

STAFF REPORT

To: Southern Shores Town Council
Date: October 4, 2022
Case: ZTA-22-10
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 36-207(c)(11)i.

ANALYSIS

At the May 19, 2022 Planning Board meeting, the Board recommended approval of a revised version of ZTA-22-06 which established mixed use group development of commercial and residential buildings as a Special Use in the C, General Commercial zoning district. Some of the recommended revisions included some of the dimensional requirements from the C, General Commercial zoning district. On June 7, 2022, the Town Council adopted ZTA-22-06 with most of the language recommended by the Board, including a requirement for maximum building height, which is established in the dimensional requirements for the C, General Commercial zoning district.

The maximum building height requirement for the C, General Commercial zoning district (and all other zoning districts) states: Maximum building height shall be 35 feet, measured from the average of the existing, undisturbed grade at the building corners. If the average of the existing, undisturbed grade at the corners of the building is less than eight feet above mean sea level, the maximum building height may be measured from up to eight feet above mean sea level. Only the first sentence from that requirement was included in the Planning Board's recommendation and what was ultimately adopted by the Town Council. Town Staff believes that omitting the second sentence was an oversight, and that it should be included in the requirements for mixed use group development of commercial and residential buildings as it is a part of the maximum building height requirement for all zoning districts.

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 at the September 19, 2022 Planning Board meeting.