

This outline is not an exhaustive list of every comment made, but overall themes heard during the public hearing held at the July 10, 2025, Board of Aldermen meeting and public comment periods at the Historic Preservation Commission Special Meeting held on July 28, 2025, and the regular meeting held on August 6, 2025. The Historic Preservation Commission (HPC) received and discussed all comments, addressing some with proposed changes to the local historic district design standards, by discussing how topics are already in the local historic district design standards or explaining why or why not an item was not considered for changes.

The Historic Preservation Commission makes the following recommended changes to the Local Historic District Design Standards. Page numbers and sections are referenced for ease of use. The language in the document has been underlined where new language is added and ~~crossed out~~ where language is removed. All changes have been highlighted **yellow**.

1. **Grandfathering:** Current structures will be required to come into conformity with the new standards. These situations do not create nonconforming uses or nonconforming structures and will not be required to change any existing materials or features.

Current Property owners should be exempt, including all heirs until property changes hand then the guidelines be followed.

Further, there are other grandfathering concepts that have been voiced that include triggering the historic design standards only when 50% or more of the structure is changed. This is in the same thought that structures are nonconforming and will only have to come into conformity when 50% of the value of the structure is changed.

Statutes (NCGS 160D- 703(c)) require zoning to be uniformly applied throughout the district. Therefore, when a new zoning overlay is adopted, the regulations apply to all properties in the district.

The HPC recommends adding a clause to confirm that existing structures will not be required to retroactively come into compliance with the local historic district standards.

Pg. 7 – Structures existing at the time of the adoption of the local historic district overlay are not required to retroactively come into compliance with the Southport Local Historic District Design Standards. Additionally, exterior elements, materials, and mechanical features existing prior to the adoption of these standards may be repaired or replaced with like kind materials. Compliance with the Southport Local Historic Design Standards begins on the date of the adoption of these standards and the local historic district overlay zone.

2. Per NCGS 160D-947(d) Applications must be reviewed and acted upon within a reasonable time, not to exceed 180 days from the date the application for a certificate of appropriateness (COA) is filed. Citizens are concerned over the ability to receive approval to get minor works or small projects completed in less than 6 months – that the 180 days will become the norm not an exception for unforeseen circumstances.

The Commission requested staff discuss the ability to shorten the timing of review of COA's with the City Attorney. Per discussions with the attorney, the timing can be shortened since by statute review must be made within 180 days.

The timing of review and issuance of a COA starts at the date the application for a COA is filed.

The HPC recommends amending the time frame for review of COA's from 180 days to 90 days.

Changes from 180 to 90 days:

Pg. 13 – Letter d. under preservation commission procedures
Pg. 20 – Number 9. Under COA Application Process

3. Concerns of requiring a Minor Certificate of Appropriateness (COA) for changes to landscaping and fencing or other types of development located in rear yards and/or are non – visible.

The Commission recommends removing all Minor COAs for landscaping and alterations of structures taking place in the rear or side yard not in public view on pages 15 – 18 of the local design standards.

Changes to Minor COAs:

Pg. 13-14 – Routine Maintenance Actions (COA Not Required) updated to include all works no longer requiring a minor COA including 1) landscaping anywhere on the property 2) any alterations or additions to structures or equipment in non-visible rear or side yards 3) tree removal for diseased and removal or planting in rear or non-visible side yards.

Pg. 15-18 – Removed minor COA requirements for 1) landscaping anywhere on the property 2) any alterations or additions to structures or equipment in non-visible rear or side yards 3) tree removal for diseased or dead trees anywhere and removal or planting of trees in rear or non-visible side yards.

4. There are concerns that in a state of emergency, the ability to shore up a structure or use temporary air conditioning will be prohibited until a COA can be obtained.

Pg. 14 – Added installation of temporary emergency equipment as routine maintenance. Protection of people, homes and businesses is a priority after a natural or manmade disaster.

5. The Local Historic District Overlay Boundary is different than the National Register Historic District Boundary and does not include the Yacht Basin or homes in the Kingsley Drive area. The consultant removed these areas based on the findings from their research concluding that a large portion of the western edge along Yacht Basin Drive and the area along Kingsley Drive has lost its integrity due to the demolition and/or unsympathetic alterations of historic resources. The removal of these areas from the local historic district does not remove these areas from the National Register District.

The Commission requested that staff confirm with the attorney the process of making changes to the proposed district boundary. Per discussions with the Attorney, any changes recommended otherwise to the proposed local historic district boundary will require the approval process to start over with a district survey, recommendation from the Planning Board and public hearing so that all owners are properly noticed.

The Commission recommends the study area boundary line be removed from the Historic Districts Map.

Pg. 36 – new map added without the 2010 Study Area.

Pg. 37 - A separate map of the local historic district is added

6. Concern that members of the HPC reside outside of the local historic district.

The Commission explained that membership requirements are outlined in the City Code of Ordinances, and the Board of Aldermen will need to amend the Ordinance should they wish to change this requirement.

7. Concern of additional costs associated with being in a historic district and the application cost for COA's – will the cost be the same as a variance or other quasi-judicial applications?

The Commission recommends that all applications for both minor and major COAs are at no cost. The fee schedule will be reevaluated during future budget sessions.

8. Other updates to be consistent with the changes made to minor COA approvals or updates to the Unified Development Ordinance since the draft document was completed.

Pg. 46 – Remove fencing allowance to step down to the correct height within the front yard. Fencing must be 4' from the corner of the primary structure.

Pg. 49 – Added wood as an appropriate edging material for parking spaces.

Pg. 50 – Clarify that freestanding signs are not permitted in the CBD.

Pg. 60 – Added updates to substitute material standards 2.2.10 and 2.2.11 for clarity on guidance for the appropriate use of substitute materials.

Issues that were voiced in public comment and not included in the recommended changes to the local historic district design standards from the HPC:

- Trust of future Boards: The HPC process is a quasi-judicial in nature. Citizens should find comfort that no matter who serves on the Commission in the future, they will receive a fair and impartial hearing on their application. Decisions will be based on evidence and testimony at the hearing. Guidance will be given by upholding the design standards.
- Vote by the Owners residing within the district and it has also been suggested that it be put to a vote by all City residents.
- Utility items should be held to a standard: The design guidelines do address future utility installation for private residential and commercial properties. The creation of a local historic district will afford staff the ability to work with utility companies to ensure more compatible installations of public infrastructure.
- This feels like an “HOA”: it is true, the design standards are not ordinances. They are meant to guide the Commission in making its findings during the hearing. The goals of the HPC are to preserve the heritage of Southport, to protect the existing significant structures and to prevent the loss of structures. The local historic district design standards and COA process will ensure that projects within the district are consistent with the historic character of the city.
- The guidelines are too specific – we want/need protection without burden.
- Everyone who has spoken during the meetings except one person has expressed that they are in favor of a historic district; however, they feel it is far too restrictive. Property rights infringements when told what to do.
- There shouldn't be rules for what color to paint my house or what to do with the rooms in my house. There are no requirements for paint colors or any interior work.
- Should not focus on the materials but the character of the district.