

**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, JUNE 24, 2019 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD WEDDINGTON, NC 28104
AGENDA**

1. Open the Meeting
2. Determination of Quorum
3. Approval of Minutes – May 20, 2019 Regular Planning Board Meeting Minutes
4. Old Business
5. New Business
 - A. Discussion and Consideration of the 2019 Land Use Plan
 - B. Discussion and Consideration of Text Amendment to Chapter 46 Article II Procedure for Review and Approval of Subdivision Plats
6. Update from Town Planner and Report from the June Town Council Meeting
7. Adjournment

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WEDDINGTON TOWN HALL
MINUTES
PAGE 1 OF 2**

1. Open the Meeting

Chairman Prillaman called the meeting to order at 7:00 p.m.

2. Determination of Quorum

Quorum was determined with Chairman Brad Prillaman, Board members Walt Hogan, Tami Hechtel, Barbara Harrison, Gerry Hartman, and Jim Vivian present. Board member Steve Godfrey was absent.

Staff Present: Town Administrator/Planner Lisa Thompson, Town Clerk Karen Dewey

Visitors: Bill Deter

3. Approval of Minutes – April 22, 2019 Regular Planning Board Meeting Minutes

Motion: Board member Gerry Hartman made a motion to approve the April 22, 2019 Regular Planning Board Meeting Minutes as presented.
Second: Board member Hechtel
Vote: The motion passed with a unanimous vote.

4. Old Business

Discussion: No new business

5. New Business

A. Discussion and Consideration of the Morrison Minor Subdivision

Ms. Thompson presented the staff report: The applicant, Stephen Morrison is seeking a minor subdivision for property located at 7502 and 7504 New Town Road. It is a total of 4.94 acres and is zoned R40 residential.

There are two existing lots being subdivided to add one additional lot. Resultant lots are approximately 1.57 acres, 2.00 acres and 1.43 acres. All lots meet the minimum size requirement, the minimum front, side and rear yard setbacks and are at least 120' wide at the established front setback.

The proposed minor subdivision is in general conformity with the Town of Weddington Zoning and Subdivision Ordinances; therefore, staff recommends approval.

The Applicant stated that his father currently owns this property.

Board member Hartman asked if the lots were on county water and sewer. Ms. Thompson replied that the lots were on septic and the applicant has applied to environmental health for approval. It was noted that the Applicant is not the property owner, an affidavit to show that the property owner approves of the subdivision is required and the owner's signature should be on the plat.

- Motion:** Board member Hogan made a motion to approve the Morrison Minor Subdivision with the conditions that the applicant receives approval from County Environmental Health and the property owner signs an affidavit to show approval of the subdivision and the owner signature will be on the final plat.
- Second:** Board member Gerry Hartman
- Vote:** The motion passed with a unanimous vote.

6. Update from Town Planner and Report from the May Town Council Meeting

Ms. Thompson presented the update: At the May Council meeting the Erosion and Sediment Control Ordinance and the Lighting Ordinance were approved. The Council approved a contract with Cardno to rezone the adjacent town owned property for the Town Park and do construction documents. A site plan could be ready as early as June. The Council completed the Land Use Plan review and once technical changes are complete, it will come before the Planning Board for a final recommendation. Ms. Thompson stated that she is working on the development standards for the conservation subdivision ordinance.

Board member Hogan asked how long approval of the Erosion and Sediment Control Ordinance from the state would take. Ms. Thompson responded that since this is the second review, hopefully less than 60 days.

Board member Harrison asked about the Temporary Use Permit for the Drumstrong Event held last weekend. Ms. Thompson stated that there was no permit application and that a courtesy letter would be sent reminding the property owner that a temporary use permit is required for that kind of event.

7. Adjournment

- Motion:** Board member Hartman made a motion to adjourn the May 20, 2019 Regular Planning Board Meeting at 7:09 p.m.
- Second:** Board member Harrison
- Vote:** The motion passed with a unanimous vote.

Adopted: _____

Brad Prillaman, Chairman

Karen Dewey, Town Clerk

EXECUTIVE SUMMARY

I. INTRODUCTION

This document is a statement of the community's vision for its own future and a guide to achieve that vision through December 31, 2023. This plan shall be updated every five years. These time periods are ambitious-indicative and the Town's failure to conduct an evaluation within these time periods shall not confer any rights on any affected parties. The view of the future expressed in the Land Use Plan (i.e., the Plan) is shaped by local community values, ideals, and views-aspirations about the best management-stewardship and use of the community's resources.

The Plan uses text, maps, and diagrams to establish policies and programs that the Town may use to address the many issues facing the community. The Plan is a tool for managing community change to achieve the desired quality of life.

This document serves as the replacement to the 2002-2013 Weddington Land Use Plan ~~that was written by the Centralina Council of Governments, which That plan replaced the 1996 Weddington Land Use Plan that was written by the UNC Charlotte Urban Institute. Elements of that original Plan, however, are still contained in this document and are duly noted where applicable.~~ The Plan is being adopted pursuant to NCGS 160A-383.

A. WHY PLAN?

Successful communities do not just happen; they must be continually shaped and guided. A community must actively manage its growth and respond to changing circumstances if it is to continue to meet the needs of its residents and retain the quality of life that initially attracted those residents to the community.

Residents of Weddington value the high quality of the natural environment, the rural character and diversity of the style of their neighborhoods, as well as the strong sense of community identity. They have also expressed Concern about the impact-effects of new growth in and surrounding Weddington. has increased as residents have experienced increased traffic congestion, school crowding, and the rapid loss of natural, open areas. Effective growth management can will help the community address each of these concerns.

The Town recognizes the importance of coordinating growth management efforts with Union County and adjacent communities while also cognizant of the limitation of the authority the Town possesses – the Town can strive to influence the policies and actions of

other parties, but it does not have direct authority to do so, as with decisions relating to schools or transportation corridors. Accordingly, the Town seeks to develop a productive relationship with the County towards coordinated strategies and ~~County should develop coordinated strategies~~ for growth management to make efficient use of valuable infrastructure that is already in place, and to minimize unnecessary loss of the surrounding open space areas where such infrastructure is not yet in place. A good plan and effective plan implementation measures can curb the trend towards sprawl development while accommodating ~~appropriate~~ new development consistent with the future vision.

This Plan, once adopted and applied consistently and carefully, is intended to foster ~~will develop~~ and strengthen partnerships among service providers and between the public and private sectors. The ~~Such~~ partnerships can achieve infinitely more for the community than any would acting alone. An important ~~premise-principle~~ of an effective land use plan is ~~that it creates~~ to create ~~a~~ “win/win” situations for both the public and private sectors, for existing and new neighborhoods, for open space land conservation, and for the community’s fiscal integrity and enhanced quality of life.

B. WHAT IS IN THE LAND USE PLAN?

This Land Use Plan focuses on land use and development ~~issues—matters~~ facing Weddington, North Carolina. The following listing of sections outlines the major areas covered by the Land Use Plan.

Section II - Community Vision defines a vision for the community’s future that is the basis for the Plan’s recommendations. The most significant aspect of Weddington’s planning process has been the high level of citizen involvement. The Town's approach has included surveys, interviews, public hearings, workshops, and newsletters, in an effort to inform the public and to capture the thoughts, ideas, hopes and desires of the community. Community values set priorities for community action and plan implementation.

Section III - Goals, Policies and Recommendations identifies specific goals and policies intended to guide future growth and development decisions.

Section IV - Plan Implementation and Administration outlines recommended strategies needed to achieve the Plan’s goals in a manner that is consistent with the Town’s policies.

Section V - Context for Planning summarizes existing conditions, trends, and issues facing the community and establishes the setting for the Plan and the basis for its goals and policies. This section:

- Summarizes the Town's history;
- Identifies natural environmental factors and physical constraints and opportunities that affect development within the planning area;
- Identifies demographic characteristics and trends;
- Identifies issues and regulatory considerations related to existing and future land use and the planning area;
- Establishes the basis for community design and image guidelines for the enhancement of Weddington's natural and built environments;
- Identifies both public and private community facilities and service providers within the community.

C. WHAT DO THESE TERMS MEAN?

The following terms are used throughout the Plan to convey key concepts

Goal. Description of a desired state of affairs for the community in the future. Goals are the broad public purposes toward which policies and programs are directed. Generally, more than one set of actions (policies) may be needed to achieve each goal. In this Plan, goals are phrased to express the desired results of the Plan; they complete the sentence "Our goal is..."

Policy. A statement of government intent against which individual actions and decisions are evaluated.

Strategy. Individual tasks or accomplishments which, taken together, will enable the Town to achieve its goals. Strategies recommend specific courses of action to implement the Plan.

D. HOW SHOULD THE PLAN BE USED?

The Plan is a guide to action. It is not, itself, an implementation tool. By ensuring that individual actions are consistent with the goals, objectives, and policies of the Plan, the Town can effectively achieve the vision. For example, the Planning Board and the Town Council will use the Plan's policies and maps to decide whether to approve a proposed rezoning of land within its Town limits. Zoning and subdivision regulations should govern how development takes place in conformance with the Plan. Upon adoption of this Plan,

the Town should review existing development regulations and ordinances to determine their consistency with this Plan.

Although amendments to the Plan are discouraged, the Plan should be a dynamic document, subject to periodic and occasional amendment but only when conditions within the Town drastically change. Periodic updates of the Plan may be needed to ensure that it continues to meet the needs of the Town.

The Plan, ~~however~~ is not an ordinance. ~~Rather, it~~ is designed to serve as a guide for future growth and development within Weddington. The Plan therefore does not have the weight nor the mandate for enforcement as does an ordinance. The Town Council will ~~have use~~ this Plan as a guide ~~and a factor to consider~~ in its future land use decisions.

E. COORDINATION WITH OTHER JURISDICTIONS

Many problems faced by local governments are regional in nature. Issues such as population growth, environmental preservation, growth patterns, and the adequacy of public facilities and services often transcend local, neighborhood or Town boundaries. Accordingly, the study area of the Plan (i.e., the “Planning Area”) looks beyond the corporate limits of Weddington and includes possible future growth that may be regional in nature. Regional growth areas include those areas contained in the Weddington-Marvin annexation agreement and nearby jurisdictions that Weddington would have the ability to annex. It also includes other unincorporated areas to the south and east of Weddington that have also been identified for possible future annexation. Official Town actions in response to this Plan will be limited to the area within the Town’s current and future municipal jurisdiction, including any extraterritorial jurisdictional boundaries that may be granted to the Town.

This Plan strongly supports partnerships between Weddington, Union County and communities adjacent to the Planning Area such as Wesley Chapel, Waxhaw, Marvin, Indian Trail, and Stallings. These partnerships should focus on coordinated growth management and service provision strategies. Through effective coordination, Town residents will enjoy the benefits of a more stable, sustainable region. Failure to coordinate will result in excessive consumption of valuable open space land.

F. WHO IMPLEMENTS THE PLAN?

The policies and strategies of the Plan must be implemented in a timely manner in order to ensure that the vision of the Plan becomes a reality. Who should be charged with the implementation of the goals, policies and strategies? It is a joint effort of the Town Council, the Planning Board and Town ~~s~~Staff.

II. COMMUNITY VISION

Weddington has the distinct atmosphere of a small town and a quality of life that provides its citizens with a sense of place that is lacking-different in other parts of the region. The natural environment and community structure that characterize Weddington, along with its land use regulations, have been major factors in shaping the growth of the town and making it a desirable place to live.

Local leaders are aware of the fact that the Town cannot prohibit new growth from occurring. Thus, a primary community goal is to maintain the Town's rural character as new growth occurs. New growth must occur within a framework that is in keeping with the existing rural community character and that avoids negative social, economic and environmental effects on the town.

Growth in Weddington is inevitable. The majority of residents are happy with the Town's existing low-density single-family developments. Few support a "growth at any cost" policy. This document evaluates the amount of growth likely to occur and makes recommendations concerning the location and relationship of the land uses in order to establish and maintain a healthy relationship between the developing community and the environment.

A. PUBLIC PARTICIPATION

In developing a plan, the most important item in assuring that the community has ownership in the product is public participation. A public participation process identifies a community's shared preferences, can serve as a means to refine goals and objectives, and can ensure that Plan implementation measures address these objectives. However, reaching public consensus is often an intensive, time-consuming, and sometimes controversial process. There are important benefits to active citizen involvement in the planning process, such as educating the public about local government actions, generating fresh ideas about old problems, and improving the community climate of trust and teamwork. A citizenry that is given the opportunity to participate does not feel excluded, even if it doesn't take an active role. Most important of all, effective citizen participation, no matter how time-consuming, saves time and builds support for community goals.

The Town of Weddington has taken a number of steps to make public input a meaningful part of the planning process in developing this Plan. The Town undertook a land use survey that addressed a number of key issues facing the Town. In addition, the Town has conducted public workshops and meetings to receive input and to inform the public about the planning process and Plan goals, objectives, and possible implementation measures.

B. COMMUNITY SURVEY

The Town conducted a citizens' survey, in the spring of 2018 to gauge public opinion on future land uses and community vision. The survey questionnaire and results are found in **Appendix B**. The online survey access information was mailed to owners of all parcels within the Town and paper copies were made available upon request. Survey results were used to identify key community issues. Approximately 31% of households completed the survey.

C. COMMUNITY SNAPSHOT

The citizens of Weddington are very satisfied with the community, the Town's land development pattern, and the quality of life they enjoy. Many people who have moved to Weddington did so to take advantage of the quality of life that the Town provides. When driving into Weddington from neighboring communities, one notices a distinctly different land use pattern upon entering the Town. As compared with ~~these other~~ communities, the Town has been quite successful in maintaining a low-density residential character that sets it apart from many of its neighbors.

The Plan contains many individual goals, policies, and implementation recommendations. Together, these detailed statements provide guidance in achieving the Town's vision of its future. Some of these goals reflect long-standing Town policies. Others identify new directions and actions that are designed to maintain the Town's high quality of life. Recognition and discussion of the key issues formed the basis for the Town's development of community vision priorities. The following themes emerged from the public participation process, and provide key policy direction for developing the goals and objectives of the Plan. ~~and are reflected throughout the Plan:~~

D. PLAN FOR APPROPRIATE AND COMPATIBLE LAND USES:

➤ Plan for predominantly single-family development. Single-family subdivisions are the preferred land use type; residents continue to show limited to no interest in having ~~additional other types of~~ development in the Town. The Town has also approved Conservation Subdivisions which maintain a 1-acre density with smaller lots and preserve 50% of the development as conservation area allow for smaller lots but also require 50% conservation lands. The conservation land cannot be ~~redeveloped. This results in a density neutral development where the overall density remains one unit per acre.~~

➤ Monitor development patterns in the Town and surrounding areas~~due to resident~~ There is some concern about the amount and rate of growth happening in the area. that has been occurring. The Town grew at a rapid rate in the 2000's, and many farm fields and forested areas were converted into building lots. Knowing the town cannot slow or stop development growth, it continues to the town should make a shift in how it frames the issue, like continuing to get input from the community, along with professionals' expertise, which will help manage that growth. e.g. what else would the town like to see in our community, what are optimal ratios for certain kinds of development and over what period of time.

➤ Maintain land use regulations that protect and maintain the Town's open space, unique character and overall quality of life.

E. COORDINATE THE PROVISION OF ADEQUATE PUBLIC SERVICES:

➤ Continue to coordinate with other jurisdictions that plan, fund, construct, and maintain a regional network of arterial and collector streets. There are a number of critical road improvements scheduled in the Weddington vicinity over the next few years, the most important being the construction of the Rea Road Extension (known as the re-alignment of NC 84) coming south from Mecklenburg County and linking into Marvin Weddington Road. This road is eventually planned to link into NC 84 between Cox Road and Twelve Mile Creek Road. That portion of the construction project between NC 16 and NC 84 is included on the local Thoroughfare Plan and LARTP. Changes in alignments, intersections, or improvement schedules may affect land use planning and development in Weddington. The recent completion of the widening of NC 16 has resulted in increased development pressures along NC 16 throughout Weddington. In 2009, the Town of Weddington partnered with the Village of Marvin, Town of Waxhaw and Village of Wesley Chapel to develop a Western Union County Transportation Plan. The municipalities enlisted the assistance of Centralina COG and Transportation Planners, Martin/Alexiou/Bryson to create this multi-jurisdictional plan.

➤ Continue to coordinate development approvals with the availability of adequate water and wastewater facilities. Ensure that well and septic are limited to those areas where centralized services are not practical and the well and septic are adequate to meet the long-term needs of the development.

F. MANAGE NATURAL RESOURCES:

➤ —Use land use planning to protect wetlands, floodplains, aquifers, and wellhead protection areas.

➤ ~~Continue to d~~Develop strategies ~~and regulations~~ for protecting open spaces to maintain the character of the Town. ~~There is some concern that the amount and rate of growth that has been occurring will eliminate all of the open spaces that are an essential component of the Town's character.~~

➤ Maintain standards for development on steep slopes to reduce environmental impacts and hazards to residents. Preferred Ddevelopments are ~~preferred which are~~ built in concert with and ~~which~~ take advantage of their natural environmental features and attributes.

➤ ~~Attempt to D~~develop open space networks with the potential to connect conservation land, greenways, and multi-use paths

III. GOALS AND POLICIES

Future Land Use. Weddington's *Land Use Plan* is the fulfillment of input and conversation that has transpired while planning for the Town's future. Land Use policies build the framework on which land use decisions can be founded. They are aimed at providing guidance in the location of future land uses and the redevelopment of existing

land uses. Land use is dynamic rather than static. It is a process that is marked by public input and is dependent upon continued participation of residents, property owners and business owners for its success. The Land Use ~~p~~Plan is ~~that component of this~~ a document that ~~attempts to~~ links all the factors impacting Weddington. The purpose of the Land Use ~~p~~Plan is to institute an ostensibly efficient direction to delineate Weddington's future development patterns - where the community members want to go and how the Town leaders can get there.

The Future Land Use map is not the zoning map for the Town. The Future Land Use map is conceptual and is intended to guide future land use decisions. Future land uses are developed in the context of all of the Plan's goals and policies.

Land Use Goals:

- Goal 1: To ensure that all new development takes place in a manner that conserves open space and scenic views.
- Goal 2: To limit development activities on environmentally sensitive lands.
- Goal 3: Minimize the visual effect of development from surrounding properties and roadways.
- Goal 4: To maintain the town's strong single-family residential character.
- Goal 5: To retain a mix of land uses that reinforces Weddington's unique small town character.
- Goal 6: To ensure that the type, location, and scale of existing commercial and future commercial development in the Town Center provides goods and services for the residents of Weddington, ~~and neighboring communities.~~
- Goal 7: Through the conditional zoning process, provide smaller lot sizes to accommodate a variety of age and income groups, and broader residential preferences, so that the community's population diversity may be enhanced. (check with attorney)

Land Use Policies:

- Policy 1: Preserve open space and scenic views through appropriate zoning regulations. Require open space preservation in both conventional and conservation subdivisions and commercial developments.
- Policy 2: Preserve the Town's natural resources. Depending upon the fragility of the resource, restrictions should limit or prohibit construction, grading, and even vegetative clearing.
- Policy 3: Limit development to areas of the Town that have suitable soil and topographic characteristics for development.
- Policy 4: Limit development in designated 100-year floodplains, wetlands and along natural waterways to reduce the risk of significant damage and injury to life and property.
- Policy 5: Ensure that development is consistent with the Town's quality and aesthetic values, thereby protecting property values.
- Policy 6: Retain the character of the community by ensuring that new residential development consists of single-family homes.
- Policy 7: Continue to allow manufactured housing in Weddington on individual lots within Residential (R) zoning districts in accordance with NCGS 160A-383.1.
- Policy 8: Prohibit medium and high-density residential development and large-scale commercial development that could create potential traffic and safety problems for the Town.
- Policy 9: Ensure that the scale and design of commercial development is consistent with the unique small-town character of Weddington. Limit such development to small-scale retail and service businesses, serving Town residents ~~and surrounding communities~~, particularly specialty shops and restaurants and prohibit regional scale retail and service commercial establishments. Provide for open space preservation in new and/or expanded commercial developments.
- Policy 10: Minimize the number of street curb cuts to avoid traffic congestion and ensure public safety.

Policy 11: Ensure that land uses abutting residential development are compatible with the scale, intensity and overall character of existing and planned neighborhoods.

Policy 12: Consider land use descriptions shown in **Exhibit 1** and the Future Land Use Map shown in **Exhibit 2** in making zoning and development decisions.

Exhibit 1: Future Land Use Categories

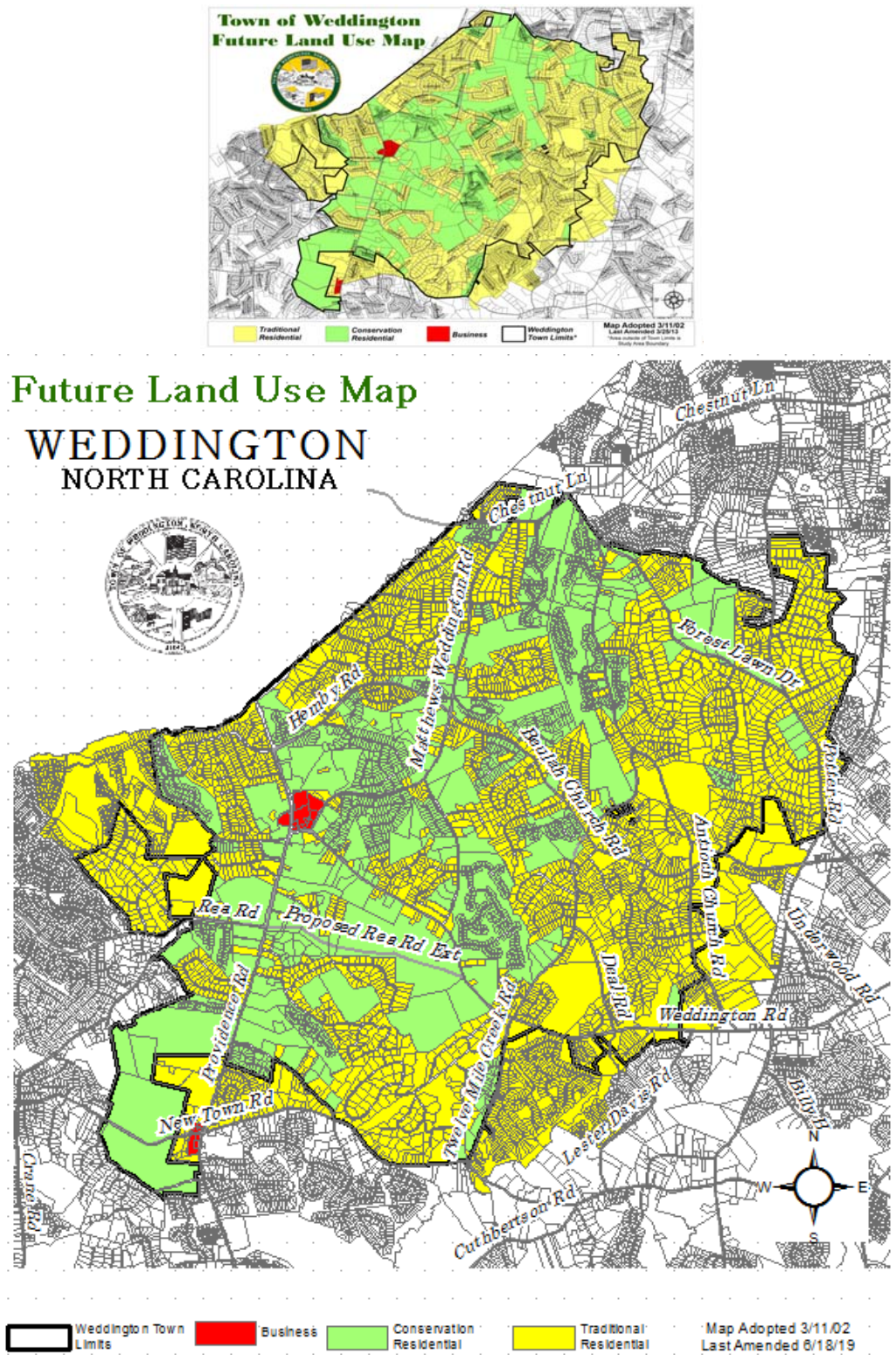
Land Use	Description
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Traditional Residential	This category applies to areas where most of the lots and parcels are less than six acres in area. Most of this area is platted and is, or will be zoned for 40,000 square foot lots at a density of approximately one dwelling unit per acre, in accordance with the Town's current Residential (R-40, R-40D, R-60, R-80, RE and RCD conventional) zoning districts.
Conservation Residential	This category applies to the areas within the Town that are currently zoned RCD or are six acres or greater in area. Some of this area has not been developed while some of the area is currently a conventional or conservation subdivision. Conventional subdivisions shall have minimum lot sizes of 40,000 square feet, plus be subject to a 10% open space requirement. Conservation subdivisions shall be subject to a conditional zoning permit and allow for smaller lot sizes, yet retain a density of approximately one dwelling unit per 40,000 square feet.
Neighborhood Business	Existing commercially zoned (MX, B-1(CD) or B-2(CD)) parcels that lie in the vicinity of the "Town Center" or near the intersection of New Town Road and NC 16. This area is intended for neighborhood scale businesses that serve the needs of Weddington's residents and surrounding communities . All new commercial development <u>will be</u> in the Town Center <u>and</u> is subject to additional requirements found in the Downtown Overlay District.

~~Policy 13: Through the conditional zoning process, provide for alternative smaller lot sizes to accommodate a variety of age and income groups, which promotes community, residential, and population diversity.~~

Policy 13: Allow alternative smaller lots to ~~promote residential and population diversity in the community~~ retain open space while maintaining a density of 1 dwelling unit per 40,000 square feet.

INSERT
Exhibit 2: Future Land Use Map



Public Facilities and Services Goals:

Goal 1: To have all Weddington residents provided with an efficient delivery of emergency services.

Goal 2: To ensure that all existing and future developments in Weddington are served by adequate water and sewage disposal facilities.

Goal 3: To encourage that any future park and recreation needs of Weddington residents are met with adequate recreational facilities in the area.

Goal 4: To provide safe and convenient mobility for Weddington residents of all ages.

Public Facilities and Services Policies:

Policy 1: Plan for and equitably fund the efficient provision of emergency services.

Policy 2: Require transportation, water, wastewater and drainage system improvements to be constructed concurrent with new development and that provide adequate capacity to meet demands from existing and new users.

Policy 3: Monitor and have input on utility extensions by Union and Mecklenburg Counties.

Policy 4: Identify the future recreational needs of the Town's residents through periodic surveys and assessments, as appropriate.

Policy 5: Ensure that future public recreation facilities and programs within Weddington serve the needs of all residents and are accessible to all citizens.

Policy 6: Require that roads be designed and constructed to provide a high level of safety and attractiveness. Road design shall consider the safety of pedestrians, bicyclists and motorists, as well as the character of the neighborhood through which the road travels.

Policy 7: Coordinate with State and local officials to stay informed and have input on road and thoroughfare plans that impact Town residents.

Policy 8: Ensure that all new transportation infrastructure is constructed to NCDOT standards.

Policy 9: While most new roads in Weddington in the past have been publicly owned and maintained, roads continue to allow for privately maintained transportation infrastructure, provided they are built and maintained to meet all applicable NCDOT standards.

Community Design and Image Goals

Goal 1: To maintain and enhance the Town's aesthetic qualities and physical character.

Goal 2: To retain a single business center within the Town ~~that occupies the same area as the existing Town core~~overlay district. While businesses in the center will maintain the small-town scale needed to serve local residents, the design of the center should become more pedestrian-oriented.

Community Design and Image Policies

The overriding objective of the policy guidelines set forth in this section is to protect and promote the health, safety, and welfare of the citizens, and future citizens of the Town.

Policy 1: Continue to encourage the preservation of older homes and structures in the community to preserve a sense of history

Policy 2: Continue to support the adaptive reuse of historic structures in the community.

Policy 3: Continue to support the Weddington Historic Preservation Commission's efforts to preserve historically significant structures and sites.

Policy 4: Maintain design standards for future non-residential developments.

Policy 5: Maintain public signs, Town banners, Town sidewalks and landscaping around these signs to beautify the Town and to draw the attention of persons traveling through Weddington.

Policy 6: Give the highest priority for beautification efforts and corridor design to major thoroughfares and key entryways.

Policy 7: Coordinate with local utility companies and developers when placing electric, telephone, and cable television lines underground in accordance with the Town's Subdivision Ordinance in order to minimize removal or degradation of trees during installation and maintenance of such facilities.

Policy 8: Ensure that new commercial development is designed with pedestrian-oriented features that provide safe, attractive and convenient linkages to residential neighborhoods, wherever practical.

Policy 9: Use regulatory and non-regulatory incentives to encourage good design. Maintain development standards and regulations that provide adequate flexibility to respond to changing conditions and needs in the community.

Policy 10: Require redevelopment and new development projects to incorporate public spaces.

Growth Coordination Goals:

Goal 1: To implement the plan through appropriate regulations and, ~~to the extent practical,~~ coordinate with Union County and other service providers.

Goal 2: To consider ways to coordinate the timing, location and intensity of new development with the provision of public facilities that are adequate to serve the new development.

Growth Coordination Policies

Policy 1: ~~To the extent possible,~~ Pursue planning jurisdiction over the area surrounding Weddington's borders and negotiate an extraterritorial jurisdiction (ETJ) agreement with Union County, per NCGA 160A-360, or through local legislation, to ensure that land use, public improvements, and development are consistent with the desired character of the Town.

Policy 2: Use voluntary annexation, where appropriate, to ensure that proposed developments in areas adjoining Weddington's Town limits are consistent with the Town's development standards.

Policy 3: Continue to participate in a coordinated, regional approach to transportation planning and seek adequate funding to support all transportation needs.

Policy 4: Work closely with officials from NCDOT and Union County to ensure that subdivision plans and development proposals do not interfere with existing roads or planned roadways designated in the Thoroughfare Plan, ~~and LARTP.~~

Policy 5: Communicate on a continuing basis with officials from Mecklenburg County, Union County, and the other municipalities of western Union County to keep abreast of and have input on developments that may impact the Weddington area.

Policy 6: Coordinate with other service providers on the timing and location of installation or replacement of utilities.

Policy 7: Continue to play an active role on the Charlotte Regional Transportation Planning Organization (CRTPO).

~~Policy 8: As this Plan is not an ordinance and is not in itself binding on the Town Council, before rendering zoning change recommendations or decisions, the Planning Board and the Town Council shall carefully consider the proposed change and its consistency with the goals and policies of this Plan.~~

Policy 98: Coordinate with the County library system to provide convenient and accessible library services.

IV. PLAN ADMINISTRATION AND IMPLEMENTATION STRATEGIES

This element provides for the implementation and ongoing administration of the Land Use Plan by:

- Describing the processes for monitoring and amending the Plan over time;
- Explaining specific strategies required to achieve the Plan's goals and objectives; and
- Scheduling the implementation of plan strategies.

A. PLAN MONITORING & AMENDMENT

The Land Use Plan is intended to serve as a guide for public and private development and land use decisions through December 31, ~~2018~~2023. This plan shall be updated every five years. Changes to the Land Use Plan shall only be initiated by the Town Council, Planning Board, or Zoning Administrator. As local and regional conditions change, changes to the policies (including maps) and strategies will be required to keep the plan current. While specific procedures for amendment should be adopted by ordinance, the following paragraphs outline the process for monitoring and amending the plan. The Town should conduct an annual review every July to determine its progress in achieving plan goals, objectives and strategies. During this review, the Town should evaluate development decisions (e.g., zoning changes, subdivisions, building permits and public works projects) that have been made by the Town and ~~other adjacent~~ jurisdictions, growth trends and the progress made in accomplishing the strategies listed in this Plan element. The result of the annual review may be to recommend revisions to policies, the future land use map, or the implementation program.

B. POLICY REVISIONS

To ensure that the Land Use Plan remains an effective guide for decision-makers, the Town should conduct periodic evaluations of the Plan policies and strategies. These evaluations should be conducted every five years, depending on the rate of change in the community. Should a major review be necessary, the process should encourage input from merchants, neighborhood groups, developers, and other community interests?—groups. Any Plan amendments that appear appropriate as a result of this review should be processed according to the adopted Plan amendment process. These evaluations should consider the following:

Progress in implementing the Plan;

- Changes in community needs and other conditions that form the basis of the Plan;
- Fiscal conditions and the ability to finance public investments recommended by the Plan;
- Community support for the Plan's goals and policies; and
- Changes in State or federal laws that affect the Town's tools for Plan implementation.

C. LAND USE MAP AMENDMENTS

The future land use map is a guide for development and land use decisions. Changes to the Land Use Map shall only be initiated by the Town Council, Planning Board, or Zoning Administrator. Changing conditions (e.g., market conditions, economic development initiatives, redevelopment prospects, etc.) will result in the need to periodically amend the future land use map. While land use amendments may occur more frequently than policy changes, they should not occur more than twice per year. By limiting opportunities to amend the future land use map, the Town will reduce the potential for incremental land use changes that result in unintended policy shifts.

D. DESCRIPTIONS OF IMPLEMENTATION STRATEGIES

Successful implementation of the Plan results from many individual actions by the Town, other public jurisdictions, and private decision-makers over the course of many years. The vision, goals, and objectives describe what the community wants to become, and the policies describe how decision-makers should respond to varied circumstances. To accomplish the Plan's goals and objectives, the Town will need to accomplish many tasks throughout the life of the Plan. These key action items will be used to accomplish the Plan's goals in the initial years of plan implementation. While most of the items identified in the following discussion will be carried out by the Town, some items may require coordination with Union County, NCDOT, or some other entity.

E. IMPLEMENTATION PROGRAM

The following list of strategies should be reviewed and updated annually to reflect community accomplishments, new approaches to community issues, changing conditions, shifting priorities and new demands.

This list is not intended to be exhaustive or all inclusive -- the Town, County, and other public and private entities will take numerous actions throughout the life of this plan to achieve the community's goals. This list of strategies is intended to identify those deemed to be of the highest priority that should be pursued by the Town over the next several years. The strategies shown are not listed in priority order as each, if implemented, will provide meaningful long-term benefit to the Town. Notwithstanding the above, actual legislative decisions or implementation strategies made in the future in Weddington will be in the Town Council's discretion.

Strategy 1: Maintain design standards in the zoning ordinance to ensure that non-residential developments are well designed and in harmony with neighboring land uses.

~~Evaluate the creation of a new zoning classification to address the needs of areas of the Town where new residential development would not be appropriate.~~

Strategy ~~32~~: Maintain the conditional zoning review standards that require that the following be addressed on site development plans:

- a. Relationship of the proposed development to adjacent properties;
- b. Buffering, screening, and landscaping both within and around the development;
- c. Preservation of existing vegetation;
- d. Parking designs, landscaping and building layout;
- e. Access to and from the development and also within the development;
- f. The view from adjoining public roads;
- g. Architectural design;
- h. Consider a standard that reviews the impact of the additional traffic from the development on neighboring thoroughfares through a traffic impact analysis; ~~and~~;
- i. Useable and well-planned conservation lands.

Strategy ~~3~~: Ensure that the Town's subdivision regulations require transportation infrastructure to be designed and constructed to meet North Carolina Department of Transportation (NCDOT) standards.

Strategy ~~54~~: Maintain access standards to preclude direct access from residential subdivision lots onto designated major or minor thoroughfares depicted on the Town's Thoroughfare Plan. ~~(LARTP).~~

Strategy ~~65~~: Require subdivisions to provide individual lots access through internal subdivision roads.

Strategy ~~76~~: The Town should review its contract with the Union County Sheriff's Department on an annual basis to ensure that adequate police services continue to be provided.

Strategy ~~87~~: Allow conservation subdivisions on large, unplatted parcels (i.e., subdivisions that retain R-40 housing yields but allow for smaller lot sizes), through the conditional zoning process to preserve open space and scenic views, incorporating the design principles of Randall Arendt's 4-step process.

Strategy ~~98~~: Require conditional zoning for all commercial development to ensure that it is compatible with the community character.

~~Strategy 10: Conduct an annual review of this Land Use Plan to monitor the Town's progress in achieving its goals.~~

V. CONTEXT FOR PLANNING

The Plan sets forth a vision to emphasize, develop, and strive to be widely recognized as an aesthetically pleasing small town community, providing a superior-high quality of life, and family environment. The pPlan's intent is to make the preceding vision a reality by focusing on creating a place that feels, not just looks, like a community and functions like a community. This involves the development of places designed, constructed, and maintained to stimulate and please the senses, to encourage community use, and to promote civic and personal pride. If the Town leaders adopt policies meeting the aforementioned criteria, then Weddington will not only continue to be a great place to live as its residents strongly believe it is, but also, by cultivating a sense of well-being among its residents, it will encourage value-added development while maintaining its rural character.

This document presents recommendations concerning future land use planning for the Town of Weddington. The Plan provides updates on the services provided by the Town, the impacts that roads and public water and sewer facilities have had on the Town, and a report on current land use practices and patterns found in the Town. Based on this information, a set of goals, objectives, and implementation recommendations were formulated to serve as a guide to the Town's Planning Board and Town Council when making future recommendations and decisions pertaining to growth, development, and land use.

BACKGROUND

Location. The Town of Weddington lies in the northwest portion of Union County, North Carolina. Weddington is located approximately 15 miles southeast of downtown Charlotte and 10 miles northwest of Monroe. Lancaster County, South Carolina is located a few miles to the southwest (~~refer to Exhibit 3~~). Weddington covers approximately 17 square miles and is comprised of mainly low-density single-family housing. The town is located primarily in Sandy Ridge Township with a small portion in Vance Township, Union County, and one lot in Mecklenburg County. It is bordered by the City of Charlotte, the Villages of Marvin and Wesley Chapel and the Towns of Indian Trail and Stallings.

Historical Development. The Town of Weddington was incorporated in 1983. Weddington adopted zoning and subdivision regulations in 1987.

The Role of Planning. Land use planning is designed to provide strategic guidelines for the future growth and development of a community. Land use decisions made by a

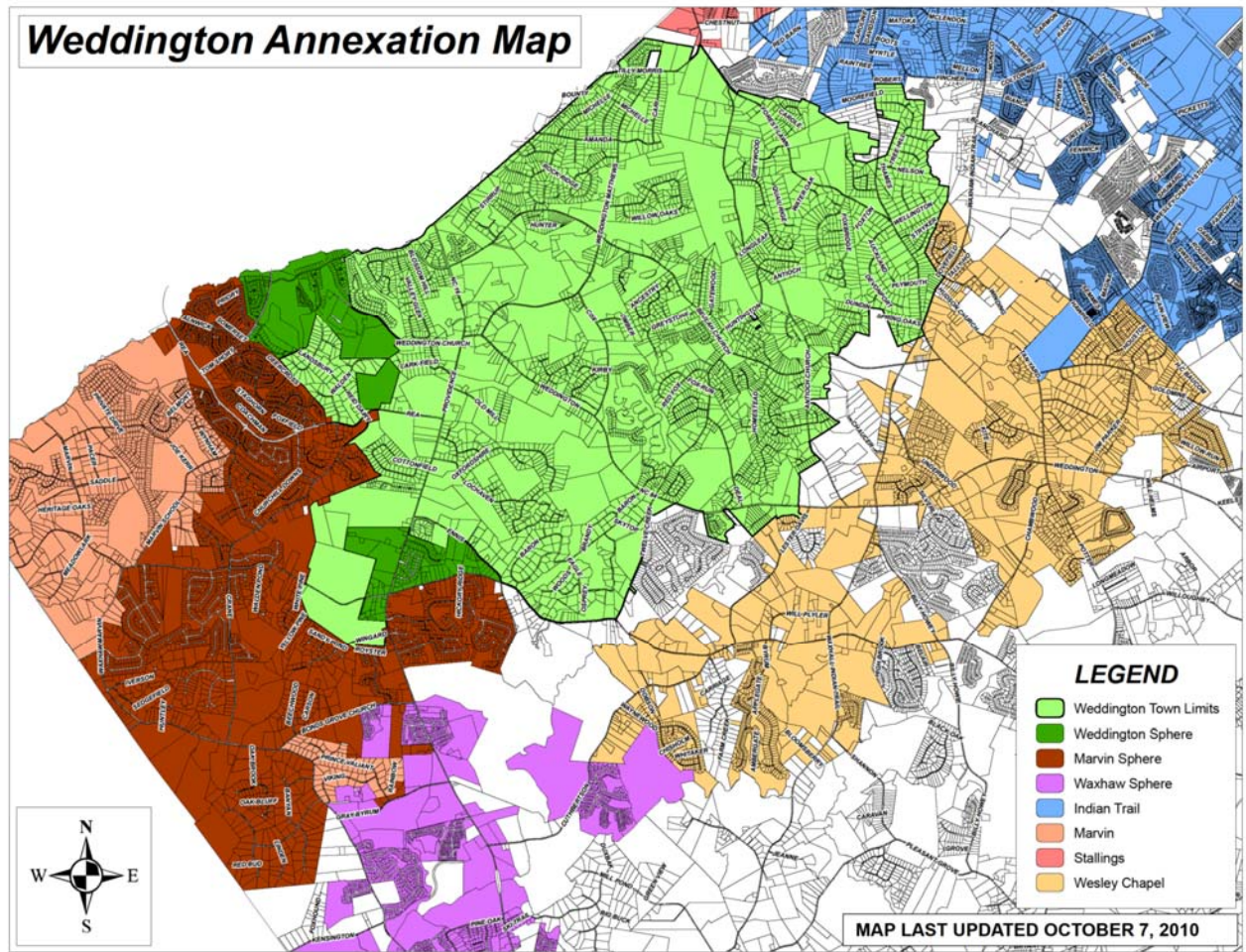
community are fundamental. They shape the community's very character—what it is like to walk through, what it is like to drive through, what kind of jobs and businesses exist in it and how well the natural environment survives. In some cases, land use decisions may directly affect human life and health. Because land development patterns affect property taxes and the level of public services, land use planning decisions are closely tied to the fiscal health of the community.

Land use planning is a process through which a community reaches decisions about the future physical development of their town. A land development plan, also known as a ~~"land use plan"~~ **"land use plan"**, is a primary tool in the planning process. Land use plans provide a mechanism for a community to influence its growth and development. Equally important, the land use plan can be a valuable mechanism to provide protection for natural resources; preservation of rural lands; maintenance of commercial and economic bases; development of needed public facilities; and improvement the local quality of life.

Planning Area and Other Jurisdictions

The Planning Area, described on Page 29 and depicted on **Exhibit 3**, extends beyond the Town's current corporate limits. Planning beyond the corporate limits is designed to create a *comprehensive* approach to growth management – community issues typically don't start and end at precise boundaries, but reflect development practices and pressures within a general geographic area. Actual growth management measures, however, will be limited to within the Town's current or future municipal jurisdiction. Preparing for growth means that development proposals should be encouraged in appropriate areas, based on land use intensity and available infrastructure, and discouraged in inappropriate areas. The determination of infrastructure availability often is dependent upon the potential of undeveloped land to permit expansion, based on a fiscal impact analysis to ascertain the economic feasibility of such an expansion. **Exhibit 3** also shows the location and proximity of other jurisdictions that will impact growth and development in, and around, the Town, current zoning in the Town and the Planning Area, and a number of "landmarks" referred to elsewhere in the Plan.

Exhibit 3: Weddington Planning Area Map (STAFF TO UPDATE)



NATURAL ENVIRONMENT

Weddington's natural environment is a valuable resource that provides both opportunities for development and constraints. The primary environmental factors affecting growth trends are: air quality, hydrology, topography and soils. Clean air, abundant water supplies, scenic rolling hills and prime agricultural lands enhance the Town's quality of life. Decisions affecting growth and development will have long-term impacts on the condition of these resources for future generations. By managing growth, Weddington can provide for the needs of residents and businesses without sacrificing the natural assets that contributed to the region's growth. The maps, tables and text in this section describe the opportunities and constraints resulting from the Town's natural environment.

Topography. Weddington lies entirely within the Southern Piedmont physiographic region and is characterized by a broad, gently rolling landscape, with steeper slopes along the drainage ways. Streams in the area include the Six- and Twelve-Mile Creeks, and other small tributaries. All of these streams eventually drain into the Catawba River to the southwest in Lancaster County, South Carolina. The highest elevations in Union County are located in the Weddington area. It is a goal of the Town to adopt more prohibitive policies toward development within a Floodplain.

The major floodplain areas are along Six- and Twelve-Mile Creeks, and several other tributaries. The Town of Weddington is a member of the National Flood Insurance Program and, accordingly, has adopted land use regulations that severely limit the amount of new construction that can take place within floodplain areas. A Floodplain Development Permit is required for any development activities that occur within a floodplain.

Geology. Considering the limited sewer service coverage area in Weddington, the most critical environmental limitation affecting land development is the capability of soils to handle waste disposal. Three main general types of soils are found in Weddington: "Cecil-Applying" soils in the northern portion of town; "Tatum" in the southern portion; and "Iredell-Gaston-Mecklenburg" soils concentrated in the very northwestern portion of town.

Cecil-Applying soils are characterized by gently to strongly sloping land and well-drained soils that have a loamy surface layer and dominant clayey subsoil. These soils have good development potential for roads, buildings and septic systems. The area that contains this type of soil is predominantly forestland, with some agriculture and residential development. The main management concerns for cropland or pasture are the slope and the hazard of erosion. The high content of clay in the subsoil and the slope are also limitations affecting building site development.

Tatum soil is mainly found in the western part of Union County. These soils are characterized by gently to steep sloping land and well-drained soils that have a loamy surface layer and dominant clay subsoil. The area that contains this type of soil is used mainly as cropland and pasture, with forestlands dominating the steeper parts. The hazards of the slope and erosion are the main management concerns for cropland and pasture use. The limitations affecting building site development are the high content of clay, the shallow depth to bedrock and the slope.

Iredell-Gaston-Mecklenburg soils are also mainly found in the western part of Union County. They vary from nearly level to steeply sloping land and have well drained soils that have a loamy surface layer and predominant clayey subsoil. The area is used mainly as cropland, pasture and forestland, with some residential development. The hazards of erosion, wetness, slow permeability, a moderate to very high shrink-swell potential, and the slope are the main management or development concerns.

Within the general soil areas, some other soil types are found in small quantities. These areas are generally found around streams, but also may be due to strongly sloping land or clayey subsoil. The same areas that are unsuitable for septic systems generally have moderate to severe limitations for building residences or small commercial buildings. All of these areas have severe limitations for building streets and roads. Union County Health Department officials, nonetheless report that the Weddington area generally contains some of the best soils found in Union County for the placement of wells and septic tanks.

Hydrology. Public water service provided by the Union County Public Works Department is available throughout the Planning Area, as shown in Exhibit 65. Nonetheless, there are many residences that are served by wells. According to the Union County Health Department, the Weddington area has an adequate supply of good quality ground water. There are different water-bearing zones, or aquifers, based on the geologic formations underground. Wells outside the slate area, west of NC 16, offer better yields than those on the east side of the highway (inside the slate area). Currently, an average yield of five to six gallons per minute exists. Generally, wells in the Weddington area are not as deep as wells in other areas of the County. There are some areas in the eastern part of Weddington where the availability of quality well water is sometimes a problem. This is especially true in areas to the east of Beulah Church Road.

COMMUNITY GROWTH

Population Growth. Weddington is part of the Charlotte Metropolitan Statistical Area. Over the past two decades, the Charlotte area has been growing at a rapid rate and is one

of the fastest growing regions in North Carolina and the Southeast. Leading the growth in the Charlotte area has been Union County. Between ~~2000-2010~~ and ~~2010~~2018, Census figures show that the population of Mecklenburg County (which includes Charlotte) has grown by ~~32.2~~18%. Union County has grown at ~~an even faster pace, 62.8~~17.2%, during this same time period. ~~The Town of Weddington has increased its population 41% since 2000.~~

The estimated population at the time of incorporation (1983) was approximately 970. According to the ~~2000-2010~~ Census, the Town's population was ~~6,696~~9,481. The ~~2010~~ 2018 estimates ~~Census indicates that the population is indicate 9,459~~a population of 10,949. ~~The Town of Weddington has increased its population by 15.5% since 2010.~~ According to the ~~2010-2018~~ Census estimates, ~~89% of Town residents live in family households. These percentages are significantly higher than the rest of Mecklenburg and Union Counties.~~there are 3,339 households with ~~The an~~ average household size ~~is of 3.02~~11 people, which is also larger than household sizes in Mecklenburg and Union Counties, which are 2.5 and 2.92 persons respectively. According to the ~~2010-2018~~ Estimates Census ~~11.9%~~5% of the population is ~~aged 0-9, under 5, 20.2~~27.8% of the population is aged ~~105-~~17-19, ~~5.2%~~12.8% is aged ~~20-29~~65+, ~~7.1%~~ is aged 30-39, ~~20.8%~~ is aged 40-49, ~~19.2%~~ of the population is ~~aged 50-59 and 24.4%~~ is aged 60 or older. The 2010 Census population for Weddington and surrounding areas are presented on **Exhibit 4**.

Exhibit 4: Population Comparisons

Jurisdiction	2010 Population	Percent Increase, 2000-2010 2018
Weddington	9,459	41 15.5%
Union County	201,292	63 17.2%
Indian Trail	33,518	182 18%
Marvin	5,579	437 18.3%
Stallings	13,831	334 15.6%
Waxhaw	9,859	276 63.4%
Wesley Chapel	7,463	193 17.1%

Source: 2010 Census

The consistent pattern of recent growth in the Charlotte region indicates continuing strong growth in the Weddington area for the foreseeable future. This is primarily due to its location, south of Charlotte and close to the region's "Outerbelt," I-485. In addition, southern Mecklenburg and northwestern Union Counties are scheduled for a number of road improvements that will further improve accessibility to and from Weddington, ~~the most significant one being Rea Road Extension. Rea Road Extension, scheduled for construction in 2019, will give Weddington area motorists a second direct means of accessing I-485.~~

Projected Population. Small areas such as towns or neighborhoods provide the most difficulty for projecting populations. This is because there are many external factors that affect population changes and these are difficult to predict. Some of these factors include variable impacts of the regional or larger United States economy, fluctuations in housing costs or mortgage interest rates, or other factors that affect the desirability of one county or town versus another. Weddington's population is growing mainly due to the healthy regional economy, the town's favorable quality of life and Weddington's proximity to Charlotte. If any of these factors changes in the future, the rate of population growth in Weddington could also change.

Weddington has been experiencing fairly steady growth over the past ten years, as evidenced by the large number of new homes constructed each year. If the Town continues to grow at a ~~41~~1.97% ~~per year~~ rate over the next ten ~~years~~years, the ~~2017-2018~~2028 projected population would be ~~11,398~~11,800 13,100 ~~and the 2022 projected population would be 13,337~~13,800. Using GIS data staff believe there is approximately 5,968 acres to be developed. Approved subdivisions over the past 10 years have an average of .8 units

per acre. This would preclude a build out of 4,774 additional home. At 3.11 persons per home, staff believes Weddington will have a build out population of 25,797.- These estimates are based on the following assumptions:

- Steady population growth will continue into the future;
- Household size will remain constant (the 2000-2018 Census reported projects 3.40 11 persons per household; ~~the 2010 Census reported 3.02 persons per household~~);
- ~~➤ The Town currently has approximately 680 approved but unbuilt single family single family residential units. At 3.02 persons per household this accounts for 1,963 people.~~
- Regional development trends as have evolved in the past ten years will continue to operate over the next fifteen years;
- Public water and sewer service is contained in the 2012-most up to date Union County Water and Sewer Master Plan; and
- ~~➤ Public water service is contained in the 2012 Union County Water and Sewer Master Plan will; and~~
- Roads will be improved according to the North Carolina DOT TIP schedule.

PUBLIC FACILITIES AND SERVICES

Public facilities are important and often are expensive to build and subsequently maintain. Failure to plan them wisely often results in inadequate and misplaced facilities that can drain the community's funds without providing satisfactory service. It is important to take into account existing and proposed land use patterns and the existing and anticipated size, composition and distribution of the population.

In order to maintain a high quality of life for residents of residential areas, the Town needs to assure that public facilities and infrastructure are available to serve them in a convenient and functional manner. Infrastructure includes adequate means for access and mobility, water and sewer service, and stormwater systems. In November of 2014, the Town Council adopted a new stormwater ordinance to better manage runoff caused by new development.

The Town's basic infrastructure policies should require that transportation, water, wastewater and drainage system improvements be constructed concurrent with new development and are adequate to meet demands from existing and new users. While the Town does not currently provide utilities for the entire service area, it does require that adequate utilities be provided for all new development. Connection to public water is currently mandated for new developments based on the proposed size of the development and its proximity to existing public water lines.

Transportation. The transportation system is the circulation network of the community. It brings people and products into an area and enables them to move freely from one activity to another. Land use planning and transportation go hand-in-hand. The location and type of future land use will have an effect on traffic flow and volume. By the same token, the road network affects how land will be used in the future. Transportation planning is outside of any significant influence of the town.

Transportation system components exert substantial and lasting influence and impacts on the configuration and characteristics of land use and development within the area they serve. They can enhance pedestrian safety, land values, community or neighborhood character and quality of life.

Weddington is a member of the Charlotte Regional Transportation Planning Organization (CRTPO), a regional transportation planning body. CRTPO currently consists of all municipalities in Mecklenburg County as well as Weddington, Indian Trail, Waxhaw, Wesley Chapel, Wingate, Monroe and Stallings in Union County. CRTPO's decision-making body consists entirely of elected officials from its member local governments. Recommendations as to which transportation projects should be funded are made by CRTPO (as part of the region's Thoroughfare Plan or "TIP") and forwarded to NCDOT. Actual funding and construction decisions are made by NCDOT.

The Town of Weddington has an adopted thoroughfare plan. This plan is known as the Local Area Regional Transportation Plan or LARTP. It was created and approved as a Western Union County Transportation Plan along with Marvin, Wesley Chapel and Waxhaw. All proposed road improvements on the LARTP will be placed on NCDOT's Comprehensive Transportation Plan or CTP.

The Town of Weddington does not maintain any public roads. Thus, most public roads in Weddington are maintained by NCDOT. There are some privately maintained roads as well. State law forbids counties from owning and maintaining roads. Weddington's subdivision regulations require that roads be built to NCDOT standards. Most new roads

in Weddington are public roads. Privately maintained roads are allowed provided they are constructed and maintained to NCDOT standards.

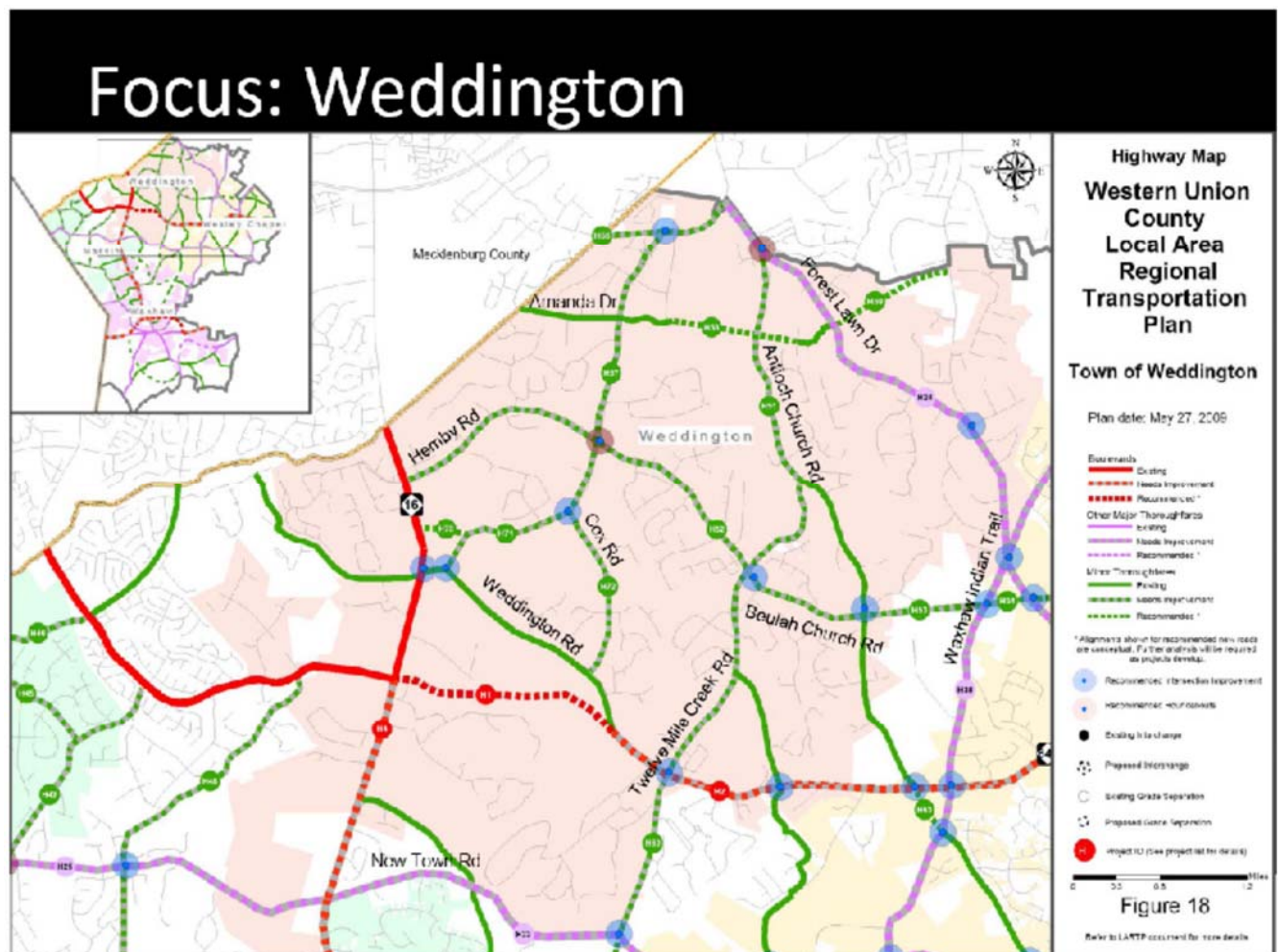
The main roads that presently lead into Weddington are NC 16, NC 84, Rea Road and Weddington-Matthews Road. NC 16 runs north to Charlotte and south to Waxhaw and runs through the western portion of Weddington. NC 84 runs east-west and connects Weddington to Monroe. NC 84 terminates at NC 16. Weddington's Town Center is located at this intersection. Weddington-Matthews Road is between the Towns of Weddington and Stallings. The Town will not become involved with road maintenance; however, road conditions and needed improvements are to remain a high priority. Major and minor thoroughfares for Weddington are as depicted on the currently adopted CRTPO Thoroughfare Plan.

The road project with the greatest impact on Weddington has been the completion of the southern portion of the Outer Belt, I-485. The intersection of I-485 at NC 16 is approximately two miles from the northern boundary of the town. This road greatly enhances Weddington's accessibility to Mecklenburg County and points beyond.

A section of NC 16, which runs from Rea Road to I-485 (NCDOT Project U-2510A), was ~~recently~~ widened in 2010. Another project that will affect Weddington, making it more accessible to Charlotte-Mecklenburg and bringing more traffic through the town, is the Rea Road Extension (NCDOT Project U-3467). Right-of-way acquisition is expected to start in 2017-2019 and construction is expected to start in 2019-2020. There are also plans for an interchange at Weddington Road and I-485 in Stallings and a roundabout at the ~~Weddington Road~~/Weddington-Matthews Road/Tilley Morris Road Intersection.

In summary, road projects that are scheduled for the near future will make Weddington more accessible to and from the north and northwest. This area represents the southern part of Charlotte metropolitan areas, which contains a large number of residents and is growing at a fast rate. These road projects should help to shorten driving times from Weddington to south Charlotte and to the southern part of Mecklenburg County. The proposed Rea Road Extension should alleviate some of the traffic currently being experienced on NC 16, especially during the morning and afternoon rush hour periods. The ~~proposed~~-Amanda Drive Extension and proposed Northern Connector Road (connecting Providence Road and Weddington-Matthews Road) ~~should~~-could also alleviate traffic volumes along major thoroughfares and intersections and will provide vital east-west connections throughout Town.

Exhibit 5: Weddington LARTP Map



Hydrology. Public water service provided by the Union County Public Works Department is available throughout the planning area, as shown in Exhibit 6. Nonetheless, there are many residences that are served by wells. According to the Union County Health Department, the Weddington area has an adequate supply of good quality ground water. There are different water-bearing Ones, or aquifers, based on the geologic formations underground. Wells outside the slate area, west of NC 16, offer better yields than those on the east side of the highway (inside the slate area). Currently, an average yield of five to six gallons per minute exists. Generally, wells in the Weddington area are not as deep as wells in other areas of the County. There are some areas in the eastern part of Weddington where the availability of quality well water is sometimes a problem. This is especially true in areas to the east of Beulah Church Road. To address this issue, Union County Public Works includes a \$500,000 annual allocation within its Capital Improvement Plan to assist residents who desire to connect to the public water system. This funding is to subsidize the costs for design, permitting, and construction for the extension of the public water system.

This program, known as the Short Waterline Extension Program, is available on a first-come, first-serve basis with applications taken on an annual basis.

Additional information on this program is available from Union County at <http://unioncountync.gov/departments/public-works/engineering/water-sewer-capital-improvement>.

Water System. The Town of Weddington relies on Union County Public Works for the provision of public water and sewer services. The Town ~~will is~~ not ~~be~~ involved in funding, operating, or maintaining a public water and/or sewer system. As indicated in **Exhibit 6**, the Town of Weddington lies within the 853, 880, and 935 pressure zones of the Union Cuntly water distribution system. Water system infrastructure within the corporate limits of the Town of Weddington include the 880 zone booster pump station, Weddington elevated storage tank, and distribution and transmission piping ranging in size from 2-inches to 24-inches in diameter. major water lines found in the Town are located on NC 16, NC 84, Matthews-Weddington Road, Waxhaw-Indian Trail Road, and Marvin-Weddington Road.

Many of the Town's older subdivisions were developed prior to the placement of water lines in the Weddington area and thus rely on individual water wells. ~~New subdivisions may be required to hook onto public water (and sewer) lines depending on the number of lots in the subdivision and the distance to an available line.~~ Current Town regulations ~~may require~~s new subdivisions ~~to hook onto~~ to connect to the public water ~~lines~~ system; ~~if~~ If ~~County~~ water lines are located within one-half mile of subdivisions containing 10 to 39 lots or within one mile of ~~a~~ subdivisions containing ~~of~~ 40 lots or more, ~~then the developer must connect to these lines to provide water service and fire protection for the subdivision. If capacity is not available, the developer shall install water lines and fire hydrants in accordance with Union County regulations. As a result, in recent years, many of Weddington's subdivisions have been connected to public water. Developers are responsible for the construction of all public water system improvements required to serve proposed developments and all required improvements must be constructed in accordance with applicable Union County standards, specifications, and regulations.~~

Union County's Water Masterplan incorporates anticipated growth and the need for service within the Town of Weddington and identifies improvements to the water distribution system to serve the anticipated demands. The adopted Capital Improvement Plan has identified water distribution system improvements which include the installation of 16-inch piping along Waxhaw-Indian Trail Road, project 853-W-M-04, and 8-inch piping along Billy Howie Road, project 853-W-M-06. In addition, an interconnect with Charlotte Water's water distribution system on Providence Road will be evaluated, project 880-Z-

01, to improve the reliability and resiliency of the water distribution system and the 935-zone boundary will be evaluated, project 935-Z-01, to optimize system pressures.

~~Several major utility expansions are proposed for Weddington in the near future. . The 2012 Union County Water/Sewer Master Plan references a water tower and pump station located in Weddington.~~

~~As previously mentioned, there are some areas of the Town where the quality of well water is sub-par (i.e., in certain areas east of Beulah Church Road.) Union County Public Works is presently involved in a program to help finance the construction of water lines in one such area to serve a subdivision located east of Potter Road.~~

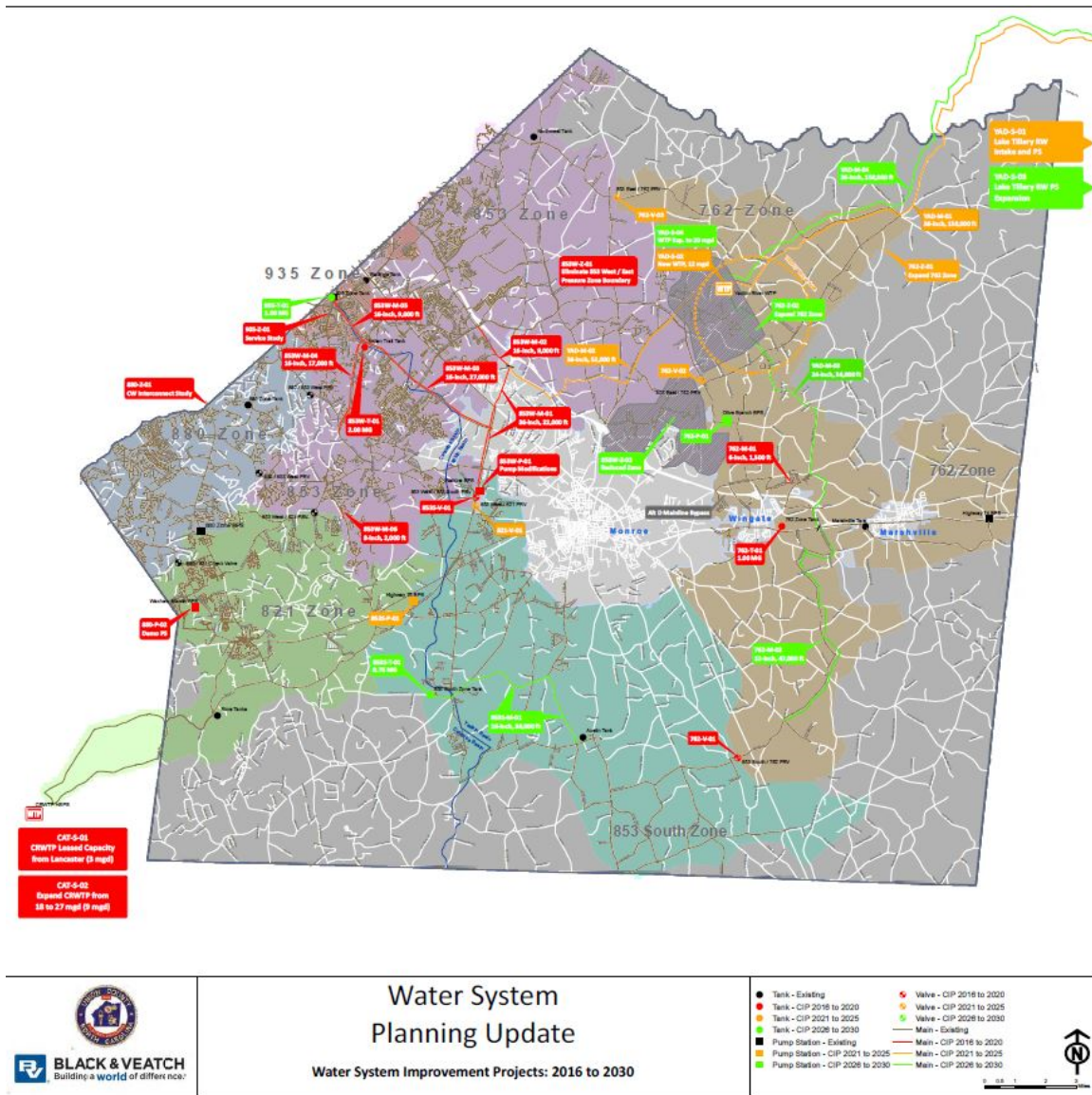
Wastewater System. Union County Public Works has a limited public sewer system in Weddington, as indicated in **Exhibit 6**. The northwestern portion of Weddington is part of the Six Mile Creek basin and a limited amount of sewer service is found in this portion of the Town. Sewage in the Six Mile Creek Basin is treated on McAlpine Creek in Mecklenburg County through an agreement between Union County and Charlotte ~~Mecklenburg Utilities Department~~Water.

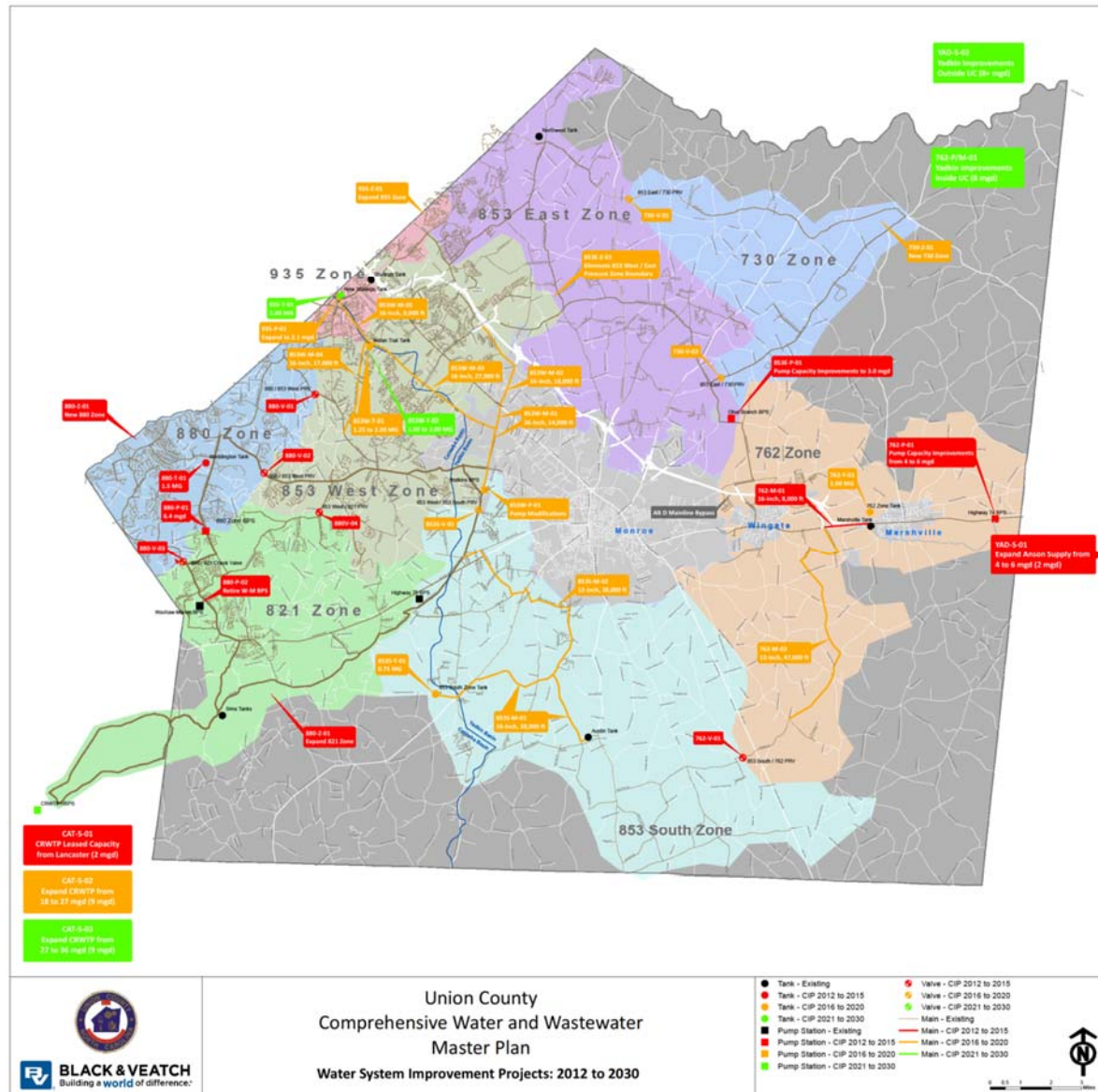
The remainder of Weddington is located in the Twelve Mile Creek Basin. Sewage from this basin is treated at ~~a plant located south of Weddington near Waxhaw~~the 12-mile Creek Water Reclamation Facility (WRF) located at 8299 Kensington Drive in Waxhaw. There is currently a limited amount of public sewer service available within the corporate limits ~~Weddington within this Basin.~~ Existing sanitary sewers are primarily located within the Culver Branch tributary of 12-Mile Creeks. Union County's Wastewater Masterplan incorporates anticipated growth and the need for service within the Town and identifies improvements to the collections system and treatment facilities to serve the anticipated demands, however, the construction of a number of lines by 2010 that will greatly increase the availability of sewer in the Town. One such line is found along Mundy's Run Branch and will extend in a southeast direction from the Town Center. (The shopping center currently found in the Town Center is hooked onto sewer via a force main that hooks back into Mecklenburg County.)—A second line, located farther to the east, is partially constructed along Culvert Branch. This line has been put in by a developer and will, upon completion, extend north to near Matthews-Weddington Road. A small branch off of this main line is also being proposed for installation by the developer. Heading further east, a third line is being proposed for installation by Union County along an unnamed tributary and could serve much of the northeastern part of the Town. Finally, a line along the West Form of Twelve Mile Creek is currently under construction and, by Year 2005, is expected

~~to extend up to Beulah Church Road. The County has plans to further extend this line northward along the Creek by Year 2010.~~

The adopted Capital Improvement Plan has identified collection system improvements which include the West Fork 12-Mile Interceptor project and several additional projects which will expand service to previously unserved areas. Union County is currently engaged in completing the design, permitting, and easement acquisition for the West Fork 12-Mile Creek Interceptor Sewer Improvement Project, project TM-G-07 on Exhibit 6, which will extend gravity sanitary sewer from the intersection of Weddington Road and 12-Mile Creek to the Brookhaven Pump station just north of Forest Lawn Drive. Projects to extend service to previously unserved areas, projects TM-G-08, TM-G-10, and TM-G-13 on Exhibit 6, are anticipated to be constructed by developers as developments are approved and constructed within the Town of Weddington.

Exhibit 6: Union County Water/Sewer Master Plan Map





Police. The perception or reality of a lack of safety in a community or neighborhood can deter private community investment. Safety can include personal security as well as the structural and fire-rated safety of buildings. Police protection in Weddington is provided

by the Union County Sheriff's Department. In addition to the basic level of service provided by the County, the Town contracts for the services of three deputies. Three ~~police~~ ~~deputies~~ ~~officers~~ from the Union County Sheriff's Department are assigned to Weddington and have an office in the Town Hall. The ~~€~~Town has a contractual agreement with the Sheriff's Department and pays them for this level of service. The Sheriff's Department provides adequate police protection for the community.

Fire/Rescue. ~~Providence Volunteer Fire Department (PVFD)~~ Wesley Chapel Volunteer Fire Department (WCVFD) became the primary fire department for Weddington on ~~July 1, 2012~~(WHAT DATE??). In accordance with North Carolina Department of Insurance (NCDOI) standards, ~~PVFD-WCVFD~~ is required to respond to all fire calls/alarms within the Town limits. Automatic Aid (when one or more station is dispatched to a call based on a predetermined area and available equipment) will come from any or all of the following fire departments, determined on a call-by-call basis using intensity and location of the event as important criteria: Wesley Chapel, Stallings, Waxhaw, Carolina, Matthews and any appropriate Charlotte departments. Each of the fire departments have automatic aid agreements with each other. STILL WAITING UPDATE FROM FIRE CHIEF

First Responders

Medical response will be determined by the Weddington Town Council and identified on the First Responders/Primary Map available at Weddington Town Hall and on the Town website. The Town currently contracts and has automatic aid agreements with ~~Providence VFD~~, Wesley Chapel VFD and Stalling VFD with the criteria for specific response areas based on distance and response time. ~~Additionally, Providence VFD is responsible to respond when other fire departments are unavailable due to gaps in operational service and/or conflicts with multiple calls.~~

ISO inspections

Every fire department in North Carolina is required to have state ISO inspections, scheduled through the State Department of Insurance. ~~PVFD and~~ WCVFD currently ~~have~~ has an ISO rating of ~~63~~; ~~SVFD has a rating of 5/9E~~. The Town of Weddington requires notification from contracted departments of any new inspections and/or changes to ISO ratings.

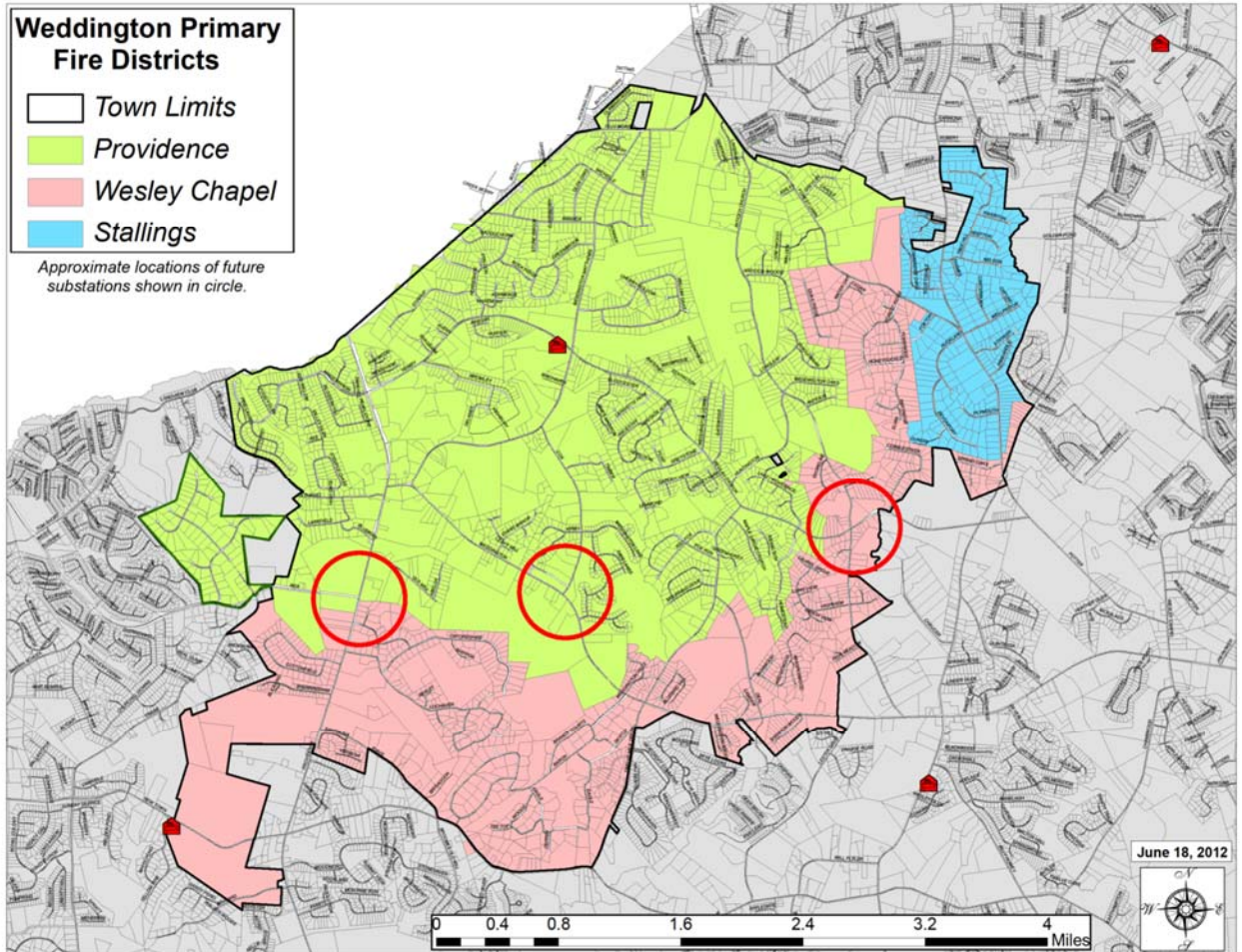
Future Locations of Fire Substations

The model of fire service as required by NCDOI standards states that homes be served by a station within 5 road miles to provide efficient response time and optimal insurance ratings. Currently ~~Providence VFD~~WCVFD is approximately 5 miles from Stallings VFD and ~~both other~~ Wesley Chapel VFD stations.

Future models suggest that substations 2 - 3 miles apart are a more efficient distribution of equipment. This trend, already being implemented in Charlotte, has reduced response times and supports substations located closer together rather than all equipment housed in stations further apart.

In anticipation of continued growth within Weddington, the following designated areas, as shown in exhibit ~~X~~7, indicate the 2 - 3 mile locations of future substations.

Exhibit 7: Weddington Primary Fire Districts Map
RED CIRCLES ON MAP INDICATE APPROXIMATE LOCATION OF FUTURE SUBSTATIONS



Parks and Recreation. Parks, Recreation, and Open Space are an important part of the quality of life element for any community and an important aspect of a land use plan. Recreational facilities in Weddington are presently limited in scope and location. The Town's existing facilities, Wesley Chapel Weddington Athletic Association (WCWAA) and Optimist Park, are located on NC 84. The park contains baseball and soccer fields, a playground, and a picnic area. This facility is not owned by the Town, but rather is owned by a private not-for-profit organization. A private, membership-only club, Weddington Swim and Racquet Club is located on Weddington-Matthews Road.

Colonel Beatty Park is located west of Weddington-Matthews Road, with an entrance on this road, just south of Walker Road (across the Mecklenburg-Union County border). It is approximately 275 acres in size. Active recreation facilities include nine tennis courts, six

volleyball courts, two basketball courts and five soccer fields. The facility also includes a large indoor and several outdoor picnic shelters, two playgrounds and hiking trails.

~~The Village of Wesley Chapel is in the process of developing~~ Dogwood Park is located in Wesley Chapel at the corner of Lester Davis Road and NC 84. This park will feature walking ~~trials~~ trails around a lake, fishing piers, picnic shelters, an amphitheater and playground equipment. ~~The Village of Marvin opened~~ Marvin-Efird Park ~~in 2012~~ is located in the Village of Marvin. This park is located at 8909 Marvin Road and features four fields, picnic areas, playground equipment, walking trails, horse pasture and corrals and a community garden.

In addition, a ~~fitness community recreation~~ center is located ~~in the Town Center at the WCWAA fields on NC 84, at the Weddington Corners Shopping Center~~. The ~~Siskey-Brace~~ YMCA facility is located nearby in Mecklenburg County on Weddington-Matthews Road. ~~The Town of Weddington recognizes the importance of a YMCA. Weddington will work with the YMCA leadership for a full-service YMCA in western Union County. Also, per the 2018 survey responses, the Town is investigating a network of trails to enhance community connectivity.~~

Schools. Weddington residents are served by Union County Public Schools and are funded by Union County taxes. The majority of students in Weddington currently attend Weddington High School, Weddington Middle School or Weddington Elementary School. The school complex housing all three schools is located on NC 84. The remaining students attend Sun Valley High School, Wesley Chapel Elementary School, Rea View Elementary, Marvin Ridge Middle School, Marvin Ridge High School, Antioch Elementary, or Indian Trail Elementary School.

Schools are a vital community component. Though their primary purpose is one of educating students and preparing them for later challenges, communities also are defined by the quality of the school system. Cities with a successful school district, as measured by student performance, teacher proficiency, successful programs and available capacity add immeasurable value to community image and property values. Schools also help define neighborhoods and underscore the linkage between education and the arts.

Union County Public Schools follows a policy that assigns students to the schools that are nearest to where they live. Of course, when a school is overcrowded, students that would normally be assigned to that school based on its proximity to them would instead be assigned to the next closest school. Weddington Elementary School (3927 Twelve Mile Creek Road) currently has an enrollment of ~~675-744~~ students and is operating at 106%

capacity. Weddington Middle School (5903 Deal Road) has a current enrollment of ~~1,073~~1252 students and is at 103% capacity. Weddington High School (4901 Weddington Road) has a current enrollment of ~~1,323~~1528 students and is at 85% capacity. Antioch Elementary School (3101 Antioch Church Road) has a current enrollment of ~~853~~769 students and is operating at 104% capacity. Given the high level of projected growth in the area, school overcrowding is a major concern throughout all of western Union County. All enrollment figures are current as of ~~the 2013 school year~~January 2019.

~~Adequate schools are an essential part of the Town's quality of life. The Town and the Union County Public School system should coordinate land use and school facility decisions to ensure that adequate school capacity for new development is provided as that development occurs.~~

Exhibit 8: Weddington Elementary School District Map
~~YELLOW NUMBERS ON MAP INDICATE APPROVED HOUSES~~

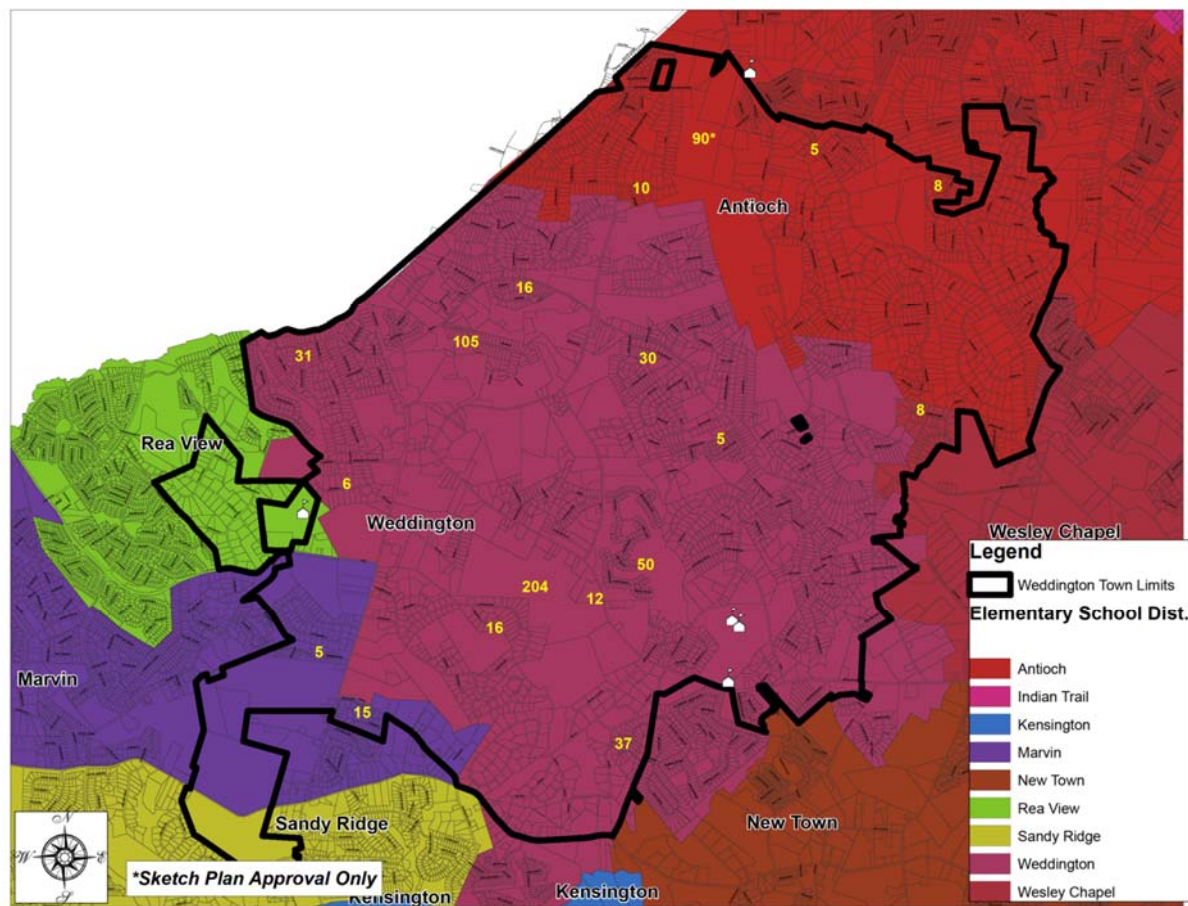
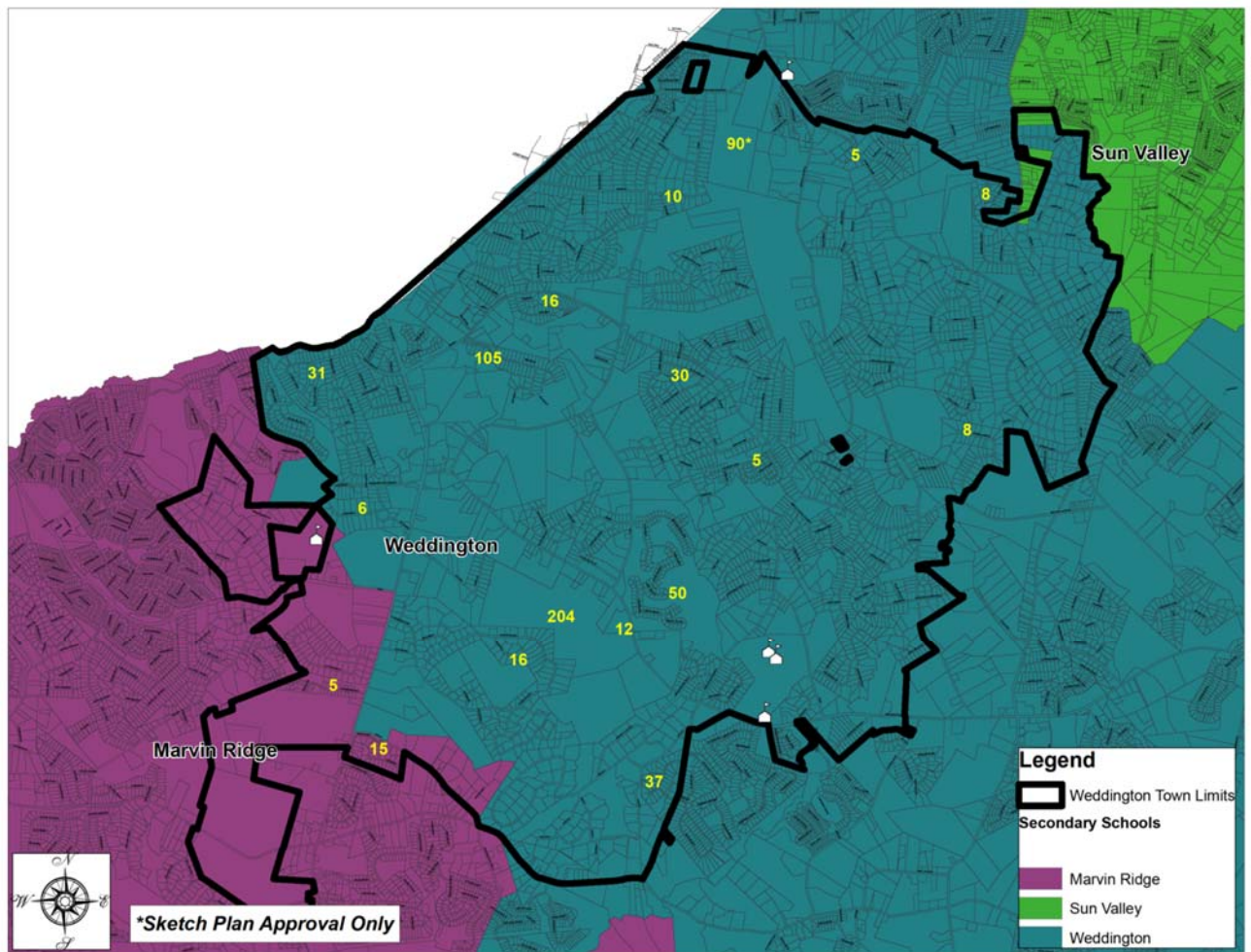


Exhibit 9: Weddington Secondary School District Map

YELLOW NUMBERS ON MAP INDICATE APPROVED HOUSES



Library. Libraries are another integral community service that enhances quality of life. Libraries are more than repositories of books, eBooks, tapes and videos. Modern libraries have outreach programs that perform valuable community services educating, informing and entertaining all segments of the population.

Library services to the residents of Weddington and Union County are provided through the Union County Public Library. The main library facility is located in Monroe and branch libraries are located in Waxhaw, Indian Trail, and Marshville. There are no public library buildings in Weddington.

Towns that have or desire to have a branch library are responsible for providing the building and paying for maintenance and utilities. The County provides the staff and materials for the branch.

The Union County Library provides an outreach service throughout the County to elderly individuals who cannot get out to a library and to some day care centers and nursing homes.

This service is provided on an individual need basis. Typically, individuals or centers are visited by the outreach van every six to eight weeks.

Union County Library has plans and funding to build a new library in the Weddington/Wesley Chapel area.

~~**General Municipal Facilities and Services.** The Town of Weddington owns an historic house in the town center (at the corner of NC 84 and Weddington-Matthews Road). The house contains a public meeting room, storage space and office space for the Town staff and the three police officers who work in Weddington. There are three full-time Town employees and three part-time Town employees. The full-time employees are the Town Clerk/Administrator, Town Planner/Zoning Administrator and Tax Collector. The three part-time employees are the Finance Director, receptionist and sign enforcer. The Town has a mayor-council form of government.~~

General Municipal Facilities and Services. The Town of Weddington owns The Thomas-Wrenn House at the corner of NC 84 and Weddington-Matthews Road and it serves as the Town Hall with a public meeting room, storage space, and office space for the Town staff and the three deputies who work in Weddington. There is one full-time employee, The Town Planner/Administrator; and four part-time employees: the Town Clerk, the Tax Collector, the Finance Director, and the Administrative Assistant/Deputy Clerk. The Town will on occasion utilize contractors for code enforcement and sign enforcement. The Town has a mayor-council form of government.

LAND USE

The Town should explore zoning alternatives that allow for better integration of the town center and residential development within and adjacent to this center.

Nearly one-third of the Town's area, primarily within the western and southern portions of Weddington, remains undeveloped and consists primarily of farms and forestland. Certain areas in Weddington will receive significant pressure to accommodate new growth and development. When reviewing the land use element and the future land use map for this Plan, consideration should be given to the following:

- Future land uses are not zoning designations -- they are intended to guide local decisions on zoning, subdivision and other land use matters.

- Future land uses reflect a future condition -- uses designated on the map may be appropriate in 5-10 years, but currently may not be appropriate due to reasons of compatibility, availability of adequate public facilities, or proximity to services.
- The Future Land Use Map is dynamic -- as justified by changing conditions in the community, the future land use map should change. While map amendments should not be made frequently, periodic adjustments to better achieve community goals will help the community achieve its planning goals.
- The maps and text of the Land Use Plan are to be used together -- the text and tables in this element guide interpretation of the Future Land Use Map.
- Single-family residential land uses make up the greatest percent of Weddington's land uses. Vacant lands still comprise significant acreage in the entire Town, but continue to be developed with new single-family development. Neighborhoods, for the most part, stand-alone and are generally not connected with each other (although the Town's subdivision regulations do call for streets to be stubbed at the periphery of a subdivision in order to allow for connectivity in the future).

Existing Land Use. Existing land uses are shown in **Exhibit 810** and are current as of ~~April 2013~~ 2019. The exhibit illustrates generalized land uses; the associated data should be used to monitor the consistency of future growth and development in the Planning Area with the goals, policies and recommendations of this Plan.

The current Weddington Land Use Plan Map indicates that thirty-five percent of the Town's land area, or approximately 3,870 acres, are "Residential Conservation." Sixty-four percent or approximately 6,969 acres are "Traditional Residential while only .003 percent or 41 acres are "Business". According to this model, if all Weddington's "Residential Conservation" land is developed at the density permitted by right (conventional subdivisions), by the Town, the Town could accommodate an additional 9,934 persons. It was assumed that only eighty-five percent or 3,290 acres of the Residential Conservation district could be developed. Land must be set aside for roads, bodies of water, utilities, etc. Using 2010 census data of 3.02 persons per household, 3,290 units would yield an additional 9,934 residents. With a 2010 population of 9,459, this results in the Town having a build-out population of over 19,300 persons.

Exhibit 108: Existing Land Use Map
CORRESPONDING NUMBERS CAN BE FOUND IN EXHIBIT C

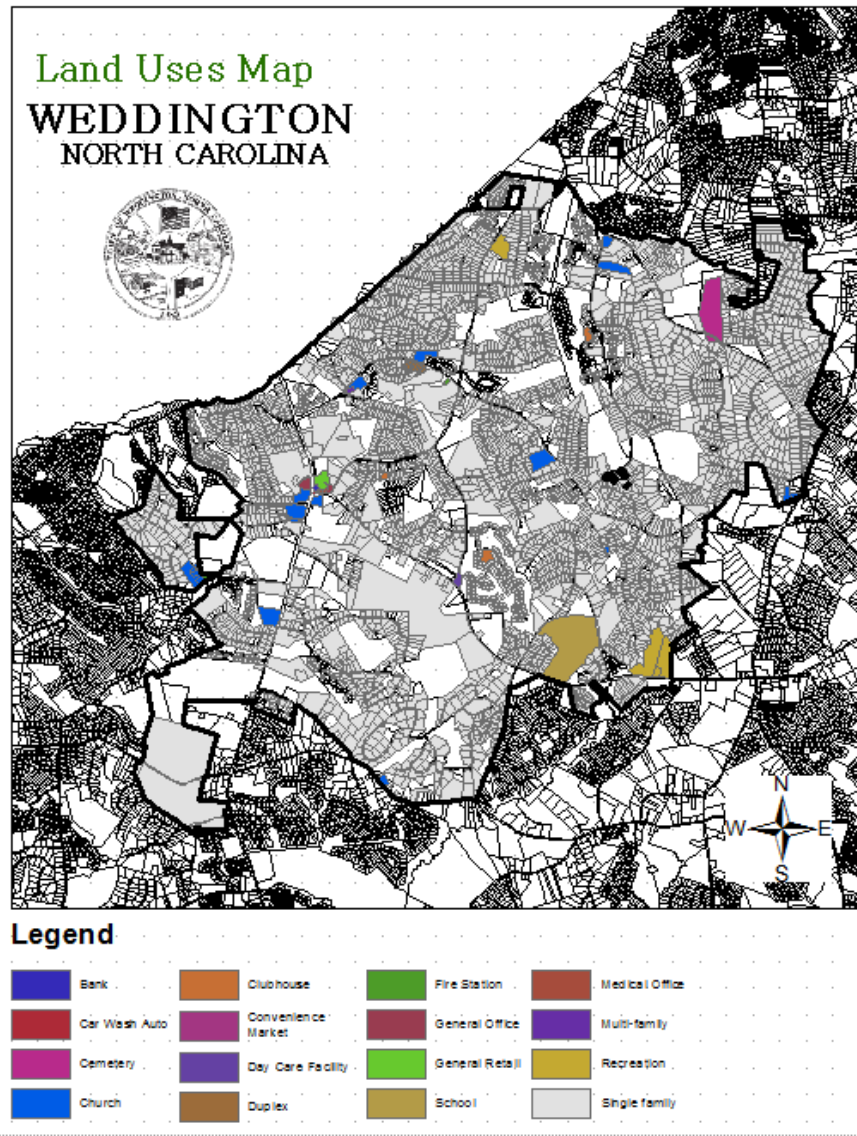
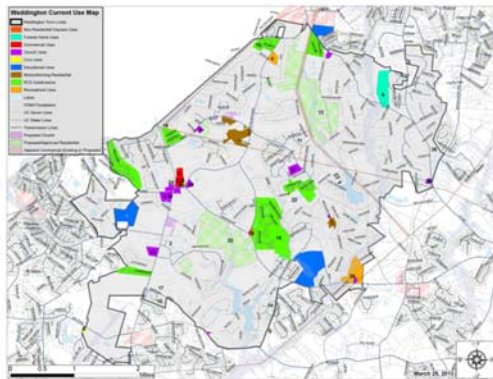
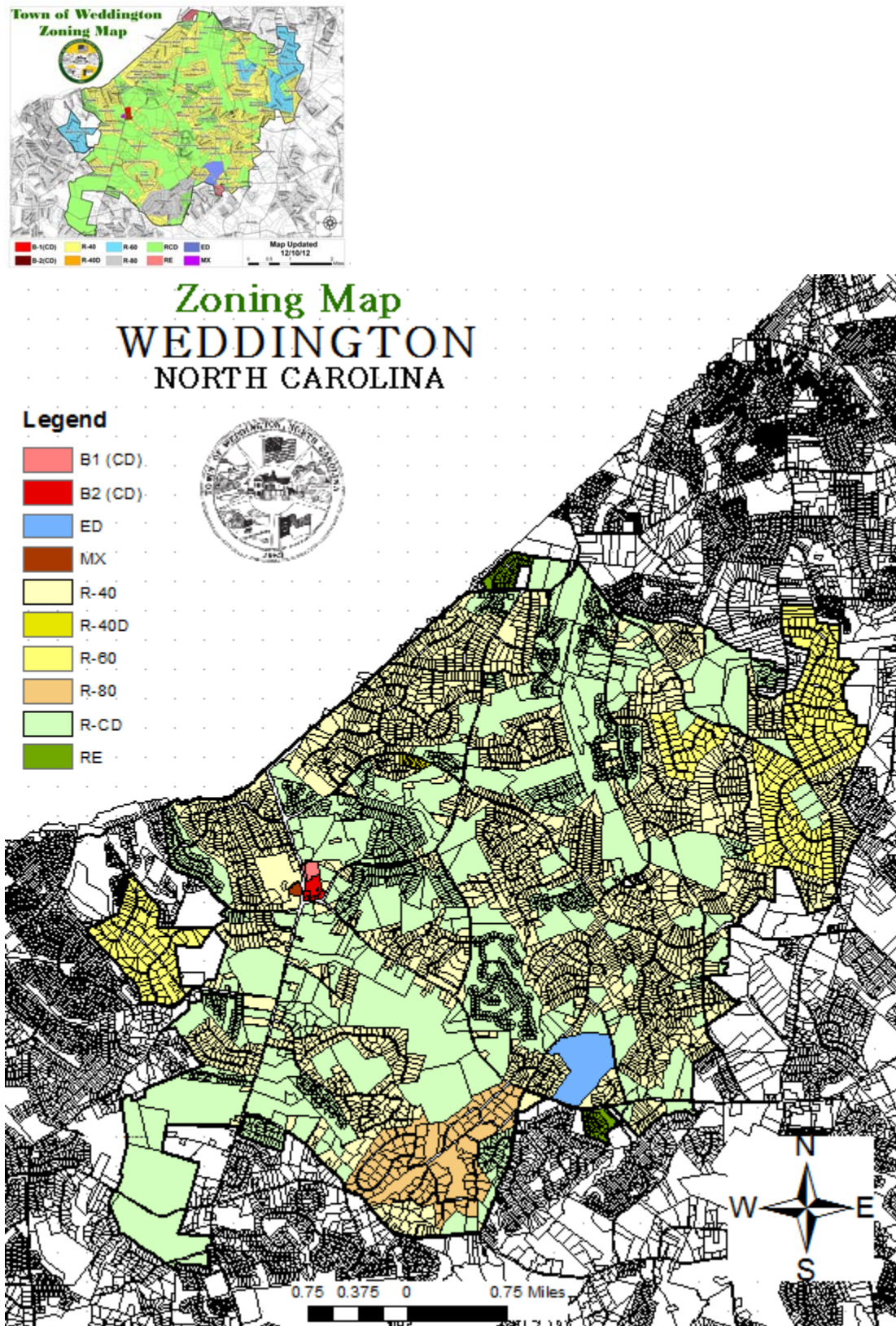


Exhibit 941: Existing Zoning Map



The vast majority of the Town's housing stock has been constructed since 1980 and has typically been on the higher end of the housing market. The Town's housing stock largely consists of detached single-family units on one-acre (or greater) lots. While single-family residences are ~~predominating~~predominant, the Town contains an existing small, though concentrated, area of residential duplex development along Hemby Road. The area is zoned for this type of duplex development. However, the creation of this zone is not intended to encourage this type of development, nor to suggest that other areas of the Town should be zoned accordingly.

The Town has grown geographically since its incorporation as a result of a few voluntary and involuntary annexation petitions. The pattern and density of new housing development is relatively uniform throughout the Town. This is largely due to the Town's RCD, R-40, R-60, and R-80 ~~(minimum 12,000, 40,000, 60,000, and 80,000 square feet per lot, respectively)~~ zoning regulations. ~~Since 2008, the Town has issued an average of 53-130 certificates of occupancy new home zoning permits per year. According to the 2010 census, the average household size in Weddington is 3.02 persons. This results in a growth of approximately 160 people per year. However, over the past ten years the Town has issued 858 new home zoning permits. From 2002 to 2007 an average of 99 new home permits per year.~~

Almost all of structures within the Town of Weddington are single-family units. In ~~2013,2018~~ 11-9 duplex units and 30 mobile homes were located in the Town. There are no multi-family dwellings in Weddington. However, Weddington is not a typical town; it is a distinctive residential community whose land use regulations call for low-density single-family homes. As compared with most communities, lot sizes are somewhat greater than the norm. Older homes are scattered throughout the Town, while the newer homes are primarily found in subdivisions. ~~Allowing alternative smaller lots in future growth will contribute to community diversity.~~

Commercial Development. As indicated previously, the Town has very limited commercial activity, ~~and all existing commercial development is located within the designated Town Center.~~ The Town Center is located at the intersection of NC 16 and NC 84 and further defined by the Downtown Overlay District, discussed below In the future, in order to preserve the Town's rural character, new commercial development is restricted to the Town Center. ~~despite potential commercial development pressure along proposed thoroughfare improvement projects such as the Rea Road Extension and the continued widening of Highway 16.~~ The existing commercial development is zoned for mixed uses, business, retail, and office uses. Uses are limited in nature and size; setback requirements are significant. Tenants in the shopping center include a grocery store, ~~fitness center~~, three

restaurants, a mail delivery center, a hair salon, nail salon, pet salon, drycleaners, and an animal hospital. Adjacent to the shopping center is a small professional office complex that contains a dentist office, orthodontic office, chiropractic office, two medical health office, an insurance company, a real estate agency, a law firm, clothing alteration and an interior design office. A convenience store and bank are located along NC 16. Adjacent to the shopping center is an indoor gymnasium facility. ~~A 15,000 square foot office building was recently approved.~~ Weddington's Town Hall lies adjacent to this shopping/office complex. ~~All land that is currently zoned for commercial purposes in Weddington is found in the vicinity of the Town Center.~~

In May of 2015, the Town Council adopted a Downtown Overlay District to provide additional regulations for the ~~above-mentioned 3441~~ acres already designated ~~as future~~ business on the Future Land Use Map. The Overlay District policies are based on the Goals, Policies, and Strategies already included in this Land Use Plan, and will help create an attractive, accessible, and unified Town Center.

~~Although commercial facilities are limited within Weddington itself, there are numerous commercial facilities within a short distance of Weddington. There are a number of existing shopping centers within five miles from Weddington, with more planned or under construction. A 2009 market study by Arnett Muldrow indicated that there were 7,174,000 square feet of existing or planned retail space within a 15 minute drive of Weddington.~~

The large amount of commercial development in southern Mecklenburg County and western Union County, close to Weddington, provides additional commercial development opportunities and supports existing Town demand. Future commercial development in the Town should therefore be limited due to existing traffic volumes on major thoroughfares and overall community sentiment as reflected in the ~~2010 land use survey~~2018 Town Survey. ~~However, the survey also showed a preference for innovative commercial uses that blend in, rather than are differentiated from, adjacent areas. Such land uses, such as limited retail and office, if properly designed, can be both appealing and harmonious with adjacent land uses.~~

Two new commercial developments, Rea Farms and Waverly, at the intersection of Providence Road and Ardrey Kell Road, offer over 700,000 square feet of commercial area. They are located approximately two miles north of the Weddington Town Center. An existing shopping facility close to Weddington is the Arboretum, at Providence Road and NC 51. It contains over 500,000 square feet of retail floor area and contains a wide variety of stores; including grocery, discount retail, clothing, restaurants, fast food, and movie theaters. It is one of the largest shopping centers in southern Mecklenburg County and

~~serves many of the shopping needs of Weddington residents. The Promenade on Providence is located at the intersection of Providence Road and Ballantyne Commons Parkway. The Promenade offers over 450,000 square feet of commercial area. This includes a strip shopping center, retail uses, pharmacy, convenience store and a two “big box” home improvement stores, as well as an office complex. The Arboretum is located approximately five miles north of the Weddington “Town Center”.~~

Two other shopping complexes, Stonecrest and Blakeney serve the Weddington area and are located along Rea Road. These two shopping centers plus Village Commons in Wesley Chapel, ~~and Cureton Town Center in Waxhaw, Rea Village Shopping Center at Providence Road and Ardrey Kell Road and Idlewild Village in Stallings~~ serve the Weddington community.

~~In nearby Marvin, a fifteen-acre parcel was rezoned to accommodate a small shopping area along the west side of that portion of Rea Road Extension that lies in Marvin. A similar sized tract along the east side of Rea Road Extension that lies in unincorporated Union County is also zoned for commercial purposes.~~

~~Other existing shopping areas that are relatively close to Weddington include Plantation Market, on Weddington Matthews Road in Matthews; Potter Square, which lies off Old Monroe Road in Stallings; and at the intersection of McKee Road and Potter Square in Stallings. There also are two other strip shopping centers that lie along US 74 in Indian Trail that provide many of the same shopping opportunities as are found in the other previously mentioned shopping facilities. The only true “downtown” shopping opportunities that are located nearby are found in Matthews and Waxhaw, which includes a limited number of specialty shopping stores, restaurants, and offices.~~

Historical Preservation

The Town of Weddington was created by the North Carolina General Assembly in 1983, but its history as a community goes back 150 years before that, to the time of the American Revolution when the area was originally settled as an agricultural farming community. As a farming community, crops of cotton made the Sandy Ridge Township a prosperous and prestigious place to live on the western edge of Union County and southeast of the city of Charlotte. The history of the community is intimately tied to the families of Reuben Boswell, his son-in-law Clark Weddington, and his grandson Reuben Boswell Weddington, for whom the town is named for. On the 5th day of October of 1823 a group of 22 farmers agreed to give \$262.00 to raise a house of worship at the “crossroads” at the intersection of what is now known as Weddington to Monroe Road (now Hwy 84) and Providence Road (Hwy 16) . The church site was given gratuitous for the purpose of

building a church by Mr. Reuben Boswell on July 15, 1824. The donation by Mr. Boswell was 4 acres, to the Sandy Ridge Methodist Episcopal Church. There were 23 charter members of the Methodist Episcopal Church and their names appear on the stone marker in the original church yard. The record book for the church ended in 1854 and very little is known about what happened in the community around the church until about 1874 when Reuben Weddington, grandson of Reuben Boswell built a second church building and gave about 800 acres of land which was to be used for the church's interest. The church began to operate a school which was supported by the income from the property given by Mr. Weddington. The (Sandy Ridge Church) was changed to Weddington in 1899 in honor of Mr. Reuben Weddington who died a couple years later in 1901. In the 1890's a new school structure was built – a two story white framed building called Weddington Academy across Providence Road, “Road, “on the hill”. Weddington Academy served the community until 1918. Grades 1-11 were taught. During that period, children that lived beyond walking and buggy distance boarded in the adjacent boarding house. During the next 25 years the community grew, a parsonage was added and the church turned the school property over to the Western North Carolina Conference of the Methodist Church. The Conference built a large brick school which was destroyed by fire in 1925. Weddington Institute flourished for a number of years “on the hill” and the community also contained a boarding house, a school dormitory, and the principal's house. After the school and the principal's home were destroyed by fire the dormitory was sold and the State of NC took over the operation of the school. During these years the town centered on the church, a cotton gin, and two stores located near the corner of Hwy 84 and Providence Road. Out of gratitude for the generous support of Reuben Weddington, the community took the name of Weddington. In 1925 a new brick church was built to replace the wood frame church built by Mr. Weddington and the original board of trustees. In 1948 a Community Hut was built beside the brick church and in 1953 a Sunday school wing was added to the church.

Until the early 1970's Weddington was primarily an agricultural community that stayed relatively the same in appearance. The rapid growth of Charlotte in the 1950's and 1960's was toward the southeast, and Weddington was right in the path of that growth. Beginning in the 1970's land was subdivided and houses began to spring up in the Weddington Community. The newer homes were occupied by young families who were looking for a unique community in which to raise their children. It was to protect and control its own future rather than risk annexation by Charlotte that in 1983 a citizens group organized and petitioned the NC General Assembly to pass a bill that incorporated Weddington. Mark Teal, the towns first temporary mayor, was quoted on May 1, 1983 in the Charlotte Observer as saying “I think the biggest thing in it (Incorporation) is a controlling factor in the western part of the county” Teal said. “It will allow the people who live there to have some control over what happens in their area”. Weddington has remained a residential

community over the years, centered on family, their church, and the schools. Today Weddington has within its town limits two elementary schools, one middle school and one high school.

According to the 1996 UNC Charlotte Land Use Plan there are at least ten older buildings within the Town limits that have historic and or architectural importance. It is the community's good fortune that in 2013 these structures are still here. These structures consist of original farm homes, small folk homes and an original community school building. All are being restored or are in restorable condition. The styles found include, Neo- Classical Revival, Queen Anne, Victorian Queen Ann, Colonial Revival, Eclectic stylized houses. There are also several small folk houses as well. These homes add to the character of our Weddington community and the town should make every effort to assure that they remain and remain in a state that their importance warrants. When Weddington United Methodist Church moved to "the hill" on Providence Road, it also incorporated into its campus one of the early brick school structures built in the early 1900's. Today a majority of that structure serves as Helms Hall, and classrooms for the church preschool and Sunday school. The ~~town~~ Town of Weddington itself purchased the historic Thomas-Wrenn house on the north side of Weddington Road (NC 84) in 1992. Built about 1894 the house is Victorian in style. Other homes include: the John Matthews Victorian home located at 201 S. Providence Road listed on the historic registry, the Jacob Allen Deal home (1856-1926) Georgian Greek Revival, with Italianate elements farm home built in 1913, located at 610 Weddington Road and being preserved by the family, The Howard Family Neo-classical, Revival, Queen Ann home is located at 345 S. Providence Road and is still occupied by family, Fred F. Deal (1886-1984) Colonial farm home built early 1920's at 1908 Cox Road, the small farm / folk home of Andrew Jackson Moore is located on the northwest corner of Twelve Mile Creek and Hwy 84. The Hemby House owned by Weddington UMC, relocated and now at 7003 Matthews Weddington Road, the Matthews-Andrew Joseph Price home built in the late 19th century by N.M.S.Stitt and Mary Matthews has been relocated to the Hunter Berry Farm along Providence Road and is currently being restored by Nancy Anderson. The Hunter Matthews home, also known as the Plyer home, is located at 258 Weddington Road; the Victor Silas Hunter Jr. home is located on the Hunter Berry Farm on Providence Road. The James Stanhope Delaney (1849-1927) home place is located on Matthews-Weddington Road and is being restored by the family. The home at 7112 New Town Road is also of historic significance and every effort should be made to help in preservation.

The Town of Weddington Historic Preservation Commission will continue to work with homeowners to preserve these farm homes, and to gather the history of the community. The commission meets quarterly at town hall.

COMMUNITY DESIGN AND IDENTIFICATION

Appearance is an issue that affects all aspects of physical planning, as well as a community's environment. All too often the visual environment has been neglected in American communities. Weddington is fortunate in that it has only recently been under the process of transformation from rural to suburban land use. Today the community is at a crossroads; it can take measures to avoid the negative visual elements suffered by most urban areas. Many communities throughout America are virtually indistinguishable today, containing numerous architecturally similar structures, flashing lights, large signs, strip commercial development, etc. Many communities today are realizing, with the support of court decisions, that they must take an active role not only in promoting, but in regulating for an improved visual appearance.

It is a commonly held belief that the appearance and form of the environment can influence the self-expression and development of the individual. More concretely, the look of a community's surroundings is also important to the economic well-being of its residents; deteriorating appearance can be tied directly to the decline of residential and business areas and their property values. Not only have private individuals and civic organizations been active in appearance campaigns, the role of government in community appearance has become an accepted necessity. Planning and land use regulations have generally been justified on the basis of health and safety concerns, rather than aesthetics. However, municipalities have for quite some time been enacting ordinances (with court support) which control appearance solely on the basis of aesthetics. Thus, community appearance activities and controls have become more frequently recognized as legitimate and important local government activities, rather than activities which are simply limited to volunteer groups.

Fortunately for Weddington at present, there are few negative elements and many positive elements of the community's appearance. Since its incorporation, Weddington leaders have been successful in setting the Town apart from many of its neighbors. Sign clutter, strip development, and urban decay are not problems associated with Weddington. In many respects, the Town is fortunate that it lies in a high-growth and high-income area. As a result, what is of concern to many Weddington residents is the amount of growth that has taken place in the community, rather than the type of growth. At present, three Town entrances are designated with Weddington entrance monument signs as found in most municipalities. Although there are a number of entrance ways into the Town, the most traveled are on NC 16, NC 84, Weddington-Matthews Road and Rea Road.

One is able to differentiate land use patterns and densities when coming into Weddington, especially from Mecklenburg County. This is largely a result of the community's development pattern, as prescribed by its land use regulations. Weddington is a suburban residential community that is being developed in terms of dispersed subdivisions, as opposed to the concentric patterns in which older towns have developed.

Without question, Weddington's rural character is its most visible attribute. The Town's zoning regulations set it apart from many of its neighbors. Whereas neighboring municipalities allow standard lot sizes as low as ~~10,000-15,000~~ 6,000-10,000 square feet and greater housing densities, 12,000 square feet is the minimum lot size in Weddington. However, 12,000 square foot lots are only permitted in Conservation subdivisions. These Conservation subdivisions still have an overall density of one unit per acre and require fifty percent conservation lands, thus remaining density neutral in comparison with the Conventional subdivisions. Even in unincorporated portions of Union County, lot sizes as low as ~~20,000~~ 10,000 square feet are allowed (with even smaller lot sizes allowed in clustered developments).

Site Design. Site design plays a significant role in assuring land use compatibility. Factors include transitioning between land use types, intensities, and densities using buffers and floor area ratios, conserving environmental assets using standards to preserve open space and limit impervious surfaces, providing adequate vehicular and pedestrian traffic circulation and connectivity, mitigating potential nuisances, such as signage, excessive noise, smoke, heat, light, vibration or odors detectable to human senses ~~off the premise~~, and designing for public safety. In November of 2014, the Town Council increased the thoroughfare buffer requirements in response to increased residential development, in order to better preserve the viewshed and maintain the rural feel. The Town Council should also utilize the tiers of priority when reviewing conditional zoning applications for conservation subdivisions and follow the 4-step process for Rural Conservation Design, to ensure that each unique site plan adequately reflects the priorities listed in the zoning ordinance, and more generally preserves Weddington's scenic views and rural character.

GROWTH MANAGEMENT AND RESOURCE CONSERVATION

Growth is anticipated to occur throughout the Planning Area, limited primarily by infrastructure and land availability. The Town, however, continues to have little influence on how land located in unincorporated areas is developed. The Town, however, currently regulates development pursuant to its zoning ordinance and subdivision regulations within its municipal limits. Infrastructure availability is a key growth management tool. The Town can, in the future, focus on ensuring that development does not exceed its site

carrying capacity, based on environmental conditions, water and sewer availability and capacity and natural resources protection, its accessibility, via an adequate transportation network, and is consistent with locally-accepted design standards. Capacity constraints can be used to determine the development potential of a property for specific densities or intensities; development potential can be correlated to a preferred level of service (LOS) and available capacity. The Town will need to evaluate inclusion of these growth management tools in its regulations. To better manage the impact of growth on existing residents and the natural environment, the Town Council adopted ~~a new~~the stormwater ordinance in November of 2014 to control runoff caused by new development and in 2019 the Town Council adopted the Erosion and Sediment Control Ordinance to take over regulation from the State. -

Annexation. Annexation is the legal process whereby the corporate limits of a town or municipality are extended to encompass additional urbanized land and population. In North Carolina, annexation is the public process by which cities may extend municipal services, voting privileges, regulations and taxing authority to new areas with the specific intent of protecting the public's health, safety, and welfare.

To prepare for long-term growth, it may become necessary for Weddington to annex adjoining lands for the well-being of the community. However, annexation must be done in accordance with State law and established policies and plans, rather than on an ad hoc basis. ~~It is imperative that the Town establishes a defined, long-term annexation and growth strategy, as a natural extension of the Land Use Plan process—a strategy that identifies opportunities, constraints and fiscal impacts.~~ Areas that have been targeted for possible future annexation include those unincorporated areas that are included in the Plan's study area. These areas either lie within the Town's annexation agreement area with the Village of Marvin (unincorporated areas primarily west of Weddington); or have been found to be eligible for future involuntary annexation (unincorporated areas primarily south and southeast of Weddington.).

At the present time, the Town of Weddington encompasses approximately 17 square miles of land area, approximately half of which is undeveloped. This is a considerable area for a town with the budget size and limited staff administered by the Town of Weddington. The purpose of this portion of the land use plan is not to identify areas that the Town may annex. Rather, its purpose is to make the future annexation process a planned and orderly process with respect to voluntary and involuntary annexations. This can be done by identifying criteria that should be used by the Town in evaluating petitions for annexation or involuntary annexations. In considering whether petitions for annexation should be favorably considered, the Town should consider the following factors:

- Whether the development of the proposed annexation area is consistent with the existing patterns of development in the Town;
- Whether the property has need for services that are not projected to be provided by the Town;
- Whether the annexation of property would be a logical geographical expansion of the Town limits;
- Whether the property and its owners would be better served by becoming a part of a Weddington or a neighboring municipality;
- Whether the property is in Union County, and whether the property is under consideration for annexation by another municipality; and,
- Whether the property is fully or partially developed, and whether the petition is from residents of the property or from a developer.

Since shortly after its incorporation, the Town of Weddington has had a policy of entering into “annexation agreements” with neighboring jurisdictions. Such agreements are subject to the provisions of Part 6, Article 4A of the North Carolina General Statutes. The purpose of such agreements is to identify areas that each community agrees NOT to annex into. Any such agreement can be valid for a period of up to twenty years. Once the agreement is executed, a participating city may withdraw from it with five years notice. To date, the Town has executed such agreements with the City of Charlotte and the Village of Marvin. The agreement with Charlotte (which was legislatively enacted) basically states that neither city will annex properties across the County line.

This section of the land use element identifies key issues relating to annexation, growth and development within the Planning Area. Most significantly, this element focuses on cooperative and coordinated growth management with the County and neighboring jurisdictions and assessing the fiscal impact on Town resources prior to committing the Town to a course of action.

Growth management strategies directly affect growth in and around Weddington. Planning and preparing for growth, and improving inter-governmental and service provider coordination, particularly in matters relating to capital improvements and development standards is critical. Particularly important is the coordinated limitation of development in

inappropriate locations (*i.e.*, in open space or in outlying portions of the Planning Area) or where infrastructure is inadequate.

The Town of Weddington should take steps to ensure that in the future it does not become involved in costly annexation litigation battles with its neighbors. Other municipalities with which annexation agreements are suitable and appropriate include the Village of Wesley Chapel and the Towns of Stallings and Indian Trail.

~~**Extraterritorial Planning Jurisdiction.** The State of North Carolina allows incorporated municipalities to exercise selected land use planning authority in areas located outside of corporate boundaries. This process is referred to as extraterritorial jurisdiction (ETJ). The detailed powers and limitations of ETJ are defined in NCGS 160A-360. Due to the rapid pace of land development occurring near Weddington, the Town should pursue establishing planning jurisdiction over the area surrounding Weddington's borders. With the County Commissioners' and the Town Council's consent, an extraterritorial jurisdiction (ETJ) agreement should be prepared and adopted. This would enable Weddington to have land use planning control over unincorporated areas in Union County that surround Weddington up to one mile from the Town's existing primary corporate limits. Given that Union County exercises zoning and subdivision regulations as well as State Building Code regulations in unincorporated areas around Weddington, the creation of an ETJ for Weddington would be subject to the approval of the Union County Board of Commissioners or by local legislation.~~

APPENDIX A: GLOSSARY

Commercial: An organization engaged in commerce for the purpose of making a profit that is not an authorized 501 (c)(3). Parcels containing facilities primarily engaged in the exchange of information, goods or services, generally without the physical transformation of those products.

Conservation: Preservation, protection, or restoration of the natural environment, natural ecosystems, vegetation, and wildlife.

Conservation Residential: The Land Use classification used for residentially zoned parcels that are typically either large (six acres or greater) undeveloped parcels or parcels located within an established conservation subdivision.

Density: Number of housing units per gross acre, determined by dividing the number of dwelling units by the total number of acres in the parcel or assemblage of parcels to be developed.

Development: The physical construction of buildings and/or the preparation of land for non-agricultural uses. Development activities include: subdivision of land; construction or alteration of structures, roads, utilities, and other facilities; installation of water, septic and sewer systems; grading; deposit of refuse, debris, or fill materials; and clearing of natural vegetative cover.

Goal: Description of a desired state of affairs for the community in the future. Goals are the broad public purposes toward which policies and programs are directed. Generally, more than one set of actions (policies) may be needed to achieve each goal. In this Plan, goals are phrased to express the desired results of the Plan; they complete the sentence "Our goal is..."

Land Use Plan: A basic element of a comprehensive plan that designates the present and future location, form, class and extent (size) within a planning jurisdiction for residential, commercial, industrial, institutional, etc. use or reuse. The land use plan includes a map and a written description of the different land use areas or districts.

Policy: A statement of government intent against which individual actions and decisions are evaluated.

Rural: A geographic area located inside of or outside of a city or town that typically has smaller populations and densities. These areas typically have more agricultural uses.

Strategy: Individual tasks or accomplishments which, taken together, will enable the Town to achieve its goals. Strategies recommend specific courses of action to implement the Plan.

Town Core: The central or compact area with a mix of retail, office, commercial, institutional, governmental facilities and housing that serves as a gateway to the community and that provides a central location for community activities and needs.

Traditional Residential: The Land Use classification used for residentially zoned parcels that are typically 40,000 square feet in size and are located within an established subdivision.

Undeveloped: Parcels where no discernible development has occurred, where no discernible natural resource management or extraction activity is present, and where the given parcel has not been permanently preserved or conserved in a natural state through ownership or conservation easement.

Urban: A geographic area located inside of a city or town that typically has larger populations, densities and human features.

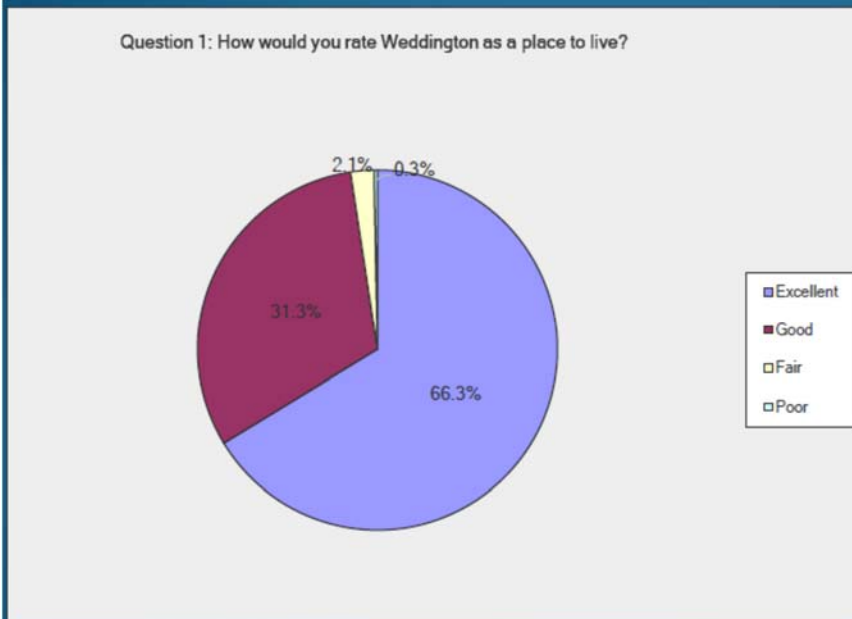
Urban Amenity: The things that people appreciate about their urban environment. An amenity can be a tangible thing, like a shopping centre or a park, and it can be an intangible thing, like a feeling of safety or sense of community.

APPENDIX B: ~~2012~~2018 LAND USE PLAN SURVEY

3400 Postcards Sent, 659 Responses – 19.4% Response Rate

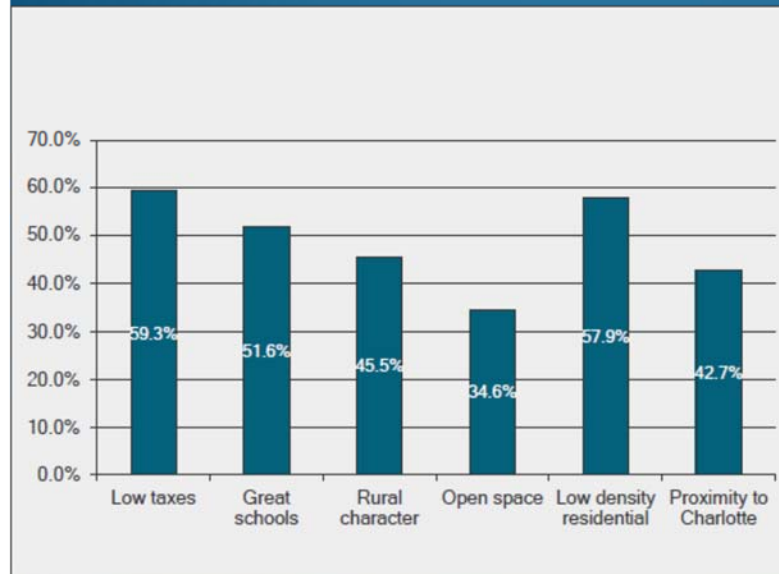
- 26% have lived in Weddington less than 5 years
- 49% have lived in Weddington less than 10 years
- 38% work in Mecklenburg County
- 88% live in a subdivision

Question 1: How Would You Rate Weddington As a Place to Live?



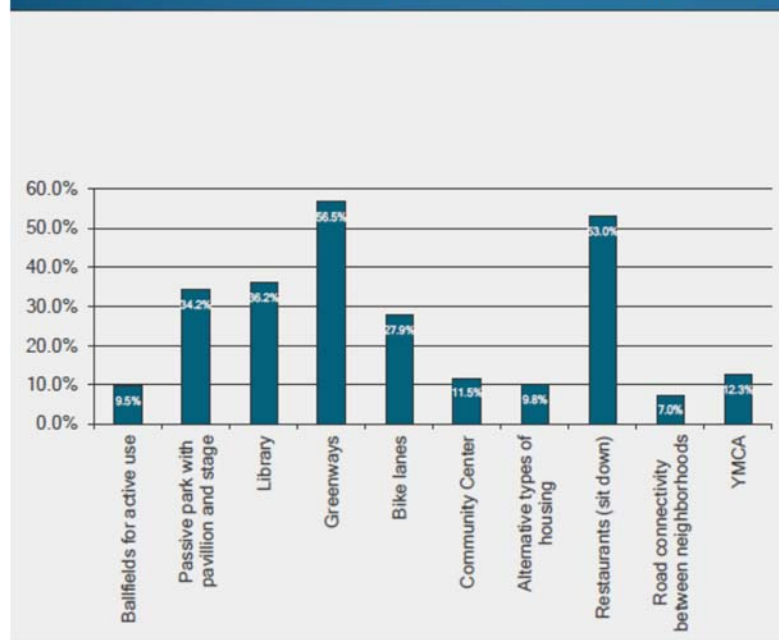
Answer Options	Response Percent
Excellent	66.3%
Good	31.3%
Fair	2.1%
Poor	0.3%

Question 2: Why Did You Move Here/What Do You Most Appreciate About Living Here?
(Could choose up to three)



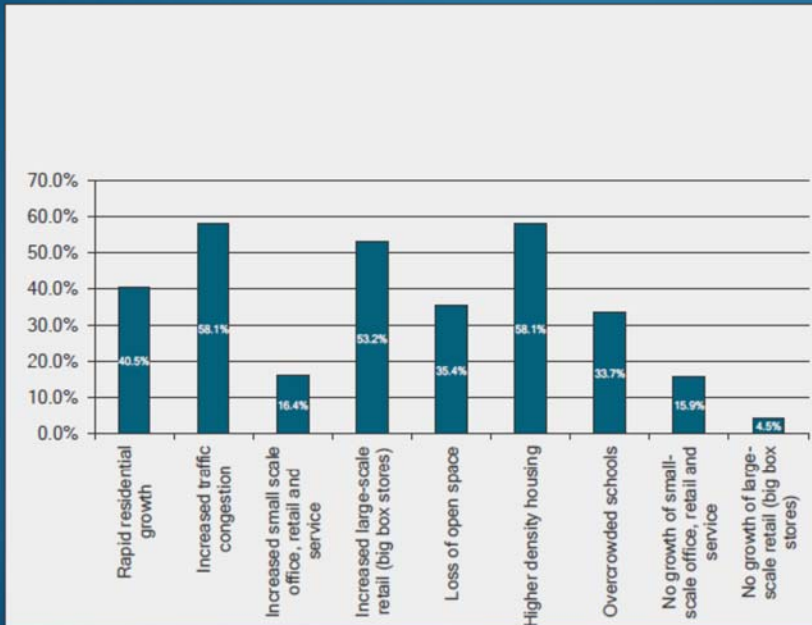
Answer Options	Response Percent
Low taxes	59.3%
Great schools	51.6%
Rural character	45.5%
Open space	34.6%
Low density residential	57.9%
Proximity to Charlotte	42.7%
Other (please specify)	

Question 3: Over the Next Five to Ten Years, Which of the Following Would Most Improve the Quality of Life in Weddington? (Could choose up to three)



	Response Percent
Greenways	56.5%
Restaurants (sit down)	53.0%
Library	36.2%
Passive park with pavillion and stage	34.2%
Bike lanes	27.9%
YMCA	12.3%
Community Center	11.5%
Alternative types of housing	9.8%
Ballfields for active use	9.5%
Road connectivity between neighborhoods	7.0%

Question 4: Over the Next Five to Ten Years, Which of the Following Could Most Adversely Affect Weddington's Current Quality of Life? (Could choose up to three)



Answer Options	Response Percent
Increased traffic congestion	58.1%
Higher density housing	58.1%
Increased large-scale retail (big box stores)	53.2%
Rapid residential growth	40.5%
Loss of open space	35.4%
Overcrowded schools	33.7%
Increased small scale office, retail and service	16.4%
No growth of small-scale office, retail and service	15.9%
No growth of large-scale retail (big box stores)	4.5%

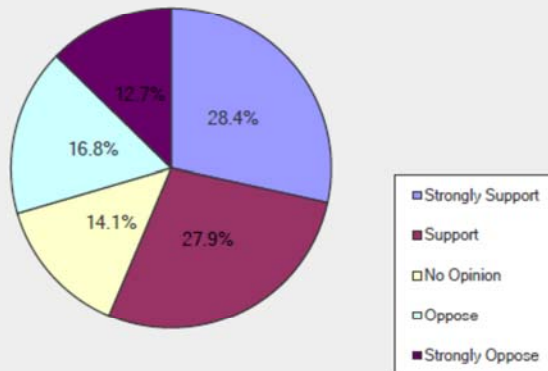
Question 5: To What Degree Are the Following Important in Weddington?

	Very Important	Important	Not at All Important	Don't Know
Maintaining a low tax rate	69.7%	27.4%	2.8%	0.0%
Ensuring public safety (e.g., fire, police)	65.3%	32.1%	2.4%	0.2%
Preservation of open space	60.9%	33.4%	4.2%	1.6%
Low density residential development	53.3%	32.1%	11.9%	2.7%
Limiting non-residential growth	44.6%	34.2%	19.6%	1.6%
Promoting a downtown core	18.4%	35.8%	41.9%	3.8%
Diversify tax base with new non-residential development	15.9%	33.7%	42.0%	8.4%

Question 6: If in Question #5 you responded that limiting non-residential growth is "very important" or "important", would your opinion change if a mixed-use development included additional amenities such as parks, a library or other public facilities?

	Response Percent
Yes	43.0%
No	57.0%

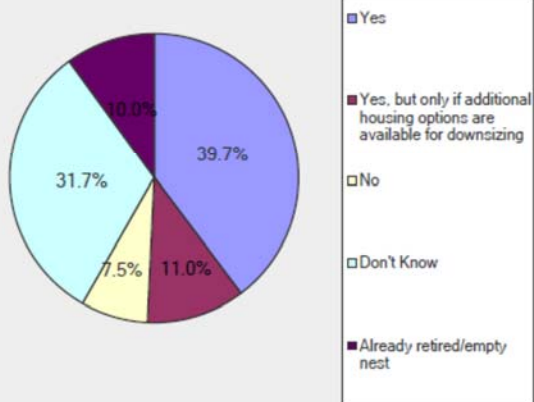
Question 7: What Is Your Current Opinion of Conservation Subdivisions?



Answer Options	Response Percent
Strongly Support	28.4%
Support	27.9%
No Opinion	14.1%
Oppose	16.8%
Strongly Oppose	12.7%

Question 8: Do You Plan to Spend Your Retirement Years in Weddington?

Answer Options	Response Percent
Yes	39.7%
Yes, but only if additional housing options are available for downsizing	11.0%
No	7.5%
Don't Know	31.7%
Already retired/empty nest	10.0%



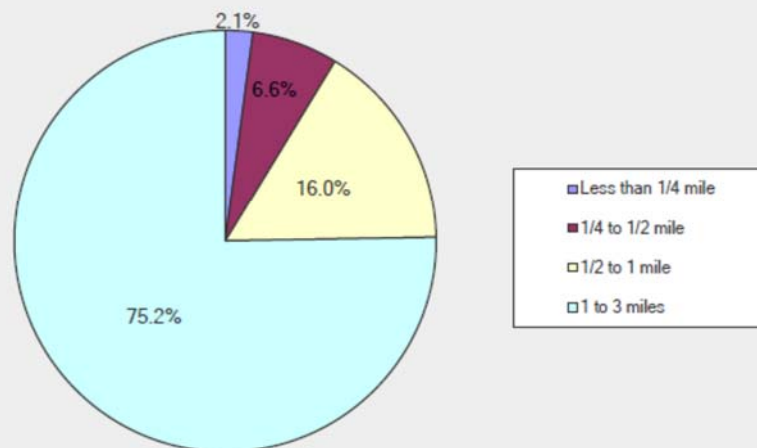
Question 9: Would You Support Higher Density for Age Restricted Communities in Designated Areas?

	Response Percent
Yes	51.0%
No	49.0%

Question 10: Should the Weddington Land Use Plan Allow for the Following Types of Development?

Answer Options	Yes	No
Restaurants (sit-down)	72.0%	28.0%
Mixed use (small-scale office/retail/restaurant)	59.5%	40.5%
Medical offices	52.0%	48.0%
Age restricted communities	46.8%	53.2%
Assisted living facilities	44.3%	55.7%
Day care facilities	40.6%	59.4%
Office space	38.6%	61.4%
Mixed use with residential	34.4%	65.6%
Patio homes	29.0%	71.0%
Townhomes	21.5%	78.5%
Restaurants (fast food)	15.9%	84.1%
Condominiums	12.7%	87.3%
Large-scale shopping centers	10.9%	89.1%
Duplexes	8.3%	91.7%
Apartments	4.0%	96.0%

Question 11: How Close Would You Like to Live to Retail Services?



Question 12:

Answer Options	Response Percent
I am aware of the Town's website (townofweddington.com)	96.3%
I am aware of the Town's Facebook page (http://www.facebook.com/townofweddington)	24.8%
I have signed up to receive email regarding events/meetings	28.3%
I have seen Weddington Magazine	60.7%
I have attended at least one event or meeting in the past year	38.1%

**APPENDIX C: CONDITIONAL USE PERMIT AND CONDITIONAL
ZONING PERMIT DATABASE** **(STAFF TO UPDATE)**

Weddington Current Use Map	
Map Number	Description
1	Weddington United Methodist Church CUP
2	Stratford on Providence CUP-PRD
3	Weddington Corners CUP
4	Weddington Swim & Racquet Club CUP
5	Treske CUP
6	Wesley Chapel Volunteer Fire Department CUP
7	Providence Volunteer Fire Department CUP
8	Church of Jesus Christ Later Day Saints CUP
9	Forest Lawn Cemetery CUP
10	Stratford Hall CUP-PRD
11	Waybridge CUP-PRD
12	Meadows at Weddington CUP-PRD
13	Verizon Cell tower CUP
14	Devonridge CUP-PRD
15	Lake Forest Preserve CUP-RCD Subdivision
16	Verizon Cell tower CUP
17	AT&T Cell tower CUP
18	Chesterbrook Academy CUP
19	Duke Energy Transmission Tower CUP
20	Spirit of Joy Church CUP
21	First Baptist Church CUP
22	AT&T Cell tower CUP
23	The Woods CUP-PRD-etc.
24	Polivka MX CZ
25	Trinity Bank ATM CUP
26	8109 Potter Road Radio Tower CUP
27	Bethany Church CUP
28	Hemby House CUP
29	WCWAA Lighting CUP
30	Pinsak Medical Office CUP

TOWN OF WEDDINGTON

MEMORANDUM

TO: Chairman and Planning Board

FROM: Lisa Thompson, Town Administrator/Planner

DATE: June 24, 2019

SUBJECT: Conservation Subdivision Design Review

Below are suggestions by Randall Arendt and Notes from staff on how each comment was addressed.

RA - Site Visit: Site Visits should become the norm for the town planner, all Planning Board members, and some Councilors. Also, the applicant, his site designer, engineer, the seller of the land, and immediate abutters. The applicant's engineer or site designer would conduct the group around the property, with Site Analysis Plans in hand, using GPS technology to locate positions along the way, and recording locations of features meriting potential conservation. Only by experiencing the property firsthand, three-dimensionally, are all the parties involved able to understand the property's attributes, both positive and negative. Without that experience, they are not fully informed, and cannot render fully informed decisions. Site visits should be publicly noticed, official work sessions, at which no decisions are taken.

Staff Note: Site visits were added to 46-42(c). The town will have an applicant submit a resource analysis map and yield plan to walk the site. This should be led by the property owner/applicant to show us important features. This is also a time to analyze whether larger thoroughfare buffers are needed or if open space should be saved somewhere else.

RA - Conceptual Sketch Plan: I like to schedule a mini-charrette of several hours following Site Visits, wherein the site designer sketches the proposed development, following the Four-Step Design process. People attending the site visit are strongly encouraged to participate in this collaborative process, in which many observations, comments, and suggestions are considered.

Staff Note: A charrette was added to start the 4-step process in Section 46-42(c).

RA - Sketch Plan Designers: Sketch Plans should be required to be prepared principally by a landscape architect or a physical planner, with input from an engineer. At the very least, Steps One and Two of the Four-Step Process (greenlining the open space, locating house sites) should be primarily the responsibility of the LA or physical planner.

Staff Note: 46-42(a) has sketch plans prepared by a LA.

RA- The Four-Step Design Process: RCD applicants should be required to present drawings showing how they followed the four-step design process (to be illustrated in an appendix to the regulations) in which open space is identified first, virtually the same procedure that golf course developers follow (see memo of 6.26.18). In that way, the open space never becomes a mere afterthought, and really defines the whole design process, in which conservation is the central design principle, one that adds great value to new developments. The open space in each development should also be consistent with the town-wide map of potential conservation lands and greenways, so that it will eventually become part of an interconnected whole or network.

Staff Note: 46-42(c) includes the four-step process.

RA- Yield Plan Verification: The town should very closely examine, even scrutinize, Yield Plans, to ensure they do not contain lots that would in fact not be feasible to create. When in doubt, it could engage a consulting engineer for this purpose, to potentially rebut the arguments of the applicant's engineer.

Staff Note: nothing added to the ordinance. Current staff has town engineer review yield plans for feasibility/buildable lots.

RA- Minimum Buildable Area: The current 5000 SF requirement for buildable area on R40 lots (such as shown on Yield Plans) should be increased to 15,000 SF of contiguous minimum buildable area. I do not think it unreasonable to require that at least 37% of an R40 lot be usable, allowing 63% to be unbuildable. The current 5000 SF figure is not appropriate for Weddington and has in fact been recently abused by an applicant whose so-called 5000 SF areas consisted mostly of unbuildable stream buffer land, leaving only about 2000 SF of buildable area on those lots that he used to inflate his RCD density and create a densely packed knot of lots in the center of the property.

Staff Note: Current ordinance requires floodplain lots to have 5,000 buildable sq. ft. Staff required all lots to have a minimum buildable area of 9,000 sq. ft. Staff believes requiring much more than that can really hinder yield.

RA- Maximum Unbuildable Land within Minimum Required Open Space: No more than say 20 percent of the minimum required open space should consist of unbuildable land, such as wetlands, floodplains, waterbodies, steep slopes over 25 percent, streams and their environmental buffers, and power line and gas line ROWs. This land would be preserved in any case, and the purpose of an RCD is to protect the land that would otherwise be graded and built upon. Active recreational facilities such as paved tennis courts, pools, etc. should be counted as open space, but parking areas should not be so included.

Staff Note: Added to 46-75(n)

RA- Working with the Terrain: Mass grading should be specifically discouraged, very strongly, by requiring site designers to lay out their projects with the existing contours as much as possible. The grading plans they submit will inform the town's consulting engineer how well the applicant has followed this provision. The result will be more naturalistic neighborhoods, more attractive and not looking so much like a manufactured product.

Staff Note: we have several areas that talk about working with the terrain. However, with our detention ordinance it's hard not to clear large areas to drain it properly... This and a possible tree ordinance (where you can only clear for roads and individual lots need a tree permit) will have to come separately.

RA- Location of Open Space: In addition to being located where the Site Analysis Plan and Site Walk findings suggest it should be, it is helpful to remember that open space situated along the outside edges of curving street, or at the ends of cul-de-sacs, forms highly visible terminal vistas.

Staff Notes: added in street design and cul-de-sac section.

RA- Cul-de-Sac Design: Short cul-de-sacs, such as those less than say 500 feet, should be generally required to be designed as “closes”, in which the 130-foot diameter of the turning circle is extended back to its beginning so that a long central island can be created in the middle. This island, often 30-50 feet wide, can be planted with trees (such as red maple or sycamores), and could be designed to function as a rain garden for stormwater infiltration, by tilting the two one-way lanes looping around the close toward the central green. All cul-de-sacs and closes should have trail connections at their ends, leading into the open space.

Staff Notes: added – need to check with NCDOT

RA- Trails: Trails should be constructed at the same time as the streets, so they are in place before the first lots are sold. That way they will be provided properly and in a timely manner (unlike at Stratford Hall, where the eased area on the approved plan has been claimed by adjacent lot owners). Those trail heads should be marked with small signs.

Staff Notes: Needed

RA- Conservation Land Signage: Conserved land should be marked with signs informing people that the land is permanently protected by a perpetual conservation easement held by the town (and the Catawba Land Conservancy?). The ordinance requirements for a unanimous vote of the HOA to propose development on its open space is another excellent protection tool.

Staff Notes: added 46-75(m)

RA- Street Trees: Shade trees should usually be planted between sidewalks and curbing. The last subdivision we visited on Wednesday morning provided a good example of this approach, where the trees will ultimately cast their welcome shade on both the streets and sidewalks.

Staff Notes: Added to 46-75(q)

RA- Cul-de-Sac Length: The same maximum length should be required for RCDs and R40 subdivisions. I suggest about 850 feet, enough for 18 RCD lots and a dozen conventional lots.

Staff Notes: Conservation subdivisions did not have a length requirement and conventional subdivision had a 600' max. They should both have a max length. Historically cul-de-sac length maximums were due to emergency responders; recent studies show that it should be about volume on a single road, and disbursement of traffic. Cul-de-sacs shouldn't have more than 150 ADT. With 10 trips per home this equates to 15 homes. Staff changed the cul-de-sac length requirement to not provide sole access to more than 16 dwelling units. This would be around a 960' cul de sac for conventional lots and a 640' cul de sac for RCD lots. (it could be longer if its single loaded, however it's about volume on a certain street, not length).

RA -Street Pavement Width: Streets that have parkland on one side can be several feet narrower, as there is no potential parking demand from the green side of the street. Also, RCD streets could be allowed, in

general, to be two feet less wide than those currently required in R40 developments, and streets in those R40 development could be increased by two feet, to create a four-foot differential, encouraging developers to opt for RCD (unless the town follows an earlier recommendation about its determining whether RCD or R40 will be allowed).

Staff Notes: need to check with NCDOT

RA- Conservancy Lots and Non-Common Open Space: Lots that are more than say five acres in area could be allowed to count four acres toward the minimum open space requirements for the subdivision. This would be private noncommon open space, not accessible to other subdivision residents, and maintained by the owner of that large lot (reducing maintenance responsibilities for the HOA and boosting everyone's property values a bit). This is an option I would not expect many developers to select, but it could provide flexibility and variety, particularly when a property has a special original house on it, as Stratford Hall had/has. Not more than say 20 percent of the total minimum required open space should be allowed to be created in such Conservancy Lots, so that residents would still have considerable common land to enjoy.

Staff Notes: this is already permitted in the zoning ordinance.

RA - Stormwater Management: Because runoff from several RCD subdivisions have reportedly damaged neighboring properties downstream, the town might want to engage the services of a consulting engineer to check the stormwater calculations and detention basin provision in all proposed subdivisions. I also recommend investigating the two projects that have apparently caused downstream problems, to determine if the fault lies in weak and ineffective state regulations, or in poor design by the developer's engineer, or both. Both DNR agency staff and the developer's engineer could be called to a meeting in the town offices where they could be asked to look deeply into the situation and report back to the town on their findings. The town could enforce stormwater regulations if it adopted the state's regulations, in case DNR does not follow up on enforcement. When the state drops the enforcement ball, it effectively encourages developers to cut corners on this critical piece of infrastructure. Chapter __ of the new *Rural by Design* is a primer on stormwater issues, and explains and illustrates the raingarden concept, which can reduce the size of the potentially huge basins that developers seem to favor.

Staff Notes: Runoff issues have been taken care of through the town's detention ordinance. Canisteo, Harlows Crossing which have detention, have zero run-off complaints. Issues remain where the town tried solving problems and adding ponds post construction as in the Falls and Weddington Preserve subdivisions. Also, the town has addressed erosion by adopting our own ordinance and hiring a construction inspector to keep an eye on current development. The town needs to review detention as it relates to any new tree ordinance.

RA- Buffering: Deep perimeter buffers often have the perverse and unintended effect of gobbling up much of the required open space and compressing the development into a tightly clustered knot in the center of the property. The regulations should require effective visual screening only on unwooded or lightly wooded sites where it has been shown to be infeasible to orient the fronts of homes to existing roads bounding the property, or where the subdivision abuts an incompatible use (not just another single-family residential development). Also, the town should not permit developers to edge their subdivisions with berms or visual screening on unwooded or lightly wooded sites unless it has been clearly demonstrated that orienting the fronts of homes to existing roads bounding the property is not feasible or practicable. (A consulting planner might demonstrate its feasibility and desirability, if the developer claims it is not doable.) When visual buffering is unavoidable and must be provided as a last resort to screen housebacks, the depth of the buffer strip can be as little as 25 feet if the screening will be visually dense

and effective. Such buffering or screening is usually an admission of design failure, and an attempt to hide design deficiencies or mistakes, such as orienting residential backsides to existing roads. (Driving along once-rural roads in Carmel IN, one sees long berms extending thousands of feet on both sides of the roadways, creating a distinctly suburban and a very odd, almost eerie, atmosphere. A cautionary tale.)

Staff Notes: Planning Board suggested keeping the buffer at 100' with the ability to go down to 50' if justified by existing screening/wooded property or the ability to plant a natural year-round buffer. Berms have been removed. The idea is to look across a rural fence line, pasture or natural area to fronts of homes versus suburban berms and backs and roofs of homes.

In addition, most buffers are required per zoning. Nonresidential abutting residential. Both sections stated the same requirements so staff believe it should be taken out of subdivision and referred to in zoning.

Other Changes: - maintenance for roads. Moved all submittal requirements to chart, marginal access drive, all road standards for conventional and conservation are the same.

ARTICLE II. - PROCEDURE FOR REVIEW AND APPROVAL OF SUBDIVISION PLATS

Sec. 46-36. - Plat required on any subdivision of land.

Pursuant to G.S. 160A-372, a final plat shall be prepared, approved, and recorded in accordance with the provisions of this chapter as a condition precedent to the subdivision of any land within the town.

Sec. 46-37. - Approval prerequisite to plat recordation.

Pursuant to G.S. 160A-373, no plat of a subdivision within the jurisdiction of the town, as established in section 46-3, shall be recorded by the county register of deeds or the Mecklenburg County register of deeds until it has been finally approved as provided herein. To secure such approval of a subdivision plat, the subdivider shall follow the procedures established in this article.

Sec. 46-38. –Preapplication Meeting

Any person contemplating the subdivision of property is strongly encouraged to have a preapplication meeting with the subdivision administrator in order that questions may be answered and that the subdivider may gain a better understanding of the requirements of this chapter. A preapplication meeting is required for conservation subdivisions.

Sec. 46-39. - Procedures for review of major and minor subdivisions.

Minor subdivisions shall be reviewed in accordance with section 46-40 and 46-41. Major subdivisions shall be reviewed in accordance with the procedures set forth in sections 46-42 through 46-47.

Minor Subdivisions

Sec. 46-40 – Preliminary Plat for minor subdivisions.

In order to facilitate the review and approval of a minor subdivision, a preliminary plat must be submitted to the zoning administrator along with a fee in accordance with a fee schedule adopted by the town council. No application shall be considered complete or processed by the subdivision administrator unless accompanied by said fee. In addition, the Town shall be reimbursed by the subdivider for all costs associated with the Town's engineering and/or consulting services with respect to review of the preliminary plat prior to approval.

- (a) The subdivision administrator shall review the preliminary plat within ten days of its submission for general compliance with the requirements of this chapter and chapter 58, and shall advise the subdivider or his authorized agent of the regulations pertaining to the proposed subdivision and the procedures to be followed in the preparation and submission of the final plat, and shall approve, approve based on certain conditions, or disapprove the preliminary plat.
- (b) One copy of the preliminary plat along with the subdivision administrator's comments, recommendations, and/or conditions shall be returned to the subdivider and one copy of the same shall be retained by the subdivision administrator.
- (c) In the event the subdivider disagrees with the written comments and/or recommendations of the subdivision administrator, he may appeal the subdivision administrator's decision to the planning board.

- (d) In the event of an appeal of the subdivision administrator's decision, one copy of the preliminary plat along with the subdivision administrator's comments, recommendations, and his reasons for disapproval shall be forwarded to the planning board. In the event of an appeal of the subdivision administrator's decision, the planning board shall review and approve or disapprove the preliminary plat at its next regular meeting that follows at least 15 days after the subdivision administrator's recommendation regarding the preliminary plat, or at such other meeting as may be called by the planning board to consider same.
- (e) If the preliminary plat is not approved by the planning board, a written statement of the reasons for denial shall be provided to the subdivider, with a copy being returned to the subdivision administrator within seven days of disapproval. Upon making necessary changes, but not later than 180 days from receipt of the disapproved plat by the subdivider, the subdivider may resubmit the preliminary plat to the planning board for approval.
- (f) Preliminary plat approval of a minor subdivision shall constitute a vested right, as defined in G.S. 160A-385.1.

46-41- Final plat for minor subdivisions.

- (a) Upon approval of the preliminary plat the subdivider may proceed with preparation of the final plat in accordance with the requirements of this chapter. In the event that the subdivider fails to submit a proposed final plat within one year of approval of the preliminary plat, the approval of the preliminary plat becomes null and void, and the subdivider must begin the procedure as if no preliminary plat had been initially submitted, including the payment of another filing fee as required under this article.
- (b) *Number of Copies and Content*

The subdivider shall submit at least 2 copies of the proposed final plat so marked to the subdivision administrator. The subdivider shall also submit a fee in accordance with a fee schedule adopted by the Town Council. No application shall be considered complete or processed by the subdivision administrator unless accompanied by said fee. In addition, the Town shall be reimbursed by the subdivider for all costs associated with the town's engineering and/or consulting services with respect to review of the final plat prior to final plat approval.

 - (1) The proposed final plat shall be prepared by a registered land surveyor currently licensed and registered by the state board of registration for professional engineers and land surveyors. The final plat shall conform to the provisions for plats, subdivisions, and mapping requirements set forth in G.S. 47-30 and the Manual of Practice for Land Surveying in North Carolina.
 - (2) The proposed final plat shall be of such size as is suitable for recording with the appropriate county register of deeds and shall be of a scale of not less than one-inch equals 200 feet. Maps may be placed on more than one sheet with appropriate match lines.
 - (3) The final plat shall meet the specifications established in section 46-46.
 - (4) The following signed certificates shall appear on all copies of the final plat:
 - a. Certificate of ownership and dedication.

I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the Town of Weddington and that I hereby adopt this plan of subdivision with my free consent and establish minimum building setback lines as noted.

_____	_____/_____/_____
Owner	Date

- b. Certificate of survey and accuracy in accordance with the standards and practice for land surveying in the state.

On the face of each map prepared for recordation there shall appear a certificate acknowledged before an officer authorized to make acknowledgments and executed by the person making the survey or map including deeds and any recorded data shown thereon. The certificate shall include a statement of error of closure calculated by latitudes and departures. Any lines on the map which are not actually surveyed must be clearly indicated on the map and a statement included in the certificate revealing the source of the information. The certificate shall take the following general form:

State of North Carolina, _____ County

I, _____, certify that this map was (drawn by me) (drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision) (deed description recorded in Book _____, Page _____, etc.) (Other); that the ratio of precision as calculated by latitudes and departures is 1: _____, (that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____, Page _____); that this map was prepared in accordance with G.S. 47-30, as amended.

Witness my original signature, registration number and seal this _____ day of _____, A.D. 20 _____.

Official Seal	_____ Registered Land Surveyor
	_____ Registration Number

I, (officer authorized to take acknowledgments), do hereby certify that (name of registered surveyor) personally appeared before me this day and acknowledged the due execution of this certificate. Witness my hand and (where an official seal is required by law) official seal this the _____ day of _____ (year).

Official Seal	_____ Signature of Officer
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(c) *Final Plat review and approval procedure for minor subdivisions.*

- (1) The proposed final plat shall be submitted to the subdivision administrator, who within ten days of receipt of said plats shall review same and shall submit same to the Planning Board along with comments and recommendations. The subdivision administrator can recommend approval, approval conditional upon certain modifications to bring the plat into compliance, or disapproval of the final plat with reasons for disapproval.
- (2) If septic is proposed, prior to approval of the final plat by the Planning Board, the subdivider shall submit a copy of the plat to the county health department, for review and comment. The plat must be returned to the subdivision administrator accompanied by written recommendations.
- (3) Following review and recommendation by the subdivision administrator, the Planning Board shall review the proposed final plat at or before its next regularly scheduled meeting.
- (4) If the Planning Board recommends conditional approval of the final plat with modifications to bring the plat into compliance or disapproval, it shall return its written recommendations or reasons for such disapproval specifying the provisions of this chapter with which the final plat does not comply and a copy of the plat to the subdivider, and subdivision administrator, and upon the subdivider complying with the recommendations of the Planning Board, the plat may be resubmitted for approval by the Planning Board at its next meeting following ten days from receipt of the evidence of compliance by the subdivider with the Planning Board's recommendations.
- (5) If the Planning Board approves the final plat, it shall transmit a written approval through the administrator and such approval shall be shown on each copy of the plat by the following signed certificate:

Certificate of Approval for Recording

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Town of Weddington, North Carolina and that this plat has been approved by the planning board for recording in the Office of the Register of Deeds of _____ County.

_____ Date	_____ Chairman of the Planning Board Town of Weddington, North Carolina
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- (6) If the final plat is approved, the reproducible copy shall be recorded with the appropriate county register of deeds' office. The subdivider shall file the approved plat with the appropriate county register of deeds' office within 90 days of approval. Otherwise, such approval shall become null and void.

Major Subdivisions

Sec. 46-42. - Sketch plan for major subdivisions.

(a) *Sketch plan—Required.*

(b) *Number of copies and contents.*

(1) *Conventional Subdivision.*

- a. Prior to the application for approval of a preliminary plat, the subdivider shall submit to the subdivision administrator two copies of a sketch plan of the proposed subdivision along with a fee, in accordance with a fee schedule adopted by the Town Council. No application shall be considered complete or processed by the subdivision administrator unless it is accompanied by said fee. In addition, the Town shall be reimbursed by the subdivider for all costs associated with the town's engineering and/or consulting services with respect to review of the sketch plan prior to sketch plan approval.
- b. It shall contain the information listed in 46-46. It must meet the requirements and submittal schedule described in both the Traffic Impact Analysis Process and Procedures Manual, and Appendix C: Traffic Impact Analysis.
- c. A sketch plan for conventional subdivisions shall be prepared by an engineer or land surveyor currently licensed and registered in the state by the state board of registration for professional engineers and land surveyors.

(2) *Conservation Subdivision.*

The following information shall be submitted for all proposed conservation subdivisions:

- a. Existing resources and site analysis plan, which shall be prepared to provide the developer and the town with a comprehensive analysis of existing conditions, both on the proposed development site and within 500 feet of the site (for tracts of 100 acres or less) or 1,000 feet of the site (for tracts over 100 acres.) Conditions beyond the tract boundaries may be described on a more general basis from existing published data available from governmental agencies, and from aerial photographs and need not be as specific as those that are required for the development site. Unless otherwise requested by the subdivision administrator to facilitate readability, such plans shall be prepared at a scale of one-inch equals 100 feet or one-inch equals 200 feet, whichever would fit best on a single standard size sheet (24 inches by 36 inches). The following information shall be included in this plan:
 1. An aerial photograph enlarged to the same scale as the ER/SA Map, with the site boundaries clearly marked.
 2. Topography, the contour lines of which shall generally be at two-foot intervals, determined by photogrammetry. Slopes shall be clearly indicated when they are between ten and 15 percent, between 15 and 25 percent, or when exceeding 25 percent. Topography shall be prepared by a professional land surveyor or professional engineer from an actual field survey of the site or from stereoscopic aerial photography and shall be coordinated with official USGS benchmarks. Such contour lines shall also be superimposed on the aerial photo, in a contrasting color to facilitate legibility.
 3. The location and delineation of ponds, lakes, streams, ditches, natural drainage swales, wetlands, and floodplains. Additional areas of wetlands on the proposed development tract shall also be indicated, as evident from testing, visual inspection, or from the presence of wetland vegetation.

4. Vegetative cover conditions on the property according to general cover type including cultivated land, permanent grass land, meadow, pasture, hedgerow, forestland and wetland, location of trees with a caliper in excess of 15 inches, the actual canopy line of existing trees and forestlands. Vegetative types shall be described by plant community, relative age and condition.
 5. Soil series, types and phases, as mapped by the U.S. Department of Agriculture, Natural Resources Conservation Service in the published soil survey for the county, and accompanying data published for each soil relating to its suitability for construction (and, in unsewered areas, for septic suitability).
 6. Ridge lines showing boundaries of catchment areas for stormwater runoff.
 7. A viewshed analysis showing the location and extent of views into the property from public roads and from public parks, and from the boundaries of lakes, ponds, and streams on the site.
 8. Geologic formations on the proposed development parcel, such as rock formations and outcroppings, and fault lines, based on available published information or more detailed data obtained by the applicant.
 9. All existing manmade features including, but not limited to, streets, driveways, farm roads, forest roads, buildings, foundations, walls, wells, drainage fields, dumps, utilities, fire hydrants, and sanitary sewers.
 10. Locations of all historic sites on the tract.
 11. Locations of trails that have been in public use (pedestrian, equestrian, bicycle, etc.).
 12. All easements and other encumbrances of property which are or have been filed of record with the county register of deeds.
 13. Total acreage of the tract, and the location and acreage of primary conservation lands.
- b. *A yield plan.* A yield plan designed to be density neutral (i.e., allow for the same number of lots as could be platted under applicable subdivision requirements as a conventional subdivision, with a minimum lot size of 40,000 square feet).
- Yield plans must be prepared with the sketch plan in accordance with the standards of this chapter, and must show all proposed lots, streets, rights-of-way, and other pertinent features that would be required for a sketch plan for major conventional subdivisions as identified in section 46-46. Although the yield plan must be drawn to scale, it need not be based on a field survey. However, the yield plan must be a realistic layout reflecting a development pattern that could reasonably be expected to be implemented, considering the presence of wetlands, floodplains, steep slopes, existing easements or encumbrances and, if unsewered, the suitability of soils for subsurface sewage disposal.
- c. A Sketch plan using the 4-step design process after a site walk is completed.
1. It shall contain the information listed in 46-46. It must meet the requirements and submittal schedule described in both the Traffic Impact Analysis Process and Procedures Manual, and Appendix C: Traffic Impact Analysis. See subsection (c)(2)
 2. A sketch plan for a conservation subdivision shall be prepared by a registered landscape architect or by a physical planner with experience designing conservation subdivisions, working with a registered land surveyor or professional engineer currently licensed and

registered in the state by the state board of registration for professional engineers, land surveyors or landscape architects. The landscape architect or physical planner shall have primary responsibility for the design of conservation areas and house locations; the surveyor or engineer shall have primary responsibility for streets, drainage, and lot lines.

(c) ***Sketch Plan review and approval procedure for major subdivisions.***

- (1) Submission of Application and Fee
- (2) Submission of Existing Resources and Site Analysis Map and Yield Plan; On-Site Visit; Mini-Charette (for conservation subdivision only)
 - a. **On-Site Visit/Charette** After preparing the *Existing Resources and Site Analysis Map* and prior to the submission of a sketch plan, the applicant shall schedule time to walk the property with the subdivision administrator, Planning Board members, and adjacent property owners. The purpose of this visit is to familiarize staff and board members with the property's special features, and to provide them an informal opportunity to offer guidance to the applicant regarding the tentative location of Secondary Conservation Areas, potential house locations and street alignments.

A notice giving the date, time and purpose of the meeting shall be sent by the Town to adjacent property owners at least 10 days prior to the site walk.

The applicant shall distribute copies of the *Existing Resources and Site Analysis Plan* at the on-site meeting. Applicants, their site designers, and the landowner shall participate to show the town the property's special features. Comments made by town officials or staff and consultants shall be interpreted as being only suggestive and advisory. It shall be understood by all parties that no formal recommendations can be offered, and no official decisions can be made during this on-site visit. It is a Work Session of the Board and is duly noticed in the standard manner for all public meetings.

- b. **Design Charette:** Immediately following the site-visit the applicant shall sit down with the subdivision administrator and on-site visit attendees to review the findings and begin the 4-step process below.

Sketch plans shall be prepared as "overlay sheets" to be lain on top of the Existing Resources and Site Analysis Plan, both prepared at the same scale, to facilitate cross-comparison.

1. **Step One: Designation of Conservation Lands:** During the first step, all potential Conservation Areas, both Primary and Secondary, shall be identified, using the Existing Features/Site Analysis Map. Primary Conservation Areas shall consist of those features described in Section 46-75(e). Secondary Conservation Areas shall comprise at least half of the remaining land and shall include the most sensitive and noteworthy natural, scenic, and cultural resources as described in Section 46-75 (e).

Guidance as to which parts of the remaining land to classify Secondary Conservation Areas shall be based upon discussions at the on-site meeting plus the design standards and specific conservation standards in Sections 46-75(e). An overall goal is to minimize

fragmentation of the conservation lands and to maximize connectivity among its parts, and with conservation lands on adjoining properties.

2. Step Two: House Site Location: During the second step, potential house sites are tentatively located. Generally, house sites should be located no closer than 100 feet from Primary Conservation Areas. Such sites may be situated 50 feet from Secondary Conservation Areas to permit the enjoyment of scenic views without negatively impacting Primary Conservation Areas.
3. Step Three: Street Alignment and Trail Networks: The third step consists of aligning proposed streets to provide vehicular access to each house in the most reasonable and economical manner, and in laying out a network of informal trails connecting neighborhood areas with open space features within the conservation lands. When lots and access streets are laid out, they shall be located in such a way that avoids or at least minimizes impacts on both Primary and Secondary Conservation Areas.
4. Step Four: Drawing in the Lot Lines: The fourth step consists of drawing in lot lines around potential house sites. Each lot must contain a buildable area of sufficient size to accommodate a single-family detached dwelling and customary accessory uses, including, but not limited to, storage buildings and garages, patios and decks, lawns, and driveways. Individual wells and septic systems, where these are to be provided, may be located within the undivided conservation lands if sufficient space is not available on the lots.

(3) Sketch Plan submittal

The subdivision administrator shall, within 30 days of receipt of the sketch plan, review for general compliance with the requirements of this Chapter and Chapter 58. The subdivision administrator shall advise the applicant of any changes needed to the plans.

(4) Required Community Meeting

- a. Before the Planning Board review and approval for a conservation subdivision or prior to staff approval on a conventional subdivision, the applicant must provide the administrator with a written report of at least one community meeting held by the applicant.
- b. Reasonable notice of the required community meeting must be given to nearby property owners and to affected and interested parties in accordance with public notice policies.
 1. *Notice of public meeting.* Such notice shall, at a minimum, be given as follows:

A notice shall be sent by first class mail by the Town to adjacent property owners within 1,300 linear feet, as measured from the exterior boundaries of the proposed development up to the town limits, not less than ten days prior to the date of the meeting. The notification shall contain information regarding the meeting time and locations as well as a general description of the proposal. The applicant shall reimburse the Town for all expenses incurred for such notifications.
- c. A meeting notification sign shall be posted by the Town in a conspicuous place at the property not less than ten days prior to the meeting.

- d. A report to the staff, which shall be included in the Planning Board report, with a listing of persons and organizations contacted about the meeting, a roster of the persons in attendance at the meeting, a summary of issues discussed at the meeting, and a description of any changes to the application made by the applicant as a result of the meeting.
- e. The adequacy of the meeting and the meeting report must be considered by the Planning Board but is not subject to judicial review.

(5) Review and Action for sketch plan.

After completing review of the sketch plan and allowing reasonable time for receipt of comments from review agencies and public meetings, the subdivision administrator must:

- a. For a Conventional Subdivision: approve the sketch plan, approve the sketch plan with conditions or deny approval of the sketch plan and notify the applicant, in writing, of the decision. The subdivision administrators' action must be based solely on whether the sketch plan is consistent with the applicable provisions of this ordinance. If the sketch plan is not approved, the written notice to the applicant must state the reasons for denial.
- b. For a Conservation Subdivision: send the plan to the Planning Board to approve the sketch plan. The Planning Board can approve the sketch plan, approve the sketch plan with conditions or deny approval of the sketch plan and notify the applicant, in writing, of the decision. If the sketch plan is not approved, the written notice to the applicant must state the reasons for denial.

- (6) Under this chapter, sketch plan approval shall not constitute approval by the Town for common law vested rights. Sketch plan approval is merely a precursor to the submission of a preliminary plat requiring Town Council approval. Sketch plan approval is subject to be changed or modified and is not intended to provide a basis for common law vested rights claims.

Sec. 46-43. – Major subdivision preliminary plat submission and review.

- (a) *Applicability.* After sketch plan approval a preliminary plat shall be required prior to any land disturbing activities.
- (b) *Number of copies and contents.*
 - (1) Two copies of the preliminary plat shall be submitted to the subdivision administrator. The subdivider shall also submit a fee in accordance with a fee schedule adopted by the Town Council. No application shall be complete or processed by the subdivision administrator unless accompanied by said fee. In addition, the Town shall be reimbursed by the subdivider for all costs associated with the town's engineering and/or consulting services with respect to review of the preliminary plat prior to preliminary plat approval.
 - (2) The preliminary plat shall be of a size suitable for recording with the appropriate county register of deeds and shall be at a scale of not less than one-inch equals 200 feet. The preliminary plat shall be prepared by a registered land surveyor or engineer currently licensed and registered by the state board for professional engineers and land surveyors. Maps may be placed on more than one sheet with appropriate match lines.
 - (3) Preliminary plats shall meet the specifications in Section 46-46.

(4) With subdivisions where individual septic tanks are the proposed method for wastewater treatment, the preliminary plat shall be accompanied by approval of the proposed lots for septic tanks by the county health department and a map of the subdivision showing the following:

- a. All streets and property lines;
- b. Proposed building area for each lot;
- c. Septic tank drain field;
- d. Site and repair area for each lot; and
- e. Proposed well site for each lot.

(5) *Conservation maintenance plan and maintenance agreement.* A conservation maintenance plan and maintenance agreement are required, in accordance with subsection 58-58(4)i.

(c) *Preliminary Plat review and approval procedure for major subdivisions.*

- (1) **Administrative Review.** After reviewing the preliminary plat, the subdivision administrator may provide the subdivider with comments on the preliminary plat. If the subdivider intends to amend the preliminary plat as a result of any comments provided by the subdivision administrator, the subdivider shall notify the subdivision administrator of his intent to amend the preliminary plat within 15 calendar days after receiving those comments. After the subdivider submits any amended preliminary plat, the subdivision administrator will review the amended preliminary plat to ensure that it is complete, and the subdivision administrator may provide the subdivider with comments on the amended preliminary plat.
- (2) **Review by Outside agencies.** Once the preliminary plat has been received by the subdivision administrator, he shall determine the agencies to which the preliminary plat shall be submitted for review and recommendation including, but not limited to, the state department of natural resources (including appropriate individual agencies within said department), public works, NCDOT, environmental health and the appropriate county board of education.
- (3) The preliminary plat shall be deemed ready for submission to the planning board at such time that the most recent version of the preliminary plat is complete, the subdivision administrator has received sufficient comments on the preliminary plat from all appropriate agencies, and either the subdivision administrator completed his review of that version and did not provide the subdivider with any comments or the subdivision administrator provided the subdivider with comments on that version but the subdivider did not notify the subdivision administrator within the 15-calendar-day time period, provided that he intends to amend the preliminary plat.
- (4) The Planning Board shall, in writing, recommend approval, conditional approval with recommended changes to bring the plat into compliance, or disapproval with reasons within 30 days of its first consideration of the plat or at its next regularly scheduled meeting following the meeting at which the plat was first considered, whichever occurs later and transmit its recommendation to the Town Council.
- (5) If the Planning Board does not make a written recommendation within the time set forth above, the subdivider may apply to the Town Council for approval or disapproval.
- (6) Conservation subdivisions are subject to the rezoning requirements including a public hearing per section 58-271.
- (7) If the Town Council approves the preliminary plat, such approval and conditions (if applicable) shall be noted on two copies of the plat. One copy of the plat shall be filed by the subdivision

administrator and one copy shall be returned to the subdivider. If the Town Council approves the preliminary plat with conditions, approval shall be noted on two copies of the plat along with a reference to the conditions. One copy of the plat along with the conditions shall be retained by subdivision administrator, and one copy of the plat along with the conditions shall be returned to the subdivider. Once these conditions are met, the plat shall be resubmitted for approval by the Town Council and shall be filed in the town office by the subdivision administrator. If the Town Council disapproves the preliminary plat, the reasons for such disapproval shall be specified in writing. One copy of the plat and the reasons shall be retained by the Town Council, and one copy shall be returned to the subdivider. If the preliminary plat is disapproved, the subdivider may make such changes as will bring the preliminary plat into compliance and resubmit the same for reconsideration by the Planning Board and Town Council.

Sec. 46-44. - Final Plat major subdivision

(a) *Preparation of final plat and installation of improvements.* Upon approval of the preliminary plat by the Town Council, the subdivider may proceed with the preparation of the final plat and the installation of or arrangement for required improvements in accordance with the approved preliminary plat and the requirements of this chapter. Prior to initiation of the construction of utility and street improvements, plans shall have all necessary approvals from state agencies and appropriate county. Prior to approval of a final plat, the subdivider shall have installed the improvements specified in this chapter or guaranteed their installation as provided herein. No final plat will be accepted for review by the Town Council unless accompanied by written notice by the subdivision administrator acknowledging compliance with the improvement and guarantee standards of this chapter. The final plat shall constitute only that portion of the preliminary plat which the subdivider proposes to record and develop at that time; such portion shall conform to all requirements of this chapter.

(b) *Improvement and guarantee standards.*

(1) *Optional agreement.* In lieu of requiring the completion, installation and, if applicable, dedication of all improvements prior to final plat approval, the Town may enter into an agreement with the subdivider whereby the subdivider shall guarantee completion of all required improvements as specified on the approved preliminary plat for that portion of the subdivision to be shown on the final plat within two years from the date of final plat approval, unless otherwise specified in the written agreement. Once said agreement is signed by both parties and the security required herein is provided, the final plat may be approved by the Town Council; provided, however, that all other requirements of this article are met. To secure this agreement, the subdivider shall provide either one or a combination of the following guarantees in an amount equal to 1.25 times the costs, as estimated by the subdivider and approved by the town planner or engineer, of installing all required improvements on the approved preliminary plat for that portion of the subdivision to be shown on the final plat. The amount shall be subject to the approval of the Town Council.

a. *Surety performance bond.* The subdivider shall obtain a performance bond from a surety bonding company satisfactory to the Town Council, as applicable. A surety bonding company must at minimum be: (1) registered to do business with the North Carolina Secretary of State; (2) licensed to issue surety bonds in the State of North Carolina by the North Carolina Department of Insurance; (3) rated at least "B+" by a reputable bond rating agency; and (4) possess a minimum of \$50,000,000.00 in assets. The Town Council may, within its sole discretion, insist upon alternative standards based upon the particular project, the estimated cost of completion of the improvements, and/or other factors indicating higher standards are warranted. The bond(s) must contain the following provisions: (1) the bond(s)

shall remain in effect until such time as all improvements are installed and approved by the Town Council; (2) the surety bonding company, within 15 days of the town providing notice of default, shall take over and complete all improvements or pay the Town in cash the estimated costs of installing the improvements as determined by the Town's planner or engineer; and (3) the Town shall be able to draw upon the bond(s) in the event that the subdivider defaults upon its agreement with the Town in accordance with subsection (3). Any charges associated with cost calculation or verification shall be borne entirely by the subdivider.

- b. *Letter(s) of credit.* The subdivider shall obtain an irrevocable letter(s) of credit issued by a commercial bank satisfactory to the town council. The commercial bank issuing the letter of credit must be: (1) organized under the laws of the United States of America or any state of the United States, or the District of Columbia; (2) authorized to do business in the State of North Carolina; (3) subject to regulation by the State of North Carolina or federal banking regulatory authorities; and (4) possess combined capital stock, surplus and undivided profits aggregating at least \$100,000,000.00. The Town Council may, within its sole discretion, insist upon alternative standards based upon the particular project, the estimated cost of completion of the improvements, and/or other factors indicating higher standards are warranted. The letter(s) of credit must contain the following provisions: (1) the letter(s) of credit shall be evergreen and shall not be subject to expiration until such time as all improvements are installed and approved by the Town Council, and shall require the issuing commercial bank to give at least 60 days' notice of its intent to terminate the letter(s) of credit, upon which the Town can draw upon the letter(s) of credit; (2) the Town shall be able to draw upon the letter(s) of credit at any time on or before its expiration; (3) the commercial bank shall, upon written notification by the Town Council that the subdivider is in default, immediately pay to the Town the full amount, or any lesser amount of the letter(s) of credit, if requested by the Town Council; (4) the Town shall be able to draw upon the letter(s) of credit in the event that the subdivider defaults upon its agreement with the Town in accordance with subsection (2) of this section; and (5) the letter(s) of credit shall allow for presentment and collection at a location within a 30-mile radius of the town.
- c. *Cash or equivalent surety.* The subdivider shall deposit cash, or other instrument readily convertible into cash at face value, such as a certificate of deposit or treasury-issued security, either with the Town or in escrow with a financial institution designated as an official depository of the Town. The use of any instrument other than cash shall be subject to the approval of the Town Council.

If cash or other instrument is deposited in escrow with a financial institution as provided above, then the subdivider shall file with the Town Council an agreement between the financial institution and the subdivider guaranteeing the following:

1. Said escrow account shall be held in trust for the Town until released by the Town Council and may not be used or pledged by the subdivider in any other matter during the term of the escrow;
2. That the financial institution shall, upon written notification by the Town Council stating that the subdivider is in default, immediately pay to the Town all funds in said account, excluding any interest earned; and
3. That the duration of said escrow account(s) shall be until such time as all improvements are installed and approved by the Town Council, or until the subdivider provides the

Town with an acceptable, alternative guarantee for the completion of installing all remaining required improvements on the approved preliminary plat for that portion of the subdivision to be shown on the final plat. Any charges associated with cost calculation or verification shall be borne entirely by the subdivider.

- (2) *Duration of financial guarantees.* The duration of a financial guarantee shall be of a reasonable period to allow for completion and acceptance of improvements. In no case shall the duration of the financial guarantee for improvements exceed 24 months, unless otherwise specified in the written agreement as described in subsection 46-44(b)(1). All subdivisions whose public improvements are not completed and accepted at least 30 days prior to the expiration of the financial guarantee shall be in default, unless said guarantee is extended with the consent of the Town Council to a future date not to exceed six months, or to a date determined by Council.
- (3) *Default.* Upon default by the subdivider, the Town Council, as applicable, may require the surety, the letter of credit issuer, or the financial institution holding the escrow account to pay all or a portion of the bond, letter of credit, or escrow account to the Town. Upon payment, the Town shall expend said funds to complete all or any portion of the required improvements as it deems necessary. For purposes of this section, default shall constitute any of the following: (1) failure on the part of the subdivider to complete, within the time period specified in the agreement in subsection (b)(1). of this section, the required improvements as specified on the approved preliminary plat for that portion of the subdivision to be shown on the final plat; (2) failure on the part of the subdivider to install any improvement in accordance with the specifications or the regulations in the Town's ordinances; or (3) transfer of ownership of any portion of the property or lots located within the subdivision to another person or entity under no legal obligation to install the required improvements (e.g., foreclosure). If one of the above events occurs, nothing herein shall prevent the town from declaring default prior to the expiration of the time period specified in subsection (b)(1) of this section.
- (4) *Release of guarantee surety.* In its sole discretion, the Town Council may release a portion of any security posted as the improvements are completed and recommended for approval by the town planner, so long as the Town maintains the posted security in an amount equal to at least 1.25 times the estimated costs of installation of the remaining improvements. However, notwithstanding the above, nothing shall require the Town Council to release any portion of security posted until such time as all improvements are installed and approved by the Town Council. Within 30 days after receiving the town planner's recommendation, the Town Council shall approve or not approve said improvements. Once all required improvements on the preliminary plat for that portion of the subdivision to be shown on the final plat have been installed and approved, then all security posted for said improvements shall be released by the Town Council.

(c) *Number of copies and contents*

- (1) At least two copies of the final plat (additional copies may be required by the subdivision administrator to send to various agencies) shall be submitted to the subdivision administrator. A fee, in accordance with a fee schedule adopted by the Town Council, shall accompany such submission. No application shall be complete or processed by the subdivision administrator unless accompanied by said fee. In addition, the Town shall be reimbursed by the subdivider for all costs associated with the town's engineering and/or consulting services with respect to review of the final plat prior to final plat approval. Materials and drawing medium for the original shall be in accordance with the standards of practice for land surveying in the state, where applicable, and the requirements of the appropriate county register of deeds.

- (2) The final plat may be submitted in sections. In this case, at least one final plat section shall be submitted per year, on or before the anniversary date of preliminary plat approval. In no case shall preliminary plat approval for any section extend beyond five years from the date of approval.
- (3) Each phase's final plat must contain a comment stating common open space/conservation land requirements set forward by this chapter and Chapter 58 have been met.
- (4) The final plat shall conform substantially to the preliminary plat as approved, and if desired by the owner or subdivider, it may refer to that portion of the approved preliminary plat which he proposes to record as a final plat and begin selling within the following year.
- (5) The final plat shall meet all applicable specifications in Section 46-46 and the following signed certificates shall appear on each copy of the plat:
- a. Certificate of ownership and dedication.

I hereby certify that I am the owner of the property shown and described hereon, which is located in the subdivision jurisdiction of the Town of Weddington and that I hereby adopt this plan of subdivision with my free consent, establish minimum building setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements to public or private use as noted.

<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Owner	<div style="border-bottom: 1px solid black; margin-bottom: 5px; text-align: center;"> / / </div> Date
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- b. Certificate of survey and accuracy in accordance with the standards and practice for land surveying in the state. On the face of each map prepared for recordation there shall appear a certificate acknowledged before an officer authorized to take acknowledgments and executed by the person making the survey or map including deeds and any recorded data shown thereon. The certificate shall include a statement of error of closure calculated by latitudes and departures. Any lines on the map which were not actually surveyed must be clearly indicated of the map and a statement included in the certificate revealing the source of the information. The certificate shall take the following general form:

State of North Carolina, _____ County

I, _____, certify that this map was (drawn by me) (drawn under my supervision) from (an actual survey made by me) (an actual survey made under my supervision) (deed description recorded in Book _____, Page _____, etc.) (Other); that the ratio of precision as calculated by latitudes and departures is 1: _____, (that the boundaries not surveyed are shown as broken lines plotted from information found in Book _____, Page _____); that this map was prepared in accordance with G.S. 47-30, as amended. Witness my hand and seal this _____ day of _____, A.D. 20 _____.

<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Seal	<div style="border-bottom: 1px solid black; margin-bottom: 5px;"></div> Registered Land Surveyor
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	_____ Registration Number
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I, (officer authorized to take acknowledgments) do hereby certify that (name of registered surveyor) personally appeared before me this day and acknowledged the due execution of this certificate. Witness my hand and (where an official seal is required by law) official seal this the _____ day of _____ year).

	_____ Signature of Officer
Official Seal	

- c. Certificate of approval of the design and installation of streets, utilities, and other required improvements.

I hereby certify that all streets and other required improvements have been installed in an acceptable manner and according to N.C. Department of Transportation and/or Town of Weddington specifications and standards in the _____ Subdivision or that guarantees of the installation of the required improvements in an amount and manner satisfactory to the Town of Weddington have been given and received.

_____ Mayor of the Town of Weddington, North Carolina	_____/_____/_____ Date
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(6) *Addresses and cluster mailboxes.*

- a. Final plats must include the location of cluster mailbox units (CBU) to serve all the lots included on the plat. The plat must also include a note stating that all CBU locations will be approved by the USPS. If the roadways on the plat are labeled as public rights-of-way, then the plat must also include a note stating that all CBU locations must be approved by NCDOT.
- b. The applicant may request an address for the property following final plat approval. All addresses will be assigned by the Union County Tax Administrator's office.
- c. Every lot shall display the distinctive house number assigned to that lot by Union County and recognized by Union County Emergency Services. The individual house number shall be no less than four inches in height and shall be in a contrasting color to the background. The house number shall be displayed in one of the following fashions:
 1. If the number is displayed on a house, the number shall be placed upon the front of the house in such a position as to remain plainly visible to all traffic coming to the premises from either direction, or

2. If a house is more than 100 feet from the roadway or is not clearly visible from the roadway, the number shall be displayed within 50 feet of the roadway, and on a surface that is plainly visible to all traffic coming to the premises from either direction.

(d) *Review and approval procedure for final plat for major subdivisions.*

- (1) Within two years following the approval of the preliminary plat, the subdivider shall submit a final plat as set forth in this subsection.
- (2) Failure to submit a final plat within two years after preliminary plat approval shall render the preliminary plat null and void.
- (3) The proposed final plat shall be submitted to the subdivision administrator for review and comment. During the review of the final plat, the subdivision administrator may appoint a registered land surveyor to confirm the accuracy of the final plat. If any error is found which exceeds five percent of the figures shown on the proposed final plat, the costs of the review shall be charged to the subdivider. The subdivision administrator shall note his comments regarding the proposed final plat and the costs of the review, which shall be paid by the subdivider before the final plat approval of the Town Council.
- (4) The Planning Board shall recommend approval, conditional approval with modifications to bring the plat into compliance, or disapproval of the final plat with reasons within 31 days of its first consideration of the proposed final plat.
- (5) The Planning Board shall transmit all copies of the plat and its written recommendations to the Town Council, through the subdivision administrator.
- (6) If the Planning Board recommends disapproval of the final plat, it shall instruct the subdivider concerning the resubmission of a revised plat and the subdivider may make such changes as will bring the plat into compliance with the provisions of this chapter, and resubmit same for reconsideration by the planning board, or may appeal the decision to the Town Council.
- (7) In the event the Planning Board fails to make a written recommendation to the Town Council within the time specified in this section, the subdivider may apply to the Town Council for approval of the proposed final plat.
- (8) If the Town Council approves the final plat, such approval shall be shown on each copy of the plat by the signed certificate specified below.
- (9) The mayor shall not execute any mylars without first obtaining written certification from the subdivision administrator that the mylars are identical to those approved by the Town Council.
- (10) The certification of approval for recording shall take the following general form:

I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Town of Weddington, North Carolina, and that this plat has been approved by the Weddington Town Council for recording in the Office of the Register of Deeds of _____ County, North Carolina. This _____ day of _____ , _____ .

_____ Mayor of the Town of Weddington, North Carolina	DATE
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- (11) In the event the proposed final plat is disapproved by the Town Council, the reasons for such denial shall be stated in writing, specifying the provisions of this chapter with which the final plat does not comply. One copy of such reasons and one print of the plat shall be retained by the town clerk, as part of the town council proceedings, and one copy of the plat and a copy of the reasons shall be submitted to the subdivider.
- (12) If the proposed final plat is disapproved, the subdivider may make such changes as will bring the proposed final plat into compliance, and resubmit same for reconsideration by the Town Council, provided such resubmission is made within 180 days from the date of disapproval. Otherwise, the subdivider must begin the subdivision plat approval process as though no plat had been previously submitted for consideration by the town.
- (13) The subdivider shall file the approved final plat within 90 days of approval; otherwise such approval shall be null and void, and the subdivider must begin the procedure for approval from the sketch plan stage, with payment of the required fee.
- (e) All conservation lands shall be recorded at the county register of deeds in their entirety concurrent with the initial recordation of the final plat.

Sec. 46-46. - Information to be contained in or depicted on preliminary and final plats.

The sketch plan, preliminary and final plats shall depict or contain the information indicated in the following table. An 'X' indicates that the information is required. Preliminary plat information is only required for major subdivisions.

Information	Sketch Plan	Preliminary Plat	Final Plat
Title block containing the subdivision name		X	X
Location (including township, county and state)		X	X
Date or dates survey was conducted and plat prepared		X	X
A scale (not less than 100 feet per inch) listed in words and figures (Except for requirements at the sketch plan phase)	X	X	X
North arrow	X	X	X
A vicinity map with north arrow showing the relationship between the proposed subdivision and surrounding area	X	X	X
The names, addresses and telephone numbers of all owners, subdivider,	X	X	X

mortgagees, registered land surveyors, land planners, architects, landscape architects and professional engineers responsible for the subdivision			
The registration numbers and seals of the professional engineers and land surveyors		X	X
The boundaries of the tract or portion thereof to be subdivided, distinctly and accurately represented shown	X		
The exact boundary lines of the tract to be subdivided, fully dimensioned by lengths and bearings, and the location of existing boundary lines of adjoining lands		X	X
Streets and Lots of adjoining developed properties within 300'	X		
The names of owners of adjoining properties		X	X
The names of any adjoining subdivisions of record or proposed and under review		X	X
Required Buffers	X	X	X
Minimum building setback lines		X	X
The zoning classifications of the tract to be subdivided and on adjoining properties	X	X	
Existing property lines on the tract to be subdivided and on adjoining properties	X	X	X
Existing buildings or other structures, watercourses, railroads, bridges, culverts, storm drains, both on the land to be subdivided and land immediately adjoining	X	X	X
Proposed lot lines, lot sizes, block numbers, and approximate dimensions	X	X	X
Percentage of Open Space Required and Provided	X	X	
The lots numbered consecutively throughout the subdivision		X	X

Marshes, swamps, rock outcrops, wetlands, ponds or lakes, streams or stream beds and any other natural features affecting the site	X	X	X
The exact location of the flood hazard, floodway and floodway fringe areas from the town's FEMA maps in compliance with chapter 58, article XIII of the Weddington Code of Ordinances	X	X	X
Septic tank suitability data furnished by the appropriate county health department	X	X	
The proposed street layout with approximate pavement and right-of-way width, terminal vistas and street end “closes”	X		
A yield plan with a 40,000 sq ft minimum and showing 9,000 sq ft of buildable area.	X		
Proposed roads with horizontal and vertical alignment		X	X
Existing and platted roads on adjoining properties and in the proposed subdivision		X	X
Rights-of-way, location and dimensions		X	X
Pavement widths		X	X
Proposed grades (re: Roads)		X	X
Design engineering data for all corners and curves		X	X
Typical road cross-sections		X	X
Road names		X	X
A driveway permit for any road is proposed to intersect with a state-maintained road as required by the state department of transportation,		X	X
The location and dimensions of all utility and other easements	X	X	X
A landscape/buffer plan		X	

The location and dimensions of all buffer strips	X	X	X
The location and dimensions of all pedestrian or bicycle paths	X	X	X
The location and dimensions of all school sites, both existing and proposed	X	X	X
The location and dimension of all parks and recreation areas with specific type indicated	X	X	X
The existing and proposed uses of land within the subdivision and the existing uses of land adjoining it.	X	X	
The location and dimensions of areas to be used for purposes other than residential with the purpose of each stated	X	X	X
The future ownership (dedication or reservation for public use to governmental body, homeowners' association, or for tenants remaining in subdivider's ownership) of recreational and open space lands		X	X
Acreage in total tract to be subdivided	X	X	
Acreage in parks and recreational areas and other nonresidential uses	X	X	
Total number of parcels created	X	X	
Acreage in the smallest lot in the subdivision and the average lots size		X	
Limits of Disturbance and Tree Protection Fencing		X	
Linear feet in streets		X	
Union County Environmental Health approval of the proposed lots for septic tanks and wells	X	X	
a Traffic Impact Assessment as required by the Traffic Impact Analysis Process and Procedures Manual, and Appendix C: Traffic Impact Analysis.	X	X	
The name and location of any property or buildings within the proposed subdivision or within any contiguous property that is listed on the U.S. Department of Interior's National Register of Historic Places or is designated	X	X	X

as a local historic property by the county			
The accurate locations and descriptions of all monuments, markers and control points			X
An erosion control plan		X	X
A copy of any proposed deed restrictions or similar covenants. The developer shall submit to the town evidence that the developer has created a homeowners' association whose responsibilities will include perpetual maintenance of any streets that for any reason are not accepted by NCDOT. Such evidence shall include filed copies of the articles of incorporation, declarations and homeowners' association bylaws		X	X
A separate map drawn at the same scale as the preliminary plat showing only proposed streets and lot lines, topography with contour intervals of no greater than ten feet (at the discretion of the subdivision administrator, contour intervals of five feet may be required), and an accurate mapping of soil classifications found on the site and general depths thereof		X	
A copy of notification submitted to the Facilities Director of Union County Public Schools and the Chairman of the Board of Education, stating the number of lots requested in the plat application		X	X
A copy of the approved roadway plan submitted to the appropriate office of the state department of transportation for any major subdivision		X	
A copy of permits from Army Corps of Engineers, pursuant to section 58-342		X	
The location and dimensions of all drainage easements as defined in article XIII of chapter 58, including P.E. certification when required		X	X
Compliance with section 58-338, "setbacks from streams"	X	X	X
Establishment of flood protection elevation (FPE) in accordance with section 58-338		X	X
Drainage, stormwater management plan and wetland protection plan demonstrating compliance with chapter 58, article XIII, division 6 of the Weddington Code of Ordinances	X	X	X

A lighting plan in accordance with Article IV		X	
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Sec. 46-47. - Vacation of plats.

- (a) Any plat or any part of any plat may be vacated by the owner at any time before the sale of any lot in the subdivision by filing a written instrument with the subdivision administrator to which statement a copy of such plat shall be attached, declaring the same to be vacated.
- (b) Such an instrument shall be approved by the town council which may reject any such instrument which abridges or destroys any public rights in any of its public uses, improvements, streets or alleys.
- (c) Such an instrument shall be executed, acknowledged or approved and recorded and filed in the same manner as a final plat, and being duly recorded or filed shall operate to destroy the force and effect of the recording of the plat so vacated and to divest all public rights in the streets, alleys, and public grounds, and all dedications laid out or described in such plat.
- (d) When lots have been sold, the plat may be vacated in the manner provided in subsections (a) through (c) of this section by all owners of the lots in such plat joining the execution of such writing.

Sec. 46-48. - Resubdivision procedures.

For any replatting or resubdivision of land, the same procedures, rules and regulations shall apply as prescribed herein for an original subdivision.

Sec. 46-49. - Maintenance of dedicated areas until acceptance.

All facilities and improvements shall be maintained by the owner until an offer of dedication is accepted by the appropriate public authority or, for private facilities, until a maintenance agreement is executed with the town.

Secs. 46-50—46-71. - Reserved.

ARTICLE III. - REQUIRED IMPROVEMENTS, DEDICATION, RESERVATION AND MINIMUM STANDARDS OF DESIGN

Sec. 46-72. - General adherence to article provisions.

Each subdivision shall contain the improvements specified in this article, which shall be installed in accordance with the requirements of this chapter and paid for by the subdivider. Land shall be dedicated and reserved in each subdivision as specified in this article. Each subdivision shall adhere to the minimum standards of design established by this article.

Sec. 46-73. - Suitability of land.

- (a) Land which has been determined by the town council on the basis of engineering or other expert surveys to pose an ascertainable danger to life or property by reason of its unsuitability for the use proposed shall not be platted for that purpose, unless and until the subdivider has taken the necessary measures to correct said conditions and to eliminate said dangers.

- (b) Areas that have been used for disposal of solid waste shall not be subdivided unless tests by a structural engineer and a soils expert determine that the land is suitable for the proposed development.
- (c) All subdivision proposals shall be consistent with the need to minimize flood damage. See section 46-75 (f) below.
- (d) All subdivision proposals shall have public utilities and facilities such as sewer, gas, electrical and water systems, if available, located and constructed to minimize flood damage.

Sec. 46-74. - Subdivision and street naming.

The name of the subdivision and the names of the streets within the subdivision shall not duplicate or closely approximate the name of an existing subdivision or any existing streets within the county.

Sec. 46-75. - Subdivision Design Standards.

(a) *Blocks.*

- (1) The lengths, widths, and shapes of blocks shall be determined with due regard to provision of adequate building sites suitable to the special needs of the type of use contemplated, zoning requirements, needs for vehicular and pedestrian circulation, control and safety of street traffic, limitations and opportunities of topography, and convenient access to water areas.
- (2) Blocks shall not be less than 400 feet or more than 1,500 feet in length. Where a longer block will reduce the number of railroad grade crossings, major stream crossings, or where blocks will result in less traffic through residential subdivisions from adjoining business areas, the town council may authorize block lengths in excess of 1,500 feet.
- (3) Blocks shall have sufficient width to allow two rows of lots of minimum depth except where single row lots are required to separate residential development from through vehicular traffic or another type of use, in nonresidential subdivisions, or where abutting a water area.

(b) *Lot dimensions.*

- (1) All lots in new subdivisions shall conform to the zoning requirements of the district in which the subdivision is located.
- (2) All minimum lot dimensions may be increased in order to meet any applicable requirements of the appropriate county health department.

(c) *Location of house sites.* Applicants shall identify house site locations in the tract's designated development areas designed to fit the tract's natural topography, be served by adequate water and sewerage facilities, and provide views of and/or access to adjoining conservation lands in a manner consistent with the preservation of the conservation lands.

(d) *Orientation of residential lot lines.*

- (1) Side lot lines shall be substantially at right angles or radial to street lines.
- (2) Double frontage lots shall be avoided wherever possible.

(e) *Panhandle Lots.* Panhandle lots and other irregular shaped lots may be approved in cases where such lots would not be contrary to the purpose of this chapter, heighten the desirability of the subdivision, and, where necessary, enable a lot to be served by water and/or a waste disposal system. All panhandle lots shall have a minimum road frontage width of 35 feet thereby providing an access strip to the lot. The length of said strip shall not exceed 200 feet. Said strip shall not be used to determine lot area or width or setback lines.

(f) *Lots in floodplains.* Lots within floodplains shall not be approved for recordation unless the following provisions are met:

(1) *Lots wholly subject to flooding.* No proposed residential building lot that is wholly subject to flooding, as defined herein, shall be approved.

(2) *Lots partially subject to flooding.*

a. No proposed residential building lot that is partially subject to flooding as defined herein shall be approved unless there is established on the lot plan a contour line representing an elevation no lower than two feet above the base flood line as defined in section 58-229. All buildings or structures designed or intended for residential purposes shall be located on such a lot such that the lowest useable and functional part of the structure shall not be below the elevation of the base flood line, plus two feet.

b. For the purpose of this subsection, the term "useable and functional part of structure" shall be defined as being inclusive of living areas, basements, sunken dens, basement, utility rooms, crawl spaces, attached carports, garages and mechanical appurtenances such as furnaces, air conditioners, water pumps, electrical conduits, and wiring, but shall not include water lines or sanitary sewer traps, piping and cleanouts; provided that openings for same serving the structure are above the base flood line.

c. Where only a portion of the proposed lot is subject to flooding as defined herein, such lot may be approved only if there will be available for building a usable lot area of not less than 10,000 square feet. The useable lot area shall be determined by deducting from the total lot area, the area of all yard setbacks required by the applicable zoning regulations and any remaining area of the lot lying within the area of the base flood (100-year flood) as shown on the Flood Boundary and Floodway Map described in section 58-229.

(g) *Easements.* Easements shall be provided as follows:

(1) *Utility easements.* A utility easement of not less than five feet in width shall be provided to the side and rear of each lot and in other locations where deemed necessary. This requirement may be waived by the subdivision administrator if the subdivider can certify on the final record plat where accommodations for such utilities are to be located. Lots in minor subdivisions are exempt from this requirement upon certification that they may be serviced by existing utilities along the public rights-of-way. Wider easement widths may be required if determined necessary by the utility company involved.

(2) *Drainage easements.* Where a subdivision is traversed by a stream or drainageway, an easement shall be provided conforming with the lines of such a stream and shall be of sufficient width as will be adequate for the purpose and in accordance with section 58-520. Other drainage easements may be required for the proper drainage of all lots.

(3) *Access easements.* Private and recorded easements created according to subsection 46-76(a) that provide access from an easement lot to a public road.

(h) *Stream valleys, swales, springs, and other lowland areas.* Stream valleys, swales, springs and other lowland areas are resources that warrant restrictive land use controls because of flooding hazards to human life and property, their groundwater recharge functions, their importance to water quality and the health of aquatic communities, and their wildlife habitats. They are generally poorly suited for on-site subsurface sewage disposal systems. Accordingly, the following activities shall be minimized in such areas:

(1) Disturbance to streams and drainage swales.

- (2) Disturbance to year-round wetlands, areas with seasonally high-water tables and areas of surface water concentration.
- (3) Because of their extreme limitations, stream valleys, swales and other lowland areas may warrant designation as conservation lands. They may also require adjoining buffer lands to be included as conservation lands, to be determined by an analysis of the protection requirements of such areas as determined by the town council on a case-by-case basis upon finding that designation of such areas as conservation land would have significant and positive long-term environmental impact on the conservation lands.

(i) *Forestlands.*

- (1) Forestlands often occur in association with stream valleys and wet areas, poor and erodible agricultural soils, and moderate to steep slopes. Forestlands serve many functions, including soil stabilizers, particularly on moderate to steep slopes, a means of ameliorating harsh microclimatic conditions in both summer and winter, a source of wood products, natural wildlife habitats, and visual buffers.
- (2) Because of their resource values, all forestlands on any tract proposed for a conservation subdivision shall be evaluated to determine the extent to which they should be designated partly or entirely as conservation lands. Evaluation criteria include: configuration and size, present conditions, site potential (i.e., the site's capabilities to support forestlands, based upon its topographic, soil and hydrologic characteristics), ecological functions (i.e., in protecting steep slopes, erodible soils, maintaining stream quality and providing for wildlife habitats), relationship to forestlands on adjoining properties and the potential for maintaining continuous forestland areas.
- (3) The evaluation of the tract's forestlands shall be undertaken consistent with the town's land audit. This evaluation shall be submitted as a report and made a part of the application for a sketch plan. At a minimum, that report shall include one or more maps indicating boundaries and conditions of forestland areas.
- (4) In designing a conservation subdivision, the applicant shall be guided by the following standards:
 - a. Proposed site improvements shall be located, designed and constructed to minimize the loss or degradation of forestland areas.
 - b. Disturbance or removal of forestlands occupying environmentally sensitive areas shall be undertaken on a limited, selective, as needed basis. In particular, areas to be designed around and conserved, whenever possible, include the following: areas with a high diversity of tree species and tree ages; areas without invasive species; and individual trees of significant diameter. Because different tree species have different growth characteristics, certain species become significant at different diameters. For example, fast-growing species such as conifers become significant at 15 inches dbh. Relatively fast-growing hardwoods such as sweet gum and sycamore become significant at 12 inches dbh. Other hardwoods such as oaks and maples become significant at 12 inches dbh. Understory trees such as dogwood, redbud, waterbeechn, and holly become significant at 8 inches dbh.
 - c. No clearing or earth disturbance, except for soil analysis for proposed sewage disposal systems, shall be permitted on a site before preliminary plat approval.

- (j). *Slopes.* Moderately sloping lands (ten to 15 percent) and steeply sloping lands (over 15 percent) are prone to severe erosion if disturbed. Erosion and the resulting overland flow of soil sediments into streams, ponds and public roads, are detrimental to water quality and aquatic life, and a potential hazard to public safety.

- (1) For both conventional and conservation subdivisions, development in areas containing slopes of 15 to 25 percent shall be minimized. The only permitted grading beyond the terms described above, shall be in conjunction with the siting of a dwelling, its access driveway and the septic system.
 - (2) For both conventional and conservation subdivisions, no site disturbance shall be allowed on slopes exceeding 25 percent except grading for a portion of a driveway accessing a dwelling when it can be demonstrated that no other routing which avoids slopes exceeding 25 percent is feasible.
 - (3) Grading or earthmoving on all sloping lands of 15 percent or greater shall not result in earth cuts or fills whose highest vertical dimension exceeds six feet, except where in the judgment of the town's consulting engineer, no other available alternatives exist for construction of roads, drainage structures and other public improvements, in which case such vertical dimensions shall not exceed 12 feet. Roads and driveways shall follow the line of existing topography to minimize the required cut and fill. Finished slopes of all cuts and fills shall be as required to minimize disturbance of natural grades.
- (k). *Significant natural areas and features.* Natural areas containing rare or endangered plants and animals, as well as other features of natural significance may exist in the town. Subdivision applicants shall take all reasonable measures to protect significant natural areas and features identified by the applicant's existing resources and site analysis plan, as required in subsection 46-42(d)(1), by incorporating them into proposed conservation lands.
- (l). *Rural road corridors and scenic viewsheds.* All applications shall preserve the viewsheds along rural roads by incorporating them into conservation lands or otherwise providing for building setbacks and architectural designs to minimize their intrusion. Views of developable lots from exterior roads and abutting properties shall be minimized by the use of changes in topography, existing vegetation, or additional landscaping to the greatest degree possible.
- (m) *Design standards Specific to Conservation Land.* Standards to be followed regarding the design of the conservation land are as follows:
- (1) Except as otherwise permitted, conservation lands shall be free of all structures except historic buildings, stone walls, and structures related to conservation land uses. The town council may approve structures and improvements required for storm drainage, sewage treatment and water supply within such conservation land on finding that such facilities would not be detrimental to the conservation land, and that the acreage of lands required for such uses is not credited towards minimum conservation acreage requirements for the tract, unless the land they occupy is appropriate for passive recreational use.
 - (2) Conservation lands shall not include parcels smaller than three acres, have a length-to-width ratio of less than 4:1, or be less than 75 feet in width, except for such lands specifically designed as neighborhood greens, playing fields or trail links. Exceptions to this requirement may be granted, on a case-by-case basis, where, due to topography, shape, size, or location of the tract, such requirements are determined by the town council when reviewing the preliminary plat to be infeasible, impractical, or serve no meaningful purpose.
 - (3) Conservation lands shall be directly accessible to the largest practicable number of lots within the subdivision. Non-adjoining lots shall be provided with safe and convenient pedestrian access to conservation land.
 - (4) Conservation lands shall be interconnected wherever possible to provide a continuous network of conservation lands within and adjoining the subdivision.
 - (5) Conservation lands shall provide buffers to adjoining parks, preserves or other protected lands.

- (6) Except as provided herein, conservation lands shall be provided with pedestrian pathways for use by the residents of the subdivision. Public access shall be provided on such trails if they are linked to other publicly accessible pathway systems within the town. Provisions shall be made for access to the conservation lands, as required for land management and emergency purposes. Access to conservation lands for agricultural or horticultural purposes may be appropriately restricted for public safety purposes and to prevent interference with agricultural or horticultural operations.
- (7) Conservation lands shall be undivided by streets, except where necessary for proper traffic circulation.
- (8) Conservation lands shall be made subject to such agreement with the town and such conservation easements shall be duly recorded in the office of the county register of deeds for the purpose of permanently preserving the common open space for such uses.
- (9) Conservation lands shall be located in a manner that is consistent with the town's land use plan and the town's conservation land audit, which identifies an interconnected network of conservation lands.
- (n) *Delineation of conservation lands.* The delineation of conservation lands shall be as provided for in subsection 58-58(4).

- (1) The minimum percentage and acreage of required conservation lands shall be calculated by the applicant and submitted as part of the sketch plan. At a minimum, 50 percent of the gross acreage of the tract will be required to be retained as conservation land. When a subdivision lies on both sides of a major or minor thoroughfare, all attempts should be made to have 50 percent of each side's gross acreage designated as conservation land. The town may allow flexibility on the distribution of conservation land in unique cases where an alternative purpose is served.

Not more than 20 percent of the minimum required area of conservation lands shall be comprised of wetlands, submerged lands, steep slopes, floodways, or land under high voltage electrical transmission lines (conducting 69 kilovolts or more).

- (2) Proposed conservation lands shall be designated using the existing resources and site analysis plan (submitted with the sketch plan) as a base map.
- (3) In delineating secondary conservation areas, the applicant shall use the following tier system as a guide, with those lands included in tier A having the highest priority for preservation; provided, however, that in certain portions of the town, the priorities defined may be altered by the town in order to maximize achievement of the goals and objectives of maintaining open space through conservation subdivisions:
 - a. Tier A, highest priority.
 - 1. Forestlands.
 - 2. Steep slopes (greater than 25 percent)
 - 3. Viewsheds from throughfares
 - b. Tier B, medium priority.
 - 1. Farmlands, meadows, pastures, and grasslands
 - 2. Historic sites.
 - c. Tier C, lowest priority.

1. Moderate Steep slopes. (15-25%)
 2. Rock formations.
 3. Lands adjacent to parks.
- d. Conservation areas shall be identified with wooden signs and accessed by trails leading from the street system. Trail heads shall be identified either with signage or with short sections of split-rail fencing.
- (o) *Resource conservation standards for site preparation and cleanup.*
- (1) *Protection of vegetation from mechanical injury.* Where earthwork, grading, or construction activities will take place in or adjacent to forestlands, or other significant vegetation or site features, the town shall require that the limit of disturbance be delineated, and vegetation protected through installation of temporary fencing or other approved measures. Such fencing shall be installed prior to the commencing of, and shall be maintained throughout, the period of construction activity.
 - (2) *Protection of vegetation from excavations.*
 - a. When digging trenches for utility lines or similar uses, disturbances to the root zones of all woody vegetation shall be avoided.
 - b. If trenches must be excavated in the root zone, all disturbed roots shall be cut as cleanly as possible. The trench shall be backfilled as quickly as possible.
 - (3) Conservation subdivisions shall be designed to harmonize with the existing terrain, so that mass grading can be minimized, and the natural character of the underlying land will be preserved, to the maximum extent feasible. Site designers shall therefore lay out streets and house lots to conform to the existing topography as much as possible.
- (p) *Utilities.* All utility lines (electric, water, sewer, telephone, gas, etc.,) shall be located underground in all subdivisions.
- (q) Shade trees shall be shown within the cleared right-of-way at 40-foot intervals along both sides of proposed streets, in areas where trees have been removed or did not previously exist. Such trees shall be capable of attaining a mature height of at least 40 feet and shall generally be of a local native species such as frequently found in the natural woodlands of the area, although other species such as sycamore and linden are also good choices. Non-native trees with invasive tendencies such as Norway maple shall be avoided.
- (r) *Neighborhood Green Required.* To the greatest extent feasible, each conservation subdivision should provide at least one neighborhood green, not less than 10,000 sf in area, planted with shade trees at 40' intervals around the edge.

Sec. 46-76. - Road standards

- (a) *Public roads.*
- (1) All subdivision lots, except as provided herein and in section 58-10, shall abut public roads.
 - (2) Exceptions to the public road frontage requirements shall be as follows: Any lot or tract shall be allowed to have easement lots created for construction of single-family dwellings as the principal use. Creation of such lots is made necessary by virtue of the fact that development of said property by conventional means (i.e., extension of public street) is impractical due to the disproportionate

costs of required improvements as compared to the relative value of lots created and is within the spirit and intent of this chapter. These lots shall be created as follows:

- a. The applicant shall submit an application to the planning board with a sketch plat showing the proposed easement lots for approval to proceed further as specified in this section.
- b. All access easements shall be at least 45 feet in width and shall meet or exceed the state department of transportation minimum standards for subdivision road width where possible. The travel surface of said easement shall be at least 16 feet in width. The travel surface need not be paved. The easement shall be maintained at all times in a condition that is passable for service and emergency vehicles.
- c. The creation of easement lots shall follow the procedures of a minor subdivision as outlined in section 46-40. In addition, a statement shall be placed on the subdivision plat acknowledging that said lots were being created upon a privately maintained and recorded easement, and a statement indicating the parties responsible for maintaining the easement.
- d. Creation of such easement lots and access easements shall not impair future extension of an adequate system of public streets to serve such lots.
- e. Easement lots shall not be further subdivided unless the newly created lots abut a public road. Any additional subdivision of easement lots shall be a major subdivision and shall be reviewed using the major subdivision plat approval process.
- f. If public road access becomes available to easement lots, all affected lot owners shall have the easement terminated of record.

(3) *Subdivision street disclosure statement.* All streets shown on the final plat shall be designated in accordance with G.S. 136-102.6 and designated as a public street and shall be conclusively presumed an offer of dedication to the public. Before the approval of a final plat, the developer shall submit to the town evidence that the developer has created a homeowners' association whose responsibility it will be to maintain common areas and streets. Such evidence shall include filed copies of the articles of incorporation, declarations and homeowners' association bylaws. Where streets are dedicated to the public but not accepted into a municipal or the state system before lots are sold, a statement explaining the status of the street shall be included with the final plat. A written maintenance agreement with provision for maintenance of the street until it is accepted as part of the state system.

(b) *Marginal access drive.* Where a tract of land to be subdivided adjoins a thoroughfare as designated on the adopted LARTP or the Comprehensive Transportation Plan maps, and the lots front the thoroughfare, the subdivider shall be required to provide a marginal access drive parallel to the thoroughfare. A marginal access drive shall meet the following requirements:

- (1) The marginal access drive shall be a minimum of 18' wide and located on a shared access easement that is a minimum 25' wide.
- (2) The access easement shall be a minimum of 50' from the thoroughfare right of way;
- (3) Existing screening shall be kept and/or supplemented between the thoroughfare and access easement
- (4) The marginal access drive shall be built to NCDOT specifications.
- (5) A recorded shared access agreement shall be provided prior to approving the final plat.

(c) *Street design and standards.* Minimum street right-of-way and pavement widths, as well as other engineering design standards shall be in accordance with the minimum design criteria for subdivision roads as established from time to time, by the division of highways, state department of transportation

publication entitled "Subdivision Roads: Minimum Construction Standards", except where modified by the Town of Weddington Roadway Standards.

(d) *Culs-de-sac.*

- (1) Permanent dead-end streets shall not provide sole access to more than 15 dwelling units. Measurement shall be from the point where the centerline of the dead-end street intersects with the center of a through street to the center of the turnaround of the cul-de-sac. The distance from the edge of pavement on the vehicular turnaround to the right-of-way line shall not be less than the distance from the edge of pavement to right-of-way line on the street approaching the turnaround.

When cul-de-sacs end in the vicinity of an adjacent undeveloped property capable of being developed in the future, a right-of-way or easement shall be shown on the final plan to enable the street to be extended when the adjoining property is developed. Cul-de-sacs in conservation subdivisions shall generally include a pedestrian connection to the open space behind the lots they serve, preferably at the end of the cul-de-sac.

- (2) Cul de sacs shall generally be designed with central islands (preferably teardrop shaped) where trees are retained or planted. Cul-de-sac pavement and right-of-way diameters shall be in accordance with NCDOT design standards. Designs other than the "bulb" end design with a circular right-of-way will be subject to the approval of the Division Engineer of the Division of Highways, North Carolina Department of Transportation and the town council after review on an individual basis.

Cul-de-sacs less than 600 feet long shall generally be designed as "closes", with two one-way streets bounding a central "boulevard island" not less than 35 feet across. This can be easily accomplished by extending the outer edges of the turning half-circle perpendicularly to the street from which the cul-de-sac springs. The central open space offers opportunities for tree planting and "rain garden" infiltration areas for stormwater (particularly when the street pavement is sloped inward toward the central open space).

(e) *Street layout.*

- (1) *Conformity to existing maps or plans.* Streets shall be designed and located in proper relation to existing and proposed streets, to the topography, to such natural features as streams and tree growth, to public convenience and safety, and to the proposed use of land to be served by such streets. Streets shall be designed and laid out in a manner that minimizes adverse impacts on the conservation lands. To the greatest extent practicable, wetland crossings and new streets or driveways traversing steep slopes shall be avoided.
- (2) *Continuation of adjoining streets.* The proposed street layout shall be coordinated with the street system of the surrounding area. Where possible, existing principal streets shall be extended. Street connections shall be designed so as to minimize the number of new culs-de-sac and to facilitate easy access to and from homes in different part of the tract (and on adjoining parcels). In certain cases where standard street connectivity is either not possible or not recommended, the town may require the installation of one or more emergency access gates leading to a gravel drive connecting with the adjacent property or roadway. The homeowner's association is responsible for the maintenance, testing and repairs of all functions of emergency access gates. An annual inspection and test of the gate shall be performed and the results submitted to town hall. Any homeowner's association that is found to be in violation shall be required to maintain a service agreement with a qualified contractor to ensure year-round maintenance and to submit a copy of the service agreement to Town Hall.

- (3) *Large tracts or parcels.* Where land is subdivided into parcels larger than ordinary building lots, such parcels shall be arranged so as to allow for the opening of future streets and logical further resubdivision.
- (4) *Through traffic discouraged on residential collector and local streets.* Residential collector and local streets shall be laid out in such a way that their use by through traffic will be discouraged. Streets shall be designed, or walkways offered for dedication to assure convenient access to parks, playgrounds, schools, or other places of public assembly.
- (5) *Ingress and Egress.* Two points of ingress and egress onto an adjoining public road from subdivision containing more than 15 lots is required. In conservation subdivisions, proposals for more than two points of ingress and egress onto any adjoining public road shall be allowed on a case-by-case basis only when determined by the town council that it would not have a negative impact on traffic levels and patterns and the viability of the conservation subdivision.
- (6) Developable lots shall be accessed from interior streets, rather than from roads bordering the tract. Single loaded streets are encouraged to the greatest degree feasible.
- (7) Streets shall be designed, wherever practicable, with green “terminal vistas”, for example by situating some conservation areas and other open space along the outside edges of street curves (for greater visibility). In addition, other visible open space shall be provided, such as in neighborhood greens that are bordered by streets on several sides, or along non-curving sections of the street system, wherever practicable.
- (f) *Permits for connection to state roads.* An approved permit is required for connection to any existing state system road. This permit is required prior to any construction on the street or road. The application is available at both the Charlotte and Monroe Offices of the Division of Highways.
- (g) *Reservation of future right-of-way.* Whenever a tract of land to be subdivided includes any part of a thoroughfare shown on the Comprehensive Transportation Plan or LARTP adopted by the town, and whenever such right-of-way has been further defined by acceptable locational procedures sufficient to identify properties to be affected, a right-of-way for the major or minor thoroughfare must be platted in the location and to the width specified in the plan. The subdivider is responsible for the reservation of the right-of-way. All measurements involving minimum lot standards under this chapter will be made at the edge of the full/future right-of-way.
- (h) Improvements within the town limits.
 - (1) Approval of the final plat shall be subject to the subdivider having installed the improvements hereinafter designated or having guaranteed, to the satisfaction of the town council, the installation of said improvements.
 - (2) The following requirements shall apply to all streets within the corporate town limits of the town, or if annexation of the subdivision to the town is desired or required by the subdivider:
 - a. *Grading.* All streets shall be graded to their full right-of-way width. Finished grade, cross-section and profile shall be in accordance with the Town of Weddington Standards and the state department of transportation standards, as established herein.
 - b. *Paving.* Road base and paving shall be installed in accordance with the Town of Weddington Standards and the state department of transportation standards, as established herein.

- c. *Street signs.* Appropriate street name signs which meet the standards of town/county specifications shall be placed at all street intersections at the subdivider's expense.

46-77 Buffering

(a) *Buffering thoroughfares.*

- (1) Residential developments shall be designed so that lots face toward either internal subdivision streets or toward existing state roads across conservation land such as “foreground meadows”.
- (2) Where the side or rear yards of lots may be oriented toward existing thoroughfares roads a buffer at least 100 feet wide of existing woodland providing adequate visual screening throughout the year is required. The buffer width may be reduced to 50 feet if plantings are installed to include year-round screening.
- (3) Earthen berms are not a permitted design approach as they are inherently nonrural and would inappropriately alter the rural character of the R-CD, even if landscaped.
- (4) If the required buffer exceeds 15 percent of the total acreage of the parcel, the zoning administrator may reduce the required buffer to an amount equal to 15 percent, provided that sufficient evergreens are planted to create an effective visual buffer, as described above

(b) *Buffering other uses*

The buffer requirement is 50 feet between homes in the proposed subdivision and any other non-residential use. Section 58-8 in the zoning ordinance lists the required plantings of trees and shrubs within buffers.

- (c) The preliminary plat shall be accompanied by a statement providing for buffer area permanent maintenance by a method acceptable to the town. Maintenance of the buffer by the town shall not be an acceptable method.

Sec. 46-78. - Placement of monuments.

Unless otherwise specified by this chapter, the Standards of Practice for Land Surveying, as adopted by the state board of registration for professional engineers and land surveyors, under the provisions of 21 N.C. Admin. Code 56, shall apply when conducting surveys for subdivisions, to determine the accuracy for surveys and placement of monuments, control corners, markers, and property corner ties, to determine the location, design and material of monuments, markers, control corners, and property corner ties, and to determine other standards and procedures governing the practice of land surveying for subdivisions.

(Ord. No. 04-09-13, § 406, 9-13-2004)

Sec. 46-79. - Connection to public water lines.

- (a) If county or municipal water lines are located within one-half mile of a subdivision of ten to 39 lots, or one mile of a subdivision of 40 lots or more, where the distances are measured along the roadway to the nearest edge of the property, then the developer must connect to these lines to provide water service and fire protection for the subdivision. Extensions to the county water system shall be made in conformance with the policies and procedures set forth in the current Union County Water and Sewer Extension Policy as approved by the board of county commissioners and Town of Weddington.
- (b) There may be times when the county cannot issue new water permits due to lack of available capacity. If a developer is denied permits for this reason, the town may allow the use of individual domestic wells to

serve a proposed development provided that the developer still installs water lines to county specifications as initially approved for fire flow only. The developer shall be responsible for proving to the town that capacity is not available. A determination of what capacity is available and whether to allow the use of individual domestic wells shall lie within the sole discretion of the town.

- (c) The proposed water lines must still meet all the requirements of the Union County Water and Sewer Extension Policy, including providing fire flow protection to the development and taps and meter boxes for each developable lot. If the county and town approve these plans then the use of wells may be approved as an interim measure until such time as water capacity becomes available. The developer will be required to provide written proof that Union County will charge the lines for fire hydrant use.
- (d) As a condition of approval of the proposed development, the developer or property owner shall require these lots with domestic use wells connect to the county system at such time as the county indicates water capacity is available. Individual wells may be converted to irrigation use at the property owners expense provided such conversion is in conformance with the Union County Building Code and Union County Water and Sewer Specifications. The developer and/or property owner shall be responsible for any fees and charges from the county as a condition of connection to the county water system.
- (e) The use of community wells for domestic needs is discouraged and will only be allowed if the water system is built to Union County Water and Sewer Specifications. The system must be capable of meeting the water needs of the community including domestic, irrigation and fire flow requirements and an agreement exists with the county for: 1) the conditions under which the system becomes part of the county system; and 2) an arrangement is made with the county to tap into the county system for working fire hydrants according to the county specifications.

Sec. 46-80. - Blasting.

- (a) Blasting permits are issued by the Union County Fire Marshal.
- (b) Any applicant for a blasting permit shall submit a copy of said application to the town along with a certificate of insurance evidencing all insurances carried by the applicant.
- (c) After receipt of blasting permit from the Union County Fire Marshal the applicant shall send a copy of the blasting permit to the town. The applicant shall notify in writing the town and all occupants and owners of residences and businesses adjoining the property where the blasting will occur of the intention to use explosives at least 48 hours before each blast.
- (d) Hours of detonation. Hours of detonation shall be limited to daylight hours, no earlier than 8:00 a.m. or later than 5:00 p.m., Monday through Friday, except by special exception specifically authorized by the town administrator. Blasting shall also be prohibited on the following legal holidays: New Year's Day, Memorial Day, Fourth of July, Labor Day, Thanksgiving Day, and Christmas Day.