



**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, MARCH 23, 2026 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104
AGENDA**

1. Call to Order
2. Oaths of Office
 - A. Rusty Setzer
 - B. Taylor Grove
3. Determination of Quorum
4. 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.*
5. Approval of Minutes
 - A. February 23, 2026 Regular Planning Board Meeting
6. 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.*
7. Old Business
 - A. Discussion of Workshop regarding UDO Section D-917E Additional Specific Requirements for Conventional Residential Development
 - B. Discussion of Appendix 2B., Unified Development Ordinance (Proposed Site Improvements)
 - C. Discussion on the use of artificial intelligence (AI) in the audit of the Town UDO (all sections).
8. New Business
 - A. none
9. Update from Town Planner and Report from the March Town Council Meeting
10. Board member Comments
11. Adjournment



**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, FEBRUARY 23, 2026 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES
PAGE 1 OF 4**

1. Call to Order

Chairman Faulk called the February 23, 2026 Regular Planning Board Meeting to order at 7:00 p.m.

2. Determination of Quorum

Quorum was determined with Chairman Chris Faulk, Board members Scott Buzzard, Steve Fellemeth, and Bill Deter present. Vice Chair Rusty Setzer and Board member Amanda Jarrell were absent. One seat on the board is vacant.

Staff present: Town Planner Gregory Gordos, Town Administrator/Clerk Karen Dewey, Planning Assistant/Permit Tech Jazlyn Mookk.

Visitors: Jim Bell, Chad Emerine, John Houston, Sonja Houston, Mike Morse, Laura Reid, Harry Chilcot, Ellen McLaughlin, Bruce Klink, Clayton Jones, Christopher Neve, Keesha Bran, Domenico Puleio, Donna Puleio

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 members had a conflict of interest.

4. Approval of Minutes

A. December 15, 2025 Regular Planning Board Meeting

Motion: Board member Deter made a motion to approve the December 15, 2025 Regular Meeting Minutes as presented.

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.*

Chad Emerine, 953 Eagle Road, questioned the details of the Morris Farm septic plans. He noted that certain drain field locations appeared to fall outside the areas marked for soil suitability. He further questioned how the removal of the on-site pond would be managed. Mr. Emerine observed that the stormwater analysis included in the packet appeared to reference the original sketch map rather than the updated plan reflecting shifted lot configurations and stormwater pond locations. He noted that the packet appeared to be missing the Union County school impact email and the required entrance plan as specified under the UDO. He also raised concerns about two stub roads in the plan. Mr. Emerine concluded by recommending that the application be tabled and cited prior issues with Toll Brothers developments in Weddington as grounds for thorough review.

6. Old Business

A. Discussion of Workshop regarding UDO Section D-917E Additional Specific Requirements for Conventional Residential Development

Board agreed to move Old Business Discussion after New Business was completed.

7. New Business

A. Discussion and Possible Recommendation of an application by Toll Brothers requesting Conditional Zoning Approval for the development of a 39-lot Conventional subdivision located on Weddington-Matthews Road (Parcel Number 06120011)

Mr. Gordos presented the staff report: the application from Toll Brothers for conditional zoning approval for a 39-lot conventional subdivision on an approximately 94-acre parcel zoned RCD, located on Weddington-Matthews Road. He noted that conventional development in this zone requires lots of 40,000 square feet or larger. The site plan, which had gone through multiple revisions, now provides approximately 43 percent open space exceeding the current 20 percent requirement. Open space is concentrated along the eastern and western edges of the property. A previously proposed creek crossing on the far eastern portion of the site had been eliminated, resulting in the removal of several lots and reducing impacts to environmentally sensitive areas and tree cover. Panhandle flag lots previously located on the southwestern portion have been removed and converted to common open space. Two stormwater ponds (BMPs) are proposed, one to the west and one to the east. An existing pond is proposed to be drained and removed. The site plan technically includes three cul-de-sacs and efforts had been made through revisions to reduce cul-de-sac length in compliance with the UDO's updated standard of 500 linear feet. Connectivity to Bonner Drive which is on the proposed site plan is recommended to be maintained, as it is in the Traffic Impact Analysis (TIA). He suggested as a middle ground that a gated or restricted connection could be considered and if a permanent connection were required, a condition that it remains closed to through traffic until the last home is sold and the bond released could be considered. Mr. Gordos identified additional recommended conditions, including a landscape plan showing treatment of the 100-foot thoroughfare buffer along Weddington-Matthews Road.

Ms. Margaret Puckett, Vice President of Land Acquisition for Toll Brothers, presented on behalf of the applicant. She acknowledged the extensive history of the project and recognized the collaborative work undertaken with staff, the planning board, and Mayor Bell. Ms. Puckett reviewed the evolution of the site plan, noting that the initial proposal had included 47 home sites. The current plan has been reduced to 39 home sites with an average lot size of approximately 46,000 square feet and 46 percent common open space. She stated that the revisions were driven in large part by town leadership input, staff guidance, and the elimination of areas of concern including stream crossings on both the northern and southern portions of the property. Ms. Puckett presented enhanced landscaping and monumentation plans, stating that the intent was to improve the visual character of the development along Weddington-Matthews Road and to reflect the aesthetic standards expected in Weddington. She discussed the proposed approach to the Bonner Drive connectivity question, explaining that Toll Brothers had heard clearly from Bonner Drive residents at the August 2025 community meeting that they did not want through traffic connectivity. She described the applicant's proposed solution as a fire access gate with a Knox lock system. This arrangement, she contended, represented a middle ground between full connectivity and no connection. Ms. Puckett also addressed traffic improvements, confirming that a required southbound left-turn lane on Weddington-Matthews Road would be constructed as mandated by the TIA. She confirmed that all homes would be crawl space construction, individually cleared, with side-loaded garages accommodating three to four cars. Floor plans were presented ranging from approximately 4,600 to 6,300 square feet, all featuring predominantly brick exteriors, with four-sided architectural treatment. Six floor plan types were shown, and she noted that a seventh plan exceeding 6,000 square feet requested by the mayor was in development and would be presented at the Town Council level. Ms. Puckett confirmed that all septic systems would be on-lot and maintained by homeowners individually, with no HOA involvement or required operator. She walked through the heritage tree analysis, noting that of 143 heritage trees identified on the site, 22, approximately 15.4 percent, are proposed for removal. Nineteen of those 22 are clustered within the stormwater management area at the center of the site; the remaining three are within building envelopes where conflicts with septic and home placement were difficult to resolve. Ms. Puckett stated that Toll Brothers also planned to install 237 street trees and 518 supplemental perimeter buffer plantings, which she described as going well above the standard mitigation effort. She also noted that heritage tree removal fees would be paid in accordance with the applicable ordinance, in addition to replanting efforts.

Board members discussed several technical questions and concerns. Board member Fellmeth inquired about septic system maintenance, stormwater analysis updates, school capacity letters, and entrance design details. He also questioned DOT acceptance of stub roads and requested confirmation letters. Board member Buzzard asked about potential property ownership of the connecting road right of way and whether DOT would maintain short stub roads serving only one or two houses. Board member Deter complimented Toll Brothers on their improved presentation and collaboration with town leadership, noting the significant improvement in their working relationship with the town. He suggested potential modifications to eliminate stub roads by adjusting house placement and driveway configurations on specific lots. Board member Deter also identified discrepancies in heritage tree markings on certain lots that needed correction.

Chairman Faulk raised technical concerns about the farm pond drainage and jurisdictional wetlands, hydroCAD discrepancies between drainage areas shown on plans versus calculations, and the need for proper tree surveys and landscape plans. He emphasized the importance of ensuring DEQ approval for water bypass and treatment requirements.

After extensive discussion, the board established conditions for approval, including completion of landscape plans for perimeter buffers and entrance areas, school impact letters, NCDOT approval letters for stub roads, hydroCAD verification, NCDEQ approval for bypass water treatment, tree surveys, and BUA summaries. The connectivity to Bonner Drive was left as a staff recommendation for full connection, with the understanding that town council could address the emergency gate proposal.

- Motion:** Board member Deter made a motion to forward an application by Toll Brothers requesting Conditional Zoning Approval for the development of a 39-lot Conventional subdivision located on Weddington-Matthews Road (Parcel Number 06120011) to the Town Council with a recommendation for approval with the following conditions: perimeter and entrance landscape plan, school impact letter from UCPS, NCDOT approval letters for stub roads, hydroCAD calculation confirmation, tree survey, BUA summaries, NCDEQ approval of bypass water
- Second:** Board member Fellmeth
- Vote:** The motion passed with a unanimous vote.

B. Discussion and Possible Recommendation of Text Amendment 2026-1 Section D607C. Conditional Rezoning

Mr. Gordos explained this straightforward amendment corrects a reference to a code section that no longer exists, replacing it with a reference to section D917B and proposed table 8D regarding open space priorities. The amendment provides a visual exhibit of open space requirements for traditional versus conservation development approaches.

- Motion:** Board member Deter made a motion to forward Text Amendment 2026-01 to the Town Council with a recommendation for approval
- Second:** Board member Fellmeth
- Vote:** The motion passed with a unanimous vote.

C. Discussion and Possible Recommendation of Text Amendment 2026-2 Section D917A. G. Private Roads and Gatehouses.

Mr. Gordos presented this amendment to remove ambiguous language. The change streamlines the process by requiring gate design as part of the initial conditional zoning application rather than requiring applicants to return for a separate approval.

- Motion:** Board member Deter made a motion to forward Text Amendment 2026-02 to the Town Council with a recommendation for approval
- Second:** Board member Fellmeth
- Vote:** The motion passed with a unanimous vote.

D. Discussion and Possible Recommendation of Text Amendment 2026-3 D917B. L. Design Standards Specific to the Conservation Lands

This amendment removes the "greatest extent feasible" language regarding neighborhood green requirements, making them mandatory rather than optional. The compromise allows existing trees in thoroughfares to count toward shade tree planting requirements for neighborhood greens. Board member Fellmeth questioned the wording and potential credits for smaller subdivisions, but staff clarified that the requirement applies to developments with six or more houses and no additional density bonuses are provided.

- Motion:** Board member Deter made a motion to forward Text Amendment 2026-03 to the Town Council with a recommendation for approval
- Second:** Board member Fellmeth
- Vote:** The motion passed with a 2-1 vote. Board members Deter and Fellmeth in favor, Board member Buzzard opposed.

E. Discussion and Possible Recommendation of Text Amendment 2026-4 D917E.D. Lots in Floodplains.

Mr. Gordos presented this minor amendment to remove a redundant reference to the word "basement" that appeared twice in the section. Staff did not recommend changing the 10,000 square foot requirement that was also referenced in the packet.

- Motion:** Board member Deter made a motion to forward Text Amendment 2026-04 to the Town Council with a recommendation for approval
- Second:** Board member Fellmeth
- Vote:** The motion passed with a unanimous vote.

6. Old Business

A. Discussion of Workshop regarding UDO Section D-917E Additional Specific Requirements for Conventional Residential Development

Mr. Gordos reviewed previous text amendment proposals that had been delayed due to holidays, storms, and other interruptions. The discussion covered steep slopes, primary conservation lands, and yield plan definitions that were addressed in previous workshops. He noted that some issues were resolved by the text amendments just approved but emphasized the need to distinguish between primary and secondary conservation lands for proper open space calculation.

The board discussed the need for clarity on policy direction from town council, particularly regarding steep slopes and buildable area definitions. Board member Deter expressed concern about alignment between planning board recommendations and council policy expectations, noting potential confusion about whether certain features can be located on individual lots versus primary conservation areas.

Board members agreed that a workshop would be beneficial, especially with new members joining the board. They decided to wait until April when the new planning board member would be appointed and sworn in, allowing time for council to provide clear policy direction.

- Motion:** Board member Deter made a motion to table the discussion until April at a date to be determined.
- Second:** Board member Fellmeth
- Vote:** The motion passed with a unanimous vote.

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

Mr. Gordos reported that town council had tabled the Keystone CZ application, pushing the consideration to March, which creates a backlog of projects. He noted that several development applications are waiting for resolution of a current council item before they can proceed to planning board review. Staff intends to batch text amendments rather than processing them monthly to keep the process moving forward.

9. Board member Comments

Board member Buzzard thanked everyone for attending and expressed appreciation for public interest in the planning process. He thanked staff and fellow board members for their contributions to making Weddington a desirable place to live.

Board members Fellmeth and Deter echoed these sentiments. Mr. Deter specifically noted the presence of three council members and looked forward to receiving clear direction from council on pending policy matters.

Chairman Faulk expressed gratitude for staff support and public participation in the meeting process.

10. Adjournment

- Motion:** Board member Buzzard made a motion to adjourn the February 23, 2026 Regular Planning Board meeting at 8:58 p.m.
- Second:** Board member Fellmeth
- Vote:** The motion passed with a unanimous vote.

D917 REQUIREMENTS FOR DEVELOPMENT

Proposed clarifying text changes

D917A Specific Requirements For All Residential Development:

D917A-(P) Open Space. Any major subdivision shall be required to provide a minimum of 20% of the gross area of the subdivision, exclusive of any required minimum buffers along thoroughfares, consists of common open space. Fifty percent of any rights-of-way for existing overhead utilities may be counted toward the minimum required open space. Open space may be used for limited purposes set forth in section D917B(1). [Note, this subsection ~~R~~ **P** is not applicable to conservation residential developments which have significantly higher open space requirement (Section D917B)]

D917B Additional Specific Requirements For Conservation Residential Development:

D917B-(B)(1) Minimum Open Space. At a minimum, fifty percent (50%) of the ~~net acreage~~ **adjusted tract acreage yield** of the tract will be required to be retained as **Secondary** 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).~~

D917B-(C) Priority of Secondary Conservation Lands. In delineating conservation areas, the applicant shall use the following tier system as a guide, with those lands included in Tier A having the highest priority for preservation; provided, however, that in certain portions of the town, the priorities defined may be altered by the town in order to maximize achievement of the goals and objectives of maintaining open space through conservation residential development projects:

1. Tier A, Highest Priority.
 - a. Forestlands
 - ~~b. Steep slopes (greater than twenty five percent (25%)).~~
 - e. Viewsheds from thoroughfares.**
2. Tier B, Medium Priority.
 - a. Farmlands, meadows, pastures, and grasslands.
 - b. Historic sites.
3. Tier C, Lowest Priority.
 - a. Moderate steep slopes fifteen to twenty five percent (15% to 25%).
 - b. Rock formations.
 - c. Land adjacent to parks.

D917B-(E) Primary Conservation Lands. ~~Stream Valleys, Swales, Springs, and Other Lowland Areas.~~ ~~Stream valleys, swales, springs and other lowland areas are resources that warrant restrictive land use controls because of flooding hazards to human life and property, their groundwater recharge functions, their importance to water quality and the health of aquatic communities, and their wildlife habitats. They are generally poorly suited for on-site subsurface sewage disposal systems. Accordingly, the following activities shall be minimized in such areas:~~

- ~~1. Disturbance to streams and drainage swells.~~
- ~~2. Disturbance to year-round wetlands, areas with seasonally highwater tables and areas of surface water concentration.~~
- ~~3. Because of their extreme limitations, stream valleys, swales, submerged land, floodplains, steep slopes greater than twenty five percent (25%) and other lowland areas may warrant designation as Primary Conservation Lands. They may also require adjoining buffer lands to be included as Conservation Lands to be determined by an analysis of the protection requirements as determined by~~

the Town Council on a case-by-case basis upon finding that designation of such areas as Conservation Land would have significant and long-term environmental impact on the Conservation Lands.

D917E Additional Specific Requirements For **Conventional Residential Subdivisions**, ~~or Major Subdivisions~~.

D917E-(B)(1) 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). **Primary Open Space (POS) may count toward achieving the 20% Common Open Space requirement of this UDO.** ~~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 kilowatts or more).~~

DEFINITIONS

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

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 the tract that consists of viewsheds, floodplains, wetlands, lakes, ponds, hydric soils, **and steep slopes greater than twenty five percent (25%).**
- (2) Secondary conservations land shall include that portion of the tract that consists of forestland, farmland, historic sites, ~~steep~~ **moderate slopes less than twenty five percent (25%),** rock formations, and land adjacent to parks.

Open Space means a land area or water feature that conserves, enhances, or creates a natural or scenic resources and wildlife habitat or that enhances or creates outdoor recreational opportunities. Open space may be dedicated for public **use (e.g. cluster mailboxes locations, entrance monuments, etc.)** or held under private ownership. Open space may be active (e.g. ~~soccer, baseball, or football fields,~~ **sports fields,** playgrounds, etc.) or passive (e.g. bicycle, walking, or jogging trails, etc.) recreation. All conservation land, as defined above, is open space. However, all open space is not necessarily conservation land. As defined, open space may be land left in its natural state or grass and planted medians with trees in a residential, commercial, or nonresidential development.

Primary Open Space means that portion of the tract set aside in Conventional developments for permanent and perpetual protection as required by this UDO.

D917 REQUIREMENTS FOR DEVELOPMENT

D917A Specific Requirements For All Residential Development:

P. Open Space. Any major subdivision shall be required to provide a minimum of 20% of the gross area of the subdivision, exclusive of any required minimum buffers along thoroughfares, consists of common open space. Fifty percent of any rights-of-way for existing overhead utilities may be counted toward the minimum required open space. Open space may be used for limited purposes set forth in section D917B(1). [Note, this subsection ~~R P~~ is not applicable to conservation residential developments which have significantly higher open space requirement (Section D917B)]

D917B Additional Specific Requirements For Conservation Residential Development:

B. Minimum Open Space. At a minimum, fifty percent (50%) of the ~~net acreage~~ **adjusted tract acreage yield** 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).~~

C. Priority of Conservation Lands. In delineating conservation areas, the applicant shall use the following tier system as a guide, with those lands included in Tier A having the highest priority for preservation; provided, however, that in certain portions of the town, the priorities defined may be altered by the town in order to maximize achievement of the goals and objectives of maintaining open space through conservation residential development projects:

1. Tier A, Highest Priority.
 - a. Forestlands
 - ~~b. Steep slopes (greater than twenty five percent (25%)).~~
 - e. **b.** Viewsheds from thoroughfares.
2. Tier B, Medium Priority.
 - a. Farmlands, meadows, pastures, and grasslands.
 - b. Historic sites.
3. Tier C, Lowest Priority.
 - a. Moderate steep slopes fifteen to twenty five percent (15% to 25%).
 - b. Rock formations.
 - c. Land adjacent to parks.

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

- ~~1. Disturbance to streams and drainage swells.~~
- ~~2. Disturbance to year-round wetlands, areas with seasonally highwater tables and areas of surface water concentration.~~
- ~~3. Because of their extreme limitations, stream valleys, swales, **submerged land, floodplains, steep slopes greater than twenty five percent (25%)** and other lowland areas may warrant designation as **Primary** Conservation Lands. They may also require adjoining buffer lands to be included as **Primary** Conservation Lands., **This is** to be determined by an analysis of the protection requirements as determined by the ~~Town Council~~ **Planning Board** on a case-by-case basis upon finding that designation~~

UDO NOTES FOR ACTION

- 1.) Remove B17 from Appendix 2B as it is covered in B57.
- 2.) Add text to B41 on Appendix 2B to include *neighborhood green*.
- 3.) Change the text wording on D917B-(L) (9) to: *Neighborhood Green Required: ~~To the greatest extent possible, e~~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. Existing trees on the neighborhood green may count toward the shade tree planting requirement.*
- 4.) Change Appendix 2B requirement B44 to Final Plat only and not be a requirement for the Schematic Plan.
- 5.) Administrative correction to Tree Ordinance: D917A-Q(2)(b)(iv) that states 2” caliper and D917A-(6)(b) that states 2.5” caliper.
- 6.) Need a PB discussion to clarify and gain alignment on the terms *development site* and *buildable area* for Tree Save and Replenishment Requirements, D917A-(Q)(2)(b)(i,ii,iii). Development site should be the parcel. If RCD, Buildable Area should exclude the Primary Conservation land (flood planes, streams, ponds, steep slopes >25% but include the secondary conservation area and areas outside of the setbacks for the individual lots.
- 7.) D917A-G(2) Currently states *Before approval of a final plat . . .* This is now a requirement of Appendix 2B line B23. Text changes need to be made to align the two.
- 8.) D917B-B(1) refers to net acreage. Should this be replaced with the word adjusted tract acreage yield and the second sentence be deleted?
- 9.) D917B-E(3) should state *“Because of their extreme limitations, stream valleys, swales, and other lowland areas may warrant designation as Primary or Secondary Conservation Land.*
- 10.) D917E-B(1) Should the term gross acreage be replaced with adjusted tract acreage yield and the second sentence be deleted?
- 11.) D607C-3(b)(i) as part of a design charrette references D901(c)(20). This section does not exist in the UDO.
- 12.) Review proposed updates to Planning Board Rules of Procedure that were adopted 3/10/1986.
- 13.)

PREAPPLICATION CONSERVATION PLAN CHECKLIST (CONSERVATION RESIDENTIAL DEVELOPMENT ONLY)

The following items shall be incorporated into a conservation plan submitted as a part of the preapplication sketch plan, recognizing that this checklist of minimum requirements is not exhaustive and additional items may be requested depending on the nature of the proposed project.

PRIMARY CONSERVATION LAND:

_____ Identification of Primary Conservation Land as outlined in Definitions

(the portion of the tract consists of floodplains, wetlands, lakes, ponds, hydric soils, and steep slopes greater than twenty five percent (25%))

_____ Lists the acreage of Primary Conservation Land to be deducted from gross acreage

ADJUSTED TRACT ACERAGE YIELD:

_____ Calculates the adjusted tract acreage yield as outlined in Definitions

Adjusted Tract Acreage Yield = (Gross Acreage - Primary Conservation Land Acreage)

_____ Calculates the minimum percentage of Adjusted Tract Acreage Yield to be retained as Conservation Land for purpose of permanent preservation (at minimum 50%)

SECONDARY CONSERVATION LAND:

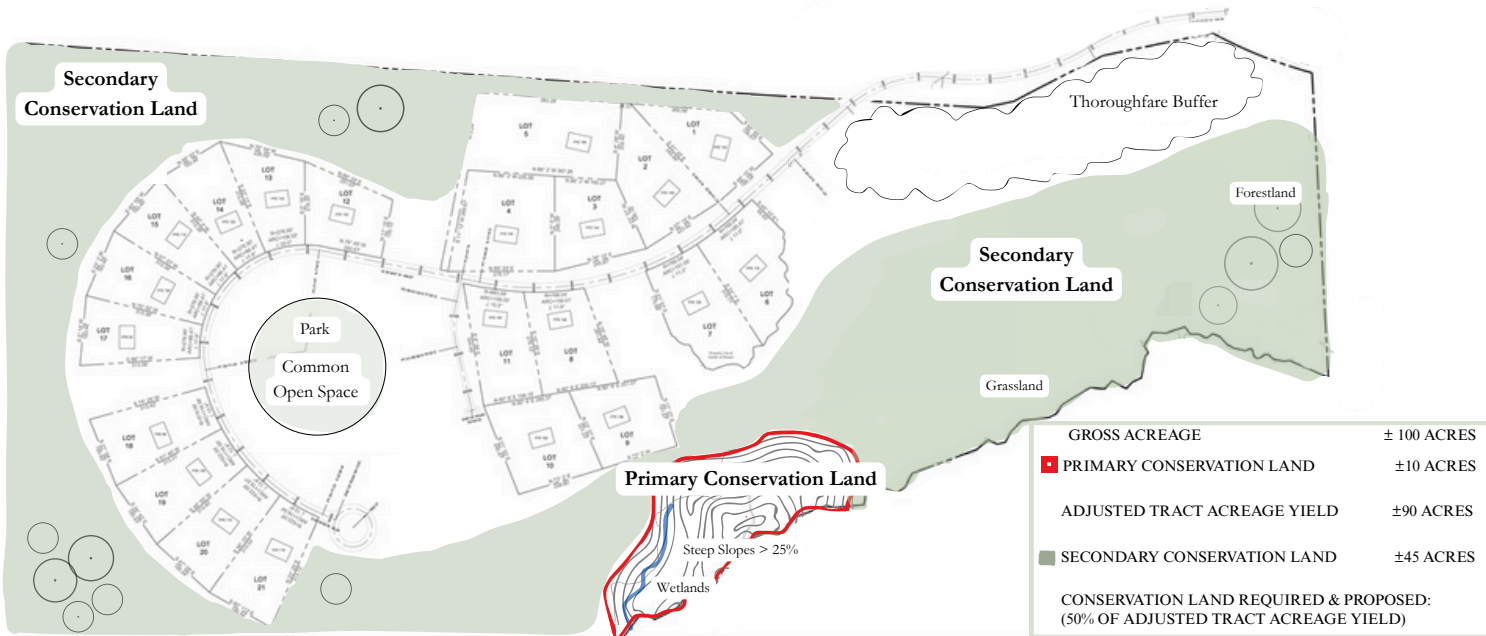
_____ Identification of Secondary Conservation Land as outlined in Definitions

(the portion of the tract consists of forestland, farmland, historic sites, moderate slopes less than twenty five percent (25%), and rock formations)

_____ Calculates the percentage of Secondary Conservation Land to be set aside for permanent and perpetual protection



R-CD Conservation Subdivision Open Space Plan Example



1 Display Adjusted Tract Acreage Yield to be Developed

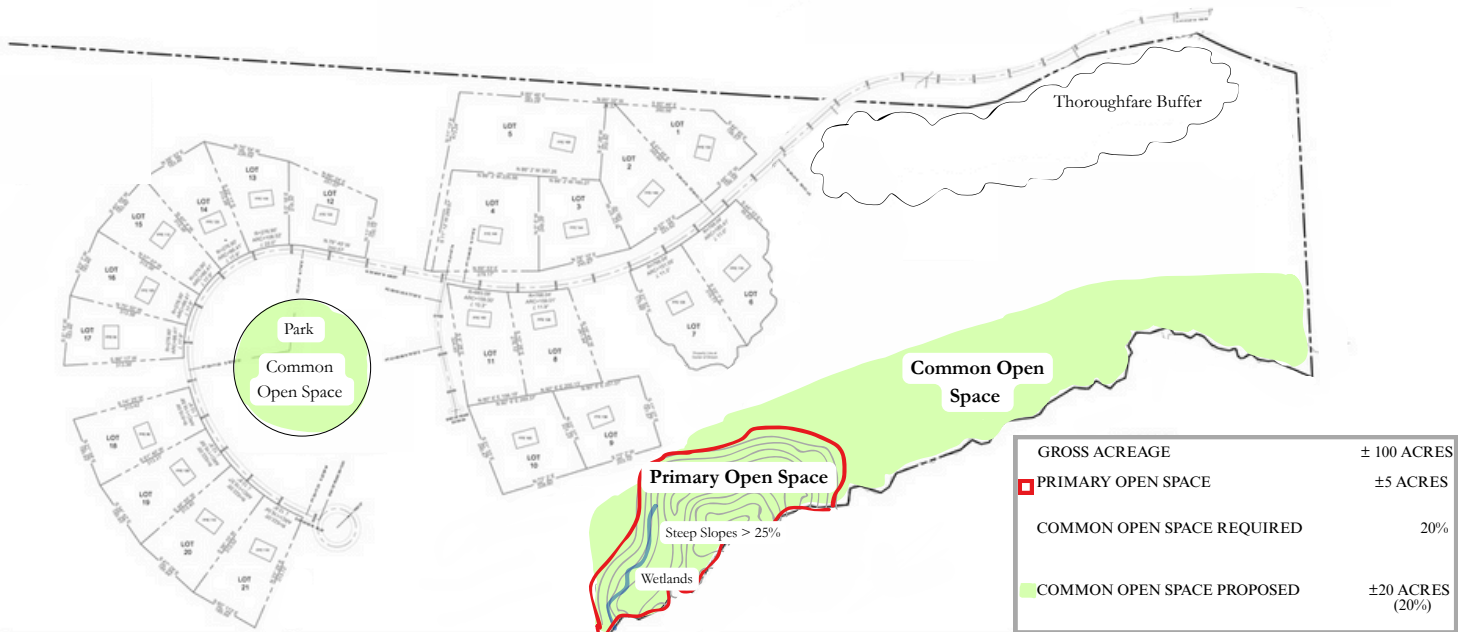
2 Mark Primary Conservation Land in Red

3 List acreage/percentages for designated conserved areas

Marshes, ponds, streams and stream beds, wetlands, steep slopes, and other natural features effecting the site.	X	X	B14
Existing Structures, watercourses, railroads, bridges, culverts, and storm drains both on the land to be subdivided and adjacent parcels		X	B15
Existing topography with vertical datum NAVD88 with 1' or 2' contours	X	X	B16
Existing tree locations per the UDO Tree Preservation Requirements	X		B17
Location of all easements and utilities	X		B18
Parcel description from Union County GIS	X		B19
Zoning classification of the tract to be subdivided and on adjoining properties.	X		B20
Proposed Site Improvements	Schematic Plan	Final Plat	Reference Number
Plans to be scale of not greater than 100' per inch and consistent between sheets. Listed in words and figures	X	X	B21
A traffic impact assessment per Appendix C and as required by the Traffic Impact and Analysis Manual.	X		B22
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		B23
Location and dimensions of required buffers and minimum building setback lines (berms, natural buffers, etc.)	X	X	B24
Percentage of open space required and provided, including the percentage of Primary Open Space incorporated in the open space calculation.	X		B25



R-CD Conventional (Traditional) Subdivision Open Space Plan Example



1 Display Acreage to be Developed

2 Mark Primary Open Space in Red

3 List acreage/percentages for designated open space

PLANNING BOARD Meeting

March 23, 2026

1.) D917A Specific Requirements for All Residential Development:

1. **D917A-(P) Open Space.** Any major subdivision shall be required to provide a minimum of 20% of the gross area of the subdivision, exclusive of any required minimum buffers along thoroughfares, consists of common open space. Fifty percent of any rights-of-way for existing overhead utilities may be counted toward the minimum required open space. Open space may be used for limited purposes set forth in section D917B(1). [Note, this subsection **R P** is not applicable to conservation residential developments which have significantly higher open space requirement (Section D917B)]

2.) D917B Additional Specific Requirements for Conservation Residential Development:

1. **D917B-(B)(1) Minimum Open Space.** At a minimum, fifty percent (50%) of the ~~net acreage~~ **adjusted tract acreage yield** of the tract will be required to be retained as **Secondary** 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. **D917B-(C) Priority of Secondary Conservation Lands.** In delineating conservation areas, the applicant shall use the following tier system as a guide, with those lands included in Tier A having the highest priority for preservation; provided, however, that in certain portions of the town, the priorities defined may be altered by the town in order to maximize achievement of the goals and objectives of maintaining open space through conservation residential development projects:
 1. Tier A, Highest Priority.
 - a. Forestlands
 - ~~b. Steep slopes (greater than twenty five percent (25%)).~~
 - b.** Viewsheds from thoroughfares.
 2. Tier B, Medium Priority.
 - a. Farmlands, meadows, pastures, and grasslands.
 - b. Historic sites.
 3. Tier C, Lowest Priority.
 - a. Moderate steep slopes fifteen to twenty five percent (15% to 25%).
 - b. Rock formations.
 - c. Land adjacent to parks.

3.) D917B-(E) Primary Conservation Lands. Stream Valleys, Swales, Springs, and Other Lowland Areas.

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

- ~~1. Disturbance to streams and drainage swells.~~
- ~~2. Disturbance to year-round wetlands, areas with seasonally highwater tables and areas of surface water concentration.~~
- ~~3. Because of their extreme limitations, stream valleys, swales, submerged land, floodplains, steep slopes greater than twenty five percent (25%) and other lowland areas may warrant designation as Primary Conservation Lands. They may also require adjoining buffer lands to be~~

included as Conservation Lands to be determined by an analysis of the protection requirements as determined by the Town Council on a case-by-case basis upon finding that designation of such areas as Conservation Land would have significant and long-term environmental impact on the Conservation Lands.

4.) D917E Additional Specific Requirements for **Conventional Residential Subdivisions**. ~~or Major Subdivisions.~~

D917E-(B)(1) 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). **Primary Open Space (POS) may count toward achieving the 20% Common Open Space requirement of this UDO.** ~~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 kilowatts or more).~~

APPENDIX 1 DEFINITIONS REVIEW WITH PROPOSED EDITS

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 the tract that consists of viewsheds, floodplain, wetlands, lakes, ponds, hydric soils, **and steep slopes greater than twenty five percent (25%).**
2. Secondary conservation land shall include that portion of the tract that consists of forest land, farmland, historic sites, ~~steep~~ **moderate** slopes **less than twenty five percent (25%),** rock formations, and land adjacent to parks.

Open Space means a land area or water feature that conserves, enhances, or creates a natural or scenic resources and wildlife habitat or that enhances or creates outdoor opportunities. Open space may be dedicated for public use (e.g. **cluster mailbox locations, entrance monuments, etc.**) or held under private ownership. Open space may be active (e.g. ~~soccer, baseball, or football fields,~~ **sports fields,** playgrounds, etc.) or passive (e.g. bicycle, walking, or jogging trails, etc.) recreation. All conservation land, as defined above, open space. However, all open space is not necessarily conservation land. As defined, open space may be land left in its natural state or grass and planted medians with trees in a residential, commercial, or nonresidential development.

Primary Open Space means that portion of a tract that consists of viewsheds, floodplain, wetlands, lakes, ponds, hydric soils, and steep slopes greater than twenty five percent (25%) set aside in conventional developments for permanent and perpetual protection as required by this UDO.

Slope, steep means an area having a slope greater than ~~15~~ **25** percent.

Developable Lot means, for the purposes of developing a yield plan for a conservation residential development, an undeveloped lot that could be developed into a residential lot within a traditional residential development in accordance with this UDO without any variances ~~at a cost not exceeding the market value of said lot upon recording of the final subdivision plat and without removing or eliminating protected conservation lands, protected open space, floodplains, wetlands, lakes, ponds, protected historic features, protected viewsheds, or public right-of-way. For purposes of this definition, the term "protected" means as required by federal, state, or local law or private agreement.~~

APPENDIX 2B APPLICATION REVIEW WITH PROPOSED EDITS

Line B27

Identification and delineation** of proposed septic system, including location of drain fields, repair areas, and associated infrastructure, with Improvement Permits, **A-2 permits** or public sewer lines if applicable.

Delineation refers to precise marking or documentation of boundaries, work zones, and responsibilities within a construction site. It ensures clarity ~~between~~ **among project stakeholders.

Line 46

A yield plan demonstrating 40,000 sq ft minimum lot size with **UDO** ~~buildable area~~ compliance.

5.) Clarify /change the term *buildable area* for *Tree Save and Replenishment Requirements*, D917A-(Q)(2)(a)

~~In order to~~ **To** maintain or replenish the Town tree canopy in any new major residential development the following shall apply:

- a. The ~~tree~~ removal of trees greater than or equal to 8-inches DBH is not permitted within areas that have naturally occurring trees located outside of a ~~buildable area~~ **build envelope** of a lot or development. For purposes of these provisions “~~buildable area~~” **build envelope** means all areas located outside of:
 - i. Required zoning district setbacks.
 - ii. Existing and proposed street rights-of-way and easements.
 - iii. Utility and drainage easements.
 - iv. Existing, ponds, lakes, streams and their buffers.

6.) D918 General Requirements:

- 1.) D918I - 4c(3)(i) Shrubs and trees shall be ~~on the approved plant list in Appendix 3 Approved Plant List.~~ **selected from the Union County Urban Forester's species list.**
- 2.) D918I – 9 ~~To the extent possible, t~~ **The** path cleared for the utility lines shall be replaced with plant materials which are consistent with those that existed prior in the buffer yard.

7.) APPENDIX 3. ~~APPROVED PLANT LIST. Repealed (O-2025-01)~~

Union County Urban Forester's Species List

ARTICLE 3. BOARDS AND ORGANIZATIONAL ARRANGEMENTS.

Section D-301. Planning Boards. The Town previously created a planning board of the Town ("Planning Board"). Such Planning Board shall continue to provide the functions as set forth herein. **The Planning Board shall continue in existence and perform the functions set forth in this section.**

A. Composition and Vacancies; Attendance at Meetings.

The planning board shall consist of seven members **(7) appointed by the Town Council. All members shall be residents of the Town.** All members shall be citizens and residents of the Town and shall be appointed by the Town Council.

Members shall **serve four-year terms.** be appointed for terms of four years; provided that Vacancies occurring for reasons other than expiration of term shall be filled **by the Town Council for the remainder of the unexpired term.** as they occur for the unexpired remainder of the term. Town Council **shall establish the beginning and expiration dates of member terms.** has set the dates of the terms for membership on the Planning Board.

B. Organization; Rules; Meetings and Records.

The planning board shall elect a chairman **chair** and ~~create and fill such other offices as it may determine necessary and appropriate.~~ **any other officers it deems necessary and appropriate. Officers shall serve one-year terms and may be reappointed.** The term of the chairman and other officers shall be one year, with eligibility for re-election. The chairman **chair** shall be elected **annually at the March meeting.** each year at the March meeting of the planning board.

The **Planning Board** shall adopt rules for the **conduct** transaction of its business and shall keep a record of its **member** members' attendance and of its resolutions, discussions, findings and recommendations; **proceedings, resolutions, findings, and recommendations** which record shall be a public record.

The **Planning Board** shall hold at least one meeting **each month** monthly; and all of its meetings shall be open to the public.

C. Jurisdiction; Quorum.

For the purpose of taking any action, a **A** majority of the **Planning Board** members of the planning board shall constitute a quorum **for the transaction of business.**

D. Powers and Duties Generally.

The Planning Board shall have the following powers and duties:

1. To prepare, review, maintain, monitor, and periodically update **the comprehensive plan other adopted plans** and to recommend **such plans** to the Town Council. ~~a comprehensive plan, and such other plans as deemed appropriate, and conduct ongoing related research, data collection, mapping, and analysis.~~
2. To **conduct or assist with research, data collection, mapping, and analysis related to planning activities.** facilitate and coordinate citizen engagement and participation in the planning process.
3. **To facilitate citizen participation in the planning process.** To develop and recommend policies, ordinances, development regulations, administrative procedures, and other means for carrying out plans in a coordinated and efficient manner.
4. **To develop and recommend policies, ordinances, development regulations, and administrative procedures to implement adopted plans.** To advise the Town Council concerning the implementation

of plans, including, but not limited to, review and comment on all zoning text and map amendments as required by G.S. 160D-604.

5. To advise the Town Council on planning and development matters, including providing recommendations on zoning text and map amendments as required by NCGS 160D-604. To exercise any functions in the administration and enforcement of various means for carrying out plans that the Town Council may direct.
6. To exercise any additional functions in the administration or implementation of plans as directed by the Town Council. To provide a preliminary forum for review of quasi-judicial decisions, provided that no part of the forum or recommendation may be used as a basis for the deciding board.
7. To provide a preliminary forum for discussion of quasi-judicial matters; however, no comments, discussions, or recommendations made during such forum shall be considered evidence or relied upon by the decision-making board.
8. To perform any other related duties assigned by that the Town Council. may direct.

Section D-302. Boards of Adjustment.

The Town previously created a board of adjustment **Board of Adjustment**. of the Town. The zoning board of adjustment shall continue to provide the functions as set forth herein. **The Board of Adjustment shall continue in existence and perform the functions provided in this section and by State law.**

A. Composition.

The Board of Adjustment shall consist of five (5) regular members who are residents of the Town and shall be appointed by the Town Council.

~~In addition, The Town Council shall also appoint two (2) alternate members who are residents of the Town. shall serve on the Board of Adjustment, both residents of the Town, and shall be appointed by the Town Council. Alternate members shall may serve in the absence or disqualification for any cause of any of a regular member and, when serving, shall have all the powers and duties of a regular member.~~

~~All members and alternate members shall serve terms corresponding to Planning Board terms. be appointed by the Town Council for terms to correspond with Planning Board terms. Any vacancy in the membership Vacancies shall be filled by the Town Council for the remainder of the unexpired term. in the same manner as the initial appointment. Members shall serve without compensation pay but may be reimbursed for any authorized expenses incurred while performing official duties. representing the Board of Adjustment. Such alternate member while attending any regular or special meeting of the board of adjustment and serving in the absence of any regular member shall have and may exercise all the powers and duties of such regular members.~~

B. Duties.

The board **Board of Adjustment** shall hear and decide all matters **as required by State law and this UDO including:** upon which it is required to pass under any statute or development regulation. As of the effective date of this UDO, the specific duties of the board of adjustment are: (i)

1. Hearing and deciding all appeals from **any decision, order** decisions, citations (with and without civil penalties), orders, requirements **interpretation**, or other determinations made by the Administrator.
2. Hearing and deciding appeals that require interpretation of this **UDO.**~~chapter; (iii)~~

3. Hearing and ~~deciding applications for variances~~ granting variances from the provisions of this UDO.

Section D-303. Historic Preservation Commission. The Planning Board is ~~designated~~ appointed to ~~serve~~ as the Historic Preservation Commissions and shall ~~exercise~~ have all the powers and duties as provided in **N.G.C.S. 160D-303.**

Section D-304. Appearance Commission. [reserved]

Section D-305. Housing Appeals Board. [reserved]

Section D-306. Stormwater Review Board; Other Advisory Boards.

The Planning Board is ~~appointed~~ ~~designated to serve~~ as the Stormwater Review Board for purposes ~~established~~ set forth in this UDO.

The Town Council may ~~by ordinance~~ establish additional advisory boards ~~by ordinance.~~ as deemed appropriate. The ~~establishing~~ ordinance ~~establishing~~ such boards shall specify the composition ~~appointment process~~ and duties of ~~such~~ each boards.

Section D-307. Extraterritorial Representation on Boards.

~~Representation of extraterritorial jurisdiction residents on boards shall be as required by~~ See N.C.G.S. 160D-307.

Section D-308. Rules of Procedure.

~~Boards created under this article shall operate in accordance with adopted rules of procedure consistent with State law and this UDO. As of the date of this UDO, all boards in existence have Rules of procedure. Modified rules of procedure that are consistent with the provisions of this UDO and any applicable state statute may be adopted by~~ The Town Council ~~may adopt rules of procedure under this Article.~~ for any or all boards created under this Article. In the absence of ~~such~~ action, by the Town Council, each board created under this Article is authorized to ~~may~~ adopt ~~and amend~~ its own rules of procedure, and amendments thereto, that are consistent with the provisions of this UDO ~~and State law.~~

A copy of ~~any~~ all adopted rules of procedure shall be maintained by the Town Clerk or ~~such other~~ official as designated by ordinance and ~~made available to the public, including posting~~ on the Town Web site if one exists.

Each board shall keep minutes of its proceedings.

Section D-309. Oath of Office.

All members appointed to boards under this Article ~~shall take an oath of office,~~ before entering ~~upon~~ their duties ~~as required,~~ qualify by taking an oath of office as required by G.S. 153A-26 and G.S. 160A-61.

Section D-310. Appointments to Boards.

Unless ~~specified otherwise~~ ~~required~~ by statute or local ordinance, ~~all~~ appointments to boards authorized by this UDO shall be made by the Town Council. ~~of the Town.~~ The Town Council may establish reasonable procedures ~~for soliciting applications, reviewing candidates, and making appointments.~~ to solicit, review, and make appointments.