

**TOWN OF EMERALD ISLE  
PLANNING BOARD MEETING  
MONDAY, OCTOBER 23, 2017**

Chairman Ken Sullivan called the meeting to order at 6:00 pm. Members present were, Jim Osika, Malcolm Boartfield, Mark Taylor, Susan Monette, Paul Schwartz and Ty Cannon. Also present was Town Planner Josh Edmondson, and members of the public.

A correction was noted to be made to the minutes to correct the spelling of John Wootten. A motion was made by Jim Osika to approve the minutes with this correction. The motion was seconded by Mark Taylor and carried unanimously 6-0.

**SUBJECT: PROPOSED AMENDMENTS TO CHAPTERS 3, 4, 5 AND 6 CONCERNING THE BUSINESS DISTRICT**

Mr. Edmondson stated he completed the revisions the Planning Board and staff discussed at the September meeting. Mr. Edmondson said he hopes the Board will feel comfortable in making a recommendation to the Commissioners for their November meeting. Mr. Edmondson went over the amendments with the Board as outlined below:

The first amendment discussed was to the definition of the Business District.

Chapter 3

Section 3.2.1 - Base Districts

**Current Definition** - Business (B)

Business district allowing a general and wide variety of retail trade.

**Proposed Definition** – Business (B)

Business district allowing a general and wide variety of retail **& professional uses**. **The district will also allow residential use that is supplemental to business uses, but is not intended solely for residential housing. Only business use is allowed on the ground level of a structure, while upper levels are allowed to have residential and/or business uses**

After discussion, the Board was supportive of this amendment as presented.

The second amendment discussed were updates to the Table of Permitted and Special Uses.

Chapter 4

Section 4.1.2 - Table of Permitted and Special Uses

Add a **(P) for permitted use** beside **mixed-use structures in the Business (B) Column** (located under Retail and Office Use Heading)

Section 4.1.2 - Table of Permitted and Special Uses

**New Use**

Add **new use Dwelling and Condominiums as (P) for permitted use in the Business (B) Column** (located under residential and Related Uses)

After discussion, the Board was supportive of this amendment as presented.

The third amendment discussed was regarding the front setback in the Business District.

Chapter 5

Section 5.1 - Density, Intensity, Dimensional Table

Front, Side and Through Street Setback

**Current Setback** - 10'

Note 4. In the B, G, C, VE, VW, VE-C, VW-C, MV and MV-C zoning districts, every building or property in these districts that has NC 58 (Emerald Drive) as an adjoining street shall also be set back an additional ten (10) feet from NC 58 (Emerald Drive) for each additional story over two (2) stories.

**Proposed Setback - 0' in Business District**

Note 4. In the G, C, VE, VW, VE-C, VW-C, MV and MV-C zoning districts, every building or property in these districts that has NC 58 (Emerald Drive) as an adjoining street shall also be set back an additional ten (10) feet from NC 58 (Emerald Drive) for each additional story over two (2) stories. **In the B zoning district, every building or property in these districts that has NC 58 (Emerald Drive) as an adjoining street shall have a zero (0) feet set back if parking is located on the side or rear of the building and has a primary entrance to the building located along NC 58 (Emerald Drive).**

After discussion, the Board and staff decided to add the G, VE, VW, VE-C and VW-C to the amendment and revise the portion of the amendment concerning the primary entrance to the building. The revised amendment then read as follows:

**In the B, G, VE, VW, VE-C and VW-C zoning districts, every building or property in these districts that has NC 58 (Emerald Drive) as an adjoining street shall have a zero (0) feet set back if parking is located on the side or rear of the building and has a primary building entrance located along NC 58 (Emerald Drive).**

The Board was then supportive of this amendment.

The fourth amendment was to the side and rear setbacks in the Business Districts

Section 5.1 - Density, Intensity, Dimensional Table  
Side and Rear Setbacks

**Current Setback - 0'**

Note 5. In the Business and Government zoning districts, when a side or rear lot line abuts a residentially zoned lot, there shall be a minimum yard of fifteen (15) feet for the first and second story of commercial building and ten (10) feet yard width for each additional story.

**Proposed Setback – 0' in Business district**

Note 5. **In the Business zoning districts, when a side or rear lot line abuts residentially zoned lot, there shall be a minimum yard of ten (10) feet for the first and second story of commercial building and five (5) feet for each additional story.** In the Government zoning districts, when a side or rear lot line abuts a residentially zoned lot, there shall be a minimum yard of fifteen (15) feet for the first and second story of commercial building and ten (10) feet yard width for each additional story.

After discussion, the Board was supportive of the amendment.

The fifth amendment was to the natural/vegetative requirement in the Business District

Section 5.1 Density, Intensity, Dimensional Table  
Minimum Natural/Vegetated Area (% of site)

**Current % - 15% Natural Area**

**Proposed % - 15% Vegetated Area**

After discussion, the Board was supportive of this amendment

The sixth amendment was to the sidewalk standard

Chapter 6

Section 6.1.6 - Sidewalk Standard

**Current Standard**

(1) Sidewalk Standard

No sidewalk shall be without a written permit from the Town.

## **Proposed Standard**

### **(1) Sidewalk Standard**

**No sidewalk shall be without a written permit from the Town.**

**(A) In the Business District all connections from the sidewalk to a business front shall be no less than four (4) feet in width and no greater than eight (8) feet in width.**

Mr. Edmondson stated staff would like to add constructed to the sentence under Sidewalk Standard, which would read as, **No sidewalk shall be constructed without written permission from the Town.**

After discussion, the Board was supportive of the amendment.

There being no further discussion, Mark Taylor made a motion to approve the amendments as discussed and forward to the Commissioners with a favorable recommendation. The motion was seconded by Susan Monette and carried unanimously 6-0.

## **SUBJECT: PROPOSED AMENDMENT TO CHAPTER 5 VEGETATIVE PERCENTAGE IN THE VILLAGE DISTRICTS**

Mr. Edmondson said at the September meeting, the board supported developing an amendment to the vegetative percentage requirement in the Village Districts. The Town currently has a 25% vegetative requirement within all Village Districts Mr. Edmondson stated within the Government and Business Districts; there is a required 15% natural area. Mr. Edmondson said one of the proposed amendments to the Business District is a 15% vegetative requirement, which the Board just voted in favor of. Mr. Edmondson said the intent is to have the percentage requirement of the Village Districts to match that of the Business District, which in this case would be 15% vegetative.

After discussion, a motion was made by Ty Cannon to approve the amendment as proposed and forward to the Commissioners with a favorable recommendation. The motion was seconded by Malcolm Boartfield and carried unanimously 6-0.

## **SUBJECT: REPORT FROM TOWN PLANNER**

Mr. Edmondson informed the Board of the Commissioners approval of the amendment to the definition of building setback allowing elevators as a feature that can encroach into the setbacks up to 3'. Mr. Edmondson went over the September Building Report for 2017 along with the September 2016 report for comparison purposes. He also stated that the next Commissioners meeting would be November 14 at 6PM and the next Planning Board meeting would be November 20, 2017 at 6PM.

## **Subject: Comments from Planning Board**

No comments from the Board

There being no other business a motion was made by Mark Taylor and seconded by Susan Monette to dismiss the meeting, which carried unanimously 6-0.

Respectfully submitted by:

Josh Edmondson, Secretary  
Town of Emerald Isle Planning Board