



**An Amendment to Section 151.391 of the  
Zoning Ordinance of the Town of Sunset Beach, North Carolina**

**THAT WHEREAS**, the Town has enacted a zoning ordinance and other land use ordinances 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 land use ordinances; and

**WHEREAS**, town staff has recommended that Section 151.391 (D) of the town’s zoning ordinance be amended to add Subsection (10) Large Scale Ice Vending Machines as a permitted commercial use within the MUD zoning district; and

**WHEREAS**, the Planning Board has considered this proposal by the town staff and has recommended that the amendment of Section 151.391 (D) be approved; and

**WHEREAS**, pursuant to N. C. General Statutes and town ordinances, a public hearing, properly noticed, was held on October 1, 2012, where public comment was heard and considered by the Town Council regarding this issue; and

**WHEREAS**, the Town Council finds that the proposed amendment to Section 151.391 (D) of the Code of Ordinances 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) will provide for the availability of goods and services necessary to serve the transient population common within a resort community (ii) will provide for an increased range in commercial use opportunities, and (iii) adds a use that is not otherwise permitted within the town’s zoning jurisdiction.

**NOW, THEREFORE, BE IT ORDAINED** by the Town Council of Sunset Beach that Section 151.391 (D) of the Code of Ordinances is hereby amended by adding the following subsection:

**(10) Large Scale Ice Vending Machines**

Placement of large scale ice vending machines shall require the following:

- Architectural design shall be consistent with established structures within the MUD district.

- The vending machines shall meet all of the MUD District qualifications.
- The ice vending machine shall be maintained by the owner/operator of the unit.

If the machine is neglected or improperly installed, the parcel owner shall contact the owner/operator and request its removal immediately. The size, frequency and location of all large scale ice vending machines are subject to the approval of The Village at Sunset Beach Architectural Review Board and The Town of Sunset Beach Planning Board.

Adopted this the 1<sup>st</sup> day of October, 2012.

Town of Sunset Beach

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By: Mayor

ATTEST:

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Town Clerk