



**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, MAY 27, 2025 – 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. April 28, 2025 Planning Board Regular Meeting
5. Public Comments: *Individuals are allowed 3 minutes to speak and must only comment on current agenda items. A maximum of 30 minutes is allocated to the Public Comment Period. The time limit may be extended at the discretion of the Chairman.*
6. Old Business
 - A. Discussion and Possible Recommendation of Text Amendment 2025-4 Section D-917E. Additional Specific Requirements for Conventional Residential Development, or Major Subdivisions.
 - B. Discussion and Possible Recommendation of Text Amendment 2025-5 Section D-917C. (A) (12) Buffering Non-residential structures. The buffer requirement is 50 feet between any commercial structures and the property line. Section D-918.I (Screening and Landscaping) lists the required plantings of trees and shrubs within buffers and the standards for planting.
7. New Business
 - A. Discussion and Possible Recommendation of Text Amendment 2025-6 Appendix 2B Submittal Requirements
8. Update from Town Planner and Report from the May Town Council Meeting
9. Board member Comments
10. Adjournment



**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, APRIL 28, 2025 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES
PAGE 1 OF 4**

1. Call to Order

Chairman Chris Faulk called the regularly scheduled planning board meeting to order at 7:00 PM on Monday, April 28, 2025.

2. Determination of Quorum

Quorum was determined with all members present: Chairman Chris Faulk, Vice Chairman Rusty Setzer, Board members Amanda Jarrell, Bill Deter, Nancy Anderson, Scott Buzzard, and Steve Fellmeth.

Staff: Town Planner Gregory Gordos, Town Attorney Karen Wolter, Town Administrator/Clerk Karen Dewey

Visitors: Kristin Dillard, Tom Waters, Ivan Merritt, Kami Merritt, Clayton Jones, John Galich, Gary Palmer, Bob Shlossen, Debbie Moffat, Barb Schick, Jim Vivian, Bob Wilson, Chris Walker, Virginia Shepherd, Chad Emerine, Sherry Garvey, Christopher Neve, Tracy Stone

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.*

Chairman Faulk read the Conflict of Interest Statement. No Board member had a conflict of interest.

4. Approval of Minutes

A. March 24, 2025 Planning Board Regular Meeting

Karen Dewey noted that she had made a correction to Board Member Anderson's comments in the March 24th minutes, changing "4 lane road would not terminate at a 2-lane road" to "4 lane road wouldn't terminate at a 4 lane road."

Motion: Board member Deter made a motion to approve the March 24, 2025 Planning Board Regular Meeting minutes as amended.

Second: Board member Buzzard

Vote: The motion passed with a unanimous vote.

5. Public Comments: *Individuals are allowed 3 minutes to speak and must only comment on current agenda items. A maximum of 30 minutes is allocated to the Public Comment Period. The time limit may be extended at the discretion of the Chairman.*

Chairman Faulk explained the rules for public comments, including the 3-minute time limit per speaker and 30-minute total limit for the comment period.

Kami Merritt of 700 Lock Haven Road spoke about concerns with stormwater runoff from the proposed Beckingham development. She showed photos of flooding issues on her property from a previous development and expressed worry about potential dam breaches and impacts to downstream properties.

Gary Palmer of 1008 Shippon Lane in Stratford on Providence subdivision spoke in support of low impact development and preserving trees behind homes in the proposed Beckingham development. He raised concerns about removal of mature trees, ecosystem disruption, and safety issues with retention ponds.

Barbara Schick of 205 Dornoch Drive expressed concerns about erosion control and flooding impacts from a nearby development. She urged for better oversight of new developments to prevent similar issues.

Chad Emerine of 953 Eagle Road spoke on behalf of the Aero Plantation HOA board. He raised several concerns about the proposed changes to the Beckingham development plan, including deviation from the original approved plan, stormwater management, tree removal, and potential impacts to downstream properties and dams.

Chairman Faulk noted that several emails had been received from residents unable to attend, including some in favor of and some opposed to the Beckingham development changes.

Christopher Granelli emailed in favor.

Daniel George emailed in favor.

Joseph P of 507 Lochaven. Emailed first in favor, then sent email opposing because of possibility of flooding issues on property.

Lauren and Adam Heustess emailed their opposition.

6. Old Business

A. Discussion and Possible Recommendation of a CZ Amendment Application from Providence Land Services, Inc for an amendment to CZ-2023-02 for stormwater requirement changes.

Town Planner Gregory Gordos provided background on the amendment request for the previously approved Beckingham subdivision. He explained that the applicant was requesting to remove the originally planned stormwater detention ponds in favor of a low impact development approach, which would require waiving a UDO requirement for controlling peak stormwater runoff.

Tom Waters of Providence Land presented details on the proposed changes, including using level spreaders instead of detention ponds, implementing rain harvesting systems, and preserving more trees. He argued this approach would be more environmentally friendly while still managing stormwater effectively.

Bob Wilson, the town's engineering consultant, reviewed the downstream impact analysis submitted by the developer. He noted there would be minimal impacts to the main creek (Mundy's Run) but more significant impacts to a smaller tributary, including increased water surface elevation at a culvert crossing.

Board members asked numerous questions about the stormwater calculations, potential flooding impacts, and maintenance of the proposed stormwater features. There was extensive discussion about notification to affected property owners and ensuring proper long-term maintenance.

- Motion:** Board member Anderson made a motion to forward the CZ Amendment Application from Providence Land Services, Inc for an amendment to CZ-2023-02 for stormwater requirement changes to the Town Council with a recommendation for approval with the conditions:
- 1.The Developer to send a letter to each property owner notifying them of the changes in flows and water surface elevations that affect their property. FEMA requires a similar approach for a Letter of Map Revision (LOMR).
 - 2.The Developer's Engineer to evaluate the 30" RCP at Hidden Haven Trail.
 - 3.Developer and property owner of culvert- on parcel #06153053 come to a legal agreement for maintenance of the culvert.
- Second:** Board member Jarrell
- Vote:** The motion passed with a 5-1 vote. Vice Chair Setzer and Board members Jarrell, Deter, Anderson, and Buzzard in favor and Board member Fellmeth opposed.
- Motion:** Vice Chair Setzer made a motion to amend the agenda to move New Business Item C. to Item A.
- Second** Board member Buzzard
- Vote:** The motion passed with a unanimous vote.

7. New Business

A. Discussion of Advisory Board Code of Ethics

Chairman Faulk introduced a discussion on potentially adding language to the board's code of ethics regarding public comments by board members. He proposed language restricting board members from publicly commenting on pending or potential projects outside of official meetings.

Board members had an extensive discussion about the pros and cons of such a policy, including concerns about correcting misinformation and maintaining transparency. Some members expressed support while others had reservations. Board member Anderson advocated for educating public and correcting misinformation.

- Motion:** Board member Deter made a motion to recommend the proposed ethics language to the Town Council for consideration.
- Board members shall refrain from publicly commenting, discussing, or expressing opinions about pending or potential projects outside of duly noticed meetings. This includes refraining from making public comments through social media, news media, or in any public forum. Such communications shall occur only during official meetings where all discussions are part of the public record. This standard ensures transparency, preserves the integrity of the review process, and protects the fairness of proceedings for applicants, citizens, and fellow board members alike.
- Second:** Vice Chair Setzer.
- Vote:** The motion passed with a 4-2 vote. Board members Anderson and Buzzard were opposed.

Board member Anderson asked Ms. Wolter to explain when a board member should recuse self and the duty to vote. Ms. Wolter explained that NCGS 160A-75 states that elected officials are required to vote unless legally conflicted. Advisory boards run by same system. UNC School of Government Blog addressing Conflicts of Interests is attached for the record.

B. Discussion and Possible Recommendation of Text Amendment 2025-4 Section D-917E. Additional Specific Requirements for Conventional Residential Development, or Major Subdivisions.

Gregory Gordos explained the intent of the proposed text amendment to add new standards for conventional residential developments and major subdivisions. He noted the amendment would increase open space requirements from 10% to 20% and add other development standards. Board members expressed a desire for more time to review the amendment details.

Motion: Board member Buzzard made a motion to table this item until the next meeting
Second: Board member Jarrell
Vote: The motion passed unanimously.

C. Discussion and Possible Recommendation of Text Amendment 2025-5 Section D-917C. (A) (12) Buffering Non-residential structures. The buffer requirement is 50 feet between any commercial structures and the property line. Section D-918.I (Screening and Landscaping) lists the required plantings of trees and shrubs within buffers and the standards for planting.

Motion: Board member Buzzard made a motion to table this item until the next meeting.
Second: Board member Jarrell
Vote: The motion passed with a unanimous vote.

8. Update from Town Planner and Report from the April Town Council Meeting

Gregory Gordos reported that the April Town Council meeting included a public hearing for the Weddington Crossing development at Weddington High School. He noted the actual vote on that project is scheduled for May.

9. Board member Comments

Board members thanked staff and the public for their participation. Nancy Anderson shared information about Wounded Heroes Day and challenged everyone to "live a life that is worthy of their sacrifice." Amanda Jarrell mentioned upcoming Food Truck Fridays and encouraged volunteering. Chairman Faulk suggested the stormwater subcommittee look further into potential unintended consequences of current regulations.

10. Adjournment

Motion: Board member Deter made a motion to adjourn the April 28, Regular Planning Board Meeting at 9:35 p.m.
Second: Board member Buzzard
Vote: The motion passed with a unanimous vote.



MEMORANDUM

TO: Planning Board
FROM: Gregory Gordos, Town Planner
DATE: April 28, 2025
SUBJECT: Discussion and Recommendation on a Text Amendment 2025-4 Section D-917E. Additional Specific Requirements for Conventional Residential Development, or Major Subdivisions., of the Town of Weddington Unified Development Ordinance

BACKGROUND:

In March of 2025 the Planning Board subcommittee consisting of three current board members (Bill Deter, Rusty Setzer, and Chris Fault) met regarding concerns about “buildable area”. In conjunction with the Town Planner the group was tasked with identifying Unified Development Ordinance deficiencies regarding where development should be prioritized versus where land is protected. These principles are roughly based on Randall Arendt’s conservation design for subdivisions. When implemented, these text amendments intend to re-organize the residential building portion of code, UDO Section D-917, into categories of:

- A. Requirements for All Residential Development (D-917A.), including for existing lots of record
- B. Additional Specific Requirements for Conservation Development (D-917B.), raising the standard
- C. Specific Requirements for Non-Residential Development (D-917C.), no change
- D. Supplemental Requirements for Certain Uses (D-917D.), no change.
- E. NEW Additional Specific Requirements for Conventional Development (D-917E.), to apply to new subdivisions proposed in the Town of Weddington

These amendments are provided to the full Planning Board for their consideration and recommendation.

PROPOSAL:

To improve the residential development standards for new development, including requiring a larger amount of dedicated open space and this preserving sensitive lands from being cleared for private lots, while clarifying requirements for all residential development for those not looking to subdivide and not impacting private property rights when owning land in floodplains or existing conditions.

If recommended for approval, Town Council may either accept, deny, or accept with revisions the proposal.

OUTLINE OF TEXT AMENDMENT:

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

Section D-917A. P. Open Space

Any major subdivision shall be required to provide that a minimum of ~~ten~~ **twenty** percent of the gross area of the subdivision, exclusive of any required minimum buffers along thoroughfares, consists of common open space. Minor subdivisions are exempt from open space. Fifty percent of any rights-of-way for existing overhead utilities may be counted toward the minimum required open space land. Open space may be used for the limited purposes set forth in Section D-917B..1, below. [Note, this subsection R. is not applicable to conservation residential developments which have a significantly higher open space requirement (Section D-917B, below)].

Section D-917B. L. Design Standards Specific to Conservation Lands.

1. Uses of Conservation Lands. No use or development shall be allowed on primary and required secondary conservation lands except as follows:

g. Noncommercial recreational areas, such as playing fields, playgrounds, courts and bikeways, provided such areas do not consume more than half of the minimum required **secondary** conservation land or five acres, whichever is less. Parking facilities for the same shall also be permitted, and they shall generally be gravel-surfaced, unlighted, properly drained, provide safe ingress and egress, and contain no more than ten parking spaces. Notwithstanding the above, golf courses, their parking areas, and associated structures, shall not be allowed on any required conservation lands

3. Minimum Size of Conservation Lands; Contiguity.

a. 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~~ **Planning Board** when reviewing the ~~preliminary plat~~ **sketch plan** to be infeasible, impractical, or serve no meaningful purpose.

Section D-917B. M. Resource Conservation Standards for Site Preparation and Cleanup.

Open Space. At a minimum, ~~ten~~ **fifteen** percent of the gross acreage of the project (minus any required setbacks and buffers, utility easements, stormwater detention areas, and marginal lands including, but not limited to, wetlands, floodplains, steep slopes, and bodies of water) shall consist of prominently located and pedestrian-accessible village green open spaces so as to encourage walking and pedestrian activity within the development. No development may occur within any such open space except for the creation of sidewalks, other walking paths, and any type of development commonly found in small public parks, such as statues or other art.

APPENDIX 1 DEFINITIONS

Adjusted Tract Acreage Yield means the total gross tract acreage after excluding the primary conservation areas. measuring all the trunks, and then adding the total diameter of the largest trunk to one-half the diameter of each additional trunk.

Section D-917E. Additional Specific Requirements for Conventional Residential Development, or Major Subdivisions.

A. Minimum Total Acreage. The minimum total acreage for a Conventional Residential Development, considered a Major Subdivision, is six (6) acres. Minor subdivisions are exempt from this section.

B. Minimum Open Space.

1. At a minimum, twenty percent (20%) of the gross acreage of the tract will be required to be retained as Common Open Space (COS). Not more than fifty percent (50%) of the minimum required area of open space shall be comprised of wetlands, submerged lands, steep slopes, floodways, or land under high voltage electrical transmission lines (conducting 69 kilovolts or more).
2. The minimum percentage and acreage of required open space shall be calculated by the applicant and submitted as part of the sketch plan

C. 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.

No portion of the Thoroughfare Buffer as found in Section D-917A. shall be located on private property; it must be entirely located within common open space and maintained by the homeowners association.

D. Setback Requirements.

1. Notwithstanding the provisions of this subsection, all principal dwelling units within a conventional subdivision shall be set back at least 100 feet from all external road rights-of-way (i.e., rights-of-way of roads that are external to the proposed subdivision), as depicted on the most current version of the local thoroughfare plan.
2. In addition, all principal dwelling units shall otherwise be set back a minimum of 50 feet from the external boundaries of the subdivision.
3. Garages with front-facing loading bays shall be recessed a minimum of two feet from the front facade of the house and visually designed to form a secondary building volume.

E. Lot Lines and Related Requirements.

1. Lots shall not encroach upon the designated common open space (COS) when a stream or riparian buffer is identified. Accordingly, no structure except for fencing, play equipment, and/or entrance monuments shall be located within designated open space.

Staff offers the modification above for the Town Council's consideration and approval, as recommended by the Planning Board. Staff had recommended no text amendment to the Board. For ease of reference, new text is referenced in red/underlined font, while deletions are referenced in ~~striketrough~~ font.

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.

RECOMMENDATION:

Staff recommends approval or amendment of the full Planning Board of the proposed text amendments regarding Requirements for Residential Development.

Attachments:

- Ordinance 2025-04

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.

3. 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.
4. 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.
5. 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.

O. Buffering.

1. *Buffering Thoroughfares.*

- a. 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."
- b. Where the side or rear yards of lots may be oriented toward existing thoroughfare 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.
- c. Earthen berms are not a permitted design approach as they are inherently nonrural and would inappropriately alter the rural character, even if landscaped.
- d. If the required buffer exceeds 15 percent of the total acreage of the parcel, the 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.

2. *Buffering Other Uses.* The buffer requirement is 50 feet between homes in the proposed subdivision and any nonresidential use. Section D-918.I (Screening and Landscaping) lists the required plantings of trees and shrubs within buffers and the standards for planting.

- P. **Open Space.** Any major subdivision shall be required to provide that a minimum of ~~twenty ten~~ percent of the gross area of the subdivision, exclusive of any required minimum buffers along thoroughfares, consists of common open space. Minor subdivisions are exempt from open space. Fifty percent of any rights-of-way for existing overhead utilities may be counted toward the minimum required open space land. Open space may be used for the limited purposes set forth in Section D-917B..1, below. [Note, this subsection R. is not applicable to conservation residential developments which have a significantly higher open space requirement (Section D-917B, below)].

Q. Tree Requirements.

1. *Tree Save and Tree Replenish Requirements.* In order to maintain or replenish the Town tree canopy in any new major residential development the following shall apply:
 - a. The tree removal is not permitted within areas that have naturally occurring trees located outside the buildable area of a lot or development. For the purpose of these provisions "buildable area" means all areas located outside of:
 - i. Required zoning district setbacks;

protect significant natural areas and features identified by the applicant's existing resources and site analysis plan, as required in subsection D-607. C.2., by incorporating them into proposed Conservation Lands.

- I. 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.

J. Setback Requirements.

1. Notwithstanding the provisions of this subsection, all principal dwelling units within a conservation subdivision shall be set back at least 100 feet from all external road rights-of-way (i.e., rights-of-way of roads that are external to the proposed subdivision), as depicted on the most current version of the local thoroughfare plan.
2. In addition, all principal dwelling units shall otherwise be set back a minimum of 50 feet from the external boundaries of the conservation subdivision.
3. Garages with front-facing loading bays shall be recessed a minimum of two feet from the front facade of the house and visually designed to form a secondary building volume.

K. Lot Lines and Related Requirements.

1. Lots shall not encroach upon the designated Conservation Lands. Accordingly, the principal use, a single-family dwelling, shall not be located on Conservation Lands.
2. A minimum of 95 percent of building lots within the subdivision must share at least one lot line with another lot in the subdivision.

L. Design Standards Specific to the Conservation Lands. Standards to be followed regarding the design of the Conservation Lands are as follows:

1. *Uses of Conservation Lands.* No use or development shall be allowed on primary and required secondary conservation lands except as follows:
 - a. Conservation of open land in its natural state (e.g., forestlands, fields or meadows).
 - b. Agricultural uses, including raising crops or livestock, nurseries and associated buildings, excluding residences, provided that such buildings are specifically needed to support an active, viable agricultural or horticultural operation, and are architecturally compatible with the neighborhood setting. Specifically excluded, but not limited to, are commercial livestock operations involving swine, poultry and mink.
 - c. Pastureland.
 - d. Horse farms or academies.
 - e. Forestry, in keeping with established best management practices for selective harvesting and sustained yield forestry.
 - f. Neighborhood uses such as village greens, commons, picnic areas, community gardens, trails and similar low-impact, passive recreational uses.
 - g. Noncommercial recreational areas, such as playing fields, playgrounds, courts and bikeways, provided such areas do not consume more than half of the minimum required **secondary** conservation land or five acres, whichever is less. Parking facilities for the same shall also be permitted, and they shall generally be gravel-surfaced, unlighted, properly drained, provide safe ingress and egress, and contain no more than ten parking spaces. Notwithstanding the above, golf courses, their parking areas, and associated structures, shall not be allowed on any required conservation lands.
 - h. Water supply and sewage disposal systems and stormwater detention areas designed, landscaped and available for use as an integral part of the conservation area.
 - i. Easements for drainage, access, sewer or water lines or other public purposes.
 - j. Underground utility rights-of-way. Above ground utility and street rights-of-way may traverse conservation lands but street rights-of-way shall not count toward the minimum required conservation land. 50 percent of the utility rights-of-way may be counted toward the minimum required conservation land.

2. *No Structures; Limited Exceptions.* Except as otherwise permitted, Conservation Lands shall be free of all structures except historic buildings, stone walls, and structures related to Conservation Land uses. Limited exceptions may be considered as part of a conditional zoning process.
3. *Minimum Size of Conservation Lands; Contiguity.*
 - a. 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 **Planning Board** ~~Town Council~~ when reviewing the **sketch plan** ~~preliminary plat~~ to be infeasible, impractical, or serve no meaningful purpose.
 - b. Conservation Lands shall be undivided by streets, except where necessary for proper traffic circulation.
4. *Minimize Grading; Consistency with Existing Topography.* Conservation residential developments 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.
5. *Accessibility.* Conservation Lands shall be directly accessible to the largest practicable number of lots within the neighborhood. Non-adjoining lots shall be provided with safe and convenient pedestrian access to Conservation Land.
6. *Interconnected.* Conservation Lands shall be interconnected wherever possible to provide a continuous network of Conservation Lands within and adjoining the neighborhood.
7. *Consistency with Adjoining Conserved or Park Land.* Conservation Lands shall provide buffers to adjoining parks, preserves or other protected lands.
8. *Pedestrian Pathways.* Except as provided herein, Conservation Lands shall be provided with pedestrian pathways for use by the residents of the neighborhood. 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.
9. *Neighborhood Green Required.* To the greatest extent feasible, each conservation residential development should provide at least one neighborhood green, not less than 10,000 square feet in area, planted with shade trees at 40-foot intervals around the edge.
10. *Identification (Wood Signs of Conservation Areas).* 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.
11. *Conservation Lands.* 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.

M. 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.

appropriately located, screened, and secured. Such outside storage shall be allowed only at the sole discretion of the Town Council and shall be included in calculating the floor area ratio for the site.

10. **Open Space.** At a minimum, ~~twenty ten~~ percent of the gross acreage of the project (minus any required setbacks and buffers, utility easements, stormwater detention areas, and marginal lands including, but not limited to, wetlands, floodplains, steep slopes, and bodies of water) shall consist of prominently located and pedestrian-accessible village green open spaces so as to encourage walking and pedestrian activity within the development. No development may occur within any such open space except for the creation of sidewalks, other walking paths, and any type of development commonly found in small public parks, such as statues or other art.
11. **Stormwater Management.** The post development rate of stormwater runoff from any lot shall not exceed the predevelopment rate of runoff for a 10-year storm. The applicant shall provide, at a minimum, the following information to the Administrator as part of his application to obtain a zoning permit:
 - a. An engineering report made and certified as true and correct by a registered engineer licensed to do business in the state. Such report shall include the following:
 1. The routing of stormwater for the predevelopment and post-development conditions of the proposed building lot.
 2. Calculations showing the peak estimated rates of runoff using a ten-year return period for predevelopment and post-development conditions for the lot, including each stream leaving the proposed building lot.
 3. Calculations, plans, and specifications for stormwater retention/detention facilities or other means to effect peak rate attenuation.
 4. A statement indicating the rate of post-development stormwater runoff for the proposed building lot will not be greater than the predevelopment rate for a 10-year storm.
 - b. A statement from the owner acknowledging responsibility for the operation and maintenance of required retention/detention facilities, and to disclose such obligation to future owners.

- B. **Additional Requirements.** For clarity, these supplemental requirements are in addition to other requirements of this UDO. Whenever a conflict arises between an otherwise applicable standard imposed by another provision of this UDO and this section for the non-residential development, the stricter standard shall apply. For example, development occurring within the downtown overlay district must also meet the requirements outlined in the Section D-703.

Section D-917D. Supplemental Requirements for Certain Uses.

A. Agricultural Uses.

1. Structures housing poultry or livestock and waste removed from any structure shall be located no closer than 150 feet from any property line except that structures housing horses shall be located no closer than 60 feet from any property line. Corrals for bovine and equine animals are exempt from these setbacks.
2. Agricultural uses shall have a minimum lot size of 80,000 (R-80), 60,000 (R-60), or 40,000 (R-40, R-CD) square feet; provided, however, that a minimum of five acres shall be required for any agricultural use containing one or more livestock animals having a mature adult weight of 250 pounds or greater. Notwithstanding this requirement, lots whose agricultural use consists exclusively of one horse shall be required to have a minimum of 40,000 square feet of contiguous fenced land area designed to accommodate the horse. Such lots containing two horses shall be required to have a minimum of 80,000 square feet of contiguous fenced land area designed to accommodate the two horses.

(Ord. No. 2023-04, 2023-06-12)

- B. **Horse Farm or Academy.** Structures housing horses shall be located no closer than 60 feet from any property line. Waste removed from any such structure shall be located no closer than 150 feet from any property line.
- C. **Family Care Home.** Consistent with the authority provided in 160D-907 family care homes are prohibited from being located within a one-half mile radius of an existing family care home.

APPENDIX 1 DEFINITIONS

Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Abandonment means:

- (1) A use that has been discontinued for a consecutive period of 180 days;
- (2) When the premises of a particular use are devoted to another use;
- (3) When the characteristic equipment and furnishings of the nonconforming use have been removed from the premises and have not been replaced by the same or similar equipment within 30 days; or
- (4) Failure to take all positive action to resume the nonconforming use with reasonable dispatch, including the failure to advertise the property for sale or lease.

Accessory family dwelling means an incidental structure on the same lot as the single-family dwelling that is the principal use on that lot and that is generally occupied and used by different person(s) than those who generally occupy and use the property's single-family dwelling.

Accessory structure means a structure located on the same parcel of land as the principal structure and the use of which is customarily incidental to the use of the principal structure.

Accessory use means a use that exists on the same lot with the principal use and is subordinate and clearly incidental to the principal use.

Adaptive reuse refers to the process of reusing a site or building for a purpose other than that for which it was originally intended.

Adjusted Tract Acreage Yield means the total gross tract acreage after excluding the primary conservation areas.

Administrator means the person designated by the town council to administer this UDO and to undertake other duties as called for in this UDO.

Adult establishment means a use meeting the definition of "adult establishment" in G.S. 14-202.10(2), which is hereby adopted by reference. The term "adult establishment" includes adult bookstores, adult motion picture theaters, adult mini-motion picture theaters, adult live entertainment businesses, and massage businesses, as those uses are defined in G.S. 14-202.10, which is hereby adopted by reference. However, this term does not include massage businesses where all applicable employees meet the ethical and educational requirements specified by the American Massage Therapy Association or equivalent national or state standards.

Agricultural uses means the production, keeping or maintenance, for sale, lease or personal use, of plants and animals useful to man, including, but not limited to, forages and sod crops, dairy animals and dairy products, poultry and poultry products, livestock, including beef cattle, sheep, swine, horses, ponies, mules, or goats or any mutations or hybrids thereof, including the breeding and grazing of any or all such animals, bees and apiary products, fur animals, trees and forest products, fruits of all kinds, including grapes, nuts and berries, vegetables, nursery, floral and ornamental products, or lands devoted to a soil conservation or forestry management program. The term "agricultural use" does not include a horse farm or academy, as herein defined, or the keeping of any nondomesticated animals. As used herein, the term "nondomesticated animals" shall mean any animal not generally associated with the practice of animal husbandry and which are a threat to humans or are commonly perceived to be a threat to humans. Examples of such animals include great cats, wolves and bears.

Agritourism means an agricultural, horticultural or agribusiness operation primarily devoted to the promotion of tourism of said operation for the purpose of enjoyment, education or active involvement in the activities of the farm or operation; provided that said use produces revenues or attracts tourists.

Church/house of worship means a building or structure, or group of buildings or structures which, by design and construction are primarily intended for conducting organized religious services, whose site may include an accessory area for the internment of the dead.

Club means buildings or facilities owned or operated by a person for a social, educational or recreational purpose.

Co-location means the placement of additional antennas or antenna arrays on an existing or approved telecommunication or electrical transmission tower, the sharing of an antenna or antenna array, or otherwise sharing a common location by two or more Federal Communications Commission (FCC) licensed providers of personal wireless service. Co-location includes antennas, transmitters, receivers and related electronic equipment, cabling, wiring, equipment enclosures and other support equipment or improvements located on the tower site.

Community recreational center means a building used for recreational, social, educational and cultural activities, owned and operated by a governmental or nonprofit group or agency, except for this use when operated by homeowners' associations within subdivisions. Nonprofit means that the community recreational center is owned and operated by a federally recognized non-profit organization organized and operated exclusively for exempt purpose set forth in 26 USC 501(c)3.

Conservation easement means a right conveyed by deed or other appropriate recorded instrument which gives the grantee a nonpossessory interest in the real property of the grantor, and which perpetually and permanently restricts the use of the real property to the uses set forth in section D-917B.J.1.

Conservation land means that portion of a tract that is set aside for permanent and perpetual protection as required by this UDO.

- (1) Primary conservation land means that portion of a tract that consists of ~~viewsheds~~, floodplains, wetlands, lakes, ponds, steep slopes and hydric soils.
- (2) Secondary conservation land shall include that portion of a tract that consists of forestland, farmland, historic sites, ~~steep slopes~~, rock formations, and land adjacent to parks.

Conservation organization means a nonprofit corporation or trust, or any private corporation or business entity authorized to do business in the state, intended to exist indefinitely, and whose ongoing purpose includes the following:

- (1) The permanent and perpetual preservation of land areas for outdoor recreation by, or for the education of, the general public;
- (2) The permanent and perpetual protection of the natural habitat of fish, wildlife, or plants, or similar ecosystem; or
- (3) The permanent and perpetual preservation of open space (including farmland and forestland) where such preservation is for the scenic enjoyment of the general public, or pursuant to a clearly delineated federal, state or local governmental conservation policy, and that will yield a significant public benefit.

Construction trailer means a mobile home which is designed for neither overnight, nor year-round occupancy and is used exclusively at a construction project on a temporary basis.

Corral means the primary enclosure for confining livestock. A corral is not a structure as defined by this chapter.

Cul-de-sac means a short street having only one end open to traffic and the other end being permanently terminated and a vehicular turnaround provided.

Country club means a land area and buildings containing recreational facilities, clubhouses and usual accessory uses, open only to members and their guests for a membership fee.

Day care center means a place where daytime care is provided to six or more children, unrelated by blood or marriage to, and not the legal wards or foster children of the attendant adult.

Day care center, small group means a place where daytime care is provided to not more than five children unrelated by blood or marriage, and not the legal wards or foster children of the attendant adult within an occupied residence.



MEMORANDUM

TO: Planning Board
FROM: Gregory Gordos, Town Planner
DATE: April 28, 2025
SUBJECT: Discussion and Possible Recommendation of Text Amendment 2025-5 Section D-917C.(A)(12) Buffering Non-residential structures., of the Town of Weddington Unified Development Ordinance

BACKGROUND:

In April of 2025 the Planning Board subcommittee met regarding concerns about “stormwater” and creating a “commercial buffer”. Planning staff was unable to attend. On April 14th an email was shared detailed the resulting text amendments for the full consideration of the board.

PROPOSAL:

Stormwater, 58-543 (b) (3) will now state that minor subdivisions must meet this standard and only a single residence is exempt.

Buffer, D-917C (A) (12) is an addition and will now stipulate a 50' buffer applied to non-residential development that is adjacent to a residential development. Combined with the current D917A (O) this will create a 100' buffer.

OUTLINE OF TEXT AMENDMENT:

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

Section D-917C. A. Development Standards.

12. Buffering Non-residential structures. The buffer requirement is 50 feet between any commercial structures and the property line. Section D-918.I (Screening and Landscaping) lists the required plantings of trees and shrubs within buffers and the standards for planting.

Staff had recommended no text amendment to the Board. For ease of reference, new text is referenced in red/underlined font, while deletions are referenced in ~~strike through~~ font.

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.

RECOMMENDATION:

Staff recommends denial of the proposed text amendments. They are piecemeal and serve no clear public interest when the Town is 99% zoned residential.

Attachments:

- Ordinance 2025-05

Gregory Gordos

From: Bill Deter
Sent: Monday, April 14, 2025 3:05 PM
To: Gregory Gordos
Cc: Rusty Setzer; Chris Faulk
Subject: UDO PROPOSED TEXT CHANGES
Attachments: Proposed text changes 4.14.25.pdf

Follow Up Flag: Flag for follow up
Flag Status: Flagged

Good afternoon Greg,

As a follow-up to our meeting today, I have attached two proposed text changes for the UDO that relate to Stormwater and a commercial buffer. These need to be discussed with the full Planning Board.

Stormwater, 58-543 (b) (3) will now state that minor subdivisions must meet this standard and only a single residence is exempt.

Buffer, D-917C (A) (12) is an addition and will now stipulate a 50' buffer applied to non-residential development that is adjacent to a residential development. Combined with the current D917A (O) this will create a 100' buffer.

Please let us know if you have any questions.

Bill D

appropriately located, screened, and secured. Such outside storage shall be allowed only at the sole discretion of the Town Council and shall be included in calculating the floor area ratio for the site.

10. *Open Space.* At a minimum, twenty percent of the gross acreage of the project (minus any required setbacks and buffers, utility easements, stormwater detention areas, and marginal lands including, but not limited to, wetlands, floodplains, steep slopes, and bodies of water) shall consist of prominently located and pedestrian-accessible village green open spaces so as to encourage walking and pedestrian activity within the development. No development may occur within any such open space except for the creation of sidewalks, other walking paths, and any type of development commonly found in small public parks, such as statues or other art.
11. *Stormwater Management.* The post development rate of stormwater runoff from any lot shall not exceed the predevelopment rate of runoff for a 100-year storm. The applicant shall provide, at a minimum, the following information to the Administrator as part of his application to obtain a zoning permit:
 - a. An engineering report made and certified as true and correct by a registered engineer licensed to do business in the state. Such report shall include the following:
 1. The routing of stormwater for the predevelopment and post-development conditions of the proposed building lot.
 2. Calculations showing the peak estimated rates of runoff using a ten-year return period for predevelopment and post-development conditions for the lot, including each stream leaving the proposed building lot.
 3. Calculations, plans, and specifications for stormwater retention/detention facilities or other means to effect peak rate attenuation.
 4. A statement indicating the rate of post-development stormwater runoff for the proposed building lot will not be greater than the predevelopment rate for a 10-year storm.
 - b. A statement from the owner acknowledging responsibility for the operation and maintenance of required retention/detention facilities, and to disclose such obligation to future owners.

12. *Buffer.* A 50' buffer is required between a non-residential development and any adjacent residential development.

- B. Additional Requirements.** For clarity, these supplemental requirements are in addition to other requirements of this UDO. Whenever a conflict arises between an otherwise applicable standard imposed by another provision of this UDO and this section for the non-residential development, the stricter standard shall apply. For example, development occurring within the downtown overlay district must also meet the requirements outlined in the Section D-703.

Section D-917D. Supplemental Requirements for Certain Uses.

A. Agricultural Uses.

1. Structures housing poultry or livestock and waste removed from any structure shall be located no closer than 150 feet from any property line except that structures housing horses shall be located no closer than 60 feet from any property line. Corrals for bovine and equine animals are exempt from these setbacks.
2. Agricultural uses shall have a minimum lot size of 80,000 (R-80), 60,000 (R-60), or 40,000 (R-40, R-CD) square feet; provided, however, that a minimum of five acres shall be required for any agricultural use containing one or more livestock animals having a mature adult weight of 250 pounds or greater. Notwithstanding this requirement, lots whose agricultural use consists exclusively of one horse shall be required to have a minimum of 40,000 square feet of contiguous fenced land area designed to accommodate the horse. Such lots containing two horses shall be required to have a minimum of 80,000 square feet of contiguous fenced land area designed to accommodate the two horses.

(Ord. No. 2023-04, 2023-06-12)

- B. Horse Farm or Academy.** Structures housing horses shall be located no closer than 60 feet from any property line. Waste removed from any such structure shall be located no closer than 150 feet from any property line.
- C. Family Care Home.** Consistent with the authority provided in 160D-907 family care homes are prohibited from

- (4) The town engineer, may approve other deviations from the Stormwater Manual in unique cases where hardship is demonstrated. Any deviation is also subject to approval from the town council.
- (b) All developments shall be constructed and maintained so that properties are not unreasonably burdened with stormwater runoff as a result of such developments. More specifically:
- (1) All nonresidential development and all major residential development creating more than 20,000 square feet of new impervious area shall provide stormwater detention to control the peak stormwater runoff from the 2, 10, 25, 50 and 100 year, 24-hour storm events to pre-development rates. Stormwater volume control shall also be provided for the 1-year, 24-hour storm. Design of facilities shall be consistent with the Stormwater Manual except as stated herein.
 - (2) All developments with impervious area existing on or before November 13, 2014 shall provide detention only for any newly created impervious area.
 - (3) ~~Minor residential subdivisions~~ and individual single-family residences are exempt from requirements of this section.
 - (4) Stormwater management facilities shall not be located within 20 feet of any property lines.
 - (5) A registered North Carolina professional engineer shall certify documents demonstrating that construction of the project or subdivision will not increase the rate of runoff from the site nor cause any adverse impacts on downstream facilities or property.
 - (6) Where stormwater management facilities are proposed to be constructed, the owners, heirs, assigns or successors of the land, including any homeowners associations, will agree to perpetual maintenance of the facility and will release and hold harmless the Town of Weddington from any liability, claims, demands, attorney's fees, and costs or judgments arising from said facility. At a minimum, the facility will be inspected by a registered North Carolina professional engineer on a yearly basis and the annual inspection report submitted by the owner to the zoning administrator for purposes of compliance.
 - (7) An evaluation of any dam that is part of a stormwater management facility shall be made by the designer, in accordance with the Dam Safety Law of 1967, and submitted to the dam safety engineer for review, if required.
 - (8) No certificate of compliance or release of performance bond funds shall be issued for any development until a registered land surveyor has surveyed the as-built storm drainage and stormwater management facilities and the revised calculations have been submitted to and approved by the Town of Weddington. The revised calculations must be sealed by a registered North Carolina professional engineer. In addition, the town shall not grant final plat approval unless the town engineer has approved the plans, and the town has approved the as-built detention plans and/or a performance bond has been secured.
 - (9) A permanent drainage easement that encompasses the facility shall be shown on a recorded plat, along with an access easement from the facility to a public right-of-way. This easement will be described by metes and bounds on the plat.
 - (10) There will be a note placed on the recorded plat that clearly describes who is responsible for maintenance of the stormwater management facilities, pipes, and/or channels located within the permanent facility.
 - (11) Required drainage easements for streams shall be provided as described in zoning ordinance section 58-520, "Setbacks from streams".
 - (12) Applicants proposing new development within the downtown overlay district may propose an alternative stormwater management plan, provided the proposal includes a regional stormwater management pond that serves a development area of nine acres or more. At a minimum, the proposed plan must detain peak stormwater runoff for the 2-year, 10-year, and 25-year, 6-hour storms, and provide 0.5 feet of freeboard during the 50 and 100-year storm events. The regional stormwater pond must be approved by the town council in accordance with the conditional zoning approval process.

(Ord. No. O-2014-14, 11-10-2014; Ord. No. O-2015-08, 6-8-2015)

Sec. 58-543.1. - Requirements for stormwater management plan approval.

- (a) *Stormwater management plan required for all developments.*



MEMORANDUM

TO: Planning Board
FROM: Gregory Gordos, Town Planner
DATE: May 27, 2025
SUBJECT: Discussion and Recommendation on a Text Amendment 2025-6
APPENDIX 2B., of the Town of Weddington Unified Development Ordinance

BACKGROUND:

On May 9th the Planning Board subcommittee consisting of three current board members (Bill Deter, Rusty Setzer, and Chris Fault) met regarding the application requirements of Appendix 2B. as found within the Town of Weddington Unified Development Ordinance. Town staff was not present for this meeting. Numerous drafts and emails were shared between members until a Zoom call that took place on Thursday, May 15th. Lastly, a full Planning Board workshop took place at Weddington Town Hall on Tuesday, May 20th that lasted several hours. Consensus was made on the Appendix concept but no vote took place.

The subcommittee stated that on May 9th that this expedient review was intended to allow the proposed text changes to be on the June 9th Town council meeting. On May 12th the Town Council stated on-record that one of the reasons for opposing a conditional zoning application was Appendix 2B. of the UDO.

This completely revised Appendix is now provided to the Planning Board for their recommendation/vote. Because nearly every row was rearranged, the old Appendix must be deleted and a new matrix inserted.

PROPOSAL:

To improve the public, applicant, Planning Board, and Town Council understanding of the requirements as found within Appendix 2B. of the UDO when considering conditional zoning cases in the legislative process. Application materials expected by this Board shall be clear, concise, and understood at the time of application to eliminate confusion and disagreement at the time of the Public Hearing and invalidate the argument that an incomplete application has come before appointed and elected leadership.

This Appendix as amended would eliminate one column (PRELIMINARY PLAT) which is staff reviewed and revise the first column (SKETCH PLAN) and replace it with the more stringent SCHMATIC PLAN. Should an item be deficient in the Schematic Plan column, the Planning Board must address its absence in either denying the request, tabling the request to request the information, or add conditions.

OUTLINE OF TEXT AMENDMENT:

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

APPENDIX 2B.

Information to be contained in or depicted on a site plan (~~sketch~~ **schematic** plan) preliminary and final plats.

An "X" indicates that the information is required.

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, mortgagees, registered land surveyors, land planners, architects, landscape architects and professional engineers responsible for the subdivision	X	X	X
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	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 as a local historic property by the county	X	X	X
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		X	
The location and dimensions of all drainage easements including P.E. certification when required		X	X
Compliance with setbacks from streams	X	X	X

Establishment of flood protection elevation (FPE)		X	X
Drainage, stormwater management plan and wetland protection plan	X	X	X
A lighting plan		X	

Information	Schematic Plan	Final Plat
Title block containing the subdivision name	X	X
Location (including township, county and state)	X	X
Developer Name and contact information	X	X
Civil engineer and contact information	X	X
Consulting engineers and contact information (if applicable)	X	X
Table of Contents	X	X
Vicinity Map with North arrow showing the relationship between the proposed subdivision and surrounding area	X	X
The registration numbers and seals of the professional engineers and land surveyors	X	X
Existing Conditions	Schematic Plan	Final Plat
Acreage of the total tract(s) to be subdivided	X	
The name and location of any property/building within the proposed subdivision or within any contiguous property listed on the U.S. Department of Interior's National Register of Historic Places or is designated as a local historic property by the County or town	X	X
Vicinity map with North arrow showing the relationship between the proposed subdivision and surrounding area.	X	X
Exact boundary lines of the tract to be subdivided, fully dimensioned by lengths and bearings with adjacent parcel numbers and owner names	X	X

Street and lots of adjoining properties within 300' and names of the owners of the adjoining property		X
Marshes, ponds, streams and stream beds, wetlands, steep slopes, and other natural features effecting the site.	X	X
Existing Structures, watercourses, railroads, bridges, culverts, and storm drains both on the land to be subdivided and adjacent parcels		X
Existing topography with vertical datum NAVD88 with 1' or 2' contours	X	X
Existing tree locations per the UDO Tree Preservation Requirements	X	
Location of all easements and utilities	X	
Parcel description from Union County GIS	X	
Zoning classification of the tract to be subdivided and on adjoining properties.	X	
Proposed Site Improvements	Schematic Plan	Final Plat
Plans to be scale of not greater than 100' per inch and consistent between sheets. Listed in words and figures	X	X
A traffic impact assessment per Appendix C and as required by the Traffic Impact and Analysis Manual.	X	
Entrances: Schematic plans shall include a detailed entrance design for all proposed access points. This design must illustrate the alignment and dimensions of the entrance road, pavement width, median layout (if applicable), and integration with existing public rights-of-way. Additionally, the plan shall identify monument sign locations, any landscape islands, lighting, and hardscape features associated with the entrance. All entrance designs should reflect the character of the proposed development and be consistent with applicable NCDOT and Town of Weddington access requirements and ordinance standards.	X	
Location and dimensions of required buffers and minimum building setback lines (berms, natural buffers, etc.)	X	X
Percentage of open space required and provided	X	
Proposed landscape plan for buffers and entrances	X	

Septic locations of drain fields and repair fields (if applicable)	X	
Septic tank suitability data furnished by the appropriate health department or agency	X	
Proposed topography with vertical datum NAVD88 with the topo map showing contours of 1' or 2' elevation contours	X	X
Location of all retention ponds	X	
Location of all swales and ditches	X	
Preliminary storm water lines and structure (if applicable)	X	
Preliminary calculations of proposed impervious surface and runoff volume to see proportionally sized BMP ponds.	X	
Designation of site-specific Flood Protection Elevation (FPE) in compliance with FEMA and local codes.	X	X
Exact location of the flood hazard, floodway, and floodway fringe areas from the town's FEMA maps	X	X
Preliminary drainage, stormwater management plan and wetland protection plan	X	X
Preliminary proposed details of stormwater structures, flumes, etc.	X	
Preliminary locations of all utility and other easements.	X	X
Compliance with setbacks from streams	X	X
A preliminary erosion control plan with proposed limits of disturbance.	X	
The future ownership (dedication of reservation for public use to government body, HOA, or tenants remaining in subdivider's ownership) of recreational and open space lands		X
Proposed lot lines, lot sizes, consecutive numbered lots with building pad locations showing the smallest lot and average lot size.	X	
All setbacks delineated		X
The exact locations and descriptions of all monuments, markers, and control points		X

A copy of notification submitted to the Facilities Director of UC 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 permits from the Army Corps of Engineers	X	
A yield plan demonstrating 40,000 sq ft minimum lot size with buildable area compliance.	X	
A preliminary lighting plan for street lights, amenity lights, and parking lot lights (if applicable)	X	
Roads	Schematic Plan	Final Plat
Proposed roads with horizontal and vertical alignment	X	X
A preliminary proposed street layout with pavement and right-of-way widths and proposed grades	X	X
Existing and platted roads on adjoining properties and in the proposed subdivision	X	X
Amenity Areas (if applicable)	Schematic Plan	Final Plat
Club house location	X	X
Club house parking	X	X
Pools and/or sport courts and fields	X	X
Walking trails and paths requiring improvement (grading, stone, fencing, etc.)	X	X
Heritage Trees	Schematic Plan	Final Plat
Indicate Heritage trees proposed for removal and provide preservation/mitigation plans per the Weddington Tree Ordinance.	X	
Indicate perimeter protect area required during construction	X	
A tree survey in accordance with the Town of Weddington Tree Ordinance indicating Heritage trees and the limits of proposed tree protection	X	

Section D-607 Weddington Specific Process Steps for Legislative Decisions.

A. Conditional Rezoning.

1. *Preapplication Meeting (required for conservation residential development only).* Any person contemplating a conditional rezoning is strongly encouraged to have a preapplication meeting with the Administrator in order that questions may be answered, and that the applicant may gain a better understanding of the requirements of this UDO. A preapplication meeting is required for conservation residential developments.
2. *Existing Resource/Site Analysis Plan and Yield Plan (conservation residential development only).* The following information shall be submitted for all proposed conservation residential developments:
 - 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).
 - b. 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 show all proposed lots, streets, rights-of-way, and other pertinent features that would be required for a ~~sketch~~ **schematic** plan for major conventional subdivisions as identified in Appendix 2. 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.

Section D-803. Review Process, Filing, and Recording of Subdivision Plats.

A. Review Process. The procedures and standards to be followed in granting or denying approval of a subdivision plat prior to its registration are as follows:

2. *Major Subdivisions (more than six lots).*
 - a. Conditional Zoning Site Plan (no separate “preliminary plat” needed). ~~Because proposed development that requires a Major Subdivision review will be reviewed through the Conditional Zoning process, a “preliminary plat” is not required. In other words, t~~The Conditional Zoning Site Plan serves the same function as a preliminary plat as the **Schematic Plan**. See Section D-607(C) regarding the conditional zoning process and Appendix 2 for applicable submittal requirements. The applicant for all major subdivisions must submit, with an application for the Conditional Zoning, a maintenance agreement that obligates either the property owner of the open space and conservation land, or other specified party as provided above, to implement the maintenance plan.

Section D-917B. Additional Specific Requirements for Conservation Residential Development.

A. Minimum Total Acreage. The minimum total acreage for a Conservation Residential Development is six (6) acres.

B. Minimum Open Space.

1. At a minimum, fifty percent (50%) of the net acreage of the tract will be required to be retained as Conservation Land. Not more than zero percent (0%) 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. When a proposed conservation residential development project lies on both sides of a major or minor thoroughfare, all attempts should be made to have 50 percent (50%) of each side's gross acreage designated as Conservation Land. However, the Town may allow flexibility on the distribution of Conservation Land in situations where there is greater logic to preserving special features on one side of the road, or due to locating homes on the other side due to the relative absence of special site features with greater conservation value.
3. The minimum percentage and acreage of required Conservation Lands shall be calculated by the applicant and submitted as part of the ~~sketch~~ **schematic** plan.

Staff offers the replacement text above 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 ~~strikethrough~~ font.

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.

RECOMMENDATION:

Staff recommends tabling the proposed text amendment until the next scheduled Planning Board hearing. This amendment, as proposed, dramatically changes the requirements for new development applications to the Town of Weddington. It should not be rushed through without greater feedback from those affected.

Attachments:

- Subcommittee Draft (Appendix2B_Revisions.docx)

#	INFORMATION	SCHEMA PLAN	PRELIM PLAT	FINAL PLAT	NOTES Current appendix 2B row number
	COVER PAGE:		THIS COLUMN TO BE DELETED		
1	Title block containing the subdivision name	X	X	X	was row 1
2	Project address and/or parcel numbers	X	X	X	was row 2
3	Developer name and contact information	X	X	X	was row 7
4	Civil engineer and contact information	X	X	X	was row 7
5	Consulting engineers and contact information (if applicable)	X	X	X	was row 7
6	Table of Contents	X	X	X	new
7	Vicinity map with North arrow showing the relationship between the proposed subdivision and surrounding area	X	X	X	combined row 5 & 6
8	Registration numbers and seals of engineers and surveyors	X	X	X	was row 8
	EXISTING CONDITIONS:				
9	Acreage of the total tract(s) to be subdivided	X	X		was row 45
10	The name and location of any property/building within the proposed subdivision or within any contiguous property listed on the U.S. Department of Interior's National Register of Historic Places or is designated as a local historic property by the County or town	X	X	X	was row 53
11	Vicinity map with North arrow showing the relationship between the proposed subdivision and surrounding area.	X	X	X	was row 6
12	Exact boundary lines of the tract to be subdivided, fully dimensioned by lengths and bearings with adjacent parcel numbers and owner names	X	X	X	combined Row 9 & 10
13	Street and lots of adjoining properties within 300' and names of the owners of the adjoining property	X	X	X	combined Rows 11 & 12

14	Marshes, ponds, streams and stream beds, wetlands, steep slopes, and other natural features effecting the site.	X	X	X	was row 22
15	Existing Structures, watercourses, railroads, bridges, culverts, and storm drains both on the land to be subdivided and adjacent parcels	X	X	X	was row 18
16	Existing topography with vertical datum NAVD88 with 1' or 2' contours	X	X	X	new
17	Existing tree locations per the UDO Tree Preservation Requirements	X	X		new
18	Location of all Easements and utilities	X	X		
19	Parcel description from Union County GIS	X	X		new
20	Zoning classification of the tract to be subdivided and on adjoining properties.	X	X		was row 16
21	PROPOSED SITE IMPROVEMENT PLANS (plans to be scale of not greater than 100' per inch and consistent between sheets. Listed in words and figures)	X	X	X	was row 4
22	A traffic impact assessment per Appendix C and as required by the <i>Traffic Impact and Analysis Manual</i> .	X	X		was row 52
23	Entrances	X	X		new
24	Location and dimensions of required buffers and minimum building setback lines (berms, natural buffers, etc.)	X	X	X	combined Rows 14, 15, & 38
25	Percentage of open space required and provided	X	X		was row 20
26	Proposed landscape plan for buffers and entrances	X	X		was row 37
27	Septic locations of drain fields and repair fields (if applicable)	X	X		was row 51
28	Septic tank suitability data furnished by the appropriate health department or agency	X	X		Was row 24
29	Proposed topography with vertical datum NAVD88 with the topo map showing contours of 1' or 2' elevation contours	X	X	X	new

30	Indicate if the site is to be balanced, import, or export. THIS ROW TO BE DELETED				new
31	Location of all retention ponds	X			new
32	Location of all swales and ditches	X			new
33	Preliminary storm water lines and structure (if applicable)	X			new
34	Preliminary calculations of proposed impervious surface and runoff volume to see proportionally sized BMP ponds.	X			new
35	Designation of site-specific Flood Protection Elevation (FPE) in compliance with FEMA and local codes.	X	X	X	was row63
36	Exact location of the flood hazard, floodway, and floodway fringe areas from the town's FEMA maps	X	X	X	was row 23
37	Preliminary drainage, stormwater management plan and wetland protection plan	X	X	X	was row 64
38	Preliminary proposed details of stormwater structures, flumes, etc.	X			new
39	Preliminary locations of all utility and other easements.	X	X	X	combined Rows 36 & 61
40	Compliance with setbacks from streams	X	X	X	
41	A preliminary erosion control plan with proposed limits of disturbance.	X	X		new
	The future ownership (dedication of reservation for public use to government body, HOA, or tenants remaining in subdivider's ownership) of recreational and open space lands			X	Is row 44
42	Proposed lot lines, lot sizes, consecutive numbered lots with building pad locations showing the smallest lot and average lot size.	X	X		combined Rows 19, 21, 47 & 48
43	All setbacks delineated			X	
44	The exact locations and descriptions of all monuments, markers, and control points			X	was row 54
45	A copy of any proposed deed restrictions or similar covenants. The developer shall submit to the Town		X	X	was row 56

	evidence that an HOA has been created 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 Incorporations, Declarations and HOA bylaws. THIS ROW TO BE DELETED				
46	A copy of notification submitted to the Facilities Director of UC Public Schools and the Chairman of the Board of Education, stating the number of lots requested in the plat application	X	X	X	was row 58
47	A copy of permits from the Army Corps of Engineers	X	X		was row 60
48	A yield plan demonstrating 40,000 sq ft minimum lot size with buildable area compliance.	X	X		was row 26
49	A preliminary lighting plan for street lights, amenity lights, and parking lot lights (if applicable)	X	X		was row 65
	ROADS:				
50	Proposed roads with horizontal and vertical alignment	X	X	X	was row 27
51	A preliminary proposed street layout with pavement and right-of-way widths and proposed grades	X	X	X	combined rows 25, 29, 30 & 31
52	Existing and platted roads on adjoining properties and in the proposed subdivision	X	X	X	was row 28
53	Design engineering for all corner and curves. THIS ROW TO BE DELETED		X	X	was row 32
54	Typical road cross-section. THIS ROW TO BE DELETED	X	X	X	was row 33
55	Road names. THIS ROW TO BE DELETED		X	X	was row 34
56	A driveway permit for any road proposed to intersect with a State maintained road as required by NCDOT. THIS ROAD TO BE DELETED		X	X	was row 35
57	Linear feet of roads and streets. THIS ROAD TO BE DELETED	X	X		was row 50

58	A copy of the approved roadway plan submitted to the appropriate office of NCDOT for any major subdivision. THIS ROW TO BE DELETED		X		was row 59
	AMENITY AREAS (if applicable)				
59	Club house location	X	X	X	new
60	Club house parking	X	X	X	new
61	Pools and/or sport courts and fields	X	X	X	new
62	Walking trails and paths requiring improvement (grading, stone, fencing, etc.)	X	X	X	new
	HERITAGE TREES				
63	Indicate Heritage trees proposed for removal and provide preservation/mitigation plans per the Weddington Tree Ordinance.	X	X		new
64	Indicate perimeter protect area required during construction	X	X		was row 49
65	A tree survey in accordance with the Town of Weddington Tree Ordinance indicating Heritage trees and the limits of proposed tree protection	X	X		was row 66

The following rows from the current Appendix 2B are not listed above but need to be reviewed for current applicability and inclusion in the table

#	INFORMATION	SKETCH PLAN	PRELIM PLAT	FINAL PLAT	NOTES
	The names of any adjoining subdivisions of record or proposed or under review. THIS ROW TO BE DELETED		X	X	Is row 13
	The location and dimensions of all pedestrian or bicycle paths THIS ROW TO BE DELETED	X	X	X	Is row 39
	The location and dimensions of all school sites, both existing and proposed THIS ROW TO BE DELETED	X	X	X	Is row 40
	The location and dimensions of all parks and recreations areas with specific type indicated THIS ROW TO BE DELETED	X	X	X	Is row 41
	The location and dimensions of areas to be used for purposes other than residential with the purpose of each stated THIS ROW TO BE DELETED	X	X		Is row 43

	Acreage in parks and recreational areas and other nonresidential uses. THIS ROW TO BE DELETED	X	X		Is row 46

May 17, 2025, 2:45pm