

# CAROLINA BEACH

Planning and Zoning Commission

Thursday, June 11, 2026 - 6:00 PM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC



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## MINUTES

### CALL TO ORDER

Chairman Hogan called the meeting to order at 6:00 PM.

### PRESENT

Chairman Jeff Hogan

Vice Chairman Bill Carew

Commissioner Ethan Crouch

Commissioner Lynn Conto

Commissioner Brad Jones

### ABSENT

Commissioner Melanie Boswell

Commissioner Todd Piper

### ALSO PRESENT

Community Development Director Jeremy Hardison

Planner Haley Anderson

### APPROVAL OF MINUTES

1. April 9, 2026 Minutes

**ACTION:** Motion to approve the minutes

Motion made by Vice Chairman Carew, seconded by Commissioner Conto

Voting Yea: Chairman Hogan, Vice Chairman Carew, Commissioner Crouch, Commissioner Conto, Commissioner Jones

*Motion passed 5-0*

### STAFF REPORT ON RECENT DEVELOPMENTS

Ms. Abbotts reported the following since April:

#### Permitting

- 83 permits (renovation, repair, grading, additions, fences, etc.)
  - 8 residential new construction
- 15 certificates of occupancy

#### New businesses

- Sharky’s Golf Carts (formerly SunFun Rentals), 505 North Lake Park Boulevard
- Reflect Boutique, 1000 North Lake Park Boulevard (Proximity)

#### Demos

- 300 Cape Fear Boulevard (community building)
- 1313 Bridge Barrier Road (Island Cottage)
- 1311 Bridge Barrier Road (commercial)
- 1613 Snapper Lane (mobile home)
- 302 Ocean Boulevard (mobile home)

#### Updates and upcoming

- Council May 12: Atlantic Towers pickleball court approved with conditions recommended by the Planning and Zoning Commission
- Planning and Zoning Commission July 9: text amendment from a resident seeking to add dog grooming to the home occupations ordinance

#### **PUBLIC COMMENT**

None

#### **PUBLIC HEARING**

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

Ms. Abbotts presented the staff report. She explained that the text amendment was being requested to allow temporary structures beyond the pierhead line. The applicant, Noelle Holdings LLC, owns Stoked Restaurant at 313 Canal Drive and is proposing a floating dock that would extend 5 feet beyond the established pierhead line. Ms. Abbotts noted that the current ordinance prohibits any structures, permanent or temporary, beyond that line.

Ms. Abbotts provided historical background on the pierhead line, explaining that it was established in the early 1980s and subsequently amended in 2012 to align with the U.S. Army Corps of Engineers channel setback. The line functions as a regulatory build-to line, and its purpose, as stated in the Unified Development Ordinance (UDO), is to limit the extension of piers and docks to protect the health and safety of citizens who are using public trust waters for commercial or recreational purposes.

She described the applicant's proposed ordinance language, which would allow a temporary floating structure to encroach up to 5 feet beyond the pierhead line, provided that: the structure is readily removable at the owner's expense, no permanent utilities are attached, the structure is securely anchored to prevent drift while remaining capable of relocation or removal, and the encroachment does not create a navigational hazard.

Ms. Abbotts reported that the Technical Review Committee (TRC) had unanimously opposed adoption of the ordinance in May, citing concerns that further expansion into the water could negatively impact public access and navigable waters. She noted that the proposed addition would be located at the

tightest pinch point in the harbor and shared a photograph illustrating the congestion already present in that area.

With respect to long-range planning conformity, Ms. Abbotts stated that staff found the proposal was not in general conformity with either the Land Use Plan or the Harbor Management Plan, both of which emphasize maintaining and enforcing the pierhead line to manage conflicts between recreational and commercial uses and ensure public access to the waters.

Commissioner Conto asked whether the Coastal Area Management Act (CAMA) had been involved and whether it had outright opposed the request. Ms. Abbotts explained that the Town became involved because the applicant had applied for a CAMA permit, and CAMA had solicited comments from the Town. Staff met with both the applicant and CAMA and directed the applicant toward the text amendment process, as the proposal did not meet the current ordinance. Ms. Abbotts confirmed that CAMA had not outright opposed the application and would take the Commission's and Council's recommendation into consideration in its final determination. She confirmed that since TRC did not recommend this, staff is not recommending approval.

Vice Chairman Carew inquired about the floating dock visible on the aerial imagery at a neighboring property to the north, which appeared to encroach on or near the pierhead line. Ms. Abbotts noted that properties with pre-existing encroachments beyond the pierhead line could maintain and repair but could not expand. She acknowledged the dock in question but stated she was not certain when it had been constructed. Mr. Hardison said he did not have the information at hand but confirmed that, if found to have been constructed without a permit, it would be considered a violation. He acknowledged that staff had not yet researched whether those docks were historically permitted.

**ACTION:** Motion to open the public hearing

Motion made by Chairman Hogan, seconded by Commissioner Conto

Voting Yea: Chairman Hogan, Vice Chairman Carew, Commissioner Crouch, Commissioner Conto, Commissioner Jones

*Motion passed 5-0*

Rodney Johnson of Stoked Restaurant, representing the applicant, explained that the primary motivation for the request is safety. He described the deteriorating condition of the existing dock and deck structure. Mr. Johnson noted that the deck sees heavy use, particularly during events such as the Christmas Flotilla and the Dragon Boat Regatta, and that the volume of foot traffic had contributed to the wear. He stated that replacing the deck and associated structures for safety reasons was the primary goal, and the discussions with CAMA grew out of the effort to understand what could be done during reconstruction to maximize safety and usability.

Mr. Johnson recounted his CAMA application history, noting that his first proposal – a configuration running parallel along the building at an angle – was rejected by CAMA. CAMA then indicated that any permanent structure must stay within the dotted line (the CAMA line) but that a floating dock extending beyond the line could be permitted because it could be removed. It was only upon meeting with the Town that the applicant learned the Town's ordinance prohibited even temporary structures beyond the pierhead line, which led to the current text amendment request.

Mr. Johnson presented drawings showing the existing footprint of the restaurant, its current floating dock, walkway, and hard deck and described the proposed plan: retaining the existing walkway and floating dock, adding a hard deck area up to the pierhead line, and extending a 5-foot floating dock beyond the line. He noted that the area of the building closest to the water is, at low tide, only about one foot deep and that a future bulkhead may also be necessary to protect the structure. Mr. Johnson characterized the floating dock as being approximately 48 inches to 5 feet in width to ensure ADA wheelchair accessibility.

Mr. Johnson argued that the proposed configuration would actually improve navigability in the area. He explained that the current angled dock geometry causes boats to protrude further into the channel when docked, whereas a straight dock parallel to the channel would cause boats to lie parallel to the channel, protruding less. He displayed a drone photograph and a composite aerial image showing that the proposed floating dock would actually be set inward relative to neighboring docks and floating structures in the harbor, effectively occupying less of the channel. Mr. Johnson also noted the project would add approximately 691 square feet of deck space but that a kitchen door access requirement would prevent that area from being fully filled with tables.

Mr. Johnson acknowledged that they already have CAMA approval to reconstruct the deck up to the pierhead line and that this approval allowed construction to begin before winter if necessary, even without resolution of the floating dock question. He emphasized that timing was important given the seasonal nature of the construction work.

Chairman Hogan asked if anyone from the public wanted to speak on the matter.

Bob Lewis of 9024 Sedgley Drive said he is the founder of The Island Man and Chairman of the Dragon Boat Regatta held annually in Carolina Beach. He stated that the event has operated in close partnership with Stoked for several years and noted that it brings 2,000-3,000 people to the island and has generated approximately \$150,000 in net profit donations returned to the community.

Mr. Lewis said docks on the canal side of the yacht basin had, over the years, expanded in ways not always properly permitted. He noted that Wrightsville Beach had approached organizers about relocating the Dragon Boat Regatta but that he had no interest in doing so. However, Mr. Lewis emphasized that from an event operations standpoint, the current dock system is essential because the four dragon boat vessels are loaded, launched, and recovered from that dock throughout a six- to seven-hour event, and no comparable facility exists in the area. He concluded by characterizing the Stoked facility as the only dock-and-dine location in the community and a significant asset for both businesses and residents.

**ACTION:** Motion to close the public hearing

Motion made by Chairman Hogan, seconded by Commissioner Conto

Voting Yea: Chairman Hogan, Vice Chairman Carew, Commissioner Crouch, Commissioner Conto, Commissioner Jones

*Motion passed 5-0*

Commissioner Conto asked staff who is responsible for monitoring unpermitted floating dock construction in the harbor. Ms. Abbotts stated the Town works in conjunction with CAMA and the Division of Coastal Management (DCM) and would issue violations for unpermitted work. Mr. Hardison added that the Harbor Master serves as the Town's eyes on the water and is typically the first to flag work lacking permits.

Commissioner Conto asked whether there was any documented record of accidents or safety incidents attributable to pierhead line violations or whether the safety concern was precautionary. Mr. Hardison said he was not aware of such data. Commissioner Conto expressed her view that it was worth distinguishing between a theoretical safety concern and a documented one.

Vice Chairman Carew observed that the neighboring dock visible in the aerial imagery appeared to extend beyond the pierhead line, asking whether such encroachments had simply “snuck in.” Mr. Hardison explained that the pierhead line as shown is an overlay of imagery and could be slightly offset, and the actual line is a surveyed line. He stated that staff would need to pull files and review historical permits to determine whether those encroachments had been permitted or were in violation. Mr. Hardison also clarified that the 2012 amendment to the pierhead line had primarily affected the area near Saint Joseph Street to the north, not the subject property's area.

Commissioner Crouch raised the issue of unintended consequences, noting that this was perhaps the most significant reason for staff's recommendation of denial because the text amendment would not be limited to this one site but would apply Town-wide wherever the pierhead line exists. Mr. Hardison confirmed this, adding that the subject area is already the narrowest and most congested point in the harbor. He also suggested that from a purely regulatory standpoint, it appeared that the applicant could potentially meet the needs of a safer, straighter dock facility while remaining within the pierhead line, though he acknowledged this might involve business tradeoffs in terms of usable deck area.

Vice Chairman Carew inquired about whether it would be appropriate to ask the applicant to pursue their goals via the Conditional Zoning (CZ) process. Mr. Hardison said this is possible and would allow for neighbor notifications and a public hearing,

Commissioner Crouch noted the unusual nature of the situation: part of the existing structure already encroaches beyond the pierhead line, making the property already non-conforming.

Commissioner Conto remarked on the irony of simultaneously discussing an up-zoning initiative to promote a more robust commercial environment in one part of town, while in another part of Town the Commission was potentially blocking a thriving business that contributes to community organizations and is the Town's only dock-and-dine establishment.

Chairman Hogan noted from personal experience as a frequent boater in the basin that the extreme congestion visible in the photograph was characteristic only of fishing tournaments and fireworks events. He said on ordinary days, there are rarely more than one or two boats docked at Stoked. Chairman Hogan observed that congestion at those events is largely uncontrollable regardless of any dock configuration and that the revenue and community benefit those events generate are significant.

Several Commissioners expressed support for the idea that a CZ approach – rather than a straight text amendment permitting the encroachment by right with standards – would be more appropriate.

Mr. Hardison suggested that before proceeding, the Commission should confirm with the applicant that they are amenable to this alternative path. Chairman Hogan asked Mr. Johnson whether he was comfortable with the Commission redirecting toward a CZ process rather than voting on the current text amendment. Mr. Johnson expressed that the timing was workable, noting that construction would not begin until winter in any case and that the hard-deck reconstruction up to the pierhead line, for which CAMA and Town approval could be sought separately, could begin in the meantime. He consented to the alternative approach.

**ACTION:** Motion to recommend approval of amending the Unified Development Ordinance Article 3 Section 3.19 to allow for temporary structures beyond the pierhead line, subject to the following conditions: (1) the temporary structure shall not encroach more than 5 feet beyond the pierhead line, (2) the floating structure must be readily removable at the owner's expense upon notification by the Town, (3) no permanent utilities or infrastructure may be attached to the floating structure within the encroachment area, (4) the structure must be securely anchored to prevent drift while remaining capable of relocation or removal, (5) any encroachment beyond the pierhead line must not create a navigational hazard, and the Town reserves the right to require removal of any structure that impedes safe passage, and (6) any such encroachment must be applied for and processed through Conditional Zoning

Motion made by Vice Chairman Carew, seconded by Commissioner Conto

Voting Yea: Chairman Hogan, Vice Chairman Carew, Commissioner Crouch, Commissioner Conto, Commissioner Jones

*Motion passed 5-0*

Chairman Hogan clarified that the recommendation would proceed to Council for approval, and upon Council's adoption of the amended language the applicant would then be eligible to submit a CZ application.

### **DISCUSSION ITEMS**

3. Zoning Map Amendment Discussion to Consider a Request to Rezone the 200 Block of Cape Fear Boulevard Currently Zoned Mixed Use (MX) to Another Zoning District  
Applicant: Town of Carolina Beach

Mr. Hardison presented the staff report, noting that Council had asked staff and the Commission to examine the 200 block of Cape Fear Boulevard. He indicated the impetus appeared to be redevelopment potential, as some properties in the block were currently on the market and Council wished to consider how the area should evolve when that development occurs.

Mr. Hardison described the current character of the 200 block: It is zoned Mixed Use (MX) and functions as a transitional area between the Central Business District (CBD) on the east side of Lake Park Boulevard and the R-1 residential zones further west. Current land uses include three single-family residences, four vacant lots, two lots used as parking for nearby establishments, two retail

establishments, and a motel. The area features on-street parking, wider sidewalks, street trees, and walkable access to both the CBD and the beach, giving it a distinctive character.

Mr. Hardison noted that two recent rezoning approvals in the CBD from MX had prompted the Commission to express concern about the CBD encroaching further into residential areas. He indicated that this context informed staff's approach to the current analysis.

Mr. Hardison reviewed the Land Use Plan's designation for the area, which identifies the 200 block as Mixed Use Commercial, a distinct classification from the surrounding MX zone. The plan calls for higher-density development, a mixture of residential and commercial uses, mixed-use buildings with active ground-floor commercial and residential above, a pedestrian-oriented environment, and building heights of four to five stories.

Mr. Hardison presented a conceptual framework for a potential new zoning district – which he suggested could be called something like Commercial Transition – with dimensional standards and use provisions designed to implement the Land Use Plan vision. Key proposed changes from the current MX standards included: a reduced front setback of 5 to 10 feet (to bring buildings closer to the street and allow rear parking), more flexible side setbacks, increased residential density of up to 29 units per acre (borrowed from the T1 district, versus the current 17), maintained 50-foot height limit, increased lot coverage of 60%, no impervious surface limit (though triggering a State stormwater plan), required street trees every 25 feet, and maintained parking requirements. He emphasized that parking requirements would not be relaxed and that staff was proposing encouraged shared access and interconnected parking in the rear.

Mr. Hardison also noted that under recent State legislation concerning down-zoning, the new district would need to permit everything currently allowed in MX and that no existing uses would become non-conforming. He described a meeting with property owners the previous month. Mr. Hardison said the grocery store appreciated the potential to expand or change, and the motel owner, whose property is on the market, appreciated the increased development flexibility for a future buyer. He added that NAPA Auto Parts indicated no current plans to change but saw no issue with the proposal.

Mr. Hardison reported that the TRC had reviewed the concept in June and supported it, with the Fire Department particularly appreciating that this type of multi-story mixed-use development would typically be required to be sprinklered. He noted a timeline targeting a public hearing in July, with notices sent to both affected and adjacent property owners.

Commissioner Conto expressed enthusiasm for initiatives that position Carolina Beach as a leader among coastal communities but raised concern about the table of uses, specifically the inclusion of bars and taverns, breweries, distilleries, and event venue bars as permitted uses. She stated she could accept a beer and wine shop or full-service restaurants but objected to standalone bars and taverns on a corridor she described as the walkable entry into the CBD. Commissioner Conto asked whether any property owners had expressed a particular development vision. Mr. Hardison indicated that no concrete development plans had emerged. He said the grocery store expressed interest in potential expansion or change, and the hotel owner's primary interest was ensuring a future buyer would have design flexibility.

Chairman Hogan raised a practical concern about parking. Given the narrow 50-foot typical lot width in the block and the Town's substantial parking requirements – referencing his own experience requiring 23 spaces for a 2,200-square-foot building on three-quarters of an acre at The Vault – he questioned where meaningful commercial development could realistically accommodate the required parking on a single or small number of lots. He noted that buyers would likely need to assemble multiple lots. Chairman Hogan also raised a concern about the zero side setback proposal from the perspective of existing residential neighbors who would not want a commercial building immediately on their property line, noting the current setback is 7.5 feet. Mr. Hardison acknowledged that commercial development on a 50-foot lot would be extremely challenging without lot consolidation and that some transitional landscaping buffer adjacent to residential uses was something the Town intended to incorporate.

Commissioner Conto expressed concern about the rear neighbors – specifically the residences along Charlotte Avenue – and asked whether they had been contacted. Mr. Hardison indicated that only the directly affected property owners had been consulted to date and that adjacent owners, including those at the rear, would receive formal notice ahead of the July public hearing. He noted that Raleigh Avenue to the rear is lined mostly with commercial uses, with the exception of the former AT&T building site near the corner.

Vice Chairman Carew asked whether there were any known investors or development proposals driving the process. Mr. Hardison indicated there were no concrete proposals or permit applications pending and said the effort was more of a proactive planning initiative.

Vice Chairman Carew asked about the status of House Bill 369 relating to parking requirements. Mr. Hardison noted the bill had re-emerged after appearing to stall, with the Senate returning it to committee, and that he had heard that day that an exemption for coastal communities was being considered.

Vice Chairman Carew asked whether the Commission's prior action removing architectural standards from the Town's regulations would affect any design requirements for this proposed district. Mr. Hardison confirmed that the State prohibition on appearance standards applies only to single-family and two-family dwellings. He said for multi-family and commercial development, the Town retains the ability to impose design standards, and no disabling legislation on that front was known to be pending.

Commissioner Crouch stated clearly for the record that he had been raising concerns about increased density and CBD expansion for approximately three years and found the current discussion to be "exactly coming into fruition." He expressed continued concern about the unintended consequences of up-zoning and noted that the Land Use Plan itself includes specific commentary and cautions about up-zoning and special considerations that should apply. Commissioner Crouch stated he wished to continue submitting his concerns to the record regarding the expansion of density into residential areas.

Commissioner Conto summarized the cautionary perspective and urged careful, well-enforced implementation of any new standards to preserve what makes Carolina Beach distinctive.

Mr. Hardison said maintaining height and parking regulations would dictate density. Chairman Hogan agreed that this would limit what can go in that area.

Vice Chairman Carew echoed the enforcement point, observing that new regulations are only meaningful if enforced and that truly evolving the character of the Town requires robust enforcement capacity backing up any new zoning framework.

Mr. Hardison indicated he had received substantive and useful feedback from the Commission and would take it into account as the process moved toward a formal public hearing.

### **NON-AGENDA ITEMS**

Commissioner Conto raised the topic of pickleball courts, noting that there appeared to be a widespread assumption that the State would soon pass legislation regarding pickleball but that this did not appear to be forthcoming. She stated that the Town needs to evolve its position that a pickleball court is equivalent to a tennis court, as more and more communities are recognizing the difference. Commissioner Conto requested that the Commission develop specific restrictions regarding proximity of pickleball courts to residences and that pre-existing courts closer than any future threshold potentially be required to use less disruptive equipment such as "quiet paddles." She asked that a workshop be scheduled for one of the upcoming meetings to address the issue sooner rather than later.

### **ADJOURNMENT**

**ACTION:** Motion to adjourn

Motion made by Chairman Hogan, seconded by Commissioner Conto

Voting Yea: Chairman Hogan, Vice Chairman Carew, Commissioner Crouch, Commissioner Conto, Commissioner Jones

*Motion passed 5-0*

Chairman Hogan adjourned the meeting at 7:20 PM.