



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

113 W Moore St.
March 19, 2025
11:00 AM

Agenda

Please turn off all cell phones

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

ETHICS STATEMENT:

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

A. Call to Order

B. Invocation

C. Pledge of Allegiance

D. Agenda

1. North Howe Street Overlay District

E. Closed Session NCGS 143-318.11

1. Motion to go into closed session pursuant to NCGS 143-318.11 (5) To establish or to instruct the public body's staff or negotiating agents concerning the position to be taken by or on behalf of the public body in negotiating (i) the price and other material terms of a contract or proposed contract for the acquisition of real property by purchase, option, exchange, or lease.

F. Adjourn



BOARD OF ALDERMEN

AGENDA ITEM SUMMARY

DEPARTMENT: Development Services

PRESENTED BY: Maureen Meehan, Planning Services Director

ITEM SPONSORED BY: Development Services

ITEM/TOPIC: North Howe Street Overlay District Update and Discussion

COST: N/A

BUDGET LINE ITEM: N/A

JUSTIFICATION: Upon the removal of the City's ETJ and planning and zoning authority within that area, the city entered into a contract with the Cape Fear Council of Governments (CFCOG) to help craft a zoning overlay district for North Howe Street to present to the Brunswick County Planning Department. The goal of the proposed overlay is to provide a cohesive transition from North Howe Street into the historic downtown area.

Brunswick County nonresidential zoning districts differ in dimensional standards and allow more residential uses than Southport's Business District (BD) zoning. The jigsaw pattern of City and County properties co-existing side-by-side along North Howe Street potentially undermines Southport's appeal to visitors. The establishment of an overlay will protect the entrance into the City of Southport by keeping the buildings' maximum height limits, proportion, uses, and landscaping and design elements similar to what exists.

IMPACT IF NOT APPROVED: N/A

DEPARTMENT HEAD COMMENTS: In November, city staff and Wes MacLeod met with Brunswick County planning staff to present the City's request for a North Howe Street corridor overlay. The overlay proposal is a zoning text and map amendment that was to be sponsored by the Brunswick County Planning Department. Upon our follow-up meeting in January, Brunswick County discussed the overlay sections updates they support. Further, their staff is receptive and working on language to be included in the county's new unified development ordinance, which is underway. County staff gave the enactment of SB 382, limiting downzoning, and the update to the UDO as reasons they cannot sponsor a text amendment at this time. The attached memo from Wes MacLeod includes the proposed updated language and draft timeline for completion of the county's UDO.

CITY MANAGER COMMENTS:

The Howe Street overlay will provide a better transition between the county zoning standards and the city's. The board should review the proposed overlay and let staff know if there are any language changes that you would like to see as we work with the county to implement it.

ATTACHMENTS: Memo with updated language.

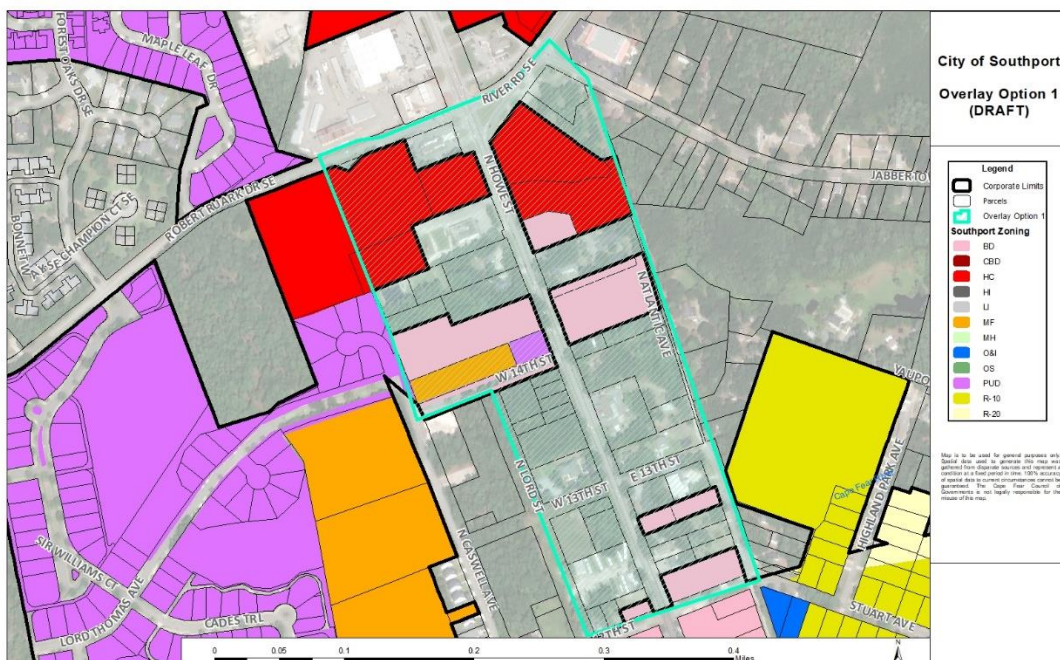
REQUESTED ACTION: Board Discussion and Direction for Staff

PROPOSED MOTION: N/A - Board decision and consensus on the direction for staff to move forward with the North Howe Corridor Overlay.

To: City of Southport, NC
From: Cape Fear Council of Governments: Wes MacLeod, AICP, ASLA
Date: February 3, 2025
Re: Overlay District Update

Given the recent removal of the City's Extra-territorial jurisdiction (ETJ) and subsequent relinquishment of planning and zoning authority within this area, the City has prepared a proposed overlay district to provide a more cohesive transition to the historic downtown area. As a result of the ETJ removal, Brunswick County zoning classifications have now replaced those of the City of Southport. In accordance with §160D-202 (h), when a relinquishment of jurisdiction occurs, County zoning districts must be applied no less than 60 days following such action. Accordingly, with such a short timeframe, it can be difficult to fully analyze and apply a zoning designation to complement the existing conditions and regulatory framework of the former jurisdiction. This proposed overlay district provisions attempt to provide some additional regulatory parameters that will complement the existing built form of the Howe Street corridor.

The overlay district boundary (shown below) encompasses the Howe Street corridor but terminates at the intersection of Robert Ruark Drive. This portion of the corridor has smaller lot sizes and a development pattern more accommodating to the pedestrian when compared to the built environment north of the Robert Ruark intersection.



City of Southport staff, the consultant, and Brunswick County staff met November 19th and January 30th to discuss the proposed overlay district. The purpose of each meeting was to seek additional feedback from Brunswick County staff regarding the preferred zoning amendment procedure, geographic location of the proposed overlay, and cursory recommendations on draft overlay provisions.

County staff noted the Planning Board's preference for no further standalone text amendment to be considered while the draft Unified Development Ordinance (UDO) is underway. Moreover, the recent enactment of SB 382 will require the consent of affected property owners' prior to enactment. As of the end of January 2025, efforts are underway to repeal the provisions of the new law that limit local government initiation of amendments that may be interpreted as a "down-zoning."

Timelines for potential adoption of the overlay provisions were discussed as part of the January 30th meeting with County staff.

Anticipated Timeline:

- April 2025: UDO draft available for public review.
- July 2025: UDO draft submitted to County Planning Board for review and recommendation.
- October to December 2025: UDO draft provided for review and adoption by the County Board of Commissioners.

A summary of the draft overlay provisions developed for potential incorporation into the County's UDO are provided below:

- Dimensional requirements to reflect those of the City of Southport. The former BD zoning district restricted building height to 30 feet and the HC district 40 feet. In addition, front and side setbacks were not required in the BD district. Height requirements based on County feedback are proposed for 50 feet.
- Prohibition of Outdoor Advertising Structures (billboards) and a freestanding sign height limit similar to that of Southport (10 feet).
- Requirement for residential uses to be incorporated into a mixed commercial-residential development along Howe Street to preserve commercial usage. Standalone residential development (single-family and multi-family) would be permissible along street frontages away from Howe Street.
- Enhanced building design standards.
- Reduced standards for off-street parking requirements to encourage redevelopment and changes of use, similar to Southport's existing regulations.
- Provisions for sidewalks where new construction occurs.

County staff provided input regarding height limitations, residential use restrictions, design standards and the Traffic Impact Analysis (TIA). Additionally, County staff requested provisions for reduced parking standards and sidewalks be included as part of the proposal. The proposed overlay district language has been revised based on feedback and discussion with County staff.

County feedback:

- Howe Street Overlay provisions are anticipated to be incorporated into County UDO.
- County staff does not support a separate, City-initiated, amendment based on feedback from the County Planning Board.
- County staff supports the potential for lower height limits, 50 to 60 feet, rather than 75 feet.
- County staff does not support building footprint limitations.

The draft overlay language is provided below. The proposed amendment is drafted for potential incorporation into the County's draft Unified Development Ordinance (UDO).

HWST: Howe Street Entryway Corridor Overlay

A. Purpose and Intent

1. The purpose of the ~~Southport~~ Howe Street Entryway Corridor Overlay district is to preserve the unique characteristics of the corridor by ensuring a seamless transition into the municipal zoning districts of the City. In doing so, utilizing similar development standards to encourage a cohesive built environment that will continue to attract and retain commercial activity.
2. The intent of the Entryway Corridor Overlay is to protect and enhance the historic character of the City of Southport.

B. Applicability

1. The following standards shall apply to all new construction development within the overlay district and shall also include expansion or modification of an existing Commercial or Office use that increases the total enclosed floor area by at least 50% or 5,000 square feet, whichever is greater. In addition to the standards contained in this Section, all other provisions in this Ordinance and all other applicable laws shall apply. In cases where there is a conflict between provisions found elsewhere in this Ordinance and the standards of this Section, this Section shall supersede unless otherwise noted.
2. The following uses shall be exempt from the requirements of this overlay district: communication towers, religious institutions, government buildings, and public structures.

C. Dimensional Standards.

1. The maximum height limit shall not exceed ~~40~~ 50 feet.
2. No front or side yards are required throughout the overlay district. Where any side yard is provided, though not required, the same shall be not less than four (4) feet.
3. The minimum rear setback shall be 10 feet throughout the SPT overlay district.

~~4. For lots one (1) acre or smaller, no structure shall have a building footprint area that exceeds 5,000 square feet.~~

D. Permitted Uses.

1. All uses shall be permitted in accord with the requirements of the underlying zoning district with the exception of residential uses which are further specified in the following section.

2. Residential Uses

- i Residential uses shall only be permitted as part of a commercial or office project where fronting on Howe Street. ~~The floor area devoted to the dwelling(s) shall not exceed twice the floor area devoted to any permitted nonresidential use(s) as part of a vertical mixed commercial residential project.~~
- ~~ii 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.~~
- ii Dwellings may be located on the ground level or as standalone structures if situated entirely behind the principal structure, with the principal structure serving as the primary street frontage. Dwellings may be permitted as standalone structures when not fronting on Howe Street.
- iii Dwellings may be located on the upper floors of any vertical mixed commercial-residential building even if abutting a street lot line. Dwellings shall not be located on the first floor where abutting any a street lot line on Howe Street.
- ~~iv 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.~~

E. Parking Requirements.

1. 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%.

Minimum Off-Street Parking Requirements for Change of Use or Redevelopment in the Overlay District	
A change of use or redevelopment whereby the floor area of the building or parcel is not expanded by greater than 25%.	No parking required.
Change of use or redevelopment whereby the floor area of the building or parcel is expanded by greater than 25%.	Additional parking required shall be calculated based on the increase in square footage in floor area, above the 25% 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.

F. Sidewalk Requirements and Pedestrian Facilities

1. Sidewalks shall be required for all new multi-family developments and new construction nonresidential development of a principal use. Redevelopment or change of use of existing nonresidential or multi-family structures does not require the installation of sidewalks.
2. Sidewalks shall be installed within the right-of-way and connect to adjacent facilities where applicable. Where right-of-way widths adjacent to the edge of pavement are in excess of 10 feet, sidewalks shall be separated by a minimum three (3) foot landscaped strip adjacent to the edge of pavement.
3. In all cases, sidewalks shall extend to the property line.
4. Sidewalks shall be at least five (5) feet wide and constructed of concrete at least five (5) inches thick. Sidewalks shall consist of a minimum of six (6) inches of concrete at driveway crossings or shall be adequately reinforced otherwise. All sidewalks must meet ADA requirements, including where necessary to serve required cluster mailbox locations within subdivisions or multi-family development.
5. Sidewalks built adjacent to an NCDOT road facility shall be built to meet NCDOT sidewalk standards.
- +6. Pedestrian walkways shall form an on-site circulation system that minimize conflict between pedestrians and traffic at all points of pedestrian access to on-site parking and building entrances. Pedestrian walkways shall connect building entrances to one another and from building entrances to public sidewalk connections. Pedestrian walkways shall be provided to any pedestrian access point or any parking space that is more than 50 feet from the building entrance or principal on-site destination. All developments containing more than one (1) building shall provide walkways between the principal entrances of the buildings.

G. Design Standards.

1. ~~Single-family dwellings up to four-unit attached dwellings, shall be exempt from these requirements.~~
2. The primary entrance of the structure shall be ~~architecturally and~~ functionally designed on the front facade facing the primary street.
3. Except for corner lots, the front facade of the principal structure shall be parallel to the front lot line and street.
4. ~~Façade colors shall be of low reflectance earth tone, muted, subtle, or neutral colors. Building trim may feature brighter colors as an accent material. The use of high-intensity, metallic, fluorescent, dayglow, or neon colors shall be prohibited.~~
5. ~~Ground-mounted mechanical equipment, solid waste storage, and recycling storage shall be located to the rear or side yard and screened from view of the street.~~
6. ~~Outparcels shall be designed and integrated with the main project or principal structure.~~
- 7.4. No portion of a building facing a front or side lot line, unless a zero lot line common wall, shall be constructed of unadorned (unfaced) concrete masonry units or corrugated and/or sheet metal.

~~8. No single facade extending unbroken more than 35 feet in a horizontal plane may be visible from a public roadway. Compliance may be obtained through one of the following:~~

~~i. The use of projections or recesses. When used, each projection or recess shall have a projection (or depth) dimension of no less than 18 inches and a width of no less than 36 inches; or~~

~~ii. The use of columns or other architectural detail to provide visual interest. Where used, columns should be harmonious with the general design of the structure.~~

H. Signage

1. Outdoor advertising structures shall be prohibited.

2. No freestanding sign shall exceed a height of 10 feet. All other sign requirements and sizing shall be in accordance with Section 8.2.

~~I. Traffic~~

~~1. A Traffic Impact Analysis (TIA) conducted in accord with Section 6.16 shall be required for all projects, which can be anticipated to generate at least 500 vehicle trips per day based on the latest edition of the Institute of Transportation Engineers (ITE) Trip Generation Manual.~~