



TOWN OF CAROLINA BEACH

1121 N. Lake Park Boulevard
Carolina Beach, North Carolina 28428

PLANNING & ZONING COMMISSION MINUTES

October 14, 2010

7:00 P.M.

ITEM #1	Call to Order & Roll Call	7:15 pm
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Greg Reynolds calls the meeting to order.

Commissioners Present:

Greg Reynolds
Leah Garcia
Brett Keeler
Tom Bridges

Commissioners Absent:

Sarah Efird
Jim Rees
Jessica Keenan

Staff Present: Gary Ferguson, Planning Director; Ed Parvin, Planner, Brenda Butler, Acting Secretary

ITEM #2	Approval of the Minutes	7:16pm
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September 9th Minutes were not available for approval. Tabled until next months meeting.

ITEM #3	Staff Report on Recent Council Meeting(s)	7:16pm
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Mr. Ferguson provides a brief presentation on Town Council's motions and votes at the most recent Town Council Meeting.

ITEM #4	Public Discussion	7:37pm
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None.

ITEM #5	Conditional Use Permit	7:37pm
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Conditional Use Permit and a Vested Right for a "Site Specific Development Plan" to allow an addition and renovation to the existing fire station.

Applicant: Town of Carolina Beach

Location: 9 S. Dow Rd (PIN # 3130-15-2967), 815 Cape Fear Blv (PIN#: 3130-16-3009) and 811 Cape Fear Blv (PIN#: 3130-16-4004).

Zoning: (R-3)

Commissioner Reynolds recused himself from this item. Therefore there was not a quorum.

MOTION

Commissioner Garcia made a motion to table this item until November when there is a quorum to hear it.

Commissioner Keeler seconds the motion.

Motion passes unanimously (3 to 0).

ITME #6 Text Amendment to Allow Boat Storage in the HB Zoning District 7:38pm

This ordinance creates more allowances for storing boats in Carolina Beach.

Articles amended: Appendix A Article 3.8-1 Table of Permitted Uses; Article 7 Off-street parking and loading requirements; Article 12.2 Development standards for particular uses.

Applicant: Town of Carolina Beach

Zoning: This amendment is being considered for the I-1 and HB zoning districts but allowances may be modified/expanded during meeting deliberations.

ED PARVIN PRESENTS HIS MEMO

SUMMARY OF THE REQUEST

Town Council requested staff review the allowances and regulations for boat storage yards. There are a few grandfathered boat storage yards (located on Old Dow Rd., Lewis Rd, and Lake Park Blvd.). Carolina Beach is a boater friendly community and in order to continue supporting boaters there should be adequate facilities for boats such as boat storage yards.

Concerns with adding the storage yard allowances

The problem and likely reason these uses have not been allowed on Carolina Beach is they are often not very aesthetically pleasing and can often have junk or abandoned boats resulting in a nuisance to neighboring property owners. If these types of storage yards are something the Town would like to consider there should be thorough thought and deliberation as to what standards should apply as well as where the use should be located.

ZONING ORDINANCE

Currently the zoning ordinance has two types of allowances for storage yards:

- (1) *Storage yard, outdoor.* The use is allowed in HB as a conditional use and in I-1 as a permitted use.
- (2) *Recreational vehicle storage yards.* This use is only allowed in the I-1 after obtaining a conditional use permit.

When referencing Article 12.2 there are standards that apply to each use. There is a definition for a *recreational vehicle* which clearly outlines what type of vehicles could be stored in a *recreational vehicle storage yard*. This description includes boats as stated below:

Recreational vehicle (RV): A vehicle for non-commercial, recreational use, including a motor home (including class A, B and C), travel trailer, camper shell, cab-over-camper, fifth wheel, horse trailer, or trailers mounted with recreational vehicle such as a water craft or off-road vehicle.

Storage yards, outdoor was added to the ordinance prior to 2000 and has very ambiguous regulations. Based on the standards placed in 12.2 for a *storage yard, outdoor* it appears that this use was designed for a lay down yard for things like building materials, wood, or stone. This use would be similar to what is seen at a hardware store. No changes are proposed to this allowance as the goal of this proposal is to address boat storage yards which can be accommodated by amending allowances for *recreational vehicle storage yards*.

A *recreational vehicle storage yards* was added in 2007 at the request of the Microtel located in HB. The Planning and Zoning Commission did not believe a *recreational vehicle storage yard* was

appropriate in the HB zoning district and they only allowed it in I-1 as a conditional use. At that time Town Council agreed with this recommendation and adopted the ordinance as recommended by the Planning and Zoning Commission.

LAND USE PLAN

The 2007 Land Use Plan has strong language opposing dry stack storage, but is silent on other types of storage yards. The two land classification areas where storage yards continue to be considered include Industrial and Commercial 1). The desired future land use of the Industrial area includes environmentally low-impact and infrastructure low-impact industrial uses. Having storage yards would be in general conformity with this description. The desired future land uses in Commercial 1 (synonymous with HB) shall primarily include retail, office, restaurant, entertainment, and service. Based on this description, a storage yard would not be what you would expect to see in this area. If allowed, standards should be carefully considered to ensure the use if developed is in harmony with the surrounding area.

Specific to boat storage the land use plan does state in policy 93 that the Town should support the development of facilities that help accommodate boaters.

Policy 93 Due to the potential beneficial economic impacts that recreational and transient boating add to the local economy and ambient character of Carolina Beach, the Town shall encourage recreational and transient boaters, and support the development of associated accommodating facilities, provided that such accommodations and boater impacts meet all applicable development standards and are held to remain consistent with the policies and goals of this plan.

Should these uses be permitted by right or conditional?

A CONDITIONAL USE PERMIT (CUP) allows the Town to consider special uses which may be essential or desirable to a particular community, but which are not allowed as a matter of right within a zoning district, but are allowed through a public hearing process. A conditional use permit can provide flexibility within a zoning ordinance and enable Carolina Beach to control certain uses which could have detrimental effects on the community.

Recreational vehicle storage yards are something that would commonly be found in a light industrial area as exists in Carolina Beach. For this reason there should be no issues with listing the use as permitted by right. Likewise, a small *recreational vehicle storage yard* may be desired by someone owning a small lot or a business in HB that has additional space on their property. This use would be appropriate as a permitted use with the standards recommended. However, a larger *recreational vehicle storage yard* may be more appropriate only by CUP.

ATTACHMENT: RECOMMENDED ORDINANCE

(d) *Off-street parking space schedule.*

TABLE INSET:

Types of Uses	Number of Required Parking Spaces
RESIDENTIAL USES	
Office and professional building	1 per 300 sq. ft.
Eating and/or Drinking Establishments	1 per 110 square feet of Indoor Gross Floor Area. No parking shall be required for outdoor GFA if the establishment is located within 500 feet of a public parking lot. A 50% reduction in the parking requirement shall apply to outdoor GFA if the establishment is not within 500 feet of a public parking lot.
Drive through windows (eating and drinking establishments)	6 stacking or queuing spaces for the first window; 3 stacking spaces for each additional window
Rental of golf carts, mopeds, and scooters	1 parking space per every three vehicles displayed for rent
Retail stores and service businesses (i.e. barber, tailor, etc)	1 per 200 sq. ft. of actual retail space or service area
Shopping centers, multi-use facility	5 per 1,000 sq. ft. of gross leasable area
Outdoor Storage Yards	1 per 7,500 sq. ft. of outdoor gross floor area
New and used car sales, house and truck trailer sales, outdoor equipment and machinery sales, commercial nurseries	4 per salesperson on duty + 1 per employee
INDUSTRIAL, MANUFACTURING	1 per employee + 1 per vehicle used directly in conduct of such use
Warehouses	1 per 5,000 sq. ft. of gross floor area

*Where fractional spaces are indicated, the total will be counted and rounded up to the next whole number.

**Landscape islands must be provided for each unit to distinguish separate ownership.

***Units stacked on top of each other with common ownership of land must provide for two (2) unobstructed parking spaces per unit.

Notes:

(1) *On all streets which terminate with the ocean berm or the waters of Myrtle Grove Sound where dwellings, hotels or motels are located on corner lots which abut the terminated street and the dominant highway or right-of-way, such dwellings, hotels or motels shall have the entrance to such projects for ingress and egress on the dominant street only unless the technical review committee determines the new ingress/egress will not negatively impact the level of public access. Minimal evaluation criteria that shall be met: (1) enhance access by defining additional public parking; (2) increase public safety by allowing access on the terminating street; (3) include improvements to public access to the ocean and/or soundfront areas.*

(2) *For types of uses not listed, the planning director shall have the authority to determine the appropriate number of required parking spaces based upon the maximum anticipated use.*

ARTICLE 12.2 DEVELOPMENT STARDARD FOR PARTICULAR USES

~~Recreational vehicle storage (yards).~~

~~(1) Buffer yard landscaping (reference Article 8). Type B ten (10) feet landscape *buffer* on the exterior of the property with an eight-foot one hundred (100) percent opacity fence around the perimeter of the property~~

~~(2)~~

TABLE INSET:

Parking Space Layout	Drive Aisle Width
90-degree	55 feet
30 to 45 degrees	35 feet

~~(3) Parking space design. Each space shall be a minimum of 9'× 18'. Each *vehicle* stored shall have at least one (1) foot clearance on the sides and rear of the space without encroachment into the drive aisle width requirements.~~

~~(4) Recreational vehicles located in a storage yard shall not be used for living purposes, sleeping, housekeeping, or business purposes.~~

~~(5) RV yards shall be located one hundred (100) feet from the right of way with adequate access.~~

~~(6) All *vehicles* shall have current registration.~~

~~(7) Yards shall have an approved pervious surface to assist with stormwater.~~

~~(8) No repair or maintenance shall be conducted on the premises.~~

~~(Ord. No. 07-679, 3-13-07)~~

Recreational vehicle storage (yards).

Purpose and Intent. This section is intended to provide regulations for the allowance of outdoor storage of recreational vehicles on properties in Carolina Beach, while assuring that such storage is not a hazard to the public health and safety and does not have a depreciating effect upon adjacent property values, does not impair scenic views or constitute a nuisance.

1. A 15,000 sq. ft. or smaller areas designated as a storage yard shall be permitted by right in HB. Storage yards with larger areas dedicated to storage shall require review by conditional use permit.

2. Outdoor storage yards shall be located one hundred (100) feet from Lake Park Blvd. or Dow Rd.

3. The storage of recreational vehicles shall not be permitted within the prescribed building setbacks, or in buffer yard areas.

4. Inoperative vehicles or equipment, or other items typically stored in a junkyard or salvage yard, shall not be stored under the provisions of this land use.

5. The area of outdoor storage shall be screened from all abutting properties and/or right-of-ways by an 8' wood shadow fence with a minimum of 90% opacity. A 10' Type B buffer yard shall also be provided on all sides that abut a residential use or district.

6. *Recreational vehicles* located in a storage yard shall not be used for living purposes, sleeping, housekeeping, or business purposes.

7. Parking design: Parking shall be designed in accordance with 7.1 (e).

Adopted this 09th day of November 2010.

Joel A. Macon, Mayor

Attest: _____
Melinda N. Prusa, Town Clerk

DISCUSSION:

Commissioners Reynolds and Keeler would like the standards “No junk, repairs, flammable liquids” to be reworded. Commissioner Reynolds thinks repairs (general maintenance) should be allowed/conducted on site and Commissioner Keeler thinks flammable liquids, oil, gas cans ect., should be allowed as long as they are not stored in a permanent container and not for commercial use.

MOTION

Commissioner Keeler makes a motion to make amendments to Article 12.2 number 4: RV’s that don’t meet the definition of a junk/bandit motor vehicle shall be stored on site, general maintenance and repairs shall be allowed to be conducted on site and no flammable liquids for commercial sale shall be stored on site and be consistent with the Land Use Plan.

Commissioner Bridges seconds the motion

Motion passes unanimously (4 to 0).

ITEM #7 Discussion: Accessory Dwellings in Single Family Zoning Districts 8:21pm

At the August 12th Planning and Zoning meeting, the commission asked staff to investigate options for accessory dwelling housing units with standards in the Town’s single family residential areas.

MOTION

Commissioner Garcia makes a motion to table Item 7 until the individuals are present that want to be involved in the discussion.

Commissioner Keeler seconds the motion

DISCUSSION

Commissioner Keeler questioned if Council wanted the Planning Commission to continue discussions on this item based on the fact that Town Council has voted down text amendments at their last two meetings concerning increasing allowances in the Town’s single family residential areas. Commissioner Garcia stated she did not want to waste the Planning Commission’s time if no changes are wanted by the Town Council.

Commissioner Keeler would like for Mr. Ferguson to ask the Council if they would like the P&Z Commission to have a discussion on this issue. Mr. Ferguson agreed to bring the issue up at the next Council meeting.

Motion passes unanimously (4 to 0).

Discussion to invite P&Z to Town Council meetings to present their recommendations.

Commissioner Reynolds asks Mr. Ferguson when the present Commissioner's terms are up.
Mr. Parvin showed the roster of all the P&Z members.

Mr. Parvin asked the Commission when they would like to have the November meeting, the Town is closed for Veteran's Day on November 11th. November 18th was decided on.

MOTION

8:38pm

Commissioner Keeler made a motion to adjourn