CAROLINA BEACH

Town Council Workshop

Tuesday, October 28, 2025 - 9:00 AM

Council Chambers, 1121 N. Lake Park Boulevard, Carolina Beach, NC

MINUTES

CALL TO ORDER

Mayor Barbee called the meeting to order at 9:00 AM. He noted that Mayor Pro Tem Deb LeCompte is attending virtually, and although she may participate in discussion, she is not part of the quorum and is unable to vote.

PRESENT
Mayor Lynn Barbee
Council Member Jay Healy
Council Member Joe Benson
Council Member Mike Hoffer

ABSENT
Mayor Pro Tem Deb LeCompte *(attending virtually)*

ALSO PRESENT
Town Manager Bruce Oakley
Deputy Town Manager Ed Parvin
Finance Director Debbie Hall
Town Clerk Kim Ward

DISCUSSION ITEMS

1. Employee Recognition

Parks and Recreation Director Eric Jelinski recognized Community Services Manager Tim Murphy for 20 years of service. Mr. Jelinski praised Mr. Murphy for his willingness to pitch in wherever help is needed, and Mayor Barbee said Council often receives positive feedback from the public about Mr. Murphy.

2. Text Amendment Discussion to Amend Beach Services to Address Safety Issues and ATVs on the Beach
   Applicant: Town of Carolina Beach

Staff learned at the August 2025 Council retreat that Beach Services was the most dominant concern expressed to Council by community members, visitors, staff, and the actual Beach Services providers. Issues have been present for years but have increased as the number of beachgoers grows. During the Council retreat, issues were identified:

1. Concerns about motorized vehicles on the beach. Speed, reckless operation, and operation outside the emergency travel lane.

2. Line of sight and access issues from lifeguards not having clear view of the water due to structures erected on the beach (umbrellas, canopies, Shibumis, etc.).
3. Unattended rigid structures on the beach: umbrellas, canopies etc. Residents have expressed concerns after seeing reports of injuries at other locations during a waterspout or thunder squall.
4. Equitable access issues. Residents and visitors often arrive at the public trust beach to find unattended umbrellas and canopies "staking out" the ridge in front of the high-water mark.
5. Trash left on the beach.

After staff leadership met with Council, staff leadership met with staff assigned to work on the beach from Police, Fire, Public Works, and Community Development. At this meeting, they were asked to identify the issues they were having:

1. Safety concerns with ATVs on the beach
2. Trash from rentals on the beach
3. Unmonitored/unused chairs
4. Visibility of the beach
5. Constant complaints. Enforcement and permitting staff would like more objective/cleaner regulations.

The final group meeting was with the actual Beach Services providers. Staff gave them the top five issues:

1. ATVs
2. Visibility of lifeguards on the beach
3. Objective enforcement
4. Trash on the beach
5. Managing inventory

While Beach Services provides a great amenity for beachgoers, there are issues that are causing user conflicts and safety concerns. Based on Council survey results, staff incorporated the highest percentage of each category into a draft ordinance.

Community Development Director Jeremy Hardison presented the details. He said three companies currently have Beach Services permits, and each company is allowed two ATVs to deliver equipment such as chairs, umbrellas, and surfboards. The proposed ordinance would limit ATV operation to morning (7:00-9:00 AM) and evening (5:00-8:00 PM) hours. During the rest of the day, attendants could still set up and assist customers by hand but would not be allowed to drive ATVs on the beach. Exceptions would be made for weather emergencies to retrieve equipment.

Mr. Hardison said the beach is already crowded with lifeguards, Police, surf lessons, weddings, Public Works vehicles, and special events, creating safety and access concerns. He said staff hopes to get direction from Council today to finalize the draft ordinance and bring it back for a vote on November 12, which will be preceded by an opportunity for public comment.

Council Member Healy suggested having public comment before finalizing the draft ordinance. Mr. Hardison said time is a consideration because vendors will need to know about any changes ASAP so

they have a chance to prepare for next season. Mayor Barbee said Council can make changes to the draft after public comment if necessary. Mr. Hardison said Council may also choose not to vote on it in November if extensive revisions are needed.

Mayor Barbee said ensuring public safety while offering equal access to the public trust beach are often competing issues. He said the safety aspect is on the Town, but solving the equal access issue will require awareness and more work between Beach Services vendors and Town staff. Mayor Barbee said he would like to avoid coming up with a heavy-handed ordinance that hurts their businesses.

Council Member Hoffer said this is everybody's beach, and it should be a calm and peaceful refuge instead of feeling like a highway. He said he thinks canopies and tents should not be allowed to be set up by Beach Services because they take up so much space and cut down on visibility; he does not have an objection to people bringing their own canopies and tents to the beach. Council Member Hoffer added that these issues do not pose a massive problem now, but it's trending that way and Council should be aware.

Council Member Benson said it's important to enforce existing rules.

Council Member Healy said he is fine with ATVs being able to run all day long and doesn't have a problem with people being able to rent canopies and tents. He said enforcement of rules will be difficult for the Town because there is only so much manpower, so the Town will have to trust business owners to police themselves.

Mayor Pro Tem LeCompte said she doesn't like seeing ATVs on the beach all day long and would like to limit them to necessary deliveries only. She agreed that the Town will have to depend on vendors for enforcement and said there are already rules in place. Mayor Pro Tem LeCompte said she does not want to prohibit rental of canopies and tents because the people who need them are not always able to bring and set them up.

Council Member Healy suggested raising fines. Mr. Parvin said currently, a permit is revoked for vendors who get three violations, and they must come back to Council to get it reinstated.

Mayor Barbee said the Beach Services business model is wrong. He said the businesses are being run from a centralized place, so that's what's driving all the ATV traffic. Mayor Barbee said he has concerns about unattended items on the beach, but the Town will not be able to fix that problem in one season. He said the vendors are beach ambassadors and do a fantastic job, and he wants them to be successful. Mayor Barbee suggested allowing rental of canopies and tents but limiting their location/moving them back.

Mayor Pro Tem LeCompte said the speed of ATVs is a big part of the problem, and she said people need to report violations to permit owners.

Mayor Barbee encouraged Town staff and Beach Services vendors to figure out what this business model should look like five years from now. He said he does not want to see Beach Services taken away, so he encouraged proactive management of equal access and safety.

Staff will revise the draft ordinance and bring it back before Council during the November 12meeting, when members of the public, including Beach Services vendors, will have a chance to comment.

3. Adopt Procurement Policy for Federal and State Grants

Recipients of funds for Federal grants, including the Asset Inventory and Assessment (AIA) grant, are required to have a formally adopted Procurement Policy that meets Federal and/or State procurement requirements.

Ms. Hall presented the details, stating that the Town currently has a Procurement Policy, but it's not as detailed as some agencies want and has not been approved by Council. She said this is basically just formalizing what the Town currently does.

ACTION: Motion to approve the Town of Carolina Beach Procurement Policy as presented
Motion made by Mayor Barbee
Voting Yea: Mayor Barbee, Council Member Healy, Council Member Benson, Council Member Hoffer
Motion passed 4-0

4. Discuss Options for Saint Joseph Street Right-of-Way Parking
   Applicant: Town of Carolina Beach

Council directed staff to bring back options to review for the right-of-way along Saint Joseph Street. Staff presented the following options:

1. Designate parking along Saint Joesph Street where applicable.
   - Adopt an ordinance to prohibit parking outside of designated parking areas along Saint Joseph Street.
2. Designate Saint Joseph Street for residential parking only.
3. Prohibit parking in the right-of-way on Saint Joseph Street.

Mr. Hardison presented the details. He said the section of Saint Joseph Street north of Publix has the overall feel of a single-family, low-density residential neighborhood, but south of Publix there are more commercial uses and lots of parking in the right-of-way with no regulations. He noted that a planned multi-use path for the street may change available parking in the area.

Mr. Hardison said all the proposed options would prohibit parking north of Publix, unless Council wants to allow right-of-way parking in that area using residential passes.

Council Member Hoffer asked if designated parking would be paid. Mr. Hardison said that is up to Council, but the idea now is to designate spaces safely. He said the Town wants to ensure businesses such as the marina are using their required on-site parking.

Mayor Barbee said he likes making designated parking for the area south of Publix, but he doesn't think it should be paid at this time. He said the area north of Publix should be residential parking only to be consistent with other areas in the Town.

Council Member Hoffer said sometimes a little chaos, such as people backing out, makes streets safer because people pay more attention and slow down. He said he doesn't think there is a need to do anything at this point.

Council Member Healy said he thinks the area from Publix north should be residential parking only.

Mr. Hardison said staff can create a design for right-of-way parking to make it safer rather than just pulling in the grass.

5. Private Parking in the Right-of-Way

The Town Code has a long-standing ordinance that allows for the public right-of-way to be utilized for private parking. This code seemed to work well in the 80s and 90s but has caused concern as the Town becomes more populated. Under the current ordinance, signs were put up stating a certain parking space in the public right-of-way was designated for private use. This was only allowed under certain conditions, which included:

1. The applicant has to live in the house as a year-round resident.

There is no mechanism in place to monitor ownership and who is living in the homes with this allowance.

2. If a multi-unit rental structure, they also have to be a year-round resident.
3. The home must have been built before 1980 and stayed in continuous use as a residence since that time.

In most cases, this can be verified through Town and County records.

4. No off-street parking option is available on the applicant's property.

To make this more objective, it could say if there is space for a 9-foot-by-18-foot parking space on private property, the allowance shall not be issued.

5. No private parking arrangement can be made with property within 500 feet.

This should not be a criteria for an ordinance without a more objective standard for staff to enforce.

6. Police and Fire verify the proposed parking space will not create a safety concern.

Again, the criteria should be more objective. For instance, any space created should meet all parking requirements in the Town Code (i.e. can't be in a drive aisle, can't block driveways or fire hydrants, distance from intersection, etc.).

7. Each property limited to one parking space for one adult year-round resident.

Extremely difficult to enforce, as the Town is not managing who lives in the home.

8. In no instance shall more than two spaces be issued for one piece of property.

Assuming that if there is a multi-family structure, then only two spaces can be issued regardless of the number of units.

To try to substantiate the eight criteria, staff created an affidavit that must be signed by the party requesting the parking space. However, managing the information is extremely cumbersome, and based on Town records none of the criteria were actually put into practice when the spaces were given out in the 80s and 90s. Over the years, the Town has eliminated most of the spaces. There are only a few left.

Enforcement of the parking is also extremely difficult. The Town doesn't know what cars are or are not allowed to park in these spaces, so it's impossible to know if the car should be there. Over the years, the Town has talked to owners in these situations and discovered they would just have the car towed from the public parking space. This is a huge liability for everyone and not a practice that the Town should continue or put residents in the position to deal with while on public property.

At the Technical Review Committee (TRC), staff researched better ways to manage these situations. Other communities have similar issues, and in these instances the residents must search for a public parking space near their home. Because the Town does have a parking program that allows for residential passes, another option could be to offer a residential pass for each property built prior to 1980 that does not have the ability to accommodate any parking on site.

To accommodate the existing non-conforming homes that do not have the ability to add parking on site, staff recommends the issuance of a residential parking pass vs. designating public right-of-way. This will simplify administration and oversight of the ordinance while still accommodating the property owners.

Mr. Parvin presented the details. He said there are only two homes left that apply to this, and it's unclear if the residents are year-round and if the properties are otherwise meeting the current code.

Mayor Barbee said he likes staff's recommendation of giving a residential parking pass that will allow them to park anywhere nearby. He said the Town should get rid of the designated spots after a transition period. Other Council Members also agreed with staff's recommendation.

Mayor Barbee asked staff to look at the area in front of the house on Cape Fear Boulevard across from the NAPA store. He said a huge amount of pavement was marked as no-parking. Mr. Hardison said there are two properties there, and each applied for a 36-foot-wide driveway. Mayor Barbee said the space in the middle looks odd and inconsistent with how everything else there was done.

6. Review Implementation of One-Way Plan for Canal Drive

Staff presented options for changing a portion of Canal Drive to a one-way traffic pattern.

Mr. Parvin presented the details. He said if Council agrees to try something new here, it could initially be temporary, making the stoplight at Harper Avenue and Canal Drive flashing and bagging the ped heads for the winter. Mr. Parvin added that if the trial works out, the ped heads and the stoplight would need to be reconfigured for three-way vs. four-way traffic at that intersection, and there would be a turnaround on Cape Fear Boulevard.

Mr. Parvin said the plan would also introduce new designated loading and unloading zones, which staff hopes would prevent trucks from damaging sidewalks and blocking pedestrian areas. When not in use for commercial loading, Mr. Oakley said the area could be reserved for Police or other official vehicles after business hours.

Council Member Hoffer proposed integrating a bicycle lane into the plan, voicing concerns that the proposed layout would force cyclists to ride against traffic, which is unsafe and illegal. He suggested retaining a northbound vehicle lane while creating a southbound lane dedicated solely to bicycles.

Mr. Oakley said bikes are supposed to follow traffic routes and should not go the wrong way down a one-way street. He said encouraging bicycles to go against traffic without a physical barrier between the bike lane and traffic is a safety and liability concern.

Council Member Healy said he is all about connectivity and bikes, but not at the risk of interfering with business. He said the plan for a bike lane would take away four parking spaces, which are prime spots and full all the time. Council Member Healy suggested trying staff's plan to see what happens.

Mayor Barbee asked if a traffic engineer has looked at the plans. Mr. Parvin said the initial plan came from an engineering firm and was tweaked a little. He said if Council wants to consider Council Member Hoffer's idea, he recommends that a traffic engineer review it.

Mayor Barbee noted that time is critical to test a one-way plan this winter if they want to have it in place next year. Mr. Oakley said he thinks they can get Council Member Hoffer's plan reviewed quickly, adding that he believes traffic engineers will discourage having a bike lane go against traffic without some kind of physical barrier between lanes. He said if the traffic engineers like Council Member Hoffer's plan, then staff will bring the matter back to Council in November; otherwise staff will move forward with the original plan.

Council Member Healy asked if the bump-outs on Cape Fear Boulevard are necessary. Mayor Barbee said they should all be gone, adding that business owners agree they serve no purpose. He said the idea was to use them for landscaping, but there is not a program for managing that. Other Council Members agreed that the Town should get rid of them.

Public Works Director Brian Stanberry said there is already a plan in motion to lower the bump-outs on Cape Fear Boulevard where stormwater will go into them. Mayor Barbee said if this plan doesn't work, he thinks Council direction is to take them out.

Council Member Healy said once the bump-outs are redone, they are not going anywhere for 10 years. Mayor Barbee said Council needs to decide now if they don't want them. Mr. Oakley said removal of the bump-outs with re-asphalting is not in the budget. Mayor Barbee suggested going with Public Works' current plan, and if Council still wants to remove the bump-outs then it can be on the agenda at the next budget-planning retreat.

7. Text Amendment Discussion to Amend Side Setback Exceptions
   Applicant: Town of Carolina Beach

On March 17, 2025, the Board of Adjustment heard a variance request for reduced setbacks on an existing non-conforming lot with an existing structure. The variance was granted for reduced setbacks on all sides of the structure. On May 22, 2025, a similar variance request was heard by the Board of

Adjustment for reduced setbacks and was denied by the Board. Both requests also included exceeding maximum coverage and impervious surface coverage.

One of the goals of the Unified Development Ordinance (UDO) update that the Planning and Zoning Commission wanted to make after adoption included looking at setback exceptions for smaller lots. Staff has compiled a list of the number of lots that would benefit from the setback exception. The minimum lot width for most of the zoning districts in the Town is 50 feet; 72 lots are below the 50-foot minimum requirement.

A proposed ordinance was written to allow for a reduction of the side setback to be no less than 5 feet when the width of the lot is less than 30 feet. Roof overhangs shall be the only encroachment permitted in the 5-foot setback area with a maximum encroachment of 1.5 feet. All other encroachments (HVAC, utility stairs, cantilevers, outdoor showers, etc.) would have to be in the rear or front setback area.

The proposed ordinance was reviewed at TRC in October. Fire is not in favor of reducing the setbacks no matter the width of the lot due to safety concerns. Smaller setbacks increase the difficulty of servicing a three-story building with a ladder if the setback is less than 7.5 feet wide. Most of the lots with smaller road frontage are in a flood zone and would have to have the first floor of living space elevated to meet flood requirements.

Mr. Hardison presented the details. The goal for tonight is for Council to give staff direction to bring back an ordinance for consideration at the November 13 Planning and Zoning Commission meeting.

Mayor Barbee said his concern is there will be more pressure to redevelop non-conforming lots, and he worries about this creating a large caseload for the Board of Adjustment and inconsistency in the application of rules. He said he would rather see this looked at holistically and doesn't want to leave it vague.

Mr. Hardison said the Board of Adjustment's standpoint is that the problem with these lots needs to be handled as a text amendment moving forward rather than variances.

Mayor Barbee said the Town should maintain existing setback standards but clarify the code if it's not clear. He said he does not hear any support for reducing setbacks.

COUNCIL COMMENTS

Council Member Hoffer said the Beautification Committee wants to look at enhancing the 3rd Street entrance to Lake Park and asked when it might be open again. Mr. Oakley said he will check the schedule.

Council Member Hoffer raised concerns about keeping the Canal Drive bike lane clear of sand, and he also encouraged staff to move forward with sidewalk expansion on the north side of Lake Park Boulevard.

Council Member Benson said he is hoping to hear back today from the North Carolina Coastal Federation about removing a boat that has been in the basin for nine months. He also asked staff to look at a gaping hole at Scotch Bonnet Lane and Canal Drive and suggested improving communication on short-term rental enforcement.

Council Member Healy encouraged residents to vote in the upcoming municipal election and praised the success of the Proximity development.

Mayor Pro Tem LeCompte echoed the reminder to vote, even for the uncontested seats.

Mayor Barbee emphasized the importance of combating misinformation about the Canal Drive paving issue. He suggested that the upcoming Council retreat include a review of Canal Drive's engineering history to ensure future improvements address stormwater, infrastructure, and long-term durability rather than short-term fixes.

ADJOURNMENT
Mayor Barbee adjourned the meeting at 11:30 AM.