



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

MINUTES

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

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

Absent: John Bove, Doug Luehe

A. Call to Order

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

B. Invocation

Chair Ashley provided the invocation.

C. Pledge of Allegiance

Chair Ashley led members in the recitation of the Pledge.

Ethics Statement:

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

D. Approval of Agenda

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

The motion carries unanimously

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

E. Approval of Minutes

- a. September 3, 2025, Planning Board Regular Meeting Minutes

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

The motion carries unanimously

- b. October 7, 2025, Planning Board Special Meeting Minutes

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

The motion carries unanimously

- c. October 16, 2025, Planning Board Regular Meeting Minutes

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

The motion carries unanimously

- d. October 29, 2025, Planning Board Special Meeting Minutes

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

The motion carries unanimously

- e. November 20, 2025, Planning Board Regular Meeting Minutes

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

The motion carries unanimously

- f. January 15, 2026, Planning Board Regular Meeting Minutes

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

The motion carries unanimously

F. Public Comment

None.

G. Old Business

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

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

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

Article 8 Definitions:

Option 1 – Allowing Limited Indoor Events Only

Option 2 – Allowing Limited indoor and Outdoor Events

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Ashley inquired whether the property Mr. Fiss referenced in his earlier example was a rental or private residence.

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

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

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

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

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

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

City Planner Biddle responded that the proposed standards are intended to protect adjacent residents, including those located near areas where events may occur; and explained that one key measure is the 8 p.m. time limit, which

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

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

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

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

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

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

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

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

City Planner Biddle acknowledged Ms. Horton's comments.

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

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

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

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

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

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

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

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

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

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

City Planner Biddle clarified that if the Board of Aldermen approves Option one (1), existing B&B establishments—such as the Carriage House—would be required to modify their current management plans to comply with the updated standards; and explained that these establishments would need to appear before the Board of Adjustment to obtain approval for any

modifications to their management plans under the new regulations.

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

C. BED AND BREAKFAST

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

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

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

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

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

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

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

Ms. Horton noted that the language is still unclear.

Chair Ashley stated that the goal is for the Planning Board to complete a thorough review and discussion before matters reach the Board of Aldermen,

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

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

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

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

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

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

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

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

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

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

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

City Planner Biddle explained the process as follows:

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

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

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

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

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

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

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

Planner Biddle responded affirmatively and outlined the process using a hypothetical applicant, “Mr. Lambert”, seeking a special use permit for a B&B using Option one (1) of the proposed text amendment:

- Special Use Permit Application – Mr. Lambert submits a special use permit

application for the B&B. Staff reviews the application at least 30 days prior to the next Board of Adjustment meeting to ensure it is complete and meets specific use standards.

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

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

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

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

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

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

Ms. Horton expressed concern that requiring certified mail for neighbor notifications could be burdensome, noting that the cost is now approximately \$6.50 per envelope; and recommended allowing alternative forms of proof of notification, such as email, text message, or other electronic communication, provided there is acknowledgment of receipt; and explained that this

approach would be more practical for applicants while still ensuring that residents are properly informed; and noted that electronic notification with confirmation is increasingly recognized as legally valid and can help both residents and event hosts comply with the requirement efficiently.

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

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

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

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

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

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

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

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

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

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

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

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

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

Chair Ashley asked the Board if they would like to make a motion, or

recommend Staff put more work into the document.

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

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

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

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

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

Chair Ashley noted the importance of clearly defining what constitutes an "event"; and provided an example of a book club gathering, such as a group meeting to discuss books while sharing wine, and suggested that such a gathering could be significantly quieter and less impactful than a wedding; and emphasized that the Board should be careful not to make the regulations

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

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

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

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

City Planner Biddle responded that the primary purpose of the text amendment is to establish limits on the scale of events that may occur at a

B&B; and acknowledged the points raised regarding the difficulty in distinguishing between gatherings and events, but explained that the intent of the amendment is to define and regulate the extent to which that land use may operate, ensuring that it remains consistent with the character and expectations of the zoning district.

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

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

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

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

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

Mr. Ekert asked whether such a situation would be any different from a bed and breakfast operating at full occupancy throughout the month; and

questioned whether a quiet event would differ in impact from the normal activity associated with the bed and breakfast being fully booked for 30 days.

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

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

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

Article 8: Definitions

Option 1 – Allowing Limited Indoor Events Only

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

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

Article 3.8 Nonresident Use Standards

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

C. Bed and Breakfast

1. Sanitation. Compliance with rules governing the sanitation of bed and breakfast homes, section 2200 of the North Carolina Administrative Code, Title 10, Department of Human Resources.
2. Management Plan. The application for a bed and breakfast home shall include a management plan that will be approved as part of the special use permit. Approved events outlined in the management plan must meet the following standards:
 - a) Onsite events will require a zoning permit within 30 days of the occasion and must be obtained by the on-site manager.
 - b) Special events shall not exceed two occasions in 30 days.
 - c) All abutting neighbors must be notified of all special events within 30 days of the occasion.
 - d) All special events are to be fully concluded no later than 8 p.m.
3. An on-site manager shall be required to have permanent residence at the designated bed and breakfast.

The Board agreed that 9-9 p.m. would be acceptable to cap event times to

ensure adjoining neighbors are respected.

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

The motion fails for lack of a second

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

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

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

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

The motion carries unanimously

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

Chair Ashley stated his intent to form a subcommittee to refine the proposed B&B event standards; and explained that the goal of the subcommittee is to create a clearer, more accessible presentation of the amendment so that it is easily understandable to the general public, Planning Board, and Board of Aldermen; and emphasized the need for the document to provide a high-level overview, mid-level context, and detailed provisions, making it easier for all stakeholders to understand how the regulations might impact them; and invited other Board members to join the subcommittee; and indicated that the subcommittee would be organized once additional members are identified.

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

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

H. New Business

a. Rules of Procedure - Modification Request

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

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

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

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

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

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

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

Ethics Statement:

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

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

- b. ZTA-26-01 S.L. 2025-94 Unified Development Ordinance Text Amendment
Chair Ashley introduced the item for consideration and turned it over to Planning Services Director Meehan.

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

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

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

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

Planning Services Director Meehan shared that there are several such properties, noting that when the City's Extra Territorial Jurisdiction (ETJ) was originally established, it was drawn as a one-mile radius from the city center, which resulted in some parcels being partially in the City's jurisdiction and partially in the County's; and stated that the proposed Section 1.4 language

will clarify which regulations may be applied in those circumstances, consistent with state law.

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

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

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

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

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

nonconforming lot, structure, improvement, or site element through down-zoning; and explained that the amendment removes the ability of a local jurisdiction to apply certain zoning changes without the approval of all affected landowners; and noted that these provisions have already been guiding Staff practice, and the amendment simply codifies them within the UDO.

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

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

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

Planning Services Director Meehan responded that this is how the statute is written; and returned to her overview of Section 2.10 regarding the UDO Text and Zoning Map Amendments; and explained that one proposed amendment would remove the waiting period for the reapplication of an amendment; and noted that under the current UDO, applicants must wait six months before resubmitting a zoning text or map amendment after a previous request; and shared that the proposed revision would eliminate this six-month waiting period, allowing a zoning text or map amendment to be resubmitted at any time; and discussed proposed revisions to Section 2.12, Establishment of Zoning Vested Right; and explained that the changes address two clarifications; and shared that, first, the amendment clarifies that obtaining a new permit for a property does not extinguish other development rights associated with that property; and shared an example: if a parcel is zoned commercial and multiple land uses are permitted within that zoning district, obtaining a development permit for one permitted use would not eliminate the property owner's ability to pursue other permitted uses on that same property;

and, second, the amendment clarifies how vested rights apply when a special use permit expires; and explained that if a special use permit is issued but is not exercised and ultimately expires without the use becoming vested, the property would then be subject to the current zoning classification and applicable regulations for that property; and noted that these amendments do not substantially change existing practice but instead codify and clarify the provisions within the UDO to ensure the ordinance language clearly reflects how the regulations are currently applied.

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

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

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

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

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

only one road serving the development.

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

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

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

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

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

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

The motion carries unanimously

Chair Ashley read the Statement of Consistency:

The City of Southport Planning Board hereby finds that the proposed text amendment is consistent with the City's 2050 Comprehensive Plan adopted on October 9, 2025. Annual updates to local ordinances ensure that development is orderly and following statutory requirements. The Planning Board recommends that the Board of Aldermen **APPROVE** the zoning text amendment.

I. Staff Reports

a. Other Board and Committee Planning Items

b. Planning Department Updates

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

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

Planning Services Director Meehan responded that once the plan is completed, it will be brought to the Planning Board for review and for the Board to provide recommendations to the Board of Aldermen; and emphasized that Planning Board members are encouraged to participate in any upcoming public forums or surveys related to the project; and noted that these public engagement activities are not expected until the fall, as Staff is currently focused on background work; and shared that announcements will be made through social media, local publications, City communications, and the City website to ensure that all stakeholders, including Planning Board members, are informed and able to participate.

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

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

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

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

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

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

vehicles such as golf carts.

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

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

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

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

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

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

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

Chair Ashley asked about the next steps for the plan.

Planning Services Director Meehan explained that the next steps involve implementing the plan; and shared that Staff will use the plan to ensure consistency with any land use or zoning text amendments; and noted that the

plan will also guide reviews of major permits, ensuring that approvals are consistent with the 2050 Comprehensive Plan; and shared that Staff will continue reviewing implementation strategies to move projects forward.

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

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

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

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

City Planner Biddle explained the anticipated process for developing proposed amendments related to the tree ordinance; and stated that he will first generate a rough draft of the text amendments; and explained that the Forestry Committee will then review the draft and provide input; and noted that once he, Director Meehan, and the Forestry Committee have developed a version that is ready for Planning Board consideration, it will be presented to the Board in the same manner as the previously discussed Bed and Breakfast text amendment; and shared that, at that time, the Planning Board will receive the proposed ordinance language and may choose to recommend approval, recommend denial, or send the proposal back to the committee for additional revisions or reworking; and indicated that he hopes to bring the proposed tree ordinance amendments before the Planning Board in April, with May being the latest anticipated timeframe.

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

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

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

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

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

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

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

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

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

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

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

c. Special Projects

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

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

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

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

Planning Services Director Meehan stated that she would make every effort to provide the requested historical data; and noted that the process must begin somewhere; and emphasized the importance of moving forward; and added

that additional information and historical details can be incorporated as they continue to progress.

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

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

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

- Policy 6.5 – Built-upon area limits for zoning districts: Updates will be made to Section 3.9 (Dimensional Requirements). This update will also include a grading and land disturbance ordinance proposed by the City Engineer, which will be presented concurrently. The ordinance is being revised by the City Attorney and is aligned with the Stormwater Ordinance approved in 2025.
- Policy 4.6 – Maintain and improve Southport's tree canopy: Updates will focus on Section 3.18 (Tree Protection and Landscape Preservation). Staff will review goals of the tree ordinance with the Forestry Committee, ensuring preservation of key trees, encouraging appropriate mitigation, and managing tree credits.
- Policy 8.6 – Manage and improve downtown and Yacht Basin parking: Updates will review Section 3.14 (Parking). While the entire section will be considered, certain subsections have been identified for adjustment. The Planning Board will be involved in discussions regarding specific properties and small updates to address parking concerns without impeding development.
- Policy 1.1 – Encourage development patterns that honor Southport's character and respect the natural environment: Updates will revisit Article 3: Zoning Updates, previously forwarded to the Board of Aldermen in October 2025. This includes priorities from the 2024 Board of Aldermen and Planning Board items not incorporated during the ETJ changes, after the relinquishment, ensuring that previously identified low-hanging fruit projects are addressed.

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

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

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

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

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

J. Board Comments

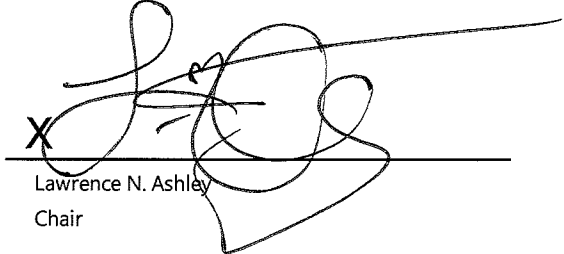
Chair Ashley opened the floor for additional Board comments, there being none, he asked for a motion to adjourn.

K. Adjourn

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

The motion carries unanimously

The meeting adjourned at 8:09 p.m.


Lawrence N. Ashley
Chair

X



Scott Baillargeon
Deputy City Clerk

