



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Community Development

MEETING: Town Council – July 8, 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.

The goal of this text amendment is to clarify water-oriented businesses and related uses. Prior to this text amendment, there were multiple uses that were 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 on the recommendation of P&Z:

1. Table of uses
 - a. Removed boats from the automotive category.
 - b. Boats and personal water craft rental is Conditional Zoning.
 - c. Boat sales and repair are permitted by right with standards.
 - d. Boat taxis are permitted by right only in the CBD.
 - e. Removed the rental and repair of any item and clarified the definition of retail sales to include repair.
 - f. Water oriented businesses with a capacity of less than 15 people are permitted by right in CBD and MB-1.
 - g. Water oriented businesses with a capacity of 15 people or more are permitted by right only in the CBD.
2. Off-street parking
 - a. Removed boats from automotive.
 - b. Boat rentals require 1.5 spaces per boat or PWC.

- c. Commercial marinas require 1 space per wet slip plus requirements for dry stack and all other uses on site.
 - d. Dry stack facilities require 1 per 2 spaces to align with the requirement for commercial marinas.
 - e. Water oriented uses with a capacity of less than 15 people require 1 space per wet boat slip.
- 3. Added standards for Boat and PWC 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.
- 4. Added standards for Commercial Marinas
 - a. Parking, restrooms, refuse, water, electricity, and sewer pump outs are required.
- 5. Definitions
 - a. Clarified in automotive definition that rental of boats, personal water craft, golf carts, mopeds, e bikes, and scooters shall not be included.
 - b. Added a definition for public marinas operated by a government entity.
 - c. Added a definition of wet boat slip because it is used in the off-street parking table. A single water craft in or over water, whether it is residential, commercial, or transient, constitutes a wet boat slip.
 - d. Added a definition of boat taxi.
 - e. The boat and personal water craft rental definition clarifies that boats can be rented from a marina, dry stack, or dry storage.
 - f. Clarified that the water-oriented uses businesses definition is for commercial boats that are used for off-site activities in a commercial or public marina.

The table below reflects the two options for approval and the differences between staff's proposal and P&Z's recommendation.

Item	P&Z Option	Staff Option
Use Table:	Combined all Marina Uses into one category, to match eating and drinking establishments, residential uses, etc.	
Use: Boat and Personal Water Craft (PWC) Rental	Conditional Zoning in CBD, HB, MB-1, T-1, and I-1	Permitted with Standards in CBD, HB, MB-1, T-1, and I-1
Use: Boat Taxi	Permitted by right only in CBD	
Use: Water-oriented businesses	<ol style="list-style-type: none"> 1. Less than 15-person capacity permitted by right in CBD & MB-1 2. Greater than or equal to 15-person capacity permitted by right only in CBD 	Remove "water-oriented uses" and rename to "commercial vessel"
Use: Rental and Repair of any item	Removed both uses for clarity. Updated retail definition to reflect these activities.	

Use: Boat & PWC sales and repair	Combined both uses, permitted with standards.	
Use, Development Standards, and Definition: Automotive	Combine uses into one category for clarity. Does not include boats.	
Development Standards: Boat and PWC Rental	Operations shall be conducted in an on-site building + all boats for rent shall be displayed on the site plan.	
Development Standards: Marina, Commercial	Language matches Harbor and Marina Regulations – Marinas shall provide parking, restrooms, water, electricity, sewer pump out, etc.	
Parking: Automotive	Updated to reflect all uses in the category.	
Parking: Boat and PWC rental	1.5 per boat or PWC	1 per boat or PWC
Parking: Commercial Marina	1 per wet boat slip, 1 per 2 dry storage, 1 per service bay + required for all other on site uses, 1.5 per boat or PWC rental	1 per wet boat slip, 1 per 2 dry storage, 1 per service bay + required for all other on site uses
Parking: Dry stack storage	1 per 2 dry storage space	1 per 5 dry storage space
Parking: Water-oriented business (less than 15-person capacity)	1 per wet boat slip	Change use type to Commercial vessel, 1 per wet boat slip
Definition: Boat and Personal Water Craft (PWC) Rental	Boat rentals can occur from a dry stack, dry storage, or wet slip.	
Definition: Boat Taxi	Vessel that provides transportation for passengers for a fee.	
Definition: Marina, docks, and/or piers, commercial	Caters to the public and provides goods/services	Includes wording from the definition of water-oriented uses, which has been removed
Definition: Water-oriented businesses	Commercial boats used for off-site activities in a public or commercial marina	Remove water-oriented businesses and rename Commercial vessel
Definition: Wet boat slip	A space used to moor, store, or park a single water craft in or over water. Includes residential, commercial, and transient slips.	

Historical Commercial Marina Parking Requirements for Wet Storage:

Proposed: 1 per 1 space

Existing: 1 per 1 space

Pre UDO Change: 1 per 1 space

2007 Town Text Amendment: 1 per 1 space

2005 Applicant Text Amendment: 1 per 3 spaces
Pre 2005: 1 per 1 space

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.

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 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.

P&Z Recommendation: Rezone the eastern portion of the Town Marina from MB-1 to CBD & Designate St. Joseph Street as residential parking