



**City of Southport  
Planning Board Regular Meeting  
Southport Community Building  
223 E Bay St  
Southport NC 28461  
06/19/2025  
6:00 pm  
MINUTES**

**Present Members:** Chair Lawrence N. Ashley, Vice Chair Fred Fiss, Will Hewett, Lawrence N. Ashley, John Bove, Bob Lambert.

**Staff Present:** Tom Zilinek, City Engineer; Maureen Meehan, Planning Services Director; Penny Tysinger, Planner; Wendell Biddle, Planner; ChyAnn Ketchum, Public Information Officer, Tori Deviney, City Clerk

**Absent:** None

**A. Call to Order**

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

**B. Invocation**

Mr. Hewett provided the invocation

**C. Pledge of Allegiance**

Chair Hodgins led members in the recitation of the Pledge

**D. Approval of Minutes**

1. Approval of April 15 Planning Board Meeting Minutes

Chair Hodgins asked if there were any additions or corrections that needed to be addressed; she shared a correction that was needed on pg. 7, third paragraph, second line, "stretching from Bald Head Limited to East West Partners," and place a

hard paragraph afterwards to begin the current CZ-25-01: Waterway Community – Conditional Rezoning Application.

**A motion was made by Mr. Hewett to accept and approve the April 15 Planning Board Regular Minutes, seconded by Mr. Ashley.**

**The motion carried unanimously**

Chair Hodgkin shared that cyber issues concerning the May Planning Board Meeting recording delayed the Board from receiving and approving those minutes; and shared that they would be available in the coming month for approval by the Board.

#### **E. Approval of Agenda**

**A motion was made by Bob Lambert and seconded by Will Hewett to approve the agenda.**

**The motion carried unanimously**

#### **F. Public Comment**

Chair Hodgkin asked City Clerk Tori Deviney if there were any public speakers who wished to speak.

Not being any, Chair Hodgkin closed the floor to speakers.

**A motion was made by Mr. Hewett and seconded by Mr. Ashley to approve closing the Public Comment.**

**The motion carried unanimously**

#### **G. Old Business**

1. Zoning Text Amendment ZTA-25-02 – Article 6: Stormwater regulations Ordinance – Tom Zilinek, City Engineer

City Engineer, Tom Zilinek, shared a presentation regarding Article 6: Stormwater regulations Ordinance; he spoke to City requirements that protect, maintain, and enhance Public Health and General Welfare; Mitigating runoff through flood control; Groundwater recharge and pollutant reduction factors for new development; he shared what was included in the Ordinance and spoke to its features concerning the quantity, quality, and scope of the Ordinance; the compliances listed under two categories, minor and major development; he

shared the conditions included under minor development; and those conditions under major development; and the requirements for each; he addressed the methods of implementation for each, and spoke to the details encompassed therein; he spoke to the differences between the proposed Ordinance and the current version of the Ordinance; and outlined the pivotal changes; he shared the benefits of the proposed Ordinance as it would preserve woodland areas, soil from erosion and sedimentation, and protect use and transfer of topsoil; and additional items such as lot coverage limits, impervious coverage limits, and floor area ratio limits; he turned the floor back for any questions from the Board.

Chair Hodgkin spoke to the work that had been completed to draft the proposal; and addressed concerns for established retention ponds and like structures that were covered under a Homeowners' Associations (HOA), and if the proposed changes to the Ordinance would pose any impact on them.

City Engineer Zilinek shared the only requirement for those property owners would be the annual maintenance permits, implemented as a retroactive process; and the need to show a completion of their due diligence to adhere to the Ordinance unless they are expanding the size of the development for which they would need to comply with the new quantity and quality regulations.

Chair Hodgkin addressed floodwater issued regarding clean-up and removal.

City Engineer Zilinek shared the process that includes a maintenance sheet that would be distributed to every HOA, completed quarterly, and would be returned to the City within a set time limit.

Chair Hodgkin addressed the need for why this measure was pertinent today and addressed the large amount of rainfall the City had received over the last year; and the need to enact the Ordinance to ensure that properties are protected from stormwater runoff.

City Engineer Zilinek shared reasons why the proposed Ordinance was a timely matter; and that before his arrival as City Engineer, two years ago, there was not an Ordinance that addressed this matter; and he outlined reasons for why the Ordinance is an important addition to the City's Codes and Ordinances.

Chair Hodgkin affirmed Mr. Zilinek's comments, and the length of time and work exhausted to draft the proposed Ordinance; she expressed gratitude to the Planning Board for their contributions, City Staff for their efforts to bring this proposal to fruition; she asked City Engineer Zilinek to speak more about the enforcement and the process.

City Engineer Zilinek spoke to the portions included in the proposed Ordinance that discuss enforcement; how matters regarding non-compliance would be handled; the process that a notification would be distributed to residents to have them submit their quarterly reports; and noted that any reports received showing infractions, or were not up to standard, the City would provide a 14-day window for the resident to present a plan to correct violations; he spoke in addition to these measures of implementing spot-inspections and shared additional approaches to curtail infractions; the time limits for when corrections needed to be completed within; and to the clauses throughout the proposal that the demonstrate where the City can effectuate repairs and charge for the costs of completing those repairs.

Chair Hodgkin expressed that she wanted that language on record for those that did not receive the 139 pages of the proposal; she inquired about the difficulties enforcement might place on Staff and asked if the current process was working as designed.

City Engineer Zilinek spoke to the current City process; that it was working as designed; and shared that quarterly reports were not a big issue; and once the list was compiled it would just require a checklist showing the distribution and collection of quarterly reports; and discussed the notification distribution that would alert residents to submit their maintenance report.

Chair Hodgkin shared her gratitude to Staff and the Planning Board for their efforts and asked if any other Board members had any questions for City Engineer Zilinek.

Mr. Fiss sought clarity concerning regulation for minor developments regarding the amount of soil that could be brought in; and sought clarity regarding changes to lot grades.

City Engineer Zilinek shared those items were included in the land disturbance portion of the proposal, but stressed that these items would be directly

considered in the next phase of the proposal; and at that time, applicants would need to provide a site plan, grading plan, and documents showing how they plan to change or augment the soil; he expressed concern that in a small town, any change to a grade plan could augment already established plans and create stormwater runoff into neighbors yards; he shared this language was not in the proposal currently, but would be addressed at length in future phases of the plan; to include assurances that all soil imported from outside the City be tested for pollutant control.

Mr. Fiss inquired about the clarity of the current language of the Ordinance; in its current form, would it allow for a resident to raise the grade to 18” without consideration to stormwater runoff; and asked for clarity regarding the timeframe for when these changes would be addressed in future Ordinance proposals.

City Engineer Zilinek stated that currently there is not a rule that prohibits grade changes from occurring; he shared that the Ordinance covering these types of issues were already drafted, but wanted to approach it piecemeal to not encumber the Board with too much to consider at once; he ensured that it will be addressed in the next phase of the proposed Ordinance language in the upcoming months.

Mr. Bove shared the importance of maintaining and managing stormwater runoff; that HOAs are left with the responsibility of ensuring that rules are followed; and inquired about the difficulty for HOAs to enforce rules; and emphasized that future phases of the proposed Ordinance would provide a clearer articulation of the rules.

Chair Hodgkin asked if there were any more questions or comments from the Board.

Mr. Ashley expounded upon Mr. Bove’s remarks and conveyed his appreciation for the work that had been put into drafting the proposal.

Mr. Fiss inquired about the number of current lots and properties that would be covered.

City Engineer Zilinek shared that he had only just begun to compile a list of those properties and lots but shared they would likely be in the range of 20–25; he spoke

to the current stormwater manual the City is operating on and the need to update the language throughout; and shared this was the more pressing item to focus on.

Mr. Fiss inquired about older lots and properties and the effects the proposed Ordinance would require of them.

City Engineer Zilinek shared that the proposed Ordinance would be concerned with things going forward; he spoke to the capital improvements and the timeframe to completion.

Chair Hodgkin likened these projects to highway projects and the time it takes to complete them.

**A motion was made by Mr. Bove and seconded by Mr. Ashley to adopt and forward the Unified Development Ordinance (UDO) Zoning Text Amendment ZTA-25-02 – Article 6: Stormwater regulations Ordinance to the Board of Aldermen for review and consideration.**

**The motion carried unanimously**

Chair Hodgkin requested the Statement of Consistency and Recommendation for Zoning Text Amendment ZTA-25-02 – Article 6: Stormwater regulations Ordinance be read.

Chair Hodgkin read the Statement of Consistency and Recommendation:

- The City of Southport Planning Board hereby recommends adoption of the proposed Zoning Text Amendment ZTA-25-02 – Article 6: Stormwater regulations Ordinance to the Board of Aldermen and finds that it is consistent with the City's 2014 CAMA Core Use Plan originally adopted in 2014 and subsequently amended by the Southport Board of Aldermen, more specifically policy 5.2. Southport recognizes the value of water quality to the protection of fragile areas and to the provision of clean water for recreational tourism purposes and supports the control of stormwater runoff to aid in the preservation of water quality.

## **H. New Business**

1. Zoning Map Amendment ZMA-25-02 – Local Historic District Overlay – Maureen Director Meehan, Planning Services Director; Penny Tysinger, Historic Preservation Planner

Chair Hodgins introduced the agenda item and spoke to its context.

Planning Services Director, Maureen Meehan, presented the Zoning Map Amendment, Unified Development Ordinance, establishment of the Historic District overlay; she expressed her gratitude for being able to present this item to the Board as it had taken a long time to create; she introduced two members of the Historic Preservation Commission (HPC), Mr. Josh Cline McGee and Ms. Bonnie Bray; Historic Preservation Planner, Penny Tysinger, who assisted in the process; and shared the complete list of the members serving on the HPC.

Historic Preservation Planner, Penny Tysinger, presented the next step in HPCs Historic District Overlay; a flow chart to illustrate the local historic district designation process; the history of the HPC to its adoption and formation; a report concerning the local district designation process; she spoke to the process to review the documents under consideration on the webpage; their part in the process; she provided an outlined review concerning the Planning Board who would need to provide their recommendation; and shared the Board of Aldermen would review the overlay next; the schedule for meetings of the HPC; and provided additional graphics that illustrated the boundaries of the national register, local district, and provided an overview of the overlay and the boundaries of the district; the 331 properties that were surveyed; and shared that 247 were designated Contributing Properties and 84 Non-Contributing Properties; that the Local District is predominantly single family residential; including 60 commercial buildings, 11 religious and institutional facilities, one Ft. Johnston, two cemeteries, and four parks; she shared a zoning map that includes this historical district and details concerning the zoning of the district; she spoke to regulations in addition to design standards as they are adopted; the process of the Quasi-Judicial Hearing; and the normal permitting process, and adopted with a statement of consistency; and the process to finalize the plan to be placed before the Board of Aldermen; she turned the floor back to the board for questions and comments.

Mr. Ashley addressed the amount of work that went into the plan, and gratitude for the work.

Mr. Bove inquired about the difference between residences marked national register and the study listed (green or purple on the map).

Ms. Tysinger addressed the zoning map and provided clarity between the residences marked national register and the study listed; showing that these places could register for the national register but were not as of now listed.

Chair Hodgkin emphasized Mr. Ashley's comments about the scope and detail of the work; that she had been hearing a lot of positive feedback concerning the project; and emphasized the overall time it had taken to get to this point; and expressed her gratitude to the efforts of everyone included; and the citizen's desire to preserve the City's historic character; and the past attempts to achieve this milestone.

Mr. Fiss shared his excitement for the overlay.

**A motion was made by Mr. Locklin and seconded by Mr. Bove to accept the official designation of Zoning Map Amendment ZMA-25-02 – Local Historic District Overlay to be forwarded to the Board of Aldermen for review and adoption.**

**The motion carried unanimously**

The Statement of Consistency was read by Mr. Ashley:

- The City of Southport Planning Board hereby recommends adoption of the proposed Zoning Map Amendment ZMA-25-02 – Local Historic District Overlay to the Board of Aldermen and finds that it is consistent with the City's 2014 CAMA Core Land Use Plan originally adopted November 13, 2014, and subsequently amended by the Southport Board of Aldermen, more specifically policy 7.1. Southport will protect its resources as a valuable cultural and economic asset. Further, this map amendment is reasonable due to the physical conditions of the properties within the proposed overlay, benefits the landowners and community as a whole and is in the public interest to preserve the historic character of the City.

## **I. Other Business**

### **1. Planning Services Director Updates – Maureen Meehan**

Director Meehan provided an update on the Southport Multi-Modal Project Acceleration Plan; she shared they had been awarded a new grant from NCDOT to support the project and ensured the Board that it would outline clear steps for implementation for a walkable and cyclable community; spoke to the project scope and the plans scheduled ahead; to obtaining additional funding sources;

reviewing the Parks and Recreation Master Plan; and shared the website information where residents can obtain further information about the plan, and that they could provide their contact information to receive email updates; she shared a legislation update concerning SB 205 (in its third iteration) has been pulled into sections of HB 765 of the Omnibus Zoning Bill concerning swimming pools; she shared that the Bill now contains language regarding land use regulations; and the change of duties now covered by the Board of Aldermen would be placed before City Administration to conduct.

Chair Hodgkin inquired about where the Bill was currently.

Planning Services Director Meehan shared that it was with the House Committee.

Mr. Ashley inquired about changes to HB 765, and would it require administrative reviews for large projects; and if the new regulation would require additional Staff to implement the new procedures.

Planning Services Director Meehan shared that it did not spell out the site plan reviews but spoke to subdivisions reviews; that major subdivisions would fall under administrative reviews; and shared that she did not see a reason for additional Staff to conduct the work; She addressed the mural that had been mentioned in a previous Board of Aldermen meeting who expressed concerns that it was not within the regulation written for murals; she noted that the Board of Aldermen requested the discussion be brought back before the full Board for reexamination; and the need to review the vague text of the sign/mural as it is open to interpretation; and to delineate whether it qualified to be a mural or a wall sign; she stressed that the sign will be going before the UDO Committee for review and further consideration.

Mr. Locklin spoke to the interpretation of the language on the mural; and shared that a colloquy needed to occur to discuss what had been done with the mural/sign; he shared that Director Maureen and the City Manager's decision that the mural/sign did not comply with the ordinance as written needs readdress; and that a further discussion should take place before the general public for transparency; and addressed the language of the Ordinance referencing what constitutes a sign in contrast to a mural.

Planning Services Director Meehan shared the Ordinance language with the Board of Aldermen provided background on sign dimensions, content, and the artwork displayed was in congruence with the Ordinance guidelines.

Discussion ensued regarding the difference between wall signs and murals; the intent to preserve the historic character of the City; the City Manager's objection to the sign refuting it as a mural in favor of a wall sign; the content being favorable with the overall character of the City; laws concerning signs and murals; and examples from other municipalities; colors and aesthetics representing of the community; and the vague language portrayed on the mural/sign.

Mr. Locklin spoke to the mural/sign and stated it was following the Ordinance; and stated that they should confer with the City's attorney for further interpretation of the law regarding murals and wall signs.

Mr. Ashley read the Ordinance to the Board and discussed signage that would be out of context per the law.

Chair Hodgkin asked if there were any additional questions for Director Meehan; she stated that the best option concerning the mural/sign discussion would be to move it back before the UDO Committee for review and report back to the Planning Board in the future.

Mr. Ashley asked whether the item should be placed in a holding pattern until further discussion; he expressed concerns that should the rule be amended to allow for the sign as it is would require the owner of the sign to make costly changes; he expressed concern for the sign-owner and if a process was in place to ensure that the sign could remain in its current form until a final decision was made.

Planning Services Director Meehan shared that they were waiting for the UDO Committee to come in compliance with the size requirement and due to the rain they were not able to change the paint, but they will be addressing it in the future; she shared that regarding the holding pattern, since the permit is received, it is allowed to remain in its current form until a final decision is made.

## 2. Planning and Zoning Update – City Planner, Wendell Biddle

City Planner, Wendell Biddle, shared that this month's Board of Adjustment had been cancelled and there were no variance or special use permit applications pending review; Staff have not received any major or minor site planning applications, but shared they had been in conversations with agencies regarding pre-application meetings and to expect July's Planning Board to contain more development review updates; he shared they are working with several text amendments to go before the UDO Committee with a proposed text amendment meeting scheduled for July 10; they are still awaiting confirmation from several members of the committee but ensured that July 10 is the day for now; he shared that with the ETJ relinquishment they have lost three zoning districts and the ability to zone several different land uses; Table 3.1 will be the primary text amendments for the committee to review big projects going forward; other proposed text amendments up for review are food truck ordinance, regulation of flagpoles, and increase in standards on multi-level structures.

Mr. Bove inquired about manufactured homes and their status in relation to the text amendments mentioned.

City Planner Biddle shared that manufactured homes had been rolled into Table 3.1 as they were not the only land use lost.

Chair Hodgkin asked Mr. Biddle to repeat the things mentioned in other proposed text amendments.

City Planner Biddle shared that the proposed text amendments considered for review were food truck ordinance, regulation of flagpoles, and increase in standards on multi-level structures.

Mr. Ashley inquired about drive-throughs and whether they would be included in this round of amendments.

City Planner Biddle shared that drive-throughs were not being considered in the scope for this round of text amendments due to the quantity of work covered under the proposed amendment but assured that they would be addressed in upcoming amendments.

Mr. Locklin emphasized the need to address them in upcoming proposed amendments.

City Planner Biddle noted the already extensive list they were working on to resolve; and stated that adding drive-throughs to it would only elongate the plans they had committed to; he assured members of the Board that it would be addressed in the coming months.

Mr. Fiss asked about Right of Way violations and requested an update.

City Planner Biddle addressed the 80-90 Right of Way violations that were an issue; he shared that number had decreased exponentially to 22 violations after working with the Right of Way Committee who provided authority to Staff and the City Manager to address them using their best judgement; he shared they are now going door-to-door to address each violation and work with residents to have them resolved amiably.

Mr. Fiss inquired about the compliance matter regarding Kingsley Park.

City Planner Biddle shared that it would be going before an administration appeal for review; and that it will be heard as part of a quasi-judicial procedure for the Board of Adjustment.

Mr. Ashley inquired about the public feedback he had received from going door-to-door to address Right of Way violations.

City Planner Biddle shared his experiences and provided feedback; he noted that since Staff had been granted authority to address issues, it has been a smooth process in having issues resolved.

Chair Hodgkin asked if there were any more questions for City Planner Biddle.

Mr. Locklin spoke to three vacancies coming up on the Planning Board; he stated these seats were set to expire on July 7, 2025; and recommendations would be submitted to the Board of Aldermen.

Mr. Askley thanked Chair Hodgkin for her leadership and commitment to Southport.

Chair Hodgkin shared that Mr. Hewett was leaving the Planning Board to move to western North Carolina; she thanked him for his service from 2019 to 2025; she presented him with an award.

Mr. Locklin presented Mr. Hewett with a gift bag and thanked him for his commitment to Southport and wished him luck.

**J. Announcements**

Chair Hodgkin opened the floor for Board comments.

Mr. Ashley thanked Staff for their hard work and dedication concerning the conditioned zoning and spoke to the challenges they faced and their determination to accomplish the tasks.

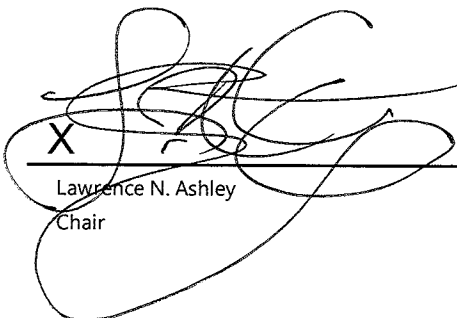
Chair Hodgkin shared the Planning Board would not meet again until after July 4, 2025.


**K. Adjourn**

**A motion was made by Mr. Ashley for a motion to adjourn and was seconded by Mr. Bove.**

**The motion carried unanimously**

The meeting adjourned at 7:37 p.m.

X   
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Lawrence N. Ashley  
Chair

X   
\_\_\_\_\_  
Scott Baillargeon  
Deputy City Clerk

