

STAFF REPORT

To: Southern Shores Town Council
Date: February 7, 2023
Case: ZTA-23-01
Prepared By: Wes Haskett, Deputy Town Manager/Planning Director

GENERAL INFORMATION

Applicant: Town of Southern Shores

Requested Action: Amendment of the Town Code by amending Section 36-57, Definition of specific terms and words

ANALYSIS

In 2019, the N.C. General Assembly enacted North Carolina General Statutes Chapter 160D, Local Planning and Development Regulation, which consolidated and clarified former Chapters 160A and 153A that addressed development regulations for Municipalities and Counties. The Chapter became effective January 1, 2021 with the requirement that all Municipalities and Counties update their ordinances to be compliant with it by July 1, 2021. Due to the Town Code Update project, Town Staff chose to postpone amending the Town Code to be compliant with Chapter 160D until the amendments from the Town Code Update project were complete.

As a result of that postponement, and in an effort to bring the Town Code into compliance with Chapter 160D without making numerous amendments, the Town Council adopted Town Code Amendment TCA-21-05 on July 6, 2021 that clarified that the North Carolina General Statutes (in particular Chapter 160D) must be satisfied whenever the Town Code conflicts with, contradicts or is otherwise inconsistent with the North Carolina General Statutes. The next proposed amendment required under Chapter 160D is a Zoning Text Amendment (ZTA) that adds two definitions and revises two definitions in the Town Zoning Ordinance.

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 recommended approval (5-1) of the application at the January 24, 2023 Special Planning Board meeting.