

**TOWN OF EMERALD ISLE
PLANNING BOARD MEETING
MONDAY, AUGUST 28, 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 motion was made by Mark Taylor to approve the minutes. The motion was seconded by Ty Cannon and carried unanimously 6-0.

SUBJECT: DISCUSSION OF COMMERCIAL VILLAGE CONCEPT IN THE BUSINESS DISTRICT

Mr. Edmondson stated staff has been developing changes that would need to be incorporated into the Unified Development Ordinance to implement this concept since the June 2017 meeting. Mr. Edmondson said staff determined that the simplest way to achieve these goals would be to move forward with the concept by making amendments to the current business district regulations. The district would continue to be called the Business district but have the commercial village concept incorporated into this district.

Seven amendments to the Business district were proposed to the Board for review. The Planning Board and staff went over each item 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 trade. **The district will also allow residential use that is complementary to business uses, but is not intended solely for residential housing.**

After discussion, the Board directed staff to delete trade at the end of the first sentence and add professional uses. In addition, the Board recommended to replace complementary with supplemental in the second sentence.

The second amendment discussed was 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)

After discussion, the Board supported the amendment as proposed. Chairman Kenny Sullivan asked should the table be updated to permit dwelling and condominiums in the Business District as a permitted use. Mr. Edmondson said he would look into the best way to incorporate this into the table.

The third amendment discussed was to the Density, Intensity, Dimensional Table regarding the front, side and through street setback

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.**

After discussion, the Board was in support of the proposed amendment. The Board directed staff to add language in the appropriate place to limit the width of connection from the sidewalk to building front.

The fourth amendment discussed was to the Density, Intensity, Dimensional Table side and rear setbacks.

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 or commercial building and five (5) fee 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 in support of the proposed amendment.

The fifth amendment was to the Density, Intensity, Dimensional Table minimum natural/vegetated area

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 in support of the proposed amendment. Chairman Kenny Sullivan, requested to add the minimum natural/vegetative area requirement in the Village District to the September agenda for discussion.

The sixth amendment was to Additional Dimensional standards adding Section 5.2.3

5.2 - Additional Dimensional Standards

New Section 5.2.3 - Complementary Residential Uses

(1) In the B District

Residential uses shall only be allowed as complementary to the business use on the property. The residential use shall only be allowed within the existing footprint of the business use. The residential use must occupy existing or new floor area over the primary business use. No business footprint shall be replaced for the purpose of a residential use.

After discussion, the Board directed staff to make changes by replacing complementary with supplemental. The Board also wanted the verbiage of this new section to be simplified and more clear that the residential use is not to be located on a first story/level. The Board and staff decided to work together on new language for this amendment for the next meeting.

The seventh amendment was to Section 6.1.2 – Business and Mixed Use Districts

Chapter 6

Section 6.1.2 - Business and Mixed Use Districts

Current Regulation

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 Regulation

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. **Furthermore, if a commercial or mixed use development is located in the B district, 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 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.

After discussion, the Board consensus was to keep the current buffer requirement and not amend as staff proposed.

Mr. Edmondson stated he would make the necessary revisions discussed at the meeting to bring back to the Board for discussion at the September Planning Board meeting.

Subject: Report from Town Planner

Mr. Edmondson informed the Board of the Commissioners approval of the site plan for the Light House Inn and Suite development. Mr. Edmondson went over the July Building Report for 2017 along with the July 2016 report for comparison purposes. He also stated that the next Commissioners meeting would be September 12, 2017 at 6PM and the next Planning Board meeting would be September 25, 2017 at 6PM.

Subject: Comments from Planning Board

Paul Schwartz requested that the Board discuss the process of determining building heights at the September Board meeting. The consensus of the Board was to include this on the agenda and Mr. Edmondson said he would include this as an agenda item for the Board's September meeting.

There being no other business a motion was made by Ty Cannon and seconded by Jim Osika to dismiss the meeting, which carried unanimously 6-0.

Respectfully submitted by:

Josh Edmondson, Secretary
Town of Emerald Isle Planning Board