



**An Amendment to Article 6 Zoning Districts,
Section 6.06 (H) BB-1 Beach Business District
(B) Residential Uses, (2) Multi-Family
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 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 received an application for a text amendment requesting a review of Section 6.04 of the town’s Unified Development Ordinance concerning multi-family developments in the Beach Business (BB1) District; and

WHEREAS, the town staff reviewed Section 6.04 and provided the Planning Board with recommended ordinance language for Section 6.04 for their consideration; and

WHEREAS, the Planning Board reviewed, deliberated, amended staff’s recommendation and reached a 4 to 0 vote to recommend to the Town Council that Section 6.04 be maintained as written and an amendment to Article 6, Section 6.06(H)(B)(2) BB1 Beach Business District be approved; and

WHEREAS, pursuant to N. C. General Statutes and town ordinances, a public hearing, properly noticed, was held on June 29, 2015, where public comment was heard and considered by the Town Council regarding this issue; and

WHEREAS, the Planning Board and Town Council finds that the proposed amendment to Unified Development Ordinance Article 6 Section 6.06 (H)(B)(2) 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 reasonable density standards to construct multi-family homes in said district, (ii) ensures that reasonable review and approval processes are established to ensure compatibility with existing residential character, and (iii) will not compromise safety or enjoyment of residential property.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Sunset Beach that Unified Development Ordinance Article 6 Section 6.06 (H)(B)(2) is hereby amended to add (g) as follows:

- (g) Maximum Density: 21.7 units per acre. For all multi-family buildings that contain dwelling units which result in a density above this density standard that were existing as of XX-XX-XXXX (Council Adoption), the nonconforming standards of Section 8.03 (Nonconforming Buildings Containing A Non-Conforming Use) shall not apply and a building may be rebuilt with the same number of units that existed on XX-XX-XXX (Council adoption).

In no case shall the existing building or parcel upon which the building stands be developed, subdivided, re-subdivided, or redeveloped whereby the result would allow more density per acre than what was existing at the time of Council's adoption.

In the event the use of the building moves to another land use classification (in whole or in part) as identified in Section 6.04, then this provision shall no longer apply and the building shall conform to all provisions of Article 8, Nonconformities.

Adopted this the ____ day of _____, 2015.

Town of Sunset Beach

By: Mayor

ATTEST:

Town Clerk