



CITY OF SOUTHPORT

Planning Board

Regular Meeting

May 21, 2026 | 6:00 PM
223 E Bay St, Southport, NC 28461
Southport Community Building
Please turn off or silence all cell phones

Agenda

- A. Call to Order**
- B. Invocation**
- C. Pledge of Allegiance**
- D. Swearing in of Member**
 - 1. Swearing in of Mr. Clark Freise to the Alternate Position
- E. Ethics Statement: If any members know of any conflict of interest, or the appearance of a conflict of interest, concerning matters on the agenda, please so state it at this time.**
- F. Approval of Agenda**
- G. Approval of Minutes**
 - 1. February 4, 2025, Planning Board Special Meeting Minutes
 - 2. March 7, 2025, Planning Board Special Meeting Minutes
 - 3. April 16, 2026, Planning Board Regular Meeting Minutes
- H. Public Comment**
- I. Old Business**
 - 1. Dashboard Update
- J. New Business**
 - 1. ZMA-26-02 Yacht Basin Overlay Zoning Map Amendment
 - 2. Annual Report
 - 3. Resiliency Planning Update
- K. Staff Reports**
 - 1. Other Board and Committee Planning Updates
 - 2. Planning Updates
 - 3. June 2026 Meeting & Future Meetings - Indian Trail Meeting Hall
 - 4. Zoning Updates
 - a. ZMA-25-02 - Local Historic District Overlay
 - b. ZMA-25-03 - Southport Crossing Planned Unit Development (PUD) Master Development Plan Major Modification

- c. ZTA-24-05 Bed and Breakfast Special Events
 - d. ZTA-26-03 Zoning Text Amendment Section 3.1 Table of Uses - Pools in Business District
 - e. ZTA-26-04 Zoning Text Amendment Section 3.8.Y. Mobile Vendor or Food Truck
- 5. MuniCode Updates
 - 6. Text Amendment Document Update
 - 7. Data Centers UDO Update
 - 8. Land Disturbance & Soil Erosion - City Code Update
 - 9. Project 2050 - UDO Update
 - a. Planning Working Meeting
 - 10. Performance Bond Update
 - 11. Property De-annexation Update
 - 12. Special Projects
- L. Board Comments**
- M. Adjourn**

Meetings are open to the public. If you cannot attend the Planning Board meetings in person, the meeting will be available for to watch via live stream on the City of Southport website (<http://cityofsouthport.gov/livestream>), Facebook page, and YouTube channel.



City of Southport
Planning Board Special Meeting
Indian Trail Meeting Hall
113 W Moore St
Southport NC 28461
02/04/2025
10:00 am
MINUTES

Present Members: Chair Sue Hodgins, Will Hewett, Fred Fiss, Larry Ashley, John Bove, Bob Lambert, Kevin Locklin

Staff Present: Maureen Meehan, Planning Services Director, Wendell Biddle, City 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 10:00 a.m.

B. Invocation

Mr. Hewett provided the invocation

C. Pledge of Allegiance

Chair Hodgins led members in the recitation of the Pledge

D. Public Comment

Chair Hodgins asked for a motion to open Public Comment.

A motion was made by Mr. Ashley and seconded by Mr. Hewett, to open Public Comment.

The motion carried unanimously.

Chair Hodgkin asked Deputy Clerk Deviney if there were any speakers or email comments.

There being no speakers from the floor, Chair Hodgkin asked for a motion to close Public Comment.

A motion was made by Mr. Ashley and seconded by Mr. Lambert to close Public Comment.

The motion carried unanimously.

E. Old Business

1. Yacht Basin Overlay – Maureen Meehan

Planning Services Director Maureen Meehan shared the item as it was carried over from the January 16 Regular Planning Board Meeting and the Special Meeting was requested so the proposed language could be considered prior to the spring tourist season; and noted the studies that were conducted since 2021 regarding the Yacht Basin; and noted this overlay was included in the 2050 Comprehensive Plan; and the properties considered for today, in the R10 zoned lots, located on 309 W Moore St and 103 S Caswell Avenue, 237LF003 & 237LF004; and that the property owners have given their consent to the overlay; and spoke to the findings of the Yacht Basin Committee, property owners, Staff, and Board Liaisons; the acceptable surface materials, future uses if the property, driveway aprons, wayfinding, and maintenance conducted by the property owners; she noted the Board of the review includes the following for surfacing:

- That materials are limited to pavers and #57 driveway slate gravel, and the parameters will be delineating borders, and;
- Concrete and asphalt are not permitted in the overlay district, and;
- The borders would consist of 8”X8” wooden beams for lot boundaries, and;
- 4”X4” wooden posts for vertical boundaries consistent with what is existing currently, and;
- The driveway entrances will include an apron that are sized to contain the surface aggregate and consists of costs in place of concrete, or with alternative paving material that exhibits equivalent wear and consistency, and;
- Off-street parking areas will be properly maintained on a regular basis using industry standards, best practices.

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

Mr. Bove noted an error in the wording of feet and should be amended to reflect inches.

Mr. Fiss suggested adding additional sidewalks in the Yacht Basin; emphasizing this is the time to act, as a previous opportunity along HWY 211 had been missed; he showed where the sidewalks could be placed using the overlay map.

Mr. Ashley asked that the lot coordinates be added to the minutes for clarity.

Mr. Locklin shared he would not be in favor of Mr. Fiss's idea to add sidewalks; he emphasized maintenance for practical usage and would rather see the property owners focus their attention on the grounds, grading, grass, and upkeep.

Mr. Lambert inquired about liability matters and sought clarification about who would be responsible for liability issues.

Planning Services Director Meehan shared that the property owners were responsible for all liability issues.

Chair Hodgkin inquired if that language should be added to the text amendments, noting that City inspections will be conducted, but the property owner would be responsible for maintenance.

Director Meehan shared that the language can be added per the Board's consideration.

Chair Hodgkin noted that Committee members were comfortable not specifying property owners were responsible for inspection and maintenance.

Mr. Fiss noted that, according to the law, it is the owner's responsibility to conduct maintenance.

Chair Hodgkin asked if there were any other discussion and asked the Board for a motion to forward the drafted text amendment to Section 3.1A to the Board of Aldermen for Public Hearing and its action

A motion was made Mr. Ashley and seconded Mr. Lambert, to forward the draft text amendment to Section 3.3A – the establishment of an Overlay District (including corrections identified by Mr. Lambert).

The motion carried unanimously.

Chair Hodgkin asked Mr. Ashley to read the Statement of Consistency and Recommendation:

The City of Southport Planning Board hereby recommends adoption of the proposed Zoning Text Amendment ZTA-24-06 – Zoning Map Amendment to the Board of Aldermen and finds that it is consistent with the City’s 2014 CAMA Core Use Plan originally adopted on November 13, 2014 and subsequently amended by the Southport Board of Aldermen, more specifically the proposed amendment is consistent with policy 7.8. Southport recognizes that tourism is important and will support activities that promote tourism.

F. Adjourn

Chair Hodgins asked for a motion to adjourn.

A motion was made by Mr. Ashley and was seconded by John Mr. Bove to adjourn.

The motion carried unanimously.

The meeting adjourned at 10:26 a.m.

X

Lawrence N. Ashley
Chair

X

Scott Baillargeon
Deputy City Clerk



**City of Southport
Planning Board Special Meeting
Southport Community Building
223 E. Bay Street
Southport NC 28461
March 7, 2025,
10:30 am
MINUTES**

Present Members: Chair Sue Hodgins, Will Hewett, Fred Fiss, Larry Ashley, John Bove, Bob Lambert, Kevin Locklin

Staff Present: Noah Saldo, City Manager; Maureen Meehan, Planning Services Director, Wendell Biddle, City 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 10:00 a.m.

B. Invocation

Mr. Hewett provided the invocation

C. Pledge of Allegiance

Chair Hodgins led members in the recitation of the Pledge

D. New Business

a. Old City Hall/Courthouse

City Manager Saldo spoke to the Old Courthouse; and noted that the Board of Aldermen voted to designate the old city hall/courthouse building located at 201 E. Moore St. for use as the police department and board chambers; and shared that under Southport Code of Ordinance Section 13-34 - Public facilities and Southport Unified Development Ordinance (UDO) Section 2.3 "Planning Board", A. Powers and Duties stipulate:

- "The Planning Board shall review and report as recommendations to the Board of Aldermen upon the extent, location, and design of all public structures and facilities, on the acquisition and disposal of public properties, and on the establishment of

building lines However, in the absence of a recommendation from the Planning Board, the Board of Aldermen may after the expiration of thirty (30) days from the date on which the questions have been submitted in writing to the Planning Board for review and recommendation, take final action.”

And shared that the Board of Aldermen has asked the Planning Board to provide a recommendation on the extent, location, and design of the building as the police department and board chambers within 30 days of today; and shared that he would include the draft block designs and supporting materials to the Planning Board for review; and noted that the attached plans are not the final plans but a rough draft for the Board’s recommendations; and asked the Board if they had any questions.

b. Recess for tour of Old Courthouse

Chair Hodgkin asked for a motion to recess to tour the Old Courthouse

A motion was made by Mr. Ashley and Seconded by Mr. Lambert.

The motion carried unanimously

c. Reconvene and any additional Questions

Chair Hodgkin asked the Board for any comments or questions.

E. Adjourn

Chair Hodgkin asked for a motion to adjourn.

A motion was made by Mr. Ashley and was seconded by John Mr. Bove to adjourn.

The motion carried unanimously

The meeting adjourned at 11:30 a.m.

X

Lawrence N. Ashley
Chair

X

Scott Baillargeon
Deputy City Clerk



**City of Southport
Planning Board Regular Meeting
Southport Community Building
223 E Bay St
Southport NC 28461
April 16th, 2026,
6:00 pm**

MINUTES

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

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

Absent: None

Board of Aldermen Liaisons: Karen Mosteller and Rebecca Kelley

A. Call to Order

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

Chair Ashley reviewed the items on the agenda and introduced members of the Planning Board, Staff, and Aldermen present. He then asked Mr. Luehe to deliver the invocation.

B. Invocation

Mr. Luehe provided the invocation.

C. Pledge of Allegiance

Chair Ashley led members in the recitation of the Pledge.

Chair Ashley read the Ethics Statement.

Ethics Statement:

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

D. Approval of Agenda

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

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

The motion carried unanimously.

E. Approval of Minutes

- a. March 19th, 2026, Planning Board Regular Meeting Minutes

A motion was made by Ms. Horton and seconded Mr. Lambert, to Approve the March 19th, 2026, Planning Board Regular Meeting Minutes.

The motion carried unanimously.

During review of the minutes, Mr. Fiss noted an error on page 27 of the agenda packet regarding language stating that the owner of the property was allowed to rent the ADU. He questioned whether the statement should reflect the opposite.

Planner Biddle confirmed the statement was incorrect and explained that property owners are generally conditioned not to allow rental of the ADU. He acknowledged the language in the meeting minutes was a typographical error.

Ms. Horton made a motion to withdraw her original motion.

A motion was made by Ms. Horton and seconded Mr. Lambert, to Approve the March 19th, 2026, Planning Board Regular Meeting Minutes as amended to reflect that the ADU is not permitted to be rented.

The motion carried unanimously.

F. Public Comment

None.

G. Old Business

- a. ZTA-24-05 Zoning Text Amendment Section 3.8.C. Bed and Breakfast (Special Events)

Planner Biddle presented a proposal to amend the Unified Development Ordinance (UDO) regarding Bed and Breakfast uses through Zoning Text Amendment (ZTA) 24-05. He explained the amendment was developed through multiple discussions over the past year and a half and refined by a

subcommittee consisting of Planning Staff and three Planning Board members in March.

Planner Biddle stated the proposed amendment would modify Articles 3 and 8 of the UDO to allow Bed and Breakfast establishments to host limited events while addressing gaps and ambiguities in the current ordinance. He noted that during a 2024 Special Use Permit application, a request to host weddings at a Bed and Breakfast was denied, highlighting the need for clearer standards.

He reviewed current definitions and clarified that a Bed and Breakfast is not the same as a hotel, motel, or inn, despite the existing use of the term “Inn” within the current definition. He also explained the difference between a Special Use Permit, which requires Board of Adjustment approval through a quasi-judicial process, and an administrative permit, which is handled by Staff.

Planner Biddle emphasized that the proposed amendment would not change the zoning districts where Bed and Breakfasts are permitted, nor would it alter the requirement for a Special Use Permit. Instead, the amendment would revise definitions and management plan requirements.

The amendment proposed adding new definitions for the terms “Bed and Breakfast,” “event,” and “low impact gathering.” It would also revise the management plan standards to require that approved events meet the following conditions:

- Bed and Breakfasts in residential zoning districts shall limit all on-site events to interior gatherings.
- On-site events shall not exceed two occasions within a 30-day period.
- All abutting neighbors must be notified of special events within 45 days of the event, with proof of notification maintained on site for two years.
- All on-site events must occur between the hours of 9:00 a.m. and 9:00 p.m.

Planner Biddle stated the amendment would create a clearer regulatory framework supporting tourism while protecting neighborhood character and removing ambiguity in the ordinance. Staff recommended approval of ZTA 24-05 as consistent with the City’s 2050 Comprehensive Plan and supportive of tourism and economic development goals. He noted that following the Planning Board’s recommendation, the amendment would proceed to the Board of Aldermen for a public hearing and final consideration. He concluded his presentation and noted that he and Staff were available to address any questions.

Chair Ashley opened the floor to Board comments.

Mr. Bove expressed support for clarifying the ordinance to avoid future zoning disputes and questions. He first asked how the proposed provisions would be enforced, noting that the City would likely only become aware of events occurring at Bed and Breakfast establishments if activities took place outside the property and caused disturbance to neighbors. He stated that enforcement was a primary concern.

Mr. Bove noted that the proposed language appeared to allow only low impact gatherings at Bed and Breakfasts and that such gatherings were defined as occurring inside the building. He stated that this seemed clear, though the definition could potentially be clarified further.

He further observed that the proposed definition of “event” appeared to describe activities requiring permits or regulatory oversight but questioned how that definition would apply to Bed and Breakfast uses if such establishments were only permitted to host low impact gatherings. He suggested the definition might be more relevant to other uses than to Bed and Breakfasts.

Mr. Bove also questioned whether adding definitions for “event” and “low impact gathering” to the general definitions section of the UDO could unintentionally affect other sections of the ordinance beyond Bed and Breakfast regulations. He asked whether there was any concern that the new definitions could create ambiguity or unintended impacts elsewhere in the UDO.

Planner Biddle responded that the definitions were drafted to work together within the proposed amendment. He explained that the term “event” was defined because it is referenced within the proposed definition of “low impact gathering.” He stated that “low impact gathering” was intended to mean a temporary event or activity lasting less than 12 hours, without amplified sound or the use of public services, and producing minimal disruption to adjacent property owners.

Planner Biddle explained that the broader definition of “event” was intentionally written to encompass planned gatherings or activities, whether public or private, held on public or private property, involving participants or spectators, and potentially requiring municipal services, permits, or regulatory oversight. Planner Biddle stated Staff believed this was an appropriate general definition that could apply to other land use situations as needed.

Planner Biddle addressed enforcement and acknowledged the challenge of monitoring low impact gatherings occurring entirely indoors at a Bed and

Breakfast. He explained that if an event remained within the interior occupancy limits established by the Fire Marshal and created no disturbance, the City would likely have no practical need for oversight.

He stated that Staff had previously considered requiring an administrative permit process to document such gatherings, but that concept received pushback from the Board of Aldermen, the Planning Board, and Staff because it would create an additional administrative burden. As a result, Staff determined enforcement would occur only if a problem arose.

Mr. Bove stated that he believed the definition of “low impact gathering” was acceptable but questioned how it specifically applied to Bed and Breakfast uses. He asked whether a low impact gathering was intended to mean only an interior gathering for Bed and Breakfast establishments.

Mr. Bove also noted that proposed Section 3.8.2.c. required abutting neighbors to be notified of all special events within 45 days of the event, with proof of notification maintained on the premises for two years. He questioned the reference to “special events” in that section and how it related to the defined term “low impact gathering.”

Planner Biddle responded that low impact gatherings were not limited exclusively to interior gatherings in all cases. He explained that Bed and Breakfast establishments located in residential zoning districts would be restricted to interior-only gatherings, while Bed and Breakfasts located in commercial zoning districts would still be required to meet the standards for low impact gatherings but would not be limited to interior-only operations.

Mr. Bove stated that he remained confused by the proposed language in Section 3.8.2.a., which provided that Bed and Breakfasts in residentially zoned districts shall limit all on-site events to interior gatherings. He asked for clarification as to whether that was the intended meaning.

Planner Biddle responded that Director Meehan had anticipated that question and that Staff had considered additional amendment language specifically addressing commercially zoned Bed and Breakfast establishments. He explained that Staff determined such language would be unnecessarily repetitive.

Planner Biddle stated that the proposed text expressly limits Bed and Breakfasts in residential zoning districts to interior gatherings. By implication, Bed and Breakfasts located in commercially zoned districts would not be subject to the same interior-only restriction, while still being subject to the applicable standards for low impact gatherings.

Mr. Bove stated that his concern was with how the ordinance language would be interpreted in the future rather than the current intent behind the proposal. He observed that the language appeared to mean Bed and Breakfasts in residential zoning districts would be limited to interior gatherings and therefore would, by definition, be low impact.

Planner Biddle responded that all events hosted by Bed and Breakfast establishments were intended to be low impact gatherings. He explained that if the property were in a residential zoning district, those gatherings would also be required to occur indoors. He added that if those standards were met, there would be little practical need for enforcement because the activity would be contained within the structure.

Mr. Bove then referenced proposed Section 3.8.2.c. requiring notice to abutting neighbors of all “special events” and noted that the term “special events” had not been specifically defined. He asked whether Staff intended the term to mean “events” or events that have low impact gatherings.

Planner Biddle clarified that the intent was to refer to “events.”

Mr. Bove stated that removing the word “special” from the text would make the language clearer to him.

Planner Biddle acknowledged and shared that he would make the proposed revisions for clarity.

Mr. Bove concluded his questions.

Chair Ashley stated that Mr. Bove had raised valid concerns. He explained that he was comparing the proposed definitions to the ordinance language and noted that while “low impact gatherings” had been defined, he did not see that term incorporated into the non-residential use standards. He questioned the purpose of creating a definition if it was not directly used in the operative standards.

Planner Biddle responded that “low impact gathering” was not intended to be a separate land use category. Rather, it was created as part of the revised definition of Bed and Breakfast. He explained that because the committee introduced the new term into the Bed and Breakfast definition, it was necessary to define it separately. He added that the term “event” was likewise defined because it was used within the definition of “low impact gathering.”

Chair Ashley replied that he understood the explanation but remained concerned that the defined terms should also be reflected in the enforceable standards language. He stated that the non-residential use standards did not expressly state that gatherings must be limited to low impact gatherings, creating what he viewed as a disconnect between the definitions section and the operational standards.

Planner Biddle stated that he understood Chair Ashley's concern regarding the lack of connection between the new definitions and the operative standards language. He explained that the term "low impact gathering" had not previously been used elsewhere in the ordinance for any other land use, whether residential or non-residential.

Chair Ashley responded that his concern remained that the proposed language did not clearly connect the new definitions to the standards being created. He stated that he was not attempting to criticize the proposal but wanted to ensure the amendment was in proper form before being forwarded to the Board of Aldermen. He noted that if new terms are being defined, those same terms should be clearly incorporated into the language authorizing or regulating the use.

Chair Ashley further returned to Mr. Bove's earlier question regarding the proposed definition of "event." He stated that he had not yet heard whether adding that definition could affect the meaning of the word elsewhere in the ordinance or in other City regulations. He asked whether defining the term in this amendment could create unintended consequences or broader impacts in other sections of the UDO or other ordinances.

Planner Biddle stated that he understood the concern that creating a new definition for "event" could potentially create unintended consequences elsewhere in the ordinance. He advised that, to his knowledge, he did not anticipate the proposed definition having any adverse effect on other land use or zoning provisions.

Planner Biddle further stated that including the term could be beneficial by providing a land use reference for other City departments, such as Community Development, when reviewing or coordinating events. He reiterated that he did not believe the proposed definition would negatively impact any existing planning or land use terminology.

Chair Ashley asked Mr. Bove if his questions were satisfied.

Mr. Bove acknowledged that they were.

Ms. Horton stated that she had additional concerns regarding the proposed definition of “event.” She explained that an existing business, such as Carolina Brewing Company, could potentially host an activity such as a horseshoe tournament or similar gathering, which might then fall under the new definition of an event.

She noted that because the definition referenced activities that may require municipal services, permits, or regulatory oversight, it could potentially affect businesses beyond Bed and Breakfast establishments. Ms. Horton stated that while the definition appeared broad enough to be workable, it was difficult to predict how it might be interpreted.

Ms. Horton added that if the definition were included in the UDO, the Board should recognize that it could prompt additional questions from businesses and property owners, such as when a permit would be required and under what circumstances an activity would be considered an event subject to regulation.

Mr. Luehe suggested that the issue might be addressed by structuring the ordinance language differently within the UDO. He stated that definitions were necessary but should be narrowly tailored and specific to the intended use.

Referring to the concerns raised by the Board, Mr. Luehe asked whether the proposed terminology could be written so that it applied specifically to Bed and Breakfast uses rather than being placed in the general measurements and definitions section of the ordinance. He suggested creating a subsection specifically for Bed and Breakfast definitions so that the terms would apply only to that use and could not later be interpreted or repurposed for unrelated uses. Mr. Luehe asked Staff whether there was a way to structure the amendment in that manner.

Planner Biddle responded that he was uncertain how such a structure would be implemented within the ordinance. He further cautioned against limiting the definitions solely to Bed and Breakfast uses, stating that doing so could unnecessarily restrict the City in the future.

He explained that if the terms were narrowly tied to one use, the City might later need to undertake another text amendment process should a new or unforeseen land use situation arise requiring similar terminology. Planner Biddle noted that new circumstances and uses develop over time, and broader definitions could provide flexibility.

Planner Biddle stated that keeping the language as neutral and general as possible would be beneficial to the City. Although the definitions were currently being proposed in relation to Bed and Breakfast regulations, he noted they could also prove useful in addressing future planning or land use matters.

Mr. Luehe commented that Planner Biddle was serving as the spokesperson for the subcommittee and was presenting positions that reflected the group's discussions rather than solely his own views. He thanked Planner Biddle for his patience in responding to the Board's questions.

Mr. Luehe stated that the subcommittee had attempted to balance several competing considerations. First, he noted there was the broader issue of property rights, including the rights of residential property owners and the desire of some owners to generate commerce from their property. He explained that the City had already determined Bed and Breakfast uses could be appropriate in certain residential settings, and the current discussion concerned how those uses should operate.

Second, Mr. Luehe noted the subcommittee considered Staff capacity and the practical limits on enforcement. He stated that while Staff were willing and capable, there were only so many resources available, and the Board should avoid creating regulations that would be difficult or impossible for Staff to administer effectively.

Mr. Luehe explained that one method proposed to reduce enforcement concerns was the neighbor notification requirement. By requiring notice of an event, nearby property owners would be aware that an activity was scheduled and could observe whether the operator remained within the approved standards. If not, neighbors could raise concerns directly with the operator or report repeated violations to Staff.

He stated that the Board had not yet fully addressed the next step, how the City would respond if an operator knowingly continued to violate the approved standards after being notified. Mr. Luehe concluded by asking whether others had ideas regarding enforcement in that circumstance.

Mr. Bove stated that a remaining concern was determining who would decide whether an activity qualified as a low impact gathering or an event. He noted that, in his view, the proposed Bed and Breakfast language made clear that such establishments would be limited to low impact gatherings and would not be permitted to host events.

Mr. Bove further observed that for uses outside the Bed and Breakfast context, the distinction was less clear. He noted that the phrase “minimal disruption to adjacent property owners” was subjective and could be interpreted differently depending on the circumstances.

He stated that for Bed and Breakfast uses, the interior gathering requirement in residential districts helped provide clarity because activities would be contained within the building and would not spill into adjoining yards or neighboring properties.

Mr. Bove concluded that he was generally comfortable with the proposed definitions so long as there would be a designated authority or clear process to determine when an activity constituted a low impact gathering versus an event for uses other than Bed and Breakfast establishments.

Mr. Luehe stated that, based on the language in the agenda materials, both “event” and “low impact gathering” were separately defined terms. He suggested that a low impact gathering was intended to be a subset of an event, meaning that all low impact gatherings would be events, but only certain events would qualify as low impact gatherings. He noted that additional discussion on that distinction might be helpful.

Mr. Luehe explained that the subcommittee’s intent was to allow Bed and Breakfast activities that would not negatively affect neighboring properties. He gave the example that if a neighboring resident could not see, hear, smell, or otherwise detect the gathering, and if parking or traffic impacts were not occurring, then the use would be operating appropriately and without practical need for enforcement intervention.

He stated that if a gathering exceeded those expectations, through repeated noise, congestion, or other visible impacts, neighbors would become aware of the activity and could then raise concerns. He explained that this neighbor awareness and complaint process was intended to serve as the starting point for enforcement.

Mr. Luehe noted that neighbors would not themselves enforce the ordinance but could first communicate informally with the operator as a matter of neighbor relations or alternatively contact Staff. If conditions were severe, he stated that law enforcement might be contacted; if the issue were less urgent but ongoing, a complaint could be filed with the City.

He further stated that the notification requirement was intended to support that process by ensuring nearby property owners were informed of gatherings

in advance. If complaints later arose, Staff could then request documentation showing that the required neighbor notifications had been provided.

Mr. Luehe concluded by stating that the subcommittee sought to create a workable enforcement framework while recognizing the practical limits of available Staff resources, and he asked Chair Ashley for his thoughts.

Chair Ashley recognized Ms. Horton.

Ms. Horton stated that the discussion appeared to be focusing too heavily on definitions rather than the practical issues the Board was trying to address. She noted that if a Bed and Breakfast hosted six to eight guests, representing its maximum occupancy, those guests might reasonably gather outside in the backyard or around a grill, particularly during pleasant weather in Southport. She stated that such normal outdoor activity should be permitted.

Ms. Horton suggested that the more important regulatory concerns were limiting attendance to a number consistent with the lodging capacity of the property, restricting activities to reasonable hours such as between 9:00 a.m. and 9:00 p.m., and prohibiting amplified sound so as not to disturb neighboring properties.

She stated that requiring all low impact gatherings to remain indoors could be impractical, particularly during summer months, and did not align with the nature of many Bed and Breakfast properties that advertise outdoor amenities such as patios or grills.

Ms. Horton further commented that the amendment language was becoming overly complicated and causing repeated revisions. She recommended that the Board simplify the standards by clearly stating what is restricted, such as noise, number of attendees, and operating hours, rather than relying on complex definitions.

She also stated that allowing such gatherings twice per month was acceptable to her. If the Board's primary concern was weddings or similar events, she suggested the ordinance should state that directly and establish clear limits for those activities.

Ms. Horton concluded that the Board should focus on creating straightforward, black-and-white standards clearly stating what Bed and Breakfast operators may and may not do.

Mr. Ekert stated that he believed he had raised the same question at a previous meeting and emphasized that his primary concern remained the protection of surrounding residential properties.

Mr. Ekert noted that the Fire Marshal establishes occupancy limits for a facility and asked whether the number of people permitted inside a Bed and Breakfast under those occupancy standards could exceed the number of overnight guests the establishment is allowed to accommodate.

Planner Biddle responded in the affirmative. He explained that under the proposed language, the Fire Marshal's interior occupancy limit could exceed the number of overnight guests permitted to stay at the Bed and Breakfast.

By way of example, he stated that if the Fire Marshal determined the maximum interior occupancy of a facility such as the Carriage House to be 50 people, that number could be substantially greater than the number of guests authorized to stay overnight at the property.

Mr. Ekert stated that his question concerned what material impact such gatherings could have on the surrounding neighborhood. He noted that if the occupancy example of 50 persons were accurate, the resulting number of vehicles, potentially 20 or more, could create congestion within nearby residential streets.

Mr. Ekert stated that this answered his earlier concern regarding whether limitations such as two gatherings per month and advance neighbor notification were necessary. He explained that if the impact on the neighborhood were otherwise negligible, those restrictions might seem unnecessary; however, vehicle traffic and parking demand appeared to be a significant factor warranting consideration.

Mr. Luehe stated that he agreed with the concerns being raised and believed the discussion reflected legitimate issues regarding neighborhood protection. He explained that his perspective was that residential zoning districts should retain the characteristics typically associated with residential neighborhoods.

Mr. Luehe stated that while some commercial activity, such as a Bed and Breakfast, may be appropriate in a residential area, the goal should not be to maximize every possible commercial use within residential zones. Rather, he believed the City should proceed cautiously when allowing commerce in such districts.

He stated that the proposed amendment attempted to use the fewest possible words to provide the greatest protection to nearby residents while still allowing some level of commercial activity. In his view, the ordinance was intended to answer yes to permitting Bed and Breakfast uses, while being more cautious and limited when it came to larger events or activities that could alter the residential character of the area.

Mr. Luehe concluded that the Board was attempting to allow Bed and Breakfast operations to the greatest reasonable extent while remaining mindful that these uses are located within residential neighborhoods.

Planner Biddle explained that under the proposed amendment, the application for a Bed and Breakfast would be required to include a management plan as part of the Special Use Permit process. He noted that the management plan would be reviewed and approved in conjunction with the Special Use Permit application.

Planner Biddle stated that the management plan would need to identify any proposed events or gatherings associated with the Bed and Breakfast. During the Board of Adjustment review, the Board would hear those proposed activities and determine whether they were acceptable.

He explained that the Board of Adjustment could approve certain activities, such as a wedding, if they complied with applicable occupancy limits and other requirements, or could deny them if deemed inappropriate. He further noted that any approved activities would still be required to comply with the four proposed standards set forth in the amendment.

Chair Ashley summarized the discussion and stated that the proposed standards appeared to address the principal concerns raised by the Board. He noted that the requirement for Bed and Breakfasts in residentially zoned districts to limit on-site events to interior gatherings would naturally restrict the size of such gatherings, as occupancy would be limited by the Fire Marshal's approved capacity. He added that most Bed and Breakfast establishments would not be capable of accommodating very large numbers of people indoors.

Chair Ashley further explained that the intent of the language was to allow reasonable gatherings, including attendance by individuals who might be staying elsewhere, while preventing events from becoming large-scale functions. He acknowledged that guests might reasonably step outside during a gathering, such as to use a grill or enjoy the yard, but stated that this did not necessarily conflict with the overall intent of the ordinance.

He stated that limiting gatherings to no more than two occasions within a 30-day period would help preserve neighborhood character by preventing repeated or frequent events in residential areas. He also referenced prior comments regarding residents' ability to enjoy their own property without disruption, noting that the proposed prohibition on amplified sound was intended to address that concern.

Chair Ashley noted that the requirement for notifying all abutting neighbors at least 45 days before an event would help ensure that gatherings were planned and orderly, rather than spontaneous or frequent occurrences. He stated that maintaining proof of notification on the premises for two years would provide a means of verifying compliance if complaints were later received.

He also discussed the concept of enforcement, describing it as largely passive rather than active. He explained that Staff would likely respond when issues became visible, such as excessive traffic, parking congestion, or complaints from neighbors. He added that under a permitting system, repeated noncompliance could also affect future approvals or renewals.

Chair Ashley further stated that restricting gatherings to the hours between 9:00 a.m. and 9:00 p.m. was reasonable and consistent with the operating hours of other venues in the City, helping to prevent early morning or late evening disturbances.

In conclusion, Chair Ashley stated that the proposal appeared to address the concerns the Board had identified, subject to any further considerations from the Board of Aldermen. He thanked Planner Biddle for his continued work in revising and refining the language in response to Board feedback, and he noted that the Board had raised valuable points during the discussion.

Mr. Lambert commented on enforcement and stated that the neighbor notification requirement would likely help identify problems. He noted that if neighbors were aware of scheduled gatherings and issues arose, they would be able to contact the appropriate City officials or Staff.

Mr. Lambert stated that if it came to the attention of Staff that a particular Bed and Breakfast was consistently violating the approved standards, the operator could first be issued a warning. He further suggested that if violations continued or were repeated, the City could consider temporarily suspending the property's ability to host gatherings or events for a specified period, such as two or three months, as a corrective measure and incentive for compliance.

Planner Biddle responded that the City's current enforcement authority under the UDO was limited. He stated that the principal enforcement mechanism available would be to bring the offending Bed and Breakfast proprietor back before the Board of Adjustment and request revocation of the Special Use Permit. He noted that revocation of the permit would effectively terminate the property's ability to operate as a Bed and Breakfast.

Mr. Lambert replied that his preference would be for a lesser penalty, such as temporarily suspending the ability to host events or gatherings for a period of time, rather than revoking the entire permit.

Planner Biddle acknowledged that suggestion but explained that the UDO did not presently provide that intermediate enforcement option. He reiterated that the authority currently available was to seek repeal of the Special Use Permit through the Board of Adjustment. He added that the seriousness of that consequence would likely deter most operators from repeatedly violating the approved standards.

Mr. Luehe stated that enforcement had been an unresolved issue in prior discussions and asked Planner Biddle to clarify whether he was making a recommendation or describing an enforcement process that was already established in the existing ordinance.

Planner Biddle responded that the enforcement pathway was already provided within the UDO. He explained that following a prior conversation on the matter, he reviewed the issue with Director Meehan, who directed him to the applicable provisions. He stated that the authority exists under Article Two of the UDO, specifically within the section governing Special Use Permits.

Mr. Luehe responded to Mr. Lambert's comments by suggesting that a matter brought back before the Board of Adjustment might not necessarily have to result in revocation of the permit. He stated that the Board could potentially conduct a review that might lead either to repeal of the permit or to some lesser corrective action, such as a temporary suspension of gatherings. He asked whether that type of flexibility was possible.

Planner Biddle replied that the current UDO did not provide such an intermediate enforcement mechanism. He explained that the ordinance framework required a determination of whether the operator was complying with the approved standards or not. If the operator was not in compliance, the available remedy would be to pursue revocation of the Special Use Permit.

Planner Biddle further noted that such action would occur through a quasi-judicial proceeding before the Board of Adjustment, which would make the

final determination. He added that the potential loss of the Special Use Permit would likely serve as a sufficient deterrent against operators conducting gatherings that exceeded the approved standards.

Mr. Luehe stated that he wished to address two wording changes in the proposed amendment. He noted that in Section 3.8.C.2, the existing UDO language used the word “should,” and he recommended replacing that term with “shall” for consistency and stronger legal effect. He further noted that the same wording appeared elsewhere in the UDO and believed “shall” was the more appropriate technical term.

Chair Ashley noted that the change from “should” to “shall” had already been made in the proposed amendment.

Planner Biddle confirmed that the existing language in Section 3.8.C.2 of the current UDO used the word “should,” but that the proposed text amendment had already revised that language to “shall,” as shown on the screen.

Mr. Luehe then observed that Section 3.8.C.2.c used the word “must” and stated that he believed “shall” should be used there as well for consistency.

Chair Ashley asked why “must” would not be preferable, noting that it clearly required compliance with the standards.

Mr. Luehe responded that, in his understanding, “shall” was the more commonly accepted technical legal term, though others might disagree.

Chair Ashley advised Mr. Luehe to include that proposed wording change within his motion.

A motion was made by Mr. Luehe, and seconded by Mr. Bove, to accept the proposed Zoning Text Amendment 25-05 for Bed and Breakfasts and recommend approval to the Board of Aldermen, with the following revisions:

- **Replace the word “must” with “shall” in Section 3.8.C.2.**
- **Replace the word “must” with “shall” in Section 3.8.C.2.c.**
- **Strike the word “special” from the phrase “special events” in Section 3.8.C.2.c.**

Chair Ashley called for Board comments or discussion on the motion.

Mr. Fiss asked whether the proposed regulations would affect a homeowner’s right to host gatherings at a private residence, such as a weekly book club or a Quaker prayer meeting. He questioned whether such activities would fall within the ordinance language being discussed.

Planner Biddle responded that he did not believe those examples were the type of activities contemplated by the amendment.

Mr. Fiss then asked how a property owner would know the difference.

Chair Ashley clarified that the question was whether those private gatherings would be considered an “event” under the proposed language.

Planner Biddle initially noted that such activities could resemble low impact gatherings but stated that the management plan process would outline what gatherings were associated with a Bed and Breakfast operation.

Chair Ashley further clarified that Mr. Fiss was asking about a private residence rather than a Bed and Breakfast use.

Planner Biddle then stated that a private book club or prayer meeting would not be considered the type of event regulated by the amendment because those were personal, non-commercial activities.

Mr. Fiss asked whether the common thread of the proposed regulations was that they applied only to events conducted for financial gain.

Planner Biddle responded in the affirmative, explaining that the amendment was intended to address commercial activities such as hosting weddings, wedding parties, or specialized dinners for compensation. He stated that the City was not seeking to regulate private hobbies or ordinary activities conducted in a residence.

Chair Ashley thanked him for the clarification and asked if there were any further comments. Hearing none, he called for the vote on the motion that had been made and seconded.

The motion carried unanimously.

Chair Ashley announced that the recommendation would move forward to the Board of Aldermen. He thanked Planner Biddle for his patience and work on the matter, noting that the Planning Board had been diligent in its review and that the Board of Aldermen would likely have additional questions as well.

Chair Ashley read the Statement of Consistency and Recommendation:

The City of Southport Planning Board hereby recommends **ADOPTION** of the proposed Zoning Map Amendment to the Board of Aldermen and finds that it is **CONSISTENT** with the City’s 2050 CAMA Comprehensive Plan adopted October 9,

2025. More Specifically, the proposed amendment is consistent with Policy 7.8 (Southport recognizes that tourism is important and will support activities that promote tourism). The Planning Board recommends that the Board of Aldermen **APPROVE** the zoning text amendment.

H. New Business

- a. ZTA 26-03 Zoning Text Amendment Section 3.1 Table of Uses - Swimming Pools in Business District

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

Planner Biddle presented Zoning Text Amendment 26-03 regarding the permanent permitted accessory use of swimming pools. He stated that the request had been submitted by Glen and Amy Patterson and proposed an amendment to the City of Southport's UDO, specifically the Table of Permitted Uses.

Planner Biddle explained that the request was legislative in nature and would apply broadly to the UDO rather than to a single property. He noted that swimming pools are currently permitted in several zoning districts, including residential R-10, R-20, multi-family, and the Central Business District (CBD), but are not presently permitted in the Business District (BD), Highway Commercial, or Open Space districts.

He stated that the proposed amendment would revise Table 3.1 to allow swimming pools in the BD district. He further noted that no changes were proposed to the existing development or safety standards for pools contained in Section 3.6.Q of the UDO.

Planner Biddle advised that the applicants' justification was based on consistency, noting that swimming pools are already permitted in the more intensive CBD. He stated that because uses such as hotels and Bed and Breakfasts, commonly associated with pools, are already permitted in the BD district, allowing pools in that district was reasonable.

He further stated that the Southport 2050 Comprehensive Plan supports periodic updates to the UDO and encourages modernization and context-sensitive uses in commercial areas. Although the plan does not specifically address swimming pools, Staff found the request to be reasonable and consistent with the Comprehensive Plan.

Planner Biddle also noted that the BD district is intended to remain compatible with nearby residential uses and that the proposed amendment

aligned with that purpose. Staff therefore recommended approval of ZTA 26-03.

He concluded by explaining that the amendment would proceed through the legislative review process, with the Planning Board making an advisory recommendation and the Board of Aldermen conducting a required public hearing before making the final decision.

Mr. Bove asked whether anyone knew why swimming pools had not been permitted in the BD.

Planner Biddle responded that Staff had researched prior versions of the UDO and found that swimming pools had not been permitted in those versions either. He stated that Staff had examined the issue as part of preparing the Staff report but were unable to identify any clear rationale or historical basis for excluding pools from the BD district.

Ms. Horton then asked whether Staff had also reviewed Special Use Permits to determine if any pools had previously been approved in the BD through that process.

Planner Biddle responded that none had been identified. He added that the answer related to how the UDO and Table 3.1 function and indicated he would reference the table for further explanation.

Planner Biddle explained that under Table 3.1 of the UDO, a blank space under a zoning district indicates that the use is not permitted in that district, either by right or through a Special Use Permit. He stated that swimming pools currently have a blank designation in the BD, meaning they are not an allowed use under any approval method.

He further stated that Staff could not determine whether the omission was the result of oversight, an issue that had simply been overlooked over time, or an intentional policy decision. However, no supporting justification for the restriction could be identified through Staff's review.

Planner Biddle noted that because the use was blank in the table, the Special Use Permit process was not available as a means to authorize swimming pools in the BD under the current ordinance.

Ms. Horton stated that it was a good catch by Southport residents to identify the issue.

Mr. Lambert asked whether Staff were aware of any homes or businesses currently located in the BD that had a swimming pool. He then asked whether a Bed and Breakfast would be considered a business use.

Planner Biddle noted that there were not any to his knowledge, and responded that a Bed and Breakfast is considered a business.

Mr. Lambert stated that a Bed and Breakfast located a few doors down from him had a pool and asked how that pool would have been permitted.

Planner Biddle asked whether the property was actually located within the BD, noting that zoning designation would determine the answer. He explained that if the property were in the BD, the pool could potentially predate zoning regulations and therefore be considered a legally nonconforming use. However, he stated that the Bed and Breakfast he believed Mr. Lambert was referencing was more likely located in the R-10 district, where pools are permitted.

Mr. Lambert stated that this answered his question.

Mr. Fiss then asked about the applicant's position and whether the applicant owned property in the BD and was seeking to install a pool for commercial purposes.

Planner Biddle responded that the proposed pool was intended solely for the applicant's personal use. He explained that the applicants own a legally nonconforming single-family residence located within the BD. He described the property as the residence adjacent to Spike's ice cream cart. Because the current ordinance does not permit pools in the district and provides no approval avenue, he stated that a text amendment was the only means available to allow installation of a pool on the property.

Mr. Fiss stated that he did not see an issue with allowing a swimming pool generally but expressed concern about how the amendment could apply to a true business use within the BD. He suggested that if a commercial property were able to place a pool only five feet from a rear property line adjoining a residential neighborhood, that could create compatibility concerns. He questioned whether a greater setback should apply in the BD.

Planner Biddle responded that the Board could consider such a modification if desired. He noted, however, that the CBD currently does not require a greater setback for pools, with a standard five-foot setback applying there as well. He also emphasized that the proposed amendment concerned an accessory use, not a commercial swimming pool.

Mr. Luehe asked Mr. Fiss to elaborate on the concern, stating that he believed Mr. Fiss was envisioning a situation that would be undesirable.

Mr. Fiss explained that if a commercial establishment, such as a brewery, sought to place a swimming pool five feet from a neighboring residential property line, potentially with lifeguard chairs or a diving board, that could create a significantly more intense use than a residential accessory pool.

Mr. Luehe summarized that the concern related to the greater intensity of a business-operated pool as compared with a resident-owned accessory pool in the same district.

Mr. Fiss agreed and further asked whether there would be any buffering requirement if a pool were located five feet from a rear property line.

Planner Biddle responded that where a required buffer applies, the buffer standard would supersede the minimum setback. He explained that if a BD property adjoined an R-20 residential district, a 20-foot buffer would be required. In that case, the pool could be located at the edge of the buffer but could not encroach into it. He stated that existing buffer requirements would remain in effect and would not be reduced by allowing pools as an accessory use.

Planner Biddle reiterated that the proposed amendment applies to accessory pools rather than commercial pool operations. He added that if a business such as a brewery proposed a more intensive pool-related use, it would likely constitute a major site plan modification requiring further review by the Planning Board.

Mr. Luehe asked whether Planner Biddle could envision a scenario in which a proposed pool in the BD would not constitute a major site plan modification, suggesting that such a review threshold might address the concerns previously raised.

Planner Biddle responded that a major site plan modification is generally triggered by certain development thresholds, including the addition of 10,000 square feet or more of impervious surface or significant land disturbance. He noted that Director Meehan could provide more precise guidance, but those were the standards he understood to apply.

Chair Ashley noted that a swimming pool itself does not count as impervious surface.

Planner Biddle agreed that the water surface would not, but explained that a commercial pool would typically involve surrounding decking, hardscape, or other site improvements that could contribute to impervious coverage and potentially trigger additional review.

Chair Ashley then asked whether the proposed language would require a pool to be in-ground, or whether a pool could theoretically be located on the second floor of a building, as is seen in some modern developments. He questioned whether anything in the ordinance would prohibit such a design in the BD.

Planner Biddle responded that nothing in the current UDO expressly prohibited a pool from being located on an upper floor or elevated level. He stated, however, that a proposal of that nature would likely require review through the Technical Review Committee (TRC) and the Planning Board due to the scope and commercial nature of the project.

Chair Ashley asked why swimming pools were not also being proposed as a permitted accessory use in the Highway Commercial district. He stated that if pools were being allowed in the BD, he saw no apparent reason not to allow them in Highway Commercial as well.

Planner Biddle responded that the Board could certainly consider expanding the amendment to include the Highway Commercial district if that was the Board's preference.

Chair Ashley then asked whether hotels are permitted in the Highway Commercial district.

Planner Biddle confirmed that hotels are permitted in that district.

Chair Ashley observed that, under the current ordinance, a hotel in the Highway Commercial district would not be able to add a pool unless the ordinance were amended. He stated that allowing pools there seemed logical and consistent with periodic ordinance updates contemplated by the Comprehensive Plan. In his view, if pools were appropriate in the BD, they would likewise seem appropriate in Highway Commercial.

Mr. Luehe commented that he had the same question and suggested the Board pause to consider whether there had originally been a reason for prohibiting pools in those districts. He noted that at some point the City had apparently chosen not to permit them and asked whether anyone had insight into why pools might not have been allowed in the BD.

Mr. Bove responded that if there had been a compelling reason, someone likely would have been able to identify it during Staff's review. He stated that, based on the discussion, it appeared more likely the omission had been an oversight. He added that Highway Commercial might simply not have come forward yet because no one had previously requested it, but if there had been a valid reason for the prohibition, the Board would have expected to hear it.

Planner Biddle responded that the proposed amendment related to accessory land uses, and that a second-floor or similar pool associated with a commercial development would likely be considered part of a larger commercial project rather than a simple accessory residential-type use.

Planner Biddle responded that, in his opinion, a pool of that nature would be considered a commercial aspect of the development rather than a standard accessory use.

Based on Staff's research, Planner Biddle reiterated that no clear rationale could be identified for why swimming pools were not permitted in the other zoning districts under discussion.

Mr. Luehe then raised a follow-up question regarding the term "spot zoning," noting that it had been mentioned during an earlier discussion and had captured his attention. He asked Chair Ashley to further explain the meaning of the term and whether it might relate to the current amendment.

Chair Ashley stated that he did not believe the concept of spot zoning applied in this instance. He explained that spot zoning generally refers to rezoning a single parcel or small area to a different classification, such as changing one lot to Highway Commercial within another district, thereby creating an isolated inconsistency.

Mr. Luehe responded that he had understood the earlier reference to suggest a risk of inconsistency and wanted clarification.

Chair Ashley replied that he did not see that concern here because the proposed amendment would apply uniformly throughout the entire BD rather than to a single parcel. He added that if the amendment were expanded to include Highway Commercial, it would further support the idea that pools were being treated consistently throughout Southport.

Mr. Lambert then asked whether the ordinance's broad definition of "pool" should distinguish between above-ground and in-ground pools, and whether that difference could be a concern for neighboring properties.

Planner Biddle responded that he did not initially see why such a distinction would be necessary.

Mr. Lambert then asked what would happen if an above-ground pool failed and released water onto adjacent property.

Planner Biddle acknowledged the question but stated that he did not see it as directly related to the proposed text amendment. He noted that while Staff could theoretically draft language to distinguish between pool types, he did not believe it was necessary.

Mr. Lambert clarified that he was not intending to complicate the amendment but merely raising the question of whether any distinction should be considered.

Planner Biddle replied that he did not believe it was a significant planning or land use concern. He stated that, generally, normal setbacks between properties would provide separation, and that if an above-ground pool were to fail and cause damage to neighboring property, such a matter would more likely be handled as a private civil issue rather than through zoning regulation.

Chair Ashley commented that if an above-ground pool were to fail, the water would not simply soak into the ground but could travel across adjoining properties, potentially damaging fences and causing other impacts due to the volume of water involved.

Planner Biddle responded that, if it were the desire of the Board, Staff could take that discussion into consideration and develop language addressing the issue.

Chair Ashley replied that he did not believe additional regulation was appropriate in this case. He noted that the City does not prohibit above-ground pools elsewhere throughout Southport and does not otherwise regulate them differently by district. He stated that creating such a restriction in this context could constitute overreach.

Chair Ashley added that, in his view, the matter was more appropriate for neighboring property owners to address through ordinary responsibility and consideration rather than through zoning regulation.

A motion was made by Ms. Horton and seconded by Mr. Lambert to recommend approval of the proposed zoning text amendment for ZTA-26-03 to allow pools in the Business and Highway Commercial Districts and forward it to the Board of Aldermen for consideration.

Chair Ashley asked for further discussion.

The motion carried unanimously.

Chair Ashley read the Statement of Consistency and Recommendation:

The City of Southport Planning Board hereby recommends **adoption** of the proposed Zoning Map Amendment to the Board of Aldermen and finds that it is **consistent** with the City's 2050 CAMA Comprehensive Plan adopted October 9, 2025. More Specifically, the proposed amendment is consistent with Policy 1.7.1 (the regular review and modernization of the Unified Development Ordinance, specifically the Table of Permitted Uses and associated definitions). The Planning Board recommends that the Board of Aldermen **APPROVE** the zoning text amendment.

- b. ZTA- 26-04 Zoning Text Amendment Section 3.8.Y. Mobile Vendor or Food Truck

Chair Ashley introduced the Zoning Text Amendment and asked Director Meehan to share her presentation.

Director Meehan presented a proposed amendment to the mobile vendor/food truck section of the UDO. She explained that the proposal had originally been part of a larger UDO amendment that was not fully adopted by the Board of Aldermen in October 2025, and Staff was now bringing it forward separately. She stated that, with the busy season approaching, Staff believed the amendment would improve and expedite the permitting process for food trucks.

Director Meehan explained that the current ordinance classifies food trucks as a nonresidential land use. As a result, the property owner must first obtain a zoning permit to allow food trucks on the property, and the vendor must then separately obtain an itinerant merchant permit. She stated that this two-step process had created confusion and frustration for vendors, property owners, and Staff.

She further explained that under the current definitions, food trucks are already considered a type of mobile vendor. Therefore, no changes were proposed to the definitions themselves. Instead, Staff proposed removing separate references to food trucks and using the broader mobile vendor terminology for clarity.

Director Meehan stated that the principal amendment would reclassify mobile vendors from a nonresidential land use to an accessory use. Under the proposal, the vendor rather than the property owner would obtain a single

annual zoning permit, which would also satisfy the itinerant merchant permitting requirement.

She advised that vendors would still be required to submit substantially the same information currently required, including:

- Valid license and vehicle registration,
- Any required state or county permits,
- A site plan showing the operating location, parking, and adjacent land uses,
- Written consent or agreement from the property owner where operations would occur.

Director Meehan noted that vendors would be permitted to submit multiple property agreements throughout the year so they would not be limited to operating at only one location.

She also addressed city-sponsored events, such as food truck rodeos. Under the proposed amendment, vendors participating only in city-sponsored events would still be required to obtain the permit to verify licenses, registrations, and applicable state or county approvals. However, they would not be required to submit a separate site plan or property owner consent.

Director Meehan added that the new process would incorporate required fire inspections into the permitting workflow, allowing vendors to complete fire review before receiving their permit and begin operations immediately once approved.

She concluded by stating that Staff found the amendment consistent with both the UDO and the Southport 2050 Comprehensive Plan and requested the Planning Board's recommendation of approval to the Board of Aldermen.

Mr. Bove stated that the Board had previously discussed the issue of city-sponsored events and sought clarification regarding the proposed language. He noted that it was clear a vendor participating in a city-sponsored event would not need to provide a site plan or letter of consent for that specific event. However, he stated that if the same vendor also operated elsewhere within the City, the vendor would still need the required permit and supporting documentation for that separate location.

Mr. Bove suggested revising the language to clarify that a mobile vendor participating in a city-sponsored event does not need to provide a site plan or letter of consent for the city-sponsored event itself, while removing language stating that the vendor "will not otherwise operate in the city." He believed that wording would avoid confusion and recognize that vendors operating

elsewhere in Southport would still need to comply with permit requirements for those additional locations.

Director Meehan responded that all vendors would still be required to obtain the annual permit. She explained that the proposed exemption from submitting a site plan or property owner consent was intended for vendors coming solely to participate in a city-sponsored event, such as a vendor traveling from South Carolina for Spring Fest with no intention of operating elsewhere in Southport.

Mr. Bove clarified that he believed both he and Staff were seeking the same result. He reiterated that regardless of whether a vendor also operated elsewhere in the City, no site plan or letter of consent should be required specifically for the city-sponsored event, because those documents would apply only to the vendor's separate operating locations.

Director Meehan acknowledged the point and stated that she understood the suggestion as a clarification to make clear that, regardless of the vendor's broader operations, no separate site plan or letter of consent would be required for participation in a City-sponsored event.

Mr. Luehe stated that he had also found the language somewhat difficult to interpret and had drafted alternative wording for consideration. He suggested the following revision: "For city-sponsored events, a site plan and letter of consent are not required when a mobile vendor is participating in a city-sponsored event." He stated that this wording was intended to clarify the exemption and avoid confusion.

Ms. Horton interjected to add "only" to the end of the sentence. "For city-sponsored events, a site plan and letter of consent are not required when a mobile vendor is participating in a city-sponsored event only."

Mr. Luehe explained that his concern was whether a vendor might participate in a city-sponsored event for part of the day and then assume the same permit allowed operations elsewhere in town for a non-city-sponsored event. He asked whether that was the issue other Board members were attempting to address.

Ms. Horton responded that her concern was specificity. She stated that if the permit is intended only for a city-sponsored event, then using the word "only" makes clear that there are no exceptions and eliminates confusion. She added that precise wording was important in drafting the ordinance language.

Ms. Horton then indicated that she had an additional question.

Chair Ashley asked that discussion pause momentarily to ensure Mr. Luehe's proposed wording was clear and that Staff understood the suggested revision.

Mr. Luehe stated that the wording he proposed, particularly the inclusion of the word "only," helped clarify the intent of the exemption for city-sponsored events and aligned with Ms. Horton's point regarding specificity.

Ms. Horton then raised additional questions regarding the draft language. She stated that Section 8, as shown with strike-through edits, was confusing in how it addressed temporary outdoor seating in relation to lot size and the number of mobile vendors permitted on a site. She noted that the ordinance appeared to require two acres for temporary seating, while elsewhere allowing multiple vendors on smaller parcels. She questioned how those provisions would work together if two vendors on the same property each wanted to provide temporary seating.

Director Meehan responded that she understood temporary seating to refer to seating brought in by the food trucks or vendors themselves.

Ms. Horton clarified that she understood that interpretation but was asking how the ordinance would apply if multiple vendors brought picnic tables or similar seating to the same property. She stated that it was unclear whether the acreage requirement would apply collectively or separately to each vendor.

Mr. Bove commented that, as he read the language, the section concerning the number of vendors on a site did not itself address seating. He stated that the number of trucks allowed on a parcel was separate from whether temporary seating was permitted.

Ms. Horton restated her concern, asking whether two vendors operating on a two-acre parcel would each be allowed to provide temporary seating, or whether the acreage requirement would limit that arrangement.

She then raised a second question regarding the broader use of the term "mobile vendor" after removal of the separate "food truck" references. Ms. Horton asked how the ordinance would apply to vendors selling non-food merchandise, such as jewelry or other retail items, including vendors operating from trailers or campers like those she had seen at breweries in other communities.

Ms. Horton stated that she generally supported the proposed amendment but believed the Board should also consider whether the ordinance adequately

addressed non-food mobile vendors if the broader term “mobile vendor” was being used throughout the section.

Director Meehan stated that the proposed definition of mobile vendor would include anyone selling food or merchandise from a truck or trailer, whether self-propelled or towed. She explained that such vendors would be considered mobile vendors under the ordinance.

Mr. Lambert then provided the example of his daughter’s mobile espresso and specialty coffee business, which is transported in a van and set up on site rather than operating directly from a wheeled trailer or truck. He expressed concern that businesses of that nature might not fit neatly within the proposed definition and suggested that the term “mobile vendor” may need further clarification, since not all mobile businesses operate directly from a vehicle or trailer.

Director Meehan responded that, as described, she would not consider that type of operation a mobile vendor because the proposed definition contemplates serving or selling directly from the truck or trailer itself.

Mr. Lambert then asked what such a business would be considered if it was transported to the site, unloaded, and set up for service.

Director Meehan responded that she would view that as more akin to a caterer, where equipment is brought to the location, set up, and then used to serve food or beverages.

Mr. Lambert asked whether a caterer would be covered under the proposed mobile vendor definition.

Director Meehan replied that it would not, because a caterer is not considered a mobile vendor under the ordinance.

Chair Ashley commented that he viewed the term “vendor” more broadly and shared similar concerns regarding the scope of the definition. He offered a hypothetical example of hosting a private birthday party at a residence and wanting to hire a pig roast or similar food service. He noted that mobile vendor uses are not permitted in residential districts and asked whether a food truck brought to a residence for a one-time private event would then be treated as a caterer rather than a mobile vendor.

Director Meehan acknowledged that such situations present a gray area. She stated that Staff had been asked many times about residents hiring food trucks for one-time private events in residential areas. She suggested that

clarifying the ordinance could help Staff provide a clear answer rather than having to find informal ways to accommodate those requests.

She further explained that, in her view, a caterer differs from a mobile vendor because a caterer typically brings equipment and sets up for a private event, whereas a mobile vendor uses the truck or trailer itself as the means of preparing and selling goods.

Chair Ashley added that examples such as pizza trucks or portable bars sometimes travel into residential areas for private gatherings, and he wanted to ensure that the ordinance did not unintentionally prohibit those types of one-time private event services.

Director Meehan stated that another distinction to consider was whether the activity involved conducting consumer business at the location. She explained that if a person hired someone to come serve food at a private event, but the vendor was not selling directly to the public or to neighboring residents, that would place the activity in a different category from a mobile vendor operating as a business.

Chair Ashley responded that while he understood that interpretation, he remained concerned about future enforcement or interpretation by others. He noted that if Staff changed or a new decision-maker later read the ordinance literally, they might conclude that such uses were prohibited in residential districts because the text states mobile vendors are not allowed there. He referenced Mr. Lambert's earlier example and asked how the Board could ensure the ordinance language was clear enough to avoid that issue.

Director Meehan stated that she would be willing to take the matter back for additional review and research to better define those related uses and clarify how they should be treated under the ordinance.

Chair Ashley then asked what the best course of action would be. He stated that with the summer season approaching, he did not want to delay the proposed amendment, which would streamline the permitting process for legitimate mobile vendor operations. At the same time, he asked whether the current interpretation from Staff, that private catered events in residential areas would not be prohibited, could continue while any additional clarifications were developed later.

Chair Ashley stated that he would prefer to move the amendment forward that evening to improve the permitting process in time for the upcoming season, subject to Board of Aldermen approval, and invited comments from the Planning Board on that approach.

Ms. Horton stated that she had additional questions regarding the proposed amendment. She noted that she was uncertain about the distinction raised in Mr. Lambert's example, explaining that if she purchased a van, placed an espresso machine inside, set up a card table, and served coffee, she would consider that operation to be a mobile vendor. She stated that she would like the definition of mobile vendor to be broad enough to include such businesses, particularly because they could reasonably participate in events such as Spring Fest or other community functions.

Ms. Horton further stated that if a mobile vendor were hired for service at a residence, she believed the vendor should still be able to meet the applicable requirements and be accommodated under the ordinance, even though the amendment primarily addressed commercial zoning districts. She explained that during a past family birthday event, a food truck had been considered, but she decided against it because the permitting and licensing process was too complicated. She stated that if a single mobile vendor in a residential district could comply with the ordinance requirements, it would be beneficial for both residential and commercial uses.

Ms. Horton then raised a separate concern regarding the requirement for 50 feet of separation between mobile vendors in the BD. She noted that many lots in Southport are narrow, and businesses are often located side by side on small parcels. She questioned how the spacing requirement would be applied in situations where vendors were invited by adjacent businesses but the lots themselves were less than 50 feet wide. She stated that this could be an issue in areas such as brewery or downtown business locations and was something the Board should consider.

Mr. Bove stated that many of the questions raised during discussion appeared to relate more to the definition of "mobile vendor" than to the substantive permitting changes contained in the proposed text amendment. He noted that the amendment itself was not changing the definition of mobile vendor, but was primarily removing separate references to food trucks and restructuring the permitting process.

Mr. Bove asked whether the Board could agree to revisit and refine the definition of mobile vendor separately, while allowing the more urgent permitting improvements to proceed. He also acknowledged that Ms. Horton had raised additional concerns regarding spacing and setbacks that were outside the definition issue.

Chair Ashley responded by seeking clarification on the preferred course of action. He asked whether the Board wished to return the entire amendment

to Director Meehan for further revision or only the definitional issues. He noted that he did not believe the Board would want to send the matter to the Board of Aldermen twice.

Chair Ashley then suggested that the more practical approach might be to ask Staff to revisit the definition of mobile vendor, clarify the language, and bring the amendment back the following month. He asked whether that would be satisfactory to the Board.

Mr. Bove stated that he was comfortable with the suggestion to have Staff revisit the issue and return with clarifications.

Mr. Luehe responded that, upon further consideration, he was not certain any revision to the mobile vendor definition was necessary. Addressing Mr. Lambert's earlier example, he stated that businesses such as mobile espresso setups or similar operations might already be governed under a separate body of City ordinances dealing with peddlers, vendors, merchants, and itinerant merchants rather than under the UDO itself. He suggested that those ordinances could already provide authority to permit or regulate such uses.

Mr. Luehe concluded that the existing definition of mobile vendor appeared sufficient for the purposes of the proposed text amendment and that no further changes to the definition might be needed.

Chair Ashley asked whether Mr. Luehe's comments were directed to Mr. Bove's earlier question or to the Board generally. Mr. Luehe responded that he was speaking to the Board as a whole.

Mr. Ekert then asked how vendors participating in the farmers market are classified.

Director Meehan responded that farmers market vendors are treated as part of a City event and are therefore permitted through the City.

Mr. Ekert asked whether mobile vendors participating in the farmers market would be included under that same treatment.

Director Meehan confirmed that they would.

Mr. Lambert stated that so long as the proposed language did not exclude any particular type of vendor, he was satisfied.

Chair Ashley then asked the Board for its preference on how to proceed but added one final question. He raised concerns regarding generators used by food trucks, noting that noise from some generators can be disruptive to adjacent properties. He observed that some vendors use newer, quieter generators, while others operate much louder equipment. He asked what measures, if any, the City could consider to reduce generator noise associated with food truck operations.

Director Meehan responded that she was not aware of any existing ordinance provisions specifically regulating generator noise from food trucks. She stated that if the equipment passes required fire inspections and is otherwise lawful for use, she did not have an immediate answer as to what restrictions could be imposed. She added that she could research the matter further, but did not presently see a clear mechanism for regulating how vendors power their trucks.

Chair Ashley thanked Director Meehan and then asked the Board how it wished to proceed with the proposed amendment, including whether to move forward, send the matter back for revision, or make additional changes.

Ms. Horton stated that she believed the Board should move forward with the amendment due to the approaching summer season. She suggested broadening the language to reference all mobile vendors generally, while then identifying any requirements that apply specifically to food trucks. She described this as a relatively simple edit for Staff.

Chair Ashley asked whether that approach was acceptable to the Board.

Mr. Ekert indicated that it was.

Mr. Bove then asked where such language would be inserted into the amendment.

Ms. Horton responded that it should be placed near the beginning of the text where references to food trucks had been removed.

A motion was made by Ms. Horton and seconded by Mr. Lambert to recommend approval of the proposed UDO Zoning Text Amendment ZTA-26-04, with revisions to the opening language so that all mobile vendors are generally defined and included, while retaining and incorporating any requirements specific to food trucks as applicable and forward it to the Board of Aldermen for consideration.

She stated that she would rely on Director Meehan to finalize the exact wording so the matter could proceed to the Board of Aldermen in time for the summer season.

Mr. Luehe responded that he believed there was still confusion regarding the definition issue and indicated concern about what exactly the Board was adopting.

Mr. Luehe stated that he had understood the removal of the phrase “or food truck” was intended to simplify the ordinance language rather than exclude food trucks. He explained that he interpreted the amendment as creating a broader umbrella category for mobile vendors, which could include vendors selling jewelry, espresso, steaks, sandwiches, or other goods. He asked whether he was misunderstanding Ms. Horton’s point.

Ms. Horton responded that her intent was to include all mobile vendors within the broader category, while recognizing that some specific requirements in the ordinance would apply particularly to food truck vendors. She explained that many of the operational standards were geared toward food service uses, but that the overall permitting structure should encompass all mobile vendors. She then asked whether that clarified her position.

Mr. Luehe replied that it did and acknowledged that his earlier question may not have been well stated. He explained that he had viewed the amendment as creating a simpler, broader category, while Ms. Horton was emphasizing that certain vendor-specific requirements would still need to apply. He gave the example that a jewelry vendor would not need a fire extinguisher, whereas a vendor cooking food on a grill likely would, which could trigger fire marshal review.

Ms. Horton responded that while such distinctions may arise, her motion was not intended to list every specific vendor type or requirement. Rather, all mobile vendors would apply for permits as necessary, and any specialized requirements, such as fire safety measures, would be addressed through the application review process. She reiterated that the UDO text should apply generally to all mobile vendors while retaining standards relevant to food trucks as a subset of that category.

Mr. Luehe thanked her and stated that the explanation resolved his concern.

Chair Ashley stated that a motion had been made and seconded. He asked whether there was any further discussion. Hearing none, Chair Ashley called for the vote.

The motion carried unanimously.

Chair Ashley read the Statement of Consistency and Recommendation:

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

I. Staff Reports

Planner Biddle provided the Staff Report and advised that since the previous Planning Board meeting, the Board of Adjustment had held one meeting at which two Special Use Permits were approved, both for Accessory Dwelling Units (ADUs). The approved locations were 316 W. Moore Street and 206 W. Moore Street. He noted that five ADU requests had gone before the Board of Adjustment during the current year and all five had been approved.

Planner Biddle further advised that the next Board of Adjustment meeting was scheduled for April 28th. At that meeting, another ADU request would be considered, along with a Special Use Permit application from Brunswick Housing Partnership for a proposed multi-family development off 11th Street. He explained that the UDO requires a Special Use Permit for multi-family developments. If approved by the Board of Adjustment, the matter would then come before the Planning Board the following month, and he would serve as case manager for that presentation.

He also announced that the Forestry Committee would host its Arbor Day Festival on Saturday, April 25th. In addition, an appeal was scheduled before the Board of Adjustment on April 28th regarding an alleged right-of-way violation at 315 N. Caswell Avenue.

Regarding the development review tracker, Planner Biddle stated that he had uploaded all variance cases from the past three years into the system. He noted that several Board members had expressed interest in the project and that he expected to have a beta version available for the next Planning Board meeting. He stated that Staff would need to determine a method for presenting it interactively and providing Board members with access links, which he would coordinate with Public Information Officer ChyAnn Ketchum.

Planner Biddle explained that the initial version would be basic and not yet fully branded with the City's logo or design elements but would provide an opportunity for Board members to test functionality and review the direction of the project. He stated that the goal was to officially launch the dashboard in June for the June Planning Board meeting. He invited Board members to submit suggestions for features or data they would like included, while noting the practical limits of Staff capacity.

Mr. Fiss then asked about the site work occurring next to the ABC Store on Howe Street and also the Beacham project involving the Carr Insurance Building at the corner of W. Nash and N. Howe Streets, asking whether those projects were proceeding as originally planned.

Chair Ashley requested clarification regarding which project was being referenced.

Planner Biddle responded that the inquiry concerned 115 N. Howe Street. He explained that the project had been approved through a minor site plan review in 2025 and involved a proposed wine bar and restaurant-type use. He noted that because the project was under 10,000 square feet, it did not meet the threshold for a major site plan review. He stated that this was the work currently underway at that location.

Chair Ashley then asked if there were any additional questions.

Mr. Luehe asked whether Staff had any information regarding notices posted around town that day about a forthcoming movie production, including possible street closures or related activity.

Planner Biddle responded that he did not have any information regarding the reported movie production or any associated street closures at that time.

Chair Ashley raised a question regarding the continued use of the Special Use Permit process for Accessory Dwelling Units (ADUs). He noted that Planner Biddle had previously reported that since 2023, twenty-two ADU applications had gone before the Board of Adjustment, with all but one being approved, and that five had already been approved during the current year with another pending the following month.

Chair Ashley stated that while he understood the need to protect neighboring residents, the high approval rate suggested the process may be unnecessarily burdensome. He questioned whether requiring applicants to go through the Board of Adjustment process imposed unnecessary costs on residents and consumed significant Staff time. He asked at what point the City should revisit the ordinance to determine whether an administrative permit process with clear conditions might be more practical. He further asked whether there was any appetite from the Board of Aldermen to streamline the process.

Planner Biddle responded that, in his view, the Board of Aldermen likely did not have an appetite for converting ADUs to an administrative permit process. He stated that, based on his understanding, elected officials preferred retaining control through the Special Use Permit process so they could impose conditions, particularly the condition that the ADU not be rented.

Planner Biddle explained that Staff's role is to process applications through the procedures established in the ordinance. However, he acknowledged that Staff can also identify issues in the code and bring forward amendments when existing processes are not working well, similar to the Bed and Breakfast amendment under discussion. He added that if he believed such a proposal would be supported, he might already have brought it forward. Nonetheless, he stated that if there were policy direction from others to pursue the change, Staff could process a text amendment to make ADUs permitted by right rather than by Special Use Permit.

Chair Ashley then asked whether the City already had separate ordinances restricting rentals, and if so, whether those could address the concern without requiring each ADU applicant to go before the Board of Adjustment. He questioned whether the non-rental condition could be codified elsewhere instead of imposed case by case.

Planner Biddle responded that, to his knowledge, there was no specific provision in the UDO expressly prohibiting ADU rentals. He stated that he believed the current framework was intentional and designed to preserve control through the Special Use Permit process. He noted that while the matter may be beyond his direct policy authority, Staff could still bring forward a proposal for the Board's consideration if directed to do so.

Ms. Horton then commented that she believed existing short-term rental registration and proof-of-prior-rental requirements for Airbnb-type uses may already provide some restriction on new rental activity. She suggested that such provisions might help address concerns about ADU rentals and could potentially reduce the need for Board of Adjustment review, though she acknowledged she was uncertain whether those rules were contained in the UDO or another ordinance.

Planner Biddle explained that there is a distinction between short-term vacation rentals, such as Airbnb or VRBO uses, and long-term rental of an Accessory Dwelling Unit (ADU) as an apartment. He stated that short-term vacation rentals are allowed only in certain zoning districts and must be registered through the City, with some legally nonconforming uses having existed prior to the ordinance. He clarified that the condition typically imposed by the Board of Adjustment on ADUs is not directed at short-term vacation rentals, but rather at prohibiting the rental of the ADU as a separate apartment unit.

Chair Ashley then asked how the City might determine whether there is any appetite among the Board of Aldermen to revisit the current ADU approval process.

Planner Biddle responded that the matter could simply be brought forward and allowed to proceed through the normal legislative process. He stated that, in his personal professional opinion, it may be worthwhile to consider changing the current

framework, and that he would be willing to prepare such an amendment and let the policy process play out.

Chair Ashley stated that he did not want to waste Staff time or the Board of Aldermen's time if there was no interest in considering such a change. He noted that if there was little support, Staff efforts might be better directed elsewhere. He emphasized that the Planning Board is an advisory body and that he did not want to create unnecessary work for anyone involved.

Chair Ashley suggested that some form of informal feedback might be useful, though he acknowledged there could be Open Meetings Law concerns with polling elected officials outside a public meeting. He stated he would leave it to Staff to determine the proper way to assess interest.

Planner Biddle responded that he would be glad to do so. He added that if there was interest from the Planning Board, individual officials, or others listening to pursue a text amendment on ADUs, he would be willing to prepare it.

Chair Ashley then stated that the matter should be set aside for a month and asked whether Planner Biddle had any further items for the Board.

Planner Biddle stated that he had no further items to report but advised the Board that Director Meehan would be absent from the next meeting due to her attendance at an NCA conference and rally. He stated that he would serve as the primary Staff contact for the May Planning Board meeting.

J. Board Comments

Chair Ashley opened the floor to Board Comments.

Mr. Bove asked about the status of the next series of stormwater regulations.

Director Meehan stated that Staff had met with City Engineer Tom Zilinek that morning and was working on final edits to the soil disturbance/deposit removal ordinance. She stated that Staff was also reviewing a separate soil erosion and sedimentation control ordinance. Both ordinances would be forwarded to the City Attorney for review. Director Meehan noted that the ordinances would likely be adopted as separate City ordinances rather than incorporated into the UDO, and that the State provides a template ordinance jurisdictions are encouraged to use.

Mr. Bove clarified that the two ordinances would move forward together as separate documents. Director Meehan confirmed. Chair Ashley asked whether there was a target date, and Director Meehan stated that July was tentative.

Mr. Fiss reminded the Board that the City's Arbor Day celebration would be held Saturday, April 25th, at 11:00 a.m. He stated that the event would include entertainment, speakers, free ice cones, and children's artwork.

Ms. Horton asked whether the Board had received any list of priorities from the Southport 2050 Comprehensive Plan, either from the Board of Aldermen or Staff, to help guide review of future text amendments and projects.

Chair Ashley stated that he wanted to be sure Ms. Horton's question had been addressed and asked whether Staff had any response regarding priorities from the Southport 2050 Comprehensive Plan.

Director Meehan responded that she had not received any formal written priorities from the Board of Aldermen. However, she explained that when Staff brings forward proposed amendments or projects, Staff does review the Comprehensive Plan implementation matrix along with priorities that have been discussed by the Board of Aldermen over the past year and a half. She added that there have also been discussions over the last several years regarding updates the Board of Aldermen would like to see, and Staff considers those items in addition to matters otherwise brought forward.

Ms. Horton stated that, from her professional perspective, she preferred having priorities documented in writing. She noted that she had not seen any written guidance indicating how the Planning Board should weigh or prioritize matters from the Board of Aldermen or Staff. She asked whether such a written summary could be provided.

Director Meehan responded that Staff could work on preparing that information for the Board.

Chair Ashley provided several Board comments and updates. He first noted that openings for Planning Board seats had been advertised. He stated that the regular Planning Board seats were advertised on April 1st, with applications due by the close of business on April 30th. He noted that both his seat and Mr. Ekert's seat were expiring and encouraged Mr. Ekert to reapply. He further stated that an alternate Planning Board seat had also been advertised in April, with applications due by the close of business on April 22nd. He explained that the vacancy had been created when Mr. Ekert was appointed to a full seat. Chair Ashley stated that he and Mr. Fiss would participate in interviews and hoped to make recommendations to the Board of Aldermen in time to fill the alternate position before the May meeting.

Chair Ashley next stated that he had been working with Ms. Horton on a proposed text amendment intended to improve visibility and transparency for the Planning Board, the Board of Aldermen, and the public regarding ordinances under

consideration and changes anticipated through implementation of the Comprehensive Plan. He stated that progress was being made on that effort.

Chair Ashley then raised questions regarding tree replacement requirements under the UDO. He noted that tree planting requirements are intended to help restore tree canopy in the City and stated that it was important not only to require planting but also to ensure that planted trees survive. He cited dead trees in the landscaped area between CVS and Starbucks, as well as concerns about tree viability in the Waters development, and asked how such trees are monitored, for how long, and by whom.

Director Meehan responded that, for subdivisions, required landscaping is generally installed before final plat approval. She explained that as Certificates of Occupancy are issued, Staff reviews required landscaping and continues to monitor compliance. She stated that Staff had already been in communication with the superintendent at Waters because they were aware that some trees were not surviving. She noted that drought conditions had affected landscaping, though irrigation was occurring, and stated that Staff continues to follow up with developers to ensure compliance.

Director Meehan further explained that in older developments, such as the CVS/Starbucks site that had been completed for several years, Staff had limited authority to require replacements after the initial compliance period.

Chair Ashley then asked who specifically conducts monitoring.

Director Meehan responded that Planning Staff performs site visits and reviews landscaping conditions.

Chair Ashley also asked how long such monitoring continues and whether it ends once roads are accepted by the City or another milestone is reached.

Director Meehan stated that she did not have authority to require a five-year maintenance plan, though she wished that authority existed. She explained that while construction continues, Staff can continue to press developers regarding landscaping conditions. She added that Staff had also been monitoring tree issues in Osprey Landing and discussing mitigation measures for trees located in open space areas there.

Chair Ashley then asked whether longer-term tree maintenance requirements might more properly fall under the forestry or tree protection provisions of the UDO.

Director Meehan responded that there are statutory limits on how far the City can go in regulating landscaping and tree protection requirements. She stated that the City's tree protection ordinance is currently under review by the City Attorney and that, if additional maintenance or replacement provisions can legally be added, Staff would

consider doing so. She noted that a maintenance bond might be one possible tool, but she was uncertain whether such a bond could lawfully be required for landscaping.

Chair Ashley thanked her.

Mr. Fiss then stated that members of the Forestry Committee had also been paying attention to conditions at the Waters development. He reported that while visiting the Latter-Day Saints Church to inspect the large live oak tree, he observed approximately twelve newly planted three-inch caliper trees nearby, of which five appeared brown and dead, despite having been planted less than a year earlier.

Director Meehan responded that she would reach out regarding the issue and request corrective action. She acknowledged that the past year's lack of rainfall had made tree establishment more difficult, though she stated that was not an excuse for noncompliance.

Chair Ashley then raised several broader planning matters. He stated that he had been considering a possible joint meeting with the Board of Adjustment to discuss recurring ADU issues and whether there might be ways to simplify that process. He also recalled prior discussions with the City Manager about the Planning Board participating in a business roundtable to gather feedback from local businesses regarding how the Board could support commerce while preserving the character of Southport. He added that a similar roundtable with citizens might also be useful to hear directly from residents.

Chair Ashley further stated that he had provided Director Meehan with preliminary UDO recommendations concerning data centers. He explained that although no data center proposals were currently pending, he believed the City should proactively establish standards addressing issues such as water consumption, electrical demand, and noise before any such use was proposed. He suggested that the topic could be considered in June or July.

Chair Ashley also raised the issue of alleyways and longstanding disputes surrounding access and encroachments. He stated that he believed the Planning Board should explore whether a future UDO amendment could help clarify access rights for pedestrians, bicycles, utilities, drainage, and adjoining property owners, while also protecting existing encroachments that may be grandfathered and preserving specimen trees. He stated that he was interested in working toward a long-term solution.

Director Meehan responded that she did not feel Staff should move forward on an alleyway-related UDO amendment without direction from the Board of Aldermen. She noted that the Board of Aldermen had recently discussed holding a town hall

meeting to gather public input on the matter and stated that Staff should wait for that direction before proceeding.

Chair Ashley acknowledged that position but reiterated his concern that, without a clear policy solution, the issue would continue unresolved for years.

Mr. Luehe then commented that the prior use of a subcommittee for the Bed and Breakfast issue had been successful and suggested that a similar subcommittee approach could be used for future topics such as data centers or alleyways. He specifically stated that a subcommittee on data centers would be a good idea.

Chair Ashley agreed and asked whether any Board members were interested in serving on a data center subcommittee. He stated that he would also be willing to participate and that a third member would be identified later.

With no further business before the Board, Chair Ashley requested a motion to adjourn. He commented that it had been a productive meeting and praised the work of the Board.

K. Adjourn

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

The motion carried unanimously.

The meeting adjourned at 8:23 p.m.

X

Lawrence N. Ashley
Chair

X

Scott Baillargeon
Deputy City Clerk



MEMORANDUM

To: Larry Ashley, Chair and Members of the Planning Board
From: Maureen Meehan, Planning Services Director
Re: ZMA-26-02 Yacht Basin Overlay Zoning Map Amendment
Date: May 21, 2026

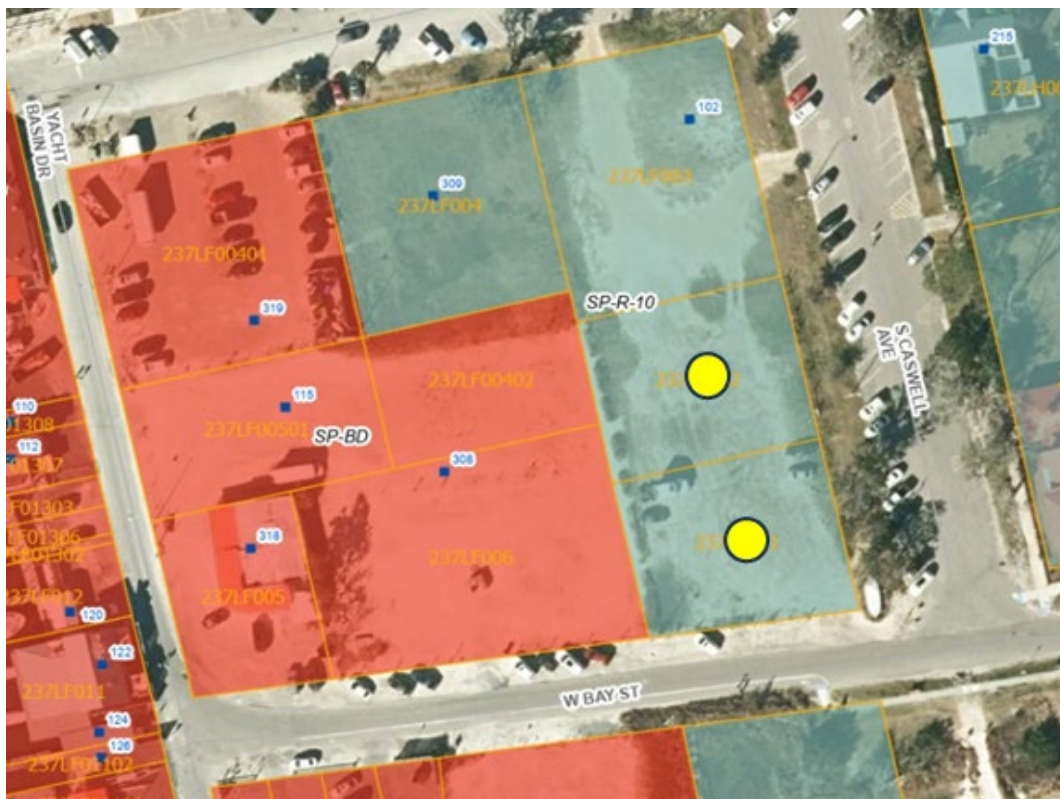
Background and Request

The Yacht Basin Zoning Overlay was established on February 13, 2025, to allow commercial parking on vacant properties zoned R-10 on the block between S. Caswell Avenue, W. Bay Street, Yacht Basin Drive, and W. Moore Street. At the time of establishment, two (2) of the eligible properties elected to be included in the overlay.

Yacht Basin Holding II, LLC, property owners of two (2) properties adjacent to existing properties in the overlay district, have requested to be included in the overlay district. The subject properties are described as Parcel ID 237LF001 and 237LF002.

Yacht Basin Zoning Overlay

The yellow dots depict the subject properties on the map. These two lots are zoned R-10 and have provided public parking on and off throughout the years. The property owner is interested in



providing formalized parking for visitors to the yacht basin. A zoning overlay district allows specific uses, in this case commercial parking, on parcels included in the overlay. The underlying zoning district remains unchanged, and all permitted land uses remain the same. The owner may choose to establish a commercial parking lot or develop the property with a residential use.

Per Section 3.3.A YBO: Yacht Basin Overlay District, commercial properties must meet the following standards. The parking lot surface is limited to pervious pavers and number 57 driveway slate gravel with wooden borders and a concrete or other equivalent alternative paving material driveway entrance. Further, the property must be maintained on a regular basis using industry standard best practices.

Comprehensive Plan Review

The 2050 Southport Comprehensive Plan is the plan that is used for policy decisions in the City. The Planning Board and Board of Aldermen shall consult the plan's policies when considering a zoning change. Further, each rezoning must be recommended and ultimately adopted with a statement describing if the action is consistent or inconsistent with the adopted land use plan.

“Policy 1.4: Support the continued operation of commercial businesses in the Yacht Basin”

This policy is directly related to the proposed zoning map amendment and the action items associated with this policy specifically direct the city to consider a parking overlay in this area, including parking improvements and improved vehicular and pedestrian access.

Amendment Process

Zoning Text Amendment and Zoning Map Amendment proposals are considered legislative processes. As laid out by North Carolina General Statutes, a legislative process is a policy-level decision with broad discretion by the decision-making authority, in Southport's case the Board of Aldermen. In a decision to approve or deny a legislative proposal, the Board of Aldermen shall include a statement referencing the decisions consistency with the adopted land use plan for the City of Southport. Zoning map amendments also require a statement of reasonableness explaining why the Board considers the amendment to be reasonable and in the public interest. Per the City of Southport Unified Development Ordinance, the Planning and Zoning Board shall also provide a recommendation on any proposed Zoning Text or Map Amendments to the Board of Aldermen. The Board of Aldermen shall hold a public hearing prior to voting on any Zoning Text Amendment.

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

Staff Recommendation

Staff respectfully submit this zoning map amendment for your consideration and recommend **APPROVAL** of the addition of the subject property to the Yacht Basin Overlay District. The proposal is found to be consistent with the 2050 Southport Comprehensive Plan, as well as remaining consistent with the Unified Development Ordinance.



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

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

AMENDMENT: ZMA-26-02 Yacht Basin Overlay District Map Amendment

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Planning Board hereby recommends APPROVAL of the proposed Zoning Map Amendment to the Board of Aldermen and finds that it is consistent with the City’s 2050 Comprehensive Plan adopted October 9, 2025 and Unified Development Ordinance. Specifically, *Policy 1.4: Support the continued operation of commercial businesses in the Yacht Basin.* This policy is related to the proposed zoning map amendment and the action items associated with this policy specifically direct the city to consider a parking overlay in this area, including parking improvements and improved vehicular and pedestrian access.

The statement and motion was seconded and passed _____.

Scott Baillargeion, Deputy City Clerk

Lawrence Ashley, Chairman



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

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

AMENDMENT: ZMA-26-02 Yacht Basin Overlay District Map Amendment

STATEMENT OF CONSISTENCY AND RECOMMENDATION:

The City of Southport Planning Board hereby recommends DENIAL of the proposed Zoning Map Amendment to the Board of Aldermen and finds that while it is consistent with the City’s 2050 Comprehensive Plan adopted October 9, 2025 and Unified Development Ordinance, it is not reasonable due to the impacts on adjacent property owners.

The statement and motion was seconded and passed _____.

Scott Baillargeion, Deputy City Clerk

Lawrence Ashley, Chairman

Southport Planning Board

Annual Report

Partial FY 2026 Reporting Period: July 1, 2025 through May 31, 2026

Submitted to the Southport Board of Aldermen

May 2026

Note: This report covers a partial fiscal year based on the Southport Code of Ordinances requirement for submission in May. If desired, a supplemental update may be submitted after June 30, 2026, to reflect the full FY 2026 period.

Draft – May 21, 2026

1. Executive Summary

During the partial FY 2026 reporting period, the Southport Planning Board, as an advisory board to the Board of Aldermen, reviewed and made recommendations on a substantial number of planning-related matters, including zoning text amendments, zoning map amendments, major site plans, and implementation-related work tied to the Southport 2050 Comprehensive Plan.

The reporting period was also a year of organizational transition and process improvement. The Board welcomed new members, elected a new Chair and Vice Chair, adopted Rules of Procedure, developed a Planning Board Handbook/Primer, coordinated with staff to improve meeting materials and minutes, and continued work toward greater transparency for applicants, the Board of Aldermen, and the public.

The Board also recognizes the significant assistance of Planning Services staff, the City Clerk’s office, the Public Information Office and related staff who supported the Board’s work throughout the reporting period.

Planning Board Activity at a Glance

Category	Activity During Reporting Period
Zoning Text Amendments	Multiple amendments reviewed, including stormwater, vape/tobacco shops, S.L. 2025-94 updates, swimming pools in business districts, and mobile vendor/food truck standards.
Zoning Map Amendments	Local Historic District Overlay, Southport Crossing PUD Master Development Plan Major Modification, Yacht Basin Parking Overlay.
Conditional Zoning	None this period.
Major Subdivisions	None this period.
Major Site Plan	Home2 Suites & Brunswick Housing.
Comprehensive Planning	Southport 2050 Comprehensive Plan review, recommendation, adoption, and CRC certification process.
Board Governance	Rules of Procedure and Planning Board Handbook/Primer completed and approved.
Transparency / Administration	Worked with staff to update minutes, improve agendas, clarify seat terms, and prepare for website and Development Dashboard improvements.

Note – Planning Board Activity does not include projects approved in prior Fiscal Years which may continue to have ongoing construction.

2. Purpose of Report and Ordinance Requirement

This annual report is submitted to satisfy the reporting requirement established by the Southport Code of Ordinances and to provide the Board of Aldermen and the public with a clear summary of Planning Board activities, expenditures, for Fiscal Year 2026 and budget needs, and planning priorities for Fiscal 2027.

Southport Code of Ordinances, Article II, Planning Board, Sec. 13-26, Annual report of activities and analysis of expenditures and budget request for ensuing fiscal year: “The planning board shall, in May of each year, submit in writing to the board of aldermen a written report of its activities, and analysis of the expenditures to date for the current fiscal year, and, for review and approval, its requested budget of funds needed for operation during the ensuing fiscal year.”

Although the ordinance requires submission in May, the City’s fiscal year concludes on June 30. This report therefore covers the partial fiscal year from July 1, 2025 through May 31, 2026. A supplemental update may be submitted after the fiscal year closes, if desired.

3. Budget Expenditures and FY 2027 Budget Request

Item	Summary
FY 2026 Expenditures to Date	The Planning Board did not have funds specifically allocated by the Board of Aldermen for FY 2026. Accordingly, no Planning Board funds were expended during the reporting period.
FY 2027 Budget Request	No direct Planning Board funds are requested at this time.
Budget Note	Training funds are currently housed under Planning Services. The Board recommends that funding for Planning Board training be increased under the appropriate Planning Services line item.

4. Planning Board Year in Review

Board Transition and Membership

The first Planning Board meeting of the reporting period was held on July 17, 2025. At that meeting, the Board recognized Sue Hodgins for nearly three and a half years of service to Southport, much of that time as Chair. The Board expressed appreciation for her commitment to preserving the character of Southport.

At the same meeting, Doug Luehe, Maria Horton, and Ed Ekert, were sworn in, joining Kevin Locklin, Fred Fiss, John Bove, Bob Lambert, and Larry Ashley. John, Bob and Larry joined the Board in January 2025. The Board recognized that with many new members, dependable training and orientation would be essential.

Larry Ashley and Fred Fiss were elected Chair and Vice Chair, respectively at the July 17, 2025, meeting.

Kevin Locklin resigned from the Board on October 21, 2025. After multiple postings and interviews, Alternate Member Ed Ekert was appointed by the Board of Aldermen to fill Seat 5 on March 12, 2026, and was seated on March 19, 2026. His term expires on June 30, 2026. The alternate seat appointment should be finalized in this report once the May 2026 appointment information is confirmed.

Training and Board Development

Training was a major focus during the reporting period. In addition to training provided by the City Attorney and staff, members developed a Planning Board Handbook/Primer to explain how planning boards operate and to serve as a practical reference for members and the public. The Board recognizes Doug Luehe, Maria Horton, and Ed Ekert for their work on this document.

Continued training will remain important in FY 2027, particularly as the Board works through implementation of the Southport 2050 Comprehensive Plan, activity directed by the Board of Aldermen, future UDO updates, including proactive UDO recommendations to the Board of Aldermen, legislative changes, and statutory requirements under Chapter 160D.

Rules of Procedure and Meeting Process

The Board adopted new Rules of Procedure to guide the Board's internal operations, including motions, ethics, member responsibilities, and public input. The Rules of Procedure were approved by the Planning Board on January 15, 2026, revised on March 19, 2026, and submitted to the Board of Aldermen in April 2026.

The Board also worked with City staff to bring meeting minutes current, improve the Planning Board agenda format, clarify seat terms, and ensure that the Board's membership and appointment schedule are accurately maintained.

Major Planning Work

During the reporting period, the Board and related subcommittees reviewed multiple zoning text amendments, zoning map amendments, subdivision applications, and major site plans. Several items required extensive staff research, subcommittee work, legal review, public discussion, and multiple meetings before final recommendations were made. The involvement of Planning Board members in Text Amendment subcommittees made a positive difference in the proper vetting of amendments and ensured that well thought out amendments were brought before the full Planning Board for consideration and recommendation to the Board of Aldermen.

The Board also completed review and recommendation of the Southport 2050 Comprehensive Plan, a major planning document that will guide future land use, growth, resiliency, transportation, infrastructure, and community character decisions. Certification of the plan by the Coastal Resources Commission provides the foundation for a comprehensive review of the City's Unified Development Ordinance in FY 2027.

Staff Coordination and Appreciation

The Board expresses appreciation to Planning Services and administrative staff, including Maureen Meehan, Wendell Biddle, Tori Deviney, Scott Baillargeon, and ChyAnn Ketchum, for their assistance, patience, and professional support throughout the reporting period.

As FY 2026 closes, the current Planning Board has considerable depth of experience and backgrounds and remains committed to thoughtful review, timely action, transparency, fairness to applicants, and service to the residents of Southport as well as continued support to the Board of Aldermen in our capacity as an advisory board to them on Planning and Zoning matters.

5. Transparency, Process Improvement, and Workload Observations

The Planning Board’s workload during the partial FY 2026 reporting period demonstrates the continued need for adequate Planning Services staffing, legal support, technical review capacity, administrative support, and member training. Several matters required multiple meetings, staff research, subcommittee review, coordination with other boards and committees, and careful review of statutory and ordinance requirements.

The Board recommends continued emphasis on transparency and public access, including improved meeting materials, updated website pages, timely posting of minutes and documents, plain-language summaries of proposed amendments, and implementation of the Development Dashboard.

In FY 2027, the Board may also benefit from tracking workload and timeliness metrics, including the number of applications reviewed, average time from application to first review, average time from first review to final action, and number of items requiring multiple meetings or subcommittee review.

6. Summary of Planning Board Actions

- Key
 - ZTA – Zoning Text Amendment
 - ZMA – Zoning Map Amendment
 - CZ – Conditional Zoning
 - MSP - Major Site Plan
 - SUB – Major Site Plan
 - Code-Year First Considered -Sequential Consideration Number

Code / Item	Title	Planning Board Action	Board of Aldermen Action / Status
ZTA-24-05	Bed & Breakfast Special Events	Recommended approval April 16, 2026	Projected public hearing June 2026; confirm final status
ZTA-25-02	Stormwater Regulations Ordinance	Recommended approval June 19, 2025	Approved September 11, 2025
ZTA-25-04	UDO Updates	Recommended approval August 21, 2025	Partially approved October 9, 2025
ZTA-25-05	Vape / Tobacco Shops	Recommended approval January 15, 2026	Approved March 12, 2026
ZTA-26-01	S.L. 2025-94 Unified Development Ordinance Text Amendment	Recommended approval February 19, 2026	Approved March 12, 2026
ZTA-26-02	Tree Ordinance Update	In work by staff. No Planning Board action required to date	To be scheduled as appropriate
ZTA-26-03	Section 3.1 Table of Uses – Pools in Business District	Recommended approval April 16, 2026	Public hearing May 14, 2026; confirm final status
ZTA-26-04	Section 3.8.Y. Mobile Vendor or Food Truck	Recommended approval April 16, 2026	Projected public hearing June 11, 2026
ZMA-25-02	Local Historic District Overlay	Recommended approval June 19, 2025	Previously returned to HPC for refinement; confirm May 2026 status

Code / Item	Title	Planning Board Action	Board of Aldermen Action / Status
ZMA-25-03	Southport Crossing Planned Unit Development (PUD) Master Development Plan Major Modification	Recommended approval March 19, 2026	Public hearing May 14, 2026; confirm final status
ZMA-26-02	Yacht Basin Overlay Zoning Map Amendment		
MSP-25-01	Home2 Suites	Approved August 21, 2025	N/A
MSP-26-02	Brunswick Housing	Projected June 2026	N/A
Southport 2050 Comprehensive Plan	Comprehensive Planning	Recommended approval August 21, 2025	Approved October 9, 2025; CRC certification January 8, 2026

7. Detailed Planning Board Work

The following section summarizes major Planning Board work during the partial FY 2026 reporting period. Dates and final actions marked as pending or requiring confirmation should be verified before final submission to the Board of Aldermen.

7.1 Zoning Text Amendments

ZTA-24-05 — Bed & Breakfast Special Events

Item	Detail
Applicant / Requestor	Planning Staff at request of Board of Aldermen
Application / Request Date	August 2024 request by Board of Aldermen
Purpose / Overview	Consider development standards for weddings, birthdays, and similar special events at bed and breakfasts.
Planning Board Action	First presented by staff - September 19, 2024; Reviewed - October 17, 2024; Subsequent reviews included February 20, 2025, August 21, 2025, February 19, 2026, and March 17, 2026, subcommittee review; Final Planning Board action - April 16, 2026; Recommended approval.
Board of Aldermen Action	Public hearing May 8, 2025; Board of Aldermen requested modifications. Additional Board of Aldermen request for modifications - October 9, 2025 Projected public hearing - June 2026.
Status	Pending final Board of Aldermen action.
Notes	Verify the February 20, 2025 date and final public hearing status before submission.

ZTA-25-02 — Article 6: Stormwater Regulations Ordinance

Item	Detail
Applicant / Requestor	Planning Staff and City Engineer
Application / Request Date	N/A
Purpose / Overview	Update the City stormwater regulations section of the UDO with language addressing the quantity and quality of stormwater runoff.
Planning Board Action	First review - March 20, 2025 Final action - June 19, 2025 Recommended approval.
Board of Aldermen Action	Public hearing - August 14, 2025 Approved - September 11, 2025
Status	Completed.

ZTA-25-04 — UDO Updates

Item	Detail
Applicant / Requestor	Planning Staff
Application / Request Date	N/A
Purpose / Overview	Amend Articles 3 and 8 of the UDO to update applicable zoning districts and land uses following relinquishment of the extraterritorial jurisdiction.
Planning Board Action	Reviewed - Final action - August 21, 2025 Recommended approval.
Board of Aldermen Action	Partially approved - October 9, 2025.
Status	Partially completed.
Notes	Approved items included changes directly associated with removal of the ETJ and drive-thru standards.

ZTA-25-05 — Vape / Tobacco Shops

Item	Detail
Applicant / Requestor	Planning Staff at request of Board of Aldermen
Application / Request Date	October 9, 2025 request by Board of Aldermen
Purpose / Overview	Amend the UDO to define and regulate vape/tobacco shops. The amendment addresses the fact that such uses were otherwise treated as general retail and did not account for sensitive locations such as schools, parks, and playgrounds.
Planning Board Action	First review - November 20, 2025 Final action - January 15, 2026 Recommended approval.
Board of Aldermen Action	Approved - March 12, 2026.
Status	Completed.

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

Item	Detail
Applicant / Requestor	Planning Staff
Application / Request Date	February 19, 2026
Purpose / Overview	Update the UDO to address new laws enacted by S.L. 2025-94, “An Act to Provide Further Regulatory Relief to the Citizens of North Carolina.”
Planning Board Action	First review – February 19, 2026 Final action - February 19, 2026 Recommended approval.
Board of Aldermen Action	Approved - March 12, 2026.
Status	Completed.

ZTA-26-02 — Tree Ordinance Update

Item	Detail
Applicant / Requestor	Board of Aldermen
Application / Request Date	2024 Board of Aldermen request; further refined November 2025
Purpose / Overview	Tree ordinance update requested by the Board of Aldermen as part of UDO-related discussions.
Planning Board Action	No Planning Board action required to date.
Board of Aldermen Action	TBD
Status	In Work by Staff and Forestry Committee

ZTA-26-03 — Section 3.1 Table of Uses — Pools in Business District

Item	Detail
Applicant / Requestor	Glen and Amy Paterson
Application / Request Date	March 17, 2026
Purpose / Overview	Amend Table 3.1, Table of Permitted and Special Uses, to allow swimming pools in the BD Business District. The Planning Board subsequently included Highway Commercial.
Planning Board Action	First review – April 16, 2026 Final action - April 16, 2026 Recommended approval.
Board of Aldermen Action	Public hearing - May 14, 2026 Final result to be confirmed.
Status	Pending final Board of Aldermen action.

ZTA-26-04 — Section 3.8.Y — Mobile Vendor or Food Truck

Item	Detail
Applicant / Requestor	Planning Staff
Application / Request Date	N/A
Purpose / Overview	Expedite permit issuance and create a simpler process for mobile vendor/food truck owners and property/business owners.
Planning Board Action	First review – April 16, 2026 Final action - April 16, 2026 Recommended approval.
Board of Aldermen Action	Projected public hearing - June 11, 2026.
Status	Pending final Board of Aldermen action.

ZTA-00-00 — Data Centers

Item	Detail
Applicant / Requestor	Planning Board
Application / Request Date	April 2026
Purpose / Overview	Develop zoning controls for Data Centers given that their scale and operational demands can create significant off-site impacts—including noise, water use, power infrastructure demands, heat, lighting, traffic, and compatibility concerns—that require careful siting and performance standards to protect nearby properties and the public welfare.
Planning Board Action	Subcommittee – May 6, 2026 & May 11, 2026 Final action - TBD
Board of Aldermen Action	TBD
Status	Currently in development

7.2 Zoning Map Amendments

ZMA-25-02 — Local Historic District Overlay

Item	Detail
Applicant / Requestor	Planning Staff and Historic Preservation Commission
Application / Request Date	N/A
Purpose / Overview	Request by the Southport Historic Preservation Commission to designate a local historic district overlay by zoning ordinance under Chapter 2, Article IV, Section 2-197 of the City of Southport Code of Ordinances. Begun in 2022.
Planning Board Action	First review – June 19, 2025 Final action - June 19, 2025 Recommended approval.
Board of Aldermen Action	Public hearing - July 10, 2025; sent back to the Historic Preservation Commission for refinement of draft Local Historic District Standards. HPC resubmitted to Board of Aldermen - May 2026; Scheduled Board of Aldermen - May 14, 2026 Result to be confirmed.
Status	Pending final Board of Aldermen action.
Notes	Add the date the process began, if available.

ZMA-25-03 — Southport Crossing PUD Master Development Plan Major Modification

Item	Detail
Applicant / Requestor	Allison Engebretson, Edgehill REC, LLC
Application / Request Date	November 14, 2025
Purpose / Overview	Request approval of a modification to the master development plan for an existing 48-acre Planned Unit Development zoning district due to changes in wetland identification laws. The modification changes dwelling unit type and number, open space, and onsite amenities.
Planning Board Action	First review – March 19, 2026 Final action - March 19, 2026 Recommended approval.
Board of Aldermen Action	Public hearing - May 14, 2026 Final result to be confirmed.
Status	Pending final Board of Aldermen action.
Notes	Technical Review Committee approved - December 18, 2025. Proposal would increase dwelling units from 60 total units to 130 multi-family units and reduce open space from approximately 39.9 acres to approximately 30.8 acres. Original plan called for 324 units, with reductions over time due to market conditions, sewer capacity, and infrastructure constraints.

ZMA-26-02 — Yacht Basin Overlay Zoning Map Amendment

Item	Detail
Applicant / Requestor	Yacht Basin Holding II, LLC
Application / Request Date	April 15, 2026
Purpose / Overview	Addition of Parcels 237LF001 and 237LF002 to the Yacht Basin Parking Overlay District
Planning Board Action	First review – May 21, 2026; Planning Board Action - TBD
Board of Aldermen Action	Public hearing - TBD Final result to be confirmed.
Status	Pending final Board of Aldermen action.
Notes	TRC Date - ?

7.3 Conditional Zoning

None this period

Item	Detail
Applicant / Requestor	N/A
Application / Request Date	N/A
Purpose / Overview	N/A
Planning Board Action	N/A
Board of Aldermen Action	N/A
Status	N/A

7.4 Major Subdivisions

None this period

Item	Detail
Applicant / Requestor	N/A
Application / Request Date	N/A
Purpose / Overview	N/A
Planning Board Action	N/A
Board of Aldermen Action	N/A
Status	N/A

7.5 Major Site Plan

MSP-25-01 — Home2 Suites Major Site Plan

Item	Detail
Applicant / Requestor	Meridian Southport Series 3, LLC
Application / Request Date	June 22, 2025
Purpose / Overview	Request approval of a Major Site Plan for construction and operation of a Home2 Suites hotel in the HC, Highway Commercial zoning district.
Planning Board Action	First review – August 21, 2025 Final action August 21, 2025 Approved by Planning Board – August 21, 2025
Board of Aldermen Action	N/A.
Status	Completed.
Notes	Variance approved by Zoning Board of Appeals, VAR-25-01, March 25, 2025. Technical Review Committee approval - July 28, 2025.

MSP-26-02 — Brunswick Housing

Item	Detail
Applicant / Requestor	Brunswick Partnership for Housing
Application / Request Date	February 27, 2026
Purpose / Overview	Addition of 12 townhome units on property adjacent to the existing Brunswick Partnership for Housing units located at 250 E. 11th Street.
Planning Board Action	First review – Projected Juen 2026 Final action – TBD
Board of Aldermen Action	N/A.
Status	In Staff and Board of Adjustment Review.
Notes	Variance approved by Zoning Board of Appeals, VAR-25-01, March 25, 2025. Technical Review Committee approval - July 28, 2025.

7.6 Other Major Planning Initiatives

Southport 2050 — Comprehensive Plan Review and Recommendation

Item	Detail
Applicant / Requestor	Planning Staff
Application / Request Date	August 21, 2025
Purpose / Overview	Major update to the City’s Comprehensive Plan. Planning legislation under N.C.G.S. 160D-501 and the Coastal Area Management Act requires local governments to have a locally adopted and reasonably maintained land use plan. The City’s prior CAMA Core Land Use Plan was adopted in 2014 and received a minor update in 2020.
Planning Board Action	First presentation - December 2024; Final action - August 21, 2025 Recommended approval.
Board of Aldermen Action	Approved - October 9, 2025
Status	Completed; implementation to continue in FY 2027.
Notes	Project began January 2024. Certified by the Coastal Resources Commission - January 8, 2026. Verify all adoption and certification dates before final submission.

8. Supporting Documents Completed or Advanced

Document	Planning Board Action / Status
Rules of Procedure	Approved - January 15, 2026; Revision approved - March 19, 2026; Submitted to Board of Aldermen - April 2026.
Planning Board Handbook/Primer	Approved - January 15, 2026. Developed to assist Board members and provide a practical overview for members and the public.

9. Comprehensive Plan Implementation

Certification of the Southport 2050 Comprehensive Plan provides the City with an important policy foundation for future planning decisions. In FY 2027, the Planning Board will work with staff to review the Unified Development Ordinance for consistency with the Comprehensive Plan and to identify needed updates, priorities, and implementation steps and make recommendations of the same to the Board of Aldermen.

- Review the UDO for consistency with the Southport 2050 Comprehensive Plan.
- Identify policy areas where current UDO may not fully support adopted land-use goals.
- Prioritize amendments that support community character, resiliency, stormwater management, housing choice, businesses, transportation, environmental protection, and transparent development review.
- Use plain-language summaries and side-by-side comparisons for zoning amendments to enhance transparency of any proposed changes to our Unified Development Ordinance.

10. FY 2027 Goals and Priorities

Priority Area	Recommended FY 2027 Work
Training and Board Development	Continue member training, utilizing staff and including UNC School of Government courses; provide orientation for new members; continue use of the Planning Board Handbook/Primer.
Unified Development Ordinance (UDO) and Policy Work	Begin UDO updates needed to implement the Southport 2050 Comprehensive Plan; consider Land Disturbance & Soil Erosion Code of Ordinances update, data centers, accessory dwelling units, tree protection, use table updates, definitions cleanup, and development review procedures.
Transparency and Public Access	Implement the Development Dashboard; update Planning Board pages on the new City website; ensure minutes, agendas, applications, and related documents are current and accessible.
Text Amendment Process	Continue improving the text amendment review document to include executive summaries, at-a-glance tables, detailed comparisons, current text, proposed text, consistency statements, and sample motions.
Timeliness and Process Management	Continue monitoring application submissions to ensure timely review; consider workload and timeline metrics for future annual reports.
Coordination	Continue coordination with Planning Services, the Board of Aldermen, the Historic Preservation Commission, the Zoning Board of Adjustment, the Forestry Committee, the Technical Review Committee, and other boards or committees when planning matters overlap.

11. Recommendations to the Board of Aldermen

- Recognize this document as a partial FY 2026 annual report covering July 1, 2025 through May 31, 2026, with the option for a fiscal year-end supplement after June 30, 2026.
- Support increased Planning Board training funds under the appropriate Planning Services budget line item.
- Continue supporting Planning Services staffing and administrative capacity needed to manage the increasing complexity and volume of planning-related work.
- Support implementation of the Southport 2050 Comprehensive Plan through a structured UDO review and amendment process.
- Support continued improvements to transparency, public access, meeting materials, and development review information.

12. Planning Board Membership, Terms, and Staff Support

Current Members and Terms

Seat #	Member	Last Appointed	Term Expiration
1	Doug Luehe	July 2025	June 2028
2	Maria Horton	July 2025	June 2028
3	John Bove	January 2025	June 2028
4	Fred Fiss, Vice Chair	June 2024	June 2027
5	Ed Ekert	March 2026	June 2026
6	Larry Ashley, Chair	January 2025	June 2026
7	Bob Lambert	January 2025	June 2027
8, Alternate	Pending confirmation	Pending confirmation	June 2027

Chair and Vice Chair

- Larry Ashley, Chair, elected July 2025
- Fred Fiss, Vice Chair, elected July 2025

Board of Aldermen Liaisons

- Alderman Karen Mosteller
- Alderman Rebecca Kelley

Staff Support

- Maureen Meehan, Planning Services Director
- Wendell Biddle, City Planner
- Tori Deviney, City Clerk
- Scott Baillargeon, Deputy City Clerk
- ChyAnn Ketchum, Public Information Officer

13. Member Appointments, Resignations, and Vacancy Posting History

Member Appointments

Date	Appointment
July 7, 2025	Maria Horton appointed to Seat 2, term expiring June 30, 2028.
July 7, 2025	Doug Luehe appointed to Seat 1, term expiring June 30, 2028.
July 7, 2025	Ed Ekert appointed to Seat 8, Alternate, term expiring June 30, 2027.
March 12, 2026	Ed Ekert appointed to Seat 5, term expiring June 30, 2026.
May 14, 2026	Seat 8, Alternate appointment pending confirmation for this report.

Member Resignations

Date	Resignation
June 30, 2025	Will Hewett.
October 21, 2025	Kevin Locklin, Seat 5.

Vacancy and Expiring-Term Posting History

Posting Period	Purpose / Result
October 22, 2025 – November 21, 2025	Thirty-day posting for Seat 5 vacancy created by Kevin Locklin’s resignation. Three applicants. Interviews held January 6, 2026. Board of Aldermen requested reposting.
February 13, 2026 – February 27, 2026	Fifteen-day reposting for Seat 5 vacancy. Three applicants. Interviews held March 9, 2026. Ed Ekert appointed March 12, 2026.
April 1, 2026 – April 30, 2026	Thirty-day posting for expiring terms for Seat 5 and Seat 6. Applicant numbers, interview dates, and results pending confirmation.
April 8, 2026 – April 22, 2026	Fifteen-day posting for Alternate Seat 8 vacated by Ed Ekert. Two applicants. Interviews held April 24, 2026. Final appointment information pending confirmation.

14. Closing Statement

The Planning Board respectfully submits this annual report to the Board of Aldermen in accordance with the Southport Code of Ordinances. During the partial FY 2026 reporting period, the Board reviewed a significant number of planning-related matters, supported implementation of the Southport 2050 Comprehensive Plan, adopted internal governance documents, and worked with staff to improve transparency, consistency, and public access to Planning Board materials.

For FY 2027, the Planning Board recommends continued support for Planning Services staffing, member training, UDO modernization, public information improvements, and implementation of the recently certified Comprehensive Plan.

Chair Comments

This past year has been one of forming a new team of exceptional Planning Board members with wide and divergent backgrounds and skillsets who brought their knowledge to the table for the unselfish benefit of the City of Southport. Their full participation and different views in the matters brought before them resulted in fully vetted recommendations to the Board of Aldermen that Planning Board members could stand behind and support.

I am grateful and thankful for their dedication and deep feeling of responsibility to our city of Salubrious Breezes.



Planning Board Update – May 2026

Planning Board meetings will permanently change location to the Indian Trail Meeting Hall starting on June 18, 2026.

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

- The Board of Adjustment approved one (1) special use permit for an accessory dwelling unit in April. The agenda for the May 26, 2026, meeting includes two items: a special use permit for multi-family dwelling units in the O&I zoning district, and an appeal to staff's determination for a rights-of-way encroachment.

Historic Preservation Commission: Regular meetings of the Historic Preservation Commission are every 1st Wednesday at 4:00 p.m. at the Indian Trail Meeting Hall. **The June and July meetings of the HPC have been canceled.**

- The May meeting of the HPC was held on May 6, 2026, where the HPC voted to recommend approval to the Board of Aldermen of the proposed local historic district and local historic design standards. The most recent version of the local historic design standards can be found at the link below.

<https://www.cityofsouthport.gov/Documents/City%20Hall/Committees/Historic%20Preservation%20Commission/Design%20Standards/Clean%20Draft%20Design%20Standards%204-30-26.pdf?t=202604291608290>

- The Board of Aldermen scheduled a town hall meeting to discuss the Local Historic District and Local Historic District Design Standards for Wednesday, May 27 at 6p.m. The meeting will take place at the Southport Community Building.
- The Board of Aldermen called a public hearing for ZTA-25-02 Southport Local Historic District for Tuesday, June 2 at 6 p.m. The hearing will be held at the Southport Community Building.

Other Projects/Updates:

- Brunswick County invites community members to attend an upcoming community meeting this month to learn more about the proposed new development ordinance that will be presented to the Board of Commissioners this summer. The dates, locations and times are listed below.

- **Tuesday, May 26 at 6 p.m.:** Town of St. James Homer E. Wright Event Center (*formerly Community Center*), 4136 Southport-Supply Rd SE, St. James, NC 28461
- **Wednesday, May 27 at 6 p.m.:** Town Creek Park Community Building, 6420 Ocean Highway East, Winnabow, NC 28479
- **Thursday, May 28 at 6 p.m.:** BSRI Senior Center at Shallotte, 3620 Express Dr, Shallotte, NC 28470

The three in-person community meetings all begin at 6 p.m. with a formal presentation from Brunswick County’s consultants at N-Focus Planning on the latest draft of the proposed new Land Development Ordinance (formerly Unified Development Ordinance (UDO)). The same presentation and material will be given at each meeting.

The presentation is expected to last about 60 to 90 minutes and will include an overview of the draft plan, feedback received during the public input process, and what types of changes or updates are allowed or restricted under current state laws that govern local governments’ planning and zoning authority. Staff from Brunswick County’s Planning department and the consultants will be available to answer questions one-on-one with community members after the presentation.

- SL-2026-2 - Senate Bill 214 – This bill includes the 3 City of Southport lots proposed for deannexation in the 2025 session. The bill was ratified on May 7, 2026.
- The UDO updates compiled in November 2025, for the Board of Aldermen are continually reviewed by staff for prioritization. Staff are hopeful that the requested funding for a UDO update will be granted this budget season to include all the updates. Staff are working with the City Manager to get direction for several of the proposed UDO updates that have not previously been open for consideration.
- The following text amendments are underway in various stages of completion.
 - ZTA-24-05 – Bed and Breakfast Events – Public Hearing on June 11
 - ZTA-26-02 – Tree Preservation Ordinance – Staff in process of completing for final review with the Forestry Committee prior to Planning Board review
 - ZTA-26-03 – Pools as Accessory Uses in BD and HC Zoning Districts – Approved at the May 14, BOA Meeting.
 - ZTA-26-04 – Mobile Vendor/Food Truck - Public Hearing on June 11.
 - ZTA-26-05 – Data Centers – Staff and PB Committee working on draft language to present to the full Planning Board
- Staff are working with the City Engineer on the Land Disturbance and Soil Erosion Ordinance. This ordinance will be part of the City Code of Ordinances and will not be brought to the Planning Board for a recommendation to the Board of Aldermen. This ordinance will require approval for the import and export of soil and grading. It is anticipated that this ordinance will be brought to the Board of Aldermen in the next month or two.
- The UDO hosted on Municode is codified through September 11, 2025. Changes adopted since September are not included in the online text. The website documents the most recent date of the codified text. The exact language is included below. Staff have the most recent version

available and upload the updates as they are adopted. Municode codifies the text bi-annually for the UDO and annually for the City Code of Ordinances.

Unified Development Ordinance

Publication

Online content updated on February 4, 2026

UNIFIED DEVELOPMENT ORDINANCE City of SOUTHPORT, NORTH CAROLINA Codified through Ordinance No. 9-11-25 (Republication)

- Staff are working on the update of the Planning Services page on the city website to include links to plans and will include a disclaimer to notify citizens that the UDO hosted on Municode may not be the most up to date per adopted ordinances. Staff can provide updates or answer questions for anyone regarding ordinance changes.
- The NC Resilient Coastal Communities Program (RCCP) Phase 1 & 2 community action team meeting occurred on Thursday, May 7. Valuable input from different sectors of the city was collected and will be used when presenting the vulnerability assessment to the public. A formal public input session will be scheduled in the late summer and will be advertised and announced regularly to ensure as much input as possible from the citizens of the city.

A short public survey will be rolled out within the week. This survey will give citizens and visitors alike the ability to give input on what hazards and how the city can prepare for future hazards.

Information can be found on the Planning Services website as it is available. This project is fully funded by a grant from the RCCP, through the General Assembly, and the National Fish & Wildlife Foundation.

- The Multimodal Acceleration Plan is close to completion. Staff are reviewing the draft plan. Upon completion, the plan will include project details for prioritized pedestrian and bicycle improvements, including cost estimates and funding opportunities. A multimodal grant from NCDOT funds the plan.
- Planning Staff continue to work on development of an online permit process through OpenGov for all planning applications. This will provide a structured workflow as projects move through the application process. In addition, staff are in the early stages of working with the Brunswick County Planning department to establish a GIS-based development dashboard. This dashboard will be available online once complete.