



Text Amendment for Wine Shops & Beer Shops

1. Amend Chapter 40 Sec 40-72 – Permitted Use Table
2. Amend Chapter 40 Sec 40-261 – Amend the development standards for the uses.
3. Amend Chapter 40 Art. V. Off-street Parking and Loading Requirements

Applicant: Town of Carolina Beach

Background

- Council adopted text amendment in April 2024 to allow for Wine Shops and Beer Shops with on-premise alcohol sales as a use by right in MB
- Reevaluate the change due to recognizing unintended consequences

1. Amend Chapter 40 Sec 40-72 – Table of uses

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Wine and beer shops (Retail/Off- On premise)									P	P	P	P		
<u>Wine Shop (On-premise)</u>									<u>P</u>	<u>P</u>	<u>P</u>			
<u>Beer Shop (On-premise)</u>										<u>P</u>				

The current ordinance allows for wine shops and beer shops, on and off premise by right in CBD, HB, NB, and MB

2. Amend Chapter 40 Sec 40-261

Sec. 40-261. Development standards for particular uses.

(o) *Eating and/or drinking establishments*

(4) Standards for wine shops (on-premise):

- a. All wine shops shall meet all requirements of the ABC Permit.

(5) Standards for beer shops (on-premise):

- a. All beer shops shall meet all requirements of the ABC Permit.
- b. Any indoor or outdoor areas shall be located three times the minimum setback yard ~~from~~ **any residential** for the district from any lot line and/or any residential use. The additional setbacks shall not apply to property lines adjacent to the right-of-way.

3. Sec. 40-150. Off-street parking standards.

Proposed

Types of Uses	Number of Required Parking Spaces
Business uses	
Wine and Beer Shops (Retail/Off-On premise)	1 per 200 sq. ft.

Existing

Types of Uses	Number of Required Parking Spaces
Eating and/or drinking establishments	1 per 110 square feet of indoor gross floor area (GFA)

Land Use Plan Consistency

The Land Use Plan does not specifically address wine and beer shops. General Conformity with the Land Use Plan by promoting a healthy year-round economy.

Significant Themes

Highway and
Appearance

Stormwater and
Flooding

Redevelopment

Environment

Healthy Year-
round Economy

Traffic
Congestion and
Parking

Sea Level Rise
and Erosion



Motion

Approval

- The Council, Whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the following ordinance amendment to Amend Chapter 40, Art. III. – Zoning District Regulations, Art. IX. – Development Standards for Particular Uses, and Art. V. Off-street parking and loading requirements for Wine Shops and Beer Shops is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans or
- Denial - based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents.
- Further Direction/Discussion

Staff recommends approval of the text amendment as proposed.



Definitions

Beer Shop means an establishment substantially engaged in retail sale of malt beverages on and off premises subject to the ABC Commission regulations.

Wine Shop means an establishment substantially engaged in retail sale of unfortified wine and fortified wine for consumption on and off premises subject to the NC ABC Commission regulations.



ABC permit requirements

Wine shop

- Wine Shop Permit
- Retail sales on and off-premise
- Sale of wine for consumption on premise cannot exceed 40% of the establishment's total sale for 30 days

Beer shop

- On-premise Malt Beverage Permit
- Retail sales on and off-premise
- No limitation or percentage to off-premise sales

Use

Wine Shops – Limited 40% on premise consumption.

Beer Shops – By permitting by right in other areas vs CZ may be undermining Bar regulations and standards

Staff Approval – Beer and Wine Shop

- Malt beverage on premise
- Wine Shop on premise limited to 40% sales

CZ - Bar

- Mixed beverage on premise.
- Wine on premises exceeding 40%.

Parking

- Wine Shops by ABC regulations are treated as accessory to off-premise retail.
- Beer Shops do not have any ABC regulations for on premise consumptions and the impacts of parking could be similar to that of Bars

The Planning & Zoning Commission recommended denial of the text amendments as proposed.

Concerns

- Request should be permitted as a bar going through the CZ process
- Lack of parking meeting the requirements on the site was a concern.
- Could encourage nonconforming situations to continue.
- Unattended consequences and concerns of expanding wine and beer shops with on-premise alcohol.
- Concerns with amount of existing residential uses in MB-1 zoning district with the amendment.