



AGENDA ITEM COVERSHEET

PREPARED BY: Gloria Abbotts, Sr Planner

DEPARTMENT: Planning &
Development

MEETING: Town Council – July 11th, 2023

SUBJECT: **Text Amendment** to amend Chapter 40, Sec. 40-72. Table of permissible uses, Sec. 40-261. – Development standards for particular uses, and Sec. 40-548. Definitions to amend standards for Event Venue / Bars.
Applicant: Town of Carolina Beach

BACKGROUND:

The Town Council directed staff to reexamine the ordinance requirements for event venues that were approved in February of this year. Specifically, the ABC standards that were set forth in the development standards. Originally, the language required event venues to comply with the standards of the ABC Limited Special Occasion Permit. This caused a discrepancy with the applicant's business plan. The ABC Limited Special Occasion Permit does not allow owners of the establishment to apply for the permit to perform on-premises sales. The Limited Special Occasion Permit is valid only for outside parties, two weeks prior to the event.

The ABC Commission defines the Limited Special Occasion Permit as follows: A limited special occasion permit authorizes the permittee to bring fortified wine and spirituous liquor onto the premises of a business, with the permission of the owner of that property, and to serve those alcoholic beverages to the permittee's guests at a reception, wedding, party, or other special occasion being held there. The permit may be issued to any individual other than the owner or possessor of the premises. An applicant for a limited special occasion permit shall have the written permission of the owner or possessor of the property on which the special occasion is to be held.

In order for the owners of the event venue to sell alcohol on premises, they must be permitted as a mixed beverage bar by the ABC Commission.

Proposal:

The text amendment consists of reorganizing the use under eating and drinking establishments, renaming the use as Event Venue / Bar, and creating standards that all point of sale shall be indoors or in an outdoor area located a minimum of 20' from any property line. Outdoor areas

that are proposed must be shown on the site plan for approval via conditional zoning. Any changes to the outdoor areas shall be considered a major modification of the conditional zoning approval. Additionally, the 200' separation requirement may be waived by Town Council for event venue / bar uses adjacent to T-1 and MX Zoning districts. Moving the use underneath the category of eating and drinking establishments creates clarity that event venues must comply with all ABC and/or ALE requirements as well as other provisions in the town ordinances, i.e. noise ordinance, fire code, etc.

Land Use Plan

The text amendment is in general conformity with the 2020 Land Use Plan by promoting a healthy year-round economy, providing a family-friendly community, and promoting redevelopment. One of the goals of the Land Use Plan was to continue to support the central business district as a destination downtown with activities for families, residents, and visitors. Expanding opportunities for public activities, including events, should be pursued.

ACTION REQUESTED:

Consider recommending approval or denial of the text amendment.

Staff recommends approval of the text amendment as proposed.

P&Z recommended unanimous approval with the following addition to Sec. 40-261(6)d.

- Outdoor areas (point of sale, entertainment, and consumption) shall end at 9:00pm.

MOTION:

Approval – to amend Chapter 40, Sec. 40-72. Table of permissible uses, Sec. 40-261. – Development standards for particular uses, and Sec. 40-548. Definitions to amend standards for Event Venue / Bars.

Denial – to amend Chapter 40, Sec. 40-72. Table of permissible uses, Sec. 40-261. – Development standards for particular uses, and Sec. 40-548. Definitions to amend standards for Event Venue / Bars.