



Nice Matters!

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DATE: November 15, 2017
TO: Planning Board Members
CC: Frank A. Rush, Jr., Town Manager
FROM: Josh Edmondson, CZO, Town Planner
SUBJECT: **Revisions to Proposed Amendments to Chapter 5 and Review of Amendment to Chapter 6 Buffers**

The Commissioners reviewed the proposed amendments to the Business and other Districts at their November meeting. They were very appreciative and supportive of the Planning Boards hard work with the proposed amendments. All the amendments were approved except for those concerning the setbacks, for which the Commissioners requested some minor tweaks. They also requested the Planning Board to review the buffer requirements between Business and Governmental zoned properties and residential properties. If you remember, we discussed increasing the buffering requirements when working through the commercial village concept but ultimately no changes were made. Below I have included the amendments as approved to the Commissioners to Chapter 5 and then the revisions requested by the Commissioners.

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, Government and Village East and West Districts

Note 4. In the 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 G,B, 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). Carteret Craven Electric Membership Cooperative (CCEMC) and Bogue Banks Water Corporation (BBWC) may require additional setbacks.**

Revision to Setback amendment - 5' in Business, Government, Village and West Districts

Note 4. In the 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 G,B, 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 five (5) 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). Carteret Craven Electric Membership Cooperative (CCEMC) and Bogue Banks Water Corporation (BBWC) may require additional setbacks.**

The Commissioners were supportive of a setback reduction however felt the 0' setback could lead to situations where developers/owners may build over the property lines. This then may lead to variance requests.

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 and Government zoning districts, when a side or rear lot line abuts a 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.**

Revision to Setback amendment - 0' in Business district

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 twenty (20) feet.**

Again, the Commissioners were supportive of change to this requirement, but wanted to provide that separation between commercial uses and adjacent residential properties. As a part of this, the Commissioners requested the Planning Board adjust the height standards to the vegetative buffering requirements when commercial, mixed use or governmental development abut residential lots. Below is the current standard and the proposed amendment for your review.

Chapter 6

6.1.2 - Business and Mixed Use Districts

Current Buffer Requirement

(1) Buffers

A buffer shall be required if commercial, mixed use or governmental development abuts a residential or multi-family residential lot. The buffer shall consist of one (1) of the following: (1) a vegetative opaque screen six (6) feet in height; or, (2) an opaque fence six (6) feet in height. The buffer must be located along the perimeter of the project where it abuts the residential or multi-family residential lot and the methods and materials of construction must be approved as part of the commercial development review process. The buffer must be maintained as constructed and replaced or repaired if destroyed or damaged by any means.

Proposed Buffer Requirement

(1) Buffers

A buffer shall be required if commercial, mixed use or governmental development abuts a residential or multi-family residential lot. The buffer shall consist of one (1) of the following: (1) a vegetative opaque screen **ten (10) feet in height**; or, (2) an opaque fence six (6) feet in height **with a vegetative opaque screen ten (10) feet in height**. The buffer must be located along the perimeter of the project where it abuts the residential or multi-family residential lot and the methods and materials of construction must be approved as part of the commercial development review process. The buffer must be maintained as constructed and replaced or repaired if destroyed or damaged by any means.

I look forward to discussing this with you at your November 20, 2017 meeting.