

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, August 12, 2025 — 6:00 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



AGENDA

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

ADOPT THE AGENDA

CONSENT AGENDA

- [1.](#) Year End Budget Transfers Wages & Benefits
- [2.](#) Year End Budget Transfers FY25
- [3.](#) Budget Amendments/Transfers FY26
- [4.](#) Budget Amendments for Carryovers
- [5.](#) Approval of Council Meeting Minutes

SPECIAL PRESENTATIONS

- [6.](#) Events Update by Tim Murphy
- [7.](#) Manager's Update

PUBLIC COMMENT

Public Comment allows the public the opportunity to address Town Council. Please direct your comments to Council only. Speakers should restrict comments to no more than three minutes. Items or questions presented during this time will not be discussed by Council. However, the topic may be deferred to Town staff or a Town committee for follow-up. Please be sure to state your name and address, and speak directly into the microphone for those watching online.

PUBLIC HEARINGS

- [8.](#) Text Amendment to amend Article 3, Sec. 3.6 Accessory Use Standards for Structure Size, Number, and Height. Applicant: Ashley Hunter

- [9.](#) Text Amendment to amend Article 3: Zoning and Article 7: Definitions of the UDO to address water-oriented businesses and personal watercraft sales and rental. Applicant: Town of Carolina Beach
- [10.](#) Zoning Map Amendment to consider a request to rezone 301 Canal Dr from Marina Business (MB-1) to Central Business District (CBD). Applicant: Town of Carolina Beach

ITEMS OF BUSINESS

- [11.](#) Text Amendment to Chapter 28 – Watercraft, Beaches and Coastal Parks, Article I to allow for power assisted beach carts for beach vending. Applicant: Uncle Vinny’s
- [12.](#) Update Rates and Fees for Harbor Activities Applicant: Town of Carolina Beach

COUNCIL COMMENTS

CLOSED SESSION

- [13.](#) Closed Session – Personnel

ADJOURNMENT



AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 08/12/25

SUBJECT: Year End Budget Transfers Wages & Benefits

BACKGROUND:

Notification of Year-End Transfers:

With the closing of budget year 2024/2025, it is necessary to process year-end budget transfers. Monies are transferred from one account and placed into another. There is no effect on the budget totals. This serves as your notification of these transactions. I've attached a listing of all accounts affected.

BUDGET IMPACT:

Transfers will not affect the budget.

ACTION REQUESTED:

Approve budget transfers as presented by the Finance Director.

BUDGET AMENDMENTS/TRANSFERS				
Date	DESCRIPTION	GL #	DEBIT	CREDIT
6/30/2025	Year End Budget Transfers to clean up wage			
	and benefit line items for FY24-25.			
	Legislative Wages	10-410-002	50.00	
	Legislative FICA	10-410-005		50.00
	Clerk Wages	10-430-002	1,013.00	
	Clerk Retirement	10-430-007	61.00	
	Clerk FICA	10-430-005		1,074.00
	Finance Wages	10-440-002	1,468.00	
	Finance Medical Insurance	10-440-006	230.00	
	Finance FICA	10-440-005		1,698.00
	HR Wages	10-450-002	2,920.00	
	HR Overtime	10-450-003	250.00	
	HR Retirement	10-450-007	213.00	
	HR Medical Insurance	10-450-006		3,383.00
	Police Separation Allowance	10-510-000	1.00	
	Police Wages	10-510-002	73,351.00	
	Police OT Wages	10-510-003	10,920.00	
	Police Retirement	10-510-007	170.00	
	Police Holiday Pay	10-510-001		80,018.00
	Police FICA	10-510-005		4,424.00
	Fire OT Wages	10-530-003	6,845.00	
	Fire Retirement	10-530-007	7,662.00	
	Fire Holiday	10-530-001		14,507.00
	Marina Wages	10-550-002	362.00	
	Marina Medical Insurance	10-550-006	976.00	
	Marina OT Wages	10-550-003		1,338.00
	Environmental OT Wages	10-580-003	12,658.00	
	Environmental Wages	10-580-002		12,658.00
	Parks & Rec Overtime Pay	10-620-003	4,904.00	
	Parks & Rec Retirement	10-620-007	847.00	
	Parks & Rec Wages	10-620-002		5,751.00
	Total General Fund		124,901.00	124,901.00

BUDGET AMENDMENTS/TRANSFERS				
Date	DESCRIPTION	GL #	DEBIT	CREDIT
6/30/2025	Year End Budget Transfers to clean up wage and benefit line items for FY24-25.			
	WWTP Wages	30-810-002	8,192.00	
	WWTP Overtime Pay	30-810-003	7,711.00	
	WWTP Retirement	30-810-007	1,740.00	
	WWTP 401K Match	30-810-025	32.00	
	WWTP FICA	30-810-005		4,513.00
	WWTP Medical Insurance	30-810-006		3,365.00
	Water Wages	30-812-002		9,797.00
	WWC Wages	30-811-002	15,810.00	
	WWC OT Wages	30-811-003	20,232.00	
	WWC Retirement	30-811-007	4,243.00	
	WWC 401K Match	30-811-025	501.00	
	WWC FICA	30-811-005		5,876.00
	WWC Medical Insurance	30-811-006		9,520.00
	WWC Electric	30-811-013		25,390.00
	Stormwater Wages	30-900-002	20,338.00	
	Stormwater OT Wages	30-900-003	3,844.00	
	Stormwater Retirement	30-900-007	2,743.00	
	Stormwater Temps	30-900-044		26,925.00
	Total Utility Fund		85,386.00	85,386.00
	Total Transfers		210,287.00	210,287.00

Fund Or Attrib	Dept Desc	Disp Acct	Budget	Mnth	YTD	Variance
Fund Or Attrib: 10 General Fund						
10 General Fund	Legislative	10-410-002 Wages	\$44,052.00	\$3,678.36	\$44,101.46	(\$49.46)
10 General Fund	Clerk	10-430-002 Wages	\$111,015.00	\$9,164.41	\$112,027.06	(\$1,012.06)
10 General Fund	Clerk	10-430-007 Retirement	\$15,268.00	\$1,168.94	\$15,328.27	(\$60.27)
10 General Fund	Finance	10-440-002 Wages	\$274,745.00	\$22,563.50	\$276,212.11	(\$1,467.11)
10 General Fund	Finance	10-440-006 Medical Insurance	\$24,300.00	\$1,877.63	\$24,529.47	(\$229.47)
10 General Fund	HUMAN RESOURCES	10-450-002 Wages	\$252,724.00	\$21,893.58	\$255,643.57	(\$2,919.57)
10 General Fund	HUMAN RESOURCES	10-450-003 Overtime Pay	\$2,434.00	\$504.52	\$2,683.72	(\$249.72)
10 General Fund	HUMAN RESOURCES	10-450-007 Retirement	\$34,953.00	\$2,793.39	\$35,165.29	(\$212.29)
10 General Fund	Police	10-510-000 Separation Allowance	\$51,842.00	\$3,987.92	\$51,842.96	(\$0.96)
10 General Fund	Police	10-510-002 Wages	\$2,388,352.00	\$206,587.67	\$2,461,702.37	(\$73,350.37)
10 General Fund	Police	10-510-003 Overtime Pay	\$62,177.00	\$12,502.99	\$73,096.09	(\$10,919.09)
10 General Fund	Police	10-510-007 Retirement	\$367,861.00	\$30,241.54	\$368,030.67	(\$169.67)
10 General Fund	Fire	10-530-003 Overtime Pay	\$48,905.00	\$5,357.37	\$55,749.39	(\$6,844.39)
10 General Fund	Fire	10-530-007 Retirement	\$165,871.00	\$14,089.61	\$173,532.83	(\$7,661.83)
10 General Fund	Marina	10-550-002 Wages	\$115,282.00	\$9,488.16	\$115,643.90	(\$361.90)
10 General Fund	Marina	10-550-006 Medical Insurance	\$16,200.00	\$1,327.71	\$17,175.02	(\$975.02)
10 General Fund	ENVIRONMENTAL	10-580-003 Overtime Pay	\$23,635.00	\$5,313.53	\$36,292.30	(\$12,657.30)
10 General Fund	Parks & Recreation	10-620-003 Overtime Pay	\$7,584.00	\$2,016.37	\$12,487.29	(\$4,903.29)
10 General Fund	Parks & Recreation	10-620-007 Retirement	\$67,059.00	\$5,451.92	\$67,905.67	(\$846.67)
Fund Or Attrib: 30 Utilities Fund			\$4,074,259.00	\$360,009.12	\$4,199,149.44	(\$124,890.44)
30 Utilities Fund	Wastewater Treatment	30-810-002 Wages	\$336,015.00	\$30,868.73	\$344,206.82	(\$8,191.82)
30 Utilities Fund	Wastewater Treatment	30-810-003 Overtime Pay	\$26,847.00	\$2,509.24	\$34,557.45	(\$7,710.45)
30 Utilities Fund	Wastewater Treatment	30-810-007 Retirement	\$49,867.00	\$4,184.82	\$51,606.17	(\$1,739.17)
30 Utilities Fund	Wastewater Treatment	30-810-025 401K Match Program	\$11,000.00	\$810.01	\$11,031.05	(\$31.05)
30 Utilities Fund	Wastewater Collection	30-811-002 Wages	\$582,538.00	\$52,006.23	\$598,347.79	(\$15,809.79)
30 Utilities Fund	Wastewater Collection	30-811-003 Overtime Pay	\$24,471.00	\$4,245.23	\$44,702.26	(\$20,231.26)
30 Utilities Fund	Wastewater Collection	30-811-007 Retirement	\$83,486.00	\$7,033.19	\$87,728.49	(\$4,242.49)
30 Utilities Fund	Wastewater Collection	30-811-025 401K Match Program	\$18,415.00	\$1,551.44	\$18,915.50	(\$500.50)
30 Utilities Fund	Stormwater Drainage	30-900-002 Wages	\$524,675.00	\$42,323.07	\$545,012.74	(\$20,337.74)
30 Utilities Fund	Stormwater Drainage	30-900-003 Overtime Pay	\$32,787.00	\$3,376.35	\$36,630.85	(\$3,843.85)

Southern Software FMS Budget vs Actual

Date: 7/9/2025 11:21 AM

Fund Or Attrib	Dept Desc	Disp Acct	Budget	Mnth	YTD	Variance
30 Utilities Fund	Stormwater Drainage	30-900-007 Retirement	\$76,801.00	\$5,821.71	\$79,543.03	(\$2,742.03)
			\$1,766,902.00	\$154,730.02	\$1,852,282.15	(\$85,380.15)



AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 08/12/2025

SUBJECT: Year End Budget Transfers FY25

BACKGROUND:

Notification of Year-End Transfers:

With the closing of budget year 2024/2025, it is necessary to process year-end budget transfers. Monies are transferred from one account and placed into another. There is no effect on the budget totals. This serves as your notification of these transactions. I've attached a listing of all accounts affected.

BUDGET IMPACT:

Transfers will not affect the budget.

ACTION REQUESTED:

Approve budget transfers as presented by the Finance Director.

BUDGET AMENDMENTS/TRANSFERS				
Date	DESCRIPTION	GL #	DEBIT	CREDIT
6/30/2025	Year End Budget Transfers to clean up M&O			
	and Capital account line items for FY24-25			
	GF Vehicle Leases	10-409-030	3,939.23	
	GF Debt Service	10-409-015		3,939.23
	Legislative Supplies	10-410-033	63.10	
	Legislative M&O Equipment	10-410-016		63.10
	Clerk M&O Town Code	10-430-054	616.18	
	Clerk Supplies	10-430-033		616.18
	Executive Liability Insurance	10-420-051	10,762.70	
	Executive Travel & Training	10-420-014		10,762.70
	HR Travel & Training	10-450-014	858.80	
	HR Pre-Employment Costs	10-450-034		833.23
	HR Dues & Subscriptions	10-450-053		25.57
	Community Development Board of Adjustment	10-491-064	155.00	
	Community Development Travel & Training	10-491-014		155.00
	Police Supplies	10-510-033	1,195.95	
	Police Communications-Phone/Cell /Data	10-510-011		1,195.95
	Lifeguard Uniforms	10-520-024	525.53	
	Lifeguard Rental of Property	10-520-050	191.95	
	Lifeguard Electric	10-520-013		717.48
	Fire Communications-Phone/Cell /Data	10-530-011	333.47	
	Fire M&O Software	10-530-023		333.47
	Fire M&O Vehicles	10-530-017	18,412.13	
	Fire M&O Tires	10-530-021		2,014.61
	Fire M&O Equipment	10-530-016		11,206.96
	Fire Contract Services	10-530-045		5,190.56
	Marina Electric	10-550-013	957.19	
	Marina M&O Equipment	10-550-016	5.87	
	Marina Supplies	10-550-033	423.62	
	Marina Contract Services	10-550-045		1,386.68
	Parking Communications-Phone/Cell /Data	10-570-011	511.46	
	Parking Bank & CC Merchant Fees	10-570-036	53,811.22	
	Parking Professional Services	10-570-046		24,520.00
	Parking Capital Projects over \$10,000	10-570-074		29,802.68
	Environmental Electric	10-580-013	5,429.40	
	Environmental Uniforms	10-580-024		5,429.40
	Environmental Grounds	10-580-018	12,768.26	
	Environmental PPE & Safety Equipment	10-580-080	672.87	
	Environmental Contract Services	10-580-045		13,441.13
	P&R M&O Buildings	10-620-015	411.27	
	P&R Uniforms	10-620-024	900.05	
	P&R M&O Equipment	10-620-016		1,311.32

BUDGET AMENDMENTS/TRANSFERS				
Date	DESCRIPTION	GL #	DEBIT	CREDIT
6/30/2025	Year End Budget Transfers to clean up M&O			
	and Capital account line items for FY24-25			
	Beach Maintenance M&O Fish Tiles	10-630-016	263.00	
	Beach Maintenance Supplies	10-630-033		263.00
	Total General Fund		113,208.25	113,208.25
	W&S Admin Contract Services	30-800-045	11,015.94	
	W&S Printing & Publishing	30-800-012		2,423.00
	W&S Postage	30-800-049		8,592.94
	WWTP Communications Phone/Cell/Data	30-810-011	1,104.00	
	WWTP Electric	30-810-013		1,104.00
	WWTP M&O Buildings	30-810-015	5,979.01	
	WWTP M&O Equipment	30-810-016	538.97	
	WWTP Supplies	30-810-033	486.28	
	WWTP Contract Services	30-810-045	10,838.69	
	WWTP PPE & Safety Equipment	30-810-080	53.14	
	WWTP Chemical & Lab Fees	30-810-046		17,896.09
	WWC Supplies	30-811-033	1,002.75	
	WWC Small Tools & Equipment	30-811-035	2,075.85	
	WWC Contract Services	30-811-045	33,789.21	
	WWC Capital Projects over \$10,000	30-811-074	9,318.78	
	WWC M&R Materials	30-811-026		46,186.59
	Water Electric	30-812-013	12.78	
	Water M&O Streets	30-812-019	2,665.02	
	Water M&O Materials	30-812-026	24,904.64	
	Water Supplies	30-812-033	827.17	
	Water Small Tools	30-812-035	1,835.09	
	Water Chemical & Lab Fees	30-812-032		30,244.70
	W&S Fleet M&O Equipment	30-813-016	20,151.65	
	W&S Fleet M&O Vehicles	30-813-017	9,053.43	
	W&S Fleet M&O Tires	30-813-021		10,000.00
	W&S Gas & Diesel Fuel	30-813-031		19,205.08
	Stormwater M&O Equipment	30-900-016	1,586.61	
	Stormwater Supplies	30-900-033	1,103.18	
	Stormwater PPE & Safety Equipment	30-900-080	261.77	
	Stormwater Temps	30-900-044		2,951.56
	Total Utility Fund		138,603.96	138,603.96
	Total General and Utility Fund		251,812.21	251,812.21

Fund Or Attrib	Dept Desc	Disp Acct	Budget	QTD	YTD	Variance
Fund Or Attrib: 10 General Fund						
10 General Fu	Debt Service/Leases	10-409-030 Vehicle Lease Payments	\$248,256.00	\$65,690.26	\$252,195.23	(\$3,939.23)
10 General Fu	Legislative	10-410-033 Supplies	\$2,800.00	\$830.31	\$2,863.10	(\$63.10)
10 General Fu	Executive	10-420-051 Liability Insurance	\$336,649.99	\$794.61	\$333,922.78	(\$10,762.70)
10 General Fu	Clerk	10-430-054 Maintenance of Town Code	\$7,085.00	\$6,708.93	\$7,701.18	(\$616.18)
10 General Fu	HUMAN RESOURCES	10-450-014 Travel & Training	\$6,975.00	\$4,673.21	\$7,439.72	(\$858.80)
10 General Fu	Community Develop	10-491-064 Board of Adjustment	\$8,700.00	\$3,505.00	\$8,855.00	(\$155.00)
10 General Fu	Police	10-510-033 Supplies	\$52,000.00	\$12,126.69	\$50,698.93	(\$1,195.95)
10 General Fu	Lifeguards	10-520-024 Uniforms	\$10,500.00	\$9,499.78	\$11,025.53	(\$525.53)
10 General Fu	Lifeguards	10-520-050 Rental of Property	\$10,000.00	\$7,220.00	\$8,191.95	(\$191.95)
10 General Fu	Fire	10-530-011 Communications-Phone/Cell/Data	\$22,500.00	\$11,699.42	\$22,218.12	(\$333.47)
10 General Fu	Fire	10-530-017 Maintenance & Repair - Vehicles	\$41,000.00	\$7,106.19	\$37,350.41	(\$18,412.13)
10 General Fu	Marina	10-550-013 Electric	\$23,000.00	\$10,376.99	\$23,957.19	(\$957.19)
10 General Fu	Marina	10-550-016 Maintenance & Repair - Equipment	\$9,100.00	\$3,744.72	\$9,105.87	(\$5.87)
10 General Fu	Marina	10-550-033 Supplies	\$10,000.00	\$7,556.59	\$10,423.62	(\$423.62)
10 General Fu	Parking	10-570-011 Communications-Phone/Cell/Data	\$2,016.00	\$869.31	\$2,527.46	(\$511.46)
10 General Fu	Parking	10-570-036 Bank and CC Merchant Fees	\$140,000.00	\$96,798.36	\$193,811.22	(\$53,811.22)
10 General Fu	ENVIRONMENTAL	10-580-013 Electric	\$311,700.00	\$106,955.50	\$317,129.40	(\$5,429.40)
10 General Fu	ENVIRONMENTAL	10-580-018 Maintenance & Repair - Grounds	\$121,688.92	\$97,644.04	\$124,674.14	(\$12,768.26)
10 General Fu	ENVIRONMENTAL	10-580-080 PPE & Safety Equipment	\$4,000.00	\$837.68	\$4,127.80	(\$672.87)
10 General Fu	Parks & Recreation	10-620-015 Maintenance & Repair- Buildings	\$20,375.13	\$2,320.18	\$20,715.60	(\$411.27)
10 General Fu	Parks & Recreation	10-620-024 Uniforms	\$3,000.00	\$1,448.95	\$3,900.05	(\$900.05)
10 General Fu	Beach Maintenance	10-630-016 Maintenance & Repair-Fish Tiles	\$4,500.00	\$2,252.00	\$3,963.00	(\$263.00)
			\$1,395,846.04	\$460,658.72	\$1,456,797.30	(\$113,208.25)
Fund Or Attrib: 30 Utilities Fund						
30 Utilities Fu	W&S Administrative	30-800-045 Contract Services	\$35,067.00	\$4,642.17	\$16,607.69	(\$11,015.94)
30 Utilities Fu	Wastewater Treatme	30-810-011 Communications - Phones/Cellphon	\$2,300.00	\$1,010.20	\$3,404.00	(\$1,104.00)
30 Utilities Fu	Wastewater Treatme	30-810-015 Maintenance & Repair- Buildings	\$13,500.00	\$4,557.34	\$16,779.01	(\$5,979.01)
30 Utilities Fu	Wastewater Treatme	30-810-016 Maintenance & Repair - Equipment	\$30,500.00	\$14,500.36	\$27,263.97	(\$538.97)
30 Utilities Fu	Wastewater Treatme	30-810-033 Supplies	\$5,000.00	\$1,978.09	\$4,482.64	(\$486.28)
30 Utilities Fu	Wastewater Treatme	30-810-045 Contract Services	\$220,771.28	\$21,286.33	\$149,593.24	(\$10,838.69)
30 Utilities Fu	Wastewater Treatme	30-810-080 PPE & Safety Equipment	\$4,900.00	\$3,747.81	\$4,953.14	(\$53.14)
Southern Software FMS Budget vs Actual						
					Date: 8/5/2025 9:43 AM	

Fund Or Attrib	Dept Desc	Disp Acct	Budget	QTD	YTD	Variance
30 Utilities Fu	Wastewater Collectio	30-811-033 Supplies	\$8,000.00	\$3,742.98	\$7,903.05	(\$1,002.75)
30 Utilities Fu	Wastewater Collectio	30-811-035 Small Tools & Equipment	\$12,450.00	\$468.57	\$11,590.13	(\$2,075.85)
30 Utilities Fu	Wastewater Collectio	30-811-045 Contract Services	\$204,950.00	\$98,076.95	\$195,714.23	(\$33,789.21)
30 Utilities Fu	Wastewater Collectio	30-811-074 Capital Projects Over \$10,000	\$166,187.00	\$29,815.28	\$173,205.78	(\$9,318.78)
30 Utilities Fu	Water	30-812-013 Electric	\$85,000.00	\$28,185.43	\$85,012.78	(\$12.78)
30 Utilities Fu	Water	30-812-019 Maintenance & Repair - Streets	\$74,068.56	\$38,585.89	\$76,733.58	(\$2,665.02)
30 Utilities Fu	Water	30-812-026 Maintenance & Repair - Material	\$81,000.00	\$41,965.24	\$79,574.80	(\$24,904.64)
30 Utilities Fu	Water	30-812-033 Supplies	\$5,000.00	\$2,026.76	\$4,977.17	(\$827.17)
30 Utilities Fu	Water	30-812-035 Small Tools & Equipment	\$6,000.00	\$255.02	\$4,882.42	(\$1,835.09)
30 Utilities Fu	W&S FLEET MAINT	30-813-016 Maintenance & Repair - Equipment	\$88,000.00	\$63,984.21	\$93,090.32	(\$20,151.65)
30 Utilities Fu	W&S FLEET MAINT	30-813-017 Maintenance & Repair - Vehicles	\$69,500.00	\$24,728.79	\$48,434.31	(\$9,053.43)
30 Utilities Fu	Stormwater Drainage	30-900-016 Maintenance & Repair - Equipment	\$108,700.00	\$59,943.29	\$73,061.42	(\$1,586.61)
30 Utilities Fu	Stormwater Drainage	30-900-033 Supplies	\$6,000.00	\$773.82	\$6,844.76	(\$1,103.18)
30 Utilities Fu	Stormwater Drainage	30-900-080 PPE & Safety Equipment	\$2,900.00	\$56.59	\$1,534.55	(\$261.77)
			\$1,229,793.84	\$444,331.12	\$1,085,642.99	(\$138,603.96)



AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 8/12/2025

SUBJECT: Budget Amendments/Transfers FY26

BACKGROUND:

I have received a couple of budget amendment request. As you know, transfers require only your notification whereas amendments require your approval. Listed below you will find a description of the amendments and/or transfers. I have also attached a copy of the supporting documentation for the appropriations.

Appropriations:

Appropriate the \$11,273.58 Carolina Beach Police Foundation donation as follows: \$6,698 to account 10-510-014 Police Travel & Training and \$4,575.58 to account 10-510-033 Police Supplies. The grant is allocated to 40mm less-lethal launchers and for offsite leadership development and training for Sergeants.

Appropriate \$35,000 to account 10-420-051 Executive Liability Insurance from the General Fund fund balance to cover the increase in the liability insurance premium, accident deductibles and the additional leased vehicles being added to the fleet.

BUDGET IMPACT:

The appropriation for insurance will affect the FY26 budget.

ACTION REQUESTED:

Approve the budget amendments as presented by the Finance Director.

Lynn Barbee
Mayor

Joe Benson
Council Member

Deb LeCompte
Council Member



Deb LeCompte
Mayor Pro Tem

Mike Hoffer
Council Member

Bruce Oakley
Town Manager

TOWN OF CAROLINA BEACH
1121 N. Lake Park Boulevard
Carolina Beach, North Carolina 28428

BUDGET TRANSFER REQUEST

To: Debbie Hall, Finance Director

From: Vic Ward, Chief of Police

Re: Budget transfer

Date: July 30, 2025

Budget transfer amount: \$6,698.00

From: 10-335-000 (Miscellaneous Revenue)

To: 10-510-014 (Travel and Training)

Budget transfer amount: \$4,575.58

From: 10-335-000 (Miscellaneous Revenue)

To: 10-510-033 (Supplies)

Explanation:

The Carolina Beach Police Department received a grant in the amount of \$11,273.58 from the Carolina Beach Police Foundation which was deposited into 10-335-000 (Miscellaneous Revenue). The grant allocated \$4,575.58 for 40mm less-lethal launchers and \$6,698.00 for offsite leadership development and training for Sergeants.

Debbie Hall

Subject: FW: Additional funds for Liability Insurance FY26

From: Kim Ward <kim.ward@carolinabeach.org>
Sent: Wednesday, August 6, 2025 7:30 AM
To: Debbie Hall <debbie.hall@carolinabeach.org>
Subject: Re: Additional funds for Liability Insurance FY26

I hate even throwing this number out there but if Mark's list is correct, they are adding 12 more vehicles which will be an additional \$12,000 depending on when we add them. Then there are the deductibles for accidents which I estimate around \$5,000.

My best guess would be **\$35,000** total (including the current shortage).

Thank you!

Kim Ward

Town Clerk

Town of Carolina Beach

1121 N Lake Park Blvd

Carolina Beach, NC 28428

Phone 910-458-2992





AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 08/12/2025

SUBJECT: Budget Amendments for Carryovers

BACKGROUND:

I have received several year-end budget carryover requests. As you know transfers require only your notification whereas amendments require your approval. Listed below you will find a description of the transfers.

Budget Amendments for Carryovers:

Carryover 2024/2025 funds to 2025/2026 to cover projects or materials ordered but not yet invoiced. A list of the carryovers approved by the Town Manager is attached.

Carryover totals

General Fund =	\$ 1,028,394.56
Utility Fund =	\$ 951,596.00
Total	\$ 1,979,990.56

BUDGET IMPACT:

The transfers will increase the 2024/2025 available fund balance and reduce the 2025/2026 available fund balance.

ACTION REQUESTED:

Approve budget amendments for carryovers as presented by the Finance Director.

Approved Budget Carryovers FY24

Item 4.

Dept	From GL#	To GL#	PO Num	Vend Name	Amt Open	PO Desc
Legislative	10-410-072	10-410-072	250855	Colonial Oil Industries Inc	\$1,155.06	PTC8 LS1 Temporary fuel tank rental (work not complete)
Legislative	10-410-072	10-410-072	252291	Cape Fear Generator	\$14,640.00	PTC8 LS1 generator fuel tank replacement
Legislative	10-410-072	10-410-072	252349	Bolsoy Construction LLC	\$71,197.20	PTC8 Camera inspection of SW system to develop scope of work
Legislative	10-410-072	10-410-072	N/A	Bolsoy Construction LLC	\$308,020.63	PTC8 SW system vacator cleaning
Legislative	10-410-053	10-410-053	251648	City of Wilmington	\$2,500.00	4th Quarter WMPO dues
Executive	10-420-090	10-420-023	252336	Civicplus	\$8,500.00	New website implementation and support
Executive	10-420-090	10-420-023	252337	Dataprise	\$13,000.00	Migration from .org to .gov & E3 to Gov licenses
Executive	10-420-051	10-420-051	251846 & 260346	Tapco	\$13,710.73	Spartanburg Crosswalk signal waiting for parts (Insurance claim)
Community Development	10-491-045	10-491-045	252295	Jacobs Engineering Group	\$8,112.14	Professional serv for Cityworks PLL Support
Police	10-510-040	10-510-040	252155	Satellite Army Inc	\$7,500.00	CAMERA REPAIR AND INSTALLATION
Police	10-510-016	10-510-016	252155	Satellite Army Inc	\$4,481.56	CAMERA REPAIR AND INSTALLATION
Lifeguard	10-520-014	10-520-014	252106	Truist Credit Card	\$1,200.00	Competition Flights
Lifeguard	10-520-050	10-520-050	252169	Truist Credit Card	\$2,000.00	Connex Box Setup
Fire	10-530-014	10-530-014	252148	Truist Credit Card	\$1,100.00	Conference Registration
Fire	10-530-014	10-530-014	252149	Truist Credit Card	\$2,800.00	Conference Flights/travel
Fire	10-530-014	10-530-014	252151	Truist Credit Card	\$3,200.00	Training Aids & Props
Fire	10-530-016	10-530-016	252278	Atlantic Emergency	\$4,000.00	Rescue equipment
Fire	10-530-016	10-530-016	251168	MES	\$520.00	Sensors
Fire	10-530-024	10-530-024	252195	Galls	\$500.00	Commendation Bars
Fire	10-530-024	10-530-024	252256	CB Printer/Witmer	\$855.62	Uniform Polos
Fire	10-530-053	10-530-053	252188	Truist Credit Card	\$1,400.00	NCAREMS dues
Fire	10-530-074	10-530-074	251935	Rhinehart	\$3,721.62	Airpacks & Cylinders
Parking	10-570-074	10-570-074	N/A	TBD	\$25,000.00	Parking Entrance Signs
Envrionmental	10-580-015	10-580-015	251850 & 252255	Shipshape	\$25,000.00	Town Hall breakroom remodel
Envrionmental	10-580-015	10-580-018	251932	Landscapes Unlimited	\$28,000.00	Town Hall landscape improvements
Envrionmental	10-580-018	10-580-018	252181	Landscapes Unlimited	\$8,000.00	Town Hall landscape improvements
Envrionmental	10-580-045	10-580-045	252085	New Hanover Paving	\$3,780.00	Sand Fiddler Access Sand
Environmental	10-580-015	10-580-015	N/A	TBD	\$20,000.00	Seventh Street Sidewalk
Environmental	10-580-015	10-630-074	N/A	TBD	\$70,000.00	Ocean Hatteras Ramp
Environmental	10-580-074	10-580-074	N/A	TBD	\$20,000.00	Spartanburg Crosswalk
Environmental	10-580-074	10-580-074	N/A	TBD	\$70,000.00	Town Hall/PD Parking
Environmental	10-580-074	10-580-074	N/A	TBD	\$50,000.00	Town entryway sign
Parks & Rec	10-620-074	10-620-074	N/A	TBD	\$43,000.00	Paving of MCP parking lot (waiting for MOTSU approval)
Parks & Rec	10-620-075	10-620-074	N/A	TBD	\$6,500.00	Sunshade at skate park (donation)
Beach Maintenance	10-630-074	10-630-074	N/A	TBD	\$75,000.00	Clamshell Bulkhead
Beach Maintenance	10-630-074	10-630-074	N/A	TBD	\$50,000.00	Scotch Bonnet Bulkhead
Beach Maintenance	10-630-074	10-630-056	N/A	TBD	\$60,000.00	Boardwalk ADA Adjustments
Total General Fund					<u>\$1,028,394.56</u>	

Dept	From GL#	To GL#	PO Num	Vend Name	Amt Open	PO Desc
W&S Admin	30-800-045	30-800-045	251412	ESC SOUTHEAST LLC	\$300.00	Garage Site ISHB Survey & Closure
W&S Admin	30-800-045	30-800-045	252351	ESC SOUTHEAST LLC	\$13,250.00	Garage Site ISHB Survey & Closure
W&S Admin	30-800-045	30-800-045	252370	ESC SOUTHEAST LLC	\$2,372.50	Garage Site monitoring under NCDEQ REC program
W&S Admin	30-800-045	30-800-045	252371	ESC SOUTHEAST LLC	\$3,400.00	Garage Site monitoring under NCDEQ REC program
W&S Admin	30-800-045	30-800-045	260230	ESC SOUTHEAST LLC	\$6,250.00	Garage Site monitoring under NCDEQ REC program
W&S Admin	30-800-045	30-800-045	260231	ESC SOUTHEAST LLC	\$3,902.75	Garage Site monitoring under NCDEQ REC program
WWTP	30-810-046	30-810-046	251563	Jacobs Engineering Group	\$49,400.00	Secondary Force main study (CB & Kure Sewer Authority exp)
WWC & Water	30-811-045	30-811-045 30-	251746	Rogers Excavting	\$10,300.00	406 Birmingham- W/S Taps
	30-812-045	812-045				
WWC & Water	30-811-045	30-811-045 30-	252075	Rogers Excavting	\$15,000.00	204 CBAS- 2 W/S Taps
	30-812-045	812-045				
WWC & Water	30-811-045	30-811-045 30-	252079	Rogers Excavting	\$9,500.00	203 Woody Hewett- W/S Tap
	30-812-045	812-045				
WWC & Water	30-811-045	30-811-045 30-	252080	Rogers Excavting	\$19,000.00	205 Woody Hewett- 2 W/S Taps
	30-812-045	812-045				
WWC & Water	30-811-045	30-811-045 30-	252087	Rogers Excavting	\$10,000.00	906 Canal Dr- W/S
	30-812-045	812-045				
WWC	30-811-020	30-811-020	251530	Cape Fear Generators	\$6,260.00	Lift Station 1 HVAC remvl/bldg repairs
WWC	30-811-020	30-811-020	251920	American Pipe Cleaning	\$7,500.00	Manhole repairs
WWC	30-811-020	30-811-020	252176	Xylem Water Solutions	\$41,668.45	Lift Station 14 pump replacment (on order)
WWC	30-811-046	30-811-046	252175	Coastline Electric	\$39,500.00	Lift Station 14 control panel replacement
Water	30-812-020	30-812-020	250386	Fortiline	\$5,959.26	Water Materials- Resetters
Water	30-812-020	30-812-020	250388	Core & Main	\$181.32	Water Materials
Water	30-812-020	30-812-020	252161	Core & Main	\$986.88	Water Materials
Water	30-812-026	30-812-026	250564	Metron	\$312.51	Meters & Registers
Water	30-812-026	30-812-026	251118	Metron	\$4,152.33	Meters & Registers
Water	30-812-045	30-812-045	252074	Rogers Excavating	\$7,000.00	202 CBAS- 2 Water Taps
Water	30-812-045	30-812-045	252251	Rogers Excavating	\$2,000.00	South 3rd St Sleeve Water Line in Ditch
Water	30-812-046	30-812-046	250690	LKC Engineering	\$3,000.00	New Clearwell & High Service Pump Station Engineering
Water	30-812-050	30-812-050	260115	US Army Corp	\$25,000.00	USAGE annual license fee for 4 wells
Stormwater	30-900-020	30-900-020	251485	Rogers Ex	\$9,400.00	608 NC Ave Demo Box, Rplc w/ RollingGrae, Add Box
Stormwater	30-900-020	30-900-020	251520	Rogers Ex	\$40,000.00	406 Bham-260'RCP,4Boxes w/Grate&Frames, DWPours
Stormwater	30-900-020	30-900-020	251751	Xylem	\$30,000.00	Pump Servicing
Stormwater	30-900-020	30-900-020	252263	CM Mitchell	\$10,000.00	901 Ocean Blvd-2x3 Box Frame & Grate, MegaLugCaps
Stormwater	30-900-020	30-900-020	N/A	TBD	\$115,000.00	Captains Quarters/Canal Dr Stormwater Improvements
Stormwater	30-900-020	30-900-020	N/A	TBD	\$80,000.00	Tennessee Access Stormwater/Parking Improvement
Stormwater	30-900-014	30-900-014	N/A	TBD	\$2,000.00	Travel & Training
Stormwater	30-900-019	30-900-016	N/A	TBD	\$30,000.00	Lake Fountain Motor
Stormwater	30-900-046	30-900-046	N/A	TBD	\$70,000.00	Monroe Avenue SW
Stormwater	30-900-046	30-000-046	N/A	TBD	\$49,000.00	Island Marina SW Basin
Stormwater	30-900-074	30-900-046	N/A	Engineering Services	\$160,000.00	Engineering/Permitting SW Forcemain
Stormwater	30-900-074	30-900-046	N/A	TBD	\$50,000.00	Mapping of SW System
Stormwater	30-900-046	30-000-046	N/A	TBD	\$20,000.00	Stormwater Design Manual
Total Utility Fund					<u>\$951,596.00</u>	

Total General & Utility Fu **\$1,979,990.56** Revised 8/12/25



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Meeting 8/12/2025

SUBJECT: Approval of Council Meeting Minutes

BACKGROUND:

Attached are the meeting minutes from the July Council meetings.

ACTION REQUESTED:

Review and consider approving under the consent agenda.

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, July 8, 2025 - 6:00 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



MINUTES

CALL TO ORDER

Mayor Barbee called the meeting to order at 6:00 PM, followed by the invocation by Mayor Pro Tem LeCompte and Pledge of Allegiance.

PRESENT

Mayor Lynn Barbee
Mayor Pro Tem Deb LeCompte
Council Member Jay Healy
Council Member Joe Benson
Council Member Mike Hoffer

ALSO PRESENT

Town Manager Bruce Oakley
Assistant Town Manager Ed Parvin
Finance Director Debbie Hall
Town Clerk Kim Ward

ADOPT THE AGENDA

Mayor Pro Tem LeCompte asked to add item 12 to the agenda to discuss a sidewalk to connect the Senior Center to the Community Center parking lot.

Council Member Benson asked to continue item 9 until August following the unanimous vote today from the House to pass changes in parking requirements for permitted uses. He said this could change calculations on everything from this point forward.

Council Member Hoffer asked if anyone is desperately awaiting a decision on this so they can pursue a modification. Community Development Director Jeremy Hardison said there is an appeal filed that has to do with uses of water-oriented businesses and that was on hold until determining this text amendment. Mayor Barbee said that would stay on hold and added that Town Attorney Noel Fox is not present tonight.

ACTION: Motion to adopt the agenda, adding number 12 and continuing number 9 until August
Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem LeCompte, Council Member Healy, Council Member Benson, Council Member Hoffer

Motion passed unanimously

CONSENT AGENDA

1. Set a Public Hearing for August 12, 2025, to Consider a Rezoning at 301 Canal Drive from Marina Business (MB-1) to Central Business District (CBD)
Applicant: Town of Carolina Beach
2. Set a Public Hearing for August 12, 2025, to Consider an Amendment to Article 3 of the UDO to Address Accessory Structures
Applicant: Ashley Hunter
3. Budget Amendments/Transfers
4. Approval of June Council Meeting Minutes

ACTION: Motion to adopt the consent agenda

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem LeCompte, Council Member Healy, Council Member Benson, Council Member Hoffer

Motion passed unanimously

SPECIAL PRESENTATIONS

5. Events Update by Tim Murphy

Community Services Manager Tim Murphy said the Town has received 2 applications for filming and introduced Tony Wallace, a locations manager, to give details. Mr. Murphy said they are not requesting any road closures, but some intermittent traffic control will be needed.

Mr. Wallace said they would like to film at Paradise Towers on Monday, July 28, from 6:00 AM to 8:00 PM and will need traffic control on Carolina Beach Avenue South. He said equipment will be set up on Spartanburg Avenue between Lake Park Boulevard and 2nd Street, and officers will be needed to help with traffic and crew crossing Lake Park Boulevard from the equipment area to the filming location.

Mr. Wallace said the other filming request is for SeaWitch on Wednesday, July 23, and Thursday, July 24, with times TBD but some night scenes expected. He said traffic control will be needed on Pelican Lane and Carolina Beach Avenue North, and officers are requested to assist with thru traffic. Mr. Wallace said they are also requesting to work with the Town on parking lots for both filming requests.

Mayor Barbee asked if owners and renters in nearby condos and other residences will be able to access them. Mr. Murphy said yes.

Council Member Healy asked if local businesses in the areas have been notified. Mr. Wallace said not yet, but once they move forward with the permit process everyone in the affected zone will receive a letter.

Council Member Hoffer asked if the Town is compensated for this. Mr. Murphy said the Town gets the fee for the permit application, and the filming company would pay for any parking used in lots owned by the Town. He said the production company tries to use Town officers first and would hire a private company if they are not available.

ACTION: Motion to approve the road closures for the filming on July 23, 24, and 28 as presented
 Motion made by Mayor Barbee
 Voting Yea: Mayor Barbee, Mayor Pro Tem LeCompte, Council Member Healy, Council Member Benson, Council Member Hoffer
Motion passed unanimously

Mr. Murphy reviewed upcoming events:

- East Coast Got Em On King Mackerel Tournament – July 11-13 at Fisherman’s Lot
- Life Rolls On – August 2 at the Boardwalk beach strand
- National Night Out – August 5 at Lake Park
- Whomporama – August 9 at the Hamlet Avenue beach access
- Family Night – continues every Tuesday through July 29 at Lake Park
- Flamingo Bingo – continues every Wednesday through August 27 at the Gazebo
- Boardwalk Blast Fireworks/Music – continues every Thursday through August 21 and concludes Friday, August 29
- Movies at the Lake – continues every Sunday through August 31

Mr. Murphy asked if Council wanted to discuss a request at the last meeting from Kyle Wagner, General Manager of Carolina Beach Boardwalk Amusements, to use the Gazebo stage for local bands.

Council Member Benson said his recommendation was to pick one night and stick with it, and he thought Sunday seemed to make the most sense.

Mayor Barbee said he attended the previous Michael Jackson tribute show and noticed a good crowd. He asked Mr. Oakley to make sure the Town is prepared and has the proper resources to deal with these events.

Mr. Parvin said the Town’s policies and ordinances should be followed, and this would require an application and Council approval.

Mr. Murphy said the main concern is that these events would turn into something so big that Cape Fear Boulevard would have to be closed.

Mr. Oakley said the some of the crowd during the Michael Jackson tribute show had spread out onto Cape Fear Boulevard. He said the Town needs to create a policy for Gazebo use.

Mayor Barbee said the Town was very crowded last week, but he didn’t hear any complaints and offered praise to staff for keeping up with trash and other needs related to the summer season.

Council Member Hoffer asked what the impression of the Michael Jackson tribute show was. Mr. Murphy said he heard positive things from the community and is confident staff can work through public safety issues and come up with a plan for other events.

6. Grant Award Presentation by the Terry Benjey Bicycle Foundation

Sam Burgess and Mo Linquist from the Terry Benjey Bicycling Foundation announced a \$2,000 grant award for the Police Department to go toward the purchase of an e-bike.

Mayor Barbee thanked the group for its support.

Mayor Barbee recognized Council candidates Vince Losito and Wayne Rouse in the audience.

7. Manager's Update

Mayor Pro Tem LeCompte congratulated Mr. Oakley on becoming a grandpa.

Mr. Oakley gave an update on various projects:

- The Lake pump house project is underway with completion expected during the winter.
- The 7th Street sidewalk to connect to Tarboro Avenue is scheduled to start in September.
- The Lake Park bathroom project should be delivered and installed this fall.
- The 1801 Canal Drive parking lot and access project will start this fall.
- Some renderings of the Town entrance sign will be shown at the budget retreat in August.
- The CB2045 Infrastructure Plan first phase is moving along and starting to pick up steam. Staff is meeting with a financial planner and hopes to add some water and sewer projects.
- The Town is submitting an application for Wilmington Metropolitan Area Planning Organization (WMPO) funding to extend a sidewalk from Carolina Sands to Alabama Avenue.

Council Member Hoffer asked if there is any information from the NC Department of Transportation (DOT) about the South Lake Park Boulevard sidewalk. Mr. Hardison said they expect to have a design in September.

Mr. Hardison reported the following recent developments:

- 28 permits issued for renovation/repair/additions, etc., 3 new residential construction permits, and 8 certificates of occupancy
- Demolitions occurred at 1117 Canal Drive (single-family home) and 1611 Snapper Lane (mobile home)
- New businesses: Noe Hair & Nail Lounge, 1000 North Lake Park Boulevard Suite 121, Drift Café, 1000 North Lake Park Boulevard Suite 191, Carolina Beach Market & Deli, 214 Cape Fear Boulevard, Surf's Up Mini Golf, 1360 Bridge Barrier Road, and Bazen Golf Cars, 1309 Bridge Barrier Road

Mr. Hardison reported the following past and upcoming meetings:

- Technical Review Committee (TRC) July 1: Harmony Hospitality hotel and Carolina Beach Boat Yard new dry stacks and parking lot; a 140-room hotel is being proposed, and the company will address some of the comments from TRC and bring it back before the group in August
- Planning and Zoning Commission July 8: accessory structures text amendment and 301 Canal Drive rezoning from Marina Business (MB-1) to Central Business District (CBD)
- TRC August 5: Pedal Pub, 205 Cape Fear Boulevard rezoning from MX to CBD, and Harmony Hospitality hotel
- Council August 12: Motorized beach cart text amendment

- TBD: Carolina Beach Yacht Club Special Use Permit modification

Mayor Barbee said residents in the area of Clarendon Avenue and 6th Street are not happy with stop sign changes the Town made there. He said there was an accident and asked staff to look at this matter again. Mr. Oakley said this can be discussed at an upcoming TRC meeting.

Council Member Hoffer said in the past 9 months Council discussed highlighting some intersections with painted street bars and flags on stop signs. He said these measures don't always work but can't hurt and asked staff to revisit this.

Council Member Healy said there are some intersections in neighborhoods that should have no left-hand turns.

PUBLIC COMMENT

None

PUBLIC HEARINGS

8. Text Amendment to Amend Article 3, Section 3.20 Fence Regulations to Address Commercial Pool Fences
Applicant: Pleasure Island Holdings, LLC

Applicant Pleasure Island Holdings, LLC, is applying for a text amendment to modify Article 3, Section 3.20 Fence Regulations. The applicant is pursuing this text amendment because they would like to allow some flexibility for fencing located in a front setback that is required for a commercial pool. The Town ordinance requires fencing located within the front setback to be no taller than 48 inches, and the NC Building Code requires pool fencing to be at least 48 inches, and it can be difficult to install a prefabricated fence that meets the 48-inch height requirement.

The applicant's proposed text amendment provides an exception to the 4-foot fence height requirements for fencing located within a front setback. The text amendment consists of the following changes:

No fence shall exceed four (4) feet in height when located in the front yard setback, except for fencing required for nonconforming commercial pools located within a front setback which shall meet the following:

- a) Not exceed five (5) feet in height.
- b) Maximum opacity of 50%.

The current Town ordinance restricts all pools from being located within the front setback of a zoning district. There are a total of eight (8) nonconforming commercial pools currently located within the front setback of a zoning district whose fencing would be required to be no taller than 4 feet (or 48 inches). The problem occurs when a nonconforming commercial pool updates its fence barrier with prefabricated fencing materials. These prefabricated fences are designed to meet NC Building Code.

The text amendment is in general conformity with the Coastal Area Management Act (CAMA) Land Use Plan. The proposed flexibility in fence height follows the Land Use Plan's sentiment to encourage the

improvement and renovation of existing structures where a teardown/rebuild is not the best possible outcome. The Land Use Plan also allows exploring options to allow older structures to reinvent themselves within the limits of public safety and welfare can help preserve the quirky beach town character that defines Carolina Beach.

The Planning and Zoning Commission voted unanimously to approve the proposed text amendment. The Commission discussed the proposed 5-foot fence height and agreed it was a sufficient height that would allow flexibility for a variety of different prefabricated fencing options while upholding public safety and providing visibility for traffic.

Staff supports the proposed text amendment. There are a limited number of legal nonconforming commercial pools existing within the municipal limits that would be impacted by the proposed text amendment. The amendment allows flexibility for the fencing to exceed 48 inches to easily meet the barrier fencing requirements for NC Building Code.

ACTION: Motion to open the public hearing

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem LeCompte, Council Member Healy, Council Member Benson, Council Member Hoffer

Motion passed unanimously

Planner Haley Anderson presented the details. She said the current regulations result in a fine line for the limited number of pools located within a front setback.

Mayor Barbee asked if the applicant wanted to speak. Ms. Anderson said the applicant was not able to be present and said Council may reschedule if necessary. Mayor Barbee said the request was straightforward, and other Council Members agreed.

Mayor Barbee asked if anyone from the public wanted to speak. No one came forward.

ACTION: Motion to close the public hearing

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem LeCompte, Council Member Healy, Council Member Benson, Council Member Hoffer

Motion passed unanimously

Council Member Hoffer said he doesn't have an issue with the proposal and thinks it will make things a little more secure. He said his main concern is opacity, but he thinks 50% should be fine.

ACTION: Motion of approval that Council, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the following text amendment for Article 3, Section 3.20 Fence Regulations is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem LeCompte, Council Member Healy, Council Member

Benson, Council Member Hoffer

Motion passed unanimously

9. Text Amendment to Amend Article 3: Zoning and Article 7: Definitions of the UDO to Address Water-Oriented Businesses and Personal Watercraft Sales and Rental
Applicant: Town of Carolina Beach

This item has been continued until the August meeting.

ITEMS OF BUSINESS

10. Town Committee Policy Update

Mr. Parvin presented the new Town committee policy to include updates voted on by Council at the June 24 workshop.

Policy Changes

Overarching mission/vision (example)

The purpose of the Parks and Recreation Committee is to:

1. Make recommendations to Council on implementation measures associated with long-range plans
2. Volunteer to work on Parks and Recreation programming and activities

Organizational meeting

Annual administration (adopt officers, review mission/vision/goals)

Process for Moving Forward on Goals Consistent with Council's Vision

Council liaison brings the committee's proposed goal(s) to Council. If approved, Council shall include in the motion:

1. Goal(s) they would like the committee to work toward
2. Set number of meetings allocated to accomplish the goal(s)

Once approved by Council:

1. Town Clerk shall advertise the meetings
2. Committee work shall be limited to the goal(s) as designated by Council

No meetings will be advertised without a motion from Council

Council Member Hoffer said it's important that the committee Chair come to Council at least once a year to give an update on progress and goals.

Mayor Barbee said the goal is not to hold committees accountable but to hold Council accountable on what the committees are being asked to do. He said he thinks the proposed changes accomplished what Council wanted.

ACTION: Motion to amend the policies as presented

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem LeCompte, Council Member Healy, Council Member Benson, Council Member Hoffer

Motion passed unanimously

11. Update on the Establishment of the Freeman Park Land Use Plan Ad Hoc Committee

Mr. Parvin presented a request to establish an ad hoc committee for the purpose of developing a land-use plan for Freeman Park. He said staff has started work on committee makeup by reaching out to 6 organizations to each provide a representative. Mr. Parvin said a member of Council or Town staff as well as a Town citizen with a scientific background should also be on the committee. He said after the committee is formed, a declaration of covenants and restrictions should be created as well as an outline for what a land-management plan should look like. Mr. Parvin said he foresees 3-5 meetings to put together the plan.

Mayor Pro Tem LeCompte volunteered to be the Council liaison to the committee. She said she has professional and volunteer connections with many of the organizations that will be represented on the committee, and she also stressed the importance of the history of the Freeman Park and mentioned her direct connection with the NC African American Heritage Commission. Council gave consensus for Mayor Pro Tem LeCompte to serve as the committee's Council liaison.

Mr. Parvin said the committee should have 7-9 members. Mayor Pro Tem LeCompte said there was discussion about the Council and staff liaison not being voting members. Mr. Parvin said in that case, there could be either 1 or 3 Town citizens for a total of 7-9 voting members. Mayor Barbee said he is leaning toward 3.

Mayor Pro Tem LeCompte said the committee will be putting together a land trust, so a specific set of skills will be necessary for members. She said it's important for residents to have a voice because they own Freeman Park.

Council Member Hoffer said the Town should stay flexible to find the right people to serve on the committee. Mayor Barbee said the Town can begin taking citizen applications and then make a final decision on how many to appoint.

ACTION: Motion to approve the establishment of the Freeman Park land-use plan ad hoc committee

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem LeCompte, Council Member Healy, Council Member Benson, Council Member Hoffer

Motion passed unanimously

12. Sidewalk Connecting the Senior Center and Community Center Parking Lot

Mayor Pro Tem LeCompte, who is the Town liaison to the Katie B. Hines Senior Center, requested a vote to allow installation of a sidewalk that would connect the parking lot behind the Community Center to the parking lot adjacent to the Senior Center. She said the Senior Center serves as a nutrition center for the southern part of the of the County, and seniors from over the bridge eat lunch there

every day. Mayor Pro Tem LeCompte said Parks and Recreation Director Eric Jelinski was able to allot \$3,000 for the project, so this just needs Council approval. She said walking between parking lots creates a safety issue, and the people associated with the volleyball court are aware of the project and supportive of it.

ACTION: Motion to approve the \$3,000 budgeted for the sidewalk between the Community Center and the Senior Center

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem LeCompte, Council Member Healy, Council Member Benson, Council Member Hoffer

Motion passed unanimously

COUNCIL COMMENTS

Council Member Hoffer said there is a bottleneck near the existing Lake Park bathroom facility, and he would like to see that smoothed out with the new project. He also offered condolences to Billy Taylor of Taylor's Heating and Air on the loss of his son Cameron.

Council Member Benson said he was happy to see people using the Ocean Boulevard sidewalk in great numbers this weekend. He asked Mr. Oakley to look into how long there would be a hole in the ground following the demo of the existing pump house, and he also inquired about the traffic light planned for North Lake Park Boulevard and Winner Avenue now that a final encroachment agreement has been handed over to DOT. Mr. Oakley said the easement should be recorded tomorrow, and then Proximity should be able to begin installation. Mayor Barbee said it should go in during the fall or winter, if not before.

Mayor Pro Tem LeCompte said she was invited to be a guest speaker at the 150th homecoming at Mount Pilgrim Missionary Baptist Church on Sunday. She said this was an amazing event full of wonderful people who welcomed her and thanked the Town for taking the helm on having a celebration for the Seabreeze historic highway marker last year.

Mayor Barbee praised the Police Department for discipline, coordination, and planning when it comes to crowd management during the busy season. He said the Town's safety does not happen by accident or chance, and he recognized Chief Ward and his entire team for the load they take on during large events.

ADJOURNMENT

Mayor Barbee adjourned the meeting at 7:23 PM.

CAROLINA BEACH

Town Council Workshop

Tuesday, July 22, 2025 - 9:00 AM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



MINUTES

CALL TO ORDER

Mayor Barbee called the meeting to order at 9:00 AM.

PRESENT

Mayor Lynn Barbee

Mayor Pro Tem Deb LeCompte

Council Member Jay Healy

Council Member Joe Benson

Council Member Mike Hoffer

ALSO PRESENT

Town Manager Bruce Oakley

Deputy Town Manager Ed Parvin

Finance Director Debbie Hall

Town Clerk Kim Ward

DISCUSSION ITEMS

1. Employee Recognition

Community Development Director Jeremy Hardison recognized Senior Planner Gloria Abbotts for 5 years of service with Community Development.

Mr. Oakley recognized Mr. Parvin for 20 years of service with the Town.

2. Presentation by U.S. Army Corps of Engineers on Wetland Permitting

Council requested information from staff on the U.S. Army Corps of Engineers (USACE) permitting program for lots with wetlands. Brad Shaver of the USACE Regulatory Division, Wilmington District, gave a presentation on wetland permitting, explaining the distinction between wetlands and jurisdictional wetlands. He said USACE must balance property rights with environmental impacts and only denies about 2% of permits per year nationwide.

Mr. Shaver said developers in the Town can use a mitigation bank, meaning they can pay to fill in wetlands here with the money going toward buying wetlands in areas outside the Town. He said there would be challenges with having a small mitigation bank that only covers the island.

Council Member Hoffer said the Town's concern is often flooding and where water will go, and he questioned how turning down only 2% of permits helps to address this issue. Mr. Shaver said USACE can impose conditions for developers to get a wetlands permit.

Mayor Pro Tem LeCompte questioned how the mitigation bank would benefit the Town if wetlands here are being filled in and there is nowhere for water to go. She said that is the hardest part for people to understand. Mr. Shaver said he's not saying it's ideal, but the Town or State can be more restrictive than USACE.

Mayor Barbee asked if the Town is authorized for rule making around wetlands. Mr. Oakley said the Town is not allowed to do anything more restrictive than the State in general regarding stormwater, but there are things the Town can do regarding zoning, such as rezoning to Conservation.

Mr. Parvin said some new regulations came about during the recent Unified Development Ordinance (UDO) process, such as limiting the amount of fill that can go on a lot and limiting impervious area. Mayor Barbee said these actions address impacts but don't necessarily regulate wetlands.

3. Sunny Day Flooding Project Update

The Sunny Day Flooding Project's research team, including the following individuals, presented updates:

- Dr. Katherine Anarde of North Carolina State University (NCSU)
- Max Cawley of the Museum of Life and Science in Durham
- Dr. Miyuki Hino of the University of North Carolina (UNC)
- Thomas Thelen of NCSU

The team spent the past year exploring flood resilience strategies through workshops held on the following dates: June 24, 2024, November 24, 2024, February 25, 2025, and May 25, 2025. They went over pros, cons, costs, and considerations for the following:

- Minimum bulkhead elevation
- Stormwater pumps
- Pumps + minimum bulkhead elevation
- Canal along Canal Drive
- Flood barrier

They also reviewed how strategies might work under future conditions, when floods on Canal Drive are likely to become deeper, longer, and more frequent with sea level rise.

The team also discussed community preferences for strategies and community aspirations for what comes next. They said for the short term, residents prefer minimum bulkhead elevation and/or pumps, and for the long term they want to see a flood barrier, a canal along Canal Drive, an increase in the minimum bulkhead elevation, and pumps. They said almost all workshop and open house participants share a desire for the Town to implement a flood resilience strategy or a sequenced set of strategies to keep pace with rising sea levels. They concluded that no single strategy deals with all the different drivers of flooding, both under current and future sea level scenarios, and there are tradeoffs with

each strategy, but the Town and residents will need to start making decisions based on their values and vision for the future.

All materials from the workshops are available at www.go.ncsu.edu/cb

Council Member Healy said he appreciates all the work the team has done and said the findings are eye-opening because there really is no solution. Dr. Anarde said the Town can buy time with some strategies. Council Member Healy said a bulkhead would be expensive, so it's a tough situation.

Mayor Barbee said if Council had to solve every Town problem with a 100-year vision, they would not solve many problems at all because of so many unknowns. He said this gets the Town thinking about what can be done to improve the situation and starts the conversation.

Council Member Hoffer said there are mitigation strategies but no guaranteed solutions, and the Town may have to learn to live with the situation by enacting early warning systems and improving road closures. He said citizens will also need to think about the cost of these strategies and who should pay for them.

Mayor Pro Tem LeCompte said residents have learned what they must do to survive flooding, but she worries about visitors because you can't educate everyone who gets a short-term rental on Canal Drive on how to handle a king tide or flooding event.

Council Member Hoffer said the Town should do a better job making sure people are not driving past road closures and through high waters.

Mr. Oakley said the Town does what it can with available resources and would need to add employees to have someone constantly monitoring road closures.

4. North End Town Update

Staff gave a presentation on updates to recent private and public infrastructure and projects on the north end.

Mr. Hardison discussed short-term approaches to help mitigate flooding on the north end and things the Town can be doing right now. He said staff looked at bulkheads below 3 feet and sent letters to gather information. Mr. Hardison said based on those letters, several property owners made improvements, including:

- 1013 Canal Drive
- 1005 Canal Drive
- 217 Florida Avenue
- 211 Florida Avenue
- 1205 Canal Drive

He said the following properties have low elevation and act as a gateway to the yacht basin:

- 1007 Canal Drive

- 1305 Canal Drive
- 317 Canal Drive
- 1017 Canal Drive
- 107 Florida Avenue

Council Member Healy asked if staff had ever talked to a real estate agent about whether a bulkhead increases property value. Mr. Hardison said he has not.

Mayor Barbee said there is no State legislation to force building bulkheads, but something has to give because right now all that can be done is public shaming, which doesn't seem effective.

Mr. Oakley said there is eminent domain, but that could be tied up in court. Mayor Barbee said there is also the matter of where the money will come from to buy the properties under eminent domain.

Mr. Hardison said the Town owns over 1,500 linear feet of frontage on the canal, so they need to make sure they are doing their part. He said they have built new bulkheads on several street ends and plan to do so on several more, using 5.7 feet as the standard height:

- Dolphin Lane
- Scallop Lane
- Sea Gull Lane
- Starfish Lane
- Town marina

Public Works Director Brian Stanberry gave additional project updates.

Stormwater backflow valve replacement

Marina South-Carl Winner: \$77,000

Marina East-Canal (4x): \$21,000

Starfish Lane: \$10,000

Infrastructure improvements

Starfish Lane stormwater/bulkhead: \$150,000

Florida Avenue stormwater/reclamation: \$175,000

Florida Avenue water/sewer slip line: \$250,000

Routine maintenance

Tidal traffic control arm upgrade: \$60,000

Vactoring of stormwater pipes: \$40,000 annually estimate

Street sweeping of Canal Drive: \$50,000 annually estimate

High tide traffic control staff: \$30,000 annually estimate

Funded improvements

Clam Shell Lane bulkhead: \$75,000

Scotch Bonnet Lane bulkhead \$120,000

Captain's Quarters stormwater: \$120,000

Sea Gull Lane bulkhead/access: \$125,000
 Florida Avenue bulkhead: \$100,000

Mr. Hardison said the Town has applied for a resiliency grant and is hoping to hear something within the next month.

Mayor Pro Tem LeCompte asked staff to look into something similar to stoplight cameras to deter people from driving around gates and causing wakes on nearby properties.

5. Appropriate Funds for Revenue Bond Financial Analysis

The Town is contracting with Willdan financial consulting services to update the revenue bond feasibility model for the upcoming bond issuance. The contract amount is \$54,800, which will be reimbursed to the Town when the bonds are sold. Reimbursement Resolution 25-2324 was approved on March 11, 2025.

The request is for Council to appropriate \$54,800 to 30-800-046 W&S Admin Professional Services from the Utility Fund fund balance for the revenue bond financial analysis.

Mr. Parvin said the Town is moving forward with projects and hopes to have them bid by the end of the year.

ACTION: Motion to appropriate funds for the Town Manager to enter into an agreement to do the revenue bond financial analysis

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem LeCompte, Council Member Healy, Council Member Benson, Council Member Hoffer

Motion passed unanimously

6. Authorization for the Bike/Ped Committee to Draft an Application for Obtaining a Bicycle Friendly Community Designation

At the April meeting, Council adopted the new Bicycle and Pedestrian Plan, which included an implementation schedule that identified the League of American Bicyclists' program to designate municipalities across the country as Bicycle Friendly Communities.

Mr. Parvin presented the details.

ACTION: Motion to approve a resolution supporting the Town of Carolina Beach's desire to apply to the League of American Bicyclists to become a Bicycle Friendly Community

Motion made by Mayor Barbee

Voting Yea: Mayor Barbee, Mayor Pro Tem LeCompte, Council Member Healy, Council Member Benson, Council Member Hoffer

Motion passed unanimously

Mayor Barbee said per the Town's new procedures regarding committees, Council consensus is needed for the Bike/Ped Committee to work on this task. Council gave consensus for this.

COUNCIL COMMENTS

Mayor Pro Tem LeCompte:

- Suggested reviewing the permitting process for Central Business District (CBD) businesses operating only during the day to allow parking lot use in the evenings for additional income.
 - Council supported exploring an annual permitting process.

Council Member Healy:

- Expressed concern that e-bikes are out of control and said the Town needs to somehow find a way to manage the situation.
 - Mayor Barbee said legislation regarding e-bikes is in front of the State; he said it got held up by budget meetings but expects it will eventually pass.
 - Mr. Oakley said it's hard to catch the offenders, but Police are talking to their parents when possible.
 - Council Member Hoffer said there are already some laws on the books that can help, such prohibiting more than one rider on a bike and requiring helmets for kids under a certain age, so he hopes Police can put some more energy into this.

Council Member Benson:

- Suggested obtaining cost estimates for Canal Drive flooding mitigation.
- Inquired about a beach renourishment survey estimate from USACE.
- Mentioned that the North End Flood Mitigation Alliance has invited State Legislators to their next meeting.

Council Member Hoffer:

- Will attend the NC BikeWalk Transportation Summit, held in Hickory in September, and is suggesting that the Town host the event in the future.
- Requested staff contact the County for damage assessment training related to hurricane season.
- Raised concerns about Airbnb trash infractions and requested that staff issue violations based on the number of complaints that are being entered into SeeClickFix.

Mr. Oakley added that the Town will have an Emergency Operations Center Open House on July 31 at 4:00 PM.

Mayor Barbee:

- Shared feedback from his survey regarding traffic, beach umbrellas, obstructions on the beach, and holes being left by visitors and requested that staff review beach strand rules for the next season to include the items listed above.

ADJOURNMENT

Mayor Barbee adjourned the meeting at 11:30 AM.



AGENDA ITEM COVERSHEET

PREPARED BY: Tim Murphy

DEPARTMENT: Parks and Rec

MEETING: Town Council 8/12/2025

SUBJECT: Events Update by Tim Murphy

BACKGROUND:

Tim Murphy will give an update on the upcoming events.

ACTION REQUESTED:

A motion to approve the events will be needed.



AGENDA ITEM COVERSHEET

PREPARED BY: Bruce Oakley, Town Manager

DEPARTMENT: Executive

MEETING: Town Council 8/12/2025

SUBJECT: Manager's Update

BACKGROUND:

Town Manager Bruce Oakley will give an update on current and future projects.



AGENDA ITEM COVERSHEET

PREPARED BY: Haley Anderson, Planner

DEPARTMENT: Community Development

MEETING: Planning & Zoning – August 12th, 2025

SUBJECT: **Text Amendment** to amend Article 3, Sec. 3.6 Accessory Use Standards for Structure Size, Number, and Height

Applicant: Ashley Hunter

BACKGROUND:

The applicant, Ashley Hunter, is applying for a text amendment to modify Article 3, Sec. 3.6 Accessory Use Standards (See Attachment 1). The applicant is pursuing this text amendment because they wish to build an accessory structure on their property that is inconsistent with the current ordinance regulations. She proposes the following changes:

1. to allow larger lots the ability to have more than one accessory structure,
2. base the size of the accessory structure(s) on the size of the lot instead of the size of the primary structure, and
3. increase the height allowed for the structures (See Attachment 2).

Number of Accessory Structures

The applicant desires two separate accessory structures. This would apply to all accessory structures, residential and nonresidential. They would like to build a garage and office space and keep their existing storage shed. The current ordinance states there can be only one accessory building per lot, with limited exceptions (See Attachment 3).

Size of Accessory Structures

Based on the current ordinance, the size of the accessory structure is limited by the size of the primary structure. The applicant proposes an amendment that the size of an accessory structure would be based off lot size rather than the footprint of the home. Lots with smaller homes would be more limited in the size of their accessory structure, regardless of the size of the lot. Basing the size of the accessory structure on the lot size would be more equitable for adjacent property owners within a residential zoning district because the lots have similar characteristics but could not exceed the lot coverage of the primary structure. This amendment applies to all residential accessory structures.

Height of Accessory Structure

The applicant also desires to increase the height allowed because they would like to match the roof pitch of their single-family home which she stated would be difficult to accomplish with the current 15' accessory structure height limitation.

The current Town Ordinance permits (See Attachment 3):

- only one accessory structure per lot,
- requires the accessory structure be no more than 25% the size of the primary structure, and
- limits the total height of the structure to 15' in height.

HISTORIC CONTEXT

Number of Accessory Structures

At least since 2000, the number of accessory structures has been limited to one structure per lot.

Accessory Structure Size

With the adoption of the 2000 ordinance, accessory structures were allowed to be up to 25% of the allowable lot coverage. At the time, lot coverage in residential districts was capped at 40% the size of the lot. At some point between 2000 and 2004, a table footer was added that stated:

*In any case, accessory structures may not constitute a proportionate size greater than 25% of the actual developed area, regardless of lot size.

In 2009, a text amendment was proposed by staff to require an accessory structure be no larger than 25% the size of the primary structure size. This change was made because the ordinance did not define developed area, but it did define principal structure.

(b) Table 3.9.2 Lot Coverage Standards for Accessory Structures in Residential Districts(1) *Within Residential (R) Districts and the MX-1 Mixed Use District.*

Accessory structures shall conform to the following standards in the designated zone districts:

Zoning District	Lot Size	Maximum Allowable Lot Coverage of Structures	40% Maximum Allowable Lot Coverage	75% of Max. Allowable Lot coverage allocated to Single-Family Dwelling	25% of Maximum Allowable Lot Coverage allocated to Accessory Building*
R-1	5,000 sq.ft.	40%	2,000 sq.ft.	1,500 sq.ft.	500 sq.ft.
R-1B	5,000 sq. ft.	40%	2,000 sq.ft.	1,500 sq.ft.	500 sq.ft.
R-2	7,000 sq. ft.	40%	2,800 sq. ft.	2,100 sq. ft.	700 sq. ft.
R-3	12,000 sq.ft.	40%	4,800 sq.ft.	3,600 sq.ft.	1,200 sq.ft.
C	80,000 sq.ft.	6%	4,800 sq.ft.	3,600 sq.ft.	1,200 sq.ft.
MH	5,000 sq.ft.	40%	2,000 sq.ft.	1,500 sq.ft.	500 sq.ft.
MF	5,000 sq.ft.	40%	2,000 sq.ft.	1,500 sq.ft.	500 sq.ft.
MX	5,000 sq.ft.	40%	2,000 sq.ft.	1,500 sq.ft.	500 sq.ft.

*In any case, accessory structures may not constitute a proportionate size greater than 25% of the actual developed area, regardless of lot size.

Accessory Structure Height

Prior to 2005, accessory structures were permitted to be one story in height, with no specific maximum height limit. In 2009, a request was heard to increase accessory structure heights to 25' to accommodate a loft office on top of a storage shed. Staff recommended capping the height at 15 feet, as taller structures could potentially allow for unpermitted improvements. Town Council was concerned anything above 15' could create upstairs apartments or mother-in-law suites which could increase residential density. Therefore, Town Council removed the one-story restriction and established a 15-foot height limit for accessory structures.

LAND USE PLAN:

The text amendment is in general conformity with the CAMA Land Use Plan. The plan does not specifically touch on specifics related to accessory structures and their height, size, or number. Goal 4 of the Land Use Plan does state a desire to reduce overall nonconformities in the town but also respect existing uses and entitlements and the rebuilding of structures. There are parcels in the town that have more than one accessory structure which have potentially existed since before the accessory structures were limited to one per lot. There could be instances where the proposed text amendment may reduce nonconformities.

STAFF COMMENTS:

Staff is in general in support of the proposed text amendment. Staff has been working with the applicants on this and have crafted a language staff is comfortable in regards to the number of structures and the size of the structures. However, staff has concerns regarding the increase in the height of the accessory structures. Historically the town has been restrictive with the height of accessory structures in an effort to limit the illegal conversion of these structures to living area or accessory dwelling units. Staff does also recognize there is a desire from homeowners to use

these second stories as office space or to use the increased height allowance to add a roof pitch that better matches the primary structure roof pitch.

P&Z Meeting:

Planning and Zoning denied the proposed text amendment, 6-0, due to the proposed text amendment being inconsistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

MOTION:

Approval – to amend Article 3, Sec. 3.6 Accessory Use Standards

Denial – to amend Article 3, Sec. 3.6 Accessory Use Standards

ATTACHMENTS:

Attachment 1 – Text Amendment Application

Attachment 2 – Proposed Text Amendment Language

Attachment 3 – Current Ordinance Language

Attachment 4 – Other Municipality Ordinances

**PETITION FOR A TEXT AMENDMENT**

Petitions shall be submitted for review to the Department of Planning and Development located at 1121 N. Lake Park Blvd., Carolina Beach, NC 28428. Only complete petitions will be processed.

PETITIONER

Petitioner's Full Name: Ashley Hunter Phone #: (910)- 520 - 1311

Street Address: 221 Teakwood Drive

City: Carolina Beach State: NC Zip: 28428

Email: ashleyhunter4pcmail@yahoo.com

REQUESTED TEXT AMENDMENT

Town Code Section(s) Requested to be Amended:
3.6 ACCESSORY USE STANDARDS

Please provide a general proposal for the amendment to the Town Code Section(s) stated above which you believe will result in improved regulations for all the residents of the Town of Carolina Beach

See below / attached

This petition will be scheduled for the next possible meetings with the following boards: (1) Technical Review Committee, (2) Planning and Zoning Commission and (3) Town Council. The petitioner or a representative should be present at all meetings to answer any questions. Contact the Department of Planning and Development for a schedule of meeting times and submittal deadlines. All meetings are held at the Municipal Administration Building, 1121 N. Lake Park Boulevard, Carolina Beach, NC 28428. Petitioners will be informed of any changes in date, time, or location of meetings.

I understand that the \$350 fee for review is nonrefundable.

Signature of Petitioner: _____

Ashley Hunter

Date: _____

19 May 2025

3.6 ACCESSORY USE STANDARDS

A. ACCESSORY USE OR STRUCTURE, GENERAL STANDARDS

1. These general standards apply to allow accessory uses and structures.
2. ~~In no case shall there be more than~~ one (1) customary accessory ~~building~~ structure shall be allowed for every 5,000 sf of lot area on the lot except for the exemptions provided herein.
 - a) The following shall be exempted from the lot coverage requirements and the limit of the number of accessory structures ~~the one (1) customary accessory building~~:
 - i) Fence.
 - ii) Flagpole.
 - iii) Dog house not to exceed 16 square feet.
 - iv) Pump house not to exceed 16 square feet.
 - v) Playhouse not to exceed 36 square feet nor eight (8) feet in height.
 - vi) Private swimming pools and their associated decks, fencing, and equipment.
 - vii) Structural beach crossover.
 - viii) Marinas.
 - ix) Electric (EV) charging station.
 - b) The exemptions shall not have sewer, electrical, and plumbing, except for marinas, beach crossovers, pools, and pump houses, where applicable.
 - c) These exemptions are not considered as part of the lot coverage for bulk purposes. Impervious coverage limitations are still applicable.

B. ACCESSORY USE OR STRUCTURE, NONRESIDENTIAL

1. Accessory structures associated with nonresidential uses shall:
 - a) Be included when calculating the total allowable lot coverage.
 - b) Not be permitted within any required front or side yard, or within five (5) feet of the rear lot line.
 - c) Not exceed the size of the primary structure.
 - d) Not be used as a dwelling unit.

C. ACCESSORY USE OR STRUCTURE, RESIDENTIAL

1. Accessory structures associated with residential uses shall:
 - a) Be included when calculating the total allowable lot coverage and shall not constitute a ~~proportionate~~ cumulative size greater than ~~25~~10% of the ~~principal building's lot coverage, regardless of the lot size, but shall not exceed the size of the lot coverage of the primary structure.~~
 - b) Be limited to ~~15-20~~ feet in height or shall not exceed the building height of the primary structure, whichever is less.
 - c) Not be permitted within any required front or side yard, or within five (5) feet of the rear lot line.
 - d) Not be occupied, leased, rented, or otherwise used for profit, income, or for gain.

- e) Not be used as a dwelling unit.
- f) Contain no more than three (3) internal plumbing fixtures (water heater is exempt).
- g) Meet State Building Code requirements if any dimension is greater than 12 feet.

(Ord. No. 24-1230, 7-9-2024)

3.6 ACCESSORY USE STANDARDS

A. ACCESSORY USE OR STRUCTURE, GENERAL STANDARDS

1. These general standards apply to allow accessory uses and structures.
2. In no case shall there be more than one (1) customary accessory building on the lot except for the exemptions provided herein.
 - a) The following shall be exempted from the one (1) customary accessory building:
 - i) Fence.
 - ii) Flagpole.
 - iii) Dog house not to exceed 16 square feet.
 - iv) Pump house not to exceed 16 square feet.
 - v) Playhouse not to exceed 36 square feet nor eight (8) feet in height.
 - vi) Private swimming pools and their associated decks, fencing, and equipment.
 - vii) Structural beach crossover.
 - viii) Marinas.
 - ix) Electric (EV) charging station.
 - b) The exemptions shall not have sewer, electrical, and plumbing, except for marinas, beach crossovers, pools, and pump houses, where applicable.
 - c) These exemptions are not considered as part of the lot coverage for bulk purposes. Impervious coverage limitations are still applicable.

B. ACCESSORY USE OR STRUCTURE, NONRESIDENTIAL

1. Accessory structures associated with nonresidential uses shall:
 - a) Be included when calculating the total allowable lot coverage.
 - b) Not be permitted within any required front or side yard, or within five (5) feet of the rear lot line.
 - c) Not exceed the size of the primary structure.
 - d) Not be used as a dwelling unit.

C. ACCESSORY USE OR STRUCTURE, RESIDENTIAL

1. Accessory structures associated with residential uses shall:
 - a) Be included when calculating the total allowable lot coverage, and shall not constitute a proportionate size greater than 25% of the principal building's lot coverage, regardless of the lot size.
 - b) Be limited to 15 feet in height.
 - c) Not be permitted within any required front or side yard, or within five (5) feet of the rear lot line.
 - d) Not be occupied, leased, rented, or otherwise used for profit, income, or for gain.
 - e) Not be used as a dwelling unit.
 - f) Contain no more than three (3) internal plumbing fixtures (water heater is exempt).

-
- g) Meet State Building Code requirements if any dimension is greater than 12 feet.

ACCESSORY STRUCTURE LIMITATIONS IN NEARBY COMMUNITIES

	Height	Number	SF	Lot Coverage
Wrightsville Beach	12.5 ft or 14 ft for detached garages	No limit	100sf (10x10) or 200sf (10x20) for detached garages	None
Wilmington	Height of primary structure or 35ft, whichever is less	2 (4 if lot is 4+ acres)	Total SF of accessory structures cannot exceed 100% of primary heated SF	Cannot cover more than 30% of the required side or rear yard
Topsail Beach	Structures shall conform to zoning district dimensional standards	1 plus detached garage	No limit.	None
Kure Beach	1 story with a height limit of 15 ft	No limit	No limit	None
Atlantic Beach	Structures shall conform to zoning district dimensional standards	No limit. Impervious limit of 40% in residential areas	50% of the principal structure's gross floor area, or 600 SF, whichever is greater	None
Surf City	Height of the principal structure	No limit. Lot coverage limit of 40%	10% of the total lot area, or 1,200 square feet, whichever is greater. Cannot cumulatively exceed gross floor area of primary structure	Principal and accessory dwelling unit together shall not exceed the max building/impervious surface requirements

Ordinance 25-1265

Town of Carolina Beach
Town Council



AN ORDINANCE TO ARTICLE 3, SEC. 3.6 ACCESSORY USE STANDARDS

A. ACCESSORY USE OR STRUCTURE, GENERAL STANDARDS

1. These general standards apply to allow accessory uses and structures.
2. ~~In no case shall there be more than~~ one (1) customary accessory ~~building~~ structure shall be allowed for every 5,000 sf of lot area on the lot except for the exemptions provided herein.
 - a) The following shall be exempted from the lot coverage requirements and the limit of the number of accessory structures ~~the one (1) customary accessory building~~:
 - i) Fence.
 - ii) Flagpole.
 - iii) Dog house not to exceed 16 square feet.
 - iv) Pump house not to exceed 16 square feet.
 - v) Playhouse not to exceed 36 square feet nor eight (8) feet in height.
 - vi) Private swimming pools and their associated decks, fencing, and equipment.
 - vii) Structural beach crossover.
 - viii) Marinas.
 - ix) Electric (EV) charging station.
 - b) The exemptions shall not have sewer, electrical, and plumbing, except for marinas, beach crossovers, pools, and pump houses, where applicable.
 - c) These exemptions are not considered as part of the lot coverage for bulk purposes. Impervious coverage limitations are still applicable.

B. ACCESSORY USE OR STRUCTURE, NONRESIDENTIAL

1. Accessory structures associated with nonresidential uses shall:
 - a) Be included when calculating the total allowable lot coverage.
 - b) Not be permitted within any required front or side yard, or within five (5) feet of the rear lot line.
 - c) Not exceed the size of the primary structure.
 - d) Not be used as a dwelling unit.

C. ACCESSORY USE OR STRUCTURE, RESIDENTIAL

1. Accessory structures associated with residential uses shall:
 - a) Be included when calculating the total allowable lot coverage and shall not constitute a ~~proportionate~~ cumulative size greater than ~~25~~10% of the ~~principal building's lot coverage~~,

Town of Carolina Beach
Ordinance No. 25-1265

Ordinance 25-1265

Town of Carolina Beach
Town Council

~~regardless of the~~ lot size, but shall not exceed the size of the lot coverage of the primary structure.

- b) Be limited to ~~15~~ 20 feet in height or shall not exceed the building height of the primary structure, whichever is less.
- c) Not be permitted within any required front or side yard, or within five (5) feet of the rear lot line.
- d) Not be occupied, leased, rented, or otherwise used for profit, income, or for gain.
- e) Not be used as a dwelling unit.
- f) Contain no more than three (3) internal plumbing fixtures (water heater is exempt).
- g) Meet State Building Code requirements if any dimension is greater than 12 feet.

Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 13th day of February, 2024.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



Text Amendment to Article 3. Sec. 3.6 – Accessory Use Standards

Applicant: Ashley Hunter

Town Council Meeting
August 12th, 2025

Background

- Applicant: Ashley Hunter
- Reason for the proposed text amendment:
 - The applicant is pursuing this text amendment because they wish to build an accessory structure on their property that is inconsistent with the current ordinance regulations
- The following changes are proposed:
 - Number - To allow larger lots the ability to have more than one accessory structure,
 - Size - Base the size of the accessory structure(s) on the size of the lot instead of the size of the primary structure, and
 - Height - Increase the height allowed for the structures.

Background Continued

- Number of Accessory Structures
 - The ordinance limits accessory structures to one per lot.
 - The applicant desires two separate accessory structures
 - The applicant would like to build a building with garage and office space while keeping their existing storage shed.
- Size of Accessory Structures
 - The ordinance restricts the size of an accessory structure to no more than 25% the size of the primary structure.
 - The applicant has a large lot with a small primary structure which they believe would severely limit the size of the accessory structure they would like to add to the lot.
 - Proposed: Base the size of the accessory structure on the lot size instead of primary structure size, which is more equitable for larger lot owners.
- Height of Accessory Structures
 - The ordinance limits the height of the structure to no taller than 15 feet.
 - The applicant desires to increase the height to 20 feet to be able to match the roof pitch of their single-family home

Proposed Text Amendment – Number of Structures

3.6 ACCESSORY USE STANDARDS

A. ACCESSORY USE OR STRUCTURE, GENERAL STANDARDS

1. These general standards apply to allow accessory uses and structures.
2. ~~In no case shall there be more than~~ one (1) customary accessory ~~building~~ structure shall be allowed for every 5,000 sf of lot area on the lot except for the exemptions provided herein.
 - a) The following shall be exempted from the lot coverage requirements and the limit of the number of accessory structures ~~the one (1) customary accessory building~~:
 - i) Fence.
 - ii) Flagpole.
 - iii) Dog house not to exceed 16 square feet.
 - iv) Pump house not to exceed 16 square feet.
 - v) Playhouse not to exceed 36 square feet nor eight (8) feet in height.
 - vi) Private swimming pools and their associated decks, fencing, and equipment.
 - vii) Structural beach crossover.
 - viii) Marinas.
 - ix) Electric (EV) charging station.

Proposed Text Amendment – Size & Height

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C. ACCESSORY USE OR STRUCTURE, RESIDENTIAL

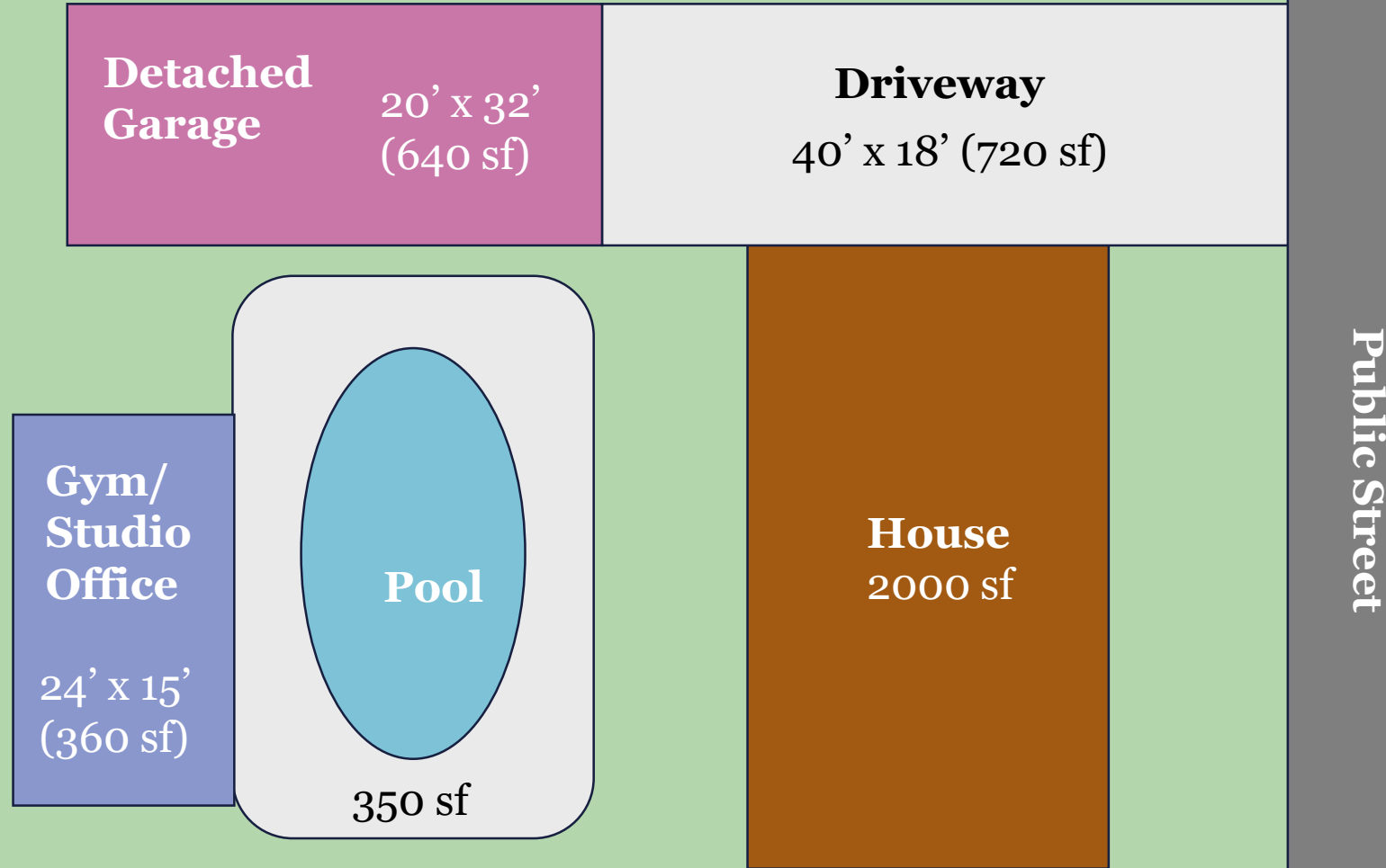
1. Accessory structures associated with residential uses shall:
 - a) Be included when calculating the total allowable lot coverage and shall not constitute a ~~proportionate~~ cumulative size greater than ~~25~~10% of the ~~principal building's lot coverage, regardless of the~~ lot size, but shall not exceed the size of the lot coverage of the primary structure.
 - b) Be limited to ~~15~~20 feet in height or shall not exceed the building height of the primary structure, whichever is less.
 - c) Not be permitted within any required front or side yard, or within five (5) feet of the rear lot line.
 - d) Not be occupied, leased, rented, or otherwise used for profit, income, or for gain.
 - e) Not be used as a dwelling unit.
 - f) Contain no more than three (3) internal plumbing fixtures (water heater is exempt).
 - g) Meet State Building Code requirements if any dimension is greater than 12 feet.

Lot Size Chart

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Lot Size	Typical Zoning Districts	Ratio: 1 structure per 5,000 sf of Lot	Number of Structures
5000 sf	R-1, R-1B, MF, MH, MX, NB, T-1	1.0	1
7,000 sf	R-2	1.4	1
7,500 sf	R-2	1.5	2
10,000 sf	HB, MB- 1	2.0	2
12,000 sf	R-3	2.4	2
15,000 sf	R-3	3.0	3

Example Scenario



Lot Size: 10,000 SF

- Lot Coverage: 40% Item 8.
- Impervious Surface: 65%

Allowed Number of
Accessory Structures: 2

10% of Lot Size: 1,000 sf

Lot coverage: 30%

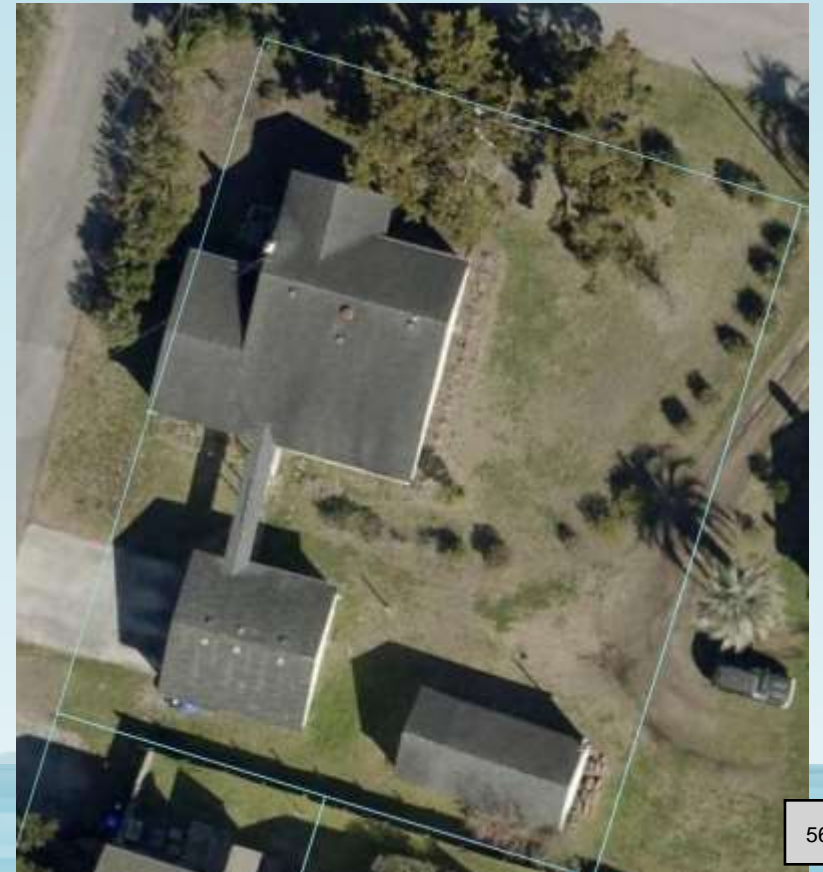
Impervious Surface: 40.7%

Under Current ordinance:
Limited to one accessory
Structure & if the primary
structure is 2000 sf, the
accessory structure could
only be 500 sf.

Historic Context – Number of Structures

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- At least since 2000, the number of accessory structures has been limited to one structure per lot.



Historic Context – Structure Size

- 2000 - accessory structures were allowed to be up to 25% of the allowable lot coverage.
- 2004 - accessory structures may not constitute a proportionate size greater than 25% of the actual developed area, regardless of lot size.
- 2009 - a text amendment was proposed by staff to require an accessory structure be no larger than 25% the size of the primary structure size.
- This change was made because the ordinance did not define developed area, but it did define principal structure.

(b) Table 3.9.2 Lot Coverage Standards for Accessory Structures in Residential Districts

(1) *Within Residential (R) Districts and the MX-1 Mixed Use District.*

Accessory structures shall conform to the following standards in the designated zone districts:

Zoning District	Lot Size	Maximum Allowable Lot Coverage of Structures	40% Maximum Allowable Lot Coverage	75% of Max. Allowable Lot coverage allocated to Single-Family Dwelling	25% of Maximum Allowable Lot Coverage allocated to Accessory Building*
R-1	5,000 sq.ft.	40%	2,000 sq.ft.	1,500 sq.ft.	500 sq.ft.
R-1B	5,000 sq. ft.	40%	2,000 sq.ft.	1,500 sq.ft.	500 sq.ft.
R-2	7,000 sq. ft.	40%	2,800 sq. ft.	2,100 sq. ft.	700 sq. ft.
R-3	12,000 sq.ft.	40%	4,800 sq.ft.	3,600 sq.ft.	1,200 sq.ft.
C	80,000 sq.ft.	6%	4,800 sq.ft.	3,600 sq.ft.	1,200 sq.ft.
MH	5,000 sq.ft.	40%	2,000 sq.ft.	1,500 sq.ft.	500 sq.ft.
MF	5,000 sq.ft.	40%	2,000 sq.ft.	1,500 sq.ft.	500 sq.ft.
MX	5,000 sq.ft.	40%	2,000 sq.ft.	1,500 sq.ft.	500 sq.ft.

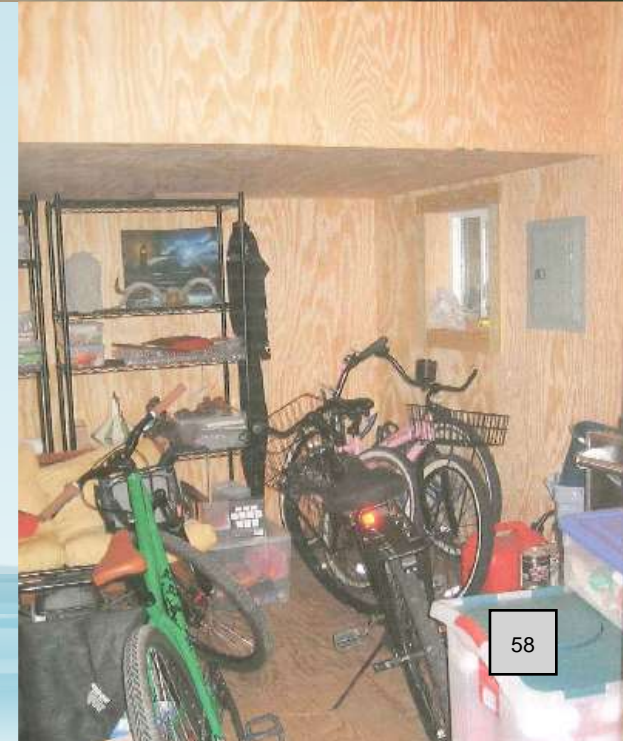
*In any case, accessory structures may not constitute a proportionate size greater than 25% of the actual developed area, regardless of lot size.

Historic Context – Structure Height

- Prior to 2005 - accessory structures were permitted to be one story in height, with no specific maximum height limit.
- 2009 - a request was heard to increase accessory structure heights to 25' to accommodate a loft office on top of a storage shed.
 - Staff recommended capping the height at 15 feet, as taller structures could potentially allow for unpermitted improvements.
 - Town Council was concerned anything above 15' could create upstairs apartments or mother-in-law suites which could increase residential density.
 - Therefore, Town Council removed the one-story restriction and established a 15-foot height limit for accessory structures.



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Examples of Accessory Structure Heights

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7 Feet



12 Feet

Examples of Accessory Structure Heights

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15 Feet



17 Feet

Examples of Accessory Structure Heights

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22 Feet



25 Feet

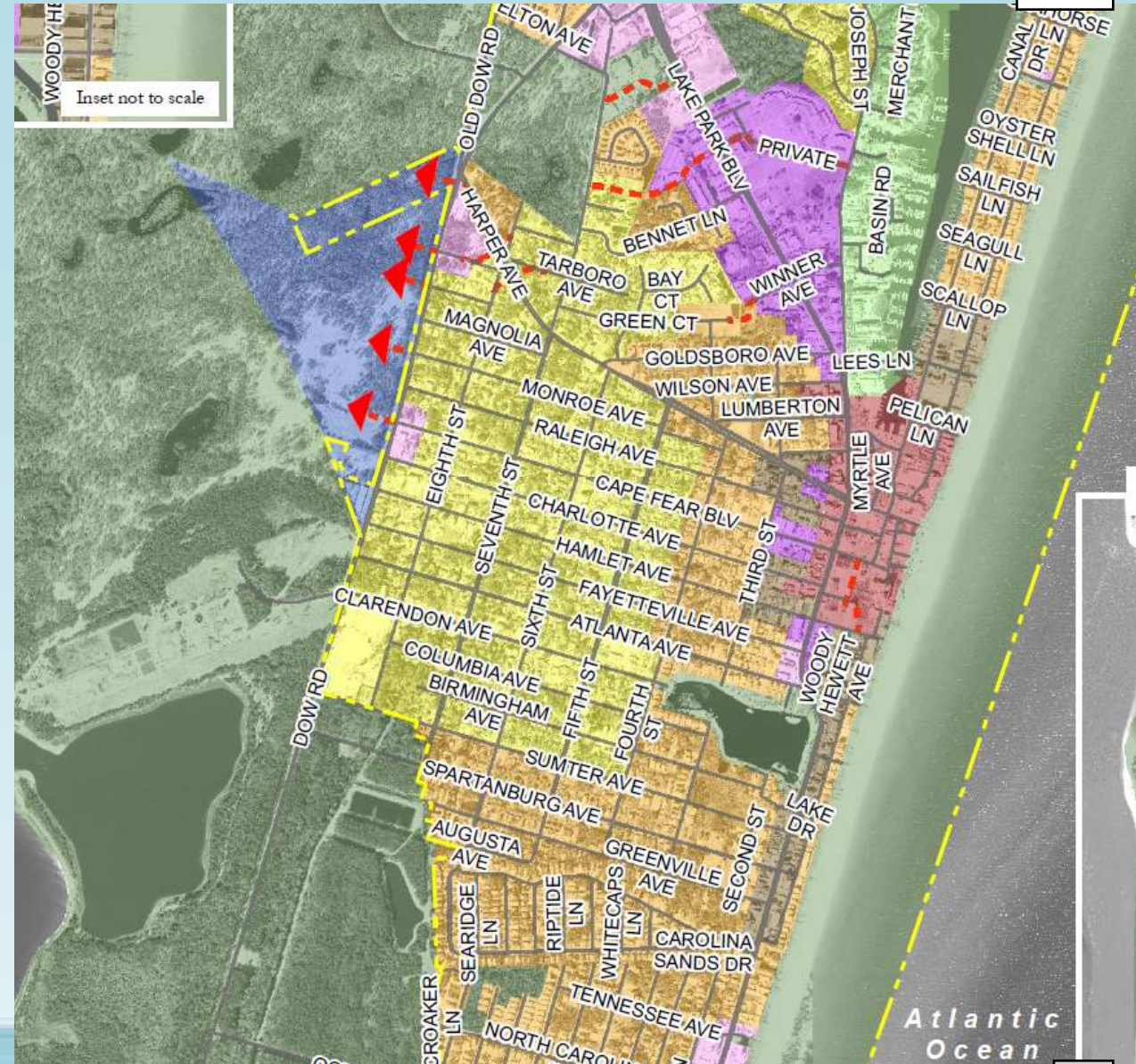
Land Use Plan:

The text amendment is in general conformity with the CAMA Land Use Plan.

The LUP does not specifically touch on specifics related to accessory structures and their height, size, or number.

Goal 4 of the Land Use Plan does state a desire to reduce overall nonconformities in the town but also respect existing uses and entitlements and the rebuilding of structures.

- There are many larger lots in CB which have more than one accessory structure and taller than 15'.
- This text amendment could reduce existing nonconformities.



Staff Comments

Staff is in general in support of the proposed text amendment.

- Staff worked with the applicants on the text amendment and have crafted a language staff is comfortable in regards to the number of structures and the size of the structures.

However, staff has concerns regarding the increase in the height of the accessory structures based on the historical concerns for these taller structures to be illegally converted to additional dwelling units.

P&Z Meeting

- Planning and Zoning denied the proposed text amendment, 6-0, due to the proposed text amendment being inconsistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

Town Council Options:

1. Approve the applicant's text amendment, or parts of the text amendment.
2. Can modify the amendment at your discretion.
3. Deny, whole or part, of the proposed text amendment.

Motion

Approval

The Town Council, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the following text amendment for Article 3. Sec. 3.6 Accessory Use Standards is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

1. Size
2. Number
3. Height

Denial

The Town Council, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the following text amendment for Article 3. Sec. 3.6 Accessory Use Standards is inconsistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

1. Size
2. Number
3. Height



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Community Development

MEETING: Town Council – August 12, 2025

SUBJECT: **Text Amendment** to amend Article 3: Zoning and Article 7: Definitions of the UDO to address water-oriented businesses and personal watercraft sales and rental.
Applicant: Town of Carolina Beach

BACKGROUND:

During the UDO rewriting process, staff and the Planning and Zoning Commission identified the need to address water-oriented businesses in the ordinance. To facilitate a more focused discussion, this text amendment is being introduced currently, after the UDO has been adopted. Staff have also received an application for an appeal.

The goal of this text amendment is to clarify water-oriented businesses and related uses for the community and administrators. There is ambiguity in the ordinance for boat related uses. Water oriented uses were defined but did not have any clear regulations. There are multiple uses that are similar with different requirements and parking calculations. Staff presented a text amendment in April for P&Z review. Since the April meeting, staff and P&Z have held three workshops and two regular meetings to discuss the text amendment.

The following changes have been made to the proposed ordinance:

1. Different types of boating activities were broken out into the following uses and definitions
 - a. Rental
 - b. Sales and repair
 - c. Taxi
 - d. Larger commercial
 - e. Smaller commercial
2. Added standards for Boat Rental
 - a. The business shall operate in a permanent on-site building.
 - b. All boat slips must be shown on the site plan.
 - c. All other standards are consistent with the automotive development standards.
3. Added standards for Commercial Marinas
 - a. Parking, restrooms, refuse, water, electricity, and sewer pump outs are required.

The table below describes the differences between the two options for approval:

	P&Z Option 1	Staff Option 2
<i>Use: Rental</i>	Conditional Zoning	Permitted with Standards
<i>Use:</i>	Water-oriented business	Commercial vessel
<i>Parking: Rental</i>	1.5 per boat or PWC	1 per boat or PWC
<i>Parking: Dry Stack</i>	1 per 2 dry storage space	1 per 5 dry storage space

Conditional Zoning uses are egregious and require Town Council review and approval. The boat and personal water craft rental use standards are straightforward. Any commercial vessel or commercial businesses are required to be in a commercial marina, which requires conditional zoning.

Staff recommend using the term commercial vessel instead of water oriented business because it is a commonly used term in federal and state codes. The use of common terms makes it easier to regulate.

In 2005 there was an applicant driven text amendment that changed marina parking to 1 per 3. The town changed the commercial marina parking back to 1 per 1 space in 2007 because the specific project that the ordinance was changed for in 2005 was never built. The proposed parking requirement for Commercial Marinas lines up with the ordinance requirements of the surrounding communities and is consistent with the historical requirements of the Town.

The change to dry stack parking was brought up by P&Z and was not part of the original text amendment proposal. Historically there have not been any issues with dry stack parking.

P&Z recommended approval of the option 1 text amendment with the addition of a request to rezone the eastern portion of the Town Marina from MB-1 to CBD and designate St. Joseph Street as residential parking.

LAND USE PLAN:

The text amendment is in general conformity with the CAMA Land Use Plan. The recreational and working waterfront are major drivers in the town's economy. The plan recommends preserving traditional water dependent uses like marinas.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

MOTION:

Approval – to amend Article 3: Zoning and Article 7: Definitions to address water-oriented businesses and personal watercraft sales and rental.

- The Council, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the following ordinance amendment Option __ to amend Article 3: Zoning and Article 7: Definitions of the UDO to address water-oriented businesses is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans or

Denial – to amend Article 3: Zoning and Article 7: Definitions to address water-oriented businesses and personal watercraft sales and rental.

- based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents.

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AN ORDINANCE TO ADDRESS WATER ORIENTED USES (OPTION 1 P&Z)

3.4 TABLE OF USES

Table 3.2: Table of Uses	P = Permitted by Right; CZ = Conditional Zoning (Use Standard noted); PS = Permitted Use with a Use Standard														Use Standard
Uses of Land	R - 1	R - 1 B	R - 2	R - 3	C	M H	M F	M X	C B D	N B	H B	M B -1	T - 1	I-1	
Nonresidential Uses (Section 3.9)															
Automotive, major (including motorcycles, RVs, and other consumer motor vehicles)										C Z	P S			P S	3.9.C
Automotive, minor									P S	P S	P S	P S		P S	3.9.D
Rental of any item, the sale of which is permitted in the district									P		P	P			
Repair of any item, the sale of which is permitted in the district									P		P	P			
Retail Sales								P	P	P	P	P		P	
Marina Uses															
Boat and personal water craft (PWC) sales and rental									P C Z		P C Z	P C Z	P C Z	P C Z	3.9.E
Boat <u>and personal water craft (PWC) sales and</u> repair facility											P S	P S		P S	3.9. G <u>F</u>
<u>Boat Taxi</u>									P						
Marinas, docks and/or piers, public or commercial	C Z				C Z		C Z		P S			C Z			3.9.N

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Marinas, docks and/or piers, public and private	P	P	P		G Z P				P			P			
Water oriented businesses less than 15-person capacity									G Z P			G Z P			
Water oriented businesses greater than or equal to 15-person capacity									P						

3.9 NONRESIDENTIAL USE STANDARDS

C. AUTOMOTIVE, ~~MAJOR~~ [\(including motorcycles, RVs, and other consumer motor vehicles\)](#)

- ~~1. All work shall be conducted entirely within an enclosed structure so as to protect surrounding properties and uses from objectionable characteristics of repair activity.~~
- ~~2.~~ [1.](#) No outside storage of junk vehicles or parts shall be permitted.
- ~~3. In applicable districts, wrecked or inoperable automobiles actually in process of repair may be stored outside, provided that such vehicles shall be concealed from view by a fence, wall, or vegetative buffer at least six (6) feet high and offering 100% opacity.~~
- [2. Limitations shall be placed on outdoor repair areas to protect surrounding properties and uses from any objectionable characteristics resulting from repair activities.](#)
 - [a\) The size of outdoor repair area shall not exceed 30% of the lot.](#)
 - [b\) Minimum setbacks for outdoor repair areas shall be 15 feet from all property lines.](#)
 - [c\) Any outdoor repair areas shall be completely shielded from streets and adjacent properties by buildings and/or fencing that is at least six \(6\) feet high and offers 100% opacity.](#)
- ~~4. Vehicle sales and rental lots shall be subject to the following:~~
 - ~~a) d)~~ [d\)](#) No encroachments of displayed vehicles within 20 feet from the street right-of-way or within areas designated as vehicle sight distance at street or driveway intersections.

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- e) Provide egress and ingress to and from the property in a forward movement.
- ~~c) All display surface areas to be paved or stoned and proper drainage provided.~~
- ~~d) Provide buffering of vegetation or fencing, or combination thereof, along all side and rear property lines in conformance with this ordinance.~~
- f) All lighting shall be directed to the interior of the property so as not to cause impact upon adjacent properties or to street rights-of-way.
- ~~f) No establishment shall contain outdoor storage of junk vehicles, vehicles in disrepair, or other items associated thereto.~~
- g) Areas utilized for wash areas shall provide for the proper drainage and retention of water runoff. No water shall leave the site. Any wash areas shall be comprised of a hardscape surface not to include gravel, turf, or vegetative ground cover. Washing, vacuuming, drying, and polishing facilities may not be located in any required setback or buffer area.
- ~~h) All structures shall be subject to the requirements of the zoning districts, building codes, and other applicable regulations of the town.~~

~~D.AUTOMOTIVE, MINOR~~

~~1.Car wash facilities shall be subject to the following requirements:~~

- ~~a)Car wash facilities shall only be permitted as an accessory to an automotive use in the CBD and NB zoning districts. No principal use car wash shall be permitted in those respective zoning districts.~~
- ~~b)Vacuuming, drying, and polishing facilities may not be located in any required setback or buffer area.~~
- ~~c)At least two (2) staging spaces and one (1) drying space per wash bay shall be provided.~~
- ~~d)Hours of operation may be from 8:00 AM to 9:00 PM only, when adjoining a residential zoning district.~~
- ~~e)All vehicular accessible areas on the lot shall be at least 100 feet from any interior lot line separating the lot from a residential zoning district.~~
- ~~f)Security light must be shielded from adjacent residential zoned properties to prevent undo bright lights from shining onto/into dwellings.~~

~~2.Minor automotive establishments engaged in repair work shall be prohibited from the storage of vehicles on site for more than 10 days, otherwise such use shall be deemed a major automotive use or outdoor storage yard.~~

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~~E. D.~~ BED AND BREAKFAST INNS

E. BOAT AND PERSONAL WATER CRAFT (PWC) RENTAL

Any operation, whether as principal or accessory, that plans to rent boats and PWC, shall meet the following requirements:

1. No rental item shall be permitted to encroach into any public right-of-way or site triangle in accordance with the off-street parking design and construction standards for vision clearance.
2. All exterior display areas shall be paved or stoned with proper drainage provided.
3. All lighting shall be directed to the interior of the property and shall not impact adjacent properties or public rights-of-way.
4. Rental, maintenance, and all related functions shall be conducted within a permanent on-site building on land having restrooms facilities for patrons and employees.
5. All boat slips (wet slips, dry slips, dry stacks) shall be shown on the site plan.

F. BOAT AND PERSONAL WATER CRAFT (PWC) SALES AND REPAIR FACILITY

Limitations shall be placed on outdoor repair areas to protect surrounding properties and uses from any objectionable characteristics resulting from repair activities.

1. The size of outdoor repair area shall not exceed 30% ~~lot coverage~~ of the lot.
2. Minimum setbacks for outdoor repair areas shall be 15 feet from all property lines.
3. Any outdoor repair areas shall be completely shielded from streets and adjacent properties by buildings and/or fencing that is at least six (6) feet high and offers 100% opacity.
4. No outside storage of junk boats, trailers, or parts shall be permitted.

N. MARINA, COMMERCIAL

Any operation shall meet the following requirements:

1. Parking shall be provided in accordance with the requirements of this Article.
2. Restroom facilities shall be provided for the exclusive use of the commercial marina patrons.
3. Properly screened and adequately sized solid waste disposal facilities shall be provided for the exclusive use of commercial marina patrons.
4. Water, electricity, & sewer pump out shall be provided.

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5. If any accessory uses conduct business in an office, it shall be in a permanent on site building on land.

3.24 OFF-STREET PARKING

Table 3.6 Minimum Off-Street Parking Spaces Required	
Types of Uses	Number of Required Parking Spaces
Nonresidential uses	
Automotive <u>(including motorcycles, RVs, and other consumer motor vehicles)</u> , major and minor	2 per station + 4 per service bay <u>1 per 200 square feet of actual retail/sales area and 1 per 500 square feet of indoor repair area</u>
<u>Boat and personal water craft (PWC) rental</u>	<u>1.5 per boat or PWC</u>
<u>Boat and personal water craft (PWC) sales and</u> repair services	1 per 200 square feet of actual retail/sales area and 1 per 500 square feet of indoor repair area
Commercial marina	1 per wet boat storage space <u>slip</u> , 1 per 2 dry storage <u>space</u> , 1 per service bay + required for all other on-site uses, <u>1.5 per boat or PWC</u>
Dry stack storage facilities	1 per 5 <u>2</u> dry storage space
<u>Commercial vessel (less than 15 person capacity)</u>	<u>1 per wet boat slip</u>

7.3 DEFINITIONS

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this ordinance.

~~Automotive, major~~ means establishments engaged in vehicle sales (including motorcycles, RVs, and other consumer motor vehicles), automotive rental, towing, washing, servicing and ~~major~~ repair such as transmission, engine repair, bodywork, and repainting. Retail items customarily sold at service stations are included. Rental of boats and personal watercraft (PWC), golf carts, mopeds, e-bikes, and scooters shall not be included.

~~Automotive, minor~~ means establishments that are primarily engaged in washing cars, fuel dispensing, tire sales, minor repair such as diagnostic work, lubricating, wheel alignment, and inspections, but no vehicle sales or rental. Retail items customarily sold at service stations are included.

Boat (vessel) and personal watercraft (PWC) means watercraft of any type or size specifically designed to be self-propelled, whether by engine, sail, oar, paddle, or other means, used to travel from place to place by water. A boat or vessel shall also include any machine designed or intended to travel over water by self-propulsion.

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Boat and personal water craft (PWC) ~~sales and~~ rental means a maritime ~~retail sales and rental~~ establishment in which boats are rented ~~or sold~~ from a dry stack, dry storage, or wet slip.

Boat repair and sales facility means a facility where boats are repaired and ~~stored until repairs are completed~~ sold.

Boat taxi means a vessel that provides transportation for passengers in waterways for a fee or other form of payment.

Marina, docks and/or piers, commercial means any marina, pier, or dock which caters to the general public, provides goods or services for sale, and/or, if located in a private residential development, makes available marina facilities to other persons besides occupants of said residential development shall be regarded as a commercial marina. Fishing piers available to the general public are included as part of this use type. Examples of permitted uses shall include but not be limited to the following on or off-site activities/services: charter boats, dive boats, dinner cruises, scenic cruises, boat rentals, etc.

Marina, docks and/or piers, private residential means a boat basin with facilities for berthing, securing or storing various types of watercraft for the exclusive purpose of the residential owners or renters thereof rather than the public at large.

Marina, docks, and/or piers, public means any marina, pier, or dock owned/operated by a government entity, which caters to the general public.

Retail sales means use types involved in the sale, repair, or lease of new or used products to the general public. Accessory uses may include offices, display of goods, limited assembly, processing, or repackaging of goods for on-site sale. Retail sales does not include the following:

1. Repair and service establishments, including automotive and marine related uses.
2. Bars, taverns, restaurants, wine/beer shop with on-site consumption, and similar eating establishments.
3. Personal service establishments.
4. An establishment that involves the sale, distribution, or presentation of materials, or activities emphasizing sexually explicit content.

Water oriented businesses means any commercial boat ~~that can be rented for off-site use or offers~~ used for off-site activities from the property, within a public or commercial marina. Examples shall include but not be limited to the following uses or activities: charter boats, ~~boat rentals~~, dive boats, dinner cruises, scenic cruises, ~~boat taxi~~, etc.

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[Wet boat slip means a space used to moor, store, or park a single watercraft in or over water. Includes residential, commercial, and transient slips.](#)

Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 12th day of August, 2025.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk

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AN ORDINANCE TO ADDRESS WATER ORIENTED USES (OPTION 2 Staff)

3.4 TABLE OF USES

Table 3.2: Table of Uses	P = Permitted by Right; CZ = Conditional Zoning (Use Standard noted); PS = Permitted Use with a Use Standard														Use Standard
Uses of Land	R - 1	R - 1 B	R - 2	R - 3	C	M H	M F	M X	C B D	N B	H B	M B -1	T - 1	I-1	
Nonresidential Uses (Section 3.9)															
Automotive, major <u>(including motorcycles, RVs, and other consumer motor vehicles)</u>										C Z	P S			P S	3.9.C
Automotive, minor									P S	P S	P S	P S		P S	3.9.D
Rental of any item, the sale of which is permitted in the district									P		P	P			
Repair of any item, the sale of which is permitted in the district									P		P	P			
Retail Sales								P	P	P	P	P		P	
<u>Marina Uses</u>															
Boat and personal water craft (PWC) sales and rental									P S		P S	P S	P S	P S	<u>3.9.E</u>
Boat <u>and personal water craft (PWC) sales and</u> repair facility											P S	P S		P S	3.9. G <u>F</u>
Marinas, docks and/or piers, public or commercial	C Z				C Z		C Z		P S			C Z			<u>3.9.N</u>

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Marinas, docks and/or piers, public and private	P	P	P		G Z P				P			P			
Water-oriented businesses									G Z			G Z			

3.9 NONRESIDENTIAL USE STANDARDS

C. AUTOMOTIVE, ~~MAJOR~~ [\(including motorcycles, RVs, and other consumer motor vehicles\)](#)

- ~~1. All work shall be conducted entirely within an enclosed structure so as to protect surrounding properties and uses from objectionable characteristics of repair activity.~~
- ~~2.~~ [1.](#) No outside storage of junk vehicles or parts shall be permitted.
- ~~3. In applicable districts, wrecked or inoperable automobiles actually in process of repair may be stored outside, provided that such vehicles shall be concealed from view by a fence, wall, or vegetative buffer at least six (6) feet high and offering 100% opacity.~~
- [2. Limitations shall be placed on outdoor repair areas to protect surrounding properties and uses from any objectionable characteristics resulting from repair activities.](#)
 - [a\) The size of outdoor repair area shall not exceed 30% of the lot.](#)
 - [b\) Minimum setbacks for outdoor repair areas shall be 15 feet from all property lines.](#)
 - [c\) Any outdoor repair areas shall be completely shielded from streets and adjacent properties by buildings and/or fencing that is at least six \(6\) feet high and offers 100% opacity.](#)
- ~~4. Vehicle sales and rental lots shall be subject to the following:~~
 - ~~a)~~ [d\)](#) No encroachments of displayed vehicles within 20 feet from the street right-of-way or within areas designated as vehicle sight distance at street or driveway intersections.
 - [e\)](#) Provide egress and ingress to and from the property in a forward movement.
 - ~~c) All display surface areas to be paved or stoned and proper drainage provided.~~
 - ~~d) Provide buffering of vegetation or fencing, or combination thereof, along all side and rear property lines in conformance with this ordinance.~~

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Town Council

- f) All lighting shall be directed to the interior of the property so as not to cause impact upon adjacent properties or to street rights-of-way.
- ~~f) No establishment shall contain outdoor storage of junk vehicles, vehicles in disrepair, or other items associated thereto.~~
- g) Areas utilized for wash areas shall provide for the proper drainage and retention of water runoff. No water shall leave the site. Any wash areas shall be comprised of a hardscape surface not to include gravel, turf, or vegetative ground cover. Washing, vacuuming, drying, and polishing facilities may not be located in any required setback or buffer area.
- ~~h) All structures shall be subject to the requirements of the zoning districts, building codes, and other applicable regulations of the town.~~

~~D. AUTOMOTIVE, MINOR~~

~~1. Car wash facilities shall be subject to the following requirements:~~

- ~~a) Car wash facilities shall only be permitted as an accessory to an automotive use in the CBD and NB zoning districts. No principal use car wash shall be permitted in those respective zoning districts.~~
- ~~b) Vacuuming, drying, and polishing facilities may not be located in any required setback or buffer area.~~
- ~~c) At least two (2) staging spaces and one (1) drying space per wash bay shall be provided.~~
- ~~d) Hours of operation may be from 8:00 AM to 9:00 PM only, when adjoining a residential zoning district.~~
- ~~e) All vehicular accessible areas on the lot shall be at least 100 feet from any interior lot line separating the lot from a residential zoning district.~~
- ~~f) Security light must be shielded from adjacent residential zoned properties to prevent undo bright lights from shining onto/into dwellings.~~

~~2. Minor automotive establishments engaged in repair work shall be prohibited from the storage of vehicles on-site for more than 10 days, otherwise such use shall be deemed a major automotive use or outdoor storage yard.~~

~~E. D. BED AND BREAKFAST INNS~~

E. BOAT AND PERSONAL WATER CRAFT (PWC) RENTAL

Any operation, whether as principal or accessory, that plans to rent boats and PWC, shall meet the following requirements:

Ordinance 25-1261

Town of Carolina Beach
Town Council

1. No rental item shall be permitted to encroach into any public right-of-way or site triangle in accordance with the off-street parking design and construction standards for vision clearance.
2. All exterior display areas shall be paved or stoned with proper drainage provided.
3. All lighting shall be directed to the interior of the property and shall not impact adjacent properties or public rights-of-way.
4. Rental, maintenance, and all related functions shall be conducted within a permanent on-site building on land having restrooms facilities for patrons and employees.
5. All boat slips (wet slips, dry slips, dry stacks) shall be shown on the site plan.

F. BOAT AND PERSONAL WATER CRAFT (PWC) SALES AND REPAIR FACILITY

Limitations shall be placed on outdoor repair areas to protect surrounding properties and uses from any objectionable characteristics resulting from repair activities.

1. The size of outdoor repair area shall not exceed 30% ~~lot coverage~~ of the lot.
2. Minimum setbacks for outdoor repair areas shall be 15 feet from all property lines.
3. Any outdoor repair areas shall be completely shielded from streets and adjacent properties by buildings and/or fencing that is at least six (6) feet high and offers 100% opacity.
4. No outside storage of junk boats, trailers, or parts shall be permitted.

N. MARINA, COMMERCIAL

Any operation shall meet the following requirements:

1. Parking shall be provided in accordance with the requirements of this Article.
2. Restroom facilities shall be provided for the exclusive use of the commercial marina patrons.
3. Properly screened and adequately sized solid waste disposal facilities shall be provided for the exclusive use of commercial marina patrons.
4. Water, electricity, & sewer pump out shall be provided.
5. If any accessory uses conduct business in an office, it shall be in a permanent on site building on land.

Ordinance 25-1261

Town of Carolina Beach
Town Council

3.24 OFF-STREET PARKING

Table 3.6 Minimum Off-Street Parking Spaces Required	
Types of Uses	Number of Required Parking Spaces
Nonresidential uses	
Automotive (<u>including motorcycles, RVs, and other consumer motor vehicles</u>), major and minor	2 per station + 4 per service bay <u>1 per 200 square feet of actual retail/sales area and 1 per 500 square feet of indoor repair area</u>
<u>Boat and personal water craft (PWC) rental</u>	<u>1 per boat or PWC</u>
<u>Boat and personal water craft (PWC) sales and</u> repair services	1 per 200 square feet of actual retail/sales area and 1 per 500 square feet of indoor repair area
Commercial marina	1 per wet boat storage space <u>slip</u> , 1 per 2 dry storage <u>space</u> , 1 per service bay + required for all other on-site uses
Dry stack storage facilities	1 per 5 dry storage space

7.3 DEFINITIONS

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this ordinance.

Automotive, ~~major~~ means establishments engaged in vehicle sales (including motorcycles, RVs, and other consumer motor vehicles), automotive rental, towing, washing, servicing and ~~major~~ repair such as transmission, engine repair, bodywork, and repainting. Retail items customarily sold at service stations are included. Rental of boats and personal watercraft (PWC), golf carts, mopeds, e-bikes, and scooters shall not be included.

~~*Automotive, minor* means establishments that are primarily engaged in washing cars, fuel dispensing, tire sales, minor repair such as diagnostic work, lubricating, wheel alignment, and inspections, but no vehicle sales or rental. Retail items customarily sold at service stations are included.~~

Boat (vessel) and personal watercraft (PWC) means watercraft of any type or size specifically designed to be self-propelled, whether by engine, sail, oar, paddle, or other means, used to travel from place to place by water. A boat or vessel shall also include any machine designed or intended to travel over water by self-propulsion.

Boat and personal water craft (PWC) ~~sales and~~ rental means a maritime ~~retail sales and rental~~ establishment in which boats are rented ~~or sold~~ from a dry stack, dry storage, or wet slip.

Ordinance 25-1261

Town of Carolina Beach
Town Council

Boat repair and sales facility means a facility where boats are repaired and ~~stored until repairs are completed~~ sold.

Marina, docks and/or piers, commercial means any marina, pier, or dock which caters to the general public, provides goods or services for sale, and/or, if located in a private residential development, makes available marina facilities to other persons besides occupants of said residential development shall be regarded as a commercial marina. Fishing piers available to the general public are included as part of this use type. Examples of permitted uses shall include but not be limited to the following on or off-site activities/services: charter boats, dive boats, dinner cruises, scenic cruises, boat rentals, boat taxi, etc.

Marina, docks and/or piers, private residential means a boat basin with facilities for berthing, securing or storing various types of watercraft for the exclusive purpose of the residential owners or renters thereof rather than the public at large.

Marina, docks, and/or piers, public means any marina, pier, or dock owned/operated by a government entity, which caters to the general public.

Retail sales means use types involved in the sale, repair, or lease of new or used products to the general public. Accessory uses may include offices, display of goods, limited assembly, processing, or repackaging of goods for on-site sale. Retail sales does not include the following:

1. Repair and service establishments, including automotive and marine related uses.
2. Bars, taverns, restaurants, wine/beer shop with on-site consumption, and similar eating establishments.
3. Personal service establishments.
4. An establishment that involves the sale, distribution, or presentation of materials, or activities emphasizing sexually explicit content.

~~*Water oriented businesses*~~ *Commercial vessel* means any commercial boat ~~that can be rented for off-site use or offers~~ used for off-site activities from the property, within a public or commercial marina. Examples shall include but not be limited to the following uses or activities: charter boats, ~~boat rentals~~, dive boats, dinner cruises, scenic cruises, boat taxi, etc.

Wet boat slip means a space used to moor, store, or park a single watercraft in or over water. Includes residential, commercial, and transient slips.

Ordinance 25-1261

Town of Carolina Beach
Town Council

Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 12th day of August, 2025.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



Text Amendment to address Water Oriented Businesses

Applicant: Town of Carolina Beach

Background & Goals

- Identified as an issue during UDO rewrite process and received an appeal
- Conflicts between multiple uses in the table
- Clarify uses, development standards, and parking requirements
- Staff and P&Z have held 3 workshops and 3 regular meetings

Table of uses & definitions

- Rental
- Sales and repair
- Taxi
- Larger commercial
- Smaller commercial

Added Boat Rental standards

- The business shall operate in a permanent on-site building
- All boat slips shall be shown on site plan
- All other standards are consistent with automotive

Added Commercial Marina standards

- Parking, restrooms, refuse, water, electricity, and sewer pump outs are required improvements

Text Amendment Options:

Item	P&Z Option 1	Staff Option 2
Use: Rental	Conditional Zoning	Permitted with Standards
Use:	Water-oriented business	Commercial vessel
Parking: Rental	1.5 per boat or PWC	1 per boat or PWC (no change)
Parking: Dry stack	1 per 2 dry storage space	1 per 5 dry storage space (no change)

Land Use Plan Consistency

The text amendment is in general conformity with the CAMA Land Use Plan. The recreational and working waterfront are major drivers in the town's economy. The plan recommends preserving traditional water dependent uses like marinas.

P&Z Recommendation:

1. Option 1
2. Rezone the eastern portion of the Town Marina from MB-1 to CBD
3. Designate St. Joseph Street as residential parking



The recreational and working waterfront are major drivers in the town's economy. The harbor is a working waterfront, tourist destination, and major component of the downtown experience as well. The harbor supports many public and private marinas.

Motion

Approval

- The Council, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the following ordinance amendment Option ___ to amend Article 3: Zoning and Article 7: Definitions of the UDO to address water-oriented businesses is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans or

Denial

- based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents.

Further Direction/Discussion

Surrounding communities

Item 9.

Community	Use	Requirement
Southport*	Marina, commercial	1 space per wet slip,
Morehead City	Marina and/or boat storage	1 space per 2 wet slips
Brunswick County	Commercial boating facilities & commercial marinas and docks	1.5 per wet slip
Topsail Beach	Marina Class II – private	1 space per wet slip
Beaufort	Marina	1 space per 3 wet slips
Oak Island	Marina	1 space per wet slip
Wrightsville Beach	Marina/boatminiums	1 space per 2 wet slips
Atlantic Beach	Marina	1 space per 2 wet slips
Emerald Isle	Marina and other watercraft related facilities	1 space per 2 wet slips
Ocean Isle Beach	Marinas and docks	1 space per 2 wet slips
Wilmington	Marinas	1 space per 2 wet slips
Carteret County	Boating Club	0.33 spaces per dry slip, 0.50 spaces per wet slip, plus 1 space per employee plus 25 spaces at least 12' by 40' for each boat ramp
Surf City	Watercraft rentals	1 space per rental unit

* UTILIZATION OF BOAT SLIPS AS REQUIRED PARKING

A boat slip is defined herein as a space designed for the mooring of a single watercraft and usually projecting from a dock. Eating and drinking establishments and water-oriented retail businesses may utilize boat slips to meet off- street parking requirements with standards



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Community
Development

MEETING: Town Council – August 12, 2025

SUBJECT: Zoning Map Amendment to consider a request to rezone 301 Canal Dr from Marina Business (MB-1) to Central Business District (CBD).
Applicant: Town of Carolina Beach

BACKGROUND:

The Town Marina located at 301 Canal Drive is in two zoning districts, Marina Business and Central Business District. The western side of the marina is in the CBD and the eastern side is in Marina Business. Through the recent text amendment process for water oriented uses that Town staff worked on with Planning and Zoning, certain uses were identified as more intense and are only allowed in the Central Business District to accommodate the parking demand. Planning and Zoning has requested consistent zoning and land uses for the entirety of the property, so all operations fall under the same zoning guidelines.

For consistency it is best practice for the entirety of a property to be within the same zoning district. One of the standards for creating zoning districts is to follow plotted lot lines. Guidance for the interpretation of zoning district boundaries comes from Sec. 1.7 of the UDO (attachment 1). The adjacent uses are all in the CBD except for 308 N Lake Park and 400 N Lake Park to the north of the marina.

History:

The 1960 Development Plan for Carolina Beach recommends that the Town Marina be used for commercial type craft and that small boat and private docking be located to the north on the west shore of the sound. The 1984 Zoning Map shows the Town Marina in Marina Business.

When the zoning map was drawn and adopted in 2000, the CBD District line was not drawn consistently with the 1997 Land Use Plan. In 2004, the Town rezoned 33 parcels from T-1 to CBD, from Canal Dr to 200' south of Dolphin Lane (see attachment 2). The development that was occurring in this area was consistent with the CBD requirements. This was an effort to promote the extension of the boardwalk and revitalize the area with commercial and pedestrian-oriented uses. The Town wanted to encourage business and family-oriented development to year-round

residents and visitors, especially surrounding the boardwalk and marina/boat basin. Because there was an emphasis on the boardwalk area and the marina. The portion of the Town Marina was not included because only private property was considered at the time.

The 2007 Land Use Plans shows the entire Marina Property in Conservation (along with the entirety of Myrtle Grove Sound) and the 2020 Land Use Plan shows the Marina located in the Downtown Business Character Area which is consistent with the CBD.

District Purpose and Permitted Uses:

The Marina Business District, MB-1, is established to reserve areas along the water's edge for maritime uses, water dependent uses, and water-oriented uses. This district also provides for certain residential and other non-water dependent uses which are closely aligned with water-oriented uses. Land uses, which would wall off the public from public trust waters, are specifically discouraged.

The CBD, Central Business District is established to accommodate, protect, rehabilitate, and maintain the traditional central business district and boardwalk area of the Town. This area accommodates a wide variety of pedestrian oriented, commercial and service activities, including retail, business, office, professional financial, entertainment, and tourism. The regulations of this district are intended to encourage the use of the land for concentrated development of permitted uses while maintaining a substantial relationship between land uses and the capacity of the Town's infrastructure.

The Marina Business District does allow for certain business uses like art galleries, boat repair, dry stacks, mixed use commercial-residential, hotels, offices, standard restaurants and eateries, and general retail, but does not allow for more intense uses like bars and taverns, or commercial parking lots. The MB-1 district is considered commercial but does allow for residential uses and has been developed with mostly residential uses. CBD only allows residential in a mixed-use development.

Land Use Plan

This rezoning is consistent with the land use plan. The property is shown on the Future Land Use Map in the Downtown Business Area. This is described as the boardwalk commercial area and central recreation district of town with an active pedestrian-scaled environment.

ACTION REQUESTED:

Consider recommending approval or denial of a zoning map amendment to rezone 301 Canal Dr from the MB-1 zoning district to the CBD.

Staff recommend approval of the rezoning.

P&Z recommended unanimous approval of the rezoning.

MOTION:

Approval - whereas in accordance with the provisions of the NCGS, the Council does hereby find and determine that the adoption of the Zoning Map Amendment for 301 Canal Dr is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

Denial - based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents and the potential impacts on the surrounding areas.

ATTACHMENT:

1. 1.7. Interpretation of zoning district boundaries.

ATTACHMENT 1**1.7 Interpretation of zoning district boundaries.**

The UDO Administrator shall decide the exact location of any zoning district boundary lines whenever uncertainty exists about the boundary lines shown on the official zoning maps, subject to appeal to the board of adjustment. The determination of the exact location of a zoning district boundary shall be based upon the following rules:

- (1) Boundaries indicated as approximately following or within a street, alley, or railroad right-of-way, or utilities (electrical, gas, water main, etc.) easement shall be construed to be in the center of such right-of-way easement;
- (2) Boundaries indicated as following shore lines shall be construed to follow such shorelines, and, in the event of change in the shorelines, shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerlines of streams, rivers, creeks, or other bodies of water shall be construed as following such centerlines;
- (3) Boundaries indicated as approximately following plotted lot lines shall be construed as following such lot lines;
- (4) Boundaries indicated as approximately following Town limits shall be construed as following Town limits; and
- (5) Boundaries indicated as parallel to or extension of features indicated in subsections (1), (2), (3) and (4) of this section shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.
- (6) In the event that a district boundary line on the zoning map divides a platted lot held in one ownership on the date of passage of the ordinance from which this chapter is derived, each part of the lot so divided shall be used in conformity with the district in which such part is located.
- (7) Where any further uncertainty exists, the UDO Administrator shall interpret the intent of the map as to location of such boundaries.

Ordinance 25-1263

Town of Carolina Beach
Town Council



AN ORDINANCE TO AMEND THE UNIFIED DEVELOPMENT ORDINANCE, ARTICLE 3: ZONING TO MODIFY
THE ZONING MAP AS FOLLOWS:

Rezone 301 Canal Dr (131,007 sq. ft) PIN 3130-56-5386 from MB-1 to CBD



Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 12th day of August, 2025.

Town of Carolina Beach
Ordinance No. 25-1263
1 | Page

Ordinance 25-1263

Town of Carolina Beach
Town Council

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

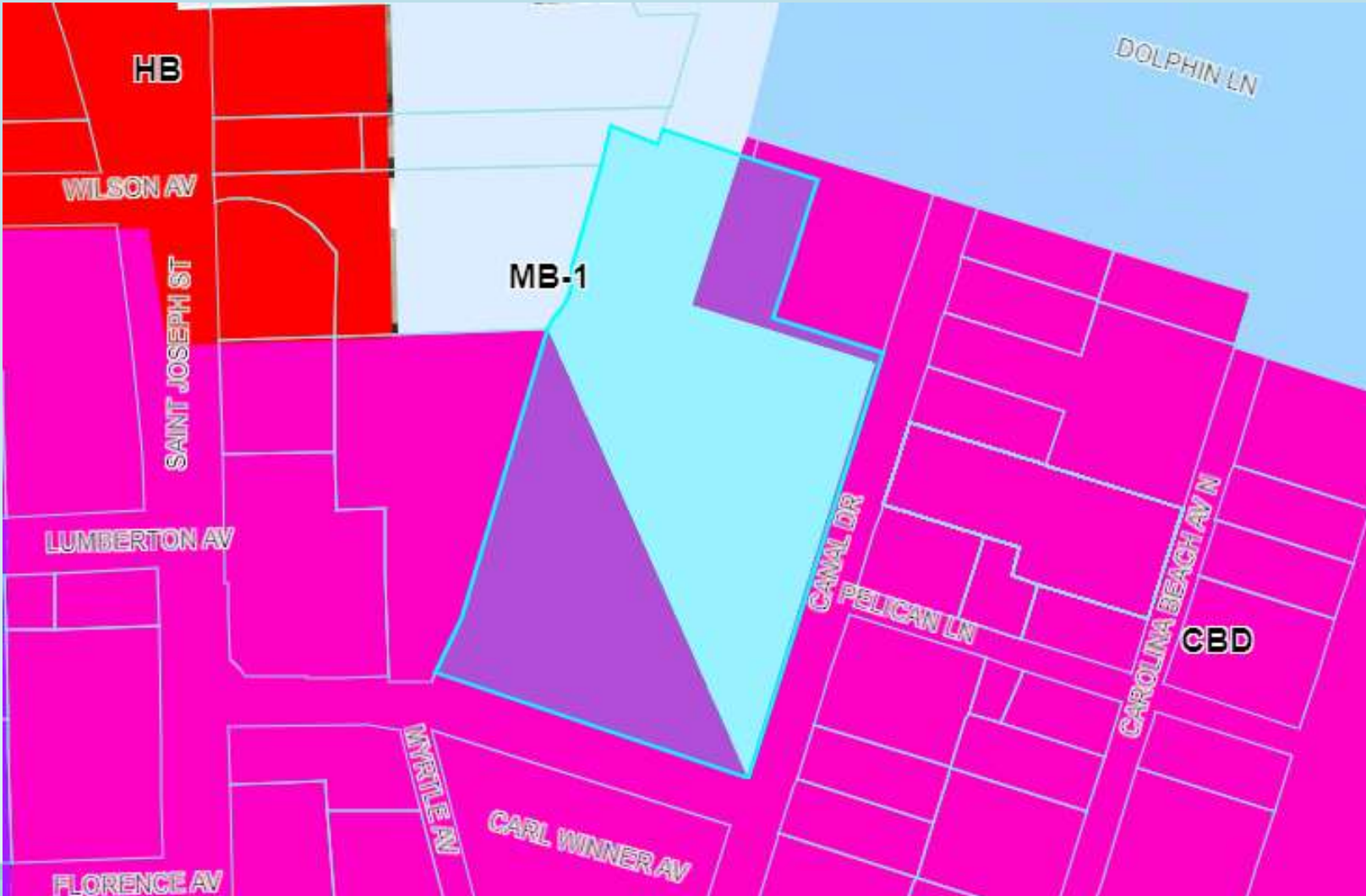
Kimberlee Ward, Town Clerk



Zoning Map Amendment to consider a request to rezone 301 Canal Drive
from Marina Business (MB-1) to Central Business District (CBD)
Applicant: Town of Carolina Beach



Proposed Rezoning



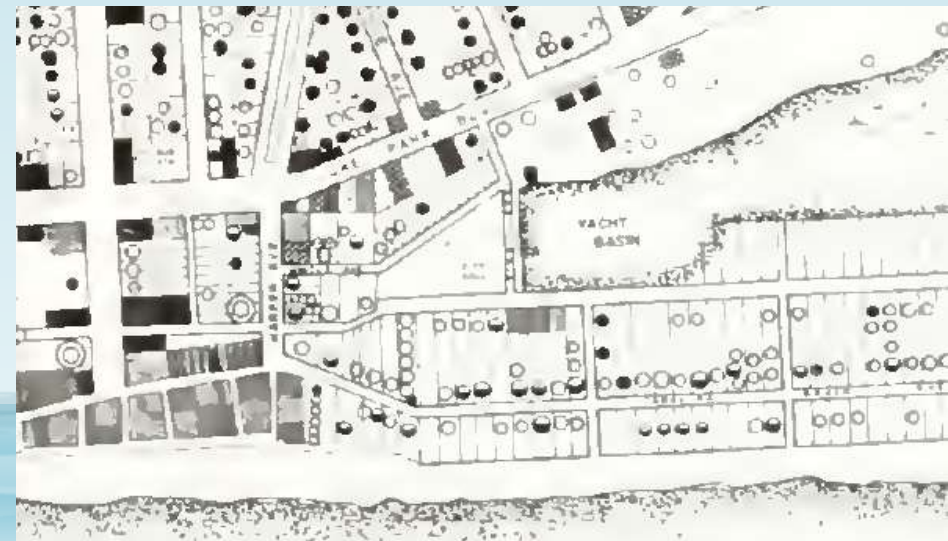
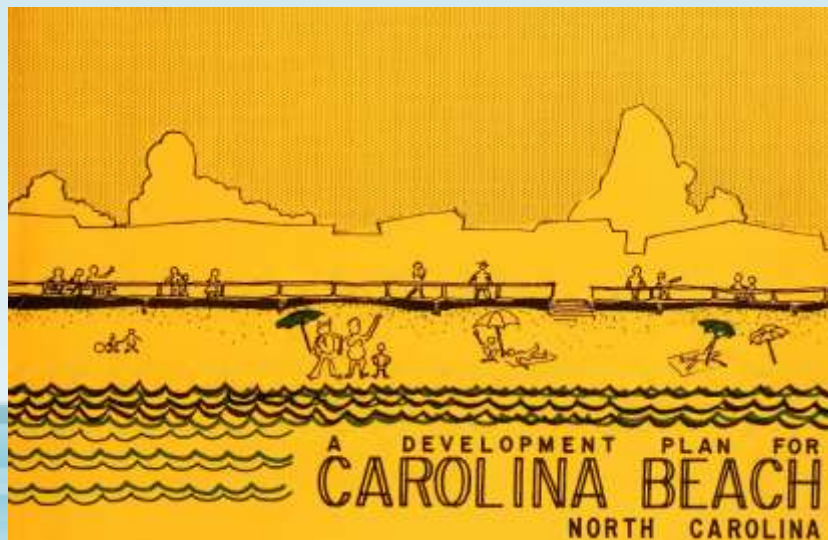
- P&Z motion from Water Oriented Uses Text Amendment
- Rezoning of 301 Canal Dr
- Parcel under the same ownership
- MB-1 is classified with other commercial districts

History – 1960 Development Plan

Myrtle Sound

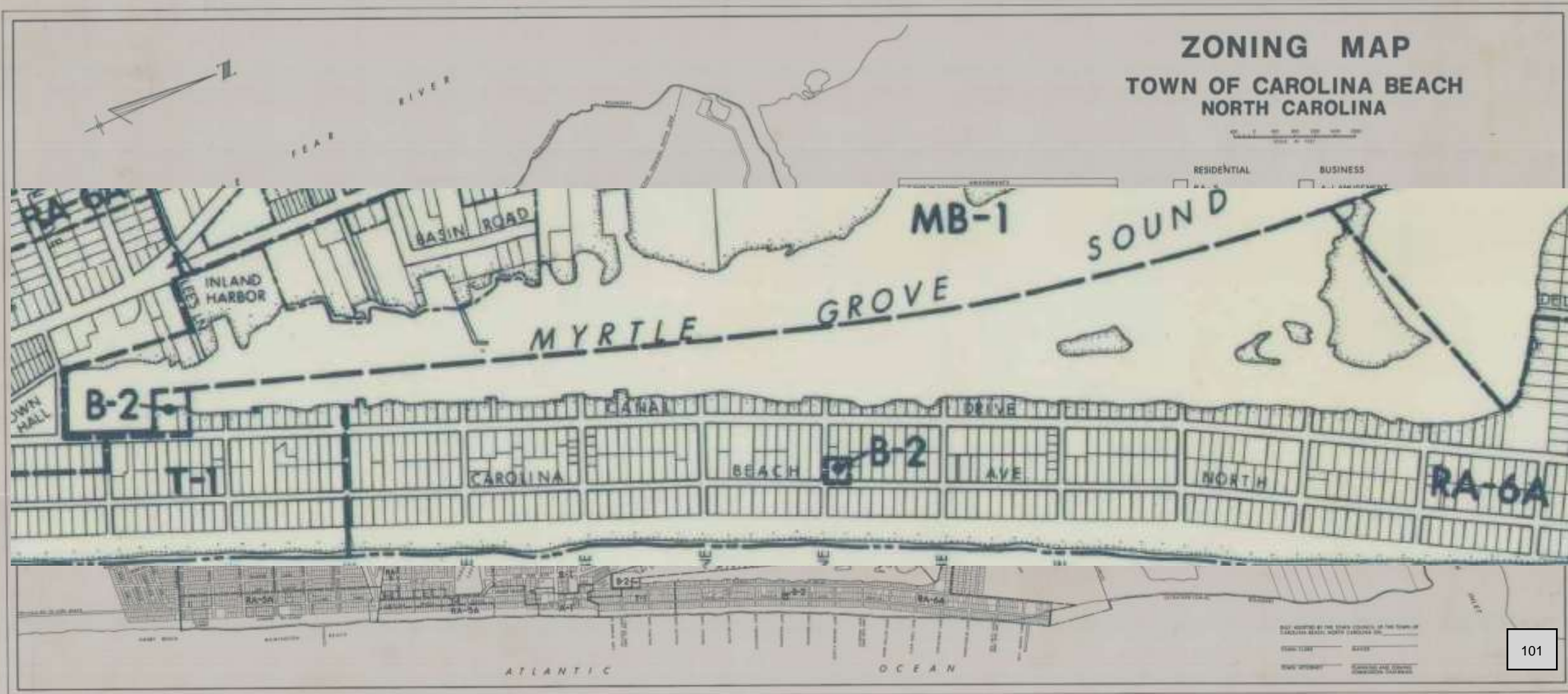
The development of Myrtle Sound is closely tied up with other development problems of the beach. At present there is only an extremely small channel which is crowded with all sorts of water activities. The entire sound needs to be dredged out so that water skiing, boating and other activities could take place as well as to increase the area for boat docking. There is a possibility that this dredging could be done at the same time the beach erosion work is done by utilizing the material in the sound to build up the beach. Carolina Beach should make every effort to coordinate these activities if possible.

It is recommended that the city dock be utilized primarily for commercial type craft and that small boat and private docking be located to the north on the west shore of the sound. The present dock needs to be expanded, and parking facilities serving the dock should be expanded to accommodate all those persons who come down in the afternoons to see the boats come into the harbor.



Historical Zoning Designation

- 1984 Zoning Map – MB-1



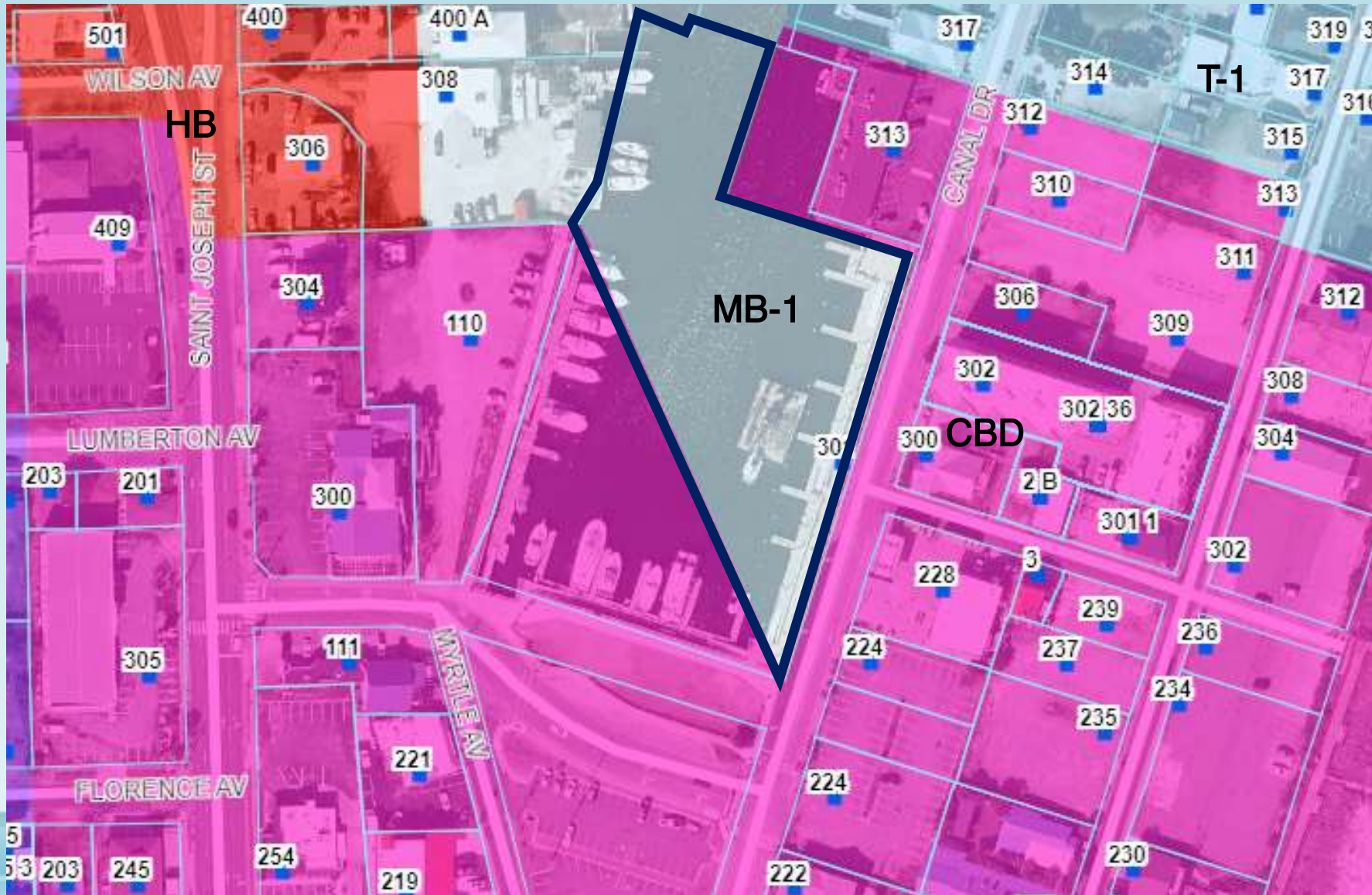
2004 – rezoned 33 parcels from T-1 to CBD



301 Canal Dr

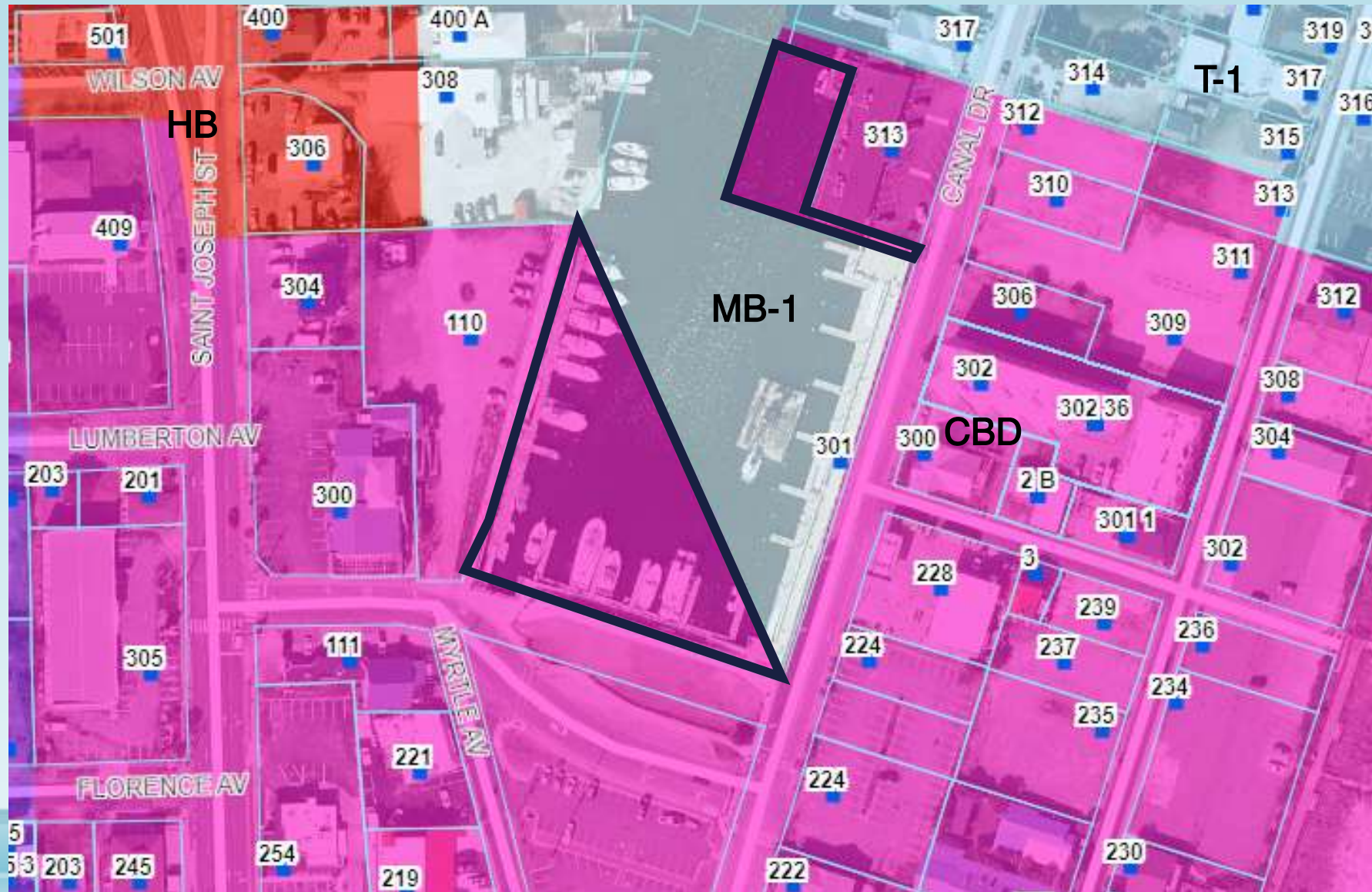
Item 10.

MB-1



- Established to reserve areas along the waters edge for maritime uses, water dependent uses, and water-oriented uses.
- Provides for certain residential uses and other non-water dependent uses
- Land uses which would wall off access to public trust waters are discouraged

CBD



- Established to accommodate, protect, rehabilitate, and maintain the traditional central business district and boardwalk area of the Town.
- Includes retail, business, office, restaurants, entertainment, and tourism.
- Intended to encourage the use of land for concentrated development of permitted uses.

Surrounding uses



Land Use Plan

- 301 Canal Dr is shown on the FLUM Downtown Business Area



Downtown Business Area

This is the boardwalk commercial area and central recreation district of town. 3-4 story buildings maintain a pedestrian-scaled environment with active ground floor uses; residential and other uses permitted above. Highly walkable with limited on-street parking.



Motion

- Approval - whereas in accordance with the provisions of the NCGS, the Council does hereby find and determine that the adoption of the Zoning Map Amendment for 301 Canal Dr is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.
- Denial - based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents and the potential impacts on the surrounding areas.
- Staff recommends approval of the zoning map amendment.



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Community
Development

MEETING: Town Council – August 12, 2025

SUBJECT: Text Amendment to Chapter 28 – Watercraft, Beaches and Coastal Parks,
Article I to allow for power assisted beach carts for beach vending.
Applicant: Uncle Vinny's

BACKGROUND:

The applicant, Uncle Vinny's has applied for a text amendment for power assisted beach carts for vending on the beach strand.

The current ordinance allows for non-motorized carts on the beach strand. Motorized vehicles are only allowed at Freeman Park and must have a valid Freeman Park pass. Only 4x4 vehicles are allowed to vend in Freeman Park. No golf carts, gators, motorcycles, ATVs, trailers shall be utilized for beach services operations.

The proposed amendment allows for power-assisted carts to vend on the municipal beach strand. The power-assisted carts shall be electric powered only; they may not run on gas.

History

In 1996, the Town started to issue vending permits on the beach strand. Three vendors were allowed to rent umbrellas, sell ice cream, and sell frozen lemonade. In 2007, the ordinance was revised to limit the number of permits for the beach strand to 2. In 2011 there was a rewrite to the ordinance that allowed for a maximum of 5 municipal beach strand permits. Six permits were authorized in 2019. In 2023, Council approved a maximum of 10 beach vending permits.

TRC Review

Staff discussed the proposed text amendment at TRC and there were many safety concerns. Both Police and Fire are concerned with the business of the beach strand currently. If power-assisted carts are allowed, all 10 beach vendors will be permitted to use one. There are currently six UTV's permitted for beach services, six four-wheelers and one side by side used by Ocean Rescue. There are concerns about blocking the emergency lane and creating an increased response time in an

emergency. The overall goal of emergency personnel is less injuries on the beach. This creates one more thing for the beach ranger to manage. There are already issues with the speed of e-bikes and navigation through patrons on the beach. Staff are concerned that there could be mechanical issues with the carts and gas or oil that may spill on the wet sand area of the beach. Should the power assisted carts, if approved, be limited to specified accesses? What speed will the power assisted carts be able to travel up and down the beach?

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

Staff recommends denial of the text amendment.

Included is a draft ordinance for Town Council's consideration. Town staff are concerned

- Beach strand is busy already
- Etc
- Etc

MOTION:

Motion for approval or denial of text amendment to Chapter 28, Article I.

Ordinance 25-1264

Town of Carolina Beach
Town Council



AN ORDINANCE TO AMEND CHAPTER 28, ARTICLE I, SEC. 28-1. TO ADDRESS POWER ASSISTED BEACH CARTS

Sec. 28-1. Allowable vending and beach services on public property within the town or managed by the town; restrictions.

(a) ~~Non-motorized~~ Beach carts.

- (1) A maximum of ten permits shall be authorized by the Town to sell food, beverages and sundries.
- (2) Each permit shall allow one non-motorized or power-assisted cart to access the municipal beach strand and/or Freeman Park.

i. Power-assisted carts shall be electric powered only.

ii. Gas powered beach carts shall be prohibited.

Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 12th day of August, 2025.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



Item 11.

Text Amendment to address Power Assisted Beach Carts

Applicant: Uncle Vinny's

History

- 1996 – 3 permits
- 2007 – 2 permits
- 2011 – 5 permits
- 2019 – 6 permits
- 2023 – 10 permits

Proposed Change

- (a) Non-motorized Beach carts.
- (1) A maximum of ten permits shall be authorized by the Town to sell food, beverages and sundries.
 - (2) Each permit shall allow one non-motorized or power-assisted cart to access the municipal beach strand and/or Freeman Park.
 - i. Power-assisted carts shall be electric powered only.
 - ii. Gas powered beach carts shall be prohibited.



Staff Concerns

- Crowded beach strand
- Non-motorized carts operate on wet sand
- Block emergency lane
- Mechanical issues / leaks
- Existing vehicles used by emergency personnel + beach services
- Increased response time
- Speed
- Maneuvering

Motion

Item 11.

Approval – to amend Ch. 28, Art. I to allow for power assisted beach carts

Denial – to amend Ch. 28, Art. I to allow for power assisted beach carts

Further Direction/Discussion



AGENDA ITEM COVERSHEET

PREPARED BY:	Ed H. Parvin, Deputy Manager	DEPARTMENT:	Executive
MEETING:	Town Council August 12, 2025		
SUBJECT:	Update Rates and Fees for Harbor Activities Applicant: Town of Carolina Beach		

BACKGROUND:

For ease of administration staff had recommended eliminating the 3% convenience fee. This was translated to all fees except for transient slips. Leaving the 3% was an administrative error and staff would like to correct this issue.

In addition, with the new boat dock design there is an opportunity to moor dinghies on the east side of the marina. In the past we only accommodated dinghies and day boaters on the west side for up to 3 hours. With this new dock staff would like to propose limiting the east side to dinghies and creating a fee for usage of over 3 hours.

ACTION REQUESTED:

Change transient slip fees from \$80 + a 3% convenience fee (\$82.40) to a flat \$85.

Develop a fee for the east side dinghy dock.

RECOMMENDED MOTION:

Adopt Ordinance No. 25-1266

MUNICIPAL MARINA

The owners of all vessels desiring space at the Town Marina shall be required to execute a license agreement, as appropriate, prior to provision of such accommodation, and shall be bound to abide by the marina rules and regulations. All dockage fees shall be paid using the Town's preferred method and in accordance with signed license agreements.

Dockage Rates

	Fee
Charter Boat (39' and under)	\$565.00/month
Charter Boat (40' and longer)	\$14.50/foot per month
Transient Slips (up to 54 feet)	\$85/day \$80/day + 3% convenience fee
Cancellation of reservation 24 hours or more notice	\$5.00
Cancellation of reservation less than 24 hours notice	\$80.00
West side day boater dockage (up to 25 feet)	3 hours max stay (no charge)
East side dinghy dock (up to 10 feet)	3 hours max stay (no charge) Monthly pass \$75
Late Fee	\$50/day after 10 business days of being overdue (day 11 =\$50, day 12 =\$100, etc.)
Mooring anchorage (vessels 26' to 55')	\$35.00
Cancellation of reservation 24 hours or more notice	\$5.00
Cancellation of reservation less than 24 hours notice	\$35.00
Sewer pump out fee (no charge for boat captains with license agreements, transient slips, and mooring patrons)	\$30.00

Ordinance 25-1266 Rates and Fees

Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 12th day of August, 2025.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council 8/12/2025

SUBJECT: Closed Session – Personnel

RECOMMENDED MOTION:

Motion to enter into closed session pursuant to NCGS § 143-318.11(a)(6) to discuss a personnel matter.