

# Topsail Beach NEWSLETTER

## Mayor's Message

Dear Fellow Topsail Beach Citizens & Property Owners –

Overall, Topsail Beach had a great summer season. There were no major problems from having up-to 10,000 people visit our community each week. Our beach dune system remains in excellent shape even with Hurricane Ian. On the downside, we did have street and property flooding during Hurricane Ian. Town Staff will assess the need for a special pick-up due to Hurricane Ian after the normal First Friday Bulk Item Pick-Up on October 7th.

Your Commissioners continue to look to future needs and should have engineering reports for a sewer system and building facilities needs by the end of 2022. We have to consider all of the Town's buildings are currently over 50 years old and we are faced with issues of climate change's impact on ground water & sea level rise, increased daily visitors and ability to handle emergencies. The Town continues to upgrade its preventative maintenance program and to handle issues coastal communities face. Our goal is to maintain and improve the service levels you expect from Topsail Beach.

We will review several ordinances and policies that need updating, partly due to the increased activities within our community. Many of our businesses now operate more hours and have new activities. Homes are rented by national firms vs. local agencies and housing density & size have increased. Ordinance and policy adjustments that have been required by new state and federal regulations are also in our plans. Our goal is to write ordinances and policies, so enforcement is easily understood, and where possible simplify or eliminate. These areas include: our noise ordinances, Land Use Plan, special event permits, fines & permit fees, Parks & Recreation Plan, control of rain runoff from properties ordinances, Town staffing and needed digital system upgrades. We have to prepare now for the future; so we can keep optimal service levels and maintain the Town's unique coastal atmosphere.

As October is the start of the holiday season, please join us for Autumn with Topsail (10/14-16), Veterans Day Wreath Ceremony (11/11), Christmas Parade and Tree Lighting (11/26) and the Topsail Island Flotilla (12/3). The Town will also celebrate its 60th anniversary on March 17, 2023 – we are planning a small celebration.

We are off to a good Fall fishing season for Topsail Beach. The weather looks favorable for October and November. Please have an enjoyable and safe Fall.

Regards,

Steve Smith, Mayor  
Town of Topsail Beach, NC

[topsailbeachnc.gov](http://topsailbeachnc.gov)

October 2022

## Upcoming Meetings & Events

- **Parks and Recreation Board Meeting**
  - Tuesday, October 4th at 10:00 AM
- **Flu Shot Clinic**
  - Thursday, October 6th from 9AM – 12PM
- **Regular Town Board Meeting\***
  - Wednesday, October 12th at 6:00 PM
- **BIS Committee Meeting**
  - Thursday, October 20th at 2:00 PM
- **Planning Board Meeting**
  - Wednesday, October 26th at 10:00 AM

\*The Board of Commissioners will continue one (1) **Public Hearing** during the October 12th, 2022 Regular Town Board Meeting: *Buildings and Building Regulations Text Amendment: to provide detailed standards for driveways*



### October 14th, 15th, and 16th

Started in 1988, The Autumn With Topsail Festival is held on the grounds of the Historical Society of Topsail Island and the Assembly Building which houses the Missiles & More Museum in Topsail Beach, NC. The festival features a juried Artists' and Crafts Court with over 100 regional artists displaying and selling their work. Enjoy exciting live musical entertainment, a variety of amazing food with beer and wine, games and rides for children, and much more!

To buy tickets and for more information, visit [autumnwithtopsail.com](http://autumnwithtopsail.com)

## BEACH DRIVING



Beach driving permits are only issued to four wheel drive vehicles and are for fishing purposes only. Modified utility vehicles ("MUTV") as described in N.C.G.S. 20-4.01 (27) regardless of whether the MUTV is registered or licensed in any state shall not be allowed on the beach strand. Pleasure riding on the beach is not allowed. Anyone caught driving on the beach without a permit will be ticketed and escorted off the beach.

### **Driving Time Frame**

**Beach Driving Season has been delayed due to Hurricane Ian.** Please be sure to check the Town Website or Facebook for updates on when Beach Driving Season will begin.

### **Purchasing a Permit:**

#### **When (8:00 AM - 3:00 PM)/Where:**

- Monday - Friday from the Topsail Beach Police Department (812 S Anderson Blvd)
- Saturday and Sunday at Topsail Beach Fire Department (816 S Anderson Blvd)

*If nobody is physically at these locations, they are answering an emergency call, Please be patient and wait for their return.*

### **The cost is as follows:**

#### **SEASON PASS**

- \$100 for non-residents of the Town of Topsail Beach
- \$25 for residents of the Town of Topsail Beach

#### **WEEKLY PASS**

- \$50

### **Documentation required to purchase a permit:**

- Driver's License
- Vehicle Registration
- State-Issued Fishing License
- The Topsail Beach permit decal must be placed on the vehicle's windshield at the time of purchase.

Should you need additional information, please contact the Topsail Beach Police Department at (910) 328-4851.

## CONDITIONAL ZONING

In September of 2022 the Topsail Beach Board of Commissioners unanimously voted to adopt a text amendment to the Town's Code of Ordinances allowing conditional zoning. Both the Board of Commissioners and Town Staff believe this is a valuable land-use tool that will provide unique opportunities for property and business owners that will accommodate the interest of everyone involved.

### **So What Is Conditional Zoning?**

Conditional zoning is a legislative process that allows for a more creative development application in exchange for broad discretion on the part of the Town whether to approve the application and under what conditions. Conditional zoning affords a degree of certainty in land use decisions not typically possible in conventional zoning.

### **What is the advantage?**

One major advantage of conditional zoning is that it gives governing boards authority to make decisions in the best interest of the Town, while also allowing the ability to reach out to, and receive input from, members of the community.

This differs from the property owner seeking a Special Use Permit, which requires a quasi-judicial hearing. Quasi-judicial hearings restrict the ability to investigate a project or seek input outside of the hearing. The Board of Adjustment is obligated to issue the permit based on required findings set by North Carolina State Statutes. The project **must** be approved in a quasi-judicial hearing if the required findings are met.

Conditional zoning allows local government and property owners to agree on additional conditions that are related to a particular project with a less restrictive legislative process.

### **Where Is Conditional Zoning Used?**

Conditional zoning is very popular in North Carolina. Both big communities, like Wilmington and Jacksonville, and small communities, like the Village of St. Helena and Emerald Isle, utilize this tool. Some additional communities in our area that have adopted conditional zoning are Surf City, Burgaw, Carolina Beach, and Swansboro. Both Pender County and Onslow County use this tool as well.