

Ordinance 25-1257

Town of Carolina Beach
Town Council



AN ORDINANCE TO AMEND ARTICLE 3: ZONING AND ARTICLE 7: DEFINITIONS OF THE UDO TO ADDRESS
WATER-ORIENTED BUSINESSES

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, major (including motorcycles, RVs, and other consumer motor vehicles)										CZ	PS			PS	3.9.C
Automotive, minor									PS	PS	PS	PS		PS	3.9.D
Boat and personal water craft (PWC) sales and rental									P CZ		P CZ	P CZ	P CZ	P CZ	3.9.E
Boat sales and personal water craft (PWC) and repair facility											PS	PS		PS	3.9. G F
Marinas, docks and/or piers, public and private	P	P	P		CZ P				P			P			

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Marinas, docks and/or piers, public or commercial	CZ				CZ		CZ		PS			CZ			3.9.N
Rental of any item, the sale of which is permitted in the district									P		P	P			
Repair of any item, the sale of which is permitted in the district									P		P	P			
Retail Sales								P	P	P	P	P		P	
Water oriented businesses									CZ			CZ			

3.9 NONRESIDENTIAL USE STANDARDS

C. AUTOMOTIVE, ~~MAJOR~~ [\(including motorcycles, RVs, and other consumer motor vehicles\)](#)

- ~~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% of the lot.
 - 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.

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~~4. Vehicle sales and rental lots shall be subject to the following:~~

- ~~a) d) 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.~~
- ~~e) 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.~~
- ~~f) 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.~~
- ~~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.~~

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~~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.~~

~~E. D.~~ BED AND BREAKFAST INNS

E. BOAT AND PERSONAL WATER CRAFT (PWC) RENTAL

1. Any operation, whether as principal or accessory, that plans to rent boats and PWC, 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 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) It shall be the responsibility of the operator to ensure that all federal, state, and local safety and motor vehicles laws are adhered to.
- g) All boat slips shall be shown on the site plan.

F. BOAT AND PERSONAL WATER CRAFT (PWC) SALES AND 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~~ of the lot.
 - 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.

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N. MARINA, COMMERCIAL

1. Any operation shall meet the following requirements:

- a) Parking shall be provided in accordance with the requirements of this Article.
- b) Restroom facilities shall be provided for the exclusive use of the commercial marina patrons.
- c) Properly screened and adequately sized solid waste disposal facilities shall be provided for the exclusive use of commercial marina patrons.
- d) Water, electricity, & sewer pump out shall be provided.
- e) The slips used for charter boats, dive boats, dinner cruises, scenic cruises, boat taxis, etc. must be identified on the site plan. Any changes to the site plan require a major modification to the conditional zoning.

3.24 OFF-STREET PARKING

Table 3.6 Minimum Off-Street Parking Spaces Required	
Types of Uses	Number of Required Parking Spaces
Nonresidential uses	
Automotive (<u>including motorcycles, RVs, and other consumer motor vehicles</u>); major and minor	2 per station + 4 per service bay <u>1 per 200 square feet of actual retail/sales area and 1 per 500 square feet of indoor repair area</u>
<u>Boat and personal water craft (PWC) rental</u>	<u>1.5 per boat or PWC</u>
<u>Boat and personal water craft (PWC) sales and repair services</u>	1 per 200 square feet of actual retail/sales area and 1 per 500 square feet of indoor repair area
Commercial marina	1 <u>.75</u> per wet boat storage space slip , 1 per 2 dry storage <u>space</u> , 1 per service bay + required for all other on-site uses
Dry stack storage facilities	1 per 5 <u>2</u> dry storage space

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 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

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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.

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.

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 uses shall include but not be limited to the following on or off-site activities/services: charter boats, dive boats, dinner cruises, scenic cruises, boat taxis, etc.](#)

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

[Marina, docks, and/or piers, public means any marina, pier, or dock owned/operated by a government entity, which caters to the general public.](#)

Retail sales means use types involved in the sale, [repair](#), 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.

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4. An establishment that involves the sale, distribution, or presentation of materials, or activities emphasizing sexually explicit content.

~~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.

Be it ordained by the Town Council of the Town of Carolina Beach. Adopted this 13th day of May, 2025.

TOWN OF CAROLINA BEACH

Albert L. Barbee, Mayor

ATTEST:

Kimberlee Ward, Town Clerk