

STAFF REPORT

To: Southern Shores Planning Board
Date: August 16, 2021
Case: ZTA-21-08
Prepared By: Wes Haskett, Deputy Town Manager/Planning Director

GENERAL INFORMATION

Applicant: Town of Southern Shores

Requested Action: Amendment of the Town Zoning Ordinance by amending Section 36-57, Definition of Specific Terms and Words and Section 36-165, Regulations Governing Signs.

ANALYSIS

At the March 2, 2021 Town Council meeting, the Town Council instructed Town Staff to take valuable elements out of the adoption draft of the Town Code Update written by CodeWright for review by the Planning Board and the Town Council for future consideration. The proposed amendments to Section 36-165, Regulations Governing Signs are a result of a U.S. Supreme Court ruling that signage requirements should be content neutral (see attached comments on Reed vs. Town of Gilbert). In an effort to make the Town's sign requirements content neutral, the proposed language addresses signage based on the applicable zoning district the subject property lies within. Town Staff has made a couple of revisions since you received the ZTA which include: Carrying forward the prohibition of vehicle signs and separating the requirements for residential uses and nonresidential uses in residential zoning districts.

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 but input from the Board will be requested. Discussion of the number of temporary signs allowed and their duration will be required and revisions may be necessary. Please note that prior to adopting or rejecting any zoning amendment, the Planning Board shall adopt a statement describing whether its action is consistent with the adopted Town Comprehensive Land Use Plan and explaining why the Planning Board considers the action taken to be reasonable and in the public interest. That statement is not subject to judicial review.