



Ordinance to Amend Article 7, Part V, Appendix A, and Appendix B of the Unified Development Ordinance (UDO) of the City of Boiling Spring Lakes, North Carolina

THAT WHEREAS, the City has enacted a Unified Development Ordinance that controls land development within both the City's incorporated areas; and

WHEREAS, the City recognizes that its natural resources are among its most valuable community assets and contribute to the environment, cultural, educational, and ecological character of the City; and

WHEREAS, the City lies within a landscape that supports populations and habitat of native carnivorous plant species, including the Venus flytrap, pitcher plants, and sundews; and

WHEREAS, these species represent unique ecological resources of regional, national, and international significance and contribute to the biodiversity and natural heritage of the region; and

WHEREAS, the City finds that encouraging the identification and preservation of these native carnivorous plant species during the development review process promotes environmental stewardship while maintaining reasonable opportunities for growth and development; and

WHEREAS, the Planning Board has reviewed and unanimously recommended the proposed amendments; and

NOW, THEREFORE, BE IT ORDAINED by the City Board of Commissioners of the City of Boiling Spring Lakes that Article 7, Part V of the Unified Development Ordinance be amended as follows:

Article 7, Part V. - Venus Flytrap, Pitcher Plant & Sundew Protection & Notification

Sec. 7-40. – Purpose

The purpose of this section is to encourage preservation of native Venus flytrap, pitcher plant, and sundew populations, support the City's role as a bird sanctuary and contributor to regional conservation efforts, promote protection of wetlands and habitat connectivity across both public and private lands, ensure compliance with State regulations, and provide an opportunity for voluntary rescue and relocation prior to land disturbance.

Sec. 7-41. – Plan Submission Requirements

The location and extent of any Venus flytrap, pitcher plant, and/or sundew populations present on property subject to site plan approval, or preliminary plat approval shall be identified and clearly depicted, in accordance with the submission requirements outlined in Appendix B. Depictions shall include, at a minimum, the boundaries of all areas containing these carnivorous plant populations and the approximate size (acreage or square footage) of each area on the subject property and within adjacent rights-of-way.

Sec. 7-42. – Notification

Property owners or authorized agents conducting development activity on property not subject to site plan or preliminary plat approval are strongly encouraged to contact the City upon identification of Venus flytraps, pitcher plants, and sundews on the site prior to any land-disturbing activity. Early notification allows the City to provide guidance regarding applicable State laws, encourage protection of sensitive habitat areas where practicable, and coordinate, with the property owner's consent, with qualified conservation organizations for potential rescue and relocation.

Sec. 7-43. – Voluntary Conservation and Rescue

- (A) Property owners are encouraged, but not required, to allow access for conservation purposes prior to land-disturbing activity.
- (B) Development activities shall comply with all applicable federal, state, and local laws and regulations governing the protection of native carnivorous plants, include Venus flytraps, pitcher plants, and sundews.
- (C) The City may assist in coordinating with conservation organizations, but assumes no cost or liability.

Sec. 7-44. – Compliance with State and Environmental Law

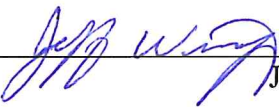
Nothing in this section shall be construed to permit the unlawful removal of Venus flytraps, pitcher plants, or sundews, or to supersede or conflict with any applicable state or federal laws or regulations, including those governing protected plants, wetlands, water quality, or habitat protection.

Appendix A: Definitions

Qualified Conservation Organization – A nonprofit organization or public agency with a demonstrated mission and experience in the conservation, management, or protection of native plants, wildlife, or natural habitats

Appendix B: Submission Requirements

Information Required	Landscape Plan	Minor Site Plan	Major Site Plan	Preliminary Plat
<u>Location & extent of any Venus flytraps, pitcher plants, and sundews.</u>	√	√	√	√
<u>Note on plan stating "Any removal of Venus Flytraps, pitcher plants, and sundews shall comply with NCGS 14-129.3, including landowner permission, as well as all other applicable federal, state, and local laws. Prior to any land disturbing activity a qualified conservation organization will be contacted to coordinate the potential rescue and relocation of Venus flytrap, pitcher plant, and sundew populations identified on the site."</u>	√	√	√	√


 Jeff Winecoff
 Mayor

ATTEST:


 Tanya Shannon
 City Clerk

DATE:

July 7, 2026

