



**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, SEPTEMBER 9, 2024 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD WEDDINGTON, NC 28104
AGENDA **AMENDED AT MEETING**

1. Call to Order
2. Determination of Quorum
3. Pledge of Allegiance
4. Additions, Deletions and/or Adoption of the Agenda
5. Conflict of Interest Statement: *In accordance with state law, it is the duty of every Council member to avoid conflicts of interest. Does any Council 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.*
6. Mayor/Councilmember Reports
- ** 7. Approve Proclamation 2024-03 to Proclaim September 17 through 23 as Constitution Week
8. Presentation from Union County Public Schools
9. Public Comments
10. Public Safety Report
11. Consent Agenda
 - A. Approve August 8, 2024 Town Council Regular Meeting Minutes
 - ** B. ~~Approve Proclamation 2024-03 to Proclaim September 17 through 23 as Constitution Week~~
12. Old Business
13. New Business
 - A. Text Amendment 2024-04 An Ordinance of the Town of Weddington amending the Unified Development Ordinance Section D-703.E Lot and Building Standards Table for R-CD Conservation zoning districts
 - i. Public Hearing
 - ii. Discussion and Possible Consideration
 - B. Discussion of possible text amendments to Town of Weddington Unified Development Ordinance
 - i. Section D-917A Specific Requirements for All Residential Development: Eliminate 50-foot buffer option from UDO and require 100 ft. buffer
 - ii. Section D-607 Weddington Specific Process Steps for Legislative Decisions: Require 15 days between application submission and Planning Board presentation for conditional zoning applications
 - ** ~~iii. Specific Land Use Plan Goals and Policies into UDO~~
 - C. Discussion of Internal Staff Policies and Procedures
 - i. Limit developer presentations at Planning Board and Council vote

- ii. Presence of town attorney at Planning Board for development presentations
- iii. Policy for agenda and packet delivery for Council and Planning Board

- 14. Code Enforcement Report
- 15. Update from Finance Officer and Tax Collector
- 16. Updates from Town Planner and Town Administrator
- 17. Transportation Report
- 18. Council Comments

- ** 19. Enter into closed session pursuant to NCGS 143-318.11 (a)(5) To establish the public body's negotiation position for the material terms of a contract *and NCGS 143-318.11(a)(3) to consult with attorney*
- 20. Adjournment



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REGULAR TOWN COUNCIL MEETING
MONDAY, SEPTEMBER 9, 2024 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES
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1. Call to Order

Mayor Bell called the meeting to order at 7:01 p.m.

2. Determination of Quorum

Quorum was determined with all Council members present: Mayor Jim Bell, Mayor Pro Tem Tom Smith, Councilmembers Jeff Perryman, Brannon Howie, and Darcey Ladner

Staff present: Town Administrator/Clerk Karen Dewey, Town Planner Greg Gordos, Finance Officer Leslie Gaylord, Admin Asst/Deputy Clerk Debbie Coram, Town Attorney Karen Wolter, UCSO Deputy Wrenn

Visitors: Mike Morse, Walton Hogan, Gayle Butler, Liz Holtey, Kim Topalian, Bill Deter, Cameron Scott, Christopher Neve, Chad Emerine, Melissa Emerine, Jeff Herbst, Wendy Shaw, Lynne Devaney

3. Pledge of Allegiance

Council led the Pledge of Allegiance

4. Additions, Deletions and/or Adoption of the Agenda –

Council discussed amending the agenda to remove item 11.B. from the Consent Agenda to Item 7. Consideration of Proclamation 2024-03 to Proclaim September 17 through 23 as Constitution Week and presentation of Proclamation 2024-03 to the Halifax Convention Chapter of the Daughters of the American Revolution, to remove item 12.B.iii Specific Land Use Plan Goals and Policies into the UDO, and to add to item 19. Closed Session 143-318(a)(3) to consult with attorney.

Motion: Mayor Pro Tem Smith made a motion to adopt the agenda as amendment
Vote: The motion passed with a unanimous vote.

5. Conflict of Interest Statement: *In accordance with state law, it is the duty of every Council member to avoid conflicts of interest. Does any Council 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.

Mayor Bell read the Conflict of Interest Statement. No Councilmember had a conflict of interest.

6. Mayor/Councilmember Reports

Councilmember Perryman reported on the September WUMA meeting in Mineral Springs on Thursday the 26th at 4:00 p.m.

Councilmember Ladner reported that the September TreesUnion meeting will be held on September 10th at 7:00 p.m. at Wesley Chapel Village Hall. Also, the Optimist Club is sponsoring a litter sweep on Saturday, September 14 at 8:00 a.m. at the WCWAA athletic fields.

7. Consideration of Proclamation 2024-03 to Proclaim September 17 through 23 as Constitution Week and presentation to the Halifax Convention Chapter of the Daughters of the American Revolution.

Ashley Korizis and Kitty Megorden presented a brief background on Constitution Week and the primary goals of the Daughters of the American Revolution.

Mayor Bell read and presented Ms. Korizis and Ms. Megorden with Proclamation 2024-03.

8. Presentation from Union County Public Schools

Kathy Heintel and Colon Moore gave a presentation on the 2024 UCPS School Bond that will be on the ballot in November.

9. Public Comments

Walton Hogan 5009 Laurel Grove Lane: Mr. Hogan commented on the community meeting held on 9/6 for the CZ application for a church use on New Town Road. He spoke about the traffic issues at that dangerous intersection.

Christopher Neve 110 Charleston Court: Mr. Neve thanked Councilmember Perryman for discussing the tax rate and fire service fee questions that Mr. Neve raised in his last public comment. He expressed his belief that the community meetings should be held within a certain distance of Town Hall and voiced his opposition to extra spending on the park. He stated he is not opposed to using the space but asked the Council to be realistic in the amenities and to consider looking for something simple.

Chad Emerine 953 Eagle Road: Mr. Emerine expressed his support for the 100ft. buffer and asked council to review the ideas of berms. He also asked council to review the town fee schedule, maximum cul-de-sac length and to clarify buildable land in the UDO. Mr. Emerine asked for standard rules of procedure in posting meeting agendas to the public and would like to see the 15 days required for applications to be submitted before Planning Board meetings be codified into the

UDO. Mr. Emerine asked if minor subdivisions could be included on the town website and if minutes could be more accurate and detailed.

Wendy Shaw 6733 Weddington Matthews Road: Ms. Shaw spoke on the minor subdivision at 6901 Weddington Matthews Road and the development on the resulting lots. She expressed her frustration over the lack of communication from Town Staff on the concerns over erosion control measures.

Lynne Devaney 7503 Strawberry Road, Summerfield NC: Ms. Devaney thanked the Council and the residents for support in their fight against the NC General Assembly. She expressed her frustration at Summerfield being referred to as a "paper town" by the legislators. She reiterated her thanks to the council and expressed her support for Michele Morrow for NC School Superintendent.

10. Public Safety Report

Deputy Wrenn presented the Public Safety Report. He reported that the August report numbers all decreased.

Councilmember Perryman thanked the deputies for the increased presence on Providence Road. Mayor Pro Tem Smith thanked the deputies for their presence throughout town patrolling different neighborhoods.

11. Consent Agenda

- A. Approve August 8, 2024 Town Council Regular Meeting Minutes**
- ** B. ~~Approve Proclamation 2024-03 to Proclaim September 17 through 23 as Constitution Week~~**

Motion: Councilmember Perryman made a motion to approve the Consent Agenda as presented.

Vote: The motion passed with a unanimous vote.

12. Old Business

13. New Business

- A. Text Amendment 2024-04 An Ordinance of the Town of Weddington amending the Unified Development Ordinance Section D-703.E Lot and Building Standards Table for R-CD Conservation zoning districts**
 - i. Public Hearing**

Mayor Bell opened the public hearing at 7:39 p.m.

Chad Emerine 953 Eagle Road: Mr. Emerine expressed support for the increased minimum lot size for RCD subdivisions as it will allow residents better use of their property. He requested a 40-foot front set back and 15-foot side set back to better reflect the character of Weddington.

Mayor Bell closed the public hearing at 7:41 p.m.

ii. Discussion and Possible Consideration

Mr. Gordos presented the staff report. At its meeting of June 24, 2024, the Planning Board, as a part of a discussion regarding changes to the requirements for a R-CD (Conservation) subdivision, requested staff to prepare an amendment modifying the requirements lot size, width, and other dimensions with consideration for several options. The Planning Board discussed comparison between subdivisions created with careful design consideration versus contemporary submittals which may not meet the intent of the original creation of open space development. Town Council first directed staff and the Board to consider R-CD zone modifications on February 12, 2024. Staff presented amendments to Section D-703E. Lot and Building Standards Table (Table 2) with at least three separate text amendments for consideration. The Board can select "Option A", "Option B", "Option C", or any combination thereof, or choose to leave the dimensional requirements for R-CD (Conservation) as adopted. The Board unanimously chose "Option C", or 18,000 sq.ft. *minimum* lot size, while requiring new R-CD (Conservation) subdivisions *average* lot sizes over 20,000 sq.ft. with increased minimum lot width of 100 feet from 80, Side set back increase to 12 feet from 5 feet, and rear set back increase to 40 feet from 30 feet.

Council discussed the text amendment:

Mayor Pro Tem Smith stated he would like to see the RCD requirements mirror the RE zoning requirements with side setbacks at 12 feet with 30 feet minimum between structures. Councilmember Perryman asked Mr. Gordos if increasing the lot size to average 20,000 sq. ft. would require the minimum conservation land requirement to be changed.

Mr. Gordos responded that increasing the minimum lot size would take away from conservation land. Staff supports RCD as a development option to conserve land. The increased minimum lot size will require more creativity on the part of developers.

Councilmember Perryman stated his concern for unintended consequences as changing the minimum lot size will reduce the space available for conservation and provide less opportunity to preserve trees.

Mayor Pro Tem Smith stated that he willing to lose more conservation land to have aesthetics of neighborhoods fit with rest of the Weddington community.

Councilmember Ladner asked of the front rear or side setbacks, which are more important to what the town is trying to accomplish.

Councilmember Howie stated she is not opposed to the recommendation that came from the Planning Board and she doesn't feel compelled to increase the front set back and the suggested 15-foot side set back is the same as the conventional requirements. What the Planning Board recommended feels adequate.

Motion: Mayor Pro Tem Smith made a motion to amend the Town of Weddington Unified Development Ordinance Section D-703.E Lot and Building Standards Table for R-CD Conservation zoning districts to mirror the RE zoning requirements, increasing the front and rear setback requirements to 40 foot minimum, increasing the side setbacks to 12 feet with 30 feet

between structures, a minimum lot width of 100 feet, and the minimum lot size at 18,000 sq. ft with a 20,000 sq. ft. average.

Councilmember Perryman asked how this differs from what the Planning Board recommended.

Mr. Gordos responded that the Planning Board recommended keeping the front setback at 20 feet, increasing the rear set back to 40, increasing the minimum lot width to 100 and increasing the side setbacks to 12 feet.

Council continued discussion of the front setback, parking in the driveway instead of on the street.

Vote: The motion tied with a 2-2 vote: Mayor Pro Tem Smith and Councilmember Ladner voted in favor, Councilmembers Perryman and Howie voted opposed. Mayor Bell voted in favor breaking the tie.

Motion: Mayor Pro Tem Smith made a motion to approve the Land Use Plan 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, 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.*

Vote: The motion tied with a 2-2 vote: Mayor Pro Tem Smith and Councilmember Ladner voted in favor, Councilmembers Perryman and Howie voted opposed. Mayor Bell voted in favor breaking the tie.

B. Discussion of possible text amendments to Town of Weddington Unified Development Ordinance

i. Section D-917A Specific Requirements for All Residential Development: Eliminate 50-foot buffer option from UDO and require 100 ft. buffer

Mayor Bell began the discussion about eliminating the option for developers to provide a 50-foot buffer and require a 100-foot buffer.

Councilmembers discussed the options of a 100-foot buffer or a 50 foot with additional screening.

Councilmember Howie commented that the County Urban Forester explained that the smaller thoroughfare buffer provided for contiguous natural areas.

Councilmember Ladner stated support for saving the contiguous tree areas and eliminating the 50-foot option will provide for negotiation options.

Mayor Pro Tem Smith added that council should look at berms on unforested land. Council directed staff to draft a text amendment removing the option of a 50-foot buffer with additional screening from the development requirements for all residential development.

**ii. Section D-607 Weddington Specific Process Steps for Legislative Decisions:
Require 15 days between application submission and Planning Board
presentation for conditional zoning applications**

Council discussed codifying the statement on the conditional zoning application that requires 15 days between application submission and planning board presentation. Mayor Pro Tem Smith stated the need to clarify business or calendar days.

Council directed staff to draft a text amendment adding a 15-business day requirement between application submission and Planning Board presentation.

~~iii. Specific Land Use Plan Goals and Policies into UDO~~

C. Discussion of Internal Staff Policies and Procedures

i. Limit developer presentations at Planning Board and Council vote

Council discussed limiting developer presentations at Council and Planning Board meetings.

Councilmember Howie stated support for limiting to one presentation when a project is before the council for consideration. Mayor Pro Tem Smith agreed. Councilmember Perryman supported a maximum of two pre application presentations when there is no application before the Council for consideration.

Council agreed to limit application presentations to one in a meeting for pre-application presentation, planning board, and Council consideration. Staff will draft a policy to limit all presentations to one in a meeting.

ii. Presence of town attorney at Planning Board for development presentations

Council discussed the presence of the town attorney at the planning board meetings for development application presentation. Council agreed that attorney's presence can be at the discretion of staff or the Planning Board Chair. Ms. Wolter stated that this is standard practice in other towns.

iii. Policy for agenda and packet delivery for Council and Planning Board

Council discussed standard operating procedure for distribution of agendas to board members and the public.

Council directed staff distribute a draft agenda to the boards a week before the meeting, Wednesday packets to be distributed and by end of business Thursday the agenda would be distributed to the public

14. Code Enforcement Report

Report in the packet

15. Update from Finance Officer and Tax Collector

Ms. Gaylord gave the update: the packet includes a quarterly ARPA update. There will be an ARPA ordinance amendment and a grant project ordinance next month on the consent agenda. The Fiscal year 2023-2024 audit started today.

16. Updates from Town Planner and Town Administrator

Mr. Gordos gave a planning update:

- **Deal Lake Subdivision**

93-lot Conservation subdivision

Site Walk/ Charette: 11/28/23

Community Meeting: 5/2/24

2nd Community Meeting: 7/16/24

Planning Board: TBD

- **Rea/ Providence Subdivision**

Conventional subdivision, 54 lots

Planning Board: 6/24/24, TABLED

- **149 S. Providence Road (Empire)**

Conventional subdivision, 34 lots

Community Meeting: 6/27/24

- **7112 New Town Road**

Prop. Land Use: Churches, Synagogues and Other Places of Worship

Community Meeting: 5/22/24, 6/20/24, 9/6/2024

Planning Board: TBD

- **Deal Road (Keystone)**

Conventional subdivision, 12 lots

Community Meeting: 7/24/24

Planning Board: 9/23/2024

- **13700 Providence Road**

2 additional buildings, MX (CD) zoning

Community Meetings: 6/10/24, 8/5/24

Planning Board: 8/26/24, TABLED

17. Transportation Report

There was no Transportation Report.

18. Council Comments

Councilmember Howie: Thank you to everyone who came out. I've spent some time thinking about this: we are approaching September 11. I was Sitting in a public-school classroom. Don't have words to put to it, but it is coming up and going from one of those classrooms to this small but political position within the big picture of the United States is something to reflect upon.

Councilmember Ladner: I want to make sure people are aware that every week or month someone is thankful for our staff but only in the last 45 days have I seen how much professionalism they have to maintain, knowledge of almost everything, how they don't always get treated very nicely, and I'm really appreciative and blown away at how amazing you guys are.

Mayor Pro Tem Smith: Thank you everybody that came out and stayed to the bitter end. September 11 is coming up and we will be putting flags up from Rotary Club.

Councilmember Perryman. I will echo several things already said. Thank you everybody for coming out tonight. Thank you to the staff. Darcey I couldn't have said it better. People in this town have no idea the work that you all do day in and day out and what you do to make this town run like it does and as wonderful this place is. Thank you very much. September 11. I know how my life changed and I know exactly where I was and what I was doing and where I was two months later. And we all need to remember that, and we need to remember the first responders. I saw a picture published today of a fire truck going across one of the New York bridges and that all the firefighters on the truck were lost. So, think about that.

Mayor Bell: I totally agree on September 11 and what Brannon and Jeff said. I'll say this too, about our staff. I appreciate you guys tremendously, what you do. I find myself getting more protective of you guys because I know you guys are up to your eyeballs with stuff going on because we are extremely busy. I want to say publicly thank you for what you do.

19. Enter closed session pursuant to NCGS 143-381.11 (a)(5) To establish the public body's negotiation position for the material terms of a contract

Motion: Councilmember Perryman made a motion to enter closed session at 8:45 p.m. pursuant to NCGS 143-381.11 (a)(5) To establish the public body's negotiation position for the material terms of a contract.

Vote: The motion passed with a unanimous vote.

Mayor Bell called the meeting back to order at 9:47 p.m.

20. Adjournment

Motion: Councilmember Perryman made a motion to adjourn the September 9, 2024 Town Council Regular Meeting at 9:47 p.m.

Vote: The motion passed with a unanimous vote.

Approved: November 12, 2024

Karen Dewey
Karen Dewey, Town Administrator/Clerk

Jim Bell
Jim Bell, Mayor



TOWN OF WEDDINGTON
PROCLAMATION

P-2024-03

WHEREAS: The Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in a Republic dedicated to rule by law; and

WHEREAS: September 17, 2024, marks the two hundred and thirty-seventh anniversary of the framing of the Constitution of the United States of America by the Constitutional Convention; and

WHEREAS: It is fitting and proper to accord official recognition to this magnificent document and its memorable anniversary, and to the patriotic celebrations which will commemorate it; and

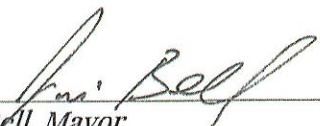
WHEREAS: Public Law 915 guarantees the issuing of a proclamation each year by the President of the United States of America designating September 17 through 23 as Constitution Week,

NOW, THEREFORE I, Jim Bell by virtue of the authority vested in me as Mayor of the Town of Weddington do hereby proclaim the week of September 17 through 23, 2024 as

CONSTITUTION WEEK

and ask our citizens to reaffirm the ideals the Framers of the Constitution had in 1787 by vigilantly protecting the freedoms guaranteed to us through this guardian of our liberties.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the Town of Weddington to be affixed this 9th day of September 2024.


Jim Bell, Mayor

Attest:


Karen Dewey, Town Administrator/Clerk





ORDINANCE NO. 2024-04

AN ORDINANCE OF THE TOWN OF WEDDINGTON, NORTH CAROLINA MAKING AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE BY AMENDING ARTICLE 7, ZONING REGULATION, SECTION D-703, ZONING DISTRICTS AND PERMITTED USES, TO AMEND LOT SIZE AND SETBACK DIMENSIONAL STANDARDS FOR THE R-CD DISTRICT; 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 adopted Unified Development Ordinance took effect on April 12, 2021; 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

WHEREAS, the Lot and Building Standards of each zone was last modified in 2022; and

WHEREAS, the Town of Weddington seeks to preserve the use of Conservation subdivisions as an optional tool for residential development in additional to conventional 1 acre lots; and

WHEREAS, a consensus was reached on improving the zoning standards for the Town;

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

Section 1. That Unified Development Ordinance, Article 7, Zoning Regulation, Section D-703, Zoning Districts and Permitted Uses, be amended to read as follows:

D-703. Zoning Districts and Permitted Uses.

- E. **Lot and Building Standards Table.** Table 2, Lot and Building Standards, establishes the lot and building standards for each zoning district. In the event of a conflict between the standard yard/setback requirements set forth in the Dimensional Requirements Table and any yard/setback requirements specific to a particular use as set forth in Section D-917D, the use-specific requirement shall control.

| TABLE 2. LOT AND BUILDING STANDARDS | | | | | | | |
|-------------------------------------|----------------------------|-------------------------|-------------------------|-------------------------|----------|----------------------|--------------------------|
| | Minimum Lot Size (sq. ft.) | Minimum Lot Width (ft.) | Minimum Setbacks (ft.) | | | Maximum Height (ft.) | Maximum Floor Area Ratio |
| | | | Front | Side | Rear | | |
| R-80 | 80,000 | 150 | 65 (res.) 75 (other) | 25 45 (corner) | 60 | 35 | N/A |
| R-60 | 60,000 | 125 | 60 (res.) 75 (other) | 25 45 (corner) | 60 | 35 | |
| R-40 | 40,000 | 120 | 50 (res.) 75 (other) | 15 25 (corner) | 40 | 35 | |
| R-40(D) | 40,000 | 100 | 40 | 12 | 40 | 35 | |
| R-CD (Conventional) | 40,000 | 120 | 50 | 15 | 40 | 35 | |
| R-CD (Conservation) | 12,000 18,000* | 80 100 | 20 40 | 5- [‡] 12** | 30 40 | 35 | |
| RE | 20,000 | 100 | 40 | 12 | 40 | 35 | 0.2 |
| ED | N/A | N/A | 25 | 25 | 25 | 40 | |
| B-1 (CZ) | | | | | | | |
| B-2 (CZ) | | | | | | | |
| MX (CZ) | | | | | | | |

* Lot size shall average at least 20,000 sq. ft. for each Major Subdivision approved by Town Council.

** a separation of 30 feet shall be maintained between the side of each dwelling.

‡ However, a separation of 30 feet must be maintained between the sides of each dwelling.

Section 3. Amendments to the Unified Development Ordinance of the Town of Weddington (as originally adopted by Ordinance No. 2024-3) are hereby adopted to read as set forth in this Ordinance.

Section 4. 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 5. 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 6. Notice of the proposed enactment of this Ordinance has been properly advertised in a newspaper of general circulation in accordance with applicable law.

Section 7. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST AND FINAL
READING AND ADOPTED



September 9, 2024

Jim Bell
Honorable Jim Bell
Mayor

Attest:

Karen Dewey
Karen Dewey
Town Administrator/Clerk