



**CITY OF SOUTHPORT
PLANNING BOARD
REGULAR MEETING AGENDA
223 E BAY ST
SOUTHPORT NC 28461**

October 16, 2025
6:00 PM

Agenda

Please turn off all cell phones

- A. Call to Order**
- B. Invocation**
- C. Pledge of Allegiance**
- D. Approval of Agenda**
- E. Public Comment**
- F. Staff Reports**
 - 1. Monthly Review
 - 2. Comprehensive Plan - New Steps
 - 3. UDO
 - 4. Handbook Progress
 - 5. Project Dashboard
- G. Other Business**
- H. Announcements**
- I. Adjourn**



Planning Board Update – October 2025

Board of Aldermen: Regular meetings of the Board of Aldermen are every 1st Monday at 9:00 a.m. and 2nd Thursday at 6 p.m. at the Community Building.

Planning department agenda items at the October meetings are outlined below.

Monday, October 6, 2025

- Osprey Landing Phase 4 Annexation: Osprey Landing located off Rober Ruark Road is a Planned Unit Development that was approved in 2020. The approval includes a development agreement that requires annexation upon final plat approval. The property is in the former ETJ and annexed at the time of final plat. Phase 4 of the development is just under 10 acres and includes 43 single family lots. A public hearing is required prior to action by the Board of Aldermen. No members of the public were present at the hearing, and the annexation request was approved unanimously.

Thursday, October 9, 2025

- Southport 2050 Comprehensive Plan: The comprehensive plan was presented to the Board of Aldermen by staff and Jake Petrosky with Stewart consultants prior to the public hearing required for adoption. After questions from the BOA, there were no members of the public present to speak at the public hearing. The adoption of the comprehensive plan was approved unanimously.

With the local adoption of the plan, the Southport 2050 Comprehensive Plan is now effective and will be used by staff for decision making and consistency for zoning text and map amendment considerations. The plan will be sent to the Division of Coastal Management for a public comment period and certification by the Coastal Resources Commission.

- Special Events at Bed and Breakfasts Text Amendment ZTA-24-05: The updated text for bed and breakfast establishments hosting special events, first introduced by the Board of Aldermen and recommended by the Planning Board was presented by staff prior to the required public hearing for adoption. Public comment from a local bed and breakfast owner with concerns that the proposed language would not limit but eliminate the ability to host small functions at his establishment. The BOA after discussion and considerations of the comment referred the text amendment back to the Planning Board. This is a separate PB agenda item with detailed directions.
- UDO Article 3 and Article 8 Updates Text Amendment ZTA-25-04: The proposed updates for this text amendment as recommended by the PB included changes that are necessary for lost zoning districts and land uses with the loss of the ETJ as well as changes identified by the BOA during

meetings in the summer and fall of 2024 and items identified by the Planning Board and staff as items for clarification/consistency and uses that are silent that have the potential to be a detriment to the character of the city. Staff presented the substantive changes that are required by statute, those uses that are remaining or being removed as a permitted use, and updates and additions that were identified as necessary updates.

There were public comments including concerns about the proposed permitted use of tattoo and piercing establishments in the BD zoning district and swimming pool setbacks. Members of the BOA in addition to the comments heard by the public, also had concerns and questions regarding items included as part of the PB and staff recommendations for updates. Specifically, there were in depth discussions regarding food trucks/mobile vendors, tattoo and piercing establishments, drive-through proposed zoning districts, flag poles, and vape shops.

The BOA elected to adopt the text amendments that were required for the zoning districts and land uses that were lost during the relinquishment of the ETJ. The 9 recommended uses not to be included in the table of uses, Mobile Homes on Single Lots permitted with standards in PUD and MF zoning districts, Adult Entertainment Establishments permitted by special use with standards in the HC zoning district, and Tattoo and Piercing Establishments permitted by special use in the HC zoning district.

Remaining UDO updates recommended as well as those compiled by the BOA, PB and staff at the request of the BOA will be discussed at the November 3 Board of Aldermen meeting. The list of updates is included as a separate agenda item.

Board of Adjustment: Regular meetings of the Board of Adjustment are every 4th Tuesday at 4:30 p.m. at the Indian Trail Meeting Hall.

The regular meeting for September was on Tuesday, September 23, 2025. A special use permit modification for the change of the footprint of a previously approved accessory dwelling unit was approved. There were no other cases on the agenda.

The next meeting is on Tuesday, October 28, 2025. It is anticipated that there will be an appeal of a staff determination.

Historic Preservation Commission: Regular meetings of the Historic Preservation Commission are every 1st Wednesday at the Indian Trail Meeting Hall.

The regular meeting of the HPC was held on September 3 and the agenda included confirmation and approval of their final recommendation of changes to the Local Historic Design Standards for consideration at a Board of Alderman special meeting/workshop.

The joint Board of Alderman and Historic Preservation Commission meeting to review the Local Historic District Design Standards is scheduled for Wednesday, October 15 at 11 a.m. at the Community Building.

Other Staff Projects:

The Multimodal Acceleration Plan is moving forward with completion of an online public survey, which will be posted on the plan's webpage. <https://cityofsouthport.com/development-services/#multimodal-project-acceleration-plan> There will be a virtual public input meeting scheduled for October 23, 2025, at

6pm. Staff will forward a formal invitation with a link to RSVP and join the meeting. The plan is funded by a multimodal grant from NCDOT and will create a comprehensive and connected multimodal network with project-ready opportunities.



MEMORANDUM

To: Larry Ashley, Chair and Members of the Planning Board

From: Maureen Meehan, Planning Services Director

Re: UDO Update – Planning Board and Staff Considerations for Future Updates

Date: October 16, 2025

Attached you will find three (3) documents. These documents initiate the discussion for the next round of UDO amendments, which include a wide range of topics. In addition to the items included from the BOA and your input, staff will add amendments identified in the comprehensive plan that align with the existing proposals. The documents are outlined below.

- A consolidated list of considerations for text amendments compiled from input by the Board of Aldermen, Planning Board and Staff.
- An outline of the proposed text amendments that were included in ZTA-25-04 Article 3 and Article 8 Updates sections approved by the Board of Aldermen after their October 9, 2025, meeting and those that are pending and will be included in the larger discussion of text amendments.
- Proposed amendments to Article 3 of the UDO not approved with ZTA-25-04.

A discussion and prioritization of UDO text amendments is requested to be on the Board of Alderman's Monday, November 3, 2025, meeting agenda.

UDO Update Considerations From Board of Aldermen, Planning Board and Staff

This list is in no order. Some proposed considerations currently exist in the UDO; they are included to ensure all considerations are vetted during the next phase of UDO updates. The list consists of topics discussed by the Board of Aldermen with staff in 2024, topics covered by the Planning Board during the most recent UDO update review, individual Planning Board offerings, and staff considerations. Staff did not receive any issues/input from the public. Public input provided for the Southport 2050 Comprehensive Plan is incorporated into the plan's proposed UDO updates, which are found in the implementation action items.

- Tree Protection and Landscape Preservation
 - Update violation section
 - Mitigation credit for more than just Live Oak retention
 - Mitigation considerations for developed lots heavily wooded
- Update/Create new zoning districts to match existing development patterns/nonconforming lots
- Examine dimensional standards and height
- Parking standard updates across the board, including parking lot and driveway standards differentiated between residential and nonresidential uses
- Parking in the rear and nonresidential buildings situated on the front property line in BD zoning districts
- Mural updates
- Design standards – to include redevelopment and overall consideration of the requirements
- Approval process for special use permits with standards that can be administratively approved
- Reorganization of the entire document to be user friendly
- Impervious coverage limits
- Comparing City Ordinances with the UDO to ensure that they are consistent where appropriate.
- Consider increasing on site retention/detention pond sizing and/or storm design (500 yr?)
- Conditional Zoning updates for open area definition and building height. Other items for CZ?
- Performance bonds - including performance bonds for major site plan (and maybe CZ too) stormwater
- Wind turbines (setbacks & locations)
- Freestanding solar panels, i.e, farms (setbacks and locations)
- Data Centers (AI) (Setbacks and locations)
- Accessory Dwelling Units (Board of Adjustment special use permit)
- Small commercial lots in Howe St. – development and parking
- Preventing gated communities to ensure connectivity within Southport.

- Consider increasing on site retention/detention pond sizing and/or storm design (500 year?)
- Consider language to eliminate the creation of below grade land in abutting properties with established residences or require drainage swales. (Think of Stuart Street and the property that has now been surrounded by higher land.)
- # of parking spaces required for apartments (based on bedrooms?)
- Definition of apartments vs. short term rentals or boarding rooms/hotel rooms
- Eliminate the 400' alternative parking rule
- Review parking entry/exit requirements
- Reduce the # of parking spaces required to be considered for parking requirements
- Require parking in rear of buildings in certain districts to maintain village feel (where off street parking is required)
- Parking garage requirements including facade requirements
- Update text on building heights to match tables.

Post October 9th ZTA-25-04

- Approved
 - Drive-Through in PUD and HC Zoning Districts – Permitted with Standards
 - Reincorporation of:
 - Adult Establishment in Highway Commercial District – Special Use with Standards
 - Manufactured Home on Single Lot in PUD & MF Districts – Permitted with Standards
 - Tattoo Piercing Establishment HC District – Special Use
 - Removal of:
 - Manufactured Housing Park (former MH District)
 - Garbage Collection, Private (former HI District)
 - Gas Companies (Former HI & LI District)
 - Manufacturing, General (Former LI District)
 - Manufacturing, Intensive (Former HI District)
 - Motion Picture Production & Distribution (Former HI & LI District)
 - Salvage Operations (Former HI District)
 - Shooting Range, Outdoor (Former HI District)
 - Solar Farm (Former HI District)
- Pending
 - 3.6.A. Accessory Structures or Use, General
 - 3.6.B. Accessory Dwelling, Commercial
 - 3.6.C. Accessory Dwelling, Residential
 - 3.6.G. Homestay
 - 3.6.I. Mobile Vendor
 - 3.6.R. Swimming Pools
 - 3.7.E.6. Mixed Uses
 - 3.8.R.2 & 3 Hotel, Motel, or Inn
 - 3.8.AA. Radio & Television Stations, Studios, and Offices
 - 3.19.A.6 Ground-Mounted Flagpoles.
- Requested
 - Retain NAICS Code
 - Vape Shop Regulations (HC via SUP?) (459991 NAICS Code)
 - Mobile Home, Single Lot standards and definition need updated

A. Accessory structure or use, general

Where permitted, the following shall apply:

1. There shall not be more than two (2) accessory structures or uses per lot, excluding swimming pools, docks, piers, and waterside structures.,~~in the R-10, R-20, MF, MH, PUD, O-I, CBD, BD and HC districts.~~
2. The total area of accessory structures, excluding swimming pools, shall not exceed 50% of the rear yard area of the lot and shall meet all rear and side yard setbacks of the district. ~~However, accessory structures with a footprint of 530 square feet or smaller in any district may have setbacks of five (5) feet to a side or rear property line.~~
 - a) No accessory structure shall be constructed beyond the front building line of the primary structure, except as allowed for riverfront lots as described below.
 - b) Nonresidential Accessory Structures.
 - i) Structures with a footprint of 530 square feet or less may have a setback of five (5) feet to a side or rear property line.
 - ii) Structures with a footprint greater than 530 SF must meet the zoning district established side and rear yard setbacks.
 - c) Residential Accessory Structures.
 - i) Single-story structures with a footprint of 530 square feet or less may have setbacks of five (5) feet to a side or rear property line.
 - ii) Two-story structures with a footprint of 530 square feet or less may have a setback of ten (10) feet to a rear property line and meet the established side yard setback.
 - iii) Two-story structures with a footprint of greater than 530 square feet must meet the zoning district established side and rear yard setbacks.
3. Riverfront lots: Detached garages are permitted in the street front yard on lots with frontage on the Cape Fear River in the R-10 district provided they are no closer than 75 feet from the street ~~right-of-way line.~~
4. No accessory structure, whether residential or nonresidential, shall be greater than 30 feet in height.

b. Accessory Dwelling, Commercial

Where permitted, the following shall apply:

1. The ~~residential unit~~ accessory dwelling may be occupied solely by the person engaged in the principal use or a full-time employee, and their family members residing with them.
2. The site shall provide an area of open space not occupied by any buildings, parking or structures equal to the floor area of the residential unit.

3. The amount of floor area for the residential unit shall not exceed 1,500 square feet.
4. The residential unit shall be located totally above the ground floor or totally to the rear of the principal use so as not to interrupt the commercial frontage.
5. In addition to the required off-street parking for the principal use, two (2) off-street parking spaces shall be provided for the residential unit accessory dwelling.

C. Accessory Dwelling, Residential

Where permitted, the following shall apply:

1. An accessory dwelling may be ~~within part of~~, attached to, or ~~separate detached~~ from the principal residential structure.
2. The principal use of the lot shall be a detached single-family dwelling, built to the standards of the North Carolina State Building Code.
3. No more than one (1) accessory dwelling shall be permitted on a single deeded lot in conjunction with the principal residential structure.
4. The accessory dwelling shall be owned by the same person as the principal residential structure.
5. The accessory dwelling shall not be served by a driveway separate from that serving the principal residential structure.
6. There shall be ~~a separate one~~ (1) parking space for the accessory dwelling subject to the off-street parking requirements of Section 3.14.
7. The accessory dwelling shall not exceed 800 square feet.
8. Detached garages with a second-floor accessory residential dwelling may not exceed a ground level building footprint area of 530 square feet and shall be constructed behind the front building line, except as allowed for riverfront lots, provided they are located no closer than ten (10) feet from the rear lot line and meet the required minimum side yard setback. five (5) feet to any adjoining lot line.

G. Homestay

Where permitted, the following shall apply:

1. No displays of goods, products, services, or other advertising shall be visible outside the dwelling.
2. The homestay operation shall be managed and carried on by a person who:
 - a) Is a full-time permanent resident of the property; and
 - b) Is present during the homestay term for the entire time lodgers are staying at the property. ~~To be a "full-time resident," the person must reside on the property on a permanent basis, and it must be the person's primary home. For the purposes of this section, a person can only have one primary, full-time residence. To be "present during the homestay term," the full-time permanent~~ resident shall be at the property overnight and not away on vacation, visiting friends or

family, traveling out of town for business or personal reasons, etc., during the homestay term. However, the full-time resident may be temporarily absent from the property for purposes related to normal residential activities such as shopping, working, attending class, etc. A minimum of two documents establishing proof of residency shall be supplied. ~~from an approved list of documents.~~

3. No activities other than lodging shall be provided. Special events, including weddings, receptions, and other large gatherings, are expressly prohibited.
4. No additional off-street parking is required for a homestay.
5. Only one homestay permit shall be permitted per property.
6. Homestay permits shall be limited to two guest rooms at a time.
7. No signage shall be allowed for homestays.
8. The length of stay of guests shall not exceed 30 days.
9. Exterior lighting shall be residential in nature and shall comply with the lighting requirements of the UDO.
10. The homestay owner or operator shall maintain a minimum of \$500,000 general liability insurance on the property, which covers the homestay use and homestay guests.
11. The homestay owner or operator must pay any applicable taxes, including occupancy and sales taxes, to the appropriate governmental entities.
12. The homestay owner or operator shall not prepare food for guests or provide pre-packaged or unpacked food items or beverages for guests.
13. The homestay area of the dwelling shall comply with all current and applicable building codes.
14. Accessory Dwellings with a Special Use Permit are not eligible for homestay use.

Mobile Vendor ~~OR FOOD TRUCK~~

Where permitted, the following shall apply:

1. ~~Zoning Permit. A zoning permit is required for each site and must be signed by the property owner, including the city, and completed and submitted along with a minor site plan (the site plan may be sketched). The zoning permit shall be renewed annually upon issuance. If a property owner has a property large enough to accommodate more than one mobile vendor, only one zoning permit is required to be submitted showing the location of all mobile vendors. The minor site plan must show the limits of the property, the location(s) of the proposed mobile vendors, and label adjoining uses on neighboring properties. The applicant must also submit a NC Department of Agriculture Permit and a copy of the vehicle or trailer registration. A zoning permit shall be required for all mobile vendors and is valid for one year from the date of issuance.~~
2. The attachments required for a mobile vendor permit include:
 - a) A valid driver's license and vehicle registration.
 - b) A North Carolina Department of Agriculture permit, when necessary.
 - c) A site plan detailing the limits of the property, the location of the proposed mobile vendor and land uses of adjacent property.

- d) A signed letter of consent between the property owner/business operator and mobile vendor operator.
3. City sponsored events. A mobile vendor participating in a city sponsored event and will not operate otherwise in the city does not need to provide a site plan or letter of consent.
4. Place of Operation. Mobile vendors may operate on an individual property for a maximum of 120 days per 12-month period. Mobile vendors and all related equipment shall be removed from the site following the permitted hours of operation.
5. Mobile vendors may not park in handicapped accessible parking spaces, nor can they park in access or drive aisles. The approved location for parking the trucks, as shown on the zoning permit, must be physically marked. The food truck parking space can be marked with paint, tape, cones, or other easily identifiable material.
6. Prohibitions. All equipment associated with a mobile vendor must be located within three (3) feet of the vendor. The operator is responsible for disposing of all trash associated with the operation. City trash receptacles may not be used to dispose trash or waste. All areas within five (5) feet of the mobile vendor must be kept clean. Grease and liquid waste may not be disposed in tree pits, storm drains, the sanitary sewer system or public streets. Mobile vendors are all subject to the City-wide noise ordinance.
7. Maximum Number of Mobile Vendor Locations Per Property.
 - a) Maximum of two (2) vendors on lots of one-half acres or less.
 - b) Maximum of three (3) vendors on lots between one-half acre and 1 acre.
 - c) Maximum of four (4) vendors on lots greater than 1 acre.
8. Food Truck Location. Food trucks must be located at least 50 feet from the front door of any restaurant and outdoor dining area and at least 50 feet from any permitted mobile food vending cart location. These minimum distance requirements are all measured in a straight line from the closest point of the proposed food truck location to the closest point from the buffered point, or in the case of a restaurant measured from the closest point of the restaurant's main entrance. ~~If a zoning permit is issued and a restaurant subsequently opens within 50 feet (measured from the restaurant's main entrance) of the approved food truck location, the food truck may continue to operate until the permit expires.~~
9. Temporary outdoor seating associated with a food truck is only permitted on lots at least two (2) acres in size or greater.

Swimming Pools

Where permitted, the following shall apply:

1. Swimming pool coping or decking shall be setback five (5) feet from the side and rear property lines.
2. The pool is to be enclosed by protective fencing meeting the requirements of the NC Residential Building Code.

~~swimming pools shall be setback five (5) feet from the existing property line and enclosed by protective fencing meeting the requirements of the NC Residential Building Code.~~

Mixed Uses

Where permitted, the following shall apply:

1. First floor shall be permitted business uses only.
2. The floor area devoted to the dwelling(s) in the CBD or BD shall not exceed the floor area devoted to the permitted business use(s).
3. The floor area devoted to the dwelling(s) in the PUD or O-I shall not exceed twice the floor area devoted to the permitted business use(s).
4. The minimum floor area for each dwelling shall be 500 square feet and the maximum floor area shall be 1,000 square feet.
5. No mixed-use building shall exceed the maximum height limit established in 3.9 Dimensional Requirements, Table 3.2.
- ~~6. No mixed-use building shall exceed 40 feet (i.e. one (1) floor commercial plus two (2) floors residential) in height.~~
7. 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.
8. Parking for such dwelling(s) shall be in addition to that required for the permitted lower floor use(s).
9. 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.

Hotel, Motel or Inn

Where permitted, the following shall apply:

1. The lot size shall be a minimum of one (1) acre.
- ~~2. The primary means of ingress and egress shall be via a major thoroughfare as designated on the Brunswick County Comprehensive Transportation Plan (CTP).~~
- ~~3. The property shall have a minimum of 200 feet of frontage on a major thoroughfare.~~
4. Any building on the site must be a minimum of 200 feet from any residential district.

5. In the HC district, the building height may exceed 40 feet if approved by the Board of Adjustment and if the building satisfies the following:
 - a) The City of Southport Fire Chief finds that the City can provide adequate/safe fire protection.
 - b) Buildings which exceed 40 feet in height and are located on parcels adjacent to residentially zoned property must have an additional one-half ($\frac{1}{2}$) foot of both rear and side yard setback for each one (1) foot of building height over 40 feet.

B. Radio & Television Stations, Studios, and Offices

No communication towers are permitted. Satellite dishes must be screened from a ground level view. In O&I or CBD zoning districts, no exterior station appurtenances used for transmitting or receiving signals are allowed.

Groud-Mounted Flagpoles

Where permitted, flagpoles shall be subject to the following conditions:

1. Flagpoles may be allowed within both residential and nonresidential zoning districts subject to the issuance of a sign permit.
2. At no time shall flagpoles exceed twenty (20) feet in height.
3. Flagpoles shall be setback from all property lines at one and a half (1.5) times the length of the pole. A twenty (20) foot flagpole will be required to be no closer than forty-five (45) feet from any primary structure.
4. Residential zoning districts:
 - a) At no time shall commercial flags be flown in residential zoning districts.
 - b) Wall-mounted flagpoles that are less than 5' in length do not require permitting.