



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Community Development

MEETING: Town Council – August 12, 2025

SUBJECT: **Text Amendment** to amend Article 3: Zoning and Article 7: Definitions of the UDO to address water-oriented businesses and personal watercraft sales and rental.
Applicant: Town of Carolina Beach

BACKGROUND:

During the UDO rewriting process, staff and the Planning and Zoning Commission identified the need to address water-oriented businesses in the ordinance. To facilitate a more focused discussion, this text amendment is being introduced currently, after the UDO has been adopted. Staff have also received an application for an appeal.

The goal of this text amendment is to clarify water-oriented businesses and related uses for the community and administrators. There is ambiguity in the ordinance for boat related uses. Water oriented uses were defined but did not have any clear regulations. There are multiple uses that are similar with different requirements and parking calculations. Staff presented a text amendment in April for P&Z review. Since the April meeting, staff and P&Z have held three workshops and two regular meetings to discuss the text amendment.

The following changes have been made to the proposed ordinance:

1. Different types of boating activities were broken out into the following uses and definitions
 - a. Rental
 - b. Sales and repair
 - c. Taxi
 - d. Larger commercial
 - e. Smaller commercial
2. Added standards for Boat Rental
 - a. The business shall operate in a permanent on-site building.
 - b. All boat slips must be shown on the site plan.
 - c. All other standards are consistent with the automotive development standards.
3. Added standards for Commercial Marinas
 - a. Parking, restrooms, refuse, water, electricity, and sewer pump outs are required.

The table below describes the differences between the two options for approval:

	P&Z Option 1	Staff Option 2
<i>Use: Rental</i>	Conditional Zoning	Permitted with Standards
<i>Use:</i>	Water-oriented business	Commercial vessel
<i>Parking: Rental</i>	1.5 per boat or PWC	1 per boat or PWC
<i>Parking: Dry Stack</i>	1 per 2 dry storage space	1 per 5 dry storage space

Conditional Zoning uses are egregious and require Town Council review and approval. The boat and personal water craft rental use standards are straightforward. Any commercial vessel or commercial businesses are required to be in a commercial marina, which requires conditional zoning.

Staff recommend using the term commercial vessel instead of water oriented business because it is a commonly used term in federal and state codes. The use of common terms makes it easier to regulate.

In 2005 there was an applicant driven text amendment that changed marina parking to 1 per 3. The town changed the commercial marina parking back to 1 per 1 space in 2007 because the specific project that the ordinance was changed for in 2005 was never built. The proposed parking requirement for Commercial Marinas lines up with the ordinance requirements of the surrounding communities and is consistent with the historical requirements of the Town.

The change to dry stack parking was brought up by P&Z and was not part of the original text amendment proposal. Historically there have not been any issues with dry stack parking.

P&Z recommended approval of the option 1 text amendment with the addition of a request to rezone the eastern portion of the Town Marina from MB-1 to CBD and designate St. Joseph Street as residential parking.

LAND USE PLAN:

The text amendment is in general conformity with the CAMA Land Use Plan. The recreational and working waterfront are major drivers in the town's economy. The plan recommends preserving traditional water dependent uses like marinas.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

MOTION:

Approval – to amend Article 3: Zoning and Article 7: Definitions to address water-oriented businesses and personal watercraft sales and rental.

- The Council, whereas in accordance with the provisions of the NCGS, does hereby find and determine that the adoption of the following ordinance amendment Option __ to amend Article 3: Zoning and Article 7: Definitions of the UDO to address water-oriented businesses is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans or

Denial – to amend Article 3: Zoning and Article 7: Definitions to address water-oriented businesses and personal watercraft sales and rental.

- based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents.