



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Community
Development

MEETING: Planning & Zoning – July 10, 2025

SUBJECT: Zoning Map Amendment to consider a request to rezone 301 Canal Dr from Marina Business (MB-1) to Central Business District (CBD).
Applicant: Town of Carolina Beach

BACKGROUND:

The Town Marina located at 301 Canal Drive is in two zoning districts, Marina Business and Central Business District. The western side of the marina is in the CBD and the eastern side is in Marina Business. Through the recent text amendment process for water oriented uses that Town staff worked on with Planning and Zoning, certain uses were identified as more intense and are only allowed in the Central Business District to accommodate the parking demand. Planning and Zoning has requested consistent zoning and land uses for the entirety of the property, so all operations fall under the same zoning guidelines.

For consistency it is best practice for the entirety of a property to be within the same zoning district. One of the standards for creating zoning districts is to follow plotted lot lines. Guidance for the interpretation of zoning district boundaries comes from Sec. 1.7 of the UDO (attachment 1). The adjacent uses are all in the CBD except for 308 N Lake Park and 400 N Lake Park to the north of the marina.

History:

The 1960 Development Plan for Carolina Beach recommends that the Town Marina be used for commercial type craft and that small boat and private docking be located to the north on the west shore of the sound. The 1984 Zoning Map does not designate a zoning district for the Town Marina.

When the zoning map was drawn and adopted in 2000, the CBD District line was not drawn consistent with the 1997 Land Use Plan. In 2004, the Town rezoned 33 parcels from T-1 to CBD, from Canal Dr to 200' south of Dolphin Lane (see attachment 2). The development that was occurring in this area was consistent with the CBD requirements. This was an effort to promote the extension of the boardwalk and revitalize the area with commercial and pedestrian-oriented

uses. The Town wanted to encourage business and family-oriented development to year-round residents and visitors, especially surrounding the boardwalk and marina/boat basin. Because there was an emphasis on the boardwalk area and the marina. The portion of the Town Marina was not included because only private property was considered at the time.

The 2007 Land Use Plans shows the entire Marina Property in Conservation (along with the entirety of Myrtle Grove Sound) and the 2020 Land Use Plan shows the Marina located in the Downtown Business Character Area which is consistent with the CBD.

District Purpose and Permitted Uses:

The Marina Business District, MB-1, is established to reserve areas along the water's edge for maritime uses, water dependent uses, and water-oriented uses. This district also provides for certain residential and other non-water dependent uses which are closely aligned with water-oriented uses. Land uses, which would wall off the public from public trust waters, are specifically discouraged.

The CBD, Central Business District is established to accommodate, protect, rehabilitate, and maintain the traditional central business district and boardwalk area of the Town. This area accommodates a wide variety of pedestrian oriented, commercial and service activities, including retail, business, office, professional financial, entertainment, and tourism. The regulations of this district are intended to encourage the use of the land for concentrated development of permitted uses while maintaining a substantial relationship between land uses and the capacity of the Town's infrastructure.

The Marina Business District does allow for certain business uses like art galleries, boat repair, dry stacks, mixed use commercial-residential, hotels, offices, standard restaurants and eateries, and general retail, but does not allow for more intense uses like bars and taverns, or commercial parking lots. The MB-1 district is considered commercial but does allow for residential uses and has been developed with mostly residential uses. CBD only allows residential in a mixed-use development.

Dimensional Standards:

<i>Zoning District</i>	<i>Primary Permitted Uses</i>	<i>Min. Lot Size</i>	<i>Min. Lot Width⁵</i>	<i>Min. Front Yard</i>	<i>Min. Rear Yard</i>	<i>Min. Side Yards (Corner Lot-Min 12.5 ft.)</i>	<i>Max. Density</i>	<i>Max. Height</i>	<i>Max. Lot Coverage</i>	<i>Max. Impervious Coverage</i>
MB-1	Water-Oriented Businesses, Single-	10,000	100 ft.	30 ft.	10 ft.	10 ft.	17 units/acre	50 ft.	40%	65%

	family/Two-family									
CBD	Commercial Uses and Services, Entertainment	None	None	None	None, or same as abutting residential district	None, or same as abutting residential district	NA	50 ft.	None	None

The MB-1 Zoning District requires setbacks and has a maximum lot coverage in all areas throughout the district, and a 65% limit on impervious coverage. Much of the CBD has no setbacks, no lot coverage requirement, and no impervious coverage limit. Although the dimensional standards for both districts are different, properties in the CBD areas must have a rear and side setback that is the same as the residential zoning district it abuts. Landscaping standards are also required if a CBD parcel is adjacent to residential to mitigate the transition between the business and residential use.

Land Use Plan

This rezoning is consistent with the land use plan. The property is shown on the Future Land Use Map in the Downtown Business Area. This is described as the boardwalk commercial area and central recreation district of town with an active pedestrian-scaled environment.

ACTION REQUESTED:

Consider recommending approval or denial of a zoning map amendment to rezone 301 Canal Dr from the MB-1 zoning district to the CBD.

Staff recommend approval of the rezoning.

MOTION:

Approval - whereas in accordance with the provisions of the NCGS, Planning and Zoning does hereby find and determines that the adoption of the Zoning Map Amendment for 301 Canal Dr is consistent with the goals and objectives of the adopted Land Use Plan and other long-range plans.

A statement approving the proposed Zoning Map Amendment and declaring that this also amends the plan, to meet the vision of the community taken into consideration 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 and the potential impacts on the surrounding areas.

ATTACHMENTS:

1. 1.7. Interpretation of zoning district boundaries.
2. 2004 T-1 to CBD rezoning.

ATTACHMENT 1

1.7 Interpretation of zoning district boundaries.

The UDO Administrator shall decide the exact location of any zoning district boundary lines whenever uncertainty exists about the boundary lines shown on the official zoning maps, subject to appeal to the board of adjustment. The determination of the exact location of a zoning district boundary shall be based upon the following rules:

- (1) Boundaries indicated as approximately following or within a street, alley, or railroad right-of-way, or utilities (electrical, gas, water main, etc.) easement shall be construed to be in the center of such right-of-way easement;
- (2) Boundaries indicated as following shore lines shall be construed to follow such shorelines, and, in the event of change in the shorelines, shall be construed as moving with the actual shoreline; boundaries indicated as approximately following the centerlines of streams, rivers, creeks, or other bodies of water shall be construed as following such centerlines;
- (3) Boundaries indicated as approximately following plotted lot lines shall be construed as following such lot lines;
- (4) Boundaries indicated as approximately following Town limits shall be construed as following Town limits; and
- (5) Boundaries indicated as parallel to or extension of features indicated in subsections (1), (2), (3) and (4) of this section shall be so construed. Distances not specifically indicated on the official zoning map shall be determined by the scale of the map.
- (6) In the event that a district boundary line on the zoning map divides a platted lot held in one ownership on the date of passage of the ordinance from which this chapter is derived, each part of the lot so divided shall be used in conformity with the district in which such part is located.
- (7) Where any further uncertainty exists, the UDO Administrator shall interpret the intent of the map as to location of such boundaries.