

STAFF REPORT

To: Southern Shores Town Council
Date: May 4, 2021
Case: TCA-21-03
Prepared By: Wes Haskett, Deputy Town Manager/Planning Director

GENERAL INFORMATION

Applicant: Town of Southern Shores

Requested Action: Amendment of the Town Subdivision Ordinance by amending Section 30-2, Definitions; Section 30-43, Alternatives to Final Plat Approval; and addition of Section 30-44, Expedited Review.

ANALYSIS

At the March 2, 2021 Town Council meeting, the Town Council instructed Town Staff to take valuable elements out of the adoption draft of the Town Code Update written by CodeWright for review by the Planning Board and the Town Council for future consideration. The proposed amendments to Chapter 30, Subdivisions are a result of State Law changes. The first is an amendment as a result of S.L. 2017-10 to the current definition of Subdivision which establishes an exemption for the division of a tract into parcels in accordance with the terms of a probated will or in accordance with intestate succession under Chapter 29 of the General Statutes. The second amendment is a replacement of Section 30-43, Alternatives to Final Plat Approval as a result of S.L. 2015-187 that addresses performance guarantees. The third amendment is the addition of Section 30-44, Expedited Review which is a result of S.L. 2017-10 that establishes an expedited review of qualifying subdivisions that can be reviewed and approved by the Zoning Administrator.

The Town's currently adopted Land Use Plan contains the following Policy that is applicable to the proposed TCA:

- **Policy 2:** The community values and the Town will continue to comply with the founder's original vision for Southern Shores: a low-density residential community comprised of single-family dwellings on large lots (served by a small commercial district for convenience shopping and services located at the southern end of the Town. This blueprint for land use naturally protects environmental resources and fragile areas by limiting development and growth.

RECOMMENDATION

Town Staff has determined that the proposed amendments are consistent with the Town's currently adopted Land Use Plan and Town Staff recommends approval of the proposed TCA. The Town Planning Board unanimously (6-0) recommended approval of the application with amendments at the April 19, 2021 Planning Board meeting.