



## AGENDA ITEM COVERSHEET

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**PREPARED BY:** Miles Murphy, Senior Planner

**DEPARTMENT:** Planning

**MEETING:** Planning & Zoning – 8 OCT 2020

**SUBJECT:** A Text Amendment to update Chapter 40 Zoning – related to Conditional Zoning and 160D updates

Applicant: Town of Carolina Beach

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### **BACKGROUND:**

Staff is currently updating many aspects of the zoning ordinance related to the required 160D update in the State Statutes. Part of this involves a change of conditional use permits to conditional zoning. Staff has also been directed to review all uses and determine whether they should remain a conditional zoning use or if they are not intensive enough a use to merit the conditional zoning process. Staff updated Chapter 40 to represent the shift from Conditional use to special use/conditional zoning and reviewed the table. Staff specifically conferred over what uses they believe had overly intense requirements and have compiled the recommendations.

One of the big focuses of this update is the drastically reduce the need for cumbersome quasi-judicial procedures while still providing sufficient review and control over potentially deleterious uses. Staff has been directed that conditional zoning is the recommended approval process and supported in the 160D updates for North Carolina.

### **ACTION REQUESTED:**

Staff recommends the approval of the Text Amendment to update Chapter 40 Zoning

### **RECOMMENDED MOTION:**

Approval - whereas in accordance with the provisions of the NCGS, the Commission does hereby find and determine that the adoption of the following ordinance amendment is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans or

- A statement approving the proposed amendment and declaring that this also amends the plan, along with an explanation of the change in conditions to meet the development needs of the community that were taken into account in the zoning amendment.

Denial - based on inconsistencies with the goals and objectives of the adopted Land Use Plan and/or other long-range planning documents. (4) That the location and character of the use if

developed according to the plan as submitted and approved will be in harmony with the area in which it is to be located and in general conformity with the town land use plan and policies.