



# CITY OF SOUTHPORT

## Planning Board

### Regular Meeting

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July 16, 2026 | 6:00 PM  
113 W Moore St, Southport, NC 28461  
Indian Trail Meeting Hall  
*Please turn off or silence all cell phones*

## Agenda

- A. Call to Order**
- B. Invocation**
- C. Pledge of Allegiance**
- D. Swearing in of Members**
  - 1. Swearing in of Ed Ekert Seat #5
  - Swearing in of Lawrence N. Ashley Seat #4
  - Chair and Vice Chair Selection
- 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. June 18, 2026, Planning Board Regular Meeting Minutes
- H. Public Comment**
- I. Old Business**
- J. New Business**
  - 1. ZMA-26-03 Map Amendment 1501 N. Howe Street
  - 2. ZTA-26-05 Text Amendment Data Centers
  - 3. Zoning Template Review - Discussion
- K. Staff Updates**
  - 1. Planning Services Updates
  - 2. Cancellation of August 20, 2026, Planning Board Regular Meeting
- L. Adjourn**





**City of Southport  
Planning Board Regular Meeting  
Indian Trail Meeting Hall  
113 W. Moore Street  
Southport NC 28461  
June 18<sup>th</sup>, 2026,  
6:00 pm  
MINUTES**

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

**Staff Present:** Wendell Biddle, City Planner; ChyAnn Ketchum, Public Information Officer; Tori Deviney, City Clerk; Scott Baillargeon, Deputy City Clerk

**Absent:** Robert Lambert

**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 elevated from Mr. Freise from Alternate to full voting member due to the Mr. Lambert's absence.

**B. Invocation**

Mr. Luehe provided the invocation.

**C. Pledge of Allegiance**

Chair Ashley led members in the recitation of the Pledge.

**Ethics Statement:**

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

**D. Approval of Agenda**

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

**A motion was made by Mr. Bove and seconded by Ms. Horton, to Approve the agenda to include the swearing in of Reappointed Members and Approve the Agenda.**

**The motion carried unanimously.**

**E. Approval of Minutes**

- a. May 21<sup>st</sup>, 2026, Planning Board Regular Meeting Minutes

**A motion was made by Mr. Fiss and seconded by Mr. Freise, to Approve the May 21<sup>st</sup>, 2026, Planning Board Regular Meeting Minutes.**

**The motion carried unanimously.**

**F. Public Comment**

None.

**G. Old Business**

- a. Annual Report (11 Months)

Chair Ashley stated that the annual report required no discussion. He explained that the report covered 11 months and had been updated to include the appointment of Mr. Freise. He noted that the report is required by ordinance to be provided to the Board of Aldermen.

Chair Ashley stated that he would provide a final full-year report the following month. He also noted that the financial portion of the report would show no expenditures because the Planning Board does not have its own budget. Chair Ashley stated that providing the update would be worthwhile so the Board of Aldermen could have a full report of the Planning Board's work over the past year.

**H. New Business**

- a. MSP-26-02 Brunswick Housing Partnership Major Site Plan

Planner Biddle presented Major Site Plan MSP-26-06 and provided an application summary for the proposed Brunswick Partnership for Housing project (BPH). He stated that Paramounte Engineering, represented by Allison Engebretson, was the applicant on behalf of BPH.

Planner Biddle explained that the proposed project included 10,516 square feet of impervious ground coverage. He stated that, under the Unified Development Ordinance (UDO), site plans with less than 10,000 square feet of impervious ground coverage are reviewed as minor site plans, while site plans exceeding 10,000 square feet are reviewed as major site plans. He

explained that minor site plans are generally reviewed administratively by Staff, while major site plans are reviewed by the Technical Review Committee (TRC), Staff, and the Planning Board. Planner Biddle stated that, because the application was a major site plan, the Planning Board would make the final decision regarding approval or denial.

Planner Biddle stated that this is a request from BPH to construct seven townhomes divided between two residential buildings on a 0.69-acre parcel located along East 11<sup>th</sup> Street near North Atlantic Avenue. He stated that the parcel is directly adjacent to the existing BPH Transitional Housing Development and is served by existing utilities. He noted that the property is zoned Office and Institutional (O&I).

Planner Biddle explained that Table 3.1, Section 3.7.A, of the UDO requires a Special Use Permit for multi-family dwellings in the O&I zoning district. He reviewed the applicable zoning and land use definitions, including the definition of the O&I District and multi-family dwellings. He shared that the Board of Adjustment had awarded the Special Use Permit to BPH at the May 26<sup>th</sup>, 2026, regular meeting.

Planner Biddle stated that the proposed development would include seven townhomes split between two residential buildings, stormwater infrastructure, required landscaping, and a 20-foot rear buffer yard. He explained that a shared parking agreement had been prepared to ensure that the existing BPH development continues to meet its minimum parking requirements.

He noted that an accessory storage building would be attached to Building 2, and that the site would include a stormwater infiltration basin and required rear buffer yard.

Planner Biddle reviewed the dimensional standards and parking requirements. He stated that the combined parking requirement for the existing and proposed BPH developments is 29 total spaces between both developments, including ADA-compliant spaces. He noted that the minimum required for both developments is 28. The proposed development requires 16 spaces, based on two spaces per unit plus two guest spaces. The existing development requires 12 spaces, based on two spaces per unit, two guest spaces, and two spaces for the 450-square-foot office. He also noted that the development would include a network of five-foot-wide sidewalks.

Planner Biddle stated that existing vegetation at the rear of the lot would be preserved where feasible to increase the opacity of the 20-foot buffer yard. He explained that the required buffer type calls for a minimum of two canopy

trees and four understory trees per 1,000 square feet.

Planner Biddle reviewed utilities, lighting, and design. He stated that existing utility infrastructure would be used, proposed lighting complies with UDO standards, and 10 light poles proposed with a maximum color temperature of 3000 Kelvin. He also stated that, to comply with UDO standards, the orientation of Building 2 had been revised to face East 11<sup>th</sup> Street.

He reviewed the parking calculations again for clarity and stated that the shared parking agreement accounted for the existing BPH development requirements. He noted that the combined developments would provide sufficient parking to meet the minimum standards and would exceed the required number of spaces by one.

Planner Biddle stated that the site was not located within a flood hazard area and that additional flood zone requirements could not be imposed.

Planner Biddle stated that the developers intended to preserve trees where feasible, although some tree removal may be necessary for construction of the stormwater infiltration basin. He noted that several trees would remain on the property. He reviewed utilities, lighting, and design standards and reiterated that the developers revised the project design so that the units would face North on 11<sup>th</sup> Street.

Planner Biddle stated that Staff found the proposed development to be consistent with the intent of the O&I zoning district, to provide needed housing opportunities, to meet density and dimensional standards, to be compatible with surrounding development, and to provide adequate parking and circulation. He concluded his presentation.

Chair Ashley opened the floor to questions from the Board.

Mr. Luehe stated that he had a couple of questions for the representatives of BPH. He noted that Planner Biddle might be able to answer them but was unsure whether the representatives would have that information. Mr. Luehe asked whether the proposed new construction would constitute a transitional housing facility.

Planner Biddle stated that the proposed units would not be transitional housing. He explained that the units would be rentals and would be distinct from the existing transitional housing. Planner Biddle stated that he was unsure of the specific terms used to define affordable housing and invited representatives from BPH to address that matter. He added that the proposed units were intended to be moderately priced rental units.

Mr. Luehe stated that, based on his understanding of the definitions, the existing four units constituted a transitional housing facility while the proposed seven additional units would not. He asked whether the BPH office and staff would remain at the facility. He asked if the parking provided sufficiently for staff.

Planner Biddle stated that the existing transitional housing would remain the same, except for modifications related to parking. He explained that the existing transitional housing and office were separate from the proposed development and, to his understanding, the office would not be altered.

Planner Biddle explained that the existing transitional housing required a minimum of 12 parking spaces, calculated as two spaces per unit, plus two additional spaces for the office. He stated that six existing spaces would be removed to allow for the proposed development, but that the new development would include on-site parking to offset the loss. Planner Biddle noted that sufficient parking would remain available for staff.

Mr. Luehe stated that he had considered the view of the proposed development from 11<sup>th</sup> Street and expressed aesthetic concerns regarding the visibility of parking from the roadway in a residential area. He noted that, while he trusted the project would comply with applicable vegetation and landscaping requirements, there may be opportunities to improve the appearance of the site through additional or enhanced vegetation.

Mr. Luehe also expressed concern regarding lighting and its potential impact on the surrounding neighborhood. He noted the need to balance adequate lighting for safety and visibility with limiting light spillover into nearby residential properties.

Planner Biddle responded that the proposed lighting plan would provide an appropriate balance between safety and neighborhood compatibility. He stated that the lighting and light poles would be designed to accommodate safety and security needs while minimizing impacts on adjacent properties and the surrounding residential neighborhood.

Planner Biddle stated that the developer intended to use the same style of brick as the existing transitional housing building to provide continuity between the two developments. He also noted that the projected peaked roofs would be similar in style to the existing structure.

Mr. Bove asked for clarification regarding the parcel configuration and how the property had changed from three parcels to two parcels.

Planner Biddle explained that, when review of the project began, the property consisted of three parcels. Since the Board of Adjustment review, a recombination had been completed and recorded with the Register of Deeds. However, shared that he did not have an updated site plan that shows the recombination currently.

Mr. Bove also raised questions regarding stormwater management. He noted the challenges of fitting the proposed development onto the site and expressed support for a maintenance agreement as part of the building permit process. He stated that stormwater is a sensitive issue in that area and asked where runoff from the parking lot would be directed, including whether it would flow to a stormwater pond or back toward the street.

Gavin Milligan of Paramounte Engineering stated that the concrete and paver areas would be pervious.

Chair Ashley asked whether pavers would be used, and Mr. Milligan confirmed that pavers were being considered, while noting that the final material selection would remain open to the client. He stated that the surface would be pervious and that the stormwater system would function as an infiltration basin.

Mr. Milligan explained that runoff from the building would be directed to and treated within the infiltration basin.

Mr. Bove stated that he was not questioning whether the proposed stormwater system met City requirements. Rather, he expressed concern about the long-term maintenance of the pervious surfaces and the potential for increased runoff if those surfaces were not properly maintained. He asked where stormwater would be directed in the event that runoff exceeded the capacity of the infiltration basin or otherwise flowed off-site.

Mr. Milligan stated that, hypothetically, any overflow or surface runoff would be directed toward the rear property line, consistent with the site's existing drainage pattern.

Mr. Fiss noted that it would be a large amount of stormwater.

Mr. Bove stated that he was concerned about pervious pavement comprising a significant portion of the stormwater management strategy. He requested that the Technical Review Committee (TRC) review the stormwater design more closely from a neighborhood perspective, including how the system would function if maintenance of the pervious surfaces were not ideal.



Mr. Milligan stated that an existing drainage swale was located along the rear portion of the property between areas identified on the site plan. He explained that additional site investigation would be required and noted that existing drainage patterns could not be obstructed.

Planner Biddle stated that Tom Zilinek, the City's stormwater engineer, participated in the TRC review. He explained that the stormwater runoff questions had been reviewed and vetted through the City's review process before the application proceeded to the Board of Adjustment and Planning Board.

Chair Ashley recognized Ms. Horton.

Ms. Horton asked whether the infiltration basin, which appeared to extend into the buffer area, had been reviewed by the TRC. She also asked whether there was a drainage swale between the adjacent R-10 properties and the proposed development site. Ms. Horton noted that such swales or alleyways had been cleaned out in other areas and stated that, if present, this drainage feature could affect infiltration and runoff patterns between the properties.

Ms. Horton asked whether the drainage swale was included among the areas identified for improvement by City Staff. She stated that, if the swale required enhancement to accommodate overflow conditions, it might be appropriate to address the issue through maintenance and enforcement provisions associated with the major site plan approval.

Planner Biddle stated that City Engineer had not indicated whether the drainage swale was included on his list of areas for improvement.

Ms. Horton stated that her question related to the potential for overflow and noted that the swale was not shown on the depiction before the Board. She added that many swales in the area were being cleaned out so they could remain open and flowing, which could help address the concern regarding infiltration and runoff.

Chair Ashley noted that the concern was whether runoff would flow toward Atlantic Avenue.

Mr. Bove stated that his primary concern was potential runoff toward 11<sup>th</sup> Street or Atlantic Avenue. He stated that, based on his experience as a civil engineer, pervious pavement can become less effective if not properly maintained. He emphasized the importance of understanding where water would go if the pervious surfaces did not function as intended. Mr. Bove stated

that he did not object to the development itself but wanted to ensure that the stormwater calculations reflected actual site conditions, including the wooded character of the area, existing drainage patterns, and potential off-site flow.

Mr. Freise noted that satellite imagery showed the area to be heavily treed, with nearby properties appearing to slope toward a poorly defined drainage area. He stated that, if the stormwater system functioned properly, the proposed development may have limited additional off-site impact but could still contribute to drainage flow in that area.

Chair Ashley asked whether there were any additional questions from the Board.

Mr. Freise requested that future agenda packets include the TRC comments, noting that the comments help Board members answer questions in advance.

Mr. Fiss asked whether the proposed construction would be slab-on-grade. He also asked about the tree buffer and whether trees would be replanted.

Allison Engebretson of Paramounte Engineering stated that the project would be reviewed at both the local and state level. She explained that the stormwater design would be reviewed under Southport's standards, which require that stormwater leave the site at a rate no greater than existing conditions. She stated that the project team anticipated that the infiltration basin would meet the applicable requirements.

Ms. Engebretson also addressed landscaping and buffering. She stated that the design sought to fit the proposed buildings into the existing tree canopy and preserve existing vegetation where possible. She noted that Building 2 had been pushed back in part to preserve two large existing trees. She stated that the applicant was also considering the view from East 11<sup>th</sup> Street and the relationship of the project to the surrounding residential neighborhood.

Ms. Engebretson stated that existing vegetated areas would be preserved where possible and that the understory would be enhanced. She noted that additional buffering would be provided along the rear of the property and along the AT&T property, even where additional buffering was not required. She also stated that landscaping would be provided along East 11<sup>th</sup> Street in accordance with applicable requirements.

Mr. Fiss stated that, based on his experience as a builder and real estate broker, several houses along 11<sup>th</sup> Street have crawl spaces that have flooded

during major storm events. He expressed concern regarding whether the proposed slab-on-grade structures would be adequately protected during similar storm events.

Ms. Engebretson stated that she would share Mr. Fiss's concerns with the project builders.

Mr. Fiss asked Mr. Luehe about nearby properties.

Mr. Luehe stated that several nearby properties, including apartments across East 11<sup>th</sup> Street, appeared to be slab-on-grade.

Ms. Engebretson confirmed that they were.

Mr. Luehe stated that slab-on-grade construction was not necessarily a concern by itself but emphasized the importance of being aware of stormwater and drainage issues raised by Mr. Bove. He stated that the project would need an appropriate plan for moving water and that simply retaining water on-site would not be sufficient.

Ms. Engebretson stated that the stormwater system would require an outfall.

Mr. Luehe noted that the road elevation appeared to be higher than the slab elevations.

Ms. Engebretson confirmed that the road served as a break point and stated that the grade generally fell away from East 11<sup>th</sup> Street toward the rear of the site.

Mr. Fiss stated that, if he were the builder, he would recommend raising the slab elevation.

Chair Ashley asked whether the proposed slab-on-grade construction would be located above potential stormwater runoff.

Ms. Engebretson stated that she could not answer that question at this stage, as the project had not yet advanced to that level of design detail.

Mr. Fiss noted that the issue related to long-range planning.

Planner Biddle stated that, following approval, the project would proceed through plan review, including final stormwater review.

Chair Ashley asked whether that review would occur through the TRC review.

Planner Biddle explained that TRC review is preliminary and that later plan review would add the detailed requirements necessary to ensure compliance.

Ms. Engebretson stated that the later reviews would add additional layers of detail to ensure the project met City and state requirements.

Planner Biddle added that the stormwater engineer would review the plans during plan review.

Mr. Bove noted that minor changes, such as raising the finished floor elevation, should be reviewed to ensure they would not affect other site requirements, including pervious surface calculations.

Ms. Engebretson stated that the potential need to raise the grade was one of the reasons the buildings had been set back as far as proposed. She noted that an official survey had been completed for the site.

Mr. Freise suggested that LiDAR elevation data for the site and adjoining properties could help answer questions regarding drainage patterns. He stated that, with elevation data for the surrounding neighborhood, the Board could better understand where water would naturally flow and whether the proposed infiltration basin was located in an appropriate area.

Planner Biddle stated that building inspectors also review applicable construction and site-related requirements. He noted that, during major site plan review, Staff and the Board are confined to the requirements of the UDO and may not require more than what the ordinance requires.

Mr. Freise again requested that TRC review comments be included in future agenda packets. He stated that stormwater in these areas can be difficult to evaluate and that additional information, such as available LiDAR data or survey information for the surrounding area, would help Board members better understand site drainage and topography without requiring additional work from the applicant.

Ms. Engebretson stated that existing conditions information was included in the agenda packet.

Chair Ashley recognized Sally Learned, Executive Director of Brunswick Partnership for Housing.

Ms. Learned stated that the existing building had not experienced flooding and that she felt the proposed improvements, including directed stormwater flow and additional vegetation, would improve conditions on the property.

Ms. Learned stated that, prior to TRC review and Board of Adjustment review, BPH purchased the wooded buffer area from AT&T at a reduced price with the assistance of a donor. She explained that the former AT&T property and the middle parcel containing the parking lot had been recombined and recorded with the Register of Deeds.

Ms. Learned stated that, because parking would be removed from the transitional housing property, BPH had developed a shared parking agreement to reserve spaces for the transitional housing building. She also stated that existing front parking spaces that encroach into the right-of-way would be moved closer to the transitional housing building as part of the project.

Ms. Learned stated that the proposed project would be multifamily rental housing and not transitional housing. She explained that the project was designed as workforce housing, with a target population generally between 80% and 120% of area median income. She stated that rents would be capped at HUD fair market rent levels and that the development would include a mix of one-, two-, and three-bedroom units.

Chair Ashley stated that the Board's discussion reflected ongoing concerns regarding flooding in the area and encouraged the applicant to continue pursuing measures that would mitigate potential impacts on neighboring properties as well as the project site.

Chair Ashley stated that most of his questions had been answered. He asked for clarification regarding solid waste collection for the proposed development, noting that he observed a trash collection area associated with one building but did not see a similar area for the other building. He asked whether a communal trash collection area was proposed and, if so, whether the site design would accommodate access and maneuvering for collection vehicles.

Ms. Engebretson stated that each unit would have individual trash bins. She explained that Building 1 would include sidewalk access and that the bins would be stored near the building and screened. She added that the applicant had discussed trash truck access.

Chair Ashley asked how trash collection would function on the site, including whether sidewalk access or another means would be provided for moving

bins to the street, whether collection vehicles would need to enter the parking lot, and how access to the bins would be maintained.

Ms. Engebretson stated that her understanding was that trash bins must be placed within three feet of the pavement on East 11<sup>th</sup> Street. She stated that, based on preliminary discussions, the bins would be placed near the shoulder so they could be accessed from the parking area.

Chair Ashley noted that this should also be considered in relation to Mr. Luehe's comments regarding vegetation to ensure sufficient room for trash collection. Chair Ashley then asked Planner Biddle about the Board of Adjustment document included in the agenda packet, noting that it appeared unsigned. He asked whether the signed Board of Adjustment document was available.

Deputy Clerk Baillargeon stated that he had spoken with the Chair of the Board of Adjustment, who had been out of town, and that the Board of Adjustment documents would be signed on Monday.

Planner Biddle explained that Board of Adjustment findings of fact are typically signed at the Board's next meeting. He stated that the findings had not yet been signed because the Chair had been unavailable and noted that the documents would be executed at the next meeting.

Chair Ashley noted that the application had been submitted several months earlier and asked whether the review timeline was typical or whether the process could have moved more quickly.

Planner Biddle stated that the timeline was consistent with the City's standard review process. He explained that Staff has up to 30 days to determine whether an application is complete and an additional 30 days to conduct TRC review. He stated that, once comments are issued, the review process pauses while the applicant addresses those comments. Planner Biddle further noted that this application also required review by the Board of Adjustment, which added additional time to the process. He stated that the project had moved through the review process relatively quickly.

Chair Ashley stated that he wanted to ensure the City was meeting applicable review standards.

Planner Biddle stated that Staff have due process obligations and cannot hold applications indefinitely. He stated that, while the timeline may appear lengthy, the application had moved relatively quickly through the review process.

Chair Ashley asked whether there were any additional questions or comments from the Board.

Planner Biddle reiterated that the project site is not located within a special flood hazard area and stated that, therefore, floodplain standards such as raised foundation requirements would not apply.

Chair Ashley stated that the Board could approve the application, deny the application, or approve it with conditions.

Mr. Bove asked how conditions of approval would work.

Chair Ashley asked Planner Biddle to address the question.

Planner Biddle stated that any condition would need to be enforceable under the UDO. He noted that the project would still proceed through permitting and plan review, including review by building inspections, stormwater, planning, and zoning Staff.

Chair Ashley asked Board members to identify any potential conditions before a motion was made.

Mr. Bove stated that his concern related to runoff and the long-term function of the pervious pavement. He stated that, if a condition were considered, he would want additional emphasis placed on maintenance to ensure that the pervious pavement and downstream stormwater system continued to function properly.

Planner Biddle stated that he understood the concern but cautioned that the UDO did not contain a specific maintenance requirement for pervious pavement that could be used as a condition.

Chair Ashley asked Mr. Bove to explain pervious pavement for the Board.

Mr. Bove explained that pervious pavement allows stormwater to pass through openings in the surface and infiltrate into the ground. He stated that sediment from construction, vehicle traffic, sand, and dust can clog those openings, particularly at low points, reducing the effectiveness of the system over time. Mr. Bove stated that proactive maintenance is important because deferred maintenance can cause pervious pavement to function more like an impervious surface.

Planner Biddle noted that because the UDO does not require pervious pavement, he could not say that the Board could add a condition to require it. He noted that the applicant would need to be willing to do it.

Chair Ashley shared that he had only been seeking an explanation from Mr. Bove for pervious pavement.

Mr. Freise stated that sand and sediment can create maintenance concerns for pervious pavement, particularly where sand is used for traction control or where material is tracked onto the surface. He noted that once the surface begins to clog, it can be difficult to restore full function.

Mr. Bove stated that proactive maintenance is important because deferred maintenance can cause pervious pavement to function more like impervious pavement.

Mr. Freise stated that the applicant's nonprofit mission provided some assurance that the property and stormwater infrastructure would be maintained. He stated that, because the project supports the organization's mission rather than a for-profit purpose, he believed the applicant would understand the importance of early, regular, and continuing maintenance.

Chair Ashley asked for Board discussion or a motion.

Ms. Horton asked if a condition needed to be added concerning the Board of Adjustment Chair signing the Special Use Permit documents from the May 26, 2026, Board of Adjustment Meeting.

Chair Ashley noted that it was not necessary.

Mr. Luehe asked whether the parking agreement referenced in the Staff findings and recommendations had been completed.

Chair Ashley stated that the agreement had been signed and recorded with the Register of Deeds.

**A motion was made by Mr. Freise, seconded by Mr. Fiss to approve MSP-26-02 Brunswick Housing Partnership Major Site Plan.**

**The motion carried unanimously.**

b. ZMA-26-01 Rezoning Residential R-20 to Highway Commercial

Planner Biddle presented an application summary for a zoning map



amendment request for 140 Sandy Lane. He clarified that the request was a straight rezoning and not a conditional rezoning. He stated that the property is approximately 0.84 acres, or 36,590 square feet, and noted a correction to the square footage listed in the Staff report.

Planner Biddle explained that a zoning map amendment is a legislative process, with final decision-making authority resting with the Board of Aldermen. He stated that the Planning Board's role is to review the request and make a recommendation regarding consistency with the City's adopted plans and whether the request is reasonable and in the public interest. He noted that the Board of Aldermen would hold a public hearing before voting on the zoning map amendment.

Planner Biddle stated that the property is currently zoned Residential R-20 and contains a single-family residence. He stated that public water and sewer are available through Brunswick County Public Utilities and that electric service is provided by the City of Southport. He reviewed nearby zoning and land uses, noting adjacent and nearby Highway Commercial (HC) zoning and commercial uses.

Planner Biddle reviewed the development standards for the R-20 and HC zoning districts, including minimum lot size, impervious surface, setbacks, and maximum building height.

Planner Biddle stated that any recommendation of approval or denial must include a finding regarding consistency with the City of Southport 2050 Comprehensive Plan. He stated that Staff found the proposed rezoning to be consistent with the Comprehensive Plan, reasonable and in the public interest, compatible with surrounding zoning and development patterns, and served by adequate public infrastructure and services. He noted that the existing single-family dwelling would become a legal nonconforming use if the rezoning were approved.

Planner Biddle stated that Staff supported the request and noted that the applicant, Kevin Henry, was present to speak further about the existing use and proposed rezoning.

Mr. Luehe stated that he had considered whether there was a reason not to support the rezoning request and had not identified a clear reason. He also questioned the purpose of the request and asked why the rezoning was being sought.

Chair Ashley clarified that the property owner had applied for the rezoning.

Planner Biddle confirmed that the owner had authorized the application and stated that an affidavit had been received after the Staff report was published. He stated that the affidavit could be provided to the Board.

Kevin Henry, the applicant's representative, stated that he is a real estate broker representing property owner Louis Levenson. Mr. Henry explained that the owner purchased the property as an investment and that survey work, a Phase I environmental review, and wetlands review had been completed in preparation for future development once the NC 211 road project is completed. He stated that there were no definite development plans at that time.

Mr. Henry stated that the owner controlled five parcels in the area, four of which were already zoned HC, and that the rezoning request was intended to make the subject parcel consistent with the others.

Ms. Horton asked whether the owner owned all five parcels, and Mr. Henry confirmed that he did.

Mr. Luehe stated that the request appeared to smooth the way for future commercial development.

Mr. Henry stated that the owner intended to recombine the parcels into a single parcel.

Ms. Horton stated that, while she understood the owner's desire to rezone and combine the properties, the Planning Board should consider what could be developed on a larger combined HC parcel near Turtle Bay. She noted that potential future uses, buffering, and impacts on nearby residential areas should be considered. She stated that the rezoning appeared consistent with the broader commercial character of the area but also raised questions regarding the City's 2050 Comprehensive Plan goals for economic development, low-density residential character, and appropriate transitions between commercial and residential areas.

Mr. Henry stated that the owner had received interest in portions of the property, including from quick-service retail users, but had not sold any outparcels. He stated that, given the cost of development, the owner believed it made more sense to master plan the approximately seven acres as one development rather than develop the parcels separately.

Ms. Horton stated that, if the parcels were combined, the total development area would be significant. She stated that her comments were intended to caution the Board to consider the request from that broader perspective. She

also stated that the area is already largely HC and that she appreciated the applicant's transparency regarding the owner's intentions.

Mr. Fiss asked whether the owner was a developer or an investor and asked whether the parcels, including the lot with the oak trees, would be combined into one large parcel. Mr. Fiss emphasized that he hoped that whatever happened with the parcels, the live oak tree would remain.

Mr. Henry stated that the owner intended to combine the parcels but reiterated that there was no development plan before the Board and that future development would likely wait until after the road project.

Planner Biddle clarified that if future HC development were proposed near Turtle Bay, Staff would review the project for required buffers and impacts such as noise and light.

Ms. Horton noted that some jurisdictions require sound barriers and stated that, as the City considers future UDO updates, additional tools for buffering between residential and commercial uses could be considered.

Planner Biddle stated that the City's UDO includes prescribed buffers and that berms and vegetative buffers can help reduce sound and other impacts.

Chair Ashley stated that the Board should avoid engineering a future development before acting on the rezoning request but noted that the discussion was appropriate because future development of the property should not be unexpected.

Mr. Bove stated that issues such as traffic and safety would typically be considered in connection with future development. He noted that the current request concerned the rezoning of a single parcel and that broader impacts associated with a larger combined development would likely need to be addressed when a development plan for the full site is submitted.

Mr. Bove stated that any concerns related to future site design, traffic, access, or development impacts would be more appropriately addressed during major site plan review.

Mr. Henry agreed.

Mr. Freise stated that he viewed the rezoning request differently than the Staff recommendation. He noted that the existing residential use could also be considered consistent with the Comprehensive Plan, reasonable, and in the public interest. He observed that the property currently provides residential

housing and is adjacent to other residential uses. Mr. Freise stated that, while he understood the owner's request, the Board was being asked to change an existing zoning designation and that he was not yet convinced that the change was necessary.

Chair Ashley responded that the property should also be viewed in the context of surrounding HC zoning and development patterns. He noted that the subject property appeared as a small residential parcel surrounded by predominantly commercial zoning and stated that both positive and negative considerations are inherent in rezoning decisions.

Mr. Henry stated that the surrounding properties had historically been developed in a similar era and noted that some nearby parcels were already zoned HC. He stated that many of the existing homes were served by septic systems and that future infrastructure and maintenance considerations could affect the viability of continued residential use. He also noted that future development plans could potentially incorporate residential components.

Mr. Bove stated that the availability of public water and sewer service was a significant factor and noted that long-term planning considerations often favor reducing reliance on septic systems.

Chair Ashley commented that future transportation improvements could increase the development potential of the area.

Mr. Luehe stated that, in his view, the property had become an isolated residential parcel within a predominantly commercial area. He stated that it would be difficult to envision the property returning to a broader residential context and suggested that the rezoning would bring the parcel into alignment with surrounding zoning patterns. He stated that concentrating planning efforts on areas where future residential character remains more viable may be a more productive long-term approach.

Chair Ashley asked whether there were any additional comments from the Board. Hearing none, he reminded Board members that their action would be a recommendation to the Board of Aldermen regarding approval or denial of the zoning map amendment request and requested a motion from the Board.

**A motion was made by Ms. Horton and seconded by Mr. Luehe to recommend approval of the proposed rezoning of ZMA-26-01 Rezoning R-20 to Highway Commercial and forward it to the Board of Aldermen for consideration, and update to the FLUM.**

**The motion carried unanimously.**

**AMENDMENT: ZMA-26-01**

**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 7.2 "Support existing small businesses and encourage new businesses;"
- Policy 7.4 "Pursue a balanced economy and retain and attract young people and families;" and
- Policy 7.5 "Develop an Economic Development Strategy that focuses on improving the tax base."

The Planning Board recommends that the Board of Aldermen **APPROVE** the zoning text amendment. The statement and motion was seconded and passed **unanimously**.

Chair Ashley commented on the amount of Staff time required to process development applications and noted the substantial work involved in preparing Staff reports and application materials. He stated that he wanted to ensure that application fees appropriately reflected the level of Staff effort required and suggested that Staff continue tracking time spent on applications to assist in evaluating whether current fees are adequate. He also suggested comparing Southport's fees with those charged by other communities.

Ms. Horton stated that any future discussion regarding fees should be supported by better data regarding Staff time by application type. She added that the Planning Board would benefit from additional performance metrics related to planning activities, including applications received, applications completed, project implementation, and overall process efficiency. Ms. Horton stated that such information would help support data-driven decision making.

Mr. Freise stated that application fees alone would not be expected to cover the full cost of Staff time, overhead, and employee benefits associated with application review.

Ms. Horton stated that the Planning Board is becoming increasingly focused on projects, metrics, and data-driven decision making, and that additional tracking would help the Board better evaluate planning activities and outcomes. She suggested that the Board establish performance measures related to planning, implementation, execution, and enforcement. Although enforcement is handled by a separate division, Ms. Horton stated that the Board would benefit from understanding how projects progress from initial application through final implementation. She noted the value of developing meaningful metrics and tracking systems to support future decision-making.

Mr. Ekert expressed agreement.

Chair Ashley stated that he, Planner Biddle, and Planning Services Director Meehan had discussed improvements to the Planning Board agenda and reporting process. He stated that the Board was moving toward a monthly Staff report or dashboard that would provide information on zoning updates, application status, projects in the review pipeline, legislative updates, and other planning activities. Chair Ashley stated that the goal was to provide Board members with a clearer understanding of ongoing planning efforts and project status throughout the City.

c. North Carolina School of Government Training Opportunities

Chair Ashley advised Board members of upcoming training opportunities through the North Carolina School of Government, including a Planning 101 course. He stated that the course had been combined into a one-day training course and encouraged Board members to attend if interested. Chair Ashley noted that the City would pay for the training and related expenses, as applicable.

City Clerk Deviney clarified that the City would pay for lodging when training requires multiple days of attendance. She stated that lodging is typically not provided for a one-day class in Raleigh. She also noted that the City may receive a discount if five Board members register for the training.

Chair Ashley noted that additional zoning training opportunities are available, including certified zoning official training. He stated that Planning Services Director Meehan and Staff had completed similar certification and encouraged interested Board members to consider additional training opportunities.

Chair Ashley then moved to the zoning updates portion of the agenda and complimented Staff on the quality of the agenda packet.

**I. Staff – Planning Board Updates**

**1. Zoning Updates**

**1. ZMA-25-02 – Local Historic District Overlay**

Planner Biddle provided an update on Zoning Amendment 25-02 regarding the local historic district overlay. He stated that the amendment had been heard at the June 2 Board of Aldermen meeting and was sent back to the Historic Preservation Commission for additional research and amendments with input from the advisory committee.

Chair Ashley noted that the matter was expected to return to the Board

of Aldermen.

2. TA-24-05 Bed & Breakfast Special Events

Planner Biddle stated that Zoning Text Amendment TA 24-05 was presented to the Board of Aldermen at its June 11 meeting and that further clarification was needed regarding how to proceed.

Chair Ashley stated that the matter had been referred to a subcommittee for additional review. He noted that the discussion required clarification regarding whether the amendment concerned live events or events more broadly. Chair Ashley stated that the subcommittee would include representatives from the Board of Aldermen, Planning Board, and Staff, and that the matter would likely return at a later date.

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

Planner Biddle stated that the amendment proceeded through a public hearing on June 11 and was adopted by the Board of Aldermen.

4. ZMA-26-02 – Zoning Map Amendment – Yacht Basin Parking Overlay Zoning District

Planner Biddle stated that the amendment proceeded through a public hearing on June 11 and was adopted by the Board of Aldermen.

5. Project 2050 – UDO Update

Chair Ashley discussed forming a Planning Board subcommittee to work with planning Staff on metrics and priorities for the upcoming UDO rewrite. He stated that the subcommittee would help identify the Planning Board's priorities and desired outcomes before the City proceeds with an RFQ for the rewrite. Chair Ashley noted that funding for the rewrite had been approved and asked interested Board members to volunteer.

Several Board members expressed interest in serving on the subcommittee.

6. Planning Board Working Meeting to Determine Metrics

Chair Ashley spoke to the Planning Board working meeting metrics.

2. **Planning Board Subcommittee Updates**

1. Text Amendment Document Update

Chair Ashley also reported that he and Ms. Horton were working on revisions to the UDO application document. He stated that the goal was to improve transparency while reducing the size of the document and making it more usable. He stated that the draft would be reviewed with Staff before being brought back to the Board.

## 2. Data Centers UDO Update

Mr. Bove reported that the subcommittee was preparing draft UDO language related to data centers. He stated that data centers have become a popular and sometimes controversial land use, and that the draft language would address appropriate zoning districts as well as potential impacts related to public power supply, utilities, and noise.

Mr. Bove stated that, while a large-scale data center is unlikely in Southport, smaller facilities could potentially be located near residential or public use areas. He stated that the subcommittee was working to establish guardrails related to location, frequency, and operational impacts, and was considering what information should be required from an applicant during zoning or initial site plan review versus later detailed review.

Chair Ashley stated that he, Mr. Luehe, and Mr. Bove had been exchanging drafts by email and that the document appeared to be developing well. He stated that the subcommittee wanted Staff to review the draft for legal and procedural accuracy before presenting it to the full Board, potentially in July or August.

Mr. Bove noted that other jurisdictions, including Sidney, Ohio, and Leland, NC have adopted UDO provisions for data centers, but that those jurisdictions have industrial park areas where such uses can be directed. He noted that Southport does not have the same type of industrial land available.

Chair Ashley added that data centers may not always require new construction and could potentially occupy existing buildings, retail centers, or similar structures that are retrofitted for that use.

Ms. Horton asked whether the draft UDO language for data centers would address requirements related to electricity and water usage, including responsibility for associated costs.

Chair Ashley stated that the subcommittee was reviewing those issues, including concerns from other communities where utility incentives for data centers resulted in increased costs to residents. He noted that



water service would involve Brunswick County utilities.

Ms. Horton also raised concerns regarding buffer requirements and potential health impacts, stating that data centers should be located at least one mile from residential districts. Chair Ashley stated that the subcommittee is in the process of reviewing potential impacts related to vibration, electromagnetic frequencies, and similar concerns, as well as appropriate separation or buffering requirements.

Mr. Freise commented that data centers may be better suited farther from residential areas and expressed concern regarding industrial energy use.

Planner Biddle noted that he had heard reports of some data centers being located or designed in relation to water-based cooling systems.

Ms. Horton added that backup power systems and testing schedules could also create operational concerns, including noise and other impacts.

Chair Ashley stated that the subcommittee would continue working on the matter.

### **3. Planning/Zoning NC Legislative Awareness**

#### **1. House Bill 369 — Parking Lot Reform/Stormwater Control**

Planner Biddle provided an update regarding House Bill 369 concerning parking lot reforms. He stated that Planning Services Director Meehan advised that the bill does not apply to Southport because the City is in a coastal county subject to CAMA.

Chair Ashley added that the legislation addressed local parking requirements, including minimum parking space requirements for businesses. He stated that, based on the coastal community exemption, Southport would continue to rely on its UDO parking requirements.

#### **2. House Bill 1047 — Regulatory Reform Act of 2026**

Planner Biddle provided an update regarding House Bill 1047, which he stated applies to Southport. He explained that the bill concerns matters related to affordable housing, including funding support, public-private partnerships, streamlined zoning regulations, incentives for developers to include affordable units, support for multifamily and infill housing plans, and additional resources for housing assistance programs.

Chair Ashley noted that links to legislative resources had been included in the agenda materials. He specifically referenced the North Carolina Association of County Commissioners' weekly legislative updates and encouraged Board members to review them to stay informed about legislative changes affecting local government and planning.

Mr. Luehe asked what page they could be found in the Agenda Packet – page 98.

#### **4. Staff Updates**

##### **1. Dashboard Update**

Planner Biddle presented an update on the proposed development dashboard. He stated that he had been working with Mr. Luehe on a GIS-based project to track development activity within the City. Planner Biddle explained that the model was based in part on a development tracker used by the City of Loveland, Texas, and that the goal was to create an interactive web map through ArcGIS Online.

Planner Biddle explained that the dashboard could display development cases by location, case type, status, applicant, planner, zoning, acreage, address, and other related information. He stated that the long-term goal was to provide a public-facing tool where residents could view development activity, access related plans and documents, and contact the appropriate Staff member for additional information.

Planner Biddle demonstrated a draft version of Southport's development dashboard, including layers for municipal boundaries, zoning, addresses, roads, parcels, major subdivisions, major site plans, and traditional development projects. He stated that the dashboard was still a work in progress and that he and Mr. Luehe would continue reviewing which data fields should be included.

Ms. Horton stated that the dashboard was useful for viewing individual applications but emphasized the importance of also developing summary-level data. She stated that Planning Board members would benefit from metrics showing the number of developments under review, approved, completed, or otherwise active. She noted that summary data would help the Board identify trends and better understand growth, planning needs, UDO impacts, and overall development activity.

Planner Biddle stated that, once the baseline public-facing dashboard was established, Staff could use the data to generate the type of

statistics and summaries discussed by Ms. Horton.

Mr. Freise agreed that summary data would be valuable, particularly for understanding how many homes or projects had already been approved or permitted. He cautioned that existing data may have gaps and encouraged Staff to test the system early to identify where information may be incomplete.

Ms. Horton suggested beginning with a smaller number of key metrics before expanding the dashboard. She stated that both Staff and the Planning Board would be learning how to use and evaluate the data, and that a more focused approach could be helpful.

Chair Ashley stated that Planner Biddle was on the right track and encouraged him to continue testing the system as information is added. He noted that aggregated data, such as traffic impacts and approved development totals, can be difficult to locate and that the dashboard could help address that need over time. Chair Ashley also asked whether any portion of the data entry could eventually be automated.

Planner Biddle stated that automation had not yet been implemented.

Chair Ashley suggested that Staff may wish to consult with Brunswick County regarding how its dashboard or data systems are maintained.

Planner Biddle concluded his presentation and stated that he would continue working with Mr. Luehe on the project.

Mr. Luehe stated that the dashboard project was intended to help the Board ask better questions of available data and determine how the answers should be displayed for different audiences, including the Planning Board, Board of Aldermen, and the public. He stated that he would contact Board members to ask what questions they would like the data to answer, so Staff could determine whether the necessary information exists and how it might be accessed and presented.

Mr. Luehe stated that Planner Biddle would continue working on the GIS portion of the project and that, as soon as possible, Board members may be provided with either static examples or read-only access to a draft version of the dashboard.

Chair Ashley thanked Planner Biddle and Mr. Luehe for their work on the project.

2. Performance Bond Update  
None.

3. Land Disturbance & Soil Erosion – City Code Update

Planner Biddle reported that City Attorney Brady Herman was reviewing the proposed Land Disturbance and Soil Erosion Ordinance following review by Planning Services Director Meehan and the City's stormwater engineer. He stated that Staff hoped to present the ordinance to the Planning Board later in the summer and that the current review was focused on legal considerations.

Ms. Horton referenced a question she had raised at a previous meeting regarding how the proposed ordinance would affect individual property owners. She stated that residents would likely want to know what level of grading, filling, or land disturbance would trigger ordinance requirements. Ms. Horton noted that some residential lots are low-lying and may require fill to support development or reduce flooding concerns. She stated that clear criteria identifying when the ordinance would apply to individual property owners should be included as part of the ordinance review process.

4. Brunswick County UDO/LDO Update

Planner Biddle reported that Brunswick County held three presentations in May regarding its Blueprint Brunswick modernization project. He stated that the presentations included an overview of the draft plan, public input received, and the types of changes that are allowed or restricted under current state laws governing local planning and zoning authority. He noted that Brunswick County expects to have an updated UDO later in the summer.

Chair Ashley stated that Brunswick County's process may provide a useful example for Southport as it prepares for its own UDO rewrite, particularly regarding the structure of the document, organization, and process.

Ms. Horton stated that she was concerned about UDO rewrite processes that result in limited substantive change. She emphasized the importance of establishing performance objectives and identifying desired outcomes before engaging a consultant. Ms. Horton stated that, given the amount of public funding involved, Southport should be specific about what it wants to accomplish through its UDO rewrite to

ensure that taxpayer funds are used effectively.

Chair Ashley stated that one challenge with UDO rewrites is that some regulations may be limited by statutory restrictions related to downzoning. He noted that Brunswick County may have been constrained in how much it could strengthen its regulations and stated that its process appeared to be largely focused on reorganization and clarification. Chair Ashley expressed hope that, if legal constraints change in the future, local governments may have additional opportunities to strengthen their ordinances.

Mr. Fiss noted that the document was now a land development ordinance (LDO).

Chair Ashley stated that the Brunswick County meeting he attended at St. James was well attended and noted that Board liaisons were also present.

**a. Other Committee's Update**

**1. Zoning Board of Adjustment**

Planner Biddle reported that the Board of Adjustment meets regularly on the fourth Tuesday of each month at 4:30 p.m. He stated that the May 26 meeting included review of Special Use Permit 26-06 related to the major site plan project discussed earlier in the meeting, and that the Board of Adjustment issued the special use permit for the multi-unit residential use.

Planner Biddle stated that the June 2026 Board of Adjustment meeting was canceled because there were no cases scheduled. He noted that several cases were anticipated for July, including a variance request related to a property near the ABC store where a required sidewalk may conflict with a specimen live oak tree.

**2. Forestry Committee**

Planner Biddle reported that the Forestry Committee meets regularly on the second Tuesday of each month at 5:00 p.m. He stated that the Committee had discussed a proposed Liberty Tree program, which would involve planting a series of trees in honor of the nation's 250th anniversary. He noted that the Committee was considering moving the project forward later in the year.

**3. Historic Preservation Committee**

Planner Biddle reported that the Historic Preservation Commission

(HPC) meets regularly on the first Wednesday of each month at 4:00 p.m. He noted that the June and July HPC meetings had been canceled.

**b. Other Planning Related Updates**

**1. Resiliency Planning Update**

Planner Biddle reported that the City is participating in the NC Resilient Coastal Communities Program (RCCP), which evaluates community preparedness for hazards such as stronger storms, sea level rise, and impacts to places and services important to the community. He stated that a survey link had been provided and encouraged participation.

Ms. Horton stated that she had completed the survey and noted that it required thoughtful responses, including written additions where the available options did not fully capture a respondent's concerns.

Planner Biddle stated that a formal public input session would be scheduled in late summer and would be advertised to encourage citizen participation. He noted that the project is grant-funded through the RCCP and the Division of Coastal Management.

Planner Biddle also reported that Staff attended a Rural Transportation Coordinating Committee (RTCC) meeting on June 3. He stated that prioritization for the State Transportation Improvement Program had begun and that project lists would be made available for review and recommendation.

Planner Biddle further reported that the multimodal transportation plan had been distributed to NCDOT Integrated Mobility Division Staff for review and comment. He stated that Staff were reviewing the final draft plan and that the plan includes prioritized pedestrian and bicycle improvements, cost estimates, and potential funding opportunities.

**J. Board Comments**

Ms. Horton noted that Mr. Freise was new to the Board and requested that members receive an updated email and phone number list. She suggested that the list be updated annually as appointments and terms change, particularly to assist members serving together on subcommittees.

Chair Ashley stated that he would ask Deputy Clerk Baillargeon to provide the updated contact list to the Board.

Mr. Ekert asked Mr. Freise whether he had any feedback on the Planning Board Primer that had been provided to him.

Mr. Freise stated that he had only recently received the primer and had not yet had time to review it in full.

Mr. Fiss asked Planner Biddle whether he was aware of recent earth movement near Waterway and the marina, noting that a large parking area appeared to contain a significant amount of sand. Planner Biddle stated that he was not aware of the matter but would follow up with Mr. Fiss by email. He noted that the matter could be related to CAMA development.

Chair Ashley discussed the July meeting and noted that the Board would address reappointments and the selection of a Chair and Vice Chair. Chair Ashley then requested a motion to adjourn.

#### **K. Adjourn**

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

**The motion carried unanimously.**

The meeting adjourned at 8:32 p.m.

**X**

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Lawrence N. Ashley  
Chair

**X**

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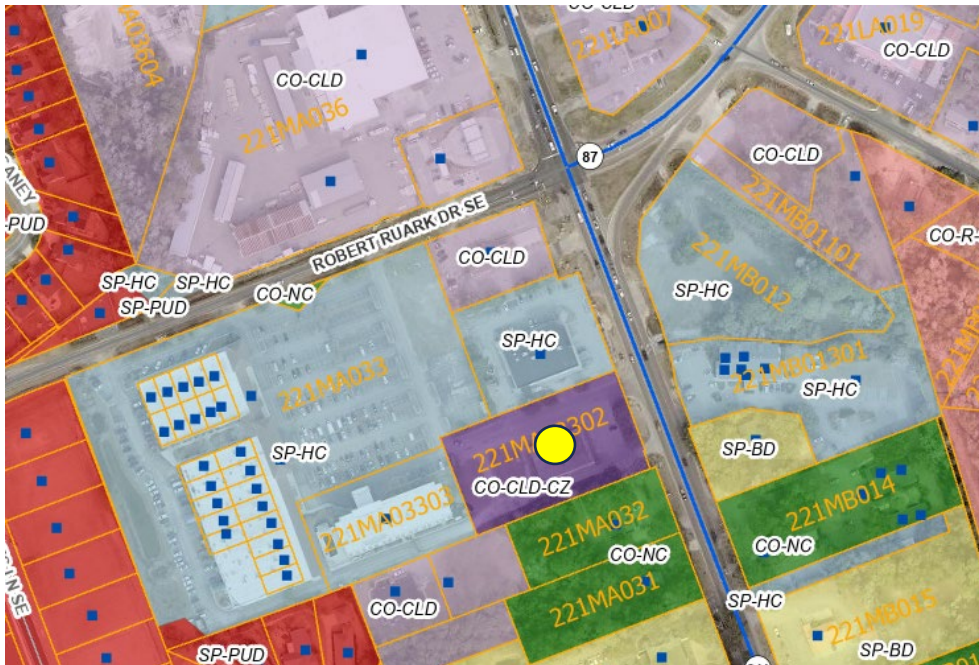
Scott Baillargeon  
Deputy City Clerk

# STAFF REPORT 1501 N HOWE STREET VOLUNTARY ANNEXATION REZONING

| APPLICATION SUMMARY      |                                                              |
|--------------------------|--------------------------------------------------------------|
| Presentation Date        | July 16, 2026<br>Planning Board                              |
| Applicant                | Lucinda Arnold                                               |
| Property Owner           | River Road Funding, LLC                                      |
| Parcel ID:               | 221MA03302                                                   |
| Property Size            | 1.44 acres                                                   |
| Zoning District          | Brunswick County Commercial Low Density Conditional – CLD-CZ |
| Proposed Zoning District | Highway Commercial - HC                                      |

## REZONING OVERVIEW

Lucinda Arnold, for River Road Funding, LLC has applied for voluntary annexation of property located at 1501 N. Howe Street. The city must designate a zoning district as part of the annexation process. The property has an existing vacant building and parking onsite. Prior to the relinquishment of the extraterritorial jurisdiction (ETJ) the property was zoned Highway Commercial (HC).





## PLANNING REVIEW

The proposed map amendment is a requirement of the annexation process. If rezoning does not occur, there will be no zoning district and no way to apply development standards found in the unified development ordinance (UDO).



### Land Development Suitability

The subject property is designated as medium-high suitability. Suitability is determined by several inputs including existing infrastructure availability, proximity to other development, and proximity to environmentally sensitive land.

Dark Green – High  
Medium Green – Medium – High  
Yellow – Medium

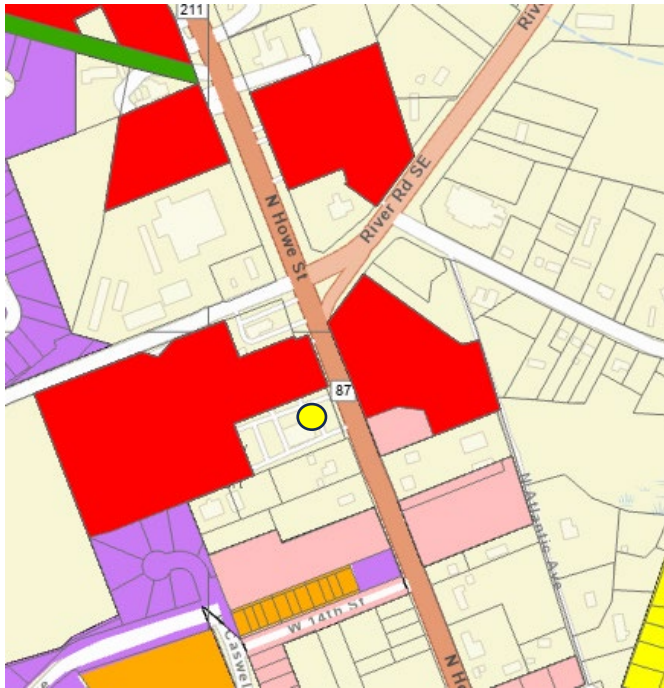


### Future Land Use Map

The future land use map classifies the parcel as Gateway. This area calls for medium-scale buildings including retail, restaurants, offices, and some residential included in mixed-uses developments. Future land use character areas are not prescriptive but a guide for future development patterns.

Light Blue – Gateway  
Pink – Neighborhood Commercial  
Red – Highway Commercial  
Yellow – Low to Medium Residential  
Light Green – Low Density – Conservation

## Zoning Map



The surrounding and adjacent City properties to the subject property are zoned highway commercial. Adjacent County properties as noted above are commercial low density and neighborhood commercial.

Tan – County Property  
 Red – Highway Commercial  
 Pink – Business District  
 Purple – PUD

## Permitted Uses

A conventional rezoning request does not allow a decision to be made using details of a proposed project, land use or site plan. Decisions made on the rezoning must consider all permitted uses in the proposed district in relation to land use impacts, the character of the district, suitability of certain uses, and reasonableness for a small parcel change. Table 3.1 of the UDO highlights the permitted uses for HC the zoning district. Land uses are classified as permitted (P), permitted with standards (PS), special use (S), and special use with standards (SS). The HC zoning district is highlighted.

| Table 3.1:<br>Table of Uses           | Use Standard |      |      |    |     |     |     |    |    |    | Section # |
|---------------------------------------|--------------|------|------|----|-----|-----|-----|----|----|----|-----------|
|                                       | ICS          | R-10 | R-20 | MF | PUD | O-I | CBD | BD | HC | OS |           |
| <b>Accessory Uses</b>                 |              |      |      |    |     |     |     |    |    |    |           |
| ACCESSORY STRUCTURES OR USES, GENERAL |              | PS   | PS   | PS | PS  | PS  | PS  | PS | PS |    | 3.6.A     |
| ACCESSORY DWELLING, COMMERCIAL        |              |      |      |    | SS  | SS  | SS  | SS | SS |    | 3.6.B     |

| Table 3.1:<br>Table of Uses                             |     | Use Standard |      |    |     |     |     |           |           |    |           |
|---------------------------------------------------------|-----|--------------|------|----|-----|-----|-----|-----------|-----------|----|-----------|
| Uses                                                    | ICS | R-10         | R-20 | MF | PUD | O-I | CBD | BD        | HC        | OS | Section # |
| ACCESSORY DWELLING, RESIDENTIAL                         |     | SS           | SS   | SS | SS  | SS  |     |           |           |    | 3.6.C     |
| CEMETERIES AND MAUSOLEUMS                               |     | SS           | SS   | SS | SS  | SS  | PS  | PS        | PS        |    | 3.6.D     |
| DOCKS, PIERS, GAZEBOs, BULKHEADS, AND LIVING SHORELINES |     | PS           | PS   | PS | PS  | PS  | PS  | PS        |           | SS | 3.6.E     |
| HOME DAYCARE, ADULT AND CHILD                           |     | SS           | SS   | SS | SS  |     |     |           |           |    | 3.6.F     |
| HOME OCCUPATION                                         |     | SS           | SS   | SS | SS  |     |     |           |           |    | 3.6.G     |
| HOMESTAY                                                |     | <u>PS</u>    | PS   | PS | PS  |     |     |           |           |    | 3.6.H     |
| MODULAR UNIT                                            |     |              |      |    | PS  | PS  | PS  | PS        | PS        |    | 3.6.J     |
| OUTDOOR DISPLAY                                         |     |              |      |    |     |     | PS  | PS        | PS        |    | 3.6.K     |
| OUTDOOR STORAGE                                         |     |              |      |    |     |     |     | PS        | PS        |    | 3.6.L     |
| OUTDOOR VENDING MACHINE                                 |     |              |      |    | PS  | PS  | PS  | PS        | PS        |    | 3.6.M     |
| PORTABLE STORAGE CONTAINERS                             |     | PS           | PS   | PS | PS  | PS  | PS  | PS        | PS        |    | 3.6.N     |
| RECREATIONAL VEHICLE OR TRAVEL TRAILER                  |     | PS           | PS   |    | PS  | PS  |     |           |           |    | 3.6.O     |
| SELF-SERVICE ICE VENDING MACHINES                       |     |              |      |    |     |     |     | SS        | SS        |    | 3.6.P     |
| SOLAR ENERGY SYSTEMS                                    |     | PS           | PS   | PS | PS  | PS  | PS  | PS        | PS        |    | 3.6.Q     |
| SWIMMING POOLS                                          |     | PS           | PS   | PS | PS  | PS  | PS  | <u>PS</u> | <u>PS</u> |    | 3.6.R     |
| TEMPORARY SALES OFFICES                                 |     | PS           | PS   | PS | PS  | PS  | PS  | PS        | PS        |    | 3.6.S     |
| TEMPORARY HEALTHCARE STRUCTURES                         |     | PS           | PS   | PS | PS  |     |     |           |           |    | 3.6.T     |
| <b>Residential Uses</b>                                 |     |              |      |    |     |     |     |           |           |    |           |
| DWELLING, SINGLE-FAMILY                                 |     | P            | P    | P  | P   | P   |     |           |           |    |           |
| DWELLING, TWO-FAMILY (DUPLEX)                           |     | S            | S    | P  | P   | P   |     |           |           |    |           |

| Table 3.1:<br>Table of Uses                                                          |        | Use Standard |      |    |     |     |     |    |    |    |           |
|--------------------------------------------------------------------------------------|--------|--------------|------|----|-----|-----|-----|----|----|----|-----------|
| Uses                                                                                 | ICS    | R-10         | R-20 | MF | PUD | O-I | CBD | BD | HC | OS | Section # |
| DWELLING, MULTI-FAMILY                                                               |        |              |      | PS | SS  | SS  |     |    |    |    | 3.7.A     |
| DWELLING, TRIPLEX OR QUADRAPLEX                                                      |        |              |      | PS | SS  | SS  |     |    |    |    | 3.7.B     |
| FAMILY CARE HOME                                                                     |        | PS           | PS   | PS | PS  |     |     |    |    |    | 3.7.C     |
| MANUFACTURED HOME ON SINGLE LOT                                                      |        |              |      | PS | PS  |     |     |    |    |    | 3.7.D     |
| MIXED USES                                                                           |        |              |      |    | PS  | PS  | PS  | PS |    |    | 3.7.F     |
| MODULAR HOMES                                                                        |        | PS           | PS   | PS | PS  | PS  |     |    |    |    | 3.7.G     |
| <b>Nonresidential Uses</b>                                                           |        |              |      |    |     |     |     |    |    |    |           |
| ADULT ESTABLISHMENT                                                                  |        |              |      |    |     |     |     |    | SS |    | 3.8.A     |
| ALCOHOLIC BEVERAGES, PACKAGED, RETAIL SALES                                          |        |              |      |    |     |     | P   | P  | P  |    |           |
| AUTOMOTIVE, MAJOR                                                                    |        |              |      |    |     |     |     | SS | P  |    | 3.8.B     |
| AUTOMOTIVE, MINOR                                                                    |        |              |      |    |     |     | SS  | P  | P  |    | 3.8.B     |
| BED & BREAKFAST                                                                      | 721191 | SS           | SS   | SS | SS  | SS  | SS  | SS | SS |    | 3.8.C     |
| BOTTLE SHOP AND WINE BAR                                                             |        |              |      |    | P   |     | P   | P  | P  |    |           |
| BUILDING MATERIAL DEALERS                                                            | 444180 |              |      |    |     |     |     | S  | P  |    |           |
| BUSINESS, COMMERCIAL, OR OTHER NON-RESIDENTIAL USE NOT ELSEWHERE CLASSIFIED          | 561    |              |      |    |     | SS  | SS  | SS | SS |    | 3.8.D     |
| BUS TERMINALS AND RAILROAD STATIONS                                                  |        |              |      |    |     |     |     | P  | P  |    |           |
| CHURCHES, SYNAGOGUES & OTHER ASSOC. ACTIVITIES, INCL. OFFICES, ACTIVITY CENTER, ETC. | 813110 | SS           | SS   | SS | SS  | SS  | PS  | PS | PS |    | 3.8.E     |
| CLUBS OR LODGE                                                                       | 813410 | SS           | SS   |    | SS  |     | SS  | PS | PS |    | 3.8.F     |

| Table 3.1:<br>Table of Uses                                     |        | Use Standard |      |    |     |     |     |        |    |    |           |
|-----------------------------------------------------------------|--------|--------------|------|----|-----|-----|-----|--------|----|----|-----------|
| Uses                                                            | ICS    | R-10         | R-20 | MF | PUD | O-I | CBD | BD     | HC | OS | Section # |
| COMMERCIAL PARKING LOTS                                         | 812930 |              |      |    |     | SS  | SS  | SS     | PS |    | 3.8.G     |
| COMMERCIAL RECREATION, INDOOR                                   |        |              |      |    | S   |     | S   | P      | P  |    |           |
| COMMERCIAL RECREATION, OUTDOOR                                  |        |              |      |    |     |     |     |        | P  |    |           |
| CONTRACTORS, EQUIPMENT & SUPPLY DEALERS & SERVICE               | 811310 |              |      |    |     |     |     |        | P  |    |           |
| CONTRACTORS, HEAVY CONSTRUCTION; GRADING, PAVING, MARINE, ETC.  | 234    |              |      |    |     |     |     |        |    |    |           |
| CULTURAL ARTS CENTER, INCL. THEATERS, OFFICES, CLASSROOMS, ETC. |        |              |      |    | P   | P   | P   | P      | P  |    |           |
| DANCE STUDIOS                                                   | 611610 |              |      |    | P   | P   | P   | P      | P  |    |           |
| DAYCARE, ADULT AND CHILD                                        | 624120 |              |      |    |     | SS  | SS  | PS     | PS |    | 3.8.H     |
| DIVERS, COMMERCIAL                                              |        |              |      |    |     |     | P   | P      | P  |    |           |
| DRY CLEANERS                                                    | 812320 |              |      |    | SS  |     | PS  | PS     | PS |    | 3.8.I     |
| DRY STORAGE                                                     |        |              |      |    |     |     |     |        | PS |    | 3.8.J     |
| EDUCATIONAL FACILITY                                            |        | S            | S    | S  | S   | P   | P   | P      | P  |    |           |
| ELECTRONIC GAMING OPERATIONS                                    |        |              |      |    |     |     |     |        | SS |    | 3.8.K     |
| EXTERMINATING SERVICES                                          | 561710 |              |      |    |     |     | PS  | P<br>S | P  |    | 3.8.L     |
| FARMERS'S MARKET                                                | 445230 | SS           |      |    | SS  |     | SS  | PS     | PS | SS | 3.8.M     |
| FARM MACHINERY SALE AND SERVICE                                 |        |              |      |    |     |     |     | S      | P  |    |           |
| FEED, SEED, AND FERTILIZER SALES, RETAIL                        |        |              |      |    |     |     |     | S      | P  |    |           |
| FISHING, COMMERCIAL                                             | 11411  |              |      |    |     |     | P   | P      | P  |    |           |

| Table 3.1:<br>Table of Uses                                       |        | Use Standard |      |    |     |     |     |    |    |    |           |
|-------------------------------------------------------------------|--------|--------------|------|----|-----|-----|-----|----|----|----|-----------|
| Uses                                                              | ICS    | R-10         | R-20 | MF | PUD | O-I | CBD | BD | HC | OS | Section # |
| FLEA MARKET                                                       |        |              |      |    |     |     |     |    | SS |    | 3.8.N     |
| FRUIT & VEGETABLE MARKET, WHOLESALE WITH INCIDENTAL RETAIL        | 445230 |              |      |    |     |     | SS  | SS | PS |    | 3.8.O     |
| FUEL & ICE DEALERS                                                | 422710 |              |      |    |     |     |     | P  | P  |    |           |
| FUNERAL HOMES                                                     | 812210 |              |      |    |     | P   | P   | P  | P  |    |           |
| GOLF COURSE, PRIVATE OR PUBLIC, W/RELATED SERVICES INCL. PRO SHOP | 713910 | P            | P    | P  | P   |     |     |    |    |    |           |
| GOVERNMENT USE, CITY OF SOUTHPORT                                 |        | P            | P    | P  | P   | P   | P   | P  | P  | P  |           |
| GOVERNMENT USES WITH BUILDINGS, NON-CITY OF SOUTHPORT             |        | SS           | SS   | SS | SS  | SS  | SS  | SS | SS |    | 3.8.P     |
| GROCERY STORES                                                    | 445110 |              |      |    | P   |     | P   | P  | P  |    |           |
| HARDWARE, LAWN, OR GARDEN STORE                                   | 444130 |              |      |    |     |     | P   | P  | P  |    |           |
| HEALTH SERVICES,                                                  |        |              |      |    | P   | P   | P   | P  | P  |    |           |
| HELIPAD                                                           |        |              |      |    |     | SS  |     |    |    |    | 3.8.Q     |
| HOSPITALS                                                         | 622110 |              |      |    |     | P   | P   | P  | P  |    |           |
| HOTEL, MOTEL, OR INN                                              | 721110 |              |      |    | SS  | SS  |     | SS | PS |    | 3.8.R     |
| HOTEL, RESIDENTIAL OR BOUTIQUE                                    |        |              |      |    | SS  | SS  | PS  | PS | PS |    | 3.8.S     |
| INSTITUTIONAL CARE FACILITY, ADULT                                |        |              |      |    |     |     |     |    | S  |    |           |
| INSTITUTIONAL CARE FACILITY, CHILD HANDICAPPED                    |        |              |      |    |     |     |     | S  | S  |    |           |
| JAIL                                                              | 922140 |              |      |    |     |     |     |    | PS |    | 3.8.T     |
| KENNEL                                                            | 812910 |              |      |    |     |     |     |    | SS |    | 3.8.U     |
| LAUNDRY, INDUSTRIAL                                               | 812332 | -            | -    | -  | -   | -   | -   | -  | P  | -  |           |

| Table 3.1:<br>Table of Uses                                 |        | Use Standard |      |    |     |     |     |    |    |    |           |
|-------------------------------------------------------------|--------|--------------|------|----|-----|-----|-----|----|----|----|-----------|
| Uses                                                        | ICS    | R-10         | R-20 | MF | PUD | O-I | CBD | BD | HC | OS | Section # |
| LAUNDRY, COIN-OPERATED                                      |        |              |      |    |     |     |     | P  | P  |    |           |
| LIBRARY                                                     | 514120 |              |      |    | P   | P   | P   | P  | P  |    |           |
| LIQUOR STORES                                               | 445310 |              |      |    |     |     | P   | P  | P  |    |           |
| MANUFACTURED HOME DEALERS                                   | 453930 |              |      |    |     |     |     |    | P  |    |           |
| MANUFACTURED HOME (INDIVIDUAL) FOR OFFICE AND/OR EXHIBITION |        |              |      |    | S   | S   | S   | S  | S  |    |           |
| MANUFACTURING, ARTISAN                                      |        |              |      |    |     |     |     | P  | P  |    |           |
| MANUFACTURING, LIMITED                                      |        |              |      |    |     |     |     |    | P  |    |           |
| MARINA, COMMERCIAL                                          | 713930 |              |      |    | PS  |     | PS  | PS | PS |    | 3.8.W     |
| MARITIME SALES, RENTAL, AND SERVICE                         |        |              |      |    |     |     |     | P  | P  |    |           |
| MICROBREWERY AND MICRODISTILLERY                            |        |              |      |    |     |     | SS  | PS | PS |    | 3.8.X     |
| MOBILE VENDOR OR FOOD TRUCK                                 |        |              |      |    |     |     | PS  | PS | PS |    | 3.8.Y     |
| MOTOR FREIGHT COMPANIES, MOVERS, VAN LINES, AND STORAGE     |        |              |      |    |     |     |     |    | P  |    |           |
| MUSEUMS, ART GALLERIES                                      | 712110 |              |      |    |     | P   | P   | P  | P  |    |           |
| NIGHTCLUB                                                   | 722410 |              |      |    |     |     | SS  | SS | SS |    | 3.8.Z     |
| NURSING & PERSONAL CARE FACILITY                            | 623110 |              |      |    | SS  | SS  |     | SS | PS |    | 3.8.AA    |
| OFFICE, GENERAL                                             |        |              |      |    | P   | P   | P   | P  | P  |    |           |
| PACKAGE DELIVERY SERVICES, COMMERCIAL                       | 492210 |              |      |    |     | SS  | SS  | SS | PS |    | 3.8.BB    |
| PARKS & RECREATION AREAS, MUNICIPAL                         | 924120 | P            | P    | P  | P   | P   | P   | P  | P  | P  |           |

| Table 3.1:<br>Table of Uses                                                                                                                                  |        | Use Standard |      |    |     |     |     |    |    |    |           |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------|--------|--------------|------|----|-----|-----|-----|----|----|----|-----------|
| Uses                                                                                                                                                         | ICS    | R-10         | R-20 | MF | PUD | O-I | CBD | BD | HC | OS | Section # |
| PERSONAL SERVICE ESTABLISHMENT                                                                                                                               |        |              |      |    | P   | P   | P   | P  | P  |    |           |
| RADIO & TELEVISION STATIONS, STUDIOS, AND OFFICES                                                                                                            |        |              |      |    |     |     |     | PS | PS |    | 3.8.CC    |
| RECREATION FACILITY PRIVATE, INCL. CLUBS & RECREATION FACILITIES ASSOC. WITH MULTIPLE FAMILY COMPLEXES, GOLF COURSES, TENNIS FACILITIES, COUNTRY CLUBS, ETC. |        | SS           | SS   | SS | SS  | SS  | SS  | SS | SS |    | 3.8.F     |
| RECREATIONAL VEHICLE PARK                                                                                                                                    |        |              |      |    |     |     |     |    | SS |    | 3.8.DD    |
| RESEARCH & DEVELOPMENT                                                                                                                                       |        |              |      |    |     | SS  | SS  |    | PS |    | 3.8.EE    |
| RESTAURANT, CARRY-OUT                                                                                                                                        | 722211 |              |      |    | S   |     | P   | P  | PS |    | 3.8.FF    |
| RESTAURANT, STANDARD & FAST-FOOD                                                                                                                             | 722211 |              |      |    | S   |     | P   | P  | PS |    | 3.8.FF    |
| RETAIL SALES, MAJOR                                                                                                                                          |        |              |      |    |     |     |     |    | P  |    |           |
| RETAIL SALES, MINOR                                                                                                                                          |        |              |      |    | P   |     | P   | P  | P  |    |           |
| RETAIL SALES, MODERATE                                                                                                                                       |        |              |      |    |     |     |     | P  | P  |    |           |
| SHOPPING CENTER                                                                                                                                              | 233320 |              |      |    | SS  |     | SS  | PS | PS |    | 3.8.GG    |
| SHOOTING RANGE, INDOOR                                                                                                                                       |        |              |      |    |     |     |     |    | PS |    | 3.8.HH    |
| SHORT- TERM VACATION RENTALS                                                                                                                                 |        |              |      |    | PS  |     | PS  | PS |    |    | 3.8.II    |
| STORAGE, SELF-SERVICE                                                                                                                                        |        |              |      |    |     |     |     |    | PS |    | 3.8.KK    |
| TATTOO AND PIERCING ESTABLISHMENT                                                                                                                            |        |              |      |    |     |     |     |    | S  |    |           |
| TAXICAB STANDS                                                                                                                                               |        |              |      |    |     |     | SS  | PS | PS |    | 3.8.MM    |
| TELEPHONE COMMUNICATION FACILITY, UNATTENDED                                                                                                                 | 513340 | SS           | SS   | SS | SS  | SS  | SS  | SS | SS |    | 3.8.NN    |



| Table 3.1:<br>Table of Uses                                                                  |        | Use Standard |      |    |     |     |     |    |    |    |               |
|----------------------------------------------------------------------------------------------|--------|--------------|------|----|-----|-----|-----|----|----|----|---------------|
| Uses                                                                                         | ICS    | R-10         | R-20 | MF | PUD | O-I | CBD | BD | HC | OS | Section #     |
| TRANSITIONAL HOUSING FACILITIES                                                              |        |              |      |    |     | S   |     |    |    |    | 3.8.00        |
| US POSTAL SERVICE                                                                            | 491110 |              |      |    | P   | P   | P   | P  | P  |    |               |
| UTILITY STATIONS & PLANTS (PUBLIC & PRIVATE) INCL. LIFT STATIONS, SUBSTATIONS, ETC.          |        | P            | P    | P  | P   | P   | P   | P  | P  | P  |               |
| VETERINARY SERVICES WITH OPEN PENS                                                           | 541940 |              |      |    |     |     |     |    | P  |    |               |
| VETERINARY SERVICES WITH PENS ENCLOSED IN A BUILDING                                         | 541940 |              |      |    |     |     |     | S  | P  |    |               |
| WAREHOUSING, GENERAL                                                                         | 493110 |              |      |    |     |     |     |    | PS |    | 3.8.PP        |
| WATER TRANSPORTATION INCL. DOCKS, TUGBOATS, BARGES, AND EXCURSIONS                           |        |              |      |    |     |     |     | P  | P  |    |               |
| WELDING, REPAIR                                                                              | 811310 |              |      |    |     |     |     | P  | P  |    |               |
| WIRELESS TELECOMMUNICATION FACILITY OR COMPLEX, FREESTANDING AND SUBSTANTIAL MODIFICATIONS   |        |              |      |    |     |     |     |    | SS |    | See Article 7 |
| WIRELESS TELECOMMUNICATION FACILITY, COLLOCATION OR COLLOCATED SMALL/MICRO-WIRELESS FACILITY |        | PS           | PS   | PS | PS  | PS  | PS  | PS | PS |    | See Article 7 |
| YARD SALES                                                                                   |        | P            | P    | P  | P   | P   | P   | P  | P  |    |               |

## Dimensional Requirements

| Table 3.2:<br>Dimensional Requirements by Zoning District |                                |                          |                              |                             |                                 |                             |
|-----------------------------------------------------------|--------------------------------|--------------------------|------------------------------|-----------------------------|---------------------------------|-----------------------------|
| Zoning District                                           | Minimum Lot Size (square feet) | Minimum Lot Width (feet) | Minimum Front Setback (feet) | Minimum Rear Setback (feet) | Minimum Side Setback [1] (feet) | Maximum Height Limit (feet) |
| HC                                                        | 10,000                         | 75                       | 25                           | 20                          | 8                               | 40                          |

The property and existing building meet the dimensional requirements of the UDO.

### LAND USE PLAN CONSISTENCY

The Southport 2050 Comprehensive Plan 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. Each rezoning must be recommended and ultimately adopted with a statement describing whether the proposal is consistent with the adopted land use plan.

The following policies and implementing actions support the proposed rezoning request.

**Policy 7.2:** Support existing small businesses and encourage new businesses.

**Action 7.2.1:** Encourage the development of new businesses and context-sensitive mixed-use development in Gateway, Neighborhood Commercial, and Midtown character areas.

*The existing building onsite has been vacant for many years. This zoning change will provide the opportunity for new businesses to locate in the City of Southport.*

### STAFF RECOMMENDATION

Staff recommends APPROVAL of the zoning map amendment to the Planning Board. The proposal appears to be consistent with the 2050 Comprehensive Plan and is reasonable due to the size, character, and other attributes of the area.

Attachments:

Annexation Application

Consistency Statements

## Voluntary Annexation Application

Date: 6-29-26  
Property Owner: River Road Funding LLC Phone Number: 716-474-0016  
Address: 4956-14 Long Beach Rd Fax Number: —  
PMB # 324  
Southport, NC 28461

Applicant Name: Lucinda Arnold Phone Number: 716-474-0016  
Address: 4956-14 Long Beach Rd Fax Number: —  
PMB # 324  
Southport, NC 28461

Property Location (Physical Address): 1501 N. Howe St., Southport

Tax ID Number for Property: PID # 221 MA0.3302

Number of Acres: 1.44

Does the property need to be rezoned? Yes

Current Zoning Classification: CO-CLD-C2 Commercial Low Density

Proposed Zoning Classification: HC - Highway Commercial

The Annexation Application will not be submitted to the City of Southport Board of Aldermen until the City Clerk has received a complete application. The following items **MUST** accompany the application in order for it to be considered complete. Please acknowledge inclusion of each item with a check in the appropriate box, sign, date, and submit to the City Clerk.

- ☒ \$150.00 Non-Refundable Fee
- ☒ Electronic Copy of Legal Metes and Bounds Description
- ☒ Map showing property to be annexed. Once approved by the Board, you must submit a Recordable Mylar with six (6) blue line copies for recordation that should state "Area Annexed by the City of Southport to include date of annexation."
- ☒ Complete list of ALL property owners

[Signature] 6-29-26  
Applicant Date

[Signature] 7/1/2026  
City Clerk Date

PETITION REQUESTING CONTIGUOUS ANNEXATION

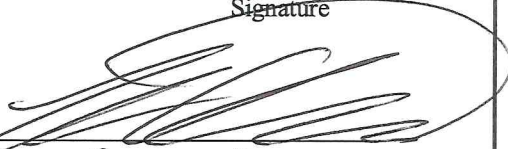
Date: 6-29-26

To the Board of Aldermen of the City of Southport, North Carolina:

1. We the undersigned owners of real property respectfully request that the area described in Paragraph 2 below be annexed to the City of Southport.
2. The area to be annexed is **contiguous** to the City of Southport and the boundaries of such territory are as follows:

(Description of Bounds Required)

3. We acknowledge that any zoning vested rights acquired pursuant to G.S. 160A-385.1 or 153A-344.1 must be declared and identified on this petition. We further acknowledge that failure to declare such rights on this petition shall result in a termination of vested rights previously acquired for the property. (If zoning vested rights are claimed, indicate below and attach proof.)

| Name                                 | Address | Do You Declare<br>Vested rights?<br>Indicate Yes or No | Signature                                                                            |
|--------------------------------------|---------|--------------------------------------------------------|--------------------------------------------------------------------------------------|
| 1. River Road Funding                |         | <input checked="" type="radio"/> Yes                   |  |
| 2. 4956-14 Long Beach Rd., Pm B #324 |         |                                                        |                                                                                      |
| 3. Southport, NC 28461               |         |                                                        |                                                                                      |
| 4.                                   |         |                                                        |                                                                                      |

[Home](#) [Business Registration](#) [Search](#) [Limited Liability Company](#)

## Limited Liability Company

### Actions

- [File an Annual Report/Amend Order a Document Online](#)
- [Print a Pre-Populated Annual Report form](#)
- [Add Entity to My Email Notification List](#)
- [Print an Amended a Annual Report form](#)
- [Online Filing](#)
- [View Filings](#)

**Legal name:** River Road Funding, LLC

**Secretary of State Identification Number (SOSID):** 1376080

**Status:** Current-Active

**Citizenship:** Domestic

**Date formed:** 4/29/2014

**Registered agent:** [Lucinda Arnold](#)

#### Mailing address

4956-14 Old Long Beach Road Pmb 324  
Southport, NC 28461-9127

#### Principal Office address

4956-14 Old Long Beach Road Pmb 324  
Southport, NC 28461-9127

#### Registered Office address

4956-14 Old Long Beach Road Pmb 324  
Southport, NC 28461-9127



## Registered Mailing address

4956-14 Old Long Beach Road Pmb 324  
Southport, NC 28461-9127

## Company officials

All LLCs are managed by their managers pursuant to N.C.G.S. 57D-3-20.

- **President**

[Lucinda Diane Arnold , Mrs.](#)

4956-14 Long Beach Road SE  
Southport NC 28461

[Return to top](#)

## Other Agencies

[NC Gov](#)

[State Board of Elections](#)

[North Carolina Birth Certificate Information](#)

[North Carolina State Bar](#)

[North Carolina Department of Commerce](#)

[North Carolina Department of Revenue](#)

[All North Carolina Government Organizations](#)

## Links of Interest

[National Association of Secretaries of State](#)

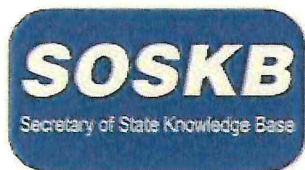
[Intellectual Property](#)

[NASAA - North American Securities  
Administrators Association](#)

[North Carolina Consular Corps](#)

[Secretary of State Disclaimer & Privacy](#)

Hours of Operation Monday - Friday 8:00 am -  
5:00 pm



**North Carolina Secretary of  
State's Office**



## Contact Us

[919-814-5400](#) [Support](#) [Division Directory](#)



## Payment Receipt

City of Southport

Email:

LUCINDA ARNOLD  
0

**PIDN:** CR1008  
**Name:** LUCINDA ARNOLD  
**Muni Code:**  
**MAP:**  
**Location:**

**Receipt #:** 1247  
**Check #:** 1717  
**Date Paid:** 06/30/2026  
**Date Effective:** 06/30/2026  
**User:** ktooley@cityofsouthport.gov  
**Session:** 1610

### Payment Method

Check

| Line Item Description | Rate Code | Date       | Year | Payment  |
|-----------------------|-----------|------------|------|----------|
| Planning & Zoning     | PLAN      | 06/30/2026 | 2026 | \$150.00 |

**Amount Processed:** \$150.00

**Amount Received:** \$150.00

Thank you for your payment!

**City of Southport, NC**

**Voluntary Annexation of Brunswick County PID#221MA03302**

**1501 North Howe Street, Southport, NC 28461**

**Metes & Bounds Legal Description**

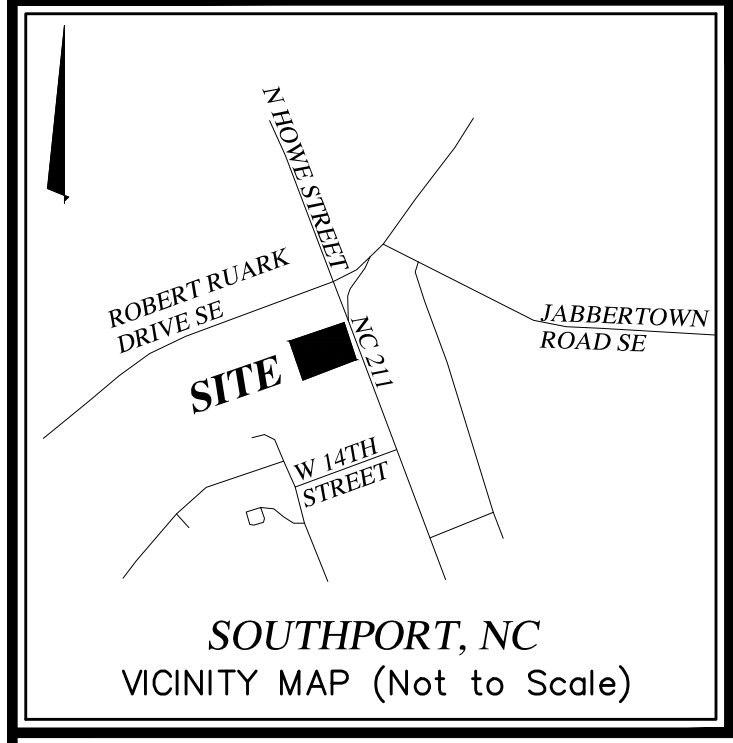
All that Tract or Parcel of land situated in the Smithville Township, Brunswick County, North Carolina, and being all of Brunswick County PID#221MA03302, as shown on an annexation map of the property described below, and being more particularly described in North Carolina State Plane, Zone 3200 (2011 Adjusted) coordinates, bearings and ground distances in US Survey Feet, as follows:

Commencing at an Iron Rebar Found at the NW corner of PID#221MA032 and NE corner of PID#221MA03202, whose coordinates are N 69,540.472 E 2,295,210.562, the **POINT OF BEGINNING**; thence along the northern line of PID#221MA03202, S68°43'08"W 50.68 feet to an Iron Rebar Found at the SE corner of PID#221MA03303, which is within the Corporate Limits of the City of Southport, thence along the eastern line of PID#221MA03303, N21°34'09"W 171.05 feet to a Mag Mail Found in the parking lot pavement; thence continuing, N22°10'33"W 9.63 feet to a Mag Nail Found in the pavement and at the NW corner of the subject tract, PID#221MA03302; thence along the northern line of the subject tract, N68°23'55"E 343.52 feet to a Mag Nail Set in the pavement on the eastern Right of Way of North Howe Street / NC 211 , a variable width Right of Way; thence along the western Right of Way of North Howe Street / NC 211, S21°28'28"E 149.07 feet to a Mag Nail Set in pavement; thence S68°04'34"W 10.01 feet to a mag Nail Found in the pavement; thence continuing along the western Right of Way of North Howe Street / NC 211, S20°34'35"E 32.74 feet to an Iron Rebar & Cap Set at the SE corner of the subject tract; thence leaving the Right of Way and along the northern line of PID#221MA032 and the southern line of the subject tract, S68°33'54"W 282.11 feet to the **POINT OF BEGINNING**; containing ±61,923 square feet or ±1.422 acres, according to an annexation map signed and sealed by Owen Gidlow, PLS L-4356 and prepared by North Star Surveying, Inc. F-1558, dated 25 June 2026.





C:\0\_NORTH STAR SURVEYING PROJECTS\26013 CRAIG MOORE 1501 N HOWE ST VOL ANNEXATION\26013\_ANNEX\_BOUNDARY\_SURVEY\_1501\_N\_HOWE\_6-25-2026\_SSP.dwg, 6/25/2026 4:39:58 PM, ARCH full bleed C (18.00 x 24.00 Inches), 1:1



**SURVEY CERTIFICATE**

I, OWEN D. GIDLOW, AS A PROFESSIONAL LAND SURVEYOR IN THE STATE OF NORTH CAROLINA, DO HEREBY CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION COMPLETED ON 25 JUNE 2026 USING THE REFERENCES SHOWN HEREON; THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DASHED LINES, DRAWN FROM INFORMATION FOUND IN THE REFERENCES SHOWN HEREON; THAT THE RATIO OF PRECISION, AS CALCULATED, IS 1 : 10,000 +; THAT THIS MAP WAS PREPARED IN ACCORDANCE WITH NORTH CAROLINA GENERAL STATUTES 47-30, AS AMENDED. WITNESS MY ORIGINAL SIGNATURE & SEAL THIS 25TH DAY OF JUNE, A.D. 2026.



**TYPE OF PLAT**

I, OWEN D. GIDLOW, PROFESSIONAL LAND SURVEYOR No. L-4356, CERTIFY TO THE FOLLOWING:

(G.S.47-30§(1)(11),c,1)

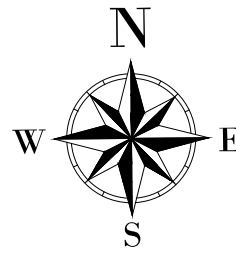
THAT THIS IS A SURVEY OF AN EXISTING PARCEL OR PARCELS OF LAND AND DOES NOT CREATE A NEW STREET OR CHANGE AN EXISTING STREET.

*Owen D. Gidlow* 25 JUNE 2026  
OWEN D. GIDLOW, PROFESSIONAL LAND SURVEYOR No. L-4356

**HORIZONTAL & VERTICAL DATUM STATEMENT**

THIS SURVEY WAS PERFORMED USING GEOMETRIC COORDINATES BASED UPON THE NORTH AMERICAN DATUM OF 1983 (NAD '83) (2011 ADJUSTMENT) NORTH CAROLINA ZONE 3200 (LAMBERT PROJECTION) COORDINATE SYSTEM AND THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD '88) WITH CORRECTED COORDINATES AND ELEVATIONS, IN US SURVEY FEET, RECEIVED THROUGH THE NORTH CAROLINA "CORS" GPS DATA NETWORK USING SURVEY GRADE GPS RECEIVERS.

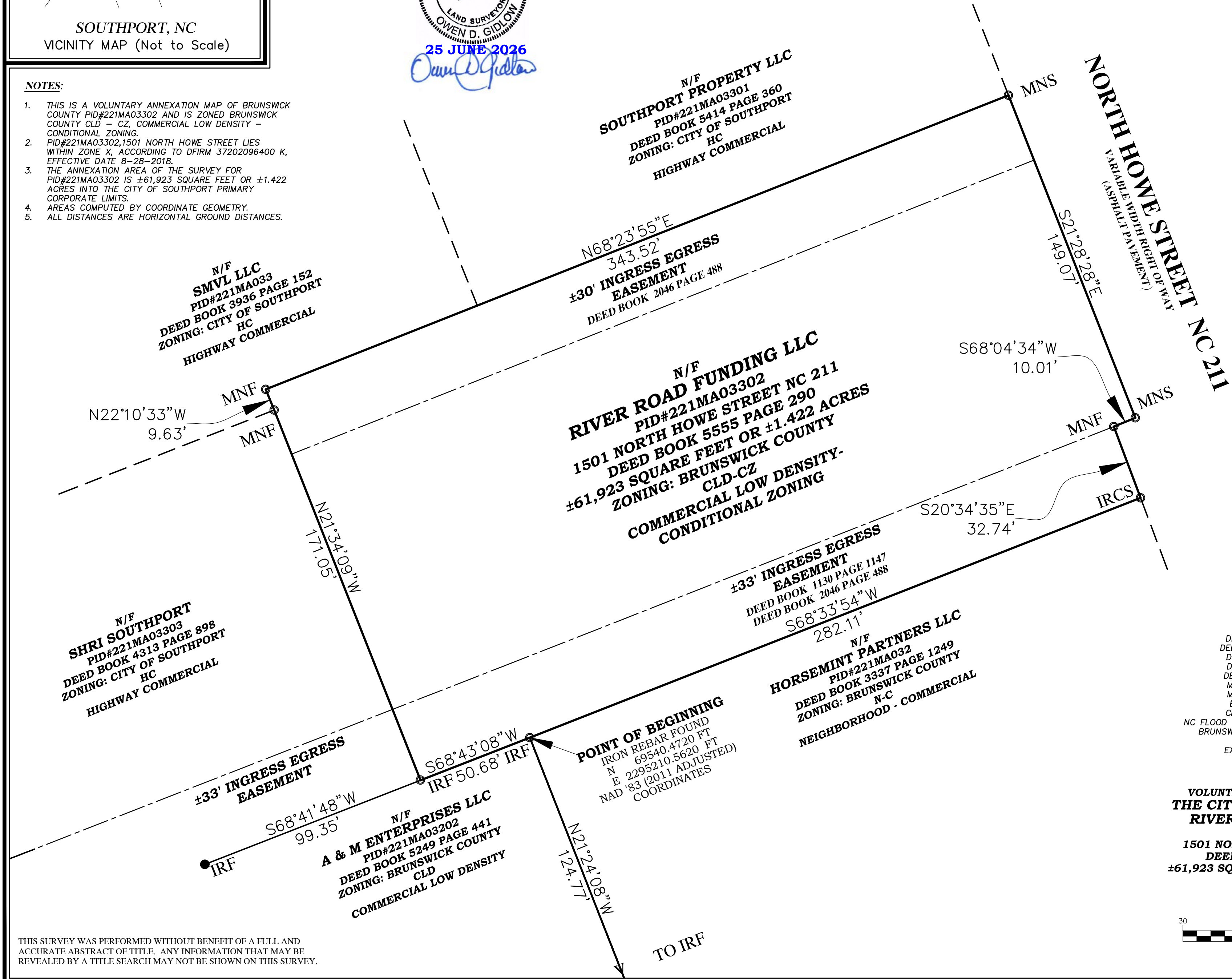
**NORTH STAR  
SURVEYING, INC.  
NC FIRM-1558**



NAD '83 (2011 ADJUSTMENT) COORDINATES  
NAVD '88 ELEVATIONS  
IN US SURVEY FEET

**NOTES:**

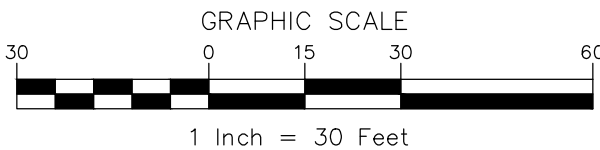
- THIS IS A VOLUNTARY ANNEXATION MAP OF BRUNSWICK COUNTY PID#221MA03302 AND IS ZONED BRUNSWICK COUNTY CLD - CZ, COMMERCIAL LOW DENSITY - CONDITIONAL ZONING.
- PID#221MA03302,1501 NORTH HOWE STREET LIES WITHIN ZONE X, ACCORDING TO DFIRM 37202096400 K, EFFECTIVE DATE 8-28-2018.
- THE ANNEXATION AREA OF THE SURVEY FOR PID#221MA03302 IS ±61,923 SQUARE FEET OR ±1.422 ACRES INTO THE CITY OF SOUTHPORT PRIMARY CORPORATE LIMITS.
- AREAS COMPUTED BY COORDINATE GEOMETRY.
- ALL DISTANCES ARE HORIZONTAL GROUND DISTANCES.



**REFERENCES:**

DEED BOOK 5555 PAGE 290  
DEED BOOK 3936 PAGE 152  
DEED BOOK 4313 PAGE 898  
DEED BOOK 5249 PAGE 441  
DEED BOOK 3337 PAGE 1249  
MAP CABINET 22 PAGE 75  
MAP CABINET 36 PAGE 107  
BRUNSWICK COUNTY U.D.O.  
CITY OF SOUTHPORT ZONING  
NC FLOOD RISK INFORMATION SYSTEM FRIS.GOV  
BRUNSWICK COUNTY REGISTER OF DEEDS  
BRUNSWICK COUNTY GIS  
EXISTING PHYSICAL EVIDENCE

**VOLUNTARY ANNEXATION MAP FOR:  
THE CITY OF SOUTHPORT, NC &  
RIVER ROAD FUNDING LLC  
PID#221MA03302  
1501 NORTH HOWE STREET NC 211  
DEED BOOK 5555 PAGE 290  
±61,923 SQUARE FEET OR ±1.422 ACRES**



**NORTH STAR SURVEYING, INC. (F-1558)  
OWEN GIDLOW, PLS L-4356  
15 TOPSAIL COURT  
CAROLINA SHORES, NORTH CAROLINA 28467  
OFFICE: 910-579-7811  
© COPYRIGHT 2026 NORTH STAR SURVEYING, INC.**

**VOLUNTARY ANNEXATION MAP & BOUNDARY SURVEY  
PID # 221MA03302  
1501 N HOWE STREET NC 211, SOUTHPORT, NC  
SMITHVILLE TOWNSHIP CITY OF SOUTHPORT  
SURVEY FOR RIVER ROAD FUNDING, LLC**

| NO. | DATE | BY |
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| DATE:<br>25 JUNE 2026 | SCALE:<br>1" = 30'                        |
| FIELD:<br>ODG/MDS     | DRAWN/CADD:<br>ODG                        |
| SHEET:<br>1 OF 1      | CAD FILE:<br>ANNEXATION / REZONING SURVEY |
| PROJECT NO:<br>26013  |                                           |



**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-26-03 – 1501 N Howe Street Zoning Map Amendment**

**STATEMENT OF CONSISTENCY AND RECOMMENDATION:**

The City of Southport Planning Board hereby finds that the proposed amendment is consistent with the City's 2050 Comprehensive Plan adopted on October 9, 2025, and Certified by the Coastal Resources Commission on January 7, 2026. Specifically, the proposal is consistent with Policy 7.2: Support existing small businesses and encourage new businesses and Action 7.2.1: Encourage the development of new businesses and context-sensitive mixed-use development in Gateway, Neighborhood Commercial, and Midtown character areas.

The Planning Board recommends APPROVAL of the map amendment to the Board of Aldermen.

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

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent or Excused: \_\_\_\_\_

\_\_\_\_\_  
Scott Baillargeon, Deputy City Clerk | Date

\_\_\_\_\_  
Lawrence N. Ashley, Chairman | Date



**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-26-03 – 1501 N Howe Street Map Amendment**

**STATEMENT OF CONSISTENCY AND RECOMMENDATION:**

The City of Southport Planning Board hereby finds that the proposed amendment is not consistent with the City's 2050 Comprehensive Plan adopted on October 9, 2025, and Certified by the Coastal Resources Commission on January 7, 2026. Further, the amendment is not reasonable due to the neighboring conditions of the property.

The Planning Board recommends DENIAL of the proposed map amendment to the Board of Aldermen.

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

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent or Excused: \_\_\_\_\_

\_\_\_\_\_  
Scott Baillargeon, Deputy City Clerk | Date

\_\_\_\_\_  
Lawrence N. Ashley, Chairman | Date



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## MEMORANDUM

**To:** Larry Ashley, Chair and Members of the Planning Board

**From:** Maureen Meehan, Planning Services Director

**Re:** ZTA-26-05 Data Centers Zoning Text Amendment

**Date:** July 16, 2026

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### Overview

The purpose of this text amendment is to ensure that mechanisms are in place should a data center consider Southport a viable development option. The proposed text language regulates data centers in a manner that protects:

- public health, safety, and general welfare;
- preserves the reasonable use and enjoyment of nearby property;
- reduces adverse off-site impacts from noise, power demand, lighting, traffic, water demand, wastewater, and emergency power systems;
- protects community facilities and established neighborhoods;
- ensures that any data center development is sited and operated in a manner consistent with the adopted plans and the community's long-term interests.

The amendment defines data center and adds a new land use to the Unified Development Ordinance (UDO) table of permitted uses. It includes the use standards that must be met for all proposed data centers. The standards outline minimum requirements for the following:

- prohibited uses within data center facilities
- location to other uses for compatibility
- lighting, landscaping, and buffers
- operations
- power, water/wastewater, noise, environment, and thermal performance
- compliance and monitoring
- annual reporting
- abandonment and decommissioning

Any proposed data center will only be allowed in the highway commercial zoning district through the conditional rezoning process and must follow all conditional rezoning standards in Section 2.11 of the UDO.

A planning board review committee worked with city staff to prepare the proposed text amendment. The committee referenced regional land use ordinances, data center articles and manuals from state and national resources and considered how to site a center that is least obtrusive to the citizens of Southport.



**Staff Recommendation**

Staff finds that the text amendment is consistent with the Southport 2050 Comprehensive Plan and recommend the Planning Board send a recommendation of APPROVAL to the Board of Aldermen for the attached text amendment.

**Attachments**

Proposed Text Amendment

Consistency Statements

## ZTA-26-05 Data Centers Proposed Language

### 3.5 TABLE OF PERMITTED AND SPECIAL USES

#### A. USE TABLE

The following uses are listed as permitted by right (P), special (S), or permitted by right with an additional use standard (PS), special with an additional use standard (SS), or permitted with conditional zoning (CZ) in each zoning district where allowed. The Use Table (3.1) is separated by Accessory Uses, Residential Uses, and Nonresidential Uses.

| Table 3.1:<br>Table of Uses                                     |        | Use<br>Standard |      |    |     |     |     |    |    |    |       | Section # |
|-----------------------------------------------------------------|--------|-----------------|------|----|-----|-----|-----|----|----|----|-------|-----------|
| Uses                                                            | ICS    | R-10            | R-20 | MF | PUD | O-I | CBD | BD | HC | OS |       |           |
| COMMERCIAL PARKING LOTS                                         | 812930 |                 |      |    |     | SS  | SS  | SS | PS |    | 3.8.G |           |
| COMMERCIAL RECREATION, INDOOR                                   |        |                 |      |    | S   |     | S   | P  | P  |    |       |           |
| COMMERCIAL RECREATION, OUTDOOR                                  |        |                 |      |    |     |     |     |    | P  |    |       |           |
| CONTRACTORS, EQUIPMENT & SUPPLY DEALERS & SERVICE               | 811310 |                 |      |    |     |     |     |    | P  |    |       |           |
| CONTRACTORS, HEAVY CONSTRUCTION; GRADING, PAVING, MARINE, ETC.  | 234    |                 |      |    |     |     |     |    |    |    |       |           |
| CULTURAL ARTS CENTER, INCL. THEATERS, OFFICES, CLASSROOMS, ETC. |        |                 |      |    | P   | P   | P   | P  | P  |    |       |           |
| DANCE STUDIOS                                                   | 611610 |                 |      |    | P   | P   | P   | P  | P  |    |       |           |
| DATA CENTERS                                                    |        |                 |      |    |     |     |     |    | CZ |    | 3.8.H |           |
| DAYCARE, ADULT AND CHILD                                        | 624120 |                 |      |    |     | SS  | SS  | PS | PS |    | 3.8.I |           |
| DIVERS, COMMERCIAL                                              |        |                 |      |    |     |     | P   | P  | P  |    |       |           |
| DRY CLEANERS                                                    | 812320 |                 |      |    | SS  |     | PS  | PS | PS |    | 3.8.J |           |
| DRY STORAGE                                                     |        |                 |      |    |     |     |     |    | PS |    | 3.8.K |           |

## ZTA-26-05 Data Centers Proposed Language

### 3.6 NONRESIDENTIAL USE STANDARDS

#### H. DATA CENTERS

##### Prohibited Uses

1. Data Centers shall not contain retail, commercial, or walk-in customer service operations.
2. Residential uses within a data center structure are prohibited.
3. Outdoor storage is prohibited except where expressly permitted under separate sections of this ordinance.
4. No general office operations, call centers, or unrelated administrative businesses shall operate from a data center.

Where permitted, the following shall apply:

##### 1. Location

No principal data center building, outdoor mechanical yard, emergency generator yard, bulk fuel storage area, or substation serving a data center shall be located within:

1. 1,000 feet of any lot used for single-family, two-family, townhouse, duplex, multifamily, manufactured home, residential care facility, mixed-use residential purposes or residentially zoned land;
2. 1,000 feet of any public or private elementary school, middle school, high school, licensed day care, or playground;
3. 1,000 feet of any church, synagogue, mosque, temple, or other place of worship;
4. 1,000 feet of any public park, greenway, library, or community center;
5. 1,000 feet of any active agricultural lands.

Distances shall be measured in a straight line from the nearest property line of the proposed data center tract to the nearest property line of the protected use.

##### 2. Lighting

1. Building-mounted exterior lighting shall not project above the roof or top of the building it is mounted to;
2. Parking lot exterior lighting shall not exceed a maximum height of 30 feet above grade;
3. No blinking, flashing, or moving lights shall be permitted except as required for safety or emergency response.
4. Security lighting shall be motion-activated where feasible.

##### 3. Facility

1. Limited office space used exclusively for administration of the Data Center's operations, shall not exceed ten percent (10%) of the gross floor area.
2. Utilities, General
  - a. All utility connections, including fiber, telecommunications, and electrical service, shall be located underground where feasible.

##### 4. Electrical Service

To the extent practical for the proposed site, on-site power will be generated using renewable energy sources. Where it is not feasible to generate electric power on-site using renewable sources, priority shall be given to offsite power generated using renewable sources.

## ZTA-26-05 Data Centers Proposed Language

In addition to the submittal requirements for conditional zoning the following must accompany a conditional zoning application:

1. Energy Usage Plan demonstrating compliance with this section,
2. Water Supply and Sewer Documentation demonstrating compliance with this section,
3. Noise and Environmental Performance Documentation
4. Thermal Performance Standards
5. Compliance Monitoring Documentation

### A. ENERGY USAGE PLAN

The Energy Usage Plan shall be prepared and certified by a Professional Engineer registered in the State of North Carolina and provide or identify, at a minimum:

- a. Annual data center electricity demand
- b. Energy supply sources that will be utilized. To the extent practical for the proposed site, on-site power will be generated using renewable energy sources. Where it is not feasible to generate electric power on-site using renewable sources, priority shall be given to offsite power generated using renewable sources.
- c. Energy storage capacity (if applicable)
- d. Proposed sources and types of back-up power
- e. Documentation of efforts to maximize use of renewable and/or clean energy for all electrical and cooling needs, including those to: Reduce the need for new electric generation by incorporating the best available energy efficiency into the design of data center servers, cooling units, and the building structure.
- f. Cover 50-80% of all unused roof space with solar arrays to offset a portion of the demand on the electric grid and reduce onsite emissions.
- g. Support off-site renewable energy generation through a power purchase agreement or other arrangement that will result in new renewable energy generation within the region.
- h. Define program to provide routine monitoring and public reporting of energy usage, energy efficiency and emissions data.
- i. Provide documentation of agreements with the electric utility provider for the data center, including supply, transmission and cost and other impacts on rate payers. Demonstrate that adequate capacity for generation, transmission, and other infrastructure is available to serve the proposed data center at peak operation with no impact to other electric users. If updates to transmission or other infrastructure are required, provide details on required improvements and the timeline for implementation of the improvements.

#### 1. Annual Reporting

an annual report shall be submitted to the City on a date determined by the City during project approval which provides the following:

- i. Total electricity usage certified by the public electricity provider or utility;
- ii. Electricity generated on-site or transmitted from renewable sources as certified by the public electricity provider or utility;
- iii. Adequacy of generation and transmission capacity;
- iv. Completed or planned infrastructure improvements; and



## **ZTA-26-05 Data Centers Proposed Language**

- v. Documentation of reported problems with line voltage, availability or outages related to the operation of the data center. Provide mitigation plan for such occurrences.

### **B. WATER SUPPLY & WASTEWATER DOCUMENTATION**

- a. Data Centers shall be cooled via a closed loop water or refrigerant system to minimize water consumption.
- b. Data Centers shall be connected to County water and sewer, not a private groundwater well system.
- c. Cooling system flushes and refill times are subject to County water authority approval.
- d. Where cooling systems use potable water, the Applicant shall provide the source of potable water, estimates of daily and peak water demand and demonstrate that the proposed demand will not materially impair service to existing customers or adopted service priorities.
- e. The City may require reclaimed-water use where available, non-potable water systems, air-cooled or hybrid-cooled systems, cooling tower efficiency measures, drought contingency plans, water-use monitoring, and annual reporting.
- f. All process water, cooling water, blowdown, coolants, refrigerants, glycol solutions, dielectric fluids, and other related cooling or heat-transfer fluids associated with a data center shall be managed in a closed-loop or otherwise fully contained system. No such substance shall be discharged, released, drained, dumped, spilled, leaked, infiltrated, or otherwise disposed of on site, whether to the ground, subsurface, stormwater system, drainageway, surface water, wetland, or groundwater. All such materials shall be reused, recycled, recovered, or conveyed to an approved sanitary sewer system or facility authorized to receive them.
- g. Prior to the issuance of a Building Permit, The Applicant shall submit a Water Usage Plan prepared by a Professional Engineer licensed in the State of North Carolina identifying:
  - i. water demand for firefighting;
  - ii. peak daily water demand;
  - iii. average daily water demand;
  - iv. cooling method;
  - v. water source and transmission route;
  - vi. expected annual consumption;
  - vii. proposed water conservation measures;
  - viii. any reclaimed-water or reuse strategy;
  - ix. documentation from water supplier or utility that water and sewer demand for the data center, and transmission capacity, is available and will not negatively impact public water users.

### **C. NOISE AND ENVIRONMENTAL PERFORMANCE**

- a. Maximum off-site noise measured at the property line of the data center tract shall not exceed:
  - i. A 60 dB maximum noise threshold.
  - ii. The City may require acoustic walls, building orientation, enclosed generator housings, quieter equipment, increased setbacks, or reduced hours of testing.

## **ZTA-26-05 Data Centers Proposed Language**

- b. Routine testing of backup power (for example emergency generators) shall occur only Monday through Friday between the hours of 10:00 a.m. and 4:00 p.m., shall not occur on federal holidays, and shall be limited to the minimum duration required by applicable code, manufacturer recommendations, or regulatory requirements.
- c. Generators shall be used as a means of emergency power only.
- d. Backup generators are required to meet or exceed EPA Tier 4 emissions standards.
- e. Prior to issuance of a Building Permit, the Applicant shall provide a Noise Mitigation Plan prepared by a Professional Engineer registered in the State of North Carolina to include the following at a minimum:
  - i. Demonstration that the facility will meet the noise performance standard listed above during full operation of the data center.
  - ii. Engineering controls to mitigate noise, including equipment enclosures, acoustic louvers, attenuation barriers, and other building design elements, including to modifications to existing buildings, if applicable.
  - iii. Commissioning / testing plan to measure and report noise levels at the building limits, property boundary or other locations required by the City.
  - iv. Plan for routine noise monitoring in accordance with City requirements, including generator testing, equipment replacement or modification to facility operating procedures.

### **D. THERMAL PERFORMANCE STANDARDS**

The data center shall be designed and operated so that waste heat from servers, cooling systems, generators, transformers, substations, and other support equipment does not create a nuisance, hazard, or measurable thermal effect beyond the property boundary.

- a. Exhaust outlets and cooling equipment shall not be directed toward protected uses.
- b. The applicant shall provide a professional engineer's report showing anticipated heat rejection methods, equipment layout, exhaust orientation, and any mitigation necessary to prevent off-site thermal impacts.

### **5. Ongoing Compliance and Monitoring**

As a condition of approval, the City may require post-construction noise testing, annual certification of compliance, annual water-use reporting, complaint-response logs, verifications of thermal performance standards, and periodic review of generator testing schedules.

### **6. Abandonment and Decommissioning**

- 1. If a data center ceases operations for twelve consecutive months, the owner shall, within a period established by the City, remove unused equipment not intended for future lawful use, secure or remove fuel systems as required by law, restore disturbed areas, and maintain stormwater and erosion control measures until final stabilization.
- 2. A Decommissioning Plan prepared by a qualified professional shall be submitted. The plan shall outline the procedures for safe shutdown, removal of equipment, disposal of recycling materials and site restoration.
- 3. The owner shall submit a notification of closure if operations are permanently ceased.
- 4. Owner shall submit plan for reuse of the building after decommissioning. If the building will be repurposed for another active use, describe building modifications and proposed building/facility use. Uses other than data centers will require re-zoning and approvals by the City.

## ZTA-26-05 Data Centers Proposed Language

5. Decommissioning shall begin within 6 months of cessation of data center operations, or upon notice of abandonment by the operator, whichever occurs first. An extension of a maximum of 6 months may be granted by the City if the property owner can demonstrate that they are actively marketing the site for a compatible replacement use. Decommissioning shall be completed within 1 year thereafter, unless extended by the City for good cause.
6. Standards for Decommissioning:
  - a. All above-ground structures (with the exception of buildings that will be repurposed as approved by the City), equipment, and accessory facilities shall be removed.
  - b. Hazardous materials, including batteries, fuel, or refrigerants, shall be disposed of in compliance with state and federal law.
  - c. Disturbed soils shall be stabilized and re-vegetated.
  - d. Any utility connections shall be safely disconnected and capped.
  - e. The site shall be restored to a condition compatible with surrounding land uses or consistent with the most restrictive adjacent zoning district.

### ARTICLE 8: DEFINITIONS AND MEASUREMENTS

**Data Center.** A principal use or facility, including one or more buildings and associated utility or support infrastructure, primarily used for the housing, operation, networking, storage, processing of data or management of servers, computers, telecommunications equipment, cloud-computing equipment, artificial intelligence computing equipment, crypto mining, or similar digital information technology systems.

The term includes accessory equipment and structures such as substations, transformers, battery storage, cooling systems, mechanical yards, fuel storage, and standby or emergency generators.

The term does not include a routine server room accessory to another principal use, a public safety communications facility, or a small equipment room serving only the on-site occupant, electronic gaming operations, software development or sales offices, and internet cafes.



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

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

**AMENDMENT:      ZTA-26-05 Data Centers Zoning Text Amendment**

**STATEMENT OF CONSISTENCY AND RECOMMENDATION:**

The City of Southport Planning Board hereby finds that the proposed amendment is consistent with the City's 2050 Comprehensive Plan adopted October 9, 2025, and Certified by the Coastal Resources Commission on January 7, 2026. Specifically, the proposal is consistent with Policy 1.1: Encourage a development pattern that honors Southport's character and respects the natural environment.

The Planning Board recommends APPROVAL of the proposed zoning text amendment to the Board of Aldermen.

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

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent or Excused: \_\_\_\_\_

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Scott Baillargeon, 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:      ZTA-26-05 Data Centers Text Amendment**

**STATEMENT OF CONSISTENCY AND RECOMMENDATION:**

The City of Southport Planning Board hereby finds that the proposed amendment is not consistent with the City's 2050 Comprehensive Plan adopted on October 9, 2025, and Certified by the Coastal Resources Commission on January 7, 2026.

The Planning Board recommends DENIAL of the proposed zoning text amendment to the Board of Aldermen.

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

Ayes: \_\_\_\_\_

Noes: \_\_\_\_\_

Absent or Excused: \_\_\_\_\_

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Scott Baillargeon, Deputy City Clerk

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Lawrence Ashley, Chairman



## **Planning Services Update – July 2026**

### **Coming Soon! A new and improved planning update form!**

Staff will distribute the new form with the information in this update prior to your July 16, 2026, meeting

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

- The June 23, 2026, meeting was canceled since there were no cases for this meeting.
- The next meeting of the Board of Adjustment is July 28 and will include the swearing-in of new members and election of the chair and vice chair. The administrative appeal may be withdrawn. If there are no cases the meeting will be canceled and the swearing in and selection of chair and vice-chair will be added to the next regular agenda with cases.

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

- The July 14<sup>th</sup> meeting will include the election of new officers and review of the draft language for Section 3.18 Tree Protection and Landscape Preservation ordinance. There will also be discussion about the America 250 Tree(s). The ordinance update will provide clear guidance on the tree removal process and mitigation requirements for all types of development and uses throughout the city.

#### **Other Projects/Updates:**

- The Multimodal Acceleration Plan has been distributed to the NCDOT IMD staff for review and comment. Staff are concurrently reviewing the final draft plan for comments. Upon completion, the plan includes project details for prioritized pedestrian and bicycle improvements, including cost estimates and funding opportunities. The list of prioritized projects helps communities be more competitive for grant funding. A multimodal grant from NCDOT funds the plan.
- The NC Resilient Coastal Communities Program (RCCP) Phase 1 & 2 community action team meeting will hold a second meeting in early August.
- Information about the project is located on the city's website, which also includes a link to a short online survey for citizens and visitors. The survey is open until July 17. The input will identify local concerns and important places to protect. The link to the site is included below.

[https://www.cityofsouthport.gov/departments/development\\_services/southport\\_resilience\\_planning\\_project.php](https://www.cityofsouthport.gov/departments/development_services/southport_resilience_planning_project.php)

A formal public input session will be scheduled in the late summer/early fall and will be advertised and announced regularly to ensure as much input as possible from the citizens of the city. This project is fully funded by a grant from the RCCP and the Division of Coastal Management, through the General Assembly, and the National Fish & Wildlife Foundation.

- Staff attended the Rural Technical Coordination Committee (RTCC) meeting on Wednesday, June 3. The P.8 Prioritization for the State Transportation Improvement Program has started. The project lists are being rolled out and will be available in the next week for the RTCC review for point assignment and recommendation to the Regional Transportation Advisory Committee (RTAC).

Tuesday, July 7 the Mayor and Planning Director meet with regional planning partners in each of the RPO's counties to start the local input point assignment process. Further information about the project submittals can be found at the following link. [HERE](#)

- Planning Staff continue 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.

#### **UDO/Map Amendments:**

- Sandy Lane Map Amendment – Public Hearing to be held August 13, 2026

#### **Minor/Major Site Plan:**

- Minor Site Plan pre-application meeting for a mixed-use development at 424 N Howe Street. A formal application is forthcoming.

#### **2026 Ratified Legislation Related to Zoning/Land Development**

The UDO will be updated to reflect the changes enacted by the bills below. An amendment to the UDO with all updates from the 2025-2026 Legislative Session will be brought forward as soon as the session is complete and all bills are signed.

The three bills below have been signed by the Governor and are now effective. Changes will be included in the UDO amendment mentioned above.

Homebased Business Fairness Act

<https://www.ncleg.gov/Sessions/2025/Bills/House/PDF/H372v7.pdf>

AN ACT TO PROVIDE THAT CITIES SHALL NOT PROHIBIT CERTAIN HOME-BASED BUSINESSES WITHIN THEIR JURISDICTIONAL LIMITS. SL 2026-51. Enacted July 7, 2026. Effective July 7, 2026.

Parking Lot Reform/Stormwater Control

<https://www.ncleg.gov/BillLookup/2025/H162>

AN ACT TO RESTRICT LOCAL GOVERNMENTS FROM REGULATING CERTAIN ASPECTS OF OFF-STREET PARKING SPACES AND TO MODIFY THE AUTHORITY OF CERTAIN LOCAL GOVERNMENTS TO REQUIRE STORMWATER CONTROL FOR REDEVELOPED PROPERTY. SL 2026-39. Enacted July 6, 2026. Effective July 6, 2026, except as otherwise provided.

#### Part I.

Amends GS 160D-702 (zoning) so that a zoning or other development regulation cannot require an off-street parking lot to meet a minimum number of parking spaces per development or structure, regardless of occupancy or use. Exempts local governments in coastal areas (defined) from the above limitation except for parking related to the three described historic properties. Prevents a zoning regulation from requiring an off-street parking space (was, parking space) to be larger than 9 feet wide by 20 feet long unless the parking space is designated for handicap, parallel, or diagonal parking. Effective July 1, 2026.

#### Part II.

Adds *built-upon area* to definitions pertaining to GS 143-214.7 (stormwater programs) and modifies *development*. Now prevents stormwater runoff rules and programs from requiring private property owners to install new or increased stormwater controls for existing built-upon area (was, preexisting development), in addition to other described redevelopment activities. Specifies that when development or redevelopment occurs at a site that has existing built-upon area, (i) the existing built-upon area is not included in the density calculations for additional stormwater control requirements, as specified, (ii) the existing built-upon area at the site is not subject to additional stormwater control requirements under the statute, regardless of whether the existing built-upon area is demolished, relocated, replaced, or remains in place during the development activity, (iii) for purposes of determining the size of the area for which stormwater control measures are required for a development or redevelopment, built-upon area that existed before the development or redevelopment will be applied on a square-foot-for-square-foot basis to reduce the built-upon area for which stormwater control measures are required, and (iv) stormwater control requirements cannot be applied retroactively to existing built-upon area, unless otherwise required by federal law. Removes provisions specifying that when a preexisting development is redeveloped, either in whole or in part, increased stormwater controls shall only be required for the amount of impervious surface being created that exceeds the amount of impervious surface that existed before the redevelopment, irrespective of whether the impervious surface that existed before the redevelopment is to be demolished or relocated during the development activity. Now allows a property owner to elect to treat the stormwater resulting from the net increase in built-upon area above the existing built-upon area at the development or redevelopment (was, preexisting development) for the purpose of exceeding allowable density under the applicable water supply watershed rules. Authorizes a local government to offer nonmandatory incentives that waive building, zoning, connection, or other regulations or fees; provide additional tax and financial benefits; or institute other incentives for development or redevelopment that implements additional stormwater control measures beyond those required by this section and rules adopted thereunder.

Requires any local governments that implement a stormwater management program to amend its ordinance to conform to the act within twelve months of the effective date of the act. Voids any ordinances that are inconsistent with the stormwater provisions of the act after this date. Allows local governments to adopt, amend, or repeal ordinance provisions the above described incentives at any time after the effective date of this section.

#### Various Local Provisions X.

<https://www.ncleg.gov/Sessions/2025/Bills/Senate/PDF/S876v7.pdf>

New Part III provides that the City of Kannapolis shall hold municipal elections in even-numbered years with the mayor and city council elected on a partisan basis. Requires candidates seeking nomination by petition to comply with the requirements of Article 11 of GS Chapter 163, except that the date and time of filing must be in accordance with GS 163-122(a)(3). Provides that no municipal elections will be conducted in Kannapolis in 2027. Extends the terms of three council members whose terms expire in 2027 by one year, and extends the terms of the mayor and three council members whose terms expire in 2029 by one year. Resumes regular elections in 2028 with the same staggering of terms as when elections were held in odd-numbered years.

New Part VIII allows Moore County to expend general funds up to \$500,000 (other than ad valorem property tax revenues) to comply with minimum construction standards in areas damaged by Tropical Storm Chantal that are critical to the county's public safety and emergency services. Effective upon becoming law and expires June 30, 2028.



New Part XII requires Clayton, upon adoption of an ordinance or entering into an annexation agreement, to make major municipal services available to the annexed area on substantially the same basis and manner as these services are provided to the rest of the Town.

New Part XIII abolishes the Southport Historic Preservation Commission. Prohibits the City of Southport from designating a new historic preservation commission. Prohibits the City from creating or expanding historic districts. Provides that any historic district in Southport in effect on this section's effective date shall remain in effect but cannot be expanded.

New Part XIV allows the Town of Leland to voluntarily annex territory up to three miles from town limits if: (1) the property is owned by the Town or (2) the Town has received a petition for annexation by July 1, 2026, and the territory does not extend beyond specified boundaries.

New Part XV extends the corporate limits of the town of Franklinton to include the specified tract. Effective July 1, 2027.

Makes conforming changes to other section numbering.