



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Ed H. Parvin, Deputy Manager

**DEPARTMENT:** Executive

**MEETING:** Town Council 10/28/2025

**SUBJECT:** **Text Amendment** to amend Sec 16-164 Paid parking program and other forms of parking Applicant: Town of Carolina Beach

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**BACKGROUND:**

The Town Code has a longstanding ordinance that allows for public right-of-way to be utilized for private parking. This code seemed to work well in the 80's and 90's but has caused more and more concern as the Town becomes more populated. Under the current ordinance signs were put up stating a certain parking space in the public right of way was designated for private use. This was only allowed under certain conditions which included:

1. The applicant has to live in the house as a year-round resident

There is no mechanism in place to monitor the ownership and who is living in the homes with this allowance.

2. If a multi-unit rental structure they also have to be a year round resident

3. The home must have been built before 1980 and stayed in continuous use as a residence since that time.

In most cases this can be verified through Town and County records.

4. No off-street parking option is available on the applicant's property

To make this more objective it could say if there is space for a 9'X18' parking space on private property the allowance shall not be issued.

5. No private parking arrangement can be made with property within 500 feet.

This should not be a criteria for an ordinance without a more objective standard for staff to enforce.

6. Police and Fire verify the proposed parking space will not create a safety concern.

Again, the criteria should be more objective. For instance, any space created should meet all parking requirements in the Town Code (i.e. can't be in a drive aisle, can't block driveways or fire hydrants, distance from intersection, etc.)

7. Each property limited to one parking space for one adult year round resident  
Extremely difficult to enforce as we are not managing who lives in the home.

8. In no instance shall more than two spaces be issued for one piece of property.  
Assuming that if there is a multifamily structure then only two spaces can be issued regardless of the number of units.

In order to try to substantiate the eight criteria staff created an affidavit that must be signed by the party requesting the parking space (see attachment 1). However, managing the information is extremely cumbersome and based on our records none of the criteria were actually put into practice when the spaces were given out in the 80's and 90's. Over the years we have eliminated most of the spaces. There are only a few left (see attachment 2).

Enforcement of the parking is also extremely difficult. We don't know what cars are or are not allowed to park in these spaces so it's impossible to know if the car should be there. Over the years we have talked to the owners in these situations and discovered they would just have the car towed from the public parking space. This is a huge liability for everyone and not a practice that we should continue or put our residents in the position to deal with while on public property.

At TRC staff has researched better ways to manage these situations. Other communities have similar issues and in these instances the residents must search for a public parking space near their home. Since we do have a parking program that allows for residential passes, another option could be to offer a residential pass for each property built prior to 1980 that does not have the ability to accommodate any parking on-site.

#### **ACTION REQUESTED:**

To accommodate the existing nonconforming homes that do not have the ability to add parking on site, staff recommends the issuance of a residential parking pass vs designating public right of way. This will simplify administration and oversight of the ordinance while still making accommodations for the property owners.

#### **MOTION:**

Motion to have staff bring back an ordinance to allow for the issuance of a residential pass for properties where:

1. The residence was legally constructed prior to 1980 and no off-street parking was accommodated on-site, and
2. There is not enough room for a driveway cut that will accommodate a minimum of one 9'X18' parking space on the private lot.

#### **ATTACHMENTS:**

Attachment 1 – Affidavit

Attachment 2 – Location of existing spaces

Attachment 3 – Proposed ordinance

**ATTACHMENT #1 Affidavit**

**State of North Carolina**

**AFFIDAVIT**

**County of New Hanover**

**Address of Property Affected by Affidavit: 206 Harper**

**Parcel Identification Number: 313010.45.9755.000**

I \_\_\_\_\_ hereby certify that:

**PROPERTY OWNER (PRINT NAME)**

1. *I am a year-round occupant of this residence, and*
2. *This property is utilized to support a home that was built prior to 1980, and*
3. *There is no opportunity to create off-street parking on the property either by driveway or through a private agreement for off-site parking within 500 feet of the residence.*

\_\_\_\_\_  
**PROPERTY OWNER (SIGNATURE)**

STATE OF NORTH CAROLINA

COUNTY OF NEW HANOVER

I, \_\_\_\_\_, a Notary Public for said County and State, do hereby certify that  
\_\_\_\_\_, Affiant, personally appeared before me this day and, being duly sworn,  
acknowledged the due execution of the foregoing instrument.

Witness my hand and official notary seal, this the \_\_\_\_ day of \_\_\_\_\_, \_\_\_\_.

\_\_\_\_\_  
Notary Public

My Commission Expires: \_\_\_\_\_

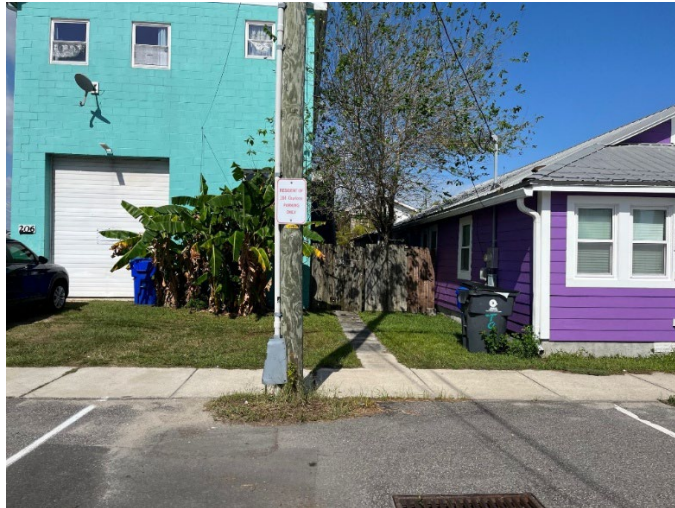
*Resident on-street parking.* The special residential exception is primarily intended to assist owner-occupied, single-family residents where existing development on nonconforming lots or uses create parking hardships. It is not intended to alleviate parking requirements for poorly planned rental property nor to serve as guest parking in residential areas.

- (1) Reasonable consideration for special residential exceptions to allow parking in no parking or time limited parking areas will be given by the Town Manager when the following criteria can be met:
  - a. Applicant is a year-round resident in a nonconforming single-family dwelling or multi-unit rental structure established before 1980 and continuously in use for those purposes since established, provided subsection [(d)1.a. through d.] of this section are also met.
  - b. No off-street parking option is available on the applicant's property or by private arrangement within 500 feet of the property. (Documentation of private efforts to otherwise accommodate parking needs is required.)
  - c. Chief of Police and Fire Chief verifies that on-street parking will not pose substantial safety problems for emergency vehicles.
  - d. Parking requests for more than one vehicle per adult year-round resident otherwise meeting the above criteria will not qualify for exceptions. In no instance shall more than two public spaces be allocated for a single property.

All submitted affidavits will be researched by staff prior to the issuance of a parking space. Any intentional false statements are a criminal offense and may result in penalties.

## ATTACHMENT #2 Existing designated parking

204 Charlotte



[← See all properties](#)



[Overview](#) [Amenities](#) [Policies](#) [Location](#)



202 Charlotte





805 South Lake Park Blvd





7 Sailfish



## ATTACHMENT #3 Ordinance \_\_\_\_\_

### Sec. 16-164. Paid parking program and other forms of parking.

- (a) *Designated parking.* except for those that may qualify for residential exceptions based on written criteria established by the Town Manager, time limited public parking areas for marked, on-street spaces are designated as follows:
  - (1) *Two-hour paid parking.* The Town has two-hour paid parking spaces and two-hour unpaid parking spaces in various locations throughout the Town. The two-hour maximum parking per space per block is implemented to encourage turnover of these spaces. These locations are identified on the Official Carolina Beach Parking Map which is adopted and amended by the Town Council from time to time.
  - (2) *Daily on-street parking spaces.* The Town has installed parking signage in various on-street parking locations throughout the Town. Designated parking may have reduced buffers from conflicts (i.e., intersections, crosswalks, etc.) only after review and approval by the Town Manager and/or their designee. Daily on-street parking spaces require that payment be made at all times when the vehicle is occupying a space except for those times outside of enforcement periods. These signed locations are identified on the Carolina Beach Parking Map which is adopted and amended by the Town Council from time to time. Below are other regulations for paid parking spaces:
    - a. An approved payment inclusive of a registered license plate shall be made during the enforcement time periods to be valid.
    - b. Parking for time periods greater than 24 continuous hours in duration is prohibited unless otherwise specified by the Carolina Beach Annual Budget Rates and Fees Schedule.
- (b) *Designated parking spaces in public parking lots.*
  - (1) The Town owns or leases numerous parking lots throughout the Town. These parking lots are typically equipped with pay stations, and/or pay by cell phone signage with payment instructions. Motorists that park in these lots must pay for the privilege of parking during times and dates of enforcement. Fees for paid parking lots are set forth by the Carolina Beach Annual Budget Rates and Fees Schedule and subject to periodic change by the Town Council.
  - (2) Town issued passes are valid in identified public parking lot locations. Parking passes will be valid for not more than 24 consecutive hours in public parking lots. Pay by the day vehicles must be removed by 8:00 a.m. the next morning. Lots are subject to the following provisions:
    - a. Time must be on the space during enforcement time periods to be valid.
    - b. Parking for time periods greater than 24 continuous hours in duration is prohibited (i.e., no residential overflow).
- (c) *Undesignated parking.*
  - (1) Town issued parking passes shall be required in all undesignated right of ways that are located in the following location:
    - a. Lake Park Blvd going west to the Town limits, and begins at and includes Alabama Ave going north to include and terminating at Atlanta Ave; and
    - b. Third Street going west to the Town limits, and begins at and includes Atlanta Ave going north to include Goldsboro Ave and Harper Ave.
- (d) *Resident on-street parking.*

A residential unit may request one free residential parking pass if:

- 3. The residence was legally constructed prior to 1980 and no off-street parking was accommodated on-site, and

4. There is not enough room for a driveway cut that will accommodate a minimum of one 9'X18' parking space on the private lot.

5. ~~The special residential exception is primarily intended to assist owner-occupied, single-family residents where existing development on nonconforming lots or uses create parking hardships. It is not intended to alleviate parking requirements for poorly planned rental property nor to serve as guest parking in residential areas.~~

~~(1) Reasonable consideration for special residential exceptions to allow parking in no-parking or time limited parking areas will be given by the Town Manager when the following criteria can be met:~~

~~a. Applicant is a year-round resident in a nonconforming single-family dwelling or multi-unit rental structure established before 1980 and continuously in use for those purposes since established, provided subsection [(d)1. a. through d.] of this section are also met.~~

~~b. No off-street parking option is available on the applicant's property or by private arrangement within 500 feet of the property. (Documentation of private efforts to otherwise accommodate parking needs is required.)~~

~~c. Chief of Police and Fire Chief verifies that on-street parking will not pose substantial safety problems for emergency vehicles.~~

~~d. Parking requests for more than one vehicle per adult year-round resident otherwise meeting the above criteria will not qualify for exceptions. In no instance shall more than two public spaces be allocated for a single property.~~

(e) *Taxi only parking area.* The designation and location of such locations shall be approved by the Town Manager.

(f) *Police parking areas.* The designation and such locations shall be approved by the Police Chief.

(Ord. No. 22-1185, 10-11-2022)