



**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, MAY 22, 2023 – 7:00 P.M.
WEDDINGTON TOWN HALL
1924 WEDDINGTON ROAD
WEDDINGTON, NC 28104
AGENDA**

1. Call to Order
2. Determination of Quorum
3. Conflict of Interest Statement: *In accordance with the state government ethics act, it is the duty of every Board member to avoid conflicts of interest. Does any Board member have any known conflict of interest with respect to any matters on the agenda? If so, please identify the conflict and refrain from any participation in the matter involved.*
4. Approval of Minutes
 - A. April 24, 2023 Planning Board Regular Meeting
5. Weddington Tree Canopy Presentation by Keith O'Herrin, PhD, Union County Urban Forester
6. Old Business
 - A. Discussion and Recommendation of Conditional Zoning Amendment for Weddington United Methodist Church for the addition of a temporary modular classroom building at 130 S. Providence Road
7. New Business
 - A. Discussion and Recommendation of a Text Amendment to Section D-917D, Supplemental Requirements for Certain Uses, of the Town of Weddington Unified Development Ordinance.
8. Update from Town Planner and Report from the April Town Council Meeting
9. Board member Comments
10. Adjournment



**TOWN OF WEDDINGTON
REGULAR PLANNING BOARD MEETING
MONDAY, APRIL 24, 2023 – 7:00 P.M.
WEDDINGTON TOWN HALL
MINUTES
PAGE 1 OF 4**

1. Call to Order

Vice Chairman Travis Manning called the April 24, 2023 Regular Planning Board Meeting to order at 7:00 p.m.

2. Determination of Quorum

Quorum was determined with Vice Chairman Travis Manning, Board members Jen Conway, Manish Mittal, Chris Faulk, Amanda Jarrell were all present.

Chairman Ed Goscicki and Board member Gordon Howard were absent.

Staff present: Town Planner Robert Tefft, Town Administrator/Clerk Karen Dewey

Visitors: Mike Carver, Cindy Hicks, Adele Greene, Nolan Groce, Christopher Neve, Mike Maxon, Bill Deter, Jay Rajesh

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.*

Vice Chair Manning read the Conflict of Interest Statement. Board member Faulk stated that he does professional work with Urban Design but does not have a financial interest in this project. Vice Chair Manning He disclosed that he is a member of Weddington United Methodist Church and does have a professional relationship with Urban Design Partners but has no financial interest in the project on the agenda.

4. Approval of Minutes

A. March 27, 2023 Planning Board Regular Meeting

Motion: Board member Conway made a motion to approve the March 27, 2023 Planning Board Regular Meeting minutes.
Second: Board member Faulk
Vote: The motion passed with a unanimous vote.

5. Old Business

6. New Business

A. Discussion and Recommendation of Conditional Zoning Amendment for Weddington United Methodist Church for the addition of a temporary modular classroom building at 130 S. Providence Road

Mr. Tefft gave the staff report: Weddington United Methodist Church (WUMC) is proposing to amend the existing conditional zoning to allow for a modular classroom building on the campus. The building will be temporary for a maximum of five years from the date of installation. WUMC held the required community meeting at the church on Thursday, April 13, 2023. The project is found to be generally consistent with the adopted Land Use Plan. It is the recommendation of staff that the request to amend the existing conditional zoning for the existing Church use located at 130 S. Providence Road be approved.

Mr. Groce presented the project

Board member Conway asked what the proposed awning over the sidewalk would be. The applicant could add a condition that it be removed when the modular building is removed. Board member Conway stated that she thought that with conditional zoning applications, the conditions need to be specifically listed.

Mr. Groce explained that the structure will definitely be temporary in nature. Details and general elevations will be documented. The maximum size is in the development notes.

Board member Faulk asked if the cell tower on the property has any rights or restrictive covenants. Mr. Groce responded that there is an access easement and all potential sites for the modular are outside of the fall zone.

Board member Mittal asked for clarity on the phasing of the project. Mr. Groce responded there are three phases. First is installation of the modular building and the sidewalk from the school. Second phase encompasses parking and landscaping around Weddington Christian Academy. Phase three will include the additional parking in the rear of the church and adding 151 spaces and better connectivity between the lots.

Mr. Groce explained after 5 years, the modular building will be removed, or the church will apply for an additional conditional zoning amendment to keep it in place.

Board member Faulk asked about the storm pond. Mr. Groce responded that accountability for the impervious area and storm run-off will be required during the land development phase.

Vice Chair Manning asked where the modular structure will be placed. Mr. Groce answered that there are 3 places the church is considering.

Board member Jarrell asked how long this development will take. Mr. Groce stated that it is a 5 year project. The plan is to immediately install the modular classroom and the additional phases will be completed over a 5 year span.

Board member Mittal asked Mr. Tefft if the temporary structure will come to the town for approval. Mr. Tefft responded that the structure is tied to the conditional zoning amendment.

Board member Faulk asked about the gross floor area. Mr. Tefft responded that if a permanent structure is built, that is when the issue of gross floor area is addressed. For now, the development standards can specify that it bypasses the development code.

Vice Chair Manning expressed his disappointment with the lack of clarity in the application. He stated that he wants more information as it is difficult to approve without seeing the structure elevations.

Board member Conway stated that the Planning Board must be careful about what they recommend.

The Board members agreed that more specifics are needed, and they would like to continue the discussion with Chairman Goscicki and Board member Howard present.

- Motion:** Board member Faulk made a motion to table recommendation of Conditional Zoning Amendment for Weddington United Methodist Church for the addition of a temporary modular classroom building at 130 S. Providence Road until the next Planning Board meeting.
- Second:** Manish Mittal
- Vote:** The motion passed with a unanimous vote.

Board member Conway suggested the applicant add specific details such as elevations and placement of the modular building, the storm pond mitigation, and clarification of the campus plan.

7. Update from Town Planner and Report from the March Town Council Meeting

Mr. Tefft gave an update of projects and possible projects:

- 6424 Antioch Road – Multi-unit assisted living housing with services-no application has been submitted
- Ennis Road Subdivision – Conventional subdivision for 12 lots-no application has been submitted
- John Walker Matthews Property-Event venue to help preserve historic property-no application has been submitted
- Luna Subdivision – Conventional subdivision for 18 lots-no application has been submitted
- Liberty Classical Academy – Private K-12 school-incomplete application submitted; community meeting on Wednesday May 3 at Town Hall at 6:30 p.m.

8. Board member Comments

Board member Faulk: I hate that we couldn't approve the school's application right now. Looking forward to next month when we will have everybody here to chime in. I hope everybody had a good Easter.

Board member Mittal: I wasn't here last month, so welcome to Amanda.

Vice Chairman Manning: I am a big proponent of the Weddington Christian Academy, but we have to cross our t's and dot our i's. We've been under a lot of pressure for the last year and a half, we have to do this right.

9. Adjournment

Motion: Board member Conway made a motion to adjourn the April 24, 2023 Regular Planning Board meeting at 7:50 p.m.

Second: Board member Mittal

Vote: The motion passed with a unanimous vote.

Approved: _____

Ed Goscicki, Chairman

Karen Dewey, Town Administrator/Clerk

DRAFT



TO: Planning Board
FROM: Robert G. Tefft, Town Planner
DATE: May 22, 2023
SUBJECT: Application by Weddington United Methodist Church, requesting to amend an existing Conditional Zoning approval for the existing Churches, Synagogues and Other Places of Worship use generally located at 130 S. Providence Road.

APPLICATION INFORMATION:

SUBMITTAL DATE: March 23, 2023
APPLICANT: Weddington United Methodist Church
PROPERTY LOCATION: 0 Weddington-Matthews Road, 130 S. Providence Road, and 113 Weddington School Road
PARCEL ID#: 06150045A, 06150045B, 06150039, and 06150040
ACREAGE: +/- 22.09 acres
LAND USE: Conservation Residential
EXISTING ZONING: Residential-Conservation District (R-CD) (CZ)
PROPOSED ZONING: Residential-Conservation District (R-CD) (CZ)

UPDATE:

At its meeting of April 24, 2023, the Planning Board voted 4-0 to table the development proposal until its meeting of May 22, 2023. During its discussions with the applicant, the Board requested the provision of additional information, including but not limited to, the inclusion of a covered walkway, the appearance of the proposed modular building, and how stormwater may be impacted. The applicant has

submitted revised plans, as well as a response letter, which are intended to address the concerns of the Board.

BACKGROUND:

On October 13, 2003, the Town Council approved a Conditional Use Permit (CUP) for Weddington United Methodist Church on parcels 06150039, 06150040, and 06150045 (now 06150045A and 06150045B) to allow for the development of a 22,000 square foot Family Life Center with 1,050 seat sanctuary/multi-purpose room, a 4,500 square foot addition to the existing pre-school, a 23,000 square foot educational and administration building, and a 10,000 square foot addition to the existing children's day care.

Subsequent to the approval of this CUP, the Town established its Conditional Zoning (CZ) process and replaced all prior CUP's with CZ approvals. On July 11, 2011, the Town Council amended this now CZ approval to provide for a universal sign plan for all the church parcels (including those associated with this application, and other parcels which are not).

It is noted that with both 2003 and 2011 approvals, each of the subject parcels are noted as already being zoned R-CD. However, the Town's current Zoning Map does not reflect this. The Map also does not reflect the existing CZ approval on any of the parcels it should with the noted exception of parcel 06150039. The Town has no record of any rezoning or other amendment to these CUP/CZ approvals that would have altered this zoning. As such, it is the position of the Town that the Zoning Map is in error and will need to be updated to accurately reflect these prior approvals.

PROPOSAL:

The development proposal consists of Development Standards that form a part of the Conditional Zoning Plan (Plan). The development shall be governed by this Plan and all applicable Unified Development Ordinance (UDO) requirements unless specifically identified in the Plan.

Each use and structure shall be required to obtain a Zoning Permit so that staff can ensure the placement is consistent with this Plan, as well as all other applicable requirements of the UDO. However, any major changes to the use areas, open space or development standards shall be required to go back through this Conditional Zoning process.

It should be noted that the addition of the modular classroom building is the only new part of this proposed amendment. Additionally, this modular classroom building is temporary in nature, and would only be on site for a maximum of five years from the date of its installation and will not impact those buildings previously approved in 2003.

Permissible Uses.

Based upon the Development Notes & Standards submitted by the applicant (see attached), the possible permissible uses for the subject property would be as follows:

- Churches, synagogues, and other places of worship, and customary related uses of:
 - Wedding, banquet, and reception center
 - Day school, daycare, and nursery facilities
 - Park, playground, private recreational center, athletic fields, and associated structures (concession, restroom facilities, open air pavilion/shelter)

- Cemeteries (columbarium)
- Telecommunication towers
- Essential services

Staff have no objections or concerns with these permissible uses.

RELATION TO THE UNIFIED DEVELOPMENT ORDINANCE:

UDO Section D-607(C), Conditional Rezoning.

As required by UDO Section D-607(C)(5), the applicant held their required Community Meeting at Weddington United Methodist Church on Thursday, April 13, 2023, at 6:00 pm. The minutes of this meeting and the attendance log are attached to this staff report, as well as being available on the town website.

The Town Council will hold a public hearing at Town Hall on Monday, May 8, 2023, at 7:00 pm. The Conditional Zoning process allows the developer and the town to ask for conditions which could include special exceptions to rules or additional improvements. The town and the developer must agree on a condition for it to become a part of an approval.

UDO Section D-703(D), Permitted Uses (by zoning district).

Pursuant to Table 1, Permitted Uses, as contained within UDO Section D-703(D), the Churches, Synagogues and Other Places of Worship use is permissible within the R-40 and R-CD Districts; however, only by a Conditional Zoning approval. The subject parcels are all currently zoned appropriately for such use to be approved.

UDO Section D-703(E), Lot and Building Standards Table.

Pursuant to Table 2, Lot and Building Standards, as contained within UDO Section D-703(E), development within the R-CD (Conventional) District shall meet the following:

TABLE 2, LOT AND BUILDING STANDARDS							
Zoning District	Minimum Lot Size (sq. ft.)	Minimum Lot Width (ft.)	Minimum Setbacks (ft.)			Maximum Height (ft.)	Maximum Floor Area Ratio
			Front	Side	Rear		
R-CD (Conventional)	40,000	120	50	15	40	35	N/A

The subject property and development proposal will meet or exceed each of these standards with the shortest proposed setback (to the modular building) being approximately 306 feet.

UDO Section D-917C, Specific Requirements for Non-Residential Development.

1. *Landscaping, Screening, and Buffers.* Landscaping, screening, and buffers shall meet or exceed the minimum standards as provided per D-918(I). A buffer shall be built and maintained the entire width of the property fronting major or minor thoroughfares and major or minor roads. The buffers shall be built the width of the setback. All such buffers and/or screens shall be built in such a manner as to effectively screen the development from any major or minor thoroughfare and major or minor road, and/or residential or commercial property existing at the time the CZ zoning is approved. All such landscaping, screening and buffers shall include, protect and maintain existing and planted trees.

Aside from the existing church sanctuary, which encroaches into the required 70-foot buffer, the development proposal will be able to comply with this provision. Specific landscape materials will be reviewed for compliance with the submittal of plans for a Zoning Permit.

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.

Not applicable.

3. *Building Height.* The majority of buildings in the development shall be two stories high. However, one-story and/or three-story buildings will also be used to provide a varied skyline for the development. A majority of the gross floor area within the development shall be contained in buildings that are two stories or shorter. All buildings or structures within 50 feet of residentially zoned property shall be limited to two stories and shall have a maximum building height of 35 feet, as measured from ground level to the peak of the roof.

The specific height of the proposed modular building is not known at this time. However, the applicant is in agreement that the building shall not exceed the established maximum height for the R-CD District of 35 feet.

4. *Gross Floor Area.* No individual use within a non-residential development shall have a gross floor area greater than 8,000 square feet, except for supermarkets, libraries, and town and government facilities, which may be as large as 25,000 square feet. Furthermore, individual retail uses having a gross floor area of greater than 20,000 square feet shall not comprise greater than 25 percent of the total gross floor area in the development devoted to retail use.

The existing buildings already result in the development being well in excess of this allowable maximum, regardless of the improvements associated with this proposed amendment. That said, the proposed modular classroom would be at most 9,728 square feet; however, this is also a temporary building which will not have a permanent impact upon the Town. Nonetheless, the Town Council must specifically approve the gross floor area for this development since it will exceed the maximum gross floor area otherwise allowed.

5. *Design Requirements.* The first floors of all nonresidential buildings must be designed to encourage pedestrian activity and use by arranging windows and doors so that individual uses within a building are visible and accessible from the street on at least 50 percent of the length of the first-floor frontage that faces roads, sidewalks, or other areas of significant pedestrian activity. Where the first floor of a nonresidential building has expanses of blank wall, each such expanse of blank wall may not exceed 20 feet in length. The term "blank wall", for the purposes of this section, means a wall that does not contain transparent windows or doors or significant ornamentation, decoration, or articulation.

This provision is intended more for the engagement of pedestrians with retail storefronts rather than school buildings, which are not typically associated with these types of design requirements.

Accordingly, it would not seem to be appropriate to require compliance with these provisions given the nature of the use.

6. *Pedestrian Friendly.* Nonresidential portions of a development (including, but not limited to, the landscaping, parking, and lighting of those portions) shall be designed so that they encourage and facilitate pedestrian use of those portions. In addition to other design elements that encourage and facilitate pedestrian use, in nonresidential portions of a development, sidewalks shall be placed in front of all principal buildings, and small pocket parks shall be created whenever feasible.

This provision is intended more for the engagement of pedestrians with retail storefronts rather than school buildings, which are not typically associated with these types of design requirements.

Accordingly, it would not seem to be appropriate to require compliance with these provisions given the nature of the use.

7. *Off-Street Parking Areas.* Large expansive off-street parking lots are not allowed. Accordingly, each off-street parking area shall contain no more than 150 off-street parking spaces and shall meet or exceed the standards in section.

Most of the off-street parking areas previously approved by the Town Council already exceed this requirement (246, 260, and 120 spaces). While staff has no objections to the continued approval of this design, it is ultimately up to the Town Council if they would like this design to continue.

8. *Internal Streets; Private Ownership; Parking.* Streets within the development may be privately owned and maintained. On-street 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 off-street 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".

Not applicable.

9. *No Outdoor Storage.* Any outdoor storage of retail goods is prohibited. Notwithstanding this provision, garden materials such as flowers, plants, shrubs, fertilizer, and pine needles, etc., may be stored outdoors, but only if appropriately located, screened, and secured. Such outside storage shall be allowed only at the sole discretion of the Town Council and shall be included in calculating the floor area ratio for the site.

Not applicable.

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

This provision is intended more for the engagement of pedestrians with retail storefronts rather than school buildings, which are not typically associated with these types of design requirements.

Accordingly, it would not seem to be appropriate to require compliance with these provisions given the nature of the use.

11. *Stormwater Management.* The post development rate of stormwater runoff from any lot shall not exceed the predevelopment rate of runoff for a 10-year storm. The applicant shall provide, at a minimum, the following information to the Administrator as part of his application to obtain a zoning permit:
- a. An engineering report made and certified as true and correct by a registered engineer licensed to do business in the state. Such report shall include the following:
 1. The routing of stormwater for the predevelopment and post-development conditions of the proposed building lot.
 2. Calculations showing the peak estimated rates of runoff using a ten-year return period for predevelopment and post-development conditions for the lot, including each stream leaving the proposed building lot.
 3. Calculations, plans, and specifications for stormwater retention/detention facilities or other means to effect peak rate attenuation.
 4. A statement indicating the rate of post-development stormwater runoff for the proposed building lot will not be greater than the predevelopment rate for a 10-year storm.
 - b. A statement from the owner acknowledging responsibility for the operation and maintenance of required retention/detention facilities, and to disclose such obligation to future owners.

The above stormwater management requirements will be reviewed for compliance with the submittal of plans for a Zoning Permit.

UDO Section D-918, General Requirements.

The various provisions set forth in UDO Section D-918, including, but not limited to visibility at intersections, lighting, screening and landscaping, fences and walls, signs, and off-street parking and loading, as applicable, shall be reviewed for compliance with the submittal of plans for a Zoning Permit. It is noted, however, that there do not appear to be any immediate concerns regarding compliance with these provisions.

UDO Appendix 5, Architectural Standards.

It is noted that many of the basic building design standards established in Appendix 5 are intended more for the engagement of pedestrians with retail storefronts rather than school buildings, which are not typically associated with these types of design requirements.

RELATION TO THE CODE OF ORDINANCES:

Appendix C, Traffic Impact Analysis.

Pursuant to Sec. II (A) (1), a Traffic Impact Analysis (TIA) is required for any CZ which is expected to create 50 or more peak hour vehicle trips or 500 or more daily vehicle trips. However, paragraph (7) states that this Appendix shall not apply to any development proposal that is a part of a CZ plan submitted prior to the effective date of the Appendix. As the Appendix was adopted in 2015 and the subject CZ was approved in 2003, this TIA requirement is not applicable.

It should be noted, however, that the 2003 approval was contingent upon the church obtaining approval from the North Carolina Department of Transportation (NCDOT). This contingency still applies, and the Town does not have a record of this approval having yet been obtained.

LAND USE PLAN CONSISTENCY:

Staff provides the following Land Use Plan Consistency Statement for consideration:

The project has been found to be generally consistent with the adopted Land Use Plan. However, while this project does not further any specific Goal or Policy of the Land Use Plan, it also does not act contrary to any specific Goal or Policy of the Land Use Plan, nor would it prevent the administration and implementation of the Land Use Plan, or preclude the fulfilment of the community vision as set forth in the Land Use Plan.

RECOMMENDATION:

It is the recommendation of staff that the request to amend an existing Conditional Zoning approval for the existing Churches, Synagogues and Other Places of Worship use located at 130 S. Providence Road (Weddington United Methodist Church) be approved.

ATTACHMENTS:

- Conditional Zoning Application
- Revised Sketch Plan with Development Notes and Standards
- Zoning Map of Subject Parcels
- Community Meeting Attendance Log
- Community Meeting Minutes
- Response Letter from Applicant

TOWN OF WEDDINGTON

Conditional Zoning Application

This application is required for all conditional zoning applications. Completed applications along with all associated submittal requirements, must be submitted via the Town's Self-Service Permitting Portal.

No application shall be considered complete unless accompanied by the application fee in the amount of \$1,650.00.

It is the responsibility of the applicant to submit complete and correct information. Incomplete or incorrect information may invalidate your application. The applicant, by filing this application, agrees to comply with all applicable requirements of the Unified Development Ordinance.

APPLICANT INFORMATION

Name: Weddington United Methodist Church
Mailing Address: 13901 Providence Road, Weddington, NC 28104
Phone Number: (704) 846-1032 Email: info@@weddingtonchurch.org

PROPERTY OWNER INFORMATION *(if different from applicant)*

Name: Same as applicant
Mailing Address: _____
Phone Number: _____ Email: _____

SUBJECT PROPERTY INFORMATION

Location: West of Hwy 16 at Hwy 16 and Hwy 84 intersection. North and South of Weddington Church Road
Parcel Number: 06150045A, 06150045B, 06150040, 06150039
Existing Zoning: RCD (CZ)
Use of Property: Church

APPLICATION SUBMITTAL INFORMATION

All applications must include a site plan, drawn to scale, and supporting text that, as approved, will become a part of the Ordinance amendment. The site plan, drawn by an architect, landscape architect, or engineer licensed to practice in North Carolina, shall include any supporting information and text that specifies the actual use or uses intended for the property and any rules, regulations, and conditions in addition to all predetermined Ordinance requirements, will govern the development and use of the property. The applicant acknowledges that they will review the conditional zoning request prior to any zoning permits being issued by the Town for such project. The applicant shall, at a minimum, include as part of the application, each of the items listed below (including all submittal requirements listed in Appendix 2 of the UDO):

- A boundary survey showing the total acreage, present zoning classifications, date, and north arrow.
- The owner's names, addresses and the tax parcel numbers of all adjoining properties.
- All existing easements, reservations, and right-of-way on the property or properties in question.
- Proposed principal uses: a general summary of the uses that will take place, with reference made to the list of uses found in Section D-703 of the Unified Development Ordinance.
- Traffic impact analysis/study for the proposed service area, as determined by the Town Engineer, shall be required. In addition, traffic, parking and circulation plans, showing the proposed locations and arrangement of parking spaces and access points to adjacent streets including typical parking space dimensions and locations (for all shared parking facilities) along with typical street cross-sections.
- General information on the number, height, size, and location of structures.
- All proposed setbacks, buffers, screening, and landscaping required by these regulations or otherwise proposed by the petitioner.
- All existing and proposed points of access to public streets.
- Proposed phasing of the project.
- Proposed number, location, type, and size of all commercial signs.
- Exterior treatment of all principal structures.
- Delineation of all marginal lands, including areas within the regulatory floodplain, as shown on official Flood Hazard Boundary Maps for Union County.
- Existing and proposed topography at five-foot contour intervals or less.
- Scale and physical relationship of buildings relative to abutting properties.
- Public Involvement Meeting Labels.

Planning Board Review

Before the Planning Board review, the applicant must provide a written report of at least one community meeting held by the applicant. Reasonable notice of the required community meeting shall be provided as stated in Section D-607.C.5 of the Unified Development Ordinance. The Zoning Administrator shall present any properly completed application to the Planning Board at its next regularly scheduled meeting occurring at least 15 days after the

application has been deemed complete and ready for submission to the Planning Board. The Planning Board, by majority vote, may shorten or waive the time provided for receipt for a completed application. The Planning Board shall have 30 days from the date that the application is presented to it to review the application and to act. If such period expires without action taken by the Planning Board, the application shall then be transferred to the Town Council without a Planning Board recommendation.

Public Hearing Required

Prior to deciding on rezoning a piece of property to a Conditional Zoning District, the Town Council shall have held a public hearing. Notice of such public hearing shall have been given as prescribed in Section D-602 of the Unified Development Ordinance.

Action by Town Council

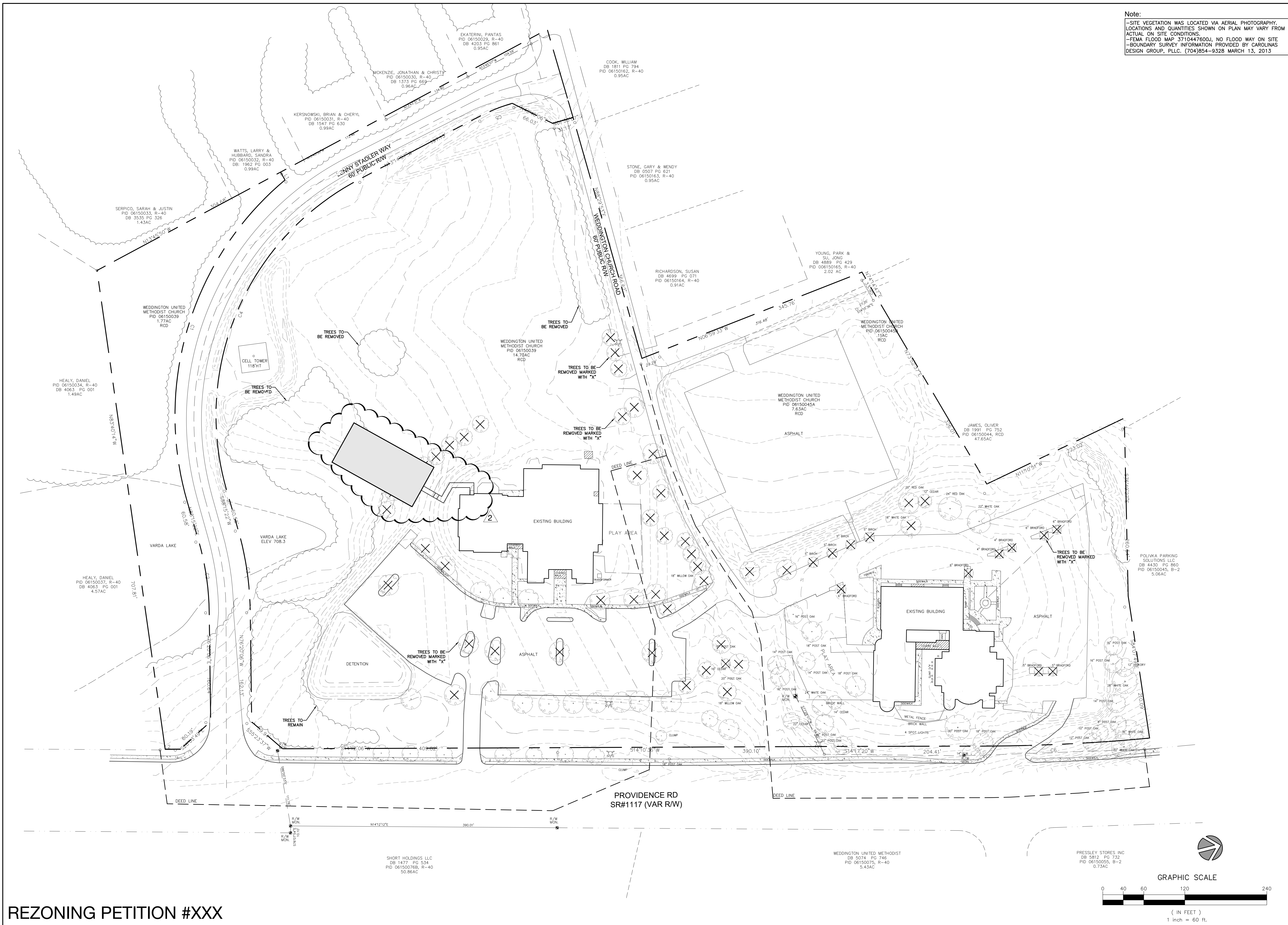
Conditional Zoning District decisions are a legislative process and shall consider applicable adopted land use plans for the area and other adopted land use policy documents and/or ordinances. A statement analyzing the reasonableness of the proposed rezoning shall be prepared for each application and evaluated by the Town Council. Once the public hearing has been held, the Town Council shall act on the petition. The Town Council shall have the authority to:

- a. Approve the application as submitted.
- b. Deny approval of the application.
- c. Approve application with modifications that are agreed to by the applicant.
- d. Submit the application to the Planning Board for further study. The Planning Board shall have up to 31 days from the date of such submission to make a report to the Town Council. If no report is issued, the Town Council can take final action on the petition. The Town Council reserves the right to schedule and advertise a new public hearing based on the Planning Board's report.

CERTIFICATION

I HEREBY CERTIFY that all the information provided for this application and all attachments is true and correct to the best of my knowledge. I further certify that I am familiar with all applicable requirements of the Weddington Unified Development Ordinance concerning this proposal, and I acknowledge that any violation of such will be grounds for revoking any approvals or permits granted or issued by the Town of Weddington.

 MICHAEL E. PARKER, FACILITY MANAGER	3/20/23 Date
WEDDINGTON METHODIST CHURCH	3/20/23 Date
Applicant	Date
Property Owner	Date



Note:
 -SITE VEGETATION WAS LOCATED VIA AERIAL PHOTOGRAPHY. LOCATIONS AND QUANTITIES SHOWN ON PLAN MAY VARY FROM ACTUAL ON SITE CONDITIONS.
 -FEMA FLOOD MAP 37104476004, NO FLOOD WAY ON SITE
 -BOUNDARY SURVEY INFORMATION PROVIDED BY CAROLINAS DESIGN GROUP, PLLC. (704)854-9328 MARCH 13, 2013



1213 W morehead st ste 450
 charlotte, nc 28208
 P 704.334.3303
 urbandesignpartners.com

nc firm no: P-0418 sc coa no: C-03044

Weddington United
 Methodist Church

13901 Providence Rd.
 Weddington, NC 28104

Weddington United Methodist Church

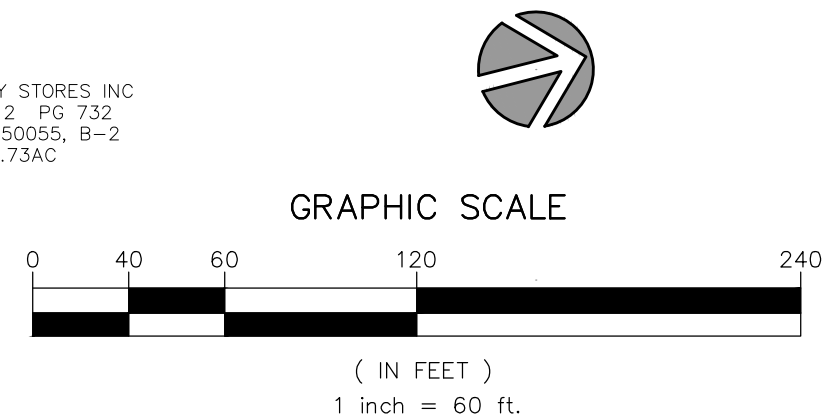
Existing Conditions Plan
 13901 Providence Rd Weddington, NC

NO. DATE: BY: REVISIONS:

Project No: 23-CLT-011
 Date: 03.17.2023
 Sheet No:

RZ-1.0

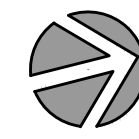
REZONING PETITION #XXX

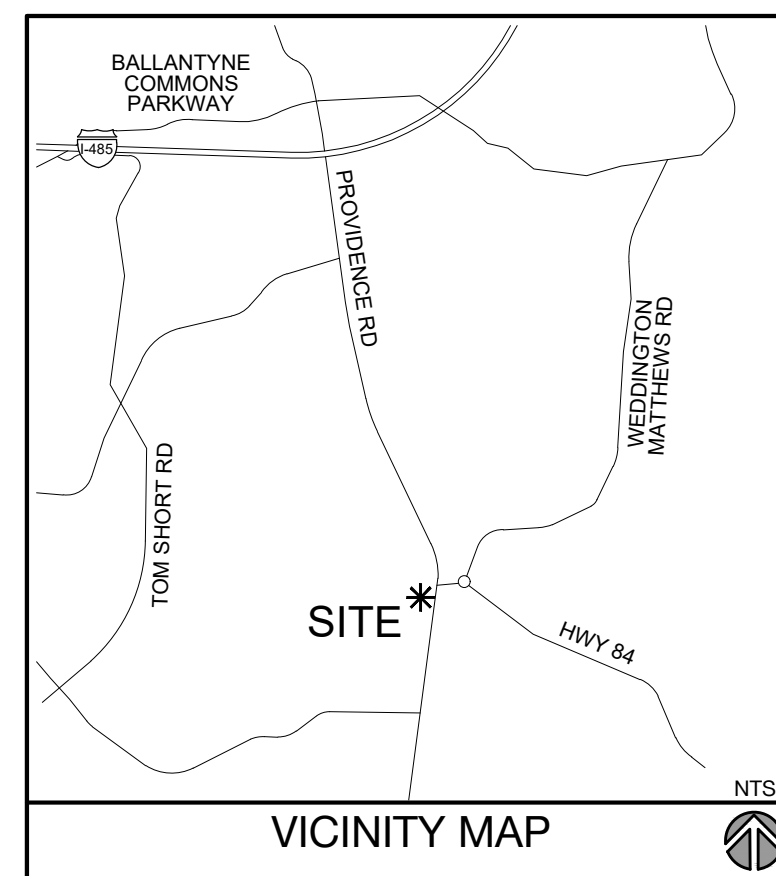


SHORT HOLDINGS LLC
 DB 5812 PG 732
 PID 06150078B, R-40
 50.86AC

WEDDINGTON UNITED METHODIST
 DB 5074 PG 746
 PID 06150079, R-40
 5.43AC

PRESSLEY STORES INC
 DB 5812 PG 732
 PID 06150055, B-2
 0.73AC

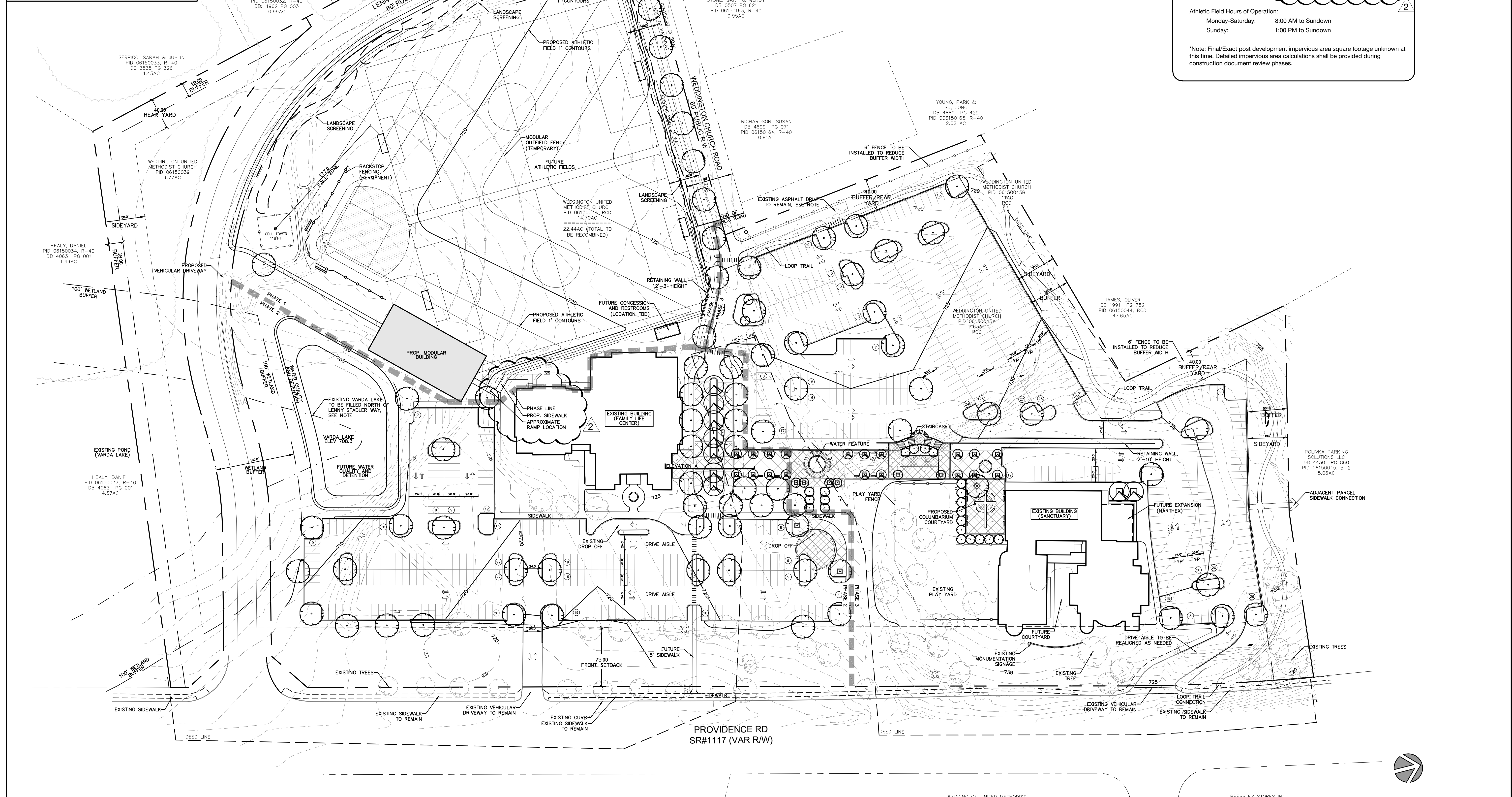




Site Development Data:

Acres:	+/- 22.09 AC
Tax Parcel:	06150045A, 06150045B, 06150040, & 06150039
Existing Zoning:	RCD
Proposed Zoning:	RCD
Pre-Development Impervious Condition:	6.11 AC
Post-Development Impervious Condition:	Less than the maximum allowable in six mile creek watershed per NCDENR DWQ*
Proposed Parking Counts:	(465 total existing parking spaces on site) +/- 161 additional parking spaces proposed +/- 626 total parking spaces
Athletic Field Hours of Operation:	Monday-Saturday: 8:00 AM to Sundown Sunday: 1:00 PM to Sundown

*Note: Final/Exact post development impervious area square footage unknown at this time. Detailed impervious area calculations shall be provided during construction document review phases.



Weddington United
Methodist Church

13901 Providence Rd.
Weddington, NC 28104

Weddington United Methodist Church

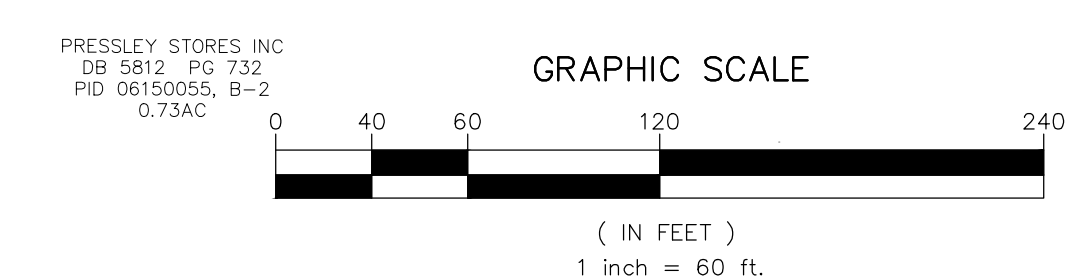
Rezoning Site Plan

13901 Providence Rd Weddington, NC

NO. DATE: BY: REVISIONS:

Project No: 23-CLT-011
Date: 03.17.2023
Sheet No:

RZ-2.0



DEVELOPMENT STANDARDS

General Provisions

1. Unless more stringent standards are established by the Rezoning Plan or these Development Standards, all development standards established under the Town of Weddington Zoning Ordinance (the "Ordinance") for RCD zoning districts shall be followed in connection with development taking place on the Site. The Rezoning Plan is subject to modifications during the design development stages as provided below.
2. The ultimate layouts of the development proposed for the Site and the exact alignments and location of points of access, the configurations and placements of parking areas other individual site elements to be constructed on the Site have not been finalized. As a consequence, the graphics which accompany the Rezoning Site Plan are schematic in nature and are not to be considered as the final development plans but rather as preliminary graphic representations of the types and quality of development proposed and the general locations of the features on the Site. They may, therefore, be altered or modified during the design development and construction document phases subject to the accompanying Development Standards.
3. The number, location, and size of the parking areas and other improvements shall be governed by the standards and regulations set out in the Ordinance.
4. The Petitioner reserves the right to phase construction such that all or portions of the proposed development shown on the plan may be installed at any time.
5. Construction documents shall be approved by the Town of Weddington in accordance with Sections D-609 of the Weddington Unified Development Ordinance as needed.
6. The modular classroom building shall be temporary in nature and must be removed or receive additional approval no later than five years from the date of installation.
7. The modular classroom building shall not exceed 9,728 square feet. Final dimensions to be determined during permitting.
8. The Petitioner reserves the right to cover the proposed sidewalk connection to Weddington Christian Academy. Exact location and size to be determined during permitting.
9. The Petitioner requests 5 year vested rights pursuant to NCGS 160D-108.1

Permitted Uses

The Site may be devoted to the following permitted and conditional uses listed below and as noted on the conditional zoning plan:

- Churches, synagogues and other places of worship, and their customary related uses
- Wedding, banquet and reception center
- Day school, daycare, and nursery facilities.
- Park, playground, private recreational center, athletic fields and associated structures (concession, restroom facilities, open air pavilion/shelter)
- Cemeteries (columbarium)
- Telecommunication towers
- Essential services

Setbacks and Yards

The development of the Site shall satisfy or exceed the setback, rear yard and side yard requirements of the Ordinance.

Access/Cross Easements

1. Vehicular access to the Site shall be as generally depicted on the Rezoning Plan. The placement and configuration of each vehicular access point are subject to any minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the North Carolina Department of Transportation and/or the Town of Weddington.
2. Cross parking and access easements may be granted to and between Site Owner and the owners of adjacent parcels. Pedestrian connections to adjacent parcel parking areas may be made through buffer areas with concrete sidewalk or other appropriate material (i.e. asphalt, mulch, etc).
3. Existing asphalt drive located East of Parcel 06150164 to remain in current location. Drive serves as access to Parcel 06150044.

Streetscape Treatment/Sidewalks

1. The streetscape treatment along Providence Road shall conform to the Ordinance.
2. Sidewalks shall be installed throughout the Site as generally depicted on the Conditional Zoning Plan. The locations of the internal sidewalks are subject to minor modifications required to accommodate final site and construction plans and designs and to any adjustments required for approval by the Town of Weddington.
3. Pedestrian connections from the Site to adjacent parcels as noted on the Conditional Rezoning plan shall be permitted.
4. A pedestrian loop trail shall be provided within buffer areas as generally illustrated on the Conditional Rezoning Plan.

Amenity Areas

Amenity and courtyard areas will be provided on the Site as generally depicted on the Conditional Rezoning Plan. Additionally, the Petitioner reserves the right to install other/additional amenity features on the site. Such features may include, but are not limited to outdoor seating areas, fountains, accent lighting and gardens.

Signs

All Site signage erected on the Site will satisfy the requirements of D-918 (K) of the Weddington Unified Development Ordinance.

Stormwater

1. Any jurisdictional wetlands or streams present shall be protected or proper environmental permits obtained prior to their disturbance. The following agencies shall be contacted prior to construction regarding filling the existing portion of Varda Lake on Site, wetland and water quality permits:
NCDEQ, Raleigh Office (877.623.6748)
US Army Corps of Engineers (910.251.4626)
2. Location, size, and type of any storm water management systems depicted on the Rezoning Plan are subject to review and approval with full development plan submittal and is not implicitly approved with this rezoning. Adjustments may be necessary in order to accommodate actual storm water treatment requirements and natural site discharge points consistent with the above standards.
3. Proposed detention and water quality facilities may be designed as underground systems or surface ponds/facilities. Additional facilities may be required as determined during engineering phases. Areas depicted on the site plan as above ground detention/water quality may be used for parking at the Petitioner's option.
4. Utilities may cross buffers at interior angles between 75 and 90 degrees.
5. Final design and layout of on site stormwater and sewer facilities shall be reviewed and approved by appropriate state agencies and Town of Weddington engineering consultants.

Parking

1. Off-street parking will be provided on Site at a minimum ratio of one parking space for every 4 Sanctuary seats per D-918 (L) of the Ordinance.
2. The alignment of internal vehicular circulation and driveways is preliminary and as a result has not been finalized and is subject to final design and engineering plans. Minor modification or alteration of these alignments may therefore take place during design development and construction phases.

Lighting

1. Pedestrian scale and parking lot light fixtures will be installed throughout the Site. The pedestrian and parking lot lighting fixtures will be uniform in design and color. The final spacing of such lighting fixtures shall be determined by the Petitioner.
2. Lighting on site shall adhere to D-918 (F, G) of the Town of Weddington Ordinance.
3. Final light fixture locations and types shall be approved by the Town of Weddington during construction document phases.
4. Any proposed light fixtures associated with lighting athletic field areas intended to provide light to carry out organized athletic events shall be considered a modification to this conditional rezoning plan and is subject to the Town of Weddington conditional rezoning plan process. Pedestrian scale and pole mounted security lighting adjacent to athletic field areas shall be allowable.

Noise

1. Site noise shall be managed and conform to the standards specified the Weddington Code of Ordinances.
2. The establishment of amplified sound associated with sporting events shall not be permitted without Town Council approval.

Screening and Landscaping

1. Screening and buffers shall conform to the standards and treatments specified in D-918 (I) of the Weddington Unified Development Ordinance.
2. The Petitioner may install a 6 foot high fence, as noted on the Conditional Zoning Plan, within buffer areas to reduce buffer widths by 20% as provided for in D-918 (I.3), of the Town of Weddington Unified Development Ordinance.
3. Existing asphalt drive located East of Parcel 06150164 to remain in current location within buffer. Drive serves as access to Parcel 06150165.
4. Walks to adjacent parcels and loop trail shall be permitted within buffer areas as generally depicted on the Conditional Zoning Plan.
5. All buffer plant material and species selections shall adhere to Town of Weddington approved plant list and shall be approved during construction document phases.

Amendments to Rezoning Site Plan

Future amendments to the Rezoning Site Plan and these Development Standards may be applied for by the then Owner or Owners of the Site in accordance with the requirements of the Weddington Unified Development Ordinance.

Binding Effect of the Rezoning Application

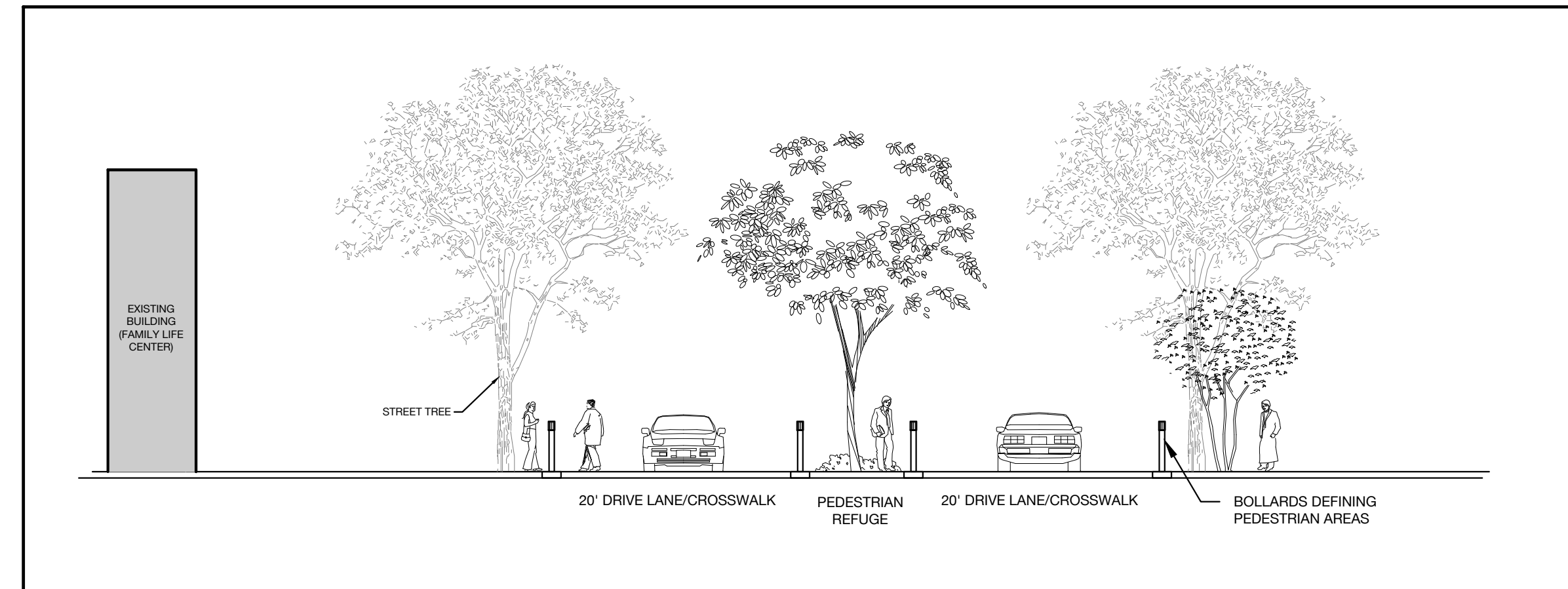
1. If the Petitioner's Rezoning Petition is approved, the development program established under these Development Standards, the Rezoning Site Plan and other supportive documents shall, unless amended in the manner provided under the Ordinance, be binding upon and inure to the benefit of the Petitioner and its successors in interest and assigns.
2. Throughout these Development Standards, the terms "Petitioner", "Owner" and "Owners" are deemed to include the successors in interest and assigns of the Petitioner and the Owners who, from time to time, may be involved in development of any portion of the Site.

Phasing

1. Phases I - III are proposed to take place over five years.
2. Phase I includes installation of the modular classroom structure and covered connection to the rear of Weddington Christian Academy as generally shown on the rezoning plan. Connection proposal includes 5' sidewalk and wood frame covering with shingle roof.
3. Phase II includes parking reconfiguration, the addition of 89 spaces, relocation of the existing stormwater pond, improved access to Weddington Church Road, and additional landscaping.
4. Phase III includes parking reconfiguration, the addition of 72 spaces, a columbarium courtyard, water feature, staircase, loop trail, and additional landscaping.

Architectural and Design Standards

1. Proposed modular classroom structure shall be constructed of Hi Rib Steel.
2. Modular classroom structure shall be painted Gallery Blue, Old Town Gray, and Bone White.



ELEVATION A



1213 W morehead st ste 450
charlotte, nc 28208
P 704.334.3303
urbandesignpartners.com

nc firm no: P-0418 sc coa no: C-03044

Weddington United
Methodist Church

13901 Providence Rd.
Weddington, NC 28104

**Weddington United
Methodist Church**
Development Notes & Standards
13901 Providence Rd Weddington, NC

NO. DATE: BY: REVISIONS:

Project No: 23-CLT-011

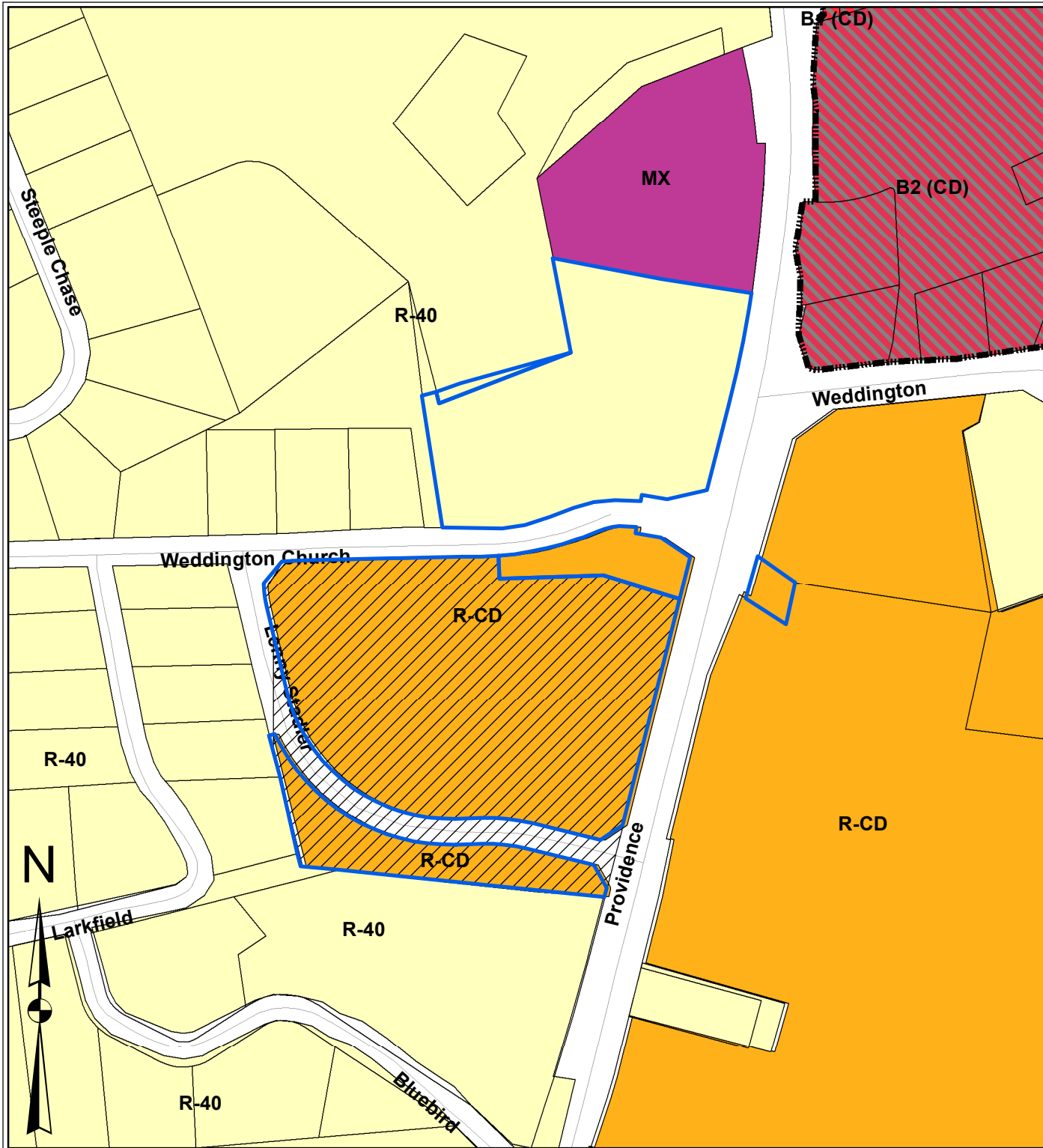
Date: 03.17.2023

Sheet No:



RZ-3.0

Zoning Map: 130 S. Providence Road

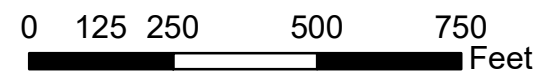
Map Prepared 2023 04-19



Legend

-  B1 (CD)
-  B2 (CD)
-  ED
-  MX
-  R-40
-  R-40D
-  R-60
-  R-80
-  R-CD
-  RE
-  Conditional Zoning
-  Downtown Overlay

This Map was produced by the Town of Weddington Planning Department. This product is for informational purposes and may not have been prepared for, or be suitable for legal, engineering, or surveying purposes. Users of this information should review or consult the primary data and information sources to ascertain the usability of the information.



COMMUNITY MEETING REPORT

Petitioner: Weddington United Methodist Church

Meeting Date: April 13, 2023

Project: WUMC CZ Site Plan Amendment

Mtg. Location: Helms Hall, Weddington United Methodist Church

Meeting Time: 6:00PM

Attendees: Nolan Groce – Urban Design Partners
Karen Dewey – Town of Weddington

The Community Meeting was coordinated, scheduled, and offered to the public as provided by Town of Weddington Unified Development Ordinance guidelines. Adjacent residents attended the petition community meeting as noted on the Attendance Log.

Purpose: To present the Conditional Rezoning Petition to any neighboring residents or homeowners who were in the rezoning mailer radius or who spoke to the Petitioner or Petitioner’s representatives and were invited.

This Community Meeting Report is being filed with the Town of Weddington Planning Department pursuant to the provisions of the Town of Weddington Unified Development Ordinance.

Minutes: The following items were discussed in the presentation:

Nolan began the meeting at 6:05PM by introducing himself and the petitioning team. The location of the petition was described as Weddington United Methodist Church and illustrated on an aerial image to show surrounding context. Adjacent zoning districts and Future Land Use in the general area were presented. Existing site conditions, previously approved conditional zoning site plan, and current conditional zoning site plan were displayed and described. The conditional rezoning request modifies the previously approved plan to allow for the temporary placement of a modular classroom structure beside Weddington Christian Academy. Zoning classification will remain the same, R-CD (CZ). Due to the temporary nature of the structure, Town Staff waived the Traffic Impact Analysis requirement. A rendered site plan showing the proposed classroom structure and overall site improvements was presented to the group. This rendering also showed parking modifications, proposed landscaping, and buffers along parcel boundaries. Finally, the rezoning timeline was reviewed and a question/answer session was held. Nolan thanked attendees for coming and offered his contact information.

QUESTIONS/COMMENTS BY ATTENDEES:

1. Are other permanent structures proposed?
A: No, the only proposed structure is the modular classroom building. This is a temporary facility.
2. What happens if additional structures are proposed in the future?
A: Weddington United Methodist Church must apply for a conditional rezoning to modify the approved site plan.
3. Is roadway access being removed?
A: No, the access to Lenny Stadler Rd was never constructed.
4. Why is WUMC going through this process?
A: A conditional rezoning plan was approved for the site in 2014. The addition of a structure can only be approved through the legislative conditional zoning process.
5. Where will the building be located?
A: The classroom facility will be located behind the Family Life Center/Weddington Christian Academy.
6. There were a combination of questions related to stormwater and the development process.
A: There are multiple steps in the development process. The site must receive conditional zoning approval first. If achieved, stormwater, grading, and utilities will be reviewed during the land development phase. Karen Dewey commented that Town staff must review and approve all plans.

The meeting adjourned 6:37 pm with no new questions.

Community Meeting Attendance Log

Project Name:	WUMC Conditional Zoning Site Plan Amendment
Location of Meeting:	Helms Hall - Weddington UMC, 13901 Providence Road
Date:	Thursday, April 13, 2023
Time:	6:00 PM

Pursuant to the Town of Weddington Unified Development Ordinance, a report including a roster of persons in attendance at the community meeting shall be submitted to the Planning Department and incorporated into the application for this project.

For the record of attendance, please list your first and last name:

- | | | | |
|----|-------------------------|----|-------|
| 1 | <u>Steve Graybill</u> | 26 | _____ |
| 2 | <u>Jan Loman</u> | 27 | _____ |
| 3 | <u>MIKE CARVER</u> | 28 | _____ |
| 4 | <u>Cindy Hicks</u> | 29 | _____ |
| 5 | <u>Tilisa Durham</u> | 30 | _____ |
| 6 | <u>Christopher Neve</u> | 31 | _____ |
| 7 | <u>Daniela Neve</u> | 32 | _____ |
| 8 | <u>Terry Meary</u> | 33 | _____ |
| 9 | <u>San Nicola</u> | 34 | _____ |
| 10 | <u>BILL DETER</u> | 35 | _____ |
| 11 | _____ | 36 | _____ |
| 12 | _____ | 37 | _____ |
| 13 | _____ | 38 | _____ |
| 14 | _____ | 39 | _____ |
| 15 | _____ | 40 | _____ |
| 16 | _____ | 41 | _____ |
| 17 | _____ | 42 | _____ |
| 18 | _____ | 43 | _____ |
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| 22 | _____ | 47 | _____ |
| 23 | _____ | 48 | _____ |
| 24 | _____ | 49 | _____ |
| 25 | _____ | 50 | _____ |

URBAN DESIGN PARTNERS

TRANSFORMING COMMUNITIES THROUGH COLLABORATIVE DESIGN®

Date: May 16, 2023

To: Robert G. Tefft
Town of Weddington
1924 Weddington Road
Weddington, NC 28104

Re: Weddington United Methodist Church Conditional Rezoning
Permit #23-00241

Dear Mr. Tefft,

Below is a summary of the comments and responses from the Planning Board Meeting on April 24, 2023, for the above referenced project.

Questions/Comments related to the modular classroom building:

- What will the building be made of?
 - ➔ Hi Rib Steel. Added as a condition on RZ-3.0. Reference photo to be provided in updated presentation.
- What color is the building?
 - ➔ Gallery Blue, Old Town Gray, and Bone White. Added as a condition on RZ-3.0. Imagery to be provided in updated presentation.
- How tall is the building?
 - ➔ Approximately 14'-15' tall.
- Will the building be sprinkled?
 - ➔ No. North Carolina Building Code requires a sprinkler system when a building reaches an occupancy load of 300. This building is below the threshold and will not have a sprinkler system.
- Exterior elevations were requested.
 - ➔ Elevations will be provided in the updated presentation.

Questions/Comments related to the connection to Weddington Christian Academy:

- Provide building materials for the covered structure.
 - ➔ This is proposed as a wooden post and gable roof structure, with shingles. Added as a condition on RZ-3.0.

- Is this a permanent or temporary structure?
 - ➔ This is proposed as a temporary facility, to coincide with the modular classroom building.
- What is the size of the connection?
 - ➔ The sidewalk will be a minimum of 5' wide. Added as a condition on RZ-3.0.
- How long is the sidewalk connection?
 - ➔ Approximately 70 linear feet. Approximately 350 square feet of concrete.

Questions/Comments related to stormwater:

- Is the pond location appropriate?
 - ➔ Yes. The pond is proposed at the lowest portion of the site and there is room to increase volume at this location.
- Is the pond sized appropriately?
 - ➔ The pond is sized appropriately for the impervious area shown on the rezoning plan. The modular classroom building is proposed as a temporary structure and will be removed after five years. This will increase the available volume of the pond.
- Can the existing lake be drained and converted into a stormwater pond?
 - ➔ This is controlled by whether the pond and surrounding area are jurisdictional with respect to stream classification and wetlands. The proposed pond is outside of the 100' wetland buffer.

Miscellaneous questions and comments:

- Provide additional detail on phasing improvements.
 - ➔ Additional phasing notes have been provided in the conditions on RZ-3.0.
- How far is Weddington Christian Academy from the proposed modular building?
 - ➔ The corner of WCA is approximately 53' from the proposed modular building.
- It was recommended to contact Wesley Chapel Volunteer Fire Department.
 - ➔ Wesley Chapel VFD was contacted via email on 4/26. Chief Steve McLendon responded on 5/8. Chief McLendon has no immediate concerns with the proposed structure, because it is located in an area with sufficient access for fire apparatus.

I believe we have addressed all questions and comments from the April 24, 2023, Planning Board Meeting. If you have further questions or comments, please contact me directly.

Nolan Groce, MPA
Urban Design Partners



MEMORANDUM

TO: Planning Board
FROM: Robert G. Tefft, Town Planner
DATE: May 22, 2023
SUBJECT: Discussion and Recommendation on a Text Amendment to Section D-917D, Supplemental Requirements for Certain Uses, of the Town of Weddington Unified Development Ordinance

BACKGROUND:

At its work sessions of February 28 and April 17, 2023, the Town Council directed staff to prepare an amendment to the supplemental requirements for agricultural uses. It was noted that prior to the adoption of the Unified Development Ordinance (UDO), the Code of Ordinances contained language requiring a minimum lot size for agricultural uses containing horses or other livestock weighing over 250 pounds, and that this language was somehow unintentionally omitted from the adopted UDO.

PROPOSAL:

Based upon the direction received from the Town Council, staff proposes an amendment to Section D-917D, Supplemental Requirements for Certain Uses, of the UDO to reinstate this previously existing language into the current version of the UDO.

OUTLINE OF TEXT AMENDMENT:

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

Section D-917D, Supplemental Requirements for Certain Uses:

The proposed text amendment relocates the currently existing language into the new paragraph 1, with the language being reintroduced as the new paragraph 2. This reintroduced language is unchanged from that which existed in the Code of Ordinances prior to the adoption of the UDO.

Staff offers the modifications attached in Draft Ordinance No. 2023-04 for the Planning Board's consideration and recommendation. For ease of reference, new text is referenced in red/underlined font, while deletions are referenced in ~~strikethrough~~ font.

LAND USE PLAN CONSISTENCY:

State Statutes requires that all zoning regulations shall be made in accordance with a comprehensive plan. When adopting or rejecting any zoning amendment, the governing board shall also approve a statement describing whether its action is consistent with an adopted comprehensive plan or any other officially adopted plan that is applicable, and briefly explaining why the board considers the action taken to be reasonable and in the public interest. Accordingly, staff provides the following Land Use Plan Consistency Statement for consideration:

The proposed amendments to the Unified Development Ordinance are found to be generally consistent with the adopted Land Use Plan (Plan). However, while these amendments do not further any specific Goal or Policy of the Plan, they also do not act contrary to any specific Goal or Policy of the Plan, nor would they prevent the administration and implementation of the Plan, or preclude the fulfilment of the community vision as set forth in the Plan. Additionally, the proposed amendments are found to be reasonable in that they continue to improve upon the organization of existing ordinances and provide additional clarity for staff, appointed and elected officials, and residents.

RECOMMENDATION:

Staff recommends approval of the proposed text amendment.

Attachments:

- Proposed Draft Ordinance No. 2023-04

ORDINANCE NO. 2023-04

AN ORDINANCE OF THE TOWN OF WEDDINGTON, NORTH CAROLINA MAKING AMENDMENTS TO THE UNIFIED DEVELOPMENT ORDINANCE BY AMENDING SECTION D-917D, SUPPLEMENTAL REQUIREMENTS FOR CERTAIN USES, TO MODIFY THE REQUIREMENTS FOR AGRICULTURAL USES; CERTIFYING CONSISTENCY WITH THE TOWNS LAND USE PLAN AND PROPER ADVERTISEMENT; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the Town of Weddington adopted the Unified Development Ordinance on April 12, 2021 to comply with North Carolina General Statute 160D and to improve the organization of existing ordinances; and

WHEREAS, with the adoption of the Unified Development Ordinance several Chapters and Sections of the Code of Ordinances were repealed and rescinded, and some elements therein which were intended to have been included in the Unified Development Ordinances were inadvertently omitted; and

WHEREAS, the Town of Weddington desires for the Unified Development Ordinance to function effectively and equitably throughout the Town; and

WHEREAS, the Town of Weddington has determined where the Unified Development Ordinance needs clarification and revision; and

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

Section 1. That Unified Development Ordinance, Section D-917D, Supplemental Requirements for Certain Uses, be amended to read as follows:

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

A. ~~**Agricultural Uses.** Structures housing poultry or livestock and waste removed from any structure shall be located no closer than 150 feet from any property line except that structures housing horses shall be located no closer than 60 feet from any property line. Corrals for bovine and equine animals are exempt from these setbacks.~~

1. Structures housing poultry or livestock and waste removed from any structure shall be located no closer than 150 feet from any property line except that structures housing horses shall be located no closer than 60 feet from any property line. Corrals for bovine and equine animals are exempt from these setbacks.

2. Agricultural uses shall have a minimum lot size of 80,000 (R-80), 60,000 (R-60), or 40,000 (R-40, R-CD) square feet; provided, however, that a minimum of five acres shall be required for any agricultural use containing one or more livestock animals having a mature adult weight of 250 pounds or greater. Notwithstanding this requirement, lots whose agricultural use consists exclusively of one horse

shall be required to have a minimum of 40,000 square feet of contiguous fenced land area designed to accommodate the horse. Such lots containing two horses shall be required to have a minimum of 80,000 square feet of contiguous fenced land area designed to accommodate the two horses.

Section 2. Amendments to the Unified Development Ordinance of the Town of Weddington (as originally adopted by Ordinance No. 2021-UDO) are hereby adopted to read as set forth in this Ordinance.

Section 3. The Town of Weddington does hereby certify that the amendments contained herein, as well as the provisions of this Ordinance, are consistent with and in conformance with the Town's Land Use Plan.

Section 4. Should any part or provision of this Ordinance be declared by a court of competent jurisdiction to be invalid, the same shall not affect the validity of the Ordinance as a whole, or any part thereof other than the part declared to be invalid.

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

Section 6. This ordinance shall take effect immediately upon adoption.

PASSED ON FIRST AND FINAL
READING AND ADOPTED

Honorable D. Craig Horn
Mayor

Attest:

Karen Dewey
Town Administrator/Clerk