16.04.12.01

EMERALD ISLE
NORTH CAROLINA

Nice Matters!

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Mayor
Eddie Barber

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Floyd Messer, Jr.

Board of Commissioners
Candace Dooley
Steve Finch
Jim Normile
Maripat Wright

Town Manager
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ORDINANCE AMENDING CHAPTER 4 - USE REGULATIONS – OF THE UNIFIED DEVELOPMENT ORDINANCE REGARDING GOLF CART SALES AND RENTALS

WHEREAS, the Town's Unified Development Ordinance (UDO) does not currently list golf cart sales and rentals as a permitted use, and no such businesses exist in Emerald Isle,

WHEREAS, the Town's golf cart program has been in place since 2010, and

WHEREAS, the golf cart program has been well-received by the community, and has enhanced the transportation opportunities available to Town residents and visitors, and

WHEREAS, golf cart sales and rentals have typically been provided for Town residents and visitors by businesses located outside of Emerald Isle, and transported to Emerald Isle for use by residents and visitors, and

WHEREAS, the Town has been approached by several golf cart sales and rental businesses requesting permission to operate in Emerald Isle in order to provide greater visibility and convenience for customers, and

WHEREAS, the Town now desires to amend Chapter 4 – Use Regulations – of the Unified Development Ordinance (UDO) in order to add golf cart sales & rentals as a permitted use in the Business, Village East, Village West and Marina Village Zoning Districts,

NOW, THEREFORE, BE IT RESOLVED by the Emerald Isle Board of Commissioners that

1. **Chapter 4, "Use Regulations", Table 4.1.2** of the Unified Development Ordinance is hereby amended to read as follows:

   Amend Chapter 4, Table 4.1.2 to add the new use **Golf Cart Sales & Rentals** and place a (P) for permitted use under the Business, Village East, Village West and Marina Village columns:

	B	VE	VW	MV
Golf Cart Sales & Rentals	**P**	**P**	**P**	**P**

   Amend Chapter 4, Section 4.2, Use Specific Standards to add use standards for Golf Cart Sales & Rentals:

   4.2.12 – Golf Cart Sales and Rentals
   In addition to complying with all other applicable provisions of this ordinance, all businesses that offer golf carts for sale and/or rent shall only be permitted according to the following specifications and standards:

   1. Outdoor display of golf carts shall be limited to five (5) at any one time.
   2. Shall have a physical place of business (brick and mortar type) in Town.
   3. Loading and unloading of golf carts shall not impede the movement of vehicular traffic and pedestrian activity.
   4. Rules for operating a golf cart on a public street, road, or highway within the Town shall be posted on every golf cart registered with the Town and a copy provided to each person operating a golf cart.

2. The Board of Commissioners has determined that the above amendments are consistent with the Town of Emerald Isle's 2004 CAMA Land Use Plan, as amended.

3. The Board of Commissioners has determined that the above amendments are both reasonable and in the public interest for the following reasons:

   - The presence of golf cart sales and rentals in Emerald Isle will provide additional business opportunities in the Town.

   - The presence of golf cart sales and rentals in Emerald isle will provide additional convenience for residents and visitors.

4. The Town Clerk is authorized to amend the sections as set fort above.

5. This ordinance shall become effective immediately upon its adoption. If any section, sentence, clause or phrase of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this ordinance.

Adopted this the 12th day of April, 2016, by a vote of

Commissioner(s) Dooley, Finch, Messer, Normile, Wright voting for,

Commissioner(s) _____ voting against, and

Commissioner(s) _____ absent.

Eddie Barber, Mayor

ATTEST:

Rhonda Ferebee, Town Clerk

SEAL