

# CAROLINA BEACH

Town Council Regular Meeting

Tuesday, July 08, 2025 — 6:00 PM

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



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## AGENDA

### CALL TO ORDER

### INVOCATION AND PLEDGE OF ALLEGIANCE

### ADOPT THE AGENDA

### CONSENT AGENDA

1. Set a public hearing for August 12, 2025 to consider a rezoning at 301 Canal Dr 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

### SPECIAL PRESENTATIONS

5. Events Update by Tim Murphy
6. Grant Award Presentation by the Terry Benjey Bicycle Foundation
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. 3.20 Fence Regulations to address commercial pool fences. Applicant: Pleasure Island Holdings, LLC.

- [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

#### **ITEMS OF BUSINESS**

- [10.](#) Town Committee Policy Update
- [11.](#) Update on the Establishment of the Freeman Park Land Use Plan Ad-hoc Committee

#### **COUNCIL COMMENTS**

#### **ADJOURNMENT**



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Jeremy Hardison, Community  
Development Director

**DEPARTMENT:** Community  
Development

**MEETING:** Town Council July 8, 2025

**SUBJECT:** Set a public hearing for August 12, 2025 to consider a rezoning at 301 Canal  
Dr from Marina Business (MB-1) to Central Business District (CBD).  
  
Applicant: Town of Carolina Beach

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**BACKGROUND:**

**ACTION REQUESTED:**

Adopt the consent agenda.

**RECOMMENDED MOTION:**



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Jeremy Hardison, Community  
Development Director

**DEPARTMENT:** Community  
Development

**MEETING:** Town Council July 8, 2025

**SUBJECT:** 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

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**BACKGROUND:**

**ACTION REQUESTED:**

Adopt the consent agenda.

**RECOMMENDED MOTION:**





## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Debbie Hall, Finance Director

**DEPARTMENT:** Finance

**MEETING:** Town Council – 7/8/2025

**SUBJECT:** Budget Amendments/Transfers

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**BACKGROUND:**

I have received several budget amendments and/or transfer requests. 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 \$6,500 NC Amateur Sports Grant donation to account 10-620-075 Parks & Rec Capital under \$10,000 to purchase sunshades for the skate park deck at Mike Chappell Park.

**Transfers:**

Transfer \$425 from account 10-491-014 Travel Community Development to account 10-491-053 Dues & Subscriptions Community Development to cover the line-item shortage.

Transfer \$10 from account 10-491-014 Travel Community Development to account 10-491-023 M&O Software Community Development to cover the line-item shortage.

**BUDGET IMPACT:**

No budget impacts.

**ACTION REQUESTED:**

Approve the budget amendments and/or transfers as presented by the Finance Director.

Lynn Barbee  
Mayor

Joe Benson  
Council Member

Jay Healy  
Council Member



Deb LeCo Item 3.  
Mayor Pro Tem

Mike Hoffer  
Council Member

Bruce Oakley  
Town Manager

**Town of Carolina Beach**  
1121 N. Lake Park Blvd.  
Carolina Beach, NC 28428  
Tel: (910) 458-2999  
Fax: (910) 458-2997

To: Debbie Hall, Finance Director  
Bruce Oakley, Town Manager

From: Eric Jelinski, Parks and Recreation Director

Date: 5/30/25

Re: Budget Request – Recreation Center Air Conditioning

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Appropriate \$6,500 NC Amateur Sports Grant donation to account 10-620-075 Parks & Rec Capital under \$10,000 to purchase sunshades for the skate park deck at Mike Chappell Park.

Account	Amount	Transfer to Account	Reason
General Fund	\$6,500	10-620-075	Sunshades for the skate park deck at Mike Chappell Park

**From:** [ncas@ncsports.org](mailto:ncas@ncsports.org)  
**Date:** May 30, 2025 at 3:19:29 PM EDT  
**To:** Eric Jelinski <[eric.jelinski@carolinabeach.org](mailto:eric.jelinski@carolinabeach.org)>  
**Subject:** Youth Sports Grant Notification - April 2025 Grant Cycle

**Be Advised: This email originated from outside of the Town of Carolina Beach, NC**

Dear Youth Sports Grant Applicant,

Thank you for submitting a grant application to the Youth Sports Grant Fund, which provides funding for the purchase of youth sports equipment and facility upgrades that benefit youth sports in our state. The Youth Sports Grant fund for equipment and facility upgrades was established by the North Carolina General Assembly and N.C. Amateur Sports from a percentage of the sports wagering tax revenues in our state. Our Grant Committee has carefully reviewed your application, and we are excited to notify you that we have approved the amount of grant funding below for the project below that you requested in your Youth Sports Grant application:

**Organization Name: Carolina Beach Parks and Recreation**

**Project Name: Accessible Skate Park Deck**

**Amount of Funding Approved: \$6,500**

To receive your funding, you must complete the attached ACH Authorization Form and return to the address, or email address on the form within 30 days of this email notification.

By accepting the grant funding, you agree to the following requirements:

1. Grant funding must be used for items in the budget that you submitted with your application. If you received partial funding for your request, you may choose the items in your budget that you would like to purchase. Funding may not be used for anything that was not included in the budget that you submitted.
2. Grant awards must be expended within one year of receiving the funds.
3. Within 30 days of expending your total grant funds you must submit a receipt for each purchase.
4. Within 30 days of expending your total grant funds you must submit before and after photos of the project.
5. Any unused funds after one year of the funds being issued must be paid back to North Carolina Amateur Sports immediately.
6. Any funds must be paid back to North Carolina Amateur Sports immediately after one year of the funds being issued if receipts for the funds are not provided..
7. N.C. Amateur Sports will require a full refund of the grant award if any of the grant funds are used improperly, or for any items not included in the budget that you submitted.
8. Receipts and photos (before and after) may be emailed to [ncas@ncsports.org](mailto:ncas@ncsports.org), or mailed to: N.C. Amateur Sports, 406 Blackwell Street, Suite 120, Durham NC 27701.
9. You must notify us immediately if you determine that you are no longer able to use the funds as you outlined in your application, or if you are not able to accept an ACH payment.

Please reply to this email with any questions.

Best of luck!

**North Carolina Amateur Sports  
Youth Sports Grant Committee**

North Carolina Amateur Sports  
406 Blackwell Street, Ste 120 | Durham, NC 27701  
[www.ncsports.org](http://www.ncsports.org)



## Town of Carolina Beach

### Interoffice

**TO:** Debbie Hall, Finance Director  
**FROM:** Jeremy Hardison, Director of Community Development  
**SUBJECT:** Budget Transfer  
**DATE:** June 5, 2025

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Respectfully request Budget Transfer for the following:

**\$425.00 FROM:** 10-491-014 **TO:** 10-491-053

**\$10.00 FROM:** 10-491-014 **TO:** 10-491-023

Moving the requested funds will cover the overage.

Signature: \_\_\_\_\_

A blue ink handwritten signature, which appears to be "Jere Hardison", is written over the signature line.

Date: \_\_\_\_\_

6/6/25

Thank You!  
Andrea Deopp-Norris



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Kim Ward, Town Clerk

**DEPARTMENT:** Clerk

**MEETING:** Town Council Meeting 7/8/2025

**SUBJECT:** Approval of Council Meeting Minutes

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**BACKGROUND:**

Attached are the meeting minutes from the June Council meetings.

**ACTION REQUESTED:**

Review and consider approving under the consent agenda.

# CAROLINA BEACH

Town Council Regular Meeting

Tuesday, June 10, 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  
Town Attorney Noel Fox

### ADOPT THE AGENDA

**ACTION:** Motion to adopt the 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*

### CONSENT AGENDA

1. Annual Write-off of Outstanding Accounts Receivables
2. Budget Amendments/Transfers
3. Amend Grant Project Ordinance for American Rescue Plan
4. Set a Public Hearing for July 8, 2025, to Consider an Amendment to Article 3 of the Unified Development Ordinance to Address Fences for Non-conforming Commercial Pools  
Applicant: Pleasure Island Holdings, LLC
5. Approval of Council Meeting Minutes

**ACTION:** Motion to approve 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**

#### 6. Recognition of the Ashley High School Girls Soccer Team

Council recognized the Ashley High School Girls Soccer Team for making it to the State Championship 3 years in a row.

#### 7. Events Update by Tim Murphy

Community Services Manager Tim Murphy said the Town received a request from Boardwalk Amusements to use the Gazebo stage for some events June 16 through July 6.

Kyle Wagner, General Manager of Carolina Beach Boardwalk Amusements, said they would like to use the stage for nightly shows with the exception of Wednesday and Thursday, when bingo and music are already scheduled. He said the content would be family-oriented and include a Michael Jackson program, karaoke, and a comedy hypnotist. Mr. Wagner said estimated attendance would be 50-60 people, and the performers have their own lights and speakers. He said the shows would be free to attend.

Mr. Wagner also asked about using the stage for local bands one night per week, but Mayor Barbee asked to keep this request separate from the aforementioned shows because logistics for bands can be complicated, and this should go through the Events Committee.

Council Member Benson said having music on Sunday night would extend the weekend and draw more people to the Boardwalk area, but he thinks more detail on this request is needed.

Mr. Murphy said the initial programming Mr. Wagner mentioned would be a good opportunity to bring people to the Boardwalk area on days without events scheduled now, and he has no concerns with it.

**ACTION:** Motion to approve the 3 various shows on the 5 nights, not Wednesday or Thursday night, through July 6

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:

- Blood Drive – June 11 at Rec Center
- 50s Bikini Bash – June 28 at the Gazebo
- East Coast Got Em On King Mackerel Tournament – July 11-13 at Fisherman's Lot
- Family Night – begins June 17 and 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 congratulated Mr. Parvin on his retirement from the Coast Guard. Mr. Parvin said he served 27 years.

## 8. Manager's Update

Mr. Oakley gave an update on various projects:

- The Lake pump house project is underway.
- The Ocean Boulevard sidewalk project has minor items to complete before signing off.
- Henniker's Ditch has been cleaned out, and stabilization has been added.
- The 1810 Canal Drive lot is going out for bid this fall.
- The CB2045 Infrastructure Plan is in the first phase and will be ready to go out for bid in the next couple of months. This includes the force main from the Lake to Henniker's Ditch.

Council Member Hoffer asked about the expected completion date for 1810 Canal Drive. Community Development Director Jeremy Hardison said this should be a quick winter project, and after construction the Town is looking at resurfacing the parking lot to be ready in the spring. Mayor Barbee said this is the parking lot behind the pier. Mr. Oakley said the project will add another access, more parking, Americans with Disabilities Act (ADA) accessibility, and an observation area.

Mr. Oakley said the Town just finished resurfacing the Alabama East parking lot.

Council Member Benson asked if there was any resolution on the N.C. Resilient Coastal Communities Program (RCCP) grant. Mr. Oakley said there are no updates on this yet.

Council Member Healy asked about hurricane season and preparation of the command center. Mr. Oakley said staff will do an exercise to get ready, and Council is welcome to observe. He said the Town can also do another open house. Mayor Pro Tem LeCompte said she thinks last year's open house was helpful for residents, especially those who are new and have never experienced a hurricane.

Mr. Hardison reported the following recent developments:

- 65 permits issued for renovation/repair/additions, etc., 14 new residential construction permits, and 9 certificates of occupancy
- Demolitions occurred at 406 Ocean Boulevard (single-family home) and 501 Greenville Avenue (single-family home)
- BeBot did post-Memorial Day cleanup on June 1, and it is scheduled for June 11 (following the Beach Music Festival) as well as after July Fourth and Labor Day weekends. Mayor Pro Tem LeCompte said there is no charge to the Town for this service, which is provided by Keep New Hanover Beautiful.
- New businesses: Leaf & Love, 1010 South Lake Park Boulevard, and Kass's Laundry, 702 South Lake Park Boulevard



Mr. Hardison reported the following upcoming meetings:

- Planning and Zoning Commission June 12: commercial pool fence text amendment and water-oriented uses text amendment
- Council special meeting June 17: canceled

### **PUBLIC COMMENT**

Nicolas Habash, who said he and his family have owned property in the Town since the 1980s, asked Council to consider reopening the parking area at the end of Florida Avenue. He said after the marina changed hands, it created a parking issue that resulted in the installation of a fence and no-parking signs along the water entrance. Mr. Habash said cars park on the street around his house now, and the area is not even accessible for pedestrians due to the fence and no designated entryway. He suggested that the Town reopen the area and charge for parking, using the money to maintain the property.

Mayor Barbee said the Town had no choice but to block off the area because of the way the property was deeded. He said this neighborhood has a resident-only parking zone. Mr. Oakley said people who live there can call Pivot Parking or Town Hall for enforcement. Mr. Parvin said people with a re-entry sticker may park in the grass, not in the street, and enforcement is complaint-driven.

Jordan Glaser said the Ocean Boulevard sidewalk looks great, but he requested that stormwater coming from the west be directed toward Henniker's Ditch.

### **PUBLIC HEARINGS**

9. Zoning Map Amendment to Consider a Request to Rezone 204 Harper Avenue from Mixed Use (MX) to Central Business District (CBD)  
Applicant: STLNC, LLC

Applicant STLNC, LLC, has submitted a petition to consider rezoning 204 Harper Avenue from Mixed Use (MX) to Central Business District (CBD) zoning. The neighboring property to the east is under the same ownership, formerly Welcome Inn (205, 207, and 209 North Lake Park Boulevard), and is currently in the CBD. The applicant has requested the rezoning to have consistent zoning and land uses for the entire property so all business-related decisions and operations fall under the same zoning guidelines.

For consistency and the purpose of redevelopment, it is best practice for the entirety of a property to be within the same zoning district. Redevelopment of the property would require recombination of the property. One of the standards for creating zoning districts is to follow plotted lot lines. Guidance for the interpretation of zoning district boundaries comes from Section 1.7 of the UDO. Previously, 204 Harper Avenue had a single-family structure, and the adjacent common ownership parcels were formerly Welcome Inn. The adjacent use to the west is single-family, to the north is a multi-family structure, and across the street to the south is a hotel.

### **HISTORY**

The property was in the same ownership for over 50 years. The single-family house and Welcome Inn were built in the 1930s. In 2023, the structures were demolished after a new hotel was approved for

the site in 2022. The hotel had not started construction, and the property was recently purchased. The permit for the hotel authorization expired September 14, 2024.

The 1984 zoning ordinance and zoning map had both properties, 204 Harper Avenue and the property where Welcome Inn was, in B-1: Central District. In 2000, 204 Harper Avenue was rezoned to MX, and the Welcome Inn property was rezoned to CBD.

#### TECHNICAL REVIEW COMMITTEE (TRC) COMMENTS

Staff discussed the preference for zoning lines to follow contiguous property ownership but did note the expansion of the CBD into a district that allows for single-family residential. The property to the north does have a permanent 10-foot access easement that would create a buffer between the single-family homes and any new development. Changing the property from MX to CBD does present the potential for increased water and sewer capacity needs because the CBD allows for higher density.

#### LAND USE PLAN

The property is shown on the Future Land Use Map as Mixed Use Commercial and is described as a higher-density area with a mix of uses, within the district and individual buildings. Residential uses are allowed only on upper stories; ground floor is encouraged to be active. 4- to 5-story structures are possible, unless a property is adjacent to low- or medium-density residential with attractive street facades. NCGS 160D states that if a zoning map amendment is adopted and the action was deemed inconsistent with the adopted plan, the zoning amendment has the effect of also amending any Future Land Use Map in the approved plan, and no additional request or application for a plan amendment is required.

**ACTION:** Motion to open the public hearing on this matter

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*

Senior Planner Gloria Abbotts presented the details, including a review of the history of the property, surrounding uses, dimensional standards, and permitted uses.

Staff recommends approval of the zoning map amendment and Land Use Plan amendment, and the Planning and Zoning Commission voted 5-1 to recommend approval.

Council Member Hoffer said this has been voted down before and asked if it is coming up again because of new owners. Ms. Abbotts said it's the same owner and it's been a year since the original request, so the owner is back to make the request again. She said nothing has changed since the previous request.

Mayor Barbee asked if the applicant wanted to speak.

Attorney Ned Barnes of 814 Carolina Beach Avenue North, who represents the applicant, said the applicant was not present due to an injury. He reviewed ways they contend the proposed rezoning is

consistent with the Land Use Plan. He said the rezoning would bring the property into conformity with adjacent lots that are zoned CBD, offering compatibility with the surrounding area. Mr. Barnes said the 10-foot easement for the property at 206 Harper Avenue creates a setback between the residential area and future development. He said there will be no impact and public services because water, sewer, trash, and other utilities are already in place, and he contended that if the zoning classification was appropriate in 2000 it is even more appropriate today.

Mayor Barbee asked if anyone from the public wanted to speak.

Wick Wickliffe of 210 Harper Avenue requested that Council vote no on this matter as it did in the past. He said he has concerns about the rezoning having a negative impact on the neighborhood and the Town as a whole. Mr. Wickliffe said parking is already a serious issue, and converting this property to commercial will intensify the problem and further burden existing limited infrastructure in the Town. He said the rezoning would set a dangerous precedent for future commercial encroachment into residential areas, leading to a cascading effect that could irreparably change the character of the neighborhood and the Town. In addition, Mr. Wickliffe cited concerns about traffic, safety, noise, flooding, and surrounding property values.

Taylor Blumenfeld, the daughter of Mark Gates, who lives at 206 Harper Avenue, said she respectfully opposes the rezoning. She said she always felt safe at their home and wants her young daughter to have that same sense of security. Ms. Blumenfeld said the rezoning could change the character and safety of the area by increasing traffic, straining parking availability, and adding congestion and noise. She also mentioned the potential for issues with environmental impact and stormwater needs. Ms. Blumenfeld said they are not against growth, but they want thoughtful and respective development. She asked Council to preserve family life on the island and vote no.

**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 Healy cited staff and the Commission's recommendation and said in looking at the map, it seems the Town has already set precedent for this. He said it makes sense for Council to approve this request.

Council Member Benson said regardless of what happens, the Town has a means by which to cite a property owner whose stormwater is impacting public or private property.

Council Member Hoffer said he set precedent himself 18 months ago when he voted against this request the last time it came before Council, and nothing has changed. He said zoning is a contract between the Town and property owners for what will be built, and he is concerned about the CBD slowly creeping back if the Town doesn't adhere to current zoning regulations. Council Member Hoffer said the whole point of MX is to be a buffer zoning between the CBD and purely residential neighborhoods, and the owners of 206 Harper Avenue bought their house years ago expecting MX to

be next to them. He said it doesn't make sense why someone who voted against this a year and a half ago would change their mind now.

Mayor Barbee said he generally agrees with everything the 2 public speakers said, but when 206 Harper Avenue was built the property next to them had a business designation. He said the Town changed it to MX, and as a compromise during the proposal for a hotel on that site 206 Harper Avenue was granted a 10-foot access easement. Mayor Barbee said he voted in favor of this last time and will vote for it again. He said he agrees "CBD creep" is a bad thing, but he doesn't think that's what's happening here.

Mayor Pro Tem LeCompte said for her it goes back to whether this parcel was originally zoned for business, which she missed the first time around. She said this is the same thing that happened with Kindred, and nobody had a problem with that.

Council Member Benson said a Conditional Zoning (CZ) permit for any development on the property would require give and take on setbacks and buffer zones.

Council Member Hoffer said he's willing to bet that the 10-foot easement for 206 Harper Avenue doesn't run the entirety of the back west property line of 204 Harper Avenue. He said it probably runs about halfway back, so in that area there would be no setback in the middle of a block of residential neighborhoods.

Mayor Barbee said this property previously got split into 2 zones for whatever reason, and if he owned the property that would've bothered him. He said even with MX, there are a lot of options for what can be built on that lot by right other than a house.

Council Member Hoffer asked why the zoning needs to be changed if they can already build so many things on this property with MX. He said this discussion centers on something that happened 25 years ago, and he questioned why the property owner at that time did not express any concern about the zoning change.

**ACTION:** Motion of 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 204 Harper Avenue is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans and the potential impacts on the surrounding area are mitigated by the approved conditions; a statement approving the proposed zoning map amendment and declaring that this also amends the Land Use Plan to meet the vision of the community is taken into consideration in the zoning amendment

Motion made by Mayor Barbee

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

Voting Nay: Council Member Hoffer

Motion passed 4-1

#### 10. Consider Adopting the Proposed FY 2025-2026 Budget

Mr. Oakley presented the Budget Ordinance for Council's review and approval.

**ACTION:** Motion to open the public hearing to consider adopting the 25-26 budget

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*

The proposed budget figures are \$23,430,601 for the General Fund and \$12,444,057 for the Enterprise Fund. The proposed new tax rate for Carolina Beach is 0.1417, down from 0.2350. The budget includes 3 additional firefighters and 3 additional Police personnel to be hired in January. It also includes a 3% cost-of-living adjustment in July and up to a 2% merit increase in January for employees. Some of the projects and equipment included are Well 15H, Alabama Avenue vessel, Advanced Meter Infrastructure (AMI), stormwater force main from the Lake to Henniker's Ditch, Spartanburg Avenue and Henniker's Ditch crossing, and a new street sweeper.

Mayor Pro Tem LeCompte asked about the Fire Inspector position that would be created as a result of transferring the Building Inspector position, which is now handled by the County. Mr. Oakley said the Town can start advertising for this now but won't finalize hiring until after the fiscal year ends.

Council Member Healy thanked staff for a revenue-neutral budget. He said it's important that the public knows this new budget will take a pause on projects for now. Council Member Healy said it's unclear how tariffs will affect the Town, considering steel and aluminum just went up 50% this week.

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 Barbee said he's excited about the budget being revenue-neutral because tax increases during revaluation years are difficult to justify, so he appreciates staff tightening up and doing what was necessary.

Mr. Oakley said the Town is still waiting on the County to adopt its budget and their sales tax will affect the Town, but staff used a worst-case scenario to plan this budget.

Mayor Pro Tem LeCompte asked everyone to write to County Commissioners to ask them to stay revenue-neutral.

Council Member Healy said resident voices are important because County Commissioners want their vote. He said if the County doesn't go revenue-neutral, it trickles down and the Town has to pay for it.

Council Member Hoffer said he agrees it's not a good time to talk about raising taxes because it's confusing to people, so a revenue-neutral budget was important to him as well. He said he had some anxiety about adding staff but feels better about it after talking to Fire Chief Alan Griffin and considering how much is asked of the Police Department. Council Member Hoffer said Council can't expect more without providing the resources to accomplish it.

Mayor Barbee said both the Police and Fire teams run very efficiently and are about delivering services.

Mayor Pro Tem LeCompte said the Town is fortunate to have its Police and Fire teams.

Council Member Benson said the Lake needs a hard look due to algae and asked staff to make sure this happens. He also asked about whether a Magistrate could be available via video teleconference to keep Police Officers from losing hours driving over the bridge with every arrest. Mayor Barbee said because the Town doesn't have a jail, they could not be held overnight and would still need to be transported unless the Magistrate released them right away. Council Member Benson said it would be helpful to know if they would need to be held before spending time driving them off the island.

**ACTION:** Motion to approve Budget Ordinance No. 25-1258 for the operating budget for fiscal year 2025-26

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*

## **ITEMS OF BUSINESS**

11. Adopt Resolution for the Town of Carolina Beach Water System Resiliency Assessment Project  
Applicant: Town of Carolina Beach

Two years ago, the Town received a grant to conduct an asset inventory assessment of its public utility infrastructure, and resolutions acknowledging receipt and approval are being considered.

Mr. Hardison introduced Verd Anna Pettigrew of engineering firm Jacobs, who gave a presentation on the scope of work and findings.

Mr. Oakley said the Jacobs team and Town staff put a lot of work into this, and representatives with the N.C. Department of Environmental Quality (DEQ) Division of Water Infrastructure said this is one of the best reports they have seen.

Mayor Barbee said the Town is finally at a point where its initiatives are more planned and data-driven, and this is a measure of the process maturity of the Town.

**ACTION:** Motion that Town Council adopt Resolutions No. 25-2334 for sewer and 25-2335 for water for the Town of Carolina Beach utilities system resiliency assessment project

Motion made by Mayor Pro Tem LeCompte

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

Benson, Council Member Hoffer  
*Motion passed unanimously*

## 12. Annual Committee Appointments

Council made the following annual Committee appointments:

- Beautification Committee – Stefanie Young and Meghan Gonzalez
- Bike/Ped Committee – Mike Maume and Scott Pate
- Marketing Committee – Jeff Hogan, Cole Hudson, and Christi Siegel
- Operations Committee – Gerard Taylor, Tiffany Bryan, and Steve Wright
- Planning and Zoning – Jeff Hogan and Bill Carew
- Police Advocacy Committee – Roger Monk, Matthew Shuttleworth, and Kitty McClellan

### **COUNCIL COMMENTS**

Mayor Pro Tem LeCompte said the Rainbow Bridge looks amazing, and she thanked staff for cleaning up the debris left by Duke Energy.

Council Member Healy congratulated Mr. Parvin on his Coast Guard retirement.

Council Member Benson praised staff for preparing a revenue-neutral budget.

Council Member Hoffer mentioned a request from the Beautification Committee to keep the landscaping simple around the Marina. He also said they are seeking a grant to plant some trees and install irrigation at the Bridge Barrier Road nursery site.

Mayor Barbee also praised staff for preparing a balanced revenue-neutral budget. He said it has been a busy season so far and room occupancy tax (ROT) numbers look great, so he thinks it's going to be a wonderful summer for the Town if hurricanes can be avoided.

### **ADJOURNMENT**

Mayor Barbee adjourned the meeting at 8:00 PM.

# CAROLINA BEACH

Town Council Workshop

Tuesday, June 24, 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

Assistant Town Manager Ed Parvin

Finance Director Debbie Hall

Town Clerk Kim Ward

### DISCUSSION ITEMS

#### 1. Marketing Advisory Committee Budget Presentation

Jeff Hogan, Chairman of the Marketing Advisory Committee (MAC), presented the fiscal year 2025/2026 marketing budget. The total budget is \$1,345,675, which is a \$78,473 decrease from the fiscal year 2024/2025 budget. Rollover funds for emergency use are \$854,000.

Mr. Hogan said some of the changes include increasing public relations and social media and investing more into research platforms. He introduced Megan Buchbinder, the new Executive Vice President of Marketing and Strategy for Wilmington and Beaches Convention & Visitors Bureau (CVB).

Council Member Hoffer said State legislative change to the formula for how the Town spends room occupancy tax (ROT) funds is needed. He noted the large amount of rollover funds.

Mr. Hogan said about 3 years ago, the Tourism Development Authority (TDA) informed the Town and the CVB they are not a savings account and capped the amount of rollover funds. He said this still goes up a little every year, but the idea is that there is enough money in there and the purpose of ROT is to spend it. He said things are obviously working because more revenue comes in every year, and although he would like to see that money used for sand on the beach, they must keep people coming to keep collecting, so coming up with fresh new ads to spend the money is important.



Mayor Barbee questioned where a debate would go if the process was started in Raleigh for getting the ability to use ROT funds differently.

Mayor Pro Tem LeCompte said it would take all 4 municipalities and the County to agree to take it to legislation to change it.

Council Member Healy said this could be an example of “be careful what you wish for” because things could change but not for the better.

Mayor Barbee said it’s wildly different how counties spend their ROT funds.

Council Member Hoffer asked how the rollover funds are managed. He said he hopes it’s not sitting there at 0.1% interest. Mr. Hogan said it’s probably getting 0% interest if he had to bet. Mayor Barbee said the County manages that, and he doesn’t know what they do with reserve funds.

**ACTION:** Motion to approve the FY2025/2026 Marketing Budget in the amount of \$1,345,675.

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*

## 2. Review of Town Committees

During the 2025 budget retreat, Council discussed Town committees and considered the option of converting them into ad hoc status or merging them with non-profit groups that share similar goals. Council Members met with committees and asked to revisit the matter as a group at a workshop. At the April workshop, Council Members reported the discussions they had with their committees and asked staff to bring back recommendations for moving forward.

Mr. Parvin gave background information.

### Goals of 2021 policy and ordinance

- Improve productivity and transparency of committees by laying out clear expectations and reporting requirements
- Enhance Council’s ability to manage committees by streamlining ordinances and policies for creating and modifying committees

### 2025

How do we ensure committees are working toward tasks consistent with:

- Council vision
- Direction given to Town Manager/staff through the budget process

### Options

- Combining committees with similar functions

- Dissolving standing committees that historically are not receiving tasking
- Change status of committees from standing to ad hoc so they can be utilized when tasking is given from Council
- Transition to non-profit when committees are working to conduct projects outside of the Town's budget

Standing committees appointed by Council (not required by State law)

- Operations Advisory
- Police Advocacy
- Bike/Pedestrian
- Parks and Recreation
- Beautification

Mayor Barbee said the issue is not the committees but Council giving direction to them. He said the goal is to button up things and make sure Council is following the ordinance to assign them tasks. He suggested moving them to ad hoc status, and when a meeting is necessary then the committee's Council liaison would give Council an update and get consensus.

Mayor Barbee asked about the required time frame for advertising committee meetings. Ms. Ward said it should be at least 48 hours, but a week is preferable.

Council Member Hoffer said there are months when committees have skipped meetings. Mayor Barbee said the key change would be that the default would be that a committee is not meeting unless it's needed, and that would be determined by whether there is a directive and consensus of Council.

Council Member Hoffer said in comparison with other beach towns in the State, the Town's number of committees is above average. He said he would like to see some of them ended or condensed so there are no more than 4, one for each Council Member, so future elected officials don't experience burnout. Council Member Hoffer said he thinks Bike/Ped should merge with Parks and Rec, and Operations should sunset.

Mayor Barbee said the only standing committees the Town should have are those legally mandated: Board of Adjustment, Planning and Zoning Commission, and the Marketing Advisory Committee (MAC).

Council Member Hoffer said Board of Adjustment and Planning and Zoning are managed by Community Development Director Jeremy Hardison, but MAC does have a Council liaison, currently Council Member Healy.

Council Member Healy said he is amazed at how valuable it was for some committees to become a 501(c)(3) organization, which allows them to raise money and have access to it instantly. Mayor Pro Tem LeCompte said moving the Centennial Committee under the Pleasure Island Chamber of Commerce has worked very well.

Council Member Hoffer said people are appointed because Council wants their feedback, and anyone can form a non-profit so that doesn't necessarily give any weight of authority.

Mayor Pro Tem LeCompte said Bike/Ped and Beautification are the only committees with direction.

Mayor Barbee said he thinks combining Parks and Rec with Beautification makes more sense than combining Parks and Rec with Bike/Ped. He suggested having all current committees meet as directed to see where things go, and if a committee doesn't get any direction for a year then that one could be disbanded. Mayor Barbee said he is agreeable to combining committees but wants to be sure Council is directing the activities. He mentioned how asking staff members to attend committee meetings can be taxing on them and asked if it would be helpful to request a staff presence only when necessary as opposed to assigning a staff member to be at every meeting. Mr. Parvin said yes, this is a good idea.

Mayor Barbee said every committee would need to meet in July to elect officers. Mayor Pro Tem LeCompte said at that time, they can also put together a calendar for the year.

Council Member Healy asked if the committees move to an ad hoc status whether members should still have the benefit of getting a free parking pass. Council Member Hoffer and Mayor Pro Tem LeCompte said that doesn't have to change. Mayor Barbee said he is more than happy to continue giving committee members a parking pass if they are willing to commit their time.

Council Member Hoffer said he still thinks it's time to let the Operations Advisory Committee go. He suggested leaving the other committees as standing but slow them down because to him, ad hoc means there is a specific beginning and end.

Mayor Pro Tem LeCompte said the Police Advocacy Committee serves as citizen volunteers for the Police Department. She said if Operations goes away, there will be 4 committees for 4 Council Members.

Council Member Hoffer said citizens feel more comfortable coming to talk about things at committee meetings rather than Council meetings. He said Parks and Rec should exist because almost every municipality has this type of committee.

Council Member Benson said he is fine ending the Operations Advisory Committee. He said the Police Advocacy Committee has set annual events to work on every year, but he is not sure about the other committees, although he thinks some decisions need to be made now.

Council Member Hoffer said if Operations goes away, Council Member Benson would no longer serve as a liaison to any committees. Council Member Hoffer suggested passing one of his committees, Bike/Ped, to Council Member Benson.

Mayor Pro Tem LeCompte said she likes the idea of a first meeting in July followed by a set schedule of quarterly meetings. Council Member Hoffer said he prefers a bimonthly schedule. Mayor Pro Tem LeCompte said after July, committees can call meetings as needed.

Council Member Hoffer said these would not be ad hoc committees, so they should stop using that term. He said they would be standing committees but meet as needed or at the pleasure of the Council liaison.

Mayor Barbee said he likes the idea of keeping 4 committees, and staff would not attend unless invited by Council following the request of the Council liaison to that committee.

**ACTION:** Motion to sunset the Operations Advisory Committee

Motion made by Council Member Benson

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

*Motion passed unanimously*

This would be effective July 1.

Mayor Barbee said the other 4 committees will move to one standing meeting per year in which they will elect a Chair and Vice Chair, and as for any other meetings and staff resources the Council liaison would bring that request to Council during a workshop.

Cindy Dunn, Chair of the Beautification Committee, requested to speak. She asked how these changes will affect the operation of the committee because they work on projects in addition to making recommendations. Ms. Dunn said committees will need direction for how to move forward.

Mayor Barbee said this is not really a change but just buttoning up to make sure Council is giving the direction. He said this should only affect official meetings, not project work.

Mayor Pro Tem LeCompte said she thinks they should leave the 4 remaining committees and see how things go.

Mayor Barbee said Council would do an annual review of standing committees in January to see if each one is still needed.

Council Member Hoffer suggested that staff update the policy with some points of this discussion, and at a future meeting the policy can be adopted.

Mayor Barbee said it's important to capture the intent of what they are trying to accomplish today.

Council Member Healy suggested that it could be helpful in the future to have 2 committees meet together because having more people in the room can lead to more helpful discussion.

Council Member Hoffer said it's up to Council to coordinate that and doesn't have to be part of a specific policy.

**COUNCIL COMMENTS**

Council Member Hoffer said he wants the Town to start an ad hoc committee for Freeman Park. He said this was discussed at the budget retreat and recalls that there was 100% consensus that a land management plan is needed for the 300 acres of natural area west of the dunes. Council Member Hoffer said this would give a basis for the Town to move forward, and he thinks Parks & Recreation Director Eric Jelinski or his designee in that department should serve as the Chair.

Mr. Parvin said the N.C. Land and Water Fund, which has deed restrictions on the property, has criteria they want a Freeman Park committee to meet: 9 members, including 2 citizens at large with expertise in coastal issues, a Town staff member, a Council Member, someone from the Division of Coastal Management, someone from the N.C. Coastal Federation, a coastal ecologist, a biologist, and someone from the National Heritage Program. He said there is likely room for flexibility, but that is the type of representation they would like to see.

Mayor Barbee said staff and Council Member Hoffer should coordinate to put a list of roles together to make sure the N.C. Land and Water Fund approves of the committee makeup.

Council Member Hoffer said while it's preferable that the committee members are Town citizens, the expertise may need to come from elsewhere.

Mayor Pro Tem LeCompte said the committee is necessary for the Town to preserve and be stewards of the land, which has historic value.

Council Member Hoffer said they will put something together to vote on at the July regular meeting.

Council Member Benson asked about flushing of stormwater lines related to the Potential Tropical Cyclone 8 project. Mr. Parvin said he can find out more.

Council Member Benson said he wants to see the speed limit on Ocean Boulevard reduced to 25 mph.

Mayor Pro Tem LeCompte said she is hearing complaints about people blocking the sidewalk on Ocean Boulevard. Mr. Parvin said the Police Department has been going out to educate people parked there.

Mayor Pro Tem LeCompte said Boardwalk business owners will be bringing a presentation to the July regular meeting about a social district on the Boardwalk.

Mayor Pro Tem LeCompte asked if staff can put together a cost analysis for milling down and paving Canal Drive.

Mayor Pro Tem LeCompte said the Rainbow Bridge project is coming together well, with staff already putting up signs and plaque installation beginning next week.

Mayor Barbee said there have been a lot of complaints about goose manure around the Lake. He said staff and Council put together the best program possible and it was generally working, but complaints are coming in again and there is no way to power wash the sidewalks enough to keep them clean for any significant period. Mr. Parvin said staff power washed on a Friday evening, and by the Saturday

morning market there were complaints. Council Member Hoffer said power washing doesn't get to the root cause of the problem.

Mayor Pro Tem LeCompte asked why the grass along the outer edge of the Lake is not being allowed to grow, acting as a natural deterrent for geese being there. She said landscapers are continuing to cut the grass all the way down to right up next to the water. Mayor Barbee said they need to confirm this is an effective strategy and if so, make sure mowing there stops.

Council Member Healy said Goose Masters asked the Town to develop an educational program for the public. Mr. Parvin said Goose Masters wanted to ensure Council and staff are all helping to educate the public and getting behind the mission, but in the past they didn't feel like they had that support and said they were getting harassed constantly.

#### **ADJOURNMENT**

Mayor Barbee adjourned the meeting at 10:27 AM.



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Tim Murphy

**DEPARTMENT:** Parks and Rec

**MEETING:** Town Council 7/8/2025

**SUBJECT:** Events Update by Tim Murphy

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**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

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**PREPARED BY:** Kim Ward, Town Clerk

**DEPARTMENT:** Clerk

**MEETING:** Town Council Meeting 7/8/2025

**SUBJECT:** Grant Award Presentation by the Terry Benjey Bicycle Foundation

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**BACKGROUND:**

A representative from the Terry Benjey Bicycle Foundation will present a grant award to the Carolina Beach Police Department.

**ACTION:**

No action needed from Council.





## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Bruce Oakley, Town Manager

**DEPARTMENT:** Executive

**MEETING:** Town Council 7/8/2025

**SUBJECT:** Manager's Update

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**BACKGROUND:**

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



## AGENDA ITEM COVERSHEET

**PREPARED BY:** Haley Anderson, Planner

**DEPARTMENT:** Planning & Development

**MEETING:** Town Council – July 8<sup>th</sup>, 2025

**SUBJECT:** Text Amendment to amend Article 3, Sec. 3.20 Fence Regulations

Applicant: Pleasure Island Holdings, LLC.

### **BACKGROUND:**

The applicant, Pleasure Island Holdings, LLC., is applying for a text amendment to modify Article 3, Sec. 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 be no taller than 48" and the NC Building Code requires pool fencing be at least 48" and it can be difficult to install a prefabricated fence that meets the 48" height requirement.

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

3. 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' (or 48") tall. The problem occurs when a nonconforming commercial pool updates their fence barrier with prefabricated fencing materials. These prefabricated fences are designed to meet NC Building Code.

### **LAND USE PLAN:**

The text amendment is in general conformity with the 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.

**P&Z COMMENTS:**

The Planning and Zoning Commission voted unanimously to approve the proposed text amendment. The commission discussed the proposed 5' 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 COMMENTS:**

Staff supports the proposed text amendment. There are a limited number of legal non-conforming 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" to easily meet the barrier fencing requirements for NC Building code.

**ACTION REQUESTED:**

Consider recommending approval or denial of the text amendment.

**MOTION:**

Approval – to amend Article 3, Sec. 3.20 Fence Regulations.

Denial – to amend Article 3, Sec. 3.20 Fence Regulations.

**ATTACHMENTS:**

Attachment 1 – Text Amendment Application

Attachment 2 – Proposed Text Amendment Language



## 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: Pleasure Island Holdings, LLC Phone #: (910) - 264 - 6506  
 Street Address: 300 S. Lake Park Blvd  
 City: Carolina Beach State: NC Zip: 28428  
 Email: ladd@reachprop.com

### REQUESTED TEXT AMENDMENT

Town Code Section(s) Requested to be Amended:  
Article 3. Sec. 3.20 FENCE REGULATIONS

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:

Current sign ordinance has strict maximum height of 48" along streets. This creates major conflict in case of a pool which county health department requires minimum of 48" for safety.  
Requesting narrowly drafted text amendment to allow commercial business/operation with a with pool within setback of road to have fence up to 56" (which would allow for 54" fence that pool safety experts suggest along with up to 2" buffer for installation).

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 fee for review is nonrefundable.**

**Fee: to be submitted with application in accordance with the Town's annually adopted Rates and Fee Schedule**

Signature of Petitioner: LSG Date: 4/9/2025

# Ordinance 25-1260

Town of Carolina Beach  
Town Council



## AN ORDINANCE TO AMEND Article 3, Sec. 3.20 Fence Regulations

### D. HEIGHT RESTRICTIONS

1. Measurement.
  - a) Height shall be measured at the highest point, not including columns or posts, after any fill or grading of the site. The point of measurement shall be along the outside of the fence adjacent to the abutting property. If the fence is adjacent to a right-of-way, the height shall be measured from the grade at the right-of-way line.
  - b) Columns or posts shall not extend more than 18 inches above the built height of the fence. Columns or posts shall be separated by a horizontal distance of at least four (4) feet, except at gates.
  - c) Any retaining wall or berm below the fence shall be considered as part of the overall height of the fence. Bulkheads that are adjacent to estuarine waters are exempt from this regulation.
2. ~~With the exception of fences located in the industrial zoning district,~~ no fence shall exceed six (6) feet in height ~~-, except for fences located in the industrial zoning district.~~
3. 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%.
4. Exemptions. Town facilities, utilities, and all uses specifically identified as having an allowance for fencing exceeding six (6) feet shall be exempt from the height requirements provided herein.

Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 8<sup>th</sup> day of July, 2025.

TOWN OF CAROLINA BEACH

\_\_\_\_\_  
Albert L. Barbee, Mayor

ATTEST:

\_\_\_\_\_  
Kimberlee Ward, Town Clerk



# Text Amendment to Article 3. Sec. 3.20 – Fence Height Exception for Commercial Pools

Applicant: Pleasure Island Holdings, LLC

Town Council Meeting  
July 8<sup>th</sup>, 2025

# Background

- Applicant: Pleasure Island Holdings, LLC. Item 8.
- Reason for the proposed text amendment:

- 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.
- Town Ordinance:
  - Fencing located within the front setback be no taller than 48” the
- NC Building Code:
  - Pool fencing be at least 48”
- It can be difficult to install a prefabricated fence that meets the 48” height requirement.









# Proposed Text Amendment

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

2. ~~With the exception of fences located in the industrial zoning district,~~ no fence shall exceed six (6) feet in height. except for fences located in the industrial zoning district.
3. 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%.
4. Exemptions. Town facilities, utilities, and all uses specifically identified as having an allowance for fencing exceeding six (6) feet shall be exempt from the height requirements provided herein.

# Town Ordinance & Existing Nonconformities

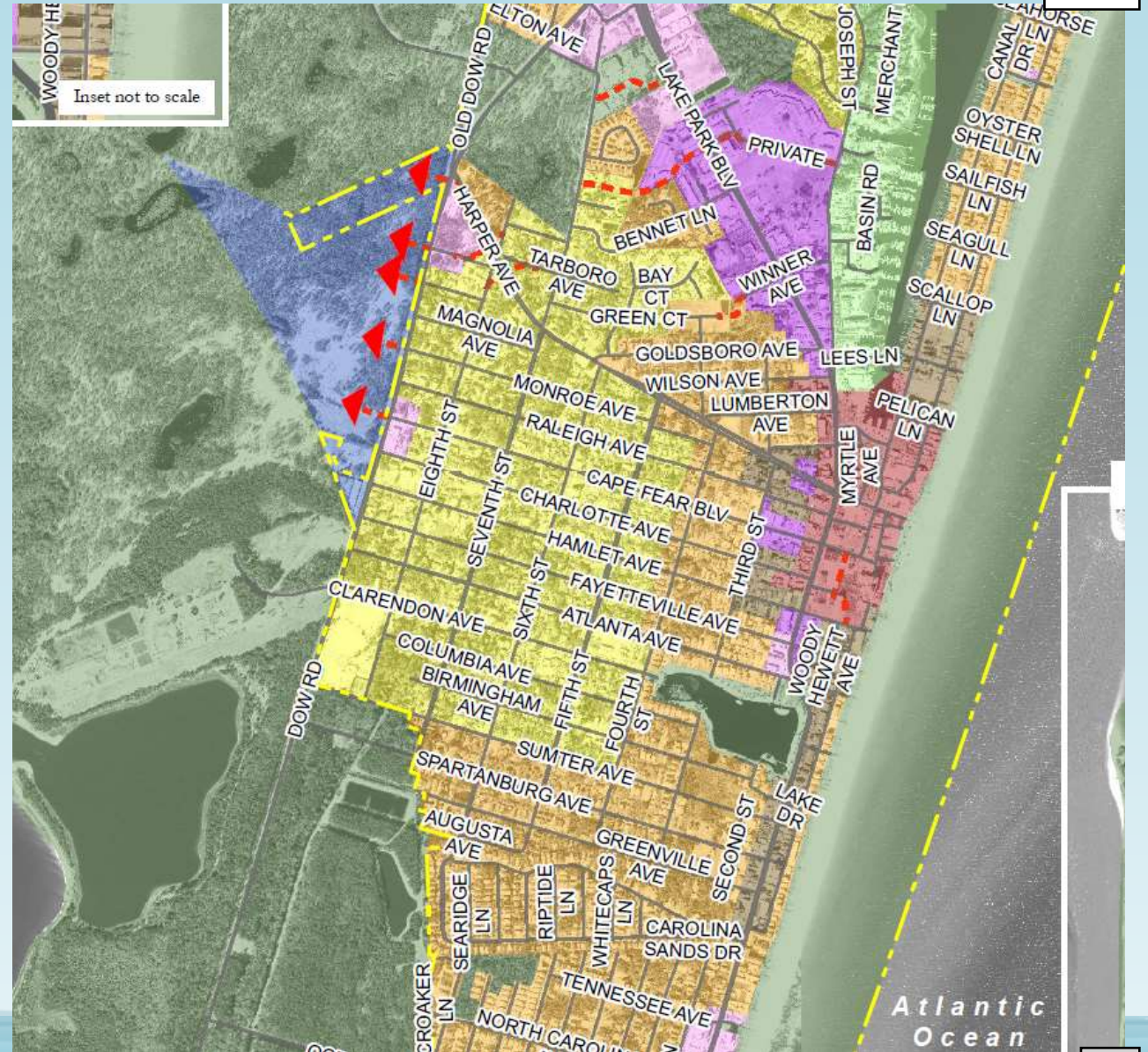
- Restricts all pools from being located within the front setback of a zoning district.
- There are a total of eight (8) nonconforming commercial pools currently located within the front setback of a zoning
- The problem occurs when a nonconforming commercial pool updates their fence barrier with prefabricated fencing materials. These prefabricated fences are designed to meet NC Building Code.

# Land Use Plan:

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

LUP encourages the improvement and renovation of existing structures where a teardown/rebuild is not the best possible outcome.

The LUP 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.



# P&Z Comments

- The P&Z Commission voted unanimously to approve the proposed text amendment.
- They discussed the proposed height and if 5' was too tall of an allowance.
- After more discussion, they all 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.
- They agreed there were a limited number of commercial pools this would impact and the flexibility in the height of the fence would provide a greater benefit.



# Staff Comments

Staff supports the proposed text amendment.

There are a limited number of legal non-conforming 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” to easily meet the barrier fencing requirements for NC Building code.

# Town Council Options:

1. Council could approve the applicant's text amendment.
2. Council can approve or modify the amendment at their discretion.
3. Deny proposed text amendment.

# Motion

## **Approval**

The 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. 3.20 – Fence Regulations is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

## **Denial**

The 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. 3.20 – Fence Regulations is inconsistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

# Nonconforming Commercial Pool List:

1. Coles Motel: 209 Raleigh
2. Dry Dock Inn: 300 Lake Park Blvd S
3. Dry Dock Inn: 201 Fayetteville
4. Driftwood Villas : 200 Lake Park Blvd S
5. Carolina Lake Beach Villas: 404 Carolina Beach Ave S
6. Paradise Tower Condominium: 901 Carolina Beach Ave S
7. Tropical Winds Condominium: 1004 Carolina Beach Ave S
8. Sea Ranch: 1123 Lake Park Blvd S





## AGENDA ITEM COVERSHEET

**PREPARED BY:** Gloria Abbotts, Sr Planner

**DEPARTMENT:** Community Development

**MEETING:** Town Council – July 8, 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.

The goal of this text amendment is to clarify water-oriented businesses and related uses. Prior to this text amendment, there were multiple uses that were 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 on the recommendation of P&Z:

1. Table of uses
  - a. Removed boats from the automotive category.
  - b. Boats and personal water craft rental is Conditional Zoning.
  - c. Boat sales and repair are permitted by right with standards.
  - d. Boat taxis are permitted by right only in the CBD.
  - e. Removed the rental and repair of any item and clarified the definition of retail sales to include repair.
  - f. Water oriented businesses with a capacity of less than 15 people are permitted by right in CBD and MB-1.
  - g. Water oriented businesses with a capacity of 15 people or more are permitted by right only in the CBD.
2. Off-street parking
  - a. Removed boats from automotive.
  - b. Boat rentals require 1.5 spaces per boat or PWC.

- c. Commercial marinas require 1 space per wet slip plus requirements for dry stack and all other uses on site.
- d. Dry stack facilities require 1 per 2 spaces to align with the requirement for commercial marinas.
- e. Water oriented uses with a capacity of less than 15 people require 1 space per wet boat slip.
- 3. Added standards for Boat and PWC 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.
- 4. Added standards for Commercial Marinas
  - a. Parking, restrooms, refuse, water, electricity, and sewer pump outs are required.
- 5. Definitions
  - a. Clarified in automotive definition that rental of boats, personal water craft, golf carts, mopeds, e bikes, and scooters shall not be included.
  - b. Added a definition for public marinas operated by a government entity.
  - c. Added a definition of wet boat slip because it is used in the off-street parking table. A single water craft in or over water, whether it is residential, commercial, or transient, constitutes a wet boat slip.
  - d. Added a definition of boat taxi.
  - e. The boat and personal water craft rental definition clarifies that boats can be rented from a marina, dry stack, or dry storage.
  - f. Clarified that the water-oriented uses businesses definition is for commercial boats that are used for off-site activities in a commercial or public marina.

The table below reflects the two options for approval and the differences between staff's proposal and P&Z's recommendation.

Item	P&Z Option	Staff Option
<b>Use Table:</b>	Combined all Marina Uses into one category, to match eating and drinking establishments, residential uses, etc.	
<b>Use: Boat and Personal Water Craft (PWC) Rental</b>	Conditional Zoning in CBD, HB, MB-1, T-1, and I-1	Permitted with Standards in CBD, HB, MB-1, T-1, and I-1
<b>Use: Boat Taxi</b>	Permitted by right only in CBD	
<b>Use: Water-oriented businesses</b>	<ol style="list-style-type: none"> <li>1. Less than 15-person capacity permitted by right in CBD &amp; MB-1</li> <li>2. Greater than or equal to 15-person capacity permitted by right only in CBD</li> </ol>	Remove "water-oriented uses" and rename to "commercial vessel"
<b>Use: Rental and Repair of any item</b>	Removed both uses for clarity. Updated retail definition to reflect these activities.	

<b>Use: Boat &amp; PWC sales and repair</b>	Combined both uses, permitted with standards.	
<b>Use, Development Standards, and Definition: Automotive</b>	Combine uses into one category for clarity. Does not include boats.	
<b>Development Standards: Boat and PWC Rental</b>	Operations shall be conducted in an on-site building + all boats for rent shall be displayed on the site plan.	
<b>Development Standards: Marina, Commercial</b>	Language matches Harbor and Marina Regulations – Marinas shall provide parking, restrooms, water, electricity, sewer pump out, etc.	
<b>Parking: Automotive</b>	Updated to reflect all uses in the category.	
<b>Parking: Boat and PWC rental</b>	1.5 per boat or PWC	1 per boat or PWC
<b>Parking: Commercial Marina</b>	1 per wet boat slip, 1 per 2 dry storage, 1 per service bay + required for all other on site uses, 1.5 per boat or PWC rental	1 per wet boat slip, 1 per 2 dry storage, 1 per service bay + required for all other on site uses
<b>Parking: Dry stack storage</b>	1 per 2 dry storage space	1 per 5 dry storage space
<b>Parking: Water-oriented business (less than 15-person capacity)</b>	1 per wet boat slip	Change use type to Commercial vessel, 1 per wet boat slip
<b>Definition: Boat and Personal Water Craft (PWC) Rental</b>	Boat rentals can occur from a dry stack, dry storage, or wet slip.	
<b>Definition: Boat Taxi</b>	Vessel that provides transportation for passengers for a fee.	
<b>Definition: Marina, docks, and/or piers, commercial</b>	Caters to the public and provides goods/services	Includes wording from the definition of water-oriented uses, which has been removed
<b>Definition: Water-oriented businesses</b>	Commercial boats used for off-site activities in a public or commercial marina	Remove water-oriented businesses and rename Commercial vessel
<b>Definition: Wet boat slip</b>	A space used to moor, store, or park a single water craft in or over water. Includes residential, commercial, and transient slips.	

#### **Historical Commercial Marina Parking Requirements for Wet Storage:**

Proposed: 1 per 1 space

Existing: 1 per 1 space

Pre UDO Change: 1 per 1 space

2007 Town Text Amendment: 1 per 1 space

2005 Applicant Text Amendment: 1 per 3 spaces  
 Pre 2005: 1 per 1 space

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.

#### **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 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.

P&Z Recommendation: Rezone the eastern portion of the Town Marina from MB-1 to CBD & Designate St. Joseph Street as residential parking

### 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-1B	R-2	R-3	C	MH	MF	MX	CB	NB	HB	MB-1	T-1	I-1	
Nonresidential Uses (Section 3.9)															
Automotive, <del>major</del> (including motorcycles, RVs, and other consumer motor vehicles)										CZ	PS			PS	3.9.C
Automotive, minor									PS	PS	PS	PS		PS	3.9.D
<del>Rental of any item, the sale of which is permitted in the district</del>									P		P	P			
<del>Repair of any item, the sale of which is permitted in the district</del>									P		P	P			
Retail Sales								P	P	P	P	P		P	
Marina Uses															
Boat and personal water craft (PWC) <del>sales and</del> rental									P CZ		P CZ	P CZ	P CZ	P CZ	3.9.E
Boat <u>and personal water craft (PWC) sales and</u> repair facility											PS	PS		PS	3.9. <del>G</del> F
Boat Taxi									P						
Marinas, docks and/or piers, <del>public or</del> commercial	<del>CZ</del>				CZ		CZ		PS			CZ			3.9.N
Marinas, docks and/or piers, <u>public and private</u>	P	P	P		<del>CZ</del> P				P			P			

Water-oriented businesses <a href="#">less than 15-person capacity</a>									<del>GZ</del> <u>P</u>			<del>GZ</del> <u>P</u>			
<a href="#">Water-oriented businesses greater than or equal to 15- person capacity</a>									<u>P</u>						

### 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.~~
  - 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 undue 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

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

a) 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.

b) All exterior display areas shall be paved or stoned with proper drainage provided.

c) All lighting shall be directed to the interior of the property and shall not impact adjacent properties or public rights-of-way.

d) Rental, maintenance, and all related functions shall be conducted within a permanent on-site building on land having restrooms facilities for patrons and employees.

e) 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



1. 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% ~~lot coverage~~ 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.
  - d) No outside storage of junk boats, trailers, or parts shall be permitted.

#### N. MARINA, COMMERCIAL

##### 1. Any operation shall meet the following requirements:

- a) Parking shall be provided in accordance with the requirements of this Article.
- b) Restroom facilities shall be provided for the exclusive use of the commercial marina patrons.
- c) Properly screened and adequately sized solid waste disposal facilities shall be provided for the exclusive use of commercial marina patrons.
- d) Water, electricity, & sewer pump out shall be provided.
- e) If any accessory uses conduct business in an office, it shall be in a permanent on site building on land.
- f) Additional standards required for boat and personal water craft (PWC) rental.

### **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> , <del>major and minor</del>	<del>2 per station + 4 per service bay</del> <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 repair services</u>	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 <del>storage space</del> <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 rentals</u>
Dry stack storage facilities	1 per <del>5</del> <u>2</u> dry storage space
<u>Water-oriented business (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.

*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.

*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.

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.

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Town Council



## AN ORDINANCE TO ADDRESS WATER ORIENTED USES

### 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, <del>major</del> (including motorcycles, RVs, and other consumer motor vehicles)										CZ	PS			PS	3.9.C	
Automotive, minor									PS	PS	PS	PS		PS	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									PS		PS	PS	PS	PS	3.9.E	
Boat and personal water craft (PWC) sales and repair facility											PS	PS		PS	3.9.F	
Boat Taxi									P							
Marinas, docks and/or piers, public or commercial	CZ				CZ		CZ		PS			CZ			3.9.N	

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Marinas, docks and/or piers, <a href="#">public and private</a>	P	P	P		<del>G</del> <del>Z</del> <a href="#">P</a>				P			P			
<del>Water-oriented businesses</del> <a href="#">Commercial vessel less than 15-person capacity</a>									<del>G</del> <del>Z</del> <a href="#">P</a>			<del>G</del> <del>Z</del> <a href="#">P</a>			
<a href="#">Commercial vessel greater than or equal to 15-person capacity</a>									<a href="#">P</a>						

## 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.

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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> , <del>major and minor</del>	<del>2 per station + 4 per service bay</del> <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 <del>storage space</del> <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
<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 taxis, 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~~ 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.

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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 8<sup>th</sup> day of July, 2025.

TOWN OF CAROLINA BEACH

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Albert L. Barbee, Mayor

ATTEST:

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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
- Decided with UDO committee to discuss at later date for more focused discussion
- Conflicts between multiple uses in the table
- Clarify uses, development standards, and parking requirements
- Staff and P&Z have held 3 workshops and 2 regular meetings

# Table of uses

1. Removed boats from automotive
2. Boat and PWC rental requires CZ
3. Boat sales and repair permitted by right with standards
4. Clarified definition of retail sales, added repair (deleted rental and repair of any item)
5. Boat taxis permitted by right only in CBD
6. Water oriented businesses with a capacity of less than 15 people are permitted by right in CBD and MB-1
7. Water oriented businesses with a capacity of 15 people or more are permitted by right only in CBD

# Off street parking

Item 9.

1. Removed boats from automotive
2. Boat rental 1.5 spaces per boat
3. Marina 1 space per wet slip
4. Dry stack facilities 1 space per 2 storage spaces
5. Water oriented businesses with less than 15 capacity require 1 space per wet slip

# 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

# Definitions

- Automotive definition – rental of boats, PWC, golf carts, e-bikes, scooters, are not included
- Added definition of public marina – operated by government
- Added definition of wet boat slip because of its use in the parking table, a single watercraft in or over water used for residential, commercial, or transient
- Added definition of boat taxi
- Boat and personal water craft rental definition states that boats can be rented from a marina, dry stack, or dry storage
- Water oriented uses definition – commercial boats in a commercial or public marina



# Text Amendment Options:

Item	P&Z Option	Staff Option
<b>Use: Boat and Personal Water Craft (PWC) Rental</b>	Conditional Zoning in CBD, HB, MB-1, T-1, and I-1	Permitted with Standards in CBD, HB, MB-1, T-1, and I-1
<b>Use: Water-oriented businesses</b>	Less than 15-person capacity permitted by right in CBD & MB-1 Greater than or equal to 15-person capacity permitted by right only in CBD	Remove “water-oriented uses” and rename to “commercial vessel”
<b>Parking: Boat and PWC rental</b>	1.5 per boat or PWC	1 per boat or PWC
<b>Parking: Commercial Marina</b>	1 per wet boat slip, 1 per 2 dry storage, 1 per service bay + required for all other on site uses, 1.5 per boat or PWC rental	1 per wet boat slip, 1 per 2 dry storage, 1 per service bay + required for all other on site uses
<b>Parking: Dry stack storage</b>	1 per 2 dry storage space	1 per 5 dry storage space
<b>Parking: Water-oriented business (less than 15-person capacity)</b>	1 per wet boat slip	Change use type to Commercial vessel, 1 per wet boat slip
<b>Definition: Marina, docks, and/or piers, commercial</b>	Caters to the public and provides goods/services	Includes wording from the definition of water-oriented uses, which has been removed
<b>Definition: Water-oriented businesses</b>	Commercial boat used for off-site activities in a public or commercial marina	Remove water-oriented businesses rename Commercial vessel

# 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.



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 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

P&Z Recommendation: Rezone the eastern portion of the Town Marina from MB-1 to CBD & Designate St. Joseph Street as residential parking



# 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

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**PREPARED BY:** Kim Ward, Town Clerk

**DEPARTMENT:** Clerk

**MEETING:** Town Council 7/8/2025

**SUBJECT:** Town Committee Policy Update

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**BACKGROUND:**

Ed Parvin will present the new Town Committee policy to include the updates voted on by Council at their June 24, 2025 Council meeting.

**ACTION:**

Motion to approve the updates as presented.

# POLICY AND PROCEDURES FOR APPOINTMENTS AND THE ADMINISTRATION OF THE TOWN'S VOLUNTEER CITIZEN ADVISORY COMMITTEES

## SECTION 1. PURPOSE

- A. To establish policy and procedure whereby the Town of Carolina Beach Town Council will make appointments to volunteer boards, commissions, committees, or authorities (hereinafter referred to as "citizen advisory committees" or CAC).
- B. To establish administrative procedures whereby all CAC's shall operate that correspond and further illustrate Town Code.
- C. For statutory mandated CAC's authority and purpose may include reference to applicable General Statutes.
- D. All CAC's shall ~~develop~~ have an overarching mission and vision statement consistent with direction given from Town Council. How the mission and vision are accomplished will be assigned directly by Town Council. ~~The CAC is expected to update their mission/vision and corresponding goals annually and provide them to Town Council.~~
- E. Nothing contained in this policy shall be construed to conflict with any state or local law. Should there be an appearance of conflict, the appropriate state or local law shall prevail.
- F. The CAC through its membership and subcommittees, maintains continual contact with representative professional groups, stakeholders' groups, and industry organizations. In this manner, the CAC is kept apprised of current information related to all matters under the jurisdiction of Carolina Beach.

## SECTION 2. APPOINTMENTS

- A. All members of CAC serve at the pleasure of Town Council and may be removed at any time by a majority vote of Town Council.
- B. Appointments to CACs will be initiated with a public application process, and recommendations from staff, and/or nominations by the community or professional organizations.
- C. All appointments will be made according to the appointment statute, ordinance, or Town Council vote that created that CAC.
- D. No person may serve in more than two appointed positions of Carolina Beach government, unless exempted by nature of the position he or she may hold in governmental service.
- E. Unless otherwise stated by statute or charter, all terms of office shall be three years. No appointees may serve more than three consecutive terms which shall expire on June 30. However, members of boards and committees may serve until their successors have been appointed. This policy may be waived by the Town Council.

## SECTION 4. MEETING ATTENDANCE

- A. The Town Council has an expectation that appointees will be conscious of their attendance of scheduled meetings. Appointees shall attend at least 75% of scheduled organizational and business meetings on an annual basis from the date of their appointment.
- B. If the appointee does not comply with such attendance or has three consecutive unexcused absences, said appointee's failure to attend shall be reported by the presiding officer of the respective CAC to the Town Council. Such unexcused absences on the part of any appointee may, at the election of the Town Council, be deemed to constitute resignation on the part of the appointee, from such CAC.



- C. Excused absences are defined as absences caused by events beyond one's control and are subject to approval by the board on which the appointee is serving. Minutes containing meeting attendance will be submitted to the Town Clerk after each meeting of said committee.

## **SECTION 5. RESIGNATION**

- A. Resignation occurs when a member fails to meet the attendance policy or when a member submits their resignation to the Town Clerk and carbon copy the Chairman and/or vice chairman.
- B. Upon such resignation and acceptance, the Town Council shall select a replacement from the applications of persons who applied for the last vacancy on such CAC, without further notice, advertisement, or action by the Town Council. The appointee will fill the vacancy for the period of the unexpired term. This is considered a partial term and the individual will be eligible for three additional full terms on the committee.

## **SECTION 6. PROCEDURES FOR FILLING VACANCIES FOR APPOINTED POSITIONS**

- A. Notification of Available Appointments
1. The Town Clerk shall prepare an advertisement to be published on the website, on social media, and/or in the local newspaper. All advertisements must be submitted to the Town Clerk prior to publication.
  2. Sixty (60) days prior to the terms expiring, the secretary of the CAC will email a notice to each person who is eligible for reappointment, requesting information on his or her interest in continuing to serve. If an individual is not eligible for reappointment, he or she will be notified and given reason for being ineligible.
  3. If, because of policy or otherwise, an individual is not reappointed, he or she will receive a letter from the Mayor thanking them for their service.
- B. Selection Process
1. All applications for a particular position will be returned to the Clerk of the Town Council.
  2. All applications will be forwarded to the Town Council with those who are ineligible noted and the reasons for ineligibility given.
  3. The Town Clerk shall place on the agenda the "Appointments" for action at the next meeting of the Town Council.
  4. CAC members may ~~review applications for their respective Committees and~~ render a recommendation to Town Council for consideration. Town Council will consider such recommendation along with other considerations, but no assurances should be offered that Town Council will follow the Committee recommendation. Under no circumstances should any CAC or CAC Member offer an applicant any assurances of appointment.
- C. Notification of Appointment: The Town Clerk shall notify the appointee and copy the affected CAC notifying each of the appointments.
- D. Applications
1. All applications received shall be retained for 12 months. Applications shall be kept on file for all active appointees. All the above data shall be maintained by the Town Clerk.
  2. Applications for committees are considered public record and are available for public inspection.



## SECTION 7 ADMINISTRATION

- A. The Town Clerk shall have a binder containing a list of all town appointments with the following data provided:
1. Name of the CAC.
  2. Brief on the functions of each CAC
  3. Ordinance of cause creating CAC
  4. Number of members and terms of office
  5. Current members, addresses, telephone numbers, terms of office, numbers of terms served, and expiration dates
  6. ~~Regular~~ meeting day, time, and location

## SECTION 8 MEMBERSHIP

To qualify for an appointment to the CAC, a person shall:

- A. Meet the qualifications for the specific CAC or the statutory requirements for an appointed position.
- B. Uphold Town policies pertaining to the CAC he/she serves.
- C. Be a minimum of 18 years old unless applying under a youth designated position.
- D. Be a permanent resident unless Town Council determines the membership would benefit from outside expertise. Applicants shall have a good reputation for integrity and community service. Ex-officio members may be appointed by the Town Council for the purpose of meeting subject matter expert needs. Ex-officio members are nonvoting members of the CAC.
- E. Not be employed or have immediate family employed by the Town. An appointee will not be considered for any employment vacancy in for the Town, until said appointee resigns his/her seat on the CAC. Town Council members are designated as Town Employees.
- F. Any Committee member must resign prior to being considered for a Town Employee position.
- G. Be prepared and committed to participating in CAC work in a manner that enhances relationships between the Town and the community.
- H. Serve the Town Council. As such their role includes their commitment to the implementation of Town Council's vision through full participation in committee meetings and activities.

## SECTION 9 CHAIR, VICE CHAIR, AND SECRETARY (OFFICER) SELECTION AND RESPONSIBILITIES

- A. The Chair of the CAC is nominated by the CAC.
- B. The Chair and Vice Chair shall serve no more than 3 consecutive one-year terms.
- C. The officers shall assume their role immediately upon appointment after the annual organizational meeting. ~~on July 1 of each year. At the first meeting with new officers the CAC Chair shall present members with a copy of the CAC charge, scope, and membership.~~
- D. The CAC Chair shall serve by meeting the following
  - a. Presiding Officer
    - i. To plan and run meetings in accordance with the Town's mission.
    - ii. To ensure matters are dealt with in an orderly, efficient manner.
    - iii. To bring impartiality and objectivity to meetings and decision-making.
  - b. Managing member
    - i. To be a liaison to the staff and Council representative.
    - ii. To co-ordinate the committee and ensure the purpose of the committee is met.
    - iii. Dissolves or appoints subcommittees subject to CAC approval
    - iv. Assists in development of meeting agendas
  - c. Representative
    - i. To serve as the primary spokesperson for the CAC.

- ii. To effectively communicate the vision and purpose of the committee.
  - iii. To advocate for and represent the committee at Town meetings and events as requested.
  - iv. To be aware of current issues that might affect the Town.
- d. Leader
  - i. Helps members with their success
  - ii. Good communication and interpersonal skills.
  - iii. Impartiality, fairness, and the ability to respect others.
  - iv. Ability to ensure decisions are made and reported to the Town Council.
  - v. Good timekeeping.
  - vi. Tact and diplomacy.
  - vii. Understanding of the roles/responsibilities of a Town committee member.
- E. The CAC Vice Chair shall meet the same standards as the Chairman
- F. The CAC Secretary shall serve by meeting the following:
  - a. Administration
    - i. To prepare agendas in consultation with the Chair.
    - ii. To circulate agendas and any supporting documents in a timely manner.
    - iii. To receive agenda items from other committee members.
    - iv. To check that a quorum is present.
    - v. To take meeting minutes and circulate the draft minutes to all committee members.
    - vi. To send approved minutes and agendas to the Town Clerk.
    - vii. To report any membership changes and excessive absences to the Town Clerk.
  - b. Professional Skills
    - i. Good communication and interpersonal skills.
    - ii. Impartiality, fairness, and the ability to respect others.
    - iii. Well organized and an eye for detail.
    - iv. Strong conflict resolution skills / Ability to work well with others
    - v. Documents accomplishments and CAC motions/decisions

## SECTION 10 CONFLICT OF INTEREST

- A. In the event an issue comes before a CAC and a member of that CAC has a financial, personal or employment related interest in the outcome of the issue, that member should notify his fellow members that he/she has a potential conflict of interest and request that he/she be excused from voting.
- B. A CAC member that has been recused due to a conflict of interest shall not participate in the discussion or vote on the matter.

## SECTION 11 MEETINGS

- A. NEW PROCESS
- B. All meetings shall be open to the public as required by North Carolina General Statutes § 143-318.10
- C. Unless otherwise specified, public meetings will follow the standard rules of procedure defined by the Town Council. The CAC may adopt other operating procedures as needed. In coordination with the staff and Town Council the CAC shall determine the date, time, and place for each meeting.
- D. ~~Special~~ Calling Meetings:

- a. Organizational meetings designed to elect new officers and review the committees overarching mission and vision shall be held annually soon after new appointments are made by Town Council.

- b. Business Meetings.

The Town Council liaison is responsible for presenting:

- i. Goals of the CAC to Town Council.
- ii. Recommendation on the number of meetings needed to complete said goal.

The Town Council shall determine:

- i. If the goal of the CAC is consistent with their vision and the long term vision of the community as defined in long range planning documents adopted by the Town Council.
- ii. The number of meetings authorized for the CAC to meet to accomplish the goal. ~~A majority of the CAC may call special meetings at any time in accordance with NCGS § 143-318.12 for specific business.~~

- E. Virtual Meetings or Teleconferences are allowed if the CAC can provide access to the live meeting audio.
- F. Cancellation of Meetings: Whenever there is no business for the CAC, the Chair may dispense with a regular meeting by giving notice to all members not less than twenty-four (24) hours prior to the time set for the meeting.
- G. Items of Business: The items of business shall be strictly limited to what was tasked to the CAC from Town Council.
- H. Agenda: The agenda shall provide a description of each item of business so that interested members of the public will be capable of understanding the nature of each agenda item.
- I. As a rule, only those items appearing on the agenda will be discussed or voted on. However, if an item is raised by a member of the public, the CAC may discuss so long as no action is taken. If the CAC wishes to continue discussion the Town Council Liaison shall bring the topic back to a Town Council workshop to request permission to work on the new issues. ~~until a subsequent meeting where the item is placed on the agenda.~~
- J. Agendas shall be available for members and public at least two (2) days before the meeting.
- K. Minutes: Minutes shall be kept of all CAC meetings and be submitted to the Town Clerk within 45 days of the last meeting.
- L. All recommendations, reports, and motions shall be conveyed on the minutes.

## SECTION 12 VOTING AND QUORUM

- A. A quorum for a CAC meeting shall consist of a simple majority of the members unless otherwise specified by state or local laws.
- B. No business may be conducted if a simple majority is not present.
- C. Decisions are reached based on a simple majority vote of those members present unless otherwise required by NC Law.
- D. Only appointed members may vote. Appointed members shall not delegate their vote to others. Voting by proxy is not allowed.
- E. Ex officio members shall not vote.
- F. In the absence of the chairman and vice-chairman where a quorum still exists the CAC may by simple majority vote appoint a member of the CAC to serve as the presiding officer of the meeting.

## SECTION 13 GROUND RULES

- A. The Chair shall take necessary action to ensure all policies and procedures are followed during meetings. In general, the following ground rules shall apply:
  - a. Test assumptions and inferences
  - b. Share all relevant information
  - c. Focus on interests, not positions
  - d. Be specific—use examples
  - e. Agree on what important words mean
  - f. Explain the reasons behind your statements, questions, and actions
  - g. Disagree openly with any member of the group
  - h. Make statements, then invite questions
  - i. Jointly design ways of testing disagreements and solutions
  - j. Discuss undiscussable issues
  - k. Keep the discussion focused
  - l. Don't take cheap shots or otherwise distract the group
  - m. All members are expected to participate in all phases of the process
  - n. Exchange relevant information with nongroup members
  - o. Make decisions by consensus
  - p. Do self-critiques
- B. Attendees: The CAC shall ensure attendees maintain meeting etiquette to maintain effectiveness.
  - a. Attendees shall not display signs or any similar type of written communication or device that may obstruct the view of citizens, cause injury, or affect the overall presentation of the item at hand.
  - b. Attendees shall not talk to other members of the audience.
  - c. Attendees shall not approach the podium unless invited to do so by the presiding officer.
  - d. Attendees shall not engage in any behavior that is not in keeping with proper and courteous conduct.
  - e. Attendees shall not cheer, jeer, applaud, or express approval or disapproval of comments made by any speakers or any actions taken by the Commission.
  - f. No attendee shall make personal, impertinent, or slanderous remarks, nor otherwise disturb the order of any Commission meeting.



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Ed Parvin, Deputy Town Manager

**DEPARTMENT:** Executive

**MEETING:** Town Council 7/8/2025

**SUBJECT:** Update on the Establishment of the Freeman Park Land Use Plan Ad-hoc Committee

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**BACKGROUND:**

Ed Parvin will present a request to establish an ad-hoc committee for the purpose of developing a land use plan.

**ACTION:**

Motion to approve the establishment of the Freeman Park Ad-hoc Committee.