



Planning Board Meeting Minutes
August 11, 2026
City Hall – 6:30 PM.

1. Call to Order

The meeting was called to order by Chair Launderville at 6:30 PM.

2. Pledge of Allegiance

The Pledge of Allegiance was recited.

Attendance

Lucille Launderville
Stephanie Hanson
Sharon Zakszeski
Chris Sekula
Carrie Moffett
David Van der Vossen

Nicole Morgan, Development Services Director
Suzanne Price, Zoning Technician
Tanya Shannon, City Clerk
Commissioner Sherwood, Board Liaison
Commissioner Ausborn

3. Approval of Agenda

Ms. Moffett moved to approve the agenda, and Mr. Van der Vossen seconded. **Vote 5-0; Motion carried.**

4. Potential Conflict of Interest/Association Disclosure

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

5. Approval of the Minutes

Ms. Hanson moved to approve the July 14, 2026, minutes, and Ms. Zakszeski seconded. **Vote 4-0; motion carried.** (Mr. Van der Vossen abstained since he was absent from the last meeting)

6. Public Comment

1. Kathy Curtis, Colonial Rd. spoke about the proposed amendment to UDO Article IV. She explained that the amendment was suggested because of delays caused by USFW staff reductions and issues with the IPAC system. However, she believes these delays have now been resolved. According to her, the IPAC system now takes about an hour for new users and about 20 minutes for those with experience. She also mentioned that there are training videos, guidelines, and a dedicated website for BSL to use the IPAC system. Since the delays are no longer an issue, she feels the amendment is unnecessary. Ms. Curtis warned that if the amendment moves forward, the City could face claims of partial responsibility for non-compliance if applications are processed before confirming environmental compliance. She said this is a liability the City should avoid. She also suggested that if any changes are made, they should focus on preserving pine trees with a diameter of eight inches or more, since these trees are important to BSL and the local ecosystem that the RCW depends on. Ms. Curtis recommended forming a committee to work with USFW to create a habitat conservation plan. She stressed the importance of protecting this environment, starting with a solid plan.
2. Hank Trascianiec, N. Shore, commended the Board's work but questioned whether they had been given an especially challenging responsibility with the tree ordinance. Drawing on his own research, he noted that while many cities have tree ordinances, poorly designed restrictions could backfire—developers might simply pay fees and clear trees, defeating the goal of canopy preservation. He recommended consulting landscape architects or arborists for expert guidance, citing a case where expert input prevented the planting of an invasive species. Mr. Trascianiec also highlighted the omission of longleaf pine in the discussion and urged collaboration with agencies like Fish and Wildlife to create a solution that benefits all stakeholders, especially citizens.

7. Old Business

A. Text Amendment (TX-2026-01) – UDO Article 7, Part IV – Landscaping, Buffers and Tree Protection.

The Board discussed changes to the City's tree removal and permitting process, particularly the balance between federal and local oversight. The City has explored programs to certify staff as arborists and remains in communication with the Forestry Service and Fish and Wildlife, especially regarding protected species. A major topic is the introduction of the IPaC system, which now sometimes requires residents to hire environmental consultants for permits if tree removal may affect protected species. This new process can be costly and time-consuming. Although some technical issues with the system have been resolved, concerns remain about permit approval times and the increased burden on residents. There is also discussion about the Habitat Conservation Program (HCP). If the City were to adopt an HCP, it could streamline the permitting process for residents. Otherwise, each individual remains responsible for their own compliance if protected species are involved. The proposed Ordinance would remove the City's role as an intermediary between residents and Fish and Wildlife, limiting City review to trees deemed "significant" under the Ordinance (rather than all trees over 8 inches in diameter). This would reduce city oversight, particularly for pine trees (except for very large specimens), and allow more removals without city review. There is debate over which species and sizes should be classified as significant, and whether criteria such as longleaf and loblolly pines should be added.

The Board discussed concerns about relying on a single staff member for tree certification tasks, as that individual may not be available in the future. There is a consensus that staff with primary responsibilities in this area would have more expertise than someone whose role includes it as a side task. They also addressed regulations for tree removal, focusing on pines and on significant trees defined by diameter. Homeowners who wish to remove a live oak or significant tree must use the IPaC system. Currently, any tree over 7.9 inches in diameter is subject to review. The Board is considering revising the definition of significant trees and potentially modifying mitigation requirements for tree removals.

As it stands, the review process will now require homeowners to submit a plot plan showing the locations of significant trees, which must be preserved or mitigated if removed. The City will manage any necessary replanting or contributions to a tree management fund if on-site replanting isn't possible.

The Board talked about revisions to the zoning regulations, particularly the treatment of single-family lots and accessory buildings. Concerns were raised about removing language related to minor and major site plans, leading to the perception that residential lots are excluded from review. A significant point of contention is how trees are classified for review. The current regulations specify that only significant trees—those over 24 inches in diameter—require a permit for removal, while other trees can be removed without oversight. There was discussion about whether to include all trees over eight inches in diameter or just the significant trees.

Because new single-family residential construction, two-family residential construction, and accessory structures are reviewed through the City's plot plan process rather than through development plan approval, these activities are exempt from the requirement that land clearing occur in conjunction with an approved development plan. This exemption is limited to that procedural requirement and does not exempt such projects from the City's significant tree protection standards. Any removal of significant trees associated with these projects must still receive the required authorization and comply with all applicable mitigation requirements. Additionally, the Ordinance clarifies that nothing in its provisions shall be construed to authorize any activity prohibited by federal, state, or local law, including the requirements of the Endangered Species Act and other laws protecting threatened or endangered species and their habitats.

The Board discussed the need to finalize recommendations on significant trees and mitigation issues. They acknowledged they were unable to reach a clear decision on mitigation due to a lack of expertise. It was suggested that either experts be brought in for guidance or that the responsibility be passed to the appropriate authorities to determine mitigation percentages.

There was agreement on the need to include longleaf and loblolly pines under a size-reduction criteria. They also noted that any recommendations should specify native species. Additionally, it was proposed that permit applicants provide documentation from the U.S. Fish and Wildlife Service before receiving zoning approval and seek the necessary expertise to address the unresolved mitigation issue.

The discussion continued to focus on the City's land-clearing and building-permit process, particularly regarding Fish and Wildlife requirements. There was debate over whether Fish and Wildlife approval should be required before issuing clearing and zoning permits. Some advocated waiting to see whether process improvements occur, while others argued that this requirement

causes unnecessary delays for builders. Previously, staff and property owners needed Fish and Wildlife approval before clearing trees above a certain size, but changes to their process have created confusion and delays. The current process requires submitting plot plans that show all trees above a certain diameter. The City previously assisted with Fish and Wildlife inspections and calculations, but now property owners must use the IPAC online system and wait for a response. Some suggested a 60-day period to evaluate improvements in the Fish and Wildlife system before changing city requirements, but others wanted immediate changes to avoid harming builders. Concerns were raised about the City's legal liability if permits are issued without ensuring environmental compliance, prompting a consultation with the city attorney. It was noted that no neighboring towns require a Fish and Wildlife letter, making our City's policy unique.

The Board discussed the proposed amendments to Section 7-29-1, Significant Trees. The consensus was to add longleaf pines and loblolly pines with a diameter of 7.9 inches or greater as significant trees under number 4, and to include, under number 5, any tree of native species with a diameter at breast height (DBH) of 12 inches or greater. The Board also addressed Section 7-29-2, Mitigation. There was discussion about lowering the size threshold for significant trees, which would increase mitigation requirements. With the inclusion of Longleaf and Loblolly Pines as significant trees, additional mitigation would be necessary. The suggestion was made to create a chart detailing mitigation requirements based on the species of tree removed, as some species grow more quickly than others. It was recommended to consult an expert, such as an arborist or someone from the Forestry Service or the Cape Fear Tree Alliance, to better understand best practices for mitigation in the local environment.

Chair Launderville moved to amend proposed Section 7-29-1(B) to also include all longleaf pines and loblolly pines with a DBH of eight (8) inches or greater to the list of Significant Trees, to replace #4 on the list of Significant Trees with "All native species with a DBH of twelve (12) inches or greater," and to recommend that the Board of Commissioners determine mitigation requirements, or consult a professional to assist with determining proper mitigation. The motion was seconded by Mr. Van der Vossen. Aye: Chair Launderville, David Van der Vossen, and Sharon Zakszeski. Nay: Carrie Moffett and Stephanie Hanson. ***Vote 3-2; motion carried.***

B. Text Amendment (TX-2026-02) – UDO Article 9, Section 9-2-1 – Plot Plan Requirements

The Board discussed proposed amendments to plot plan requirements, specifically regarding which trees must be shown on plot plans. The main issue was whether to list tree size and species requirements directly in multiple sections or to reference a single section (UDO 7.29) to avoid inconsistencies. Several participants favored referencing the definition of significant trees in one place to prevent errors from duplicated information. Ultimately, the Board agreed to amend the language to require the location, size, and species of all significant trees as defined in Section 7.29, rather than listing specific requirements in multiple locations.

Mr. Van der Vossen moved to approve the proposed amendment and recommend it to the Board of Commissioners, contingent on revising Sec 9-2-1 (I) to require the location, size, and species of all significant trees and to reference the table in Section 7-29. Ms. Hanson seconded. ***Vote 5-0; motion carried.***

8. New Business

Text Amendment (TX-2026-03) – UDO Article 11 – Flood Damage Prevention Ordinance

Ms. Morgan explained the background and current status of a proposed ordinance amendment regarding new home construction elevation. Initially, the amendment required all new homes to be built two feet above the highest adjacent grade, based on recommendations from Sun Gate studies about lot drainage. However, after a public hearing, the Board requested a more targeted approach rather than a blanket rule. As staff researched alternatives, the state released the 2026 State Model Ordinance, which the City must adopt as part of its flood prevention responsibilities. The new model ordinance mainly updates definitions and allows the use of additional data for regulation. Ms. Morgan noted that required amendments will be highlighted in green, while staff-proposed higher standards for flood-prone areas will be in blue.

Flood-prone areas identified on the advisory map, even if not currently regulated, may soon be subject to the same rules as officially mapped flood zones. This would require finished floors to be at least two feet above the base flood elevation, based on the 1% annual chance flood event. If a VAP (Vertical Advisory Point) isn't shown, the elevation requirement would be two feet above the highest adjacent grade.

The ordinance changes include updated authority to regulate the areas shown in the advisory study, clarification of penalties for violations, and references to state statutes. Some changes are required by the state or FEMA, while others—such as lowering the substantial damage threshold from 50% to 40% or stricter rules for RVs in flood areas—are optional but recommended, especially for communities seeking higher flood insurance ratings (CRS status). Minimum requirements in green are necessary for participation in the National Flood Insurance Program.

The proposed amendment introduces several changes and clarifications to floodplain management regulations. Key points include:

- Non-encroachment areas, though not officially mapped as floodways, are regulated in the same way as floodways. Optional provisions suggest prohibiting recreational vehicles (RVs) in these areas, similar to floodways.
- New required and optional changes are outlined for various sections, such as updated square footage requirements, definitions for storage facilities, and specific rules for RVs and tiny homes. For example, tiny homes and park models are only considered RVs if they meet certain criteria; otherwise, they are treated as residential structures.
- There is discussion about expanding regulation to include shaded X zones (areas of 500-year flood risk), which are usually not regulated. The proposal is to treat these zones like A zones, requiring finished floors and utilities to be two feet above the base flood elevation, though this is an optional higher standard.
- Adopting higher standards can improve the community's standing in the Community Rating System (CRS), potentially lowering flood insurance premiums for residents.
- Many changes are required by the state, and their specific verbiage is used. Optional provisions included by staff mostly aim to address flooding in historically affected but currently unregulated areas.

- Advisory flood studies and how to access them are explained, emphasizing that higher local regulations take precedence over state or federal minimums.
- The proposed Ordinance also clarifies the use of technical bulletins and fact sheets and the inclusion of website links to map databases.
- Some optional changes, like reducing a threshold from 50% to 40%, are presented as higher standards to further improve flood management.

The Board discussed building elevation requirements across flood zones, particularly X and shaded X zones. There is debate over whether to require an additional two feet of elevation in X zones, which are considered unlikely to flood, because it adds significant construction costs—estimated at \$20,000 or more. The distinction between X and shaded X zones is emphasized, with regulations written to apply only to shaded X zones, which are seen as more at risk. The group cites advisory maps and local flood history to support their arguments, noting that not all flood-prone areas are well documented. Some are skeptical of the need for the extra elevation in shaded X zones, while others argue it is a small price to pay compared to the potential cost of flood damage. The conversation concludes by suggesting that adopting stricter building requirements for both blue (regulated) and green (advisory or shaded) areas is practical given the risks, especially in light of changing weather patterns and increasing flood events.

Chair Launderville made a motion to approve the proposed text amendment for UDO Article 11 Flood Damage Prevention Ordinance and to recommend approval to the Board of Commissioners, and seconded by Ms. Hanson. ***Vote 5-0; Motion carried.***

With no further business, discussion, or announcements, Chair Launderville requested a motion to adjourn. The motion was made by Ms. Moffett and seconded by Ms. Hanson. ***Vote 5-0; Motion carried.***

Adjourned –9:30 pm

Respectfully submitted by Tanya Shannon, City Clerk.