

# UDO-CC23

## Request

Planning and Development Services staff proposal to amend Chapters 3, 4, 5, 9, and 11 of the *Unified Development Ordinances* (UDO) for miscellaneous non-substantive changes.

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## Background

- Staff periodically propose non-substantive changes to keep the UDO up-to-date and ensure ordinance clarity.
- These changes are often in response to unintentional omissions or inconsistencies resulting from previous UDO amendments (including the change from the 1995 UDO to the *UDO ClearCode*) and issues related to ordinance enforcement.
- These amendments do not change the intent of the original regulations.

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## Summary

UDO-CC23 includes:

- Two minor changes to Zoning Map Amendment processes in Chapter 3
- One minor change to the establishment of the Neighborhood Conservation Overlay District in Chapter 4
- Correcting an omission to the Principal Use Table and revising specific standards for two uses in Chapter 5
- Reserving a nonconforming subsection in Chapter 9, and
- Revising definitions in Chapter 11

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## Summary

### Zoning Map Amendment Section (Chapter 3):

- Neighborhood outreach summaries must now include all meeting outcomes.
- The requirement for a preapplication conference for Special Use District-Limited districts has been removed.

### NCO Neighborhood Conservation Overlay District (Chapter 4)

- Signatures of support from all property owners shall be required if any standard in the NCO constitutes a downzoning.

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## Summary

### Principal Use Table (Chapter 5)

- Added reference to the use-specific standard that prohibits Electronic Sweepstakes Operation (ESO).

### Use-Specific Standards (Chapter 5)

- Planned Residential Development:
  - Removed three (3) acre minimum site size requirement for GMA 3 and GMA 4.
  - Removed five (5) acre minimum site size for multiple single-family dwellings on the same zoning lot.

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### Use-Specific Standards (Chapter 5)

- Planned Residential Development (continued):
  - Substituted a 20-foot-wide Type I bufferyard (rather than a 30-foot width) around the property perimeter outside of the PRD, consistent with other bufferyard standards.
- Private Swimming Pools
  - Fencing around private swimming pools shall meet all requirements of the NC Building Code.

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### Nonconformities (Chapter 9)

- Reserved the Special Use Permit parking requirement section as all affected uses had been removed by previous amendments.

### Definitions (Chapter 11)

- Revised 11 definitions to replace unintentional omissions, and remove duplicate definitions/unnecessary references.

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## Recommendation

- A Planning Board public hearing was held on April 13, 2023.
- There were no speakers in support or opposition.
- The Planning Board recommended approval of the amendment by a 6-2 vote.