



AGENDA ITEM COVERSHEET

PREPARED BY: Jeremy Hardison, Planning & Development Director

DEPARTMENT: Planning

MEETING: Town Council – November 30, 2021

SUBJECT: **Text Amendment:** Consider amending Chapter 40, Article III & Article IX, to address private parking lots that charge for parking.
Applicant: Town of Carolina Beach

BACKGROUND:

Town Council requested staff to review the allowances for permanent and temporary commercial parking lots. In 2007 an allowance was created to allow for private lots to charge for parking in the Central Business District (CBD). The allowance was created with the downturn in the economy to allow vacant lot property owners to make use of their property that were in transition.

The town currently has 5 parking lot in the Central Business District that are town owned for a total of 365 spaces. Three privately owned lots had agreements with the Town to manage parking in the district that are year to year for a total 220 spaces. There are 7 private temporary parking lots that operated this summer in the CBD for a total of 595 spaces (see attached parking map). In 2007 what was one temporary lot operating has now expanded to outnumber the number of town spaces for the first time. Permits for temporary private parking lots are issued annually. Temporary private parking lots can charge for parking from Memorial Day weekend to Sunday weekend Labor Day. Private lots can charge all year long if they are approved as permanent parking lots but are required to do more upgrades to handle stormwater, provide landscaping and handicap parking. The town has not issued any permits for a permanent parking lot since the allowance was created in 2007.

Concerns about the operation of commercial parking lots operating practices have caused the review of this ordinance. Private parking lots are known to be more aggressive with their enforcement practices, require handicap to pay for any space, Town decals are not honored, do not provide golf cart parking, fees are not controlled by the town, and private lots occasionally improperly manage trash. Along, with the confusion the public has had if the parking lot is managed by the town or a private entity.

ACTION REQUESTED:

Planning & Zoning Commission recommended to remove temporary parking lots and amend the permanent parking lots with additional standards. In order to assist those property owners who operated temporary parking lots during 2021, the Town proposes to treat those parking lots as “non-conforming” upon the adoption of the Text Amendment. Immediate compliance with the attached proposed ordinance requirements 1-6 has deemed necessary for the public health, safety and welfare. Three years for compliance with requirement 7(stormwater) is being proposed to allow the

property owners a reasonable amount of time to recoup any investment and to allow other uses for the property to be considered.

RECOMMENDED MOTION:

Approval - whereas in accordance with the provisions of the NCGS, the Commission does hereby find and determine that the adoption of option ___ ordinance amendment to Chapter 40, Sec. 40-72. & Sec. 40-261 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 adopted Land Use Plan and/or other long-range planning documents.