

STAFF REPORT

To: Southern Shores Planning Board
Date: April 15, 2024
Case: ZTA-24-03
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 Town Code Sections 36-163(1)a. and Section 36-57 and adding Sections 36-163(4)f, Section 36-179 and Section 36-299(b)(2)c.20.

ANALYSIS

The Town Planning Board began discussing potential commercial design standards to add to the Town Zoning Ordinance at the November 21, 2022 Planning Board meeting. The discussion began with reviewing the commercial design standards that have been adopted by the Towns of Duck, Kill Devil Hills, and Nags Head. At the February 22, 2023 Planning Board meeting, the Board continued their discussion and provided feedback to Town Staff on potential commercial design standards to include in a Zoning Text Amendment (ZTA) application. Based on that feedback, Town Staff is proposing to amend Town Code Section 36-163(1)a. by amending the minimum parking space width requirement for all uses other than single-family residential homes, adding section 36-163(4)f. by adding a reduction of required parking spaces for planting trees in excess of a required buffer, amending Section 36-57 by restating the definition of substantial improvement, adding Section 36-179 to establish commercial design standards, and adding Section 36-299(b)(2)c.20. to establish that commercial design elements must be shown on a site plan, if applicable.

The proposed commercial design standards would apply to all new construction and substantial improvements in the general commercial district for all uses other than one and two-family dwellings. The proposed standards, and their sources, are as follows:

- (1) Paint colors shall be of low reflectance, subtle, neutral and earth tone colors (Town of Duck);
- (2) Mechanical equipment shall be screened and shall not be visible from any right-of-way (Town of Kill Devil Hills);
- (3) Fences shall be constructed of wood, or match the materials used for the building (Planning Board);
- (4) No commercial building front shall remain unbroken (unpierced) by a window, architectural element, entrance or functional general access doorway for more than 50 feet (Town of Duck);
- (5) Windows shall comprise no less than 10% and not more than 40% of each building's vertical wall area (Towns of Duck and Kill Devil Hills);

- (6) No awning on any building which encroaches on a sidewalk or pedestrian walkway shall extend out from the building more than 2/3 the width of the sidewalk nor shall it at any point be less than 8 feet above the sidewalk (Town of Duck);
- (7) Wall articulations (or breaks in the façade or roofline) shall be designed not less than every 50 feet along the building façade (Town of Duck);
- (8) Architectural embellishments that add visual interest to a façade or roof such as dormers, chimneys, cupolas, watch and clock towers, shutters and other similar elements are encouraged (Town of Duck);
- (9) Roofs shall be constructed with one or more of the following roofs: hip, gable or mansard (Town of Kill Devil Hills).

The proposed amendments include reducing the minimum parking width requirement for all uses other than single-family residential homes from 9.5 feet wide by 18 feet long to 9 feet wide by 18 feet long. The proposed amendments also include a voluntary sketch plan review by the Planning Board prior to submittal of an application for site plan approval. Lastly, the proposed amendments establish that the total parking requirement for every 20 parking spaces for a proposed use or existing use may be reduced by one parking space for each tree that is provided in excess of a required buffer for up to five parking spaces.

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 that the Planning Board recommend approval of the application to the Town Council.