

15-12-08/02



Nice Matters!

Town of Emerald Isle
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Mayor
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Mayor Pro-Tem
Floyd Messer, Jr.

Board of Commissioners
Candace Dooley
Steve Finch
Jim Normile
Maripat Wright

Town Manager
Frank A. Rush, Jr.
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ORDINANCE AMENDING CHAPTER 4 - USE REGULATIONS – OF THE UNIFIED DEVELOPMENT ORDINANCE TO AMEND THE TABLE OF PERMITTED AND SPECIAL USES IN THE VILLAGE WEST ZONING DISTRICT

WHEREAS, the Town's Unified Development Ordinance (UDO) does not currently permit a carwash, storage facilities for rent, and ice manufacture, storage and sales, and

WHEREAS, the Town's Unified Development Ordinance (UDO) currently permits Campgrounds and Travel Trailer Parks and RV Parks as special uses in the Village West zoning district, and

WHEREAS, the Town's Unified Development Ordinance (UDO) does not currently list Stone and Granite Sales as a use on the Table of Permitted and Special Uses, and

WHEREAS, due to a potential rezoning action these uses would become non-conforming or inconsistent with the goals of the Town's 2004 CAMA Land Use Plan, and

WHEREAS, the Town now desires to amend Chapter 4 – Use Regulations – of the Unified Development Ordinance (UDO) in order to add uses as permitted or as special use in the Village West (VW) zoning district

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 a (P) for permitted use under the Village West column for the following uses:

- Carwash
Storage Facilities for Rent
Ice Manufacture, Storage and Sales

Amend Chapter 4, Table 4.1.2 to change (S) special use to (P) permitted use under the Village West column for the following uses:

- Campgrounds and Travel Trailer Parks
RV Parks

Amend Chapter 4, Table 4.1.2 to add a new use as a (S) special use under the Business and Village West Column as follows:

- Stone and Granite Sales

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.

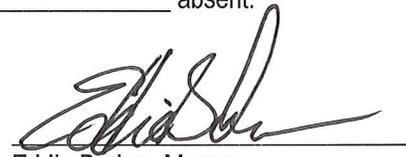
3. The Board of Commissioners has determined that the above amendments are both reasonable and in the public interest for the following reasons:

- The Town currently does not permit a carwash, storage facilities for rent and ice manufacture, storage or sales in the Village West zoning district and the amendments are necessary due to a rezoning initiated by the Town which includes parcels currently zoned as Business in which these uses are currently operating and conforming but would become nonconforming once rezoned as Village West.

- The Town currently permits campgrounds and travel trailer parks and RV parks in the Camp zoning district and as a special use in the Village West zoning district and the amendment to show as a permitted use in the Village West zoning district is consistent with language in the 2004 CAMA Land Use Plan.
- The addition of the new use (stone and granite sales) will resolve a nonconforming situation and the amendment to show this new use as a special use in the Village West zoning district will allow an opportunity for conditions to be placed upon the use at the time a special use permit is issued, which would limit impacts on the surrounding area.

4. The Town Clerk is authorized to amend the sections as set forth 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 8th day of December, 2015, 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

