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STATE OF NORTH CAROLINA)
) **ORDINANCE: # 435**
TOWN OF INDIAN TRAIL)

AN ORDINANCE AMENDING PORTIONS OF THE INDIAN TRAIL UNIFIED DEVELOPMENT ORDINANCE (UDO) TO MEET CHANGES IN LEGISLATION AND OTHER NEEDED REVISIONS THROUGOUT THE UDO IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS, this Zoning Text Amendment (ZT 2026-0095) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, a public meeting was held by the Planning & Zoning Board on September 15, 2026, to consider this zoning text amendment; and

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

Community Engagement and Communication Goal #1: The proposed map amendment will be communicated effectively with residents, business owners, and other stakeholders to ensure a well-informed and inclusive community

Economic Development Goal #2: The proposed map amendment will support existing businesses within the town through effective communication and community outreach;

WHEREAS, the Planning & Zoning Board found this ordinance text amendment 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/Communication, and Economic Development*; and improves town development processes and requirements;

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

WHEREAS, the Town Council held a public hearing on October 13, 2026, to consider said request and recommendation of approval from the Planning & Zoning 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 2026-0095 Zoning Text Amendment petition thereby granting the amendment to the Unified Development Ordinance to incorporate revisions to meet changes in NC legislation and other needed revisions throughout the UDO identified in Exhibit 1.

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

AND IT IS SO ORDAINED this 13th Day of October 2026.

TOWN OF INDIAN TRAIL COUNCIL

David Cohn, Mayor

Attest:

Trena Wiggins, Town Clerk

TOWN OF INDIAN TRAIL, NORTH CAROLINA
OFFICIAL SEAL
INCORPORATED 1907

Approved as to Form:

Melanie Cox, Town Attorney

EXHIBIT 1

For ease of reference, new text is referenced in green font. 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.

OUTLINE OF TEXT AMENDMENTS

The following sections for each set of amendments are 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, additions in green, and staff notes about the revisions in yellow highlight. The following list is similar to a table of contents showing each title.

A. LIMITATION OF VIOLATION HOLD DURING SITE PLAN REVIEW
B. DATA CENTERS
C. PROVIDE SAMPLE FINAL PLAT CERTIFICATION LANGUAGE
D. CORRECT CONTRADICTING COMBINATION / RECOMBINATION PLAT LANGUAGE
E. REMOVE ZERO SETBACK FROM BUSINESS/COMMERCIAL LOT STANDARDS
F. REVISE DOWNTOWN RESIDENTIAL SIDE SETBACKS
G. INDOOR AND OUTDOOR RECREATION REVISIONS
H. ACCESSORY DWELLING SETBACK CLARIFICATION
I. SIGNAGE REQUIREMENTS SECTION LOCATION AND VARIOUS WALL SIGN REVISIONS
J. INCORPORATE PAVEMENT DESIGN STANDARDS LANGUAGE RESULTING FROM NEW LEGISLATION
K. TOWN DESIGN STANDARDS
L. DEFINE GARAGE
M. REMOVAL OF DOWNTOWN OVERLAY REFERENCES
N. UPDATE TO DOWN-ZONING LANGUAGE FROM NEW LEGISLATION
O. REMOVE CONDITIONAL ZONING REQUIREMENT FOR OPEN SPACE AND CLUSTER SUBDIVISIONS
P. REQUIREMENTS SPECIFICALLY FOR DOWNTOWN LANDSCAPING
Q. UPDATE TO CAMPAIGN/ELECTION SIGNS
R. CLARIFICATION OF EXISTING REQUIREMENT ALLOWING STORMWATER RETENTION STRUCTURE ENCROACHMENT INTO LANDSCAPE BUFFERS
S. REMOVE ALL SCHOOL DATA REQUEST REQUIREMENTS

A. LIMITATION OF VIOLATION HOLD DURING SITE PLAN REVIEW

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Several violations in Town have involved the need for plans to be submitted to reach a state of compliance. As plan review and project construction can be a lengthy process, additional requirement language is needed to state the possibility for the restarting of fee penalties that were temporarily placed on hold.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES
Chapter 380 Site Plan Review

380.040 Review Comments, Responses and Approvals

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

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. If the site plan review is related to correcting an active violation, refer to Section 1520.060.D for additional information related to penalties.

DIVISION 1500 VIOLATIONS, PENALTIES AND ENFORCEMENT
Chapter 1520 Remedies and Enforcement Powers

1520.060 Penalties
[NO CHANGES TO INTRODUCTION TEXT, TABLE, AND A THRU C.]

D. If a site plan review and following construction is aiding to bring a violation into compliance with town policies or this ordinance and the violation process was put on a temporary hold, applicant response periods cannot be on hold indefinitely. The Planning Director will determine if the applicant is responding to Town comments in a timely manner and making reasonable progress to achieve project completion. If insufficient progress is determined, the violation process and fines must restart.

B. DATA CENTERS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Development of data centers is exponentially growing locally as well as nationally and, in some cases, the demands for land and impacts on resources and the environment, can be significant. The following proposed additions to the UDO help to apply some standards to possible future data center proposals.

NEW CHAPTER OUTLINE

DIVISION 700 SUPPLEMENTARY USE REGULATIONS
Chapter 7280 Data Centers [ALL NEW CHAPTER.]

7280.010 Plan Submittal Requirements

7280.020 Site

A. Lot Setbacks
B. Landscape Buffers
    1. Perimeter Landscape Buffers
    2. Mechanical Equipment Screening
C. Parking
D. Exterior Lighting

7280.030 Utilities

A. Water and Sewer
B. Power Supply
    1. Power Capacity
    2. Renewable Energy

7280.040 Environmental

A. Air Quality
B. Groundwater Protection
C. Noise
    1. Sound Study
    2. Generators

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	Residential Districts							Business, Office and Institutional Districts				Downtown Districts			Industrial Districts		Overlays	Use Specific Standards	Land Use Group
		RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR	NBD	GBD	RBD	I	DCD	DTD	DTD-R	L-I	H-I	O-MUAC O-SRAC		
Communication Services, Data Support and Utilities	Data Center	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	C	X	See Chapter 7280, Data Centers.	3
	Freestanding Wireless Tower	C	C	C	C	C	C	C	C	P	P	P	C	C	C	P	P	C	See Chapter 7180, Wireless Communication Antennas and Towers.	2
	Radio or TV Station	X	X	X	X	X	X	X	X	P	P	P	X	X	X	P	X	X		2
	Small Cell Wireless Tower	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	P*	* Must comply with G.S. 160D, Article 9, Part 3. Wireless Telecommunications Facilities.	
	Utilities, Major	C	C	C	C	C	C	C	C	C	C	C	X	X	X	C	C	C	See Section 110.080, Authorization of Exemption, for exemptions. See Chapter 770. Electric Substations.	3
	Utilities, Minor	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		2
	Wireless Tower or Antenna co-located on existing building, structure or tower	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	See Chapter 7170, Wireless Communication Antennas and Towers.	

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

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 7280 Data Centers

Data center use is classified as data support in the overall use category. Refer to the permitted use table in Chapter 570 – Table of Permitted Uses for the data center permitted use. Data centers must follow the requirements of this Chapter 7280 as well as other applicable requirements in this UDO.

7280.010 Plan Submittal Requirements

A Conditional Zoning process is required for a data center development. The Conditional Zoning application submittal for a data center use requires the following in addition to any other requirements that apply in this ordinance.

A. A letter of intent describing the facility, location, number of buildings, and proposed power and water consumption plans.

B. A copy of the lease or sale agreement document.

C. Copies of approvals, licenses or permits from outside governments or agencies applicable to the development.

D. System Impact Study for power, water and sewer effects on the location area.

7280.020 Site

A. **Lot Setbacks and Distances**

The following setbacks and distances apply to the Data Center use for the primary data center facility, associated equipment, and any accessory structures.

Table 700-99: Building Setbacks and Distances for Data Centers, Associated Equipment and Accessory Structures

Building Setbacks and Distance Requirements	Feet
Setbacks – Front, Rear and Sides (min. feet)	200
Minimum Distance to Off-Site Structures for Residence, Day Care, Office, Recreation Uses, Religious Facilities, School Facilities and Any Related Outdoor Activity Areas	1,000
Minimum Distance to RSF District or Agricultural Use	500

B. **Landscape Buffers**

All data center operations must provide landscape buffer yards and screening along all property boundary lines. The landscape buffers offer some sound buffering as well as softening the industrial, utility design of a building with, typically, no windows and just tall walls and rooftop or site equipment.

1. **Perimeter Landscape Buffers**
   Landscape buffers are required inside the perimeter of each development. No matter the depth of the setback from the exterior property lines, the standards in Table 700-99 are to be applied starting from the property lines. If another section of the UDO pertaining to landscape buffers applies, the more stringent of the two must apply.

Table 700-99: Data Center Landscape Buffer Standards[1]

	Frontage Landscape Buffer Options		Rear and Sides Landscape Buffer Options	
	Shallow Buffer w/ Wall	**Deep Buffer w/ No Wall**	**Shallow Buffer w/ Wall**	**Deep Buffer w/ No wall**
Depth (min.)	25 feet	50 feet	25 feet	50 feet
Order from Property Line	Shrub hedge, canopy trees, evergreen trees, wall	Shrub hedge, canopy trees, evergreen trees	Shrub hedge, wall, canopy trees, evergreen trees	Shrub hedge, canopy trees, evergreen trees
Canopy Tree Spacing[2]	25 ft on center	25 ft on center	25 ft on center	25 ft on center
Evergreen Tree Rows	1	2	1	2
Shrub Hedge Spacing	Continuous	Continuous	Continuous	Continuous
Wall Height (min.)[3]	9 feet	NA	9 feet	NA
Wall Opacity (min.)	90%	NA	90%	NA

[1] If Planning Director determines the existing vegetation will suffice for buffering purposes, the Director may approve portions of the existing perimeter to remain.
[2] Large and medium deciduous trees only for the Canopy Trees.
[3] Wall can be used in combination with a berm to shorten the height of the wall but still achieve a total of 9 feet in height with the wall and berm. See UDO Section 810.080, Size and Design of Required Buffers, for guidance.

2. **Mechanical Equipment Screening**
   All exterior mechanical equipment around or on top of the facility (or each facility if multiples) must be completely screened from public view such as road frontages or public sidewalks. Such screening may take the form of landscaping, walls, roof screen wall, enclosure within a building, etc.

C. **Parking**
   See Chapter 1020 – Off-Street Parking Requirements for data center parking regulations.

D. **Exterior Lighting**
   A photometric plan will be required for the Site Plan Review application submittal plan set and must follow the exterior lighting requirements in Chapter 1330 – Lighting Standards.

7280.030 Utilities

A. **Water and Sewer**

1. The Union County Water Department provides public water and sewer systems. Union County Water Department manages the review of all new project plans and requests for

capacity. Any use of potable water requires approval and/or an agreement with the Union County Water Department.

2. Any water cooling system must be a closed-loop, recycled, or water-efficient water system. The system must meet standards, requirements and obtain permits from the Union County Water Department.

B. **Power Supply**

1. **Power Capacity**
Provide written verification of the following for the Conditional Zoning application submittal:

   a. Adequate capacity is available on the existing power utility system for the use including the systems designed for cooling and operation of the facility.
   b. If any part of the existing power utility system capacity is lacking, describe what improvements must be made.
   c. Power utility equipment and related electrical infrastructure are adequately sized.
   d. No negative impacts are projected to occur on or off the operating premises from facility use such as electrical interference or fluctuations in line voltage.

2. **Renewable Energy**
The Town encourages the use of renewable energy sources to reduce the impact of the development on the existing power infrastructure. When submitting the Conditional Zoning application, provide a statement if any renewable energy methods are to be proposed and, if so, a description of how it/they will be applied.

7280.040 Environmental
The following must be considered when proposing new data center developments.

A. **Air Quality**
Airborne pollutant facility or site emissions such as dust, gases, smoke must not cross beyond the property lines.

B. **Groundwater Protection**
Groundwater wells must not be used for a data center's water supply.

C. **Noise**

1. **Sound Study**
Any application to the Town requesting site or building permits for a data center must include a completed sound study by an acoustical consultant or acoustical engineer that will become the baseline for noise at the site to be used in the impact calculation for the total estimated noise. The study will also include analysis of infrasonic sounds from a proposed data center development if applicable.

2. **Sound Standards**
Sound levels are not to be exceeded based on the adjacent zoning district or overlay. The requirements are in Table 700-99 below.

Table 700-99: Maximum Sound Levels by Districts/Overlays

Districts / Overlays	Maximum Sound Level
Residential Districts	55 dBA
Business, Office and Institutional Districts	65 dBA
Downtown Districts	55 dBA
Overlays	60 dBA
Industrial Districts	70 dBA

3. **Generators**
Generators must not be used as a primary source of power for the data center or any accessory equipment on the site. Generators may be used temporarily for emergency use. No testing of or maintenance requiring the operation of generators is prohibited between the hours of 5:00 pm and 9:00 am. Fuel storage must follow all applicable standards such as the fire code and NFPA (National Fire Protection Association) standards.

DIVISION 800 LANDSCAPING
Chapter 810 Buffer Yards, Parking Lots and Street Frontages

810.040 Landscape Buffer Yards

A. [NO CHANGES TO A THRU E.]

F. **Data Centers**
Refer to Chapter 7280 – Data Centers for associated landscape buffer requirements.

Table 800-1: Buffer Matrix

Buffer Matrix (Required Buffer Width [feet])*						
	Abutting Use or Zoning and Required Buffer Width					
Proposed Use	Single-Family/Two Family	Attached Single-Family	Multiple-Family	Group 1	Group 2	Group 3
Single-Family/Two-Family	0	0	0	0	0	0
Attached Single-Family	50	25	0	0	0	0
Multi-Family	50	50	0	0	0	0
Group 1 Use	25	25	15	0	0	0
Group 2 Use	25	25	15	15	0	0
Group 3 Use	50	50	50	15	15	0

* Note: Refer to Chapter 7280 for data center-related buffer requirements.

810.050 Land Use Groups
Land uses shall be assigned to land use intensity groups in accordance with the following table:

Table 800-2: Land Use Intensity Groupings

Land Use Intensity Group Designation	
Group 3	
Data Center	Railroad Switching and Classification Yard
Junkyards	Transportation Facilities
Manufacturing, Processing, Assembly	Truck Terminal
Open Storage	Warehousing
Open Uses of Land – Salvage and Recycling	Warehouse
Places of Assembly (Entertainment)	Warehouse, Mini

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

DIVISION 1000 PARKING
Chapter 1020 Off-Street Parking Requirements

1020.010 Minimum Parking Requirements

Use Category	Specific Use	Parking Requirement	Bike Rack Requirement
Communication Services	Data Center – Primary	1 space per employee on the maximum shift plus 3 visitor spaces	NA

DIVISION 1600 TERMINOLOGY AND MEASUREMENTS

Chapter 1620 Definitions

1620.030 Definitions – "C"

~~J.~~ **Communication Services, Data Support and Utilities Use Category** ~~**and Services**~~ [MOVED FROM 1630.070 PUBLIC AND CIVIC USE GROUP.]

A. **Data Center**
A facility used primarily for the storage, management, processing, and transmission of digital data, which houses computer or network equipment, systems, servers, appliances and other associated components related to digital data or telecommunication operations. Supporting infrastructure may also include air handlers, power generators, water cooling and storage facilities, utility substations, and other associated utility infrastructure to support sustained operations at the Data Center. Data center associated terms are defined as follows:

1. **Closed-Loop Water Cooling System**
System circulating water within a closed circuit with equipment absorbing heat and then

releasing that heat out through a heat exchanger or cooling tower. The intent of the system is to minimize water loss and impact on water resources.

2. **Data Center Accessory Uses or Structures**
   Uses or structures secondary to the primary Data Center Facility and located on the development site, including but not limited to: administrative, logistical, fiber optic, storage, security structures, temporary-use generators, electrical substations, renewable energy systems, utility lines, cooling water and wastewater facilities, water holding structures, pump stations, and cooling towers.

3. **Primary Data Center Facility**
   A building that contains the main offices and/or data storage functions of a Data Center.

C. PROVIDE SAMPLE FINAL PLAT CERTIFICATION LANGUAGE

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The existing section of the UDO pertaining to plat certification language did not provide a sample certification block as some other communities provide in their ordinances. These revisions provide those examples and some clarification language, a new review officers section, and a new section with required notes on Final Plats with a BMP pond.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 370 Subdivisions

370.060 Certifications Required from Applicant
Before the Planning Director accepts a final plat for a major subdivision, the following certifications shall appear on all copies of the final plat~~:~~. If a secure digital certificate system is used with electronic signatures, confirm that all signatures that require a notary's electronic seal are done with a commissioned notary that is authorized to perform such notarizations.

A. **Certificate of Ownership and Dedication**

1. The applicant must certify that they are the owner of the property shown and described, which is located in the Corporate Limits of the Town of Indian Trail and that the plan of subdivision establishes minimum building setback lines, and street dedications, walks, parks, and other sites and easements to public or private use as noted consistent with the requirements of this ordinance. Furthermore, the applicant must dedicate all sanitary sewer and water lines to the appropriate agency.

2. All such certifications must be dated, signed, and notarized by a notary public.

3. Sample Certificate:

OWNERSHIP AND DEDICATION CERTIFICATE

I (we) hereby certify that I am (we are) the owner(s) of the property shown and described hereon, which is located in the Corporate Limits of the Town of Indian Trail and that I (we) hereby adopt this plan of subdivision with my (our) free consent, establish building setback lines, and dedicate all streets, alleys, walks, parks, and other sites and easements to public or private use as noted. Furthermore, I (we) dedicate all sewer lines and all water lines to the Union County Water Department, if applicable.

_____ _____

Date Owner(s)

I, _____, a notary public of _____ County, North Carolina, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing certificate.

Witness my hand and official seal this ___ day of _____, 20___.

My commission expires: _____ _____

NOTARY PUBLIC

B. **Certificate of Survey and Survey Accuracy**

1. The professional surveyor must certify as to the accuracy and detail of surveys of properties that are part of a subdivision and to the source of information for which the survey is based. The surveyor must certify that the survey map was prepared in accordance with G.S. 47-30 as amended.

2. The surveyor must sign, seal, and date the survey and they must include their professional registration or license number.

3. All signatures of professional surveyors must be witnessed by a notary public.

4. Sample Certificate:

CERTIFICATE OF SURVEYORS RESPONSIBILITIES AND ACCURACY
I (we), _____, certify that this plat was drawn under my supervision from an actual survey made under my supervision (deed description recorded in Book ___, page ___, etc.) (other); that the boundaries not surveyed are clearly indicated as drawn from information found in Book ____, page ____; that the ratio of precision or positional accuracy as calculated is ____; that this plat was prepared in accordance with G.S. 47-30 as amended. Witness my original signature, license number and seal this ___ day of ___, A.D., ____, _____.
Seal or Stamp

C. **Division of Highways District Engineer Certificate**

1. If the plat involves an NCDOT roadway, check with NCDOT to determine if they need to have the certificate on the plat.

2. ~~1.~~ The District Engineer of the NC Division of Highways must certify that the streets on this plat designated as public are or will be in accordance with the minimum right-of-way and construction standards established by the Board of Transportation for acceptance on the state highway system.

3. ~~2.~~ The District Engineer should further certify that the streets on the plat designated as private streets do not satisfy the minimum right-of-way and construction standards established by the Board of Transportation and that such streets will not be accepted on the state highway system.

4. Sample Certificate:

DISTRICT ENGINEER
I, the District Engineer of the NC Division of Highways, hereby certify that the streets on this plat designated as public are or will be in accordance with the minimum right-of-way and construction standards established by the Board of Transportation for acceptance on the state highway system. I further certify that the streets on the plat designated as private streets do not satisfy the minimum right-of-way and construction standards established by the Board of Transportation and that such streets will not be accepted on the state highway system.

_____ _____
NCDOT District Engineer Date

D. **Certification NCDOT District Engineer and Town Engineering Director for Roads**

1. **NCDOT Certification of Public Roads**

   a. The District Engineer of the NC Division of Highways must certify that the streets on this plat designated as public are or will be in accordance with the minimum right-of-way and construction standards established by the Board of Transportation for acceptance on the state highway system.

   b. Sample Certificate:

   DISTRICT ENGINEER CERTIFICATION OF PUBLIC ROADS
   I, the District Engineer of the NC Division of Highways, hereby certify that the streets on the plat designated as public are or will be in accordance with the minimum right-of-way and construction standards established by the Board of Transportation for acceptance on the state highway system.

   _____ _____
   NCDOT District Engineer Date

2. **Town Engineering Director Certification of Private Streets**

   a. ~~2.~~ The Town Engineering Director should further certify that the streets on the plat designated as private streets have been designed to satisfy the minimum right-of-way and construction standards established by the Town of Indian Trail Land Development Standards for private streets. These streets will not be accepted on the Town roadway system, so the Town is not liable for the maintenance and repair of the streets.

   b. Sample Certificate:

   CERTIFICATE OF ENGINEERING DIRECTOR APPROVAL
   I, the Engineering Director for the Town of Indian Trail, hereby certify that the streets on this plat that are designated as private streets have been designed to satisfy the minimum right-of-way and construction standards established by the Town of Indian Trail Land Development Standards for private streets. These streets will not be accepted on the Town roadway system, so the Town is not liable for the maintenance and repair of the streets.

   _____ _____
   Engineering Director Date

3. **Town Engineering Director Certification of Public Streets**
   a. The Town Engineering Director for the Town of Indian Trail must certify that the streets on this plat are designated as public are or will be in accordance with the minimum right-of-way and construction standards established by the Town of Indian Trail in the Town Land Development Standards for acceptance on the Town roadway system.

   b. Sample Certificate:

   CERTIFICATE OF TOWN ENGINEERING DIRECTOR APPROVAL
   I, the Engineering Director for the Town of Indian Trail, hereby certify that the streets on this plat that are designated as public are or will be in accordance with the minimum right-of-way and construction standards established by the Town of Indian Trail in the Town Land Development Standards for acceptance on the Town roadway system.

   _____ _____
   Engineering Director Date

E. **Certification by the Planning Director**

1. The Planning Director must certify that the final plat satisfies all the requirements of this Ordinance.

2. The Planning Director must certify that all streets, utilities, and other required improvements shown on the plat have been installed or completed in a acceptable manner or that their installation or completion (within 24 months after the date below) has been assured by the posting of a performance bond or other sufficient surety, and that the subdivision shown on this plat is in all respects in compliance with the Town of Indian Trail specifications and standards~~, and the filing fee for this plat has been paid~~. The Planning Director will certify the approval of the final plat and such certification will be valid provided the plat is recorded with Union County Register of Deeds within 30 days.

3. Sample Certificate:

CERTIFICATE OF PLANNING DIRECTOR APPROVAL
I, the Planning Director for the Town of Indian Trail, hereby certify that the final plat satisfies all the requirements of the Town's Unified Development Ordinance. I further certify that all streets, utilities, and other required improvements shown on the plat have been installed or completed in an acceptable manner or that their installation or completion (within 24 months after the date below) has been assured by the posting of a performance bond or other sufficient surety, and that the subdivision shown on this plat is in all respects in compliance with the Town of Indian Trail specifications and standards. The Planning Director will certify the approval of the final plat and such certification will be valid provided the plat is recorded with Union County Register of Deeds within 30 days.

_____ _____
Planning Director Date

F. **Review Officer Certificate**

1. Even though a sample certificate is provided below, check with the Union County Review Officer to see that the correct and current certificate language is used. The County's requirements will supersede the following sample certificate.

2. **Sample Certificate:**

REVIEW OFFICER
STATE OF NORTH CAROLINA
COUNTY OF UNION

I, _____, Review Officer of Union County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

_____ _____
Review Officer Date

G. **Required Notes on Final Plats with a BMP Pond**

1. Residential Final Plat Note:
   - The purpose of the BMP is to treat/reduce the pollutants associated with stormwater runoff in order to minimize negative effects to downstream receiving waters. The easement around the BMP is to allow stormwater conveyance and system maintenance. The removal of plants or disturbance of the BMP structure or otherwise affecting the

overall functionality of the BMP for reasons other than maintenance is strictly prohibited.

2. Nonresidential Final Plat Notes:
   - This property contains water quality features that must be maintained according to the operations and maintenance agreement and plan recorded in Deed Book ____ and Pages _____.
   - Homeowners association will be responsible for the ownership and maintenance of open space, common areas, BMP areas, median areas, landscape areas, private stormwater easements, wall easements, all stormwater control measures, and conservation lands.
   - Undisturbed open space area: Future disturbance is prohibited in these areas except for greenway trails with unlimited public access, new utility lines and channel work/maintenance by Union County Water Department (UCW).
   - The purpose of the BMP is to treat/reduce the pollutants associated with stormwater runoff in order to minimize negative effects to downstream receiving waters. The easement around the BMP is to allow stormwater conveyance and system maintenance. The removal of plants or disturbance of the BMP structure or otherwise affecting the overall functionality of the BMP for reasons other than maintenance is strictly prohibited.

370.130 Minor Subdivisions, Lot Line Adjustments Or Lot Combinations/Recombinations

A. [NO CHANGES TO A, B, C, D, F AND G.]

E. Certification

1. In the abbreviated procedure for plats that are not part of a major subdivision, the certifications for the final plats shall be the same as required in the normal review procedure as specified in Section 370.060. The certification of approval shall appear on the plan or plat sheet and include certification from the Planning Director that the minor subdivision, lot line adjustment, or lot recombination~~, 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 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.

2. A lot recombination plat that, after staff review, is found to qualify as exempt, does not require the certification language for, nor signature of the Planning Director.

3. Sample Certificate:

CERTIFICATE OF PLANNING DIRECTOR APPROVAL
I, the Planning Director for the Town of Indian Trail, hereby certify that the minor subdivision shown on this plat is in all respects in compliance with the Town's Unified Development Ordinance, and therefore this plat has been approved by the Town of Indian Trail Planning Director, subject to its being recorded in the office of the Union County Register of Deeds within 30 days of the date below.

_____ _____
Planning Director Date

D. CORRECT CONTRADICTING COMBINATION / RECOMBINATION PLAT LANGUAGE

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The revisions in this section correct a contradiction between two areas of the UDO. Combination and recombination plats (see proposed definition herein for description) can qualify to be exempt from subdivision requirements if certain conditions are met per NC state law. If

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES
Chapter 370 Subdivisions

370.130 Minor Subdivisions, Lot Line Adjustments or Lot Combinations/Recombinations

A. **Purpose**
An abbreviated process shall be permitted to simplify and ~~speed up~~ expedite the review procedure for handling minor subdivisions, lot line adjustments, ~~or~~ lot combinations, 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 combinations and recombinations are ~~typically~~ exempt from subdivision regulations and not subject to approval ~~or disapproval~~ by certification by the Town but must be reviewed to confirm the plat meets the exemption standard as explained below in C., Lot Line Adjustment or Combination/Recombination. [MOVED ->] ~~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.~~ [<- MOVED TO "2.c" BELOW.] ~~This process will ensure that all plats are consistent~~

~~with this section so accurate records are maintained by Union County and the Town of Indian Trail.~~

B. [NO CHANGES TO B, D, F AND G.]

C. Lot Line Adjustment or Combination/Recombination

1. **Lot Line Adjustment**
   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~~ fails to meet the minimum standards of this ordinance.
   c. **Review Process**
      Lot line adjustments are reviewed by the Town as a plat revision and, if approved, must be certified by the Town.

2. **Combination or Recombination Plat**

   a. [MOVED TO HERE ->] ~~however, in order for~~ For combination and recombination plats to be equal to or exceed the standards of the Town and requirements of this UDO, ~~combination and recombination plats~~ staff will ~~be~~ review~~ed~~ the plat but not certify~~ied on~~ the plat ~~when~~ if staff confirm the exemption standard is met ~~approved~~. [<- MOVED FROM "A" ABOVE.] In addition to confirming the exemption, some proposed changes may be inaccurate due to the following errors: not being in compliance with this ordinance's requirements; revisions contrary to existing conditional zoning conditions; revisions affecting unsuspecting adjacent property owners; or inaccurate data on the plat. See Section 1620.160 for each definition of combination and recombination plats.
   b. A combination or recombination ~~of portions of previously subdivided and recorded lots where total number of lots is not increased and the resultant lots are equal to or exceed the standards of the municipality.~~ plat shall be exempt from subdivision regulations if the conditions are met in Section 1110.040 Exemptions. If there are no other revisions on the plat qualifying as plat revisions, Town certification language nor signature blank shall not appear on the plat.
   c. If the plat does not meet the exemption standard and/or contains revisions or conflicts, the plat must be reviewed as a plat revision review and, if approved, certified by the Planning Director with the applicable certification language.

E. **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 370.060. The certification of approval shall appear on the plan or plat sheet and include certification from the Planning Director that the minor subdivision~~,~~ or 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 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. Combination and recombination plats are exempt from needing a signature, but, as mentioned in "C.2.c" above, still requires review to confirm that the plat is only a plat recombination and not, for example, containing changes requiring a plat revision review process requiring a Town certification.

DIVISION 1600 TERMINOLOGY AND MEASUREMENTS
Chapter 1620 Definitions

1620.160 Definitions - "P"

Plat, Combination
A plat joining lots from the same owner with matching zoning districts, and the total number of lots is not increased. It is possible to have a plat that involves both a combination and recombination action. See Subdivision Regulations Section 1110.040 for what qualifies as an exemption from the subdivision regulations.

Plat, Recombination
A plat rearranging boundaries among two or more existing lots with matching zoning districts, and the total number of lots is not increased. It is possible to have a plat that involves both a combination and recombination action. See Subdivision Regulations Section 1110.040 for what qualifies as an exemption from the subdivision regulations.

E. REMOVE ZERO SETBACK FROM BUSINESS/COMMERCIAL LOT STANDARDS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The range from 0 to 10 or 15 feet for the overlays was conflicting with landscaping requirements so revisions were made to reflect more logical setback minimums.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS
Chapter 530 Business and Commercial Zoning

530.040 Lot and Building Standards
All residential and nonresidential development in business districts must comply with the lot and building standards of Table 500-2, except as otherwise expressly provided. Rules for measuring compliance with the lot and building standards established in Table 500-2 and applicable exceptions to the standards can be found in the Development Review Procedures, DIVISION 300.

A. Lot Size, Density, Setback and Height Table

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

Lot and Building Standards [1]	**NBD**	**GBD**	**RBD**	**O-NSAC, O-MUAC and O-SRAC**
Lot Size				
Lot Area (min.)	6,000 sq ft	6,000 sq ft	8,000 sq ft	NA
Lot Area Per Dwelling Unit (min.)	6,000 sq ft	6,000 sq ft	6,000 sq ft	NA
Lot Width (min.)	60 ft	60 ft	60 ft	NA
Building Setbacks and Height				
Front Setback (min. ~~unless range provided~~) [2]	25 ft; 15 if parking is located behind building	25 ft; 15 if parking is located behind building	40 ft; 20 if parking is located behind building	~~0-15 (max.)~~ 15 ft and parking located behind building
Rear Setback – Not Abutting Residential (min.)	12.5 ft	12.5 ft	20 ft	~~NA~~ 10 ft
Rear Setback - Abutting Residential (min.)	15 ft	20 ft	20 ft	15 ft
Side Setback – Not Abutting Residential (min. unless range provided)	10 ft	10 ft	10 ft	~~0-10 ft~~ 10 ft
Side Setback - Abutting Residential (min.)	15 ft	20 ft	20 ft	15 ft
Side Setback - Abutting a Street (min.)	25 ft; 15 if parking is located behind building	25 ft; 15 if parking is located behind building	40 ft; 20 if parking is located behind	~~0-15 ft (max.)~~ 15 ft
Maximum Height	50 ft	50 ft	70 ft	70 ft (45 for single family detached & attached residential)
Max. Building Area (Gross Floor Area (GFA) for individual establishments/ uses on a single building floor level) [3]	15,000 sq ft	35,000 sq ft	None	15,000 sq ft

[1] See Residential Lot Standards Table for Residential Uses Permitted in Non-Residential Districts.

~~[2] Maximum front setback may be modified by the Planning Director based on impacts from planned road widenings, locations of utilities, and the character of the existing and proposed development.~~

[3] For NBD, GBD, and O-VCD listed GFA maximums do not include Grocery Stores, Convention Facilities, Banquet Halls, Indoor Recreation Facilities, Hotels, Apartments, and Theaters.

F. REVISE DOWNTOWN RESIDENTIAL SIDE SETBACKS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Side setback took too much of the limited space on a Downtown lot. The minimum side setback total of 30 feet wide would only leave 20 feet of width for a new home. This revision will reduce the side setbacks for DTD-R to allow at least a minimum width of 30 feet for a new home.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS

Chapter 560 Downtown Zoning Districts

560.030 Lot and Building Standards
[NO CHANGES TO INTRODUCTION TEXT.]

A. **Lot Size, Density, Setback and Height**

Table 500-4: Downtown Lot, Density, Setback and Height Standards

Lot and Building Standards	DCD	DTD	DTD-R
LOT SIZE			
Lot Area	NA	NA	NA
Lot Area Per Dwelling Unit (min. sq. ft.)	NA	NA	8,000
Lot Width (min. ft.)	NA	NA	50
BUILDING SETBACKS AND HEIGHT			
Front Setback (min. ft.)	None	10	25
Rear Setback – Not Abutting Residential (min. feet)	None		30
Rear Setback – Abutting Residential (feet)	15 max.	30 min.	30 min.
Side Setback – Not Abutting Residential (feet)	10 max.	10 min.	10 min.
Side Setback – Abutting Residential (feet)	15 max.	15 min.	~~15~~ 10 min.
Side Corner (min. ft.)	None	10	10
Accessory Structure Setback (min. feet from side and rear property lines) (1)	5	5	5
Accessory Structure Setback - Corner Lot Street Side (min. feet from side and rear property lines) (1)	5	10	10
Maximum Height (feet)	50	50	50
Maximum Building Area (Gross Floor Area (GFA) for individual establishments/ uses on a single building floor level) (3)	15,000 sq. ft.	20,000 sq. ft.	NA

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

G. INDOOR AND OUTDOOR RECREATION REVISIONS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The existing ordinance provides a small and large Indoor Recreational Facility use but provides no guidance in facility square footage sizes for each. After researching other communities, we did not find a clear standard that exists to differentiate the two. The revisions below merge both uses into one use, Indoor Recreational Facility. We determined that the maximum gross floor area requirements in DIVISION 500 will provide the size parameters necessary.

PROPOSED ADDITIONS AND REVISIONS

Chapter 560 Permitted Uses

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Cat.	Use Type	RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR	NBD	GBD	RBD	I	DCD	DTD	DTD -R	L-I	H-I	Overlays[1] O-MUAC/ O-SRAC	Use Specific Standards	Land Use Group
Recreation	Recreational Facility, Indoor ~~Small~~	X	X	X	X	X	X	X	P	P	P	P	P	P	X	~~C~~ P	X	P		2
	~~Recreational Facility, Indoor Large~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~X~~	~~C~~	~~P~~	~~P~~	~~P~~	~~C~~	~~C~~	~~X~~	~~P~~	~~X~~	~~C~~		2
	Recreational Facility, Outdoor	C	C	C	C	C	C	X	C	P	P	P	C	C	X	P	X	C		2

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

H. ACCESSORY DWELLING SETBACK CLARIFICATION

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Some applicants have been assuming that accessory dwellings have the same setbacks as other accessory structures such as a shed, for example. This revision is to clearly state that the accessory dwelling units follow the same setbacks as the primary structure.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 700 SUPPLEMENTARY USE REGULATIONS
Chapter 710 Accessory Uses and Structures

710.070 Accessory Apartment, Temporary Health Care Structure and Prohibited Dwelling Units Standards

A. **Accessory Apartment**
Accessory apartment is defined in UDO Section 1620.010. The following regulations shall apply to all accessory apartment uses:

1. [NO CHANGES TO 1 AND 3 THRU 7.]

2. An accessory apartment may be attached to the primary residential dwelling unit, or in a detached structure, on the same residential lot, provided that all lot coverage and setbacks for such an apartment are met as stated in the ordinance. The setbacks for accessory apartments are based on the primary structure's setbacks and not the setbacks for accessory structures in Section 710.040 Lot and Building Standards.

B. [NO CHANGES TO B AND C.]

I. SIGNAGE REQUIREMENTS SECTION LOCATION AND VARIOUS WALL SIGN REVISIONS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

These revisions are to relocate the overall requirements tables to the front instead of the back of the sign division and to reformat the business/commercial/industrial sign requirements table into a user-friendly format. Revisions were also made to Table 900-8 for the business/commercial/downtown signage to clarify requirements, to limit visual clutter, allow proper illumination of signs in all districts, and identify number of wall signs to allow.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 900 SIGNS

Chapter 920 ~~Sign Area and Height~~ Sign Requirements

920.010 ~~9160.040 Table of~~ Sign Requirements Overview
[ALL EXISTING MATERIAL IN BLACK MOVED FROM CHAPTER 9160, "ADMINISTRATION, ENFORCEMENT, APPEALS AND PENALTIES".]

A. The signs in the tables are permitted with a permit as an accessory use to a principal permitted use in the respective districts.

B. Uses not indicated shall be placed in the category having similar uses by action of the Planning and Zoning Board in a quasi-judicial proceeding. At such time, sign requirements for such uses shall be established.

C. **Permitted Sign Table – Residential Districts**
Business or identification signs in Residential Districts are subject to the following limitations:

Table 900-6: Residential and Businesses~~/~~ in Residential Districts Identification Sign Requirements

Use Classification	Maximum Number	Maximum Sign Face Area (sf)	Allowed Sign Type	Maximum Height of Freestanding Sign (Feet)
Single-Family Home, Two-Unit Dwelling	1	1.5 sf	Wall	NA
Multi-Family	2 per frontage	18	Wall	NA
Residential Subdivision	2 per frontage	20	Ground	7
Manufactured Home Park	1 per frontage	18	Ground	6
Daycare Center* (Adult or Child Care)	1 per frontage	24 square feet	Wall or Ground	6
Public Schools* Union County Public Schools see Chapter 7250		64 sf including bulletin board	Ground	6
Churches, Synagogues or other places of Worship	1 per frontage	32 sf including bulletin board	Ground	6
* Institutional uses may utilize manual changeable copy sign or LED Static Message Board.				

D. **Permitted Sign Table – Institutional Uses/Districts**
The following identification signs are permitted for Institutional Uses/Districts:

Table 900-7: Institutional Sign Requirements (for Institutional Use or in Institutional District)
[NO CHANGES TO THIS TABLE.]

E. **Permitted Signs for Business, Commercial, Industrial, Downtown Districts, and Certain Overlays**

The following identification signs are permitted in Business, Commercial, Industrial, Downtown zoning districts, and certain overlays:

1. Sign Area, Number and Height

Table 900-8. Sign Requirements for Business, Commercial, Industrial, and Downtown Districts, and Certain Overlays

Standard	NBD, GBD Districts	Downtown Districts[1], Mixed Use Activity Center Overlays, and Sub-Regional Activity Center Overlay		RBD District	L-I, H-I District
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 9110				
Institutional Uses	Refer to 9160.040D, Permitted Sign Table - Institutional Uses/Districts				
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 9110.				
Maximum Freestanding Sign Height	10 multi-tenant centers 6 single tenant parcels	6 single tenant 10 multi-tenant center		6 ft., 20ft., or 25 ft. pursuant to Chapter 9110	6, 10 multi-tenant
Internal Illumination	Yes, Allowed	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 signs 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 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 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.				

[1] See "9110.020" for Downtown monument sign requirements

Table 900-8: ~~Freestanding, Wall and Projecting~~ Sign Requirements for Business, Commercial, Industrial, Downtown Districts, and Certain Overlays [DELETE EXISTING TABLE.]

	Maximum Sign Area		Maximum Number Signs		Max Freestanding Sign Height (feet)	
Districts or Uses	**Per Wall[1]**	**Freestanding**	**Wall[1]**	**Freestanding**	**Single-tenant**	**Multi-tenant**
NBD and GBD Districts	10%	32 sf[3]	2	1 per Lot[3]	6	10
RBD District	10%	32 sf[3]	2	1 per Lot[3]	6	10
Districts Along Hwy 74/ Independence Blvd or Old Monroe Rd	10%	Refer to Chapter 9110: Single Tenant = Table 900-3; Multi-Tenant = Table 900-4	2	1 per Lot[3]	20 to 25 Per Chapter 9110	20 to 25 Per Chapter 9110
Districts Along Indian Trail Fairview Rd	10%	Single = 32 sf or Multi-Tenant = Chapter 9110, Table 900-5	2	1 per Lot[3]	6	10, 12 or 15 Per Chapter 9110
Downtown DCD and DTD Districts[4]	10%	18 sf	2	1 per Street Frontage up to 2 signs	6	Not Allowed
Downtown DTD-R District[4] (Residential Subdivisions)	10%	12 to 18 sf	2	2 Signs per Entrance	6	NA
L-I and H-I Districts	10%	32 sf[3]	2	1 per Lot[3]	6	10
Overlays	10%	32 sf[3]	2	1 per Lot[3] 9110	6	10
Commercial or Industrial Centers[5]	10%	100 sf if Not Along Hwy 74 (See Chapter 9110 for Hwy 74 Centers)	Each Business Unlimited up to 10% of Wall or Unit Section	1 if Not Along Hwy 74[5] (1 Additional if 9110.08B Allows)	6	10 or 3 Key Hwys = 20 to 25 per 9110
Planned Industrial Parks or Office Parks	NA	18 sf per Monument Sign	NA	2 per Entrance Behind Right-of-Way	7	NA

[1] See details related to number of wall signs in Section 9100.040.

[2] Wall Sign Area based on front building or suite façade with a primary entrance for each business not to exceed 250 square feet in area.

[3] Unless otherwise authorized in Chapter 9110, Freestanding and Ground Mounted Signs.

[4] See "9110.020" for Downtown monument sign requirements.

[5] Space on multi-tenant sign consistent with the approved sign plan for the commercial/industrial centers. Centers located along Hwy 74/Independence Boulevard, Old Monroe Road and Indian Trail Fairview Road shall comply with Chapter 9110.

2. **Sign Illumination**
   Wall sign, projected sign and freestanding sign illumination is allowed in all districts where such signs are permitted. Internally lit freestanding signs must have back lit channel letters, open face channel letters, and a routed and backed panel. Externally lit freestanding signs must be directed towards the sign.

920.020 Sign Dimensions

A. ~~920.010~~ **General Surface Area Requirements**
All area provisions in this DIVISION are calculated from the sign surface area dimensions defined in this ~~Chapter~~ Section.

1. **Double-Faced Signs**
   In case of signs mounted back-to-back, only one side of the sign is to be used for computation of the area. Back-to-back signs shall be defined as double-faced signs. Otherwise, the surface area of each sign is to be separately computed.

2. **Three-Dimensional Signs**
   In the case of cylindrical signs, signs in the shape of cubes, or other signs which are substantially three-dimensional with respect to their display surfaces, the entire display or surface is included in computations of area.

3. **Entrance Wall or Fence Sign**
   If a sign is attached to an entrance wall or fence, only that portion of that wall or fence onto which the sign face or letters are placed shall be calculated in the sign area.

B. ~~920.020~~ **Sign Surface Area**
The sign area (see Figure 900-1 below) will be measured by the following methods:

1. A geometric shape enclosing any message, logo, symbol, name, photograph, or display face for all sign types excluding Channel Letter Signs; and

2. The area of individually mounted or painted sign letters applied directly to the building face which are not further emphasized by an architectural or painted element of the building shall be calculated as the sum of the area within a series of rectangles which encompasses each individual letter.

Figure 900-1: Sign Surface Area Calculation



Area A+B+C+D= Sign Area

C. ~~910.030~~ **Sign Frame Area**
The frame area will be measured from the dimensions of a geometric shape formed by all supports, frames, braces, bordering, and embellishments, which extend beyond the sign surface area, and that enclose the sign surface area.

D. ~~910.040~~ **Sign Height**
The height of a sign shall be measured from the highest point of a sign to the point of ground surface beneath it. Ornamentation such as caps and spires are not included in this measurement. The use of berms or raised landscape areas is only permitted to raise the base of the sign to the mean elevation of the fronting street.

Chapter 9100 Wall Signs

9100.040 Number of Signs
A single-tenant building may display one (1) wall sign on the main entrance wall with an optional sign on one (1) additional side or rear building wall. Multi-tenant buildings may have one (1) sign per each unit entrance wall segment. An additional multi-tenant wall sign may be used under two options. The tenant signs may be repeated on the rear of each unit in the same way as the front tenant wall signs or, if one of the sides is used, a multi-tenant wall sign must be used and not larger than 10% of the side wall total square footage.

Chapter 9160 Administration, Enforcement, Appeals and Penalties

9160.010 Administration
[NO CHANGES TO THIS SECTION.]

9160.020 Appeals
[NO CHANGES TO THIS SECTION.]

9160.030 Violations and Penalties
[NO CHANGES TO THIS SECTION.]

~~**9160.040 Table of Sign Requirements**~~
[MOVE SECTION TO FRONT OF DIVISION 900.]

J. INCORPORATE PAVEMENT DESIGN STANDARDS LANGUAGE RESULTING FROM NEW LEGISLATION

REASON FOR PROPOSED ADDITIONS AND REVISIONS

A new NC law limited pavement design regulation powers so the revisions remove the old language and just refers to the Land Development Standards.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 1100 SUBDIVISION REGULATIONS
Chapter 1110 General Provisions

1110.090 Street and Sidewalk Improvements

A. [NO CHANGES A THRU G, AND I THRU U.]

H. **Pavement Design**
Pavement ~~widths and thicknesses~~ design shall be in accordance with ~~the~~ any applicable standards ~~of the North Carolina Department of Transportation and the Town 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~~ in the Town of Indian Trail Land Development Standards (ITLDS).

K. TOWN DESIGN STANDARDS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The design standards section of the UDO has been lacking in several ways including poor, inefficient organization, and, most importantly, insufficient design language. Making the revisions adding the design language will help to guide development quality and add more details to explain Staff design review comments.

OUTLINE

REVISIONS TO CHAPTERS

DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS

Chapter 1310 ~~Integrity And~~ Introduction to Site and Building Design Standards
Chapter 1320 ~~1310.030 Articulation~~ Site and Building Design Standards – ~~for~~ Single-Family Residential ~~Buildings~~
Chapter ~~1320~~ 1330 ~~Nonresidential/Commercial~~ Site and Building Design Standards – Nonresidential/Commercial and Multifamily Residential
Chapter 1340 Downtown Design Standards
Chapter ~~1330~~ 1350 Lighting Standards
Chapter ~~1340~~ 1360 Transportation Infrastructure And Traffic Impacts
Chapter ~~1350~~ 1370 Intersection Visibility
Chapter ~~1360~~ 1380 Flood Damage Reduction Ordinance
Chapter ~~1370~~ 1390 Storm Water Management Permits
Chapter ~~1380~~ 13100 Post Construction
Chapter ~~1390~~ 13110 Sedimentation Pollution Control
Chapter ~~13100~~ 13120 Water, Sewer, Utilities And Easements
Chapter ~~13110~~ 13130 Fire Protection For Developments
Chapter ~~13120~~ 13140 Driveway, Street And Sidewalks
Chapter ~~13130~~ 13150 Trash Enclosures And Grease Trap Facilities
Chapter ~~13140~~ 13160 School Impact Study

REVISIONS TO CHAPTER 1310

Chapter 1310 ~~Integrity And~~ Introduction to Site And Design Standards

- 1310.010 Purpose
- 1310.020 Compliance

REVISIONS TO NEW CHAPTER 1320

Chapter 1320 ~~1310.030 Articulation~~ Site and Building Design Standards – ~~for~~ Single-Family Residential ~~Buildings~~

- 1320.010 ~~A.~~ Required ~~Articulation~~ Design Standards for All Single-Family Residential Buildings
- 1320.020 ~~B.~~ Desired ~~Articulation~~ Design Standards for Single-Family Residential ~~Buildings in~~ Development Conditional Zonings ~~Developments~~
- 1320.030 ~~1310.040~~ Desired Material Standards for the Conditional Zoning of Site-Built and Modular Housing ~~in Conditional Zoning Developments~~
- 1320.040 ~~1310.050~~ Manufactured Housing Units on Individual Lots
- 1320.050 ~~1310.060~~ Two-Family Dwellings, ~~Town Homes~~ Townhomes and Rooming Houses

REVISIONS TO NEW CHAPTER 1330

Chapter ~~1320~~ 1330 ~~Nonresidential/Commercial~~ Site and Building Design Standards – Nonresidential/Commercial and Multi-family Residential

- 1330.010 ~~1320.010~~ Applicability
- 1330.020 Design Principles
- 1330.030 Site Design
- 1330.040 Building Design
- 1330.050 ~~1320.050~~ Large Stores and Shopping Centers
- 1330.060 ~~1320.060~~ Industrial Centers/Business Parks

REVISIONS TO NEW CHAPTER 1340

Chapter 1340 Downtown Design Standards

- 1340.010 Goals
- 1340.020 Lot and Building Standards
- 1340.030 Open Space
- 1340.040 Landscaping
- 1340.050 Signage
- 1340.060 Downtown Furnishings

PROPOSED ADDITIONS AND REVISIONS

DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS

Chapter 1310 ~~Integrity and~~ Introduction to Site and Building Design Standards

1310.010 Purpose
The regulations of this Chapter are intended to promote quality, aesthetically pleasing development throughout Indian Trail and to provide a wide range of nonresidential and residential structure types to accommodate the life-styles and economic levels of the projected population. The regulations are further intended to promote quality development that complies with all Town and state regulations and minimizes land use conflicts.

1310.020 Compliance
Plans demonstrating compliance with the design standards of this Chapter will be reviewed by the authorizing permit authority at the time of development's initial review and consideration for approval. The authorizing permit authority may approve plans that deviate from these standards if the plan is consistent with the statement of purpose and utilize equal or better design strategies and materials.

A. Any proposed changes to an approved ~~Integrity and~~ Building Design Permit such as a change in building design or building materials, shall require approval by the Planning Director.

B. Any proposed changes to an approved ~~Integrity and~~ Building Design Permit associated with a 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 Conditional Zoning approved by the Town Council shall require an amendment of the Conditional Zoning approval.

C. In the event of conflict with the Downtown Master Plan design guidelines and this DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS, 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.

Chapter 1320 ~~1310.030 Articulation~~ Site and Building Design Standards – ~~for~~ Single-Family Residential ~~Buildings~~

1320.010 ~~A.~~ Required ~~Articulation~~ Design Standards for All Single-Family Residential Buildings
All residential detached buildings and attached townhouse building units on individual lots in residential districts must include the following design features:

A. ~~1.~~ **Front and Side Garage Projection**
The provision of garage space in the front or side of a home should not result in negative visual impacts on the design of the front façade. Refer to Section 1320.020.B.4 for garage requirements. ~~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).~~ Figure 1 shows an example of a projecting garage dominating the appearance of the front façade.



Figure 1: Excessive Garage Projection and Front Façade Coverage

~~B. Desired Articulation Standards for Residential Buildings in Conditional Zoning Developments~~
["B" MOVED FURTHER BELOW UNDER 1320.020.]

B. ~~C.~~ **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 ~~"D"~~ "C".

C. ~~D.~~ **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.

D. **Varied Townhouse Building Placement**
Townhouse 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. [COPIED FROM EXISTING 1310.070.]

1320.020 ~~B.~~ Desired ~~Articulation~~ Design Standards for Single-Family Residential ~~Buildings in Development~~ Conditional Zonings ~~Developments~~
~~1.~~ The following are desired design features for **single-family** residential structures in Conditional Zoning districts.

A. Residential structures are encouraged to include <u>at least five (5)</u> 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;

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 may not be less than six (6) nominal inches on any side and round columns 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: 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 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. ~~2.~~ Each of the following design features are desired on residential structures in a Conditional Zoning development:

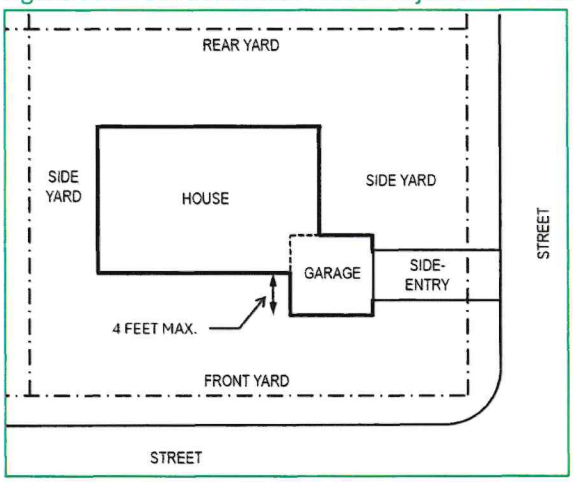
1. Openings including doors and/or windows on street facing building facades. Windows are suggested to have appropriate window trim per style of architecture. Blank walls are not desired.

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~~ -entry garages and a front-facing side of a side-entry garage 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~~. See Figure 1300-99 for a diagram showing the front-facing side wall of a side-entry garage. For a front-entry garage, ~~A~~ a maximum of ¼ of the front façade is allowed to be a wall with a front facing garage door(s).

Figure 1300-99: Maximum Front Projection for Side-Entry Garage



1320.030 ~~1310.040~~ Desired Building Material Standards for the Conditional Zoning of Site-Built and Modular Housing ~~in Conditional Zoning Developments~~

Residential buildings in a Conditional Zoning constructed on-site may be improved with quality materials that are durable, safe, and require limited maintenance. It is recommended that materials be selected for suitability to the type of building and design for which they are used. All facades visible from public or private streets are desired to be constructed of the following materials:

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.

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.

E. See "G. **Accessory Structure Materials**" in Section 710.040 Lot and Building Standards for accessory structure material requirements.

1320.040 ~~1310.050~~ Manufactured Housing Units on Individual Lots
[NO CHANGES UNDER HERE.]

1320.050 ~~1310.060~~ Two-Family Dwellings, ~~Town Homes~~ Townhomes and Rooming Houses
[NO CHANGES UNDER HERE.]

~~**1310.070 Multi-Unit Apartment/Condo Buildings; Attached and Multi-Family**~~
[INCORPORATED INTO THE NONRESIDENTIAL/COMMERCIAL SECTION.]

~~A. **General**~~
~~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.~~ [DELETED. SIMILAR INTRODUCTORY LANGUAGE IN NEW 1330.010 APP]

~~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.~~ [MOVED TO 1330.030(SITE DESIGN),A.]

~~C. **Façade Materials**~~ [DELETE. MOST MATERIAL IS DUPLICATED IN 1330.040(BUILDING DESIGN),F,1(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.~~ [INCORPORATED INTO 1330.040,F,8(COLOR PALETTES).]

~~E. Building Design~~

~~The following standards apply to all building facades and exterior walls that are visible from adjoining streets, properties or parking areas.~~ [DELETE TITLE. MOVED PREVIOUS SENTENCE TO NEW 1330.040(BUILDING DESIGN) INTRODUCTION LANGUAGE.]

~~1. Façade design and materials shall be consistent on all building elevations.~~ [DELETE. A BETTER DESCRIPTION OF THE INTENT OF THIS IS IN NEW SECTION 1330.040(BUILDING DESIGN),A(BUILDING COMPOSITION).]

~~2. All building designs must express a distinct "base", "middle", and "top" through the building's architecture details and the use of building materials.~~ [DELETE. DUPLICATE EXISTING LANGUAGE NOW LOCATED IN 1330.040(BUILDING DESIGN),B(BUILDING MASS AND SCALE),1(HORIZONTAL ELEMENTS IMPACTS ON MASSING),d.]

~~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.~~ [MOVED TO NEW 1330.040(BUILDING DESIGN),B(BUILDING MASS AND SCALE),1,d,(1),(C).]

~~4. Buildings must have architectural features that conceal rooftop equipment, such as HVAC units, from public view.~~ [DELETE PREVIOUS SENTENCE AS IT IS DUPLICATED IN NEW 1330.040(BUILIDNG DESIGN),B,3(ROOF FORMS),e.] ~~All flat roof buildings must include parapet screening (maximum five (5) feet in height), and cornice or decorative coping elements along rooflines.~~ [LAST SENTENCE MOVED TO NEW 1330.040(BUILIDNG DESIGN),B,3(ROOF FORMS),e.]

~~5. Vehicular parking shall not be placed between residential buildings and public streets.~~ [DELETE PREVIOUS SENTENCE AS IT IS DUPLICATED IN NEW 1330.030(SITE DESIGN),C.] ~~On-street parking is permitted and encouraged.~~ [MOVED TO NEW 1330.030(SITE DESIGN,C.]

~~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.~~ [MOVED TO 1330.040(BUILDING DESIGN),E,2,c.]

~~F. Articulation~~ [ALL OF "F." MOVED TO NEW SECTION 1330.040(BUILDING DESIGN),B(BUILDING MASS AND SCALE),1,d,(3).]

~~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~~ [ALL OF "G." MOVED AND INCORPORATED INTO "2. ENTRANCES" IN SECTION 1330.040(BUILDING DESIGN),E.]

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 sitting.~~

H. ~~Pedestrian Circulation~~ [MOVED TO 1330.030(SITE DESIGN),B,3.]
~~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.~~

I. ~~Parking Location/Orientation~~ [DELETED DUE TO DUPLICATE IN SECTION 1330.030(SITE DESIGN),C.]
~~Surface parking and parking within accessory structures must be located behind the 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 the view of an abutting street must be screened in accordance with the parking lot landscaping requirements of DIVISION 800.~~

J. ~~Open Space~~ [MOVED TO 1330.030(SITE DESIGN),D.]

~~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~~ [MOVED TO 1330.030.E.]

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

Chapter ~~1320~~ 1330 ~~Nonresidential/Commercial~~ Site and Building Design Standards – Nonresidential/Commercial and Multi-family Residential

[NOTE: The existing multi-unit/multi-family section was deleted. The portion that dealt with townhomes was incorporated into the new Chapter 1320 Site and Building Standards – Single-Family Residential (Attached Units and Detached Homes). Multi-family apartment/condo buildings were incorporated into Chapter 1330 Site and Building Design Standards – Nonresidential/Commercial and Multi-family Residential. Attached townhomes were removed from apartments/condos due to the architectural nature that townhomes and detached single-family homes follow similar designs and standard requirements.]

1330.010 ~~1320.010~~ Applicability

The standards in this Chapter apply to commercial, industrial, multifamily (not single-family detached homes or attached units/townhomes), and mixed-use developments within all Town zoning districts including the Downtown districts. Unless otherwise expressly stated, the material and color standards of this section apply to all facades of nonresidential and multifamily development subject to site plan review that are visible from a public or private street or public area~~s~~ of an adjacent site~~s~~, ~~for non-residential/commercial development in all~~ regardless of zoning ~~districts that are subject to site plan review~~.

Nonresidential/commercial buildings are subject to the zoning district standards of Section 530.040 (Lot and Building Standards), except as modified or supplemented by the standards of this Chapter. This section ~~excludes~~ includes industrial land uses and business parks unless otherwise directed by Section 1330.060 [PREVIOUSLY 1320.060.] Industrial Centers/Business Parks.

Multifamily development addressed in this Chapter refers to condominium and apartment developments. Multifamily buildings are subject to the zoning district standards of Section 520.040 (Lot and Building Standards), except as modified or supplemented by the standards of this Chapter.

~~1320.020 Pedestrian Circulation~~
[MOVED SECTION TO 1330.030(SITE DESIGN),B.]

~~1320.030 Façade Materials~~
[MOVED SECTION TO 1330.040(BUILDING DESIGN),F,1 EXCEPT FOR "D" (FAÇADE COLORS) WHICH WAS MOVED TO 1330.040(BUILDING DESIGN),F,8(COLOR PALETTES).]

~~1320.040 Building Design~~
[MOVED SECTION TO 1330.040.]

~~1320.050 Large Stores and Shopping Centers~~
[MOVED SECTION TO 1330.050.]

~~1320.060 Industrial Centers/Business Parks~~
[MOVED SECTION TO 1330.060.]

1330.020 Design Principles
The following design principles are basic considerations when developing design standards.

A. **Address the Human Scale**
Spaces between buildings or between landscape plantings, and the absence of neighboring buildings or landscaping can give the feeling of being lost. On the other hand, excessive clustering of development can give the feeling of being crowded or overcome by the mass of buildings. Well-placed buildings, streetscape elements, and landscaping provide a more attractive space for pedestrians. Streetscape elements may include furnishing such as benches and trash receptacles, lighting, high-quality crosswalks, artwork, decorative space-defining knee walls, and fountains.

B. **Create a Sense of Place**
The development of special places attracts pedestrians for gathering and social interaction. Special spaces that are welcoming and attractive include well-scaled plazas, pocket parks, and expanded sidewalk areas for café seating. These places may include featured structures such as clock towers, fountains, memorial statues or displays, obelisks, small stage or amphitheater, and art sculptures. Establishing special spaces in a developed area and experiencing them over time, contributes to the character of that area and helps to create a sense of place such as the small-town feel that so many individuals want to cherish.

C. **Connect Uses**
Establishing efficient and attractive connection systems promotes cohesiveness between developments and uses. Examples of connecting uses include sidewalks and trails, streets, plazas or outdoor patios, open space, and overhead pedestrian bridges or enclosed walkways.

D. **Provide Transitions**
Transitions soften the flow between land uses, architectural design, and mobility systems. Establishing transitions preserve and enhance the identity and character of an area. A mix of

businesses can spur economic vitality by creating customer traffic to support more than one business including the office and business employees seeking food, services and entertainment.

E. **Reduce Parking Impacts**
Reducing concentrations of parking is important for both the visual and traffic impacts in Town. Figure 99 shows an image of negative impactful parking. With the concentration of development in the overlays and the Downtown districts, it is important to soften the visual impact of parking areas with, for example, the use of landscaping or efficient use of on-street parking where applicable and safe.



Figure 99: Negative Impactful Parking (Envato)

F. **Plan for Pedestrians, Bicyclists, and Transit Users**
New development or future improvements should incorporate recommendations from adopted mobility-related plans. Such plans include the Comprehensive Plan, Downtown Master Plan, Bicycle Master Plan, and Pedestrian Plan.

G. **Provide Open Space**
Open space is a valuable amenity in mixed use developments or a downtown as it enhances the livability and appeal of an area. Examples of open spaces include greenways, parks, plazas, and pedestrian areas. Open space is developed in various sizes such as small pocket parks, green lawns highlighting an important building, formal gardens, water features, or amphitheater areas for just seating or including a stage for performances.

1330.030 Site Design
The design of new nonresidential/commercial and multifamily buildings shall consider of the relative placement of the structures within natural areas and existing developments. 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. [MOVED FROM INTRO TO 1310.070 MULTI-UNIT APARTMENT/CONDO BUILDINGS: ATTACHED AND MULTI-FAMILY.]

A. ~~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. [MOVED FROM 1310.070.]



Varied Placement of Multi-Unit Structures

B. ~~1320.020~~ **Pedestrian Circulation**

1. ~~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 five (5)-foot width. Such walkways must be located at least 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. [FROM 1320.020]

2. ~~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. [FROM 1320.020]

3. ~~H.~~ 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. [FROM 1310.070,H]

C. ~~I.~~ **Parking Location/Orientation**

Surface parking and parking within accessory structures must be located behind the 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 the view of an abutting street must be screened in accordance with the parking lot landscaping requirements of DIVISION 800. [FROM 1310.070,I] For multi-family apartment or condominium buildings, where permitted, ~~On~~ on-street parking is ~~permitted and~~ encouraged. [LAST SENTENCE MOVED FROM EXISTING 1310.070,E,5.]

D. ~~J.~~ **Open Space for Multi-Family Apartment/Condo Buildings** [FROM 1310.070,J]

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 the Downtown ~~Overlay~~ Districts) 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~~ Districts.
   c. ~~To the extent feasible, a~~Areas with environmental limitations (e.g. designated flood plain areas, wetlands, and areas with a slope in excess of 15%) ~~should~~ shall 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. See Figure 98 for a pool example located in Indian Trail.



Figure 98 Elwood Apartments Pool

E. ~~K.~~ **Site Plan Review**
Site plan review, pursuant to Chapter 370, is required for all non-residential/commercial, and multi-unit apartment/condo buildings containing more than three (3) dwelling units. [FROM 1310.070,K]

1330.040 ~~1320.040~~ Building Design
The building design should establish some basic features for businesses and multifamily residential development. In a mixed use development or in a downtown area, the building or development of several buildings typically has an active relationship with the pedestrian sidewalk becoming an integral zone of transition to and from the street into the building establishments or residences. ~~E.~~ The following building design standards herein apply to all building facades and exterior walls that are visible from adjoining streets, properties or parking areas. [PREVIOUS SENTENCE FROM EXISTING LANGUAGE IN INTRODUCTION LANGUAGE UNDER TITLE "E. BUILDING DESIGN" IN EXISTING SECTION 1310.070(MULTI-UNIT APARTMENT/CONDO BUILDINGS: ATTACHED AND MULTI-FAMILY).]

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

[FROM HERE ->]

~~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.~~ [<- TO HERE…MOVED TO NEW SECTION BELOW, 1330.040,B(BUILDING MASS AND SCALE),1.]

~~B. Buildings must have architectural features that conceal rooftop equipment, such as HVAC units, from public view.~~ [MOVED TO NEW SECTION BELOW, 1330.040,B,3(ROOF FORMS),e.] ~~All flat roof buildings must include parapets and cornice or decorative coping elements along rooflines.~~ [MOVED TO NEW SECTION BELOW, 1330.040,B,4(CORNICES AND PARAPET WALLS).]

~~C.~~ [PORTIONS OF C MOVED TO 1330.030(BUILDING DESIGN),E,2.] ~~Each building must have a clearly defined, highly visible customer entrance featuring at least four (4) of the following elements:~~

~~1. Canopies or porticos;~~
~~2. Overhangs;~~
~~3. Recesses/projections;~~

~~4. Arcades;~~
~~5. Raised corniced parapets over the door;~~
~~6. Peaked roof forms;~~
~~7. Arches;~~
~~8. Outdoor patios;~~
~~9. Display windows;~~
~~10. Architectural details such as tile work and moldings that are integrated into the building structure and design; or~~
~~11. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.~~

~~D. Building height may not exceed 35 feet for a one-story building or as otherwise authorized within the UDO.~~ [DELETED. DIVISION 500 COVERS BUILDING HEIGHT REQUIREMENTS.]

A. **Building Composition**

Building design should not become a rigid, uninteresting product. Arranging building design elements into a composition can result in a pleasing building appearance. Such arrangement of elements may include mass and scale, the form of façade bays, façade fenestration, and color. New development has two paths for composing a building as follows:

1. **General Composition Standards**

    a. Building design composition shall be compatible and complementary to the surrounding buildings and environment.
    b. Emphasize corners with roof and architectural forms such as towers, domes, hipped or pitched roofs.

2. **Two Paths for Building Composition**

    a. **Single Design Building Composition**
    This building design uses one unified design to blend design massing vertically and horizontally with pronounced breaks, and variation in roof forms as described in Section 1330.010, B. Building Mass and Scale.
    b. **Appearance of Multiple Designed Buildings Composition**
    This option is designed for one building façade to appear as multiple connected buildings to create visual interest. Apply different designs to each of the faux individual building façade sections. Accomplish this by using different materials, design elements, and color palettes.

B. **Building Mass and Scale**

The intent is to create an aesthetically pleasing building design that is relatable in scale to the surrounding environment. This building design is manipulated horizontally and vertically in mass and scale to achieve the positive visual impact.

1. **Horizontal Elements' Impact on Massing**
Design treatments must be used to reduce horizontal impacts of the building mass with the following:

a. A variation in height, fenestration, wall planes, and wall surfaces.
b. A variation in roof lines, modulated building heights, stepbacks, or creative detailing.
c. Application of different textures, colors, materials, and distinctive architectural treatments adding interest in an otherwise dull and/or repetitive façade.
d. ~~1.~~ All building designs must ~~express~~ establish a distinct "base", "middle", and "top" through the building's architecture details and the use of building materials. [FROM 1320.040, A,1.]

(1) **Explanation of Key Elements**

(A) Building Base

The building design shall use materials that visually is stronger and foundationally sturdier at the base. Such materials include stone, brick or masonry.

(B) Building Middle

The middle portion of the building shall relate to the bottom and top providing a visual connection or body between the two. The middle shall be the proportional to the bottom and top where it is equal to, or the majority of the building façade height.

(C) Building Top

The top portion of the building shall include roof features as part of the overall design of the building. ~~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. [PREVIOUS SENTENCE FROM EXISTING 1310.070 1310.070(MULTI-UNIT APARTMENT/CONDO BUILDINGS: ATTACHED AND MULTI-FAMILY),E,3.]

(2) **Requirements for Highly Visible Nonresidential/Commercial Buildings**

Buildings visible from public streets must include at least three (3) of the following features (See Figure 88 below): [ALL OF "(2)" FROM 1320.040,A,2.]

(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;
(E) Reveals and projections and changes in texture and color of wall surfaces;
(F) Deep set windows with mullions;
(G) Ground level arcades and second floor galleries/balconies; or
(H) Other features that reduce the apparent mass of a building.

Figure 88: Example of Using Horizontal Elements to Reduce Massing Impacts



Source: Envato image.

(3) **Requirements for Highly Visible Multi-Family Apartment/Condo Buildings**
~~F. Articulation~~ Multi-family apartment/condo buildings visible from public streets, adjacent properties, and parking areas must include at least three (3) of the following features: [ALL OF "(3)" FROM EXISTING 1310.070,F(ARTICULATION).]

(A) ~~1.~~ Clearly pronounced recesses and projections (articulation) at multiple locations for any building with a front façade exceeding 50 feet in width;

(B) ~~2.~~ Wall plane off-sets (minimum two (2) foot depth and spacing every 30 feet) 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;

(C) ~~3.~~ Multiple windows grouped together to establish a design feature that can be either recessed or projecting with a minimum 4'' wide trim.

(D) ~~4.~~ Multiple ornamental pilasters, columns or other similar architectural features integrated into the overall architectural design.

(E) ~~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.

(F) ~~6.~~ Other features that reduce the apparent mass of a building subject to approval by the Planning Director.

2. **Vertical Elements Impacts on Massing**
Design treatments shall be used to reduce horizontal impacts of the building mass with the following (See Figure 99 below for an example.):

a. Use regular intervals of vertical elements to visually relate the base to the top of the building.

b. All of the following types of vertical breaks of the building's massing shall be used:

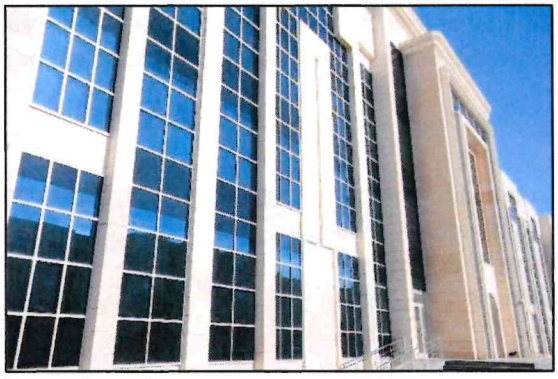
(1) A change in recesses, protrusions, or changes in the plane of the façade of the building sufficient to create a visible shadow line.

(2) A significant Break in the eave line or roof form.

(3) A change in façade material or color.

c. Frequency of vertical massing breaks shall be one of the following:
   (1) Buildings less than 100 feet in length
      (A) Requires a vertical massing break at a distance of 25 feet to front and side building façades.
      (B) Stepbacks shall be increased based on the massing or architecture of the building and shall be a minimum of 12 inches in horizontal distance.
   (2) Buildings 100 feet and over in length
      (A) Requires a vertical massing break at a distance of 25 feet to 50 feet to front and side facades.
      (B) Stepbacks shall be increased based on the massing or architecture of the building and shall be a minimum of 24 inches in horizontal distance.
d. Vertical massing breaks at tenant part walls for multi-tenant buildings.

Figure 99: Example of Using Vertical Elements to Reduce Massing Impacts



Source: Envato image.

3. **Roof Forms**

The roof shall be integral to reduce the impact of building massing vertically through the roof pitch and type of roof architectural characteristics.

a. Articulate the top of the building with elements such as a pitched roof, roof gables, overhangs, flat roofs with parapets, and other roof forms.
b. Acceptable roof forms are pitched, gable, cross gable, shed, butterfly, flat, and hipped roof types.
c. Integrate roof forms into key elements such as entries, towers, dormers, and corner treatments.
d. Eave lines shall:
   (1) Be continuous with breaks to show a change in massing, bay rhythm, tenant walls, or reflect a primary entry into a building.
   (2) Overhang the building a minimum of 12 inches. Larger overhangs shall be considered for the overall design or to provide enhanced solar shading.
e. ~~4.~~ Buildings must have architectural features that conceal rooftop equipment, such as HVAC units, from public view. [SENTENCE FROM EXISTING 1320.040, B.] All flat roof buildings must include parapet screening (maximum five (5) ~~(6)~~ ["(6)" IS TYPOGRAPHICAL ERROR CORRECTION.] feet in height, and cornice or decorative

coping elements along rooflines. [PREVIOUS SENTENCE FROM EXISTING 1310.070,E,4.]

4. **Cornices and Parapet Walls**

~~All flat roof buildings must include parapets and cornice or decorative coping elements along rooflines.~~ [DELETED SENTENCE FROM 1320.040, B.]



Figure 1: Top Cornice (Source: Envato)

Cornice and parapet design elements are required where the roof meets the exterior wall or to articulate the top when there is a flat roof.

a. Cornices, eaves, or rakes shall be used in building designs.
b. Proper visual weight and proportion of the roof/cornice shall be achieved using moldings, brackets, exposed rafters of at least twelve (12) inches.
c. Building with flat roofs sloped 1:12 or less shall have parapet walls along all facades needed to conceal the roof from the public view along any public street or public pedestrian walkway.

5. **Corner Treatments**

Portions of a building at a corner or roadway intersection shall be designed with prominent design features to accentuate and frame the intersection/corner in which the building is fronting.

a. Corner treatments shall wrap around the corner and serve as a focal point using details such as towers, domes, hipped or pitched roofs.



Figure 2: Corner Treatment (Source: Envato)

C. **Façade Bays**

Organize basic elements, such as walls and openings, to create visual interest in the building design. Basic elements may include multiple windows and openings.

1. A pattern of bays, walls, and openings shall be expressed on front and side building facades visible from public view.

2. Multi-story buildings shall align centerlines of openings with the centerlines of the vertical building bays on each floor.

3. Rear facades may use less design treatments if at least one of the following is met:
   a. Screened from an adjacent property's building.
   b. Not visible from any public roadways or internal streets.
   c. Single-story building with an 8-foot masonry wall screening entire public view of the rear façade.

D. **Façade Fenestration**

1. **Commercial Street-Level Entrances and Display Windows**
   First floor windows, door openings, and other glass openings shall include clear glazing on each façade with street-level entrances, storefronts and display windows. Faux windows and spandrel glass are not permitted on the first floor front unless the proposal is justified and approved by the Planning Director. An example of such use may be needed to improve a non-entrance side that is facing the public's view from a street.

2. **First floor Fenestration Glazing**
   a. Non-Residential Buildings Less than 100 Feet in Length
      (1) Building front façade ground floor glazing = 40%
      (2) Building side façade ground floor glazing = 25%
   b. Non-Residential Buildings 100 Feet in Length or More
      (1) Building front façade ground floor glazing = 30%
      (2) Building side façade ground floor glazing = 25%

3. Faux windows or doors are permitted on sides and portions of the façade that are not part of the commercial street-level entrances and display windows as mentioned in "1." above. Faux windows must be opaque so not to show materials or objects behind the glazing/glass.

E. **Building Elements**

1. **Front and Side Façades**
   All front and side building facades facing a public roadway must include a minimum of two (2) of the following building elements:
   a. Awnings
   b. Canopies
   c. Arcades
   d. Galleries
   e. Prominent roof feature
   f. Tower elements

2. ~~G.~~ **Entrances**
   Each building must have a clearly defined, highly visible entrance and ~~featuring at least three of the following elements:~~ [FROM 1310.070,G,3] shall be designed with a storefront that is welcoming, visually interesting, and accessible to create an active pedestrian environment and inviting streetscape.
   a. Each ground floor tenant on the front of a non-residential/commercial building shall have a primary customer entrance. The exception is an office-type building with tenants located off of a central lobby/hallway internal layout.
   b. Each entrance shall have a weather-protection covering with an awning, overhang or canopy.
   c. Multi-Family Apartment/Condo Buildings Only:
      (1) ~~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. [FROM 1310.070,G,1.]

(2) ~~2.~~ Patio-style doors, such as sliding glass doors, may not be used for main entrance doors. [FROM 1310.070,G,2.]

(3) ~~6.~~ For ~~proposed~~ multi-family apartment and condominium buildings located within the Downtown ~~Overlay~~ districts, exposed stairwells, corridors, or breezeways ~~shall~~ must not be permitted. In the event of conflict with the ~~design guidelines of the~~ Downtown Master Plan, ~~the master plan~~ this ordinance shall apply. [FROM 1310.070,E,6.]

d. ~~Each building must have a clearly defined, highly visible customer featuring~~ Entrances must include design articulation by at least four (4) of the following elements [FROM 1320.040,C] for nonresidential/commercial buildings and at least three (3) of the following elements [FROM 1310.070,G,3] for multi-unit apartments and condo residential buildings:

(1) Canopies or porticos

~~(2) Overhangs~~

(2) Recesses or projections

(3) Arcades

(4) Raised corniced parapets over the door

(5) Breaks in eave lines and roof forms (ex. Dormers, stepped rooflines, towers or cupolas, clerestory windows, Peaked roof forms

(6) Arches

(7) Outdoor patios

(8) Display windows

(9) Integrated ~~A~~architectural details such as tile work and moldings ~~that are integrated into the building structure and design~~; or

(10) Integral planters or wing walls that incorporates landscaped areas and/or places for sitting.

(11) Vertical breaks in the massing

3. **Storefront**

a. Storefronts shall front directly onto the sidewalk or terrace level.

b. Storefront openings shall be set within bays that are clearly defined by the building's masonry base and/or façade.

c. Multiple storefronts within the same building shall be visually compatible in terms of scale, alignment, and their relationship to the building as a whole.

d. Individual storefronts shall be designed with a minimum of three (3) of the following design elements:

(1) Lighting fixtures (full cut off)

(2) Bulkheads

(3) String courses

(4) Piers or pilasters

(5) Storefront cornice

(6) Tile work

(7) Masonry

(8) Awnings
(9) Transom windows

4. **Auto-Related Building Elements**
   a. **Drive-Through Canopy**
      Integrate canopy design into overall building design with attention to all the following:
      (1) Building massing;
      (2) Similar materials and colors;
      (3) Canopy roof type of a flat roof shall receive additional design attention to achieve visual interest; and
      (4) Column supports for the canopy shall be articulated with the same building material and color palette as the main building.
   b. **Garage and Loading Bay Overhead Doors**
      (1) Unarticulated, blank overhead doors are prohibited on façades visible from public view. Section 1070.010,G. also states this requirement under DIVISION 1000 Parking.
      (2) If overhead doors are proposed on facades visible from public view, adequate screening (i.e. landscaping, walls, fences, and berms) and articulated overhead doors must be incorporated, reviewed and approved by the Planning Director.
      (3) Articulated overhead doors shall include a minimum of two (2) rows of glass panels.

F. **Building Materials and Colors**
New development must reflect an image of high-quality development within the Town through the following requirements for materials and color.

1. ~~1320.030~~ **Façade Materials**

   a. ~~A.~~ All buildings and other structures must be constructed with brick, ~~cementitious panels or siding,~~ natural stone, architecturally finished and integrally colored concrete masonry units, EIFS (Exterior Insulation Finishing System), glass or other comparable, durable materials that are consistent with the purpose and intent of this chapter and approved during the site plan review process.

   Use of architecturally finished/treated cast stone, ~~or~~ precast panels or concrete masonry units as a primary building material may be allowed in visible areas that are suitable for use in commercial locations and are consistent with the purpose and intent of this chapter and approved by the Planning Director during the site plan review process. Concrete masonry units must not be used on multi-family apartment or condominium buildings.

   b. Architectural-grade metal siding may be used when it contributes to the overall design quality of the building façade(s). The permitted styles are Insulated Metal Panels (IMP), concealed-fastener architectural metal panels, and metal composite

material (ACM) panels. IMP type panels with a ribbed style, and architectural ribbed/corrugated metal type material are not permitted building materials where visible from a public or private street or adjacent public area.

c. ~~B.~~ For buildings 40,000 square feet and larger, a minimum of 30% of the building facade that is visible from streets or other public areas, excluding doors and windows, ~~shall~~ must consist of brick and/or stone.

d. ~~C.~~ Unfinished/treated concrete masonry units, unfinished/treated precast panels, and similar utility-/economical-grade materials may be allowed in service areas and on exterior walls or stairwells that are not generally visible to the public unless otherwise stated in this ordinance. Metal siding or panels must not be used on multi-family apartment or condominium buildings.

[NOTE: "D. FAÇADE COLORS" MOVED TO 1330.020,F,7(COLOR PALETTES).]

2. **Masonry Base**

a. Buildings three (3) stories or more must, at a minimum, have a masonry base (first floor) the full height of the first floor. Floors partially constructed into the ground do not count as a full first floor.
b. Some building designs may exceed the above minimum requirement for masonry for buildings three (3) stories or more. Façade designs may include select bays or corner features constructed in masonry the full height of the design feature.
c. Single-story buildings shall have a masonry base feature proportional to the building massing and fit into the façade design.

3. **EIFS Material**

The use of Exterior Insulation and Finish Systems (EIFS) in the exterior building design will be based on design intent with particular attention to the amount of EIFS, texture, and how the EIFS will complement other materials. The following applies to the application of EIFS:

a. Shall not be used as a primary building material.
b. Shall only be used as an accent application.
c. May be used in combination with other exterior materials on the side and rear facades, and shall comprise no more than 30% of the total street facing façades.
d. May be used on upper floors of buildings three (3) stories or greater in height and shall comprise no more than 30% of the total street facing façades.
e. Shall be applied as color integrated with a high-quality finish/texture when used on any façade.

4. **Multi-Floor Façade Material Incentive**

If a building exterior façade wall elements are exceptionally used with high-quality materials on the first two stories of the building, they may qualify for:

a. 25% reduction on the masonry requirement; or
b. 25% increase to the EIFS and Stucco requirement.

5. **Materials Not Permitted**
   The following exterior building materials are not permitted to be used on building exterior façade design:
   a. Barrier type Exterior Insulation and Finish Systems (EIFS)
   b. Concrete block, painted
   c. Concrete block, smooth-faced gray concrete block (CMU) – Color CMU block may be permitted as an accent material.
   d. Concrete panels, tilt-up – not covered with textured paint or another material. May be used in detailing such as patterns and reveals in finished surfaces, form liners to create interesting textures and patterns, texture coat paints, and architectural detailing.
   e. Concrete systems, Standard single (T) or double (TT)
   f. Emulated brick or masonry (i.e. veneer)
   g. Fiber cement siding and faux masonry panels
   h. Split shake wood shingles
   i. Corrugated metal siding, field painted standard (to be painted in the field – not pre-finished) (See Section 1330.040.F.1.b.)
   j. Vinyl siding

6. **Materials Permitted for Limited Use as Accent Detailing**
   a. Architectural-grade metal panels may be used as accent material following what is permitted under Section 1330.040.F.1.b.
   b. Rough sawn wood – May only be used as weather-treated wood in a trellis or beam feature.
   c. Stucco and non-barrier type EIFS
   d. Wood cladding
   e. Fiber cement paneling not replicating brick or masonry
   f. Spandrel glass only as accent feature and not for façade of occupied floor space.

7. **Window Materials**
   a. Faux windows (i.e. spandrel glass windows) are permitted where needed for improvement of exterior façade design. No background materials shall be visible through faux windows during the day or night.
   b. Window mullions shall be selected in colors complementary to the building design.

8. ~~D. Façade Colors~~ **Color Palettes** [EXISTING LANGUAGE IN BLACK BELOW MOVED FROM 1320.030(FAÇADE MATERIALS),D(FAÇADE COLORS).]
   a. Color themes shall consist of a minimum of three (3) different colors: a primary base color, and secondary accent colors to complement the base color.
   b. Facade colors must be low-reflectance, subtle, neutral or earth tone colors. Intense, bright (i.e. a neon color), black, or fluorescent colors are not permitted to be used as the predominant color on any wall or roof of any primary or accessory structure.
   c. Building trim and accent areas may feature brighter colors, as approved during the site plan review process.
   d. All exterior elements of the building that are metal, such as flues, and flashings shall be painted a flat color that is compatible with the building and not be left nor

allowed to become bare metal. Exceptions to this standard may occur, such as but not limited to copper roofs, which do not require painting. These exceptions shall be reviewed and approved by the Planning Director or their designee.

e. Trademarked corporate/brand color themes may be used but limited when colors are similar to the description of intense and bright colors in "b." above. A review and approval by the Planning Director or their designee shall be required.

G. **Renovations and Additions**

1. Refer to DIVISION 1400 to see if any nonconformities apply to any additions or renovations to an existing structure that may limit, for example, options in expansions or material choices. Contact the Planning Department for assistance with and permitting for renovation or addition projects.

2. Additions or renovations to an existing exterior wall shall comply with all design standards including site design, landscaping and parking standards.

3. Additions to an existing building shall be secondary in massing and form to the primary existing building.

4. Roofs on new additions shall adhere to the existing roof type, materials, and slope.

1330.050 ~~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.

1330.060 ~~1320.060~~ Industrial Centers/Business Parks

A. **Industrial Buildings (for individual properties and parks)**
Unless otherwise expressly stated, the material and color standards of this section apply to all facades visible from a public or private streets or public areas of adjacent sites for allowable uses in Chapter 570, "Permitted Uses". A sample of well-articulated industrial building façades is shown in Figure 1300-1.

Figure 1300-1: Preferred Industrial Design



B. **Façade Materials**

1. All buildings and other structures must be constructed with brick, cementitious (i.e. Hardie) panels, natural stone, architectural cast stone, EIFS (Exterior Insulation Finishing System), glass, architecturally finished and integrally colored concrete masonry units, precast wall panels that incorporate architectural treatment such as integral coloring and texture, or other comparable, durable materials that are consistent with the purpose and intent of this chapter and approved during site plan review process. The use of various materials to produce effects of texture and relief is encouraged to produce diversity and visual interest while reducing building scale.

2. Unfinished/treated concrete masonry units, unfinished/treated precast panels, metal siding, and similar utility/economical grade materials may be allowed in service areas and on exterior walls that are not generally visible from public or private streets or public areas of adjacent sites unless otherwise stated. The use of metal siding as a primary material visible from the street or public areas of adjacent sites must be approved through the conditional rezoning process.

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

D. **Building Articulation**
The following standards seek to promote high-quality and creative development and shall apply to all building facades and exterior walls that are visible from adjoining streets or properties. Each business park should have a distinct architectural concept that is consistent in theme, architecture details and the use of building materials. Buildings must include the following features:

1. Facade offsets, modulation, indentations and architectural details occurring every 80 feet to create clearly pronounced buildings and to avoid large, blank surfaces. Offsets or offsetting details shall be a minimum of two (2) feet in width;

2. Screening of equipment and storage areas (if allowed) that is consistent with the primary structure(s);

3. Reveals, projections, and changes in texture and color of wall surfaces;

4. Landscaping to soften building exteriors;

5. Varying building heights/massing and setbacks to define different functions such as offices and warehouses;

6. Loading facilities shall not be located in front of the building or side facing a public street or entryway and shall be located at the rear or side of the site; and

7. Architectural features that conceal rooftop equipment such as HVAC units, from public view. All flat roof buildings must include parapet screening that includes variations to avoid long, continuous planes. Roof line areas that are not visible from public or private streets or public areas of adjacent sites, are not required to have parapets.

E. **Entrances**
Entrances to individual buildings shall create visual interest and be readily identifiable to visitors, architecturally integrated within the overall building compositions, and shall incorporate at least two (2) of the following design standards:

1. Overhangs and canopies;

2. Recesses/projections with raised parapets, gabled roof forms or arches;

3. Outdoor patios;

4. Architectural details such as tile work and moldings that are integrated into the building structure and design; and

5. Integral planters or wing walls that incorporate landscaped areas and/or places for sitting.

Chapter 1340 Downtown Design Standards
The standards in this chapter apply to commercial, industrial, multifamily, and mixed-use developments in the Downtown DCD and DTD zoning districts and supersedes any other design requirements outside of this chapter.

1340.010 Goals
This chapter supports the following goals of the Indian Trail Downtown Master Plan:

- Principle 1, Goal 1 – Promote high quality mixed commercial and housing products within the downtown that caters to various income ranges.
- Principle 2, Goal 1 – Using principles of complete streets, create bike corridors and pedestrian linkages to parks, amenities, and downtown spaces
- Principle 3, Goal 1 – Reconfigure Indian Trail Road, Matthews-Indian Trail Road, Unionville-Indian Trail Road and the extension of Chestnut Parkway using Complete Streets principles. This includes land adjustments and the inclusion of sidewalks, landscape, open space, sitting areas, etc.
- Principle 4, Goal 1 – Adopt changes to regulation and zoning to encourage density and eliminate minimum parking requirements within downtown.

1340.020 Lot and Building Standards
See Chapter 560 Downtown Zoning Districts for detailed lot and building requirements.

1340.030 Open Space
See Chapter 640 Downtown Master Plan Districts for detailed lot and building requirements.

1340.040 Landscaping
See Chapter 8130 Downtown Districts Landscaping Standards for various landscaping requirements.

1340.050 Signage
See Section 9110.120 Monument Signs Along Indian Trail Road Downtown Corridor for monument sign requirements.

1340.060 Downtown Furnishings
New nonresidential developments in the Downtown districts with pedestrian paths or gathering areas (ex. a plaza) that is open to public access shall provide furnishings from the product designs specified in the following products.

A. **Benches**

Bench Specifications
Manufacturer: Landscape Forms
Model Number: Northport Backless Bench
Length: 70 inches long
Color: Brackets = Matte Black, Slats = Aluminum


Matte Black



B. **Bike Racks**

Bike Rack Specifications
Manufacturer: Landscape Forms
Model Number: Northport Backless Bench

Color: Matte Black


Matte Black



D. **Trash Receptacles**

Trash Receptacle Specifications
Manufacturer: Landscape Forms
Model Number: Northport Litter
Style: Side Opening
Color: Container = Matte Black, Frame = Silver Metallic


Matte Black

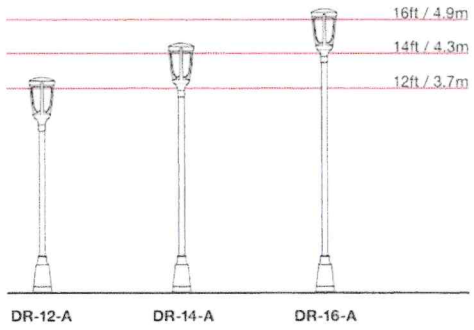
SIL (Silver Metallic)



E. **Streetlight, Primary (Primary Corridor)**

Primary Streetlight Specifications Manufacturer: Landscape Forms Model/Collection: Northport Note: LED "Gas Lamp" element option not permitted. Height: Depends on area to be illuminated. Color: Matte Black Matte Black	

F. **Streetlight, Secondary (Secondary Corridor and Parking Lots Visible from Primary Corridors)**

Secondary Streetlight Specifications Manufacturer: Landscape Forms Model/Collection: Northport Options: Square Poles, No LED "Gas Lamp" Element Height: Various Options. Depends on area/surface to be illuminated. Color: Matte Black Matte Black	

G. **Path Light**

Path Light Specifications Manufacturer: Landscape Forms Model Number: Northport Height: Various Options. Depends on path size/surface to be illuminated. Color: Matte Black Matte Black	

DIVISION 1600 TERMINOLOGY AND MEASUREMENT

Chapter 1620 Definitions

1620.190 Definitions – "S"

Spandrel Glass
Glass to give the appearance of a real glass door or window, but it is treated to be opaque to hide the view of any interior building structure or contents. Examples of the use of spandrel glass can be to provide faux windows or doors on facades that are highly visible to the public and can provide glazing over structural/mechanical spaces between floors to give the outside appearance of continuous glass panels.

L. DEFINE GARAGE

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The current UDO does not provide a general description of a residential garage. The intent is to detail that the items are only motor vehicles and other household items owned by the home occupants.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 1600 TERMINOLOGY AND MEASUREMENT

Chapter 1620 Definitions

1620.070 Definitions – "G"

Garage, Residential
A residential portion of a principal building or a detached accessory building designed to be used for the storage of motor vehicles and other household items of the premises occupants.

M. REMOVAL OF DOWNTOWN OVERLAY REFERENCES

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Staff discovered a few old Downtown overlay references still in the ordinance that need to be removed since the three Downtown districts replaced the previous zoning and overlay.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 900 SIGNS
Chapter 9110 Freestanding and Ground Mounted Signs

9110.120 Monument Signs Along Indian Trail Road Downtown Corridor
The following requirements are only for monument signs along the Indian Trail Road from Hwy 74 to Old Monroe Road and in the Downtown ~~Overlay~~ zoning districts. Sample images are provided in Figure 900-1 below and an image summarizing the sign details are in Figure 900-2. The following requirements shall apply:

A. [NO CHANGES TO A THRU F.]

DIVISION 1300 GENERAL DEVELOPMENT AND DESIGN STANDARDS
Chapter 1310 Integrity and Design Standards

1310.070 Multi-Unit Apartment/Condo Buildings: Attached and Multi-Family

A. [NO CHANGES TO A THRU D, F THRU I, AND K.]

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. [NO CHANGES TO 1 THRU 5.]

6. For proposed buildings located within the Downtown ~~Overlay~~ zoning districts, 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.

J. **Open Space**

1. **General**

a. [NO CHANGES TO a,c AND d.]
b. At least 15% of the gross acreage of the site (outside of Downtown ~~Overlay~~ zoning districts) 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~~ zoning districts.

2. **Design and Active Amenities**
[NO CHANGES UNDER "2".]

N. UPDATE TO DOWN-ZONING LANGUAGE FROM NEW LEGISLATION

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The proposed revisions are in response to new legislation passed changing G.S. 160D-601,(d).

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 320 Zoning Map and Ordinance Text Amendments

320.020 Initiation of Amendments
An amendment to the text of this ordinance or to the zoning map or to the Town's comprehensive plan may be initiated by the Town Council, the Planning and Zoning Board, the planning staff, or any other interested person.

A. **Down-Zoning**
If an amendment to the zoning map or the ordinance proposes to down-zone property, the request may only be initiated with ~~by the landowner(s)~~ written consent ~~or the Town~~ of the landowners pursuant to G.S. 160D-601.(d) ~~and S.L. 2019-111, Pt. I~~. A down-zoning is proposed amendments that affect an area of land in the following ways:

1. Decreasing development density to less dense than previously allowed.

2. Reducing the permitted uses of the land to fewer uses than were previously allowed.

3. Creating any type of nonconformity on land not in a residential zoning district, including nonconformities for use, lot, structure, improvement, or site elements.

B. Application Requirements
A rezoning/zoning map amendment application must include:

1. [A THRU F MOVED TO HERE AND NO CHANGES OTHER THAN NEW NUMBERING.]

~~A.~~ [EXISTING A THRU F MOVED TO B. "APPLICATION REQUIREMENTS" ABOVE.]

O. REMOVE CONDITIONAL ZONING REQUIREMENT FOR OPEN SPACE AND CLUSTER SUBDIVISIONS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Residential Open Space and Cluster Developments are existing options provided in the UDO beyond the standard Conventional Developments. The rationale is that if a proposed residential development meets the UDO requirements provided and no rezoning is needed, no conditional zoning process is needed to build by-right. Staff views Open Space and Cluster Developments in the same way but they are required to go through a Conditional Zoning. This amendment removes the requirement for Conditional Zoning if the UDO requirements can be met.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS
Chapter 520 Residential Districts

520.030 Development Types
Different development options are offered in the R districts as a way of promoting a wide variety of housing options and lifestyle choices. The development options described in this section may be used at the property owner's election.

A. **Conventional Development**
"Conventional development" is a term used to describe lot-by-lot development on lots that have been lawfully established. It is, in effect, any development that occurs outside of an approved open space development, cluster development or master planned development. Lot and building standards for conventional development can be found in Section 520.040 (Table 500-1).

B. **Open Space Development**
The open space development option allows smaller lots and other flexible lot and building standards in exchange for the provision of common open space that is not typically provided in a conventional development. An open space development shall be reviewed and approved in accordance with ~~Chapter 330 "Conditional Zoning District" and~~ the requirements of DIVISION 1200. Lot and building standards for open space development can be found in Section 520.040 (Table 500-1). Additional open space development standards are included in the Subdivision Review Chapter.

C. **Cluster Development**
The cluster development option allows even greater flexibility in exchange for the provisions of a greater amount of common open space than required for open space developments. A cluster development shall be reviewed and approved in accordance with ~~Chapter 330 "Conditional Zoning District" and~~ the requirements of DIVISION 1200. Lot and building standards for cluster development can be found in Section 520.040 (Table 500-1). Additional cluster development standards are included in the Subdivision Review Chapter.

DIVISION 800 LANDSCAPING

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

840.010 Canopy Tree Planting Requirements

A. All developments subject to the tree save area requirements of Section 830.040.B that cannot save the required amount of canopy through the preservation of existing trees will be required to meet the canopy requirement through the planting of new canopy trees consistent with this Section. The area of newly planted canopy trees will be calculated on the basis of the estimated canopy at maturity as described in Section 830.040.D. (i.e. 1,600 square feet for large maturing trees; 900 square feet for medium maturing trees; and 400 square feet for small maturing trees) The minimum canopy tree cover shall be provided as follows:

Table 800-4: Minimum Canopy Tree Cover

Land Use Classification	Zoning District	Minimum Tree Canopy
CONDITIONAL ZONING DISTRICTS	MXD	10%
	TND	10%
	~~Cluster and Open Space Subdivision~~	~~10%~~
RESIDENTIAL	MFR	15%
	SF-5	15%
	SF-4	15%
	SF-3	15%
	SF-2	20%
	SF-1	20%
	RSF	20%
	Cluster and Open Space Subdivision in Any of the Residential Districts	10%

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

B. [NO CHANGES HERE.]

P. REQUIREMENTS SPECIFICALLY FOR DOWNTOWN LANDSCAPING

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Landscaping requirements specifically for the new Downtown districts is currently very sparce. The new sections and the incorporation of the existing section on downtown street trees will help to provide guidance to provide a balance between attractive landscaping and the concentration of development in the future development of Downtown.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 800 LANDSCAPING

Chapter 810 Buffer Yards, Parking Lots and Street Frontages

810.010 Scope and Purpose
These regulations establish minimum requirements for buffer yards, perimeter landscaping, and parking lot landscaping. The intent and purposes of these provisions include:

A. [NO CHANGES TO A THRU E.]

F. For areas located within the Downtown Core District (DCD) and Downtown Transition District (DTD), refer to Chapter 8130.

810.030 Applicability
[NO CHANGES TO INTRO LANGUAGE AND FINAL NOTE AT THE END OF THE SECTION.]

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

D. If a buffer yard is not required and the development does not trigger the parking lot landscaping requirements of Section 810.120 "Parking Lot Landscaping", then perimeter landscaping consistent with Section 810.180 "Perimeter Lot Line Landscaping Requirements" or street tree plantings consistent with Section ~~810.190~~ 8130.040 "Street Tree Planting in Downtown Districts" will be required.

F. Buffer yards shall not be applicable in the Downtown Districts. Refer to Chapter 8130, Downtown Landscaping Standards.

810.120 Parking Lot Landscaping

A. "...The Planning Director will make a determination as to whether trees required by Chapter 840, "Canopy Trees, Parking Lot Plantings, and Street Trees", of the Tree Ordinance are credited toward the landscaping requirements for parking lot perimeters, interiors, or the landscaping required adjacent to buildings."

B. Interior parking lot landscaping requirements of Section 810.120 shall remain applicable within the Downtown Districts unless otherwise modified by Chapter 8130.

~~**810.190 Street Tree Planting in Downtown Districts**~~ [MOVED SECTION TO CHAPTER 8130.]

810.~~200~~ 190 Coordination of Landscaping and Pedestrian Improvements

810.~~210~~ 200 Maintenance and Irrigation of Landscaping

Chapter 8130 ~~810.190 Street Tree Planting in~~ Downtown Districts Landscaping Standards [REPLACES 810.190.]

8130.010 Purpose

The purpose of this Chapter is to establish landscaping standards for the Downtown Districts, Downtown Core District (DCD) and Downtown Transition District (DTD), that:

A. Preserve the pedestrian-oriented character of the Downtown Districts.

B. Enhance the public realm, provide shade and visual interest, and ensure that landscaping is incorporated where site conditions allow while preserving the traditional urban development pattern characterized by buildings located on or near property lines.

C. Reduce the adverse impacts of more intense land uses upon adjacent residential areas and other less intense land uses in the Downtown Districts.

D. Minimize the visual impact of surface parking lots, support downtown streetscape objectives, and maintain an urban character that prioritizes buildings and public spaces over parking areas. Landscaping requirements shall balance aesthetic enhancement with the compact development pattern and constrained site conditions common within the Downtown Districts.

8130.020 Applicability

A. The standards of this section shall apply to all new principal buildings, redevelopment requiring site plan approval, changes of use from residential to non-residential use, and expansions of existing development within the Downtown Districts (DCD and DTD) unless otherwise exempted herein.

B. Landscape strips or areas required by this Chapter may satisfy multiple requirements where the Planning Director determines the landscaping fulfills the intent of each applicable standard.

C. This Chapter is intended to provide alternative landscaping requirements for properties located within the Downtown Districts for buffer yards, perimeter landscaping of parking lots, perimeter lot line landscaping, and street frontages. Where the provisions of Chapter 8130 conflict with any requirement of Division 800, the provisions of Chapter 8130 shall govern. All provisions of Division 800 not expressly modified or superseded by Chapter 8130 shall remain in full force and effect.

8130.030 General Standards

A. Landscaping shall be integrated into site design in a manner that enhances the appearance of streets, public spaces, parking areas, and building frontages.

B. Landscaping required by this section may include street trees, planting strips, planter beds, raised planters, tree grates, structural soil systems, or similar improvements approved by the Planning Director.

C. Required landscaping shall be maintained in a healthy and growing condition and replaced when dead, diseased, or significantly damaged. The Town recommended trees and shrubs list is found in Chapter 1710, Appendix 1.

8130.040 ~~810.190~~ Street Tree Planting in Downtown Districts [MOVED FROM 810.190 TO HERE.]
Street trees will be planted consistent with the requirements of Section 840.030 "Street Tree Planting Requirements" of the Tree Ordinance except as provided herein for the Downtown ~~Master Plan~~ Districts.

A. ~~New construction~~ Applicable properties within the Downtown ~~Master Plan~~ Districts must install one (1) street or parkway tree for every 30 feet of lot frontage on a public or private street. Street or parkway tree means a tree planted along a street, road, or thoroughfare either in the sidewalk or in a landscaped area between the sidewalk and the curb. Figure 800-9 ~~shows trees planted in the parkway~~ illustrates acceptable street tree planting locations within the Downtown Districts, including parkway planting areas and sidewalk tree wells.

Figure 800-9: ~~Trees will be planted in the sidewalk within the Downtown Districts~~ Example of Tree Planting in Sidewalk Tree Wells



Source: Metropolitan Design Center Image Bank; University of Minnesota

B. Street/parkway trees planted in the Downtown ~~Master Plan~~ Districts must have a minimum caliper size of 2.5 inches at the time of planting.

C. No medium/large deciduous tree is required in any existing sidewalk or parkway that is less than six (6) feet in width measured from the edge of the sidewalk to the curb, however, on these smaller sidewalks small deciduous trees must be planted consistent with the recommendation from the Town's approved street tree list or as approved by the Planning Director ~~of the Parks, Greenway, and Tree Committee~~.

D. All street/parkway trees must be installed in accordance with standard practices of horticultural professionals and in a good and workmanlike manner and must be maintained by the property owner in good condition ~~for a period of not less than five (5) years~~ prior to a final certificate of compliance being issued. After ~~the~~ a five (5) year period, ~~tree maintenance will be the responsibility of the Town of Indian Trail~~ trees located within public rights-of-way shall become the responsibility of the Town upon acceptance.

8130.050 Side Yard Landscaping

A. **Buildings Constructed to Side Property Line**
Where a principal building is constructed with a zero-foot (0') side setback directly on a side property line, no side landscape strip shall be required along the portion of the side property line occupied by the building; however, the Planning Director may require screening of service areas, mechanical equipment, loading areas, refuse collection areas, or other mitigation measures consistent with the intent of this Chapter and reasonably related to reducing impacts on adjacent properties.

B. **Buildings Not Constructed to Side Property Line**
Where a principal building is not constructed to a side property line and a side setback is provided, a landscape strip shall be installed as follows:

1. A minimum three-foot (3') wide landscape strip shall be provided along the side property line for the length of the building setback area. If a building is not constructed with a zero-foot (0') side setback directly on a side property line but is placed with less than the minimum three-foot (3') wide landscape strip on the side property line, Section A above shall apply.

Figure 800-99: Example of Side Landscape Strip



Source: Google Maps, 301 & 303 S. Indian Trail Road

2. The landscape strip shall contain:

    a. A combination of shrubs (not less than 24 inches tall at the time of installation and planted not more than three (3) feet apart); and,
    b. One of the following:
        (1) Ornamental grasses, groundcover, perennial plantings, or other approved plant material.

3. One understory tree (small, maturing deciduous tree) shall be planted for every thirty (30) linear feet, or fraction thereof. If existing vegetation is in an area where a tree should be planted in the side landscape strip, the new tree planting shall be relocated where sufficient growing area exists.

4. Alternative treatments, including decorative planters, green walls, vine trellises, or similar urban landscape features, may be approved by the Planning Director where utility conflicts, fire access requirements, or site constraints make installation of a continuous planting strip impractical.

C. **Side Yard Landscaping Adjacent to Residential Uses**
Where a side property line of a lot within the Downtown Districts abuts a residential zoning district or existing residential use and a side yard setback is provided, the required side yard landscaping shall include:

1. A minimum three-foot (3') landscape strip; and

2. One of the following:

   a. A continuous hedge capable of attaining a minimum height of six feet (6') within three (3) years of planting.
   b. A decorative masonry wall, architectural fence, or comparable screening feature meeting the requirements of Section 710.050 Fences and Walls.
   c. A combination of landscaping and fencing that achieves an equivalent level of visual screening and compatibility.

The screening area shall be designed to soften views of buildings, parking areas, loading areas, refuse collection areas, mechanical equipment, outdoor storage, and other service functions from adjacent residential properties.

8130.060 Perimeter Landscaping of Parking Lots in Downtown Districts

A. **Parking Lot Frontage Screening**

1. Where a parking lot is located between a public street and a principal building, or where a parking lot directly abuts public street frontage, a landscaped screening area shall be provided along the street-facing edge of the parking lot.

2. The screening area shall consist of one of the following:

   a. A minimum three-foot (3') wide landscaped planting strip containing shrubs, ornamental grasses, and other plant materials capable of achieving an average height of thirty-six inches (36") within three (3) years; or
   b. A decorative masonry wall, decorative metal fence with landscaping, raised planter, or similar streetscape element providing equivalent screening of parked vehicles.

3. Screening shall be designed to obscure headlights and reduce views of parked vehicles from adjacent sidewalks while maintaining adequate sight distance for motorists and pedestrians.

4. **Frontage Tree Planting**
Where a landscaped planting strip or screening is provided pursuant to Section

8130.060(A)(2), one (1) understory tree shall be planted for every thirty (30) linear feet, or fraction thereof, of the parking lot frontage screening area (see Town recommended trees and shrubs list is found in Chapter 1710, Appendix 1).

a. Required trees may be located within the planting strip, adjacent landscape areas, or other portions of the site frontage where sufficient growing area exists, as determined by the Planning Director.
b. Trees required by this subsection shall not be required where the Planning Director determines that the required tree location would conflict with street or parkway trees installed pursuant to Section 8130.040, utility infrastructure, sight-distance requirements, driveways, pedestrian access, or other site constraints.
c. Street or parkway trees installed pursuant to Section 8130.040 may satisfy the tree requirement of this subsection when the Planning Director determines that such trees provide equivalent canopy and streetscape benefits.

B. Side and Rear Perimeter Landscaping

1. Parking lots adjacent to a side or rear property line shall provide a minimum three-foot (3') landscape strip along the parking lot perimeter.

2. The landscape strip shall contain a combination of:

a. Shrubs, ornamental grasses, and other plant materials capable of achieving an average height of thirty-six inches (36") within three (3) years; and,
b. One understory tree shall be planted for every thirty (30) linear feet, or fraction thereof. If existing vegetation is in an area where a tree should be planted in the side or rear landscape strip, the new tree planting shall be relocated where sufficient growing area exists, as determined by the Planning Director.

3. Where the parking lot abuts a residential zoning district or existing residential use, the perimeter landscape strip shall include a screening element meeting one of the following standards:

a. A continuous hedge capable of attaining a height of six feet (6') within three (3) years;
b. A decorative masonry wall, architectural fence, or comparable screening feature meeting the requirements of Section 710.050 Fences and Walls; or
c. A combination of landscaping and fencing that provides equivalent screening.

8130.070 Screening of Mechanical and Utility Equipment in Downtown Districts

A. **General**

All ground (air conditioners, heat pumps, etc.) and wall (antennas, meters, pipes, vents, etc.) mounted mechanical or other utility equipment must be fully screened from view from any adjacent public or private street, public sidewalk, or publicly accessible open space using features such as green screens (vines wrapping a metal screen), fences, false facades or dense

landscaping. Consider site topography in design for rooftop equipment screening and adjust accordingly. For example, if a portion of the perimeter road is elevated so more of the rooftop equipment is visible even though the parapet or screen on the roof is adequate from the ground view adjacent to the building, the height of the parapet or screen on the roof should be increased.

B. **Standards**
When landscaping is used it should have a minimum height of four (4) feet at the time of installation and should achieve a minimum 90% opacity within two (2) years. Landscaping screening must follow any minimum clearance requirements recommended by the manufacturer and/or utility entity.

C. **Post Site Plan Review Approval Additions or Relocations**
If there are any additions or relocations of mechanical and utility equipment after the site construction plans are approved by Indian Trail, a proposed drawing with revisions to the approved plan (RTAP) shall be submitted to the Planning Department for review.

8130.080 Landscaping Adjacent to Buildings in Downtown Districts
Exterior building walls adjacent to parking lots, driving aisles, or public sidewalks that are visible from a public or private right-of-way must be improved with a landscaped buffer strip at least three (3) feet in width. Where the exterior building façade provides public access to the building and is adjacent to a surface parking lot and/or a driving aisle there shall be a combined landscape strip and walkway with a width of at least eight (8) feet. This requirement may be modified pursuant to Section 8130.090.

8130.090 Flexibility for Downtown Conditions
The Planning Director may modify the screening requirements or dimensional requirements of this Chapter where existing site conditions, easements, utility conflicts, access requirements, shared parking arrangements, redevelopment of existing lots, fire access requirements, historic development patterns or the preservation of significant trees make strict compliance impracticable, provided the proposed alternative achieves the intent of buffering and compatibility between downtown and residential development or the alternative design achieves the intent of screening parking areas and enhancing the downtown streetscape. Such modification requests must be reviewed and approved by the Planning Director based on criteria subsection B prior to implementation of plans to be reviewed or revised.

A. Recognizing the unique urban form and constrained lot conditions within the Downtown Districts, the Planning Director may approve alternative compliance measures that achieve the intent of this section, including:

1. Enhanced streetscape planters;

2. Decorative raised planting beds;

3. Green walls or living screens;

4. Structural soil systems supporting street trees;

5. Public plaza landscaping; or

6. Other equivalent landscape treatments that contribute to the pedestrian environment and urban character of Downtown.

B. The Planning Director may approve a modification only upon finding that:

1. Strict compliance is impracticable;

2. The alternative design achieves the intent of this Chapter;

3. The modification will not adversely impact adjacent properties or the public realm;

4. The applicant has submitted sufficient evidence demonstrating that site conditions make strict compliance impracticable.

Q. UPDATE TO CAMPAIGN/ELECTION SIGNS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The revisions here update the section of UDO to match current requirements in G.S. § 136-32. Regulation of Signs.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 900 SIGNS
Chapter 940 Signs Not Requiring a Permit

940.070 Campaign and Election Signs
Campaign and election signs provided that:

A. Each sign shall not exceed ~~20~~ 6 square feet in area.

B. All such signs may be erected no sooner than ~~45 days in advance of~~ the 30th day before the beginning date of early voting in the election for which they were made, and the period ends on the 10th day after the election per G.S. 136-32. "Regulation of signs".

C. All such signs shall be removed within seven (7) days after the election for which they were made.

D. Signs may be placed within Town or State roadway right-of-ways. No sign shall be placed on any curb, sidewalk, post, pole, hydrant, bridge, tree, or other surface located on, over, or across any public street or right-of-way.

E. Thirty days after the end of the posting period mentioned in "B." above, any such sign in a right-of-way is deemed unlawful and may be removed and discarded.

F. Sign Placement
The person posting the sign must obtain permission of any property owner of a residence, business, or religious institution fronting the right-of-way where a sign would be erected and must meet the following placement requirements:

1. Must not place in the right-of-way of a fully controlled access highway.

2. Must not place any closer than three (3) feet from the edge of the pavement of the road.

3. Must not obscure motorist visibility at an intersection.

4. Must not be higher than 42 inches above the edge of the pavement of the road.

R. CLARIFICATION OF EXISTING REQUIREMENT ALLOWING STORMWATER RETENTION STRUCTURE ENCROACHMENT INTO LANDSCAPE BUFFERS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Staff has experienced several incidents where the engineered BMP pond structures encroach into required landscape buffers or tree save areas. This group of revisions provides clarification on exactly where the BMP pond structures end, where landscape required areas exist, and that encroachment will not be permitted.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 800 LANDSCAPING
Chapter 810 Buffer Yards, Parking Lots and Street Frontages

810.040 Landscape Buffer Yards
A buffer yard is required at the edge or boundary of a parcel or development site that is adjacent to a less intensive land use.

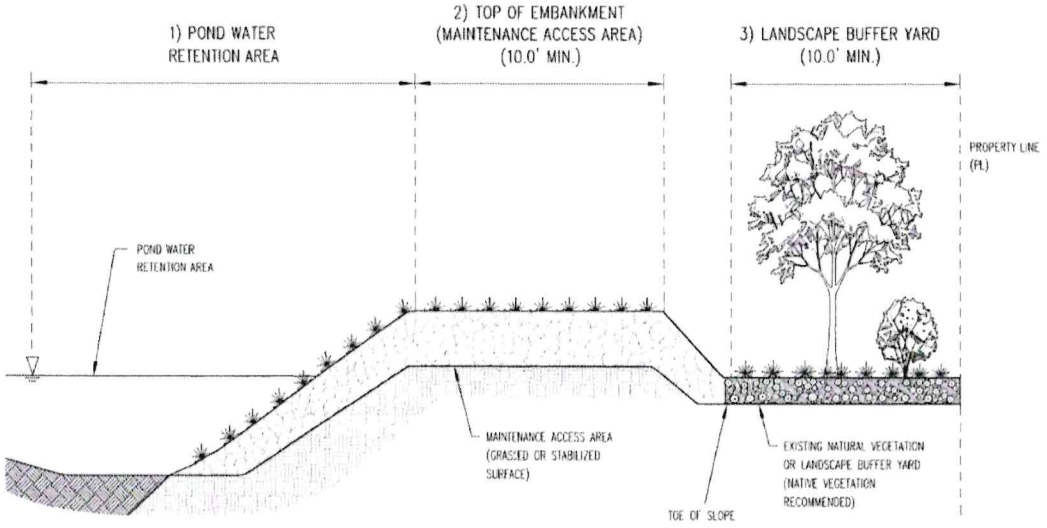
A. Buffers must be improved with trees, shrubs, ground covers, and screening but the Planning Director may also permit buffer yards to be occupied by stormwater retention areas provided such stormwater retention facilities ~~are~~ meet the following setbacks for one (or both) of the retention designs below, ~~at least 10 feet from any property line~~ and provided such retention areas incorporate state of the art improvements (e.g. wet pond fountains with circulations systems or rain gardens) that make the facilities a significant amenity to the development. Stormwater detention areas shall not occupy required landscape buffers.

1. For an Above-ground Retention Design as shown below in Figure 810-A, the outside toe of slope of the above-ground facility shall be located a minimum distance of at least 10 feet

away from any property line. Within the buffer yard (shown as landscape buffer yard), trees and screening are required and will consist of the following:

a. Trees planted in this area must be small deciduous and ornamental trees planted at an average rate of one (1) tree for every 20 linear feet of buffer with the maximum distance between two (2) trees of 40 feet; and
b. A solid evergreen hedge to be placed between the taller elements required below and the adjacent property line with shrubs every 3 feet on center ("O.C.").

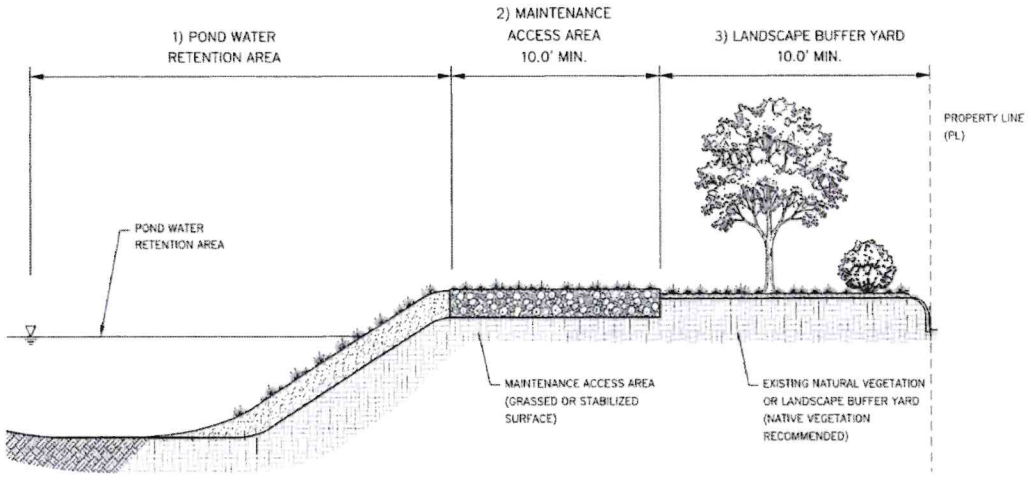
Figure 810-A: Above-ground Retention Design, NTS



2. For a Below-ground Retention Design as shown below in Figure 810-B, the finished grade (also shown as the 10-foot maintenance access) shall be located a minimum distance of at least 10 feet away from any property line. Within the buffer yard (shown as landscape buffer yard), trees and screening are required and will consist of the following:

a. Trees planted in this area must be small deciduous and ornamental trees planted at an average rate of one (1) tree for every 20 linear feet of buffer with the maximum distance between two (2) trees of 40 feet; and
b. A solid evergreen hedge to be placed between the taller elements required below and the adjacent property line with shrubs every 3 feet on center ("O.C.").

Figure 810-B: Below-ground Retention Design, NTS



B. [NO CHANGES TO B THRU E.]

S. REMOVE ALL SCHOOL DATA REQUEST REQUIREMENTS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

At the Town Council hearing to remove the School Impact Study and replace it with the School Capacity Report, Town Council requested that Staff bring back a new proposal to totally delete the School Capacity Report language as well. Town Council's wish is to not risk placing too much emphasis on one single issue, such as school capacity or transportation, when considering new project proposals.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES
Chapter 330 Conditional Zoning Districts

330.030 Staff Reviews

A. **Technical Review Committee**
The TRC shall review and comment on the proposed project to ensure all of the Town ordinances are being complied with. Once the TRC comments are addressed and the project is resubmitted the community meeting may be scheduled.

~~B. **School Capacity Report**~~
~~For proposed residential projects consisting of fifty (50) lots/units or more, staff will reach out to~~

~~the Union County Public Schools district to request a report on capacity for the applicable schools as required in UDO Chapter 13140.~~

380.040 Review Comments, Responses and Approvals

A. **Review Comments**
[NO CHANGES TO TEXT HERE.]

~~B. School Capacity Report~~
~~A school capacity report for residential developments of fifty (50) lots/units or greater as required in UDO Chapter 13140 must be requested by staff from the Union County Public Schools district unless previously submitted through the rezoning approval process.~~

B. ~~C.~~ **Approval by Planning Director**
[NO CHANGES TO TEXT HERE.]

C. ~~D.~~ **Expiration of Approval**
[NO CHANGES TO TEXT HERE.]

DIVISION 1100 SUBDIVISION REGULATIONS
Chapter 1110 General Provisions

~~**1110.080 School Capacity Report**~~
~~Staff must request a School Capacity Report, typically in the form of an email, from the Union County Public Schools' Facilities Department for single-family and multifamily residential development applications consisting of 50 lots/units or more.~~

~~A. Minimum Study Requirements~~
~~School capacity reports typically provide the school names in the attendance area between primary school and twelfth (12^{th}) grades, each of those school's percentage rated capacity, total residential units contributing to each relative attendance area, and any advisory comments or disclaimers the Facilities Department wishes to pass along to the Town.~~

~~B. Submittal~~
~~Staff must submit a school capacity report within the conditional rezoning staff report corresponding to the proposed residential development. If the residential development is not associated with the conditional rezoning application, the report must be attached in the Town's review software system corresponding to the proposed residential development.~~

~~C. Exceptions~~
~~Nursing care or skilled care facility uses are exempt from the requirements of UDO Chapter 13140.~~

This concludes the proposed additions and revisions to the UDO.
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