



CITY OF SOUTHPORT
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HISTORIC PRESERVATION COMMISSION
REGULAR MEETING MINUTES
December 4, 2024
4:00 PM

Minutes

Members Present: Charles Drew, Joanne Wesson, Josh Cline-McGee, Alexis Gore-Graves, Jim McKee, Bonnie Bray

Members Absent: Bonner Herring, Rick Pukenas, Lewis "Tal" West

Staff Present: Penny Tysinger, Historic Preservation Planner
Noah Saldo, City Clerk
Tori Deviney, Deputy City Clerk

A. Chairman Drew called the meeting to order at 4:07 PM.

B. The invocation was delivered by Ms. Graves.

C. Chairman Drew led the Pledge of Allegiance.

D. Approval of Agenda

Mr. McKee made a motion to approve the agenda, seconded by Ms. Wesson. ***Unanimous vote; Motion Carried***

Chairman Drew appointed Bonnie Bray as a voting member for this meeting due to absent members.

Chairman Drew announced Noah Saldo, City Clerk, was present for training purposes, and Tori Deviney was introduced as the new Deputy City Clerk, effective from this meeting forward.

E. Approval of Minutes

1. Minutes of the November 6, 2024 Meeting

McGee made a motion to approve the minutes for the November 6, 2024 meeting, seconded by Mr. McKee. ***Unanimous vote; Motion Carried***

F. Public Comment

No members of the public were present at the meeting.

Chairman Drew shared an email received from Rich Bandera as part of the public comment. The email was read aloud in its entirety.

Chair Drew confirmed that the email would be forwarded to all members of the board and to Deputy Clerk Deviney for reference.

Members briefly discussed overlay boundaries and historic district criteria, noting the evolution of building designations over time.

G. New Business

1. Discussion on NC SB382

Chair Drew introduced the discussion on North Carolina State Bill 382 and deferred to Ms. Tysinger for further explanation. Ms. Tysinger provided a comprehensive explanation of North Carolina State Bill 382, which she explains has been attached to the recovery bill for the past hurricane. which prohibits downzoning—reducing development density or permitted land uses—without the unanimous written consent of affected property owners. The bill, effective immediately if passed, removes local governments' ability to initiate downzoning independently. This legislation could impact the Commission's efforts to establish a historic district overlay, as such overlays might qualify as downzoning. While the historic district guidelines are currently considered standards, they could still face challenges under the new law.

Members expressed concerns about the bill's ambiguity and its potential to limit local authority, but they agreed to continue advancing their plans while monitoring developments.

The Planning Director provided an update on North Carolina State Bill 382 through email, which was read by City Clerk Saldo.

The Director had participated in a call with municipalities and counties, coordinated by the School of Government, to discuss the bill's implications. The School of Government emphasized that the bill requires the unanimous consent of all affected property owners for any downzoning amendments. This applies to ordinances adopted on or after the law's effective date, rendering any conflicting ordinances void.

The bill's language was described as both significant and ambiguous, raising numerous unanswered questions about its impact on zoning overlays, permitted use tables, and historic districts. For instance, the adoption of historic district boundaries and local design standards may not align with Unified Development Ordinance (UDO) processes, creating uncertainty.

Members discussed the challenges posed by the bill, particularly for creating historic district overlays. The legislation's requirement for unanimous consent would significantly hinder local government authority, especially in a home-rule state like North Carolina, where local powers are already limited. Chair Drew noted that the bill's origins seemed to address specific local issues in the Piedmont area but had far-reaching statewide implications, similar to other controversial legislative actions like the ETJ situation.

Ms. Tysinger explained potential alternative approaches, referencing other jurisdictions

like Greensboro and Wake Forest that implemented "voluntary" historic districts. These were unenforceable but relied on community pride and voluntary compliance, showing some success in preserving local character without formal regulation.

Despite the challenges, the board agreed to continue their work on the historic overlay. The consensus was to proceed with the overlay proposal, present it to the Board of Aldermen, and leave final decisions in their hands, even if the bill passes. Members acknowledged that this approach might eventually face legal challenges but expressed hope for potential legislative adjustments in the future.

H. Other Business

None

I. Announcements

Ms. Tysinger reminded everyone that the next meeting will be held January 8th.

Ms. Graves invited the board to a free public "Sing-Along Messiah" at the Amuzu Theater, December 20th.

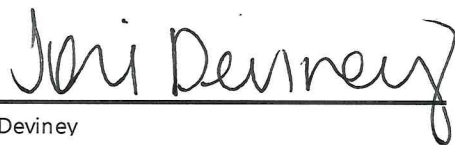
J. Adjourn

Hearing no other announcements, Chairman Drew asked for an entertainment of a motion for an adjournment. A Motion was made by Mr. McKee, Seconded by Ms. Wesson. ***Unanimous vote: Motion carried***

Adjourned - 4:47 PM



X 
Charles Drew
Chair

X 
Tori Deviney
Deputy City Clerk