



**CITY OF SOUTHPORT
PLANNING BOARD SPECIAL
MEETING AGENDA
113 W MOORE ST
SOUTHPORT NC 28461**

September 3, 2025
9:00 AM

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 Agenda**
- E. New Business**
 - 1. Establishment of the Planning Board Rules of Procedure.
- F. Adjourn**

Planning Board Rules of Procedure Review

9/3/25

A - Southport Planning Board Rules of Procedure Draft – 07/17/25

B - Southport Ordinances - Sec 13-26 - Planning Board

C - Southport-UDO- Article-2 Administration Planning Board

D - Planning Board Rules of Procedure from City Website

A - Southport Planning Board Rules of Procedure Draft – 07/17/25

City of Southport, NC
Planning Board
Rules of Procedure
07/17/2025

Draft



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City Of Southport
Planning Board Rules of Procedures

Article I – Purpose and General Rules

A. Purpose

These Rules of Procedures are established to create uniformity during Planning Board meetings and to provide guidance to members and alternates in the day-to-day operations regarding the handling of Planning and Development business for the City of Southport. These rules do not encompass North Carolina Open Meeting Laws or NCDEQ Records Retention Laws. As a general rule, professional staff will ensure all state and local requirements are met. Planning Board Members are expected to be familiar with and adhere to the NC Planning and Development Regulations as stated under NCGS 160D and the City of Southport Ordinance under Chapter 13.

The purpose of the Planning Board shall be set forth in the City of Southport Ordinance Chapter 13, Article II, and other general and special State laws relating to planning in the City of Southport. The Planning Board shall have those powers and duties delegated by ordinance to the Board by the Southport Board of Aldermen.

B. General Rules

The Planning Board of the City of Southport, North Carolina, hereinafter referred to as the "Board," shall be governed by North Carolina General Statute, Article 3, Chapter 160D, Boards and Organizational Arrangements, and other general and special acts relating to planning and related activities in the City of Southport as well as by Chapter 13, Section II of the Code of Ordinances of the City of Southport, North Carolina, adopted by the Board of Aldermen on June 13th, 2002 and subsequent amendments thereto and the City's Unified Development Ordinance.

The Planning Board also shall operate according to the most recent edition of *Suggested Procedural Rules for Local Appointed Boards*, and the *Quasi-Judicial Handbook: A Guide for Boards Making Development Regulation Decisions*, 2024 Edition, both published by the University of North Carolina Institute of Government –

Center for Public Leadership and Governance. In instances where the Planning Board conducts quasi-judicial proceedings, the Planning Board will operate according to provisions of North Carolina General Statute 160D. In cases where the Rules and Procedures conflict with any Federal or North Carolina State Statute, or City Ordinance, said statutes and ordinances shall govern.

Article II – Power and Duties

- A. The duties and powers of the Planning Board are as specified in Chapter 13, Section II of the City of Southport, North Carolina Code of Ordinances.
- B. During any meeting, alternate members shall serve in place of absent members or vacant seats and shall be considered members during the duration of the meeting. Seated alternates will be referred to as ASMs (Alternate Seated for Members). ASMs shall have the same rights as members while temporarily seated for absent members or vacancies during any Planning Board meeting.

Article III – Appointments and Terms

- A. Planning Board members shall be appointed by the Board of Aldermen via affirmative majority vote.
- B. Each appointed member will be sworn in by the City Clerk or their designee before acting on any matters that come before the planning Board.
- C. The Planning Board shall consist of Seven (7) members and one (1) alternate. Seat term ending dates shall be established in order to rotate term ending years thus allowing for experienced members to remain on the Planning Board at all times.
- D. Alternate members should adhere to the same qualifications, term durations and meeting attendance as members of the Planning Board. The role of the alternate is as follows:

- a. The alternate member shall attend all Planning Board meetings and other Planning Board functions.
 - b. If a primary member of the Planning Board is absent from a meeting, the alternate shall, for the duration of the meeting, function as a primary member of the Planning Board with full voting responsibilities
 - c. If all primary members of the Planning Board are in attendance at a meeting, the alternate member may participate in discussions, questioning presenters and the like, but are not voting members.
 - d. The Planning Board Chairperson must be a primary member not an alternate member.
- E. Seat terms are for a period of three years, with no term limits, and have established term ending dates. If appointed to a vacant seat midterm, the term shall end at the established term-ending date. At expiration, each new term ending date shall be three years forward on June 30.
- F. The Board of Aldermen is responsible for making mid-term appointments to fill vacant seats.
- G. In cases where appointments are not made by the Board of Aldermen by June 30th, those members whose seats expire on June 30th of that year will continue to serve as full members until such time that the Board of Aldermen appoint members to those expiring seats and those members are sworn in.

Article IV – Officers and Duties

- A. Officers. The members of the Planning Board shall elect a Chairman and Vice-Chairman during the Board's first regular meeting of a new calendar year or at the next regular meeting following the vacancy of the Chairman or Vice-Chairman
- B. Chair. The Chair shall have the following powers and duties:
- i. To preside at all meetings and public hearings of the Board;
 - ii. To decide all points of order and procedure;
 - iii. To entertain and answer questions of parliamentary law or procedures;
 - iv. To call a brief recess at any time;

- v. To adjourn in an emergency meeting;
 - vi. To appoint members to all standing and temporary committees and/or to investigate any matters as may be directed by the Chair or Planning Board;
 - vii. To certify rulings of the Board;
 - viii. Shall exercise full voting rights on all matters under consideration only in case of a tie and instances where there are only three (3) other voting members present.
- C. Vice-Chair. The Vice-Chair shall serve as acting Chair in the absence or disability of the Chair. At such times, they shall have and exercise the same powers and duties as the Chair.

Article V – Planning Staff

- A. Planning Services Director
- i. The Planning Services Director, who reports directly to the City Manager, shall serve as Technical Advisor and staff liaison to the Planning Board and participate in Planning Board meetings. The Planning Services Director shall not be eligible to vote. The Planning Services Director performs technical and professional duties providing management, direction, and oversight of the Town's planning responsibilities while serving as a technical advisor to the Planning Board.
 - ii. The Planning Services Director will keep the Planning Board up to date on all development activities within the city of Southport.
 - iii. The Planning Services Director will keep the Planning Board up to date on all relevant North Carolina legislative bills being considered or put into law and their impact on the Unified Development Ordinance or other relevant areas.
- B. Clerk.
- i. The Clerk shall be appointed by the City Manager, or their designee and may include an officer or an employee of the city.
 - ii. The Clerk, subject to the direction of the Chair and the Board, shall keep all minutes and records of all business transacted at any meeting of the

- Planning Board, provide notice of the regular and special meetings to members, and any other such duties normally carried out by the Clerk.
- iii. The Planning Board Chair or his or her designee may have the opportunity to review the minutes of the Planning Board meeting prior to their submission to the Planning Board for approval.
 - iv. On all quasi-judicial matters, the Clerk to the Planning Board also may administer oaths to all witnesses.

Article VI – Rules of Conduct for Members

- A. Attendance - In order for the Planning Board to carry out its duties and responsibilities, it is necessary for both members and alternates to attend Planning Board meetings. If any member has unexcused absences for two (2) consecutive regular meetings, the Chairman may direct the Clerk to notify such member in writing of their absences.

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

- B. Conflict of Interest - If a member determines that they may have a conflict of interest on a particular issue, either according to these Rules of Procedure or according to NCGS 160D-109(b), they shall declare the nature of such conflict and ask to recuse themselves from voting only on the issue related to the conflict. The remaining Planning Board members and ASM by majority vote, shall determine whether such conflict exists and if the member may be excused from further deliberations on the matter. Members have a duty to vote and may not be excused from voting due to an unwillingness to vote where no conflict of interest is found.
- C. Neither Planning Board members nor Alternates shall seek to influence a decision, participate in any action or cast a vote involving any matter that is before the Planning Board which may result in a private benefit to themselves, their immediate

relatives, or is a personal business interest. A member may be excused from voting on a particular issue under the following circumstances:

- a. If the matter at hand involves the member's own official conduct.
 - b. If the member has such close personal ties to the applicant that he cannot reasonably be expected to exercise sound and impartial judgment on behalf of the public's interest.
 - c. If the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member.
- D. A challenge to either the existence of a conflict of interest or an undisclosed conflict of interest may be filed by any interested party with the Planning Board. Such a challenge may be an appeal for a review of the findings of the Planning Board or may be for the purpose of alleging an undeclared conflict of interest. Any challenge made to the Planning Board shall be supported by competent evidence and shall be submitted at a properly convened meeting of the Planning Board. The Planning Board shall hear all evidence, and the finding of the Board shall require a majority vote of the remaining members. (?)

Article VII - Meetings

- A. Regular Meetings. Regular meetings of the Planning Board shall be held on the third Thursday of each month at 6:00pm in the Board of Aldermen Chambers in the Community Building, 223 E. Bay Street, Southport, NC. The Chairman may change the location of a regular meeting to another place conveniently located in the City of Southport with notice.
- B. Special Meetings and Emergency Meetings. Special meetings and Emergency meetings of the Board may be called at any time by the Chair in conformance with G.S. 143-318.12, and the place and subject of the meeting shall be given. This notice may either be telephonic, written or via email, and shall be given by either the Secretary or the Chair of the Board.
- C. Broadcasting and Recording of Meetings – All Regular, Special and Emergency meetings of the Planning Board, where a quorum is assembled for deliberations and

the conducting of business, shall always live-stream and record meetings on the City's broadcast channel, unless otherwise determined by the City Manager. The City Manager shall have the discretion to waive the broadcast requirements should there be any issues relating to staff availability or the cooperation of the live streaming and recording technological devices.

- D. Cancellation of Meetings. Whenever there is no business to come before the Board, the Chair may dispense with the regular meeting by giving notice to all members not less than twenty-four (24) hours prior to the time set for the meeting.
- E. Quorum. Four (4) members of the Planning Board shall constitute a quorum. A quorum of the Board must be present at a meeting if the Board is to transact any business other than to adjourn. The Chair may not call a meeting to order until such a quorum is present unless, after waiting a reasonable time past the meeting's scheduled starting time, the Chair determines that there is no hope of obtaining a quorum. In that case, the Chair shall call the meeting to order, note the lack of a quorum, and adjourn the meeting. If a quorum ceases to be present at any time during a meeting, the Chair shall note the lack of a quorum, order the cessation of business, and adjourn the meeting.
- F. Conduct of the Meeting
 - i. The Planning Board meeting agenda will be determined by the Planning Services Director and the Planning Board Chair. The Clerk, in concert with the Chair and Planning Services Director, will develop the agenda package and distribute meeting materials to the Planning Board members no later than 72 hours before the meeting is scheduled. Items not identified on the agenda will not be considered during a Planning Board meeting unless approved by the majority vote of the Planning Board members present at the meeting.
 - ii. Public Meetings. All meetings of the Board shall be open to the Public and be subject to all provisions of the North Carolina Open Meetings Law.
 - iii. Meetings shall be conducted in accordance with Robert's Rules of Order Newly Revised.
 - iv. Order of Business. The board's business shall be placed on the agenda according to the Order of Business listed below. However, by general consent of the board, items may be considered out of order.

- a. Call meeting to order
- b. Invocation
- c. Pledge of Allegiance
- d. Public comment on non-agenda items
- e. Approval of Agenda
- f. Approval of minutes
- g. Committee reports
- h. Old Business
- i. New Business
 - 1. Rezoning
 - 2. Conditional Rezoning
 - 3. Special Use Permits
 - 4. Major Site Plans
 - 5. Text Amendments
 - 6. Other types of business
- j. Staff Reports
- k. Board of Aldermen Liaison Comments
- l. Board Comments
- m. Adjournment

G. Zoning Map and Development Ordinance Text Amendments. The procedure for considering such amendments shall be:

- i. Applications for zoning map amendments and Development Ordinance text amendments shall be submitted to the Planning Department at least twenty-one (21) days prior to a regular Board meeting.
- ii. The administrative procedures for review and consideration of zoning map and Zoning Ordinance text amendments are specified in the Zoning Ordinance and G.S. 160D-601 and 160D-602. In addition to the notice and posting requirements stated therein, a retail advertisement shall be published in a local newspaper of general circulation once prior to the Board meeting at which such amendment is scheduled to be considered. The advertisement shall be no less than seven (7) calendar days before the date of the Board meeting.

- iii. The recommendations of the planning staff shall be delivered to Board members at least 72 hours prior to the meeting at which such amendments will be considered.
 - iv. At the conclusion of the public hearing regarding such amendment, the Board shall determine whether:
 - a. to recommend that Board of Aldermen approve the requested amendment;
 - b. to recommend that Board of Aldermen deny the requested amendment;
 - c. to recommend that Board of Aldermen approve an amended request;
 - d. to defer its recommendation; or
 - e. to refer the request to Board of Aldermen without recommendation in the event of a tie vote.
- H. Hearing Procedure. Board procedure on all hearings shall be in the order listed below. The Chair shall have the privilege of limiting arguments by both proponents and opponents to avoid redundant, cumulative or repetitive testimony or argument.
- i. Staff report
 - ii. Applicant presentation
 - iii. Public comments
 - iv. Applicant rebuttal
 - v. Discussion
 - vi. Motion
- I. Public Address to the Board. The following applies to members of the general public and does not apply to an applicant in relation to his/her case.
- i. Sign-up for Non-Agenda Items. Those members of the public who wish to address the Board regarding Planning-related items that are not on the agenda shall print their name on the “sign-up sheet” to be made available by the Secretary immediately prior to each Board meeting.
 - ii. Residents of the City or individuals having a material interest in the City may comment on any item on the agenda. (?)
 - iii. If a group or organization is present to speak on any agenda item, only two (2) designated representatives will be allowed to address the Board. (?)

- iv. Time. All speakers, whether speaking on agenda or non-agenda items, will be limited to five (5) minutes and may not yield time to other people. The Board may vote by majority to extend additional time to a speaker or modify the agenda to accommodate a speaker. The Chair, or their designee, shall be the timekeeper.
- v. Addressing the Board. All persons before addressing the Board shall state their name and address for the record. A speaker's comments or questions must be a relevant topic within the purview of and be directed towards the Board. No speaker may directly address the applicant, city staff or members of the audience. Such comments or inquiries should solely be directed towards the Board and, in turn, the Board may seek an answer from the applicant, city staff or members of the audience.

J. Voting.

- i. Every member must vote unless excused by the remaining members. A member who wishes to be excused from voting shall so inform the Chair, who shall take a vote of the remaining members present. No member shall be excused from voting except on matters involving their own financial interest or official conduct. In all other cases, a failure to vote by a member who is physically present or has withdrawn without being excused by a majority vote of the remaining members present shall be recorded as an affirmative vote.
- ii. Members and ASMs have a duty to vote on all issues unless excused by the Board. Any member or ASM who refuses to vote without an acceptable cause shall have their vote counted as a negative with regard to zoning matters. As a rule, refusal to vote on any matter, except zoning matters, shall count in the affirmative.
- iii. Alternates shall not be permitted to vote should a member's recusal be accepted by the Board. ASMs not recused shall be expected to vote.
- iv. Voting shall be done by voice or hand. The Chairman shall vote only in case of a tie and instances where there are only three (3) other voting members present. Only members present at the time a vote is taken shall be eligible to vote. If an issue before the Planning Board is carried over from one meeting to

another, a member may be able to vote on the issue if he or she did not attend the previous meeting at which item was discussed.

K. Procedural Motions

- i. Action by the Board shall proceed by a motion, followed by a second to the motion. Any member, excluding the Chair, may make a motion or a second. A member may make only one motion at a time. A substantive motion is out of order while another substantive motion is pending. The Chair shall state the motion and then open the floor to debate on it. The Chair shall preside over the debate according to the following general principles:
 - a. The member who makes the motion is entitled to speak first.
 - b. A member who has not spoken on the issue shall be recognized before someone who has already spoken.
 - c. To the extent possible, the debate shall alternate between opponents and proponents of the measure.

In addition to substantive motions, the following procedural motions, and no others, shall be in order. Unless otherwise noted, each motion is debatable, may be amended, and requires a majority vote for adoption. In order of priority, the procedural motions are as follows:

- a. To Adjourn. The motion may be made only when action on a pending matter concludes; it may not interrupt deliberations of a pending matter.
- b. To Take a Recess. This motion is not debatable and the length of time for the recess shall be stated in the motion.
- c. Call to Follow the Agenda. The motion must be made at the first reasonable opportunity or it is waived.
- d. To Suspend the Rules. For adoption, the motion requires a vote equal to the number required for a quorum.
- e. To Divide a Complex Motion and Consider It by Parts.
- f. To Defer Consideration. A substantive motion can defer consideration to the next public meeting date.
- g. Call of the Previous Question. The motion is not in order until there has been at least twenty (20) minutes of debate, or every member has had an opportunity to speak once.

- h. To Refer to a Committee. Sixty (60) days after a motion has been referred to a committee, any member may compel consideration of the measure by the entire board, regardless of whether the committee has reported the matter back to the board.
 - i. To Amend. An amendment to a motion must be pertinent to the subject matter of the motion, but it may achieve the opposite of the motion's intent. The motion may be amended and an amendment may be amended, but no further amendments may be made.
 - j. To Reconsider. A member who voted with the prevailing side must take the motion. It must be made at the same meeting as the vote was taken. It cannot interrupt deliberation on a pending matter but is in order at any time before actual adjournment.
 - k. To Rescind or Repeat. A motion may be withdrawn by the introducer at any time before a vote.

- J. Contact with Parties Involved in Applications. The public meeting is the primary place where petitioners and others interested in requests for zoning map and text amendments should present opinions and information concerning the requests. Contact between interested parties and board members prior to the public meeting should be avoided. Board members shall not accept any gift, meal or any other item of value from any party involved in a request. Board members should not indicate their positions regarding requests prior to receiving all information presented at the public meetings.

- K. Minutes. The minutes of the Planning Board shall be known as unofficial minutes until approved by the Planning Board, at which time they become official minutes. The unofficial and official minutes shall be public record and kept on file in the office of the Planning Board and available for inspection during regular business hours.

Article VIII – Legal Counsel

- A. In order to ensure that the Planning Board operates within the confines of relevant law, the Board of Aldermen shall provide legal representation to the Planning Board upon request.
- B. All Unified Development Ordinance modifications and/or additions or other related items that require a vote by the Board of Aldermen, will first be reviewed by Legal Counsel to ensure their compliance with the law prior to being submitted to the Board of Aldermen for action.

Article IX - Recommendations

- A. Unified Development Ordinance

The Planning Board may prepare and submit to the Board of Aldermen for its consideration and possible adoption of a Unified Development Ordinance to regulate the height, area, bulk, location, and use of buildings and premises within the City of Southport, in accordance with the provisions of North Carolina General Statute Chapter 160D. The Planning Board will also have the power to initiate proposals for amendment of the Unified Development Ordinance, based upon its studies and comprehensive plan. The Planning Board also will review and make recommendations to the Board of Aldermen concerning all proposed amendments to the Unified Development Ordinance.

Article X - Administration

- A. Compensation

Members shall not be compensated for their service on the Planning Board.

- B. Reimbursements

Reimbursements for expenses incurred while performing duties as a member of the Planning Board must be pre-approved by the Chair, or in their absence the Vice Chair or the City Manager (Board of Aldermen?).

- C. Attending Conferences, Meetings, Traveling Expenses

Members of the Planning Board, when authorized by the Planning Board and approved by the City Manager, may attend planning conferences, meetings of planning institutes, hearings upon pending planning legislation, and the Planning Board may upon the City Manager's approval, and by formal affirmative vote, pay, the reasonable travel expense incident to such attendance.

D. Publicity and Education

The Planning Board shall have the power to promote public interest in and on understanding its recommendations. The Planning Board, with formal affirmative vote, publish and distribute copies of its recommendations and may employ such other means of publicity and education as it may determine.

Article XI – Orientation and Training

A. Orientation of New Members

The Planning Director shall meet with new Board members as soon as possible after their appointment to prepare them for effectively serving on the Planning Board. At that meeting, the Planning Director shall provide each new member a copy of the **Planning Board handbook**, all ordinances the Board typically deals with, and the comprehensive plan and other major statements of the City's growth management and land development policies.

The Planning Director shall also generally explain the City's growth management and land development policies, the relationship between the Board and City Planning Staff, and the organization, duties and responsibilities, procedural rules, and legal constraints under which the Board operates.

B. Legal Training

The Planning Director will coordinate the training by legal counsel of new members, and existing members as needed, of relevant laws.

C. General

Board members are encouraged to expand their knowledge and understanding of planning issues by reading planning related literature and attending planning conferences, courses, seminars, and workshops.

Article XII – Ethical Principles in Planning

The planning process must continuously pursue and faithfully serve the public interest. To accomplish this, planning process participants should:

- A. Recognize the rights of citizens to participate in planning decisions.
- B. Strive to provide citizens (including those who lack formal organization or influence) full, clear, and accurate information on planning issues and the opportunity to have a meaningful role in the development of plans and programs.
- C. Strive to expand choice and opportunity for all persons, recognizing a special responsibility to plan for the needs of disadvantaged groups and persons.
- D. Assist in the clarification of community goals, objectives, and policies in plan-making.
- E. Ensure that reports, records, and any other non-confidential information which is, or will be, available to decision-makers is made available to the public in a convenient format and sufficiently in advance of any decision.
- F. Strive to protect the integrity of the natural environment and the heritage of the built environment.
- G. Pay special attention to the interrelatedness of decisions and the long-range consequence of present actions.
- H. Planning process participants continuously strive to achieve high standards of integrity and proficiency so that public respect for the planning process will be maintained. To accomplish this, planning process participants should:
 - I. Exercise fair, honest, and independent judgment in their roles as decision-makers and advisors.
 - J. Make public disclosures of all “personal interests” they may have regarding any decision to be made in the planning process in which they serve, or are requested to serve, as advisor or decision-maker.
 - K. Define “personal interest” broadly to include any actual or potential benefits, or advantages that they, a spouse, family members, or person living in their household might directly or indirectly obtain from a planning decision.

- L. Abstain completely from direct or indirect participation as an advisor or decision-maker in any matter in which they have a personal interest, and leave any chamber in which such a matter is under deliberation, unless their personal interest has been made a matter of public record; their employer, if any, has given approval; and the public official, public agency, or court with jurisdiction to rule on ethics matters has expressly authorized their participation.
- M. Seek no gifts or favors, nor offer any, under circumstances in which it might reasonably be inferred that the gifts or favors were intended or expected to influence a participant's objectivity as advisor or decision-maker in the planning process.
- N. Do not participate as an advisor or decision-maker on any plan or project in which they have previously participated as a paid advocate.
- O. Serve as advocates only when the client's objectives are ethical and consistent with the public interest.
- P. Do not participate as a paid advocate on any aspect of a plan or program on which they have previously served as advisor or decision-maker, unless their role as advocate is authorized by applicable law, agency regulation, or ruling of an ethics officer or agency. Such participation as an advocate should be allowed only after prior disclosure to, and approval by, their affected client or employer. Under no circumstance should such participation commence earlier than one year following termination of the role as advisor or decision-maker.
- Q. Do not use confidential information acquired in the course of their duties to further a personal interest.
- R. Do not disclose confidential information acquired in the course of their duties, except when required by law, to prevent a clear violation of law or to prevent substantial injury to third persons—provided that disclosure in the latter two situations may not be made until after verification of the facts and issues involved and consultation with other planning process participants to obtain their separate opinions.
- S. Do not misrepresent facts or distort information for the purpose of achieving a desired outcome.
- T. Do not participate in any matter unless adequately prepared and sufficiently capacitated to render thorough and diligent service.
- U. Respect the rights of all persons, and not improperly discriminate against or harass others based on characteristics which are protected under civil rights laws and regulations.

Article XIII – Suspension of Rules

With the exception of Broadcasting and Recording or other legally binding requirements, these Rules of Procedure may be suspended by a majority vote of the entire Board for the current meeting or for a set period within the current meeting. If not otherwise indicated by a set time period, suspension of the Rules of Procedure are only for the meeting at which the suspension vote occurs. The full set of the Rules of Procedure will be in force once the meeting in which the rules suspension is voted at, is adjourned. (?)

Article XIV - Amendments

These Rules of Procedure may be amended by a majority vote of the entire Board provided that the proposed change shall have been submitted in writing at the previous regular meeting of the Board.

Submissions to amend these Rules of Procedure may only be proposed by current Planning Board members, Board of Aldermen members, or City of Southport staff.

Article XV – Adoption

These Rules of Procedure were (unanimously) adopted by the City of Southport Planning Board on **Month, Day, 2025**, and recorded in the minutes of that meeting.

B - Southport Ordinances - Sec 13-26 - Planning Board

Chapter 13 PLANNING¹

ARTICLE I. IN GENERAL

Secs. 13-1—13-25. Reserved.

ARTICLE II. PLANNING BOARD²

Sec. 13-26. Membership and vacancies.

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

All planning board members shall serve a term of three (3) years. The terms are staggered and run from July through June of the third year. (Refer to Table A at the end of this section for the term expiration dates). The mayor shall appoint up to two (2) aldermen to the planning board to act as a liaison(s) between the planning board and the board of aldermen.

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

Any member desiring to resign from the board shall submit his/her resignation in writing to the city clerk. Applications for the open position shall then be accepted by the city clerk for a period of fourteen (14) days following the resignation, to serve on the board for the remainder of the term.

After the fourteen (14) days, the chair, vice-chair, and liaison will interview all applicants, and will make a recommendation to the board of aldermen at the next regular board of aldermen meeting.

¹Cross reference(s)—Buildings and building regulations, Ch. 4; flood damage prevention, Ch. 8; streets and sidewalks, Ch. 16; zoning, App. A; subdivisions, App. B.

State law reference(s)—Planning and regulation of development, G.S. 160A-360 et seq.

²State law reference(s)—Municipal authority to establish a planning board, G.S. 160A-361.

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

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

Table A. Scheduled Staggered Term Expirations

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

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

(Ord. of 6-13-02(2); Ord. of 5-11-23(2); Ord. of 9-12-24(2))

Sec. 13-27. Organization, rules, meetings, records.

Within thirty (30) days after appointment, the planning board shall meet and elect a chairman and create and fill such offices as it may determine. The term of the chairman and other officers shall be one (1) year, with eligibility for reelection. The board shall adopt rules for transaction of its business and shall keep a record of its members' attendance and of its resolutions, discussions, findings, and recommendations, which record shall be a public record. The board shall hold at least one (1) meeting monthly, and all of its meetings shall be open to the public. There shall be a quorum of four (4) members for the purpose of taking any official action required by this article.

Sec. 13-28. General powers and duties.

It shall be the duty of the planning board, in general, to:

- (1) Acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions and forces at work to cause changes in these conditions.
- (2) Prepare and from time to time amend and revise a comprehensive and coordinated plan for the physical, social and economic development of the area.
- (3) Establish goals and policies for guiding action in the development of the area.
- (4) Prepare and recommend to the board of aldermen ordinances promoting orderly development along the lines indicated in the comprehensive plan.
- (5) Determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area.
- (6) Keep the board of aldermen and the general public informed and advised as to these matters.
- (7) Make recommendations for the timely implementation of programs to meet the goals and policies as adopted in the comprehensive plan.
- (8) Perform any other duties which may be lawfully assigned to it.

Sec. 13-29. Basic studies.

As background for its comprehensive plan and any ordinances it may prepare, the planning board may gather maps and aerial photographs of manmade and natural physical features of the area, statistics on past trends and present conditions with respect to population, property values, the economic base of the community, land use and such other information as is important or likely to be important in determining the amount, direction and kind of development to be expected in the area and its various parts. The planning board may make studies as to the community's social, economic, as well as its physical needs. In addition, the planning board may make, cause to be made, or obtain special studies on the location, condition, and adequacy of specific facilities, which may include but are not limited to studies of housing; commercial and industrial facilities; parks, playgrounds and recreational facilities; public and private utilities; and traffic, transportation and parking facilities. All city officials shall, upon request, furnish to the planning board such available records or information as it may require in its work. The board or its agents may, in the performance of its official duties, enter upon lands and make examinations or surveys and maintain necessary monuments thereon.

Sec. 13-30. Comprehensive plan.

- (a) The comprehensive plan, with the accompanying maps, charts and descriptive matter, shall be and show the planning board's recommendations to the board of aldermen for the development of such territory, including, among other things, the general location, character, and extent of streets, bridges, boulevards, parkways, playgrounds, squares, parks, aviation fields, and other public ways, grounds, and open spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any of the foregoing ways, buildings, grounds, open spaces, property, utilities, or terminals; and the most desirable pattern of land use within the area.
- (b) The plan and any ordinances or other measures to effectuate it shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, best promote health, safety, morals and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provisions for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities, services, and other public requirements and the improvement of the community social and economic attributes.

Sec. 13-31. Zoning ordinance.

- (a) The planning board shall prepare and submit to the board of aldermen for its consideration and possible adoption a zoning ordinance for the control of the height, area, bulk, location and use of buildings and premises in the area, in accordance with the provisions of G.S. 160A-381 et seq.
- (b) The planning board may initiate, from time to time, proposals for amendment of the zoning ordinance, based upon its studies and comprehensive plan. In addition, it shall review and make recommendations to the board of aldermen concerning all proposed amendments to the zoning ordinance.

Sec. 13-32. Subdivision regulations.

- (a) The planning board shall review, from time to time, the need for regulations for the control of land subdivision in the area and submit to the board of aldermen its recommendations, if any, for adoption or revision of such regulations.
- (b) In accordance with such regulations, the planning board shall review and make recommendations to the board of aldermen concerning all proposed plats of land subdivision.

Sec. 13-33. Urban renewal.

The planning board shall make findings and recommendations concerning urban renewal projects in the area, as provided by G.S. 160A-500 et seq.

Sec. 13-34. Public facilities.

The planning board shall review with the city manager and other city officials and report as recommendations to the board of aldermen upon the extent, location and design of all public structures and facilities, on the acquisition and disposal of public properties, and on the establishment of building lines, mapped street lines, and proposals to change existing street lines. However, in the absence of a recommendation from the planning board, the board of aldermen may, if it deems wise, after the expiration of thirty (30) days from the date on which the question has been submitted in writing to the planning board for review and recommendation, take final action.

Sec. 13-35. Miscellaneous powers and duties.

- (a) The planning board may conduct such public hearings as may be required to gather information necessary for the drafting, establishment and maintenance of the comprehensive plan. Before adopting any such plan it shall hold at least one (1) public hearing thereon.
- (b) The planning board shall have power to promote public interest in and an understanding of its recommendations, and to that end it may publish and distribute copies of its recommendations and may employ such other means of publicity and education as it may determine.
- (c) Members or employees of the planning board, when duly authorized by the planning board, may attend planning conferences or meetings of planning institutes or hearings upon pending planning legislation, and the planning board may, by formal and affirmative vote, pay, within the planning board's budget, the reasonable travelling expenses incident to such attendance.

Sec. 13-36. Annual report of activities and analysis of expenditures and budget request for ensuing fiscal year.

- (a) The planning board shall, in May of each year, submit in writing to the board of aldermen a written report of its activities, and analysis of the expenditures to date for the current fiscal year, and, for review and approval, its requested budget of funds needed for operation during the ensuing fiscal year.
- (b) The planning board is authorized to receive contributions from private agencies and organizations or from individuals, in addition to any sums which may be appropriated for its use by the board of aldermen. It may accept and disburse such contributions for special purposes or projects, subject to any specified conditions which it deems acceptable, whether or not such projects are included in the approved budget.

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- (c) The planning board is authorized to appoint such committees and employees, and to authorize such expenditures, as it may see fit, subject to limitations of funds provided for the planning board by the board of aldermen in the city's annual budget.

Sec. 13-37. Advisory council and special committees.

- (a) The planning board may seek the establishment of an unofficial advisory council and may cooperate with this council to the end that its investigations and plans may receive fullest consideration, but the board may not delegate to such advisory council any of its official prerogatives.
- (b) The planning board may set up special committees to assist it in the study of specific questions and problems.

Secs. 15-38—13-50. Reserved.

ARTICLE III. BOARD OF ADJUSTMENT

Sec. 13-51. Membership and vacancies.

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

All members shall serve a term of three (3) years. The terms are staggered and run from July through June of the third year. (Refer to Table A at the end of this section for the initial term expirations dates). The mayor shall appoint an alderman(s) to act as a liaison(s) between the board of adjustment and the board of aldermen.

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

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

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

The officers of the board of adjustment shall be the chair and vice-chair. Officers shall be nominated each July when the new terms begin, or within sixty (60) days of a mid-term vacancy of an officer.

Table A. Scheduled Staggered Term Expirations

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

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

(Ord. of 5-11-23(2); Ord. of 9-12-24(2))

Sec. 13-52. Organization, rules, meetings, records.

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

(Ord. of 5-11-23(2); Ord. of 9-12-24(2))

Sec. 13-53. General powers and duties.

It shall be the duty of the board of adjustment, in general, to:

- (1) Decide whether variances from the requirements of the Unified Development Ordinance should be granted.
- (2) Hear, review, and decide appeals from any final order, final decision of the ordinance from which this section is derived, or official determination made by the UDO administrator. Administratively review appeals from interpretation and enforcement of the UDO by an official.
- (3) Hear and decide applications for special use permits, as specified in the UDO.
- (4) Pass upon, decide, or determine such other matters as may be required by the UDO.

(Ord. of 5-11-23(2); Ord. of 9-12-24(2))

Sec. 13-54. Quasi-judicial decisions.

The board of adjustment shall make decisions based on the competent, material, and substantial evidence submitted into the record and subject to the procedures of G.S. 160D-406. Each quasi-judicial decision shall be put into writing and signed by the chairman. The quasi-judicial decision is effective upon filing the final written decision with the clerk to the board of adjustment. The decision shall be delivered to the applicant or other parties of interest by personal delivery, electronic mail, or first-class mail. When first-class mail is used, an additional three (3) days shall be added to the time. The final decision of the board of adjustment is subject to an appeal process with the superior courts by filing a petition for writ of certiorari pursuant to G.S. 160D-1402. All appeals shall be filed with the clerk of superior court within thirty (30) days after the board of adjustment's decision is filed with the clerk to the board or delivered to the applicant, whichever is later.

(Ord. of 5-11-23(2); Ord. of 9-12-24(2))

Sec. 13-55. Conflict of interest.

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

(Ord. of 5-11-23(2); Ord. of 9-12-24(2))

Sec. 13-56. Zoning ordinance.

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

(Ord. of 5-11-23(2); Ord. of 9-12-24(2))

C - Southport-UDO- Article-2 Administration Planning Board

Article 2: Administration and Procedures

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2.1 GENERAL

This article contains powers and duties, approval procedures, amendment procedures, and enforcement mechanisms. The following bodies and city staff have powers and responsibilities in administering this ordinance, reviewing applications for development/subdivision proposals, hearing matters of a quasi-judicial nature, or amendments under this ordinance:

- A. Board of Alderman
- B. Planning Board
- C. Board of Adjustment
- D. UDO Administrator

2.2 BOARD OF ALDERMEN

A. POWERS AND DUTIES

The Board of Aldermen has the following responsibilities in relation to this ordinance:

1. Hear and decide applications for zoning map and text amendments to this ordinance.
2. Hear and decide proposals for Major Subdivision Preliminary and Final Plats, as specified in this ordinance.
3. Establish rules of procedure for the conduct of hearings and other proceedings before the Board of Aldermen.
4. Make the necessary appointments to the Planning Board and Board of Adjustment.
5. Such other actions as are, or may be, authorized by North Carolina General Statutes (NCGS) Chapter 160D.

B. CONFLICTS OF INTEREST

A Board of Aldermen member shall not vote on any legislative decision regarding a development regulation adopted pursuant to this ordinance where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member. A board member shall not vote on any zoning amendment if the landowner of the property subject to a rezoning petition or the applicant for a text amendment is a person with whom the member has a close familial, business, or other associational relationship.

2.3 PLANNING BOARD

A. POWERS AND DUTIES

The Planning Board has the following responsibilities in relation to this ordinance:

1. Acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions.
2. Prepare and from time to time amend and revise a comprehensive and coordinated plan for the physical, social, and economic development of the area.
3. Establish goals and policies for guiding action in the development of the area.

4. Prepare and recommend to the Board of Aldermen ordinances promoting orderly development along the lines indicated in the comprehensive plan.
5. Review and recommend to the Board of Aldermen proposals for any zoning map or text amendment.
6. Review and recommend to the Board of Aldermen applications for Major Subdivision Preliminary and Final Plats, as specified in this ordinance.
7. Hear and decide applications for Major Site Plans, as specified in this ordinance.
8. Determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area.
9. Keep the Board of Aldermen and the general public informed and advised as to these matters.
10. Make recommendations for the timely implementation of programs to meet the goals and policies as adopted in the comprehensive plan.
11. Perform any other duties which may be lawfully assigned to it.
12. The Planning Board shall review and report as recommendations to the Board of Aldermen upon the extent, location, and design of all public structures and facilities, on the acquisition and disposal of public properties, and on the establishment of building lines. However, in the absence of a recommendation from the Planning Board, the Board of Aldermen may after the expiration of thirty (30) days from the date on which the questions have been submitted in writing to the Planning Board for review and recommendation, take final action.
13. Attend planning conferences or meetings of planning institutes or hearings upon pending planning legislation.

B. MEMBERSHIP, VACANCIES, AND MEETINGS

1. The Planning Board shall consist of seven (7) members and two (2) alternate members. Five (5) members and one (1) alternate member shall be citizens and residents of the city and shall be appointed by the Board of Aldermen. Two (2) members and (1) alternate member shall be citizens and residents of the extra-territorial jurisdiction of the city as described pursuant to NCGS 160D-307 and shall be appointed by the Brunswick County Board of Commissioners. All members shall serve a term of three (3) years. The Chairman and Vice-Chairman shall serve a term of one (1) year and may be reappointed following the end of the term at the discretion of the Planning Board.
2. The city clerk will advertise for vacancies when they occur. All candidates, including board members whose terms are expiring and who are seeking reappointment, must have an application no less than 30 days prior to the Board of Aldermen meeting in which the selection(s) are made and [no older than 90 days prior to the date of vacancy] on file with the city clerk's office and must inform the clerk they wish to be considered for the vacant position. All applicants must be interviewed by a committee, selected by the Board of Aldermen, consisting of two (2) Board of Aldermen members and the Chairman of the Planning Board. If the Chairman's term is expiring and he/she wants to apply for

reappointment, the Vice-Chairman of the Planning Board will be selected for the committee. The committee will make recommendations to the Board of Aldermen for the vacant position(s). Any citizen who has filed a current application and completed the interview shall be eligible for nomination. Citizens who have not met these requirements are not eligible for nomination to the Planning Board. The city clerk will place the applications of all candidates who meet these requirements in the agenda packets prior to the meeting in which the selection(s) are made.

3. Alternate members shall not be entitled to vote on matters before the Planning Board except when a regular Planning Board member is absent from a duly called meeting. In that situation, the alternate shall have the same privileges as the regular members and may count for quorum purposes and vote if a regular member is absent. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term. Faithful attendance at the meetings of the board is considered a pre-requisite for the maintenance of membership on the board. Extraterritorial representatives shall have equal rights, privileges, and duties with the other members of the board to which they are appointed, regardless of whether the matters at issue arise within the city or within the extraterritorial area.
4. Meetings of the Planning Board will normally occur on the third Thursday of the month at a time and place designated by the board and shall be open to the public. A quorum shall consist of four (4) members of the board.
5. All regular members may vote on any issue unless they have disqualified themselves for one or more of the reasons listed in Section 2.3(C). A vote of a majority of the members present and voting shall decide issues before the board.
6. Special meetings may be called by the Chairman. It shall be the duty of the Chairman to call such a meeting upon a recommendation of the board. During a special meeting, no other business may be considered except that which was specified by advanced notice. The city clerk shall notify all members of the board in writing not less than five (5) days in advance of such special meeting. Notice of time, place, and subject of such meeting shall be published in a newspaper having general circulation in the City of Southport when possible.
7. The order of business at regular meetings shall be as follows:
 - a) Call to Order;
 - b) Approval of Minutes of Previous Meetings;
 - c) Approval of the Agenda;
 - d) Public Input;
 - e) Unfinished Business;
 - f) New Business;
 - g) Announcements;
 - h) Adjournment.

8. The petitioner or applicant who is on the agenda may withdraw the petition or application at any time; but if a motion is pending to make a recommendation to grant or deny, such motion shall have precedence.

C. RULES OF CONDUCT

Members of the Board may be removed for cause, including violation of any rule stated below:

1. Faithful attendance at all meetings of the Board and conscientious performance of the duties required of members of the Board shall be considered a prerequisite of continuing membership on the Board. Absence from four (4) regularly scheduled Board meetings during any one calendar year shall be considered cause for a recommendation to the Board of Aldermen of dismissal from the Board.
2. Members of the Planning Board shall not vote on recommendations regarding any zoning map, text amendment, or development approval where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member or where the member has a close familial, business, or other associational relationship.
3. No board member shall discuss any case with any parties thereto prior to the meeting on that case; provided however, that members may receive and/or seek information pertaining to the case from any other member of the board, or staff prior to the meeting. Board members shall disclose publicly any contact made by any party to a matter before the board.
4. Members of the board shall not express individual opinions on the proper judgment of any case with any parties thereto prior to the board's determination of that case. Violation of this rule shall be cause for dismissal from the board.

D. BASIC STUDIES

As background for its comprehensive plan and any ordinances it may prepare, the Planning Board may gather maps and aerial photographs of manmade and natural physical features of the area, statistics on past trends and present conditions with respect to population, property values, the economic base of the community, land use, and such other information as is important or likely to be important in determining the amount, direction, and kind of development to be expected in the area and its various parts. The Planning Board may make studies as to the community's social, economic, as well as its physical needs. In addition, the Planning Board may make, cause to be made, or obtain special studies on the location, condition, and adequacy of specific facilities, which may include but are not limited to studies of housing; commercial and industrial facilities; parks, playgrounds, and recreational facilities; public and private utilities; and traffic, transportation, and parking facilities. All city officials shall, upon request, furnish to the Planning Board such available records or information as it may require in its work. The board or its agents may, in the performance of its official duties, enter upon lands and make examinations or surveys and maintain necessary monuments thereon.

E. COMPREHENSIVE PLAN

1. The comprehensive plan, with the accompanying maps, charts, and descriptive matter, shall be the Planning Board's recommendations to the Board of Aldermen for the development of such territory, including, among other things, the general location, character, and extent of streets, bridges, boulevards, parkways, playgrounds, squares, parks, aviation fields, and other public ways, grounds, and open spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any of the foregoing ways, buildings, grounds, open spaces, property, utilities, or terminals; and the most desirable patterns of land use within the area.
2. The plan and any ordinances or other measures to effectuate it shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, best promote health, safety, morals, and the general welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provisions for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities, services, and other public requirements and the improvement of the community social and economic attributes.

F. ZONING AND SUBDIVISION REGULATIONS

1. The Planning Board may initiate, from time to time, proposals for amendment of this ordinance, based upon its studies and comprehensive plan. In addition, it shall review and make recommendations to the Board of Aldermen concerning all proposed amendments to this ordinance.
2. The Planning Board shall review, from time to time, the need for regulations for the control of land subdivision in the area and submit to the Board of Aldermen its recommendations, if any, for adoption or revision of such regulations.

G. PLANNING BOARD PROCEDURES FOR REPORTING TO THE BOARD OF ALDERMEN

The Planning Board will submit copies of all minutes of its regular and special meetings to the Board of Aldermen. Minutes shall be submitted to the city clerk within seven (7) days of approval of the minutes by the Planning Board.

H. ADVISORY COUNCIL AND SPECIAL COMMITTEES

1. The Planning Board may establish an unofficial advisory council and may cooperate with this council to the end that its investigations and plans may

receive fullest consideration, but the board may not delegate to such advisory council any of its official prerogatives.

2. The Planning Board may set up special committees, of up to three members, to assist in the study of specific questions and problems.

2.4 BOARD OF ADJUSTMENT

A. POWERS AND DUTIES

The Board of Adjustment is established to conduct hearings in a quasi-judicial manner as provided in this ordinance in the course of the following:

1. Deciding whether variances from the requirements of this ordinance should be granted. Nothing in this ordinance shall be construed to authorize the Board of Adjustment or other approval body to permit a use in a district where that use is neither a permitted use nor Special Use.
2. Hear, review, and decide appeals from any final order, final decision of this ordinance, or official determination made by the UDO Administrator in the performance of official duties. Administratively review appeals from interpretation and enforcement of this ordinance by an official which is subject to an administrative appeal.
3. Hear and decide applications for Special Use Permits, as specified in this ordinance.
4. Pass upon, decide, or determine such other matters as may be required by this ordinance.

B. MEMBERSHIP, VACANCIES, AND MEETINGS

1. The City of Southport Board of Adjustment is hereby created under the authority of NCGS 160D-302.
2. The Board of Adjustment shall consist of seven (7) members and two (2) alternate members. Five (5) members and one (1) alternate member shall be citizens and residents of the city and shall be appointed by the Board of Aldermen. Two (2) members and one (1) alternate member shall be citizens and residents of the extraterritorial jurisdiction of the city as described pursuant to NCGS 160D-307 and shall be appointed by the Brunswick County Board of Commissioners. The members of the board serving on the effective date of this ordinance, under the ordinance effective prior hereto, shall be considered as the five (5) members to be appointed by the Board of Aldermen, and each of these members shall serve the balance of the term to which he was appointed. The members of the board shall be appointed for terms of three (3) years.
3. The alternate members shall serve on the board in the absence or temporary disqualification of any regular member or to fill a vacancy pending appointment of a member. Alternate members shall be appointed for the same term, at the same time, and in the same manner as regular members. Each alternate member, while attending any regular or special meeting of the board and serving

D - Planning Board Rules of Procedure from City Website

Planning Board Rules of Procedure from City's Planning Board Website

A Citizen's Advisory Board

The Planning & Zoning Board is appointed by the Board of Aldermen and serves as an advisory body to the Board on issues that come before it.

The Planning Board makes recommendations about the city's Unified Development Ordinance and specific development projects which must receive approval by the Board before proceeding.

There are seven members on the Planning board: 5 from within the city limits and 2 from the Extra-Territorial Jurisdiction (ETJ). There is also one alternate for each area. Terms are for three years.

Meetings are held on the 3rd Thursday of every month at 6:00 pm

Southport Community Building
223 East Bay Street
City of Southport, NC 28461

A. Powers and Duties

The Planning Board has the following responsibilities in relation to this ordinance:

1. Acquire and maintain in current form such basic information and materials as are necessary to an understanding of past trends, present conditions, and forces at work to cause changes in these conditions.
2. Prepare and from time to time amend and revise a comprehensive and coordinated plan for the physical, social, and economic development of the area.
3. Establish goals and policies for guiding action in the development of the area.
4. Prepare and recommend to the Board of Aldermen ordinances promoting orderly development along the lines indicated in the comprehensive plan.
5. Review and recommend to the Board of Aldermen proposals for any zoning map or text amendment.
6. Review and recommend to the Board of Aldermen applications for Major Subdivision Preliminary and Final Plats, as specified in this ordinance.
7. Hear and decide applications for Major Site Plans, as specified in this ordinance.

8. Determine whether specific proposed developments conform to the principles and requirements of the comprehensive plan for the growth and improvement of the area.
9. Keep the Board of Aldermen and the general public informed and advised as to these matters.
10. Make recommendations for the timely implementation of programs to meet the goals and policies as adopted in the comprehensive plan.
11. Perform any other duties which may be lawfully assigned to it.
12. The Planning Board shall review and report as recommendations to the Board of Aldermen upon the extent, location, and design of all public structures and facilities, on the acquisition and disposal of public properties, and on the establishment of building lines. However, in the absence of a recommendation from the Planning Board, the Board of Aldermen may after the expiration of thirty (30) days from the date on which the questions have been submitted in writing to the Planning Board for review and recommendation, take final action.
13. Attend planning conferences or meetings of planning institutes or hearings upon pending planning legislation.

B. Membership, Vacancies, and Meetings

1. The Planning Board shall consist of seven (7) members and two (2) alternate members. Five (5) members and one (1) alternate member shall be citizens and residents of the city and shall be appointed by the Board of Aldermen. Two (2) members and (1) alternate member shall be citizens and residents of the extra-territorial jurisdiction of the city as described pursuant to NCGS 160D-307 and shall be appointed by the Brunswick County Board of Commissioners. All members shall serve a term of three (3) years. The Chairman and Vice-Chairman shall serve a term of one (1) year and may be reappointed following the end of the term at the discretion of the Planning Board.
2. The city clerk will advertise for vacancies when they occur. All candidates, including board members whose terms are expiring and who are seeking reappointment, must have an application no less than 30 days prior to the Board of Aldermen meeting in which the selection(s) are made and [no older than 90 days prior to the date of vacancy] on file with the city clerk's office and must inform the clerk they wish to be considered for the vacant position. All applicants must be interviewed by a committee, selected by the Board of Aldermen, consisting of two (2) Board of

Aldermen members and the Chairman of the Planning Board. If the Chairman's term is expiring and he/she wants to apply for reappointment, the Vice-Chairman of the Planning Board will be selected for the committee. The committee will make recommendations to the Board of Aldermen for the vacant position(s). Any citizen who has filed a current application and completed the interview shall be eligible for nomination. Citizens who have not met these requirements are not eligible for nomination to the Planning Board. The city clerk will place the applications of all candidates who meet these requirements in the agenda packets prior to the meeting in which the selection(s) are made.

3. Alternate members shall not be entitled to vote on matters before the Planning Board except when a regular Planning Board member is absent from a duly called meeting. In that situation, the alternate shall have the same privileges as the regular members and may count for quorum purposes and vote if a regular member is absent. Vacancies occurring for reasons other than expiration of terms shall be filled as they occur for the period of the unexpired term. Faithful attendance at the meetings of the board is considered a pre-requisite for the maintenance of membership on the board. Extraterritorial representatives shall have equal rights, privileges, and duties with the other members of the board to which they are appointed, regardless of whether the matters at issue arise within the city or within the extraterritorial area.
4. Meetings of the Planning Board will normally occur on the third Thursday of the month at a time and place designated by the board and shall be open to the public. A quorum shall consist of four (4) members of the board.
5. All regular members may vote on any issue unless they have disqualified themselves for one or more of the reasons listed in Section 2.3(C). A vote of a majority of the members present and voting shall decide issues before the board.
6. Special meetings may be called by the Chairman. It shall be the duty of the Chairman to call such a meeting upon a recommendation of the board. During a special meeting, no other business may be considered except that which was specified by advanced notice. The city clerk shall notify all members of the board in writing not less than five (5) days in advance of such special meeting. Notice of time, place, and subject of such meeting shall be published in a newspaper having general circulation in the City of Southport when possible.

7. The order of business at regular meetings shall be as follows:
 1. Call to Order;
 2. Approval of Minutes of Previous Meetings;
 3. Approval of the Agenda;
 4. Public Input;
 5. Unfinished Business;
 6. New Business;
 7. Announcements;
 8. The petitioner or applicant who is on the agenda may withdraw the petition or application at any time; but if a motion is pending to make a recommendation to grant or deny, such motion shall have precedence.

C. Rules of Conduct

Members of the Board may be removed for cause, including violation of any rule stated below:

1. Faithful attendance at all meetings of the Board and conscientious performance of the duties required of members of the Board shall be considered a prerequisite of continuing membership on the Board. Absence from four (4) regularly scheduled Board meetings during any one calendar year shall be considered cause for a recommendation to the Board of Aldermen of dismissal from the Board.
2. Members of the Planning Board shall not vote on recommendations regarding any zoning map, text amendment, or development approval where the outcome of the matter being considered is reasonably likely to have a direct, substantial, and readily identifiable financial impact on the member or where the member has a close familial, business, or other associational relationship.
3. No board member shall discuss any case with any parties thereto prior to the meeting on that case; provided however, that members may receive and/or seek information pertaining to the case from any other member of the board, or staff prior to the meeting. Board members shall disclose publicly any contact made by any party to a matter before the board.

4. Members of the board shall not express individual opinions on the proper judgment of any case with any parties thereto prior to the board's determination of that case. Violation of this rule shall be cause for dismissal from the board.

D. Basic Studies

As background for its comprehensive plan and any ordinances it may prepare, the Planning Board may gather maps and aerial photographs of manmade and natural physical features of the area, statistics on past trends and present conditions with respect to population, property values, the economic base of the community, land use, and such other information as is important or likely to be important in determining the amount, direction, and kind of development to be expected in the area and its various parts. The Planning Board may make studies as to the community's social, economic, as well as its physical needs. In addition, the Planning Board may make, cause to be made, or obtain special studies on the location, condition, and adequacy of specific facilities, which may include but are not limited to studies of housing; commercial and industrial facilities; parks, playgrounds, and recreational facilities; public and private utilities; and traffic, transportation, and parking facilities. All city officials shall, upon request, furnish to the Planning Board such available records or information as it may require in its work. The board or its agents may, in the performance of its official duties, enter upon lands and make examinations or surveys and maintain necessary monuments thereon.

E. Comprehensive Plan

1. The comprehensive plan, with the accompanying maps, charts, and descriptive matter, shall be the Planning Board's recommendations to the Board of Aldermen for the development of such territory, including, among other things, the general location, character, and extent of streets, bridges, boulevards, parkways, playgrounds, squares, parks, aviation fields, and other public ways, grounds, and open spaces; the general location and extent of public utilities and terminals, whether publicly or privately owned or operated, for water, light, sanitation, transportation, communication, power, and other purposes; the removal, relocation, widening, narrowing, vacating, abandonment, change of use, or extension of any of the foregoing ways, buildings, grounds, open spaces, property, utilities, or terminals; and the most desirable patterns of land use within the area.
2. The plan and any ordinances or other measures to effectuate it shall be made with the general purpose of guiding and accomplishing a coordinated, adjusted, and harmonious development of the city and its environs which will, in accordance with present and future needs, best promote health, safety, morals, and the general

welfare, as well as efficiency and economy in the process of development; including, among other things, adequate provisions for traffic, the promotion of safety from fire and other dangers, adequate provision for light and air, the promotion of the healthful and convenient distribution of population, the promotion of good civic design and arrangement, wise and efficient expenditure of public funds, and the adequate provision of public utilities, services, and other public requirements and the improvement of the community social and economic attributes.

F. Zoning and Subdivision Regulations

1. The Planning Board may initiate, from time to time, proposals for amendment of this ordinance, based upon its studies and comprehensive plan. In addition, it shall review and make recommendations to the Board of Aldermen concerning all proposed amendments to this ordinance.
2. The Planning Board shall review, from time to time, the need for regulations for the control of land subdivision in the area and submit to the Board of Aldermen its recommendations, if any, for adoption or revision of such regulations.

G. Planning Board Procedures for Reporting to the Board of Aldermen

The Planning Board will submit copies of all minutes of its regular and special meetings to the Board of Aldermen. Minutes shall be submitted to the city clerk within seven (7) days of approval of the minutes by the Planning Board.

E. Advisory Council and Special Committees

1. The Planning Board may establish an unofficial advisory council and may cooperate with this council to the end that its investigations and plans may receive the fullest consideration, but the board may not delegate to such advisory council any of its official prerogatives.
2. The Planning Board may set up special committees, of up to three members, to assist in the study of specific questions and problems.