



AGENDA ITEM COVERSHEET

PREPARED BY: Jeremy Hardison, Planning & Development Director

DEPARTMENT: Planning & Development

MEETING: Town Council Meeting - 11/10/2020

SUBJECT: Consider amending Chapter 40, Sec. 40-72 & Sec. 40-548 and CHAPTER 10, Sec. 10-3 definitions & Sec. 10-4 General Regulations to address floating homes.

BACKGROUND:

Staff is proposing to address floating homes within the zoning ordinance to address impacts on adjoining properties, as a result of a barge with a home built on it being located at a local marina.

The current Harbor and Marina ordinance defines Floating Homes as a house built on a floating platform without means of propulsion. Floating Homes are prohibited in Carolina Beach. In 2007 the town adopted a Harbor Management Plan that stated the area of public trust waters within the Town of Carolina Beach is limited and unsuitable for certain uses such as the permanent occupation by floating homes. The plan defined Floating Homes as a house built on a floating platform without a means of propulsion. The plan prohibited floating homes because;

1. Of the potential to obstruct other uses of public trust waters
2. They can contribute to problems with waste discharge and can pose unnecessary navigational hazards.
3. The location of floating homes in the harbor area is a detrimental use of public trust waters.

As a result of the adoption of the Harbor Manage Plan the town amended its Harbor & Marina Regulations which included prohibiting floating homes and defining them as a house built on a floating platform without means of propulsion.

The town received a complaint on 6/26/20 stating that a floating home was located at the Carolina Beach Yacht Club and Marina. Upon investigating the complaint, it was found that the Vessel with the Hull ID number NCZ49051G805 had two outboard motors and demonstrated that it did not meet the definition of a floating home because it had propulsion.

Staff is proposing to address the issue by defining the term floating structures to capture commercial or residential uses and prohibiting them within the zoning ordinance. If approved the Harbor and Marina Ordinance will need to be amended to be consistent with the zoning ordinance.

P&Z Recommendation:

P&Z recommended prohibiting floating homes and creating a definition.

LUP

The current Land Use Plan has a policy statement that prohibits floating homes.

Motion

Approval - whereas in accordance with the provisions of the NCGS, Council does hereby find and determine that amending **Chapter 40** Article III & XVIII and **Chapter 10** Sec. 10-3 definitions & Sec. 10-4 to prohibit Floating Structures in public trust waters and define water-oriented uses is consistent with the goals and objectives of the adopted Land Use Plan and other long range plans