landscape architect or other such professional persons or organizations engaged in or associated with the lawful construction, alteration, remodeling, or demolition of any building or use; provided that such signs shall be limited to one to each organization involved, and that the signs shall be removed upon completion of the work involved or issuance of a certificate of occupancy, whichever comes first.
- e. Signs announcing the name of a subdivision located on the premises at major entrances provided that such signs are neatly constructed and maintained; limited to announcing only the name of the subdivision; do not obstruct corner visibility; and do not exceed 32 square feet in area.
- f. Directional signs that bear no commercial information.
- g. Temporary "Open House" real estate signs shall be permitted in any residential district subject to the following conditions:
 - 1. There shall be a maximum of one such sign for the house offered for sale.
 - 2. The sign shall have a maximum area of six square feet.
 - 3. The sign shall not be placed in the right-of-way.
 - 4. The sign may be double-faced and shall not be illuminated.
 - 5. The sign shall only be displayed between the hours of 8:00 a.m. and 8:00 p.m. and only when a salesperson is on duty at the home for sale.
 - 6. No such sign shall be displayed for more than 30 days in any calendar year.
- h. Country Club signs. One freestanding sign per street frontage. Sign may be one- or two-sided, not to exceed a total height of nine feet above existing grade or exceeding 32 square feet in size per face (excluding support structure), which may be indirectly lighted and shall be set back at least 15 feet from the property line.
- (9) *Signs permitted in commercial (C) district.* Total signage for each lot, tract or parcel in business use is limited to one square foot of sign area for each two linear feet of

frontage facing on a public street right-of-way, not to exceed 64 square feet, and subject to the following limitations and qualifications:

- a. Wall signs placed against the exterior walls of buildings shall not extend more than six inches beyond the building wall surface and shall not exceed 20 percent of the exposed finished wall surface including openings.
 - b. One freestanding sign per lot may be located either temporarily or permanently on the ground but shall not exceed 32 square feet in area and shall not exceed 12 feet in height above street grade.
 - c. Window signs shall be placed only inside a commercial building and shall not exceed 75 percent of the glass area of the pane upon which the sign is displayed.
 - d. Retail shopping center. In lieu of the above requirements for signs in the commercial (C) district, retail shopping centers may have the following on-site signage:
 1. Freestanding sign. Only one freestanding sign shall be allowed. The sign structure shall be located permanently on the ground and the sign structure and the sign shall not exceed 12 feet above street grade. The sign shall be limited to 64 square feet of sign display area on each sign face. There shall be no more than two sign faces on the freestanding sign. The sign structure shall be proportional to the sign display area, but in no event greater than 1½ times the approved sign display area. No messages shall be displayed on the sign structure other than on the sign display area on the sign face.
 2. Wall signs. One square foot of business sign area for each linear foot of store frontage shall be allowed. Stores which are corner stores or end stores shall be entitled to the amount of linear footage based on the total frontage of the store front and adjacent exterior side. Wall signs shall be placed on the exterior wall of the building which it advertises and shall not extend more than 15 inches beyond the wall surfaces.
 3. Canopy sign. One under-canopy sign, visible from the sidewalk, will be permitted for each store and shall not exceed four square feet in sign area, nor be a hazard to pedestrians.
 4. Ice vending structure (automated). Wall signs placed against the exterior walls of structure shall not extend more than six inches beyond the structure wall surface and shall not exceed 20 percent of the exposed finished wall surface on which the signage is located including openings.
- (10) *Noncommercial signs.* Noncommercial signs, except noncommercial charity event signs, shall be allowed in all districts, on vacant and developed lots, subject to the following limitations:
- a. No sign shall exceed six square feet in area on each side and shall not be illuminated.
 - b. No sign shall exceed ten feet in height above street grade.

- c. The side yard and front yard setback from any property line shall be at least five feet. In the case of a corner lot, to ensure adequate sight clearance for a distance of not less than 40 feet from the point of intersection of the intersecting right-of-way lines, the side yard and front yard setback shall be no less than 15 feet.
 - d. Such signs shall be taken down within three calendar days after the event.
 - e. Such signs shall be treated as temporary signs.
- (11) *Noncommercial charity event signs.* Noncommercial charity event signs shall be allowed in all districts, on vacant and developed lots, subject to the following limitations:
- a. Signs shall be of a temporary "banner type" sign; shall be made of a flexible or plasticized cloth, plastic or similar materials; and shall not be attached to the ground or any other structure with the purpose of being more than a temporary fixture.
 - b. Sponsor logos may appear on a noncommercial charity event sign but such logos shall be subordinate to the principle message of the sign and, in aggregate, shall not exceed 15 percent of the total area of one side of the sign.
 - c. No sign shall have an area greater than 60 square feet on any one face. No sign shall have more than two sides containing any message or sponsor logo.
 - d. No sign shall be installed having a top height greater than ten feet.
 - e. No sign shall be erected or installed in a town right-of-way or on other town-owned property unless the event is organized by the town.
 - f. No sign shall be erected or installed more than four weeks prior to the date of the event and the sign shall be removed no later than three days upon conclusion of the event. One sign shall only be located on the site where the charity event is to occur.
- (12) *Temporary signs permitted in all zones.* Temporary signs may be posted on property in all zones of the town, subject to the following requirements and those applicable provisions stated elsewhere in this section.
- a. The total square footage for temporary signs posted on a lot in all residential zones shall not exceed six square feet. The total square footage for temporary signs posted on a building lot in all other zones, in the aggregate, shall not exceed 32 square feet, with no individual sign exceeding 32 square feet. The total square footage of a sign is measured to include all of the visible display area of one side of the sign.
 - b. No temporary sign shall obstruct or impair access to a public sidewalk, public or private street or driveway, traffic control sign, bus stop, fire hydrant, or any other type of street furniture, or otherwise create a hazard, including a tripping hazard.
 - c. No temporary sign shall be illuminated or painted with light-reflecting paint.

- d. A temporary sign shall only be posted with the consent of the property owner or occupant.
- e. A temporary sign may be posted for a period of up to 90 days, at which time the sign shall be removed or replaced.
- f. A temporary sign shall not advertise or promote any commercial enterprise or event not conducted on the same building lot but may provide directional information to the public.

(13) *Signs permitted in government and institutional (G/I) district.*

- a. Town-owned facilities are subject to the following conditions:
 - 1. One freestanding sign with frame or one attached sign with frame per facility. Any such freestanding sign with frame shall not exceed 48 square feet, shall be located permanently on the ground and the sign structure and the sign shall not exceed four feet above street grade. Any such attached sign with frame shall not exceed 24 square feet, shall be placed on the exterior wall of the building which it identifies and shall not extend more than 15 inches beyond the wall surfaces.
 - 2. Directional signs as permitted in subsection (8) of this section.
- b. Nonprofit entities qualified under section 501(c)(3) of the Internal Revenue Code:
 - 1. One freestanding sign with frame or one attached sign with frame per facility. Any such freestanding sign with frame shall not exceed four square feet, shall be located permanently on the ground and the sign structure and the sign shall not exceed three feet above street grade. Any such attached sign with frame shall not exceed four square feet.
 - 2. Directional signs as permitted in subsection (8) of this section.

(Code 1988, § 11-6.03; Ord. No. 06-11-01, arts. IV—VI, 11-8-2006; Ord. No. 2007-09-02, art. IV, 9-4-2007; Ord. No. 2011-01-01, art. VIII, pt. V, 1-4-2011; Ord. No. 2013-03-01, art. III, pt. II, 3-5-2013; Ord. No. 2013-06-02, art. III, pt. II, 6-18-2013; Ord. No. 2018-07-02, art. III, pt. III, 7-10-2018)

Sec. 36-166. Outdoor lighting.

- (a) *Intent.* Outdoor lighting standards are hereby established to provide desirable levels of lighting for adequate visibility, safety and security without unreasonably interfering with the use and enjoyment of neighboring properties. This section is designed to provide uniform distribution of light that minimizes light trespass and controls glare on and off the property. All outdoor lighting shall be planned, erected, altered and maintained in accordance with the following provisions.
- (b) *Lighting prohibited.*

- (1) Light fixtures that imitate an official highway or traffic control light or sign are prohibited.
- (2) Light fixtures in the direct line of vision with any traffic control light or sign are prohibited.
- (3) Light fixtures having a flashing or intermittent pattern of illumination are prohibited.
- (4) Privately owned light fixtures located in the public right-of-way are prohibited.
- (5) Searchlights are prohibited except when used by a federal, state or local authority.
- (6) Light fixtures that violate any law of the state relative to outdoor lighting are prohibited.
- (7) Floodlights for illuminating sports are prohibited except for permitted outdoor recreational uses.
- (8) Illumination of the public beach and estuarine waters from uses that are not water dependent shall be prohibited.
- (9) Lighting of windsocks, fountains or flags is prohibited, except the flags of the United States of America, North Carolina, official flag of the town or permitted flag sign.
- (10) Light fixtures directed overhead are prohibited.

(c) *General provisions.*

- (1) Exterior lighting shall not exceed one footcandle of light (forward or back lighting) measured at the property line of any adjacent property.
- (2) All wiring for outdoor lighting not located on a building shall be placed underground.
- (3) Principal buildings shall be lit for security at intensities no greater than permitted in the table in subsection (c)(7) of this section.
- (4) Floodlights shall not exceed 500 watts. When placed in a cluster the combined wattage shall not exceed the footcandle permitted in the table in subsection (c)(7) of this section.
- (5) Lighting fixtures shall be designed to withstand a minimum wind velocity of 130 miles per hour for a three second gust.
- (6) Freestanding light fixtures within commercial parking lots shall not exceed 35 feet in height, measured from ground level or lowest surrounding ground elevation, and in all other areas, shall not exceed 18 feet in height, measured from ground level. For purposes of this article, "ground level" shall be interpreted to mean the original site elevation before any site work or fill material is added.
- (7) The following lighting intensity levels, measured at ground level in footcandles, shall be exempt from these restrictions. Permitted intensity levels may be approved by town council for reasonable cause.

Type of Outdoor Area or Use Permitted	Range of Average Footcandles Minimum—Maximum
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<i>Parking Areas</i>	
Commercial parking lots	4.0—7
Industrial warehouses	0.5—1
<i>Building Exteriors</i>	
Loading platforms	10
Commercial entrances	5
Architectural	1
<i>Security</i>	
Commercial	1
Industrial	1
Walkways/roads	1
<i>Recreational</i>	
Baseball/football/soccer	25
Tennis/handball/volleyball	20
Basketball	10
Swimming pool	10
Playground	5

- (d) *Site plan requirements.* The town shall require an outdoor lighting plan for review as part of the site plan review process for all uses other than one- and two-family dwelling units. Lighting plans submitted for review shall provide:
- (1) The rationale for the proposed lighting plan.
 - (2) Evidence that a lower lighting level than that requested would not provide sufficient illumination.
 - (3) Rationale for why the selected option was chosen for the particular site.
 - (4) The stamp/seal, license number and signature of the design professional responsible for the plan. Design professional must be a professional engineer, architect or landscape architect licensed to practice in the state.
- (e) *Light fixture (luminaire) specifications.* As part of the site plan submittal for all uses other than one- and two-family dwelling units, the design professional shall provide manufacturers technical specification sheets describing the fixtures to be used.
- (f) *Measurements.*
- (1) Measurements are to be made in footcandles with a direct reading, portable light meter.
 - (2) Unless otherwise specified, the meter sensor shall be mounted not more than six inches above ground level in a horizontal position to measure horizontal illumination. Vertical illumination shall be measured at a height of five feet with the sensor mounted not more than six inches from the wall surface and the meter sensor in the vertical position.
- (g) *Inspection.* All outdoor lighting fixtures may be subject to annual inspection by the code enforcement officer to ensure compliance with the provisions of this article. When a fixture

fails to comply, the code enforcement officer shall give written notice to the owner of the property on which the fixture is located stating that the fixture shall be brought into compliance, or removed at the owner's expense, within 30 days of receipt of the notice. The remedies set out in article XI of this chapter shall also apply to this section.

(Code 1988, § 11-6.04; Ord. No. 02-09-023, pt. I, 9-3-2002; Ord. No. 2012-12-01, art. III, pt. I, 12-4-2012)

Sec. 36-167. Parking, storage, or use of recreational equipment.

Recreational equipment parked or stored in any location shall not be used for living, sleeping, or housekeeping purposes.

(Code 1988, § 11-6.05; Ord. No. 2007-07-01, art. IV, 8-7-2007)

Sec. 36-168. Temporary uses.

The following temporary uses are permitted uses notwithstanding other restrictions of this article:

- (1) Temporary real estate sales offices may be permitted in any residential district for on-site sales of land or residences located only within the subdivision within which such office is located. Any such temporary use must be terminated no more than 30 days from the date that 80 percent of the lots or residences within that subdivision are sold.
- (2) Temporary construction offices may be permitted in any district to provide on-site offices for the management and security of construction projects only. Any such temporary use must be terminated no more than 30 days from the date that construction is completed.
- (3) Temporary storage units, which are enclosed on all sides and can be securely locked for the purpose of inhibiting theft or unauthorized entry, may be permitted in conjunction with a construction, renovation or rehabilitation (but not demolition) project where a building permit issued is for the construction, renovation or rehabilitation of not less than 20,000 square feet of floor space. No advertising signage is permitted on such storage units. The location and number of temporary storage units shall be shown on the site plan and all temporary storage units shall be removed before any certificate of occupancy is issued.
- (4) Within any zoning district, the use of land by the town or its agents to support the construction, repair, replacement, renovation, remodel, rehabilitation and maintenance of town owned, leased, operated or maintained facilities, which include, but are not limited to buildings, streets, utilities, beach accesses, multi-use paths and canals, for a temporary period which reasonably corresponds to the duration of the project.
- (5) Temporary family health care structures.
 - a. The following definitions apply in this section:

1. Activities of daily living—Bathing, dressing, personal hygiene, ambulation or locomotion, transferring, toileting, and eating.
 2. Caregiver—An individual 18 years of age or older who (i) provides care for a mentally or physically impaired person and (ii) is a first- or second-degree relative of the mentally or physically impaired person for whom the individual is caring.
 3. First- or second-degree relative—A spouse, lineal ascendant, lineal descendant, sibling, uncle, aunt, nephew, or niece and includes half, step, and in-law relationships.
 4. Mentally or physically impaired person—A person who is a resident of this State and who requires assistance with two or more activities of daily living as certified in writing by a physician licensed to practice in this State.
 5. Temporary family health care structure—A transportable residential structure providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that (i) is primarily assembled at a location other than its site of installation, (ii) is limited to one occupant who shall be the mentally or physically impaired person, (iii) has no more than 300 gross square feet, and (iv) complies with applicable provisions of the State Building Code and G.S. 143-139.1(b). Placing the temporary family health care structure on a permanent foundation shall not be required or permitted.
- b. The town shall consider a temporary family health care structure used by a caregiver in providing care for a mentally or physically impaired person on property owned or occupied by the caregiver as the caregiver's residence as a permitted accessory use in any single-family residential zoning district on lots zoned for single-family detached dwellings.
 - c. The town shall consider a temporary family health care structure used by an individual who is the named legal guardian of the mentally or physically impaired person a permitted accessory use in any single-family residential zoning district on lots zoned for single-family detached dwellings in accordance with this section if the temporary family health care structure is placed on the property of the residence of the individual and is used to provide care for the mentally or physically impaired person.
 - d. Only one temporary family health care structure shall be allowed on a lot or parcel of land. The temporary family health care structures under subsections (b) and (c) of this section shall not require a special use permit or be subjected to any other local zoning requirements beyond those imposed upon other authorized accessory use structures, except otherwise provided in this section. Such temporary family health care structures shall comply with all setback requirements that apply to the primary structure and with any maximum floor area ratio limitations that may apply to the primary structure.

- e. Any person proposing to install a temporary family health care structure shall first obtain a permit from the town. The fee shall be \$100.00 for the initial permit with an annual renewal fee of \$50.00. The town may not withhold a permit if the applicant provides sufficient proof of compliance with this section. The applicant shall provide evidence of compliance with this section on an annual basis as long as the temporary family health care structure remains on the property. The evidence may involve the inspection by the town of the temporary family health care structure at reasonable times convenient to the caregiver, not limited to any annual compliance confirmation and annual renewal of the doctor's certification.
- f. Notwithstanding subsection (i) of this section, any temporary family health care structure installed under this section shall connect to any water, sewer (including septic system or other wastewater treatment), and electric utilities serving the property and shall comply with all applicable state law, local ordinances, and other requirements, including article 11 of G.S. ch. 160D, as if the temporary family health care structure were permanent real property.
- g. No signage advertising or otherwise promoting the existence of the temporary health care structure shall be permitted either on the exterior of the temporary family health care structure or elsewhere on the property.
- h. Any temporary family health care structure installed pursuant to this section shall be removed within 60 days in which the mentally or physically impaired person is no longer receiving or is no longer in need of the assistance provided for in this section. If the temporary family health care structure is needed for another mentally or physically impaired person, the temporary family health care structure may continue to be used or may be reinstated on the property within 60 days of its removal, as applicable.
- i. The town may revoke the permit granted pursuant to subsection (e) of this section if the permit holder violates any provision of this section or G.S. 160A-202. The Town may seek injunctive relief or other appropriate actions or proceedings to ensure compliance with this section or G.S. 160A-202.

(Code 1988, § 11-6.06; Ord. No. 05-04-04, art. III, 5-3-2005; Ord. No. 2013-09-01, art. III, 9-3-2013; Ord. No. 2021-07-04 , art. III, pt. I, 7-6-2021)

Sec. 36-169. Access to main thoroughfares.

Due to the limited amount of land available within the zoned areas of the town for major thoroughfare rights-of-way and the traffic hazard involved in frequent entrances and exits from a major thoroughfare, it is the intent of this section to keep driveways and street intersections along main thoroughfares to a minimum. In any district established by this chapter where a corner lot abutting U.S. Highway 158, NC 12, or Dogwood Trail (east and north-south), also abuts any other dedicated public right-of-way, such right-of-way shall be used for access, rather than the major thoroughfare, unless an access way cannot be established due to topography, waterways, nonnegotiable grades or other similar conditions.

(Code 1988, § 11-6.07; Ord. No. 06-08-03, art. III, 10-3-2006)

Sec. 36-170. Electrical and communication service.

All electrical, telephone and TV distribution lines and all conduits used for the distribution of such signals, located within the town, shall be placed underground from the point of separation from the transmission or trunk line to the structure of the ultimate user. Existing distribution lines that are in place overhead on the effective date of this regulation may be extended only if placed underground. Transformers and enclosures containing switches, meters, capacitors, etc., may be pad mounted as an exception to the aforementioned.

(Code 1988, § 11-6.08; Ord. No. 2011-04-01, art. III, pt. II, 4-5-2011)

Sec. 36-171. Lot disturbance and stormwater management.

Subject to the requirements of G.S. 160A-417(b), if applicable, in all town zoning districts, including all areas within the extraterritorial jurisdiction, no grading, filling, or other alteration of the topography or elevation of any unimproved lot, or demolition and clearing of improved property, nor any manmade change to any improved real estate resulting in the discharge of stormwater onto adjacent property and requiring a building permit, shall be undertaken prior to the issuance of a lot disturbance-stormwater management permit by the zoning administrator.

- (1) All applications for lot disturbance and stormwater management shall be accompanied by a survey and site plan of the proposed improvements prepared by a state licensed professional surveyor, engineer, architect or other person duly authorized by the state to prepare such plans showing the actual dimensions and shape of the lot, and showing the surveyed pre-disturbance ground elevation at the corners of the proposed structure referenced to mean sea level. The application shall also describe the disturbance or development activity which is proposed for the lot. The application and accompanying survey shall be sufficiently detailed for the zoning administrator to confirm that following construction of the proposed improvements the property will retain all stormwater generated by a one and one-half inch rain event and will not adversely affect any stormwater management system previously constructed by the town or on adjacent properties. No fill material may be re-distributed or placed on a lot in the rear or side setback areas unless the final horizontal-to-vertical slope is equal to or less than 3:1. This shall be calculated from the finished final grade to the rear and side property lines. The burden shall be on the applicant to make such a showing, and the zoning administrator, in his discretion, may request reasonable additional information to make a decision on the application.
- (2) Upon inspection, the zoning administrator shall confirm that the survey detail submitted conforms generally to the pre-disturbance condition of the lot with respect to its elevations, and that the proposed disturbance activity will not create any hazards or disturb land or lots other than that owned by the applicant or his agent. The zoning administrator shall make such notation or comments on the permit as needed to further establish the pre-disturbance topography and elevation of the lot for later use in

determining the permitted height of any structures subsequently constructed on said lot. The zoning administrator may modify an existing lot disturbance and stormwater management permit requirement during the construction process.

- (3) The zoning administrator is hereby authorized to include requirements in the permit which minimize the disturbance or damage of any adjacent lots or land, including any reasonable conditions meeting current best management practices for retaining all stormwater generated by a one and one-half inch rain event. All required stormwater improvements shall be maintained in a manner that ensures that the improvements will continue to satisfy all applicable requirements in the issued permit. When required by the zoning administrator, a certification executed by the person duly authorized by the state to prepare such plans attesting to compliance with all applicable stormwater requirements shall be shown on the survey.

(Code 1988, § 11-6.09; Ord. No. 2006-09-02, art. V(6.09), 11-28-2006; Ord. No. 2011-01-01, art. VIII, pt. VI, 1-4-2011; Ord. No. 2012-04-02, art. III, pt. I, 4-3-2012; Ord. No. 2018-01-01, art. III, pt. I, 1-9-2018; Ord. No. 2019-11-01, art. III, pt. II, 11-6-2019)

Sec. 36-172. Sexually oriented businesses.

- (a) *Findings.* Based on evidence concerning the adverse secondary effects of adult uses on the community, and on the findings incorporated in the cases *City of Renton v. Playtime Theaters, Inc.*, 475 US 41 (1986); *Young v. American Mini Theaters*, US 50 (1976); and *Barnes v. Glenn Theater, Inc.*, 501 US 560 (1991); and on studies in other communities including, but not limited to, Phoenix, Arizona; Tucson, Arizona; Saint Paul, Minnesota; Houston, Texas; Austin, Texas; Indianapolis, Indiana; Amarillo, Texas; Garden Grove, California; and also on findings from the Report of the Attorney General's Working Group on the Regulation of Sexually Oriented Businesses (June 6, 1989, State of Minnesota), a Report on the Regulation of Adult Establishments in North Carolina (May 22, 1996), and findings from the 1997 Town of Southern Shores Land Use Plan questionnaire dealing with sexually oriented businesses, the council finds:
 - (1) According to the studies referenced above, sexually oriented businesses tend to lend themselves to ancillary unlawful and unhealthy activities that are uncontrolled by the operators of the establishments. Further, without a reasonable regulation there is no mechanism to make owners of these establishments responsible for the activities that occur on their premises.
 - (2) Sexually oriented businesses provide a potential focus for illicit and undesirable activities by providing a place of contact for numerous potential customers for prostitution, pandering and other activities.
 - (3) In combination with on-site or nearby alcoholic beverage service or other sexually oriented businesses, the concentration of uses increases the quantity of undesirable activities. There is a snowball effect of undesirable activities that feed upon and support each other.

- (4) Facilitation of illicit behavior results in the exposure of children and youth, in adjacent neighborhoods or nearby educational or religious institutions, to inappropriate models of behavior which they are unprepared to understand or respond to effectively. Where criminal activity is involved, children, women and the elderly are especially prone to victimization.
- (5) The very existence of a sexually oriented business opens to question the presence of pedestrians within that area. This unsolicited attention is intimidating to children, women alone and the elderly.
- (6) There is a strong tendency for inappropriate activities to seek nearby venues. Prostitution and other illicit activities will find lightly used and under used nearby parks, parking lots, garages, alleyways and other spaces for their activities. A sexually oriented business does not necessarily create the activity but provides a facilitating setting for supporting these activities. It provides a legitimizing reason for the presence of individuals who have illicit intent.
- (7) Sexually oriented businesses have a negative impact upon both residential and commercial property values within three blocks of the location. The preponderance of research suggests that the presence of sexually oriented businesses is considered by real estate appraisers and lenders to be evidence of community decline and decay. Other research indicates that areas with sexually oriented businesses experience lower rates of appreciation in property values and/or higher turnover in properties in comparison to comparable areas without sexually oriented businesses. Crime rates are significantly higher in areas with one or more sexually oriented businesses than in comparable areas without these businesses within the same municipality. (See American Center for Law and Justice on the Secondary Impacts of Sexually Oriented Businesses.)
- (8) Certain employees of sexually oriented businesses, defined as adult theaters and adult cabarets, may engage in a higher incidence of certain types of illicit sexual behavior than employees of other commercial establishments.
- (9) Sexual acts, including masturbation and oral and anal sex, occur at sexually oriented businesses, especially those that provide private or semiprivate booths or cubicles for viewing films, videos, or live sex shows.
- (10) Persons frequent such adult theaters, adult cabarets and other sexually oriented businesses for the purpose of engaging in sex within the premises of such sexually oriented businesses.
- (11) At least 50 communicable diseases may be spread by activities occurring in sexually oriented businesses including, but not limited to: syphilis, gonorrhea, human immunodeficiency virus infection (HIV-AIDS), genital herpes, hepatitis B, Non A, Non B amebiasis, salmonella infections, and shigella infections.
- (12) Sanitary conditions in some sexually oriented businesses are unhealthy because of the unregulated nature of the activities and the failure of the owners and the operators of the facilities to self-regulate those activities and maintain those facilities.

- (13) The 1997 Southern Shores Land Use Plan Update included a series of questions posed to town residents and property owners regarding their perception of town attributes and services and the direction of the town's development. A specific question dealt with aspects of adult entertainment establishments, and the sketch land use plan update concluded:

"Respondents strongly agreed that the presence of adult entertainment establishments would adversely affect residential property values (84.3 percent of the 92.4 percent responding) and adversely affect nearby commercial establishments and businesses (77.6 percent of the 91.3 percent responding). Respondents also strongly agreed that adult entertainment establishments would negatively influence their decision to buy a home or vacation in Southern Shores (76.3 percent of the 91.7 percent responding). The respondents strongly disagreed with the statement that adult entertainment establishments would enhance the vacation resort attraction of Southern Shores for vacationing families (71 percent of the 91.8 percent responding)." (See Southern Shores Planning Board Report of June 4, 1999.)

- (14) The town's total land area is one mile wide by four miles long with only 2.9 percent of the land area zoned for commercial use. The rest of the town is encumbered by restrictive covenants. The only commercial district runs along the town's southern border on Route 158, the major access route to the Outer Banks for tourists and residents.
- (15) In September 1999, the town reported a population of 1,923 fulltime residents. The majority of these are retired persons and this trend is expected to continue into future populations. According to the 1997 CAMA sketch land use plan update, almost one-quarter of the population of the county in 1995 was 55 years of age or older.
- (16) The town was first conceived and designed as a planned residential community, and that concept was supported further in 1979 when the town was incorporated. Throughout its 52-year history, it has valued its family residential character. In its most recent referendum, a liquor by the drink proposal was defeated by the electorate, preferring instead its family residential goals to increased commercialism.
- (17) The town never has been, and never is expected to be, a self-sufficient community. Residents of the town consistently and on a daily basis leave the town to procure goods and services and to conduct routine business. (Refer to Southern Shores Planning Board Report of June 4, 1999.) Residents must travel to other communities for automotive sales and service, bars and grills, bookstores and libraries, boat and marina sales and supplies, business supplies and equipment, home furnishings and decorating supplies or services, building supplies, hardware stores, electronic equipment sales and services, employment agencies, home appliances and repairs, liquor stores, specialty foods, sports and recreational equipment and services, comprehensive health care, hospitals, and funeral services, among others.
- (18) Any First Amendment rights of citizens or visitors to the town to sexually oriented entertainment can readily be met in nearby communities. Provision for the establishment of sexually oriented businesses has been made approximately eight miles

south of Southern Shores by the towns of Kill Devil Hills and Nags Head. An adult entertainment business currently operates in Currituck County about 3¼ miles from the town's western border.

(19) A public hearing was held jointly by the town council and planning board on Monday, August 16, 1999, to allow the general public an opportunity to express opinions on sexually oriented businesses. The consensus held that sexually oriented businesses would negatively impact life styles and moral values if permitted in the town.

(b) *Sexually oriented business prohibited.* Based upon the input from the public hearings, studies recited in the findings and the findings in subsection (a) of this section, all sexually oriented businesses, as defined in section 36-57, are prohibited.

(Code 1988, § 11-6.10)

Sec. 36-173. Buffers and landscaping requirements.

(a) *Intent.* The intent of this article is to provide adequate separation and buffering between incompatible land uses, enhance the visual image of the town and promote public health, welfare and safety by:

- (1) Reducing noise pollution, air pollution and artificial light glare within the town.
- (2) Providing cooling shade, oxygen, and filtering of the town's air.
- (3) Providing for the conservation of water resources through the efficient use of water, appropriate use of plant materials, and regular maintenance of landscaped areas.
- (4) Preserving the positive visual character of the town by enhancing well-designed structures.
- (5) Increasing compatibility between abutting land uses and public rights-of-way by providing landscaping screening and buffers.

This section establishes requirements for buffers between commercial zones and residential zones and for all ~~conditional~~ special uses. It also establishes requirements for landscaping on all sites other than one- and two-family dwelling units. Sites undergoing redevelopment shall be required to comply with this article.

(b) *Definitions.* The following words, terms and phrases, when used in this section, shall have the meanings ascribed to them in this subsection, except where the context clearly indicates a different meaning:

- (1) *Fence* is as conventionally known except that the outside surface of the fence facing the adjacent property shall be the finished surface. The fence shall be coordinated with the finishes of other construction facilities on the site. For the purposes of this section, fence does not include chainlink fences with opaque inserts or split rail fences.
- (2) *Height* is measured from the proposed average ground surface elevation immediately adjacent to the buffer.

- (3) *Opaque* excludes all visual contact screened by the buffer between the commercial site interior to the buffer and the abutting lands except that the lowest one foot of height may allow visual contact. The opaque portion of a buffer shall be opaque yearround.
 - (4) *Redevelopment* includes any change of use or site plan amendment requiring approval by the town.
 - (5) *Soil berm* is constructed of clean, suitable, native or borrowed soil material. The finished slopes shall not exceed 1:3 (rise:run).
- (c) *Buffers*. Where a commercial use or zone abuts a residential zone, or where a ~~conditional~~ special use is planned in a residential zone, a buffer of dense vegetative planting or natural vegetation is required. The buffer area shall be a mixture of various trees and shrubs with a minimum width of 20 feet with two staggered rows of planting material placed ten feet on centers that are a minimum of three feet in height when installed and are expected to achieve a height of six feet within three years. Suitable plant types shall be those recommended for the coastal area, by the department of agriculture, which can be expected to reach a mature growth of eight to ten feet. The vegetation plan shall be approved by the town council. Buffers to be permitted in the town shall consist of berms, fencing and/or vegetation.
- (1) There shall be three types of buffers:
 - a. Type A buffer: An opaque, vegetative buffer of a minimum width of 20 feet that will reach a height of six feet in three years. The buffer may include a stabilized soil berm not more than 50 percent of the required height.
 - b. Type B buffer: An opaque buffer consisting of a fence screened on the outside by vegetation. The top of the fence shall have a height of not less than six feet. The buffer minimum width shall be ten feet. The buffer may include a stabilized soil berm not more than 50 percent of the required height. The screening vegetation shall be a minimum of 50 percent opaque and shall reach a height of six feet in three years.
 - c. Type C buffer: A 50 percent opaque vegetation screening buffer of a minimum width of five feet that will reach a height of three feet in two years. The buffer may include a stabilized soil berm as part of, or all of, the required height. The buffer shall include evergreen trees planted not more than 20 feet on centers and these trees shall reach a height of six feet in three years. A list of acceptable plant species for each buffer type shall be established and maintained by the planning board.
 - (2) The buffers required by this section shall conform to type A or type B where a commercial zone abuts a residential zone. Type C buffers are required along site perimeters abutting public or private rights-of-way. Buffering requirements in ~~conditional~~ special uses shall be determined on a case-by-case basis as part of the landscaping plan.

- (3) Unless specified otherwise in the various district regulations, buffers within the commercial zones and abutting residential zones shall not interfere with access and use of public utility facilities.
 - (4) Buffer details, including vegetation type and size and fence details, shall be submitted as part of the site plan for planning board review and for approval by the town council. Plants shall be selected for the hardiness, growth potential and suitability to the particular site. Plants should be drought- and salt-tolerant or provisions shall be made for irrigation.
 - (5) Aboveground structures, accessory to the principal use of the site including, but not limited to, dumpsters, dumpster screens, sheds, parking and driveways, shall not be located in the buffer, except for access where such driveways may transverse the buffers, where such driveways have been reviewed by the planning board and approved by the town council.
 - (6) Buffer design and construction shall include provisions necessary for maintaining the buffer or removal and replacement of elements of the buffer.
 - (7) Where off-street parking is provided between the building line and the street right-of-way line or any business use, a buffer strip of at least five feet in width shall be provided.
- (d) *Landscaping.* Landscaping plans of the intended development shall be submitted and approved prior to the preliminary landscaping plan and shall be submitted to the planning board not later than 14 days from its next meeting.
- (1) *Preliminary landscape plan.* A preliminary landscape plan shall be submitted as part of an application for land use entitlement, for new development, and for the significant expansion or redevelopment of the existing use as determined by the code enforcement officer.
 - (2) *Final landscape plan.* A final landscape plan shall be submitted as part of the application for a building permit.

Preliminary landscape plans and final landscape plans shall contain information specified in the instructions provided by the town and will be approved by the planning board and the town council.

- (e) *Maintenance.*
- (1) Buffers shall be maintained to meet the criteria of this section. Maintenance of buffers is a continuing condition of the site plan approval and a condition of compliance therewith and occupancy thereof.
 - (2) Landscaped areas shall be maintained in a healthful and sound condition at all times. Irrigation systems and their components shall be maintained in a fully functional manner consistent with the originally approved design and the provisions of this section. Regular maintenance shall include checking, adjusting and repairing irrigation equipment; resetting automatic controllers; aerating and dethatching turf areas;

adding/replenishing mulch, fertilizer and soil amendments; pruning; and weeding all landscaped areas.

(Code 1988, § 11-6.11; Ord. No. 02-09-022, pt. I, 9-3-2002)

Sec. 36-174. Screening natural gas facilities.

Any aboveground appurtenances, facilities or structures (except buildings which are occupied and governed by other provisions of this chapter), constructed as a part of a natural gas utilities system within the town for the production, transmission, distribution and sale of gas, shall be screened with vegetative buffers as follows:

- (1) All appurtenances, facilities or structures shall not be visible from ground level to a point eight feet above ground level.
- (2) Buffers shall consist of trees or shrubs as described in section 36-173(c)(1).
- (3) Plants shall be of a size and planted at such intervals that they will reach full maturity and/or provide the full screening required herein within three years from the date of the completion of construction of such appurtenance, facility or structure.
- (4) The franchisee for such natural gas utility system shall keep, replace and maintain the vegetative buffer required herein such that at all times, the vegetation is alive and, after the first three years, the full eight foot buffer is at all times in place.
- (5) Failure to comply with the terms of this section allows, in addition to any other remedies available under the provisions of this Code, the town to plant or replace such vegetative buffer to comply with the terms of this section, with all costs thereof being charged to the franchisee.

(Code 1988, § 11-6.12; Ord. No. 05-05-02, art. III, 6-24-2005)

Sec. 36-175. Wireless telecommunications sites, facilities and towers.

- (a) *Definitions.* The following definitions shall apply to all portions of the town Code relating to the use or construction of any portion of a wireless telecommunications site within the town.
 - (1) *Antenna:* Communications equipment that transmits, receives, or transmits and receives electromagnetic radio signals used in the provision of all types of wireless communications services.
 - (2) *Applicable codes:* The North Carolina State Building Code and any other uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization together with state or local amendments to those codes enacted solely to address imminent threats of destruction of property or injury to persons.

- (3) *Application*: A request that is submitted by an applicant to a city for a permit to collocate wireless facilities or to approve the installation, modification, or replacement of a utility pole, city utility pole, or wireless support structure.
- (4) *Base station*: A station at a specific site authorized to communicate with mobile stations, generally consisting of radio receivers, antennas, coaxial cables, power supplies, and other associated electronics.
- (5) *Building permit*: An official administrative authorization issued by the town prior to beginning construction consistent with the provisions of G.S. 160A-417.
- (6) *City rights-of-way*: A rights-of-way owned, leased, or operated by a city, including any public street or alley that is not a part of the state highway system.
- (7) *City utility pole*: A pole owned by a city in the city rights-of-way that provides lighting, traffic control, or a similar function.
- (8) *Collocation*: The placement, installation, maintenance, modification, operation, or replacement of wireless facilities on, under, within, or on the surface of the earth adjacent to existing structures, including utility poles, city utility poles, water towers, buildings, and other structures capable of structurally supporting the attachment of wireless facilities in compliance with applicable codes. The term "collocation" does not include the installation of new utility poles, city utility poles, or wireless support structures.
- (9) *Communications facility*: The set of equipment and network components, including wires and cables and associated facilities used by a communications service provider to provide communications service.
- (10) *Communications service*: Cable service as defined in 47 U.S.C. § 522(6), information service as defined in 47 U.S.C. § 153(24), telecommunications service as defined in 47 U.S.C. § 153(53), or wireless services.
- (11) *Communications service provider*: A cable operator as defined in 47 U.S.C. § 522(5); a provider of information service, as defined in 47 U.S.C. § 153(24); a telecommunications carrier, as defined in 47 U.S.C. § 153(51); or a wireless provider.
- (12) *Eligible facilities request*: A request for modification of an existing wireless tower or base station that involves collocation of new transmission equipment or replacement of transmission equipment but does not include a substantial modification.
- (13) *Equipment compound*: An area surrounding or near the base of a wireless support structure within which a wireless facility is located.
- (14) *Fall zone*: The area in which a wireless support structure may be expected to fall in the event of a structural failure, as measured by engineering standards.
- (15) *Geographic antenna coverage area*: The general vicinity within which an antenna serves the transmission requirements of a cellular or other broadcasting network.
- (16) *Land development regulation*: Any ordinance enacted pursuant to G.S. ch. 160A, art. 19, pt. 3E.

- (17) *Micro wireless facility*: A small wireless facility that is no larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height and that has an exterior antenna, if any, no longer than 11 inches.
- (18) *Monopole*: A slender self-supporting telecommunications tower consisting of a single pole.
- (19) *Search ring*: The area within which a wireless support facility or wireless facility must be located in order to meet service objectives of the wireless service provider using the wireless facility or wireless support structure.
- (20) *Small wireless facility*: A wireless facility that meets both of the following qualifications:
- a. Each antenna is located inside an enclosure of no more than six cubic feet in volume or, in the case of an antenna that has exposed elements, the antenna and all of its exposed elements, if enclosed, could fit within an enclosure of no more than six cubic feet.
 - b. All other wireless equipment associated with the facility has a cumulative volume of no more than 28 cubic feet. For purposes of this sub subdivision, the following types of ancillary equipment are not included in the calculation of equipment volume: electric meters, concealment elements, telecommunications demarcation boxes, ground based enclosures, grounding equipment, power transfer switches, cutoff switches, vertical cable runs for the connection of power and other services, or other support structures.
- (21) *Stealth structure*: A wireless support structure designed to look like or incorporated within a structure which has a primary purpose as something other than a wireless support structure or is otherwise designed in a manner in which all wireless facilities attached to the structure are concealed from view, including, but not limited to trees, flag poles, slick sticks (flag poles without flags), clock towers, bell towers or church steeples.
- (22) *Substantial modification*: The mounting of a proposed wireless facility on a wireless support structure that substantially changes the physical dimensions of the support structure. A mounting is presumed to be a substantial modification if it meets any one or more of the criteria listed below. The burden is on the local government to demonstrate that a mounting that does not meet the listed criteria constitutes a substantial change to the physical dimensions of the wireless support structure.
- a. Increasing the existing vertical height of the structure by the greater of (i) more than ten percent or (ii) the height of one additional antenna array with separation from the nearest existing antenna not to exceed 20 feet.
 - b. Except where necessary to shelter the antenna from inclement weather or to connect the antenna to the tower via cable, adding an appurtenance to the body of a wireless support structure that protrudes horizontally from the edge of the wireless support structure the greater of (i) more than 20 feet or (ii) more than the

width of the wireless support structure at the level of the appurtenance.

- c. Increasing the square footage of the existing equipment compound by more than 2,500 square feet.
- (23) *Telecommunications accessory equipment structure*: A building or cabinet-like structure located adjacent to, or in the immediate vicinity of a wireless support structure or antenna to house equipment incidental to the receiving or transmitting of wireless broadcasts, cellular telephone calls, voice messaging and paging services.
- (24) *Tower, short telecommunications*: A telecommunications tower with a height that is less than 70 feet.
- (25) *Tower, tall telecommunications*: A telecommunications tower with a height that is 70 feet tall or greater up to a height of 195 feet tall.
- (26) *Tower, telecommunication*: A freestanding wireless support structure, including stealth structures which are not incorporated within another type of structure, which are intended to support one or more wireless facilities.
- (27) *Utility pole*: A structure that is designed for and used to carry lines, cables, wires, lighting facilities, or small wireless facilities for telephone, cable television, electricity, lighting, or wireless services.
- (28) *Water tower*: A water storage tank, a standpipe, or an elevated tank situated on a support structure originally constructed for use as a reservoir or facility to store or deliver water.
- (29) *Wireless facility*: Equipment at a fixed location that enables wireless communications between user equipment and a communications network, including (i) equipment associated with wireless communications and (ii) radio transceivers, antennas, wires, coaxial or fiber optic cable, regular and backup power supplies, and comparable equipment, regardless of technological configuration. The term includes small wireless facilities. The term shall not include any of the following:
 - a. The structure or improvements on, under, within, or adjacent to which the equipment is collocated.
 - b. Wireline backhaul facilities.
 - c. Coaxial or fiber optic cable that is between wireless structures or utility poles or city utility poles or that is otherwise not immediately adjacent to or directly associated with a particular antenna.
- (30) *Wireless infrastructure provider*: Any person with a certificate to provide telecommunications service in the state who builds or installs wireless communication transmission equipment, wireless facilities, or wireless support structures for small wireless facilities but that does not provide wireless services.
- (31) *Wireless provider*: A wireless infrastructure provider or a wireless services provider.
- (32) *Wireless services*: Any services, using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public using wireless facilities.

- (33) *Wireless services provider*: A person who provides wireless services.
- (34) *Wireless support structure*: A new or existing structure, such as a monopole, lattice tower, or guyed tower that is designed to support or capable of supporting wireless facilities. A utility pole or a city utility pole is not a wireless support structure.
- (35) *Wireless telecommunications site*: The combination of all of the materials and equipment on a site used to provide wireless telecommunications service including, but not limited to, any wireless support structures, telecommunications towers, wireless facilities, antennae, ground based communications equipment, telecommunications accessory equipment structures and equipment compounds.
- (b) *Requirements for wireless telecommunications sites, new wireless support structures or substantial modification of wireless support structures*. All wireless telecommunications sites, new wireless support structures or substantial modification of wireless support structures located within the town must comply with all of the following requirements:
- (1) *Safety standards*. All proposed telecommunication towers, new wireless support structures or substantial modification of wireless support structures and wireless facilities shall comply with all applicable federal, state and local laws including specifically the following:
 - (a) Federal Communications Commission standards, rules and regulations;
 - (b) Federal Aviation Administration standards, rules and regulations; (c) N.C.G.S. 160-400.50 et seq.;
 - (d) The North Carolina Building Code;
 - (e) Accepted industry standards for wind loading, base stabilization and other critical engineering characteristics as defined by American National Standards Institute (ANSI), Telecommunications Industry Association (TIA) and Electronic Industry Alliance (EIA) 222-G or its successors.
 - (2) Use guidelines and dimensional requirements.
 - (a) *Permissible uses*. Wireless telecommunications sites and facilities shall only be permitted as follows:
 1. As an accessory use to an existing primary use that is not a dwelling.
 2. As a collocation of wireless facilities upon an existing permitted wireless telecommunications site.
 - (b) *Collocation*.
 1. Collocation of new antennas, wireless facilities and other equipment on an existing wireless support structure or structures within the applicant's search ring shall be required whenever reasonably feasible. Collocation is not reasonably feasible if an applicant can show it is technically or commercially impractical for the applicant to collocate or if the owners of all of the telecommunication towers within the applicant's search ring where

collocation would be technically practical are unwilling to enter into a contract for such use at fair market value.

2. Short telecommunications towers including the structure and fenced compound shall be designed to accommodate the wireless facilities of at least one provider plus space for emergency communication antennas used by the town's police and fire service provider.
3. Tall telecommunications towers including the structure and fenced compound shall be designed to accommodate collocation of the wireless facilities of at least three providers plus space for emergency communication antennas used by the town's police and fire service provider.

(c) *Location.*

1. Tall telecommunications towers shall not be located within one-half mile of any other tall telecommunications tower or within 250 feet of any other wireless support structure located within the expected geographic antenna coverage area of the proposed telecommunication tower.
2. Short telecommunications towers and stealth structures incorporated within another structure shall not be located within 250 feet of any other wireless support structure located within the expected geographic antenna coverage area of the proposed wireless support structure unless the applicant can show that locating the structure within the prescribed distance is necessary to insure adequate coverage and capacity. In the case of a stealth structure incorporated within another structure, the town council may reduce or disregard the distance requirement stated herein.

(d) *Height.* The height of a wireless support structure includes any attached or proposed to be attached wireless facilities and shall be measured vertically from the pre-disturbance ground level at the center of the structure. The height shall not include emergency communications antennas or lightning rod(s) attached to the structure.

1. In no case shall a wireless support structure of any kind or any attached wireless facilities exceed 195 feet in height.
2. The height of tall telecommunications towers shall not exceed 195 feet.
3. The height of short telecommunications towers shall not exceed 70 feet.
4. The height of stealth structures incorporated within or upon an otherwise permitted structure shall not exceed the height allowed for the structure.
5. The height of stealth structures designed to look like another structure or naturally occurring thing, i.e. a tree, shall not unreasonably exceed the height allowed for the type of structure or the typical thing they are designed to look like. The reasonableness of excess height shall be considered on an application by application basis and shall take into account the totality of the circumstances including specifically, the height needed to provide

communications services and the wireless support structure's visual consistency with the area in which it will be located.

6. In no case shall a wireless support structure of any kind or any attached wireless facilities exceed the minimum height necessary to accomplish the purpose it is proposed to serve. Notwithstanding the foregoing, when measuring the height of a wireless support structure, the purpose of the structure may include maximizing the ability for collocations upon the structure and shall include ensuring that the structure is capable of supporting at least the minimum number of collocations required by this ordinance.
- (e) *Permitted structures.* Stand alone wireless support structures and pole-like stealth structures shall be monopoles. Stealth structures designed to look like other structures or naturally occurring things, i.e. a tree, or that are incorporated within or upon any existing or permitted structure are allowed if otherwise consistent with this ordinance. Wireless support structures using other designs, including, but not limited to guyed towers and lattice type towers shall not be permitted.
- (f) *Setbacks.*
1. Unless otherwise provided by this ordinance, the dimensions of the entire lot shall be used to determine if a wireless telecommunications site meets the dimensional and setback requirements of this section. An existing use or structure on the same lot shall not preclude locating a wireless telecommunications site on a lot so long as compliance with subsection 36-175(2)(a) is maintained.
 2. The base of a wireless support structure shall be located at least one foot from the nearest property line for every one foot of proposed height. In the case of stand alone stealth structures only, the town council may in its discretion consider publicly maintained roadways as providing additional property for calculation of set backs and/or reduce the setback requirement from this 1:1 setback ratio to a setback of one-third of the height of the proposed structure. The 1:1 setback requirement may only be reduced to one-third of the height of the proposed structure when a North Carolina registered professional engineer certifies that the wireless support structure's fall zone is equal to or less than the setback requested and that the structure is designed to collapse within the setback requested provided any or all of the following are also shown by the applicant:
 - i. No dwelling unit is located or can be constructed within the fall zone of the wireless support structure; or
 - ii. Where a dwelling unit is located or can be constructed within the fall zone of the wireless support structure, all property owners within the fall zone have agreed in writing or through sworn testimony that they are willing to accept the risks of the reduced setback.

3. When stealth structures are incorporated within or upon an existing or otherwise permitted structure, the setbacks associated with the structure shall apply.
4. Telecommunications accessory equipment structures, any equipment compounds and any other structures shall be set back a minimum of 50 feet from all property lines and rights-of-way. Where visual impact and public safety concerns will not be affected, the town council may reduce the setback to no less than 15 feet.

(g) *General aesthetics.*

1. Telecommunication towers, wireless facilities, accessory equipment structures and equipment compounds shall be constructed and maintained to minimize visual obtrusiveness in color and finish. Stealth structures shall be consistent with the overall appearance of the town and of the area of town in which they are located.
2. Accessory equipment structures, equipment compounds and related structures at telecommunication tower sites shall be of such design, materials and colors to blend with surrounding structures.
3. Outdoor storage of equipment or related items shall be prohibited at all wireless telecommunication sites.
4. Electrical and telephone lines serving a wireless telecommunication site shall be installed underground from the point of existing service.
5. Sound emissions, such as alarm bells, buzzers and the like, shall not be permitted. Nothing contained herein shall prohibit the reasonable use of emergency generators at wireless telecommunications sites.

(h) *Fencing.* All telecommunication towers, their accessory equipment structures and equipment compounds shall be enclosed by chain link fencing and/or wall, not less than six feet nor more than ten feet in height. Such fences may be equipped with anti-climbing devices. The gate into the fenced area shall be located so that it is not easily visible from a street or adjacent property.

(i) *Screening/landscaping and buffers.*

1. The base of a wireless support structure, to a minimum height of ten feet above average grade at the tower base, shall not be visible from any publicly owned or maintained roadway.
2. Screening is required along all exterior sides of the fence described above excluding the gate. Screening shall be a minimum width of ten feet with two staggered rows of planting material placed ten feet on center, that are a minimum of five feet in height when planted, and that are expected to reach a height of eight feet within three years. Suitable plant types shall be those recommended by the U.S. Department of Agriculture to achieve a mature growth height of eight to ten feet in the coastal area. The town council may

Town of Southern Shores, NC
ZTA-22-07
7-18-22
Page 67 of 142

waive or modify this requirement where existing trees, vegetation and/or structures provide suitable screening and buffering.

(j) *Lighting.*

1. Telecommunication towers shall be lighted only if specifically required by the Federal Aviation Administration, in which case, Federal Aviation Administration minimum lighting requirements shall be applied.
2. When lighting is required by the Federal Aviation Administration, strobe lights shall be avoided unless specified by Federal Aviation Administration. When strobe lights are required on telecommunication towers, a dual lighting system of white strobes for daytime lighting and a red flashing light atop the tower for nighttime lighting shall be used unless other lighting is specifically required by the Federal Aviation Administration, the U.S. Fish and Wildlife Service or any state or federal agency having regulatory authority over the applicant.
3. Except for lighting described in 2. above, all lighting at a wireless telecommunications site shall be shielded and shall comply with the provisions for outdoor lighting contained in section 36-166.

- (k) *Signage.* Wireless telecommunication sites shall not display signage, logos symbols or any messages of a commercial or non-commercial nature except for legal notices, identifications, directional and informational signs erected or required by governmental bodies, public utilities or civic associations with the approval of town council;. A sign, not visible from a public right-of-way or adjacent residences, shall be posted on the fence gate identifying the current owner of the tower, emergency contact person or agency, and applicable contact numbers. This provision shall not preclude the applicant from posting any additional signage required by federal or state law.

(c) *Collocation and eligible facilities requests of wireless support structures.*

- (1) The town may not deny and shall approve any eligible facilities request as provided in this section.
- (2) No application or approval is required for routine maintenance and this section shall not be construed to limit the performance of routine maintenance on wireless support structures and facilities, including in-kind replacement of wireless facilities. Routine maintenance includes activities associated with regular and general upkeep of transmission equipment, including the replacement of existing wireless facilities with facilities of the same size.
- (3) For all collocations and eligible facilities request, an application is required.
- (4) A collocation or eligible facilities request application is deemed complete unless the town provides notice that the application is incomplete in writing to the applicant within 45 days of submission or within some other mutually agreed upon time frame. The notice shall identify the deficiencies in the application which, if cured, would

make the application complete. The town may deem an application incomplete if there is insufficient evidence provided to show that the proposed collocation or eligible facilities request will comply with federal, state, and local safety requirements. The town may not deem an application incomplete for any issue not directly related to the actual content of the application and subject matter of the collocation or eligible facilities request. An application is deemed complete on resubmission if the additional materials cure the deficiencies indicated.

- (5) The town shall issue a written decision approving an eligible facilities request application within 45 days of such application being deemed complete. For a collocation application that is not an eligible facilities request, the town shall issue its written decision to approve or deny the application within 45 days of the application being deemed complete.
- (6) The town may impose a fee not to exceed \$1,000.00 for technical consultation and the review of a collocation or eligible facilities request application. The fee must be based on the actual, direct, and reasonable administrative costs incurred for the review, processing, and approval of a collocation application. The town may engage a third-party consultant for technical consultation and the review of a collocation application. The town may incorporate such fees into its generally adopted fee schedule. The fee imposed by the town for the review of the application may not be used for either of the following:
 - (a) Travel expenses incurred in a third-party's review of a collocation application.
 - (b) Reimbursement for a consultant or other third party based on a contingent fee basis or results-based arrangement.
- (d) *Application requirements.* Any person that proposes to construct or substantially modify a wireless telecommunications site (including construction of wireless support structures or substantial modifications of wireless support structures) or who proposes to collocate or make an eligible facilities request shall submit a completed application with the necessary copies to the town planning department. An application shall not be deemed complete until all of the following items required have been submitted:
 - (1) For wireless telecommunications sites only, documentation showing the reasonable feasibility of collocating new antennas, wireless facilities and equipment on an existing structure or structures within the applicant's search ring. If an applicant contends that collocation on an existing structure is not reasonably feasible he shall submit documentation that (1) collocation is technically or commercially impractical; or (2) the owner of the telecommunication tower is unwilling to enter into a contract for such use at fair market value. At a minimum, technical documentation shall include a map of the search ring displaying all potential collocation sites and stating why each is suitable or unsuitable. Where an applicant contends that the owner or an existing wireless support structure or other feasible structure will not contract for its use for fair market value, the applicant must submit, in writing (1) a declaration from owners of all technically feasible collocation sites stating the price at which they are willing to negotiate space; (2) evidence that the applicant has tried in good faith to negotiate

market value terms for the collocation at each site and (3) a licensed appraiser's certified opinion on the market value of collocation at each technically feasible collocation site.

- (2) A scaled site plan, scaled elevation view, and supporting drawings, calculations and other documentation, prepared and sealed by appropriate licensed professionals, showing the location and dimensions of all improvements for the wireless telecommunications site including topography, wireless supports structure height requirements, setbacks, access driveways or easements, parking, fencing, landscaping, adjacent uses and any other information necessary to assess compliance with this article and compatibility with surrounding uses.
- (3) For wireless telecommunications sites only, documentation that Federal Aviation Administration's minimum lighting standards have been met for the wireless telecommunications site.
- (4) For wireless telecommunications sites only, documentation that the proposed wireless telecommunications site will comply with all applicable FCC rules and regulations.
- (5) Documentation, prepared and sealed by a professional engineer registered in North Carolina, that the proposed wireless support structure and any attached wireless facilities and antennae meet or exceed accepted industry standards for wind loading, base stabilization and other critical engineering characteristics required by this ordinance, the North Carolina Building Code and the accepted industry standards for wind loading, base stabilization and other critical engineering characteristics as defined by American National Standards Institute (ANSI), Telecommunications Industry Association (TIA) and Electronic Industry Alliance (EIA) 222-G or its successors.
- (6) Documentation, prepared and sealed by a professional engineer registered in North Carolina, that the proposed wireless support structure and any attached wireless facilities and antennas do not exceed the minimum height necessary to accomplish the purpose for which they are constructed.
- (7) For wireless telecommunications sites only, documentation, prepared and sealed by a professional engineer registered in the state, stating the number of collocations that the proposed wireless support structure is designed to accommodate once constructed.
- (8) Documentation, prepared and sealed by a professional engineer registered in the state, to demonstrate that the wireless support structure has sufficient structural integrity for its intended uses. Documentation shall include a certification that all wireless support structures and attached wireless facilities shall be capable of withstanding sustained winds of at least 135 miles per hour whether or not all of the collocations the structure has been designed to accommodate have been attached to the structure.
- (9) A copy of the lease agreement with the property owner along with copies of any easement agreements necessary for ingress, egress and use of the property.
- (10) Documentation consisting of a certificate of insurance verifying the existence of general liability insurance coverage of at least \$5,000,000.00 at no cost to the town. The certificate shall contain a requirement that the insurance company notify the town

30 days prior to the cancellation, modification, or failure to renew the insurance coverage required.

- (11) For wireless telecommunications sites only, a copy of the approved National Environmental Policy Act of 1969 (NEPA) compliance report for all wireless support structures, antennas, wireless facilities, accessory structures or equipment proposed for the site, if such report is required to be produced pursuant to federal or state law.
 - (12) For wireless telecommunications sites only, documentation from the town's police and fire service providers regarding the number and type of emergency communication antennas which are necessary for the wireless telecommunications site to support such communications along with a certification from a professional engineer registered in the state stating that the wireless telecommunications site is designed to support the attachment of the necessary emergency communication antennas.
 - (13) For wireless telecommunications sites only, a memorandum of understanding regarding removal of abandoned structures and equipment located at the proposed wireless telecommunication site. Any wireless telecommunications site that is not operated for 180 continuous days in a 12-month period shall be considered abandoned. The owner of an abandoned wireless telecommunications site shall be responsible for the removal of all structures and equipment on the site within 90 days of receipt of such notification by the town. Failure to remove abandoned equipment will result in its removal by the town at the owner's expense. In its discretion, the town may condition approval of a permit for building of the proposed wireless support structure on the applicant providing a bond or letter of credit sufficient to allow the town to remove the proposed structure if it is abandoned and not removed within the allowed time period by the applicant.
 - (14) Any other documentation necessary to ensure compliance with this section as well as applicable federal and state laws.
- (e) *Review process.* The town will use the following criteria in its review of an application for any wireless telecommunication site, telecommunication tower, wireless facility, antennae or accessory structure other than small wireless facilities.
- 1. The proposed application meets or exceeds the standards of this section.
 - 2. The use will not materially endanger the public health, safety or welfare if located where proposed and developed according to the plan submitted.
 - 3. The required conditions, specifications, and actions described in this article have been met.
 - 4. The location and character of the facility will be in harmony with the area in which it is to be located.
- (a) *Consultants.* The town may fix and charge an application fee, consulting fee, or other fee associated with the submission, review, processing, and approval of an application to site new wireless support structures or to substantially modify wireless support structures or wireless facilities that is based on the costs of the

services provided and does not exceed what is usual and customary for such services. Any charges or fees assessed by the town on account of an outside consultant shall be fixed in advance and incorporated into a permit or application fee and shall be based on the reasonable costs to be incurred by the town in connection with the regulatory review authorized under this section. The town may incorporate such fees into its generally adopted fee schedule. The town may impose additional reasonable and cost based fees for costs incurred should an applicant amend its application. On request, the amount of the consultant charges incorporated into the permit or application fee shall be separately identified and disclosed to the applicant. The fee imposed by the town for review of the application may not be used for either of the following:

- (i) Travel time or expenses, meals, or overnight accommodations incurred in the review of an application by a consultant or other third party.
 - (ii) Reimbursements for a consultant or other third party based on a contingent fee basis or a results-based arrangement.
- (b) *Conditions.* The town council may place reasonable conditions on the issuance of a ~~conditional~~ special use permit pursuant to this section regarding public safety, land use, or zoning issues, including, but not limited to, aesthetics, landscaping, land-use based location priorities, structural design, setbacks, and fall zones. The town may condition approval of an application for a new wireless support structure on the provision of documentation prior to the issuance of a building permit establishing the existence of one or more parties, including the owner of the wireless support structure, who intend to locate wireless facilities on the wireless support structure. The town shall not deny an initial land-use or zoning permit based on such documentation.
- (c) *Decisions.* The town shall issue a written decision approving or denying an application under this section within a reasonable period of time consistent with the issuance of other land-use permits in the case of other applications, each as measured from the time the application is deemed complete.
- (f) *Annual review.* Any person who holds a zoning or ~~conditional~~ special use permit issued pursuant to this section shall annually submit an application for a renewal permit.
- (1) *Procedure.* In order for a zoning or ~~conditional~~ special use permit to remain valid, a renewal permit must be issued within 365 days of the issuance of the certificate of occupancy related to the initial permit or of the date of the issuance of the previous annual renewal permit. The application for a renewal permit must be received no less than ten days prior to nor more than 30 days prior to the date a renewal permit must be issued. Upon review of the application and determination of the applicant's compliance with the annual review requirements of this section the town's code enforcement and inspections department shall issue a renewal permit for an additional 365-day period. A permit holder's renewal application packet must include all of the following:
- a. A renewal application fee in the amount set by the town.

- b. A complete renewal application presented on a form prepared and provided by the town's code enforcement and inspections department.
 - c. Documentation consisting of a certificate of insurance verifying the continued existence of general liability insurance coverage meeting or exceeding the requirements of section 36-175(c)(3)j. during the time period that the renewal permit will be valid.
 - d. Documentation signed and sealed by a state registered engineer indicating that all structures and equipment have remained in compliance with all local, state, and federal requirements, including but not limited to, the requirements of this ordinance at the time the original permit was issued and any requirements or conditions stated in the original permit.
- (2) *Noncompliance.* Upon a permit holder's failure to submit a timely renewal application or the permit holder's failure to otherwise comply with this section the previously issued permit and/or renewal permit shall be suspended upon reaching the date that a renewal permit must be issued. Once suspended, the permit shall remain suspended until the permit holder submits an application and a review of the application by the town's code enforcement and inspections departments determines that the permit holder has complied with the annual review requirements of this section. Upon such a showing, the town shall issue a renewal permit for an additional 365-day period. If a suspension continues for more than 30 days, the permit holder's existing permit and/or renewal permit(s) shall expire.
- (g) *Validity of permits.* A ~~conditional~~ special use permit or zoning permit issued pursuant to this section shall expire if the improvements permitted are not completely constructed within 24 months of the date of the approval of a building permit.
- (h) *Waiver or modification of requirements.* If upon the review of any application submitted pursuant to this section, the town council determines that denial of a permit based on any requirement or requirements of this section as applied to the application before the town council may be contrary to federal or state law, the town council may in its sole discretion vary, modify or disregard any such requirement in a manner which complies with the relevant law. The town council may continue any public hearing on a permit application for a reasonable time to consider such a determination and its actions thereon.
- (i) *Small wireless facilities.* The collocation and use of small wireless facilities, including micro wireless facilities, by wireless service providers shall be governed by this section. Small wireless facilities meeting the requirements of this section are a permitted use in all town zoning districts.
- (1) *Applications and permits.* Applicants must obtain a permit to collocate a small wireless facility.
- a. *Application requirements:* The application must affirmatively show that the proposed small wireless facilities meet: (i) the town's applicable codes; (ii) town Code provisions or regulations that concern public safety, objective design standards for decorative utility poles, city utility poles, or reasonable and

nondiscriminatory stealth and concealment requirements, including screening or landscaping for ground mounted equipment; (iii) public safety and reasonable spacing requirements concerning the location of ground mounted equipment in a right-of-way; or (iv) the historic preservation requirements in G.S. 160A- 400.52(i).

- b. *Attestation requirement:* An application must include an attestation that the small wireless facilities shall be collocated on the utility pole, city utility pole, or wireless support structure and that the small wireless facilities shall be activated for use by a wireless services provider to provide service no later than one year from the permit issuance date, unless the town and the wireless provider agree to extend this period or a delay is caused by a lack of commercial power at the site.
- c. *Completeness of application:* A permit application shall be deemed complete unless the town provides notice otherwise in writing to the applicant within 30 days of submission or within some other mutually agreed upon time frame. The notice shall identify the deficiencies in the application which, if cured, would make the application complete. The application shall be deemed complete on resubmission if the additional materials cure the deficiencies identified.
- d. *Procedure for processing:* The permit application shall be processed on a nondiscriminatory basis and shall be deemed approved if the town fails to approve or deny the application within 45 days from the time the application is deemed complete or a mutually agreed upon time frame between the town and the applicant.
- e. *Permit denials and resubmissions:* An application may only be denied for failure to meet the requirements of this section. If an application is denied, the town must
 - (i) document the basis for a denial, including the specific code provisions on which the denial was based and (ii) send the documentation to the applicant on or before the day the town denies an application. The applicant may cure the deficiencies identified by the town and resubmit the application within 30 days of the denial without paying an additional application fee. The town shall approve or deny the revised application within 30 days of the date on which the application was resubmitted. Any subsequent review shall be limited to the deficiencies cited in the prior denial.
- f. *Consolidated applications:* An applicant seeking to collocate small wireless facilities at multiple locations within the town shall be allowed at the applicant's discretion to file a consolidated application for no more than 25 separate facilities and receive a permit for the collocation of all the small wireless facilities meeting the requirements of this section. The town may remove small wireless facility collocations from a consolidated application and treat separately small wireless facility collocations (i) for which incomplete information has been provided or (ii) that are denied. The town may issue a separate permit for each collocation that is approved.

- g. *Time for commencement and activation of collocation:* The permit may specify that collocation of the small wireless facility shall commence within six months of approval and shall be activated for use no later than one year from the permit issuance date, unless the town and the wireless provider agree to extend this period or a delay is caused by a lack of commercial power at the site.
- h. *Application fees:* The town may charge an application fee that shall not exceed the lesser of (i) the actual, direct, and reasonable costs to process and review applications for collocated small wireless facilities; (ii) the amount charged by the town for permitting of any similar activity; or (iii) \$100.00 per facility for the first five small wireless facilities addressed in an application, plus \$50.00 for each additional small wireless facility addressed in the application. In any dispute concerning the appropriateness of a fee, the town has the burden of proving that the fee meets the requirements of this subsection.
- i. *Technical consulting fees:* The town may impose a technical consulting fee for each application, not to exceed \$500.00, to offset the cost of reviewing and processing applications required by this section. The fee must be based on the actual, direct, and reasonable administrative costs incurred for the review, processing, and approval of an application. The town may engage an outside consultant for technical consultation and the review of an application. The fee imposed by the town for the review of the application shall not be used for either of the following:
 - (1) Travel expenses incurred in the review of a collocation application by an outside consultant or other third party.
 - (2) Direct payment or reimbursement for an outside consultant or other third party based on a contingent fee basis or results based arrangement.

In any dispute concerning the appropriateness of a fee, the town has the burden of proving that the fee meets the requirements of this subsection.

- j. *Removal of abandoned facilities:* A wireless services provider shall remove an abandoned wireless facility within 180 days of abandonment. Should the wireless services provider fail to timely remove the abandoned wireless facility, the town may cause such wireless facility to be removed and may recover the actual cost of such removal, including legal fees, if any, from the wireless services provider. For purposes of this subsection, a wireless facility shall be deemed abandoned at the earlier of the date that the wireless services provider indicates that it is abandoning such facility or the date that is 180 days after the date that such wireless facility ceases to transmit a signal, unless the wireless services provider gives the town reasonable evidence that it is diligently working to place such wireless facility back in service.
- k. *Routine maintenance and replacement:* No application, permit or fees are required for (i) routine maintenance; (ii) the replacement of small wireless facilities with small wireless facilities that are the same size or smaller; or (iii) installation,

placement, maintenance, or replacement of micro wireless facilities that are

suspended on cables strung between existing utility poles or city utility poles in compliance with applicable codes by or for a communications service provider authorized to occupy the city rights-of-way and who is remitting taxes under G.S. 105-164.4(a)(4c) or G.S. 105-164.4(a)(6). The town may require production of sufficient information to make the determination that no application, permit or fees are required under this section.

1. *Other permits not precluded:* Nothing in this section shall prevent the town from requiring other town permits for work that involves excavation, affects traffic patterns, or obstructs vehicular traffic in the city rights-of-way.
- (2) *Use of town rights-of-way.* Wireless providers may use town rights-of-ways in accordance with this section. Wireless providers may use Department of Transportation rights-of-way pursuant to lawful authorization from the Department of Transportation.
 - a. *Collocation of small wireless facilities:* Subject to the requirements of subsection 36-175(i)(1), a wireless provider may collocate small wireless facilities along, across, upon, or under any town rights-of-way.
 - b. *Utilities and poles within rights-of-way:* A wireless provider may place, maintain, modify, operate, or replace associated utility poles, city utility poles, conduit, cable, or related appurtenances and facilities along, across, upon, and under any town rights-of-way. The placement, maintenance, modification, operation, or replacement of utility poles and city utility poles associated with the collocation of small wireless facilities, along, across, upon, or under any town rights-of-way shall be subject only to review or approval under subsection 36-175(i)(1) if the wireless provider meets all the following requirements:
 - (1) Each new utility pole and each modified or replacement utility pole or city utility pole installed in the rights-of-way shall not exceed 50 feet above ground level.
 - (2) Each new small wireless facility in the rights-of-way shall not extend more than ten feet above the utility pole, city utility pole, or wireless support structure on which it is collocated.
 - c. *Application required to place or modify utility poles in rights-of-way:* A wireless provider shall apply to place utility poles in the city rights-of-way, or to replace or modify utility poles or city utility poles in the public rights-of-way, to support the collocation of small wireless facilities. The town shall accept and process the application in accordance with the provisions of subsection 36-175(i)(1), applicable codes, and other local codes governing the placement of utility poles or city utility poles in the town rights-of-way, including provisions or regulations that concern public safety, objective design standards for decorative utility poles or city utility poles, or reasonable and nondiscriminatory stealth and concealment requirements, including those relating to screening or landscaping, or public safety and reasonable spacing requirements. The application may be submitted in conjunction with the associated small wireless facility application.

- d. *Installation of new poles in residential zoning districts:*
- (1) No new utility pole may be installed for the principal use of wireless facilities if a pole exists within 20 feet of a desired location.
 - (2) The minimum distance of a new pole from any residential structure shall be at least 150 percent of the pole height and shall not be located directly in front of any residential structure or vacant lot located in a residential zoning district.
 - (3) Along streets and within subdivisions where there are no existing utility poles (all underground utilities), wireless facilities may be attached to street lights in the public right-of-way.
 - (4) New poles may not be erected in a residential area solely for wireless communication equipment attachment unless the applicant has demonstrated it cannot reasonably provide service by:
 - i. Installing poles outside of the residential area;
 - ii. Attaching equipment to existing poles within the right-of-way; or
 - iii. Installing poles in rights-of-way not contiguous to parcels used for single family residential purposes.
- e. *Rights-of-way use to comply with other requirements:* Applicants for use of a city rights-of-way shall comply with chapter 28 undergrounding requirements prohibiting the installation of above ground structures in the town's rights-of-way without prior approval. In no instance in an area zoned single family residential where the existing utilities are installed underground may a utility pole, city utility pole, or wireless support structure exceed 40 feet above ground level, unless the town grants a waiver or variance approving a taller utility pole, city utility pole, or wireless support structure.
- f. *Rights-of-way charges:* The town may assess a rights-of-way charge for use or occupation of the rights-of-way by a wireless provider, subject to the restrictions set forth under G.S. 160A-296(a)(6). In addition, charges authorized by this section shall meet all of the following requirements:
- (1) The rights-of-way charge shall not exceed the direct and actual cost of managing the city rights-of-way and shall not be based on the wireless provider's revenue or customer counts.
 - (2) The rights-of-way charge shall not exceed that imposed on other users of the rights-of-way, including publicly, cooperatively, or municipally owned utilities.
 - (3) The rights-of-way charge shall be reasonable and nondiscriminatory.

The town may provide free access to town rights-of-way on a nondiscriminatory basis in order to facilitate the public benefits of the deployment of wireless services.

- g. *Consent required for use of private property:* No person may place, maintain, modify, operate, or replace a privately owned utility pole or wireless support structure or to collocate small wireless facilities on a privately owned utility pole, a privately owned wireless support structure, or other private property without the consent of the property owner.
- h. *Damages to rights-of-way:* Wireless providers shall repair all damage to a town rights-of-way directly caused by the activities of the wireless provider, while occupying, installing, repairing, or maintaining wireless facilities, wireless support structures, city utility poles, or utility poles and to return the rights-of-way to its functional equivalence before the damage. If the wireless provider fails to make the repairs required by the town within a reasonable time after written notice, the town may undertake those repairs and charge the applicable party the reasonable and documented cost of the repairs. The town may maintain an action to recover the costs of the repairs.
- i. *Approval under section relates only to small wireless facility:* The approval of the installation, placement, maintenance, or operation of a small wireless facility does not authorize the provision of any communications services or the installation, placement, maintenance, or operation of any communications facility, including a wireline backhaul facility, other than a small wireless facility, in the rights-of-way.

(Ord. No. 2009-08-01, pt. VII, 1-5-2010; Ord. No. 2013-07-01, art. III, pt. II, 7-16-2013; Ord. No. 2014-04-02, art. III, pt. V, 4-1-2014; Ord. No. 2018-03-01, art. III, pt. I, 3-6-2018; Ord. No. 2018-06-02, art. III, pt. I, 6-5-2018)

Editor's note(s)—Ord. No. § 2018-03-01, art. III, pt. I, adopted Mar. 6, 2018, amended the title of § 36-175 from wireless telecommunications sites and towers to wireless telecommunications sites, facilities and towers.

Sec. 36-176. Wind energy facilities.

- (a) *Definitions.* The following definitions shall apply to all portions of the Town Code relating to the use or construction of wind generation facilities within the town:

Applicant is the person or entity filing an application under this section.

Dwelling, single-family is a detached building designed for or occupied exclusively by one family.

Facility owner is the entity or entities having controlling or majority equity interest in the wind energy facility, including their respective successors and assigns.

Occupied building is a residence, school, hospital, church, public library or other buildings used for public gathering that is occupied or in use when the permit application is submitted.

Public road is a full passage right-of-way.

Structure is anything constructed or erected, the use of which requires location on the ground, or attachment to something having location on the ground.

Vegetation line means the first line of stable natural vegetation, which shall be used as the reference point for measuring oceanfront setbacks. This line represents the boundary between the normal dry-sand beach, which is subject to constant flux due to waves, tides, storms and wind, and the more stable upland areas. It is generally located at, or immediately oceanward of, the seaward toe of the frontal dune and/or erosion escarpment. In areas where there is no stable natural vegetation present, this line shall be established by connecting or extending the lines from the nearest adjacent vegetation on either side of the site and by extrapolating (by either on-ground observation or by aerial photographic interpretation) to establish the line.

Wind generation facility is a single system designed to supplement other electricity sources as an accessory use to a structure, wherein the power generated is used primarily for on-site consumption. The facility may consist of a wind turbine, support structure, foundation, battery bank, and transformer. The support structure must be a self supporting monopole and may be free standing or attached to a structure.

Wind power is the conversion of wind energy into another form of energy.

Wind turbine or *windmill* is a wind energy conversion system that converts wind energy into electricity.

Wind turbine height is the distance measured from the lowest adjacent grade to the highest point of the structure, including any attachments, such as a turbine rotor, or tip of the turbine blade when it reaches its highest elevation.

(b) *Permit requirements.*

- (1) Wind generation facilities shall only be permitted as follows:
 - a. Wind generation facility as an accessory use to a structure in the RS-1, RS-8, RS-10, R-1, G&I, and C zoning districts.
 - (i) No more than one free standing wind generation facility as an accessory use to a structure; or
 - (ii) No more than one attached wind generation facility as an accessory use to a structure.
 - b. For properties that are divided by a street or canal and are under the same ownership, the wind generation facility shall be located on the same side of the street or canal which the structure receiving power from the wind generation facility is located.
- (2) No wind generation facility shall be constructed unless a permit has been issued to the facility owner that approves construction of the facility under this article.
- (3) Any physical modification to an existing and permitted wind generation facility that materially alters the size and/or type of wind turbine or other equipment shall require a permit modification under this article. Like-kind replacements shall not require a permit modification.

(c) *Dimensional and design requirements.*

(1) *Height requirements.*

- a. Wind generation facilities shall observe a maximum height of 45 feet measured from the lowest adjacent grade to the highest point of the facility, including any attachments, such as a turbine rotor, or tip of the turbine blade when it reaches its highest elevation.

(2) *Setback requirements.*

- a. The base of all wind generation facilities shall be located at least one foot from the nearest property line for every one foot of proposed height.
 - (i) For rear setback requirements for oceanfront properties, the base of the wind generation facility shall be located at least one foot from the vegetation line for every one foot of proposed height.

(3) *Noise and vibration requirements.*

- a. Noise shall be in compliance with the standards established in section 22-3 of the Town Code.
- b. No vibration shall be detectable at adjacent property lines.

(d) *Installation.*

- (1) Free standing wind generation facilities shall be a self supporting monopole; and installation and design of the wind generation facility shall be site specific and conform to applicable industry standards, including those of the American National Standards Institute.
- (2) All structural, electrical, and mechanical components of the wind generation facility shall conform to relevant and applicable local, state, and national codes including the North Carolina Building Code and National Electric Code.
- (3) All wind generation facilities shall be constructed to withstand sustained winds of at least 130 miles per hour.
- (4) All wind generation facilities shall be equipped with a braking device and power disconnect to keep the rotor stationary while the turbine is being inspected and/or maintained. The braking device shall also be used for winds exceeding optimal speeds as defined by the manufacturer.
- (5) All wind generation facilities shall be constructed according to the local electric service provider's standards for power disconnect and grid connections.
- (6) The visual appearance of wind generation facilities shall at a minimum:
 - a. Be finished with a neutral color (not white);
 - b. Not be artificially lighted; and
 - c. Not display advertising (including flags, streamers or decorative items), except for identification of the turbine manufacturer or facility owner. One identification

sign which identifies the turbine manufacturer or facility owner may be attached to the wind generation facility and shall not exceed one square foot in total area at a height not to exceed six feet.

(e) *Application requirements.*

- (1) An application shall not be deemed complete until all of the following required items have been submitted:
 - a. A narrative describing the proposed wind generation facility, including an overview of the project;
 - b. The proposed total rated capacity of the wind generation facility;
 - c. Documentation signed and sealed by a North Carolina registered engineer that the wind generation facility can withstand sustained winds of at least 130 miles per hour;
 - d. The proposed representative type and height of the wind turbine to be constructed; including its generating capacity, dimensions, and respective manufacturers, and a description of ancillary facilities;
 - e. A site plan showing the location of all structures and properties, demonstrating compliance with the applicable setback requirements;
 - f. Certification of compliance with applicable local, state, and federal regulations;
 - g. Other relevant information as may be reasonably requested by the Town of Southern Shores to ensure compliance with the requirements of this section;
 - h. Signature of the applicant.
 - (2) Throughout the permit process, the applicant shall promptly notify the town of any proposed changes to the information contained in the permit application that would alter the project.
 - (3) Changes to the approved application that do not materially alter the initial site plan may be approved administratively.
 - (4) The town council may place reasonable conditions on the issuance of a ~~conditional~~ special use permit pursuant to this section regarding public safety, land use, or zoning issues, including, but not limited to, aesthetics, landscaping, land-use based location priorities, structural design, setbacks, and fall zones.
- (f) *Validity of permits.* A ~~conditional~~ special use permit issued pursuant to this section shall expire if the improvements permitted are not completely constructed within 24 months of the date of the approval of a building permit.

(Ord. No. 2011-04-01, art. III, pt. IX, 4-5-2011; Ord. No. 2012-04-01, art. III, pt. I, 4-3-2012)

Sec. 36-177. Temporary emergency zoning accommodations.

In the event of an emergency declaration applicable within the town's jurisdiction and issued by the United States, the State of North Carolina, or Dare County, or the Town of Southern Shores pursuant to G.S. 166A-19.22, the mayor may authorize the town manager or his designee to exercise their discretion to allow for reasonable temporary accommodations in town zoning regulations consistent with and furthering the purposes of the emergency declaration and in the interests of public health, safety and welfare, including the economic prosperity of the community. Such temporary accommodations shall not extend beyond the termination of the declaration of emergency or the end of the circumstances under the declaration causing the need for accommodations whichever is shorter. All temporary accommodations must be ceased within five days of the expiration of the temporary accommodation. The official designated to manage requests for accommodations may adopt reasonable procedures and requirements to apply for, analyze and provide temporary emergency permits for the accommodations. Temporary emergency accommodations shall not be deemed to constitute a change or modification of the underlying use of the applicable property, to affect any existing nonconforming situations on the property or to create any vested rights. Violation of the provisions of a temporary emergency accommodations permit shall constitute a zoning violation.

(Ord. No. 2020-07-01 , art. III, pt. II, 7-21-2020)

Sec. 36-178. Manufactured homes.

- (a) *Generally.* A manufactured home on an individual lot shall comply with the following requirements:
- (1) It shall be occupied only as a single-family dwelling;
 - (2) It shall not be used solely for the purposes of storage;
 - (3) It shall be set up in accordance with the standards established by the North Carolina Department of Insurance and the most current version of the State of North Carolina Regulations for Manufactured/Mobile Homes;
 - (4) It shall maintain a minimum width of 16 feet;
 - (5) It shall be oriented with the longest axis parallel to the lot frontage, to the maximum extent practicable;
 - (6) Towing apparatus, wheels, axles, and transporting lights shall be removed;
 - (7) With the exception of temporary health care structures, it shall include a continuous, permanent masonry foundation or masonry curtain wall of solid brick or brick veneer, unpierced except for required ventilation and access, installed under the perimeter;
 - (8) It shall include stairs, porches, entrance platforms, ramps, and other means of entrance and exit that are installed or constructed in accordance with the standards set by the North Carolina State Building Code. They shall be attached to the primary structure and anchored in accordance with all local, state, and federal requirements;

- (9) It shall maintain exterior siding comparable in composition, appearance, and durability to the exterior siding commonly used in standard residential construction, which consists of one or more of the following: 1) Vinyl or aluminum lap siding (whose reflectivity does not exceed that of flat white paint); 2) Cedar or other wood siding; 3) Stucco siding; 4) Brick or stone siding.
- (10) It shall maintain a roof pitch with a minimum vertical rise of at least three feet for each 12 feet of horizontal run;
- (11) It shall include a roof finished with a class C or better roofing material that is commonly used in standard residential construction;
- (12) It shall provide an eave projection of no less than six inches and not greater than the other town requirements for eaves, which may include a gutter; and
- (13) Shall also comply with the requirements established in chapter 16, flood damage prevention.

(Ord. No. 2021-05-04 , art. III, pt. II, 5-4-2021)

Editor's note(s)—Ord. No. 2021-05-04 , art. III, pt. II, adopted May 4, 2021, set out provisions intended for use as § 36-177. Inasmuch as there were already provisions so designated, said section has been codified herein as § 36-178 at the discretion of the editor.

Secs. 36-179—36-201. Reserved.

ARTICLE VII. SCHEDULE OF DISTRICT REGULATIONS²

Sec. 36-202. RS-1 single-family residential district.

- (a) *Intent.* The RS-1 district is established to provide for the low-density development of single-family detached dwellings in an environment which preserves sand dunes, coastal forests, wetlands, and other unique natural features of the coastal area. The district is intended to promote stable, permanent neighborhoods characterized by low vehicular traffic flows, abundant open space, and low impact of development on the natural environment and adjacent land uses. In order to meet this intent, the density of population in the district is managed by establishment of minimum lot sizes, building setback and height limits, parking regulations and maximum occupancy limits for single-family residences used as vacation cottages.
- (b) *Permitted uses.* The following uses shall be permitted by right:
 - (1) Detached single-family dwelling and vacation cottages provided that such residential structure shall not be: (i) advertised to accommodate, designed for, constructed for or

²Editor's note(s)—Regulations limiting the use of buildings and land and the bulk and arrangement of buildings within the various districts established by this article are hereby adopted for Southern Shores, North Carolina. These district regulations may be amended as provided in article XIV of this chapter.

actually occupied by more than 14 overnight occupants when used as a vacation cottage; or
(ii) have a maximum septic capacity sufficient to serve more than 14 overnight occupants.

- (2) Customary accessory buildings and structures including, but not limited to, swimming pools, tennis courts, and garages, provided no dwelling unit is located in the accessory structure. Accessory beach access walks, ramps, and steps shall not exceed four feet in width. Accessory ocean dune platforms shall not exceed 200 square feet.
- (3) Home occupations and home based businesses as regulated in article VIII of this chapter.
- (4) Town-owned or leased facilities.
- (5) Piers and docks, only when accessory to a building for which a building permit has been obtained.
 - a. Piers and docks must be permitted by all applicable local, state, and federal agencies having jurisdiction.
 - b. The activity associated with the pier or dock must be permitted by the zoning district where the pier or dock is anchored.
 - c. No such permitted dock or pier shall extend into adjacent waters more than 75 feet from an estuarine bulkhead, mean high waterline, or a line connecting the outermost limits of the coastal wetlands on either side of the proposed structure, whichever is nearest the channel.
 - d. Only one pier or dock is permitted per building site.
- (6) Estuarine bulkheads must be permitted by all applicable local, state, and federal agencies having jurisdiction.
- (7) Community beach access including ocean dune platforms, and associated seating areas, walks, ramps and stairs. Such community beach access may be up to six feet in width and must be permitted by all applicable local, state, and federal agencies having jurisdiction.
- (8) Collocations and eligible facilities requests in compliance with section 36-175(c).
- (c) ~~Conditional~~ Special uses permitted. The following uses are permitted, subject to the requirements of this district and such additional regulations and requirements as may be imposed by the town council, as provided in article X of this chapter:
 - (1) Community recreation facilities, including boat launching areas, tennis courts, community centers, libraries, picnic areas, bathing beaches, and concessions integral thereto, provided that there is no open commercial activity, and no sign other than a directional sign is allowed.
 - (2) Fire stations.
 - (3) Governmental emergency medical evacuation facilities.
 - (4) Child day care, small home.

- (5) Swimming lessons, subject to all applicable state and local regulations, training, experience and licensing requirements for swimming pools, swimming lessons, lifeguards and swimming instructors shall be met.
 - a. No swimming lesson shall be conducted earlier than 8:00 a.m. nor later than 6:00 p.m.
 - b. Any need for additional parking generated by the conduct of swimming lessons shall be met by off-street parking.
- (6) Wireless telecommunications sites in compliance with section 36-175.
- (7) Wind generation facility, in compliance with the requirements of section 36-176.
- (d) *Dimensional requirements.*
 - (1) Minimum lot size: 20,000 square feet.
 - (2) Minimum lot width: 100 feet (measured at the building setback line).
 - (3) Minimum front yard (setback): 25 feet.
 - (4) Minimum side yard (setback).
 - a. Minimum side yard setback shall be 15 feet;
 - b. An additional five-foot side yard adjacent to the street is required for a corner lot;
 - c. Minimum side yard setback shall be 15 feet for swimming pools.
 - (5) Minimum rear yard (setback): 25 feet.
 - (6) Maximum allowable lot coverage.
 - a. Maximum allowable lot coverage shall be 30 percent, except for town-owned facilities and fire stations;
 - b. Maximum allowable lot coverage shall be 85 percent for town-owned facilities and fire stations.
 - c. Gravel walkways shall not contribute to lot coverage.
 - d. Open-slatted decks that allow water to penetrate through to pervious material, not exceeding a total of 25 percent of the total footprint area of a permitted single-family dwelling on the same lot, shall not contribute to lot coverage.
 - e. Those allowances and/or exemptions listed in subsection d. of this paragraph (6) shall be available only upon presentation of a survey with all applicable requirements including plan certification, for a lot disturbance and stormwater management permit as described in subsection 36-171(3) of the Town Code of Ordinances.

In the case of an oceanfront lot where the boundary is the Atlantic Ocean, only that portion of the lot area landward of the first line of stable natural vegetation (as defined by CAMA) shall be used for the calculation of lot coverage as it pertains to impervious surface limits included in the maximum allowable lot coverage constraints.

(7) Height.

- a. Maximum building height shall be 35 feet, measured from the average of the existing, undisturbed grade at the building corners. If the average of the existing, undisturbed grade at the corners of the building is less than eight feet above mean sea level, the maximum building height may be measured from up to eight feet above mean sea level.
- c. For properties that are in a VE flood zone, maximum building height shall be 35 feet measured from the average of the corners of original grade (fill is regulated by FEMA).

(8) Maximum size of single-family dwelling: single-family dwellings shall not exceed 6,000 square feet of enclosed living space.

(Code 1988, § 11-7.01; Ord. No. 01-10-016, pt. II, 10-2-2001; Ord. No. 02-06-019, pt. I, 6-25-2002; Ord. No. 05-08-02, art. V, 11-1-2005; Ord. No. 06-05-01, art. III, § 1, 6-6-2006; Ord. No. 2007-05-01, art. IV, 6-5-2007; Ord. No. 2009-08-01, pt. I, 1-5-2010; Ord. No. 2011-04-01, art. III, pt. III, 4-5-2011; Ord. No. 2014-04-02, art. III, pt. I, 4-1-2014; Ord. No. 2016-01-04, art. III, pt. 2, 1-22-2016; Ord. No. 2017-09-01, art. III, pt. I, 9-5-2017; Ord. No. 2017-12-02, art. III, pt. II, 12-5-2017; Ord. No. 2018-09-01, art. III, pt. I, 9-5-2018; Ord. No. 2019-05-02, art. III, pt. 2., 5-7-2019; Ord. No. 2019-11-01, art. III, pt. III, 11-6-2019; Ord. No. 2021-05-03, art. III, pt. I, 5-4-2021)

Sec. 36-203. RS-8 multifamily residential district.

- (a) *Intent.* The RS-8 district is established as an area in which the principal use of the land is for high-density residential purposes not to exceed eight dwelling units per net acre. This district also provides for the development of less intensive residential uses as well as for compatible supporting uses.
- (b) *Permitted uses.* The following uses shall be permitted by right:
 - (1) Detached single-family dwelling.
 - (2) Duplexes.
 - (3) Multifamily dwellings.
 - (4) Customary accessory buildings including, but not limited to, swimming pools, tennis courts, and garages, provided no dwelling unit is located in the accessory structure.
 - (5) Home occupations and home-based businesses as regulated in article VIII of this chapter.
 - (6) Town-owned or leased facilities.
 - (7) Piers and docks, only when accessory to a building for which a building permit has been obtained.
 - a. Piers and docks must be permitted by all applicable local, state, and federal agencies having jurisdiction.

- b. The activity associated with the pier or dock must be permitted by the zoning district where the pier or dock is anchored.
 - c. No such permitted dock or pier shall extend into adjacent waters more than 75 feet from an estuarine bulkhead, mean high waterline, or a line connecting the outermost limits of the coastal wetlands on either side of the proposed structure, whichever is nearest the channel.
 - d. Only one pier or dock is permitted per building site.
- (8) Estuarine bulkheads must be permitted by all applicable local, state, and federal agencies having jurisdiction.
- (c) ~~Conditional~~ *Special uses permitted.* The following uses are permitted subject to the requirements of this district and such additional regulations and requirements as may be imposed by the town council as provided in article X of this chapter:
 - (1) Churches.
 - (2) Fire stations, schools and other public buildings.
 - (3) Community recreation facilities, including boat launching areas, golf courses, tennis courts, community centers, libraries, bathing beaches, picnic areas, and concessions integral thereto, provided that there is no open commercial activity, and no sign other than a directional noncommercial sign is allowed.
 - (4) Wind generation facility, in compliance with the requirements of section 36-176.
- (d) *Dimensional requirements.*
 - (1) Minimum lot size.
 - a. Minimum lot size for single-family detached residence shall be 20,000 square feet.
 - b. Minimum lot size for a duplex shall be 20,000 square feet.
 - c. For multifamily dwellings, the minimum lot size must be served by an approved public or community sewage disposal system; 7,500 square feet for the first dwelling unit, and 5,151 square feet for each additional dwelling unit.
 - d. Minimum lot size for a large home shall be 20,000 square feet.
 - (2) Minimum lot width: 75 feet (measured at the building setback line).
 - (3) Minimum front yard (setback): 25 feet.
 - (4) Minimum side yard (setback).
 - a. Minimum side yard setback shall be 15 feet;
 - b. An additional five-foot side yard adjacent to the street is required for a corner lot;
 - c. Minimum side yard setback shall be 15 feet for swimming pools.
 - (5) Minimum rear yard (setback): 20 feet.

- (6) Maximum allowable lot coverage by principal use and all accessory structures: 40 percent. In the case of a lot where the boundary is the Atlantic Ocean, only that portion of the lot area landward of the first line of stable natural vegetation (as defined by CAMA) shall be used for the calculation of lot coverage as it pertains to impervious surface limits included in the maximum allowable lot coverage constraints.
 - a. Open-slatted decks that allow water to penetrate through to pervious material, not exceeding a total of 25% of the total footprint area of a permitted single-family dwelling on the same lot, shall not contribute to lot coverage;
 - b. Those allowances and/or exemptions listed in sub-section a. of this paragraph (6) shall be available only upon presentation of a survey with all applicable requirements including plan certification, for a Lot Disturbance and Stormwater Management Permit as described in Sec. 36-171 (3) of the Town Code of Ordinances.
- (7) Height.
 - a. Maximum building height shall be 35 feet, measured from the average of the existing, undisturbed grade at the building corners. If the average of the existing, undisturbed grade at the corners of the building is less than eight feet above mean sea level, the maximum building height may be measured from up to eight feet above mean sea level.
- (8) No building or other facility (such as playgrounds, tennis courts, swimming pools, parking areas, incinerators, trash collection areas, etc.) shall be located nearer than 50 feet to boundaries of RS-1 districts. The width of a public road and its right-of-way along such boundary may be included as part, or all, of the 50-foot separation zone.
- (9) Maximum size of single-family dwelling: Single-family dwellings shall not exceed 6,000 square feet of enclosed living space.

(Code 1988, § 11-7.02; Ord. No. 01-10-016, pt. II, 10-2-2001; Ord. No. 2007-05-01, art. V, 6-5-2007; Ord. No. 2011-04-01, art. III, pt. IV, 4-5-2011; Ord. No. 2016-01-04, art. III, pt. 3, 1-22-2016; Ord. No. 2017-12-02, art. III, pt. III, 12-5-2017; Ord. No. 2019-11-01, art. III, pt. IV, 11-6-2019; Ord. No. 2021-05-03, art. III, pt. II, 5-4-2021)

Sec. 36-204. RS-10 residential district.

- (a) *Intent.* The RS-10 district is established as an area in which the principal use of the land is for high-density residential purposes not to exceed ten dwelling units per net acre. The district also provides for the development of less intensive residential uses as well as for compatible supporting uses. In order to meet this intent, the density of population in the district is managed by establishment of minimum lot sizes, building setback and height limits, parking regulations and maximum occupancy limits for single-family residences used as vacation cottages.

(b) *Permitted uses.* The following uses shall be permitted by right:

- (1) Detached single-family dwelling and vacation cottages provided that such residential structure shall not be: (i) advertised to accommodate, designed for, constructed for or actually occupied by more than 14 overnight occupants when used as a vacation cottage; or (ii) have a maximum septic capacity sufficient to serve more than 14 overnight occupants.
- (2) Home occupations and home based businesses as regulated in article VIII of this chapter.
- (3) Piers and docks, only when accessory to a building for which a building permit has been obtained.

- a. Piers and docks must be permitted by all applicable local, state, and federal agencies having jurisdiction.
 - b. The activity associated with the pier or dock must be permitted by the zoning district where the pier or dock is anchored.
 - c. No such permitted dock or pier shall extend into adjacent waters more than 75 feet from an estuarine bulkhead, mean high waterline, or a line connecting the outermost limits of the coastal wetlands on either side of the proposed structure, whichever is nearest the channel.
 - d. Only one pier or dock is permitted per building site.
- (4) Estuarine bulkheads must be permitted by all applicable local, state, and federal agencies having jurisdiction.
- (c) ~~Conditional~~ Special *uses permitted*. The following uses are permitted subject to the requirements of this district and additional regulations and requirements imposed by the town council as provided in article X of this chapter:
- (1) Churches.
 - (2) Community recreation facilities, including boat launching areas, golf courses, tennis courts, community centers, libraries, picnic areas, bathing beaches, and concessions integral thereto, provided that there is no open commercial activity, and no sign other than a directional noncommercial sign is allowed.
 - (3) Group development residential.
 - a. Minimum lot size.
 - 1. Minimum lot size for single-family detached residence shall be 3,000 square feet.
 - 2. Minimum lot size for townhouse shall be 3,000 square feet.
 - b. Minimum lot width: ten feet.
 - c. Minimum front yard: zero feet.
 - d. Minimum side yard: zero feet.
 - e. Minimum rear yard: zero feet.
 - f. Maximum allowable lot coverage: 100 percent.
 - g. Height.
 - 1. Height, top plate, for single-family and townhouse shall be 26 feet.
 - 2. Height, maximum: 35 feet.
 - h. No building or other facility (such as playgrounds, tennis courts, swimming pools, parking areas, incinerators, trash collection areas, etc.), shall be located nearer than 50 feet to boundaries of RS-1 districts. The width of a road and its right-of-

way along such boundary may be included as part, or all, of the 50-foot separation zone.

- i. Minimum living space: 1,000 square feet of enclosed living space.
 - j. Common area/open space: minimum 9,000 square feet of common area/open space per platted lot.
- (4) Wind generation facility, in compliance with the requirements of section 36-176.
- (d) *Dimensional requirements.*
 - (1) Minimum lot size for single-family detached residence shall be 20,000 square feet.
 - (2) Minimum lot width: 75 feet (measured at building setback line).
 - (3) Minimum front yard (setback): 25 feet.
 - (4) Minimum side yard (setback).
 - a. Minimum side yard setback shall be 15 feet;
 - b. An additional five-foot side yard adjacent to the street is required for a corner lot;
 - c. Minimum side yard setback shall be 15 feet for swimming pools.
 - (5) Minimum rear yard (setback): 25 feet.
 - (6) Maximum allowable lot coverage: 30 percent. In the case of an oceanfront lot where the boundary is the Atlantic Ocean, only that portion of the lot area landward of the first line of stable natural vegetation (as defined by CAMA) shall be used for the calculation of lot coverage as it pertains to impervious surface limits included in the maximum allowable lot coverage constraints.
 - a. Open-slatted decks that allow water to penetrate through to pervious material, not exceeding a total of 25% of the total footprint area of a permitted single-family dwelling on the same lot, shall not contribute to lot coverage;
 - b. Those allowances and/or exemptions listed in sub-section a. of this paragraph (6) shall be available only upon presentation of a survey with all applicable requirements including plan certification, for a Lot Disturbance and Stormwater Management Permit as described in Sec. 36-171 (3) of the Town Code of Ordinances.
 - (7) Height.
 - a. Maximum building height shall be 35 feet, measured from the average of the existing, undisturbed grade at the building corners. If the average of the existing, undisturbed grade at the corners of the building is less than eight feet above mean sea level, the maximum building height may be measured from up to eight feet above mean sea level.
 - (8) No building or other facility (such as playgrounds, tennis courts, swimming pools, parking areas, incinerators, trash collection areas, etc.), shall be located nearer than 50 feet to boundaries of RS-1 districts. The width of a road and its right-of-way along

such boundary may be included as part, or all, of the 50-foot separation zone.

- (9) Maximum size of single-family dwelling: single family dwellings shall not exceed 6,000 square feet of enclosed living space.

(Code 1988, § 11-7.03; Ord. No. 01-10-016, pt. II, 10-2-2001; Ord. No. 2007-05-01, art. VI, 6-5-2007; Ord. No. 2011-04-01, art. III, pt. V, 4-5-2011; Ord. No. 2016-01-04, art. III, pt. 4, 1-22-2016; Ord. No. 2019-05-02, art. III, pt. 3., 5-7-2019; Ord. No. 2019-11-01 , art. III, pt. V, 11-6-2019; Ord. No. 2021-05-03 , art. III, pt. III, 5-4-2021)

Sec. 36-205. R-1 low-density residential district.

- (a) *Intent.* The R-1 district is intended to encourage the development of permanent low-density residential neighborhoods and community facilities necessary for the health and safety and general welfare of the community. In order to meet this intent, the density of population in the district is managed by establishment of minimum lot sizes, building setback and height limits, parking regulations and maximum occupancy limits for single-family residences used as vacation cottages.
- (b) *Permitted uses.* The following uses shall be permitted by right:
 - (1) Detached single-family dwelling and vacation cottages provided that such residential structure shall not be: (i) advertised to accommodate, designed for, constructed for or actually occupied by more than 14 overnight occupants when used as a vacation cottage; or (ii) have a maximum septic capacity sufficient to serve more than 14 overnight occupants.
 - (2) Customary accessory buildings including, but not limited to, swimming pools, tennis courts, and garages, provided no dwelling unit is located in the accessory structure.
 - (3) Home occupations and home-based businesses as regulated in article VIII of this chapter.
 - (4) Town-owned or leased facilities.
 - (5) Piers and docks, only when accessory to a building for which a building permit has been obtained.
 - a. Piers and docks must be permitted by all applicable local, state, and federal agencies having jurisdiction.
 - b. The activity associated with the pier or dock must be permitted by the zoning district where the pier or dock is anchored.
 - c. No such permitted dock or pier shall extend into adjacent waters more than 75 feet from an estuarine bulkhead, mean high waterline, or a line connecting the outermost limits of the coastal wetlands on either side of the proposed structure, whichever is nearest the channel.
 - d. Only one pier or dock is permitted per building site.
 - (6) Estuarine bulkheads must be permitted by all applicable local, state, and federal agencies having jurisdiction.
 - (7) Collocations and eligible facilities requests in compliance with section 36-175(c).
- (c) ~~Conditional~~ *Special uses permitted.* The following uses are permitted, subject to the requirements of this district and additional regulations and requirements imposed by the town council, as provided in article X of this chapter:
 - (1) Churches.
 - (2) Fire stations, schools and other public buildings.

- (3) Community recreation facilities including boat launching areas, tennis courts, community centers, libraries, picnic areas, bathing beaches, and concessions integral thereto, provided that there is no open commercial activity and no sign other than a directional sign is allowed.
- (4) Country club.
- (5) Child day care, small home.
- (6) Wireless facilities on publicly owned water towers, with the approval of the public entity which owns the water tower in compliance with the requirements and conditions of section 36-175.
- (7) Wireless telecommunications sites in compliance with section 36-175.
- (8) Wind generation facility in compliance with the requirements of section 36-176.
- (9) Manufactured homes in compliance with the requirements of section 36-178.
- (d) *Dimensional requirements.*
 - (1) Minimum lot size.
 - a. Minimum lot size for all uses other than country club shall be 20,000 square feet.
 - b. For country club, the minimum lot size shall be 150 acres.
 - (2) Minimum lot width: 100 feet (measured at building setback line).
 - (3) Minimum front yard (setback): 25 feet.
 - (4) Minimum side yard (setback).
 - a. Minimum side yard setback for all other uses shall be 15 feet;
 - b. An additional five-foot side yard adjacent to the street is required for a corner lot;
 - c. Minimum side yard setback for fire stations shall be ten feet when adjacent to town-owned property or a town right-of-way;
 - d. Minimum side yard setback shall be 15 feet for swimming pools.
 - (5) Minimum rear yard (setback).
 - a. Minimum rear yard setback for all other uses shall be 25 feet;
 - b. Minimum rear yard setback for fire stations shall be zero feet from town-owned property.
 - (6) Maximum allowable lot coverage.
 - a. Maximum allowable lot coverage shall be 30 percent, except for town-owned facilities and fire stations;
 - b. Maximum allowable lot coverage shall be 85 percent for town-owned facilities and fire stations; and
 - c. Maximum allowable lot coverage shall be 40 percent for school facilities.

- d. Open-slatted decks that allow water to penetrate through to pervious material, not exceeding a total of 25% of the total footprint area of a permitted singlefamily dwelling on the same lot, shall not contribute to lot coverage;
- e. Those allowances and/or exemptions listed in sub-section d. of this paragraph (6) shall be available only upon presentation of a survey with all applicable requirements including plan certification, for a Lot Disturbance and Stormwater Management Permit as described in Sec. 36-171 (3) of the Town Code of Ordinances.

In the case of an oceanfront lot where the boundary is the Atlantic Ocean, only that portion of the lot area landward of the first line of stable natural vegetation (as defined by CAMA) shall be used for the calculation of lot coverage as it pertains to impervious surface limits included in the maximum allowable lot coverage constraints.

(7) Height.

- a. For uses other than country club, school facilities and churches:
 - 1. Maximum building height shall be 35 feet, measured from the average of the existing, undisturbed grade at the building corners. If the average of the existing, undisturbed grade at the corners of the building is less than eight feet above mean sea level, the maximum building height may be measured from up to eight feet above mean sea level.
 - b. For country club use and churches, principal building only:
 - 1. Maximum building height shall be 65 feet, measured from the average of the existing, undisturbed grade at the building corners. If the average of the existing, undisturbed grade at the corners of the building is less than eight feet above mean sea level, the maximum building height may be measured from up to eight feet above mean sea level.
 - c. For school facilities:
 - 1. Maximum building height shall be 55 feet, measured from the average of the existing, undisturbed grade at the building corners. If the average of the existing, undisturbed grade at the corners of the building is less than eight feet above mean sea level, the maximum building height may be measured from up to eight feet above mean sea level.
- (8) Multiple primary buildings: may have multiple primary buildings on site provided these buildings are connected by covered breezeways or walkways.
- (9) Maximum size of single-family dwelling: single-family dwellings shall not exceed 6,000 square feet of enclosed living space.

(Code 1988, § 11-7.04; Ord. No. 01-10-016, pt. II, 10-2-2001; Ord. No. 02-11-024, pts. I, II, 11-6-2002; Ord. No. 04-02-02, art. II, § 1, 3-2-2004; Ord. No. 04-10-01, art. IV, § 1, 11-17-2004; Ord. No. 06-05-01, art. III, § 2, 6-6-2006; Ord. No. 2007-05-01, art. VII, 6-5-2007; Ord. No. 2009-08-01, pt. II, 1-5-2010; Ord. No. 2011-04-01, art. III, pt. VI, 4-5-2011; Ord. No. 2014-04-02, art. III, pt. II, 4-1-2014; Ord. No. 2016-01-04, art. III, pt. 5, 1-22-2016; Ord. No. 2017-12-02, art. III, pt. IV, 12-5-2017; Ord. No. 2018-07-02, art. III, pt. IV, 7-10-2018; Ord. No. 2019-05-02, art. III, pt. 4., 5-7-2019; Ord. No. 2019-11-01, art. III, pt. VI, 11-6-2019; Ord. No. 2021-05-03, art. III, pt. IV, 5-4-2021; Ord. No. 2021-05-04, art. III, pt. I, 5-4-2021)

Editor's note(s)—Ord. No. 2021-05-04, art. III, pt. I, adopted May 4, 2021, set out provisions intended for use as § 36-203(c)(9). For purposes of classification, and at the town's direct, these provisions have been included as § 36-205(c)(9).

Sec. 36-206. Southern Shores zoning ordinance—Government and institutional district.

- (a) *Intent.* The government and institutional zoning district is established to create a proper location and setting for government and institutional operations and structures necessary to provide services operated by government and institutional operations and structures necessary to provide public services operated by governmental entities and nonprofit entities.
- (b) *Permitted uses.* The following uses are permitted by right:
 - (1) Governmental offices, office buildings, and meeting rooms.
 - (2) Town authorized uses of town-owned facilities.
 - (3) Police stations.
 - (4) Other town-owned facilities.
 - (5) Residential uses which comply with the requirements of section 36-202, the RS-1 single-family residential district.
 - (6) Offices for nonprofit entities qualified under section 501(c)(3) of the Internal Revenue Code. Notwithstanding other provisions of the Southern Shores Town Ordinances, the following shall apply to permitted uses under this section: handicapped accessibility shall be provided.
 - (7) Collocations and eligible facilities requests in compliance with section 36-175(c).
- (c) ~~Conditional~~ *Special uses permitted.* The following uses are permitted subject to the requirements of this district and such additional regulations and requirements as may be imposed by the town council as provided in article X of this chapter:
 - (1) Community recreation facilities, including golf courses, tennis courts, community centers, libraries, picnic areas, and concessions integral thereto, provided that there is no open commercial activity, and no sign other than a directional noncommercial sign is allowed.
 - (2) Wireless telecommunications sites in compliance with section 36-175.
 - (3) Wind generation facility in compliance with the requirements of section 36-176.
- (d) *Dimensional requirements.*
 - (1) Minimum lot size: 10,000 square feet.
 - (2) Minimum lot width: 50 feet (measured at the building setback line).
 - (3) Minimum front yard (setback): 25 feet.
 - (4) Minimum side yard (setback).
 - a. Minimum side yard setback shall be ten feet;
 - b. An additional five-foot side yard adjacent to the street is required for a corner lot;

- c. Minimum side yard setback shall be 15 feet for swimming pools.

- (5) Minimum rear yard (setback): 25 feet.
- (6) Maximum allowable lot coverage.
 - a. Maximum allowable lot coverage shall be 30 percent, except for town-owned facilities and fire stations;
 - b. Maximum allowable lot coverage shall be 85 percent for town-owned facilities and fire stations.
 - c. Open-slatted decks that allow water to penetrate through to pervious material, not exceeding a total of 25% of the total footprint area of a permitted singlefamily dwelling on the same lot, shall not contribute to lot coverage;
 - d. Those allowances and/or exemptions listed in sub-section d. of this paragraph (6) shall be available only upon presentation of a survey with all applicable requirements including plan certification, for a Lot Disturbance and Stormwater Management Permit as described in Sec. 36-171 (3) of the Town Code of Ordinances.
- (7) Height.
 - a. Maximum building height shall be 35 feet, measured from the average of the existing, undisturbed grade at the building corners. If the average of the existing, undisturbed grade at the corners of the building is less than eight feet above mean sea level, the maximum building height may be measured from up to eight feet above mean sea level.

(Ord. No. 2007-09-02, art. V, 9-4-2007; Ord. No. 2009-08-01, pt. III, 1-5-2010; Ord. No. 2011-04-01, art. III, pt. VII, 4-5-2011; Ord. No. 2014-04-02, art. III, pt. III, 4-1-2014; Ord. No. 2019-11-01, art. III, pt. VII, 11-6-2019)

Sec. 36-207. C general commercial district.

- (a) *Intent.* The C district is established to provide for the proper grouping and development of commercial facilities to serve permanent and seasonal residents.
- (b) *Permitted uses.* The following uses shall be permitted by right:
 - (1) Offices, including such uses as:
 - a. Business.
 - b. Financial.
 - c. Governmental.
 - d. Medical and professional.
 - (2) Retail stores, including such uses as:
 - a. Antiques.
 - b. Books.

- c. Cameras.
- d. Candy.
- e. Clothing.
- f. Craft goods.
- g. Delicatessens.
- h. Drugs.

- i. Flowers.
 - j. Food stores.
 - k. Gifts.
 - l. Hardware.
 - m. Health and beauty aids.
 - n. Hobby goods.
 - o. Household appliances.
 - p. Jewelry.
 - q. Leather goods.
 - r. Magazines.
 - s. Medical supplies.
 - t. Music and musical instruments.
 - u. Office supplies.
 - v. Sporting goods.
 - w. Tobacco products.
 - x. Toys.
 - y. Video rentals.
 - z. Wines.
- (3) Service establishments, including such uses as:
- a. Banks.
 - b. Barbershops and beauty shops.
 - c. Business service—copying, photocopying and computer services.
 - d. Churches.
 - e. Dry cleaning and laundry pickup stations.
 - f. Funeral homes.
 - g. Indoor motion picture theaters.
 - h. Pharmacy, with or without a drive-through facility.
 - i. Radio and television broadcasting studios (excluding transmitter sites).
 - j. Shoe repair.
- (4) Detached single-family dwellings, two-family (duplexes) dwellings, multifamily dwellings, and accessory buildings, according to the density and dimensional requirements of the RS-8

multifamily residential district. For multifamily dwellings, the lot coverage shall not exceed 40 percent.

- (5) Town-owned or leased facilities.
- (6) Planned unit developments in accordance with article IX of this chapter.
- (7) Parking lots and sewage treatment drainfields, when located on a lot which is adjacent to and adjoins real property in an adjacent municipality, upon which a principal building or use has been approved by the municipality, and to which the parking lot and sewage treatment drainfields are necessary or incidental.
- (8) Collocations and eligible facilities requests in compliance with section 36-175(c).
- (9) Estuarine bulkheads must be permitted by all applicable local, state and federal agencies having jurisdiction.
- (10) Event facilities.
 - a. Customer parking requirements for event facilities shall be one space for each 150 square feet of floor area;
 - b. A septic permit must be obtained from the county health department to accommodate the maximum number of attendees permitted.
 - c. Food preparation shall meet all local and state requirements.
 - d. All events in which alcohol is to be served shall not be held until an approved state ABC permit has been issued.
 - e. All events shall be in compliance with all Town Code requirements, including the town noise ordinance.
- (11) Produce stands. The retail sale of fruits, vegetables, plants, and other agricultural and horticultural products subject to the following requirements:
 - a. All stands shall meet the yard requirements for the C general commercial district;
 - b. No sales shall be conducted between 8:00 p.m. and 7:00 a.m.;
 - c. No additional lighting shall be allowed;
 - d. All stands shall comply with all applicable Dare County Health Department requirements and N.C. Dept. of Agriculture requirements;
 - e. Only one stand per lot shall be allowed;
 - f. When located on a lot with fifty (50) or more existing parking spaces, no additional parking spaces will be required. When located on a lot with fewer than fifty (50) existing parking spaces, a minimum of three (3) off-street parking spaces shall be provided. When located on a vacant lot, parking spaces shall be provided on an adjacent lot with existing parking spaces that is under same ownership;
 - g. One freestanding sign not exceeding 32 square feet in area or 6 feet in height shall be allowed.

- h. If applicable, a building and/or electrical permit shall be obtained;
 - i. The display, storage and/or sale area shall not impede vehicular or pedestrian traffic and parking;
 - j. On-site garbage or trash receptacles must be provided and properly maintained at all times;
- (c) ~~Conditional~~ Special uses. The following uses shall be permitted as a ~~conditional~~ special use, subject to the requirements of this district; shall be subject to conditions and modifications relating to impacts on adjacent properties, transportation and transportation systems, transportation interconnectivity, stormwater, utilities and telecommunications facilities (including capacity), vegetation and other elements of the natural environment, noise, hours of operation, and other factors that the town council finds applicable; and additional regulations and requirements imposed by the town council, as provided in article X of this chapter:
- (1) Restaurants without a drive-through facility or with a drive-through facility, provided:
 - a. Restaurants with a drive-through facility shall not exceed 2,500 square feet.
 - b. The location of the drive-through facility is a minimum of 100 feet from any residentially zoned property.
 - c. It allows for stacking of a minimum of six cars.
 - (1.5) Drive-through facility or establishment (small), provided:
 - a. Drive-through facility or establishment (small) shall not exceed 2,500 square feet.

- b. The location of the drive-through facility is a minimum of 100 feet from any residentially zoned property.
 - c. It allows for stacking of a minimum of six cars.
 - d. Lot shall have frontage along US Hwy 158.
- (2) Veterinary clinic, provided that all boarding runs and kennels are in an enclosed, heated, and air conditioned building.
- (3) Child day care center, subject to other requirements of this chapter and provided the following conditions are met:
 - a. The facility shall adhere to the minimum requirements of and be licensed by the state department of human resources.
 - b. Pickup and dropoff areas shall be provided separate from the drive aisle. The pickup and dropoff areas shall be designed so that no child is required to cross the parking lot or any other traffic areas.
- (4) Sewage system effluent disposal subsurface drainfields and repair areas, under the following conditions:
 - a. The lot shall be in existence and recorded at the time of adoption of this provision;
 - b. The drainfield shall not exceed a total area of 14,400 square feet;
 - c. There shall be no sewage treatment facilities other than the disposal drainfields;
 - d. There shall be no aboveground appurtenances;
 - e. A buffer strip shall be planted between the drainfield and/or repair area and any adjacent right-of-way, in accordance with the technical requirements of section 36-163(2)h (parking lot planting), and maintained;
 - f. Maintenance and operation of the drainfields, in compliance with state, county and town laws, rules and regulations, shall be a continuing condition of approval; failure to do so shall result in revocation of approval of the development by the town, and the owner and/or operator of the drainfield shall cease all use of the drainfield until such use is authorized by the town.
- (5) Group development of town-owned or leased facilities.
- (6) Group development of commercial buildings, provided:
 - a. Minimum size of any building shall be 2,500 square feet.
 - b. All buildings constructed within 35 feet of another building within the development are to be connected by a breezeway or covered walkway.
- (7) Garden center/nursery, provided:
 - a. A ten-foot high solid fence must surround all storage areas for business vehicles, equipment and bulk storage.

- b. All principal and accessory structures must conform to the building code (e.g., greenhouses) with no agricultural exceptions.
 - c. Outdoor plant displays (retail/nursery areas) access walks shall comply with site accessibility requirements of the building code (e.g., wheelchairs and motorized carts).
 - d. Required parking spaces and drive aisles shall be asphalt or concrete. Business vehicle and equipment parking and drive area shall be gravel/crush and run.
 - e. Customer parking requirements for outdoor retail display areas shall be one space for every 500 square feet of retail space.
- (8) Wireless telecommunications sites in compliance with section 36-175.
- (9) Wind generation facility in compliance with the requirements of section 36-176.
- (10) Ice vending structure (automated).
- a. May only be an accessory use to a shopping center.
- (11) Mixed use group development of commercial and residential buildings, provided:
- a. Minimum size of any building shall be 2,500 square feet.
 - b. All buildings constructed within 35 feet of another building within the development are to be connected by a breezeway or covered walkway.
 - c. Lot shall be serviced by an existing community wastewater treatment facility permitted by NC DEQ DWR.
 - d. Residential density shall be limited to RS-8 District allowances as established within Sec. 36-203(a).
 - e. A minimum of 25 percent and no more than 40 percent lot coverage of the net parcel area can be associated with building footprints containing residential uses and the required parking for residential uses.
 - f. Minimum front yard (setback): 25 ft.
 - g. Minimum side yard (setback): 15 ft. An additional five-foot-yard adjacent to the street is required for a corner lot.
 - h. Minimum rear yard (setback): 20 ft.
 - i. Maximum building height shall be 35 feet, measured from the average of the existing, undisturbed grade at the building corners.
 - j. No building or other facility (such as parking spaces, incinerators, trash collection areas, etc.) shall be located nearer than 50 feet to boundaries of residential districts.
 - k. Where a mixed use group development abuts a residential zone, a buffer of dense vegetative planting or natural vegetation is required (see requirements in Section 36-207(d)(8)).
- (d) *Dimensional requirements.*

(1) Minimum lot size: Commercial lots shall be of sufficient size to meet requirements of the Dare County Health Department, to provide adequate siting for structures, and to provide parking, loading and maneuvering space for vehicles as required by section 36-163. In addition, a visual buffer strip is required where a commercial use or zone abuts a residential zone.

(2) Minimum front yard: 25 feet.

(3) Minimum side yard: ten feet. No side yard required if commercial building constructed with a common wall. An additional five-foot-yard adjacent to the street is required for a corner lot.

(4) Minimum rear yard: 20 feet.

(5) Maximum allowable lot coverage by principal use and all accessory structures shall be 60 percent except as allowed under the following conditions:

- a. Commercial lots shall be allowed the use of permeable pavement as defined by the NCDENR Stormwater BMP Manual ("Manual"). Employment of this permeable solution shall be granted the Built Upon Area (BUA) Credit as specified in the Manual.
- b. Group Developments which incorporate the use of permeable pavement as outlined above in excess of five percent of the total lot coverage shall be allowed a maximum allowable lot coverage by principal use and all accessory structures of no greater than 67 percent.

(6) Height:

- a. a. Maximum building height shall be 35 feet, measured from the average of the existing, undisturbed grade at the building corners. If the average of the existing,

undisturbed grade at the corners of the building is less than eight feet above mean sea level, the maximum building height may be measured from up to eight feet above mean sea level.

- (7) No building or other facility (such as parking areas, incinerators, trash collection areas, etc.) shall be located nearer than 50 feet to boundaries of residential districts.
- (8) Where a commercial use or zone abuts a residential zone, a buffer of dense vegetative planting or natural vegetation is required. The buffer area shall have a minimum width of 20 feet with two rows of planting material placed ten feet on center that are a minimum of five feet in height when installed that expect to achieve a height of eight feet within three years. Suitable plant types shall be those recommended for the coastal area by the U.S. Department of Agriculture which can be expected to reach a mature growth of eight to ten feet. Vegetation plan to be approved by the town council.
- (9) All uses and improvements for commercial facility(ies) including, but not limited to parking areas, vehicular access ways, active and repair septic areas and required open spaces shall be contained entirely within the general commercial zoning district, except as provided in section 36-26, Rules governing the interpretation of district boundaries.
- (10) Maximum size of single-family dwelling: Single-family dwellings shall not exceed 6,000 square feet of enclosed living space.

(Code 1988, § 11-7.10; Ord. No. 01-10-016, pt. II, 10-2-2001; Ord. No. 01-11-018, pt. I, 11-5-2001; Ord. No. 05-04-03, art. IV, 5-3-2005; Ord. No. 07-01-01, art. III, 2-6-2007; Ord. No. 2009-08-01, pts. IV, V, 1-5-2010; Ord. No. 2011-04-01, art. III, pt. VIII, 4-5-2011; Ord. No. 2011-12-01, art. III, pt. III, 12-6-2011; Ord. No. 2012-02-01, art. III, pt. III, 2-7-2012; Ord. No. 2013-03-01, art. III, pt. III, 3-5-2013; Ord. No. 2014-04-02, art. III, pt. IV, 4-1-2014; Ord. No. 2016-01-01, art. III, pt. II, 1-22-2016; Ord. No. 2016-01-02, art. III, pt. II, 1-22-2016; Ord. No. 2016-01-03, art. III, pt. I, 1-22-2016; Ord. No. 2016-01-04, art. III, pt. 6, 1-22-2016; Ord. No. 2018-05-02, art. III, pt. III, 6-5-2018; Ord. No. 2019-11-01, art. III, pt. VIII, 11-6-2019)

Sec. 36-208. OSW ocean and sound waters district.

- (a) *Intent.* The OSW district is established to provide for the proper use of the ocean and sound waters, including islands and creeks that adjoin the town and waters adjacent to Martins Point, to ensure the continued scenic, conservation, and recreational value that these waters provide to the town, its residents, visitors, and the surrounding area. Nothing contained within this section shall be deemed to prohibit or regulate commercial fishing and navigation.
- (b) *Permitted uses.*
 - (1) Swimming, boating, sailing, fishing, and other active and passive noncommercial recreational activities.
 - (2) Piers and docks, only when accessory to a building for which a building permit has been obtained.

- a. Piers and docks must be permitted by the state division of coastal management or the U.S. Army Corps of Engineers, or U.S. Coast Guard, whichever is applicable.
 - b. The activity associated with the pier or dock must be permitted by the zoning district where the pier or dock is anchored.
 - c. No such permitted dock or pier shall extend into adjacent waters more than 75 feet from an estuarine bulkhead, mean high waterline, or a line connecting the outermost limits of the coastal wetlands on either side of the proposed structure, whichever is nearest the channel.
 - d. Only one pier or dock is permitted per building site.
- (3) Customary accessory uses and structures, including estuarine bulkheads, are subject to the conditions and limitations of subsection (b) of this section, and provided further that no living space is provided in any accessory structure.
- (c) *Prohibited uses.*
- (1) Signs of all types.
 - (2) Floating homes.
 - (3) Any use which is not listed as a permitted or ~~conditional~~ special use.
- (Code 1988, § 11-7.11)

Sec. 36-209. Prohibited uses in all districts.

- (a) The following uses shall be prohibited in all districts:
- (1) Alcohol and drug detoxification, rehabilitation, and treatment facilities;
 - (2) Asphalt and concrete plants;
 - (3) Bail bond services;
 - (4) Bed and breakfasts;
 - (5) Bus, truck, and transportation terminals, yards, and parking lots;
 - (6) Campgrounds;
 - (7) Concentrated animal feeding operations;
 - (8) Crematoriums (human and animal);
 - (9) Dormitories and residence halls;
 - (10) Drug paraphernalia;
 - (11) Electronic gaming operations;
 - (12) Explosives, ammunition, fireworks, or gunpowder manufacture;
 - (13) Fat rendering, or production of fats and oils from animal or vegetable; products by boiling or distillation;

- (14) Fraternity and sorority houses;
- (15) Garbage, offal, or animal reduction and processing;
- (16) Gasoline pumps and sales;
- (17) Halfway houses;
- (18) Hazardous materials handling or storage;
- (19) Hospitals;
- (20) Hotels/resorts;
- (21) Jails and prisons;
- (22) Jetpack rentals;
- (23) Junk yards, scrap yards, and salvage facilities;
- (24) Landfills;
- (25) Manufacturing, processing, assembly and other industrial facilities;
- (26) Motor vehicle body and paint establishments;
- (27) Motor vehicle dealerships;
- (28) Motor vehicle washing establishments;
- (29) Night clubs;
- (30) Nitrogenous tankage, fish meal or manufacture, of any fertilizer materials carrying an objectionable odor;
- (31) Nursing homes;
- (32) Outdoor advertising or billboards except where prohibition is preempted by state or federal law;
- (33) Outdoor shooting ranges;
- (34) Package treatment plant wastewater disposal systems that discharge to surface waters;
- (35) Pawn shops;
- (36) Satellite dish farms;
- (37) Sexually oriented businesses;
- (38) Shooting ranges;
- (39) Slaughterhouses;
- (40) Smoke and vapor shops;
- (41) Solar Energy farms;
- (42) Storage or processing of radioactive or infectious waste;

- (43) Tattoo, body piercing, and body art establishments;
 - (44) Taxi and pedicab storage and dispatch; or
 - (45) Use of a boat, houseboat, or other floating structure as a temporary or permanent residence (this shall not prevent the overnight occupancy of a vessel temporarily moored while in transit on navigable waters).
- (b) *Classification and review of unlisted uses.* The zoning administrator shall determine whether or not an unlisted use is substantially similar to an already defined use category or use type. A proposed use will not be denied solely because it is not included in this section. An unlisted use will be denied if the zoning administrator determines that the unlisted use is substantially similar to a use which is expressly prohibited. The zoning administrator shall use the following factors as a guideline when classifying a new or unlisted use to determine if such use is classified in a manner consistent with other similar uses in the zoning jurisdiction of the town:
- (1) Consistency with the stated intent of the zoning district;
 - (2) Consistency with the adopted vision statement and policies of the town's land use plan;
 - (3) Density of development (number of units, square footage, etc.);
 - (4) Intensity of use consistent with the zoning district in which the use is to be located;
 - (5) Type of activity associated with the use;
 - (6) Number of customers and length of stay;
 - (7) Generation of pedestrian and vehicular traffic;
 - (8) Potential impacts such as noise, light, odor, etc.;
 - (9) Public safety;
 - (10) Environmental effects; and
 - (11) Negative impacts on adjacent land uses.
- (c) If the zoning administrator rejects a proposal for a use that is not clearly prohibited, then the zoning administrator will:
- (1) Ensure that the citizen is provided with a copy of the interpretation in writing;
 - (2) Inform the citizen of the right to appeal the decision to the board of adjustment, as specified in section 36-366 of this chapter, appeals of administrative decisions; and
 - (3) Advise the applicant on the requirements for the preparation of a proposed zoning text amendment for consideration by the planning board and town council allowing policy-makers to determine whether the proposed use should be an allowable use in the district or not. Financial responsibility for a proposed zoning text change shall be on the applicant.

(Ord. No. 2021-05-05 , art. III, pt. II, 5-4-2021)

Secs. 36-210—36-238. Reserved.

ARTICLE VIII. HOME OCCUPATION/HOME-BASED BUSINESS REGULATIONS

Sec. 36-239. Requirements apply to conduct.

The requirements set forth in this article shall apply to the conduct of home occupations and home-based businesses in Southern Shores.

(Ord. No. 2007-05-01, art. VIII, 6-5-2007)

Sec. 36-240. General standards.

- (a) The town adopts these standards and regulations to regulate the conduct of a business within the confines of their residences, to provide residents with an opportunity to use their homes to engage in small-scale business activities, and to establish standards to ensure that such home occupations/home based businesses are conducted as lawful uses, subordinate to the residential use of the property right to quiet enjoyment by neighbors.
- (b) Home occupations/home-based businesses are permitted in any residential dwelling unit subject to the following provisions:
 - (1) The use of the dwelling unit for the home occupation or home-based business shall be clearly incidental and subordinate to its use for residential purposes by its occupants, and shall under no circumstances change the residential character of the structure or the property.
 - (2) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation or home-based business.
 - (3) No business storage or warehousing of material, supplies or equipment shall be permitted outside of the primary dwelling unit.
 - (4) No toxic, explosive, flammable, combustible, corrosive, etiologic, radioactive or other restricted materials, as may be regulated by the state department of environment, health, and natural resources, division of solid and hazardous materials, shall be used or stored on the site in quantities greater than is reasonable and customary for any residential unit.
 - (5) No display of products shall be visible from the street.
 - (6) A home occupation or home-based business shall be subject to all applicable licenses, permits and business taxes.

(Ord. No. 2007-05-01, art. IX, 6-5-2007)

Sec. 36-241. Permitted use.

- (a) Home occupation/home-based business use of residential property permits very limited activities in a residential dwelling, provided:
 - (1) Such activities do not impact or detract from the residential character of the neighborhood.
 - (2) The business inside the dwelling unit shall not exceed 25 percent of habitable space of the primary residential structure.
- (b) A home occupation shall be deemed an accessory use, and no further approval shall be required, provided the use meets the standards of this section.

(Ord. No. 2007-05-01, art. X, 6-5-2007)

Sec. 36-242. Prohibited characteristics.

No home occupation or home-based business shall be permitted that does any of the following:

- (1) Requires internal or external alterations inconsistent with the residential use of the building or the land.
- (2) Requires additional parking over and above that of residential use.
- (3) Is a nuisance, or creates a hazard to persons or property.

(Ord. No. 2007-05-01, art. XI, 6-5-2007)

Secs. 36-243—36-262. Reserved.***ARTICLE IX. PLANNED UNIT DEVELOPMENT³*****Sec. 36-263. Planned unit development (PUD) concept.**

- (a) *Definitions.* A tract of land of at least five acres in area, under single, corporate, firm, partnership, or association ownership, planned and developed as an integral unit, in a single development operation or a definitely programmed series of development operations, and according to an approved outlined development plan and a preliminary site plan, and which is a departure from the strict requirements relating to lot sizes, setback lines and yard

³Editor's note(s)—The special regulations which are established in this article are intended to provide a means of regulating development which achieves flexibility of design, the integration of mutually compatible uses, and optimum land planning with greater efficiency, convenience, and amenity than the procedures and regulations under which it is permitted as of right under conventional zoning requirements.

spaces, but which does maintain zoning district density requirements. Only residential uses shall be allowed in a planned unit development.

- (b) *Intent.* Upon application and upon approval of detailed site, use, building and development plans, the town council may permit establishment of planned development in areas which are suitable with respect to location, size and physical character for development as units. Suitability of such tracts for the planned development proposed shall be determined primarily by reference to the goals and objectives of the land use plan, by the physical characteristics of the site, and by the nature of the surrounding development. The following shall apply:
 - (1) Within planned unit developments, regulations adapted to such unified planning and development are intended to accomplish the purposes of zoning and other applicable regulations to the same degree as in districts in which regulations are intended to control development, on a lot-by-lot rather than a unified basis, and to promote economical and efficient land use, a higher level of amenities, appropriate and harmonious variety in physical development, creative design, and an improved living and working environment.
 - (2) Planned unit development will only be considered in the multifamily zoning districts.
- (c) *Relation of PUD regulations to general zoning, subdivision or other regulations.* Where there are conflicts between the special PUD provisions of this article and general zoning, subdivision or other regulations or requirements, these special regulations shall apply in PUDs, unless the town council shall find in the particular case:
 - (1) That these provisions do not serve public purposes to a degree at least equivalent to general zoning, subdivision or other regulations or requirements;
 - (2) That actions, designs or solutions proposed by the applicant do not satisfy public purposes to at least an equivalent degree; or
 - (3) It is specifically provided, however, that where dwelling unit density, floor area and similar ratios have been established by these regulations, the council shall not act in a particular case to alter these ratios.

Except as indicated above, the procedures and requirements set forth in this article and in guides and standards adopted as a part of these regulations for a particular planned unit development shall apply in the approved PUD and to issuance of any permits required.

- (d) *Where permitted.* Planned unit developments may hereafter be established where tracts suitable in location and character for the uses and structures proposed are to be planned and developed as units, according to the requirements and procedures set forth herein. PUDs shall be appropriately located with respect to intended functions, to the pattern and timing of development existing or proposed in the comprehensive plan, and to public and private facilities, existing or clearly to be available, by the time development reaches the state where they will be needed.
- (e) *Procedures on PUD approval.* Applications for PUD approval shall be submitted to the planning board. Material submitted with the application, or on request by the planning board

or town council, shall include all plans, maps, studies and reports which may reasonably be required to make the determinations called for in the particular case, with sufficient copies for necessary referrals and records. More specifically, all of the following shall be required:

- (1) A map showing the proposed development in relation to its surrounding area and defining the relative size and location of streets, utilities, schools, and commercial facilities expected to serve the area.
- (2) A survey report covering soil condition, drainage, topography, location and character of surface water, flora and fauna, and other such information as may be required, to determine if the site is suitable for planned unit development without hazards to occupants or adjoining properties.
- (3) An overall preliminary development plan which shall show:
 - a. Proposed major vehicular and pedestrian circulation systems;
 - b. Proposed land uses including residential densities and nonresidential uses;
 - c. Proposed plans and regulations for major reservations of land for parks, playgrounds, and other public uses or facilities;
 - d. Relationship to existing land uses in the surrounding areas.
- (4) Common area, which is an area designated as such on the site development plan of a PUD, and on the subdivision plan as an area to be held in separate ownership for the use and benefit of residents occupying specified lots shown on such subdivision plan, provided that it meets the following requirements:
 - a. It shall be conveniently accessible to all residents of the development.
 - b. It shall be made available in its improved state, as set forth on the site development plan, in accordance with an approved time schedule.
 - c. It shall be maintained in accordance with an approved maintenance plan specifying what such maintenance shall consist of, whose responsibility it shall be, and ensuring satisfactory execution of maintenance.
 - d. Provisions to ensure its continuing availability shall be included in the deed to each parcel to be served by such common area.
 - e. Such other information as may be required by the planning board or the council to determine the impact of the proposed development on the town.
- (f) *Approval of site development plans.* No building permit shall be issued in such development unless and until the planning board and town council shall have approved site development plans and reports for the development as a whole, or stages or portions thereof, deemed satisfactory in relation to total development. No structure or use other than as indicated in approved site development plans and reports shall be permitted. Approval of site development plans and reports shall be based on:
 - (1) Compliance with regulations applying at the time the land was proposed for PUD, including applicable provisions of the subdivision regulations, unless conflicting with

these regulations, and related capital improvement requirements of the town, as regards construction of physical improvements and bonding thereof, and such specific modifications as were made by the town council in the approved action; or

- (2) Compliance with regulations applying currently, at the option of the applicant. Upon approval of site development plans and reports, building permits shall be issued in the same manner as for building permits generally, provided that any requirements concerning the order or location in which building permits are to be issued in the particular development shall be observed. Except as provided in subsection (g) of this section, final plans and reports approved shall be binding on the applicant and any successors in interest so long as planned development status applies to the land.
- (g) *Changes in approved site development plans.* After review of the application by the planning board, the town council may permit changes when requested by the developer, but only on a finding that such changes are in accord with all regulations in effect at the time the site development plan or plat was approved, and in accord with the general interest and purpose of the comprehensive plan in effect at such time, provided that the applicant may elect to proceed in accord with the regulations and comprehensive plan currently in effect. Changes other than as indicated in this subsection shall be made only by a new PUD application.
- (h) *Public hearings permissible but not mandatory in connection with site development plans.* Action in connection with approval of site development plans or changes in approved plans not requiring ordinance amendment are administrative, and do not require public notice and hearing but the planning board and town council may hold such hearings as deemed desirable in connection with such action.
- (i) *Expiration of time limits on PUD.* If actions required in the PUD are not taken within the time limits set, the planning board shall review the circumstances and recommend to the town council that:
 - (1) PUD approval for the entire area be continued with revised time limits;
 - (2) PUD approval to be continued for part of the area with revised time limits, and the remainder returned to conventional zoning control; or
 - (3) PUD approval be removed from the entire project.

Such recommendations shall include proposals for appropriate action with respect to any legal instruments, dedications, contributions or guarantees in the case.

(Code 1988, § 11-9.01)

Sec. 36-264. Development plan review procedure.

All development plans for PUDs will proceed as provided by section 36-300, for processing ~~conditional~~ special use permits, with additional steps as outlined below:

- (1) *Preapplication conference (sketch plan proposal).*

- a. On request by applicants, members of the planning board and the zoning administrator shall meet with applicants to review the original application, including the developer's report, if submitted, and the sketch plan of the proposed planned unit development. The purpose of such pre-hearing conferences shall be to assist in bringing the report, if submitted, and the sketch plan as nearly as possible into conformity with these or other land development regulations applying in the case, and to define special variations from application of the regulations, which would otherwise apply, which seem justified in view of equivalent services of the public purposes of such regulations.
 - b. In the course of such pre-hearing conferences, any recommendation for changes shall be recorded, in writing, and shall become part of the record in the case.
 - 1. All such recommendations shall be supported by stated reasons for the proposal for change.
 - 2. Applicants may, in writing, indicate their agreement to such recommendations, or their disagreement.
 - 3. If there is disagreement, applicants shall, in writing, indicate their reasons therefor.
 - 4. Responses by applicants shall also be included in the record.
 - c. Sketch plans may be drawn in such a manner as to minimize initial expense and encourage sufficient design flexibility to accommodate required changes, without undue hardship to the developer.
 - 1. All sketch plans submitted shall be drawn to appropriate scale.
 - 2. All sketch plans shall show the locations of all lots, streets, drives, off-street parking areas and other pertinent features, together with building locations, if appropriate.
 - d. Developer may submit preliminary plats in lieu of sketch development plans.
- (2) *Consideration and recommendation by the planning board.*
- a. Following the preapplication conference, the planning board shall review the applications for planned unit development, including sketch plan and report or preliminary subdivision plat, if submitted in lieu thereof, together with written or sketched changes left unresolved after the preapplication conference.
 - b. The planning board, or its representative, when appropriate, shall seek the advice of the county health department, state department of transportation or other agencies as necessary, to accomplish a complete review of any development plans.
 - c. Whenever the planning board determines that the characteristics of a proposed development should be modified to protect the occupants of such development, or the public interest, the board may recommend reasonable modifications in

building location, driveway location or design, location of recreation areas or open spaces, lot sizes or other essential elements of any development plan.

- d. The planning board will recommend approval, or denial, of PUD applications. In its action, the planning board will reflect its views upon issues left unresolved in the preapplication conference.
- e. As required by the terms of this article, the planning board shall forward its recommendations to the town council in accordance with ~~conditional~~ special use permits.

(3) *Public hearing and approval by the town council as required.*

- a. A public hearing, as provided by ordinance for rezoning hearings, may be advertised and held before the town council for any planned unit development proposed to be established in any appropriate zoning district.
- b. The town council may approve such application in accord with PUD and general regulations; may include specific modifications of PUD and general regulations, as recommended by the planning board; may return the application to the planning board for further consideration of specific suggested changes; or may deny the application.
- c. Upon approval of the town council, the developer is required to submit final detailed plans of the proposed PUD to the planning board, as provided in subsection (4) of this section.

(4) *Final approval of detailed plan by the planning board.*

- a. Following approval of a proposed planned unit development (PUD) sketch plan, and the approval of all required rezoning actions, if any, by the town council, a detailed plan for the PUD shall be submitted to the planning board by the developer; provided a preliminary subdivision plat may be submitted in lieu of detailed plan proposals, if necessary information is submitted with such plan to show proposed building locations or other features.
- b. Review of a detailed plan proposal or preliminary subdivision plats, if submitted in lieu thereof, shall follow procedures established in the town subdivision regulations for all developments, including those proposing private streets, private common open spaces or private lot access easements.

(5) *Issuance of building permits by the building inspector.*

- a. When a detailed development plan or preliminary subdivision plat has been approved by the planning board, and approved by the town council if required, it shall be so certified to the building inspector.
- b. Building permits shall be issued by the building inspector only for improvements and developments on a planned unit development site which conforms to the approved development plan or subdivision plat.

(Code 1988, § 11-9.02; Ord. No. 2011-04-01, art. III, pt. IX, 4-5-2011)

Sec. 36-265. Planned unit development standards and requirements.

All planned unit developments shall conform to the following standards and requirements:

- (1) *Minimum size of site.* A planned unit development site shall not be less than five acres in size.
- (2) *Maximum unit density.*
 - a. The maximum unit density in any PUD shall not exceed the density, per net acre, of the zoning district in which it is located.
 - b. Net acreage is the total area proposed for the development minus any area used for roads, off-street parking and loading facilities, buffer areas, common recreation areas such as playgrounds, club houses, tennis courts, swimming pools or other buildings or facilities intended for the use of the residents of the project, and any watercourses or other water areas or areas unusable for recreation or development. All computations under this subsection shall be within .05 acres accuracy.
- (3) *Number of buildings.* More than one principal building may be permitted on a lot in a planned unit development, provided each principal building is designed and arranged to conform with a development plan approved by the planning board and the town council.
- (4) *Minimum buffer required.*
 - a. No structure, parking area or other use, except open spaces for recreational or decorative purposes, shall be erected or established within a distance of 35 feet from any planned unit development project's exterior boundary line. Provided, such restriction shall not apply to any interior development line or "phase line," or to any exterior boundary line which abuts a nonresidential zoning district boundary line.
 - b. A setback minimum of ten feet is required when a parcel used for residential purposes abuts a parcel with a nonresidential use in a residential area.
- (5) *Off-street parking and loading facilities.* All off-street parking and loading facilities established as a part of a planned unit development shall conform to the requirements and design standards established by this article.
- (6) *Preservation of noteworthy features.* In all planned unit developments, to the maximum degree reasonably practicable, efforts shall be made to preserve historic sites, scenic points, large trees and other desirable natural growths, watercourses and other water areas, and other features worthy of preservation, either as portions of public sites and open spaces, or in such other form as to provide amenity to the neighborhood.
 - a. Large trees or other desirable natural growth, located in public or private rights-of-way or public or private easements, shall not be removed unless such removal

is necessary for the installation of utilities or drainage structures or for other purposes in the public interest.

- b. Such removal may be prohibited if the amenity of adjacent property, or the amenity of the general neighborhood, is adversely affected.

(Code 1988, § 11-9.03)

Sec. 36-266. Uses permitted.

Uses permitted, to be established in a special planned unit development, shall only be residential uses.

(Code 1988, § 11-9.04)

Secs. 36-267—36-295. Reserved.

ARTICLE X. ADMINISTRATION AND ENFORCEMENT

Sec. 36-296. Administration and enforcement.

The town manager, or his designee, shall administer and enforce this chapter and may be provided with the assistance of such other persons as the town council may direct. The town manager, or his designee, shall have all necessary authority to administer and enforce this zoning chapter, including the ordering, in writing, of the remedying of any condition found in violation of this chapter, and the bringing of legal action to ensure compliance with this chapter, including injunction, abatement, or other appropriate action or proceeding.

(Code 1988, § 11-10.01; Ord. No. 2011-01-01, art. VIII, pt. VIII, 1-4-2011)

Sec. 36-297. Building and zoning permits required; time limitations for site plans and building permits.

- (a) The following provisions pertaining to time limitations to obtain building and zoning permits, and to commence, continue and complete construction, shall apply in all cases in which site plan approval is required, unless otherwise provided for in section 36-304. Subsection (a)(4) of this section, pertaining to site plan extensions, shall not apply in instances where a landowner has been granted a vested right pursuant to section 36-304.
- (1) *Building and zoning permits required.* No building or other structure shall be erected, moved, added to, or structurally altered, without a permit issued by the building inspector and zoning administrator. No building or zoning permit shall be issued except in conformity with the provisions of this article. A zoning permit, if required, shall be issued by the zoning administrator prior to the issuance of a building permit. A fee for building permits and zoning permits is required which shall be in accordance with a regularly adopted fee schedule of the town.

- (2) *Time limitation to obtain building permit and zoning permit.* Upon final approval of a site plan by the town council, the building inspector and zoning administrator may issue a building permit and zoning permit within 180 days from the date of such approval, provided that all other requirements are met. If a building permit and zoning permit are not issued within 180 days from the date of final approval of the site plan, the site plan expires and the applicant must submit a new site plan, conforming to the then current provisions of the zoning chapter and all other applicable ordinances, for review by the planning board and town council and pay the applicable fees.
- (3) *Time limitation to commence and continue construction.* If the start of construction has not commenced within 180 days from the date of issuance of a building permit, the building permit, zoning permit and the approval of that site plan shall expire. If, after commencement, the work is discontinued for a period of 12 months, the building permit, zoning permit, and site plan shall immediately expire. No work authorized by any permit or site plan that has expired shall be performed until a new site plan has been approved and a new building permit and zoning permit have been issued and all applicable fees paid.
- (4) *Time limitation to complete construction.* If the work authorized by any building permit, issued in accordance with an approved site plan, is started but not prosecuted to completion within 18 months of the date of issuance of the building permit and zoning permit, the approval of that site plan shall expire and the building permit and zoning permit shall be revoked. At the time of expiration, all work shall cease, and shall be allowed to continue only after a new site plan has been reviewed and approved by the planning board and town council, and a new building permit and zoning permit issued and all applicable fees paid. The new site plan shall depict work in accordance with the then current provisions of the town zoning chapter and any further construction or use shall be in conformity with those regulations.
- (b) As an alternative to subsections (a)(2), (3) and (4) of this section, a developer may, no sooner than 60 days and no later than 30 days prior to the date of expiration of a site plan, petition the town council and upon a subsequent finding by the town council that the delay in construction has been due to circumstances beyond the control of the developer, and that an extension of the approval of the site plan will not be detrimental to the health, safety and general public welfare, and will be in harmony with the spirit and intent of the town zoning ordinance, the town council may extend the approval of the site plan for up to 90 days. In the event the town council grants an extension to a site plan and the time limitation for the building permit and zoning permit have expired pursuant to G.S. 160A-418 and G.S. 160A-382, the applicant will be required to purchase a new building permit and zoning permit. If a site plan expires or the town council does not grant an extension, the applicant must submit a new site plan conforming to the then current provisions of the zoning ordinance and pay the applicable fees.

(Code 1988, § 11-10.02; Ord. No. 2011-01-01, art. VIII, pt. IX, 1-4-2011)

Sec. 36-298. Health department approval.

The building inspector shall not approve a building permit for any building for which county department of environmental health approval is required, until such approval has been given by the department of environmental health.

(Code 1988, § 11-10.03)

Sec. 36-299. Application for building permits, zoning permits and site plan requirements.

(a) *Single-family detached and duplex residences.*

- (1) Applications for building permits and zoning permits shall be accompanied by duplicate site and/or building plans as required by the planning and code enforcement department to accurately describe the work proposed drawn to scale, showing the actual dimensions and shape of the lot to be built upon; the exact sizes and locations on the lot of buildings already existing, if any; and the location and dimensions of the proposed building or alteration. The site plan shall also include the present owner's name; present and proposed lot coverage in square feet and as a percentage; the lot, block and section number of the parcel, flood zone per FEMA; required open yard zoning setback lines, and; applicable coastal development area of environmental concern (AEC) regulatory features and lines. Site plans and surveys shall bear the seal of a state licensed professional surveyor, engineer, architect or other person duly authorized by the state to prepare such plans. The application shall include such other information as lawfully may be required by the building inspector, zoning administrator, and other code enforcement staff, including existing or proposed building or alteration; existing or proposed uses of the building and land; and the number of families, housekeeping units, or rental units the building is designed to accommodate; conditions existing on the lot and on nearby lots; elevations of finished floors; and such other matters as may be necessary to determine conformance with and provide for the enforcement of this section. Applications for principal dwellings or accessory garages with associated driveways shall show the driveway as it extends from the front property line through the public or private right-of-way to the edge of the improved roadway.
- (2) One copy of the plans shall be returned to the applicant by the building inspector and zoning administrator, after they shall have marked such copy "Reviewed for Code Compliance." A copy of the plans, similarly marked, shall be retained by the planning and code enforcement department.
- (3) Permits issued pursuant to state requirements for work limited in scope to electrical, plumbing, gas, mechanical or fire protection shall not require the submission of site plans for activity within or attached to an existing structure. The construction of a pool, concrete driveway or bulkhead requires issuance of a building permit.

(b) *All uses other than one- and two-family dwelling units.*

- (1) Site plans must be reviewed by the planning board and approved by the town council before a building permit and zoning permit for construction may be issued.
- (2) Site plan requirements. Twelve copies of the site plan shall be submitted no later than 30 days prior to the planning board meeting at which the plan is to be reviewed. All plans shall be prepared, stamped and endorsed by a state registered engineer, surveyor or architect, or other person duly authorized by the state to prepare such plans. All plans shall contain at least the following information:

a. *Property and ownership information.*

1. Present recorded owner and the map book reference of the site property.
2. Owners, lot numbers or map book and page reference of all adjacent properties.
3. Boundary of the entire lot by course and distance.
4. Width of the existing rights-of-way.
5. Nature or purpose, location and size of existing easements.
6. Iron pins three-eighths of one inch in diameter and 36 inches in length, or concrete monuments shall be shown and installed at all lot corners, points of tangents, and any angle point along a given course of the lot.
7. Plan drawn to at least one inch: 100-foot scale showing north arrow.
8. Zoning district of the site and all adjacent properties.
9. Lot area by upland; by swamp, marsh and wetland; and the total area.

b. *Existing features information.*

1. Streets showing the type and width of pavement, curbs and sidewalks.
2. Topographic features of the lot and existing grades for the lot, streets, storm drainage, etc.
3. All underground utilities and facilities.
4. All existing buildings and structures.
5. Wetlands as certified by the U.S. Army Corps of Engineers or their authorized agent.
6. Flood zone, base flood elevation, and map reference, as determined by the latest FEMA flood insurance rate map, with the notation "flood zones subject to change by FEMA."

c. Site improvements, show all proposed site improvements including, but not limited to:

1. Anticipated final appearance of the sides and rooflines of proposed structures shown on the site plan, plus a rendering showing the anticipated front

appearance of the structure relative to landscaping. Final appearance of all structures shall be determined at time of building permit application.

2. Proposed building type and material (i.e., steel, brick, concrete or wood frame), number of floors and dimensions.
 3. Proposed lowest floor elevation.
 4. Location and type of all sidewalks and curbs with the site.
 5. Proposed method for treating wastewater, location of all wastewater collection and treatment facilities (including any applicable property to be reserved for possible future wastewater use), name of any regulatory agency that must approve wastewater system, name of and written approval for connection from any organization that will collect or dispose of wastewater.
 6. Layout and number of parking stalls, driveway connections, and internal traffic plans.
 7. Finished grades.
 8. A tabulation of the total number of dwelling units of various types in the project and the overall project density in dwelling units per acre.
 9. Rights-of-way improvements in accordance with the policy of the town council.
 10. Storm drainage in accordance with the policy of the town council.
 11. A tabulation of lot coverage by type of cover and overall project coverage and percent coverage.
 12. Limits of land disturbing activity and the calculated area of land disturbance.
 13. Proposed use under this chapter, pertaining to zoning.
 14. Parking requirements and spaces provided.
 15. Proposed signage and calculations.
 16. Proposed water supply.
 17. Proposed outdoor lighting.
 18. Required and provided buffers, and proposed landscaping.
 19. Location of solid waste container, plus location of separate recycling container.
- d. All items on the site plan and all pertinent provisions of this chapter, pertaining to zoning, shall be addressed by the applicant before the site plan is presented for review by the planning board.
- e. Dimensional requirements and development standards shall be in accordance with the district in which the development is to be located.

- (3) *Water and wastewater treatment and disposal.*
- a. No proposed site plan shall be accepted by the town, as part of an application for approval or conditional approval by the planning board, without written tentative approval of the proposed sewage treatment and disposal facilities by the department of environmental health or the state department having jurisdiction.
 - b. No proposed site plan shall be accepted by the town, as part of an application for approval or conditional approval by the planning board, without written tentative approval of the proposed water distribution facilities by the water department or the state department having jurisdiction.
- (4) The planning board may recommend approval, conditional approval or rejection of any proposed site plan. Upon completion of review, the planning board will transmit their recommendations to the town council. The town council may approve, approve with specific requirements or disapprove any site plan. A rejected site plan may be resubmitted, in accordance with this section, when redrafted to meet the specifications of this article and upon payment of a plan review fee.
- (5) *Site plan amendments.*
- a. Following town council's final site plan approval, minor changes or amendments to the approved site plan may be approved by the zoning administrator upon written application if the site plan as amended will otherwise meet the requirements for approval. All other changes or amendments to an approved site plan must be approved by the town council after review by the planning board in the same manner required for the initial review of a site plan.
 - b. Changes or amendments to an approved site plan may be considered minor if, in the discretion of the zoning administrator, they have no substantial impact on neighboring properties or the general public and do not prevent the spirit and intent of a condition of the prior approval or the requirements of the zoning ordinance from being met. If, in the zoning administrator's sole discretion, the zoning administrator cannot clearly determine whether a change or amendment qualifies as minor or upon the written request of the applicant, the changes or amendments to a site plan shall be considered by the town council after review by the planning board in the same manner required for the initial review of a site plan.
- (6) Prior to issuance of a building permit and zoning permit, evidence shall be presented to the town showing satisfaction of all appropriate state and federal permits, including but not limited to:
- a. U.S. Army Corps of Engineers wetlands permit.
 - b. NCDOT driveway permit and/or encroachment application for work in a state right-of-way.
 - c. State soil erosion and sedimentation control plan approval.
 - d. State stormwater plan approval.

- e. State or town CAMA permit.
 - f. Receipts for payment of water connection fee, county regional water system.
 - g. Septic tank or other wastewater treatment approval by the department of environmental health or other appropriate permitting agencies.
- (7) Inspections of sites involving public rights-of-way and inspections of any on-site construction shall be made by the town.

(Code 1988, § 11-10.04; Ord. No. 04-03-01, art. II, § 1, 6-1-2004; Ord. No. 2006-07-04, art. III, 9-5-2006; Ord. No. 2006-09-02, art. VI, 11-28-2006; Ord. No. 2011-01-01, art. VIII, pt. X, 1-4-2011; Ord. No. 2012-01-01, art. III, pt. I, 1-3-2012)

Sec. 36-300. Application for permit for ~~conditional~~ special uses.

The town council may approve permits for ~~conditional~~ special uses in the zoning districts where such ~~conditional~~ special uses are specified by this article. Applications for permits under article IX of this chapter, pertaining to planned unit development, shall also be processed under the procedures of this article. The town council may impose such reasonable and appropriate conditions and safeguards upon these ~~conditional~~ special use permits as to ensure that the spirit and intent of this article is preserved.

- (1) Written application for a ~~conditional~~ special use permit shall be submitted to the planning board no later than 30 days prior to the planning board meeting at which the plan is to be reviewed. Such written application shall indicate the section of this article under which a permit is being sought, and shall contain the information required by the appropriate section and such other information as may be required, to ensure compliance with this article.
 - (2) The written application shall include a list of the names and addresses of all abutting property owners and the owners of property immediately across the street from the property affected by the ~~conditional~~ special use application. The list shall be supplied by the applicant and shall be current according to the most recent tax listing abstract as filed in the office of the county tax supervisor. The town council shall hold a public hearing and shall give written notice, including the date and time of a public hearing at which the application will be considered, to the owners as contained in said listing. Notice shall be sent by certified mail to the last address of such owners as appears on the list supplied by the applicant. Notice shall be given at least ten days in advance of such public hearing by a legal advertisement placed in a newspaper having general circulation in the county. Notice of these hearings shall be posted on the property concerned for at least ten days prior to the public hearing.
- b. The planning board shall review the application for a ~~conditional~~ special use permit and shall submit its recommendation as to approval or disapproval along with such conditions as it may deem necessary to the town council.
- (3) In instances where a property owner seeks to obtain a vested right, pursuant to section 36-304, a public hearing shall be held by the town council. The town council shall give

written notice by certified mail including the date and time of the public hearing to the owner of the property or his agent for which the vested right is sought. Notice shall be given at least ten days in advance of such public hearing by a legal advertisement placed in a newspaper having general circulation in the county. Notice of these hearings shall be posted on the property concerned for at least ten days prior to the public hearing.

- (4) Any party may appear in person, or by agent or attorney.
- (5) Before they may grant any ~~conditional~~ special use permit or vested right, the town council shall make affirmative findings that:
 - a. The applicant has met the requirements of the applicable provisions of the town chapter pertaining to zoning, subdivision chapter, and all other applicable ordinances.
 - b. That the use as proposed will conform with the town's land use plan, and will be compatible with the area in which it is to be located, if developed in accordance with the conditions specified in the chapter and additionally required by the town council as authorized by the chapter.
 - c. That the use will not materially endanger the public health and safety if located where proposed and developed according to the plan submitted.
 - d. That the use as proposed will not overburden the town volunteer fire department fire-fighting capabilities and the county water supply capacity to the town, as said facilities and capabilities will exist on the completion date of the ~~conditional~~ special use for which the application is made.
- (6) In granting any ~~conditional~~ special use permit, the town council may prescribe appropriate conditions and safeguards in conformity with this article. Violation of such conditions and safeguards, when made a part of the terms under which the ~~conditional~~ special use permit is granted, shall be deemed a violation of this article and punishable under article XI of this chapter. Upon final approval of a site plan by the town council, the building inspector, upon proper application, shall issue a building permit within 180 days from the date of such approval, provided that all other requirements are met. If a building permit is not applied for and issued within 180 days from the date of final approval of the site plan, the site plan expires and the applicant must submit a new site plan, conforming to the then current provisions of the zoning chapter and all other applicable ordinances, for review by the planning board and town council and pay the applicable fees. If any of the conditions of approval or any part of them should be held invalid or void, the entire permit shall be void immediately.

(Code 1988, § 11-10.05; Ord. No. 04-03-01, art. II, § 2, 6-1-2004)

Sec. 36-301. Certificate of compliance required.

No land shall be used or occupied and no building hereafter structurally altered, erected or moved shall be used or its use changed until a certificate of compliance shall have been issued by

the building inspector stating that the building and/or the proposed use thereof complies with the provisions of this article. A like certificate shall be issued for the purpose or renewing, changing or extending a nonconforming use. A record of all certificates shall be kept on file in the office of the building inspector.

(Code 1988, § 11-10.06)

Sec. 36-302. Violation.

If the building inspector or zoning administrator shall find that any of the provisions of this article are being violated, he shall notify in writing the person responsible for such violations, indicating the nature of the violation, and ordering the action necessary to correct it. He shall order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of additions, alterations, or structural changes thereto; discontinuance of any illegal work being done; or take any other action authorized by this article to ensure compliance with or to prevent violations of its provisions.

(Code 1988, § 11-10.07; Ord. No. 2011-01-01, art. VIII, pt. XI, 1-4-2011)

Sec. 36-303. Fees.

All site plans, development plans, plats or other plans required to be presented by this article for approval by the town shall be accompanied by a filing fee. This filing fee shall be payable to the town and shall be due and payable upon submission of the site plan, plan or plat, with the exception of SPD-C plans which shall be paid upon the submission of the individual development site plans within the SPD-C district. The fee required by this section shall be the amount specified in the regularly adopted fee schedule for the town.

(Code 1988, § 11-10.08)

Sec. 36-304. Vested right.

A vested right shall be deemed established with respect to any property upon the valid approval or conditional approval of a site specific development plan, following notice and public hearing by the town council. Such vested right shall confer upon the landowner the right to undertake and complete the development and use of said property under the terms and conditions of the site specific development plan. The town council may approve a site specific development plan upon such terms and conditions as may reasonably be necessary to protect the public health, safety, and welfare. Landowners seeking vested rights shall fully comply with all provisions stated herewith, and G.S. 160A-385.1, as amended.

(1) Establishment.

- a. Any property owner wishing to establish vested rights shall make their intentions known, in writing, to the town at the time of submittal of the site specific development plan. If the town is not notified, in writing, at the time of submittal of a site specific development plan, then the application shall proceed in

accordance with section 36-299 for permitted uses or section 36-300 for ~~conditional~~ special uses.

- b. Property owners electing to pursue the vested rights option will be subject to review procedures as specified in section 36-300, pertaining to application for building permits for ~~conditional~~ special uses, and hence forth, the project under consideration for vested rights will be processed as a ~~conditional~~ special use, subject to all conditions, specifications, procedures, and required findings as outlined in section 36-300. If the option for granting of vested rights is successfully exercised, such rights will be specified and issued as part of the ~~conditional~~ special use permit.
- c. A vested right may be established only for uses that are currently permitted by right or by ~~conditional~~ special use permits in the appropriate zoning district.

(2) *Duration and termination.*

- a. A right which has been vested as provided for in this section shall remain vested for a period of two years from the date of town council approval of the site specific development plan. This vesting shall not be extended by any amendments or modifications to a site specific development.
- b. The town council may rescind the approval of a site specific development plan for failure to comply with applicable terms and conditions of the approval or the chapter pertaining to zoning.
- c. Upon issuance of a building permit, the provisions of G.S. 160A-418 and 160A-422 shall apply, except that a permit shall not expire or be revoked because of the running of time while a vested right under this section is outstanding.
- d. A right which has been vested as provided in this section shall terminate at the end of the applicable vesting period with respect to buildings and uses for which no valid building permit applications have been filed.

(3) *Subsequent changes prohibited; exceptions.*

- a. A vested right, once established as provided for in this section, precludes any zoning action by the town which would change, alter, impair, prevent, diminish, or otherwise delay the development or use of the property as set forth in an approved site specific development plan, except:
 - 1. With the written consent of the affected landowner;
 - 2. Upon findings at a public hearing by the town council that natural or manmade hazards on or in the immediate vicinity of the property, if uncorrected, would pose a serious threat to the public health, safety, and welfare if the project were to proceed as contemplated in the site specific development plan;
 - 3. To the extent that the affected landowner received compensation for all costs, expenses, and other losses incurred by the landowner, including but

not limited to all fees, paid in consideration of financing, and all architectural, planning, marketing, legal, and other consultant's fees incurred after approval by the town, together with interest thereon at the legal rate until paid. Compensation shall not include any diminution in value of the property which is caused by such action;

4. Upon findings at a public hearing by the town council that the landowner or his representative intentionally supplied inaccurate information or made material misrepresentations which made a difference in the approval by the town of the site-specific development plan; or
 5. Upon the enactment or promulgation of a state or federal law or regulation which precludes development as contemplated in the site-specific development plan, in which case the town may modify the affected provisions, upon a finding at a public hearing by the town council that the change in state or federal law has a fundamental effect on the plan.
- b. Nothing in this article shall prevent the town from amending this chapter, pertaining to zoning, or the official map in such a way that a development project for which a vested right has been established is rendered nonconforming in any way.
 - c. The establishment of a vested right shall not preclude the application of overlay zoning, which imposes additional requirements but does not affect the allowable type or intensity of use, or ordinances or regulations, which are general in nature and applicable to all property, subject to land use regulations by the town including, but not limited to, building, fire, plumbing, electrical, and mechanical codes. Otherwise, applicable new regulations shall become effective with respect to property which is subject to a site specific development plan upon the expiration or termination of the vesting rights period provided for in this section.
 - d. The establishment of a vested right shall not preclude, change, or impair the authority of the town to adopt and enforce zoning chapter provisions governing nonconforming situations or uses.
- (4) *Miscellaneous provisions.*
- a. A vested right obtained under this section is not a personal right, but shall attach to and run with the applicable property. After approval of a site-specific development plan, all successors to the original landowner shall be entitled to exercise such rights.
 - b. Each site specific development plan, which obtains a vested right under this section, shall contain the following notation: "Approval of this plan establishes a vested right under G.S. 160A-385.1. Unless terminated at an earlier date, the vested right shall be valid until (date)."
 - c. In the event that G.S. 160A-385.1 is repealed, this section shall be deemed repealed and the provisions hereof no longer effective.

- d. This section shall be effective October 1, 1991, and shall only apply to site specific development plans for which a vested right has been applied for and obtained on or after October 1, 1991.

(Code 1988, § 11-10.09)

Secs. 36-305—36-326. Reserved.

ARTICLE XI. PENALTY

Sec. 36-327. Enforcement.

- (a) As provided by G.S. 160A-389, as amended, if any building or structure is erected, constructed, reconstructed, altered, repaired, converted, or maintained, or any building, structure, or land is used in violation of this chapter, the town, in addition to other remedies, may institute appropriate action or proceedings to prevent the unlawful action or use, to restrain, correct, or abate any violation, to prevent the occupancy of the building, structure, or land or to prevent any illegal act, conduct, business, or use in or about the premises.
- (b) The town shall have the power to impose fines and penalties for violation of this chapter, and may secure injunctions and abatement orders to further ensure compliance with this article as provided in G.S. 160A-175(a), (c)—(g) and 160A-389, as amended.

(Code 1988, § 11-11.01)

Sec. 36-328. Penalties for violation.

Any violation of this chapter shall subject the offender to remedies prescribed in section 1-6.

(Code 1988, § 11-11.02)

Secs. 36-329—36-359. Reserved.

ARTICLE XII. BOARD OF ADJUSTMENT⁴

Sec. 36-360. Planning board to act as board of adjustment.

By the adoption of this article, the town abolishes the previously established board of adjustment and designates the town planning board established under chapter 24, article II to

⁴Editor's note(s)—Ord. No. 2014-04-01, art. III, adopted Apr. 1, 2014, amended art. XII in its entirety to read as herein set out. Former Art. XII, §§ 36-360—36-363, pertained to similar subject matter, and derived from Code 1988, §§ 11-12.01—11-12.04; Ord. No. 02-06-020, pt. I, adopted June 25, 2002; Ord. No. 04-03-01, art. II, § 3, adopted June 1, 2004; and Ord. No. 2011-01-01, art. VIII, pt. XII, adopted Jan. 4, 2011.

perform the duties of a board of adjustment as provided in this article. The term "board" when used in this article shall be construed to mean the planning board while performing the duties of board of adjustment under this article. The planning board may perform the duties of a board of adjustment under this article at meetings contemporaneously with other duties or it may hold separate meetings solely for the purpose of performing the duties of a board of adjustment.

(Ord. No. 2014-04-01, art. III, 4-1-2014)

Sec. 36-361. Alternate members.

Each alternate member serving on behalf of any regular member has all the powers and duties of a regular member.

(Ord. No. 2014-04-01, art. III, 4-1-2014)

Sec. 36-362. Meetings of the board of adjustment.

- (a) *Generally.* All meetings of the board shall be held at a regular place and shall be open to the public. The board shall keep minutes of its proceedings, showing the vote of each member upon each question or, if absent or failing to vote, an indication of that fact. Any party may appear in person or be represented by an attorney.
- (b) *Notices.* Notice of hearings conducted pursuant to this article shall be mailed to: (i) the person or entity whose appeal, application, or request is the subject of the hearing; (ii) to the owner of the property that is the subject of the hearing if the owner did not initiate the hearing; (iii) to the owners of all parcels of land abutting the parcel of land that is the subject of the hearing; and (iv) to any other persons entitled to receive notice as provided by this chapter. In the absence of evidence to the contrary, the town may rely on the Dare County tax listing to determine owners of property entitled to mailed notice. The notice must be deposited in the mail at least ten days, but not more than 25 days, prior to the date of the hearing. Within that same time period, the town shall also prominently post a notice of the hearing on the site that is the subject of the hearing or on an adjacent street or highway right-of-way.
- (c) *Burdens.* The burdens of production, persuasion and proof for all quasi-judicial decisions of the board lie with the applicant or appellant seeking such a decision.
- (d) *Fees.* A fee in accordance with the regularly adopted fee schedule of the town shall be paid to the town for each notice of appeal or variance application to cover the administrative expenses involved. A notice of appeal or variance application shall not be deemed complete and filed until such time as the associated fees have been paid. The time to file a completed notice of appeal or variance application and associated fee will be extended for 15 days to receive payment of the fee upon an applicant's timely submission of a notice of appeal or application for variance that is otherwise complete. No hearing will be scheduled before the board until a completed application and fee have both been received.

(Ord. No. 2014-04-01, art. III, 4-1-2014)

Sec. 36-363. Quorum.

A quorum of three members shall be seated and present in order to open a meeting of the board and to take action on non-quasi-judicial matters. In order to take action on a quasi-judicial matter the board must have a quorum of five members seated and present unless the appellant or applicant consents to moving forward with less than five members. For calculating a quorum to take action on a quasi-judicial matter, the number of members seated and present includes members who were seated at the opening of the meeting that have been disqualified from voting on the particular matter if there are no qualified alternates available to take the place of such members. In the event that a quorum cannot be met due to vacant positions or a lack of qualified members, the board may continue its meeting in order for absent members to become available and, if necessary, for the town council to make appointments filling vacant seats and/or to make appointments of temporary alternate members who can fulfill the board's duties.

(Ord. No. 2014-04-01, art. III, 4-1-2014)

Sec. 36-364. Voting.

The concurring vote of four-fifths majority of the board shall be necessary to grant a variance. A majority of the members shall be required to decide any other quasi-judicial matter or to determine an appeal made in the nature of certiorari. For the purposes of this subsection, vacant positions on the board and members who are disqualified from voting on a quasi-judicial matter shall not be considered members of the board for calculation of the requisite majority if there are no qualified alternates available to take the place of such members.

(Ord. No. 2014-04-01, art. III, 4-1-2014)

Sec. 36-365. Powers and duties of the board of adjustment.

- (a) *Hearings authorized.* The board shall hear and decide requests for variances of the provisions of this chapter and appeals of decisions of administrative officials charged with enforcement of this chapter. The board shall follow quasi-judicial procedures when deciding appeals and requests for variances. The board shall hear and decide all matters upon which it is required to pass under any statute or ordinance that regulates land use or development that provides for the board to hear such matters.
- (b) *Oaths.* The chair of the board or any member acting as chair and the clerk to the board are authorized to administer oaths to witnesses in any matter coming before the board. Any person who, while under oath during a proceeding before the board, willfully swears falsely is guilty of a Class 1 misdemeanor.
- (c) *Subpoenas.* The board through the chair, or in the chair's absence anyone acting as chair, may subpoena witnesses and compel the production of evidence. To request issuance of a subpoena, persons with standing under G.S. 160A-393, (d) may make a written request to the chair explaining why it is necessary for certain witnesses or evidence to be compelled. The chair shall issue requested subpoenas he or she determines to be relevant, reasonable in

nature and scope, and not oppressive. The chair shall rule on any motion to quash or modify a subpoena. Decisions regarding subpoenas made by the chair may be appealed to the full board. If a person fails or refuses to obey a subpoena issued pursuant to this subsection, the board or the party seeking the subpoena may apply to the General Court of Justice for an order requiring that its subpoena be obeyed, and the court shall have jurisdiction to issue these orders after notice to all proper parties.

- (d) *Continuances.* The board may grant a continuance to any party for good cause shown or upon the board's own motion. Requests for continuances should be made in writing, but may be made orally at a meeting of the board. The board chair may grant a continuance request prior to a meeting if the applicant or appellant makes a written request showing good cause. The chair may always defer ruling on such a request to allow for the decision to be made by the board.
- (1) *Good cause.* Good cause for a continuance includes, but is not limited to:
 - (i) The official issuing the decision subject to an appeal is unavailable;
 - (ii) There is insufficient membership of the board seated and present to hear a matter; or
 - (iii) If any party or the town would be unduly prejudiced by the presentation of matters not presented in a notice of appeal.
- (2) *Renotification fees.* If notices of hearing have already been issued, the party granted a continuance is responsible for the administrative costs of noticing an additional hearing if such costs are incurred.
- (e) *Rules of procedure.* The board may adopt from time to time such rules and regulations as it may deem necessary to carry into effect the provisions of this article. Where this article and the rules adopted by the board are in conflict, the provisions of this article prevail.

(Ord. No. 2014-04-01, art. III, 4-1-2014)

Sec. 36-366. Appeals of administrative decisions.

- (a) *Administrative decisions.*
 - (1) *Defined.* An appealable "administrative decision" is any final and binding order, requirement, or determination issued in writing by an administrative official charged with enforcement of this chapter. Administrative decisions include, but are not limited to: (i) permit issuance or denial, (ii) issuance of a notice of violation, warning citation or civil citation or (iii) issuance of a formal interpretation of a provision of this chapter.
 - (2) *Formal interpretation.* Only formal interpretations issued in accordance with this subsection are subject to being appealed as an administrative decision. Any written or oral interpretations that do not meet the strict requirements of this subsection are merely advisory and represent only the view, opinion or belief of the administrative official issuing them. Advisory interpretations have no binding force or effect and there is no right to appeal advisory interpretations to the board.

- (i) *Request.* Any person may request a formal interpretation of any provision of this chapter or of the location of zoning district boundary unassociated with a permit application or enforcement action. Such request must relate to a specific parcel of property, must be made in writing, must state all of the necessary facts to make the determination and must specifically state the ordinance provisions subject to the interpretation request. If the applicant for the formal interpretation is not the owner of the property, the applicant must certify that a copy of the request has been provided to the property owner.
 - (ii) *Response.* Only the director of the town's planning and zoning department is authorized to issue a formal interpretation under this subsection. The director may in his/her discretion decide whether or not to respond to a request for a formal interpretation. A response to a request may only be made with the approval of the town manager. A response to a request is not a formal interpretation unless it is made in writing and includes a notation on its face that states "This is a Formal Zoning Ordinance Interpretation."
 - (iii) *Notice.* Formal interpretations are not appealable under this subsection unless they include a certificate of service certifying that a copy of the formal interpretation has been provided to the town manager and the owner of the land subject to the interpretation if the applicant for the interpretation was not the owner of the land. The written notice shall be delivered by personal delivery, electronic mail, or by first-class mail.
- (3) *Notice of decisions.* The official who made the decision shall give written notice to the owner of the property that is the subject of the decision and to the party who sought the decision, if different from the owner. The written notice shall be delivered by personal delivery, electronic mail, or by first-class mail. Landowners or applicants for a decision may provide for actual or constructive notice to persons who have standing to appeal the decision by acting in accordance with subsection (b)(3)(i).
- (b) *Appeals of administrative decisions.* The board shall hear and decide appeals of administrative decisions of administrative officials charged with enforcement of this chapter and may hear appeals arising out of any other ordinance that regulates land use or development, pursuant to all of the following:
- (1) *Who may appeal.* Any person who has standing under G.S. 160A-393(d) or the town may appeal an administrative decision to the board. Any other party who has such standing may also intervene in an existing appeal by filing a written request to do so with the town clerk prior to the expiration of that party's time to appeal under subsection (b)(3).
 - (2) *Form of appeal.* An appeal is taken by filing a notice of appeal with the town clerk. The notice of appeal shall state the grounds for the appeal. Each notice of appeal shall include a listing of the names and addresses of all of the persons listed in section 36-362(b) who are entitled to receive notice. The list shall be supplied by the appellant and shall be current according to the most recent tax listing abstract as filed in the office of the Dare County tax supervisor.

- (3) *Time to appeal.* The owner or other party shall have 30 days from receipt of the written notice within which to file an appeal. Any other person with standing to appeal shall have 30 days from receipt from any source of actual or constructive notice of the decision within which to file an appeal.
- (i) It shall be conclusively presumed that all persons with standing to appeal have constructive notice of the decision from the date a sign containing the words "Zoning Decision" or "Subdivision Decision" in letters at least six inches high and identifying the means to contact an official for information about the decision is prominently posted on the property that is the subject of the decision, provided the sign remains on the property for at least ten days. Posting of signs is not the only form of constructive notice. Any such posting shall be the responsibility of the landowner or applicant. Verification of the posting shall be provided to the official who made the decision. Absent an ordinance provision to the contrary, posting of signs shall not be required.
- (4) *Duties of official who made decision.* No less than one week before an appeal is to be heard, the official who made the decision being appealed shall transmit to the board all documents and exhibits constituting the record upon which the action appealed from is taken. The official shall also provide a copy of the record to the appellant and to the owner of the property that is the subject of the appeal if the appellant is not the owner. The official who made the decision being appealed shall be present at the hearing as a witness.
- (5) *Stay pending appeal.* An appeal of a notice of violation or other enforcement order stays enforcement of the action appealed from unless the official who made the decision certifies to the board after notice of appeal has been filed that because of the facts stated in an affidavit: (i) a stay would cause imminent peril to life or property or
- (i) because the violation is transitory in nature, a stay would seriously interfere with enforcement of the ordinance. In that case, enforcement proceedings shall not be stayed except by a restraining order, which may be granted by a court. If enforcement proceedings are not stayed, the appellant may file with the official a request for an expedited hearing of the appeal, and the board shall meet to hear the appeal within 15 days after such a request is filed. Notwithstanding the foregoing, appeals of decisions granting a permit or otherwise affirming that a proposed use of property is consistent with the ordinance shall not stay the further review of an application for permits or permissions to use such property; in these situations the appellant may request and the board may grant a stay of a final decision of permit applications or building permits affected by the issue being appealed.
- (6) *Timing of hearing.* Subject to the provisions of subsection (b)(5) of this section, the board shall hear and decide the appeal within a reasonable time.
- (7) *Appeals in the nature of certiorari.* When hearing an appeal from an ordinance provision that requires the appeal be heard in the nature of certiorari, the hearing shall be based on the record below and the scope of review shall be as provided in G.S. 160A-393(k).

- (8) *Alternative dispute resolution.* The town and other parties to an appeal may agree to mediation in accordance with the applicable rules for mediated settlement conferences in superior court. If the parties agree to mediation, a hearing on the merits of the matter will be delayed until the regular board meeting following the mediation.
- (9) *Authority of the board.* The board may reverse or affirm, wholly or partly, or may modify the decision appealed from and shall make any order, requirement, decision, or determination that ought to be made. The board shall have all the powers of the official who made the decision.
- (10) *Hearing on appeal.* The appellant shall not be limited at the hearing to matters stated in the notice of appeal. If any party or the town would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the board shall continue the hearing.

(Ord. No. 2014-04-01, art. III, 4-1-2014)

Sec. 36-367. Variances.

- (a) *Standards for granting a variance.* When unnecessary hardships would result from carrying out the strict letter of this chapter, the board shall vary any of the provisions of the ordinance upon a showing of all of the following:
 - (1) Unnecessary hardship would result from the strict application of the ordinance. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property.
 - (2) The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance.
 - (3) The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship.
 - (4) The requested variance is consistent with the spirit, purpose, and intent of the ordinance, such that public safety is secured, and substantial justice is achieved.
- (b) Under no circumstances shall the board of adjustment grant a variance to allow a use either expressly or by implication not permissible under the terms of this chapter in the district involved.
- (c) Appropriate conditions may be imposed on any variance, provided that the conditions are reasonably related to the variance. Violation of such conditions shall be deemed a violation of this chapter and punishable under chapter 1, section 1-6 of this Code.
- (d) Any other ordinance that regulates land use or development may specifically provide for variances consistent with the provisions of this subsection.

- (e) A variance that is granted shall be the minimum variance that will resolve the unnecessary hardship resulting from the strict application of this chapter to the land, building or structure.
- (f) No nonconforming use of neighboring lands, structures or buildings in the same district, and no permitted use of lands, structures or buildings in other districts shall be considered grounds for the issuance of a variance.
- (g) *Application requirements.* Each application for a variance must be in writing, accompanied by any associated administrative fee and shall include all of the following information:
 - (1) A listing of the specific section(s) and subsection(s) of this chapter that the applicant is seeking to vary.
 - (2) For each provision the applicant is requesting to vary, a listing of how the provision applies to the property without the requested variance and how the applicant proposes the provision should be varied.
 - (3) A description of how the property can be used without the requested variance compared with how it could be used with the requested variance.
 - (4) A description of the unnecessary hardship which results from the strict application of this chapter.
 - (5) A description of the conditions that are peculiar to the property, such as location, size, or topography which cause the unnecessary hardship.
 - (6) A certification that the hardship did not result from actions taken by the applicant or the property owner other than the act of purchasing property with knowledge that circumstances exist requiring a variance.
 - (7) A narrative explaining how the requested variance is consistent with the spirit, purpose, and intent of this chapter, such that public safety is secured, and substantial justice is achieved.
 - (8) A certification that the requested variance, if granted, will not allow an increase or extension of an existing nonconforming structure or use of land.
 - (9) A certification that the requested variance, if granted, will not allow a use of the land otherwise prohibited in the applicable zoning district to occur on the property.
 - (10) A listing of the names and addresses of all of the persons listed in section 36-362(b) who are entitled to receive notice. The list shall be supplied by the applicant and shall be current according to the most recent tax listing abstract as filed in the office of the Dare County tax supervisor.
- (h) In addition to the foregoing requirements, when considering a variance from chapter 16, section 16-4, (e) of this Code, flood damage prevention, the board shall follow the additional provisions of such article.
- (i) *Amendments.* The owner of land which has been granted a variance may apply for an amendment to the previously granted variance. All of the standards for granting a variance

shall apply to the consideration of an amendment to an existing variance. An amendment may only be granted if:

- (1) The circumstances on the property have substantially changed since the time of the granting of the prior variance in such a way that the use of the property in accordance with prior variance is itself an unnecessary hardship; or
- (2) The amendment requested will be equal to or less of a variance than the previously granted variance.

(Ord. No. 2014-04-01, art. III, 4-1-2014)

Sec. 36-368. Appeals from decisions of the board of adjustment.

- (a) *Decisions of the board.* The board shall determine contested facts and make its decision within a reasonable time.
 - (1) *Basis for decision.* Every quasi-judicial decision of the board shall be based upon competent, material, and substantial evidence in the record.
 - (2) *Form of decision.* Each quasi-judicial decision shall be reduced to writing and reflect the board's determination of contested facts and their application to the applicable standards. The written decision shall be signed by the chair or other duly authorized member of the board. In absence of specific board direction, the written decision will be prepared by the town via the clerk to the board after review by the town's attorney and board attorney and will be presented to the chair for execution if the chair deems it appropriate. The chair, in his/her discretion, may seek the approval of the board for all or any portion of a decision so prepared. Otherwise, the board may at the time of its oral decision direct any party to prepare a proposed written decision and may consider the written decision at its next regular meeting.
 - (3) *Reasonable time.* The board shall endeavor to reach a decision and file its written final decision as soon as practicable and shall not withhold a decision without a reasonable basis. However, the determination of whether the board's decision has been made within a reasonable time shall take into consideration all of the surrounding circumstances including, but not limited to, additional meetings necessary to consider evidence or findings of fact and continuance requests by the applicant or appellant. The board's decision shall not be considered to be made greater than a reasonable time if a vote on the matter is taken within 45 days following the completion of the public hearing and a final written decision is filed within 45 days following the vote of the board. If the circumstances warrant, additional time may be reasonable to take a vote or make a final decision.
 - (4) *When effective.* A board decision is effective upon filing the written decision with the clerk to the board. The board decision is filed the later of the date it is received by the clerk to the board or the date it is served by the clerk to the board.
 - (5) *How served.* The decision of the board shall be delivered by personal delivery, electronic mail, or by first-class mail to the applicant, property owner, and to any

person who has submitted a written request for a copy, prior to the date the decision becomes effective. The person required to provide notice shall certify that proper notice has been made.

- (b) *Appeal to superior court.* Every quasi-judicial decision of the board shall be subject to review by the superior court by proceedings in the nature of certiorari pursuant to G.S. 160A-393. A petition for review shall be filed with the Dare County Clerk of Superior Court by the later of 30 days after the decision is effective or after a written copy thereof is given in accordance with subsection (a)(4) of this section. When first-class mail is used to deliver notice, three days shall be added to the time to file the petition.

(Ord. No. 2014-04-01, art. III, 4-1-2014)

Sec. 36-369. Impartiality of board of adjustment members.

A member of the board shall not participate in or vote on any quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible violations of due process include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member's participation and that member does not recuse himself or herself, the remaining members shall by majority vote rule on the objection.

(Ord. No. 2014-04-01, art. III, 4-1-2014)

Secs. 36-370—36-384. Reserved.

ARTICLE XIII. DUTIES OF ZONING ADMINISTRATOR, BOARD OF ADJUSTMENT, COURTS AND TOWN COUNCIL AS TO MATTERS OF APPEAL⁵

Sec. 36-385. Duties.

It is the intention of this article that all questions arising in connection with the enforcement of this chapter shall be presented first to the code enforcement officer and that such questions shall be presented to the board of adjustment only on appeal from the code enforcement officer; and that from the decision of the board of adjustment recourse shall be had to courts as provided by law. It is further the intention of this article that the duties of the town council in connection with this chapter shall not include the hearing and passing upon disputed questions that may arise in connection with the enforcement thereof but that the procedure for determining such questions

⁵Editor's note(s)—Ord. No. 2011-01-01, pt. XV, adopted Jan. 4, 2011, amended the Code by changing the title of Art. XIII from "duties of building inspector, board of adjustment, courts and town council as to matters of appeal" to "duties of zoning administrator, board of adjustment, courts and town council as to matters of appeal".

shall be set out in this chapter, and that the duties of the town council in connection with this chapter shall be only the duty of considering and passing upon any proposed amendment or approving any ~~conditional~~ special use permit as provided by this chapter.

(Code 1988, § 11-13.01; Ord. No. 05-04-03, art. V, 5-3-2005)

...

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.

This ordinance amendment shall be in full force and effect from and after the ____ day of _____, 2022.

Elizabeth Morey, Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

1 Date adopted:
2
3

4 _____
5 Motion to adopt by Councilmember:
6

7 _____
8 Motion seconded by Councilmember:

Vote: ___AYES___NAYS



AGENDA ITEM SUMMARY FORM

MEETING DATE: August 2, 2022

ITEM TITLE: Approval of Planning Board Officers

ITEM SUMMARY:

At the July 18, 2022 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, 2023 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

MEETING DATE: August 2, 2022

ITEM TITLE: Tourism Board Grant-Sidewalk on East Side of NC12 Between NC12/Ocean Blvd.
Split to East Dogwood

ITEM SUMMARY:

The Dare County Tourism Board's Tourism Impact Grant (TIG) program was established to financially assist Dare County Governmental Units and other Non-profit Organizations with programs or services needed due to the impact of tourism on the County. Town Staff is seeking Council approval to submit a Dare County Tourism Board Tourism Impact Grant application for a sidewalk on the east side of NC 12 as follows:

- 5' wide conventional concrete walking path;
- 3,696 l.ft. extending from Ocean Blvd. north to E. Dogwood Trail running along the east side of NC Hwy 12;
- 6" path thickness;
- The volume of concrete is estimated at 342 cubic yards;
- The preliminary engineering cost estimate with a 20% contingency is \$164,256.00.

This grant has been used to offset the cost of previously constructed sidewalks and paths in the Town. If awarded, a 50% match from the Town will be required. The sidewalk was one of three sidewalks previously approved by Council as part of the Town's Capital Improvement Plan.

STAFF RECOMMENDATION:

Approval of submitting a Dare County Tourism Board's Tourism Impact Grant application for a sidewalk on the east side of NC 12 between NC 12/Ocean Blvd. to East Dogwood.

REQUESTED ACTION:

Motion to approve submittal of a Dare County Tourism Board's Tourism Impact Grant application for a sidewalk on the east side of NC 12 between NC 12/Ocean Blvd. to East Dogwood.