



Town of Southern Shores

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MEMORANDUM

To: Town Council
From: Cliff Ogburn, Town Manager
Date: August 6, 2024
Subject: Consideration of Accessory Dwelling Units (ADUs)

Chairperson Ward was asked during the July 15th Planning Board meeting to inquire with the Town Council if there was an interest in considering regulations regarding Accessory Dwelling Units (ADUs). Town staff met with Mayor Morey, MPT Neal, and Chairperson Ward determining that more information was needed before deciding to move forward, which would be part of the consideration discussed during the August 6 Town Council meeting.

According to the American Planning Association-

An accessory dwelling unit (ADU) is a smaller, independent residential dwelling unit located on the same lot as a stand-alone (i.e., detached) single-family home. ADUs go by many different names throughout the U.S., including accessory apartments, secondary suites, and granny flats. ADUs can be converted portions of existing homes (i.e., internal ADUs), additions to new or existing homes (i.e., attached ADUs), or new stand-alone accessory structures or converted portions of existing stand-alone accessory structures (i.e., detached ADUs).

ADUs are not currently permitted in Southern Shores. Accessory structures with living space are currently permitted, provided that the living space does not constitute a dwelling unit and the total amount of enclosed living space in the accessory structure and principal building does not exceed 6,000 sq. ft.

The current draft of the update project to the Town Land Use Plan sets a "Land Use Compatibility and Character" goal that reads-

LUC 3.2. Consider evaluation of the Town's current policy on separate living spaces and consider revisions to allowances and standards for accessory dwelling units by zoning district. Coordinate with the SSCA to determine allowances and site design standards.

The Town's current policy on ADUs allows for separate living space that does not constitute a dwelling unit (allowable in all districts except for RS 10).

Permitting ADUs as a new use would subject them to zoning regulations. Before a Zoning Text Amendment may be heard by the Town Council, the item must be considered by the Planning Board and a public hearing must be scheduled.

There are many points to consider which are likely to require the Town Council to be provided with more information. Among other things for consideration, the Town Council may want to look at what neighboring communities are doing as well as their experiences. An understanding of the number of vacant lots of a certain size, the number of lots with potentially remaining lot coverage to be able to construct an ADU, septic rules, and the potential impacts on existing covenants may also be beneficial. Other points to consider are density, compatibility with neighborhood characteristics, setbacks, parking requirements, size limitations and whether to apply zoning regulations in a way that is more encouraging or regulating.

If directed, Town staff will provide Council further information before deciding to move forward. Alternatively, the Council may want the item referred to the Planning Board with directions to address their questions or concerns.