



Nice Matters!

**Emerald Isle
Planning and Inspections**
7500 Emerald Drive
Emerald Isle, NC 28594

252-354-8548 voice
252-354-5068 fax

www.emeraldisle-nc.org

Town Planner
Josh Edmondson
jedmondson@emeraldisle-nc.org



DATE: November 1, 2016
TO: Frank A. Rush, Jr, Town Manager
FROM: Josh Edmondson, CZO, Town Planner
SUBJECT: Consider Text Amendment to Chapter 5 Density, Intensity and Dimensional Standards concerning setbacks in the Business District

Over the last several months, staff has been discussing the current Business district zoning corridor along Emerald Dr. Discussion has centered around several items with the major centering around the vision for this district and allowing mixed uses in a similar way as the Village districts. This vision has gained traction as a topic of interest with the Land Use Plan Steering Committee. The idea of a mixed commercial district is a much larger topic that I envision the Planning Board and Board of Commissioners to begin discussing when reviewing the draft land use plan and as the plan is adopted. The item being presented by staff is one that stems from this mixed use business district, keeping with the village / small town theme outlined in the draft Land Use Plan. Specifically, we are proposing a reduction to the front, side street and through/double frontage lot setbacks in the Business district.

The current setback requirements are 40' front, 30' side street and 40' through/double frontage lots with the opportunity for every building or property in the Business district, among others, that has Highway 58 as its adjoining street to have a 5' setback along Highway 58, plus 10' for each additional story over 2 stories. Staff proposed to the Planning Board a reduction to each of these 3 setbacks to 10'. Staff believes the current setbacks are those found in a more urban type environment and that this reduction is more common in the village/small town setting. Envision having the buildings closer to the street pushing parking to the side and rear of the property and seeing more of the architectural features of the building instead of asphalt parking. This setback reduction mirrors those of the Village districts and promotes that mixed use commercial district we envision as a strategy in the updated land use plan.

At the Planning Board meeting, the Planning Board supported this concept and the reduction to a 10' setback. We also had additional discussion about Note 4 which currently reads as follows:

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 Highway 58 (Emerald Drive) as its adjoining side street shall have a five-foot side setback along Highway 58 (Emerald Drive), plus ten (10) feet for each additional story over two (2) stories.

Staff informed the Board that the interpretation used by staff for enforcement of this note applies when Emerald Drive is considered the side street or a street on a double frontage/through lot thus allowing the setback along Emerald Drive to decrease to the 5' along Emerald Drive. The Planning Board and staff agreed at the meeting that by changing all setbacks to the 10' we are increasing the amount of building area / flexibility and a 5' setback is not desirable moving forward. The Planning Board agreed that the regulation "plus ten (10) feet for each additional story over two (2) stories" should remain. The new note 4 would read as follows:

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.

This amendment to the setback reduction would apply to any current or future property zoned Business. The amendment to note 4 would apply to all current or future property listed in one of those zoning classifications contained within the note.

Furthermore, after hearing concerns at the October meeting regarding the closure of Crew Drive for the shopping center staff went back after the meeting to continue working to see if there was a way we could address these concerns. After conferring with the developer, the reduction of the setback to 10' has the potential for Crew Drive to remain a public street because the site / building as proposed could meet this 10' setback with only minor changes to the site plan. Staff feels the amendment addresses all concerns about this project, provides our current property owners additional flexibility for development in the current Business district and continues to promote the small town theme adored by all here in Emerald Isle. Furthermore, promoting this village theme along the Business district on Emerald Dr. is a way to integrate and tie the Village West and East concepts together. The idea of this mixed commercial district will be an item discussed in the near future and the setback amendment is a small, much simpler step moving in that direction.

Attached to this memorandum is the official ordinance amendment and a copy of the Town's zoning map for reference. I look forward to discussing this issue with the Board of Commissioners at their November 8, 2016. Please let me know if you have any questions regarding the foregoing information.