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**City of Boiling Spring Lakes**

**Planning Board Meeting Minutes**

**January 14, 2025**

**City Hall – 6:30 P.M.**

1. **Call to Order**

Chair Lucille Lauderville called the meeting to order at 6:34 P.M.

1. **Pledge of Allegiance**

The Pledge of Allegiance was recited.

Roll Call

**Attendance:**

Lucille Launderville

Stephanie Bodmer

Travis Cruse

Carrie Moffett

~~David Van der Vossen – 1~~~~st~~ ~~Alternate~~

Shellie Teubner – 2nd Alternate

Assistant Manager Nicole Morgan

City Clerk Tanya Shannon

**Excused**: Sharon Zakszeski

1. **Approval of Agenda**

A motion was made by Ms. Moffett to approve the agenda and seconded by Mr. Cruse. ***Unanimous Vote; Motion Carried.***

1. **Potential Conflict of Interest/Association Disclosure**

If any Board member knows of any conflict of interest or association with any item on this agenda, please so state at this time. None stated.

1. **Approval of the Minutes**

Ms. Moffett abstained from voting on the minutes because she was absent at the November meeting.

Ms. Bodmer made a motion to approve the November 12, 2024 Minutes and seconded by Mr. Cruse***. Unanimous Vote; Motion Carried.***

1. **Public Comment**

None

1. **Old Business**

None

1. **New Business**
2. **Election of Chair and Vice-Chair**

Ms. Bodmer motioned to appoint Ms. Lauderville as Chair, seconded by Ms. Moffett. ***Unanimous Vote; Motion Carried.***

Ms. Bodmer motioned to appoint Ms. Moffett as Vice-Chair, seconded by Mr. Cruse. ***Unanimous Vote; Motion Carried.***

1. **Approval of the 2025 Planning Board Meeting Schedule**

Ms. Bodmer made a motion to approve the regular meeting schedule for the Planning Board for 2025. The meetings will be held on the second Tuesday of each month at 6:30 P.M. at City Hall. Additionally, the meeting originally scheduled for November 11, 2025, will be moved to November 10, 2025, in observance of Veterans Day. Ms. Teubner seconded the motion. ***Unanimous Vote; Motion Carried.***

1. **Presentation – Senate Bill 382**

Ms. Nicole Morgan presented information regarding Senate Bill 382, which includes new limits on down-zoning. Ms. Morgan explained that Senate Bill 382 was originally a bill that made changes to the laws of dentistry, but that the Bill sat in conference until it was picked up in November 2024 for a Hurricane Helene relief bill and retitled as Disaster Relief-3/Budget/Various Law Changes. Ms. Morgan went on to state that the governor vetoed Senate Bill 382 on November 26, 2024, but the veto was overridden and Senate Bill 382 became Session Law 2024-57 on December 11, 2024.

Ms. Morgan stated the new legislation revises 160D-601 and now prohibits local government initiated down-zoning without the consent of all property owners whose property is the subject of the down-zoning. In addition, the new legislation amends the definition of down-zoning. Now, per Ms. Morgan, decreasing development density, reducing permitted uses of land, and creating any type of non-conformity will be considered a down-zoning. The exact implications of this new legislation are still unclear, per Ms. Morgan, but actions addressing new uses and adding development standards may now be down-zoning, and some of the new legislation may conflict with State requirements, such as floodplain regulations. The new legislation, per Ms. Morgan, is now in effect and is retroactive to June 14, 2024. Ms. Morgan stated this new legislation affects the text amendment to remove mini-storage from the C-1 zoning district that the Planning Board recommended approval of. The public hearing for that amendment was scheduled on December 3, 2024.

Mr. Van der Vossen confirmed with Ms. Morgan that this would have no effect on building codes. Ms. Morgan stated that this provision of the Bill only affects zoning. Ms. Bodmer inquired whether the rebuilding of docks in the floodplain would be impacted, and Ms. Morgan said no. She did state, that the new legislation may have an impact on the City's flood damage prevention ordinance and reiterated that everything will need to be evaluated to determine if it qualifies as a down-zoning. If it does, it will be prohibited, void, and unenforceable.

Ms. Morgan explained that the text amendment to remove mini-storage from C-1 is now void and unenforceable if passed. She reminded the Board that, due to a typographical error, the text amendment to remove mini-storage from C-1, which was approved by the BOC previously, needed to be reintroduced, per the attorney's recommendation. Ms. Moffett inquired as to why the typographical error in that ordinance wasn't considered a simple scrivener's error. Ms. Morgan stated, as per the attorney, since the minutes from the meeting at which the BOC approved the text amendment did not specify that any discussion was held specifically regarding mini-storage, it was his recommendation we reintroduce the amendment through both the Planning Board and the BOC for approval, with another public hearing being held. Ms. Moffett asked Ms. Morgan to reach back out to the attorney to discuss again. Ms. Morgan agreed she would reach out.

Chair Launderville questioned whether the Board was aware of the situation regarding this new legislation. Ms. Morgan confirmed she has been in communication with the Board regarding this legislation.

In conclusion, Ms. Morgan expressed that there is significant frustration among many municipalities regarding aspects of this new legislation.

1. **Other Business**

Ms. Moffett inquired whether a request has been made for the installation of a traffic light at Fifty Lakes Drive. Ms. Morgan explained that the City requested NCDOT to consider the installation of a traffic light at this location. Based upon the results of their study, that intersection did not qualify for a light, but did qualify for turn lanes. Ms. Morgan stated she met with the Department of Transportation (DOT) at the Stakeholder Meeting that was held prior to the start of the NC 133 bridge project that is currently underway. She said that she expressed concerns about the increased traffic this project would have on BSL and specifically about the impacts it would have on the NC 87 and Fifty Lakes Dr. intersection. Ms. Morgan stated that NCDOT was very responsive to those concerns, which led to the installation of the turn lane on Fifty Lakes Dr. NCDOT completed that turn lane at no cost to the City.

1. **Announcements**

None

1. **Adjourn**

Ms. Moffett made a motion to adjourn, which Mr. Cruse seconded. ***Unanimous Vote; Motion Carried.***

* 7:51 P.M.

Respectfully submitted by Tanya Shannon, City Clerk