



**TOWN OF WEDDINGTON  
REGULAR PLANNING BOARD MEETING  
MONDAY, SEPTEMBER 26, 2022 – 7:00 P.M.  
WEDDINGTON TOWN HALL  
1924 WEDDINGTON ROAD, WEDDINGTON, NC 28104  
AGENDA**

1. Call to Order
2. Determination of Quorum
3. Conflict of Interest Statement: *In accordance with the state government ethics act, it is the duty of every Board member to avoid conflicts of interest. Does any Board member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.*
4. Approval of Minutes
  - A. August 22, 2022, Planning Board Meeting
5. Old Business
6. New Business
  - A. Discussion and Recommendation on a Text Amendment to Appendix 2, Submittal Requirements, of the Town of Weddington Unified Development Ordinance
7. Update from Town Planner and Report from the September Town Council Meeting
8. Board Member Comments
9. Adjournment



**TOWN OF WEDDINGTON  
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MONDAY, AUGUST 22, 2022 – 7:00 P.M.  
WEDDINGTON TOWN HALL  
MINUTES  
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**1. Call to Order**

Vice Chair Travis Manning called the meeting to order at 7:00 p.m.

**2. Determination of Quorum**

Quorum was determined with Vice Chair Travis Manning, Board members Gordon Howard, Manish Mittal, and Chris Faulk present. Chairman Ed Goscicki, Board members Jen Conway and Jim Vivian were absent.

**3. Conflict of Interest Statement:**

*In accordance with the state government ethics act, it is the duty of every Board member to avoid conflicts of interest. Does any Board member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.*

Vice Chair Manning read the conflict of interest statement.  
No Board members declared a conflict of interest.

**4. Approval of Minutes**

**A. July 25, 2022 Planning Board Meeting**

**Motion:** Board member Howard made a motion to approve the July 25, 2022 Planning Board Meeting Minutes  
**Second:** Board member Mittal  
**Vote:** The motion passed with a unanimous vote.

**5. Old Business**

No old business on the agenda to discuss.

**6. New Business**

**A. Discussion and Recommendation of Text Amendment to Section D-703, Zoning District and Permitted Use, and Appendix 1, Definitions, of the Town of Weddington Unified Development Ordinance**

Mr. Tefft presented the staff report: April 12, 2021: Town's current UDO was adopted without full names or intent/purpose statements for each zoning district. The Residential Established (RE) district was not provided with any permissible uses or front yard setback requirement. This proposed amendment will correct these errors along with other, less substantive, issues. This was a staff-initiated text amendment to correct structural and consistency errors in the UDO. Staff recommends approval.

**Motion:** Board member Faulk made a motion to forward the text amendment with the Land Use Consistency Statement to the Town Council with a favorable recommendation.

*Land use consistency statement: The proposed amendments to the Unified Development Ordinance are found to be generally consistent with the adopted Land Use Plan (Plan). However, while these amendments do not further any specific Goal or Policy of the Plan, they also do not act contrary to any specific Goal or Policy of the Plan, nor would they prevent the administration and implementation of the Plan, nor preclude the fulfilment of the community vision as set forth in the Plan. Additionally, the proposed amendments are found to be reasonable in that they continue to improve upon the organization of existing ordinances and provide additional clarity for staff, appointed and elected officials, and residents.*

**Second:** Board member Howard  
**Vote:** The motion passed with a unanimous vote.

The Board members unanimously agreed to add discussion regarding adjustments to submittal requirements for zoning compliance permits to the agenda. They discussed requiring a foundation survey after the zoning to stop costly errors from being made.

**Motion:** Board member Faulk made a motion to recommend requiring plot plans and foundation survey certifications to submittal requirements for a zoning permit.  
**Second:** Board member Howard  
**Vote:** The motion passed with a unanimous vote.

## 7. Update from Town Planner and Report from the August Town Council Meeting

Mr. Tefft presented the update: there are no new project applications. Weddington Glen is moving into the final plat. Cardinal Row is working through approvals. At the August Regular meeting, the Town Council discussed the land use plan update and the next phase. The Council asked for a small change in the RFP for the land use consultant and it will be discussed and considered at the September meeting.

## 8. Board member Comments

Board members gave no comments.

## 9. Adjournment

**Motion:** Board member Howard made a motion to adjourn the August 22, 2022 Regular Planning Board Meeting at 7:17 p.m.

**Second:** Board member Mittal  
**Vote:** The motion passed with a unanimous vote.

Approved: \_\_\_\_\_

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*Ed Goscicki, Chairman*

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*Karen Dewey, Town Administrator/Clerk*

DRAFT



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## MEMORANDUM

**TO:** Planning Board  
**FROM:** Robert G. Tefft, Town Planner  
**DATE:** September 26, 2022  
**SUBJECT:** Discussion and Recommendation on a Text Amendment to Appendix 2, Submittal Requirements, of the Town of Weddington Unified Development Ordinance

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### BACKGROUND:

At its meeting of April 12, 2021, the Town Council approved the adoption of the Unified Development Ordinance (UDO) with the stated intent to comply with North Carolina General Statute 160D, as well as to improve the organization of existing ordinances.

Prior to the adoption of the UDO, the submittal requirements to obtain a Zoning Permit for a single-family or two-family dwelling included the provision of “a scaled dimensional survey drawn by and certified as true and correct by a surveyor or engineer registered with the state.” With the adoption of the UDO, this requirement was changed so that only a “scaled site plan” is required with no provision that it be prepared by a licensed surveyor or engineer.

At its meeting of August 22, 2022, the Planning Board provided direction to Town staff to prepare a Text Amendment revising the submittal requirements for Zoning Permits so that a plot plan prepared by a surveyor or engineer be required for single-family dwellings.

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### PROPOSAL:

Based upon the direction received from the Planning Board, staff proposes to amend Appendix 2, Submittal Requirements, of the UDO to replace the existing submittal requirements for a Zoning Permit with a more comprehensive and appropriate list of submittal requirements.

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### OUTLINE OF TEXT AMENDMENT:

The following sections of the UDO are proposed to be amended:

*Appendix 2, Submittal Requirements:*

The proposed text amendment replaces the existing provisions concerning Zoning Permits with new provisions for essentially the same application/use types as currently exist. The new provisions would require, in part, the submittal of a plot plan, prepared by a licensed surveyor or engineer, for all single-

family and two-family dwellings, as well as for accessory buildings over 200 square feet in size. Accessory buildings less than or equal to 200 square feet in size, as well as buildings for agricultural purposes would only require a plot plan sketch, which is generally consistent with current submittal requirements. The submittal requirements for principal uses other than single-family and two-family dwellings will remain mostly unchanged from current requirements; however, the requirements are now more fleshed-out than previously. In addition to these changes, the amendment will also establish submittal requirements for “upfit” permits where changes only to the interior of a residential or non-residential structure are occurring as the current provisions do not provide for any requirements.

Staff offers the modifications attached in Draft Ordinance No. 2022-03 for the Planning Board’s consideration and recommendation. For ease of reference, new text is referenced in red/underlined font, while deletions are referenced in ~~striketrough~~ font.

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### **LAND USE PLAN CONSISTENCY:**

State Statutes requires that all zoning regulations shall be made in accordance with a comprehensive plan. When adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan or any other officially adopted plan that is applicable, and briefly explaining why the board considers the action taken to be reasonable and in the public interest. Accordingly, staff provides the following Land Use Plan Consistency Statement for consideration:

The proposed amendments to the Unified Development Ordinance are found to be generally consistent with the adopted Land Use Plan (Plan). However, while these amendments do not further any specific Goal or Policy of the Plan, they also do not act contrary to any specific Goal or Policy of the Plan, nor would they prevent the administration and implementation of the Plan, or preclude the fulfilment of the community vision as set forth in the Plan. Additionally, the proposed amendments are found to be reasonable in that they continue to improve upon the organization of existing ordinances and provide additional clarity for staff, appointed and elected officials, and residents.

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### **RECOMMENDATION:**

Staff recommends approval of the proposed text amendment.

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### **Attachments:**

- Proposed Draft Ordinance No. 2022-03

**ORDINANCE NO. 2022-03**

AN ORDINANCE OF THE TOWN OF WEDDINGTON, NORTH CAROLINA MAKING AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE BY AMENDING APPENDIX 2, SUBMITTAL REQUIREMENTS, TO MODIFY THE SUBMITTAL REQUIREMENTS FOR ZONING PERMITS; CERTIFYING CONSISTENCY WITH THE TOWNS LAND USE PLAN AND PROPER ADVERTISEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Weddington adopted the Unified Development Ordinance on April 12, 2021 to comply with North Carolina General Statute 160D and to improve the organization of existing ordinances; and

WHEREAS, the Planning Board identified a deficiency in the Unified Development Ordinance regarding the requirements for the submittal of a Zoning Permit for Single- and Two-Family Residences; and

WHEREAS, the Town of Weddington desires for the Unified Development Ordinance to function effectively and equitably throughout the Town; and

WHEREAS, the Town of Weddington has determined where the Unified Development Ordinance needs clarification and revision; and

BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF WEDDINGTON, NORTH CAROLINA:

Section 1. That Unified Development Ordinance, Appendix 2, Submittal Requirements, be amended to read as follows:

**APPENDIX 2  
Submittal Requirements**

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**Zoning Permit**

- ~~Application provided by the Town. Initiated by the owner of the property or authorized agent.~~
- ~~Fee~~

~~Nonresidential uses. scaled dimensional plan drawn by and certified as true and correct by a surveyor or engineer registered with the state which shows the following:~~

- ~~dimensions and location of the lot to be built upon;~~
- ~~dimensions and location of existing and proposed structures on the land;~~
- ~~All setback lines on the lot once the proposed construction is completed;~~
- ~~Proposed parking facilities; and~~
- ~~Landscaping and buffering plans.~~

*Single-family and two-family residences:*

- ~~A site plan showing the following:~~
  - ~~dimensions of the lot;~~
  - ~~dimensions of the proposed structure;~~
  - ~~setback lines; and~~
  - ~~distance the structure is location from the front, sides and rear lot line of the lot labeled on the plan.~~

*Accessory buildings on residential property and buildings for agricultural purposes:*

- ~~A site plan showing the following:~~
  - ~~lot boundary;~~
  - ~~square footage of the existing structures;~~
  - ~~square footage and dimensions of the proposed structures;~~
  - ~~distances of the proposed structure from the sides and rear lot line of the lot labeled on the plan.~~

1. *Single-Family and Two-Family Dwellings. All Zoning Permit submittals for single-family and two-family dwellings shall consist of the following items:*

- a. A completed application, as provided by the Town.
- b. Application fee as set forth in the Fee Schedule having most recently been adopted by Town Council.
- c. A plot plan, prepared by a licensed surveyor or engineer, depicting the following:
  - North arrow, scale, location map and date prepared;
  - All adjacent rights-of-way with indication of centerline and width, and paved width;
  - Dimensions of existing lot lines, streets, drives, building lines, setbacks, structural overhangs, and building separations;
  - Identification and description of watercourses, wetlands, tree masses, and other environmentally sensitive areas;
  - Location, footprint and size of all existing and proposed buildings; and
  - Location of all existing and proposed water lines, sanitary sewer lines, septic fields, and any proposed utility easements.
- d. Architectural details including the following:
  - A floor plan of the proposed structure; and
  - Building elevation drawings depicting proposed height and building materials.
- e. Exception. If the proposed dwelling is to be located on a lot of ten acres or greater and is not to be located closer than 200 feet from any property line, then a plot plan sketch document may be provided in-lieu of a plot plan prepared by a licensed surveyor or engineer.

2. *Principal Uses Other Than Single-Family and Two-Family Dwellings. All Zoning Permit submittals for a principal use other than single-family and two-family dwellings shall consist of the following items:*



- a. A completed application, as provided by the Town.
- b. Application fee as set forth in the Fee Schedule having most recently been adopted by Town Council.
- c. A survey of the subject parcel as prepared by a licensed surveyor.
- d. Civil plans, prepared by a licensed engineer, consisting of the following:
  - Cover sheet with site data table;
  - Demolition plan, if applicable;
  - Site plan;
  - Paving, grading and drainage plan;
  - Utility plan;
  - Lighting plan; and
  - Landscape plan.
- e. Architectural details including the following:
  - A floor plan of the proposed structure;
  - Building elevations drawings depicting proposed height and building materials;
- f. Traffic Impact Analysis (TIA), if applicable, prepared consistent with the most recent version of the Town's TIA Procedures Manual.

3. *Accessory Buildings on Residential Property.*

- a. All Zoning Permit submittals for an accessory building less than or equal to 200 square feet on residential property shall be accompanied by the following items:
  1. A completed application, as provided by the Town.
  2. Application fee as set forth in the Fee Schedule having most recently been adopted by Town Council.
  3. A plot plan sketch depicting the following:
    - Lot boundary;
    - Location and square footage of all existing principal and accessory structures;
    - Location, square footage, and dimensions of proposed structures; and
    - Distance of the proposed structure from the front, side, and rear lot lines.
  4. Building elevations drawings depicting proposed height and building materials, or manufacturers specification sheet/details.
- b. All Zoning Permit submittals for an accessory building greater than 200 square feet on residential property shall be accompanied by the following items:
  1. A completed application, as provided by the Town.

2. Application fee as set forth in the Fee Schedule having most recently been adopted by Town Council.
3. A plot plan, prepared by a licensed surveyor or engineer, depicting the following:
  - North arrow, scale, location map and date prepared;
  - All adjacent rights-of-way with indication of centerline and width, and paved width;
  - Dimensions of existing lot lines, streets, drives, building lines, setbacks, structural overhangs, and building separations;
  - Identification and description of watercourses, wetlands, tree masses, and other environmentally sensitive areas;
  - Location, footprint and size of all existing and proposed buildings; and
  - Location of all existing and proposed water lines, sanitary sewer lines, septic fields, and any proposed utility easements.
4. Architectural details including the following:
  - A floor plan of the proposed structure; and
  - Building elevation drawings depicting proposed height and building materials.
5. Exception. If the proposed accessory structure is to be located on a lot of ten acres or greater and is not to be located closer than 200 feet from any property line, then a plot plan sketch document may be provided in-lieu of a plot plan prepared by a licensed surveyor or engineer.

c. All Zoning Permit submittals for buildings for agricultural purposes shall be accompanied by the following items:

1. A completed application, as provided by the Town.
2. Application fee as set forth in the Fee Schedule having most recently been adopted by Town Council.
3. A plot plan sketch depicting the following:
  - Lot boundary;
  - Location and square footage of all existing principal and accessory structures;
  - Location, square footage, and dimensions of proposed structures; and
  - Distance of the proposed structure from the front, side, and rear lot lines.
4. Building elevations drawings depicting proposed height and building materials, or manufacturers specification sheet/details.

4. Upfits. All Zoning Permit submittals for an upfit of an existing residential or non-residential building shall be accompanied by the following items:

- a. A completed application, as provided by the Town.

b. Application fee as set forth in the Fee Schedule having most recently been adopted by Town Council.

c. A floor plan depicting the existing and proposed improvements.

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Section 2. Amendments to the Unified Development Ordinance of the Town of Weddington (as originally adopted by Ordinance No. 2021-UDO) are hereby adopted to read as set forth in this Ordinance.

Section 3. The Town of Weddington does hereby certify that the amendments contained herein, as well as the provisions of this Ordinance, are consistent with and in conformance with the Town's Land Use Plan.

Section 4. Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

Section 5. Notice of the proposed enactment of this Ordinance has been properly advertised in a newspaper of general circulation in accordance with applicable law.

Section 6. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST AND FINAL  
READING AND ADOPTED

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Honorable D. Craig Horn  
Mayor

Attest:

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Karen Dewey  
Town Administrator/Clerk