

STAFF REPORT

To: Southern Shores Town Council
Date: May 4, 2021
Case: ZTA-21-04
Prepared By: Wes Haskett, Deputy Town Manager/Planning Director

GENERAL INFORMATION

Applicant: Town of Southern Shores

Requested Action: Amendment of the Town Zoning Ordinance by amending Section 36-163, Off-street Parking Requirements and adding Section 36-209, Prohibited Uses in all Districts.

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 amendment to Section 36-163, Off-street Parking Requirements deletes the parking requirements for nursing homes since they are recommended to be prohibited. The proposed amendments in new Section 36-209, Prohibited Uses in all Districts are a result of NC Court of Appeals rulings regarding the need to identify prohibited uses. The proposed amendments include a list of prohibited uses, how to address unlisted uses, and rejection of proposals for uses that are not clearly prohibited.

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

- **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 ZTA. The Town Planning Board unanimously (6-0) recommended approval of the application with amendments at the April 19, 2021 Planning Board meeting. The Board also recommended that the Town consider allowing produce stands and requirements for them.