CITY OF SOUTHPORT

Historic Preservation Commission
Indian Trail Meeting Hall, 113 W. Moore Street
December 4, 2024
4:00 P.M.

AGENDA

Please turn off all cell phones

The Historic Preservation Commission's regular monthly meeting will be held at 4:00 p.m. on the first Wednesday of each month. All members are asked to attend.

A. Call to Order
B. Invocation
C. Pledge of Allegiance
D. Approval of Agenda
E. Approval of Minutes
1. Minutes of the November 6th Meeting
F. Public Comment
G. New Business
1. Discussion on NC SB382
H. Other Business
I. Announcements
J. Adjourn

CITY OF SOUTHPORT
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING
November 6, 2024
4:00 PM

Minutes

Members Present: Chair Charles Drew, Vice-Chair Rick Pukenas, Bonnie Bray, Joanne Wesson, Josh McGee, and Tal West

Members Absent: Bonner Herring, Alexis Gore-Graves, and Jim McKee

Staff Present: Planning Services Director Maureen Meehan, Historic Planner Penny Tysinger

A. Chairman Drew called the meeting to order at 4:00 PM.

B. Chairman Drew gave the Invocation.

C. Chairman Drew led the Pledge of Allegiance.

Tal West and Bonnie Bray were appointed as voting members.

D. **Approval of Agenda**

A motion was made by Mr. Pukenas to approve the agenda, seconded by Mr. West.

Unanimous Vote; Motion Carried.

E. Approval of Minutes

A motion was made by Mr. McGee to approve the October 2, 2024, Minutes, seconded by Mr. Pukenas. **Unanimous Vote; Motion Carried.**

F. **Public Comment**

Rich Bandera Spoke about the notification of mapping changes to the public. He also spoke about the guidelines and mapping within the historic district and the effects on various properties.

G. **Old Business**

1. John N. Smith Cemetery Update

Historic Planner Penny Tysinger stated she spoke with the consultant about expanding our boundary to include John N Smith cemetery, into our district. She came back with a recommendation, and then also suggested that I contact the state, just to verify what she was saying, and because it is not contiguous to our boundary. It would be its own Separate District, which is its own separate work, which is what we've talked about for the last few months. She stated we are struggling to get our work completed here from the consultant and get it to the Alderman, and hopefully get adoption so that we can get up and running. Once we do that, we're up and running, then we can look at other like a work program, as to how we could help them, or if they want to take it on and do the establishment by doing the inventory, doing the report. You know, setting everything is in order for it to be done, we'll be glad to assist them, but the city at this time doesn't have the staff or the

resources to include them into the historic district right now.
I have spoken with Miss Gordon, and she understands that. And you know, said the city stands willing to assist in anything, and if I see anything come along that I think might benefit them, certainly pass resources back and forth. And she seemed to be of understanding of that.
Ms. Tysinger stated the cemetery was entered in the National Register of Historic Places.

Chairman Drew asked about the new property's added to the map.
Ms. Tysinger stated they were contiguous.
Ms. Meehan stated there was a study done in 2010 showing the map and the commission voted on this to square off the map.

H. New Business

A. Annual Meeting: Elections of Officers (Done every three years)

Chairman Drew stated the current officers would remain in place until next year.
B. Annual Report 2024
Ms. Tysinger presented the 2024 annual report.
Chairman Drew stated that two public hearings were held and should be added.

A motion was made by Ms. Wesson to approve the 2024 annual report with the changes mentioned, seconded by Mr. Pukenas.
Unanimous Vote; Motion Carried.

C. 2025 Annual Calendar

A motion was made by Mr. Pukenas to approve the 2025 meeting schedule, seconded by Mr. McGee.

Unanimous Vote; Motion Carried.

1. Update on the Historic Resilience Workshop

Members gave a review of the Historic Resilience Workshop that members and staff recently attended.

L. Adjourn

There being no further business, a Motion to Adjourn was made by Ms. Wesson and seconded by Ms. Bray.
Unanimous Vote; Motion Carried. 4:49 PM

d. Yield data that can be used with the Education Value-Added Assessment System (EVAAS).
e. Comply with federal law.

SECTION 3J.23.(c) The State Education Assistance Authority shall designate as the nationally standardized assessments to be administered by nonpublic schools, in accordance with G.S. 115C-562.5(a)(4), the tests recommended by the Office of Learning Research at The University of North Carolina for use in third grade and eighth grade in accordance with subsection (b) of this section.

SECTION 3J.23.(d) Notwithstanding G.S. 115C-562.7(c), the State Education Assistance Authority shall submit the report required by G.S. 115C-562.7(c) by December 1, 2027, and annually thereafter, based on the data submitted by nonpublic schools in accordance with G.S. 115C-562.5(c)(1) beginning with the 2026-2027 school year.

SUBPART III-K. LOCAL GOVERNMENT

NO LOCAL GOVERNMENT INITIATED DOWN-ZONING WITHOUT CONSENT OF AFFECTED PROPERTY OWNER

SECTION 3K.1.(a) G.S. 160D-601(d) reads as rewritten:

"(d) Down-Zoning. – No amendment to zoning regulations or a zoning map that down-zones property shall be ~~initiated nor is it enforceable~~ initiated, enacted, or enforced without the written consent of all property owners whose property is the subject of the down-zoning ~~amendment, unless the down-zoning amendment is initiated by the local government.~~ amendment. For purposes of this section, "down-zoning" means a zoning ordinance that affects an area of land in one of the following ways:

(1) By decreasing the development density of the land to be less dense than was allowed under its previous usage.
(2) By reducing the permitted uses of the land that are specified in a zoning ordinance or land development regulation to fewer uses than were allowed under its previous usage.
(3) By creating any type of nonconformity on land not in a residential zoning district, including a nonconforming use, nonconforming lot, nonconforming structure, nonconforming improvement, or nonconforming site element."

SECTION 3K.1.(b) If any provision of this section is declared unconstitutional or invalid by the courts, it does not affect the validity of this section as a whole or any part other than the part so declared to be unconstitutional or invalid.

SECTION 3K.1.(c) This section is effective when it becomes law and applies to local government ordinances adopted on or after that date and any local government ordinance enacting down-zoning of property during the 180 days prior to the date this section becomes effective. Ordinances adopted in violation of this section shall be void and unenforceable.

PART IV. MISCELLANEOUS PROVISIONS

SECTION 4.1. Severability. – If any section or provision of this act is declared unconstitutional or invalid by the courts, it does not affect the validity of this act as a whole or any part other than the part declared to be unconstitutional or invalid.