



**Planning Board Meeting Minutes
August 12, 2025
City Hall – 6:30 PM.**

A. Call to Order

Chair Lucille Launderville called the meeting to order at 6:30 PM.

Ms. Launderville welcomed new member Ms. Chris Sekula.

B. Pledge of Allegiance

The Pledge of Allegiance was recited.

Roll Call

Attendance:

Lucille Launderville

Sharon Zakszeski

Travis Cruse

Stephanie Bodmer

David Van der Vossen

Chris Sekula

Assistant Manager Nicole Morgan

City Clerk Tanya Shannon

Wes MacLeod, Anchorpoint Planning

Absent: Carrie Moffett (excused)

C. Approval of Agenda

A motion was made by Mr. Van der Vossen to approve the agenda, and seconded by Ms. Zakszeski. **Vote 5-0; Motion Carried.**

D. Potential Conflict of Interest/Association Disclosure

No Planning Board member indicated any conflict or association with any item on this evening's agenda.

E. Approval of the Minutes

Ms. Launderville pointed out an error in the vote count recorded in the minutes. She stated that all motions were listed as 6-0 when they should have been 5-0.

Mr. Van der Vossen made a motion to approve the minutes from June 10, 2025, with the amendment to reflect a vote tally of 5-0 for all counts. The motion was seconded by Ms. Zakszeski. **Vote 5-0; Motion Carried.**

F. Public Comment

None

G. Old Business

None

H. New Business

A. UDO Text Amendment – TX-2025-04, Various Amendments Addressing Procedures, Clarifying Dimensional & Design Requirements, and Modifying the PRD District Standards.

Mr. MacLeod announced that the City of Boiling Spring Lakes is requesting changes to the Unified Development Ordinance (UDO) with input from local developers and stakeholders, in response to new legislative activity. These updates aim to simplify the development review process, allow more design flexibility in residential projects, and align with proposed laws.

The amendments focus on fixing procedural issues, clarifying design requirements, and updating the standards for planned residential developments (PRDs) to better accommodate housing needs. Overall, these changes demonstrate the city's commitment to keeping land development regulations responsive and supportive of quality development. After recommendations are made, the proposed amendments will be sent to the Board of Commissioners for final approval.

Mr. MacLeod identified eleven topic areas that are currently under review, and amendments that have been suggested for these topics. He went through each of those proposed amendments.

- 1. *Remove the requirement for a foundation survey due to duplicative efforts. An as-built survey is required following completion of a project. Remove the lake setback and foundation requirement for Patricia Lake. The Army Corps of Engineers is responsible for oversight of the lake setback requirements. (Sec. 9-1. Purpose and applicability.***

Mr. Van der Vossen asked why the city's requirements, related to Patricia Lake Regulations, wouldn't be kept alongside the Army Corps of Engineers' oversight of lake setbacks. Ms. Morgan explained that the Army Corps sets regulations for the lake and determines where bulkheads should be placed based on the high water mark. She mentioned the 31 feet referenced in the UDO, but the Army Corps ultimately decides the elevation for the bulkhead. Mr. Van der Vossen pointed out that the document specifically mentions "bulkhead" instead of "foundation footprint." He wanted to retain the existing language and not remove it. The

Board agreed to maintain the language and not eliminate it. It was also the consensus of the Board to remove the last sentence of Sec. 7-7 (M). ~~The survey for the foundation footprint shall indicate that the minimum setback is based on the dam spillway elevation.~~ An as-built survey is already required, alleviating the need for this provision.

2. ***Planned Residential Zoning District (PRD) modifications. Include flexibility for the location of housing types to be modified within an approved project, so long as there is no increase in density or unit counts. Reduce the minimum lot width to align with housing options more common in today's market. Allow for staff approval of subdivision plats following a duly approved PRD project. PRD projects require initial approval by the Planning Board and Board of Commissioners.***

Mr. MacLeod provided an overview of the proposed amendments. He explained that the amendments would apply only to plots of at least 10 acres for a Planned Residential Development (PRD) and that a state-engineered and approved stormwater management plan would be required. Mr. MacLeod noted that the current environment poses significant challenges, as much of the land has already been developed. Municipalities often lack the authority to prevent further construction. He also mentioned that there has been considerable pressure from the General Assembly, which feels that municipalities are being overly restrictive. Striking a balance in this situation is indeed difficult.

The Board's consensus was to leave the proposed amendment as is.

3. ***Subdivision plat review timeline and approval authority. Reduce plat review timelines to more closely align with proposals by the General Assembly. Require all final subdivision plats to be reviewed and approved by staff. Extend approval timeline from 24 to 36 months to allow for state and federal permits to be received prior to construction.***

Mr. MacLeod reviewed the current approval process for subdivisions and proposed an amendment to extend the timeline. It was noted that obtaining permit approval can sometimes take up to a year before any construction can begin.

In Section 8-3-4 regarding Major Subdivision Plat Review (A) on page 5, there was a discussion about the language stating, "All approvals of improvement guarantees are at ~~the sole discretion of the Board of Commissioners~~ and must be reviewed by the City Engineer and Attorney during the approval process."

The consensus for this section is to modify and clarify that improvement guarantees must be reviewed by the City Engineer and City Attorney "before approval by the UDO Administrator".

4. ***Technical Review Committee (TRC) clarifications. Provide additional information regarding the applicability of the TRC during the development review process.***

Mr. MacLeod stated that the modifications in this section aim to clarify the definition and function of the TRC. Ms. Morgan pointed out that not all agencies need to review plans for every project. For instance, if a property is located in the Woodpecker Zone, Fish and Wildlife would have to be part of the review process. She emphasized that it is up to the discretion of the UDO Administrator to determine which agencies are required to review those plans.

However, some agencies, such as stormwater management, utilities, and Brunswick County engineering, will always be included in the review.

The Board was in consensus in approving these amendments.

5. ***Clarification for the definition of multi-family to include townhomes, condos, and apartments. In addition, clarify that the minimum acreage size is not applicable to multi-family projects that have been approved as part of a Master Development Plan.***

Mr. MacLeod explained that this is a formality. It clarifies that a Planned Residential Development (PRD) would be a larger project, and within that framework, it is specified that there is no requirement to allocate a total of 5 acres for multi-family housing. He also mentioned that there is a separation requirement in place, ensuring that townhomes with zero lot lines or attached units are not subject to this separation requirement since they are attached. However, these townhomes will still need to comply with the North Carolina Building Codes.

There were no questions or concerns regarding this item.

6. ***Update language pertaining to dimensional requirements for easements. The specific requirements for utility easements are determined at the discretion of the provider, rather than the City.***

Mr. Macleod stated that the dimensional requirements for easements depend on the utility provider, as they have their own specific requirements rather than those set by the city.

There were no concerns from the Board with this item.

7. ***Revise sidewalk requirements for subdivisions of 25 or more lots to only require installation on one side of the road. This will help reduce overall impervious surface coverage, while still allowing developers to construct sidewalks along both sides of the road at their discretion. In addition, it will reduce potential encroachment of vehicles parked in driveways that may extend into the sidewalk area.***

Mr. MacLeod provided a brief overview. Ms. Morgan explained that the current Unified Development Ordinance (UDO) requires subdivisions with 10 or more lots to include sidewalks on at least one side, while those with 50 or more lots must include sidewalks on both sides. She noted that their proposed revision would not prevent a developer from installing sidewalks on both sides if they choose to do so. However, she pointed out that increasing the number of required sidewalks would also increase the amount of impervious surface coverage. Additionally, sidewalks can be placed in the right-of-way (ROW), which means that the City would then take responsibility for maintaining those sidewalks.

There was a discussion about the minimum width of sidewalks, which currently stands at five feet. Mr. Vander der Vossen expressed a preference for a three-foot width on both sides of the road. Ms. Bodmer pointed out that previous discussions had emphasized encouraging the use of sidewalks to enhance health and safety. She mentioned ongoing efforts to advocate

for sidewalks on Fifty Lakes Drive and East Boiling Spring Road, emphasizing her commitment to protecting the safety of citizens. Ms. Morgan clarified that the proposed changes would not eliminate the requirements for sidewalks in commercial zoning districts; rather, they would only apply to subdivisions. However, she raised concerns about whether a three-foot width would comply with ADA requirements. Ms. Lauderville expressed her preference for maintaining the minimum sidewalk width at five feet.

The majority of the board was to remove 8.19 (B) and (C) and change (D) to read 8.19 (B) Sidewalks required shall consist of a minimum thickness to five (5) inches of concrete reinforced with steel concrete reinforcing wire. All sidewalks shall be placed in the right-of-way and shall meet ADA standards. All proposed standards are subject to review and recommendation by the TRC:

8. ***Remove the school site reservation provision as the City does not currently have school sites identified in the Comprehensive Plan. In addition, as part of the TRC process, the school district is notified of any large residential housing projects.***

Mr. MacLeod explained that since this is not included in the City's Comprehensive Plan, and the Board of Commissioners for Brunswick County is responsible, this provision does not need to be included and is recommended for removal. The board agreed.

9. ***Update requirements for public and private streets. Allow private streets to be installed at the discretion of the developer. Allowance for private streets within subdivisions aligns with the requirements of similar jurisdictions in the area. There is potential for reduced maintenance expenses on behalf of the City due to privately maintained streets.***

Mr. MacLeod stated that there is currently a limitation on the number of lots that can be served by a private street. However, if the streets are constructed to Department of Transportation (DOT) standards, they can be maintained privately by the homeowners' association (HOA) instead of being handed over to the city for maintenance. Mr. MacLeod mentioned that some developers prefer to have the streets managed by the HOA rather than being officially adopted by the government. Mr. MacLeod will add a clause under Section 8-17, Street, that will clarify the most recent standards.

10. ***Revisions to the Submission Requirements of Appendix B. Clarify wetlands may be delineated by an appropriate professional, rather than strictly the Army Corps of Engineers. Revise additional submittal standards to align with other local jurisdictions in the region.***

Mr. MacLeod stated that there are just a couple of modifications to the submission requirements on this item. This includes eliminating duplicate engineering requirements and clarifying that the wetlands may be delineated by an appropriately qualified professional rather than strictly by the U.S. Army Corps of Engineers.

There were no concerns from the board on these proposed amendments.

11. *Revise plat certificates to align with proposed procedural amendments for subdivisions.*

This provision will simplify the Certification of Approval for the Preliminary Plat and the Certificate of Performance Guarantee for Required Improvements.

The board was in agreement with this modification.

Mr. MacLeod expressed his gratitude to the Board for the opportunity to review the proposed amendments. He asked how they would like to move forward. The Board reached a consensus to bring the final draft of the proposed amendments back for review once all the recommendations and changes have been made.

B. UDO Text Amendment – TX-2025-05, Amendment for the Inclusion of Conditional Zoning.

Mr. MacLeod provided a brief overview highlighting the Board's interest in allowing more flexible proposals for combining commercial and residential uses in the City's development regulations. To broaden the types of proposals while balancing flexibility with the preservation of commercial areas for community needs, staff recommend adopting Conditional Zoning as a development tool. This approach uses site-specific standards and conditions guided by a legislative approval process, unlike the traditional special use approval process, which can be burdensome and confusing for both applicants and the public. The conditional zoning process allows all attendees to participate and provide feedback during public hearings, ensuring that community comments are considered by decision-makers. This contrasts with the quasi-judicial process, where only individuals with special legal standing can participate, often leaving the public feeling alienated and confused.

The board agreed to table the proposed text amendment until the next meeting for further review.

I. Other Business: None

J. Announcements:

Ms. Bodmer announced that on August 16th, a nature talk will be held at the Community Center, led by various conservationists and Venus Flytrap champions. She encouraged everyone to attend.

Ms. Bodmer made a motion to adjourn, and Mr. Van der Vossen seconded it. **Vote 5-0; Motion Carried.**

K. Adjourn – 8:10 p.m.

Respectfully Submitted by Tanya Shannon, City Clerk