

### 3.4 TABLE OF USES

Table 3.2: Table of Uses	P = Permitted by Right; CZ = Conditional Zoning (Use Standard noted); PS = Permitted Use with a Use Standard														Use Standard
Uses of Land	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1	
Nonresidential Uses (Section 3.9)															
Automotive, <del>major</del>										CZ	PS	<u>PS</u>		PS	3.9.C
Automotive, <del>minor</del>									<del>PS</del>	<del>PS</del>	<del>PS</del>	<del>PS</del>		<del>PS</del>	<del>3.9.D</del>
<del>Boat and personal water craft (PWC) sales and rental</del>									<del>P</del>		<del>P</del>	<del>P</del>	<del>P</del>	<del>P</del>	
<del>Boat repair facility</del>											<del>PS</del>	<del>PS</del>		<del>PS</del>	<del>3.9.G</del>
Dry stack storage facilities												PS			3.9.M
Marinas, docks and/or piers, private	P	P	P		CZ				P			P			
Marinas, docks and/or piers, public or commercial	CZ				CZ		CZ		P			CZ			
Rental of any item, the sale of which is permitted in the district									P		P	P		<u>P</u>	
Rental of <u>boats and personal watercraft (PWC)</u> , golf carts, mopeds, e-bikes and scooters								PS	PS	PS	PS	PS		PS	3.9.T
Repair of any item, the sale of which is permitted in the district									P		P	P		<u>P</u>	
<del>Water-oriented businesses</del>									<del>CZ</del>			<del>CZ</del>			

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### 3.9 NONRESIDENTIAL USE STANDARDS

#### C. AUTOMOTIVE, ~~MAJOR~~

- ~~1. All work shall be conducted entirely within an enclosed structure so as to protect surrounding properties and uses from objectionable characteristics of repair activity.~~
- ~~2. 1. No outside storage of junk vehicles or parts shall be permitted.~~
- ~~3. In applicable districts, wrecked or inoperable automobiles actually in process of repair may be stored outside, provided that such vehicles shall be concealed from view by a fence, wall, or vegetative buffer at least six (6) feet high and offering 100% opacity.~~
2. Limitations shall be placed on outdoor repair areas to protect surrounding properties and uses from any objectionable characteristics resulting from repair activities.
  - a) The size of outdoor repair area shall not exceed 30% lot coverage.
  - b) Minimum setbacks for outdoor repair areas shall be 15 feet from all property lines.
  - c) Any outdoor repair areas shall be completely shielded from streets and adjacent properties by buildings and/or fencing that is at least six (6) feet high and offers 100% opacity.
- ~~4. Vehicle sales and rental lots shall be subject to the following:~~
  - a) ~~3. No encroachments of displayed vehicles within 20 feet from the street right-of-way or within areas designated as vehicle sight distance at street or driveway intersections.~~
  - b) Provide egress and ingress to and from the property in a forward movement.
  - c) ~~All display surface areas to be paved or stoned and proper drainage provided.~~
  - d) ~~Provide buffering of vegetation or fencing, or combination thereof, along all side and rear property lines in conformance with this ordinance.~~
  - e) All lighting shall be directed to the interior of the property so as not to cause impact upon adjacent properties or to street rights-of-way.
  - f) ~~No establishment shall contain outdoor storage of junk vehicles, vehicles in disrepair, or other items associated thereto.~~
  - g) Areas utilized for wash areas shall provide for the proper drainage and retention of water runoff. No water shall leave the site. Any wash areas shall be comprised of a hardscape surface not to include gravel, turf, or vegetative ground cover. Washing, vacuuming, drying, and polishing facilities may not be located in any required setback or buffer area.
  - h) ~~All structures shall be subject to the requirements of the zoning districts, building codes, and other applicable regulations of the town.~~

#### D. AUTOMOTIVE, MINOR

- ~~1. Car wash facilities shall be subject to the following requirements:~~
  - a) ~~Car wash facilities shall only be permitted as an accessory to an automotive use in the CBD and NB zoning districts. No principal use car wash shall be permitted in those respective zoning districts.~~
  - b) ~~Vacuuming, drying, and polishing facilities may not be located in any required setback or buffer area.~~
  - c) ~~At least two (2) staging spaces and one (1) drying space per wash bay shall be provided.~~
  - d) ~~Hours of operation may be from 8:00 AM to 9:00 PM only, when adjoining a residential zoning district.~~

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~~e) All vehicular accessible areas on the lot shall be at least 100 feet from any interior lot line separating the lot from a residential zoning district.~~

~~f) Security light must be shielded from adjacent residential-zoned properties to prevent undue bright lights from shining onto/into dwellings.~~

~~2. Minor automotive establishments engaged in repair work shall be prohibited from the storage of vehicles on-site for more than 10 days, otherwise such use shall be deemed a major automotive use or outdoor storage yard.~~

~~F. BOAT REPAIR FACILITY~~

~~1. Limitations shall be placed on outdoor repair areas to protect surrounding properties and uses from any objectionable characteristics resulting from repair activities.~~

~~a) The size of outdoor repair area shall not exceed 30% lot coverage.~~

~~b) Minimum setbacks for outdoor repair areas shall be 15 feet from all property lines.~~

~~c) Any outdoor repair areas shall be completely shielded from streets and adjacent properties by buildings and/or fencing that is at least six (6) feet high and offers 100% opacity.~~

~~d) No outside storage of junk boats, trailers, or parts shall be permitted.~~

L. DRY STACK STORAGE FACILITY

1. Intent: Carolina Beach is a boater friendly community. Dry stack storage facilities offer infrastructure to support a boating community. Despite this, some dry stack storage facilities may have adverse secondary impacts. To address possible adverse impacts and in order to ensure the health, safety, and well-being of the citizens and visitors of the town, all persons requesting dry stack storage facilities shall comply with the following regulations:

a) Boats located in a dry stack storage facility shall not be used for living purposes, sleeping, housekeeping, or business purposes.

b) Any outdoor storage of boats shall meet the requirements for the use type storage yards, outdoor provisions as provided in this ordinance.

c) Junk boats or parts associated with the dry stack storage facility shall be located in a building.

P. RENTAL OF [BOATS AND PERSONAL WATERCRAFT \(PWC\)](#), GOLF CARTS, MOPEDS, E-BIKES, AND SCOOTERS

1. Any operation, whether as principal or accessory, that plans to rent golf carts, mopeds, and/or scooters shall meet the following requirements:

a) No rental item shall be permitted to encroach into any public right-of-way or site triangle in accordance with ~~&curr;~~ the off-street parking design and construction standards for vision clearance.

b) All exterior display areas shall be paved or stoned with proper drainage provided.

c) All lighting shall be directed to the interior of the property and shall not impact adjacent properties or public rights-of-way.

d) Rental, maintenance, and all related functions shall be conducted within a permanent [on-site](#) building having restrooms facilities for patrons and employees.

e) Any rental item that is viewable by a patron, whether inside or outside, shall be considered "displayed for rent" and shall meet the requirements for on-site parking where applicable. Display areas may be indoors or outdoors, but shall not be located in required parking or landscape buffer areas.

- f) A minimum of \$1,000,000 liability insurance policy shall be secured by the operator and the town shall be named as an additional insured party.
- g) It shall be the responsibility of the operator to ensure that all federal, state, and local safety and motor vehicles laws are adhered to.
- h) Rental of these items may be permitted in the designated zoning districts as an accessory use to other permitted commercial uses if parking and other standards can be met.

### 3.24 OFF-STREET PARKING

Table 3.6 Minimum Off-Street Parking Spaces Required	
Types of Uses	Number of Required Parking Spaces
<b>Nonresidential uses</b>	
Automotive, <del>major and minor</del>	<del>2 per station + 4 per service bay</del> <u>1 per 200 square feet of actual retail/sales area and 1 per 500 square feet of indoor repair area</u>
Commercial marina	1 per wet boat <del>storage space</del> <u>slip</u> , 1 per 2 dry storage, 1 per service bay + required for all other on-site uses
Dry stack storage facilities	1 per 5 dry storage space
Rental of <u>boats and personal water craft (PWC)</u> , golf carts, mopeds, and scooters	1 parking space per every 1 vehicles displayed for rent
<del>Repair services</del>	<del>1 per 200 square feet of actual retail/sales area and 1 per 500 square feet of indoor repair area</del>

### 7.3 DEFINITIONS

Unless otherwise specifically provided, or unless clearly required by the context, the words and phrases defined in this section shall have the meaning indicated when used in this ordinance.

*Automotive, ~~major~~* means establishments engaged in vehicle sales (including boats, motorcycles, RVs, and other consumer motor vehicles), automotive rental, towing, washing, servicing and ~~major~~ repair such as transmission, engine repair, bodywork, and repainting. Retail items customarily sold at service stations are included. Rental of boats and personal watercraft (PWC), golf carts, mopeds, e-bikes, and scooters shall not be included.

~~*Automotive, minor* means establishments that are primarily engaged in washing cars, fuel dispensing, tire sales, minor repair such as diagnostic work, lubricating, wheel alignment, and inspections, but no vehicle sales or rental. Retail items customarily sold at service stations are included.~~

*Boat (vessel) and personal watercraft (PWC)* means watercraft of any type or size specifically designed to be self-propelled, whether by engine, sail, oar, paddle, or other means, used to travel from place to place by water. A boat or vessel shall also include any machine designed or intended to travel over water by self-propulsion.

*Boats and boat trailers* means a vessel or craft for use on the water, which is customarily mounted upon a highway vehicle designed to be hauled by an automobile vehicle.

*Boat repair facility* means a facility where boats are repaired and stored until repairs are completed.

~~*Boat and personal water craft (PWC) sales and rental* means a maritime retail sales and rental establishment in which boats are rented or sold.~~

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*Commercial* means a nonresidential use providing for the sale of general merchandise or convenience goods and services or other uses not utilized for the primary purpose of a dwelling(s).

*Commercial vehicle* means a vehicle designed, maintained, or used primarily for the transportation of merchandise or materials used in a business.

*Dry stack storage* means vertical storage of boats in a rack system, providing for storage of at least two (2) layers of boats.

*Floating structure* means a barge-like structure, that is not used as a means of transportation on water but which serves purposes or provides services typically associated with a structure on or other improvement to real property used for human habitation or commerce. Incidental movement or the capability of movement upon water does not preclude a structure from classification as a floating structure. Registration of the structure as a vessel in accordance with G.S. Chapter 75A does not preclude a structure from classification as a floating structure.

*Gross floor area* means measured from the exterior building walls of the use. The area shall include:

1. *Commercial uses*: All floors where the business is conducted. Floor area shall include halls, lobbies, arcades, stairways, elevator shafts, enclosed porches, and balconies.
2. *Industrial uses*: All floors devoted to a particular uses.
3. *Residential uses*: All floors.

*Gross floor area, outdoor*, means any unheated areas where business is conducted. Any outdoor areas shall meet NC building code.

*Marina, docks and/or piers, private* means a boat basin with facilities for berthing, securing or storing various types of watercraft for the exclusive purpose of the owners or renters thereof rather than the public at large.

*Marina, docks and/or piers, commercial* means any marina, pier, or dock which caters to the general public, provides goods or services for sale, and/or, if located in a private residential development, makes available marina facilities to other persons besides occupants of said residential development shall be regarded as a commercial marina. Fishing piers available to the general public are included as part of this use type. [Examples of permitted uses or activities shall include but not be limited to the following services: charter boats, dive boats, dinner cruises, scenic cruises, boat taxis, etc.](#)

*Rental items* means any items for rent that are located on the premises of the principal business that may also sell the same items.

*Retail sales* means use types involved in the sale or lease of new or used products to the general public. Accessory uses may include offices, display of goods, limited assembly, processing, or repackaging of goods for on-site sale. Retail sales does not include the following:

1. Repair and service establishments, including automotive and marine related uses.
2. Bars, taverns, restaurants, wine/beer shop with on-site consumption, and similar eating establishments.
3. Personal service establishments.
4. An establishment that involves the sale, distribution, or presentation of materials, or activities emphasizing sexually explicit content.

*Vehicle* means any of the following:

1. *Commercial vehicle* means a vehicle designed, maintained, or used primarily for the transportation of merchandise or materials used in a business.
2. *Motor vehicle* means all machines designed or intended to travel over land or water by self-propulsion or while attached to any self-propelled vehicle.

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~~*Water-oriented businesses* means any boat that can be rented for off-site use or offers off-site activities from the property. Examples shall include but not be limited to the following uses or activities: charter boats, boat rentals, dive boats, dinner cruises, boat taxi, etc.~~

*Wet boat slip.* A space used to moor, store, or park a single watercraft in or over water. Includes residential, commercial, and transient slips.