



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

MICHAEL S. REGAN
Secretary

BRAXTON C. DAVIS
Director

May 06, 2021

Mayor Joseph P. Hatem
City of Southport
1029 N Howe St.
Southport, NC 28461

CERTIFIED MAIL RETURN RECEIPT
REQUESTED and electronically:
josephp_hatem@southportnc.org

Thomas Lloyd, Development Services
Director
1029 N. Howe Street, Suite 100
Southport, NC 28461

CERTIFIED MAIL RETURN RECEIPT
REQUESTED and electronically:
tlloyd@cityofsouthport.com

Re: Certification of an Amendment to the 2014 Southport CAMA Land Use Plan

Dear Mayor Hatem and Mr. Lloyd:

Please find enclosed the written Final Agency Decision granting the City of Southport's request for certification of an amendment to its 2014 CAMA Land Use Plan.

Let me know if you have any questions.

Very truly yours,

Braxton Davis, Director
NC Division of Coastal Management

cc via email: Renee Cahoon, Chair
Mary L. Lucasse, Commission Counsel
Michael Christenbury, Wilmington District Planner



IN THE MATTER OF THE REQUEST
FOR CERTIFICATION OF AN
AMENDMENT TO THE SOUTHPORT
2014 CAMA LAND USE PLAN

FINAL AGENCY DECISION

FACTS

1. This is an Amendment to the City of Southport 2014 CAMA Land Use Plan adopted December 10, 2020 by the City of Southport, North Carolina.
2. Southport is located within southeastern Brunswick County, North Carolina adjacent to the Cape Fear River and the Atlantic Intracoastal Waterway. Southport is requesting Certification of an Amendment to the 2014 Land Use Plan (attached).
3. The Southport Board of Aldermen unanimously adopted the Amendment to the Land Use Plan by resolution on December 10, 2020 after a duly advertised public hearing. The public had the opportunity to provide written comments on the plan up to thirty (30) calendar days after local adoption. No comments were received.

CONCLUSIONS OF LAW

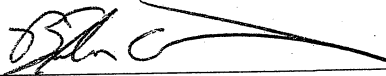
1. Southport's Amendment to the 2014 CAMA Land Use Plan has met the substantive requirements outlined within the Land Use Planning Requirements effective February 1, 2016.
2. There are no conflicts evident in the Amendment to Southport's 2014 CAMA Land Use Plan with either state or federal law or the State's Coastal Management Program.
3. The elected body of Southport made a final decision on the contents of the Amendment to the Southport Land Use Plan and provided opportunity for the public to provide written comment following local adoption of the plan, as required by N.C.G.S. § 113A-110 and

15A NCAC 7B .0802 and .0803, and the Amendment to Southport's Land Use Plan was submitted to the NC Division of Coastal Management without written objection or comment from the public.

DECISION

For the reasons stated herein, Southport's request for certification of the amendment to the Southport CAMA Land Use Land Use Plan ("2014 CAMA Land Use Plan") is GRANTED.

This the 17TH day of May, 2021.



Braxton Davis, Director
N.C. Division of Coastal Management

CERTIFICATE OF SERVICE

This is to certify that I have served a copy of the attached **Final Agency Decision** to Southport and the North Carolina Coastal Resources Commission by the means specified below:

Method of Service

Mayor Joseph P. Hatem
City of Southport
1029 N Howe St.
Southport, NC 28461

CERTIFIED MAIL RETURN RECEIPT
REQUESTED and electronically:
josephp_hatem@southportnc.org

Thomas Lloyd, Development Services
Director
1029 N. Howe Street, Suite 100
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CERTIFIED MAIL RETURN RECEIPT
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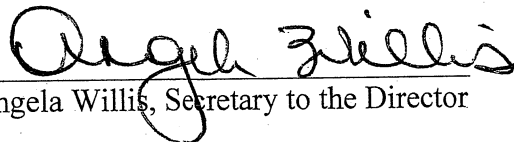
Renee Cahoon, Chair
Coastal Resources Commission

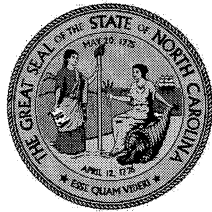
Electronically: Renee.Cahoon@ncdenr.gov

Mary L. Lucasse
Commission Counsel
NC Coastal Resources Commission
PO Box 629
Raleigh, NC 27602

Electronically: mlucasse@ncdoj.gov

This is the 18th day of May, 2021.


Angela Willis, Secretary to the Director



NORTH CAROLINA
Environmental Quality

ROY COOPER
Governor

DIONNE DELLI-GATTI
Secretary

BRAXTON DAVIS
Director

MEMORANDUM

TO: Mike Lopazanski, Deputy Director
Division of Coastal Management

Cc: Tancred Miller, Policy & Planning Section Chief
Division of Coastal Management

FROM: Michael Christenbury, Wilmington District Planner
Division of Coastal Management

DATE: May 06, 2021

SUBJECT: Certification of an Amendment to the Southport CAMA Land Use Plan

Recommendation

Certification of an Amendment to the Southport CAMA Land Use Plan with the determination that the City has met the substantive requirements outlined in the 15 NCAC 7B Land Use Plan Guidelines and that there are no conflicts with either state or federal law or the State's Coastal Management Program.

Overview

The City of Southport (hereinafter "Southport") is located within southeastern Brunswick County in North Carolina, adjacent to the Cape Fear River and the Atlantic Intracoastal Waterway.

Southport amended its 2014 CAMA Land Use Plan to clarify and add flexibility into the Future Land Use Plan Map designations regarding allowed land uses and by creating a range of allowed densities (attached).

The Southport Board of Aldermen held a duly advertised public hearing to consider the proposed Land Use Plan Amendment and voted unanimously, by resolution to adopt the Land Use Plan on December 10, 2020. The public had the opportunity to provide written comments on the plan amendment up to thirty (30) calendar days after local adoption. No comments were received.



**BRUNSWICK COUNTY
NORTH CAROLINA**

AFFIDAVIT OF PUBLICATION

Before the undersigned, a Notary Public of said County and State, duly commissioned, qualified and authorized by law to administer oaths, personally appeared MARISA BUNDRICK, who, being first duly sworn, deposes and says that she is the employee authorized to make this affidavit, of The State Port Pilot Inc., engaged in the publication of a newspaper known as THE STATE PORT PILOT, published, issued and entered as periodicals mail in the City of Southport, in said County and State; that the notice or other legal advertisement, a true copy of which is attached hereto, was published in THE STATE PORT PILOT on the following dates:

_____ 11/4 _____;
and that said newspaper in which said notice, paper, document or legal advertisement was published was, at the time of each and every such publication, a newspaper meeting all of the requirements and qualifications of Section 1-597 of the General Statutes of North Carolina and was a qualified newspaper within the meaning of Section 1-597 of the General Statutes of North Carolina.

This the 5th day of November, 2020

Marisa Bundrick
(Signature of person making affidavit)

Sworn to and subscribed before me this 5th day of
November, 2020

Shannon W. Fildale
Notary Public exp 4/22/2024



City of Southport PUBLIC NOTICE

Please take notice a Public Hearing will be held on December 10, 2020 6 PM in the Southport Community Building, 223 E. Bay St., Southport, NC 28461. The purpose of this hearing is to solicit public comment with regards to the following:

Amendment of the 2014 City of Southport CAMA Core Land Use Plan.

The 2014 City of Southport Land Use Plan provides a blueprint for growth and development over the next 20 to 30 years. When viewed as a guide, the document is intended to present the basic description of the City of Southport now and into the next few decades. The public has the opportunity to provide written comment to the Division of Coastal Management following the City's adoption and prior to review and adoption of the plan by the Coastal Resource Commission. If desired, please contact Michael Christenbury, Wilmington District Planner, with the Division of Coastal Management located at 127 Cardinal Drive Ext., Wilmington, NC 28405 and by phone/email at (910) 796-7426/ mike.christenbury@ncdenr.gov.

Direct any questions or concerns regarding this matter to Thomas Lloyd, City Planner at (910)457-7961.

All interested persons are invited to attend and provide comment. A copy of the draft plan is available for review at City Hall Monday - Friday between 8:30 am and 5:00 pm. The draft plan can also be found online on the Planning & Inspections page.

Thomas Lloyd, City Planner
City of Southport



3. Locational Aspects of Land Use

The purpose of this section is to describe the reasoning behind the location of land uses as shown on the land use map. It should be noted that the land use plan depicts a desired or optimum pattern of land uses. For land areas that are already developed, the desired land use may not be consistent with the existing land use. In cases where the planning process resulted in a desired land use that deviated from the existing land use, preferred land use is indicated. The following provides an example of a case in which an existing land use would not be indicated on the map. An industry might locate in an area that was considered "rural" many years ago. As the years go by, development occurs, urban areas of the city expand, and eventually the industry finds itself in an urbanized setting surrounded by residential development. This situation has resulted in a conflicting land use. In this case, the existing land use of the industrial property is industrial but might be shown on the land use map as Office/Institutional/Multi-Family, a more suitable and compatible use for a residential area.

Generally, the land use map was drafted with consideration given to key land use issues (see Land Use Map) preservation of the city's existing urban form (from the Comprehensive Plan) which is comprised of districts; paths, urban nodes, landmarks, and edges; development constraints, existing zoning patterns, and citizens input. It should be stressed that although the future land use map indicates a desired pattern for future land use, it is not being suggested that the land uses portrayed cannot be deviated from. However, it is recommended that as the need for changes in the land use map becomes apparent that the map be revised and approved by the Governing Board. A general description of land use by type follows.

NOTE: The future land use categories provide the desired land uses and development characteristics for each respective category. While the future land use map and guidelines establish goals and policy direction for various areas in the City's planning jurisdiction, it is the City's Official Zoning Map and Unified Development Ordinance that codifies the actual development regulations within the planning jurisdiction. In addition, the names of the future land use categories should not be confused with the names of the zoning districts as they are separate and distinct entities.

a. Commercial

Commercial land uses in Southport's planning jurisdiction are concentrated in the Central Business District, along Howe Street, and at the NC 211/NC 87 intersection. Within the area that extends up to one mile outside the city's extra territorial jurisdiction, commercial land uses are located at the intersections of a proposed thoroughfare connecting NC 87/NC133 to NC 211 and along NC 133 from NC 211 south to the Oak Island city limits.

There has been an attempt to locate commercial development in nodes. Nodes are typically placed at the intersections of major thoroughfares. Nodes serve as community focus areas or concentrations of high intensity land use. It should be noted that the location and size of these commercial areas are not intended to be static. As the land around these commercial areas develops, larger node definitions, and possibly even shifts in location from one area to another, may be warranted.

As commercial development takes place in the outlying areas of the city's planning jurisdiction, it should be buffered from surrounding areas by office/institutional/multi-family land uses or open space. When development is initiated in the location of one of the nodes, the city should, in cooperation with property owners adjacent to the node, develop a very specific area development plan (ADP) prior to approving any development.

HEAVY COMMERCIAL

~~Corresponding zoning district: HC~~

Appropriate uses: Heavy commercial is generally associated with a variety of higher intensity retail and wholesale establishments that would include grocery stores and building supply operations that serve residential and industrial customers and that may or may not include storage of equipment. Professional offices and some service providers are also appropriate.

Inappropriate uses: Manufacturing operations and single-family residential uses.

Allowable density: Approximately 4 units per acre.

Maximum height: 40 feet.

Impervious surface threshold: Post-development runoff cannot exceed pre-development levels utilizing the 25 year storm as a base storm event.

b. Residential

Residential land uses have been divided into ~~four~~ three separate land use categories based on associated variable residential densities. These categories include: ~~Open Space/Very Low~~, Low, Medium, and High Density Residential. The location of residential land uses by density was based on existing residential development patterns, constraints to development (i.e. floodplains, wetlands, etc.), and the location of infrastructure such as water, sewer, and the transportation network. Generally, the areas that contained few obstacles for development were classified at higher densities than areas that possessed multiple obstacles for development.

It should be noted that the land use plan does not attempt to delineate future park sites for the following reason: If the city were to express interest in acquiring specific sites for public use too far in advance it could drive the cost of real estate up unnecessarily. Open space buffers adjacent to industrial development should be maintained at a width based on the type of industry and its potential to create compatibility problems.

LIGHT COMMERCIAL

~~Corresponding zoning district: BD~~

Appropriate uses: Light commercial is generally associated with lower intensity commercial uses such as offices, boutiques, and places of worship. Light commercial also includes water-based commercial establishments.

Inappropriate uses: Manufacturing operations and single-family residential uses.

Allowable density: Approximately 4 to 6 units per acre.

Maximum height: 40 feet.

Impervious surface threshold: Post-development runoff cannot exceed pre-development levels utilizing the 25 year storm as a base storm event.

LOW DENSITY RESIDENTIAL

Corresponding zoning districts: R-20, R-10, MH, and PUD

Appropriate uses: Single-family residences, manufactured homes, and Planned Unit Developments. ~~Please note that not every use listed above is permitted in all districts.~~

Inappropriate uses: ~~Multi-family residential uses, Commercial-Non-residential~~ uses outside of a PUD, and industrial operations.

Allowable density: 2 to ~~6~~ 3 units per acre.

Maximum height: 40 feet.

Impervious surface threshold: Post-development runoff cannot exceed pre-development levels utilizing the 25 year storm as a base storm event.

MEDIUM DENSITY RESIDENTIAL

Corresponding zoning district: ~~R-10~~

Appropriate uses: Single-family residences, appropriately located duplexes, and parks.

Inappropriate uses: ~~Commercial-Non-residential~~ uses and industrial operations.

Allowable density: 4 units per acre.

Maximum height: 40 feet.

Impervious surface threshold: Post-development runoff cannot exceed pre-development levels utilizing the 25 year storm as a base storm event.

HIGH DENSITY RESIDENTIAL

Corresponding zoning district: ~~MF~~

Appropriate uses: A variety of single and multi-family residential uses.

Inappropriate uses: ~~Commercial-Non-residential~~ uses and industrial operations.

Allowable density: 11 units per acre.

Maximum height: 40 feet.

Impervious surface threshold: Post-development runoff cannot exceed pre-development levels utilizing the 25 year storm as a base storm event.

c. Industrial

There are no industrial land uses shown on the future land use map within the incorporated area of Southport. Future industrial land use is concentrated in the north eastern section of the city's extra territorial jurisdiction and plus one mile area. Future industrial land uses have been located in this area in the attempt to concentrate new uses near existing industrial land uses. On the Future Land Use Map, the ~~Progress~~ Duke Energy property (including the discharge canal) is shown as industrial.

All of the industrial areas indicated on the Land Use Plan that are adjacent to residential land uses have been buffered with open space land uses. Buffering has been provided to help prevent land use conflicts between industrial development and neighboring land uses. The width of the buffer should be based on the type of industry and its potential to create compatibility problems. It is not the city's intention to acquire land to be utilized as buffer areas, but rather to encourage industries to incorporate adequate buffers into their development plans.

INDUSTRIAL

~~Corresponding zoning districts: IH and LI~~

~~Appropriate uses: A variety of commercial office and industrial uses. Please note that not every use listed above is permitted in both districts.~~

~~Inappropriate uses: Residential development or non-residential uses which may have large amounts of foot traffic or customers.~~

~~Allowable density: 1 to 4 units per acre, N/A~~

~~Maximum height: Light industrial 50 feet~~

~~Impervious surface threshold: Post-development runoff cannot exceed pre-development levels utilizing the 25 year storm as a base storm event.~~

d. Office/Institutional/Multi-family

Future office/institutional/multi-family (O&I/MF) land uses are located in areas that have already been developed for O&I/MF use, are along highway corridors, or between commercial and residential land uses. Office/institutional/multi-family uses are located in this manner to help preserve the carrying capacity of transportation corridors, to serve as a buffer from the roadway, and to minimize land use conflicts between commercial and residential land uses.

Office/Institutional/Multi-family

~~Corresponding zoning districts: MF and O&I~~

Appropriate uses: A variety of single and multi-family residential uses, professional offices and service businesses. ~~Please note that not every use listed is permitted in both districts.~~

Inappropriate uses: Retail establishments and industrial operations.

Allowable density: Office & institutional -- 3 to 4 units per acre; Multi-family -- 11 units per acre

Maximum height: 40 feet

Impervious surface threshold: Post-development runoff cannot exceed pre-development levels utilizing the 25 year storm as a base storm event

e. CBD Mixed Use Districts

The CBD Mixed Use District land use category is designed to provide convenient shopping and service facilities by promoting compact development of commercial, office, and service uses while preserving the historic character of the district. Due to the variety of allowed uses within the CBD District land use category, any new development or redevelopment shall be done with careful consideration given to surrounding land uses. This will help keep potential land use conflicts to a minimum.

CBD MIXED USE DISTRICT

~~Corresponding zoning districts: CBD and R-10~~

Appropriate uses: Residences and a variety of commercial, office, and services uses. ~~Please note that not every use listed above is permitted in both districts.~~

Inappropriate uses: Industrial operations

Allowable density: 4 to 6 units per acre

Maximum height: 40 feet

Impervious surface threshold: post-development runoff cannot exceed pre-development levels using the 25 year storm as a base storm event

f. Open Space District

The Open Space district includes land uses designed to preserve areas of special public interest that should be placed in a zone protected from any development other than improvements or uses undertaken by the City of Southport. ~~Open Space/Very Low Density Residential~~ land uses have been located in areas where there is the potential for flooding (100-year floodplain), the need for buffering, or, in some cases, where AEC's exist. Buffering is used to separate areas that may have the potential to become conflicting land uses.

OPEN SPACE DISTRICT/~~VERY LOW DENSITY RESIDENTIAL~~

~~Corresponding zoning districts: OS and R-20~~

~~Appropriate uses: Open Space/Very Low Density Residential~~ land uses have been located in areas where there is the potential for flooding (100-year floodplain), the need for buffering, or, in some cases, where AEC's exist. Buffering is used to separate areas that may have the potential to become conflicting land uses. Appropriate uses would be City Parks & Recreation, additional City facilities that help preserve and protect the natural environment, cultural heritage, and areas that are environmentally sensitive and fragile. ~~The ideal land use for this category is open space as opposed to very low density residential development. Residential development should only be allowed in these areas on a limited basis and the development that does occur should have its finished floor level substantially above the base flood elevation.~~

Inappropriate uses: Multi-family developments, commercial residential and non-residential uses, and industrial operations.

Allowable density: Very low density approximately 1-2 units/0 units per acre.

Maximum height: 40 feet.

Impervious surface threshold: Post-development runoff cannot exceed pre-development levels utilizing the 25 year storm as a base storm event.

~~g. Least Suitable Land Overlay~~

~~The future land use map (see Map 19) includes a Least Suitable Land Overlay. These areas~~

~~parallel the areas that are least suitable as identified during the land suitability analysis (see Map 17). Development of any areas located within the overlay should be sensitive to protection of the AECs. Development proposals should be reviewed on a case-by-case basis in consideration of the needs of the particular AEC.~~

~~Each of the land use categories is supported by zoning districts contained in the City's UDO. The reader is cautioned that this is an "overview" and detailed analysis must be based on careful review of the City's UDO.~~

4. Summary of the General Principles Used to Develop the Land Use Plan

The City of Southport Land Use Plan was drafted with consideration given to the following:

- Southport's Vision and Core Values
- Key land use issues
- Preservation of existing urban form
- Existing plans for the development of public facilities
- Development constraints
- Existing zoning patterns
- Desire to concentrate commercial and industrial development
- Limiting potential land use conflicts
- Preservation of existing residential neighborhoods
- Prohibition of noxious industry within the city's planning jurisdiction.

5. Future Land Demand Acreages / Carrying Capacity

The following table forecasts the shift in land use within Southport's planning jurisdiction. These land demand forecasts serve as a density and intensity analysis required to satisfy requirements outlined in NCAC 7B. These forecasts take into account recent trends in development within the city.