



Text Amendment for Wine Shops & Beer Shops

1. Amend Chapter 40 Sec 40-72 – Permitted Use Table
2. Amend Chapter 40 Sec 40-261 – Amend the development standards for the uses.
3. Amend Chapter 40 Art. V. Off-street Parking and Loading Requirements

Applicant: Neapolitan Enterprise, Inc

Background

- Applicant owns Neapolitan – currently permitted as retail establishment in MB district
- The business currently holds off-premise wine and malt beverage permit
- Applicant proposes on-premise wine and malt beverage consumption



1. Add on premise Beer and Wine shops as permitted use in the MB district.
2. Amend the standards for Beer Shops from a residential use.
3. Amend parking regulations for beer and wine shops.

Wine and Beer Shop on premise created in April 2023

- Bars and taverns
- Breweries
- Standard restaurants and eateries

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	I-1
Bars and taverns (See section 40-261)									CZ		CZ	CZ	CZ	CZ

<https://carolinabeach.maps.arcgis.com/apps/webappviewer/index.html?id=9c79295899134fe79a1b50b6bb1a1e75>

1. Amend Chapter 40 Sec 40-72 – to allow for Wine and Beer shops (on-premise)

USES OF LAND	R-1	R-1B	R-2	R-3	C	MH	MF	MX	CBD	NB	HB	MB-1	T-1	1-1
Wine and beer shops (Retail/Off- <u>On</u> premise)									p	<u>p</u>	p	<u>p</u>		
Wine Shop (On-premise)									p	p	p			
Beer Shop (On-premise)										p				

The current ordinance only allows for beer shops (on-premise) in NB.

ABC permit requirements

Wine shop

- Wine Shop Permit
- Retail sales on and off-premise
- Sale of wine for consumption on premise cannot exceed 40% of the establishment's total sale for 30 days

Beer shop

- On-premise Malt Beverage Permit
- Retail sales on and off-premise
- No limitation or percentage to off-premise sales

2. Amend Chapter 40 Sec 40-261 – to create development standards for the uses.

Sec. 40-261. Development standards for particular uses.

(o) *Eating and/or drinking establishments*

(4) Standards for wine shops (on-premise):

- a. All wine shops shall meet all requirements of the ABC Permit.

(5) Standards for beer shops (on-premise):

- a. All beer shops shall meet all requirements of the ABC Permit.
- b. Any indoor or outdoor areas shall be located three times the minimum setback yard ~~for~~ the from any residential district ~~from any lot line and/or any residential use. The additional setbacks shall not apply to property lines adjacent to the right-of-way.~~

3. Sec. 40-150. Off-street parking standards.

Types of Uses	Number of Required Parking Spaces
Business uses	
<u>Wine and Beer Shops (Retail/Off-On premise)</u>	<u>1 per 200 sq. ft.</u>

Land Use Plan Consistency

The Land Use Plan does not specifically address wine and beer shops, the MB zoning district is classified as the Marina Commercial/Industrial Mixed Use. The desire uses are water-based commercial, service, and light industrial uses, and sometimes water-related businesses (such as restaurants). These businesses rely on water access, so structures are purpose-built and traditional maritime activities are common.

General Conformity with the Land Use Plan by promoting a healthy year-round economy.



Marina Commercial/Industrial Mixed Use

Water-based commercial, service, and light industrial uses, and sometimes water-related businesses (such as restaurants). These businesses rely on water access, so structures are purpose-built and traditional maritime activities are common.



Recommendations :

Wine Shops – Limited 40% on premise consumption.

Beer Shops – By permitting by right in other areas vs CZ may be undermining Bar regulations and standards

Staff Approval – Beer and Wine Shop

- Malt beverage on premise
- Wine Shop on premise limited to 40% sales

CZ

- Mixed beverage on premise.
- Wine on premises exceeding 40%.

Bar On-premise

- Wine
- Malt beverage
- Mixed Beverage

Recommendation

Parking

- Wine Shops by ABC regulations are treated as accessory to off-premise retail.
- Beer Shops do not have any ABC regulations for on premise consumptions and the impacts of parking could be similar to that of Bars

Types of Uses	Number of Required Parking Spaces
Retail stores and service businesses (i.e., barber, tailor, etc.)	1 per 200 sq. ft. of actual retail space or service area
Eating and/or drinking establishments	1 per 110 square feet of indoor gross floor area (GFA)

Motion

Approval

- 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 Chapter 40, Art. III. – Zoning District Regulations, Art. IX. – Development Standards for Particular Uses, and Art. V. Off-street parking and loading requirements. Definitions to create standards for Wine Shops and Beer Shops is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans or
- Denial - based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents.
- Further Direction/Discussion

The Planning & Zoning Commission recommended denial of the text amendments as proposed.

Definitions

Beer Shop means an establishment substantially engaged in retail sale of malt beverages on and off premises subject to the ABC Commission regulations.

Wine Shop means an establishment substantially engaged in retail sale of unfortified wine and fortified wine for consumption on and off premises subject to the NC ABC Commission regulations.

