



**An Ordinance to Amend Article 6 Zoning Districts  
and Article 7 Supplemental Regulations  
of the Unified Development Ordinance (UDO)  
of the Town of Sunset Beach, North Carolina**

**THAT WHEREAS**, the Town has enacted a Unified Development Ordinance that controls 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**, an application for a text amendment requesting an alteration of the town’s Unified Development Ordinance concerning the fences and gates for subdivisions for private roads and access; and

**WHEREAS**, the Planning Board reviewed and deliberated the options, and reached a 4 to 1 vote to recommend to the Town Council that an amendment to subsection 7.09 Fences be denied; and

**WHEREAS**, pursuant to N. C. General Statutes and town ordinances, a public hearing, properly noticed, was held on August 7, 2017, where public comment was heard and considered by the Town Council regarding this issue; and

**WHEREAS**, the Planning Board finds that the proposed amendment (i) is not consistent with a primary goal of the Town’s comprehensive plan (2010 Town of Sunset Beach CAMA Land Use Plan) to “Ensure that adequate open space and/or recreational areas, including public trust areas, are provided for and enhanced to serve the growing population” and (ii) it is not in the public interest because access to public trust waters may be negatively impacted in the future; 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 is \_\_\_\_\_  
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\_\_\_\_\_.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of Sunset Beach that Unified Development Ordinance Article 6 Zoning Districts Section 6.04 Table of Permitted/Special Uses listed use **Privacy Fences (Subdivisions)** is hereby amended as follows by inserting the text “PS” under the BR2 column;

**AND, THAT** the Unified Development Ordinance Article 7 Supplemental Regulations Section 7.09 Fences (A) Subdivisions is hereby amended by adding the following in numerically sequential order:

(7) In the BR-2 Zoning Districts, a privacy **fence** for a single-family **subdivision** shall only be allowed as an entrance gate to a private street or private access easement.

Adopted this the \_\_\_\_\_ day of \_\_\_\_\_, 2017

Town of Sunset Beach

\_\_\_\_\_  
By: Mayor

ATTEST:

\_\_\_\_\_  
Town Clerk