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STATE OF NORTH CAROLINA)
)
TOWN OF INDIAN TRAIL)

ORDINANCE: #397

AN ORDINANCE AMENDING MULTIPLE PORTIONS OF THE INDIAN TRAIL UNIFIED DEVELOPMENT ORDINANCE (UDO) IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS, this Zoning Text Amendment (ZT 2022-0075) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, a public meeting was held by the Planning Board on November 21, 2023 and January 16, 2024, to consider this zoning text amendment; and

WHEREAS, the Planning staff found the proposed zoning text amendment is consistent with the following goals of the Comprehensive Plan:

Community Engagement and Communication Goal #1: By communicating effectively with residents, business owners, and other stakeholders to ensure a well-informed and inclusive community.

Economic Development Goal #2: By supporting existing businesses within the town through effective communication and community outreach.

WHEREAS, the Planning Board further found this zoning reclassification to be a reasonable request in the public interest because it promotes the goals of the Indian Trail Comprehensive Plan in the areas of *Community Engagement and Communication and Economic Development*;

WHEREAS, the Planning Board transmits a recommendation to approve to the Town Council;

WHEREAS, the Town Council held a public hearing on March 26, 2024, to consider said request and recommendation of approval from the Planning Board;

WHEREAS, the Town Council made the required findings.

NOW, THEREFORE, IT SHALL BE ORDAINED by the Town Council of the Town of Indian Trail, North Carolina hereby takes the following action:

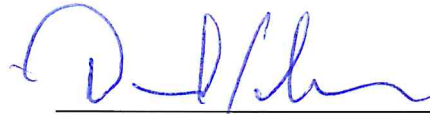
Section 1 – Makes the required findings as stated herein; and

Section 2 – Approves ZT 2022-0075 Zoning Text Amendment petition thereby granting the amendment to the Unified Development Ordinance (UDO) to incorporate revisions identified in Exhibit 1.

Section 3 – This ordinance shall be effective immediately upon adoption.

AND IT IS SO ORDAINED this 26th Day of March 2024.

TOWN OF INDIAN TRAIL COUNCIL



David Cohn, Mayor

Attest:



Trena Sims, Town Clerk



Approved as to Form:



Melanie Cox, Town Attorney

PROPOSED ADDITIONS AND REVISIONS

The following are the amendments to the Unified Development Ordinance for the request ZT 2022-0075. The following analysis is laid out in the form of 1) title of the proposed amendment or addition; 2) an explanation of the intent behind the changes; and 3) the actual changes shown in the color red. Deletions will appear in red also but with a strikethrough line or lines such as “~~revised text~~”. Other notes to the reader will be highlighted and not to be added to the ordinance.

OUTLINE OF TEXT AMENDMENTS

- A. Format of Deliverables
- B. Preconstruction Meetings and Penalty to Construct without A Permit
- C. Add Regulations for Grading Only Permit
- D. Add Community Meeting to Summary of Notice Required Table
- E. Site Plan Required items and Review Comment Responses
- F. RSF District Language Updates
- G. Manufactured Homes Revisions
- H. Overlays and Districts
- I. Overnight Truck Parking at Convenience Markets with or without Gas Pumps
- J. Accessory Retail (Vending and ATM)
- K. Vehicle Sales and Rental Lots
- L. Accessory Structure Permit Expiration
- M. Off-Street Parking Requirement for Single-Family Attached Residential/Townhomes
- N. Accessory Structure Building Materials
- O. Mobile Food Vending Unit and Food Vendors
- P. Residential Subdivision Signs and Naming
- Q. Building Line
- R. Roof Materials for Residential Structures
- S. Lot Coverage and Pools
- T. Electric Car Charging Stations
- U. Table of Permitted Uses – Revise and Clarify Overlays
- V. Signage Section References and Reader/Message Boards
- W. Clarification of Building and Canopy Light “Striping”
- X. Architectural Design Standards
- Y. Business Side Corner Setback
- Z. Fencing and Walls
- AA. Clarification of Accessory Structure Materials
- BB. Establish Dwelling Parking Spaces Terminology, Revise Residential Parking/Loading/Equipment Storage Requirements, Revision of Compliance Language, and Multifamily Parking Location/Orientation Reference
- CC. Add Florist to Retail Category
- DD. Combination/Recombination Plats Should Be Reviewed
- EE. Sign Illumination
- FF. Clarification of Mechanical Equipment Screening
- GG. Clarification of Board of Adjustment Hearings on Appeals
- HH. Clarification of Front Lot Line Landscaping Requirements

- II. Boarding Houses and Short-Term Rentals
- JJ. Add Flex Space Use
- KK. Outdoor Storage Revisions
- LL. Alley Requirement
- MM. Electronic Gaming, Piercing/Tattoo and Tobacco/Vape Operations Revisions
- NN. Revise References to the Land Development Standards
- OO. Reference Pedestrian Plan for Sidewalk/Path Connections
- PP. Prohibited Signs Revisions
- QQ. Accessory Structure Maximum Size and Quantity Revisions
- RR. Terminology Rule for Calendar Days
- SS. Removal of Remaining SUP References
- TT. Removal of Tree Preservation Incentive Percentage Discrepancy
- UU. Removal of References to an Older Version of the Comprehensive Plan
- VV. Revise Indoor Recreation Permitted Use

A. **FORMAT OF DELIVERABLES**

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The existing UDO has several places requesting deliverables from the applicant as hardcopy which we no longer require. Language is needed to explain the type of digital deliverable required and other clarifications.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 330 Conditional Zoning Districts

330.020 Application Procedures

- A. [NO CHANGES FOR A, C, D AND F.]

- B. **Conceptual Plans**
Conceptual plans, including all additional information shown on it, shall constitute part of the petition for rezoning to a conditional zoning district. The Planning Director may, on a case by case basis and within his/her sole discretion, specify **if and** how many **paper** copies of the application the applicant must submit in order to initiate the review. No application shall be deemed complete unless accompanied by a **digital PDF file copy of the application and** fee in accordance with the **fee schedule** most recently adopted ~~fee schedule adopted~~ by the Town Council.

- E. **Community Meeting**
 - 1. [NO CHANGES FOR 1-4.]

 - 5. Following the community meeting, the applicant shall have the opportunity to make changes to the application to take into account information and comments received. Revised copies of the conceptual plan **in PDF file format** shall be submitted to the Planning Director for review. No additional fee shall be required for making such changes provided the Planning Director receives the revised conceptual plan within 30 days following the community meeting. If a revised conceptual plan is not received within the 30-day period, or if the applicant otherwise notifies the Planning Director in writing that no revised conceptual plan will be submitted, the Planning Director shall review the original application submitted.

Chapter 360 Subdivisions

360.010 Major Subdivisions

- A. [NO CHANGES FOR A-C AND E.]

- D. Within 24 months of the preliminary plan approval by the Town Council or Planning Director, the applicant shall submit a final plat and an as-built drawing showing completion of the subdivision according to the preliminary plan and construction drawings. The final plat shall be reviewed by the TRC and approved by the Planning Department. Only after the final plat has been approved by the Planning ~~and Engineering~~ Departments, and ~~recorded by the applicant~~ at the Union County Register of Deeds office shall any of the lots be transferred or conveyed. The plat must be recorded within 30 days after approval by the governing body. ~~A PDF file~~ ~~Two copies~~ of the recorded plat and an electronic ~~drawing~~ version (AutoCAD – .dwg or .dxf) shall be submitted to the Indian Trail Planning Department for their records.

360.020 Sketch Design Plan Review

- A. The sketch plan review is ~~an informal~~ ~~a more conceptual~~ process that allows an exchange of information between the developer and the TRC. ~~No formal~~ ~~An~~ application ~~or~~ ~~and~~ fee is required. ~~However,~~ ~~The~~ plans should be ~~drawn~~ on the same size paper and scale as required for preliminary plans and final plats. ~~Twelve paper copies~~ ~~Digital PDF files of the application and sketch plan~~ shall be submitted to the ~~TRC Planning Department~~ ~~a minimum of two weeks prior to meeting with the developer~~ ~~as the application package~~. The TRC and developer shall review the project to evaluate its feasibility in light of the Town's development practices and requirements. Once the review process has been completed ~~and the sketch plan is approved,~~ ~~one copy shall be returned to the applicant and one copy retained by the TRC~~ the developer shall either submit a package for a rezoning (conventional or conditional), if required, or complete the site plan package to submit for review. See Chapter 320 for zoning map amendments/conventional rezonings or Chapter 330 for conditional rezonings.
- B. Review of the sketch design plan shall not in any way be construed as constituting an official action of approval for ~~construction nor~~ recording of the subdivision by the Town of Indian Trail.

360.030 Preliminary Plan

- A. **Review Procedure**
 - 1. If associated with a Conditional Zoning request, the applicant or authorized agent must submit ~~PDF file~~ copies of the preliminary plan to the ~~TRC Planning Department~~ at least 21 days prior to a regular meeting of the Planning Board. During this period, the TRC must evaluate the plan to determine whether or not it meets the requirements of this ordinance. The TRC may receive comments from other persons or agencies before making their final recommendations. After the TRC determines that the plan meets the requirements of this ordinance, it notifies the Planning Director that the Conditional Zoning Application may proceed in accordance with Section 330.020 D and ultimate consideration by the Town Council.
 - 2. If preliminary plan is associated with a Conventional Subdivision, the applicant or agent shall submit ~~copies~~ ~~copies~~ to the TRC for review and recommendation to the Planning Director.
- B. **Number of Copies and Graphic Media**
~~Electronic PDF files~~ ~~Twelve black or blue line prints~~ of the proposed subdivision must be

submitted as well as an electronic copy in an AutoCAD revision compatible with the Town's CAD/GIS file projection.

C. [NO CHANGES FOR C, D AND F.]

E. **TRC Submission to Director of Planning**

The TRC shall evaluate the preliminary plan to determine whether or not it meets the requirements of this ordinance. After review by the TRC, the Planning Director shall approve, approve conditionally, or disapprove the preliminary plan for Conventional Subdivisions, or forward the recommendation of the TRC to the Planning Board and Town Council if associated with a Conditional Zoning request. If approved or approved conditionally, the Planning Director or Town Council shall certify their approval on 3 paper copies of the plan. This certification must be incorporated onto the drawings by the applicant and must provide the following:

1. [NO CHANGES FOR "1.".]

G. **Disposition of Copies**

If the preliminary plan is approved or approved conditionally, approval and conditions must be noted on at least three (3) copies of the plans permitting authority. One (1) copy shall be returned to the applicant and two (2) copies an electronic PDF file shall be sent to and retained by, the Indian Trail Planning Department. If the preliminary plan is disapproved, the permitting authority shall specify the reasons for such action in writing. One copy of such reasons shall be returned to the applicant and one (1) copy retained by the Indian Trail Planning Department.

360.070 Number of Copies and Graphic Media

~~Seven copies~~ Once the review is approved, a Mylar of the final plat must be submitted: ~~the original, three (3) Mylar copies, and three (3) blue line paper copies for Town signatures before the applicant takes it to Union County for recording.~~ The Mylar must be three (3) ml., ~~and~~ suitable for reproduction, and each Mylar copy ~~The original and three (3) reproducible copies~~ must each have original signatures. The final plat must be drawn on a sheet with an outside dimension of not more than required by Union County Register of Deeds and shall include a 1 ½" border on the left side and a 1/2" border on the remaining sides. The final plat shall be submitted electronically in an AutoCAD version compatible with the Town's software and in a PDF file version of the recorded plat. All mapping requirements shall be in compliance with this Chapter, Union County Mapping Requirements, and N.C. G. S. 47-30.

360.110 Disposition of Final Plats

~~The original and three (3)~~ Each Mylar copies copy shall be signed and executed as required for recording by the Register of Deeds Office of Union County within 30 days after approval by the Planning Director. ~~The original copy shall be returned to the applicant, two (2) Mylar copies shall be recorded at Contact the Register of Deeds Office for plat submittal requirements, . and two (2) copies shall be returned~~ Electronically submit the final recorded plat in a PDF file format to the Indian Trail Planning Department

360.140 Minor Subdivisions, Lot Line Adjustments Or Lot Recombinations*

A. [NO CHANGES A, B, C, E AND F]

D. Certification

In the abbreviated procedure, the certifications for the final plats shall be the same as required in the normal review procedure as specified in Section 360.060. The certification of approval shall appear on the ~~plan or plat sheet original and three (3) Mylar copies~~ and include certification from the Planning Director that the minor subdivision, lot line adjustment, or lot recombination shown on the plat is in compliance with the Indian Trail Unified Development Ordinance and such certification will be valid provided the ~~applicant records the subdivision is recorded~~ in the Office of the Union County Register of Deeds within 30 days. ~~The applicant shall email a PDF file of the recorded plat to the Planning Department.~~

DIVISION 400 ADMINISTRATIVE AND GENERAL PERMIT REQUIREMENTS**Chapter 410 General Permit Requirements****410.010 Permits Required Before Development**

- A. The use made of property may not be substantially changed (i.e. change from one use classification to another) and no substantial clearing, grading or excavation may be commenced if such activity is undertaken for purposes of preparing a lot for development other than a single-family detached residence. No buildings or other substantial structures may be constructed, erected, moved, or substantially altered except in accordance with and pursuant to ~~one of the following permits:~~

~~1. A zoning permit, and/or associated development permit issued by the Planning Director or other Planning or Engineering Department staff (Administrative);~~

- B. Zoning permits, development permits and other administrative permits are issued under this ordinance only when a review of the application submitted, including the **professional** plans contained therein, indicates that the development will comply with the provisions of this ordinance if completed as proposed. Such plans and applications as are finally approved are incorporated into any permit issued, and except as otherwise provided in Section 410.110, all development must occur strictly in accordance with such approved plans and applications.

1. **[NO CHANGES TO 1 AND 2.]**

410.020 Staff Consultation Before Formal Application

A. **[NO CHANGES TO A, C AND D.]**

- B. Before submitting an application for a development permit authorizing a development that consists of or contains a major subdivision, the developer must submit to the Planning Director a sketch plan of such subdivision, drawn to scale. The developer will **electronically** submit the ~~number of~~ sketch plan in PDF file format to facilitate the sketch plan review process. ~~copies (not to exceed ten) that the Planning Director determines is reasonably necessary to facilitate the sketch plan review process.~~ The sketch plan will contain:

410.050 Applications Must Be Complete

- A. [NO CHANGES TO A.]
- B. [NO CHANGES IN TEXT HERE.]
 - 1. Detailed or technical design requirements and construction specifications relating to various types of improvements (streets, sidewalks, etc.) are set forth in the Town’s Design Standards Manual. It is not necessary that the application contain the type of detailed construction drawings that would be necessary to determine compliance with the Manual, so long as the plans provide sufficient information to allow the permit issuing authority to evaluate the application in the light of the substantive requirements set forth in this text of this ordinance. However, whenever this ordinance requires a certain element of a development to be constructed in accordance with the detailed requirements set forth in the Manual, then no construction work on such element may be commenced until detailed construction drawings have been submitted to and approved by the administrator. **Such detailed construction drawings must be produced and stamped by a professional Engineer, Surveyor or Architect.** Failure to observe this requirement may result in permit revocation, denial of final subdivision plat approval, or other penalty as provided in DIVISION 1500, Violations, Penalties, and Enforcement.

B. PRECONSTRUCTION MEETINGS AND PENALTY TO CONSTRUCT WITHOUT A PERMIT

REASON FOR PROPOSED ADDITIONS AND REVISIONS

In order to disincentivize property owners and developers from performing any type of work on the property without inquiring and obtaining a permit when applicable, the following provides the mechanism to apply a fee.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 400 ADMINISTRATIVE AND GENERAL PERMIT REQUIREMENTS

Chapter 410 General Permit Requirements

410.010 Permits and Other Items Required Before Development or Demolition

- A. [NO CHANGES TO A AND B]
- C. **Preconstruction Meeting**
All major and minor residential subdivisions, and non-residential developments require a preconstruction meeting prior to any work on the property.
- D. **Permit Review Site Visit**
Pool permit requests require a site visit as a part of the review by a member of the Engineering

Department prior to permit issuance. The homeowner and applicant/contractor will both need to be present at this site visit.

- E. See DIVISION 1500 for violations and penalties if this or any area of this ordinance is not followed.

410.030 Application Forms and Fees

A. [NO CHANGES TO A.]

B. [NO CHANGES TO B TEXT AND 1-3.]

- 4. **Penalty for Not Obtaining a Permit**

Once an applicant seeks a permit after building or taking some action without a required permit, the penalty fee and/or order to demolish or remove the structure may be imposed by the Planning or Engineering Departments if permit request is denied. The penalty fee is indicated on the Town's Fee Schedule.

C. ADD REGULATIONS FOR GRADING ONLY PERMIT

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The UDO currently does not address the Town's Grading Only Permits.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 400 ADMINISTRATIVE AND GENERAL PERMITS

Chapter 460 Grading Only Permit

460.010 Grading Only Permit Required When Applicable

A Grading Only Permit allows an applicant to begin grading work on a site before a Site Plan Review has been completed. No person or entity shall undertake any land disturbing activity subject to this ordinance without first obtaining a permit from the Planning Department. Before the submittal of a Grading Only Permit application, 1) civil plans are required to be submitted for Site Plan Review, 2) the Planning and Engineering Departments have completed one round of Site Plan Review, and 3) both departments determine there are no significant issues from the first review requiring revisions.

460.020 Submittal Requirements

- A. Upon receipt of one round of Site Plan Review comments, the applicant may submit an application and fee for a Grading Only Permit.
- B. NCDOT Temporary Access Permit approval.
- C. NCDEQ approval letter (as required)
- D. Set of plans in electronic pdf format with the following information:
 - 1. Grading Plan
 - 2. Erosion Control
 - 3. Tree Protection

4. Concept Plan

460.030 Duration, Renewal and Expiration

A. Permit Expiration

If no work has occurred on the site for six (6) months, see Section 410.090 Expiration of Permits.

B. Permit Duration

If the work authorized by a Grading Only Permit has not been completed within one year from the date of issuance, the permit is null and void unless renewed.

C. Permit Renewal

The Grading Only Permit may be renewed for an additional 180 days by making a written request to the Planning Director for approval or denial, justifying the need for the permit renewal. No fee is required for renewal of the Grading Only Permit but applicable surety must remain in effect.

D. ADD COMMUNITY MEETING AND DEVELOPMENT AGREEMENT REFERENCE TO SUMMARY OF NOTICE REQUIRED TABLE

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Community Meetings are required as part of conditional zonings for developments but are not shown on the existing notice table. For clarification, a reference is needed to direct readers to the chapter on Development Agreements.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 310 Hearing Procedures

310.020 Summary of Notice Required

Notice will be required for development review as shown in the table below.

Table 300-2: Notice Requirements by Procedure Type

Procedure	Published	Posted	Mailed
Official Map Amendment (ZM)	X	X	X
Text Amendment (ZT)	X		
Appeal of Administrative Decision		X	X
Preliminary Plat Approval, Major Subdivision		X	X
Conditional Zoning District (CZ)	X	X	X
Community Meeting (part of CZ process)	X	X	X
Variance, Major Subdivision	X	X	X
Annexation	X*	X*	X*
Development Agreement**	X	X	X
* Annexation to be advertised with ZM or CZ.			
** See Chapter 390 Development Agreements for details.			

E. SITE PLAN REQUIRED ITEMS AND COMMENT RESPONSES

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Consolidate required items for sketch plan, preliminary plat and final plat. Also, language is proposed to require comment responses.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 360 Subdivisions

360.130 Information Required for **Sketch Plans, Preliminary Plans/Site Plans** and Final Plats

The **sketch plans, preliminary plans/site plans, and final plats** shall depict or contain the information indicated in the following table. An X indicates that the information is required. **All plans shall be in black lines and generated PDF files.**

~~Table 300-4: Submission Requirements: Preliminary Plans and Final Plats~~
[DELETES ASSOCIATED TABLE AND ADDS THE FOLLOWING NEW TABLE.]

Table 300-4: Submittal Requirements by Plan Type

Submittal Items	Sketch Plan	Preliminary Plat & Site Plans	Final Plat
GENERAL ITEMS			
Cover Sheet with Index		X	X
Title Block	X	X	X
Name of Subdivision (if applicable)	X	X	X
Name and contact information of Owner / Applicant and any professional office working on plans	X	X	X
Registration seals from professionals		X	X
Vicinity Map	X	X	X
Graphic Bar Scale (each sheet if applicable)		X	X
Dates of preparation and submittal	X	X	X
Revision table in title block		X	X
EXISTING CONDITIONS			
Boundary Survey		X	X
Existing easements	X	X	X
Existing property lines, buildings, water courses, railroads, bridges, culverts, storm drains, other structures on the property or immediately adjacent	X	X	X
Corporate or jurisdictional boundaries (if applicable)	X	X	X
Parcel Information on Adjacent Properties (Parcel No., Owner(s), Acres)	X	X	X

Submittal Items	Sketch Plan	Preliminary Plat & Site Plans	Final Plat
Exact boundaries of flood hazard, floodway, or flood fringe areas from the community's FEMA maps or other approved maps	X	X	X
Wooded areas, heritage trees, marshes, rock outcroppings, ponds, lakes, streams, streambeds, and natural features		X	X
Location and descriptions of all monuments, markers, or control points		X	X
Historical properties identified on the National Register of Historic Places	X	X	X
SITE DATA TABLE			
Tax Parcel Number(s)	X	X	X
Existing / Approved zoning	X	X	X
Proposed zoning	X	X	
Existing and proposed use(s)	X	X	
Required Minimum Setbacks	X	X	X
Acreage/SF: total property, total lot area, parks/recreation space, non-residential use, average lot area	X	X	X
Total lots and/or units	X	X	X
Required and Provided Parking Spaces	X	X	
Disturbed area	X	X	
Impervious area	X	X	
Floor area		X	
Building height	X	X	
Linear feet in streets		X	X
SITE PLAN ELEMENTS			
Notes as Applicable	X	X	X
Proposed lot lines, lot and block numbers all with exact dimensions	X	X	X
Adjacent roads, right-of-way, internal access roads, and required number of road ingress/egress points	X	X	X
Parking layout and dimensions, sidewalk along property frontage, pedestrian connection to site, loading space, and sight triangles	X	X	X
Easements (existing and proposed), floodplain, streams, and applicable buffers	X	X	X
Phasing (if applicable)	X	X	X
Amenities such as paths, playgrounds, open space usable areas, and common open space.	X	X	
Mail kiosks with required parking spaces	X	X	
Trash enclosure		X	

Submittal Items	Sketch Plan	Preliminary Plat & Site Plans	Final Plat
Fencing and retaining walls		X	
Lots numbered consecutively		X	X
Address Numbers			X
Pedestrian or bicycle paths		X	X
School sites		X	
Land to be dedicated to public use	X	X	X
Areas to be used for non-residential use	X	X	X
Designation of ownership for common open spaces and recreation facilities		X	X
LANDSCAPING PLAN			
Existing and required landscaping (DIVISION 800) such as buffering, tree save, shading and screening		X	
Parking lot and perimeter requirements, dimension of planting islands	X	X	
Landscaping strips adjacent to building	X	X	
Plant Table with symbol, name/species, count, size and spacing (Use only approved species on UDO lists)		X	
Location of existing and proposed lighting poles		X	
Existing Tree Inventory (if applicable) (option to be on Existing Conditions sheet)		X	
Tree Save Plan		X	
STREET PLANS			
Proposed streets	X	X	X
Existing and platted (access easements) streets		X	X
Off-site street improvements due to TIA requirements		X	X
Conditional Zoning Off-site street improvements due to TIA requirements	X		
Right-of-way location/dimensions		X	X
Pavement widths/typical sections	X	X	X
Approximate grades		X	
Engineering data for corners and curves		X	
Typical street cross sections		X	
Street names (to be approved by County)		X	X
GRADING AND DRAINAGE PLAN			
Existing utilities and drainage systems		X	
Contours at 2-foot intervals		X	
Easements for grading on adjacent properties (if applicable)		X	X
Detention facilities including rain gardens	X	X	X
Coordinate with NCDEQ to ensure proper erosion control		X	

Submittal Items	Sketch Plan	Preliminary Plat & Site Plans	Final Plat
Show tree protection zone (TPZ)		X	
Show area of disturbance (Note: area of disturbance should not encroach on tree save or tree buffer areas.)		X	
Designation of ownership for common Stormwater Facilities and maintenance responsibility		X	X
UTILITY LAYOUTS			
Sanitary sewers		X	
Storm sewers		X	
Other drainage facilities		X	
Water distribution lines		X	
Natural gas lines		X	
Telephone lines		X	
Electrical Lines		X	
Cable TV		X	
Fiber optics/other communication		X	
Utility easements	X	X	X
LIGHTING PLAN			
Location of existing and proposed poles		X	
Footcandles for the entire site taken to the property line (max 2.0 if adjacent to commercial and 1.0 if adjacent to residential) (See Section 1330.050 General Lighting Standards for additional requirements.)		X	
Pole and fixture type		X	
TRUCK MANEUVERING* (if applicable)			
Turning template for truck ingress/egress and type of truck used.		X	
ARCHITECTURAL ELEVATIONS			
Building design of each façade including type of materials used, roof pitch, and overall dimensions of lengths and height.		X	
Include elevations for all buildings including garages, storage buildings, and trash enclosures		X	
EIFS calculations if applicable		X	
Digital (PDF) copy of color renderings		X	
RESPONSE LETTER			
Document showing responses to recent Town review comments for each round of review	X	X	X

* Inquire with Union County Fire Marshal's Office the largest apparatus (vehicle) they suggest using for the Truck Maneuvering Plan.

Chapter 370 Site Plan Review

370.030 Application Requirements

- A. Traffic
[No changes proposed under this item.]
- B. Environmental
[No changes proposed under this item.]
- C. School Impact Study
[No changes proposed under this item.]
- D. Waiver of Application Requirements
[No changes proposed under this item.]

370.040 Review Comments, Responses and Approvals

- A. **Payment of Review Fees**
After an application is deemed complete, the fees must be paid before Town Staff issues review comments.
- B. **Review Comments**
After Staff determines that the application package is complete, the Planning Director and/or the Engineering Director will review site plans submitted under this Section. After the review of the plans and if the plans are not approved, the Town will issue a letter containing review comments. The applicant shall submit a response to each of the comments and, if applicable, any revised plans or documents to the Town.
- ~~E~~ C. **Approval by Planning Director**
Site plans submitted for review under this Section will be processed and the applicant notified in writing of such approval, approval with conditions, **not approved with continuing review (see B, Review Comments)**, or denial. In the case of a denial, the applicant may appeal this denial to the Board of Adjustment. The Planning Director may grant approval with conditions only to the extent that such conditions specify the actions necessary to bring the application into complete compliance with this UDO. If the proposed site plan is determined to be consistent with all applicable provisions of this UDO, the Planning Director will approve the site plan and so advise the applicant in writing. The site plan development approval is attached to and runs with the land unless the approval expires.
- ~~F~~ D. **Expiration of Approval**
[No changes proposed under this item.]

F. RSF DISTRICT LANGUAGE UPDATES

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The revisions to the Rural Single-Family Residential (RSF) district are to reflect changes in the recently updated Comprehensive Plan.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS

Chapter 520 Residential Districts

520.010 General Purpose

[NO CHANGES TO TEXT IN PARAGRAPH HERE.]

A. RSF, Rural Single-Family

The RSF, Rural Single-Family Residential district is intended to accommodate low-density residential uses, including single-family dwellings and Class A manufactured homes, served by individual wells and sewage disposal systems. Rural Single-Family Districts are in locations characterized by large lot, agricultural activities, and limited public services or utilities. RSF Districts are consistent with “**Conservation Area**” and “**Rural Residential Mix**” designations on the Town of Indian Trail Comprehensive Plan: “**A Plan for Managed Growth and Livability Indian Trail Framework Plan**” (~~Plate 20~~ **Figure 4.1.1**). The preservation of open space and natural features will be achieved through the use Rural Single-Family District designation.

B. [NO CHANGES TO B THRU G.]

G. MANUFACTURED HOMES REVISIONS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Additional language included for temporary family health care structures and revisions to manufactured home/mobile home requirements.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS

Chapter 520 Residential Districts

520.010 General Purpose

[NO CHANGES TO INTRODUCTORY PARAGRAPH.]

A. RSF, Rural Single-Family District

The RSF, Rural Single-Family Residential district is intended to accommodate low-density residential uses, including single-family dwellings and Class ~~A~~ **A and B** manufactured homes, served by individual wells and sewage disposal systems. Rural Single-Family Districts are in

locations characterized by large lot, agricultural activities, and limited public services or utilities. RSF Districts are consistent with “Rural Residential” designations on the Town of Indian Trail Comprehensive Plan: “A Plan for Managed Growth and Livability” (Plate 20). The preservation of open space and natural features will be achieved through the use Rural Single-Family District designation.

B. [NO CHANGES TO B – G.]

Chapter 570 Permitted Uses

570.010 Table of Permitted Uses

[NO CHANGES TO PARAGRAPH HERE.]

Table 500-5: Table of Permitted Uses

Use Category	Use Type								Use	Land
		RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR	Specific Standards	Use Grp
Household Living	Single-Family Manufactured Home (Class A and Class B Manufactured Home)	€ P	C	€ --	€ --	€ --	€ --	--	See Section 1310.050 Manufactured Housing Units on Individual Lots. Manufactured home parks not permitted.	
	Single-Family (Class B Manufactured Home)	€	€	€	€	€	€	=		

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

DIVISION 600 SPECIAL PURPOSE DISTRICTS

~~Chapter 610 Manufactured Home Park Overlay Zone (O-MHP)~~

~~610.010 District Established~~

~~The Manufactured Home Park Overlay Zone hereby established is provided for the designation of areas within selected residential zones within which Class A Manufactured Homes may be located. When the regulations and standards of this Section are met, the suffix O-MHP is attached to a base residential zone on the Town’s Official Zoning Map. Without an O-MHP designation, a Manufactured Home cannot be placed in any residential zone except where more specifically authorized. Such O-MHP designated districts may not consist of an individual lot or scattered lots, but shall consist of a defined area of not less than two (2) acres, and must conform to the requirements for conventional residential subdivisions as set forth in DIVISION 1100, as well as those contained herein.~~

~~610.020 Purpose and Intent~~

~~This Section is established to provide alternative, affordable housing opportunities for Town of Indian Trail and its planning jurisdiction by permitting the use of Manufactured Homes in selected single-family residential zoning districts, subject to the requirements set forth herein.~~

~~610.030 Rezoning Procedures~~

~~The Town shall process Manufactured Home Park Overlay district rezoning requests in the same manner as set forth by Chapter 320 for all other rezoning requests.~~

610.040 General Provisions and Regulations

- ~~A. Manufactured homes shall be used for residential purposes only.~~
- ~~B. All manufactured homes shall be served with a public water supply and sanitary sewer.~~
- ~~C. Maximum density shall be six (6) units per acre with a minimum of 5,000 square feet of ground area per unit; units shall be at least 20 feet apart.~~
- ~~D. Each unit shall have a garage, or an accessory storage building, and an enclosed trash receptacle screened from view from the internal driveways and public streets.~~
- ~~E. Driveways and parking pads shall be hard surfaced.~~
- ~~F. Each home must be placed on a permanent stand in accordance with standards set by the North Carolina Department of Insurance.~~
- ~~G. Each home must have a patio or deck of at least 180 square feet that is installed on a permanent platform or concrete base.~~
- ~~H. Each manufactured home park or subdivision shall include outdoor recreation areas with playground equipment equal to 10% of the gross acreage of the development; a community building is required for a mobile home park of 100 or more units.~~
- ~~I. Each mobile home park or subdivision may have one low-profile identification sign 64 square feet in size.~~
- ~~J. Minimum parcel size is five (5) acres.~~
- ~~K. Private roads shall be improved to be consistent with the Town of Indian Trail engineering design standards or the North Carolina Department of Transportation standards for streets.~~
- ~~L. Installation of a 20-foot landscaping buffer on all boundaries of a mobile home park.~~
- ~~M. A subdivision plat shall be recorded to establish lots, utility easements, and public or private streets.~~

610.050 Additional Requirements

~~Structures within a district suffixed as a Manufactured Home Park District Overlay (O-MHP), must conform to the applicable parking, landscaping, tree planting and other requirements of this Unified Development Ordinance.~~

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 710 Accessory Uses and Structures

710.070 Accessory Apartment Use Standards

H. Temporary Family Health Care Structure

~~Pursuant to G.S. 160D-915, a temporary family health care structure is permitted on a residential lot in any residential single-family zoning district with the Planning Director's approval of a Temporary Family Health Care Structure Permit that abides by the following: Temporary family health care structures must meet all the standards of Section 1310.050, "Manufactured Housing Units on Individual Lots".~~

- ~~1. Applicants: Only owners or occupants living on the property who are the named legal guardian of the mentally or physically impaired person for whom they are providing care may apply.~~

2. Application: Initial application is subject to a permit fee (see fee schedule) and requires documentation showing the doctor's certification.
3. Temporary Family Health Care Structures are subject to an annual renewal fee and requires an annual renewal of the doctor's certification.
4. Only one transportable, temporary family health care structure shall be allowed on a lot or parcel of land and no larger than 300 feet.
5. The structure must comply with all setback requirements that apply to primary structures.
6. Placing the structure on a permanent foundation is not permitted.
7. No advertising signage related to this temporary structure shall be permitted either on the exterior of the temporary structure or elsewhere on the property.
8. When the permit is no longer needed or can no longer be supported with documentation, the temporary family health care structure shall be removed and site cleaned and ground soil stabilized with grass or approved ground cover.
9. This permit does not transfer with new ownership.

DIVISION 1000 PARKING

Chapter 1020 Off-Street Parking Requirements

1020.030 Parking, Loading, and Vehicle/Equipment Storage for Household Living

- A. **[NO CHANGES TO A - D, F, AND G]**
- E. For single family detached, two-family, modular and **manufactured (mobile)** homes, a maximum of 35% of the front yard may be used for parking.

DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS

Chapter 1310 Integrity and Design Standards

1310.050 Manufactured Housing Units On Individual Lots

This section and Section 1630.060 Household Living Category provides standards for **manufactured homes**. Permitted Class A or B manufactured housing units may be placed on individual lots in residential districts that permit **or conditionally permit** detached **manufactured** houses only if they **meet all the following standards.** ÷

- A. Shall be used for residential purposes only;
- B. Shall be served with a public water supply and sanitary sewer or approved septic system;
- A. Are constructed in accordance with the National Manufactured Housing Construction Safety Standards Act of 1974 as amended on August 22, 1981;
- B. ~~Are multi-sectional (double wide or wider);~~
- C. **Minimum Size**
 1. **General**

Enclose a floor area of not less than 1,000 square feet in any residential zoning districts

(Note: single-wide manufactured dwellings, ~~including that include~~ expandable units, pop-outs and tilt-outs are ~~allowed only in manufactured home parks~~; not permitted.)

2. **Class A Manufactured Home**
Has a minimum width of sixteen (16) feet.
3. **Class B Manufactured Home**
Has no minimum width.

D. Foundation and Crawl Space

~~Are~~ The manufactured home shall be placed on an excavated and/or backfilled foundation and the open portion under the home enclosed with pressure treated wood, masonry, or concrete walls, so that the top of the perimeter wall is not more than eight (8) inches above the finished ground level, except on a sloping lot where the top of the perimeter wall may be no more than eight (8) inches above the finished ground level at its highest point along the perimeter wall (Note: when pressure treated wood is used for the perimeter wall, a covering similar in appearance to the manufactured housing unit siding, or a finished concrete wall will be used to cover the wall). ~~Metal or materials resembling metal (i.e. vinyl panels) shall not be used to enclose the crawl space. ;~~

E. Exterior Wall Materials

1. **Class A Manufactured Home**
Has exterior siding, comparable in composition , appearance, and durability to the exterior siding commonly used in standard residential construction , consisting of one or more of the following:
 - a. Vinyl or aluminum lap siding whose reflectivity does not exceed that of flat white paint;
 - b. Cedar or other wood siding;
 - c. Wood grain, weather resistant press board siding;
 - d. Stucco siding;
 - e. Brick or stone siding.
2. **Class B Manufactured Home**
No specific wall material standards except for no bare metal siding.

F. Roof Shape and Materials

1. **Class A Manufactured Home**
The Class A home shall have the following:
 - a. Has a roof finished with roofing material with a fire rating of Class C or better and that is commonly used in standard residential construction.
 - b. Has a gable roof having a pitch with a minimum vertical rise of three and one-half (3.5) feet for each twelve (12) feet of horizontal run.
 - c. Has a roof structure that provides an eave projection of no less than six (6) inches, which may include a gutter.
2. **Class B Manufactured Home**
The home shall have a gable roof with a pitch having a minimum vertical rise of three and one-half (3.5) feet for each twelve (12) feet of horizontal run.

~~F. Do not have bare metal siding or roofing~~

DIVISION 1600 TERMINOLOGY AND MEASUREMENTS
Chapter 1630 Use Groups and Categories

1630.060 Household Living Category

H. ~~Manufactured Housing Unit Home / Mobile Home~~

~~A building unit structure or assembly of closed construction that is fabricated in an off-site facility. The structure and is constructed in conformance with the federal construction and safety standards established by the Secretary of Housing and Urban Development pursuant to the "Manufactured Housing Construction and Safety Standards Act of 1974," 42 U.S.C. §§ 5401, 5403 and that has a permanent label or tag affixed to it, as specified in 42 U.S.C. § 5415, certifying compliance with all applicable federal construction and safety standards. Note that a manufactured home may be referred to as a "mobile home", but a mobile home must meet this definition to be referred to as a "manufactured home". The term manufactured home shall not include the terms travel trailers, motor homes, travel and/or motorized coaches, pick-up coaches, camping trailers, recreational vehicles, pop-up campers, prefabricated and modular structures and/or homes. Pursuant to G.S. 143-145, a manufactured home includes the following:~~

- ~~1. Transportable in one or more sections where the traveling mode eight (8) body feet or more in width, or 40 body feet or more in length, or, when erected on site, is 320 or more square feet.~~
- ~~2. Built on a permanent chassis.~~
- ~~3. Designed to be used as a dwelling.~~
- ~~4. With or without a permanent foundation when connected to the required utilities, including the plumbing, heating, air conditioning and electrical systems contained therein.~~
- ~~5. "Manufactured home" also encompasses double-wide manufactured homes, which is two or more portable manufactured housing units designed for transportation on their own chassis that connect on site for placement on a temporary or semipermanent foundation having a measurement of over 32 feet in length and over eight feet in width.~~

I. ~~Manufactured Home / Mobile Home, Class A~~

~~A manufactured home meeting or exceeding the United States Department of Housing and Urban Development standards (all manufactured homes built after June 14, 1976), which is of multi-sectional or double-wide design and meets the appearance criteria provided in Section 1310.050 Manufactured Housing Units On Individual Lots.~~

J. ~~Manufactured Home / Mobile Home, Class B~~

~~A manufactured home constructed to meet or exceed United States Department of Housing and Urban Development code requirements for manufactured homes, and which meets any applicable requirements in Section 1310.050 Manufactured Housing Units On Individual Lots.~~

~~K. Mobile Home~~

~~Any vehicle or portable structure having no foundation other than wheels, jacks, blocks and~~

~~designed or constructed as a self-contained single-family dwelling unit. Structures that meet the definition of a “manufactured housing unit” are not considered mobile homes.~~

J K. Manufactured Home / Mobile Home Park

Any plot of ground containing **more than one** mobile home spaces, regardless of whether or not a charge is made for the occupation of such spaces.

K L. Modular Home

A dwelling unit constructed in accordance with the standards set forth in the North Carolina State Building Code and is made of components substantially assembled in a manufacturing plant and transported to a lot location site for final assembly on a permanent foundation. This is to be done in addition with also meeting or exceeding federal HUD requirements for these types of homes.

M. Temporary Family Health Care Structure

A transportable residential structure providing an environment facilitating a caregiver's provision of care for a mentally or physically impaired person that (i) is primarily assembled at a location other than its site of installation, (ii) is limited to one occupant who shall be the mentally or physically impaired person, (iii) has no more than 300 gross square feet, and (iv) complies with applicable provisions of the State Building Code and G.S. 143-139.1(b). Placing the temporary family health care structure on a permanent foundation shall not be required or permitted.

H. OVERLAYS AND DISTRICTS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The following revisions are to clarify the zoning overlays and districts, the removal of PED districts, and the removal of the O-MHP overlay. Also, revisions are included related to the recent update of the Comprehensive Plan.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 100 INTRODUCTORY PROVISIONS

Chapter 140 Zoning Districts

140.010 Establishment of Districts and Overlays

Table 100-1: Zoning Districts and Overlays

Residential Zoning Districts	
RSF	Rural Single-Family
SF-1	Single-Family, Low Density
SF-2	Single-Family, Low / to Medium Density
SF-3	Single-Family, Medium Density
SF-4	Single-Family, Medium / to High Density
SF-5	Single-Family, High Density
MFR	Multi-Family Residential
O-MHP	Mobile Home Park Overlay
Commercial Zoning Districts	
CBD	Central Business District
NBD	Neighborhood Business District
GBD	General Business District
RBD	Regional Business District
O-VCD	Village Center Overlay [MOVED]
O-DD	Downtown Overlay [MOVED]
Industrial Zoning Districts	
L-I	Light Industrial
H-I	Heavy Industrial
O-PID	Planned Industrial Overlay [MOVED]
Other Zoning Districts*	
O-GCD	Goose Creek Overlay [MOVED]
OP/A	Open Space/Agricultural
I	Institutional
CZ	Conditional Zoning (PD, TND, PUD , MXD, CUD, OSD)**
O-PED	Pre-existing Development Overlay (PUD, PND, PRD, CUD approved prior December 30, 2008)
O-MD	Mining District [MOVED]
Overlays	
O-DD	Downtown Overlay
O-GCD	Goose Creek Overlay
O-MD O-MO	Mining District Overlay
O-PID	Planned Industrial Overlay
O-VCD O-MUAC	Village Mixed Use Activity Center Overlay
O-SRAC	Sub-Regional Activity Center Overlay

* Note that previous special approvals such as PUD, PND, PRD, and CUD now use the designator CZ on the base zoning district since there are conditions involved and revision requests would require the CZ process to make any modifications.

** The following designation of TND is a design approach mentioned in this UDO, but is not to be used as a designator for a district or overlay.

140.040 Overlay Districts

Overlay districts are districts that are superimposed over properties that are also subject to other “underlying” zoning district requirements. An overlay district can affect the regulations applicable to

properties within such districts in two ways. First, an overlay district can add to the regulations of the underlying district or make such regulations more restrictive. Second, an overlay district can alter the regulations of the underlying district so that they are less restrictive.

- A. The ~~Village Mixed Use Activity Center Overlay, the Sub-Regional Activity Center Overlay, the Goose Creek Overlay, and the Downtown Overlay, and the Mobile Home Park Overlay,~~ are four such overlay districts. ~~In addition, overlay zoning districts have been created to apply to Planned Residential Developments (PRDs), Planned Unit Developments (PUDs), Planned Neighborhood Developments (PNDs), or Conditional Use Districts (CUDs) that were authorized prior to the adoption of this UDO. Under the UDO, all such developments have been placed in one or more general use zoning districts, subject to a Pre-existing Development Overlay (O-PED) district that modifies the requirements of the underlying zoning district to reflect as closely as possible the conditions and requirements of the pre-existing development approval. For example, a pre-existing PRD will be zoned SF-2, subject to an O-PED that reduces the front yard setback generally applicable in the SF-2 district from 30 to 25 feet.~~
- B. Overlay zoning districts ~~may~~ shall appear on the Official Zoning Map.
- C. The ~~previous~~ Pre-existing Development (PED) Overlay districts ~~are~~ were shown on previous ~~the~~ UDOs, and Official Zoning Maps ~~and with~~ labeled PED1, PED2, etc. ~~The regulations applicable to each such overlay district are set forth in appendix 2.~~ The base zoning districts under the PED district overlays now use the designator CZ since there are conditions involved and revision requests would require the CZ process to make any modifications.

Chapter 160 Transitional Provisions

160.060 2008 Zoning District Conversions

The original ordinance effective December 30, 2008 provided the following conversion table for zoning district classifications in effect before the effective date as follows:

Table 100-2: Zoning District Conversions

Existing Pre-2008 UDO District	2008 UDO New District	2023 UDO Existing/New District
RESIDENTIAL ZONING DISTRICTS		
RC-80	Eliminated	(NA)
RA-40	RSF	RSF
R-40	RSF	RSF
RA-20	SF-1	SF-1
R-20	SF-1	SF-1
New District (NA)	SF-2	SF-2
New District (NA)	SF-3	SF-3
R-8	SF-4	SF-4
R-6	SF-5	SF-5
R-6 Multi-Family	MFR	MFR

COMMERCIAL AND INSTITUTIONAL ZONING DISTRICTS		
O	NBD / ; CBD if located in the Downtown Overlay	NBD (CBD transitioned to Downtown Districts) /CBD if located within the Downtown Overlay
B-1	CBD	Eliminated (transitioned to Downtown Districts)
B-2	NBD / ; CBD if located within the Downtown Overlay	NBD (CBD transitioned to Downtown Districts) /CBD if located within the Downtown Overlay
B-3	NBD	NBD
B-4	GBD	GBD
HC	RBD	RBD
B-6	Eliminated	(NA)
(NA)	I	I
DOWNTOWN DISTRICTS		
(NA)	(NA)	DCD
(NA)	(NA)	DTD
(NA)	(NA)	DTD-R
OTHER ZONING DISTRICTS		
(NA)	(NA)	Conditional Zoning District (CZ) plus Base Zoning District
OVERLAYS		
Downtown Overlay	Downtown Overlay (DD)	Eliminated
New District	Village Center Overlay	Mixed Use and Sub-Regional Activity Center Overlays
New District	Goose Creek Overlay	Goose Creek Overlay
Mining Overlay	Mining Overlay District	Mining Overlay
New District	Mobile Home Park Overlay	Eliminated
R-20 – Planned Unit Development	PED Overlay 1	Conditional Zoning District (CZ)
R-20 – Planned Residential Development	PED Overlay 2	Conditional Zoning District (CZ)
R-20 – Planned Neighborhood Development	PED Overlay 3	Conditional Zoning District (CZ)
Conditional Use Districts	PED Overlay 4	Conditional Zoning District (CZ)

DIVISION 500 BASE ZONING DISTRICTS

Chapter 530 Business and Commercial Zoning Districts

530.010 District and Overlay Descriptions

A. District Descriptions

The Business and Commercial zoning districts are intended to accommodate retail, service, and commercial uses and to ensure that business and commercial-zoned areas are conveniently located so as to provide goods and services to Town residents and so that new business and commercial development is compatible with the character of existing neighborhoods.

A1. NBD, Neighborhood Business District

The NBD, Neighborhood Business District is intended to allow for small scale retail and business service uses in close proximity to residential neighborhoods. The NBD district is intended to allow for “convenience” shopping and services close to home without the need to travel long distances.

B2. GBD, General Business District

The GBD, General Business District is intended to provide for businesses that provide goods and services to the entire Town. These districts provide for a wide variety of commercial, financial, business service, and office uses. The service area of businesses in the GBD will be primarily from residents of the Town. The standards that apply in the district are intended to create and maintain an appealing shopping environment for the community.

C3. RBD, Regional Business District

The RBD, Regional Business District is intended to establish suitable development standards for the provision of convenience goods, groceries, and services at locations along major transportation routes to the motoring public, both local and transient. The RBD District should always be located with access directly from major or minor thoroughfares, never local residential streets.

B. Business/Commercial Overlays

The overlays provide an additional level of regulation on top of the underlying district’s requirements. The overlays correspond to planning directions within the Comprehensive Plan.

E1. ~~O-VCD O-MUAC, Village Mixed Use Activity Center and Sub-Regional Activity Center~~ Overlays

The ~~Village Mixed Use and Sub-Regional Activity Center Overlay District~~ designates areas within the Town where mixed-use centers may be established. ~~Village Mixed Use and Sub-Regional Activity Center Overlays Districts~~ may be established with different mixes of land uses and different densities consistent with the broad guidelines established by the Comprehensive Plan. The location of ~~Village Mixed Use and Sub-Regional Activity Center Overlays Districts~~ will be consistent with the locations identified in the Comprehensive Plan. ~~The only Sub-Regional Activity Center Overlay is located at the Sun Valley Commons area.~~

530.020 Business and Commercial Zoning Districts

*See Chapter 7220 for existing car wash uses within the Old Monroe ~~Village Mixed Use Activity Center~~ Overlay. New car wash uses in ~~Village Mixed Use and Sub-Regional Activity Center~~ Overlays are otherwise prohibited.

530.050 Floor Area Limits for Commercial Establishments When Applicable

A. **[NO CHANGES TO A-D AND F.]**

- E. ~~Village Mixed Use and Sub-Regional Activity Center Overlays~~
Commercial establishments in the ~~O-VCD O-MUAC and O-SRAC districts overlays~~ may not include more than 15,000 square feet of gross floor area.

530.060 Other Applicable Regulations

Uses and development in the NBD, GBD, RBD ~~districts~~; ~~Village Mixed Use Activity Center Overlay~~; ~~Sub-Regional Activity Center Overlay~~; and Downtown Overlay ~~districts~~ are subject to other standards including the following:

Chapter 540 Industrial Zoning Districts

540.010 District ~~and Overlay~~ Descriptions

- A. **[NO CHANGES TO A AND B.]**
- C. ~~O-VCD O-MUAC, Village Mixed Use Activity Center and O-SRAC, Sub-Regional Activity Center Overlays~~
The ~~Village Mixed Use and Sub-Regional Activity Center Overlays District~~ designates areas within the Town where mixed-use centers may be established. ~~Village Mixed Use and Sub-Regional Activity Center Overlays Districts~~ may be established with different mixes of land uses and different densities consistent with the broad guidelines established by the Comprehensive Plan. The location of ~~Village Mixed Use and Sub-Regional Activity Center Overlays Districts~~ will be consistent with the locations identified in the Comprehensive Plan.

DIVISION 600 SPECIAL PURPOSE DISTRICTS ~~AND OVERLAYS~~

Chapter 630 ~~Village Mixed Use Activity Center Overlay Zone (O-VCD O-MUAC) and Sub-Regional Activity Center Overlay (O-SRAC)~~

630.010 District Established

The ~~Village Mixed Use and Sub-Regional Activity Center Overlays Zone~~ is hereby established to provide for the designation of areas within the Town where mixed-use centers may be established. ~~Village Mixed Use and Sub-Regional Activity Center Overlays Districts~~ may be established with different mixes of land uses and different densities consistent with the broad guidelines established by the Comprehensive Plan. The location of ~~Village Mixed Use and Sub-Regional Activity Center Overlay Districts~~ will be consistent with the locations identified in the Comprehensive Plan.

- A. **Applicability**
This Chapter applies to all new development within the boundaries of the ~~Village Mixed Use and Sub-Regional Activity Center Overlays Zone~~ as defined within the Indian Trail Comprehensive Plan. No development may occur on a property that falls in part or whole within ~~this these~~ overlays ~~zone~~ unless in accordance with this article.

B. Exemptions

1. [NO CHANGES TO 1 AND 2.]
3. An existing use in an Industrial zoning district within the Village Mixed Use or Sub-Regional Activity Center Overlays that has been in continuous operation on or before June 30, 2016 shall be exempt. Said uses shall also be exempt from Chapter 630.050. Any future additions or expansions, however, shall be subject to the requirements of Chapter 630 in place at the time of the addition or expansion.

630.020 Purpose and Intent

This Chapter is intended to implement the Town of Indian Trail Comprehensive Plan that calls for the establishment of village Mixed Use and Sub-Regional Activity Centers at strategically located intersections within the Town. The purpose of this Chapter is to create a classification consistent with the Town's comprehensive plan. It is also the purpose of this Chapter to establish a classification that allows for mixed residential, commercial and industrial development that meets a higher standard of design and site planning.

630.030 Rezoning Procedures

The Town shall process Village Mixed Use Activity Center Overlay Zone district requests in the same manner as set forth by Chapter 320 for all other rezoning requests.

630.050 Additional Requirements

- A. Village Mixed Use and Sub-Regional Activity Centers will incorporate pedestrian improvements that connect all building and uses consistent with the requirements of Section 810.200.
- B. Light Industrial (L-I) uses shall only be permitted in the following village mixed-use activity center overlays: Old Hickory, Old Monroe and the secondary Sun Valley Village Sub-Regional Mixed Use Activity Center Overlay.
- C. Separation requirements: Uses in L-I within village Mixed Use and Sub-Regional Activity Center Overlays involving manufacturing, production, wholesaling and freight movement shall be located a minimum of 250 feet from any residential or institutional district or from property used for residential, religious institution or school purpose. Uses may locate closer than 250 feet from a residential or institutional district or from property used for residential, religious or institutional or school purposes when approved through a conditional rezoning per Chapter 330.
- D. Outdoor Storage uses in L-I within village Mixed Use and Sub-Regional Activity Center Overlays shall be subject to Chapter 7180 in addition to the following requirements:
 1. [NO REVISIONS.]
 2. [NO REVISIONS.]
- E. Odors and Other Nuisances: Uses in L-I within village Mixed Use and Sub-Regional Activity Center Overlays shall not produce odors, gas, dust or any other pollutants detrimental to the health, safety or general welfare of persons living or working in the surrounding properties.
- F. Noise: Uses in LI within village Mixed Use and Sub-Regional Activity Center Overlays shall not create any unreasonably loud, disturbing or unnecessary noise that is detrimental to the health, safety, or general welfare of persons living or working in the surrounding properties. Any mechanical equipment which produces excessive noise, including but not limited to compressors, pumps, generators, vacuums, and similar equipment shall be located inside the building or within an enclosed structure equipped with noise dampening materials.

- G. Site Access: Vehicular access to uses located in the L-I District within a ~~village Mixed Use and Sub-Regional Activity Center~~ Overlay shall not be permitted using a street or drive primarily intended to serve a residential community.

Chapter 680 Mixed Use Development (MXD) ~~Development~~

A. Required Development Mix

A minimum of three of the use categories listed below shall be included in any MXD ~~District Conditional Zoning~~.

B. MXD Master Plan

The proposed Mixed Use Development Master Plan shall indicate the particular portions of the lot that the developer intends to develop for each of the elements described above. See Section 330.020 Application Procedures for the information and analysis required as part of the submittal for MXD ~~Conditional Zoning~~ approvals.

C. Perimeter Setback Required

A minimum 50-foot setback along the entire development perimeter is required unless located within the Downtown, ~~or Village Mixed Use or Sub-Regional Activity Center Overlays~~ ~~Districts~~. The setback from any street bordering the MXD tract shall be 35 feet unless a greater setback is required by this UDO.

~~Chapter 690 Pre-Existing Development Overlay District~~
~~690.010 District Established~~

~~The Pre-existing Development overlay zoning districts have been created to apply to Planned Residential Developments (PRDs), Planned Unit Developments (PUDs), Planned Neighborhood Developments (PNDs), or Conditional Use Districts (CUDs) that were authorized prior to the adoption of this UDO.~~

~~Table 600-3: Re-designation of Previous Zoning Designations~~

Previous Zoning Designation	UDO Designation
R-20—Planned Unit Development	PED Overlay 1
R-20—Planned Residential Development	PED Overlay 2
R-20—Planned Neighborhood Development	PED Overlay 3
Conditional Use Districts	PED Overlay 4

~~690.020 Purpose And Intent~~

~~This intent of this Section is to provide guidance in applying regulations of this UDO to pre-existing planned developments and conditional use districts approved prior to December 30, 2008. Under the UDO, all such developments have been placed in one or more general use zoning districts, subject to a Pre-existing Development Overlay (O-PED) district that modifies the requirements of the underlying zoning district to reflect as closely as possible the conditions and requirements of the pre-existing development approval. For example, a pre-existing PRD will be zoned SF-2, subject to an O-PED that reduces the front yard setback generally applicable in the SF-2 district from 30 to 25 feet.~~

~~690.030 Modifications Of Original Permit~~

~~Any request for modification of the original permit (PRD, PND, PUD, and CUD) approved prior to the adoption of this permit must be reviewed and considered in accordance with Chapter 330 “Conditional Zoning”.~~

~~690.040 Required Development Standards~~

~~The properties located within an approved Pre-existing Development overlay zoning districts shall be authorized all privileges for use, development standards, and conditions authorized by the approved permit. Specific development standards for each O-PED is provided in appendix two (2) of this UDO and within the recorded permit associated with the planned development. Copies of recorded permits may be obtained from the Union County Register of Deeds Office or Indian Trail Planning Department.~~

Chapter ~~6100~~ 690 Mining Overlay District

~~6100.010~~ **690.010 District Established**

[NO OTHER CHANGES IN THIS CHAPTER.]

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 7200 Second Hand Thrift/Consignment Sales and Antique Shops

7200.010 General Requirements

The following regulations shall apply to all Second Hand Thrift/Consignment Sales and Antique Shops uses as defined in Section 1610.050, that are located within the Central Business District, Neighborhood Business District, and within the Downtown, ~~and Village Mixed Use and Sub-Regional Activity Center~~ Overlays.

Chapter 7210 Breweries, Distilleries and Wineries

A. [NO CHANGES TO A AND B.]

C. Uses within the Downtown Overlay (~~O-DD~~ O-DT), ~~and Village Mixed Use Activity Center Overlay~~ ~~O-VCD~~ (O-MUAC), and Sub-Regional Activity Center Overlay (O-SRAC);

Chapter 7220 Existing Car Washes within the Old Monroe ~~Village Mixed Use Activity Center Overlay~~

7220.010 General Requirements

The following regulations shall only apply to Car Wash uses within the Old Monroe ~~Village Mixed Use Activity Center Overlay~~ legally permitted on or before December 30, 2008.

A. Any car wash use within the ~~Old Monroe~~ ~~Village Mixed Use Activity Center Overlay~~ legally permitted on or before December 30, 2008 shall be considered a permitted use.

B. Notwithstanding any applicable designation or classification under Chapter 250.020 of the Unified Development Ordinance, the owner of any permitted car wash use legally permitted on or before December 30, 2008 shall be allowed to expand the current permitted car wash use onto, or utilize in furtherance of that permitted car wash use, any adjoining parcels of real property acquired after December 30, 2008 if the owner of the legally permitted car wash complies with all other provisions of this ordinance.

Chapter 7240 Mobile Food Vending Unit and Food Vendors

7240.010 General Requirements

- A. Mobile food vending units within the Town of Indian Trail must meet one (1) of the following criteria:
 - 1. Be located in one of the following areas: Downtown Districts, Light-Industrial and Heavy-Industrial Districts, Regional Business District, ~~Village Mixed Use and Sub-Regional Activity Center Overlays Districts~~ – Non-Residential District of ~~village overlays~~ only,
 - 2. **[NO CHANGES TO 2 AND 3.]**
- B. **[NO CHANGES TO B - J.]**

DIVISION 800 LANDSCAPING

Chapter 840 Canopy Trees, Parking Lot Plantings, and Street Trees

840.010 Canopy Tree Planting Requirements

- A. **[TABLE REVISED ONLY IN THIS SECTION]**

Table 800-4: Minimum Canopy Tree Cover

Land Use Classification	Zoning District and Overlays	Minimum Tree Canopy
COMMERCIAL	NBD, Neighborhood Business District	10%
	GBD, General Business District	10%
	RBD, Regional Business District	10%
	Village Mixed Use Activity Center Overlay District	10%
	Sub-Regional Activity Center Overlay	10%
	Downtown Overlay District	10%

Note: Only showing necessary portions of the table rows to depict the changes.

DIVISION 1000 PARKING

Chapter 1010 General Requirements

1010.020 Exemptions, Reductions and Special Area Standards

- C. The minimum parking ratios of Section 1020.010 are reduced by 25% within the Downtown Master Plan Districts, ~~and the Village Mixed Use and Sub-Regional Activity Center Overlays District~~. Within the Downtown districts ~~and Village Mixed Use and Sub-Regional Activity Center overlays~~, the parking ratios of Section 1020.010 may be further reduced through a planned development application that demonstrates a plan or strategy for centralized, shared parking accessible to all patrons and employees of a mixed use development. All downtown parking reductions allowed by this section are subject to the approval of the Planning Director.

I. OVERNIGHT TRUCK PARKING AT CONVENIENCE MARKETS WITH OR WITHOUT GAS PUMPS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The revisions are to limit overnight stays at Convenience Markets with or without a gas station use.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS **Chapter 560 Permitted Uses**

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Category	Use Type											Use Specific Standards	Land Use Grp
		CBD	NBD	GBD	RBD	O-VCD	O-DD	I	L-I	H-I			
Retail	Convenience Market (stand alone)	P*	P*	P*	P*	P*	P*	-	-	-		* Requires CZ for overnight parking. With CZ, a max. of 1 overnight stay.	2
	Convenience Market with Gasoline Pumps or Gas Station	-	-	P*	P*	C	-	-	P*	-		* Requires CZ for overnight parking. With CZ, a max. of 1 overnight stay.	2

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

J. ACCESSORY RETAIL (VENDING AND ATM)

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Accessory retail is being added as a tool to regulate popup retail uses that are secondary to the primary use on a property.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS **Chapter 560 Permitted Uses**

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Category	Use Type										Use Specific Standards	Land Use Grp
		CBD	NBD	GBD	RBD	O-VCD	O-DD	I	L-I	H-I		
Retail	Retail Sales, General	P	P	P	P	P	P	-	-	-		2
	Retail Sales, with on-premises beer and wine consumption/sales							-	-	-		2
	Retail Sales, Accessory (including vending)	P*	P*	P*	P*	P*	P*	-	-	-	* See Chapter 7260 for Electric Vehicle Charging Stations.	2

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

DIVISION 1600 TERMINOLOGY AND MEASUREMENTS
Chapter 1630 Use Groups and Categories

1630.080 Use Groups and Categories

A. [NO CHANGES TO A - AD AND AF - AG.]

AE. Retail Sales Category

1. [NO CHANGES TO 1 AND 2.]

3. **Retail Sales, Accessory (including vending)**

Accessory retail uses include shops or stands within the primary structure or on the property that is secondary to the primary building and the primary use. Examples of such uses may include hospital cafeterias; magazine/newspaper stand; coffee shops; commercial electric vehicle charging stations; and retail package pickup lockers such as an Amazon Hub. Accessory retail uses may be conducted for the general public as well as for the convenience of the employees, patients, patrons, students or visitors. Such retail use shall be reviewed and allowed where applicable in the Table of Permitted Uses in Section 560.010.

K. VEHICLE SALES AND RENTAL LOTS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This revision limits the current two-acre standard for car sales and rental lots along the Town’s two major corridors: Highway 74 and Old Monroe Road. To incentivize car lots along Highway 74 and Old Monroe Road, this revision increases the standard for all other roadways to five acres.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS
Chapter 560 Permitted Uses

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Category	Use Type									
		CBD	NBD	GBD	RBD	O-VCD	O-DD	I	L-I	H-I
Vehicle Sales and Rentals	Auto Parts Sales (retail)	-	-	P	P	P	-	-	-	-
	Auto Parts Sales with Service	-	-	P	P	C	-	-	-	-
	Automobile, Boat, Motorcycle, and RV Sales and Rentals	-	-	P	P	P*	-	-	P*	-
	Wholesale Vehicle Sales	P -	P	P	P	P*	P -	P	P*	-

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 7150 Vehicle Sales and Rental Lots

7150.010

The minimum lot size shall be two (2) acres in size along Highway 74 and Old Monroe Road. The minimum lot size along all other roadways shall be five (5) acres., and subject to the following table:

L. ACCESSORY STRUCTURE PERMIT EXPIRATION

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This revision adds a reference to the section for the expiration of permits in Chapter 710 Accessory Uses and Structures.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 710 Accessory Uses and Structures

710.020 Time of Construction

Accessory structures must be constructed in conjunction with or after the principal building. They may not be built prior to the construction of the principal building. Refer to Section 410.090, Expiration of Permits, for permit duration and associated requirements.

M. OFF STREET PARKING REQUIREMENT FOR SINGLE-FAMILY ATTACHED RESIDENTIAL/TOWNHOMES

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This revision adds an additional 1 space per room after the first 3 bedrooms for single-family detached homes. It also provides dwelling parking space concrete pad separation requirements between townhouse units.

PROPOSED ADDITIONS AND REVISIONS

**DIVISION 1000 PARKING
Chapter 1020 Off-Street Parking Requirements**

1020.010 Minimum Parking Requirements

Table 1000-1: Minimum Parking Requirements

Use Category	Specific Use	Parking Requirement
Household Living*	Single-Family Detached	2 spaces per unit plus 1 space per room after the first 3 bedrooms Garages do not count as parking spaces
	Two-Family Dwelling	2 spaces for each unit, except that one-bedroom units require only 1 space Garages do not count as parking spaces
	Townhouse/ Condominium	2 spaces for each unit, except that one-bedroom units require only 1 space plus 1.0 guest spaces for every eight units; Garages do not count as parking spaces Townhouse units with corresponding dwelling parking spaces in the front or off an alley must have a minimum of three (3) feet between neighboring concrete dwelling parking spaces – a minimum of 1.5 feet divided between each townhome unit owner.
	Multifamily Dwelling including senior housing	1 1/2 spaces per one-bedroom unit; 2 spaces per two-bedroom unit; 2 1/2 spaces per unit with three or more bedrooms; plus 1 visitor parking for every 4 parking spaces Garages do not count as parking spaces
	Independent Senior Housing	1 space per unit, plus 1 space per staff at maximum shift Garages do not count as parking spaces
	Manufactured, Modular, Mobile Home	2 spaces per unit Garages do not count as parking spaces
	Group Living/ Care Facilities	Family Homes for Persons with Disabilities (small and large) 1 space per 3 residents Garages do not count as parking spaces

Use Category	Specific Use	Parking Requirement
	Homes for the Handicapped, Aged, or Infirm including Nursing Homes	2 spaces for every 5 beds, except for uses exclusively serving children under 16, in which case 1 space for every 3 beds <i>Garages do not count as parking spaces</i>
	Child Care Homes	1 space for every two employees on maximum shift <i>Garages do not count as parking spaces</i>
	Day Care Center	1 space per employee plus 4 spaces per 1000 square feet of floor area. Required parking may be reduced for day care centers with designated pick-up and drop-off area in an amount determined by the Planning Director. <i>Garages do not count as parking spaces</i>
	Halfway Houses	1 space per 3 bedrooms and 1 space per employee <i>Garages do not count as parking spaces</i>

* Refer to any applicable lot coverage limits in DIVISION 500 BASE ZONING DISTRICTS and "E." in Section 1020 for the residential front yard parking surface maximum.

Note: Only showing necessary portions of the table columns and rows to depict the changes.

N. ACCESSORY STRUCTURE BUILDING MATERIALS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This section provides references to sections that provide accessory material standards and the primary home standards.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 710 Accessory Uses and Structures

710.030 Subordinate Nature

- A. **[NO CHANGES TO A AND B.]**
- C. *Accessory structures shall be constructed of similar building materials as the primary home. Refer to "G. Accessory Structure Materials" in Section 710.040 for accessory structure lot and building material standards. See Section 1310.040, Building Material Standards for All Site-Built and Modular Housing, for primary home material standards.*

710.070 Accessory Apartment Use Standards, E

- A. [NO CHANGES TO A - D AND F - H.]
- E. [NO CHANGES TO TEXT IN "E"]
 - 1. [NO CHANGES TO 1 AND 2.]
 - 3. Accessory apartments shall be constructed of the same building materials as the primary home. Refer to "G. Accessory Structure Materials" in Section 710.040 for accessory structure lot and building material standards. See Section 1310.040, Building Material Standards for All Site-Built and Modular Housing, for primary home material standards.

O. MOBILE FOOD VENDING UNIT AND FOOD VENDORS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The permit length for most mobile food vending units and food vendors was fairly short at 6 months. This will extend the period to 12 months but leave those with multiple stops at 6 months.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 7240 Mobile Food Vending Unit and Food Vendors

7240.010 General Requirements

- A. [NO CHANGES TO A - C AND E - J.]
- D. Duration of Permit: Permits for mobile food vending units shall be valid for ~~six (6)~~ twelve (12) months unless permitted as part of a temporary event. Permits for mobile food vending units selling food with multiple stops for individual sales (i.e. ice cream sales to homes in subdivisions) shall be valid for six (6) months.

P. RESIDENTIAL SUBDIVISION SIGNS AND NAMING

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The revision is to allow two business or identification signs in a residential district.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 900 SIGNS

Chapter 9160 Administration, Enforcement, Appeals and Penalties

9160.040 Table of Sign Requirements

A. **[NO CHANGES TO A, B, D AND E.]**

C. Permitted Sign Table – Residential Districts

The Business and Commercial zoning districts are intended to accommodate retail, service, and commercial uses and to ensure that business and commercial-zoned areas are conveniently located so as to provide goods and services to Town residents and so that new business and commercial development is compatible with the character of existing neighborhoods.

Table 900-6: Residential Business/Identification Sign Requirements

Use Classification	Maximum Number	Maximum Sign Face Area (Sq.Ft.)	Allowed Sign Type	Maximum Height of Free-Standing Sign (Feet)
Multi-Family	± 2 per frontage	18	Wall	NA
Residential Subdivision	± 2 per frontage	20	Ground	7

Note: Only showing necessary portions of the table columns and rows to depict the changes.

DIVISION 1100 SUBDIVISION REGULATIONS

Chapter 1110 General Provisions

1110.050 Development Names

The subdivision name shall not duplicate or closely approximate the name of an existing subdivision within or within the general vicinity of Indian Trail. **The following shall also apply:**

- A. Proposed subdivisions or developments may have the same or similar name if they are an extension of an existing subdivision or development with the same or similar name.
- B. **Development names must be reviewed by the Town and submitted to Union County Emergency Services for official approval. Additional fees may be assessed for any change in development names.**
- C. **Residential subdivisions shall have a monument sign with the development’s name at each vehicle access point. Refer to Section 9160.040 for the Table of Sign Requirements.**

Q. BUILDING LINE

REASON FOR PROPOSED ADDITIONS AND REVISIONS

In order for new infill development to complement the existing neighborhood homes, a home build-to line is established to match the average of where new homes’ frontage begins.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS

Chapter 1310 Integrity and Design Standards

1310.030 Articulation Standards for All Residential Buildings

A. [NO CHANGES TO A - M.]

N. Build-To Line

Infill development in existing residential subdivisions or new home construction on a lot along a street corridor with developed home lots within 300 feet on each side of such lot shall be constructed at a distance from the front property line consistent with the developed homes or to be known as the “build-to line”. The build-to line distance is the average of the developed home lots within 300 feet on each side of the new home lot from the front property line to the front primary elevation façades. The new residential structure shall front on the same street as the developed homes. Setbacks must still be met with the following exception in “O”.

O. Reduced Front Yard Setback in Developed Areas

The minimum front yard setback may be reduced for any lot where the build-to line (the average established front setback on developed lots located within 300 feet on each side of such lot) is less than the minimum required setback. In such cases, the front setback on such a lot may be less than the required front setback but not less than the average of the existing front setbacks on the developed lots within 300 feet of each side.

R. ROOF MATERIALS FOR RESIDENTIAL STRUCTURES

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Revisions add language for roofing material standards for new homes and replacement roofs.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS

Chapter 1310 Integrity and Design Standards

1310.040 Building Material Standards for All Site-Built and Modular Housing

A. [NO CHANGES TO A AND B.]

C. Roof material standards are not provided for site-built and modular housing that is not under a Conditional Zoning, but the roof material shall be consistent in appearance to the existing neighborhood materials on primary homes for new infill development. For Conditional Zonings, the following is suggested if the consistency of the neighborhood does not imply otherwise:

1. Only roof asphalt shingles, slate and terracotta tile materials are used on site-built and modular housing structures.
2. Metal and synthetic rubber are not allowed roof materials
3. Metal roof materials may be used in the RSF zoning district

- D. When replacing an existing roof on a housing structure, the new materials shall follow the standard listed in “C” above. In an established residential subdivision, the roofing material shall be consistent in appearance to the primary homes in the subdivision.

S. LOT COVERAGE AND POOLS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Basic lot coverage percentage limits are added into the lot and building standards to protect necessary pervious surfaces. The UNC School of Government contact recommended looking at the NC Administrative Code (NCAC) for the Water Supply Watershed Protection Program. They said local communities typically use this document as a beginning for setting lot coverage limits. Pools are a consideration when determining lot coverage, so some revisions are needed to clarify the topic.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS

Chapter 520 Residential Districts 520.040 Lot and Building Standards

- A. [NO CHANGES TO “A”.]
- B. Lot Size, Density, Setback and Height Table

Table 500-1: Residential Lot, Density, Setback and Building Height Standards

Lot and Building Standards	RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR
CONVENTIONAL DEVELOPMENT							
Lot Size							
Lot Area (min. sq. ft.)	40,000	20,000	15,000	12,000	10,000	8,000	NA
Lot Area Per Unit (min. sq. ft.)	40,000	20,000	15,000	12,000	10,000	8,000	3,350
Lot Frontage (min. ft.)	120	100	80	80	60	60	NA
Lot Depth to Width Ratio (max.)	4	NA	NA	NA	NA	NA	NA
Lot Coverage (max.)	24%	24%	35%	35%	50%	50%	NA
CLUSTER DEVELOPMENT (* See Chapter 1210)							
Overall Site Area							
Site Area (min. acres)	10	10	10	10	NA	NA	NA
Open Space (min. % of site)*	15%/20%	15%/20%	15%/20%	15%/20%	NA	NA	NA
Site Area Per Unit (min. sq. ft.)	40,000	20,000	15,000	12,000	NA	NA	NA

Lot Size							
Lot Area (min. sq. ft.)	30,000	15,000	12,000	10,000	NA	NA	NA
Lot Frontage (min. ft.)	100	80	70	60	NA	NA	NA
Lot Coverage (max.)	24%	24%	35%	35%	50%	50%	NA
OPEN SPACE DEVELOPMENT							
Overall Site Area							
Site Area (min. acres)	25	25	25	25	NA	NA	NA
Open Space	25%	25%	25%	25%	NA	NA	NA
Lot Size							
Lot Area (min. sq. ft.)	20,000	15,000	12,000	10,000	NA	NA	NA
Lot Frontage							
Lot Coverage (max.)	24%	24%	35%	35%	50%	50%	NA

Note: Only showing necessary portions of the table columns and rows to depict the changes.

DIVISION 1600 TERMINOLOGY AND MEASUREMENTS
Chapter 1620 Definitions

1620.120 Definitions – “L”

Lot Coverage

Impervious surface and partially impervious surface on a lot to the extent that the partially impervious surface does not allow water to infiltrate through the surface and into the subsoil.

A. Considered Lot Coverage

Items that shall be added together for a lot coverage total is as follows, but not limited to: asphalt/concrete surfaces; building and shed roofs; tight-slatted patios/decks; gravel; and sidewalks; and the water surface area in an in-ground private swimming pool.

B. Not Considered Lot Coverage

The following do not contribute to the calculation of lot coverage: a loose slatted deck (a quarter-inch (1/4”) space between decking boards); the water area in an on-ground private swimming pool; or landscaping material that will not be compacted by the weight of a vehicle. The “landscaping material” not to be compacted by a vehicle as previously mentioned is including, but not limited to gravel, mulch, sand, and vegetation.

This lot coverage definition is derived from the definition of “built-upon area” as directed under the NC Administrative Code (NCAC) direction to use § 143-214.7. Stormwater runoff rules and programs, (b2).

1620.190 Definitions – “S”

Swimming Pool, Private

This term shall mean any structure containing water used, or intended to be used, for swimming, recreational water games/sports, or recreational bathing/relaxation which is available in single-family detached residential districts only to the family and guests of the householder. Private swimming pools include in-ground swimming pools, and on-ground swimming pools, hot tubs and spas.

Swimming Pool, Public

This pool is any swimming pool other than a private swimming pool.

T. ELECTRIC CAR CHARGING STATIONS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The introduction of these revisions is a result of various inquiries on constructing electric vehicle charging stations at existing businesses for commercial use. These revisions are not introducing requirements on new development to provide a minimum of stations. The revisions are to provide some guidance on installation of stations as an accessory use. See the revisions under “Accessory Retail (Vending and ATM)” for the use that would allow this function.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS **Chapter 540 Industrial Zoning Districts**

540.040 Other Applicable Regulations

A. [NO CHANGES TO A - F.]

G. Future Infrastructure Considerations

Future light or heavy industrial developments should consider the possibility of the fleet changing to electric heavy-duty vehicles. See Section 7260.030 Considerations for Heavy-Duty Vehicles.

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 7260 Electric Vehicle Charging Stations

7260.010 Planning and Site Section

- A. Electric Vehicle Charging Stations (EVCS) developers look at a variety of factors in selecting sites for charging electric vehicles (EV). Whether the EVCS area is commercially open to the public (in a restaurant parking lot) or in a private area (such as an employee parking lot), the Town has the following factors that a proposed site must consider:
1. Permitting is required from the Town and Union County
 2. Evaluate the site giving consideration to access for drivers and amenities to occupy a driver’s charge time such as a restaurant, coffee shop, gas station, or park.
 3. Present agreement between station developer and property owner if separate. Agreement shall include responsibility for removing Electric Vehicle Supply Equipment (EVSE) and site restoration if (1) equipment/use is no longer needed, (2) the permit is revoked or allowed to expire, or (3) EVSE equipment is abandoned.

4. Are the vehicles light- or medium-duty vehicles? See section below for medium-duty vehicles.
5. Confirmation of electrical capacity from the local electrical company
6. Impact on existing parking requirements.
7. Space available on site for the charging equipment – including setbacks (follow accessory setback of 5 feet?)
8. Landscape screening shall be provided to screen support equipment on the EVCS site such as a power converter cabinet or a transformer/switching substation cabinet. This is not screening at each of the EV charging dispenser units.
9. Site restoration if construction disturbs condition of the property.

7260.020 Considerations for Medium-Duty Electric Vehicles

- A. As the demand for electric vehicles expands, so will the need to charge larger vehicles such as in commercial fleets. The Town will expect station developers to consider the following general factors:
 1. Stations require extra clearance in parking and parking lot circulation.
 2. Potential need for more power due to vehicle size. This may result in the need for more space for larger utility transformers.
 3. May be additional interest in power storage and renewable power generation to offset higher power demands.

7260.030 Considerations for Heavy-Duty Electric Vehicles

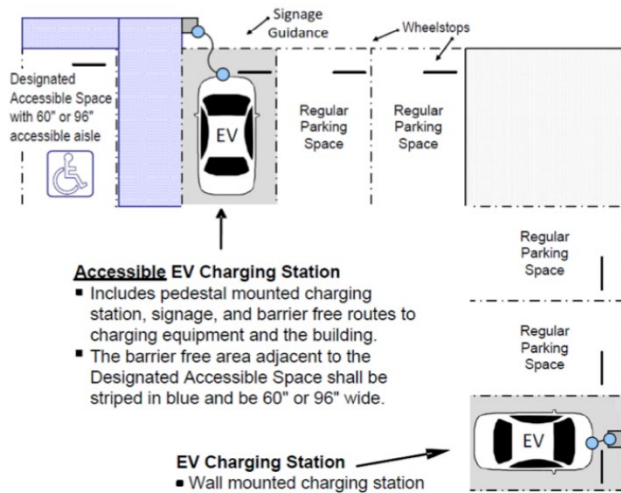
Heavy-duty electrical commercial vehicles demand a more robust infrastructure for charging. When planning to upgrade to an electric vehicle fleet or even building a new site when fleet vehicles have not switched to electric vehicles, consider that being proactive and installing conduit for future possible electrification of vehicles may save money and time in the future. Conduit may include provision for internet conduit as well.

7260.040 EV Station Accessibility

The design of electric vehicle stations shall follow ADA requirements to consider accessibility, ease of use, and safety for drivers with disabilities and vehicle occupants, including those using wheelchairs or other assistive equipment. Refer to Figure 700-3 for a Sample Layout for ADA-Compliant EV Charging Parking Space. Examples of important considerations include the following:

- A. Adequate space for exiting and entering the vehicle.
- B. Unobstructed access to the charger.
- C. Free movement around the charger and connection point on the vehicle.
- D. Clear paths and proximity to building entrances.

Figure 700-3: Sample Layouts for ADA-Compliant EV Charging Parking Space ⁽¹⁾



(1) Source is from the Alternative Fuels Data Center, U.S. Department of Energy.

DIVISION 1000 PARKING

Chapter 1020.010 Off-Street Parking Requirements

1020.010 Minimum Parking Requirements

Table 1000-1: Minimum Parking Requirements ⁽¹⁾

[No changes to body of table so not shown.]

(1) Electric vehicle charging stations shall be clearly marked "EV CHARGING ONLY".

DIVISION 1600 TERMINOLOGY AND MEASUREMENTS

Chapter 1620 Definitions

1620.050 Definitions - E

Electric Vehicle (EV)

An automotive-type vehicle for on-road use, such as passenger automobiles, buses, trucks, vans, neighborhood electric vehicles, electric motorcycles, and the like, primarily powered by an electric motor that draws current from a rechargeable storage battery, fuel cell, photovoltaic array, or other source of electric current. Plug-in hybrid electric vehicles (PHEV) are considered electric vehicles. Off-road, self-propelled electric vehicles, such as industrial trucks, hoists, lifts, transports, golf carts, airline ground support equipment, tractors, boats, and the like, are not included.

Electric Vehicle (EV) Charger

Off-board charging equipment used to charge an electric vehicle.

Electric Vehicle Charging Space (EV Space)

A space intended for future installation of EV charging equipment and charging of electric vehicles.

Electric Vehicle Charging Station (EVCS)

One or more electric vehicle charging spaces served by electric vehicle charger(s) or other charging equipment allowing charging of electric vehicles. Electric vehicle charging stations are not considered parking spaces.

Electric Vehicle Supply Equipment (EVSE)

The conductors, including the ungrounded, grounded, and equipment grounding conductors and the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatus installed specifically for the purpose of transferring energy between the premises wiring and the electric vehicle.

U. TABLE OF PERMITTED USES – REVISE AND CLARIFY OVERLAYS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The following revises the overlay names to reflect the Comprehensive Plan update and clarifies them by organizing overlays into a separate column heading.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS

Chapter 560 Permitted Uses

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Category	Use Type	Business / Office / Village Center Overlay / Downtown Overlay / Institutional Districts					Industrial Districts		Overlays	
		CBD	NBD	GBD	RBD	I	L-I	H-I	O-VCD MUAC	DD DT

* Properties with overlays still must retain the underlying base zoning district. Overlay requirements may add additional requirements for some district uses.

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

V. SIGNAGE SECTION REFERENCES AND READER/MESSAGE BOARDS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The revisions update inaccurate signage section references and adds Old Monroe Road to allow message or reader boards in addition to Highway 74 as well as a few other clarifications shown below.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 900 SIGNS

Chapter 9110 Freestanding and Ground Mounted Signs

9110.030 Message/Reader Boards – Highway 74/Independence Boulevard & Old Monroe Road

Changeable Reader or Message Boards are authorized for properties located along ~~the~~ Highway 74/Independence Boulevard and ~~Old Monroe Road~~. ~~The message or reader boards shall be attached to the Freestanding Sign and calculated into the Freestanding Sign area subject to the following:~~

[Table not revised.]

9110.060 Highway 74/Independence Boulevard – Single Tenant Parcels

Freestanding signs for single tenant parcels located adjacent to Highway 74/Independence Boulevard shall be calculated based on the following table:

[Table not revised.]

DIVISION 900 SIGNS

Chapter 9160.040 Table of Sign Requirements

- A. [NO CHANGES TO A - D.]
- E. **Permitted Signs for Business, Commercial, Industrial, Downtown Districts, and Certain Overlays, ~~and Industrial Districts~~**
The following signs are permitted in Business, Commercial, ~~and Industrial Zoning Districts~~, and ~~Certain Overlays Zoning Districts~~:

Table 900-8: ~~Sign Requirements for Business, Commercial, Overlay, and Industrial, and Downtown Districts; and Certain Overlays~~

Standard	NBD, GBD Districts	Downtown Districts ¹ , Village Mixed Use Activity Center Overlays, and Sub-Regional Activity Center Overlay Districts	RBD Districts ±	L-I, H-I Districts ±
Type of Signs	Freestanding, wall, or projecting signs			
Maximum Sign Area per business	Wall signs- 10% of front building or suite façade with primary building entrance for each business not to exceed 250 square feet in area for wall signs. Freestanding Signs- 32 square feet for freestanding signs or otherwise authorized in Chapter 990 9110.			
Institutional Uses	Refer to 9160.040D, Permitted Signs Table - Institutional Uses/Districts Table—9140.040D			
Maximum number of signs per business	Wall Signs- unlimited (not to exceed 10% of wall area for any given wall) Freestanding Signs- One per lot unless otherwise authorized in Chapter 990 9110.			
Maximum Freestanding Sign Height	10 multi-tenant centers 6 single tenant parcels	6 single tenant 10 multi-tenant center	6 ft, 20 ft pursuant to Chapter 990 9110	6, 10

Internal Illumination	Y	Sign Type	Illumination	Y	Y
		Monument/ Freestanding	Internally- Back lit channel letters, open face channel letters, routed and backed panel.		
		Monument/ Freestanding	Externally- Lighting fixtures shall be directed towards the sign.		
		Wall Signs and Projecting Signs	No- for buildings approved after June 9, 2009.		
Commercial or Industrial Center Standards	Centers located outside of the RBD district are entitled to one multi-tenant center sign with a maximum of 100 sq. ft. One additional ground sign is permissible in accordance with Section 999 9110.080B . Each business within a center is authorized unlimited wall signs not to exceed 10% of any given wall area as indicated in the table above and a place on a multi-tenant sign consistent therewith the approved Sign Program for said Center. Centers located along Hwy 74/Independence Boulevard shall comply with Chapter 999 9110 .				
Planned Industrial Parks or Office Parks	Two (2) freestanding Park Identification signs per entrance located behind right-of-way. Maximum height 7 feet. Maximum area of sign per monument 18 sq. ft.				

Note: Only showing necessary portions of the table rows to depict the changes.

W. CLARIFICATION OF BUILDING AND CANOPY LIGHT “STRIPING”

REASON FOR PROPOSED ADDITIONS AND REVISIONS

These revisions clarify the existing language for light “striping” on or related to commercial structures.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS

Chapter 1330 Lighting Standards

1330.060 Prohibited Uses of Lighting

- A. **[NO CHANGES TO A - D.]**
- E. Other than architecturally aesthetic neon signs **or other signs permitted elsewhere in this ordinance**, all exposed ~~light neon~~ “striping” on or around commercial buildings **or associated structures** shall be prohibited. Any linear lighting must be shielded back onto the structure.

1330.070 Standards for Specific Uses

A. Gas and Service Station Canopies

1. Any linear light striping around the edge or exterior of the canopy shall be prohibited if not shielded to illuminate back onto the canopy edge.
- ~~1~~ 2. **[NO CHANGES TO 1 - 3 OTHER THAN RENUMBERING TO 2 - 4.]**

- B. [NO CHANGES TO B - F.]

X. ARCHITECTURAL DESIGN STANDARDS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The following edits to architectural design standards in the ordinance are to clarify language for conditional zoning requirements and elimination of PUD language since conditional zoning is the process. Also, establishing the Downtown Master Plan design guidelines as the primary to apply over the ordinance.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS

Chapter 1310 Integrity and Design Standards

1310.020 Compliance

- A. [NO CHANGES TO "A".]
- B. Any proposed changes to an approved Integrity and Design Permit associated with a **Planned Development (PUD, PRD, PND, CZ) Conditional Zoning** shall be bound by the conditions of approval, this Chapter, and the following:
1. Building materials and colors shall be similar to the materials already being used in the neighborhood, and/or if dissimilar materials are being proposed, other characteristics such as scale, proportion, form, architectural detailing, color, and texture shall be used to ensure that enough similarity exists for the buildings to relate to the rest of the neighborhood.
 2. Any proposed deviation from conditions of approval of a **Planned Development Conditional Zoning** approved by the Town Council ~~or Board of Adjustment~~ shall require an amendment of the **Conditional Zoning** approval ~~permit authorized by the appropriate discretionary board~~.
- C. ~~In the event of conflict with the Downtown Master Plan design guidelines, the master plan shall apply.~~
- D. ~~Standards for accessory structures and apartments are provided in "G. Accessory Structure Materials" of Section 710.040 Lot and Building Standards.~~

1310.030 Required Design Standards for All Residential Buildings

~~All residential buildings on individual lots in residential districts must include the following design feature:~~

- A. Front loading garages shall not extend further than four (4) feet past the predominant front façade of the house unless a front porch is used and then the garage shall not extend further than four (4) feet past the porch excluding side loading garages. A maximum of ¼ of the front façade is allowed to be front facing garage door(s).

1310.030 040 Desired Articulation Design Standards for All Residential Buildings in Conditional Zoning Developments

- A. All The following are desired design features for residential buildings on individual lots structures in Conditional Zoning residential districts. Residential structures must are encouraged to include at least five (5) of the following desired design features:

1. Bay or bow windows on the front façade (Note: the provision of one such window is sufficient);
2. Dormers (Note: the provision of one such roof feature is sufficient);
3. A roof pitch greater than or equal to a 6 to 12 (6:12) for primary roof;
4. Eaves with a minimum 10-inch projection on all sides of the building;
5. Rear decks or patios with a minimum size of 64 square feet per dwelling unit;
6. Front porch and entry facing the front lot line (Note: entryway can be located on the long or short axis of the dwelling);
7. Off-sets on building face with a minimum depth of 12 inches;
8. Decorative pillars or posts. Square post or columns shall may not be less than six (6) nominal inches on any side and round columns shall may not be smaller than eight (8) nominal inches in diameter from the bottom of the column unless consistent with a distinct architectural style. (Note: requires suggested at least one pair, decorative or plain, but finished in manner that is consistent with the dwelling exterior);
9. Distinct Architectural Style (2-point value). The use of a distinct architectural style shall may be determined by a qualified professional contracted by the Town at the cost of the applicant unless the Planning Director is confident in the determination of the style.

- B. Each of the following design features are required desired on all residential structures:

1. Openings including doors and/or windows on street facing building facades. Windows are required suggested to have appropriate window trim per style of architecture. Blank walls are prohibited not desired.
2. Masonry (preferably brick) perimeter enclosure at base but also including poured concrete so that each home has the appearance of a raised foundation (Note: wood products covered with a treatment to appear as masonry do not qualify). Poured concrete shall be treated with brick, stone, or color and textured material appropriate foundation style per style of architecture.
3. Changes in the use of wall facing materials should occur at wall setbacks or projections, or to articulate the transition between the building base middle and top. Material changes should return to inside corners of front façade. Those materials however, are not required to wrap the outermost front corner of the home.
4. Front loading garages shall not extend further than four (4) feet past the predominant front façade of the house unless a front porch is used and then the garage shall not

extend further than four (4) feet past the porch excluding side loading garages. A maximum of ¼ of the front façade is allowed to be front facing garage door(s).

1310.040 050 Desired Building Material Standards for ~~All~~ Site-Built and Modular Housing in Conditional Zoning Developments

~~All~~ Residential buildings in a Conditional Zoning constructed on-site ~~must~~ may be improved with quality materials ~~and these materials must be that are~~ durable, safe, and require limited maintenance. ~~It is recommended that~~ ~~M~~materials shall be selected for suitability to the type of building and design for which they are used. All facades visible from public or private streets ~~must are desired to~~ be constructed of the following materials: ~~Such materials may include, but need not be limited to:~~

- A. Brick, natural stone, wood, architectural cast stone, hardcoat stucco, cementitious siding, glass or EIFS – Exterior Insulation Finishing System (when applied according to manufacturer specifications and the North Carolina Building Code).
- B. Vinyl siding (minimum of .44mm), galvanized, aluminum coated, or zinc-aluminum coated metal finishes provided such materials do not exceed 20% of those façades visible from public or private streets.

1310.050 060 Manufactured Housing Units On Individual Lots

[No changes in this section.]

1310.060 070 ~~Multi-Unit Houses: Two-Unit Dwellings~~ Two-Family Dwellings, Town Homes and Rooming Houses

A. General

~~Multi-unit~~ Two-unit houses, town homes and rooming houses are subject to the standards of Section 520.040, “Lot and Building Standards,” (density, frontage and yard requirements) except as expressly modified or supplemented by the following standards.

B. Maximum Units

Town homes are limited to no more than five (5) dwelling units per building.

C. Varied Building Placement

Town home neighborhoods shall position buildings in a manner to avoid long, uninterrupted runs along a street block. Where possible, buildings should be clustered into shorter blocks and/or around common open space.

~~D.~~ Entrances

- 1. The street-facing façade of a ~~multi-unit~~ rooming house may have only one (1) visible entrance to the building. If the building is located on a corner lot, one (1) building entrance may be visible from each street.
- 2. Patio-style doors, such as sliding glass doors, may not be used for main entrance doors.

CE. Pedestrian Circulation

A pedestrian circulation system must be provided that connects residential entrances to adjacent public rights-of-way and to parking areas and other on-site facilities.

DF. Parking Location/Orientation

Surface parking and parking within accessory structures must be located behind principal building or otherwise concealed from view of abutting streets. Parking areas may not be located directly between the principal building and the street or within any required interior side setback area. Any portion of a parking area that is not completely concealed from view of an abutting street must be screened in accordance with the parking lot landscaping requirements of DIVISION 800.

E. Outdoor Living Space

Each individual lot or building shall provide an adequate quantity of outdoor living space for the use of recreation, eating, and storage of customary outdoor items such as garbage receptacles.

1310.070 080 ~~Multiplex and Multi-unit~~ Apartment/Condo Buildings: Attached and Multi-family

A. General

~~Multiplex and Multi-unit~~ apartment/condominium buildings are subject to the standards of Section 520.040 (density, frontage, and yard requirements) except as modified or supplemented by the standards of this Chapter.

B. Varied Building Placement

Buildings shall be positioned in a manner to avoid long, uninterrupted runs within interior drives and parking areas. Where possible, buildings should be clustered into smaller groups and/or around common open space.

C. Façade Materials

All buildings and other structures must be constructed with brick, natural stone, EIFS (Exterior Insulation Finishing System), glass, cementitious (i.e. Hardie) plank, panel or shingle siding or other comparable, durable materials that are consistent with the purpose and intent of this chapter and approved during the plan review process. A minimum of 30% of the building façade shall consist of brick and/or stone materials.

Use of architecturally finished/treated cast stone, precast panels or concrete masonry units as a primary building material may allowed in visible areas that are suitable for use on multifamily buildings and are consistent with the purpose and intent of this chapter and approved by the Planning Director during the plan review process.

Unfinished/treated concrete masonry units, unfinished/treated precast panels, and similar utility/economical grade materials (with exception of metal siding) may be allowed in service areas and in exterior corridors or stairwells that are not generally visible to the public.

D. Façade Colors

Façade colors must be low-reflectance, subtle, neutral or earth tone colors. Building trim and accent areas may feature brighter colors, as approved during the plan review process.

E. Building Design

The following standards apply to all building facades and exterior walls that are visible from adjoining streets, properties or parking areas.

1. Façade design and materials shall be consistent on all building elevations.
2. All building designs must express a distinct “base”, “middle”, and “top” through the building’s architecture details and the use of building materials.
3. Roofs must have multiple planes and elements such as hips, gables, dormers, raised parapets, or other offsets and features with at least one additional plane or feature every 60-ft of façade frontage;
4. Buildings must have architectural features that conceal rooftop equipment, such as HVAC units, from public view. All flat roof buildings must include parapet screening (maximum five (6) feet in height), and cornice or decorative coping elements along rooflines.
5. Vehicular parking shall not be placed between residential buildings and public streets. On-street parking is permitted and encouraged.
6. For proposed buildings located within the Downtown Overlay, exposed stairwells, corridors, or breezeways shall not be permitted. In the event of conflict with the design guidelines of the Downtown Master Plan the master plan shall apply.

F. Articulation

Buildings visible from public streets, adjacent properties, and parking areas must include at least three (3) of the following features:

1. Clearly pronounced recesses and projections (articulation) at multiple locations for any building with a front façade exceeding 50 feet in width.
2. Wall plane off-sets (minimum two (2) foot depth and spacing every 30’) at multiple locations, reveals, projections, and changes in texture and color for wall surfaces for any building with a front façade exceeding 50 feet in width.
3. Multiple windows grouped together to establish a design feature that can be either recessed or projecting with a minimum 4” wide trim.
4. Multiple ornamental pilasters, columns or other similar architectural features integrated into the overall architectural design.
5. A projecting or recessed balcony on at least 50% of the units of an individual façade and a covered porch for each unit at the ground-level.
6. Other features that reduce the apparent mass of a building subject to approval by the Planning Director.

ⓂG. Entrances

1. Entrance doors to dwelling units located above the ground floor must be provided from an enclosed lobby or corridor and stairwell. Unenclosed or partially enclosed stairs may not be used as the primary means of access to upper-floor dwellings units.
2. Patio-style doors, such as sliding glass doors, may not be used for main entrance doors.
3. Each building must have a clearly defined, highly visible entrance featuring at least 3 of the following elements:

- a. Canopies or porticos;
- b. Overhangs;
- c. Recesses/projections;
- d. Raised corniced parapets over the door;
- e. Peaked roof forms;
- f. Arches;
- g. Architectural details such as tile work and moldings that are integrated into the building structure and design; or
- h. Integral planters or wing walls that incorporate landscaped areas and/or places for siting.

CH. Pedestrian Circulation

A pedestrian circulation system must be provided that connects residential entrances to adjacent public rights-of-way and to parking areas and other on-site facilities.

DI. Parking Location/Orientation

Surface parking and parking within accessory structures must be located behind principal building or otherwise concealed from view of abutting streets. Parking areas may not be located directly between the principal building and the street or within any required interior side setback area. Any portion of a parking area that is not completely concealed from view of an abutting street must be screened in accordance with the parking lot landscaping requirements of DIVISION 800.

J. Open Space

1. General

- a. Every applicant who proposes a multi-family apartment or condominium building shall set-aside a portion of land, in accordance with this Chapter, for a private or public park, greenway, recreation, and open space sites to serve the recreational needs of the residents of the development.
- b. At least 15% of the gross acreage of the site (outside of Downtown Overlay) shall be set-aside for park, recreation, greenway, or open space sites to serve the recreational needs of the residents of the subdivision or development. A minimum of 10% of the gross acreage shall be set aside for sites within the Downtown Overlay District.
- c. To the extent feasible, areas with environmental limitations (e.g. designated flood plain areas, wetlands, and areas with a slope in excess of 15%) should be dedicated as open space and the Town may require these areas to be dedicated in excess of the minimum standard provided in this Section provided that reasonable economic use of the property is permitted.
- d. At the time of filing a site plan or conditional rezoning application, the applicant shall designate thereon the area or areas to be set-aside.

2. Design and Active Amenities

- a. Open space shall be designed to provide maximum accessibility and visibility to residents within the development. Opportunities for both passive and active recreation should be provided. Indoor amenity areas such as indoor pools, etc. may be used towards compliance with the open space acreage requirements.
- b. Multi-family and condominium uses must provide fully developed, targeted amenities (indoor or outdoor) of an appropriate size and scale with the number of units as follows.
 1. Fewer than 75 units = 1 amenity
 2. 75 to 150 units = 2 amenities
 3. 151 to 300 units = 3 amenities
 4. More than 300 units = as determined by Planning Director
- c. Examples of indoor amenities include, but are not limited to: Fitness center with fitness equipment, recreation or game room including features such as billiards tables, game tables, or movie viewing area, solarium, sauna, steam room, or other type of relaxation room, common cooking and/or dining facility, and swimming pools.
- d. Examples of outdoor amenities include, but are not limited to fenced dog park with dog wash station, bike workshop and storage area, community vegetable and flower garden, outdoor lounge area such as with a fire pit and grills or outdoor kitchen, playground with commercial-grade equipment basketball court (full or half court); tennis court; pickleball court; volleyball court; or soccer field that is graded properly to an amateur or practice-level facility, is grassed, and has goals, putting green, bocce courts, horseshoe courts, or shuffleboard courts, and swimming pools.

ⓔK. Site Plan Review

Site plan review, pursuant to Chapter 370, is required for all ~~multiplex and multi-unit~~ apartment/condo buildings containing more than ~~four (4)~~ three (3) dwelling units.

Chapter 1320 Nonresidential/Commercial Design Standards

1320.010 Applicability

Unless otherwise expressly stated, the material and color standards of this section apply to all facades visible from a public or private street ~~or public areas of adjacent sites~~ for non-residential/commercial development in all zoning districts that are subject to site plan review. ~~This section excludes industrial land uses.~~

1320.020 Pedestrian Circulation

- A. A pedestrian circulation system must be provided that interconnects building entrances to adjacent public rights-of-way and other on-site facilities. Buildings with parking abutting them shall have a concrete pedestrian walkway with a minimum width specified in the ~~five (5)-foot~~ width. Such walkways must be located three (3) feet from the façade of the building to provide planting beds for foundation landscaping, except where features such as arcades, display windows, planters, or entryways are part of the façade.

-
- B. All internal pedestrian walkways that cross parking aisles or driveways must be distinguished from driving surfaces through the use of durable, low-maintenance surface materials such as pavers, bricks, scored concrete or scored and painted asphalt designed to enhance pedestrian safety and comfort. Raised walkways may be installed if elevated six (6) inches with tapered side slopes and meet ADA standards.

1320.030 Façade Materials

[No changes to this section.]

1320.040 Building Design

- A. The following standards apply to all building facades and exterior walls that are visible from adjoining streets or properties.
1. All building designs must express a distinct “base”, “middle”, and “top” through the building’s architecture details and the use of building materials.
 2. Buildings visible from public streets must include at least three (3) of the following features:
 - a. Variations in roof form and parapet heights;
 - b. Clearly pronounced recesses and projections at multiple locations for any building with a front façade exceeding 50 feet in width;
 - c. Wall plane off-sets (dimension established by building module) at multiple locations for any building with a front façade exceeding 50 feet in width;
 - d. Reveals and projections and changes in texture and color of wall surfaces;
 - e. Deep set windows with mullions;
 - f. Ground level arcades and second floor galleries/balconies; or
 - g. Other features that reduce the apparent mass of a building.
- CB. Buildings must have architectural features that conceal rooftop equipment, such as HVAC units, from public view. All flat roof buildings must include parapets and cornice or decorative coping elements along rooflines.
- C. Each building must have a clearly defined, highly visible customer entrance featuring at least four (4) of the following elements:
- a. Canopies or porticos;
 - b. Overhangs;
 - c. Recesses/projections;
 - d. Arcades;
 - e. Raised corniced parapets over the door;
 - f. Peaked roof forms;
 - g. Arches;
 - h. Outdoor patios;
 - i. Display windows;
 - j. Architectural details such as tile work and moldings that are integrated into the building structure and design; or

- k. Integral planters or wing walls that incorporate landscaped areas and/or places for siting.

ⓍD. Building height may not exceed 35 feet for a one-story building or as otherwise authorized within the UDO.

1320.050 Large-Stores and Shopping Centers

A. Applicability

In addition to the requirements listed in Division 1300, "General Development and Design Standards," the standards of this section apply to all retail uses and food and beverage retail sales uses on sites that include, in aggregate, more than 70,000 square feet of gross floor area.

B. Pedestrian Circulation

At least one continuous internal pedestrian connecting walkway must be provided from the public sidewalk or right-of-way and the principal customer entrance of all principal buildings on the site. **Such pedestrian connections must be at least six (6) feet in width. Refer to the Indian Trail Land Development Standards for the required sidewalk construction standards.** At a minimum, walkways must connect focal points of pedestrian activity such as, but not limited to, transit stops, street crossings, building and store entry points, and feature items such as adjoining landscaped areas that includes trees, shrubs, benches, flower beds, planters, groundcover, or other such materials for no less than 30% of its length.

1. Walkways must be provided along the full length of the building along any facade featuring a customer entrance, and along any facade abutting public parking areas. Such walkways must be located a minimum of three (3) feet from the facade of the building to provide planting beds for foundation landscaping, except where features such as arcades, display windows, planters or entryways are part of the facade.
2. Customer entrances must have weather protection features, such as awnings, arcades, or vestibules.
3. All internal pedestrian walkways that cross parking aisles or driveways must be distinguished from driving surfaces through the use of durable, low-maintenance surface materials such as pavers, bricks, scored concrete or scored and painted asphalt or applied surface materials (e.g. bubbled runner mats) designed to enhance pedestrian safety and comfort. Raised walkways may be installed if elevated six (6) inches with tapered side slopes and meet ADA standards

1320.060 Industrial Centers/Business Parks

[NO CHANGES]

Chapter 1330 Lighting Standards

1330.010 Purpose and Intent

[NO CHANGES]

1330.020 Applicability

[NO CHANGES]

1330.030 General Exemptions

[NO CHANGES]

1330.040 Light Measurement Technique

[NO CHANGES]

1330.050 General Lighting Standards

[NO CHANGES]

1330.060 Prohibited Uses of Lighting

[NO CHANGES]

1330.070 Standards for Specific Uses

A. [NO CHANGES TO A - C, AND E.]

D. Architectural Accent Lighting

1. Lighting fixtures used to accent architectural features, materials, colors, style of buildings, landscaping, signs, and/or art shall be located, aimed and shielded so that light is directed only on those features. Such fixtures shall be aimed or shielded to minimize light spill from the source in conformance with the luminaire standards.
2. Fixtures shall not exceed 175 watts or LED equivalent, with the exception of Department of Transportation highway signage luminaires, which must comply with National Department of Transportation standards. Lighting fixtures shall be selected, located, aimed and shielded so that direct illumination is focused exclusively on the item being illuminated, and away from adjacent properties and the public street right-of-way.
23. Accent lighting shall not generate excessive light levels, cause glare, or direct light beyond the façade onto neighboring properties, streets or night sky.
34. National flags may be illuminated from below provided such lighting is focused primarily on the individual flag or flags, and to limit light spill into the night sky. These fixtures must conform with Section 1330.050, subsection B of this document.

F. Public and Private Roadways

All streets and sidewalks shall be sufficiently illuminated to ensure the security of the street right-of-way and safety of pedestrians present in the area.

1. Street lighting must be included on all new residential and commercial streets. In addition, street lighting must be installed on the perimeter of the development along a thoroughfare, or boulevard, and/or as well as any collector road that lack such lighting, unless deemed unsafe or unsuitable by the Director of Engineering and/or NCDOT.
2. For a new subdivision, a lighting layout and overall design is required in the subdivision design submittal documents. Lighting submittals shall include the fixture, lamp, pole height and the method of shielding being used.
3. Subdivision developers are required to have the lighting design approved by the Planning Department, and shall then submit the approved design to the power company

prior to installing the assemblies. An accurate scale reference must be included on all layout drawings.

4. In general, the layout of roadway lighting should conform to the RP-8-00 Roadway Lighting Manual and the following standards:
 - a. All light poles shall be placed approximately 200 feet apart. Due to geometric limitations, this distance between poles can be adjusted up to forty (40) feet. Light fixture assemblies shall be placed on the side of the street where the sidewalk is located. If both sides have a sidewalk, lights shall be alternated.
 - b. All corners shall have at least one (1) light fixture assembly for a three-way intersection, and two (2) light fixture assemblies for a four-way intersection.
 - c. All cul-de-sacs shall have a minimum of one (1) light fixture assembly, located such that the entire cul-de-sac right-of-way has an ample amount of illumination.
 - d. Lights should be placed on the outside of the curve and the spacing should be lessened.
5. [NO CHANGES]
6. All new lighting fixtures must be installed on new metal poles. Wood poles shall not be permitted except when installing light fixtures within an existing residential subdivision where wood utility poles exist.
 - a. New residential subdivision street lights or street lights within the Downtown Overlay District shall be semi or full cutoff fixtures in compliance with Section 1330.050. Poles shall be free standing painted black. Refer to Section 1330.050 C for allowable pole heights. No overhead service wires shall be allowed.
 - b. [NO CHANGES]

1330.080 Compliance

- A. A photometric site plan and lighting fixture cut sheets for all proposed exterior fixtures shall be included with the required application for a subdivision of land or a site plan. Depending on the size and type of the project, the Planning Director shall require that the photometric site plan include the following:
 1. The location of pole and building mounted lighting relative to the principal land uses and relative to the abutting streets.
 2. The zoning district classifications of all properties abutting the site.
 3. The location and site coverage of service station canopies and outdoor sales and display areas.
 4. The location and height of all lighting poles, building mounted lights, and ground mounted lighting fixtures.
 5. A photometric diagram showing the predicted levels of illumination from the proposed lighting fixtures.
 6. The manufacturer's product descriptions showing that the proposed lighting fixtures meet the requirements of this Code ordinance.

7. Minimum, maximum, and average lighting levels of the proposed lighting fixtures.

- B. The Planning Director shall require the installation of full-cutoff shielding or directional shielding when a zoning applicant proposes repairing or replacement of any component of any luminaire where the Town has found that the existing lighting fixture has created a public hazard due to excessive glare or light trespass.

- C. **The Town shall have the authority to require an “As-Built Lighting Photometric Plan” in the event that actual field conditions appear to not be in accordance with an approved permit. The cost for the study and to make any corrective action shall be borne by the property owner. Issuance of a Zoning Compliance Certificate may be withheld until completion of the plan and demonstration of compliance with the UDO.**

1330.090 Violations

- A. Any person, firm or company, whether principal, agent, employee or otherwise, who violates any of the provisions of this Section shall be fined an amount not to exceed ~~Three Hundred Dollars (\$300.00)~~ **the lighting standards violation amount listed on the Town Fee Schedule** for each such violation, such fine shall be paid to the Town of Indian Trail. Each day of the documented existence after written notification of any situation held to be in violation shall be deemed an equal and separate offense.

The Town may withhold certificates of occupancy ~~or business license issuance or renewal,~~ for any use that installs luminaries that do not comply with this Section.

Y. BUSINESS SIDE CORNER SETBACK

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This revision provides a side setback for sides along a street in business/commercial districts.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS

Chapter 530 Business and Commercial Zoning Districts

530.040 Lot and Building Standards

A. Lot Size, Density, Setback and Height Table

Table 500-2: Business and Commercial Lot, Density, Setback and Building Height Standards

Lot and Building Standards	CBD	NBD	GBD	RBD	O-VCD	O-DD
Side Setback - Not Abutting Residential (minimum feet unless range provided)	10	10	10	10	0-10	0-10
Side Setback - Abutting Residential (minimum feet)	15	15	20	20	15	15
Side Setback - Abutting a Street (minimum feet)	None	25; 15 if parking is located behind building	25; 15 if parking is located behind building	40; 20 if parking is located behind building	0-15 (max.)	0-10 (max.)

Note: Only showing necessary portions of the table columns and rows to depict the changes.

Z. FENCING AND WALLS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The revisions clarify requirements pertaining to chain-link fencing and requirements for location of fences and walls.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 710 Accessory Uses and Structures

710.050 Fences and Walls

A. General

The general regulations of this subsection apply to all fences and walls, regardless of the zoning district in which they are located.

1. Fences or walls shall:

- a. [NO CHANGES TO A, B AND C.]
- d. Meet the intersection visibility standards of Section 1350.030, "Intersection Visibility Triangles" and follow applicable sections of the Indian Trail Land Development Standards (ITLDS) such as in "Prohibited Obstructions" under II. STREETS,E.,1.,iv.
- e. Fences shall be located on the property owner's property unless otherwise directed by a homeowners or business park association. See the fence perimeter property

line setback under the “Animal Services” requirement for outdoor perimeter animal runs in the Table of Permitted Uses.

2. Fences or walls shall not:
 - a. [NO CHANGES TO A, B AND C.]
 - d. No fences shall be constructed with chain-link material unless buffered with landscaping. See exception in No. 3 below.
 - e. No fences shall be constructed in the public right-of-way or in stormwater easements.

3. Exemptions and Prohibitions
 - a. [NO CHANGES TO A, B AND C.]
 - d. Powder-coated chain-link fence material may be used on the sides and rear of the property line, but not on a corner side property line. Note that lots in a property owners association (POA) for residential subdivisions or businesses may prohibit fence treatments allowed in this ordinance.
 - e. **Restricted Wire Fencing**
Barbed wire, razor wire, concertina wire, and similar materials may only be used in the following instances:
 - (1) Correctional institutions
 - (2) Public safety facilities including potable water storage or treatment
 - (3) Enclosing livestock
 - f. Underground electric fencing is allowed to contain domestic animals.

AA. CLARIFICATION OF ACCESSORY STRUCTURE MATERIALS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The revision adds language to state standards for accessory structure materials, so assumptions are not made between Chapter 710 Accessory Uses and Structures, and DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 710 Accessory Uses and Structures

710.040 Lot and Building Standards

- A. [NO CHANGES TO A - F.]

- G. **Accessory Structure Materials**
Accessory structures other than accessory apartments shall be constructed of the similar building materials as the primary home if it is visible from a street on any side of the property

and not screened. If screened or not visible from a street view, accessory structures in residential and commercial properties may be materials consistent with the neighborhood or area businesses. Wall materials not allowed are CMU block and sheet metal or as determined by the Planning Director. Accessory apartments shall be constructed of same building materials as the primary home.

DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS

Chapter 1310 Integrity and Design Standards

1310.040 Building Material Standards for All Site-Built and Modular Housing

- A. [NO CHANGES TO A AND B.]

- C. See “G. Accessory Structure Materials” in Section 710.040 Lot and Building Standards for accessory structure material requirements.

BB. ESTABLISH DWELLING PARKING SPACES TERMINOLOGY, REVISE RESIDENTIAL PARKING/LOADING/EQUIPMENT STORAGE REQUIREMENTS, REVISION OF COMPLIANCE LANGUAGE, AND MULTIFAMILY PARKING LOCATION/ORIENTATION REFERENCE

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The intent of the following additions and revisions is to accomplish the following

- Clarify driveways as the term was previously used for both parking in front of a home and for the roadway leading up to a home site.
- Clarify Residential Parking/Loading/Equipment Storage requirements.
- Revision to ordinance compliance language to remove requirement for noncompliant situations to become compliant in 18 months to be revised to be legally nonconforming.
- Eliminate conflicting regulations between the UDO and the Land Development Standards Manual. The revision in the current “D.” of Section 1020.030 is to change compliance period of properties prior to the previous ordinance version to be considered legally nonconforming. The revision in the current “E.” of Section 1020.030 is to reference the section of the ordinance for multifamily requirements.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 1000 PARKING

Chapter 1020 Off-Street Parking Requirements

1020.030 Parking, Loading, and Vehicle/Equipment Storage for Household Living

- ≠ A. Driveway and Dwelling Parking Space Design

1. Parking and driveway areas must be constructed of permanent non-erodible surface treatment such as pavers, poured concrete or asphalt. ~~Construction of these parking and driveway areas must follow the requirements in the Indian Trail Land Development Standards Manual. Any proposed deviations from these surface treatments must be considered by the Engineering Director. Additional parking areas that exceed the minimum requirements may use crushed stone or crush and run with a minimum depth of four (4) inches if delineated with anchored manmade material or natural landscape edging materials that define and contain the stone or crush and run. See the following Single Family Dwelling Parking Dimensional and Paving Standards table for residential driveway requirements for single family detached and attached homes.~~

2. As confusion can occur with residential parking areas being called “driveways”, this ordinance shall refer to parking spaces in the front or side of detached or attached residential homes as “dwelling parking spaces”. Single-Family detached and attached residential developments shall meet the following size standards:

Table 1000-2: Single-Family Detached and Attached ~~Driveway/ Dwelling Parking Spaces and Paving Standards~~

Single-Family Detached and Attached Dwellings *	Single Lane Driveways - nine (9) ten (10) feet wide x 44 feet long
	Double Lane Driveways - 18 20 feet wide x 22 feet long
	* All driveways shall be surfaced with permanent, non-erodible material such as concrete, asphalt, or pavers.

B. General Residential Vehicles and Utility Trailers

For the purposes of administering and enforcing the provisions ~~of the preceding paragraph~~ in this Section 1020.030, general residential vehicles and utility trailers are defined as follows:

1. General Residential Vehicles

General residential vehicles include but is not limited to passenger cars, passenger vans, pickup trucks, motorcycles, and small recreational vehicles 15 feet or less in length, ~~or recreational equipment are defined as vehicle and trailers that are:~~ These vehicles shall meet the following:

- a. ~~(1)~~ licensed for use on public streets ~~or waterways,~~
- b. ~~(2)~~ designed primarily for the transportation of people as opposed to equipment, freight or other vehicles, and
- c. ~~(3)~~ sold primarily to individuals for personal use.

2. Recreational Vehicles and Equipment

Recreational vehicles and equipment include but is not limited to camping structures with or without their own propulsion, boats, jet skis, and trailers used for hauling recreation vehicles or equipment.

3. General Residential Utility Trailers

General residential utility trailers include but is not limited to enclosed trailers, open-air or flatbed trailers, and various watercraft trailers.

A C. Household Parking Locations

No person may park or store a ~~General Residential~~ ~~Vehicle or Utility Trailer~~ other than ~~an operable passenger car, passenger van, pickup truck, motorcycle, recreational vehicle, or recreational equipment~~ what is defined in "B." above, in an unenclosed area on any lot in a residential zoning district, except when necessary for loading and unloading or within the performance of a service to or upon property in the block the vehicle is parked, or as specifically authorized by a Home Occupation Permit. Recreational vehicles longer than 15 feet and equipment are subject to the additional requirements:

~~1.~~ [MOVED THIS PARAGRAPH TO "B" ABOVE.]

1. Operable Vehicles

All operable vehicles not stored in an enclosed area such as a garage shall be stored either in ~~a~~ the driveway ~~dwelling parking space~~ or on-street in compliance with on-street parking standards.

2. Inoperable Vehicles

Inoperable vehicles of any type shall not be located on site unless in an enclosed garage or covered outbuilding.

B D. Large and Select Medium Commercial Vehicles

No person may park or store large commercial vehicles and select medium commercial vehicles, as defined in Division 1600 of this ordinance, in any off-street parking area in a residential zoning district, except when necessary for loading and unloading or within the performance of a service to or upon property in the block the vehicle is parked.

C E. Recreational Vehicles and Utility Trailers

No person may park or store a ~~recreation vehicle or utility trailer of any size~~ in any off-street parking area in a residential zoning district, ~~other than in an enclosed garage or a covered outbuilding~~. A ~~recreation vehicle or utility trailer with a~~ of any length ~~of 15 feet or less may~~ shall not be stored in the driveway or dwelling parking spaces in the house front yard or side yard adjacent to a street. If lot access allows, recreation vehicles and utility trailers may be parked in the rear yard, or an interior side yard if it is placed behind the front building line.

D F. Parking on Impervious Surface Locations

~~All operable vehicles not stored in an enclosed area such as a garage shall be stored either in driveway or on-street in compliance with on-street parking standards.~~ [MOVED PREVIOUS SENTENCE TO "B. Operable Vehicles" ABOVE.] Parking on lawn and landscaped areas or on exposed soil areas is prohibited. ~~Grass may only be grown within the area designated as driveway if utilizing concrete strips for wheel paths with a central strip of lawn.~~

[MOVED PARAGRAPH TO "I." BELOW.]

E G. Dwelling Parking Expansion – Homes Not in a Subdivision

For single family detached, two-family, modular and ~~mobile~~ ~~manufactured~~ homes not in a subdivision, a maximum of 35% of the front yard may be used for parking. Driveway and dwelling parking space areas in the right-of-way, connecting to the roadway, shall not be expanded. Dwelling parking space and sidewalk expansions will require a review for a permit. Refer to the Indian Trail Land Development Standards for requirements and details for road and sidewalk construction.

H. Dwelling Parking Expansion – Homes in a Major Residential Subdivision

Within a residential major subdivision, the maximum driveway and dwelling parking coverage is per the parking area in the approved site construction plans. The following shall apply to dwelling parking space expansion requests:

1. Expansions will be allowed in such subdivisions up to a driveway and dwelling parking surface maximum of 35% of the front yard.
2. Side-access dwelling parking spaces with or without garages shall have a maximum width of 40% of the distance from the front property line to the rear corner of the house, but the actual parking must be located behind the primary house front façade.
3. For multifamily, refer to D. Parking Location/Orientation under Section 1310.070 Multiplex and Apartment/Condo Buildings: Attached and Multifamily.

G I. The Planning Director may approve driveways and required parking areas to be surfaced with four (4) inches of gravel or crush and run subject to the following criteria:

1. A concrete apron meeting Indian Trail's Land Development Standards manual will need to be provided with any gravel driveways.
2. Properties located outside an established subdivision that are over three (3) acres in size and where the residential properties near the property feature unpaved driveways.
3. Properties where the public or private roadway providing direct access to the property is surfaced with an unpaved material.

J. Existing properties constructed prior to the adoption of this ~~ordinance~~ section, 1020.030, on February 2, 2021 with parking area improvements in violation of this section shall ~~come into compliance within 18 months of adoption of this ordinance~~ be considered legally nonconforming.

K. See Section 13120.020 for driveway, street and sidewalk requirements.

DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS

Chapter 13120 Driveways, Streets and Sidewalks

13120.010 Driveway, Street and Sidewalk Subdivision ~~General~~ Requirements

All new developments shall comply with the requirements of Section 1110.090 Street and Sidewalk Improvements ~~of this UDO~~.

13120.020 Requirements

Driveways, ~~and~~ streets and sidewalks ~~access~~ shall comply with the following:

- A. Follow the Indian Trail Land Development Standards Manual for any design and construction standards for driveways, streets, sidewalks, parking, and loading storage for requirements such as the following:
 1. Top and base material composition
 2. Depth of each layer of materials
 3. Driveway and parking dimensions

[RE-LETTER EXISTING “A.” THROUGH “M.”.]

DIVISION 1600 TERMINOLOGY AND MEASUREMENTS

Chapter 1620 Definitions

1620.160 Definitions – “P”

Parking, Dwelling

Formally known as the “driveway” in this ordinance, this is where the parking spaces are provided in the front, side or rear of a residential structure or unit. The term is established to help clarify terminology for residential personal parking spaces and standards for actual travel driveways leading to a residential structure from the property line, along an easement, etc.

Parking, Non-Accessory

Parking that is not provided to comply with minimum off-street parking requirements and that is not provided exclusively to serve occupants of or a visitor to a particular use, but rather is available to the public at-large. A facility that provides both accessory parking and non-accessory parking is classified as non-accessory parking.

[DEFINITION MOVED FROM SECTION 1630.080 Use Groups and Categories.]

CC. ADD FLORIST TO RETAIL CATEGORY

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The intent is to add Florist to the Table of Permitted Uses and to also include a footnote that no outdoor storage or sales is permitted for this use. This will help to define this use as separate from greenhouse or garden centers.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS

Chapter 560 Permitted Uses

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Category	Use Type										Use	Land
		CBD	NBD	GBD	RBD	O-VCD	O-DD	I	L-I	H-I	Specific Standards	Use Grp
Retail	Home Improvement Superstore	-	-	P	P	C	-	-	-	-		3
	Florist	P	P	P	P	P	P	-	-	-	No outdoor storage or sales.	2
	Outdoor Retail Sales	-	-	-	P	-	-	-	C	-	See Chapter 7200. Outdoor Storage and Sales	3
	Retail Sales, General	P	P	P	P	P	P	-	-	-		2

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

DIVISION 1600 TERMINOLOGY AND MEASUREMENTS
Chapter 1630 Use Groups and Categories

Section 1630.080 Use Groups and Categories

A. [NO CHANGES TO A - AD AND AF - AG.]

AE. Retail Sales

1. [NO CHANGES TO 1 AND 2.]

3. Florist (Flower Shop)

Establishments primarily engaged in the arrangement and retail sale of cut flowers, small plants, cards, small gifts, and other similar items.

DD. COMBINATION/RECOMBINATION PLATS SHOULD BE REVIEWED

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Added language to require a review of recombination plats but not for a signature. Some formatting revisions to clarify the section.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES
Chapter 360 Subdivisions

360.140 Minor Subdivisions, Lot Line Adjustments or Lot **Combinations/Recombinations**

A. Purpose

An abbreviated process shall be permitted to simplify and speed up the review procedure for handling minor subdivisions, lot line adjustments, or lot recombinations without undermining the objectives of the subdivision regulations. **Minor subdivisions and lot line adjustments must have the standard certifications to be signed by the Planning Director and the Engineering Director if applicable.** Lot recombinations are typically not subject to approval or disapproval by the Town however, **in order for the combination or recombination to be equal to or exceed the standards of the Town and requirements of this UDO, combination and recombination plats will be reviewed but not certified on the plat when approved. This the process will ensure that all plats are shall be** consistent with this section **so to ensure** accurate records are maintained by Union County and the Town of Indian Trail.

B. Minor Subdivision, ~~Lot Line Adjustment or Recombination Defined~~

A minor subdivision is a subdivision of land that does not involve any of the following:

1. The creation of more than a total of five (5) lots since 1978;
2. The creation of any new public streets or street right-of-ways;
3. The extension of water and sewer system facilities operated by the Union County Public Works Department;
4. The installation of drainage improvements through one (1) or more lots to serve one or more other lots;
5. The installation of a private waste water plant or a private water supply system for more than one lot or building site.

C. Lot Line Adjustment or Combination/Recombination

~~6~~ 1. A lot line adjustment is the relocation of an existing lot line or lines to a new location that does not result in:

- a. The creation of a new lot in addition to the existing lots;
- b. The modification of an existing lot to a new configuration that does not meet the minimum standards of this ordinance.

~~7~~ 2. A recombination or combination of portions of previously subdivided and recorded lots where the total number of lots is not increased and the resultant lots are equal to or exceed the standards of the municipality.

~~€~~ D. Procedure

[No changes here.]

EE. SIGN ILLUMINATION

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The revisions are to correct the word “buildings” to the intended word, “signs” and to clarify the “Y” is for “Yes, Allowed”.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 900 SIGNS

Chapter 9160 Administration, Enforcement; Appeals; Penalties

9160.040 Table of Sign Requirements

A. [NO CHANGES TO A - D.]

E. **Permitted Signs for Business, Commercial, Overlay, and Industrial Districts**

The following signs are permitted in Business, Commercial, Industrial, and certain Overlay Zoning Districts:

Table 900-8: Business, Commercial, Industrial, and Certain Overlay Zoning Districts Sign Requirements

Standard	NBD, GBD Districts	Downtown Districts, Village Overlay District		RBD District	L-I, H-I District
Internal Illumination	Yes, Allowed	<i>Sign Type</i>	<i>Illumination</i>	Y	Y
		Monument/ Freestanding	Internally – Back lit channel letters, open face channel letters, routed and backed panel.		
		Monument/ Freestanding	Externally – Lighting fixtures shall be directed towards the sign.		
		Wall Signs and Projection Signs	No – for buildings signs approved after June 9, 2009.		

Note: Only showing necessary portions of the table columns and rows to depict the changes.

FF. CLARIFICATION OF MECHANICAL EQUIPMENT SCREENING

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Clarified section to include wall equipment screening as well as ground equipment.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 800 LANDSCAPING

Chapter 810 Buffer Yards, Parking Lots and Street Frontages

810.110 Screening Of Mechanical Equipment

All ground (air conditioners, heat pumps, etc.) and wall (antennas, meters, pipes, vents, etc.) mounted mechanical or other utility equipment (air conditioners, heat pumps, etc.) must be screened using of

features such as berms, fences, false facades or dense landscaping. When landscaping is used it should have a minimum height of four (4) feet at the time of installation and should achieve a minimum 75% opacity within two (2) years.

GG. CLARIFICATION OF BOARD OF ADJUSTMENT HEARINGS ON APPEALS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Clarification of appeals section by providing a reminder of where to find guidance for hearing notices.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 380 Appeals and Variances

380.010 Board of Adjustment Hearings on Appeals

- A. [NO CHANGES TO A - G AND I - K.]
- H. Planning Department Staff shall submit the required public hearing notifications in accordance with the table in Section 310.020 Summary of Notice Required and applicable paragraphs in Section 310.030 Required Notice for Public Hearings.
- H I. The official who made the decision shall be present at the hearing as a witness. The appellant shall not be limited at the hearing matters stated in the notice of appeal. If any party or the Town would be unduly prejudiced by the presentation of matters not presented in the notice of appeal, the board shall continue the hearing.

HH. CLARIFICATION OF FRONT LOT LINE LANDSCAPING REQUIREMENTS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Clarification of Front Lot Line Landscaping Requirements section to determine appropriate plantings and/or screening structures for developments along roadways.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 800 LANDSCAPING

Chapter 810 Buffer Yards, Parking Lots and Street Frontages

810.180 Perimeter Lot Line Landscaping Requirements

- A. **Front Lot Line Landscaping**
 - 1. [NO CHANGES TO 1 AND 2.]

3. Trees required to be saved or planted as provided in the Tree Ordinance will be counted toward the street frontage landscaping requirements of this Section when such trees are located within the required setback from the right-of-way.

3.4. **Design choices.** The required front lot line landscape strip must be comprised of a combination of various plants and structures. ~~the following: small and medium/large deciduous trees, evergreen or small ornamental trees, shrubs, perennial plants, ground cover plants, lawns, berms, fences and walls. Trees required to be saved or planted as provided in the Tree Ordinance will be counted toward the street frontage landscaping requirements of this Section when such trees are located within the required setback from the right-of-way.~~ **[PREVIOUS DELETED SENTENCE MOVED TO NEW #3 ABOVE.]** The required landscape strip ~~required~~ must include both of the following:

- a. **Tree plantings.**
 - ~~4.~~ A row of medium or small deciduous or ornamental trees planted an average of 30 feet on center in the portion of the front lot line landscaping strip near the front property line; ~~or~~ and
- b. **Shrubs, wall/fence or berm.**

In addition to the required “Tree plantings”, choose one of the following three options to be installed between the “Tree plantings” and the remaining portion of the landscaping strip closer to the center of the property:

 - (1) ~~5.~~ A row of evergreen shrubs not less than 24 inches tall at the time of installation planted not more than three (3) feet apart to form a continuous hedge; ~~or~~
 - (2) a solid brick, stone, or stucco wall; or a wooden, vinyl, wrought iron, aluminum wrought iron design, or similar high-quality material fence, a maximum of four (4) feet high; ~~or~~
 - (3) a berm and planting combination behind the row of evergreen shrubs in “(1)” above, with all of the following:
 - (a) the berm having an average height of three (3) feet, ~~and~~
 - (b) dense evergreen shrubs on top of the berm which, when combined with the berm, achieves a height of six (6) feet of continuous screening within two (2) years of installation -, ~~and~~
 - (c) The maximum slope of any berm will be 3:1 and side slopes will be designed to ensure the prevention of soil erosion.

5. Properties abutting the right-of-way of US-74 in Indian Trail will meet a higher standard for landscaping and screening because of the visibility of this corridor and because of the size and character of businesses located adjacent to this highway. All commercial and other nonresidential developments are required to provide a landscape strip with a minimum width of 20 feet. This strip must be planted with a minimum of one (1) tree for each 30 linear feet of required landscape strip and at least one (1) shrub for each three (3) linear feet of required landscape strip.

II. BOARDING HOUSES AND SHORT-TERM RENTALS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Provide some requirements for short-term rentals.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS **Chapter 560 Permitted Uses**

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Category	Use Type										Use	Land
		RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR	O-VCD	O-DD	Specific Standards	Use Grp
Household Living	Accessory Apartment	P	P	P	P	P	P	-	-	-	See Section 710.060 Accessory Apartment Use Standards.	
	Accessory Use - Short-Term Rental (Whole House)	P	P	P	P	P	P	-	-	-	See Section 710.090 for Short-Term Rental use in principal home.	
	Apartments – Multi-Unit (3 or more units)	-	-	-	-	-	-	P	C	C		2
	Single-Family Detached (Site Built or Modular)	P	P	P	P	P	P	-	P	P*	* See Chapter 640 Downtown Plan Overlay District for limitations.	
Lodging	Accessory Use - Short-Term Rental, Whole House (See “Household Living” Use Category)											

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

DIVISION 700 SUPPLEMENTARY USE REGULATIONS **Chapter 710 Accessory Uses and Structures**

710.090 Short-Term Rentals Accessory Use, Whole House

Even though a permit is not required for the Short-Term Rental use, the following requirements shall apply where the use is allowed:

- A. The owner or operator shall ensure that all refuse is stored in appropriate containers, and that the containers are set out for collection on the scheduled collection day and removed from the street or alley on the scheduled collection day.
- B. No display of goods, products, services, or other advertising related to the short-term rental shall be visible from outside of the dwelling.
- C. Short-term renters shall not utilize the premises for holding special events or gatherings.
- D. Short-term rental operators shall comply with all applicable State and local laws, including those relating to fire and building codes, smoke detecting and carbon monoxide detecting equipment, housing codes, and payment of taxes to appropriate governmental entities, including occupancy taxes.

DIVISION 1600 TERMINOLOGY AND MEASUREMENTS
Chapter 1630 Use Groups and Categories

1630.050 Residential Use Group

A. Group Living

Residential occupancy of a dwelling by other than a “household,” typically providing communal kitchen/dining facilities. Examples of group living uses include but are not limited to fraternities, sororities, convents, monasteries, nursing homes and the following specific use types:

1. [NO CHANGES TO 1 - 3.]

4. **Boarding House**

A building, other than a hotel or motel, where lodging or individual rooms, or both are provided for compensation, whether directly or indirectly, to more than 4 unrelated persons for periods in excess of 30 days.

1630.060 Household Living Category

Residential occupancy of a dwelling unit by a household with tenancy arranged on a monthly or longer basis and arranged through short-term rentals. Household living occurs in the following types and uses of residential buildings:

A. [NO CHANGES TO A - D AND F - K.]

E. Short-Term Rental (Whole House)

A house that can be used for overnight lodging accommodations that is provided to renters for no longer than 30 days for compensation.

JJ. ADD FLEX SPACE USE

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The popularity of “flex space” facilities is a continuing request in the Town. In some areas, this is a desirable addition to our business community and in other areas, the function can be too intensive of a

development. These revisions provide clarification to flex space that is retail/office or light industrial oriented.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS
Chapter 560 Permitted Uses

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Category	Use Type											Use Specific Standards	Land Use Grp
		NBD	GBD	RBD	O-VCD	I	DCD	DTD	DTD-R	L-I	H-I		
Retail	Flex Space – Retail (SEE GENERAL INDUSTRIAL)												
General Industrial	Building Maintenance Services	--	--	P	P	P	--	--	--	P	P		2
	Flex Space Facility – Retail	--	P	P	P*	--	--	C	--	P	--	Administrative and retail space is 50% or more of unit space. * See Chapter 630 Mixed Use Activity Center Overlay for additional requirements.	2
	Flex Space Facility – Light Industrial	--	--	--	C*	--	--	--	--	P	P	Administrative and retail space is less than 50% of unit space. * See Chapter 630 Mixed Use Activity Center Overlay for additional requirements.	3
	Warehousing, Wholesale Distribution, and Freight Movement	--	--	P*	P**	--	--	--	--	P	P	* Permitted for existing office/warehouse facilities only built prior to December 30, 2008. ** See Chapter 630, Village Mixed Use Activity Center Overlay Zone (⊖ VC O-MUAC) for additional requirements. Separation requirements do not apply to buildings built prior to	3

												September 1, 2018.	
--	--	--	--	--	--	--	--	--	--	--	--	-----------------------	--

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 7280 Flex Space
7280.010 General Requirements

A. Space Distribution

1. Retail/Office Flex Space

Retail/Office Flex Space shall have a minimum 50% and a maximum of 80% retail and/or office space with the balance consisting of warehouse and/or distribution space.

2. Light Industrial Flex Space

Light Industrial Flex Space shall have a minimum of 50% and a maximum of 90% light industrial use (see definition of Light Industrial Flex Space in DIVISION 1600) with the balance consisting of office and/or retail space.

B. Architectural Requirements

1. Overhead Doors

Overhead doors are permitted; however, all overhead doors shall be located in the rear or side of the building. Refer to Section 1060.010 (Loading and Unloading Areas), D,4 for loading area door locations and screening requirements.

2. Parking Locations

Public parking for a flex space building shall follow Chapter 1020 Off-Street Parking Requirements. Fleet vehicle parking greater than three (3) company vehicles per any unit, shall be located in the rear of the flex space building.

DIVISION 1000 PARKING

Chapter 1020 Off-Street Parking Requirements

1020.010 Minimum Parking Requirements

Table 1000-1: Minimum Parking Requirements

Use Category	Specific Use	Parking Requirement
Retail	Flex Space – Retail	1 space per 500 square feet of retail/office space plus 1 space per 2,000 square feet of warehouse/light industrial space
Industrial	Flex Space – Light Industrial	1 space per 2,000 square feet of warehouse/light industrial space plus 1 space per 500 square feet of retail/office support space.
	Flex Space and Other	1 space per 2,000 square feet of warehouse space plus 2 spaces per 1,000 square feet of office floor area plus 1 space per 1,000 square feet of outdoor work areas. When a proposed building would accommodate multiple tenants, the parking requirements will be calculated on the basis of the floor area for each tenant

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

Chapter 1070 Parking and Loading Area Design and Construction

1070.010 General Design Standards

A. [NO CHANGES TO A - F.]

G. Roll Up/Overhead Doors

Roll up/overhead doors shall not be visible from a street or thoroughfare. Facilities must be oriented on a site to eliminate visibility from the street or thoroughfare or provide adequate screening (i.e. landscaping, walls, fences, and berms) to be approved by the Planning Director.

DIVISION 1600 TERMINOLOGY AND MEASUREMENTS

Chapter 1630 Use Groups and Categories

1630.090 Industrial Use Group

A. [NO CHANGES TO A - G.]

H. Flex Space – Retail

Individual units in a building or portion thereof that is used and/or easily converted to a mix of primary uses for office, retail sales, showroom, and/or wholesale sales. The remaining portion of of each unit is accessory, supporting warehouse, and/or distribution space. More customers come to the site than at a light industrial flex space.

I. Flex Space – Light Industrial

Individual units in a building or portion thereof that is used and/or easily converted to a mix of

primary uses for warehouse, distribution, laboratory, and/or light manufacturing space. The remaining portion of each unit is accessory, supporting retail and/or office space. Fewer customers come to the site than at a retail flex space.

KK. OUTDOOR STORAGE REVISIONS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Clarify where outdoor storage will be permitted, permitted with conditional zoning or not permitted.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS Chapter 560 Permitted Uses

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Category	Use Type	CBD	NBD	GBD	RBD	O-VCD	O-DD	I	L-I	H-I	Use Specific Standards	Land Use Grp
Offices	Contractor/Construction Office with Outdoor Storage	-	-	C	C	C	-	-	P	P	Outdoor storage areas subject to DIVISION 800 LANDSCAPING.	3
Self-Storage	RV and Boat Storage	-	-	-	C	P*	-	-	P	P	* Only permitted in Sun Valley O-VC for buildings in existence as of September 1, 2018. See Chapter 630 Village Center Overlay Zone (O-VC) for additional requirements.	2
	Self-Storage Facilities	-	-	P*	P*	P*	-	P*	P	P	* Indoor climate-controlled storage facility only.	2
	Towing with or without Vehicle Storage and Towing	-	-	-	C-	C-	-	-	P C	P	* Only permitted in Sun Valley O-VC for buildings in existence as of September 1, 2018. See Chapter 630 Village Center Overlay Zone (O-VC) for additional requirements.	3
General Industrial	Accessory Outdoor Storage	-	-	-	-	-	-	-	C	P	Outdoor storage areas subject to DIVISION 800 LANDSCAPING.	3

Exhibit 1:
ZT 2022-0075 Multiple UDO Amendments

Building Maintenance Services	-	-	-	P	P	-	P	P	P		2
Contractor/Construction Storage Yard	-	-	-	-	C*	-	-	P	P	Outdoor storage areas subject to DIVISION 800 LANDSCAPING. * Only permitted in Sun Valley O-VC for buildings in existence as of September 1, 2018. See Chapter 630. Village Center Overlay Zoning (O-VC) for additional requirements.	3

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

DIVISION 600 SPECIAL PURPOSE DISTRICTS
Chapter 630 Village Center Overlay Zone (O-VC)

630.050 Additional Requirements

- A. [NO CHANGES TO A - C AND E - G.]
- D. Outdoor storage uses are not permitted in L4 within village center overlays. shall be subject to Chapter 7180 in addition to the following requirements:
 - 1. ~~Outdoor Storage areas located on any side yard shall be fully screened from any right-of-way by a solid wall or opaque fence. Chain link, split rail wood and slat fences shall not qualify as opaque screening fences.~~
 - 2. ~~Screening from Residential Uses: In addition to the Landscaping Requirements of Chapter 810, uses shall be fully screened from adjacent residentially zoned property or property used for residential purposes by a solid wall, opaque screening fence or berm. Fences, walls and/or berms shall be a minimum of six (6) feet in height. Chain link, split rail wood and slat fences shall not qualify as opaque screening fences.~~

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 7180 Outdoor Storage and Sales

[NO CHANGES TO PARAGRAPH HERE.]

7180.020 General Standards for Accessory Outdoor Storage, Displays, or Sales/Rentals

- A. [NO CHANGES TO A, B, D, E AND F.]
- C. ~~Permitted as accessory to Industrial and Commercial uses only.~~ See Table 500-4: Table of Permitted Uses in DIVISION 500 for what districts permit or conditionally permit Accessory Outdoor Storage.

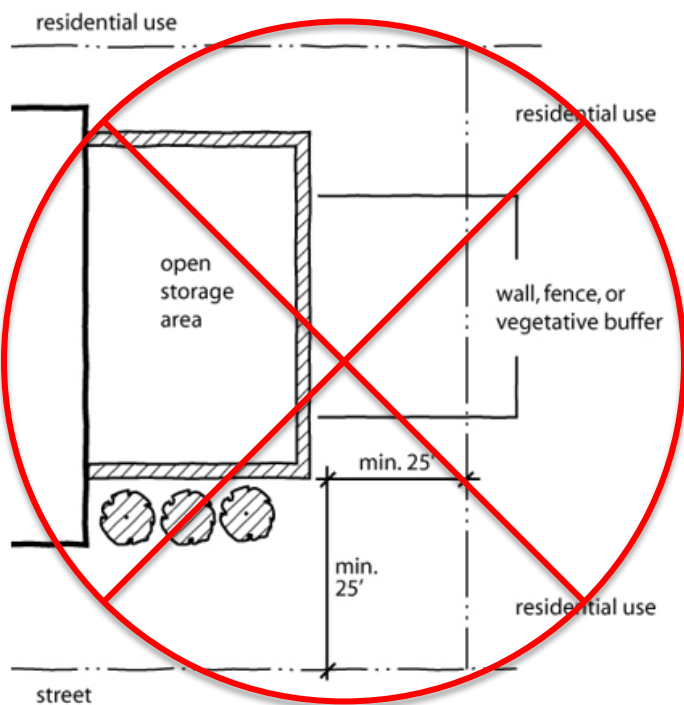
DIVISION 800 LANDSCAPING

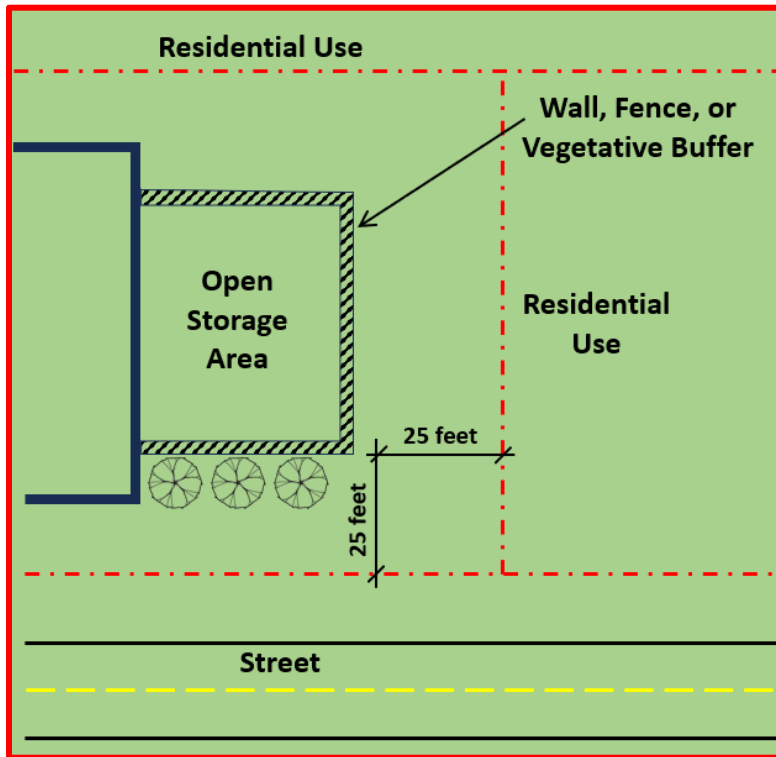
Chapter 810 Buffer Yards, Parking Lots and Street Frontages

810.100 Screening of Accessory Open Storage

Accessory Open storage areas ~~as a principal or accessory use~~ shall be screened from view of any street and from any residential use through the use of the same screening standards provided for 25-foot buffers. See Section 810.080.B, "25-Foot Buffers".

Figure 800-4: Screening of Outdoor Storage





DIVISION 1600 TERMINOLOGY AND MEASUREMENTS
Chapter 1630 Use Groups and Categories

1630.090 Industrial Use Group

A. [NO CHANGES TO A - C AND E - G.]

D. Open Storage

The storing, accumulation and distribution of materials, goods, equipment, fleet vehicles, etc., for more than 24 hours for any use or sale, within any uncovered area whether enclosed by a fence, etc., or not. For this ordinance, open storage uses shall not include open storage areas defined under RV storage and Towing.

LL. ALLEY REQUIREMENT

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This will require alleys for very narrow townhouse lot widths. This will help to prevent front facades on townhomes from appearing to be mostly garage surface.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS
Chapter 560 Permitted Uses

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Category	Use Type										Use	Land
		RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR	O-VCD	O-DD	Specific Standards	Use Grp
Household Living	Townhouse	-	-	-	-	-	-	P	C	C	See Chapter 1110.090 Street and Sidewalk Improvements for alley requirements.	1

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

DIVISION 1100 SUBDIVISION REGULATIONS
Chapter 1110 General Provisions
1110.090 Street and Sidewalk Improvements

A. [NO CHANGES TO A - N AND P - U.]

O. Alleys

Alleys shall be allowed where approved as part of a subdivision or planned development. The following requirements shall apply to any single-family attached or detached development as indicated:

1. Single-family attached or detached residential units with rear-loaded vehicular alley access may face onto a designated maintained open space with a minimum width of fifteen (15) feet in addition to the front setback.
2. Primary pedestrian access into the building shall be from a public street frontage line, sidewalk, or parking area.
3. If one home fronts onto a common open space and an adjacent home of the same type (attached or detached) is on the opposite side, the adjacent home shall also front onto the open space and have rear-loaded vehicular alley access.
4. Lots front-loaded with vehicle access shall not face across a street onto the rear of lots, unless an intervening landscape buffer of 25 feet, per Chapter 810 Buffer Yards, Parking Lots and Street Frontages, is planted along the street block.
5. Alleys shall be required for single-family attached townhouse developments with lots having 30-foot wide or less frontage width.
6. Dwelling parking spaces in the alleys shall have a minimum of 3 feet between neighboring concrete dwelling parking spaces – a minimum of 1.5 feet divided between each townhome unit owner.
7. Attached single-family uses abutting detached single-family uses shall provide a 25-foot landscaped buffer, per Chapter 810 Buffer Yards, Parking Lots and Street Frontages, along the length of the shared frontage, unless the attached units orient their front facades toward the detached homes with rear-loaded vehicle access from an alley.
8. The standards of construction of alleys will be per the Indian Trail Land Development Standards and NCDOT requirements.

MM. ELECTRONIC GAMING, PIERCING/TATTOO AND TOBACCO/VAPE OPERATIONS REVISIONS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This will more evenly apply distance requirements for several adult type uses. This also modifies districts where Tobacco and Vape Operations are permitted.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS

Chapter 560 Permitted Uses

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Category	Use Type										Use	Land
		CBD	NBD	GBD	RBD	O-VCD	O-DD	I	L-I	H-I	Specific Standards	Use Grp
Event and Entertainment	Electronic Gaming Operation	-	-	-	C	-	-	-	-	-	See Chapter 7250 7230 for Electronic Gaming Operations.	2
Personal Services	Body Piercing and and Tattooing Operation	-	-	P	P	-	-	-	P	-	Minimum 500 feet separation from school uses. See Chapter 7230 Body Piercing and Tattooing Operation.	2
Retail	Tobacco and Vape Shops Operation	P -	P -	P	P	P -	P -	-	-	-	Minimum 500 feet separation from school uses. See Chapter 7230 Tobacco and Vape Operation.	2

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 7230 Body Piercing/Tattooing, Electronic Gaming, and Tobacco/Vape Operations

7230.010 General Requirements

The following regulations shall apply to all ~~businesses~~ ~~under the three uses:~~ ~~Body Piercing and Tattooing;~~ ~~Electronic Gaming;~~ ~~and Tobacco and Vape Operations.~~ ~~Definitions for these three uses are as~~ described in Chapter ~~1610-100:~~ 1620 Definitions.

- A. ~~An electronic gaming operation~~ Any of the three uses may be a principal use or an accessory use to a principal business within the same structure.

B. Property Separation

Where these standards establish locational restrictions for these establishments, such restriction will be measured by a straight line in all directions and will not be measured as a walking or street distance. All measurements must be from property line to property line except in the case where ~~an electronic gaming one of the three~~ operations is proposed to be located within a multi-tenant building, in which case, all measurements will be in a straight line from the public entrance to ~~the electronic gaming any of the three~~ operations.

1. No ~~body piercing and/or tattooing~~, electronic gaming, or ~~tobacco and/or vape~~ operation shall be permitted within 2,000 feet of any:
 - a. ~~Matching body piercing and/or tattooing~~, electronic gaming, or ~~tobacco and/or vape~~ operation (i.e. ~~Electronic gaming operation within separation distance of another electronic gaming operation.~~); and
 - b. Dwelling or dwelling unit, a church, mosque, synagogue, temple or other place of worship, public or private school, child day care center or nursery school, or public park or playground; and
 - c. Business or facility that possesses an On-Premises alcoholic beverage permit from the North Carolina Alcohol Beverage Control Commission (ABC).

2. The Town Council may consider modifications to the established criteria referenced in the above section B.1.a. thru c. ~~Property Separation~~ upon request in accordance with Chapter 330 ~~Conditional Zoning Districts~~ of this ordinance. In considering a modification request, the Town Council shall consider the following factors:
 - a. The number and location of existing ~~businesses from any of the three types of electronic gaming~~ operations in the ~~Regional Business District (RBD) allowed districts~~; and
 - b. The proximity and/or visibility of ~~one of~~ the proposed electronic gaming establishment to a dwelling or dwelling unit, church, mosque, synagogue, temple or other place of worship, public or private school, child day care center or nursery school, and/or public park or playground; and
 - c. The overall health, safety, and welfare of the Town.

C. Alcohol Consumption

The sale and consumption of alcoholic beverages is prohibited on the premises.

D. Public Official Ingress

Representatives of government agencies shall be granted the right of entry into the facility at all reasonable hours for the purpose of examination in accordance with §58-79-20 of the North Carolina General Statutes.

E. Occupancy

The maximum building occupancy set by the Union County Fire Marshall's Office and/or other

government agency shall be posted in a conspicuous location near the main entrance to the building.

F. Minimum Age

Users of the electronic gaming machines or devices shall be at least 18-years of age unless a higher age threshold is established within the North Carolina General Statutes or other governing laws. **For tobacco and vape sales, the federal law prohibits the sale of these products to people under 21 years of age. The North Carolina law prohibits sales to anyone under 18 years old.**

G. Accessory Use: Electronic gaming operations permitted as accessory uses shall be subject to the following standards:

1. Number of Machines: Limited to no more than two (2) devices or machines for each principal use or establishment.
2. Parking: One (1) space for each machine shall be provided in addition to required parking for the principal use.
3. If an electronic gaming operation is an accessory use with a maximum of two (2) devices or machines, then the property separation requirements noted in Section B above may not apply.

H. Maximum Square Footage

~~An electronic gaming operation~~ Each of the use types shall be limited to one (1) parcel or one (1) unit within a multi-tenant structure and shall not exceed 2,000 square feet of gross building or unit floor area.

I. Issuance of a zoning permit pursuant to the provisions of Chapter ~~7220~~ 7230 does not authorize any deviation from compliance with North Carolina General Statutes requirements for **Piercing and Tattooing Operations, Tobacco and Vaping Operations, and Electronic Machines and Devices for Sweepstakes and/or other gambling related statutes.**

NN. REVISE REFERENCES TO THE LAND DEVELOPMENT STANDARDS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Several places in the UDO were in need of a reference to the Indian Trail Land Development Ordinance or to use the abbreviation, ITLDS.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 400 ADMINISTRATIVE AND GENERAL PERMIT REQUIREMENTS

Chapter 410 General Permit Requirements

410.050 Applications Must Be Complete

- A. **[NO CHANGES TO "A".]**

B. [NO CHANGES TO TEXT IN PARAGRAPH.]

1. Detailed or technical design requirements and construction specifications relating to various types of improvements (streets, sidewalks, etc.) are set forth in the ~~Town's Design Standards Manual~~ Indian Trail Land Development Standards (ITLDS). It is not necessary that the application contain the type of detailed construction drawings that would be necessary to determine compliance with the ~~Manual~~ ITLDS, so long as the plans provide sufficient information to allow the permit issuing authority to evaluate the application in the light of the substantive requirements set forth in this text of this ordinance. However, whenever this ordinance requires a certain element of a development to be constructed in accordance with the detailed requirements set forth in the ~~Manual~~ ITLDS, then no construction work on such element may be commenced until detailed construction drawings have been submitted to and approved by the ~~administrator~~ Planning and Engineering Departments. Failure to observe this requirement may result in permit revocation, denial of final subdivision plat approval, or other penalty as provided in DIVISION 1500, Violations, Penalties, and Enforcement.
2. The presumption established by this ordinance is that all ~~of~~ the information set forth in this UDO and the ~~Town of Indian Trail Standards Manual~~ ITLDS are necessary to satisfy the requirements of this section. However, it is recognized that each development is unique, and therefore the permit issuing authority may allow less information or require more information to be submitted according to the needs of the particular case. The applicant may rely on the recommendations of the Planning Director, ~~or~~ planning staff ~~or~~ Engineering Director as to whether more or less information should be submitted.
3. [NO CHANGES TO TEXT IN PARAGRAPH.]

DIVISION 600 SPECIAL PURPOSE DISTRICTS

Chapter 610 Manufactured Home Park Overlay Zone (O-MHP)

610.040 General Provisions and Regulations

A. [NO CHANGES TO A - J AND L - M.]

- K. Private roads shall be improved to be consistent with the Town of Indian Trail engineering design standards ~~including the Indian Trail Land Development Standards (ITLDS)~~ or the North Carolina Department of Transportation standards for streets.

Chapter 640 Downtown Master Plan Overlay District

640.030 Development Standards

- A. Minimum Standards and criteria are set forth herein and within the adopted Downtown Master Plan, ~~Indian Trail Land Development Standards (ITLDS)~~, and comprehensive plan.
- B. [NO CHANGES TO B AND C.]

DIVISION 1100 SUBDIVISION REGULATIONS

Chapter 1110 General Provisions

1110.060 Applicable Policies

- A. [NO CHANGES TO A, B AND D - I.]
- C. ~~Town Design~~ **Land Development Standards**
All site improvements shall be done in accordance with standards established by the Town of Indian Trail. All subdivisions will comply with the Town of Indian Trail ~~Design~~ **Land Development Standards (ITLDS)**. Plans for all infrastructure improvements shall be approved prior to the commencement of any site work.

1110.090 Street and Sidewalk Improvements

- A. **Basic Requirements**
All internal streets within a subdivision and any street upon which any lot within a proposed subdivision abuts or has its required frontage (other than a street maintained by the Town or State) shall be graded and paved by the developer in accordance with NCDOT, Division of Highways' standards, or ~~the~~ Town of Indian Trail Land Development Standard (ITLDS), for paved streets. Curb, gutter, and sidewalk are required on all existing and new road segments abutting the subdivision except as provided in Section 1110.090Q.3. All associated storm drainage is to be contained within the street right-of-way or easement and shall be in accordance with NCDOT standards or the Town of Indian Trail Storm Water Manual, whichever is most restrictive. Sidewalks shall be required on both sides of all streets and shall be in accordance with ~~Indian Trail Land Development Standards~~ **the ITLDS, the Indian Trail Pedestrian Plan**, and NCDOT standards.
- B. [NO CHANGES TO B - F, I - M, P AND S - U.]
- G. **Right-of-Way Widths and Dedication**
Minimum street right-of-way widths are based on roadway classification and the design and improvement of all streets must comply with the Town of Indian Trail Comprehensive Plan and ~~Land Development Standards~~ **ITLDS**. Roadway dedication may be required to comply with said documents and shall be measured for dedication purposes based on distance from the official centerline of the existing right-of-way. Said dedication shall be clearly noted on preliminary and final plats.
- H. **Pavement Design**
Pavement widths and thicknesses shall be in accordance with the standards of the North Carolina Department of Transportation and the Town ~~of Indian Trail Land Development Standards~~ **ITLDS**, whichever is more restrictive, for the type of street. Alternatively, a licensed geotechnical engineer may submit a recommended design to the Planning Director for consideration in the review of a particular project.
- N. **Temporary Turnarounds**
 - 1. [NO CHANGES TO TEXT HERE.]

- a. [NO CHANGES TO a AND b.]
- c. The turnaround must comply with all applicable cul-de-sac standards, including the Town of ~~Indian Trail Land Development Standards~~ ITLDS.

2. [NO CHANGES TO 2 AND 3.]

O. Alleys

Alleys shall be allowed where approved as part of a subdivision or planned development. The standards of construction of alleys will be per the ~~Indian Trail Land Development Standards~~ ITLDS and NCDOT requirements.

Q. Curb, Gutter and Sidewalk

- 2. All streets within a new subdivision (residential or commercial) shall be constructed with curb and gutter in accordance with the ~~Indian Trail Land Development Standards~~ ITLDS and NC DOT.
- 4. The sidewalks required by this section shall be constructed according to the specifications set forth in the ~~Indian Trail Land Development Standards~~ ITLDS and Comprehensive Plan. The Town Council may consider the installation of walkways constructed with other suitable materials when it concludes that such walkways would serve the residents of the development as adequately as concrete sidewalks; and where such walkways would be more environmentally desirable or more in keeping with the overall design of the development.
- 6. Any development located along public or private streets must provide curb, gutter and sidewalks along its street frontage in accordance with the Town of Indian Trail Comprehensive Plan, ~~Land Development Standards~~ ITLDS, and this section.

R. Street Name Signs

Street name signs must be installed by the developer at each street intersection as appropriate to identify all street names and located as shown in the ~~Indian Trail Land Development Standards~~ ITLDS. Street name signs, poles and brackets shall be of a type approved by NCDOT for installations on state maintained streets. All street name signs, poles, and brackets must be installed prior to the issuance of a certificate of occupancy permit for any home adjacent to the street.

DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS
Chapter 13120 Street and Sidewalks

13120.020

- A. Any person desiring to construct a driveway or other connection within the right-of-way of a public street must secure a permit prior to construction. Connections from single family and duplex dwellings are excluded unless access is requested to a thoroughfare as identified on the Thoroughfare Plan. Failure to secure a permit prior to construction may result in the removal of the driveway(s) at the expense of the property owner and/or denial of access at that location. All driveways must conform to the design and construction standards established by the Town of Indian Trail Land Development Standards (ITLDS).
- B. Any development located adjacent to public or private streets must provide curb, gutter, and sidewalks, along its street frontage in accordance with the Town of Indian Trail Comprehensive Plan, ~~Land Development Standards ITLDS~~, and this ordinance.
- C. **[NO CHANGES TO C - M.]**

DIVISION 1600 TERMINOLOGY AND MEASUREMENTS

Chapter 1620 Definitions

1620.040 Definitions - "D"

Development Standards

~~The manual of construction standards and details jointly prepared by the Engineering Director which regulates and controls the provisions and construction of public and private improvements relating to streets, sidewalks, drainage and other facilities.~~ **[Moved previous sentence to section mentioned in next sentence.]** See definition for Land Development Standards (ITLDS), Indian Trail" under 1620.120 Definitions - "L".

1620.120 Definitions - "L"

~~Land Development Standards (ITLDS), Indian Trail~~

The manual of construction standards and details ~~jointly~~ prepared by the Engineering Director which regulates and controls the provisions and construction of public and private improvements relating to streets, sidewalks, drainage and other facilities.

OO. REFERENCE PEDESTRIAN PLAN FOR SIDEWALK/PATH CONNECTIONS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This section adds a reference to the Indian Trail Pedestrian Plan so recommendations may be considered in the adopted plan.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 1100 SUBDIVISION REGULATIONS Chapter 1110 General Provisions

1110.090 Street and Sidewalk Improvements

- A. [NO CHANGES TO A - P AND R - U.]
- Q. **Curb, Gutter and Sidewalk**
 - 1. [NO CHANGES TO 1 AND 2.]
 - 3. Concrete sidewalks shall be installed along both sides of the street within a new residential or commercial subdivision. Refer to the Indian Trail Pedestrian Plan for recommended pedestrian connections. A sidewalk may be allowed on only one (1) side of the street if:
 - a. [NO CHANGES IN a THROUGH c.]

PP. PROHIBITED SIGNS REVISIONS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Clarification of prohibited sign section of the UDO and the addition of prohibiting flashing, feather flags, swinging, or rotating signs.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 900 SIGNS Chapter 960 Prohibited Signs

960.020

Illuminated highly reflective or unshielded signs or spotlights, which hamper or obstruct the vision of motorists or bicyclists.

960.030

Signs, other than government signs, which contain lights, rotating disks, words and other devices not erected by a public authority which may be erroneously construed as government signs or emergency warning signs such as traffic control signs. An example of this is a sign which contains a picture of a traffic sign plus the word "Stop", "Yield", etc. The signs shall not be similar in color, design, and appearance to traffic control signs.

960.170

Flashing, fluttering (such as "feather flags"), swinging, or rotating signs with the exception of time and/or temperature signs.

960.170 960.180

Other signs not expressly permitted in this UDO.

QQ. ACCESSORY STRUCTURE MAXIMUM SIZE AND QUANTITY REVISIONS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Revisions to accessory structure maximum size and the number of allowed structures.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 710 Accessory Uses and Structures

710.030 Subordinate Nature

- A. Accessory uses must be subordinate and clearly incidental to the principal use of the property.
~~No accessory structure floor area may exceed 60% of the floor area of the primary structure.~~
Refer to Table 700-1 for accessory structure floor area requirements.
- B. Accessory structures must be of secondary importance and subordinate to the principal building on the property.

710.040 Lot and Building Standards

- A. **[NO CHANGES TO "A".]**
- B. **Interior and Rear yard Accessory Structure Setbacks**
In the RSF district, detached accessory buildings must be set back at least 35 feet from all interior lot lines. In all other residential districts, detached accessory buildings must be set back at least five (5) feet from all interior and rear-yard lot lines if they are located behind the rear plane of the primary dwelling.
- C. **Exterior Accessory Structure Setbacks (Street-side for Corner Lots)**
~~Exterior Street-side~~ setback standards apply to accessory buildings **in corner lots**. In addition, no accessory building may be located closer to the street than the principal building.
- D. **Separation**
~~Detached A~~ccessory buildings must be separated by a minimum distance of five (5) feet from all other accessory and principal buildings. **Pergolas, gazebos, or other structures that are not enclosed (screened-in structures are considered enclosed) and that are placed adjacent to a rear door and patio, are exempt from this standard.**
- E. **Height of Accessory Structures**
Accessory structures may not exceed 12 feet in height, or the height of the principal building on the same lot, whichever is less. Request for heights beyond the 12-foot maximum shall require a setback from both the side and rear yard setback of two (2) feet for every **extra** one (1)-foot in height. **Example: A 15-foot accessory structure will require a minimum setback of 11 feet from**

both side and rear yards (15ft - 12ft = 3 extra feet; 3 x 2ft = 6 feet additional setback; 5ft minimum setback + 6ft additional setback = 11 ft total setback).

F. Accessory Structure Maximum Size and Number

Size and number allowances for accessory structures may be found in the table below. In the event a conflict occurs between these provisions and the maximum lot coverage standards (add reference), then the more restrictive standard will control. Accessory structures exceeding these provisions may be permitted via a Conditional Zoning approval in accordance with this ordinance. In the RSF district, accessory structures associated with permitted agricultural uses may exceed these provisions only after the proposal is reviewed and approved by the Planning Director.

Table 700-1: Accessory Structure Maximum Size and Number of Structures Allowed

Lot Size (acres)	Maximum Footprint	Maximum No. of Structures
0.00 to 0.499 Less than 0.35	Lesser of 1,200 sf or 25% 50% of the square footage of ground floor area of the principle structure as identified by tax parcel records. A minimum 400-sf structure is allowed regardless of home size.	1
0.50 0.35 to 1.0 acres	Lesser of 1,200 1,800 sf or 50% of the square footage of ground floor area of the principle structure as identified by tax parcel records. A minimum 600 square-foot structure is allowed regardless of home size. Aggregate size shall not exceed 5% of the square footage of the lot, when multiple structures are proposed.	2
1.00 1.1 to 2.0 acres	Aggregate size shall not exceed 5% of the square footage of the lot, when multiple structures are proposed; in no case shall a single accessory structure be more than 70% of the heated square footage of the principle structure.	3
2.10 to 3.0 acres	Aggregate size shall not exceed 5% of the square footage of the lot, when multiple structures are proposed; in no case shall a single accessory structure be more than 80% of the heated square footage of the principle structure.	3
3.10 to 5.0 acres	Aggregate size shall not exceed 5% of the square footage of the lot, when multiple structures are proposed; in no case shall a single accessory structure be more than 90% of the heated square footage of the principle structure.	3
Over 5.1 or more acres	Aggregate size shall not exceed 5% of the square footage of the lot, when multiple structures are proposed; in no case shall a single accessory structure be more than 125% of the heated square footage of the principle structure.	5

RR. TERMINOLOGY RULE FOR CALENDAR DAYS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This revision defines how “days” are counted in the ordinance.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 100 INTRODUCTORY PROVISIONS

Chapter 120 General Rules of Language and Interpretation

120.030 Miscellaneous Terminology Rules

- A. [NO CHANGES TO A - K.]

- L. The term “days” shall mean “calendar days” unless stated otherwise.

SS. REMOVAL OF REMAINING SUP REFERENCES

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This revision removes remaining Special Use Permit (SUP) text in the ordinance.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 310 Hearing Procedures

310.030 Required Notice for Public Hearings

- A. [NO CHANGES TO A - F AND H.]

- G. The required posted notices will indicate the following:
 - 1. [NO CHANGES TO 1 - 3.]
 - 4. Note – such public notice sign postings shall be placed on the affected property(ies) once a complete project application (i.e., SUP conditional zoning, zoning map amendment, etc.) is received by the Town.

TT. REMOVAL OF TREE PRESERVATION INCENTIVE PERCENTAGE DISCREPENCY

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This revision removes a discrepancy between two sections in the landscaping division of the UDO.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 800 LANDSCAPING

Chapter 850 Incentives for Exceeding Minimum Requirements

850.020 Credits for Preserving Existing Trees

- A. [NO CHANGES TO "A".]
- B. Where an applicant saves heritage trees and is subject to the canopy tree requirements of Section 840.010, *Canopy Tree Planting Requirements*, then ~~125% of the percentage in Section 830.040.E.1 (Tree Preservation and Protection Requirements)~~ may be applied to the heritage tree canopy ~~will~~ to count toward meeting the requirements of Chapter 840.

UU. REMOVAL OF REFERENCES TO AN OLDER VERSION OF THE COMPREHENSIVE PLAN

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This revision removes references to older versions of the Comprehensive Plan where not applicable.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 800 LANDSCAPING

Chapter 810 Buffer Yards, Parking Lots and Street Frontages

810.130 Perimeter Landscaping of Parking Lots

- A. Surface parking lots shall be screened from adjacent streets and rights of way by means of an effective screening device consisting of at least the following:
 1. A setback the width of which will vary according to the street type. This setback must be at least 20 feet in width adjacent to a freeway, thoroughfare, boulevards, or expressways as designated by the Indian Trail Comprehensive Plan ~~of 2013~~. These setbacks apply both in street yards and rear yards of properties along these road typologies unless a denser arrangement of landscaping is required to meet buffering and screening requirements of this ordinance. A setback of at least 10 feet in width is required if adjacent to a private street or any other public street. (See Figure 5.) These setbacks may be reduced to 15 feet and 7.5 feet respectively if the applicant installs a masonry wall no taller than 3.5 feet in height that screens parked cars from the street.
 2. [NO CHANGES TO 2 AND 3.]

VV. REVISE INDOOR RECREATION PERMITTED USE

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This revision changes the two indoor recreation uses in the Light Industrial (L-I) district from a Conditional Zoning to Permitted by-right.

PROPOSED ADDITIONS AND REVISIONS

**DIVISION 500 BASE ZONING DISTRICTS
Chapter 560 Permitted Uses**

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Category	Use Type	Industrial Districts		Use Specific Standards	Land Use Grp
		L-I	H-I		
Recreation	Recreational Facility, Indoor Small	€ P	--		2
	Recreational Facility, Large	€ P	--		2

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

This concludes the additions and revisions to the UDO for ZT 2022-0075.
