

**SOUTHERN SHORES**  
**Land Use Plan**

HD 268.S68.S68 1980

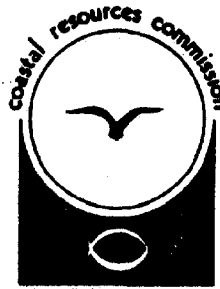
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**AUGUST, 1980**

J. PARKER CHESSON, JR.  
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P. O. BOX 1752  
ELIZABETH CITY, N. C. 27909

KENNETH D. STEWART  
EXECUTIVE SECRETARY  
P. O. BOX 27687  
RALEIGH, N. C. 27611



Telephone 919-733-2293

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December 9, 1980

The Honorable Kern Pitts  
Town of Southern Shores  
P.O. Box 272  
Kitty Hawk, North Carolina 27949

U. S. DEPARTMENT OF COMMERCE NOAA  
COASTAL SERVICES CENTER  
2234 SOUTH HOBSON AVENUE  
CHARLESTON, SC 29405-2413

Dear Mayor Pitts:

At their meeting of December 4, 1980 in Nags Head, the Coastal Resources Commission reviewed the 1980 Southern Shores Land Use Plan. Upon finding that the plan sufficiently meets the requirements of the Coastal Area Management Act and the state guidelines for land use planning (15 NCAC 7B), the Commission approved the plan as submitted.

With this approval, the plan becomes the official land use plan and acts as an important link between the local, state and federal governments. The plan will be used to inform all interested parties of the desires of the local government in the development of the coastal area.

We look forward to working with you and using your plan during the upcoming years.

Sincerely,

J. Parker Chesson, Jr.

JPC:kh:4050

cc: Bob Trost  
John Crew

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Allen Rodeheffer  
Virginia Ross  
David Stick

Consultants

Coastal Consultants, Ltd.  
Southern Pines, N.C.

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## FOREWORD

The Town of Southern Shores has prepared this initial Land Use Plan to assist the Town Council and its successors, the citizens of Southern Shores, and the state, federal and county governments in making decisions concerning natural resources, facilities, services, and growth of the Town.

This plan is intended to be used as a guide for decision-making and the development of policies to be implemented in the next ten years, but it serves also as a foundation for longer range planning.

It is important to emphasize that the Town is still in its formative stage having come into existence only in 1979. This is its first effort to set forth comprehensively a view of its problems, alternatives, policy guides and implementing strategies. The Town has sought in its first year to enact as many basic ordinances as feasible, establish a functioning town organization and tax structure, and address longer-range problems in an orderly manner. It has solicited - and received - community support for its efforts. There are, however, practical limits - time, staff resources, resident and non-resident acceptance, and internal considerations such as the community control of properties by citizen organizations that preclude positive assertions and hasty actions. Such circumstances, in a democratic society, require evolutionary processes of study, research, discussion, compromise, and community endorsement before they can be translated into viable actions.

Changes in life style, economy, population, areas of citizen concern, and exterior pressures, will in time make this plan outdated. At the same time the very nature of local government, almost invariably resulting in present officials being replaced by other individuals unacquainted with this current planning process, calls for special efforts to insure a high degree of continuity.

Planning is a continuing process, and with or without future CAMA sponsorship it is essential that this plan be reviewed and revised regularly.

Copies of the plan will be provided for all elected officials and individuals appointed to the Planning Board and similar Town bodies. If possible, a synopsis will be provided to every Southern Shores property owner.



### NATURE OF THE COMMUNITY

The process by which Southern Shores has been transformed during a period of a third of a century from zero population to municipality status is unique among Outer Banks communities.<sup>1</sup>

It began in 1947 with acquisition by a single development company of all of what was to become the Town of Southern Shores; 2,600 acres, extending from ocean to sound for a distance of four miles on the North Banks above Kitty Hawk.

The original development concept emphasized low density family-oriented residential use; extensive setting aside of parks, beaches, boat harbors, overlooks and other open space; protection or preservation of the extensive natural forest growth, dune formations, and even representative swamps and marshlands; and slow, carefully planned growth. In short, the goal was to create an informal environment in a natural setting, rather than a conventional subdivision.

People who liked the development concept were attracted to the community and they purchased building sites for summer use or permanent residence here instead of elsewhere on the coast. Review of architectural plans was an essential element in creating a community in which aesthetics was an important consideration, and for that reason property owners were brought into the architectural review process early on.

As Southern Shores grew, the property owners and residents

<sup>1</sup> (Notes refer to references on page 59)

gradually assumed more and more responsibility and authority from the developing Kitty Hawk Land Company in matters affecting their homes, neighborhood and life style. By 1970, an informal property owners organization was serving in an important advisory capacity; by 1975, this had been transformed into a more formal Southern Shores Civic Association; and between then and the incorporation of the Town of Southern Shores in 1979, the Civic Association had acquired title to roads, beaches, open areas and public facilities.

Incorporation of the Town came about only after residents and other property owners petitioned for it, having clearly expressed a desire for minimal government, minimal town services, and thus minimal taxation. Volunteers performed much work for which other towns hire employees, including service in the volunteer fire department, clean-up after storms, maintenance and beautification of common areas, and street repairs.

Close cooperation between the elected Town officials, the Civic Association and the developer continues. Each plays an important and generally well-defined role in maintaining the Southern Shores environment. Representatives of the three meet periodically as a joint community task force to discuss and allocate responsibility in matters of mutual or possibly overlapping concern.

With this history, so different from many coastal communities in which development was undertaken on a piecemeal basis by dozens and even hundreds of individual property owners, the preparation of a comprehensive land use plan calls for a unique approach. The great majority of Southern Shores people like their community the way it is, and their main concern is how to keep it that way in the face of inevitable future

population growth.

#### TERRAIN

The natural terrain of the Town of Southern Shores varies so widely that an early visitor, passing from the oceanfront across the high sand hills into dense forests described the sudden metamorphosis as being akin to "entering another world." A high and well stabilized oceanfront dune ridge, wider than sand dune formations on most parts of the coast, extends the full four miles, with the crest an average of a hundred feet or so back from the high water mark. To the west of the dune line is the so-called back beach, relatively level, sparsely vegetated and considerably lower than the oceanfront dunes. It extends for an average of a quarter of a mile before rising gradually to the tops of high, partially vegetated sand hills, some more than fifty feet in elevation. These once migratory sand hills drop off precipitously into a heavily forested area consisting of a succession of ridges and valleys running north and south and extending almost to the shore of Currituck Sound and Ginguite Bay.

There is similar variation on the western boundary, with nearly bare sand hills intruding on Currituck Sound in the northernmost half mile; changing into high, heavily wooded ridges extending to the shore of the Sound for the next mile or so; then a mix of ridges, swamps and marshes bordering Ginguite Bay until finally, on the south, approaching U.S. Highway 158, the terrain flattens out into marshland.

#### MAN-MADE CHANGES

Initial development, in 1947, consisted of constructing a mile of paved road northward from U.S. Highway 158 and parallel with the

ocean. Subsequently this conventional style development was continued for another two miles, and other roads were built in some of the hill areas, for the most part following the natural contours. Meandering ponds and lakes were dug in low areas throughout the back beach.

In 1957 a radical departure in development methods was applied to the remaining mile of oceanfrontage at the north end of Southern Shores. Here, in an entity named Seacrest Village, winding roads averaging a quarter mile in length extended eastward from the road built by the State to connect Kitty Hawk with Duck, each one dead-ending in a "T" in back of the oceanfront dune ridge. In the early 1960's development of the soundside and interior areas was begun, a process in which low areas were dug out and converted to navigable water, or filled. This process in time produced some six miles of "lagoons", and provided hundreds of additional waterfront homesites. In the mid-1960's, the Southern Shores developers donated approximately 300 interior acres north of U.S. 158 to the non-profit Outer Banks Recreation Association for construction of a golf course and related recreational facilities. At the same time, roads were constructed to make accessible additional hill areas, culminating in construction of a paved road to the top of the highest hill in Southern Shores and construction of an overlook parking area on the crest.

As the decade of the 1970's began, approximately 1,000 acres of the original 2,600 acres in Southern Shores still had not been developed. More than half of this, extending northward from U.S. 158 for nearly two miles, and containing interior woodland, sand hills and some back beach, was developed as an entity within Southern Shores in the mid-1970's and named Chicahauk. Separate Chicahauk recreational and improvement

associations were formed to deal with localized activities within the new neighborhood. At that time three relatively large undeveloped areas remained, one in the southwest corner of Southern Shores, another in the northwest corner on Currituck Sound, and the third in the wooded area east of the golf course. These were zoned for multi-family use, with densities ranging from six to ten units per acre. Subsequent development in these areas has been for single family residential use, though the first multiple dwelling units are in the planning stage.

#### RECREATION AND OPEN SPACE

A variety of areas, developed or set aside by the developer for use by community residents were turned over to the Southern Shores Civic Association in 1977. They include some 35 ocean accesses; a mile of oceanfrontage in Seacrest Village, initially extending back from the high water line a distance of 100 feet; an oceanfront bathing beach, 300 feet wide and approximately a quarter of a mile deep, with paved access roadway and parking area; a bathing beach and picnic area on Currituck Sound; a marina and boat launching area at the mouth of Ginguite Bay; Hillcrest Overlook; a so-called "Village Green" on Duck Woods Trail at the intersection with U.S. 158; plus a number of other small open areas. (See Map D)

Additionally, some 140 acres in Chicahauk, including the 13 acre Cypress Swamp and extensive maritime forest areas, were retained in their natural state for the use of Chicahauk property owners.

The areas owned by Southern Shores Civic Association are available for use by all Southern Shores property owners. Those in Chicahauk, including recently constructed tennis courts, are reserved for members

of the Chicahawk Recreational Club. The 18-hole Duck Woods Golf Course, swimming pool and tennis courts are the property of the Outer Banks Recreation Association, a non-profit, non-stock membership corporation. Although in the process of incorporation the golf course was excluded from the Town boundaries, the Town does exercise extra-territorial jurisdiction over this tract and also Martins Point.

The Kitty Hawk Elementary School, located on the south edge of the Town, has a large open area and facilities which are often used by Southern Shores residents.

#### ROADS AND WATERWAYS

In all instances where lots have been platted and sold, the developer has constructed hard-surfaced roads to state specifications, though some of the earlier roads were built to specifications which applied at that time rather than the more stringent requirements of today. Approximately 22 miles of these roads were deeded to the Southern Shores Civic Association in 1977, and subsequently turned over to the Town of Southern Shores in 1979. The developer's rights to lagoons were transferred to the Southern Shores Civic Association in 1978.

Externally, potential impacts from developments in Currituck and Dare Counties are a concern of the Town. Widening the U.S. 158 By-Pass through Nags Head and Kill Devil Hills, a proposal favored by those communities, would severely affect residents of Southern Shores. Road widening activities in Currituck County will also result in greatly increased traffic flows through Southern Shores. The possibility of the State taking of the road from the Currituck County line to Corolla is another transportation concern.

Since all of these activities are controlled by the State, the Town seeks to increase its coordination with the State to insure that mitigation of possible impacts to Southern Shores is fully considered before actions are undertaken by the State.

#### FACILITIES AND SERVICES

The Southern Shores Fire Station is one of three owned by the Kitty Hawk Fire Department; the others being in Collington and Kitty Hawk Village. Operating under a central board of trustees and a department chief, the Southern Shores company, with two trucks, is made up entirely of volunteers from the Southern Shores area.

The Town offices, two small rooms in a building owned by the Kitty Hawk Land Company, are located at the intersection of U.S. 158 Business and Skyline Road. Town employees include a part-time Town Clerk, a part-time Tax Collector, a part-time Building Inspector (and CAMA local permit officer) and a two-man police force. The Police Department operates out of the same building, sharing space with the Dare County Sheriff's Department.

Since the inception of the Southern Shores community, water has been provided by individual shallow wells for each residence. A central water system for the beach area and Roanoke Island, scheduled to have been completed early in 1979, will soon be operational. Distribution lines have been constructed in most areas of Southern Shores, and the primary storage tower for the north end of the beach is located in Southern Shores.

Individual septic tanks provide for waste disposal, and in all but a relatively few sections of Southern Shores soil conditions are considered adequate.

One utility, Carolina Telephone and Telegraph, has a sub-station in Southern Shores serving the north end of the beach. The Community was the first in Virginia Electric and Power Company's North Carolina district to go underground with power lines, with the result that all such installations since the mid-1960's have been underground. However, the original beach area, part of Seacrest Village and the older hill areas, are still served by overhead lines. VEPCO's main line to the area is also overhead, resulting in outages even in the areas serviced by underground wires.

There are currently two commercial buildings in the Town's commercial zone. One is occupied by the developer and a real estate office. The other, a professional building, contains a law office, engineer and accountants.

The Kitty Hawk Elementary School, serving the beach area north from the Nags Head-Kill Devil Hills line, is located in Southern Shores at the intersection of U.S. 158 and Dogwood Trail.

#### POPULATION

Southern Shores is similar to other beach communities in that a number of dwellings in the Town are inhabited for seasonal use only. However, the proportion of permanent residents is increasing rapidly, with an approximate permanent population of 400 at this time. The majority of the permanent residents are retirees, averaging only a little more than two persons to the household. In recent years, however, younger couples have built or purchased homes, and most of them have families. A growing number of people engaged in business activities in communities outside of Southern Shores have chosen to make their homes



here, as have some professional people, including doctors and lawyers.

The majority of permanent homes are located in the soundside and woods areas, while most of the houses in the oceanfront, back beach and hill areas are seasonally occupied. A typical beach house or cottage, equal in size to an average permanent home occupied by a retired couple, will accommodate six or eight people thus accounting for an estimated peak summer population of over 2,500.

#### EMERGING ISSUES

The fact that Southern Shores was developed as a single entity, although on a piece-meal basis, over a third of a century has not rendered it immune from a variety of typical coastal area problems. Today's environmental and developmental concerns emerged slowly, over several decades, as government, land developers, and residents became increasingly aware of the potential conflicts inherent in man's increasing utilization of the fragile barrier islands for economic and residential purposes.

As reflected throughout the land use document, some of the issues which must be addressed range from potential flooding of low-lying areas and roadways, as occurred during the Ash Wednesday Storm of 1962, to the possibility of declining water quality in the man-made network of canals and lagoons resulting from the lack of water movement.

Control of waterways and adjacent properties is now spread among several entities resulting in concern over protection of the resource and proper utilization by the maximum number of people.

A major problem is the potential impact from exterior action, such as the proposed extension of the State road to the Currituck Outer

Banks, and the rapid growth of the resort communities to the south.

These are only a few of a wide variety of other problems already being faced in other resort communities. Each has been addressed in the process of developing this plan.

### COMMUNITY GOALS

In open meetings, responses to questionnaires, private conversations, and group discussions, the citizens of Southern Shores have made clear their goals for the future of their community.

They want a continuation of low density development; protection and preservation of the natural forest growth; proper maintenance of roads and waterways; low speed limits; strict zoning enforcement; minimal government; continuation of a viable civic association; as few side effects as possible from the burgeoning resort areas surrounding them; and good water, fire protection and police protection.

They do not want or feel they need commercial facilities other than those necessary to meet the basic needs of the community (e.g., physician, law office, drug store); high density development or high rise construction; excessive traffic through their community; a central sewage system; vehicles on their beaches or dunes; structured recreational facilities or complexes typical of so many retirement communities; or too rapid growth.

### PLAN DEVELOPMENT

The Town of Southern Shores is governed by a five-member Town Council, with the Mayor elected from among the Council members. The initial Town Council was named in a special act of the General Assembly. The Act was ratified March 26, 1979. The Town Council took office April 1, 1979, and gave early priority to land use matters. They established a Planning Board and Board of Adjustment; adopted zoning, subdivision regulations and a building code; and passed an ordinance implementing extra-territorial authority.

Responsibility for developing this land use plan was delegated by the Council to the Southern Shores Planning Board, and a contract was entered into with Coastal Consultants, Ltd., to assist in the preparation of the plan. The fact that Coastal Consultants, Ltd., was concurrently working with the other municipalities on the Outer Banks (Nags Head and Kill Devil Hills) and with Currituck County in developing or revising land use plans provided a unique opportunity for inter-governmental coordination.

From its inception, the keystone of the development of Southern Shores Land Use Plan has been public participation. The initial meeting designed to solicit citizen input on issues was attended by over 50 percent of the permanent residents. At this meeting each individual was offered an opportunity to voice concerns.

A Citizens Advisory Committee was appointed to assist in land use plan development. It consisted of individuals who had served formerly

as chairmen of the Civic Association, three members of the initial Town Council including the first Mayor and Mayor Pro-tem, and other citizens with experience critical to development of the plan.

The Planning Board and the Advisory Committee constituted a task force which met regularly with the planning consultants over a period of four months. A questionnaire was prepared and distributed with the assistance of the Civic Association, resulting in responses from more than half of all property owners, including most of the permanent residents.<sup>15</sup> In general the answers to questions in the land use questionnaire paralleled the results of three prior samplings of opinions among property owners conducted in recent years, and provided a firm base for task force deliberations on community issues and long range goals.

Individual members of the Task Force and the consultants developed discussion papers (see references section). Each of these subjects was studied and discussed in detail until a consensus emerged. Conclusions were then developed into policies and, where appropriate, implementation strategies outlined.

## POLICY FORMULATION

This section provides the rationale for and statement of Town policies. Where feasible, implementation plans are included. Policies are grouped according to land use planning guideline categories of

- Resource Protection
- Resource Production and Management
- Economic and Community Development
- Continuing Public Participation

A summary listing of policies is contained on page 49.

## RESOURCE PROTECTION

### AREAS OF ENVIRONMENTAL CONCERN

The term Area of Environmental Concern, or AEC, is used in North Carolina's Coastal Area Management Act (CAMA) to identify important natural resources, both on land and on water, which could be damaged irreparably if subjected to incompatible development activity.

The Coastal Resources Commission (CRC) has identified thirteen different types of AECs -- in four general categories -- spelling out the significance and the basic management objectives for each, and has encouraged local governments to recommend those types of development, or use, which they consider appropriate in the AECs within their jurisdiction.

Southern Shores AECs fall into two general categories, those located on the Town's eastern boundary in immediate proximity to the Atlantic Ocean in what has been designated Ocean Hazard Areas; and those located near the Town's western boundary in immediate proximity to Currituck Sound and Ginguite Bay, and their tributaries, in what has been designated The Estuarine System.

### Ocean Hazards Areas

#### Ocean Erodible Areas

In Southern Shores two AECs occur within the general Ocean Hazard zone. The first is Ocean Erodible Areas, in which there exists a substantial possibility of excessive erosion and significant shoreline fluctuation. Ocean Erodible Areas cover the entire four miles of Southern Shores oceanfront, extending landward to a point 95 feet from the first line of stable vegetation adjacent to the ocean. In general the Ocean Erodible AEC in Southern Shores is a band extending from the waters of the Atlantic Ocean to or slightly west of the crest of the oceanfront dune system.

POLICY 1. THE BASIC OBJECTIVE WITHIN THE OCEAN ERODIBLE AREAS IS TO MAINTAIN THE LINE OF OCEANFRONT SAND DUNES BY PROTECTING THE VEGETATION WHICH STABILIZES THE DUNE SYSTEM.

The Town currently implements this policy by prohibiting the construction of buildings within the Ocean Erodible Areas; by enforcing an ordinance banning use of off-road vehicles; by authorizing the construction of wooden walkways and steps to the beach, as well as elevated observation platforms; and finally by authorizing the installation of sand fences in areas where erosion has occurred.

### High Hazard Flood Areas

The second type of AEC within the Southern Shores Ocean Hazard Zone is High Hazard Flood Areas, which are subject to high velocity waters, including but not limited to hurricane wave wash. In general this AEC extends westward a distance of between 150 and 300 feet from the Ocean Erodible AEC, the exact boundaries being the eastern margin of Ocean Boulevard in the southern two miles of the Town, the eastern margin of the Seacrest Village "T's" in the northern mile, and elsewhere a line projected between these two (See Map D).

POLICY 2. WITHIN THE HIGH HAZARD FLOOD AREAS THE TOWN WILL ENFORCE THE STANDARDS PRESCRIBED BY THE FEDERAL INSURANCE ADMINISTRATION.

This policy is implemented through the Southern Shores building permit process, as specified in appropriate Town ordinances and enforced by the Town Building Inspector.

### The Estuarine System

#### Estuarine Waters

All four of the individual AECs falling under the general classification of the Estuarine System are to be found in or connected with the Southern Shores sound area.

Currituck Sound, which extends along the northern one-third of the Town's western boundary, is the only affected AEC in the Estuarine Waters classification. Since no part of Currituck Sound is within the



boundaries of the Town of Southern Shores, the Town has no jurisdiction over this AEC, but does have management responsibility over this area in the estuarine shoreline category.

#### Public Trust Waters

Ginguite Bay is classified as a Public Trust Waters AEC, but as in the case of Currituck Sound no part of the AEC is within the Town boundaries. Southern Shores does have jurisdiction, however, over the network of navigable lagoons and canals which connect with Ginguite Bay, and which are also classified as Public Trust Waters.

POLICY 3. THE TOWN WILL WORK WITH THE APPROPRIATE STATE AND FEDERAL AGENCIES IN PROTECTING THE INTEGRITY OF PUBLIC TRUST WATERS WITHIN SOUTHERN SHORES.

This policy is currently implemented through the CAMA permit-letting process as administered by the Town Building Inspector in his capacity as the CAMA local permit officer. At the Town's request NO-WAKE speed limits are enforced by the N.C. Wildlife Resources Commission.

#### Coastal Wetlands

Coastal wetlands, or marshes, are located in an area adjacent to Ginguite Bay in the southernmost half mile or so of the Town.

POLICY 4. THE TOWN RECOGNIZES THE IMPORTANCE OF COASTAL WETLANDS AS A BREEDING GROUND FOR FISH, SHRIMP AND CERTAIN ANIMALS, BIRDS AND PLANTS. NO SPECIFIC DEVELOPMENT ACTIVITY IS CURRENTLY PERMITTED WITHIN THIS AEC.

Implementation of the policy is through the CAMA permit-letting process.

### Estuarine Shorelines

All of the several miles of interior lagoons and canals in Southern Shores empty into Ginguite Bay rather than into Currituck Sound, and thus are classed as Public Trust Waters. Their shorelines, therefore, are Public Trust Water shorelines, rather than Estuarine Shorelines, and are not classified as AECs.

Thus the only Estuarine Shoreline AECs in Southern Shores are those bordering on Currituck Sound, with a total length of less than a mile and a half. This Estuarine Shoreline AEC covers a strip 75 feet landward from the mean water mark in which the construction of septic tanks and drain fields is carefully monitored, and those contemplating construction are forewarned about the dangers of possible erosion.

POLICY 5. THE TOWN WORKS CLOSELY WITH THE COUNTY HEALTH DEPARTMENT AND WITH THE STATE OFFICE OF COASTAL MANAGEMENT IN MANAGING ESTUARINE SHORELINES.

In implementing the policy the Southern Shores Building Inspector notifies all property owners planning construction within the AEC of the septic tank requirements, and of the potential for soundfront erosion, before issuing a building permit.

### AREAS OF SPECIAL CONCERN NOT COVERED BY CAMA

The people of Southern Shores are concerned about the destruction of other natural resources, including but not limited to vegetation, animals, birds, geological formations, and an interior swamp and lake area known as the Cypress Pond. In the course of developing this CAMA land use plan careful consideration was given to the possibility of requesting AEC designation for areas which might qualify under the

general heading of Fragile Coastal Natural Resource Areas, but it was determined that no section of Southern Shores contains the specific features to qualify.<sup>12</sup>

POLICY 6. IT IS THE POLICY OF THE TOWN TO IDENTIFY A VARIETY OF NATURAL RESOURCES WHICH DO NOT QUALIFY FOR AEC STATUS UNDER CAMA: TO ENCOURAGE THE RETENTION OF FOREST GROWTH AND NATURAL PLANT COMMUNITIES, INCLUDING THE PROTECTION OF MARITIME FOREST AREAS: TO MAINTAIN A SUITABLE HABITAT FOR ANIMALS AND BIRDS INDIGENOUS TO THE AREA: AND TO DISTURB THE NATURAL TERRAIN AS LITTLE AS POSSIBLE.

The Town has begun implementing this policy by designating the Town as a Bird Sanctuary; by an ordinance prohibiting the use of firearms within Town limits; and by another ordinance prohibiting off-road vehicle use. Until the new Town is able to develop other appropriate ordinances and means of enforcement, the Town Council and the Civic Association are encouraging citizens to protect such resources on a voluntary basis. A program of informing and educating citizens with regard to such resources is being developed, with the help of the Dunes of Dare Garden Club and other groups.

#### WATER QUALITY<sup>8</sup>

Three issues are involved in the assessment of water quality in Southern Shores. The first issue is the availability of potable and palatable water for household consumption. The second issue is the effect of individual septic systems on the quality of water in lagoons, ponds, canals, and adjacent bodies of water. This second issue also involves an analysis of a need for a public wastewater treatment facility. The third issue is the potential for accumulation of large quantities of water in low areas as the result of excessive rainfall or storm flooding.

### Water for Household Consumption

In the past, water for household consumption has been secured from individual wells on each lot. Southern Shores voters actively supported a county bond issue to provide a central water system with wells on Roanoke Island, and after nearly two years of delay full operation is expected by the end of the year. The major overhead storage tank for the northern end of the Dare Beaches is located in Southern Shores, insuring adequate pressure for distribution. The central water system is projected to satisfy the requirements of the County through 1990. However, use of wells for drinking water has not caused any problems in the past and it is not anticipated that they would cause any problems in the future.

POLICY 7. DRINKING WATER FROM WELLS AND SURFACE WATERS IN THE AREA ARE BELIEVED TO BE FREE OF HARMFUL CONTAMINANTS. THERE HAS BEEN NO INDICATION THAT HARMFUL WATER QUALITY PROBLEMS EXIST IN THE COMMUNITY.

The County Health Department confirms the satisfactory quality of tap water at most rental housing units in the Town on an annual basis. The Town has initiated a quality testing program for surface water (ponds, lagoons, bay, sound) to confirm the satisfactory quality of these waters as well.

### Need for Central Wastewater Treatment

In making an analysis of wastewater treatment and disposal facilities, extensive data has been accumulated from a 1977 Soil Survey of the

Outer Banks made by the U.S. Soil Conservation Service. Additional information and advice has been secured from the N.C. Department of Human Resources, Division of Health Services; the N.C. Shellfish Sanitation Commission; and the Dare County Health Department.<sup>7,8</sup>

The conclusions reached are that in most developed areas of Southern Shores the soils are suitable for individual septic systems; in the few instances where soils are questionable, septic system design and special soil preparation can render the sites acceptable; and the large lot size in Southern Shores (averaging over 20,000 sq. ft.) minimizes potential problems of contamination from individual septic systems. Multi-family development requires a public or community disposal system.

POLICY 8. DUE TO THE LARGE LOTS FOR RESIDENTIAL DEVELOPMENT, THE DESIGN OF SUBDIVISIONS WHICH HAS LEFT THE MORE UNFAVORABLE SOILS IN OPEN SPACE, AND THE GENERALLY FAVORABLE SOILS FOR ON-LOT SEWAGE DISPOSAL, THE TOWN WILL BE ABLE TO ACCOMODATE FUTURE GROWTH ON SEPTIC SYSTEMS. IT IS NOT ANTICIPATED THAT A PUBLIC SEWER SYSTEM WILL BE NECESSARY.

This subject is monitored and implemented by the Dare County Health Department and the Town Building Inspector. Zoning regulations specify minimum lot sizes and require public or community systems for other than single-family, detached dwellings. Possible contamination is monitored through a water quality testing program.

#### Accumulation of Water In Low Areas

The one area in Southern Shores with a potential for accumulation of substantial quantities of water as the result of excessive rainfall

or storm overwash is the back beach, which constitutes a basin between the high oceanfront dune line and the even higher ridge of sandhills extending the length of the community. During the Ash Wednesday Storm of 1962 tremendous quantities of ocean water washed over the dunes and accumulated in this basin, inundating numerous residential lots and rendering roads impassable.

POLICY 9. THE TOWN WILL SEEK REMEDIES TO AVERT FLOODING SUCH AS THAT WHICH OCCURRED DURING THE ASH WEDNESDAY STORM.

Implementation of this policy has not begun, but the Town will, during the current fiscal year, request a cooperative study by the N.C. Department of Transportation, the Soil Conservation Service, and the Dare County Health Department, to determine whether the installation of permanent drains to the ocean, or other methods of removing excess water from overwash, are feasible.

#### HURRICANE AND FLOOD EVACUATION

Southern Shores participates in an overall Dare County Civil Preparedness Evacuation Plan. The Town's portion of the Plan was recently reviewed and evaluated and residents attended a briefing by the Town Coordinator. While the Town feels comfortable that its portion of the County plan is workable, there is a large degree of dependence on other county governments and agencies and the efficiency of the total plan has not been tested.

Southern Shores' concerns in this area focus on the possibility of bumper-to-bumper evacuee traffic from the north and the south converging on the Town and the Wright Bridge with no opportunity for Town evacuees to break into the traffic stream. While a full-scale evacuation exercise

is impractical, a plan of this type can be evaluated analytically.

POLICY 10. THE TOWN WILL RECOMMEND THAT THE COUNTY SPONSOR AN ANALYTICAL EVALUATION OF THE DARE COUNTY EMERGENCY EVACUATION PROCEDURES.

## RESOURCE PRODUCTION AND MANAGEMENT

### LAND UTILIZATION

The Town's resources are embodied in its residential character as evidenced by historic growth, existing zoning, and future desires of its property owners. The Town has no productive agricultural or commercial forest areas; no known exploitable minerals nor commercial fisheries or industrial potential. Aside from community commitments to husband and manage its natural surroundings and man-made improvements, such as its network of interior lagoons, the Town's limited area (2600 acres) precludes consideration of non-residential land use. Recreational uses are those typified by the personal choices of individual residents: boating, swimming, fishing, bicycling, hiking and jogging, golf and tennis. Except for summer rentals of privately-owned cottages, tourism, as an enterprise, is nonexistent. Use of any type of motorized vehicles on the beaches and dunes is prohibited by ordinance and enforced by Town police.

POLICY 11. THE TOWN IS PRIMARILY A RESIDENTIAL COMMUNITY AND THEREFORE DOES NOT DESIRE TO PROMOTE AGRICULTURE, FORESTRY, MINING, FISHERIES, INDUSTRY, ENERGY FACILITIES, OR TOURIST-RELATED RECREATION.

Evidences of the commitment to preserve the residential character

of the Town are expressed throughout the land use plan and its policy statements.

#### INLAND WATERWAYS (LAGOONS)

The western areas of the Town (woods and sound side) are interlaced with a man-made network of approximately 6 miles of lagoons with outlets on Currituck Sound and Ginguite Bay. Initially, these lagoons helped to drain low-lying swampy areas while providing, at the same time, suitable building sites. Currently, 80 or 28 percent of the 290 presently platted lagoon lots have been built upon.<sup>10</sup>

Constructed by the developers in the 1960's, the lagoons were conveyed to the Southern Shores Civic Association in 1978 except for a stretch of a mile or so within or bordering upon the Chicahawk subdivision which is still held by the developer. Most of the "bottoms" of the canals are therefore presently owned by the Civic Association. Ownership of the lagoon banks resides with individual property owners except alongside several roads where the lagoon borders the Town right-of-way. Since these waters are navigable, various governmental agencies, Federal and State, possess certain regulatory rights or controls over the use or alteration of the lagoons. These agencies include the Army Corps of Engineers, Coastal Resources Commission, N.C. Dept. of Natural Resources and Community Development, the N.C. Wildlife Commission, and county health authorities.

This picture is further clouded by the emergence of potential problems associated with anticipated future greater use of the waterways arising mainly from residential growth. These problems include: (a) adequate water circulation and flushing; (b) contaminants affecting the



quality of water; (c) siltation, erosion, and deterioration of embankments; (d) growth of brush, trees, weeds along the banks and milfoil and other aquatic growths and (e) impact of animal life - nutria, muskrats, etc.

Existing options appear unlikely to resolve these problems. The Civic Association has neither the resources or authority to provide adequate safeguards; individual property owners likewise lack the resources, authority, or collective will to assure suitable protective measures. Responsibilities of various government agencies are fractured and segmentally limited to certain prescribed functions or authority. Although difficult and complicated, the most viable alternative is for the Town to seek proprietary rights over the canals within its borders. Then by a series of steps, including measures already taken in matters over which the Town has existing police power and continuing, after acquirement of proprietary rights, to work with community organizations and governmental agencies toward the objective of obtaining maximum Town control over the maintenance, preservation, and management of all facets of the inland waterway network. This would include evaluation of costs and methods of funding.

#### SOUND AND OCEAN WATERS

Although the preceding discussion has focused upon inland waters, somewhat similar basic problems exist as regards effective land use safeguards along the approximately 8 miles of oceanfront and soundside where privately owned lands border the waters. Currently, about 70 percent of oceanfront lots and 30 percent of soundside lots have been built upon.<sup>10</sup> In addition to matters of erosion, bulkheading, construc-

tion of docks/piers, milfoil growth in the sound, etc., these exposed waterfront areas pose other issues, primarily related to severe storm contingencies which must be resolved on a long term basis.

POLICY 12. THE TOWN WILL SEEK TO ACQUIRE AND MANAGE ALL INLAND WATERWAYS (LAGOONS) CONNECTING WITH CURRITUCK SOUND AND GINGUITE BAY FOR THE PURPOSE OF PROVIDING A SINGLE TOWN ENTITY FOR THEIR MANAGEMENT.

POLICY 13. THE TOWN WILL ENACT APPROPRIATE ORDINANCES REGULATING SPECIFIC MATTERS PERTINENT TO THE CONTROL, MANAGEMENT, AND PRESERVATION OF INLAND WATERWAYS AND THEIR USE (OR ABUSE) SUCH AS THE CONSTRUCTION OF PIERS, BULKHEADS, BOAT OPERATIONS, NOISE, LITTER, AND POLLUTANTS.

POLICY 14. THE TOWN IN COOPERATION WITH ALL OTHER INTERESTED PARTIES (SOUTHERN SHORES CIVIC ASSOCIATION, CHICHAUK IMPROVEMENT ASSOCIATION, KITTY HAWK LAND COMPANY) WILL DEVELOP A LONG RANGE POLICY REGARDING THE PRESERVATION, MAINTENANCE, AND MANAGEMENT OF ALL PROPERTIES BORDERING ON ALL BODIES OF WATER - INLAND, SOUND, AND OCEAN. SUCH POLICIES SHOULD CONSIDER CONTINGENCIES LIKELY TO ARISE FROM EMERGENCY CONDITIONS SUCH AS FLOODS, HURRICANES, AND STORMS.

The Town proposes to (a) undertake negotiations in 1981 with the Southern Shores Civic Association for the conveyance of all inland waterway rights to the Town; (b) create a Study Committee on Ocean, Inland Waterway, and Soundside Management and Preservation Issues; and (c) continue, as feasible, the further enactment of appropriate

ordinances for the exercise of its police powers as regards water-related matters of contamination, noise and litter, dock, bulkheading and other construction activity abutting waterfront areas.

## ECONOMIC AND COMMUNITY DEVELOPMENT

### ZONING

Shortly after incorporation, the new Town of Southern Shores adopted, with minor changes, the Dare County Zoning Ordinance. This action was mainly one of expediency. State law provides that a new community has ninety days from the date of incorporation to either adopt the zoning ordinance under which it had been operating or adopt a new zoning ordinance. If neither alternative were adopted by the end of the ninety day period the Town would be without a zoning ordinance. Recognizing that a new zoning ordinance could not be drafted and approved within ninety days, and that the alternative of operating without a zoning ordinance was unacceptable, the Town adopted a modified Dare County ordinance. Because citizens of Southern Shores played a major role in the initiation and writing of the original Dare County ordinance, acceptance of the county ordinance was not difficult.

The Southern Shores Zoning Map (Map D) is a graphic illustration of the desire for a single-family residential community with minimal provision for multi-family and commercial.

Martins Point and the Outer Banks Recreation Association's Duck Woods Golf Club are not part of Southern Shores. However, the Town does exercise extraterritorial zoning and development jurisdiction over these tracts.

The minimum lot size permitted in the RS-1 and R-1 districts is 15,000 square feet. However, the average lot size in Southern Shores is over 20,000 square feet and the density of the developed areas is less than three dwelling units per acre.

No multi-family districts have been sub-divided or developed as multi-family. Zoning regulations stipulate a public or community disposal system as a requirement for multi-family development. The eastern and southern portions of the RS-6 District; the western leg of the RS-8 District; and, the northwest corner of the RS-10 District have all been sub-divided for single-family detached dwellings.

#### Zoning Issues

Throughout the process of land use plan development the citizens of Southern Shores confirmed their desire for a low-density residential community with minimum supporting commercial and multi-family development. In Southern Shores low-density equates to single-family detached dwellings, with a density approximating three dwelling units per acre.

In spite of the general unanimity in the character of development desired, issues arose in the following areas:

Housing mix - amount of multi-family desired

Commercial zone - size and permitted uses

Motels/hotels as a permitted use in the commercial district

Buffer zone between commercial and single-family residential districts - size and description

Maximum building heights.

#### Housing Mix

The residential character of Southern Shores was a major factor in

attracting both resident and non-resident property owners. Current provision for multi-family development in the RS-6, 8, and 10 districts is acceptable. Any increase in multi-family districts is unacceptable.

POLICY 15. THE TOWN DESIRES TO MAINTAIN A MIX OF RESIDENTIAL ZONING. MULTI-FAMILY DISTRICTS ARE ACCEPTABLE AS CONSTITUTED AND WILL NOT BE INCREASED.

#### Commercial Zone

The community is opposed to any increase in the size of the Commercial Zone. The Town desires commercial uses that serve the community and which the community needs. Some of the uses currently permitted in the Commercial Zone do not fit these criteria (i.e. marinas, boat sales, laundromats, cafeterias, etc.). Motels/hotels are discussed in a subsequent paragraph.

POLICY 16. THE COMMERCIAL ZONE IS ACCEPTABLE AS CURRENTLY CONSTITUTED AND WILL NOT BE INCREASED. USES PERMITTED IN THE COMMERCIAL ZONE WILL BE ONLY THOSE THAT SERVE THE COMMUNITY OF SOUTHERN SHORES AND THAT THE CITIZENS DESIRE.

The Southern Shores Planning Board will, in 1981, revise the zoning ordinance to insure that permitted uses in the commercial zone are consistent with this policy.

#### Motels/Hotels

The current zoning ordinance permits motels/hotels in the commercial zone. Public sentiment is evenly divided on the need for motels/hotels in Southern Shores.<sup>15</sup> Alternatives are to leave zoning as it is; do not permit motels/hotels in Southern Shores; or, provide for a

small motel/hotel zone in keeping with the criteria established in POLICY 16.

Preliminary study and questionnaire results indicate that the preferred alternative would be a smaller, separate motel/hotel zone. The most logical location for this zone is in the southeast corner of the Town in the vicinity of the old Southern Shores Motor Lodge (Map D).

POLICY 17. THE TOWN WILL RESTRICT MOTELS/HOTELS TO A SEPARATE ZONE IN THE VICINITY OF THE OLD SOUTHERN SHORES MOTOR LODGE.

The Planning Board will develop specific recommendations in the 1981 revision of the zoning ordinance.

#### Residential/Commercial Buffer Zone

The zoning ordinance provides that where the commercial district adjoins an RS-1 district no commercial "building or other facility" shall be located nearer than fifty feet to the boundary. The ordinance also provides for a visual buffer. Neither these requirements nor the definition of "buffer" are considered specific enough to enforce the space and buffer requirements. Additionally, over 50% of the questionnaire respondents felt that the fifty foot separation was insufficient.<sup>15</sup>

POLICY 18. OWNERS OF PROPERTY IN THE RS-1 DISTRICT ARE ENTITLED TO VISUAL AND NOISE BUFFERS FROM COMMERCIAL FACILITIES.

Planning Board will recommend changes in the 1981 zoning ordinance revision to insure implementation of this policy.

### Maximum Building Height

All zoning districts have a height restriction of thirty-five feet. Provision is made for a variance in the case of structures such as church steeples, flag poles, etc. Up to now few structures were built up to this limit. Recent construction, taking advantage of the full thirty-five feet, is inconsistent with existing structures and has caused residents to question the desirability of a thirty-five foot limit. A conventional two-story house can be built within a thirty-foot limit. Where flood plain or lot topography considerations require a height in excess of thirty feet a variance can be granted.

POLICY 19. MAXIMUM BUILDING HEIGHT OF THIRTY FEET IS MORE CONSISTENT WITH COMMUNITY HOUSING STANDARDS THAN THE CURRENTLY PERMITTED THIRTY-FIVE FEET.

Planning Board will implement this policy in the 1981 zoning ordinance revision.

### ADMINISTRATIVE FACILITIES<sup>5</sup>

The Southern Shores Town Office is housed in two small rooms of an old real estate office owned by the Kitty Hawk Land Co. (Map D). One room is occupied by the Town Clerk/Fiscal Officer and the other by the Building Inspector. There is insufficient room for the Tax Collector and he is required to work out of his home. Working conditions are such that it is difficult to carry on business in one office without disturbing the occupant(s) of the other.

The Town's two-man police force shares space in an adjoining room which is a sub-station of the Dare County Sheriff's Department.

Meetings of the Town Council, Planning Board, etc., are held in the Southern Shores Fire Station or the Kitty Hawk School.

### Issues

In the case of administrative facilities three dependent issues arise: (1) requirement for additional space, (2) location, (3) financing.

Over one year's experience has proven that the current facilities are inadequate, and a majority of the Town's property owners agree that the current Town Office should be replaced by 1985.<sup>15</sup> Alternatives are: remain in the present location; expand the space in the present building; or, construct a new building. Rental space is not available. Considering that additional space in the building is not available, and that ownership of the building, type of construction, and lack of available land operates against constructing an addition to the building; the only viable alternative for resolution of the issue of Town Office space is a new building.

There are two feasible locations. The first is a parcel of Civic Association property known as the Village Green. (Map D) This property is not centrally located and is not easily accessible during the Summer season due to the heavy traffic on U.S. 158.

The other location is in the Fire Station block. (Map D) This block was planned as a community service area and currently contains the Southern Shores Fire Station and a telephone company installation. The property owner, Kitty Hawk Land Co., has indicated a willingness to make land available for a Town Office. The central location and proximity to the fire station make this the preferred location for a new Town Office.

In the Land Use Questionnaire<sup>15</sup> respondents indicated a preference for a capital improvement fund over bonds for funding improvements such



as a Town Office. A new Town such as Southern Shores must plan for growth and facilities to support it. Establishment of a capital improvement fund is considered to be a prudent action.

POLICY 20. THE TOWN WILL INITIATE PLANNING FOR A NEW TOWN HALL AND TAKE ACTION TO ACQUIRE LAND FOR TOWN FACILITIES IN THE VICINITY OF THE FIRE STATION.

The Town will initiate negotiations with Kitty Hawk Land Co. for the required property during 1981 and will appoint a committee to commence planning for a new Town Hall.

POLICY 21. THE TOWN WILL START A CAPITAL IMPROVEMENT FUND.

The current budget will be amended to provide initial funds.

#### COMMUNITY SERVICES

##### Fire Protection<sup>4</sup>

Southern Shores is one of three companies of the Kitty Hawk Fire Department which is incorporated under Chapter 55A of the General Statutes of the State of North Carolina. The Southern Shores Company's area of responsibility extends from the southern Town boundary north to the Currituck County line. The fire house (Map D) and all equipment is owned by the Kitty Hawk Fire Department. Major items of equipment are a pumper and a tanker. The Company is staffed by volunteers from the Southern Shores area. Financial support is provided from a Kitty Hawk Fire Department special fire district tax.

Creation of an independent Southern Shores Fire Department has been considered for some time. The issue is complicated to the degree that the alternatives are not clear at this time. Factors such as the establishment of the Department by an act of the General Assembly, coverage of the area north of Southern Shores, equitable division of

facilities and equipment, etc., make this a subject for continuing study.

POLICY 22. THE TOWN WILL CONTINUE TO DEVELOP AND STUDY ALTERNATIVES TO THE CURRENT FIRE DEPARTMENT ORGANIZATION.

#### Police Department<sup>4</sup>

The current police department organization consisting of a two-man force, with two four-wheel drive vehicles is satisfying the immediate needs of the community. The force is designed to grow with the Town to meet demands for additional service.

#### Library Service<sup>4</sup>

Library service is provided by the Dare County Library in Manteo from a central 40,000 volume, 10,000 square foot facility. A book-mobile visits Southern Shores twice a month and a book drop is conveniently located. Decentralization of the present system is not planned at this time, nor does it appear to be warranted.

#### Public Education<sup>4</sup>

Southern Shores is served by the Dare County Public School System. Kitty Hawk School is located in Southern Shores. A current expansion program, scheduled for completion in 1982, will have Southern Shores students attending Kitty Hawk School for grades K - 5, Manteo Middle School grades 6 - 8, and Manteo High School for grades 9 - 12. No education issues are foreseen at this time.

The location of Kitty Hawk School in Southern Shores is not only convenient for the attendance of our younger children but provides an excellent playground and location for community meetings and other functions.

### Water/Sewer System

The need for and status of public water/sewer systems is discussed on page 22. However, a public water system issue is extension of the system to areas not programmed for service.

The long-delayed Dare County Water System should be fully operational and providing treated water to Southern Shores by January 1981. A policy is needed for extension of the water system to areas of the Town not developed when the water system was installed. In response to a request from the Town to work together in development of such a policy, Dare County requested that the matter be delayed until the system is fully operational.

POLICY 23. THE TOWN WILL WORK WITH DARE COUNTY TO DEVELOP A POLICY ON EXTENSION OF THE WATER SYSTEM.

### Medical Service<sup>4</sup>

There are three physicians in private practice within a twenty mile radius of Southern Shores and the location of a fourth, in the Town, is imminent. Health services are provided to the Town and its residents by the Dare County Health Department in Manteo, N.C.

The Outer Banks Medical Center is a non-profit, out-patient, 24-hour facility located in Nags Head. The Center is staffed by three physicians and a normal complement of paraprofessional and administrative personnel. Necessary support is provided by serviced communities.

The Center provides a vital service to the community and it has grown to meet the needs of the population it serves.

General hospitals are located in Elizabeth City and the Norfolk

area. It is unlikely that the beach area will be able to support a hospital in the foreseeable future.

POLICY 24. THE OUTER BANKS MEDICAL CENTER RENDERS A VITAL SERVICE TO THE COMMUNITY. THE TOWN WILL PROVIDE FULL SUPPORT TO THE CENTER AND ITS PROGRAMS.

Emergency movement and evacuation<sup>4</sup> is a critical link between the services of the local doctors and the Medical Center and, the hospitals. Until recently evacuation was a joint effort on the part of the Sheriff's Department (drivers/pilot) and the Emergency Medical Technicians Association, and an ambulance could not answer a call without a trained driver and technician. There was a continuing shortage of trained technicians and Deputy Sheriffs were not always available to drive ambulances.

In a move designed to improve this service, Dare County recently placed all emergency evacuation service under a Director of Emergency Medical Service. Ambulance drivers are now county employees separate from the Sheriff's Department. It is too soon to judge the effectiveness of the new organization.

POLICY 25. THE TOWN SUPPORTS EFFORTS TO IMPROVE EMERGENCY EVACUATION SERVICE AND WILL MONITOR THE QUALITY OF SERVICE PROVIDED.

#### Utility Lines

Southern Shores is served by Carolina telephone and Telegraph Company and Virginia Electric and Power Company. The phone company has a sub-station in Southern Shores. Both companies provide hook-up, as required, to all areas of the Town.

Since the mid-1960's utility lines in Southern Shores have been placed underground. However, the older sections of the Town in the lower beach and dune areas are still served by overhead lines. Recently Carolina telephone and Telegraph placed some of its old lines underground. Although overhead utility lines in a treeless beach area are singularly unattractive, the issue with overhead lines is an operational one. Overhead lines are vulnerable to the severe weather conditions of the Outer Banks and frequent power outages are the result. Unfortunately the few overhead lines feed the underground lines and when the overhead lines go out the underground lines are out too. Less than severe weather conditions can cause salt build-up on lines and transformers which can also cause power loss.

Property owner's response to the Land Use Questionnaire<sup>15</sup> was in favor of working with utility companies to place existing wires underground and, if necessary, to pay for the project from a combination of general revenues and assessment of affected property owners.

Growth of the area north of the Town holds a future threat of larger overhead transmission lines passing through the Town. Planning now may mitigate the effect of these larger lines upon the community.

POLICY 26. THE TOWN WILL WORK WITH THE UTILITY COMPANIES TO DEVELOP A PROGRAM TO PLACE ALL EXISTING AND FUTURE LOCAL SERVICE AND TRANSMISSION LINES UNDERGROUND.

#### Solid Waste Collection

The Town contracts with Dare County for solid waste collection. Study of this subject by the Town Council concluded that in light of costs associated with setting up a Town collection system; the scarcity

of qualified private contractors; and, the multitude of problems associated with land-fills there was no other feasible alternative at this time.

#### ROADS AND TRANSPORTATION<sup>6</sup>

About 35 miles of hard-surface roads interlace the community. Of this mileage, 22 miles belong to the Town, 8 miles in the Chicahauk subdivision are owned by the developer, and two State highways (one along the southern boundary (U.S. 158) and the other bisecting the community north/south (S.R. 1200) account for 5 miles. The primary interior Town road is Dogwood Trail which connects with U.S. 158 and also S.R. 1200 (Duck Road) which currently runs to the Currituck County line. A second "connector" (with U.S. 158 and S.R. 1200) exists via the Chicahauk private road network. A third short, but heavily used "connector" (Skyline Road) in the southeast sector is a part of a hazardous six-way intersection the State is planning to eliminate.

In addition to the above interconnections of State roads there are along Duck Road (S.R. 1200) 23 street intersections, including the Fire Station access, and approximately 100 curb cuts (i.e. private residential driveways).

Internally, most roads feed into either Dogwood Trail (soundside) or the Duck Road (oceanside). Two additional interior roads (Hickory and Hillcrest) which serve the open dunes area connect with the Duck Road to the east and merge into Dogwood Trail to the west. Thus although there are several roads which feed into (or receive traffic from) the Duck Road these ultimately converge into a single east/west interior connector, i.e. Dogwood Trail. Through traffic (autos, trucks,

campers) going to or coming from Duck and the Currituck Banks seek "short cuts" over Town roads in increasing volume.

The community does not have nor does it desire local public transit service (15). The concept of a seasonal Outer Banks public bus, at no financial obligation to the Town, is supported.

Growth within Southern Shores and especially both north and south of the Town will continue. Current problems or conditions will be exacerbated: heavier traffic flow along U.S. 158 and on S.R. 1200 north to Duck and beyond into the Currituck Banks; more hazardous intersections; increasing dangers to families walking to the beach, joggers, and bicyclists. Internally, a second east/west connector, at least for emergencies (fire/storms, etc.) appears to be required so that linkage between oceanside and soundside will not depend upon the passability of Dogwood Trail-East. A southern east/west internal connector is precluded due to the location of the golf course.

The Town believes it can make such internal road adjustments as will be required. It will also, through its zoning and subdivision ordinances, seek to minimize future private outlets on major highways. However, it is virtually helpless to correct or ameliorate problems arising from greatly increased traffic flows to the Outer Banks beaches and particularly the amplification of traffic northward into the Currituck Banks whose only outlet, at this time, is to the south thus traversing Southern Shores on both its ocean and southern flanks. In a very real sense, Southern Shores is at the vortex, not only of burgeoning seasonal traffic but also for emergency evacuation procedures affecting the entire northern banks.

Viable alternatives to the exterior road/traffic problems noted above are extremely limited. The community cannot expect to be insulated from growth factors. Although the Town is powerless to provide direct access to the Currituck Banks from the Currituck Mainland, it has gone on record in two resolutions in support of this alternative. Nor can it build another bridge, south of the present Wright Bridge over Currituck Sound (U.S. 158) to ease impending traffic flows and crisis emergency evacuations. It is reasonable to expect, however, where critical problems can be mitigated, relief should be sought with State cooperation. This includes lower speed limits, strict traffic enforcement, clear and visible intersections and rights-of-way with appropriate turn-off lanes, well maintained road surfaces and shoulders, etc. Also, enforcement of State laws and Town ordinances relating to all aspects of "traffic pollution" - visual, and noise and fumes which, due to prevailing southwesterly winds, carry such pollutants into populated Town areas.

POLICY 27. THE TOWN WILL CONSULT AND COOPERATE WITH STATE AGENCIES IN THE DETERMINATION OF NECESSARY IMPROVEMENTS AND SAFEGUARDS ON U.S. 158 BORDERING THE TOWN ARISING OUT OF PROBABLE INCREASED TRAFFIC FLOW BROUGHT ABOUT BY ROAD IMPROVEMENTS TO U.S. 158 IN CURRITUCK COUNTY AND THE STEADY GROWTH OF THE ENTIRE OUTER BANKS AREA.

POLICY 28. THE TOWN WILL CONSULT WITH AND SEEK STATE ASSISTANCE IN EFFORTS TO MITIGATE THE IMPACTS OF INCREASED TRAFFIC ON DUCK ROAD (S.R. 1200) CAUSED BY ANY POSSIBLE STATE ACTION EXTENDING S.R. 1200 INTO THE CURRITUCK BANKS.



POLICY 29. THE TOWN WILL URGE THE STATE TO PROCEED IMMEDIATELY TO IMPLEMENT ITS DECISION (FOLLOWING A PUBLIC HEARING IN JULY 1979) TO CORRECT HAZARDOUS AND BOTTLENECK TRAFFIC CONDITIONS NOW EXISTING AT THE 6-WAY INTERSECTION OF U.S. 158, BY-PASS 158, SKYLINE ROAD, PIER ROAD, AND S.R. 1200 ACCESS. (PROJECT W-441)

POLICY 30. THE TOWN WILL REQUEST THAT THE STATE STUDY TRAFFIC PROBLEMS AND HAZARDS AT INTERSECTIONS OF TOWN ROADS WITH U.S. 158 WITH PARTICULAR ATTENTION TO THE DOGWOOD TRAIL INTERSECTION WHICH ALSO SERVES THE KITTY HAWK ELEMENTARY SCHOOL AND DUCK WOODS GOLF COURSE: AND THAT THE STATE MONITOR, ON A PERIODIC BASIS, PEAK TRAFFIC FLOWS THROUGH SOUTHERN SHORES ON THE DUCK ROAD (S.R. 1200).

POLICY 31. THE TOWN WILL UNDERTAKE, WITH THE COOPERATION OF THE DEVELOPER, FEASIBLE MEANS TO PROVIDE AN EMERGENCY ACCESS EAST/WEST ROAD THROUGH THE NORTHWESTERN SECTOR OF THE TOWN CONNECTING WITH DOGWOOD TRAIL NORTH.

POLICY 32. THE TOWN SUPPORTS A SEASONAL PUBLIC TRANSIT BUS KITTY HAWK TO NAGS HEAD, WITHOUT ANY COMMITMENT OF TOWN REVENUES FOR ITS OPERATION. RESIDENTS HOWEVER HAVE OVERWHELMINGLY INDICATED LACK OF INTEREST FOR PUBLIC TRANSIT WITHIN THE TOWN.

To the extent the Town can, on its own authority, implement the above recommendations it plans to do so as the criticality arises. To the extent the initiative and determination resides in State agencies,

the Town will solicit careful consideration and appropriate support or action by such agencies.

## GROWTH<sup>2</sup>

Population estimates show a growth from approximately 400 year-round residents in 1980 to over 800 in 1990. Similarly the Summer peak population is estimated to increase from 2600 to 5700 over the same period.

In responding to the Land Use Questionnaire<sup>15</sup> Southern Shores property owners expressed desires to "limit" and "control" growth. However, only minor, temporary measures can be taken to limit growth in a Town developed to the extent of Southern Shores. An owner of a "buildable" lot should not be deprived of his right to build on that lot without cause.

The Town's attitude toward growth is expressed in its policies on housing mix and commercial zones. Additionally, there is no intent to promote or "advertise" the Town in the manner practiced by many other beach communities.

POLICY 33. THE TOWN WILL NOT ADVERTISE OR OTHERWISE PROMOTE THE COMMUNITY OF SOUTHERN SHORES IN AN ATTEMPT TO INCREASE YEAR-ROUND OR SEASONAL POPULATION.

## BOUNDARY DEVELOPMENT

Compatible development along a community's boundaries is of vital interest to its citizens. Southern Shores is no exception. (See Map D) The Town's eastern boundary is the Atlantic Ocean. On the west it is bounded by Currituck Sound, Ginguite Bay, and Martins Point. The extra-territorial jurisdiction the Town exercises over Martins Point provides

adequate control over the western boundary. Developmental control over the northern and southern boundaries is exercised by Dare County.

Dare County recently zoned the land along the southern boundary. This action was taken in coordination with Southern Shores and the result is acceptable to the Town and compatible with its zoning. Part of the land along the northern boundary is undeveloped. The Town will work to insure that zoning/development of this area is compatible with adjacent areas of Southern Shores.

POLICY 34. THE TOWN WILL WORK WITH DARE COUNTY TO INSURE THAT ZONING AND DEVELOPMENT OF PROPERTIES ADJACENT TO ITS BOUNDARIES IS COMPATIBLE IN LAND USAGE WITH THAT EXISTING OR PLANNED FOR ADJACENT AREAS OF THE TOWN.

#### COORDINATION AND COOPERATION

Both before and after incorporation the new Town of Southern Shores was the beneficiary of an outstanding degree of assistance from State, County and neighboring Town governments. It is the intent of the Town to continue this spirit of coordination and cooperation and reciprocate wherever and whenever possible.

The Town has supported, and continues to support, both formal and informal discussions among local government leaders and agencies for the purpose of working together to solve common problems.

Southern Shores provided draft copies of this Land Use Plan to Dare and Currituck Counties, and the Towns of Kill Devil Hills and Mags Head for their review and comment.

POLICY 35. THE TOWN WILL CONTINUE TO COORDINATE AND COOPERATE WITH STATE, COUNTY AND NEIGHBORING COMMUNITY

## GOVERNMENTS ON COMMON PROBLEMS AND OTHER AREAS OF INTEREST.

ANNEXATION<sup>13</sup>

During the Land Use Plan development process annexation of the two extraterritorial jurisdiction tracts, the golf course and Martins Point was raised as an issue. Questionnaire responses indicated that Southern Shores property owners favored studying annexation of both tracts.<sup>15</sup>

Preliminary study indicates that State law does not qualify Martins Point for involuntary annexation. Voluntary annexation is a possibility and should be explored.

The golf course property does appear to qualify for involuntary annexation under the provisions of the general statutes with additional support in case law. As the Town already provides road maintenance and police services to the golf course, the case for its annexation appears stronger than that of Martins Point.

POLICY 36. THE TOWN WILL STUDY THE FEASIBILITY OF ANNEXING THE GOLF COURSE AND MARTINS POINT.

RECREATION<sup>11</sup>

Ownership of recreation facilities and open space in the Town is in the hands of the Southern Shores Civic Association and the Chicahauk Recreation Club. This arrangement is described on page 7. Location of recreation areas and open space is shown on Map D .

Under the current ownership arrangements the Town can only recommend improvement of recreation facilities.

From a list of possible recreation improvements<sup>15</sup> Southern Shores property owners indicated that their top priorities are:

Bicycle, walking, jogging paths.

Additional parking at the Ocean Beach.

Additional parking areas at other points of beach access.

An initial estimate of \$25,000 per mile of paved bike path overwhelms a small community like Southern Shores. It remains for other alternatives such as grants, donations, etc. to be developed and explored.

Existing parking facilities (25 cars) at the Ocean Beach were filled a number of weekends during the Summer of 1980. If the Civic Association plans to provide parking space for qualified users of the Ocean Beach in 1981, the parking area will have to be expanded.

In anticipation of saturation of available parking space at the Ocean Beach area additional parking areas must be located and plans made for opening them to Southern Shores property owners.

POLICY 37. THE TOWN WILL STUDY THE FEASIBILITY OF CONSTRUCTING BICYCLE, WALKING, JOGGING PATHS.

POLICY 38. THE TOWN WILL WORK WITH THE SOUTHERN SHORES CIVIC ASSOCIATION TO INCREASE THE OCEAN BEACH PARKING AREA FOR THE NEAR TERM AND STUDY ALTERNATIVES TO PROVIDE ADDITIONAL BEACH PARKING FOR THE LONG TERM.

#### CONTINUING PUBLIC PARTICIPATION

The Southern Shores community has always enjoyed active participation of its residents in public affairs. Incorporation has not seen a lessening of this attitude. Town meetings, public hearings, Civic Association meetings, etc., are lively and well attended.

Public participation in preparation of this Land Use Plan is

described in the Plan Development section. Periodic updates of this plan will depend just as heavily on public participation.

POLICY 39. THE SOUTHERN SHORES LAND USE PLAN WILL BE REVIEWED AND UPDATED ANNUALLY. THE PUBLIC WILL BE OFFERED AN OPPORTUNITY TO PARTICIPATE IN ALL PHASES OF THE UPDATE PROCESS.

The Southern Shores Planning Board will review the Land Use Plan annually and recommend changes to the Town Council in October of each year.

POLICY SUMMARY

RESOURCE PROTECTION

POLICY 1. The basic objective within the ocean erodible areas is to maintain the line of oceanfront sand dunes by protecting the vegetation which stabilizes the dune system.

POLICY 2. Within the high hazard flood areas the Town will enforce the standards prescribed by the Federal Insurance Administration.

POLICY 3. The Town will work with the appropriate state and federal agencies in protecting the integrity of public trust waters within Southern Shores.

POLICY 4. The Town recognizes the importance of coastal wetlands as a breeding ground for fish, shrimp and certain animals, birds and plants. No specific development activity is currently permitted within this AEC.

POLICY 5. The Town works closely with the County Health Department and with the State Office of Coastal Management in managing estuarine shorelines.

POLICY 6. It is the policy of the Town to identify a variety of natural resources which do not qualify for AEC status under CAMA: to encourage the retention of forest growth and natural plant communities, including the protection of maritime forest areas: to maintain a suitable habitat for animals and birds indigenous to the area: and to disturb the natural terrain as little as possible.

POLICY 7. Drinking water from wells and surface waters in the area are believed to be free of harmful contaminants. There has been no indication that harmful water quality problems exist in the community.

POLICY 8. Due to the large lots for residential development, the design of subdivisions which has left the more unfavorable soils in open space, and the generally favorable soils for on-lot sewage disposal, the Town will be able to accommodate future growth on septic systems. It is not anticipated that a public sewer system will be necessary.

POLICY 9. The Town will seek remedies to avert flooding such as that which occurred during the Ash Wednesday storm.

POLICY 10. The Town will recommend that the county sponsor an analytical evaluation of the Dare County emergency evacuation procedures.



## RESOURCE PRODUCTION AND MANAGEMENT

POLICY 11. The Town is primarily a residential community and therefore does not desire to promote agriculture, forestry, mining, fisheries, industry, energy facilities, or tourist-related recreation.

## ECONOMIC AND COMMUNITY DEVELOPMENT

POLICY 12. The Town will seek to acquire and manage all inland waterways (lagoons) connecting with Currituck Sound and Ginguite Bay for the purpose of providing a single Town entity for their management.

POLICY 13. The Town will enact appropriate ordinances regulating specific matters pertinent to the control, management, and preservation of inland waterways and their use (or abuse) such as the construction of piers, bulkheads, boat operations, noise, litter, and pollutants.

POLICY 14. The Town in cooperation with all other interested parties (Southern Shores Civic Association, Chicahawk Improvement Association, Kitty Hawk Land Company) will develop a long range policy regarding the preservation, maintenance, and management of all properties bordering on all bodies of water - inland, sound, and ocean. Such policies should consider contingencies likely to arise from emergency

conditions such as floods, hurricanes, and storms.

POLICY 15. The Town desires to maintain a mix of residential zoning. Multi-family districts are acceptable as constituted and will not be increased.

POLICY 16. The commercial zone is acceptable as currently constituted and will not be increased. Uses permitted in the commercial zone will only be those that serve the community of Southern Shores and that the citizens desire.

POLICY 17. The Town will restrict motels/hotels to a separate zone in the vicinity of the old Southern Shores Motor Lodge.

POLICY 18. Owners of property in the RS-1 district are entitled to visual and noise buffers from commercial facilities.

POLICY 19. Maximum building height of thirty feet is more consistent with community housing standards than the currently permitted thirty-five feet.

POLICY 20. The Town will initiate planning for a new Town hall and take action to acquire land for Town facilities in the vicinity of the fire station.

POLICY 21. The Town will start a capital improvement fund.

POLICY 22. The Town will continue to develop and study alternatives to the current fire department organization.

POLICY 23. The Town will work with Dare County to develop a policy on extension of the water system.

POLICY 24. The Outer Banks Medical Center renders a vital service to the community. The Town will provide full support to the Center and its programs.

POLICY 25. The Town supports efforts to improve emergency evacuation service and will monitor the quality of service provided.

POLICY 26. The Town will work with the utility companies to develop a program to place all existing and future local service and transmission lines underground.

POLICY 27. The Town will consult and cooperate with state agencies in the determination of necessary improvements and safeguards on U.S. 158 bordering the Town arising out of probable increased traffic flow brought about by road improvements to U.S. 158 in Currituck County and the steady growth of the entire Outer Banks area.

POLICY 28. The Town will consult with and seek state assistance in efforts to mitigate the impacts of increased traffic on Duck Road

(S.R. 1200) caused by any possible state action extending S.R. 1200 into the Currituck Banks.

POLICY 29. The Town will urge the state to proceed immediately to implement its decision (following a public hearing in July 1979) to correct hazardous and bottleneck traffic conditions now existing at the 6-way intersection of U.S. 158, By-Pass 158, Skyline Road, Pier Road, and S.R. 1200 access. (Project W-441)

POLICY 30. The Town will request that the state study traffic problems and hazards at intersections of Town roads with U.S. 158 with particular attention to the Dogwood Trail intersection which also serves the Kitty Hawk Elementary School and Duck Woods Golf Course; and that the state monitor, on a periodic basis, peak traffic flows through Southern Shores on the Duck Road (S.R. 1200).

POLICY 31. The Town will undertake, with the cooperation of the developer, feasible means to provide an emergency access east/west road through the northwestern sector of the Town connecting with Dogwood Trail North.

POLICY 32. The Town supports a seasonal public transit bus Kitty Hawk to Nags Head, without any commitment of Town revenues for its operation. Residents however have overwhelmingly indicated lack of interest for public transit within the Town.

POLICY 33. The Town will not advertise or otherwise promote the community of Southern Shores in an attempt to increase year-round or seasonal population.

POLICY 34. The Town will work with Dare County to insure that zoning and development of properties adjacent to its boundaries is compatible in land usage with that existing or planned for adjacent areas of the Town.

POLICY 35. The Town will continue to coordinate and cooperate with state, county and neighboring community governments on common problems and other areas of interest.

POLICY 36. The Town will study the feasibility of annexing the golf course and Martins Point.

POLICY 37. The Town will study the feasibility of constructing bicycle, walking, jogging paths.

POLICY 38. The Town will work with the Southern Shores Civic Association to increase the ocean beach parking area for the near term and study alternatives to provide additional beach parking for the long term.

POLICY 39. The Southern Shores Land Use Plan will be reviewed and updated annually. The public will be offered an opportunity to participate in all phases of the update process.

The Land Class System has been developed as a means of assistance in the implementation of the plan. By delineation of land classes (see Map B), the Town has indicated where and to what densities they want growth to occur and where they want to conserve natural and cultural resources.

Although specific areas are outlined on the land classification map, land classification is merely a tool to help implement policies and is not a regulatory mechanism.

Community: The purpose of the community class is to provide for clustered land development to help meet housing and public service needs within the Town of Southern Shores. In addition, a limited amount of commercial development is expected to meet only the needs of Southern Shores residents (e.g. a motel near the fishing pier in Kitty Hawk to accomodate Southern Shores visitors, professional offices in the designated commercial area). Except for the conservation areas designated below, all areas of the Town are within the community class.

Community Class Policy: Planning for the Town involves maintaining the existing low density residential use of the land and providing for only limited and necessary services (e.g. public water, police protection, fire protection, street maintenance). Due to large lot development, careful subdivision which has left fragile areas in open space, and generally favorable soils for on-lot sewage disposal, public sewer is neither needed nor desired. Most of the Town is presently subdivided for single family residential use, and continued enforcement of present regulations will insure existing development patterns.

Conservation: The purpose of the conservation class is to provide for effective long-term management of significant limited or irreplaceable areas. Such management is needed because of its natural, cultural, recreational, productive or scenic values. In Southern Shores, these

areas include the AECs (e.g. ocean hazard area, estuarine shoreline, coastal wetland, and all surface waters). In addition, other areas classified as conservation include open space areas in the Town under the control of the Southern Shores Civic Association and/or the Kitty Hawk Land Company (see Map B).

Conservation Policy: The Town supports CAMA regulations in applying standards for AEC areas. In the Southern Shores Ocean Erodible Areas, the policy is to maintain the ocean-front sand dunes by protecting the vegetation which stabilizes the dune system.

In the High Hazard Flood Areas, the Town enforces standards prescribed by the Federal Insurance Administration.

In the Public Trust Waters, the Town will work with the appropriate State and Federal agencies in protecting the integrity of the Public Trust Waters within Southern Shores.

In the Coastal Wetlands, the Town allows no specific development activity and implements this policy through the CAMA permitting process.

On the Estuarine Shoreline, the Town policy is to work closely with the County Health Department and the State Office of Coastal Management in managing these areas.

It is the policy of the Town to identify a variety of natural resources which do not qualify for AEC status under CAMA; to encourage the retention of forest growth and natural plant communities, including the protection of maritime forest areas; to maintain a suitable habitat for animals and birds indigenous to the area; and to disturb the natural terrain as little as possible.

The Town in cooperation with all other interested parties (Southern Shores Civic Association, Chicahawk Improvement Association, Kitty Hawk

Land Company) will develop a long range policy regarding the preservation, maintenance and management of all properties bordering on all bodies of water--inland, sound, and ocean. The Town will continue to work out plans for use and management of open space areas in the Town.



REFERENCES \*

1. Historical Sketch of Southern Shores. David Stick, 1980, 4pp.
2. Population Analysis (Southern Shores). Coastal Consultants, Ltd., 1980, 4pp.
3. Analysis of Housing Mix (Southern Shores). Coastal Consultants, Ltd., 1980, 4pp.
4. Community Facilities and Services. George McIntosh, 1980, 5pp.
5. Administrative Facilities. Robert Andrews, 1980, 3pp.
6. Transportation. Coastal Consultants, Ltd., 1980, 4pp.
7. Environment and Growth. Coastal Consultants, Ltd., 1980, 7pp.
8. Analysis of Need For A Public Wastewater Facility. Arthur V. Peterson, 1980, 4pp.
9. Lagoons. Coastal Consultants, Ltd., 1980, 4pp.
10. Addendum - Lagoons and Related Water Bodies. Nelson Bortz, 1980, 3pp.
11. Recreation. Homer Althouse, 1980, 12pp.
12. Ecology. Virginia Ross, 1980, 11pp.
13. Annexation Issues. Coastal Consultants, Ltd., 1980, 3pp.
14. Soil Interpretations. Coastal Consultants, Ltd., 1980, 36pp.
15. Land Use Questionnaire; Responses; and, Summary. 1980, 14pp.

\* References are on file at the Southern Shores Town Office.

SUMMARY OF ORDINANCES  
ADOPTED BY SOUTHERN SHORES TOWN COUNCIL

The following ordinances have been enacted by the Town Council of Southern Shores since its inception, April 1979.

4/3/79 - Adoption of Applicable County Ordinances - This was an interim measure to make all Dare County Ordinances that apply to Southern Shores applicable in the new municipality until specific new ordinances could be considered and adopted. (#79-0001)

5/1/79 - "Bob-Tail Budget Ordinance" - This was the budget for the period from incorporation of the Town to the end of the fiscal year June 30, 1979, made possible with a \$5,000 donation from the Southern Shores Civic Association.

5/23/79 - "Southern Shores Planning Board" - This ordinance established a Planning Board and spelled out its duties. (#79-0002)

5/23/79 - "Land Subdivision Ordinance" - This basic ordinance controlling subdivision of land was essentially the same as the county ordinance which had been developed with heavy input from Southern Shores citizens. (#79-0003)

5/23/79 - "Zoning Ordinance" - The effect of this ordinance was to adopt a zoning map and those parts of the Dare County Zoning Ordinance applicable to Southern Shores. In the process, the county ordinance, which had been developed in large part by Southern Shores citizens, was reviewed and updated by the Town Planning Board. (#79-0004)

6/5/79 - "1979-80 Budget Ordinance" - Provided the first tax rate for the Town and set forth in detail the revenue and expenditure estimates for the operation of the Town. (#79-0005)

8/7/79 - "Extraterritorial Jurisdiction" - This ordinance established zoning jurisdiction of the Town over the OBRA property and Martin Point, or CATCO. (#79-0006)

8/7/79 - "Amendment to Zoning Ordinance" - Corrected an error in the composition of the Board of Adjustment as originally established in the Zoning Ordinance. (#79-0007)

8/7/79 - "Building Code and Inspection Procedures" - This extensive ordinance made effective the N.C. Building Code, set up a Building Inspection Department, appointment of a Building Inspector and procedures in issuing building permits. (#79-0008)

8/7/79 - "Schedule of Building Permit Fees" - This established a simplified schedule of fees for building permits, in the median range as compared with those of the county and other municipalities in the area. (#79-0009)

9/4/79 - "State of Emergency Ordinance" - Adoption of those parts of the Dare County Civil Defense Plan applicable to Southern Shores. (#79-0010)

9/4/79 - "Establishment of a Police Department" - This ordinance provided the framework enabling the Town to proceed with establishing its own law enforcement program. (#79-0011)

9/4/79 - "An Ordinance for the Regulation and Control of Motor Vehicles & Traffic" - A detailed ordinance, incorporating those parts of ordinances in effect in nearby municipalities applicable to the residential community of Southern Shores. (#79-0012)

10/2/79 - "An Ordinance Dealing with Offenses, Actions & Other Matters Declared Inimical to Health, Safety & Welfare" - An extensive ordinance covering Disorderly Conduct, Noise and Firearms, Nuisances, Garbage and Litter, and Camping and Use of Vehicles for Living, Residing, and Sleeping. (#79-0013)

11/27/79 - "Flood Damage Prevention Ordinance" - A detailed ordinance for the regulation, control, and construction of buildings in flood hazard areas as required by State law and the Federal Emergency Management Agency, to be administered by the Town Building Inspector. (#79-0014)

2/5/80 - Amends Ordinance #79-0013 to effect more specific requirements and controls regarding garbage and litter, open burning, beach fires for which a permit must be secured. (#80-0015)

2/5/80 - "Bird Sanctuary" - Town corporate limits declared a bird sanctuary. (#80-0016)

4/29/80 - "CAMA Local Implementation and Enforcement" - Sets forth the conditions and requirements for issuance of minor development permits by the designated local official (Building Inspector) of the CAMA permit management plan and procedures for appeal, etc. (#80-0017)

4/29/80 - Amends Subdivision Ordinance - Establishes revised procedural steps in plat review and approvals and requires certain bond, letter of credit, or cash deposits to assure completion of work. (#80-0018)

7/1/80 - "Budget Ordinance, 1980-81". (#80-0020)

### ENFORCEMENT OF LAND USE REGULATIONS

Town enforcement measures affecting land/use/classification reside in the first instance primarily with the Town Building Inspector who also serves as zoning administrator, flood insurance officer and local CAMA permit officer. On certain matters, e.g. beach/dune motor vehicle driving, hunting, use of firearms, etc., enforcement authority is vested in Town police officers.

Other aspects, e.g. camp fires on the beach, burning trash, are administered by the Fire Chief, Southern Shores Fire Station. "No-Wake" speed on the lagoons is enforced by the local agent of the N.C. Wildlife Commission. Issuance of septic tank permits is a function of the County Environmental Health Services.

SELECTED PERTINENT RESOLUTIONS  
ADOPTED BY SOUTHERN SHORES TOWN COUNCIL

The following resolutions relate to matters of interest or concern applicable to subjects covered by the Land Use Plan.

5/23/79 - "Extraterritorial Representation" - Requests the Dare County Board of Commissioners to name extraterritorial representatives to the Planning Board from Martins Point and Outer Banks Recreational Association (OBRA). (#002-79)

5/23/79 - "Dare County Land Use Plan" - Adopts May 6, 1976, Dare County CAMA and Land Use Plans which pertain to Southern Shores. (#003-79)

7/3/79 - "Currituck Outer Banks" - Expresses concern over increasing vehicular traffic north into Currituck County and urges the State to provide a northern access route and terminal points to avoid creating an open passageway or "loop" thereby generating a further flow of traffic through the Town. (#005-79)

10/2/79 - "Commends Governor Hunt" for ordering a comprehensive environmental impact study of Currituck Outer Banks prior to any State action creating a public highway or "loop" funneling excessive vehicular traffic through Southern Shores. (#007-79)

11/12/79 - "Land Use Plan Contract" - Authorizes the Town to execute contract with N.C. Department of Natural Resources and Community Development relative to a land use planning project. (#0018-79)

11/27/79 - "Flood Insurance" - Formal resolution applying for approval of Town as administrator of flood insurance program under provisions of National Flood Insurance Program Regulations. (#0010-79)

11/27/79 - "No-Wake Speed" - Application to N.C. Wildlife Resources Commission to establish a "No-Wake Speed" with canals and lagoons (#0011-79)

1/8/80 - "Standardized Traffic Signs" - Resolution stating cooperation with the Governor's Office of Highway Safety in a program for the provision and maintenance of standard traffic signs. (#0012-80)

7/1/80 - "Mutual Law Assistance" - Establishes policy and authorization to enter into agreements with other local law enforcement agencies, on a reciprocal basis, for cooperation in certain routine matters and emergency situations. (#0013-80)

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"Beach Bus Service" - Letter of August 12, 1980 from Mayor Kern Pitts of Southern Shores to Mayor Don Byran of Nags Head expressing support and endorsement of seasonal beach bus service without commitment of any financial obligation by the Town of Southern Shores.

## STATE LICENSES AND PERMITS

Agency	Licenses and Permits
Department of Natural Resources and Community Development Division of Environmental Management	<ul style="list-style-type: none"> <li>- Permits to discharge to surface waters or operate waste water treatment plants or oil discharge permits; <u>NPDES</u> Permits, (G.S.143-215).</li> <li>- Permits for septic tanks with a capacity over 3000 gallons/day (G.S. 143-215.3).</li> <li>- Permits for withdrawal of surface or ground waters in capacity use areas (G.S. 143-215.15).</li> <li>- Permits for air pollution abatement facilities and sources (G.S. 143-215.108).</li> <li>- Permits for construction of complex sources; e.g. parking lots, subdivisions, stadiums, etc. (G.S. 143-215.109).</li> <li>- Permits for construction of a well over 100,000 gallons/day (G.S. 87-88).</li> </ul>
Department of Natural Resources and Community Development Office of Coastal Management	<ul style="list-style-type: none"> <li>- Permits to dredge and/or fill in estuarine waters, tidelands, etc. (G.S. 113-229).</li> <li>- Permits to undertake development in Areas of Environmental Concern (G.S. 113A-118).</li> </ul> <p data-bbox="954 1486 1442 1577">NOTE: Minor development permits are issued by the local government.</p>
Department of Natural Resources and Community Development Division of Earth Resources	<ul style="list-style-type: none"> <li>- Permits to alter or construct a dam (G.S. 143-215.66).</li> <li>- Permits to mine (G.S. 74-51).</li> <li>- Permits to drill an exploratory oil or gas well (G.S. 113-381).</li> </ul>



- Permits to conduct geographical exploration (G.S. 113-391).
  - Sedimentation erosion control plans for any land disturbing activity of over one contiguous acre (G.S. 113A-54).
- Department of Natural Resources and  
Community Development  
Secretary of NRCD
- 
- Department of Administration
- Permits to construct an oil refinery.
  - Easements to fill where lands are proposed to be raised above the normal high water mark of navigable waters by filling (G.S. 146.6(c) .
- 
- Department of Human Resources
- Approval to operate a solid waste disposal site or facility (G.S. 130-166.16).
  - Approval for construction of any public water supply facility that serves at least 15 connections for year round residences or 25 or more year round residents.

## FEDERAL LICENSES AND PERMITS

Agency	Licenses and Permits
Army Corps of Engineers (Department of Defense)	<ul style="list-style-type: none"> <li>- Permits required under Section 9 and 10 of the Rivers and Harbors of 1899; permits to construct in navigable waters.</li> <li>- Permits required under Section 103 of the Marine Protection, Research and Sanctuaries Act of 1972.</li> <li>- Permits required under Section 404 of the Federal Water Pollution Control Act of 1972; permits to undertake dredging and/or filling activities.</li> </ul>
Coast Guard (Department of Transportation)	<ul style="list-style-type: none"> <li>- Permits for bridges, causeways, pipelines over navigable waters; required under the General Bridge Act of 1946 and the Rivers and Harbors Act of 1899.</li> <li>- Deep water port permits.</li> </ul>
Geological Survey Bureau of Land Management (Department of Interior)	<ul style="list-style-type: none"> <li>- Permits required for off-shore drilling.</li> <li>- Approvals of OCS pipeline corridor rights-of-way.</li> </ul>
Nuclear Regulatory Commission	<ul style="list-style-type: none"> <li>- Licenses for siting, construction and operation of nuclear power plants; required under the Atomic Energy Act of 1954 and Title II of the Energy Reorganization Act of 1974.</li> </ul>
Federal Energy Regulatory Commission	<ul style="list-style-type: none"> <li>- Permits for construction, operation and maintenance of interstate pipelines facilities required under the Natural Gas Act of 1938.</li> </ul>

- Orders of interconnection of electric transmission facilities under Section 202(b) of the Federal Power Act.
- Permission required for abandonment of natural gas pipeline and associated facilities under Section 70(b) of the Natural Gas Act of 1938.
- Licenses for non-federal hydro-electric projects and associated transmission lines under Sections 4 and 15 of the Federal Power Act.

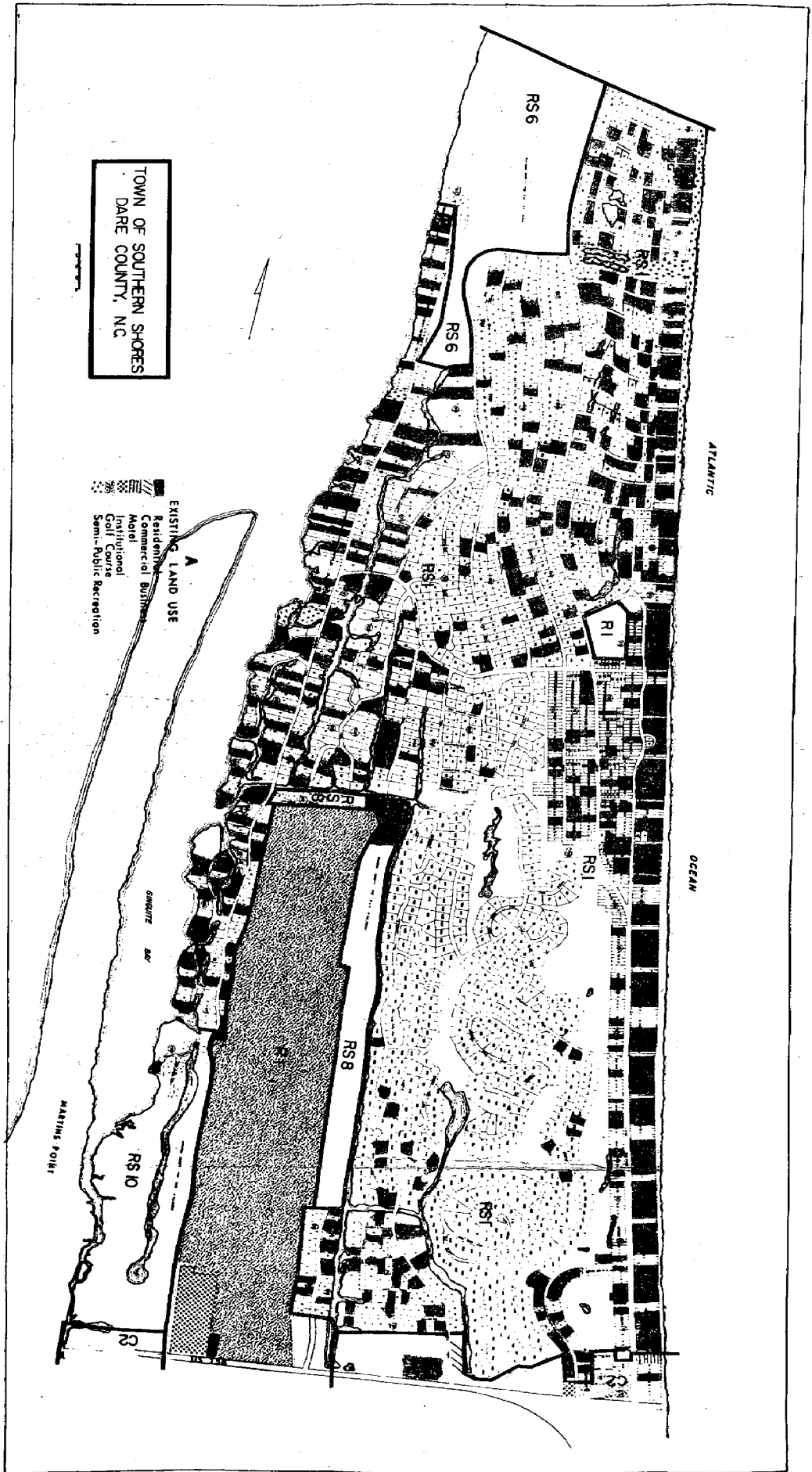
### MONITORING OF LAND USE PLAN IMPLEMENTATION

The Town will monitor its future development to determine if management tools are directing development and protecting the environment as specified in the Land Use Plan.

A map showing environmental features and significant development areas will be placed in the Town Office. The Town will develop a system by which land use changes can be noted. This map will be reviewed periodically by the Planning Board in order to determine if adjustments to the management system are necessary to insure consistency with the Land Use Plan.

TOWN OF SOUTHERN SHORES  
DARE COUNTY, NC

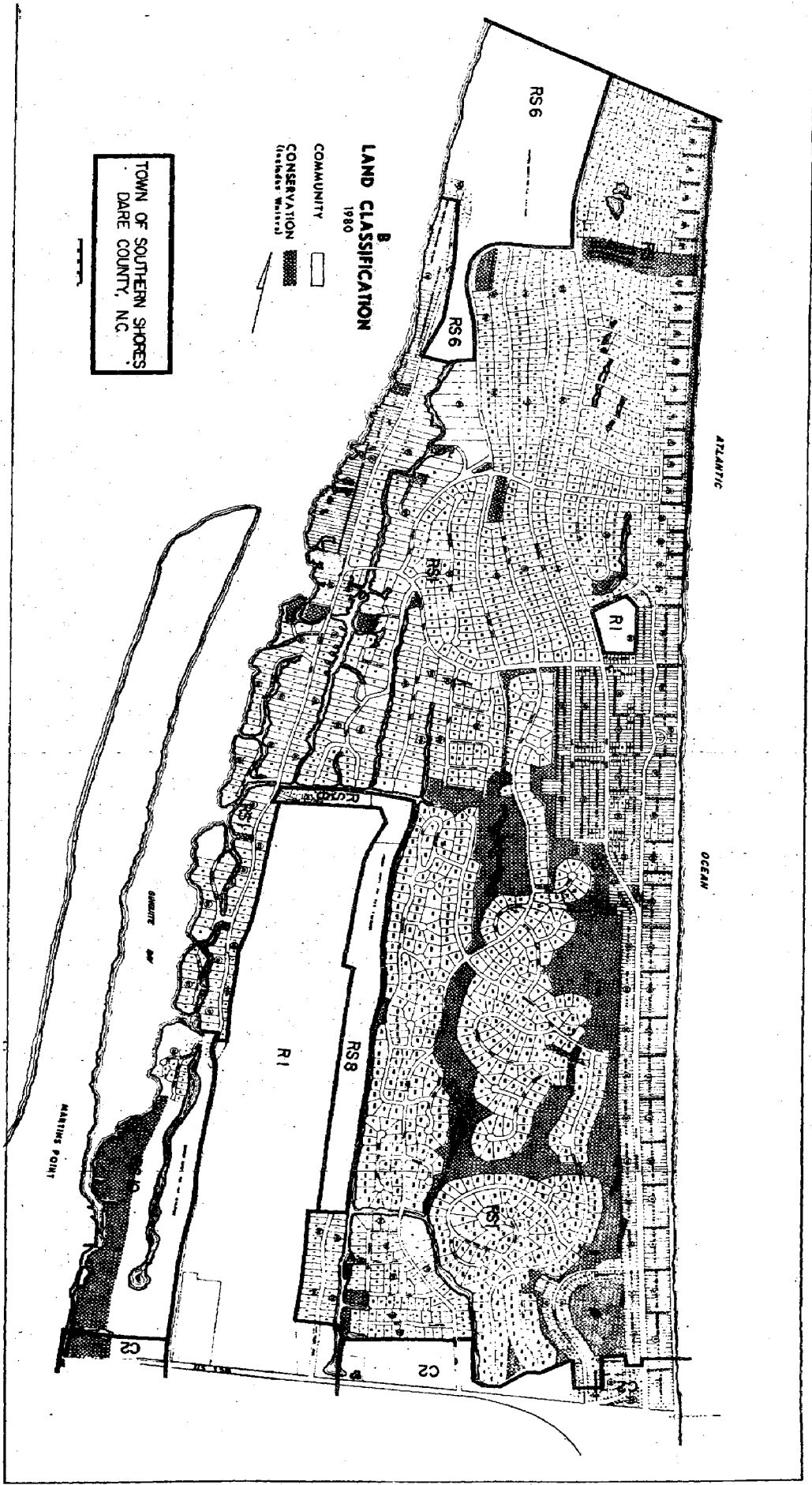
- EXISTING LAND USE
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  - Commercial Business
  - Hotel
  - Institutional
  - Golf
  - Semi-Public Recreation



TOWN OF SOUTHERN SHORES  
DARE COUNTY, N.C.

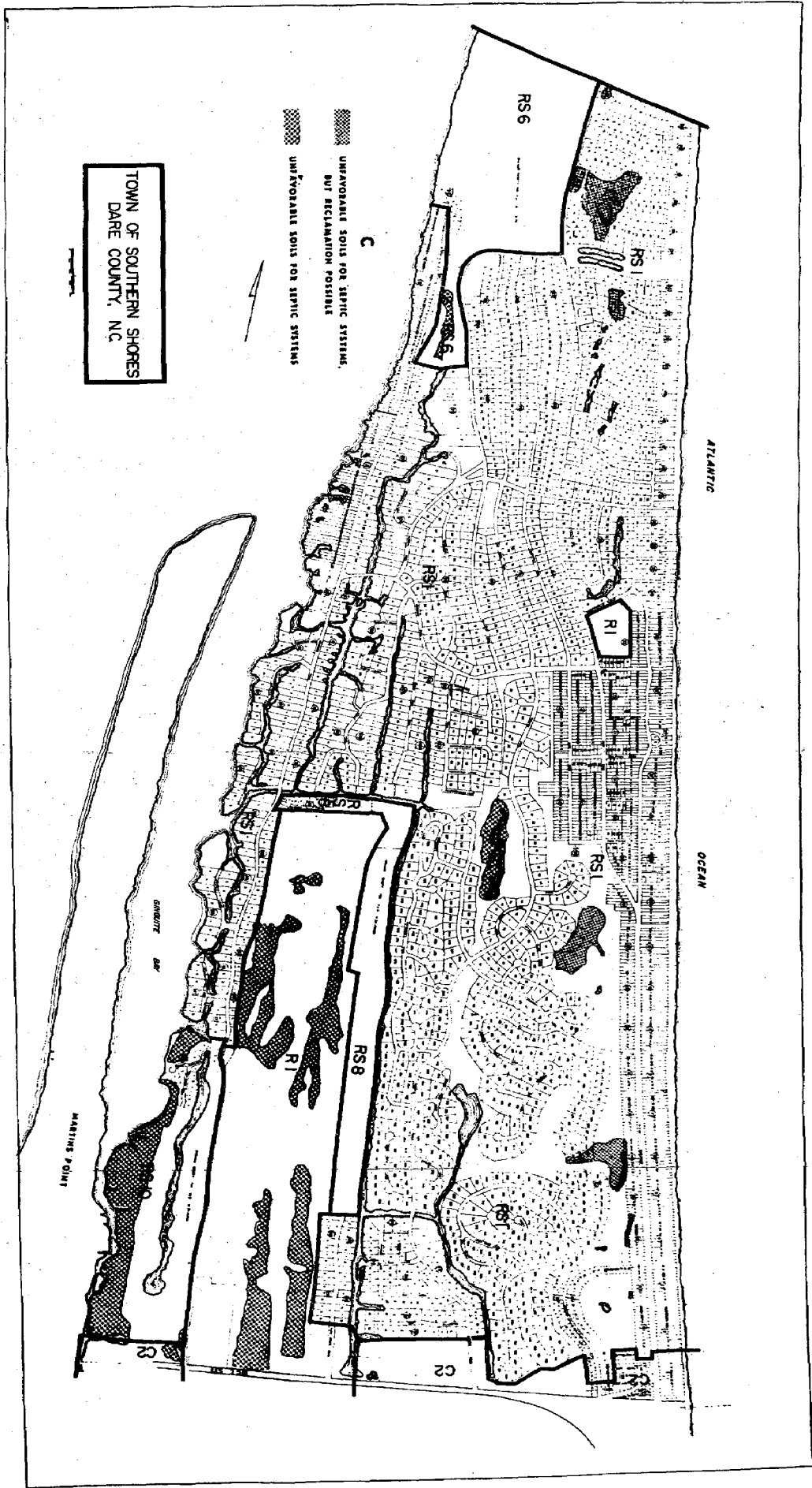
**LAND CLASSIFICATION**  
1980

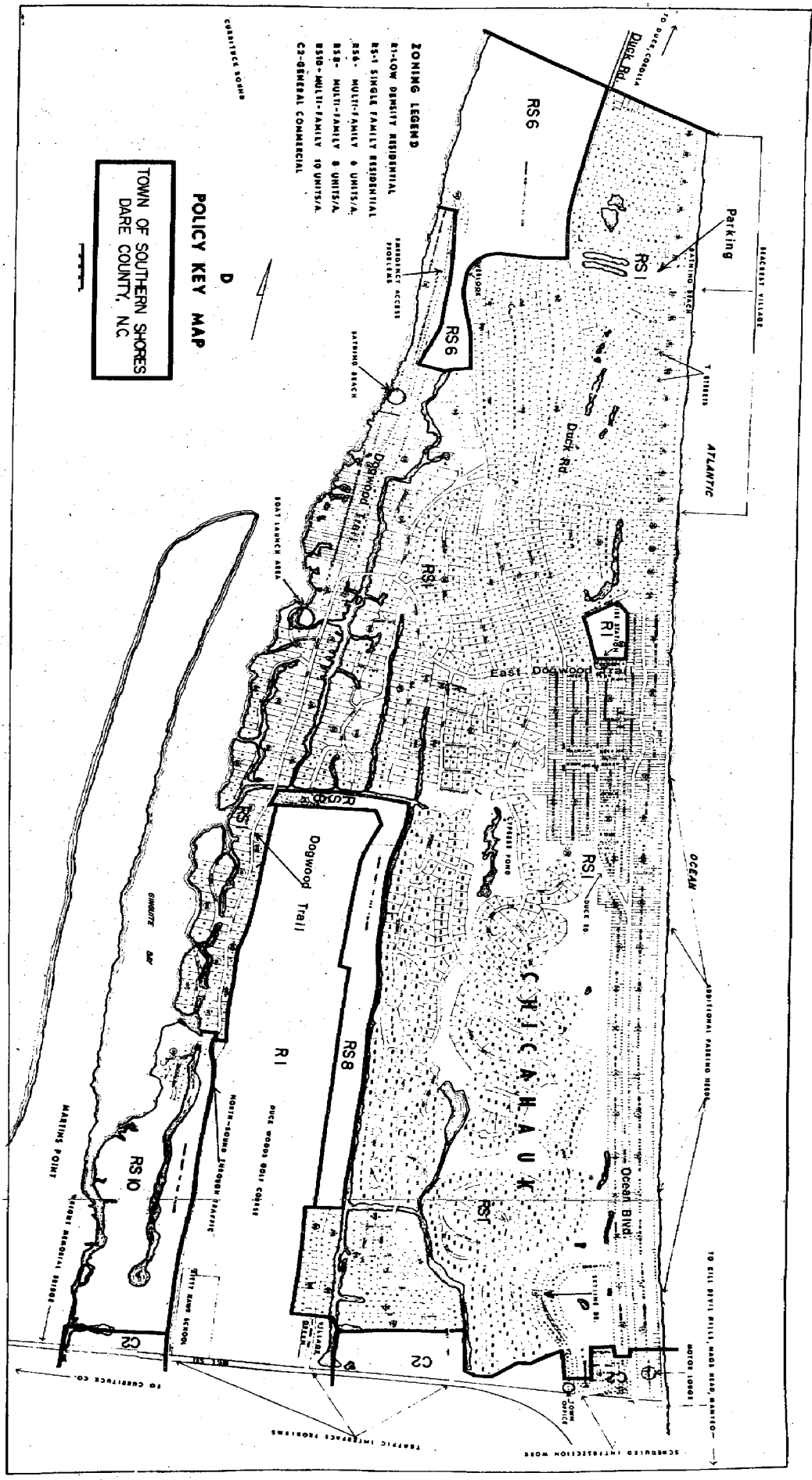
- COMMUNITY
- CONSERVATION (SHRUBS & WILDS)



TOWN OF SOUTHERN SHORES  
DARE COUNTY, NC

- UNSATURATED SOILS FOR SEPTIC SYSTEMS,  
BUT RECLAMATION POSSIBLE
- UNSATURATED SOILS FOR SEPTIC SYSTEMS





- ZONING LEGEND**
- RS-1-LOW DENSITY RESIDENTIAL
  - RS-1 SINGLE FAMILY RESIDENTIAL
  - RS-6- MULTI-FAMILY 6 UNITS/A
  - RS-8- MULTI-FAMILY 8 UNITS/A
  - RS-10- MULTI-FAMILY 10 UNITS/A
  - C-2-GENERAL COMMERCIAL

TOWN OF SOUTHERN SHORES  
DARE COUNTY, NC

**POLICY KEY MAP**

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