

Ordinance 24-1230

Town of Carolina Beach
Town Council



AN ORDINANCE TO REPEAL CHAPTERS 30, 32, 36, AND 40 OF THE TOWN'S GENERAL CODE AND ADOPT THE UPDATED UNIFIED DEVELOPMENT ORDINANCE (DATED: MAY 23, 2024) FOR THE TOWN OF CAROLINA BEACH, NORTH CAROLINA

THAT WHEREAS, the Town has enacted land development ordinances that control development within the Town's incorporated and extraterritorial jurisdiction areas; and

WHEREAS, in order to promote the public health, safety and general welfare and to promote the best interests of the Town and community, it is necessary from time to time for the Planning and Zoning Commission and Town Council to consider appropriate revisions, modifications and updates to the Town's Unified Development Ordinance; and

WHEREAS, the Town Council charged the Planning and Zoning Commission with the responsibility of reviewing existing land development ordinances and providing oversight in the drafting of the Town's first Unified Development Ordinance; and

WHEREAS, the Planning and Zoning Commission, with the assistance of Cape Fear Council of Governments, has drafted the Unified Development Ordinance which contains land development regulations from previous codes; and

WHEREAS, the Planning and Zoning Commission recommends adoption of the proposed repeal of land use Chapters 30, 32, 36, and 40 and the adoption of the Town's first Unified Development Ordinance (UDO) and finds (i) it to be consistent with the Town's comprehensive plan (2020 CAMA Land Use Plan) and all other applicable plans and policies adopted by the Town, which includes the following action step: "Review existing zoning districts, dimensional standards regulations, and land development regulations...." and (ii) that it is in the public interest because it will advance the public health, safety, and/or welfare of the Town of Carolina Beach; and

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WHEREAS, pursuant to N. C. General Statutes and Town ordinances, public hearings, properly noticed, were held before the Planning and Zoning Commission on June 20, 2024, and before the Town Council on July 9, 2024, where public comment was heard and considered regarding this issue; and

WHEREAS, the Town Council hereby finds that the proposed repeal of land use Chapters 30, 32, 36, and 40 and the adoption of the Town’s first Unified Development Ordinance (UDO) is (i) consistent with the Town’s comprehensive plan (2020 CAMA Land Use Plan) and all other applicable plans and policies adopted by the Town, which includes the following action step: “Review existing zoning districts, dimensional standards regulations, and land development regulations...” and (ii) that it is in the public interest because it will advance the public health, safety, and/or welfare of the Town of Carolina Beach.

NOW, THEREFORE, BE IT ORDAINED by the Town Council of Carolina Beach that the Chapters 30, 32, 36, and 40 of the Town’s General Code is hereby repealed and that the draft Unified Development Ordinance (dated May 23, 2024) is hereby adopted and shall become effective on August 9, 2024.

Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 9th day of July, 2024.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk