



Agenda Item Summary Sheet

Item No: **F-2**
Meeting Date: **August 3, 2022**

Item Title: Public Hearing to consider text amendments to the Unified Development Ordinance (UDO) to modify the supplemental regulations for conforming Cottage Courts

Item Summary:

At their June 1, 2022 meeting, the Board of Commissioners heard a text amendment request submitted by George E. Goodrich which, if adopted, would amend the supplemental regulations for conforming cottage courts to allow a percentage of the cottages to have a gross floor area of 2,000 square feet and up to two stories. The current ordinance limits all cottages to 1,500 square feet and 1 1/2 stories. At their June 1st meeting the Board of Commissioners passed a motion to table consideration of this amendment and to forward it to the Planning Board for their consideration with the following direction: To maintain diversity within the cottage court, to consider allowing some increase in gross floor area beyond the current maximum allowable 1,500 square feet, and to permit some number of two-story units within the cottage court.

Planning staff met with the applicant and drafted a text amendment that would increase the allowable gross floor area for an individual cottage from 1,500 square feet to 1,750 feet and would allow up to 1/3 of the cottages to be two (2) stories in height. For comparison purposes, staff conducted an analysis of single-family residential structures in the Old Nags Head Cove and Northridge subdivisions and discovered that the mean size of single-family dwellings within these neighborhoods was approximately 1,366 square feet and 1,540 square feet respectively. With that information, staff continues to have a concern that increasing allowable gross floor area to 1,750 sf would be more similar in size to a single-family dwelling and not a traditional cottage court cottage.

Staff and Planning Board Recommendation

Staff would submit that the revised and reduced maximum gross floor area of 1,750 square feet is more in line with that of a single-family dwelling, and not that of a cottage. Staff also continues to have concerns that the increase in gross floor area may lend itself to a desire "condo-out" the cottages and offer them for sale, thus circumventing the Town's subdivision ordinance.

At their June 21, 2022, meeting the Planning Board voted unanimously to recommend denial of the text amendment as revised.

Number of Attachments: 4

Specific Action Requested:

Conduct the Public Hearing.

Submitted By: Planning and Development

Date: July 27, 2022

Finance Officer Comment:

Signature: Amy Miller

Date: July 27, 2022

Town Attorney Comment:

Signature: John Leidy

Date: July 27, 2022

Town Manager Comment and/or Recommendation:

I will participate in the discussion as necessary.

Signature: Andy Garman

Date: July 27, 2022