



Nice Matters!

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DATE: August 21, 2017
TO: Planning Board Members
CC: Frank A. Rush, Jr., Town Manager
FROM: Josh Edmondson, CZO, Town Planner
SUBJECT: **Discussion of Commercial Village Concept**

As you remember, we began discussing this concept at our June meeting. Since this time, staff has been developing changes that would need to be incorporated into the Unified Development Ordinance to implement this concept. After discussion, we 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.

We have developed seven amendments to the Business district that are felt to best achieve this concept. I have outlined each of these for you to review so that we may discuss in detail at the meeting (below sections attached for review as currently adopted).

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.**

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)

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.**

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) 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.

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

Current % - 15% Natural Area

Proposed % - 15% Vegetated Area

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.

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.

These are the amendments staff sees as key items to make this concept work. I would like to use our meeting time to discuss these items and why we feel these amendments are necessary. If you have any ideas you would like to present please bring them to the meeting, so we can discuss. I look forward to discussing this with you at your July 24, 2017 meeting.