



**Regular Council & Public Hearing Minutes
on Amending the Code of Ordinances,
Town of Archer Lodge, NC in accordance
with State Law as referenced below:**

UDO-TA-2-22

UDO-TA-3-22

Monday, August 1, 2022

COUNCIL PRESENT:

Mayor Mulhollem
Council Member Jackson
Council Member Purvis
Council Member Wilson

STAFF PRESENT:

Mike Gordon, Town Administrator
Marcus Burrell, Town Attorney
Julie Maybee, Town Planner
Kim P. Batten, Finance Officer/Town Clerk

COUNCIL ABSENT:

Council Member Bruton
Mayor Pro Tem Castleberry

GUESTS PRESENT:

Chad Meadows, AICP, CodeWright Planners, LLC

1. WELCOME/CALL TO ORDER:

a) Invocation

Mayor Mulhollem called the meeting to order at 6:30 p.m. in the Jeffrey D. Barnes Council Chambers located at 14094 Buffalo Road, Archer Lodge, NC and declared a quorum present. Council Member Jackson offered the invocation.

b) Pledge of Allegiance

Mayor Mulhollem led in the Pledge of Allegiance to the US Flag.

2. APPROVAL OF AGENDA:

a) No additions or changes noted.

Moved by: Council Member Wilson
Seconded by: Council Member Jackson

Approved the Agenda.

CARRIED UNANIMOUSLY

3. OPEN FORUM/PUBLIC COMMENTS:

(Maximum of 30 minutes allowed; 3 minutes per person)

a) No Public Comments.

4. PUBLIC HEARINGS, DISCUSSION AND POSSIBLE ACTION ITEMS:

- a) PUBLIC HEARING - Text Amendments - *Code of Ordinances, Town of Archer Lodge, NC, Chapter 30* - referenced as Unified Development Ordinance (UDO) Text Amendment#
UDO-TA-2-22:**

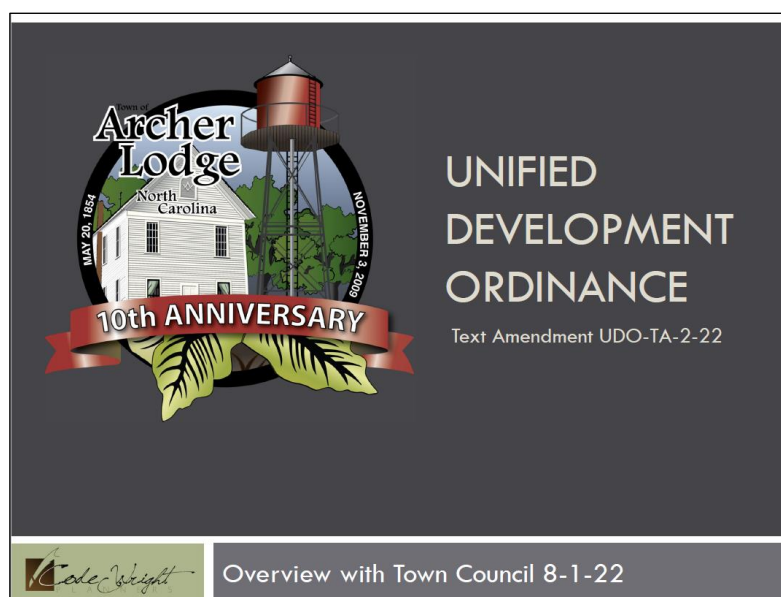
- **Article 2. – Authorities, Division 3. – Planning Board, Sec. 30 – 2304. – Powers and Duties of the Board, to clarify that the Planning Board is omitted from the special use permit process.**
- **Article 3. – Procedures, Division 1. – Summary Procedures Table, to clarify that the Planning Board is omitted from the special use permit process; adds a note to table requiring the submission of concept plan or site plan as part of the application for a special use permit; and Technical Committee Review (TRC) review of the site plan prior to consideration of the special use permit by the Town Council.**
- **Article 3. – Procedures, Division 3. – Specific Development Applications, Sec. 30 – 3317. – Site Plans, to clarify provisions pertaining to special use permit site plan requirements.**
- **Article 3. – Procedures, Division 3. – Specific Development Applications, Sec. 30 – 3318. – Special Use, to clarify provisions pertaining to special use permits and accompanying site plan or concept plan.**
- **Article 10. – Measurement and Definitions, Division 3. – Definitions, to further clarify the definition of a concept plan and site plan**

1. **Open Public Hearing**
2. **Staff Report and Planning Board Recommendations**
3. **Public Comments**
4. **Close Public Hearing**
5. **Governing Body**
 - **Discussion and Consideration of the Consistency Statement**
 - **Discussion and Consideration of Adopting Ordinance# AL2022-08-1 (aka: UDO-TA-2-22) Amending the Code of Ordinances, Town of Archer Lodge, NC, Chapter 30 - Unified Development Ordinance:**
 - ❖ **Article 2. – Authorities, Division 3. – Planning Board, Sec. 30-2304.**
 - ❖ **Article 3. – Procedures, Division 1. – Summary Procedures Table., and Division 3 – Specific Development Applications, Sec. 30-3317 and Sec. 30-3318; and**
 - ❖ **Article 10. – Measurement and Definitions, Division 3. – Definitions**

1. Mayor Mulhollem called for a motion to **Open the Public Hearing.**

2. **Staff Report and Planning Board Recommendations**

Mr. Meadows provided the following presentation:



Overview

2

- 3rd UDO Amendment
- Current UDO pages with proposed amendments provided
- Proposed amendments provided in tracked changes format
- Planning Board has reviewed and forwards a favorable recommendation to the Town Council to approve

Town of ARCHER LODGE

UNIFIED DEVELOPMENT ORDINANCE

Effective Date: June 7, 2021
Amended: ~~March 7, 2022~~ August 1, 2022



Proposed Amendments

3

4 Proposed
Changes
(all dealing
with special
use permits)

1. Remove Planning Board review of special use permits (pp. 22, 27)
2. Clarification about concept plan or site plan option when filing a special use permit application (pp. 28, 59-60, 61, 307)
3. Clarification about TRC review of site plans submitted with a special use permit application (p. 60)
4. Amended definition of concept plan (p. 272)

1. Remove Planning Board Review of Special Use Permits (p. 27)

4

These are quasi-judicial and decisions must be based solely on the testimony and evidence provided during the hearing

Type of Review: =Public Meeting; / =Legislative Hearing; { }=Quasi-Judicial Hearing								
APPLICATION TYPE	UDO SECTION NUMBER	PRE- APPLICATION	REVIEW AUTHORITY /1/					
			TOWN PLANNER	TECH. REVIEW COMMITTEE	PLANNING BOARD	BOARD OF ADJUSTMENT	TOWN COUNCIL	SUPERIOR COURT
Rezoning/Map amendment	30-3316	O	C	•	R	•	/D\	A
Site Plan	30-3317	M	•	R	R	•	/D\	A
Special Use Permit	30-3318	M	•	R /5/	R	•	{D}	A
Temporary Use Permit	30-3319	N/A	D	•	•	{A}	•	•

2. Clarification about site plan or concept plan option
(p. 60)

5

Sec. 30-3318 - Special use permit.

- (a) Permitted special uses provide for a more detailed review of applications for certain uses. Subject to the Article 6 Development Standards, certain uses of property are allowed in specified districts where those uses would not otherwise be acceptable. Special uses, in some circumstances, may be compatible with and desirable in the districts in which they are designated, but they may also have characteristics which could have detrimental effects on adjacent properties, or even the entire Town area, if not properly designed and controlled. By means of controls exercised through the special use permit procedures, uses of property which would otherwise be undesirable in certain districts can be developed to minimize any bad effects they might have on surrounding properties.
- (b) Special uses require a permit from the Town Council.
- (c) Applications for a special use permit shall be accompanied by either a concept plan or a site plan, at the applicant's option. In cases where a concept plan is submitted, the special use, if approved, shall also be required to obtain site plan approval in accordance with § 30-3317, Site plan. Concept plans are more general in nature than site plans, but must show the approximate building placement, building size, proposed streets, utility extensions, street access, as well as adequate details on the proposed use and site features to allow the Town Council to discern any potentially deleterious impacts of the proposed use and how those impacts will be mitigated. The site plan application filed subsequent to the special use permit approval shall be substantially consistent with the approved concept plan.
- ~~(b)~~(d) In cases where an applicant chooses to file a site plan concurrently with the application for a special use permit, the TRC shall review the site plan for consistency with this Ordinance prior to consideration of the special use permit application by the Town Council. The TRC shall provide comments on the site plan for consideration by the Town Council during its consideration. The Town Council shall review and decide the site plan concurrently with the special use permit application.
- ~~(e)~~(e) Special use permits shall only be granted after the Town Council has held a public hearing using the procedure set forth in § 30-3205(e). Quasi-judicial public hearings.

3. TRC Shall Review Site Plans Submitted with a SUP
(p. 28)

6

Rezoning/Map amendment	30-3316	O	C	•	R	•	/D\	A
Site Plan	30-3317	M	•	R	R	•	/D\	A
Special Use Permit	30-3318	M	•	R /S/	 R 	•	{D}	A
Temporary Use Permit	30-3319	N/A	D	•	•	{A}	•	•

NOTES:

- /1/ Review authorities are defined in Article 2, Authorities.
- /2/ Issued by Johnston County Building Inspections Dept.; Town Planner checks for zoning compliance.
- /3/ The Town Planner shall decide interpretations of the text of this Ordinance.
- /4/ The Board of Adjustment shall decide interpretations of the Official Zoning Map.
- /5/ Special Use Permits require submittal of a concept plan or a site plan as part of the application. In cases where the applicant chooses to file a site plan concurrently with a special use permit application, the TRC shall review the site plan for consistency with this Ordinance prior to consideration of the special use permit by the Town Council.

4. Clarified Definition of a 'Concept Plan' (p. 272)

7

Concept plans must “allow the Town Council to discern any potentially deleterious impacts of the proposed use and how those impacts will be mitigated.” (p. 60)

	light manufacturing use.
CONCEPT PLAN	A plan for development intended solely for illustrative purposes to assist a review authority in its consideration of a proposed development. A concept plan may, but does not necessarily need to include, the detailed elements typically found in a site plan (for example, detailed locations of buildings, <u>building sizes, new streets or street access, and the general location and configuration of site features like off-street parking, location of landscaping, or other elements that create or mitigate impacts on surrounding properties etc.</u>).
CONDITION OF APPROVAL	A limitation or stipulation on the range of allowable uses, density, intensity, configuration, or operational parameters of new development or redevelopment. A condition may be proposed by an applicant, a staff member, or a review authority that must be

Next Steps...

8



1. Planning Board recommendation to approve on 5/18/22
2. Public Hearing with Town Council 8/1/22
3. Adoption of Consistency Statement Findings and Amendments
4. Accept Redlines, Add Editor's Notes, and Update Footer
5. Post new UDO

No further discussion or questions.

3. Mayor Mulhollem asked if there were any **Public Comments**. There were no public comments.

4. Mayor Mulhollem called for a motion to **Close the Public Hearing**.

5. Mayor Mulhollem opened the floor to the **Governing Body Discussion** session.

Consistency Statement

- No further discussion regarding the Consistency Statement.

Ordinance# AL2022-08-1

- No comments or concerns.

Having no further discussion, Mayor Mulhollem called for a motion to adopt the Consistency Statement as written and presented by Staff.

The Adopted Archer Lodge Town Council Consistency Statement as presented appears as follows:

The Town Council finds that the proposed amendments to Chapter 30 referenced as Unified Development Ordinance (UDO) Text Amendment Number: UDO-TA-2-22 and summarized below are in accordance with state law are reasonable and in the public interest:

- Article 2. – Authorities, Division 3. – Planning Board, Sec. 30 – 2304. – Powers and Duties of the Board, to clarify that the Planning Board is omitted from the special use permit process.
- Article 3. – Procedures, Division 1. – Summary Procedures Table, to clarify that the Planning Board is omitted from the special use permit process; adds a note to table requiring the submission of concept plan or site plan as part of the application for a special use permit; and Technical Committee Review (TRC) review of the site plan prior to consideration of the special use permit by the Town Council.
- Article 3. – Procedures, Division 3. – Specific Development Applications, Sec. 30 – 3317. – Site Plans, to clarify provisions pertaining to special use permit site plan requirements.
- Article 3. – Procedures, Division 3. – Specific Development Applications, Sec. 30 – 3318. – Special Use, to clarify provisions pertaining to special use permits and accompanying site plan or concept plan.
- Article 10. – Measurement and Definitions, Division 3. – Definitions, to further clarify the definition of a concept plan and site plan

The proposed revisions clarify/streamline ordinance provisions, facilities environmental protection, plans for future development and addresses changes in state law. Furthermore, the proposed amendments are consistent with the Town of Archer Lodge 2030 Comprehensive Land Use Plan, aka "Comprehensive Plan", vision and mission statements and other adopted Town plans having bearing on the matter.

Having adopted the Consistency Statement, Mayor Mulhollem called for a motion to Adopt Ordinance# AL2022-08-1 (aka: UDO-TA-2-22) Amending the Code of Ordinances, Town of Archer Lodge, NC, Chapter 30 - Unified Development Ordinance:

- ❖ Article 2. – Authorities, Division 3. - Planning Board, Sec. 30-2304.;
- ❖ Article 3. – Procedures, Division 1. - Summary Procedures Table., and Division 3 - Specific Development Applications, Sec. 30-3317 and Sec. 30-3318; and
- ❖ Article 10. – Measurement and Definitions, Division 3. - Definitions.

The Adopted Ordinance# AL2022-08-1 (aka: UDO-TA-2-22) as presented appears as follows:

ORDINANCE# AL2022-08-1
UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT# UDO-TA-2-22

AN ORDINANCE AMENDING THE CODE OF ORDINANCES,
TOWN OF ARCHER LODGE, NORTH CAROLINA,
CHAPTER 30 - UNIFIED DEVELOPMENT ORDINANCE:
ARTICLE 2. - AUTHORITIES, DIVISION 3;
ARTICLE 3. - PROCEDURES, DIVISION 1 AND DIVISION 3; AND
ARTICLE 10. - MEASUREMENT AND DEFINITIONS, DIVISION 3

Section 1. Pursuant to authority granted by N.C. Gen. Stat. § 143 - 214.5, 160A - 174, 160D - 801, and 160D - 702, the Town of Archer Lodge hereby amends the Code of Ordinances, Town of Archer Lodge, North Carolina, Chapter 30 – Unified Development Ordinance, as follows, attached hereto, and incorporated herein by reference:

Article 2. – Authorities, Division 3

Article 3. – Procedures, Division 1, and Division 3; and

Article 10. – Measurement and Definitions, Division 3

Section 2. The amendments to Chapter 30 - Unified Development Ordinance, attached hereto and incorporated herein by reference, shall become effective on August 1, 2022.

DULY ADOPTED, THIS THE 1ST DAY OF AUGUST 2022.

TOWN OF ARCHER LODGE:

(SEAL)


Matthew B. Mulhollem, Mayor



ATTEST:


Kim P. Batten, Town Clerk

AUGUST 1, 2022

REGULAR COUNCIL MEETING

Page 7 of 51

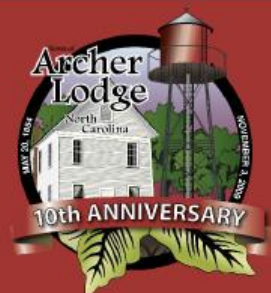
Town of

ARCHER LODGE

UNIFIED DEVELOPMENT ORDINANCE

Effective Date: June 7, 2021

Amended: ~~March 7, 2022~~ August 1, 2022



ORDINANCE AMENDMENTS

TABLE OF UDO AMENDMENTS		
ORDINANCE NUMBER	ADOPTION DATE	DESCRIPTION
UDO-TA-1-21	11-15-21	- Clarification of Review Authority roles, - Updates to the Water-Supply Watershed Overlay Districts standards, - Update to manufactured home park standards for masonry skirting in accordance with State law - Revisions to Electronic Gaming Operation use standards
UDO-TA-1-22	03-07-22	- Bona fide farm exemptions - Electronic plat signatures - Subdivision requirements table (new Division 6 of Appendix) - Simple and super majority voting calculations
<u>UDO-TA-2-22</u>	<u>08-01-22</u>	<u>- Removal of Planning Board review of Special Use Permits</u>

ARTICLE 2. - AUTHORITIES

Sec. 30-2304 - Powers and duties of board.

- (a) At its first regular meeting of each calendar year, the Planning Board shall, by majority vote of its membership (excluding vacant seats), elect one of its members to serve as Chairperson and preside over the Board's meetings and one member to serve as Vice-Chairperson. All elected person shall serve in these capacities for terms of one year. A certified municipal clerk shall be appointed by the Town Council as Secretary to the Planning Board. Any appointed secretary shall serve at the pleasure of the Town Council. Vacancies among the appointed or elected officials may be filled for the unexpired terms only by majority vote of the Town Council.
- (b) The Chairperson and Vice-Chairperson may take part in all deliberations and vote on all issues.
- (c) The Board shall draw up and adopt rules of procedure under which it will operate. The Town Council will approve the rules of procedure and any amendments.

Sec. 30-2304 - Powers and duties of board.

- (a) The Planning Board shall hear and decide applications for major subdivisions (See § 30-3312).
- (b) The Planning Board shall hear and provide a recommendation to the Town Council on the following:
- (1) Adoption of or amendment to the comprehensive plan or any other Town plan, as requested by the Town Council (see § 30-3305);
 - (2) Development agreements (See § 30-3307);
 - (3) Planned developments (See § 30-3314);
 - (4) Rezoning/Map amendments (See § 30-3316);
 - (5) Site plans (See § 30-3317); and
 - ~~(6) Special use permits (See § 30-3318); and~~
 - ~~(7)(6)~~ Text amendments (See § 30-3320).
- (c) Any of the duties listed in §180D-301 of the North Carolina General Statutes that are assigned by the Town Council.

Sec. 30-2305 - Meetings and quorum.

- (a) The Planning Board shall meet every other month, unless meetings are cancelled for lack of business, emergency, or other valid reason. Special meetings may be called in accordance with §180A-71 of the North Carolina General Statutes.
- (b) All meetings of the Planning Board shall be open to the public, and the agenda for each Planning Board meeting shall be made available in advance of the meeting. A notice of the meeting shall be published in a local newspaper and be posted at Town Hall in accordance with §180A-71 of the North Carolina General Statutes.
- (c) A quorum for the Planning Board shall consist of three or more members. A quorum is necessary for the Planning Board to take any action.
- (d) A member who has withdrawn from the meeting without being excused, as provided in §180A-75 of the North Carolina General Statutes shall be counted as present for purposes of determining whether a quorum is present.

Sec. 30-2306 - Voting.

- (a) Once a quorum is established the concurring vote of a majority of board members (excluding vacant board member positions and any board members who are recused from voting on a particular case) shall be necessary to make any decision.
- (Amended 03-07-22 UDOTA 1-22)
- (b) Once a member is physically present at a Planning Board meeting, any subsequent failure to vote shall be recorded as an affirmative vote unless the member has been excused in accordance with subsection (c) of this section or has been allowed to withdraw from the meeting in accordance with subsection (d) of this section.

ARTICLE 3. - PROCEDURES

DIVISION 1. - SUMMARY PROCEDURES TABLE.

(Amended 11-15-21 UDOTA 1-21)

APPLICATION SUMMARY TABLE								
Review Authority Actions:			C = Comment; R= Recommendation; D = Decision; A = Appeal;					
Pre-Application Conferences			M = Mandatory; O = Optional; N/A = Not Applicable					
Type of Review:			I=Public Meeting; /L=Legislative Hearing; {}=Quasi-Judicial Hearing					
APPLICATION TYPE	UDO SECTION NUMBER	PRE-APPLICATION	REVIEW AUTHORITY /I/					
			TOWN PLANNER	TECH. REVIEW COMMITTEE	PLANNING BOARD	BOARD OF ADJUSTMENT	TOWN COUNCIL	SUPERIOR COURT
Administrative Adjustment	30-3301	M	D	-	-	{A}	-	-
Appeal	30-3302	N/A	-	-	-	{D}	-	A
Building Permit /2/	30-3303	N/A	C	-	-	-	-	-
Certificate of Occupancy /2/	30-3304	N/A	C	-	-	-	-	-
Comprehensive Plan	30-3305	M	C	C	{R}	-	/D\	A
Determination and Interpretation	30-3306	O	D /3/	-	-	{D} /4/	-	-
Development Agreement	30-3307	M	C	-	{R}	-	/D\	A
Exempt Subdivision	30-3308	N/A	D	-	-	{A}	-	-
Expedited Subdivision	30-3309	N/A	D	-	-	-	-	A
Final Plat	30-3310	N/A	D	-	-	-	-	A
Floodplain Development Permit	30-3311	N/A	D	-	-	{A}	-	-
Major Subdivision	30-3312	O	C	R	{D}	-	-	A
Minor Subdivision	30-3313	O	D	-	-	{A}	-	-
Planned Development	30-3314	M	-	C	{R}	-	/D\	A
Reasonable Accommodation	30-3315	O	-	C	-	-	{D}	A
Rezoning/Map amendment	30-3316	O	C	-	{R}	-	/D\	A
Site Plan	30-3317	M	-	R	{R}	-	/D\	A
Special Use Permit	30-3318	M	-	R /5/	{R}	-	{D}	A
Temporary Use Permit	30-3319	N/A	D	-	-	{A}	-	-
Text Amendment	30-3320	O	C	-	{R}	-	/D\	A
Variance	30-3321	M	C	-	-	{D}	-	A

APPLICATION SUMMARY TABLE								
Review Authority Actions:			C = Comment; R= Recommendation; D = Decision; A = Appeal;					
Pre-Application Conferences			M = Mandatory; O = Optional; N/A = Not Applicable					
Type of Review:			I =Public Meeting; /I=Legislative Hearing; {}=Quasi-Judicial Hearing					
APPLICATION TYPE	UDO SECTION NUMBER	PRE- APPLICATION	REVIEW AUTHORITY /I/					
			TOWN PLANNER	TECH. REVIEW COMMITTEE	PLANNING BOARD	BOARD OF ADJUSTMENT	TOWN COUNCIL	SUPERIOR COURT
Vested Rights Certificate	30-3322	O	R	.	.	.	/D/	A
Zoning Compliance Permit	30-3323	N/A	D	.	.	{A}	.	.
NOTES: /1/ Review authorities are defined in Article 2, Authorities. /2/ Issued by Johnston County Building Inspections Dept.; Town Planner checks for zoning compliance. /3/ The Town Planner shall decide interpretations of the text of this Ordinance. /4/ The Board of Adjustment shall decide interpretations of the Official Zoning Map. <u>/5/ Special Use Permits require submittal of a concept plan or a site plan as part of the application. In cases where the applicant chooses to file a site plan concurrently with a special use permit application, the TRC shall review the site plan for consistency with this Ordinance prior to consideration of the special use permit by the Town Council.</u>								

ARTICLE 3.- PROCEDURES
DIVISION 3. - Specific Development Applications.

(a) *Site plan application submittal requirements.*

- (1) Site plans applications are required for all developments except detached single family. Site plan applications may be submitted in conjunction with other permit applications, or alone. For example, if a commercial subdivision has already received zoning and subdivision approval, then a site plan application may be submitted by itself. In other cases, site plan applications are ~~a~~ requirements for a permit application. For example, site plan applications are required either with or subsequent to special use permit applications. In cases where a special use permit is approved subject to a concept plan, approval of a site plan consistent with the approved concept plan shall also be required. A pre-application conference is mandatory (See § 30-3201, Pre-application conference). The Town Planner should be consulted for details on the procedural requirements.
- (2) Applications for a site plan permit shall be submitted to the Town Planner. The Town Planner shall prescribe the form on which applications are made. Applications shall include the information listed in Article 11, Division 5 Information required with site plans and subdivisions. The Town Planner shall prescribe any other material that may reasonably be required to determine compliance with this Ordinance. Two copies of the application and attachments shall be submitted to the Town Planner. No application shall be accepted by the Town Planner unless it complies with § 30-3202, Application filing and acceptance.
- (b) *Action on the application.* On receipt of a completed application for a site plan, the Town Planner shall review as required in § 30-3203, Staff review and action. Site plans will be forwarded to the Planning Board for a written recommendation to the Town Council. Public notice of the hearing shall be made in accordance with § 30-3204, Public notification.
- (c) *Decision.* The Town Council shall review and decide the application for a site plan. The Town Council may impose such reasonable conditions as detailed in § 30-3206, Conditions of approval.
- (d) *Actions subsequent to decision.* In the case of denial, approval or approval with conditions of a site plan application, the Town Planner shall notify the applicant as required in § 30-3207, Written notice of decision. If approved, the Town Planner may issue the zoning compliance permit if no other permits or approvals are required. Where a building permit or stormwater management permit is required, such permit shall not be issued prior to the issuance of the site plan permit and shall comply with the approved site plan, including all conditions of approval thereto (See § 30-3208, Effect of development approval).
- (e) *Appeal of decision.* A decision by the Town Council in granting or denying a site plan, may be appealed to the Superior Court within 30 days of the decision.
- (f) *Modification of site plan permits.* The Town Planner may approve a modification of a site plan (including site plans approved as a part of another permit application, such as a special use permit.) in accordance with § 30-3301, Administrative Adjustment. Except for minor modifications in accordance with § 30-3301, an application for modification of a site shall be reviewed in accordance with the procedures established in this Article for a new site plan.
- (g) *Expiration and revocation of site plan approvals.*
- (1) *Starting time limit.* If the use, construction, or activity authorized by approval of an application for a site plan permit or modification of a site plan permit is not started within 24 months of the date of approval, the permit shall expire, and any Town permit issued pursuant to the approval may be voidable. The Town Planner may grant an extension of the starting time limit for up to 12 months. The Town Planner shall determine whether the use, construction, or activity has started.
- (2) *Revocation of site plan permit.* If any conditions of a site plan permit or modification of a site plan permit, or requirements of this Article applicable to the permit or modification are violated, the Town Council may revoke the permit or modification. The Town Council may reinstate a revoked site permit or modification of a zoning compliance permit if it determines that:
- The holder of the revoked permit or modification submitted a request for reinstatement within 90 days of the revocation;
 - The violations that were the cause of the revocation have been corrected; and

ARTICLE 3.- PROCEDURES
DIVISION 3.- Specific Development Applications.

- c. The development fully complies with all conditions of the permit or modification and all applicable requirements of this Article.

Sec. 30-3318 - Special use permit.

- (a) Permitted special uses provide for a more detailed review of applications for certain uses. Subject to the Article 6 Development Standards, certain uses of property are allowed in specified districts where those uses would not otherwise be acceptable. Special uses, in some circumstances, may be compatible with and desirable in the districts in which they are designated, but they may also have characteristics which could have detrimental effects on adjacent properties, or even the entire Town area, if not properly designed and controlled. By means of controls exercised through the special use permit procedures, uses of property which would otherwise be undesirable in certain districts can be developed to minimize any bad effects they might have on surrounding properties.

- (b) Special uses require a permit from the Town Council.

- ~~(c) Applications for a special use permit shall be accompanied by either a concept plan or a site plan, at the applicant's option. In cases where a concept plan is submitted, the special use, if approved, shall also be required to obtain site plan approval in accordance with § 30-3317. Site plan. Concept plans are more general in nature than site plans, but must show the approximate building placement, building size, proposed streets, utility extensions, street access, as well as adequate details on the proposed use and site features to allow the Town Council to discern any potentially deleterious impacts of the proposed use and how those impacts will be mitigated. The site plan application filed subsequent to the special use permit approval shall be substantially consistent with the approved concept plan.~~

- ~~(d) In cases where an applicant chooses to file a site plan concurrently with the application for a special use permit, the TRC shall review the site plan for consistency with this Ordinance prior to consideration of the special use permit application by the Town Council. The TRC shall provide comments on the site plan for consideration by the Town Council during its consideration. The Town Council shall review and decide the site plan concurrently with the special use permit application.~~

- ~~(e)~~ Special use permits shall only be granted after the Town Council has held a public hearing using the procedure set forth in § 30-3205(c), Quasi-Judicial public hearings.

- (1) Pre-application conferences with the Town Planner are mandatory in accordance with § 30-3201, Pre-application conference.
- (2) Applications for special use permits and a fee in accordance with the fee schedule adopted by the Town Council shall be received by the Town Planner in accordance with § 30-3202 Application filing and acceptance.
- (3) The Town Council shall call for a public hearing. Public notice of the hearing shall be made in accordance with § 30-3204, Public notification.
- (4) Public hearings by the Town Council for special use permits shall be conducted in accordance with following § 30-3205(c), Quasi-judicial public hearings and the following:
 - a. The Mayor shall summarize the evidence that has been presented, giving the parties opportunity to make objections or corrections. The Town Council members, parties, or other persons with standing (See § 30-3205(c)(8)) shall be the only persons allowed to ask questions of a witness.
 - b. At a special meeting called for the purpose; the Town Council may view the premises.
 - c. The Town Council may continue the hearing until a certain date and time.
 - d. In order to issue a special use permit, the Town Council shall consider each of the following conditions, and based on the evidence presented at the hearing, make findings in regard to each and must find that the issuance of the special use permit promotes the public health, safety, and welfare and is in the best interest of the Town:
 1. Will not materially endanger the public health, safety if located where proposed;
 2. Complies with all standards, conditions, and specifications of the UDO, including Article 5 Use Regulations, and Article 6 Development Standards;

ARTICLE 3. - PROCEDURES
DIVISION 3. - Specific Development Applications.

3. Will not substantially injure the value of the abutting land, or the special use is a public necessity;
 4. Will be in harmony with the area in which it is to be located;
 5. Is in general conformity with the Town's adopted policy guidance; and
 6. Will not exceed the Town's ability to provide adequate public facilities (fire and rescue, utilities, etc.).
- e. If the Town Council approves a special use permit, it may, as part of the terms of such approval, impose any additional reasonable conditions and safeguards as may be necessary to ensure that the criteria for the granting of such a permit will be followed per § 30-3206, Conditions of approval. Where appropriate, such conditions may include requirements that streets and/or utility rights-of-way be dedicated to the public, and that provisions be made for recreational space and facilities. The Town Council may not impose conditions for which the Town does not have statutory authority, including taxes, impact fees, building design elements for one- or two-family dwellings and driveway improvements in excess of those allowed by §160D-702 (b) of the North Carolina General Statutes.
- f. The Town Council's final decisions shall be shown in the order of the case as entered in the Town Council's minutes and signed by the Clerk and the Mayor on approval of the minutes by the Town Council. Such order shall show the reasons for the determinations, with a summary of the evidence introduced and the findings of fact made by the Town Council. When a special use permit is granted, the order shall state the facts that support findings required to be made before such permit is issued. The order shall state in detail what, if any, conditions and safeguards the Town Council imposes in connection with granting of a special use permit. The record shall be final when it is filed in the Town Clerk's office.
- g. The order of the decision in each case shall be prepared, filed in the Clerk's office, and furnished to any person as stipulated in § 30-3207, Written notice of decision.
- h. A copy of the record shall be filed in the office of the Johnston County Register of Deeds.

~~(e)(f)~~ Effect.

- (1) Applicable (see § 30-3208, Effect of development approval).
- (2) A special use and the associated concept plan or site plan approval are perpetually binding and run with the land, unless amended.
- (3) An action invalidating a special use condition of approval (such as exceeding maximum allowable intensity or hours of operation limitation) shall render the special use permit as well as the concept plan or site plan approval null and void.

~~(e)(g)~~ Amendment. Applicable. Minor modifications may be considered in accordance with § 30-3301, Administrative adjustments / Modifications, but a major modification (such as changes in density or changes in use types) requires a new application and approval by the Town Council following a quasi-judicial hearing.

~~(f)(h)~~ State and federal requirements. Special uses shall meet all applicable State and federal requirements for location and operation. Failure to maintain compliance with those requirements may result in the revocation of the special use permit.

~~(g)(i)~~ Expiration.

- (1) Replacement. If a special use is replaced by a use otherwise permitted by right in the zoning district, the special use permit approval is deemed abandoned and the special use permit approval is null and void, but the site plan approval is unaffected, provided there are no physical changes to the building or the site.
- (2) Failure to complete construction. Unless otherwise stated in the special use permit approval, a special use permit shall expire and become null and void two years after the date of issuance if:
 - a. The authorized use has not commenced;

TABLE OF DEFINED TERMS	
TERM	DEFINITION(S)
COMPREHENSIVE PLAN	means the Comprehensive Plan for the Town of Archer Lodge, as adopted and amended by the Archer Lodge Town Council. A comprehensive plan sets forth goals, policies, and programs intended to guide the present and future physical, social, and economic development of the jurisdiction. A land-use plan uses text and maps to designate the future use or reuse of land. A comprehensive or land-use plan is intended to guide coordinated, efficient, and orderly development within the planning and development regulation jurisdiction based on an analysis of present and future needs. See. §180D-501 of the North Carolina General Statutes.
COMPUTER RELATED SERVICE	A commercial establishment engaged in diagnosis and repair of personal computers and associated peripherals, including printers, network equipment, monitors, and related equipment. Such uses may also procure replacement parts and construct computer components or systems for clients. Limited sale of new or reconstructed computers and computer equipment is an accessory use. Manufacture or assembly of computer systems on an industrial scale or for resale to members of the general public is a light manufacturing use.
CONCEPT PLAN	A plan for development intended solely for illustrative purposes to assist a review authority in its consideration of a proposed development. A concept plan may, but does not necessarily need to include, the detailed elements typically found in a site plan (for example, detailed locations of buildings, <u>building sizes, new streets or street access, and the general location and configuration of site features like off-street parking, location of landscaping, or other elements that create or mitigate impacts on surrounding properties</u> etc.).
CONDITION OF APPROVAL	A limitation or stipulation on the range of allowable uses, density, intensity, configuration, or operational parameters of new development or redevelopment. A condition may be proposed by an applicant, a staff member, or a review authority that must be accepted by an applicant and the Town to become binding.
CONDOMINIUM	A development containing individually owned dwelling units and jointly owned and shared areas and facilities that is subject to the North Carolina Unit Ownership Act (North Carolina General Statutes § Ch. 47A) and/or the North Carolina Condominium Act (§Ch. 47C of the North Carolina General Statutes).
CONE OF ILLUMINATION	The detectable spread of illumination from a source of exterior lighting.
CONSTRUCTION	The erection of any building, structure, on-site improvement, or any preparations (including land disturbing activities) for the same, regardless whether the site is presently improved, unimproved or hereafter becomes unimproved by "demolition," destruction of the improvements located thereon by fire, windstorm or other casualty.
CONSTRUCTION PLAT	means a plan with supporting data for a proposed subdivision, developed for the purpose of establishing the layout and provision of roads and utilities.
CONTAINERIZED STOCK	means trees or other vegetation delivered for planting or establishment in individual or group containers.

ARTICLE 10. - MEASUREMENT & DEFINITIONS		
DIVISION 3. - Definitions		
TABLE OF DEFINED TERMS		
TERM	DEFINITION(S)	
SITE PLAN	means a scaled drawing and supporting text showing the relationship between lot lines and the existing or proposed uses, buildings, or structures on the lot. The site plan may include site-specific details such as building areas, building height and floor area, setbacks from lot lines and street rights-of-way, intensities, densities, utility lines and locations, parking, access points, roads, and stormwater control facilities that are depicted to show compliance with all legally required development regulations that are applicable to the project and the site plan review. A site plan approval-based solely upon application of objective standards is an administrative decision and a site plan approval based in whole or in part upon the application of standards involving judgment and discretion is a quasi-judicial decision. A site plan may also be approved as part of a conditional zoning special use permit or other decision.	
SITE PLAN REVIEW	means the process whereby the Town review agents review plans, of a development proposal which is a permitted use, to ensure that it complies with applicable development regulations. Review agents may include Johnston County building inspections, Johnston County Environmental Health, the Fire Chief, Emergency Management Services, NC Department of Transportation, the Town Planner, public utilities, and stormwater administration.	
SITE SPECIFIC VESTING PLAN	may be in the form of, but not be limited to, any of the following approved: a planned development master plan, a major subdivision final plat, a preliminary or general development plan, or a special use permit. Unless otherwise expressly provided by this Ordinance such a plan shall include the approximate boundaries of the site; significant topographical and other natural features effecting development of the site; the approximate location on the site of the proposed buildings, structures, and other improvements; the approximate dimensions, including height, of the proposed buildings and other structures; and the approximate location of all existing and proposed infrastructure on the site, including water, sewer, roads, bicycle facilities and pedestrian walkways.	
SLATS, FENCE	means thin strips of wood, plastic, or other material woven between the components of a chain link-style fence or gate.	
SMALL WIRELESS FACILITY	A wireless telecommunications facility consisting of an antenna and associated wireless telecommunications equipment installed on a utility pole, public utility pole, building, or other vertical projection not specifically intended for the accommodation of wireless telecommunications facilities (e.g., a traffic signal mast arm, a light standard, sign pole, etc.) that does not exceed the maximum size requirements for such facilities as listed in §160D-947 of the North Carolina General Statutes.	
SMALL-TOWN CHARACTER	means the sum or combined effect of the attributes and assets that make the Town unique and that establish the Town's "sense of place." Attributes include the resident population, local institutions, visual characteristics, natural features, and shared history.	
SMOOTH-FACED CONCRETE BLOCK	means concrete blocks that do not include adornment or any surface relief.	
SOFFIT	means the exterior material mounted to the underside of the roof rafters that project past the edge of an exterior building wall.	
TOWN OF ARCHER LODGE Unified Development Ordinance	307	LAST AMENDED March 7, 2022 August 1, 2022

Moved by: Council Member Wilson
Seconded by: Council Member Purvis
Approved to Open the Public Hearing at 6:33 p.m.

CARRIED UNANIMOUSLY

Moved by: Council Member Wilson
Seconded by: Council Member Jackson
Approved to Close the Public Hearing at 6:42 p.m.

CARRIED UNANIMOUSLY

Moved by: Council Member Jackson
Seconded by: Council Member Purvis
Adopted the Consistency Statement as written.

CARRIED UNANIMOUSLY

Moved by: Council Member Wilson
Seconded by: Council Member Jackson
Adopted Ordinance# AL2022-08-1 (aka: UDO-TA-2-22) Amending the Code of Ordinances, Town of Archer Lodge, NC, Chapter 30 - Unified Development Ordinance as presented:

Article 2. – Authorities, Division 3
Article 3. – Procedures, Division 1, and Division 3; and
Article 10. – Measurement and Definitions, Division 3

CARRIED UNANIMOUSLY

b) PUBLIC HEARING - Text Amendments - *Code of Ordinances, Town of Archer Lodge, NC*, Chapter 30 - referenced as Unified Development Ordinance (UDO) Text Amendment# UDO-TA-3-22:

- **Article 4. – Zoning Districts, Division 2. – Residential Zoning Districts: Sec. 30 – 4201. – Agricultural Residential District (AR), Sec. 30-4202. – Single Family Residential District (SFR-1), Sec. 30-4203. - Single Family Residential District (SFR-2), Sec. 30-4204. - Single Family Residential (SFR-3); Sec. 30-4205. – Residential – Manufactured Home Park District (R-MHP), and Sec. 30-4206. – Residential Multi-Family District (RMF) to clarify that accessory structures must maintain the same setback from streets and easements as principal uses.**
 - **Article 6. – Development Standards, Division 1. – Access and Circulation, Sec. 30-6101. – Site Access and On-Site Circulation: allowing a shared driveway to serve a maximum of three lots; driveway serving four or more lots to be configured as a private street meeting applicable standards in Section 30-7301 – Roads; site distance triangle standards, spacing provisions for driveways, and driveway surfacing standards for new commercial, institutional, or industrial uses.**
 - **Article 7. – Subdivisions, Division 3. – Street and Sidewalks, Sec. 30-7301 – Roads, further clarifying minimum construction/maintenance standards for privately owned roads.**
 - **Article 3. – Procedures, Division 3.- Specific Development Applications: Sec. 30 – 3312. – Major Subdivision and Section 30 – 3313. – Minor Subdivision pertaining to approval process/requirements.**
 - **Article 10. – Measurement and Definitions, Division 3. – Definitions – to further clarify the definitions of Major/ Minor Subdivision, and public utility extension.**
 - **Article 3. – Procedures, Division 3.- Specific Development Applications, Sec. 3310. – Final Plat to clarify and relocate Plat Certificate requirements to Article 11. - Appendix, Division 3. - Plat Certificates.**
 - **Article 11. - Appendix, Division 3, Plat Certificates, to include Certificate of Wastewater Disposal and remove notice to Homeowners to Connect to Public Utility System Certificate and remove Register of Deeds Certificate.**
 - **Article 6. – Development Standards, Division 7. – Off-Street Parking and Loading, Sec. 30- 6701. - Off Street Parking and Loading, reducing width of a perpendicular parking space to nine (9) feet.**
1. **Open Public Hearing**
 2. **Staff Report and Planning Board Recommendations**
 3. **Public Comments**
 4. **Close Public Hearing**
 5. **Governing Body**
 - **Discussion and Consideration of the Consistency Statement**
 - **Discussion and Consideration of Adopting Ordinance# AL2022-08-2 (aka: UDO-TA-3-22) Amending the Code of Ordinances, Town of Archer Lodge, NC, Chapter 30 - Unified Development Ordinance:**
 - ❖ **Article 3. – Procedures, Division 3**
 - ❖ **Article 4. – Zoning Districts, Division 2**
 - ❖ **Article 6. – Development Standards, Division 1, and Division 7**
 - ❖ **Article 7. – Subdivisions, Division 3**
 - ❖ **Article 10. – Measurement and Definitions, Division 3; and**
 - ❖ **Article 11. – Appendix, Division 3**

1. Mayor Mulhollem called for a motion to **Open the Public Hearing.**

2. **Staff Report and Planning Board Recommendations**

Mr. Meadows provided the following presentation:



UNIFIED
DEVELOPMENT
ORDINANCE
Text Amendment UDO-TA-3-22



Overview with Town Council 8-1-22

2

- 4th UDO Amendment
- Current UDO pages with proposed amendments provided
- Proposed amendments provided in tracked change format
- Planning Board reviewed and forwards a recommendation of approval*

ORDINANCE AMENDMENTS

TABLE OF UDO AMENDMENTS		
ORDINANCE NUMBER	ADOPTION DATE	DESCRIPTION
UDO-TA-1-21	11-15-21	- Clarification of Review Authority roles, - Updates to the Water-Supply Watershed Overlay Districts standards - Update to manufactured home park standards for masonry skirting in accordance with State law - Revisions to Electronic Gaming Operation use standards
UDO-TA-1-22	03-07-22	- Bona fide farm exemptions - Electronic plat signatures - Subdivision requirements table (new Division 6 of Appendix) - Simple and super majority voting calculations
UDO-TA-2-22	08-01-22	- Removal of Planning Board review of Special Use Permits
UDO-TA-3-22	08-01-22	- Lot access/driveway standards - Limitations on successive minor subdivisions - Updates to plat certifications - Public utility extension clarity - Accessory structure setbacks - Parking space width revisions

NOTE: At the time this text amendment is prepared, the prior text amendment (UDO-TA-3-22) is still pending. As a result, notices on the following pages are shown in the draft text of the UDO, but are NOT part of this amendment.

Pages 22, 24, 27, 28, 59, 60, 61, 272, 307.

The changes on these pages will be accepted if UDO-TA-2-22 is adopted by the Town Council, and an updated UDO will be published at that time. That version of the adopted UDO will NOT include the proposed changes suggested in UDO-TA-3-22 (this proposed text amendment).

TOWN OF ARCHER LODGE
Unified Development Ordinance

3

LAST AMENDED
March 7, 2022/August 1, 2022

3

- Planning Board reviewed and forwards a recommendation of approval*

* Planning Board did not recommend approval of proposed changes to § 30-7301(a)

ARTICLE 17 - SUBDIVISIONS

DIVISION 3 - Streets and sidewalks.

DIVISION 3 - STREETS AND SIDEWALKS.

The type and arrangement of streets within a development under this Article shall comply with and coordinate with the Town's adopted transportation plan(s), or the decision of the Town Planner. Principal vehicular access points to the subdivision shall be designed to encourage smooth traffic flow and minimize hazard to vehicular traffic, pedestrian and bicycle traffic. Accommodation for controlled turning movements into and out of the subdivision and improvement of the approach street should be considered where existing or anticipated heavy traffic flows indicate need. Safe and convenient vehicular access shall be provided for emergency, service and school bus vehicles.

Sec. 30-7301 - Roads.

The arrangement, character, extent, width, grade, and location of all roads should be designed in relation to existing and proposed transportation patterns, topographical and other natural features, public convenience and safety, and proposed uses of lands to be served by such roads and existing and potential land uses in adjoining areas.

(a) Minimum construction standards. All roads, whether public or private, shall meet the road construction standards as set forth in the latest edition of the NCDOT subdivision roads minimum construction standards for public roads, and shall:

(1) Be dedicated for public use and meet the design and construction standards as required by the NCDOT for the functional classification and projected traffic volumes; *or*

(1)(2) Be privately owned and maintained while also meeting the design and construction standards as required by the NCDOT for the functional classification and projected traffic volumes.

(2)(3) For all roads not maintained by NCDOT and/or not dedicated for public use, be ensured proper maintenance through the establishment of a homeowners' association or a road maintenance agreement. *(Added 8/1/22, 12/1/22, 1/1/22)*

(b) Other road requirements.

(1) Permits for connecting to state roads. An approved permit is required to connect any subdivision street to an existing state road. This permit is required prior to constructing the road. The application is available at the office of the nearest district engineer of the division of highways.

(2) Paving. All roads, whether public or private, shall be paved with asphalt, concrete, NCDOT-approved pavers, or other suitable all-weather surface as determined by the NCDOT. Gravel shall not be permitted as a surface for a new public or private roadway. Extensions of existing gravel roads are permitted provided the total number of lots accessing the road does not increase by more than four from the number of lots accessing the road as of June 7, 2021. If the number of lots accessing an existing gravel roadway is increased by four or more after June 7, 2021, the gravel roadway shall be paved in accordance with these standards. *(Added 8/1/22, 12/1/22, 1/1/22)*

(3) Offsets to utility poles. Overhead utility poles shall be break-away or located outside the roadway clear zone.

(4) Wheelchair ramps and curb cuts for disabled persons. All roads, sidewalks, curbing, crosswalks, and other road improvements shall conform to the requirements of § 136-44.14 of the North Carolina General Statutes and the Americans with Disabilities Act.

(5) Mail box kiosks. All mail box kiosks shall meet the USPS Cluster Box Units Concrete Pad Installation - Interim Pad Policy (2/16/2017 or most recent edition) and the NCDOT Policy for Placement of Mail Cluster Box Units (8/1/2015 or most recent edition) and be subject to approval by the North Carolina Department of Transportation.

TOWN OF ARCHER LODGE
Unified Development Ordinance

225

LAST AMENDED
March 7, 2022/August 1, 2022

Proposed Amendments

4

8 Proposed Changes:

- 1. Definition of major & minor subdivisions (pp. 53, 313)
- 2. Town Planner Minor subdivision referral (p. 54)
- 3. Accessory structure setbacks (pp. 74-78, 80)
- 4. Clarification of shared driveways/surfacing (pp. 148, 151)
- 5. Sight distance triangles (pp. 151-152)
- 6. Perpendicular parking spaces (p. 205)
- 7. Clarification about private roads (p. 225)
- 8. Changes to plat certificates (pp. 336-340, 346)

5

1. Subdivision Definitions

ARTICLE 10 - MEASUREMENT & DEFINITIONS	
DIVISION 3 - Definitions	
TABLE OF DEFINED TERMS	
TERM	DEFINITION(S)
SUBDIVISION, MAJOR	means any subdivision that: (1) Includes any new dedication of public right-of-way (2) Establishes or extends a public water line; (3) Establishes or extends a sanitary sewer line; or (4) Creates five or more lots (including the originating tract or parent parcel). For the purposes of this definition, a public water line or sanitary sewer line shall be a line not solely intended as a service line serving a single lot; rather it is a line that is designed and configured to serve two or more lots or to connect two or more existing lines.
SUBDIVISION, MINOR	means a subdivision of a parent parcel, creating four lots or less (including the originating tract or parent parcel), then: (1) Does not involve any new dedication of public right-of-way to give access to interior lots or parcels; (2) Does not involve the extension of public water or sanitary sewer lines; (3) Will not adversely affect the development of the remainder of the parcel or of adjoining property; and (4) Will not create any new or residual parcels which do not satisfy the requirements of this Ordinance or other applicable local and State controls. For the purposes of this definition, a public water line or sanitary sewer line shall be a line not solely intended as a service line serving a single lot; rather it is a line that is designed and configured to serve two or more lots or to connect two or more existing lines.
SUBSTANTIAL MODIFICATION	The relocation of antenna and related wireless telecommunications equipment on an existing telecommunications tower that necessitates replacement of the existing tower, structural additions to the existing tower that increase its height or the length of protrusions from the tower, or increases in the size of the equipment compound by an amount specified in §160D-631 of the North Carolina General Statutes. Collocations requiring structural modifications are reviewed and decided in accordance with the procedures for a major collocation. Collocations involving changes to an existing telecommunications tower or equipment compound beyond those identified as "substantial modifications" in §160D-631 in the North Carolina General Statutes are reviewed and decided in accordance with the procedures for a major telecommunications tower.
SWIMMING POOL/HOT TUB	An above- or below-ground structure that is filled with water and used for swimming or relaxing.
T	
TOWN OF ARCHERLODGE	
Unified Development Ordinance	
313	
LAST AMENDED	
March 7, 2000/September 6, 2022	

6

1. Subdivision Definitions

ARTICLE 3 - PROCEDURES	
DIVISION 3 - Specific Development Applications.	
Sec. 30-3312 - Major subdivision. (a) Preliminary plat approval. All major subdivisions, whether configured in accordance with the definition of a major subdivision in § 30-10301 Definitions, or referred by the Town Planner, must have a preliminary plat approved by the Planning Board prior to any construction or final plat approval. (b) Preliminary conference. Optional (See § 30-3201, Pre-application conference). (c) Application submittal requirements. Applications for major preliminary plat approval shall be filed with the Town Planner. The Town Planner shall not accept an application unless it complies with all UDO requirements, including written confirmation that the applicant is the owner or agent having a valid ownership interest, or a valid enforceable contract or option for an ownership interest in the property involved. An incomplete application shall be returned to the applicant, with a notation of its deficiencies. (d) Town Planner's Report. The Town Planner shall forward to the planning board an analysis of an application for major preliminary plat approval with his/her recommendation. (e) Planning Board review and action. (1) After receiving the Town Planner's report on an application for major subdivision preliminary plat approval, the Planning Board shall consider the application at its next regularly scheduled meeting. No formal public hearing will be held. The Planning Board may hear comments and questions. The Planning Board may place reasonable and fair limitations on comments, arguments, and questions to avoid undue delay. The applicant shall bear the burden of establishing that they are entitled to approval of the application. (2) The Planning Board shall act on an application for major subdivision preliminary plat approval after reviewing the application, the Town Planner's report, and public comment on the application. It shall base its action on its findings as to conformity with all applicable requirements of this Article. Its action shall be one of the following: approval, approval subject to conditions, tabled to address deficiencies identified by the Planning Board, or denial. The Planning Board may impose reasonable conditions on its approval to ensure compliance with the UDO. (3) The Town Planner shall notify the applicant in writing of the planning board's decision and shall file a copy of the decision. (f) Expiration of preliminary plat approval. Preliminary plat approval, or re-approval, for a major or commercial subdivision shall be effective for three years from the date of approval with no extension allowed by the Town Planner or a designee. An extension may be requested of the Planning Board for an additional three-year period. Otherwise the vesting provisions in Article 1, Division 3 shall apply. (g) Appeal of decision. The Planning Board's decision on an application for a preliminary plat approval for a major subdivision may be appealed to the Johnston County Superior Court within 30 days from receipt of written notice of the decision. Sec. 30-3313 - Minor subdivision. (a) Application submittal requirements. Applications for minor subdivision approval, along with any required fees, shall be filed with the Town Planner. The Town Planner shall prescribe the form of applications, as well as any other material that may reasonably be required to determine compliance with this division. Minor subdivision plats shall comply with the definition of a minor subdivision in § 30-10301 Definitions, the mapping requirements of § 30-3310 Final plat, Article 7, Subdivisions, and Article 11, Division 3 Plat certificates. The Town Planner shall not review an application unless it is complete and complies with the requirements of the UDO. An incomplete application shall be returned to the applicant, with a notation of its deficiencies.	
TOWN OF ARCHERLODGE	
Unified Development Ordinance	
53	
LAST AMENDED	
March 7, 2000/September 6, 2022	

7

2. Town Planner Minor Subdivision Referral

ARTICLE 3. - PROCEDURES

DIVISION 3. - Specific Development Applications.

(b) **Town Planner's action.** When an application for minor subdivision approval is accepted, the Town Planner shall determine if the plat and application conform with all applicable regulations. The Town Planner shall act on an application based solely on the findings as to compliance with applicable regulations. The Planner shall approve, approve subject to conditions, deny, or refer to the major subdivision approval process if they find it to be a major subdivision proposal or if requested by the applicant. ~~If the Town Planner refers this request to a major subdivision review as an amended application, the standard as required in § 30-3304, Major subdivisions.~~ The Town Planner may impose reasonable conditions on their approval to ensure the subdivision complies with the intent and requirements of the UDO.

(c) **Referral as a major subdivision.** In the event the Town Planner determines, following review, that a proposed minor subdivision qualifies as a major subdivision, or that the minor subdivision is being already subject to a prior minor subdivision application approval or is land abutting and under common ownership with land already subject to a prior minor subdivision application, or is requested by the applicant to be reviewed as a major subdivision, the Town Planner shall refer to the major subdivision approval process. ~~If the Town Planner refers the request a minor subdivision application to a major subdivision review, an amended application shall be submitted as required in § 30-3317, Major subdivision.~~

(c)(i). **Actions subsequent to decision.** The Town Planner shall notify the applicant of their decision on the applicant's application for a minor subdivision approval and shall file a copy of the decision in the office of the Town Planner. The Town Planner shall endorse their approval on a minimum of two reproducible Mylar originals of the final plat if they approve an application or approve it with conditions. The applicant shall record each plat with the Johnston County Register of Deeds returning one to the Town Planner and one copy to the Johnston County Department of Environmental Health. Approval of any minor subdivision plat is void if it is not properly recorded within 60 days after the Town Planner's approval. The Town Planner may extend this deadline provided the applicant has demonstrated a good faith effort to comply with the deadline, but for reasons beyond their control, fails to meet the requirements of the Register of Deeds for recordation within that period. Plats shall conform to the drawing specifications and certification requirements of § 30-3310 Final plat, Article 7, Subdivisions, and Article 11, Division 3, Plat certificates.

(d)(i). **Appeal of Decision.** Minor subdivisions not approved by the Town Planner may be appealed to the Board of Adjustment in accordance with § 30-3302 Appeals.

Sec. 30-3314 - Planned development.

(a) **Purpose and Intent.** The purpose for the planned development procedure is to provide a uniform means for amending the Official Zoning Map to establish a planned development (PD) zoning district. The planned development district creates opportunities for master planned development that is developed under unified control in accordance with flexible standards and procedures that are conducive to creating mixed-use, pedestrian-oriented development that makes efficient use of land while protecting natural resources. It is the intent of these standards to allow an applicant to propose a wide variety of allowable uses and the flexible application of some of the development standards in Article 6, Development Standards, in return for a higher quality of development with more amenities than might otherwise result from a strict application of the standards in this Ordinance.

(b) **Applicability.** The standards in this section may be applied to any land of one acre in area or more and under unified control.

(c) **Planned development procedure.**

(1) **Pre-application conference.** Applicable (see § 30-3201, Pre-application conference).

(2) **Application submittal.**

a. Applicable (see § 30-3202 Application filing and acceptance).

b. Planned development applications may not be initiated by anyone other than the landowner(s) of the land subject to the application or a contract purchaser with written approval to submit the application by the landowner(s).

TOWN OF ARCHER LODGE

Unified Development Ordinance

54

LAST AMENDED
March 3, 2022/September 6, 2022

8

3. Accessory Structure Setbacks (AR, SFR-1, SFR-2, SFR-3, R-MHP, RMF)

ARTICLE 4. - ZONING DISTRICTS

DIVISION 2. - Residential zoning districts.

DIVISION 2. - RESIDENTIAL ZONING DISTRICTS.

Sec. 30-4201 - Agricultural-residential district (AR).

(a) **District intent.**
The AR district is established to accommodate agriculture, agriculturally-related uses, and limited forms residential development at low densities in rural portions of the Town's planning jurisdiction. The district is primarily intended to preserve and protect bona fide farms and resource lands for current or future agricultural use as well as to protect the rural character of the area. It is also intended to ensure that residential development maintains appropriate densities consistent with the suitability of land, availability of public services, accessibility to transportation systems, and that are compatible with surrounding development. The district also accommodates "agri-tourism" as well as service and support uses to the rural community, including day care, educational uses, public safety facilities, parks, and utility features.

(b) **Typical development**

(c) **Dimensional standards [1]**

Max. Density (units/acre)	1.0 [2]
Min. Lot Area (sf)	43,560 [3] [4]
Min. Lot Width (ft)	150
Max. % Impervious Surface	30 [5]
Min. Street Setback (ft)	
From Arterial/Collector	70
From Local Outside Subdivision	50
From Local Inside Subdivision	25 [6]
Min. Access Easement Setback (ft)	15
Min. Side Lot Line Setback (ft)	10 [7] [8]
Min. Rear Lot Line Setback (ft)	10 [7]
Min. Perimeter Setback (ft)	25
Min. Building Separation (ft)	10
Min. Accessory Structure Setback (ft)	10 [10]
Min. Open Space Set-Aside (% of total site size)	15 [9] [10]
Max. Building Height	40

NOTES: [1] "ft" = square feet; "ft" = linear feet.
[2] May increase to 1.5 on lots served by a public water system.
[3] Johnston County Public Health may require a larger minimum lot area based on soil conditions.
[4] 29,040 sf for lots served by a public water system.
[5] Development in a water supply watershed protection overlay district shall be subject to the built-upon limits in § 30-4502, Water Supply Watershed Protection Overlay District.
[6] May be reduced to 20 ft in a subdivision served by a public water system.
[7] May be reduced to 5 ft in a subdivision with lots served by a public water system.
[8] One side setback may be reduced to zero if the opposing side setback is double the minimum.
[9] Accessory structures shall maintain the same setbacks from streets and easements as principal uses.
[10] Not applied to the development of an individual single-family detached dwelling on its own lot, a non-residential use, or a development of two acres in area or less.

TOWN OF ARCHER LODGE

Unified Development Ordinance

74

LAST AMENDED
March 3, 2022/September 6, 2022

9

3. Accessory Structure Setbacks (AR, SFR-1, SFR-2, SFR-3, R-MHP, RMF)

ARTICLE 4. - ZONING DISTRICTS

DIVISION 2. - Residential zoning districts.

DIVISION 2. - RESIDENTIAL ZONING DISTRICTS.

Sec. 30-4201 - Agricultural-residential district (AR).

(a) **District intent.**
The AR district is established to accommodate agriculture, agriculturally-related uses, and limited forms residential development at low densities in rural portions of the Town's planning jurisdiction. The district is primarily intended to preserve and protect bona fide farms and resource lands for current or future agricultural use as well as to protect the rural character of the area. It is also intended to ensure that residential development maintains appropriate densities consistent with the suitability of land, availability of public services, accessibility to transportation systems, and that are compatible with surrounding development. The district also accommodates "agri-tourism" as well as service and support uses to the rural community, including day care, educational uses, public safety facilities, parks, and utility features.

(b) **Typical development**

(c) **Dimensional standards [1]**

Max. Density (units/acre)	1.0 [2]
Min. Lot Area (sf)	43,560 [3] [4]
Min. Lot Width (ft)	150
Max. % Impervious Surface	30 [5]
Min. Street Setback (ft)	
From Arterial/Collector	70
From Local Outside Subdivision	50
From Local Inside Subdivision	25 [6]
Min. Access Easement Setback (ft)	15
Min. Side Lot Line Setback (ft)	10 [7] [8]
Min. Rear Lot Line Setback (ft)	10 [7]
Min. Perimeter Setback (ft)	25
Min. Building Separation (ft)	10
Min. Accessory Structure Setback (ft)	10 [10]
Min. Open Space Set-Aside (% of total site size)	15 [9] [10]
Max. Building Height	40

NOTES: [1] "ft" = square feet; "ft" = linear feet.
[2] May increase to 1.5 on lots served by a public water system.
[3] Johnston County Public Health may require a larger minimum lot area based on soil conditions.
[4] 29,040 sf for lots served by a public water system.
[5] Development in a water supply watershed protection overlay district shall be subject to the built-upon limits in § 30-4502, Water Supply Watershed Protection Overlay District.
[6] May be reduced to 20 ft in a subdivision served by a public water system.
[7] May be reduced to 5 ft in a subdivision with lots served by a public water system.
[8] One side setback may be reduced to zero if the opposing side setback is double the minimum.
[9] Accessory structures shall maintain the same setbacks from streets and easements as principal uses.
[10] Not applied to the development of an individual single-family detached dwelling on its own lot, a non-residential use, or a development of two acres in area or less.

TOWN OF ARCHER LODGE

Unified Development Ordinance

74

LAST AMENDED
March 3, 2022/September 6, 2022

6. Perpendicular (90°) parking spaces

ARTICLE 6 - DEVELOPMENT STANDARDS

DIVISION 2 - Off-street parking and loading

d. Shared bicycle parking spaces. Nothing shall limit uses on the same block face from establishing shared or consolidated bicycle parking spaces in central or mid-block locations, provided there are sufficient bicycle parking spaces for all uses sharing the required bicycle parking.

(f) Parking lot configuration.

(1) General.

a. All required off-street parking spaces shall be located on the same lot as the principal use, they serve, except as allowed in §30-6701(g), Alternatives.

b. Required off-street parking shall be maintained for the duration of the principal use and shall not be reduced unless the principal use ceases or changes.

c. Except where allowed by this Article, off-street parking spaces shall be not be located in any required landscaping or stormwater management area.

d. Off-street parking spaces shall not protrude into any street, fire lane, drive aisle, sidewalk, greenway, or pedestrian connection.

(2) Dimensional standards for parking spaces and aisles. Off-street parking spaces and drive aisles serving them shall comply with the minimum dimensional standards established in the table of dimensional standards for off-street parking lots.

TABLE OF DIMENSIONAL STANDARDS FOR OFF-STREET PARKING LOTS				
TYPE OF PARKING SPACE	MINIMUM WIDTH (FEET)	MINIMUM DEPTH (FEET)	MINIMUM AISLE WIDTH (FEET) [1]	
			ONE-WAY TRAFFIC	TWO-WAY TRAFFIC
Parallel (0°)	9	22	12	24
Angled (45°)	10	20	12	24
Perpendicular (90°)	10	20	20	24

NOTES:

[1] Minimum aisle width shall be measured from edge-of-pavement to edge-of-pavement and shall not include gutters or curbing.

(3) Compact parking spaces.

a. Compact car off-street parking spaces with a minimum width of eight and one-half feet and a minimum depth of 16 feet may be provided for up to 50 percent of the minimum parking requirements in the table of minimum off-street parking requirements.

b. In no instance shall the minimum size of a compact parking space be further reduced.

(4) Parking space access.

a. All off-street parking spaces shall be accessed directly from drive aisles or private driveways and not directly from arterial or collector streets.

b. All off-street parking areas shall be designed with an appropriate means of vehicular access to a street or alley in a manner that allows for safe vehicular movements.

(5) Vehicle backing. Vehicular use areas shall be designed so that a vehicle is not required to back onto a street to enter or exit the parking lot, a parking space, or a stacking space.

(6) Surface materials. All off-street parking spaces, accessible parking spaces, drive aisles, and vehicular use areas shall be paved and maintained with concrete, asphalt, or similar material of sufficient thickness and consistency to support anticipated traffic volumes and weights.

TOWN OF ARCHER LODGE
Unified Development Ordinance

205

LAST AMENDED
March 3, 2023September 8, 2022

7. Private roads

ARTICLE 7 - SUBDIVISIONS

DIVISION 3 - Streets and sidewalks.

DIVISION 3. - STREETS AND SIDEWALKS.

The type and arrangement of streets within a development under this Article shall comply with and coordinate with the Town's adopted transportation plan(s), or the decision of the Town Planner. Principal vehicular access points to the subdivision shall be designed to encourage smooth traffic flow and minimize hazard to vehicular traffic, pedestrian and bicycle traffic. Accommodation for controlled turning movements into and out of the subdivision and improvement of the approach street should be considered where existing or anticipated heavy traffic flows indicate need. Safe and convenient vehicular access shall be provided for emergency, service and school bus vehicles.

Sec. 30-7301 - Roads.

The arrangement, character, extent, width, grade, and location of all roads should be designed in relation to existing and proposed transportation patterns, topographical and other natural features, public convenience and safety, and proposed uses of lands to be served by such roads and existing and potential land uses in adjoining areas.

(a) Minimum construction standards. All roads, whether public or private, shall meet the road construction standards as set forth in the latest edition of the NCDOT subdivision roads minimum construction standards for public roads, and shall:

(1) Be dedicated for public use and meet the design and construction standards as required by the NCDOT for the functional classification and projected traffic volumes; or

(2) Be privately owned and maintained while also meeting the design and construction standards as required by the NCDOT for the functional classification and projected traffic volumes.

(3) For all roads not maintained by NCDOT and/or not dedicated for public use, be ensured proper maintenance through the establishment of a homeowners' association or a road maintenance agreement.

(Amended 03-07-22 LTOFA 1-22)

(b) Other road requirements.

(1) Permits for connecting to state roads. An approved permit is required to connect any subdivision street to an existing state road. This permit is required prior to constructing the road. The application is available at the office of the nearest district engineer of the division of highways.

(2) Paving. All roads, whether public or private, shall be paved with asphalt, concrete, NCDOT-approved pavers, or other suitable all-weather surface as determined by the NCDOT. Gravel shall not be permitted as a surface for a new public or private roadway. Extensions of existing gravel roads are permitted provided the total number of lots accessing the road does not increase by more than four from the number of lots accessing the road as of June 7, 2021. If the number of lots accessing an existing gravel roadway is increased by four or more after June 7, 2021, the gravel roadway shall be paved in accordance with these standards.

(Amended 03-07-22 LTOFA 1-22)

(3) Obsets to utility poles. Overhead utility poles shall be break-away or located outside the roadway clear zone.

(4) Wheelchair ramps and curb cuts for disabled persons. All roads, sidewalks, curbing, crosswalks, and other road improvements shall conform to the requirements of § 136-44.14 of the North Carolina General Statutes and the Americans with Disabilities Act.

(5) Mail box kiosks. All mail box kiosks shall meet the USPS Cluster Box Units Concrete Pad Installation - Interim Pad Policy (2/19/2017 or most recent edition) and the NCDOT Policy for Placement of Mail Cluster Box Units (9/1/2015 or most recent edition) and be subject to approval by the North Carolina Department of Transportation.

TOWN OF ARCHER LODGE
Unified Development Ordinance

225

LAST AMENDED
March 3, 2023September 8, 2022

7. Private roads

§30-7301(a) is a clarification, not a new standard

- (a) Minimum construction standards. All roads, whether public or private, shall meet the road construction standards as set forth in the latest edition of the NCDOT subdivision roads minimum construction standards for public roads, and shall:

(1) Be dedicated for public use and meet the design and construction standards as required by the NCDOT for the functional classification and projected traffic volumes; or

(2) Be privately owned and maintained while also meeting the design and construction standards as required by the NCDOT for the functional classification and projected traffic volumes.

(3) For all roads not maintained by NCDOT and/or not dedicated for public use, be ensured proper maintenance through the establishment of a homeowners' association or a road maintenance agreement.

(Amended 03-07-22 LTOFA 1-22)
- This is done to help ensure that the Town or NCDOT can take over ownership of a private street without exorbitant costs of upgrading it to public standards

8. Plat certificates

DIVISION 3. – PLAT CERTIFICATES

(a) Certificates and endorsements on final plat. The certificates and endorsements in the following table, where applicable, must be shown on all final-plats of subdivisions. See Article 11, Division 3 for examples as to the certificates.

REQUIRED CERTIFICATE TABLE

Type of Subdivision	Required Certificate
General	(1), (63), (6), (89), (10), (11)
Minor	(1), (86), (9-10)
Major	As applicable (67), through (2), (42), (13)
Major	(1), (12)

(1) Certificate of Survey and Accuracy:

I, _____, certify that this plat was drawn under my supervision from an actual survey made under my supervision (see description recorded in Book _____, page _____, etc.) (or) that the boundaries not surveyed are clearly indicated as drawn from information found in Book _____, page _____, that the ratio of precision or positional accuracy as calculated is _____, that this plat was prepared in accordance with § 47-32 of the North Carolina General Statutes as amended. Witness my original signature, license number and seal this day of A.D., _____ at _____ Seal or Stamp

Professional Land Surveyor
License Number # _____

(2) Professional Land Surveyor's Certificate:

As defined by an NC law below, I, _____, certify as to the following:

- The survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.
- The survey is in a portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land.
- Any one of the following:
 - That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purposes of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.
 - That the survey is of an existing feature, such as a building or other structure, or natural feature, such as a watercourse.
 - That the survey is a control survey. For the purposes of this subsection a "control survey" is a survey that provides horizontal or vertical position data for support or control of other surveys or for mapping. A control survey, by itself, cannot be used to define or convey rights or ownership.
 - That the survey is of a proposed easement for a public utility as defined in § 62-3.
- The survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption or exception to the definition of subdivision.

d. That the information available to the surveyor is such that the surveyor is unable to determine to the best of the surveyor's professional ability as to provisions contained in a) through (d) above.

TOWN OF ARCHER LODGE
Unified Development Ordinance

336

LAST AMENDED
March 2020 (Ordinance 2019-06)

8. Plat certificates

(3) Certificate of Floodway Information:

Property shown hereon _____ is/ is not located in a FEMA designated flood zone. FEMA Flood Hazard Panel: _____ Effective Date: _____

Professional Land Surveyor _____
License Number # _____

(4) Certificate of Ownership, Maintenance and Dedication:

I hereby certify that I am the owner (or corporate officer) of the property shown and described herein, which is located in the zoning and subdivision jurisdiction of Archer Lodge and that I hereby adopt this subdivision plan with my free consent, establish minimum setback lines, and dedicate all streets, alleys, parks and other sites and easements to the public or private as noted. I understand that I am responsible for maintenance of public property shown hereon until it is accepted by the appropriate government entity.

Date _____ Owner/Officer or Corporation _____

(5) Notice to Homeowners to Connect to Public Utility System Certificate of Wastewater Disposal:

I hereby certify that all info are provisionally accepted for subsurface wastewater disposal systems, except as noted on the plat, subject to issuance of improvement permits by the Johnston County Health Department and to the North Carolina Administrative Code.

OR

On _____ (date), I(s) _____, were found to be unsuitable for installation of a subsurface wastewater disposal system, in accordance with North Carolina Administrative Code.

OR

I(s) _____ has an existing sewage disposal system that complies with all applicable requirements of the Johnston County Code of Ordinances.

Homeowner is required to connect to public sewer and/or sewer, where available, before a Certificate of Occupancy is issued for the principle structure and/or any structure served by water and/or sewer.

THIS DAY OF _____ 20____
COUNTY OF JOHNSON

By: _____

Designated Johnston County Official _____

TOWN OF ARCHER LODGE
Unified Development Ordinance

337

LAST AMENDED
March 2, 2005 (Chapter 22-6, 2022)

Next Steps...

- 
1. Planning Board recommendation to approve (most, but not all) 7/20/22
 2. Public Hearing with Town Council 8/1/22
 3. Adoption of Consistency Statement Findings and Amendments
 4. Accept Redlines, Add Editor's Notes, and Update Footer
 5. Post new UDO



Points of Discussion throughout presentation:

- A major subdivision includes more than four lots, or extension of a roadway, or extension of water/sewer.
- A minor subdivision is less than four or fewer lots, no roadway, no water extension.
- Existing homes prior to proposed amendments are not included, if approved, new development triggers the requirements.
- It is clarified in the proposed amendment that shared driveways are the responsibility of the landowners and not the Town.

3. Mayor Mulhollem asked if there were any **Public Comments**.

There were no public comments.

4. Mayor Mulhollem called for a motion to **Close the Public Hearing**.

Mayor Mulhollem read aloud the items being excluded and items being included in the vote.

5. Mayor Mulhollem opened the floor to the **Governing Body Discussion** session.

Consistency Statement

Mayor Mulhollem opened the floor for discussion.

Council Member Jackson asked for a Planning Board Member in attendance to share their perspective.

- Planning Board Member Barnes shared his concerns with the proposed amendment regarding shared driveways and how it would affect an existing mile long dirt path that has more than three (3) dwellings/lots where landowners have access easements. He further shared that he was concerned with the possibility of having to add a paved road if someone was to rebuild or add another home on the mile long dirt path.
- Mr. Meadows explained that the existing landowners and lots that utilize a shared driveway with more than three (3) lots would not have to meet the requirements for a paved road/private street unless the land was re-subdivided or a change in boundaries, then it would require the dirt path to be changed and upgraded to a paved road/private street.
- Alternatively a person can seek a variance, which is another option, Mr. Meadows explained.

Discussion followed with more scenarios and Council Member Jackson shared that he wasn't ready to vote on this at this time.

Mr. Meadow explained that there were options that the Council could consider:

- Determine a rational number of lots and three (3) is what we chose because it mirrors the state. If there are more than three, then it triggers the upgrade requirement.
- The council can choose three, five, or seven lots or come up with something different.
- Have each member discuss what they prefer.
- The proposed amendments can be approved individually and
- Articles 6, Division 1 and Article 7, Division 3 can be discussed preferably at a work session.
- Currently there is not a provision regarding a shared driveway.

A majority of the board members wish to table voting on Article 6. - Development Standards, Division 1, and Article 7. – Subdivisions, Division 3 for further discussion. They decided to vote on the remaining amendments. Ms. Maybee stressed that these issues need to be addressed due to site plans received.

Mayor Mulhollem summarized the motion to consider as follows:

Text Amendments - Code of Ordinances, Town of Archer Lodge, NC,

Chapter 30 - referenced as Unified Development Ordinance (UDO) Text Amendment# UDO-TA-3-22:

- **(Include)** Article 4. – Zoning Districts, Division 2. – Residential Zoning Districts: Sec. 30 – 4201. – Agricultural Residential District (AR), Sec. 30-4202. – Single Family Residential District (SFR-1), Sec. 30-4203. - Single Family Residential District (SFR-2), Sec. 30-4204. - Single Family Residential (SFR-3); Sec. 30-4205. – Residential – Manufactured Home Park District (R-MHP), and Sec. 30-4206. – Residential Multi-Family District (RMF) to clarify that accessory structures must maintain the same setback from streets and easements as principal uses.
- **(Exclude)** Article 6. – Development Standards, Division 1. – Access and Circulation, Sec. 30-6101. – Site Access and On-Site Circulation: allowing a shared driveway to serve a maximum of three lots; driveway serving four or more lots to be configured as a private street meeting applicable standards in Section 30-7301 – Roads; site distance triangle standards, spacing provisions for driveways, and driveway surfacing standards for new commercial, institutional, or industrial uses.
- **(Exclude)** Article 7. – Subdivisions, Division 3. – Street and Sidewalks, Sec. 30-7301 – Roads, further clarifying minimum construction/maintenance standards for privately owned roads.
- **(Include)** Article 3. – Procedures, Division 3.- Specific Development Applications: Sec. 30 – 3312. – Major Subdivision and Section 30 – 3313. – Minor Subdivision pertaining to approval process/requirements.
- **(Include)** Article 10. – Measurement and Definitions, Division 3. – Definitions – to further clarify the definitions of Major/Minor Subdivision, and public utility extension.
- **(Include)** Article 3. – Procedures, Division 3.- Specific Development Applications, Sec. 3310. – Final Plat to clarify and relocate Plat Certificate requirements to Article 11. - Appendix, Division 3. - Plat Certificates.
- **(Include)** Article 11. - Appendix, Division 3, Plat Certificates, to include Certificate of Wastewater Disposal and remove notice to Homeowners to Connect to Public Utility System Certificate and remove Register of Deeds Certificate.
- **(Include)** Article 6. – Development Standards, Division 7. – Off-Street Parking and Loading, Sec. 30- 6701. - Off Street Parking and Loading, reducing width of a perpendicular parking space to nine (9) feet.

With no further discussion, Mayor Mulhollem called for a motion to adopt the Consistency Statement excluding Article 6. - Development Standards, Division 1. - Access and Circulation, Sec. 30-6101. - Site Access and On-Site Circulation, and Article 7 - Subdivisions, Division 3. - Street and Sidewalks, Sec. 30-7301 - Roads, further clarifying minimum construction/maintenance standards for privately owned roads.

The Adopted Archer Lodge Town Council Consistency Statement as Amended appears as follows:

The Town Council finds that the proposed amendments to Chapter 30 referenced as Unified Development Ordinance (UDO)Text Amendment# UDO-TA-3-22, and summarized below are in accordance with state law are reasonable and in the public interest:

- Article 4. – Zoning Districts, Division 2. – Residential Zoning Districts: Sec. 30 – 4201. – Agricultural Residential District (AR), Sec. 30-4202. – Single Family Residential District (SFR-1), Sec. 30-4203. – Single Family Residential District (SFR-2), Sec. 30-4204. – Single Family Residential (SFR-3); Sec. 30-4205. – Residential – Manufactured Home Park District (R-MHP), and Sec. 30-4206. – Residential Multi-Family District (RMF) to clarify that accessory structures must maintain the same setback from streets and easements as principal uses.
- ~~○ Article 6. – Development Standards, Division 1. – Access and Circulation, Sec. 30-6101. – Site Access and On Site Circulation, allowing a shared driveway to serve a maximum of three lots; driveway serving four or more lots to be configured as a private street meeting applicable standards in Section 30-7301 – Roads; site distance triangle standards, spacing provisions for driveways, and driveway surfacing standards for new commercial, institutional, or industrial uses.~~
- ~~○ Article 7. – Subdivisions, Division 3. – Street and Sidewalks, Sec. 30-7301 – Roads, further clarifying minimum construction/maintenance standards for privately owned roads.~~
- Article 3. – Procedures, Division 3.- Specific Development Applications: Sec. 30 – 3312. – Major Subdivision and Section 30 – 3313. – Minor Subdivision pertaining to approval process/requirements.
- Article 10. – Measurement and Definitions, Division 3. – Definitions – to further clarify the definitions of Major/ Minor Subdivision, and public utility extension.
- Article 3. – Procedures, Division 3.- Specific Development Applications, Sec. 3310. – Final Plat to clarify and relocate Plat Certificate requirements to Article 11. - Appendix, Division 3. - Plat Certificates.
- Article 11. - Appendix, Division 3, Plat Certificates, to include Certificate of Wastewater Disposal and remove notice to Homeowners to Connect to Public Utility System Certificate and remove Register of Deeds Certificate.
- Article 6. – Development Standards, Division 7. – Off-Street Parking and Loading, Sec. 30- 6701. - Off Street Parking and Loading, reducing width of a perpendicular parking space to nine (9) feet.

The proposed revisions clarify/streamline ordinance provisions, facilities environmental protection, plans for future development and addresses changes in state law. Furthermore, the proposed amendments are consistent with the Town of Archer Lodge 2030 Comprehensive Land Use Plan, aka "Comprehensive Plan", vision and mission statements and other adopted Town plans having bearing on the matter.

Ordinance# AL2022-08-1

Having much discussion to exclude Article 6. - Development Standards, Division 1. - Access and Circulation, Sec. 30-6101; and Article 7. - Subdivisions, Division 3. - Street and Sidewalks, Sec. 30-7301., Mayor Mulhollem called for a motion to Adopt Ordinance# AL2022-08-2 (aka: UDO-TA-3-22) with those exclusions.

After receiving a motion and second, Mayor Mulhollem once more asked if there were any additional discussion and Council Member Wilson asked Ms. Maybee to provide more clarity. She shared that she has had requests for shared driveways and as the ordinances read now, the location in question would become a major subdivision. There are so many scenarios to consider. Discussion followed.

The Adopted Ordinance# AL2022-08-2 (aka: UDO-TA-3-22) as amended appears as follows:

ORDINANCE# AL2022-08-2
UNIFIED DEVELOPMENT ORDINANCE TEXT AMENDMENT# UDO-TA-3-22

AN ORDINANCE AMENDING THE CODE OF ORDINANCES,
TOWN OF ARCHER LODGE, NORTH CAROLINA,
CHAPTER 30 - UNIFIED DEVELOPMENT ORDINANCE:

ARTICLE 3. – PROCEDURES, DIVISION 3;
ARTICLE 4. – ZONING DISTRICTS, DIVISION 2;
ARTICLE 6. – DEVELOPMENT STANDARDS, DIVISION 7;
ARTICLE 10. – MEASUREMENT AND DEFINITIONS, DIVISION 3; AND
ARTICLE 11. – APPENDIX, DIVISION 3

Section 1. Pursuant to authority granted by N.C. Gen. Stat. § 143 - 214.5, 160A - 174, 160D - 801, and 160D - 702, the Town of Archer Lodge hereby amends the Code of Ordinances, Town of Archer Lodge, North Carolina, Chapter 30 – Unified Development Ordinance, as follows, attached hereto, and incorporated herein by reference:

Article 3. – Procedures, Division 3;
Article 4. – Zoning Districts, Division 2;
Article 6. – Development Standards, Division 7;
Article 10. – Measurement and Definitions, Division 3; and
Article 11. – Appendix, Division 3

Section 2. The amendments to Chapter 30 - Unified Development Ordinance, attached hereto and incorporated herein by reference, shall become effective on August 1, 2022.

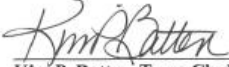
DULY ADOPTED, THIS THE 1ST DAY OF AUGUST 2022.

TOWN OF ARCHER LODGE:

(SEAL)


Matthew B. Mulhollem, Mayor

ATTEST:


Kim P. Batten, Town Clerk



AUGUST 1, 2022

REGULAR COUNCIL MEETING

Page 28 of 51

Town of
ARCHER LODGE

UNIFIED DEVELOPMENT ORDINANCE

Effective Date: June 7, 2021

Amended: ~~March 7, 2022~~ August 1, 2022



ORDINANCE AMENDMENTS

TABLE OF UDO AMENDMENTS		
ORDINANCE NUMBER	ADOPTION DATE	DESCRIPTION
UDO-TA-1-21	11-15-21	- Clarification of Review Authority roles, - Updates to the Water-Supply Watershed Overlay Districts standards - Update to manufactured home park standards for masonry skirting in accordance with State law - Revisions to Electronic Gaming Operation use standards
UDO-TA-1-22	03-07-22	- Bona fide farm exemptions - Electronic plat signatures - Subdivision requirements table (new Division 6 of Appendix) - Simple and super majority voting calculations
<u>UDO-TA-2-22</u>	<u>08-01-22</u>	<u>- Removal of Planning Board review of Special Use Permits</u>
<u>UDO-TA-3-22</u>	<u>08-01-22</u>	<u>- Lot access/driveway standards</u> <u>- Limitations on successive minor subdivisions</u> <u>- Updates to plat certifications</u> <u>- Public utility extension clarity</u> <u>- Accessory structure setbacks</u> <u>- Parking space width revisions</u>

NOTE: At the time this text amendment is prepared, the prior text amendment (UDO-TA-2-22) is still pending. As a result, redlines on the following pages are shown in the draft text of the UDO, but are NOT part of this amendment:

Pages 22, 24, 27, 28, 59, 60, 61, 272, 307.

The changes on these pages will be accepted if UDO-TA-2-22 is adopted the Town Council, and an updated UDO will be published at that time. That version of the adopted UDO will NOT include the proposed changes suggested in UDO-TA-3-22 (this proposed text amendment).

ARTICLE 3.- PROCEDURES
DIVISION 3. - Specific Development Applications.

- (2) *Data relating to the subdivision.* Lines and names of streets; lines of all lots, easements, areas devoted to common use, with notes stating clearly their proposed use, required landscape buffers, any limitations and the person or entity responsible for continued maintenance; corporate and/or other boundaries; lots numbered consecutively through the subdivision; building lines; metes and bounds survey information sufficient to determine readily on the ground the location of every street, lot line, boundary line, block line, easements line, and building line; the radius central angle, and tangent distance for both street lines of curved streets, the locations and types of all permanent monuments; the names of subdivisions, subdivision entrance sign easement, and streets adjoining the platted subdivision; if applicable, the location of mail kiosk; and designation of all streets and easements within the subdivision as public or private.
- (3) *State statute.* All data shown on the final plat shall be consistent with the provisions set out in §47-30 of the North Carolina General Statutes.
- (4) *Easements.* All easements and their function shall be shown on the final plat. Drainage easements shall comply with Johnston County's Storm Water Management Ordinance, Johnston County Stormwater Design Manual, and NCDOT Subdivision Road Standards.
- (5) *Floodway data.* The boundaries of both the floodway and 100-year floodplain zone, as shown on the map entitled "Flood Boundary and Floodway Map," shall be shown. The FIRM panel and its adoption date shall be shown.
- (6) *Future streets.* All streets intended for future extension either within or beyond the boundaries of the subdivision shall clearly be indicated on the plat, by the words "Reserved for Future Public Access."
- (7) *Subdivision road disclosure statement.* The subdivision road disclosure statement shall be shown on the final plat. All roads shown on the final plat shall be designated in accordance with §138-102.6 of the North Carolina General Statutes and designation as a public road shall be conclusively presumed an offer of dedication to the public. Where roads are dedicated to the public but not accepted into a municipal or the state system, before lots are sold, a statement explaining the status of the road shall be noted on the final plat.
- (8) *Plat certificates.* As required by Article 11, Division 3, Plat certificates.
- ~~(9) *Certificates and endorsements on final plat.* The certificates and endorsements in the following table, where applicable, must be shown on all final plats of subdivisions. See Article 11, Division 3 for examples of the certificates.~~

REQUIRED CERTIFICATE TABLE	
Index Subdivision	Reference Numbers
Example	(4), (5), (9), (10), (11)
None	(4), (9), (10), (11) As applicable (8) through (9), (12), (13)
Major	(4), (12)

- (g) *Distribution of recorded plat and recorded covenants.* When approved by the Town Planner, they shall endorse his/her approval on a minimum of two reproducible Mylar originals of the final plat. The Town Planner may or approve a final plat with conditions. The applicant shall record such plats with the Johnston County Register of Deeds returning one to the Town Planner, along with a recorded copy of the required covenants in 30 days. The applicant shall provide a copy of the recorded plat to the Johnston County Department of Environmental Health and the Department of Public Utilities.

Sec. 30-3311 - Floodplain development permit.

See Town Code of Ordinances Chapter 14, Flood Damage Prevention.

ARTICLE 3. - PROCEDURES
DIVISION 3. - Specific Development Applications.

Sec. 30-3312 - Major subdivision.

- (a) *Preliminary plat approval.* All major subdivisions, whether configured in accordance with the definition of a major subdivision in § 30-10301 Definitions, or referred by the Town Planner, must have a preliminary plat approved by the Planning Board prior to any construction or final plat approval.
- (b) *Preliminary conference.* Optional (See § 30-3201, Pre-application conference).
- (c) *Application submittal requirements.* Applications for major preliminary plat approval shall be filed with the Town Planner. The Town Planner shall not accept an application unless it complies with all UDO requirements, including written confirmation that the applicant is the owner or agent having a valid ownership interest, or a valid enforceable contract or option for an ownership interest in the property involved. An incomplete application shall be returned to the applicant, with a notation of its deficiencies.
- (d) *Town Planner's Report.* The Town Planner shall forward to the planning board an analysis of an application for major preliminary plat approval with his/her recommendation.
- (e) *Planning Board review and action.*
 - (1) After receiving the Town Planner's report on an application for major subdivision preliminary plat approval, the Planning Board shall consider the application at its next regularly scheduled meeting. No formal public hearing will be held. The Planning Board may hear comments and questions. The Planning Board may place reasonable and fair limitations on comments, arguments, and questions to avoid undue delay. The applicant shall bear the burden of establishing that they are entitled to approval of the application.
 - (2) The Planning Board shall act on an application for major subdivision preliminary plat approval after reviewing the application, the Town Planner's report, and public comment on the application. It shall base its action on its findings as to conformity with all applicable requirements of this Article. Its action shall be one of the following: approval, approval subject to conditions, tabled to address deficiencies identified by the Planning Board, or denial. The Planning Board may impose reasonable conditions on its approval to ensure compliance with the UDO.
 - (3) The Town Planner shall notify the applicant in writing of the planning board's decision and shall file a copy of the decisions.
- (f) *Expiration of preliminary plat approval.* Preliminary plat approval, or re-approval, for a major or commercial subdivision shall be effective for three years from the date of approval with no extension allowed by the Town Planner or a designee. An extension may be requested of the Planning Board for an additional three-year period. Otherwise the vesting provisions in Article 1, Division 3 shall apply.
- (g) *Appeal of decision.* The Planning Board's decision on an application for a preliminary plat approval for a major subdivision may be appealed to the Johnston County Superior Court within 30 days from receipt of written notice of the decision.

Sec. 30-3313 - Minor subdivision.

- (a) *Application submittal requirements.* Applications for minor subdivision approval, along with any required fees, shall be filed with the Town Planner. The Town Planner shall prescribe the form of applications, as well as any other material that may reasonably be required to determine compliance with this division. Minor subdivision plats shall comply with the definition of a minor subdivision in § 30-10301 Definitions, the mapping requirements of § 30-3310 Final plat, Article 7, Subdivisions, and Article 11, Division 3 Plat certificates. The Town Planner shall not review an application unless it is complete and complies with the requirements of the UDO. An incomplete application shall be returned to the applicant, with a notation of its deficiencies.

ARTICLE 3.- PROCEDURES
DIVISION 3. - Specific Development Applications.

(b) *Town Planner's action.* When an application for minor subdivision approval is accepted, the Town Planner shall determine if the plat and application conform with all applicable regulations. The Town Planner shall act on an application based solely on the findings as to compliance with applicable regulations. The Planner shall approve, approve subject to conditions, deny, or refer ~~to the major subdivision approval process if they find it to be a major subdivision proposal or if requested by the applicant the application.~~ the application. ~~if the Town Planner refers the request to a major subdivision review, an amended application shall be submitted as required in § 30-3312. Major subdivision.~~ The Town Planner may impose reasonable conditions on their approval to ensure the subdivision complies with the intent and requirements of the UDO.

(c) *Referral as a major subdivision.* In the event the Town Planner determines, following review, that a proposed minor subdivision qualifies as a major subdivision, or that the minor subdivision is land already subject to a prior minor subdivision application approval, or is land abutting and under common ownership with land already subject to a prior minor subdivision application, or is requested by the applicant to be reviewed as a major subdivision, the Town Planner shall refer to the major subdivision approval process. ~~If the Town Planner refers the request to a major subdivision review, an amended application shall be submitted as required in § 30-3312. Major subdivision.~~

(c)(d) *Actions subsequent to decision.* The Town Planner shall notify the applicant of their decision on the applicant's application for a minor subdivision approval and shall file a copy of the decision in the office of the Town Planner. The Town Planner shall endorse their approval on a minimum of two reproducible Mylar originals of the final plat if they approve an application or approve it with conditions. The applicant shall record such plats with the Johnston County Register of Deeds returning one to the Town Planner and one copy to the Johnston County Department of Environmental Health. Approval of any minor subdivision plat is void if it is not properly recorded within 60 days after the Town Planner's approval. The Town Planner may extend this deadline provided the applicant has demonstrated a good faith effort to comply with the deadline, but for reasons beyond their control, fails to meet the requirements of the Register of Deeds for recordation within that period. Plats shall conform to the drawing specifications and certification requirements of § 30-3310 Final plat, Article 7, Subdivisions, and Article 11, Division 3, Plat certificates.

(d)(e) *Appeal of Decision.* Minor subdivisions not approved by the Town Planner may be appealed to the Board of Adjustment in accordance with § 30-3302 Appeals.

Sec. 30-3314 - Planned development.

(a) *Purpose and Intent.* The purpose for the planned development procedure is to provide a uniform means for amending the Official Zoning Map to establish a planned development (PD) zoning district. The planned development district creates opportunities for master planned development that is developed under unified control in accordance with flexible standards and procedures that are conducive to creating mixed-use, pedestrian-oriented development that makes efficient use of land while protecting natural resources. It is the intent of these standards to allow an applicant to propose a wide variety of allowable uses and the flexible application of some of the development standards in Article 6, Development Standards, in return for a higher quality of development with more amenities than might otherwise result from a strict application of the standards in this Ordinance.

(b) *Applicability.* The standards in this section may be applied to any land of one acre in area or more and under unified control.

(c) *Planned development procedure.*

(1) *Pre-application conference.* Applicable (see § 30-3201, Pre-application conference).

(2) *Application submittal.*

a. Applicable (see § 30-3202 Application filing and acceptance).

b. Planned development applications may not be initiated by anyone other than the landowner(s) of the land subject to the application or a contract purchaser with written approval to submit the application by the landowner(s).

ARTICLE 4. - ZONING DISTRICTS
DIVISION 2. - Residential zoning districts.

DIVISION 2. - RESIDENTIAL ZONING DISTRICTS.

Sec. 30-4201 - Agricultural-residential district (AR).

(a) District intent		(b) Typical development
The AR district is established to accommodate agriculture, agriculturally-related uses, and limited forms residential development at low densities in rural portions of the Town's planning jurisdiction. The district is primarily intended to preserve and protect bona fide farms and resource lands for current or future agricultural use as well as to protect the rural character of the area. It is also intended to ensure that residential development maintains appropriate densities consistent with the suitability of land, availability of public services, accessibility to transportation systems, and that are compatible with surrounding development. The district also accommodates "agri-tourism" as well as service and support uses to the rural community, including day care, educational uses, public safety facilities, parks, and utility features.		
(c) Dimensional standards [1]		
Max. Density (units/ac)	1.0 [2]	
Min. Lot Area (sf)	43,560 [3] [4]	
Min. Lot Width (lf)	150	
Max. % Impervious Surface	30 [5]	
Min. Street Setback (lf)		
From Arterial/Collector	70	
From Local Outside Subdivision	50	
From Local Inside Subdivision	25 [6]	
Min. Access Easement Setback (lf)	15	
Min. Side Lot Line Setback (lf)	10 [7] [8]	
Min. Rear Lot Line Setback (lf)	10 [7]	
Min. Perimeter Setback (lf)	25	
Min. Building Separation (lf)	10	
Min. Accessory Structure Setback (lf)	10 [9]	
Min. Open Space Set-Aside (% of total site size)	15 [9] [10]	
Max. Building Height	40	
NOTES: [1] "sf" = square feet; "lf" = linear feet. [2] May increase to 1.5 on lots served by a public water system. [3] Johnston County Public Health may require a larger minimum lot area based on soil conditions. [4] 29,040 sf for lots served by a public water system. [5] Development in a water supply watershed protection overlay district shall be subject to the built-upon limits in § 30-4502, Water Supply Watershed Protection Overlay District. [6] May be reduced to 20 in a subdivision served by a public water system. [7] May be reduced to 5 in a subdivision with lots served by a public water system. [8] One side setback may be reduced to zero if the opposing side setback is double the minimum. [9] Accessory structures shall maintain the same setbacks from streets and easements as principal uses. [10] Not applied to the development of an individual single-family detached dwelling on its own lot, a non-residential use, or a development of two acres in area or less.		

ARTICLE 4. - ZONING DISTRICTS
DIVISION 2. - Residential zoning districts.

Sec. 30-4202 - Single-family residential district (SFR-1).

(a) District intent		(b) Typical development
The Single-Family Residential 1 (SFR-1) district is established to accommodate low density residential neighborhoods and supporting uses throughout the Town's planning jurisdiction in rural locations. The district is intended to accommodate residential development in ways that will not interfere with agricultural activity or negatively impact the surrounding rural character. The district accommodates single-family detached homes and associated accessory uses. It also allows supporting uses like public safety facilities, and utilities. District regulations discourage uses that interfere with the development of residential dwellings or that are detrimental to the low density residential nature of the district.		
(c) Dimensional standards [1]		
Max. Density (units/ac)	1.0 [2]	
Min. Lot Area (sf)	43,560 [3] [4]	
Min. Lot Width (lf)	150	
Max. % Impervious Surface	35 [5]	
Min. Street Setback (lf)		
From Arterial/Collector	70	
From Local Outside Subdivision	50	
From Local Inside Subdivision	25 [6]	
Min. Access Easement Setback (lf)	15	
Min. Side Lot Line Setback (lf)	10 [7] [8]	
Min. Rear Lot Line Setback (lf)	10 [7]	
Min. Perimeter Setback (lf)	25	
Min. Building Separation (lf)	10	
Min. Accessory Structure Setback (lf)	10 [9]	
Min. Open Space Set-Aside (% of total site size)	15 [10]	
Max. Building Height	40	
NOTES:		
[1] "sf" = square feet; "lf" = linear feet.		
[2] May increase to 1.5 on lots served by a public water system.		
[3] Johnston County Public Health may require a larger minimum lot area based on soil conditions.		
[4] 29,040 sf for lots served by a public water system.		
[5] Development in a water supply watershed protection overlay district shall be subject to the built-upon limits in § 30-4502, Water Supply Watershed Protection Overlay District.		
[6] May be reduced to 20 in a subdivision served by a public water system.		
[7] May be reduced to 5 in a subdivision with lots served by a public water system.		
[8] One side setback may be reduced to zero if the opposing side setback is double the minimum.		
[9] Accessory structures shall maintain the same setbacks from streets and easements as principal uses.		
[10] Not applied to the development of an individual single-family detached dwelling on its own lot, a non-residential use, or a development of two acres in area or less.		

ARTICLE 4. - ZONING DISTRICTS
DIVISION 2. - Residential zoning districts.

Sec. 30-4203 - Single-family residential district (SFR-2).

<

Sec. 30-4204 - Single-family residential district (SFR-3).

(a) District intent		(b) Typical development
The Single-Family Residential 3 (SFR-3) district is established to accommodate a wide range of residential dwelling types at moderate densities. Development patterns consist primarily of residential neighborhoods and supporting uses located suburban and urban contexts throughout the Town's planning jurisdiction. The district accommodates single-family detached homes and associated accessory uses as well as manufactured homes and duplex dwellings. It also allows supporting uses like public safety facilities, parks, educational uses, and utilities. District regulations discourage uses that interfere with the development of residential neighborhoods or that are detrimental to the district's neighborhood character.		
(c) Dimensional standards [1]		
Max. Density (units/ac)	1.75 [2]	
Min. Lot Area (sf)	24,800 [3] [4] [5]	
Min. Lot Width (lf)	125	
Max. % Impervious Surface	45 [6]	
Min. Street Setback (lf)		
From Arterial/Collector	70	
From Local Outside Subdivision	50	
From Local Inside Subdivision	25 [7]	
Min. Access Easement Setback (lf)	15	
Min. Side Lot Line Setback (lf)	10 [8] [9]	
Min. Rear Lot Line Setback (lf)	10 [8]	
Min. Perimeter Setback (lf)	20	
Min. Building Separation (lf)	10	
Min. Accessory Structure Setback (lf)	10 [10]	
Min. Open Space Set-Aside (% of total site size)	15 [10] [11]	
Max. Building Height	40	
NOTES: [1] "sf" = square feet; "lf" = linear feet. [2] May increase to 2.0 on lots served by a public water system. [3] Johnston County Public Health may require a larger minimum lot area based on soil conditions. [4] 21,780 sf for lots served by a public water system. [5] Duplexes may only be established on lots of 43,560 sf or larger. [6] Development in a water supply watershed protection overlay district shall be subject to the built-upon limits in § 30-4502, Water Supply Watershed Protection Overlay District. [7] [May be reduced to 20 in a subdivision served by a public water system. [8] May be reduced to 5 in a subdivision with lots served by a public water system. [9] One side setback may be reduced to zero if the opposing side setback is double the minimum. [10] <u>Accessory structures shall maintain the same setbacks from streets and easements as principal uses.</u> [11] <u>Not applied to the development of an individual single-family detached dwelling on its own lot, a non-residential use, or a development of two acres in area or less.</u>		

ARTICLE 4. - ZONING DISTRICTS
DIVISION 2. - Residential zoning districts.

Sec. 30-4205 - Residential-manufactured home park district (R-MHP).

(a) District intent	(b) Typical development
The Residential Manufactured Home Park (R-MHP) district is established as a means of providing reasonable opportunities for the placement of manufactured dwellings in the Town's planning jurisdiction. The district provides attainable housing opportunities for low and moderate-income residents while at the same time establishing minimum design requirements for manufactured home parks to ensure a minimum level of quality and safety. The standards are intended to protect property values and preserve the character and integrity of individual neighborhoods within the community. In addition to manufactured homes, the district also allows single-family detached residential development and a very limited range of supporting institutional uses. Manufactured home parks shall be served by a public water supply system or community well. As well as a public wastewater system or by individual septic systems.	
(c) Dimensional standards [1]	
Max. Density (units/ac)	3.0 [2]
Min. Lot Area (sf)	14,520 [3] [4]
Min. Lot Width (lf)	150 [5]
Max. % Impervious Surface	50 [5] [6]
Min. Street Setback (lf)	
From Arterial/Collector	60
From Local Outside Subdivision	50
From Local Inside Subdivision	20
Min. Access Easement Setback (lf)	15
Min. Side Lot Line Setback (lf)	10
Min. Rear Lot Line Setback (lf)	10
Min. Building Separation (lf)	20 [7]
Min. Accessory Structure Setback (lf)	10 [8]
Min. Open Space Set-Aside (% of total site size)	15 [9]
Max. Building Height	40
NOTES:[1] "sf" = square feet; "lf" = linear feet. [2] May increase to 4.0 on lots served by a public sewer system. [3] Johnston County Public Health may require a larger minimum lot area based on soil conditions. [4] 10,890 sf for lots served by a public sewer system. [5] Applied to the entire site size for manufactured home parks. [6] Development in a water supply watershed protection overlay district shall be subject to the built-upon limits in § 30-4502, Water Supply Watershed Protection Overlay District. [7] Applied to dwellings located on manufactured home spaces rather than on individual lots. [8] <u>Accessory structures shall maintain the same setbacks from streets and easements as principal uses.</u> [9] <u>Not applied to the development of an individual manufactured home on its own lot or a development of two acres in area or less.</u>	
	

ARTICLE 4 - ZONING DISTRICTS
DIVISION 2 - Residential zoning districts.

Sec. 30-4206 - Residential multi-family district (RMF).

(a) District intent

The Residential Multi-Family (RMF) district is established to accommodate a wide range of residential and institutional use types at medium densities. The district allows a wide range of housing types, including single-family detached homes, duplexes, townhouses, and multi-family development (apartments), but manufactured housing is not permitted. The district also allows a wide variety of institutional uses, including community centers, day care, schools, assisted living, churches, parks, and utilities. Lots served by public sewer may have reduced minimum lot sizes. District regulations are intended to support the Town's investment in infrastructure by encouraging the development of compact, vibrant neighborhoods with a variety of house sizes and types that are located in close proximity to complementary institutional uses. Multi-family development is typically denser than its immediate surroundings, and can also serve as an effective transition between single-family detached development and adjacent commercial or employment uses. Buildings in the RMF district tend to have shared site access, shared building access, common site features (like recreation space) owned in common, and centralized service functions.

(b) Typical development



(c) Dimensional standards [1]

Requirement	SF Detached	Duplex	Townhouse	Multi-Family	All Other Uses
Max. Density (units/ac)	3.0 [2]	2.0 [2]	4.0 [3]	5.0 [4]	N/A
Min. Lot Area (sf) [5]	14,520 [6]	43,560 [7]	87,120 [8]	130,680 [8]	43,560
Min. Lot Width (lf)	125	150	175 [9]	200 [9]	150
Max. % Impervious Surface [10]	50	50	55 [9]	60 [9]	40
Min. Street Setback (lf)					
From Arterial/Collector	70	70	70	70	70
From Local Outside Subdivision	50	50	50	50	50
From Local Inside Subdivision	25 [11]	25 [11]	25 [11]	25 [11]	25 [11]
Min. Access Easement Setback (lf)	15	15	N/A	N/A	N/A
Min. Side Lot Line Setback (lf)	10 [12]	10 [12]	20	20	10
Min. Rear Lot Line Setback (lf)	10 [12]	10 [12]	20	20	10
Min. Perimeter Setback (lf)	N/A	N/A	20	20	20
Min. Building Separation (lf)	10	10	20	20	20
Min. Accessory Structure Setback (lf) [13]	10	10	10	10	10
Min. Open Space Set-Aside (% of total site size) [4+14]	15	15	20	20	N/A
Max. Building Height	40	40	40	40	40

ARTICLE 4. - ZONING DISTRICTS
DIVISION 2. - Residential zoning districts.

RMF District Dimensional standards continued [1]

NOTES (for RMF district dimensional requirements):

[1] "sf" = square feet; "lf" = linear feet.

[2] May increase to 3.0 on lots served by a public sewer system.

[3] May increase to 5.0 for developments served by a public sewer system.

[4] May increase to 6.0 for developments served by a public sewer system.

[5] Johnston County Environmental Health may require a larger minimum lot area based on soil conditions.

[6] 10,890 sf for lots served by a public sewer system.

[7] 21,780 sf per dwelling unit.

[8] Minimum development size.

[9] Applied to entire development site, not individual lots.

[10] Development in a water supply watershed protection overlay district shall be subject to the built-upon limits in § 30-4502, Water Supply Watershed Protection Overlay District.

[11] May be reduced to 20 in a subdivision served by a public water system.

[12] May be reduced to 5 in a subdivision with lots served by a public water system.

[13] Accessory structures shall maintain the same setbacks from streets and easements as principal uses.

[14] Not applied to the development of an individual single-family detached dwelling on its own lot, a non-residential use, or a development of two acres in area or less.

ARTICLE 6. - DEVELOPMENT STANDARDS
DIVISION 7. - Off-street parking and loading

d. *Shared bicycle parking spaces.* Nothing shall limit uses on the same block face from establishing shared or consolidated bicycle parking spaces in central or mid-block locations, provided there are sufficient bicycle parking spaces for all uses sharing the required bicycle parking.

(f) *Parking lot configuration.*

(1) *General.*

- a. All required off-street parking spaces shall be located on the same lot as the principal use, they serve, except as allowed in §30-6701(g), Alternatives.
- b. Required off-street parking shall be maintained for the duration of the principal use and shall not be reduced unless the principal use ceases or changes.
- c. Except where allowed by this Article, off-street parking spaces shall be not be located in any required landscaping or stormwater management area.
- d. Off-street parking spaces shall not protrude into any street, fire lane, drive aisle, sidewalk, greenway, or pedestrian connection.

(2) *Dimensional standards for parking spaces and aisles.* Off-street parking spaces and drive aisles serving them shall comply with the minimum dimensional standards established in the table of dimensional standards for off-street parking lots.

TABLE OF DIMENSIONAL STANDARDS FOR OFF-STREET PARKING LOTS				
TYPE OF PARKING SPACE	MINIMUM WIDTH (FEET)	MINIMUM DEPTH (FEET)	MINIMUM AISLE WIDTH (FEET) [1]	
			ONE-WAY TRAFFIC	TWO-WAY TRAFFIC
Parallel (0°)	9	22	12	24
Angled (45°)	10	20	12	24
Perpendicular (90°)	40 9	20	20	24
NOTES: [1] Minimum aisle width shall be measured from edge-of-pavement to edge-of-pavement and shall not include gutters or curbing.				

(3) *Compact parking spaces.*

- a. Compact car off-street parking spaces with a minimum width of eight and one-half feet and a minimum depth of 18 feet may be provided for up to 30 percent of the minimum parking requirements in the table of minimum off-street parking requirements.
- b. In no instance shall the minimum size of a compact parking space be further reduced.

(4) *Parking space access.*

- a. All off-street parking spaces shall be accessed directly from drive aisles or private driveways and not directly from arterial or collector streets.
- b. All off-street parking areas shall be designed with an appropriate means of vehicular access to a street or alley in a manner that allows for safe vehicular movements.

(5) *Vehicle backing.* Vehicular use areas shall be designed so that a vehicle is not required to back onto a street to enter or exit the parking lot, a parking space, or a stacking space.

(6) *Surface materials.* All off-street parking spaces, accessible parking spaces, drive aisles, and vehicular use areas shall be paved and maintained with concrete, asphalt, or similar material of sufficient thickness and consistency to support anticipated traffic volumes and weights.

ARTICLE 10. - MEASUREMENT & DEFINITIONS	
DIVISION 3. - Definitions	
TABLE OF DEFINED TERMS	
TERM	DEFINITION(S)
SUBDIVISION, MAJOR	means any subdivision that: (1) Includes any new dedication of public right-of-way; (2) Establishes or extends a public water line; (3) Establishes or extends a sanitary sewer line; or (4) Creates five or more lots (including the originating tract or parent parcel). For the purposes of this definition, a public water line or sanitary sewer line shall be a line not solely intended as a service line serving a single lot; rather it is a line that is designed and configured to serve two or more lots or to connect two or more existing lines.
SUBDIVISION, MINOR	means a subdivision of a parent parcel, creating four lots or less (including the originating tract or parent parcel), that: (1) Does not involve any new dedication of public right-of-way to give access to interior lots or parcels; (2) Does not involve the extension of public water or sanitary sewage lines; (3) Will not adversely affect the development of the remainder of the parcel or of adjoining property; and (4) Will not create any new or residual parcels which do not satisfy the requirements of this Ordinance or other applicable local and State controls. For the purposes of this definition, a public water line or sanitary sewer line shall be a line not solely intended as a service line serving a single lot; rather it is a line that is designed and configured to serve two or more lots or to connect two or more existing lines.
SUBSTANTIAL MODIFICATION	The collocation of antenna and related wireless telecommunications equipment on an existing telecommunications tower that necessitates replacement of the existing tower, structural additions to the existing tower that increase its height or the length of protrusions from the tower, or increases in the size of the equipment compound by an amount specified in §160D-931 of the North Carolina General Statutes. Collocations requiring structural modifications are reviewed and decided in accordance with the procedures for a major collocation. Collocations involving changes to an existing telecommunications tower or equipment compound beyond those identified as "substantial modifications" in §160D-931 in the North Carolina General Statutes are reviewed and decided in accordance with the procedures for a major telecommunications tower.
SWIMMING POOL/HOT TUB	An above- or below-ground structure that is filled with water and used for swimming or relaxing.

DIVISION 3. - PLAT CERTIFICATES

(a) Certificates and endorsements on final plat. The certificates and endorsements in the following table where applicable, must be shown on all final plats of subdivisions. See Article 11, Division 3 for examples of the certificates:

REQUIRED CERTIFICATES TABLE	
TYPE OF SUBDIVISION	REFERENCE NUMBERS
Exempt	(1) - (53), (5), (89), (10), (11)
Minor	(1) - (65), (9-104) As applicable (67), through (8), (12), (13)
Major	(1) - (124)

(1) Certificate of Survey and Accuracy:

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

Professional Land Surveyor
License Number # _____

(2) Professional Land Surveyor's Certification:

- As denoted by an "X" below, I, _____, certify as to the following:
- a. That the survey creates a subdivision of land within the area of a county or municipality that has an ordinance that regulates parcels of land.
 - b. That the survey is in a portion of a county or municipality that is unregulated as to an ordinance that regulates parcels of land.
 - c. Any one of the following:
 - (1) That the survey is of an existing parcel or parcels of land or one or more existing easements and does not create a new street or change an existing street. For the purposes of this subsection, an "existing parcel" or "existing easement" is an area of land described in a single, legal description or legally recorded subdivision that has been or may be legally conveyed to a new owner by deed in its existing configuration.
 - (2) That the survey is of an existing feature, such as a building or other structure, or natural feature, such as a watercourse.
 - (3) That the survey is a control survey. For the purposes of this subsection, a "control survey" is a survey that provides horizontal or vertical position data for support or control of other surveys or for mapping. A control survey, by itself, cannot be used to define or convey rights or ownership.
 - (4) That the survey is of a proposed easement for a public utility as defined in § 82-3.
 - d. That the survey is of another category, such as the recombination of existing parcels, a court-ordered survey, or other exemption or exception to the definition of subdivision.
 - e. That the information available to the surveyor is such that the surveyor is unable to determine to the best of the surveyor's professional ability as to provisions contained in (a) through (d) above.

TOWN OF ARCHER LODGE
Unified Development Ordinance

336

LAST AMENDED
March 7, 2022 August 1, 2022

(3) Certificate of Floodway Information:

Property shown hereon _____ is/ is not located in a FEMA designated flood zone. FEMA Flood Hazard Panel: _____; Effective Date: _____.

Professional Land Surveyor
License Number # _____

(4) Certificate of Ownership, Maintenance and Dedication:

I hereby certify that I am the owner (or corporate officer) of the property shown and described hereon, which is located in the zoning and subdivision jurisdiction of Archer Lodge and that I hereby adopt this subdivision plan with my free consent, establish minimum setback lines, and dedicate all streets, alleys, parks and other sites and easements to the public or private as noted. I understand that I am responsible for maintenance of public property shown hereon until it is accepted by the appropriate government entity.

Date Owner/Officer or Corporation

(5) ~~Notice to Homeowners to Connect to Public Utility System~~ Certificate of Wastewater Disposal:

I hereby certify that all lots are provisionally approved for subsurface wastewater disposal systems, except as noted on the plat, subject to issuance of improvement permits by the Johnston County Health Department, and, to the North Carolina Administrative Code.

OR

On _____ (date), lot(s) _____, were found to be unsuitable for installation of a subsurface wastewater disposal system, in accordance with North Carolina Administrative Code.

OR

Lot(s) _____ has an existing sewage disposal system that complies with all applicable requirements of the Johnston County Code of Ordinances.

~~Homeowner is required to connect to public water and/or sewer (where available) before a Certificate of Occupancy is issued for the principle structure and/or any structure served by water and/or sewer.~~

THIS THE DAY OF _____, 20____.
COUNTY OF JOHNSTON

By: _____

Designated Johnston County Official

TOWN OF ARCHER LODGE
Unified Development Ordinance

337

LAST AMENDED
~~March 7, 2022~~ August 1, 2022

(9) Town Planner 's Certification:

Certificate of Approval for Recording - Subdivision Plat
I hereby certify that the subdivision plat shown hereon has been found to comply with the Subdivision Regulations of the Town of Archer Lodge, North Carolina, and that this plat has been approved for recording in the Office of the Register of Deeds of Johnston County. This plat is null and void if not recorded at the Johnston County Deed Registry within 60 days of the date written below.

Date Town Planner

Certificate of Approval for Recording - Exempt Plat
I hereby certify that this plat is exempt from the Subdivision Regulations with the Town of Archer Lodge, North Carolina, and that this plat has been approved for recording in the Office of the Register of Deeds of Johnston County.

Date Town Planner

(10) Review Officer's Certification:

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

Date Review Officer

(11) Register of Deed Certification:

State of North Carolina, Johnston County
This instrument was presented for registration and recording this _____ day of _____,
20____ at _____
by _____
Register of Deeds _____ Acct. Reg. of Deeds _____
Recorded in PB _____ PG _____

(11) Acceptance of Offer of Dedication

NOTE: To be used only if Town Council accepts an offer of dedication.
I hereby certify that all parks and greenways as shown on this plat were accepted, as specified, by the Town Council by a resolution adopted at the meeting held on _____, 2____.

Date Town Clerk

(12) Subdivision Road Disclosure Statement:

Developers are required to give lot purchases a subdivision street disclosure statement pursuant to §136-102.6(F) of the North Carolina General Statutes.

(4413) Additional Certifications, Statements, or Notations necessary.

- Notations:
1. Maximum Impervious Surface Per Lot.
 2. Designate whether lot is within a protected watershed.

(4514) Electronic Signatures.

Verifiable digital or electronic signatures ("e-signatures" such as those provided by Adobe Sign software) may be substituted for a handwritten signature on any of the above certification statements included on a subdivision plat.

(Amended 03-07-22 UDOTA 1-22)

~~DIVISION 5~~ - **DIVISION 6** - SUBDIVISION REQUIREMENTS BY TYPE OF SUBDIVISION

The Subdivision Requirements Table below specifies the characteristics and requirements for each type of subdivision required by this Ordinance. In the event of conflict between the table below and the text of this Ordinance, the text shall control. ~~(Amended 03-07-22 UDOTA 1-22)~~

SUBDIVISION REQUIREMENTS TABLE				
CHARACTERISTIC OR REQUIREMENT	TYPE OF SUBDIVISION			
	EXEMPT SUBDIVISION	EXPEDITED SUBDIVISION [1]	MINOR SUBDIVISION [1]	MAJOR SUBDIVISION [1]
Maximum Number of Lots Created [2]	No Limit	3 or less [3]	4 or less [3]	No Limit
Minimum Tract Size	[4]	More than 5 acres	No minimum	No minimum
Review Authority Deciding Application	Town Planner	Town Planner	Town Planner	Planning Board [5]
Plat for Recording Required	No	Yes	Yes	Yes [8]
Lot Access Provided Solely by Individual Driveway or Alternative Accessway	Yes	Yes	Yes	No
Driveway Permit Required for each new Driveway a Public Street [7]	Yes	Yes	Yes	Yes
Public or Private Street Extension Permitted	No	No	No	Yes [8]
Traffic Impact Analysis Required	No	[9]	[9]	[9]
Potable Water or Sanitary Sewer Extension Permitted	No	No	No	Yes
Curb and Gutter Required	No	No	No	[10]
Sidewalks Required	No	No	No	Yes [11]
Open Space Set-Aside Required	No	No	No	Yes [12]
Parkland Dedication Required	No	No	No	Yes [13]
Owners' Association Required	No	No	No [10]	Yes [14]
Certificate Statements Required	No [45]	[15]	[15]	[15]
NOTES: [1] All proposed lots must meet the minimum dimensional requirements of the base and overlay district(s) where located. [2] Including "parent" tract or residual parcel. [3] Extension of public utilities (like water, sewer, roads, or public roads) makes this a major subdivision.				

Moved by: Council Member Wilson
Seconded by: Council Member Jackson
Approved to Open the Public Hearing at 6:45 p.m.

CARRIED UNANIMOUSLY

Moved by: Council Member Wilson
Seconded by: Council Member Purvis
Approved to Close the Public Hearing at 7:31 p.m.

CARRIED UNANIMOUSLY

Moved by: Council Member Jackson
Seconded by: Council Member Purvis
Adopted Consistency Statement as Amended.

CARRIED UNANIMOUSLY

Moved by: Council Member Jackson
Seconded by: Council Member Purvis
Adopted Ordinance# AL2022-08-2 (aka: UDO-TA-3-22) Amending the Code of Ordinances, Town of Archer Lodge, NC, Chapter 30 - Unified Development Ordinance Excluding:
Article 6. – Development Standards, Division 1. – Access and Circulation, Sec. 30-6101. – Site Access and On-Site Circulation; and,
Article 7. – Subdivisions, Division 3. – Street and Sidewalks, Sec. 30-7301.,
but Including:
Article 3. - Procedures, Division 3. - Specific Development Applications: Sec. 30-3310, Sec. 30-3312 and Sec. 30-3313,
Article 4. - Zoning Districts, Division2. - Residential Zoning Districts: Sec. 30-4201, Sec. 30-4202, Sec. 30-4203, Sec. 30-4204, Sec. 30-4205; and
Sec. 30-4206,

Article 6. - Development Standards, Division 7. - Off-Street Parking and Loading, Sec. 30-6701,
Article 10. - Measurement and Definitions, Division 3. - Definitions; and,
Article 11. - Appendix, Division 3. - Plat Certificates.

CARRIED UNANIMOUSLY

c) Discussion and Consideration of Naming the New Town Park

Mr. Gordon led in the discussion to name the new park. Discussion followed but no action was taken.

Mr. Gordon suggested that Council Members confer with one another to come up with a potential name for the park. Mayor Mulhollem asked that this agenda item be tabled until the Regular Town Council meeting scheduled in September 2022 due to a couple of members not being present.

d) Discussion and Consideration of the Type of Sign for the New Town Park

Mr. Gordon recommended installing a digital sign for the park due to it being beneficial in informing the public. It was the consensus of the Council Members to have a digital sign. Council Member Wilson suggested having a "rustic look" that would fit the theme of the park. Mr. Gordon informed that he would provide some quotes on pricing at the September 2022 Regular Council Meeting.

Having no action, Mayor Mulhollem asked that it be tabled until the Regular Town Council September 2022 meeting.

5. TOWN ATTORNEY'S REPORT:

- a) Attorney Burrell explained having a "Consistency Statement:"**
- **Is it consistent to the Town's goals?**
 - **Is it consistent to the Town's Land Use Plan?**
 - **Are the amendments consistent with what Archer Lodge should be in the future?**
 - **Keep the consistency statement separate from the ordinance amendment.**
 - **The Consistency Statement is required by Chapter 160D.**
-

6. TOWN ADMINISTRATOR'S REPORT:

- a) Mr. Gordon shared that as directed by Council, Staff has received pricing for Phase II of the new Town Park from JM Daniels Construction Co. Inc., who is currently working on Phase I and plans to get with Legal Counsel regarding this information. He plans to have an update by the next Work Session.**
-

7. FINANCIAL/TOWN CLERK'S REPORT:

- a) Interim & Preliminary Financial Reports for June 2022**

Ms. Batten shared that the financials for the period ending June 30, 2022 (end of fiscal year) were preliminary figures. She noted that the fiscal year actually stays opened thru September 15th each year to account for

the final franchise tax revenues and sales tax revenues that are received after June 30th and thru September 15th for period ending June 30, 2022.

In regard to the General Fund, Ms. Batten mentioned that revenues are approximately 98% collected and the final revenues, as she mentioned earlier, will be received on September 15, 2022. As it currently stands, Ms. Batten stated, revenues are higher than expenditures for the month of June 2022 by roughly \$82,800 and for the fiscal year by approximately \$214,700. There are still some expenditures that must be paid prior to closing out the fiscal year, Ms. Batten mentioned, but it appears that the general fund balance will have an increase at the close of fiscal year ending June 30, 2022.

Ms. Batten shared that the Capital Reserve Fund had activity other than investment earnings for the month. Due to budget amendment BA 2022 05 approved on June 20, 2022, there was a transfer from the Capital Reserve Fund to the General Fund in the amount of \$154,250 to cover the expenses associated with Phase 1 at the Town Park: asphaltting the entrance and the parking lot per the Town's ordinance.

Ms. Batten stated that the Park Reserve Fund showed roughly \$120,400 received in revenues for the fiscal year, but expenditures exceeded revenues by approximately \$143,500 due to transfers to the Archer Lodge Town Park project for the Town's portion of the PARTF Grant.

Regarding the Public Safety Reserve Fund, Ms. Batten conveyed that the only activity in that fund for the fiscal year was investment earnings totaling \$1,459.

In comparing June 2022 with June 2021 in the General Fund, Ms. Batten noted that June 2022 showed that revenues exceeded expenditures by roughly \$214,700 and in June 2021, revenues exceeded expenditures by approximately \$73,996; therefore, fiscal year ending June 30, 2022 increased by roughly \$140,708 than fiscal year ending June 30, 2021.

Ms. Batten briefly mentioned the activity in the Archer Lodge Town Park PARTF Project Fund with revenues from the PARTF Grant and transfers from the Park Reserve Fund totaling \$219,664 and expenditures for design/engineering and construction amounting to approximately \$201,902.

With regards to the ARPA Fund for the period ending June 30, 2022, Ms. Batten noted that revenues for investment earnings were roughly \$669 with the first distribution of the grant itself, \$525,213, and a few expenditures totaling \$28,351.

Lastly, Ms. Batten shared, the only activity in the SCIF Fund was revenues from investment earnings at roughly \$316 and the grant amount of \$850,000. Ms. Batten had no further information and no discussion followed.

8. PLANNING/ZONING REPORT:

a) Planning | Zoning | Projects | Updates

Ms. Maybee reported the following:

- Approximately \$1M of investments have been made in the Town according to the permits issued from June 2022 to date.
- Permits were for single-family dwellings, accessory buildings, additions, and an increase in the number of solar panels.

- BOA considered a variance request for impervious surface at their June 2022 meeting and was conditionally approved.
- The Planning Board, at their July 2022 meeting, considered a major subdivision request on South Murphrey Road for 16 lots, and there is a possibility of a dedication of a shared use path located along South Murphrey Road.

b) Code Enforcement

Ms. Maybee reported that she has been in touch with Triangle J for assistance with Code Enforcement and will provide an update at a future meeting.

c) CAMPO Update

Ms. Maybee reported the following:

- This upcoming Wednesday, Ms. Maybee will be participating in a Southeast Area Study (SEAS) meeting at the Clayton Town Hall for the Technical Coordinating Committee (TCC) members to discuss the needs in Archer Lodge and surrounding communities.
- The regular NC Capital Area Metropolitan Planning Organization (CAMPO) will be having a regular TCC meeting on August 4, 2022 to discuss the preliminary draft to the State Transportation and Air Quality Plan and the Triangle Feasibility Study will be presented.
- Chad Meadows will discuss the Comprehensive Land Use Plan and ETJ at the August 15, 2022, Work Session.

Discussion followed.

9. MAYOR'S REPORT:

- a) Mayor Mulhollem shared that Mr. Ted Budd, Republican Candidate for the US Senate, will be visiting C. E. Barnes Store on Tuesday, August 2, 2022, at 10:00 a.m.**

10. COUNCIL MEMBERS' REMARKS:

(non-agenda items)

- a) Council Member Wilson recommended wearing a hat for protection from the sun and staying cool due to the extreme heat.**

-
- b) Council Member Jackson questioned whether a tax rate could be considered in a budget amendment. Ms. Batten advised a tax rate change can only be done with the fiscal year budget and the deadline was June 30th. Mr. Jackson noted that he was absent when the budget and tax rate was voted on, but was not in approval of the increase for the Town.**

-
- c) Council Member Purvis had no remarks.**
-
-

11. ADJOURNMENT:

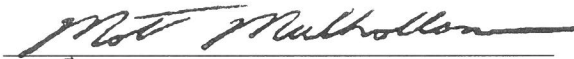
- a) Having no further discussion, Mayor Mulhollem asked for a motion to adjourn meeting.**

Moved by: Council Member Wilson

Seconded by: Council Member Jackson

Adjourned meeting at 8:58 p.m.

CARRIED UNANIMOUSLY



Matthew B. Mulhollem, Mayor



Kim P. Batten, Town Clerk

