

Section 22-17.2 - MP-C NEIGHBORHOOD COMMERCIAL DISTRICT (Adopted 11-6-2023)

The following regulations shall apply to the MP-C neighborhood commercial district:

(a) Intent. The MP-C district is established to provide for the proper grouping and development of commercial facilities to serve permanent and seasonal residents.

(b) Permitted uses. The following uses shall be permitted by right:

(1) Offices, including such uses as:

- a. Business.
- b. Financial.
- c. Governmental.
- d. Medical and professional.

(2) Retail stores, including such uses as:

- a. Antiques.
- b. Books.
- c. Cameras.
- d. Candy.
- e. Clothing.
- f. Craft goods.
- g. Delicatessens.
- h. Dry goods.
- i. Drugs.
- j. Flowers.
- k. Food stores.
- l. Gifts.
- m. Hardware.
- n. Health and Beauty Aids.
- o. Hobby goods.
- p. Household appliances.
- q. Jewelry.
- r. Leather goods.
- s. Magazines.
- t. Medical Supplies.
- u. Music and musical instruments.
- v. Office supplies.
- w. Sporting goods.
- x. Tobacco.
- y. Toys.
- z. Video Rentals.
- aa. Wines

(3) Service establishments, including such uses as:

- a. Banks.

- b. Barbershops and beauty shops.
- c. Business service—copying, photocopying and computer services.
- d. Churches.
- e. Dry cleaning and laundry pickup stations.
- f. Funeral homes.
- g. Indoor motion picture theaters.
- h. Pharmacy without a drive-through facility.
- i. Radio and television broadcasting studios (excluding transmitter sites).
- j. Shoe Repair.

(4) Limited residential, where up to 40% of the floor area of an approved commercial building may be devoted to residential use in conjunction with a commercial use allowed as a permitted or special use in the MP-C district.

(5) Detached single-family dwellings and accessory buildings, according to the density and dimensional requirements of the MP-1 residential district.

(6) Two-family (duplexes) dwellings, multifamily dwellings and accessory buildings, according to the density and dimensional requirements of the RS-8 Multi-Family Residential District.

(7) County owned or leased facilities.

(8) Event facilities - meaning an establishment, structure or property designed, maintained, advertised or actually used for the primary purpose of hosting pre-planned events, including, but not limited to, private parties, community meetings, weddings, rehearsal dinners, corporate meetings, retreats, sporting events, cultural events, musical events, celebrations, or similar events that are planned in advance of their occurrence.

a. Customer parking requirements for event facilities shall be one space for each 150 square feet of floor area;

b. A septic permit must be obtained from the county health department to accommodate the maximum number of attendees permitted.

c. Food preparation shall meet all local and state requirements.

d. All events in which alcohol is to be served shall not be held until an approved state ABC permit has been issued.

e. All events shall be in compliance with all Dare County requirements, including the County noise ordinance.

(9) Produce stands. The retail sale of fruits, vegetables, plants, and other agricultural and horticultural products subject to the following requirements:

a. All stands shall meet the yard requirements for the MP-C district;

b. No sales shall be conducted between 8:00 p.m. and 7:00 a.m.;

c. No additional lighting shall be allowed;

d. All stands shall comply with all applicable Dare County Health Department requirements and N.C. Department of Agriculture requirements;

e. Only one stand per lot shall be allowed;

f. When located on a lot with 50 or more existing parking spaces, no additional parking spaces will be required. When located on a lot with fewer than 50 existing parking spaces, a minimum of three off-street parking spaces shall be provided. When located on a vacant lot, parking spaces shall be provided on an adjacent lot with existing parking spaces that is under same ownership;

g. One freestanding sign not exceeding 32 square feet in area or six feet in height shall be allowed;

h. If applicable, a building and/or electrical permit shall be obtained;

i. The display, storage and/or sale area shall not impede vehicular or pedestrian traffic and parking;

j. On-site garbage or trash receptacles must be provided and properly maintained at all times.

(c) Special Uses. The following uses are permitted subject to the requirements of this district and additional regulations and requirements imposed by the Board of Commissioners as provided in Article IX of this chapter:

(1) Commercial child care centers as defined in Section [22-2](#), subject to other requirements of this chapter and provided the following conditions are met:

a. The facility shall adhere to the minimum requirements of and be licensed by the State Department of Human Resources.

b. Pickup and drop-off areas shall be provided separate from the drive aisle. The pickup and drop-off areas shall be designed so that no child is required to cross the parking lot or any other traffic areas.

c. The operation of the facility shall not block traffic on the State Access Road or create other traffic issues.

d. Required parking requirements – 1 space for every 3 children plus 1 space for every employee. For facilities that were licensed at any time prior to November 6, 2023, the required parking requirements shall be 1 space for each classroom plus 1 space for each administrative office.

(2) Garden center/nursery, provided:

a. A ten-foot high solid fence must surround all storage areas for business vehicles, equipment and bulk storage.

b. All principal and accessory structures must conform to the building code (e.g., greenhouses) with no agricultural exceptions.

c. Outdoor plant displays (retail/nursery areas) access walks shall comply with site accessibility requirements of the building code (e.g., wheelchairs and motorized carts).

d. Required parking spaces and drive aisles shall be asphalt or concrete. Business vehicle and equipment parking and drive area shall be gravel or other dust free surface.

Customer parking requirements for outdoor retail display areas shall be one space for every 500 square feet of retail space.

(3) Group developments according to the provisions of Section [22-31](#).

(4) Restaurants without drive-thru facility.

(5) Veterinary clinic, provided that all boarding runs and kennels are in an enclosed, heated and air conditioned building.

(6) Wireless telecommunications sites in compliance with [Section 22.29.2](#).

(7) Wind generation facility in compliance with the requirements of [Section 22.29.3](#).

(d) Dimensional requirements.

(1) Minimum lot size: Commercial lots shall be of sufficient size to meet requirements of the Dare County Health Department, to provide adequate siting for structures, and to provide parking, loading and maneuvering space for vehicles as required by Article VII of this chapter. In addition, a Visual Buffer shall be established and maintained along the rear of any property adjacent a residential zone for any business established after November 6, 2023. The required buffer shall consist of a wooden or vinyl fence (6 to 8 feet in height) or a vegetative buffer at least 6 feet in height. In some instances, existing dense shrubs, trees, and plants may provide screening, with approval of the Dare County Planning Department. The Buffer Requirements shall not apply to lots 8, 9 & 10 on the subdivision plat for the Martin's Point Commercial Lots, which is recorded in Plat Cabinet B, Slides 74 & 75, Dare County Register of Deeds.

(2) Minimum front yard: 25 feet.

(3) Minimum side yard: 10 feet. No side yard required if commercial building constructed with a common wall. An additional 5 foot-yard side yard adjacent to the street is required for a corner lot.

(4) Minimum rear yard: 20 feet.

(5) No structures are permitted within the 50 foot wide buffer zone that is shown on the subdivision plat for the Martin's Point Commercial Lots, which is recorded in Plat Cabinet B, Slides 74 & 75, Dare County Register of Deeds.

(6) Maximum allowable lot coverage by principal use and all accessory structures shall be 60 percent for commercial and mixed use.

(7) Height Limitation: 35 feet

(8) In the event a natural disaster or accidental occurrence leads to extensive damage (in excess of 50% value) of a structure or group development project in existence prior to November 6, 2023, such structure or group development may be repaired, replaced or reconstructed to 100% of its status prior to damage or destruction but no greater unless otherwise authorized by the Dare County Board of Commissioners