



AGENDA ITEM COVERSHEET

PREPARED BY: Jeremy Hardison, Planner

DEPARTMENT: Planning

MEETING: Planning & Zoning – 8 July 2021

SUBJECT: A discussion regarding amending Chapter 40, Zoning Ordinance to address gated communities and drives.

Applicant: Town of Carolina Beach

BACKGROUND:

Staff is proposing an ordinance to address gated drives and streets. The concern was brought up by the Fire Department about not having requirements for gates when the town receives request for them. The ordinance is currently silent on the allowance of gates, along with have not having any standards for them. The proposal would address the allowance for gates over roadways and create standards for them. Currently the town has two private communities that are gated 1) Oceana/Spinnaker Point) and 2) Waterview condos. The change would only regulate new gated communities. TRC reviewed the ordinance and recommends the attached ordinance. The ordinance would allow gates over private drives, but not allow any public streets or public access easements to be gated. A vehicle turnaround shall be provided before the gate entrance and the gate shall be setback from the abutting street for the cuing of vehicles. The gates shall open away from, not toward vehicles entering. Pedestrian access points should be provided along the gates. The gate entrance area shall be illuminated. Gates shall be approved by the Fire marshal and meet fire code standards. The proposed ordinance addresses opening gate width requirements and would exempt the town for closing streets and facility for maintenance or safety reasons, such as Canal Dr for flooding reasons or Freeman Park for severe weather.

The Land use Plan does not address gates directly. The proposed amendment would not conflict with the plan if the town would like to address standards and create an allowance.

ACTION REQUESTED:

Review the proposed ordinance and make a motion to Council or direct staff to bring back alternative language

RECOMMENDED MOTION:

Approval - whereas in accordance with the provisions of the NCGS, the Commission does hereby find and determine that the adoption of the following ordinance amendment to amending Chapter 40, is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans

or

A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.

Denial - based on inconsistencies with the goals and objectives of the