



**Town of Southern Shores  
Special Council /Planning Board Joint Meeting  
November 15, 2022**

The Town of Southern Shores Council met for a Special Meeting in the Pitts Center located at 5375 N. Virginia Dare Trail at 10:00 a.m. on Tuesday, November 15, 2022.

COUNCIL MEMBERS PRESENT: Mayor Morey, Mayor Pro Tem Matt Neal, Council Members Paula Sherlock and Mark Batenic.

Planning Board Members Present: Chairman Andy Ward, Vice Chair Toni DiBernardo, Ed Lawler, and Jan Collins.

**CALL TO ORDER / PLEDGE OF ALLEGIANCE / MOMENT OF SILENCE**

Mayor Morey called the meeting to order at 10:00 a.m., led the Pledge of Allegiance, and held a moment of silence.

**APPROVAL OF AGENDA**

Council Member Sherlock moved to approve the agenda, Seconded by Council Member Batenic. The motion passed unanimously.

The purpose of the meeting is for the Planning Board and Town Council to provide the Town's consultant, Stewart, feedback on updating the Town's Land Use Plan. The Kickoff Day Agenda included the following example discussion items:

- a) Recent successes
- b) Opportunities for improvement or growth
- c) Issues to be aware of that might negatively affect the Town moving forward
- d) Challenges that need to be addressed
- e) #1 thing they want this plan to accomplish over the next 5-10 years

After a brief introduction of both board's members Stewart's Project Manager Jay McLeod provided a brief background of the company. Stewart is primarily a landscape architecture and structural engineering and surveying company. It provides construction services and engineering landscape architecture. There is also a small group of dedicated land use planners housed under the transportation and planning practice area and focus almost exclusively on serving local governments in land use plan updates and ordinance updates.

Jay McLeod presented a PowerPoint presentation which highlighted the following:

What's a land use plan?

- a way to collect and agree on a shared community vision
- helps leadership prioritize community goals

- guide rezonings and land development decisions
- mandated by the state (condition of adopting and applying zoning regulations)
- a community conversation about shared goals and values

#### CAMA plan topics (CAMA = Coastal Area Management Act)

- Required by state / coastal resource commission (CRC) for coastal communities
- Land use management topics
- Public access (to public trust waters)
- Land use compatibility
- Infrastructure carrying capacity
- Natural hazards
- Water quality

#### Future land use vs. zoning

- Future land use establishes a vision for the community.
- Zoning is the rules that regulate current land use and development  
**(The land use plan update will deal with future land use, not zoning.)**

#### Distinctions

##### Zoning

- Regulates allowed uses, dimensional standards, setbacks, building heights, parking, etc.
- Is what's currently entitled
- Regulates nonconformities, rebuilds, etc.
- Existing uses can continue (barring some action by the town)

##### Future land use

- Guides (but does not compel) rezoning decisions
- Recommends future policy updates
- Guides the gentle and long-term transition of land to the desired uses and configuration

##### Future land use does not

- Force rezonings or down zonings
- constitute a taking
- amortize uses (even unwanted uses)
- force property owners to sell or change their property
- handcuff decision-makers

The steps of the plan development process consist of a kickoff- existing plans and data review, get to know the community, public survey (goals, values, vision), public meeting, plan drafting, public review and comment, and public adoption hearings (incl. state review). He projected the entire process to be completed by fall of 2023.

Planning Board Member Lawler and Mayor Morey both inquired about the estimated state approval timeframe. Jay McLeod stated the schedule for review should be approximately 75 days. The Town of Duck's review took about eleven months, but most reviews fall within a 75-day window. Stewart will have a couple plans going in for review with the state agency in Elizabeth City and based on those timeframe results, Southern Shores should have a better estimate on the review timeframe.

Council and the Planning Board kicked off the day events by providing some ideas they would like to see incorporated into the Land Use Plan. Following this, Stewart will be meeting the department heads, take a tour of town, and then host a public open house this evening to gather ideas and feedback from the community.

### Discussion- Summary of Values and Priorities

- Water quality- environment & recreation
- Septic systems effect on water quality and a way to quantify water quality
- Trees, preservation of maritime forest
- Maintain low density
- Dedicated green space that will not be developed (perhaps joint venture with an association)
- Safe mobility through town, walking and biking paths-map what can be utilized now that most of the available land is built out.
- Increase availability of boat slips or another marina
- Maintain the area to keep the local wildlife
- Event space (area for artist to gather and events to take place)
- Canal maintenance-viable asset
- Commercial area has aged-should be vibrant, attractive area. A way to encourage or regulate commercial aesthetic standards that would need to be met when renovating
- Small town community feel during holidays (holiday décor or flags on main corridor of town)
- Town should promote itself better, could accomplish this with a Public Information Officer
- Enhance year-round vitality
- Maintain safety of community, Fire, Police, walking and biking paths-maintain walking trails
- To strive for a balanced incremental growth model with the emphasis towards enhancing year -round resident population

### Challenges

- Way to monitor short term rentals (registration process) for Airbnb (if possible?)
- Environmental issues that could impact the town moving forward (climate change, sea rise)
- Challenges- Stormwater
- Challenges-Workforce housing-diversity of housing options
- Zoning and covenants should match
- Sustainability of tourism and the impact for residents to be able to afford to live here.

Mayor Morey excused herself from the meeting at 11:11 a.m.

Jay McLeod thanked the Council and the Planning Board for their time. Stewart was able to gather a great starting list of ideas, challenges and possible solutions to be used in the development of the Land Use Plan update. Stewart will be meeting next with the department heads, taking a tour of town, and then hosting an open house for the citizens of Southern Shores this evening.

### **ADJOURN**

**MOTION:** Adjourned by consensus. The time was 11:26 a.m.

ATTEST:

Respectfully submitted,

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Elizabeth Morey, Mayor

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Sheila Kane, Town Clerk