

STAFF REPORT

To: Southern Shores Planning Board
Date: May 20, 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 drafted ZTA-24-03 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 Planning Board considered ZTA-24-03 at the April 15, 2024 Planning Board meeting and provided feedback to Town Staff. Town Staff has revised ZTA-24-03 based on the feedback provided which includes revisions to proposed Sections 36-163(4)f., 36-179(a), 36-179(b)(1), 36-179(b)(8), and removal of proposed Section 36-179(b)(9). Town Staff has also put together a table showing the building area and finished area to land area ratios of existing commercial buildings for the Board to discuss and consider:

| Building Area/Finished Area to Land Area Ratios | | | | | |
|--|----------------------|----------------------|------------------|-----------------|-----------------|
| Location | Building Area | Finished Area | Land Area | BA Ratio | FA Ratio |
| Taco Bell | 2,367.00 | 1,088.00 | 18,260.00 | 0.13 | 0.06 |
| S. S. Crossing | 24,676.00 | 25,222.00 | 211,759.00 | 0.12 | 0.12 |
| TowneBank | 7,759.00 | 9,594.00 | 69,701.00 | 0.11 | 0.14 |
| Marketplace | 159,873.00 | 158,814.00 | 788,746.00 | 0.20 | 0.20 |

The Building Area is the footprint of a building or buildings, and the Finished Area is the heated/living space in a building or buildings. The BA Ratio is the Building Area divided by the Land Area, and the FA Ratio is the Finished Area divided by the Land Area.

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.