

## STAFF REPORT

**To:** Southern Shores Town Council  
**Date:** June 2, 2026  
**Case:** ZTA-2026-02  
**Prepared By:** Wes Haskett, Deputy Town Manager/Planning Director

### GENERAL INFORMATION

**Applicant:** Town of Southern Shores  
**Requested Action:** Amendment of Town Code Section 36-132 to amend the Town's lot recombination requirements by establishing an exclusion for development when there is no proposed increase in the footprint of existing decks and/or stairs.

### ANALYSIS

At the May 6, 2025 Town Council meeting, Council directed Town Staff to draft Town Code amendments to modernize the Town Code. As a result, Town Staff has drafted ZTA-2026-02 to amend the Town's lot recombination requirements by establishing an exclusion for development when there is no proposed increase in the footprint of existing decks and/or stairs. Town Code Sections 36-132(a)(2)a., b., and c., currently require all adjacent lots that are under the same ownership to be recombined into a single lot which may or may not meet the minimum requirements for the district in which such lots are located, or multiple lots which all meet the minimum requirements for the district in which such lots are located, prior to issuance of a Building Permit and/or Zoning Permit when:

- a. Development is proposed upon land which includes one or more nonconforming lots adjacent to one or more other lots under the same ownership;
- b. Demolition or redevelopment exceeding 50 percent of an existing structure's value is proposed and any portion of the existing structure or associated use is currently or has been within the previous seven years located upon or occurring on two or more lots under the same ownership, as measured from the time of application;
- c. Development is proposed of a new structure or use to be located on two or more lots under the same ownership;

Town Code Section 1-2 defines "development" as:

1. The construction, erection, alteration, enlargement, renovation, substantial repair, movement to another site, or demolition of any structure.
2. The excavation, grading, filling, clearing, or alteration of land.
3. The subdivision of land as defined in Section 30-2.
4. The initiation or substantial change in the use of land or the intensity of use of land.

The proposed amendment would allow property owners to obtain a Building Permit and/or Zoning Permit for development when there is no proposed increase in the footprint of existing decks and/or stairs (in accordance with all other applicable requirements) without having to go through the recombination process in situations that involve adjacent lots under the same ownership.

The Town's current Comprehensive Land Use Plan contains the following Policy that is applicable to the proposed ZTA:

- LUC 3.1: Support development design and approvals that reinforce the low-density nature of the community and are at an appropriate scale for the commercial district.

**RECOMMENDATION**

Town Staff has determined that the proposed amendment is consistent with the Town's currently adopted Comprehensive Land Use Plan and Town Staff recommends approval of the application. The Town Planning Board unanimously (3-0) recommended approval of the application at the May 18, 2026 Planning Board meeting.