TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY NOVEMBER 16TH, 2026 AT 7:00 PM.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104
AGENDA

1. Call to Order

2. Determination of Quorum

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

4. Approval of Minutes
   A. Approval of Minutes from 10-26-2026 Planning Board Meeting

5. Public Comments: *Individuals are allowed 3 minutes to speak. A maximum of 30 minutes is allocated to the Public Comment Period. The time limit may be extended at the discretion of the Chairman.*

6. Old Business

   A. Discussion and possible approval of UDO text amendments
      i. Parking
      ii. Event venues
      iii. Home Use Occupations

7. Update from November Town Council Meeting

8. Board member Comments

9. Adjournment

TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY OCTOBER 26TH, 2026 – 6:30 P.M. OR
AS SOON AS PRACTICAL AFTER THE
BOARD OF ADJUSTMENT HEARING IS FINISHED
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104
AGENDA

1. Call to Order
   The Planning Board of the Town of Weddington met in regular session at Weddington Town Hall, 1924 Weddington Road, Weddington, North Carolina, on Monday, October 26, 2026. The meeting was called to order at 7:16 PM, following the Board of Adjustment hearing.

2. Determination of Quorum
   Present: Chair Chris Faulk, Board Member Bill Deter, Board Member Steve Fellmeth, Board Member Rusty Setzer, Board Member Scott Buzzard, Board Member Taylor Grove. A quorum was established.

   Absent: Board Member Amanda Jarrell.

   Staff present: Town Planner Ryne Ratti, Town Administrator/Clerk Doug Gailey, Permit Technician Aditya Roy.

   Visitors: Chad Emerine, Sunil Kurmane

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.*

   The chair read the conflict of interest statement. No board member identified any conflicts

4. Approval of Minutes
   A. Approval of Minutes from 9-28-2026 Planning Board Meeting

   Motion: To approve the minutes from 09-28-2026 was made by Board Member Deter
   Second: Rusty Setzer

Vote The motion carried unanimous

5. Public Comments: *Individuals are allowed 3 minutes to speak. 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 spoke on the issues that the town has had in the past with Luna and Bromley subdivisions. He complained that in the past when he brought attention to possible issues that he was not given any answers. He complimented the new staff on the work that had been done to correct the issues of the past. He also complimented the Planning Board on the work session format and stated that he would like to see more sessions like the one that was planned for the evening.

6. New Business
   A. Planning Workshop

   The Chair led a workshop for the Board. The Chair stated that the workshop covered four topics:
   - *how the Board distinguishes minor changes from major changes to approved plans*
   - *Appendix 2B*
   - *why construction documents change after approval*
   - *the primary and secondary conservation concepts in the Unified Development Ordinance (UDO)*

   The Chair stated that the conservation concepts remained relevant because the conventional development option adopted by the Town follows the same methodology. Handouts were provided, including a Stratford Hall plat and a Weddington example. The Chair asked members to ask questions and raise any items they believed were not being addressed so they could be placed on the record.
   Developer's role. The Chair summarized the typical process. A developer identifies a property and engages the owners, usually through a letter of intent with a 45 day period. The developer prepares a budget and pro forma that establishes the number of lots needed. The Chair stated that Weddington differs from most municipalities, where conditional zoning typically involves a single colored concept plan. Weddington developers are expected to engage staff planners early. At the first Council meeting, the Chair said, a developer should receive "a quick no, not a long maybe."
   Board Member Deter cautioned against a "dog and pony show" before Council. He said a high level presentation that drew a favorable reaction should not create a false expectation of approval. The Chair responded that Council review at that stage was conceptual, to determine whether a proposal met the Town's checklist and wish list. Only after that would a developer engage surveyors, engineers, and environmental consultants to reach a schematic plan. The Chair stated that there should be "no hidden doorways," and that staff should guide developers. The Chair emphasized that once construction documents are finalized, staff and consultants must catch changes such as a stormwater control measure (SCM) becoming temporary. The Chair also stated that the final plat is the Town's last point of leverage, particularly regarding homeowners association (HOA) covenants, conditions, and restrictions (CCRs).
   HOA discussion. Board Member Fellmeth asked whether the Council or Planning Board had input into HOA covenants, such as requiring turnover of a community at 75 or 50 percent completion. He noted that builders appeared to retain control until nearly

complete. The Chair responded that developers held total control until release to residents, and that he did not believe that was the Board's role. Board Member Deter stated that the Town's concern was whether the HOA was funded, and that the UDO addressed the manner and degree of funding. The Chair said he was not aware that past practice included review of CCRs. Town Planner Ratti requested that the CCRs be presented before the bond was released.

Board Member Setzer stated that CCRs are generally developed before the first home is sold. He said large builders typically relinquish HOA control at about 80 to 90 percent sellout, and that this was the point at which the Town should verify funding. Board Member Deter noted that HOA fees accumulate as homes sell, and that some developments had been turned over abruptly. Board Member Fellmeth referred to a development at Hemby and Providence Roads, where residents had told Council that the expected funds were not in the account. The Chair stated that this was an enforcement gap. He said HOA covenants are established before the final plat and the first lot are recorded, and that seed money should be in escrow before the first house sells. He explained that an engineer prepares and seals a cost analysis of stormwater facilities at current pricing, and that seed funding is a percentage of that figure.

Board Member Deter asked what determined the amount required and whether amenities such as a pool were included. Board Member Setzer stated that the Town's purview was the reserve for stormwater repair, which should be a separate line item, and not the operation of amenities. Board Member Fellmeth read the UDO provision on maintenance plans and agreements, which requires a plan to specify required insurance and operating costs and to define the means of funding long term capital improvements and annual maintenance. The Chair stated that the provision pertained mainly to stormwater facilities and described an operations and maintenance agreement. He proposed that the agreement could require the HOA to pay an engineer to inspect the water quality pond, for example every third year, and submit a sealed report to the Town, so that the engineer would carry liability. Board Member Setzer added that the engineer's seal is the first line of recovery. The Chair noted that the maintenance plan must also specify ownership of required open space, and that private roads present the same capital expenditure concern. He stated that the UDO already contained these provisions but they had not been enforced.

Town's role. The Chair stated that planners and administrators serve as the developer's guide to requirements, and that the Board should be able to rely on staff to confirm that submittals are complete before they reach it. He noted that the planner reviews plans with consultants and attends preconstruction and postconstruction meetings. He also noted that the Union County urban forester, for whom the Town pays, had reported that Weddington sent him little. Board Member Deter responded that he had met with the urban forester twice during development of the tree ordinance and had invited him on site walks. The Chair described the Planning Board's role as the technical eyes for Council, providing a concise recommendation so Council need not review UDO technical standards. He stated that he did not support conditions that substitute for missing application items, but that technical conditions were appropriate. Board Member Deter cited a condition at Grand View regarding soil stockpiles as an example. The Chair encouraged residents to participate early in design charrettes and site walks.

i. Luna CD

The Chair stated that in many municipalities the conditional zoning plan changes significantly, whereas Weddington's establishes proposed

use, development intensity, lot arrangement, access to open space, and relationships to surrounding properties. He noted that the plan is a schematic plan at roughly 30 to 40 percent of design. He asked what the Board relies on when it recommends approval and whether commitments are documented. Board Member Fellmeth said he expected a better presentation of the Board's discussion to Council through the Planner. Board Member Setzer asked whether the Board ever saw construction documents. Board Member Deter said it did not. Board Member Setzer suggested that pertinent pages be returned to the Board at about 90 percent design for an overlay comparison, so that deletions of a pond or changes to a road are identified before construction advances.

Town Planner Ratti stated that major changes would return to the Board, and described a revised signature process in which the Planner and La Bella review documents together before they reach the Board. Board Member Setzer said that changes between Planning Board approval and Council consideration should not occur. He stated that the issue he raised concerned changes after zoning approval and before construction. The Chair stated that the Planner has authority to work with developers on minor changes, and that major changes must return to the Board. He said it was important for the Board and staff to define in advance what is major. He gave the conversion of an SCM shown throughout the process to a temporary facility as an example of a major change.

The Chair discussed two examples:

- *Buckingham: Ponds shown on the conditional zoning plan were not proportionate to their calculations, which led the Town to require schematic plans. After approval, the project was found to require a major NCDEQ permit for the water quality pond. The developer returned with a low density option (24 percent impervious or less) with level spreaders.*
- *Luna: Two stormwater ponds were presented to the public and the Board, but the second pond became temporary. A northern vegetated buffer that neighbors had asked to preserve was cleared and replanted, which contributed to the tree ordinance.*

Board Member Buzzard asked whether the Board should conditionally zone these items or instead tighten the definitions of major and minor changes. The Chair responded that he did not propose conditioning every pond, only that the Board use these examples as indicators of what to examine. Town Planner Ratti stated that the Luna developer had since regraded, retopsoiled, and resampled the left side. He stated that going forward, a drastic change would require an applicant to restart the process.

Board Member Buzzard recommended that the resulting procedures be documented so they do not depend on individual staff. Board Member Deter noted that the Board had benefited for about 20 years from consistent long serving members. The Chair proposed additional workshops, including on variances and on making motions.

ii. Appendix 2B

The Chair stated that Appendix 2B had been used as a checklist at meetings. He said many items, such as the title block, belong to the Planner and need not be reviewed by the Board. He recommended the Board focus on items B14 (marshes, ponds, streams, wetlands, steep slopes, and natural features) and B17 through B23 (tree locations and related items). Board Member Deter noted B16 (topography) and observed that the form contained about 57 lines, of which perhaps 27 or 28 were necessary for the Board. Board Member Setzer stated that the appendix should function as a checklist for the Planner.

Board Member Buzzard asked whether an incomplete application could be brought before the Board. Town Planner Ratti stated that an application is not scheduled unless complete, and that incomplete packages are returned. He said he expected the traffic study, NCDOT driveway approval, and other items to be complete before an application reached the Board. Board Member Deter stated that in the past incomplete applications had been conditioned or tabled, and that rejection would have been preferable.

Board Member Grove asked about the Union County Public Schools letter of impact. Town Planner Ratti stated that the item currently involves a facilitator signing a notification. He said staff was seeking a more rigorous school transportation assessment, and that he had contacted NCDOT. The Chair stated that such notifications lacked enforceable effect, using NCDOT notification as an example.

The Board discussed the UDO second entrance requirement, cul de sac length and stub roads, and connector roads. Board Member Setzer proposed that developers seeking exceptions include a written request and justification in the application packet. The Chair questioned whether the Town should continue to require road connections, noting that residents often object. Board Members Fellmeth, Deter, Buzzard, and Setzer discussed the original intent of interconnectivity and the Vintage Creek and Amanda Drive example, and Board Member Setzer estimated about $850,000 had been spent on infrastructure that does not function as a connection. The Chair stated that the language of Appendix 2B might need rewording to be more specific. Board Member Deter observed that B16 and B28 appeared similar. The Chair clarified that one addresses existing conditions and the other proposed conditions, and the Planner would verify both.

iii. Other Topics to discuss

The Chair reviewed conservation design principles, including identification of conservation areas (wetlands, floodplains, mature woodlands, wildlife habitat), placement of homes to complement preserved space, and design of streets and trails with minimal impact. He stated that this approach reverses the current practice, in which developers lay out lots first. Board Member Setzer cited the analogy of

designing the golf course before the homes. Board Members Deter and Fellmeth stated that developers typically arrive at charrettes with a completed layout. The Chair stated that primary and secondary conservation areas should be agreed upon with the Planner before the charrette, and that the Stratford Hall plat served as an example. The Chair described primary conservation as view sheds, floodplains, wetlands, lakes, ponds, hydric soils, steep slopes, and rock outcrops, and secondary conservation as better quality land such as usable meadow. He stated that primary areas are deducted before the adjusted tract yield is calculated, and that rights of way receive 50 percent credit. He also noted that sand filters receive no credit, while vegetated or amenitized wet ponds may. He discussed the practice of labeling land "common open space" instead of "conservation open space" on recorded plats. He gave Hemby Road as an example and stated that an HOA could then amenitize that land by a 51 percent vote. Board Member Deter observed that open space and conservation land had been used interchangeably. The Chair stated that the conventional option now parallels the conservation design option with primary and secondary open space. Board Member Setzer stated that the current conventional requirements include wetlands and floodplains, and that revisions would incorporate the changes.

Board Member Setzer noted that the RCD minimum lot size is 18,000 square feet with a 20,000 square foot average, and that developers may propose larger lots with lower infrastructure costs. Board Member Deter recalled that a former staff member had prepared graphics illustrating primary and secondary conservation. Town Planner Ratti confirmed that those graphics were approved in September 2025 and that he was updating the UDO.

Board Member Setzer proposed a standardized Excel yield plan table that applicants would complete. Board Member Deter described inputs including road acreage and the thoroughfare buffer, which cannot exceed 15 percent of gross acreage. The Chair stated the spreadsheet would be emailed to members for review and discussed at the next meeting. The Chair noted the absence of Board Member Jarrell.

B. Discussion of UDO text amendments

i. Parking

Town Planner Ratti stated that the parking amendments originated with Code Enforcement and that the state legislature had restricted local regulation of parking. Town Administrator Gailey confirmed that the Town was no longer allowed to regulate parking and the UDO must be updated.

Board Member Deter asked whether the changes were dictated by the state, and Town Planner Ratti confirmed they were.

The Board discussed whether it could vote. Town Administrator Gailey stated that the Board would vote on a recommendation to Council. Board Member Buzzard stated that the agenda listed the item for discussion only, not discussion and consideration, and that the public might not attend a meeting where no vote was expected. Board Member Deter agreed. Town Administrator Gailey stated that he disagreed but did not object to deferral, and that the items had no time constraint. Town Planner Ratti stated that additional amendments would follow monthly. Board Member Fellmeth stated that he would support passing the state mandated items, but the Board declined to act because of the notice concern. The Chair and members agreed to place the items on the next agenda as discussion and consideration. Board Member Grove requested that state mandated items and Town driven items be grouped separately.

The Chair requested the variance language be provided for the next meeting. Town Planner Ratti stated it would be emailed the following morning and that a variance matter was expected the next month. Members briefly discussed a possible special meeting.

ii. Event venues

Town Administrator Gailey stated that the Town's UDO did not currently address event venues and that these amendments were Town driven. Town Planner Ratti presented the proposed text under UDO Section 9, supplemental requirements for certain uses.

Indoor event venue. Principal activity occurs within an enclosed building. Incidental outdoor activity may occur in designated areas on the approved site plan at least 500 feet from residential, agricultural, or institutional structures. Noise may not exceed 65 dBA at the property line of those uses. Loading and deliveries must minimize conflicts, and structures must be at least 300 feet from those structures.

Outdoor event venue. Principal activity occurs outdoors on a lot of at least 5 acres. The event area must be at least 500 feet from the property line of residential, agricultural, or institutional uses. Amplified sound may not exceed 65 dBA at the property line. Events may not operate later than 8 PM Sunday through Thursday or 10 PM Friday and Saturday, and amplified music must cease by 8 PM. New Year's celebrations are exempt until 1 AM, with amplified sound ceasing at 12 AM. Lighting must prevent unreasonable glare and light trespass. Overflow parking is allowed on designated stabilized areas. Expanded or different outdoor activity requires an amended site plan, and an operating plan is required. The application fee is $50.

Temporary variances. The zoning administrator may approve temporary variances from operational standards for undue hardship, on application at least 30 days before the event. Adjoining owners must be notified, and the administrator must consider the nature and

duration of the request, impacts on neighbors, traffic, parking, noise, lighting, public safety, and compliance history. Definitions for indoor and outdoor event venues would be added to Appendix 1.

Board Member Deter asked whether the text required public safety officers. Town Planner Ratti stated that enforcement for noise and similar issues is through Code Enforcement and the Sheriff's Office. Board Member Setzer asked about extending hours to 9 PM, citing events such as tree lightings. Members discussed that the 8 PM amplified music limit conflicted with the 10 PM event end time, and Board Member Fellmeth suggested a single cutoff time.
Board Member Anderson asked about the origin of the 300 and 500 foot figures. Town Planner Ratti and Town Administrator Gailey stated that the draft came from Code Enforcement Officer Matthew Ray. Board Member Grove also asked about the screening requirement. Town Administrator Gailey stated that it referred to buffer screening such as trees, and Town Planner Ratti indicated the verbiage could be revised. Board Member Fellmeth asked about the New Year's exemption.

Board Member Buzzard asked how the agricultural setback applies to an event on a farm. Permit Technician Roy stated that the bona fide farm exemption may be relevant. Board Member Buzzard asked that the language be revised so that existing farm event uses are not inadvertently restricted. Board Member Grove asked that "unreasonable glare" be replaced with a measurable standard. Town Planner Ratti stated that high beam lighting over 65,000 lumens could be specified. Board Member Buzzard noted that 65 dBA approximates normal speech.
The Chair asked members to email comments to Town Planner Ratti. The item will return at the next meeting for discussion and consideration.

iii. Home Use Occupations

Board Member Grove asked whether parking, home use occupations, and event venues were all state mandated. Town Planner Ratti and Town Administrator Gailey stated that parking and home use occupations were state mandated and event venues were Town driven. Discussion of home use occupations occurred together with the parking item, and no action was taken.

7. Update from October Town Council Meeting
   The Chair asked Town Administrator Gailey and staff for an update. Staff indicated that the update had already been provided during the meeting, and no further report was given.

8. Board member Comments
   Board Member Deter and Board Member Grove had no comments.
   Board Member Setzer expressed appreciation for staff.

Board Member Buzzard thanked staff for their work, thanked the Chair for preparing the workshop, and thanked attendees and the Board.
The Chair thanked staff, stated that he looked forward to future workshops, and said the Board was glad to be meeting again.

9. Adjournment
Motion: *to adjourn was made by Board Member Deter and*
Second: *by Board Member Grove*.
VOTE: *The motion carried by voice vote, with all members voting aye. The meeting was adjourned*

Sec. D-607 (C) (11) (b) (ii) (3) Reducing parking spaces ~~below the minimum standards~~.

Sec. D-703 (C) (8) Location of Structures. Proposed structures within the downtown overlay should be located towards the exterior of the parcels (along the thoroughfares) ~~and contain interior parking.~~ Any proposed parking must be on the interior of the site plan. The Town Council may approve structures located towards the interior of the parcels if more than one structure is proposed on the same parcel.

~~(9) Possible Reduction in Parking Requirements (as part of CZ process). As part of the conditional zoning process, the Town Council may reduce parking requirements by up to 50 percent if proposed development provides shared parking between more than one use or property owner.~~

~~(10)~~ (9) Infrastructure. Any new development within the downtown overlay must connect to a sewer system, whether private or public, unless it is shown to be unreasonable to make the connection, or unless the applicant provides a suitable alternative.

Sec. D-917C (A) (2) Parking Decks. If one or more parking decks are to be built in accordance with the guidelines herein ~~and contain 33 percent or greater of the required off-street parking for the development,~~ the maximum allowable floor area ratio may be increased by the Town Council up to a ratio of 0.25. Parking decks not to exceed three above grade levels of parking may be allowed provided they do not exceed the maximum height provided in subsection 3, below. To the maximum extent possible, such decks shall be built of materials and designed in a manner to blend in with the associated development. Cars on all levels of a structural parking facility must be screened from view from outside the structure. Retail or office uses may be allowed on the periphery of all levels of the parking deck.

“ (8) Internal Streets; Private Ownership; Parking. Streets within the development may be privately owned and maintained. Onstreet parking is allowed ~~and may be counted towards meeting the off-street parking requirements.~~ For both on-street and off-street parking, a parking space shall be not less than nine feet in width or less than 20 feet in length, and all parking spaces shall be clearly marked and maintained so that the boundaries of each space may be easily seen. In offstreet parking lots with more than 20 standard spaces, one compact parking space may be permitted for every five standard spaces. Each compact space shall be at least seven feet wide and at least 17 feet long, and shall be clearly marked, "compact cars only".

D-917D (K) (4) (f) ~~(1) At elementary and middle schools provide one space per staff member plus 1.6 spaces per classroom or one space for each three seats used for assembly purposes whichever is greater.~~

~~(2) At high schools provide five spaces per instructional classroom or one space for each three seats used for assembly purposes whichever is greater.~~

~~(3)~~ (1) No more than 20 percent of ~~the required~~ proposed spaces can be compact spaces.

~~(4)~~ (2) Minimum size of spaces shall be nine feet wide by 19 feet long for regular, 7½ feet wide by 15 feet long for compact, and accessible spaces shall meet current accessibility codes.

D-917D (M) (2) (a) ~~(5) at least one additional off-street parking space shall be provided for the use of those occupying the accessory family dwelling.~~

~~(6)~~ (5) The exterior appearance of the accessory family dwelling unit shall be compatible to the principal dwelling.

D-918 (L) Off-street Parking and Loading. Every new use, or an enlargement, expansion, or alteration of an existing use, ~~shall require off-street parking~~ that has proposed off-street parking, or makes alterations to existing off-street parking must do so in compliance with this article, unless specifically exempt from such provisions or portions thereof.

(1) ~~Off-street parking spaces shall be increased when a change of use of either a structure or of land requires additional parking spaces in compliance with this article.~~ Parking spaces may be decreased when a change of use in either a structure or of land requires less spaces ~~than provided for the replaced use.~~

~~(2) A one-time only enlargement of a structure or increase in the amount of land used may be made for existing uses deficient in off-street parking, provided that the enlargement or increase does not represent a requirement in excess of five off-street parking spaces. In the event that such increase represents a requirement in excess of five off-street parking spaces, such increase shall require complete compliance of the provisions of this article for the entire use.~~

(2) ~~(3)~~ Off-street parking shall be located as follows:

(a) Parking ~~as required herein~~ shall be located on the same lot as the principal use except when specifically permitted to be located elsewhere. Driveways shall be considered as providing off-street parking spaces for all single-family and two-family dwellings.

(b) Cooperative provisions for off-street parking may be made by contract between owners of adjacent property, and such contract filed with the Administrator. ~~The parking area provided on any one lot may be reduced to not less than half the parking spaces required for the use occupying such lot. The total number of spaces provided under such a~~

~~cooperative parking scheme shall not be less than the total number of spaces required for each use.~~

(c) No parking area shall be located over an active septic tank field.

(d) Parking areas may not extend into the required rear yard or side yard setbacks.

~~(4)~~ (3) A City or Town Hall, post office, library or other governmental facility ~~may count shared parking spaces toward up to 50 percent of its total off-street parking requirement. Such a use~~ may share parking spaces only with one or more other uses that also may share parking spaces under subsection 3.b of this section. ~~The following formula shall be used to determine how many shared parking spaces a particular use may use apply toward its off-street parking requirement:~~

~~(5)~~ (4) For off-street private parking, a use may treat as shared parking, any parking spaces that are within 800 feet of that use. A document must be filed with the Town's Administrator that confirms that the parking lot's owner or operator consents to parking spaces in that lot being shared. If fewer than all the spaces within the lot are being shared, this document must clearly identify which spaces are being shared. If the shared parking arrangement described in the document is later modified, a document describing the modified arrangement must be filed with the Town's Administrator. If the shared parking arrangement described in any document filed with the Town's Administrator is later rescinded, the Administrator must be notified immediately. ~~If the rescission or modification of a shared parking arrangement leaves a use with inadequate parking to satisfy the requirements of this article, said use will not be considered nonconforming, and it will not be permitted to continue without satisfying this article's parking requirements.~~

~~(6)~~ (5) Design standards for parking areas are as follows:

(a) A parking space shall be not less than nine feet in width nor less than 20 feet in length. In lots of more than 20 spaces, compact stalls may be permitted on the basis of one compact stall to each additional five standard stalls. Each compact stall shall be seven feet wide and 17 feet long, and shall be clearly marked, "small cars only." All parking stalls shall be clearly marked, and such markings shall be maintained so as to be easily seen.

(b) Parking bays shall be designed in accordance with accepted standard practice for parking at various angles, with aisles being of such widths as to permit the entering and leaving of a parking space with ease and safety.

(c) Access to all required parking areas shall be by roads adequate in width to accommodate two-way traffic, except for parking areas designed and clearly marked for one-way traffic. Except by way of approved driveways, access from or egress to a public

road from a parking area shall be expressly prohibited. Adequate provisions shall be made to ensure compliance by the use of fences, walls, wheel stops, or landscaping, or a combination of those devices.

(d) Wheel stops, curbs, or other devices shall be provided in such locations as to prevent any vehicle from encroaching either on a public right-of-way or an adjacent property.

(e) Parking areas shall be so designed as to retain existing trees and other plant life. Where no trees or other plant life exists, adequate landscaping shall be provided, both within the parking area and on the external boundaries of such area.

(f) Screening shall be provided as required in section D-918. I. (Screening and Landscaping

(g) Signs shall be permitted in compliance with D-918.K (Signs).

~~(7)~~ (6) Permits for driveway locations on state-maintained roads shall be obtained from the state department of transportation.

~~(8)~~ (7) Storm drainage facilities shall be required and shall be so designed as to protect any public right-of-way or adjacent property from the damage.

~~(9) The requirements for off-street parking spaces shall be computed as follows:~~

~~(a) When units of measurement determining the number of required parking spaces result in a fractional space, any fraction of one-half or more shall require one parking space.~~

~~(b) Where seats consist of pews or benches, each 20 inches in length of pew or a bench shall be considered as one seat.~~

~~(c) For the purpose of computing parking requirements based on the number of employees, the owners or managers shall also be considered employees.~~

~~(d) Lots containing more than one principal use shall provide parking in the amount equal to the total of the requirements for each use.~~

~~10. The following chart indicates the minimum off-street parking requirements:~~

The entire table following D918-L (10) needs to be removed.

Section D-917D Supplemental Requirements for Certain Uses.

N. Event Venues

1. Indoor Event Venue

a. Principal Event Area: The principal event activities shall occur within an enclosed building or structure.

b. Outdoor Activity: Outdoor event activities that are incidental and subordinate to the Indoor Event Venue may occur in designated outdoor areas shown on the approved site plan. All outdoor activities must take place a minimum of 500ft away from any residential, agricultural, or institutional structures.

c. Noise: All noise generated may not exceed 65dBa at any abutting property line for a residential, agricultural, or institutional use.

d. Loading and Deliveries: Areas used for event setup, catering deliveries, equipment loading, or similar activities shall be located so as to minimize conflicts with customer parking, public rights-of-way, and adjoining properties.

e. Screening: Property must be screened from adjoining residential, agricultural, and institutional uses, as well as from the right-of-way with in compliance with screening requirements set forth in Sec. D-918 (I).

f. Structure Locations: All structures in which any event activity is taking place must be located a minimum of 300ft from any residential, agricultural, or institutional structure.

2. Outdoor Event Venue

a. Principal Event Area: The principal event activities shall occur outdoors. Buildings and structures on the property may be used for activities that are incidental and subordinate to the principal outdoor event use.

b. Minimum Lot Area: An Outdoor Event Venue shall be located on a lot containing at least 5 acres.

c. Event Area Setback: The principal outdoor event area, including areas used for outdoor seating, stages, dance floors, tents, ceremonies, or similar activities, shall be located at least 500ft feet from any property line of any residential, agricultural, or institutional use.

d. Amplified Sound: Amplified music, public address systems, or other electronically amplified sound associated with an Outdoor Event Venue shall be oriented and operated to minimize impacts on adjoining properties. Any amplified sound shall not emit a sound louder than 65dBa at the property line of any adjoining residential, agricultural, or institutional use.

e. Hours of Outdoor Events. Outdoor events shall not operate later than 8 p.m. Sunday through Thursday or 10 p.m. Friday and Saturday.

i. New Years Celebrations: New Years Eve celebrations are exempt from this requirement.

f. Outdoor Lighting. Lighting associated with an Outdoor Event Venue shall be designed and installed to prevent unreasonable glare, light trespass, and direct illumination of adjoining residential, agricultural, and institutional properties.

g. Parking Surface. Event-related parking shall be located on an approved parking area. Overflow parking may be provided on designated grass or stabilized areas shown on the approved site plan, provided that such areas do not interfere with emergency access, drainage, or neighboring properties.

h. Outdoor Activities. Outdoor activities associated with the Event Venue shall be limited to those shown on the approved site plan. Expansion of the outdoor event area or addition of substantially different outdoor activities shall require approval of an amended site plan.

i. Screening: Property must be screened from adjoining residential, agricultural, and institutional uses, as well as from the right-of-way within compliance with screening requirements set forth in Sec. D-918 (I).

3. Event Venue Operating Plan

As a condition of approval, the Zoning Administrator may require an indoor/outdoor Event Venue to maintain an operating plan containing the following information:

a. Maximum permitted event attendance
b. Normal days and hours of operation
c. Location of indoor and outdoor event areas
d. Location and number of parking spaces
e. Location of overflow parking, if applicable
f. Vehicular ingress and egress
g. Emergency access

h. Location of amplified sound equipment

i. Outdoor lighting

j. Restroom and sanitary facilities

k. Solid waste and recycling facilities

l. Procedures for managing event-related traffic

m. Procedures for addressing severe weather and emergencies; and

n. Contact information for the property owner or responsible event operator.

4. Temporary Variance

The Zoning Administrator may approve a temporary variance from one or more operational standards of this section when strict compliance would create an undue hardship for a specific event and where the variance can be granted without creating a substantial adverse impact on surrounding properties, public safety, or the general welfare.

a. An application for a temporary variance shall be submitted to the Town no less than thirty (30) days prior to the event date and shall include the following information:

1. Name and contact information of the property owner and event operator;

2. Date, time, and nature of the event;

3. Identification of the specific standard(s) from which a variance is requested;

4. A written explanation of the need for the variance;

5. A site plan showing the location of event activities affected by the variance request; and

6. Any proposed measures to mitigate impacts on surrounding properties and the public.

7. A $50 application fee.

b. The Zoning Administrator will provide written notice of the variance request to owners of adjoining properties.

c. In reviewing a request for a temporary variance, the Zoning Administrator shall consider:

1. The nature and duration of the requested variance;

2. The potential impact on adjoining properties and nearby residential, agricultural, or institutional uses;
3. Traffic, parking, noise, lighting, and public safety considerations;
4. The applicant's history of compliance with applicable regulations and approved operating plans; and
5. Any proposed mitigation measures.

d. The Zoning Administrator may impose reasonable conditions necessary to minimize adverse impacts, including but not limited to limitations on event duration, attendance, amplified sound, parking arrangements, security, traffic management, and notification requirements.

e. A temporary variance shall apply only to the specific event and date(s) approved and shall not constitute a permanent modification of any requirement of this section.

f. A temporary variance may be revoked by the Zoning Administrator if the applicant fails to comply with the conditions of approval or if the event is operated in a manner that creates a threat to public health, safety, or welfare.

Appendix 1 Definitions

Indoor Event Venue. A commercial use of a building or structure, or portion thereof, in which the principal use is the hosting of private events, gatherings, or functions and where the principal event activities occur within an enclosed building or structure. Events may include, but are not limited to, weddings, receptions, parties, banquets, celebrations, reunions, meetings, conferences, fundraisers, performances, and similar gatherings. May include outdoor areas that are incidental and subordinate to the principal indoor event use.

Outdoor Event Venue. A commercial use of land, or land together with associated buildings or structures, in which the principal use is the hosting of public or private events, gatherings, or functions, and where the principal event activities occur outdoors. Events may include, but are not limited to, weddings, receptions, parties, festivals, celebrations, reunions, ceremonies, performances, markets, fairs, and similar gatherings. An Outdoor Event Venue may include accessory facilities and buildings or structures that are incidental and subordinate to the principal outdoor event use.

F. Customary Home Occupations.

Customary home occupations may be established in any dwelling unit. The following requirements shall apply in addition to all other applicable requirements of this UDO for the district in which such uses are located:

Suburban Home Occupations:

1. The home occupation shall be clearly incidental and subordinate to the residential use of the dwelling and shall not change the residential use of the dwelling.

2. No accessory buildings or outside storage visible from the right of way shall be used in connection with the home occupation.

3. Use of the dwelling for the home occupation shall be limited to 25 percent of the area of the principal building.

~~4. Only residents of the dwelling may be engaged in the home occupation.~~

~~5.~~4 No display of products shall be visible from any adjoining streets or properties. Sales of products are limited to those made on the premises ~~and those which are accessory to the service being provided.~~

~~6.~~5 No alterations to the exterior appearance of the residence or premises shall be made which changes the residential characteristics.

~~7.~~6 ~~Only vehicles used primarily as passenger vehicles (e.g., automobiles, vans, and pick-up trucks) shall be permitted in connection with the conduct of the customary home occupation.~~ Any vehicle used in conjunction with the home use occupation must not be visible from the right of way. Any vehicle being used must be in conjunction with vehicles typically seen in a residential setting (e.g. automobiles, vans, pick-up trucks, trailers). The site may not be used as a staging area for work to be done off-site.

~~8.~~7 Chemical, mechanical, or electrical equipment that creates odor, light emission, noise, or interference with radio or television reception detectable outside of the dwelling shall be prohibited.

~~9.~~8 No traffic shall be generated by the home occupation in greater volumes than would normally be expected in a residential neighborhood. Any need for parking generated by the conduct of the home occupation shall be provided off the road right-of-way.

~~10.~~9 One nonilluminated professional name plate, occupational sign, or business identification sign mounted flush to the dwelling unit and not more than 1 ½ square ft in area shall be allowed. Signs must not be visible from the right of way.

10. Any noise generated in conjunction with the home occupation cannot exceed 65dBa at any adjoining residential or institutional property.

Rural Home Occupations:

1. The home occupation shall be clearly incidental and subordinate to the residential or agricultural use of the dwelling and shall not change the residential or agricultural use of the dwelling.

2. Outdoor material storage, and outdoor work areas must be setback at least 350ft from adjoining properties.

3. Any outdoor storage must be screened from adjacent properties where the primary use is residential.

4. No traffic shall be generated by the home occupation in greater volumes than would normally be expected in an agricultural area. Any need for parking generated by the conduct of the home occupation shall be provided off the road right of way.

5. Any noise generated in conjunction with the home occupation cannot exceed 65dBa at any adjoining residential or institutional property.

Appendix 1 Definitions

Suburban Home Use Occupation:

A home-based business conducted on a property whose primary use is residential while maintaining the property's primary residential character and minimizing impacts on surrounding properties.

Rural Home Use Occupation:

A home-based business conducted on a property whose primary use is agricultural that allows for business activity, accessory structures, outdoor operations, and business-related equipment while maintaining the property's primary residential or agricultural use and preserving the rural character of the area.