



**CITY OF SOUTHPORT  
PLANNING BOARD  
REGULAR MEETING AGENDA  
SOUTHPORT COMMUNITY BUILDING  
223 E BAY ST  
SOUTHPORT NC 28461  
April 16, 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. 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.**
- E. Approval of Agenda**
- F. Approval of Minutes**
  - 1. March 19, 2026, Planning Board Regular Meeting Minutes
- G. Public Comment**
- H. Old Business**
  - 1. ZTA-24-05 Zoning Text Amendment Section 3.8.C. Bed and Breakfast (Special Events)
- I. New Business**
  - 1. ZTA-26-03 Zoning Text Amendment Section 3.1 Table of Uses – Pools in Business District
  - 2. ZTA-26-04 Zoning Text Amendment Section 3.8.Y. Mobile Vendor or Food Truck
- J. Staff Reports**
  - 1. Other Board and Committee Planning Updates
  - 2. Planning Updates
  - 3. Special Projects
- K. Board Comments**
- L. Adjourn**



**City of Southport  
Planning Board Regular Meeting  
Southport Community Building  
223 E Bay St  
Southport NC 28461  
March 19<sup>th</sup>, 2026,  
6:00 pm**

**MINUTES**

**Present Members:** Chair Lawrence N. Ashley, Vice Chair Fred Fiss, Ed Ekert, Bob Lambert, Maria Horton, Doug Luehe, John Bove

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

**Absent:** None

**Board of Aldermen Liaisons:** Karen Mosteller and Rebecca Kelley

**A. Call to Order**

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

**B. Invocation**

Mr. Luehe provided the invocation.

**C. Swearing-in of Newly Appointed Member**

Chair Ashley invited Ed Ekert to come forward. Deputy City Clerk Baillargeon administered the Oath of Office, swearing in Ed Ekert as a full voting member of the Planning Board, transitioning from alternate status to Seat 5.

Chair Ashley announced that Mr. Ekert has been moved from an alternate position to a full member of the Planning Board. He extended his congratulations and formally welcomed Mr. Ekert to the Board.

Mr. Ekert expressed his appreciation for the appointment.

Chair Ashley then introduced the Planning Board members and Staff present.

**D. Pledge of Allegiance**

Chair Ashley led members in the recitation of the Pledge.

Chair Ashley read the Ethics Statement.

**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.

**E. Approval of Agenda**

Chair Ashley asked for a motion and second to approve the agenda.

**A motion was made by Mr. Fiss and seconded Mr. Bove, to Approve the Agenda.**

**The motion carried unanimously.**

**F. Approval of Minutes**

- a. February 19<sup>th</sup>, 2026, Planning Board Regular Meeting Minutes

Chair Ashley stated that with the approval of the February 19<sup>th</sup>, 2026, meeting minutes, the Planning Board is now fully up to date on all prior meeting minutes. He expressed appreciation for City Clerk's efforts in compiling and organizing the records. Chair Ashley noted that the minutes will be available online for public access, highlighting that they are detailed and provide substantial information.

Chair Ashley then requested a motion to approve the minutes of the February 19<sup>th</sup>, 2026, meeting.

Mr. Luehe stated that, because he was absent from the February 19<sup>th</sup>, 2026, Planning Board meeting, he inquired whether he should vote or abstain.

Chair Ashley stated that Mr. Luehe could either vote or choose to abstain.

**A motion was made by Mr. Lambert and seconded Mr. Luehe, to Approve the February 19<sup>th</sup>, 2026, Planning Board Regular Meeting Minutes.**

Chair Ashley noted that Ms. Horton would be joining remotely.

**The motion carried unanimously.**

**G. Public Comment**

None.

**H. Old Business**

a. Rules of Procedure – Modification Adoption

Chair Ashley stated that during the previous meeting, proposed changes to the Rules of Procedure were introduced. He explained that, in accordance with standard practice, any such changes must be presented at one meeting and then voted on at the following meeting to allow adequate time for review and consideration by Board members.

Chair Ashley directed members to page 38 of the Agenda Packet for reference and requested a motion regarding the proposed amendments.

**A motion was made by Mr. Luehe and seconded Mr. Lambert, to Approve to the Planning Board Rules of Procedure.**

**The motion carried unanimously.**

Chair Ashley stated that a copy of the Rules and Procedures will also be provided to the Board of Aldermen.

b. Dashboard Software

Chair Ashley introduced the next agenda item and asked Staff to present the Dashboard update. He noted that no supporting document was included in the Agenda Packet for the Dashboard Software item, as it is intended to be an informational update from Staff.

City Planner Biddle reported that Staff were tasked with developing a dashboard to document and track various development activities, including major and minor site plan approvals, special use permits, variances, and text amendments.

He presented an initial version of the dashboard, focusing on special use permits processed by the City since 2023. City Planner Biddle explained that these permits have been entered into the system and categorized by status, including approved, withdrawn, and dismissed without approval.

He further described that the dashboard includes a mapped component integrated with the City's website, displaying the locations of special use permits by address. He noted that each location is represented by an interactive point, which, when selected, provides detailed information about the case, including hearing dates, outcomes, and the type of permit requested, such as Accessory Dwelling Units (ADU) or home occupations.

City Planner Biddle noted that the dashboard is in its early stages of development, having been created within the past one to two weeks, and is

being gradually introduced. He stated that Staff intends to integrate this tool with Brunswick County's existing dashboard system in the future.

He invited feedback and suggestions from the Board and indicated that updates and enhancements will be presented at future Planning Board meetings as development continues. City Planner Biddle concluded his presentation.

Chair Ashley asked City Planner Biddle if he enjoyed the process of developing the dashboard.

City Planner Biddle responded that he did enjoy the process, noting that he is currently taking a Geographic Information Systems (GIS) course, which has directly supported his work on the project. He explained that the timing has been beneficial, as his coursework has included creating dashboards and applications like the one being developed for the City.

He added that while the process has been rewarding, it has also presented some challenges, particularly in learning that there are multiple approaches to achieving the same outcome.

Chair Ashley inquired whether the dashboard is currently available to the public.

City Planner Biddle responded that it is not publicly available at this time, explaining that the version presented is a test product. He stated that it will not be released to the public until Director Meehan provides approval and noted that some initial challenges are anticipated during implementation.

Chair Ashley then asked about the expected rollout date.

City Planner Biddle stated that no official timeline has been established, as the project is still in early development. He noted that the current version was developed over the course of several hours and is part of an ongoing process.

Chair Ashley asked whether a version could be ready by the end of June.

City Planner Biddle responded that while the project may not be fully complete by that time, Staff expects to have a significantly improved version suitable for public release. He added that one of the primary constraints is the time required to clean and format historical data, which is more time-intensive than importing the data and building the dashboard itself.

Chair Ashley acknowledged the dashboard presentation and asked if any Board members had questions or comments.

Ms. Horton attempted to join the discussion remotely but experienced technical difficulties that prevented her from being heard in the Board Chambers.

Mr. Luehe suggested that the approach used earlier in the week by the subcommittee to develop ideas on another issue could serve as a useful model for developing the dashboard portal.

Chair Ashley asked if Mr. Luehe was referring to the Unified Development Ordinance (UDO) text amendment.

Mr. Luehe clarified that his offer was unrelated to the UDO text amendment, but rather to assist with organizing and formatting the data for import into the dashboard. He noted his experience with GIS and expressed willingness to help where needed.

City Planner Biddle thanked Mr. Luehe for the offer of assistance.

Ms. Horton attempted again to comment remotely, asking if she could be heard.

Chair Ashley acknowledged Ms. Horton and invited her to share any thoughts or questions. He noted that she could not be heard and observed that her microphone appeared to be muted. Chair Ashley asked the Board to pause briefly to allow Ms. Horton to rejoin the discussion.

Chair Ashley then commented on the dashboard project, stating that reviewing and digesting the data will take time to determine what is most relevant. He emphasized that the dashboard will be beneficial not only to the public but also to the Board of Aldermen, Planning Board, and Staff. He expressed appreciation for the efforts in developing the tool.

City Planner Biddle reiterated that the City's dashboard is being modeled after Brunswick County's system. He encouraged Board members to visit Brunswick County's planning website to view their two dashboards, one for commercial developments and one for residential, highlighting them as excellent examples to emulate.

Mr. Fiss asked whether the City's dashboard will be compatible with Brunswick County's dashboard.

City Planner Biddle confirmed that compatibility with the County's system is the goal.

Chair Ashley thanked City Planner Biddle and inquired whether Ms. Horton was still connected.

Ms. Horton confirmed that she could be heard.

Chair Ashley then asked if she had any questions regarding the dashboard.

Ms. Horton complimented City Planner Biddle on the dashboard and offered a suggestion for improvement. She recommended that, in addition to showing approvals or denials, the dashboard includes categories of approval types on a fiscal year basis.

She noted that while the chart displayed many colored bands, the legend was not entirely clear, and adding this categorization would allow the Board to track the number and types of permits or approvals more effectively.

Ms. Horton emphasized that organizing the data by fiscal year could also facilitate comparisons with budgets and other planning metrics. She concluded by reiterating that she thought the dashboard was very well done.

City Planner Biddle responded to Ms. Horton's suggestion, expressing that he thought it was a fantastic idea. He explained that while the dashboard is currently organized by calendar year (with variances labeled by code and iteration), adapting it to display data by fiscal year would be more complex. However, he emphasized that the adjustment is achievable and not insurmountable, and he is willing to work on implementing it.

Ms. Horton emphasized that, in addition to the fiscal year adjustment, displaying the types of approvals and disapprovals on the dashboard would be very helpful for tracking and analysis.

City Planner Biddle agreed with Ms. Horton's recommendation, stating that it is a great idea and that he intends to implement it. He thanked her for the suggestion.

Chair Ashley added that having the ability to sort the dashboard by either fiscal year or calendar year would provide flexibility. He agreed with Ms. Horton that analyzing work completed during a specific fiscal year could support budgeting and planning decisions.

Chair Ashley also noted that implementing this feature would be beneficial for City Planner Biddle's professional development and complimented him on the excellent work.

## **I. New Business**

### **a. Southport Crossing Planned Unit Development – Major Modification of the Master Plan**

Chair Ashley introduced the next agenda item, the Southport Crossing Planned Unit Development (PUD), major modification of the Master Development Plan. He explained the procedure for the review: Planning Services Director Meehan will provide a presentation, and the applicants may also present if they wish.

Chair Ashley noted that this item is not a public hearing, so there will be no public comment. He clarified that the Planning Board's role is to make a recommendation to the Board of Aldermen, either in favor or not in favor. The Board of Aldermen will have the final decision on the matter.

Director Meehan provided an overview of the applicant's proposal and the process for review. She noted that the applicant would also provide a detailed presentation following her remarks and that the Board could ask questions afterward.

Director Meehan explained that the request is for a major modification to the PUD Master Development Plan, specifically altering the type and number of dwelling units, amending Open Space, and adding community amenities such as a clubhouse and a swimming pool.

She reviewed the definition and purpose of a PUD, emphasizing that it is a zoning district designed for large-scale developments requiring flexibility in dimensional standards and mixed uses. She noted that a PUD must be approved alongside a Master Development Plan, and any modifications to the plan require Board review.

Director Meehan provided a timeline for the Southport Crossing project:

- 2008: Preliminary Master Development Plan and traffic impact analysis initiated for three parcels, including 324 multi-family units and 300,000 square feet of commercial space.
- 2014–2016: The property was annexed from Brunswick County and rezoned to PUD; Master Development Plan approval followed. And she shared that a new traffic generation report reduced commercial square footage and dwelling units.
- 2015: Preliminary plat approved for 265,000 square feet of nonresidential and 46 dwelling units.
- 2017-2018: Preliminary plat for the nonresidential portion was granted, and construction began.
- 2019: Major modification approved for lot line adjustments and redistribution of dwelling

units.

- 2026: The applicant is here, today, for another major modification to change to a 130 multi-family and for it to include a community amenity which would include the pool and clubhouse.

Director Meehan clarified that the site plan is an integral part of this project and any PUD. Once developed and approved under the UDO, the site plan governs the property for the duration of the plan, consistent with the PUD framework. Accordingly, the property remains subject to the 2004 UDO due to the nature of the PUD, its original approval, and the way it continues under that approval.

Director Meehan outlined the property location and site characteristics: approximately 48 acres north of the existing Southport Crossing commercial project, west of Highway 133, with access via Southport Crossing Way, Marina Run, or Highway 211. And she noted that the site is zoned PUD and designated medium-density residential in the Comprehensive Plan, which allows 3–4 dwelling units per acre, with multi-family units appropriate in planned developments.

Director Meehan highlighted recent environmental updates, including a 2025 Army Corps of Engineers determination removing portions of the site from jurisdictional wetlands, creating nearly 10 acres available for development under federal guidelines.

She provided a side-by-side comparison of the existing versus proposed Master Development Plans:

- Existing: 1.13 dwelling units per acre, 75% Open Space, no community amenities.
- Proposed: 2.7 dwelling units per acre, 64% Open Space, including clubhouse and pool.

Director Meehan reviewed site design details:

- 50-foot private rights-of-way with 26-foot travel lanes approved by Fire Chief Drew.
- Two secondary fire access options to be finalized during preliminary plat review.

Mr. Luehe asked to have the two access points addressed for clarification.

She shared that sidewalks on both sides of streets will ensure pedestrian connectivity to the mail kiosks, the community center, and the commercial areas.

Director Meehan stated that traffic impacts were also addressed. She stated that the proposed 130 townhomes are projected to generate approximately 852 trips per day, just above the 2004 UDO threshold requiring a traffic impact study. Director Meehan noted that, due to exceptions and prior improvements, a full new traffic study was not required. And she shared that

traffic assessment confirmed that existing and anticipated traffic levels would be accommodated by current infrastructure, with no additional improvements needed.

Director Meehan concluded with an overview that the Planning Board would focus primarily on the 130 proposed residential units and associated site and amenity modifications, with the applicant prepared to provide further details.

Chair Ashley asked for clarification regarding traffic studies, noting that the original studies included a large box (anchor) store that was never built, which might offset anticipated traffic impacts.

Director Meehan confirmed that the original plan anticipated higher intensity uses, including a larger facility, which would have generated more traffic than what currently exists at the commercial site.

Chair Ashley thanked Director Meehan for the clarification.

Director Meehan concluded her overview, emphasizing that her presentation covered the basic background and site information. She introduced the applicants, Brad Schuler and Allison Engebretson, from Paramount Engineering, who would provide a detailed presentation. She confirmed that Staff has determined the application is complete, eligible for review, consistent with the 2050 Comprehensive Plan, and appears consistent with the 2004 UDO. She noted that detailed measurements, landscaping, and tree removal requirements will be addressed at the preliminary plat stage.

Mr. Fiss asked about tree protections, noting that the project dates to 2008 and questioned whether current tree ordinance guidelines applied at that time.

Director Meehan clarified that while the 2008 regulations mention tree protection during construction, they are not as comprehensive as the current UDO requirements.

Mr. Fiss inquired whether the applicants could choose to follow the current tree ordinance if they wished.

Director Meehan confirmed that the applicants have the option to follow current UDO standards regarding tree protections. She then turned the presentation over to the applicants, Brad Schuler and Allison Engebretson from Paramount Engineering.

Chair Ashley requested, for the record, that the applicants introduce

themselves to the Planning Board.

Brad Schuler introduced himself as a land planner with Paramounte Engineering, along with Allison Engebretson, a land planner and landscape architect, and Tim Clinkscales, a professional engineer. They represent the applicant, Edgehill REC, LLC, represented on-site by Tyler Covington, and are seeking approval to modify the residential portion of the Southport Crossing development.

Mr. Schuler highlighted the subject property as part of the larger Southport Crossing development, which includes commercial parcels such as Lowe's Food Shopping Center, Tractor Supply, and adjacent outparcels near the intersection of Highway 211 and Highway 133. The rear portion of the site, previously planned for 324 multi-family apartments, is now proposed for townhome development.

The presentation addressed existing conditions, noting that a recent jurisdictional determination by the Army Corps of Engineers removed a wetland pocket near Tractor Supply from jurisdiction, opening the area for residential construction. Mr. Schuler stated that the plan clusters most townhomes in this newly available area, preserves remaining jurisdictional wetlands, and provides approximately 64% Open Space, excluding amenity areas and stormwater ponds.

Mr. Schuler showed site photos illustrating the current vegetation, which primarily consists of underbrush and younger pine trees, indicating minimal impact to large, mature trees. He also shared architectural examples of proposed units, including one- and two-story townhomes with two or three bedrooms and attached one- or two-car garages.

He shared that the proposed community amenity includes a clubhouse and pool, featuring a fitness center, leasing office, and mail facility.

Regarding traffic, Mr. Schuler explained that the townhomes are low trip-generating, producing approximately 60–70 peak hour trips. A previous Traffic Impact Assessment (TIA) exists for the overall Southport Crossing development. Following consultation with NCDOT, it was determined that no new full TIA is required. The proposed townhomes would generate about 60% fewer trips than the 324 apartments originally planned, and the overall Southport Crossing development currently generates approximately 20% fewer trips than studied in 2015.

Mr. Schuler noted that all required roadway improvements have been completed, including contributions by the development to the Highway 211

widening project. Recent aerial images from April 2023 and October 2025 show improvements at the Highway 211/Highway 133 intersection, including a flyover eliminating the signal, and improvements to Old Long Beach Road providing enhanced access to Southport Crossing.

Mr. Schuler noted that the earliest anticipated Certificates of Occupancy (COs) for the townhomes are expected in 2028, by which time the Highway 211 widening project is scheduled to be completed.

Mr. Luehe asked about potential future traffic improvements at the intersection of Highway 133 and Highway 211, specifically whether there might be an interchange or other configuration allowing traffic from the Southport Crossing site to merge onto Highway 211 without crossing it at grade.

Mr. Schuler responded that, to his knowledge, no such interchange is planned. He explained that access to Highway 211 from the site would be limited to the right-in/right-out at the pharmacy and the signalized access near Tractor Supply. Drivers would likely need to use Long Beach Road to reach Highway 211.

Mr. Luehe asked whether the most efficient route from the proposed community to Oak Island would require traveling past Lowe's Hardware along Highway 133.

Mr. Schuler confirmed that this is correct, noting that drivers would go straight through the site and then take a right onto Highway 133.

Chair Ashley added that traffic would need to pass by Lowe's to reach the highway.

Mr. Luehe clarified his understanding, acknowledging some initial confusion about the intersection location.

Mr. Schuler reiterated that, according to the 2050 Comprehensive Plan, the site is classified as low- to medium-density residential, recommending three to four units per acre and indicating that attached housing is potentially appropriate in planned developments. He highlighted the site's proximity to commercial services, allowing residents to access amenities without driving on Highway 211 or Highway 133. He concluded the presentation, noting that the team is available to answer any Board questions.

Mr. Fiss asked if the developer is the same as the 2008 project.

Mr. Schuler clarified that it is not.

Mr. Fiss then asked whether a significant amount of fill would be required in areas of the former wetlands.

Mr. Schuler responded that the exact amount is not yet determined and would be addressed during the preliminary plat process, including geotechnical investigations to ensure proper site support for development.

Chair Ashley asked if the applicants had any additional presentations for the Board.

The applicants stated they did not have any additional presentation materials.

Mr. Luehe prefaced a series of questions for both the applicant team and Director Meehan, thanking everyone for their patience and noting the volume of information involved. He asked Director Meehan to explain why the non-contiguous sections of the property adjacent to Highway 133 were incorporated into the Southport municipality, seeking context for viewers and those unfamiliar with the history of the annexation.

Director Meehan asked for clarification, seeking to understand whether Mr. Luehe's question was about why the parcels were not originally part of Southport or why they were eventually incorporated.

Mr. Luehe explained that the parcels were not initially part of Southport but were later annexed, and he was curious about the reason behind that decision.

Director Meehan confirmed the discussion was about the parcel under consideration in the current meeting and speculated that utilities or other municipal services may have been a factor but noted she did not have definitive information.

Tim Clinkscales of Paramounte Engineering shared that he could provide more background. Mr. Clinkscales added clarification, restating the question as: "why were the properties across from each other annexed into the Town of Southport?"

Mr. Luehe confirmed that the parcels were not originally part of Southport but are now annexed.

Mr. Clinkscales explained that the parcels were under the same ownership and were split up by Highway 133. He noted that at the time, Southport was

developing its own sewer system rather than relying on Brunswick County and Southeast Brunswick utilities. Due to the location of the parcels and of the sewer lines, he stated that annexation into the town was required to access municipal sewer. After annexation, sewer service was returned to Brunswick County.

Mr. Luehe thanked Mr. Clinkscales and moved on to discuss the modification request. He noted that the central change driving the proposal appeared to be the Corps of Engineers' removal of the protective jurisdictional designation for the wetlands.

Brad Schuler confirmed that this removal was indeed a key factor.

Mr. Luehe summarized his understanding of the proposal: the request increases the number and density of residential units from 60 single- and multi-family units to 130 multi-family townhome units, raising density from 1.13 units per acre to 2.7 units per acre. He asked if he was missing anything.

Ms. Horton responded that his calculation was correct.

Mr. Clinkscales clarified that the original plan called for 324 units, but market conditions, sewer capacity, and infrastructure constraints led to a reduction in units over time. He emphasized that the current proposal of 130 units represents a decrease of roughly two-thirds from the originally approved 324 units, rather than an increase from the prior buildout.

Mr. Luehe asked whether the Corps of Engineers' jurisdictional designation was in place at the time the original 324-unit plan was approved.

Mr. Clinkscales confirmed that it was but noted that there were options to develop portions of that land now considered non-jurisdictional with proper approvals.

Mr. Luehe acknowledged this clarification and moved on to a question for Director Meehan. He referenced the site plan dated February 11<sup>th</sup>, 2026, which indicated a maximum unit density of six units per acre in the left margin, asking where that value originated.

Director Meehan explained that the value represents the maximum allowable density for a PUD under the City's regulations.

Mr. Luehe referenced page 65 of the Agenda Packet, noting that the PUD was approved under the 2004 UDO, and some current UDO provisions are not applicable to the development or proposed changes. He asked Director

Meehan to clarify which provisions would not conform to the current UDO standards and whether any aspects of the project would be required to conform to the current UDO.

Director Meehan explained that the most significant difference is with the tree protection and landscape requirements. She noted that, aside from this, most other standards are very similar. And she clarified that because the project was approved under the 2004 UDO, as a PUD, it is allowed to proceed under those original standards and is not required to comply with the current UDO.

Allison Engebretson introduced herself with Paramounte Engineering and spelled her name for the record. She explained that although the project is under the older 2004 UDO, the design team has attempted to incorporate elements of the current UDO where feasible. For example, they are providing a minimum 20-foot buffer, often larger, and the areas proposed for development do not contain large trees that would trigger current tree protection standards, effectively aligning with the intent of the current code.

Mr. Luehe then asked Ms. Engebretson to clarify a statement from page 66 of the Agenda Packet regarding pedestrian facilities: “pedestrian facilities will be connected to any existing facilities adjacent to the commercial portion of the Southport Crossing.” He asked specifically how the proposed sidewalks would connect to the adjacent shopping center.

Ms. Engebretson addressed the question, noting that the proposed sidewalks within the residential portion of the development are designed to connect to existing pedestrian pathways in the commercial area, ensuring safe and continuous access between the residential units and the shopping center.

Ms. Engebretson explained that the development will include sidewalks on both sides of the streets within the residential area, as required. She emphasized the importance of providing pedestrian and bicycle connectivity to nearby goods and services, highlighting this as a key benefit of the location.

Ms. Engebretson pointed out a tan line on the plan, along Marina Way (west side), which connects the residential sidewalks directly to the existing sidewalks and pathways within the adjacent Southport Crossing shopping center, ensuring continuous pedestrian access.

Mr. Luehe asked for clarification regarding the NCDOT Complete Streets evaluation methodology. He noted that while Complete Streets emphasizes multimodal traffic, the primary focus of the NCDOT Traffic Impact Analysis for this project is on life and safety issues associated with automobiles, rather than non-motorized traffic such as pedestrians and bicyclists. He directed

this question to Director Meehan for confirmation.

Director Meehan acknowledged that the NCDOT Traffic Analysis primarily addresses vehicular traffic and safety, and while multimodal considerations are part of Complete Streets policy, the evaluation conducted for this development focuses on automobile impacts.

Mr. Luehe followed up, asking a question to the applicants regarding accommodation for non-motorized traffic. He acknowledged that while traffic studies have been conducted historically and updated several times, these primarily focus on vehicles. He asked what the project team is doing to address pedestrians, bicyclists, and other non-motorized users.

Ms. Engebretson responded that the project team will fully develop pedestrian and non-motorized traffic accommodation at the next stage of the process, if the project is approved. She noted that this will include features such as pedestrian crosswalks and other traffic-calming measures, including potentially additional stop signs, to ensure safe movement through intersections for pedestrians and bicyclists.

Mr. Luehe raised a final question about preserving the natural character of the site, particularly the skyline created by existing trees. He noted that while much of the vegetation is low-lying scrub and immature pines, there are areas of mature pines that contribute to the visual appeal.

Mr. Schuler and Ms. Engebretson responded that the development plan seeks to conserve the most significant vegetation. The largest pines and hardwoods, primarily located within wetlands on the west and back portions of the site, will be preserved. The proposed development is focused on areas with lower-quality, less mature vegetation. Additionally, wider buffers are proposed along the edges of the development to maintain existing tree lines and enhance the site's visual character, balancing development with conservation of the natural landscape.

Mr. Luehe emphasized the long-term impact of tree removal, noting that mature trees lost today are gone for generations. He stressed the importance of conserving existing trees, allowing progress while maintaining sensitivity to the natural environment.

Ms. Engebretson responded that, while not every tree can be preserved due to the development, the project includes plans to replant canopy in the developed areas. This approach aims to create a more diverse and healthier ecosystem, offsetting some of the vegetation loss.

Mr. Fiss asked about the potential impact from Brunswick County's stop on applications for sewer connections and how that might affect the project.

Mr. Clinkscales responded that, given the current project timeline, the county's stop on sewer connections is not expected to delay the development. He noted that the team is still about nine months away from submitting permits and that the on-site pump station currently has sufficient capacity. While there could be issues if the stop persists into the later stages, they anticipate the situation will be resolved before full permit submission.

Chair Ashley asked, for clarification, regarding the original 2008 site plan: the plan must have allocated a certain capacity for sewer connections, and would that capacity carry over to the proposed development today, or had it already been exceeded.

Mr. Clinkscales explained that while the overall study for sewer capacity included the entire area draining to the pump station, the permitting at the time was only completed for the shopping center portion, as the rear portion of the site did not yet have the detailed engineering required for approval.

Chair Ashley thanked Mr. Clinkscales for the explanation and asked if there were any more questions from the Board.

Ms. Horton commented that the information provided was very helpful and then raised a few process questions. She noted that this project has transitioned from a major development to a PUD, and now back to a major modification, and asked at what point major modifications are held to specific UDO approvals. She highlighted that this is relevant for considerations such as tree canopy protection and sewer infrastructure.

Ms. Horton expressed concern that using the 2004 UDO rules for a project approved under that code, despite changes in ownership, builders, or project type, could make the approval feel more like a placeholder rather than a definitive project approval. She suggested that the planning committee and Planning Board consider the long-term process implications, noting that future owners could continue to request modifications indefinitely. She emphasized that this is a commentary for the applicants, Staff, and Board members to consider, rather than a question expecting an immediate answer.

Ms. Horton thanked the presenters and commented that the information was very helpful.

Chair Ashley thanked Ms. Horton for her comments.

Director Meehan clarified that the property has always been zoned and approved as a PUD. She explained that the PUD zoning has always required a Master Development Plan, which must be approved as part of the rezoning process. She noted that the current process reflects the PUD zoning and associated Master Development Plan, rather than a conventional major development.

Ms. Horton sought clarification regarding the zoning designation of the subject property. She asked whether the property would remain classified as a PUD rather than reverting to a major development designation.

Director Meehan confirmed that the zoning designation would remain as a PUD. She explained that, while the property will continue to be zoned PUD, any subdivision of lots must proceed through the appropriate major site plan or major subdivision review processes.

Director Meehan further stated that the PUD designation requires an approved Master Development Plan. The current request before the Board represents a modification to that Master Development Plan. She added that any future subdivision applications would still fall under the PUD zoning classification and be subject to its requirements.

Ms. Horton stated that she understood the property is zoned as a PUD but noted that one of the documents referenced it as a “major development.” She acknowledged the previous clarification and then inquired how the proposed plan could be considered consistent with the City’s 2050 Comprehensive Plan if it is based on the 2004 UDO and plan standards.

Director Meehan explained that a development may still be consistent with the 2050 Comprehensive Plan even if it is reviewed under an older UDO. She stated that consistency is evaluated based on alignment with the future land use map, as well as the City’s adopted policies, goals, and development trends. She noted that, in this case, the proposal is considered consistent due to its alignment with the future land use map and relevant policies within the Comprehensive Plan. Director Meehan added that there may be instances where a proposal reviewed under older standards could be found inconsistent, which would require a different consideration.

Chair Ashley posed a hypothetical scenario regarding potential future changes to the development. He asked whether the applicant was to modify plans for another portion of the site, such as altering the mix of uses by increasing commercial or residential components, those changes would be governed by the existing 2004 UDO standards or subject to current regulations.

Chair Ashley inquired further whether the development would remain indefinitely subject to the 2004 UDO standards or if future modifications could require compliance with updated regulatory provisions.

Director Meehan clarified that parcels designated for commercial use are currently zoned Highway Commercial and must comply with the current UDO applicable to those parcels.

Chair Ashley followed up with a related question concerning the PUD portion of the site, specifically the rear portion of the plaza. He asked whether, in the event the commercial parcels could not be sold and were subsequently redeveloped, such changes would be governed by the 2004 UDO standards or by current regulations.

Chair Ashley expressed concern regarding the continued reliance on the 2004 UDO, noting that the City has implemented numerous improvements and policy changes since that time to support property preservation and economic development. He questioned the duration of applicability of the older ordinance standards and sought clarification on how long such provisions would remain in effect.

Director Meehan responded that continued applicability of prior standards depends on the project maintaining forward progress. She explained that if the applicant were to significantly alter the projects, such as reverting the development to a wholly nonresidential use, they would be required to return for further review.

Director Meehan noted that such a change would constitute a substantial modification to the PUD and would be considered a different use from what was originally approved. She added that the portion currently under consideration was approved as a residential component of the overall project and remains consistent with the original design framework.

Chair Ashley thanked Director Meehan for the clarification and apologized to Ms. Horton for interjecting ahead of her questions. He then returned the floor to Ms. Horton to allow for any additional inquiries.

Ms. Horton stated that she had no further questions, noting that her earlier comments were intended to clarify her understanding of the matter.

Mr. Lambert inquired about the status of the stormwater system, specifically asking whether it had been completed.

Mr. Clinkscales responded that the plans indicate three stormwater ponds, one of which has already been constructed, and all three have been permitted. He explained that an additional pond is proposed south of the amenity area to provide increased storage capacity. Mr. Clinkscales also noted that the site operates under a master stormwater permit that covers the entire development and connects to a unified collection system.

Mr. Lambert acknowledged the explanation and expressed his appreciation.

Mr. Clinkscales provided an additional clarification regarding property ownership. He stated that the ownership of the development has remained unchanged, noting that the current owner is a commercial builder responsible for shopping center developments. He explained that the residential portion under consideration is being sold as part of the original project, and no transfer of ownership has occurred.

Ms. Horton acknowledged the clarification and noted that she had previously misunderstood, having believed that the property may have been sold at some point.

Mr. Bove commented that the proposal represents a relatively dense, clustered development. He acknowledged that the presence of wetlands may limit development options but asked for clarification from a planning perspective as to whether this type of development aligns with the City's goals.

Mr. Bove further referenced prior discussions regarding conditional zoning, noting the City's interest in encouraging clustered development patterns that preserve Open Space, and requested input on whether the current proposal reflects those planning objectives.

Director Meehan responded that, from a planning perspective, this type of clustered development pattern is generally encouraged by the City. She explained that clustering allows for the preservation of environmentally sensitive areas, helping to maintain the natural condition of the property.

Director Meehan noted that earlier site plans included development that divided larger wetland areas, whereas the current proposal preserves Open Space between those areas. She stated that the plan meets the proposed density requirements while better protecting environmental features.

She further added that this approach to clustering is important for the City's development goals and may introduce housing types that are not currently prevalent in Southport.

Mr. Bove discussed Open Space within the development, noting that when jurisdictional areas that cannot be accessed are excluded, approximately 17% of the 48-acre site is designated as Open Space. He acknowledged that the development options are limited due to site constraints and remarked that the owner benefits from favorable regulatory conditions regarding wetlands. Mr. Bove noted that the first impression of the site may appear clustered within the former eight-acre wetland but recognized the environmental and planning benefits of this arrangement.

Director Meehan responded that this type of clustered development is strongly encouraged. She stated that both the previous and the newly adopted land use plans support preserving natural features while directing development to appropriate areas, and she indicated that the current project exemplifies this planning approach.

Mr. Bove then raised questions regarding sidewalk placement, noting that the drawings in the application package, specifically PUD-1 and EX-1, did not clearly indicate a sidewalk along Marina Run. He asked whether the owner is committing to providing a sidewalk and whether it can be shown on the submitted plans.

Ms. Engebretson clarified that the omission was a drafting issue with the plan hatching. She confirmed that the five-foot-wide sidewalk is included on the west side of Marina Run, extending into the public right-of-way, and will connect with the remainder of the development as previously discussed. She further noted that the Board may condition this commitment if desired.

Mr. Bove suggested that the sidewalk location should be clearly depicted, potentially with a cross-section, noting that while the private road cross-section is shown, the sidewalk along Marina Run is not clearly represented. He emphasized that such clarity is important for both the Planning Board's assessment and for review by the Board of Aldermen. Mr. Bove confirmed that he values a firm commitment from the applicant to provide the sidewalks and to show them clearly on the plans.

Mr. Bove then asked about the projected build-out timeline for the development.

Ms. Engebretson responded that the development is planned to be completed in a single phase, with COs anticipated in 2028, accounting for the time required to obtain permits. She then invited Mr. Clinkscales to address Mr. Bove's stormwater-related questions.

Mr. Bove inquired whether the applicant holds a stormwater permit for the subject parcel.

Mr. Clinkscales confirmed that a permit is in place.

Mr. Bove asked about the date of the permit.

Mr. Clinkscales indicated that the permit was issued around 2015.

Mr. Bove asked if the permit remains active.

Mr. Clinkscales confirmed that it is still active, noting that the first pond, which serves the shopping center, has already been constructed.

Mr. Bove asked about the flow of stormwater from the residential units.

Mr. Clinkscales explained that the runoff is divided: a portion flows toward the existing pond along Marina Run, while another portion drains to the other ponds. He noted that the permit will be modified to reflect changes in roadways, but the ponds themselves will not be altered.

Mr. Bove asked whether the original permit accounted for the units being located in the wetland area.

Mr. Clinkscales stated that additional impervious surfaces were included in the original permit.

Mr. Bove then asked whether a new stormwater pond would be required.

Mr. Clinkscales responded that an additional pond is planned south of the amenity area to provide extra storage capacity.

Mr. Bove asked specifically about the west side of the site, where most of the residential units are located, and whether the main stormwater pond would need to be expanded.

Mr. Clinkscales clarified that the main pond will not require expansion. He explained that stormwater from the west side will be split between ponds, but no additional impervious surface beyond what was originally permitted will be added to the main pond, which is already constructed.

Mr. Bove inquired about the percentage of impervious surface for the residential area.

Mr. Clinkscales stated that approximately 20% of the back portion of the site is impervious, with the residential portion being 21%.

Mr. Bove confirmed that this percentage is based on the total 48-acre site, which Mr. Clinkscales affirmed.

Mr. Bove raised concern regarding the use of the 2015 NC Department of Environment Quality (DEQ) stormwater permit and whether current Southport stormwater regulations would apply.

Mr. Clinkscales explained that the project will also obtain a Southport permit. He noted that the ponds were designed to account for flood reduction and that DEQ stormwater rules have not changed significantly since the original 2015 permit. He added that the ponds were designed to handle a 25-year storm event, which was more stringent than the 10-year standard used by the county at the time of the original design.

Mr. Bove raised a question regarding stormwater standards for Southport, noting that the City may require a two-inch runoff standard, while he believed the state standard is one inch.

Mr. Clinkscales clarified that the state standard is one and a half inches and explained that local regulations cannot exceed state requirements for water quality. He further distinguished between flood attenuation requirements, which involve two-year, ten-year, and twenty-five-year storm events, and water quality storage requirements, noting that these are separate calculations.

Mr. Bove requested that the applicant review the standard to ensure compliance.

Mr. Clinkscales confirmed that the stormwater design is consistent with expectations and that the current ponds will serve the development as planned.

Mr. Bove added a note regarding the northern stormwater pond, pointing out that it encroaches on wetlands and should be adjusted slightly on the PUD-1 plan. He concluded his comments, indicating he had no further questions for Chair Ashley.

Mr. Ekert stated that he had no additional questions beyond those already addressed.

Chair Ashley then asked a follow-up question regarding the stormwater pond.

He inquired whether, given that the pond is located within a former jurisdictional wetland, any overflow from the pond would discharge into the wetland.

Mr. Clinkscales explained that the pond's overflow is directed via piping to Highway 211. He noted that the pond was designed to handle increased flow because the outflow pipe to Highway 211 has a limited capacity (approximately 36 inches), necessitating a larger pond size to manage stormwater effectively.

Chair Ashley directed questions to Ms. Engebretson regarding potential greenways and trail systems within the development. He asked whether green trails or greenways are planned.

Ms. Engebretson responded that the illustrative plan includes areas labeled as parks, primarily linear parks. She confirmed that trails and nature-focused connections are planned throughout these areas, which may include informal paths rather than hard sidewalks, allowing residents to navigate through the site.

Chair Ashley inquired about the existing vegetation, specifically whether the pines in the back are longleaf pines.

Ms. Engebretson stated that the site contains a mix of species, primarily slash pines and some loblolly pines, with sporadic longleaf pines present.

Chair Ashley requested that efforts be made to preserve the longleaf pines. He also asked about the presence of any sensitive species, such as Venus flytraps or pitcher plants.

Ms. Engebretson confirmed that no such species were observed and noted that an environmental study of the property did not identify any concerns.

Chair Ashley sought clarification regarding golf cart use within the development. He asked whether residents would be allowed to operate golf carts on the site, noting that surrounding roads do not permit golf cart use. He acknowledged that this question was outside the typical scope of Planning Board review but was seeking clarification on the potential use of golf carts for internal, or within the development, circulation, or use.

Chair Ashley directed additional questions to Ms. Engebretson regarding circulation, parking, and community design. He first revisited the earlier discussion about golf carts, noting that residents might wish to use them to access the shopping center but that local roads, including Highway 133 and

Highway 211, would not permit such use.

Ms. Engebretson responded that any golf carts would need to be street-legal to operate on public roads. Chair Ashley acknowledged the response and noted that internal circulation might allow for limited golf cart use, but it would be at residents' own risk.

Chair Ashley then raised concerns about sidewalk and road alignment in relation to parking. He asked whether there would be conditions or covenants to prevent on-street parking, particularly on the 24-foot-wide roads, to ensure fire access.

Ms. Engebretson explained that the plan includes visitor and overflow parking spaces, with approximately 25% more parking than required to accommodate extra vehicles. She confirmed that covenants will prohibit parking on sidewalks. The plan includes driveways and garages designed to maintain a minimum 20-foot clearance for emergency access. She further clarified that driveway lengths exceed 20 feet, ensuring adequate spacing.

Chair Ashley confirmed that the development will not be gated, to which Ms. Engebretson affirmed.

Chair Ashley then summarized the Planning Board's role, stating that their responsibility is to make a recommendation to the Board of Aldermen to approve, deny, or table the project for further review. He confirmed that there appeared to be no further questions and asked for clarification on consistency with the City's 2050 Comprehensive Plan.

Director Meehan confirmed that the project aligns with the plan's goals regarding housing stock, design, and density.

Mr. Ekert asked about accommodation for boats, trailers, or recreational vehicles. Ms. Engebretson confirmed that such vehicles would not be allowed in the community.

Chair Ashley opened the floor for a motion regarding the proposed development. He stated that the motion would be to recommend the project to the Board of Aldermen for approval, noting that the proposal appears to meet all applicable requirements, including those established under the 2004 UDO.

Chair Ashley indicated that there were no remaining questions and invited the Board to formally make a motion.

A motion was made Mr. Bove, and seconded by Mr. Lambert, to recommend approval of the modification to the Southport Crossing Planned Unit Development (PUD) Master Development Plan to the Board of Aldermen for adoption. The motion included a condition that the sidewalks along Marina Run be clearly depicted on the PUD-1 drawing and on all official documents submitted to the Board of Aldermen for review and approval.

The motion carried unanimously.

**Chair Ashley read the Statement of Consistency and Recommendation:**

The City of Southport Planning Board hereby finds that the proposed amendment is consistent with the City's 2050 Comprehensive Plan adopted on October 9<sup>th</sup>, 2025, and Certified by the Coastal Resources Commission on January 7<sup>th</sup>, 2026. Specifically, the proposal is consistent with Policy 1.1. Encourage a development pattern that honors Southport's Character and respects the natural environments. The project will provide multi-family residential as a transition between a commercial area and lower density residential areas. The Planning Board recommends that the Board of Aldermen **APPROVE** the modification of the Southport Crossing PUD Master Development Plan.

Ms. Horton shared that she would be leaving the meeting at 7:35 p.m.

Chair Ashley called for a five-minute recess.

**Board recessed at 7:36 p.m.**

**Board reconvened at 7:43 p.m.**

b. Upcoming Planning Board Member Appointment Expirations

Chair Ashley provided an overview of upcoming Planning Board member appointments and term expirations. He noted that City Clerk Deviney and Deputy Clerk Baillargeon have reviewed past appointments to clarify expiration dates, as some terms from previous years were unclear.

Chair Ashley explained that the goal was to establish a staggered cycle with one term expiring each year to align with three-year terms and facilitate orderly reappointments by the Board of Aldermen. He shared that his own term is set to expire in 2026 and that he intends to submit an application for reappointment.

Deputy Clerk Baillargeon confirmed that Mr. Bove and Mr. Lambert's terms remain as previously scheduled, with Mr. Lambert expiring in 2027 and Mr. Bove in 2028.

Chair Ashley emphasized that this cycle restores clarity to the Board's terms and aligns with the City's appointment procedures.

He also noted that Mr. Ekert will be required to interview again for reappointment and expressed appreciation for his continued service. He explained that the Board typically conducts reappointments in March, with the Board of Aldermen advertising the seats in April, interviews in May, and appointments finalized by the end of June.

Additionally, Chair Ashley mentioned the upcoming advertisement for the alternate member position, which expires in 2027. He clarified that interviews for this position would involve the Chair, Vice Chair, and Board liaisons, in accordance with the ordinance. He concluded by noting that the City Clerk's Office has organized the schedule effectively and that the board is now in good standing regarding member term expirations.

Chair Ashley then transitioned to the next agenda item, Staff Reports.

## **J. Staff Reports**

### **a. Other Board and Committee Planning Items**

### **b. Planning Department Updates**

City Planner Biddle provided updates from the Planning Department. He reported that the Forestry Committee recently reviewed a proposed text amendment to the tree ordinance and provided feedback. He noted that certain legal questions will be forwarded to Director Meehan and subsequently to City Attorney Brady Herman for review. Following this, the plan will return to the Forestry Committee in April for further review, with the goal of bringing it to the Planning Board at the Regular Meeting on April 16<sup>th</sup>, 2026.

Chair Ashley inquired whether there had been any public comments on the draft ordinance.

City Planner Biddle responded that no public comments had been received. He indicated that the Planning Board would likely review the item in May and, if approved, it would be forwarded to the Board of Aldermen in June for qualification.

City Planner Biddle also noted upcoming events and updates:

- Arbor Day Celebration scheduled for Saturday, April 25<sup>th</sup>, 2026.
- A recent Board of Adjustment meeting addressed two special use permit cases and one appeal. One special use permit, for an accessory dwelling unit (ADU), was approved with the standard condition allowing the property owner to rent the ADU. Another request that required continuation and would be returning to the Board of Adjustment at the following meeting.

Mr. Fiss asked for clarification regarding the special use permit for the ADU,

specifically confirming whether the approval allows the property owner to rent the ADU.

City Planner Biddle clarified that one special use permit, involving an ADU, was approved with the standard condition that the property owner may not rent out the ADU. He noted that this restriction is a routine condition applied by the Board of Adjustment for similar cases.

City Planner Biddle reported that a recent appeal regarding a fence at 410 E. Bay Street was granted in Staff's favor, marking a successful outcome for the City.

He also provided a preview of upcoming cases for the Board of Adjustment:

- Two special use permits are scheduled for the March 24<sup>th</sup>, 2026, meeting, both for accessory dwelling units. One is a continuation from the previous month, and the other involves a request at 206 W. Moore Street.
- An additional appeal is scheduled for the April Board of Adjustment meeting.

Chair Ashley inquired about the frequency of ADU cases appearing before the Board of Adjustment. He asked whether the City should consider revising the UDO to reduce the need for repeated approvals, noting that many ADU requests appear to be routinely granted. He questioned whether the current ordinance might be creating unnecessary steps for property owners and suggested evaluating whether changes could streamline the process.

City Planner Biddle noted that he would typically provide his opinion on the topic of ADU approvals but deferred to Director Meehan to address the question, citing a desire to avoid giving an overzealous or potentially incorrect response.

Chair Ashley acknowledged the regard, and Director Meehan responded that the discussion regarding ADUs is important and appropriate for the Planning Board. She noted that while there may not be a definitive "right answer" at this time, it is a conversation that should be had.

Mr. Bove asked whether most ADU special use permits are typically approved.

City Planner Biddle confirmed that, according to departmental data, special use permits for ADUs are almost always approved when all specific use standards are met and no extenuating safety issues exist. Denials generally occur only for variance requests.

Mr. Bove suggested that much of the discussion around ADUs could potentially be clarified or incorporated within the UDO.

City Planner Biddle agreed and referred to Director Meehan's previous comment as something that can be discussed going forward.

Chair Ashley inquired about a text amendment related to building height versus setbacks that had been discussed with the Board of Aldermen the previous year, noting that it did not advance past the podium in October.

City Planner Biddle confirmed that the matter remains unresolved. He explained that former Mayor Holt had raised concerns about the text amendment, and while the issue has not gone away, other more pressing matters took precedence. He anticipates presenting the amendment to the Planning Board within the next few months, potentially by early summer.

Chair Ashley remarked that the current process, which requires frequent special use permits, may not be the most efficient approach and suggested that a conversation on the matter is warranted.

Mr. Luehe asked what steps would be needed to initiate that discussion.

Chair Ashley responded that he would coordinate with Director Meehan to get the conversation started.

City Planner Biddle concluded his report, summarizing departmental activity over the past month. The Board thanked City Planner Biddle and noted minor administrative updates would be provided at the next meeting.

Chair Ashley confirmed that updates regarding the Historic Preservation Commission (HPC) were not included in City Planner Biddle's report.

Director Meehan provided updates on two items. She shared an update on the HPC Design Standards, noting that Staff are updating the standards following requests from the February 4<sup>th</sup>, 2026, HPC meeting. She noted that the revisions are extensive, requiring careful review to ensure consistency throughout the document and compliance with statutory requirements. The updated packet will be ready for HPC's April 1<sup>st</sup>, 2026, meeting.

Chair Ashley inquired whether the item would be returned to the Planning Board; Director Meehan noted that it is uncertain at this time.

Director Meehan further shared updates to meeting locations as the renovations Indian Trail Meeting Hall were completed. Director Meehan stated that, moving forward, all regular meetings for the Board of Adjustment, HPC, and Forestry Committee will be held at Indian Trail Meeting Hall.

Chair Ashley raised a question about public notice for the location change.

Deputy Clerk Baillargeon initially did not have confirmation, but PIO Ketchum confirmed that proper notice for the meeting location change had been provided.

Chair Ashley noted that Director Meehan and City Planner Biddle have been working on the Bed and Breakfast event UDO amendment (discussed at the February Planning Board Meeting), which is anticipated to be presented to the Planning Board in April.

City Planner Biddle provided an update on upcoming text amendments scheduled for the April 16<sup>th</sup>, 2026, Planning Board meeting:

- Bed and Breakfast Text Amendment – The proposal previously discussed by the Board will be presented for review and consideration.
- Pool in Business District – A property owner of a single-family residence located in the Business District has requested a text amendment to allow the installation of a swimming pool as an accessory use. Currently, the UDO does not permit pools in the Business District. This amendment will be brought before the Planning Board for review and discussion.

Chair Ashley raised a concern that the proposed text amendment allowing a pool in the Business District could constitute spot zoning and asked why pools are not permitted in the Business District by default.

City Planner Biddle explained that pools are simply not allowed in the Business District under the current UDO. He noted that the UDO is “blanketed” in this regard, though the reasoning behind the original restriction is unclear.

Chair Ashley inquired how many single-family homes in the Business District would be affected by such a change.

City Planner Biddle responded that there are not many residential properties, but there could be potential hotel developments in the Business District that might also wish to include pools, which currently would not be permitted.

Mr. Fiss asked whether Port City Java has a pool adjacent to its property.

City Planner Biddle clarified that the location in question is in the Central Business District, not the standard Business District, noting the distinction between zoning classifications.

Mr. Bove asked about the anticipated timeline for the grading and land disturbance text amendment, noting that the Agenda Packet lists it as a first-

or second-quarter item.

City Planner Biddle responded that Staff are coordinating with Engineer Tom Zilinek but does not yet have a firm date for presentation to the Planning Board.

Chair Ashley inquired whether June could be a potential target date for review or if that would be premature.

Director Meehan clarified that the ordinance has been sent to the City Attorney for review. The review includes consideration of related state ordinances to ensure consistency and prevent conflicts. She confirmed that once these issues are resolved, the text amendment will be scheduled for Planning Board review.

c. Special Projects

**K. Board Comments**

Chair Ashley opened the floor for additional Board comments.

Mr. Bove expressed appreciation for Staff, noting the time and effort they dedicated to the development discussed during the meeting. He emphasized that the thorough discussions facilitated by Staff were a key factor in his decision to support approval rather than delay or deny the project.

Mr. Fiss provided an update on the upcoming Arbor Day celebration, noting that it will be held at Franklin Square Park on Saturday, April 25<sup>th</sup>, 2026, at 11:00 a.m. The event has been approved to take place at a City facility under current circumstances. He mentioned that the mayor will attend, there will be guest speakers, and a Kona Ice truck will be present. The celebration has been scheduled for Saturday to encourage greater attendance, particularly engaging children through art activities, making it a more interactive and family-friendly event.

Mr. Luehe echoed Mr. Bove's comments, expressing appreciation for the time Staff spent with board members individually during the week and at the meeting. He noted that working in subcommittees with Staff is an effective approach for completing tasks more efficiently and with better outcomes. He thanked the Chair for the opportunity to comment.

Chair Ashley raised a concern regarding the cost of applications for development projects, noting that the application fee for the evening's agenda item was \$1,000. He highlighted the significant time and effort required from Planning Board members, who serve voluntarily, as well as from Staff, including Director Meehan, City Planner Biddle, Deputy Clerk Baillargeon, and PIO Ketchum, all of whom are compensated

for their time. He also noted that members of the Board of Aldermen are paid for their participation in the process.

Chair Ashley inquired whether the City has ever conducted a time or fee study to evaluate whether current application fees adequately cover the City's costs for Staff time, technical review, and other resources, emphasizing that the financial burden should not fall on taxpayers. He clarified that his concern is not to generate profit but to ensure that developers bear the cost of the review and approval process rather than the public.

Director Meehan responded that application fees are reviewed annually during the City's budget cycle. She acknowledged that while there haven't been many major modification requests historically, there have been a few in the past year, which makes reviewing fees timely. She noted that fee adjustments haven't been a frequent focus because other priorities typically took precedence but agreed it is something the city can examine going forward.

Chair Ashley raised a separate topic regarding data centers, noting their substantial impacts on water, electricity, and surrounding neighborhoods. He suggested it's time for the City to review how data centers are regulated and indicated he and Director Meehan will work on developing a proposal to bring before the Planning Board in the next few months.

#### **K. Adjourn**

Chair Ashley asked for a motion to adjourn.

**A motion was made by Mr. Fiss and seconded by Mr. Lambert to adjourn.**

**The motion carried unanimously.**

The meeting adjourned at 8:06 p.m.

**X**

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Lawrence N. Ashley  
Chair

X

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Scott Baillargeon  
Deputy City Clerk

DRAFT

# STAFF REPORT

## ZTA-24-05 ZONING TEXT AMENDMENT

### TABLE 3.1 TABLE OF USES AND SECTION 3.8 NONRESIDENTIAL USES – BED & BREAKFAST SPECIAL EVENTS

APPLICATION SUMMARY	
<b>Presentation Date</b>	April 16, 2026 Planning and Zoning Board
<b>Applicant</b>	City of Southport Planning Staff
<b>Relevant Ordinance Sections</b>	Table 3.1 Tables of Uses, Section 3.8 Nonresidential Standards, and Article 8 Definitions and Measurements

### ZONING TEXT AMENDMENT PROPOSAL

The City of Southport Planning Staff, per the recommendation of the Board of Aldermen at their May 8, 2025, meeting, respectfully submits a Zoning Text Amendment to the City of Southport Unified Development Ordinance (UDO).

This request is to amend the UDO, Article Three (3), to permit Bed and Breakfasts (B&Bs) to host secondary uses, including weddings, receptions, and other gatherings that extend beyond the current scope of B&B operations.

### REVIEW PROCESS

A Zoning Text Amendment proposal is considered a legislative process. As laid out by North Carolina General Statutes, a legislative process is a policy-level decision with broad discretion by the decision-making authority, in Southport’s case, the Board of Aldermen. In a decision to approve or deny a legislative proposal, the Board of Aldermen shall include a statement referencing the decision's consistency with the adopted land use plan for the City of Southport. Per the City of Southport UDO, the Planning and Zoning Board shall also provide a recommendation on any proposed Zoning Text Amendment to the Board of Aldermen. The Board of Aldermen shall hold a public hearing prior to voting on any Zoning Text Amendment.

Section 2.10 of the UDO outlines the procedure that allows any party to apply for a text change to the UDO, or a zoning district change for the city’s zoning map. The Planning Board shall provide an advisory recommendation within 90 days after the introduction of such petition at a regularly scheduled meeting and shall transmit its recommendation and report, including the reasons for

its determinations, to the Board of Aldermen. However, per 160D-604, if no written report is received within 30 days, the governing board may act on the amendment without the planning board report.

**PERMITTING INFORMATION**

Bed and breakfasts, as a land use, are not permitted by right throughout the City of Southport. In order for a B&B to be operational, the property owner must apply for and be granted a Special Use Permit (SUP). Said permits differ from administrative permits, in that SUPs are determined by a quasi-judicial board whereas administrative permits like a zoning permit are reviewed by city staff. Once issued, the SUP is logged with the county’s Registrar of Deeds, and the permit runs congruently with the land. The SUP does not expire, even in the event that ownership of the lot changes. As this is a quasi-judicial procedure, revocation of the SUP can only be done by the board that issued the permit. Unlike administrative permits, staff does not have the authority to issue, revoke, or set time limits on SUPs.

When applications for SUPs go before the Board of Adjustment, the mechanism for review is through the question, is this request in harmony with the local area or not? To aid in this decision, the subject land use must meet the additional use standards outlined in the UDO. For B&Bs, refer to UDO Section 3.8.C. It should be noted that one of the standards established in the UDO for B&Bs is that the applicant/ B&B proprietor must have a management plan. This management plan essentially is a business prospectus for the reviewing board to see what the day to day operations of the B&B would look like such as how many rooms will be in operation, who will be the required on-site manager, and other miscellaneous details.

In previous iterations of this text amendment, staff have proposed an administrative permit, in this case a zoning permit, to act as a means of providing oversight to activities that may not exactly align with the current parameters of B&Bs. In writing this revised text amendment, staff have come to the conclusion that if the amendment as proposed is approved, the need for a zoning permit would become null and void.

**CURRENT UDO STANDARDS FOR BED AND BREAKFASTS**

Article 8.3: DEFINITIONS OF BASIC TERMS

**Bed and Breakfast.** A house, or portion thereof, where short-term lodging rooms and meals are provided. The operator of the inn shall live on the premises or in adjacent premises.

The specific use standards are found in UDO Section 3.8.C.

<b>Table 3.1: Table of Uses</b>		<b>Use Standard</b>									
Uses	ICS	R-10	R-20	MF	PUD	O-I	CBD	BD	HC	OS	Section #
BED & BREAKFAST	721191	SS	SS	SS	SS	SS	SS	SS	SS		3.8.C

### Section 3.8 NONRESIDENTIAL USE STANDARDS

#### C. BED AND BREAKFAST

Where permitted, the following shall apply:

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 should include a management plan.
3. An on-site manager shall be required to have permanent residence at any permitted bed and breakfast establishment.

### BACKGROUND

In 2024, an applicant put forth a Special Use Permit requesting to turn their single-family residence into a Bed and Breakfast. As part of their request, they also wanted to host weddings and receptions. As the subject lot is zoned R-10 and adjacent to residential properties, the request to host such events was denied, though the permit for the B&B was granted.

The Board of Aldermen directed staff to work with the Planning Board to recommend a text amendment to address the following concerns and questions.

1. The proposed use of a wedding venue in a residential zoning district would be too intense to allow carte blanche. Is there a way to allow this land use with controls in place that keep the intensity relatively low?
2. That the existing language in the UDO concerning B&Bs does not explicitly exclude the ability to host such events.
3. What is the extent of events that B&Bs may host in their normal operations?

### TEXT AMENDMENT TIMELINE

At the July 30, 2024, Board of Adjustment meeting, a Special Use Permit application for the establishment of a B&B was approved, subject to the condition that it could not host large events, such as weddings. As part of the SUP application, the applicant included the required business management plan that, among other standard operating procedures, proposed to host special occasions, such as weddings with up to 150 guests. It was this proposal that highlighted the UDO's lack of land use standards for B&Bs to host weddings and receptions. The following is a timeline detailing this text amendment's course of review and revision. Underlined language indicates proposed text sent back to staff.

- On October 17, 2024, the Planning Board created a committee of three members and one staff to evaluate the best way to incorporate a land use that would accommodate existing commercial activities like B&Bs to host special events.
- On February 20, 2025, staff presented a text amendment for the Planning Board's consideration.

- This proposal created an accessory land use, Specialized Events, that had several Specific Use Standards.
- The Planning Board recommended approval to the Board of Aldermen.
- At the May 8, 2025, Board of Aldermen meeting, the Aldermen did not find in favor of the proposal and requested staff to revise and go back through the Planning Board for reconsideration.
- At the August 21<sup>st</sup>, 2025, Planning Board meeting, Staff proposed a revision of the amendment. Staff removed the proposal for an accessory land use and amended the B&B text language to the following:
  - Through the addition of another B&B-use standard that allows events like weddings for overnight guests only.
  - Capping the capacity of the event to the number of overnight guests registered.
- At the October 9, 2025, Board of Aldermen meeting, Board members renewed concerns that the proposed text was not developed enough to address concerns over occupancy and moved to have the conversation go back to the Planning Board for further conversation. Alderman Davis requested text language that explicitly excluded accessory events from B&Bs.
- Between November and January 2026, Planning Staff revised the proposed text amendment. The revision presented three options for the Planning Board to consider and make a recommendation to the Aldermen. These options explored redefining *Bed and Breakfast* while also amending the associated use standards for B&Bs established in UDO Section 3.8.C.
- At the February 19, 2026, Planning Board meeting, Board members requested that staff modify the proposed text amendment to give consideration to the following:
  - Define event.
  - Clarify restrictions.
  - Provide parameters of an event/permit required for said event.
  - Provide a time frame of 9 a.m. to 9 p.m. for events to occur.
  - Increase notification time frame from 30 days to 45.
  - Detail how this text amendment affects everyday people.
- March 17<sup>th</sup>, a committee meeting made up of three Planning Board members and the City Planner met to discuss the proposed text amendment and how best to incorporate the above considerations.

## PROPOSED AMENDMENT

The following text amendment aims to address the concerns of the Board of Aldermen by further defining the terms, *Bed and Breakfast*, *Event*, and *Low-Impact Gathering*. Underlined text indicates new language.

**Article 8: Definitions**

Bed and Breakfast – A private residence, or portion thereof, that offers services such as overnight lodging, and meals for registered guests. Services may extend to hosting low-impact gatherings that do not exceed the interior occupancy of the establishment as determined by the fire marshal.

Event – Any planned gathering, activity, or occurrence, whether public or private, that is held on public or private property, involves participants or spectators, and may require municipal services, permits, or regulatory oversight.

Low-Impact Gatherings – A temporary event or activity that does not require permitting, is less than 12 hours in duration, without amplified sound, or the use of public services. Said gatherings produce minimal disruption to adjacent property owners

**Section 3.8 NONRESIDENTIAL USE STANDARDS**

**C. BED AND BREAKFAST**

Where permitted, the following shall apply:

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. Bed and Breakfasts in residentially zoned districts shall limit all on-site events to interior gatherings.
  - b. On-site events shall not exceed two occasions in 30 days.
  - c. All abutting neighbors must be notified of all special events within 45 days of the event. Proof of notification shall be maintained on the premises for two years.
  - d. All on-site events are scheduled to occur between the hours of 9 AM and 9 PM.
3. An on-site manager shall be required to have permanent residence at the designated bed and breakfast.

**STAFF RECOMMENDATION**

City Planning Staff respectfully submits the proposed Zoning Text Amendment, ZTA-24-05, to the Planning and Zoning Board for their review, consideration, and recommendation to the Board of Aldermen. This proposal is found to be consistent with the 2050 Comprehensive Land Use Plan adopted October 9, 2025. More specifically, embracing the importance of tourism within the community and supporting activities that promote tourism. Following a recommendation from the Planning Board, the zoning text amendment is then sent to the Board of Aldermen for their

consideration. A duly advertised public hearing is then held to gain public feedback on the text amendment prior to a decision.

**Attachments**

Consistency Statement of Approval

Consistency Statement of Denial

## STAFF REPORT ZTA-26-03 REQUEST TO AMEND TABLE 3.5 TABLE OF USES

APPLICATION SUMMARY	
<b>Presentation Date</b>	April 16, 2026 Planning and Zoning Board
<b>Applicant</b>	Glenn & Amy Paterson
<b>Relevant Ordinance Sections</b>	Section 3.5, Table 3.1 – Table of Permitted Uses

### ZONING TEXT AMENDMENT PROPOSAL

Glenn and Amy Paterson, applicant, respectfully submits a Zoning Text Amendment to the City of Southport’s Unified Development Ordinance (UDO). Specifically, the request is to amend Table 3.1, Table of Permitted and Special Uses, to allow swimming pools in the BD – Business District. All proposed changes, including additions and deletions, can be found as an attachment to this report and may also be viewed in the City of Southport Development Services Department offices.

### REVIEW PROCESS

A Zoning Text Amendment proposal is considered a legislative process. As laid out by North Carolina General Statutes, a legislative process is a policy-level decision with broad discretion by the decision-making authority, in Southport’s case, the Board of Aldermen. In a decision to approve or deny a legislative proposal, the Board of Aldermen shall include a statement referencing the decision’s consistency with the adopted land use plan for the City of Southport. Per the City of Southport Unified Development Ordinance, the Planning and Zoning Board shall also provide a recommendation on any proposed Zoning Text Amendment to the Board of Aldermen. The Board of Aldermen shall hold a public hearing before voting on any Zoning Text Amendment.

Section 2.10 of the UDO outlines the procedure that allows any party to apply for a text change to the UDO or a zoning district change for the city’s zoning map. The Planning Board shall provide an advisory recommendation within 90 days after the introduction of such petition at a regularly scheduled meeting and shall transmit its recommendation and report, including the reasons for its determinations, to the Board of Aldermen. However, per 160D-604, if no written report is received within 30 days, the governing board may act on the amendment without the planning board report.

## BACKGROUND

Presently, the UDO classifies swimming pools as an accessory land use that is permitted by-right as long as the use standards are met, in the R-10, R-20, MF, PUD, O-I, and CBD zoning districts. This excludes the BD, HC, and OS districts which render pools as an unpermitted accessory. For full understanding of the base zoning districts, please refer to UDO Section 3.2.A:

### 3.2.A Base Zoning Districts

- 1) R-10: Residential District. Single and two-family residential district with 10,000 square foot minimum lot area.
- 2) R-20: Residential Agricultural District. Single and two-family residences with 20,000 square foot minimum lot area.
- 3) MF: Multi-Family District. A district designed to accommodate a variety of attached single-family dwellings up to a density of 11 units per acres.
- 4) PUD: Planned Unit Development District. A special district where multiple residential and commercial uses may be proposed and density and lot dimensions may be different from that of the base residential zoning districts in trade-off for significant dedication of open space, alternative housing types, and affordable development.
- 5) O/I: Office/Institutional District. A district designed for office/institutional uses at low to moderate densities and multi-family housing. This district should be used as a transitional zone between areas of conflicting land uses.
- 6) CBD: Central Business District. Restricted district in which commercial uses are densely developed in accordance with the City’s historical commerce center.
- 7) BD: Business District. A commercial related district with lot and setback requirements suitable for placement abutting residential areas.
- 8) HC: Highway Commercial District. A district established for the retailing of durable goods, provision of commercial services to industrial areas, and the provision of services to transients.
- 9) OS: Open Space District. Areas of special public interest that should be placed in a zone protected from any development other than improvements or uses undertaken by the City of Southport.

Below, UDO Table 3.1 details that Swimming Pools are permitted in specific zoning districts. The districts where there is neither an ‘P’, ‘S’, or any combination thereof mean that the listed land use is not permitted.

Accessory Uses											
Uses	ICS	R-10	R-20	MF	PUD	O-I	CBD	BD	HC	OS	SECTION #
Swimming Pools		PS	PS	PS	PS	PS	PS				3.6.Q

The use standard for Swimming Pools is:

### 3.6.Q SWIMMING POOLS

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

### PROPOSED AMENDMENT

The proposed text amendment is a request put forth by the applicant and approved for recommendation by Planning Staff to the Planning Board. This request is to amend UDO Table 3.1 by allowing the accessory use, Swimming Pools, within the Business District. The proposal is not a request to amend the use standard outlined in UDO 3.6.Q. **Highlighted** text indicates new language. Please note that due to another text amendment coming forward, the use standard outlined in Section 3.6.Q, may need to be amended to read 3.6.R.

Accessory Uses											
Uses	ICS	R-10	R-20	MF	PUD	O-I	CBD	BD	HC	OS	SECTION #
Swimming Pools		PS	PS	PS	PS	PS	PS	<b>PS</b>			3.6.Q

### APPLICANT’S JUSTIFICATION

Per the applicant:

*A reasonable basis for allowing a swimming pool in the business district is that the UDO explicitly permits swimming pools in the Central Business District (CBD), demonstrating that they are considered a compatible use within commercial zoning classifications. The ordinance emphasizes compliance with safety standards, setbacks, and the prevention of hazards or nuisances, rather than prohibiting the use outright. Given that the CBD is a more intensive commercial designation, this allowance reasonably supports extending the same permission to the broader business district, where similar commercial uses are intended. Accordingly, a swimming pool can be viewed as an appropriate accessory or supporting feature provided it meets the UDO’s general development and safety requirements.*

### EVALUATION AND CONTEXT

#### Unified Development Ordinance Compliance

Zoning Text Amendments, like General Use Zoning Map Amendments (Rezoning), follow the process laid out in Section 2.10 of the City of Southport Unified Development Ordinance. Pursuant to this section, the Planning Board shall advise and comment on whether the proposed text or zoning map amendment is consistent with the comprehensive plan or any other official adopted plans that are applicable. The Board of Aldermen shall, in their final decision-making capacity, base their decision upon the same.

### **Southport 2050 Comprehensive Plan Consistency**

The goals and objectives of the comprehensive plan emphasize leveraging Southport's distinctive small commercial areas and historic downtown as opportunities for economic development. This includes promoting context-sensitive uses that are compatible with the city's historic character. Although no specific policies directly address the proposed land use, it is sound planning practice to regularly update ordinances when gaps are identified. The 2050 CAMA Land Use Plan reinforces this approach by encouraging regular review and modernization of the Unified Development Ordinance. Action 1.7.1 specifically supports the update and modernization of the Table of Permitted Uses and associated definitions.

### **STAFF RECOMMENDATION**

Staff find that this request by the applicants is reasonable due to the Business District's lot and setback requirements which make that district suitable for placement adjacent to residential areas. Furthermore, nonresidential uses such as Bed and Breakfasts, Hotels, Motels, or Inns often have pools for their guests and are potentially permitted in the BD. This text amendment would allow swimming pools on their premises. Staff finds that the proposed request is consistent with the 2050 Comprehensive Land Use Plan and respectfully requests that a recommendation for approval of the request by the applicants and a statement of consistency be sent to the Board of Aldermen.

### **Attachments**

Consistency Statement  
Zoning Text Amendment Application

**STAFF REPORT – ZTA 26-04  
ZONING TEXT AMENDMENT  
UDO SECTION 3.8.Y. MOBILE VENDOR OR FOOD TRUCK**

<b>APPLICATION SUMMARY</b>	
<b>Presentation Date</b>	April 16, 2026 Planning Board
<b>Applicant</b>	Planning Staff
<b>Relevant Ordinance Sections</b>	Table 3.1 Table of Uses and Section 3.8.Y. Standards for Mobile Vendor or Food Truck

**AMENDMENT SUMMARY**

This proposed amendment to the UDO will expedite permit issuance and create a simpler process for mobile vendor/food truck owners and property/business owners. A mobile vendor will be an accessory to the property where the vendor is operating, and the vendor will be responsible for obtaining a zoning permit that includes required inspections. Vendors can upload multiple site plans and property owner consent agreements/letters throughout the year. This proposal contrasts with the existing process, where each property owner must apply for an annual zoning permit to allow food trucks on site, and the food trucks must obtain an annual itinerant merchant permit.

The Planning Board UDO review committee assessed this text amendment in the summer of 2025. Subsequently, the full Planning Board recommended approval to the Board of Aldermen as part of a larger UDO amendment to Article 3 of the UDO in August 2025. The Board of Aldermen did not approve the full text amendment and removed mobile vendors from the approved UDO changes.

**AMENDMENT PROCESS**

A Zoning Text Amendment proposal is considered a legislative process. As laid out by North Carolina General Statutes, a legislative process is a policy-level decision with broad discretion by the decision-making authority, in Southport’s case, the Board of Aldermen. Per the City of Southport Unified Development Ordinance, the Planning Board shall provide a recommendation on any proposed Zoning Text Amendment to the Board of Aldermen.

The Board of Aldermen shall hold a duly advertised public hearing before voting on any Zoning Text Amendment. In approving or denying a legislative proposal, the Board of Aldermen shall include a statement describing whether the proposal is consistent or inconsistent with the locally adopted land use or comprehensive plan.

**PROPOSED AMENDMENT**

Table 3.1

Accessory Uses											
Uses	ICS	R-10	R-20	MF	PUD	O-I	CBD	BD	HC	OS	SECTION #
Mobile Vendor	596316 722330						PS	PS	PS		3.6. ____

Mobile Vendor ~~OR FOOD TRUCK~~

Where permitted, the following shall apply:

1. ~~Zoning Permit. A zoning permit is required for each site and must be signed by the property owner, including the city, and completed and submitted along with a minor site plan (the site plan may be sketched). The zoning permit shall be renewed annually upon issuance. If a property owner has a property large enough to accommodate more than one mobile vendor, only one zoning permit is required to be submitted showing the location of all mobile vendors. The minor site plan must show the limits of the property, the location(s) of the proposed mobile vendors, and label adjoining uses on neighboring properties. The applicant must also submit a NC Department of Agriculture Permit and a copy of the vehicle or trailer registration. A zoning permit shall be required for all mobile vendors and is valid for one year from the date of issuance.~~
2. The attachments required for a mobile vendor permit include:
  - a) A valid driver’s license and vehicle registration.
  - b) A North Carolina Department of Agriculture permit, when necessary.
  - c) A site plan detailing the limits of the property, the location of the proposed mobile vendor and land uses of adjacent property.
  - d) A signed letter of consent between the property owner/business operator and mobile vendor operator.
3. City-sponsored events. A mobile vendor participating in a city-sponsored event and will not otherwise operate in the city does not need to provide a site plan or a letter of consent.
4. Place of Operation. Mobile vendors may operate on an individual property for a maximum of 120 days per 12-month period. Mobile vendors and all related equipment shall be removed from the site following the permitted hours of operation.
5. Mobile vendors may not park in handicapped accessible parking spaces, nor can they park in access or drive aisles. The approved location for parking the trucks, as shown on the zoning permit, must be physically marked. The food truck parking space can be marked with paint, tape, cones, or other easily identifiable material.
6. Prohibitions. All equipment associated with a mobile vendor must be located within three (3) feet of the vendor. The operator is responsible for disposing of all trash associated with the operation. City trash receptacles may not be used to

dispose of trash or waste. All areas within five (5) feet of the mobile vendor must be kept clean. Grease and liquid waste may not be disposed of in tree pits, storm drains, the sanitary sewer system or public streets. Mobile vendors are all subject to the City-wide noise ordinance.

7. Maximum Number of Mobile Vendor Locations Per Property.
  - a) Maximum of two (2) vendors on lots of one-half acres or less.
  - b) Maximum of three (3) vendors on lots between one-half acre and 1 acre.
  - c) Maximum of four (4) vendors on lots greater than 1 acre.
8. Food Truck Location. Food trucks must be located at least 50 feet from the front door of any restaurant and outdoor dining area and at least 50 feet from any permitted mobile food vending cart location. These minimum distance requirements are all measured in a straight line from the closest point of the proposed food truck location to the closest point from the buffered point, or in the case of a restaurant measured from the closest point of the restaurant's main entrance. ~~If a zoning permit is issued and a restaurant subsequently opens within 50 feet (measured from the restaurant's main entrance) of the approved food truck location, the food truck may continue to operate until the permit expires.~~
9. Temporary outdoor seating associated with a food truck is only permitted on lots at least two (2) acres in size or greater.

## EVALUATION AND CONTEXT

### Unified Development Ordinance Compliance

Zoning Text Amendments, like General Use Zoning Map Amendments (Rezoning), follow the process in Section 2.10 of the City of Southport Unified Development Ordinance. Under this section, the Planning Board shall advise and comment on whether the proposed text or zoning map amendment is consistent with the comprehensive plan or any other applicable official adopted plans. The Board of Aldermen shall, in their final decision-making capacity, base their decision upon the same.

### Southport 2050 Comprehensive Plan Compliance

Overall, the comprehensive plan prioritizes compatible development in the city and throughout the planning area, including Brunswick County. Further, Policy 1.7 guides the city to review and modernize the Unified Development Ordinance. Updates to local ordinances ensure that development is orderly and following statutory requirements. Staff find the zoning text amendment outlined in this report to be consistent with the Southport 2050 Comprehensive Plan.

## STAFF'S RECOMMENDATION

City Planning Staff respectfully submit the proposed Zoning Text Amendment to the Planning Board for their consideration, as outlined in this report. The proposal is found to be consistent with the Southport 2050 Comprehensive Plan and the Southport Unified Development Ordinance. Therefore, Planning Staff recommend the Planning Board send a recommendation of **APPROVAL** to the Board of Aldermen.

Attachments: Consistency Statements



**City of Southport Planning Board  
Statement of Plan Consistency and Zoning Recommendation  
(As per NC General Statute 160D-604)**

*When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.*

**AMENDMENT:      ZTA-26-04 Mobile Vendor**

**STATEMENT OF CONSISTENCY AND RECOMMENDATION:**

The City of Southport Planning Board hereby recommends adoption of the proposed Zoning Text Amendment to the Board of Aldermen and finds that it is consistent with the City's 2050 Comprehensive Plan adopted October 9, 2025. More specifically, Policy 1.7.5 Update and modernize the uses in the Table of Permitted Uses. Updating local ordinances ensures uses are appropriate in designated zoning districts and relevant to the needs of the city.

The statement and motion was seconded and passed \_\_\_\_\_.

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Scott Baillargeion, Deputy City Clerk

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Lawrence Ashley, Chairman



**City of Southport Planning Board  
Statement of Plan Consistency and Zoning Recommendation  
(As per NC General Statute 160D-604)**

*When conducting a review of proposed zoning text or map amendments pursuant to this section, the planning board shall advise and comment on whether the proposed action is consistent with any comprehensive plan that has been adopted and any other officially adopted plan that is applicable. The planning board shall provide a written recommendation to the governing board that addresses plan consistency and other matters as deemed appropriate by the planning board, but a comment by the planning board that a proposed amendment is inconsistent with the comprehensive plan shall not preclude consideration or approval of the proposed amendment by the governing board.*

**AMENDMENT:      ZTA-26-04 Mobile Vendors**

**STATEMENT OF CONSISTENCY AND RECOMMENDATION:**

The City of Southport Planning Board hereby recommends **denial** of the proposed Zoning Text Amendment to the Board of Aldermen. The proposal is inconsistent with the City's 2050 Comprehensive Plan adopted on October 9, 2025, and is not in the best interest of the city.

The statement and motion was seconded and passed \_\_\_\_\_.

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Scott Baillargeon, Deputy City Clerk

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Lawrence Ashley, Chairman



## **Planning Board Update – April 2026**

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

The Board of Adjustment approved two (2) special use permits for accessory dwelling units at 316 W Moore Street and 206 W Moore Street. The agenda for the April 28, 2026, meeting will include three items: a special use permit for an accessory dwelling unit, a special use permit for multi-family dwelling units in the O&I zoning district, and an appeal to staff's determination for a rights-of-way encroachment.

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

The April meeting of the HPC was held on April 1, 2026. Staff presented updates and led a discussion of the requirements of designating a local historic district and specifically reviewing requirements for issuance of certificates of appropriateness per NCGS 160D-947. After 2 hours of discussion, the Commission moved to continue the meeting to focus on updates to the certificate of appropriateness matrix and finalizing the changes to the Draft Local Historic District Standards. The meeting will take place at the Indian Trail Meeting Hall on Monday, April 13, 2026, at 4 p.m. A copy of the updated matrix can be found on the agenda portal <https://southportnc.portal.civicclerk.com/>.

The draft design standards submitted to the HPC for their April 1, 2026, meeting can be found at the link below.

<https://www.cityofsouthport.gov/Documents/City%20Hall/Committees/Historic%20Preservation%20Commission/DRAFT%20HPC%20Design%20Standards%203-24-26%20w%20Explanation.pdf?t=202603271511560>

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

The Arbor Day celebration takes place at 11 a.m. on Saturday, April 25, 2026, at Franklin Square Park. Announcements are posted on social media, in the newsletter, and other outlets. This annual event will celebrate Tree City USA's 50<sup>th</sup> anniversary and Southport's 22<sup>nd</sup> year as a Tree City USA Community.

### Other Staff Projects:

- Planning Staff applied for and received confirmation from NCDOT that the city is receiving fully funded improvements at two (2) intersections on N. Howe Street.

In November, NCDOT announced a pedestrian improvement program and called for applications from local governments for pedestrian oriented projects. Staff submitted 2 projects at the intersections of N. Howe Street and Leonard Street and N. Howe Street and 9<sup>th</sup> Street. NCDOT will administer and deliver the projects and there is no requirement for local matching funds. The projects are in the preliminary engineering phase.

- The Draft Multimodal Acceleration Plan is complete, and Staff are reviewing the draft plan. Upon completion, the plan will include project details for prioritized pedestrian and bicycle improvements, including cost estimates and funding opportunities. A multimodal grant from NCDOT funds the plan.
- The NC Resilient Coastal Communities Program (RCCP) Phase 1 & 2 project continues in the mid stage of preparing a vulnerability assessment report. A community action team meeting will take place in early May, and a formal public input session will be scheduled in late summer. Information is posted on the Planning Services website as it is available. This project is fully funded by a grant from the RCCP, through the General Assembly, and the National Fish & Wildlife Foundation.
- Planning Staff continue to work on development of an online permit process through OpenGov for all planning applications. This will provide a structured workflow as projects move through the application process. In addition, staff are in the early stages of working with the Brunswick County Planning department to establish a GIS-based development dashboard. This dashboard will be available online once complete.

Staff continue to assist citizens with questions regarding signs, zoning, ROW permits, minor and major subdivisions, minor and major site plans, CAMA Minor Permits, tree permits, special flood hazard areas, text and map amendments, code enforcement cases, and any other items that come to the Department.