



**AN ORDINANCE TO AMEND The Town of Weddington Zoning Map
Luna Subdivision
CZ 2023-03**

WHEREAS, the Town of Weddington has received an application requesting that the zoning classification of parcels of land subject to the zoning regulations of the Town be reclassified; and

WHEREAS, notice of public hearing on the question of the reclassification of the subject parcels has been provided through posting of the property; and

WHEREAS, notice of public hearing on the question of the reclassification of the subject parcels has been provided through advertisement in a newspaper of general circulation in the Town; and

WHEREAS, property owners within 1300 feet of the subject parcels have been notified by first class mail of the public hearing on the question of reclassification; and

WHEREAS, a public hearing on the question of the reclassification of the subject parcel has been held by the Town Council of the Town of Weddington; and

NOW, Therefore be it ordained by the Town Council of the Town of Weddington that tax parcel numbers 06123012 and 06123012C consisting of approximately 29 acres located on Weddington Matthews Road near Cox Road be reclassified as Conditional Zoning District as shown on Exhibit A titled Luna, dated December 11, 2023 and is further subject to the conditions shown on Exhibit B Development Guidelines and Standards dated December 11, 2023 attached hereto and incorporated herein by reference.

Adopted the 11th day of December, 2023

Handwritten signature of D. Craig Horn in black ink.

D. Craig Horn, Mayor

Attest:

Handwritten signature of Karen Dewey in black ink.

Karen Dewey, Town Administrator/Clerk

APPROVED AS TO FORM:

Handwritten signature of Karen Wolter in black ink.

Karen Wolter, Town Attorney



CZ 2023- 03 LUNA
EXHIBIT B.
DEVELOPMENT STANDARDS

Page 1 of 3

1. **Development Standards.** The development will be governed by these development standards, all submittals presented to the Town Board in support of this application, and the applicable provisions of the Town of Weddington Unified Development Ordinance (UDO) in place on the Filing Date.
2. **Applicability of Other Regulations.** The Rezoning Plan shall comply with the current version of applicable non-Unified Development Ordinance regulations at the time of individual permit submission unless otherwise specified under state or federal law, including G.S. 160D-108: Permit Choice and Vested Rights. Examples of these codes may include, but are not limited to, building codes, fire codes, and/or codes or regulations administered by outside agencies.
3. **Schematic Nature of Rezoning Plan.** The Rezoning Plan shows the general location of all structures and exact locations of structures may be altered or modified during design, engineering, and construction phases of the development so long as the minimum Ordinance standards are met, and such alterations or modifications are materially in keeping with the Rezoning Plan.
4. **Access and Transportation.**
 - a. All roadway improvements and construction within the subdivision will be subject to the standards and criteria of the Town of Weddington and/or NCDOT standards for road construction.
 - b. Applicant agrees that the connection to Delaney Drive shall remain closed until such time that the construction of all homes has been completed.
5. **Environmental Features and Open Space.** The site shall comply with the minimum Open Space and Tree Save requirements as set forth in D-917A (p) and (q) of the Weddington Unified Development Ordinance. Required stream and wetland buffers may count toward open space.

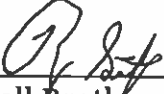
- 6. Stormwater Management.** Applicant shall meet all requirements for storm water management as required by the Weddington Unified Development Ordinance and as required by town engineers.
- a. The feasibility of a direct connection from BMP #2 outlet to an existing storm drainage pipe and easement located along the property line between 1316 Delaney Drive and 1400 Delaney Drive will be evaluated. If a direct connection option is acceptable to the offsite property owners, the applicant will be required to obtain field survey, perform designs, and acquire permanent or temporary easements needed to construct the offsite improvements.
 - b. The downstream stormwater management system from the proposed BMP #2 will be analyzed during the construction plan phase to ensure that the existing system can handle the additional flow.
 - c. The storm drainage will be conveyed via channels and a storm pipe system to the proposed BMPs. Both the swales and the drainage system will be designed for the 100-year runoff.
 - d. Prior to the issuance of any permits, the applicant shall provide a Performance Bond for the construction of the stormwater improvements associated with the development proposal. The Performance Bond shall be equal to 125% of the cost of those improvements and shall not be released until at least two (2) years after the final Certificate of Occupancy has been issued for the development, or the date of final inspection approval on the stormwater improvements by the engineer of record, whichever occurs last.
 - e. Site shall be developed under Enhanced Erosion Control Requirements to include:
 1. A preconstruction conference with Town Engineers shall occur prior to submission of Applicant's Erosion and Sedimentation Control Plan.
 2. To ensure compliance with plans and functionality after construction, the site will be subject to enhanced oversight by Town Engineers. If Town Engineers determine that erosion and sedimentation are occurring despite installation of and maintenance of projective practices, applicant will be required to take additional protective action.

7. Architectural Standards:

- a. The building materials used on the principal buildings constructed on Site will be a combination of portions of the following: brick, stone, precast stone, precast concrete, synthetic stone, cementitious fiber board, cementitious fiber shake, stucco, decorative block and/or wood.
- b. Vinyl or Aluminum shall not be used as a primary siding material however it may be used on windows, soffits, fascia, and/or similar roof overhang elements, handrails/railings, and/or other miscellaneous trim elements
- c. The proposed roofing materials will be architectural shingles, slate, tile and/or metal.

8. Permitted Uses. Permitted uses for this site include all uses permitted in the R-CD and R-40 districts. This site may be developed with up to eighteen (18) single-family residential units.

This 11th day of December 2023

 Ryan Seitzer 12/11/23
Toll Brothers