

NORTH CAROLINA  
Environmental Quality

ROY COOPER  
Governor

ELIZABETH S. BISER  
Secretary

BRAXTON DAVIS  
Director

October 19, 2021

Mayor LeAnn Pierce  
Town of Carolina Beach  
1121 N. Lake Park Blvd.  
Carolina Beach, NC 28428

CERTIFIED MAIL RETURN RECEIPT  
REQUESTED and electronically:  
[LeAnn.pierce@carolinabeach.org](mailto:LeAnn.pierce@carolinabeach.org)

Jeremy Hardison  
Planning and Zoning Director  
Town of Carolina Beach  
1121 N. Lake Park Blvd.  
Carolina Beach, NC 28428

CERTIFIED MAIL RETURN RECEIPT  
REQUESTED and electronically:  
[Jeremy.hardison@carolinabeach.org](mailto:Jeremy.hardison@carolinabeach.org)

**Re: Certification of an Amendment to the 2020 Carolina Beach CAMA Land Use Plan**

Dear Mayor Pierce and Mr. Hardison:

Please find enclosed the written Final Agency Decision granting the Town of Carolina Beach's request for certification of an amendment to its 2020 CAMA Land Use Plan.

Let me know if you have any questions.

Very truly yours,

Braxton C. Davis, Director  
NC Division of Coastal Management

cc via email: M. Renee Cahoon, Chair  
Mary L. Lucasse, Commission Counsel  
Michael Christenbury, Wilmington District Planner



North Carolina Department of Environmental Quality | Division of Coastal Management  
Wilmington Office | 127 Cardinal Drive Extension | Wilmington, North Carolina 28405  
910.796.7215

---

IN THE MATTER OF THE REQUEST  
FOR CERTIFICATION OF AN  
AMENDMENT TO THE CAROLINA  
BEACH 2020 CAMA LAND USE PLAN

**FINAL AGENCY DECISION**

---

**FACTS**

1. This is an Amendment to the Town of Carolina Beach 2020 CAMA Land Use Plan adopted September 14, 2021 by the Town of Carolina Beach, North Carolina.

2. Carolina Beach is located within New Hanover County, North Carolina adjacent to the Atlantic Ocean and the Atlantic Intracoastal Waterway.

Carolina Beach is requesting Certification of an Amendment to policy 31(A) within the 2020 Land Use Plan, as noted below:

**Future Land Use Map and Character Area description - Mixed Use Commercial:**

“Higher Density area with a mix of uses, within the district and individual buildings. Residential uses allowed only on upper stories; unless associated with a mixed commercial-residential use on a 10 acre or greater lot with a minimum 3,000 sq. ft. of commercial space provided per acre.”

3. Carolina Beach adopted the Amendment to the Land Use Plan by resolution on September 14, 2020 after a duly advertised public hearing. The public had the opportunity to provide written comments on the plan up to thirty (30) calendar days after local adoption. No comments were received.

**CONCLUSIONS OF LAW**

1. Carolina Beach’s Amendment to the 2020 CAMA Land Use Plan has met the substantive requirements outlined within the Land Use Planning Requirements effective February 1, 2016.

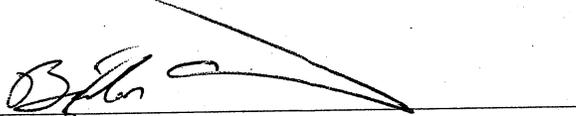
2. There are no conflicts evident in the Amendment to Carolina Beach's 2020 CAMA Land Use Plan with either state or federal law or the State's Coastal Management Program.

3. The elected body of Carolina Beach made a final decision on the contents of the Amendment to the Carolina Beach Land Use Plan and provided opportunity for the public to provide written comment following local adoption of the plan, as required by N.C.G.S. § 113A-110 and 15A NCAC 7B .0802 and .0803, and the Amendment to Carolina Beach's Land Use Plan was submitted to the NC Division of Coastal Management Commission without written objection or comment from the public.

### DECISION

For the reasons stated herein, Carolina Beach's request for certification of the Carolina Beach: CAMA Land Use Land Use Plan ("2020 CAMA Land Use Plan") is GRANTED.

This the 25<sup>TH</sup> day of OCTOBER 2021.

  
\_\_\_\_\_  
Braxton C. Davis, Director  
N.C. Division of Coastal Management

**CERTIFICATE OF SERVICE**

This is to certify that I have served a copy of the attached **Final Agency Decision** to Carolina Beach and the North Carolina Coastal Resources Commission by the means specified below:

**Method of Service**

Mayor LeAnn Pierce  
Town of Carolina Beach  
1121 N. Lake Park Blvd.  
Carolina Beach, NC 28428

CERTIFIED MAIL RETURN RECEIPT  
REQUESTED and electronically:  
leann.pierce@carolinabeach.org

Jeremy Hardison  
Planning and Zoning Director  
Town of Carolina Beach  
1121 N. Lake Park Blvd.  
Carolina Beach, NC 28428

CERTIFIED MAIL RETURN RECEIPT  
REQUESTED and electronically:  
Jeremy.hardison@carolinabeach.org

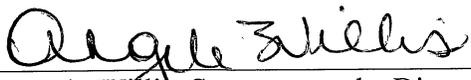
M. Renee Cahoon, Chair  
Coastal Resources Commission

Electronically: Renee.Cahoon@ncdenr.gov

Mary L. Lucasse  
Commission Counsel  
NC Coastal Resources Commission  
PO Box 629  
Raleigh, NC 27602

Electronically: mlucasse@ncdoj.gov

This the 21<sup>st</sup> day of October 2021.

  
\_\_\_\_\_  
Angela Willis, Secretary to the Director



**Resolution No. 21-2241**

**RESOLUTION OF THE TOWN COUNCIL OF THE TOWN OF CAROLINA BEACH, NORTH CAROLINA, AUTHORIZING AN AMENDMENT TO THE 2021 CAMA LAND USE PLAN**

**WHEREAS**, the Town of Carolina Beach desires to amend its CAMA Land Use Plan, specifically the policy related to Residential uses allowed only on upper stories Mixed Use Commercial building; and

**WHEREAS**, the CAMA Land Use Plan currently states; and

**2020 Town of Carolina Beach CAMA Land Use Plan**  
**Future Land Use Map and Character Areas**  
Mixed Use Commercial

Higher density area with a mix of uses, within the district and individual buildings. Residential uses allowed only on upper stories.

**WHEREAS**, the Town of Carolina Beach desires to amend the CAMA Land Use Plan to state; and

Higher density area with a mix of uses, within the district and individual buildings. Residential uses allowed only on upper stories; unless associated with a mixed commercial-residential use on a 10 acre or greater lot with a minimum 3,000 sq ft of commercial space provided per acre.

**WHEREAS**, on August 12, 2021 the Planning & Zoning Commission recommended denial of the original draft amendment to the CAMA Land Use Plan that stated a minimum of 1,500 sq. ft. of commercial space provided per acre ; and

**WHEREAS**, the Town of Carolina Beach conducted a duly advertised public hearing on the draft amendment to the CAMA Land Use Plan at the Regular Meeting of the Town Council on September 14, 2021; and

**WHEREAS**, at the Regular Meeting on September 14, 2021 the Town Council of the Town of Carolina Beach, North Carolina found the draft amendment to be consistent with the Town Council desired vision for the future and approved to adopt the draft amendment; and

**WHEREAS**, the adopted draft amendment will be submitted as required by State law to the District Planner for the Division of Coastal Management under the North Carolina Department of Environmental Quality and forwarded to the Coastal Resources Commission; and

**WHEREAS**, a review of the adopted draft amendment will be scheduled; and the Division of Coastal Management will certify the draft amendment;

**NOW, THEREFORE, BE IT RESOLVED** by the Town Council of the Town of Carolina Beach, North Carolina, that in the CAMA Land Use Plan be amended as follows:

**2020 Town of Carolina Beach CAMA Land Use Plan**  
**Future Land Use Map and Character Areas**  
Mixed Use Commercial

Higher density area with a mix of uses, within the district and individual buildings. Residential uses allowed only on upper stories; unless associated with a mixed commercial-residential use on a 10 acre or greater lot with a minimum 3,000 sq ft of commercial space provided per acre.

**BE IT FURTHER RESOLVED** that the Town Council of the Town of Carolina Beach, North Carolina, has adopted the draft amendment; and

**BE IT FURTHER RESOLVED** that the Town Manager of the Town of Carolina Beach is hereby authorized to submit the adopted CAMA Land Use Plan draft amendment to the State for certification as described above.

Adopted this 14th day of September 2021.

  
LeAnn Pierce  
Mayor

Attest:

  
Kim Ward  
Town Clerk

