



**An Amendment to Article 2 General Regulations,
To Add Subsection 2.19 titled
Alteration of Sand Dunes or Ocean Front Vegetation
to the Unified Development Ordinance (UDO)
of the Town of Sunset Beach, North Carolina**

THAT WHEREAS, the Town has enacted a Unified Development Ordinance that control land development within both the Town’s incorporated areas and within its extraterritorial area; and

WHEREAS, in order to promote the public health, safety and general welfare and to promote the best interests of the town and community, it is necessary from time to time for the Town Council to consider appropriate revisions, modifications and additions to the town’s Unified Development Ordinance; and

WHEREAS, Town staff has initiated a text amendment requesting a review of the town’s Unified Development Ordinance concerning alteration of oceanfront dune systems and vegetation; and

WHEREAS, the Planning Board reviewed and deliberated the options, and reached a 5 to 0 vote to recommend to the Town Council that an amendment adding subsection 2.19 titled Alteration of Sand Dunes or Ocean Front Vegetation be approved; and

WHEREAS, pursuant to N. C. General Statutes and town ordinances, a public hearing, properly noticed , was held on April 19, 2016, where public comment was heard and considered by the Town Council regarding this issue; and

WHEREAS, the Planning Board and Town Council find that the proposed amendment to the Unified Development Ordinance Article 2 General Regulations subsection 2.19 is consistent with the Sunset Beach Comprehensive Land Use Plan; and

WHEREAS, the Town Council further finds that the approval of this proposed amendment is reasonable and in the public interest in that the amendment: (i) provides for additional protections of the ocean front dune systems, (ii) works to help alleviate potential erosion and negative environmental impacts associated with excessive vegetation and sand removal, and (iii) will offer added protection from natural disaster events by helping to maintain the natural ecosystem.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Sunset Beach that Unified Development Ordinance Article 2 General Regulations is hereby amended by adding subsection 2.19 Alteration of Sand Dunes or Ocean Front Vegetation as follows:

SECTION 2.19 Alteration of Sand Dunes or Ocean Front Vegetation

- A. It shall be unlawful to alter, disturb, or relocate any sand, sand dune, or cut or remove vegetation on any lot except under the following circumstances, whichever is most restrictive, after proper application to the Town and the issuance of a zoning permit:
 - 1. Alteration needed to accomplish CAMA approved activities;
 - 2. Vegetation exceeding the height of the first, habitable floor level of the house on the lot. In such case, the vegetation may be trimmed down no lower than the first habitable floor level.

- B. Exemptions. The Town, County, State or Federal governments shall be exempt from this section in the normal upkeep, construction, or maintenance of Town or other approved governmental facilities and infrastructure and in compliance with all applicable CAMA regulations.

Adopted this the ____ day of _____, 2016.

Town of Sunset Beach

By: Mayor

ATTEST:

Town Clerk