



# STATESVILLE SOARS

Unified Development Code Summary Report December, 2024

The Statesville Soars project is an effort to update the City’s Unified Development Code (or “UDC”) to implement the 2045 Land Development Plan as well as to restructure and modernize the current UDC, clarify development review procedures, add modern uses, and incorporate more graphics and illustrations. The project also seeks to support the City’s objectives for greater provision of affordable and attainable housing. This document summarizes the current UDC provisions and provides some suggestions about they could be revised as a part of Statesville Soars.

The table below identifies each major section in the current UDC, provides a quick summary, and describes how each current section might be carried forward, modified, or deleted in the new UDC. This information is used to help identify the key recommendations for change to the current UDC proposed in the Code Diagnosis.

## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<b>Article 1. Administration</b>		
<b>1.01 General</b>	A Authority, Title This section sets out the title of the document	<ul style="list-style-type: none"> <li>– Split into 2 subsections in new UDC Chapter 1, Administration</li> <li>– Update Authority to include GS Ch 143 and any relevant special legislation granted to the City</li> <li>– Revise the title to use the terms “this Ordinance” instead of this code (carry forward the Unified Development Code name)</li> <li>– Establish the title of the Official Zoning Map here as well</li> </ul>
	B Effective Date Establishes that the ordinance is effective as of August 2, 2010	Replace with a section on Effective Date in new Chapter 1, Administration that specifies the adoption date for the new UDC and the effective date of the UDC (it is common to delay the effective date by 2-3 months to allow time for preparation of new application forms and training)





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>C Jurisdiction</b>            Applies the code to the entirety of Statesville’s planning and development regulation jurisdiction, including the ETJ. Incorporates the Official Zoning map as a part of the ordinance and references applicable state law</p>	<ul style="list-style-type: none"> <li>– Replace with a section on Applicability and Exemption in new Chapter 1, Administration that clarifies the development subject to the UDC, including governmental entities</li> <li>– Clarify the standards in the UDC apply within the Statesville corporate limits, the ETJ, and to any lands outside the City’s planning jurisdiction, but subject to City standards via a development agreement</li> <li>– Clarify no development may take place and no use may be operated without first complying (and maintaining compliance) with the UDC</li> <li>– Clarify that use-specific standards (in new Chapter 4 Land Uses) apply when a use is started, even when it is proposed as an upfit within an existing building, as a secondary (accessory) use, or as a temporary use</li> <li>– Broaden the list of exemptions, but clarify that bona fide farms located within the corporate limits are subject to UDC requirements and that bona fide farms in the ETJ remain subject to flood, subdivision, stormwater, and sedimentation rules; and that non-farm activity occurring on a farm is subject to these provisions</li> <li>– Include clarification that the rules listed in the UDC are minimum requirements</li> <li>– Clarify that the City does not enforce private agreements to which it is not a party</li> <li>– Relocate the provisions pertaining to the zoning map to new Chapter 3, Districts</li> </ul>
<p><b>1.02 Purpose</b></p>	<p>Establishes the purposes of the development ordinance to implement the Comprehensive Plan among other goals</p>	<p>Carry forward in a new Purpose and Intent section in Chapter 1, Administration, that includes the basic provisions about health, safety, and welfare, but also includes language from the City’s adopted plans and policies such as those in the 2045 Land Development Plan and the 2019 Mobility + Development Plan</p>
<p><b>1.03 Interpretation</b></p>	<p><b>A Generally</b>            Specifies how the code shall be interpreted for the welfare of the public</p> <hr/> <p><b>B Rules of Language</b>            Includes 11 sections dealing with how the language of the UDC is to be interpreted</p> <hr/> <p><b>C Graphics</b>            Clarifies the purpose of illustrations</p>	<p>Relocate to the Determination procedure in new Chapter 2, Applications</p> <hr/> <ul style="list-style-type: none"> <li>– Suggest this material be simplified, clarified, and relocated to a section on Rules of Language construction in new Chapter 8, Word Usage</li> <li>– Section 1 could be relocated to the Determination procedure</li> <li>– Section 2 should be deleted –intentions are codified not based on subsequent conversations</li> <li>– Section 3 is confusing and could be deleted</li> <li>– Sections 4 and 5 should be relocated to a new section on Conflict in new Chapter 1, Administration</li> <li>– Relocate Sections 6-10 to the new section on Rules of Language Construction in Chapter 8, Word Usage</li> </ul> <hr/> <p>Relocate to a new section on Conflict in new Chapter 1, Administration</p>





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Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>D Computation of Time</b> Clarifies how to count days and timeframes when referenced in the code</p> <p><b>E Relationship to Other Regulations and Plans</b> Clarifies relationship of the code to the Comprehensive Plan, State or Federal law, court decisions, prior regulations, private agreements, and other codes</p>	<p>Relocate to a section on the calculation of time in the Rules of Measurement section of new Chapter 8, Word Usage</p> <ul style="list-style-type: none"> <li>- Relocate Section 1 to a new section called Relationship to Adopted Policy Guidance in new Chapter 1, Administration that enumerates the applicable policy documents and clarifies that policy documents do not carry the force of law               <ul style="list-style-type: none"> <li>o Clarify that in the event the UDC becomes inconsistent with adopted policy guidance, the City should take steps to address the inconsistency(ies), but that such inconsistencies do not invalidate the UDC or actions taken in accordance with it</li> <li>o Clarify that the City Council may take actions that are inconsistent with adopted policy guidance in their sole discretion, and what happens as a result</li> </ul> </li> <li>- Relocate Section 2 to a new comprehensive section on Conflict in Chapter 1, Administration</li> <li>- Relocate Section 3 to a stand-alone section on Severability in new Chapter 1, Administration, and clarify the City's intention to have adopted the ordinance regardless of a finding that a section or clause is invalid</li> <li>- Relocate Section 4 to a new comprehensive section on Transitional provisions that addresses development applications in the pipeline upon adoption of the new UDC</li> <li>- Relocate Sections 5 and 6 to the Jurisdiction section in Chapter 1, Administration</li> </ul>
<p><b>1.04</b> <b>Responsibilities for Application of Code</b></p>	<p><b>A City Council</b> Lays out the duties of City Council</p>	<ul style="list-style-type: none"> <li>- Carry forward in City Council portion of Review Authorities section in new Chapter 2, Applications</li> <li>- Suggest cross reference to summary development application review table rather than rote listing of application review responsibilities</li> <li>- Clarify challenges of legislative and quasi-judicial decisions to the courts</li> </ul>
	<p><b>B Planning Board</b> Sets out the composition, powers and duties and other provisions pertaining to the Planning Board</p>	<ul style="list-style-type: none"> <li>- Relocate to section on Planning Board in Review Authorities, and include details on composition, powers and duties, and voting</li> <li>- Suggest cross reference to summary development application review table rather than rote listing of application review responsibilities</li> <li>- Establish a single section for all review authorities addressing public meetings, oath of office, conflict of interest, and rules of procedure</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>C Planning Director</b> Establishes the roles and responsibilities of the Planning Director</p>	<ul style="list-style-type: none"> <li>Relocate to a section establishing and setting out the powers and duties for City staff, including City Engineer, Arborist, Stormwater Administrator, Floodplain Administrator, Subdivision Administrator, and Code Enforcement Officer</li> <li>Rely on general provisions for addressing oath and conflict</li> <li>Clarify responsibility for preparing development applications</li> <li>Rely on summary table of development application review responsibilities rather than rote listing</li> </ul>
	<p><b>D City Engineer</b> Lays out the role of the City Engineer</p>	<ul style="list-style-type: none"> <li>Carry forward but rely on summary table of development application review responsibilities rather than rote listing</li> <li>Rely on general provisions for addressing oath and conflict</li> </ul>
	<p><b>E Technical Review Committee</b> Sets out the composition and responsibilities of the Technical Review Committee</p>	<ul style="list-style-type: none"> <li>Provide additional detail about rules of procedure regarding regular meetings and the ability for the applicant or the public to attend</li> <li>Clarify the Planning Director chairs the TRC</li> <li>Carry forward but rely on summary table of development application review responsibilities rather than rote listing</li> <li>Ensure TRC meetings are advertised, and made open to the public (including the applicant)</li> </ul>
	<p><b>F City Arborist/Line Clearance Supervisor</b> Establishes the role of the City Arborist/Line Clearance Supervisor</p>	Clarify if this City staffer has responsibilities under the UDC, and if so, list them in the summary development application review table
	<p><b>G Director of Electric Utilities</b> Sets out the role and responsibilities of the Director of Electric Utilities</p>	Carry forward with other City staff review authorities
	<p><b>H Board of Adjustment</b> Establishes the Board of Adjustment and the process for appointment to the Board as well as the Board's responsibilities, and related procedure</p>	<ul style="list-style-type: none"> <li>Relocate to section on Board of Adjustment in Review Authorities, and include details on composition, powers and duties, and voting</li> <li>Suggest cross reference to summary development application review table rather than rote listing of application review responsibilities</li> <li>Remove authority to interpret Zoning Map (delegate to Planning Director)</li> <li>Suggest sending appeals of HPC to Superior Court, not BOA</li> </ul>
	<p><b>I Historic Preservation Commission</b> Spells out the responsibilities, composition, voting, conflicts, and violations of due process as they apply to the Commission</p>	<ul style="list-style-type: none"> <li>Relocate to section on Historic Preservation Commission in Review Authorities, and include details on composition, powers and duties, and voting</li> <li>Suggest cross reference to summary development application review table rather than rote listing of application review responsibilities</li> <li>Clarify decisions are made in accordance with quasi-judicial process</li> <li>Revise historic design guidelines title to standards</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	J Downtown Design Review Committee Establishes the composition and responsibilities of the Downtown Design Review Committee	<ul style="list-style-type: none"> <li>– Discuss abolition of this Committee or at least removal of their review authority under the UDC</li> <li>– If the City wishes to retain a design review authority, broaden the role to citywide design review</li> </ul>
	K Building Inspector – reserved	Delete
	L Stormwater Advisory Committee – reserved	
	M Coordination Among Officials Allows other City officials to participate and assist in any committee for the review of development applications	<ul style="list-style-type: none"> <li>– Delete this section</li> <li>– Remove Manager and Attorney as members of appointed boards; they can and should provide input and support, but should not be members</li> </ul>
<b>1.05 Exemptions</b>	A Application of Regulations During Local Emergency Establishes authority to waive rules during emergencies	<ul style="list-style-type: none"> <li>– Discuss if the GA permits waiving standards (such as public notice or meeting rules) during local emergencies</li> <li>– Carry forward in section on Exemptions in Jurisdiction portion of Chapter 1, Administration</li> </ul>
	B Exempt Subdivisions Lists out subdivisions that are exempt from compliance with subdivision rules in the code. Specifies that the City shall only require a final plat for the division of land in single ownership if certain criteria are met	<ul style="list-style-type: none"> <li>– Relocate this material to a new exempt subdivision courtesy review procedure</li> <li>– Define exempt subdivisions in the Terms Defined portion of Chapter 8, Word Usage</li> <li>– Relocate subsection B.2.f to a new section on nonconforming lots of record and remove reference to subdivision</li> <li>– Discuss Subsection B.2.j (average setbacks); if keeping, relocate to a new section on General Dimensional Standards in new Chapter 3, Districts</li> <li>– Relocate subsection B.3. to a new Limited Subdivision procedure in new Chapter 2, Applications</li> </ul>
	C Fee In Lieu for Road Improvements, Curbs, Gutters, or Sidewalks Provides the option to pay in-lieu for curbs, gutters, and sidewalks pursuant to criteria	<ul style="list-style-type: none"> <li>– Suggest relocating this material to a new procedure for fee-in-lieu consideration</li> <li>– Supplement with additional provisions for open space, parkland dedication and required landscaping</li> <li>– Add more clarity regarding approval criteria</li> <li>– Explore distinction between applicant-requested and City-mandated FIL</li> </ul>
	D City Initiated Requests Specifies that the City Manager, Mayor, Planning Board or City Council may initiate a request for any development permit on behalf of the City	Delete





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<b>1.06 Enforcement</b>	<p><b>A Land Use/Zoning Regulations</b> Establishes violations that are subject to enforcement, enforcement intent, enforcement procedure (including appeals) remedies, civil penalties, and other powers and actions</p>	<ul style="list-style-type: none"> <li>- Relocate this entire section to a new Chapter 7, Violations</li> <li>- Explain the purpose of the standards, which are to achieve compliance, not punish</li> <li>- Expand the list of activities that constitute a violation of the UDC</li> <li>- Clarify who may be identified as a violator</li> <li>- Clarify the roles of different City staff in determining and enforcing the differing rules in the UDC</li> <li>- Add additional clarity regarding inspection and determination of a violation</li> <li>- Clarify if and how the enforcement process is modified for repeat or chronic offenders</li> <li>- Suggest abolishing the time within which the BOA must hear an appeal (opt instead for a "reasonable" time period)</li> <li>- Add equitable remedy to the list of remedies</li> <li>- Discuss the desire to add criminal penalties for violations of rules not authorized under 160D (like flood, stormwater, water supply watershed, etc.)</li> <li>- Clarify permit revocation must follow the same process as permit issuance</li> <li>- Discuss civil penalty amount – is \$50 a reasonable disincentive?</li> <li>- Add clarity regarding the statute of limitations for enforcement</li> </ul>
	<p><b>B Building Inspections</b> Delegates inspection function to the Iredell County Inspections Department and spells out rules for violations, corrective action, appeals, civil remedies and enforcement powers</p>	<p>Discuss – this is helpful information, but what happens if Iredell County Inspections uses a different process than the one enumerated here?</p>
<b>1.07 Compliance</b>	<p><b>A Use of Land</b> Clarifies that the ordinance controls construction, alteration and use of land except under certain instances</p>	<p>Suggest relocating this material to a Compliance section in new Chapter 1, Administration</p>
	<p><b>B Subdivision of Land</b> Clarifies the exceptions to subdivision standards</p>	
	<p><b>C Transfer of Land; Building Permit</b> Prohibits the transfer or sale of land, and issuance of building permit or Certificate of Occupancy unless a plat has been recorded with the Register of Deeds</p>	
<b>1.08 Fees</b>	<p>Specifies that fees shall apply for development permits and applications</p>	<p>Relocate to the Common Review Procedures portion of new Chapter 2, Applications and include with application material; clarify how application fees are or are not refunded</p>
<b>1.09 Reserved</b>	<p>Reserved space</p>	<p>Delete</p>

### Article 2. Development Review Process

#### Part 1. Common Procedures





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<p><b>2.01</b> <b>Application Processes</b></p>	<p><b>A Procedures</b> Spells out the review and decision procedures that apply to all applications except as modified by Part 2 and Part 3 of Article 2.</p>	<ul style="list-style-type: none"> <li>- Carry forward a revised version of this section under the new name Standard Review Procedures in new Chapter 2, Applications. This section should follow the Specific Application Procedures section</li> <li>- Some applications should include a mandatory pre-application conference (upzonings, development agreements, and subdivisions for land using on-site wastewater facilities). Include more detail about the process, who conducts (the TRC), and the fee structure for 2<sup>nd</sup> or 3<sup>rd</sup> meetings</li> <li>- Enhance the application filing material to set out completeness determination provisions (and incorporate the drawing standards from subsection 9)</li> <li>- Provide more clarity on neighborhood or public informational meetings (as used in the conditional rezoning process)</li> <li>- Supplement the staff review section with additional detail regarding staff reports (when prepared, who receives, etc.)</li> <li>- Discuss amendments – some applications may not be amended</li> <li>- Relocate any provisions pertaining to enforcement to new Chapter 7, Violations</li> <li>- Clarify that permit choice requires the applicant to submit their proposal in writing and clarify the rules when permit choice is extinguished</li> <li>- Supplement this section with more detail about conditions of approval, written notice of decision, simultaneous processing, phased development, withdrawal, application abandonment, and other factors</li> </ul>
	<p><b>B Notice</b> Specifies notice requirements for City Council, Planning Board, Historic Preservation Commission and/or Board of Adjustment</p>	<ul style="list-style-type: none"> <li>- Relocate this material to be part of the Standard Review Procedures portion of Chapter 2, Applications</li> <li>- Clarify who provides notice – the only section that makes this clear is posted notice</li> <li>- Distinguish between public notification (alert to specific landowners about a pending application abutting them) versus public notice (the general notice provided to the public about a meeting under the /open meetings’ law</li> <li>- Organize the public notification material into a summary table that addresses the full range of applications (including annexation, development agreements, street renaming, etc.)</li> <li>- Suggest removal of the timeframe for posting meeting agendas</li> <li>- Add a section addressing constructive notice failure</li> </ul>





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	<p><b>C Application Review Procedures</b> Includes a Summary of Application Procedures table which includes subdivision review, zoning applications, administrative permits and approvals, and vested rights.</p>	<ul style="list-style-type: none"> <li>- Carry forward this table as the introductory section of Chapter 2, Applications</li> <li>- Suggest alphabetic application sequence in table</li> <li>- Revise the table to reflect instances where more than one review authority is involved in the application review process</li> <li>- Discuss the need for listing notice – if the City provides notice, why list it in the table?</li> <li>- Provide more detail for “staff” as decision maker – is this Planning Director or other party?</li> <li>- There is no detail on who hears appeals (not always BOA)</li> <li>- Suggest greater clarity regarding site plan review process (site plan is listed twice in the table)</li> <li>- Suggest adding a few procedures: annexation, determination, exempt subdivision, fee-in-lieu, performance guarantee, conservation subdivision, TIA, etc.)</li> <li>- Supplement this material with a new section on Review Authorities that sets out the establishing legislation, composition, powers and duties, and aspects of voting for the City Council, Planning Board, BOA, HPC, TRC, and staff review authorities</li> <li>- Discuss the degree to which the City wishes to continue relying on the Downtown Design Review Committee to decide applications</li> </ul>
	<p><b>D Public Hearings</b> Details the process for all public hearings by the Planning Board, Historic Preservation Commission, Board of Adjustment, and City Council.</p>	<p>Carry this forward with additional distinctions between public meetings (conducted by a review authority who is not deciding an application subject to public notification requirements), legislative hearings, and evidentiary decisions</p>
	<p><b>E Post-Decision Proceedings</b> Lays out how to amend and revise an approved decision. Specifies that appeals or protests stay all proceedings in furtherance of the action appealed</p>	<ul style="list-style-type: none"> <li>- Suggest the amendments material be relocated to its own subsection in Standard Review Procedures</li> <li>- Special Use Permits and Conditional Rezoning procedures should have their own unique amendment elements in the procedural language</li> <li>- Stays associated with an appeal should be relocated to the Appeal procedure and expanded to clarify the appeal also tolls all review timeframes</li> </ul>
	<p><b>F Expiration of Development Approval</b> Specifies in what instances a development approval shall automatically expire and the procedure for extending the term of a permit</p>	<p>Carry forward but supplement with application-specific expiration provisions as part of Specific Applications section in new Chapter 2, Applications</p>
	<p><b>G Revocation of Approvals</b> Establishes procedure for Planning Director to request revocation of a development approval subject to a hearing held by the Board of Adjustment</p>	<ul style="list-style-type: none"> <li>- Relocate permit revocation provisions to new Chapter 7, Violations</li> <li>- Permit revocations must follow the same process as the initial approval</li> </ul>

### Part 2 Subdivision Review

**2.02 Minor**

**A Purpose**  
Establishes the purpose of a minor subdivision process

- Incorporate this material in the Minor Subdivision







## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<b>Subdivisions</b>	<b>B Applicability, Exceptions</b> Provides that minor subdivisions are processed as a final plat and must meet applicability criteria.	application procedure in the Specific Applications portion of new Chapter 2, Applications
	<b>C Application and Procedure</b> Requires that the application be reviewed by the Planning Director	<ul style="list-style-type: none"> <li>- Suggest supplementing with a new application procedure for limited (or so-called "expedited" subdivisions)</li> <li>- Discuss the City's desire to have a "shot clock" for these decisions (this is not a statutory requirement)</li> </ul>
	<b>D Review Criteria</b> Minor plats shall comply with criteria for Final Plats.	<ul style="list-style-type: none"> <li>- Supplement with additional detail regarding how on-site wastewater will be provided and that County approval is possible (via a preliminary soils analysis or letter from County Health Department)</li> </ul>
	<b>E Decision Maker</b> Specifies that staff shall decide applications for minor subdivisions within 30 days of complete application submittal	<ul style="list-style-type: none"> <li>- Discuss if this process is the one used for family subdivisions</li> <li>- Suggest calling the final approval a Minor Subdivision Plat rather than a Final Plat to avoid confusion</li> <li>- Add a prohibition on successive minor subdivisions of the same parent tract</li> <li>- Clarify recordation by applicant is required</li> </ul>
<b>2.03 Major Subdivisions</b>	<b>A Purpose</b> Establishes purpose of the major subdivision process	<ul style="list-style-type: none"> <li>- Suggest minor word change to include "extension" of public utilities whether on- or off-site</li> </ul>
	<b>B Applicability</b> Major subdivisions include division of land into two or more lots that create the need for dedication of public right-of-way for new streets, road improvements to existing streets or the construction of off-site utility improvements, and are not considered a minor subdivision.	<ul style="list-style-type: none"> <li>- Discuss the need for the sketch plan – is a sketch plan required for a single-phase subdivision? Can a pre-application conference substitute for a sketch plan?</li> <li>- Clarify that TRC, not staff decided Preliminary Plats</li> <li>- Suggest major revisions to the current construction plan process to treat it as its own step after approval of preliminary plat</li> </ul>
	<b>C Sketch Plan</b> Includes purpose, process, and review criteria for the sketch plan component of a major subdivision. Includes exceptions and the effect of an approval	<ul style="list-style-type: none"> <li>- The current construction guarantee appears to operate as a maintenance guarantee – that is no longer permitted except for SCMs</li> </ul>
	<b>D Preliminary Plat</b> Specifies the procedure, review criteria, decision maker and duration of approval for preliminary plats	<ul style="list-style-type: none"> <li>- Suggest performance guarantees be established as their own individual procedure in Chapter 2, Applications</li> </ul>
	<b>E Construction Plans/Improvements</b> Specifies when construction plans, and construction drawings are required for site improvements. Includes procedure for modification of plans, timing of improvements, inspections, performance guarantees, and acceptance of improvements	<ul style="list-style-type: none"> <li>- The Construction Drawing step needs more detail on provision of as-builts</li> <li>- Final Plat decisions should be appealed to BOA (or Superior Court) not the City Council</li> <li>- Final Plat section needs more detail on required certifications and declarations</li> </ul>
	<b>F Final Plat</b> Lays out the procedure for final plats to be reviewed, and filed for recordation	<ul style="list-style-type: none"> <li>- Please explain the use of development agreements as part of final plat review</li> <li>- Suggest the City take responsibility for Final Plat recordation (at the applicant's expense)</li> </ul>
<b>2.04 Development Agreements</b>	<b>A Purpose</b> Defines the purpose of this process to provide guarantees to the City and developer for public improvements and phasing of development	<ul style="list-style-type: none"> <li>- Discuss this procedure – it appears the City is using this process for a specific purpose that is much more narrow than NCGS160D-1001-1012 (it appears to be a substitute for a performance guarantee?)</li> </ul>
	<b>B Applicability</b> Requires this where public improvements are not complete prior to the filing of the plat. Also requires this for all Planned Unit Developments	<ul style="list-style-type: none"> <li>- Development agreements are commonly voluntary processes, this procedure makes development agreements</li> </ul>





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	<p><b>C Guarantee of Completion of Public Improvements</b> Allows City Council to extend a two-year guarantee one time by an additional two years.</p>	<p>mandatory as part of a Planned Unit Development or other multi-phase project</p> <ul style="list-style-type: none"> <li>- The language refers to required performance guarantees; these are also typically voluntary</li> <li>- Aside from this current usage, does the City use development agreements for any other purposes?</li> <li>- If the City continues with this approach, the Major Subdivision procedure should include additional details about mandatory development agreements and the associated hearing/public notice</li> </ul>
	<p><b>D Covenants to Run with the Land</b> Binds and requires recordation of all successors, heirs and assignees of the applicant to the development agreement</p>	
	<p><b>E Performance Guarantee</b> Requires agreements to comply with 2.03(E)(8)(d)</p>	
	<p><b>F Escrow Accounts</b> Requires applicants using cash escrow accounts to deposit a check with the City Clerk and specifies how to handle accrual and reimbursement.</p>	
	<p><b>G Other Contents of the Development Agreement</b> Allows City Council to attach additional plans or requirements to the development agreement that they find appropriate</p>	
	<p><b>H Temporary Improvements</b> Requires the applicant to construct and maintain temporary improvements required by the City</p>	
	<p><b>I Governmental Units</b> Allows governmental units to adopt an ordinance instead of submit a development agreement to achieve these improvement and security provisions</p>	
	<p><b>J Decision Maker</b> City Council decides on development agreements</p>	

### Part 3. Comprehensive Plan and Zoning Actions

<p><b>2.05 Comprehensive Plan Amendments</b></p>	<p><b>A Purpose</b> Requires plan to be reasonably maintained</p>	<ul style="list-style-type: none"> <li>- Sets out the procedure for amendment of the Comprehensive Plan (this procedure is not necessary, and we would suggest it not be established as a prerequisite for a Zoning Map amendment)</li> <li>- Suggest removing minimum time frames for consideration by the Planning Board as they are not a statutory requirement</li> </ul>
	<p><b>B Application and Procedures</b> Spells out process including the qualified applicants, pre-application conference and application fee</p>	
	<p><b>C Review Criteria</b> Allows consideration of original errors and subsequent events</p>	
	<p><b>D Decision Makers</b> Lays out process and criteria for the Planning Board and City Council in deciding applications</p>	
	<p><b>E Filing of Plan</b> Requires certification of adopted amendments by City Council</p>	
<p><b>2.06 UDC Text and Zoning Map Amendments</b></p>	<p><b>A Purpose</b> Intends amendments to the code to reflect existing conditions and conform to the Comprehensive Plan</p>	<ul style="list-style-type: none"> <li>- Split this into two different procedures; one for UDC text amendments and one for conventional zoning map amendments (conditional map amendments follow a different procedure)</li> <li>- Discuss limiting text amendments to those initiated by City staff or an appointed body</li> <li>- Continue to watch SB382 regarding the ability to downzone land as part of a conventional rezoning as well as to the current lapse of rezoning provisions (which could be voided by passage of 382)</li> </ul>
	<p><b>B Application and Procedures</b> Spells out process for an application including process for down-zoning.</p>	
	<p><b>C Review Criteria</b> Spells out criteria for consideration of a rezoning</p>	
	<p><b>D Decision Makers</b> Prescribes process for Planning Board and City Council in recommending and deciding petitions to amend the zoning map.</p>	





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>E Lapse of Rezoning</b> Establishes a one year vesting period for development to initiate and what happens after this period expires</p> <hr/> <p><b>F Extension of Extraterritorial Jurisdiction</b> Establishes notice requirements for proposals to extend the ETJ</p>	<ul style="list-style-type: none"> <li>- Review the rezoning criteria described in Policy 2-3 of the Comprehensive Plan and supplement existing criteria</li> <li>- Suggest requiring consistency and reasonableness statements for both text and map amendments</li> <li>- Supplement these procedures to recognize citizen comments</li> <li>- Consider the possibility of new neighborhood meeting requirements for significant uponzings</li> <li>- Clarify that a conventional rezoning may not be converted into a conditional rezoning application</li> <li>- Relocate ETJ extension notification subsection to the public notification provisions in the Standard Review Procedures portion of Chapter 2, Applications</li> </ul>
<p style="text-align: center;"><b>2.07</b> <b>Conditional</b> <b>Zoning Districts</b></p>	<p><b>A Purpose</b> Intends conditional zoning for uses that have particular impacts on the community that cannot be predetermined and controlled by general district regulations</p>	<ul style="list-style-type: none"> <li>- Carry forward as its own procedure in the Specific Applications portion of Chapter 2, Applications</li> <li>- Suggest a different approach to conditional zoning going forward; conversion of existing conditional zoning districts to legacy districts that may be carried on but not changed, establish three or four new generic conditional districts (residential, non-residential, mixed-use, etc.) rather than parallel conditional districts</li> <li>- Consider a three-tiered framework of different types or options of conditional districts – 1) a limited use option that allows solely for the establishment of one or two identified principal uses (and corresponding secondary uses) on a lot; 2) a restricted option which permits any deviation from the current standards provided the deviation is more restrictive or further limits development potential than currently exists; and 3) an unrestricted option which allows deviation from standards to ones that are more restrictive as well as to standards that are less restrictive (subject to the provision of enhancements or compensating public benefits)</li> <li>- The procedure should mandate concept plans (reviewed by the TRC) be submitted for unrestricted options, may be submitted for restricted options, and may not be submitted for limited use options</li> <li>- Suggest relocating application requirements to the Appendix</li> <li>- Carry forward current sections on effect and site plan consistency</li> <li>- Review and update amendment section</li> <li>- In light of SB382, all conditional rezoning cases should now include a condition mandating automatic reversion to prior district designation upon failure to commence with development within a specified time limit</li> </ul>
	<p><b>B Authorized Uses</b> Limits conditional zoning districts to only those uses included in Table 3-1 and specifies what must be included on the concept plan. Does not allow modifications to environmental protection standards in Article 8</p>	
	<p><b>C Applicability</b> Requires compliance with this section. Establishes translation of conditional use zoning overlay districts to conditional zoning districts in conformance with SL 2019-111</p>	
	<p><b>D Application Requirements</b> Requires concept plan to show streets, railroads, waterways, easements, parcel lines, floodplains, the number of residential units (as applicable), parking, circulation, and traffic plans, setbacks, screening, proposed structures with heights and size, project phasing and outdoor lighting.</p>	
	<p><b>E Additional Information</b> Allows staff and decision makers to request more information</p>	
	<p><b>F Public Input Meeting</b> Requires applicant to hold and file details of the public meeting before any meetings on a petition are held.</p>	
	<p><b>G Review</b> Spells out criteria for how City Council shall consider petitions</p>	
	<p><b>H Conditions for Approval</b> Allows Planning Board to recommend and City Council to require additional conditions that are reasonable and appropriate.</p>	
	<p><b>I Effect of Approval</b> Specifies which plans and rules apply to developments approved with conditional zoning</p>	
	<p><b>J Zoning Map Designation</b> Requires zoning map to indicate conditional zoning with “CZ and the case number”</p>	





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>K Site Plan Consistency with Concept Plan</b> Allows staff review of site plans if they are consistent with the approved concept plan</p> <p><b>L Determination, Major Changes Requiring an Amendment</b> Allows Planning Director to determine major changes which may include any increase in intensity of the use, any change in permitted uses, or substantial changes in pedestrian or vehicular access or circulation</p> <p><b>M Minor Changes and Modifications</b> Allows Planning Director to approve minor changes in Conditional Zoning Districts. List out minor change criteria</p> <p><b>N Review of Approval of a Conditional Zoning District</b> Directs the Planning Director to monitor the build out of conditional districts within the 2-year vesting period and send a report to City Council which may recommend they revert back to the previous zoning classification</p> <p><b>O Transfer of Ownership</b> Binds future owners, heirs, and assigns to the approved conditional zoning district</p>	
<p><b>2.08 Vested Development Rights</b></p>	<p><b>A Purpose</b> Establishes vested rights pursuant to NCGS 160D-108</p> <p><b>B Definitions</b> Defines landowner, property, site specific vesting plan, and zoning vested rights</p> <p><b>C Submission of a Site-Specific Vesting Plan</b> Spells out requirements for requesting a site-specific vesting plan from the Planning Department which includes information on phasing, traffic, parking, circulation, location of structures, screening and buffering, existing land uses and proposed land use and structure</p> <p><b>D Processing Application for a Zoning Vested Right</b> Requires City Council decision with recommendation from the Planning Board. Details evaluation criteria for City Council including requirement that vesting be two years unless longer timeline requested by the owner but not to exceed five years</p> <p><b>E Establishment and Termination of a Zoning Vested Right</b> Specifies that vested rights will run with the land and the conditions under which a vested right may be changed. These include written consent of the owner, a hazard, inaccurate information, or state or federal law that would preclude the development as contemplated.</p> <p><b>F Review of Conferred Vested Rights</b> Allows City Council to review and revoke vested rights as needed when conditions of approval are not met.</p> <p><b>G Voluntary Annexation</b> Requires public notice for voluntary annexations to ask whether or not any zoning vested rights have been established on properties subject to the petition. Failure to sign this notice shall be binding on the landowner.</p>	<ul style="list-style-type: none"> <li>- Discuss this procedure – as drafted, it seems to indicate that any site-specific vesting plan must also get a vested rights determination – approval of anything rising to the level of a site-specific vesting plan is automatically vested for two years from the date of its approval and is not required to seek extra approval for that automatic vesting term</li> <li>- The vested rights certificate is the process commonly used to allow an applicant to voluntarily seek a vesting term of up to 5 years for a site-specific vesting plan approval</li> <li>- Relocate definitions to the Defined Terms portion of Chapter 8 Word Usage, and the submittal requirements to the Appendix</li> <li>- Relocate the balance of the vested rights material to a new subsection on Vested Rights in New Chapter 1, Administration</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>H Limitations</b> Zoning vested rights do not limit the ability of a local government to enact overlay zoning that adds requirements but does not affect the allowable type or intensity of use</p>	
	<p><b>I Statement of Inclusion</b> Clarifies that this section only establishes those rights pursuant to NCGS 160D-108</p>	
<b>2.09 Planned Unit Developments</b>	<p><b>A. Purpose</b> This process is intended to provide flexibility from the strict application of the code when the applicant demonstrates conformance with compatibility with the Comprehensive Plan</p>	<ul style="list-style-type: none"> <li>- This procedure is for the establishment of a conditional zoning district that is permitted to waive or reduce development standards</li> <li>- Suggest current PUD districts be recognized as legacy districts subject to their current approvals and that new flexible zoning districts be established via the unrestricted conditional zoning district option</li> <li>- Carry forward much of the concept plan material, but remove the Final Site Plan elements in favor of using the basic Site Plan and Subdivision procedures</li> <li>- Review and update the amendment language for broader application</li> <li>- Continue to require a site plan, under the Site Plan procedure, not as part of the rezoning process (the site plan must be in substantial conformity with the Concept Plan)</li> <li>- Discuss the expiration provisions – the zoning district designation does not expire (though it could automatically revert if such a condition is added), but the concept plan is a site-specific vesting plan or a multi-phase development plan that does have a maximum vesting duration</li> <li>- Remove any sort of annual review responsibility as this has no legal standing</li> </ul>
	<p><b>B. Applicability</b> Applies to large-scale, mixed use developments and requires a rezoning</p>	
	<p><b>C Concept Plan</b> Requires a concept plan and spells out the purpose, procedure, conversion schedule, review criteria, and decision makers who will review the plan</p>	
	<p><b>D Final Site Plan</b> Requires more detailed final site plan to be reviewed by the Technical Review Committee for substantial conformance with the concept plan. Defines "substantial conformance." Also includes definition of "minor change" and allows the TRC to approve major changes that are due to changes in conditions that occurred after the final site plan was approved, changes in development policy, or conditions that were reasonable unforeseen at the time of approval</p>	
	<p><b>E Development According to the Final Site Plan and Final Plat</b> Prohibits development until site plan is submitted and approved</p>	
	<p><b>F Transfer of Ownership</b> Imposes requirements of the plan on all future owners, assigns and heirs until the City releases the limitation on the use of the property</p>	
	<p><b>G Expiration of a Planned Unit Development</b> Lays out the timing of and requirements for extension of the expiration period.</p>	
<b>2.10 Special Use Permits</b>	<p><b>A Purpose</b> Intended for uses that may be appropriate in the zoning district subject to specific conditions for number, size, location or relationship with the neighborhood</p>	<ul style="list-style-type: none"> <li>- Discuss why the BOA is not the body to review SUPs as they are familiar with the evidentiary hearing process, and SUPs are presumptively valid (they may not be denied if they meet the applicable standards)</li> <li>- Suggest all SUPs require preparation of a concept plan and review by the concept plan by the TRC prior to consideration by City Council – TRC makes suggestions, not a decision</li> <li>- Suggest some revisions to approval criteria to provide</li> </ul>
	<p><b>B Applicability</b> Requires review by TRC and quasi-judicial decision by City Council for uses listed in Table 3-1 and multi-family developments.</p>	
	<p><b>C Application Requirements</b> Directs applicant to file and application with the Planning Department</p>	





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>D Review Criteria</b> Special use permits may only be issued where the use will not materially endanger the public health or safety, the use meets all required conditions, the use will not substantially injure property values (or it is a public necessity), and the location and character of the use will be in harmony with the area in which it is located.</p> <p><b>E Decision Makers</b> Requires City Council to hold an evidentiary hearing and allows Planning Director to approve minor changes</p> <p><b>F Lapse of Special Use Permit</b> Allows City Council to revoke special use permit after two years if the use has not been established or initiated</p> <p><b>F Transfer of Ownership</b> Transfer requirements to future owners, assigns, and heirs until the City releases such limitation on the use of the property</p>	<p>deeper explanation of harmony and materially endanger</p> <ul style="list-style-type: none"> <li>- Add section on Amendments</li> <li>- Add a condition triggering automatic revocation if development is not commenced within two years</li> </ul>
<b>Part 4. Other Development Applications</b>		
<b>2.11 Variance</b>	<p><b>A Purpose</b> Intended for the relief of property owners when strict application would result in particular hardship</p> <p><b>B Applicability</b> Assigns hearings to Board of Adjustment and prohibits a variances to allow uses not authorized by the Code or density in excess of that allowed in the zoning district</p> <p><b>C Application and Procedures</b> Requires application with the Planning Department</p> <p><b>D Required Findings</b> Lists out necessary findings to grant a variance</p> <p><b>E Decision Maker</b> Directs for a quasi-judicial decision by the Board to approve, approve with conditions, or deny</p> <p><b>F Conditions</b> Allows appropriate conditions to be imposed if related to the variance</p>	<ul style="list-style-type: none"> <li>- Clarify that a Variance may not be used to permit an otherwise prohibited use type</li> <li>- Suggest supplementing this section with the material related to variance of the flood damage prevention standards</li> <li>- Consider adding a 5<sup>th</sup> criteria, which is that the variance requested is the minimum necessary to address the hardship</li> <li>- Discuss if the City wishes to record final orders</li> <li>- Supplement with new provisions for Reasonable Accommodations</li> </ul>
<b>2.12 Appeals from Determinations</b>	<p><b>A Purpose</b> Intends an appeal of a determination to be heard by the Board of Adjustment for staff decisions on a development application, Historic Preservation Commission writ of certiorari, or interpretation of development regulations</p> <p><b>B Applicability</b> Spells out standing, time to appeal and record of decision, and stays for the enforcement of the action appealed.</p> <p><b>C Application and Procedure</b> Requires applicant to file a notice of appeal to the City Clerk or Planning Director</p> <p><b>D Appeals Review Criteria</b> Limits review to whether the determination was in accordance with the intent and requirements of the Code</p> <p><b>E Decision Maker</b> Appoints the Board of Adjustment as the decision maker</p>	<ul style="list-style-type: none"> <li>- Clarify about how appeals of decisions by the BOA, City Council, and HPC are decided by Superior Court for Iredell County</li> <li>- Suggest enhanced discussion of who has standing to appeal</li> <li>- Remove and cross reference language on stays following an appeal</li> <li>- Revise criteria to clarify that appeals are based on a mistake in interpreting a standard or a mistake regarding the degree to which a standard was met</li> <li>- Clarify the range of decisions that can be made (reverse, amend, affirm, etc.)</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p>F Alternative Dispute Resolution Allows parties to agree to alternative forms of dispute resolution</p> <p>G No Estoppel Applies NCGS 160D-1403.2 to the proceedings under this section</p>	
<p><b>2.13 Abandonment of Streets, Easements or Plats</b></p>	<p>A Purpose Allows portions of right-of-way, reservation easement or setback in excess of the required minimum, access control or plat to be vacated if in the public interest and no private rights are adversely affected.</p> <p>B Applicability May apply to public right-of-way, easements, dedicated setbacks, or access control</p> <p>C Application Procedure Requires application to be filed with Planning Department, and approved by ordinance of the City Council</p> <p>D Reservation of Easements Allows City Council to reserve rights-of-way and other easements necessary for public facilities or services</p> <p>E Reversion of Land Abandoned Directs abandoned land to be returned to adjoining property owners</p> <p>F Review Criteria Requires City Council to find that the abandonment conforms to state law, is consistent with the plans and policies of the City, does not restrict access to any parcel, and does not adversely impact the health, safety or welfare of the community</p> <p>G Decision Maker Directs for City Council to decide on the application</p>	<ul style="list-style-type: none"> <li>- Suggest some refinements to this process as there are procedural differences for abandonment of streets that do not apply to easements or plats</li> <li>- Suggest instead adding street renaming to the street closure procedure and removing the formality around abandonment of easements and plats</li> <li>- Update procedure with Resolution to Abandon requirements</li> <li>- Address situations where residents seek to rename streets</li> <li>- Clarify public notification and hearing requirements</li> <li>- Supplement with criteria</li> </ul>
<p><b>2.14 Certificate of Ap- propriateness</b></p>	<p>A Purpose Outlines the purpose of Certificates of Appropriateness for the preservation of historic properties subject to the requirements of the code which includes those situated within a locally designated historic district and all tracts of land locally designated as an historic landmark</p> <p>B Applicability Lays out the features and work that requires a certificate of appropriateness. Also spells out situations and types of work that may also be considered in reviewing historic properties for compliance</p> <p>C Application Requirements Requires application to be filed with the Planning Department</p> <p>D Review Criteria Lays out the criteria for issuing certificates of appropriateness including: height, walls of continuity, height-width proportion of front facades, height-width proportions of openings, rhythms of building spacing, relationship of materials, relationship of textures, relationship of color, relationship of architectural details, relationship of roof shapes, scale, directional expression of front elevation, relationship of ground cover, and archeological properties and resources</p>	<ul style="list-style-type: none"> <li>- Provide greater clarity regarding major and minor COA distinctions</li> <li>- Discuss how emergencies are handled</li> <li>- Current sub-section F. Demolition and Removal, appears to be duplicated</li> <li>- Relocate material on HPC powers to subsection on HPC in Review Authorities portion of Chapter 2, Applications</li> <li>- Suggest provisions related to historic design standards be relocated to the Historic District/Landmark provisions in the Overlay Districts portion of new Chapter 3, Districts</li> <li>- Relocate remedies material to Chapter 7, Violations</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>E Decision Makers</b> Requires the Historic Preservation Commission to decide on all applications for certificates of appropriateness within 180 days from the date of filing. Requires quasi-judicial process. Upon passage the certificate is valid for 6 months from the date of issuance and expires if the recipient has not applied for any building or zoning permit or the work has not begun (if a permit is not required). Also spells out process for the Commission to approve certain elements that encroach into public rights-of-way</p>	
	<p><b>F Demolition or Removal</b> There are two of these sections. Demolition requires a permit issued by the City Council. Spells out the criteria to be used by Council in deciding whether to issue a demolition permit</p>	
	<p><b>G Powers, Generally</b> Clarifies the authority of the City of Statesville and the Historic Preservation Commission to prevent construction, reconstruction, alteration or removal of buildings upon historic properties</p>	
	<p><b>H Standards</b> Requires the owners of historic properties to maintain and repair specified exterior features that are deteriorating, rotting, or are ineffective.</p>	
	<p><b>I Petition and Action</b> Allows the Historic Preservation Commission to file a petition with the Planning Director to require correction of deterioration or repairs and spells out the process for issuing and enforcing this action.</p>	
	<p><b>J Methods of Service</b> Directs the Planning Director to serve complaints or orders by registered certified mail and spells out the allowance for other means when the person cannot be found</p>	
	<p><b>K Safeguards from Undue Economic Hardship</b> Allows for an applicant to claim an undue economic hardship and specifies the minimum evidence requirements for the required hearing. Details how an economic hardship may be relieved upon finding that one exists.</p>	
	<p><b>L Appeals</b> Directs appeals to be made to the Board of Adjustment within 30 days following the receipt of the order for repair or determination.</p>	
	<p><b>M Other City Powers</b> Specifies that this does not diminish the City's power to enforce the minimum housing code</p>	
	<p><b>N Penalties and Remedies</b> Allows for three enforcement options which include: equitable remedy, order of abatement, or civil penalty to enforce this section.</p>	
	<p><b>O Validity</b> Grants one year of validity unless the recipient has not begun the work or applied for the necessary permits to begin the work, in which case the permit expires in 6 months</p>	







# STATESVILLE SOARS

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## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>P Compliance and Enforcement</b> Charges staff within the Planning Department to determine compliance and specifies how to handle vesting</p> <p><b>Q Non-Conforming Uses</b> Requires non-conforming situations to comply with Article 4</p> <p><b>R Right of Way</b> Details unique findings required for certificates of appropriateness issued concerning porches, steps, posts, fences, walls, or other items extending over public rights-of-way</p>	
<b>2.15 Site Development Plans</b>	<p><b>A Purpose</b> Intended to show compatible design that displays proposed construction and its relationship to topography, vegetation, adjacent development, and improvements in the immediate area</p>	<ul style="list-style-type: none"> <li>- Suggest changing name to Site Plans</li> <li>- Suggest this be consolidated with Section 2.24, Staff Approved Site Plan</li> <li>- Clarify applicability and exemptions</li> <li>- Clarify that infrastructure and open space standards (in new Chapter 6, Standards) apply to site plans even if land is not being subdivided</li> <li>- Recognize and include a step on Construction Drawings in cases where a site plan include extension of public infrastructure</li> <li>- Supplement the review criteria</li> <li>- Clarify that TRC may not conditionally approve site plans, stipulations may be included in the approval, but these are not conditions</li> <li>- Supplement provisions for amendment</li> <li>- Discuss the City's desire to consider all site plans as site-specific vesting plans</li> </ul>
	<p><b>B Applicability</b> Requires site plan for construction or alteration of any building or excavation for such building within the B-3, B-4, and B-5 zoning districts and all multi-family development</p>	
	<p><b>C Application and Procedures</b> Requires filing with the Planning Department</p>	
	<p><b>D Review Criteria</b> Requires compliance with the UDC and Comprehensive Plans. Adds specification that multi-family development shall not adversely impact adjoining properties</p>	
	<p><b>E Decision Maker</b> Technical Review Committee shall decide site plans</p>	
	<p><b>F Amendments</b> Changes to the plan for multi-family or non-residential structures require an amended site development plan</p>	
	<p><b>G Completion of Buildings</b> Does not have the affect of requiring a change for any project that has a valid permit issued prior to the effective date of the ordinance</p>	
	<p><b>H Condition of the Permit</b> Requires work to conform to the approved application and subsequent amendments</p>	
	<p><b>I Permit Validity</b> Site Development Plans and permits for projects requiring a Site Development Plan are valid for two (2) years from the date of approval unless a greater timeframe is authorized by NCGS 160D-108. Allows Planning Director to extend this up to three years. Multi-phased development of +25 acres is vested for seven years.</p>	
<b>Part 5. Staff-Issued Development Permits and Approvals</b>		
<b>2.16 Building Permit</b>	<p><b>A Purpose</b> Building permits ensure that buildings and structures comply with the provisions of this Code</p>	<ul style="list-style-type: none"> <li>- Discuss this procedure – does the City review these or just the County? If the County, do they use these standards?</li> <li>- Who is the Chief Building Inspector?</li> <li>- Clarify applicability and exemptions (not all things can require a Building Permit under State law)</li> <li>- How does the County ensure compliance with Site Plans</li> </ul>
	<p><b>B Applicability</b> Requires building permit to be obtained from the Chief Building Inspector after the Planning Director has issued a certificate of zoning compliance. Not required for normal maintenance not altering the structure</p>	





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>C Application Procedures</b> Application must be filed with the Iredell County Building Standards Department</p> <p><b>D Review Criteria</b> Spells out five criteria for consideration of an application. Generally requires all laws and plans to be followed as well as landscape and site improvements to be maintained by the owner.</p> <p><b>E Decision Maker</b> Chief Building Inspector shall decide applications</p> <p><b>F Amendments</b> Changes to the plan for multi-family or non-residential structures require an amended site development plan</p> <p><b>G Completion of Buildings</b> Does not have the affect of requiring a change for any project that has a valid permit issued prior to the effective date of the ordinance</p> <p><b>H Condition of the Permit</b> Requires work to conform to the approved application and subsequent amendments</p> <p><b>I Signatures on Permit</b> The applicant shall sign the permit</p> <p><b>J Posting of Permit</b> A copy of the approved plan and permit is to be kept on the site for public inspection. Requires Chief Building Inspector to be notified of work at least 24 hours in advance</p> <p><b>K Revocation</b> Allows the Chief Building Inspector to revoke a permit if the approval was based on inaccurate or false information</p> <p><b>L Validity</b> Zoning clearance and/or permit shall expire in six months. If after commencement the work is delayed for 12 months the permit automatically expires</p>	<p>after a Certificate of Zoning Compliance is issued by the City?</p> <ul style="list-style-type: none"> <li>– Assume anything that requires issuance of a Building Permit requires issuance of a Zoning Compliance Certificate by the City first? Assume anything that requires an electrical or mechanical permit (like a sign change) is addressed as a Building Permit?</li> <li>– How does the City track progress on work on a Building Permit to ensure it doesn't expire?</li> <li>– How are stop work orders handled?</li> <li>– Discuss permit posting requirements – how are these made available to people without them coming onto the property?</li> </ul>
<b>2.17 Certificate of Zoning Compliance</b>	<p><b>A Purpose</b> Required to ensure any changes in land use comply with the code</p> <p><b>B Applicability</b> Prohibits the issuance of a permit approving a change unless it conforms with the code</p> <p><b>C Application Procedures</b> Applications are to be filed with the Planning Department with a site plan and other information as necessary to demonstrate compliance</p> <p><b>D Review Criteria</b> Shall be approved by the Planning Director if development occurs on a legally created lot or parcel, is authorized in the existing zoning district, and complies with the Code</p> <p><b>E Validity</b> Zoning compliance permits are valid for 12 months unless work has begun</p>	<ul style="list-style-type: none"> <li>– Clarify if there are any forms of development that are exempt from this procedure</li> <li>– Clarify review criteria – what about conditions of approval, State or federal law?</li> <li>– Are these permits used for fences and walls?</li> <li>– How are open air uses of land permitted?</li> <li>– How is land disturbance permitted?</li> </ul>
<b>2.18 Certificate of Occupancy</b>	<p><b>A Purpose</b> Certificate of occupancy is to ensure all buildings and structures comply with approved permits and with the provisions of this Code prior to use</p>	<ul style="list-style-type: none"> <li>– Explain how "zoning clearance" from the City works as part of issuance of a CO – is this something the County requests because they have been approached by a permit holder?</li> </ul>





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## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>B Applicability</b> Required for occupancy and use of a building hereafter erected or structurally altered, except for agricultural purposes, or any change in the use of a structure</p> <p><b>C Application</b> Directs for Certificate of Occupancy to be submitted to Iredell County Building Standards the time an applicant requests final inspections</p> <p><b>D Content of Certificate of Occupancy</b> Requires Certificates to comply with all building codes, health regulations and ordinances, and the provisions of this Code</p> <p><b>E Review Criteria</b> Spells out the criteria for the Chief Building Inspector to ensure the building, lot and use complies with building, fire, electrical and mechanical codes, follows the plan, passes all required inspections</p> <p><b>F Decision Maker</b> Appoints Chief Building Inspector to decide applications</p> <p><b>G Issuance of Certificate of Occupancy</b> Requires certificate of occupancy to be issued within three days after final inspection</p> <p><b>H Issuance of Temporary Certificate of Occupancy</b> Allows Chief Building Inspector to issue a Temporary Certificate of Occupancy (TCO) for 6 months if the applicant guarantees one hundred ten percent (110%) of the full cost of installation of all outstanding improvements with a bond, letter of credit or cash escrow</p>	<ul style="list-style-type: none"> <li>- Does the County direct the applicant to get the clearance?</li> <li>- What happens if the zoning clearance finds problems? Will the County hold the CO?</li> <li>- Discuss agricultural exemption from CO – you don't have to exempt ag uses within the corporate limits</li> <li>- The new UDC needs to define "change in use"</li> <li>- Please explain how utility inspection and acceptance works within the context of the CO issuance</li> <li>- Please explain how performance guarantees operate in the context of CO issuance</li> <li>- Explain how the temporary CO process works – is the guarantee in favor of the City or the County? Why is it not 125%?</li> </ul>
<b>2.19 Temporary Use Permit</b>	<p><b>A Purpose</b> Intended to ensure temporary uses are built and operated in a manner that protects the public health, safety and welfare</p> <p><b>B Applicability</b> Spells out which uses may be permitted for up to 60 days and which uses may be permitted for up to a year</p> <p><b>C Application</b> Requires a filed application, letter of intent, and requires they be submitted at least 30 days prior to the proposed activity date</p> <p><b>D Review Criteria</b> Details the required findings for the Planning Director to approve a temporary use permit. Includes consideration of land use compatibility, compliance with other regulations, location, traffic circulation, off-street parking, public conveniences and litter control, and other conditions as necessary</p> <p><b>E Decision Maker</b> Empowers the Planning Director to decide on applications</p> <p><b>F Validity</b> Establishes validity of permit for no more than 60 days except for construction offices, sales offices and model homes which are authorized for up to one year</p>	<ul style="list-style-type: none"> <li>- Suggest adding a new temporary use section to new Chapter 4, Land Uses and relocating temporary use standards (like duration) there</li> <li>- Temporary use provisions should address both duration and max number of occurrences per site per year</li> <li>- Clarify if there are temporary items that are exempted from getting a permit (like governmental activity, or things within a public ROW)</li> <li>- Clarify land owner permission is required prior to establishing a temporary use</li> <li>- The review criteria are somewhat vague and should be discussed</li> </ul>
<b>2.20 Home Occupation</b>	<p><b>A Purpose</b> Requires a permit for home occupation to ensure they are conducted in a safe manner without adverse effects</p>	<ul style="list-style-type: none"> <li>- How is a home occupation defined?</li> <li>- Why is this permit used instead of a Certificate of Zoning</li> </ul>





# STATESVILLE SOARS

Unified Development Code Summary Report December, 2024

## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<b>Permit</b>	<b>B Applicability</b> Applies to all home occupation uses	<p>Compliance?</p> <ul style="list-style-type: none"> <li>– Are there things that are exempted?</li> <li>– Does a home occupation permit expire?</li> </ul>
	<b>C Application</b> Requires application to be filed with the Planning Department	
	<b>D Review Criteria</b> Directs Planning Department to review proposed home occupation for compliance with Section 5.02.I.	
	<b>E Decision Maker</b> Appoints the Planning Director as authority to review and decide applications	
<b>2.21 Minor Exceptions</b>	<b>A Purpose</b> Outlines the purpose of minor exception as a procedure	<ul style="list-style-type: none"> <li>– Discuss how this procedure is working – it is somewhat more narrow than as commonly used in other areas; are their aspects the City would like to change?</li> <li>– If SB382 is adopted, the City may desire to revise this process to compel consent for nonconforming status</li> <li>– Clarify timing; can this procedure be used to address after-the-fact issues?</li> <li>– Suggest removal of criteria related to compatibility as that is application of discretion to a ministerial procedure</li> <li>– Does a site larger than 10,000 square feet qualify as infill if it has structures on lots on 3 sides?</li> <li>– The infill standards are less flexible than the redevelopment standards – was that intentional, if so why?</li> <li>– Can development subject to a COA apply for a Minor Exception? If so, must a new COA be issued first?</li> </ul>
	<b>B Redevelopment or Expansion of Existing Development</b> Allows for minor exceptions to be granted where strict compliance cannot reasonably be met. Lays out required findings to grant a minor exception	
	<b>C Infill Development</b> Allows minor exceptions for undeveloped sites and retail and office centers if they meet the required findings. Includes Authorized exceptions for required landscaping, parking spaces, and building setbacks	
<b>Section 2.22 Right-of-Way/ Access Permit</b>	<b>A Purpose</b> Lays out the purpose of this permit	<ul style="list-style-type: none"> <li>– What is this permit? Is this a driveway permit or a permit to allow activity in a ROW?</li> <li>– Does the City require encroachment agreements as part of activity in a City-owned street ROW?</li> <li>– Does NCDOT authorize the Town to issue driveway permits for NCDOT streets?</li> <li>– How are driveway permits handled along private streets?</li> <li>– Is this required for sidewalk cafes, food trucks, food carts, etc.?</li> <li>– Where are the provisions for inspection?</li> </ul>
	<b>B Applicability</b> This permit limits any structure or use within the public right-of-way.	
	<b>C Application</b> Establishes requirement to file a complete application	
	<b>D Review Criteria</b> Lays out the required findings for NCDOT to approve an application for Right-of-way/access permit. These include no negative impact to community, a community need, no negative impact to traffic circulation and conformance with requirements of the code.	
	<b>E Decision Maker</b> Establishes the decision maker as the City Engineer	
	<b>F Validity</b> Establishes a 6-month term of validity from the time of approval to complete the work and a requirement to notify the City Engineer when work begins and is completed.	
<b>Section 2.23 Sign Permit</b>	<b>A Purpose</b> Intended to ensure all signs are safely constructed and compliant	<ul style="list-style-type: none"> <li>– Suggest the City consider executing sign permit review internally and allowing the County to process building and trade permits</li> <li>– Discuss the City's desire to have uniform site plans or alternative site plan approval</li> <li>– Clarify if off-premise signs (other than outdoor</li> </ul>
	<b>B Applicability</b> Requires permit to construct any sign	
	<b>C Application</b> Requires application to be filed with the Planning Department	





# STATESVILLE SOARS

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## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<b>D Review Criteria</b> Requires sign to be constructed in compliance with building and electrical codes in addition to this code	advertising) are permitted – Discuss how temporary signage is reviewed – through this process or as part of a temporary use permit? – Clarify applicability – does change of sign copy require a sign permit? – Strongly suggest approval of signs by the DSDC be removed. Suggest TRC decided these signs with DSDC as a member instead
	<b>E Decision Maker</b> All signs permits are issued by the Planning Director unless in the CB, CBP and Municipal Service Districts. These are reviewed and approved by the Downtown Statesville Development Corporation as an administrative decision	
	<b>F Validity</b> Requires sign work to be completed within 6 months of the permit issuance	
<b>Section 2.24 Site Plan, Staff Approved</b>	<b>A Purpose</b> Intends to ensure that plans for development are in compliance with the code	– Suggest this procedure be merged with Section 2.15 Site Development Plan – at a minimum establish as Major and Minor Site Plans – Clarify applicability and exemptions – Revise review criteria – consistency with comprehensive plan should be discussed, recognize conditions of approval, concept plans, etc. – Relocate performance guarantee material to Performance Guarantee procedure – Address Construction Drawings procedure for plans and plats including impacts to public infrastructure – Discuss vesting term – these rise to the level of site-specific vesting plans
	<b>B Applicability</b> Required for all new development other than detached single-family residences, duplexes and repairs of existing structures	
	<b>C Application and Procedure</b> Requires application to be filed with the Planning Department	
	<b>D Review Criteria</b> Criteria for approval of a site plan include: conformance to requirements, consistency with plans, policies and design guidelines, and guarantees for required public improvements	
	<b>E Decision Maker</b> Directs for decision on applications by the Planning Director	
	<b>F Validity</b> Applies a time limit of 1 year from the date of approval to begin construction. Specifies that the plan approval is valid as long as the applicant retains a valid building permit or certificate of occupancy. Clarifies that site plan approval runs with the land regardless of ownership.	
<b>Section 2.25 Floodplain Development Permit</b>	<b>A Purpose</b> Details the purpose of the floodplain regulations	– Relocate definitions to the terms Defined portion of Chapter 8, Word Usage – Relocate powers and duties of Floodplain Administrator to Review Authorities portion of Chapter 2, Applications – Relocate corrective procedures to Chapter 7, Violations – Relocate Variance provisions to the Variance Procedure – Relocate standards to Overlay Districts portion of Chapter 3, Districts – Carry forward permit and elevation certificates-related material in the Floodplain Development Permit procedure in Chapter 2, Administration
	<b>B Applicability</b> Applies to all Special Flood Hazard Areas within the City jurisdiction and ETJ	
	<b>C Statutory Authorization</b> Authorized by Part 6, Article 21 of Chapter 143; Chapter 160D, Articles 7, 9, 10 and 11 of the North Carolina General Statutes	
	<b>D Findings of Fact</b> Declares the facts of how the City is subject to periodic flooding in flood prone areas	
	<b>E Objectives</b> Declares the objectives to protect human life, minimize expenditure of public money, and maintain a stable tax base, among others	
	<b>F Definitions</b> Defines the specific terms that apply to floodplain regulations	





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>G Basis for Establishing the Special Flood Hazard Areas</b> Adopts the Flood Insurance Rate Maps as adopted in partnership between the State of NC and FEMA by reference</p>	
	<p><b>H Establishment of Floodplain Development Permit</b> Requires a permit before development activity begins within the Special Flood Hazard Area</p>	
	<p><b>I Compliance</b> Clarifies that no structure or land shall be constructed or altered without full compliance with the ordinance</p>	
	<p><b>J Abrogation and Greater Restrictions</b> Clarifies that these rules do not repeal or change any existing easements, covenants, or deed restrictions. The more stringent restrictions shall prevail</p>	
	<p><b>K Interpretation</b> Defines how the application and interpretation of these rules shall be determined</p>	
	<p><b>L Warning and Disclaimer of Liability</b> Provides disclaimer that the degree of flood protection provided is for regulatory purposes and that larger flood events may occur subject to natural or man-made causes</p>	
	<p><b>M Penalties for Violation</b> Establishes that violation of these rules shall constitute a misdemeanor and result in a fine not larger than \$50.00</p>	
	<p><b>N Designation of Floodplain Administrator</b> Appoints the City Manager or their designee as the floodplain administrator</p>	
	<p><b>O Floodplain Development Application, Permit and Certification Requirements</b> Details all of the application requirements, permit requirements and certification requirements for compliance with these rules</p>	
	<p><b>P Duties and Responsibilities of the Floodplain Administrator</b> Lists the full set of responsibilities and duties of the floodplain administrator</p>	
	<p><b>Q Corrective Procedures</b> Includes the treatment of violations to be corrected, actions in the event of a failure to take corrective action, an order to take corrective action, appeals, and failure to comply with an order</p>	
	<p><b>R Variance Procedures</b> Appoints the Board of Adjustment as the appeal board for variances from floodplain requirements. Spells out which variances may be applied for and the technical evaluations, factors and standards that the appeal board shall use in passing upon variances</p>	
	<p><b>S General Standards</b> Details the standards that apply to all Special Flood Hazard Areas.</p>	





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>T Specific Standards</b>            Specifies which standards apply to Special Flood Hazard Areas where Base Flood Elevation data has been provided. Includes rules for residential, non-residential, manufactured homes, elevated buildings, additions/improvements, recreational vehicles, temporary non-residential structures, and accessory structures.</p>	
	<p><b>U Standards for Floodplains Without Established Base Flood Elevations</b>            Spells out additional rules for areas within the Special Flood Hazard Area designated as Approximate Zone A where no Base Flood Elevation data is available from FEMA.</p>	
	<p><b>V Standards for Riverine Floodplains with Base Flood Elevations but Without Established Floodways or Non-Encroachment Areas</b>            Specifies additional standards for rivers and streams where BFE data is provided by FEMA or another source but neither floodway nor non-encroachment areas are identified for a Special Flood Hazard Area on the FIRM or in the FIS report</p>	
	<p><b>W Floodways and Non-Encroachment Areas</b>            Details the rules for areas designated as floodways or non-encroachment areas within the Special Flood Hazard Areas. Prohibits encroachments and manufactured homes in these areas</p>	
	<p><b>X Effect on Rights and Liabilities Under the Existing Flood Damage Prevention Ordinance</b>            Clarifies that these standards do not repeal but reenact the original standards and do not affect any action, suit or proceeding instituted or pending</p>	
	<p><b>Y Effect Upon Outstanding Floodplain Development Permits</b>            Clarifies that this section does not change any plans or construction already permitted by the floodplain administrator or their designee</p>	

### Article 3. Zoning





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<b>3.01 Establishment of Zoning Districts</b>	<b>A Base Zoning Districts</b> Establishes the full list of zoning districts in a table	<ul style="list-style-type: none"> <li>– Discuss the FLUM categories and character area provisions – how can the current zoning district line up be revised to address these aspects (this may become complicated by SB382 if it passes)</li> <li>– Change name from Base to Conventional districts</li> <li>– Revise into a transition table that explains transitions to new district names and abbreviations, district consolidations (if any), newly established districts, and organizes the districts into Residential, Non-Residential, Mixed-Use, Conditional, and Overlay categories</li> <li>– Clarify distinctions between conventional, conditional, and overlay districts</li> <li>– Add a Gateway Corridor Overlay District framework that establishes basic standards that may be supplemented with corridor-specific standards developed following adoption of a small-area plan</li> <li>– Discuss the need for an Airport Height Overlay district (applied to runway approach zones)</li> </ul>
	<b>B Conditional Zoning Districts</b> Specifies that Conditional Zoning Districts may apply to any zoning district except for HD and PUD	<ul style="list-style-type: none"> <li>– Suggest converting existing conditional districts (including PUD district) to legacy districts, abolishing parallel conditional districts, and establishing a series of four generic conditional districts: Residential, Non-residential, Mixed-use, and Redevelopment</li> <li>– Establish a new sub-section in Chapter 3, Districts that sets out the operational requirements for the four conditional districts, and the distinctions between each of the three types (limited use, restricted, and unrestricted)</li> </ul>
<b>3.02 Zoning Map</b>	<b>A Official Zoning Map</b> Establishes the boundary of jurisdiction for the Official Zoning Map	<ul style="list-style-type: none"> <li>– Discuss the possibility of moving to a digital version of the Official Map</li> <li>– Clarify who interprets the Official Map (suggest it be the Planning Director, not the BOA)</li> <li>– Clarify where the map is maintained how it may be viewed and how copies may be obtained</li> </ul>
	<b>B Maintenance of the Official Zoning Map</b> Establishes that the Zoning Map will be maintained by the Planning Director	
	<b>C Interpretation of the Official Zoning Map</b> Sets out rules for how to handle split zoning, location of zoning district lines and determination of boundaries	
<b>3.03 Use Matrix and Interpretation</b>	<b>A Permitted Uses</b> Permitted uses are indicated by a P in the use matrix	<ul style="list-style-type: none"> <li>– Suggest new UDC utilize a 3-tiered use classification system (use classifications, use categories, and use types)</li> <li>– Reorganize into a table of common principal uses and a table of common secondary uses</li> <li>– Suggest replacing “SR” and “PS” abbreviations with a dynamic cross reference to applicable use standards</li> <li>– Provide additional detail about how multiple uses on a site are addressed</li> <li>– Provide additional detail about how a change in use is determined</li> </ul>
	<b>B Special Uses</b> Special uses are indicated by an S in the use matrix	
	<b>C Supplemental Regulations</b> Uses that are allowed with supplemental regulations include an SR on the use matrix	
	<b>D Performance Standards</b> PS in the use matrix indicates that performance standards apply to this use as specified in Article 5	
	<b>E Prohibited Uses</b> An empty cell indicates a prohibited use	







## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	F Reserved N/A	<ul style="list-style-type: none"> <li>- Suggest adding columns for the four generic conditional districts and clarifying when use are or are not permitted within conditional districts (it is possible to only allow some use types in a conditional district)</li> <li>- Empty cells are not prohibited uses; empty cells are districts where the particular use type is prohibited (there should be a section on uses prohibited city-wide in new Chapter 4, Land Uses)</li> <li>- Chapter 4 should include new details on use category provisions for use in classifying new unlisted uses as they are proposed</li> </ul>
<b>3.04 Zoning District Regulations</b>	Use Matrix	<ul style="list-style-type: none"> <li>- Revise table name to Table of Common Principal Uses</li> <li>- Relocate secondary (accessory) and temporary uses to their own tables</li> <li>- Organize by use classification and use category</li> <li>- Replace SR and PS categories with cross references to use-specific standard section number</li> <li>- Add a "." symbol in blank cells</li> <li>- Suggest using P for permitted by-right instead of "x"</li> <li>- Use colors to better denote columns</li> <li>- Suggest review of use types generally and consolidating similar uses into more generic descriptions (e.g., office, personal services, repairs, retail, etc.) – the current matrix includes different 364 principal and accessory uses; this should be reduced to around 140 principal uses</li> <li>- Add new use types short term rentals, even venues, business incubators, micro-retail, food truck courts, commissaries, telecommunication facilities, pocket neighborhoods, bungalow courts, live/work units, upper story residential, detached multi-family, cryptomining, makerspace, co-working, and others</li> </ul>
	<b>A R-A Residential Agricultural District</b> Allow a variety of residential uses in areas that are not yet urbanized and do not have urban services	<ul style="list-style-type: none"> <li>- Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> <li>- Discuss ability to accommodate conservation subdivisions</li> </ul>
	<b>B R-20 - Suburban Residential District</b> The purpose of this district is to accommodate low density, detached single family residential development in a suburban setting, especially within the extra-territorial jurisdiction area.	<ul style="list-style-type: none"> <li>- Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> <li>- Discuss a different approach for conservation subdivisions that apply density limitations but are more flexible with dimensional requirements and include new concealment requirements</li> <li>- Suggest new open space set-aside standards for traditional development</li> </ul>





# STATESVILLE SOARS

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## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>C R-15 - Urban Fringe Low Density Residential District</b>            The purpose of this district is to provide low density, detached single family residential development in urbanizing areas partially served by urban services</p>	<ul style="list-style-type: none"> <li>- Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> <li>- Explore the difference between suburban and urban fringe</li> <li>- Consider how these district designations relate to development tiers</li> <li>- Same suggestions as R-20 regarding conservation subdivisions</li> <li>- Suggest new open space set-aside standards for traditional development</li> </ul>
	<p><b>D R-15M - Urban Fringe Low Density Residential/Manufactured Housing District</b>            The purpose of this district is to accommodate manufactured housing in low density, detached single family residential development in urbanizing areas partially served by urban services. These areas are located in close proximity to low density urban areas</p>	<p>Suggest consolidating this district with R-15 and adding design standards for new manufactured homes established after the effective date of the new UDC</p>
	<p><b>E R-10 - Urban Low Density Residential District</b></p>	<ul style="list-style-type: none"> <li>- Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> <li>- Why would an urban area have a low density district? Suggest name change</li> <li>- Consider how these district designations relate to development tiers</li> <li>- Same suggestions as R-20 regarding conservation subdivisions</li> <li>- Suggest new open space set-aside standards for traditional development</li> </ul>
	<p><b>F R-10M - Urban Low Density Manufactured Housing Residential District</b></p>	<p>Suggest consolidating this district with R-10 and adding design standards for new manufactured homes established after the effective date of the new UDC</p>
	<p><b>G R-8 - Medium Density Single-Family Residential District</b></p>	<ul style="list-style-type: none"> <li>- Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> <li>- Suggest broadening the range of allowable use types to include slightly wider variety of residential uses, including triplex, quadplex, and up to 4 townhouse units per acre</li> <li>- Discuss active recreation requirements – smaller development may struggle with maintenance and some areas may benefit more from gathering areas</li> </ul>
	<p><b>H R-8M - Medium Density Single-Family/Manufactured Housing Residential District</b></p>	<p>Suggest consolidating this district with R-8 and adding design standards for new manufactured homes established after the effective date of the new UDC</p>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	I R-8MF - Medium Density Multi-Family Residential District	<ul style="list-style-type: none"> <li>– Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> <li>– Suggest name and abbreviation change</li> <li>– Discuss the 12/31/22 date and if this distinction should be maintained</li> <li>– Clarify densities for higher density configurations</li> <li>– Consider increasing maximum building heights</li> </ul>
	J R-5 - High Density Single Family Residential District	<ul style="list-style-type: none"> <li>– Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> <li>– Suggest name change</li> <li>– Consider a broader range of residential use types</li> <li>– Explore the ability to locate low-intensity, neighborhood-serving nonresidential in this district</li> </ul>
	K R-5M - High Density Single Family/Manufactured Housing Residential District	Suggest consolidating this district with R-5 and adding design standards for new manufactured homes established after the effective date of the new UDC
	L R-5MF - High Density Multi Family Residential District	<ul style="list-style-type: none"> <li>– Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> <li>– Suggest name and abbreviation change</li> <li>– Discuss the 12/31/22 date and if this distinction should be maintained</li> <li>– Clarify densities for higher density configurations</li> <li>– Consider increasing maximum building heights</li> <li>– Explore the ability to locate low-intensity, neighborhood-serving nonresidential in this district</li> </ul>
	M O-1 - Office Single Lot District	Consider rezoning to a residential district (unless barred by SB382, then just broaden to permit residential development) as called for in Downtown/115 Master Plan
	N O & I-2 - Office and Institutional Complex District	<ul style="list-style-type: none"> <li>– Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> <li>– Allow live/work residential and limited forms of multi-family</li> </ul>
	O B-1 - Neighborhood Service District	– Discuss the possibility of consolidating the B-1 and B-2 districts (with adjustments for height to avoid nonconformities)
	P B-2 - Neighborhood Business District	<ul style="list-style-type: none"> <li>– Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> <li>– Allow live/work residential and limited forms of multi-family</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	Q B-3 - Shopping Center District	<ul style="list-style-type: none"> <li>- Discuss the distinctions between B-3 and B-4 and consider consolidating</li> <li>- Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> </ul>
	R B-4 - Highway Business District	
	S B-5 - General Business District	<ul style="list-style-type: none"> <li>- Consider renaming to heavy commercial since this district permits some light industrial uses</li> <li>- Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> </ul>
	T CB - Central Business District	Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses
	U CBP - Central Business Perimeter District	Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses
	V H-115 - Highway 115/Shelton Avenue Corridor District	<ul style="list-style-type: none"> <li>- Discuss if this should be joined with CBP district</li> <li>- Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses</li> </ul>
	W LI - Light Industrial District	Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses
	X HI - Heavy Industrial District	Carry forward in new tabular layout that includes an updated purpose statement, dimensional standards, and cross references to dimensional schematics and precedent imagery for allowable uses
	Y HD - Historic District Overlay	Relocate and consolidate with some of the standards in current Section 2.14 into the Overlay Districts portion of new Chapter 3, Districts
	Z Planned Unit Developments	<ul style="list-style-type: none"> <li>- Suggest these provisions be revised into a legacy district (that remains but is not expanded or revised in significant ways)</li> <li>- Add additional standards for how current PUD districts may be rezoned into conditional zoning districts for the purpose of revision</li> <li>- Suggest dropping minimum district size standards</li> </ul>

### Article 4. Non-Conforming Situations





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<p><b>4.01 Purpose</b></p>	<p>Intended to permit the use of use of structures and land that were lawful before the adoption of the code</p>	<ul style="list-style-type: none"> <li>- Carry forward and supplement with clarity about routine maintenance and other changes to protect public safety (such as elevation above the floodplain)</li> <li>- Supplement with new language clarifying that the burden of demonstrating a nonconformity is lawful is on the applicant or landowner, not the City</li> <li>- Add more clarity about the ability of nonconformities to continue and be maintained</li> <li>- If SB382 is approved, it may become necessary to distinguish between nonconformities that pre-date the new UDC versus nonconformities that are created after adoption of the new UDC with the owner's consent</li> </ul>
<p><b>4.02 Non-Conforming Vacant Lots</b></p>	<p>Spells out the criteria for lots that are smaller than required for the applicable zoning district to be continue their use. Includes conformance prior to code adoption, the absence of alternatives to make the lot conforming, compliance with other regulations, and safety</p>	<ul style="list-style-type: none"> <li>- Carry forward but soften the standards to allow a proposed allowable use to meet the required setbacks to the maximum extent practicable; continue to require compliance with maximum height</li> <li>- Discuss the degree to which the City will permit use-specific standards to be reduced to facilitate development of nonconforming lots</li> <li>- Clarify that flood damage prevention standards may not be reduced except through approval of a Variance</li> <li>- Limit further subdivision of nonconforming lots unless the subdivision removes the nonconformity</li> <li>- Recognize that special purpose lots are not required to comply with dimensional standards, but may not become buildable lots if the special purpose is extinguished</li> <li>- Clarify that governmental actions (like acquisition of strips of land for rights-of-way) shall not be considered to render a lot nonconforming</li> </ul>
<p><b>4.03 Non-Conforming Occupied Lots or Buildings</b></p>	<p><b>A Generally</b> Includes lots, occupied by buildings or structures at the time of the passage of the ordinance</p> <p><b>B Americans with Disabilities Act</b> Clarifies that one of the purposes of this section is to bring a non-conforming property into compliance with ADA</p> <p><b>C Improvement, Repair, and Maintenance</b> Allows routine maintenance, structural alterations or additions and restoration of destroyed non-conforming structures to be completed subject to specific requirements specified within this section</p> <p><b>D Non-Conforming Site Features</b> Requires expansions of gross floor area by 25% to comply with street improvements including but not limited to turning and traffic storage lanes, sidewalks, curb and gutter per Chapter 20 of the City Code, landscaping, buffering, right-of-way dedication and any other improvement attribute in plans adopted by the City. Feasibility and level of compliance determined by the Technical Review Committee</p>	<ul style="list-style-type: none"> <li>- If and how this is addressed depends on if SB382 is made law. If it becomes law, revise the standards to clarify that existing site conditions are authorized, but that any changes to the site (uses, expansions, additions, changes to site features, etc.) requires either: 1) rezoning the land in question (likely to a conditional district), or 2) full compliance with the development standards applied to site features in place at the time of the change, or 3) approval of a Variance, or 4) granting of consent from the landowner to recognize the site as nonconforming agreement to participate in a partial compliance determination process</li> <li>- Continue to permit changes associated with ADA compliance or medical need in accordance with an approved Reasonable Accommodation</li> <li>- Supplement the standards with additional provisions for nonconforming structures to address issues such as expansion, alteration, and casualty damage</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<b>4.04 Non-Conforming Open Uses of Land</b>	Applies to buildings and structures incidental to the outdoor use. Allows continuance of open use of land provided the use is not converted to a non-conforming use, enlarged, or when the use is discontinued for more than one year or six months in the CB, CBP, Municipal Service, and the H-115 Districts.	<ul style="list-style-type: none"> <li>– Carry forward with the other nonconforming use provisions</li> <li>– Consider a uniform cessation period of six months to trigger abandonment instead of a year outside the downtown</li> <li>– Add casualty damage provisions</li> </ul>
<b>4.05 Non-Conforming Uses</b>	Applies to land uses at the effective date of the code that are not permitted in the district in which they are located. Allows for continuance subject to the specified conditions	<ul style="list-style-type: none"> <li>– Carry forward but relocate provisions associated with nonconforming structures to a new section on nonconforming structures</li> <li>– Consider a uniform cessation period of six months to trigger abandonment instead of a year outside the downtown</li> <li>– Add casualty damage provisions</li> </ul>
<b>4.06 Non-Conforming Parking</b>	Non-conforming parking may be maintained, repaired, or altered provided any additional parking provided is compliant with the code	Carry forward, but discuss what happens if additional parking is added to a nonconforming lot – must any addition of spaces reach compliance or is incremental improvement acceptable?
<b>4.07 Non-Conforming Signs</b>	Requires compliance for non-compliant signs	<ul style="list-style-type: none"> <li>– Consider relocating nonconforming signage provisions to a new section in Chapter 5, Nonconformities</li> <li>– Include additional provisions for lawfully-established nonconforming signs, including the ability to relocate a nonconforming sign removed in response to changes in adjacent transportation facilities where the relocated sign may be located anywhere on the same site permitted at the time the sign was constructed, and provided the sign face area and maximum height does not increase beyond that existing prior to relocation</li> </ul>
<b>4.08 Exceptions</b>	<b>A Residences</b> Allows exceptions to rules for non-conformities for garages, sanitary facilities, residences in commercial districts, and replacement dwellings for non-conforming single-family residential dwellings	Carry forward in appropriate sections of this chapter
	<b>B Historic Structures</b> Exempts non-conforming structures listed as a national, state, or local historic site provided that construction does not increase the degree of non-conformity, and the site complies with change of use provisions. Applies specific rules to legal lots of record and properties that do not meet the bulk density requirements of the code.	Carry forward in basic applicability and exemption provisions at beginning of chapter
<b>4.09 Change in Kind of Non-Conforming Use</b>	Specifies the provisions required for a non-conforming use to be changed to another non-conforming use of similar or less intensity.	Suggest removal of these provisions as this could be considered as a use variance
<b>Article 5. Supplemental Regulations/Performance Standards for Specific Uses</b>		
<b>5.01 General Conditions</b>	Specifies that this Article applies to specific land uses in addition to other applicable standards	Relocate these provisions to a new Use-Specific Standards section of new Chapter 4, Land Uses





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<b>5.02 Accessory Uses and Structures</b>	<p><b>A Generally</b> Specifies general requirements for all accessory structures such as subordination and support for a principal building, locational requirements, and exceptions to setback rules of an underlying zoning district</p>	<ul style="list-style-type: none"> <li>Relocate to a new subsection in the Secondary Uses portion of Chapter 4, Land Uses</li> <li>Add a new section detailing the rules for establishment of a secondary use</li> <li>Expand the provisions addressing characteristics, locations, maximum size, allowable height, and compliance with use-specific and design standards</li> <li>Supplement with a new table of common secondary uses (similar to the principal use table)</li> <li>Broaden the array of secondary uses to include: ATMs, canopies, cluster box units, drive throughs, family health care structures, serving of alcohol, mobile restaurants, push carts (for food sales), outdoor dining, outdoor display, parking of heavy trucks, and several others</li> </ul>
	<p><b>B Accessory Amenities</b> Details rules for location of tennis courts, pools, and recreational amenities as well as fences required for pools</p>	<ul style="list-style-type: none"> <li>Relocate as secondary uses</li> <li>Discuss the City's desire to address fences and walls as development standards in Chapter 6, Development Standards, or as secondary structures in Chapter 4, Land Uses</li> </ul>
	<p><b>C Accessory Dwellings</b> Allows accessory dwelling units subject to rules on square footage limits, resale restrictions, ownership requirements, locational and spacing requirements, parking requirements, and height limitations. Requires materials to be compatible with the principal residence and prohibits manufactured homes as ADUs</p>	<p>Carry forward but distinguish between internal and detached ADUs</p>
	<p><b>D Child/Adult Home Day Care</b> Allows this use subject to compliance with state regulations and provision of a secured fenced play area</p>	<p>Carry forward with requirement to comply with State laws, including specific references to NCHHS rules</p>
	<p><b>E Child Care Accessory to Use</b> Allows this use subject to compliance with state regulations and provision of a secured fenced play area</p>	
	<p><b>F Dormitories</b> Allows these uses accessory to a college, technical, nursing or similar school provided compliance with parking, signage, lighting and design requirements are met</p>	<p>Carry forward</p>
	<p><b>G Furniture Refinishing &amp; Repair</b> Requires use to be accessory to retail sales, limits activity to enclosed structure, and the location of finishing and striping materials is provided to the Fire Marshall</p>	<p>Discuss, is this needed as a secondary use, or can it be addressed as a home occupation?</p>
	<p><b>H Garage, Shared</b> Requires garage to be evenly split, documentation to be submitted with the building permit application and a shared easement recorded, and exempts the lot from side yard setback requirements</p>	<p>Carry forward and supplement with other detached garage standards</p>
	<p><b>I Home Occupations</b> Details the purpose and performance standards for home occupations as an accessory use. Exempts certain home occupations from the permit requirement and prohibits some uses as home occupations. Include additional provisions for action by the Planning Director if a home occupation is a hazard to the public</p>	<ul style="list-style-type: none"> <li>Carry forward</li> <li>Discuss if a separate permit procedure is necessary</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>J Motor Vehicle Repair, Personal</b> Allows motor vehicle repair in residential districts but requires that the vehicle belongs to the property owner and that major repairs be conducted indoors. Also limits the time when repairs may be conducted</p>	Carry forward
	<p><b>K Parking of Vehicles in Residential District</b> Limits what may be parked in a residential district. Allows EV charging but no other vehicles connected to a utility, allows recreational vehicles, boats and trailers but prohibits use for living or sleeping, prohibits parking between street and front yard. Prohibits parking of commercial vehicles for more than 48 hours unless they are in an entirely closed space and prohibits tractor trailers unless in the residential agricultural district.</p>	Carry forward but distinguish between typical personal vehicles and heavy vehicles/recreational equipment
	<p><b>L Parking of Oversized Vehicles in the Central Business, Central Business Perimeter, H-115 and Municipal Service Districts</b> Limits parking of commercial vehicles and tractor trailers to loading and unloading and the temporary use of units related to construction. Requires permit for trailers used for seasonal sales. Exempts trailers currently being used as an integral part of a business being operated in residential districts</p>	Carry forward
<b>5.03 Temporary Uses and Structures</b>	<p><b>A Carnivals, Circuses, Fairs, Festivals, Concerts</b> Requires approval by the Fire Marshal's office with consideration given to duration, accessory structures, occupancy, seating plan, flame resistance of facilities, insurance requirements, permit compliance, road access, and signage.</p>	<ul style="list-style-type: none"> <li>- Supplement this section with a new set of general standards applicable to all temporary uses</li> <li>- Add a summary table of duration and number of occurrences per lot for each listed temporary use</li> <li>- Add additional temporary uses, including portable storage containers, temporary dwellings, temporary fencing, temporary wireless facilities, and others</li> <li>- Cross reference temporary signage provisions in Signage portion of new Chapter 6, Standards</li> <li>- Carry forward this subsection as special events</li> </ul>
	<p><b>B Construction Trailers and Mobile Construction Offices</b> Allows these uses to be permitted for construction projects and limits its use to office facilities for the project. Prohibits placement on a public street and requires removal within 30 days of completion of the construction project</p>	<ul style="list-style-type: none"> <li>- Clarify if only available to uses with an active building permit</li> <li>- Clarify what happens if building permit expires</li> <li>- Suggest tying removal to 30 days after CO issuance</li> </ul>
	<p><b>C Evangelistic, Religious and Related Congregations and Assemblies</b> Limits permit to no more than 14 days</p>	Address as special events
	<p><b>D Mobile Classrooms</b> Allowed subject to prescribed conditions unless in the CB and Historic Overlay Districts. Use must be related to a school, compliant with the same setbacks as the principal structure, and not visible from the street. Exempts these uses from Design Standards for Non-Residential Development and limits permit length to five-year period</p>	<ul style="list-style-type: none"> <li>- Clarify limits on number on one site and minimum spacing, access</li> <li>- Clarify placement with respect to required parking, landscaping, or accessways</li> </ul>







# STATESVILLE SOARS

Unified Development Code Summary Report December, 2024

## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>E Model Dwelling Units</b> Limits model dwelling units to be used for a sales office during construction and prohibits any other business activity other than for showing and sales. Specifies rules for signate, lot and yard requirements, parking, and residential occupancy.</p>	Review for consistency with State law regarding access
	<p><b>F On Premises Open Lot Sales</b> Allows sales of produce or products made or grown by the owner or family</p>	<ul style="list-style-type: none"> <li>- Suggest revising to outdoor seasonal sales</li> <li>- Utilize for sales of Christmas trees, pumpkins, fireworks, and other aspects</li> </ul>
	<p><b>G Open Lot Sales of Christmas Trees</b> Allows this use for no more than 45 days for special fundraising events. Limits use to the B-2, B-3, B-4, B-5, CB, CBP, LI, and HI zoning districts</p>	
	<p><b>H Outdoor Bazaars, Cookouts, and Similar Activities</b> Limits use to no more than 3 days when conducted by religious or non-profit institutions</p>	Treat as special events
	<p><b>I Temporary Relocation Mobile Homes</b> Limits permit length to 18 months and specifies that it must be for persons displaced as a result of natural or manmade disasters</p>	<ul style="list-style-type: none"> <li>- Treat as temporary dwellings</li> <li>- Add standards for post disaster housing</li> </ul>
	<p><b>J Yard Sale</b> Permitted in all residential districts but limits sales to six months per year with a maximum of two days per sale 60 days apart. Also limits signs</p>	Consider having standards but exempting from temporary use permit requirements
	<p><b>K Dumpsters (Construction) in the CB, CBP and Municipal Service Districts</b> The permit length shall be requested by the client in accordance with the project schedule. Allows the city to deny or require removal of the dumpster if activity does not warrant a dumpster. The dumpster may not be visible from the street and requires contents to be removed when full.</p>	Carry forward, or address in new standards for dumpsters and recycling containers located in Chapter 6, Standards
	<p><b>L Road Construction Projects</b> Requires this use to comply with the same setbacks as the principal structure and requires the use to be located so it is not visible from the street. Requires dust control measures and that the use be located 300 feet from any residence. Exempts these projects from design standards, and the noise ordinance with the exception of driving pylons</p>	Discuss why these are considered temporary uses
<b>5.04 Primary Uses and Structures</b>	<b>A Adult Care Center</b>	<ul style="list-style-type: none"> <li>- Review, carry forward, and supplement as appropriate in Use-Specific Standards portion of Chapter 4, Land Uses</li> <li>- Broaden the array of housing options</li> <li>- Add new non-residential uses</li> <li>- Ensure elder care/housing facilities (assisted living, CCRCs, congregate care, etc.) are permitted in most districts</li> <li>- Discuss the possibility of establish a new use type called "adaptive re-use" that could include residential or non-residential for use in downtown or infill areas</li> <li>- Add use standards for parking structures</li> </ul>
	<b>B Adult Entertainment Establishment</b>	
	<b>C Amusement Arcades, Pool Halls &amp; Billiards (indoor)</b>	
	<b>D Amusement Parks</b>	
	<b>E Animal Hospitals, Small</b>	
	<b>F Animal Hospitals, Large</b>	
	<b>G Baseball Hitting Range</b>	
	<b>H Bed and Breakfast</b>	
	<b>I Bus Garages</b>	
	<b>J Bus Shelters</b>	
<b>K Camps, Non-profit</b>		





# STATESVILLE SOARS

Unified Development Code Summary Report December, 2024

## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	L Camps, Recreational Vehicles	<ul style="list-style-type: none"> <li>- Review, carry forward, and supplement as appropriate in Use-Specific Standards portion of Chapter 4, Land Uses</li> <li>- Broaden the array of housing options</li> <li>- Add new non-residential uses</li> <li>- Ensure elder care/housing facilities (assisted living, CCRCs, congregate care, etc.) are permitted in most districts</li> <li>- Discuss the possibility of establish a new use type called "adaptive re-use" that could include residential or non-residential for use in downtown or infill areas</li> <li>- Add use standards for parking structures</li> </ul>
	M Cemetery, Animal	
	N Cemetery, Human/Mausoleum	
	O Child Care Center	
	P Houses of Worship, Storefront in CB and CBP	
	Q Clean Material Landfill	
	R Clubs, Civic and Private	
	S Schools	
	T Communication Towers	
	U Community Centers	
	V Condominium Development	
	W Congregate Living Facility	
	X Convenience Stores	
	Y Dwellings, CB, CBP and H-115 Zoning Districts	
	Z Dwellings, Planned Multi-Family Developments	
	AA Family Care Home	
	BB Farming, Truck Gardening, Crop Production, Tree Farm	
	CC Fitness Center	
	DD Flea Market (Outdoor)	
	EE Food Stores	
	FF Fraternities & Sororities	
	GG Funeral Parlors and/or Crematoria	
	HH Gas Stations	
	II Glass and Mirror Sales and Repair	
	JJ Jails	
	KK Laboratories, Research/Testing	
	LL Manufactured/Mobile Housing	
	MM Manufactured Home Park	
	NN. Motor Repair, Small	
	OO Motor Vehicle Repair (major)	
	PP Motor Vehicle Repair (minor)	
	QQ Nursing, Convalescent and Extended Care Facilities	
	RR Orphanage	
	SS Parking, Off-Street in Residential Zones	
	TT Philanthropic and Eleemosynary	
	UU Photofinishing Labs	
	VV Places of Assembly	





# STATESVILLE SOARS

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## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	WW Plant Nurseries	
	XX Public Service Facilities	
	YY Public Use Facility	
	ZZ Publishing and Printing	
	AAA Race Tracks	
	BBB Radio Television Receiving Antenna	
	CCC Recreation Outdoor	– Review, carry forward, and supplement as appropriate in Use-Specific Standards portion of Chapter 4, Land Uses
	DDD Recycling Collection Center	– Broaden the array of housing options
	EEE Residential Event Centers	– Add new non-residential uses
	FFF Roadside Stands	– Ensure elder care/housing facilities (assisted living, CCRCs, congregate care, etc.) are permitted in most districts
	GGG Shooting/Firing Ranges (Indoor)	– Discuss the possibility of establish a new use type called “adaptive re-use” that could include residential or non-residential for use in downtown or infill areas
	HHH Sanitariums and Mental Institutions	– Add use standards for parking structures
	III Sewer Treatment Facility	
	JJJ Stables	
	KKK Tobacco Shop	
	LLL Truck Stop/Travel Plaza	
<b>5.05 Performance Standards</b>	Specifies limits and required controls for outdoor lighting, sound, and vibration	<ul style="list-style-type: none"> <li>– Discuss the City’s desire to establish new lighting standards for most forms of development in new Chapter 6, Standards</li> <li>– Suggest removing sound performance provisions in favor of reliance on noise standards in the City Code of Ordinances</li> <li>– Discuss how vibration standards are measured, and if these standards should remain</li> </ul>
<b>Article 6. Development Standards</b>		
<b>6.01 Overview</b>	Outlines the rules established by this section. Includes general design standards for lots, blocks and site development including density, lots, and blocks, alternative development patterns, parking, landscaping and open space	<ul style="list-style-type: none"> <li>– Carry forward chapter introductions for each chapter in the new UDC</li> <li>– Discuss the City’s desire to add a set of minimum housing standards to the UDC that would apply throughout the ETJ</li> <li>– Discuss adding anti-displacement standards – this will require the City to monitor and distinguish between different types of ownership</li> </ul>
<b>6.02 Density and Dimensional Standards</b>	<b>A Minimum Lot Size</b> Directs for minimum lot sizes in accordance with Article 3 but further specifies lot standards for duplexes, lots with individual sewage disposal systems, and non-residential development. Requires 37.5 ft of public street frontage for any residential building and limits development to one principal and an accessory building per lot (unless otherwise permitted)	<p>Review and revise these standards in the following ways:</p> <ul style="list-style-type: none"> <li>○ Integrate the standards for individual dimensional provisions into each of the zoning district dimensional tables</li> <li>○ Integrate generic dimensional standards into a new section on general dimensional standards</li> <li>○ Establish a new section on the rules of measurement that describe how compliance with dimensional standards is determined</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>B. Residential Density</b> Calculates residential density by subtracting the area of a site with industrial or commercial uses to calculate the net acreage, and divides dwelling units by net acreage. Spells out density requirements for multifamily</p>	Clarify how the City specifies density provisions if density is a function of the presence or absence of non-residential use types – suggest not making allowable density a function of whether or not other use types are present
	<p><b>C. Lot Width and Depth</b> Specifies minimum lot widths for duplexes, multifamily, corner lots, and instances when public sewer is not provided</p>	Review and revise these standards in the following ways: <ul style="list-style-type: none"> <li>○ Integrate the standards for individual dimensional provisions into each of the zoning district dimensional tables</li> <li>○ Integrate generic dimensional standards into a new section on general dimensional standards</li> <li>○ Establish a new section on the rules of measurement that describe how compliance with dimensional standards is determined</li> <li>○ Add a table summarizing allowable setback encroachments</li> </ul>
	<p><b>D. Building Setback Requirements</b> Gas pumps, overhead canopies, residential fences are all given special setbacks. Requires that the front setback be measured from the right-of-way line unless the right-of-way line is undeterminable whereby the setback is measured from the centerline</p>	
	<p><b>E. Building Height Limitations</b> Measures building heights from the highest interior floor to the highest interior ceiling. Exempts chimneys, flag poles, towers, antennae, and HVAC equipment from being included in the height. Allows certain uses in B and O districts to exceed certain height requirements</p>	<ul style="list-style-type: none"> <li>– Relocate height dimensions to individual district dimensional standards tables</li> <li>– Supplement with a table of allowable height exemptions and encroachments</li> </ul>
	<p><b>F. Blocks</b> Limits blocks to no more than 1,500 ft and no less than 300 feet. Allows the Planning Board to require crosswalks for blocks longer than 500 ft. Requires blocks to be wide enough for two tiers of minimum depth</p>	<ul style="list-style-type: none"> <li>– Relocate to the section on Streets in Infrastructure portion of Chapter 6, Standards</li> <li>– Supplement with mid-block pedestrian crossing requirements if blocks exceed maximum lengths</li> <li>– Consider limits on the number of units that may be served by a cul-de-sac street</li> </ul>
	<p><b>G. Reserved</b> N/A</p>	Delete
	<p><b>H. Half-Streets</b> Prohibits half streets by requiring the remaining halves of streets be dedicated on adjoining property</p>	Relocate to streets standards in the Infrastructure portion of Chapter 6, Standards
	<p><b>I. Alleys</b> Requires alleys to be constructed in accordance with street specifications and details</p>	
	<p><b>K. Easements</b> Establishes requirements for utility easements, storm drainage easements, and natural areas that are accepted for maintenance by the City. Requires front, side, and rear utility easements in nonresidential, cluster, and architecturally integrated cluster subdivisions to be established by City Council with review by the TRC</p>	<ul style="list-style-type: none"> <li>– Relocate to Infrastructure portion in Chapter 6, Standards</li> <li>– Establish new requirements for utility easements (other than water and sewer) along street edges</li> </ul>
	<p><b>L. Permanent Reference Points</b> Requires permanent reference points to be established for subdivisions prior to the approval of the final plat for surveying purposes</p>	Relocate these standards to the Subdivision Design Standards portion of new Chapter 6, Standards
	<p><b>M. Utility Services</b> Refers to the City's Services Policy Manual for extension of electrical services. Directs for underground utilities in all housing developments. Requires telecommunication companies to collocate additional facilities on their poles if they have capacity</p>	Carry forward in the Infrastructure portion of Chapter 6, Standards





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<b>6.03 Parking Standards</b>	<p><b>A. Off Street Parking Requirements</b> Requires off-street parking for all lots except for nonresidential uses are exempt in the Central Business District. Requires locating parking in the side or rear yard in the CB, CBP, Municipal Service and H-115 districts. Prohibits parking of recreational vehicles, boats, or trailers between the street and the front yard unless parked on a concrete driveway</p>	<ul style="list-style-type: none"> <li>– Incorporate a purpose and intent section</li> <li>– Include details on applicability and exemptions, including how redevelopment is addressed</li> <li>– Clarify parking plans are required</li> <li>– Indicate maximum and minimum standards</li> <li>– Address unlisted uses and lots with multiple uses</li> <li>– Address how parking spaces may be used</li> </ul>
	<p><b>B. Computation of Off-Street Parking Requirements</b> Spells out the technical requirements for determining required parking including how to determine how many seats are in a use, when to round up when a fractional space is required, and when driveways count as parking spaces</p>	<ul style="list-style-type: none"> <li>– Relocate this section to the Rules of Measurement portion of Chapter 8, Word Usage</li> <li>– Supplement with illustrations</li> <li>– Suggest simplifying provisions related to driveway parking, and expanding the list to allow for boarding houses, cemeteries, group homes, live/work dwellings, triplex, and quadplex dwellings</li> <li>– Clarify that parked vehicles may not encroach into the ROW</li> <li>– Clarify if garages may be used to meet off-street parking requirements</li> </ul>
	<p><b>C. Parking Space Dimensions</b> Requires parking spaces to be 18 ft long and 9 ft wide and allows for 20% of spaces to be compact parking. Parallel parking shall be 22 ft by 9 ft</p>	<ul style="list-style-type: none"> <li>– Relocate to Rules of Measurement portion of Chapter 8, Word Usage</li> <li>– Supplement with a graphic</li> <li>– Discuss if EV spaces are desired</li> <li>– Suggest standards for parallel, angled, and perpendicular spaces</li> <li>– Add references to accessible parking space standards for parking lots</li> </ul>
	<p><b>D. Required Widths of Parking Area Aisles and Driveways</b> Establishes widths for parking spaces provided at an angle</p>	<ul style="list-style-type: none"> <li>– Update to distinguish between residential and non-residential developments</li> <li>– Discuss the desire for stem or throat lane distance standards</li> </ul>
	<p><b>E. General Design Requirements</b> Requires parking areas to be designed so as to not require vehicles or emergency/public service vehicles to back out onto a public street. Requires parking area design that does not require vehicles to endanger pedestrians or enter onto neighboring property</p>	<ul style="list-style-type: none"> <li>– Carry forward and address surfacing, location, parking setbacks in urban districts, and similar features</li> <li>– Add illustrations</li> </ul>
	<p><b>F. Vehicle Accommodation Area Surfaces</b> Parking areas must be graded to avoid ponding water and be demarcated with painted lines. Specifies requirements for lots not provided with concrete or asphalt. Allows the City engineer to allow use of alternate parking surfaces</p>	<ul style="list-style-type: none"> <li>– Clarify that individual spaces must be demarcated in unpaved lots</li> <li>– Establish standards for overflow parking areas</li> </ul>
	<p><b>G. Joint Use of Required Parking Spaces</b> Allows one area of a parking lot to be shared with an adjacent use if the parking is utilized at different times</p>	<ul style="list-style-type: none"> <li>– Establish a new parking flexibility subsection that addresses shared parking, off-site parking, credit for on-street parking, deviations based on parking studies, and parking waivers for historic sites and age-restricted developments</li> <li>– Sustainable development incentives in a different section may also include parking flexibility mechanisms</li> </ul>
	<p><b>H. Satellite Parking</b> Requires satellite parking to be located within 300 ft of a public entrance of a use that is using it to meet required parking, unless the parking is for employees. Requires a special use permit issued by City Council to use off-street parking areas in a residential district as satellite parking</p>	





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>I. Number of Required Off-Street Parking Spaces</b> Sets out required parking numbers in Table 6-4</p>	<ul style="list-style-type: none"> <li>– Carry forward a summary table approach</li> <li>– Include maximum parking standards, where applicable</li> <li>– Ensure all listed uses have a parking standard</li> <li>– To the extent possible, ensure parking standards are based on metrics that are knowable at the time of plan review (not employees, number of seats, etc.)</li> <li>– Discuss the City's desire to add bicycle parking spaces to the table</li> </ul>
	<p><b>J. No Parking Indicated Near Fire Hydrants</b> Requires parking to be prohibited within 15 feet of a fire hydrant</p>	Discuss this standard
	<p><b>K. Handicapped Parking</b> Defers to state building code for handicap parking requirements</p>	Carry forward in accordance with State Building Code requirements
	<p><b>L. Reduction of Off-Street Parking Requirements in Age Restricted Developments</b> Allows age restricted senior housing to apply to City Council for a parking reduction. Parking may be reduced to one space per dwelling unit, one space per each employee, one space for each service vehicle, and one drop-off/pick-up vehicle space including drive-through or turn around</p>	See response to current sections G. and H. above
	<p><b>M. Overflow or Additional Parking</b> Requires overflow parking of 10% or more above that which is required by the parking table to be constructed unless an alternate plan is recommended by the Planning board</p>	Permit parking flexibility provisions to be administered by Staff or the TRC, do not require Planning Board approval
	<p><b>N. Loading/Unloading Requirements</b> Specifies which uses are required to provide space for off-street loading. This is generally required for retail operations, wholesale and light industrial operations, office buildings, hotels, childcare facilities, and places of assembly</p>	Suggest a different approach that establishes off-street loading standards for uses that choose to include loading facilities; loading facilities are not required – they are voluntary...but if provided, they must comply with the loading standards in this section
	<p><b>O. Dumpsters/Recycling Containers</b> Requires bulk containers, rollout receptacles and recycling containers to be screened from public streets with materials including masonry, or wood, and excluding vinyl or chain link fence</p>	Include a new section, either as a development standard in new Chapter 6, Standards, or as a secondary use in new Chapter 4, Land Uses, for refuse and recycling collection facilities that address location, screening, and configuration
<b>6.04 Landscape Standards</b>	<p><b>A. Purpose</b> Defines the purpose and intent of requiring landscaping for new development</p>	Carry forward and supplement with new standards for screening on-site equipment, outdoor storage, refuse collection areas, service areas, and similar features
	<p><b>B. Definitions</b> Defines terms that are used in this section</p>	Relocate to definitions portion of new Chapter 8, Word Usage
	<p><b>C. Applicability</b> Applies these rules to all new or expanded developments with the exception of development where there is no change of use, no change of parking spaces, single-family and two-family dwellings on single lots, Central Business District properties on specific streets, parking lots in CB, CBP and H-115 Districts with four or fewer parking spaces, and existing individual lots that have a shape or size that would create a hardship for the owner</p>	<ul style="list-style-type: none"> <li>– Carry forward but discuss current exemption for 'hardship' lots – this is really a Variance, and include an alternative planting plan (include fee-in-lieu) to address this issue</li> <li>– Clarify that some subdivisions are subject to landscaping requirements, and how landscaping works in multi-lot unified developments</li> <li>– Clarify locations and actions that are exempted from landscaping</li> <li>– Clarify that plant death (willful or natural) may require replacement</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>D. Landscape Development Process</b> Specifies the process for permitting of landscape plans and where it fits alongside the building permit and grading permit process. Directs for staff to review health of plants 12 months after issuance of the CO</p>	<p>Discuss if this process can be addressed during plan review; why is such a detailed separate process in the current UDC- have there been problems?</p>
	<p><b>E. Grading Standards for Stream and Wetland Protection</b> Requires an undisturbed, natural buffer along each perennial stream at a width no less than 25 feet on each side (50 feet total) of the center line of the stream</p>	<p>Discuss the degree to which the City is subject to water supply watershed or NPDES requirements dealing with riparian buffers (this material does not appear in the current UDC)</p>
	<p><b>F. Tree/Landscaping Assessment, Preservation Credits, Tree/Root Preservation Process</b> Requires development to identify and assess natural and topographical features of the site including all vegetation 12 inches DBH or greater. Awards preservation credits for preservation of trees of 2.5 inches DBH or greater. Requires root preservation and prohibits topping of trees</p>	<ul style="list-style-type: none"> <li>- Clarify this section – is tree preservation optional or mandatory?</li> <li>- Suggest a scheme that extends elevated credit for retention of existing trees in areas where required landscaping would likely be located (a credit of 2:1 for retained trees toward aggregate caliper inch requirements)</li> <li>- If preservation is currently mandatory, suggest a reforestation approach instead</li> </ul>
	<p><b>G. Landscape Site Plan Submittal Requirements</b> Specifies elements that must be included on a landscaping plan and the related guidance that must be followed</p>	<ul style="list-style-type: none"> <li>- Relocate plan submittal material to the Appendix</li> <li>- Clarify who can prepare a landscape plan</li> </ul>
	<p><b>H. Landscaping/Design Specifications</b> Specifies a minimum planting standard for buffer and street yards of one per 100 linear feet. Specifies quantitative standards for planting and directs for ongoing maintenance of required landscaping. Specifies that building setbacks supersede landscaping requirements</p>	<ul style="list-style-type: none"> <li>- Relocate measurement provisions to subsection on Rules of Measurement in new Chapter 8, Word Usage</li> <li>- Carry forward and supplement with new species diversity, native requirements, and invasive removal standards</li> <li>- Discuss current limitations on landscaping in drainage easements</li> <li>- Discuss what is meant by setbacks superseding buffer widths – can these two not be coterminous?</li> <li>- Discuss the approach when a utility easement is located within a setback</li> <li>- Address plant spacing and grouping provisions</li> </ul>
	<p><b>I. Alternative Methods of Compliance</b> Allows alternative landscape plans with different methods and materials to meet ordinance requirements provided the plan must demonstrate how the alternate purposes and standards of this ordinance will be met by measures other than those found in the ordinance</p>	<ul style="list-style-type: none"> <li>- Review and overhaul planting flexibility measures to address shading, difficult sites, alternative placement, planting methods, deferral of planting time, credit for retention of existing vegetation, and shared landscaping</li> <li>- Sustainable development incentives in a different section may also include landscaping flexibility mechanisms like use of xeriscaping, green roofs, or green stormwater infrastructure</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>J. Landscaping and Design Standards for Buffer Yards/Fences</b>            Specifies how buffer yards are determined. Directs for how buffer yards may interact with vacant adjacent properties, alleys, and incorporate fencing</p>	<ul style="list-style-type: none"> <li>Overhaul the perimeter buffer provisions to establish four perimeter buffer types, each with differing performance objectives and applied at district edges (like the current provisions)</li> <li>Structure buffers to have a normal and narrow width alternative, based on inclusion of a fence, wall, or berm</li> <li>Discuss potential departure from point-based system towards specific canopy, understory, shrub and evergreen planting requirements per 100 linear feet and depart from the overly complex point-based system</li> <li>Clarify the kinds of features that may be included or prohibited within a required buffer</li> </ul>
	<p><b>K. Landscaping and Design Standards for Street Yards</b>            Requires street yards that are a minimum of 64 square ft with a minimum of 30% of the total tree requirement to be fulfilled by shade trees. Limits the area of the street yard that may be used for walkways and prohibits parking, merchandise display and off-street loading in the street yard</p>	<ul style="list-style-type: none"> <li>Suggest simplifying this by specifying a basic stocking amount per linear footage</li> <li>Establish a basic width requirement and allow plantings to be evenly spaced or grouped</li> <li>Utilize a street tree standards in urban areas</li> <li>Establish basic and uniform street tree requirements rather than street-specific or use-specific street tree standards</li> </ul>
	<p><b>L. Landscaping and Design Standards for Parking Lots</b>            Specifies how many trees must be shade trees, the required spacing and dimensional requirements for trees and shrubs in planting beds, and the minimum planting size for planting beds. Allows reduction of required parking spaces if 50% of the parking lot is designed for parking lot landscaping in industrial, commercial, and office/institutional districts only</p>	<ul style="list-style-type: none"> <li>Establish a series of basic requirements: a continuous evergreen shrub screen around the perimeter of the lot</li> <li>Require islands at set intervals – ends of rows and every 10-12 parking spaces</li> <li>Require shrubs or trees in islands</li> <li>Require shade trees within a set distance from all spaces</li> <li>Bar lights and trees from the same island</li> </ul>
	<p><b>M. Landscaping and Design Standards for Residential Subdivisions</b>            Requires residential subdivisions to plant street yard trees within 10 feet of the right of way or property line, within the private lot. Specifies the number of required shade trees based on the lot size</p>	<ul style="list-style-type: none"> <li>Suggest shifting this from current to perimeter buffers along district edges</li> <li>Apply streetscape buffering at time of subdivision, remove requirements for individual lot planting – too difficult to enforce</li> </ul>
	<p><b>N. Zoning Change</b>            Requires compliance for sites where the zoning district changes and the site lacks enough planting to comply</p>	<p>Suggest dropping this as too difficult to enforce, particularly in light of SB382</p>
	<p><b>O. Appeals and Penalties</b>            Provides the options for persons to apply for a variance or appeal a decision and prescribes penalties for this section</p>	<p>Carry forward in new section on maintenance responsibilities and violations</p>
<b>6.05 Lighting</b>	<p>Prohibits lighting to line windows or other architectural features. Requires shielding of lighting used to illuminate business and landscaping areas and prohibits lighting that affects adjacent property</p>	<ul style="list-style-type: none"> <li>Discuss the City's desire to overhaul these standards to establish lighting plan requirements, limits on light trespass, new standards for outdoor lighting heights, and limitations on glare</li> <li>Carry forward and enhance limitations on window, door, and building feature LED lighting</li> </ul>







## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<b>Section 6.06 Open Space Standards</b>	<p><b>A. Open Space Defined</b> Defined as land or bodies of water used for recreation, amenity, or buffer. Allows retention basins to count toward up to 40% of open space provided side slopes are 5:1 run to rise or flatter</p>	<ul style="list-style-type: none"> <li>- Discuss the City's desire to include parkland dedication requirements for residential development</li> <li>- Suggest adding a different set of standards for greenways in a new section called Pedestrian Facilities in new Chapter 6, Standards (to be included with sidewalk and trail standards)</li> <li>- Discuss offering credit towards passive open space requirements for riparian buffers and flood zones</li> <li>- Permit public art to be credited towards gathering area open space standards</li> <li>- Supplement this section with purpose and intent provisions</li> <li>- Set out standards for applicability and exemptions</li> <li>- Discuss the degree to which the City would like to expand the requirement for open space provision to some/all non-residential districts</li> </ul>
	<p><b>B. Open Space Plan</b> Requires open space plans for planned unit development, cluster subdivision, or architecturally integrated cluster subdivision. Plan must designate areas to be reserved as open space, the type of space provided and the way it will be maintained</p>	<p>Carry forward these standards</p>
	<p><b>C. Types of Open Space</b> Allows for any of the four following types of open space to comply: natural areas of undisturbed vegetation, recreational areas for specific recreational uses, greenways, or landscaped areas or lawns</p>	<ul style="list-style-type: none"> <li>- Suggest establishing three kinds of open space: passive (undisturbed), active (recreational), or gathering (urban)</li> <li>- Discuss the City's desire to require open space of non-residential and mixed-use development</li> <li>- Clarify the kinds of open space to be provided based on zoning district or use type (or both)</li> </ul>
	<p><b>D. Preservation and Maintenance of Open Space</b> Allows land to be dedicated through one of three methods: dedication and acceptance by land trust, common ownership with property owner's association, or private ownership which will prevent development or further subdivision of open space</p>	<p>Carry forward</p>
	<p><b>E. Areas Not Allowed as Open Space</b> Prohibits the use of private lots, yards, patios owned by a specific unit, utility rights-of-way, open parking areas, outdoor storage areas, land between buildings of less than 40 feet, and land covered by structures (among other) from counting toward common open space requirement</p>	<ul style="list-style-type: none"> <li>- Carry forward, but organize by type of open space and supplement with additional detail about the types of features that are credited towards open space</li> <li>- Allow greenways to be credited towards each of the three different types of open space</li> </ul>
	<p><b>F. Open Space Linkages</b> Trails, natural areas, or public parks dedicated to or acquired by the City may be credited toward common open space required and may also qualify for density bonuses</p>	<ul style="list-style-type: none"> <li>- Carry forward with other configuration requirements</li> <li>- Add configuration provisions for each type of open space</li> </ul>
	<p><b>G. Design Criteria for Open Space</b> Water bodies may count toward 40% of the required open space. At least 40% of the open space must be dry land with a slope less than 10%. Requires open space to be contiguous unless otherwise approved by City Council</p>	





# STATESVILLE SOARS

Unified Development Code Summary Report December, 2024

## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>H. Connectivity Required</b> Requires open space to be organized to create an integrated system of trails, school sites, open spaces, activity centers, and employment centers</p> <p><b>I. Contiguity Required</b> Requires to the maximum extent practicable that open space be contiguous and compact unless a connection to a greenway or topographical feature requires it to be otherwise</p> <p><b>J. Accessibility Required</b> Requires open space to include pedestrian access every 500 feet, within 500 feet of each dwelling unit in the development, and requires access to be at least 25 feet wide and visible from dwelling units</p>	
	<p><b>K. Open Space Amenities</b> If not preserved for natural features, common open space should incorporate courtyards, gardens or areas that include three of the following: planting areas, seating, decorative shelters, play structures, or on-site community recreation amenities</p>	Relocate these into the appropriate subsection of allowable features by type of open space
<b>6.07 Sign Regulations</b>	<p><b>A. Purpose</b> Declares the purpose of this section to ensure businesses and persons expressing commercial and non-commercial messages are treated uniformly, among other goals</p>	Carry forward with a new caveat that in cases where sign content is regulated, it is done in the least intrusive way possible and as part of a compelling public interest to protect health and safety
	<p><b>B. Applicability and Effect</b> Applies to all on-premise and off-premise signs and billboards within the City and the ETJ. Includes severability language as well</p>	<ul style="list-style-type: none"> <li>- Overhaul this section to recognize sign types exempted by the State (construction fence wraps and farm signs)</li> <li>- Recognize governmental signage as exempt</li> <li>- Suggest holiday displays be exempted</li> <li>- Suggest signage associated with off-street parking spaces, fire lanes, bus lanes, loading zones, etc. be exempted</li> <li>- Recognize the ability to propose an alternative sign plan</li> <li>- Exempt signage enclosed entirely by opaque walls that prevent viewing of the sign from off-site areas</li> </ul>
	<p><b>C. Definitions</b> Defines the terms used in this section</p>	Relocate sign definitions to one of two locations: the tabular standards in the new Signage section pertaining to specific sign types, or to the Terms Defined portion of new Chapter 8, Word Usage
	<p><b>D. Measurements</b> Directs for sign height to be measured from the higher of the average grade of the ground at the base of the sign or the average grade level of the adjacent street centerline for signs located within 25 feet of the right-of-way. Also directs for measurement of sign face area</p>	<ul style="list-style-type: none"> <li>- Relocate to the Rules of Measurement portion of Chapter 8, Word Usage</li> <li>- Add additional standards for wall area determination (as used to determine wall sign allowance)</li> <li>- Supplement with illustrations</li> </ul>
	<p><b>E. Sign Setbacks</b> Requires signs to be set back at least 5 feet from the property line of road right-of-way</p>	Address this in the standards by signage type section
	<p><b>F. Freestanding Signs</b> Allows one free standing sign per lot unless the lot is on a corner lot and is greater than 1 acre, or the lot has more than 500 feet road frontage</p>	Relocate these provisions to a new signage type and supplement with other requirements





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>G. Permitted Sign Standards</b> Maintains rules for construction standards, special limitations for specific sign types, and sign separation rules for ground mounted signs</p>	<ul style="list-style-type: none"> <li>- Distinguish between general standards applied to all sign types and sign standards applied to specific sign types</li> <li>- General standards should also address illumination, change of copy, location in a right-of-way, and other factors</li> <li>- Carry the individual sign standards forward in a new tabular format that includes a definition, the districts where permitted, example images, dimensional schematics, and the specific signage standards and available alternatives</li> <li>- Discuss the degree to which the City wishes to continue to permit or discontinue pole signs versus ground-based monument signs</li> <li>- Discuss the degree to which the City wishes to permit new outdoor advertising signs (billboards)</li> </ul>
	<p><b>H. Prohibited Signs</b> Prohibits a series of signs that flash, use words that resemble traffic controls, use strings of lights, are abandoned, contain obscene messages, or project light onto the roadway, among others</p>	<p>Carry forward in a new section prior to general standards for all signs</p>
	<p><b>I. Exempt Signs</b> Exempts non-illuminated residential signs, governmental signs, historic markers, flags, decorative/architectural features, directional signs, incidental signs, existing billboards, hospital signs, vehicular signs, constitutionally protected speech, warning or traffic signs, and real estate signs (among others) from issuance of a permit</p>	<ul style="list-style-type: none"> <li>- Review and update this section, relocate some provisions to the signs exemptions, abolish others (like "hospital sign")</li> <li>- Suggest removing "residential" signs from exempt and addressing these as incidental signs since "residential" sign could be considered a content-based standard</li> <li>- Abolish the current flag standards- these are content based – suggest revision to treat all flags (except governmental flags) the same</li> </ul>
	<p><b>J. Master or Common Signage Plan</b> Directs for the allocation of allowed sign area to tenants in a multi-tenant property. Provides a sign area bonus of 10% for developments that use a master signage plan to provide uniform wall signage, graphics, lettering, sizes, colors etc.</p>	<p>Carry forward, but clarify who decides these applications</p>
	<p><b>K. Temporary Signs Requiring Permit</b> Specifies rules for the occurrence and maintenance of temporary signage. Limits use to no more than 4 periods in a calendar year, or 1 per quarter</p>	<p>Discuss this section – are their sufficient resources to enforce this – if not consider revising to allow all sites to have one temporary sign in place 365 days per year – the sign materials are temporary, not the sign's presence – this simplifies enforcement since each lot gets one temporary sign on any given day (in addition to all other forms of allowable signage)</p>
	<p><b>L. On-Premises Interstate Vicinity Signs</b> Commercial sites within 1,000 feet of a highway are allowed one free standing sign not to exceed 200 square feet. Height is controlled by the zoning district except that gas stations, restaurants, or place of lodging are allowed up to 80 feet</p>	<p>Relocate these provisions to the freestanding signs standards or abolish</p>
	<p><b>M. Existing Billboards</b> Regulates billboards within 660 feet from the edge of the road right-of-way. Limits billboard sign area and size based on the type and size of the road that it faces. All billboard signs have a maximum length of 44 feet</p>	<p>Carry forward with other specific sign standards but re-name to Outdoor Advertising</p>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>N. Off-Premises Commercial Directional Signs</b> Sets out rules for signs that provide notice to motorists of planned nonresidential developments. Applies specifically to developments that are accessible from local streets, not visible from a thoroughfare, limits use to the B-4, B-5 or HI zoning district and requires a special use permit. Sets out location and criteria for these signs</p>	<ul style="list-style-type: none"> <li>- Discuss if these signs are to be continued – as an alternative, these could be addressed as incidental signs (though doing so would decrease their size)</li> <li>- Strongly suggest removal of any provisions pertaining to lease rates or City Council involvement in leasing</li> </ul>
	<p><b>O. Non-Conforming Signs</b> Prescribes the process for requiring compliance and treatment of signs that are non-conforming but were lawfully established before the adoption of this section</p>	Relocate to the section on nonconforming signs in new Chapter 5, Nonconformities
	<p><b>P. Maintenance</b> Requires signs to be maintained in good repair. Directs Iredell County to inspect and require removal for signs that are not securely affixed, not in good repair, related to a business that is no longer in operation, unclear or fades to be unsightly, or creating a dangerous condition to traffic or pedestrians</p>	Carry forward in general sign standards
	<p><b>Q. Sign Standards by Zoning District</b> Prohibits temporary signs for residential use. Specifies which zoning districts may not have illuminated signs and specifies specific rules that apply to PUD districts</p>	Consolidate with the sign standards by individual sign type
	<p><b>R. Sign Standards for the CB, CBP, Municipal Service and H-115 Districts</b> Establishes higher level of standards for these specific districts. Includes special rules for sign area, prohibited signs, encouraged signs, free standing monument signs, freestanding signs, wall signs, window signs, awning signs, projecting signs, uniform sign plan, building names, sandwich board signs, maintenance, and block corner directory signs</p>	
	<p><b>S. Houses of Worship, Schools and Daycare Centers</b> Allows schools, places of worship, and daycare centers to have changeable copy LED signs. Sets rules for these signs</p>	Abolish – these are content based standards that violate the Reed ruling
<b>6.08 Design Standards for Non-Residential Developments</b>	<p><b>A. Purpose and Applicability</b> Declares the purpose of this section to ensure characteristics of a development are consistent with the surrounding area</p>	<ul style="list-style-type: none"> <li>- Suggest new design standards for non-residential development</li> <li>- Suggest new design standards for multi-family development</li> <li>- Suggest new Residential Design Guidelines that may be applied voluntarily or as part of a conditional rezoning to single-family detached, single-family attached, duplex, triples, or quadplex dwellings</li> <li>- Suggest allowing residential developments that can exceed maximum densities for zoning districts only when design guidelines are followed (such as pocket neighborhoods, bungalow courts, conservation subdivisions, etc.)</li> <li>- Discuss the idea of developing downtown design standards, and whether or not these standards should be applied in the design standards or in the district standards</li> <li>- Discuss how non-residential redevelopment design</li> </ul>
	<p><b>B. General Compatibility Requirement</b> Directs for similar architectural style as is used in the City through the use of rooflines, building mass, relationship to the street, window and door patterns, and building materials and colors, among others</p>	
	<p><b>C. General Principals – Site</b> References the environmental/architectural inventory as the foundation on which all design shall be based. Allows the Planning Director to approve all site design decisions</p>	
	<p><b>D. Building Relocation to Surrounding Properties</b> Specifies that open spaces, scenic vistas, or public area windows shall not significantly be overshadowed by buildings</p>	





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>E. Building Aesthetics, Purpose</b>            Declares intent to promote inspiring, well-maintained and harmonious development that is in the town's best economic interest. Discourages styles that do not build upon or promote the existing character of the City</p>	<p>standards may be applied in light of SB382 (it may require the City to freeze development potential to what exists and only permit increased densities as part of a conditional rezoning, subject to design standards – this could be a disincentive to redevelopment)</p>
	<p><b>F. Building Design</b>            Maintains rules to ensure the buildings are designed to emphasize human scale, maintain proportional major design features such as windows or doors, retain structural lines at storefront level, maintain awning colors that complement the color and material of the building, and avoid dominant building massing</p>	<ul style="list-style-type: none"> <li>– Enhance purpose and intent provisions</li> <li>– Better clarify applicability and exemption, including additions, expansions, infill, and exemption for historic districts</li> </ul>
	<p><b>G. Avoiding Monotony in Design</b>            Directs buildings to vary in detail, form and siting to the maximum extent practicable.</p>	<ul style="list-style-type: none"> <li>– Review and update to add clarity – suggest moving away from standards requiring harmony or compatibility as these are hard to define and hard to enforce – instead use standards that are tangible and numeric</li> </ul>
	<p><b>H. Harmony of Design</b>            Establishes guidance statements to achieve good design without directing for a specific stylistic result. Guidance includes provisions for building materials, size and height for infill development, storefronts, additions and renovations, and varying architectural styles. This section is written in qualitative language and contains the word "may" often</p>	<ul style="list-style-type: none"> <li>– Words like human scale and proportional are good for intent statements but are difficult to quantify</li> <li>– Standards that rely on architectural styles require those styles to be defined or described; suggest deleting</li> <li>– Add illustrations</li> </ul>
	<p><b>I. Architectural Character</b>            Provides direction on aspects of color, facade materials, rooflines, and the enhancement of entryways.</p>	<ul style="list-style-type: none"> <li>– Explore use of menu-based standards where applicants must address some subset of requirements, and they select which subset of standards to follow</li> </ul>
	<p><b>J. Facades</b>            Requires façade recesses, and repeating patterns of changes in color for facades greater than 100 feet. Also directs for building materials and exterior wall cladding</p>	<ul style="list-style-type: none"> <li>– Emphasis should be placed on building size, building placement relative to the street, exterior materials, height to width proportion, windows, entry features, and placement of site and building features (things that may be objectively quantified)</li> </ul>
	<p><b>K. Entryways</b>            Requires at least one highly visible entrances that includes two of the following elements: canopies or porticos, arcades, arches, wing walls, planters, recesses/projections, raised corniced parapets over the door, peaked roof forms, display windows, and/or architectural details such as tile work or moldings</p>	
	<p><b>L. Mechanical Screening</b>            Requires screening of utility and mechanical equipment by materials that are similar to the structure</p>	
	<p><b>M. Color and Materials</b>            Specifies materials that shall be used for the exterior of the building. Colors must be of low reflectance or subtle colors and encourages variations in color schemes</p>	
	<p><b>N. On-Site Storage</b>            Trailers, containers and storage of inventory is prohibited unless located within a screened area constructed of the same material as the building</p>	





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<b>6.09 Guidelines for Structures in the Central Business, Central Business Perimeter and the Municipal Service Districts</b>	Requires exterior changes and new construction to be approved by the Downtown Design Review Committee, unless it is art which must be approved by City Council. Prohibits metal, reflective or highly tinted glass, and the enclosing or covering of windows or door openings. Maintains rules for dumpsters and the replacement of broken or missing glass	<ul style="list-style-type: none"> <li>– Discuss decision-making by Downtown Design Review Committee; are their alternatives?</li> <li>– Discuss if the new UDC will maintain standards for these areas or will go with use-based standards instead</li> </ul>
<b>6.10 Fencing</b>	Prohibits chain link, or square wire fencing including barbed wire in the CB, CBP, and H-115 districts. Directs governmental uses requiring security fencing to be reviewed by the Downtown Design Review Committee	Establish a new set of fence and wall standards either as development standards in Chapter 6, Standards, or as secondary standards in Chapter 4, Land Uses
<b>Article 7. Alternative Development Patterns</b>		
<b>7.01 Cluster Subdivisions</b>	Allows for cluster subdivisions on lots that are 3 acres or greater in the R-5, R-5MF, R-8, R-8MF, R-10, R-15 and R-20 Zoning Districts. Minimum lot sizes range from 4,000 to 15,000 sq ft. Minimum open space required is equal to the difference between lot area required in the underlying zoning district and the lot area provided.	<ul style="list-style-type: none"> <li>– Suggest this be converted to a Conservation Subdivision option with a new review procedure prior to the typical Preliminary Plat review</li> <li>– Discuss if the City wishes to retain a Cluster Subdivision option for development not served by public wastewater</li> </ul>
<b>7.02 Architecturally Integrated Cluster Subdivisions</b>	Provides flexibility for creative and higher quality design in residential developments without increasing density. Maintains standards for increased open space, high-quality building materials, garage placement, roof pitch, and design elements	<ul style="list-style-type: none"> <li>– This is a blend of a cluster/conservation subdivision with some design guidelines – discuss if a statement of consent to design provisions is included or if a AIC subdivision requires conditional zoning – where is the consent to the design standards?</li> <li>– Discuss the City's desire to carry this forward or to revise</li> </ul>
<b>7.03 Cluster/ Architecturally Integrated Cluster Subdivision Street Design Standards</b>	Clarifies that streets shall be provided in accordance with Section 8.06	<ul style="list-style-type: none"> <li>– Discuss – does this mean streets can or can not be private?</li> <li>– Address streets in the Infrastructure portion of new Chapter 6, Standards</li> <li>– Adjust basic street connection and connectivity requirements in conservation, cluster, and design-based subdivisions</li> </ul>
<b>Article 8. Public Facilities Requirements</b>		
<b>8.01 Generally</b>	<p><b>A Purpose</b> Clarifies the purpose of this section to require adequate public infrastructure and facilities for new development. Includes consideration of water service, wastewater treatment and disposal, stormwater management, electrical service, telecommunications service and transportation facilities</p> <p><b>B. Consistency with Comprehensive Plan Required</b> Public improvements must conform to and be properly related to the City's Comprehensive Plan and applicable facility and capital improvements plans</p> <p><b>C. Water</b> Requires all buildings and buildable lots to be connected to public water capable of fire protection</p>	Carry forward these standards but relocate to the appropriate subsections of the Infrastructure portion of Chapter 6, Standards





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>D. Wastewater</b> Requires all buildings and buildable lots to be connected to sanitary sewer unless exempted by City Council</p>	
	<p><b>E. Stormwater Management</b> Directs drainage improvements to accommodate potential runoff from upstream areas, and prevent increases in volume or velocity of stormwater to prevent downstream flooding. Allows the City to require detention or retention and/or off-site drainage improvements</p>	
	<p><b>F. Streets</b> Requires streets to be related to the Mobility and Development Plan and accommodate vehicular, pedestrian, and bicycle circulation. Subdividers are required to grade the entire street right of way, alley, or public place and pave streets in accordance with Section 8.06</p>	
	<p><b>G. Utilities</b> Requires utilities to be provided underground unless City Council grants an exception.</p>	
	<p><b>H. Extension and Oversized Facilities</b> Requires easements to be provided for streets, water lines, wastewater systems, drainage facilities, electrical lines and telecommunications to promote the logical extension of public infrastructure to serve future growth. Allows the City to require extension of off-site improvements or upsizing a utility to reach anticipated future development as a condition of plat or plan approval. City will pay for upsizing</p>	
	<p><b>I. Phasing</b> Allows the City to require phasing of development to maintain satisfactory levels of service for existing public services</p>	
	<p><b>J. Easements and Rights-of-Way</b> Specifies requirements for adequate easements, utility easements, easements along rights-of-way, location of easements, adequate right-of-way, and easements for waterways.</p>	
	<p><b>K. Construction and Materials</b> Requires construction and material specifications for public improvements to comply with adopted improvement standards</p>	
	<p><b>L. Inspections and Acceptance</b> Authorizes the City or an authorized agent to inspect public improvements prior to issuance of a CO</p>	
	<p><b>M. Maintenance</b> Requires a one-year maintenance agreement for all public improvements</p>	
<p><b>8.02 Water</b></p>	<p><b>A. Generally</b> Requires adequate water service for all development within the City limits and ETJ unless granted exception by City Council.</p> <p><b>B. Design Criteria</b> Design or water improvements must comply with standard of practice established by the Engineering Department and Services Policy Manual</p>	<ul style="list-style-type: none"> <li>- Suggest a new subsection on on-site potable water in addition to the fire protection aspects in the Infrastructure portion of Chapter 6, Standards</li> <li>- Supplement with additional guidance regarding minimum extension requirements for centralized water and sewer facilities in the Infrastructure portion of Chapter 6,</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>C. Off-Site Improvements</b> Requires developer to provide both on-site and off-site improvements to adequately serve a proposed development</p> <p><b>D. Extension/Oversizing</b> Water lines are required to be 8-inches minimum in diameter unless approved by City Engineer otherwise. Allows City Council to require oversized lines and phasing to ensure development will be adequately served, which may be subject to reimbursement</p> <p><b>E. Water System Easements</b> Requires developer to establish necessary easements to accommodate all water system facilities needed to serve new development</p>	Standards
<b>8.03 Centralized Wastewater Systems</b>	<p><b>A. Generally</b> Requires all new non-residential buildings and major subdivisions to connect to City's Wastewater System. Allows for exceptions granted by City Council based on the impracticality of location or undue financial hardship in relation to the value of the property. Maintains 24 month vesting period for wastewater approval.</p> <p><b>B. Sewerage Facilities</b> Requires all lots to connect to City sewer system unless sanitary sewer is not available or cannot be extended until a connection can be made with the public system. In these instances, alternate treatment systems may be authorized as approved by the state</p> <p><b>C. Design Criteria</b> Refers to the Standard of Practice set by Engineering Department and the Services Policy Manual</p> <p><b>D. Off-Site Improvements</b> Requires the developer to provide both on- and off-site improvements required to serve the proposed development unless City Council has approved an interim service plan and has received a performance bond</p> <p><b>E. Extension/Oversizing</b> Allows City Council to require system lines be oversized to accommodate future development</p> <p><b>F. Wastewater System Easements</b> Requires the developer to adequate provide easements to accommodate all wastewater system facilities required to serve new development. All easements shall be a minimum of 20 ft in width</p>	<ul style="list-style-type: none"> <li>- Supplement with additional guidance regarding minimum extension requirements for centralized water and sewer facilities</li> <li>- Discuss new mandates for mandatory connection to public wastewater for new development in the corporate limits or within a satellite annexation area</li> </ul>
<b>8.04 Private (On-Site) Wastewater Systems</b>	<p><b>A. Generally</b> On-site wastewater systems are allowed as authorized by City Council and must be maintained to the standards of Iredell County Department of Environmental Health</p> <p><b>B. Private Wastewater Treatment, Public Nuisance Not Permitted</b> Clarifies that a private wastewater system shall not be a nuisance, health hazard, or endanger the safety of any domestic water supply</p>	Carry forward with more detail about ensuring on-site waste water system functionality (via soils analysis or County Health Department approval) before subdivision approval takes place







## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
	<p><b>C. Private Waste Treatment, Issuance of Permit</b> Requires issuance of appropriate permit when the system is compliant and the applicant has paid the appropriate fee</p> <p><b>D. Private Wastewater Treatment Standards</b> Includes factors considered when approving a request to privately treat wastewater, standards for cluster development of more than one lot to provide community treatment, and clarifies that stormwater shall not enter the wastewater system</p> <p><b>E. Alternative Method for Sewage Treatment</b> Allows the City engineer to require connection to the City system when private system fails and the failed system is within 400 ft of an existing sewer line with available capacity</p>	
<b>8.05 Stormwater Management</b>	<p><b>A. General Provisions</b> Lays out the legal authority, purpose, and definitions applied to the stormwater management section. Grants authority for the Stormwater Program Manager to determine the interpretation of this section. Contains specific word usage and computation rules specific to this section</p> <p><b>B. Administration and Review</b> Establishes the authority for the Stormwater Program Manager to administer this section. Specifies review procedures, and applications for approval including the concept plan and consultation meeting, stormwater management plan for TRC approval, and as-built plans and final approval</p> <p><b>C. Standards</b> Requires proper facilities to manage site drainage, including: curb and gutter, culverts, catch basins, and more. Specifies stormwater quantity and quality control requirements including standards for SCMs, stream buffers. Includes provisions for variances, and evaluation according to the design manual</p> <p><b>D. Maintenance</b> Requires the owner of each SCM to maintain and operate it subject to annual reporting and an operations and maintenance agreement. Maintains special requirements for homeowners' and other associations. Requires performance security for installation and maintenance and notice to owners via signage and deed recordation and indications on the plat</p> <p><b>E. Enforcement and Violations</b> Maintains enforcement provisions for this section. Penalties and remedies include withholding of CO, disapproval of subsequent permits and development approvals, injunction, abatements, correction as a public health nuisance, stop work order and civil or criminal penalties</p>	<ul style="list-style-type: none"> <li>- Relocate the stormwater management standards to their own section in Chapter 6, Standards, and relocate various related aspects like definitions, enforcement, review authorities, procedures, and similar provisions to their appropriate portions of the new UDC</li> <li>- Discuss if the City is a delegated stormwater authority</li> <li>- Discuss if the City wants to establish a stormwater LOS standard</li> </ul>
<b>8.06 Streets, Sidewalks and</b>	<p><b>A. Streets, Generally</b> Requires these generally to provide safe and adequate access</p>	<ul style="list-style-type: none"> <li>- Suggest splitting the sidewalks and greenway provisions from streets and relocating sidewalk and greenway</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<b>Greenway Paths</b>	<b>B. Street Design</b> Requires roadway improvements not associated with a TIA to be installed per City standards. Directs for only curb and gutter and sidewalk and allows for payment in lieu in instances when the Mobility and Development Plan requires a divided cross section. Classifies all roads as an arterial, collector, commercial and industrial, or local. Maintains direction for general street arrangement for how to handle dead end streets, street connections, etc.	<p>standards to a new Pedestrian Facilities portion of Chapter 6, Standards (Streets would remain under the Infrastructure portion of Chapter 6)</p> <ul style="list-style-type: none"> <li>- Add new sidewalk extension and connectivity requirements (along with a fee-in-lieu option) and more clarity regarding sidewalk placement and configuration based on street type</li> <li>- Ensure Collector and higher order streets have sidewalks on at least one side of the street in accordance with the Mobility plan</li> <li>- Discuss the City's desire to address bike lanes as a part of individual developments (or simply collect a fee-in-lieu)</li> <li>- Include references to the Mobility plan with respect to street right-of-way configuration</li> <li>- Supplement the street provisions with new details about street connection, street connectivity, block length, limits on cul-de-sacs, and provisions that require private streets to comply with public street standards</li> <li>- Relocate driveway standards to a section on Access and Circulation in Chapter 6, Standards</li> <li>- Relocate the Traffic Impact Analysis provisions to a new procedure in new Chapter 2, Administration</li> <li>- Suggest adding a traffic assessment provisions for developments falling under the thresholds for a TIA (require all developments except construction of an individual dwelling, redevelopment, or minor addition to prepare a TIA or traffic assessment)</li> </ul>
	<b>C. Street Construction and Materials</b> Refers to City of Statesville Street Construction Specification and Details manual	
	<b>D. Traffic Control</b> Directs for traffic control devices pursuant to adopted City, NCDOT and MUTCD manual standards	
	<b>E. Access Standards</b> Specifies access standards for vehicular traffic onto primary arterials, and railroads and limited access highways. Details driveway permit, width, and design standards. Allows the City Engineer to determine where the strict rules cannot be met and substandard access may be permitted	
	<b>F. Oversizing Streets</b> Requires dedicated streets that cross through a subdivision to be constructed by the applicant. Allows the applicant to construct streets subject to reimbursement where the designated street exceeds the collector standard, when funds are available with the City	
	<b>G. Other Improvements</b> Allows the City Engineer to approve fee in lieu request for sidewalks for minor subdivisions with 3 lots or less. Maintains rules for sidewalks, greenway paths, street lighting, utilities, and street trees	
	<b>H. Traffic Impact Analysis</b> Requires a TIA for any development authorization that is expected to generate greater than 2,000 trips daily. Allows City Engineer or Planning Director to require a TIA when there are safety or capacity deficiencies, proposed access is within 1,000 ft of an interchange, or where known problems exist. Maintains submittal requirements for all TIA	
	<b>Article 9. Definitions</b>	
<b>9.01 Rules of Interpretation</b>	Details rules for word usage and word interpretation	<ul style="list-style-type: none"> <li>- Carry forward and supplement with additional provisions in new Chapter 8, Word Usage</li> <li>- Include new glossary of abbreviations</li> <li>- Include new section on Rules of Measurement</li> </ul>
<b>9.02 Definitions</b>	Includes all general definitions that apply to the UDC	<ul style="list-style-type: none"> <li>- Carry forward and review for consistency with new terminology</li> <li>- Relocate all definitions to this section</li> <li>- Remove development standards from the definitions</li> <li>- Ensure all principal, secondary, and temporary uses are defined</li> <li>- Define all procedures, review authorities, and districts</li> </ul>





## STATESVILLE SOARS UNIFIED DEVELOPMENT CODE (UDC) REVIEW TABLE

Section #	Description of Current Section	Potential Disposition in New UDC
<b>Article 10 Appendices</b>		
<b>A-1</b>	Provides link to the species list and fee schedule	Delete
<b>A-2</b>	Provides a link to the Services Policy Manual	Delete
<b>A-3 Plat Certificates</b>	A. Minor Final Plat	<ul style="list-style-type: none"><li>- Review and update</li><li>- Supplement with missing declarations</li><li>- Supplement with summary table of plan and plat requirements</li></ul>
	B. Major Final Plat	

**END OF TABLE**

