

# CAROLINA BEACH

Planning and Zoning Meeting

Thursday, July 14, 2022 – 6:00 PM

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



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## AGENDA

### CALL TO ORDER

### APPROVAL OF MINUTES

- [1.](#) March 10th, 2022 – P&Z Minutes

### STAFF REPORT ON RECENT COUNCIL MEETINGS

### PUBLIC DISCUSSION

### DISCUSSION ITEMS

- [2.](#) Appoint a Chair and Co-chair of the Planning & Zoning Commission
- [3.](#) Unified Development Ordinance Kickoff Meeting
- [4.](#) Update on Town Projects

### NON-AGENDA ITEMS

### ADJOURNMENT



## AGENDA ITEM COVERSHEET

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

**DEPARTMENT:** Planning &  
Development

**MEETING:** Planning & Zoning Commission – 7/14/2022

**SUBJECT:** March 10th, 2022 – P&Z Minutes

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**Action:**

Approve the March 10th, 2022 Minutes

# CAROLINA BEACH

Planning and Zoning Meeting

Thursday, March 10, 2022 - 6:30 PM

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



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## MINUTES

### CALL TO ORDER

Chairman Rouse called the meeting to order at 6:30 PM.

### PRESENT

Chairman Wayne Rouse  
Vice Chairman Jeff Hogan  
Commissioner Melanie Boswell  
Commissioner Ethan Crouch  
Commissioner Bill Carew  
Commissioner Lynn Conto

### ABSENT

Commissioner Todd Piper

### ALSO PRESENT

Planning Director Jeremy Hardison  
Senior Planner Gloria Abbotts

### APPROVAL OF MINUTES

1. February 10, 2022 – P&Z Minutes

**ACTION:** Motion to approve the minutes

Motion made by Vice Chairman Hogan

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Carew, Commissioner Conto

*Motion passed 6-0*

### STAFF REPORT ON RECENT DEVELOPMENTS

Ms. Abbotts reported the following statistics for the past month:

#### Permitting

- 31 permits (renovation, repair, grading, additions, fence)
- 6 residential new construction
- 13 Certificates of Occupancy

#### Demos

- 905 Basin Road
- 203 Georgia Avenue

#### New Businesses

- Salty's Restaurant – 11 Boardwalk, Suite 140 (moving)
- Sandspur Restaurant – 103 South Lake Park Boulevard
- Shangri-La Restaurant – 604 North Lake Park Boulevard
- Peach Cobbler Factory Restaurant – 1010 South Lake Park Boulevard

#### Town Council and Other Updates

- Working through issuing beach vendors and beach services permits
- Approved speed limit change from 35 mph to 25 mph on North Lake Park Boulevard
- Neighborhood Business text amendment – applicant tabled until April

#### **PUBLIC DISCUSSION**

None

#### **DISCUSSION ITEMS**

2. **Text Amendment** to amend Chapter 40, Sec. 40-487, Planning and Zoning Commission to amend the meeting time from 6:30 PM to 6:00 PM

Council recently changed its meeting time from 6:30 PM to 6:00 PM. Multiple Town committees meet at 6:00 PM, including the Board of Adjustment, Beautification Committee, Bike/Pedestrian Committee, and Centennial Committee. The Commission's meeting time should be changed to 6:00 PM to be consistent with Council and other committees. The current zoning ordinance states that the Commission shall meet at 6:30 PM on the second Thursday of each month. To change the meeting time, a text amendment must be approved.

Ms. Abbotts presented the details.

**ACTION:** Motion to open the public hearing

Motion made by Chairman Rouse, Seconded by Vice Chairman Hogan

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Carew, Commissioner Conto

*Motion passed 6-0*

No one requested to speak.

**ACTION:** Motion to close the public hearing

Motion made by Chairman Rouse, Seconded by Vice Chairman Hogan

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Carew, Commissioner Conto

*Motion passed 6-0*

**ACTION:** Motion that whereas in accordance with the provisions of the North Carolina General Statute, the Commission does hereby find and determine that the adoption of the following ordinance amendment to Chapter 40 Section 40-487 to change the Planning and Zoning Commission meeting time from 6:30 PM to 6:00 PM is consistent with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents

Motion made by Vice Chairman Hogan, Seconded by Commissioner Boswell

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Carew, Commissioner Conto

*Motion passed 6-0*

**3. Text Amendment** to amend Chapter 40, Sec. 40-494, Site Plan Supplemental Information to require total daily water flow and sewer data on projects

The Commission recommended to amend the supplemental information to address concerns over both water quantity and quality. The Town is currently working with Engineering Services for a path forward to satisfy future demand and water quality concerns. Presently, the Town is challenged during consecutive peak days in the summer season. Similar to most utility providers serving vacation destinations, the water demand is noticeably seasonal and often comes with challenges. The water supply and storage must be geared toward satisfying consecutive peak day demands experienced over Memorial Day weekend, the July Fourth holiday, Labor Day weekend, and other peak summer periods. The Town capital improvements are a few years away before the added capacity will be coming online. Until that time, it is important to evaluate what impact future projects have on the infrastructure supply. To accomplish this, staff will require future projects to submit the total daily water flow usage and sewer design flow.

The 2020 CAMA Land Use Plan identified the public water supply as an emerging concern. The plan states that protection of public water supply areas prevents damage to freshwater supplies, which are vulnerable to sea-level rise and saltwater intrusion. The Town's public wells are being actively managed to preserve their capacity, and current consideration is being given to expanding public water supply through desalination.

Mr. Hardison presented the details. He said this came up at the Commission's last meeting, and Commissioners wanted to codify this so the Town has the best information about how infrastructure will be affected when making decisions about development projects.

Chairman Rouse asked what density parameters would trigger a water flow study if this change is approved. Mr. Hardison said the Town would have that information for any projects moving forward that need to come before the Commission, such as any conditional or special use. He said this would not apply to single-family homes.

**ACTION:** Motion to open the public hearing

Motion made by Chairman Rouse, Seconded by Commissioner Boswell

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch,

Commissioner Carew, Commissioner Conto  
*Motion passed 6-0*

No one requested to speak.

**ACTION:** Motion to close the public hearing  
 Motion made by Chairman Rouse, Seconded by Commissioner Boswell  
 Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch,  
 Commissioner Carew, Commissioner Conto  
*Motion passed 6-0*

Commissioner Carew asked what metrics go into this. Mr. Hardison said Engineering would perform calculations that are specifically defined by the State water regulations.

Vice Chairman Hogan asked if The Proximity project triggered the water consumption discussion and whether the Town will be able to handle that now that it's been approved. Mr. Hardison said the Town is comfortable with what was approved for The Proximity, but there could be issues if another project of the same level came forward. Vice Chairman Hogan said he wanted to make sure the Town was headed in the right direction and not kicking the can down the road. He said this is necessary and a great way to move forward.

Commissioner Boswell said she is in favor of this and that it should've started years ago. She asked how daily flow water usage is calculated. Mr. Hardison said it is determined by the number of fixtures.

Commissioner Conto asked if that means there's a running total being kept every day. Mr. Hardison said yes. He said the Commission has more say in whether something is approved vs. day-to-day permitting.

Commissioner Crouch said it will be good to have this information as the Commission is looking at projects that would increase density.

Chairman Rouse asked what type of professional performs this work. Mr. Hardison said it's done by a Civil Engineer. Commissioner Crouch said a standard chart does the math. Chairman Rouse he thinks this is timely because there are a number of projects coming and others already approved.

**ACTION:** Motion that whereas in accordance with the provisions of the North Carolina General Statute, the Commission does hereby find and determine that the adoption of the following ordinance amendment to Chapter 40 Section 40-394 to Site Plan Supplemental Information to require total daily water flow and sewer data on projects is consistent with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents  
 Motion made by Vice Chairman Hogan, Seconded by Commissioner Boswell  
 Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch,  
 Commissioner Carew, Commissioner Conto

*Motion passed 6-0*

### **NON-AGENDA ITEMS**

Mr. Hardison said Council has been discussing committees. He said the Commission is different than most Town committees and the positions are protected by State law, so that's why Council hasn't asked the Commission to present goals and a mission. He said what the Commission does is defined by ordinance and statute.

Commissioner Crouch said the Commission had established some goals and objectives in the past and asked if that should be revisited now that there are new Commissioners. Commissioner Boswell suggested having this discussion in future meetings during non-agenda items and giving new Commissioners the chance to add their ideas.

Mr. Hardison said there has been discussion of reviewing all ordinances to identify those that are outdated. He said the process for a Unified Development Ordinance (UDO) could start once the Town budget is approved. Mr. Hardison said this gives the opportunity to update and adopt everything holistically.

Chairman Rouse asked for a CliffsNotes version of what the headworks is. Mr. Hardison said this is the Wastewater Treatment Plant upgrade that will hold more capacity and rotate for cleaner water. He said staff can do a brief presentation about all infrastructure projects. Chairman Rouse said this would be helpful for the Commission in making recommendations to Council.

### **ADJOURNMENT**

**ACTION:** Motion to adjourn

Motion made by Chairman Rouse, Seconded by Commissioner Conto

Voting Yea: Chairman Rouse, Vice Chairman Hogan, Commissioner Boswell, Commissioner Crouch, Commissioner Conto

*Motion passed 6-0*

The meeting adjourned at 6:53 PM.



## AGENDA ITEM COVERSHEET

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

**DEPARTMENT:** Planning &  
Development

**MEETING:** Planning & Zoning Commission – 7/14/2022

**SUBJECT:** Appoint a Chair and Co-chair of the Planning & Zoning Commission

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**Action:**

The Current Chair and Co-Chair were appointed in January after Chairman LeCompte was appointed to Town Council. The regular appointments are scheduled to occur in July of each year. The Commission will need to appoint a Chair and Co-chair.





## AGENDA ITEM COVERSHEET

**PREPARED BY:** Jeremy Hardison, Planning Director

**DEPARTMENT:** Planning &  
Development

**MEETING:** Planning & Zoning Commission – 7/14/2022

**SUBJECT:** Unified Development Ordinance Kickoff Meeting

### Background:

The Cape Fear Council of Governments (CFCOG) will be assisting the town for the creation of the Town of Carolina Beach’s Unified Development Ordinance (UDO). The Cape Fear Council of Governments (CFCOG) is one of 16 multi-county regional planning and development agencies established in 1972 to support local governments. They provide a wide array of planning and development management services to local governments.

The UDO project will be divided into two phases. Phase 1 will consist of an audit of the currently adopted development codes and all applicable general codes. Phase 2 will consist of implementing the recommended changes identified in Phase 1 through the creation of a new UDO for the Town. Staff will conduct several facilitated meetings with the Planning and Zoning Commission as part of Phase 1. Once Phase 1 is complete, we will begin the UDO drafting process.

### **PHASE 1**

To complete Phase 1 of the UDO creation process, an audit of the Land Development Code including the zoning, subdivision, and stormwater chapters. Phase 2 will be conducted following the audit and will include drafting language and implementing recommendations that result from Phase 1. As part of the UDO creation process, staff will work with the Planning and Zoning Commission to conduct facilitated meetings for review of the current Land Development Code and any applicable General Code section. We anticipate this task will take three to four meetings. As part of the audit, staff will identify articles and provisions that warrant change, removal, or update. Written findings will be delivered at each meeting with the Planning and Zoning Commission. The following will be included as part of the audit:

1. Identification of potential problems, improvements, and inconsistencies in the Land Development Code chapters and General Code.
2. Detailed review of the administrative and approval procedures, definitions, permitted uses, zoning map, dimensional standards, and key development standards.

### 3. Presentation/written audit of findings.

Once complete, CFCOG will pursue incorporating the agreed upon recommendations and revisions for implementation in Phase 2.

#### **PHASE 2**

The Town of Carolina Beach seeks to consolidate its development regulations into a single Unified Development Ordinance (UDO) to enable staff, elected officials, and citizens to better understand and administer the regulatory provisions contained within. Issues identified during Phase 1 will be rectified through revisions to the newly created UDO. Examples of tasks to be completed as part of Phase 2 of the process include:

1. Update ambiguous administrative processes.
2. Update and revise definitions.
3. Update the table of permitted uses where necessary. Limited modifications to the table of uses is anticipated. Potential land use conflict areas will be identified.
4. Review stormwater rules and regulations and update standards to reflect findings of the Code Audit.
5. Incorporate relevant section from the General Code into the draft UDO.
6. Outstanding Legislative Updates and General Code Conformance.
7. Planning and Zoning Commission work sessions and consensus building. We will work with the Planning and Zoning Commission to amend the ordinance to include all changes identified in Phase 1. Staff will guide the Planning and Zoning Commission in reaching consensus on key issues. Amendments and revisions to existing regulations will be made on a per Article basis for consistency and clarity. Once all revisions and updates have been incorporated into the new UDO, then the complete document will be recommended for approval by the Planning and Zoning Commission and referred to the Town Council for adoption.
8. Review applications, forms, and development fees. To conclude the UDO, we will analyze the fee structure for development related permits and ordinance amendments. To further enhance the development approval process, we will work with Town staff to review all applications and forms.



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Jeremy Hardison, Planning Director

**DEPARTMENT:** Planning &  
Development

**MEETING:** Planning & Zoning Commission – 7/14/2022

**SUBJECT:** Update on Town Projects

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**Background:**

Update: Staff will review Town projects that are underway or in the planning process with public facilities, infrastructure, sidewalks, road resurfacing, stormwater, legislation, and grants.