

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, August 11, 2026 — 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. Resolution Authorizing the Town of Carolina Beach to Submit a Grant Application to the Wilmington Urban Area Metropolitan Planning Organization (WMPO)
2. Set a public hearing for September 8th to consider a Modification to Conditional Zoning Ord. 21-1156 for PID R08814-003-015-000 to update the outdoor amenity areas and allow for 10 percent of the residential units to be short-term rentals. Applicant: The Proximity at Carolina Beach
3. Budget Amendments for Carryovers
4. Year End Budget Transfers FY26
5. Budget Amendments/Transfers FY27
6. Consider amending the 2026-2027 Rates and Fees Schedule – Off Duty Police Officer Rate
7. Contract Award and Budget Transfer - Harbor Master Office
8. Approval of Council Meeting Minutes

SPECIAL PRESENTATIONS

9. Events Update by Tim Murphy
10. 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

- [11.](#) Text Amendment to Article 3 Section 3.19 of the UDO to allow for temporary structures beyond the pierhead line. Applicant: Noelle Holdings LLC
- [12.](#) Text Amendment to Article 3 and Article 7 of the UDO to add dog grooming to the home occupation ordinance. Applicant: Zoey Brass
- [13.](#) Consider a Zoning Map Amendment and Text Amendment to Art. 3 of the UDO to rezone 204 Cape Fear, 206 – 217 Cape Fear, and 3 S Third St from Mixed Use (MX) to a new zoning district called Commercial Transition (CT).

Applicant: Town of Carolina Beach
- [14.](#) Public Hearing for the financing of nine (9) Boardwalk area properties

ADJOURNMENT



AGENDA ITEM COVERSHEET

PREPARED BY: Jeremy Hardison, Community
Development Director

DEPARTMENT: Community
Development

MEETING: Town Council 8/11/2026

SUBJECT: Resolution Authorizing the Town of Carolina Beach to Submit a Grant
Application to the Wilmington Urban Area Metropolitan Planning Organization
(WMPO)

BACKGROUND:
Resolution attached.

Lynn Barbee
Mayor

Jay Healy
Council Member

Vince Losito
Council Member



Deb LeCompte
Mayor Pro Tem

Wayne Rouse
Council Member

Bruce Oakley
Town Manager

Town of Carolina Beach

1121 N. Lake Park Blvd.

Carolina Beach, NC 28428

Tel: (910) 458-2999

RESOLUTION NO. 26-2358

Resolution Authorizing the Town of Carolina Beach to Submit a Grant Application to the Wilmington Urban Area Metropolitan Planning Organization (WMPO) in the Amount of \$921,600.

The S Lake Park Boulevard Sidewalk Project. The Locally Administered Projects Program (LAPP) is the WMPO's funding program for distributing the annual allocation of Surface Transportation Block Grant (STBG) and Transportation Alternatives (TA) funds.

Legislative Intent/Purpose

On June 1, 2026, the WMPO issued a call for projects to agencies in its jurisdiction. An estimated \$4,185,900 for FY 2029 and FY 2030 is available to award applicants who meet the scoring criteria and possess the attributes necessary to achieve the approved 2050 MTP goals, including Safety, Fair, Connected, Resilient, and Proactive.

If funded, the Town intends to design and construct new five-foot-wide sidewalk and crossing enhancements along South Lake Boulevard from Spartanburg Avenue to Ocean Boulevard. The sidewalk will extend access to connect the southern portion of the island. The estimated cost to complete this project is \$1,152,000. The cost includes engineering fees for planning and design as well as right of way. The cost does not include construction, which will be applied for at a later date.

Therefore, be it resolved that the Town Council of Carolina Beach authorizes the Director of Community Development to apply for **\$921,600 in STBGP-DA funding** from the WMPO for the S Lake Park Boulevard Sidewalk Project, with a total project cost of \$1,152,000.

Funding for the required minimum **20% local grant match of \$230,400** from the Town of Carolina Beach has been identified and will be appropriated if the grant is awarded.

Adopted this 11th day of August 2026.

Albert L. Barbee, Mayor

Attest: Kimberlee Ward, Town Clerk



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Community
Development

MEETING: Town Council August 11, 2026

SUBJECT: Set a public hearing for September 8th to consider a Modification to Conditional Zoning Ord. 21-1156 for PID R08814-003-015-000 to update the outdoor amenity areas and allow for 10 percent of the residential units to be short-term rentals. Applicant: The Proximity at Carolina Beach

BACKGROUND:

ACTION REQUESTED:

Adopt the consent agenda.

RECOMMENDED MOTION:



AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 08/11/2026

SUBJECT: Budget Amendments for Carryovers

BACKGROUND:

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

Budget Amendments for Carryovers:

Carryover 2025/2026 funds to 2026/2027 to cover projects or materials ordered but not yet invoiced. A list of the carryovers approved by the Town Manager is attached.

Carryover totals

General Fund = \$	825,342.49
Utility Fund = \$	641,755.86
Total	\$ 1,467,098.35

BUDGET IMPACT:

The transfers will increase the 2025/2026 available fund balance and reduce the 2026/2027 available fund balance.

ACTION REQUESTED:

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

Dept	PO#	Acct#	Vendor	Amount	Description
Executive	260088	10-420-023	Dataprise	12,900.05	IT/communication projects
Community Dev	260384	10-491-045	Jacobs Engineering	2,618.37	Citiworks support
Police	262241	10-510-016	Satellite Army	14,000.00	Boardwalk camera repairs and installation
Police	262265	10-510-045	Adventure LLC	6,000.00	Drone and supplies
Police	262424	10-510-045	Wild Child Custom	750.00	Striping for UTV
Police	262425	10-510-045	Mobile Communications	2,700.00	Lights & upfit for UTV
Police	270081	10-510-016	Batteries of NC	495.00	Repair and install of radar
Lifeguard	262200	10-520-015	Truist Credit Card	1,800.00	Substation Building Touchups
Lifeguard	262345	10-520-033	Atlantic Emergency	1,000.00	Fire Extinguisher
Lifeguard	262339	10-520-050	Landscapes Unlimited	1,000.00	Hamlet lot cleanup
Lifeguard	262344	10-520-074	Atlantic Emergency	3,000.00	Primer for fireboat
Fire	262343	10-530-014	Atlantic Emergency	2,000.00	Training Aids
Fire	262150	10-530-016	Rhinehart Fire Services	3,300.00	Air masks
Fire	262342	10-530-016	Atlantic Emergency	978.92	Equipment repair
Fire	262134	10-530-017	CW Williams	19,300.00	Truck 21 Body repair
Fire	262327	10-530-021	Black's Tire Service	1,200.00	Tire Repair & replacement
Fire	261969	10-530-023	Truist Credit Card	3,300.00	Station software
Fire	262346	10-530-024	Atlantic Emergency	5,000.00	Protective gear
Fire	262351	10-530-024	Advanced Emergency Svc	5,000.00	Turnout gear
Fire	262356	10-530-033	Zoll	616.24	AED pads
Fire	261814	10-530-074	Rhinehart Fire Services	38,200.00	Airpack upgrades
Fire	N/A	10-530-074	TBD	26,183.00	Water rescue equip (from Sales of Fixed Asset)
Environmental	262475	10-580-015	EWECO	1,872.88	Ops Bldg- Rplc Air Handler Pan
Environmental	N/A	10-580-015	TBD	145,000.00	TH/Bridge Barrier Modifications
Environmental	N/A	10-580-015	TBD	75,000.00	Canal/Harper Signal Mods
Environmental	261186	10-580-016	Transmap	8,863.00	PCI Survey
Environmental	262097	10-580-018	Landscapes Unlimited	415.83	Trim Lotus Tree at Lake
Environmental	262224	10-580-018	Landscapes Unlimited	10,000.00	ROW Cleaning
Environmental	262211	10-580-046	Southern Signs	8,000.00	Wayfinding
Environmental	N/A	10-580-073	Enterprise Lease	23,641.20	F-750 dump truck
Environmental	261631	10-580-074	Southern Signs	69,587.00	Entry Sign
Environmental	270366	10-580-074	Fleet Lease Remarketing	14,000.00	Replacement bathroom maintenance vehicle
P&R	N/A	10-620-074	Barrs Recreation	18,251.00	New shaded double swing set at Lake Park
Beach Maint	262233	10-630-056	NH Paving	8,000.00	1810 Drive Grate
Beach Maint	261779	10-630-074	Mark's Marine	39,370.00	RNR Pier/ Add Kayak Launch
Beach Maint	262300	10-630-074	Dominion Land Group	18,600.00	Oyster Shell Ln- Bulkhead & Outfall Pipe
Beach Maint	262301	10-630-074	Dominion Land Group	20,100.00	Sea Horse Ln- Bulkhead & Outfall Pipe
Beach Maint	262302	10-630-074	Dominion Land Group	23,300.00	Clam Shell Ln- Bulkhead & Outfall Pipe
Beach Maint	N/A	10-630-074	TBD	90,000.00	Boardwalk ADA
Beach Maint	N/A	10-630-074	TBD	50,000.00	Bulkhead Repairs
Beach Maint	N/A	10-630-074	TBD	50,000.00	Paving Tennessee Parking Lot
			Total	\$ 825,342.49	

W&SAdmin	261043	30-800-045	ECS Southeast	\$300.00	Project 49:22257-A7
W&SAdmin	261044	30-800-045	ECS Southeast	\$3,400.00	Project 49:22257-A8
W&SAdmin	261233	30-800-045	ECS Southeast	\$8,550.00	Project 49:22257-AA
WWTP	262139	30-810-015	EWECO		WWTP- Mini Split Install from Old Lab to Tool Room
				\$1,500.00	
WWTP	262451	30-810-016	UNDERWOOD		WWTP #1 Basin A/ SCADA- DO Monitor & Probe
				\$5,092.00	
WWTP	261799	30-810-045	EWECO	\$7,412.36	WWTP- Demo Old Lab/ Upfit New Lab
WWTP	260211	30-810-050	USACE	\$7,000.00	MOTSU license agreement
WWC/Water	261527	30-811/812-045	Rogers Excavating & Grading		205 Woody Hewett- 2 W/S Taps
				\$19,000.00	
WWC/Water	261528	30-811/812-045	Rogers Excavating & Grading		203 Woody Hewett- W/S Tap
				\$9,500.00	
WWC/Water	261529	30-811/812-045	Rogers Excavating & Grading		204 CBAS- 2 W/S Taps
				\$15,000.00	
WWC/Water	261989	30-811/812-045	Rogers Excavating & Grading		1621 Pinfish Ln -W/S Tap
				\$8,300.00	
WWC/Water	262094	30-811/812-045	Rogers Excavating & Grading		305 Birmingham, Unit 1 & 2- 2 W/S Taps
				\$19,000.00	
WWC/Water	262268	30-811/812-045	Rogers Excavating & Grading		905 Basin Rd- W/S Taps
				\$33,500.00	
wwc	N/A	30-811-074	TBD		Renovation of Dow Rd gargage site (sale of assest)
				\$41,000.00	
Water	261532	30-812-045	Rogers Excavating & Grading		202 CBAS- 2 Water Taps
				\$7,000.00	
Water	261988	30-812-045	Rogers Excavating & Grading		St. Joseph & Hooks - 6 inch Water Main
				\$26,000.00	
Water	270212	30-812-050	USACE	\$25,000.00	MOTSU license agreements
Stormwater	261982	30-900-016	Dragonfly Pond Works	\$15,545.40	Install 5 HP Fountain White Lights & 400' Cable
Storm water	262039	30-900-016	Honest Engine	\$1,329.10	SW- Supplies to Operate Equip/ Equip Rplc
Storm water	260821	30-900-020	Rogers Excavating & Grading		1515 Bonito-Set BFG Between 1515 & 1517
				\$9,000.00	
Storm water	260822	30-900-020	Rogers Excavating & Grading		1513 Bonito- 2x3 BFG, 50' 15" RCP
				\$9,000.00	
Stormwater	260919	30-900-020	Rogers Excavating & Grading		205 Teakwood Drive (Intersection)- Demo & Install
				\$34,000.00	
Stormwater	N/A	30-900-020	TBD	113,000.00	Captains Quarters Stormwater
Stormwater	261436	30-900-046	Distinctive AFWS Designs	\$20,830.00	FIMAN Sensor for the Lake
Stormwater	262032	30-900-046	EWECO	\$10,000.00	Fountain Connection/ Pump Station Upfit
Storm water	262098	30-900-046	Trenchless Pipe Restoration	\$8,875.00	Line Island Marina Stormwater
Stormwater	262099	30-900-046	Trenchless Pipe Restoration	\$43,622.00	Line Ace Hardware Stormwater
Storm water	N/A	30-900-046	TBD	60,000.00	Magnolia Stormwater
Stormwater	N/A	30-900-046	TBD	20,000.00	SW manual
Stormwater	N/A	30-900-046	TBD	60,000.00	Tennessee Lot SW Install
Total				<u>\$641,755.86</u>	

BUDGET AMENDMENTS/TRANSFERS

Item 4.

Date	DESCRIPTION	GL #	DEBIT	CREDIT
6/30/2026	Year End Budget Transfers to clean up wage			
	and benefit line items for FY25-26.			
	Legislative Wages	10-410-002	231.21	
	Legislative Auto Allowance	10-410-031	22.52	
	Legislative Medical Insurance	10-410-006		253.73
	Clerk Wages	10-430-002	337.49	
	Clerk Medical Insurance	10-430-006		337.49
	Finance Wages	10-440-002	845.42	
	Finance OT Wages	10-440-003		845.42
	HR Wages	10-450-002	3,755.32	
	HR Retirement	10-450-007	307.73	
	HR Medical Insurance	10-450-006		4,063.05
	Police OT Wages	10-510-003	49,209.36	
	Police Holiday Pay	10-510-001		49,209.36
	Lifeguard Wages	10-520-002	25,475.12	
	Lifeguard Medical Insurance	10-520-006	52.43	
	Fire Medical Insurance	10-530-006		25,527.55
	Fire Wages	10-530-002	12,985.47	
	Fire OT Wages	10-530-003	30,540.40	
	Fire Holiday Pay	10-530-001		43,525.87
	Marina Wages	10-550-002	254.51	
	Marina OT Wages	10-550-003		254.51
	Environmental OT Wages	10-580-003	9,353.51	
	Environmental Wages	10-580-002		9,353.51
	Parks & Rec Retirement	10-620-007	387.08	
	Parks & Rec Medical Insurance	10-620-006		387.08
	Boardwalk Wages	10-650-002	2,501.65	
	Boardwalk OT Wages	10-650-003		1,501.65
	Boardwalk Medical Insurance	10-650-006		1,000.00
	Total General Fund		136,259.22	136,259.22
	W&S Admin Wages	30-800-002	2,798.07	
	W&S Admin Medical Insurance	30-800-006		2,798.07
	WWTP Wages	30-810-002	24,446.34	
	WWTP OT Wages	30-810-003	17,664.60	
	WWTP Retirement	30-810-007	5,638.83	

BUDGET AMENDMENTS/TRANSFERS

Item 4.

Date	DESCRIPTION	GL #	DEBIT	CREDIT
6/30/2026	Year End Budget Transfers to clean up wage			
	and benefit line items for FY25-26.			
	WWTP 401K Match	30-810-025	1,072.99	
	WWTP FICA	30-810-005		3,556.44
	WWTP Medical Insurance	30-810-006		6,014.53
	WWTP Chemical & Lab Fees	30-810-032		24,446.34
	W&S Admin OT Wages	30-800-003		76.04
	W&S Admin FICA	30-800-005		7,061.75
	W&S Admin Medical Insurance	30-800-006		4,398.60
	W&S Admin 401K	30-800-025		2,165.08
	W&S Admin Longevity	30-800-059		500.00
	W&S Admin Travel & Training	30-800-014		603.98
	WWC Wages	30-811-002	31,546.83	
	WWC Retirement	30-811-007	3,911.23	
	WWC 401K Match	30-811-025	577.73	
	WWC OT Wages	30-811-003		2,397.37
	WWC FICA	30-811-005		6,632.00
	WWC Medical Insurance	30-811-006		14,417.61
	WWC Longevity	30-811-059		450.00
	WWC Electric	30-811-013		12,138.81
	Water Wages	30-812-002	7,712.07	
	Water OT Wages	30-812-003	1,068.60	
	Water Retirement	30-812-007	1,139.53	
	Water 401k	30-812-025	212.37	
	Water FICA	30-812-005		1,088.04
	Water Medical Insurance	30-812-006		2,976.57
	Water Rental of Property	30-812-050		6,067.96
	Stormwater Wages	30-900-002	8,144.33	
	Stormwater Medical Insurance	30-900-006		8,144.33
	Total Utility Fund		105,933.52	105,933.52
	Total Transfers		242,192.74	242,192.74

BUDGET AMENDMENTS/TRANSFERS				
Date	DESCRIPTION	GL #	DEBIT	CREDIT
6/30/2026	Year End Budget Transfers to clean up M&O			
	and Capital account line items for FY25-26			
	PD Vehicle Lease Liability	10-510-073	49,948.84	
	Debt Service	10-409-015		49,948.84
	Clerk Supplies	10-430-033	1.00	
	Clerk Printing & Publishing	10-430-012		1.00
	HR Supplies	10-450-033	156.00	
	HR Contract Services	10-450-045	511.00	
	HR Travel & Training	10-450-014		667.00
	Community Development Dues & Subscriptions	10-491-053	125.00	
	Community Development Travel & Training	10-491-014		125.00
	Police Supplies	10-510-033	5,000.00	
	Police M&O Equipment	10-510-016		5,000.00
	Police K9	10-510-048	425.00	
	Police Crime Prevention	10-510-040		425.00
	Police M&O Tires	10-510-021	669.00	
	Police M&I Vehicles	10-510-017		669.00
	Lifeguard M&O Buildings	10-520-015	15.00	
	Lifeguard M&O Tires	10-520-021	796.00	
	Lifeguard Supplies	10-520-033		811.00
	Fire M&O Vehicles	10-530-017	24,500.00	
	Fire M&O Tires	10-530-021		4,500.00
	Fire Liability Insurance	10-530-051		20,000.00
	Fire Uniforms	10-530-024	300.00	
	Fire Supplies	10-530-033		300.00
	Parking Bank & CC Merchant Fees	10-570-036	1,835.00	
	Parking Professional Services	10-570-046		1,835.00
	Environmental Vehicle Lease Liability	10-580-073	49,948.84	
	Environmental Contract Services	10-580-045		49,948.84
	P&R Electric	10-620-013	278.00	
	P&R M&O Buildings	10-620-015	921.00	
	P&R M&O Grounds	10-620-018	1,283.00	
	P&R Arts & Activities	10-620-041		2,482.00
	Total General Fund		136,712.68	136,712.68
	UF Debt Service for Revenue Bonds	30-409-015	19,343.10	
	WWC Electric	30-811-013		19,343.10
	WWTP M&O Equipment	30-810-016	4,763.00	
	WWTP Chemical & Lab Fees	30-810-032		4,763.00
	Water Rental of Property	30-812-050	10,000.00	
	WWTP Rental of Property	30-810-050		10,000.00
	Total Utility Fund		14,763.00	14,763.00
	Total General and Utility Fund		151,475.68	151,475.68

BUDGET AMENDMENTS/TRANSFERS				
Date	DESCRIPTION	GL #	DEBIT	CREDIT
6/30/2026	Year End Budget Transfers to clean up wage			
	and benefit line items for FY25-26.			
	Legislative Wages	10-410-002	231.21	
	Legislative Auto Allowance	10-410-031	22.52	
	Legislative Medical Insurance	10-410-006		253.73
	Clerk Wages	10-430-002	337.49	
	Clerk Medical Insurance	10-430-006		337.49
	Finance Wages	10-440-002	845.42	
	Finance OT Wages	10-440-003		845.42
	HR Wages	10-450-002	3,755.32	
	HR Retirement	10-450-007	307.73	
	HR Medical Insurance	10-450-006		4,063.05
	Police OT Wages	10-510-003	49,209.36	
	Police Holiday Pay	10-510-001		49,209.36
	Lifeguard Wages	10-520-002	25,475.12	
	Lifeguard Medical Insurance	10-520-006	52.43	
	Fire Medical Insurance	10-530-006		25,527.55
	Fire Wages	10-530-002	12,985.47	
	Fire OT Wages	10-530-003	30,540.40	
	Fire Holiday Pay	10-530-001		43,525.87
	Marina Wages	10-550-002	254.51	
	Marina OT Wages	10-550-003		254.51
	Environmental OT Wages	10-580-003	9,353.51	
	Environmental Wages	10-580-002		9,353.51
	Parks & Rec Retirement	10-620-007	387.08	
	Parks & Rec Medical Insurance	10-620-006		387.08
	Boardwalk Wages	10-650-002	2,501.65	
	Boardwalk OT Wages	10-650-003		1,501.65
	Boardwalk Medical Insurance	10-650-006		1,000.00
	Total General Fund		136,259.22	136,259.22
	W&S Admin Wages	30-800-002	2,798.07	
	W&S Admin Medical Insurance	30-800-006		2,798.07
	WWTP Wages	30-810-002	24,446.34	
	WWTP OT Wages	30-810-003	17,664.60	
	WWTP Retirement	30-810-007	5,638.83	

BUDGET AMENDMENTS/TRANSFERS				
Date	DESCRIPTION	GL #	DEBIT	CREDIT
6/30/2026	Year End Budget Transfers to clean up wage			
	and benefit line items for FY25-26.			
	WWTP 401K Match	30-810-025	1,072.99	
	WWTP FICA	30-810-005		3,556.44
	WWTP Medical Insurance	30-810-006		6,014.53
	WWTP Chemical & Lab Fees	30-810-032		24,446.34
	W&S Admin OT Wages	30-800-003		76.04
	W&S Admin FICA	30-800-005		7,061.75
	W&S Admin Medical Insurance	30-800-006		4,398.60
	W&S Admin 401K	30-800-025		2,165.08
	W&S Admin Longevity	30-800-059		500.00
	W&S Admin Travel & Training	30-800-014		603.98
	WWC Wages	30-811-002	31,546.83	
	WWC Retirement	30-811-007	3,911.23	
	WWC 401K Match	30-811-025	577.73	
	WWC OT Wages	30-811-003		2,397.37
	WWC FICA	30-811-005		6,632.00
	WWC Medical Insurance	30-811-006		14,417.61
	WWC Longevity	30-811-059		450.00
	WWC Electric	30-811-013		12,138.81
	Water Wages	30-812-002	7,712.07	
	Water OT Wages	30-812-003	1,068.60	
	Water Retirement	30-812-007	1,139.53	
	Water 401k	30-812-025	212.37	
	Water FICA	30-812-005		1,088.04
	Water Medical Insurance	30-812-006		2,976.57
	Water Rental of Property	30-812-050		6,067.96
	Stormwater Wages	30-900-002	8,144.33	
	Stormwater Medical Insurance	30-900-006		8,144.33
	Total Utility Fund		105,933.52	105,933.52
	Total Transfers		242,192.74	242,192.74

BUDGET AMENDMENTS/TRANSFERS				
Date	DESCRIPTION	GL #	DEBIT	CREDIT
6/30/2026	Year End Budget Transfers to clean up M&O			
	and Capital account line items for FY25-26			
	PD Vehicle Lease Liability	10-510-073	49,948.84	
	Debt Service	10-409-015		49,948.84
	Clerk Supplies	10-430-033	1.00	
	Clerk Printing & Publishing	10-430-012		1.00
	HR Supplies	10-450-033	156.00	
	HR Contract Services	10-450-045	511.00	
	HR Travel & Training	10-450-014		667.00
	Community Development Dues & Subscriptions	10-491-053	125.00	
	Community Development Travel & Training	10-491-014		125.00
	Police Supplies	10-510-033	5,000.00	
	Police M&O Equipment	10-510-016		5,000.00
	Police K9	10-510-048	425.00	
	Police Crime Prevention	10-510-040		425.00
	Police M&O Tires	10-510-021	669.00	
	Police M&I Vehicles	10-510-017		669.00
	Lifeguard M&O Buildings	10-520-015	15.00	
	Lifeguard M&O Tires	10-520-021	796.00	
	Lifeguard Supplies	10-520-033		811.00
	Fire M&O Vehicles	10-530-017	24,500.00	
	Fire M&O Tires	10-530-021		4,500.00
	Fire Liability Insurance	10-530-051		20,000.00
	Fire Uniforms	10-530-024	300.00	
	Fire Supplies	10-530-033		300.00
	Parking Bank & CC Merchant Fees	10-570-036	1,835.00	
	Parking Professional Services	10-570-046		1,835.00
	Environmental Vehicle Lease Liability	10-580-073	49,948.84	
	Environmental Contract Services	10-580-045		49,948.84
	P&R Electric	10-620-013	278.00	
	P&R M&O Buildings	10-620-015	921.00	
	P&R M&O Grounds	10-620-018	1,283.00	
	P&R Arts & Activities	10-620-041		2,482.00
	Total General Fund		136,712.68	136,712.68
	UF Debt Service for Revenue Bonds	30-409-015	19,343.10	
	WWC Electric	30-811-013		19,343.10
	WWTP M&O Equipment	30-810-016	4,763.00	
	WWTP Chemical & Lab Fees	30-810-032		4,763.00
	Water Rental of Property	30-812-050	10,000.00	
	WWTP Rental of Property	30-810-050		10,000.00
	Total Utility Fund		14,763.00	14,763.00
	Total General and Utility Fund		151,475.68	151,475.68

BUDGET AMENDMENTS/TRANSFERS				
Date	Description	GL #	DEBIT	CREDIT
6/30/2026	Transfer Enterprise Lease payment to	10-580-073	113,420.38	
	individual departments leasing the vehicles.	10-520-073	4,686.01	
		10-510-073	242,696.98	
		10-620-073	12,123.93	
		10-491-073	17,531.38	
		10-550-073	6,934.65	
		10-409-030		397,393.33
		30-812-073	18,915.37	
		30-811-073	28,602.44	
		30-900-073	52,503.19	
		30-409-030		100,021.00
	Total Transfers		497,414.33	497,414.33

Press Release-Town of Carolina Beach-Property Purchase for Fire Department Expansion Approved

From Sheila Nicholson <sheila.nicholson@carolinabeach.gov>

Date Wed 2026-08-05 10:33 AM

To Sheila Nicholson <sheila.nicholson@carolinabeach.gov>

At a special meeting Tuesday, August 4, 2026, the Carolina Beach Town Council voted to purchase a portion of property on Charlotte Avenue adjacent to the Town's Fire Department for \$475,000. The acquisition is consistent with the recently completed facility plan, which includes a future expansion of the Fire Department.

There are no immediate plans to begin the Fire Department expansion. However, this purchase allows the Department to plan for future growth as services increase, rather than having to relocate and build elsewhere down the road. This will move is expected to save the town money in the long run. This purchase will be made using existing debt service funds and will not require the use of the Town's reserve funds.

"The purchase ensures the department has the flexibility to meet current operational demands and accommodate future service needs as the community grows," said Fire Chief Alan Griffin.



Please contact Town Manager Bruce Oakley with any questions.

Budget Transfer Request for 27-004-046

From Sheila Nicholson <sheila.nicholson@carolinabeach.gov>

Date Mon 2026-08-03 4:02 PM

To Debbie Hall <debbie.hall@carolinabeach.gov>

Cc Ed Parvin <ed.parvin@carolinabeach.gov>; Jarrett Anderson <Jarrett.Anderson@carolinabeach.gov>

In processing the final invoice for the Marina Harbor Master Office project using Summit Design & Engineering, we discovered a \$237 shortage in funding.

To cover the full \$1,020.00 cost of the final invoice from Summit, please transfer \$237 from 27-004-074 to 27-004-046.

Please let me know if you have any questions.

Thank you,



Sheila P. Nicholson

Administrative Services Officer-Town of Carolina Beach

1121 N. Lake Park Blvd. Carolina Beach NC 28428

sheila.nicholson@carolinabeach.gov

(910) 458-2995

Email correspondence to and from this address may be confidential and/or subject to the NC Public Records Law and may be disclosed to third parties.



AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 8/11/2026

SUBJECT: Budget Amendments/Transfers FY27

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.

Transfers:

Transfer \$480,000 to account 10-530-074 Fire Capital over \$10,000 from account 10-409-015 General Fund Debt Service to cover the purchase of a portion of the property at 804 Charlotte Ave (R09005-001-002-000).

Transfer \$237 to account 27-004-046 Marina Phase IV Professional Service from account 27-004-074 Marina Phase IV Capital over \$10,000 cover engineering services.

BUDGET IMPACT:

No budget impacts.

ACTION REQUESTED:

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



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council 8/11/2026

SUBJECT: Consider amending the 2026-2027 Rates and Fees Schedule – Off Duty Police Officer Rate

BACKGROUND:

The Town's Rates and Fees Schedule establishes the hourly rate charged for off-duty police services provided for private businesses, community events, traffic control, and other special assignments requiring law enforcement personnel.

Staff has reviewed the existing rate and recommends increasing the fee from \$50 per hour to \$55.00 per hour to better align with the Town's costs associated with providing these services.

This adjustment will apply only to off-duty police services requested by outside organizations or individuals and will not affect the level of police services provided by the Town.

ACTION REQUESTED:

Staff recommends approval of the ordinance amending the Fiscal Year 2026–2027 Rates and Fees Schedule to establish an off-duty police officer hourly rate of \$55.00 per hour, effective upon adoption.

Motion to approve/deny the proposed Ordinance

Ordinance 26-1291

Town of Carolina Beach
Town Council



AN ORDINANCE AMENDING THE TOWN OF CAROLINA BEACH FISCAL YEAR 2026–2027 RATES AND FEES SCHEDULE REGARDING OFF-DUTY POLICE SERVICES

Section 1. Amendment to Rates and Fees Schedule

The Fiscal Year 2026–2027 Town of Carolina Beach Rates and Fees Schedule is hereby amended under the Police Department fee schedule as follows:

Fee Description	Current Rate	Amended Rate
Off-Duty Police Officer	\$50.00 per hour	\$55.00 per hour

All other provisions of the Fiscal Year 2026–2027 Rates and Fees Schedule shall remain unchanged.

Section 2. Effective Date

This ordinance shall become effective immediately upon adoption and shall apply to all off-duty police services scheduled on or after the effective date.

Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 11th day of August, 2026.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



AGENDA ITEM COVERSHEET

PREPARED BY: Jarrett Anderson, Harbor Master

DEPARTMENT: Harbor

MEETING: August 11, 2026

SUBJECT: Budget Transfer and Contract Award – Marina Phase 4:
Harbor Master Office Construction

BACKGROUND:

Executive Summary

Town staff requests approval to award a construction contract to Ship Shape Builders for to construct a permanent, 600-square-foot Harbor Master office at the marina. Staff also requests a fund balance transfer to cover the remaining construction balance and architectural oversight fees, while utilizing existing project funds.

Background & Project Evolution

2023–2024 (Town Hall Operations): Harbor Masters initially operated out of Town Hall conference rooms. During Deputy Town Manager Parvin’s four-month Coast Guard deployment the Harbor Masters utilized his office and demonstrated the need for a fixed office. Staff later assigned them a vacant office in the Community Development Department. While functional, this setup required multiple daily round-trips between Town Hall and the Municipal Marina.

2025 (Temporary Marina Office): The Harbor Masters established a temporary office directly at the marina. This location proved highly successful. It placed personnel where operations occur, allowed face-to-face meetings with captains and transient boaters, and provided staff shelter from extreme weather.

Redesign Effort: The initial request for construction bids failed to produce an achievable price. In response, the Town hired Alternative Architecture in 2025 to redesign a low-maintenance, cost-effective structure.

Project Specifications & Bid Award

Structure: A 600-square-foot elevated building engineered to withstand severe coastal elements.

Materials: HardieBoard exterior siding, a metal roof, and hurricane-resistant windows to lower long-term maintenance costs.

Aesthetics: The building features a light blue color scheme. This maintains a coastal appearance while honoring local maritime history.

Bidding: The project was rebid in May, yielding four competitive bids.

Recommended Contractor: Ship Shape Builders submitted the lowest bid of \$329,000. The firm is owned by local builder John Batson, who is also a charter boat captain who operates the *Cheerio Lady* in the Municipal Marina. The Batson family has continuously run a charter fishing vessels at the marina since 1956.

Marina Project Phase History

Phase 1: Repaired critical infrastructure damage from Hurricane Matthew utilizing FEMA public assistance funding.

Phase 2: Utilized original pre-hurricane municipal funds reallocated following the storm recovery.

Phase 3: Funded comprehensive upgrades using a combination of the American Rescue Plan Act (ARPA), GoldenLEAF grants, Hurricane Florence FEMA funds, and fund balance transfers.

Phase 4 (Current): Completed capital improvements to Centennial Park, the main parking lot, and surrounding marina facilities. The final step is the construction of the permanent Harbor Master office.

Financial Impact & Funding Request

Account **27-004-074** currently holds **\$254,465.23** for the design and construction of this building. To bridge the gap between the existing project balance and the final construction costs, staff requests a budget transfer.

Required Construction Funds:	\$328,045.00
Construction Oversight:	\$6,025.00
Contingency and permitting:	\$20,000
Architectural Design:	\$237
TOTAL project cost:	\$354,307
Current Account Balance:	\$254,465.23

Funding Shortfall for Construction: **\$99,841.77**

ACTION REQUESTED:

Staff recommends that Town Council approve the contract award to Ship Shape Builders for \$328,045.00 and authorize the necessary budget transfer. This project delivers a long-term asset to our waterfront community and ensures efficient harbor operations for years to come.

MOTION:

Approve:

1. Budget transfer of \$99,841.77 from 10-409-015 (Debt Service for Future Projects) to 27-004-074 Capital Projects.
2. Award the construction contract to Ship Shape Builders for \$328,045.00

Jarrett Anderson
Harbor Master
Town of Carolina Beach
Harbor Master Office Construction, Phase 4

Requested Actions from Town Council

Item 7.

1. Approve a construction contract to Ship Shape Builders to construct a 600-square-foot Harbor Master office at the Municipal Marina.
2. Authorize a budget transfer to cover the remaining construction and architectural oversight fees.

Background & Project Evolution (2025–Present)

Item 7.



- **Temporary Marina Office:** Established onsite in 2025 with immediate operational success.
- **Key Benefits:** Placed personnel directly at the water, enabled face-to-face boater meetings, and provided weather shelter.

Marina Project Phase History



Phase 1: Repaired western bulkhead damage from Hurricane Matthew utilizing FEMA public assistance funding.



Phase 2: Utilized original pre-hurricane municipal funds to complete docking on the west and southwest corner.



Phase 3: South and East side complete rebuild using the American Rescue Plan Act (ARPA), GoldenLEAF grants, Hurricane Florence FEMA funds, and fund balance transfers.



Phase 4 (Current): Centennial Park, the main parking lot, and surrounding marina facilities, and the Harbor Master office.

Project Specifications

Item 7.

Structure: 600-square-foot elevated building engineered to withstand severe coastal weather events.

Materials: HardieBoard exterior siding, a metal roof, and hurricane-resistant windows to lower long-term maintenance costs.

Aesthetics: Light blue color scheme maintaining a coastal appearance and honoring local maritime history.



Bid Results & Recommended Contractor

- **Bidding Process:** Project rebid in May, yielding four competitive bids.
- **Lowest Bidder:** Ship Shape Builders recommended at \$329,000 (\$328,045 base).
- **Local Roots:** Owned by local builder and charter boat captain John Batson (*Cheerio Lady*).
- **Community Heritage:** The Batson family has continuously run charter vessels at the marina since 1956.

Funding Breakdown

• Construction Funds:	\$328,045.00
• Construction Oversight:	\$6025.00
• Contingency & Permitting:	\$20,000.00
• Final Architectural Design:	\$237.00
• Phase IV Existing funds:	\$254,465.23
• Budget amendment	\$99,841.77

Staff Recommendation

Item 7.

Award the construction contract to Ship Shape Builders for \$328,045.00.

Approve a budget transfer of \$99,841.77 from:
10-409-015 Debt Service for Future Projects to:
27-004-074 Marina Capital Projects

Questions & comments



Harbor Masters:

Jarrett Anderson

Harbor Master

Jarrett.Anderson@carolinabeach.gov

910.380.5918

Larry Denning

Asst. Harbor Master

Larry.denning@carolinabeach.gov

910.386-1492

Duty Line: 910.836.5685



Motion

Item 7.

Award the construction contract to Ship Shape Builders for \$328,045.00.

Approve a budget transfer of \$99,841.77 from:
10-409-015 Debt Service for Future Projects to:
27-004-074 Marina Capital Projects



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council Meeting 8/11/2026

SUBJECT: Approval of Council Meeting Minutes

BACKGROUND:

Attached are the meeting minutes from the July meetings.

ACTION REQUESTED:

Review and consider approving under the consent agenda.

CAROLINA BEACH

Town Council Regular Meeting

Tuesday, July 14, 2026 - 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 Wayne Rouse
Council Member Vince Losito

ALSO PRESENT

Town Manager Bruce Oakley
Deputy Town Manager Ed Parvin
Finance Director Debbie Hall
Town Clerk Kim Ward
Town Attorney Noel Fox

ADOPT THE AGENDA

Mayor Barbee said item 13 will be removed from the agenda and moved to next month's meeting.

ACTION: Motion to approve the agenda, less item 13 being removed

Motion made by Mayor Barbee

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

Motion passed unanimously

CONSENT AGENDA

1. Set Public Hearing for August 11 to Discuss the Financing for 9 Boardwalk Properties
2. Set a Public Hearing for August 11 to Consider a Zoning Map Amendment and Text Amendment to Article 3 of the UDO to Rezone 204 Cape Fear Boulevard, 206-217 Cape Fear Boulevard, and 3 South Third Street from Mixed Use (MX) to a New Zoning District Called Commercial Transition (CT)
Applicant: Town of Carolina Beach
3. Set a Public Hearing for August 11 to Consider a Text Amendment to Articles 3 and 7 of the UDO to Add Dog Grooming to the Home Occupation Ordinance
Applicant: Zoey Brass

4. Resolution to Apply for LGC Financing Approval
5. Resolution Supporting WAVE Transit's Grant Application for Transit-Oriented Development Planning
6. Appoint Honorary Board of Adjustment Member
7. Resolution Retiring Police Canine Demi
8. Budget Amendments/Transfers FY26
9. 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 Rouse, Council Member Losito

Motion passed unanimously

SPECIAL PRESENTATIONS

10. Events Update

Mr. Parvin reviewed upcoming events:

- Carolina Beach Market – continues every Saturday through October 3 at Lake Park
- Boardwalk Blast Fireworks/Music – continues every Thursday (exception is Friday, September 4, the final date) at the Gazebo
- Movies at the Lake – continues every Sunday through September 6 at Lake Park
- Life Rolls On – surf event on July 25 on the Boardwalk beach strand and skate event on July 26 at Mike Chappell Park Skate Park
- Whomporama – August 22 at Hamlet Avenue beach access

11. Presentation by Island Arts Council

Barb Buckley, Chair of Island Arts Council, gave a presentation about two proposed projects for collaboration with the Town. Beth Carter, Treasurer of Island Arts Council, was also present.

Project 1: Mosaic Totems

Ms. Buckley described an island-wide, art-enhancing community involvement totem pole project. She explained that each cluster of three posts would be positioned on public property, and she identified the proposed Town locations as the municipal docks, Lake Park, and the Fire Station. Ms. Buckley said a similar installation is already being developed for Kure Beach, with the first cluster planned for the area near Ocean Front Park, likely in August. She detailed the concept, which involves clusters of three mosaic totem posts – two designed by artists and one created by the community – through public workshops.

Council Member Rouse asked whether there would be a theme for the totems. Ms. Buckley said themes would be relevant to the location where each cluster is installed. She used the example of the Kure Beach installation, which features a turtle motif reflective of the beach environment.

Ms. Buckley explained that Island Arts Council would finance the cost of the posts, tools, and supplies through a grant already received from the New Hanover Community Endowment in combination with The Arts Council of Wilmington & New Hanover County, supplemented by the organization's general budget as needed. Island Arts Council would manage the project and ongoing maintenance, including repairing any loose tiles after installation. The group is asking the Town for approval of site placements, logistical support, assistance ensuring safety and aesthetic quality, staff manpower for installation and ground maintenance, and use of the Rec Center for community workshops. She said upon installation, ownership and liability for the totems would transfer to the Town. Ms. Buckley also mentioned the possibility of place markers explaining the theme and artist history as well as the potential for an unveiling event for each installation.

Mayor Barbee asked if three posts would be installed in a single cluster at one location or spread individually across different spots. Ms. Buckley confirmed that each group of three posts would be installed as a cluster at a single location, with varied heights creating a visual balance. She said Council would be able to review and approve the designs.

Council Member Rouse asked about the timeline. Ms. Buckley said they are hoping to do all three installations in 2026 but might have to run into 2027.

Council Member Losito asked if the totems would be at ground level. Ms. Buckley explained that the PVC posts would be set into the ground 2-3 feet and extend about 4 feet up, with an interior stake anchoring them for stability.

Council Member Healy said he loves the idea and expressed that he would welcome even more installations in the future, suggesting that businesses might eventually be invited to participate with direction from Island Arts Council.

Mayor Barbee asked Mr. Oakley whether staff would be able to support the installation work on public property and assist in finding suitable locations. Mr. Oakley said the request seemed minimal and manageable.

Mayor Barbee raised the question of content approval, noting that the Town had maintained a similar process with the mural program, not formally approving the artistic content per se but retaining a final review to ensure nothing offensive or politically charged was displayed. Mr. Oakley agreed, suggesting the same approach could be applied here, with staff authorized to review content and flag any concerns to Council. Ms. Buckley confirmed that Island Arts Council's internal committee would review and select artist renderings for each site before presenting them to the Town suggested handling this via email.

Council Member Rouse raised the additional point that he would like any motion to explicitly limit placement to public property and asked Community Development Director Jeremy Hardison whether placement on private property could implicate the sign ordinance. Mr. Hardison confirmed that if a totem depicted something being sold, it could potentially be classified as a sign under the sign ordinance if on private property. Mayor Barbee clarified that was not what Island Arts Council was proposing,

Project 2: Light Post Flags

Ms. Buckley also presented details about a seasonal flag program for the Town's light posts, similar to a program already in place in Southport. She noted that she had been inspired upon seeing the Town's existing surfer-themed banner flags. Ms. Buckley said the proposal would involve 20 flags for the first round, selected from an open call to artists, with Island Arts Council vetting the designs before bringing them to Council. She added that the flags would be displayed seasonally – spring and fall – and would be paired with an annual community event called Island Celebration of the Arts to coincide with the flag installations.

Ms. Buckley noted Island Arts Council had already applied for a grant with this project in mind due to upcoming grant deadlines and that without the grant the project might not proceed. She said the total estimated outlay is approximately \$9,000, with the grant covering about half and Island Arts Council matching the remainder. Ms. Buckley indicated that the organization would know whether the grant was awarded by the end of August. She said when flags are retired, the proposal is for them to be auctioned to the community, with 50% of proceeds going to the artist and 50% to Island Arts Council to fund future iterations of the program.

Mayor Barbee asked Mr. Oakley for his thoughts on installation logistics. Mr. Oakley noted that the Town had just ordered a new set of surfer-themed flags for locations around Town and that he would need to consult with staff on how frequently flags are currently changed and what investment had already been made. He noted the Town does swap them out for Christmas and other occasions and committed to reporting back to Council on the timing.

Mayor Pro Tem LeCompte noted that the newer surfer/sunrise flags are currently located near the bridge entry into Town and suggested focusing the artist flags in the downtown area where they would receive the most visibility. Mr. Oakley agreed that a specific location could be identified for the program.

ACTION: Motion to approve the two projects as presented by Island Arts Council; the totems and signs would be on public property, staff would do installation, and staff is authorized to review basic content and bring any concerns to Council

Motion made by Mayor Barbee

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

Motion passed unanimously

12. Manager's Update

Mr. Oakley gave an update on various projects:

- Canal Drive/Cape Fear Boulevard corridor: The Town had hoped to have permanent bollards in place at the Canal Drive and Cape Fear Boulevard location, but the ordering and procurement process has taken longer than anticipated. Staff has been working with the engineer on a proposal for a permanent design and will update Council further as information becomes available.

- Saint Joseph Street multi-use path: This project is scheduled to go out to bid on October 7, barring any objections or complications from the N.C. Department of Transportation (DOT).
- Lake Park bridge and demo bathroom: Bathroom demolition will need to wait until approximately January and the bridge replacement until after the summer season. Crews have encountered numerous water lines in the area that must be traced and mapped before any demolition work can proceed.
- August workshop: Staff will present ideas for holiday events.
- Infrastructure projects
 - Advanced Metering Infrastructure (AMI): The contract is being finalized, and installation should be underway in September. This will result in significant cost savings for Town.

Council Member Healy inquired about the status of the DOT stoplight on Lake Park Boulevard. Mr. Oakley said final details are being worked out.

Council Member Healy also asked about the Welcome to Carolina Beach sign. Mr. Oakley said the Town is waiting on the encroachment agreement from DOT and then the manufacturing of the sign.

Mayor Barbee asked if there is an update about the closing of SeaWitch. Mr. Hardison said the developer intends to use the end of the summer season to begin site preparation and permitting for the new development, with a final operating date for the current SeaWitch building anticipated in October. He said the plan involves constructing the new SeaWitch on the opposite side of the street, with the goal of having that facility open by the following summer season. Mr. Hardison said the hotel component of the project will take considerably longer to complete.

Mayor Pro Tem LeCompte noted that the original plan had been to keep the current SeaWitch open until the new building was completed and asked whether something had changed. Mr. Hardison explained that the developer needs the current site as a laydown yard in order to begin hotel foundation construction, which necessitates closing the existing building earlier than originally planned.

Mr. Parvin noted that the developer estimates approximately 8-10 months to complete the east side pavilion building and 18-20 months for the larger west side hotel. He said the new SeaWitch is anticipated to open around June.

Council Member Rouse shared a written statement he had been asked to convey to residents on behalf of Harmony Hospitality from representative Zachary Brigman. It summarized the details already discussed.

Mayor Barbee mentioned the recent accident at the intersection of Dow Road/Lake Park Boulevard/Risley Road, stating there were concerns from nearby businesses. He acknowledged the Wilmington Urban Area Metropolitan Planning Organization (WMPO) had reviewed the intersection in the past. Mr. Oakley said the Town could reach out to WMPO again. Council Member Healy suggested a dedicated pole instead of a stoplight for the access road. Mayor Barbee confirmed that Council gave consensus for the Town to ask WMPO to review the intersection again for any possible safety improvements.

PUBLIC COMMENT

Kim Lassiter of 1320 Bonito Lane shared concerns stemming from activity by a builder constructing houses behind her property. She stated that she has been directly affected both personally and with respect to her property. Ms. Lassiter specifically raised the issue of several trees she believes are posed to fall on her house. She also recounted an incident in which bulldozers entered her front yard without prior notification. Ms. Lassiter's broader recommendation to Council was that residents be notified in advance when permitted construction activity is likely to affect adjacent properties. She said there may be some conflict of interest explaining why her emails have gone unanswered and reiterated that residents need to be kept informed without having to attend Council meetings to find out what is happening.

Robert Rosak of Rosak's Towing arrived too late to sign up for public comment, but Council permitted him to speak. He stated that he has been attempting to get his towing company added to the Police Department's rotation list for approximately two years, following the Town's amendment of its towing ordinance. Mr. Rosak indicated he has been unable to make progress, citing a denial letter received in the mail and an inability to reach officials with the Police Department and other staff members. He raised concerns about the accident that occurred at the previously discussed intersection, alleging that the towing company that responded left the towed vehicle in an unsecured parking lot on Winner Avenue for over 24 hours where occupants were able to access their belongings from the open vehicle, and he also said that towing company does not have current license plates on its vehicles yet remains on the Town's rotation list. Mr. Rosak stated that he meets all the Town's requirements and provided documentation that he said shows expired tags on the aforementioned tow company's vehicles. Mayor Barbee said it is important for staff to respond to inquiries.

PUBLIC HEARING

13. Text Amendment to Article 3 Section 3.19 of the UDO to Allow for Temporary Structures Beyond the Pierhead Line
Applicant: Noelle Holdings, LLC

This item was removed from the agenda.

CLOSED SESSION

14. Closed Session to Discuss a Real Estate Matter Pursuant to NCGS 143-318.11(a)(5)

ACTION: Motion to enter a closed session to discuss a real estate matter pursuant to NCGS 143-318.11(a)(5)

Motion made by Mayor Barbee

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

Motion passed unanimously

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

ACTION: Motion to cancel the July 28 workshop

Motion made by Mayor Barbee

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

Motion passed unanimously

ADJOURNMENT

Mayor Barbee adjourned the meeting at 7:10 PM.

CAROLINA BEACH

Town Council Special Meeting

Tuesday, July 21, 2026 - 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 Wayne Rouse

Council Member Vince Losito

ALSO PRESENT

Town Manager Bruce Oakley

Deputy Town Manager Ed Parvin

Finance Director Debbie Hall

Town Attorney Noel Fox

ITEMS OF BUSINESS

1. Closed Session to Discuss a Real Estate Matter Pursuant to NCGS 143-318.11(a)(5)

ACTION: Motion to enter a closed session to discuss a real estate matter pursuant to NCGS 143-318.11(a)(5)

Motion made by Mayor Barbee

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

Motion passed unanimously

Mayor Barbee called the meeting back to order after Council returned from the closed session. He said the property being discussed is off Bridge Barrier Road. Ms. Fox said the parcel addresses are 1301 Bridge Barrier Road, 1307 Bridge Barrier Road, and 608 Glenn Avenue.

Mayor Barbee said the purchase of these parcels is in line with the Town's facilities plan and will allow operations to move, freeing up space for future expansion of the Rec Center. He added that no property tax/General Fund money is being used for the purchase.

Mayor Pro Tem LeCompte said it's important for the Town to take advantage of opportunities like this when they come up, noting missed opportunities in the past. She said Town operations needs a facility that is centralized and not scattered around multiple locations.

Council Member Healy said the Town's fiscal responsibility over the past year made this possible.

Council Member Rouse said one of the benefits of having a strong financial position is being able to take advantage of opportunities such as this. He praised former Councils and staff for having the foresight to make sure the Town's financials are in strong shape.

Council Member Losito said this is a great strategic opportunity for the Town.

ACTION: Motion to approve a contract between Indic Group Holdings, LLC, and the Town of Carolina Beach for the purchase of parcel R08809-003-002-000, parcel R08809-002-006-000, and parcel R08809-003-003-000; material terms being the purchase price will be \$935,000, examination period concluding on 8/15, closing date 9/1/2026

Motion made by Mayor Barbee

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

Motion passed unanimously

ADJOURNMENT

Mayor Barbee adjourned the meeting at 9:20 AM.



AGENDA ITEM COVERSHEET

PREPARED BY: Kim Ward, Town Clerk

DEPARTMENT: Clerk

MEETING: Town Council 8/11/2026

SUBJECT: Events Update by Tim Murphy

BACKGROUND:

Tim Murphy will give an update on the upcoming events.

ACTION REQUESTED:



AGENDA ITEM COVERSHEET

PREPARED BY: Bruce Oakley, Town Manager

DEPARTMENT: Executive

MEETING: Town Council 8/11/2026

SUBJECT: Manager's Update

BACKGROUND:

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



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Community Development

MEETING: Town Council – August 11, 2026

SUBJECT: Text Amendment to Article 3 Section 3.19 of the UDO to allow for temporary structures beyond the pierhead line.

Applicant: Noelle Holdings LLC

BACKGROUND:

The applicant Noelle Holdings LLC has applied for a text amendment to allow temporary structures beyond the pierhead line. The applicant is the owner of the Stoked Restaurant located at 313 Canal Drive. The applicant has proposed a new floating dock five feet beyond the pierhead line. The current ordinance does not allow any structures beyond this line.

The term “Pierhead Line” is defined in the Unified Development Ordinance (UDO) as the regulatory boundary beyond which no portion of a pier or dock may extend within the Carolina Beach Boat Basin. The pierhead line was established in the early 1980’s in collaboration with the State Property Office in Raleigh. The line was amended through Town Council approval in 2012 to more closely match the Army Corps of Engineers channel setback line.

Public, residential, and commercial properties adjacent to the boat basin have constructed docks over public trust waters. The Town requires that all such private docks and piers comply with the Coastal Area Management Act (CAMA), U.S. Army Corps of Engineers (USACE) regulations and remain consistent with the pierhead line established by the Town.

The purpose of the pierhead line is to minimize user conflicts that may arise when residential property owners occupy space over public trust waters, and to protect the general health, safety, and welfare of citizens using these waters for recreational and commercial purposes.

Proposed Ordinance:

The proposed ordinance would allow for temporary floating structures to encroach up to five feet beyond the pierhead line with conditional zoning approval. The structure shall comply with CAMA and USACE, and all other relevant federal and state regulations.

TRC COMMENTS:

The proposed ordinance was reviewed at the May 5th TRC meeting. TRC unanimously opposes the adoption of the ordinance. The line was created to designate a location across the harbor within the jurisdictional limits of Carolina Beach to protect navigable waters and allow for private usage for on water development (i.e. piers). Creating expansions into these waters could have a negative impact on public trust waters.

TRC does not support any extensions (temporary or permanent) beyond the pierhead line because it will create more dangerous conditions for vessels navigating the channel. The proposed floating dock addition is in the tightest pinch point in the harbor. There are concerns about public safety by narrowing the navigational channel even more. Large vessels need as much space as possible to maneuver at slow speeds.

Adoption of this ordinance will further limit public trust waters for CB boaters, encroach into the USACE channel buffer zone, and eliminate the ability of many of the vessels to safely visit our community.

Key Findings:

- **Navigational Choke Point:** This area of the Harbor is already very congested with boater traffic coming into private marinas, Stoked, Blackburn's, and the Municipal Marina. There are several large vessels in the Municipal Marina that have limited ability to maneuver until they are up to a cruising speed.
- **Environmental Challenges:** Persistent daily winds channel through. Adding to this choke point further limits maneuverability. Large vessels (licensees and transients) have limited maneuverability in these conditions until they reach cruising speed, which will be further restricted by this amendment.
- **Precedent and Future Development:** Approving this extension will set a precedent and encourage the development of currently vacant properties north of Blackburn's with similar non-conforming dockage.
- **Regulatory Ambiguity:** If the USACE requires the removable floating structures to be pulled, the town lacks a clear plan for who removes them, the specialized equipment required, and where the floating structures would be stored.
- **Jurisdiction and Safety:** The Harbor Ordinance grants the Town authority to manage the harbor. Harbor Masters frequently close this zone to recreational traffic during busy events for safety reasons, so additional permanent structures should be avoided. Stoked draws large vessels to their dock regularly. Allowing fixed piles with floating structures past the pierhead line pushes those vessels further out into the channel.
 - 16 Fireworks during season: 127 vessels on July 4th
 - Fishing tournaments (attachment 2)
 - Flotilla
 - 65' vessel coming in now
 - 59' vessels Vonda Kay and Island Explorer
 - Illegal rafting occurring currently

LAND USE PLAN:

The proposed text amendment is not in general conformity with the Land Use Plan and other Long-Range Plans.

The Harbor Management Plan emphasizes that establishing and enforcing the pierhead line is essential for managing user conflicts and maintaining boating safety, particularly as recreational use increases alongside population growth and development. The Town must proactively address competing uses of the shoreline, public trust waters, and submerged lands.

It is also critical to ensure riparian rights (the right to construct a dock) do not interfere with safe navigation or the public's ability to use shared water resources.

The Land Use Plan (LUP) further identifies community goals to:

- Balance access to Myrtle Grove Sound among commercial, sport-fishing, recreational, and transient boaters.
- Maintain and enhance accessibility to public trust waters and public recreational facilities.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

Planning and Zoning Recommended Approval 5-0 with the addition that any extension over the pierhead line be permitted only in the CBD and through Conditional Zoning.

MOTION:

Approval – to amend Unified Development Article 3 Section 3.19 to allow for temporary structures beyond the pierhead line.

Denial – to amend Unified Development Article 3 Section 3.19 to allow for temporary structures beyond the pierhead line.

ATTACHMENTS:

1. Proposed Text Amendment Language
2. Harbor Photo during a fishing tournament
3. Proposed Floating Dock
4. Pierhead Line

Ordinance 26-1289

Town of Carolina Beach
Town Council



AN ORDINANCE TO ALLOW TEMPORARY STRUCTURES BEYOND THE PIERHEAD LINE:

3.19 ESTABLISHMENT OF HARBOR AND PIERHEAD LINE

B. Temporary floating structures extending beyond the pierhead line may be permitted to encroach up to five (5) feet in the CBD through conditional zoning. The structure shall comply with all federal, state, and local regulations.

Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 11th day of August, 2026.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



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: Noelle Holdings LLC Phone #: (910)-264-4033
Street Address: 3521 masonboro harbor Dr
City: Wilmington State: NC Zip: 28409
Email: Rodney@StokedRestaurant.com

REQUESTED TEXT AMENDMENT

Town Code Section(s) Requested to be Amended:

3.19

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:

Stoked Restaurant Respectfully Requests an amendment
to Town Code 3.19 to allow a Removable Floating
Dock to the Town ordinance.

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.

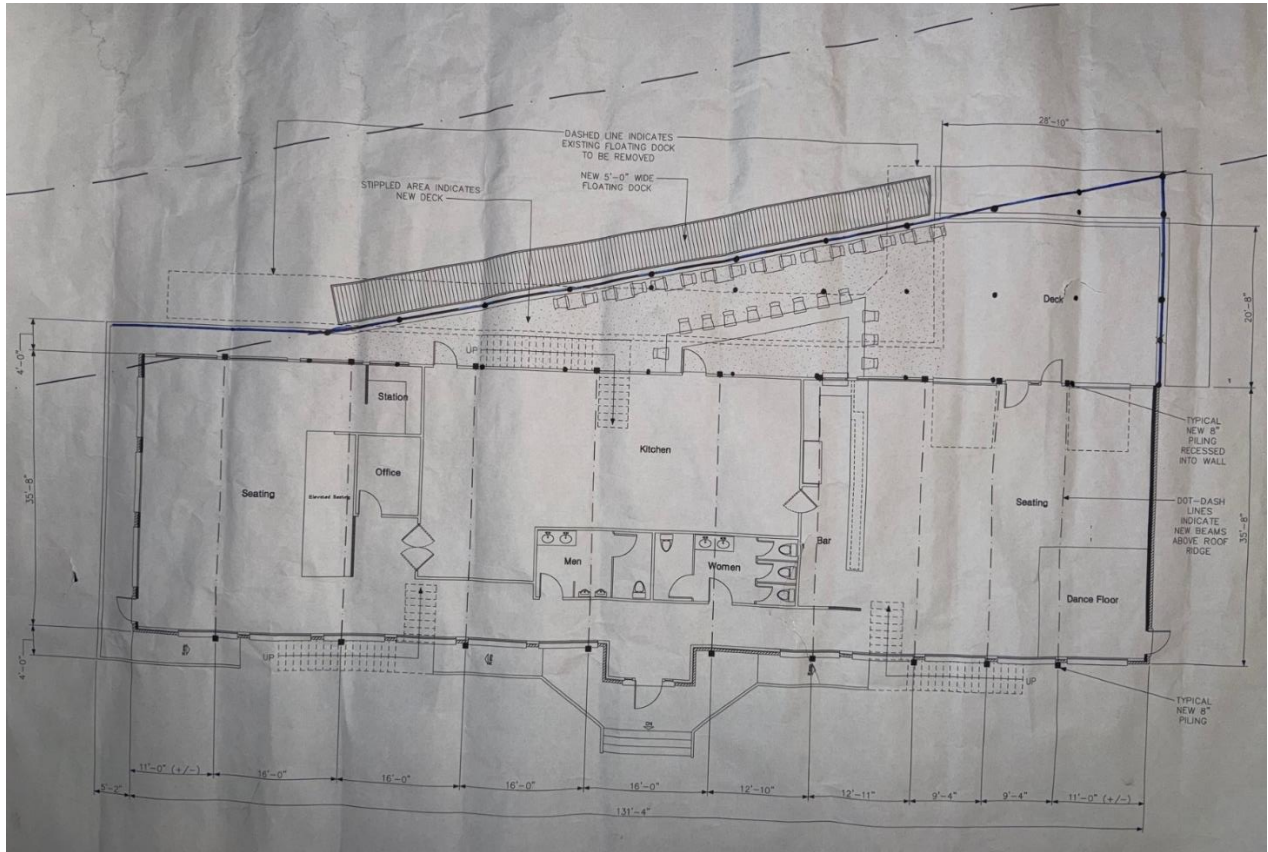
Fee: to be submitted with application in accordance with the Town's annually adopted Rates and Fee Schedule

Signature of Petitioner: [Signature] Date: 4/6/20

ATTACHMENT 2: HARBOR PHOTO



ATTACHMENT 3: PROPOSED FLOATING DOCK



LEGEND:

- IRON PIPE (NEW OR EXISTING)
- IRON ROD (NEW OR EXISTING)
- CENTERLINE CONTROL MONUMENT
- TURN IN PROPOSED PIERHEAD LINE
- PROPOSED PIERHEAD LINE
- OLD PIERHEAD LINE
- U. S. ARMY CORPS OF ENGINEERS SETBACK LINE
- CENTERLINE
- RIGHT OF WAY

NOTES:

- THE COORDINATES OF THE U. S. ARMY CORPS OF ENGINEERS SETBACK LINE WERE OBTAINED FROM THE WILMINGTON DISTRICT WEBSITE.
- CORNERS ARE IN DEEP WATER AND ARE NOT STAKED.
- ALL DISTANCES ARE HORIZONTAL FIELD MEASUREMENTS.
- AREA COMPUTED BY THE COORDINATE METHOD.
- THIS MAP PREPARED UNDER AUTHORITY OF CAROLINA BEACH ORDINANCE 12-900.

ATTACHMENT 4: PIERHEAD LINE

LATITUDE, LONGITUDE & COORDINATE LIST
FOR PROPOSED NEW PIERHEAD LINE

LABEL	LATITUDE	LONGITUDE	NORTHING	EASTING
"A"	34°03'25.979"	77°53'25.103"	113895.1102	2336144.0082
"B"	34°03'24.841"	77°53'24.810"	113590.5000	2336169.8000
"C"	34°03'24.333"	77°53'23.728"	113535.1000	2336261.5000
"D"	34°03'15.611"	77°53'21.244"	112650.6000	2336480.4000
"E"	34°03'03.385"	77°53'25.208"	111410.9000	2336153.1000
"F"	34°03'03.396"	77°53'25.303"	111408.9000	2336152.7000
"G"	34°03'03.398"	77°53'25.308"	111405.1000	2336152.3000
"H"	34°02'38.694"	77°53'26.040"	108913.1000	2336118.6000
"I"	34°02'18.854"	77°53'32.687"	106700.0000	2335983.6000
"J"	34°02'18.845"	77°53'32.690"	106699.1000	2335983.6000
"K"	34°02'13.579"	77°53'33.523"	106368.1000	2335951.7000
"L"	34°02'11.895"	77°53'34.173"	106197.3000	2335464.4000
"M"	34°02'11.895"	77°53'34.184"	106193.3000	2335463.5000
"N"	34°02'11.814"	77°53'34.187"	106189.1000	2335463.5000
"O"	34°02'11.772"	77°53'34.180"	106184.9000	2335463.5000
"P"	34°02'11.233"	77°53'34.183"	106180.9000	2335463.5000
"Q"	34°02'11.096"	77°53'34.143"	106177.2000	2335467.1000
"R"	34°02'11.663"	77°53'34.113"	106173.9000	2335469.7000
"S"	34°02'11.639"	77°53'34.078"	106171.1000	2335472.8000
"T"	34°02'11.613"	77°53'34.035"	106168.9000	2335476.3000
"U"	34°02'11.597"	77°53'33.989"	106167.3000	2335480.2000
"V"	34°02'11.403"	77°53'32.518"	106128.9000	2335804.4000
"W"	34°02'11.195"	77°53'32.435"	106128.1000	2335806.1000
"X"	34°02'11.191"	77°53'32.431"	106127.8000	2335811.5000
"Y"	34°02'11.195"	77°53'32.385"	106128.2000	2335815.6000
"Z"	34°02'11.203"	77°53'32.343"	106128.1000	2335819.2000
"AA"	34°02'11.218"	77°53'32.301"	106130.6000	2335822.7000
"BB"	34°02'11.237"	77°53'32.263"	106132.6000	2335825.9000
"CC"	34°02'11.262"	77°53'32.229"	106135.1000	2335828.7000
"DD"	34°02'11.290"	77°53'32.200"	106136.0000	2335831.1000
"EE"	34°02'11.322"	77°53'32.177"	106141.2000	2335833.0000
"FF"	34°02'11.356"	77°53'32.160"	106144.7000	2335834.4000
"GG"	34°02'13.540"	77°53'31.598"	106315.6000	2335687.3000
"HH"	34°02'13.051"	77°53'31.505"	106316.7000	2335687.6000
"II"	34°02'13.080"	77°53'31.496"	106318.6000	2335688.3000
"JJ"	34°02'13.108"	77°53'31.481"	106322.4000	2335688.7000
"KK"	34°02'13.121"	77°53'31.481"	106323.8000	2335688.7000
"LL"	34°02'16.563"	77°53'31.207"	106672.0000	2335708.7000
"MM"	34°02'23.804"	77°53'29.094"	107375.8409	2335878.7529
"NN"	34°02'32.448"	77°53'23.774"	108780.1199	2336310.7857
"OO"	34°02'57.089"	77°53'19.039"	110762.0433	2337023.5124
"PP"	34°03'10.350"	77°53'08.379"	112130.9811	2337568.8882
"QQ"	34°03'13.702"	77°53'18.192"	112468.3618	2338719.1428
"RR"	34°03'27.032"	77°53'21.706"	113804.7472	2336428.6492

CALL TABLE

Course	Bearing	Distance
"LL" - "KK"	S 00°00'00" E	1.40'
"KK" - "JJ"	S 08°07'48" W	2.83'
"JJ" - "II"	S 13°14'14" W	2.98'
"II" - "HH"	S 15°15'18" W	1.14'
"HH" - "GG"	S 17°11'57" W	178.90'
"GG" - "FF"	S 17°10'00" W	4.20'
"FF" - "EE"	S 30°41'59" W	3.72'
"EE" - "DD"	S 38°36'36" W	3.78'
"DD" - "CC"	S 47°59'41" W	3.77'
"CC" - "BB"	S 57°29'41" W	3.77'
"BB" - "AA"	S 65°59'28" W	3.67'
"AA" - "Z"	S 65°59'28" W	3.67'
"Z" - "Y"	N 02°43'35" E	4.20'
"Y" - "X"	N 02°43'35" E	4.20'
"X" - "W"	N 02°43'35" E	4.20'
"W" - "V"	N 02°43'35" E	4.20'
"V" - "U"	N 02°43'35" E	4.20'
"U" - "T"	N 02°43'35" E	4.20'
"T" - "S"	N 02°43'35" E	4.20'
"S" - "R"	N 02°43'35" E	4.20'
"R" - "Q"	N 02°43'35" E	4.20'
"Q" - "P"	N 02°43'35" E	4.20'
"P" - "O"	N 02°43'35" E	4.20'
"O" - "N"	N 02°43'35" E	4.20'
"N" - "M"	N 02°43'35" E	4.20'
"M" - "L"	N 02°43'35" E	4.20'
"L" - "K"	N 02°43'35" E	4.20'
"K" - "J"	N 02°43'35" E	4.20'
"J" - "I"	N 02°43'35" E	4.20'
"I" - "H"	N 02°43'35" E	4.20'
"H" - "G"	N 02°43'35" E	4.20'
"G" - "F"	N 02°43'35" E	4.20'
"F" - "E"	N 02°43'35" E	4.20'
"E" - "D"	N 02°43'35" E	4.20'
"D" - "C"	N 02°43'35" E	4.20'
"C" - "B"	N 02°43'35" E	4.20'
"B" - "A"	N 02°43'35" E	4.20'

POINT "OO" NAD 83(NSRS 2007) COORDINATES:
N = 110,796.5202
E = 2,336,315.7027

POINT "PP" NAD 83(NSRS 2007) COORDINATES:
N = 110,782.02891
E = 2,337,023.5610

N 72°14'56"W 484.29'
FROM THE WESTERMOST OF TWO EX. CONCRETE MONUMENTS TO POINT "PP", THE EXISTING CONCRETE MONUMENT IS IN THE CENTER OF CAROLINA BEACH AVENUE NORTH AND THE NORTHERN RIGHT OF WAY LINE EXTENDED OF STARFISH LANE.

CONTROL CORNER
EX. CONCRETE MONUMENT
NAD 83(NSRS 2007) COORDINATES:
N = 110,634.3895
E = 2,337,484.7493
C.S.F. = 0.9999034

STATE OF NORTH CAROLINA
I, Bob M. Jones, Jr., certify that this plat was drawn under my supervision from an actual survey made under my supervision from information found in the New Hanover Co. Registry, as noted hereon, that the ratio of precision as calculated is 1:10000+, that the boundaries not surveyed are clearly indicated and that this map was prepared in accordance with G.S. 42-20.1. Witness my hand and seal this 22nd day of OCTOBER, 2012.



I, Bob M. Jones, Jr., Professional Land Surveyor No. L-2977, certify that this plat is of a survey of another category, such as the recombinance of existing parcels, a court-ordered survey or other exception to the definition of subdivision.
Bob M. Jones, Jr.
Professional Land Surveyor
N.C. License No. L-2977
10-23-2012
Date



CERTIFICATE OF APPROVAL BY THE PLANNING AND DEVELOPMENT DEPARTMENT
The Carolina Beach Planning and Development Department hereby approves the Final Plat for a portion of the Pierhead Line in the Myrtle Grave Sound area.

10-23-2012
Date
Director

STATE OF NORTH CAROLINA
I, SAM BURGESS, Review Officer of NEW HANOVER County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

10-25-12
Review Officer
Date

STATE OF NORTH CAROLINA
Filed for registration on the 25th day of Oct., 2012, at 1:11 (P.M.) and duly recorded in Map Book 57, Page 169.

Register of Deeds
Donna H. Macneil



Text Amendment to Article 3 Section 3.19 of the UDO to allow for temporary structures beyond the pierhead line.

Applicant: Noelle Holdings LLC

Town Council
August 11, 2026

Background

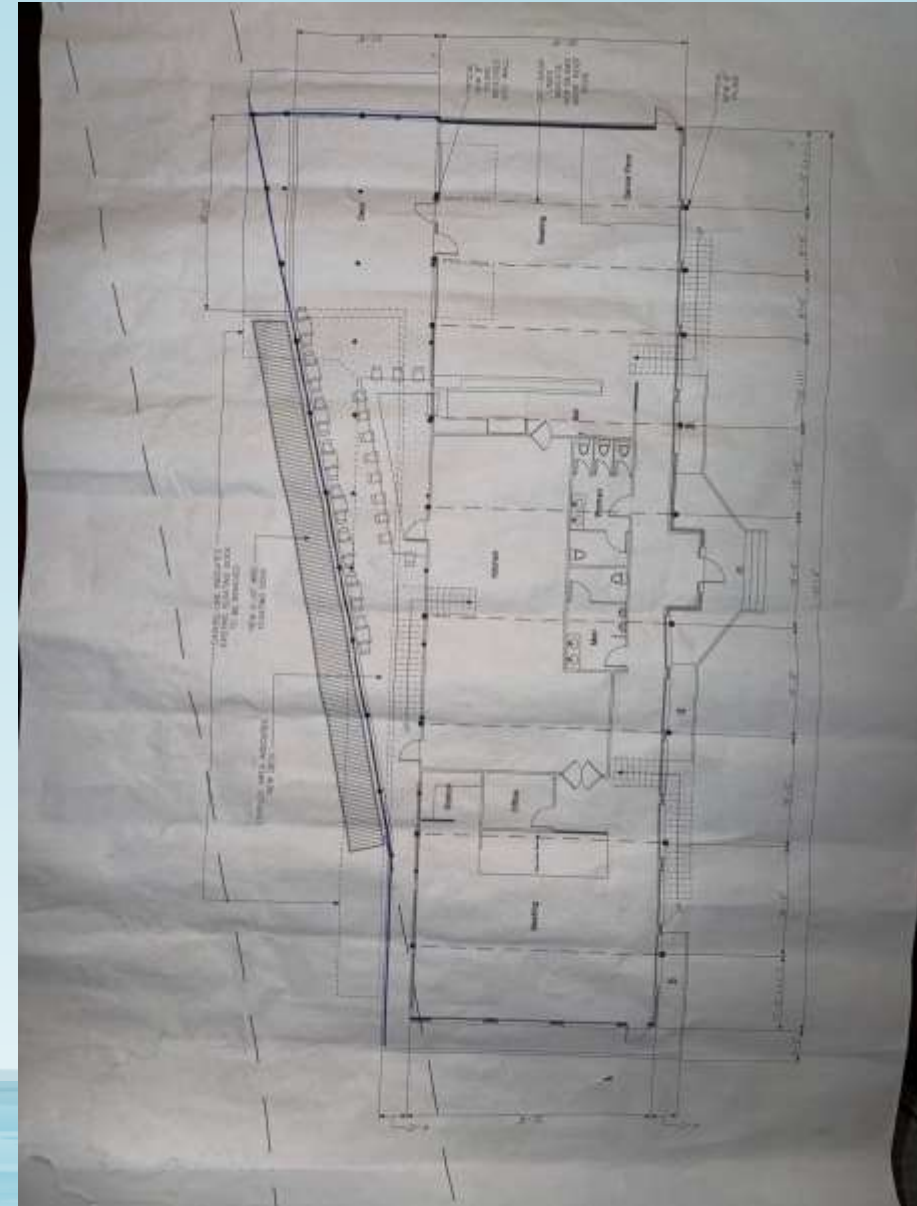
- Applicant owns Stoked Restaurant at 313 Canal Drive
- Proposed a floating dock five feet beyond the pierhead line
- Current ordinance does not allow any structures beyond the pierhead line



Existing



Proposed



Pierhead Line History

- Public, residential, and commercial properties adjacent to the boat basin have constructed docks over public trust waters. All such docks and piers shall comply with CAMA, USACE, and the pierhead line established by the Town.
- *Pierhead Line* means the regulatory boundary beyond which no portion of a pier or dock may extend within the Carolina Beach Boat Basin.
- Established in the early 1980's and amended in 2012.



Existing Ordinance

3.19 ESTABLISHMENT OF HARBOR AND PIERHEAD LINE

A. When applicable permits are obtained as by law required in the design and construction of piers and docks along the Intracoastal Waterway and Myrtle Grove Sound within the jurisdiction of the town, the following description shall be the proposed harbor and pierhead line which shall limit the extension of piers and docks to protect the general health and safety of the citizens who use these waters for commercial and recreational purposes:

1. Legal description of the revised pierhead line in the Myrtle Grove Sound Area for the Town of Carolina Beach.
2. Located in the Town of Carolina Beach, Federal Point Township, New Hanover County, State of North Carolina and being shown on a map entitled "Map of Proposed Revisions to the Carolina Beach Pierhead Line for the Town of Carolina Beach" as recorded in Map Book 57, Page 169 of the New Hanover County Registry.

Proposed Ordinance

B. Temporary floating structures extending beyond the pierhead line may be permitted to encroach up to five (5) feet in the CBD through conditional zoning. The structure shall comply with all federal, state, and local regulations.

Planning and Zoning recommended approval 5-0 with the addition of conditional zoning and permitted only in the CBD.

TRC Unanimously Opposed structures in the channel setback area

Item 11.

- 1. Reduces Public Trust Waters:** The pierhead line protects navigable waters and private usage for on water development
- 2. Public Safety:** The navigational channel will be narrowed at the tightest pinch point in an already congested area



TRC Comments

Item 11.

1. No way to enforce vessel beam sizes being parked inside the channel setback
2. Could see simultaneous docking on both sides of the basin,
3. In **2012** the Town established the pierhead line in conjunction with **USACE and the State Property Office to balance dock access, public trust rights, and navigation. The harbor has become substantially more congested since then.**
4. Federal agencies will not provide the operational enforcement to address identified concerns. The Town would need to develop/fund any enforcement with enabling authority built into Town Code.

Safety: The choke point created by extended docks over the pierhead line restricts necessary vessel maneuverability

Item 11.

1. Navigation Safety with daily traffic
2. 16 fireworks
3. Fishing Tournaments
4. Flotilla
5. Emergency Access
6. Neighboring marina impacts
7. 65' Transients
8. Two 59' License holders
9. 127 vessels on July 4th in Harbor

Land Use Plan other Long-Range Plans:

The text amendment is not in general conformity with the CAMA Land Use Plan or the Harbor Management Plan.

1. Harbor Management Plan:
 - Emphasizes establishing and enforcing the pierhead line to manage conflicts and maintain boating safety as recreational use increases
2. Land Use Plan Goals:
 - Balance access to Myrtle Grove Sound among commercial, sport-fishing, recreational, and transient boaters
 - Maintain and enhance accessibility to public trust waters and public recreational facilities



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 3.19 to allow for temporary structures beyond the pierhead line (Applicant or P&Z Option) 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 3.19 to allow for temporary structures beyond the pierhead line is inconsistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Community Development

MEETING: Planning & Zoning – July 9, 2026

SUBJECT: Text Amendment to Article 3 and Article 7 of the UDO to add dog grooming to the home occupation ordinance.
Applicant: Zoey Brass

BACKGROUND:

The applicant Zoey Brass has applied for a text amendment to allow for dog grooming as an allowable home occupation. The applicant is the owner of the Island Dog Grooming which is currently located at 915 N Lake Park Blvd Ste F. The applicant has proposed moving her business into her home. The current ordinance does not allow dog grooming as a home occupation.

Historical Context:

Home occupations have been an allowable use in the Town since the 1970's. The 1984 Ordinance included standards that exist in the current ordinance. Home occupations were allowed in all districts except for Industrial. The standards included that the home occupation must be secondary to the use of the dwelling, only 1 other employee that was not a resident of the premises, limited to 1/4th of the floor area, no display of products, and off-street parking shall be provided.

In 1990, the ordinance was amended to include that no traffic shall be generated, no equipment that produces noise, vibration, glare, fumes, or electrical interference is allowed. Additionally, instruction in music, dancing, or tutoring of up to 4 students was allowed in single-family dwellings only.

The last time the ordinance was updated was in 2003. In May, limits for commercial vehicles were adopted and in July home occupations could be in any residential dwelling, not just single-family homes. Neighboring communities have almost identical language to the Town and do not include specifics for dog/pet grooming as a home occupation.

Proposed Ordinance:

The proposed ordinance would allow for pet grooming in a completely enclosed indoor area and shall be limited to 4 animals at a time. Pet grooming will be defined as an establishment at which domesticated animals are bathed, clipped, trimmed, or shorn, or other such non-medical treatment is administered indoors, and no animals are kept on the premises overnight.

TRC COMMENTS:

The proposed ordinance was reviewed at the June 2nd TRC meeting. TRC supports the adoption of the ordinance. Staff informed the applicant that no signage would be allowed and a maximum of 25% of the footprint of the house can be dedicated to the business use. A building permit will be required for any renovations. Fire would require emergency lights, fire extinguishers, ADA bathroom and entrance, and areas not open to the public to be explicitly marked and sectioned off and labeled as private. An ADA parking space and entrance is required because there will be customers coming to the home.

LAND USE PLAN:

The proposed text amendment is in general conformity with the Land Use Plan. Local Concerns noted in the plan included considering ways to increase the ability of residents to work from home, through a review of allowances for home occupation business operations. Allow more people to work from home and reduce the need to commute off the island.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

Planning and Zoning recommended unanimous approval with the change that up to 4 animals are allowed at one time instead of 2 as originally proposed by staff.

MOTION:

Approval – to amend Unified Development Article 3 and 7 to allow for dog grooming as a home occupation.

Denial – to amend Unified Development Article 3 and 7 to allow for dog grooming as a home occupation.

ATTACHMENTS:

1. Application
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: Zoey Ann Brass Phone #: (910) - 599 - 0764

Street Address: 100 Moorefield Dr

City: Carolina beach State: NC Zip: 28428

Email: [REDACTED]

REQUESTED TEXT AMENDMENT

Town Code Section(s) Requested to be Amended: 3.6.D. Home occupations

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:

I'm proposing, hopefully allow dog grooming out of my home.

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:  Date: 5-20-2026

2026 Submission Deadlines & Meeting Dates

Technical Review Committee		Planning & Zoning Commission		Town Council	
Submission	Meeting	Submission	Meeting	Submission	Meeting
23-Dec-25	6-Jan	26-Jan	12-Feb	24-Feb	10-Mar
20-Jan	3-Feb	23-Feb	12-Mar	31-Mar	14-Apr
17-Feb	3-Mar	23-Mar	9-Apr	28-Apr	12-May
24-Mar	7-Apr	27-Apr	14-May	26-May	9-Jun
21-Apr	5-May	22-May	11-Jun	30-Jun	14-Jul
19-May	2-Jun	22-Jun	9-Jul	28-Jul	11-Aug
23-Jun	7-Jul	27-Jul	13-Aug	25-Aug	8-Sep
21-Jul	4-Aug	24-Aug	10-Sep	29-Sep	13-Oct
18-Aug	1-Sep	21-Sep	8-Oct	27-Oct	10-Nov
22-Sep	6-Oct	26-Oct	12-Nov	24-Nov	8-Dec
20-Oct	3-Nov	23-Nov	10-Dec	Jan 2027	Jan 2027
17-Nov	1-Dec	Dec-26	Jan 2027	Feb 2027	Feb 2027
22-Dec	Jan 2027	Jan 2027	Feb 2027	Mar 2027	Mar 2027

:

Ordinance 26-1290

Town of Carolina Beach
Town Council



AN ORDINANCE TO ADD DOG GROOMING TO THE HOME OCCUPATION ORDINANCE

3.6 ACCESSORY USE STANDARDS

D. HOME OCCUPATIONS, CUSTOMARY

1. Home occupations shall adhere to the following regulations:
 - a) The use of the dwelling unit for a home occupation shall be clearly incidental and subordinate to its use for residential purpose by its occupants, and not more than 25% of the floor area of a single level of the dwelling unit shall be used in the conduct of the home occupation.
 - b) No home occupation shall be conducted in any accessory building.
 - c) There shall be no change in the outside appearance of the building or premises, or other visible evidence of the conduct of such home occupation.
 - d) No traffic shall be generated by such home occupation in greater volumes than would normally be expected in a residential neighborhood. A resident of the premises may park only one (1) commercial vehicle with manufacturer's rating of not more than 2,000 pounds or a payload capacity of 6,000 pounds off-street for use in the home occupation. Vehicles used primarily as passenger vehicles, including pickup trucks and step-type vans only, shall be permitted in connection with the conduct of the customary home occupation.
 - e) Any need for parking generated by the conduct of such home occupation shall be restricted to the property boundaries.
 - f) Only one (1) person other than members of the family residing on the premises shall be engaged in such occupation.
 - g) No equipment or process shall be used in such home occupation, which creates noise, vibration, glare, fumes, or electrical interference detectable to the normal senses off the lot. In the case of electrical interference, no equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises or causes fluctuations in line voltages off the premises.
 - h) No display of products shall be visible from off-site and the selling of merchandise or the manufacture of merchandise for sale, except baking, sewing, and/or handicrafts normally made in the home is prohibited.
 - i) Instruction in music, dancing, or tutoring of academic subjects shall be limited to four (4) students at a time.

Ordinance 26-1290

Town of Carolina Beach
Town Council

- j) Home occupations are restricted to residential dwellings and limited to office, off-site services, on-site sales/manufacturing. Home occupations shall not include day nurseries, day care centers, adult day care centers, day care home, preschool, or drop-in child care.
- k) Pet grooming shall be permitted only in a completely enclosed indoor area and shall be limited to four (4) animals at a time.

7.3 DEFINITIONS

Home occupation means an occupation for gain or support customarily conducted on the premises by a person or family residing thereon.

Pet grooming means an establishment at which domesticated animals are bathed, clipped, trimmed, or shorn, or other such non-medical treatment is administered indoors, and no animals are kept on the premises overnight.

Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 11th day of August, 2026.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk



Text Amendment to Articles 3 and 7 of the UDO to allow for dog grooming in the home occupation ordinance.

Applicant: Zoey Brass

Town Council
August 11, 2026

Background

Item 12.

- Applicant owns Island Dog Grooming currently located at 915 N Lake Park Blvd Ste F
- Applicant proposed moving the business to her home
- Current ordinance does not allow dog grooming as a home occupation



Historical context

Item 12.

- 1970's – allowable use
- 1984 –language mirrors existing today
- 1990 – added language that no traffic shall be generated, no equipment that produces noise, vibration, glare, fumes, or electrical interference, and instruction in music, tutoring, or dance of up to 4 students is allowed.
- 2003 – limits for commercial vehicles and allowed in all dwelling units, not just single-family homes
- Neighboring communities have similar home occupation language but are silent on pet grooming



Existing Ordinance

Home occupation means an occupation for gain or support customarily conducted on the premises by a person or family residing thereon.

Allowable uses include:

- Baking
- Sewing
- Handicrafts
- Instruction in music, dance, or academic tutoring (4 students max)
- Home office uses
- Off-site services
- Limited on-site sales/manufacturing

Standards:

- No more than 25% of the floor area
- Shall not be conducted in an accessory building
- No change in outside appearance
- No traffic generation
- Off-street parking required
- 1 employee other than a family member
- No equipment that produces noise, vibration, glare, electrical interference
- No display of products visible off-site

Applicant's Proposed Ordinance

Item 12.

Standard:

Pet grooming shall be permitted only in a completely enclosed indoor area and shall be limited to **four (4)** animals at a time.

Definition:

Pet grooming means an establishment at which domesticated animals are bathed, clipped, trimmed, or shorn, or other such non-medical treatment is administered indoors, and no animals are kept on the premises overnight.



TRC Comments

Item 12.

- Supports adoption of the ordinance
- No signage allowed
- Maximum 25% footprint dedicated to business use
- Building permit required for renovations/change of use for Fire and ADA improvements



Land Use Plan other Long-Range Plans:

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

LC-5.1.b Consider ways to increase the ability of residents to work from home, through a review of the allowances for home occupation business operations. Allow more people to work from home and reduce the need to commute off the island.

Planning and Zoning recommended unanimous approval.

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 and Article 7 to allow for dog grooming in the home occupation ordinance 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 and Article 7 to allow for dog grooming in the home occupation ordinance is inconsistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.



AGENDA ITEM COVERSHEET

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

MEETING: Town Council – August 11, 2026

SUBJECT: Consider a Zoning Map Amendment and Text Amendment to Art. 3 of the UDO to rezone 204 Cape Fear, 206 – 217 Cape Fear, and 3 S Third St from Mixed Use (MX) to a new zoning district called Commercial Transition (CT). Applicant: Town of Carolina Beach

Applicant: Town of Carolina Beach

BACKGROUND:

During recent discussions with the Planning & Zoning Commission staff have evaluated whether the existing MX zoning on the 200 block of Cape Fear Boulevard remains appropriate for the area's long-term vision and redevelopment potential. Staff is proposing a new CT Commercial Transition district intended to support mixed-use redevelopment while providing a transition between the Boardwalk commercial area and nearby residential neighborhoods.

The subject area is currently zoned Mixed Use (MX). Existing uses include three single-family residences, four vacant lots and/or surface parking lots, two retail establishments, and one motel. The block includes on-street parking, sidewalks, street trees, and walkable access to the central business district and beach.

Proposed Commercial Transition District

The proposed UDO amendments would establish the CT district and revise Article 3 as follows:

- Sections 3.2 and 3.3: establish the CT district and its purpose and intent.
- Section 3.4: add CT to the Table of Uses, exclude bars, and address parking lots serving principal uses located in another commercial district.
- Section 3.13: establish CT dimensional standards.
- Section 3.27: require a Type A, five-foot landscape buffer where CT property abuts an existing residential use.
- Section 3.31: apply commercial/nonresidential signage standards to the CT district.

Key Dimensional Standards

Standard	Proposed CT Requirement
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Minimum lot size / width	5,000 square feet / 50 feet
Front / rear setback	5 feet
Side setback	None, or the same as the abutting residential district
Maximum residential density	29 units per acre
Maximum height	50 feet; additional height may be considered through Conditional Zoning, subject to applicable requirements
Maximum lot coverage	60 percent
Maximum impervious coverage	65%

Planning and Zoning Commission Review

The Commission discussed the proposal at two meetings and conducted a public hearing. Staff revised the proposed CT district to respond to Commission comments while maintaining consistency with the Town's adopted Land Use Plan. The review included:

- Infrastructure-capacity concerns.
- Removal of no impervious surface maximums
- Conditional Zoning as a possible alternative that could pair additional development rights with a specific plan and site-specific conditions.
- Removal of bars as a permitted use in the CT district.
- Side-setback and landscape-buffer requirements where CT property adjoins residential zoning districts or residential uses.

On July 9, 2026, the Commission voted 4–1 to table the matter for further consideration. The Commission did not forward a recommendation of approval or denial.

Staff Recommendation

Staff recommends approval of the proposed Unified Development Ordinance text amendments and the associated zoning map amendment establishing the Commercial Transition (CT) zoning district.

Land Use Plan Consistency

The adopted Land Use Plan designates the area Mixed Use Commercial and distinguishes it from surrounding areas. The plan envisions higher-density development; a mixture of residential and commercial uses; active ground-floor commercial space with residential uses above; a pedestrian-oriented environment; and potential building heights of four to five stories. Several parcels remain vacant, underutilized, or developed at lower intensities than contemplated by that designation.

Staff finds the proposed CT district consistent with the Mixed Use Commercial designation because it preserves opportunities for higher-density, mixed-use, pedestrian-oriented redevelopment. Staff also finds the proposal reasonable and in the public interest because it adds transition measures—including exclusion of bars, residential setbacks, and landscape buffering—intended to reduce potential conflicts with adjacent neighborhoods.

ACTION REQUESTED:

Consider recommending approval, denial or modifying of the text & map amendment.

MOTION:

Approval - whereas in accordance with the provisions of the NCGS, the Council does hereby find and determine that the adoption of the Zoning Map Amendment and Text Amendment to Art. 3 of the UDO to rezone 204 Cape Fear, 206 – 217 Cape Fear, and 3 S Third St from Mixed Use (MX) to a new zoning district called Commercial Transition (CT) is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

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

3.2 ZONING DISTRICTS ESTABLISHED

To regulate the height and size of buildings; to regulate the intensity of land usage; to regulate areas for open space; to regulate the location of land uses; to provide for the improved environment; and to promote the health, safety, and general welfare of its citizens, the town and its extraterritorial planning jurisdiction are hereby divided into the following zoning districts:

Table 3.1: Zoning Districts	
District	General Purpose
R-1	Residential District
R-1B	Residential District
R-2	Residential District
R-3	Residential District
C	Conservation District
MH	Residential, Manufactured Home District
MF	Residential, Multifamily District
MX	Mixed Use, Transitional District
CT	Commercial Transition
CBD	Central Business District
NB	Neighborhood Business District
HB	Highway Business District
MB-1	Marina Business District
T-1	Tourist District
I-1	Industrial District
FP	Floodplain Overlay District
HOD	Height Overlay District

3.3 ZONING DISTRICTS DESCRIBED

- A. R-1, Residential District (Single- and Two-family Dwellings).
 - 1. Purpose. The R-1 district is established to provide for moderate to high-density single-family and two-family residential use.
 - 2. Intent. The regulations of this district are intended to discourage any use which, because of its character, would not be in harmony with the residential community and which would be detrimental to the residential quality and value of the district.
- B. R-1B, Residential District (Single-family Dwellings).
 - 1. Purpose. The R-1B district is established to provide for moderate density, single-family residential use.
 - 2. Intent. The regulations of this district are intended to discourage any use which, because of its character, would not be in harmony with the residential community and which would be detrimental to the residential quality and value of the district.
- C. R-2, Residential District (Single-family Dwellings).
 - 1. Purpose. The R-2 district is established to provide for moderate density single-family residential use and other compatible uses.
 - 2. Intent. The regulations of this district are intended to discourage any use which, because of its character, would not be in harmony with the residential community and which would be detrimental to the residential quality and value of the district.
- D. R-3, Residential District (Single-family Dwellings).
 - 1. Purpose. The R-3 district is established to provide for moderate to low density single-family residential use and other compatible uses.
 - 2. Intent. The regulations of this district are intended to discourage any use which, because of its character, would not be in harmony with the residential community and which would be detrimental to the residential quality and value of the district.
- E. C, Natural Resources Conservation District.
 - 1. Purpose. This district is established to preserve the economic, aesthetic, and unique and irreplaceable natural resource assets of the land, vegetation, surface waters, and underground waters of this district, while also providing for an environmentally compatible setting for appropriately designed and located single-family residential development. In doing so, the public health and safety and welfare shall be preserved.
- F. MF, Multifamily Residential District.
 - 1. Purpose. This district is established to provide for moderate to high-density single-family and multifamily residential uses and other compatible uses of varying types and designs. It functions as an alternative housing type near or in direct relationship to single-family detached housing while in harmony with and maintaining the integrity of the residential district.
 - 2. Intent. The regulations of this district are intended to discourage any use which, because of its character, would not be in harmony with the residential community and which would be detrimental to the residential quality and value of the district.
- G. MH, Residential District (Mobile Homes, Single- and Two-family Dwellings).

1. Purpose. This district is established to provide for moderate to high-density mobile home, single, and two-family residential uses and other compatible uses.
 2. Intent. The regulations of this district are intended to discourage any use which, because of its character, would not be in harmony with the residential community and which would be detrimental to the residential quality and value of the district. [Note—The connection of mobile homes to form multiple units is prohibited.]
- H. MX, Mixed Use Transitional District.
1. Purpose. This district is established to provide for an area of transitional land uses between intensified use districts or elements and residential districts. This district includes an area of mixed land uses between the intensive, commercial, central part of town and the quiet residential areas and may also be employed as a transitional area between busy major thoroughfares and quieter residential areas.
 2. Intent. The regulations of the district seek to maintain a modest scale of structures, as well as a pedestrian-oriented nature, so that uses in the district may provide a suitable transition from commercial to residential areas. Permitted uses include a mixture of single-family homes, two-family dwellings, and small-scale office and institutional uses. Small hotels and motels and multifamily housing of modest density and size may also be permitted in this district.
- I. T-1, Tourist District.
1. Purpose. This district is established to provide land for the town's tourist industry, and as a complementary district to the CBD Central Business District.
 2. Intent. The primary land uses intended for this zoning district are moderate- to high-density residential development, as well as hotels, motels, and restaurants.
- J. NB, Neighborhood Business District.
1. Purpose. This district is established to accommodate and provide for the development of small, pedestrian-oriented shopping and service activities providing necessity goods and personal services to the immediate neighborhood. This district also provides for single-family detached homes and related residential uses. Such districts should be located at the intersection of a major street or collector. Uses in NB districts should have architecture and site layouts which are compatible with nearby residential structures and uses.
 2. Intent. The regulations of this district are intended to discourage any use which, because of its character, would not be in harmony with the residential community or which would be detrimental to the surrounding residential uses.
- K. CBD, Central Business District.
1. Purpose. This district is established to accommodate, protect, rehabilitate, and maintain the traditional Central Business District and boardwalk area of the town. This area accommodates a wide variety of pedestrian-oriented, commercial and service activities, including retail, business, office, professional, financial, entertainment, and tourism.
 2. Intent. The regulations of this district are intended to encourage the use of land for concentrated development of permitted uses while maintaining a substantial relationship between land uses and the capacity of the town's infrastructure. Developments which would significantly disrupt the historic balance between pedestrians and automobiles within the district, thereby destroying the pedestrian-oriented nature of the area, are specifically discouraged. Large, off-street parking areas are encouraged to locate outside the district. Similarly, buildings and structures should have pedestrian-oriented activities at ground level.
- L. HB, Highway Business District.

1. Purpose. This district is established to accommodate businesses oriented toward the motoring public and which require a high volume of traffic.
 2. Intent. The regulations of this district are intended to support businesses that serve the entire community and beyond. For the most part, they are located on major thoroughfares so that they can be conveniently reached by automobile and to avoid sending heavy automobile traffic through smaller streets or residential areas. Certain wholesale activities are also permitted in HB district.
- M. MB-1, Marina Business District. This district is established to reserve areas along the water's edge for maritime uses, water dependent uses, and water-oriented uses. This district also provides for certain residential and other non-water dependent uses which are closely aligned with water-oriented uses. Land uses, which would wall off the public from public trust waters, are specifically discouraged.
- N. CT, Commercial Transitional District
1. Purpose. This district is established to provide for an area of transitional land uses between intensified use districts or elements and residential districts. This district includes an area of mixed land uses between the intensive, commercial, central part of town and the quiet residential areas and may also be employed as a transitional area between busy major thoroughfares and quieter residential areas.
 2. Intent. The regulations of the district seek to maintain a modest scale of structures, as well as a pedestrian-oriented nature, so that uses in the district may provide a suitable transition from commercial to residential areas." The district permits a mix of residential, small-scale office, retail, lodging, and moderate-density multifamily uses that are compatible with adjacent neighborhoods.
- ~~N~~ O. I-1, Industrial District. This district is established to provide for warehousing, storage, and light industrial activities compatible with a small, tourist-oriented, environmentally sensitive, coastal community. Light industries are generally characterized as having small physical plants, lower land requirements, and higher worker-to-land ratios. Such industries typically generate few objectionable impacts in terms of noise, lights, heavy truck traffic, fumes, smoke, dust, odor, or other similar characteristics. Furthermore, any negative environmental impacts associated with these industries may generally be mitigated through proper site planning, buffering, and operations management. This district is located in areas that are readily accessible from major thoroughfares, so as to minimize traffic impacts on non-industrial areas of the community.
- ~~O~~ P. FP, Floodplain Overlay District.
1. Purpose; intent. The 100-year floodplain as depicted on the latest National Flood Insurance Program's (NFIP) flood insurance rate map is hereby incorporated by reference as part of the official zoning map for the town. Development within the 100-year floodplain must conform with all provisions of Article 5, Flood Damage Prevention. It is the intent of the Town Council to promote the public health, safety, and general welfare and to minimize public and private losses due to flood conditions in Special Flood Hazard Areas (SFHA) through compliance with Article 5, Flood Damage Prevention.
- ~~P~~ O. Height Overlay District (HOD). This district is established to preserve the character of the town's traditional single-family residential neighborhoods. This area can be described as having a high concentration of permanently occupied homes in comparison to seasonal units. The regulations of this district limit height to 45 feet.

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

3.13 DIMENSIONAL REQUIREMENTS

A. GENERAL

1. The following dimensional standards shall be regarded as the minimum required for each zoning district. The minimum lot sizes, widths, setbacks, or other open spaces required by this ordinance, including those provisions regulating intensity of use, for each and every building hereafter erected or structurally altered shall not be encroached upon, unless specifically authorized by this ordinance.
2. The location of required front, side, and rear setbacks on irregularly shaped lots shall be determined by the UDO Administrator. Such determinations shall be based on the spirit and intent of the district regulations to achieve spacing and locations of buildings or groups of buildings on individual lots. This provision shall be adhered to, particularly in the case of lots which have lost land surface area due to the actions of tidal waters.

Table 3.3 Dimensional Standards for Lots and Principal Structures, Residential Districts									
Zoning District	Min. Lot Size (square feet)	Min. Lot Width (feet)	Min. Front Setback (feet)	Min. Rear Setback (feet) [2]	Min. Side Setback (feet) [2][3]	Residential Max. Density	Max. Height (feet) [1]	Max. Lot Coverage	Max. Impervious Coverage
R-1	5,000	50	20	10	7.5	15 units/acre	50 [4]	40%	65%
R-1B	5,000	50	20	10	7.5	8.7 units/acre	50	40%	65%
R-2	7,000	70	25	10	7.5	6.2 units/acre	45	40%	65%
R-3	12,000	80	25	10	7.5	3.6 units/acre	40	40%	65%
C	80,000	200	30	20	20	0.5 units/acre	50	15%	65%
MH	5,000	50	20	10	7.5	15 units/acre	50	40%	65%
MF	5,000	50	10	10	7.5	17 units/acre	50	40%	65%

1. Maximum height may differ if the structure is located within the height overlay district contained on the town's official zoning map.
2. Landscaping buffer requirements of this ordinance may be greater than the required side or rear yard setbacks.
3. All corner lots shall not have less than a 12.5 foot setback on a side street lot line.
4. The building height maximum may be exceeded by up to eight (8) feet when renovating existing multi-family residential structures of more than 35 units when the additional height is directly attributable to ensuring compliance with the North Carolina Elevator requirements for adequate overhead clearance. Building height allowance does not include elevator equipment.

Table 3.4 Dimensional Standards for Lots and Principal Structures, Other Districts

Zoning District	Primary Permitted Uses	Min. Lot Size (square feet)	Min. Lot Width (feet)	Min. Front Setback (feet)	Min. Rear Setback (feet) [2]	Min. Side Setback (feet) [2][3]	Residential Max. Density	Height (feet) [1]	Max. Lot Coverage	Max. Impervious Coverage
CBD	Commercial Uses and Services, Entertainment	None	None	None	None, or same as abutting residential district	None, or same as abutting residential district	NA	50 [4]	None	None
NB	Single-family, Neighborhood Goods and Services	5,000	50	20	10	7.5	8.7 units/acre	50	40%	65%
HB	Highway Commercial	10,000	100	30	15, or 20 if abutting a residential district	10	NA	50	60%	None
MB-1	Water-Oriented Businesses, Single-family/Two-family	10,000	100	30	10	10	17 units/acre	50	40%	65%
MX	Residential, Commercial Services, Tourism Accommodations	5,000	50	20	10	7.5	17 units/acre	50	40%	65%
CT	Commercial Services, Residential	5,000 sq. ft.	50	5	10	None, or same as abutting residential district	29 units/acre	50	60%	65%
T-1	Hotels and Motels 15 units or less	20,000	100	20	10	7.5	32 units/acre	50	40%	80%
	Hotels and Motels Greater than 15 units	25,000	50	20	10	7.5	60 units/acre	50	40%	80%

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(Supp. No. 25)

	Restaurants/Businesses	6,000	50	20	10	7.5	N/A	50	40%	80%
	Residential	6,000	50	20	10	7.5	29 units/acre	50	40%	80%
I-1	Industrial	None.	50	30	None. 20 if lot line abuts a residential district.	None. 20 if lot line abuts a residential district.	None	50	None	80%

1. Maximum height may differ if structure is located within the height overlay district contained on the town's official zoning map.
2. Landscaping buffer requirements of this ordinance may be greater than the required side or rear yard setbacks.
3. Except within the CBD district, all corner lots shall not have less than a 12.5 foot setback on a side street lot line.
4. In the CBD district, the maximum 50-foot height limitation may be exceeded for sprinklered structure(s) which shall be subject to a conditional zoning approval.

B. ADDITIONAL DIMENSIONAL REQUIREMENTS

1. In addition to the dimensional standards set forth by zoning district, the following special dimensional standards are established:
 - a) Corner lots. Except within the CBD district, all corner lots shall not have less than a 12.5 foot setback on a side street lot line. Accessory structures on corner lots shall also be subject to this requirement.
 - b) Front setbacks on through lots. On through lots, the minimum front setbacks for the respective zoning districts shall apply wherever such lots have frontage on a street.
 - c) Sight distance at intersections. On corner lots abutting to vehicular traffic rights-of-way, no planting, fence, wall, sign, or structure or other type of obstructions not specifically exempted shall be permitted in the space between 30 inches above ground level and 10 feet above ground level within a sight distance triangle that abuts a right-of-way. A sight distance triangle shall be the visually unobstructed area of a street/driveway corner as determined by measuring a distance of 30 feet along the intersecting curb lines, or edges of pavement of the intersecting street/driveway if curbs are not present, and connecting the two (2) points by a straight line to form a triangular shaped area over the corner. One (1) support post not to exceed five (5) square feet may be utilized in the sight triangle to support the cantilever floors above. Structures deemed essential for public utilities, as determined by the Public Works or Public Utilities Director, may be exempt.
 - d) Jurisdictional wetlands shall not be considered a part of a lot or open space for the purpose of meeting open space or density requirements, except where modified (i.e., filled or drained) by permission from U.S. Army Corps of Engineers or the state division of coastal management.

C. REDUCTION OF FRONT YARD SETBACK

1. A front yard setback may be reduced to no less than the calculated average front yard setback distance for existing buildings on all lots located wholly or partly within 200 feet, as measured from each side lot line, of the subject property. Calculating the average front yard setback shall be subject to the following criteria:
 - a) All lots being in the same zoning district.
 - b) All lots shall front on the same side of the same street.
 - c) All lots shall be considered as having the minimum required front yard setback if the lot is vacant.
 - d) In no instance shall the calculated average front yard setback be reduced to less than 50% of the required setback.

D. SETBACK EXCEPTIONS

1. Allowable intrusions into required yard setbacks. Any structure or portion of a structure may be located within a setback area up to 30 inches above the ground level of the graded lot. Examples include a platform deck without guardrails, a raised wooden sidewalk, and/or pool decking.
2. It is not the intent of this provision to allow or encourage structures to overbuild on lots but, rather, to provide for minor architectural embellishments and necessary mechanical appurtenances within required setbacks that are consistent with the State Building Code.

Table 3.5 Setback Exceptions	
Type	Distance of allowed encroachment (feet)
Heating and air conditioning units, heat pumps and meters with or without platforms	4

Utility platform stairs and support post	3
Cantilevered architectural features cumulatively not more than 25% per side of the building*	2.5
Roof overhangs	2.5
Roof overhangs with cantilevers	3
Termination of a set of stairs	2.5
Outdoor shower enclosures	4
Electric car charging station	4

*Cantilevers, excluding roof overhangs, shall be the only intrusion in the table above that is used in determining lot coverage. In addition, where front setbacks have been reduced as result of this article, no front cantilevers shall be allowed.

3. Fences, walls, poles, posts, and other customary yard accessories, ornaments, and furniture may be permitted in any yard setback.
4. One (1) trellis may be permitted per lot that encroaches into a setback area as long as it meets the following regulations:
 - a) Maximum trellis height nine (9) feet.
 - b) Twenty-four inches spacing between all horizontal cross rafters on the top of the trellis with no other temporary or permanent structural members allowed, including lattice, cloth, fabric canvas, etc.
 - c) Vertical supports shall not occupy more than 10% per side of the structure. The purpose of this condition is to maintain openness of the trellis structure.
 - d) A trellis shall be freestanding with no connections to other structures.
 - e) A trellis may encroach four (4) feet into either the side or rear yard, but not both.
 - f) Where a trellis is placed in the side yard, the rear yard setback for that zoning district shall be observed. Where a trellis is placed in the rear yard, the side setback for that zoning district shall apply.

E. HEIGHT REGULATIONS

1. With the exception of a conditional zoning proposal within the CBD zoning district, structures shall not exceed 50 feet in height.
2. Within the CBD zoning district, any proposed structure which exceeds 50 feet in height shall be equipped with sprinkler fire suppression systems, and plans of said proposal shall be submitted for review and approval as a conditional zoning request.
3. Structures in the height overlay district as defined by the official town zoning map shall not exceed 45 feet in height.
4. Exceptions to height requirements. Exceptions to the building heights are as follows:
 - a) Regulations, including height limitations, for wireless telecommunication towers and facilities as provided in this ordinance.
5. Setback requirements for structures exceeding maximum height regulations. Setbacks may be increased as a condition of approval for structures exceeding maximum height requirements. Where structures are permitted to exceed the 50 feet maximum height regulation the following shall apply:

- a) The minimum required front setback shall be increased by one (1) foot for each foot in height exceeding the maximum height requirements.
- b) The minimum required side setback shall be increased by one (1) foot cumulatively for each foot in height exceeding the maximum height requirements.

F. DEVELOPMENT LINE AND/OR CAROLINA BEACH BUILDING LINE

No individual or privately owned structure shall encroach over the Carolina Beach Development Line as recorded in deed book 62, page 145 in the New Hanover County Register of Deeds. Allowed exceptions are limited to beach crossovers, piers, and sand fencing permitted under CAMA regulations. This is the oceanfront setback line required for the Town of Carolina Beach.

G. STRUCTURAL BEACH CROSSOVER

1. Structural Beach Crossover. It is the intent of this section to recognize that there is a need for allowances to be granted to protect the dunes system with proper location and design of structures while preserving scenic and natural ecological conditions of the barrier dune and beach systems. Structural beach crossover shall be permitted across sand dunes so long as they are designed and constructed in a manner that entails negligible alteration on the sand dune subject to the following regulations:
 - a) The crossover shall be no greater than six (6) feet in width.
 - b) Height above grade shall be at least 12 inches, but no more than an average of 18 inches.
 - c) Handrails and guardrails shall be open on any private access and shall be limited to 42 inches in height, unless otherwise required by the State Building Code.
 - d) Horizontal development shall meet the following:
 - i) Maximum 200 square feet west of the CAMA static vegetation line.
 - ii) Maximum 40 square feet east of the CAMA static vegetation line.
 - iii) Horizontal development shall not cumulatively exceed 200 square feet.
 - e) East of the CAMA static vegetation line, no vertical development shall be allowed with the exception of handrails up to 42 inches.
 - f) The crossover shall be raised on posts or pilings of five (5) feet or less depth, so that wherever possible only the posts or pilings touch the frontal dune.
 - g) Public crossovers, municipal boardwalks, and fishing piers are exempt from the beach crossover requirements.

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

3.4 TABLE OF USES

- A. Generally. Table 3.2 sets forth the permitted, conditional zoning, and special uses allowed in each zoning district.
1. Permitted by right (P). The letter "P" in the zoning district column opposite the listed use means the use is permissible by right in the zoning districts in which it appears.
 2. Permitted use with standards (PS). Uses with additional standards are denoted with a "PS."
 3. Conditional zoning (CZ). The letters "CZ" in the zoning district column opposite the listed use means that conditional zoning, as set forth in Section 2.21 of this ordinance, must be obtained before the use may be created. Use standards may also be required for certain conditional zoning uses.
 4. Special use permit (S). The letter "S" in the zoning district column opposite the listed use means that a special use permit, as set forth in Section 2.14(C) of this ordinance, must be obtained before the use may locate in the district in which it appears.
 5. Prohibited. A use specifically prohibited in the table of permissible uses for every zoning district. Any use listed as prohibited has been reviewed and considered as having a detrimental impact on the health and safety of the community.
- B. Use designation.
1. If a "P" or "CZ" or "PS" does not appear in a zoning district column opposite a listed use, the use is not permitted in that zoning district.
 2. Uses not listed. The uses listed may not address all possible uses. In determining if a use is permitted, the UDO Administrator shall consider which category of expressed uses most closely matches the use proposed and apply the regulations pertaining to that category to the proposed use. No interpretation shall be made which would change the character of a zoning district relative to the purpose of such zoning district and the other uses allowed.
 - a) Interpretation of unlisted uses. Where a proposed use is not specifically listed in the table of permissible uses, the UDO Administrator may permit the proposed use upon a determination that the proposed use has an impact similar in nature, function, and/or duration similar to another permitted use listed in the table of permissible uses. The UDO Administrator shall give due consideration to the purpose and intent statements in this section concerning the base zoning district(s) involved, the character of the uses specifically identified, and the character of the use(s) in question.
 - b) Standards for determining unlisted uses. In determining the use which most closely matches the proposed use, the UDO Administrator shall consider all relevant characteristics of the proposed use, including but not limited to the following:
 - i) The volume and type of sales, retail, wholesale, etc.
 - ii) The size and type of items sold and nature of inventory on the premises.
 - iii) Any processing done on the premises, including assembly, manufacturing, warehousing, shipping, distribution.
 - iv) Any dangerous, hazardous, toxic, or explosive materials used in the processing.

- v) The nature and location of storage and outdoor display of merchandise, whether enclosed, open, inside, or outside the principal building; predominant types of items stored (such as business vehicles, work-in-process, inventory, and merchandise, construction materials, scrap and junk, and raw materials including liquids and powders).
 - vi) The type, size, and nature of buildings and structures.
 - vii) The amount and nature of any nuisances generated on the premises, including but not limited to noise, smoke, odor, glare, vibration, radiation, and fumes.
 - viii) Any special public utility requirements for serving the proposed use type, including but not limited to water supply, wastewater output, pre-treatment of wastes and emissions required or recommended, and any significant power structures, and communications towers or facilities.
 - ix) The impact on adjacent lands created by the proposed use.
 - x) If requested, the applicant shall submit evidence to the UDO Administrator of the anticipated traffic, noise, light, or odor of the proposed use. Reports prepared by the applicable professional trade may be required (e.g. transportation engineer, environmental scientist, etc.).
- c) Decision by zoning administrator. A final determination on the proposed use shall be provided in writing to the applicant and subject to appeal by the Board of Adjustment.

Table 3.2: Table of Uses	P = Permitted by Right; CZ = Conditional Zoning (Use Standard noted); PS = Permitted Use with a Use Standard															Use
Uses of Land	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1	CT	
Accessory Uses (3.6)																
Accessory structure or use, nonresidential								PS	PS	PS	PS	PS	PS	PS	<u>PS</u>	3.6
Accessory uses and structures, residential	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	<u>PS</u>	3.6
Home occupations, customary	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		<u>PS</u>	3.6
Outdoor display								PS	PS	PS	PS	PS	PS	PS	<u>PS</u>	3.6
Outdoor seasonal sales	PS	PS	PS	PS		PS	PS	PS	PS	PS	PS	PS	PS	PS	<u>PS</u>	3.6
Swimming pools, private	PS	PS	PS	PS	PS	PS	PS	PS		PS		PS	PS		<u>PS</u>	3.6
Temporary healthcare structures	PS	PS	PS	PS	PS	PS	PS	PS		PS		PS	PS		<u>PS</u>	3.6
Temporary storage container	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	<u>PS</u>	3.6
Trailer, temporary construction	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	<u>PS</u>	3.6
Residential Uses (3.7)																
Dwelling, multifamily (Triplex; quadraplex; Units <= 4)							P	P				P	P		<u>P</u>	
Dwelling, multifamily (Units > 4)							CZ	CZ				CZ	CZ		<u>CZ</u>	3.7
Dwelling, single-family detached	P	P	P	P	P	P	P	P		P		P	P		<u>P</u>	
Dwelling, two-family	P					P	P	P				P	P		<u>P</u>	
Family care home	PS	PS	PS	PS	PS	PS	PS	PS		PS		PS	PS		<u>PS</u>	3.7
Manufactured home, on standard, single-family lot (Class AA, A, and B)						P										3.7
Manufactured home (Class C)	Prohibited															
Planned Unit Development (Section 3.8)																

Planned unit development, business									CZ	CZ	CZ	CZ	CZ		<u>CZ</u>	3.8
Planned development, industrial														CZ		3.8
Planned unit development, residential Units <= 4	PS		PS			PS	PS	PS			PS	PS	PS		<u>PS</u>	3.8
Planned unit development, residential) Units > 4	CZ		CZ			CZ	CZ	CZ			CZ	CZ	CZ		<u>CZ</u>	3.8
Nonresidential Uses (Section 3.9)																
Adult entertainment establishment														CZ		3.9
Aircraft takeoff and landing zone	Prohibited															
Animal care facility											P					
Animal care facility with outdoor area											CZ					3.9
Art galleries								P	P	P	P	P			<u>P</u>	
Auction sales									P		P					
Automotive (including motorcycles, RVs, and other consumer motor vehicles)										CZ	PS			PS		3.9
Bakery, retail									P	P	P					
Bakery, wholesale											P			P		
Bed and breakfast inn	CZ						CZ	CZ	CZ	CZ	CZ		CZ		<u>CZ</u>	3.9
Boat and personal water craft (PWC) sales and rental									P		P	P	P	P		
Boat repair facility											PS	PS		PS		3.9
Body piercing and tattoo facility											CZ					
Bus terminal									P		P					
Cemeteries, public and private														CZ		3.9
Commercial indoor recreation									P		P					
Commercial outdoor recreation									CZ		CZ			PS		3.9

Contractors offices, no outdoor storage									P		P			P		
Day nurseries, day care centers and preschools	CZ	CZ	CZ	CZ		CZ	CZ	CZ	CZ	CZ	CZ	PS	PS	PS	<u>CZ</u>	3.9
Drop-in child care providers	CZ	CZ	CZ	CZ		CZ	PS	PS	PS	PS	PS	PS	PS	PS	<u>PS</u>	3.9
Drive-in/through facility											P					
Dry stack storage facilities												PS				3.9
Ear piercing facility											P					
Exterminator service business offices, no outdoor storage of materials or equipment									P		P			P		
Fire stations, emergency services, nonprofit	CZ	CZ	CZ	CZ		CZ	CZ	CZ	CZ		CZ			CZ	<u>CZ</u>	
Funeral homes and crematoriums									P		P					
Gardens, arboretums nurseries, and greenhouses									P	P	P			P		
Government/public facilities and utilities	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	<u>PS</u>	3.9
Group care/rehabilitation facility										CZ				CZ		
Laundries and dry cleaning									P	P	P					
Libraries	CZ		CZ	CZ				P	P	P	P				<u>P</u>	
Live entertainment complex									CZ		CZ					
Fishing piers; public and private									CZ							
Medical and dental clinics								P	P		P			P	<u>P</u>	
Meeting facilities	CZ	CZ	CZ	CZ		CZ	CZ	CZ	P		P			P	<u>CZ</u>	
Mixed use nonresidential-residential								PS	PS	PS	PS	PS	PS		<u>PS</u>	3.9
Motels and hotels								CZ	CZ		CZ		CZ	CZ	<u>CZ</u>	

Motels and hotels, operated with a marina												CZ				
Multi-use facility								P	P	P	P	P	P	P	<u>P</u>	
Museums					P				P		P		P	P	<u>P</u>	
Offices, general								P	P	P	P	P	P	P	<u>P</u>	
Parking lot, commercial—permanent									CZ						<u>CZ</u>	3.9
Parking lot, town operated	P	P	P	P	P	P	P	P	P	P	P	P	P	P	<u>P</u>	
Parking, municipal decks									P							
Parking, private decks									CZ							
Personal service establishment								CZ	P	P	P			P	<u>CZ</u>	
Pet shops and pet supply stores									P		P					
Post offices									P		P			P		
Religious institution	CZ	CZ	CZ	CZ		CZ	CZ	CZ	P		CZ				<u>CZ</u>	
Rental of golf carts, mopeds, e-bikes and scooters								PS	PS	PS	PS	PS		PS	<u>PS</u>	3.9
Retail sales								P	P	P	P	P		P	<u>P</u>	
Rooming house	Prohibited															
Schools, commercial for specialized training									P		P			P		
Schools, public and private	CZ	CZ	CZ	CZ		CZ	CZ	CZ	CZ		CZ			CZ	<u>CZ</u>	
Seafood production and/or processing and/or dockage, wholesale and retail												CZ		CZ		
Shooting range														CZ		3.9
Shopping centers/big box								CZ	CZ	CZ	CZ	CZ	CZ	CZ	<u>CZ</u>	
Swimming pools, public	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ		<u>CZ</u>	3.9
Tennis courts, commercial									CZ		CZ					3.9
Tennis courts, private	CZ	CZ	CZ	CZ		CZ	CZ	CZ	CZ		CZ	CZ	CZ	CZ	<u>CZ</u>	3.9
Utilities, private	CZ	CZ	CZ	CZ	CZ	CZ	CZ	CZ	P	P	P	P	P	P	<u>CZ</u>	
Wholesale sales									P		P	P		P		

Wireless telecommunications facilities (see Division 4, Wireless Telecommunication)																	
Marina Uses																	
Boat and personal water craft (PWC) rental									PS		PS	PS	PS	PS			3.9
Boat and personal water craft (PWC) sales and repair facility											PS	PS		PS			3.9
Marinas, docks and/or piers, commercial					CZ		CZ		PS			CZ					3.9
Marinas, docks and/or piers, public and private	P	P	P		P				P			P					
Eating and/or drinking establishments (Section 3.10)																	
Bars and taverns									CZ		CZ	CZ	CZ	CZ			3.1
Beer shop (On-premise)									PS	PS	PS					<u>PS</u>	3.1
Breweries									PS	PS	PS			PS		<u>PS</u>	3.1
Distillery									PS		PS			PS		<u>PS</u>	3.1
Event venue/bar									CZ		CZ						3.1
Ice cream stores								P	P	P	P					<u>P</u>	
Standard restaurants and eateries								P	P	P	P	P	P	P		<u>P</u>	
Wine shop (Retail/Off-on premise)									PS	PS	PS	PS				<u>PS</u>	3.1
Manufacturing, Assembly, Storage, and Processing (Section 3.11)																	
Beverages, bottling works														P			
Flammable liquid storage														CZ			3.1
Ice manufacture, sales and storage											P			P			
Manufacturing, artisan									P	P	P			P			
Manufacturing, limited											CZ			P			
Sign painting and sign fabrication											P			P			

Recreational vehicle/boat storage, yard											PS	PS		PS		3.1
Towing service impound yard, salvage operation											CZ			PS		3.1
Warehouses, mini storage, Self-service storage facility														P		
Woodworking shops														P		

(Ord. No. 24-1230, 7-9-2024; Ord. No. 25-1261, 8-12-2025)

3.27 LANDSCAPE AND BUFFER REQUIREMENTS

A. PURPOSE

This article is established for the purpose of regulating, controlling, preserving, and setting forth methods of continued maintenance assurances of all regulated vegetation located within the municipal limits of the town, and furthermore establishes authority to regulate and control the degree of impervious surfaces constructed on properties and the placement and configuration of fill soil and materials on properties located within said municipality.

B. AUTHORITY

North Carolina General Statutes 160A-174(a), 160D-923, 143-214.7, and 143-215.51 (G.S. 160A-174(a), 160D-923, 143-214.7 and 143-215.51).

C. BENEFITS OF TREES AND LANDSCAPING

1. The town finds it important to adopt an ordinance to preserve and protect trees since numerous benefits are derived from this practice, including the following:
 - a) Maintains the visual character of the community and contributes to the aesthetic quality of property and enhances its value.
 - b) Screens objectionable views within and between uses.
 - c) Reduces glare, heat, and assists in noise abatement, maintaining the climatic balance and decreasing wind velocity.
 - d) Contributes to the process of air purification and oxygen regeneration.
 - e) Assists in the stabilization and fertilization of soil and in the prevention of soil erosion.
 - f) Contributes to the process of groundwater recharge and stormwater runoff retardation and protecting against flood hazards and erosion.
 - g) Promotes energy conservation by maximizing the shading and cooling effects of trees.
 - h) Provides a haven for birds, reptiles, and mammals that in turn help control the insect population.
 - i) Provides nuts and fruits for wildlife.
 - j) Provides important psychological, sociological, and aesthetic counterpoints to the manmade urban setting.

D. APPLICABILITY

In order to adhere to the above-described functions, these regulations shall be applicable to any and all regulated vegetation and to all areas proposed for the reduction of ground absorption area through the construction of impervious surfaces and to all areas proposed for land elevation and modification of configuration by the deposition of fill soil or materials as specified herein or as may be described by subsequent applicable regulations of the town.

E. BUFFER YARD AND STREET YARD LANDSCAPING

1. For proposed new construction or expansion. A buffer yard, as defined herein, shall be provided for all new construction or expansion that is proposed in any amount equal to 50% or more of the current tax or appraised value. However, no buffer yard improvements shall be required for those portions of existing lot frontage used for driveways constructed in accordance with town regulations.

2. Required landscape types. It is required that buffer and street yards be landscaped by meeting the requirements of Type A—E set forth in this section. Any side or rear yard that abuts a residential use or residential district shall provide for a six (6) foot fence with 80% opacity. A landscaping/buffer yard information guide and plant selection list is available from the UDO Administrator.

Table 3.9 Buffer and Street Yard Types and Widths		
Buffer and Street yard Types	Uses	Buffer/Street Yard Size/width (feet)
Type A	Nonresidential use 10,000 square feet or less impervious surface or area	5
	Multifamily, planned unit development (3-5 units)	5
Type B	Multifamily, planned unit development (6 + units)	10
	Nonresidential use greater than 10,000 square feet of impervious surface or area	10
Type C	Industrial or manufacturing	15
Type D	Central business district (CBD), Commercial Transition district (CT) , new construction only	0
Type E	Single-family and two-family	0

- a) Type A. For every 50 linear feet, or fraction thereof, the buffer yard shall contain one (1) canopy tree or two (2) understory trees, and three (3) shrubs.
- b) Type B. For every 50 linear feet, or fraction thereof, the buffer yard shall contain two (2) canopy trees or four (4) understory trees, and six (6) shrubs.
- c) Type C. For every 50 linear feet, or fraction thereof, the buffer yard shall contain two (2) canopy trees or four (4) understory trees, and six (6) shrubs.
- d) Type D. For every 50 linear feet of frontage, or fraction thereof, the street yard shall contain one (1) understory tree with sidewalks or planters built within the sidewalk. Street yards located ~~within the CBD~~ shall include sidewalks with planting areas either adjacent to the curb or planters located within the sidewalk. ~~In the Central Business District~~, sidewalks and tree plantings will be required for all new construction.
 - i) [In the CBD any side or rear yard that abuts a residential district shall provide for a Type B landscape buffer yard.](#)
 - ii) [In the CZ any side or rear yard that abuts a residential use shall provide for a Type A landscape buffer yard.](#)
- e) Type E. For every 25 linear feet of frontage, or fraction thereof, the lot shall contain a minimum of one (1) tree. At planting each tree shall be a minimum of:
 - i) Six (6) feet tall.
 - ii) Two (2) inches in caliper.

3. Preservation of vegetation. If vegetation exists in the proposed buffer yard area, the UDO Administrator may grant credit toward meeting buffer yard requirements for preservation of the vegetation provided their caliper or height is equal to or exceeds the specifications herein described.
4. Planting and replacement of vegetation. All buffer yards shall be landscaped with a combination of live vegetation, ground cover, grass, trees, and/or shrubs. Vegetation to be planted pursuant to this section shall be indigenous with or compatible to the town area and be approved by the UDO Administrator.
5. Minimum size at planting. All shrubs be 12 inches high, understory trees six (6) feet high, and canopy trees 2.5 inches caliper.

F. TREE/LANDSCAPE PLAN

1. Required. A tree/landscaping plan shall be required for all clearing, grading, or other earth disturbing activity proposals. The plan must contain the information set forth in this section (the required tree/landscape plan can be incorporated into any applicable development approval application).
2. Landscape plan submittal requirements. The landscape plan shall contain the following information:
 - a) General location, type, and quantity of existing plant materials.
 - b) Existing plant materials and areas to be left in natural state.
 - c) Methods and details for protecting existing plant materials during construction and the approved erosion control plan, if required.
 - d) Locations, size, and labels for all proposed plants.
 - e) Plant lists with common name, quantity, spacing, and size of all proposed landscape material at the time of planting.
 - f) Location and description of other landscape improvements, such as earth berms, walls, fences, screens, sculptures, fountains, street furniture, lights, and courtyards or paved areas.
 - g) Planting and installation details as necessary to ensure conformance with all required standards.
 - h) Location and type of irrigation system, if applicable.
 - i) Location of any proposed buildings.
 - j) Layout of parking and traffic patterns.
 - k) Location of overhead and underground utilities.
 - l) Location of signage.
 - m) Connections to existing streets.
 - n) Zoning designation of adjacent properties.
 - o) Landscape plan shall be drawn to scale and include a north arrow and necessary interpretive legends.
3. Information guide and plant selection list. A landscaping/buffer yard information guide and plant selection list is available from the UDO Administrator.

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

3.31 COMMERCIAL AND NONRESIDENTIAL SIGNAGE

A. APPLICABILITY

The following permanent and temporary signs shall be permitted in all districts where associated with a permitted commercial or nonresidential use(s) on the same property.

B. ATTACHED SIGNS

1. Attached signs shall be allowed on all sides of a business. The total allowable building face signage shall not exceed 25% of the front building face and may be apportioned among any/all building faces. A building face shall be measured from ground level at the foundation to the roof overhang (or junction of roof and front wall line) and from side-to-side of building.
2. If utilized, projecting signage shall have a clearance of at least 10 feet between the adjacent ground level and the lowest portion of the sign. No attached sign shall project more than four (4) feet from the building facade. In the CBD, where buildings are adjacent to a right-of-way, a projecting sign shall be allowed to encroach up to two (2) feet into the right-of-way subject to required ground level clearance.
3. Canopy/awning signs shall be considered as attached signs. In no instance shall a canopy/awning sign exceed the canopy awning area.

C. DIRECTIONAL SIGNS

1. On-premises directional signs.
 - a) On-premises directional signs shall be limited to not more than four (4) square feet and shall not exceed three (3) feet in height.
 - b) For every driveway cut, two (2) directional signs shall be allowed on private lot adjacent to the right-of-way.

D. PERMANENT FREESTANDING SIGNS

1. Unless stated elsewhere in the article, no business/property or lot shall have more than one (1) freestanding sign.
2. A permanent freestanding sign shall have a minimum setback of 10 feet from all lot lines.
3. Maximum size equals one-half a square foot of sign area per one (1) linear foot of road frontage or 25 square feet per commercial and/or residential unit located on the development site, whichever is greater, but not to exceed the below requirements.

Table 3.10 Nonresidential Sign Area and Height	
Maximum Area (Square Footage) per Face	
Type of Development	Max. Area Per Face (square feet)
Multi-family Residential	50
Nonresidential up to 2,500 square feet of building area	50
Nonresidential 2,500 to 15,000 square feet of building area	64
Nonresidential greater than 15,000 square feet of building area	100
Maximum Height	
Zoning District	Height (feet)
CBD, NB, MB-1, T-1, MF, <u>CT</u> and MX	20

E. TEMPORARY SIGNS WHICH REQUIRE A SIGN PERMIT

1. Each business shall be allotted one (1) temporary freestanding or attached sign year-round. Permits for temporary signage shall be issued annually with the following limitations:
 - a) A-frame signs not exceeding eight (8) square feet per side in area with a maximum height of four (4) feet.
 - b) Portable signs not exceeding 10 square feet and five (5) feet in height.
 - c) Banner signs not exceeding 24 square feet and eight (8) feet in height.
 - d) Commercial flagging shall be limited to 24 square feet in area and shall have the same height restrictions as permanent freestanding signs.
 - e) Feather flags shall be limited to 20 square feet and 10 feet in height.
2. Temporary signs may be placed on public sidewalks in the CBD. In all other districts, such signs may be placed up to the right-of-way but shall not encroach into the right-of-way. No temporary sign shall be placed where the unobstructed space for the passageway of pedestrians is reduced to less than four and one-half (4.5) feet.

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

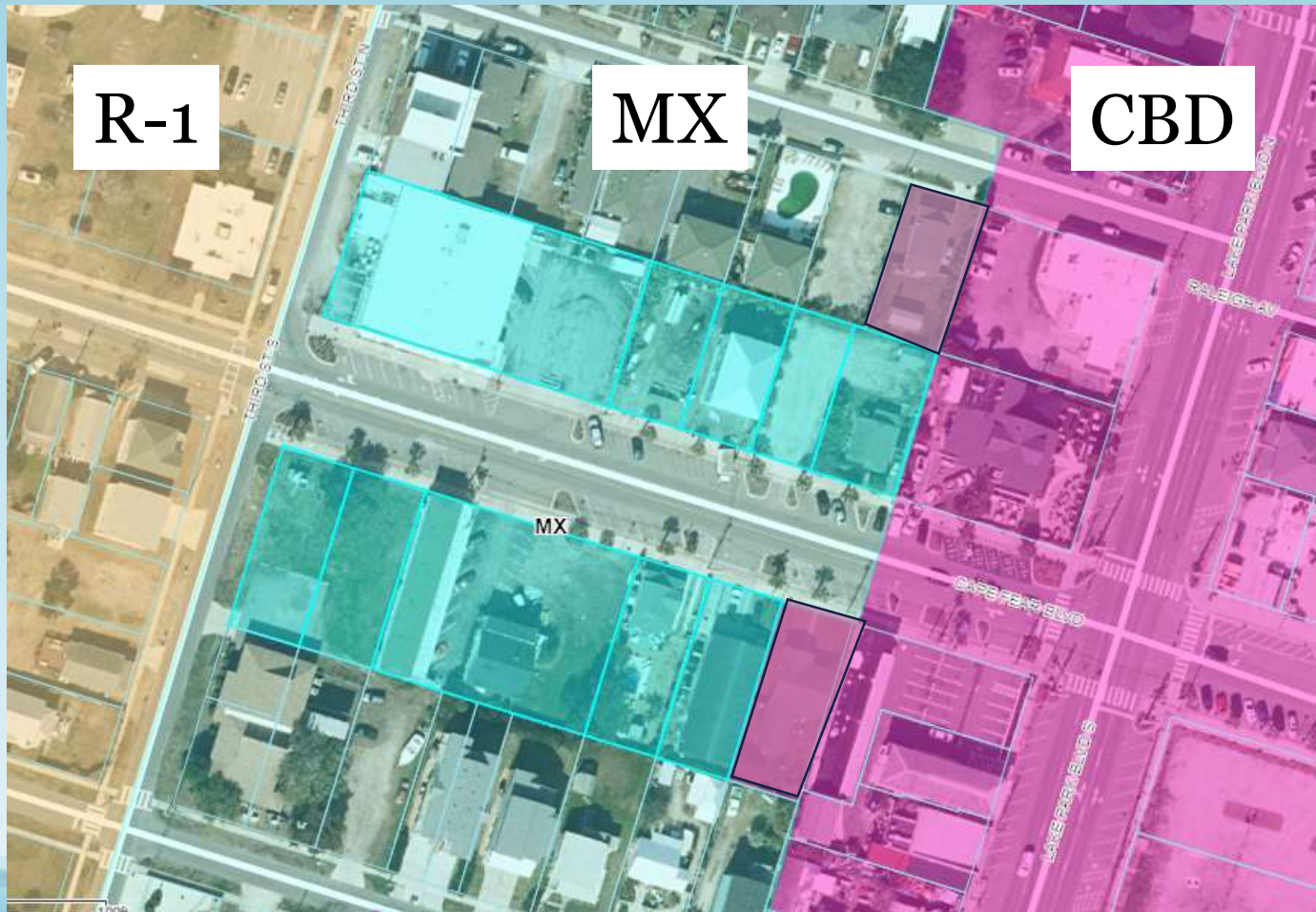


200 Block of Cape Fear Boulevard
Town Council
August 11, 2026



200 Block of Cape Fear

Item 13.



Existing Conditions

Current land uses within the study area include:

- Three single-family residences
- Four vacant lots and/or parking lots
- Two retail establishments
- One motel

Existing infrastructure and streetscape features include:

- On-street parking
- Sidewalks
- Street trees
- Walkable access to the central business district and beach area

 Highlighted parcels subject to rezoning



Mixed Use Commercial

Higher density area with a mix of uses, within the district and individual buildings. Residential uses allowed only on upper stories; ground floor encouraged to be active. 4-5 story structures possible, unless adjacent to low or medium density residential. Attractive street facades.



The Land Use Plan envisions:

- Higher-density development
- A mixture of residential and commercial uses
- Mixed-use buildings with active ground-floor commercial uses
- Residential uses located on upper floors
- A pedestrian-oriented environment
- Potential building heights of four to five stories





Item 13.



3.2 Zoning Districts Established

Creating new zoning district entitled Commercial Transition (CT)

Item 13.

3.2 ZONING DISTRICTS ESTABLISHED

To regulate the height and size of buildings; to regulate the intensity of land usage; to regulate areas for open space; to regulate the location of land uses; to provide for the improved environment; and to promote the health, safety, and general welfare of its citizens, the town and its extraterritorial planning jurisdiction are hereby divided into the following zoning districts:



Table 3.1: Zoning Districts

District	General Purpose
R-1	Residential District
R-1B	Residential District
R-2	Residential District
R-3	Residential District
C	Conservation District
MH	<u>Residential</u> , Manufactured Home District
MF	Residential, Multifamily District
MX	Mixed Use, Transitional District
<u>CT</u>	<u>Commercial Transition</u>
CBD	Central Business District
NB	Neighborhood Business District
HB	Highway Business District
MB-1	Marina Business District
T-1	Tourist District
I-1	Industrial District
FP	Floodplain Overlay District
HOD	Height Overlay District

3.3 ZONING DISTRICTS DESCRIBED

CT, Commercial Transitional District

1. Purpose. This district is established to provide for an area of transitional land uses between intensified use districts or elements and residential districts. This district includes an area of mixed land uses between the intensive, commercial, central part of town and the quiet residential areas and may also be employed as a transitional area between busy major thoroughfares and quieter residential areas.
2. Intent. The regulations of the district seek to maintain a modest scale of structures, as well as a pedestrian-oriented nature, so that uses in the district may provide a suitable transition from commercial to residential areas." The district permits a mix of residential, small-scale office, retail, lodging, and moderate-density multifamily uses that are compatible with adjacent neighborhoods.

Table 3.4 Dimensional Standards for Lots and Principal Structures, Other Districts										
Zoning District	Primary Permitted Uses	Min. Lot Size (square feet)	Min. Lot Width (feet)	Min. Front Setback (feet)	Min. Rear Setback (feet) [2]	Min. Side Setback (feet) [2][3]	Residential Max. Density	Height (feet) [1]	Max. Lot Coverage	Max. Item 13. Lot Coverage
CBD	Commercial Uses and Services, Entertainment	None	None	None	None, or same as abutting residential district	None, or same as abutting residential district	NA	50 [4]	None	None
NB	Single-family, Neighborhood Goods and Services	5,000	50	20	10	7.5	8.7 units/acre	50	40%	65%
HB	Highway Commercial	10,000	100	30	15, or 20 if abutting a residential district	10	NA	50	60%	None
MB-1	Water-Oriented Businesses, Single-family/Two-family	10,000	100	30	10	10	17 units/acre	50	40%	65%
MX	Residential, Commercial Services, Tourism Accommodations	5,000	50	20	10	7.5	17 units/acre	50	40%	65%
<u>CT</u>	<u>Commercial Services, Residential</u>	<u>5,000 sq. ft.</u>	<u>50</u>	<u>5</u>	<u>10</u>	<u>None, or same as abutting residential district</u>	<u>29 units/acre</u>	<u>50</u>	<u>60%</u>	<u>None</u>
T-1	Hotels and Motels 15 units or less	20,000	100	20	10	7.5	32 units/acre	50	40%	80%
	Hotels and Motels Greater than 15 units	25,000	50	20	10	7.5	60 units/acre	50	40%	80%
	Restaurants/Businesses	6,000	50	20	10	7.5	N/A	50	40%	80%
	Residential	6,000	50	20	10	7.5	29 units/acre	50	40%	80%
I-1	Industrial	None.	50	30	None. 20 if lot line abuts a residential district	None. 20 if lot line abuts a residential district	None	50	None	112

CBD VS CT

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Table 3.4 Dimensional Standards for Lots and Principal Structures, Other Districts

Zoning District	Primary Permitted Uses	Min. Lot Size (square feet)	Min. Lot Width (feet)	Min. Front Setback (feet)	Min. Rear Setback (feet) [2]	Min. Side Setback (feet) [2][3]	Residential Max. Density	Height (feet) [1]	Max. Lot Coverage	Max. Impervious Coverage
CBD	Commercial Uses and Services, Entertainment	None	None	None	None, or same as abutting residential district	None, or same as abutting residential district	NA	50 [4]	None	None
<u>CT</u>	<u>Commercial Services, Residential</u>	<u>5,000 sq. ft.</u>	<u>50</u>	<u>5</u>	<u>10</u>	<u>None, or same as abutting residential district</u>	<u>29 units/acre</u>	<u>50</u>	<u>60%</u>	<u>65%</u>

Parking - Exemption of parking requirements in the CBD if public parking spaces are located within 500 feet of the use.

Height - In the CBD district, the maximum 50-foot height limitation may be exceeded for sprinklered structure(s) which shall be subject to a conditional zoning approval.

3.4 TABLE OF USES

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Table 3.2: Table of Uses		P = Permitted by Right; CZ = Conditional Zoning (Use Standard noted); PS = Permitted Use with a Use Standard														Use Sta
Uses of Land	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1	CT	
Accessory Uses (3.6)																
Accessory structure or use, nonresidential								PS	PS	PS	PS	PS	PS	PS	PS	3.6.B
Accessory uses and structures, residential	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.6.C
Home occupations, customary	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS		PS	3.6.D
Outdoor display								PS	PS	PS	PS	PS	PS	PS	PS	3.6.E
Outdoor seasonal sales	PS	PS	PS	PS		PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.6.F
Swimming pools, private	PS	PS	PS	PS	PS	PS	PS	PS		PS		PS	PS		PS	3.6.G
Temporary healthcare structures	PS	PS	PS	PS	PS	PS	PS	PS		PS		PS	PS		PS	3.6.H
Temporary storage container	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.6.I
Trailer, temporary construction	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	PS	3.6.J

3.27 LANDSCAPE AND BUFFER REQUIREMENTS

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Table 3.9 Buffer and Street Yard Types and Widths		
Buffer and Street yard Types	Uses	Buffer/Street Yard Size/width (feet)
Type A	Nonresidential use 10,000 square feet or less impervious surface or area	5
	Multifamily, planned unit development (3-5 units)	5
Type B	Multifamily, planned unit development (6 + units)	10
	Nonresidential use greater than 10,000 square feet of impervious surface or area	10
Type C	Industrial or manufacturing	15
Type D	Central business district (CBD), Commercial Transition district (CT) , new construction only	0
Type E	Single-family and two-family	0

i) In the CT any side or rear yard that abuts a residential use shall provide for a Type A landscape buffer yard.

3.31 COMMERCIAL AND NONRESIDENTIAL SIGNAGE

Adding CT to allow for commercial signage.

Table 3.10 Nonresidential Sign Area and Height	
Maximum Area (Square Footage) per Face	
Type of Development	Max. Area Per Face (square feet)
Multi-family Residential	50
Nonresidential up to 2,500 square feet of building area	50
Nonresidential 2,500 to 15,000 square feet of building area	64
Nonresidential greater than 15,000 square feet of building area	100
Maximum Height	
Zoning District	Height (feet)
CBD, NB, MB-1, T-1, MF, CT and MX	20
HB and I-1	25

Tonight's Request

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- Public Hearing (public feedback representative of the area LUP)

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 to rezone 204 Cape Fear, 206 – 217 Cape Fear, and 3 S. Third St from Mixed Use (MX) to Commercial Transition (CT) is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans. The adoption of this Zoning Map Amendment also amends the Future Land Use Map and meets the vision of Town.

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

Historical Zoning Designation

- Rezoned in 2000 to MX

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- 1984 Ordinance & Zoning Map in B-1: Central District

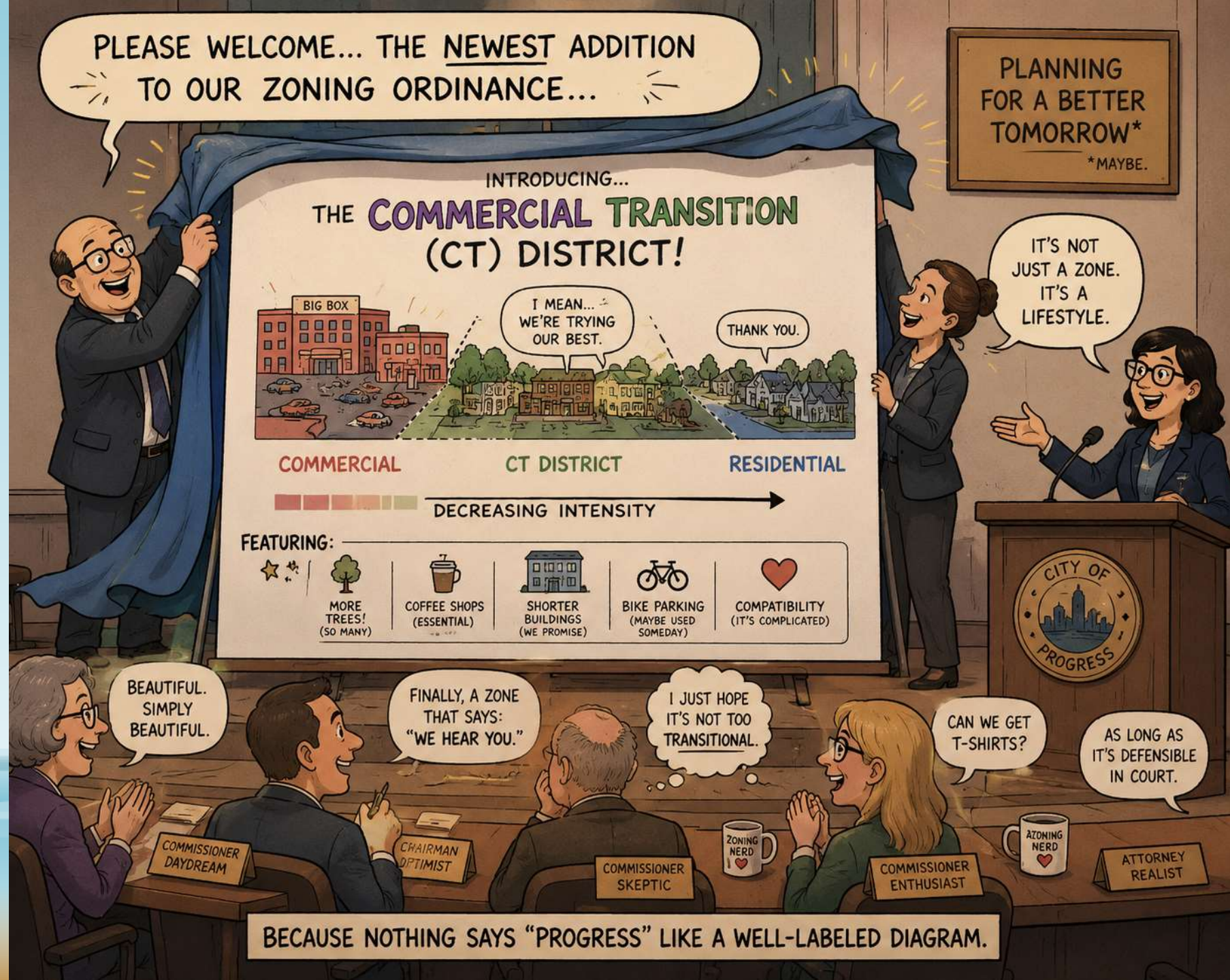






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AGENDA ITEM COVERSHEET

PREPARED BY: Debbie Hall, Finance Director

DEPARTMENT: Finance

MEETING: Town Council – 8/11/2026

SUBJECT: Public Hearing for the financing of nine (9) Boardwalk area properties

BACKGROUND:

The Finance Director requested bid proposals from eight lenders for financing the purchase of nine (9) Boardwalk area properties with a loan amount of \$10,000,000. with a fifteen-year term. The following proposals were received:

Lenders	Interest Rate	Financing Term	Pre-Payment Allowed
Truist Bank	4.53%	15 years	2 million in first 2 yrs
Atlantic Union	4.46%	15 Years	No call first 2 yrs

BUDGET IMPACT:

The purchase price of the parcels is \$12,000,000. One million dollars from Room Occupancy Tax and \$1 million from the General Fund fund balance will be used to bring down the loan amount to \$10 million. The debt service payment will be appropriate in the FY27/28 annual budget.

ACTION REQUESTED:

The Finance Director recommends the proposal received from Truist Bank since they will allow a pre-payment in the first two years without penalty as requested in the RFP. To accept the terms, Council needs to approve the following resolutions:

Resolution #26-2357 to accept the terms of the proposal from Truist Bank for a 15-year term.



Resolution #26-2357

Resolution Approving Financing Terms

WHEREAS, the Town of Carolina Beach, North Carolina (the “Town”) has determined to finance the acquisition of nine properties in the downtown boardwalk area of the Town to improve the area for the benefit of residents and visitors (the “Project”), and the Finance Director has now presented a proposal for the financing of such Project.

BE IT THEREFORE RESOLVED, as follows:

1. The Town hereby determines to finance the Project through Truist Bank or an affiliate thereof (“Truist”) in accordance with the proposal dated July 28, 2026, or as such proposal may be supplemented or amended by Truist and the Town verbally or in writing. The amount financed shall not exceed \$10,000,000, the annual interest rate (in the absence of default or change in tax status) shall not exceed 4.53%, and the financing term shall not exceed 15 years from the date of closing.

2. All financing contracts and all related documents for the closing of the financing (the “Financing Documents”) shall be consistent with the foregoing terms. All officers and employees of the Town are hereby authorized and directed to execute and deliver any Financing Documents, and to take all such further action as they may consider necessary or desirable, to carry out the financing of the Project as contemplated by the proposal and this resolution. The Financing Documents shall include a Financing Agreement and Deed of Trust and such other documents as Truist may request. Pursuant to the Financing Agreement and Deed of Trust, (a) Truist will advance moneys to the Town to pay the costs of the Project and the financing costs related thereto, and the Town will repay such advance in installments, and (b) the Town will grant a lien on the site of the Project, or portions thereof, together with all fixtures and improvements located thereon, to Truist as security for such advance.

3. The Finance Director is hereby authorized and directed to hold executed copies of the Financing Documents until the conditions for the delivery of the Financing Documents have been completed to the Finance Director’s satisfaction. The Finance Director is authorized to approve changes to any Financing Documents previously signed by Town officers or employees, provided that such changes shall not substantially alter the intent of such documents or certificates from the intent expressed in the forms executed by such officers. The Financing Documents shall be in such final forms as the Finance Director shall approve, with the Finance Director’s release of any Financing Document for delivery constituting conclusive evidence of such officer’s final approval of the Document’s final form.

4. The Town shall not take or omit to take any action the taking or omission of which shall cause its interest payments on this financing to be includable in the gross income for federal income tax purposes of the registered owners of the interest payment obligations.

5. The Town intends that the adoption of this resolution will be a declaration of the Town’s official intent to reimburse expenditures for the Project that are to be financed from the proceeds of the Truist financing described above. The Town intends that funds that have been advanced, or that may be advanced, from the Town’s general fund, or any other Town fund related to the Project, for costs of the Project may be reimbursed from the financing proceeds.

6. All prior actions of Town officers in furtherance of the purposes of this resolution are hereby ratified, approved and confirmed. All other resolutions (or parts thereof) in conflict with this resolution are hereby repealed, to the extent of the conflict. This resolution shall take effect immediately.

Approved this ____ day of _____, 2026.

By: _____

By: _____

Title: _____

Title: _____

SEAL