



**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, JULY 14, 2025 – 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. Public Comments
8. Public Safety Report
9. Presentation from Keystone Custom Homes – 3009 Forest Lawn Drive
 - * A. Public Comment
10. Consent Agenda
 - A. Approve June 9, 2025 Regular Town Council Meeting Minutes
 - B. Authorize Tax Collector to Collect 2025 Real Property Taxes
 - C. Authorize Staff to enter into contract for Town On-call Engineering Services.
 - D. Approve FY24-25 Audit Contract with Kendra J. Gangal, CPA not to exceed \$10,000
11. Old Business
 - A. Adoption of new Town Fee Schedule
 - i. Public Hearing
 - ii. Discussion and Possible Consideration
12. New Business
 - A. Text Amendment 2025-05 Section D-917E Additional Specific Requirements for Conventional Residential Development or Major Subdivisions and all associated edits.
 - i. Public Hearing

- ii. Discussion and Possible Consideration
- iii. Statement of Reasonableness and Consistency

B. Discussion and Consideration of Text Amendment 2025-06 Appendix 2B Submittal Requirements.

- i. Public Hearing
- ii. Discussion and Possible Consideration
- iii. Statement of Reasonableness and Consistency

C. Discussion of Downtown Overlay

D. Discussion of Environmentally Sensitive Area Designations

E. Discussion and Possible Approval of Resolution 2025-05 Opposing SB 205

13. Code Enforcement Report

14. Update from Finance Officer and Tax Collector

15. Updates from Town Planner and Town Administrator

16. Transportation Report

17. Council Comments

18. Adjournment



**TOWN OF WEDDINGTON
REGULAR TOWN COUNCIL MEETING
MONDAY, JULY 14, 2025 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES
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1. Call to Order

Mayor Jim 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 Gregory Gordos, Finance Officer Leslie Gaylord, Admin Assistant/Deputy Clerk Deborah Coram, Town Attorney Karen Wolter, Deputy Grant Wrenn

Visitors: Christopher Neve, Tracy Stone, Casey Whiteman, Keith Fenn, Bill Caldwell, Alan Banks, John Allen, Chris Walker, Bill Deter, Chad Emerine, Cathy Brown, Ellen McLaughlin, Eileen Fellmeth, Steve Fellmeth, Annette Baker, Clayton Jones, Mike Morse, Harry Chilcot, Jared Polivka, Christie Martinez, Gayle Butler

3. Pledge of Allegiance

Council led the Pledge of Allegiance.

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

Mayor Bell requested to add item 9.A. Public Comment for the Keystone Presentation.

Motion: Mayor Pro Tem Smith made a motion to approve the agenda as amended.

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. Councilmember Howie identified a conflict with item 12.C. (mistakenly stating 12.A. initially, but later clarified it was 12.C.).

6. Mayor/Councilmember Reports

Councilmember Perryman reported that there would not be a WUMA meeting in July, with the next meeting scheduled for August. He noted that he would confirm the meeting location at the August council meeting as the schedule for the coming year had been revised.

Mayor Pro Tem Smith thanked the Rotary Club of Waxhaw and Weddington for placing flags in front of Town Hall for the Fourth of July. He noted that the Rotary Club had been doing this for several years at their own expense and labor. Mayor Pro Tem Smith invited anyone interested in attending a Rotary meeting to visit on Thursday mornings at 7:30 at the Weddington Swim and Racket Club, mentioning that visitors are welcome and breakfast is provided. He added that past mayor Craig Horn is currently serving as the club's president.

Councilmember Brannon Howie thanked the Rotary Club for the flags at Town Hall and noted that she would not be present at the August meeting.

7. Public Comments

Gayle Butler expressed concern about the downtown overlay, stating that residents do not want it. She mentioned that consultants had been hired at significant expense and had determined that residents did not want the overlay, but that the council had overlooked this finding.

Ellen McLaughlin spoke in opposition to the overlay and text amendment changes. She compared the reintroduction of the Polivka proposal to television reruns, characterizing it as an attempt to repackage the same proposal that was rejected in January. She argued that the proposal represented a slippery slope toward expanding the commercial footprint and potentially allowing for sewer access and higher density development in the future.

Clayton Jones, a 27-year resident, referred to the Polivka proposal as "Dracula," noting it had been "killed and buried three times" but had "risen from the dead." He urged the council to respect the wishes of Weddington citizens who want to maintain the existing commercial overlay.

Annette Baker, a 37-year resident, spoke against changes to the downtown overlay. She stated that she moved to Weddington because of its small-town character, R-40 zoning, and low taxes. She expressed concern that Weddington would lose its distinctive character and become "like every other town" if commercial growth were expanded.

Chad Emerine discussed two agenda items. Regarding environmentally sensitive areas, he expressed support for the council's discussion on this topic, noting that it aligns with both the old and current land use plans. On the downtown core overlay, he questioned why this was being discussed when the land use plan and surveys clearly indicate residents' preferences. He argued that any change to the existing Polivka property would significantly alter its purpose from its original approval as a corporate headquarters with limited commercial space.

Jared Polivka, representing the Polivka property, noted this was his first time speaking at a council meeting. He explained that his uncle purchased the property in 2007, and while he was a student at UNC Chapel Hill, he accompanied his father to town council meetings in 2009-2011. He emphasized that the Polivka family built exactly what was promised when zoning was approved in 2012. He invited council members and residents to contact him directly to discuss the property, providing his phone number and email (330-883-3032, jaredpolivka@gmail.com). He noted that they plan to reapply for the conditional zoning in January

and addressed several points raised by other speakers, including questioning the statistical significance of surveys with less than 3% participation. He also mentioned that the overlay did not exist when their property was zoned mixed-use in 2012, and that the company needs additional office space for its growing staff.

8. Public Safety Report

Deputy Wrenn presented the monthly safety report, comparing June statistics to May. He reported 71,911 hang-ups, 2 abandoned vehicles (up from 0), 31 accidents (up from 21), 43 alarms (up from 38), 4 burglaries (up from 2), 108 business checks (up from 79), and 3 domestic disturbances (down from 6). He noted an increase in preventive patrols from 652 to 705, attributing this to school resource officers being active in neighborhoods during summer.

Deputy Wrenn emphasized safety recommendations, including locking vehicles, keeping key fobs near nightstands, using SOS features on smart devices if suspicious activity is observed, and being cautious around pools and creeks during summer months. He also advised residents to report drone activity that does not appear to be law enforcement related.

Mayor Bell mentioned that Sheriff Cathey and Lieutenant May had recently stated that Weddington and Marvin are considered the safest towns in North Carolina. He noted that flock cameras would be installed in the coming weeks to enhance public safety efforts.

9. Presentation from Keystone Custom Homes – 3009 Forest Lawn Drive

Keith Fenn of Keystone Custom Homes presented plans for a development at 3009 Forest Lawn Drive. He discussed the evolution of their plans, including revisions to their yield plan from 11 to 12 lots. Mr. Fenn noted they had conducted multiple community meetings and are working closely with planning staff. Mr. Fenn presented site plans showing both a conventional plan and their proposed development on the 17-acre property. Their plan would preserve more tree areas and include a stormwater pond. He showed photos of heritage trees they hope to preserve and asked for council guidance on whether to prioritize the 100-foot buffer requirement or the preservation of four heritage trees, as meeting both requirements with 12 lots was not feasible.

Council members asked several questions about the development. Councilmember Ladner inquired about the total acreage and whether reducing to 10 homes with higher prices was feasible. Mayor Pro Tem Smith asked about topography constraints. Mayor Bell expressed concern about preserving the heritage trees while maintaining the recently enacted 100-foot buffer requirement.

When questioned about home specifications, Mr. Fenn stated the homes would be on crawl spaces with possible basements for rear lots due to topography. He estimated prices would start over \$1 million and potentially reach \$1.5 million, with square footage ranging from 3,500 to 6,000 square feet. Mayor Bell expressed concern about ensuring the high-quality product promised, noting that Keystone's social media advertised lower-priced homes in other areas. Mayor Bell also questioned the length of the cul-de-sac, which at 600 feet exceeds the town's limit for cul-de-sacs. He emphasized the importance of working closely with the planning board to ensure compliance with all recently changed ordinances.

A. Public comment

Clayton Jones –Mr. Jones commented that he had met the Helms family, who own the property, and felt an instant bond. He expressed support for the project but cautioned against using the term "grandfathered," as Bill Deter had previously advised developers to remove that term from their vocabulary when dealing with conditional zoning. Mr. Jones asked if Keystone would rather spend a little more money up front as opposed to waiting and taking the chance that the application would be denied.

Mayor Bell reinforced the importance of working closely with the planning board and following all current ordinances, noting that some requirements had recently changed.

10. Consent Agenda

- A. Approve June 9, 2025 Regular Town Council Meeting Minutes**
- B. Authorize Tax Collector to Collect 2025 Real Property Taxes**
- C. Authorize Staff to enter into contract for Town On-call Engineering Services.**
- D. Approve FY24-25 Audit Contract with Kendra J. Gangal, CPA not to exceed \$10,000**

Ms. Dewey noted that the audit contract with Kendra Gangal needed to be added to the consent agenda as item 10.D.

Motion: Councilmember Howie made a motion to amend the Consent Agenda to add item 10.D. Approve FY24-25 Audit Contract with Kendra J. Gangal, CPA not to exceed \$10,000.

Vote: The motion passed with a unanimous vote.

Motion: Mayor Pro Tem Smith made a motion to approve the Consent Agenda as amended.

Vote: The motion passed with a unanimous vote.

11. Old Business

- A. Adoption of new Town Fee Schedule**
 - i. Public Hearing**

Mayor Bell opened the public hearing. No one signed up to speak.

ii. Discussion and Possible Consideration

Mr. Gordos explained that the new fee schedule primarily increases fees for developers to better reflect the staff time required to process applications. He noted that previously, a flat fee of \$1,650 was charged for conditional zoning applications regardless of size or complexity, and the new schedule would incorporate acreage to make fees more equitable for different sized projects. Ms. Gaylord reported that zoning and permit fees totaled approximately \$30,000 in the previous year, with subdivision fees at \$11,000. Mayor Pro Tem Smith expressed concern that these fees were not adequately covering the town's expenses for planning services, suggesting that citizens were heavily subsidizing developers. After discussion, Mayor Bell suggested three specific increases to the proposed fee schedule: raising the conditional zoning fee from \$1,500 to \$2,000, increasing the appeal fee for zoning officer decisions from \$500 to \$1,000, and increasing the minor subdivision final plat submittal fee from \$55 to \$85 per lot.

Mayor Bell closed the public hearing.

- Motion:** Mayor Pro Tem Smith made a motion to approve the amended Town Fee Schedule with the understanding it will be reviewed in six months to assess its effectiveness and determine if further adjustments are needed.
- Vote:** The motion passed with a unanimous vote.

12. New Business

A. Text Amendment 2025-05 Section D-917E Additional Specific Requirements for Conventional Residential Development or Major Subdivisions and all associated edits. i. Public Hearing

Mayor Bell opened the public hearing. No one signed up to speak.

ii. Discussion and Possible Consideration

Mr. Gordos explained that this text amendment creates a new section of code (D-917E) specifically for new conventional residential developments and major subdivisions. He noted that the amendment clarifies the rules for open space requirements and what constitutes credit toward open space. Mr. Gordos explained that the planning board had considered increasing the open space requirement from 10% to 20% but ultimately did not recommend this change. The council discussed whether to implement the 20% requirement despite the planning board's recommendation, with Mayor Pro Tem Smith noting that since developers can count 50% of unbuildable areas toward their requirement, a 20% requirement effectively ensures 10% of truly usable open space. After discussion, the council decided to amend the text to change "sketch plan" to "schematic plan" for consistency with other ordinances and to increase the open space requirement to 20%.

Mayor Bell closed the public hearing.

- Motion:** Mayor Pro Tem Tom Smith made a motion to approve Text Amendment 2025-05 Section D-917E Additional Specific Requirements for Conventional Residential Development or Major Subdivisions and all associated edits as amended, to change "sketch plan" to "schematic plan" for consistency with other ordinances and to increase the open space requirement to 20%..
- Vote:** The motion passed with a unanimous vote.

iii. Statement of Reasonableness and Consistency

- Motion:** Councilmember Perryman made a motion to approve the Land Use Consistency Statement as presented by staff: *The proposed amendment 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 fulfillment 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 passed with a unanimous vote.

B. Discussion and Consideration of Text Amendment 2025-06 Appendix 2B Submittal Requirements.

i. Public Hearing

Mayor Bell opened the public hearing.

Mr. Gordos presented a complete replacement of Appendix 2B Submittal Requirements, which serves as a checklist for determining the completeness of project applications. The new version includes approximately 67 items that must be checked off at various stages of the approval process.

Chad Emerine: Mr. Emerine expressed concern that the septic requirement language had been weakened from the current UDO. He argued that the current requirement for Union County Environmental Health approval or an NOI (Notice of Intent) form should be maintained to ensure lot layouts are buildable

ii. Discussion and Possible Consideration

Council members discussed the septic requirements and agreed to table the item until the August meeting to allow the planning board to clarify the septic system requirements.
Mayor Bell closed the public hearing.

Motion: Councilmember Perryman made a motion to table the text amendment and land use consistency statement until the August meeting and refer it back to the planning board for clarification of the septic system requirements to be accurately included in the Appendix.

Vote: The motion passed with a unanimous vote.

C. Discussion of Downtown Overlay

Councilmember Jeff Perryman presented information about his intention to propose amending the downtown overlay to include the Polivka property. He distributed maps to council members and the public and announced he would be available at Town Hall on Tuesday, July 22 at 5:00 PM to discuss the matter with interested residents. Councilmember Perryman read a prepared statement explaining his reasoning, noting that the Polivka property is already zoned commercial and is separated from the current overlay only by "four lanes of asphalt." He argued that the property is landlocked by the Hunter Farm conservancy and Weddington United Methodist Church, preventing further expansion. He characterized his proposal as reasonable and fair, allowing Mr. Polivka to have the "full and best use" of his property.

Mayor Bell indicated that this topic would be discussed at the August meeting, with a council vote on whether to proceed with the process.

D. Discussion of Environmentally Sensitive Area Designations

Mayor Pro Tem Tom Smith explained that the land use plan allows the council to designate environmentally sensitive areas that would be restricted from development. He suggested engaging a firm with environmental expertise to identify and recommend areas in town that should be protected. Town Administrator Karen Dewey mentioned that the town is in contract negotiations with three engineering firms, one of which specializes in environmental issues and would be appropriate for this task.

The council agreed by consensus to move forward with exploring this initiative, with staff to bring back information on scope and cost.

E. Discussion and Possible Approval of Resolution 2025-05 Opposing SB 205

Mayor Bell explained that Senate Bill 205 represents a continued threat similar to House Bill 765, which the council had previously opposed. He noted that while the bill is currently paused in committee due to public pressure, it could still advance. Mayor Bell and Councilmember Perryman emphasized the serious implications of the bill, which would effectively undo much of the town's zoning and planning process and reduce local control. Mayor Bell noted that while the "5 lots per acre" provision had been removed, the bill still includes a yield plan requirement that could result in similar density. Councilmember Perryman urged residents to contact their legislative representatives to express opposition.

Motion: Councilmember Perryman made a motion to approve Resolution 2025-05 Opposing Senate Bill 205.

Vote: The motion passed with a unanimous vote.

13. Code Enforcement Report

Ms. Dewey reported that the latest weekly code enforcement report was included in the council packets. She noted that staff is working diligently to address perpetual violators and is preparing to contract services to clean up properties where necessary.

14. Update from Finance Officer and Tax Collector

Ms. Gaylord presented the financial statements for June, the last month of the fiscal year, noting they were preliminary as receivables and payables were still being processed. Mayor Bell asked Ms. Gaylord to explain the recent decision to combine solid waste collection fees with property taxes. Gaylord explained that this approach preserves approximately \$250,000 in state-collected revenues that would otherwise be lost, as Union County distributes these funds based on ad valorem taxes. By combining the fees, the town maintains the same revenue levels without increasing the total tax burden on residents. Additionally, this approach ensures collection of solid waste fees that were sometimes missed at property closings, resulting in the town having to cover those costs. Ms. Gaylord noted that while the overall revenue remains the same, individual property owners might see differences in their bills.

15. Updates from Town Planner and Town Administrator

Mr. Gordos reported that there are currently two active applications for subdivisions in town that will soon be presented to the planning board. He also noted that several developers have requested the release of bonds for completed or nearly completed subdivisions, which will require council approval at the August meeting.

16. Transportation Report

Mayor Bell reported that the Charlotte Regional Transportation Planning Organization (CRTPO) continues to move forward. He discussed the I-77 express lanes project, noting it is estimated to cost \$3.2 billion for 11 miles of highway, making it the largest road project in North Carolina history. The state can only allocate approximately \$600 million for a project, necessitating outside vendors and toll funding. Mayor Bell expressed concern about ensuring reasonable toll rates to encourage usage, noting problems with the northern section where high toll prices have resulted in underutilization.

17. Council Comments

Councilmember Brannon Howie thanked the Rotary for their flag display for the Fourth of July and expressed appreciation to town staff for their work.

Councilmember Darcey Ladner expressed amazement at how much had been accomplished in the past 60 days, praising staff, the planning board, and subcommittees for their work on text amendments, code enforcement, and fee schedules.

Mayor Pro Tem Tom Smith thanked everyone who attended the meeting and acknowledged the significant progress made in the past 90-120 days on updating the UDO.

Councilmember Jeff Perryman reiterated appreciation for town staff, calling them the best of any municipality in the state.

Mayor Bell read a letter from the North Carolina Association of Municipal Clerks announcing that Town Clerk Karen Dewey had been awarded the prestigious designation of North Carolina Certified Municipal Clerk. The certification recognizes Ms. Dewey's educational achievements and service, valid through June 2030.

18. Adjournment

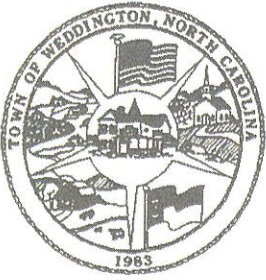
Motion: Mayor Pro Tem Smith made a motion to adjourn the July 14, 2025 Regular Town Council meeting at 9:18 p.m.

Vote: The motion passed with a unanimous vote.

Approved: August 11, 2025

Jim Bell
Jim Bell, Mayor

Karen Dewey
Karen Dewey, Town Administrator/Clerk



TOWN OF
WEDDINGTON

1924 Weddington Road • Weddington, North Carolina 28104

TO: Mayor and Town Council
FROM: Kim H. Woods, Tax Collector
DATE: July 14, 2025
SUBJECT: 2025 Real Property Taxes

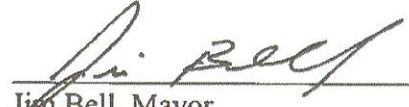
In accordance with General Statutes 105.321, I am hereby requesting authorization to collect the 2025 Real Property Taxes for the Town of Weddington.

State of North Carolina
Town of Weddington

To the Tax Collector of the Town of Weddington

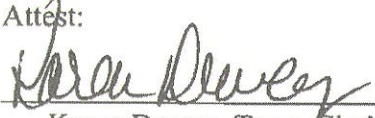
You are hereby authorized, empowered, and commanded to collect the taxes set forth in the tax records filed in the Town of Weddington Collections Department and in the tax receipts herewith delivered to you, in the amounts and from the taxpayers likewise therein set forth. Such taxes are hereby declared to be a first lien upon all real property of the respective taxpayers in the Town of Weddington, and this order shall be a full and sufficient authority to direct, require, and enable you to levy on and sell any real or personal property of such taxpayers, for and on account thereof, in accordance with the law.

Witness my hand and official seal this 14th day of July 2025.



Jim Bell, Mayor

Attest:



Karen Dewey, Town Clerk

**2025 SCHEDULE OF FEES
ZONING AND SUBDIVISION ADMINISTRATION**

Zoning Confirmation	\$50.00
Floodplain Development Review	\$100.00 plus Reimbursement of Engineering Fees
Temporary structure permit	\$75.00
Temporary use permit for sales for civic organizations, etc.	\$27.50
Temporary use permit for public	\$110.00
Subdivision sales office	\$110.00
Conditional zoning district – New	\$2,000 plus \$300/acre
Conditional zoning district major amendment (>= 1,000 SF Change)	\$1,500.00
Conditional zoning district minor amendment – Less than 1,000 SF	\$750.00
Construction Documents Review – MX	\$300.00 plus \$100/acre
Construction Documents Review – All Other	\$300.00
Temporary sign permit including temporary banners, off-premise special event signs, construction announcement signs and subdivision sales signs	\$27.50 – Non-profit organizations as recognized by the IRS are exempt
Permanent sign permit	\$50.00
ZONING PERMIT(S)	
a. Residential	\$110.00
b. Residential – Up-fit	\$25.00
c. Non-residential	\$275.00
d. Non-residential – up-fit	\$55.00
e. Accessory Structure (incl. Agricultural)	\$50.00
f. Swimming Pool or Spa	\$50.00
f. Additions	
1. Minor, no more than 25% or 500 square feet total (unheated)	\$27.50
2. Minor, no more than 25% or 500 square feet total (heated)	\$55.00
3. Major	\$110.00
g. Renewal of zoning permit	\$110.00
CERTIFICATE OF COMPLIANCE	
a. Residential	\$110.00
b. Non-residential	\$275.00
c. Accessory or Agricultural	No Charge
Swimming Pool or Spa	\$50.00
d. Additions-	No Charge
Variance and Modification of Subdivision Ordinance	\$715.00 + Notification
Appeal of decision of zoning officer to Board of Adjustment and Application to Board of Adjustment for interpretation of ordinance	\$1,000
Amendment to zoning ordinance/text amendment/map amendment	\$1,000.00 + Notification
Approval of changes to subdivision lots	
Per each subdivision	
a. 1 to 2 lots	\$110.00
b. 3 to 5 lots	\$220.00
c. 6 to 10 lots	\$330.00
d. over 10 lots	\$500.00
Telecommunication Tower Engineering and Surveying Fee	Cost to Town + \$715.00 administrative fee
Small Cell Telecommunication Facility	\$75.00/unit

Annual Biosolids Land Application Permit Fee	\$33.00 for the first acre and \$22.00 for each additional acre
Notification of Affected Property Owners (biosolids application)	
21-50	\$55.00
51-100	\$110.00
Over 100	\$220.00
Lot Line Revision and Recombination Fee	\$200.00
SUBDIVISION FEES	
<u>MINOR SUBDIVISION</u>	
Preliminary Plat Submittal - Subdivision Containing Up to 6 Lots	\$165.00 per Lot plus engineering fees
Pre-Submittal Sketch for Easement Lot	\$110.00
Final Plat Submittal - Subdivision Containing Up to 6 Lots	\$85.00 per Lot
<u>MAJOR SUBDIVISIONS</u>	
Residential Conservation District (R-CD) Pre-Sketch Plan Conference	\$165.00
Schematic Plan Review	\$275.00 per Lot
Preliminary Plat Submittal	\$275.00 per Lot plus engineering fees
Final Plat Submittal	\$110.00 per Lot
Site or Field Inspection	\$95.00/hr.
<u>SEDIMENT AND EROSION CONTROL REVIEWS & INSPECTIONS</u>	
Erosion Control Permit – Commercial over 12,000 sq ft, or any tract over 1 acre disturbed	\$500 per acre disturbed
Revised Plan Review after EC plan approval	\$200.00
Single-Family Residential Lot Inspection/Compliance with ESC Installation and Maintenance Agreement	\$10000
Reinspection Fee	\$100.00
Erosion Control Civil Penalty – Administration Fee	\$125.00
Per Notice of Violation	\$5000.00 per day, based on the degree and extent of harm caused by the violation, the cost of rectifying the damage, the amount of money the violator saved by non-compliance, whether the violation was committed willfully and the prior record of the violator in complying with or failing to comply with the ordinance.
Copying Fee	\$.05 per copy for B/W and \$.25 per copy for Color
CD Disk	\$1.00



ORDINANCE NO. 2025-05

AN ORDINANCE OF THE TOWN OF WEDDINGTON, NORTH CAROLINA MAKING AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE BY AMENDING SECTION D-917B (L) DESIGN STANDARDS SPECIFIC TO CONSERVATION LANDS, AND ADDITION OF SECTION D-917E ADDITIONAL SPECIFIC REQUIREMENTS FOR CONVENTIONAL RESIDENTIAL DEVELOPMENT, and APPENDIX 1. DEFINITIONS

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 existing ordinance provides more strict design and zoning standards for Conservation (smaller lot) development but does not apply this higher standard to conventional subdivision development; and

WHEREAS, applying new rules into existing Sections would apply these strict standards to existing property owners regardless if they are living in a major subdivision, affecting property rights; and

WHEREAS, organizing the whole of Article 9 to separate standards for all development, conservation development, and new conventional development meets the Town Council goals of improving the quality specifically of new residential subdivisions.

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

Section 1. That Unified Development Ordinance, Article 9, Regulation of Particular Uses and Areas, D-917A. (P) Open Space and D-917B. (L) Design Standards Specific to the Conservation Lands, be amended to read as follows:

Section D-917A. Specific Requirements for All Residential Development - Required Improvements, Dedication, Reservation and Minimum Standards for Residential Development (applicable to both Traditional Residential Development and Conservation Residential Development).

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. Additional Specific Requirements for Conservation Development

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.*
- 2.
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 schematic plan to be infeasible, impractical, or serve no meaningful purpose.

Section 2. That Unified Development Ordinance, Article 9, Regulation of Particular Uses and Areas, D-917E. Additional Specific Requirements for Conventional Residential Development, be added:

Section D-917F.. 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 schematic 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.

Section 3. That Unified Development Ordinance, Appendix 1 Definitions be amended to add as follows:

APPENDIX 1 DEFINITIONS

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

Section 4. Amendments to the Unified Development Ordinance of the Town of Weddington (as originally adopted by Ordinance No. 2025-05) are hereby adopted to read as set forth in this Ordinance.

Section 5. 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 6. 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 7. Notice of the proposed enactment of this Ordinance has been properly advertised in a newspaper of general circulation in accordance with applicable law.

Section 8. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST AND FINAL
READING AND ADOPTED

July 14, 2025

Jim Bell
Honorable Jim Bell
Mayor

Attest:

Karen Dewey
Karen Dewey
Town Administrator/Clerk



RESOLUTION IN OPPOSITION TO PROVISIONS OF SENATE BILL 205
THAT REDUCE LOCAL GOVERNMENT ZONING AUTHORITY
R-2025-05

WHEREAS, on May 12, 2025, the Weddington Town Council adopted a "Resolution Opposing Changes to Local Planning and Zoning in House Bill 765 and Related Bills by the North Carolina General Assembly (Resolution R-2025-04); and

WHEREAS, House Bill 765, a bill entitled at the time of its filing "An Act to Reform Local Government Development Regulations in this State" ("HB 765"), opposed by this Council in R-2025-04, contained numerous provisions: (1) reducing the longstanding traditional right of citizens to petition their local governments regarding key community issues without interference from State officials, such as development decisions, housing density, population growth, water and sewer decisions, and taxes and rates; (2) eliminating critical abilities of local governments to respond to citizen needs regarding these matters other issues related to the best interests of the health, safety, and welfare of local citizens through the democratic election process; and (3) eliminating, for the first time in North Carolina history, key rights of citizens to amend or repeal key local zoning controls, population density, and community growth policies, as well as local water and sewer policy decisions, through the local electoral process; and

WHEREAS, since the Weddington Town Council adoption of R-2025-04, the House Committee on Housing and Development adopted a committee substitute version of HB 765 on May 6, 2025, which removed certain provisions, added new provisions, and modified others, with many remaining which continue to concern the residents and Council; and

WHEREAS, HB 765 has been referred to the House Committee on Finance, where it currently sits as of this date, without receiving a further committee vote; and

WHEREAS, although HB 765 has not received further committee vote, on June 11, 2025, the House Committee on Regulatory Reform, when considering Senate Bill 205 ("SB 205"), a two-page bill passed by the Senate solely related to public health regulation of swimming pools, adopted a committee substitute version of SB 205 with over 16 pages added to the bill completely unrelated to public health swimming pool regulation; and

WHEREAS, the over 16 new pages of the committee substitute version of SB 205 contain many of the committee substitute provisions of HB 765, along with a few additional new provisions; and

WHEREAS, the current version of SB 205 still carries most of the same policy concerns noted in R-2025-04; and

WHEREAS, SB 205 contains significant reductions of local input into government development regulations, including without limitation, (i) removal of areas of local development regulation authority; (ii) elimination of important authority over aspects of residential development density calculations and other critical development controls, such as parking and driveways; (iii) reduction of the opportunity for public scrutiny, citizen input, and due consideration of development proposals through newly mandated time limits on development approvals, without significant flexibility for the most complex or large new developments; and (iv) requirements of local governments to allow refiling of repetitive, previously denied rezoning and other development applications; and

WHEREAS, SB 205 imposes new punishments and burdens on the democratic process of local citizen input and government response by introducing brand new legal liabilities on local governments, and thus, the taxpayers and residents of local governments; and

WHEREAS, SB 205 fails to provide funding to pay for the increased government infrastructure necessary to handle new demands on roads, traffic, and school crowding, thereby disproportionately shifting the tax burdens of rapid community growth to local citizens, their elected leaders, and the Town of Weddington, without taking political responsibility for incentivizing increased government growth and costs; and

WHEREAS, SB 205 usurps the fundamental authority of local citizens and local officials to express their needs and to enact policies directly affecting their local communities, rather than to have those policies determined by the more remote sensibilities of State officials in Raleigh; and

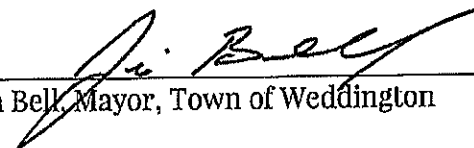
WHEREAS, the Council believes that SB 205 creates unnecessarily rigid constraints on local development decisions that upend the traditional governance structure in North Carolina, which has vested in local governments, including the Town of Weddington, the authority to implement policies and regulations in the best interests of Weddington; and

WHEREAS, the Council believes that, as a matter fundamental to the right of self-governance and individual liberty, the General Assembly ought to reject the provisions of SB 205 which reduce the people's ability to influence their communities, to the maximum extent possible, through petitioning their local government regarding development regulations in the best interest of the Town of Weddington.

NOW, THEREFORE, BE IT RESOLVED that the Weddington Town Council requests that the General Assembly reject the provisions of SB 205 which (i) reduce the ability of local citizens to shape their own communities, (ii) curtail the authority of traditional local government to respond directly to citizen concerns regarding development regulations, and (iii) further reduce and remove the powers of the people away from their home communities toward State control and governance.

BE IT FURTHER RESOLVED that copies of this resolution be sent to the Union County Legislative Delegation to the North Carolina General Assembly, to the leadership of the North Carolina General Assembly, and to the cities and towns of Union County.

Adopted this 14th day of July 2025.



Jim Bell, Mayor, Town of Weddington



Karen Dewey, Town Administrator/Clerk

