



**City of Boiling Spring Lakes**  
**9 E. Boiling Spring Road**  
**Southport, NC 28461**  
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**Planning Board**  
**December 19 2023**  
**6:30 P.M. ~ City Hall**

➤ **CALL TO ORDER:**

- The Planning Board meeting was held at City Hall on December 19 2023. Chairman, Lucille Lauderville, called the meeting to order at 6:30 p.m.

➤ **PLEDGE OF ALLEGIANCE**

➤ **ATTENDANCE:**

- **Members Present:** Lucille Lauderville, Sharon Zakszeski, Carrie Moffett, Travis Cruse, Stephanie Bodmer and Chip Herring
- **Excused:** David Van der Vossen

**Staff Present:**

- Nicole Morgan, Assistant City Manager
- Anthony Forte, Administrative Assistant

➤ **AGENDA:**

- **A motion was made by Chip Herring, and seconded by Stephanie Bodmer to include the approved meeting schedule. Motion carried 5-0**
- **A motion was made by Chip Herring, and seconded by Sharon Zakszeski, to approve the December 19, 2023 agenda. Motion carried 5-0**

➤ **MINUTES: November 14th, 2023**

- **A motion was made by Stephanie Bodmer and seconded by Carrie Moffett, to approve the minutes of the November 14, 2023 with amendments. Motion carried 5-0**

➤ **PUBLIC COMMENT:** None.

➤ **OLD BUSINESS:**

**1. General U.D.O. Updates**

The Planning Board discussed various amendments to the Unified Development Ordinance (UDO) ((see attached)) particularly with a focus on addressing multifamily considerations. Several changes were identified. Stephanie Bodmer discussed the cost-effectiveness of C1A land compared to C1. She

urged for modifications to the UDO to facilitate development in C1A. The planning board discussed and agreed on the following additional amendments:  
Allow Laundromats in C1A.

➤ **A motion was made by Carrie Moffett and seconded by Chip Herring to recommend approval of the proposed UDO changes as amended and to approve option A of plan consistency.**

➤ **NEW BUSINESS:**

➤ **OTHER BUSINESS:**

Lucille asked about the status of Sun Fun Golf Cart Rental, and Nicole confirmed that it is still in the works and will continue progressing along. Lucille asked about the Dollar Store on Highway 87, with Nicole expressing the need for feedback from NCDOT regarding the location of the driveway. She mentioned that the Department of Transportation prefers adherence to the planned driveway layout. Additionally, Nicole discussed a recent meeting concerning a 50-acre lot on Highway 87, but emphasized that no concrete developments have emerged from that discussion at this time.

➤ **Announcements:**

None

➤ **Adjourn**

**A motion was made by Sharon Zakszeski, and seconded by Carrie Moffett, to adjourn the meeting at 7:59 P.M.**

**Motion carried 5-0**

*Respectfully submitted by,  
Anthony Forte*



# *City of Boiling Spring Lakes*

9 East Boiling Spring Road  
Southport, NC 28461

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## **STAFF REPORT**

### **Agenda Date:**

December 19, 2023

### **Title:**

General UDO Updates – Staff Report & Plan Consistency

### **Department:**

Nicole Morgan, Planning

### **Background Information:**

In accordance with the requirement of NCGS Chapter 160D, Article 7, zoning regulations shall be made in accordance with a comprehensive plan and shall be designed to promote the public health, safety, and general welfare. Regulations shall be made with reasonable consideration, among other things, as to the character of the district and its peculiar suitability for particular uses. The City is divided into fourteen (14) zoning districts which are governed by all of the uniform use and dimensional requirements of the Unified Development Ordinance.

The City has initiated a request to amend specified permitted/special uses in Article 5, Section 5.5, to update/revise supplemental regulations in Article 6, update parking ratios in Article 7, Section 7.13, and to add definitions for indoor and outdoor flea markets in Appendix A.

### **Financial Impact:**

Cost to advertise for required public hearing.

### **Recommendation:**

The proposed amendments are consistent with the goals, policies, and recommendations of the City of Boiling Spring Lakes Comprehensive Land Use Plan (LUP). Therefore, staff recommends approval of the proposed amendments to the Unified Development Ordinance.

### **Attachments:**

Proposed Text Amendments: Article 5, Article 6, Article 7, Appendix A  
Plan Consistency

## **Proposed Text Amendments:**

The following text amendments to the Unified Development Ordinance (UDO) are proposed to Article 5, Section 5.5, Table of Permitted/Conditional Uses, Article 6, Supplemental Regulations, Article 7, Development Standards, and Appendix A, Definitions. Stricken text is to be deleted. Underlined text is to be added.

### **Article 6. Supplemental Regulations**

#### **Section 6.4 Commercial Outdoor Storage (accessory)**

- (C) Outdoor storage materials, including portable storage units, shall not be located forward of the principal structure, or in any required front setback. Outdoor storage materials, including portable storage units, shall not be placed in any required buffer and shall not be placed on the site so as to reduce parking below the minimum requirement.
- (D) A portable storage unit shall not exceed forty (40) feet by eight (8) feet wide by nine (9) feet tall.
  - (1) In the C-C zoning district one (1) portable storage unit may be placed on the site for a maximum of thirty (30) days, or extended for an additional thirty (30) days as permitted by the Code Enforcement Officer.

#### **Section 6.59 Flea Market, Indoor**

Indoor flea markets may be allowed pursuant to the use tables provided in Section 5.5 subject to the following standards:

- (A) All items for sale must be located within an enclosed building.
- (B) Outdoor display or storage of goods, equipment, material, etc. shall be prohibited.

#### **Section 6.60 Flea Market, Outdoor**

Outdoor flea markets may be allowed pursuant to the use tables provided in Section 5.5 subject to the following standards:

- (A) Outdoor flea markets shall be permitted as a temporary use only.
  - (1) A zoning permit is required for each temporary outdoor flea market. Zoning permits shall be valid for a maximum of three (3) days. No more than six (6) zoning permits shall be issued for outdoor flea markets on the same site per calendar year.
- (B) All booths, stalls, tents, exhibits, display areas, etc. shall be located a minimum of one hundred fifty (150) feet from residentially zoned property.
- (C) Outdoor trash facilities shall be provided.

- (D) The sale of alcohol and/or firearms is prohibited.
- (E) Booths, stalls, tents, exhibits, display areas, etc. shall be located a minimum of twenty-five (25) feet from a public right-of-way and in no case shall any activities be located within a public right-of-way.
- (F) Operating hours shall be limited to the hours of 8:00 am to 5:00 pm.
- (G) Sanitary facilities shall be available on site.
- (H) No vehicle shall be parked closer than five (5) feet to any property line.
- (I) The site shall be maintained in a clean and orderly fashion at all times and all items shall be removed upon permit expiration.

### **Section 6.61 Crematory**

Crematoriums may be allowed pursuant to the use tables provided in Section 5.5, subject to the following standards:

- (A) No crematory shall be established except as an accessory use to a North Carolina licensed funeral home in the C-1 zoning district.
- (B) Crematoriums shall not emit any undue smoke, dust, heat or odor.
- (C) Loading and unloading areas shall be screened from adjacent properties and the public right-of-way.

## **Article 7. Development Standards**

### **Section 7.13 Parking Ratios**

Flea Markets

Two spaces per vendor booth, table, tent, exhibit, display area, etc.

### **Appendix A. Definitions**

#### **Flea Market**

An outdoor or indoor market held on pre-established dates where individual sellers offer goods for sale to the public. The sellers may set up temporary stalls or tables for the sale of their products. The sales may involve new and/or used items and may include the sale of fruits, vegetables, and other edible items. The individual sellers need not be the same each time the market is in operation. A flea market differs from a farmers' market in that the majority of goods sold at a flea market are inedible.

**Funeral Home**

A facility used for the preparation of the deceased for burial and the display of the deceased and ceremonies connected therewith before burial or cremation. A funeral home includes crematories as an accessory use.