

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, February 11, 2025 – 6:00 PM

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



AGENDA

CALL TO ORDER

INVOCATION AND PLEDGE OF ALLEGIANCE

ADOPT THE AGENDA

CONSENT AGENDA

1. Set a Public Hearing for March 11, 2025 to hear from Non-Profits Regarding Funding Requests
2. Set a public hearing for March 11, 2025 to consider a Zoning Map Amendment to consider a request to rezone 204 Harper Avenue from Mixed Use (MX) to Central Business District (CBD).

Applicant: STLBC, LLC
3. Create a Capital Project Grant Fund for 1810 Canal ADA Improvements
4. Budget Amendments/Transfers
5. Letter of Support for the Abandoned and Derelict Vessel Program in NC
6. Approval of Council Meeting Minutes

SPECIAL PRESENTATIONS

7. Events Update by Tim Murphy
8. Presentation by the Island Arts Council
9. 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

- [10.](#) Text Amendment to amend Article 3, Sec. 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations Applicant: North Pier Holdings, LLC.
- [11.](#) Public Hearing to close 15' X 188.24' of the alleyway at the intersection of Glenn Ave between lots 17-23, Block 3
- [12.](#) Public Hearing for Draft Town of Carolina Beach – Beach Management Plan

COUNCIL COMMENTS

ADJOURNMENT



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council 2/11/2025

SUBJECT: Set a Public Hearing for March 11, 2025 to Hear from Non-Profits Regarding Funding Requests

BACKGROUND:

Council allows local non-profits to request financial support from the Town's General Fund each year. Representatives from the non-profit organizations are given the opportunity to speak during a public hearing to explain their mission and the need for their request.

ACTION REQUESTED:

Set a public hearing date under the consent agenda.

RECOMMENDED MOTION:

Approve setting a public hearing for March 11, 2025 to hear from the local non-profits regarding funding requests from FY25/26.



AGENDA ITEM COVERSHEET

PREPARED BY: Jeremy Hardison, Community Development Director

DEPARTMENT: Community Development

MEETING: Town Council February 11, 2025

SUBJECT: Set a public hearing for March 11, 2025 to consider a **Zoning Map Amendment** to consider a request to rezone 204 Harper Avenue from Mixed Use (MX) to Central Business District (CBD).

Applicant: STLBC, LLC

BACKGROUND:

ACTION REQUESTED:

Adopt the consent agenda.

RECOMMENDED MOTION:



AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 2/11/2025

SUBJECT: Create a Capital Project Grant Fund for 1810 Canal ADA Improvements

BACKGROUND:

This ordinance will create a Capital Project Fund to appropriate the \$176,430 NC Public Beach and Coastal Waterfront Access Grant to paving the parking lot and add an ADA ramp.

Grant funds = \$132,322

Matching funds = \$ 44,108

Council approved a resolution on July 1, 2024, giving staff the authority to submit the application for the 75/25 CAMA grant.

ACTION REQUESTED:

Approval of Ordinance No. 25-1250

ORDINANCE NO. 25-1250
AN ORDINANCE TO AMEND THE GENERAL FUND BUDGET CREATING A GRANT PROJECT BUDGET FOR 1810 CANAL ADA SITE IMPROVEMENTS

The Town Council of the Town of Carolina Beach, North Carolina, doth ordain:

SECTION ONE:

That the Fiscal Year 2023-2024 Budget for the Town of Carolina Beach is hereby amended to include the expenditures associated with a CAMA Public Access Grant for ADA improvements at 1810 Canal Drive by amending the following General Fund Budget Ordinance:

<u>Account Code</u>	<u>Description</u>	<u>Previous</u>	<u>Amended</u>	<u>Changed</u>
39-570-046	Professional Service	\$	\$ 6,200	+\$ 6,200
39-570-074	Capital Over \$10,000	\$	\$ 170,230	+\$ 170,230
TOTAL			\$ 176,430	

SECTION TWO:

That the Fiscal Year 2023-2024 Budget for the Town of Carolina Beach is hereby amended to include the revenue associated with a CAMA Public Access Grant for ADA improvements at 1810 Canal Drive by amending the following General Fund Budget Ordinance:

<u>Account Code</u>	<u>Description</u>	<u>Previous</u>	<u>Amended</u>	<u>Changed</u>
39-396-000	CAMA Public Access Grant		\$ 132,322	+\$ 132,322
39-350-000	Appropriated Fund Balance		\$ 44,108	+\$ 44,108
TOTAL:			\$ 176,430	

SECTION THREE:

A copy of this Ordinance shall be furnished to the Finance Officer for direction in disbursement of Town funds and for public inspection.

Duly adopted this 11th day of February 2025

Albert L Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



**NORTH CAROLINA PUBLIC BEACH AND COASTAL WATERFRONT ACCESS PROGRAM
FINAL APPLICATION 2024-2025**

Local Government: Town of Carolina Beach Federal ID Number: 56-6001193

Project Name: 2024-2025 CYCLE 1810 ADA Public Access Site Improvements

Brief Project Description:

2023 The Town of Carolina Beach applied for a \$600,000 grant to acquire 3 separate parcels located at 1810 Canal Drive and combine the lots into one parcel where the town can continue the current use of this public parking area with future development of the property to include the installation of an ADA accessible public access to the beach and Freeman Park. The property has been acquired and closing documentation has been submitted to NCDCM. This project will assist the town in completing the ADA accessible public access by constructing approximately 150ft of ADA ramp from the parking area to the beach.

<p>Local Government Project Administrator</p> <p>Name: <u>PAULA KEMPTON</u></p> <p>Title: <u>PROJECT MANAGER</u></p> <p>Address: <u>1121 N. LAKE PARK BLVD</u></p> <p>City, State, Zip: <u>CAROLINA BEACH, NC 28428</u></p> <p>Telephone: <u>910-508-4440</u></p> <p>Email: _____</p>	<p>Lead Elected Official</p> <p>Name: <u>ALBERT LYNN BARBEE</u></p> <p>Title: <u>MAYOR</u></p> <p>Address: <u>1121 N LAKE PARK BLVD</u></p> <p>City, State, Zip: <u>CAROLINA BEACH, NC 28428</u></p>
<p>Type of Project (choose one):</p> <p><input type="checkbox"/> Land Acquisition <input checked="" type="checkbox"/> Site Improvement <input type="checkbox"/> Site Maintenance</p>	

<p>Costs rounded to nearest dollar:</p> <p>Grant funds requested: \$ <u>132,322</u> .00</p> <p>Local government's matching funds: \$ <u>44,108</u> .00</p> <p style="padding-left: 20px;">Cash Match: \$ <u>44,108</u> .00</p> <p style="padding-left: 20px;">In-kind Match: \$ _____ .00</p> <p>Total cost of project: \$ <u>176,430</u> .00</p>	<p>Site Control (check all that apply):</p> <p><input checked="" type="checkbox"/> Owned by local government</p> <p><input type="checkbox"/> To be obtained with this land acquisition project</p> <p><input type="checkbox"/> Land acquired under an approved waiver. Expiration date: _____</p> <p><input type="checkbox"/> Leased by applicant for 25 years or more</p> <p><input type="checkbox"/> Easement by applicant for 25 years of more</p> <p><input type="checkbox"/> Owned by other State, Federal, or government agency with a Joint Use Agreement.</p>
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Local Government Approval: Each grant application must be reviewed and approved by the local governing board at a duly advertised public hearing or meeting. Provide a memorandum resolution, or copy of the minutes indicating the board's action on the application.

Date of Public Hearing or Public Meeting: JULY 9, 2024

Certification

I hereby certify the information contained in the attached application is true and correct and the required matching funds will be available during the project period.

BRUCE OAKLEY
Print or Type Name

TOWN MANAGER
Title


Signature

Project Budget

This form must be completed and included with your application. Round project costs to the dollar.

If available, attach a detailed breakdown of the cost assumptions upon which the Project Budget is based.

Proposals that include this information increase their likelihood of funding.

Project Elements	Grant	Cash Match	In Kind	Total
Land Acquisition Costs				
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
Permit and Design Fees				
ENGINEERING	\$	\$4,500.00	\$	\$4,500.00
SURVEY	\$	\$1,500.00	\$	\$1,500.00
CAMA PERMIT	\$	\$200.00	\$	\$200.00
Site Improvement Costs: Materials				
SITE PREPARATION/PARKING SURFACE (ASPHALT)	\$70,000.00	\$	\$	\$70,000.00
WOODEN ADA BEACH ACCESS WALKWAY	\$52,092.00	\$37,908.00	\$	\$90,000.00
SITE RELATED APPURTENANCES	\$10,230.00	\$	\$	\$10,230.00
Site Improvement Costs: Labor				
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$
Local Administrative Costs				
	\$	\$	\$	\$
	\$	\$	\$	\$
	\$	\$	\$	\$

Totals	\$132,322.00	\$44,108.00	\$	\$176,430.00
Match Percentages	%	%	%	100%



AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 2/11/25

SUBJECT: Budget Amendments/Transfers

BACKGROUND:

I have received several budget amendment requests. Transfers require only your notification whereas amendments require your approval. Listed below you will find a description of the amendment. I have also attached a copy of the supporting documentation for the appropriation.

Appropriations:

Appropriate \$46,000 to account 10-561-019 Powell Bill Maintenance and Repairs Streets from the Powell Bill Reserves to complete Phase 3 of the PCI paving map.

Appropriate the \$161,386.02 in interest earned on the SERDRF Grant to account 23-015-074 Stormwater Pumphouse Capital Projects over 10,000. Interest earned on the grant funds are to be spent on the project.

Transfers:

Transfer \$93,559.70 to account 10-580-018 Environmental M&R Grounds from account 10-409-015 Debt Service to complete Phase 3 of the PCI paving map.

Transfer \$28,207 from account 38-650-074 Boardwalk Restroom Capital Over \$10,000 to account 38-650-046 Boardwalk Restroom Professional Services to cover the cost of the required Special Inspections.

Transfer \$60,192 to account 10-650-074 Capital Over \$10,000 from account 10-409-015 Debt Service to fund a bathroom trailer to be utilized while the new bathrooms are under construction.

BUDGET IMPACT:

The appropriation will not impact the budget.

ACTION REQUESTED:

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

Debbie Hall

From: Brian Stanberry
Sent: Thursday, January 30, 2025 8:56 AM
To: Debbie Hall
Cc: Ed Parvin
Subject: Budget Amendment Request

Debbie,

I would like to request the following budget amendments to cover the costs Phase 3 paving project.

Appropriate \$46,000 from the Powell Bill Reserves to account 10-561-019 Powell Bill Maintenance.

Transfer \$93,559.70 from 10-409-015 Debt Service to 10-580-018 Environmental M&R Grounds.

Thank you for your assistance on this.

Sincerely,

Brian Stanberry
Director of Public Works
Town of Carolina Beach
910-458-8291 office
910-443-1837 mobile
brian.stanberry@carolinabeach.org



DISCLAIMER:
E-mail correspondence to and from this address may be subject to the North Carolina Public Records Law and may be disclosed to third parties

Fund Or Attrib	Type	Disp Acct	Budget	QTD	YTD	Variance
Fund Or Attrib: 23 W&S Infrastructure Projects						
Type: Revenues						
23 W&S Infrastructure Projects	Revenues	23-329-100 Interest on SERDRF Grant	\$0.00	\$0.00	\$161,386.02	\$161,386.02
			\$0.00	\$0.00	\$161,386.02	\$0.00
			\$0.00	\$0.00	\$161,386.02	\$0.00

Appropriate interest
to revenue and expense
line-items for lake
stormwater Pumphouse

Debbie Hall

From: Sheila Nicholson
Sent: Tuesday, February 4, 2025 11:11 AM
To: Debbie Hall
Cc: Bruce Oakley; Paula Kempton; Ben Meister
Subject: Budget Transfer Request-Boardwalk Bathroom Special Inspections

To cover the cost of special inspections needed for construction of the new boardwalk restroom, please transfer \$28,207 from 38-650-074 to 38-650-046. Please let me know if you have any questions. Thanks!

Sheila P. Nicholson

Administrative Services Officer
Town of Carolina Beach
sheila.nicholson@carolinabeach.org
(910)458-2995

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Debbie Hall

From: Ed Parvin
Sent: Tuesday, February 4, 2025 11:32 AM
To: Debbie Hall
Cc: Mark Meyer; Bruce Oakley; Kim Ward; Jeremy Hardison; Brian Stanberry
Subject: CB Boardwalk Bathrooms

Debbie,

Request to transfer \$60,192 from Debt Service to the Boardwalk Fund (650) to pay for the bathroom trailer that can be utilized while the new bathrooms are under construction.

V/R,

Ed H. Parvin
Deputy Manager

910 465 2766
ed.parvin@carolinabeach.org



1121 North Lake Park Blvd.
Carolina Beach, NC 28428

www.CarolinaBeach.org



AGENDA ITEM COVERSHEET

PREPARED BY: Jarrett Anderson, Harbor Master

DEPARTMENT: Marina

MEETING: Town Council Meeting 2/11/2025

SUBJECT: Letter of Support for the Abandoned and Derelict Vessel Program in NC

BACKGROUND:

The NC Coastal Federation has approached the Town in hopes that we will sign a letter to formalize an ongoing partnership public/ private relationship to continue the abandoned derelict vessel removal program for North Carolina. The Federation has assisted the Town with the removal of four vessels within the Harbor and five within a mile of the Town Limits this past year. They are currently assisting with three more. The cost of removing vessels averages \$450 a foot. The Federations program is a huge benefit to the citizens of Carolina Beach.

As a side note, the Federation has had employees in Snows Cut for the past month, as part of their Marine Debris Removal Program. They are also currently working on a large-scale project improving the protection of the State Park from erosion.

ACTION:

Motion to approve the letter of support for the ongoing partnership with the NC Coastal Federation.

30 January 2025

North Carolina General Assembly
16 West Jones Street
Raleigh, NC 27601

Dear esteemed members of the N.C. General Assembly,

We the undersigned write to show support for the creation of a permanent, long-term and sustainable abandoned and derelict vessel program in North Carolina, as proposed by the North Carolina Coastal Federation (Federation), North Carolina Wildlife Resources Commission (Commission), and North Carolina Division of Coastal Management (DCM).

Between 2018 and 2020, Hurricanes Florence, Dorian, and Isaias left an unprecedented number of Abandoned and Derelict Vessels (ADV) along the North Carolina coast. After a chaotic beginning in the days following Hurricane Florence, with emergency storm funding and legislation, a very effective and innovative partnership between the Federation, Commission, DCM, and local governments was established.

To date, this partnership has removed almost 400 ADVs and over 3.5 million pounds of marine debris. These efforts were supported by multiple appropriations totaling \$3.8 million from the N.C. General Assembly and an additional \$8 million in leveraged federal grant funds. The continuing/ongoing magnitude and impact of this work highlights the need and opportunity for the 2025 General Assembly to formalize this public-private framework to address chronic and disaster-related ADV removal needs.

As representatives of coastal counties, municipalities and law enforcement agencies who deal with the day-to-day chaos and hazards associated with these derelict vessels, we have come to realize just how important it is for N.C. to have a formal state program to house these removal efforts.

Working with the Federation, Commission, and DCM has enabled us to better serve and protect our communities. While a few select counties and municipalities have means to address ADVs, the majority do not. Most of us lack the resources, funding and experience to effectively and properly remove and dispose of these vessels. Removing these vessels means a great deal to our residents, and has reinstated public access and removed navigation hazards and contaminants across countless miles of state waters.

We have relied heavily upon the partnership from day one; without them, the vast majority of ADVs would still be sitting in state waters. They have made funding available, lent administrative support, mobilized, contracted and supervised removal companies, ensured all regulations were followed during removal and disposal, advocated for legislation, and provided education to our local government staff, elected officials, and residents.

The program they have proposed builds on past and current ADV removal efforts to create a state-level program that has the permanent authority and resources to reduce, prevent and

remove ADVs and associated marine debris in emergency and non-emergency situations along N.C.'s coast, is implemented by an effective public and non-governmental partnership that includes local governments, and holds owners accountable for avoidable vessel and debris impacts. N.C.'s lack of a permanent state-level ADV program affects its ability to secure the full extent of emergency federal funds, and this has resulted in inefficiencies and delays in addressing disaster-related ADVs which increases costs for taxpayers.

By formalizing this existing public-private partnership framework into a state program, it will enhance vessel removals, leveraging efficiency and cost-effectiveness; support local government removal and prevention initiatives; and facilitate a more timely recovery effort after the next major storm strikes our coast and in non-emergency situations.

We are genuinely appreciative of the efforts of the Federation, Commission, and DCM and strongly support the formation of a state program to address abandoned and derelict vessels in North Carolina coastal waters.

Sincerely,



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Meeting 2/11/2025

SUBJECT: Approval of Council Meeting Minutes

BACKGROUND:

Attached are the meeting minutes from January 14, 2025.

ACTION REQUESTED:

Review and consider approving under the consent agenda.

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, January 14, 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 as presented

Motion made by Mayor Barbee

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

Motion passed unanimously

CONSENT AGENDA

1. Resolution of Support for the WMPO Application for a USDOT Grant
2. Adopt a Resolution of Intent to Close 15' X 188.24' of the Alleyway at the Intersection of Glenn Avenue Between Lots 17-23, Block 3
3. Set a Public Hearing for February 11, 2025 – Text Amendment to UDO Article 3, Nonconforming Situations; Applicant: North Pier Holdings LLC
4. Appropriate Funds for Ocean Sidewalk Project
5. Budget Amendments/Transfers
6. American Rescue Plan Budget Amendment
7. Approval of Council Meeting Minutes

ACTION: Motion to adopt the consent agenda

Motion made by Mayor Barbee

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

Motion passed unanimously

SPECIAL PRESENTATIONS

8. Centennial Service Award Presented to Pat Efird

Council presented Pat Efird with the Pleasure Island Chamber of Commerce's Centennial Service Award. Ms. Efird has served the Town in numerous capacities, including 34 years as a Council Member. Moving forward, the award will be known as the Pat Efird Centennial Service Award.

9. 30-Minute Recess to Honor Pat Efird in the Town Hall Multipurpose Room

Mayor Barbee recessed the meeting for 30 minutes.

10. Events Update by Tim Murphy

Mayor Barbee called the meeting back to order.

Tim Murphy, Community Services Manager, said the Town received an application to enhance an existing event. He said it has gone through the Events Committee, and he introduced Jim DeGilio of the Pleasure Island Chamber of Commerce to give details.

Mr. DeGilio said the Chamber is proposing to expand the Beach Music Festival to be a two-day event. Saturday will continue to feature beach music, and Sunday will offer a different musical genre each year, with reggae being proposed for this year's event. He said each day will have the same start and end times and number of bands.

Mayor Barbee asked if there are any staff concerns about the request. Mr. Murphy said no.

Mayor Barbee asked how ticketing will work. Mr. DeGilio said attendees may buy tickets for one day only or get a two-day ticket at a discounted rate. He said the primary goal is to create commerce and get people to come for the whole weekend.

Council Member Hoffer asked if they had considered mixing the types of bands to offer more than one musical genre each day. Mr. DeGilio said they thought it was important to keep Saturday as it has been so they don't water down the beach music component, which is culturally important.

ACTION: Motion to approve the two-day Beach Music Festival as presented

Motion made by Mayor Barbee

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

Motion passed unanimously

Mr. Murphy introduced Maureen Ferguson of the Centennial Committee, who presented an overview of Centennial events taking place from March 6 to September 7. Ms. Ferguson said there are a few events not yet approved by the committee that will be presented to Council next month. She also showed a rendering of the whale that will be featured in the N.C. Azalea Festival parade in Wilmington on April 5.

ACTION: Motion to approve the Centennial events as presented

Motion made by Mayor Barbee

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

Motion passed unanimously

11. Manager's Update

Mr. Oakley reviewed the budget FY 2025-26 schedule:

- Budget open house – January 22 (rescheduled)
- Council strategic planning sessions – February 20-21
- Public hearing for non-profit requests – March 11
- Public hearing for community input – April 8
- Budget workshop – April 22
- Budget workshop (if necessary) – May 6
- Budget open house – May 6
- Budget message presented to Council – May 27
- Budget adoption – June 10

Mr. Oakley gave an update on various projects:

- The South Lake Park Boulevard sidewalk project will start in the spring and will be paved in the fall. This includes the Spartanburg Avenue crosswalk.
- The Ocean Boulevard sidewalk project is going well. The N.C. Department of Transportation (DOT) is going to request a speed limit reduction to 25 mph.
- The Saint Joseph Street multi-use path project should have a bid opening date in late March or early April.
- The current Boardwalk bathroom will be demolished in two weeks.
- The Lake Park pump house is going back out for bid for two more weeks because the Town only received one bid last time.

Community Development Director Jeremy Hardison reported the following recent developments:

- There were 47 permits issued for renovation/repair/additions, etc., 5 new construction, and 12 certificates of occupancy. There was a home demolition at 1406 Swordfish Lane.
- Upcoming: The Planning and Zoning Commission unanimously recommended approval of a text amendment to amend the nonconforming section regarding lot coverage; this will come before Council in February. The Conditional Use Permit (CUP) modification for 401 Marina Street to increase boat storage spaces will come before Council in March. The traffic-calming policy is being finalized, and the Town has submitted for Tree City USA 2025.

- New business permits include Boombalatti's at Proximity, Island Dog Grooming at 915 North Lake Park Boulevard, and Carolina Beach Grill & Bar at 102 Cape Fear Boulevard.

PUBLIC COMMENT

Nadia Murphy of 704 Sumter Avenue asked staff to investigate flooding in that area. She said her home never flooded until the Greenway went in nearby.

Paul Levy of 1606 Mackerel Lane said he does not understand the parking plan for low-speed vehicles (LSVs). He said he feels it gives an advantage to LSV owners and short-term renters that may get an LSV with their rental. Mr. Levy also spoke about fire safety and the need for water storage.

Lynn Conto of 707 Magnolia Avenue asked Council to prioritize Town needs. She said parking is not a critical situation and does not impact safety or security. Ms. Conto said she feels Council and staff should focus on stormwater mitigation, water quality, and appropriate first-responder staffing.

Vinny Doria of 1216 Canal Drive asked Council to revisit the beach vending policy. He said businesses are applying for vending permits and not using them. Mr. Doria said he feels if they are not being used, they should be forfeited and made available for other businesses.

ITEMS OF BUSINESS

12. Consider Approving an Ordinance to Amend the Rates and Fees Schedule to Update Parking, Re-entry, LSV, and Golf Cart Fees and Regulations
Applicant: Town of Carolina Beach

Council gave staff direction at the December meeting to work with the U.S. Army Corps of Engineers (ACOE) on developing a parking plan that would meet federal regulations. Staff met with ACOE on December 20 and reviewed the options Council was considering.

ACOE was willing to open up some additional parking for island passes in exchange for adding additional designated parking spaces in the Town that met or exceeded their requirements. Their requirements will continue to fluctuate annually based on how the Town grows, but this year it was based on:

1. 767 equally available spaces for all. In other words, these spaces should not allow for island passes. The Town can charge for them, but everyone (regardless of where they live) should be charged the same.
2. LSVs/golf carts are proposed to have an issued parking pass that is available regardless of where they live. These spaces could also count towards the 767 as long as the island pass was not also allowed in the parking space(s).
3. A minimum of 10 parking spaces per a quarter-mile ring should be equally available (no allowance for island passes).

With these parameters in mind, staff was able to obtain ACOE's tentative approval to add two lots and some on-street parking to the list of areas that allow for island passes (Alabama West and North Pier Lot). To be able to create this allowance, the Town would need to increase on-street parking.

Mr. Oakley said staff is recommending Option 1, which is similar to the current parking plan but makes the island pass cheaper. He said it is simple to understand, allows some ocean access, and will have a minimal effect on the budget.

Mr. Parvin gave an overview of the 2024 parking season and parking transactions per ZIP code in 2024. He said undesignated parking spaces may be used by all Town residents with a re-entry pass, which is free from January 1 to March 31 and \$20 after that and available for every vehicle registered in the Town. Mr. Parvin said when it floods, parking enforcement will be suspended for areas where this is occurring.

Mr. Parvin said the following steps remain in implementing a 2025 parking plan:

1. Designate remaining on-street parking to ensure there are 767 spaces distributed evenly
2. Clarify signage
3. Create educational materials
4. Develop press releases and social media posts
5. Update website

Option 1

1. \$30 residential limited pass (reduced from \$40)
2. \$100 LSV/golf cart pass available to everyone for all public parking spaces (excludes contracted lots)
3. Vehicles parked in undesignated residential parking areas shall have a current re-entry decal

Mr. Parvin went over the parking lots and on-street spaces where residential passes will and will not be accepted, as well as free parking spaces. He said the Town will be using the Centennial whale presented earlier as a delineator for signage showing where residential passes are allowed.

Option 2

1. \$40 residential limited pass
2. \$200 unlimited pass available to everyone for all public parking spaces (doubles after March 1 and excludes contracted lots)
3. Vehicles parked in undesignated residential parking areas shall have a current re-entry decal

Council Member Hoffer said he likes Option 2 because it's simpler and will lead to less confusion and tickets being issued. He said he supports LSVs but doesn't think it's fair to those who can't afford them that LSVs get to park wherever they want and other vehicles can't. Council Member Hoffer said he thinks people should have options no matter what they drive, and he feels like Option 2 got brushed off the table and not pursued.

Council Member Benson said after the December meeting it seemed the direction was to explore two options, and he thinks either option will be a projection. He said Option 2 is his preference.

Council Member Healy said the parking discussion should be based on how to protect residents from tax increases, and the current system of not allowing passes to be sold to non-residents is a proven

financial model. He said there is no idea what Option 2 would look like financially, and if there is a revenue shortfall residents will have to pay the difference. He said he is in favor of Option 1.

Mayor Pro Tem LeCompte said her first responsibility is to Town taxpayers. She said she would like to give residents a \$200 parking pass that can be used everywhere, but then it must be given to everyone. Mayor Pro Tem LeCompte said she thinks Option 1 gives residents over 700 spaces near the beach without giving too much revenue away. She said at first she questioned the \$100 LSV pass, but LSVs already get preferential treatment with special parking spaces so she is not against it.

Mayor Barbee said his two most important objectives are balancing costs between residents and visitors and the fiscal health of the Town and reserves. He said selling parking passes to daytrippers, who often don't spend money at local businesses, is shifting the burden of paying for services to residents. Mayor Barbee said he cannot support an option that is going to dramatically change the revenue stream Council voted for in this year's budget, so he supports Option 1.

ACTION: Motion to adopt Ordinance No. 25-1247 amending the rates and fees schedule to update parking, re-entry, LSV, and golf cart fees and regulations per Option 1

Motion made by Council Member Healy

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

Voting Nay: Council Member Benson, Council Member Hoffer

Motion passed 3-2

COUNCIL COMMENTS

Council Member Hoffer asked that staff put a Bike/Ped Committee item on the January 28 workshop agenda. He wants to consider a speed limit on the Greenway and would like Police Sgt. Derrick McNeil to discuss the Safe Streets lighting program. Council Member Hoffer also asked staff to make sure sod and irrigation are in the grassy area around the marina. He suggested having a landscape designer make recommendations. Finally, Council Member Hoffer asked to have the Town's landscaper spend some time around the lake near the playground because oleanders have taken over.

Council Member Benson asked about having crosswalks on Canal Drive and Carolina Beach Avenue North. He also requested that staff establish residential parking zones on North End streets such as Virginia, Florida, and Delaware.

Council Member Healy said he would like the Town to budget for a new stage at the Boardwalk. Council Member Hoffer suggested he research some options and possible costs and make a presentation to Council.

Mayor Pro Tem LeCompte said volunteers will be painting the Boardwalk stage in the hopes of getting one more year out of it. She asked staff to put an item on the January workshop agenda to discuss details for the Rainbow Bridge at Lake Park. Mayor Pro Tem LeCompte also asked staff to follow up on Mr. Doria's comment regarding beach permits.

Mayor Barbee said he has been requesting funds from the County and other sources for some of the Town's projects. He said every Council should plan to talk about parking every year because there will always be changes with leased lots, rules, etc., that need to be addressed.

CLOSED SESSION

13. Closed Session – Attorney/Client

ACTION: Motion to go into closed session to discuss an attorney/client matter in accordance with NCGS 143.318.11(a)(3); the matter being discussed is 23 CVS 3744 Carolina Beach Land Holdings LLC vs. Town of Carolina Beach

Motion made by Mayor Barbee

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

Motion passed unanimously

Mayor Barbee called the meeting back to order and said Council took no action during closed session.

ADJOURNMENT

Mayor Barbee adjourned the meeting at 9:00 PM.



AGENDA ITEM COVERSHEET

PREPARED BY: Tim Murphy

DEPARTMENT: Parks and Rec

MEETING: Town Council Meeting 2/11/2025

SUBJECT: Events Update by Tim Murphy

BACKGROUND:

Tim Murphy will give an update on the upcoming events.

ACTION REQUESTED:

No action needed.



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Meeting 2/11/2025

SUBJECT: Presentation by the Island Arts Council

BACKGROUND:

The Island Arts Council has two items that they would like to present to Council for installation on Town property.

ACTION:

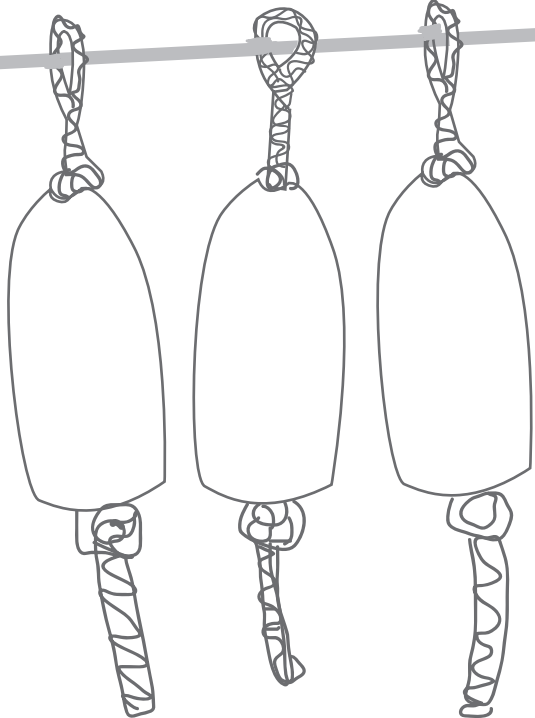
Motion to approve or deny the request for each project.



**ISLAND
ARTS
COUNCIL**

a float

the buoy project



PUBLIC ART PROPOSAL
BY LAUREN STUMBERG + ISLAND ARTS COUNCIL

purpose

Afloat, The Buoy Project is a **community-wide participatory public art project** where locals and visitors of our community can paint buoys to hang in a designated section of the Town of Carolina Beach Centennial Park. This public art project will activate our public pathways with art and **bolster existing initiatives to connect the Boardwalk, Centennial Park, and Proximity development as one expansive pedestrian and bike-friendly destination.** Buoys will be painted with bright cheery colors, patterns, and words of encouragement to reflect the neighborly acts of kindness that keep our community afloat.

The objective of this public art project is to **draw the community together,** uplift neighbors after the 2024 hurricane season and the devastating flooding experienced by our community, and **use art as a tool for cultivating connection and a sense of place.**



vision

The vision is to create a **participatory public art installation** at the marina adjacent to Centennial Park on the wooden power box structure.

participation

There will be several ways to participate! IAC will install a placard at the site with a QR code that will direct participants to our website to register for a workshop or purchase a take-home buoy kit. We will also have opportunities to paint and/or purchase buoy kits at Lake Park Saturday markets in May and June.

Purchase a take-home buoy kit!

Available on our website, islandartscouncil.net/afloat and at participating local businesses - paint independently or as part of a group paint night with friends or co-workers! Each buoy kit will include 1 buoy, 1 paint brush, and 3 paint colors.

Attend a one-hour workshop!

Monthly Sunday workshops in 2025 - All supplies provided
Workshop dates: 2/23; 3/23; 4/27, 5/11, 6/22 | 1pm at Carolina Beach Rec Center

Visit the IAC tent at a Saturday Market!

Dates in May: 5/10, 5/31 and June: 6/14, 6/21

Logistics

IAC will hire Jerry Davis to install **galvanized steel pipe** at the top and bottom of the wooden structure as a mechanism to attach buoys. We will also install **eyehooks** in the middle of the structure to thread lines through for extra security.



All buoys will be installed by IAC. We will attach lines and arrange installation organically as more buoys are completed.

thank you

Facilitating Artist: Lauren Stumberg

thinkgreatly.com

email: lauren@thinkgreatly.com

cell: 770.557.2057

Island Arts Council

Chris Higgins, President

islandartscouncil.net/afloat

email: info@islandartscouncil.net

cell: 610.909.7643





AGENDA ITEM COVERSHEET

PREPARED BY: Bruce Oakley, Town Manager

DEPARTMENT: Executive

MEETING: Town Council 2/11/2025

SUBJECT: Manager's Update

BACKGROUND:

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



AGENDA ITEM COVERSHEET

PREPARED BY: Haley Moccia, Planner

DEPARTMENT: Planning & Development

MEETING: Town Council – February 11th, 2025

SUBJECT: **Text Amendment** to amend Article 3, Sec. 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations

Applicant: North Pier Holdings, LLC.

BACKGROUND:

The applicant, North Pier Holdings, LLC., is applying for a text amendment to modify Article 3, Sec. 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations. The applicant is pursuing this text amendment because the proposed modification will assist residents in the repair, renovation, and reconstruction of existing non-conforming uses in a manner that aligns with the Town's existing Comprehensive Plan.

The applicant's proposed text amendment allows an exception to the nonconforming situation section of the ordinance. The amendment would allow a nonconforming structure to exceed the allowed zoning district lot coverage by 2% as long as certain conditions are met. These stipulations include:

- i. [No additional nonconformities result from the added lot coverage.](#)
- ii. [Any additional lot coverage shall be associated with an on-site reduction in impervious area. The reduction shall be two times the size of the lot coverage area added \(i.e. 100 sf added lot coverage requires an additional 200 sf pervious area to be added\).](#)
- iii. [Any pervious materials allowed by Town Code may be utilized for the reduction of impervious areas.](#)
- iv. [Additional lot coverage shall only be added to the principal building\(s\).](#)
- v. [Additional lot coverage shall not encroach any further toward a property line than the existing principal building\(s\).](#)

Staff reorganized the impacted subsection to improve the readability of the ordinance and clarify the text due to the addition of the proposed text amendment.

LAND USE PLAN:

The text amendment is in general conformity with the CAMA Land Use Plan. The proposed reduction in impervious surface reduces stormwater runoff, a strong focus of the CAMA Land Use Plan. Additionally, the amendment 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.

STAFF COMMENTS:

The proposed text amendment has a few benefits and limitations. The amendment is intended to limit the impact of increased lot coverage on adjacent property owners. The reduction in impervious surface section of the amendment links the increase in lot coverage to a positive reduction in impervious surfaces, which reduces stormwater runoff. Allowing nonconforming structures the ability to increase their lot coverage by 2% adds flexibility for improvements and may reduce functional obsolescence. The text amendment adds specific restrictions that only allows this lot coverage exception to be implemented in very limited circumstances.

Due to the text amendment being in conformity with the CAMA Land Use Plan and its benefit of reducing stormwater runoff due to the reduction in total impervious surfaces, Staff recommends approval of the proposed text amendment.

PLANNING & ZONING COMMISSION

The Planning and Zoning Commission voted 6/0 in support of the proposed text amendment. The commission had limited discussion about the amendment but were in agreement the amendment provided a reduction in impervious surface and flexibility for aged buildings to perform needed upgrades.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

MOTION:

Approval – to amend Article 3, Sec. 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations.

Denial – to amend Article 3, Sec. 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations.

ATTACHMENTS:

Attachment 1 – Text Amendment Application

Attachment 2 – Proposed Text Amendment Language

Amendment Number: _____



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: North Pier Holdings, LLC by and through its attorneys, Equitas Law Partners LLP Phone #: ((910)940-0126

Street Address: 330 Military Cutoff Road, Suite A-2

City: Wilmington State: NC Zip: 28405

Email: sam@equitaslp.com

REQUESTED TEXT AMENDMENT

Town Code Section(s) Requested to be Amended: UDO Section 3.49

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
The proposed text amendment is attached. The proposed modification will assist residents in the repair, renovation and reconstruction of existing non-conforming uses in a manner that aligns with the Town's existing Comprehensive Plan.

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

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

Signature of Petitioner: Corrie Faith Lee NC Bar #55815 Date: 1/3/2025



2025 Submission Deadlines & Meeting Dates

Technical Review Committee		Planning & Zoning Commission		Town Council	
Submission	Meeting	Submission	Meeting	Submission	Meeting
Dec 23, 2024	Jan 7	Jan 27	Feb 13	Feb 25	Mar 11
Jan 21	Feb 4	Feb 24	Mar 13	Mar 25	Apr 8
Feb 18	Mar 4	Mar 24	Apr 10	Apr 29	May 13
Mar 18	Apr 1	Apr 21	May 8	May 27	June 10
Apr 22	May 6	May 26	June 12	June 24	July 8
May 20	June 3	June 23	Jul 10	July 29	Aug 12
June 17	July 1	July 28	Aug 14	Aug 26	Sept 9
July 22	Aug 5	Aug 25	Sept 11	Sept 30	Oct 14
Aug 19	Sept 2	Sept 22	Oct 9	Oct 28	Nov 11 - TBD New Date
Sept 23	Oct 7	Oct 27	Nov 13	Nov 25	Dec 9
Oct 21	Nov 4	Nov 24	Dec 11	Jan 2026	Jan 2026
Nov 18	Dec 2	Jan 2026	Jan 2026	Feb 2026	Feb 2026
Dec 23	Jan 2026	Feb 2026	Feb 2026	Mar 2026	Mar 2026



Text Amendment to Amend Article 3, Section 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations

Applicant: North Pier Holdings, LLC

Background

Applicant: North Pier Holdings, LLC.

Reason for the proposed text amendment:

- To assist residents in the repair, renovation, and reconstruction of existing non-conforming uses in a manner that aligns with the Town's existing Comprehensive Plan.

Proposed Text Amendment - Lot Coverage

Article 3. Section 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations

A. Intent: Nonconforming uses created by a change in regulations may continue to exist and shall be subject to all other provisions of this article. Nonconforming regulations pertaining to fences are found in the fence section within Division 2 of this article. The Town strongly values the improvement of non-conforming structures as long as those improvements are not associated with negative impacts to adjacent properties. To help manage the multitude of issues with improving nonconforming structures some latitude for design improvements can be utilized.

B. Any building or structure for which normal repair, renovation, demolition and reconstruction, or routine maintenance is proposed in an amount less than 100% of the current tax or certified appraised value of the building or structure, regardless of the reason for such repair or maintenance, shall meet the following:

- ~~1. be entitled to do so using the same building footprint and~~ No increase in the density with which the building or structure was originally constructed, ~~provided the number of living units or nonresidential spaces are not increased and~~
2. No increase in building height ~~or floor area shall be permitted~~ except when elevating a structure to meet Article 5: Flood Damage Prevention,
3. If the repairs exceed 50% of the current tax or certified appraisal value but not greater than 100%, then the structure must comply with setback provisions where abutting a non-street lot line in addition to complying with the minimum off-street parking requirements, and
4. No additional nonconformities are created, except for the following:
 - a. For buildings or structures that are nonconforming due to exceeding lot coverage, an additional 2% lot coverage may be added if the following are met:
 - i. No additional nonconformities result from the added lot coverage.
 - ii. Any additional lot coverage shall be associated with an on-site reduction in impervious area. The reduction shall be two times the size of the lot coverage area added (i.e. 100 sf added lot coverage requires an additional 200 sf pervious area to be added).
 - iii. Any pervious materials allowed by Town Code may be utilized for the reduction of impervious areas.
 - iv. Additional lot coverage shall only be added to the principal building(s).
 - v. Additional lot coverage shall not encroach any further toward a property line than the existing principal building(s).

Put Into Perspective

Lot Size sf	Extra 2% Lot Coverage sf
5,000	100
7,000	140
12,000	240
25,000	500

Real Example



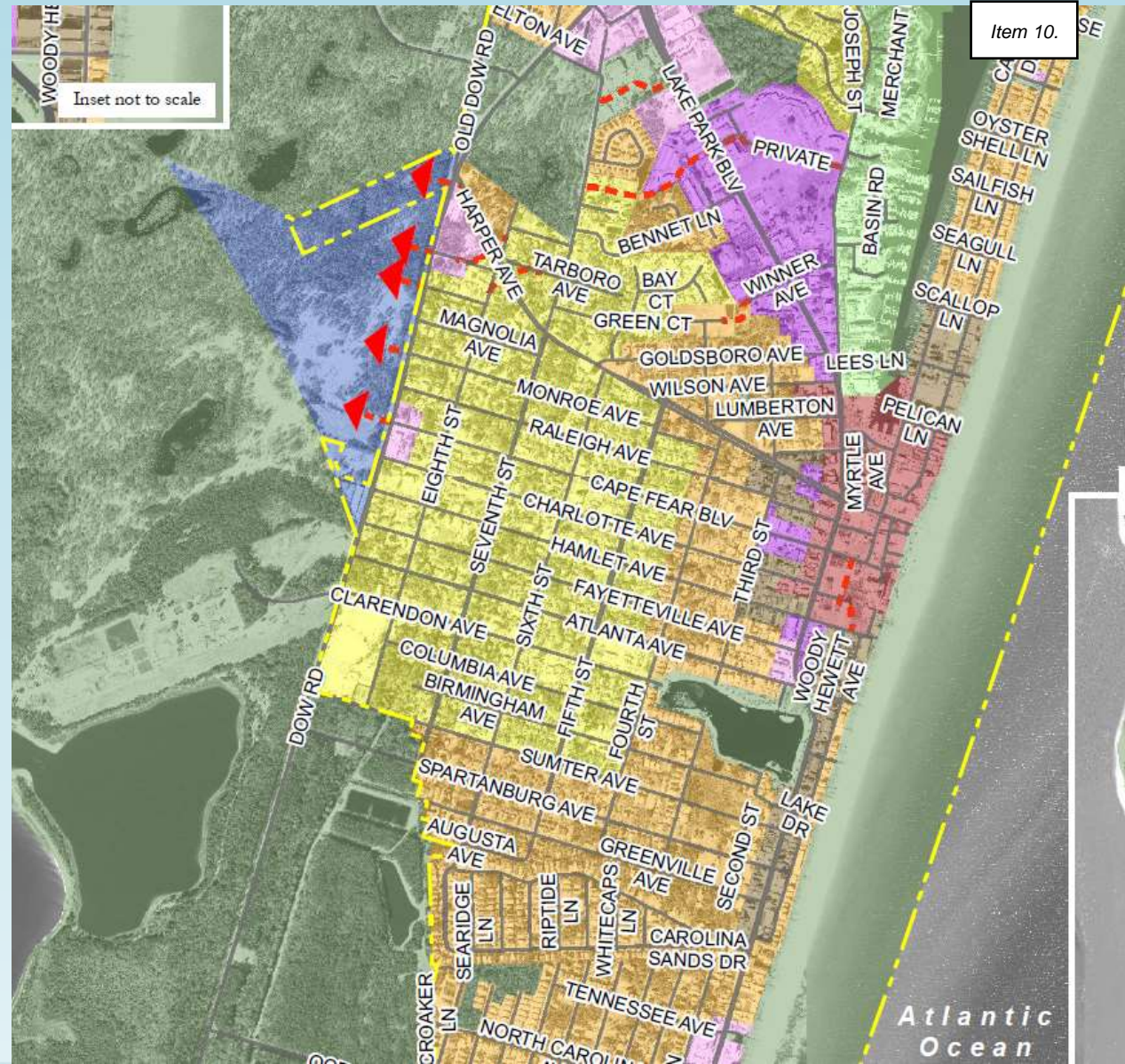
No additional nonconformities are Item 10. ^{d.}, except for the following:

- a. For buildings or structures that are nonconforming due to exceeding lot coverage, an additional 2% lot coverage may be added if the following are met:
 - i. No additional nonconformities result from the added lot coverage.
 - ii. Any additional lot coverage shall be associated with an on-site reduction in impervious area. The reduction shall be two times the size of the lot coverage area added (i.e. 100 sf added lot coverage requires an additional 200 sf pervious area to be added).
 - iii. Any pervious materials allowed by Town Code may be utilized for the reduction of impervious areas.
 - iv. Additional lot coverage shall only be added to the principal building(s).
 - v. Additional lot coverage shall not encroach any further toward a property line than the existing principal building(s).

Land Use Plan:

The proposed text amendment is in general conformity with the CAMA Land Use Plan through:

- Reduces stormwater runoff.
- Encourages the improvement/renovation of existing structures where a tear-down/rebuild is not the best possible outcome.



Staff Comments

The proposed text amendment:

- Does not impact adjacent property owners.
- Improves stormwater retention onsite which reduces stormwater runoff.
- Links lot coverage requirements with impervious surface improvements.
- Adds flexibility when improving nonconforming buildings and reduces functional obsolescence.
- Will be limited to structures that meet the strict ordinance requirements for the exception.

Since the text amendment is in conformity with the CAMA Land Use Plan and provides a positive reduction in impervious surface, Town Staff support the amendment.

P&Z Commission Comments

Voted 6/0 in support of the proposed text amendment.

Members were in agreement the amendment provided a reduction in impervious surface and flexibility for aged buildings to perform needed upgrades.

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 to Article 3, Section 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations 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 to Article 3, Section 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations is inconsistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

Ordinance 25-1251

Town of Carolina Beach
Town Council



AN ORDINANCE TO AMEND Article 3, Sec. 3.49 Reconstruction, Maintenance, Full or Partial Demolition and Renovation of Nonconforming Situations

A. Intent: Nonconforming uses created by a change in regulations may continue to exist and shall be subject to all other provisions of this article. Nonconforming regulations pertaining to fences are found in the fence section within Division 2 of this article. The Town strongly values the improvement of non-conforming structures as long as those improvements are not associated with negative impacts to adjacent properties. To help manage the multitude of issues with improving nonconforming structures some latitude for design improvements can be utilized.

B. Any building or structure for which normal repair, renovation, demolition and reconstruction, or routine maintenance is proposed in an amount less than 100% of the current tax or certified appraised value of the building or structure, regardless of the reason for such repair or maintenance, shall meet the following:

1. ~~be entitled to do so using the same building footprint and~~ No increase in the density with which the building or structure was originally constructed, ~~provided the number of living units or nonresidential spaces are not increased and~~
2. No increase in building height ~~or floor area shall be permitted~~ except when elevating a structure to meet Article 5: Flood Damage Prevention,
3. If the repairs exceed 50% of the current tax or certified appraisal value but not greater than 100%, then the structure must comply with setback provisions where abutting a non-street lot line in addition to complying with the minimum off-street parking requirements, and
4. No additional nonconformities are created, except for the following:
 - a. For buildings or structures that are nonconforming due to exceeding lot coverage, an additional 2% lot coverage may be added if the following are met:
 - i. No additional nonconformities result from the added lot coverage.
 - ii. Any additional lot coverage shall be associated with an on-site reduction in impervious area. The reduction shall be two times the size of the lot coverage area added (i.e. 100 sf added lot coverage requires an additional 200 sf pervious area to be added).
 - iii. Any pervious materials allowed by Town Code may be utilized for the reduction of impervious areas.

Ordinance 25-1251

Town of Carolina Beach
Town Council

- iv. [Additional lot coverage shall only be added to the principal building\(s\).](#)
- v. [Additional lot coverage shall not encroach any further toward a property line than the existing principal building\(s\).](#)

Adopted this 11th day of February, 2025.

Albert L. Barbee, Mayor

Attest: Kimberlee Ward, Town Clerk



AGENDA ITEM COVERSHEET

PREPARED BY: Jeremy Hardison, Community Development Director

DEPARTMENT: Community Development

MEETING: Town Council – February 11, 2025

SUBJECT: Public Hearing to close 15' X 188.24' of the alleyway at the intersection of Glenn Ave between lots 17-23, Block 3

BACKGROUND:

SUMMARY OF THE REQUEST

The petition submitted by Chad Shingleton is to close 15' X 188.24' of the alleyway at the intersection of Glenn Ave between lots 17-23, Block 3. The area to be closed includes 4 lots that face Kenneth Avenue and 3 lots that face Glenn Avenue.

ANALYSIS

Typically, when a road closure occurs the land is divided as equitably as possible, generally by way of a '50/50' split between the adjoining land owners on each side of the right-of-way. The applicant owns both sides of the closure area. In this instance not all of the properties adjoining the alleyway are making the request. The alleyway was originally platted in 1949 as a 15' alley as part of the Ocean Heights Subdivision plat. The alleyway remains unpaved and no utilities are located within the alleyway.

THE PROCESS FOR STREET/ALLEYWAY CLOSURES:

1 - Petition or Request for Street/Alley Closing

The Technical Review Committee has reviewed the depicted the areas to be closed. There are no utilities within the alleyway. There are no objections from staff to the closure.

2 - Resolution of Intent to Close

The Town Council shall first adopt a resolution declaring its intent to close the street or alley and calling a public hearing on the question. If the resolution is passed then the public hearing will be on February 11, 2025.

3 - Publication of Resolution of Intent to Close and Notification to Adjoining Property Owners

The resolution would be published once a week for four successive weeks prior to the hearing, a copy thereof will be sent by registered or certified mail to all owners of property adjoining the street or alley as shown on the county tax records, and a notice of the closing and public hearing shall be prominently posted in at least two places along the street or alley.

4 - Public Hearing Following Four Weeks of Advertising

At the hearing, any person may be heard on the question of whether or not the closing would be detrimental to the public interest, or the property rights of any individual. If it appears to the satisfaction of the council after the hearing that closing the street or alley is not contrary to the public interest, and that no individual owning property in the vicinity of the street or alley or in the subdivision in which it is located would thereby be deprived of reasonable means of ingress and egress to his property, the council may adopt an order closing the street or alley.

5 - Record at Register of Deeds the Resolution Ordering Street Closed

A certified copy of the order (or judgment of the court) shall be filed in the office of the register of deeds of the county in which the street or any portion thereof, is located.

6 – Ownership of the right-of-way after closure

All right, title, and interest in the right-of-way shall be conclusively presumed to be vested in those persons owning lots or parcels of land adjacent to the street or alley, and the title of such adjoining landowners, for the width of the abutting land owned by them, shall extend to the centerline of the street or alley.

ACTION REQUESTED

To close a 15' X 188.24' portion of the alleyway at the intersection of Glenn Avenue between lots 17-23, Block 3.

RECOMMENDED MOTION:

To close 15' X 188.24' of the alleyway at the intersection of Glenn Avenue between lots 17-23, Block 3 to be published once a week for four successive weeks prior to the February 11, 2025, council meeting.



**Town of Carolina Beach, NC
Planning and Development**

1121 N. Lake Park Boulevard
Telephone: (910) 458 2999 FAX: (910) 458 2997
www.carolinabeach.org

STREET CLOSING PETITION
CLOSING OF PUBLIC STREETS AND ALLEYS

Section A.
SUBMITTAL REQUIREMENTS

PLEASE INCLUDE ALL OF THE FOLLOWING (CHECK OFF). If any information is missing from the petition package, you will be asked to complete the petition and re-submit, so please check the list below carefully before you submit:

- \$500 FILING FEE.** The petitioner(s) pays for advertisement in a newspaper of general circulation for four consecutive weeks, 2 hours staff analysis, 2 hours in hearings, 4 hours of clerical time (agenda preparation, hearing minutes, legal advertisements, typing) 1 hour case close-out.
 - NEW HANOVER COUNTY PROPERTY IDENTIFICATION MAP.** The petitioner(s) must obtain a New Hanover County Property map from the Carolina Beach Planning Department showing the existing roadway to be closed and all abutting properties.
 - DESCRIPTION OF THE STREET OR ALLEY.** The petitioner(s) must list the description of the street or alley (using the form on Page 3 of this application, and give his / her name, address, city, state, zip code and telephone number.
 - LIST OF PROPERTY OWNERS.** The parcel identification number, names and addresses of the property owners utilizing the street right-of-way should be listed on Page 4&5. The petitioner(s) should obtain the signature of each property owner listed on the petition.
-

STREET AND ALLEY CLOSING PROCESS:

In order to meet all legal requirements regarding closing a street or alley or abandoning public right-of-way, it is recommended that the petitioner(s) employ counsel. This will also assure property owners of clear title to the petitioned property in the event the Town Council chooses to adopt a resolution to close the street.

Once the petition has been received, the Planning Department will coordinate a review of the proposed street closing with other Town Departments. Town Administration will make a recommendation to the Town Council. The Council will hold a public hearing, and then decide if the closing is in the public interest. If they determine that it is, they will pass a resolution closing the street or alley. At this time, the abutting property owners may submit recombination plats showing the new property lines to the Planning Department, wherein they will be authorized for recording in the New Hanover County Register of Deeds office.

All of the items noted above shall be delivered to town hall or be mailed to:

Carolina Beach Planning Department
1121 N. Lake Park Blvd.
Carolina Beach, NC 28428

Street Closing Petition
Form Revised December 19, 2023

Section C.
SUMMARY INFORMATION

1. Official street or alley name: Partial Alley Closure TSLK 3 Ocean Heights

2. Location of the street or alley: From (name of intersecting street) Glenn Ave extending (direction) _____
 (distance in feet) 190 to (name of intersecting street; if dead in or turnaround, state "termination") _____

3. Two (2) copies of tax maps or subdivision plats drawn to scale (at least 1" = 50') depicting the public street or alley right-of-way requested to be closed, showing the names of adjacent property owners, and indicating the location in relation to adjacent intersections and streets.

1. REASON FOR CLOSING THE STREET:

To add more sq footage to bordering lots ~~as well as~~ landscape & maintain it so it may be landscaped & maintained properly

3. THIS PETITION WAS SUBMITTED BY:

NAME: Chad Shingleton
MAILING ADDRESS: 1415 Croaker Ln

CITY: Carolina Beach STATE: NC ZIP: 28428

DAYTIME TELEPHONE: 919 868 - 5088 FAX: _____

4. TODAY'S DATE: 11/11/24

5. NEW HANOVER COUNTY PROPERTY MAP – Attached is a copy of the New Hanover County Property Map which shows the subject street or alley and surrounding properties (Obtain from Carolina Beach Planning Department, 1121 N. Lake Park Blvd.)

WE, THE UNDERSIGNED PROPERTY OWNERS, owning land utilizing the street or alley shown on the attached map, hereby petition the Carolina Beach Town Council to close and withdraw acceptance of dedication of such land for street purposes. The parcel identification numbers below refer to parcels as shown on the attached map dated _____.

PARCEL IDENTIFICATION NUMBER R08809-004-001-000 ROAD FRONTAGE (from deed) _____
PROPERTY OWNER: T.O.O. Construction Co. Inc
MAILING ADDRESS: 1415 Croaker Ln
CITY: Carolina Beach STATE: NC ZIP: 28428
SIGNATURE: [Signature]

PARCEL IDENTIFICATION NUMBER R-08813-003-001-000 ROAD FRONTAGE (from deed) _____
PROPERTY OWNER: _____
MAILING ADDRESS: SAME
CITY: _____ STATE: _____ ZIP: _____
SIGNATURE: [Signature]

PARCEL IDENTIFICATION NUMBER R-08813-003-002-000 ROAD FRONTAGE (from deed) _____
PROPERTY OWNER: _____
MAILING ADDRESS: SAME
CITY: _____ STATE: _____ ZIP: _____
SIGNATURE: [Signature]

PARCEL IDENTIFICATION NUMBER R-08813-003-014-000 ROAD FRONTAGE (from deed) _____
PROPERTY OWNER: _____
MAILING ADDRESS: SAME
CITY: _____ STATE: _____ ZIP: _____
SIGNATURE: [Signature]

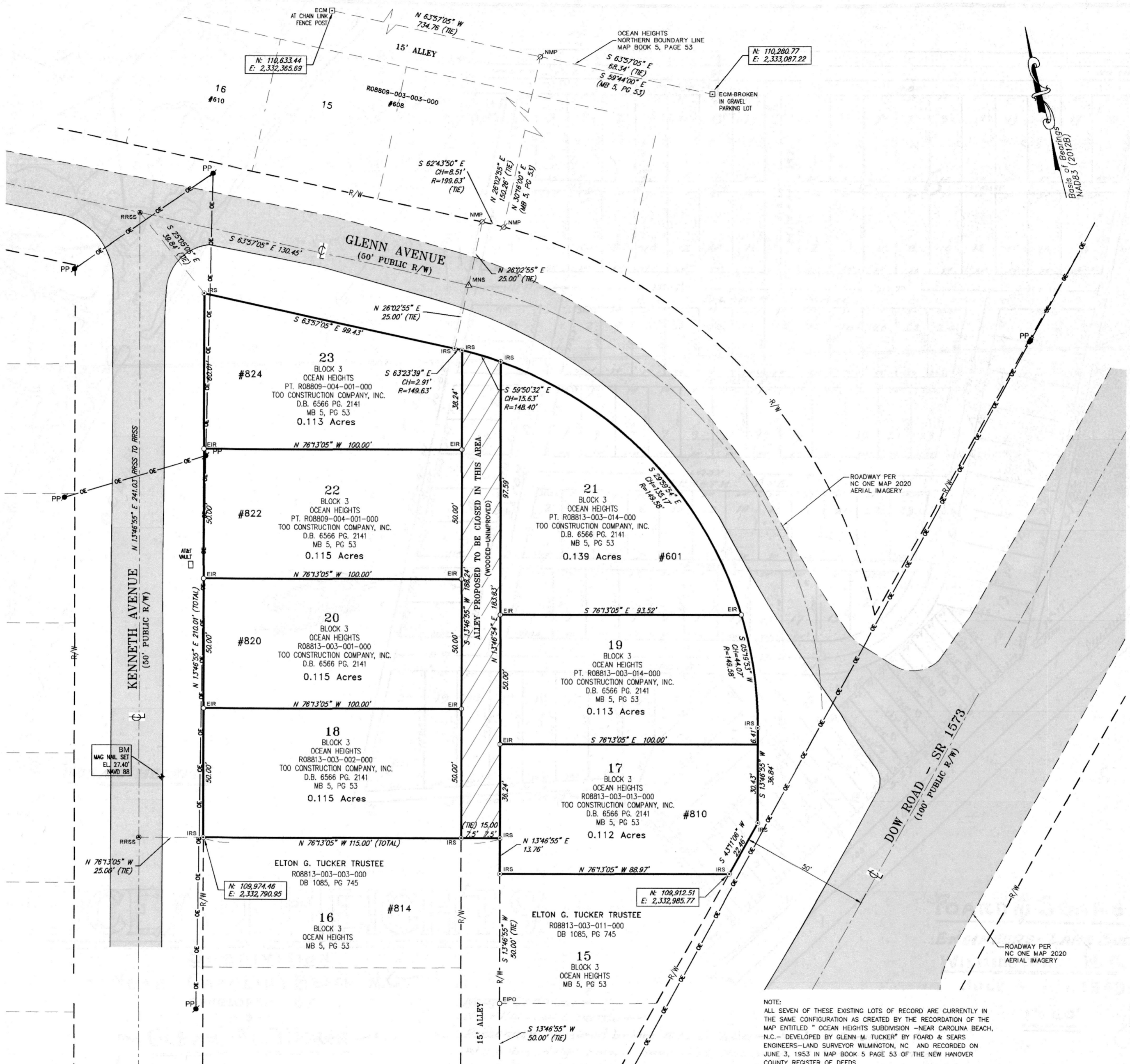
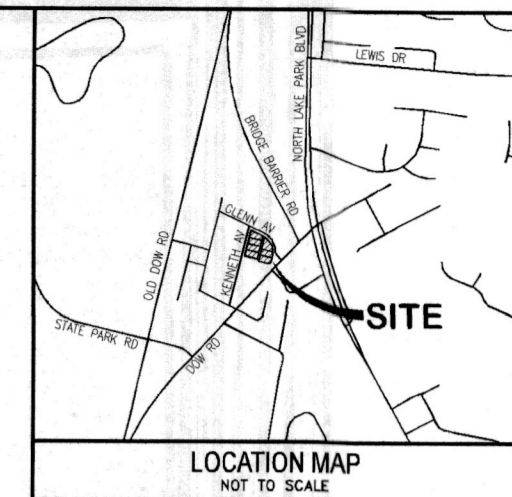
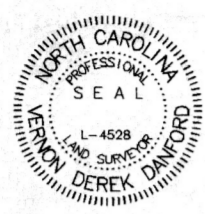
PARCEL IDENTIFICATION NUMBER R-08813-003-013-000 ROAD FRONTAGE (from deed) _____
PROPERTY OWNER: _____
MAILING ADDRESS: SAME
CITY: _____ STATE: _____ ZIP: _____
SIGNATURE: [Signature]

PARCEL IDENTIFICATION NUMBER _____ ROAD FRONTAGE (from deed) _____
PROPERTY OWNER: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
SIGNATURE: _____

PARCEL IDENTIFICATION NUMBER _____ ROAD FRONTAGE (from deed) _____
PROPERTY OWNER: _____
MAILING ADDRESS: _____
CITY: _____ STATE: _____ ZIP: _____
SIGNATURE: _____

I, VERNON DEREK DANFORD, CERTIFY THAT THIS PROPERTY WAS SURVEYED AND MAP DRAWN UNDER MY SUPERVISION. DESCRIPTION AS SHOWN ON THE FACE OF THIS PLAT, RATIO OF PRECISION AS CALCULATED BY COMPUTER IS 1:10,000+; THAT THE BOUNDARIES NOT SURVEYED ARE SHOWN BY BROKEN LINES PLOTTED FROM INFORMATION REFERENCED; THAT THIS PLAT WAS PREPARED IN ACCORDANCE WITH THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA; WITNESS MY ORIGINAL SIGNATURE, LICENSE NUMBER AND SEAL, THIS NOVEMBER, A.D. 2024.

V. Derek Danford
VERNON DEREK DANFORD
N.C. PLS No. L-4528



- NOTES**
1. THESE LOTS ARE LOCATED IN ZONE "X" PER FRIS ON FIRM MAP NUMBERS 3720313100K & 3120313000K DATED: 08/28/2018.
 2. THESE LOTS ARE SUBJECT TO ALL EASEMENTS, RESTRICTIONS, OR COVENANTS OF RECORD.
 3. THIS SURVEY WAS PREPARED WITHOUT THE BENEFIT OF A TITLE REPORT, WHICH MAY REVEAL ADDITIONAL CONVEYANCES, EASEMENTS OR RIGHT OF WAYS NOT SHOWN HEREIN.
 4. "BEST FIT MODEL" UTILIZED BASED UPON THE PREPONDERANCE OF EVIDENCE FOUND.
 5. NO GRID BEARINGS DERIVED USING TOPCON UNIT, UTILIZING NORTH CAROLINA VRS SYSTEM.
 6. ALL BEARINGS SHOWN ARE NC GRID (NAD83 2011S) EXCEPT AS SHOWN.
 7. ALL PROPERTY CORNERS ARE IRON PIPES OR REBAR, UNLESS OTHERWISE NOTED. THE WOODEN STAKES SERVE TO PROTECT AND MARK THE AREA OF THE ACTUAL CORNERS, WHICH ARE TYPICALLY AT OR BELOW GROUND.
 8. ALL DISTANCES ARE HORIZONTAL GROUND, IN US SURVEY FEET.
 9. COMBINED FACTOR: 1.00009281.
 10. ZONING = MH, TOWN OF CAROLINA BEACH, NC.
 11. THIS SURVEY IS OF SEVEN EXISTING LOTS OF RECORD.
 12. NOGS MONUMENT NOT FOUND WITHIN 2,000 FEET.
 13. AREA BY COORDINATE METHOD.

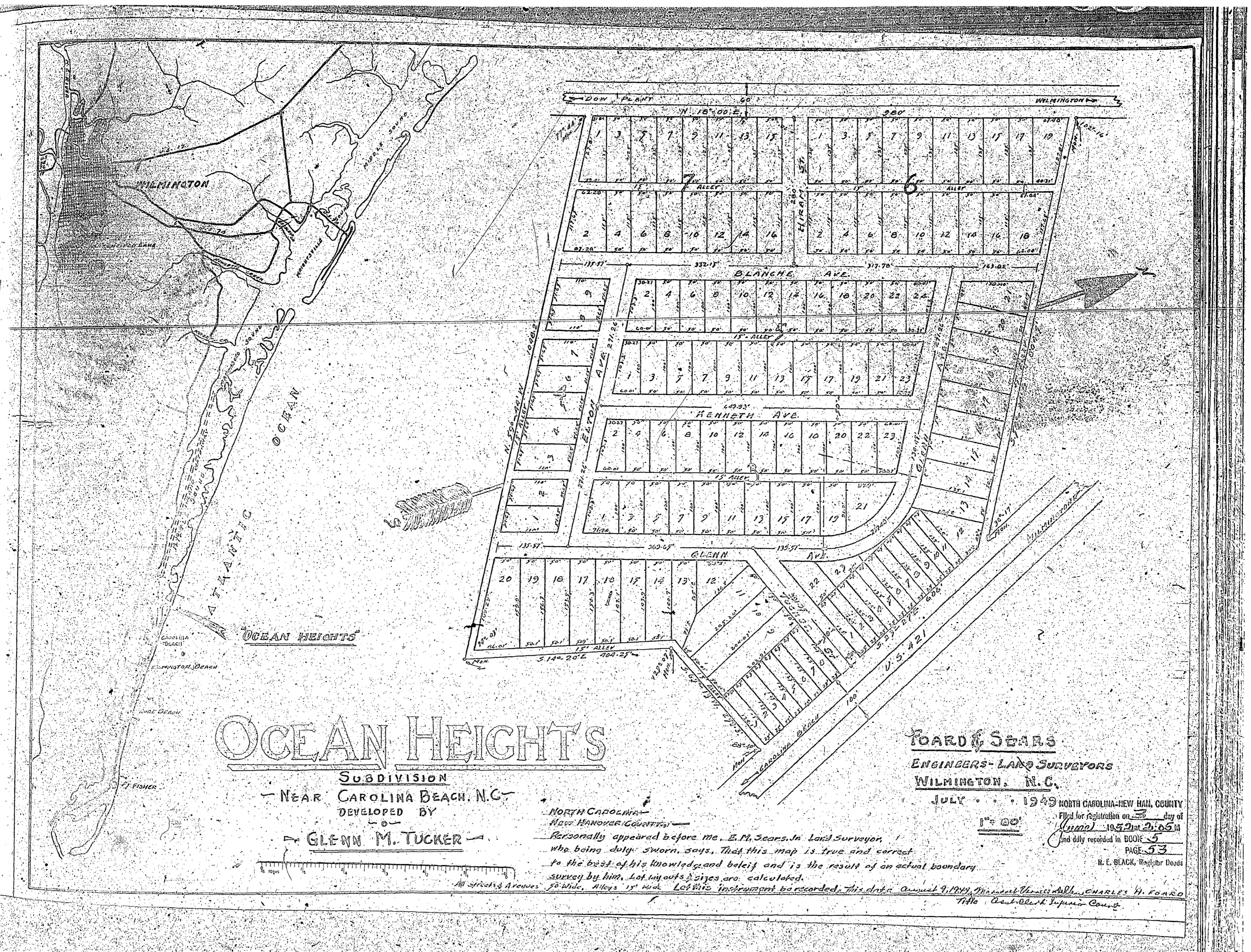
- LEGEND**
- = EXISTING IRON PIPE (EIP)
 - = EXISTING IRON REBAR (EIR)
 - ⊠ = EXISTING MONUMENT FOUND (ECM)
 - ⊡ = CONCRETE MONUMENT SET (CMS)
 - △ = MAG NAIL FOUND (MNF)
 - ▽ = MAG NAIL SET (MNS)
 - ⊙ = IRON PIPE SET (IPS)
 - ⊕ = IRON REBAR SET (IRS)
 - ⊗ = RAILROAD SPIKE SET (RRSS)
 - ⊘ = NON-MONUMENTED POINT (NMP)
 - ⊙ = BENCHMARK LOCATION
 - ⊙ = CENTERLINE
 - R/W = RIGHT OF WAY
 - EP = EDGE OF PAVEMENT
 - GS = GROUND SHOT
 - PP = POWER POLE (PP)

DANFORD & ASSOCIATES
LAND SURVEYING, P.C.
4022 1/2 GLENDEN DRIVE
SUITE 202
WILMINGTON, NC 28403
PHONE 910 799 4916
FIRM LIC# C-2797
email: ddanfords@danfordandassociates.com

MAP OF EXISTING PARCELS OF LAND & ALLEY CLOSURE EXHIBIT MAP
LOTS 17, 18, 19, 20, 21, 22, & 23 BLOCK 3
OCEAN HEIGHTS MAP BOOK 5 PAGE 53
 TOO CONSTRUCTION COMPANY, INC. LANDS DEED BOOK 6566 PAGE 2141
 TOWN OF CAROLINA BEACH NEW HANOVER COUNTY NORTH CAROLINA

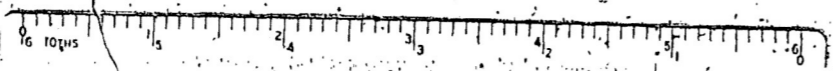
NOVEMBER, 2024

© DANFORD & ASSOCIATES LAND SURVEYING, PC



OCEAN HEIGHTS

SUBDIVISION
 NEAR CAROLINA BEACH, N.C.
 DEVELOPED BY
GLENN M. TUCKER

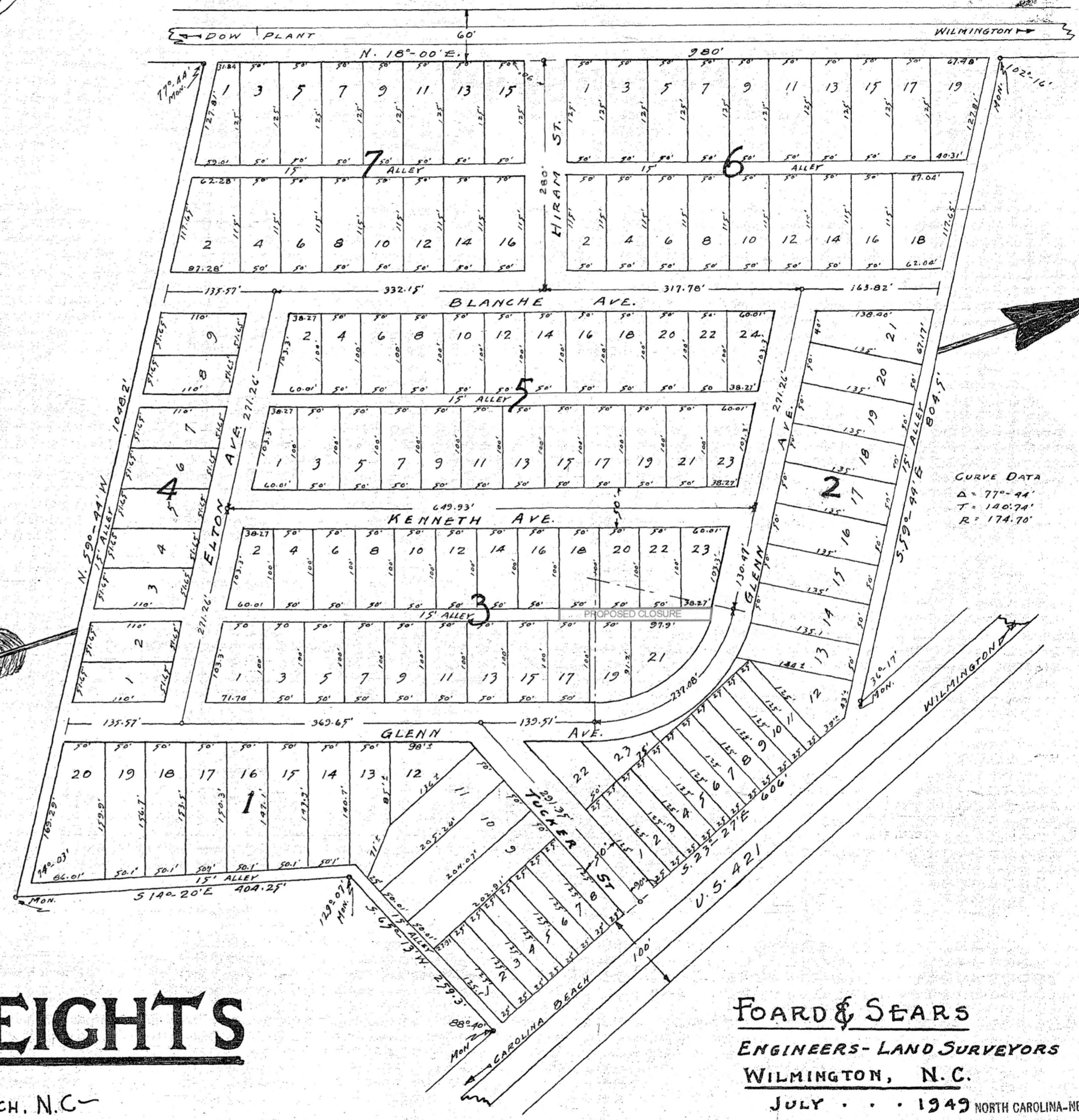
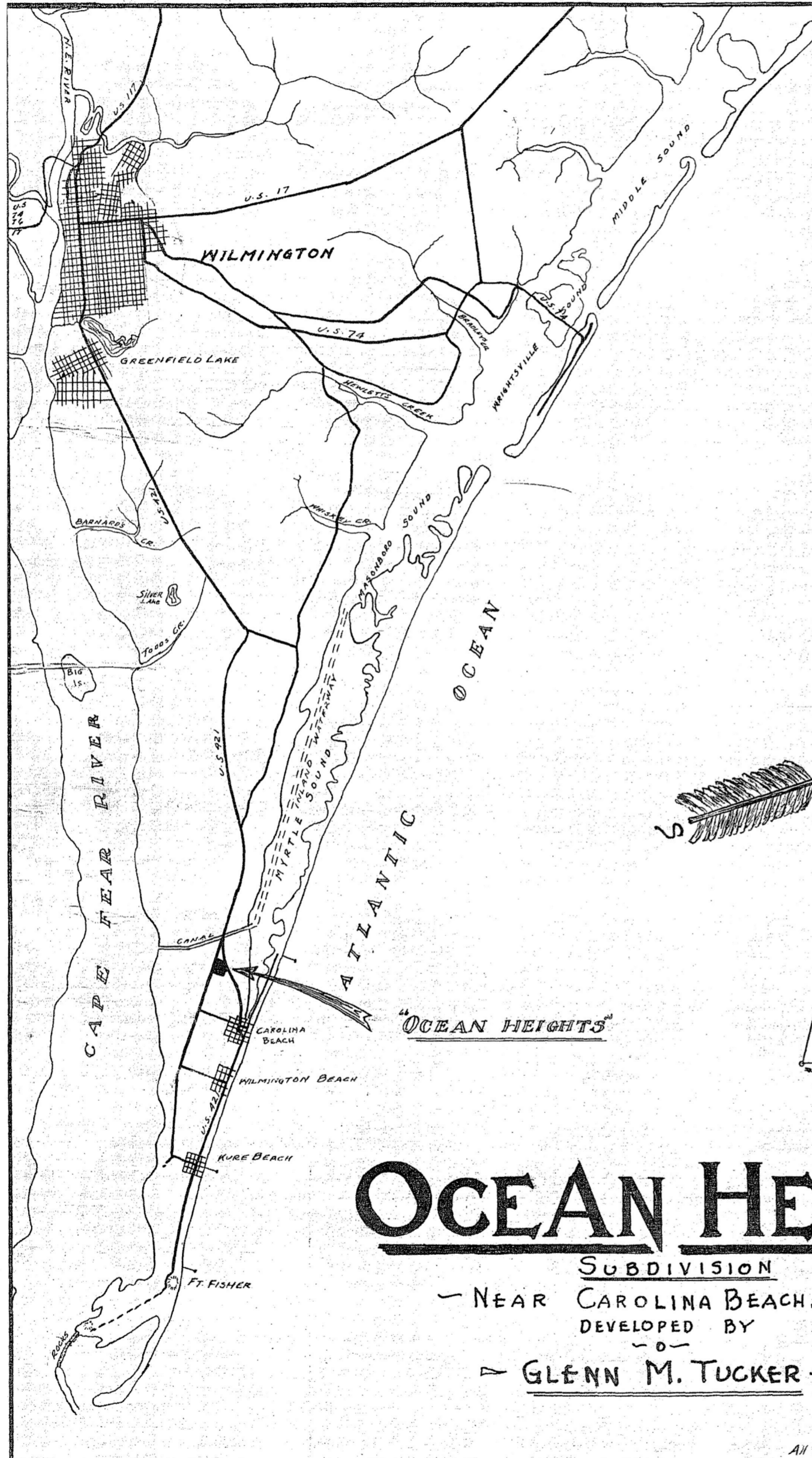


NORTH CAROLINA
 NEW HANOVER COUNTY
 Personally appeared before me, E. M. Sears, Jr., Land Surveyor,
 who being duly sworn, says, that this map is true and correct
 to the best of his knowledge and belief and is the result of an actual boundary
 survey by him. Lot layouts & sizes are calculated.

All streets & Avenues 30' wide, Alleys 15' wide. Let this instrument be recorded, this date August 9, 1949, Manual Verdict, CHARLES H. FOARD
 Title Clerk Superior Court.

FOARD & SEARS
 ENGINEERS - LAND SURVEYORS
 WILMINGTON, N.C.

JULY . . . 1949
 NORTH CAROLINA-NEW HAN. COUNTY
 Filed for registration on 3 day of
 June 1949 at 2:05 PM
 and duly recorded in BOOK 5
 PAGE 53
 N. E. BLACK, Register Deeds



CURVE DATA
 Δ = 77°-44'
 T = 140°-24'
 R = 174.70'

OCEAN HEIGHTS

SUBDIVISION
 - NEAR CAROLINA BEACH, N.C. -
 DEVELOPED BY
 - O -
 - GLENN M. TUCKER -

FOARD & SEARS
 ENGINEERS - LAND SURVEYORS
 WILMINGTON, N.C.

JULY . . . 1949
 1" = 80'
 NORTH CAROLINA - NEW HAN, COUNTY
 Filed for registration on 3 day of
 June 1952 at 2:05 P.M.
 and duly recorded in BOOK 5
 PAGE 53
 R. L. BLACK, Register Deeds

NORTH CAROLINA -
 NEW HANOVER COUNTY,
 Personally appeared before me, E. M. Sears, Jr. Land Surveyor,
 who being duly sworn, says, That this map is true and correct
 to the best of his knowledge and belief and is the result of an actual boundary
 survey by him. Lot layouts & sizes are calculated.
 All streets & avenues 50 wide, Alleys 15 wide. Let this instrument be recorded. This date August 9, 1949. My commission expires with CHARLES H. FOARD
 Title Clerk Superior Court

Resolution



Town of Carolina Beach
Town Council

RESOLUTION NO.25-2323

This is a **Resolution Ordering the Closure** 15' X 188.24' of the alleyway at the intersection of Glenn Avenue between lots 17-23, Block 3.

THIS MATTER coming on to be heard before the Town Council for the Town of Carolina, Beach, North Carolina ("Town Council"), based upon a Resolution of the Town of Carolina Beach Town Council of January 14, 2025 ("Resolution") and in accordance with NCGS §160A-299, authorizing a public hearing on the question of closing a Fifteen (15) Foot Wide public alley ("Alley") located between properties owned by TOO Construction (Tax Parcel # R08809-004-001-000, R08813-003-001-000, R08813-003-002-000, R08813-003-014-000, and R08813-003-013-000). The property to be abandoned is shown on the street closing plat entitled "Map of Existing Parcels of Land & Alley Closure Exhibit Map" prepared by Danford & Associates ("Street Closing Plat") dated November 2024.

WHEREAS, the Town Attorney and appropriate members of the town staff have investigated the sufficiency of the application; and

A public hearing was held on February 11, 2025. Upon the conclusion of the public hearing, the Town Council finds as follows:

1. As required by NCGS §160A-299(a), the resolution was published once a week for four (4) consecutive weeks prior to the public hearing and a copy thereof was sent by registered or certified mail to all owners of property adjoining the section of Fifteen (15) Foot Wide public alley to be closed as shown on the county tax records.
2. The public hearing was held on February 11, 2025, as noticed in the Resolution.
3. After the public hearing, it appears to the satisfaction of the Town Council that the closing of the Fifteen (15) Foot Wide public alley as shown on the Street Closing Plat is not contrary to the public interest and that no individual owning the property in the vicinity of the section of the Fifteen (15) Foot Wide public alley to be closed will be deprived of reasonable means of ingress and egress to his or her property.
4. It is in the public interest for the Town to reserve an easement and all right, title, and interest in any improvements within Fifteen (15) Foot Wide public alley.

Based upon the foregoing findings, the Town Council by a vote of _____ authorizes the closure of the Fifteen (15) Foot Wide public alley as shown on the Street Closing Plat to be effective upon the recording of this Order and the Street Closing Plat in the office of the Register of Deeds of New Hanover County, North Carolina.

NOW, THEREFORE, IT IS ORDERED AND DECREED that this Order shall be effective from and after its adoption and recordation of a certified copy in the Office of the Register of Deeds of New Hanover County, North Carolina.

Albert L. Barbee, Mayor

Attest: Kimberlee Ward, Town Clerk

Town of Carolina Beach
Resolution No. 25-2323



AGENDA ITEM COVERSHEET

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

MEETING: Town Council February 11, 2025

SUBJECT: Public Hearing for Draft Town of Carolina Beach – Beach Management Plan

The federal storm damage reduction project has served the Town well over the last 60 years and continued nourishment of the project will continue to provide storm damage reduction to the Town's infrastructure and development within the Town. Also, in order to retain its Static Vegetation Line Exception granted by the NC Coastal Resources Commission (CRC) on September 9, 2009, reauthorized on May 14, 2014, and once more during the winter of 2020, the Town must provide a progress report to the CRC every 5 years describing the condition of the project and an update of the requirements outlined in the Beach Management Plan (BMP) rule (15A NCAC 07J).

This document has been created for submittal to the NC Division of Coastal Management for review and subsequent evaluation by the NC Coastal Resources Commission for approval of conditions as it relates to the Town's Beach Management Plan.

The North Carolina Coastal Resources Commission (CRC) recently amended Title 15A of North Carolina Administrative Code (NCAC) Subchapter 7H .0304;.0305; .0306; .0308; .0309; .0310 and Subchapter 7J.1200; .1202; .1203; .1204; .1205; .1206; and repealed Subchapter 7H .1301 through .1303 to replace and streamline the previously existing Development Line and Static Line Exemption rules under the Ocean Hazard Areas of Environmental Concern. The amended code went into effect on August 1, 2022.

The intent of the recently amended CRC rules is to provide an approach for local communities to utilize local and subregional Beach Management Plans to support delineation of the vegetation line (VL) that considers the communities long-term commitment to maintaining the beach through a managed beach nourishment plan. With an approved CRC Beach Management Plan in hand, communities can define oceanfront setbacks measured from the existing vegetation line rather than by the more restrictive pre-project vegetation line. In order to utilize the less restrictive existing vegetation line as a baseline for measuring oceanfront setbacks, the Town will need to develop a beach management plan (BMP) and have it approved by the CRC. The CRC's rules, specifically 15A NCAC 07J.1200, require the BMP to consist of a long-term (minimum of 30 years) maintenance plan that addresses the anticipated maintenance event volume triggers and schedules, long-term sand needs, and annual monitoring protocols, as well

as identification of financial resources and/or funding sources necessary to fund these long-term nourishment activities. The copy of the plan can be found <https://www.carolinabeach.org/Home/Components/News/News/413/16>

The Town shall provide an opportunity for public comments on the Beach Management Plan prior to submission to the Coastal Resources Commission for approval.

ACTION REQUESTED:

Open Public Hearing

Motion- Motion to approve the 2025 Carolina Beach – Beach Plan for the Coastal Resource Commission to consider adoption on April 30th.