



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

223 EBAY ST
SOUTHPORT NC 28461
March 19, 2026
6:00 PM

Agenda

Please turn off all cell phones

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

- A. Call to Order**
- B. Invocation**
- C. Pledge of Allegiance**
- D. Swearing-in of Newly Appointed Member**
- E. Ethics Statement: If any members know of any conflict of interest, or the appearance of a conflict of interest, concerning matters on the agenda, please so state it at this time.**
- F. Approval of Agenda**
- G. Approval of Minutes**
 - 1. February 19, 2026, Planning Board Regular Meeting Minutes
- H. Public Comment**
- I. Old Business**
 - 1. Rules of Procedure - Modification Adoption
 - 2. Dashboard Software
- J. New Business**
 - 1. Southport Crossing Planned Unit Development - Major Modification of the Master Development Plan
 - 2. Upcoming Planning Board Member Appointment Expirations
- K. Staff Reports**
 - 1. Other Board and Committee Planning Items
 - 2. Planning Department Updates
 - 3. Special Projects
- L. Board Comments**
- M. Adjourn**



**City of Southport
Planning Board Regular Meeting
Southport Community Building
223 E Bay St
Southport NC 28461
February 19, 2026,
6:00 pm**

MINUTES

Present Members: Chair Lawrence N. Ashley, Vice Chair Fred Fiss, Ed Ekert, Bob Lambert, Maria Horton.

Staff Present: Maureen Meehan, Planning Services Director; Wendell Biddle, City Planner; ChyAnn Ketchum, Public Information Officer; Scott Baillargeon, Deputy City Clerk

Absent: John Bove, Doug Luehe

A. Call to Order

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

B. Invocation

Chair Ashley provided the invocation.

C. Pledge of Allegiance

Chair Ashley led members in the recitation of the Pledge.

Ethics Statement:

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

D. Approval of Agenda

A motion was made by Ms. Horton and seconded Mr. Lambert, to Approve the Agenda.

The motion carries unanimously

Chair Ashley noted that Board members John Bove and Doug Luehe would not be present for the meeting; And as a result, Mr. Ekert, who serves as the Board's Alternate Member, would be seated in Mr. Bove's place for the evening.

E. Approval of Minutes

- a. September 3, 2025, Planning Board Regular Meeting Minutes
A motion was made by Mr. Fiss and seconded Mr. Horton, to Approve the September 3, 2025, Planning Board Regular Meeting Minutes

The motion carries unanimously

- b. October 7, 2025, Planning Board Special Meeting Minutes
A motion was made by Mr. Lambert. and seconded Mr. Fiss, to Approve the October 7, 2025, Planning Board Special Meeting Minutes

The motion carries unanimously

- c. October 16, 2025, Planning Board Regular Meeting Minutes
A motion was made by Mr. Fiss. and seconded Mr. Ekert, to Approve the October 16, 2025, Planning Board Regular Meeting Minutes

The motion carries unanimously

- d. October 29, 2025, Planning Board Special Meeting Minutes
A motion was made by Mr. Lambert and seconded Mr. Fiss, to Approve the October 29, 2025, Planning Board Special Meeting Minutes

The motion carries unanimously

- e. November 20, 2025, Planning Board Regular Meeting Minutes
A motion was made by Mr. Horton and seconded Mr. Ekert, to Approve the November 20, 2025, Planning Board Regular Meeting Minutes

The motion carries unanimously

- f. January 15, 2026, Planning Board Regular Meeting Minutes
A motion was made by Mr. Lambert and seconded Mr. Fiss, to Approve the January 15, 2026, Planning Board Regular Meeting Minutes

The motion carries unanimously

F. Public Comment

None.

G. Old Business

a. ZTA-24-05 Bed and Breakfast Use Standards Text Amendment

Chair Ashley introduced the item for consideration and turned it over to City Planner Biddle.

City Planner Biddle presented ZTA-24-05: Bed and Breakfast Use Standards Text Amendment; and noted that the proposal had come before the Planning Board previously and clarified that language at the beginning of the Staff Report reflected earlier versions that had been recommended to the Board of Aldermen but were returned for additional clarification; and explained that this language was included only for background and is not part of the current amendment under consideration; and that the purpose is to amend the Unified Development Ordinance (UDO) as it relates to the land use classification for Bed and Breakfast (B&B) establishments; and stated that previous iterations had been recommended to the Board of Aldermen; however, the Aldermen requested additional clarification and options before taking action; and before presenting the proposed amendments, he reviewed the current UDO standards; and stated that a B&B is defined: *as a house, or portion thereof, providing short-term lodging where rooms and meals are offered and where the operator resides on the premises or on adjacent property*, and noted that, according to Table 3.1 of the UDO, B&B establishments are permitted in all zoning districts except Open Space (OS); however, noted they are not permitted by right and require both compliance with specific use standards and approval of a special use permit by the Board of Adjustment; and explained that the current specific use standards are found in UDO Section 3.8(C) and that the Board of Adjustment evaluates special use permit applications based on those standards when considering requests for B&B establishments; and outlined three options included in the proposed amendment:

Article 8 Definitions:

Option 1 – Allowing Limited Indoor Events Only

Option 2 – Allowing Limited indoor and Outdoor Events

Option 3 – Allowing Overnight Accommodations Only (prohibiting any events)

And noted that Staff recommends the addition of a definition of a B&B management plan.

Option 1 – Indoor Events Only; City Planner Biddle shared that this option would allow B&B establishments to host private indoor events only; and the proposed definition would clarify that a B&B is a private residence or portion thereof that provides overnight lodging and meals to registered guests, and that private indoor events may be held for registered or outside guests, provided the number of attendees does not exceed the interior occupancy determined by the Fire Marshal; and stated that this option would also amend the specific use standards, primarily by expanding Standard No. 2 to require a management plan; and noted that the management plan would be reviewed as part of the special use permit application and would outline the types of

events proposed, frequency, and operational details; and the proposed standards include limiting special events to no more than two occasions within a 30-day period and requiring that events conclude no later than 8 p.m.:

Option 2 – Indoor and Outdoor Events; City Planner Biddle explained that this option would allow both indoor and outdoor events; and noted that indoor events would remain limited to the interior occupancy established by the Fire Marshal, while outdoor events could accommodate up to twice the indoor occupancy; and noted that this option would similarly require submission and review of a management plan detailing proposed events, occupancy, frequency, and operational procedures prior to consideration by the Board of Adjustment; and shared that under both Options 1 and 2, Staff proposes adding a new definition for a B&B management plan, defined as a comprehensive written document outlining daily operations, staffing, and policies for the establishment, including the full extent of any events the applicant intends to host; and shared the details of Option 3:

Option 3 – No Events Allowed; and stated that this option was requested by a member of the Board of Aldermen and would prohibit any special events at B&B establishments, limiting the use strictly to overnight lodging and meal service for guests; and explained that the amendment was prompted by a situation in 2024 in which a property owner applied to convert a single-family residence into a B&B with the intent of hosting weddings; and noted that while the Board of Adjustment approved the B&B use, that Board denied the request to host special events; and shared that this case has highlighted a gap in the UDO regarding event venues and raised the question of whether B&B establishments could serve as a location for such events; and concluded that Staff recommends Option 1, stating that it provides a balance between maintaining the residential character of zoning districts while allowing B&B establishments to host limited indoor events such as weddings, receptions, or special dinners; and opened the floor for questions from the Board.

Ms. Horton asked about the proposed requirement that events conclude by 8 p.m.; and stated that if she were hosting an event in her own yard, a 10 p.m. cutoff would typically be considered late evening, and that 8 p.m. seemed somewhat early; however, acknowledged the City's concerns regarding potential noise issues but commented that the proposed time appeared restrictive and potentially prohibitive, and asked if there was a specific reason for selecting that time.

City Planner Biddle responded that the 8 p.m. conclusion time was proposed in an effort to protect the character of residential zoning districts; and explained that the intent was not to allow B&B establishments to operate in a manner similar to a commercial event venue hosting late-night parties; and

acknowledged Ms. Horton's point regarding later evening events but stated that Staff proposed the earlier time as a way to balance allowing limited events while maintaining the residential nature of the surrounding neighborhood.

Mr. Fiss stated that he was somewhat confused by the structure of the proposal; and noted that the amendment includes definitions for Options One, Two, and Three, followed by specific use standards for Options One, Two, and Three, and asked whether he might be misunderstanding the intent due to the apparent repetition of the three options.

City Planner Biddle clarified that the proposal is structured as three options, each consisting of a definition and corresponding use standards; and explained that Option One includes a revised definition and amendments to the specific use standards, Option Two also includes a revised definition and amended use standards, and Option Three includes a revised definition while retaining the existing use standards; and noted that the proposal is not intended to present six separate options, but rather three options, each consisting of a definition and associated use standards; and asked the Board if that clarification helped address the confusion.

Mr. Fiss shared his opinion regarding the proposed B&B text amendment; and noted that he finds 8 p.m. as a reasonable cut-off to protect the character of an R-10 residential neighborhood; and expressed concern that allowing outdoor events could interfere with the quiet enjoyment of neighboring properties, regardless of noise levels; and indicated that he has no objection to indoor events, as these would not be disruptive to neighbors aside from potential parking or traffic; and asked how his position—supporting indoor events but opposing outdoor events—would fit within the available options being considered by the Board.

City Planner Biddle explained that the position aligns with Option one (1); and shared that events would be limited to indoor activities only, consistent with the goal of maintaining the residential character of the R-10 zoning district; and clarified that Option two (2) differs in that it would allow outdoor events in addition to indoor use; and elaborated that under this alternative, the maximum occupancy for outdoor events could be up to twice the permitted interior occupancy; and that a distinction between interior and exterior occupancy limits was necessary based on guidance from the Fire Marshal, who establishes maximum occupancy levels for safety purposes; and explained that without establishing a clear cap on outdoor attendance, the City could face challenges ensuring that such uses remain compatible with the nature of residential zoning districts; and that setting defined limits would help maintain appropriate scale and prevent activities that could conflict with

the surrounding residential environment.

Mr. Fiss explained the reasoning behind his opinion by referencing a past experience related to short-term rentals prior to recent ordinance refinements; and stated that he lives in the historic district on a non-conforming lot, where a nearby property once hosted a wedding followed by a bridal breakfast; and noted that approximately 20 vehicles were parked in the front yard and along the City's right-of-way, which is legally permitted for parking; and stated that the event significantly disrupted his quiet enjoyment of his property; and recalled that in one instance there was loud music and disruptive behavior late at night, including music and laughter continuing around 2 a.m.; and explained that the disturbance woke his family, including his young daughter, which ultimately prompted a call to the Southport Police Department, who responded and ended the activity; and acknowledged that the situation involved enforcement issues, but noted that when events occur without adequate oversight, activities can escalate and become disruptive; and stated that he would not want to see similar situations arise under the current matter being considered; and emphasized that the Board's decision would have broader implications for B&B establishments Citywide, not just a single property; and for that reason, he reiterated that he does not support allowing outdoor events conducted for profit within R-10 residential zoning districts.

City Planner Biddle acknowledged Mr. Fiss's comments and stated that they reflect the reasoning behind Staff's recommendation of Option one (1); and explained that Staff recognizes there is market demand for events such as weddings, particularly at venues like the Carriage House located across the street from Southport Community Building, which is viewed as an attractive setting for such occasions; and stated that Staff's responsibility is to evaluate how a proposed land use can function within the constraints of the R-10 residential zoning district while preserving its residential character; and explained that this consideration led Staff to develop multiple options for the Board's review; and reiterated that Staff recommends Option one (1), which would allow the land use but limit events to indoor activities; and noted that in Staff's view, this option represents a balanced approach, permitting the use while also maintaining the character of the City's residential zoning districts.

Mr. Fiss stated that, under the approach being discussed, neighboring residents should experience no noticeable impact other than vehicles arriving and departing and normal parking activity.

City Planner Biddle confirmed that Mr. Fiss's understanding was correct.

Chair Ashley inquired whether the property Mr. Fiss referenced in his earlier

example was a rental or private residence.

Mr. Fiss responded that the property was a private residence, but at the time it was being utilized as a short-term rental through platforms such as VRBO or Airbnb.

Chair Ashley stated that he wanted to distinguish between privately occupied residences and properties being used as short-term rentals, noting that the operational characteristics and potential impacts can differ between the two.

Mr. Fiss stated that the example he shared was intended only to illustrate how sound can travel and impact nearby properties; and reiterated his view that it may not be an appropriate fit for a for-profit business activity to operate within an R-10 residential setting if it has the potential to affect a neighbor's right to the quiet enjoyment of their property.

Mr. Lambert spoke about the 8 p.m. cutoff and expressed concern about it being restrictive regarding the differences between indoor and outdoor events; and asked if indoor events could last longer than 8 p.m.; and how adjacent residences would be protected.

City Planner Biddle explained that while Staff was drafting the proposal, he and Director Meehan discussed the inclusion of the 8 p.m. time limit; and noted that although Option one (1) allows only indoor events, it would be unrealistic to prevent guests from briefly stepping outside to use outdoor areas such as a backyard; and shared that Staff determined that a clear and firm end time was necessary; and that the 8 p.m. cutoff ensures that all event-related activities conclude at a reasonable hour, helping to protect the character of nearby residential zoning districts; and acknowledged that the 8 p.m. limit may seem restrictive, but explained that it was established as a way to allow events to occur while also ensuring that adjacent residents are able to enjoy the privacy, peace, and quiet of their homes; and noted that the time limit was intended to provide a clear standard that protects neighboring properties while still permitting property owners to host events within the allowed framework.

Mr. Lambert stated that he understood the desire to protect the character of the R-10 residentially zoned district; and asked how the City addresses similar concerns for residents who live adjacent to properties located within the business district, where commercial activities may also generate noise, traffic, or other impacts.

City Planner Biddle responded that the proposed standards are intended to protect adjacent residents, including those located near areas where events

may occur; and explained that one key measure is the 8 p.m. time limit, which would require that all event activities conclude by that time; and also noted that neighbor notification requirements would be included, requiring that adjacent property owners be notified within 30 days prior to an event; and stated that these standards were developed with the specific intent of protecting neighboring residents while still allowing limited event activity.

Ms. Horton stated that she understands the rationale for the 8 p.m. limit but expressed concern that it appears to penalize the B&B solely because it is for-profit; and noted that while she appreciates Mr. Fiss's desire for quiet residences, the City also wants to encourage business activity that contributes to Southport's economic vitality and cultural atmosphere; and inquired about the management plan referenced in the Options, asking whether the City has a pre-developed template for applicants; and explained that in practical terms, a property owner hosting an event—such as a wedding—needs to coordinate vendors, music, and neighbor notifications; and noted that under the current 30-day notification requirement, it may be logistically difficult to comply, because event approval must be obtained before notifying neighbors and finalizing other arrangements; and suggested that the approval process be structured so that the management plan is submitted at least 30 days prior to the event, ensuring sufficient time for notification and coordination; and recommended creating a standardized template for management plans, similar to existing permitting processes, to ensure consistency and clarity for applicants and Staff.

City Planner Biddle clarified the purpose and scope of the management plan; and explained that the management plan is submitted by the applicant to Staff at the time of a special use permit request and is not required for each individual event, rather it is a general, blanket plan that outlines how events will be conducted, providing Staff and the Board of Adjustment with a framework to ensure that proposed activities remain compatible with the character of the property and surrounding neighborhood; and noted that, as written in the ordinance, the management plan is a one-time submission included as part of the specific use standards.

Ms. Horton stated that the requirement was not clear to her as written; and explained that when she read the ordinance language indicating that a management plan and an application were required, she did not understand it to mean that a management plan needed to be submitted in that way.

City Planner Biddle apologized for any previous confusion; and emphasized that the plan is intended to review the overall approach to hosting events rather than regulate each occasion separately; and noted that this process allows Staff and the Board of Adjustment to assess potential impacts and

ensure events are consistent with residential zoning standards.

Mr. Ekert asked for clarification regarding the rationale behind limiting special events to no more than two occasions within a 30-day period; and inquired whether this limitation was intended as a measure to mitigate the impact of excessive events on the surrounding neighborhood.

City Planner Biddle responded that the limitation of no more than two special events within a 30-day period is intended to protect the character of residential zoning districts; and clarified that the City is not establishing wedding or event venues as a primary land use in residential areas; and noted that the allowance is accessory to an existing B&B operation, permitting events such as weddings or receptions up to twice per month as part of the property's current use; and emphasized that the rationale is to maintain the residential nature of the district while allowing limited, accessory events, ensuring that the use does not fundamentally change the character of the neighborhood.

Ms. Horton commented that for a special occasion requiring approval, the request would still need to be submitted at least 30 days in advance; and noted that this timeframe is necessary to allow for required neighbor notifications and other procedural steps; and that applicants must plan ahead and commit to the process given the other requirements involved; and stated that, in her view, any such occasion being presented for approval would need to be scheduled and approved at least 30 days prior in order to comply with the notification and review requirements.

City Planner Biddle acknowledged Ms. Horton's comments.

Mr. Ekert asked whether the intent of limiting special events is to control potential impacts on the neighborhood; and noted that if a B&B were operating at full capacity on a daily basis, the effect on surrounding properties would be minimal, primarily limited to potential noise, even if activities are conducted indoors.

City Planner Biddle affirmed that it was the goal to ensure residentially zoned areas are protected.

Chair Ashley expressed concern that the current draft document does not provide sufficient clarity for the public, the Board of Aldermen, or the Planning Board regarding the flow, impacts, and changes proposed by the text amendment; and noted that the document contains a lot of information, making it difficult for readers to quickly understand what is changing and how it affects them; and proposed the creation of a subcommittee to review the

document with the goal of streamlining the presentation and improving clarity; and emphasized that the document should clearly communicate the changes at a high-level overview (50,000-foot view), mid-level (25,000-foot view), and down to the detailed text, ensuring that impacted members of the public can easily understand the revisions; and spoke to page four of the draft, noting that the section under current UDO standards for B&Bs refers to “Bed and Breakfast” but also includes the definition “operator of the inn”; and questioned whether the terminology should be clarified.

City Planner Biddle shared that “Inn”, and “B&B” are terms used synonymously; and noted that there was not a separate definition for an Inn.

Chair Ashley noted that the draft currently refers to “operator of the inn” within the B&B standards and suggested that it would likely be more accurate to state that the “operator of the B&B” shall live on the premises; and clarified that an inn is not the same as a B&B; and asked whether a property could be classified as both an inn and a B&B, or if it should be exclusively one or the other.

City Planner Biddle reiterated that he believed the two to be synonymous.

Chair Ashley stated that as the Board reviews the draft, he wants to ensure there is clarity regarding whether the standards apply to an inn or a B&B; and noted that, in his view, a B&B typically has only a few rooms, whereas an inn could have many more, potentially up to 20 rooms, and suggested that the ordinance may need clearer definitions to distinguish between the two; and regarded the Table of Uses, asked whether the special use permit with standards is a one-time approval, or if applicants must submit a new permit and management plan for each event; and questioned whether approval is valid indefinitely or requires repeated submissions to maintain compliance.

City Planner Biddle clarified that the applicant is only required to appear once for the quasi-judicial hearing to obtain a special use permit; and noted that once granted, the special use permit runs consecutively with the property in perpetuity, meaning that additional approvals or management plan submissions would not be required for subsequent events, as long as the property continues to operate in accordance with the permit conditions.

Chair Ashley asked for clarification that that B&Bs would only need to obtain the special use permit from the Board of Adjustment once.

City Planner Biddle clarified that if the Board of Aldermen approves Option one (1), existing B&B establishments—such as the Carriage House—would be required to modify their current management plans to comply with the

updated standards; and explained that these establishments would need to appear before the Board of Adjustment to obtain approval for any modifications to their management plans under the new regulations.

Ms. Horton referenced Section 3.8 NONRESIDENTIAL USE STANDARDS under Option one (1), SS2.a:

C. BED AND BREAKFAST

2. Management Plan. The application for a bed and breakfast home shall include a management plan that will be approved as part of the special use permit. Approved events outlined in the management plan must meet the following standards.

a. Onsite events will require a zoning permit within 30 days of the occasion and must be obtained by the on-site manager.

b. Special events shall not exceed two occasions in 30 days.

c. All abutting neighbors must be notified of all special events within 30 days of the occasion.

d. All special events are to be fully concluded no later than 8 p.m.

And requested clarification regarding page five, item number two, which states that on-site events will require a zoning permit within 30 days; and noted that this requirement differs from the management plan and expressed concern about a potential conflict in the language; and explained that, while she understands that the management plan is a one-time submission, the zoning permit requirement—stated as being within 30 days of the event—creates uncertainty; and illustrated the issue with a scenario in which someone is planning a wedding: under the current wording, they have 30 days to organize the event but may not yet know if the zoning permit has been approved, creating logistical challenges; and suggested that the language regarding the zoning permit and management plan should be reevaluated to ensure clarity and consistency, particularly for applicants coordinating time-sensitive events.

City Planner Biddle provided clarification regarding the management plan and zoning permit requirements; and explained that the management plan is a one-time submission, as required by North Carolina General Statute, noting that any applicant seeking a special use permit to operate a B&B must submit the management plan to the Board of Adjustment as part of that quasi-judicial process; and clarified that the zoning permit referenced in Option two (2) serves a different purpose as it is Staff's method of ensuring compliance with the limit on special events, such as preventing an applicant from hosting more than two weddings or large events within a 30-day period; and noted that the zoning permit is required 30 days prior to the event, which allows Staff to verify that the event does not exceed the permitted frequency while the management plan governs the overall operation of the B&B.

Ms. Horton noted that the language is still unclear.

Chair Ashley stated that the goal is for the Planning Board to complete a thorough review and discussion before matters reach the Board of Aldermen, ensuring that when the Board of Aldermen considers the item, they are well-prepared and supportive; and noted the applicable use standards are those recommended in Section 3.8, not the general residential use standards; and clarified that, for granting a special use permit for a B&B, the three primary use standards are: Sanitation, Management plan, On-site manager; and emphasized that these are the only use standards required for approval of the permit; and asked if there was anything in the standards that would preclude a sunrise service at 5 a.m.; and asked how Staff has defined “events” and if a definition existed.

City Planner Biddle affirmed that Chair Ashley’s assertion was correct; and noted that they did previously have a definition of an “event”, but not any longer.

Chair Ashley shared that events should be defined; and noted the same issues with the management plan,

- Bed and Breakfast Management Plan – A comprehensive, written document as an outline of daily operations, staffing, and policies intrinsic to that inn. The management plan outlines the full extent of any events the applicant may wish to/will host at the bed and breakfast.

and raised a question regarding the term “comprehensive” as it relates to the management plan and event requirements; and asked for clarification on what constitutes a “comprehensive” plan—whether it involves a few sentences, multiple paragraphs, or more detailed documentation; and emphasized that if the expectations are clearly defined, applicants will know exactly what is required, and the Board of Adjustment can review and approve the plan without surprises; and highlighted the importance of this clarity, particularly given the 30-day timeline prior to events, so that all procedural and operational requirements are understood and satisfied in advance.

City Planner Biddle clarified the distinction between the zoning permit and the management plan; and explained that the zoning permit is issued by Staff 30 days prior to an event, ensuring compliance with event limits and notification requirements; and explained that the management plan, conversely, is a one-time submission presented to the Board of Adjustment; and noted that this plan outlines the proposed use of the property, identifies who is responsible for managing the events, and details insurance coverage and other operational safeguards.

Chair Ashley asked about the zoning permit and if it was issued by the Board of Adjustment.

City Planner shared that the permit would be issued by Staff after an administrative review.

Chair Ashley requested a step-by-step explanation of the process for obtaining a permit to host a wedding at a bed and breakfast (B&B), using a hypothetical event with six guests, including the couple and two sets of parents.

City Planner Biddle asked if the Board of Aldermen had hypothetically approved the text amendments proposed at this meeting.

Chair Ashley confirmed that the hypothetical scenario assumed the amendments had been approved and reiterated the request for a detailed, step-by-step explanation of the permit process for the six-guest wedding at a B&B.

City Planner Biddle explained the process as follows:

1. Zoning Permit Submission – At least 30 days prior to the event, the applicant submits a zoning permit application through the City of Southport’s permitting portal.
2. Application Details – On the application, the applicant specifies:
 - a. Maximum occupancy for the event
 - b. Expected number of attendees
 - c. Event dates and timeframes –

And noted that this information is administrative and ensures compliance with standards; and continued to outline the process:

3. Staff Review – Planner Biddle (or designated Staff) reviews the application to confirm that:
 - a. The event complies with the zoning and use standards
 - b. The property is not exceeding the allowed two events within a 30-day period
 - c. Approval or Denial – If the event meets all standards, the zoning permit is approved. If the event exceeds limits, Staff denies the permit for the requested date and informs the applicant.

And emphasized that this process is administrative and ensures that events comply with established R-10 residential zoning protections.

Chair Ashley asked when the Board of Adjustment would become involved in the B&B permitting process.

City Planner Biddle explained that the Board of Adjustment is engaged well before the zoning permit process begins.

Chair Ashley asked for a hypothetical scenario in which the applicant had already appeared before the Board of Adjustment.

Planner Biddle responded affirmatively and outlined the process using a hypothetical applicant, “Mr. Lambert”, seeking a special use permit for a B&B

using Option one (1) of the proposed text amendment:

- Special Use Permit Application – Mr. Lambert submits a special use permit application for the B&B. Staff reviews the application at least 30 days prior to the next Board of Adjustment meeting to ensure it is complete and meets specific use standards.
- Public Notice – Once deemed complete, a public notice is issued, informing the community of the request, including the date, time, and location of the Board of Adjustment hearing.
- Board of Adjustment Hearing – At the hearing:
 - Staff presents the details of the application, including the proposed use, property details, and compliance with standards.
 - The applicant may address the Board and respond to any questions.
 - Neighbors or other interested parties may express concerns, and the applicant has the opportunity to respond.
 - The Board of Adjustment makes a decision to grant or deny the special use permit.
- Event Zoning Permit – Once the special use permit is granted, if Mr. Lambert wants to host a specific event (e.g., a wedding):
 - At least 30 days prior, he submits a zoning permit application through the City’s permitting portal, including occupancy, dates, and timeframes.
 - Staff reviews the zoning permit to ensure compliance with the event limits and standards, approving or denying as appropriate.
 - Mr. Lambert notifies adjacent neighbors at least 30 days before the event.

and emphasized that this process ensures that special use permits are properly vetted, public input is considered, and individual events comply with residential zoning protections.

Chair Ashley asked Mr. Biddle how the neighbors would be notified.

City Planner Biddle clarified that notification to abutting neighbors for events would be provided by certified mail; and noted that the current draft does not explicitly state this requirement, but generally, the City aims to ensure that notifications are documented in a verifiable way; and explained that using certified mail allows the applicant—such as Mr. Lambert in the hypothetical scenario—to demonstrate compliance with the notification requirement; and stated that he would amend the text to clearly stipulate that neighbor notifications must be sent via certified mail.

Chair Ashley asked if it was direct abutting neighbors or all neighbors around the B&B (in a circle).

City Planner Biddle noted that notification would need to be provided to neighbors directly adjacent to the B&B.

Ms. Horton expressed concern that requiring certified mail for neighbor notifications could be burdensome, noting that the cost is now approximately \$6.50 per envelope; and recommended allowing alternative forms of proof of

notification, such as email, text message, or other electronic communication, provided there is acknowledgment of receipt; and explained that this approach would be more practical for applicants while still ensuring that residents are properly informed; and noted that electronic notification with confirmation is increasingly recognized as legally valid and can help both residents and event hosts comply with the requirement efficiently.

Chair Ashley stated that neighbor notification is important and should be required for events but emphasized that the process should avoid placing an onerous burden on applicants; and suggested that the City seek a practical and reasonable method for ensuring neighbors are notified while keeping the procedure manageable for property owners.

City Planner Biddle acknowledged Chair Ashley's comment, noting that proof of neighbor notification would be required as part of the zoning permit application; and explained that his role would be to verify that all adjacent neighbors have been properly notified, and using the hypothetical scenario, he would confirm whether "Mr. Fiss", "Chair Ashley", and "Ms. Horton", as "Mr. Lambert's" adjacent neighbors, received notification, and the zoning permit would be evaluated based on this verification.

Chair Ashley asked how the 8 p.m. event cutoff would be enforced and who would be responsible for monitoring compliance.

City Planner Biddle explained that enforcement would be handled by the police and Code Enforcement, similar to how the City enforces noise ordinances; and noted that should a complaint arise—such as excessive noise—Code Enforcement would investigate and, if warranted, issue a zoning violation notice.

Chair Ashley followed up, asking whether there is any zoning enforcement mechanism that addresses repeated violations, such as if an operator exceeds limits multiple times, particularly after already receiving approval from the Board of Adjustment.

Planner Biddle acknowledged the question, stating that this is an excellent point that has not yet been fully mapped out.

Ms. Horton stated that Mr. Biddle's explanation of the permitting flow was much clearer, and offered the following recommendations to improve clarity and practicality, adding Events as a Subsection – and suggested that special events be included as a subsection of the existing B&B special use permit; and shared that this would apply only to properties that have already been approved with sanitation and management plans, making it clear that events

are secondary activities rather than a separate primary use; and noted that this approach would likely eliminate much of the confusion raised during the discussion; and spoke to Types of Events – and recommended that special events be clearly described, including weddings, wakes, and other gatherings; and emphasized the need for flexibility, acknowledging that events may occasionally exceed standard limits for unique circumstances; and Zoning Permit Timing – Regarding the 30-day timeline for event zoning permits, she suggested extending the submission period to 45 days prior to the event; and noted that this adjustment would allow sufficient time for Staff to review and approve the permit, provide notification to adjacent neighbors, present a coordination of logistics, especially if applications are submitted over weekends or holidays; and stated that these adjustments would make the process more practical and clear for both applicants and Staff while maintaining protections for adjacent residents.

Chair Ashley asked if Ms. Horton to clarify that what she is requesting is a 45-day, in lieu of Staff's request of 30-days, to apply for a permit.

Ms. Horton clarified that the extended 45-day submission period provides a practical buffer for applicants; and explained that property owners would typically wait to notify neighbors until after receiving Staff approval of the zoning permit; and noted that it avoids situations where an applicant informs neighbors about an event that is later denied due to exceeding occupancy limits or other standards; and underscored that this buffer is necessary for logistical planning, ensuring that notifications and preparations occur only once the event is confirmed and compliant.

Chair Ashley asked for clarification regarding the ordinance provision stating that special events shall not exceed two occasions within 30 days; and asked whether the 30-day period referred to calendar days, business days, or another measurement.

City Planner Biddle clarified that the provision refers to a period of 30 calendar days.

Mr. Fiss expressed concern that extending the zoning permit submission period to 45 days could be burdensome for event planning; and provided a hypothetical scenario in which someone requests to host a bar mitzvah in July, but the 45-day requirement would push approval to August, potentially inconveniencing both the host and the business; and clarified that he is not opposed to B&Bs operating for profit in residential areas; but emphasized that his primary concern is protecting the quiet enjoyment of neighbors, particularly regarding outdoor events, which are more likely to cause disturbances.

Chair Ashley asked the Board if they would like to make a motion, or recommend Staff put more work into the document.

City Planner Biddle asked the Board to provide Staff with a list of definitions for terms to be added; and noted the need to avoid leaving terms up to interpretation; and emphasized the need to delineate the many types of events that exist for B&Bs.

Chair Ashley suggested that, in addition to a maximum end time for events, the ordinance should also include a minimum start time—for example, no earlier than 8 a.m.—to ensure that neighbors can sleep in and maintain quiet enjoyment; and noted that the Board should consider establishing a clear evening cutoff and recommended conducting a straw poll to gauge Board members' preferences; and expressed that he supports a 9 p.m. maximum for evening events.

City Planner Biddle commented that for events such as weddings or receptions, the City should avoid leaving start or end times open to interpretation; and noted that culturally, weddings are generally held in the afternoon, and that most receptions follow accordingly; and acknowledged the difficulty in setting rigid standards for timing due to the variety of cultural practices and event types, emphasizing the need for clarity in the ordinance while balancing practical considerations for both event hosts and neighbors.

Mr. Ekert followed up on Chair Ashley's earlier comments regarding the need to define what constitutes an "event"; and asked what materially differentiates a private gathering—such as a family reunion of approximately 10 people staying at a B&B and sharing a meal together—from a regulated event like a wedding or reception; and questioned whether the distinction is based on third-party involvement, such as outside vendors providing catering, beverages, or music, or whether other factors define when a gathering transitions from normal B&B guest activity to a regulated special event; and suggested that clear criteria may be necessary to determine when an activity exceeds typical lodging use and becomes an event subject to the proposed standards.

City Planner Biddle spoke about the differences of events and used the Carriage House as an example for highlighting the number of different types of events.

Chair Ashley noted the importance of clearly defining what constitutes an "event"; and provided an example of a book club gathering, such as a group meeting to discuss books while sharing wine, and suggested that such a

gathering could be significantly quieter and less impactful than a wedding; and emphasized that the Board should be careful not to make the regulations overly burdensome, noting that not every small gathering should necessarily require the same level of regulation as a larger event; and stated that the Board should avoid limiting the definition of an event solely to weddings; and stated that it would be difficult for the Board to act on the proposal without a clearer definition of what qualifies as an event, and suggested that establishing that definition is an important step in determining how the ordinance should apply.

Mr. Ekert questioned whether the definition of an event should be based on the material or substantive impact on the surrounding neighborhood; and noted that if a gathering is held indoors, it could potentially have no greater impact than normal overnight lodging activity at a B&B; and asked the Board to consider what specific impacts the ordinance is intended to regulate; and noted that music, laughter, and other noise could occur at any indoor gathering, regardless of whether it is a wedding or another type of celebration; and suggested that the Board may need to clarify what conditions or characteristics distinguish a regulated event from typical guest activities at a B&B.

City Planner Biddle noted that he believed the idea was to place a cap on what extent a wedding could be, or a family reunion could be, and to allow an administrative process to review and make sure that it is permitted within that zoning district; and stated that the intent of the proposed standards is to establish limits on the scale of events, such as weddings or family reunions, that may occur at a B&B; and explained that the goal is to set reasonable caps and provide an administrative review process to ensure that such activities remain compatible with the zoning district and comply with the applicable standards; and noted that the zoning permit review process allows Staff to evaluate proposed events and verify that they fall within the established limits, helping to ensure that the use remains appropriate for the residential setting

Mr. Ekert continued the discussion by questioning how an event would be objectively distinguished from a typical gathering of guests at a B&B; and noted that if a B&B has a maximum occupancy of 12 guests, the impact on neighboring properties may be similar whether the occupants are a single family, several unrelated couples, or a group attending a wedding; and stated that he was struggling to identify an objective measure that clearly differentiates a regulated event from a normal gathering of guests, particularly when the number of people present and the indoor setting may result in comparable impacts on nearby residents; and suggested that the Board may need to further clarify how an event is defined and measured in terms of its

potential effect on surrounding properties.

City Planner Biddle responded that the primary purpose of the text amendment is to establish limits on the scale of events that may occur at a B&B; and acknowledged the points raised regarding the difficulty in distinguishing between gatherings and events, but explained that the intent of the amendment is to define and regulate the extent to which that land use may operate, ensuring that it remains consistent with the character and expectations of the zoning district.

Mr. Ekert questioned whether the Board should be responsible for monitoring activities occurring inside a private dwelling; and raised this concern in the context of defining and regulating events at B&B properties, suggesting that it may be difficult or impractical from a zoning enforcement standpoint to distinguish between private indoor gatherings and regulated events; and noted that he wished to minimize the burden on both B&B owners and Staff, observing that additional regulatory processes create time and cost impacts for all parties involved; and stated that if there is no material impact on the surrounding residential community, the Board should consider whether the additional regulation may ultimately be unnecessary.

City Planner Biddle noted that the goal is to mitigate any potential impact on B&Bs and residences in adjacent lots to B&Bs.

Mr. Ekert commented that live music might serve as a distinguishing factor between an event and a non-event; and noted that he was speculating and suggested that there may be other attributes that could help define what constitutes an event and therefore would need to be monitored under the ordinance.

Chair Ashley agreed with the point raised and noted that it is possible for a wedding or similar gathering to occur with minimal noise or activity such that it might not be noticeable to surrounding properties; and questioned whether, in such circumstances, a special permit would still be required for the event.

Mr. Fiss stated that the definition of an “event” should be more clearly refined; and explained that without a clear definition and limitations, a B&B operator could theoretically classify gatherings as events on a daily basis, which could create a significant impact on the surrounding neighborhood; and shared that if there are no limits on the number or frequency of events, a property owner could potentially host dozens of events within a single month, which could substantially change the intensity of the land use; and emphasized that both the definition of an event and the allowable frequency of such events are important considerations for the Board as it evaluates the proposed text

amendment.

Mr. Ekert asked whether such a situation would be any different from a bed and breakfast operating at full occupancy throughout the month; and questioned whether a quiet event would differ in impact from the normal activity associated with the bed and breakfast being fully booked for 30 days.

Chair Ashley expressed concern regarding the number of options currently presented in the proposed amendment; and acknowledged that the Board of Aldermen may ultimately review multiple options but questioned whether the Planning Board should proceed without clearer direction; and stated that he did not believe the Board was prepared to take action on the item this evening, noting that the definition and parameters of events had not yet been fully clarified; and indicated that there were still several unresolved issues that needed to be addressed before the proposal would be ready for consideration; and asked Staff for their thoughts on whether the item should be reworked and brought back to the Planning Board with a more refined proposal; and suggested that he would prefer a single, well-developed recommendation rather than multiple options when it returns for further review.

City Planner Biddle recommended that Board recommend one option on to rework; and noted that the Board of Aldermen had requested a text amendment that he needs to present to them.

Chair Ashley recommended proceeding with Option one (1) under Article 8:

Article 8: Definitions

Option 1 – Allowing Limited Indoor Events Only

Bed and Breakfast – A private residence, or portion thereof, that provides overnight lodging and meals to registered guests. Private indoor only event services can be held for overnight guests or outside guests, not to exceed the occupancy of the establishment as determined by the Fire Marshal.

And recommended Option one (1) under Article 3.8 Section C:

Article 3.8 Nonresident Use Standards

Option 1 – Add standards that must be met if hosting events onsite

C. Bed and Breakfast

1. Sanitation. Compliance with rules governing the sanitation of bed and breakfast homes, section 2200 of the North Carolina Administrative Code, Title 10, Department of Human Resources.
2. Management Plan. The application for a bed and breakfast home shall include a management plan that will be approved as part of the special use permit. Approved events outlined in the management plan must meet the following standards:
 - a) Onsite events will require a zoning permit within 30 days of the occasion and must be obtained by the on-site manager.
 - b) Special events shall not exceed two occasions in 30 days.
 - c) All abutting neighbors must be notified of all special events within 30

days of the occasion.

d) All special events are to be fully concluded no later than 8 p.m.

3. An on-site manager shall be required to have permanent residence at the designated bed and breakfast.

The Board agreed that 9-9 p.m. would be acceptable to cap event times to ensure adjoining neighbors are respected.

A motion was made by Ms. Horton and seconded by ____ to direct Staff to work on Option One (1) to clarify all the preapproved bed and breakfast plan with a subsection for events in which the restrictions are identified not necessarily the permits or other elements

The motion fails for lack of a second

Mr. Ekert asked for clarification about the wording contained in the options and what constitutes an event where a permit would be required.

City Planner Biddle asked the Board whether they wished to further define what constitutes an event requiring a permit or otherwise clarify the parameters that would determine when a permit is required versus when an activity would fall outside those parameters; and noted that additional clarification in the ordinance could help distinguish between events that require permitting and those that do not.

Mr. Ekert expressed his approval of Mr. Biddle's understanding of his request.

A motion was made by Mr. Fiss, and seconded by Mr. Ekert, to send ZTA 24-05 Zoning Text Amendment Table 3.1 Table of Uses and Section 3.8 Nonresidential Uses – Bed and Breakfast Special Events back to Staff, considering Option one (1), to provide more clarity for terms, for review of time frame, and define events and non-events

The motion carries unanimously

City Planner Biddle asked if the Chair still sought to create a subcommittee to clarify how it might impact neighbors and refine the language to be understood at different levels.

Chair Ashley stated his intent to form a subcommittee to refine the proposed B&B event standards; and explained that the goal of the subcommittee is to create a clearer, more accessible presentation of the amendment so that it is easily understandable to the general public, Planning Board, and Board of Aldermen; and emphasized the need for the document to provide a high-level overview, mid-level context, and detailed provisions, making it easier for all

stakeholders to understand how the regulations might impact them; and invited other Board members to join the subcommittee; and indicated that the subcommittee would be organized once additional members are identified.

Ms. Horton volunteered to participate, agreeing to assist in the effort to refine and clarify the proposed ordinance.

The Planning Board Recessed at 7:15 p.m. for five minutes
The Planning Board Reconvened at 7:20 p.m.

H. New Business

a. Rules of Procedure - Modification Request

Chair Ashley introduced the proposed modifications to the Planning Board Rules and Procedures; and referenced recent changes made by the Board of Aldermen at their meeting on the previous Thursday and outlined the key points for consideration:

- Public Comment Time Limit – The Planning Board previously limited public comments to five minutes per speaker; and proposed reducing this to three minutes, to be aligned with the Board of Aldermen’s updated policy.
- One-Time Speaking Rule – Once a speaker has addressed the Board, they cannot speak again unless specifically called upon by the Chair; and noted that this prevents individuals from attempting to speak multiple times to extend their total comment time.
- Addressing the Board – Speakers must address the entire Board from the designated podium or location and cannot directly address applicants.
- Email Submissions – Emails received regarding agenda items may now be read into the record, aligning the Planning Board’s practice with the Board of Aldermen.
- Vote Counting on Zoning Matters – The City Clerk’s Office clarified that votes on zoning matters are now counted affirmatively if a member refuses to vote without an acceptable cause; and noted that for non-zoning matters, refusal to vote also counts as an affirmative vote; emphasizing that this ensures that all members’ positions are accounted for and prevents abstentions from being used strategically to avoid voting; and emphasized that no vote would be taken at this meeting, as changes must be introduced at a prior meeting before formal adoption.

And noted that an updated memo detailing these changes, the language being replaced, and instructions for addressing the Board would be circulated to members prior to the next meeting for review and consideration.

Mr. Ekert noted the redundancy of language contained in 160A-75 and sought clarification on how it was written.

Mr. Fiss asked about emails being read during public comment and expressed concern for the implications; and asked Deputy Clerk Baillargeon what the Board of Aldermen had decided for how to handle emailed public comments.

Deputy Clerk Baillargeon shared that the Board of Aldermen had decided to read the email for the three-minute timeframe adopted.

Chair Ashley noted that the issues had to do with the quality of the email, and shared that a judgement call could be made; and also shared that the Ethic Statement would be added to the Planning Board agenda:

Ethics Statement:

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

and spoke to the Planning Board Primer and thanked the Board for the efforts that were put into the document.

b. ZTA-26-01 S.L. 2025-94 Unified Development Ordinance Text Amendment

Chair Ashley introduced the item for consideration and turned it over to Planning Services Director Meehan.

Planning Services Director Meehan spoke to text amendment ZTA 26-01; and explained that it consists of seven amendments to the UDO, with one additional amendment requested by Staff that had been inadvertently omitted from the written Staff Report; and stated that the purpose of the amendments is to bring the City's UDO into compliance with changes to NCGS 160D enacted by Session Law 2020-594, adopted by the North Carolina General Assembly.

Chair Ashley asked Ms. Meehan to provide an overview for the benefit of the public watching at home; and noted that the amendments were prompted by state law changes previously discussed with the City Attorney.

Planning Services Director Meehan clarified that these amendments are not discretionary policy recommendations from Staff or the City Attorney, but rather mandatory updates required by state statute; and reiterated that the proposed text changes align the UDO with the current version of NCGS 160D; and outlined the first of the seven changes, a revision to Section 1.4, Jurisdiction and Zoning Map, addressing split zoning jurisdictions; and explained that, under the new language, when a single parcel lies under the zoning jurisdiction of both the City and Brunswick County, the landowner may elect to apply the land use ordinance of the local government that covers the majority of the parcel's total acreage.

Chair Ashley asked Ms. Meehan to pause her remarks to allow members of the Board an opportunity to ask questions and seek clarification on the information presented; and inquired whether there are properties within the City where this provision would apply.

Planning Services Director Meehan shared that there are several such

properties, noting that when the City's Extra Territorial Jurisdiction (ETJ) was originally established, it was drawn as a one-mile radius from the city center, which resulted in some parcels being partially in the City's jurisdiction and partially in the County's; and stated that the proposed Section 1.4 language will clarify which regulations may be applied in those circumstances, consistent with state law.

Chair Ashley summarized the effect of the proposed Section 1.4 language; and stated that, as written, a landowner may elect to apply the land use ordinance of the local government with the majority of the total acreage on the parcel; and provided an example of a parcel with five acres in the City and ten acres in the County, and noted that under the proposed provision, the owner could choose to use the County's zoning regulations for that parcel.

Planning Services Director Meehan confirmed Chair Ashley's understanding of the split-zoning provision and proceeded to outline the next proposed change in ZTA 26-01; and stated that the second change concerns Section 2.6, Common Review Procedures, which governs review procedures for development permits; and explained that this amendment corresponds to item 2 in the Staff Report and is required by recent changes to NCGS 160D; and noted that the change removes all mandatory waiting periods for refile of zoning map amendments, text amendments, development applications, or other requests for development approval; and that Section 2.6 currently includes a 12-month waiting period before an applicant may reapply for a development permit after denial; and stated that under the proposed text, that language will be deleted and replaced with a provision stating that:

"an application for development may be resubmitted at any time after a withdrawal of the application or denial of the application".

Chair Ashley asked if there were any questions from the Board; none were offered at that time.

Planning Services Director Meehan explained Section 2.10 is related to UDO Text and Zoning Map Amendments; and noted that the first item discussed was not included in the original Staff Report; and stated that the proposed amendment adds updated language regarding limits on down-zoning; and informed the Board that she had provided an outline summarizing all proposed UDO changes to help Board members to easily follow along, and that copies were also provided to the Chair and the City Clerk's Office; and explained that the down-zoning provisions stem from legislation adopted in 2024; and noted that at that time, Staff prepared earlier materials and there had been discussion that the statutory language might be amended or removed, so Staff did not initially modify the local ordinance; however, noted that since no legislative changes occurred, Staff is now incorporating the

statutory requirements into the City's UDO; and stated that the updated language aligns the ordinance with state statutes by clarifying that down-zoning cannot create new nonconformities in residential zoning districts; specifically noting that the amendment would prohibit creating a nonconforming lot, structure, improvement, or site element through down-zoning; and explained that the amendment removes the ability of a local jurisdiction to apply certain zoning changes without the approval of all affected landowners; and noted that these provisions have already been guiding Staff practice, and the amendment simply codifies them within the UDO.

Ms. Horton asked for a point of clarification regarding the proposed limits on down-zoning; and inquired whether the restriction would mean that down-zoning would not occur in areas associated with the Historic Preservation Committee; and noted that many of those lots are designated as historic under their original classifications; and asked whether the limitations on down-zoning would extend to properties within the jurisdiction or oversight of the Historic Preservation Committee.

Planning Services Director Meehan responded that the situation described would not be considered down-zoning under the statute; and explained that Staff has reviewed the issue extensively and has consulted with local attorneys as well as representatives from the University of North Carolina School of Government; and shared that based on those discussions, Staff has been advised that if the action does not meet the statutory criteria defining down-zoning, it is not considered down-zoning under state law.

Ms. Horton then asked for clarification regarding the state legislation; and inquired whether the statute specifically states that the provision applies only outside of residential zoning districts; and asked if the limitations are therefore specific to corporate, industrial, and business zoning districts.

Planning Services Director Meehan responded that this is how the statute is written; and returned to her overview of Section 2.10 regarding the UDO Text and Zoning Map Amendments; and explained that one proposed amendment would remove the waiting period for the reapplication of an amendment; and noted that under the current UDO, applicants must wait six months before resubmitting a zoning text or map amendment after a previous request; and shared that the proposed revision would eliminate this six-month waiting period, allowing a zoning text or map amendment to be resubmitted at any time; and discussed proposed revisions to Section 2.12, Establishment of Zoning Vested Right; and explained that the changes address two clarifications; and shared that, first, the amendment clarifies that obtaining a new permit for a property does not extinguish other development rights

associated with that property; and shared an example: if a parcel is zoned commercial and multiple land uses are permitted within that zoning district, obtaining a development permit for one permitted use would not eliminate the property owner's ability to pursue other permitted uses on that same property; and, second, the amendment clarifies how vested rights apply when a special use permit expires; and explained that if a special use permit is issued but is not exercised and ultimately expires without the use becoming vested, the property would then be subject to the current zoning classification and applicable regulations for that property; and noted that these amendments do not substantially change existing practice but instead codify and clarify the provisions within the UDO to ensure the ordinance language clearly reflects how the regulations are currently applied.

Chair Ashley asked for clarification on what constitutes a vested right.

Planning Services Director Meehan explained that a vested right occurs when an applicant receives an approval that allows them to retain the right to utilize that approval later; and noted that the vested rights process requires formal approval by the Board of Aldermen.

Chair Ashley asked whether this means the right is a zoning-related entitlement that remains with the property.

Planning Services Director Meehan confirmed that vested rights remain with the property once granted; and introduced the next proposed amendment within the UDO, located in Section 4.8, Streets and Roadway Network, which falls under the subdivision articles of the ordinance; and explained that the proposed revisions are twofold and relate to street design standards; and shared that, first, the ordinance must remove any requirements for street construction standards that are more stringent than those adopted by the North Carolina Department of Transportation (NCDOT); and noted that two sections within the subdivision ordinance currently reference stricter standards; and that specifically, in Section 4.8.B, Street Design, Staff is proposing to remove the final clause of the sentence stating "unless this ordinance establishes stricter standards," in order to align the UDO with state requirements; and stated that the City must remove requirements for road or fire apparatus access roads that do not comply with the North Carolina Residential Building Code; and noted that as a result, Section 4.8.B, Streets Design, Item 4.8.B.5 will be updated accordingly; and explained that the current ordinance requires subdivisions with more than 30 residential units or lots to provide two vehicular access points or fire apparatus roads; and shared that under the applicable statute, that threshold is 100 residential units or lots; and stated that the proposed amendment revises the requirement so that subdivisions with 100 or more residential units or lots

must provide two access roads.

Chair Ashley asked for clarification, stating that under the revised standard it would appear that a subdivision of up to 100 homes could potentially have only one road serving the development.

Planning Services Director Meehan responded that technically this could occur, noting that a subdivision could have one primary road serving the property; and explained that the requirement for a second entrance or access is intended primarily for emergency access.

Chair Ashley asked if there were any questions from the Board.

Mr. Fiss asked whether the second entrance could be gated, such as an emergency access gate.

Planning Services Director Meehan responded that a secondary access point may be gated; and provided the example of the recently approved Turtle Bay subdivision on River Road, which includes approximately 100 lots; and explained that the development's secondary access will be gated and equipped with a siren-activated mechanism that allows emergency vehicles to enter when necessary; and described the final proposed change within this update, located in Section 4.8.C., Street Construction Standards, of the UDO; and noted that this amendment also removes language allowing the City to impose street construction standards that are stricter than those adopted by the NCDOT; and shared that previously, the City had outlined pavement design standards that exceeded the NCDOT's requirement; and noted that under the proposed revision, those stricter standards would be removed, and pavement design standards would instead be required to comply with the adopted rules and standards of the NCDOT.

Chair Ashley then asked the Board if there were any additional questions for Ms. Meehan, there being none, Chair Ashley asked for a motion regarding the proposed Text Amendment.

A motion was made by Ms. Horton and seconded by Mr. Fiss to approve the recommended updates to ZTA-26-01 S.L. 2025-94 Unified Development Ordinance Text Amendment

The motion carries unanimously

Chair Ashley read the Statement of Consistency:

The City of Southport Planning Board hereby finds that the proposed text amendment is consistent with the City's 2050 Comprehensive Plan adopted on October 9, 2025.

Annual updates to local ordinances ensure that development is orderly and following statutory requirements. The Planning Board recommends that the Board of Aldermen **APPROVE** the zoning text amendment.

I. Staff Reports

a. Other Board and Committee Planning Items

b. Planning Department Updates

Planning Services Director Meehan provided several updates to the Board regarding current and upcoming projects being undertaken by the Planning Department, as well as several special initiatives that may be brought forward for future consideration; and shared that Staff has been working with the North Carolina Division of Coastal Management on the North Carolina Resilient Coastal Communities Program; and explained that this initiative facilitates the development of a vulnerability assessment for coastal communities, with the goal of identifying practical, on-the-ground projects that can be implemented locally to improve community resilience; and stated that the project is moving forward and that a stakeholder meeting is being organized for March; and shared that the stakeholder group will review and evaluate the types of hazards the community should prioritize; and noted that as part of that process, the project will utilize the recently drafted Southeastern North Carolina Hazard Mitigation Plan as a foundational resource for identifying and assessing potential hazards; and explained that the hazards identified through the stakeholder process will later be presented at a public workshop planned for the fall; and noted that the workshop will provide an opportunity for residents to help prioritize the hazards and shape the framework of the proposed resiliency projects; and that this public input will help ensure the City is focusing on the most relevant risks facing the community and prioritizing solutions that reflect residents' concerns; and shared that the resiliency planning initiative is fully funded, which she described as a significant benefit to the City; and noted that in addition to supporting the planning phases, the program may also provide grant funding opportunities for implementing the recommended projects; and stated that the process moves through multiple phases, and that completion of the early planning phases may position the City to advance into later phases where specific projects can be implemented locally.

Chair Ashley sought clarification for how the project would impact the Planning Board.

Planning Services Director Meehan responded that once the plan is completed, it will be brought to the Planning Board for review and for the Board to provide recommendations to the Board of Aldermen; and emphasized that Planning Board members are encouraged to participate in any upcoming public forums

or surveys related to the project; and noted that these public engagement activities are not expected until the fall, as Staff is currently focused on background work; and shared that announcements will be made through social media, local publications, City communications, and the City website to ensure that all stakeholders, including Planning Board members, are informed and able to participate.

Ms. Horton asked whether, as the Planning Board's representative, Staff would be incorporating elements from the 2050 Comprehensive Plan into the Resilient Coastal Communities Project; and noted that the Comprehensive Plan includes several items related to coastal resilience and stated that these issues are likely to be high priorities for the Board; and requested that feedback from the March stakeholder meeting be shared with the Board before the public survey is released.

Planning Services Director Meehan responded affirmatively, stating that the consultants assisting with the Resilient Coastal Communities Project are currently reviewing all of the City's adopted plans; and noted that this includes the Southeastern North Carolina Hazard Mitigation Plan as well as the recently adopted 2025 Comprehensive Plan; and emphasized that this review is intended to ensure alignment across all Planning documents and to verify that the project is addressing the correct hazards and vulnerabilities facing the City; and additionally provided an update on the Multimodal Acceleration Plan, noting that it is grant-funded and in the final stages of completion; and shared that a draft plan, including implementation actions and project line sheets for the top-priority projects identified through stakeholder and citizen input, is expected to be available in the late spring; and explained that the draft plan will be brought before the Planning Board for review and to provide recommendations to the Board of Aldermen; and shared an update on the NC 211 widening project, scheduled for completion in 2027; and noted that the project will include sidewalks on both sides of the road, beginning just south of the intersection of NC 87 and NC 211 and extending to the second entrance of Tidewater Plaza (the second Walmart entrance); and noted that inquiries have been made regarding pedestrian and bicycle access on bridges outside of the City's jurisdiction, and that she is awaiting information from engineers Ben Hughes and Josh Pratt to provide further details.

Chair Ashley asked whether the sidewalks included in the project are new, noting that he did not recall them being previously planned.

Planning Services Director Meehan explained that the original project had included a multi-use path extending the full length of the corridor, but that component was removed; and noted that in 2018, the City entered a cost-share agreement with NCDOT to ensure that sidewalks would at least be installed

along the Walmart section of the project.

Chair Ashley asked whether “multi-use” would include golf carts.

Planning Services Director Meehan clarified that the planned infrastructure will be a standard ADA-compliant sidewalk, not a larger multi-use path designed for vehicles such as golf carts.

Chair Ashley shared that the sidewalk will be an improvement, noting concerns for pedestrian safety; and added that it is a good starting point; and noted that over time, additional sidewalks could be added to create a continuous network.

Planning Services Director Meehan announced that the City’s UDO is now available online through the Municode platform, alongside the City Charter and other ordinances; and shared that she would provide a direct link to all Planning Board members for their reference; and that the Municode platform will be the official location for maintaining and updating the UDO, and that PDFs or direct ordinance links on the City website will no longer be maintained; and clarified that the most recent version of the UDO available online reflects all updates made through September 2025, including changes to zoning districts and permitted uses; and shared that future updates will continue to be added to the platform, ensuring a consistent and current record of ordinance changes and the version of the UDO available for use.

Chair Ashley asked whether the link to the UDO currently available from the Development Services website would be shut off or updated to the new Municode platform.

Public Information Officer Ketchum responded that the new Municode platform has been added to the City’s website and is also integrated into the new website.

Planning Services Director Meehan clarified that the PDF previously available on the website is the same version now hosted on the Municode platform, noting that there is no difference between the two versions; and shared that members who previously downloaded the PDF can be confident it reflects the same content as the official online version.

Chair Ashley commented that this resolves previous confusion over multiple versions; and stated that having a single authoritative source is “perfect” and praised the progress.

Planning Services Director Meehan shared that the 2050 Comprehensive Plan was certified by the Coastal Resources Commission in January 2026.

Chair Ashley asked about the next steps for the plan.

Planning Services Director Meehan explained that the next steps involve implementing the plan; and shared that Staff will use the plan to ensure consistency with any land use or zoning text amendments; and noted that the plan will also guide reviews of major permits, ensuring that approvals are consistent with the 2050 Comprehensive Plan; and shared that Staff will continue reviewing implementation strategies to move projects forward.

Chair Ashley asked whether implementation would include a rewrite of the UDO.

Planning Services Director Meehan confirmed that it could, stating that she has a vision board that includes a complete review and rewrite of the UDO; and noted that she would provide further details on that initiative after Mr. Biddle presents his updates.

City Planner Biddle provided an update on recent Planning Department activities; and shared the items on the January Board of Adjustment meeting agenda, noting that one special use permit was issued for 109 S. Atlantic Avenue; and shared that the permit allows an accessory dwelling unit (ADU) to be added to the primary residence; and noted that the ADU will be separate from the main dwelling and carries a condition prohibiting its rental; and spoke about an appeal hearing before the Board of Adjustment involving a parking notice of violation letter; and shared that the Board voted in favor of the appellant, noting that the Board determined that the language of the notice of violation was too passive and might not hold up if challenged in court, prompting their decision to support the appeal; and provided a brief update on the Forestry Committee, noting that he will present a rough draft of a new tree ordinance at the Committee's March meeting.

Chair Ashley asked how the Planning Board would be included in the Forestry Committee's decision concerning tree ordinance.

City Planner Biddle explained the anticipated process for developing proposed amendments related to the tree ordinance; and stated that he will first generate a rough draft of the text amendments; and explained that the Forestry Committee will then review the draft and provide input; and noted that once he, Director Meehan, and the Forestry Committee have developed a version that is ready for Planning Board consideration, it will be presented to the Board in the same manner as the previously discussed Bed and Breakfast text amendment; and shared that, at that time, the Planning Board will receive the proposed ordinance language and may choose to recommend approval, recommend

denial, or send the proposal back to the committee for additional revisions or reworking; and indicated that he hopes to bring the proposed tree ordinance amendments before the Planning Board in April, with May being the latest anticipated timeframe.

Mr. Fiss asked if the Notice of Violation would be issued again.

City Planner Biddle stated that the violation in question involved a parking overlay issue and is now essentially considered a null violation; and explained that if the property owners utilize the property incorrectly again in the future, the City will be prepared to respond appropriately; and reported that Director Meehan, City Planner Biddle, and City Code Enforcer Harlan Pyles have developed a zoning ordinance standard operating procedure and have revised the City's notice of violation letters; and stated that the revised letters are intended to be more precise and clearly address violations; and noted that the current situation establishes a baseline, and if the property owners violate the ordinance again, the City will be prepared to issue an appropriate notice of violation letter.

Mr. Fiss asked about the Zoning Variance signs around town, and asked Mr. Biddle to comment on those signs.

City Planner Biddle spoke to the variance signs located around town, and shared that they would be addressed at the next Board of Adjustment meeting scheduled for February 24th noting that there are two special use permit applications for ADUs:

- W. Brunswick Avenue – The applicant has an existing structure and plans to build out the upper level to create an ADU.
- W. Moore Street – The applicant intends to bring an existing structure into compliance and construct a new ADU.

And noted that 410 E. Bay Street involves a zoning violation appeal, which will also be heard at the upcoming Board of Adjustment meeting next Tuesday.

Mr. Fiss inquired about the zoning violation appeal hearing scheduled for 410 E. Bay Street, asking whether it involved a fence located within the City's Right-of-Way; and sought clarification about the adjacent property down the street; and shared that his understanding was that the property owners had withdrawn their lawsuit against the City.

Chair Ashley stated that discussion regarding ongoing legal actions is not appropriate for open session and advised that the Board should refrain from addressing any legal matters in this public forum; and asked the Board to talk to Staff individually about legal updates.

City Planner Biddle noted Chair Ashley's request and summarized that the appeal before the Board of Adjustment concerns the property at 410 E. Bay Street, where the property owners are appealing a notice of violation issued by Staff related to the City's Right-of-Way; and apologized for previously mixing up the appeals; and asked for clarification on whether it was acceptable to mention items scheduled for the Board of Adjustment.

Chair Ashley confirmed that it is appropriate to discuss items that are on the Board of Adjustment agenda.

City Planner Biddle acknowledged the clarification and stated that he appreciates the guidance; and emphasized that he wants to ensure he is not penalized for sharing agenda items; and concluded his updates.

c. Special Projects

Planning Services Director Meehan introduced the final two items on the agenda as special projects; and discussed the permit dashboard and permit software project; and explained that after discussions with Chair Ashley, Staff determined that the current version of the system was not fully meeting the City's needs, particularly regarding the ability to track projects in a GIS-based dashboard similar to what Brunswick County uses; and stated that the City is currently developing and implementing an online permit process through OpenGov, which already handles zoning and building permits; and noted that the plan is to expand this system to include site plans and text amendments, creating a complete timeline and structured workflow that will be publicly accessible; and shared that Staff will meet with Brunswick County's Planning GIS analyst in two weeks to work collaboratively on establishing the GIS-based dashboard; and expressed optimism that this partnership will allow the City to launch the dashboard efficiently and provide access to stakeholders as soon as possible; and shared that the permit portal includes a search function, which allows users to search by address, permit type, or other criteria; and provided an example by entering "1029 North Howe Street (City Hall)"; and noted that it displays all open or historical permits associated with that property; and emphasized that Staff is available to assist with any questions regarding the portal or the search function.

Chair Ashley asked for clarification on whether the City will be able to create dashboard reporting using OpenGov.

Planning Services Director Meehan confirmed that the system will provide more sophisticated reporting, similar to the permit reports currently generated for the Board of Aldermen.

Chair Ashley requested that the dashboard include the functionality to access data going back ten years.

Planning Services Director Meehan stated that she would make every effort to provide the requested historical data; and noted that the process must begin somewhere; and emphasized the importance of moving forward; and added that additional information and historical details can be incorporated as they continue to progress.

Ms. Horton asked why it was necessary to go back ten years.

Chair Ashley explained that some projects span ten years and highlighted the importance of having access to long-term data for review and planning purposes.

Planning Services Director Meehan discussed the UDO update in alignment with the recently certified Land Use Plan; and emphasized that the goal of a full review and update of the UDO is to ensure consistency with the land use plan and alignment with the City's objectives; and noted that the UDO was originally adopted in 2020, and while its functionality is good, numerous changes over the past six years indicate the need for a more comprehensive update; and outlined a 12 to 18-month plan focusing on short-term actions identified in the Land Use Plan, incorporating priorities from the Board of Aldermen (October 2025) and previous input from the Planning Board; and shared that Staff will also explore "low-hanging fruit" projects that can be implemented quickly, which may or may not involve UDO updates, but could include other community improvements; and that quarterly updates with measurable accomplishments will be provided to the Planning Board; and discussed the first quarter through the first half of the second quarter, Staff have identified four key policies to prioritize for UDO updates:

- Policy 6.5 – Built-upon area limits for zoning districts: Updates will be made to Section 3.9 (Dimensional Requirements). This update will also include a grading and land disturbance ordinance proposed by the City Engineer, which will be presented concurrently. The ordinance is being revised by the City Attorney and is aligned with the Stormwater Ordinance approved in 2025.
- Policy 4.6 – Maintain and improve Southport's tree canopy: Updates will focus on Section 3.18 (Tree Protection and Landscape Preservation). Staff will review goals of the tree ordinance with the Forestry Committee, ensuring preservation of key trees, encouraging appropriate mitigation, and managing tree credits.
- Policy 8.6 – Manage and improve downtown and Yacht Basin parking: Updates will review Section 3.14 (Parking). While the entire section will be considered, certain subsections have been identified for adjustment. The Planning Board will be involved in discussions regarding specific properties and small updates to address parking concerns without impeding development.

- Policy 1.1 – Encourage development patterns that honor Southport’s character and respect the natural environment: Updates will revisit Article 3: Zoning Updates, previously forwarded to the Board of Aldermen in October 2025. This includes priorities from the 2024 Board of Aldermen and Planning Board items not incorporated during the ETJ changes, after the relinquishment, ensuring that previously identified low-hanging fruit projects are addressed.

Director Meehan concluded by inviting questions from the Planning Board and underscored that these updates are intended to address longstanding issues and move the City toward a more functional and consistent UDO.

Chair Ashley asked if the UDO updates and related deliverables would be completed by next month.

Planning Services Director Meehan confirmed that the updates were on track for that timeline.

Chair Ashley complimented Staff on the plan; and noted the clear deliverables, dates, and goals, and requested a copy of the plan; and inquired how the Planning Board members could assist beyond attending meetings—individually, collectively, or in subcommittees.

Planning Services Director Meehan explained that once the amendments are formulated, Staff may request Board members to research how other communities address similar issues and provide ideas; and emphasized the importance of approaching the updates cohesively without rushing the process.

J. Board Comments

Chair Ashley opened the floor for additional Board comments, there being none, he asked for a motion to adjourn.

K. Adjourn

A motion was made by Mr. Fiss and seconded by Ms. Horton to adjourn.

The motion carries unanimously

The meeting adjourned at 8:09 p.m.

X

Lawrence N. Ashley
Chair

X

Scott Baillargeon
Deputy City Clerk

DRAFT

To: Planning Board, City of Southport
From: Lawrence N. Ashley, Chair, Southport Planning Board
CC: Maureen Meehan, Planning Services Director, City of Southport
Re: Rules of Procedure – Modification Recommendations
Date: February 18, 2026

At the most recent Board of Aldermen’s meeting (2/12/26), the Board adopted a Public Comment Policy. This adopted policy conflicts with the Planning Board’s Rules of Procedure, Public Comment section with respect to speaking time and emails.

To ensure that that the Planning Board is in alignment with the Board of Aldermen’s Public Comment Policy with respect to time, as well as to provide clearer guidelines, the following recommendations are made:

1. I-iii (pg 10)
 - Replace
 - Time. All speakers, whether speaking on agenda or non-agenda items, at Public Comment, will be limited to **five (5)** minutes and may not yield time to other people.
 - With
 - Time. Unless otherwise indicated by the Chair, individual comments shall be limited to **three (3) minutes** and their time may not be yielded to other people. Someone speaking on behalf of group shall be limited to ten minutes.

Once comments have been made, speakers cannot speak again, unless specifically called upon by the Chair. The Chair may, at their discretion, interrupt public comment and elect to continue it to another meeting due to, among other reasons, the lateness of the hour or to allow consideration of other items on the agenda.

When a public comment session is continued from previous meetings, previous individuals that have spoken, either representing themselves or a group, cannot speak at a continued public comment session, unless specifically called upon by the Chair. Additionally, speakers cannot both represent themselves individually and speak on behalf of a group throughout public comment periods, even if held over multiple sessions.

2. I-iv (pg 10)

- Replace
 - 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. Comments shall be directed toward the Chairman of the Board; Planning Board members may, through the Chairman, seek information from the speaker, city staff, or audience.
- With
 - Addressing the Board. At the appropriate time, the Chair will acknowledge those persons who have signed in and they will be called upon in the order registered. Speakers will address the Board as a whole, from the podium at the front of the room, or another location as designated by the chair, and begin their remarks by stating their name and address. If representing a group, the spokesperson must also identify the group they are representing.

No speaker may directly address the applicant, city staff or members of the audience.

At the end of public comment, the Chair may summarize the discussion from the public comment. Speakers needing additional information or questions answered will be contacted by the City Staff and provided contact information for the appropriate staff person.

3. I-v (pg10)

- Replace
 - Emails, while they may be submitted, will not be read during Public Comment. However, a brief summary will be entered into the records and included in the packets.
- With
 - Emails must be submitted at least 24 hours in advance of the meeting in order to be read into the record during Public Comment. Reading of any one email will be limited to three (3) minutes.

Additionally, after discussion with the City Clerk's Office there is one correction to be made:

4. J-ii (pg 10)

- Replace
 - 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. (Citation?)

- With
 - 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 an **affirmative vote** with regard to zoning matters. As a rule, refusal to vote on any matter, except zoning matters, shall count in the affirmative.
 - Citation
 - a. North Carolina General Statute § 160A-75. Voting.
 - b. City of Southport UDO 2.10.C.5. under Board of Aldermen

Lastly, so that a declaration of a conflict of interest of an agenda item may be added to the agenda, the following change is proposed.

5. G-v (pg 8)

- Replace
 - Order of Business....
 - A. Call meeting to order
 - B. Invocation
 - C. Pledge of Allegiance
 - D. Public comment on Planning Board related items
 - E. Approval of Agenda
 - F. Approval of minutes
 - G. Committee reports
 - H. Old Business
 - I. New Business (Examples)
 - 1) Rezoning
 - 2) Conditional Rezoning
 - 3) Major Subdivision
 - 4) Major Site Plans
 - 5) Text Amendments
 - 6) Other types of business
 - J. Staff Reports
 - K. Board Comments
 - L. Adjournment
- With
 - Order of Business....
 - A. **Call to Order**
 - B. Invocation
 - C. Pledge of Allegiance
 - D. **Public Comment**
 - E. **Ethics Statement – If any members know of a conflict of interest, or the appearance of a conflict of interest, concerning matters on the agenda, please so state at this time.**
 - F. Approval of Agenda

- G. Approval of Minutes
- H. Committee Reports
- I. Old Business
- J. New Business (Examples)
 - 1) Rezoning
 - 2) Conditional Rezoning
 - 3) Major Subdivision
 - 4) Major Site Plans
 - 5) Text Amendments
 - 6) Other types of business
- K. Staff Reports
- L. Board Comments
- M. Adjournment

As a reminder, any changes to the Rules of Procedure require written submission of the recommended modifications to the Board at least one month in advance of any vote to be taken on those recommended modifications (Article XIV – Amendments).

Thank you.



City of Southport, NC
Planning Board
Rules of Procedure

Last Approved

01/19/2026

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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. They supplement NC statute and City of Southport Ordinances, providing additional and particular guidance when needed. These rules do not articulate North Carolina Open Meeting Laws or NCDEQ Records Retention Laws herein. 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.

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.

Insert Open Meeting Law reference here.

It is the responsibility of the user to visit any links included to learn more about particular laws, ordinances and policies.

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, the alternate member 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 short break at any time;
 - v. To call an emergency meeting subject to NCGS 143-318.12;
 - 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 – City 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 including Board of Adjustment items within the city of Southport as well as all Board of Aldermen directives.
 - 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.
- C. City Attorney
- i. The Planning Board, through the Chair or through a motion from the Planning Board, or the Chair, may request legal assistance from the City Attorney outside the items outlined in Article VIII. Questions are to be submitted in writing and contained in the meeting agenda. Responses from the City Attorney shall be in writing and included for discussion in the agenda for the next Planning Board meeting.

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. (City UDO13-26)

- 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.
- (NCGS 160A-75)
- 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 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 will normally 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. Open Meetings - North Carolina's Open Meetings Law (N.C.G.S. Chapter 143, Article 33C) requires that meetings of public bodies—including elected/appointed boards, councils, and committees—be open to the public with proper notice. It ensures citizens can attend sessions where the public's business is transacted, with limited exceptions for closed sessions.
- D. 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.
- E. 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.
- F. Quorum. Four (4) members of the Planning Board shall constitute a quorum. A quorum of the Board must be present, including via remote access, 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.

G. 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. Where provisions of these Articles conflict with Robert's Rules of Order, procedures outlined in these Articles shall govern.
- 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 Planning Board related items
 - e. Approval of Agenda
 - f. Approval of minutes
 - g. Committee reports
 - h. Old Business
 - i. New Business (Examples)
 1. Rezoning
 2. Conditional Rezoning
 3. Major Subdivision
 4. Major Site Plans

- 5. Text Amendments
- 6. Other types of business
- j. Staff Reports
- k. Board Comments
- l. Adjournment

H. Zoning Map, Development Ordinance Text Amendments, and other items. The procedure for considering such amendments shall be:

- i. 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, placed by City Staff, 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.
 - ii. 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.
 - iii. 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.
- I. Public Address to the Board. The following applies to members of the general public with public comment and does not apply to an applicant in relation to his/her case.

The Planning Board encourages the public and residents to speak or present questions, comments and inquiries in a brief and concise manner identifying specifically concerns or requests for action. A time limit is allotted so that a broad

perspective of multiple speakers can be accommodated and the Planning Board can address the matters before it.

- i. Sign-up for Public Speaking. Those members of the public who wish to address the Board regarding Planning-related items, shall print their name on the “sign-up sheet” to be made available by the Secretary immediately prior to each Board meeting.
 - ii. If a group or organization is present to speak on any agenda item, they are asked to have only one to two (2) designated representatives address the Board.
 - iii. Time. All speakers, whether speaking on agenda or non-agenda items, at Public Comment, will be limited to five (5) minutes and may not yield time to other people.
 - iv. 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. Comments shall be directed toward the Chairman of the Board; Planning Board members may, through the Chairman, seek information from the speaker, city staff, or audience.
 - v. Emails, while they may be submitted, will not be read during Public Comment. However, a brief summary will be entered into the records and included in the packets.
- 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. (Citation?)

- 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.
- ii. 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.
- K. 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 item or gesture of value (e.g., a gift, meal, bartered item, etc.) 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.

- L. There are no restrictions on access by Board members to city staff nor city staff to Board members. It is advisable that the chair be kept informed however, of any contact where there are concerns by either the board member or city staff.
- M. 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 as well as Map Amendments.

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.

C. Attending Conferences, Meetings, Traveling Expenses

When reimbursement is expected, 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, as well as the City's growth management and land development plans.

The Planning Director shall also generally explain the City’s growth management and land development policies, the relationship between the Board and the Board of Aldermen and other city boards, 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. Additionally, interaction with city staff and/or site visits, where appropriate, are always welcomed.

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.
 - ii. 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.
 - iii. 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.
 - iv. 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.
 - v. 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.
 - vi. Do not participate as an advisor or decision-maker on any plan or project in which they have previously participated as a paid advocate.
 - vii. Serve as paid advocates only when the client’s objectives are ethical and consistent with the public interest.
 - viii. 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.

- ix. Do not use confidential information acquired in the course of their duties to further a personal interest.
- x. 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.
- xi. Do not misrepresent facts or distort information for the purpose of achieving a desired outcome.
- xii. Do not participate in any matter unless adequately prepared and sufficiently capacitated to render thorough and diligent service.
- xiii. Respect the rights of all persons, and not 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 (or 2/3rds?) 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 January 15, 2026, and recorded in the minutes of that meeting.

STAFF REPORT FOR SOUTHPORT CROSSING PLANNED UNIT DEVELOPMENT MASTER DEVELOPMENT PLAN MAJOR MODIFICATION ZMA-25-03

APPLICATION SUMMARY	
Presentation Date	March 19, 2026 Planning Board
Applicant	Allison Engebretson, Edgehill REC, LLC
Property Owner	MDI Management, LLC
Zoning District	PUD

Allison Engebretson, applicant, on behalf of Edgehill, REC, LLC, is requesting approval of a modification to the master development plan for an existing Planned Unit Development (PUD) zoning district. This modification includes changing the type and number of dwelling units, changing the amount of open space, and the addition of onsite amenities for the community.

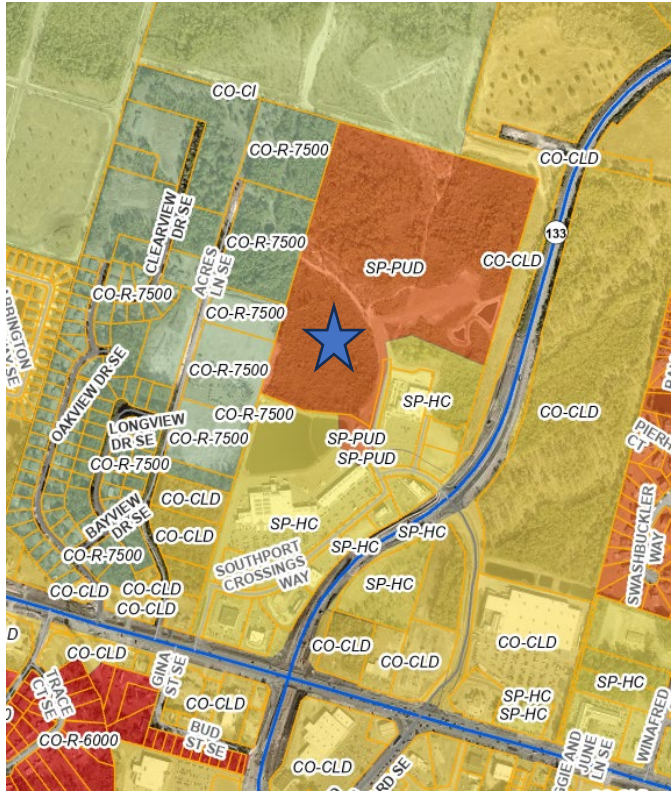
A planned unit development is defined as a development constructed on a tract of land at least 8 acres of net buildable area under single ownership or approved partnership in the city limits of Southport, planned and developed as in integral unit, and consisting of a combination of residential and nonresidential uses on land withing a PUD zoning district.

LOCATION AND SITE DETAILS

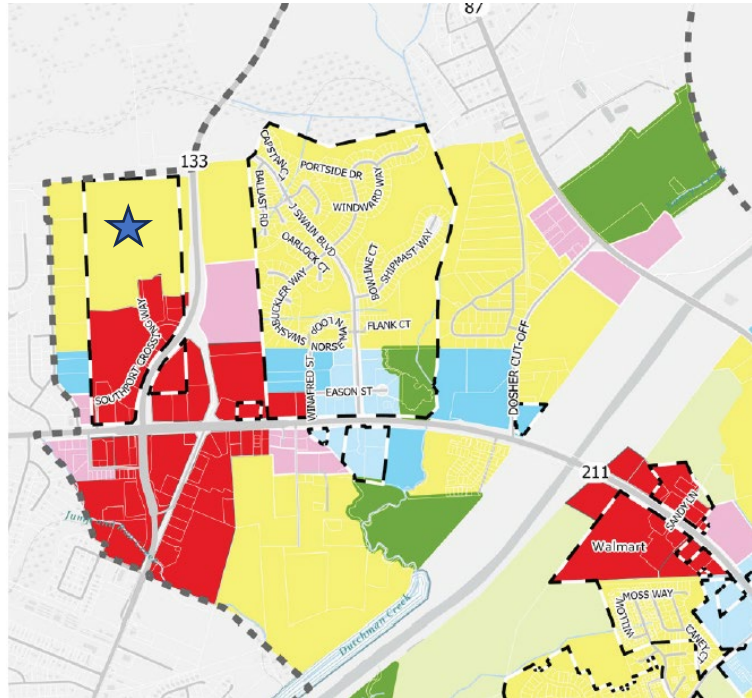


Subject property is situated west of NC 133 adjacent to the existing Southport Crossing commercial development, with access from NC 133 and NC 211. There is an existing 50' public right-of-way, Marino Run, to the west of Tractor Supply Company accessed by Southport Crossings Way that will be the main entrance to the residential portion of the project.

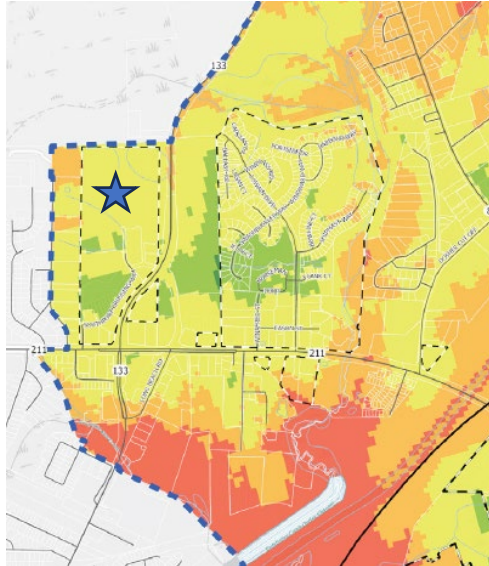
The subject property is 48.01 acres, according to the survey and Brunswick County tax records. There are 404 Wetlands, non-jurisdictional wetlands, and uplands throughout the property.



The property within the city jurisdictional limits is zoned Planned Unit Development (PUD) and adjacent to Highway Commercial (HC) parcels south as part of the existing commercial development of Southport Crossings. Adjacent properties within Brunswick County jurisdiction include CO-R-7500 - residential, CO-CI – commercial industrial, and CO-CLD – commercial low density.



The future land use map designation for the property is low to medium density residential. Most development in the low to medium density residential future land use designations is single family homes, with some multi-family allowances in planned developments. The density range for this designation is 3-4 units/acre.



The property is designated as medium to medium-high suitability on the Development Suitability Map. This map analyzes the suitability of development in relationship to existing conditions such as infrastructure (water, sewer, road systems, etc.) availability, adjacent development patterns, parcel size, and environmental factors (wetlands, floodplain, storm surge, habitat, etc.).



SUMMARY

Existing

- 32 Multi-Family, 28 Single-Family – 60 total units
- 1.13 dwelling units/acre
- 39.96 acres (75%) Open Space
 - 3.96 acres uplands
 - 36 acres wetlands
- No proposed community amenities

Proposed

- 130 Multi-Family – 130 total units
- 3.7 dwelling units/acre
- 30.82 acres (64%) Open Space
 - 8.3 acres upland
 - 22.52 acres wetlands
- Proposed clubhouse and pool

BACKGROUND

The 2008 Southport Crossing project originally was a development encompassing the existing commercial and proposed residential parcels as well as 2 large parcels across NC 133. The build-out plan included over 300,000 SF of non-residential land uses and 324 multi-family residential units. The project was amended in 2015 to remove the 2 parcels of land across NC133, which in turn reduced the amount of non-residential square footage to approximately 265,000 SF and the number of dwelling units to 46. A PUD master development plan was approved in 2016 after rezoning and annexation into the city limits. A master development site plan with all dimensional standards and applicable

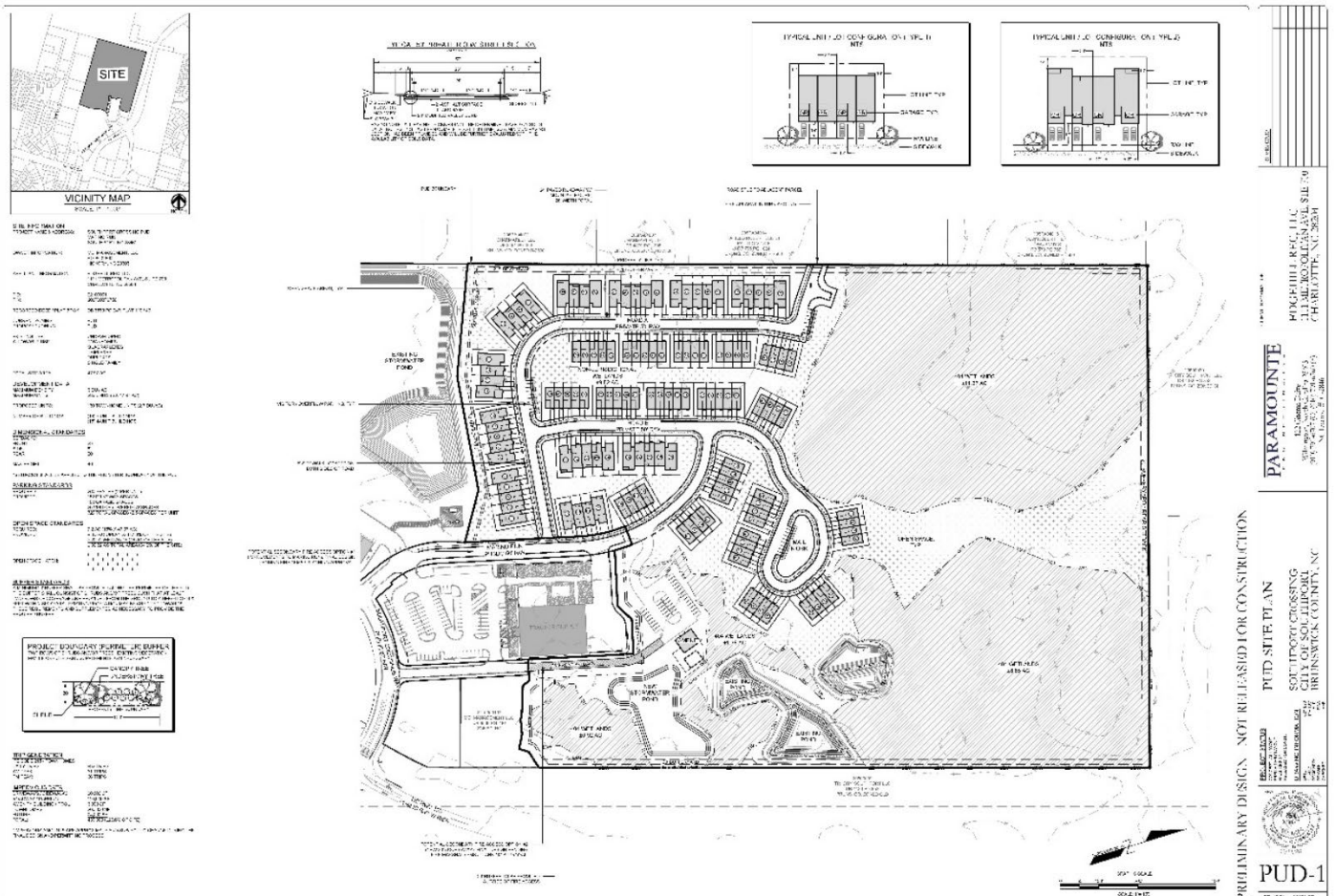
land use standards is required for a PUD rezoning and carries forward through the life of the project.

As the commercial portion of the project moved forward, a major modification to the master development plan was necessary. The master development plan was amended by the Board of Aldermen in 2019 to reconfigure a commercial lot and to adjust the proportions of residential unit types. The existing master development plan includes 32 residential attached units and 28 single-family lots, for a total of 60 dwelling units, equaling 1.13 du/acre. Further, the approved plan includes 39.96 acres of open space, 3.96 acres of upland, and 36 acres of wetlands, for approximately 75% open space. A PUD approved under the previous unified development ordinance requires 15% open space.

PROPOSED AMENDMENT

A Master development plan is a detailed overview of the project and does not include the level of detail required for a major subdivision preliminary plat submission. Appendix A of the UDO outlines the required elements of a Master Development Plan. The following assessment of the proposal follows the outline of Appendix A.

Please note, that the approval of the PUD was under the 2004 UDO, therefore some of the existing UDO provisions are not applicable to the development or proposed changes.



Land Use

The applicant is requesting a major modification to change the type of dwelling unit to multi-family units as attached townhomes and increase the number of units to 130, which increases the density of the proposal to 2.7 du/acre. This increase in dwelling units is in response to an Approved Jurisdictional Determination (AJD) by the Army Corps of Engineers which decreases the acreage of jurisdictional wetlands on the property. This creates more buildable land for housing and neighborhood amenities.

The new master development plan includes 30.82 acres of open space, 8.3 acres of upland and 22.52 acres of wetlands for approximately 64% open space. The open space requirement for this development is 15% per the previous UDO.

Impervious surface area is approximately 430,000 SF or 20.6% of the parcel of land. This includes the homes, driveways and sidewalks, roads and parking, and the amenity clubhouse with pool. This number is anticipated to change with approval and final design of the subdivision plat. A state stormwater permit will be necessary, and the stormwater system will be reviewed and signed off by the City Engineer.

Water and sewer are provided by Brunswick County Utilities. A request to join the technical review committee was unanswered. Sewer and water installation and approvals from Brunswick County will be required prior to any future development on-site.

Traffic/Parking/Movement

The neighborhood will be accessed by existing public rights-of-way from Southport Crossings Way onto Marino Run. The proposed street system through the development will include 50' private rights-of-way. Fire Chief, Charles Drew reviewed the plan and the proposed 50' R/W with 26' wide roads are acceptable. Further, a fire apparatus turn around is identified and there are two options for secondary fire access as required by the Residential Code Fire for developments of 100 or more units. Both options have been reviewed and discussed with the City's Fire Marshal, Madison Drew. Either option is acceptable, although final approval will be made at the Major Subdivision Preliminary Plat phase of the project.

Sidewalks are proposed on both sides of the street for connection to the mail kiosk area and proposed on-site amenity center. Pedestrian facilities will be connected to any existing facilities adjacent to the commercial portion of Southport Crossing.

The proposed 130 townhomes are expected to generate 852 daily trips. Per the 2004 UDO, a traffic impact study is required for PUDs when the estimated traffic generated exceeds eight hundred (800) trips/day. There are exceptions when 1) a traffic impact study has previously been prepared for the development, and 2) there is no change in density that will increase travel, and 3) there is no change in access to the external street system, or 4) material is submitted to demonstrate that traffic created by the proposal when adding to existing traffic will not result in the need for transportation improvements.

Staff consulted with Ben Hughes, NCDOT Division 3 District Engineer at the time the application was submitted to discuss the scope of a traffic impact analysis/study. A meeting was held with the applicant, NCDOT representatives, and staff to discuss what analysis, if any was necessary. Mr. Hughes explained that the existing portion of the development includes improvements that were required for the original traffic analysis submitted in 2008 and the trip generation study prepared in 2015. Further, since the new trip generation calculations for the indicate that site traffic is significantly lower than the 2008 analysis and less than the 2015 trip generation study. Therefore, per the NCDOT Policy on Street and Driveway Access, a new study was not necessary.

It was agreed upon between staff and the applicant that a new traffic assessment be submitted, outlining the existing development and current trips and trips generated with the proposed increase in residential units. That assessment was sent to Mr. Hughes who in an email dated March 5, 2026, concurred with the findings and reiterated that no other traffic impact study or roadway improvements were required.

Environmental Standards

The property is not located within a special flood hazard area and does not include any Coastal Area Management Act (CAMA) Areas of Environmental Concern or coastal wetlands.

There are 404 wetlands as delineated on the first page of the master development plan. A jurisdictional determination letter from Katharine Elks, Regulatory Specialist with the Army Corps of Engineers, Wilmington District identifies the limits of the waters of the United States that are illustrated on the master development plan. Other than the jurisdictional wetlands, there are no other environmental features of significance on-site.

Landscaping & Tree Preservation

The existing UDO requirements for landscaping and tree preservation are vastly different than those in the 2004 UDO. The applicant has proposed a 20' vegetated perimeter buffer and there will be parking lot landscaping plan and tree protection plan submitted at the time of preliminary plat for the subdivision.

Review Process

Every amendment, supplement, change, modification, or repeal of the zoning map/ordinance shall be referred to the Planning Board for its recommendation and report to the Board of Aldermen.

A Planned Unit Development (PUD) is planned and developed as an integral unit in a single development operation or a defined series of development according to an approved master development plan. Per Section 2.9 C of the City of Southport Unified Development Ordinance, the Planning Board shall review the proposal and transmit a formal recommendation to the Board of Aldermen. The Board of Aldermen is the final decision maker on all Master Development Plans within the City of Southport.

The master plan outlines the framework for development within the PUD, including intended uses, dimensional standards for parking, landscaping, design guidelines, and buffers. The proposal must comply with the design guidelines provided in Section 4.15 of the Unified Development Ordinance.

When evaluating the application for a PUD zoning district, the Planning Board and the Board of Aldermen shall consider the following:

- a) The application's consistency to the general policies and objectives of the City's Comprehensive Plan, any other officially adopted plan that is applicable, and the Unified Development Ordinance.
- b) The potential impacts and/or benefits on the surrounding area and adjoining properties.

The Planning Board will provide a recommendation to the Board of Aldermen.

Prior to the Board of Aldermen's consideration of a change, a public hearing must occur on a set day and time. The hearing is notified to adjacent property owners by mail, published in a local newspaper of general circulation, and posted on the property for two (2) consecutive weeks, not less than 10 days and not more than 25 days before the hearing.

The Board of Aldermen may approve, conditionally approve, or deny the master development plan after the duly advertised public hearing. Following an affirmative decision by the Board of Aldermen all development shall follow the approved master development plan.

Land Use Plan Consistency

The Southport 2050 Comprehensive Plan is the plan that is used for policy decisions in the City. The Planning Board and Board of Aldermen shall consult the plan's policies when considering a zoning change or for this instance an amendment to the master development plan associated with a PUD.

The plan overall encourages development patterns that preserve walkable neighborhoods, increase resiliency to natural hazards, and encourage higher intensity development to areas on North Howe Street and NC 211.

Policy 1.1 Encourage a development pattern that honors Southport's character and respects the natural environment.

Action 1.1.7 Support office uses, multi-family uses and house-scale attached residential as a transition between commercial area and lower density residential land uses.

The modified master development plan proposes medium density multi-family uses adjacent to commercial development.

Policy 1.3 Encourage new development to employ site and building design techniques to reinforce a walkable traditional village scale and character.

The modified master development plan provides a neighborhood adjacent to a mix of nonresidential uses. The incorporation of sidewalks and amenities encourages walking to neighborhood activities, restaurants, and shopping.

Policy 1.9 Support a variety of quality housing that meets local needs at appropriate scales.

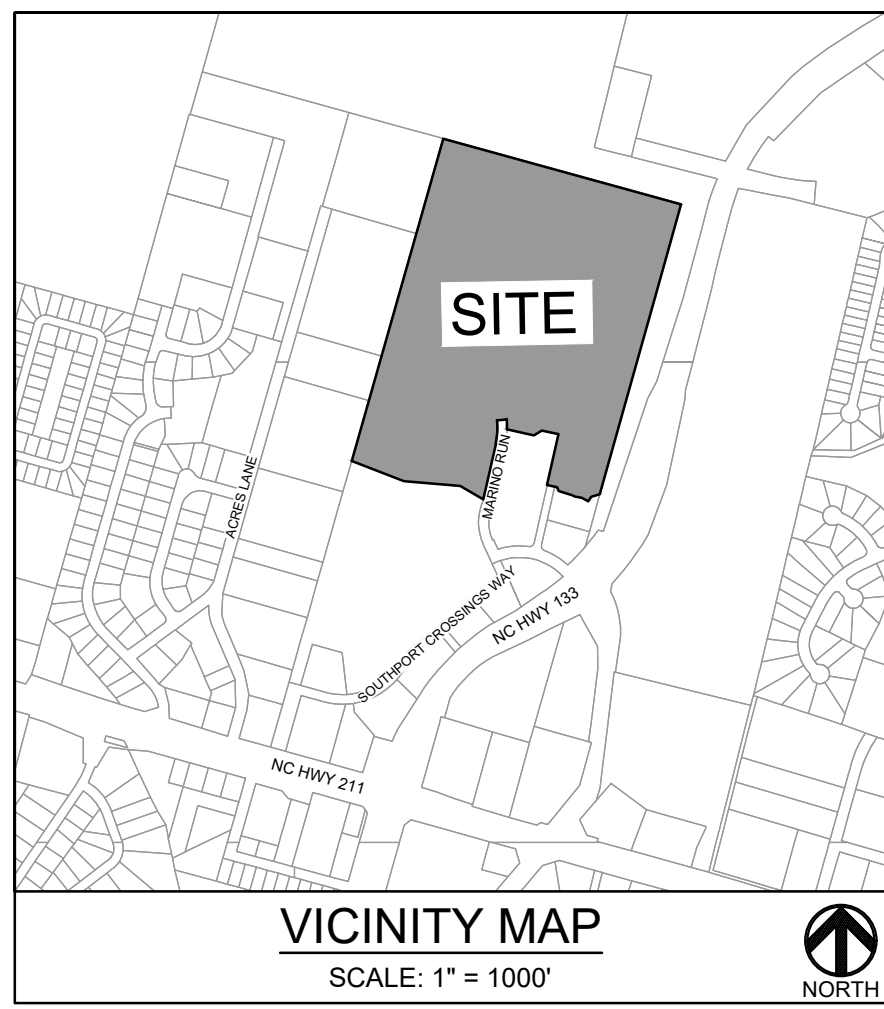
The modified master development plan provides a housing option that is not prevalent in the city limits and will provide opportunities for different demographics.

STAFF DETERMINATION

The application has been deemed complete and is eligible for review. Staff find that the request is consistent with the Southport 2050 Comprehensive Plan and 2004 Unified Development Ordinance.

Attachments:

- 1) Proposed Master Development Plan
- 2) Application
- 3) Applicant's Summary of the proposed amendment and accompanying documents
- 4) Traffic Impact Assessment
- 5) Army Corps of Engineers Jurisdictional Determination Letter
- 6) TRC Comments



SITE INFORMATION
PROJECT NAME & ADDRESS: SOUTHPORT CROSSING PUD
 MARINO RUN
 SOUTHPORT, NC 28461

OWNER INFORMATION: MDI MANAGEMENT, LLC
 PO BOX 800
 HICKORY, NC 28603

APPLICANT INFORMATION: EDGEHILL REC, LLC
 1111 METROPOLITAN AVE, SUITE 700
 CHARLOTTE, NC 28204

PID: 22100001
PIN: 208700876750

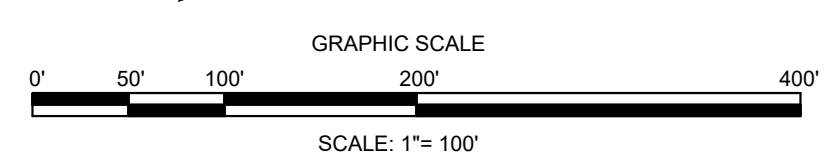
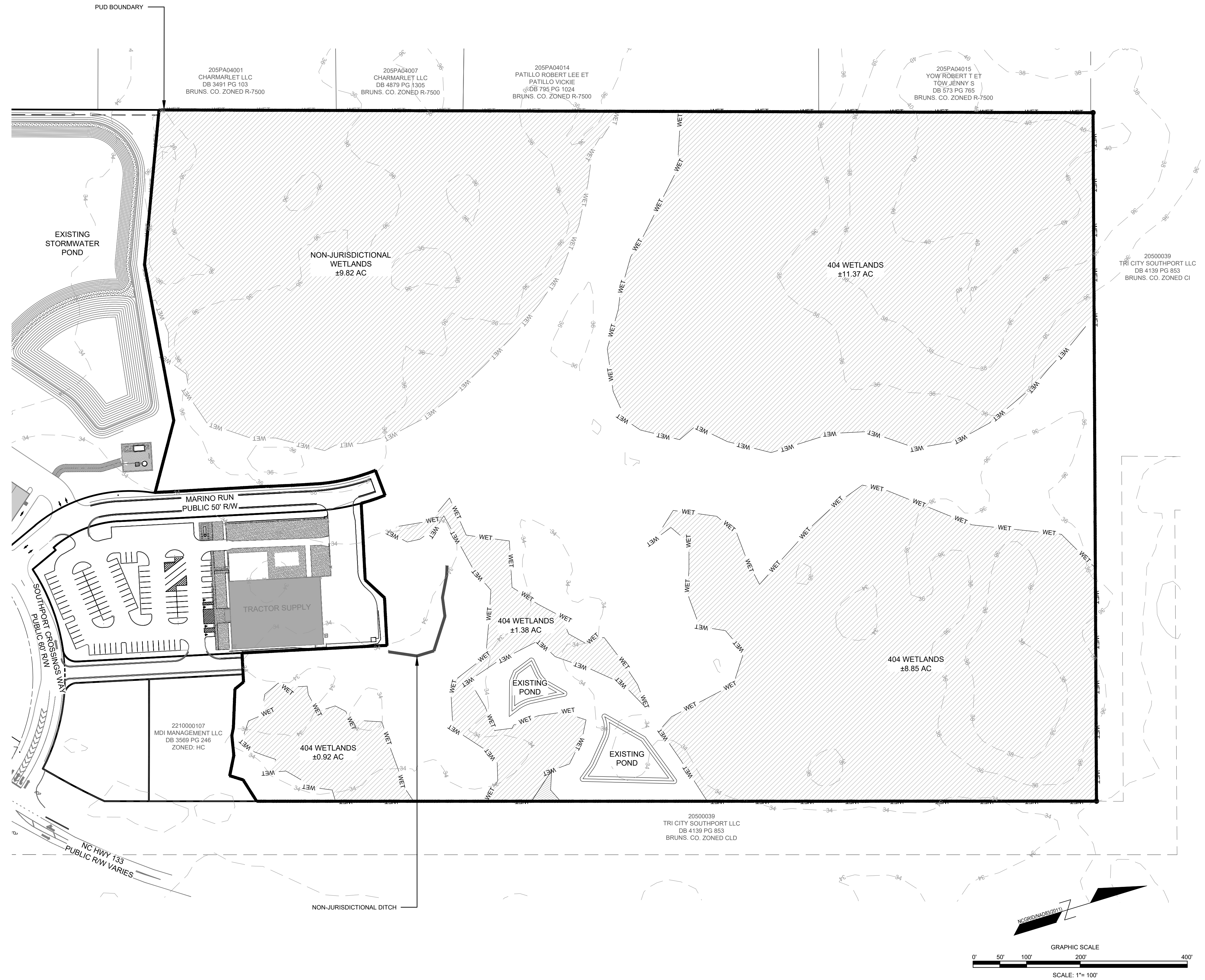
RECORDED DEED / PLAT BOOK : DB 3569 PG 246; PLAT 110 / 40

CURRENT ZONING: PUD
PROPOSED ZONING: PUD

EXISTING USE: UNDEVELOPED
PROPOSED USE: TOWNHOMES

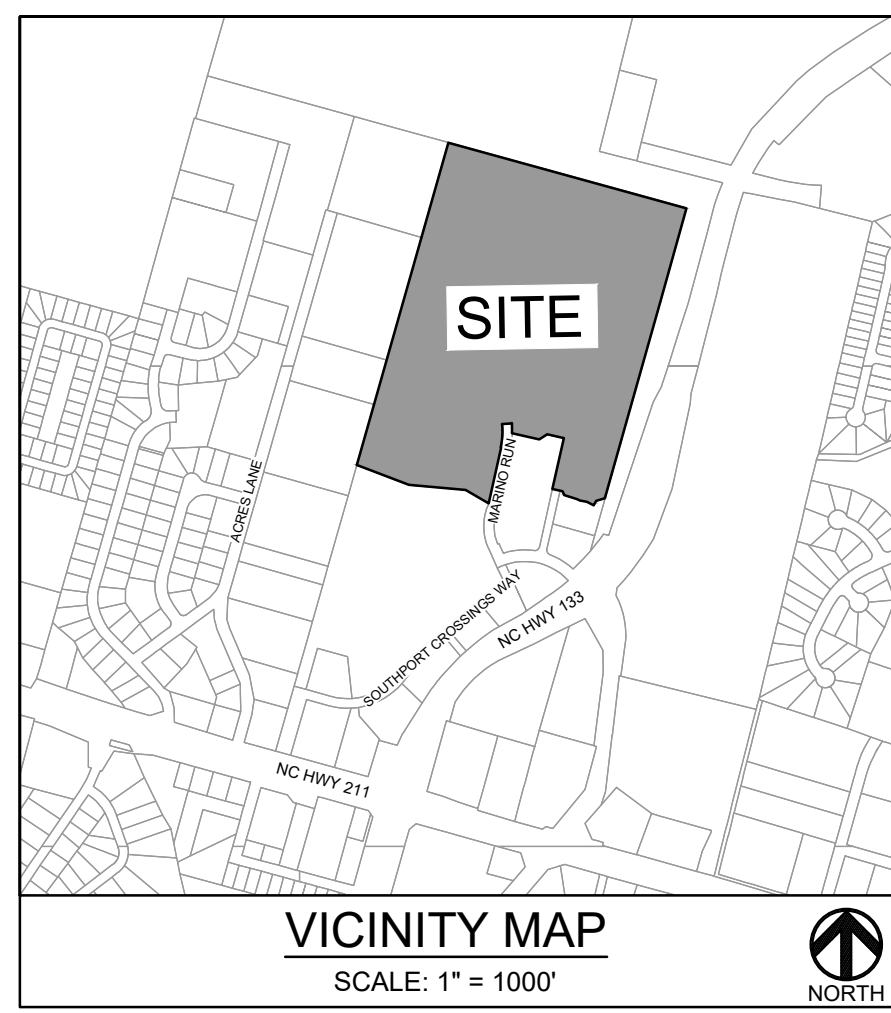
TOTAL SITE AREA: 47.97 AC

WETLAND DATA
 A WETLAND JURISDICTIONAL DETERMINATION ISSUED BY THE U.S. ARMY CORPS OF ENGINEERS ON SEPTEMBER 30, 2025.



PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

<p>REVISIONS:</p>	
<p>CLIENT INFORMATION: EDGEHILL REC, LLC 1111 METROPOLITAN AVE, STE 700 CHARLOTTE, NC 28204</p>	
<p>PARAMOUNT ENGINEERING 122 Cinema Drive Wilmington, North Carolina 28403 (910) 791-6707 (O) (910) 791-6760 (F) NC License #: C-2846</p>	
<p>EXISTING CONDITIONS SOUTHPORT CROSSING CITY OF SOUTHPORT BRUNSWICK COUNTY, NC</p>	
<p>PROJECT STATUS CONCEPTUAL LAYOUT: FINAL DESIGN: RELEASED FOR CONST:</p>	<p>DRAWING INFORMATION SCALE: DESIGNED: CHECKED:</p>
<p>SEAL G. CLINKSCALES ENGINEER 02/11/26</p>	
<p>EX-1</p>	
<p>PEI JOB#: 25278.PE</p>	



SITE INFORMATION
 PROJECT NAME & ADDRESS: SOUTHPORT CROSSING PUD MARINO RUN SOUTHPORT, NC 28461

OWNER INFORMATION: MDI MANAGEMENT, LLC PO BOX 800 HICKORY, NC 28603

APPLICANT INFORMATION: EDGEHILL REC, LLC 1111 METROPOLITAN AVE, SUITE 700 CHARLOTTE, NC 28204

PID: 22100001
FIN: 208700876750

RECORDED DEED / PLAT BOOK: DB 3569 PG 246; PLAT 110 / 40

CURRENT ZONING: PUD
PROPOSED ZONING: PUD

EXISTING USE: UNDEVELOPED
ALLOWABLE USE: TOWNHOMES, QUADRAPLEXES, TRIPLEXES, DUPLEXES, SINGLE-FAMILY

TOTAL SITE AREA: 47.97 AC

DEVELOPMENT DATA
 MAXIMUM DENSITY: 6 DU / AC
 MAXIMUM UNITS: 288 UNITS (6 X 47.97 AC)
 PROPOSED UNITS: 130 TOWNHOME UNITS (2.7 DU / AC)
 NUMBER OF BUILDINGS: (14) 5-UNIT BUILDINGS, (15) 4-UNIT BUILDINGS

DIMENSIONAL STANDARDS
SETBACKS:
 FRONT: 25'
 SIDE: 8'
 REAR: 20'
 MAX HEIGHT: 40'

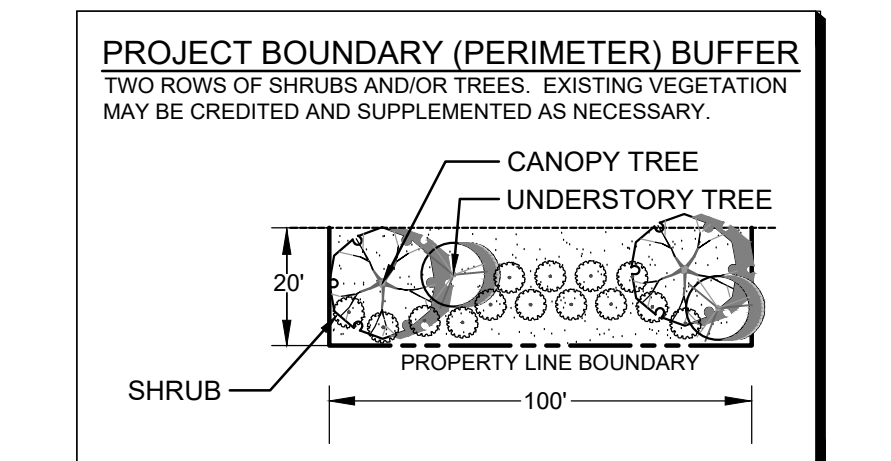
*SETBACKS SHALL BE APPLIED TO THE PERIMETER BOUNDARY OF THE PUD.

PARKING STANDARDS
 REQUIRED: 260 SPACES (2 PER UNIT)
 PROVIDED: 152 DRIVEWAY SPACES, 152 GARAGE SPACES, 25 VISITOR / OVERFLOW SPACES, 329 TOTAL SPACES (2.5 SPACES PER UNIT)

OPEN SPACE STANDARDS
 REQUIRED: 7.2 AC (15% X 47.97 AC)
 PROVIDED: ± 8.3 AC UPLANDS (17.3% OF THE SITE), ± 22.92 AC WETLANDS (48.3% OF THE SITE), ± 30.82 AC TOTAL AREA (64.2% OF THE SITE)

OPEN SPACE HATCH: [Symbol]

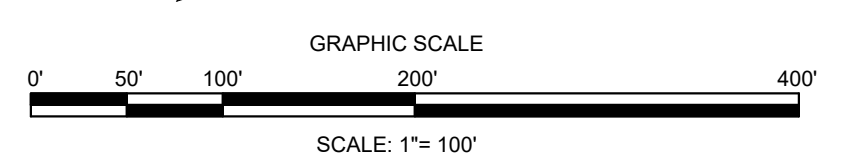
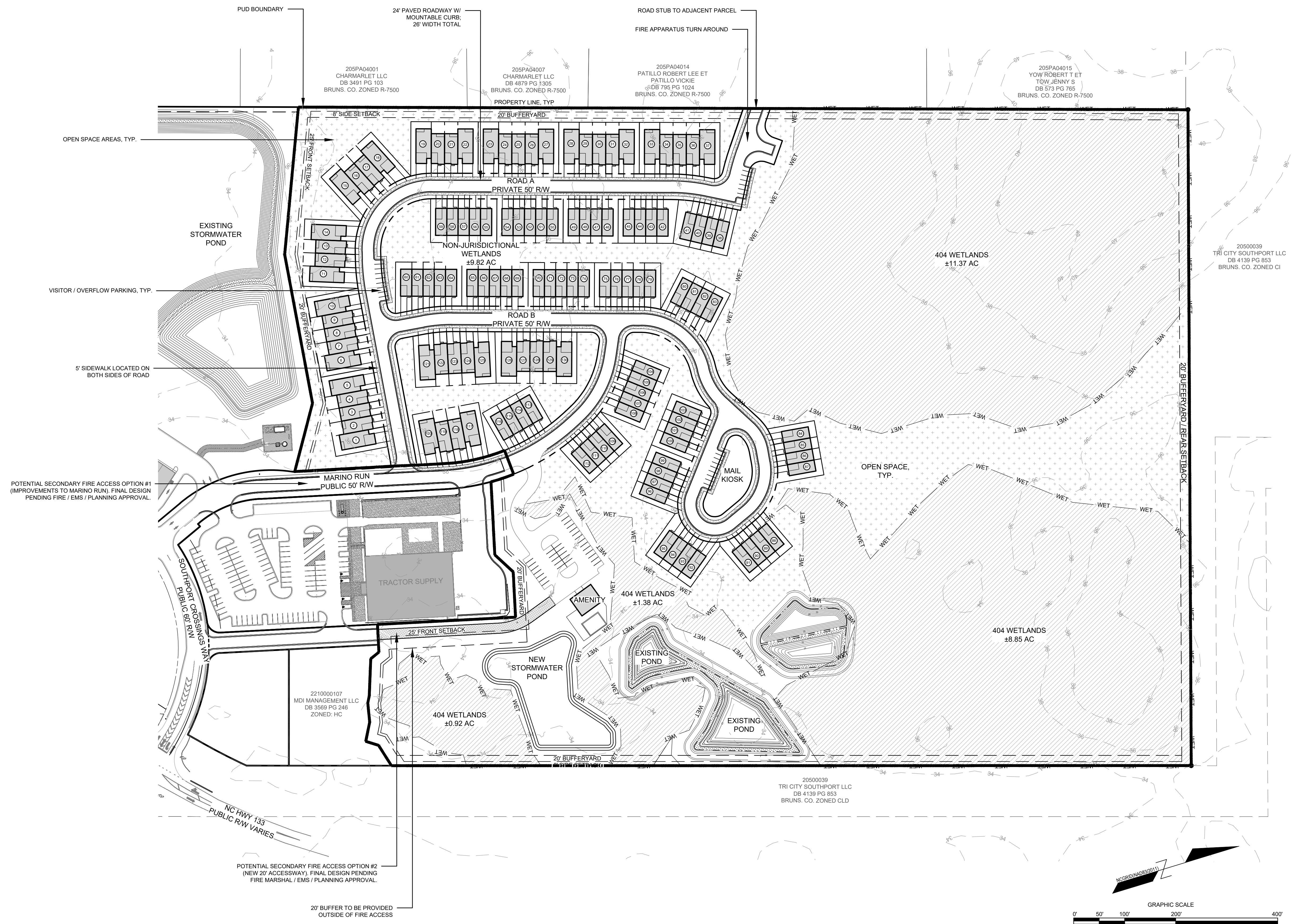
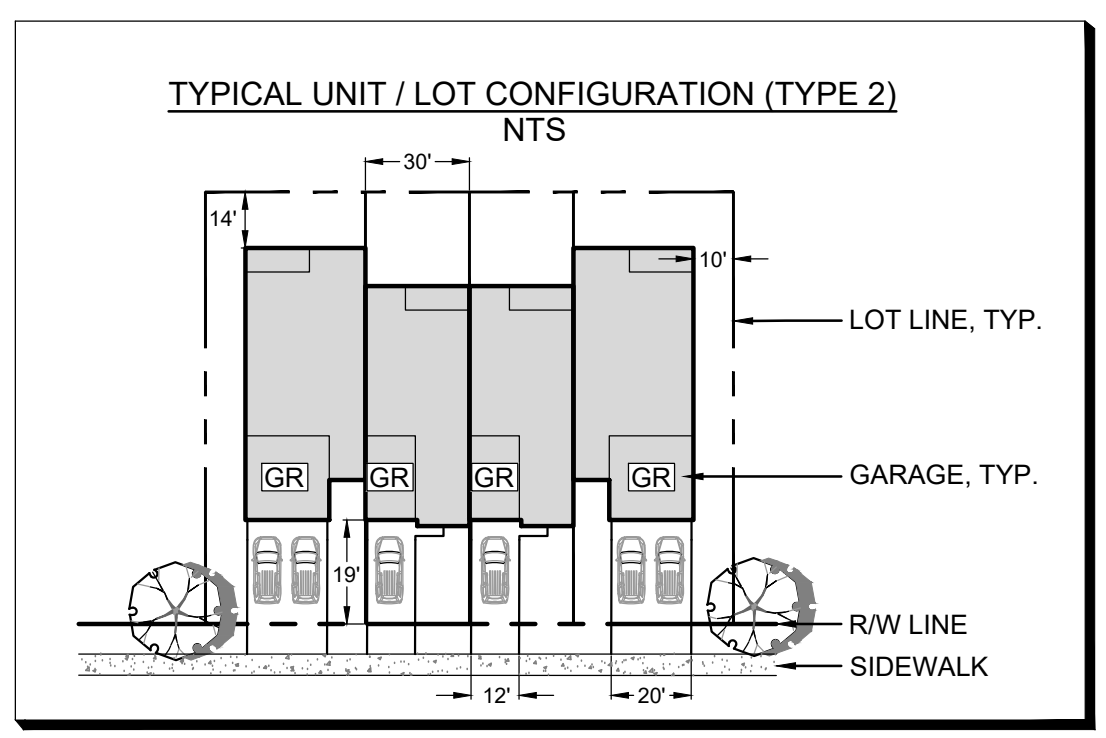
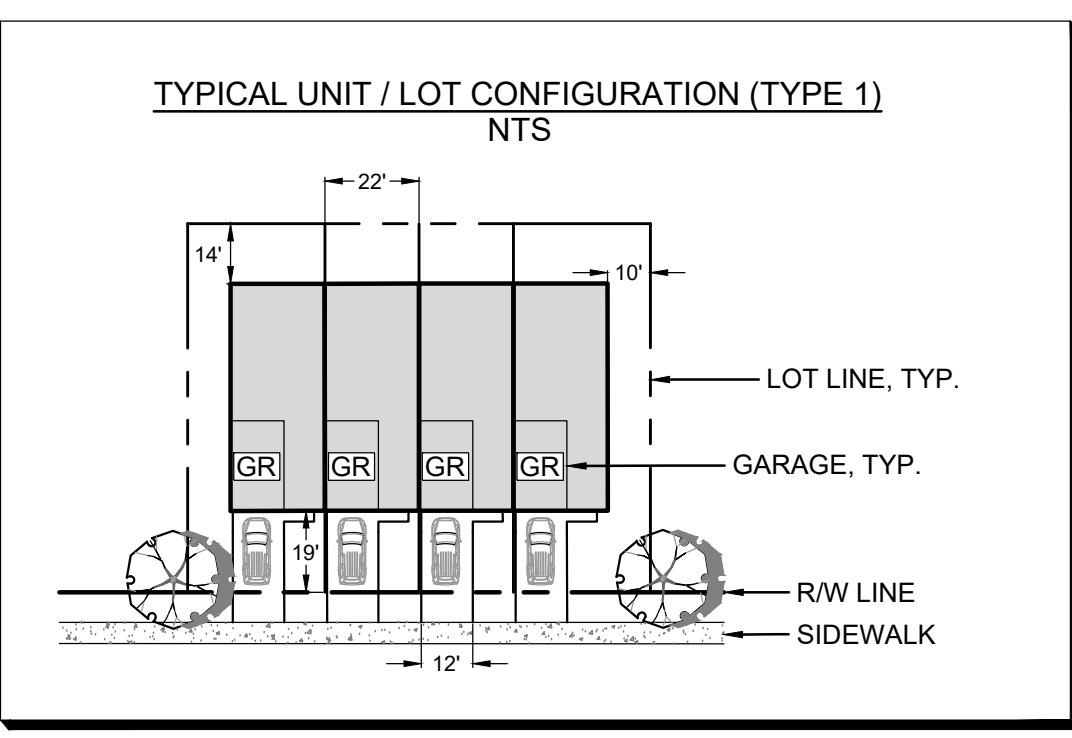
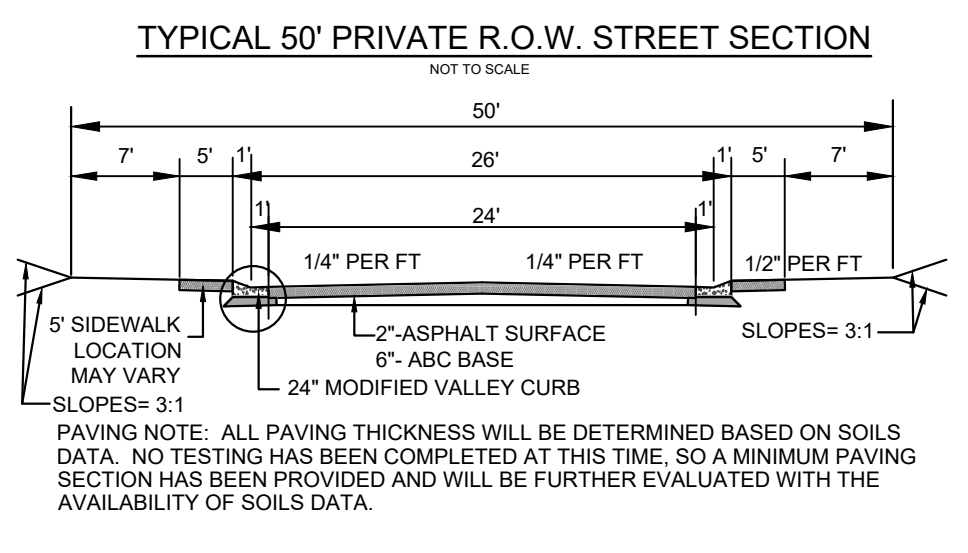
BUFFER STANDARDS
 A MINIMUM 20' BUFFER SHALL BE PROVIDED ALONG THE PERIMETER OF THE PUD. THE BUFFER SHALL CONSIST OF SHRUBS AND/OR TREES SUCH THAT AT LEAST TWO ROWS OF COVERAGE ARE PROVIDED FROM THE GROUND TO A HEIGHT OF SIX FEET WITHIN SIX YEARS. EXISTING VEGETATION MAY BE CREDITED TOWARDS THESE REQUIREMENTS AND SUPPLEMENTED AS NECESSARY TO PROVIDE THE REQUIRED BUFFER.



TRIP GENERATION
 ITE CODE 215 - TOWNHOMES
 DAILY TRIPS: 852 TRIPS
 AM PEAK: 61 TRIPS
 PM PEAK: 66 TRIPS

IMPERVIOUS DATA
 DRIVEWAYS / SIDEWALKS: 80,000 SF
 ROADWAY / PARKING: 120,000 SF
 AMENITY BUILDING / POOL: 6,000 SF
 TOWNHOMES: 200,000 SF
 FUTURE: 24,000 SF
 TOTAL: 430,000 (±20.6% OF SITE)

*IMPERVIOUS AMOUNTS ARE APPROXIMATE AND SUBJECT TO CHANGE DURING THE FINAL DESIGN AND PERMITTING PROCESS.



PRELIMINARY DESIGN - NOT RELEASED FOR CONSTRUCTION

REVISIONS:	CLIENT INFORMATION:
EDGEHILL REC, LLC 1111 METROPOLITAN AVE, STE 700 CHARLOTTE, NC 28204	EDGEHILL REC, LLC 1111 METROPOLITAN AVE, STE 700 CHARLOTTE, NC 28204
PARAMOUNT ENGINEERING INC.	122 Cinema Drive Wilmington, North Carolina 28403 (910) 791-6707 (O) (910) 791-6700 (F) NC License #: C-2846
PROJECT STATUS: CONCEPTUAL LAYOUT: FINAL DESIGN: RELEASED FOR CONST:	DRAWING INFORMATION: DATE: 02/11/26 SCALE: 1" = 100' AHE: AHE CHECKED: AHE
PUD SITE PLAN	SOUTHPORT CROSSING CITY OF SOUTHPORT BRUNSWICK COUNTY, NC
SEAL	
PUD-1	PEI JOB#: 25278.PE



Planned Unit Development Permit

City of Southport, North Carolina

1029 N. Howe St, Southport NC 28461
www.southportnc.org

Planning & Inspections
Phone 910-457-7961 Fax 910-457-7957

For Staff Use Only

PUD Modification

PERMIT No: ZMA-25-03 FEE: \$ 1,000

Date Received: 11/14/25

Applicant's Name: Edgehill REC, LLC

Mailing Address: 1111 Metropolitan Ave, Suite 700 City: Charlotte

State: NC Zip Code: 28204 Phone: 910-791-6707 (rep)

Email: aengebretson@paramounte-eng.com (rep)

Property Owner's Name: MDI Management, LLC

Address of Owner: PO Box 800 City: Hickory

State: NC Zip Code: 28603 Phone: _____

Email: _____

Property Address: Marino Run City: Southport

Parcel Size (acres): +/- 47.97 AC Number of Dwellings: 120

Open Space Area: +/- 7.78 AC Right-of-way Area: +/- 3.60 AC

Surveyor: Josh Taylor, Paramounte Engineering, Inc. License #: L-5217

Mailing Address: 122 Cinema Drive City: Wilmington

State: NC Zip Code: 28403 Phone: 910-791-6707

Email: jtaylor@paramounte-eng.com

Per Section 2.9 of the UDO, the purpose of A Planned Unit Development (PUD), is planned and developed as an integral unit, in a single development operation or a definitely programmed series of development

operations and according to an approved master development plan. All PUDs require an amendment to the city's zoning map and master development plan approval, followed by the major subdivision approval process as specified in this ordinance.

The minimum amount of land (unified control to be planned and developed as a whole) required for a PUD district shall be eight (8) acres of net buildable area within the city corporate limits, on one or more contiguous parcels or 25 acres of net buildable area in the ETJ, on one (1) or more parcels (this may include parcels on both sides of a street).

Application and Planned Unit Development Review Procedure is found in Section 2.9.C

Minimum Dimensional Standards:

1. Lot area. Not less than 60 percent of the minimum lot area which would normally be required under the single-family standards of the prevailing zoning district.
2. Lot width. 40 feet.
3. Lot frontage. 40 feet, except on the radius of a cul-de-sac where such distance may be reduced to 20 feet.
4. Public or private street setback. No principal or accessory structure shall be closer than 10 feet to a public street right-of-way or private street easement.
5. Side yard setback. Not less than 8 feet. Dwellings which do not utilize zero lot line provisions shall maintain a minimum side setback of not less than six (6) feet.
6. Rear yard setback. Not less than 15 feet.
7. Building separations. No portion of any principal structure shall be located less than 10 feet from any accessory structure as measured to the closest point.
8. Periphery boundary setback. No principal or accessory structure shall be located less than 25 feet from the peripheral boundaries of the development.
9. Maximum height. 40 feet.
10. Detached accessory structure requirements.
 - a) Shall not be located within any front yard setback;
 - b) Shall not be located within five (5) feet of any other accessory structure;
 - c) Shall not cover more than twenty (20) percent of any side or rear yard; and
 - d) The side or rear yard requirement for detached accessory structures shall not be less than five (5) feet.
 - e) Shall not be greater than 30 feet in height.



Signature (Owner or Authorized Applicant)

11/12/25

Date

APPROVED BY:


UDO Administrator

12/1/25

Date

Southport Crossing – PUD Modification Narrative

The applicant, Edgehill REC LLC, is seeking a to modify the existing Southport Crossing PUD to allow for the development of 130 townhomes. Since the previous approval for PUD, a new Approved Jurisdictional Determination (AJD) was issued by U.S. Army Corps of Engineers which found less jurisdiction wetlands located on the site than previously determined. As such, additional land is now available for housing.

The proposed development will consist of 130 townhomes and associated amenity areas. Each townhome will be subdivided on individual lots and contain a 1 or 2 car garage. Visitor/overflow parking is provided throughout the development. Pedestrian access is provided throughout the development with sidewalks proposed on both sides of the road.

Overall, about 64% of the site will be open space including approximately 22.5 acres of wetlands and 8.3 acres of uplands. A pool and clubhouse amenity is also proposed outside of the areas credited for open space.



The existing PUD was approved under the previous UDO which still applies to the proposed modification. However, the applicant is proposing a plan that goes beyond those previous requirements to better align with the current development regulations. In doing so, the applicant is proposing to provide a 20' vegetated buffer along the perimeter of the overall development in accordance with today's standards. Under the previous UDO, no buffers would be required.

The site directly abuts the Southport Crossing commercial shopping center which includes a Lowes Food grocery store, Tractor Supply, and various retail stores and restaurants. The proposed townhomes will add to the mixture of uses in the area and allow the future residents to have easy access to commercial services without having to drive on a major roadway.

Southport's 2050 Comprehensive Plan classifies the site as Low to Medium Density Residential on the Future Land Use Map. This classification promotes attached residential within planned developments at a density of 3 to 4 units per acre. Overall, the proposed 2.7 units per acre is consistent with this recommendation.



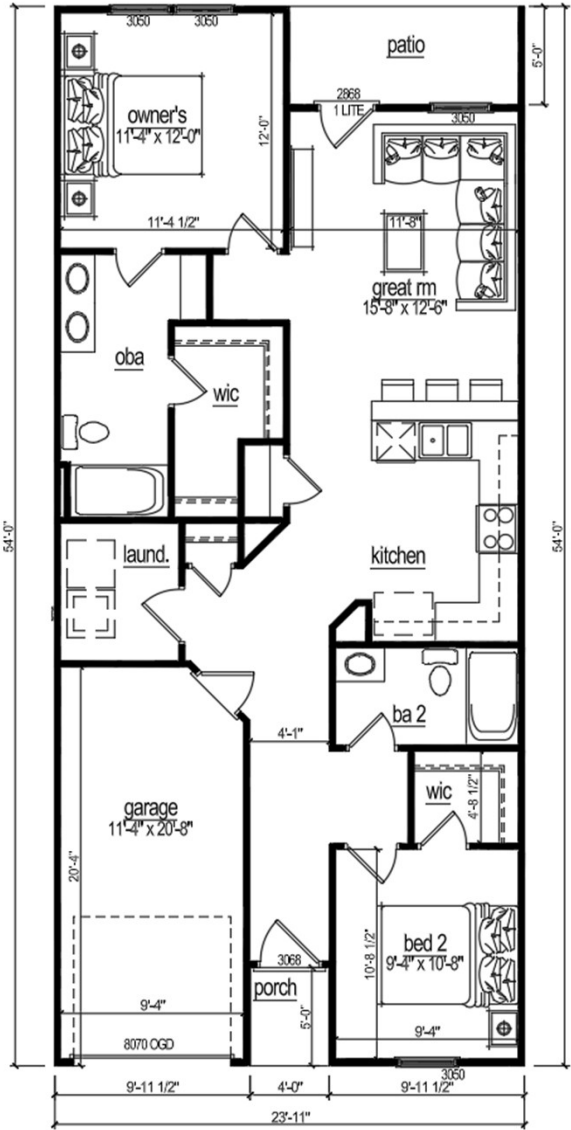
LOW TO MEDIUM DENSITY RESIDENTIAL

- ◆ Low-to-medium density single-family residential development. Block lengths are typically less than 800' with smaller rights-of-way than the traditional and historic neighborhoods but wide enough to accommodate pedestrian activity.
- ◆ **Example Uses:** Primarily single-family detached homes and parks. Some attached may be part of planned developments.
- ◆ **Allowable Density:** 3 to 4 units per acre
- ◆ **Maximum Height:** 40 feet

Single-Story Floorplan



Note: floorplans below are representative of the product type, but elevations will match that of surrounding neighborhoods and community to ensure Southport Crossing integrates into the existing inventory and coastal feel of the area



Two-Story Floorplan



Note: floorplans below are representative of the product type, but elevations will match that of surrounding neighborhoods and community to ensure Southport Crossing integrates into the existing inventory and coastal feel of the area



Representative Amenity Offerings



Proposed 3,000 SF amenity building, including:

- Pool
- Fitness Center
- Resident Lounge
- Leasing Office
- Men's & Women's Bathrooms
- Mail & package facility



February 3, 2026

DRMP Job #: 251420

Maureen Meehan
Planning Services Director
City of Southport
E: mmeehan@cityofsouthport.com

**Reference: Southport Crossings Townhomes – Southport, NC
Traffic Impact Assessment**

Dear Ms. Meehan:

This letter provides a traffic impact assessment for the Southport Crossing development. The residential area of the development, located at the northern portion of the overall development around the existing Tractor Supply store, is requesting site plan approval to construct 130 townhomes. This residential area is part of the overall Southport Crossing development that was approved in prior years.

This study compares the trip generation of the overall Southport Crossing development with the trip generation from the previous Traffic Impact Analysis (TIA) prepared for the development. The original TIA for the Southport Crossings development (aka Keesee Property) was submitted in October 2008. The 2008 TIA was reviewed and approved by the NCDOT. A copy of the NCDOT review letter is attached.

In 2015, a trip generation study was completed for the overall development to evaluate the current land uses for the development and compare the trip generation to the original 2008 TIA. The updated land uses in Southport Crossing were shown to generate fewer trips than the original 2008 TIA; therefore, a TIA update was not required. In this trip generation study, the residential area in Southport Crossings was assumed to include 324 apartment units.

Overall Development Improvements

As part of the previous development approvals, the improvements that were associated with the original 2008 TIA were required to be constructed. These improvements were identified and compared as a part of the 2015 Trip Generation study. In the 2015 Trip Comparison study, the area that is currently the Southport Crossings development was separated from two other properties that were part of the original TIA. Those properties have not been developed, so improvements associated with those properties were not constructed.

In addition to the improvements at the site drives there were improvements that were recommended at the intersection of NC 211 and NC 133, including additional turn lanes along the eastbound approach of NC 211 and southbound approach of NC 133, and extending turn lane storages along NC 211. Improvements associated with the original TIA were for the at-grade intersection that was current at the time of the TIA and did not consider the improvements to be completed as part of the

NCDOT STIP project. The STIP project has constructed a grade-separated crossing at this location. NCDOT coordinated with the Southport Crossing development when plans were completed for the STIP project. The Southport Crossing development entered into an agreement with the NCDOT to contribute financially for improvements in the area that would be the responsibility of the development but constructed as part of the STIP project.

A copy of the previous NCDOT approval letter and a list of the previously required improvements can be found in the attachments.

Overall Development Trip Generation

The trip generation from the original 2008 TIA is attached. In the 2008 TIA, the daily trip generation was estimated to be over 20,000 daily trips. The 2008 TIA evaluated the weekday PM peak hour and the Saturday peak hour. In 2015, a trip generation study was completed with updated land uses for the overall development. In the 2015 study, the daily trip generation for the overall development was shown to be approximately 17,000 daily trips. The 2015 study updated the trip generation for the subject property and compared the trip generation to the original 2008 TIA by removing the Keesee and Swain properties since these two properties were not constructed. The full trip generation from the original TIA and 2015 study can be found in the attachments. The daily and peak hour trip generation for the overall development is summarized in Table 2.

Table 1 shows the current trip generation for the existing Southport Crossings as it is currently built and approved. A site plan referencing where the site currently is located and the current land uses can be found in the attachments. There are currently three vacant outparcels on the property, and these vacant outparcels were assumed to be development with a total of 15,000 s.f. of additional retail space (or 5,000 s.f. per outparcel). Average weekday daily, PM peak hour trips, and Saturday peak hour trips were calculated using methodology contained within the ITE Trip Generation Manual 12th Edition. The trip generation for the current site includes reductions for internal capture trips and pass-by trips. Internal capture trips were calculated using the NCHRP methodology. Pass-by trips were calculated using data from the ITE Trip Generation Manual.

Internal capture is the consideration for trips that would go between multiple land uses within the site, so trips never actually leave the overall site but can still be considered as a trip to that specific land uses. Pass-by trips are traffic already using the adjacent roadway, entering the site as an intermediate stop on their way to another destination. Pass-by rates for the Saturday peak hour trips were assumed to be the same as the weekday PM peak hour pass-by rates for the existing site.

Table 1: Site Trip Generation for Current Development

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday PM Peak Hour Trips (vph)		Saturday Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit
Medical-Dental Office Building (720)	3,128 s.f.	106	3	8	2	1
Tractor Supply* (810)	22,000 s.f.	310	15	16	34	36
Shopping Plaza (821)	56,516 s.f.	5,030	226	235	234	243
Automobile Parts Sale (843)	6,912 s.f.	378	16	18	32	31
Supermarket (850)	51,000 s.f.	4,708	224	224	254	253
High-Turnover Sit-Down Restaurant (932)	9,333 s.f.	968	52	34	53	51
Coffee/Donut Shop (937)	2,756 s.f.	1,656	54	53	100	105
Automated Car Wash (948)	2,684 s.f.	680	32	33	43	43
Total Trips		13,836	622	621	752	763
<i>Total Internal Capture**</i>			-69	-67	-100	-102
Total External Trips			553	554	652	661
<i>Pass-By Trips: Shopping Plaza (40% PM)</i>			-86	-86	-87	-87
<i>Pass-By Trips: Automobile Parts Store (43% PM)</i>			-7	-7	-12	-12
<i>Pass-By Trips: Supermarket (24% PM)</i>			-50	-50	-55	-55
<i>Pass-By Trips: High-Turnover (Sit-Down) Restaurant (43% PM)</i>			-12	-12	-15	-15
<i>Pass-By Trips: Coffee/Donut Shop (98% PM)</i>			-34	-34	-68	-68
Total Primary Trips			364	365	415	424

*Daily Traffic was not provided in the ITE 12th Edition so daily traffic was assumed to be 10% of the PM peak hour traffic.

**Utilizing methodology contained in the NCHRP Report 684.

***Saturday Pass-by rates were assumed to be similar to the PM rates.

The current development as it is today, including the trip generation potential for the three vacant outparcels, is expected to generate 13,836 daily trips. Table 2, on the following page, shows a trip comparison between the 2008 original TIA, the 2015 trip generation update, and the current site as it is today (plus the proposed residential units and 3 outparcels).

Table 2: Overall Development Trip Generation Comparison

Document	Daily	PM Peak Hour Primary Trips (vph)	Saturday Peak Hour Total Trips (vph)
2008 TIA Total Trips	20,362	1,260	2,642
2015 Trip Generation Comparison Total Trips	17,140	941	1,917
Current Development	13,836	729	1,511*
Difference (Existing Site – 2015 Trip Gen)	-3,304	-212	-406
% Change	-19%	-23%	-21%

*Saturday volumes were compared as total trips.

As shown in Table 2, the site as it currently sites today produces significantly less traffic from the assumptions in the original TIA report. When comparing the Saturday peak hour traffic, the original TIA and 2015 Trip generation comparison did not consider additional reductions from internal capture and pass-by trips.

With taking internal capture and pass-by traffic into consideration the Saturday peak hour total primary trips is 839 primary trips which results in a total reduction of 44% from the 2015 Trip Generation Comparison letter.

Residential Area Trip Generation

Table 3 shows trip generation for the residential portion from the original TIA report for the original Southport Crossings development. The original TIA trip generation included only weekday PM and Saturday peak hour trips, which are shown in Table 3. AM peak our trips were calculated using the ITE *Trip Generation Manual*, 12th Edition.

Table 3: Original TIA Site Trip Generation for Residential Area

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph) *		Weekday PM Peak Hour Trips (vph)		Saturday Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit	Enter	Exit
Apartments (220)	324 Units	2,087	30	96	127	69	76	76

*AM peak hour trips calculated using ITE Trip Generation Manual, 12th Edition

The current development plan includes 130 townhomes for the residential area which would replace the assumption of 324 apartment units. Table 4 below shows the trip generation for the currently proposed townhome use based on the ITE *Trip Generation Manual*, 12th Edition.

Table 4: Current Site Plan Trip Generation for Residential Area

Land Use (ITE Code)	Intensity	Daily Traffic (vpd)	Weekday AM Peak Hour Trips (vph)		Weekday PM Peak Hour Trips (vph)		Saturday Peak Hour Trips (vph)	
			Enter	Exit	Enter	Exit	Enter	Exit
Townhomes (215)	130 Units	852	15	46	38	28	29	32

The trip generation for the currently proposed townhomes indicates that fewer trips would be expected from this use than from the previously assumed apartment use. A summary of the comparison between uses is shown in Table 5.

Table 5: Trip Generation Summary Comparison of Residential Area

Metric	Daily	AM Peak Hour Trips (vph)	PM Peak Hour Trips (vph)	Saturday Peak Hour Trips (vph)
2008 TIA Total Trips	2,087	126	196	152
Current Plan Total Trips	852	61	66	61
Difference	-1,235	-65	-130	-91
% Change	-59%	-52%	-66%	-60%

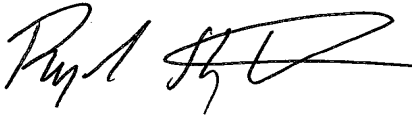
As shown in Table 5, the current proposed townhome land use will result in a significant decrease in trips from the assumptions in the original TIA report.

Conclusions

Transportation improvements required as part of the overall development as part of the original TIA (and higher trip generation) are completed. Trip generation for the current overall Southport Crossings development (plus proposed or future parcels) is lower than assumed in the original 2008 TIA report and 2015 trip generation study. In addition, the trip generation for the proposed residential portion of the development is lower than assumed in the previous studies. Since the trip generation is lower for the overall development and all required improvements are completed, no additional traffic study or roadway improvements should be required as part of the townhome development.

Please let us know if you have any questions or comments regarding this letter or if additional information is needed.

Sincerely,



Rynal Stephenson, PE.
Chief Traffic Analysis Engineer
DRMP, INC.
NC Corporate License # F-1524



Attachments: Current Site Plan
2008 TIA Information
2015 Trip Generation Study Information
NCDOT Review and Requirements



TRAFFIC IMPACT
ANALYSIS
FOR THE
KEESEE PROPERTY
COMMERCIAL
DEVELOPMENT

LOCATED
IN
BRUNSWICK COUNTY, NORTH CAROLINA

Prepared For:
Mr. Brian Keesee
200 Country Club Drive, Suite D
Oak Island, North Carolina 28465

Prepared By:
Ramey Kemp & Associates, Inc.
5808 Faringdon Place, Suite 100
Raleigh, NC 27609

October 2008

RKA Project #08132



4. TRIP GENERATION

The average weekday daily, weekday PM peak hour, and Saturday peak hour trips for the proposed development were calculated utilizing methodology contained within the Institute of Transportation Engineers (ITE) *Trip Generation Manual*, 7th Edition. A detailed breakdown of the trip generation results can be found in Table 2.

TABLE 2
Trip Generation Summary

ITE LAND USE (Code)	SIZE	AVERAGE DAILY TRAFFIC (vpd)	PM PEAK HOUR (vph)		SAT PEAK HOUR (vph)	
			Entering	Exiting	Entering	Exiting
Shopping Center (820)	74,850 s.f.	5,626	248	269	373	344
<i>Less Pass-By Trips</i>			-88	-88	-	-
Pharmacy/Drugstore (881)	15,100 s.f.	1,331	64	66	59	59
<i>Less Pass-By Trips</i>			-32	-32	-	-
Pharmacy/Drugstore (881)	13,300 s.f.	1,173	56	58	52	52
<i>Less Pass-By Trips</i>			-28	-28	-	-
Supermarket (850)	50,000 s.f.	4,739	275	264	296	285
<i>Less Pass-By Trips</i>			-97	-97	-	-
Home Imp. Superstore (862)	129,000 s.f.	3,848	216	177	369	327
<i>Less Pass-By Trips</i>			-94	-94	-	-
Drive-in Bank (912)	3 Lanes	1,234	77	77	104	96
<i>Less Pass-By Trips</i>			-36	-36	-	-
Fast-Food Restaurant (934)	3,455 s.f.	1,714	62	57	104	100
<i>Less Pass-By Trips</i>			-26	-26	-	-
Automated Car Wash (948)	1,620 s.f.	--	11	11	11	11
Bowling Alley (437)	20,900 s.f.	697	26	48	0	0
Total Site Trips		20,362	1,035	1,027	1,368	1,274
<i>Less Total Pass-By Trips</i>		--	<i>-401</i>	<i>-401</i>	--	--
Total Primary New Trips		20,362	634	626	1,368	1,274

March 11, 2016

Benjamin Hughes, P.E.
NCDOT District Office
300 Division Drive
Wilmington, NC 28401
(O) 910-251-2655
E: bthughes@ncdot.gov

Subject: **Trip Generation Letter**
Southport Crossings – Southport, North Carolina

Dear Mr. Hughes:

Southport Crossings is a retail development located in the northwest quadrant of the intersection of Long Beach Road (NC 133) and NC 211. Southport Crossings was previously part of a larger property owned by Mr. Keesee. The entire Keesee Property originally had a Traffic Impact Analysis (TIA) completed in 2008 to determine recommendations for roadway improvements. Since the original submittal in 2008, the site plan for the largest parcel of the overall Keesee Property has been updated with different land uses than previously studied. The updated site plan is attached along with a drawing illustrating the area of the overall Keesee property that will be developed as Southport Crossings (labeled large parcel).

The purpose of this letter is to provide a site trip generation comparison between the original area and the updated site for the largest parcel of the Keesee Property that is proposed as Southport Crossings. The comparison is being completed to request that an updated TIA report not be required for this site plan.

The updated site plan for Southport Crossings will consist of the following land uses:

- 46 single-family homes
- 50,000 sq. ft. of supermarket
- 63,910 sq. ft. of retail
- 3,000 sq. ft. of a drive-in bank
- 6,000 sq. ft. of fast-food restaurant
- 14,000 sq. ft. of pharmacy
- A gas station with 10 fueling positions

Updated Site Trip Generation

The trip generation calculations provided in this letter were determined using equations and methodology outlined in the *ITE Trip Generation Manual*, 9th Edition. Table 1 summarizes the trip generation potential for the updated site plan for Southport Crossings. It is expected that the site will generate a total of 12,567 site trips during a typical weekday. Of those daily trips, 1,917 site trips (981 entering and 936 exiting) are expected to occur during the Saturday peak hour and 941 site trips (475 entering and 466 exiting) are expected to occur during the weekday PM peak hour.

**Table 1
Trip Generation – Updated Site Plan**

Land Use (ITE Code)	Size	Weekday 24 Hour Volumes	Saturday Peak Hour Trips		Weekday PM Peak Hour Trips	
			Enter	Exit	Enter	Exit
Single-Family Homes (210)	46 dwellings	440	23	20	29	17
Shopping Center (820)	63,910 sq. ft.	5,100	340	314	213	231
Supermarket (850)	50,000 sq. ft.	5,100	272	261	242	232
Pharmacy / Drugstore (881)	14,000 sq. ft.	1,350	56	59	69	70
Drive-In Bank (912)	3,000 sq. ft.	450	40	39	36	37
Fast-Food Restaurant (934)	6,000 sq. ft.	3,000	181	173	102	94
Gasoline / Service Station (944)	10 fueling positions	1,700	69*	70*	69	70
Total Site Trips		17,140	981	936	760	751
Pass-By Trips [Shopping Center: 17% Daily, 34% PM]		867	--	--	75	75
Pass-By Trips [Supermarket: 18% Daily, 36% PM]		918	--	--	85	85
Pass-By Trips [Pharmacy: 24% Daily, 49% PM]		324	--	--	34	34
Pass-By Trips [Drive-In Bank: 32% Daily, 35% PM]		144	--	--	13	13
Pass-By Trips [Fast-Food Restaurant: 49% Daily, 50% PM]		1,470	--	--	49	49
Pass-By Trips [Gasoline/Service Station: 50% Daily, 42% PM]		850	--	--	29	29
Total Primary Site Trips		12,567	981	936	475	466

* Saturday peak hour trips were calculated using the Weekday PM peak hour trip calculations because there was no data for a Saturday peak hour in the ITE Manual.

Trip Generation Comparison

With the submittal of the original Traffic Impact Study, in 2008, a trip generation was completed for the large parcel site plan that was current at the time. The large parcel for the 2008 study consisted of the following land uses:

- 45,250 sq. ft. of retail
- 15,100 sq. ft. of pharmacy
- 50,000 sq. ft. of supermarket
- 129,000 sq. ft. of home improvement superstore
- A drive-in bank with 3 lanes
- 3,455 sq. ft. of fast-food restaurant
- 1,620 sq. ft. of automated car wash
- 20,900 sq. ft. of a bowling alley

The original trip generation calculations can be found attached to this letter. A site plan referencing where the large parcel is located and a table further breaking down the trip generation comparison are also attached. The purpose of this letter is to showcase that the updated site generates fewer trips than what were originally calculated for the large parcel of the Keesee Property. Table 2, below, provides a summary of the comparison between two primary trip generations.

**Table 2
Primary Trip Generation Comparison**

Scenario	Weekday 24 Hour Volumes	Saturday Peak Hour Trips		Weekday PM Peak Hour Trips	
		Enter	Exit	Enter	Exit
Original TIA Calculations	16,964	1,168	1,086	543	525
Updated Site Plan Calculations	12,567	981	936	475	466
Site Trip Difference	-4,397	-187	-150	-68	-59

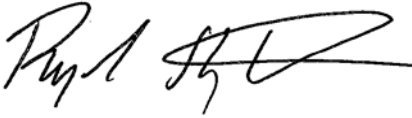
As illustrated above, if the proposed site is developed, there would be an anticipated decrease in traffic in comparison to what was originally calculated. In a typical 24-hour weekday, there will be a decrease of 4,397 expected site trips. Of those trips, it is anticipated there will be a decrease of 337 (187 entering and 150 exiting) during the Saturday peak hour and a decrease of 127 (68 entering and 59 exiting) during the PM peak hour.

Conclusion

Considering the findings from this trip generation letter, it is determined that the updated site plan for Southport Crossings (the large parcel of the Keesee Property) will generate fewer trips than what was originally calculated with the original TIA submittal in 2008. Due to the decrease in anticipated site traffic, no additional roadway improvements are recommended beyond previous requirements.

If you should have any questions, please feel free to contact me at (919) 872-5115.

Sincerely,



Rynal Stephenson, P.E.
Regional Manager

RAMEY KEMP & ASSOCIATES, INC.

NC Corporate License # C-0910

Attachments: Southport Crossings Updated Site Plan
Original TIA Trip Generation
Keese Property Overall Site Location
Trip Generation Comparison

Original TIA Trip Generation

LARGE PARCEL – TRIP GENERATION FROM ORIGINAL TIA

ITE LAND USE (Code)	SIZE	AVERAGE DAILY TRAFFIC (vpd)	PM PEAK HOUR (vph)		SAT PEAK HOUR (vph)	
			Entering	Exiting	Entering	Exiting
Shopping Center (820)	45,250 s.f.	3,401	150	163	225	208
<i>Less Pass- By Trips</i>			-53	-53	-	-
Pharmacy/Drugstore (881)	15,100 s.f.	1,331	64	66	59	59
<i>Less Pass- By Trips</i>			-32	-32	-	-
Supermarket (850)	50,000 s.f.	4,739	275	264	296	285
<i>Less Pass- By Trips</i>			-97	-97	-	-
Home Imp. Superstore (862)	129,000 s.f.	3,848	216	177	369	327
<i>Less Pass- By Trips</i>			-94	-94	-	-
Drive-in Bank (912)	3 Lanes	1,234	77	77	104	96
<i>Less Pass- By Trips</i>			-36	-36	-	-
Fast-Food Restaurant (934)	3,455 s.f.	1,714	62	57	104	100
<i>Less Pass- By Trips</i>			-26	-26	-	-
Automated Car Wash (948)	1,620 s.f.	--	11	11	11	11
Bowling Alley (437)	20,900 s.f.	697	26	48	0	0
Total Site Trips		16,964	881	863	1,168	1,086
<i>Less Total Pass-By Trips</i>		--	-338	-338	--	--
Total Primary New Trips		16,964	543	525	1,168	1,086

KEESEEE PROPERTY – TRIP GENERATION FROM ORIGINAL TIA

ITE LAND USE (Code)	SIZE	AVERAGE DAILY TRAFFIC (vpd)	PM PEAK HOUR (vph)		SAT PEAK HOUR (vph)	
			Entering	Exiting	Entering	Exiting
Shopping Center (820)	29,600 s.f.	2,225	98	106	148	136
<i>Less Pass- By Trips</i>			-35	-35	-	-
Total Primary New Trips		2,225	63	71	148	136

SWAIN PROPERTY – TRIP GENERATION FROM ORIGINAL TIA

ITE LAND USE (Code)	SIZE	AVERAGE DAILY TRAFFIC (vpd)	PM PEAK HOUR (vph)		SAT PEAK HOUR (vph)	
			Entering	Exiting	Entering	Exiting
Pharmacy/Drugstore (881)	13,300 s.f.	1,173	56	58	52	52
<i>Less Pass- By Trips</i>			-28	-28	-	-
Total Primary New Trips		1,173	28	28	52	52

DATE	BY
8/26/08	
CHKD	
APP'D	
REV	

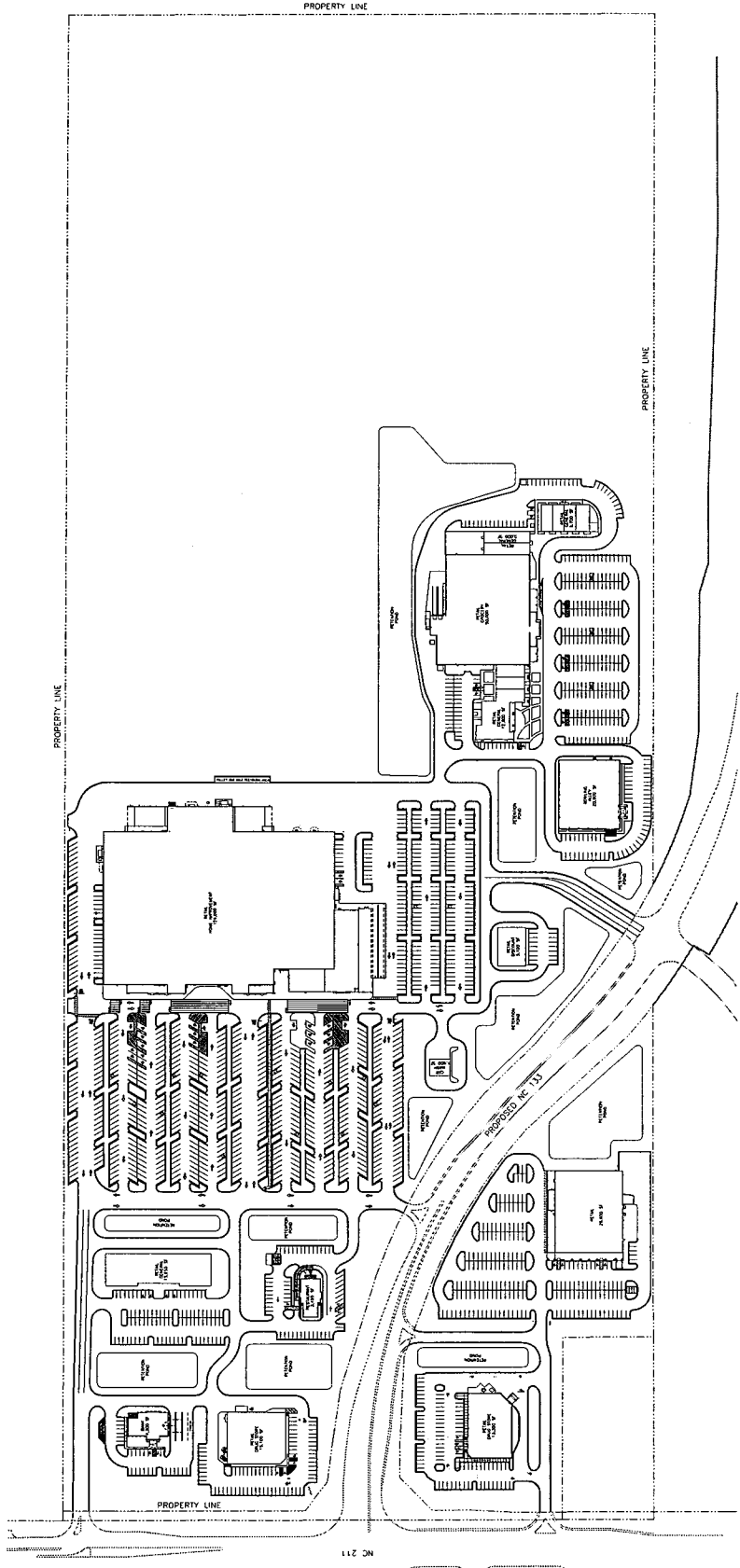
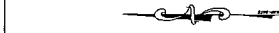


NORRIS, KUSKE & TUNSTALL
 CONSULTING ENGINEERS, INC.
 902 MARKET STREET
 WILMINGTON, NC 28401
 PHONE (910) 343-9533
 FAX (910) 343-9504
 office@nktd.com

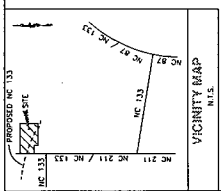
OWNER:
 W. & BRAD KEESEE
 500 COUNTRY CLUB DRIVE, UNIT D
 OAK ISLAND, NC 28553

PRELIMINARY MASTER PLAN
 KEESEE PROPERTY
 SOUTHPORT
 BRUNSWICK COUNTY, N. C.

SYMBOL	DATE	DESCRIPTION	BY
Q		2008 NORRIS, KUSKE & TUNSTALL	
		REVISIONS	



NOTE: SITE PLAN USE MODIFICATION
 BY RKA ON OCTOBER 15, 2008



4. TRIP GENERATION

The average weekday daily, weekday PM peak hour, and Saturday peak hour trips for the proposed development were calculated utilizing methodology contained within the Institute of Transportation Engineers (ITE) *Trip Generation* Manual, 7th Edition. A detailed breakdown of the trip generation results can be found in Table 2.

**TABLE 2
Trip Generation Summary**

ITE LAND USE (Code)	SIZE	AVERAGE DAILY TRAFFIC (vpd)	PM PEAK HOUR (vph)		SAT PEAK HOUR (vph)	
			Entering	Exiting	Entering	Exiting
Shopping Center (820)	74,850 s.f.	5,626	248	269	373	344
<i>Less Pass- By Trips</i>			-88	-88	-	-
Pharmacy/Drugstore (881)	15,100 s.f.	1,331	64	66	59	59
<i>Less Pass- By Trips</i>			-32	-32	-	-
Pharmacy/Drugstore (881)	13,300 s.f.	1,173	56	58	52	52
<i>Less Pass- By Trips</i>			-28	-28	-	-
Supermarket (850)	50,000 s.f.	4,739	275	264	296	285
<i>Less Pass- By Trips</i>			-97	-97	-	-
Home Imp. Superstore (862)	129,000 s.f.	3,848	216	177	369	327
<i>Less Pass- By Trips</i>			-94	-94	-	-
Drive-in Bank (912)	3 Lanes	1,234	77	77	104	96
<i>Less Pass- By Trips</i>			-36	-36	-	-
Fast-Food Restaurant (934)	3,455 s.f.	1,714	62	57	104	100
<i>Less Pass- By Trips</i>			-26	-26	-	-
Automated Car Wash (948)	1,620 s.f.	--	11	11	11	11
Bowling Alley (437)	20,900 s.f.	697	26	48	0	0
Total Site Trips		20,362	1,035	1,027	1,368	1,274
<i>Less Total Pass-By Trips</i>		--	-401	-401	--	--
Total Primary New Trips		20,362	634	626	1,368	1,274

PRIMARY TRIP GENERATION COMPARISON SUMMARY

Development	AVERAGE DAILY TRAFFIC (vpd)	PM PEAK HOUR (vph)		SAT PEAK HOUR (vph)	
		Entering	Exiting	Entering	Exiting
Original TIA					
Large Parcel	16,964	543	525	1,168	1,086
Keese Property	2,225	63	71	148	136
Swain Property	1,173	28	28	52	52
Original TIA Total	20,362	634	624	1,368	1,274
Updated Plan					
Large Parcel	12,567	475	466	981	936
Keese Property	2,225	63	71	148	136
Swain Property	1,173	28	28	52	52
Updated Plan Total	15,965	566	565	1,181	1,124
TRIPS DIFFERENCE	-4,397	-68	-59	-187	-150



PAT McCrory
Governor

NICHOLAS J. TENNYSON
Secretary

November 24, 2015

Rynal G. Stephenson, PE
Regional Manager
Ramey Kemp & Associates, Inc.
5808 Faringdon Place, Suite 100
Raleigh, NC 27609

Subject: Approval of the update for Southport Retail Project

To: Rynal Stephenson, PE

The Southport Retail Project is part of the TIA for Keese Property Commercial Development (dated October 2008). Congestion Management provided their review comments to the TIA in a letter dated December 19, 2008. The larger parcel of the original TIA, located in the NW quadrant of NC 211 and the realigned NC 133, is the subject of this update. The property is now owned by MDI Management. The two smaller parcels located in the NE quadrant of the study intersection, are the Keese and Swain properties. Their land uses are not included in the Southport Retail Project.

The NCDOT Division 3, District 3, Congestion Management, and Roadway Design staffs have reviewed the Southport Retail Project. Based on the collective review, the updated plan is accepted and approved based on the recommendations as outlined in Congestion Management's review of the original TIA, dated December 19, 2008. A copy of the letter with recommendations is included with the transmittal of this response.

Please note that Site Drive #1 on NC 211 will be restricted to right-in/right-out only. The internal protected storage lengths remain as recommended for all site drives. For Site Drive #5 at NC 133, the three egress lanes should include a minimum of 250 feet storage for the exclusive left-turn lane and exclusive right-turn lane. The improvements at NC 211 and Site Drive #2, and at NC 133 and Site Drive #3, do not serve the Southport Retail Project and are not considered part of this approval.

The applicant will be required to obtain an NCDOT driveway permit for access to the state road network. All applicable NCDOT driveway access technical standards and policies will apply.

If changes are made to the proposed site driveways, land use and/or intensity, the study parameters will need to be modified and a revised Traffic Impact Analysis will be required for review.



Sincerely,



Benjamin T. Hughes, PE
District Engineer
Division 3, District 3

BTH/klb

EC: James H. Dunlop, PE, Congestion Management Regional Engineer
Katie E. Hite, PE, PTOE, Division Traffic Engineer
Gary R. Lovering, PE, Project Engineer – Eastern Region, Roadway Design Unit
Steven D. Kendall, PE, Transportation Engineering Supervisor, Roadway Design Unit



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

MICHAEL F. EASLEY
GOVERNOR

LYNDO TIPPETT
SECRETARY

December 19, 2008

In reply, refer to
File No. SC-2008-050

MEMORANDUM

TO: Dan R. Cumbo, P.E., Division Traffic Engineer
Division 3

FROM: Regina E. Page, P.E., Eastern Region Project Design Engineer
Congestion Management Section

SUBJECT: Proposed Keesee Property Commercial Development on NC 133 (TIP R-3324)
and NC 211 in Brunswick County



Per your request, the Congestion Management Section of the Transportation Mobility and Safety Division has completed a review of the subject site. The comments and recommendations contained in this review are based on data for background conditions presented in the sealed TIA and are subject to the approval of the local District Engineer's Office and appropriate local authorities.

Date of Complete Information for Project Received by This Office	11/25/2008	Date of Second Preliminary Review Letter	11/25/2008
Date of Preliminary Master Plan Prepared by Norris, Kuske & Tunstall Consulting Engineers, Inc.	04/21/2008	Date of Sealed TIA Prepared by Ramey Kemp and Associates, Inc.	10/17/2008

Proposed Development

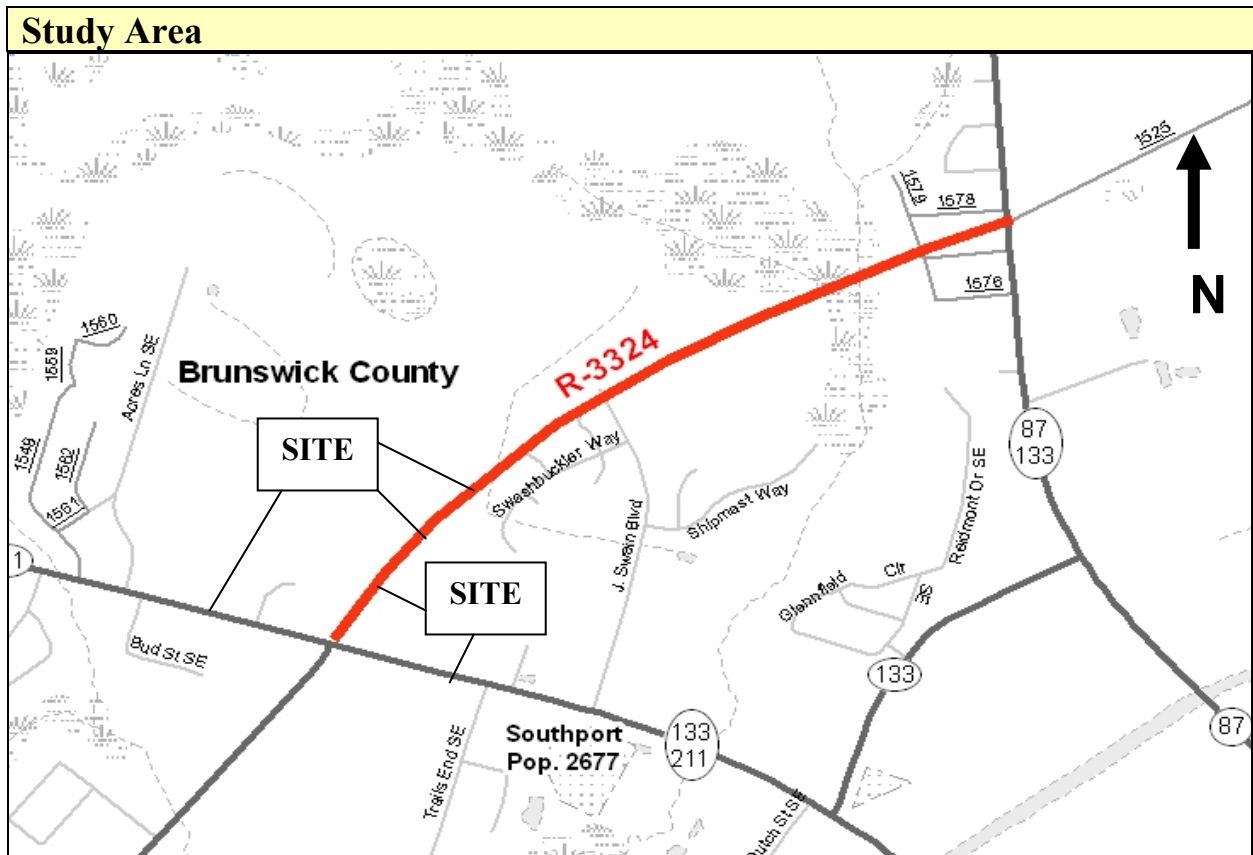
According to the TIA, the proposed Keesee Property Commercial Development is to be located on NC 133 north of NC 211. The TIA states the development is to be constructed by 2015 and is to consist of the following:

Land Use	Size
Shopping Center	74,850 square feet
Pharmacy/Drug Store	28,400 square feet
Supermarket	50,000 square feet
Home Improvement Superstore	129,000 square feet
Drive-in Bank	3 drive-through lanes

Fast-Food Restaurant	3,455 square feet
Automated Car Wash	1,620 square feet
Bowling Alley	20,900 square feet

Trip Generation – Unadjusted Volumes During a Typical Weekday / Saturday Based on appropriate methodology outlined in the <i>ITE Trip Generation Manual, 7th Edition</i>			
	IN	OUT	TOTAL
PM Peak Hour	1,035	1,027	2,062
Saturday Peak Hour	1,368	1,274	2,642
Daily Weekday Trips			20,362

Requested Access Points		
Driveway	Public Roadway	Access Type
1	NC 211	Left-over
2	NC 211	Right-in / Right-out
3	NC 133	Right-in / Right-out
4	NC 133	Right-in / Right-out
5	NC 133	Full Movement



TIP Projects in Study Area			
Project	Description	Let Date	Completion
R-3324	New Route, NC 211 to NC 87 at SR 1525 (Bethel Road). Two lane connector on new location.	07/21/2009	2011

Recommendations – Based on Full Build Out in TIP Design Year (2030)

NC 211 and NC 133 (TIP R-3324) Intersection (Signalized)

Due to the anticipated impacts that the additional traffic volumes associated with this development may have on the adjacent traffic facilities and with various other geometric improvements that may occur, this intersection may require signal modifications to accommodate this additional traffic volume.

Based upon our review, multiple movements are anticipated to operate at a poor level of service in the peak hour in the design year (2030). The following recommendations should accommodate the site-generated traffic, but do not include all improvements necessary to allow the intersection to attain acceptable levels of service with acceptable queuing.

Eastbound NC 211

- We recommend providing dual left-turn lanes with 400 feet (minimum) of full storage and appropriate transitional taper. To accommodate the dual left-turn lanes, dual receiving lanes will be required on NC 133 northbound departure. The additional receiving lane should terminate as an exclusive left-turn lane at the NC 133 and Site Driveway #5 intersection.
- We concur with the TIA recommendation that the TIP provide dual right-turn lanes with 300 feet (minimum) of full storage and appropriate deceleration taper.

Southbound NC 133

- We recommend providing an exclusive left-turn lane with 350 feet (minimum) of full storage and appropriate transitional taper.

NC 211 and Site Drive #1 (Right-in/Right-out)

Eastbound NC 211

- The TIA recommends a leftover with 200 feet of full storage at this intersection. Based on the analysis, a leftover is expected to operate at an acceptable level of service in the 2030 design year.
- Based on the analysis, if the leftover is denied, the intersection of NC 211 and NC 133 is expected to experience minor increases in delay and queuing.
- Due to the major thoroughfare classification of NC 211, we recommend this access be restricted to right-in / right-out access only at this intersection.

Westbound NC 211

- We concur with the TIA recommendation to provide an exclusive right-turn lane with 150 feet (minimum) of full storage and appropriate deceleration taper.

- We recommend that the dual receiving lanes resulting from the dual northbound left-turn lanes at the intersection of NC 133 and NC 211 extend 600' minimum past this intersection before merging traffic into a single lane.

Southbound Site Drive #1

- We concur with the TIA recommendation to provide a two lane cross-section consisting of one ingress lanes and one egress lane. The egress lane should provide for an exclusive right-turn lane only.
- The egress lane should provide a minimum of 150 feet of internal protected storage before parking and crossing maneuvers should be allowed. A concrete island should be provided to encourage exiting right-turn movements only.

NC 211 and Site Drive #2 (Right-in/Right-out)

We concur with the TIA recommendation that this driveway be restricted to right-in/right-out movements only. The following recommendations are based on this intersection operating as a right-in/right-out.

Westbound NC 211

- We concur with the TIA recommendation to provide an exclusive right-turn lane with 150 feet (minimum) of full storage and appropriate deceleration taper.

Southbound Site Drive #2

- We concur with the TIA recommendation to provide a two lane cross-section consisting of one ingress lanes and one egress lane. The egress lane should provide for an exclusive right-turn lane only.
- The egress lane should provide a minimum of 300 feet of internal protected storage before parking and crossing maneuvers should be allowed. A concrete island should be provided to encourage exiting right-turn movements only.

NC 133 and Site Drive #3 (Right-in/Right-out)

We concur with the TIA recommendation that this driveway be restricted to right-in/right-out movements only. The following recommendations are based on this intersection operating as a right-in/right-out.

Westbound Site Drive #3

- We concur with the TIA recommendation to provide a two lane cross-section consisting of one ingress lanes and one egress lane. The egress lane should provide for an exclusive right-turn lane only.
- The egress lane should provide a minimum of 100 feet of internal protected storage before parking and crossing maneuvers should be allowed. A concrete island should be provided to encourage exiting right-turn movements only.

Northbound NC 133

- We concur with the TIA recommendation to provide an exclusive right-turn lane with 150 feet (minimum) of full storage and appropriate deceleration taper.

NC 133 and Site Drive #4 (Right-in/Right-out)

We concur with the TIA recommendation that this driveway be restricted to right-in/right-out movements only. The following recommendations are based on this intersection operating as a right-in/right-out.

Eastbound Site Drive #4

- We concur with the TIA recommendation to provide a two lane cross-section consisting of one ingress lanes and one egress lane. The egress lane should provide for an exclusive right-turn lane only.
- The egress lane should provide a minimum of 200 feet of internal protected storage before parking and crossing maneuvers should be allowed. A concrete island should be provided to encourage exiting right-turn movements only.

Southbound NC 133

- We concur with the TIA recommendation to provide an exclusive right-turn lane with 150 feet (minimum) of full storage and appropriate deceleration taper.

NC 133 and Site Drive #5 / TriCity Property Driveway (Signalized)

Due to the anticipated impacts that the additional site-generated traffic may have on this intersection, we recommend, with approval from the Regional Traffic Engineer and the Division Traffic Engineer, that this intersection be signalized. The following recommendations are based on a traffic signal in place.

Based upon our review, multiple movements are anticipated to operate at a poor level of service in the peak hour in the design year (2030). The following recommendations should accommodate the site-generated traffic, but do not include all improvements necessary to allow the intersection to attain acceptable levels of service with acceptable queuing.

Eastbound Site Driveway # 5

- We concur with the TIA recommendation to provide a five lane cross-section consisting of two ingress lanes and three egress lanes. The egress lanes should consist of an exclusive left-turn lane, an exclusive through lane, and an exclusive right-turn lane. We recommend providing 300 feet (minimum) of internal protected storage before crossing maneuvers and parking should be allowed.

Northbound NC 133

- We concur with the TIA recommendation to provide dual exclusive left-turn lanes with 400 feet (minimum) of full storage and appropriate transitional taper.

Southbound NC 133

- We concur with the TIA recommendation to provide an exclusive right-turn lane with 150 feet (minimum) of full storage and appropriate deceleration taper.

General Reference and Recommendations

Policy on Street and Driveway Access to North Carolina Highways, July 2003

<http://www.ncdot.org/doh/preconstruct/altern/value/manuals/pos.pdf>

North Carolina Median Crossover Guidelines

<http://www.ncdot.org/doh/preconstruct/traffic/congestion/CM/docs/MCGuidelines.pdf>

NCDOT TIA Analysis Guidelines

<http://www.ncdot.org/doh/preconstruct/traffic/congestion/CM/docs/TIA.pdf>

NCDOT Trip Generation Rate/Equation Recommendations

<http://www.ncdot.org/doh/preconstruct/traffic/congestion/CM/docs/rate.xls>

NCDOT Congestion Management Driveway Permit Review General Comments

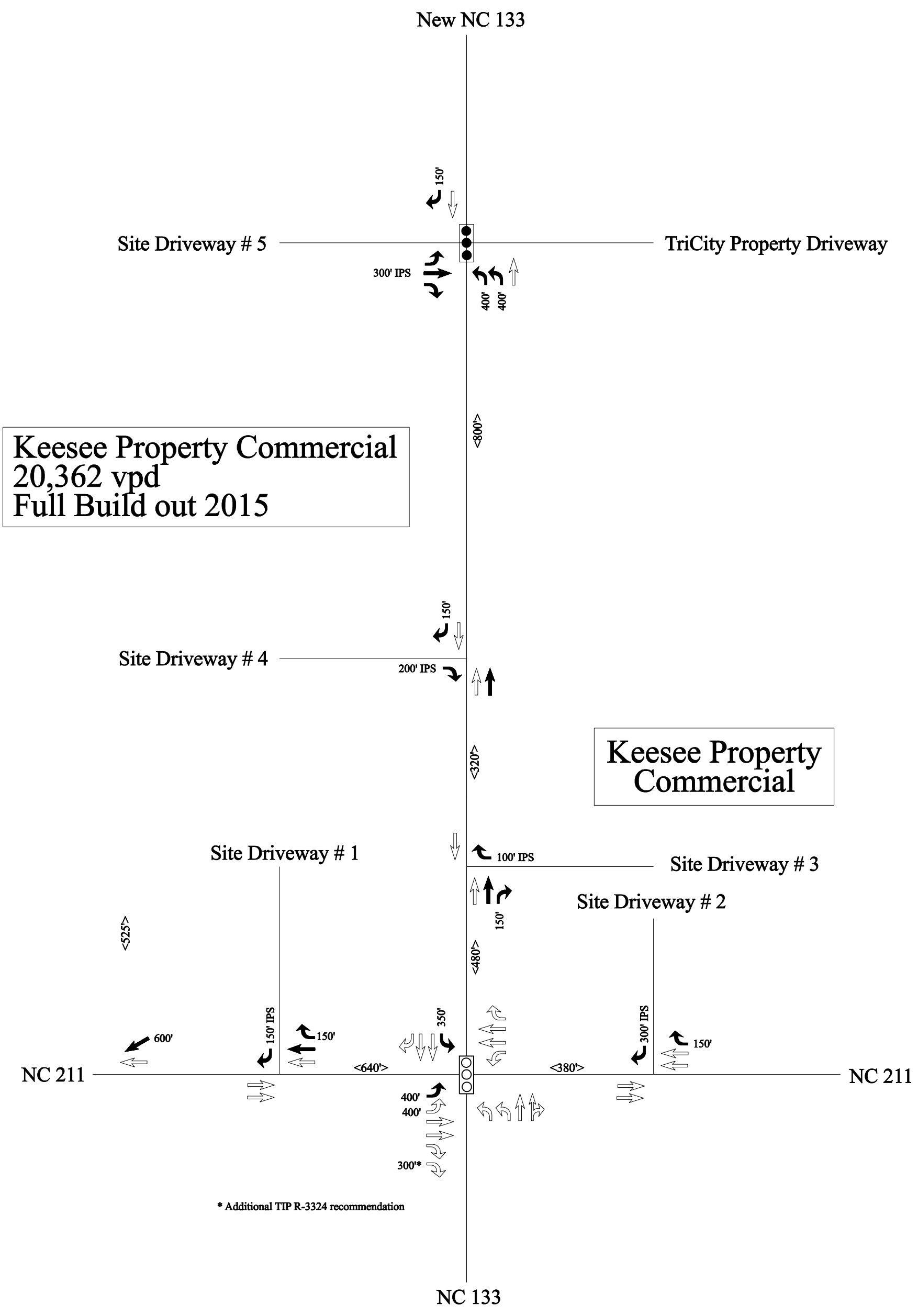
<http://www.ncdot.org/doh/preconstruct/traffic/congestion/CM/docs/GenComments.pdf>

Once the driveway permit has been approved and issued, a copy of the final driveway permit requirements should be forwarded to this office. If we can provide further assistance, please contact me or BenJetta L. Johnson, P.E. at (919) 773-2800.

REP

Attachment

cc: H. A. Pope, P.E.
A. Law
J. K. Lacy, P.E., C.P.M.
T. M. Hopkins, P.E. (Attention: A. D. Wyatt, P.E. and P. H. Daughtry, P.E.)
M. P. Butler, P.E.
G. A. Fuller, P.E. (Attention: P. L. Alexander, P.E.)
J. S. Goodnight, P.E.
J. S. Bourne, P.E.
J. H. Dunlop, P.E.
B. L. Johnson, P.E.
D. Y. Ishak



Keesee Property Commercial
 20,362 vpd
 Full Build out 2015

Keesee Property Commercial

* Additional TIP R-3324 recommendation

Keesee Property Commercial Development (SC-2008-050)
Recommended Laneage and Storage (TIP Design Year 2030)
Legend

- | | | | |
|--|--|--|----------------------------|
| | Existing / TIP R-3324 Proposed Lane | | TIP R-3324 Proposed Signal |
| | Recommended Laneage | | Proposed Signal |
| | Approximate Distance Between Intersections | | |
| | Storage Lengths | | |

* Drawing Not To Scale *



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT
WILMINGTON REGULATORY OFFICE
69 DARLINGTON AVENUE
WILMINGTON NORTH CAROLINA 28403

September 30, 2025

Regulatory Program/Division

Sent Via Email: nhakim@edgehillrec.com & rowe@wakefieldassociates.net

Nick Hakim
Edgehill Real Estate Capital
1111 Metropolitan Avenue #700
Charlotte, NC 28204

And

John Orgain
MDI Management LLC
120 4th Street SW
Hickory, NC 28602

Dear Mr. Hakim & Mr. Orgain:

This letter is in response to your request to the Wilmington District, Wilmington Field Office for an approved jurisdictional determination. The project/review area is located on the west side of Long Beach Road SE near the Southport Commons shopping area at the intersection with Southport Supply Road SE (Hwy 211), at Latitude 33.956930 and Longitude -78.048030; in Southport, Brunswick County, North Carolina. The review area for this determination is limited to an approximately 48.01 acre area (comprised of 1 parcel (parcel number: 208700876750), which is illustrated on the enclosed site maps. This request has been assigned the file number SAW-2022-01540 or SAW-2024-01303 (Southport Crossing / Long Beach Road / Southport NC / Brunswick County). These file numbers represent two separate jurisdictional determination requests for the same property. Both requestors are included in this verification letter. Either file number can be referenced in correspondence concerning this project.

Based on our review of the information you furnished, a site inspection conducted on September 25, 2025, and other information available to our office, we have determined the above-referenced area contains 22.524 acres of waters of the United States under U.S. Army Corps of Engineers (Corps) regulatory jurisdiction. These waters are identified in the enclosed site maps, Figure 7: Wetlands and Waters Delineation Map dated September 29, 2025, and include wetlands. This determination was made in accordance with the Corps regulatory authority pursuant to Section 404 of the Clean Water Act, and based upon criteria contained in the 1987 Corps of Engineers Wetland Delineation Manual and the Atlantic and Gulf Coastal Plain regional supplement. This determination is valid for a period of **five years** from the date of the letter, unless new

information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.

This letter contains an approved jurisdictional determination for your subject site. If you object to this determination, you may request an administrative appeal under Corps regulations at 33 CFR Part 331. Enclosed you will find a Notification of Appeal Process (NAP) fact sheet and request for appeal (RFA) form. If you request to appeal this determination you must submit a completed RFA form to the Division Appeals Officer at the address listed on the RFA form. In order for an RFA to be accepted by the Corps, the Corps must determine that it is complete, that it meets the criteria for appeal under 33 CFR part 331.5, and that it has been received by the Division Office within 60 days of the date of the NAP. Should you decide to submit an RFA form, it must be received by the Corps by November 29, 2025. **It is not necessary to submit an RFA form to the Division Office if you do not object to the determination in this correspondence.**

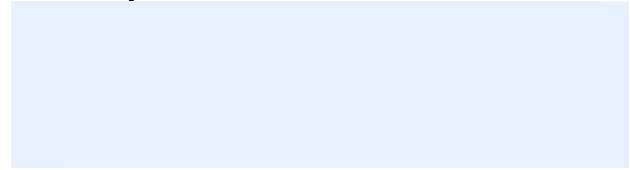
Section 404 of the Clean Water Act requires a Department of the Army (DA) permit be obtained prior to the discharge of dredged or fill material into waters of the United States, including wetlands. Section 10 of the Rivers and Harbors Act of 1899 requires a DA permit be obtained for any work in, on, over or under navigable waters of the United States.

This determination has been conducted to identify the limits of Corps' Clean Water Act jurisdiction for the review area identified in this request. The determination may not be valid for the wetland conservation provisions of the Food Security Act of 1985. If you or your tenant are USDA Program participants, or anticipate participation in USDA programs, you should request a certified wetland determination from the local office of the Natural Resources Conservation Service, prior to starting work.

You are cautioned that work performed below the mean high water line or ordinary high water line in waters of the United States; and/or, the discharge of dredged or fill material into any areas identified on the enclosed information as within Federal jurisdiction, without a Department of the Army permit could subject you to enforcement action. Receipt of a permit from a state or local municipality does not obviate the requirement for obtaining a Department of the Army permit.

If you have any questions concerning this correspondence, please contact Katharine Elks, project manager of the Wilmington Field Office at 910-251-4567, by mail at the above address, or by email at katharine.b.elks@usace.army.mil. Please take a moment to complete our customer satisfaction survey located at <https://regulatory.ops.usace.army.mil/customer-service-survey/>.

Sincerely,

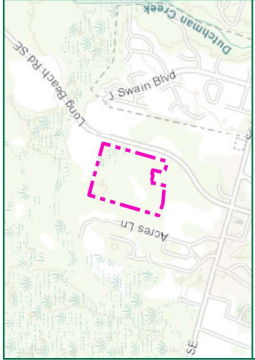


Katharine Elks
Regulatory Specialist, Wilmington Field
Office

Enclosures

cc: John Perry, Timmons Group (via john.perry@timmons.com)

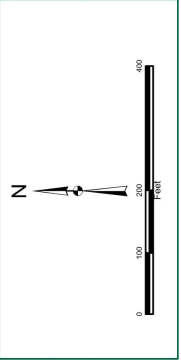
Noah Dean, Southern Environmental Group, inc. (via ndean@segi.us)

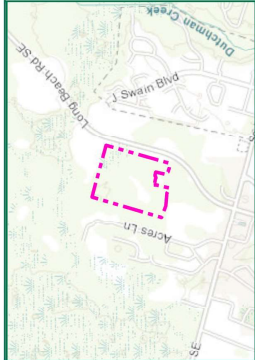


Delineation table on page 2.

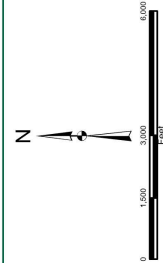
- Legend**
- Project Study Limits - 48.01 acres
 - Ditch Identifier
 - Wetland Identifier
 - Field Data Station
 - Non-Jurisdictional Potential Non-Wetland Waters - Ditch
 - Non-Jurisdictional Palustrine Scrub-Shrub (PSS) Wetland
 - Potential Palustrine Emergent (PEM) Wetland
 - Potential Palustrine Forested (PFO) Wetland
 - Potential Palustrine Scrub-Shrub (PSS) Wetland
 - Non-Jurisdictional Non-Wetland Waters
 - Pond

1. Values of the U.S. within the project study limits have been located using submeter, Bluetooth, GPS antennas by Timmons Group.
 2. Values of the U.S. have not been confirmed by the U.S. Army Corps of Engineers until stamped.
 3. Project limits are approximate.





1. Values of the U.S. within the project study limits have been located using a submeter, Bluetooth GPS antennas by Timmons Group.
2. Values of the U.S. have not been confirmed by the U.S. Army Corps of Engineers until stamped.
3. Project limits are approximate.



Resource Identification	Confirmation				Resource Description Notes*	State Jurisdictional (401) & Federally Jurisdictional (404)
	PFO (acres)	PSS (acres)	PEM (acres)	POW (acres)		
A		11.369			NT/V	401 & 404
B		8.849			NT/V	401 & 404
C		9.816			NT/V	Non-Jurisdictional
D		1.384	0.027		NT/V	401 & 404
E				0.323	NT/NV	Non-Jurisdictional
F				0.169	NT/NV	Non-Jurisdictional
G	0.922				NT/V	401 & 404
Total	0.92	31.42	0.03	0.49		
Total Potentially Jurisdictional Wetland Area =				22.55 ac		
Total Potentially Jurisdictional Stream Length =				0 lf		
Total Non-Jurisdictional Wetland Area =				9.82 ac		

* T=Tidal; NT=Non-tidal; V=Vegetated; NV=Non-Vegetated; PFO=Palustrine Forested Wetland; PSS=Palustrine Open Water; R3= Upper Perennial Streams; R4=Intermittent Wetland; PEM=Palustrine Emergent Wetland; POW= Palustrine Open Water; R3= Upper Perennial Streams; R4=Intermittent Streams; R6 = Ephemeral Streams

TIMMONS GROUP

YOUR VISION ACHIEVED THROUGH OURS

7053 Celebration Park Ave, Suite 300, Richmond, VA 23258
CORPORATE OFFICE
TEL: 804.206.6500 FAX: 804.550.1548 www.timmons.com

Site Development | Residential | Infrastructure | Technology | Environmental

SOUTHPORT CROSSING
BRUNSWICK COUNTY, NORTH CAROLINA

FIGURE 7: WETLANDS AND WATERS DELINEATION MAP

DATE: 09/29/2025
DRAWN BY: L. YOWELL
DESIGNED BY: L. YOWELL
CHECKED BY: J. PERRY
SCALE: 1" = 3,000'

PROJECT NUMBER: 73345
SHEET NO.: 2 OF 2

These plans and associated documents are the exclusive property of TIMMONS GROUP and may not be reproduced in whole or in part and shall not be used for any purpose whatsoever, inclusive, but not limited to construction, bidding, and/or construction without the express written consent of TIMMONS GROUP.

**U.S. Army Corps of Engineers (USACE)
NOTIFICATION OF ADMINISTRATIVE APPEAL OPTIONS AND PROCESS
AND REQUEST FOR APPEAL**

For use of this form, see Section 404 of the Clean Water Act, Section 10 of the Rivers and Harbors Act of 1899, and Section 103 of the Marine Protection, Research, and Sanctuaries Act; the proponent agency is CECW-COR.

*Form Approved –
OMB No. 0710-0003
Expires 2027-10-31*

DATA REQUIRED BY THE PRIVACY ACT OF 1974

Authority The authorities for requesting this information are Sections 9, 10, 13, and 14, Rivers and Harbors Act of March 3, 1899; Section 404, Clean Water Act; and Section 103 Marine Protection Research and Sanctuaries Act of 1972.

Principal Purpose This information serves as notification to affected parties regarding the USACE administrative appeal options and process, as well as to facilitate requests for appeal of USACE decisions with which they disagree.

Routine Uses Routine uses will include: (a) To serve as notification to affected parties of the Corps administrative appeal options and process and to facilitate requests for appeal of Corps decisions with which they disagree. (b) Records may be referred to the Department of Justice for possible criminal prosecution. (c) Records may be referred to other Federal, State, and local agencies for evaluation and enforcement purposes.

Disclosure Disclosure of this information is voluntary on your part. However, failure of individual to provide requested information could result in inability to determine all pertinent information regarding a Department of the Army permit matter.

The Agency Disclosure Notice (ADN)

The Public reporting burden for this collection of information, 0710-0003, is estimated to average 1 hour per response, including time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Send comments regarding the burden estimate or burden reduction suggestions to the Department of Defense, Washington Headquarters Services, at whs.mc-alex.esd.mbx.dd-dod-information-collections@mail.mil. Respondents should be aware that notwithstanding any other provision of law, no person shall be subject to any penalty for failing to comply with a collection of information if it does not display a currently valid OMB control number.

PURPOSE: This form is used to facilitate the initiation of the administrative appeals process. The appeals process allows an affected party to pursue an administrative appeal of certain Corps of Engineers decisions with which they disagree.

Upon release, this form will also be available on the Corps website <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/>

Applicant: Nick Hakim		File Number: SAW-2022-01540	Date: 9/30/2025
Documents Attached (<i>select all that apply</i>):			Form Reference Section:
<input type="checkbox"/>	INITIAL PROFFERED PERMIT (Standard Permit or Letter of permission)	A	
<input type="checkbox"/>	PROFFERED PERMIT (Standard Permit or Letter of permission)	B	
<input type="checkbox"/>	PERMIT DENIAL WITHOUT PREJUDICE	C	
<input type="checkbox"/>	PERMIT DENIAL WITH PREJUDICE	D	
<input checked="" type="checkbox"/>	APPROVED JURISDICTIONAL DETERMINATION	E	
<input type="checkbox"/>	PRELIMINARY JURISDICTIONAL DETERMINATION	F	

SECTION I

The following identifies your rights and options regarding an administrative appeal of the above decision. Additional information may be found at <https://www.usace.army.mil/Missions/Civil-Works/Regulatory-Program-and-Permits/appeals/> or Corps regulations at 33 CFR Part 331.

A: INITIAL PROFFERED PERMIT: You may accept or object to the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **OBJECT:** If you object to the permit (Standard or LOP) because of certain terms and conditions therein, you may request that the permit be modified accordingly. You must complete Section II of this form and return the form to the district engineer. Upon receipt of your letter, the district engineer will evaluate your objections and may: (a) modify the permit to address all of your concerns, (b) modify the permit to address some of your objections, or (c) not modify the permit having determined that the permit should be issued as previously written. After evaluating your objections, the district engineer will send you a proffered permit for your reconsideration, as indicated in Section B below.

B: PROFFERED PERMIT: You may accept or appeal the permit

- **ACCEPT:** If you received a Standard Permit, you may sign the permit document and return it to the district engineer for final authorization. If you received a Letter of Permission (LOP), you may accept the LOP and your work is authorized. Your signature on the Standard Permit or acceptance of the LOP means that you accept the permit in its entirety, and waive all rights to appeal the permit, including its terms and conditions, and approved jurisdictional determinations associated with the permit.
- **APPEAL:** If you choose to decline the proffered permit (Standard or LOP) because of certain terms and conditions therein, you may appeal the declined permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

C. PERMIT DENIAL WITHOUT PREJUDICE: Not appealable

You received a permit denial without prejudice because a required Federal, state, and/or local authorization and/or certification has been denied for activities which also require a Department of the Army permit before final action has been taken on the Army permit application. The permit denial without prejudice is not appealable. There is no prejudice to the right of the applicant to reinstate processing of the Army permit application if subsequent approval is received from the appropriate Federal, state, and/or local agency on a previously denied authorization and/or certification.

D: PERMIT DENIAL WITH PREJUDICE: You may appeal the permit denial

You may appeal the denial of a permit under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.

E: APPROVED JURISDICTIONAL DETERMINATION: You may accept or appeal the approved JD or provide new information for reconsideration

- **ACCEPT:** You do not need to notify the Corps to accept an approved JD. Failure to notify the Corps within 60 days of the date of this notice means that you accept the approved JD in its entirety and waive all rights to appeal the approved JD.
- **APPEAL:** If you disagree with the approved JD, you may appeal the approved JD under the Corps of Engineers Administrative Appeal Process by completing Section II of this form and sending the form to the division engineer. This form must be received by the division engineer within 60 days of the date of this notice.
- **RECONSIDERATION:** You may request that the district engineer reconsider the approved JD by submitting new information or data to the district engineer within 60 days of the date of this notice. The district will determine whether the information submitted qualifies as new information or data that justifies reconsideration of the approved JD. A reconsideration request does not initiate the appeal process. You may submit a request for appeal to the division engineer to preserve your appeal rights while the district is determining whether the submitted information qualifies for a reconsideration.

F: PRELIMINARY JURISDICTIONAL DETERMINATION: Not appealable

You do not need to respond to the Corps regarding the preliminary JD. The Preliminary JD is not appealable. If you wish, you may request an approved JD (which may be appealed), by contacting the Corps district for further instruction. Also, you may provide new information for further consideration by the Corps to reevaluate the JD.

POINT OF CONTACT FOR QUESTIONS OR INFORMATION:

If you have questions regarding this decision you may contact:	If you have questions regarding the appeal process, or to submit your request for appeal, you may contact:
Name: Katharine Elks	Name: Krista Sabin, Regulatory Appeals Review Officer
Street Address, City, State: 69 Darlington Avenue Wilmington, NC 28403	Street Address, City, State: 60 Forsyth Street SW Room 9M 15 Atlanta, Georgia 30303-8801
Phone: 910-251-4567	Phone: 904-314-9631
Email: katharine.b.elks@usace.army.mil	Email: CESAD-Regulatory@usace.army.mil

SECTION II – REQUEST FOR APPEAL or OBJECTIONS TO AN INITIAL PROFFERED PERMIT

REASONS FOR APPEAL OR OBJECTIONS: (Describe your reasons for appealing the decision or your objections to an initial proffered permit in clear concise statements. Use additional pages as necessary. You may attach additional information to this form to clarify where your reasons or objections are addressed in the administrative record.)

ADDITIONAL INFORMATION: The appeal is limited to a review of the administrative record, the Corps memorandum for the record of the appeal conference or meeting, and any supplemental information that the review officer has determined is needed to clarify the administrative record. Neither the appellant nor the Corps may add new information or analyses to the record. However, you may provide additional information to clarify the location of information that is already in the administrative record.

RIGHT OF ENTRY: Your signature below grants the right of entry to Corps of Engineers personnel, and any government consultants, to conduct investigations of the project site during the course of the appeal process. You will be provided a 15-day notice of any site investigation and will have the opportunity to participate in all site investigations.

Email address of appellant and/or agent

Telephone number

Signature of appellant or agent

Date



DEPARTMENT OF THE ARMY
U.S. ARMY CORPS OF ENGINEERS, WILMINGTON DISTRICT
69 DARLING AVENUE
WILMINGTON, NORTH CAROLINA 28403

SAW-RG-L

29 September 2025

MEMORANDUM FOR RECORD

SUBJECT: US Army Corps of Engineers (Corps) Approved Jurisdictional Determination in accordance with the "Revised Definition of 'Waters of the United States'"; (88 FR 3004 (January 18, 2023) as amended by the "Revised Definition of 'Waters of the United States'; Conforming" (8 September 2023) ,¹ [SAW-2022-01540 & SAW-2024-01303] [(MFR 1 of 1)]²

BACKGROUND. An Approved Jurisdictional Determination (AJD) is a Corps document stating the presence or absence of waters of the United States on a parcel or a written statement and map identifying the limits of waters of the United States on a parcel. AJDs are clearly designated appealable actions and will include a basis of JD with the document.³ AJDs are case-specific and are typically made in response to a request. AJDs are valid for a period of five years unless new information warrants revision of the determination before the expiration date or a District Engineer has identified, after public notice and comment, that specific geographic areas with rapidly changing environmental conditions merit re-verification on a more frequent basis.⁴

On January 18, 2023, the Environmental Protection Agency (EPA) and the Department of the Army ("the agencies") published the "Revised Definition of 'Waters of the United States,'" 88 FR 3004 (January 18, 2023) ("2023 Rule"). On September 8, 2023, the agencies published the "Revised Definition of 'Waters of the United States'; Conforming", which amended the 2023 Rule to conform to the 2023 Supreme Court decision in *Sackett v. EPA*, 598 U.S., 143 S. Ct. 1322 (2023) ("*Sackett*").

This Memorandum for Record (MFR) constitutes the basis of jurisdiction for a Corps AJD as defined in 33 CFR §331.2. For the purposes of this AJD, we have relied on Section 10 of the Rivers and Harbors Act of 1899 (RHA),⁵ the 2023 Rule as amended,

¹ While the Revised Definition of "Waters of the United States"; Conforming had no effect on some categories of waters covered under the CWA, and no effect on any waters covered under RHA, all categories are included in this Memorandum for Record for efficiency.

² When documenting aquatic resources within the review area that are jurisdictional under the Clean Water Act (CWA), use an additional MFR and group the aquatic resources on each MFR based on the TNW, the territorial seas, or interstate water that they are connected to. Be sure to provide an identifier to indicate when there are multiple MFRs associated with a single AJD request (i.e., number them 1, 2, 3, etc.).

³ 33 CFR 331.2.

⁴ Regulatory Guidance Letter 05-02.

⁵ USACE has authority under both Section 9 and Section 10 of the Rivers and Harbors Act of 1899 but for convenience, in this MFR, jurisdiction under RHA will be referred to as Section 10.

[SAW-RG-L]

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), [SAW-2022-01540 & SAW-2024-01303]

as well as other applicable guidance, relevant case law, and longstanding practice in evaluating jurisdiction.

1. SUMMARY OF CONCLUSIONS.

- a. Provide a list of each individual feature within the review area and the jurisdictional status of each one (i.e., identify whether each feature is/is not a water of the United States and/or a navigable water of the United States).

i.

Name of Aquatic Resource	JD or Non-JD	Section 404/Section 10
A PSS	JD	Section 404
B PSS	JD	Section 404
C PSS	Non-JD	NA
D PSS	JD	Section 404
H PUB	Non-JD	NA
E POW	Non-JD	NA
F POW	Non-JD	NA
G PFO	JD	Section 404
D PEM	JD	Section 404

2. REFERENCES.

- a. "Revised Definition of 'Waters of the United States,'" 88 FR 3004 (January 18, 2023) ("2023 Rule")
- b. "Revised Definition of 'Waters of the United States'; Conforming" 88 FR 61964 (September 8, 2023))
- c. *Sackett v. EPA*, 598 U.S. 651, 143 S. Ct. 1322 (2023)

3. REVIEW AREA.

- A. Project Are Size (in acres): 48.01
- B. Center Coordinates of the Project Site (in decimal degrees)
Latitude: 33.9574595 Longitude: -78.0476051
- C. Nearest City or Town: Southport
- D. County: Brunswick
- E. State: North Carolina
- F. Other associated Jurisdictional Determinations (including outcomes):

Action ID	Type	Outcome
SAW-2008-01687	AJD	All waters were considered as jurisdictional under the AJD

[SAW-RG-L]

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G. Any additional, relevant site-specific information: Duplicate JD request from the property owner under Action ID 2024-01303. This JD request is from a potential buyer (2022-01540). Site visit to verify boundaries on 9/25/25, much drier than normal.

4. NEAREST TRADITIONAL NAVIGABLE WATER (TNW), THE TERRITORIAL SEAS, OR INTERSTATE WATER TO WHICH THE AQUATIC RESOURCE IS CONNECTED.

A. Name of nearest downstream TNW, Territorial Sea or interstate water: Dutchman Creek, which is a TNW.

B. Determination based on: This determination was made based on a review of desktop data resources listed in Section 9 of this memorandum and a field visit conducted on 9/25/25, and a review of the SAW Section 10 list.

5. FLOWPATH FROM THE SUBJECT AQUATIC RESOURCES TO A TNW, THE TERRITORIAL SEAS, OR INTERSTATE WATER.

Wetland A, B, D, and G are connected to RPWs that are contiguous with Dutchman Creek. The wetlands meet the hydrophytic vegetation, wetland hydrology, and hydric soil criteria of the 1987 Corps of Engineers Wetland Delineation Manual and the Eastern Mountains and Piedmont Regional Supplement and are contiguous with the unnamed tributary.

Historic Flowpath:

Wetland C is a Carolina Bay feature that extends out of the project area. It is surrounded on the southeast sides by an upland rim and development (stormwater pond). The west side of the Carolina Bay is cut off by Acres Lane SE. It appears that this area may have drained via ditch near the northwest corner toward Dutchman Creek, but this connection appears to have been cut off by the road and residential development. Wetland C meets the hydrophytic vegetation, wetland hydrology, and hydric soil criteria of the 1987 Corps of Engineers Wetland Delineation Manual and the Eastern Mountains and Piedmont Regional Supplement.

Ponds E & F were dug as a stormwater feature. During the 9.25.25 site visit these ponds had outlet control boxed installed. Neither pond is contiguous with downstream wetland or RPW.

RPW H is not abutting or contiguous with a TNW or an RPW. Based on the previous JD (2008-01687) this ditch extended south into wetlands labeled G and the wetlands in the roadside ROW. During the site visit there was an Ordinary High Water Mark (OHWM) observed as indicated by the following physical characteristics:

[SAW-RG-L]

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natural line impressed on the bank, absence of vegetation, scour, and bed and banks.

6. SECTION 10 JURISDICTIONAL WATERS⁶: Describe aquatic resources or other features within the review area determined to be jurisdictional in accordance with Section 10 of the Rivers and Harbors Act of 1899. Include the size of each aquatic resource or other feature within the review area and how it was determined to be jurisdictional in accordance with Section 10.⁷ N/A
7. SECTION 404 JURISDICTIONAL WATERS: Describe the aquatic resources within the review area that were found to meet the definition of waters of the United States in accordance with the 2023 Rule as amended, consistent with the Supreme Court's decision in *Sackett*. List each aquatic resource separately, by name, consistent with the naming convention used in section 1, above. Include a rationale for each aquatic resource, supporting that the aquatic resource meets the relevant category of "waters of the United States" in the 2023 Rule as amended. The rationale should also include a written description of, or reference to a map in the administrative record that shows, the lateral limits of jurisdiction for each aquatic resource, including how that limit was determined, and incorporate relevant references used. Include the size of each aquatic resource in acres or linear feet and attach and reference related figures as needed.
 - a. Traditional Navigable Waters (TNWs) (a)(1)(i): N/A
 - b. The Territorial Seas (a)(1)(ii): N/A
 - c. Interstate Waters (a)(1)(iii): N/A
 - d. Impoundments (a)(2): N/A
 - e. Tributaries (a)(3): N/A
 - f. Adjacent Wetlands (a)(4):

⁶ 33 CFR 329.9(a) A waterbody which was navigable in its natural or improved state, or which was susceptible of reasonable improvement (as discussed in § 329.8(b) of this part) retains its character as "navigable in law" even though it is not presently used for commerce, or is presently incapable of such use because of changed conditions or the presence of obstructions.

⁷ This MFR is not to be used to make a report of findings to support a determination that the water is a navigable water of the United States. The district must follow the procedures outlined in 33 CFR part 329.14 to make a determination that water is a navigable water of the United States subject to Section 10 of the RHA.

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Name of Aquatic Resource	Size (in acres)	Contiguous with or abutting? If so, list water	Describe continuous surface connection
A	11.369	Yes, RPW to Dutchman Creek	The wetland boundary is connecting and contiguous with an RPW of Dutchman Creek.
B	8.849	Yes, RPW to Dutchman Creek	
D	1.384	Yes, RPW to Dutchman Creek	
G	0.922	Yes, RPW to Dutchman Creek	

g. Additional Waters (a)(5): N/A

8. NON-JURISDICTIONAL AQUATIC RESOURCES AND FEATURES

- a. Describe aquatic resources and other features within the review area identified in the 2023 Rule as amended as not “waters of the United States” even where they otherwise meet the terms of paragraphs (a)(2) through (5). Include the type of excluded aquatic resource or feature, the size of the aquatic resource or feature within the review area and describe how it was determined to meet one of the exclusions listed in 33 CFR 328.3(b).⁸ N/A
- b. Describe aquatic resources and features within the review area that were determined to be non-jurisdictional because they do not meet one or more categories of waters of the United States under the 2023 Rule as amended (e.g., tributaries that are non-relatively permanent waters; non-tidal wetlands that do not have a continuous surface connection to a jurisdictional water).

Aquatic Resource Name	Resource Type	Reason the AR is not jurisdictional
C	Wetland (9.816 ac)	C was not abutting or contiguous with a TNW or an RPW.
E	Pond (0.323 ac)	E was not abutting or contiguous with a TNW or an RPW.
F	Pond (0.169 ac)	F was not abutting or contiguous with a TNW or an RPW.

9. DATA SOURCES. List sources of data/information used in making determination. Include titles and dates of sources used and ensure that information referenced is available in the administrative record.
 - a. 1. Date of Office (desktop review): 9/29/25
2. Date(s) of Field Review (if applicable): 9/25/25
 - b. Data sources used to support this determination (included in the administrative record).

⁸ 88 FR 3004 (January 18, 2023)

[SAW-RG-L]

SUBJECT: 2023 Rule, as amended, Approved Jurisdictional Determination in Light of *Sackett v. EPA*, 143 S. Ct. 1322 (2023), [SAW-2022-01540 & SAW-2024-01303]

- Aquatic Resources delineation submitted by, or on behalf of, the requestor:
Figure 7: Wetlands and Waters Delineation Map; dated 9/26/2025
- Aquatic Resources delineation prepared by the USACE: N/A
- Wetland field data sheets prepared by the Corps: N/A
- OHWM data sheets prepared by the USACE: N/A
- Previous JDs (AJD or PJD) addressing the same (or portions of the same)
review area: SAW-2008-01687
- Photographs: Timmons, 6/26/2025
- Aerial Imagery: NC OneMap
- LIDAR: QL2, 2014
- USDA NRCS Soil Survey: Figure 5: NRCS Soil Survey Map
- USFWS NWI maps: N/A
- USGS topographic maps: USGS Quadrangle Southport NC
- USGS NHD data/maps: Title and Dates
- Section 10 resources used: Title and Dates
- NCDWR stream identification forms
- North Carolina Stream Assessment Method (NCSAM) forms
- North Carolina Wetland Assessment Method (NCWAM) forms
- Antecedent Precipitation Tool Analysis: 6/26/2025 & 7/17/2025
- Other sources of Information: List

10. OTHER SUPPORTING INFORMATION. This AJD, MFR, and map is verified for 2 separate requests for the same property, one request by the owner and one request by the developer. SAW-2022-01540 and SAW-2024-01303

11. NOTE: The structure and format of this MFR were developed in coordination with the EPA and Department of the Army. The MFR's structure and format may be subject to future modification or may be rescinded as needed to implement additional guidance from the agencies; however, the approved jurisdictional determination described herein is a final agency action.



MEMORANDUM

To: Allison Engebretson, Edgehill REC, LLC.

From: Maureen Meehan, Planning Services Director

Date: January 28, 2026

Subject: TRC Comments - Southport Crossing Planned Unit Development (PUD) Major Modification

A Technical Review Committee (TRC) meeting was held on December 18, 2025, at 9 am to review the proposed major modification to the Southport Crossing PUD.

The proposed modification includes increasing the number of dwelling units to 130 townhomes, for a density of 2.7 dwelling units per acre, and reducing open space to 22.5 acres, which is 64%. There is also a change of dwelling unit type from a mix of single-family and multi-family to all multi-family. The maximum density for a PUD is 6 units per acre, and the minimum open space is 20% of the total acreage.

Upon approval of a PUD modification, the property owner must apply for a major subdivision preliminary plat and follow all other development and permitting requirements of the UDO.

The required information for all master development plans, including Staff comments and/or missing information, is included within the outline in red.

Master Development Plan

1. General Project Information
 1. Proposed or approved name of development, project, subdivision, and/or phase.
 2. Developer/applicant name(s), including mailing address(es) and telephone number(s). (If Applicable).
 3. Property owner name(s), including mailing address(es) and telephone number(s).
 4. Name, registration number, and seal of a professional Land Surveyor, Engineer, Landscape Architect, and/or Architect. (If Applicable).
 5. Date of plat/plan preparation and of surveys; North arrow and orientation; Map scale, denoted graphically and numerically.
 6. Sketch vicinity map showing the relationship between the proposed property or properties and the surrounding area.
 7. Tax parcel numbers, owners, zoning classifications, and book and page numbers of the site tract and adjacent tracts.
 8. Boundaries of any proposed or pending zoning districts on site. Boundaries must be described by bearing and distance where they do not follow

described boundaries.

9. Development Schedule and/or Phasing Plan

- All requirements in this section are met.

2. Land Use

1. Approximate location, dimensions, density, and description of proposed land use(s) on each tract or parcel, including single-family residential, multi-family residential, commercial, office, institutional, industrial, and recreational. Recreational uses shall specify type and future ownership.

- The open space calculations on the master plan and attached narrative do not match. Please update the calculations to match. Further, please break out the wetland calculation to show the amount of jurisdictional and non-jurisdictional wetlands.

3. Traffic, Parking, Movement

1. Approximate location, direction, dimensions, name, and surface type of existing or proposed rights-of-way and easements, including those being vacated and those on adjacent properties.

- Per Fire Chief, Charles Drew, the proposed 50' rights-of-way are sufficient.

- Per Fire Marshal, Madison Drew

- All roads must have an unobstructed width of 20' for emergency vehicle access.
- A secondary fire access entrance will be required due to the number of proposed units. This entrance can be limited access for emergency vehicles only.

2. Location of roads appearing on officially adopted plans.

3. Approximate location of roads, streets, and circulation patterns; including any proposed or required bicycle or pedestrian facilities.

- The cross-section of the street and the notes on the plan are not the same. The cross section depicts the required 5' sidewalks on both sides of the street. The notes on the site plan states "5' sidewalk located on at least one side of the road". Sidewalks must be on both sides of the street for the number of proposed units.

4. Approximate total square footage of existing and proposed impervious surfaces.

- The proposed impervious surface coverages are not included. Please provide information on the allowable impervious coverage allowed per the state stormwater permit.

5. Trip generation calculations in accordance with the most recent version of the ITE Trip Generation Manual.

1. If trip generation calculations are found to exceed Traffic Impact Study threshold, a Traffic Impact Study shall also be submitted following the process outlined in Section 3.13.

- Trip generation calculations trigger a traffic impact study per the UDO. Upon

conversations with NCDOT Division 3 Traffic Engineer, Benjamin Hughes, it is determined that the TIA that was completed and approved at the time of the original PUD zoning change was conservative and there is more traffic accounted for in the TIA than currently exists or that will be generated with the changes to the PUD.

- The number of trips generated with this proposed amendment is not increasing the original number of trips calculated for the entire development.
 - All required improvements for the PUD development have been installed.
 - This change in number of housing units will not trigger any new improvements by NCDOT.
- The applicant will update the existing TIA to include improvements that have been made, new developments in the vicinity that exist or are proposed, and any other variables that may affect circulation and access to the property.
4. Environmental Standards
 1. FEMA-designated flood hazard areas, including flood zone designations and map panels.
 2. Location and description of CAMA Areas of Environmental Concern, including 404 wetland areas as determined by the Army Corps of Engineers and coastal wetlands as determined by NCDEQ.
 - Please classify the wetlands by type on the site plan.
 3. Location and description of environmental features such as wooded areas, marshes, swamps, rock outcrops, ponds or lakes, streams or streambeds, and any other natural features affecting the site.
5. Landscaping & Tree Preservation
 1. Note on plan stating that prior to any clearing, grading, or construction activity tree protection fencing will be installed around protected plants, trees or groves of trees. No construction workers, tools, materials, or vehicles are permitted within the tree protection fencing.
 - A formal tree survey and mitigation plan will be required at the preliminary plat stage of development.
6. Any other information considered pertinent by the applicant, UDO Administrator, Planning Board, or Board of Aldermen.

AUTHORITY FOR APPOINTMENT OF PERSON
TO ACT ON MY BEHALF

The undersigned owner, MDI Management, LLC, does hereby appoint Edgehill REC, LLC & Paramounte Engineering, Inc. to act on my behalf for the purpose of petitioning the City of Southport for: a) an amendment to the text regulations; b) a change to the zoning map; c) approval of a special use permit; d) approval of a planned unit development site plan; and/or, e) street closing, as applicable to the property described in the attached petition.

The owner does hereby covenant and agree with the City of Southport that said person has the authority to do the following acts for and on behalf of the owner:

- (1) To submit a proper petition and the required supplemental materials:
- (2) To appear at public meetings to give testimony and make commitments on behalf of the owner; and
- (3) In the case of a special use permit, to accept conditions or recommendations made for the issuance of the special use permit on the owner's property.
- (4) To act on the owner's behalf without limitations with regard to any and all things directly or indirectly connected with or arising out of any petition.

This appointment agreement shall continue in effect until final disposition of the petition submitted in conjunction with this appointment.

Date: 11-14-2025

Appointee's Name, Address & Telephone:

Signature of Owner:

Edgehill REC, LLC
1111 Metropolitan Ave, Suite 700
Charlotte, NC 28204
704-206-8300

Paramounte Engineering, Inc.
122 Cinema Drive
Wilmington, NC 28403
910-791-6707

Planning - Membership and Vacancies

CITY	JUNE			2025	2026	2027	2028	2029	2030	2031	2032	2033
	Full			Seat 1 Seat 2 Seat 3	Seat 4 Seat 5	Seat 6 Seat 7	Seat 1 Seat 2 Seat 3	Seat 4 Seat 5	Seat 6 Seat 7	Seat 1 Seat 2 Seat 3	Seat 4 Seat 5	Seat 6 Seat 7
	ALT					Seat 8			Seat 8			Seat 8

1. Terms are three (3) years to expire in June of the third year.
2. Chair and Vice Chair serve a term of (1) year and may be reappointed following the end of the term at the Commission's discretion.
3. Per the UDO, no term limits have been set.

		Last Appointed (Year/Month)	Expiration (Year/Month)	Address	Phone
Seat 1	Maria Horton	25-Jul	28-Jun	414 N. Burrington Ave	703-969-2382
Seat 2	Doug Luehe	25-Jul	28-Jun	244 E. 11th St	(240) 210-3432
Seat 3	John Bove	25-Jan	28-Jun	305 E. West St	(919) 478-7765
Seat 4	Larry Ashely	24-Jun	26-Jun	637 Wild Rose Way	508-965-2699
Seat 5	Ed Ekert	26-Mar	26-Jun	313 E. Brown St	(704) 762-4910
Seat 6	Fred Fiss	25-Jan	27-Jun	216 N. Atlantic Ave	910-269-6901
Seat 7	Bob Lambert	25-Jan	27-Jun	109 W. Nash St	(910) 931-8061
Seat 8 ALT	Vacant		27-Jun		



Planning Board Update – March 2026

The Indian Trail Meeting Hall repairs are complete and is Open for Business! All Boards that regularly meet at the ITMH will return for April meetings. The Board of Adjustment March meeting will also take place at the ITMH.

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.

At the February 24, 2026, meeting, the Board of Adjustment approved a special use permit for an accessory dwelling unit at 508 Brunswick Street, tabled a special use permit for an accessory dwelling unit at 316 W Moore Street, and upheld staff's decision on a code enforcement case at 410 E Bay Street. The agenda for the March 24, 2026, meeting includes two special use permits for an accessory dwelling unit. The tabled case for a SUP-ADU at 316 W Moore from February and a new SUP-ADU at 206 W. Moore.

Historic Preservation Commission: Regular meetings of the Historic Preservation Commission are every 1st Wednesday at 4:00 p.m. at the Indian Trail Meeting Hall.

The draft local historic design standards are updated to reflect the suggested changes from the HPC's January 7, 2026, meeting and are available on the city's website. The suggested changes are results of public comment from the July 2025 public hearing and at other open meetings of the HPC through January 2026. New language is underlined, and deleted language is struck through. All changes are highlighted yellow.

The HPC will continue reviewing the updated draft local historic district design standards at the April 1, 2026, meeting. Staff is updating the document to meet the HPC's request from their February meeting, ensuring all statutory requirements and the recommended changes are consistent throughout. A copy will be available on the HPC website in the last week of March for review.

The document presented at the February meeting can be found at the link below.

<https://cityofsouthport.com/wp-content/uploads/2026/02/HPC-Recommendations-Design-Standards-1-22-26.pdf>

Forestry Committee: Regular meetings of the Forestry Committee are every 2nd Tuesday at 5:00 p.m. at Indian Trail Meeting Hall.

The Annual Arbor Day Celebration will take place on Saturday, April 25 at Franklin Square Park. The event starts at 11 am and will include entertainment, guest speakers, and free refreshments.

Staff reviewed proposed updates to Section 3.18, Tree Protection and Landscape Preservation, to the Committee for input. Revisions will be provided at the April 7 meeting. Once the language is vetted staff will share with the Planning Board for a recommendation to the Board of Aldermen.

Other Staff Projects:

- The Southeastern NC Hazard Mitigation Draft Plan was adopted by the Board of Aldermen at the March 12, 2026, meeting. This brings the city into compliance with State and Federal requirements for hazard mitigation planning and continues eligibility for pre and post disaster grant funding. The maintenance and adoption of a hazard mitigation plan is also part of the City's requirements for the Community Rating System (CRS) through the National Flood Insurance Program, which provides citywide discounts for flood insurance.
- The Comprehensive Plan action matrix is being reviewed in conjunction with UDO amendments proposed by the Board of Aldermen and Planning Board in October 2025. The 12–18-month priorities presented at the February PB meeting are attached to this update.
- The NC Resilient Coastal Communities Program (RCCP) Stakeholders are being identified, and a kickoff meeting will be held in early spring. This project is fully funded by a grant from the RCCP, through the General Assembly, and the National Fish & Wildlife Foundation.
- The Multimodal Acceleration Plan is in the final stage of completion. The final draft will be submitted to staff for review in late March. Once a final draft is complete, staff will present it to the Planning Board and then to the Board of Aldermen for local adoption—a multimodal grant from NCDOT funds the plan.

UDO Updates/Staff Priorities – Since the local adoption and state certification of the Southport 2050 Comprehensive Plan, staff are planning on a full review and update of the Unified Development Ordinance. Until a full review is started, staff are formulating a list of UDO updates using the short-term actions found in the comprehensive plan, priorities outlined by the Board of Aldermen in October 2025, and any other low hanging fruit projects that can be initiated, which may not be exclusively UDO updates.

2026 First/Second Quarter:

Policy 6.5 – Establish built-upon area limits for many zoning districts

- UDO Section 3.9 Dimensional Requirements will include impervious coverage limits and a City Ordinance for grading/land disturbance is being proposed by the City Engineer in conjunction with the Planning Department. This will complement the stormwater ordinance.

Policy 4.6 Continue to maintain and improve Southport’s tree canopy

- UDO Section 3.18 Tree Protection and Landscape Preservation – staff currently working with the Forestry Committee on language to present to the Planning Board

Policy 8.6 Manage and improve parkin downtown and in the yacht basin

- UDO Section 3.14 Parking – while this section will be fully reviewed during a full UDO update, there are subsections that have been identified for updates prior to the full review.

Policy 1.1 Encourage a development patter that honors Southport’s character and respects the natural environment.

- Article 3: Zoning – updates proposed last fall and identified by the Board of Aldermen will be included in this review.