

STAFF REPORT

To: Southern Shores Town Council
Date: October 4, 2022
Case: ZTA-21-08
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 36-57, Definition of Specific Terms and Words and Section 36-165, Regulations Governing Signs.

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 Section 36-57, Definition of Specific Terms and Words and 36-165, Regulations Governing Signs are a result of a U.S. Supreme Court ruling that signage requirements should be content neutral. In an effort to make the Town's sign requirements content neutral, the proposed language addresses signage based on the applicable zoning district the subject property lies within. The Planning Board first considered the application at the October 18, 2021 Planning Board meeting and recommended approval to the Town Council.

The Town Council considered the application at the November 9, 2021 Town Council meeting. Following several comments during the public hearing, the Town Council voted to send the application back to Town Staff and the Planning Board for revisions, including allowing signs in the Town right-of-way during campaign season. Town Staff has made several revisions to the proposed language since November, 2021 which include: Allowing temporary signs in the Town right-of-way during campaign season with permission of the adjacent property owner(s), revised the requirements for signs on properties that are for sale or lease, revised the definition of "sign", revised the definition of "temporary sign", revised the requirements for signs at major entrances to subdivisions, revised the requirements for wall signs in the Commercial zoning district, and revised the requirements for temporary signs in 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.