



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

January 16, 2025
6:00 PM

Agenda

Please turn off all cell phones

The regular monthly meeting of the Planning Board will be held at 6:00 p.m. on the third Thursday of each month. All members are asked to attend.

- A. Call to Order**
- B. Invocation**
- C. Pledge of Allegiance**
- D. Approval of Minutes**
 - 1. December 19th, 2024 Planning Board Meeting Minutes
- E. Approval of Agenda**
- F. Swearing-In of New Members**
- G. Selection of Chair**
- H. Selection of Vice Chair**
- I. Public Comment**
- J. Old Business**
 - 1. Major Site Plan - 101 E Moore St - Bull Frog Corner [Mo Meehan] pg. 9-38
 - 2. Bed and Breakfast Text Amendment [Wendell Biddle] pg. 39-46
 - 3. Parking Overlay Text Amendment [Mo Meehan] pg. 47-50
- K. New Business**
 - 1. ROW UDO Text Amendments [Mo Meehan] pg. 51-61
- L. Other Business**
 - 1. Planning Updates
- M. Announcements**
- N. Adjourn**



**CITY OF SOUTHPORT
PLANNING BOARD
December 19, 2024
6:00 PM**

Minutes

Members Present: Sue Hodgins, Will Hewett, Fred Fiss, Kevin Locklin

Staff Present: Maureen Meehan, Planning Services Director
Wendell Biddle, City Planner
Noah Saldo, City Clerk
Tori Deviney, Deputy City Clerk

A. Chair Hodgins called the meeting to order at 6:00 p.m.

B. Mr. Hewett gave the invocation.

C. Chair Hodgins led the Pledge of Allegiance.

D. Approval of Agenda

Vice Chair Hewett motioned to approve the agenda, seconded by Mr. Fiss. ***Unanimous vote; Motion carried.***

E. Approval of Minutes

1. October 17th, 2024 Planning Board Minutes

Chair Hodgins highlighted two revisions to the October 17, 2024, Planning Board Minutes.

The first correction involved consolidating the two motion references on page 3 during the Cades Cove discussion into a single motion reflected at the end of the paragraph.

The second correction updated the term "battleship" to "USS Battleship, North Carolina in Wilmington."

Following this, Mr. Hewett motioned to approve the agenda, with Mr. Locklin seconding the motion ***Unanimous vote; Motion carried.***

F. Public Comment

None

G. New Business

1. Southport 2050 Comprehensive Plan Presentation

Ms. Meehan introduced the consultants, Andrea Radford and Jake Petrosky from Stewart Consulting, who have been collaborating on the comprehensive plan for the past year. Ms. Meehan stated that a draft of the plan is complete and the next steps involve collecting feedback from the boards as well as public input. The plan will then be submitted to the Division of Coastal Management for review prior to formal adoption. Ms. Radford was invited to begin the presentation on the draft.

Ms. Radford, representing Stewart Engineering and Planning Firm alongside Mr. Petrosky, began by providing an update on the Southport 2050 Comprehensive Plan. Ms. Radford recapped the extensive public engagement process undertaken over the past year, which included a “Name the Plan” survey, stakeholder interviews with six groups, a community survey with 536 responses, and various public meetings, walking tours, and listening sessions. A steering committee composed of members from different advisory boards was actively involved throughout the process. The draft plan was rolled out at a public meeting in October.

Ms. Radford summarized recurring themes identified through public input. Key concerns included affordability, parking in the downtown area, walkability, growth management, environmental preservation, historic preservation, and downtown and Yacht Basin improvements. Residents expressed strong appreciation for Southport's small-town feel, coastal charm, friendly environment, and historical significance. Survey responses indicated top concerns as managing development, slowing population growth, maintaining infrastructure, preserving the natural environment, and sustaining a vibrant downtown. Priority areas for the next 5-15 years included protection of marshes and wetlands, water quality improvement, historic preservation, quality utility services, support for local businesses, and stormwater management. When discussing development preferences, residents favored small-scale, non-residential developments, including medical facilities and entertainment options, as well as extended operating hours for existing businesses. Ms. Radford also shared details of a photo contest held as part of the plan, which highlighted Southport's natural, historical, and community assets.

Ms. Radford presented the draft vision and goals, which remained largely unchanged since the last public meeting. Goals addressed topics such as land use, housing, water quality, public access, historic preservation, yacht basin, infrastructure, transportation, and economic development. The future land use map was discussed, highlighting residential character areas and their distinct characteristics. These areas included the Historic Neighborhood, Traditional Neighborhood, Low to Medium Density, and Low-Density Conservation Design areas, with varying residential types, densities, and design considerations.

Non-residential character areas were outlined, including Office Institutional, Industrial, Highway Commercial, Downtown, Midtown, Gateway, Neighborhood Commercial, Waterfront Commercial, and Parks and Open Space. She outlined various character areas in Southport and their intended uses. Residential areas may include design elements like alley-loaded layouts, while non-residential areas such as offices, churches, and government buildings are primarily daytime or early evening uses.

Industrial areas near the Duke Energy nuclear plant are designated for industrial and research uses. Highway commercial zones along Highway 211 accommodate larger-scale retail and services. The downtown area features historic small-scale buildings (up to 35 feet) with active storefronts. Midtown includes boutique shops, restaurants, and occasional live-work units.

The gateway area at the 87 intersection is planned as a welcoming entrance with medium-scale retail, offices, and design enhancements like landscaping. Neighborhood commercial zones on North Howe Street include small-scale businesses with occasional second-floor residences. Waterfront areas focus on retail, marinas, and low-rise structures matching existing heights. Parks and open spaces prioritize environmentally sensitive uses such as trails, kayak launches, and docks.

At this point, Ms. Radford concluded her portion of the presentation and handed it over to Mr. Petrosky to continue the discussion, particularly regarding the height analysis and additional recommendations.

Mr. Petrosky provided an overview of the purpose and intent behind the proposed big-picture map, which is designed to guide future growth and development in Southport. He explained that the map serves as a tool to evaluate proposals, encouraging decisions that align with Southport's character and values. It operates on a broader scale than zoning, as a single character area might include multiple zoning districts. Mr. Petrosky emphasized that zoning codes should not remain static for decades but should evolve to reflect the city's goals related to walkability, housing, land use, and environmental priorities. While some recommendations in the plan can be implemented within the current zoning framework, others might require amendments to better support the city's vision.

Mr. Petrosky highlighted that the map is closely tied to the recommendations in the plan's elements, particularly regarding land use and housing. He stated the goal of promoting a development pattern that honors Southport's character while addressing survey feedback from residents. The top priorities identified in the survey included environmental preservation, such as protecting water quality and coastal habitats, as well as historic preservation. These priorities have informed the recommendations, which focus on managing growth pressures while respecting both the built and natural environments. Specific strategies include continuing efforts to limit density, refining building size and scale standards, and ensuring new development aligns with Southport's character.

Regarding building height and scale, Mr. Petrosky discussed the use of LIDAR data to analyze building heights across the city, particularly in the historic core. The data revealed that most buildings in this area are below 35 feet, aside from institutional structures like churches. This aligns with traditional town planning principles where institutional buildings are often the tallest. Mr. Petrosky underscored the importance of preserving the visual prominence of Southport's iconic live oak trees. Future development should be planned to ensure these trees remain a defining feature of the city's character.

Mr. Petrosky also addressed proposed updates to the Unified Development Ordinance (UDO). These updates include introducing performance-based standards and greater flexibility, particularly in areas like neighborhood commercial zones and gateways. Mixed-use development was recommended in certain areas, such as North Howe St, provided it is context-sensitive and maintains appropriate scale. Mr. Petrosky suggested allowing flexibility in how second floors are utilized, potentially permitting live-work units or

additional residential spaces to support walkability and reduce reliance on car travel.

Conditional zoning was another key topic. Mr. Petrosky noted that while the city currently allows conditional zoning for commercial uses, expanding this option to include mixed-use or residential projects could provide a valuable tool for achieving the city's goals. He acknowledged recent state-level legislative changes, such as Senate Bill 382, which impose some limits on local governments but confirmed that conditional zoning remains a viable option.

Mr. Petrosky emphasized that the affordability challenge is not unique to Southport but is a regional and national issue. He outlined various recommendations to address affordability, including allowing accessory dwelling units (ADUs) with performance standards to prevent negative impacts on neighboring properties, potentially limiting short-term rentals in ADUs, and encouraging long-term rentals for teachers or police officers. He suggested expanding allowable housing types in different districts and implementing targeted projects in collaboration with the county or nonprofits to provide affordable housing for specific groups, such as veterans, teachers, or seniors. He discussed the importance of maintaining a walkable, traditional village feel in new developments and emphasized coordination with Brunswick County on growth management in Southport's former ETJ, given zoning changes that could lead to more density and environmental impacts.

Mr. Petrosky also highlighted public preferences for preserving open space, ensuring compatibility of new developments with existing landscapes, and enhancing access to parks and greenways. He suggested tools such as conditional zoning and conservation subdivision designs to achieve these goals. He emphasized the importance of public access to parks and greenways, proposed feasibility studies for better connectivity, and suggested parking improvements in key areas like Keziah Park. He also discussed enhancing the East Coast Greenway through Southport to improve safety and connectivity.

Additionally, he recommended a master plan for Stevens Park and continuing historic preservation efforts. He stressed the importance of resilience planning by reducing vulnerabilities from flooding, utilizing low-impact development, and protecting Southport's wetlands, particularly given changes in wetland protection laws. Public preference leaned toward conservation subdivision designs with more open space. Mr. Petrosky also highlighted Southport's unique biodiversity and the need to balance development with environmental conservation.

Regarding the Yacht Basin, he suggested improving streets, pedestrian connectivity, and historical signage, while protecting long-term functionality. He emphasized the need for better water quality through stormwater management and incentives for wetland and shoreline preservation. Economic development was another key focus, with recommendations to balance tourism with support for residents and small businesses while encouraging good-wage jobs and opportunities for families. Transportation improvements, including enhanced walkability, biking infrastructure, and downtown parking management, were also discussed.

Mr. Petrosky highlighted findings from a parking study, including the need to formalize parking, add crosswalks, and manage shifts in parking demand throughout the day. While there are no immediate plans to implement metered parking, intermediate measures were suggested, such as time-limited parking in certain areas, allowing parking on R-10 lots,

and exploring long-term parking solutions in the Yacht Basin. Formalizing parking near the water tower was proposed, which may involve removing informal parking and compensating with new spaces on adjacent side streets. To ensure accessibility, pedestrian infrastructure improvements, such as crosswalks, were also recommended, particularly near Brown Street and other key areas.

The conversation highlighted the city's growing demands on infrastructure and services, driven by projected population increases and nearby development. It was noted that key services such as police, fire, water, and sewer will require additional resources to keep pace with this growth. Stormwater management was identified as a critical area for improvement, with plans to pursue grant funding and implement strategies to minimize the impact of new development on the existing system.

Mr. Petrosky brings Ms. Radford back to explain the complex steps required for approving the CAMA plan.

Ms. Radford provided an update on the planning process, noting that an update will be presented to the Board of Aldermen in January. She emphasized the importance of feedback from the Historic Preservation Commission to ensure priorities are reflected in the plan. Ms. Radford explained that after receiving input, the plan will be reviewed by DCM staff, who will conduct a thorough checklist evaluation, potentially taking up to 75 days. Following this, the plan will undergo state agency review, which includes a 30-day comment period. Any necessary revisions will be made before returning to Stewart for final adjustments. Ms. Radford assured that comments from the state agencies are typically minor.

Chair Hodgkin expressed support for the strategic nature of the plan, highlighting its potential as a valuable planning tool for the city if actively utilized. She encouraged the inclusion of conditional zoning, citing its past challenges and its value as a management tool to facilitate positive outcomes for the city's growth. Chair Hodgkin urged the board to provide comments promptly so that any feedback could be incorporated before the January update to the Aldermen.

Ms. Radford mentioned that pages after page 93 of the plan are still under review and editing, particularly the implementation section, in collaboration with staff.

Chair Hodgkin noted ongoing discussions with the county to ensure cooperation, particularly regarding the gateway area. Mr. Petrosky confirmed that the county has access to the draft plan and has provided suggestions, fostering collaboration.

In closing, Ms. Radford confirmed that the plan is approximately 95% complete but acknowledged several reviews remain before it is finalized. Chair Hodgkin remarked on the importance of monitoring potential changes from the General Assembly in January, which may necessitate further adjustments.

Mr. Locklin questioned whether any reviews had been conducted of the county's comprehensive plan, known as "Comprehensive Plan 2040." Ms. Meehan confirmed that Brunswick County recently adopted this comprehensive plan, which includes updates to the future land use map. These updates incorporated future land use classifications for areas previously within the city's ETJ. She stated that the city has reviewed these classifications and will ensure that the county has the opportunity to provide comments on

the city's own plan once it is distributed for public review. Additionally, Ms. Meehan mentioned upcoming public input sessions hosted by the county in the next month, which will offer further opportunities for collaboration and coordination.

Ms. Meehan confirmed that comments on the planning updates should be directed to her for submission to the Stewart company. Ms. Radford and Mr. Petrosky were thanked for their efforts and reminded of the importance of incorporating feedback before finalizing plans.

2. Yacht Basin Parking Overlay District

Ms. Meehan presented an update on the proposed Yacht Basin Parking Overlay District. The Board of Aldermen had tasked staff with bringing this overlay district to the Planning Board for consideration. The area in question encompasses the block between West Moore Street, South Caswell Street, West Bay Street, and Yacht Basin Drive, including adjacent waterfront parcels. Ms. Meehan described the Yacht Basin as a historically significant destination for both locals and visitors, but one that lacks formalized parking and pedestrian infrastructure, an issue that has grown more pronounced over the past five years, especially during the summer and festivals. Previous efforts to address these concerns, including a 2021 committee recommendation, failed to achieve consensus. However, a 2022 mobility study by the Cape Fear Council of Governments and other recent analyses underscored the need for parking improvements in the area.

Ms. Meehan explained that the overlay district would aim to formalize parking, improve safety, and provide uniform standards for surfacing, buffer yards, landscaping, and maintenance while maintaining the underlying zoning uses. Staff emphasized the importance of working collaboratively with property owners to ensure buy-in and noted that the overlay district would not mandate property owners to participate.

Fred inquired about the zoning status of the residential R-10 lots within the area, and Ms. Meehan confirmed that property owners preferred to retain the current zoning rather than rezoning to commercial. Chair Hodgkin noted that this was not the first attempt to address the Yacht Basin's parking challenges, referencing his participation in the 2021 committee. She stressed the importance of engaging property owners in the planning process to ensure consensus and avoid imposing unwanted measures. She also highlighted the need to preserve the area's historical significance and educate the public about its history beyond its current appeal as a destination for dining and sunsets.

Chair Hodgkin advocated for postponing the formation of a review committee until additional members are seated on the Planning Board to provide broader perspectives. Ms. Meehan agreed, stating that no immediate action was required, and the discussion could continue at a subsequent meeting once more board members are present.

Regarding previous design concepts, Chair Hodgkin inquired whether any relevant drawings had been located. Ms. Meehan stated she had found some information but could not confirm whether it was the exact material needed, and further follow-up would be required.

H. Other Business

1. Planning Project Updates (City Planner Wendell Biddell)

Mr. Biddle provided an update on recent construction projects within the city. These included the planned demolition and anticipated redevelopment of the former Thai Peppers restaurant at 115 East Moore Street, the transformation of the former Audio Glass Vehicle Service Station at 511 North Howe into Cape Side Brewery, the initiation of Phase 2 of Osprey Landing, and the demolition of the former car insurance agency at 115 North Howe Street. Mr. Biddle emphasized that these developments, permitted by right, require only administrative review.

Chair Hodgkin inquired about providing the public with better access to information on these developments. Ms. Meehan confirmed that a search function on the city's website allows the public to view open building permits by address. However, Mr. Fiss raised concerns about the current process, suggesting that the Planning Board should be regularly updated on new developments to answer public inquiries and prevent misinformation. Ms. Meehan agreed and committed to including such updates in future meetings.

Chair Hodgkin also raised a question about outdoor seating allowances for businesses that had expanded during COVID. Ms. Meehan clarified that while outdoor seating is generally permitted, non-conforming elements such as seating in rights-of-way or safety hazards would need to be brought into compliance. A related issue was raised by Mr. Fiss regarding non-compliant benches outside a former business, which Ms. Meehan confirmed would be addressed.

I. **Announcements**

Chair Hodgkin noted that the board was awaiting new appointments to fill its vacant seats and recommendations have been forwarded to City Clerk Saldo.

Ms. Meehan informed attendees about three public input sessions being held by Brunswick County's Planning Department in January to gather feedback on updates to the county's unified development ordinance. She emphasized the importance of collaboration between the city and county, particularly after the loss of the city's ETJ buffer, and expressed appreciation for the county's coordination on projects adjacent to city limits. Chair Hodgkin underscored the value of this collaboration and the potential for mutual learning and improvement.

J. **Adjourn**

Chair Hodgkin proposed a motion to adjourn, which was moved by Mr. Hewett and seconded by Mr. Locklin. ***Unanimous vote; Motion carried***

Adjourned at 7:28 p.m.



MEMORANDUM

To: Chair Sue Hodgins, Members of the Planning Board

From: Maureen Meehan, City Planner

Re: Major Site Plan Review – 101 E Moore Street (Bullfrog Corner)

Date: January 16, 2025

This agenda item continues from your April 18, 2024, meeting and to include updated information concerning public safety issues and procedural issues concerning the project's variance final order.

Andrew Laing, property owner and Full House Properties, LLC, applicant, requested a Major Site Plan Review in August 2022 to redevelop 101 E Moore Street. The property is in the Central Business District (CBD) zoning district and includes existing retail and office space. This mixed-use proposal involves adding four (4) dwelling units built over the existing nonresidential structure. The original staff report attached to this memo contains a complete project description.

Staff presented the complete application to the Planning Board at your September 8, 2022, meeting. A review committee comprising Chair Sue Hodgins, Mr. Fred Fiss, and Mr. Scott Jones met on October 11, 2022. The Committee reviewed the submitted site plan and renderings. The proposed parking configuration needed to be revised due to the size of the parking spaces, the need to provide access to the building, and the location of trash receptacles. The application was on hold until a new site plan was available.

The applicant submitted an updated site plan to Staff on December 22, 2023. Staff sent comments to the applicant in January with concerns about the ability to turn around in the lot. A maneuverability plan prepared by Davenport engineers showed between 10 and 30 point turns to get vehicles out of the parking lot facing forward. This study did not consider key variables, including car door opening, ingress/egress from the building, and trash receptacle placement. The City Engineer confirmed that the proposed maneuverability was not acceptable. The applicant's submittal and the City Engineer's comments to this memo are attached.

Since the applicant could not meet the requirements for off-street parking for this project, they applied for and received a variance from the Board of Adjustment on January 23, 2024. The variance allows guests to pull into required parking spaces and back out to exit the lot. The approval is conditional upon the approval of the major site plan and that visual safety cues will be installed for both the vehicles leaving the parking lot and pedestrians along Howe Street.

Upon receipt of the updated site plan and variance, the Planning Board requested that the review committee reconvene due to procedural issues with the final order signatures and public safety concerns since the driveway is located on a busy sidewalk on North Howe Street.

With Kevin Locklin replacing former ETJ Planning Board member Scott Jones, the review committee met with staff, including the city manager and the applicant, to discuss the Planning Board's safety concerns.

Chair Sue Hodgins shared an option that Benjamin Hughes, Division 3 District 3 Engineer, provided that would satisfy the safety concerns the Planning Board expressed and provide sought-after public parking. The new proposal includes closing the existing driveway from Howe Street and adding public parking spaces on Howe Street. This plan will require a new variance from Section 3.14.D Minimum Off-Street Parking Ratios – removal of on-site parking.

The applicant submitted a new site plan in November with a closed driveway and delineated public parking. If approved for the variance, the applicant agrees to enter an encroachment agreement with NCDOT and install a curb and sidewalk to NCDOT standards. A new variance application is scheduled to be heard by the Board of Adjustment on January 28, 2025.

Planning Staff are submitting this proposal for Planning Board assessment in accordance with the standards and processes laid out within the City of Southport Unified Development Ordinance (UDO). The application was deemed complete by Planning Staff and is eligible to be approved by the Planning Board as an administrative or "by-right" process upon verification that all standards of the UDO are met. As noted in previous reports, there were changes and analysis to the site plan, which the applicant provided to satisfy the requests of Staff and the Planning Board review subcommittee. The site plan meets the minimum standards of the UDO, except for onsite parking, therefore, Staff recommend **conditional approval** of the request as outlined in this report with the following condition:

1. A variance must be approved to allow no on-site parking for the 4 dwelling units.

Attachments

Site Plan

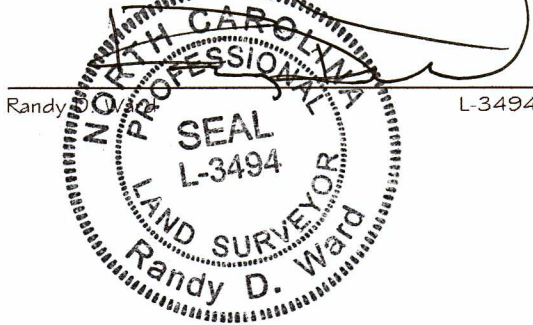
Previous Staff Reports with Attachments

Parking Maneuverability Model

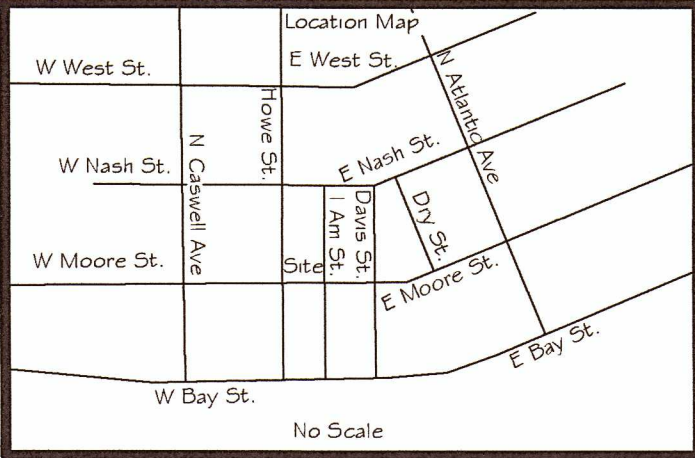
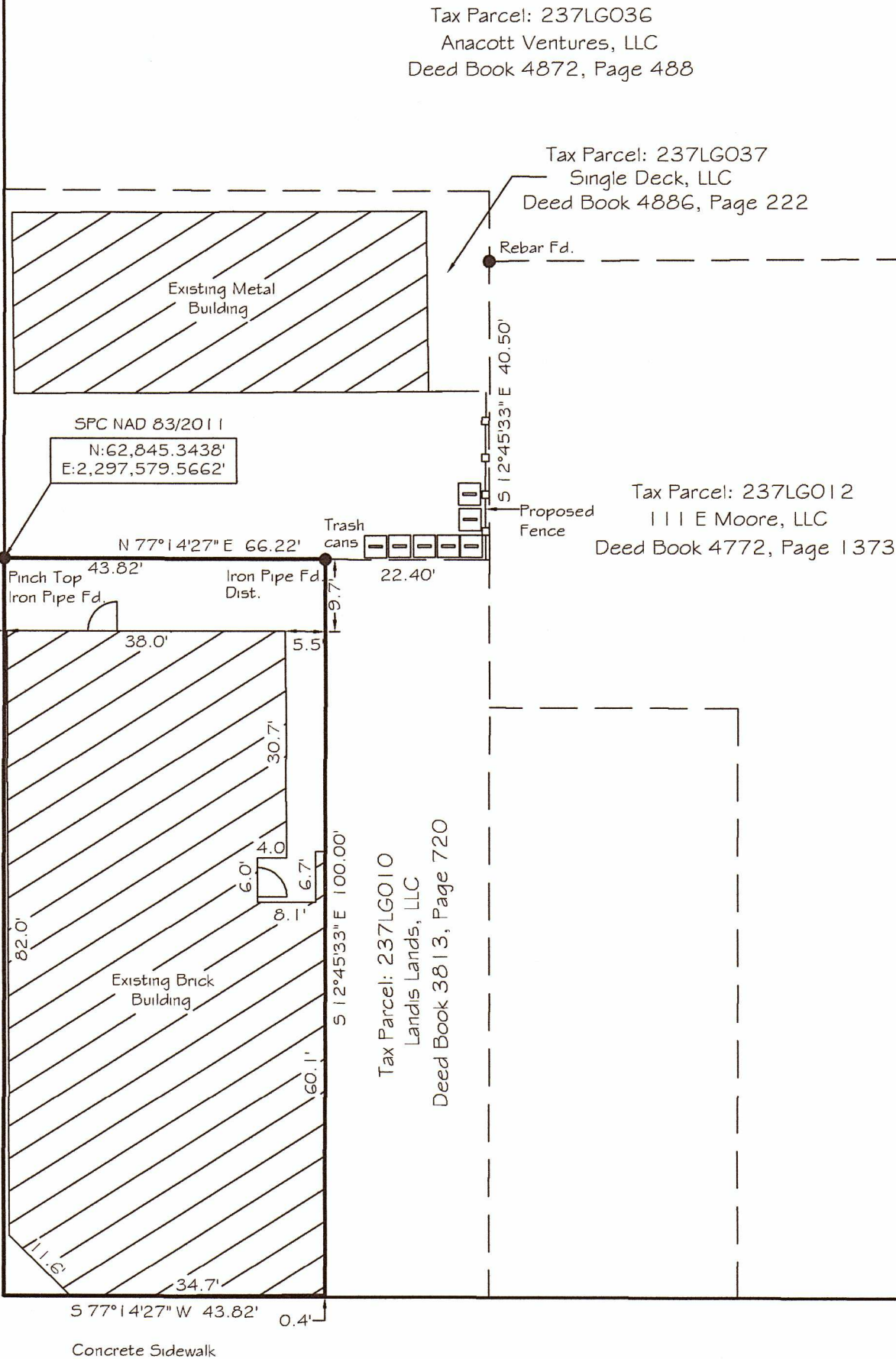
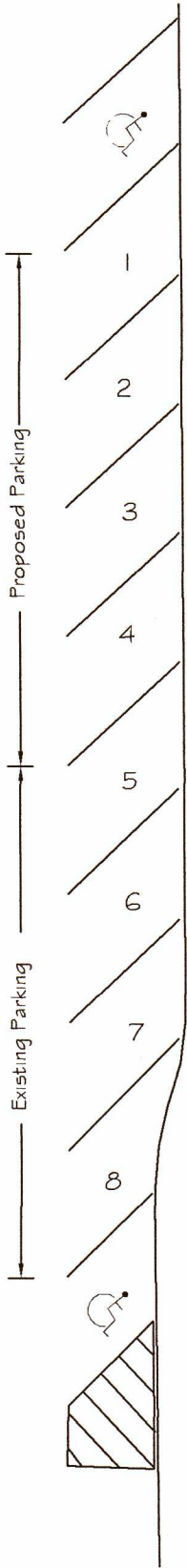
I, Randy D. Ward, a Professional Land Surveyor, certify that the Ratio of Precision is 1:10,000+ and that this map meets the Minimum Standards of Practice for Land Surveying in North Carolina.

I further certify that this is an existing parcel of land.

Witness my hand and seal this 5th day of November, 2024



NC 211 Howe Street
99' R/W



Notes:

Based on Flood Insurance Rate Map 3720209600K, Community # 370028, Panel 2096, dated 8-28-2018, this parcel appears to be located in Zone X.

Adjoining property owners based on Brunswick County GIS.

NC Gnd established from GPS observation.

Area calculated by coordinates.

Property is currently zoned CBD with 0 Setbacks.

Proposed building height is 40'.

Existing impervious area = 3,790 Sq. Ft.

There will no change to impervious area.

There will no change to existing drainage pattern.

Total # of units 5 (4 apartments) (1 Retail).

Revised November 5th, 2024 to show proposed parking.

Area Summary
4,383.00 Sq. Ft.
0.10 Acres

NW NORRIS & WARD
Land Surveyors, P.A.
North Carolina & South Carolina
P.O. Box 7894
Ocean Isle Beach, NC 28469
NC - 1037

(910) 579-5808 Fax (910) 579-5825
Steve M. Norris, P.L.S. Randy D. Ward, P.L.S.

Surveyed By: RDW
Drawn By: RDW
Checked By: SMN
File: SouthportMoore & Howe
Nov 5, 2024
Tax Parcel: 237LG009

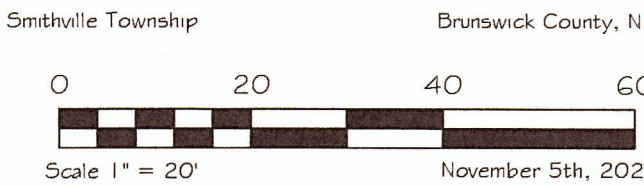
Owner of record
Single Deck, LLC
Andrew Laing
6158 River Sound Circle
Southport, NC 28461

NC 211 E. Moore Street
99' R/W

Survey For :

Single Deck, LLC

Of the lands claimed in Deed Book 4886, Page 222



©NORRIS & WARD LAND SURVEYORS P.A. 2024



MEMORANDUM

To: Chair Sue Hodgins, Members of the Planning Board

From: Maureen Meehan, City Planner

Re: Major Site Plan Review – 105 E Moore Street (Bullfrog Corner)

Date: April 18, 2024

Andrew Laing, property owner, and Full House Properties, LLC, applicant, requested a Major Site Plan Review in August 2022 to redevelop 105 E Moore Street. The property is in the Central Business District (CBD) zoning district and includes existing retail and office space. This mixed-use proposal involves adding four (4) dwelling units built over the existing nonresidential structure. The original staff report attached to this memo contains a complete project description.

Staff presented the complete application to the Planning Board at your September 8, 2022, meeting. A review committee comprising Chair Sue Hodgins, Mr. Fred Fiss, and Mr. Scott Jones met on October 11, 2022. The Committee reviewed the submitted site plan and renderings. The proposed parking configuration needed to be revised regarding parking space size or providing access to the building and trash receptacles. Further, Staff found that the amount of space between the spaces would make leaving the lot without backing into a right of way almost impossible. The project was put on hold until a new site plan was available.

The applicant submitted an updated site plan to Staff on December 22, 2023. Staff sent comments to the applicant in January with concerns about the ability to turn around in the lot. A maneuverability plan prepared by Davenport engineers showed between 10 and 30 point turns to get vehicles out of the parking lot facing forward. This study did not consider key variables, including car door opening, ingress/egress from the building, and trash receptacle placement. The City Engineer confirmed that the proposed maneuverability was not acceptable. I have attached the applicant's submittal and the City Engineer's comments to this memo.

Staff have been working with the applicant to facilitate the addition of off-street parking for this project but have yet to find an option that will allow maneuverability while also meeting all the standards of the UDO. The only other resolution was a variance. The applicant applied for and received a variance from the Board of Adjustment on January 23, 2024. The variance allows guests to pull into required parking spaces and back into the right of way to exit the lot.

The applicant submitted a new site plan with angled parking spaces, including an ADA-compliant space in addition to the minimum amount of 4 spaces. This site plan meets the requirements of the UDO.

Attachments

Site Plan

Previous Staff Report with Attachments

Parking Maneuverability Model

I, Randy D. Ward, a Professional Land Surveyor, certify that the Ratio of Precision is 1:10,000+ and that this map meets the Minimum Standards of Practice for Land Surveying in North Carolina.

I further certify that this is an existing parcel of land.

Witness my hand and seal this 17th day of April, 2024



NC 211 Howe Street
99' RW

SPC NAD 83/2011
N: 62,845.3438'
E: 2,297,579.5662'

Finch Top
Iron Pipe Fd.

N 77°14'27" E 66.22'

Iron Pipe Fd.
Dist.

Trash cans

Proposed
Fence

Rebar Fd.

Tax Parcel: 237LG036
Anacott Ventures, LLC
Deed Book 4872, Page 488

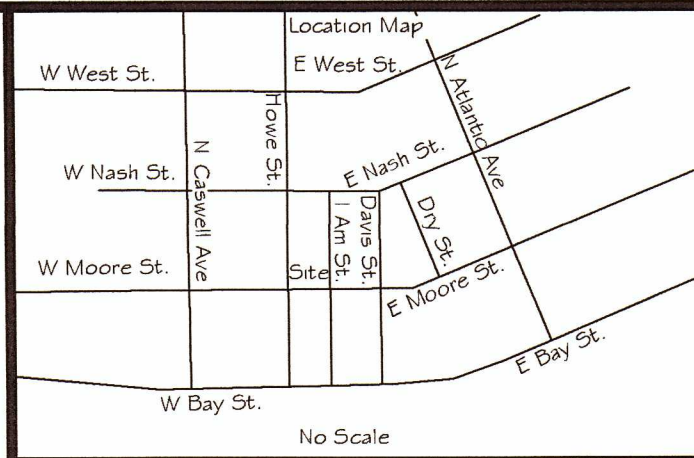
Tax Parcel: 237LG037
Single Deck, LLC
Deed Book 4886, Page 222

Tax Parcel: 237LG012
III E Moore, LLC
Deed Book 4772, Page 1373

Tax Parcel: 237LG010
Lands Lands, LLC
Deed Book 3813, Page 720

S 77°14'27" W 43.82'

Concrete Sidewalk



Notes:

Based on Flood Insurance Rate Map 3720209600K, Community # 370028, Panel 2096, dated 8-28-2018, this parcel appears to be located in Zone X.

Adjoining property owners based on Brunswick County GIS.

NC Gnd established from GPS observation.

Area calculated by coordinates.

Property is currently zoned CBD with 0 Setbacks.

Proposed building height is 40'.

Existing impervious area = 3,790 Sq. Ft.

There will no change to impervious area.

There will no change to existing drainage pattern.

Total # of units 5 (4 apartments) (1 Retail).

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4,383.00 Sq. Ft.
0.10 Acres

NW NORRIS & WARD
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P.O. Box 7894
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NC 1037

(910) 579-5808 Fax (910) 579-5825
Steve M. Norris, P.L.S. Randy D. Ward, P.L.S.

Surveyed By: RDW
Drawn By: RDW
Checked By: SMN
File: SouthportMoore & Howe
Tax Parcel: 237LG009

Owner of record
Single Deck, LLC
Andrew Larrig
6158 River Sound Circle
Southport, NC 28461

NC 211 E. Moore Street
99' RW

Survey For :

Single Deck, LLC

Of the lands claimed in Deed Book 4886, Page 222

Smithville Township Brunswick County, NC



Scale 1" = 20' April 17, 2024





PLANNING BOARD

MEMORANDUM

To: Members of the Planning Board
From: Dorothy Dutton, City Clerk, CZO, CFM
Wes MacLeod, AICP, ASLA: Local Government Services Director, CFCOG
Sam Shore, Planner CFCOG
Re: 101 E. Moore Street (Bullfrog Corner) Redevelopment
Date: 09/08/2022

BACKGROUND

The attached Major Site Plan application is for the redevelopment of an existing property in the Central Business District. This project is subject to the Major Site Plan review procedure as provided in Section 2.7.B of the Unified Development Ordinance (UDO) as more than four (4) dwelling units are proposed. The property is located at 101 E. Moore Street at the intersection Moore and Howe Street. The site is comprised of 4,383 square feet (0.10 acres). The subject property is located in the Central Business District (CBD). The CBD is defined as a restricted zoning district in which commercial uses are densely developed in accordance with the City's historical commerce center. The applicant proposes a mixed use development project comprised of retail (existing, first floor use) and four (4) residential dwelling units.

The existing building will remain on site, with upper story construction above. The redeveloped structure, as proposed, has a height limit of 40 feet in accord with the height requirements of the CBD zoning district. No setbacks are required in CBD per the dimensional requirements as provided in Section 3.9, Table 3.2 of the UDO. The proposed redevelopment project is subject to the mixed use standards of Section 3.7.F of the UDO.

3.7 F. MIXED USES

Where permitted, the following shall apply:

1. The floor area devoted to the dwelling(s) shall not exceed twice the floor area devoted to the permitted business use(s).
2. The minimum floor area for each dwelling shall be 500 square feet and the maximum floor area shall be 1,000 square feet.
3. No mixed-use building shall exceed 40 feet (i.e. one (1) floor commercial plus two (2) floors residential) in height.

4. Each dwelling shall have a direct means of access to the exterior of the building so that no access to the dwelling is provided through the use located on the lower floor(s) of the commercial building.
5. Parking for such dwelling(s) shall be in addition to that required for the permitted lower floor use(s).
6. Proposed curb cuts and driveways for required off-street parking lots that eliminate existing on-street parking spaces shall replace the number of on-street parking spaces eliminated by said curb cut(s) and driveway(s) within the parking lot being created, in addition to the number of parking spaces otherwise required by this ordinance.

According to the tax records, the existing retail square footage is approximately 3,600 square feet. Together, the four (4) proposed dwelling units comprise 4,000 square feet, each 1,000 square feet, complying with the applicable ratio of business to residential square footage.

Each floor is connected by a separate hallway and staircase/elevator for accessing the exterior subject to the requirements of Section 3.7.F.4. Five (5) parking spots are proposed for the project as required by the off-street parking requirements for mixed uses in Section 3.14 of the UDO. There are no curb cuts or driveways proposed for this project.

Two (2) parking spots are provided on site, with the remaining required two spots provided on an adjacent lot under the same ownership in accord with Section 3.14.D.4 of the UDO.

3.14.D.4: Within any zoning district, if the off-street parking space required by this ordinance cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within 400 feet of the main entrance to such principal use.

The applicant is not subject to parking lot upfit provisions of the UDO in Section 3.14. B.1, which requires compliance when 10 or more spaces are proposed. The proposed parking spots are in compliance with the required five (5) foot setback per Section 3.14.B.3 of the UDO. One (1) ADA accessible is provided on the proposed site plan.

Any proposed signage and lighting will require compliance with the City's UDO prior to permitting. Compliance with NC Building Codes will be required prior to issuance of any building permits.

Major site plan requirements of the UDO per Appendix A, Table A.1 submission requirements.

Table A.1: Submission Requirements		
APPLICATION TYPE	MAJOR SITE PLAN REQUIREMENTS	ITEMS RECEIVED INDICATED BY "X"
Proposed or approved name of development, project, subdivision, and/or phase.	X	X
Developer/applicant name(s), including mailing address and telephone number(s).	X	X
Property owner name(s), including mailing address and telephone number.	X	X
Name, registration number, and seal of professional Land Surveyor, Engineer, Landscape Architect, and/or Architect.	X	X
Date of plat/plan preparation and of surveys; North arrow and orientation; Map scale, denoted graphically and numerically.	X	X
Sketch vicinity map showing the relationship between the proposed property or properties and the surrounding area.	X	X
Tax parcel numbers, owners, zoning classifications, and book and page numbers of the site tract and adjacent tracts.	X	X
Exact existing and proposed or pending property boundary lines by bearings and distances and the location of the intersecting boundary lines of adjacent lands.		
Lots numbered consecutively throughout the subdivision.		
Boundaries of any proposed or pending zoning districts on site. Boundaries must be described by bearing and distance where they do not follow described boundaries.	X	N/A
Sufficient engineering data to determine readily, and to be reproducible on the ground, every straight or curved boundary line, street line, lot line, right-of-way line, easement line, and setback line, including dimensions, bearings or deflection angles, radii, central angles, and tangent distances for the center line of curved streets and curved property lines that are not the boundary of curved streets. All dimensions shall be measured to the nearest one-tenth of a foot and all angles to the nearest minute.	X	X
Accurate locations and descriptions of all monuments, markets, and control points.		
Location, dimensions, density, and description of proposed land uses on each tract or parcel, including single family residential, multi-family residential, commercial, office, institutional, industrial, and recreational. Recreational uses shall specify type and future ownership.	X	X
Location and dimensions of existing and proposed buildings or structures on the site and all adjacent tracts, including existing buildings or structures to be removed. Total number of stories of all multi-story buildings and height of all buildings must be indicated.	X	X
Location, direction, dimensions, name, and surface type of existing or proposed rights-of-way and easements, including those being vacated and those on adjacent properties.	X	N/A – no proposed rights-of-way/easements.
Location of roads appearing on officially adopted plans.	X	X
Location of roads, streets, and circulation patterns; including any proposed or required bicycle or pedestrian facilities.	X	X

Total square footage of existing and proposed impervious surfaces.	X	X
Names, cross-sections, approximate grades, and pavement widths of proposed road rights-of-way, including design engineering data for all corners and curves.	X	X
Type of street dedication, either public or private.		
Location and dimensions of parking and loading spaces and drive aisles, including handicapped parking.	X	X
Location and dimensions of existing and proposed sidewalks and accessible accessways.	X	X
Location and dimensions of all trash containers and required screening.	X	X
FEMA-designated flood hazard areas, including flood zone designations and map panels.	X	X
Location and description of CAMA Areas of Environmental Concern, including 404 wetlands as determined by the Army Corp of Engineers and coastal wetlands as determined by NCDEQ.	X	N/A
Location and description of environmental features such as wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or streambeds, and any other natural features affecting the site.	X	N/A
Existing and proposed topography.	X	N/A
Location, dimensions, and description of all areas to be dedicated to the public or to a property owners association.		N/A
Location, size, and flow direction of existing and proposed draining courses within or immediately adjacent to the site, including culverts and storm drains.	X	N/A - Applicant proposes no change to the existing drainage system, not increase to impervious surface.
Location and size of stormwater basins or other comparable stormwater management mechanisms.	X	N/A - Applicant proposes no change to the existing drainage system, not increase to impervious surface.
Location and labeling of minimum building setback lines.	X	X
Detailed utility plans, including water, sewer, and stormwater, and showing connections to existing systems or plans for individual water supply systems and sewage disposal systems. Plans must show line sizes, the location of hydrants, blow-offs, manholes, pumps, force mains, gate valves, utility and maintenance easements, and daily estimated sewer flow figures. Type of construction materials and brand of appurtenances may require approval from the City of Southport, Brunswick County Utilities, and/or NCDOT. Plans shall include profiles based on mean sea level datum for gravity sanitary and storm sewers.	X	N/A – Applicant proposes no change to the existing drainage system. Property is currently served by water and sewer.
Total number and type of dwelling units, by development phase.	X	X
For residential uses, the number of units, heights, and a generalized location. For non-residential uses, the height, approximate footprint, and location of all structures.		X
Signage.	X	N/A – No signage proposed at present.

Outdoor Lighting Plan.	X	N/A – No proposed lighting at present.
Locations, dimensions, and size of required buffers, street yards, foundation planting, parking facility planting areas.	X	N/A
Location, species, and size of all regulated and specimen trees as defined by this ordinance.	X	N/A
Location and size of all groves of trees to be protected, including the approximate number and species of protected trees.	X	N/A
Location, species, dimensions, and spacing of all required landscaping materials clearly labeled and numbered and a legend.	X	N/A
Note on plan stating that prior to any clearing, grading, or construction activity tree protection fencing will be installed around protected plans, trees, or groves of trees. No construction workers, tools, materials, or vehicles are permitted within the tree protection fencing.	X	N/A
Any other information considered pertinent by the applicant, UDO Administrator, Planning Board or Board of Aldermen.	X	

RECEIVED

AUG 29 2022

CITY CLERK,
CITY MANAGER'S OFFICE**Major Site Plan**

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. _____ FEE: \$ 500.⁰⁰Date Received: 8/29/2022

Applicant's Name: Full House Properties, LLC (Single Deck, LLC)
 Mailing Address: 6158 River Sound Cir City: Southport
 State: NC Zip Code: 28461 Phone: 760-799-1969
 Email: andrewscottlaing@gmail.com
 Location of the property: 101 E. Moore St.
 Parcel No.: 23746009 Overall Acreage: .10 Number of lots: _____

Property Owner's Name: Andrew Laing
 Address of Owner: 6158 River Sound Cir Phone: 760-799-1969
 City: Southport State: NC Zip Code: 28461
 Email: andrewscottlaing@gmail.com

Surveyor: BANDY WATTS License #: 3494
 Mailing Address: ~~1458~~ 1415 ASHLITRA RD. City: ASH
 State: NC Zip Code: 28420
 Phone: 910-443-1898 Email: _____

Major Site Plan Definition

Per Section 2.7.B of the UDO, Purpose. A major site plan is intended for more intense development proposals requiring greater discretion of the city.

The following development types must submit a major site plan as specified in this ordinance:

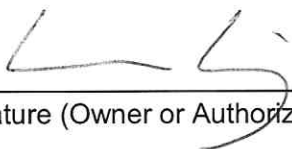
- a) Residential development of four (4) or more dwelling units on a lot.
- b) Nonresidential development whereby 10,000 square feet or more of impervious surfaces are proposed.
- c) All other development not subject to minor site plan approval.

Pre-Application Meetings: Applicants may request a pre-application meeting with the UDO Administrator prior to submission of an application to discuss procedural and substantive matters related to the proposed application.

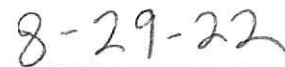
Required Application Materials for Submittal:

- One (1) digital copy and 12 hard copies of the major site plan shall be submitted with all such applications.
- The major site plan shall be prepared by and sealed by a licensed land surveyor, landscape architect, or engineer registered to practice in the state of North

Major site plans shall include all required information as provided in Appendix A: Submission Requirements of the UDO.



Signature (Owner or Authorized Applicant)



Date

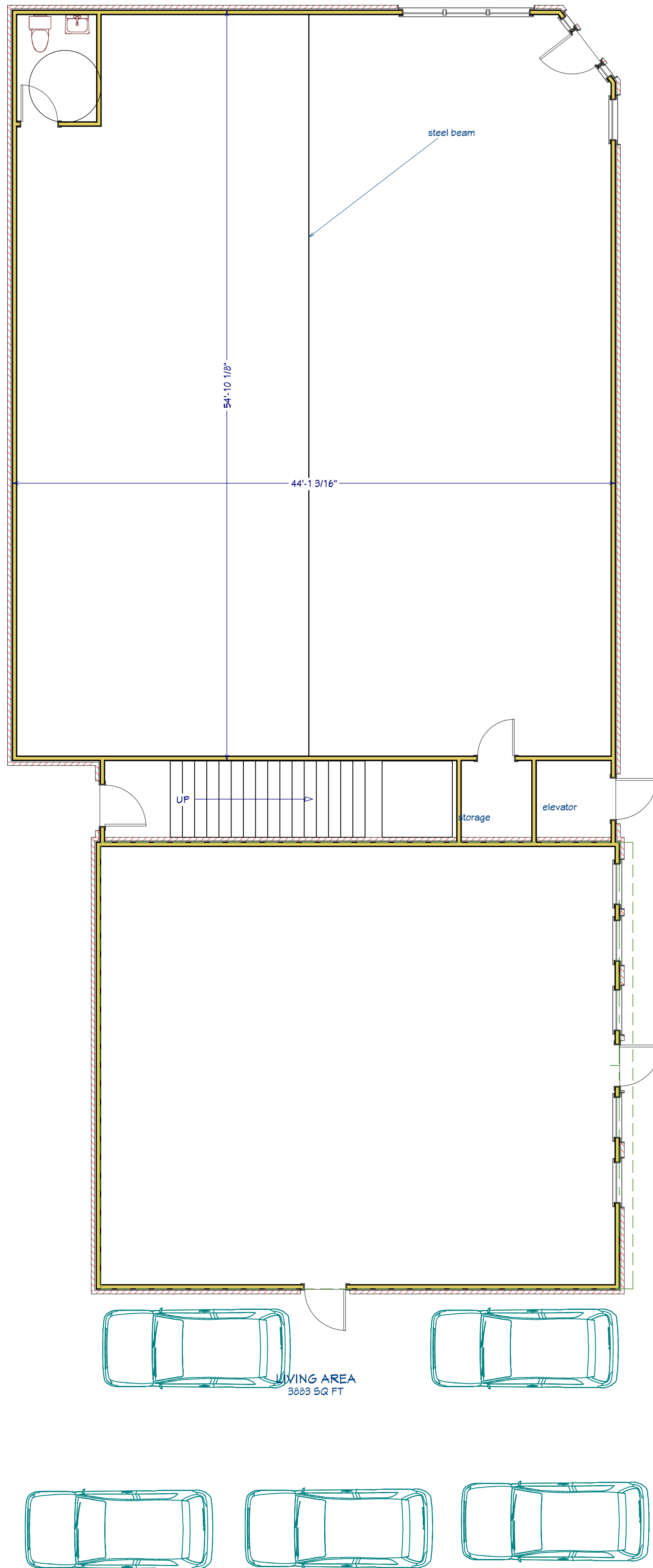
APPROVED BY:

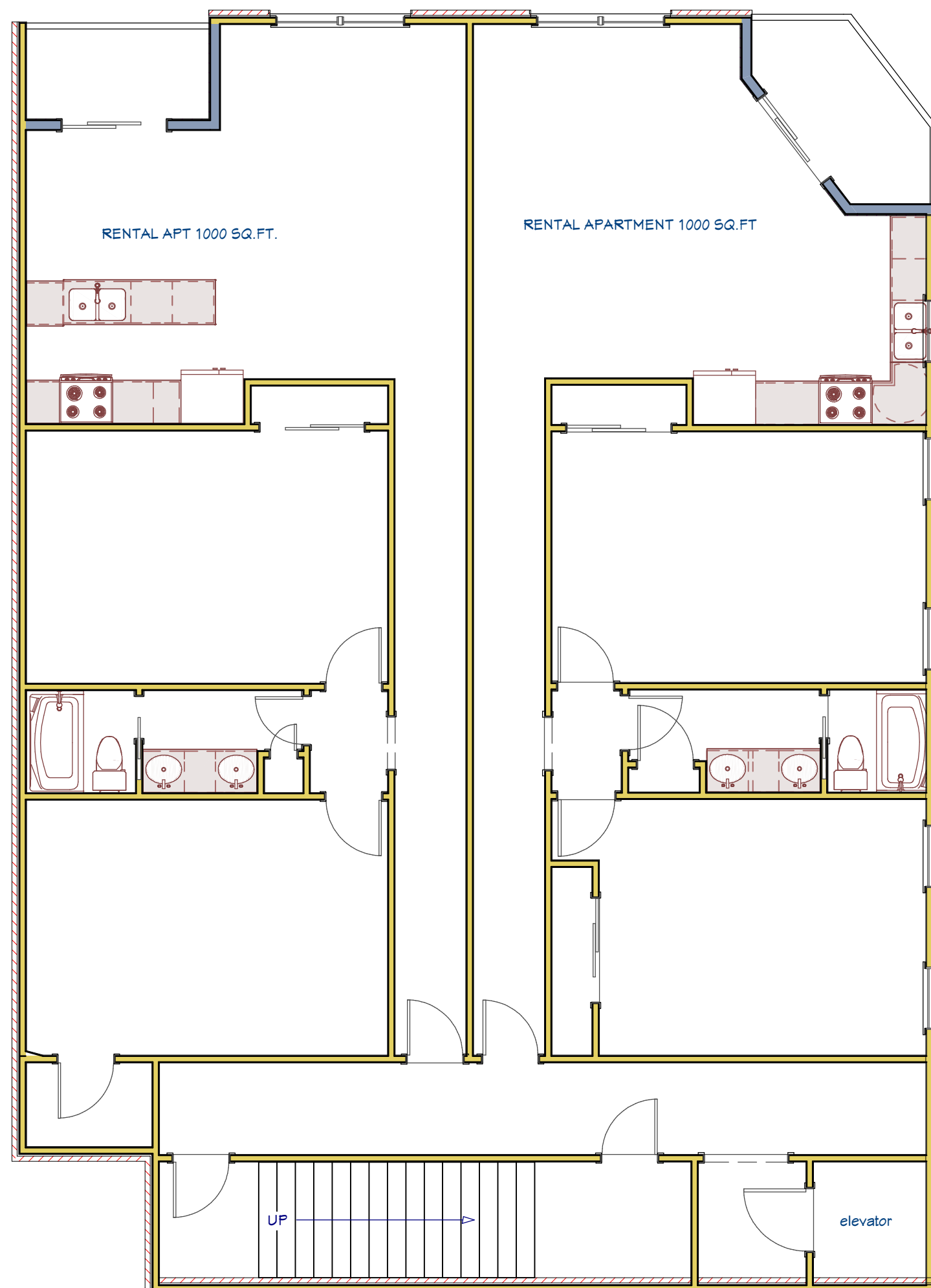
UDO Administrator

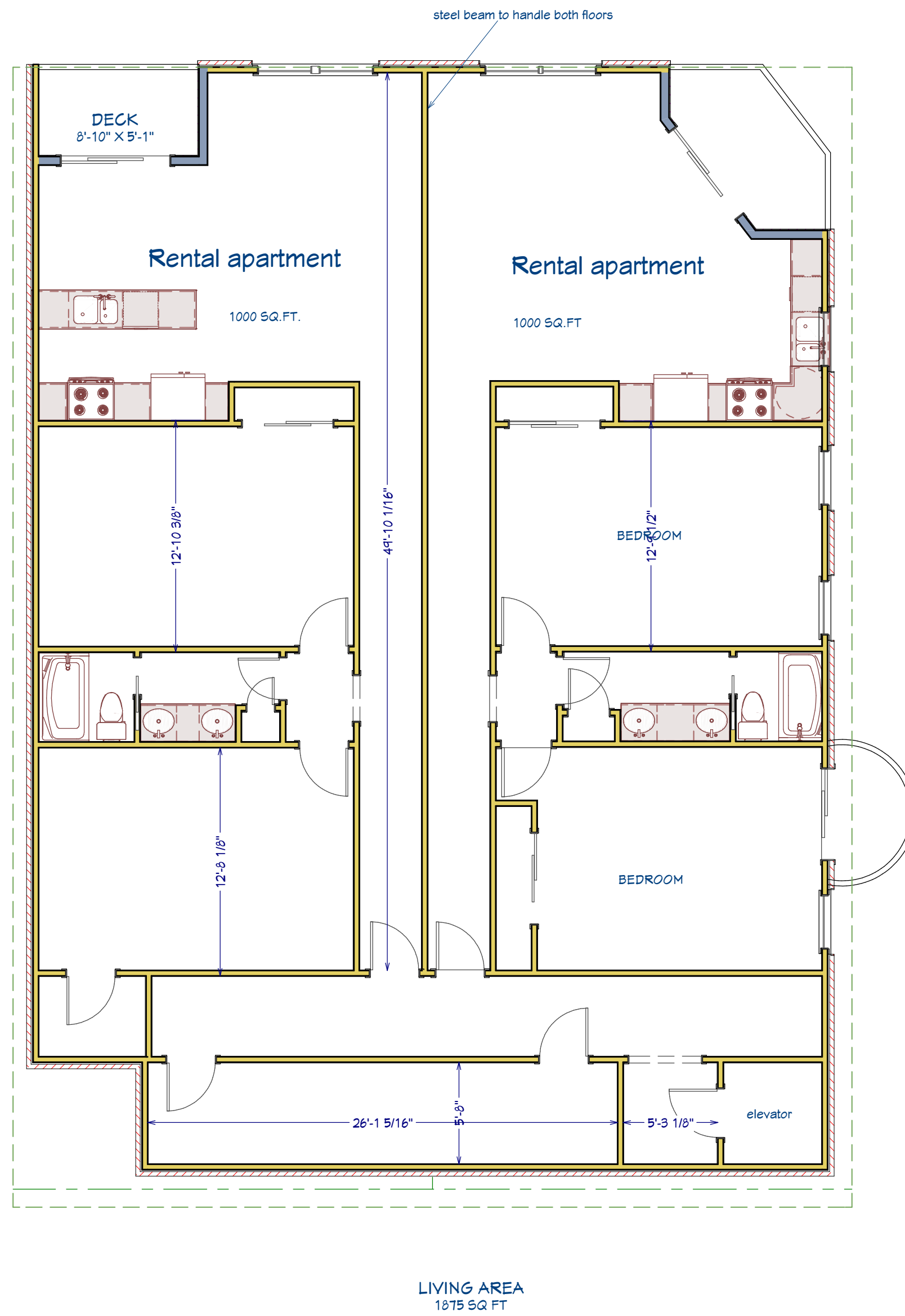
Date







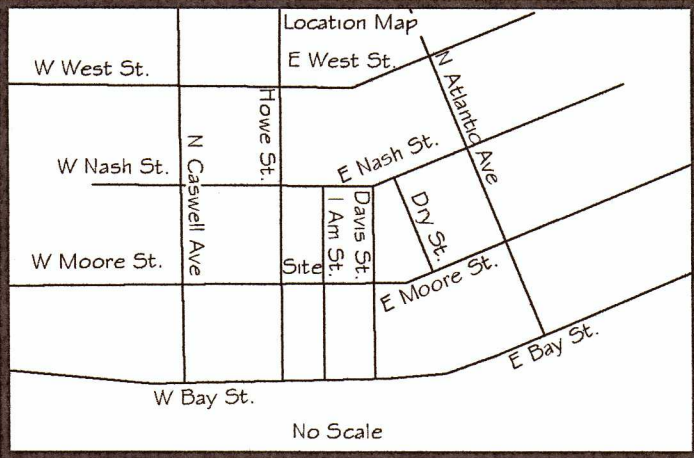
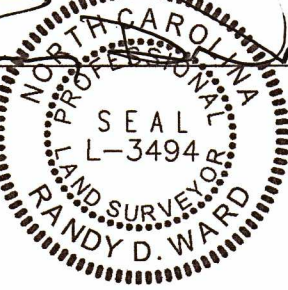




I, Randy D. Ward, a Professional Land Surveyor, certify that the Ratio of Precision is 1: 10,000+ and that this map meets the Minimum Standards of Practice for Land Surveying in North Carolina.
I further certify that this is an existing parcel of land.

Witness my hand and seal this 25th day of August, 2022

Randy D. Ward



NC 211 Howe Street

99' RW

SPC NAD 83/2011
N: 62,845.3438'
E: 2,297,579.5662'

Pinch Top
Iron Pipe Fd.

Concrete Sidewalk

N 12°45'33" W 100.00'

82.0'

30.7'

6.0'

6.7'

8.1'

60.1'

11.6'

34.7'

0.4'

100.00'

S 12°45'33" E

43.82'

43.82'

7.8'

9x18' Parking

9x18' Parking

9x18' Parking

9x18' Parking

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9x18' Parking

Concrete Sidewalk

S 77°14'27" W 43.82'

0.4'

22.40'

Iron Pipe Fd. Dist.

40.50'

S 12°45'33" E

40.50'

Rebar Fd.

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NC 211 E. Moore Street

99' RW

Survey For :

Single Deck, LLC

Of the lands claimed in Deed Book 4886, Page 222

Smithville Township Brunswick County, NC



Scale 1" = 20' August 25th, 2022

©NORRIS & WARD LAND SURVEYORS P.A. 2022

Area Summary
4,383.00 Sq. Ft.
0.10 Acres

NW NORRIS & WARD
Land Surveyors, P.A.
North Carolina & South Carolina
P.O. Box 7894
Ocean Isle Beach, NC 28469
NC -1037

(910) 579-5808 Fax (910) 579-5825
Steve M. Norris, P.L.S. Randy D. Ward, P.L.S.

Surveyed By: RDW
Drawn By: RDW
Checked By: SMN
File: SouthportMoore & Howe
Tax Parcel: 237LG009

Owner of record
Single Deck, LLC
Andrew Laing
6158 River Sound Circle
Southport, NC 28461

Dorothy Dutton

From: Hughes, Benjamin T <bthughes@ncdot.gov>
Sent: Monday, August 29, 2022 3:13 PM
To: Dorothy Dutton
Subject: RE: [External] TIA

Hey Dorrie,

Good hear from you and I hope you are doing well and enjoying your many hats. Don in a separate email pointed out the following:

Please see the attached proposed scope of study for the above referenced project. Being in a downtown area with the grid available to disperse the trips, and the limited parking available for the site, a typical TIA for this project where point impacts are determined is difficult to define. Traffic for this site will likely distribute to the available public on street parking as is typical in most CBD's. We also anticipate that the proposed non-residential uses will provide services to the surrounding residents, and pedestrian/cyclist trips from the surrounding residential areas are also a difficult to quantify aspect given the typical trip generation methods being oriented to vehicular mode.

I agree with the above assessment. A traffic impact analysis would not be possible here as those look at individual driveways for a new development with all traffic coming and going using the driveways. Obviously, with 5 parking spaces here most if not all of the development traffic will be pedestrian using the existing downtown parking infrastructure.

Feel free to reach out to me if you have any questions.

Thanks!

Benjamin T. Hughes, PE

District Engineer
Division 3 | District 3
(910) 632-0891 Direct
(910) 398-9109 Office

From: Dorothy Dutton <Ddutton@cityofsouthport.com>
Sent: Monday, August 29, 2022 11:05 AM
To: Hughes, Benjamin T <bthughes@ncdot.gov>
Subject: [External] TIA

CAUTION: External email. Do not click links or open attachments unless you verify. Send all suspicious email as an attachment to [Report Spam](#).

Good morning, Ben.

We have received an application for a major site plan at N. Howe Street and Moore Street intersection. The first floor has an existing retail space (Bullfrog Corner). The applicant wishes to build two floors on top of the retail space, creating (4) apartments. There will be a total of (5) parking spaces provided off-street. No curb cuts are expected.

Our development ordinances state that a TIA is required when a project would generate (500) trips a day.
I don't believe this project would generate that many trips. Could you please weigh in or forward my message to the appropriate person?

I appreciate your help!

Dorothy Dutton
City Clerk
City of Southport
(910) 457-7900 x1010



Email correspondence to and from this sender is subject to the N.C. Public Records Law and may be disclosed to third parties.

Dorothy Dutton

From: Wes Macleod <wmacleod@capefearcog.org>
Sent: Monday, August 29, 2022 12:49 PM
To: Dorothy Dutton
Cc: Gordon Hargrove
Subject: RE: major site plan

Follow Up Flag: Follow up
Flag Status: Flagged

Dorrie and Gordon,

In accord with Section 2.6 of the UDO, I consider the major site plan application to be complete. Permit choice statutes (§143-755, §160D-108) afford applicants/owners advantageous treatment in addition to awarding attorneys fees in the case of a favorable ruling of the applicant/owner. As with any application for a development approval, there are two decisions – the first being application completeness; and the second being compliance with all ordinance terms in order to grant zoning approval for the subject application. There are still a few minor items that should be included on the site plan in accordance with the requirements for major site plan submittal.

Please see comments below regarding remaining application completion items:

- Please provide height of the proposed structure.
- Please indication location of traffic patterns – parking.
- Please indicate the total amount of existing and proposed impervious surfarace.
- Please indicate location of handicap parking, if any, in accordance with NC Building Code.
- Please indication location of trash containers
- Please provide location, size, and flow direction of existing and proposed drainage courses, within or immediately adjacent to the site.
- Please provide the total number of dwelling units
- Please indicate the location of proposed signage proposed, if any. Note: sign permits may be issued at a later date if the location of proposed signage is unknown.

Regarding UDO compliance, please see comments below regarding the initial review of the major site plan application:

- Please indicate compliance with five (5) foot parking lot setback.
- Please indicate off-street parking space compliance with Section 3.14.B.6/7, regarding conflict with exterior building entry/exit and proximity to existing structure.

These are my initial comments, following my brief review upon receipt of the application/site plan this morning.

If you have any questions please let me know.

Thanks,

Wes

From: Dorothy Dutton <Ddutton@cityofsouthport.com>
Sent: Monday, August 29, 2022 10:03 AM
To: Wes Macleod <wmacleod@capefearcog.org>
Cc: Gordon Hargrove <ghargrove@cityofsouthport.com>
Subject: major site plan

Wes,

Good morning! I will call you in a minute to give you some more detail, but we have received an application for a Major Site Plan review. Andrew Laing plans to build two floors above Bullfrog Corner to be used as (4) apartments. The bottom floor remains retail. There is space for (5) parking spaces, and he will add to the site plan the location of the trash receptacles. No buffers are required in the CBD. There are always questions about whether applications are complete. Will you please review the attachments and reply if the application is complete?

I also have his application and fee.

Thank you!

Dorothy Dutton
City Clerk
City of Southport
(910) 457-7900 x1010



From: [Wes Macleod](#)
To: [Maureen Meehan](#)
Subject: FW: 101 E. Moore Street Update
Date: Tuesday, October 4, 2022 1:44:16 PM

From: Wes Macleod

Sent: Tuesday, September 27, 2022 2:20 PM

To: 'beachnsue@gmail.com' <beachnsue@gmail.com>; 'willhewett.68@gmail.com' <willhewett.68@gmail.com>; 'ffiss@bellsouth.net' <ffiss@bellsouth.net>; 'cjonessy03@gmail.com' <cjonessy03@gmail.com>; 'southportjones@gmail.com' <southportjones@gmail.com>; 'donnie.joyner@gmail.com' <donnie.joyner@gmail.com>; 'gemibelli@gmail.com' <gemibelli@gmail.com>; 'saltydogrhs14@gmail.com' <saltydogrhs14@gmail.com>

Cc: 'Dorothy Dutton' <Ddutton@cityofsouthport.com>; Tanya Shannon <tshannon@cityofsouthport.com>; Sam Shore <sshore@capefearcog.org>; ghargrove@cityofsouthport.com

Subject: 101 E. Moore Street Update

Good Afternoon All,

My name is Wes MacLeod, I am currently assisting the City of Southport with Planning Services Administration subject to the departure of the former Director. Most of you may have met my colleague, Sam Shore, at previous meetings for which I could not attend. The purpose of this email is to provide a brief update to the Planning Board regarding the status of an application for a Major Site Plan at 101 E. Moore Street (Bullfrog Corner).

At the September Planning Board meeting, a review committee was appointed for further oversight of the proposed project. To my knowledge, during the Planning Board meeting, there was some discussion concerning additional requirements of the applicant. In particular, compliance with the requirements of the city's Building Design Standards was discussed (Section 3.11 of the UDO). While the applicant has submitted preliminary renderings of the building elevations along Howe and Moore Street; compliance with the Building Design Standards of the UDO is not required. To further clarify, only **new construction** projects are subject to the building design requirements of the UDO. Per the UDO definitions, new construction is applicable only to development on formerly vacant lots, not redevelopment or modification of an existing building. Accordingly, the city cannot require the applicant to submit architectural renderings to demonstrate compliance such design standards as there is no such applicable requirement. The applicant may certainly voluntarily agree to requests of the Planning Board or its review committee, but such requests cannot be binding on the applicant nor a condition of site plan approval. Relevant UDO language is provided below:

3.11. B. APPLICABILITY

The requirements of this section shall apply to the CBD and BD zoning districts in the following circumstances:

1. All **new construction** other than single-family or two-family dwellings.

2. Communication towers, religious institutions, government buildings, public structures, and uses within the LI and HI district shall be exempt from these requirements.

New Construction. Structures and development activity that occurs on a previously vacant lot. For the purposes of this ordinance, new construction does not include redevelopment except where otherwise defined within Article 5.

I hope this helps clarify some of the questions before the Planning Board. It was my intention to provide further detail on these compliance questions at the upcoming Review Committee meeting, but I felt it would be useful to send a clarifying email prior to that meeting.

For those participants on the Review Committee for this application, I look forward to seeing you and answering any further questions you may have once that meeting is held. Please do respond with your availability at your convenience, if any, based upon the City Clerks email pertaining to such.

Best regards,

Wes MacLeod, AICP, ASLA

Local Government Services Director

Cape Fear Council of Governments

1480 Harbour Drive

Wilmington, NC 28401

Tel: 910.274.0352

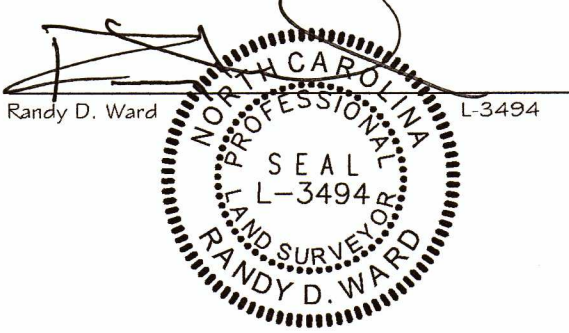
Fax: 910.395.2684

Email: wmacleod@capefearcog.org

E-mail correspondence to and from this sender may be subject to the North Carolina Public Records law and may be disclosed to third parties.

I, Randy D. Ward, a Professional Land Surveyor, certify that the Ratio of Precision is 1: 10,000+ and that this map meets the Minimum Standards of Practice for Land Surveying in North Carolina.
I further certify that this is an existing parcel of land.

Witness my hand and seal this 16th day of November, 2022



NC 211 Howe Street
99' R/W

SPC NAD 83/2011
N: 62,845.3438'
E: 2,297,579.5662'

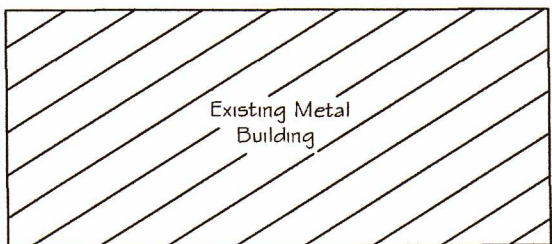
Pinch Top
Iron Pipe Fd.

Concrete Sidewalk

N 12°45'33" W 100.00'

Concrete Sidewalk

S 77°14'27" W 43.82' 0.4'



Existing Metal
Building



Tax Parcel: 237LG010
Lands Lands, LLC
Deed Book 3813, Page 720

Trash
receptacles

22.40'
Iron Pipe Fd.
Dist.

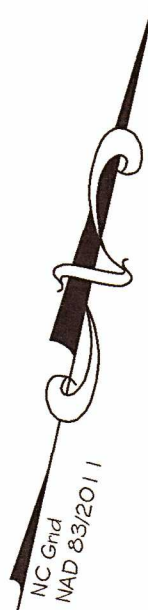
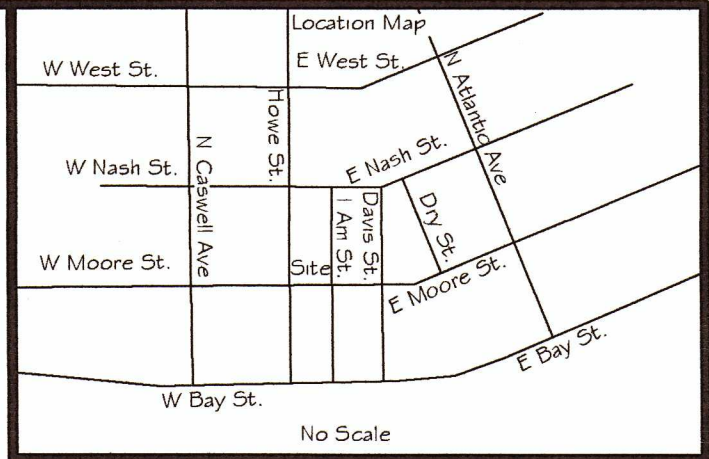
S 12°45'33" E

Rebar Fd.

Tax Parcel: 237LG036
Anacott Ventures, LLC
Deed Book 4872, Page 488

Tax Parcel: 237LG037
Single Deck, LLC
Deed Book 4886, Page 222

Tax Parcel: 237LG012
111 E Moore, LLC
Deed Book 4772, Page 1373



Notes:

Based on Flood Insurance Rate Map 3720209600K, Community # 370028, Panel 2096, dated 8-28-2018, this parcel appears to be located in Zone X.

Adjoining property owners based on Brunswick County GIS.

NC Gnd established from GPS observation.

Area calculated by coordinates.

Property is currently zoned CBD with 0 Setbacks.

Proposed building height is 40'.

Existing impervious area = 3,790 Sq. Ft.

There will no change to impervious area.

There will no change to existing drainage pattern.

Total # of units 5 (4 apartments) (1 Retail).

Area Summary
4,383.00 Sq. Ft.
0.10 Acres

NW NORRIS & WARD
Land Surveyors, P.A.
North Carolina & South Carolina
P.O. Box 7894
Ocean Isle Beach, NC 28469
NC -1037

(910) 579-5808 Fax (910) 579-5825
Steve M. Norris, P.L.S. Randy D. Ward, P.L.S.

Surveyed By: RDW
Drawn By: RDW
Checked By: SMN
File: SouthportMoore & Howe
Tax Parcel: 237LG009

Owner of record
Single Deck, LLC
Andrew Laing
6158 River Sound Circle
Southport, NC 28461

NC 211 E. Moore Street
99' R/W

Survey For :

Single Deck, LLC

Of the lands claimed in Deed Book 4886, Page 222

Smithville Township Brunswick County, NC
0 20 40 60
Scale 1" = 20' November 16th, 2022

©NORRIS & WARD LAND SURVEYORS P.A. 2022

From: [Maureen Meehan](#)
To: [andrewscotttling@gmail.com](#)
Cc: [Dorothy Dutton](#)
Subject: FW: Bull Frog Parking results
Date: Friday, December 1, 2023 12:08:00 PM
Attachments: [image001.png](#)
[image002.png](#)
[image003.png](#)
[image001.png](#)

Andrew,

Please see comments from the City Engineer below, which need to be considered for the parking lot as proposed. The lot size restricts the parking that is required by the UDO for each of the units. I believe that it may be necessary to either consider a variance from the required parking standards and then bring a new site plan to the Planning Board, or reduce the number of units, which I know is not the ideal answer. Think about the options and let me know your thoughts.

I am happy to sit down with you to discuss options. I want to work with you to get the best project possible while meeting all the requirements of the UDO.

Thanks,

Mo

Maureen Meehan
City Planner
City of Southport
Development Services
(910) 457-7900 x1043
www.cityofsouthport.com



From: Tom Zilinek <tzilinek@cityofsouthport.com>
Sent: Wednesday, November 8, 2023 1:12 PM
To: Maureen Meehan <mmeehan@cityofsouthport.com>
Subject: Re: Bull Frog Parking results

Mo

This parking plan is totally unacceptable. Below are some of my notes as to why.

1. The turns proposed for exiting the spaces are between 10 and 30 point turns (not even close to a 3 point turn). The level of service for these spaces is extremely poor.
2. None of the spaces allow for doors to open on either the driver or passenger side (depending on which direction the car is facing).
3. The proposed space closest to Howe St adjacent to the building is blocking a door on the building. This limits ingress and egress to the building.
4. The accessible space should be located in the shortest route to the accessible entrance to the building. The space appears to be located with the farthest route.
5. The design is for a passenger car but does not state which type of passenger car. A passenger car can be as small as 14 feet (compact) and up to 18 feet (full size or minivan). It is not inconceivable that a pickup truck at 20 feet would use one of the spaces. These larger passenger vehicles would only increase the number of point turns to exit the area and lower the already proposed extremely poor level of service for the parking area.
6. The spaces are proposed directly adjacent to the building and neighboring property. If a vehicle is not parked just about touching the building (not very likely to occur) the proposed 12 foot parking aisle will be reduced. It is not inconceivable the driveway width could be reduced down to 8 feet or less due to vehicle door access. This is nowhere near wide enough for the driveway.
7. In the layout engineering notes it lists the following assumptions.
 - a. Design is only for vehicular movements and does not allow for:
 1. Building setback to spaces.
 2. Pedestrian ingress and egress to building
 3. No allowance for car door opening
 4. No allowance for building trash receptacles
 - b. Only departure trips were analyzed
 - c. ADA accessibility was not analyzedAll these assumptions will have a negative impact on the layout and its effectiveness

This is all based on a quick cursory review. If you need anything else or more detail let me know

Tom Zilinek, PE
City Engineer
City of Southport
910-457-7900 X 1021

From: Maureen Meehan <mmeehan@cityofsouthport.com>
Sent: Wednesday, November 8, 2023 10:43 AM
To: Tom Zilinek <tzilinek@cityofsouthport.com>
Subject: FW: Bull Frog Parking results

Tom, here is the parking circulation we spoke about for the addition of 4 apartments over Bullfrog Corner. Scroll Down for the diagrams.

Thanks!

Mo

Maureen Meehan
City Planner



From: Andrew Laing <andrewscottlaing@gmail.com>
Sent: Tuesday, September 19, 2023 9:59 AM
To: Maureen Meehan <mmeehan@cityofsouthport.com>
Subject: Bull Frog Parking results

Andrew Laing
760-799-1969

Begin forwarded message:

From: Evan Brigham <ebigham@davenportworld.com>
Date: September 18, 2023 at 3:26:39 PM EDT
To: Andrew Laing <andrewscottlaing@gmail.com>
Cc: Don Bennett <dbennett@davenportworld.com>, Randy Ward <randyward@atmc.net>
Subject: Bull Frog Parking results

Hi Andrew,

I've reviewed the layout for your parking lot in Southport, NC. I feel confident that 4 parking stalls will work using the attached configuration. I've ran the turning simulations and multiple other engineers from the team have back-checked and/or replicated these results. We were able to make it work, but it's very tight. This analysis includes the following assumptions:

- Driveway entrance does not move/shift. No work is done in the public right of way, all work occurs on site.
- Design is only for vehicular movements between the buildings and does not consider:
 - Setbacks. Our original scope notes a 1' setback from the buildings on all sides. This configuration is very difficult to maintain – all space was needed.
 - Landscaping requirements
 - Utility access and/or protection
 - Pedestrian ingress/egress to building
 - Car door opening.
 - Other technical requirements that deduct from the footprint of the lot.
 - Trash receptacles.
- This design does allow for the planter to stay where it is.
- Forward movement to NC 211 was assumed (no backing out)
- Only departure trips were analyzed.
- Vehicle type was a passenger car and used dimensions and turning assumptions from AASHTO 2018 guidance.
- ADA accessibility was not analyzed
 - Cross slopes will need to be met (ie the traveled way for peds is less than 2% perpendicular to travel)
 - Handicapped space needs to be within 100' of subject entrance
 - Paving may be required to ensure surface meets ADA requirements
- This task was to determine if 4 vehicles could depart the parking lot in a forward direction. This task was not to design the parking lot and ensure adherence to ADA and/or building codes or any other requirements.
- Parking stalls are 9'x18' per Town of Southport guidance.
- 12' parking aisle is maintained
- ADA is 11' parking spot and 5' loading area per NC building code. This width can likely be increased without issues.

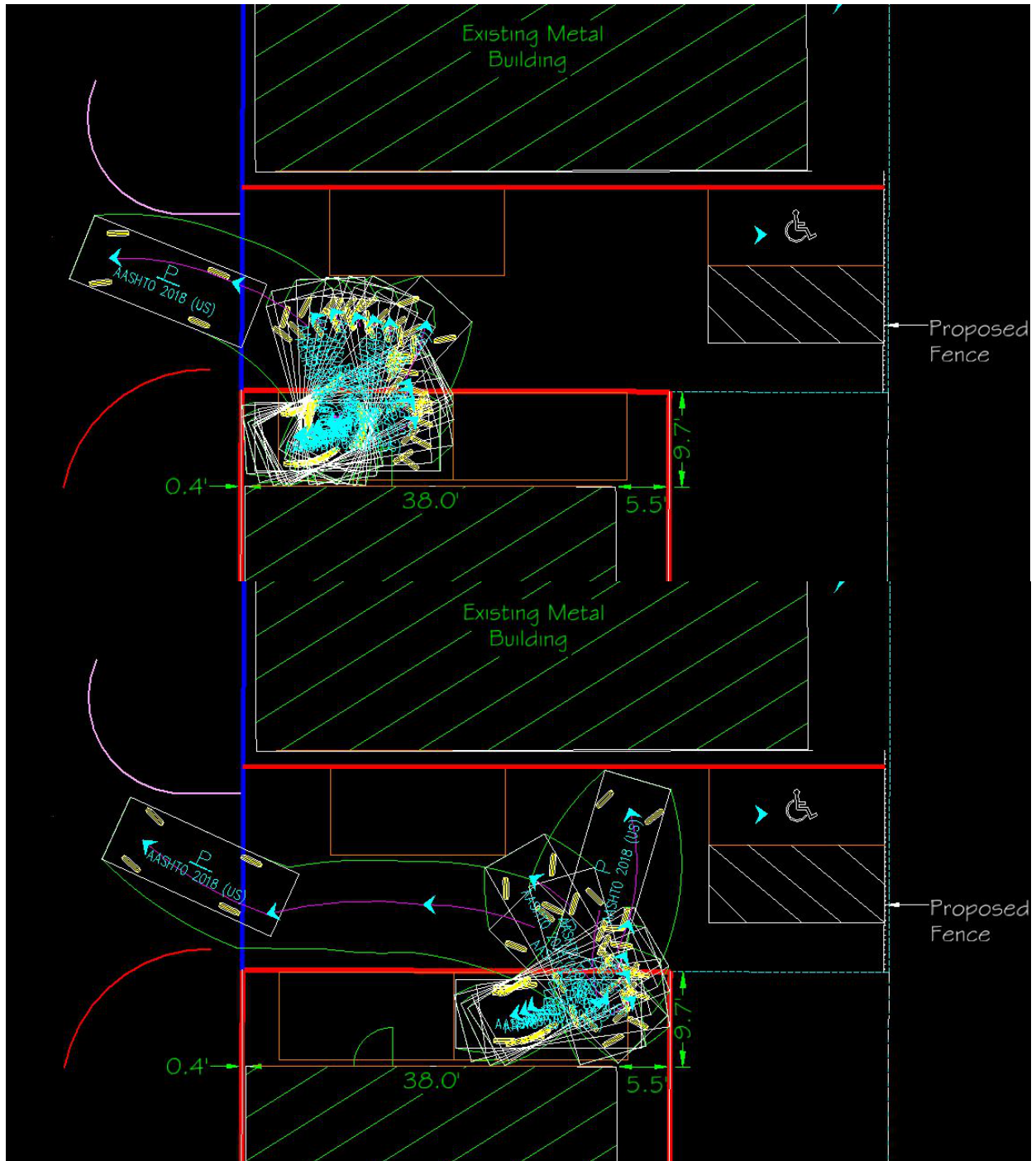
The above and attached conclude our obligations under Task 1 of the attached scope. We're more than happy to progress to Task 2 and prepare engineering drawings and seal. I would advise that you take the attached screen shots to the Town and make sure that they agree with the layout before we move forward. I'm happy to answer any questions you may have.

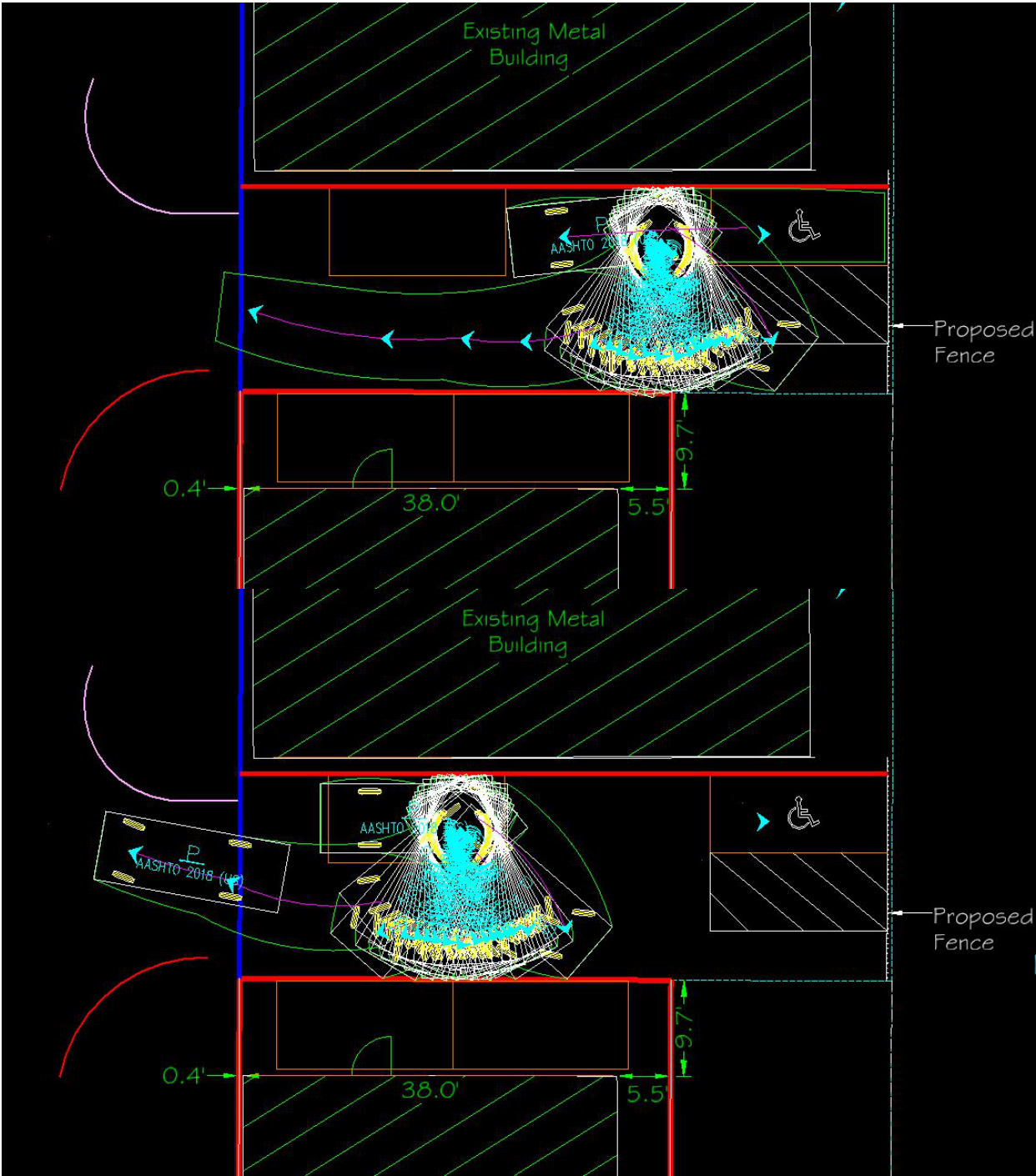
Thanks,
Evan



Evan Brigham, PE | Roadway Design Manager
DAVENPORT
119 Brookstown Avenue, Suite PH1
Winston-Salem, NC 27101
Direct : (336) 742-0880
www.davenportworld.com

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MEMORANDUM

To: Sue Hodgins, Chair and members of the Planning Board
From: Wendell E. Biddle, City Planner
Re: Bed and Breakfast Standards Review for Events - Zoning Text Amendment, Section 3.1
Table of Permitted and Special Uses
Date: January 16, 2025

BACKGROUND

At the October 17th, 2024, regular meeting, the City of Southport's Planning Board chairperson, Sue Hodgins, determined that a committee would be necessary to review the merits of Bed & Breakfasts hosting specialized events such as weddings. Members of the committee were Messrs. Kevin Locklin, Will Hewett, and Fred Fiss. City Planner Wendell Biddle and Director Maureen Meehan were also in attendance of the two committee meetings held on November 4th, and November 14th, 2024.

At the meetings the committee discussed two options for moving forward with the notion of B&B's being allowed to act as an event venue. The first proposal was amending the table of permitted uses, Table 3.1 of the UDO, and creating a new by-right land use such as *Specialized Events*. This new land use would be defined as a commercial venture held in non-religious venues wherein the event is secondary to the venue's primary land use and would be required to adhere to specific land use standards. Specialized events would enable B&B's operation as an event venue. However, concerns were noted that this could negatively impact the nature of residential zoning districts that some B&B's reside in.

A second option explored was the notion of creating a new form of permitting that allowed independent agencies to host specialized events. This new form of permitting, a Temporary Use Permit (TUP), would be issued on a case-by-case basis and capped at an amount per parcel. The committee proposed one issuance per quarter for a total of four permits issued to anyone parcel per year. Built into the TUP would be City Fire approval in which the occupancy of the proposed event would be set by City of Southport's Fire Chief. Below are both proposed amendments as they would be viewed in the UDO.

Please note that the proposed amended text has been highlighted and underscored.

3.5 TABLE OF PERMITTED AND SPECIAL USES

A. USE TABLE



The following uses are listed as permitted by right (P), special (S), or permitted by right with an additional use standard (PS), or special with an additional use standard (SS) in each zoning district where allowed. The Use Table (3.1) is separated by Accessory Uses, Residential Uses, and Nonresidential Uses.

B. PROHIBITED USES

1. If a cell in the table of uses is blank the use is prohibited in the corresponding zoning district.
2. The following uses are prohibited throughout the City's planning jurisdiction in an effort to mitigate natural and manmade hazards, maintain desired environmental qualities, and enhance public health, safety, and welfare, as desired in the City's Comprehensive Plan:
 - a. The manufacturing, processing, fabrication, and/ or bulk storage of acetylene gas (except for use on premises), ammunition, explosives, fireworks, gunpowder, jute, or matches;
 - b. The manufacturing, processing, and/ or fabrication of acids (except non-corrosive acids), ammonia, ammonium nitrate, animal byproducts, bleaching powder, cellulose, chlorine, creosote and creosote treatment, detergents, enamels, lacquers, linoleum, oilcloth, paints, paper pulp, pigments, lime, plastic, rubber (except tire recappers), soaps (except artisan manufacturing), tannery products, turpentine, varnishes, whiting and/ or wood fillers, and environmentally hazardous material. The fabrication of plastics is exempt from this prohibition.
 - c. The slaughtering of animals, except seafood processing.

Table3.1 Table of Uses	Districts P = Permitted by Right; S = Special Use; PS or SS = Permitted or Special Use with a Use Standard													Use standard
Uses	ICS	R- 10	R- 20	MF	MH	PUD	O-I	CBD	BD	HC	LI	HI	OS	Section
RETAIL SALES, MAJOR												P		
RETAIL SALES, MINOR						P		P	P	P				
RETAILS SALES, MODERATE									P	P				
SALVAGE OPERATIONS												SS		3.8.FF
SHOPPING CENTER	233320					SS		SS	PS	PS				3.8.GG



SHOOTING RANGE, INDOOR										PS	PS	PS		3.8.HH
SHOOTING RANGE, OUTDOOR												SS		3.8.HH
SHORT-TERM VACATION RENTALS						PS		PS	PS					3.8.II
SOLAR FARM												HI		3.8.JJ
<u>SPECIALIZED EVENTS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>	<u>PS</u>				<u>3.8.KK</u>
STORAGE, SELF-SERVICE										PS	PS	PS		<u>3.8.LL</u>

Table3.1 Table of Uses		Districts P = Permitted by Right; S = Special Use; PS or SS = Permitted or Special Use with a Use Standard												Use standard
Uses	ICS	R-10	R-20	MF	MH	PUD	O-I	CBD	BD	HC	LI	HI	OS	Section
STORAGE SELF-SERVICE										PS	PS	PS		<u>3.8.LL</u>
TATTOO AND PIERCING ESTABLISHMENT												S		
TAXICAB STANDS								SS	PS	PS				<u>3.8.MM</u>
TELEPHONE COMMUNICATION FACILITY, UNATTENDED	513340	SS	SS	SS	SS	SS	SS	SS	SS	SS	PS	PS		<u>3.8.NN</u>
TRANSITIONAL HOUSING FACILITIES						S								<u>3.8.OO</u>
US POSTAL SERVICE	491110					P	P	P	P	P	P	P		
UTILITY STATINS & PLANTS (PUBLIC & PRIVATE) INCL. LIFT STATIONS, SUBSTATIONS, ETC		P	P	P	P	P	P	P	P	P	P	P	P	
VETERINARY SERVICES WITH OPEN PENS	541940									P	P	P		
VETERINARY SERVICES WITH PENS ENCLOSED IN A BUILDING	541940								S	P	P	P		



WAREHOUSING, GENERAL	493110									PS	PS	PS		3.8.PP
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The proposed Temporary Use Permit will be detailed in section 3.6.A or as Section 3.6.T of the UDO.

3.6 ACCESSORY USE STANDARDS

A. ACCESSORY STRUCTURE OR USE, GENERAL

Where permitted, the following shall apply:

1. There shall not be more than two (2) accessory structures or uses per lot, excluding swimming pools, docks, piers, and waterside structures, in the R-10, R20, MF, MH, PUD, O-I, CBD, BD and HC districts.
2. The total area of accessory structures, excluding swimming pools, shall not exceed 50% of the rear yard area of the lot and shall meet all rear and side yard setbacks of the district. However, accessory structures with a footprint of 530 square feet or smaller in any district may have setbacks of five (5) feet to a side or rear property line. No accessory structure shall be constructed beyond the front building line of the primary structure, except as allowed for riverfront lots as described below.
3. Riverfront lots: Detached garages are permitted in the street front yard on lots with frontage on the Cape Fear River in the R-10 district provided they are no closer than 75 feet from the street right-of-way.
4. No accessory structure, whether residential or nonresidential, shall be greater than 30 feet in height.
5. Temporary Use Permits apply to property outside the public right-of-way only and are granted to one contiguous parcel of land at a time. No parcel may be granted more than one (1) Temporary Use Permit per quarter year. Permits may be granted for both indoor and outdoor occasions. A certified letter notifying all residential neighbors of the proposed event will be required prior to final permit approval.

3.6 ACCESSORY USE STANDARDS

R. TEMPORARY SALES OFFICE

Where permitted, temporary sales offices are intended to serve the development/ property which the office is associated with, to include but not necessarily be limited to, approved subdivisions and major site plans. Temporary sales offices are accessory uses. The temporary sales office shall be discontinued when 90% of the principal use



development, subdivision, or planned building group is sold, occupied, and/ or leased wholly or partially, including timeshare agreements.

S. TEMPORARY HEALTHCARE STRUCTURES

Temporary healthcare structures shall be permitted in accordance with NCGS 160D-915.

T. TEMPORARY USE PERMITS

Temporary Use Permits apply to property outside the public right-of-way only and are granted to one contiguous parcel of land at a time. Temporary Use Permits shall only be issued to the property owner and or the on-site manager of the event space. No parcel may be granted more than one (1) Temporary Use Permit per quarter year. Permits may be granted for both indoor and outdoor occasions. Occupancy levels will be established prior to final permit approval. A certified letter notifying all adjacent residential neighbors of the proposed event will be required prior to final permit approval. No greater than three (3) Temporary Use Permits may be granted for the same date and all permits are null and void within 24 hours of occasion.

Specific use standards should be established for the proposed land use, *Specialized Events*, as detailed below. The generation of these standards would require the subsequent standards to be assigned new subsections.

3.8 NONRESIDENTIAL USE STANDARDS

KK. SPECIALIZED EVENTS

Where permitted, the following shall apply:

1. All Specialized Events must apply for a Temporary Use Permit 30 days prior to the event. Refer to UDO Section 3.6.T. Temporary Use Permits.
2. The property owner and or the on-site manager shall be required to be in attendance of the specialized event.
3. Noise. All Specialized Events must adhere to the City of Southport's noise ordinance.
4. Signage. Only One (1) A-frame sign may be used for the Specialized Event, the sign will be removed once the Temporary Use Permit has expired.
5. Alcohol shall only be provided by an ALE permitted vendor, caterer, or host.
6. All trash will be disposed of within 24 hours of the event.
7. All decorations will be removed from the venue within 24 hours of the event.

LL. STORAGE, SELF-SERVICE...

MM. TAXICAB STANDS...



NN. TELEPHONE COMMUNICATION FACILITY, UNATTENDED...

OO. TRANSITIONAL HOUSING

PP. WAREHOUSING, GENERAL

3.9 DIMENSIONAL REQUIREMENTS...

ARTICLE 8: DEFINITIONS AND MEASUREMENT

Specialized Events. Specialized Events are defined as a commercial venture held in non-religious venues wherein the event is secondary to the venue's primary land use. An example would be wedding ceremonies hosted by a Bed and Breakfast.

PROCESS

In order to amend the Unified Development Ordinance, a zoning text amendment must be approved by the Board of Aldermen. The Planning Board must review the text amendment and adopt a statement of consistency and recommendation. Following a recommendation from the Planning Board, the zoning text amendment is then sent to the Board of Aldermen for their consideration. A duly advertised public hearing is then held to gain public feedback on the text amendment prior to a decision. The Planning Board may appoint a review committee to review this amendment.



**City of Southport Planning Board
Statement of Plan Consistency and Zoning Recommendation
(As per NC General Statute 160D-604)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

AMENDMENT: ZTA 25-01

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The city of Southport Planning Board hereby finds that the proposed zoning text amendment to the Unified Development Ordinance is consistent with the City's 2015 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 3.1 (Southport support provides adequate community services and facilities which meet the needs of the City's citizens, businesses, and industries). The Planning Board recommends that the Board of Aldermen **APPROVE** the zoning text amendment.

The statement and motion was seconded and passed _____.

Tori Deviney, Deputy City Clerk

Sue Hodgins, Chairman



**City of Southport Planning Board
Statement of Plan Consistency and Zoning Recommendation
(As per NC General Statute 160D-604)**

When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.

AMENDMENT: ZTA 25-01

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The city of Southport Planning Board hereby finds that the proposed zoning text amendment is inconsistent with the 2015 CAMA Land Use Plan adopted on November 13, 2014 and subsequently amended by the Board of Aldermen. More specifically, the proposed zoning text amendment is inconsistent with the CAMA Land Use Plan core value of preserving the city's historic character, Policy 7.9 (The City will encourage development that supports its Vision and Core Values, protect its resources, and preserve its atmosphere). The Planning Board recommends that the Board of Aldermen **DENY** the zoning text amendment.

The statement and motion was seconded and passed _____.

Tori Deviney, Deputy City Clerk

Sue Hodgins, Chairman



MEMORANDUM

To: Sue Hodgins, Chair and Members of the Planning Board

From: Maureen Meehan, Planning Services Director

Re: Yacht Basin Parking Overlay – Text and Map Amendment

Date: January 16, 2025

This item continues from your December 19, 2024, meeting to include newly appointed members of the Planning Board in the conversations. A Planning Board review committee, including property owners, will be created to ensure the ordinance language meets the goals of the overlay district.

Background

The yacht basin is historically significant and is a destination for citizens and tourists alike. It has a mix of establishments that attract different demographic segments, including a yoga dock, food and drink establishments, tour guides, and commercial fishing docks. Throughout the year, events take place in and adjacent to the yacht basin, which highlight the history of the area. Examples of these events include the Wooden Boat Show and the Steede Bonnet Regatta.

Events and the summer tourist season bring exponential numbers of vehicles to the area. In the last several years, initiatives have been launched to establish a parking overlay in this district, to formalize the parking that takes place on vacant residential lots in the area. Until now, the recommendations of the initiatives have not been implemented.

The proposed overlay includes the residentially zoned properties located on the block between S Caswell Avenue, W Bay Street, Yacht Basin Drive, and W Moore Street. The lots that encompass this area that are highlighted on the adjacent map.



Parking Overlay District Recommendations by Yacht Basin Committee

- Establish interior and border landscaping requirements that would encourage a design that uses plantings to visually soften the parking area.
 - Identify specific plants to be utilized to meet these interior and border landscape requirements.
 - What type of landscaping requirements are needed?
- Establishment of dust free parking surface requirements (But no asphalt or concrete in this overlay district)
- Continued maintenance requirement for landscaping to ensure it is adequately maintained.
- Establish regulations to mitigate potential increases in noise and lighting
 - Should lighting requirements be different in this zoning district?
 - What type of lighting fixtures? (i.e., height, footcandles, timed lighting, etc.)
 - What type of buffering would help with these impacts?

The committee's work did not garner full consensus and in 2022 the City entered a contract with the Cape Fear Council of Governments (CFCOG) to prepare the "Yacht Basin Mobility Study". The aim of the study was to identify needs and recommend safe travel routes/patterns for all modes of transportation within and around the yacht basin. The study focused on public rights-of-way improvements and did not specifically consider or recommend a parking overlay district. The plan can be found at the following link for your review.

<https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:fc353a1a-e441-483b-8c9c-60c621a8e846>

In the last year, a formal downtown parking study was prepared in tandem with the comprehensive plan. Both plans include a public participation element. The parking study recognizes that a yacht basin parking overlay is needed for the properties between Moore Street, Bay Street, Caswell Avenue, and Yacht Basin Drive. Finding and Recommendation 3 of the study identifies areas that need physical parking and pedestrian improvements. A yacht basin district redesign is included in the recommendation cited below. The full plan can be found at the following link.

<https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:d8d4a849-ba0b-4120-a5b4-5706194b6a29>

Finding and Recommendation 3

Walker representatives have identified areas that need physical parking and pedestrian improvements. The following list of concerns should be a focal point for addressing areas of redesign and the potential for adding additional inventory.

Yacht Basin District Redesign

- *The privately owned and operated off-street parcels in the Yacht Basin area should be reviewed, with the intent to upgrade parcels for code and zoning compliance. We support the Yacht Basin Overlay District Committee's recommendations developed in April 2021. The Yacht Basin Parking Overlay District would be identified to allow off-site parking on residential-zoned land in the area bounded by Moore Street, Bay Street, Caswell Avenue, and Yacht Basin Drive. The Yacht Basin Parking Overlay District should be subject to standards that mitigate the impacts on adjacent residential properties. The standards should include interior and border landscaping requirements, dust-free parking surface requirements*

(excluding asphalt and concrete), continued maintenance to ensure the existing landscaping meets parking use standards, and stormwater impact mitigation. A concept drawing has been provided in the Future Needs section of this report.

- *One-way traffic flow from West Bay Street to Yacht Basin Drive restricts vehicular circulation movement from West Moore Street through the Yacht Basin Area. Motorists traveling westbound on West Moore Street cannot turn left (south) onto Yacht Basin Drive, forcing a new vehicular circulation pattern onto West Brunswick and West Street before returning to Caswell Avenue. We recommend reversing this traffic flow pattern to mitigate Yacht Basin travel patterns through the West Brunswick and West Street neighborhoods.*
- *The south side of West Bay Street provides a delineated pedestrian walkway that continues from the direction of Southport Waterfront Park. There is no formal pedestrian pathway along Yacht Basin Drive, as pedestrians are expected to walk within vehicular traffic along the roadway. Sidewalks exist along the north side of West More Street but are non-existent around the unimproved dirt parking areas. We recommend extending the delineated pedestrian walkway along Yacht Basin Drive for safety.*

The 2050 Comprehensive Plan considers existing conditions and recommendations from adopted regional transportation plans and the parking study. The transportation goal, policies, and implementation actions incorporate the findings of the Downtown Parking Study, including the creation of an overlay or other type of mechanism to allow parking on R-10 zoned lots in the Yacht Basin area. Full copy of the draft comprehensive can be found at the following link.

<https://acrobat.adobe.com/id/urn:aaid:sc:VA6C2:fac36851-f3fd-4f7f-925e-a6412bfc69cf>

*Policy 8.6: Manage and improve parking Downtown and in the Yacht Basin.
(Recommendations from Parking Study by Walker Consulting)*

Action 8.6.2: Consider the creation of an overlay or another mechanism to allow for parking as a primary use on R-10 lots in the Yacht Basin District.

Next Steps

Given the existing parking conditions and increased need for parking the Board of Aldermen request that staff bring a Yacht Basin Parking Overlay District text and map amendment to the Planning Board for review and recommendation. The request includes consideration of standards for nonresidential parking lots on residential properties. The establishment of this overlay does not require a property owner to provide parking or restrict the uses allowed in the underlying zoning district.

Staff have provided the following draft overlay district map and standards to start the conversation.

1. YBPO: Yacht Basin Parking Overlay District. Off-site parking facilities are allowed in the areas shown on the Official Zoning Map of the City of Southport as the Yacht Basin Parking Overlay District. Within the Yacht Basin Parking Overlay District, the following standards apply:
 - a. Surfacing. Parking facilities with 10 or more spaces shall provide a dustproof surface with adequate drainage. Concrete or asphalt surfacing is prohibited in the overlay district.

- b. ? Bufferyard. A 20-foot-wide Type A buffer as defined in Table 3.9 shall be installed when adjacent to R-10 zoned properties. All landscape material must utilize the plant lists in Tables 3.5 through 3.7.
- c. ? Interior Landscaping. Parking facilities with 10 or more spaces shall include interior landscaping of at least (3,5,8 ??? %) of the entire lot size. Plantings shall be evenly distributed throughout the parking facility.
- d. Maintenance. Off-street parking areas shall be properly maintained in all aspects including, but not limited to surfacing (free from potholes) and landscaping.

The following text has been amended to reflect public comments received concerning property owners within the subject property overlay zone to be considered by the committee.

3.3 OVERLAY DISTRICTS

A. ESTABLISHMENT OF OVERLAY DISTRICTS

For the purpose of this ordinance, the City of Southport is subject to the following overlay zoning districts:

- 1. YBPO: Yacht Basin Parking Overlay District. Off-site parking facilities are allowed in the areas shown on the Official Zoning Map of the City of Southport as the Yacht Basin Parking Overlay District. Within the Yacht Basin Parking Overlay District, the following standards apply:
 - a. Surfacing. Materials shall be limited to pervious pavers and number 57 driveway slate gravel. Perimeters of the parking lot will be delineated with wood borders. Concrete or asphalt surfacing is prohibited in the overlay district.
 - b. Maintenance. Off-street parking areas shall be properly maintained.



MEMORANDUM

To: Sue Hodgins, Chair and Members of the Planning Board

From: Maureen Meehan, Planning Services Director

Re: Right of Way Text Amendments – Sections 3.14 Parking and Section 3.17 Landscaping and Buffers

Date: January 16, 2025

The Board of Aldermen adopted an amendment to Section 16 Obstruction of Public Rights of Way of the Code of Ordinances at their December 12, 2024, regular meeting. The amendment to the Code of Ordinances provides clarification and guidance on allowable encroachments to public rights-of-ways. The Unified Development Ordinance (UDO) has standards for rights-of-way and parking; therefore the text must be amended to reflect the changes.

The following is an outline of the proposed updated text.

- Clarify parking pad standards including size and surfacing.
- Clarify how vegetation and protective measures can be placed around trees in the ROW.
- Add a provision for private installation of native trees in the rights-of-way when a tree must be removed for construction or if the tree is diseased or dead.

Staff has reviewed the amendments and find that they are consistent with the 2014 CAMA Land Use plan and recommend the Planning Board send a recommendation of APPROVAL to the Board of Aldermen for the attached text amendments.

3.14 Parking

A. General

1. Each application for a zoning permit shall include information as to the location and dimensions of off-street parking and the means of ingress and egress to such space. This information shall be in sufficient detail to enable the UDO Administrator to determine whether the requirements of this section are met.

B. Parking Lot Design

1. Surfacing. All parking lots with 10 or more spaces shall provide a dustproof surface with adequate drainage facilities and must comply with the Parking Facility Landscaping requirements contained within this article. Parking facilities containing 25 or more spaces shall be paved with concrete, asphalt material, or with alternative paving material determined to exhibit equivalent water resistance and load bearing characteristics as asphalt or concrete. When parking is proposed in excess of the minimum requirements, alternative pervious surface materials are encouraged.
2. Lighting. Any lighting shall be so arranged as to direct the light and glare away from streets and adjacent property.
3. Setbacks. All parking lots shall observe a minimum front setback of not less than five (5) feet and a side yard on a corner lot of not less than five (5) feet.
4. Curb or Bumpers. The required parking setbacks shall be set off from parking areas by either continuous curb or one (1) noncontinuous stationary bumper for each parking space abutting on a yard, which curb or bumper shall not be less than five (5) inches or more than two (2) feet high.
5. Separation of Bumper and Walkways. In the event any parking stall abuts upon a walkway or sidewalk, there shall be a space of three and a half feet between the wheel bumper or curb and the edge of the walkway.
6. Off-street parking areas shall be designed to facilitate adequate movement and access by sanitation, emergency, and other public service vehicles.
7. Off-street parking areas shall be designed so that parked vehicles do not encroach upon, extend onto, or cause vehicles to back into public rights-of-way, sidewalks, or strike against or damage any wall, vegetation, utility, or other structure.
8. The size of any single surface parking lot area shall be limited to three (3) acres, unless divided by a street, building, or continuous landscaped area. Larger parking lots shall be separated by buildings or landscaped areas.
9. Paved parking areas shall have lines demarcating each parking space.
10. Off-street parking areas shall be properly maintained in all respects. In particular, and without limiting the foregoing, off-street parking area surfaces shall be kept in good condition (free from potholes, etc.) and parking space lines or markings shall be kept clearly visible and distinct.

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11. Each off-street automobile parking area shall comply with the following minimum dimensions, compact spaces (eight (8) feet width by 16 feet long) may be utilized to meet 10% of the required parking:

Table 3.3: Parking Lot Dimensional Requirements			
Angle (degrees)	Stall Width (feet)	Stall Depth (feet)	Aisle Width between parking spaces (feet)
0	9	9	12
20	9	14	12
30	9	16-1/2	12
45	9	19-1/6	12
60	9	20-1/2	14-1/2
70	9	20-5/6	23
90	9	18	24

C. Minimum Off-Street Parking Requirements

1. The number of exclusive off-street residential parking spaces required by this section shall be provided on the same lot with the principal use, unless otherwise permitted by this ordinance, and the required number of off-street parking spaces specified for each use shall be considered as the absolute minimum.
2. In residentially zoned areas without off-street parking requirements, property owners shall be permitted to improve up to two (2) parking spaces no more than twenty (20) feet in width within the right-of-way in front of their property. These parking spaces shall follow the provisions for driveways as described in the Unified Development Ordinance (Section 3.12.B.1).
 - a. Surfacing materials for these parking spaces shall be limited to one of the following: turf grass, pervious pavers, pervious number 57 driveway slate gravel with wood borders no more than 2 inches above grade. Parking spaces constructed by a property owner within right-of-way shall remain open for public parking and shall not be reserved for the property whose owner constructed the spaces.
 - b. Such parking shall require the review and written approval of the UDO Administrator, Public Services Director, and Fire Marshal. The City reserves the right to remove these parking areas for any reason in accordance with Section 16-10. Parking surfaces existing prior to the adoption date of this ordinance shall be permitted to remain so long as the encroachments do not create a hazardous condition or safety hazard to the public.
3. In the case of mixed uses (an establishment comprised of more than one (1) use; e.g. restaurant and hotel), which may include a principal and accessory use, the total requirements for off-street parking shall be the sum of the requirements of the various uses computed separately and the off-street parking space for one (1) use shall not be considered as providing the required off-street parking for any other use, except as provided for in the shared parking criteria in this article.
4. Handicapped parking spaces shall be in accordance with the regulations set forth by the Americans with Disabilities Act and shall be identified by appropriate signage.

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The minimum number of spaces shall be provided in accordance with the state building code.

5. Fractional space requirements shall be rounded up to the next whole space.

D. Minimum Off-Street Parking Ratios

1. The following table establishes the formulas to be used to calculate the number of parking spaces required for a particular use. For uses that do not correspond to the use types listed in Table 3.4, Minimum Off-Street Parking Spaces Required, the UDO Administrator shall determine the minimum parking space requirement. In such instances, the applicant shall provide adequate information for review, which includes, but is not limited to the type of use(s), number of employees, the occupancy of the building, square feet of sales, service and office area, parking spaces proposed, and hours of operation.
2. Within the CBD zoning district, no off-street parking shall be required for any nonresidential use, whether new construction or change of use/redevelopment. Within the CBD zoning district, all residential uses require full compliance with the off-street parking requirements contained herein.
3. In the BD zoning district, for nonresidential uses, where on-street or public parking facilities are located within 500 linear feet of a proposed use, measured as a straight-line distance from the entrance of the building, the minimum off-street parking requirement may be reduced by 50%. This reduction shall not apply to residential uses.
4. Within any zoning district, if the off-street parking space required by this ordinance cannot be reasonably provided on the same lot on which the principal use is located, such space may be provided on any land within 400 feet of the main entrance to such principal use.

Table 3.4: Minimum Off-Street Parking Spaces Required	
Change of Use or Redevelopment in the CBD and BD District	
A change of use or redevelopment whereby the floor area of the building or parcel is not expanded by greater than 15%.	No parking required.
Change of use or redevelopment whereby the floor area of the building or parcel is expanded by greater than 15%.	Additional parking required shall be calculated based on the increase in square footage in floor area, above the 15% threshold, of the expanded building. All other applicable requirements of this section shall apply.
Change of use from a residential to nonresidential use.	50% of the required parking shall be provided. All other applicable requirements of this section shall apply.
Change of use from a nonresidential to residential use or the addition of residential uses.	Full compliance with residential off-street parking space minimum and all other requirements.

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Table 3.4: Minimum Off-Street Parking Spaces Required	
Uses	Required Parking
Residential Uses	
DWELLING, SINGLE-FAMILY, MANUFACTURED HOME ON SINGLE LOT, MODULAR HOMES	Two (2) spaces per dwelling unit. Nonconforming lots within the R-10 district are exempt from this requirement.
DWELLING, TWO-FAMILY (DUPLEX), MULTI-FAMILY, TRIPLEX OR QUADRAPLEX	Two (2) spaces on the same lot for each dwelling unit. In addition to this requirement, overflow parking shall be provided as follows: 1- 10 units = 2 spaces, 10- 20 units = 4 spaces, 21- 30 units = 5 spaces, 31- 40 units = 6 spaces, 41- 50 units = 7 spaces, 51-100 units = 10 spaces.
FAMILY CARE HOME	One (1) space for each attendant in addition to the required two (2) spaces per dwelling unit.
MANUFACTURED HOME PARK	Parking space sufficient to accommodate at least two (2) automobiles shall be located on each manufactured home space.
MIXED USES	One (1) space per dwelling unit in addition to that required by the other uses contained within the development.
Nonresidential Uses	
ADULT ESTABLISHMENT; ELECTRONIC GAMING OPERATIONS; TATTOO AND PIERCING ESTABLISHMENT	One (1) space per 100 square feet of floor area.
ALCOHOLIC BEVERAGES, PACKAGED, RETAIL SALES; LIQUOR STORES	One (1) space per 200 square feet of floor area.
ASSOCIATIONS OR ORGANIZATIONS: CIVIC, SOCIAL & FRATERNAL; CLUBS AND LODGES CATERING EXCLUSIVELY TO MEMBERS AND THEIR GUESTS; CULTURAL ARTS CENTER, INCL. THEATERS, OFFICES, CLASSROOMS, ETC.; AND MUSEUMS, ART GALLERIES	One (1) space per 300 square feet of floor area.
AUTOMOTIVE, MAJOR AND MINOR; SERVICE STATIONS	One (1) space per each 400 square feet of floor area; One (1) space for each service bay; four (4) stacking spaces for each washing stall, plus two (2) drying spaces for each washing stall; and/or 1.5 spaces for each fuel nozzle.
BED & BREAKFAST	One (1) space for every rental room plus one (1) space for every two (2) permanent occupants.
BOTTLE SHOP AND WINE BAR; NIGHTCLUB	One (1) space per 200 square feet of floor area.
BUILDING MATERIAL DEALERS; HARDWARE, LAWN, OR GARDEN STORE; FEED, SEED, AND FERTILIZER SALES, RETAIL; FARM MACHINERY SALE AND SERVICE; FUEL & ICE DEALERS; MANUFACTURED HOME DEALERS	One (1) space per 500 square feet of floor area.
BUSINESS, COMMERCIAL, OR OTHER NON-RESIDENTIAL USE NOT ELSEWHERE CLASSIFIED	One (1) space per 200 square feet of floor area.
BUS TERMINALS AND RAILROAD STATIONS; TAXICAB STANDS	One (1) space per 500 square feet of floor area.

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Table 3.4: Minimum Off-Street Parking Spaces Required	
CHURCHES, SYNAGOGUES & RELIGIOUS INSTITUTIONS	One (1) space per every 6 seats, or (1) space per every 100 square feet of seating area in main assembly room, whichever is greater. Note: Churches located within the Southport National Register Historic District are exempt from providing off-street parking.
COMMERCIAL PARKING LOTS	One (1) space per employee; otherwise, none required.
COMMERCIAL RECREATION, INDOOR; SHOOTING RANGE, INDOOR; DANCE STUDIOS	One (1) space per every 200 square feet of floor area, excluding bowling alley lanes, range stalls, and similar areas not utilized by the public.
COMMERCIAL RECREATION, OUTDOOR; RECREATION FACILITY PRIVATE, INCL. CLUBS & RECREATION FACILITIES ASSOC. WITH MULTIPLE FAMILY COMPLEXES, GOLF COURSES, TENNIS FACILITIES, COUNTRY CLUBS, ETC; GOLF COURSE, PRIVATE OR PUBLIC, W/RELATED SERVICES INCL. PRO SHOP; SHOOTING RANGE, OUTDOOR	One (1) space per every 400 square feet of recreation-related area and/or 25 spaces per nine holes, plus one (1) space per employee on shift of greatest employment.
CONTRACTORS, EQUIPMENT & SUPPLY DEALERS & SERVICE; CONTRACTORS, HEAVY CONSTRUCTION; GRADING, PAVING, MARINE, ETC.	One (1) space per 1,000 square feet of floor area.
DAYCARE, ADULT AND CHILD	One (1) space for each employee and one (1) space for every 10 children/adults or fraction thereof.
DIVERS, COMMERCIAL; FISHING, COMMERCIAL; FURRIERS AND FUR STORAGE; EXTERMINATING SERVICES	One (1) space per 400 square feet of floor area.
DRY CLEANERS; LAUNDRY, COIN-OPERATED	One (1) space for each 200 square feet of floor area used by the general public.
DRY STORAGE	One (1) space per employee, if applicable.
EDUCATIONAL FACILITY	Two (2) spaces per classroom. For high schools or college/post-secondary, one (1) space per 10 students.
FARMERS'S MARKET; FRUIT & VEGETABLE MARKET, WHOLESALE WITH INCIDENTAL RETAIL	One (1) space per 500 square feet of permanent retail area; otherwise none required if a seasonal/temporary market.
FLEA MARKET	One (1) space per 1,000 square feet of floor area.
FUNERAL HOMES	One (1) parking space for each five (5) seats in the chapel or parlor, plus one (1) for each funeral vehicle.
GOVERNMENT USE, CITY OF SOUTHPORT; GOVERNMENT USES WITH BUILDINGS, NON-CITY OF SOUTHPORT	One (1) space per 300 square feet of floor area.
HEALTH SERVICES	One (1) space per 300 square feet of floor area.
HOSPITALS	Two (2) spaces for each bed.
HOTEL, MOTEL, OR INN; HOTEL, RESIDENTIAL OR BOUTIQUE; GUEST LODGING	One (1) space for every rental room.
JAIL	One (1) space per employee on the largest shift.

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Table 3.4: Minimum Off-Street Parking Spaces Required	
KENNEL	One (1) space per 400 square feet of floor area.
LIBRARY	One (1) space per 500 square feet of floor area.
MANUFACTURING, ARTISAN	One (1) space per 500 square feet of floor area.
MANUFACTURING, GENERAL, LIMITED, AND INTENSIVE; GAS COMPANIES (LP-BOTTLED & BULK STORAGE); MOTOR FREIGHT COMPANIES, MOVERS, VAN LINES, AND STORAGE; MOTION PICTURE PRODUCTION & DISTRIBUTION; RESEARCH & DEVELOPMENT; SALVAGE OPERATIONS; WELDING, REPAIR; LAUNDRY, INDUSTRIAL; GARBAGE COLLECTION, PRIVATE (NO LANDFILLS)	One (1) space per employee on the largest shift.
MARINA, COMMERCIAL	One (1) parking space for each wet slip, one (1) parking space for every four (4) dry stack boat storage units, and where applicable 25 total 12' x 40' spaces per boat ramp, plus parking required for other uses.
MARITIME SALES, RENTAL, AND SERVICE	One (1) space per each 400 square feet of floor area and/or one (1) space for each service bay
MICROBREWERY OR MICRODISTILLERY	One (1) space per 100 square feet of floor area tasting room area; One (1) per 500 square feet for production and storage areas.
NURSING & PERSONAL CARE FACILITY	One (1) space per three (3) residents, plus one (1) additional space for each employee.
OFFICE, GENERAL; RADIO & TELEVISION STATIONS, STUDIOS, AND OFFICES; MANUFACTURED HOME (INDIVIDUAL) FOR OFFICE AND/OR EXHIBITION	One (1) space per 300 square feet of floor area.
PARKS & RECREATION AREAS, MUNICIPAL	No parking required.
PERSONAL SERVICE ESTABLISHMENT	One (1) space per 300 square feet of floor area.
RECREATIONAL VEHICLE PARK	Two (2) parking spaces at each campsite + 1 per 500 sq. ft. of enclosed area for offices, maintenance facilities, etc. within the park.
RESTAURANT, CARRY-OUT	One (1) space per 200 square feet of floor area.
RESTAURANT, STANDARD & FAST-FOOD	One (1) space per 100 square feet of floor area.
RETAIL SALES, MAJOR; GROCERY STORES; SHOPPING CENTER	One (1) space per 300 square feet of floor area.
RETAIL SALES, MINOR AND MODERATE	One (1) space per 200 square feet of floor area.
SOLAR FARM	One (1) space per facility.
STORAGE, SELF-SERVICE	Minimum five (5) spaces or one (1) space for each 100 storage units, whichever is greater, plus one (1) space for each employee and two (2) spaces for manager's quarters, if present.
TELEPHONE COMMUNICATION FACILITY, UNATTENDED; WIRELESS TELECOMMUNICATION	One (1) space per facility.

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Table 3.4: Minimum Off-Street Parking Spaces Required	
FACILITY OR COMPLEX, FREESTANDING AND SUBSTANTIAL MODIFICATIONS	
US POSTAL SERVICE; PACKAGE DELIVERY SERVICES, COMMERCIAL	One (1) space per 400 square feet of floor area.
UTILITY STATIONS & PLANTS (PUBLIC & PRIVATE) INCL. LIFT STATIONS, SUBSTATIONS, ETC.	One (1) space per employee employed on-site, if applicable; Otherwise, none required.
VETERINARY SERVICES	One (1) space per 500 square feet of floor area
WAREHOUSING, GENERAL; WHOLESALE TRADE, DURABLE AND NON-DURABLE GOODS;	One (1) space per 1,000 square feet of gross floor area
WATER TRANSPORTATION INCL. DOCKS, TUGBOATS, BARGES, AND EXCURSIONS	No parking required.

E. Shared Parking

The required parking space for any number of separate uses may be combined in one lot but the required space assigned to one use may not be assigned to another use, except that one half (½) of the parking spaces required for churches, theater, or assembly halls whose peak attendance will be at night or on Sundays may be assigned to a use which will be closed at night and on Sundays.

F. Utilization of Boat Slips as Required Parking

1. A boat slip is defined herein as a space designed for the mooring of a single watercraft and usually projecting from a dock. Eating and drinking establishments and water-oriented retail businesses may utilize boat slips to meet off- street parking requirements subject in accordance with the following standards:
 - a) All slips must be under the ownership or long-term control of the subject business.
 - b) Boat slips must be available on a first come, first served basis, with no fee assessed for use.
 - c) Boat slips must be reasonably designed to accommodate customer boats.
 - d) The dock facility must be properly accessible in accordance with the regulations governing the maneuvering of water craft on the adjacent waterway.
 - e) Boat slips must only be used for transient mooring of customers frequenting said establishment and no extended storage of vessels shall be allowed.
 - f) Boat slips are allowed to meet off-street parking requirements strictly on a one parking space per 20' linear dockage.

3.17 LANDSCAPING AND BUFFERS

A. PURPOSE

1. The governing body and advisory boards of the City of Southport recognize the importance of the contribution made to the community by the abundance of native trees and vegetation. It is this vegetation that gives the city an aesthetic appeal that contributes to its growth and economic prosperity. As economic growth occurs, the removal of this valued vegetation sometimes results, contributing to a depletion of a most valuable resource. The city feels it is necessary to both conserve and restore those valuable assets and declares the objective of this section to be as follows:

- a) To provide visual and spatial buffering between adjoining and competing uses;
- b) To enhance the beautification of the city;
- c) To enhance property values and protect public and private investment;
- d) To provide a habitat for living things that might not otherwise occur in an urban environment; and
- e) To ensure that planting areas are distributed within developing sites in a manner which will provide shade, buffer noise, and filter glare.

B. APPLICABILITY

1. Landscape installation is required for all new construction non-residential and multi-family uses or a change in use or redevelopment where such change would result in the addition of 10 or more parking spaces. The following site areas are required to be addressed in accordance with the provisions of this section:

- a) Street yards
- b) Foundation planting
- c) Parking facility landscaping
- d) Bufferyards

C. GENERAL PROVISIONS

1. All planted and retained living material, required to meet the provisions of this section, shall be maintained by the owner of the property on which the material is located. Any planted material which becomes damaged or diseased or dies shall be replaced by the owner within 60 days of the occurrence of such condition. If, in the opinion of the UDO Administrator, there are seasonal conditions which will not permit the timely replacement of the vegetation (e.g., too hot or too cool for successful replanting), this requirement may be administratively waived until a time certain.

2. All planted material subject to the provisions of this ordinance shall be of a native species and in accordance with the planting material list as provided in Tables 3.5 through 3.7.

3. Nonliving screening buffers shall be maintained, cleaned, or repaired by the owner of the property on which the buffer is located. Such buffers shall be kept free of litter and advertising.

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4. Up to 15% of the area to be landscaped may be covered with surfaces specifically intended to afford intensive use and enjoyment by employees or the public (such as sidewalks, walking paths, bench and table pads, etc.).
5. It is encouraged that stormwater management systems be integrated into landscaping areas.
6. Prior to the issuance of a certificate of occupancy, the property owner shall submit a final planting plan to the UDO Administrator demonstrating compliance with this ordinance.

D. LANDSCAPING ON PUBLIC PROPERTY

1. It shall be unlawful for any person to place or cause to be placed on any public street, road, alley, sidewalk, or other public right-of-way within the city any wall, fence, gate, brick, stone, wood, rock, vegetation, or other structure, material, or substance above the horizontal plane of the existing ground. The installation of turf grasses on grade is allowed within the right-of-way, safety hazard or which otherwise interferes with or obstructs in any manner the passage of persons or vehicles upon or within said public rights-of-way or which obstructs, interferes with or hinders lawful parking within any public right-of-way.

2. Vegetation or other protective measures consistent with current arboricultural best management practices (ANSI A300 standards) and the guidelines outlined in the most recent City of Southport Urban Forest Management Plan shall be permitted to be placed within a ten (10) foot radius of the base of a City tree by an adjoining property owner, or by the City, for the purpose of limiting damage to the tree by nearby parked vehicles. Such action shall require review and written approval by the UDO Administrator, the Public Services Director, and the Fire Marshal.

3. Private installation of native trees within the right-of-way is permitted when city must be removed for construction or when a tree must be removed due to the health of the tree. Canopy and understory installation shall follow standards found in the UDO, current arboricultural best management practices (ANSI A300 standards), and the guidelines outlined in the most recent City of Southport Urban Forest Management Plan. Such action shall require review and written approval by the UDO Administrator in consultation with the Forestry Committee.

E. PLANTING MATERIAL SIZE AND SPECIES

1. Where the provisions of this section apply, the plant lists in Tables 3.5 through 3.7 shall be utilized for the selection of required landscape material.
2. The minimum height and diameter at breast height (DBH = 4.5 feet above ground) at planting for the following planting categories/list shall be as follows:
 - a) Canopy Trees. At the time of planting, the tree shall have a minimum three (3) inch DBH with a height of eight (8) to 10 feet. Canopy trees shall be of a

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species having an average minimum height of 30 feet and a minimum mature crown spread of 20 feet.

b) Understory Trees. At the time of planting, the tree shall have a minimum two (2) inch DBH. Understory trees shall be of a species having an average minimum height of 10 feet and a minimum mature crown spread of 12 feet.

c) Shrubs. Shrubs shall have a minimum mature height of 24 inches and a minimum planting height of 18 inches.