



**CITY OF SOUTHPORT
BOARD OF ALDERMEN
REGULAR MEETING AGENDA**

223 E. BAY STREET
September 12, 2024
6:00 PM

Agenda

Please turn off all cell phones

If you are not able to attend the Board of Aldermen meetings in person, the meeting will be available for you to watch via live-stream on the City of Southport website (<https://cityofsouthport.com/board-of-aldermen-meetings/>), Facebook page, and YouTube channel.

ETHICS STATEMENT:

"If any members know of any conflict of interest or the appearance of a conflict of interest concerning matters on the agenda, please so state at this time."

A. Call to Order

B. Invocation- Police Chief Todd Coring

C. Pledge of Allegiance

D. Public Comment

E. Approval of Agenda

F. Approval of the Consent Agenda

1. Budget Amendment Fire Department Grant for Purchase of Confined Space Rescue pgs. 3-4
2. Community Building Personnel Budget Amendment pgs. 5-6
3. Minutes of the Regular Board of Aldermen Meeting August 5, 2024 pgs. 7-11
4. Minutes of the Special Board of Aldermen Meeting August 20, 2024 pgs. 12-18
5. Tree mitigation of Franklin Square Park pgs. 19-21

G. Public Hearings

1. Section 3.19 of the Unified Development Ordinance Amendment (Mo Meehan) pgs. 22-37
2. Section 3.19.C.18 Political Signs Unified Development Ordinance Amendment (Mo Meehan) pgs. 38-42

H. Agenda

1. Unified Development Ordinance Amendment to Section 4.14 Recreation and Open Space (Mo Meehan) pgs. 43-48
2. State Transportation Improvement Program (STIP) 2026-2035 Division Needs Project Prioritization (Sam Boswell, Mo Meehan) pgs.49-58
3. Turtle Bay Major Subdivision Preliminary Plat (Mo Meehan) pgs.59-81

4. TextMyGov (ChyAnn Kethum) pgs.82-85
5. Up Your Arts - Pole Banner Project (Allayna Dail) pgs.85-86
6. Boards and Committees Ordinances (Noah Saldo) pgs. 87-120

I. Committee Reports

1. ABC Board pgs. 122-124
2. Planning Board Minutes pgs.125-133
3. Historic Preservation Commission Minutes pgs. 134-136

J. Manager's Report

K. Mayor's Comments

L. Staff Reports

1. Public Works pgs. 137-139
2. Planning and Inspections Report pgs. 140

M. Board Comments

N. Closed Session NCGS 143-318.11

(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure. If the public body has approved or considered a settlement, other than a malpractice settlement by or on behalf of a hospital, in closed session, the terms of that settlement shall be reported to the public body and entered into its minutes as soon as possible within a reasonable time after the settlement is concluded.

(4) To discuss matters relating to the location or expansion of industries or other businesses in the area served by the public body, including agreement on a tentative list of economic development incentives that may be offered by the public body in negotiations, or to discuss matters relating to military installation closure or realignment. Any action approving the signing of an economic development contract or commitment, or the action authorizing the payment of economic development expenditures, shall be taken in an open session.

(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

O. Adjourn



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: September 12, 2024

DEPARTMENT: Fire

PRESENTED BY: Charles A. Drew, Fire Chief

ITEM SPONSORED BY: Fire Department

ITEM/TOPIC: Grant for Purchase of Confined Space Rescue Equipment

COST: \$10,000

BUDGET LINE ITEMS: Fire Department Revenue and Capital Purchases

JUSTIFICATION: The Southport Fire Department had previously applied for an ADM Cares grant from Archer Daniels Midland (ADM) for the purchase of Confined Space Rescue Equipment. At the time of the adoption of the FY2024-2025 budget, this grant had not been awarded and therefore neither the revenue nor the cost of the Confined Space Equipment was included in the budget. On July 2nd, the Southport Fire Department was notified that ADM had awarded a \$10,000 grant, and the \$10,000 check from ADM was received on August 13th.

IMPACT IF NOT APPROVED: The Fire Department would need to return the grant award to ADM and would be unable to purchase Confined Space Rescue Equipment.

DEPARTMENT HEAD COMMENTS: This grant award will enhance our Technical Rescue Operations within the fire district. The department has been training and will begin certification classes on confined space rescue this fall. ADM Cares provided us with these funds to assist in that program, which could help their operations at the plant as well.

CITY MANAGER COMMENTS: This is welcome news. Let's get it set in the budget with this action.

ATTACHMENTS: Budget Amendment

REQUESTED ACTION: Approve the Budget Amendment on the Consent Agenda

PROPOSED MOTION: Approve on Consent Agenda



**Budget Amendment
Fiscal Year 2024-2025
Budget Amendment 2**

WHEREAS the Southport Fire and Rescue Department previously applied for an ADM Cares Grant from Archer Daniels Midland (ADM) to purchase Confined Space Rescue Equipment; and

WHEREAS on July 2, 2024 the Southport Fire Department was notified of an award from ADM in the amount of \$10,000.00; and

WHEREAS on August 13, 2024 a check for \$10,000.00 was received from ADM; and

WHEREAS, the neither the grant revenue nor the cost of the Confined Space Rescue Equipment were not included in the approved 2024-2025 budget; and

NOW THEREFORE BE IT ORDAINED, by the Board of Aldermen of the City of Southport, North Carolina that the annual budget ordinance for fiscal year 2024-2025 shall be amended as follows:

Revenue	Increase
Miscellaneous Fire Revenue	\$10,000
10-11-3434-0500	

Expenditures	
Capital Outlay - Equipment	\$10,000
10-11-4340-5500	

Adopted by the Southport Board of Aldermen in regular session, September 12th, 2024.

Rebecca Kelley
Mayor, Pro-Tem

Noah Saldo
City Clerk



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: September 12, 2024

DEPARTMENT: Community Building

PRESENTED BY: Allayna Dail

ITEM SPONSORED BY: Community Building

ITEM/TOPIC: Correct FY2025 Community Building Personnel Budget

COST: \$70,060

BUDGET LINE ITEMS: An increase in Payroll and Benefits Costs to be paid by General Fund Balance

JUSTIFICATION: During deliberations on the FY2024-2025 budget, various proposals for staffing the Community Building were made. Various scenarios involving different combinations of full-time and part-time staff were approved, changed, and disallowed. Confusion arising from these changing scenarios resulted in a budget being adopted that does not adequately staff the Community Building for operations.

The approved budget provides for one Full-Time Building & Events Manager, and two Part-Time Custodians. There are no Administrator positions in the adopted budget. These positions staff events in the Community Building, and were the positions that alternated between Full- and Part-Time status during budget deliberations. The Community Building cannot operate without these positions.

The Community Building personnel budget is currently short by \$70,060 for the following reasons: The FT Building & Events Manager was hired at a rate that exceeded the adopted budget: \$15,811. Two PT Administrators were not included in the adopted budget: \$26,122 each for a total of \$52,244. The PT Custodian rates are slightly higher than budget: \$2,005. The amounts include both salary and impacts to benefits expense.

One of the PT Administrators has already been hired and interviews are underway for the second position.

IMPACT IF NOT APPROVED: The Community Building will be unable to maintain its schedule and bookings, and revenue will decline.

DEPARTMENT HEAD COMMENTS: Thank you for your time and attention to this oversight in my budget, the community building will proceed as intended with this update.

CITY MANAGER COMMENTS: It is important that these positions are budgeted so that the Community Building Department has sufficient staffing to perform its important duties.

ATTACHMENTS: Budget Amendment

REQUESTED ACTION: Approve the Budget Amendment.

PROPOSED MOTION: To increase the FY2025 Community Building Payroll and Benefits expenses by \$70,060 with funds to be appropriated from the General Fund Balance.



**Budget Amendment
Fiscal Year 2024-2025
Budget Amendment 3**

WHEREAS the Community Building was unable to hire a Building & Events Manager for the salary in the adopted FY2024-25 budget; and

WHEREAS the adopted FY2024-25 budget inadvertently excluded two necessary part-time Administrator positions in the Community Building Budget; and

WHEREAS the Community Building is unable to operate its schedule and deliver its budgeted revenue without the Administrator positions,

NOW THEREFORE BE IT ORDAINED, by the Board of Aldermen of the City of Southport, North Carolina that the annual budget ordinance for fiscal year 2024-2025 shall be amended as follows:

<u>Revenue</u>	<u>Increase</u>
Appropriated General Fund Balance 10-00-3991-0000	\$70,060
<u>Expenditures</u>	
Full-Time Employees 10-81-6150-0000	\$12,563
Part-Time Employees 10-81-6150-0200	\$51,247
FICA 10-81-6150-0900	\$ 3,963
401(k) Contributions 10-81-6150-0700	\$ 1,672
LGERS Retirement Contributions 10-81-6150-1000	\$ 615

Adopted by the Southport Board of Aldermen in regular session, September 12th, 2024.

Rebecca Kelley
Mayor Pro-Tem

Noah Saldo
City Clerk



**CITY OF SOUTHPORT BOARD OF
ALDERMEN REGULAR MEETING
MINUTES**

223 E. BAY STREET

August 5, 2024

9:00 AM

Present: Mayor Rich Alt, Mayor Pro Tem Rebecca Kelley, Aldermen Karen Mosteller, Lowe Davis, Frank Lai, Mark Spencer, and Robert Carroll

Staff: City Manager Stuart Turille, Jr., Assistant City Manager/ Clerk Dorothy Dutton, ChyAnn Ketchum POI/ Communications, Tom Zilinek City Engineer, Todd Coring Police Chief

A. Call to Order

Mayor Rich Alt called the meeting to order at 9:01 AM.

B. Invocation

Reverend Alderman Davis gave the Invocation.

C. Pledge of Allegiance

Mayor Alt led the Pledge of Allegiance.

D. Public Comment

Alderman Kelley made a motion to go into Public Comment. Alderman Spencer seconded the motion. Unanimous Vote; Motion carried.

Bonnie Bray, 515 Quartermaster Drive: Thank you for addressing the old courthouse and for meeting with the Center for the Creative Arts tomorrow evening.

Alderman Mosteller made a motion to come out of Public Comment. Alderman Carroll seconded the motion. Unanimous Vote; Motion carried.

E. Approval of Agenda

Alderman Kelley made a motion to Amend the Agenda to include a closed session at the end of the agenda pursuant to NCGS 143-318.11. (6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications, competence, performance, character, fitness, appointment, or removal of a member of the public body or another body. It may not consider or fill a vacancy among its own membership except in an open meeting. Final action, such as making an appointment or discharge or removal by a public body having final authority for the appointment or discharge or removal, shall be taken in an open meeting. (3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege between the attorney and the public body, which privilege is hereby acknowledged. General policy matters may not be discussed in a closed session, and nothing herein shall be construed to permit a public body to close a meeting that otherwise would be

open merely because an attorney employed or retained by the public body is a participant. The public body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure.

And approve the remainder of the agenda as presented. Alderman Mosteller seconded the motion. Unanimous Vote; Motion carried.

F. Approval of the Consent Agenda

Alderman Kelley made a motion to Approve the Consent Agenda. Alderman Lai seconded the motion. Unanimous Vote; Motion carried.

1. Budget Amendment #1: Automatic Transfer Switch
2. City Dock Boat Slip Design Contract (*B. Jarvis, H. Hemphill*)

G. Special Recognition

Introduction of new employees

Director of Community Relations Allayna Dail presented two new employees in her department. They are Jessie Labell, Assistant Director of Community Relations, and Karen Martin, Building and Events Manager.

Finance Director Lance Flint introduced the new Deputy Finance Director, Joey Kronenwetter.

H. Special Presentations

Linda Stanley, President & CEO of Doshier Memorial Hospital, gave an update on the hospital. She has been with the hospital for 38 years since she came from Savannah, GA. We have a jewel here, and she is honored to be a part of the town's progress. We are very privileged to have a small community hospital for 95 years in Southport. Not too many small community hospitals have survived. It is the only critical access still in practice in NC, partly because of the hospital tax. We are grateful that the community saw the need and chose to tax themselves to help keep the hospital open. The tax can only be used for maintenance and upkeep of the space, not operations or salaries. Over 100 volunteers have shown up to assist. Growth has helped the hospital stay open. Master Facility Plan Our operating room is very busy. Installed a second washer at the OR. On Long Beach Rd, there are three additional pods to hire new physicians. OKI renovation finished at the end of August with two additional provider spaces. Waiting on permitting. The project should take about a year. Alderman Lai spoke about his personal experience with Doshier and thanked her for all her efforts.

I. Agenda

1. Tree Penalty Settlement Request (*Tina Monk*)

Ms. Tina Monk, the property owner, was fined for removing trees with a 20-foot easement. Asking to reduce the fine to just the easement space. City Manager Turille stated staff toured the property, and the fine was imposed based on square footage. Assistant City Manager/ Clerk Dorothy Dutton stated the way the ordinance is written; you are fined based on the square footage of the lot. Alderman Kelley asked if she had a tree survey prior to cutting the trees. Ms. Monk said she didn't but did have photos. Alderman Lai asked if a lien was placed on the property. Ms. Monk said there was, but she never was served papers in regard to the lien. Mayor Alt asked Assistant Manager/ Clerk Dutton to verify a document that showed the sheriff's department had served the papers. Ms. Monk said she never received the papers. Aldermen Davis stated the ordinance is crystal clear. There is no reason for us to change the fine. Aldermen Mosteller stated there is another violation that should be applied: the lack of a zoning permit. Mayor Alt asked how much of the total acreage was cleared. Ms. Monk said 4,000 sq ft was cleared.

Alderman Davis made a motion not to alter the penalty or lien against Tina Monk, and

Alderman Mosteller seconded the motion. Aye: Alderman Carroll, Davis, Mosteller, and Lai. Nay: Alderman Kelley, Spencer (4-2). Motion Carried.

2. Code of Ordinance Amendments-Chapter 19. Utilities (Tom Zilinek)

Tom Zilinek, City Engineer, stated these amendments are Clerical. We don't have utilities anymore, so this language removes the language for the City and adds the County's language. Alderman Mosteller wants to make sure that the County will bore under the streets instead of street cuts. Mr. Zilinek stated He is working on a street-cutting permit that will be brought back in the late summer/early fall. Aldermen Davis recommends that if the County is going to cut into the streets, they let the business owners know ahead of time. Mr. Zilinek stated sometimes, when they do this work, it is an emergency, so notice cannot be given.

Alderman Kelley made a motion to Approve the Code of Ordinance Amendments- Chapter 19. Utilities. Aldermen Mosteller seconded the motion. Unanimous Vote; Motion carried.

3. Stormwater Ordinance Discussion (Tom Zilinek)

The City Engineer, Tom Zilinek, presented on stormwater management and the City's ordinance. Impervious surfaces keep water from being absorbed into the ground. The stormwater plan through Greenleaf will be completed this fall. Then, we will have the study, map, and new ordinance.

Aldermen Davis stated this is great. What are we going to do about impervious coverage on infill properties? Can we require a more complete stormwater review?

Mr. Zilinek stated that it would be part of the ordinances for planning, not the stormwater ordinances.

At the corner of 11th and Lord and Caswell, there are no stormwater drains or a place for the water to go. Are there any plans to add stormwater infrastructure? Mr. Zilinek-this is a multi-year project. Aldermen Davis asked if there was anything we could do because E. Moore Street is a dam. The Hammocks experiences issues. Aldermen Spencer stated we've improved the flow of water into the drains, but it is going to creeks, and so far, the water hasn't been filtered. Mr. Zilinek stated a good plan addresses water quality, too. Aldermen Spencer asked how we do anything with State roads when we don't have any right to do anything. Zilinek stated the first step is to get the plan in place and then we can go to the state to ask for help. We might be able to do the work ourselves. Mayor Alt stated that the entire board is very enthusiastic about moving forward with this project. NCDEQ has statutory authority to grant stormwater permits. We are not trying to supersede NCDEQ's authority, but we have the authority to do it. We aren't telling developers HOW to manage their stormwater; only how much stormwater control is needed. It won't mandate any specific method. Alderman Davis, one of her favorite places worldwide, is Sweet Treats at OKI. They have the previous concrete. They have had no problems. Is there anything more impervious than concrete? Mr. Zilinek-any hardened surface is impervious. Alderman Spencer asked if we could harvest water in Southport. Mr. Zilinek stated that one of the BMPs is using rain barrels. Alderman Mosteller said the road is higher than the sidewalk, acting like a dam. City Manager Turille stated that the mapping is critical; thanks for the board's support.

4. Historic Courthouse Abatement Bids (Tom Zilinek and Tom Stanley)

Historic Courthouse abatement bids: three contracts: abatement bids, HICAPs to supervise the abatement project, and award to HICAPs for air monitoring. We have also recently done a PO for structural analysis and an HVAC service/repairs. HVAC will keep it clean until we figure out how to use the building. All of these steps will be done by the end of the year. We have to do this environmental remediation whether or not we can keep it or it has to come down. Mayor Alt asked if the HVAC had to be working when we started to clean it. Mr. Zilinek said no. The contractor has to have a positive airflow through the building.

Alderman Carroll made a motion to Approve the contract with Rhino. Alderman Lai seconded the motion. Unanimous Vote; Motion carried.

Alderman Carroll motioned to Approve the contract with HICAPS for construction monitoring. Alderman Kelley seconded the motion. Unanimous Vote; Motion carried. Alderman Carroll made a motion to Approve the contract with HICAPS. Alderman Kelley seconded the motion. Unanimous Vote; Motion carried.

5. Approval of the Cemetery Committee's Mission Statement (Marc Spencer)

Alderman Spencer-Cemetery Mission Statement-mission, vision, and guiding principles. Ask that we approve the mission statement, vision, and guiding principles. Alderman Mosteller, our ordinances are so thorough that they replace bylaws. But the cemetery committee is so new she asks that they use some of this language to amend their ordinance. Alderman Davis was on the ad hoc committee. The mission statement is very excellent, but it needs to be that they identify problems and solutions and bring them to the Board. ***Aldermen Spencer motioned to approve the Cemetery Committee's Mission Statement. Aldermen Mosteller seconded the motion. Yay: Aldermen Mosteller, Carroll, Kelley, Lai, and Spencer and Aldermen Davis voting Nay (5-1). Motion Carried.***

Cemetery Signs: Veteran's illegible Sign. It would like to be removed. ***Aldermen Spencer motioned to direct staff to remove the old veteran's sign. Alderman Mosteller seconded. Unanimous Vote: Motion Carried.***

Road Signs that are faded. Move forward with replacing the signs. ***Aldermen Spencer made a motion to begin the process of replacing the old road signs. Aldermen Carroll seconded the motion. Unanimous Vote: Motion Carried. Motion made by Alderman Lai to use the same designs throughout the City. Seconded by Alderman Carroll. Unanimous Vote; Motion Carried.***

6. Discussion about Future Meeting Dates and Possible Retreat

Assistant Manager/ Clerk Dutton asked about potential meeting dates for the inclusive playground and the Center for the Creative Arts. City Manager Turille presented Alderman Davis with the idea that we should see what comes out of tomorrow's meeting before we schedule a second meeting. She didn't see anywhere in the minutes where we promised two meetings. Alderman Carroll -we can hold off until we have more information. Alderman Lai-best case is that we handle is all tomorrow night. Postpone scheduling the second meeting. Lots of discussion about allowing the public to comment or holding a separate public input meeting. Alderman Mosteller, we will need multiple meetings. She supports what Alderman Kelley said. Mayor Alt asked Alderman Davis to withdraw her motion.

Alderman Davis, postpone the discussion about scheduling this topic until we have further information. Alderman Kelley seconded.

Alderman Carroll is more inclined to give some dates at this point.

Mr. Turille, we have time. This is an important decision, so we should not rush it. It will take a few meetings. All ayes. Motion carried.

Inclusive Playground: Stuart has a meeting tomorrow with the regional manager. We will have those after tomorrow. Alderman Davis motioned to add Inclusive Playground for September 30th at the CB at 6 p.m. Alderman Carroll seconded. Alderman Carroll, we could add both topics to this meeting.

Alderman Davis anticipates a large crowd, so the meeting will be quite long. All ayes.

Motion carried. The playground meeting will be at 6 p.m. on the 30th at the CB.

Retreat: He watched the budget meetings. He wants us to start earlier. The City is at a crossroads, and it is helpful to have a vision. He thinks it is helpful to approach it as a retreat.

We could have pros and cons here, but the cooperative extension allows us to use it for free.

Alderman Davis, we have a retreat every year. The retreat would be helpful to Mr. Turille but not to the Board. They know their priorities, but they don't all agree on them. We have the CIP and Comprehensive plan. She will vehemently oppose going off-site. This is an open public meeting, and at least a few people have always attended. Alderman Mosteller-she understands Lowe's opinion. But it is also wise to get us outside of ourselves. Alderman Carroll is in favor of the retreat. It is

important to have open conversations.

Alderman Lai-it would be helpful to the City Manager.

Mr. Turille said it would also be helpful for the department heads to share their vision for their depts.

Alderman Davis, it has got to be easy for the public to attend and has to be recorded.

Ms. Ketchum will not be able to record at the Cooperative Extension. Maybe at the fire dept.

Motion to schedule a retreat: January time frame: Alderman Spencer and Alderman Kelley seconded. All ayes. Motion to specify a date and a time: defer those decisions once staff identifies some options. September 2nd meeting reschedule: Cancel the first meeting, not to reschedule. Alderman Carroll, second Alderman Spencer. All ayes.

Alderman Mosteller would like us to consider scheduling a public meeting about the ETJ issue with staff. She suggests the sooner, the better. Add a discussion for the 8th regarding the ETJ. Staff would be prepared to discuss the benefits of being in the City.

J. Manager's Report

Manager's Report: Regional meeting of managers to discuss the inclusive playground. The approach to the County should be unified. Staff articulated three points: quality of life, preservation of the character of historic/downtown Southport, and corridor overlay. August 12th County PB meeting with more opportunity to speak. August 20th at 2 pm-Board meeting. The Historic Courthouse- it is refreshing to see the efforts being made to preserve the courthouse. Essential to preserve our heritage.

K. Mayor's Comments

Mayor's Comments: will hold them to Thursday. This Board has been exceedingly busy.

L. Board Comments

Alderman Kelley, thanks to the City staff for emergency management. The PW team will deal with the aftermath. Please visit the website or Facebook to get information about the storms and preparedness. Alderman Davis, you lived through lots of storms. If Thursday is awful and we need to reschedule, we should.

M. Adjourn

Alderman Davis made a motion to go into closed session. Alderman Kelley seconded the motion. Unanimous Vote; Motion carried.

Alderman Kelley made a motion to return to open session. Alderman Lai seconded the motion. Unanimous Vote; Motion carried. Closed session ended at 10:20 AM.

Alderman Kelley made a motion to adjourn. Alderman Carroll seconded the motion. Unanimous Vote; Motion carried.

Adjourn-10:20 AM

Rebecca Kelley
Mayor Pro-Tem

Noah Saldo
City Clerk



**CITY OF SOUTHPORT
BOARD OF ALDERMEN
SPECIAL MEETING
223 E. BAY STREET
August 20, 2024
6:00 PM**

Minutes

Present: Mayor Rich Alt, Aldermen Karen Mosteller, Lowe Davis, Robert Carroll, Frank Lai, and Marc Spencer. Mayor Pro Tem Rebecca Kelley arrived at 6:19 PM.

Staff: City Manager Stuart Turille Jr., City Clerk Noah Saldo, PIO/Communications ChyAnn Ketchum, Polic Chief Todd Coring, Fire Chief Charles Drew, City Planner Mo Meehan, Park and Recreation Director Heather Hemphill, Community Relations Director Allayna Dail, City Engineer Tom Zilinek, Battalion Chief Ralph Treadway, City Attorney Brady Herman.

A. Call to Order

Mayor Alt called the meeting to order at 6:00PM.

B. Invocation

Rev Aldermen Lowe Davis delivered the invocation.

C. Pledge of Allegiance

Mayor Alt led the pledge of allegiance.

D. Public Comment

William Flythe 620 E. Leonard St.- Good evening Mayor and City Aldermen. I am Bill Flythe, a resident of Southport. Public comments were made at a recent meeting of the Brunswick County Board of Commissioners on three issues: Annexation, ETJ, and TIA. A letter to the editor on these issues appeared in the Pilot and Beacon during the past two weeks. A case was made that the local representatives in the NC General Assembly and/or county commissioners should be voted out of office in November because they continue to make decisions in favor of developers rather than for citizens like you and me.

Your time limit will not allow me to read the recent letter but I will read one of my letters written in 2012. The letter was written one year after me leaving the Brunswick County Planning Board. Let me make a public confession before reading the letter. Those who know me will verify that I am a diehard Democrat. However, I voted for the Republican Chairman of the Board of Commissioners during a critical period when we were updating a important document the UDO If you want to know his name, check the front of the Administrative building the next time that you go the County Complex. Sometimes, you have to put other things like overdevelopment before party loyalty. I want to read the letter I wrote to the local papers in 2012. There has been tremendous growth I the Southport area during my 35 years as a citizen of the waterfront town. I moved here in 1976 which means I have been here for 48years. I was mystified that the populations has been relatively stable over three decades I did not understand why the town

failed to fill several pot holes on the road beside an abandoned drug store near the main street. As a deacon of a local church I did not understand why the fire department started to charge for inspections recently and just two years they provided the services free of charge. The mystery was solved when I found the city limit signs were actually placed at points that would define the center of a town or city. There are freeloading city services when developers built subdivisions just outside of the city limits. The residence of these subdivisions still have some city services without the tax bill. State legislatures have an opportunity to do the right thing by not changing the appeals court decision supporting the annexations of Southport and other cities. Two of the local legislatures they sided with the developers and that's why the city limits are as they are. With these changes they would be fair to everyone. There would be taxation with representation. Currently they are getting services and representation without taxation. New developments should pay city taxes.

E. Approval of Agenda

Alderman Carroll made a motion to the Approval of the Agenda. Alderman Davis seconded the motion. All ayes. Motion carried.

F. Approval of the Consent Agenda

Alderman Carroll made a motion to the Approval of the Consent Agenda. Alderman Lai seconded the motion. All ayes. Motion carried.

1. Minutes of the Regular Board of Aldermen Meeting June 13, 2024
2. Minutes of the Special Budget Meeting June 17, 2024
3. Minutes of the Special Budget Meeting June 21, 2024
4. Minutes of the Special Board of Aldermen Meeting June 26, 2024
5. Minutes of the Regular Board of Aldermen Meeting July 11, 2024
6. Closed Session Minutes June 13, 2024 (Sealed)
7. Set a Public Hearing: Section 3.19 Signs
8. Set a Public Hearing: Section 3.19.C.18 Political Signs

G. Public Hearings

1. Public Hearing: UDO Amendment Section 4.14 Open Space (Mo Meehan)

Alderman Carroll made a motion to open the Public Hearing. Alderman Lai seconded the motion. All ayes. Motion carried.

City planner Mo Meehan gave a presentation on the proposed UDO amendment. The amendment would change the required lot size from 20 to 5 triggering the open space and recreation requirements. The amendment would also increase the multiplier for the amount of land required to be dedicated to open spaces.

Aldermen Mosteller asked if they considered storm water ponds. City Planner Meehan stated they did not they just looked at wetlands.

Aldermen Davis asked what they proceed to add that would be. City Planner Meehan stated the board has the ability to add that if the board would like.

Alderman Davis made motion to include storm water ponds as part of the amendment. Aldermen Mosteller seconded the motion. Aldermen Davis withdrew the motion as the consensus of the board was to have staff bring back that change.

2. Public Hearing: UDO Amendment Sections 3.17 & 3.14 Right of Ways (Mo Meehan)
City Planner Meehan presented the proposed UDO amendment. The proposed amendment allows for the installation of turf grass. It would also allow residentially zoned property owners to improve two parking spaces and the parking shall remain open to the public. The parking request shall be reviewed by the appropriate City staff members and vegetation shall be permitted within ten feet of the base of a City tree.

Mayor Pro-Tem Kelley made a motion to close the Public Hearing. Alderman Lai seconded the motion. All ayes. Motion carried.

H. Agenda

1. Discussion of Relinquishment of ETJ-Impacts (Stuart Turille, Jr. and Mo Meehan)

City Manager Stuart Turille Jr. gave a presentation on the effects that the loss of the ETJ would have on the City. The City Manager spoke to the effects that the loss of the ETJ would have in relation to financial and workload impacts. The city will not lose any sales tax or ad valorem tax. ABC revenue will also not be affected by the change. The percentage of ETJ workload inspections to total inspections is 8% or less. 7% of total revenues from inspections and permitting comes from the ETJ.

There are about 500 properties within the City limits that has the potential to be developed. There are several approved subdivisions in the City limit that will require permitting and inspection. Osprey landing 196 units, The waters (formerly Oakton) 4 units, Jonas creek 31 units, Price's Creek 48 units, Turtle Bay 100 units.

2. Discussion of Tree Clearing at Oakton (Mo Meehan)

City Planner Meehan presented on the tree clearing that had taken place at the Waters formerly Oakton subdivision. The developers will be required to replant trees as show in their submitted plans after development has occurred.

Aldermen Spencer stated this area was a tree farm and have traditionally been pine trees.

Aldermen Davis stated she was appreciative of the presentation as she has heard from community members concerned with the trees being cut down. The more restrictive tree ordinance went into effect after they submitted their development plans.

Mayor Alt asked if the circles on the site plan were the trees that were going to be replanted. City Planner Meehan stated that is correct. Mayor Alt asked staff to make sure Bob from the State Port Pilot was aware of this information.

3. Update on Bed and Breakfast Events Permit (Mo Meehan)

City Planner Meehan stated that the Board of Adjustment in July heard a special use permit request for a bed and breakfast. The application requested special events be allowed at the bed and breakfast. The Board of Adjustment granted the bed and breakfast special use permit and request the special events portion of the request be brought back.

Aldermen Carroll stated it was insane that the prior bed and breakfast was allowed to have events since it was in a residential neighborhood.

Aldermen Mosteller stated she didn't know how they should have been granted the ability to hold events that se appreciated there are only three conditions for bed and breakfast.

Aldermen Mosteller asked City Attorney Herman if the City had standing to present at the Board of Adjustment.

Attorney Herman stated there is a good argument you would have standing.

Aldermen Spencer stated the Board of Adjustment had legal representation at their meeting. There are currently no criteria for what an event is.

Aldermen Spencer Asked fire chief Drew if it was legal to have 100 people at a birthday party at a house.

Chief Drew stated you cannot enforce the fire code on a residential property.

Aldermen Davis is concerned with having these type of events in a residential neighborhood.

Mayor Pro-Tem Kelley stated she has a conflict and cannot contribute.

Alderman Mosteller made a motion to recognize Aldermen Kelley's conflict of interest and excuse her from voting on the matter. Alderman Carroll seconded the motion. Mayor Pro-Tem Kelley stated her conflict was owning a hotel in the City. All ayes. Motion carried.

Alderman Davis made a motion to have staff draft a UDO amendment concerning bed and breakfast for what events would be allowed or not and any limitation around them. Alderman Mosteller seconded the motion. All ayes. Motion carried.

Alderman Carroll stated he would like to see the board have representation at the Board of Adjustment.

Mayor Alt stated he agreed and encouraged the planning board and board of adjustment to take additional training.

City Attorney Herman stated he can have a training for those board members.

4. Clarification on Right-of-Way Ordinance Enforcement (Mo Meehan)

City Planner presented on clarification needed on the enforcement of the right of way ordinance.

Alderman Davis made a motion to appoint an ad hoc committee to work through the changes that were needed in the right of way ordinance. Mayor Pro-Tem Kelley seconded the motion. All ayes. Motion carried.

Mayor Alt asked for those that wanted to serve on the ad hoc committee. It was determined Aldermen Mosteller, Davis and Lai would serve on the committee.

5. Boards and Committees Ordinance Discussion and Direction

City Clerk Noah Saldo presented options for the Board to consider as various City Boards have ETJ representation. With the ETJ being taken those members will no longer serve.

Mayor Pro-Tem Kelley made a motion instruct staff that all boards and committee voting members shall be residents of the City limits except for the beautification and cemetery committee. Alderman Davis seconded the motion. All ayes. Motion carried.

I. Manager's Report

ETJ Update:

The County Planning Board Public Hearing occurred on August 12 where the following concerns were presented:

Consider the impact of the zoning differences so that the former ETJ's new zoning can be compatible with the density and uses that those residents ***have now and desire currently*** **Quality of life & Property Values for former ETJ owners**

Safety for emergency evacuations

Maintain the commercial appeal of downtown Southport with a N. Howe Street corridor overlay

Preservation of the character of historic downtown Southport.

19 citizens spoke, along with Alderman Mosteller, as a citizen, and myself. Planning Board Chair Hodgins and Planning Board Member Fiss spoke as citizens of the county. Ms. Meehan represented Planning Department. My talk was about 5 minutes.

- **Decision Reached by the County Planning Board:**

The zoning proposed by the County was approved, with two members stating openly that they regretted **moving so quickly** due to the 60 day limits, and wanted to work with City Staff on a N. Howe St. corridor overlay and UDO amendments for compatible zoning uses.

- **Path Forward:**

While some folks may wish to appeal, the door is open for us to work with the County Planning Board on ongoing projects, the N. Howe Street corridor overlay, and possible UDO amendments.

Inclusive park/regional location update:

Regional managers from Brunswick County, Oak Island, Caswell Beach, Boiling Springs Lake and Bald Head Island met and identified *four options, all outside of Southport*. However, we agreed to give the Managers time to research the sites, perform due diligence and consultation with respective Boards before releasing the actual sites. I will notify you once all are Managers good with releasing the options.

Assistant City Manager Taking a New Position in VA and New City Clerk:

- The new Clerk, Mr. Noah Saldo began August 12, is here tonight.
- It was my pleasure to work with Ms. Dutton, who accepted a new position in VA. I wish to recognize her commitment and dedication, her significant impact on this organization and City, which I have seen since my arrival. I know she will have a similar impact in her next position in Virginia, so please wish her well.

J. Mayor's Report

Mayor Alt stated he and Aldermen Kelley attend County Board of commissioners meeting. NC DOT gave a presentation on road closure on hwy 133 to take place October 28 - August 2025 there are five problem area this addresses two. There is a company that gave briefing to commissioners on grant moneys in NC for storm water. There is 724 million available, the Governor has announced several grants to local governments. The Mayor will give the City Manager the information to look into. The Mayor Commended the

staff during the storm as he attended the daily storm briefings.

K. Board Comments

Aldermen Spencer stated how do we look at right of way now do we need to interact with county they will have to deal with these issues.

Mayor Pro-Tem Kelley stated herself and Aldermen Spencer and attended the electro city conference in Asheville and it was eye opening experience learn more and interact with other municipalities.

Aldermen Davis stated there was social media confusion as the Southport Indiana Mayor fired the police chief as some thought it was here. Our mayor doesn't fire staff. welcome new City Clerk Noah.

Aldermen Mosteller stated Southport runs on volunteers quality life would not be what it is without them.

L. Closed Session NCGS 143-318.11

Mayor Pro-Tem Kelley made a motion to go into closed session pursuant to NCGS 143-318.11

(6) To consider the qualifications, competence, performance, character, fitness, conditions of appointment, or

conditions of initial employment of an individual public officer or employee or prospective public officer or employee; or to

hear or investigate a complaint, charge, or grievance by or against an individual public officer or employee. General

personnel policy issues may not be considered in a closed session. A public body may not consider the qualifications,

competence, performance, character, fitness, appointment, or removal of a member of the public body or another body

and may not consider or fill a vacancy among its own membership except in an open meeting. Final action making an

appointment or discharge or removal by a public body having final authority for the appointment or discharge, or removal shall be taken in an open meeting.

(3) To consult with an attorney employed or retained by the public body in order to preserve the attorney-client privilege

between the attorney and the public body, which privilege is hereby acknowledged.

General policy matters may not be

discussed in a closed session and nothing herein shall be construed to permit a public body to close a meeting that

otherwise, would be open merely because an attorney employed or retained by the public body is a participant. The public

body may consider and give instructions to an attorney concerning the handling or settlement of a claim, judicial action, mediation, arbitration, or administrative procedure.

(5) To establish, or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease; or (ii) the amount of compensation and other material terms of an employment contract or proposed employment contract.

Alderman Mosteller seconded the motion. All ayes. Motion carried. The board entered closed session at 8:24 PM

Mayor Pro-Tem Kelley made a motion to come out of closed session. Alderman Spencer seconded the motion. All ayes. Motion carried. The board was back in open session at 9:52 PM

M. Adjourn

Alderman Lai made a motion to adjourn. Mayor Pro-Tem Kelley seconded the motion. All ayes. Motion carried. The board adjourned at 9:52 PM

**Rebecca Kelley
Mayor Pro-Tem**

**Noah Saldo
City Clerk**



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 9/12/2024

DEPARTMENT: Parks and Recreation

PRESENTED BY: Heather Hemphill, Parks and Recreation Director Tom Stanley, Public Works Director

ITEM SPONSORED BY: Parks and Recreation

ITEM/TOPIC: Approval of the contract for the 3rd phase of mitigation for the trees in Franklin Square Park as identified by Bartlett Tree Service from fall of 2023 & winter 2024.

COST: \$43,630.00

BUDGET LINE ITEM: 23-23-7300-4400

JUSTIFICATION: As identified in an early tree assessment for FSP, this contract will finish up work pruning, lightning protection, supplemental support, and root collar surgery needed for the health of FSP trees.

IMPACT IF NOT APPROVED: The final phase of the mitigation plan will not be complete leaving the remaining trees to the effects of improper care, possibly resulting in the death of the trees.

DEPARTMENT HEAD COMMENTS: I recommend the City enter in this 3rd phase contract to complete the remaining work needed to mitigate the trees in Franklin Square Park

CITY MANAGER COMMENTS: I concur that the 3rd phase of FSP work needs to be complete. Irrespective of the vision for the park, the park must be kept up at the appropriate standard and even enhanced to highlight its natural quality and beauty.

ATTACHMENTS: Bartlett 3rd phase FSP Tree Mitigation explanation and associated cost.

REQUESTED ACTION: Recommend the Board approve the contract for Bartlett for the named work in FSP

PROPOSED MOTION: Recommend the Board of Alderman approve the contract with Bartlett Tree Experts to complete the necessary remaining tree/shrub work identified in the contract for Franklin Square Park.



Client: 6334742

Printed on: 7/26/2024

Created on: 7/24/2024

City of Southport
E West St
Southport, NC 28461

Bartlett Tree Experts
Carl Courter - Representative
2725 Old Wrightsboro Rd
Ste 5C
Wilmington, NC 28405

Property Address: NA, Southport, NC 28461

The following program is recommended for certain trees and shrubs on your property. In addition to a thorough plant health care program, or the specific services recommended, Bartlett Tree Experts also recommends having a tree risk assessment qualified arborist conduct a tree risk assessment on your property periodically to assist you in identifying potential risks of tree or limb failure and the potential consequences of such tree or limb failure relating to your trees and shrubs. An inspection of trees or shrubs for the purpose of writing a recommendation or conducting plant health care or tree care services is not a tree risk assessment. THIS IS NOT AN INVOICE.

Tree and Shrub Work:

Natural Pruning

Species	Location
Tree ID 1,2,4,5,8,10,12,14,15,16,18,19,20,21,22,29,30,31,32	

Goals:

- Reduce risk of branch failure
- Prune for safety
- Reduce weight of branch ends
- Reduce likelihood of storm damage
- Remove dead branches 2" diameter and larger

Specifications:

- Reduce and/or remove dead, live, over-extended branches as needed
- Remove all debris

Amount: \$24,700.00

Lightning Protection

Install lightning protection system on Tree ID 2,5,8,12,14,16,20,22,30 located at the inventoried location to minimize the risk of damage from a future lightning strike. Lightning Protection Systems require periodic

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maintenance inspections. Please contact your Bartlett Arborist to schedule the inspection each year.

Amount: \$14,400.00

Supplemental Support

Install 3 supplemental support cables in Tree ID 32 located at the inventoried location to limit branch movement to reduce the risk of branch failure.

Supports require periodic inspection for evidence of fatigue and to verify functionality. Please contact your Bartlett Arborist to schedule the inspection each year.

Amount: \$930.00

Root Collar/Surgery

Excavate soil and mulch from the lower stem of Tree ID 14,16,32,40,41 located at the inventoried location to expose the root collar to reduce the risk of insect and disease infestations and to promote plant health.

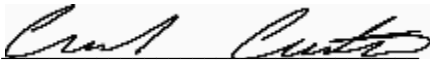
- Excavation will be made using an Air-Spade™ and compressor.
- If stem girdling roots and/or insect and disease infestations are encountered, a proposal for remedial treatments will be provided.

Amount: \$3,600.00

Total Amount: \$43,630.00

Please review the terms and conditions attached, which become part of the agreement, and sign and return one copy authorizing the program.

(Customer Signature)



(Bartlett Representative - Carl Courter)

(Date)

7/26/2024

(Date)

Prices are guaranteed if accepted within thirty days.

All accounts are net payable upon receipt of invoice.

Work is done in accordance with ANSI A300 Tree Care Standards.

To access a certificate of liability insurance for Bartlett Tree Experts, please navigate to
<http://www.bartlett.com/BartlettCOL.pdf>



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 09/12/2024

DEPARTMENT: Development Services

PRESENTED BY: Maureen Meehan, City Planner

ITEM SPONSORED BY: Planning Board and Development Services

ITEM/TOPIC: Hold a Public Hearing for a Unified Development Ordinance Amendment to Section 3.19 Signs. This is a comprehensive update of Section 3.19 Signs.

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: After an applicant-initiated text amendment to the sign ordinance, the Planning Board requested a review committee to work with Staff to update Section 3.19 Signs of the UDO. The updates incorporate the desire of the Planning Board to initiate cohesive character throughout the city. After several months of research and deliberation, the Planning Board recommends approval of the amendments to the Board of Aldermen. A duly advertised public hearing must be held prior to the Board of Aldermen deciding on the proposed amendment.

IMPACT IF NOT APPROVED: This is a legislative decision defined by the NC General Statutes. The Board is not obligated to approve the amendment. A statement of consistency must be adopted in conjunction with a motion to approve or deny the proposal.

DEPARTMENT HEAD COMMENTS: Staff support the proposed amendments to the sign ordinance. The attached proposed Unified Development Ordinance Amendment has been reviewed by staff for consistency with the land use plan.

CITY MANAGER COMMENTS: I agree with the need to encourage more minimalist sign dimensions in harmony with the quaint character of the City of Southport.

ATTACHMENTS: N/A

REQUESTED ACTION: Hold a public hearing for an Amendment to the Unified Development Ordinance.

PROPOSED MOTION: Motion hold a public hearing for an Amendment to Section 3.19 Signs of the Unified Development Ordinance.



MEMORANDUM

To: Mayor Rich Alt and Members of the Board of Aldermen

From: Maureen Meehan, City Planner

Re: Section 3.19 Signs Text Amendment

Date: September 12, 2024

Background

After an applicant-initiated text amendment to the sign ordinance, the Planning Board requested a committee to work with Staff to update the UDO Section 3.19 Signs. The committee met December 2023 through May 2024 to discuss existing signage throughout the city and changes to consider. In addition to in-person meetings, there have been email exchanges with draft text and ordinance examples from other jurisdictions. With the committee's recommendation, Staff reviewed the Warrenton, VA, Mt. Pleasant, SC, Beaufort, NC, and Key West, FL sign ordinances.

The proposed amendment includes updates and changes as requested by the full Planning Board after each draft of the ordinance.

Planning Board Proposed Text for Section 3.19 Signs

A full copy of the draft ordinance changes is attached to this memo. The following outline includes where the changes can be found.

- Clarifications and inconsistencies throughout the section.
- 3.19.C.18 Political Signs – allow multiple signs with removal 10 days after general election.
- 3.19.E.2 Nonresidential Uses in Residential Zoning Districts – update to include allowances other than changeable copy signs limited to 12SF. This provides sign standards for allowable nonresidential uses with existing signs.
- 3.19.F.3 Projecting Signs – increased the allowable projection of a sign from the building to meet industry standards, set a maximum sign area, and set lighting standards.
- 3.19.F.4 Freestanding Signs – removal from CBD, uniform color pallet for multi-tenant building signs, reduced the height in the BD/OI/PUD zoning districts.
- 3.19.F.5 Window Signs – clarified that window signs that are less than 25% or 25 SF whichever is less do not require a sign permit.
- 3.19.F.6 EMC Signs – only permitted on municipal properties regardless of zoning district.

- 3.19.F.7 Inflatable Signs – prohibited in the CBD and BD zoning districts.
- 3.19.H Illumination – limit size of internally lit signs to 6SF, prohibit interference with drivers or traffic signs, Neon/LED sign prohibition in windows or exterior signs, 1 - 11” x 24” or smaller open sign allowed per nonresidential use. Square footage limits are not applicable for municipal or safety and health uses, such as a hospital.
- 3.19.I Murals – added new section with standards for murals.

Planning Board Recommendation

The Planning Board recommends APPROVAL of the zoning text amendment to Section 3.19 Signs. The proposal is found to be consistent with the 2014 CAMA Core Land Use Plan and meets the intent of the Unified Development Ordinance.

Attachments

Draft Language

3.19 SIGNS

A. GENERAL

1. It is the intent of this section to protect public interest, safety and welfare and, to that end, the purpose of this section is specifically declared to be as follows:

- a) To promote economic development and preserve the historic character while and minimizing the negative impacts that signs may have on the visual appearance of the City of Southport;
- b) To provide orientation and guidance to our tourists and visitors and identification of public areas, natural resources, historical and cultural landmarks and places of interest and in so doing reduce confusion and traffic congestion;
- c) To inform and educate visitors and residents of opportunities and events both commercial and noncommercial occurring in the City of Southport; and
- d) To permit and regulate signs in such a way as to support and compliment land use objectives.

2. Encroachment Into Right-of-Way. No part of any sign shall be located on or extended into a public right-of-way without all applicable permits except as allowed by this section.

3. Visibility. No sign or structure shall be erected or maintained to impede safe and adequate visibility from vehicles or for pedestrians.

4. Illumination. Where permitted, illuminated signs shall be subject to the following conditions:

- a) Any light used for illumination shall be shielded so that the beams or rays of light will not shine into surrounding areas or on the public roadway.
- b) Neither direct nor reflected light from any light source shall create a traffic hazard or distraction to operators of motor vehicles on public thoroughfares.
- c) Sign illumination shall be only at the minimum level required for nighttime readability.

5. Signs for Nonconforming Uses. Signs for nonconforming uses, where such uses may be continued, shall be allowed, but shall comply with all regulations for signs in the zoning district where such signs are located.

B. APPLICABILITY

1. Except as otherwise provided in subsection C, it shall be unlawful to erect or maintain any sign without first obtaining a sign permit. No permit shall be required, however, for maintenance of a sign restored back to its original condition. Failure to secure a permit shall constitute a violation of this section.

2. A scaled drawing displaying the location of the sign on the associated property, the sign dimensions, construction, height, setbacks from all property lines, lighting, electrical and all other elements associated thereto shall accompany all sign permit applications.

3. If actual work for the permitted sign on the site is not commenced within 60 days from the date of such sign permit or if substantial work for the permitted sign is suspended for a period of 60 consecutive days after issuance of the sign permit, the permit shall automatically become null and void. Provided, however,

for new construction, the sign permit shall not become null and void until 60 days after the Certificate of Occupancy has been issued.

4. When any permit has been revoked under the terms of this section, the permit fees shall not be refunded. If a sign permit is denied, however, the permit fee will be refunded.

5. All permanent signs shall be designed and constructed to meet the requirements of the NC Building Code. Depending on the type of sign construction, the building inspector may require engineer certified plans.

7. Any sign proposed to be constructed beyond the mean high-water line requires the issuance of a Conditional Use Permit Special Use Permit in accordance with the requirements set forth in Article 2. Any such sign shall not be located off-premise and must comply with applicable sign type provisions provided in this section.

C. SIGNS EXEMPT FROM PERMIT REQUIREMENTS

Unless otherwise prohibited hereinafter the following signs are exempt from permit requirements but subject to the provisions provided herein:

1. Signs which are not designed to be visible beyond the boundaries of the lot upon which they are located and/or from any public thoroughfare or right-of-way, except as such signs may be regulated hereinafter.

2. Official governmental notices and notices posted by governmental officers in the performance of their duties; governmental signs or signs installed under governmental authority.

3. Noncommercial Flags, pennants, or insignia of any nation, organization of nations, state, county or city, any religious, civic or fraternal organization, or any educational or cultural facility.

4. Temporary decorations or displays.

5. Temporary or permanent signs to warn of danger or hazardous conditions, including signs indicating the presence of underground cables, gas lines, and similar devices or signs providing directions around such conditions.

6. Merchandise, pictures, or models or products or services which are incorporated as an integral part of a window display.

7. Signs displayed on trucks, buses, trailers or other vehicles which are being operated in the normal course of a business which are affixed or painted onto moving vans, delivery trucks, contractors' vehicles, and equipment and the like provided that, when not being so operated, such vehicles are parked or stored in areas appropriate to their use as vehicles.

8. Trademarks or product names which are displayed as part of vending machines, dispensing machines, automatic teller machines, and gasoline pumps.

9. Signs required for or specifically authorized for a public purpose by any law, statute, or ordinance. These signs may be of any type, number, area, height above grade, location or illumination authorized by law, statute, or ordinance under which such signs are required or authorized.

10. Signs that display information pertinent to the safety or legal responsibilities of the general public with regard to a particular piece of property shall be located on the premises to which the information pertains.

11. Signs attached to buildings (integral sign) which identify buildings and which are permanently integrated by etching, embossing, and/or engraving or which are otherwise permanently made a part of building facades.

12. Special event signs are limited to up to four (4) signs per event. These signs may remain in place for up to 30 days within a calendar year. Signs shall be removed immediately following the event.

13. Signs affixed to windows of vehicles displaying information regarding the sale of said vehicles.

14. Real Estate Signs. Temporary signs advertising the sale, rental, or lease of the property on which said signs are located are allowed, provided such signs are not illuminated.

a) Residential zoned property. One (1) double faced sign per street frontage is allowed. Each sign face square footage shall not exceed six (6) square feet (excluding sign support structure).

b) All other zoned property. One (1) double faced sign per street frontage is allowed. Signs may not exceed 32 square feet per face or eight (8) feet in height.

c) Removal. All such signs shall be removed within seven (7) days after the closing of the sale, rental, or lease of the property.

15. Directional Signs. Directional signs shall be located on the premises to which directions are indicated. Directional signs shall not exceed four (4) square feet per face, two (2) faces per sign, and shall not exceed three (3) feet in height if freestanding or six (6) feet in height if attached to the principal or an accessory structure. The maximum number of signs allowed per lot shall be four (4). These signs may be internally or externally illuminated.

16. Incidental Signs. Incidental signs shall be located on the premises to which the information pertains. These signs shall be single-faced only and wholly attached to a building (including the windows or doors).

17. Copy Changes and Maintenance. No permit shall be required for copy changes made to a changeable copy sign, menu board, marquee sign, or off-premise sign; provided any such changes do not change the classification of the sign under this section. No permit shall be required for maintenance where no structural changes are made.

18. Political Signs. On private property, one (1) sign per candidate shall be permitted per lot, not exceeding eight (8) square feet in area per display face, and two (2) faces per sign.

Multiple temporary signs with a noncommercial message and no larger than nine (9) square feet in area, may be erected by a property owner on their property for a ninety (90) day period prior to a primary or general election involving candidates for federal, state, or local offices. During this time, a property owner is allowed one larger sign, not to exceed thirty-two (32) square feet. These signs shall be removed within ten (10) days following the election.

Within NCDOT right-of way, sign placement and duration shall be in accordance with NCGS 136-32 during the period beginning on the 30th day before the beginning date of "one-stop" early voting under NCGS 163-227.2 and ending on the 10th day after the primary or election day, subject to the following provisions.

A person must obtain the permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs must be placed in accordance with the following:

- a) No sign shall be permitted in the right-of-way of a fully controlled access highway.
- b) No sign shall be closer than three (3) feet from the edge of the pavement of the road.
- c) No sign shall obscure motorist visibility at an intersection.
- d) No sign shall be higher than 42 inches above the edge of the pavement of the road.
- e) No sign shall be larger than 864 square inches.
- f) No sign shall obscure or replace another sign.
- g) No sign shall be located in the city's right-of-way.

19. Construction Signs. Construction signs shall be allowed provided such signs do not exceed one (1) sign per street frontage with a maximum of two (2) signs per construction site. Such signs shall not exceed 32 square feet in area display face and no more than 10 feet in height. Construction signs shall not be erected prior to the issuance of a building permit and shall be removed within seven (7) days of the issuance of a certificate of occupancy.

20. Fence-wrap signs affixed to fences surrounding a construction site may be allowed in accordance with NCGS 160D-908.

21. Temporary Signs. Each lot in a residential zoning district or each establishment within a nonresidential zoning district shall be allowed one (1) temporary sign not exceeding six (6) square feet or four (4) feet in height. Such sign shall not be constructed utilizing wood, cement, steel, or other similar structures of a permanent nature. Such sign shall be easily removed and placement thereof shall not be of a permanent fashion.

22. A-frame Sign. Any premises, including those containing multiple businesses, may place only one (1) A-frame sign per street frontage, per business.

a) Placement: The sign must be placed directly in front of the business it promotes. Placement of the sign must be in accord with the Americans with Disabilities Act, which requires four (4) feet of sidewalk clearance in addition to the amount of space occupied by the sign. The sign shall be placed in a manner so as not to impede the line of sight for vehicular and/or pedestrian traffic. Along streets with diagonal or perpendicular parking, the sign may be placed within one (1) foot of the curb but must not obstruct a pedestrian's pathway from a parked car to the sidewalk.

Along streets with parallel parking, the sign must be at least two (2) feet from the curb. No sign may be placed where the unobstructed space for the passageway of pedestrians is reduced to less than four (4) feet. No signs are allowed in driveways or on improved city streets.

b) The sign must not exceed 48 inches in height, 24 inches in width and eight (8) square feet per side in area (which includes legs/stand/bracing).

The sign must be constructed of materials that present a finished appearance and have locking arms on the sides that enable the sign to withstand high winds.

c) The sign must be removed and stored inside the business after business hours or at dusk (whichever comes first) and may not be outside on days when the business is closed. A-frame signs shall not be artificially illuminated.

d) Any person erecting an A-frame sign or a portable off-premise sign shall indemnify and hold harmless the city and its officers, agents and employees from any claim arising out of the presence of the sign on city property or rights-of-way. Any person erecting an A-frame sign must sign an indemnification agreement approved by the city attorney prior to the issuance of a permit. The indemnification agreement must be accompanied by proof of insurance covering the liability assumed in this subsection and the agreement.

D. SIGNS PROHIBITED IN ALL ZONING DISTRICTS

The following signs and/or sign features shall not be erected or maintained in any zoning district within the planning jurisdiction of the City of Southport.

1. Signs on roadside appurtenances or snipe signs. On- or off-premise signs on city owned roadside appurtenances, including, but not limited to roadside benches, planters, utility poles, trees, and refuse containers.

2. Vehicle/Trailer signs. Signs placed on vehicles or trailers which are parked or located for the primary purpose of displaying said sign.

3. Signs of illusion. Signs with optical illusion of movement by means of a design which presents a pattern capable of reversible perspective, giving the illusion of motion.

4. Signs resembling traffic signals. Signs displaying intermittent light resembling the flashing light customarily used in traffic signals, or used by police, fire, ambulance, or other emergency vehicles, nor shall any sign use the word "stop," "danger," or any other words, phrase, symbol, or character in a manner that might be construed as a public safety warning or traffic sign.

5. Animated signs and flashing signs.

6. Signs obstructing access. Signs which obstruct free ingress to or egress from a driveway or a required door, window, fire escape, or other required exit way.

7. Billboard Signs.

8. Any sign or outdoor advertising display which contains statements, words or pictures of an obscene character as defined in NCGS 14-190.1 such as will offend public morals or decency.

9. Feather flags.

10. Any temporary or permanent off-premise sign unless explicitly permitted by this ordinance.

E. ON-PREMISE SIGNS: RESIDENTIAL DISTRICTS R-10, R-20, MF, MH, AND PUD

The following signs may be allowed within residential zoning districts subject to the issuance of a sign permit. Within a PUD, the following signs may only be permitted in the residential portion of the development.

1. Subdivision and multi-family development signs must either be freestanding ground signs or attached wall signs. If the signs are freestanding ground signs, the height shall be limited to six (6) feet from grade and the minimum setback shall be 10 feet. Each entrance may have two (2) signs no more than 32 square feet per face.

~~2. Nonresidential uses located in residential zoning districts are allowed one (1) freestanding ground sign or attached wall sign, either of which may be only a changeable copy sign, with the total area of the changeable copy sign no greater than 12 square feet per face, with two (2) sign faces per sign and a maximum of six (6) feet in height, with a minimum setback of 10 feet.~~

2. Nonresidential Uses in Residential Zoning Districts.

a) One permanent ground mounted sign may be permitted on a lot containing a nonresidential use in a residential zoning district provided the sign meets the following requirements:

1. The sign shall be set back a minimum of 10 feet from the street right-of way and any adjacent lot lines.

2. The maximum sign area shall be 32 square feet.

3. The sign may include a changeable copy sign, to be included as part of the maximum sign area.

4. No such sign or any portion of the structure shall exceed six (6) feet in height.

5. The sign may only be illuminated through an external light source.

b) Attached single faced wall signs shall be permitted for all nonresidential uses in a residential district in the same manner as permitted for nonresidential uses in the BD zoning district.

F. ON-PREMISE SIGNS: NON-RESIDENTIAL DISTRICTS CBD, BD, HC, O/I, LI, HI AND PUD

The following signs may be allowed within nonresidential zoning districts subject to the issuance of a sign permit. Within a PUD, the following signs may only be permitted in the nonresidential portion of the development.

1. Attached Single Face Wall Sign. Shall be allowed on all sides of a business. The total allowable tenant face signage shall not exceed 25% of the building face of 32 square feet, whichever is greater.

a) Single tenant building. Wall area shall be total area of the applicable exterior wall.

b) Multi-tenant building. Wall area shall be defined by that area of the exterior wall enclosed by the intersection of the interior floor, ceiling and wall(s) of the tenant's space.

2. Roof Signs. Signs on the surfaces of a mansard roof and on parapets shall be allowed provided the signs do not extend above the roof or parapet to which they are attached. The size of the sign shall be subject to the 25% allowable area for an attached single face wall sign.

3. Projecting Double Face Signs. One (1) projecting sign per street front shall be allowed.

1. Signs shall not project more than ~~three (3)~~ four (4) feet from the facade of the building.
2. Clearance over sidewalks shall be at a minimum of nine (9) feet and clearance over streets, alleys or driveways shall be a minimum of 14 feet.
3. Signs shall not project above third story of the building or above the building soffit, eave line, or building parapet.
4. The maximum sign area for a projecting sign shall be nine (9) square feet.
5. Projecting signs shall not be internally illuminated.

4. Freestanding Ground Sign. One (1) freestanding ground sign shall be allowed per street front per lot. Freestanding ground signs are not allowed in the CBD zoning district.

1. Such signs may contain signage for each establishment within a multi-tenant building subject to the height and size requirements provided in Table 3.10. See Table 3.10 for height and area requirements based on zoning district in which it is located.
 - a. Each sign for multi-tenant signs shall be uniform in color and make. Individual logos using the same color pallet can be incorporated.
- 2.

Table 3.10 Freestanding Ground Sign Size

Zoning District Maximum Height Maximum Square Footage per Face

CBD ~~6 ft.~~ 25 sq. ft.

HC 25 ft. 125 sq. ft.

BD/OI/PUD ~~10 ft.~~ 8 ft 60 sq. ft.

LI/HI 25 ft. 187.5 sq. ft.

5. Window Signs. Window signs in all nonresidential districts do not require a sign permit provided they comply with the standards in Section 3.19 and not occupy more than 25% or 25 SF of the window, whichever is less.

6. Electronic Message Center (EMC) Signs. EMC signs which do not exceed ten (10) square feet per sign face are allowed and shall be included in the allowable sign area, provided, however, if an existing freestanding sign is located on the lot, then the EMC sign must be incorporated into the existing freestanding sign.

- a) The EMC portion of the sign may not exceed 30% of the permitted sign face. No variations in light intensity are permitted.
- b) EMC signs shall only be permitted in the HI, LI, and HC zoning districts on municipal property.

7. Inflatable Sign. One (1) inflatable sign shall be allowed once per calendar year per business.

a) Inflatable signs are prohibited in the Central Business District (CBD) or Business District (BD)

b) Further, inflatable signs shall not be internally illuminated; shall not be higher than 25 feet above grade; and shall not be erected or maintained on a building parapet or roof. The time allowed for these signs shall not exceed 10 days. These signs shall be located on either an attached,

tethered, or freestanding structure. The sign and its structure shall not block or inhibit the visibility of vehicular traffic or in any way pose a danger to pedestrians or vehicular traffic or property.

G. MAINTENANCE

1. All signs erected must be properly permitted and inspected for compliance with the applicable codes of the State of North Carolina and the City of Southport and with other parts of this ordinance.

2. Sign in disrepair. Signs that are unsafe, or which no longer can be easily recognized for their intended purpose due to disrepair or fading.

3. The following maintenance requirements must be observed for all signs visible from any public street or highway within the jurisdiction of this article.

a) No sign shall have more than 20% of its surface area covered with disfigured, cracked, ripped, or peeling paint or poster paper for a period of more than 30 successive days.

b) No sign shall be allowed to stand with bent or broken sign facing, broken supports, loose appendages or struts or be allowed to stand more than 15 degrees away from the perpendicular for a period of more than 30 successive days.

c) No sign shall be allowed to have weeds, vines, landscaping, or other vegetation growing upon it and obscuring its view from the street or highway from which it is to be viewed for a period of more than 30 successive days.

d) No neon or internally illuminated sign may be allowed to stand with only partial illumination for a period of more than 30 successive days.

e) If a sign or sign structure is damaged such that more than 50% of the value is lost, with such determination made by the UDO Administrator, any repair or replacement must be done in conformance with this Section.

H. ILLUMINATION

1. Where illuminated signs are permitted, they shall conform to the following requirements:

a) All signs illuminated under the provisions of this section shall be constructed to meet the requirements of the National Electrical Code.

b) Signs which contain, include, or are lighted by any flashing, intermittent, or moving lights are prohibited, except Electronic Message Center signs.

c) Illuminated signs ~~shall be limited to those~~ lighted internally with glass or plastic faces bearing the advertisements and diffusing the direct rays of the light source to prevent any direct line of sight with said light source shall be no more than six (6) square feet. Exceptions include signage for municipal uses and for public health and safety.

d) Backlit and halo lighting that otherwise meet the provisions of Section 3.19 of this ordinance are allowed.

e) No sign shall be brighter than is necessary for clear and adequate visibility.

f) No sign may display light of such intensity or brilliance to cause glare or otherwise impair the vision of the driver or result in a nuisance to a driver.

g) No sign may be of such intensity or brilliance that it interferes with the effectiveness of an official traffic sign, device, or signal.

g-h) The light source color temperature for window and outdoor lighting shall not exceed 3,000 degrees Kelvin.

ð-i) Neon, argon, other gas tube, or light emitting diode (LED) with the appearance of neon lighting or signage shall be prohibited on external walls or placed in the interior window. ~~on the external walls of all structures. Neon, argon, or other gas tube logo signs placed inside the building and not exceeding 25% of the window area or 32 square feet whichever is less shall be permitted. A business is allowed one (1) neon or LED open sign no larger than 11"x24".~~

e-j) Flood and display lighting shall be shielded so as to prevent direct rays of light from being cast into a residential area or district and/or on a public right-of-way from any direction. Such lighting shall also be shielded so as to prevent view of the light source from a residence or residential district and/or vehicles approaching on a public right-of-way from any direction. In addition, no sign shall permit light to emit upwards towards the sky.

£ k) Flame as a source of lighting is prohibited.

I. MURALS

Decorative works of art, defined as drawings or murals that do not direct attention to an organization, a business operated for profit, a product, commodity or service for sale or lease shall be required to obtain a sign permit and meet the following guidelines:

1. Murals shall not be located on the side of a structure that is adjacent to or directly across a right-of-way across from a residential structure unless written approval from the adjacent property owners is obtained by the applicant.
2. Murals located on a primary frontage of a structure shall be subject to the wall sign area allowances for the district which they are located.
3. Murals located on rear and secondary facade of a structure shall not be subject to square footage limitations, provided such murals do not contain commercial copy, to include any tradename, trademark, or the name or logo of the establishment associated with the mural.
4. Murals may not extend beyond the eaves, parapet, or sides of a building, nor project from the surface.
5. Murals shall be maintained at all times in a state of good repair. It is the responsibility of the owner to ensure that the mural is maintained and does not suffer from extensive discoloration.
 - a. Materials. The paint used for the mural shall not be reflective, neon, or fluorescent. The paint shall be of high quality and weatherproof.

b. Colors. The overall color scheme must be selected to be harmonious with the area and blend with the historical colors of the community. Murals are to be visual aesthetics of the historic district.

c. Theme. The theme of a mural should promote the greater community including historic and regional factors and be compatible in design with the historical character of Southport.

J. NONCONFORMING SIGNS

All nonconforming, previously unprohibited signs existing on the date of the adoption of this Ordinance shall be allowed to remain unless structurally altered or damaged greater than 50% of the value of the sign. This does not preclude changing the face of the sign with the applicable permit.

J. SIGN ENFORCEMENT

1. Notice of Violation. The UDO Administrator shall have the authority to issue a notice of violation for all violations of this section in accordance with Section 2.15 Enforcement of this ordinance. Where the owner of the sign is indicated on the sign or is otherwise apparent or known to the UDO Administrator, a copy of the notice of violation shall be delivered to the sign owner by hand delivery, or mail, or by attaching a highly visible sticker reading "VIOLATION" to the face of the sign. The letter, and/or sticker shall include the date that it was attached to the sign with instructions of the violation, and to contact the Administrator immediately.

2. Time to Remedy Violation. All sign violations shall be remedied within 15 days.

3. Extension of Time for Compliance. The UDO Administrator shall have the authority to grant a single 15-day extension of time within which to remedy the violation of any sign.

4. Remedies for Failure to Comply.

a) In addition to or in lieu of the other remedies set forth in this ordinance, the UDO Administrator shall have the authority to issue a remove order for any sign not repaired or in violation by the foregoing provisions. Remove orders shall be issued to and served upon the person(s) described in subsection (1) by the means set forth therein. The sign shall be removed 15 days after the service of the remove order at the expense of the offender. The remove order shall describe with particularity the location of the sign to be removed and all of the reasons for issuance of the remove order, including specific reference to the provisions of this section which have been violated. In the event it is not claimed within 15 days, the administrator shall have authority to dispose of the sign.

b) The UDO Administrator shall have the authority to remove, without notice, and impound any sign that is hazardous; or attached to trees, utility poles or natural features; or abandoned signs; and/or signs erected without a permit.

5. Removal and Recovery of Expense. In the event of failure to comply with the requirements of a remove order, the UDO Administrator may cause such sign to be removed. The sign owner and property owner may be jointly and severally liable for the expense of removal. Notice of the cost of removal shall be served upon the person(s) described in subsection (1) by the means set forth therein. If said sum is not paid within

30 days thereafter, said sum shall be collected by the city in a civil action in the nature of debt, which shall not subject the offender to the penalty provisions of NCGS 14-4.



**City of Southport Board of Aldermen
Statement of Plan Consistency and Zoning Recommendation
(As per NC General Statute 160D-605)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall approve a statement describing whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZTA-23-06 Section 3.19 Signs

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby **adopt** the proposed text amendment of the Unified Development Ordinance and finds that it is consistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended by the Southport Board of Aldermen. Specifically, **Policy 7.22:** The City shall continually maintain all official planning documents.

The statement and motion was seconded and passed _____.

Noah Saldo, City Clerk

Richard Alt, Mayor



**City of Southport Board of Aldermen
Statement of Plan Consistency and Zoning Recommendation
(As per NC General Statute 160D-605)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall approve a statement describing whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZTA-23-06 Section 3.19 Signs

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby **deny** the proposed text amendment of the Unified Development Ordinance and finds that it is inconsistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended by the Southport Board of Aldermen.

The statement and motion was seconded and passed _____.

Noah Saldo, City Clerk

Richard Alt, Mayor



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 09/12/2024

DEPARTMENT: Development Services

PRESENTED BY: Maureen Meehan, City Planner

ITEM SPONSORED BY: Planning Board and Development Services

ITEM/TOPIC: Hold a Public Hearing for a Unified Development Ordinance Amendment to Section 3.19.C.18 Political Signs. This is an update to only the political sign portion of Section 3.19.

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: This text amendment is in response to the need to update the political signs section of the UDO prior to election season. The current language could violate the *Reed v. Gilbert* supreme court case by regulating signs based on the content of the message – the political candidate. The Planning Board recommends approval of the amendment to the Board of Aldermen. A duly advertised public hearing must be held prior to the Board of Aldermen deciding on the proposed amendment.

IMPACT IF NOT APPROVED: This is a legislative decision defined by the NC General Statutes. The Board is not obligated to approve the amendment. A statement of consistency must be adopted in conjunction with a motion to approve or deny the proposal.

DEPARTMENT HEAD COMMENTS: Staff support the proposed amendments to the sign ordinance. The attached proposed Unified Development Ordinance Amendment has been reviewed by staff for consistency with the land use plan.

CITY MANAGER COMMENTS: Concur with the City Attorney opinion to amend the ordinance.

ATTACHMENTS: Staff Report, Proposed Language, and Consistency Statements

REQUESTED ACTION: Hold public hearing for an Amendment to the Unified Development Ordinance and consider adoption of the amendment.

PROPOSED MOTION: Motion to open public hearing for an Amendment to Section 3.19.C.18 of the Unified Development Ordinance.



MEMORANDUM

To: Rich Alt, Mayor and Members of the Board of Aldermen

From: Maureen Meehan, City Planner

Re: Section 3.19.C.18 Political Signs – Text Amendment

Date: September 12, 2024

Upon review of the updated text amendment for the sign section of the UDO, specifically Section 3.19.C.18. Political Signs, City Attorney Brady Herman expressed his concerns about treating noncommercial speech equally. Specifically, he states, "...the political sign ordinance amendment gives me a bit of concern with the way it is written, one sign per candidate, as it could violate the *Reed v. Gilbert* supreme court case by regulating signs based on the content of the message—i.e., the political candidate.”.

Therefore, staff have brought this item for a review and update of Section 3.19.C.18 Political Signs. Proposed language reviewed by Mr. Herman is attached for the public hearing and your consideration.

3.19 SIGNS

18. Political Signs. On private property, one (1) sign per candidate shall be permitted per lot., not exceeding eight (8) square feet in area per display face, and two (2) faces per sign.

Multiple temporary signs with a noncommercial message and no larger than nine (9) square feet in area, may be erected by a property owner on their property for a ninety (90) day period prior to a primary or general election involving candidates for federal, state, or local offices. During this time, a property owner is allowed one larger sign, not to exceed thirty-two (32) square feet. These signs shall be removed within ten (10) days following the election.

Within NCDOT right-of way, sign placement and duration shall be in accordance with NCGS 136-32 during the period beginning on the 30th day before the beginning date of "one-stop" early voting under NCGS 163-227.2 and ending on the 10th day after the primary or election day, subject to the following provisions. A person must obtain the permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected. Signs must be placed in accordance with the following:

- a) No sign shall be permitted in the right-of-way of a fully controlled access highway.
- b) No sign shall be closer than three (3) feet from the edge of the pavement of the road.
- c) No sign shall obscure motorist visibility at an intersection.
- d) No sign shall be higher than 42 inches above the edge of the pavement of the road.
- e) No sign shall be larger than 864 square inches.
- f) No sign shall obscure or replace another sign.
- g) No sign shall be located in the city's right-of-way.

violated. In the event it is not claimed within 15 days, the administrator shall have authority to dispose of the sign.

- b) The UDO Administrator shall have the authority to remove, without notice, and impound any sign that is hazardous; or attached to trees, utility poles or natural features; or abandoned signs; and/or signs erected without a permit.



**City of Southport Board of Aldermen
Statement of Plan Consistency and Zoning Recommendation
(As per NC General Statute 160D-605)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall approve a statement describing whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZTA-24-04 Section 3.19.C.18 Political Signs

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby **adopt** the proposed text amendment of the Unified Development Ordinance and finds that it is consistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended by the Southport Board of Aldermen. Specifically, **Policy 7.22:** The City shall continually maintain all official planning documents.

The statement and motion was seconded and passed _____.

Noah Saldo, City Clerk

Richard Alt, Mayor



**City of Southport Board of Aldermen
Statement of Plan Consistency and Zoning Recommendation
(As per NC General Statute 160D-605)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall approve a statement describing whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZTA-24-04 Section 3.19.C.18 Political Signs

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby **deny** the proposed text amendment of the Unified Development Ordinance and finds that it is inconsistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended by the Southport Board of Aldermen.

The statement and motion was seconded and passed _____.

Noah Saldo, City Clerk

Richard Alt, Mayor



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 09/12/2024

DEPARTMENT: Development Services

PRESENTED BY: Maureen Meehan, City Planner

ITEM SPONSORED BY: Development Services

ITEM/TOPIC: Unified Development Ordinance Amendment to Section 4.14 Recreation and Open Space.

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: This text amendment was sent to the Planning Board for consideration at your June 13, 2024, regular meeting. The request was to consider increasing the open space multiplier for conventional subdivisions. The Planning Board reviewed the proposal at their June 20, 2024, meeting. The text amendment recommendation proposes decreasing the number of lots to trigger the open space requirement and increasing the multiplier for open space allocated. A duly advertised public hearing was held at your August 20, 2024, regular meeting. Additional language is included in the proposed text, excluding stormwater collection facilities from required open space calculations.

IMPACT IF NOT APPROVED: This is a legislative decision defined by the NC General Statutes. The Board is not obligated to approve the amendment. If this recommendation is not approved, the existing language for open space found in the UDO will remain the same.

DEPARTMENT HEAD COMMENTS: This amendment is in response to the Board's request to consider increasing the open space for conventional subdivisions. Staff and the Planning Board agree that both the decreased number of lots triggering the open space requirement and the proposed increase in the multiplier will further protect the City's natural resources. The attached proposed Unified Development Ordinance Amendment is consistent with the City's land use plan and other relevant adopted plans.

CITY MANAGER COMMENTS: this amendment will address the City's concern for less dense development and the negative impacts of increased traffic and congestion, providing more green open space and the protection of our natural landscape, important to the character of the City. My only concern is less development space may drive the price point of the existing units, but the increased demand for coastal housing is already driving that.

ATTACHMENTS: Staff Report, Proposed Language, Consistency Statements

REQUESTED ACTION: Consideration of an Amendment to the Unified Development Ordinance.

PROPOSED MOTION: Motion adopt/deny the Amendment to Section 4.14 of the Unified Development Ordinance and consistency statement.



MEMORANDUM

To: Mayor Rich Alt and Members of the Board of Aldermen

From: Maureen Meehan, Planning Services Director

Re: Open Space Text Amendment – Section 4.14 Recreation and Open Space

Date: September 12, 2024

Background

Per direction at your August regular meeting, Staff has updated the proposed language to exclude stormwater collection facilities from the Open Space Calculation as shown in the attached draft language.

At your June 13, 2024 regular meeting a request was sent to the Planning Board to consider an amendment to increase the multiplier for conventional subdivision open space requirements. Currently, the multiplier is .02 per dwelling unit or lot, whichever is greater, regardless of the zoning district. A multiplier of .02 requires less than an acre of open space for any subdivision under 50 homes/lots. Further, the open space requirements are only applicable for subdivisions with 20 or more lots.

The Planning Board, at their June 20, 2024 meeting discussed the changes to the multiplier as proposed in your request and the Acreage Calculations provided by Staff. The Planning Board also discussed lowering the number of lots to trigger the requirement for open space. The final decision by the Planning Board is to reduce the number of lots that trigger open space requirements from 20 to 5 and a multiplier of .05 for R-10 zoning districts and a multiplier of .1 for R-20 zoning districts. The following charts outline the scenarios for existing and proposed changes.

R-10 Zoning

R-20 Zoning

NOW		
Multiplier	Number of Homes	Acres Set Aside
0.02	10	0.2
	15	0.3
	20	0.4
	25	0.5
	30	0.6
	35	0.7
	40	0.8
	45	0.9
	50	1.0
	60	1.2
	70	1.4
	80	1.6
	90	1.8
	100	2.0
increase =		0%

Multiplier	Number of Homes	Acres Set Aside
0.05	5	0.25
	10	0.5
	15	0.8
	20	1.0
	25	1.3
	30	1.5
	35	1.8
	40	2.0
	45	2.3
	50	2.5
	60	3.0
	70	3.5
	80	4.0
	90	4.5
	100	5.0

Multiplier	Number of Homes	Acres Set Aside
0.1	5	0.5
	10	1.0
	15	1.5
	20	2.0
	25	2.5
	30	3.0
	35	3.5
	40	4.0
	45	4.5
	50	5.0
	60	6.0
	70	7.0
	80	8.0
	90	9.0
	100	10.0

Planning Board Recommendation

The Planning Board recommends APPROVAL of the zoning text amendments to Sections 3.17 Landscaping and Buffers and 3.14 Parking. The proposal is found to be consistent with the 2014 CAMA Core Land Use Plan and meets the intent of the Unified Development Ordinance.

Attachments

Draft Language

4.14 RECREATION AND OPEN SPACE

Every person, firm, or corporation who subdivides land for residential purposes consisting of 20.5 or more cumulative lots shall be required to dedicate a portion of such land for the purpose of public recreation/open space, including the preservation of natural and cultural resources, to serve the leisure needs of the residents of the subdivision and the city of Southport (if recreation area is publicly dedicated). In all cases, the Southport Parks and Recreation Director shall review and make recommendations to the Planning Board and Board of Aldermen on the provision or dedication of recreation and/or open space areas.

B. EXCLUSIVE PURPOSE OF LAND

The land dedicated in accordance with this section shall be used only for the purpose of providing parks or recreation areas and the location of the land shall bear a reasonable relationship to the use of the area by the future inhabitants of the subdivision or residential development. For this reason, dedicated open space shall not include 404 wetlands or stormwater collection facilities.

C. AMOUNT OF LAND DEDICATED

1. The amount of land required to be dedicated shall be computed on the basis of the following formula:
 - a) ~~Area to be dedicated (in acres) = (.02) x (number of dwelling units or lots – whichever is greater)~~
 - a) Area to be dedicated (in acres) for R-10 zoned lots, exclusive of 404 wetlands and stormwater collection facilities = (.05) x (number of dwelling units or lots – whichever is greater)
 - b) Area to be dedicated (in acres) for R-20 zoned lots, exclusive of 404 wetlands and stormwater collection facilities = (.1) x (number of dwelling units or lots – whichever is greater)
 - c) All PUDs shall retain a minimum 20% of open space area, exclusive of 404 wetlands. Such open space shall comply with the provisions outlined within this section.



**City of Southport Board of Aldermen
Statement of Plan Consistency
(As per NC General Statute 160D-605)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall approve a statement describing whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZTA-24-03 4.14. Recreation and Open Space

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby **deny** the proposed text amendment of the Unified Development Ordinance and finds that it is inconsistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended by the Southport Board of Aldermen.

The statement and motion was seconded and passed _____.

Dorothy Dutton, City Clerk

Richard Alt, Mayor



**City of Southport Board of Aldermen
Statement of Plan Consistency
(As per NC General Statute 160D-605)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the Board of Aldermen shall approve a statement describing whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable.

AMENDMENT: ZTA-24-03 4.14. Recreation and Open Space

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Board of Aldermen hereby **adopt** the proposed text amendment of the Unified Development Ordinance and finds that it is consistent with the City's 2014 CAMA Core Land Use Plan originally adopted Nov. 13, 2014 and subsequently amended by the Southport Board of Aldermen. More specifically, the proposed amendment is consistent with **Policy 2.21**: Southport supports the protection and preservation of its environmentally sensitive areas and fragile areas and **Policy 7.22**: The City shall continually maintain all official planning documents.

The statement and motion was seconded and passed _____.

Dorothy Dutton, City Clerk

Richard Alt, Mayor



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 09/12/2024

DEPARTMENT: Development Services

PRESENTED BY: Sam Boswell, Cape Fear Rural Planning Organization or Maureen Meehan, Planning Services Director

ITEM SPONSORED BY: Development Services Staff

ITEM/TOPIC: State Transportation Improvement Program (STIP) 2026-2035 Division Needs Project Prioritization

COST: N/A

BUDGET LINE ITEM: N/A

BACKGROUND: Staff were asked to bring a presentation of the division-level projects that will be considered in the next round of prioritization for the STIP—P70 2026-2035.

The Cape Fear Rural Planning Organization (CFRPO), in partnership with the North Carolina Department of Transportation (NCDOT), identifies and prioritizes transportation projects to be included in the STIP, which occurs every two years. Currently, prioritization of the draft STIP—P7.0 2026-2035 is underway. This STIP includes projects submitted by the RPO and NCDOT offices and carryover projects that are funded but not committed in a previous STIP.

On September 15, 2023, the Cape Fear RPO Rural Transportation Advisory Committee (RTAC) adopted the official list of projects to be submitted to compete for funding in P7.0. A local input point methodology was created and implemented for this round of prioritization. Draft recommendations for Regional Impact projects were approved by the RTAC and submitted to NCDOT before the August 30, 2024, deadline.

A Brunswick County Division Local Input meeting is scheduled for Monday, September 16, 2024, to review Divisional Needs point assignments. Brunswick County projects on the attached spreadsheet will be prioritized. All division projects will be reviewed using the adopted methodology, and the RTCC will recommend to the RTAC for approval.

IMPACT IF NOT APPROVED: N/A

DEPARTMENT HEAD COMMENTS: Staff attend the RTCC monthly meetings and joint RTCC/RTAC meetings as scheduled. Prioritization of these projects use the approved methodology to rank Brunswick County projects for discussion at the September 16, 2024, local input meeting.

CITY MANAGER COMMENTS: Generally these projects have a long time before funding approval so it is important to get preferred projects in the pipeline early.

ATTACHMENTS: Staff Memo, CFRPO P7.0 Division Needs Local Input Points: County Priorities spreadsheet, Approved P7.0 Local Input Priority Methodology

REQUESTED ACTION: N/A Discussion Item

PROPOSED MOTION: N/A Discussion Item

P7.0 Regional Impact Local Input Point Assignments
Approved by the Cape Fear RTAC on Aug-16-2024

SPOT ID	Project Category	Project Mode	Project Description	Cost to NCDOT	County	P7.0 Regional Impact Score (Out of 70)	Local Input Points	Comments
F150235	Regional Impact	Ferry	Construct a new and additional River Class vessel - Southport-Ft. Fisher route.	\$ 25,768,160	Brunswick, New Hanover	46.41	50	<i>Points donated by WMPO, who will assign other 50 points.</i>
F230648	Regional Impact	Ferry	Replace the aging Southport & Fort Fisher Visitor Center.	\$ 25,900,875	Brunswick, New Hanover	43.72	50	<i>Additional 50 points donated to WMPO.</i>
F230649	Regional Impact	Ferry	Additional Ramp and Gantry system at Southport to expand capacity.	\$ 25,900,875	Brunswick, New Hanover	42.95	50	<i>Additional 50 points donated to WMPO.</i>
H090133-C	Statewide Mobility	Highway	Widen NC 87 to 4 lanes from R-2561CA at SR 1811 (Narrow Gap Road) to US 74 / 76.	\$ 137,900,000	Columbus	40.81	100	
H090287-AF	Statewide Mobility	Highway	Upgrade US 74/76 to interstate standards from east of the Columbus / Brunswick County line to NC 87 (Maco Rd).	\$ 85,400,000	Brunswick	40.15	100	
H090287-AG	Statewide Mobility	Highway	Upgrade US 74/76 to interstate standards from NC 87 (Maco Rd) to SR 1426 (Mount Misery Rd).	\$ 68,300,000	Brunswick	50.36	11	<i>Points donated by WMPO, who will assign other 89 points.</i>
H090287-G	Statewide Mobility	Highway	US 74/76 and NC 87 (Maco Road) - Upgrade at-grade intersection to interchange.	\$ 69,800,000	Brunswick	35.05	100	
H090287-H	Statewide Mobility	Highway	US 74 and SR 1800 (Blacksmith Rd) - Convert at-grade intersection to grade separation. Formerly H150987.	\$ 9,000,000	Columbus	37.20	100	
H090806-A	Regional Impact	Highway	Widen NC 211 to 4 lanes from US 17 in Supply to SR 1112 (Sunset Harbor Rd) per Feasibility Study WS-40814.	\$ 214,500,000	Brunswick	39.25	92	<i>GSATS MPO to assign other 8 points.</i>
H090806-C	Regional Impact	Highway	Widen NC 211 to 4 lanes from SR 1112 (Sunset Harbor Road) to NC 906 (Midway Road) per feasibility study WS-40814.	\$ 64,500,000	Brunswick	40.80	100	
H090936-A	Statewide Mobility	Highway	Upgrade US 74 to interstate standards from NC 41 (near Lumberton) to US 76 (near Chadbourn).	\$ 257,000,000	Columbus, Robeson	41.40	52	<i>Lumber River RPO to assign other 48 points.</i>
H140841	Statewide Mobility	Highway	Convert Intersection of US 17 and NC 211 to Interchange.	\$ 86,700,000	Brunswick	35.60	59	<i>GSATS MPO to assign other 41 points.</i>
H184205	Regional Impact	Highway	Widen US 701 Bypass to a 4-lane superstreet from R-5952 at SR 1503 (Complex St) to US 701 Business/NC 410 (E 5th St) in Tabor City.	\$ 40,000,000	Columbus	27.40	100	
H190898	Statewide Mobility	Highway	Modernize US 117 from Porters Lane Rd (SR 1416) to S Walker St.	\$ 44,400,000	Pender	40.46	100	
H193097	Statewide Mobility	Highway	Upgrade US 17 to a controlled access facility with service roads from SR 1563 (Sloop Point Loop Rd) to NC 210.	\$ 195,700,000	Pender	38.42	16	<i>Additional 84 points donated to WMPO.</i>
H230501	Statewide Mobility	Highway	Construct turn lanes at multiple intersections along NC 87 in Boiling Spring Lakes between S Shore Dr and Fifty Lakes Dr.	\$ 2,000,000	Brunswick	43.64	81	<i>Project received remainder of CFRPO's allotted points.</i>
R230522	Regional Impact	Rail	Upgrade rail infrastructure to support new intercity passenger service from Wilmington to Raleigh via Goldsboro. Project includes necessary infrastructure, stations, and passenger equipment to begin service with three roundtrips per day. This project is contingent upon the awarding of an 80/20 federal grant and if the grant is not awarded, then the project is void.	\$ 155,787,800	Duplin, Johnston, Pender, Wayne, Wake, New Hanover	42.41	16	<i>Remaining points to be assigned by various other MPOs/RPOs.</i>

Cape Fear RPO

P7.0 Local Input Prioritization Methodology

NCDOT approval 4-15-24

CFRPO RTAC approval 4-12-24

INTRODUCTION

The Cape Fear RPO (CFRPO) is required by state law to develop a local input methodology for prioritizing all transportation projects (aviation, bicycle and pedestrian, ferry, highway, public transportation, and rail) within the RPO boundary that compete for state and federal funding, and to submit the methodology to the NC Dept. of Transportation for approval. This Local Input Prioritization Methodology applies within the Cape Fear RPO planning boundary, which includes the counties of Brunswick (partial), Columbus, and Pender (partial).

The RPO has developed this prioritization methodology in an effort to satisfy the quantitative, data-driven requirements of the STI (Strategic Transportation Investments) law while protecting the discretion of local officials by incorporating subjective, qualitative local input where possible. STI establishes a funding formula which allocates available revenues based on data-driven scoring and local input. It is used to develop NCDOT's State Transportation Improvement Program (STIP), which identifies the transportation projects that will receive funding during a specified 10-year period.

Transportation projects competing for funding through STI are divided into three tiers based on project characteristics as follows:

Statewide Mobility: Projects in this tier compete statewide. Eligible projects include:

- Interstate highways and designated future interstates, including I-40 and Future I-74;
- National Highway System highways and STRAHNET highways, including US 17, US 74 and US 76; and
- Freight capacity and safety improvements to Class I freight rail corridors, including the CSX rail line in Brunswick and Columbus counties and the abandoned Wallace-Castle Hayne line in Pender County.

Regional Impact: In the Cape Fear RPO region, projects in Brunswick and Pender counties compete in Region B with eligible projects throughout the 14 counties in NCDOT Divisions 2 and 3, including the cities of Wilmington, Jacksonville, Greenville, New Bern, Kinston, and Morehead City. Projects in Columbus County compete in Region C with eligible projects throughout the 12 counties in NCDOT Divisions 5 and 6, including the cities of Raleigh, Durham, Fayetteville, Cary, and Lumberton. Eligible projects include:

- Statewide Mobility projects not funded at the Statewide Mobility tier;

- US and NC highways not eligible at the Statewide Mobility tier, including US 117, US 421, US 701, US 17 Business, US 117 Business, US 701 Business, NC 11, NC 50, NC 53, NC 87, NC 130, NC 210, NC 211, NC 214, NC 410, NC 904, and NC 906; and
- The State-maintained ferry system, excluding passenger vessel replacement, including improvements and expansions to the Southport-Ft. Fisher ferry.

Division Needs: In the Cape Fear Region, projects in Brunswick and Pender counties compete with eligible projects throughout NCDOT Division 3, including the cities of Wilmington and Jacksonville. Projects in Columbus County compete with eligible projects throughout NCDOT Division 6, including the cities of Fayetteville and Lumberton. Eligible projects include:

- Statewide Mobility projects not funded at the Statewide Mobility or Regional Impact tiers and Regional Impact projects not funded at the Regional Impact tier;
- State-maintained secondary routes and federally funded municipal road projects, including E Boiling Spring Rd, Gilbert Rd, Old Lake Rd, Hallsboro Rd, Shaw Hwy, Penderlea Hwy, and Malpass Corner Rd;
- General aviation airports, including Cape Fear Jetport (SUT) near Southport, Columbus County Airport (CPC) near Whiteville, and Henderson Field (ACZ) in northern Pender County;
- Community public transportation systems, including Brunswick Transit, Columbus Transportation, and PAS-TRAN;
- Standalone bicycle and pedestrian transportation projects, including sidewalks, bike lanes, and multi-use paths; and
- Replacement of ferry vessels, including those on the Southport-Ft. Fisher route.

This methodology describes the process by which the Cape Fear RPO evaluates transportation projects and assigns local input points to qualifying transportation projects according to local priorities. The Cape Fear RPO has 1300 local input points available for assignment to eligible projects at both the Regional Impact and Division Needs tiers. Projects may receive no more than 100 total points from local transportation planning organizations (MPOs and RPOs); therefore, the Cape Fear RPO will assign points to a minimum of 13 transportation projects at both tiers.

DESCRIPTION OF CRITERIA

The following scoring criteria will be used to generate a total project score for each CFRPO transportation project, regardless of mode. Each project will receive a total project score at the Regional Impact tier and/or Division Needs tier according to its eligibility.

1. **PRIORITIZATION 7.0 QUANTITATIVE SCORE (QUANTITATIVE):** The Cape Fear Area RPO believes that the Prioritization 7.0 Quantitative Score (“P7.0 Score”) is the best criterion to maximize the funding potential of the transportation projects in the RPO area.

Projects that do not score well by the P7.0 Score will have difficulty competing for funding. The criterion is defined as the project's P7.0 Score for the corresponding tier.

2. **DIVISION PRIORITY (QUALITATIVE):** Projects will not be competitive at the Regional Impact or Division Needs tier unless they have the support of the Division Engineer and rank well by the Division Engineer's scoring criteria. The Cape Fear RPO will request that Division Engineers or their designees assign each project a HIGH, MEDIUM, LOW, or NONE priority classification for each tier at which the project competes. Division Engineers should assign priority classifications such that projects are distributed with an approximately equal number of projects in each classification. Projects will be given 100, 50, 25, or 0 points according to their classification. Where projects are located in both Divisions 3 and 6, Division Priority points will be allocated based on the share of the project in each division.
3. **COUNTY PRIORITY (QUALITATIVE):** Projects should have local support. County RTCC representatives are expected to collaborate with other county staff, county elected officials, staff, and elected officials of municipalities within their boundaries, and other stakeholders representing county transportation modes or systems, as deemed appropriate by each county's RTCC representative, to develop county priorities. Each county RTCC representative will assign every project within the county a HIGH, MEDIUM, LOW, or NONE priority classification for each tier at which the project competes. County RTCC representatives should assign priority classifications such that projects are distributed with an approximately equal number of projects in each classification. Projects will be given 100, 75, 50, and 0 points according to their classification. If a project is prioritized by more than one CFRPO county, it will be assigned the average of the points received.
4. **PROJECT DEVELOPMENT (QUALITATIVE):** Projects that have had significant planning or development activities completed are eligible for additional points to distinguish them from projects that are simply conceptual. Points will be given cumulatively to projects for each of the following criteria as indicated for a maximum of 100 points: a feasibility study has been completed or a corridor plan or other project-specific plan has been adopted [10 pts.]; preliminary design or engineering has begun [10 pts.]; project was programmed in a prior STIP or otherwise was in the development/merger process [10 pts.]; right-of-way attainment has begun, was previously completed, or is otherwise not expected to be required [10 pts.]; project sibling is funded in the current STIP or has been completed [20 pts.]; project is programmed in the current STIP [40 pts.].

TOTAL PROJECT SCORE AND RANKING APPROACH

Project rankings will be developed at each tier using the total project scores of eligible projects. Project scores will be calculated as follows:

Regional Impact tier score

$$\begin{aligned} &= (0.50 \times P7.0 \text{ Score for tier}) + (0.20 \times \text{Division Priority points for tier}) \\ &+ (0.20 \times \text{County Priority points for tier}) + (0.10 \times \text{Project Development points}) \end{aligned}$$

Division Needs tier score

$$\begin{aligned} &= (0.30 \times P7.0 \text{ Score for tier}) + (0.30 \times \text{Division Priority points for tier}) \\ &+ (0.30 \times \text{County Priority points for tier}) + (0.10 \times \text{Project Development points}) \end{aligned}$$

POINT ASSIGNMENT PROCESS

Preliminary Point Assignments: Preliminary points will be assigned at both the Regional Impact and Division Needs tiers based on the project ranking. Preliminary points may be assigned to any project eligible to receive points at the respective tier if it has not been fully funded at a higher tier. Preliminary point assignments will take into consideration the share of the project within the RPO and point sharing opportunities.

Any project that crosses the RPO boundary will be eligible for local input points in excess of the percentage of the project within the RPO boundary, up to 100 points, if the adjacent MPO/RPO provides less than their full share of points. Any project entirely beyond the RPO boundary will be eligible for up to 100 local input points to be shared with the adjacent MPO/RPO if the project has benefits to a primary route between the RPO area and major destinations outside of the RPO area. The Cape Fear RPO will endeavor to accept points shared by adjacent MPO/RPOs for projects crossing the RPO boundary that would otherwise not receive Cape Fear RPO points according to the point assignment process unless doing so is determined to jeopardize the funding potential of a higher priority Cape Fear RPO project. If points sharing is approved, both the Cape Fear RPO and the adjacent MPO/RPO must agree to the number of points donated and provide this arrangement in writing to NCDOT's Office of Prioritization.

Preliminary points will be assigned until all 1300 available points are assigned at each tier as follows:

1. The top two scoring highway projects in each RPO county will be eligible for 100 points each (600 points max).
2. The top three scoring non-highway projects will be eligible for 100 points each, regardless of non-highway mode or location (300 points max).
3. Remaining points cascade to the next highest scoring projects, regardless of mode or location, up to 100 points each.

Preliminary point assignments will be posted to the Cape Fear RPO website. If time permits, the RTCC will recommend and the RTAC will approve preliminary point assignments. Otherwise, the RPO staff will approve preliminary point assignments.

Local Input Point Flexing Policy: The Cape Fear RPO has the option to apply the Local Input Point Flexing Policy. This means that up to 500 Local Input Points can be transferred from one category (Regional Impact or Division Needs) to the other. If the organization chooses to flex Local Input Points, Cape Fear RPO will provide written documentation to the SPOT Office prior to assigning Regional Impact Local Input Points.

Final Point Assignments: Preliminary point assignments may be modified by the RTAC to provide local oversight to the data-driven process, to compensate for situations where the methodology does not accurately reflect the RTAC's priorities, and to ensure appropriate projects at the relevant tier. Justifications for modifying preliminary point assignments include project cost, point sharing arrangements, estimated points required for funding, geographic equity, modal distribution, new information, methodology failures, potential reconsideration of the limits of a programmed project, and public comment. The justifications for any final point assignments that deviate from published preliminary point assignments will, at minimum, be noted in the final point assignment worksheet and documented in the meeting minutes. In the event that projects receiving final point assignments become unexpectedly uncompetitive due to any last-minute deviations in actual or expected point assignments by NCDOT Division Engineers or other transportation planning organizations (MPOs or RPOs), the RTAC delegates to its chair the power to modify final point assignments to maximize project competitiveness. Any such modification and accompanying justification will be noted in an amended final point assignment worksheet, which will be posted to the RPO website.

SCHEDULE

The following schedule is subject to change for a variety of reasons, many of which are beyond the control of the RPO. Any change to the schedule will be updated on the RPO website and in this document, which will be also available on the RPO website; however, modification to the timeline will not require public notice or comment, nor adoption by the RTAC, nor approval by NCDOT.

1. Draft prioritization methodology will be developed by RPO staff. [Winter/Spring 2024]
2. Draft prioritization methodology will be submitted to the RTCC for recommendation and to the RTAC for preliminary approval. [February 2024]
3. Draft prioritization methodology will be revised as necessary to conform with NCDOT guidelines, posted to RPO website, and submitted to NCDOT for conditional approval. [March 2024]

4. Conditionally approved methodology will be recommended for final approval by the RTCC and approved by the RTAC. Approved methodology will be posted to the RPO website once approved by NCDOT and the RTAC. [April 2024]
5. RPO staff will determine **PROJECT DEVELOPMENT** points for all projects eligible to compete at the Regional Impact tier. [May – August 2024]
6. The RTCC representative from each RPO county will assign a **COUNTY PRIORITY** to each project within the county competing at the Regional Impact tier according to the Description of Criteria. [June/July 2024]
7. NCDOT Division Engineers will assign a **DIVISION PRIORITY** to each project competing at the Regional Impact tier according to the Description of Criteria. [June/July 2024]
8. RPO staff will discuss point sharing with staff of other MPO/RPOs. [June/July 2024]
9. Regional Impact project scores, rankings, and preliminary point assignments will be generated according to the Point Assignment Process. [July 2024]
10. RTCC will recommend and RTAC will make final Regional Impact point assignments at their August meetings. RTCC and RTAC meetings are public meetings where public comment on point assignments will specifically be sought. [August 2024]
11. Final Regional Impact tier point assignments will be entered into SPOT On!ine and posted to the CFRPO website. [August 2024]
12. RPO staff will determine **PROJECT DEVELOPMENT** points for all Division Needs tier projects. [September – November 2024]
13. The RTCC representative from each RPO county will assign a **COUNTY PRIORITY** to each project within the county competing at the Division Needs tier according to the Description of Criteria. [October/November 2024]
14. NCDOT Division Engineers will assign a **DIVISION PRIORITY** to each project competing at the Division Needs tier according to the Description of Criteria. [October/November 2024]
15. RPO staff will discuss point sharing with staff of other MPO/RPOs. [October/November 2024]
16. Division Needs project scores, rankings, and preliminary point assignments will be generated according to the Point Assignment Process. [November 2024]
17. RTCC will recommend and RTAC will make final Division Needs point assignments at their December meetings. RTCC and RTAC meetings are public meetings where public comment on point assignments will specifically be sought. [November 2024]
18. Final Division Needs point assignments will be entered into SPOT Online and posted to the CFRPO website. [November 2024]

PUBLIC OUTREACH

This process is intended to be open and transparent. As such, all meetings of the RTCC and RTAC are open to the public and public comment is a recurring item on all meeting agendas. In addition, RTCC and RTAC meeting dates and, as available, agendas and minutes are available on the RPO website at <http://www.capefearrpo.org>. Relevant documents, including this methodology and preliminary and final point assignments, will also be posted for public review at the RPO's website. Public comment is specifically sought on preliminary point assignments during the 30 days prior to final point assignment by the RTAC and during the public comment period for the RTAC meeting where final points are assigned, currently scheduled for August 16, 2024 for the Regional Impact tier and November 15, 2024 for the Division Needs tier. Meeting date changes and accompanying changes in public comment periods will be posted to the RPO website. Additionally, instructions for submitting public comments outside of official meetings will be provided on the RPO website. At minimum, comments may be submitted in person, by telephone, or via email. Comments will be collected by RPO staff and distributed to the RTCC and RTAC as part of their normal meeting materials.

MATERIAL SHARING

The following information, at minimum, will be made available on the Cape Fear RPO website:

- A link to the NCDOT STI Prioritization Resources website;
- The adopted Cape Fear RPO P7.0 Local Input Prioritization Methodology;
- Highlights of schedule milestones, including public comment periods and public meeting schedules; and
- Preliminary and final local input point assignment sheets, including justifications of methodology deviations.

APPROVED BY THE CAPE FEAR RPO TRANSPORTATION ADVISORY COMMITTEE ON
04/12/2024.



Frank Williams, Chair

Sam Boswell, Secretary



MEMORANDUM

To: Mayor Richard Alt and Board of Aldermen
From: Maureen Meehan, Planning Services Director
Re: Brunswick County, CFRPO Division Needs Prioritization
Date: September 12, 2024

The Cape Fear Rural Planning Organization (RPO) in partnership with the North Carolina Department of Transportation is in the process of identifying and prioritizing transportation projects for inclusion in the State's 2026-2035 Statewide Transportation Improvement Program (STIP). This process, known as "Prioritization" is tied to the Strategic Transportation Investment Law that passed the NC General Assembly in 2013.

There are three STIP funding tiers based on project characteristics: Statewide Mobility, Regional Impact, and Division Needs. The current phase is the Division Needs Input point assignment phase. This is the third step in an important process that will be used to develop the State Transportation Improvement Program/Metropolitan Transportation Improvement Program, which identifies the projects that will be funded during a 10-year period. The projects include roadways, public transportation, bicycle & pedestrian, rail, ferry, and aviation projects based on approved criteria.

In collaboration with elected officials and staff, Local County RTCC representatives have been asked to assign a county priority rank for every regional impact eligible projects. Upon recommendation from the RTCC, the Rural Transportation Advisory Committee (RTAC) will approve the final priorities and send to NCDOT. Division Needs eligible projects have been attached to this memo.



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 09/12/2024

DEPARTMENT: Development Services

PRESENTED BY: Maureen Meehan, City Planner

ITEM SPONSORED BY: Turtle Bay at Southport, LLC

ITEM/TOPIC: Turtle Bay Major Subdivision Preliminary Plat

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: At their August 15, 2024 meeting the Planning Board voted to send the Board of Aldermen a recommendation of approval for the major subdivision preliminary plat. The subject property is located on HWY 87 and was rezoned PUD with a master development plan in July. This is a 100-lot subdivision proposed to be developed in 2 phases.

IMPACT IF NOT APPROVED: This project is an administrative development decision. General statutes state that decisions are based on the determination of facts and the application of objective standards. If the plat is disapproved, the reasons shall be set forth in writing and refer specifically to those parts of the UDO or other land development ordinances with which the plat does not comply.

DEPARTMENT HEAD COMMENTS: The attached preliminary plat has been reviewed by staff and for compliance with the unified development ordinance (UDO). Staff found the subdivision as proposed meets the standards of the UDO and forwarded it to the Planning Board for a recommendation.

CITY MANAGER COMMENTS: Relevant possible negative consequences were discussed at the recent BOA meeting regarding increased traffic congestion in the neighborhood, with the understanding that the pre-existing commercial district would have generated similar traffic flow. We now have the tree ordinance in place to protect the environment.

ATTACHMENTS: Staff Report, Preliminary Plat Application, Site Plan, Landscape Plan

REQUESTED ACTION: Approve the Major Subdivision Preliminary Plat.

PROPOSED MOTION: Motion to approve/deny the Turtle Bay Major Subdivision Preliminary Plat

STAFF REPORT FOR TURTLE BAY MAJOR SUBDIVISION PRELIMINARY PLAT REVIEW

APPLICATION SUMMARY	
Presentation Date	September 12, 2024 Board of Aldermen
Applicant	East Coast Engineering, P.C. Jackson Starling, PE
Property Owner	Turtle Bay at Southport, LLC Bob Weinbach and Terrance Ando
Parcel ID:	22100017
Project Acreage	54.09 acres
Parcel Acreage	54.09 acres
Zoning District	Planned Unit Development

PROJECT OVERVIEW

Jackson Starling, applicant, on behalf of Turtle Bay at Southport, is requesting approval of the Turtle Bay Subdivision Preliminary Plat consisting of 100 single-family lots. The subdivision will be developed in two (2) phases. Phase 1 will consist of 59 lots and Phase 2 will consist of 41 lots.

LOCATION

Subject property is located on NC 87 (River Road) to the north of Rob Gandy Boulevard, south of Duke Energy, and east of Hwy 211 (N Howe Street). This property is located within the Southport city limits and can be further identified by Brunswick County Parcel ID 22100017.



REVIEW PROCESS

A major subdivision preliminary plat review provides analysis and coordination of a proposed subdivision with the local UDO, transportation facilities, and utility availability. Per Section 2.8.E of the City of Southport Unified Development Ordinance, the Planning Board shall review the proposal and transmit a formal recommendation to the Board of Aldermen.

A Preliminary Plat approval conveys the authority to begin construction of infrastructure associated with the proposed subdivision, including such items as roadways, water and sewer utilities, sidewalks, etc. It does not convey any authority to construct dwellings or any other buildings. Upon completion of the installation of infrastructure, the applicant shall submit a Final Plat application. The review of the Final Plat includes site inspections by various City staff to determine if infrastructure has been installed in accordance with the Preliminary Plat. Upon a positive determination from those inspections, the Final Plat shall be considered by the Board of Aldermen. Upon approval by the Board of Aldermen, the Final Plat shall be recorded with the Brunswick County Register of Deeds, and such will convey the authority to begin to obtain building permits for structures.

PRELIMINARY PLAT

This proposal was first approved as a Planned Unit Development and Master Development Plan in June 2024. It shall meet all the requirements listed in Appendix A of the UDO and the required improvements found in Section 4.7 of the Unified Development Ordinance.

Dimensional Requirements

The parcel of land has a total of 54.09 acres. The density of the proposed subdivision is 1.85 dwelling units/acre, which meets the maximum density of 6 du/acre as laid out within the Unified Development Ordinance. Further, there are 10.88 acres of open space, which meets the existing 20% requirement for all PUDS.

The following lot dimensions were approved in the Master Development Plan:

Minimum Lot Size: 12,000 SF (60% of the minimum lot area for R-20)

Minimum Lot Width: 75' (exceeds the minimum 40' width requirement)

Setbacks: Front – 10', rear – 15', side – 8' (minimum setbacks allowed)

Utility Easement: 10' along all side lot lines (provides 10' building setback for primary and accessory structures)

Periphery Boundary Setback: 25'

Section 4.7.D lists the Required Improvements for Subdivisions. The following discussions will outline how the applicant has met the eight (8) requirements, including other provisions necessary for approval found in the UDO.

Transportation and Streets

Access to the site is provided from a main gated entrance from NC 87. There is a siren-activated fire apparatus entrance located at the southern edge of the property. There are

50' Right of Ways with 24' paved roadways. The proposed right-of-way widths are less than is required by the Unified Development Ordinance. However, the reduced widths were reviewed and approved by the fire chief at the Technical Review Committee meeting on December 19, 2023. All streets will be private rights-of-way and constructed to meet the requirements of Section 4.8.

Block lengths do not exceed 1500 linear feet with intersections at nearly right angles. Proposed cul-de-sacs do not exceed 750 feet in length and meet the turn-around radius requirements. Further, a turn-around is part of the street that exceeds 150 feet in length.

A traffic impact analysis is required for any development that will generate more than 500 trips per day. The proposed subdivision will generate approximately 1000 trips per day. A traffic impact analysis was completed to show the impact of the proposal and provide recommended improvements for access to the site. The recommendations include the construction of a southbound right-hand turn lane on NC 87, the construction of a northbound left turn lane on NC 87, and the construction of the driveway to applicable NCDOT standards with adequate site distance. These recommended improvements are included on the site plan.

Lighting

The applicant is required to install street lighting with underground distribution along all proposed streets. Per statements made by the applicant on the site plan, a lighting plan is being prepared by Brunswick Electric Member Cooperation. A lighting plan meeting the standards of Section 3.16 of the City of Southport Unified Development Ordinance and Chapter 4 Article 5 of the City Code of Ordinances shall be required and installations shall be inspected for conformance to the approved lighting plan prior to final plat approval.

Street Name Signs and Cluster Mailboxes

The applicant will install street signs, both traffic control and name signs, and shall meet all applicable regulations.

A cluster mailbox kiosk has been identified on the site plan at the rear of the property adjacent to the open space park space. There are ten (10) parking spaces provided for the mail kiosk and open space facilities. Parking facility landscaping is not required per Section 3.17.G since there are not more than 10 parking spaces. The landscape plan includes landscaping within the parking area.

Pedestrian Facilities

Per Section 4.11, sidewalks are required on both sides of the street for subdivisions with more than 20 lots. In lieu of placing sidewalks on both sides of the street, the subdivider may install a connected multi-use path network with a minimum width of eight (8) feet along one side of the street connecting to recreation and open space area. The applicant has provided an 8' multi-path network with a delineated ten (10) foot connections at street crossings.

Water Supply and Sewage Disposal Systems

The county will provide both water and sewer to this subdivision. There were no comments or concerns from the county representative who had the opportunity to review the proposal prior to the December TRC meeting. The preliminary plat has been sent to Brunswick County for review.

Erosion and Sedimentation, Drainage Control Facilities, and Stormwater

The applicant shall comply with all requirements of Article 6 of the City of Southport Unified Development Ordinance and all requirements of the North Carolina Sedimentation Pollution Control Act. The design of the system will be reviewed and approved by the City Engineer and Public Services Department. Detailed plans have been forwarded to the City Engineer and will be approved prior to any ground-disturbing activities.

All permits from the N.C. Department of Environmental Quality shall be obtained prior to commencing construction.

Recreation and Open Space

As stated previously, the applicant has provided 10.88 acres of open space, excluding wetlands. This meets the 20% requirement for PUDs. The open space forms a single parcel, except where a connecting corridor of open space is not less than 30 feet wide. The noncontiguous areas account for less than 50% of the required open space allocation.

All open space areas will be owned and maintained by the homeowner's association.

Landscaping and Buffers

A street buffer has been included in the land scape plan providing 1 canopy tree per 50', 2 understory trees every 20', 2 shrubs every 100'. Further, existing vegetation will be preserved along the property frontage which includes a variety of mature canopy and understory trees.

Tree Protection and Landscape Preservation

A tree removal plan has been submitted showing the required tree removal zone and tree safe zone/lot preservation. Tree removal zones are those areas that show the impact to utilities, infrastructure, and drainage improvements. The Tree Impact Plan on pages TP1.0 – TP1.2 depict the limits of grading and tree removal. The existing trees on individual lots will remain until building permits are submitted for development.

There is a total caliper of 2670" DBH proposed for removal within the roadways, mail and open space parking area, grading limits, and stormwater pond site. Mitigation plans include planting a total caliper of 2685" DBH of canopy trees to meet the mitigation requirements. In addition to the required mitigation plantings, there are landscape plans for the open space/mail kiosk parking area and for the subdivision entrance.

All proposed plantings meet the requirements for planting sizes and species.

Signage

All future signs associated with the project shall require separate review and approval by the Planning Staff based on conformance with Section 3.19 of the City of Southport Unified Development Ordinance.

PLANNING BOARD RECOMMENDATION

The Planning Board recommends APPROVAL of the Turtle Bay major subdivision preliminary plat and finds that it is consistent with the 2014 CAMA Land Use Plan and subsequent updates and all other applicable adopted plans.

Attachments:

- 1) Application
- 2) Site Plan with Phases
- 3) Tree Removal Plan and Landscape Plan
- 4) Utility Plan
- 5) Stormwater Plan



Major Subdivision Preliminary Plat Application

City of Southport, North Carolina

1029 N. Howe St, Southport NC 28461
www.southportnc.org

Planning & Inspections
 Phone 910-457-7961 Fax 910-457-7957

For Staff Use Only

PERMIT No. N/A FEE: \$ 11,000

Date Received: July 15, 2024

Proposed/Approved Name of Development: Turtle Bay at Southport

Applicant's Name: East Coast Engineering, P.C.

Mailing Address: PO Box 2469 City: Shallotte

State: NC Zip Code: 28459 Phone: 910-754-8029

Email: jstarling@eces.biz

Location of the property: 0.5 Miles North from intersection of NC-211 & NC-87

Parcel No.: 22100017 Overall Acreage: 54.09 Number of lots (include remnant): 100

Property Owner's Name: Turtle Bay at Southport, LLC

Address of Owner: 5106 Lancome Ct. Phone: _____

City: Wilmington State: NC Zip Code: 28409

Email: terrysando@gmail.com

Surveyor: Port City Land Surveying, PLLC. Registration #: P-1493

Mailing Address: 1144 Shipyard Blvd. City: Wilmington

State: NC Zip Code: 28412

Phone: 910-791-0080 Email: portcitylandsurveying@gmail.com

A Major Subdivision Preliminary Plat Application is required for Subdivisions and/or divisions of land not qualifying as exempt or as a minor subdivision.

Submission Requirements for a Major Subdivision Preliminary Plat Application are found in Appendix A.1 of the Southport UDO.

A Major Preliminary Plat submitted to the city of Southport shall include the following required certificates:



Certificate of Survey and Accuracy



Certification of Board of Aldermen Approval



Certificate of Purpose of Plat

CERTIFICATE OF SURVEY & ACCURACY & PURPOSE
OF PLAT TO BE INCLUDED ON FINAL PLAT PREPARED
BY SURVEYOR.



Signature (Owner or Authorized Applicant)

7-15-2024

Date

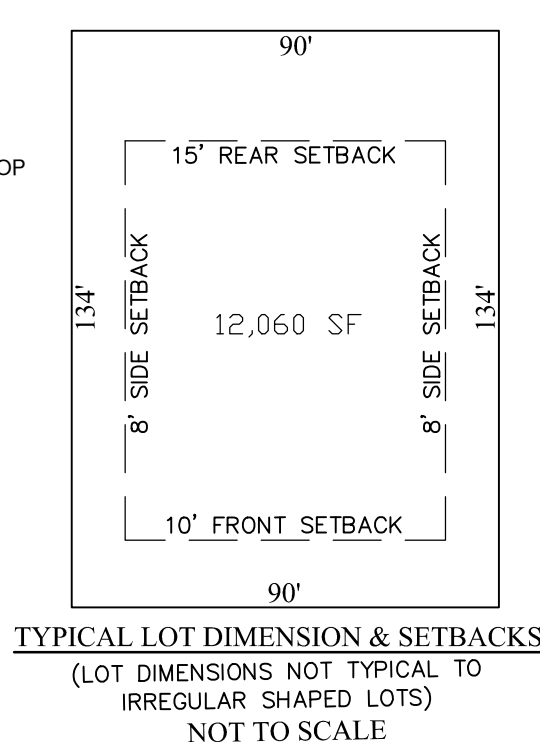
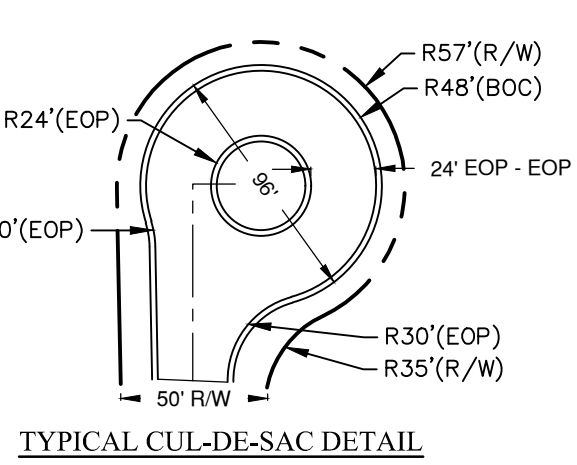
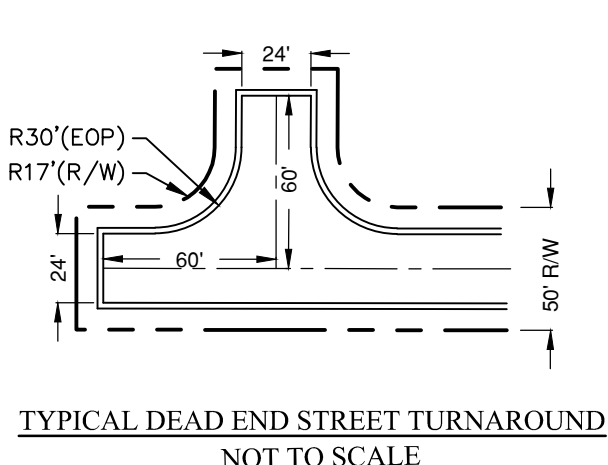
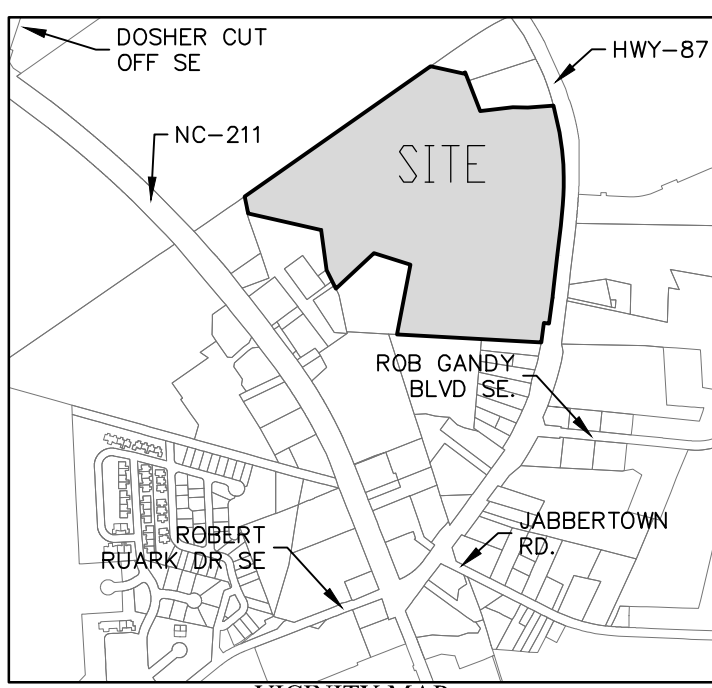
APPROVED BY:



UDO Administrator

7/22/2024

Date



OPEN SPACE

4.67 AC. PASSIVE OPEN SPACE

6.21 AC. ACTIVE OPEN SPACE

ACTIVE OPEN SPACE NOTE

ACTIVE OPEN SPACE ACTIVITIES MAY INCLUDE:
GRASSED ACTIVITY AREA, PEDESTRIAN WALKWAYS,
PEDESTRIAN BRIDGES, GAZEBO'S, & PARK BENCHES.

ALL OPEN SPACE AREA TO BE OWNED & MAINTAINED
BY HOME OWNERS ASSOCIATION.

PHASING (LOTS/SIDEWALK/ROADWAY)

PHASE 1 (59 LOTS)

PHASE 2 (41 LOTS)

PROJECT INFORMATION

OWNER NAME & ADDRESS: TURTLE BAY AT SOUTHPORT, LLC
5106 LANCOME CT
WILMINGTON, NC 28409
910-443-6739

PROPERTY INFORMATION

TAX PARCEL NUMBER: 22100017
DEED REFERENCE: BOOK 5043, PAGE 1074
MAP BOOK: BOOK 143, PAGE 47
TOTAL SITE AREA: 2,356,011 SF OR 54.09 AC

ZONING

PLANNED UNIT DEVELOPMENT (PUD)

MINIMUM LOT SIZE: 12,000 SF

MINIMUM LOT WIDTH: 75 FEET

BUILDING SETBACKS: FRONT YARD=10 FEET
REAR YARD=15 FEET
SIDE YARD=8 FEET

LOT LAYOUT INFORMATION:

TOTAL TRACT AREA=2,356,011 SF (54.09 ACRES)

TOTAL RIGHT OF WAY AREA=336,343 SF (7.72 ACRES)

TOTAL WETLANDS=66,504 SF (1.53 ACRES)

TOTAL PROPOSED STORMWATER POND AREA=155,242 SF (3.56 ACRES)

TOTAL NEW LOTS CREATED = 100
MINIMUM LOT SIZE = 12,000 SF
UNIT DENSITY= 1.85 UNITS/ACRE

TOTAL NET AREA CALCULATION

TOTAL TRACT AREA EXCLUDING STREET RIGHT OF WAYS &
STORMWATER PONDS = 1,864,426 SF (42.80 ACRES)

OPEN SPACE CALCULATION

OPEN SPACE REQUIRED: 20% OF TRACT AREA EXCLUDING WETLANDS
2,356,011 SF X 20% = 471,202 SF (10.82 ACRES)

OPEN SPACE #1=	5.63 AC (245,214 SF)	51.72%
OPEN SPACE #2=	1.42 AC (62,033 SF)	13.08%
OPEN SPACE #3=	3.83 AC (166,855 SF)	35.20%
TOTAL PROVIDED:	10.88 AC (474,102 SF)	100.00%

CONTIGUOUS OPEN SPACE: 5.63 AC (245,214 SF) 51.72%
NON-CONTIGUOUS OPEN SPACE: 5.25 AC (228,888 SF) 48.28%

- DEVELOPMENT NOTES:**
- ADJOINING DEED REFERENCES BASED ON CURRENT INFORMATION FOUND IN THE BRUNSWICK COUNTY TAX OFFICE.
 - ACCORDING TO CURRENT FEMA FLOOD MAP # 3720209700K, THIS LOT APPEARS TO BE LOCATED IN THE FOLLOWING ZONE: X
 - THIS PROPERTY IS SUBJECT TO ANY AND ALL EASEMENTS, RIGHT-OF-WAYS OF RECORD, GOVERNMENTAL ORDINANCES AND/OR REQUIREMENTS WHICH MAY LIMIT THE USE OF THIS PROPERTY.
 - ALL BEARINGS ARE BASED ON NC GRID NORTH (NAD83-NSRS 2011); ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.
 - IRON REBAR TO BE SET AT ALL LOT CORNERS.
 - ALL STREET IN ARE PRIVATE STREETS AND SHALL BE MAINTAINED BY A HOMEOWNER'S ASSOCIATION. SIDEWALKS WITH THESE RIGHT OF WAYS ARE PRIVATE AND SHALL BE MAINTAINED BY A HOMEOWNER'S ASSOCIATION. ROADWAYS WILL BE CONSTRUCTED TO TOWN STANDARDS AND MAY BE REQUESTED TO BE DEDICATED TO THE TOWN AT A FUTURE DATE.
 - SETBACKS FOR THESE LOTS ARE BASED ON CURRENT TOWN OF SOUTHPORT ZONING.
 - ALL OPEN SPACE SHALL BE MAINTAINED BY A HOMEOWNER'S ASSOCIATION.
 - ALL STREETS SHALL BE CONSTRUCTED TO TOWN OF SOUTHPORT STANDARDS PER TOWN ORDINANCE.
 - ALL LOTS TO BE SERVED WITH PUBLIC WATER AND SEWER.
 - A 10' DRAINAGE AND UTILITY EASEMENT IS RESERVED ALONG ALL SIDE LOT LINES (5' EITHER SIDE OF LINE).
 - ALL NEW UTILITIES SHALL BE SUB-SURFACE.
 - THESE LOTS ARE LOCATED WITHIN THE TOWN OF SOUTHPORT CORPORATE LIMITS.
 - A STREET LIGHTING PLAN SHALL BE DEVELOPED BY BRUNSWICK ELECTRIC MEMBERSHIP CORPORATION (BEMC).
 - AREA BY COORDINATE METHOD.
 - SOUTHPORT AND NORTH CAROLINA STATE STORMWATER PERMITS MUST BE OBTAINED PRIOR TO ANY CONSTRUCTION. NO NATURAL DRAINAGE AREAS WILL BE CUT OFF OR DISTURBED BEFORE OBTAINING THE PERMITS.

IMPERVIOUS AREA INFORMATION (TO STORMWATER POND)

LOT BUA: 635,000 SF
STREETS/PARKING/CURB: 197,556 SF
SIDEWALKS: 65,938 SF
AMENITY GAZEBO'S: 939 SF
DRIVEWAY: 1,452 SF
FUTURE ALLOCATION: 40,000 SF

TOTAL BUA PROPOSED: 940,885 SF (21.60 AC)
TOTAL TRACT AREA: 2,356,011 SF (54.09 AC)
% IMPERVIOUS AREA: 39.94%

CERTIFICATION OF APPROVAL OF THE PRELIMINARY PLAT BY THE SOUTHPORT BOARD OF ALDERMEN

THE SOUTHPORT BOARD OF ALDERMEN HEREBY APPROVES OR APPROVES CONDITIONALLY THE PRELIMINARY PLAT OF TURTLE BAY SUBDIVISION. IF APPROVED CONDITIONALLY, THE SPECIFIC CONDITIONS SHALL BE LISTED.

MAYOR, CITY OF SOUTHPORT DATE

ASPHALT PARKING AREA
(10 SPACES W-1 HC VAN
ACCESSIBLE - 9' X 18')

ACTIVE OPEN SPACE
(CLEARED EXCEPT HERITAGE TREES SHOWN.
GRASSED WITH LESS THAN 2% SLOPES)

TRACT 1 EIP IN A DITCH IN
THE LINE WITH CAROLINA
POWER AND LIGHT
COMPANY

25' PERIPHERY BOUNDARY
SETBACK
(FOR PRINCIPLE &
ACCESSORY STRUCTURES)

JOHN & BEVERLY MCCLOSKEY
D.B. 4972, PG. 39
TAX PARCEL# 2210002001
ZONED SP-HC
VACANT - WOODED

CONTIGUOUS OPEN SPACE: 5.63 AC (245,214 SF) 51.72%
NON-CONTIGUOUS OPEN SPACE: 5.25 AC (228,888 SF) 48.28%

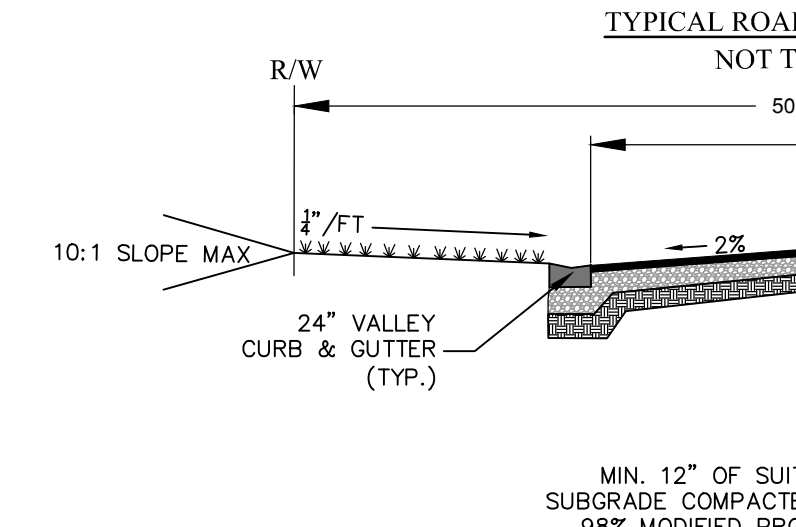
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- AREA BY COORDINATE METHOD.
- SOUTHPORT AND NORTH CAROLINA STATE STORMWATER PERMITS MUST BE OBTAINED PRIOR TO ANY CONSTRUCTION. NO NATURAL DRAINAGE AREAS WILL BE CUT OFF OR DISTURBED BEFORE OBTAINING THE PERMITS.

SUBDIVISION STREET PAVING NOTES:
THIS PAVEMENT SECTION WAS NOT DESIGNED TO THE SUPPORT THE LOADS IMPOSED BY HEAVY CONSTRUCTION VEHICLE TRAFFIC. ADDITIONAL ASPHALT IS REQUIRED IF THE CONSTRUCTION IS TO BE PHASED. CONSULT GEOTECHNICAL ENGINEER FOR GUIDANCE.

UNDERCUT ANY UNSUITABLE MATERIAL UP TO 24" AND REPLACE WITH SELECT MATERIAL AS REQUIRED

THE PAVEMENT DESIGN SHOWN REPRESENTS THE MINIMUM THICKNESS OF SURFACE AND BASE COURSE TO BE USED. SUBGRADE SOILS TEST MAY DETERMINE A HEAVIER PAVEMENT DESIGN BE REQUIRED.



ALL MATERIALS SHALL MEET THE REQUIREMENTS SET FORTH IN THE LATEST EDITION OF NCDOT SUBDIVISION ROADS - MINIMUM CONSTRUCTION STANDARDS.

CONTRACTOR SHALL NOTIFY ENGINEER IF SATURATED SUBGRADE IS ENCOUNTERED DURING CONSTRUCTION AS ADDITIONAL DRAINAGE MEASURES MAY BE REQUIRED, SUCH AS CURB UNDER DRAIN SYSTEM.

STORMWATER NOTE:

ALL STORMWATER RUNOFF FROM LOTS TO BE DIRECTED TO STREET CURB INLET COLLECTION SYSTEM (DOWNSPOUT PIPING, SWALE, OR SHEET FLOW). RUNOFF SHALL BE CONVEYED VIA THE STORMWATER DRAINAGE SYSTEM TO THE PROPOSED STORMWATER POND. STORMWATER POND HAS BEEN SIZED TO CONTROL AND RELEASE THE 25-YR. 24-HR STORM TO MATCH PRE-EXISTING RUNOFF CONDITIONS. STORMWATER PERMITS FROM SOUTHPORT AND NCEMLR WILL BE SUBMITTED UPON APPROVAL OF PUD.

RIGHT OF WAY/STREET SPECIAL NOTE:

- ALL R/W'S WITHIN PROJECT ARE PROPOSED AT 50'. EXCEPTION OF R/W WIDTH AT ENTRANCE (72') AND AROUND CUL-DE-SACS (114').
- STREETS ARE PROPOSED 24' WIDE WITH 2' VALLEY CURBING.
- ALL SIDEWALKS TO BE 8' WIDE WITH 3' LANDSCAPING STRIP BETWEEN BACK OF CURB AND SIDEWALK. A 10' WIDE BRICK CROSS WALK WILL BE PROVIDED WHERE SIDEWALKS CONNECT ACROSS THE STREET.
- ALL MULTI-USE PATHS SHALL BE 8' WIDE AND PAVED WITH CONCRETE OR SUITABLE PERVIOUS MATERIAL.

UTILITY NOTE:

- GRAVITY SEWER SEWER WILL SERVE THE PROPOSED SUBDIVISION. CONNECTION TO BE PERMITTED & MADE TO THE LIFT STATION ON SANDY LANE.
- WATER DISTRIBUTION NETWORK TO BE PERMITTED AND CONNECTED TO EXISTING 12" WATER MAIN ALONG HWY 87.
- ALL UTILITIES OWNED AND MAINTAINED BY BRUNSWICK COUNTY

Revisions

9-26-2023 Revision to driveway entrance to align with opposing driveway across NC-87 per DOT comments. Stormwater pond enlarged to accommodate 25-yr storm event.

2-5-2024 Revision to widen sidewalks to 8-ft throughout. Revision to open space areas and multi-use paths changed to concrete surface.

7-15-2024 Revision to move lot 11 to end of Loggerhead ct. and shift parking & mail kiosk towards lot 37. Previous lot 11 is now lot 37. 2 phase plan implemented.

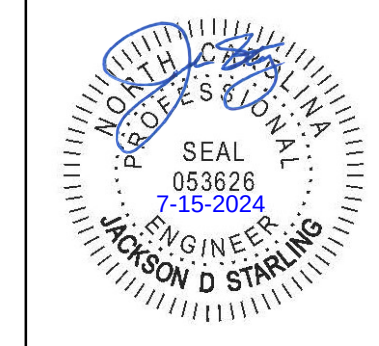
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Phone: 910.754.8029
Fax: 910.754.8049
Firm License Number C-3014

MASTER DEVELOPMENT PLAN (PUD) FOR TURTLE BAY SOUTHPORT, NORTH CAROLINA

Date: 08-23-2023
Scale: AS SHOWN
Drawn By: MGB
Checked By: JDS

FINAL DESIGN FOR APPROVAL

THIS PLAN IS NOT ISSUED FOR CONSTRUCTION WITHOUT AFFIXED CORPORATE SEAL.



C3.0



1. BRICK TYPE, SIZE AND PATTERN SHALL BE COORDINATED WITH CITY OF SOUTHPORT. TYPICAL BRICK PAVES 4" x 8" x 2-3/4" HERRINGBONE PATTERN
2. PAVERS SHALL MEET OR EXCEED ASTM C1272 STANDARD SPECIFICATION FOR HEAVY VEHICULAR PAVING BRICK TYPE "T".
3. CONCRETE HEADER TO BE 3000 PSI, BROOM FINISH, 1/2" RADIIUS ON EDGES AND FLUSH WITH ASPHALT AND PAVERS. CONTROL JOINTS AT +/- 5' O.C. (EQUAL SPACING). CONCRETE TO BE POURED AFTER COMPLETION OF STONE SUB-BASE.
4. WELDED WIRE MESH REINFORCEMENT SHALL BE 6X6 WITH 4.0/4.0 AND FREE OF OIL, DIRT AND DEFECTS AND SHALL BE PROTECTED FROM DAMAGE. WIRE SPLICES SHALL OVERLAP 12 INCHES AND BE TIED TOGETHER AND SUPPORTED IN PLACE.



1. SIDEWALKS ARE REQUIRED ALONG ALL ARTERIAL, COLLECTOR, SUB-COLLECTOR, LOCAL, AND OTHER THROUGH TRAFFIC STREETS IN ALL RESIDENTIAL SUBDIVISIONS WITH AN AVERAGE LOT WIDTH OF UP TO 80 FEET (EXCLUDING CORNER LOTS) PLATED AFTER THE EFFECTIVE DATE OF THIS ORDINANCE. SAID SIDEWALKS ARE TO BE INSTALLED ON ONE SIDE OF THE STREET.
 - 1.1. SUCH WALKWAYS WOULD SERVE THE RESIDENTS OF THE DEVELOPMENT AS ADEQUATELY AS CONCRETE SIDEWALKS; AND
 - 1.2. SUCH WALKWAYS WOULD BE MORE ENVIRONMENTALLY DESIRABLE OR MORE IN KEEPING WITH THE OVERALL DESIGN OF THE DEVELOPMENT.
2. THE MINIMUM WIDTH OF A SIDEWALK SHALL NOT BE LESS THAN EIGHT FEET. THE MINIMUM THICKNESS OF A SIDEWALK SHALL BE FIVE INCHES. SIDEWALKS SHALL BE CONCRETE OR PORTLAND CEMENT CONCRETE. THE CURB OF NOT LESS THAN ONE-FOURTH INCH PER FOOT NOR GREATER THAN ONE-HALF INCH PER FOOT TOWARD THE ROADWAY, THE UTILITY STRIP BETWEEN THE SIDEWALK AND THE BACK OF CURB SHALL NOT BE LESS THAN ONE-HALF INCH PER FOOT NOR GREATER THAN THREE-FOURTHS INCH PER FOOT TOWARD THE ROADWAY.
 - 2.1. SIDEWALKS SHALL BE INSTALLED DURING ROADWAY CONSTRUCTION AND/OR WIDENING, WHERE A SIDEWALK INTERSECTS WITH A DRIVEWAY ACCESS, THE SIDEWALK SECTION SHALL BE SIX INCHES THICK. ALL SIDEWALKS AND GREENWAYS SHALL MEET THE CURRENT AMERICANS WITH DISABILITIES ACT (ADA) REQUIREMENTS.
 - 2.2. SIDEWALKS SHALL BE PORTLAND CEMENT CONCRETE HAVING A 28 DAY STRENGTH OF 3000 PSI WHEN TESTED.



East Coast Engineering, P.C.
ENGINEERS • PLANNERS • CONSULTANTS

4918 Main Street
Post Office Box 2469
St. John's, NL A1B 6X2
Canada

Phone: 910.754.8029
Fax: 910.754.8049



LOT LAYOUT DETAILS
FOR
TURTLE BAY
SOUTHPORT, NORTH CAROLINA

FINAL DESIGN
FOR APPROVAL

C3.0

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East Coast Engineering, P.C.
ENGINEERS • PLANNERS • CONSULTANTS



4918 Main Street
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Charlotte, North Carolina 28459

Phone: 910/54-8020
Fax: 910/54-8049
Firm License Number C-28459

TREE IMPACT PLAN
 FOR
TURTLE BAY
 SOUTHPORT, NORTH CAROLINA

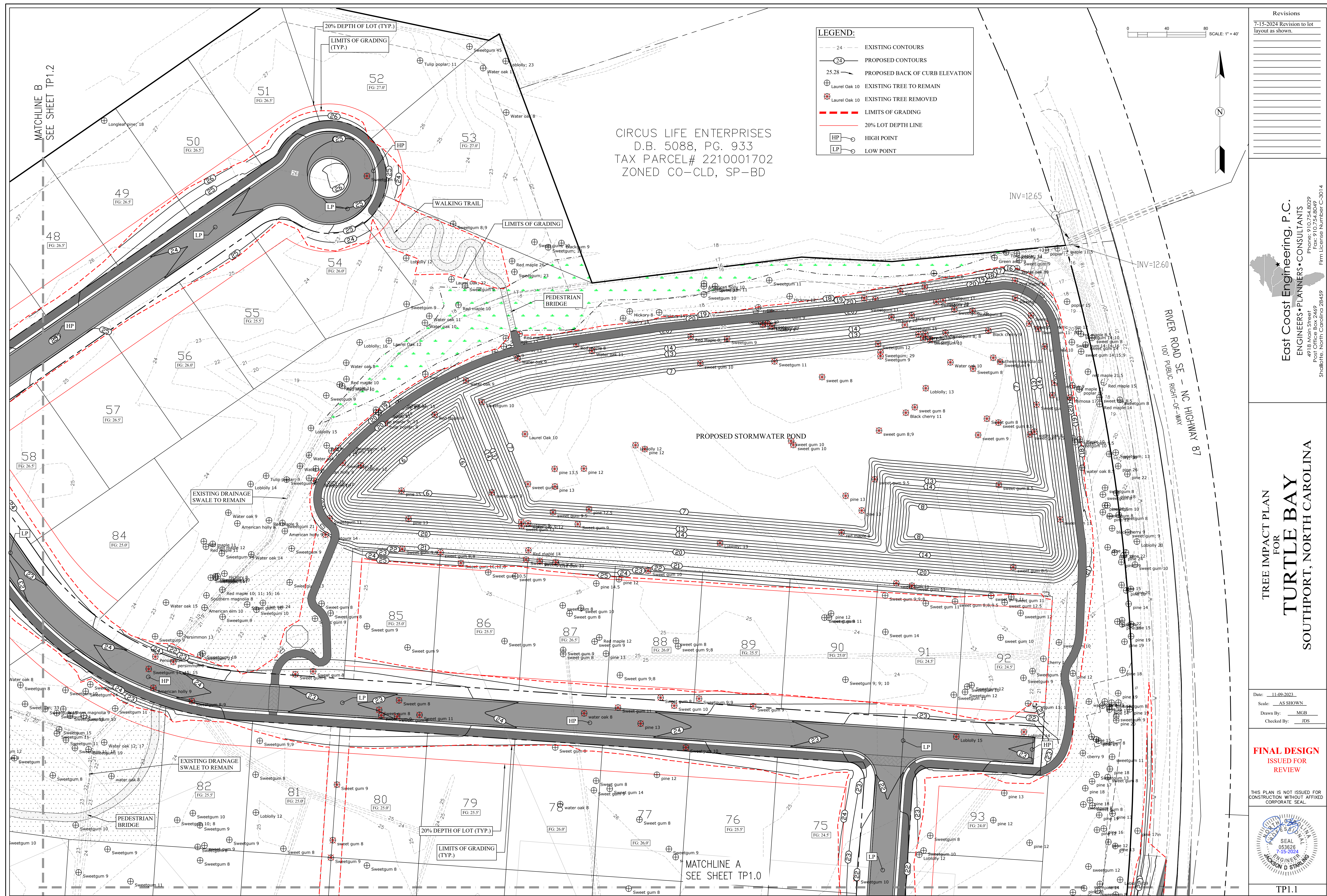
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Drawn By: MGB
Checked By: JDS

FINAL DESIGN
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REVIEW

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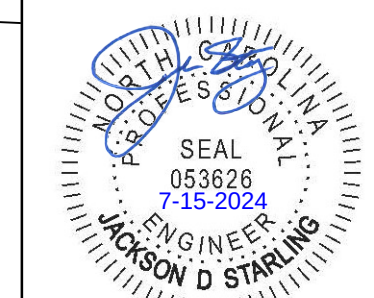
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TREE IMPACT PLAN
FOR
TURTLE BAY
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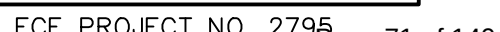
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Drawn By: MGB
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FINAL DESIGN
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TP1.1



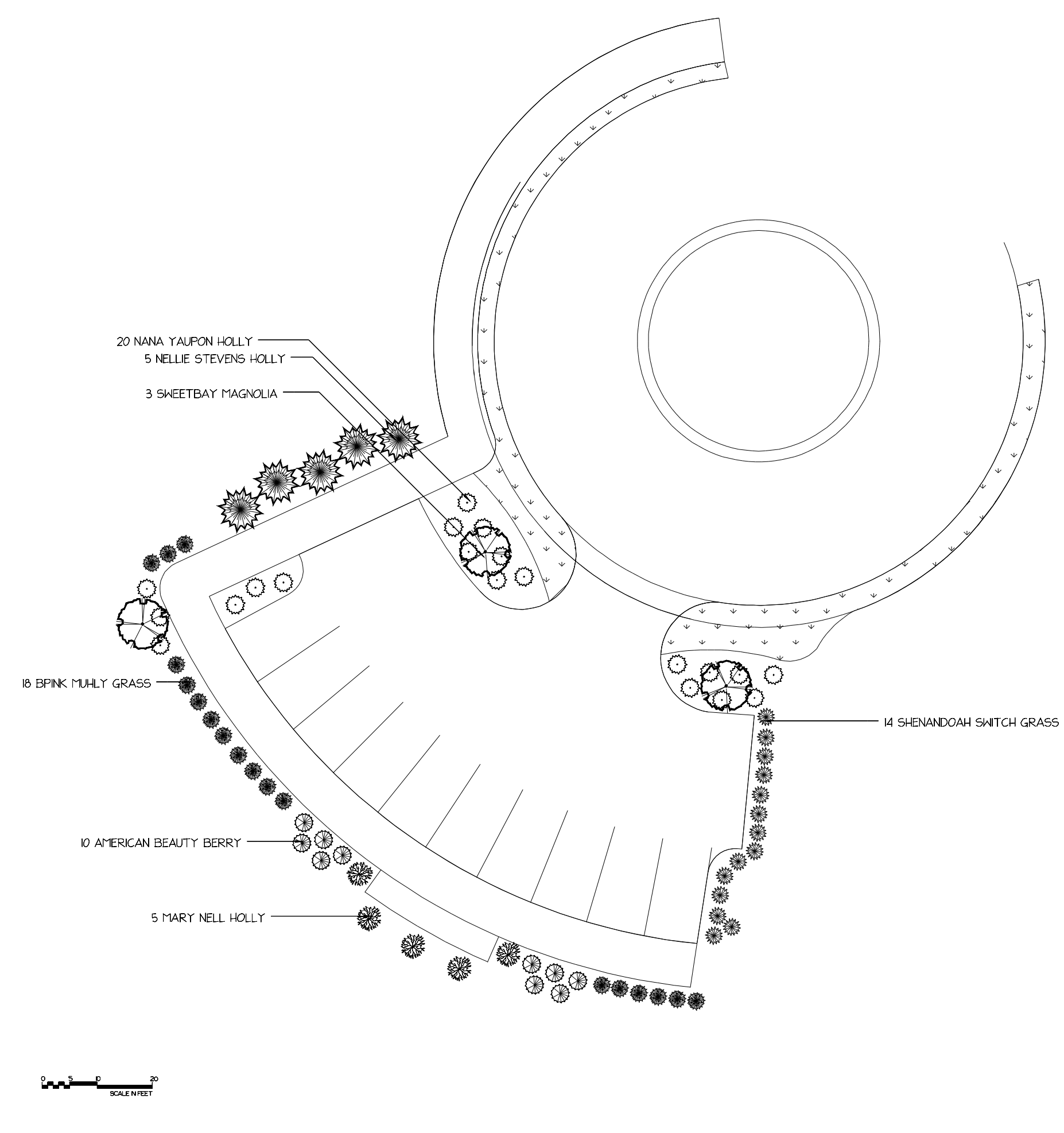
MAIL KIOSK PLANTINGS: 20"
TOTAL: 2685" REPLACED

STRIPS BETWEEN SIDEWALK AND PAVEMENT TO BE SODDED
ROADWAYS WITHOUT SIDEWALK TO BE SODDED WITHIN RIGHT OF WAY

(47) 3" CAL TREES



MAILBOX KIOSK PLANTING AREA



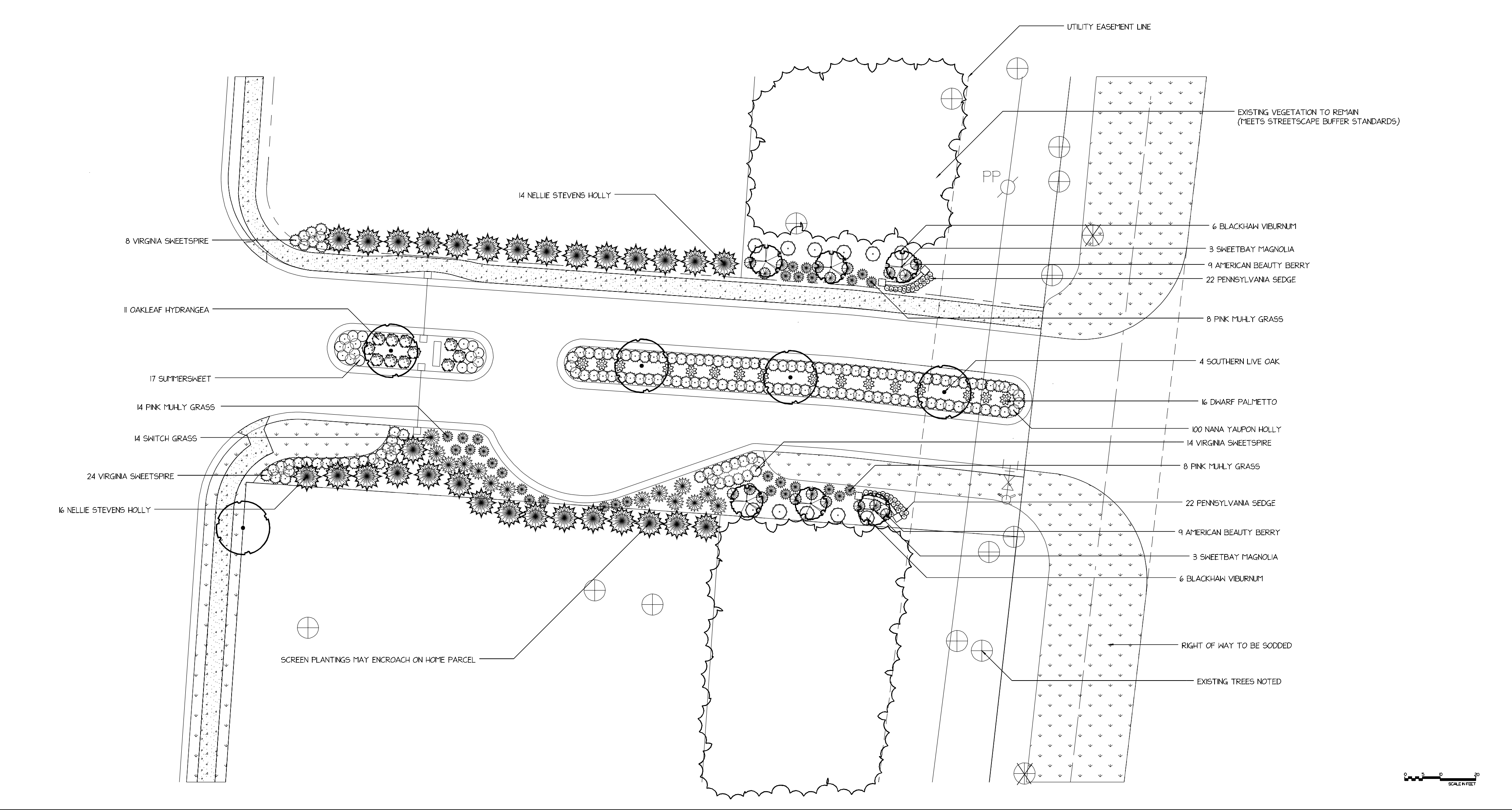
MAILBOX AREA PLANTING KEY

Qty	Botanical Name	Common Name	Size/Condition	Remarks
Trees				
3	Magnolia virginiana	SWEET BAY MAGNOLIA	2.5" Caliper Single Stem	
Shrubs				
20	Ilex vomitoria 'Nand'	NANA YAUPON HOLLY	3 Gallon 16" Height	
5	Ilex 'Nellie Stevens'	NELLIE STEVENS HOLLY	2.5" Caliper	
10	Callicarpa americana	AMERICAN BEAUTY BERRY	3 Gallon 16" Height	
5	Ilex x 'Mary Nell'	MARY NELL HOLLY	7 Gallon 36" Height	
Ornamental Grasses				
18	Muhlenbergia capillaris	PINK MUHLY GRASS	3 Gallon 12" Height	
14	Panicum virgatum 'Shenandoah'	SHENANDOAH SWITCH GRASS	3 Gallon 12" Height	

FRONT ENTRANCE PLANTING KEY

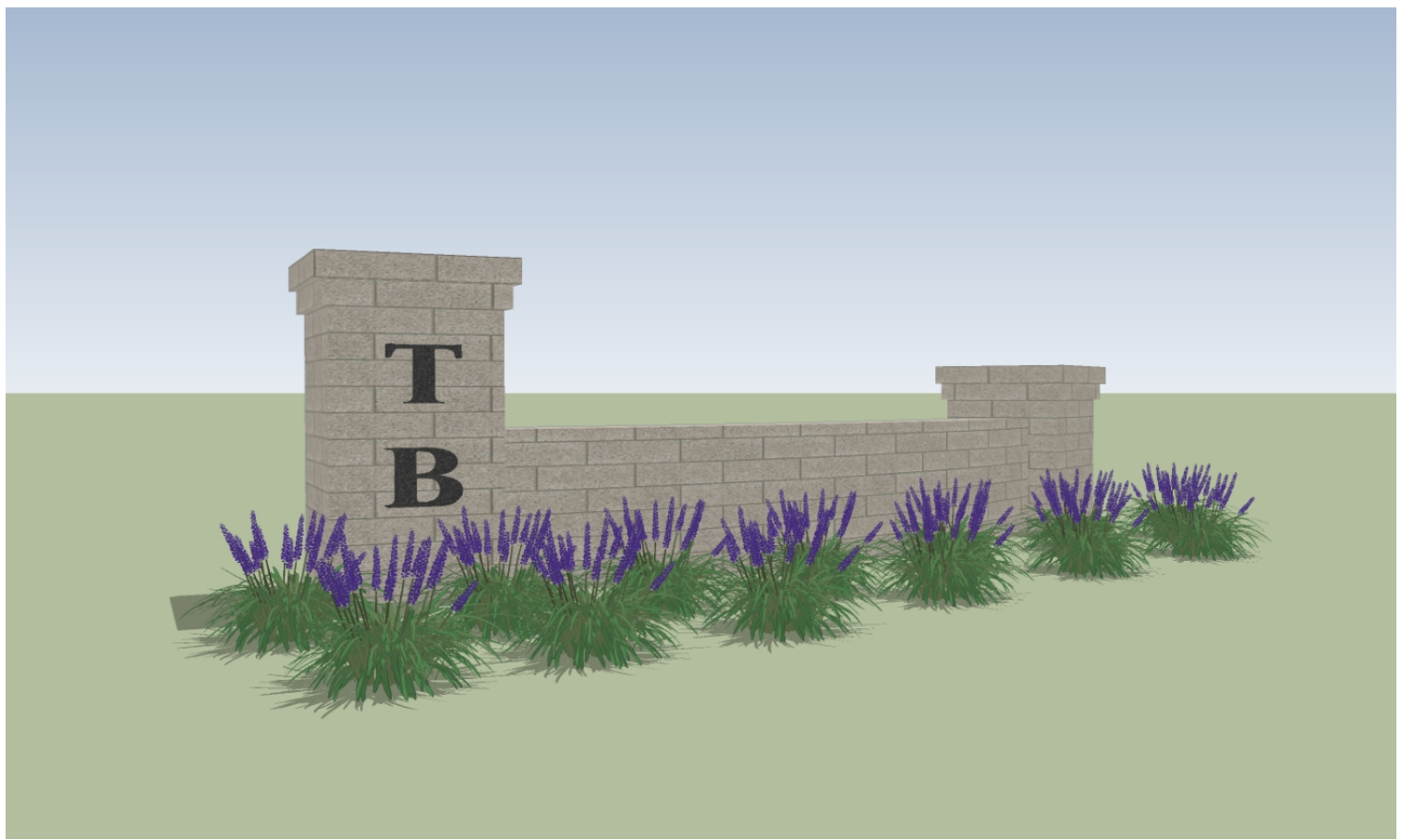
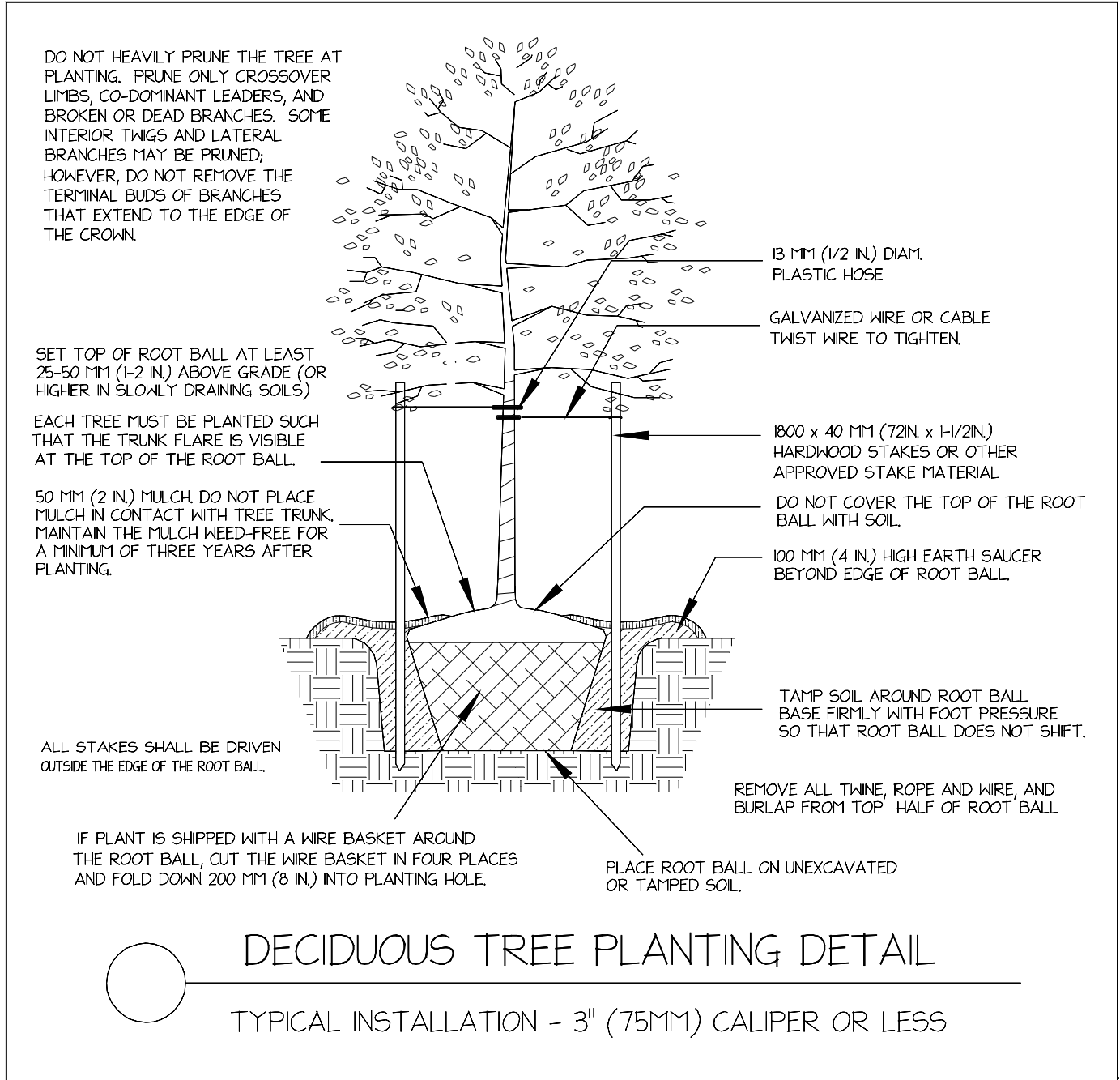
Qty	Botanical Name	Common Name	Size/Condition	Remarks
Trees				
4	Quercus virginiana	SOUTHERN LIVE OAK	7" Caliper 22' Height	
6	Magnolia virginiana	SWEET BAY MAGNOLIA	2.5" Caliper Single Stem	
Palms				
16	Sabal minor	DWARF PALMETTO	7 Gallon 36" Height	
Shrubs				
46	Itea virginica	VIRGINIA SWEETSPIRE	3 Gallon 16" Height	
30	Ilex 'Nellie Stevens'	NELLIE STEVENS HOLLY	2.5" Caliper	
100	Ilex vomitoria 'Nand'	NANA YAUPON HOLLY	3 Gallon 12" Height	
12	Viburnum prunifolium	BLACKHAW VIBURNUM	15 Gallon 48" Height	
11	Hydrangea quercifolia	OAKLEAF HYDRANGEA	3 Gallon 16" Height	
17	Clethra alnifolia	SUMMERSWEET	3 Gallon 12" Height	
18	Callicarpa americana	AMERICAN BEAUTY BERRY	3 Gallon 16" Height	
Ornamental Grasses				
14	Panicum virgatum	SWITCH GRASS	3 Gallon 12" Height	
44	Carex pensylvanica	PENNSYLVANIA SEDGE	1 Gallon Container	
30	Muhlenbergia capillaris	PINK MUHLY GRASS	3 Gallon 12" Height	

FRONT ENTRANCE MONUMENT/PLANTING



GENERAL LANDSCAPE NOTES

TIFWAY 419 BERMUDA SOD TO BE USED IN ALL TURF AREAS
PLANT MATERIAL SHALL MEET OR EXCEED STANDARD NURSERYMANS SPECIFICATIONS
DOWNSIZING OR SUBSTITUTIONS ARE NOT ALLOWED WITHOUT PRIOR APPROVAL
DAMAGED, ROOT BOUND, OR UNHEALTHY APPEARING NON-SPECIMEN MATERIAL SHALL NOT BE ACCEPTED.
THIS PROJECT INCLUDES BUT IS NOT LIMITED TO SITE PREPARATION, FURNISHING OF ALL MATERIAL, LABOR, EQUIPMENT, SOIL AMENDMENTS, ETC REQUIRED FOR COMPLETE LANDSCAPE INSTALLATION.
ALL UTILITIES SHALL BE LOCATED BY CONTRACTOR PRIOR TO CONSTRUCTION
IRRIGATION PROPOSAL SHALL BE PROVIDED BY THE CONTRACTOR AND DESIGNED BY A CERTIFIED IRRIGATION DESIGNER. ALL PLANT MATERIAL SHALL BE DRIP IRRIGATION AND SOD AREAS SPRAY IRRIGATED.
PLANTED AREAS AND DISTURBED NATURAL AREAS SHALL RECEIVE A 3" MINIMUM LAYER OF BROWN HARDWOOD MULCH. DEBRIS SHALL BE REMOVED FROM ALL NATURAL AREAS. WEEDS SHALL BE ERADICATED AND REMOVED FROM ALL NATURAL AREAS. DAMAGED AND DEAD TREE LIMBS SHALL BE REMOVED FROM ALL EXISTING TREES.
EQUIPMENT ACTIVITY, FILL OR ANY DISTURBANCE IN EXISTING TREE ROOTZONE AREAS SHALL BE AVOIDED WHENEVER POSSIBLE.
THIS PLANTING PLAN ILLUSTRATES THE OVERALL DESIGN INTENT BUT MAY REQUIRE PLACEMENT ADJUSTMENTS.
PLANTING PROCEDURES SHALL MEET OR EXCEED THE HIGHEST HORTICULTURAL PRACTICES IN THE LANDSCAPE INDUSTRY. CONTRACTOR IS RESPONSIBLE FOR ASSURING ALL REQUIRED PERMITS, IF ANY ARE IN PLACE PRIOR TO COMMENCING WORK.
THIS PLAN WAS DESIGNED WITH UTMOST CONSIDERATION TO MINIMIZE MAINTENANCE BUT REGULAR MAINTENANCE WILL BE REQUIRED TO PRESERVE THE APPEARANCE AND TO PROMOTE THE PROPER GROWTH OF THE PLANT MATERIAL. THE SCHEDULED MAINTENANCE SHOULD BE PERFORMED BY EXPERIENCED AND KNOWLEDGEABLE LANDSCAPE GARDENERS.



PLANTING DETAILS FOR:

TURTLE BAY NEIGHBORHOOD

SOUTHPORT
NORTH CAROLINA

1

DRAWING #

7/11/24

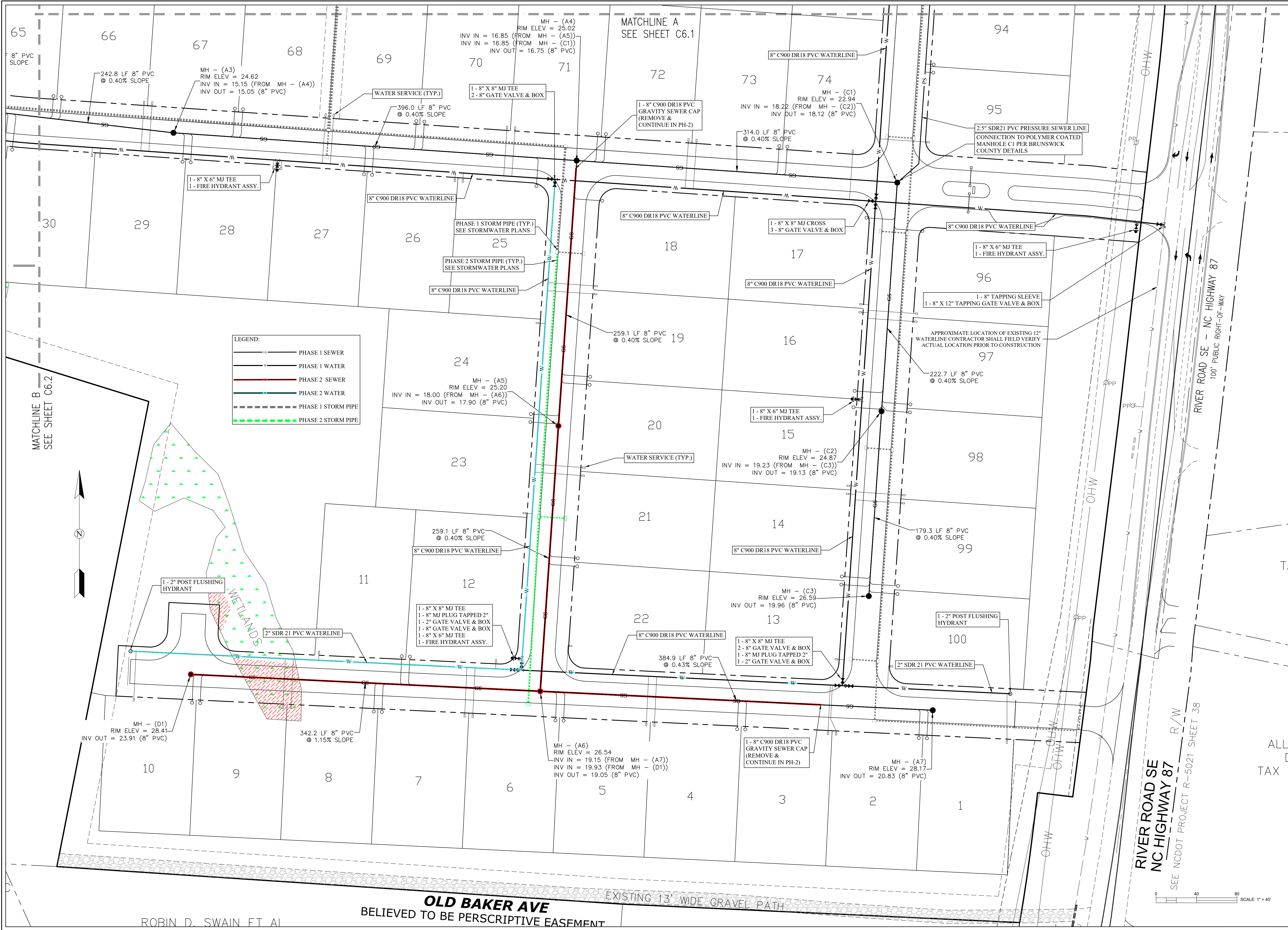
DATE

1"=100'

SCALE



L-2



Revisions

East Coast Engineers, P.C.

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Phone: 910.754.8029
Fax: 910.754.8049
Firm License Number C-3014

UTILITY PLAN
FOR
TURTLE BAY
SOUTHPORT, NORTH CAROLINA

Date: 07-12-2024
Scale: AS SHOWN
Drawn By: MGB
Checked By: JDS

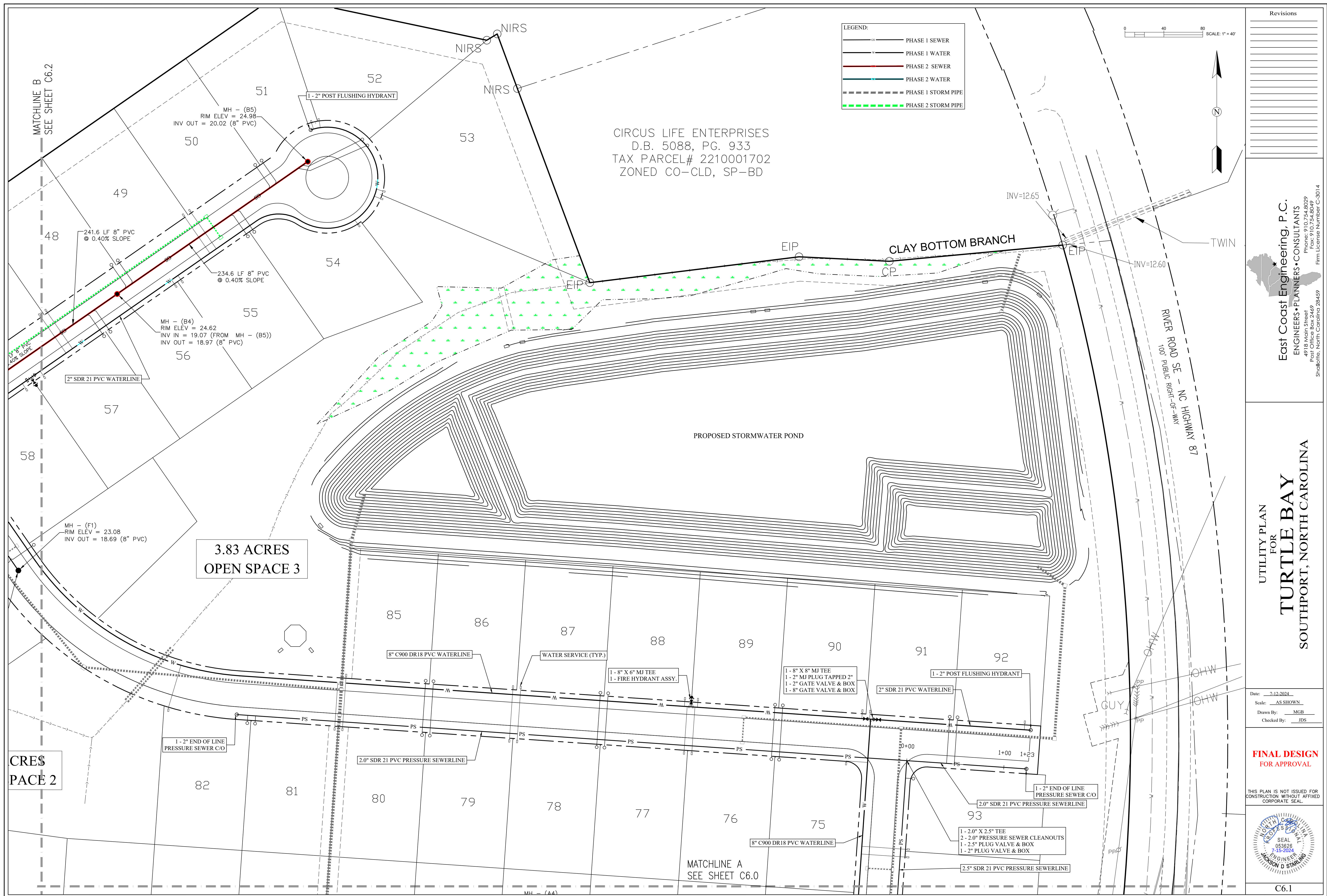
FINAL DESIGN
FOR APPROVAL

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CONSTRUCTION WITHOUT AFFIXED
CORPORATE SEAL

C6.0

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ECE PROJECT NO. 2799Page 74 of 140

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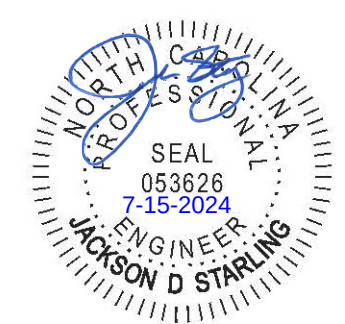
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ENGINEERS • PLANNERS • CONSULTANTS
Phone: 910.754.8029
Fax: 910.754.8049
4918 Main Street
Post Office Box 2469
Raleigh, NC 27602

UTILITY PLAN FOR TURTLE BAY SOUTHPORT, NORTH CAROLINA

Date: 7-12-2024
Scale: AS SHOWN
Drawn By: MGB
Checked By: JDS

FINAL DESIGN
FOR APPROVAL

THIS PLAN IS NOT ISSUED FOR
CONSTRUCTION WITHOUT AFFIXED
CORPORATE SEAL.



C6.1



Revisions

East Coast Engineers, P.C.

ENGINEERS • PLANNERS • CONSULTANTS

4918 Main Street
Shallotte, North Carolina 28459

Phone: 910.754.8029
Fax: 910.754.8049
Firm License Number C-3014

STORMWATER PLAN
FOR
TURTLE BAY
SOUTHPORT, NORTH CAROLINA

DATE: 7-12-2024

SCALE: AS SHOWN

DRAWN BY: MGB

CHECKED BY: JDS

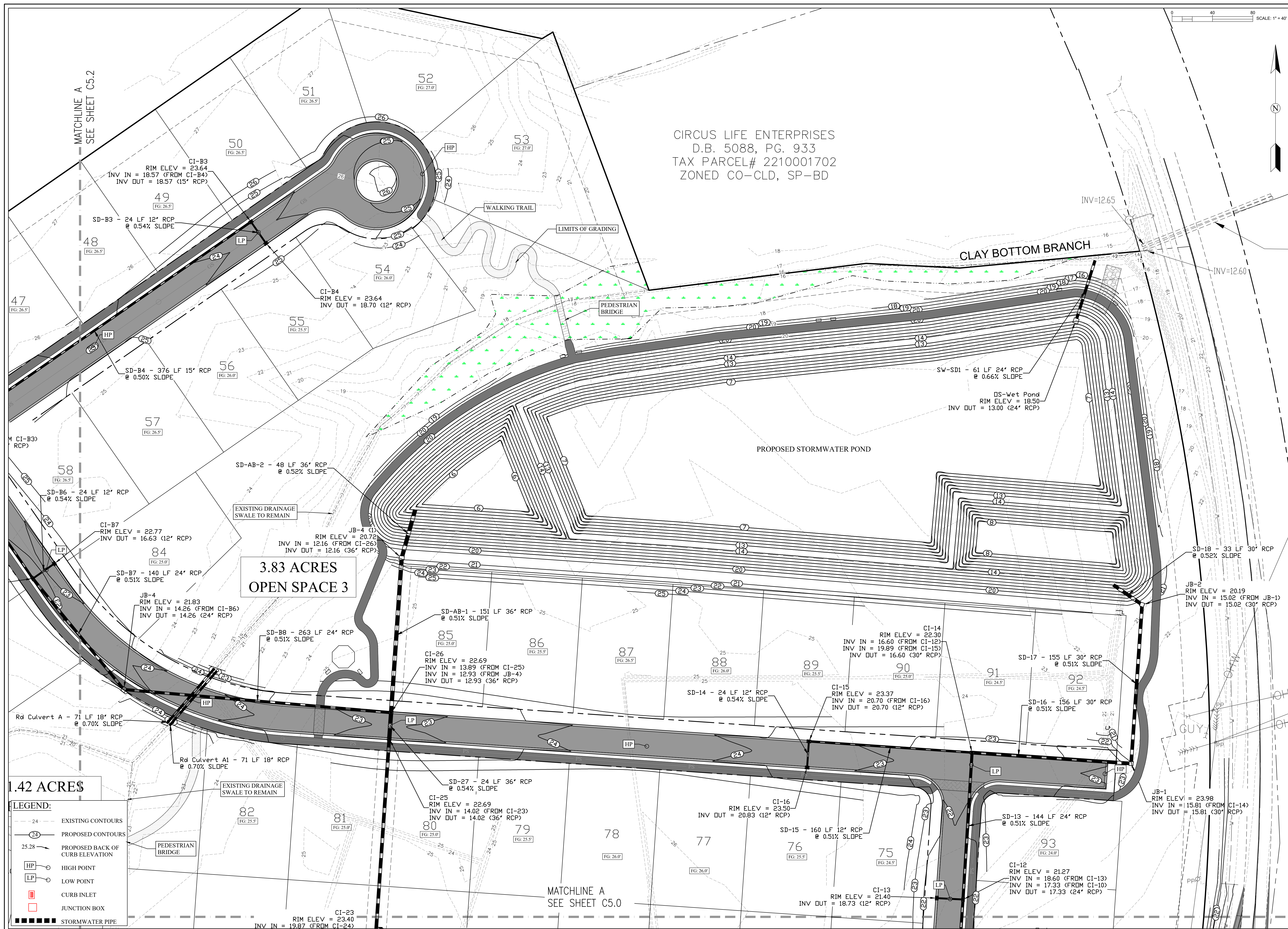
FINAL DESIGN
ISSUED FOR
REVIEW

THIS PLAN IS NOT ISSUED FOR
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CORPORATE SEAL

SEAL
053626
7-15-2024
ENGINEER
JACKSON D STARK

C5.0

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[illegible]

East Coast Engineers, P.C.
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Firm License Number C-3014

STORMWATER PLAN
FOR
TURTLE BAY
SOUTHPORT, NORTH CAROLINA

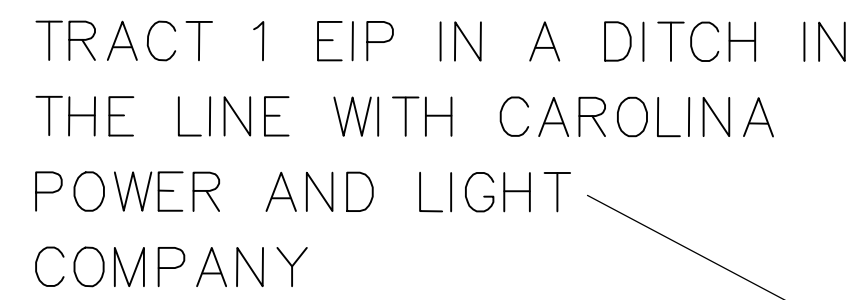
Date: 7-15-2024
Scale: AS SHOWN
Drawn By: MGB
Checked By: JDS

FINAL DESIGN
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C5.1

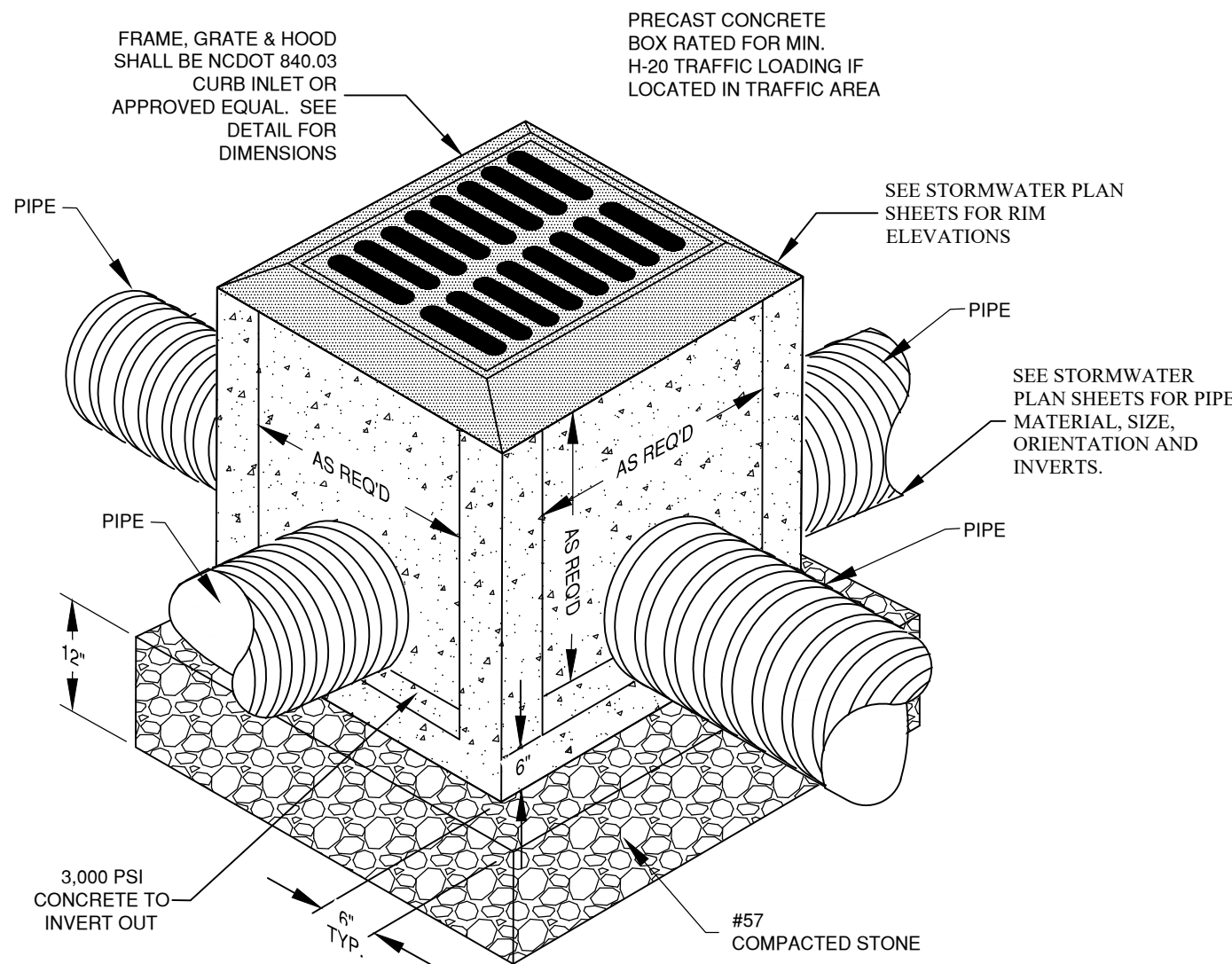


GOLDSTAR BUSINESS SERVICES INC D.B.
4816, PG. 1040
TAX PARCEL# 2210002601
ZONED SP-HC MATCH

MATCHLINE C5.0
SEE THIS SHEET

STORMWATER PLAN FOR TURTLE BAY SOUTHPORT, NORTH CAROLINA

5.2



NOTES:

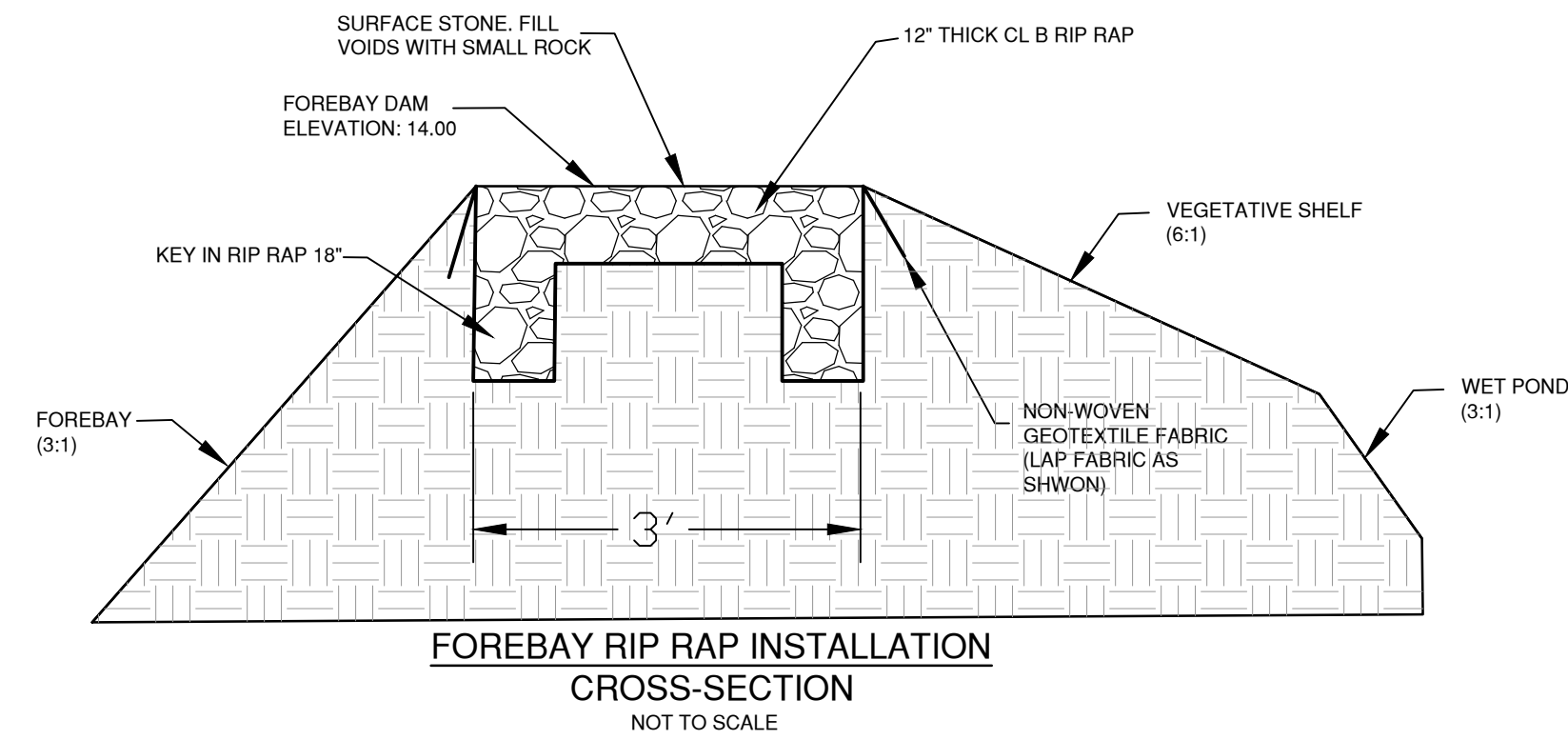
1. VIGOROUS STAND OF PERMANENT GRASS COVER SHALL BE ESTABLISHED AS SOON AS POSSIBLE ALONG THE BANKS OF SWALES AND DISTURBED AREAS. WHERE SWALE BANKS CANNOT BE ADEQUATELY STABILIZED WITH VEGETATION, AN ARTIFICIAL LINER SUCH AS RIP-RAP OR MATTING SHALL BE USED TO PROTECT BANKS.
2. WHERE SLOPE OF CHANNEL BOTTOM EXCEEDS 1.5%, EXCELSIOR MATTING OR OTHER EFFECTIVE CHANNEL LINING MATERIAL SHALL BE USED.

GRASS 'V' SWALE

NOT TO SCALE

The technical drawings illustrate the construction of a riprap structure. The **ISOMETRIC VIEW** shows a trapezoidal structure with a **FLARED END-SECTION** on the left, a **RIPRAP (CLASS A)** core, and a **FILTER FABRIC** lining the right and bottom slopes. The **PLAN VIEW** shows the top-down layout of the riprap, with a note stating: "STONE SHALL BE WELL-GRADED FIELD OR QUARRY STONE". It includes dimensions for height (**A**) and width (**W**). The **SECTION A-A** shows a cross-section of the structure, with a **12"** base layer, a **12'** height, a length **L**, and a **FLOW** direction indicated by an arrow. A **FILTER FABRIC** is shown at the base of the structure.

OUTLET PROTECTION TABLE				
SEDIMENT BASIN ID	LENGTH L (FT)	WIDTH W (FT)	MEDIAN STONE (D50) IN	MAX STONE (D) IN
POND OUTLET	10	6	8	12



FOREBAY DAM WEIR ELEVATION: 13.00
(TIE RIP RAP FROM FOREBAY PP TO MAIN POND PP)

FOREBAY DAM ELEVATION: 14.00

POND SIDE SLOPES
(3:1)

NON-WOVEN
GEOTEXTILE FABRIC
(LAP FABRIC AS
SHOWN)

FOREBAY RIP RAP INSTALLATION
SECTION VIEW
NOT TO SCALE



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: September 12, 2024

DEPARTMENT: Public Information/Administration

PRESENTED BY: ChyAnn Ketchum, Public Information Officer

ITEM SPONSORED BY:

ITEM/TOPIC: Introducing TextMyGov Messaging System

COST: n/a

BUDGET LINE ITEM: n/a

JUSTIFICATION: We are implementing a new text messaging service that not only allows for us to send out general and emergency alert text messages but also allows residents to text us with questions and/or concerns and receive a quick answer, usually with directions to a page on the City of Southport website.

IMPACT IF NOT APPROVED: n/a

DEPARTMENT HEAD COMMENTS: I would like to do a brief introduction to the TextMyGov system so that the Board of Aldermen and the public is educated on the new service. The TextMyGov service is already in use but will replace CodeRED by December.

CITY MANAGER COMMENTS: This system streamlines communication with citizens, allowing us to solve problems faster and pursue ideas for further investigation.

ATTACHMENTS: I have attached two graphics that have been shared on the City of Southport website and will continued to be shared on our social media channels.

REQUESTED ACTION: Please encourage residents to opt-in for the TextMyGov system. If there are additional questions, please contact Public Information Officer ChyAnn Ketchum and she will address them.

PROPOSED MOTION: No motion needed.

Text **"SOUTHPORT"** to **91896**
and reply **"YES"** to opt-in for City
of Southport messages and alerts.

Newsletter | Weather Alerts | Emergency Notifications | and more!

91896



NOTIFICATIONS

Reply YES to verify opt-in.

YES



TextMyGov

Opt-in to receive

Text Alerts!



Road Damage

What is the nearest address?

123 W. Elm Street.

Add notes or upload a picture. If none, text NONE



TextMyGov

Text **(910) 713-1250** to ask questions or report concerns to the City of Southport.

Potholes | Events | Trash Pickup | Agendas | and more!





BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: September 12,
2024

DEPARTMENT: Community Relations

PRESENTED BY: Julie Mercer, Up Your Arts (via letter)

ITEM SPONSORED BY: Up Your Arts

ITEM/TOPIC: Pole Banners

COST: \$2,000

BUDGET LINE ITEM: General Fund

JUSTIFICATION: The City of Southport has supported the Up Your Arts - Pole Banner Project over the past two years, contributing by purchasing the necessary hardware. With the hardware costs now covered, there is no designated budget line item for this ongoing project. Downtown Southport Inc., which has participated financially in previous years, will not be contributing this year, creating a funding gap. Up Your Arts has requested that the city fill this gap to ensure the project's continuation.

IMPACT IF NOT APPROVED: If funding is not approved, the number of banners displayed will be reduced from 28 to 14, significantly limiting the project's visual impact and reducing the opportunity for local artists to showcase their work.

DEPARTMENT HEAD COMMENTS: This program is a fantastic initiative that enriches our community by promoting the arts. I fully support its continuation. Had I been aware of the funding deficit earlier, I would have included it in my budget request for FY 24-25. If the Board approves this funding, I will ensure that the Pole Banner Project is included in future budget planning on a continuous basis.

CITY MANAGER COMMENTS: I concur with the Department Head that we should continue our support for the Arts Council on this project.

ATTACHMENTS: Letter from Julie Mercer, Up Your Arts

REQUESTED ACTION: Board vote on whether to approve the allocation of \$2,000 from the General Fund to support the Up Your Arts - Pole Banner Project.

PROPOSED MOTION:

Southport Board of Aldermen
Southport City Hall
1029 N. Howe Street
Southport, NC 28461



Dear Board of Aldermen,

Over the past two years, the Up Your Arts - Pole Banner Project has blossomed and has become a visual celebration of Southport's incredible local talent and vibrant arts scene. This is largely due to the city's partnership with Up Your Arts making the project possible, and we are thrilled to continue partnering with the city for the 2025 Pole Banner Project.

Below is information on the project and our funding request for the Third Annual 2025 project.

Project Overview:

- Project Name: Up Your Arts - Pole Banner Project
- Objective: The project's goal is to highlight Southport as an arts destination, elevate the visibility of local artists, and enhance the visual appeal of downtown streets.
- Duration: Banner submissions will be received in the Fall of 2024. The winning banners will be hung in downtown Southport beginning in May of 2025 and the banners will be on display until late October, when they will be gifted to each participant.

Funding Request:

- Total Amount Requested: \$2,000 (Total costs to print the banners in 2024 was \$4,115.21)

Impact and Benefits:

- Southport gains a captivating display of incredible local talent.
- The Pole Banner Project increases the visibility of the arts community in the greater Southport area.
- It offers local artists and artisans an incredible opportunity to display their talent on a visible public platform.
- The display shows the city's continual support of the fine arts.
- The City's logo is displayed on each banner.
- Last year the number of banners was doubled from 12 banners to 24, creating higher visibility for the project.
- Due to the limited number of poles and the ability for the city to display the Christmas wreaths, we are capping the number of banners at 24.

Additional Information:

- Last year there was a 3rd partner in funding the project, DSI. Unfortunately, they will not be participating this year. Thus we are requesting a higher amount for the 2025 project.
- The city paid for the mounting brackets two years in a row, which they will not need to pay for in 2025.
- Up Your Arts is seeking local sponsors to help defray the costs of the banners as well. Last year there were 11 sponsors (both corporate and individual) and UYA is looking to meet or exceed that number this year.

Thank you for your consideration of this request. Up Your Arts stands strong in its commitment to support and enhance the creative and performing arts throughout the greater Southport area. The Pole Banner Project is one of the perfect representations of this commitment. We are grateful to be a part of this community, and to once again partner with the city to bring this beautiful project to life. Should you have any questions or needs for additional information please reach out.

Sincerely,

Up Your Arts
P.O. Box 11326
Southport, NC 28461

Debra McLendon
Public Art Committee Chair
dmclendon@upyourarts.org

Julie Mercer
Executive Director
jmercer@upyourarts.org



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DATE: 09/12/2024

DEPARTMENT: Admin

PRESENTED BY: Noah Saldo City Clerk

ITEM SPONSORED BY: Administration

ITEM/TOPIC: Boards and Committees Ordinance update

COST: n/a

BUDGET LINE ITEM: n/a

JUSTIFICATION: Several of the City's Boards and committees require representation from the ETJ. Because the City no longer has zoning jurisdiction over the ETJ, the need for ETJ representation has changed. The affected Board and committee members were notified at the end of June/early July and given the option to continue to serve for the remainder of the time or stop serving upon receipt of the letter.

Now, the Board of Aldermen must decide how to proceed with amending the ordinances of the Boards and Committees.

The first proposed ordinance amends the Planning Board and Board of Adjustment ordinance. The proposed ordinance would increase the number of Planning Board and Board of Adjustment members to seven (7) and one (1) alternate position all would be in City residents. This change would allow for increased representation with the loss of the ETJ.

The second proposed ordinance amends the language for the Forestry and Parks and Recreation committees. It would remove the ETJ language and allow only inside City members.

At your last meeting, you exempted the Cemetery and Beautification committees from the requirement that only City residents be allowed to serve as voting members. After further review, I recommend that you leave the Cemetery and Beautification committee ordinance as it is. These committees do not make policy decisions that would affect the City; rather, they are work groups that give their time to the City.

IMPACT IF NOT APPROVED: Most of the Boards/Committees will have fewer members, and the positions will be vacant. Sometimes, there might not be enough members to have a quorum.

CITY MANAGER COMMENTS: I concur, particularly that the Beautification and Cemetery committees should not distinguish between residents and non-residents for the reasons outlined.

ATTACHMENTS: Draft ordinances for consideration, committee recommendation chart.

REQUESTED ACTION: Motion to adopt the proposed ordinance amending chapter 13 of the Southport code of ordinances. Further to adopt the proposed ordinance amending chapter 2 of the Southport code of ordinances.

Committee/Board	Current Member Requirement	Staff Recommendation
Planning Board	(5) Full In-City positions (2) Full ETJ positions (1) Alternate In-City position (1) Alternate ETJ position	(7) Full In-City positions (1) Alternate in City position
Board of Adjustment	(5) Full In-City positions (2) Full ETJ positions (1) Alternate In-City position (1) Alternate ETJ position	(7) Full In-City positions (1) Alternate In-City position
Forestry Committee	(7) Full positions made up of In-City OR ETJ residents (2) Alternate positions	(7) Full positions: In-City residents (2) Alternate positions-In City position
Parks and Recreation Board	(6) In-City resident positions total (3) Ward 1 (3) Ward 2 (1) ETJ resident position	(6) In-City resident positions (3) Ward 1 (3) Ward 2 (1) At-large In-City position
Historic Preservation Commission	(7) Full In-City positions (2) Alternate City positions	No changes are proposed.
Cemetery Committee	(7) Full positions: (1) Beautification (1) Historical Society (1) John N. Smith Cemetery Restoration and Preservation, Inc. (4) at-large members	No changes are proposed.
Beautification	(9) total members (6) In-City resident positions (3) greater zip code resident positions	No changes are proposed.
ABC Board	(5) at large members	No changes are proposed.

AN ORDINANCE AMENDING CHAPTER 13. OF THE SOUTHPORT CODE OF ORDINANCES AS IT PERTAINS TO THE PLANNING BOARD AND BOARD OF ADJUSTMENT

BE IT ORDAINED, by the Board of Aldermen of the City of Southport that Chapter 13, of the Code of Ordinances entitled “PLANNING” is hereby amended to remove, replace, and add the following:

CHAPTER 13. PLANNING

ARTICLE II. PLANNING BOARD

Sec. 13-26. Membership and vacancies. (revised section)

The Planning Board shall consist of seven (7) members and one (1) alternate member. Seven (7) members and one (1) alternate member shall be citizens and residents of the City and shall be appointed by the Board of Aldermen. Alternate members shall not be entitled to vote on matters before the Planning Board except when a regular Planning Board member is absent from a duly called meeting. In that situation, the city alternate shall serve as a regular city member. They shall have the same privileges as the regular members and may count for quorum purposes and vote as if the absent member is a city member. All members appointed to the Planning Board shall, before entering their duties, qualify by taking an oath of office as required by G.S. § 160D-309.

All Planning Board members shall serve a term of three years. The terms are staggered and run from July through June of the third year. (Refer to Table A at the end of this section for the term expiration dates). The Mayor shall appoint up to two (2) Aldermen to the Planning Board to act as a liaison(s) between the Planning Board and the Board of Aldermen.

Open positions on the Planning Board will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by April 30th. All applicants will be interviewed by the Chair, and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants. . In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the Board shall submit his/her resignation in writing to the City Clerk. Applications for the open position shall then be accepted by the City Clerk for a period of fourteen (14) days following the resignation, to serve on the Board for the remainder of the term. After the fourteen (14) days, the Chair, Vice Chair, and liaison will interview all applicants, and will make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

Faithful attendance at the meetings of the Planning Board is considered a prerequisite for the maintenance of membership on the Board. A vacancy shall exist on the Board if a member is absent from twenty-five (25) percent or more of the Board's meetings within a twelve (12) month period of time and said vacancy may be declared and filled by the Board of Aldermen.

The Officers of the Planning Board shall be the Chair and Vice Chair. Officers shall be nominated by the Planning Board during the first meeting of the new term (July), or within sixty (60) days after a mid-term vacancy.

Table A. Scheduled Staggered Term Expirations

	JUNE	2023	2024	2025	2026	2027
CITY	FULL # to exp			3	2	2
	ALT # to exp					1

(terms 3-years to expire in in June of the third year)

Sec. 13-27 through 13-37 are unchanged.

ARTICLE III. BOARD OF ADJUSTMENT (new article)

Sec. 13-31. Membership and vacancies.

The Board of Adjustment shall consist of seven (7) members and one (1) alternate member. Seven (7) members and one (1) alternate member shall be citizens and residents of the city and shall be appointed by the Board of Aldermen. Alternate members shall not be entitled to vote on matters before the Board of Adjustment except when a regular Board of Adjustment member is absent from a duly called meeting. They shall have the same privileges as the regular members and may count for quorum purposes and vote. All members appointed to the Board of Adjustment shall, before entering their duties, qualify by taking an oath of office as required by G.S. § 160D-309.

All members shall serve a term of three years. The terms are staggered and run from July through June of the third year. (Refer to Table A at the end of this section for the initial term expirations dates). The Mayor shall appoint an Alderman(s) to act as a liaison(s) between the Board of Adjustment and the Board of Aldermen.

Open positions on the Board of Adjustment will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by April 30th. All applicants will be interviewed by the Chair, Vice Chair, and Board liaison, who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the Board of Adjustment shall submit his/her resignation in writing to the City Clerk. Applications for the open position shall then be accepted by the City Clerk for a period of fourteen (14) days following the resignation, to serve on the Board for the remainder of the term. After the fourteen (14) days, the Chair, Vice Chair, and liaison will interview all applicants, and will make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

Faithful attendance of the meetings of the Board is considered a prerequisite for the maintenance of membership on the Board. A vacancy shall exist on the Board if a member is absent from twenty-five (25) percent or more of the Board's meetings within a twelve (12) month period of time and said vacancy may be declared and filled by the Board of Aldermen.

The Officers of the Board of Adjustment shall be the Chair and Vice Chair. Officers shall be nominated each July when the new terms begin, or within sixty (60) days of a mid-term vacancy of an officer.

Table A. Scheduled Staggered Term Expirations

	JUNE	2023	2024	2025	2026	2027
CITY	FULL # to expire			2	4	1
	ALT # to expire					1

(terms 3-years to expire in June of the third year)

Sec. 13-32. Organization, rules, meetings, records.

Within thirty (30) days after appointment, the Board of Adjustment shall meet and elect its Officers. Other Officer positions may be created as needed. The Board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and of its findings, conditions imposed and recommendations, which record shall be a public record. The Board shall hold meetings as needed on a monthly basis. The regular meetings shall take place on the fourth Tuesday of each month, and the meetings shall be open to the public. There shall be a quorum of four (4) members for the purpose of taking any official action required by this article.

Sec. 13-33. General powers and duties.

It shall be the duty of the Board of Adjustment, in general, to:

1. Decide whether variances from the requirements of the Unified Development Ordinance should be granted.
2. Hear, review, and decide appeals from any final order, final decision of this ordinance, or official determination made by the UDO Administrator. Administratively review appeals from interpretation and enforcement of the UDO by an official.
3. Hear and decide applications for Special Use Permits, as specified in the UDO.
4. Pass upon, decide, or determine such other matters as may be required by the UDO.

Sec. 13-34. Quasi-Judicial Decisions

The Board of Adjustment shall make decisions based on the competent, material, and substantial evidence submitted into the record and subject to the procedures of G.S. § 160D-406. Each quasi-judicial decision shall be put into writing and signed by the Chairman. The quasi-judicial decision is effective upon filing the final written decision with the Clerk to the Board of Adjustment. The decision shall be delivered to the applicant or other parties of interest by personal delivery, electronic mail, or first-class mail. When first-class mail is used, an additional three (3) days shall be added to the time. The final decision of the Board of Adjustment is subject to an appeal process with the superior courts by filing a petition for writ of certiorari pursuant to G.S. § 160D-1402. All appeals shall be filed with the clerk of superior court within

thirty (30) days after the Board of Adjustment’s decision is filed with the Clerk to the Board or delivered to the applicant, whichever is later.

Sec. 13-29. Conflict of Interest.

Pursuant to G.S. § 160D-109(d), a member of the Board of Adjustment shall not participate in or vote on any quasi-judicial matter in a manner that would violate an affected persons’ constitutional right to an impartial decision maker. Impermissible conflicts include, but are not limited to, a member having a fixed opinion prior to hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. If an objection is raised to a member’s participation and that member does not recuse himself or herself, the remaining members shall by majority vote on the objection. Vacant positions and Board members who are disqualified from voting shall not be considered “members of the board” for calculation of the requisite majority if there are no qualified alternates available to take the place of such members. In addition, members of the Board of Adjustment shall not engage in any ex parte communications with the applicant(s), or any other involved party.

Sec. 13-31. Zoning ordinance.

The Board of Adjustment may initiate, from time to time, proposals for amendment of the zoning ordinance, based upon its studies and review of the UDO.

NOW, THEREFORE, BE IT ORDAINED by the City of Southport Board of Aldermen that the proposed Code of Ordinances amendment of Chapter 13: Planning is hereby adopted and shall become effective immediately. All provisions of any City ordinance or resolution in conflict with this Ordinance are hereby repealed.

The foregoing Ordinance, having been submitted to a vote, received the following vote and was duly adopted this the 12th day of September 2024.

Ayes: _____

Noes: _____

Absent or Excused: _____

Rebecca Kelley
Mayor Pro-Tem

Noah Saldo, City Clerk

**AN ORDINANCE AMENDING CHAPTER 2. OF THE SOUTHPORT CODE OF
ORDINANCES AS IT PERTAINS TO *BOARDS, COMMITTEES AND
COMMISSIONS***

BE IT ORDAINED, by the Board of Aldermen of the City of Southport that Chapter 2 Article IV, of the Code of Ordinances entitled “**BOARDS, COMMITTEES AND COMMISSIONS**” is hereby amended to remove, replace, and add the following:

PART II - CODE OF ORDINANCES

Chapter 2 - ADMINISTRATION

ARTICLE IV. BOARDS, COMMITTEES AND COMMISSIONS

ARTICLE IV. BOARDS, COMMITTEES AND COMMISSIONS

DIVISION 1. PARKS AND RECREATION COMMITTEE¹

Sec. 2-161. Creation and purpose.

That there is hereby created a committee to be known as the Parks and Recreation Committee of Southport. The parks and recreation committee shall advise on matters pertaining to Southport's parks and recreation facilities and programs. The committee shall work with the parks and recreation director to recommend new rules and policies that provide guidance governing the operation and appropriate conduct by the public at the city's recreation facilities including public parks, playgrounds, athletic fields, and gymnasiums.

(Ord. of 5-11-23(1))

Sec. 2-162. Membership and term.

Membership in the parks and recreation committee shall consist of six (7) residents from within the city limits, six (6) city members shall be composed of three (3) members from Ward 1, three (3) members from Ward 2, and one at large member from within the city limits the Mayor shall appoint an alderman(s) to the committee to act as a liaison(s) between the parks and recreation committee and the Board of Aldermen. The liaison(s) shall be entitled to all privileges except making a motion, voting, and holding office. The parks and recreation director shall attend all meetings of the parks and recreation committee and serve as the city staff liaison. In the absence of the director, the assistant director shall attend the meeting.

Open positions on the committee will be advertised by the city in the spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the city clerk by April 30. All new applicants will be interviewed by the chair, vice chair, and board of aldermen liaison(s), who will recommend the best candidate(s) to the board of aldermen at the next regular June meeting. The board of aldermen will appoint the member(s) from the pool of all prospective applicants. In the event that the chair or vice chair is being interviewed for another term, the mayor shall serve on the interview committee. If the mayor is unavailable, the mayor pro tem shall serve on the interview committee. The committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the parks and recreation committee shall submit his/her resignation in writing to the secretary. Applications will then be accepted by the city clerk for a period of fourteen (14) days following the resignation, to serve on the committee for the remainder of the term. After the fourteen (14) days, the chair and board liaison(s) will conduct interviews and make a recommendation to the board of aldermen at the next regular board of aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30 in the third year, and terms are staggered to maintain continuity in the committee. Parks and recreation committee members shall serve without compensation. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

	JUNE	2023	2024	2025	2026
CITY	Ward 1		1		
	Ward 1		1		
	Ward 1		1		
	Ward 2			1	
	Ward 2			1	
	Ward 2			1	
<u>At Large Member</u>				1	

(terms 3-years to expire in June of the third year)

(Ord. of 5-11-23(1))

Sec. 2-163. Officers and duties.

The recreation committee shall appoint from its membership a chair, vice chair, secretary, and such other officers as it may deem necessary for the orderly procedure of its business. Officers will be nominated by the committee each year during the first meeting of the term (July), or within sixty (60) days after a mid-term vacancy of an officer. The committee may adopt by-laws, rules and regulations governing its procedure not inconsistent with the provisions of the state laws.

The duties for each position are as follows:

- (1) The chair shall preside over all meetings, sign all official papers, appoint sub-committees, and call special meetings when necessary.
- (2) The vice chair shall serve in the absence of the chair.
- (3) The secretary shall take the minutes of all meetings.
- (4) The parks and recreation director shall submit a report of all activities and administration at each regular meeting.

(Ord. of 5-11-23(1))

Sec. 2-164. Meetings and authority.

The regular meeting of the committee shall be held on the second Tuesday of each month. Special meetings shall be called by the chair. The purpose of the special meeting shall be stated in the notice and given at least forty-eight (48) hours in advance of the meeting date.

Acceptance of an appointment to this committee signifies an obligation of the appointee. It is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a member misses three (3) regular meetings without a reasonable explanation, the committee shall request the resignation of said member.

More than half of all appointed members of the committee shall constitute a quorum for the purposes of conducting official meetings. At the discretion of the chair, a meeting may proceed with less than a quorum in order to conduct routine matters.

After determining a quorum is present, the meetings shall include the following:

- (1) Call to order by the chair.
- (2) Approval of minutes of previous meeting.

(3) Report from parks and recreation director and any special committees.

(4) Old business.

(5) New business.

(6) Adjournment.

(Ord. of 5-11-23(1))

Sec. 2-165. Responsibilities.

The parks and recreation committee shall help provide, maintain, promote, and generally advise the parks, playgrounds, athletic fields, and recreational centers owned or controlled by the city.

(Ord. of 5-11-23(1))

Sec. 2-166. Amendments

The parks and recreation committee may amend their by-laws at any regular meeting of the committee by a simple majority vote, provided the amendment was submitted in writing at a previous meeting.

(Ord. of 5-11-23(1))

Secs. 2-167—2-174. Reserved.

DIVISION 2. BEAUTIFICATION COMMITTEE²

Sec. 2-175. Purpose.

The purpose of the beautification committee shall be to review and recommend action on public beautification projects, in general, and to maintain specific public areas exclusively, including weeding, planting, mulching, pruning, and, in some cases painting and staining.

(Ord. of 5-11-23(1))

Sec. 2-176. Membership and term.

Membership of the beautification committee will be limited to nine (9) full members appointed by the board of aldermen. All members shall be residents of the greater Southport area, as designated by the zip code 28461. A minimum of six (6) members shall live within the legal city limits. The mayor shall appoint an alderman(s) to the

committee to act as a liaison(s) between the beautification committee and the board of aldermen. The liaison(s) will be entitled to all privileges except making a motion, voting, and holding office. There will also be a city staff liaison assigned by the city manager to support the committee.

Open positions on the committee will be advertised by the city in the spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the city clerk by April 30. All new applicants will be interviewed by the chair, vice chair, and board of aldermen liaison(s), who will recommend the best candidate(s) to the board of aldermen at the next regular June meeting. The board of aldermen will appoint the member(s) from the pool of all prospective applicants. In the event that the chair or vice chair is being interviewed for another term, the mayor shall serve on the interview committee. If the mayor is unavailable, the mayor pro tem shall serve on the interview committee. The committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the beautification committee shall submit his/her resignation in writing to the secretary. Applications will then be accepted by the city clerk for a period of fourteen (14) days following the resignation, to serve on the committee for the remainder of the term. After the fourteen (14) days, the chair, vice chair, and board liaison(s) will conduct interviews and make a recommendation to the board of aldermen at the next regular board of aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30 in the third year, and terms are staggered to maintain continuity in the committee. Beautification committee members shall serve without compensation. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

June	2023	2024	2025	2026
City Resident (6+)	4		1	
Other Members (3)			3	

(terms 3-years to expire in June of the third year)

(Ord. of 5-11-23(1))

Sec. 2-177. Officers and duties.

The officers of the committee shall be chair, vice chair, secretary and treasurer. Officers will be nominated by the committee during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.

The duties for each position are as follows:

- (1) The chair shall issue an agenda prior to each meeting, shall preside over all meetings, sign all official papers, call special meetings as necessary, approve all expense reimbursements in advance of individual outlay, and perform all such duties usually bestowed upon a chairman.
- (2) The vice chair shall serve in the absence of the chair.
- (3) The secretary shall maintain and publish complete minutes of each meeting, be responsible for all committee correspondence, and keep and maintain a membership attendance record.
- (4) The treasurer shall maintain and publish a financial report at each meeting, which keeps track of expenses incurred and budgeted funds remaining to spend and be responsible for submitting check requests to the city finance director for individual reimbursement of approved expenses incurred.

(Ord. of 5-11-23(1))

Sec. 2-178. Meetings and authority.

The regular meeting of the committee shall be held on the third (3rd) Monday of each month. Special meetings shall be called by the chair. The purpose of the special meeting shall be stated in the notice and given at least forty-eight (48) hours in advance of the meeting date.

Acceptance of an appointment to this committee signifies an obligation of the appointee. It is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a member misses three (3) regular meetings without a reasonable explanation, the committee shall request the resignation of said member.

More than half of all appointed members of the committee shall constitute a quorum. At the discretion of the chair, a meeting may proceed with less than a quorum in order to conduct routine matters.

After determining a quorum is present, the meetings shall include the following:

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(Supp. No. 12)

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- (1) Call to order by the chair.
 - (2) Approval of minutes of previous meeting.
 - (3) Report of standing or special committees.
 - (4) Old business.
 - (5) New business.
 - (6) Adjournment.

(Ord. of 5-11-23(1))

Sec. 2-179. Amendments.

The beautification committee may amend their by-laws at any regular meeting of the committee by a simple majority vote, provided the amendment was submitted in writing at a previous meeting.

(Ord. of 5-11-23(1))

Secs. 2-180—2-191. Reserved.

DIVISION 3. HISTORIC PRESERVATION COMMISSION

Sec. 2-192. Creation and appointment.

There is hereby created, pursuant to G.S. 160D-303, a historic preservation commission, hereafter referred to as the "commission." The commission shall consist of seven (7) full members and two (2) alternate members, who shall be appointed by the board of aldermen. All members appointed to the commission shall, before entering their duties, qualify by taking an oath of office as required by G.S. 160D-309. Initially appointed terms shall be staggered so that two (2) members serve a one-year term, three (3) members serve a two-year term, and two (2) members serve a three-year term. Thereafter, the board of aldermen shall appoint members to terms of three (3) years. (Refer to Table A below for the initial term expiration dates).

Table A. Scheduled Staggered Term Expirations

June	2023	2024	2025	2026
Full Members		2	3	2
Alternates				2

(all terms become 3-year after the original term expires)

Open positions on the commission will be advertised by the city in the spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the city clerk by April 30. All new applicants will be interviewed by the chair, vice chair and board of aldermen liaison(s), who will recommend the best candidate(s) to the board of aldermen at the next regular June meeting. The board of aldermen will appoint the member(s) from the pool of all prospective applicants. In the event that the chair or vice chair is being interviewed for another term, the mayor shall serve on the interview committee. If the mayor is unavailable, the mayor pro tem shall serve on the interview committee. The commission will strive to have the same interview committee for every interview.

Any member desiring to resign from the commission shall submit his/her resignation in writing to the secretary. Applications will then be accepted by the city clerk for a period of fourteen (14) days following the resignation, to serve on the commission for the remainder of the term. After the fourteen (14) days, the chair, vice chair and board liaison(s) will conduct interviews and make a recommendation to the board of aldermen at the next regular board of aldermen meeting.

Alternate members shall not be entitled to vote on matters before the historic preservation commission except when a full member is absent from a duly called meeting and is specifically indicated by a majority of regular members. All full and alternate members of the historic preservation commission must be residents within the corporate limits of the city.

The mayor shall appoint an alderman(s) to the committee to act as a liaison(s) between the historic preservation commission and the board of aldermen. The liaison is not a voting member but can observe and discuss ongoing reviews. At least one (1) member of the city's planning department staff will be assigned to serve as administrator to ensure and facilitate enforcement of the provisions of this division.

(Ord. of 9-8-22(1) ; Ord. of 5-11-23(1))

Sec. 2-193. Qualification of members.

A majority of the members of the commission shall have demonstrated education, experience, special interest, or a combination thereof, in historic preservation, history, architecture, architectural history, archaeology, cultural anthropology, planning, or related field.

(Ord. of 9-8-22(1) ; Ord. of 5-11-23(1))

Sec. 2-194. Rules of procedure.

(a) The commission shall adopt rules of procedure necessary to the conduct of its affairs and in keeping with the provisions of this division. The rules of procedure shall provide for at least the following:

(1) Selection of commission officers.

a. The officers of the commission shall be chair, and vice chair. Officers will be nominated by the historic preservation commission during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.

(2) Time and place of regular meetings and calling of special meetings.

(3) Procedure for conduct of public hearings.

(4) Keeping of minutes and commission records.

(5) Conduct of voting.

(6) Conflicts of interest policy.

(7) Attendance policy.

(8) Forms to be used in applying for certificates of appropriateness.

(9) Sufficient project information to make sound determinations regarding applications for certificates of appropriateness.

(10) List of minor work for which the city staff may issue certificates of appropriateness.

(b) The commission shall meet at least quarterly. All meetings shall be conducted in accordance with the North Carolina Open Meetings Law, G.S. Chapter 143, Article 33C (G.S. 143-318.9—143-318.18).

(c) The commission shall annually present to the board of aldermen a report of its activities, budget, findings, recommendations, and actions, which shall be made available to the public.

(Ord. of 9-8-22(1) ; Ord. of 5-11-23(1))

Sec. 2-195. Powers and duties.

The commission is hereby empowered to undertake such actions as may be reasonably necessary to the discharge and conduct of its duties and responsibilities as set forth in this division and in the North Carolina General Statutes, including, but not limited to:

(a) Organizing itself and conducting its business;

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- (b) Receiving and spending funds appropriated by the board of aldermen for operating and performing its duties;
 - (c) Conducting an inventory of properties of historical, archaeological, architectural, and/or cultural interest;
 - (d) Recommending to the board of aldermen that individual buildings, structure, sites, areas, or objects within Southport city limits be designated as "historic landmarks" and that areas within its Southport city limits be designated as "historic districts;"
 - (e) Recommending to the board of aldermen that designation of any area as a historic district, or part thereof, or of any building, structure, site, area, or object as a historic landmark, be revoked or removed for cause;
 - (f) Reviewing and acting on proposals for:
 - (1) Exterior alteration, relocation, or demolition of designated historic landmarks;
 - (2) Exterior alteration, relocation, demolition, or new construction of properties within designated historic districts;
 - (g) Negotiating with property owners who propose to demolish or relocate a designated landmark, or a building, structure, site, area, or object within a designated district, in an effort to find a means of preserving such properties, including consulting with private civic groups, interested private citizens, and other public boards or agencies;
 - (h) Instituting action, through the city code enforcement department to prevent, restrain, correct, or otherwise abate violations of this division or of ordinances designating historic landmarks or districts;
 - (i) Entering, at reasonable times and with the consent of the owner occupant, upon private lands to make examinations, conduct surveys and inventories, or other purposes in performance of its official duties. However, no employee, member, or agent of the commission shall enter any private building or structure without the express consent of the owner or occupant thereof;
 - (j) Reviewing and acting on proposals for alterations of interior features of designated historic landmarks, as specified, and for which owner consent was given, in the ordinance establishing designation;
 - (k) Appointing advisory bodies or committees as appropriate;
 - (l) Negotiating with property owners for the acquisition or protection of significant historic properties;

(m) Acquiring by any lawful means, the purchase fee, or any lesser included interest, including options to purchase, properties designated as landmarks, properties located within any designated districts, or land to which historic buildings or structures may be moved; holding, managing, preserving, and restoring such a property and improving the interest; and exchanging or disposing of the interest through public or private sale, lease, or other lawful means, provided the property shall be subject to covenants or other legally binding restrictions which shall secure appropriate rights of public access and the preservation of the property. All lands, buildings, structures, sites, areas, or objects acquired by funds appropriated by the local governing body shall be acquired in the name of the city unless otherwise provided by that body;

(n) Accepting grants of funds from private individuals or organizations for preservation purposes;

(o) Conducting educational programs pertaining to historic landmarks or historic districts within its jurisdiction;

(p) Publishing or otherwise informing the public about any matter related to its purview, duties, responsibilities, organization, procedures, functions, or requirements;

(q) Advising property owners about appropriate treatment(s) for characteristics of historic properties;

(r) Cooperating with the state, the United States of America, local governments, public or private organizations, or their agencies, in pursuing the purposes of this division, including entering into contract, provided that such contracts are not inconsistent with the state or federal law;

(s) Preparing and recommending adoption of a preservation element, or elements, as part of a city comprehensive plan;

(t) Proposing to the board of aldermen amendments to this or to any other ordinance and proposing new ordinances or laws relating to historic landmarks and districts or to the protection of the historic resources of the city and its environs.

(Ord. of 9-8-22(1))

Sec. 2-196. Inventory.

The commission shall use as a guide to identification, assessment, and designation of historic landmarks and districts an inventory of buildings, structures, sites, areas, or objects which are of historic, prehistoric, architectural, archaeological, and/or cultural significance. The commission shall take steps as necessary to ensure that the inventory reflects information current to within twenty (20) years.

(Ord. of 9-8-22(1))

Sec. 2-197. Historic landmarks.

(a) *Adoption of ordinance designation.*

(1) The board of aldermen may adopt and, from time to time, amend or repeal an ordinance designating one (1) or more historic landmarks. The ordinance shall include information which shall:

- a. List the name or names of the owner/s of the property;
- b. Describe each property designated by the ordinance, including the address, if applicable, the physical configuration and orientation of the property so designated;
- c. Describe those elements of the property which are integral to its historic, architectural, archeological, and/or cultural significance;
- d. Provide for each designated historic landmark a suitable sign or plaque indicating that the landmark has been so designated; and
- e. Any other information deemed necessary, within the authority of this division and the general statutes, as determined by the board of aldermen.

(2) The landmark designation process may be initiated by either the commission or at the request of a property owner. No ordinance to designate any building, structure, site, area, or object shall be adopted or amended until all of the requirements of this division and its subsections have been satisfied.

(b) *Criteria for designation.* To be designated as a historic landmark, a property, building, site, area, or object shall be found by the commission to possess special significance in terms of its history, prehistory, architecture, archaeology, and/or cultural importance, and to retain the integrity of its design, setting, workmanship, materials, feeling, and/or association.

(c) *Procedure for designation.*

(1) The commission shall make, or cause to be made, an investigation and designation report which includes:

- a. The name of the property to be designated, including both common and historic names if they can be determined;

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(Supp. No. 12)

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- b. The name(s) and address(es) of the current owner(s);
 - c. The location of the property for which designation is proposed, including the street address and county tax map parcel number or parcel identification;
 - d. The dates of original construction and of all later additions or alterations, if applicable;
 - e. An assessment of the significance of the building or site as prescribed by this division;
 - f. An architectural or archaeological description of the area of the site or structure, including descriptions of all outbuildings and appurtenant features, for which designation is proposed;
 - g. A historical discussion of the site or structure within its type, period, and locality;
 - h. A photograph showing, to the fullest extent possible, the overall disposition of the property; one (1) photograph of each facade or elevation and supplementary photographs as necessary to illustrate architectural details or ornamentation, siting, scale, proportion, and relationship of features or buildings, structures, or objects to each other; and
 - i. A map showing the location of the property, including all outbuildings and appurtenant features.

(2) Pursuant to G.S. 160A-400.6, as amended, the designation report shall be submitted to the state department of cultural resources, division of archives and history, or its successor agency, which, acting in through the state historic preservation office, shall review it and provide written comments and recommendations to the board of aldermen regarding the substance and effect of the proposed designation. Failure of the department to respond within thirty (30) days following its receipt of the report shall constitute approval of the report by the department and relieve the board of aldermen of all responsibility to consider the department's comments or recommendations concerning the report.

(3) At the expiration of the thirty-day review period, the commission shall consider the report and any comments or recommendations from the state historic preservation office, and shall accept it, amend it, reject it, or defer a decision until completion of a period of further study, not to exceed sixty (60) days. The commission shall forward to the board of aldermen a copy of the report, copies of written comments received from the department of cultural resources, and a recommendation either to approve or disapprove designation of the property, stating in its recommendation the extent to which the property meets the criteria for designation as set forth in this division. A

recommendation for approval shall be accompanied by a proposed ordinance of designation. A recommendation for disapproval shall not necessarily prevent any future consideration of a property for designation as a historic landmark.

(4) The board of aldermen shall hold a public hearing, either jointly with the commission, or separately, to consider the proposed ordinance. Reasonable notice of the time and place thereof shall be given.

(5) Following the public hearing, the board of aldermen shall consider the commission's designation report, its recommendation(s), the department of cultural resources' recommendation(s), and comments made at the public hearing, and shall adopt the ordinance as proposed, adopt the ordinance with amendments, or reject the ordinance.

(6) Upon adoption of the ordinance, the commission staff shall:

a. Within thirty (30) days of adoption, send the owner(s) of the landmark(s) written notice of such designation, explaining the substance of the commission's decision, via certified mail with a return receipt requested;

b. File one (1) copy of the ordinance, and any other subsequent amendments thereto, in the office of the register of deeds of Brunswick County, which office shall index each historic landmark according to the name of the owner in the grantee and grantor indexes.

c. If the landmark lies within the zoning jurisdiction of Southport, file a second copy of the ordinance, and any subsequent amendments thereto, in the office of the city clerk, where it shall be made available for public inspection at any reasonable time, and shall provide a third copy to the building inspector.

d. Notify the tax assessor of the county of the landmark designation.

(7) Upon notification from the commission, the tax assessor of the county shall clearly indicate the designation on all appropriate tax maps for as long as the designation remains in effect.

(8) In disapproving a designation report, a copy of the minutes of the meeting at which such decision to deny was made shall be mailed to the owner of the property proposed for designation, together with a letter explaining the substance of the commission's decision.

(Ord. of 9-8-22(1))

Sec. 2-198. Historic districts.

(a) *Adoption of ordinance of designation.* The board of aldermen may adopt and, from time to time, amend or repeal an ordinance designating a historic district. The ordinance shall include information which shall describe the physical area proposed for designation, its boundaries, and general historic, architectural, archaeological, and/or cultural significance. The district designation process may be initiated by either the commission or at the request of any number of property owners. No ordinance to designate a district shall be adopted or amended until all of the requirements of this division and its subsections have been satisfied.

(b) *Criteria for designation.* To be designated as a historic district, an area shall be found by the commission to possess special significance in terms of its history, prehistory, architecture, archaeology, and/or cultural importance, and to retain the integrity of its design, setting, workmanship, materials, feeling, and/or association.

(c) *Procedure for designation.*

(1) The commission shall make, or cause to be made, an investigation and designation report which includes:

a. An assessment of the significance of the buildings, sites, structures, features, objects, and environs to be included in a proposed district and description of its boundaries; and

b. A map clearly indicating the boundaries of the district and the properties, showing their county tax map parcel numbers, contained therein.

(2) A district designation report shall be:

a. Referred to the local planning agency for review and comment according to the procedures set forth in the zoning ordinance of the city, depending on which legislative body creates the commission.

b. Submitted to the state department of cultural resources, division of archives and history, or its successor agency, which, acting through the state historic preservation office, shall review it and provide written comments and recommendations to the board of aldermen regarding the substance and effect of the proposed designation. Failure of the department to respond within thirty (30) days following its receipt of the report shall constitute approval of the report by the department and relieve the board of aldermen of all responsibility to consider the department's comments or recommendations concerning the report.

(3) At the expiration of the thirty-day review period, the commission shall consider the report and any comments or recommendations from the state historic preservation office, and shall accept it, amend it, reject it, or defer a decision until completion of a

period of further study, not to exceed sixty (60) days. The commission shall forward to the board of aldermen a copy of the report, copies of written comments received from the department of cultural resources, and a recommendation either to approve or disapprove designation of the district, stating in its recommendation the extent to which the proposed area meets the criteria for designation as set forth in the ordinance. A recommendation for approval shall be accompanied by a proposed ordinance of designation. A recommendation for disapproval shall not necessarily prevent any future consideration of an area for designation as a historic district.

(4) Upon receipt of a recommendation and designation report from the commission, the board of aldermen shall proceed in the same manner as would otherwise be required for the adoption or amendment of any other appropriate zoning provision.

(d) *Revisions to districts.* Changes in the boundaries of an adopted district subsequent to its initial establishment shall be affected as allowed by subsections (a) (adoption of ordinance of designation) and (b) (criteria for designation) of section 2-198 of this division and as prescribed in subsection (c) (procedure for designation).

(Ord. of 9-8-22(1))

Sec. 2-199. Certificates of appropriateness.

(a) *Certificate of appropriateness required.*

(1) From and after the designation of a historic landmark or district, no construction, alteration, reparation, rehabilitation, relocation, or demolition of any building, structure, site, area, or object shall be performed upon such landmark or within such district until a certificate of appropriateness (or "certificate") has been granted by the historic preservation commission. A certificate shall be required for any and all exterior work, including masonry walls, fences, light fixtures, steps and pavement, any other appurtenant features, any above ground utility structures, and any type of outdoor advertising sign.

(2) A certificate shall be required in order to obtain a building permit, or any other permit granted for the purposes of constructing, altering, moving, or demolishing structures, and shall be required whether or not a building permit or other permit is required. Any building permit or other permit not issued in conformity with this section shall be invalid.

(3) For the purposes of this division, "exterior features" shall include architectural style, general arrangement, kind and texture of material, size and scale, and type and style of all windows, doors, light fixtures, signs, any other appurtenant features, historic signs, historic advertising, color, landscape, and archaeological or natural features.

(4) A certificate shall be required for specific interior features of architectural, artistic, or historic significance in publicly owned landmarks and in privately owned landmarks for which consent to review has been given in writing by the owner. Such consent shall be filed in the county register of deeds and indexed according to the name of the property owner in the grantee and grantor indexes and shall bind future owners and/or successors in title. The ordinance establishing historic designation of the property shall specify the interior features subject to review and the specific nature of the commission's jurisdiction over those features.

(5) In approving a certificate, the commission may attach reasonable conditions necessary to the proper execution of this division.

(6) Commission staff may issue a certificate for minor works as defined in the commission's rules of procedure. Minor works shall include the ordinary maintenance or repair of any exterior feature of a historic landmark or property located within a historic district, provided such maintenance or repair does not involve a change in design, material, or appearance thereof.

(7) No application for a minor works certificate shall be denied without deliberation by the commission.

(8) Under this section, the commission shall institute action, through the office of the local government agency responsible for enforcing zoning and/or codes violations, to prevent, restrain, correct, or otherwise abate the construction, reconstruction, alteration, restoration, relocation, or demolition of buildings, structures, appurtenant features, or any other features which would be incongruous with the special character of the landmark or district.

(b) *Review guidelines.* Prior to the designation of any historic landmark or district, the commission shall prepare and adopt guidelines not inconsistent with G.S. 160A-400.1—160A-400.14 for constructing, altering, restoring, rehabilitating, relocating, removing, or demolishing of property designated as historic, which guidelines shall ensure, insofar as possible, that changes in designated landmarks or properties located within designated districts shall be in harmony with the reasons for designation.

(c) *Certain changes not prohibited.* Nothing in this division shall be construed to prevent:

(1) The ordinary maintenance or repair of any exterior feature of a historic landmark or property located within a historic district, provided such maintenance or repair does not involve a change in design, material, or appearance thereof;

(2) The construction, alteration, relocation, or demolition of any such feature, building, or structure when the building inspector certifies to the commission that such action is necessary to the public health or safety because of an unsafe or dangerous condition;

(3) A property owner from making of is property any use not otherwise prohibited by statute, ordinance, or regulation; or

(4) The maintenance of, or, in the event of an emergency, the immediate restoration of any existing above ground utility structure without approval by the commission.

(d) *Delay of demolition.*

(1) Except as provided below, a certificate authorizing the demolition of a designated historic landmark or property located within a designated historic district may not be denied. However, the commission may delay the effective date of such a certificate for a period of up to three hundred sixty-five (365) calendar days from the date of approval. The commission may reduce the period of delay where it finds that the owner would suffer extreme hardship or be deprived permanently of all beneficial use of such property as a result of the delay. During the delay period, the commission shall negotiate with the property owner and with any other party in an effort to find a means of preserving the property as provided in Section 3.4.

(2) The commission may deny an application for a certificate authorizing the demolition or destruction of any designated landmark, or of any property, building, site, object, area, or structure located within a designated district, which the state historic preservation office has determined to be of statewide significance, as defined by the criteria of the National Register of Historic Places, unless the commission finds that the owner would suffer extreme hardship or be deprived permanently of all beneficial use of the property as a result of the denial.

(3) In the event that the commission has voted to recommend designation of a property as a landmark, or of an area of interest, and such designation has not yet been made by the board of aldermen, the demolition of any building, site, object, or structure located on the property of the proposed landmark or within the proposed district may be delayed by the commission for a period of up to one hundred eighty (180) calendar days or until the board of aldermen takes final action on the proposed designation, whichever occurs first. Should the board of aldermen approve the designation prior to the expiration of the one-hundred-eighty-day delay period, an application for a certificate of appropriateness authorizing demolition must then be filed; however, the maximum delay period of three hundred sixty-five (365) days shall be reduced by the number of days elapsed during the one-hundred-eighty-day delay while designation was pending.

(e) *Demolition through neglect.* Failure of an owner to regularly, consistently, and fully maintain a designated landmark or any property located within a designated district shall constitute demolition, through neglect, without a valid certificate of appropriateness and a violation of this division. The commission shall institute action through the code enforcement department, to prevent, restrain, correct, or otherwise abate such demolition, provided such action include appropriate safeguards to protect property owners from undue economic hardship.

(f) *Applications and required procedures.*

(1) An application for a certificate shall be obtained from commission staff. Applications shall be completed in form and in context and filed with the staff at least ten (10) business days prior to the next regularly scheduled commission meeting. Late applications shall be deferred until the following regularly scheduled meeting.

(2) The commission shall have, as detailed in its rules of procedure, broad powers to require the submittal, with the application, of pertinent information sufficient to determine an application.

(3) Incomplete applications shall not be accepted.

(4) Before considering an application for a certificate, the commission shall notify by mail the owners of any adjacent property. Such notices are for the convenience of property owners and occupants and no defect or omission therein shall impair the validity of issuing a certificate or of any subsequent action.

(5) When considering an application for a certificate, the commission shall give the applicant and owners of any property likely to be materially affected by the application an opportunity to be heard.

(6) When considering the application, the commission shall apply the review guidelines required by Section 7.2 and shall, in approving, approving with conditions, disapproving, or deferring an application, make findings of fact, indicating the extent to which the application is or is not in compliance with review criteria, and shall cause these findings of fact to be entered into the minutes of the meetings. The minutes shall also contain a summary of any citation to evidence, testimony, studies, or other authority upon which the commission based its decision.

(7) The commission shall have ninety (90) calendar days following submittal of a complete application within to act. Failure by the commission to take final action within such period shall constitute approval of the application as submitted. This period may be extended by mutual agreement between the commission and the applicant.

(8) A certificate shall be valid for one hundred eighty (180) calendar days from the date of issuance, or, in the case of a certificate for demolition, from the effective date. If the authorized work has not commenced within that period or has been discontinued for more than three hundred sixty-five (365) days from the date of issuance, such certificate shall immediately expire, and the applicant shall be required to reapply.

(9) If the commission denies a certificate, a new application affecting the same property may be submitted, provided a substantial change in proposed in the plans.

(10) An appeal of a final action by the commission may be made to the board of adjustment for the city. Written notice of intent to appeal must be sent to the commission, postmarked within twenty (20) calendar days following the commission's decision. Appeals must be filed with the board of adjustment for the city within sixty (60) calendar days following the commission's decision and shall be in the nature of certiorari. A decision by the board of adjustment may be appealed to the superior court of Brunswick County.

(11) A certificate shall be required for designated landmarks or buildings, structure, sites, areas, or objects within designated districts which are owned by the state or any of its agencies, political subdivisions, or instrumentalities, subject to the regulations of this division and in accordance with G.S. 160A-400.9(f).

(12) In the case of any building, structure, site, area, or object designated as a historic landmark or of any property located within a designated historic district being threatened with demolition, as a result of willful neglect or otherwise, material alteration, rehabilitation, or removal, except in compliance with this division, the commission, the board of aldermen, or any other party aggrieved by such action may institute any appropriate action or proceeding to prevent, restrain, correct, or otherwise abate such violation, or to prevent any illegal act or conduct with respect to such property.

(Ord. of 9-8-22(1))

Sec. 2-200. Conflict with other laws.

Whenever the provisions of this division are in conflict with any other statute, charter provision, ordinance, or regulation of the board of aldermen, the more restrictive ordinance or regulation shall govern.

(Ord. of 9-8-22(1))

Secs. 2-201—2-204. Reserved.

DIVISION 4. FORESTRY COMMITTEE

Sec. 2-205. Purpose.

The purpose of the forestry committee shall be to review and recommend actions to preserve and enhance the community's trees. Recognizing that the historical personality of the city is in part defined by its trees, in particular the live oaks. The committee's actions will include:

- (1) Protection of existing trees;
- (2) Tree replenishment;
- (3) Public Education;
- (4) Other functions related to the community's forest environment.

(Ord. of 5-11-23(1))

Sec. 2-206. Membership and terms.

Membership in the forestry committee is limited to seven (7) full members as appointed by the Board of Aldermen. The Board of Aldermen can appoint "alternate" members, at the recommendation of the committee chair. The alternate members will not have regular voting privileges unless voted in by a majority of regular members. In the absence of a full member, the corresponding (city) alternate may be voted in with voting privileges. If the corresponding alternate is absent, either alternate may be voted into the meeting with full voting privileges. All full and alternate members of the forestry committee must be residents of the city limits.

The committee may also retain "consulting members" who have particular skills or expertise beneficial to the committee's purpose. Any person possessing these skills or expertise, including city employees, may serve on the committee as a "consulting member" with the approval of the committee chair. The mayor shall appoint an alderman(s) to the forestry committee to act as a liaison(s) who shall be entitled to all privileges except making a motion, voting, or holding office. There shall also be a city staff liaison assigned by the city manager to support the committee.

Open positions on the committee will be advertised by the city in the spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the city clerk by April 30. All applicants will be interviewed by the chair, vice chair and board of aldermen liaison, who will recommend the best candidate(s) to the board of aldermen at the next regular June meeting. In the event that the chair or vice chair is being interviewed for another term, the mayor shall serve on the interview committee. If the mayor is unavailable, the mayor pro tem shall serve on the interview committee. The commission will strive to have the same interview committee for every interview. The board of aldermen will appoint the member(s) from the pool of all prospective applicants.

Any member desiring to resign from the committee shall submit his/her resignation in writing to the secretary. Applications will then be accepted by the city clerk for a period of fourteen (14) days following the resignation, to serve on the committee for the remainder of the term. After the fourteen (14) days, the chair and board liaison will conduct interviews and make a recommendation to the board of aldermen at the next regular board of aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30 in the third year, and terms are staggered to maintain continuity in the committee. Forestry committee members shall serve without compensation. (Refer to Table A below for term expiration dates.)

Table A. Scheduled Staggered Term Expirations

June	2023	2024	2025	2026
City (7)		1	6	
Alternates		1	1	
Consultants	Serve at their will with approval of the forestry committee chair			

(terms 3-years to expire in June of the third year)

(Ord. of 5-11-23(1))

Sec. 2-207. Officers and duties.

The officers of the committee shall be the chair, vice chair, and secretary. Officers will be nominated by the forestry committee during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.

The duties for each position are as follows:

- (1) The chair shall issue an agenda prior to each meeting, shall preside at all meetings, sign all official papers, call special meetings as necessary, and perform all such duties usually bestowed upon a chairman.
- (2) The vice chair shall serve in the absence of the chair.
- (3) The recording secretary shall maintain and publish complete minutes of each meeting, be responsible for all committee correspondence and keep and maintain membership attendance records.

(Ord. of 5-11-23(1))

Sec. 2-208. Meetings and authority.

The regular meeting of the forestry committee shall be held the second Tuesday of each month, at 5:00 p.m., at the Indian Trail Meeting Hall. Special meetings shall be called by the chair. The purpose of the special meeting must be stated in the notice and there shall be at least forty-eight (48) hours before the meeting date.

Acceptance of an appointment to this committee signifies an obligation of the appointee, and it is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a member misses three (3) regular meetings without a reasonable explanation, the committee shall request the resignation of said member and shall request the board of aldermen to fill the vacancy.

Four (4) members of the committee shall constitute a quorum.

After determining a quorum is present, the meetings shall include the following:

- (1) Call to order.
- (2) Approval of minutes of the previous meeting.
- (3) Report of standing or special committees.
- (4) Old/recurring business.
- (5) New business.
- (6) Adjournment.

(Ord. of 5-11-23(1))

Sec. 2-209. Amendments.

The forestry committee may amend its by-laws at any regular meeting of the committee by a simple majority vote, provided the amendment was submitted in writing at a previous meeting.

(Ord. of 5-11-23(1))

Secs. 2-210—2-214. Reserved.

DIVISION 5. LOCAL ABC BOARD

Created: 2023-10-02 15:51:05 [EST]

(Supp. No. 12)

Sec. 2-215. Purpose.

The local ABC boards serve the city responsibly by controlling the sale of spirituous liquor and promotion customer friendly, modern, and efficient stores.

(Ord. of 5-11-23(1))

Sec. 2-216. Membership and terms.

The city local ABC board shall consist of five (5) members, who are appointed by the board of aldermen. The board of aldermen shall appoint members of a local board based on the appointees' interest in public affairs, good judgement, knowledge, ability, and moral character. The mayor shall serve or appoint an aldermen to serve as a liaison between the ABC board and the board of aldermen. The store manager shall serve the local board in an administrative role.

Open positions on the board will be advertised by the city in the spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the city clerk by April 30. All new applicants will be interviewed by the chair, vice chair, and board of aldermen liaison, who will recommend the best candidate(s) to the board of aldermen at the next regular June meeting. In the event that the chair or vice chair is being interviewed for another term, the mayor shall serve on the interview committee. If the mayor is unavailable, the mayor pro tem shall serve on the interview committee. The commission will strive to have the same interview committee for every interview. The board of aldermen will appoint the member(s) from the pool of all prospective applicants.

Any member desiring to resign from the ABC board shall submit his/her resignation in writing to the secretary. Applications will then be accepted by the city clerk for a period of fourteen (14) days following the resignation, to serve on the ABC board for the remainder of the term. After the fourteen (14) days, the chair, vice chair, and board liaison(s) will conduct interviews and make a recommendation to the board of aldermen at the next regular board of aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30 in the third year, and terms are staggered to maintain continuity in the board. Officers of the ABC board shall be the chair, which will be nominated by the ABC board. The chair shall preside over all meetings, call special meetings as necessary, and perform all

Created: 2023-10-02 15:51:05 [EST]

(Supp. No. 12)

duties usually bestowed on a chair. The ABC store manager shall act as secretary of the board. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

June	2023	2024	2025	2026
Full Members (5)	1		2	2

(terms 3-years to expire in June of the third year)

(Ord. of 5-11-23(1))

Sec. 2-217. Duties of ABC board.

A local ABC board is governed by G.S. Chapter 18B, Regulation of Alcoholic Beverages. The local governing board appoints the members and reviews all sales reports, and store updates. General operation of the store and personnel matters is the responsibility of the ABC store manager and members of the local ABC board.

All other regulations and responsibilities of the ABC board are included in G.S. Chapter 18B, Articles 7 and 8.

(Ord. of 5-11-23(1))

DIVISION 6. CEMETERY COMMITTEE

Sec. 2-221. Creation and Purpose.

The name of this committee shall be the Southport Cemetery Committee. The purpose of the Southport Cemetery Committee is to establish goals and objectives for the upkeep in perpetuity of Northwood Cemetery and Old Smithville Burying Ground. The Committee will research and recommend best practices for preserving and maintaining the City cemeteries.

Sec. 2-222. Membership and Term

Membership of the Cemetery Committee will be limited to seven (7) full members appointed by the Board of Aldermen. All members shall be residents of the City limits, or extra-territorial jurisdiction. However, the representatives serving on behalf of the Southport Historical Society, the Southport Beautification Committee, and the John N Smith Cemetery Restoration and Preservation, Inc. are exempted from this residency requirement. Membership of the Committee shall include:

- (1) representative from the Southport Historical Society
- (1) representative from the Beautification Committee
- (1) representative from the John N. Smith Cemetery Restoration and Preservation, Inc.
- (4) appointed at-large members

The Mayor shall appoint an Alderman(s) to the Committee to act as a liaison(s) between the Cemetery Committee and the Board of Aldermen. The liaison(s) will be entitled to all privileges except making a motion, voting, and holding office. There will also be a City staff liaison assigned by the City Manager to support the Committee.

Open positions on the Committee will be advertised by the City in the Spring. Prospective applicants and incumbent members seeking reappointment shall submit an application to the City Clerk by **April 30th**. All new applicants will be interviewed by the Chair, Vice Chair, and Board of Aldermen liaison(s), who will recommend the best candidate(s) to the Board of Aldermen at the next Regular June meeting. The Board of Aldermen will appoint the member(s) from the pool of all prospective applicants. However, the individual representative members serving on behalf of the Southport Historical Society, the Southport Beautification Committee, and John N Smith Cemetery Restoration and Preservation, Inc. are appointed by their respective organizations and are exempted from the interview requirement. In the event that the Chair or Vice Chair is being interviewed for another term, the Mayor shall serve on the interview committee. If the Mayor is unavailable, the Mayor Pro-tem shall serve on the interview committee. The Committee will strive to have the same interview committee for every interview.

Any member desiring to resign from the Cemetery Committee shall submit his/her resignation in writing to the Secretary. Applications will then be accepted by the City Clerk for a period of fourteen (14) days following the resignation, to serve on the Committee for the remainder of the term. After the fourteen (14) days, the Chair, Vice Chair, and Board Liaison(s) will conduct interviews and make a recommendation to the Board of Aldermen at the next Regular Board of Aldermen meeting.

All appointed members shall serve a term of three (3) years that expires on June 30th in the third year, and terms are staggered to maintain continuity in the Committee. Cemetery Committee members shall serve without compensation. Refer to Table A below for term expiration dates.

Table A. Scheduled Staggered Term Expirations

JUNE	2024	2025	2026
(1) Historical Society Member		1	

(1) Beautification Committee Member	1		
(1) John N. Smith Cemetery Restoration and Preservation, Inc. Member			1
(4) Appointed At-large Members	1	2	1

(terms 3-years to expire in June of the third year)

Sec. 2-223. Officers and Duties

The Officers of the Committee shall be Chair, Vice-Chair, Secretary and Treasurer. Officers will be nominated by the Committee during the first meeting of a new term (July), or within sixty (60) days after a mid-term vacancy of an officer.

The duties for each position are as follows:

1. The Chair shall issue an agenda prior to each meeting, shall preside over all meetings, sign all official papers, call special meetings as necessary, approve all expense reimbursements in advance of individual outlay, and perform all such duties usually bestowed upon a Chairman.

2. The Vice-Chair shall serve in the absence of the Chair.

3. The Secretary shall maintain and publish complete minutes of each meeting, be responsible for all Committee correspondence, and keep and maintain a membership attendance record.

4. The Treasurer shall maintain and publish a financial report at each meeting, which keeps track of expenses incurred and budgeted funds remaining to spend and be responsible for submitting check requests to the City Finance Director for individual reimbursement of approved expenses incurred.

Sec. 2-224. Meetings and Authority

The Committee shall adopt a Regular meeting schedule that shall be made available to the public. Special meetings shall be called by the Chair. The purpose of the special meeting shall be stated in the notice and given at least forty-eight (48) hours in advance of the meeting date.

Acceptance of an appointment to this Committee signifies an obligation of the appointee. It is the duty of each member to attend every meeting unless prevented by sickness or grave emergency. If a member misses three regular meetings without a reasonable explanation, the Committee shall request the resignation of said member.

More than half of all appointed members of the Committee shall constitute a quorum. At the discretion of the Chair, a meeting may proceed with less than a quorum in order to conduct routine matters.

After determining a quorum is present, the meetings shall include the following:

1. Call to Order by the Chair
2. Approval of minutes of previous meeting
3. Report of standing or special committees
4. Old business
5. New business
6. Adjournment

Sec. 2-225 Committees

Standing or special committees shall be appointed by the Chair when deemed necessary to carry out the work of the Committee.

Sec. 2-226 Amendments

The Cemetery Committee may amend their By-laws at any regular meeting of the Committee by a simple majority vote, provided the amendment has been submitted in writing at a previous regular meeting.

NOW, THEREFORE, BE IT ORDAINED by the City of Southport Board of Aldermen that the proposed Code of Ordinances amendment of Chapter 2 Article IV **BOARDS, COMMITTEES AND COMMISSIONS** is hereby adopted and shall become effective immediately. All provisions of any City ordinance or resolution in conflict with this Ordinance are hereby repealed.

The foregoing Ordinance, having been submitted to a vote, received the following vote and was duly adopted this the 12th day of September 2024.

Ayes: _____

Noes: _____

Absent or Excused: _____

Rebecca Kelley
Mayor Pro-Tem

Noah Saldo, City Clerk

AUGUST 2024 SALES DATA COMPARISON AND SAVINGS

SALES TYPE	2023 Sales	2024 SALES	DIFFERENCE	% CHANGE
RETAIL	\$ 387,481.65	\$ 424,288.55	\$ 36,806.90	9.50
MXB SALES	\$ 218,087.15	\$ 186,055.10	\$ (32,032.05)	-14.69
TOTAL	\$ 605,568.80	\$ 610,343.65	\$ 4,774.85	0.79
Customers	9330	9442	112	1.20
		\$ -		
Bottles Sold	29,177	29,673	496	1.70
		0		
SPA SAVINGS		\$ -		
		\$ -		
Credit Cards	\$ -	\$ -		
TOTAL SALES INC. TAX	\$ -	\$ -		
	2019 Sales	2024 Sales	Difference	
Retail 2019	\$ 282,827.95	\$ 424,288.55	141,460.60	50.02
MXB 2019	\$ 121,522.95	\$ 186,055.10	64,532.15	53.10
	\$ 404,350.90	\$ 610,343.65	205,992.75	50.94
SALES TYPE	2020 SALES	2024 SALES	DIFFERENCE	% CHANGE
RETAIL	\$ 342,859.10	\$ 424,288.55	\$ 81,429.45	23.75
MXB SALES	\$ 75,209.05	\$ 186,055.10	\$ 110,846.05	147.38
TOTAL	\$ 418,068.15	\$ 610,343.65	\$ 192,275.50	45.99
SALES TYPE	2021 Sales	2024 SALES	DIFFERENCE	% CHANGE
RETAIL	\$ 294,781.45	\$ 424,288.55	\$ 129,507.10	43.93
MXB SALES	\$ 163,828.72	\$ 186,055.10	\$ 22,226.38	13.57
TOTAL	\$ 458,610.17	\$ 610,343.65	\$ 151,733.48	33.09
SALES TYPE	2022 Sales	2024 SALES	DIFFERENCE	% CHANGE
RETAIL	\$ 372,377.15	\$ 424,288.55	\$ 51,911.40	13.94
MXB SALES	\$ 204,084.12	\$ 186,055.10	\$ (18,029.02)	-8.83
TOTAL	\$ 576,461.27	\$ 610,343.65	\$ 33,882.38	5.88

City of Southport ABC Board Minutes

Date: July 9th 2024, Minutes taken by: Harold Todd Dunn

Location: Southport ABC Store

Quorum determined: Meeting called to order by Chairman Davis at: 2:00PM

No Conflict of interest

In Attendance: Board Chairman- William Davis, Board Members – Zach Zuehlke , Angela Wadsworth, Adam Steadman, Jim Poppe GM – Harold Todd Dunn , Assistant Manager – Nadine Del Pezzo ABC Liaison – Absent

Absent

Guests: None

Open Comment and Discussion – None

Approval of 6/19/24 Minutes: Minutes amended, approved by Angela and seconded by Zach

1. Old Business

- A. Discussed Window Tinting – Waiting on quotes
- B. Discussed and agreed to go with new cleaning person at same rate as prior
- C. Discussed Brochures and approved with minor changes

2. New Business

- A. Discussed NC SB 527 and how it effects us

3. Business Reports

- A. Presented and went over Monthly Sales Report

4. Employee Issues

Discussed any issues with employees

Adjourned: Motion was made and seconded to adjourn the meeting

Next Regular meeting: Aug 14th 2024 at 2:00 PM at Southport ABC Store

APPROVED BY AND DATE

City of Southport ABC Board Minutes

Date: August 14th 2024, Minutes taken by: Harold Todd Dunn

Location: Southport ABC Store

Quorum determined: Meeting called to order by Chairman Davis at: 2:00PM

No Conflict of interest

In Attendance: Board Chairman- William Davis, Board Members – Zach Zuehlke , Angela Wadsworth, Adam Steadman, Jim Poppe GM – Harold Todd Dunn , Assistant Manager – Nadine Del Pezzo ABC Liaison – Absent

Absent

Guests: None

Open Comment and Discussion – None

Approval of 7/9/24 Minutes: Minutes amended, approved by Angela and seconded by Jim

1. Old Business

- A. Discussed Window Tinting – Approved Tinting Zach motioned & Angela Seconded
- B. Discussed Kentucky Trip

2. New Business

- A. Nadine – 90 Days raise to 55,000 per year – approved – Zach Motioned and Jim Seconded
- B. Chris – 90 Days -1\$ per hour raise after evaluation – Zach Motioned and Angela Seconded
- C. Discussed Holiday Bonuses – Tabled to next meeting

3. Business Reports

- A. Presented and went over Monthly Sales Report

4. Employee Issues

Discussed any issues with employees

Adjourned: Motion was made and seconded to adjourn the meeting

Next Regular meeting: Aug 21st 2024 at 2:00 PM at Southport ABC Store

APPROVED BY AND DATE



Planning Board Minutes
Community Building 223 E. Bay Street
August 15, 2024
6:00 P.M

Members Present: Sue Hodgins, Will Hewett, Fred Fiss, Roy Pender, and Kevin Locklin

Members Absent: Scott Jones, Chris Jones, and Dick Sloan

Staff Present: Mo Meehan, City Planner
Tanya Shannon, Deputy Clerk
ChyAnn Ketchum, Director of Communications/PIO
Tori Deviney, Permit Technician

Board of Aldermen Rebecca Kelley (absent) and Frank Lai
Liaisons:

A. Chair Sue Hodgins called the meeting to order at 6:00 p.m.

Chair Hodgins announced that due to health issues, Member Dick Sloan has decided to resign his seat. As a result, City Alternate Kevin Locklin will be temporarily serving with full voting privileges until the seat is filled. Chair Hodgins also mentioned that until the county formalizes its assumption of the ETJ, Alternate Chris Jones and Member Scott Jones will remain as members, although neither was available for tonight's meeting.

B. Mr. Hewett gave the Invocation.

C. Chair Hodgins led the Pledge of Allegiance.

D. Approval of the Minutes

Mr. Hewett made a Motion to Approve the July 18, 2024, Minutes seconded by Mr. Pender.
Unanimous Vote; Motion Carried.

E. Approval of the Agenda

Mr. Hewett made a Motion to Approve the Agenda, and Mr. Pender seconded it. **Unanimous Vote; Motion Carried.**

F. Public Comment:

Mr. Hewett made a Motion to Open Public Comment, which was seconded by Mr. Fiss.
Unanimous Vote; Motion Carried.

1. Marty Younts, 285 Lord Thomas Ave. in Cades Cove, fully supports all efforts to prioritize traffic management within the neighborhood streets. She is strong on preventing traffic from using the streets as shortcuts, especially because they are maintained by the Homeowners' Association (HOA). Her main concern is the safety of the children who ride their bikes along these streets.
2. Marien Stevens, 503 Cades Trail, stated that the developer failed to finish the infrastructure and roads in the community. As a result, the residents had to pay for the completion and repair of the roads themselves. She mentioned that many people use the development as a shortcut, and she would prefer to keep the roads private in order to protect the residents' investment in the streets.
3. Lora Sharkey, 432 Cades Trail, commented (verbatim): 'This zoning request does not support CAMA land use goals.'

The restriction of travel along Lord Thomas and Cades Trail to Robert Ruark Dr. will have a negative impact on Southport residents seeking to reach the Brunswick Senior Center and dialysis center.

Residents in the Wind Tree and Fiddlers Creek apartments will be forced to make left turns using 14th Street or 12th Street to access N. Howe Street. This can be very challenging for older drivers.

Closure of the Robert Ruark and Cades Trail intersection will cause confusion for drivers, who are unaware that once they enter from the Lord Thomas/Caswell Ave intersection, they will be unable to exit the neighborhood. Traffic unable to enter from Robert Ruark will end up looking for ways to turn around also, causing traffic hazards.

The request to change the streets from public to private was not a 100% in favor result. I have been told more people are skeptical about the proposal because there is a lack of communication about what this will cost the homeowners. Without financial disclosure on what the HOA will require in assessments, this zoning request is premature and illogical since homeowners may reject increases in HOA fees.

Section 4.8 of UDO Streets and Roadway Network

All PUDs are required to have a major subdivision review process as part of the zoning procedure. Under review, it would be found that this request would violate the street connectivity requirements set forth in Section 4.8 of the UDO, Street Connectivity Requirements: The BOA hereby finds and determines that an interconnected street system is necessary to protect the public health, safety, and welfare. Streets will function in an interdependent manner, provide adequate access for emergency vehicles, enhance non-vehicular travel, and provide continuous and comprehensible traffic routes.

In accordance with the UDO, this application for zone change should include documentation that specifies each lot owner's responsibilities for the maintenance of private streets and drainage systems.

This application is also lacking the private street maintenance agreement that is required to accompany the recorded plat that indicates which streets are private.

This zoning request is unfair to me as a resident and taxpayer in Southport. I knowingly agreed to pay HOA fees during the purchase of my home. I was told HOA fees were necessary to maintain our alleys, the open space and common areas, the pool and clubhouse. In 2016 the residents and HOA had adopted a plan to meet the objectives necessary so the streets would meet City standards and be turned over. I would not have purchased a home in this subdivision if I knew I would also be responsible for the streets, sidewalks, streetlights and hurricane debris removal for eternity. It doesn't make good financial sense.'

4. Kevin Wall, 816 Cades Trail, mentioned that the Cades Cove Community collaborated to hire Southeast Foundation to repair the sidewalks after a neighbor fell on the uneven concrete. He noted that the City has not contributed to any sidewalk or street repairs since he moved there in 2013. He emphasized that anyone claiming that the City maintains the streets and sidewalks is untrue.
5. Dirk Mroczek, 305 Lord Thomas Ave., stated that there is a lot of cut-through traffic that goes down his road. He is in favor of privatizing the opportunity to put up a gate and is grateful for the opportunity to discuss this with the Board. He said that the gate would stop the cut-through traffic and also enhance the atmosphere of the community.
6. Pete Stewart from 510 Cades Trail supports prioritizing the protection and maintenance of the streets in Cades Cove. He mentioned that the City hasn't taken over their streets, and the residents have been sharing the cost of repairs and maintenance. He believes that when Phase 2 of the Indigo Plantation development begins, traffic will increase. However, there will still be access for emergency services, deliveries, and buses.

G. Old Business

1. 101 E. Moore St. Update

Ms. Meehan provided an overview of the Major Site Plan at Bullfrog Corner, which was initially submitted in 2022. She detailed the process, procedures, and the concerns raised by the Review Committee, as well as the problems that were addressed. A new plan was submitted in December 2023. The approval of the site plan hinged on the ability to back out onto Howe Street. Ms. Meehan expressed the Committee's significant concerns concerning the prospect of backing out onto Howe Street.

Chair Hodgkin reviewed the discussions held by the Review Committee, which included herself, Mr. Fiss, and Mr. Scott Jones. She explained the issues that the Committee had with the parking spaces. Originally, there were five spaces provided. Ms. Meehan mentioned that the maneuverability study conducted in December and the new submission in 2023 was not accepted. In December 2023, a variance was requested with the Board of Adjustments. The variance allowed the removal of one parking space. The applicant stated that he was going to address these issues, but Chair Hodgkin noted that the ordinance prevents some of the things that he is offering to do. Ms. Hodgkin expressed concern about the safety of the citizenry and the visitors to Southport.

Chair Hodgkin mentioned that after discussing with the City Council last week about the process and decision made by the Board of Adjustments, and the communication received by the City from Ms. Amy Schaefer informing that she had been retained as counsel for Mr. Laing, Ms. Meehan questioned reconvening the Review Committee for further discussion. Chair Hodgkin proposed moving the matter to the full Planning Board for a decision. Chair Hodgkin then asked the other Committee Member, Fred Fiss (since Chris Jones was not present), to share his comments.

Mr. Fiss feels the parking issue was circumvented through the Board of Adjustments, and that this is really a significant public safety issue for a busy public street. He quoted the DOT 's comments and notations. He feels that the project should be Approved or Disapproved by the Planning Board and not the Board of Adjustments. Mr. Fiss feels that the hardships have been brought on by the applicant. He would like to deny it based on the parking proposals and taking away one of the mandatory parking spaces. Ms. Meehan said the 5th space was not required, and Ms. Meehan explained. Mr. Fiss would like to see that the process is more streamlined moving forward.

The Chair commented (verbatim): *'There shouldn't be anyone on this Board that's not familiar with some aspect of this application. The 101 E. Moore Street submission came to us just after we had completed work on a Text Amendment that had been forwarded to the Aldermen for a vote regarding building height restrictions. A couple of days before that Aldermen's meeting, a very basic hand-drawn 'application' was presented to City Staff. No architectural or engineering drawings – a hand-drawing. My understanding is that Staff told Mr. Laing that he had everything he needed to move forward with this 3-story building that would alter the building's use. And he was told that the parking brought forward was correct ... which was NOT correct.*

In earlier Committee meetings, Mr. Laing reported that he was attempting to obtain easements from other property owners for his vehicular traffic through the alleyway between the 2 buildings he'd purchased. Those easements were not successfully negotiated, and there is now a fence erected for a beer garden for Royal James Café (that owner has leased the majority of the land available from the other surrounding property owners).

There is an audiotape of the January 23 (Adjustments) Hearing that has already been provided to the Committee members. We also have minutes of that Meeting – those were left at each Member's place before the meeting.

The Hearing for this particular property was about 40 minutes long. The Board members questioned Staff about interaction with public safety and emergency services staffs -- of which there had been none at that point in time. Staff was also asked about DOT interaction concerning this property; at that point, zero interaction had occurred with this entity either. Adjustment Members spoke of their safety concerns; Mr. Laing told them that his exiting vehicles were no different than the cars that back out of Howe St spaces, and in fact would have better line-of-sight than those other vehicles 'because they'd be higher as they came out'. Members talked about possibly painting the curb-cut yellow, and signage that could be used to draw attention. Ultimately, the Board of Adjustments granted Mr. Laing's request and elimination of one required parking space 'without condition'. (In fact, one Adjustments member was heard in the Hearing to say he wanted to include in the decision that this would be 'an open-ended variance for either of Mr. Laing's properties for any purposes'.)

Adjustments made their determination – as a quasi-judicial body – without public safety or the owner of the road (the State) weighing in.

The next meeting for the Planning Board Committee came in May. There was no discussion given concerning the details from the Board of Adjustments; Mr. Laing told us that he'd taken his original parking plan to Adjustments, and that they'd helped resolve his parking issues at the meeting. Our Committee asked at that time about public safety and DOT interaction and found out that there had been none; we requested that all of those entities be contacted regarding any concerns they would have.

In July we had another Committee meeting, where we saw both police and fire department's one-sentence responses that had come back in June -- they had no issues with the proposal. DOT Engineer Ben Hughes was contacted July 1 and enumerated his concerns. (Copies of this email were also distributed at Members' seats prior to the meeting tonight.) Mr. Laing stated at that Committee meeting that he 'was already going to do ALL the things DOT had mentioned', though there's nothing to show that...no plans, no Agreement. (And our ordinances prohibit some of the things Mr. Laing had mentioned that he would do: animated, flashing signs, mirrors, etc.)

Our Committee (me, Fred, and Chris) determined at the time that we were not comfortable with the vagueness of the Adjustments determination with no conditions, no Agreement as to the Applicant's intentions. We were further concerned about the safety liability, with this corner being Southport's busiest intersection and traffic backing out – over a pedestrian sidewalk, past other parked cars -- into a State-owned road.

During the phone call with the City Council on August 7th, Staff stated that the published minutes were not correct and that Adjustments (or Staff) had wanted to impose conditions concerning safety measures. At the time of that call, no Agreement had been drawn up for this Applicant...since January. (I've just received that draft from Staff just before tonight's meeting; an Agreement has been drafted, but not executed. Neither the Review Committee nor the full Board has seen it.)

What questions would Members have of Staff, the Applicant's counsel, or for your Committee members? Does the Board feel led to Table this action, returning the matter to the Committee for further discussion and appropriate review and opinion regarding the actions of the Board of Adjustment? Or does this Board have enough information from this discussion and report to make a determination tonight on this Major Site Plan? Be reminded, this Board's decision is final in the matter -- it will not go before the Board of Alderman for review and vote.'

Mr. Locklin inquired whether the Order from the variance hearing had been recorded with the Register of Deeds and if there was a Final Order. He pointed out that during the Adjustments Hearing, not enough evidence was presented. He explained that decisions in quasi-judicial Hearings must be based on competent material and substantial evidence, which he felt was lacking in this case. He mentioned that important safety information was not provided and asked if the decision could be sent back to Adjustments for appropriate evidence.

Ms. Meehan mentioned that the Order had not yet been signed; the last time she spoke to the City Attorney, she was advised that was okay because one of the conditions was that the Adjustments approval went along with the approval of the Major Site Plan. So, if it were Approved, it would still have that variance on the deed, but it would create a grey area on the deed. She also stated that the Counsel mentioned that signing after the time of the Major Site Plan approval would be most appropriate.

Mr. Locklin expressed the desire to have Staff ask the City Attorney if the decision can be remanded and sent back to the Board of Adjustments so that pertinent information can be submitted for additional evidence, since there is not a Final Order and it has not been recorded. Ms. Meehan will seek information from Counsel and advise back to the Board.

Mr. Locklin moved to Table the discussion of the 101 E Moore St. Major Site Plan for further discussion and review by the Committee. Additionally, he asked the Staff to consult with the City Attorney to determine the feasibility of scheduling a new Hearing with the Board of Adjustments. This would allow for the presentation of important evidence that was not previously provided. Staff will report back to the Planning Board. Motion seconded by Mr. Hewett. ***Unanimous Vote; Motion Carried.***

Before discussing Agenda Item 2 under Old Business, Mr. Pender asked to address Agenda Item 1 under New Business. The item in question was the Cades Cove Planned Unit Development Modification Rezoning, which had brought several of the Cades Cove into the evening's meeting. Mr. Pender made a Motion to Amend the Agenda and move Item 1 from New Business to become Item 2 under Old Business, which was seconded by Mr. Hewett. ***Unanimous Vote; Motion Carried.***

New Business Item 1. Cades Cove Planned Unit Development Modification/Rezoning

Ms. Meehan provided background information on Cades Cove's approval as a Planned Residential Development. The master site plan and preliminary plat include a public right of way with through streets for interconnectivity, but the City has not accepted the streets due to the developer's abandoned infrastructure projects.

In the spring of 2023, the Cades Cove Homeowners' Association requested to add a gate to their entrance. The Development Services Director, in consultation with City Attorney Brady Herman, determined the following:

- The City is not involved in the community's desire to rescind the public dedication of streets. If the community meets statutory requirements to rescind the streets, City ordinances are not violated.
- If the dedicated streets are rescinded, the City has the right to all city easements within the streets and the Cades Cove community.
- The placement of a gate will violate the original development approval as it places a new structure not on an Approved plan. The gate would block public use of roadways dedicated to public use. Modifying the PUD and rezoning to amend the master plan will be necessary.

Mr. Rick Jones submitted a request to modify a Planned Unit Development (PUD) and rezone the area, incorporating private street right-of-ways and a gated entrance on Robert Ruark Drive. Emergency vehicles can access through siren-activated sensors, while buses and delivery drivers can use personalized codes and remotes.

Ms. Meehan clarified that the streets are public, but the City has not taken them over, so the City does not have jurisdiction over them at this point. The applicant, Mr. Rick Jones of 828 Cades Trail, came to the podium and provided the history of the development and explained why they are pursuing a gated entrance.

The Board members expressed concern about vehicles entering the development from Caswell Ave, reaching the gate, and needing to turn around to exit. Mr. Jones explained that there would be adequate space at the gate for vehicles to turn around. Additionally, they will implement signage on both sides to warn of traffic changes and a dead end. Mr. Jones mentioned that bicycles, walkers, and golf carts will still be able to access the area to maintain connectivity, but vehicle traffic will be restricted. The pathway going to the Senior Center will remain open, and they will not be closing the entrance to N. Caswell, stated Mr. Jones. He also explained that UPS drivers will have access codes. He said there would be a keypad at the gate as well as a clicker for residential access.

Mr. John Galowski, 508 Cades Trail, came to the podium and said that they had spoken to vendors and service providers for example, on what the possibilities are. He said the primary method would be a remote for homeowners and a keypad in addition to that. He said it is preferred for service vehicles to enter through the Caswell entrance. He said that the signage would be critical and would ensure that all services, emergency services, busses, and other services would be provided access.

After more discussion, Chair Hodgkin stated she understands the neighborhood's angst about maintenance of their private roads, but the bottom line is that the Cades Cove roads have still not been accepted by the City of Southport and from the documentation provided, they should not be. Allowing this would be an inconvenience for anyone accustomed to using Cades Cove roads because once vehicles have come in and they get to that gate, they're going to turn around and simply go back through again – using their roads again to get out. Another determiner for her is that this community has heightened its concerns now that Osprey Landing and the potential of Indigo Phase Two will also be using Robert Ruark Drive. The Chair stated that we say our city is open to everyone and that we want folks to be able to move about freely, that we like connectivity. This request, if Approved, would be, in her opinion, presenting a bad precedent. She does not feel it should be Approved.

Mr. Hewett made a Motion to Table the PUD Modification Request submitted by Cades Cove, allowing it to be a “semi-private” rather than a “public” community, and its installation of a private gate access on Robert Ruark Drive, for further review and discussion at the September Meeting. Seconded by Mr. Pender. **Unanimous Vote; Motion Carried.**

Back to Old Business

2. Section 3.19 – Sign Ordinance – Political Sign Discussion

Meehan provided an overview and explained that during the regular meeting on June 20, the staff presented an updated draft of text amendments for Section 3.19 Signs. After review and discussion, the Board of Aldermen unanimously recommended approval. They also called for a Public Hearing for the amendments to Section 3.19 at their July 11, 2024, meeting.

Upon reviewing the updated text, specifically Section 3.19.C.18. Political Signs, City Attorney Brady Herman expressed concerns about treating noncommercial speech equally. He stated, "The political sign ordinance amendment gives me a bit of concern with the way it is written, one sign per candidate, as it could violate the Reed v. Gilbert Supreme Court case by regulating signs based on the content of the message—i.e., the political candidate." He also included directions and text from other jurisdictions for consideration that address political signs while achieving the same goals.

Therefore, Staff has brought this item back for a review of Section 3.19.C.18. There were conversations about this subject during the last election season, and we want to ensure the goals of the City's sign ordinance and citizens' freedom of speech will be met.

A Motion was made by Mr. Hewett to Approve the drafted language as presented and move back to the Board of Aldermen for advancement to a Public Hearing. Seconded by Mr. Locklin. ***Unanimous Vote; Motion Carried.***

Mr. Hewett read the Consistency Statement that recommended approval to the Board of Aldermen.

3. ETJ Update

Ms. Meehan gave a brief 'where we stand' regarding the ETJ and the cooperative efforts being made by County and City Planning staffs.

Chair Hodgkin gave a statement on the Brunswick County August 12, 2024 Planning Board Meeting (verbatim):

'There were interesting dynamics at play during the County Planning Board meeting this past Monday night. First I want to thank the 19 citizens that attended and spoke (ETJ residents or not) on the effects of the activities of this year's General Assembly relative to our now former ETJ in the passage of Session Law 2024-21 (what we all came to know as H911). And I want to thank City Manager Stuart Turille, Alderman Karen Mosteller and fellow Planning Board Member Fred Fiss for attending and for all their comments.

If one does not understand legislative process then one might believe that there may yet be a way to derail the removal of Southport's oversight of this area. As was expressed at Monday night's meeting by another attendee, an Assistant County Attorney AND myself in comments, that is not going to happen. It would take a Special Session of the General Assembly to reverse legislation it had already passed. We may think and believe that 'we are special' here in Southport folks, but we are just not that special to the North Carolina General Assembly! They will not return to Raleigh in Special Session to do away with what THEY voted into place before they adjourned.

Social media is still very active, encouraging everyone to insist that the County Commissioners vote this action down, or to ask for an extension of the process for more discussions, but it's my own firm opinion that it is just not going to happen. I would not

discourage anyone from submitting written comments to the County expressing concern for our city and the County's management of this newly-acquired area. Absolutely. you have until Monday, August 19th if you want to do that before the Commissioners' last meeting before the September 1 statutory deadline.

While I'm at this point, let me address something that keeps occurring both in social media and very recently in The State Port Pilot. Oakton -- its clearing in prep for infrastructure and utilities. I want to be clear about this. Oakton was Approved before the latest revision to the Tree Ordinances for Southport -- this approval was granted before Southport became even more protective of its trees. They are Approved for the work that they are doing. No one should assume that this is currently- allowed 'clear cutting' of property for development. The City is overseeing the work that is being done there, and it is proceeding by the permission granted in its original submission & approval.

I want to express again tonight -- and I've commented again about this to Staff -- what I have found extremely bothersome throughout this whole legislative debacle... and that is the inactivity of our City Leadership to call our 4400+ citizens into bold action. At Monday night's meeting the County Planning staffer assigned as the lead in this rezoning activity stated into record that the only opposition correspondence received from Southport was the official letter of concern that the City of Southport submitted. No one in this entire town submitted correspondence to the County Planning staff -- no one!

Yes, there was and still is a barrage of bashing online... but the County Planning staff cannot use online rants as documentation of opposition. They must use what is sent into them as 'official' letters of concern or letters of opposition. So once again I'll say that our City Leadership should have had information on the City website, or on its own social media page, and in City meetings to educate the citizenry on the process and promote a City suggestion that citizens get involved from the very beginning of this activity.

I've heard that we (the City) didn't want to rub folks the wrong way. For me, personally, not speaking for anyone else here - I don't espouse the thought that we don't need to rub a legislator the wrong way because of funding they might bring in our direction. Folks, legislators will bring money to our area: they need our votes, we pay their salaries, and they want these contributions on their election ads and accomplishments. The 'pork' comes, folks -- my own honest opinion is that we couldn't upset our elected officials enough to where they would not be financially respondent to their district. They need us -- in many ways, far more than we need them.

What I did see happen Monday night -- and I'm very encouraged by it -- is that County Planning Board members and Staff seemed to have the dim glow of light bulbs that they are recognizing how truly detrimental this legislation is, especially to Southport and our successful efforts in protecting our town, its trees, and the potential creep of massive development we're all seeing along Hwy. 211 in the county. And I'm very thankful for the couple of County Planning Board members who spoke up saying they were making an on-the-record commitment to help work on amendments to the County UDO to provide corridor- and overlay- areas and to encourage text amendments that would help protect what we've worked so hard to have here in Southport. I hope that our own Planning Board can be an integral part of those discussions and in helping to see good and right things done for Southport and ALL of Brunswick County.'

H. New Business

2. Turtle Bay Major Subdivision Preliminary Plat

Ms. Meehan gave an overview of the application. Jackson Starling, applicant, on behalf of Turtle Bay at Southport, is requesting approval of the Turtle Bay Subdivision Preliminary Plat, which consists of 100 single-family lots. The subdivision will be developed in two (2) phases: Phase 1 will consist of 59 lots, and Phase 2 will consist of 41 lots. The property is located on

NC 87 (River Road) to the north of Rob Gandy Boulevard, south of Duke Energy, and east of Hwy 211 (N Howe Street). This property is located within the Southport city limits.

This proposal was first Approved as a Planned Unit Development and Master Development Plan in June 2024. It meets all the requirements listed in Appendix A of the UDO and the required improvements found in Section 4.7 of the Unified Development Ordinance.

The parcel of land totals 54.09 acres. The proposed subdivision's density is 1.85 dwelling units/acre, which meets the maximum density of 6 du/acre as laid out within the Unified Development Ordinance. Further, 10.88 acres of open space exists, which meets the existing 20% requirement for all PUDS.

Mr. Hewett made a Motion to Approve the Turtle Bay Major Subdivision Plat, seconded by Mr. Fiss. ***Unanimous Vote; Motion Carried.***

3. Doshier Hospital Emergency Department Major Site Plan

Ms. Meehan gave an overview of the plan. Brian Turner, the applicant, is requesting a revision to the previously Approved Commercial Project - Major Site Plan for the expansion and relocation of the Doshier Memorial Hospital Emergency Department (ED). Specifically, the request is to construct a new 8,914 SF building on the southeast portion of the Hospital campus, repave and restripe the project property and the existing parking lot, and install landscaping. The property is located at 924 N Howe Street between Fodale Avenue and E. 9th Street, within the incorporated city limits of the City of Southport. It is zoned O&I -- Office and Institutional.

Mr. Fiss inquired about whether the doctors' offices would be removed or relocated. Mr. Turner responded that they would be relocated. Subsequently, Mr. Pender raised a question regarding the tree plan. Mr. Turner explained that Doshier wanted to ensure tree protection and would take great pride in ensuring the trees are protected.

There was no further discussion. Mr. Hewett made a Motion to Approve the Doshier Hospital Emergency Department Major Site Plan, seconded by Mr. Locklin. ***Unanimous Vote; Motion Carried.***

I. Other Business: None

J. Announcements:

Chair Hodgkin announced the Brunswick County Commissioners Meeting on 8/19 at 6PM; the published Agenda includes the ETJ zoning and assumption.

K. Being that there was no further discussion, Chair Hodgkin requested a Motion to Adjourn. So Moved by Mr. Hewett and seconded by Mr. Pender. *Unanimous Vote; Motion Carried.*

Adjourn—8:11 p.m.

Chair Sue Hodgkin

Deputy Clerk, Tanya Shannon



City of Southport
Historic Preservation Commission Minutes
July 24, 2024
Fire Substation; 111 E. Nash St.

Member's Present: Vice-Chair Rick Pukenas, Bonnie Bray, Joanne Wesson, Alexis-Gore Graves, Josh McGee, Bonner Herring, and Chair Drew (a little late).

Members Absent: Tal West and Jim McKee

Staff Present: City Planner Mo Meehan, Historic Preservation Planner Penny Tysinger, and Deputy Clerk Tanya Shannon.

Aldermen Liaison: Robert Carroll (absent)

- A. Vice Chair Pukenas called the meeting to order at 4:08 p.m.
- B. Ms. Alexis Graves-Gore gave the Invocation.
- C. The Pledge of Allegiance was led by Vice Chair Pukenas.
- D. Administering the Oath of Office to Mr. Bonner Herring as a reappointed member by Deputy Clerk Shannon.
- E. Ms. Alexis Gore-Graves motioned to approve the agenda, and seconded by Mr. McGee. ***Unanimous Vote; Motion Carried.***
- F. Ms. Wesson motioned to approve the minutes from July 19, 2024, with an amendment to reflect that Ms. Graves commented on the John C. Smith Cemetery instead of herself. Ms. Gore-Graves seconded the motion. ***Unanimous Vote; Motion Carried.***

G. Public Comment:

- 1. Ms. Lowe Davis, 504 W. Brunswick Street, Alderman, and Member of the John C. Smith Cemetery Foundation, along with the President, Ms. Judy Gordon, and Member, Mr. James White. She wanted to clarify the relationship between the City and the Cemetery Foundation. She mentioned that although the Cemetery is within the City Limits, it is not City property. She also mentioned that the foundation is a 501(c)(3) organization. Ms. Davis explained that the City's contract includes groundskeeping at the John C. Smith Cemetery, but it only covers mowing the grass. She provided a brief history of the cemetery and expressed gratitude to all the volunteers who helped maintain it. Ms. Davis also highlighted that the Cemetery has been entered into the National Register of Historic Places by the NC Department of Natural and Cultural Resources Office of Archives and History. She expressed the foundation's interest in collaborating with the Historic Preservation Commission to designate the John C. Smith Cemetery as a Designated Local Historic Landmark.

H. Old Business: None

I. New Business:

1) Review Table for Minor COA and Major COA Approvals

Ms. Andrea Radford, a consultant for the City of Southport, clarified the distinction between Historic Local Designation and listing in the National Register of Historic Places via Zoom. She emphasized that the two should not be confused, as they are separate programs with different requirements and benefits. While some properties may have both designations, they are administered by different entities: the National Register is a federal program administered by the state, while the local designation

is a separate program specific to the city. The Commission first reached a consensus to complete the standards and guidelines, then proceeded with designating other landmarks and sites.

Ms. Radford reviewed the qualifications for applying for Minor and Major Certificate of Appropriations (COA). Any exterior work or new construction on a locally designated landmark or property within the City of Southport's Local Historic District requires a COA, regardless of whether or not a building permit is required. The table provided to the Board outlined the uses and standards for projects and COA requirements.

Chairman Drew asked if the new proposal was stricter than the previous version. Ms. Radford clarified that it was not stricter, but she mentioned that she had added solar panels to the proposal. She said that this addition would be considered a minor change and would provide guidance to the staff for a COA. There was a discussion about adding terms that specify "not regulating paint" as part of the design standards to ensure that applicants are not discouraged when reviewing the request for the COA. Ms. Radford mentioned that she would include these terms to clarify that paint will not be regulated.

2) Training: How to conduct hearings for various COA's

Ms. Radford discussed various scenarios and provided Certificate of Appropriateness (COA) application examples. The discussion covered whether the removal of trees would require a professional assessment or a certified arborist's evaluation. Ms. Meehan clarified that a separate permit would still be required for any tree removal. She also emphasized that regardless of whether the COA application is for a Minor or Major COA, it still needs to be completed. In both cases, an assessment and permit from the city would be necessary.

Reviewing how the quasi-judicial process will work in receiving a case was reviewed. Ms. Radford provided the Board with the language and the procedure for the hearings. An example of a possible motion is as follows: ***The Southport Historic Preservation Commission finds that in the case of COA24001, 201 E Nash St. – Construction of New Rear Accessory Structure.***

"I move that the proposed Construction of a New Rear Accessory Structure is consistent/inconsistent with the historic character and qualities of the Historic District and are consistent/inconsistent with the Secretary of Interior's Standards and Southport's Historic District Standards, specifically those listed in the staff report, and the Southport Historic Preservation Commission approves the Certificate of Appropriateness for case COA24001 with the following conditions:

- 1. The improvements shall be substantially consistent with the plans and testimony presented to the Historic Preservation Commission at this hearing and attached to the Certificate of Appropriateness.***
- 2. The improvements may require additional approvals from the City or County departments or state or local agencies; the applicant is responsible for obtaining all required approvals relating to building construction, site work, and work in the right-of-way.***
- 3. A compliance inspection will be performed immediately upon completion of the work approved herein."***
- 4. Add any additional conditions here***

Ms. Radford mentioned that the current standards only allow for smooth facing and not rough facing. The Commission agreed to revise the standards to permit either type of hardy plank. She emphasized the importance of replacing damaged sections "in kind" to maintain historical accuracy rather than creating a false sense of history. Mr. Herring disagreed, citing an example of a boarding house that used to be next to his grandmother's house, which is now an empty lot. He believes that rebuilding something resembling the original house is reasonable. Ms. Radford countered by stating that replicating the original structure would make it noticeably different from the other historic homes and out of character with the surrounding buildings. Mr. McGee suggested that if a historic house were to be burned down, replicating it would be a positive thing. The Commission agreed that preserving the character and

original materials of the city's historic buildings is essential. However, any rebuilds, repairs, or improvements should closely resemble the city's historical character, with appropriate distinctions in architecture and materials.

Ms. Radford mentioned that the individuals who would have standing in the hearings include adjacent property owners and potentially others. She stated that she would research and confirm the eligible participants. After the hearings are concluded, a report will be compiled, and all updates and changes will be submitted to the State for review. The State will then have 30 days to review and respond, following which it will be presented to the Board of Aldermen. Suppose a hearing requires additional information and needs to continue. In that case, a continuation announcement must be made at the meeting, and a 90-day extension will be allowed before the commission must take action.

J. **Other Business:** None

K. **Announcements:** Chair Drew announced that the next meeting will take place on August 7th at 4 pm at the Indian Trail Meeting Hall.

There was no further discussion or business. Chair Drew requested a motion to adjourn. The motion was made by Mr. Pukenas and seconded by Mr. Herring. ***Unanimous Vote; Motion Carried.***

Adjourned—5:55 p.m.

Chair, Charles Drew

Deputy Clerk, Tanya Shannon

Utility Billing

Service Requests Report by Service Date

Service Dates: From: 8/1/2024 To: 8/31/2024

000001-08-2024	Closed 8/5/2024	Please clean storm drain per customer request. She said her house flooded with last storm because the drain was blocked.
000002-08-2024	Closed 8/6/2024	Miscellaneous; THERE IS A LINE/WIRE THAT RUNS BEHIND 109 AND 111 W WEST ST AND IT IS GETTING LOWER AND LOWER TO THE GROUND AND OWNER IS CONCERNED IT IS DANGEROUS. ELLIE CHECKED IT AT ONE TIME BUT DIDN'T MAKE IT BACK TO ADDRESS IT.
000003-08-2024	Closed 8/26/2024	Miscellaneous / Thermostat not working in Inspections office

No.	WOID	Request Date	Description	Assigned To	Location	Actual Completion Date
1	22100	7/29/2024	CLEAN STORM DRAIN AT WITTLERS BENCH AREA	Mike Spicer	Downtown	7/29/2024
2	22101	7/31/2024	CHECK TREE CANOPY AT 750 SKIPJACK CIRCLE, JOHN LLOYD, 410-980-6402 SAYS IT NEEDS CUT BACK. called left message.	David Kelly	Downtown	8/1/2024
3	22102	7/31/2024	PRESSURE WASH - FOCUSING ON THE SIDE WITH THE TRASH CANS. 8/14 & 8/15	David Kelly	Community Building	8/15/2024
4	22103	7/31/2024	A CABINET DOOR IS LOOSE, NEEDS TIGHTENED. KITCHEN DOORWAY MOLDING HAVE CRACKS	Jeremy Kennedy	Community Building	8/2/2024
5	22104	7/31/2024	LADIES HANDICAP TOILET IS CONTINUING TO HAVE FLOW ISSUES. ROBIN HAS A SNAKE IF YOU NEED IT.	Jeremy Kennedy	Community Building	8/2/2024
6	22105	8/1/2024	GRATE IS BROKEN ON STORM DRAIN CLOSEST TO HOWE ST IN THE PARKING LOT OF CITY HALL.	Mike Spicer	City Hall	8/2/2024
7	22106	7/31/2024	112 E OWENS, INSTALLED STORM DRAIN AND BASIN IN FRONT OF HOME.	Mike Spicer	Downtown	8/1/2024
8	22107	7/29/2024	INSTALL SOD AT CITY HALL AND PUT OUT 4 YARDS OF BROWN MULCH. EDGE BEDS AND PUT OUT 12 BALES OF PINE STRAW	David Kelly	City Hall	8/1/2024
9	22111	8/1/2024	INSTALL RED REFLECTIVE SIGNS AT WATERFRONT PARK, SEE TOM	Mike Spicer	Waterfront Park	8/2/2024
10	22112	8/2/2024	AT OCEAN OUTFITTERS A TREE BRANCH BROKE WITH LIGHTS ON IT. NEEDS CLEANED UP. - REMOVED BROKEN LIMB, REHUG LIGHTS. PM/CM	David Kelly	Downtown	8/2/2024
11	22113	8/3/2024	AFTER HOURS: PUT EQUIPMENT OUT FOR FOOD TRUCK RODEO, SIGNS, CONES, ETC. KR	Mike Spicer	Downtown	8/3/2024
12	22114	8/3/2024	AFTER HOURS: TAKE DOWN SIGNS AND CONES. KR	Mike Spicer	Downtown	8/3/2024
13	22115	8/4/2024	AFTER HOURS: 106 LORD ST, STORM TOOK DOWN LARGE LIMB. KR AND MW	Mike Spicer	Downtown	8/4/2024
14	22116	8/1/2024	PUT SOD DOWN AT PUBLIC WORKS BLDG. ADD ROCK ALONG FRONT OF BLDG.	David Kelly	Public Services	8/1/2024
15	22117	8/5/2024	PICK UP BARRICADES DOWN BY FRYING PAN THAT WAS USED FOR THE BOAT.	Mike Spicer	Downtown	
16	22118	8/5/2024	CHECK LAMP POST THAT WAS BROKEN FROM TREE BRANCH FOR LIVE WIRES. 106 LORD ST.	Tom Stanley	Downtown	8/5/2024
17	22120	8/12/2024	A.C. NOT WORKING AT FORT JOHNSTON RESTROOMS		Fort Johnston	8/5/2024
18	22121	8/12/2024	CLEAN DRAIN @ 404 W. WEST. SCRAPED DIRT OFF RUNWAY TO CATCH BASIN	Mike Spicer	Downtown	8/12/2024

19	22122	8/12/2024	CORNER OF HOWE/E OWENS, REPLACE SECTION OF STORM DRAIN.	Mike Spicer	Downtown	8/12/2024
20	22123	8/14/2024	LOOSE BOARDS ON THE STEPS LEADING UP TO THE COMMUNITY BLDG, RIGHT SIDE FROM BAY STREET.	Jeremy Kennedy	Community Building	8/15/2024
21	22124	8/14/2024	ATLANTIC & OWENS, INSTALL 50' STORM LINE, CATCH BASIN	Mike Spicer	Downtown	8/15/2024
22	22125	8/16/2024	NEED 6 ASSEMBLED BARRICADES AT CAVINESS PARK FOR EVENT SATURDAY 12:00 TO 5:30	Mike Spicer	Caviness Park	8/16/2024
23	22127	8/19/2024	PICK UP BLEACHERS BEHIND CAVINESS PARK AND MOVE TO 9TH STREET.	Mike Spicer	Caviness Park	8/27/2024
24	22128	8/16/2024	STRAIGHTENED STOP SIGNS, S. ATLANTIC & HOWE; W BROWN & HOWE; CLARENDON & OWENS; CASWELL & OWENS.	Mike Spicer	Downtown	8/16/2024
25	22129	8/20/2024	E 9TH ST NEAR TAYLOR, FIX 4 POT HOLES ON E 9TH ST,	Mike Spicer	Downtown	8/20/2024
26	22130	8/21/2024	DROP OFF SIGN AND POST TO P&R	Mike Spicer	Parks and Rec Building	8/20/2024
27	22131	8/21/2024	FIX LEAK AT METER FOR RPZ	Mike Spicer	Downtown	8/21/2024
28	22132	8/21/2024	FIXED RPZ @ TAYLOR FIELD	Mike Spicer	Downtown	8/21/2024
29	22133	8/22/2024	INDIAN TRAIL MEETING HALL, SMOKE ALARM BATTERY NEEDS TO BE REPLACED. - CAN'T CHANGE BATTERIES, HUNG NEW ALARM.	Jeremy Kennedy	Keziah Park	8/23/2024
30	22135	8/22/2024	MOVE PLANTERS TO COLUMNS BY STAIRS - MOVED PLANTERS AS PICTURES REQUESTED	Jeremy Kennedy	Community Building	8/23/2024
31	22136	8/21/2024	FIX STOP SIGN AT BAY & LORD	Mike Spicer	Downtown	8/21/2024
32	22137	8/23/2024	BUSH HOG DITCH AT ZEETLEGOOS	Mike Spicer	Downtown	8/23/2024
33	22140	8/23/2024	FACE PLATE ON SWITCH IN BATHROOM HALL AT GYM IS LOOSE - REPLACED PLATE.	Jeremy Kennedy	Downtown	8/23/2024
34	22141	8/23/2024	PUT 1 WAY SIGN ON J SWAIN BLVD. KR - MW	Mike Spicer	Downtown	8/23/2024
35	22119	8/12/2024	BETWEEN 422 AND 424 THERE IS A TREE WITH DEAD BRANCHES STUCK IN LOWER BRANCHES.	David Kelly	Downtown	
36	22126	8/16/2024	PAINT SPEED BUMPS WITH REFLECTIVE PAINT ON PARK AVENUE. THEY CANNOT BE SEEN AT NIGHT OR IN STORMS.	Mike Spicer	Downtown	
37	22134	8/22/2024	HOLE INSIDE OF BLDG UNDER WINDOWS BY HANDICAP RAMP.	Jeremy Kennedy	Community Building	

Permits and Inspections
2024

Month	New Construct	Building	Plumb	Mech	Electric	Gas	Accessory	Demo	Tree Removal	Inspections	Permits Issued
January	6	29	4	9	20	11	5	0	1	121	81
February	11	15	7	10	18	5	4	2	5	139	66
March	9	15	14	39	41	13	2	0	14	472	209
April	9	22	14	42	26	12	5	1	15	461	189
May	7	12	12	40	18	19	7	3	25	402	219
June	8	36	7	28	16	17	7	2	14	384	146
July	10	39	14	27	27	29	7	1	15	406	187
August	10	36	13	31	28	16	1	0	10	404	137
September											
October											
November											
December											

