



September 26, 2022
 Stallings Government Center
 321 Stallings Road
 Stallings, NC 28104
 704-821-8557
www.stallingsnc.org

Town Council Agenda

	Time	Item	Presenter	Action Requested/Next Step
	7:00 p.m.	Invocation Pledge of Allegiance Call the Meeting to Order	Wyatt Dunn, Mayor	NA
	7:05 p.m.	Public Comment	Wyatt Dunn, Mayor	NA
1.	7:15 p.m.	Agenda Approval	Wyatt Dunn, Mayor	Approve Agenda as written or with changes.
2.	7:17 p.m.	TX22.07.03 <i>SMB of Greenville II, LLC submitted a text amendment application to amend the Stallings Development Ordinance to add a "Business Center" zoning district. They intend to enhance the Ordinance for an option to accommodate a variety of essential businesses and light industrial uses without opening up the door to heavier-intensity uses that might negatively impact surrounding properties.</i> <ol style="list-style-type: none"> 1. Open Public Hearing 2. Public Hearing 3. Close Public Hearing 4. Council Discussion 5. Council Vote 	Max Hsiang, Planning Director	Approve/Deny text amendment
3.	7:30 p.m.	NCDOT – Idlewild Road Project (U-4913)	Alex Sewell, Town Manager Sean Epperson, NDCOT	Discussion and possible action
4.	8:00 p.m.	Police Department K-9 Program Expansion	Dennis Franks, Police Chief	Approve/Deny program expansion
5.	8:10 p.m.	Town Manager Reports A. Town Priorities Update B. Balanced Score Card	Alex Sewell, Town Manager	Information
6.	8:40 p.m.	Town Manager Amended Employment Contract	Alex Sewell, Town Manager	Approve/Deny contract
7.	8:45 p.m.	Adjournment	Wyatt Dunn, Mayor	Motion to adjourn



MEMO

To: Town Council
From: Max Hsiang, Planning Director
Date: 9/26/2022
Re: TX22.07.03 - Business Center Zoning District

Request:

SMB of Greenville II, LLC submitted a text amendment application to amend the Stallings Development Ordinance to add a "Business Center" zoning district. They intend to enhance the Ordinance for an option to accommodate a variety of essential businesses and light industrial uses without opening up the door to heavier-intensity uses that might negatively impact surrounding properties.

Text Amendment Application Attachment:

Applicant, SMB of Greenville II, LLC's response:

- 1) In order to maintain sound, stable and desirable development within the planning jurisdiction of the Town of Stallings, it is intended that this Ordinance be amended to:
 - (a.) To correct manifest error in the Ordinance;
 - (b.) Because of changed or changing conditions in a particular neighborhood or community as a whole; and/or
 - (c.) To promote and forward the purposes of the adopted Stallings Land Use Plan.

- 2) It is the further intent of this Ordinance that if amended it will promote the general health, safety, and welfare of the citizens of Stallings.

Submitted Business Center Definition:

The Business Center (BC) provides a location for employment centered uses. The predominant uses in this district are office, light industrial, and employment supportive uses. Light industrial uses in this district include industrial activities that generally do not have offensive characteristics such as pollution, noise, and dust and can be conducted primarily inside closed buildings. Hospitality uses (e.g. hotels, restaurants, etc.) as well as necessary supporting uses (e.g. banks) may also be allowed. Development standards are designed to protect nearby residential through buffering and screening requirements. For master-planned developments, the external appearance of buildings and signage, along with modes of ingress and egress, are planned to provide consistency throughout the development. Allowed building/lot type is Highway Commercial.

Zoning Districts Comparison:

Dimensional Requirements	Proposed Business District (BC)	Current Mixed Use -2 (MU-2)	Present Industrial (IND)
Minimum lot area	10,000 SF	Only for Single Family Detached - 6000 SF	32,400 SF
Minimum lot width	100'	Only for Single Family Detached - 40'	180'
Front Setback	40'	Only for Single Family Detached - 16'	80'
Side Setback	15'	Only for Single Family Detached - 5'	16'
Rear Setback	40'	Only for Single Family Detached - 12'	16'
Maximum Building Height	50'	Only for Single Family Detached - Depends on Building Type	50'

Articles to be amended in the Ordinance (Changes attached):

- Article 3: DEFINITIONS, ABBREVIATIONS & SYMBOLS
 - Abbreviations
- Article 8: Zoning Districts
 - Table of Uses
 - 8.2 Districts created
 - 8.3 Description of Districts
 - 8.4 District Development Standards and Permitted Uses Listed for Each District
- Article 9: Building and Lot Type Standards
 - 9.8-3 Highway Building Type Standards
- Article 10: Uses with Additional Standards and Conditional Uses
 - 10.1-4 Automobile/Boat/Equipment Repair Service.
 - 10.1-6 Bank, Savings and Loan, Credit Union.
 - 10.1-9 Car Wash.
 - 10.1-11 Religious Institutions (Church, Synagogue, Mosque, or Place of Worship).
 - 10.1-12 Club or Lodge.
 - 10.1-14 Day Care Center for Children or Adults (six or more (6+)).
 - 10.1-15 Day Care Center, Home Occupation for less than six (6) persons.
 - 10.1-17 Drive-through Window as Accessory Use.
 - 10.1-21 Home Occupation.
 - 10.1-22 Junked Motor Vehicle Storage as Accessory Use.
 - 10.1-31 Veterinary Service with Outdoor Kennels.
 - 10.1-37 Hospital Campuses.
 - 10.2-13 Shooting Range, Indoor.
 - 10.2-14 Telecommunications Towers (per NC Session Law 2013-185).
- Article 11: Landscape Requirements and Tree Protection
 - Table 11.1- BUFFER YARD CHART
- Article 17: Sign Regulations
 - 17.8-1 Requirements for temporary signs that require a permit.
- Article 21: Open Space
 - TABLE 21.1 - Open Space Requirements

History:

The applicant represents a property off of Bleinheim Rd, which contains a variety of office and light industrial uses, including the following uses: Construction, Softball, Rifle and Pistol Club, Crossfit/gym, Medical Supplies, Furnishings, etc.

This property is zoned MU-2, and light industrial uses are not allowed in this zoning category. They felt this would reduce their viability to rent out to certain tenants that were allowed before 2018.

They hired a consultant to write the Business Center text amendment to add into our current ordinance to allow office, commercial, and light industrial uses.





2012 UDO:

The 2012 UDO contained a Business Center district. The applicant believes that re-including the Business Center Zoning District will serve as a medium for some commercial, office, and light industrial uses.

(2012) 3.6.1 Intent

The business districts regulate general district business areas and include the following districts: Town Center, Town Center Overlay, General Retail, and Office Light Retail.

(2012) 3.6.7 Business Center (BC)

(A) A planned employment center that contains a variety of office, light industrial, and supporting uses. The external appearance of buildings and signage, along with modes of ingress and egress, are planned to provide consistency throughout the development. Hospitality uses (e.g. hotels, restaurants, etc.) as well as necessary supporting uses (e.g. banks) may also be allowed. Business Centers on the US 74 corridor can have structures up to five (5) stories.

Future Land Use:

Currently, no future land use categories fit both commercial and industrial uses. The most similar future land use that may be identified for Business Center is Suburban Office Center.

Suburban Office Center

Suburban office centers provide opportunities to concentrate employment. They include both large-scale isolated buildings with numerous employees as well as areas containing multiple offices uses that support and serve one another. They are typically buffered from surrounding

development by transitional uses or landscaped areas and are often located in close proximity to major highways or thoroughfares.

Primary Land Uses

- Multi-Tenant Professional Office
- Corporate Office
- Medical Office
- Call Center
- Research and Development

Secondary Land Uses

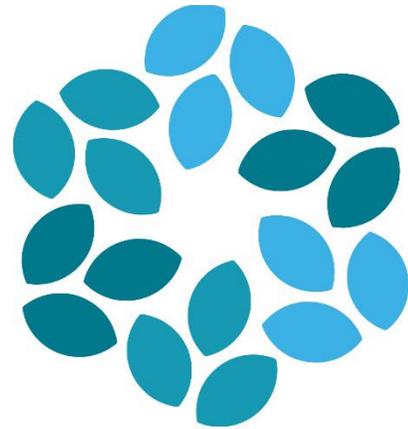
- Bank
- Copy and Printing Services
- Restaurants
- Government Services
- Flex Space
- Natural Areas
- Stormwater Retention

Staff Recommendations:

Staff uses the Comprehensive Land Use Plan Future Land Use categories to make recommendations. Since the Business Center does not align with any of the Future Land Use categories, staff recommends denial.

Staff, however, does think the proposal of the new zoning of the Business Center would be a reasonable request if the Future Land Use was to be amended, which staff identified the end of 2023 for a Comprehensive Plan Update.

TX22.07.03 - Business Center Zoning



**PLANNING
& ZONING**
TOWN of STALLINGS

Request



□ Text Amendment Request

- SMB of Greenville II, LLC submitted a text amendment application to amend the Stallings Development Ordinance to add a “**Business Center**” zoning district. They intend to enhance the Ordinance for an option to accommodate a variety of essential businesses and light industrial uses without opening the door to heavier-intensity uses that might negatively impact surrounding properties.
- There are currently no zoning categories that allow a variety of office, commercial, and light industrial.
- This is not a site-specific request.

Definition



❑ Submitted Business Center Definition:

The Business Center (BC) provides a location for employment-centered uses. The predominant uses in this district are office, light industrial, and employment supportive uses. Light industrial uses in this district include industrial activities that generally do not have offensive characteristics such as pollution, noise, and dust and can be conducted primarily inside closed buildings. Hospitality uses (e.g. hotels, restaurants, etc.) and necessary supporting uses (e.g., banks) may also be allowed. Development standards are designed to protect nearby residential through buffering and screening requirements. For master-planned developments, the external appearance of buildings and signage, along with modes of ingress and egress, is planned to provide consistency throughout the development. The allowed building/lot type is Highway Commercial.

❑ In summary, Business Center allows a mix of uses for Office, Commercial, and Light Industrial.

Articles Amended

- ❑ Article 3: DEFINITIONS, ABBREVIATIONS & SYMBOLS
 - ❑ Abbreviations
- ❑ Article 8: Zoning Districts
 - ❑ Table of Uses
 - ❑ 8.2 Districts created
 - ❑ 8.3 Description of Districts
 - ❑ 8.4 District Development Standards and Permitted Uses Listed for Each District
- ❑ Article 9: Building and Lot Type Standards
 - ❑ 9.8-3 Highway Building Type Standards
- ❑ Article 10: Uses with Additional Standards and Conditional Uses
 - ❑ 10.1-4 Automobile/Boat/Equipment Repair Service.
 - ❑ 10.1-6 Bank, Savings and Loan, Credit Union.
 - ❑ 10.1-9 Car Wash.
 - ❑ 10.1-11 Religious Institutions (Church, Synagogue, Mosque, or Place of Worship).
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 - ❑ Table 11.1- BUFFER YARD CHART
- ❑ Article 17: Sign Regulations
 - ❑ 17.8-1 Requirements for temporary signs that require a permit.
- ❑ Article 21: Open Space
 - ❑ TABLE 21.1 - Open Space Requirements

Zoning Districts Comparison



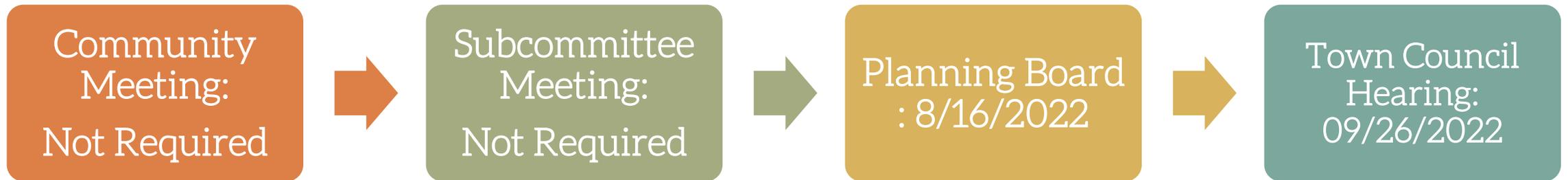
Dimensional Requirements	Proposed Business District (BC)	Current Mixed Use -2 (MU-2)	Industrial (IND)
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Maximum Building Height	50'	Only for Single Family Detached - Depends on Building Type	50'

Land Use Plan



- ❑ Currently, no future land use categories fit the proposed Business Center Zoning. The closest future land use that may be identified for Business Center is Suburban Office Center, but it does not allow both commercial and industrial uses.

Meetings



Planning Board Recommendations

- ❑ The Planning Board recommended approval of TX22.07.03 as written with the omission of the allowed uses of restaurants, shopping centers and trucking centers, along with a statement that TX22.07.03 is inconsistent but reasonable in conjunction with the Comprehensive Land Use Plan.

Staff Recommendation



- Staff uses the Comprehensive Land Use Plan Future Land Use categories to make recommendations. Since the Business Center does not align with any of the Future Land Use categories, staff recommends denial
- Staff, however, does think the proposal of the new zoning of Business Center would be a reasonable request if the Future Land Use was to be amended in the future.

Vote and Statement of Consistency & Reasonableness



❖ Step 1.

- Motion to recommend Approval/Denial for TX22.07.03.

❖ Step 2.

- With a statement of consistency that the proposal is Consistent/Inconsistent and reasonable/not reasonable with the Comprehensive Land Use Plan.

❖ Step 3. Reasoning.

- Staff suggested reasoning:
 - The text amendment promotes the general health, safety, and welfare of the citizens and businesses of Stallings.



Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX22.07.03

REQUEST: Amend the Stallings Development Ordinance to add a Business Center zoning district with a description, building and lot type standards, permitted uses, landscape, sign regulations, and open space regulations.

WHEREAS, The Town of Stallings Town Council, hereafter referred to as the “Town Council,” adopted the Stallings Comprehensive Land Use Plan on November 27, 2017; and

WHEREAS, the Town Council finds it necessary to adopt a new land development ordinance to maintain consistency with the Comprehensive Land Use Plan; and

WHEREAS, the Town Council finds it necessary to revise the Unified Development Ordinance to comply with state law found in NCGS § 160D.

WHEREAS, the Town Council finds it necessary to consider the Planning Board’s recommendations.

THEREFORE, The Town Council hereby recommends that the proposed text amendment is consistent and reasonable with the Comprehensive Land Use Plan adopted on November 27, 2017, based on the goals and objectives set forth in the document of promoting quality development and consistency with all state-mandated land-use regulations established through NCGS § 160D. The Town Council recommends to **APPROVE** the proposed amendment and stated that the Town Council finds and determines that the text amendment is consistent and reasonable with the key guiding principles, goals, and objectives of the Comprehensive Land Use Plan for the following reasons:

- 1) The proposed amendment is inconsistent but reasonable with the Comprehensive Land Use Plan.

Recommended this the ___ day of _____, 2022.

Mayor

Attest:

Clerk



Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX22.07.03

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- 1) The proposed amendment is inconsistent but reasonable with the Comprehensive Land Use Plan.

Recommended this the ___ day of _____, 2022.

Mayor

Attest:

Clerk

ABBREVIATIONS

ABC - Alcoholic Beverage Commission

ADA - Americans with Disabilities Act

AG - Agriculture.

ANSI - American National Standards Institute.

ATM - Automatic Teller Machine. *BFE* - Base Flood Elevation.

BC - Business Center

BMP - Best Management Practices.

BOCA - Building Officials and Code Administrators.

C-74 - US Highway 74 Commercial.

CERCLA- Comprehensive Environmental Response, Compensation and Liability Act.

CIV - Civic.

CLG - Certified Local Government.

CO - Certificate of Occupancy.

CP-485 - Interstate Highway 485 Corporate Park

CRZ - Critical Root Zone. *CWA* - Clean Water Act.

DBH - Diameter at Breast Height.

DFIRM - Digital Flood Insurance Rate Map. *DWQ* - Division of Water Quality.

EA - Environmental Assessment.

EIS - Environmental Impact Statement.

EPA - Environmental Protection Agency.

EPCRA - Emergency Planning and Community Right-to-know Act.

ETC - Et Cetera

ETJ - Extraterritorial Jurisdiction

FAA - Federal Aviation Authority.

FBFM - Flood Boundary and Floodway Map.

ARTICLE 8
DISTRICTS

8.1 Purpose

In order to provide for the orderly development of Stallings, preserve existing development patterns that contribute to the character and sense of place of the community, and to allow for creativity in the planning for future development, the Town hereby establishes districts and their associated standards and specifications.

8.2 Districts Created

The following Primary General-Use Districts are created. This listing is in order of intensity of development listed within the district, from least intense to most intense:

- (1.) Agriculture (AG)
- (2.) Single Family Residential (SFR-1)
- (3.) Single Family Residential (SFR-2)
- (4.) Single Family Residential (SFR-3)
- (5.) Single Family Residential Mobile Home (SFR-MH)
- (6.) Multi-Family Residential Transitional (MFT)
- (7.) Town Center (TC)
- (8.) Civic (CIV)
- (9.) Mixed Use (MU-1)
- (10.) Mixed Use (MU-2)
- (11.) US Highway 74 Commercial (C 74)
- (12.) Interstate Highway 485 Corporate Park (CP 485)
- ~~(13.)~~ Vehicle Service and Repair (VSR)
- ~~(13.)~~ (14.) Business Center (BC)
- ~~(14.)~~ (15.) Industrial (IND)

In addition to the Primary General-Use Districts above, the following Overlay Districts are created to provide for more creativity in the development of land and/or to protect unique environmental features of the Town.

- ~~(15.)~~ (16.) Traditional Neighborhood Development Overlay (TNDO)
- ~~(16.)~~ (17.) Scenic Corridor Overlay (SCO)
- ~~(17.)~~ (18.) Heavy Industry Overlay (HIO)

with potentially hazardous conditions. Goals of the Vehicle Service and Repair District include providing a pleasant environment for motorists, a safe environment for pedestrians along the network of streets and pedestrian facilities, promoting the safety of motorists and pedestrians, and preserving the capacity of Town Center and its interconnecting network of streets outside the core area as shown in the adopted Town Plan. Uses in this district include heavy commercial goods and services for motor vehicles and some limited industrial. Allowed building/lot type is Highway Commercial.

The Business Center (BC) provides a location for employment centered uses. The predominant uses in this district are office, light industrial, and employment supportive uses. Light industrial uses in this district include industrial activities that generally do not have offensive characteristics such as pollution, noise, and dust and can be conducted primarily inside closed buildings. Hospitality uses (e.g. hotels, restaurants, etc.) as well as necessary supporting uses (e.g. banks) may also be allowed. Development standards are designed to protect nearby residential through buffering and screening requirements. For master-planned developments, the external appearance of buildings and signage, along with modes of ingress and egress, are planned to provide consistency throughout the development. Allowed building/lot type is Highway Commercial.

The Industrial District (IND) is established to provide locations for industrial uses that, due to the scale of the buildings and/or the nature of the use, cannot be integrated into the community. Uses within the Industrial District are buffered from adjacent uses. The dominant uses in this district are manufacturing and warehouse storage. Small scale manufacturing and storage that is compatible with less intensive uses can and should be located in other non-residential or mixed use districts. The Industrial District is reserved for uses which require very large buildings and/or large parking and loading facilities. Allowed building/lot type is Highway Commercial.

The Traditional Neighborhood Development Overlay District (TNDO) provides for the development of new neighborhoods and the revitalization or extension of existing neighborhoods. These neighborhoods are structured upon a fine network of interconnecting pedestrian oriented streets and other public spaces. Traditional Neighborhood Developments (TND's) provide a mixture of housing types and prices, prominently sited civic or community building(s), stores/offices/workplaces, and churches to provide a balanced mix of activities. A TND has a recognizable center and clearly defined edges; optimum size is a quarter mile from center to edge. A TND is urban in form, is typically an extension of the existing developed area of the Town, and has an overall residential density of up to sixteen (16) dwelling units per acre. TNDO districts should have a significant portion of land dedicated to improved

Minimum Lot Size	Minimum Lot Width	Minimum Setback from Highway r/w	Build-to-Line from any other street	Minimum Rear Yard Setback	Minimum Side Yard Setback
12,000 SF	120' on Highway, or 80' on any other street	16'	12' or as required by buffering standards and/or building type whichever is greater	8' or as required by buffering standards and/or building type whichever is greater	4' or as required by buffering standards and/or building type whichever is greater

(F.) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 2.

(G.) Parking, Landscaping and Buffers. Parking shall comply with the requirements set forth in Article 12. Parking may be placed in between a building and Town Center. However, parking shall not be in the required setback between a building and Town Center. Landscaping, including required buffers, shall comply with the requirements set forth in Article 11. See Image 8.4-2 below.

(H.) When a building is in between a secondary street and the U.S. Highway 74/Bypass, that building shall front the secondary street.

8.4-10 Business Center (BC)

(A) Intent: The Business Center (BC) is established to provide locations for employment centered uses. The dominant uses in this district are light industrial and office. Ancillary retail and other supportive uses are permitted. For planned developments, the external appearance of buildings and signage along with modes of ingress and egress, are planned to provide consistency throughout the development. Hospitality uses (e.g. hotels, restaurants, etc.) as well as necessary supportive uses (e.g. banks) may also be allowed.

(A.) Listed Uses:

- (1.) Uses listed by right: See Table of Uses (Table 8.1) of this Article
- (2.) Uses listed with additional standards: See Table of Uses (Table 8.1) of this Article and Article 10, Section 10.1
- (3.) Uses listed with conditions: See Table of Uses (Table 8.1) of this Article and

Article 10, Section 10.2

(B.) Listed Building and Lot Types: Highway Commercial

(C.) Residential Density Limit: 0 units/acre

(D.) General Requirements:

(1.) Building placement, parking placement, building type, urban form, access, and lot arrangement shall be controlled by the lot and building type standards (Article 9) for the lot and building types listed in the Business Center District.

(2.) In addition to the requirements established by the lot type standards and building type standards, the following minimum dimensional standards shall apply in the Business Center District:

<u>Lot Size</u>	<u>Lot Width</u>	<u>Front Yard Setback</u>	<u>Rear Yard Setback</u>	<u>Side Yard Setback</u>	<u>Corner Lot Side Yard Setback</u>
<u>10,000 SF</u>	<u>100'</u>	<u>40'</u>	<u>40'</u>	<u>15'</u>	<u>25'</u>

(E.) Open Space. The provision and design of open space shall comply with the requirements set forth in Article 21.

~~(H.)~~(F.) Parking, Landscaping and Buffers. Parking shall comply with the requirements set forth in Article 12. Landscaping, including required buffers, shall comply with the requirements set forth in Article 11.

8.4-108.4-11 Industrial District (IND)

(A.) Intent: The Industrial District (IND) is established to provide locations for industrial uses that, due to the scale of the buildings and/or the nature of the use, cannot be integrated into the community. Uses within the Industrial District are buffered from adjacent uses. The dominant uses in this district are manufacturing and warehouse storage. The Industrial District is reserved for uses which require very large buildings and/or large parking and loading facilities.

(B.) Listed Uses:

- (1.) Uses listed by right: See Table of Uses (Table 8.1) of this Article
- (2.) Uses listed with additional standards: See Table of Uses (Table 8.1) of this Article and Article 10, Section 10.1
- (3.) Uses listed with conditions: See Table of Uses (Table 8.1) of this Article and Article 10, Section 10.2

9.8 Highway Lot Type and Building Type Standards

9.8-1 Description. This building type generally comprises fast food retail, drive through banks, motels, industry, and other highway dependent uses. These regulations are designed to bring these building types into a framework of Town streets and provide for an aesthetically pleasing suburban environment.



Structures should be designed to present an interesting and uniquely Stallings design to the passing motorist. Access shall be designed to not impede safe traffic movement.

The photograph is an example located in Kannapolis, North Carolina for illustration purposes only and is not intended to regulate lot/building styles, patterns, or forms.

9.8-2 Highway Lot Type Standards.

(A.) Building Placement, Parking, and Vehicle Access.

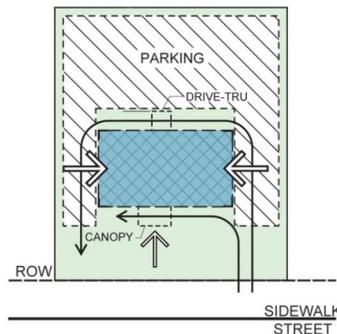
- (1.) Buildings will be between twelve and one hundred and fifteen (12'- 115') feet behind street ROW. Special site conditions such as topography, pattern of lot widths, or setbacks of existing buildings on the same street within five hundred (500') feet of the proposed building may permit a larger setback.
- (2.) Side and rear setbacks will vary according to side and rear buffer requirements as set forth in Article 11, with a minimum twelve (12') foot setback when no buffer is required.
- (3.) Building facades shall be generally parallel to frontage property lines.
- (4.) Parking shall be located to the rear and/or side of the building. Side- yard parking may occupy no more than thirty-five (35%) percent of the principal frontage line adjacent to a public street and shall be buffered from the street according to the buffer requirements as set forth in Article 11. Drive aisles shall not be constructed to be parking areas for purposes of determining the amount of side-yard parking. Parking shall not be placed in any side-yard abutting an intersecting street. Where dimensions of existing lots restrict parking behind buildings, the limitations on side-yard parking may be modified. *(Amended August 26, 2019)*
- (5.) Hedges, garden walls, or knee walls may be built on property lines or as the

continuation of building walls. A garden wall, hedge, or knee wall minimum of two feet and six inches (2'6") in height and a maximum of three and six inches (3'6") in height, shall be installed along any street frontage adjacent to parking areas. Knee walls should be built of brick, stone, or other decorative masonry material, or should be built of wrought iron or other decorative metal, and shall generally match the architectural style of Stallings.

- (6.) Parking areas on adjacent lots shall be connected with vehicular and pedestrian connections wherever practical.
- (7.) Trash containers shall be located in the rear parking area and shall be screened from the right-of-way per standards set forth in Article 11.
- (8.) Mechanical equipment at ground level shall be placed on the parking lot side of building away from buildings on adjacent sites and shall be screened from view per standards set forth in Article 11.

(B.) Vehicular Circulation and Pedestrian Access.

- (1.) Main pedestrian access to the building may be from the side, front or rear (indicated by the larger arrows). If the primary pedestrian access is from the side or rear of the building, a non-functioning or locked door shall be located on the front of the building. *(Amended August 26, 2019)*



- (2.) Gasoline and fuel pumps shall be located to the rear of the building. Drive-through windows and other auto-oriented service facilities shall be located to the rear or side of the building. Notwithstanding the foregoing, drive aisles for circulation purposes may be located between the building and the adjacent public and/or private streets. Menu board(s), speaker boxes and/or windows associated with drive-through facilities may not be located on the façade of a building that faces the primary adjacent public street, but may be located on the façade of a building that faces a secondary public street or a private street. The drive aisle for circulation purposes shall be screened from adjacent public and private streets by a garden wall, hedge, or knee wall that complies with the design requirements for a garden wall, hedge, or knee wall set out in Section 9.8-2 (A)(5). *(Amended September 23, 2019)*
- (3.) Entrance canopies (for motels, etc.) shall be oriented towards the primary street.

- (4.) Typical vehicular circulation movement is indicated by thin line arrows.

9.8-3 Highway Building Type Standards.

(A.) Permitted Height and Uses.

- (1.) For buildings with flat roofs, building height shall be measured as the vertical distance from the mean elevation of the existing grade to the highest finished roof surface. The height of parapet walls is not counted in the building height calculations and may vary depending upon the need to screen mechanical equipment.
- (2.) For buildings with pitched roofs, building heights shall be measured as the vertical distance from the mean elevation of the finished grade to a point representing the midpoint of the peak and eave heights.
- (3.) Building height to the ridge may vary depending on the roof pitch.
- (4.) Building height is limited to fifty (50') vertical feet. Exemption to this provision applies where the building is located within business or employment centers within the Business Center (BC) and Industrial (IND) districts on local streets and the building is a minimum of three hundred (300') feet from major thoroughfare(s) appearing on the approved thoroughfare plan. Additionally, property that is located within the Mixed Use 2 (MU-2) district and has frontage on or is within a mixed-use project that has frontage on, either Highway 74 may have a vertical height limit of seventy (70') feet. *(Amended May 14, 2018)*

(B.) Architectural Standards.

(1.) Principles:

- (a.) Building elevations fronting or visible from public streets shall be clad with masonry, wood, stucco, or similar material. A maximum of thirty (30%) percent of a street fronting building face may be comprised of metal paneling so as to maintain compatibility with structures within the Town, exception to this provision applies where the building frontage is located within business or employment centers within the Business Center (BC) and Industrial (IND) districts on local streets not visible from designated thoroughfare(s) upon the approved thoroughfare plan. *(Amended August 26, 2019)*
- (b.) All walls not visible from a public right-of-way may be constructed of cinder block, brick, wood or vinyl siding, or metal paneling.
- (c.) Buildings in all locations should relate a principal facade to the sidewalk and public space of the street.

(d.) Corners: Setback at street corners will generally replicate frontage conditions.

(e.) Trailers (mobile and/or manufactured units) may not be used as permanent highway buildings.

(2.) Configurations:

(a.) Two (2) wall materials may be combined horizontally on one façade. The “heavier” material should be below the “lighter” material (i.e. brick below wood siding) to maintain compatibility with structures within the Town.

(b.) Street level windows should be un-tinted to maintain compatibility with structures within the Town. Tinted glass with a minimum visual transmittance factor of thirty-five (35) is permitted. Mirrored or reflective glass is not permitted in any location. Notwithstanding the foregoing, with the approval of the Development Administrator, window treatments, window art, window graphics that do not constitute a window sign and other measures may be utilized on street level windows to screen the interior portions of a building from a sidewalk or a street. (*Amended August 26, 2019*)

(3.) Techniques:

(a.) All rooftop equipment shall be screened from view from public Right-of-Ways by a building material that matches the structure or is visually compatible with the structure. The screening apparatus should be incorporated as part of the architectural theme to maintain compatibility with structures within the Town.

9.8-4 Building Standards and Anti-Monotony Standards for Highway Buildings.

(A.) Massing and Rhythm

(1.) To insure a consistent scale and compatible character of each and every building, massing and rhythm shall be considered in the site design. Examples of appropriate height to width ratios are depicted in the following below. A single large dominant building mass shall be avoided in new buildings and, to the extent reasonable and feasible, in development projects involving changes to the mass of existing buildings.



1:3 1:1 1:2 1:1.25



Sample building with acceptable massing composition

(B.) Height

- (1.) Building height shall be regulated in accordance with Section 9.8-3(A) of this Article.

(C.) Scale and Roofline

- (1.) The goal for scale is to be reiterated in regard to height. The scale of buildings must be such that street edges are defined and relate to human proportions. This scale can be achieved through the use of architectural detailing on the first floor of buildings so that larger buildings are broken up into smaller units, by maintaining height limits, by using large picture windows along front facades and by using plantings around the buildings.
- (2.) A range of roof forms is acceptable as long as they are compatible with the architectural character, scale, and height of surrounding buildings. Mansard roofs are not permitted except in the Agricultural (“AG”) district.

(D.) Fenestration

- (1.) Fenestration includes the structural openings to buildings, including doors and windows, to intuitively guide people toward their destination and improve emergency response.
- (2.) All buildings shall have their principal entrance opening to a street, square, plaza, or sidewalk. The sidewalk may be a public sidewalk or a private sidewalk between the principal building entrance and a parking area. Access from the public sidewalk, street right-of-way or driveway to the principal structure shall be provided through an improved surface. Buildings shall comply with this standard for all buildings that provide a non-vehicular service to customers. Exempt uses include vehicle fueling stations, vehicle sales and vehicle repair. *(Amended August 26, 2019)*
- (3.) The first floor of all buildings shall be designed to reduce automobile

dependency and encourage pedestrian-scale activity by the use of windows and doors. These openings should be arranged so that uses are visible and/or accessible to both the sidewalk and street. A minimum of fifty (50%) percent of the length and twenty-five (25%) percent of the surface of the primary structure(s) shall be in public entrances or windows. No more than fifty (50%) percent of the surface of the building shall be windows.

(E.) Access

- (1.) All street level retail uses with public or private sidewalk frontage shall be furnished with an individual entrance and direct access to the public or private sidewalk in addition to any other access which may be provided. *(Amended August 26, 2019)*
- (2.) Doors shall be recessed into the face of the building to prevent doors from operating outward into and/or obstructing the public sidewalk. An entryway shall not be less than fifteen (15) square feet. This provision only applies if a door with open onto a street. *(Amended August 26, 2019)*

(F.) Articulation

- (1.) To improve distinction of buildings and various building spaces along long walls viewed from sharp angles and at long distances, the following standards shall apply:
 - (a.) No wall that faces a street or connecting walkway shall have a blank, uninterrupted length exceeding twenty (20') feet.



- (2.) All building walls must include at least two of the following:
 - (a.) change in plane,

- (b.) change in texture or masonry pattern,
 - (c.) windows, or
 - (d.) Include an equivalent aspect that subdivides the wall into proportions such as an articulated base with a height no more than ten (10') feet.
- (3.) In the event that actual doors and windows are not feasible because of the nature of the use of the building, side or rear walls that face walkways should include false windows and door openings defined by the following:
- (a.) Frames,
 - (b.) Sills,
 - (c.) Lintels, or
 - (d.) Proportioned modulations of the wall.
- (4.) All sides, including the rear, of the building shall include materials and design characteristics consistent with those on the front.
- (5.) Use of inferior or lesser quality materials on side or rear walls is prohibited except for areas where public access is prohibited by the proprietor.
- (6.) In the event that canopies, awnings or other similar appurtenances are used, the following standards shall apply:
- (a.) Such appurtenances shall be constructed of materials designed to full-fill the principles of the standards herein.
 - (b.) Any appurtenance may extend from the building up to eighty (80%) percent of the width of the sidewalk area or nine feet, whichever is less.
 - (c.) In no case shall any such facility extend beyond the curb line of the street, nor shall it interfere with maintenance of bio-retention pits with street trees for stormwater management, or maintenance of streetlights or street signs.
 - (d.) A minimum overhead clearance of seven (7') feet from the sidewalk shall be maintained.
- (G.) Materials
- (1.) All buildings shall be constructed of durable fire retardant and wind resistant materials to prevent hazards to persons and/or property. These materials include brick, either plain or painted, horizontal fiber-cement siding, wood shingle, stone, or concrete-based stucco. All trim materials shall be stone, cast stone, cast concrete, or painted wood.
 - (2.) It is recommended that the primary structure be neutral in color, i.e. light grays, browns, beiges, whites or earth tones and not of colors that are

distractive to motorist or cause concern among proximate proprietors of diminished property value or customer discomfort. The trim may be of various contrasting colors to that of the primary structure.

- (3.) Where any sloped roofs are utilized, they shall be covered with high profile asphalt shingles, natural clay tiles, slate, concrete tiles (with natural texture and color), ribbed metal, or shingles.
- (4.) Finish materials of buildings, signage, gasoline pump canopies and other accessory structures, shall be compatible with the architectural character of the principal structure(s) through compliance with the following guidelines:
 - (a.) All buildings, including gasoline pump canopies, shall utilize a consistent architectural style;
 - (b.) Differing buildings, businesses, or activities within the same development may be distinguished by variations; and
 - (c.) Sides and backs of buildings shall be as visually distinguishable as the front through the design of roof lines, architectural detailing, and landscaping features. Non-public and restricted access areas may be exempted from this provision upon review by the Development Administrator.

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ARTICLE 10

USES WITH ADDITIONAL STANDARDS AND SPECIAL USES

10.1 Uses with Additional Development Standards

- 10.1-1 Purpose. Certain uses provide services and benefits for residents of and visitors to the Town of Stallings. The convenient location of these uses is necessary to their success and the function of the community. Due to the potential impacts of these uses, certain additional standards are necessary to ensure that they do not adversely impact neighboring uses or the community as a whole. This section identifies the uses that require additional standards and establishes the standards they must meet.
- 10.1-2 Standards Established. The following Uses with Additional Standards and the standards they must meet are hereby established.
- 10.1-3 Accessory Dwelling Units.
- (A.) Zoning Districts where additional standards below apply: “AG”, “SRF”, “MFT”, “TNDO”, “CIV”, and “MU”; however, this use is also listed without supplemental standards in “TC”.
- (B.) Development Standards.
- (1.) One (1) *Accessory Dwelling Unit* shall be permitted only on a lot containing a single dwelling unit (the principal dwelling) and conforming accessory structures in any single-family zoning district.
 - (2.) The *Accessory Dwelling Unit* shall not be considered a separate unit for the purpose of determining minimum lot size or maximum density.
 - (3.) Home occupations may be located within the *Accessory Dwelling Unit*.
 - (4.) The maximum gross floor area for the *Accessory Dwelling Unit* shall be nine hundred (900) SQUARE FEET or forty (40%) percent of the gross floor area of the principal structure, whichever is less. Variances shall not allow the gross floor area of the *Accessory Dwelling Unit* to exceed one thousand and two hundred (1,200) SQUARE FEET nor shall the size of the *Accessory Dwelling Unit* exceed fifty (50%) percent of the gross floor area of the principal dwelling unit.
 - (5.) The *Accessory Dwelling Unit* may be located within same structure as the principal dwelling unit, or it may be a separate structure. If within the same structure as the principal dwelling unit, the *Accessory Dwelling Unit* may have a separate entrance. If the *Accessory Dwelling Unit* is located in a

separate structure, the following standards shall apply:

- (a.) The accessory structure housing the *Accessory Dwelling Unit* must be located behind the principal dwelling. On corner lots, the accessory structure housing the *Accessory Dwelling Unit* may be located on the corner street side of and behind the principal dwelling, but must be oriented to the front street (same orientation as principal dwelling).
- (b.) Vehicular access to the *Accessory Dwelling Unit* shall be via the same drive that provides access to the principal structure unless the *Accessory Dwelling Unit* is located on a corner or through lot. If located on a corner or through lot, a secondary drive may provide access to the *Accessory Dwelling Unit*, but the secondary drive shall not be on the same street as the drive providing access to the principal dwelling.
- (6.) One (1) parking space may be provided for the *Accessory Dwelling Unit*. The parking space shall be located in the same area as the parking provided for the principal dwelling unit unless the lot is a corner or through lot and a separate drive provides access to the *Accessory Dwelling Unit*.
- (7.) The design and construction of the accessory structure housing the *Accessory Dwelling Unit* shall be compatible with the design and construction of the principal dwelling unit. To ensure compatibility, the following standards shall be met:
 - (a.) The design of the accessory structure housing the *Accessory Dwelling Unit* shall be of the same architectural style as that of the principal dwelling unit.
 - (b.) The roof style and pitch of the accessory structure housing the *Accessory Dwelling Unit* shall be the same as that of the principal dwelling unit.
 - (c.) The exterior building materials used for the accessory structure housing the *Accessory Dwelling Unit* shall be the same as those used for the principal dwelling unit. When the principal dwelling unit is predominantly brick or stone, the use of smooth wood or fibrous cement siding for the accessory structure housing the *Accessory Dwelling Unit* is appropriate to reinforce the ancillary and secondary nature of the *Accessory Dwelling Unit*.
 - (d.) Windows and doors used for the accessory structure housing the *Accessory Dwelling Unit* shall be the same style and design as those used for the principal dwelling unit. Window and door placement (fenestration) on the accessory structure housing the *Accessory Dwelling Unit* shall mimic that of the principal dwelling unit.
 - (e.) Exterior paint colors for the accessory structure housing the *Accessory*

Dwelling Unit shall be the same as (or complementary to) those for the principal dwelling unit.

- (8.) The use of manufactured dwellings, mobile homes, travel trailers, campers, or similar units as an *Accessory Dwelling Unit* is prohibited, except for Temporary Health Care Structures as defined and allowed by G.S. § 160D-915.
- (9.) The *Accessory Dwelling Unit* shall not be deeded and/or conveyed to separate and/or distinct ownership separately from the principal dwelling unit.

10.1-4 Automobile/Boat/Equipment Repair Service.

- (A.) Zoning Districts where additional standards below apply: “C 74”, “VSR”, “BC” and “IND”.
- (B.) Development Standards.
 - (1.) Vehicles awaiting repair shall not be parked in public right-of-way.
 - (2.) No outdoor automobile/boat work areas are to be located in front yard setback area.
 - (3.) All outdoor automobile/boat work areas and/or vehicle storage areas shall be screened from adjacent uses with a six (6) foot tall opaque fence and a Type D buffer (see Article 11); plantings shall be on the exterior side of the fence.

10.1-5 Automobile Towing and Storage Service.

- (A.) Zoning Districts where additional standards below apply: “VSR” and “IND”.
- (B.) Development standards.
 - (1.) No more than thirty (30) automobiles shall be stored at an automobile towing and storage service at a time.
 - (2.) The automotive storage area must be screened with a six (6) foot tall opaque fence and a Type C buffer (see Article 11); plantings shall be on the exterior side of the fence.
 - (3.) No outdoor disassembly or salvaging is permitted.

10.1-6 Bank, Savings and Loan, Credit Union.

- (A.) Zoning Districts where additional standards below apply: “TNDO”, “TC”, “MU-2”, “C 74”, ~~and~~ “CP 485”, and “BC”.
- (B.) Development standards.
 - (1.) Drive-through facilities shall be located at the rear of the building

- (2.) No more than two (2) drive-through lanes shall be permitted
- (3.) Drive-through facilities shall be screened from adjacent uses with a Type D buffer (see Article 11).
- (4.) ATM may be located at side or front of building only if a walk-up facility.

10.1-7 Batting Cages, Outdoor.

- (A.) Zoning Districts where additional standards below apply: “MU-2” and “C 74”.
- (B.) Development standards:
 - (1.) Fencing, netting, or other control measures shall be provided around the perimeter of the batting area to prevent balls from leaving the area.
 - (2.) Hours of operation 7:00 a.m. – 10:00 p.m.

10.1-8 Bed-and-Breakfast Inn (Tourist Home).

- (A.) Zoning Districts where additional standards below apply: “AG”, “MFT”, “TNDO”, “TC”, and “MU-2”.
- (B.) Development Standards
 - (1.) *Bed-and-Breakfast Inn* establishments (*Tourist Homes*) shall be located a minimum of five hundred (500') feet from other *Bed-and- Breakfast Inn* establishments (*Tourist Homes*). In calculating the five hundred (500') foot distance between *Bed-and-Breakfast Inn* establishments (*Tourist Homes*), measurements shall be taken from the closest property line of the existing *Bed-and-Breakfast Inn* establishment (*Tourist Home*) lot to the closest property line of the lot of the proposed *Bed-and-Breakfast Inn* establishment (*Tourist Home*). Existing, legally established *Bed-and-Breakfast Inn* establishments (*Tourist Homes*) that do not meet this separation requirement of five hundred (500') feet are permitted to expand within the subject property to the maximum limits allowed under this chapter, as long as all applicable development standards are met.
 - (2.) The owner shall reside on the property a majority of the calendar year.
 - (3.) The minimum lot area for a *Bed-and-Breakfast Inn* establishment (*Tourist Home*) shall be twenty thousand (20,000) SQUARE FEET.
 - (4.) The maximum number of guest rooms provided by the *Bed-and- Breakfast Inn* establishment (*Tourist Home*) shall be fourteen (14).
 - (5.) Accessory structures shall not be utilized for guest accommodation purposes as part of a *Bed-and-Breakfast Inn* establishment (*Tourist Home*).
 - (6.) Passive recreation-related outdoor activities, such as tea-time, are

permitted outside the principal structure or any accessory structure(s), but all other activities and functions designed to serve and entertain guests shall take place only within the principal structure on properties of one acre or less.

- (7.) The length of stay of any guest shall not exceed thirty (30) successive calendar days, with a minimum interval between stays of ninety (90) days.
- (8.) No home of less than three thousand (3,000) heated SQUARE FEET shall be used for a *Bed-and-Breakfast Inn* establishment (*Tourist Home*).
- (9.) Off-street parking shall be provided as required by Article 12 of this Ordinance. Parking shall be located on the same lot on which the *Bed- and-Breakfast Inn* establishment (*Tourist Home*) is located, at the rear of the lot and screened with a type C buffer (see Article 11) from adjacent properties and from the street except where separated from adjacent properties by a minimum of seventy-five (75') feet.
- (10.) Signage shall be limited to a single *Pole Sign*, subject to the regulations of Article 17. The sign shall be located in the front yard and, if lit, shall be indirectly lighted.
- (11.) Exterior lighting shall be residential in nature and shall not be directed towards adjacent properties.
- (12.) Activities and functions at the *Bed-and-Breakfast Inn* establishment (*Tourist Home*) shall be provided for overnight guests only and shall be limited to breakfast and an afternoon and/or evening refreshment. No commercial activities other than providing lodging for registered guests shall be permitted.
- (13.) The construction and operation of the *Bed-and-Breakfast Inn* establishment (*Tourist Home*) shall comply with N.C. State Building Code requirements.

10.1-9 Car Wash.

- (A.) Zoning Districts where additional standards below apply: "MU-2", "C 74", "VSR", "BC", and "IND".
- (B.) Development Standards:
 - (1.) Building(s) shall be at least seventy-five (75') feet from any interior side or rear property line which adjoins property either zoned for or abutting a residential use. A minimum six (6') foot high opaque fence and a Type A buffer shall be provided adjacent to all property zoned for residential uses, with the plantings on the exterior side of the fence.
 - (2.) All washing operations shall be contained in a building.

- (3.) Specific areas shall be provided for the manual drying, waxing, polishing, and vacuuming of vehicles where these services are offered on the site. These areas shall not conflict with on-site circulation patterns.
- (4.) The outdoor service area of a car wash shall be placed and screened in accordance with the standards for on-site parking.
- (5.) Hours of operation shall be between 8:00 a.m. and 8:00 p.m. when directly adjoining developed residentially zoned property.
- (6.) Adequate provision shall be made for the safe and efficient disposal and/or recycling of waste products and runoff.

10.1-10 Cemetery or Mausoleum.

- (A.) Zoning Districts where additional standards below apply: “AG”, and “CIV”.
- (B.) Development Standards:
 - (1.) A minimum of three (3) contiguous acres shall be required to establish a cemetery or mausoleum not located on the same tract of land as a religious institution.
 - (2.) Principal access must be from a collector street or higher capacity street.
 - (3.) Tombstones, crypts, monuments, burial plots, and mausoleums must be located at least twenty-five (25') feet from any street right-of-way or 16 feet from abutting property.
 - (4.) Buildings for maintenance, management, rent and/or sale of cemetery plots must conform to a building type permitted in the zoning district.

10.1-11 Religious Institutions (Church, Synagogue, Mosque, or Place of Worship).

- (A.) Zoning Districts where additional standards below apply: “TNDO”, ~~and~~ “CIV”, and “BC”.
- (B.) Development Standards:
 - (1.) Churches, synagogues, and other places of worship shall meet the standards for civic building and lot types.
 - (2.) Exterior lighting shall be directed or screened so as to protect the privacy of the private living areas and associated open spaces of adjacent residential properties. All exterior lighting shall be full cut-off fixtures.
 - (3.) *Accessory Dwelling Units* for persons associated with or employed by the church, synagogue, mosque, or place of worship may be provided at a ratio of one (1) unit for each one (1) acre of site; these limits do not apply to the placement of convents, rectories, parsonages, or similar uses on the site.

- (4.) Accessory uses such as religious institution offices, religious bookstores serving the immediate congregation, parking lots, family life centers, multi-purpose facilities, outdoor recreational facilities, cemeteries, mausoleum, and day care centers on the same site or sites contiguous to the principal use shall be permitted wherever religious institutions are permitted and shall meet the civic building and lot type or another building and lot type permitted in the zoning district. Similar uses on non-contiguous sites or on a site separated from the principal use by a public street shall be considered principal uses in their own right and be regulated as such. Tombstones, crypts, monuments, burial plots, and mausoleums in accessory cemeteries shall be located at least twenty-five (25') feet from any street right-of-way or sixteen (16') feet from abutting property.
- (5.) Religious institution accessory uses which are not permitted as principal uses in a zoning district shall adhere to the following restrictions:
 - (a.) No merchandise or merchandise display shall be visible from outside the building; and
 - (b.) Signage shall be limited to a single *Pole Sign*, subject to the regulations of Article 17. The sign shall not be located in the front yard and, if lit, shall be indirectly lighted.
- (6.) Except as noted in Section 10.1-11 (B.) (4.) above, accessory uses not permitted as principal uses (including television stations, radio stations, and/or sports complexes) are prohibited. This provision shall in no way restrict accessory use family life centers and multipurpose facilities, a part of whose function may include recreation and sports activities.
- (7.) Application for a zoning permit shall include a comprehensive site plan that addresses the required standards for the main site and all abutting holdings unless deemed un-necessary by the *Development Administrator*.

10.1-12 Club or Lodge.

- (A.) Zoning Districts where additional standards below apply: "TNDO", "TC", "CIV", "MU-2", "C 74", ~~and~~ "CP 485", and "BC".
- (B.) Development Standards
 - (1.) Building(s) must conform to a building type permitted in the zoning district.
 - (2.) Activities and events at the club or lodge shall occur between the hours of 8:00 a.m. and 1:00 a.m.
 - (3.) Access shall be from a collector or higher capacity street.

10.1-13 Country Club with or without Golf Course

- (A.) Zoning Districts where additional standards below apply: “AG”, “TNDO”, “CIV”, “MU”, “C 74”, and “CP 485”.
- (B.) Development Standards:
 - (1.) Building(s) must conform to a building type permitted in the zoning district.
 - (2.) Parking shall be screened from residential uses and/or districts with a Type C buffer (see Article 11).
 - (3.) Exterior lighting shall be directed or screened so as to protect the privacy of the private living areas and associated open spaces of adjacent residential properties. All exterior lighting shall be full cut-off fixtures.
 - (4.) No outdoor activity shall continue past the hour of 10:00 p.m.

10.1-14 Day Care Center for Children or Adults (six or more (6+)).

- (A.) Zoning Districts where additional standards below apply: “AG”, “TNDO”, “TC”, “CIV”, “MU”, “C 74”, and “CP 485”, and as an *Accessory Use* only in ~~the~~ “BC” and “IND”.
- (B.) Development Standards:
 - (1.) A *Day Care Center* must meet a permitted building and lot type for the district in which it is to be located.
 - (2.) *Day Care Centers* for children must provide play space in accordance with the regulations of North Carolina Department of Human Resources. The outdoor play space must be enclosed on all sides by building and/or permitted types of walls or fences; it may not include driveways, parking areas, or land otherwise unsuited for children's play space. Play space may not be in the established front yard.
 - (3.) There is no limit on the hours of operation of a *Day Care Center*, but it shall not serve any client on a continuous twenty-four (24) hour basis.

10.1-15 Day Care Center, Home Occupation for less than six (6) persons.

- (A.) Zoning Districts where additional standards below apply: “AG”, “MFT”, “TNDO”, “TC”, “CIV”, “MU”, and “C 74”, and as an *Accessory Use* only in ~~the~~ “BC” and “IND”.
- (B.) Development Standards:

- (1.) The *Day Care Center, Home Occupation* operation must be located within the residential dwelling unit occupied by the operator of the service. Preschool instruction and daytime care is limited to five (5) persons not related to the operator.
- (2.) *Day Care Center, Home Occupations* for children shall provide play space in accordance with the regulations of the North Carolina Department of Human Resources.
- (3.) Outdoor play space must be fenced or otherwise enclosed on all sides and may not include driveways, parking areas, or land otherwise unsuited for children's play space; it is prohibited in any established building setback from a street.
- (4.) No chain link fences shall be permitted in the front yard. Chain link and similar fencing materials located in the side and rear yards shall be planted on the exterior side with evergreen shrubs minimum three (3') feet in height and six (6') feet on center at installation, or be obscured by a comparable screening treatment.
- (5.) A *Day Care Center, Home Occupation* must be clearly incidental to the residential use of the dwelling and must not change the essential residential character of the dwelling; all building and lot standards for residential dwellings shall be maintained.
- (6.) There are no specific limitations on the hours of operation of a *Day Care Center, Home Occupation*, but no outdoor play shall be permitted twenty (20) minutes after sun-set.

10.1-16 Dormitories.

- (A.) Zoning District where additional standards below apply: "CIV".
- (B.) Development Standards:
 - (1.) Must be located on the campus of secondary or post-secondary school.
 - (2.) The dormitories must be administered and/or managed by the secondary or post-secondary school on whose campus they are located.
 - (3.) Buildings shall comply with the building type standards permitted in the Civic District.

10.1-17 Drive-through Window as Accessory Use.

- (A.) Zoning Districts where additional standards below apply: "TNDO", "TC", "CIV", "MU-2", "C 74", ~~and~~ "CP 485" and "BC".
- (B.) Development Standards:

- (1.) Drive-through service window, stacking lane(s), and circulation are prohibited in the established front setback of the principal building, or in an established side yard which abuts a street.
- (2.) Drive-through service window, stacking lane(s), and circulation are treated as components of on-site parking for the purposes of buffering.
- (3.) The length of on-site stacking lane(s), taken together, shall be a maximum of two hundred (200') feet if window access is provided directly from a major or minor arterial; a maximum of one hundred (100') feet if window access is provided directly from a street of lesser capacity.
- (4.) The drive-through lane(s) must be distinctly marked by special striping, pavement markings, or traffic islands. A separate circulation drive must be provided for passage around and escape from the outermost drive-through service lane.
- (5.) Buffering is not required for walk-up service accessories such as depositories and ATM's.
- (6.) One drive-through service window and/or automated service device may be permitted.
- (7.) Drive-through service windows and/or automated devices shall be mitigated by the provision of four (4) electric vehicle charging devices per window and/or device to mitigate the air quality impact of a motor vehicle at idle.

10.1-18 Golf Course (see Country Club with Golf Course, Section 10.1-13).

10.1-19 Golf Driving Range.

- (A.) Zoning Districts where additional standards below apply: "AG", "TNDO", "CIV", "MU-2", "C 74", and "CP 485".
- (B.) Development Standards:
 - (1.) Fencing, netting, or other control measures shall be provided around the perimeter of the driving range to prevent balls from leaving the area unless on site buffering is provided to prevent balls from entering any adjacent and/or occupied and/or improved property.
 - (2.) The hours of operation will be no earlier than 8:00 a.m. and no later than 11:00 p.m.

10.1-20 Raceway (Go-Cart, Motorcycle, &/or Automobile).

- (A.) Zoning District where additional standards below apply: "C 74".
- (B.) Development and Performance Standards.

- (1.) A minimum separation of thirty (30') feet, fully vegetated, shall be provided between any use area and any abutting property line. The vegetation shall form a permanent semi-opaque screen between the use area and adjacent property.
- (2.) Any use area shall be located a minimum of two hundred (200') feet from any residential or mixed-use district.
- (3.) The site shall be screened from view at street(s) within two hundred (200') feet of the use area by a masonry wall or a solid wood fence, planted on the exterior side with a semi-opaque vegetative screen with expected height of at least eight (8') feet at maturity; if security fencing of chain link or similar material is provided, it shall be placed on the interior side of the vegetation and wall or fence.
- (4.) The hours of operation will be no earlier than 8:00 a.m. and no later than 8:00 p.m.

10.1-21 Home Occupation.

- (A.) Zoning Districts where additional standards below apply: "AG", "SRF", "MFT", "TNDO", "TC", "CIV", "MU", "C 74", "CP 485", "BC", and "IND".
- (B.) Development Standards:
 - (1.) No display of goods, products, or services, or other advertising shall be visible from outside the dwelling, except that home occupations shall be allowed one pole sign in accordance with the provisions of Article 17, and such sign shall not be illuminated.
 - (2.) Home occupations shall be principally conducted by residents of the dwelling. However, a maximum of one (1) full-time equivalent non- resident of the dwelling may be employed as part of the home occupation.
 - (3.) On premise retail sales shall not be a component of the home occupation.
 - (4.) A maximum of twenty-five (25%) percent of the gross floor area of the dwelling unit may be used for the home occupation. If the home occupation is housed in an accessory structure, the square footage of the accessory structure shall not exceed twenty-five (25%) percent of the square footage of the principal structure (home).
 - (5.) Only one (1) vehicle principally used in connection with the home occupation shall be parked or stored on premise. Such a vehicle shall not display any signage designed to be visible beyond the property boundaries. Such a vehicle shall not be parked in a conspicuous place and shall be stored in a conforming on-site parking space meeting the provisions of Article 12.

- (6.) No equipment or process shall be used in connection with the home occupation that creates noise, vibrations, glare, fumes, odors, or electrical interference off premises.
- (7.) In addition to required parking as stipulated in Article 12, one (1) additional off-street parking space shall be provided for use in conjunction with the home occupation.
- (8.) Instruction in music, dancing, art, or similar subjects shall be limited to no more than five (5) students at one time.
- (9.) The home occupation shall not materially increase the traffic that is found in its vicinity when the use is not in operation. Pursuant to this, a maximum of six (6) individuals per day may visit the home occupation, with the exception of the instruction occupations addressed in Section 10.1-21 (B.) (8.) above.

10.1-22 Junked Motor Vehicle Storage as Accessory Use.

- (A.) Zoning Districts where additional standards below apply: “AG”, “C 74”, “VSR”, ~~“BC”~~, and “IND”.
- (B.) Development Standards:
 - (1.) Any vehicle meeting the definition of "motor vehicle, junked" in Article 3 shall be stored or placed in the side or rear yard of the property in such a manner so as to be totally screened from view from any street and/or from any adjacent residential, mixed use, or civic zoned property. Total screening shall be provided by placement of the vehicle behind a building and/or by plant materials, fences, berms, or a combination thereof with a minimum height of six (6') feet.
 - (2.) Open storage of more than one (1) such vehicle shall require classification as a junkyard, salvage yard, auto parts use and shall meet the conditions for such use as set forth elsewhere in this Article.
 - (3.) More than one (1) such vehicle may be stored within a completely enclosed building.

10.1-23 Kennels or Pet Grooming with Outdoor Pens or Runs.

- (A.) Zoning Districts where additional standards below apply: “AG”, “C 74”, “CP 485”, and “IND”.
- (B.) Development Standards:

- (1.) The pens, runs, and/or other facility for the outdoor containment of animals shall be at least four hundred (400') feet from abutting property located in a residential or mixed-use district.
- (2.) The pens, runs, and/or other facility for the outdoor containment of animals shall be buffered from abutting property in a residential or mixed-use district with a Type B buffer (see Article 11).

10.1-24 Multi-Family Development.

- (A.) Zoning Districts where additional standards below apply: "MFT" (*eight (8) units or less only*), "TNDO", "TC", "CIV", "MU-1" and "MU-2".
- (B.) Development Standards:
 - (1.) The multi-family development shall not exceed a total of seventy-two (72) dwelling units without separation of parcels by a public street or park.
 - (2.) The maximum permitted density for the multi-family development shall be ten (10) units per acre or as limited by Permitted Residential Density standards listed in Article 8. (*Amended December 19, 2019*)
 - (3.) The permitted building and lot types for the multi-family development in a single-family area shall be the detached house and the attached house building and lot types.
 - (4.) All parking for the multi-family development shall be located behind the building. The parking area shall be screened from adjacent properties and from the street with a minimum of a Type C buffer (see Article 11).
 - (5.) The buildings in the multi-family development shall be architecturally compatible with single family structures on the street on which the multi-family building is proposed. Elements that shall be incorporated into the design of the multi-family building to ensure architectural compatibility are:
 - (a.) The multi-family building shall be constructed of building materials similar to those used on single family structures on the street.
 - (b.) The roof pitch of the multi-family building shall be the same as that of the single-family structures on the street.
 - (c.) The fenestration of the multi-family building by location and size of windows and doors shall be similar to that of the single-family homes on the street.
 - (d.) Color renderings of the proposed building must be submitted with the application to ensure architectural compatibility.

- (6.) No multi-family building shall be located closer than thirty-six (36') feet to an existing multi-family building or development. The distance shall be measured along centerline of streets from the edge of the property proposed for development to the closest edge of the property on which the existing multi-family building or development is located. *(Amended September 23, 2019)*

10.1-25 Nursing Home, Assisted Living.

- (A.) Zoning Districts where additional standards below apply: “AG”, “TNDO”, “TC”, “CIV”, “MU”, and “C 74”.
- (B.) Development Standards:
 - (1.) The facility shall provide centrally located shared food preparation, food service, and dining areas.
 - (2.) Common recreation, social, and service facilities shall be provided at a minimum rate of thirty (30) SQUARE FEET per dwelling unit or per rooming unit.
 - (3.) All facilities shall be solely for the use of residents and their guests.
 - (4.) Facilities for administrative services and limited medical services for the exclusive use of the resident shall be located on the site.

10.1-26 Parks and Recreation Facilities, Public.

- (A.) Zoning Districts where additional standards below apply: “AG”, “SRF”, “MFT”, “TNDO”, “TC”, “CIV”, “MU”, “C 74”, and “CP 485”.
- (B.) Development Standards:
 - (1.) Overflow parking (in addition to required parking) must be designed on the site plan and be kept available to handle all traffic from special events such as softball tournaments and outdoor concerts.
 - (2.) All parks greater than ten (10) acres shall have primary access to a collector or higher capacity street.
 - (3.) Lighting, with the exception of lighting for ball fields and tennis courts, shall be full cut-off fixtures.

10.1-27 Special Events and Temporary Structures.

- (A.) Zoning Districts where additional standards below apply: See Article 15
- (B.) Development Standards: See Article 15

10.1-28 School, Elementary or Secondary.

- (A.) Zoning District where additional standards below apply: “CIV”.
- (B.) Development Standards:
 - (1.) Minimum lot size:
 - (a.) Kindergarten (only): One (1) acre.
 - (b.) K-12: Two (2) acres.
 - (2.) Minimum setback standards:
 - (a.) Front: Twice that for permitted uses in the respective zoning district.
 - (b.) Side: twenty-five (25’) feet.
 - (c.) Rear: twenty-five (25’) feet.
 - (3.) Building type shall be civic building.
 - (4.) Parking and active recreation areas shall not be located within the required building setbacks.
 - (5.) Primary access shall be provided from arterial streets. Local residential streets shall not be used for primary access.
 - (6.) Site lighting shall be full cut-off fixtures.

10.1-29 Swim and Tennis Club.

- (A.) Zoning Districts where additional standards below apply: “AG”, “SRF”, “MFT”, “TNDO”, “CIV”, “MU”, “C 74”, and “CP 485”.
- (B.) Development Standards:
 - (1.) The minimum area shall be two (2) acres. The minimum area shall be one (1) acre if located as part of a common area within a development.
 - (2.) There shall a minimum fifty (50’) foot separation between clubhouse, swimming pool, lighted tennis court, or athletic field and any adjacent residentially-zoned property.
 - (3.) Outdoor swimming pools shall be protected by a non-climbable type fence, or equal enclosure, a minimum four (4) feet in height and equipped with a self-closing and positive self-latching gate provided with hardware for permanent locking.
 - (4.) Site lighting shall be full cut-off fixtures. If proof is provided that such lighting is inadequate for the tennis courts, the *Development Administrator* may approve other lighting for the tennis courts only.

10.1-30 Temporary Construction Storage and/or Office.

- (A.) Zoning Districts where additional standards below apply: See Article 15
- (B.) Development Standards: See Article 15

10.1-31 Veterinary Service with Outdoor Kennels.

- (A.) Zoning Districts where additional standards below apply: “AG”, “C 74”, “CP 485”, ~~“BC”~~, and “IND”.
- (B.) Development Standards:
 - (1.) The pens, runs, and/or other facility for the outdoor containment of animals shall be at least four hundred (400') feet from abutting property located in a residential or mixed-use district.
 - (2.) The pens, runs, and/or other facility for the outdoor containment of animals shall be buffered from abutting property in a residential or mixed-use district with a Type B buffer (see Article 11).

10.1-32 Wireless telecommunication facilities, microcell. (As defined in G.S. §§ 160D-930 through 938).

- (A.) Zoning Districts where additional standards below apply: All zoning districts.
- (B.) Development Standards
 - (1.) Microcellular wireless telecommunication facilities are permitted on buildings and other existing structures, other than off-premise signs, which do not require an increase in height to accommodate the facility. Each new utility pole and each modified or replacement utility pole or Town utility pole installed in the right of way and on private property shall not exceed fifty (50') feet above ground level and each new small wireless facility in the right of way and private property shall not extend more than ten (10') feet above the utility pole, Town utility pole or wireless support structure on which it is collocated.
 - (2.) All antennas associated with microcellular wireless telecommunication facilities mounted on a building or other existing structure (other than a utility pole) shall be flush-mounted against the side of the building or structure and camouflaged to match or complement the color and architectural treatment of the surface on which they are mounted.
 - (3.) Antennas associated with a microcellular wireless telecommunication facility mounted on a utility pole must be mounted atop the pole or flush mounted against the sides of the pole and shall be colored to match or complement the color of the utility pole and shall be mounted in as

unobtrusive a manner as possible.

- (4.) Antennas associated with a microcellular wireless telecommunication facility may not be co-located on a tower or other support structure used by an amateur radio operator.
- (5.) Equipment enclosures associated with microcellular wireless telecommunication facilities mounted on a building or other existing structure (other than a utility pole) shall be mounted inside the building or structure, attached to an exterior surface, or placed underground or on a concrete pad on the ground outside the building or structure. If mounted on an exterior surface, the enclosures shall be colored or camouflaged to match or complement the color and architectural treatment of the surface on which they are mounted. If placed on a concrete pad on the ground, the enclosures shall be screened so as to make them unobtrusive.
- (6.) Equipment enclosures associated with a microcellular wireless telecommunication facility mounted on a utility pole, must be mounted on the utility pole; provided, however, if combiners are used to allow co-location by sharing of an antenna or antenna array and pole-mounting of equipment enclosures cannot be accommodated on the pole, the combiner and additional equipment enclosures may be placed underground or on a concrete pad on the ground. If placed on a concrete pad on the ground, such additional equipment enclosures shall be screened so as to make them unobtrusive.
- (7.) All cabling and wiring connecting antennas, equipment enclosures, and other components of a microcellular wireless telecommunication facility shall be colored or concealed in a manner as to render them unobtrusive.
- (8.) Microcellular wireless telecommunication facilities located in a local historic district or on a historic landmark shall require a certificate of appropriateness from the historic resources commission.
- (9.) Generators may not be used as a primary electrical power source. Backup generators shall only be operated during power outages or for testing and maintenance purposes. Testing and maintenance shall only take place on weekdays between the hours of 8:30 a.m. and 4:30 p.m.
- (10.) A copy of the applicant's Federal Communication Commission (FCC) license must accompany its application. If the applicant is not an FCC licensee, the applicant must demonstrate that it has binding commitments from one or more FCC licensees to utilize the wireless telecommunication facility and must submit a copy of each such wireless service provider's FCC license. If FCC licenses have previously been filed with the Town in conjunction with other wireless telecommunication facilities, the applicant may certify that

such licenses remain in full force and effect. In no instance in an area zoned single-family residential (“SRF”) where the existing utilities are installed underground may a utility pole, Town utility pole, or wireless support structure exceed forty (40’) vertical feet above ground level, unless the applicant receives a variance for a taller pole from the *Board of Adjustment* per G.S. § 160D-936(d)(1).

- (11.) Abandoned or unused wireless telecommunication facilities shall be removed within one hundred and eighty (180) days of abandonment or cessation of operations. If not removed within that period, such facilities may be removed by the Town and the costs of removal recovered from the permittee, per G.S. § 160D-935(g). Prior to removing a wireless telecommunication facility pursuant to this provision, the Town shall give thirty (30) days written notice of its intention to do so to the permittee at its last known address.

10.1-33 Wireless telecommunication facilities, concealed.

(A.) Zoning Districts where additional standards below apply: All zoning districts.

(B.) Development Standards:

- (1.) Concealed wireless telecommunication facilities are permitted on buildings and alternative structures, other than off-premise signs and telecommunication towers.
- (2.) For purposes of this section, antennas mounted on an electric transmission tower shall qualify as a concealed wireless telecommunication facility provided antennas associated with such a facility do not extend more than ten (10’) feet above the top of the supporting structure nor more than two feet from the sides of the structure. Equipment enclosures associated with such a facility may be mounted on the structure or placed underground or on the ground. If placed on the ground, equipment enclosures shall be placed on a concrete pad and screened so as to make them unobtrusive.
- (3.) For purposes of this section, antennas mounted on an electric distribution tower shall qualify as a concealed wireless telecommunication facility provided antennas associated with such a facility do not extend more than ten (10’) feet above the top of the supporting structure nor more than two (2’) feet from the sides of the structure, and equipment enclosures associated with the facility occupy less than sixty (60) cubic feet. Equipment enclosures associated with such a facility may be mounted on the structure or placed underground or on the ground on a concrete pad. Electric distribution poles may be extended in height in R/MST zoning district to the lesser of twenty (20’) feet above the vegetative canopy in the vicinity of the site as

determined by the *Development Administrator* or eighty (80') feet in height. Such extensions shall qualify as an existing structure for purposes of this section. Such height extensions of electric distribution poles shall only be permitted if no other distribution pole within the applicant's search ring has been extended in height above the average pole height on the same distribution line as documented by the utility owning such poles and the applicant has demonstrated that co-location on such other extended electric transmission tower is not technically or commercially feasible, per G.S. §160D-933(b)(3).

- (4.) Panel antennas associated with concealed wireless telecommunication facilities may not exceed eight feet in height. If flush-mounted on the side of a building or alternative structure, antennas shall be camouflaged to match or complement the color and architectural treatment of the surface. Antennas extending above the roof line of a building shall be concealed behind an RF-transparent parapet wall or facade which is camouflaged to match or complement the color and architectural treatment of the building or structure. Such parapet walls or facades shall not extend more than ten feet above the roof line. Where a parapet wall is at least eight feet in height, omnidirectional (whip-type) antennas may extend above the parapet wall by a distance equal to the height of the parapet wall.
- (5.) Antennas associated with a concealed wireless telecommunication facility may not be co-located on a tower or other support structure used by an amateur radio operator.
- (6.) Electronic equipment associated with concealed wireless telecommunication facilities may be placed inside a building or, if placed on a rooftop, all equipment enclosures shall be mounted behind a parapet wall or facade which is camouflaged to match or complement the color and architectural treatment of the building. If placed on the ground on a concrete pad, except as provided in Section 10.1-33(B).(4.) above, equipment enclosures shall be screened so as to make them unobtrusive.
- (7.) All cabling and wiring connecting antennas, equipment enclosures, and other components of concealed wireless telecommunication facilities shall be colored or concealed in a manner as to render them unobtrusive.
- (8.) Generators may not be used as a primary electrical power source. Backup generators shall only be operated during power outages or for testing and maintenance purposes. Testing and maintenance shall only take place on weekdays between the hours of 8:30 a.m. and 4:30 p.m.
- (9.) Applicants for concealed wireless telecommunication facilities shall first be encouraged to consider properties owned by the Town or Union County, or

instrumentalities thereof, before considering private properties. Public properties shall be subject to the same restrictions and standards of appropriateness as private properties. All such public agencies or instrumentalities shall retain discretion as to whether to make a specific property available for wireless telecommunication facilities and to make determinations with respect to site capacity, aesthetics, or suitability of such facilities. A copy of the applicant's FCC license must accompany its application. If the applicant is not an FCC licensee, the applicant must demonstrate that it has binding commitments from one or more FCC licensees to utilize the wireless telecommunication facility and must submit a copy of each such wireless service provider's FCC license. If FCC licenses have previously been filed with the Town in conjunction with other wireless telecommunication facilities, the applicant may certify that such licenses remain in full force and effect.

(10.) Abandoned or unused wireless telecommunication facilities shall be removed within one hundred and eighty (180) days of abandonment or cessation of operations. If not removed within that period, such facilities may be removed by the Town and the costs of removal recovered from the permittee. Prior to removing a wireless telecommunication facility pursuant to this provision, the Town shall give thirty (30) days written notice of its intent to do so to the permittee at its last known address.

(11.) (Reserved)

10.1-34 Pawnshop or Used Merchandise Store.

(A.) Zoning Districts where additional standards below apply: "C 74".

(B.) Development Standards:

- (1.) The owner shall comply with all applicable portions of G.S. Chapter 66, Article 45, Part 1: Pawnbrokers and Cash Converters.
- (2.) Hours of operation: 8:00 a.m. until 8:00 p.m.
- (3.) No outdoor storage or display of merchandise or goods.
- (4.) No "unsightly window display" of appliances, tools, or housewares.
- (5.) No window tinting.
- (6.) Five hundred (500') feet of separation between pawnshops measured in a straight line between front door entrances, inclusive of rights of way.
- (7.) No pornographic or sexually explicit material sales on site.

10.1-35 Manufactured Dwelling/Home (replacement of existing unit on individual lot (See Article 8)).

- (A.) Zoning District where additional standards below apply: All zoning districts when replacing an existing manufactured dwelling per Article 22.5-2.
- (B.) Development Standards:
 - (1.) Manufactured Dwellings (Homes) on individual lots, not within a Manufactured Dwelling (Home) Park, shall be multi-sectional. Single- wide Manufactured Dwellings (Homes) shall not be permitted on individual lots.
 - (2.) The manufactured dwelling (home) shall have the towing apparatus, wheels, axles, and transporting lights removed.
 - (3.) The manufactured dwelling (home) shall be set-up in accordance with the standards established by the North Carolina Department of Insurance for permanent installations.
 - (4.) A continuous masonry foundation shall be installed under the perimeter, un-pierced except for required ventilation, access and utility purposes.
 - (5.) A permanent front porch of at least thirty-two (32) square feet in area shall be constructed within eight (8") inches of the finished floor elevation and be fully underpinned with masonry, equal to the permanent foundation in Section 10.1-36(B).(5.) above, to completely conceal the area beneath the porch and the Manufactured Dwelling (Home). All secondary entrances and exits to the Manufactured Dwelling (Home) shall also have concrete or masonry steps to the finished grade.
 - (6.) The front of the Manufactured Dwelling (Home) shall be parallel to the front property line except on corner lots.

10.1-36 Outdoor Storage.

- (A.) Applicable to any Zoning Districts where Table 8.1, appearing in Article 8 of this Ordinance includes the Outdoor Storage of materials associated with a use listed with additional standards.
- (B.) Exclusions include licensed motor vehicles titled to a resident and/or occupant of the property, provided such vehicles are not in violation of the provisions of Section 10.1-22 of this Article.
- (C.) Performance Standards for Outdoor Storage:
 - (1.) In all zoning districts where storage of bulk materials, inventory, customer owned property, and/or equipment is stored outdoors more than three (3) consecutive calendar days the site shall:

- (a.) consist of a minimum of five (5) acres;
- (b.) provide for the screening and buffering along all site perimeter of the area designated for Outdoor Storage on an approved site plan with a Type D Buffer, except where the site abuts an adjacent Zoning District requiring the provision of a Buffer Yard in accordance with Table 11.1 appearing in Article 11 of this Ordinance.

10.1-37 Hospital Campuses.

(A.) The following architectural and building standards shall apply to buildings located on a hospital campus and shall be in lieu of the standards set out in Sections 9.8-3 (B.) and 9.8-4 of this Ordinance, which standards shall not apply to buildings located on a hospital campus.

(1.) Principles:

- (a.) Building elevations fronting or visible from public streets shall be clad with brick, masonry, precast concrete, stone, synthetic stone, metal panels, glass, wood, stucco, or similar materials. A maximum of forty (40%) percent of a street fronting buildings face may be compromised of metal paneling so as to maintain compatibility with structures within the Town, exception to this provision applies where building frontage is located within business or employment centers within the Business Center (BC) and Industrial (“IND”) districts on local streets not visible from designated thoroughfares upon the approved thoroughfare plan.
- (b.) All walls not visible from a public right-of-way may be constructed of cinder block, brick, wood, or metal paneling.
- (c.) Buildings in all locations should relate a principal façade to the sidewalk and public space of the street.

(2.) Configurations:

- (a.) Two (2) wall materials may be combined horizontally on one façade. The “heavier” material should be below the “lighter” material (i.e. brick below siding) to maintain compatibility with structures within the Town.

(3.) Techniques:

- (a.) All rooftop equipment shall be screened from public view at grade from adjacent public right-of-way by a building material that matches the structure. The screening apparatus should be incorporated as part of the architectural theme to maintain compatibility with structures within the Town.

(B.) Building Standards and Anti-Monotony Standards:

(1.) Massing and Rhythm:

- (a.) To ensure a consistent scale and compatible character of each building, massing and rhythm shall be consistent in the site design.

(2.) Height

- (a.) Maximum building height shall be one hundred and twenty (120') feet as measured under the ordinance.

(3.) Scale and Roofline:

- (a.) The goal for scale is to be reiterated regarding height. The scale of buildings must be such that street edges are defined and relate to human proportions.
- (b.) A range of roof forms is acceptable if they are compatible with the architectural character, scale, and height of surrounding buildings. Mansard roofs are not permitted.

(4.) Fenestration:

- (a.) Fenestration includes the structural openings to buildings, including doors and windows, to intuitively guide people toward their destination and improve emergency response.
- (b.) All buildings shall have their principal entrance opening to a public or private street, square, plaza, or a public or private sidewalk. Access from the public or private sidewalk, street right-of-way, or driveway to the principal structure shall be provided through an improved surface. Buildings shall comply with this standard for all buildings that provide a non-vehicular service.
- (c.) The first (1st) floor of all buildings shall be designed to reduce automobile dependency and encourage pedestrian-scale activity using windows and doors. These openings should be arranged so that uses are visible and/or accessible to both sidewalk and street.

(5.) Articulation

- (a.) All sides, including the rear of the building shall include materials and design characteristics consistent with those on the front.
- (b.) Use of inferior or lesser quality materials on side or rear walls is prohibited except for areas where public access is prohibited by the proprietor.
- (c.) If canopies, awnings, or other similar appurtenances are used, the following standards shall apply:
 - (i.) Such appurtenances shall be constructed of materials designed to full-fill the principles of the standards herein.

- (ii.) Any appurtenance may extend from the building up to eighty (80%) percent of the width of the sidewalk area or nine (9') feet whichever is less.
- (iii.) In no case shall any such facility extend beyond the curb line of the street, nor shall it interfere with maintenance of bio- retention pits with street trees for stormwater management, or maintenance of streetlights or street signs.
- (iv.) A minimum overhead clearance of seven (7') feet from the sidewalk shall be maintained.

(6.) Materials

- (a.) All buildings shall be constructed of durable fire retardant and wind resistant materials to prevent hazards to persons and/or property.
- (b.) It is recommended that the primary structure be neutral in color (i.e. light grays, browns, beiges, whites or earth tones) and not colors that are distractive to motorist or cause concern among proximate proprietors or diminished property value or customer discomfort. The trim may be of various contrasting colors to that of the primary structure.
- (c.) Where any sloped roofs are utilized, they shall be covered with high profile asphalt shingles, natural clay tiles, slate, concrete tiles (with natural texture and color), ribbed metal, or shingles.
- (d.) Finish materials of buildings, signage, and other accessory structures, shall be compatible with the architectural character of the principal structure(s) through compliance with the following guidelines:
 - (i.) All buildings shall utilize a consistent architectural style;
 - (ii.) Differing buildings, businesses, or activities within the same development may be distinguished by variations; and
 - (iii.) Sides and backs of buildings shall be visually distinguishable as the front through the design of roof lines, architectural detailing, and landscaping features. Non-public and restricted access areas may be exempted from this provision upon review by the *Development Administrator*. (Amended August 26, 2019)

10.2 Special Uses

10.2-1 Purpose. Certain uses may wish to locate in the Town of Stallings and its area of jurisdiction, which, due to their size and/or operation, have impacts that could adversely impact neighboring uses or the community as a whole. Due to the potential impacts of these uses, they must meet certain conditions to ensure that they do not adversely impact neighboring uses or the community as a whole. This section identifies the uses that require conditions and establishes the conditions they must meet. A Special Use Permit must be granted for these uses in accordance with the procedures set forth in Article 7.

10.2-2 Condition Uses Established. The following Special Uses and the minimum conditions they must meet are hereby established.

10.2-3 Adult Establishment.

(A.) Zoning District where the conditions appearing below apply: "IND".

(B.) Conditions:

- (1.) No lot containing an adult use shall be located within a one thousand and two hundred (1,200') foot radius of any lot containing another adult use.
- (2.) No lot containing an adult use shall be located within a one thousand and two hundred (1,200') foot radius of any residential or mixed-use zoning district.
- (3.) No lot containing an adult use shall be located within a one thousand and two hundred (1,200') foot radius of any dwelling unit, church or place of worship, school, library, licensed child care center, public recreation center, or public park or playground.
- (4.) The required distance shall be measured from the closest edge of the property occupied by an adult use to the closest edge of the property occupied by a protected use, zone, or by another adult use. Provided, however, that if an adult use is located in a multi-tenant facility, the distance shall be measured from the closest edge of the portion of the facility occupied by such use.
- (5.) No more than one (1) adult establishment may be located within the same structure or on the same lot.
- (6.) In the interest of public health and safety, mini-motion picture booths shall be constructed without doors and shall orient the customer entrance of each booth toward the principal sales counter.
- (7.) Except for permitted business identification signage, no printed material, slide, video, photograph, written text, live show, or other visual presentation

shall be visible, nor shall any live or recorded voices, music, or sounds be heard from outside the walls of the adult use.

10.2-4 Agricultural Based Business Facility.

- (A.) Zoning District where the conditions appearing below apply: “AG”; however, this use is also listed without supplemental standards in “IND”.
- (B.) Conditions:
 - (1.) The facility shall be located on a lot or parcel of no less than four (4) acres and is not included in the *Bona Fide Farm* exemption.
 - (2.) The facility may include agricultural, horticultural, vintner, brewing, bottling, packaging, research, manufacturing, production, and/or public venues for interactive participation and/or consumption operations of products for human consumption.
 - (3.) Accessory activities may include entertainment venues, tasting rooms/bars, retail outlets, distribution facilities, and/or restaurant services in accordance with applicable laws.
 - (4.) The facility shall not include feed lots, slaughtering and/or meat packaging operations, or composting facilities
 - (5.) Buildings shall meet the following design standards:
 - (a.) Maximum footprint: forty-five thousand (45,000) square feet.
 - (b.) Maximum height: forty-two (42’) feet (excluding silos and related attachments)
 - (c.) Exterior building materials shall consist of wood siding, wood shingles, fiber cement siding, brick, rock, or other high-quality masonry material. No vinyl or metal siding shall be permitted.
 - (6.) Minimum three hundred (300’) foot distance between manure storage areas, barns, or stables and any adjacent residentially zoned property.

10.2-5 Amusement/Water Parks, Fairgrounds.

- (A.) Zoning Districts where the conditions appearing below apply: “C-74” and “CP 485”.
- (B.) Conditions:
 - (1.) Outdoor amusement facilities will be separated by a Type C buffer (see Article 11) from any abutting property located in a residential or mixed-use district.

- (2.) No amusement facilities, water slides, or mechanical rides shall be located within two hundred (200') feet of any abutting property located in a residential district.
- (3.) Hours of operation will be no earlier than 8:00 a.m. and no later than 10:00 p.m.

10.2-6 Asphalt Plant.

- (A.) Zoning District where the conditions appearing below apply: "HIO".
- (B.) Conditions:
 - (1.) The facility shall be located on a lot of no less than five (5) acres.
 - (2.) Access shall be from a collector or higher classification street. No trucks traffic shall be permitted on surrounding residential streets.
 - (3.) A minimum of a Type A buffer (see Article 11) shall be located around the perimeter of the property on which the asphalt plant is located.
 - (4.) All operations other than parking shall be located a minimum of one thousand (1,000') feet from any residential or mixed-use zoning district.
 - (5.) The facility shall comply with the requirements of Article 10.2-16.

10.2-7 Equestrian Facility.

- (A.) Zoning Districts where the conditions appearing below apply: "AG", "TNDO", "C 74", and "CP 485".
- (B.) Conditions:
 - (1.) The facility will not be in conflict with the purpose and objectives set forth in this ordinance for the zoning district in which the facility is located.
 - (2.) The facility shall be located on a lot of no less than five (5) acres.
 - (3.) Outdoor riding rings may be provided as part of the facility.
 - (4.) Minimum three hundred (300') foot distance between manure storage areas, barns or stables and any adjacent residentially zoned property.
 - (5.) Maximum number of horses boarded is two (2) per acre. (6.) Buildings shall meet the following design standards:
 - (a.) Maximum footprint: fifteen thousand (15,000) square feet
 - (b.) Maximum height: forty-two (42') feet (excluding silos and related attachments)

- (c.) Exterior building materials shall consist of wood siding, wood shingles, fiber cement siding, brick, rock, or other high-quality masonry material. No vinyl or metal siding shall be permitted.

10.2-8 Group Care Facility.

- (A.) Zoning Districts where the conditions appearing below apply: “AG”, “SFR”, “MFT”, “TNDO”, “TC”, “CIV”, “MU”, “C 74”, and “CP 485”.
- (B.) Conditions:
 - (1.) No such facility shall be located within half (0.5) of a mile of an existing group care facility unless located within the Civic (CIV) district and/or specifically approved within a Traditional Neighborhood Development Overlay (TNDO) district.
 - (2.) The facility shall be limited to no more than thirty (30) persons. (3.) Buildings shall be of a type permitted in the zoning district.

10.2-9 Junkyards and/or Salvage Yards, Auto Parts.

- (A.) Zoning District where the conditions appearing below apply: “IND” with “HIO”.
- (B.) Conditions:
 - (1.) The minimum area required to establish a salvage yard shall be five (5) acres.
 - (2.) A six-foot-tall opaque fence of uniform construction and a type A buffer shall be placed around the perimeter of the use; plantings shall be on the exterior side of the fence.
 - (3.) No salvage yard, scrap processor, or auto wrecking shall be located within three hundred (300) feet of any residence existing or under construction at the time of installation of such operation or business.

10.2-10 RESERVED.

10.2-11 Petroleum and Petroleum Products, Fuel Oil Sales (including bio-fuel) Storage and/or Transsquare feeter Facilities.

- (A.) Zoning District where the conditions appearing below apply: “IND” with “HIO”.
- (B.) Conditions:
 - (1.) Minimum lot area shall be five (5) acres.

- (2.) Use shall comply with all federal and state standards. Verification of compliance or ability to comply shall be provided with the application submitted to the Town of Stallings.
- (3.) The use shall be buffered from adjacent properties and public streets with a Type B buffer (see Article 11).
- (4.) Hazardous Industry Overlay District (HIO) conditions and standards apply.
- (5.) The facility shall comply with the requirements of Article 10.2-16.

10.2-12 Sewage Treatment Plant.

- (A.) Zoning District where the conditions appearing below apply: "HIO".
(Amended March 28, 2022)
- (B.) Conditions:
 - (1.) Minimum site area shall be ten (10) acres.
 - (2.) All buildings, lagoons, outdoor treatment areas, and other facilities shall be located at least one thousand (1,000) feet from residential and mixed use zoned property.
 - (3.) Use shall comply with all federal and state standards. Verification of compliance or ability to comply shall be provided with the application submitted to the Town of Stallings.
 - (4.) Use shall be managed and operated by a municipality, county, or other governmental entity.

10.2-13 Shooting Range, Indoor.

- (A.) Zoning District where the conditions appearing below apply: "MU-2", "C 74", ~~and "CP 485"~~ and "BC".
- (B.) Conditions:
 - (1.) Access shall be controlled to prevent unregulated entrance to firing area.

10.2-14 Telecommunications Towers (per NC Session Law 2013-185).

- (A.) Zoning Districts where the conditions appearing below apply: "TC", "MU- 2", "C 74", "CP 485", "BC", and "IND".
- (B.) Unless defined in this section or elsewhere in this ordinance, the terms in this section shall have the meanings set forth in G.S. § 160D-931.
- (C.) Conditions:

- (1.) The applicant for a special use permit for a new telecommunication tower shall bear the burden of demonstrating by substantial evidence that no existing or previously approved wireless support structure, building, or alternate structure within the applicant's search ring can reasonably be used instead of construction of a new telecommunication tower and that the height of the proposed telecommunication tower is necessary to provide the applicant's designed service. (See G.S. § 160D- 933(b))
- (2.) Telecommunications transmission towers in the Town Center (TC) district must be a monopole design that does not exceed one-hundred and fifty (150') vertical feet in height from average adjacent grade.
- (3.) The Town may elect to retain outside consultants or professional services to review a special use permit application for a telecommunication tower and to make recommendations on relevant issues including, but not limited to, verification of the applicant's due diligence, analysis of alternatives, conditions of approval, and compliance with state and federal rules and regulations at the applicant's expense. (See G.S. § 160D-933(d))
- (4.) In addition to the notice requirements found elsewhere in this Ordinance, the applicant for a special use permit for a telecommunication tower shall be required to notify by regular mail all property owners within a one-quarter (0.25) mile (one thousand and three hundred and twenty (1,320') feet) radius of the proposed location of any public hearing on the application at least ten days prior to the hearing. The *Development Administrator* may require the applicant to conduct a crane or balloon test to simulate the height of the proposed tower. Notice of the dates and times of such tests shall be mailed by the applicant to all property owners within a one- quarter (0.25) mile (one thousand and three hundred and twenty (1,320') feet) radius of the proposed location at least ten (10) days prior to the primary test date. The notice shall state primary and alternate test dates as well as a range of dates for testing in the event of extended periods of inclement weather. The *Development Administrator* shall review and approve the sufficiency of the notice prior to mailing and, as part of its application, the applicant will be required to submit a certificate of mailing and attach a copy of the notice and a list of the addresses to which it was sent. In the event the applicant seeks to increase the height of the proposed tower from the height stated in the original notices or move the proposed tower location more than fifty (50') feet laterally from the location stated in the original notices, additional notice shall be required to be given in accordance with the above provisions and all time-periods shall run from the date of supplemental notification.

- (5.) Applicants for telecommunication towers are encouraged to consider properties owned by the Town, or instrumentalities thereof, before considering private properties. Public properties shall be subject to the same restrictions and standards of appropriateness as private properties. All such public agencies or instrumentalities shall retain discretion as to whether to make a specific property available for wireless telecommunication facilities and to make determinations with respect to site capacity, aesthetics, or suitability of such facilities.
- (6.) Telecommunication towers proposed on properties under the ownership or control of the North Carolina Department of Transportation (NCDOT) shall simulate typical highway lighting towers in height and appearance and shall be clustered amongst or near such towers so as to be unobtrusive. If due to topography, existing vegetative canopy, or other local conditions, the Town Council determines that a tower disguised as a coniferous tree is a preferable aesthetic alternative to a simulated lighting tower, it may require such camouflage treatment as a condition of approval. If any portion of a telecommunication tower located on such properties is used to mount cameras, instruments, sensors or antennas for governmental use, and the same structure supports or incorporates commercial wireless telecommunication facilities, the governmental use shall be deemed incidental or accessory to the commercial use and the entire facility shall be treated as a commercial use for purposes of this section. This subsection may not be used to deny the placement of communications facilities in the rights of way of State maintained highways. (See G.S. § 160D-938)
- (7.) It is the policy of the Town to encourage collocation and the use of existing structures where appropriate. In furtherance of that policy objective, the following provisions shall apply to an application for a special use permit for a telecommunication tower:
- (a.) A special use for a telecommunication tower shall not be approved unless the tower is designed structurally, electrically, mechanically, and in all respects to accommodate at least three users. An application shall not be deemed complete until the applicant submits:
- (i.) A letter of intent agreeing to make all of its wireless telecommunication facilities (including existing facilities) within the Town available to providers of functionally equivalent services at commercially reasonable fair market value rates; and
- (ii.) A copy of an executed lease for the proposed tower site that allows collocation, leasing, or subleasing to other providers of functionally equivalent services, with proprietary, confidential, or business information redacted.

- (b.) Applicants are encouraged to meet collocation requirements by using dual-band/multi-band antennas to allow sharing of antennas, antenna arrays by wireless providers using different frequency bands, or by using combiners to allow antenna sharing by users of the same frequency band.
- (8.) A special use permit application for a telecommunication tower shall not be approved if an electric transmission tower is located within the search radius and/or ring of the proposed telecommunication tower, unless the applicant can demonstrate collocation on the electric transmission tower is technically or commercially impractical or the owner of the transmission tower is unwilling to enter into a contract for such use at fair market value. (See G.S. § 160D-933(b)(3))
- (9.) Electric transmission towers may be increased in height to that allowed for telecommunication towers in the district in which the electric transmission tower is located if the Town Council determines such height extension is preferable to placement of a new telecommunication tower in that area.
 - (a.) A special use permit application for a telecommunication tower shall not be approved unless the equipment planned for the proposed tower cannot be accommodated on existing or approved telecommunication towers, buildings or alternative structures (after first considering electric transmission towers) within the search radius and/or ring of the proposed telecommunication tower, unless the applicant can demonstrate collocation on an existing or approved telecommunication tower, building or alternative structure is technically or commercially impractical or the owner of existing telecommunication towers, buildings or alternative structures are unwilling to enter into a contract for such use at fair market value. (See G.S. § 160D-933(b)(3))
 - (b.) No wireless telecommunication facility shall interfere with usual and customary radio and television reception excepting broadcast facilities as provided for in the regulations of the FCC.
- (10.) All telecommunication towers must comply with FCC and Federal Aviation Authority (FAA) regulations.
- (11.) A copy of the applicant's FCC license must accompany its application. If the applicant is not an FCC licensee, the applicant must demonstrate that it has binding commitments from one or more FCC licensees to utilize the wireless telecommunication facility and must submit a copy of each such wireless service provider's FCC license. If FCC licenses have previously been filed with the Town in conjunction with other wireless telecommunication facilities, the applicant may certify that such licenses remain in full force and effect.

- (12.)As part of its application, each applicant for a telecommunication tower shall be required to execute a standard maintenance/removal agreement binding the applicant and its successors and assigns to maintain properly the exterior appearance of and ultimately remove the facility within one hundred and eighty (180) days of the abandonment or cessation of operations of the facility. Such agreement shall require the applicant to pay all costs for monitoring compliance with, and enforcement of, the agreement and to reimburse the Town of Stallings for all costs it incurs to perform any work required of the applicant by the agreement that it fails to perform. A five thousand (\$5,000) dollar cash bond, or other security acceptable to the Town, shall be required in conjunction with the maintenance/removal agreement. The applicant and its successors and assigns shall be required to continue such bond or other security until such time as the facility has been removed and all other requirements of the maintenance/removal agreement have been satisfied. Private business users operating a single wireless telecommunication facility at their principal place of business and governmental users are exempt from the bond requirement.
- (13.)Abandoned or unused wireless telecommunication facilities shall be removed within 180 days of abandonment or cessation of operations. If not removed within that period, such facilities may be removed as provided in the permittee's maintenance/removal agreement and the costs of removal recovered from the permittee's bond or other security. Prior to removing a wireless telecommunication facility pursuant to this provision, the Town shall give thirty (30) days written notice of its intention to do so to the permittee at its last known address.
- (14.)All telecommunication towers shall comply with FAA lighting requirements. In addition, in a specific instance, the Town may impose lighting requirements for a tower that is not required by FAA regulations to be lit.
- (15.)Except as otherwise provided herein, minimum setbacks for telecommunication towers shall be in accordance with the setback requirements set forth in the development standards for the district in which the location of the tower is proposed. In addition, telecommunication towers must be set back from any residentially zoned or residentially used properties a distance equivalent to one-half of the height of the tower being erected. The Town Council may reduce the setback requirement upon a showing by the applicant that there are special physical circumstances or conditions affecting the proposed site such that the strict application of the setback requirement would not allow the most effective use of the proposed site to minimize the visual impact of the wireless telecommunication facility.

- (16.) Telecommunication towers shall be buffered from adjacent properties with a buffer which, at a minimum, meets the requirements of a Type B buffer as described in Article 11 of this ordinance, regardless of adjacent zoning district classifications or uses.
- (17.) No telecommunication tower shall be located:
- (a.) On top of buildings; or
 - (b.) In a locally or nationally designated historic area or property or on a nationally or locally designated historic structure or building, unless the applicant can prove that the historic areas cannot be served from outside such areas, per G.S. § 160D-933(b)(2). Nor shall a telecommunications tower be located such that it adversely impacts the historic integrity of a locally or nationally designated historic area, property, or structure.
- (18.) In cases where an applicant is required to perform an environmental assessment (EA) or an environmental impact statement (EIS) under the National Environmental Policy Act or the National Historic Preservation Act, such EA or EIS shall be submitted prior to zoning permit issuance. If the EA/EIS has not been performed the Board may issue the permit conditioned on providing the EA/EIS prior to zoning permit issuance.
- (19.) Telecommunication towers shall not be constructed unless the company erecting the tower has general liability coverage of at least one million (\$1,000,000) dollars. The owner of a telecommunication tower shall provide the Town with a certificate of insurance showing evidence of its coverage and the certificate shall contain a requirement that the insurance company notify the Town thirty (30) days prior to the cancellation, modification, or failure to renew the insurance coverage required.
- (20.) Telecommunication towers shall be designed to meet the following standards:
- (a.) Towers and antennas shall be designed to blend into the surrounding environment through the use of color and camouflaging architectural treatment. The Town Council may condition approval on the use of specific concealment techniques where it determines that doing so is necessary or desirable.
 - (b.) Guyed towers are prohibited. Commercial wireless telecommunication transmission towers shall be of a monopole design unless the Town Council determines that an alternative design would better blend into the surrounding environment.

- (c.) Use of dual-polarized antennas which electronically combine the functions of transmit and receive antennas (rather than spatial diversity antenna arrays which rely on antennas being physically separated), dual-band/multi-band antennas (allowing two or more providers of different types of commercial wireless services to share a common antenna), and/or use of combiners (allowing antenna sharing by providers using the same frequency band) are encouraged.
- (d.) Antennas shall be mounted on telecommunication towers so as to present the smallest possible silhouette, profile, or cross-section. Preferred antenna mounting scenarios are, in order of descending preference:
 - (i.) Compact dual-polarized antennas in a cylindrical uni-cell arrangement extending no more than two (2') feet from the sides of the supporting structure and mounted atop the tower;
 - (ii.) Panel antennas flush-mounted against the tower; or
 - (iii.) Antennas mounted at the end of straight or curved davit arms or brackets extending from the sides of the tower.
- (e.) No telecommunication tower shall have constructed thereon, or attached thereto in any way, any platform, catwalk, crow's nest, triangular framework, or like structures or equipment except during periods of construction or repair. Curved or straight davit arms or brackets used for antenna mounting shall be connected to the tower at the base of the arms or brackets only and such arms or brackets, and any antennas or hardware mounted thereon, shall not be physically interconnected with any similar arm or bracket.
- (f.) All equipment enclosures and other improvements accessory to a tower shall be architecturally designed to blend in with the surrounding environment and shall be maintained in good appearance and repair. No equipment enclosure may exceed twelve (12') feet in height. Ground mounted equipment shall be screened from view with a minimum Type B buffer (see Article 11), except where a design of non-vegetative screening better reflects and complements the architectural character of the surrounding neighborhood.
- (21.) Generators may not be used as a primary electrical power source. Backup generators shall only be operated during power outages or for testing and maintenance purposes. Testing and maintenance shall only take place on weekdays between the hours of 8:30 a.m. and 4:30 p.m.

- (22.) Telecommunication towers, equipment enclosures and other improvements shall be enclosed within a security fence consisting of chain link fencing at least eight feet in height. The fence shall not be topped with barbed wire. The Town Council may require as a condition of approval that the fencing be screened by appropriate landscaping or other means. The Town Council may waive or modify the fencing requirement if it determines that doing so will enhance the overall appearance of the facility without any compromise in safety or security.
- (23.) Telecommunication towers shall have a flat gray or galvanized finish unless the Town Council determines another color scheme would be a preferable aesthetic alternative.
- (24.) No telecommunication tower shall be permitted that exceeds two hundred (200') vertical feet in height.
- (25.) Signage at any telecommunication tower site shall conform to the following provisions:
- (a.) A sign listing the name of the wireless telecommunication service provider operating the site, the site name or number and an emergency telephone number shall be posted at or near the entrance to the site so as to be readily visible to persons outside the site's security fencing.
 - (b.) Equipment hazard warning and informational signs are permitted. (c.) The posting of any other signs or advertising is prohibited at any wireless telecommunication facility or upon any telecommunication tower, except as required to comply with State or Federal law.
- (26.) The *Board of Adjustments* may require any other conditions deemed necessary or desirable to ameliorate the impact of the tower on the adjacent properties and uses. Such conditions shall include but are not limited to: the height of the tower, the construction or type of tower, lighting, and collocation of the antennas and facilities of different parties on a single tower, provided that conditions may only address public safety, land development, or zoning issues. (See G.S. § 160D - 933(b))
- (27.) (Reserved)
- (28.) (Reserved)
- (29.) A special use approval for a telecommunication tower shall become null and void if the facility is not constructed within two (2) years of the date of approval provided, however, that the special use approval may be extended one time for six (6) months if substantial construction has commenced before the end of the initial year.

(30.) Collocation or modifications to existing wireless facilities shall be permitted and shall not require a special use permit, provided they do not exceed any of the following criteria:

- (a.) Increase in vertical height of the greater of either ten (10%) percent or the height of one (1) additional antennae array with separation from the nearest existing array of not more than twenty (20') vertical feet, provided the maximum height of two hundred (200') vertical feet is not exceeded.
- (b.) Addition of an appurtenance protruding the greater of either more than twenty (20') feet or more than the width of the wireless support structure at the elevation of the appurtenance, unless:
 - (i.) necessary to shelter an antenna, and/or
 - (ii.) necessary to connect the antenna to the tower via cable
- (c.) Excavation or deployment of transmission equipment outside of the current site by more than thirty (30') feet in any direction, excluding any access or utility easements currently related to the site; provided all applicable minimum yard area, buffering and screening provisions are maintained. The boundaries of the current site for existing towers are the boundaries of the leased or owned property surrounding the tower and any access or utility easements currently related to the site, and, for other eligible support structures, further restricted to that area in proximity to the structure and to other transmission equipment already deployed on the ground. The current boundaries of the site are the boundaries that existed as of the date that the original support structure or a modification to that structure was last reviewed and approved by the Town or other local government. (See FCC Report and Order 20-153, November 3, 2020)

10.2-15 Electronic Gaming Operation, Including Game Rooms, Coin Operated Video Game Room.

(A.) Zoning District where the conditions appearing below apply: "C 74".

(B.) Conditions:

- (1.) SEPARATION FROM RESIDENTIAL ZONING - Electronic Gaming Operations (whether principal uses, or accessory to another use) shall be located no closer than five hundred (500') feet in any direction from any property zoned for residential use.

- (2.) SEPARATION FROM CERTAIN USES - No Electronic Gaming Operation shall be located within one thousand five hundred (1,500') feet in any direction from any other Electronic Gaming Operation, or from any cemetery, Group Living facility, religious institution, public or private childcare center or childcare facility, public or private school, or non-profit club. This required separation shall apply whether the above uses are principal or accessory uses.
- (3.) MAJOR GATEWAY SETBACKS - All Electronic Gaming Operations shall maintain a two hundred (200') foot setback along the gateway corridors listed below. The setback shall be measured perpendicular to the existing road right-of-way and shall extend one mile inward from the Town limit line. For the purposes of this standard a major gateway is identified as an entry way into the zoning jurisdiction along any of the following transportation corridors:
 - (a.) US 74
- (4.) MEASUREMENT - All measurements in this Section shall be from the outer building walls of the proposed use to the nearest property line of the above specified uses, and such measurement shall be in a straight line without regard to intervening structures.
- (5.) HOURS OF OPERATION, ACCESS AND VISIBILITY - No Electronic Gaming Operations shall engage in business prior to 10:00 a.m. or after 12:00 midnight. During hours of operation, electronic gaming operations shall be open for direct, unobstructed access by police, fire, and emergency response personnel. All entrance doors shall remain unlocked while patrons are on the premises. All Electronic Gaming Operations terminals, computers, machines, and/or gaming stations shall be open and visible from the exterior front of the establishment.
- (6.) AGE RESTRICTIONS - No person or entity engaged in Electronic Gaming Operations shall allow, permit or condone any person under the age of eighteen (18) to be upon the premises while patrons are engaged in Electronic Gaming Operations.

- (7.) SIGNAGE - Signage shall meet all the requirements of Article 17. Sign Regulations and the following requirements. No signs shall be posted on the windows of the property which are visible from the exterior of the development. No neon or other effects which simulate the appearance of neon, nor any flashing, chasing, undulated, or other variable lighting effects shall be used in connection with any use hereunder where such lighting effect would be visible from the exterior of the establishment. All rules of the electronic games shall be displayed prominently within the establishment.
- (8.) PARKING - Parking shall be provided at the rate of one (1) space per full time employee and one (1) space per gaming terminal and/or electronic gaming machine in the establishment and in accordance with Article 12 Off-street Parking, Stacking and Loading Areas.
- (9.) MAXIMUM NUMBER OF TERMINALS - The maximum number of terminals, computers, machines, and/or gaming stations permitted within an Electronic Gaming Operation is twenty (20).
- (10.) COMPLIANCE WITH OTHER REGULATIONS - The Electronic Gaming Operation shall be subject to any Town of Stallings privilege license fees, and shall be subject to all other standards of the Town of Stallings and State of North Carolina as applicable

10.2-16 Hazardous Industries

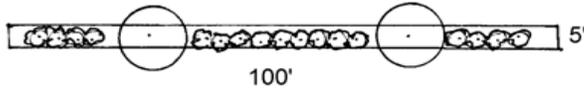
- (A.) Zoning District where the conditions appearing below apply: “IND” with “HIO”.
- (B.) Conditions:
 - (1.) Minimum Building/Parking Lot/Storage Area Setbacks:
 - (a.) The minimum building/parking/storage area setbacks shall be as follows:
 - (i.) From any arterial or collector street right-of-way – five hundred (500’) feet
 - (ii.) From any local street right-of-way – five hundred (500’) feet
 - (iii.) From an interior lot line adjacent to a school or day care facility – five hundred (500’) feet
 - (iv.) From an interior lot line adjacent to a residential zoning district – five hundred (500’) feet
 - (v.) From an interior lot line adjacent to a non-residential zoning district – two hundred and fifty (250’) feet.
 - (2.) Building Height Requirements:

- (a.) The maximum building height for a structure adjacent to a residential or commercial zoning district shall be no greater than forty (40') feet.
 - (b.) The maximum building height for a structure adjacent to an industrial zoning district – no height restrictions.
- (3.) Additional Requirements:
- (a.) Any such hazardous industry facility shall be serviced by a public water and wastewater system.
 - (b.) Any such hazardous industry facility shall be enclosed with a security fence of adequate height and structure that would reasonable prohibit access to the site by the general public. All security gates and/or gate houses shall be set back a minimum of fifty (50') feet from the public right-of-way line.
 - (c.) All *Chemical Bulk Storage Structures and/or Areas* housing the storage of bulk liquid and/or hazardous or toxic materials shall be set back from any property line a minimum of five hundred and fifty (550') feet.
 - (d.) There shall be no industry created noise more than fifty (50) decibels as measured at the property line and no objectionable noise due to extreme frequency, beat frequency, intermittence or shrillness.
 - (e.) There shall be no industry created ground vibration measurable at any lot line of an industrial unit.
 - (f.) There shall be no industry created air pollution including:
 - (i.) No noxious odors; no noxious, toxic, or corrosive gases or fumes.
 - (ii.) No smoke of a density in excess of #1 on the Ringelmann Chart. In cases of smoke other than black in color, an approved density scale equivalent to the Ringelmann Chart shall be used.
 - (iii.) No dust or other particulate matter emitted in excess of eighty- five hundredths (0.85) of a pound per one thousand (1,000) pounds of gases adjusted to twelve (12%) percent carbon dioxide. There shall be no surface or subsurface discharge or disposal of any wastes, either liquid or in any form without prior approval of the Oversight Board.
 - (iv.) There shall be no unusual fire or explosion hazards. Based on the National Board of fire insurance rates which classifies industrial units as Class I, Class II, and Class III, the following shall apply:
 - 1. No special controls on a manufacturing unit determined to be Class I other than under [3.] below.

2. Class II and Class III manufacturing units shall be contained in a building designed and constructed in accordance with its class and according to provisions of the building code published by the Building Officials and Code Administrators, International [BOCA], 1313 East 60th Street, Chicago, Illinois, 60637.
 3. Machinery or equipment shall be treated as necessary to eliminate hazards.
 4. Uses which are customarily incidental and accessory to the principal use shall be permitted including, but not limited to: dwelling quarters for watchmen and caretakers employed on the premises, recreation areas and facilities for persons employed by industries within the same district's boundaries, restaurants, warehouses, and commercial uses that are permitted in the "C 74" Commercial District.
- (v.) Businesses that produce, store, or use hazardous materials as defined by the Environmental Protection Agency's (EPA) Hazardous Substances or Prior Pollutants lists shall be allowed only when the items listed in Section 154.111 are met.
- (vi.) Miscellaneous Prohibitions:
1. Any interference with any other process, equipment, appliance, or devices and any mechanical, electrical, or other equipment which could create such interference shall have all necessary shielding or other protection.
 2. In any industrial unit or accessory all operations and storage, other than for passenger vehicles of visitors and employees, trucks and over the road vehicles, shall be within an entirely enclosed building or structure. Exemption: Outside storage of bulk or large raw materials which are fireproof if enclosed by a security fence with provisions for visual inspection and where screened from public view in its entirety from adjacent properties and public streets/roadways.
- (g.) Operations and Closure Plans Required:
- (i.) An emergency operations plan shall be developed and be on file at the Town of Stallings and Union County Emergency Management Offices and reviewed for update annually. An operations plan shall be submitted to include:
1. The date of commencement of operations and their expected duration;
 2. Proposed hours and days of operation;

3. A complete description of operation, including source of materials, method of compaction, type of sealing proposed to be used, types and number of equipment to be used and disposal of by-products;
 4. Any phasing schedule of operations and relationship among phases,
 5. Operating practices to be followed to ensure compliance with regulations of this ordinance; and
 6. Complete assessment by the local Fire Department in conjunction with local emergency management agencies that all necessary equipment, training, and personnel are available at the emergency response level to adequately handle all emergency scenarios.
- (ii.) A closure plan shall be prepared and submitted in accordance with United States Environmental Protection Agency (USEPA) guidelines as part of the application for a zoning map amendment to establish the "HIO" district.
- (h.) Hazardous Chemical Notification and Inventory Reporting
- (i.) EPCRA Section 311-312 applies to any facility at which a hazardous chemical, as defined by the Occupational Safety and Health Act, is present in an amount exceeding a specified threshold. These facilities must submit -- to the SERC, LEPC, and local fire department -- material safety data sheets (MSDSs) or lists of MSDSs and hazardous chemical inventory forms (also known as Tier I and II forms). This information helps the local government respond in the event of a spill or release of the chemical.
- (j.) Emergency Notification and Agriculture
- (i.) EPCRA requires businesses that store threshold amounts of chemicals that are subject to OSHA's Hazardous Communication Standard to submit information -- including facility point of contact and the Material Safety Data Sheets (or a list of those chemicals) -- to state and local authorities in order to facilitate emergency planning and response. Annual reporting to state and local authorities is required for all covered facilities that have those chemicals in amounts above threshold. Hazardous chemicals used in routine agricultural operations and fertilizers held for resale by retailers is excluded.
- (k.) Toxic Chemical Release Inventory Reporting:
- (i.) EPCRA Section 313 requires manufacturing facilities included in SIC codes 20 through 39 to submit an annual toxic chemical release report if they have ten (10) or more employees and if they manufacture, process, or use specified chemicals in amounts greater

than threshold quantities. This report, commonly known as Form R, covers releases and transsquare feeters of toxic chemicals to various facilities and environmental media, and allows EPA to compile the national Toxic Release Inventory (TRI) database.



11.6-1 Buffering and Screening of Different Districts. Buffer yards, in accordance with Section 11.3 above, to separate development in certain districts from adjacent districts are specified in Table 11.1 below. The buffer yards are required on the sides and rear of property being developed abutting the identified adjacent district. The following buffer yards shall be provided when property in an identified development district abuts one or more of the identified adjacent districts. To determine the required buffer yard for a development, first identify the development district in which the development is to be located. Then identify the adjacent district abutting the proposed development to determine the type of buffer yard applicable to the project.

Table 11.1- BUFFER YARD CHART

RESIDENTIAL DEVELOPMENT

DEVELOPMENT DISTRICT	ADJACENT DISTRICTS	BUFFER YARD REQUIRED
Single Family Residential - <i>SFR</i> Multi-Family Residential Transitional – <i>MFT</i> Traditional Neighborhood Development Overlay – <i>TNDO</i> Conditionally Zoned – <i>CZ</i> Mixed Use – <i>MU-1</i>	All other districts	Type A

NON-RESIDENTIAL DEVELOPMENT

DEVELOPMENT DISTRICT	ADJACENT DISTRICT	BUFFER YARD REQUIRED
All other districts	Single Family Residential – <i>SFR</i>	Type A

Table 11.1- BUFFER YARD CHART

<p>Agriculture – AG Industrial - IND Heavy Industry Overlay – HIO Conditionally Zoned – CZ</p>	<p>All other districts</p>	<p>Type A</p>
<p>Mixed Use – MU-2 US Highway 74 Commercial – C-74 Interstate Highway 485 Corporate Park – CP-485 Vehicle Service and Repair – VSR <u>Business Center (BC)</u></p>	<p>Multi-Family Residential Transitional – MFT Civic – CIV Traditional Neighborhood Development Overlay -TNDO</p>	<p>Type B</p>
<p>Town Center – TC Civic – CIV</p>	<p>Multi-Family Residential - MFR</p>	<p>Type C</p>
<p>Vehicle Service Repair – VSR</p>	<p>Town Center – TC Mixed Use – MU US Highway 74 Commercial – C-74 Interstate Highway 485 Corporate Park – CP-485</p>	<p>Type C</p>
<p><u>Business Center - BC</u></p>	<p><u>Town Center- TC</u> <u>Mixed Use- MU</u></p>	<p><u>Type C</u></p>

Table 11.1- BUFFER YARD CHART

Town Center – TC US Highway 74 Commercial – C-74 Interstate Highway 485 Corporate Park – CP-485	Mixed Use – MU Industrial – IND	Type C
“MU” Mixed Use – MU-2	“TC”, “C 74”, “CP 485”, “VSR” Town Center – TC US Highway 74 Commercial – C-74 Interstate Highway 485 Corporate Park – CP-485 Vehicle Service and Repair - VSR	Type D

(Amended May 10, 2021)

Plantings shall be provided in buffer yards as indicated in Table 11.2 below:

Table 11.2 - PLANTING RATES

Buffer Yard Type	Average Width (ft.)	Minimum/Maximum Width (ft.)	Evergreen Tree Rate per 100 lf	Canopy Tree Rate	Understory Tree Rate	Shrubs Rate
Type A Yard	40'	35'/65'	8	4/100 lf 25' on center	10/100 lf 10' on center	33/100 lf 3' on center
Type B Yard	30'	25'/50'	6	3/100 lf	5/100 lf	25/100 lf
Type C Yard	20'	15'/40'	4	2/100 lf	3/100 lf	17/100 lf
Type D Yard	5'	5'/10'	0	0	2/100 lf	18/100 lf

The planted buffer must always meet the Average Width listed; the buffer

- (4.) Concrete or stucco
- (5.) Natural stone or manufactured stone having a natural appearance

17.8 Temporary Signs Requiring a Permit

The following tables provide the design, dimensional, and time of display requirements for Temporary *Signs*, refer to Section 17.5 for Prohibited Signs and Section 17.6 for Exempt *Signs*. Additionally, nonconforming temporary *signs* shall not be *grandfathered* (see Section 17.13 of this Article).

17.8-1 Requirements for temporary *signs* that require a permit.

The temporary *signs* listed in the following table require a permit and shall comply with the indicated zoning location and other requirements. All such *signs*, except for searchlights, shall be illuminated solely by ambient light sources.

Temporary Sign Type	Allowable Zoning Districts	Requirements
Sandwich board <i>signs</i>	“AG”, “TC”, “CIV”, “MU”, “C74”, “CP 485”, “VSR”, “BC”, & “IND”	One <i>sign</i> per occupancy having direct access onto any public or private sidewalk where <i>sign</i> is placed. “Direct access” shall mean an occupancy having a public entrance immediately from the sidewalk where the <i>sign</i> is placed. See additional sandwich board <i>sign</i> requirements in Section 17.8-2 (below) of this Article.
Banners and flags	“TC”, “MU”, & “C74”	Up to sixty (60) square feet of banner/sail/feather/flag materials per occupancy space. Display time limit: twenty-one (21) days, four (4) times per calendar year with a sixty (60) day separation between permits.

17.8-2 Additional requirements for sandwich board *signs*.

Sandwich board *signs* offer businesses in pedestrian-oriented zoning districts an effective and creative way to market products or services. However, unless carefully regulated, sandwich board *signs* can create hazards for pedestrians and a cluttered and unattractive appearance. The following design standards

ZONING DISTRICT	REQUIRED TOTAL OPEN SPACE	REQUIRED IMPROVED OPEN SPACE
Conditionally Zoned (CZ) <i>Requirements listed are a minimum but may be amended by the Town Council through the Conditional Zoning process.</i>	10%	5%
US Highway 74 Commercial (C 74) Interstate Highway 485 Corporate Park (CP 485) Vehicle Service and Repair (VSR) <u>Business Center (BC)</u> Industrial (IND) Heavy Industry Overlay (HIO)	10%	5%
Agriculture (AG) Civic (CIV) Scenic Corridor Overlay (SCO)	n/a	n/a
Town Center (TC) as defined in Article 8. <i>New development must adhere to the Parks and Greenway Master Plan when applicable.</i>	n/a	n/a

21.2-2 Land designated as future open space. Regardless of the requirements and exemptions of this subsection, any portion of the site of the proposed development that is designated as future open space or greenway in the adopted *Comprehensive Land Use Plan and/or the Stallings Parks and*

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1	ABC Store (liquor sales)					CZ			CZ	L					
2	Accessory Dwelling Unit	S (10.1-3)	S (10.1-3)	S (10.1-3)	S (10.1-3)	L	S (10.1-3)	S (10.1-3)	S (10.1-3)						
3	ADULT ESTABLISHMENTS/USES														
4	Bookstore, Adult													SUP (10.2-3)	
5	Cabaret, Adult													SUP (10.2-3)	
6	Massage Parlor													SUP (10.2-3)	
7	Motel, Adult													SUP (10.2-3)	
8	Movie, Adult - Rental, Sales													SUP (10.2-3)	
9	Retail, Adult Products													SUP (10.2-3)	
10	Theater, Adult													SUP (10.2-3)	
11	Agricultural Based Business Facilities	SUP (10.2-4)												S (10.1-36)	
12	Agricultural Production (Crops only)	L	L				L							L	L
13	Agricultural Production (Crops & Livestock)	L													
14	Agricultural Production (Within Buildings)	L												L	L
15	Alteration, Clothing Repair				L	L		L	L	L					
16	Amusement/Water Parks, Fairgrounds									SUP (10.2-5)	SUP (10.2-5)				
17	Antique Store				L	L			L	L					
18	Apparel Sales (Clothing, Shoes, Accessories)				L	L			L	L					
19	Appliance Repair, Refrigerator or Large								S (10.1-36)	S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
20	Appliance Store								S (10.1-36)	S (10.1-36)					
21	Arts and Crafts Store				L	L			L	L			L		
22	Asphalt Plant														SUP (10.2-6&16)
23	Athletic Fields	L	L	L	L		L		L						
24	Auditorium, Coliseum or Stadium						L		L						
25	Auto Supply Sales									S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
26	Automobile Dealers									S (10.1-36)		S (10.1-36)			
27	Automobile Rental or Leasing									L	L	L	L	L	
28	Automobile Repair Services (Major)									S (10.1-4)		S (10.1-4)		S (10.1-4)	
29	Automobile Repair Services (Minor)									S (10.1-4)		S (10.1-4)		S (10.1-4)	
30	Automobile Towing and Storage Services											S (10.1-5)		S (10.1-5)	
31	Bakery				L	L		L	L	L			S(10.1-36)	S (10.1-36)	
32	Bank, Savings and Loan, or Credit Union				S (10.1-6)	S (10.1-6)			S (10.1-6)	S (10.1-6)	S (10.1-6)		S(10.1-6)		
33	Barber Shop				L	L		L	L	L	L		L		
34	Bars (with/without Beverage Production Accessory Use)				L	L			L	L	L				
35	Batting Cage, Indoor					L			L	L	L		L		
36	Batting Cages, Outdoor								S (10.1-7)	S (10.1-7)					
37	Beauty Shop				L	L		L	L	L	L		L		
38	Bed & Breakfast (Tourist Home, Boarding House)	S (10.1-8)		S (10.1-8)	S (10.1-8)	S (10.1-8)		S (10.1-8)	S (10.1-8)						
39	Bicycle Assembly (Bike Shop)				S (10.1-36)	S (10.1-36)			S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S(10.1-36)	S (10.1-36)	
40	Billiard Parlors				L	L			L	L	L				
41	Bingo Games				L	L			L	L	L				
42	Boat Repair									S (10.1-4)		S (10.1-4)	S(10.1-4)	S (10.1-4)	
43	Boat Sales									S (10.1-36)		S (10.1-36)			
44	Bookstore				L	L	L	L	L	L	L		L		
45	Bowling Lanes (bowling alley)				L	L			L	L	L		L		
46	Building Supply Sales (no storage yard)								L	L			L	L	
47	Bulk Mail and Packaging					L			L	L	L		S(10.1-36)	S (10.1-36)	

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48	Bus Terminal				L	L	L		L	L	L		L		
49	Camera Store				L	L			L	L	L		L		
50	Camp Ground (for 21 day or less occupancy only)	L													
51	Candy Store				L	L			L	L	L		L		
52	Car Wash								CZ (10.1-9)	S (10.1-9)		S (10.1-9)	S(10.1-9)	S (10.1-9)	
53	Casino for Games of Chance (RESERVED)														
54	Cellular Communications Facilities (See "Wireless")														
55	Cemetery or Mausoleum	S (10.1-10)					S (10.1-10)								
57	Club or Lodge				S (10.1-12)	S (10.1-12)	S (10.1-12)		S (10.1-12)	S (10.1-12)	S (10.1-12)		S(10.1-12)		
58	College or University						L								
59	Communication or Broadcasting Facility, without Tower				L	L	L		L	L	L		L	L	
60	Computer Sales and Service				L	L			L	L	L		L		
61	Convenience Store (with gasoline pumps)								CZ	CZ	CZ		CZ	L	
62	Convenience Store (without gasoline pumps)				L	L			L	L	L		L	L	
63	Correctional Institution (RESERVED)														
64	Country Club with or without Golf Course	S (10.1-13)			S (10.1-13)		S (10.1-13)	S (10.1-13)	S (10.1-13)	S (10.1-13)	S (10.1-13)				
65	Crematorium													L	
66	Dance School/Academy				L	L	L	L	L	L	L		L	L	
67	Day Care Center for Children or Adults (6 or more)	S (10.1-14)			S (10.1-14)	S (10.1-14)	S (10.1-14)	S (10.1-14)	S (10.1-14)	S (10.1-14)	S (10.1-14)		S(10.1-14)	S (10.1-14)	
68	Day Care Center, Home Occupation for less than 6 children	S (10.1-15)		S (10.1-15)	S (10.1-15)	S (10.1-15)	S (10.1-15)	S (10.1-15)	S (10.1-15)	S (10.1-15)			S(10.1-15)	S (10.1-15)	
69	Department, Variety or General Merchandise Store				L	L			L	L					
70	Dormitories						S (10.1-16)								
71	Drive Through Window as Accessory Use				S (10.1-17)	S (10.1-17)	S (10.1-17)		S (10.1-17)	S (10.1-17)	S (10.1-17)		S(10.1-17)		
72	Dwelling(s) (see Residential Dwellings)														
73	Electronic Gaming Operation									SUP (10.2-15)					
74	Equestrian Facility	SUP (10.2-7)			SUP (10.2-7)					SUP (10.2-7)	SUP (10.2-7)				
75	Equipment Rental & Leasing (no outside storage)				L	L				L	L	L	L	L	
76	Equipment Rental (w/fenced outside storage)								S (10.1-36)	S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
77	Equipment Repair, Heavy									S (10.1-4)		S (10.1-4)	S(10.1-4)	S (10.1-4)	
78	Event and Wedding Venue	L			L	L	L	L	L						
79	Fabric or Piece Goods Store				L	L			L	L			L		
80	Family Care Facility (Family Care Home)	L	L	L	L	L	L	L	L	L					
81	Farmers Market	L				L	L	L	L						
82	Fences & Walls (see 2.13)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L (2.13-2)	L(2.13-2)	L (2.13-2)	L (2.13-2)
83	Fire, Ambulance, Rescue Station	L			L	L	L	L	L	L	L		L	L	
84	Floor Covering, Drapery, and/or Upholstery Sales					L			S (10.1-36)	S (10.1-36)			S (10.1-36)		
85	Florist	L			L	L		L	L	L	L		S(10.1-36)	S (10.1-36)	
86	Fortune Tellers, Astrologers (RESERVED)														
87	Fuel Oil Sales and Distribution for "Home" or other Delivery														SUP (10.2-11&16)
88	Funeral Home with Crematorium					CZ			CZ	CZ					
89	Funeral Home without Crematorium					L			L	L			L		
90	Furniture Framing					L			S (10.1-36)	S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
91	Furniture Repair Shop								S (10.1-36)	S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
92	Furniture Sales				L	L			S (10.1-36)	S (10.1-36)					
93	Game Room, Video Game Room, Coin Operated					SUP (10.2-15)			SUP (10.2-15)	SUP (10.2-15)					
94	Garden Center or Retail Nursery								S (10.1-36)	S (10.1-36)			S(10.1-36)	S (10.1-36)	

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138	Accounting, Auditing or Bookkeeping Services				L	L		L	L	L	L		L		
139	Administrative or Management Services				L	L		L	L	L	L		L		
140	Advertising Agency				L	L		L	L	L	L		L		
141	Architect, Engineer or Surveyor's Office				L	L		L	L	L	L		L		
142	Dental, Medical or Related Office				L	L	L	L	L	L	L		L		
143	Employment Agency, Personnel Agency				L	L	L	L	L	L	L		L		
144	Finance or Loan Office				L	L		L	L	L	L		L		
145	General Contractors Office w/ Fenced Outside Storage												S(10.1-36)	S (10.1-36)	
146	General Contractors Offices without Outside Storage									L		L	L	L	
147	Government Office	L			L	L	L	L	L	L	L		L		
148	Home Occupation	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)	S (10.1-21)		S(10.1-21)	S (10.1-21)	
149	Insurance Agency (w/on-site claims inspections)				L	L			L	L	L		L		
150	Insurance Agency (without on-site claims inspections)				L	L		L	L	L	L		L		
151	Law Office				L	L	L	L	L				L		
152	Medical, Dental or Related Office				L	L	L	L	L	L	L		L		
153	Office Uses Not Otherwise Classified				L	L			L	L	L		L	L	
154	Real Estate Office				L	L		L	L	L	L		L		
155	Service Contractors Offices w/Fenced Outside Storage												S(10.1-36)	S (10.1-36)	
156	Service Contractors Offices without Outside Storage									L		L	L	L	
157	Stock, Security or Commodity Broker				L	L		L	L	L	L		L		
158	Temporary Real Estate Office (see Article 15)														
159	Travel Agency				L	L		L	L	L	L				
160	Optical Goods Sales				L	L	L		L	L	L		L		
161	Outside Storage Uses Not Otherwise Classified												S(10.1-36)	S (10.1-36)	
162	Paint and Wallpaper Sales				S (10.1-36)	S (10.1-36)			S (10.1-36)	S (10.1-36)			S(10.1-36)	S (10.1-36)	
163	Parks and Recreation Facilities, Public	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)	S (10.1-26)				
164	Parking Lots or Structures				L	L	L		L	L	L		L	L	
165	Pawnshop or Used Merchandise Store									S (10.1-34)					
166	Personal Training Facility					L		L	L				L	L	
167	Pest or Termite Control Services									S (10.1-36)			S(10.1-36)	S (10.1-36)	
168	Pet Store				L	L			L	L					
169	Petroleum Products Storage and/or Transfer														SUP (10.2-11&16)
170	Pharmacy/Drugstore				L	CZ			L	L	L				
171	Photofinishing Laboratory					L			L						SUP (10.2-16)
172	Photography, Commercial				L	L			L	L	L		L		
173	Photography Studio				L	L	L	L	L	L	L		L		
174	Physical Fitness Center, Health Club				L	L	L	L	L	L	L		L		
175	Police Station				L	L	L	L	L	L	L		L		
176	Portable Storage Unit (POD) (as Temporary Use - see Article 15)														
177	Post Office				L	L	L	L	L	L	L		L		

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178	Printing and Publishing Operation				S (10.1-36)	S (10.1-36)	S (10.1-36)		S (10.1-36)	S (10.1-36)	S (10.1-36)		S(10.1-36)	S (10.1-36)	
179	Printing, Photocopying and Duplicating Services				S (10.1-36)	S (10.1-36)	S (10.1-36)		S (10.1-36)	S (10.1-36)	S (10.1-36)		S(10.1-36)	S (10.1-36)	
180	Raceway (Go-cart, Motorcycle, &/or Automobile)									S (10.1-20)					
181	Recorded Media Sales (Record/Compact Disc/Tape)				L	L			L	L	L		L		
182	Recreational Vehicle Sales (new and used)									S (10.1-36)		S (10.1-36)			
183	Religious Institutions (Church, Synagogue, Mosque or Place of Worship)				S (10.1-11)	S (10.1-11)	S (10.1-11)	S (10.1-11)	S (10.1-11)				S(10.1-11)		
184	RESIDENTIAL USES (DWELLINGS)														
185	Dwelling, Accessory Unit	S (10.1-3)	S (10.1-3)	S (10.1-3)	S (10.1-3)	S (10.1-3)	S (10.1-3)	S (10.1-3)	S (10.1-3)						
186	Dwelling, Attached House (incl. term "Townhouse")			CZ	L	CZ	CZ	CZ	CZ						
187	Dwelling, Manufactured Home (see Sections 22.5-2 & 10.1-35)		L												
188	Dwelling Park, Manufactured Home (see Section 22.5-1)														
189	Dwelling, Multifamily (apartments or condominiums)				CZ (10.1-24)	CZ (10.1-24)		CZ (10.1-24)	CZ (10.1-24)						
190	Dwelling, Single Family Detached, including Modular Construction	L	L	L	L	L	L	L	L						
191	Restaurant without drive-thru window				L	L		L	L	L	L		L		
192	Restaurant with drive-thru window accessory Use (see 10.1-				L	CZ		CZ	CZ	CZ	CZ		CZ		
193	Retail Sales Not Otherwise Listed				S (10.1-36)	S (10.1-36)			S (10.1-36)	S (10.1-36)					
194	Retreat Center	L			L	L	L								
195	Sewage Treatment Plant														SUP (10.2-12)
196	School, Elementary or Secondary						S (10.1-28)								
197	Shelter for the Homeless (RESERVED)														
198	Shoe Repair or Shoeshine Shop				L	L			L	L	L				
199	Shooting Range, Indoor								CZ (10.2-13)	CZ (10.2-13)	CZ (10.2-13)		CZ(10.2-13)	CZ (10.2-13)	
200	Shooting Range, Outdoor (RESERVED)														
201	Shopping Center								S (10.1-36)	S (10.1-36)			S(10.1-36)		
202	Sign (Accessory Use as permitted by Article 17)	L	L	L	L	L	L	L	L	L	L	L	L	L	L
203	Sign fabricating						S (10.1-36)		S (10.1-36)	S (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
204	Skating Rink									L					
205	Solid Waste Disposal (non-hazardous)														S (10.1-36)
206	Special Events not listed (see Article 15)														
207	Sporting Goods Store				S (10.1-36)	S (10.1-36)			S (10.1-36)	S (10.1-36)			S(10.1-36)		
208	Sports and Recreation Clubs, Indoor				L	L	L	L	L	L	L		L	L	
209	Stationery Store				L	L			L	L	L				
210	Swim and Tennis Club	S (10.1-29)	S (10.1-29)	S (10.1-29)	S (10.1-29)		S (10.1-29)	S (10.1-29)	S (10.1-29)	S (10.1-29)	S (10.1-29)				
211	Swimming Pool As Accessory Use	L	L	L	L		L	L	L						
212	Tattoo and/or Body Piercings Studio					L			L	L					
213	Taxidermist								L	L			L	L	
214	Television, Radio or Electronics Sales & Repair				S (10.1-36)	S (10.1-36)			S (10.1-36)	S (10.1-36)		S (10.1-36)	S (10.1-36)	S (10.1-36)	
215	Temporary Construction Storage and/or Office	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)	S (10.1-30)
216	Temporary Uses not listed (see Article 15)														
217	Theater, Indoor				L	L	L		L	L					
218	Tire Recapping														SUP (10.2-16)
219	Tire Sales, Motor Vehicle									S (10.1-36)		S (10.1-4)	S(10.1-36)	S (10.1-36)	

**Table 8.1 - Table of Uses
Section 1 - General**

#	L = listed use CZ = conditional zoning S = Use listed with additional standards SUP = Special Use Permit <i>Reference SIC and NAICS code for further data on the listed uses.</i>	Agriculture (AG)	Single Family Residential (SFR-1, SFR-2, SFR-3 & SFR-MH)	Multi-Family Residential Transitional (MFT)	Traditional Neighborhood Development Overlay (TNDO)	Town Center (TC)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C 74)	Interstate Highway 485 Corporate Park	Vehicle Service/Repair (VSR)	Business Center (BC)	Industrial (IND)	Heavy Industry Overlay (HIO)
220	Towers, Telecommunications and/or Broadcast					CZ (10.2-14)			CZ (10.2-14)	CZ (10.2-14)	CZ (10.2-14)		CZ(10.2-14)	CZ(10.2-14)	
221	Truck and Utility Trailer Rental and Leasing									CZ (10.1-36)		S (10.1-36)	S(10.1-36)	S (10.1-36)	
222	Trucking Centers, Truck Stop &/or Freight Terminal												S(10.1-36)	S (10.1-36)	
223	Utility Equipment and Storage Yards												S(10.1-36)	S (10.1-36)	
224	Utility Substation	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)	S (10.1-36)
225	Vending Machine - Outdoor (with or without advertising	L			L	L	L	L	L	L	L	L	L	L	L
226	Veterinary Service, Large Animal	L								L			L	L	
227	Veterinary Service, Pet Grooming, without Outdoor	L			L	L		L	L	L	L		L	L	
228	Veterinary Service w/Outdoor Kennels and/or Runs	S (10.1-31)								S (10.1-31)	S (10.1-31)		S(10.1-31)	S (10.1-31)	
229	Vocational, Business or Secretarial School				L	L	L	L	L	L	L		L		
230	Warehouse (general storage, enclosed, no outdoor storage)									CZ	CZ		L	L	
231	Warehouse (Self-storage with outdoor storage)									CZ (10.1-36)	CZ (10.1-36)		S(10.1-36)	S (10.1-36)	
232	Water Treatment Plant														S (10.1-36)
233	Wholesale Trade (see section 3 of this table)														
234	Wireless Telecommunication Facilities, Microcell	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)	S (10.1-32)
235	Wireless Telecommunication Facilities, Concealed	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)	S (10.1-33)
236	Wireless Telecommunication Facilities, Co-Located	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)	S (10.1-34)
237	Wireless Telecommunication Facilities, Tower					CZ (10.2-14)		CZ (10.2-14)	CZ (10.2-14)	CZ (10.2-14)	CZ(10.2-14)		CZ (10.2-14)	CZ (10.2-14)	
238	Yard Sale (no more than 3 per year) See Section 15.3	L	L	L	L	L	L	L	L	L		L	L	L	

Table 8.1 - Table of Uses
Section 2 - Manufacturing Industry

#	L = listed use CZ = conditional zoning S = Use listed with additional standards SUP = Special Use Permit Reference SIC and NAICS code for further data on the listed uses.	Agriculture (AG)	Single Family Residential (SFR-1, SFR-2, SFR-3 & SFR-MH)	Multi-Family Residential Transitional (MFT)	Traditional Neighborhood Development Overlay (TNDO)	Town Center (TC)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C 74)	Interstate Highway 485 Corporate Park	Vehicle Service/Repair (VSR)	Business Center (BC)	Industrial (IND)	Heavy Industry Overlay (HIO)
1	LIGHT INDUSTRIAL USES														
2	Animal Feeds	CZ (10.2-4)								CZ (10.2-4)			S(10.1-36)	S (10.1-36)	
3	Apparel and Finished Fabric Products												S(10.1-36)	S (10.1-36)	
4	Assembly of components manufactured off site, Final												S(10.1-36)	S (10.1-36)	
5	Audio, Video and Communications Equipment												S(10.1-36)	S (10.1-36)	
6	Bakery Products				S (10.1-36)					S (10.1-36)			S(10.1-36)	S (10.1-36)	
7	Beverage Products and/or Bottling	CZ (10.2-4)								CZ (10.2-4)	CZ (10.2-4)		S(10.1-36)	S (10.1-36)	
8	Bicycle Parts and Accessories											S (10.1-36)	S(10.1-36)	S (10.1-36)	
9	Brooms and Brushes												S(10.1-36)	S (10.1-36)	
10	Computer and Office Equipment												S(10.1-36)	S (10.1-36)	
11	Electrical Equipment												S(10.1-36)	S (10.1-36)	
12	Furniture and Fixtures												S(10.1-36)	S (10.1-36)	
13	Glass Products from Purchased Glass												S(10.1-36)	S (10.1-36)	
14	Household Appliances												S(10.1-36)	S (10.1-36)	
15	Leather Products (not including tanning)	CZ (10.2-4)											S(10.1-36)	S (10.1-36)	
16	Lighting and Wiring Equipment												S(10.1-36)	S (10.1-36)	
17	Manufactured Housing and Wood Buildings												S(10.1-36)	S (10.1-36)	
18	Medical, Dental and Surgical Equipment											S (10.1-36)	S(10.1-36)	S (10.1-36)	
19	Photographic Equipment and Supplies												S(10.1-36)	S (10.1-36)	
20	Pottery and Related Products	S (10.1-36)											S(10.1-36)	S (10.1-36)	
21	Sign manufacture											S (10.1-36)	S(10.1-36)	S (10.1-36)	
22	Sporting Goods and Toys												S(10.1-36)	S (10.1-36)	
23	Textile Products (no dyeing and finishing)												S(10.1-36)	S (10.1-36)	
24	HEAVY INDUSTRIAL USES														
25	Ammunition, Small Arms													S (10.1-36)	
26	Asbestos, Abrasive and Related Products														CZ (10.2-16)
27	Batteries														CZ (10.2-16)
28	Chemicals, Paints and Allied Products														CZ (10.2-16)
29	Concrete, Cut Stone and Clay Products													S (10.1-36)	
30	Dairy Products	CZ (10.2-4)												S (10.1-36)	
31	Fabricated Metal Products											S (10.1-36)		S (10.1-36)	
32	Floor Coverings (including carpet)													S (10.1-36)	
33	Foundries Producing Iron & Steel Products/Materials											S (10.1-36)			CZ (10.2-16)
34	Hazardous Industry														CZ (10.2-16)
35	Hazardous &/or Radioactive Waste (Transport/Storage/Incineration)														CZ (10.2-16)
36	Heating Equipment and Plumbing Fixtures													S (10.1-36)	
37	Industrial Equipment and Commercial Machinery													S (10.1-36)	
38	Leather Products (including tanning)														CZ (10.2-16)
39	Meat-packing Plants														CZ (10.2-16)
40	Metal Fasteners (Screws, bolts, etc.)											S (10.1-36)		S (10.1-36)	
41	Millwork, Plywood and Veneer													S (10.1-36)	

**Table 8.1 - Table of Uses
Section 3 - Wholesale Trade**

#	L = listed use CZ = conditional zoning S = Use listed with additional standards SUP = Special Use Permit <i>Reference SIC and NAICS code for further data on the listed uses.</i>	Agriculture (AG)	Single Family Residential (SFR-1, SFR-2, SFR-3 & SFR-MH)	Multi-Family Residential Transitional (MFT)	Traditional Neighborhood Development Overlay (TNDO)	Town Center (TC)	Civic (CIV)	Mixed Use (MU-1)	Mixed Use (MU-2)	US 74 Commercial (C 74)	Interstate Highway 485 Corporate Park	Vehicle Service/Repair (VSR)	Business Center (BC)	Industrial (IND)	Heavy Industry Overlay (HIO)
1	WHOLESALE AND OUTDOOR STORAGE														
2	Flowers, Nursery Stock and Florist Supplies	CZ (10.2-4)								S (10.1-36)			S (10.1-36)	S (10.1-36)	
3	Lumber and Other Construction Materials with fenced storage									S (10.1-36)			S (10.1-36)	S (10.1-36)	
4	Machinery, Equipment and Supplies									S (10.1-36)		S (10.1-36)	S (10.1-36)	S (10.1-36)	
5	Machinery, Farm and Garden									S (10.1-36)		S (10.1-36)	S (10.1-36)	S (10.1-36)	
6	WHOLESALE WITH HAZARDOUS MATERIALS														
7	Chemicals and Allied Products														CZ (10.2-16)
8	Plastics Materials									S (10.1-36)			S (10.1-36)	S (10.1-36)	
9	Resins														CZ (10.2-16)
10	WHOLESALE WITH RECYCLING, OTHER ACTIVITIES														
11	Scrap & Waste Materials - Recycling collection & sorting Only											S (10.1-36)			CZ (10.2-16)
12	WHOLESALE, OTHER														
13	Apparel									L			S (10.1-36)	S (10.1-36)	
14	Beer, Wine or Distilled Alcoholic Beverages	CZ (10.2-4)			L					CZ (10.2-4)			S (10.1-36)	S (10.1-36)	
15	Books, Periodicals and Newspapers						L			L			S (10.1-36)	S (10.1-36)	
16	Durable Goods												S (10.1-36)	S (10.1-36)	
17	Electrical Goods												S (10.1-36)	S (10.1-36)	
18	Furniture and Home Furnishings									L			S (10.1-36)	S (10.1-36)	
19	Groceries and Related Products									L			S (10.1-36)	S (10.1-36)	
20	Hardware, Wholesale Dealer								L	L		L	S (10.1-36)	S (10.1-36)	
21	Lumber, Millwork and Veneer									S (10.1-36)			S (10.1-36)	S (10.1-36)	
22	Paper and Paper Products									S (10.1-36)			S (10.1-36)	S (10.1-36)	
23	Plumbing and Heating Equipment									S (10.1-36)			S (10.1-36)	S (10.1-36)	
24	Sporting and Recreational Goods and Supplies									L			S (10.1-36)	S (10.1-36)	
25	Wallpaper and Paint Brushes									L			S (10.1-36)	S (10.1-36)	



MEMO

To: Town Council

From: Alex Sewell, Town Manager

Date: 9/22/22

RE: NCDOT Project U-4913 Idlewild Road Widening

Purpose: In anticipation of the 9/26/22 Town Council meeting, this memorandum provides background and updates regarding NCDOT TIP Project U-4913 (Idlewild Road Widening).

Background:

Please note that this background is a general broad summary of the project's history. Several previous memorandums are enclosed containing more detailed background.

- Since 2018, the N.C. Department of Transportation (“NCDOT”) and Town of Stallings have been engaged in an ongoing dialogue regarding U-4913. The NCDOT and Town have had differing perspectives on the appropriate design for this project.
- To generally summarize the situation:
 - o NCDOT indicates that it is bound by the project’s minimum purpose and need requirements to keep the level of service above a certain threshold.
 - o The Stallings Town Council agreed that Idlewild Road needs to be improved. However, NCDOT’s current project design is more intense has more lanes and less access than the Council found acceptable. (The lane intensity in parts is comparable to the Waverly shopping center area and is even more intense than many parts of Highway 74.)
 - o The Council’s concern was that this project design creates an ever-expanding highway with less access that would likely be destructive to the Town’s adopted land vision by disconnecting the Town, decreasing character, make the corridor more of a commute road, and increase traffic.
 - o The Council believes that level of service is an important consideration when doing roadway design but should not be the *only* consideration.
- The Town and NCDOT have explored various traditional and alternative design options and have engaged with outside experts for guidance. However, those efforts have been unsuccessful in identifying an acceptable alternative for both parties.
- On 7/13/20, staff presented Council with the following options:

- “Acceptance of DOT Concept” - Accept and support concept.
 - ▣ PRO – addresses traffic issues in the relative medium-term
 - ▣ CON – goes against traditional neighborhood development goals
 - ▣ CON – larger overall footprint, more impact on adjoining land
- “Stick to Our Guns” - Continue to state position to DOT that design doesn’t work.
 - ▣ PRO – this is the Council’s vision – stick to it. Perhaps persistent will get us more of what the Town wants.
 - ▣ CON – the Town has taken this approach and have not gotten desired results.
 - ▣ CON - DOT indicates traffic numbers do not work.
- “Try to Compromise” – Offer to accept compromise – for example, the Town could offer to accept the corridor portion if Stevens Mill/Idlewild remains a traditional intersection.
 - ▣ PRO – Get at least some of what the Council is looking for
 - ▣ CON – DOT does not appear willing to compromise further.
 - ▣ CON – Impacts some of Town’s vision.
 - ▣ CON – larger footprint at the intersection.
- “Blow It Up and Start Over” - Request to CRTPO that the project be pulled and purpose redefined.
 - ▣ PRO –potentially getting project designed to decrease laneage
 - ▣ CON – probably won’t score high enough as redesigned to get funded in at least the next decade and in the meantime, traffic would get much worse
 - ▣ CON – Could potentially not get any transportation project funded for decades.
- “Kick the Can Down the Road” – Request that the project be pushed out in the current STIP – probably somewhere around 2029 or possibly even the next decade’s STIP (Similar to the Town of Matthews’ approach to Old Monroe Road).
 - ▣ PRO – more time to figure out alternative solution
 - ▣ CON – Alternative solution is unclear, and Matthews has more alternate traffic rerouting options with Old Monroe Road as Idlewild is directly off 485.
 - ▣ CON – Traffic gets much worse in the meantime.
 - ▣ CON – Could potentially not get any transportation project funded for decades.
- My recommended next step would be for the Town to meet with CRTPO leadership and staff to verify accuracy of options and determine any other available options.

- Subsequently, CRTPO staff verified the above options.
- On 5/19/21, NCDOT indicated that it always wants to consider local input, but it needs to proceed with designing/building the roadway project in accordance with its minimum purpose and need requirements unless CRTPO pulls the funding or there is a delay. NCDOT indicated that it was willing to delay the

project for several years, and if that delay occurred then construction would probably end up being closer to the end of the decade.

- On 6/14/21, the Council decide to request NCDOT to administratively delay this project for three years and to reiterate its position supporting a four-lane cross section plus a left turn lane, with full movement access at the Stevens Mill/Stallings Road intersection, and a full movement intersection at the Harris Teeter Shopping Center intersection.
- On 6/28/21, NCDOT agreed to administratively delay the project.

Update:

- On 8/26/22, NCDOT provided a letter to the Town (enclosed) indicating that they need to start design of this project again to meet future project timelines regarding right of way acquisition and construction.
- NCDOT is planning to come to the 9/26/22 Town Council meeting to present on the project and discuss with the Council.
- The Town of Matthews had indicated they would prefer the diamond interchange design remain in any future design regardless citing pedestrian connectivity benefits. This interchange is largely outside the Town of Stallings' limits.
- Enclosed please find:
 - o NCDOT's 8/26/22 letter to the Town.
 - o NCDOT's latest conceptual map developed for this project. NCDOT noted that the proposed typical sections are shown and are based upon the Town's requested pedestrian accommodations from several years ago. NCDOT has advised that these will likely include some betterments depending on what we get back from NCDOT's Integrated Mobility Division.
 - o Enclosed are several previous memorandums for a more detailed background.



STATE OF NORTH CAROLINA
DEPARTMENT OF TRANSPORTATION

ROY COOPER
GOVERNOR

J. ERIC BOYETTE
SECRETARY

August 26th, 2022

Alex Sewell, Esq.
Town Manager
Town of Stallings
315 Stallings Rd
Stallings, NC 28104

Dear Mr. Sewell,

The NCDOT recently released a draft STIP which is set to be approved by the Board of Transportation later this year. In that draft STIP project U-4913 is programmed for right of way acquisition to begin in FY 26 and construction to begin in FY 28. In order for us to meet these dates we will need to begin final design on this project in the coming months.

Earlier in the planning phase of the project it was determined that a 6-lane divided roadway between I-485 and a Median U-turn (MUT) intersection design at Stephens Mill Rd./Idlewild Rd. was required to meet the anticipated traffic demands in the project's design year. Our projects must be designed and constructed to accommodate future needs and must provide a minimum level of operational efficiency to be eligible to receive funding.

From previous correspondence, we understand that the town did not support the 6 lane cross section or the MUT design. It is always our desire to incorporate local preferences and to partner with stakeholders to arrive at the best design to suit the needs of all. However, in this case we were previously unable to find resolution and consensus on a path forward. We are asking for the final disposition of the town on the described design concepts. Otherwise, we intend to move forward with the design and construction of the project as currently planned.

If the Town wishes for this project to be canceled and removed from the STIP we ask that you work with CRTPO staff to that end. We also ask that if this is the desire of the Town, that this coordination with CRTPO occur as soon as possible to prevent further expenditure of public funds on a project that may not move forward.

Sincerely,

A handwritten signature in black ink that reads "Brett Canipe".

Brett Canipe, PE
Division 10 Engineer

Cc. Neil Burke, AICP PTP, CRTOP Deputy Director

Mailing Address:
NC DEPARTMENT OF TRANSPORTATION
DIVISION 10
716 W MAIN ST
ALBEMARLE NC 28001

Telephone: 704-983-4400
Customer Service: 1-877-368-4968

Website: ncdot.gov



MEMO

To: Town Council

From: Alex Sewell, Town Manager

Date: 5/19/21

RE: U-4913 Idlewild Road Widening

Purpose: This memorandum provides background and an update regarding NCDOT TIP Project U-4913 (Idlewild Road Widening) and seeks Council direction.

Background:

- This memorandum includes a general overview of the project. Previously issued memorandums dated 1/22/20 and 10/24/19 are enclosed below with more detailed background.
- The N.C. Department of Transportation (“DOT”) and Town of Stallings have been engaged in an ongoing dialogue regarding U-4913 over the past several years. The DOT and Town have had differing perspectives on the appropriate design for this project.
 - o The Town has previously expressed that one of its primary underlying concerns is that some of the design proposals for the corridor would conflict with the Town’s adopted land use plans.
- Council called a special meeting on 10/28/19 with DOT representatives. DOT had requested this 10/28/19 meeting with the Town Council so there could be ongoing dialogue and to see if the Council would be willing to endorse one of DOT’s design alternatives.
- At the 10/28/19 Council meeting, DOT reiterated three options:
 - o Option#1 - Six (6) lane divided with conventional intersections - \$20 million estimate (Staff had previously advised that a 6-lane option with Stevens Mill/Idlewild remaining a traditional full movement intersection is the DOT concept that most aligns with the Town’s adopted land use plans).
 - o Option #2 - Six (6) lane divided with Michigan RCI at Stevens Mill - \$20 million estimate (DOT Preferred)
 - o Option #3 - One Way Pair Alternative - \$28 million estimate (requires a second bridge and more overall roadway

- At the 10/28/19 Council Meeting, DOT discussed the topic with the Council and requested a decision from Council on its preference prior to February 2020.
- On 11/1/19, DOT sent an email providing additional information to the Town Council.
- DOT sent a follow-up letter (dated 12/12/19 and enclosed) requesting the Council identify its preferred design alternative so that DOT could continue its design efforts and move towards delivering the project.
- At the 1/13/20 Council meeting, the Council requested the DOT respond to stormwater concerns regarding the Idlewild widening that residents from the Vickery subdivision had raised. Below is DOT's response to stormwater concerns:

“...back in August this project was suspended due to the NCDOT's cash balance issues. Due to this project being suspended and since we are still in discussions with the Town of Stallings on a preferred alternative we have not taken the plan design past public meeting map level. For this reason we do not have the design progressed enough to be in a position to accurately do any hydraulic or drainage design or calculations yet. When it comes to drainage, it is our standard design practice to perform a pre vs. post runoff analysis at each outfall location. This analysis is done to ensure no drainage area diversions and to evaluate any increases to runoff due to upgrades within the Department's right of way.

The possibility of energy dissipation or flow attenuation will be evaluated once these numbers are developed during the design phase. Special attention is paid to outfalls where downstream negative impacts are likely, such as in situations where downstream private systems may already be under-functioning as you describes below. Although this is standard design practice we will make the drainage designers aware of the potential issues in Vickery Subdivision whenever the project comes back on-line. Once we get farther into design we can talk with you more about exactly what our impacts may be and what we are going to do to mitigate for them.”

(NOTE: The above was edited to separate text for ease of reading)

- At the 1/27/20 Council Meeting, the Council determined that the following response should be sent to NCDOT:



February 19, 2020

RE: Project U-4913 (Idlewild Road Corridor)

Dear Mr. Canipe,

On behalf of the Stallings Town Council, I write today regarding TIP Project U-4913. As you know, the NC Department of Transportation (“DOT”) and Town of Stallings have been engaged in an ongoing dialogue regarding Project U-4913 for over a year but have been unable to find a mutually agreeable design. DOT sent a follow-up letter (dated 12/12/19) requesting the Town’s support of one of DOT’s alternatives.

On 1/27/20, the Stallings Town Council met to discuss DOT’s request. The Council unanimously determined that its position is to request a four-lane cross section plus a left turn lane, with full movement access at the Stevens Mill/Stallings Road intersection, and a full movement intersection at the Harris Teeter Shopping Center intersection based upon the fact that there are planned revisions for the Small Area Plan and the concerns that we have with regard to impact to some of the existing neighborhoods that were not shown in the initial public presentations of this project.

The Town appreciates your service and looks forward to continuing to work together on this project.

Sincerely,

Alex Sewell
Stallings Town Manager

- On 6/30/20, NCDOT provided a response indicating that it is bound by the project's purpose and need to keep the level of service above a certain threshold, and what they are proposing will meet the purpose and need. The NCDOT further indicated that:

We [NCDOT] recognize that this is not among the options you have presented, and we have worked with you over the last several years to reach a viable solution, but we are bound to the requirements to meet purpose and need. The NCDOT is responsible for delivering projects selected by CRTPO and for delivering a project that will meet the purpose and need and the minimum Level of Service for the traveling public in the design year. We will continue to work with the Town of Stallings to the extend possible, but at the same time will proceed with a project that meets the intended function unless support for the project is removed by CRTPO.

The full letter is enclosed below.

- At the 7/13/20 Council Meeting, the Council was presented the following options of how to move forward:

- “Acceptance of DOT Concept” - Accept and support concept;
 - PRO – addresses traffic issues in the relative medium-term
 - CON – goes against traditional neighborhood development goals
 - CON – larger overall footprint, more impact on adjoining land
- “Stick to Our Guns” - Continue to state position to DOT that design doesn't work;
 - PRO – this is the Council's vision – stick to it. Perhaps persistent will get us more of what the Town wants.
 - CON – the Town has taken this approach and have not gotten desired results.
 - CON - DOT indicates traffic numbers do not work.
- “Try to Compromise” – Offer to accept compromise – for example, the Town could offer to accept the corridor portion if Stevens Mill/Idlewild remains a traditional intersection
 - PRO – Get at least some of what the Council is looking for
 - CON – DOT does not appear willing to compromise further.
 - CON – Impacts some of Town's vision.
 - CON – larger footprint at the intersection.
- “Blow It Up and Start Over” - Request to CRTPO that the project be pulled and purpose redefined;
 - PRO –potentially getting project designed to decrease laneage

- If funding is pulled then no improvements would be made to the Idlewild Corridor.
 - The grant process is competitive, possible study would not get funded. There is a 20% local commitment regardless.
 - Study could reaffirm NCDOT's recommendation.
- On 3/17/21, staff met with NCDOT to discuss their position on the potential alternative study. NCDOT seemed open to the idea of delaying the project and pursuing an alternatives study funded partially by the CRTPO discretionary funds that open up later this year. However, there are a lot of moving parts so NCDOT wanted to discuss internally and follow-up with the Town.
- On 4/26/21, the Mayor, Mayor Protem, and Town Manager met with the NCDOT Division 10 Engineer Brett Canipe to discuss the U-5112 Potter/Pleasant Plains Project (as directed by Council). During that meeting, the Idlewild Project also was discussed. Regarding the CRTPO leadership idea of doing some sort of alternatives study, the group discussed and noted that a review of alternatives had already been conducted. Mr. Canipe indicated NCDOT would be willing to administratively delay the project a couple of years.
- On 5/19/21, staff discussed the project with NCDOT. NCDOT indicated that it always wants to consider local input, but it needs to proceed with designing/building the roadway project in accordance with its minimum purpose and need requirements unless CRTPO pulls the funding or there is a delay. NCDOT indicated that it was willing to delay the project for a couple years, and if that delay occurred then construction would probably end up being closer to the end of the decade. NCDOT indicates that the sooner they can receive a decision from the Town the better, but they need to know the Town's position by the end of June so they can ensure their STIP budget is as accurate as possible.

Next Steps: The Council can choose one of the options listed above or any other path it deems appropriate.



MEMO

To: Town Council

From: Alex Sewell, Town Manager

Date: 1/22/20

RE: U-4913 Idlewild Road Widening – DOT Request

Purpose: This memorandum provides background and an update on the ongoing dialogue regarding NCDOT TIP Project U-4913 (Idlewild Road Widening).

Background:

- A previously issued memorandum dated 10/24/19 is enclosed below with a detailed background on the project. However, this memorandum includes a general overview of the project's status.
- The N.C. Department of Transportation (“DOT”) and Town of Stallings have been engaged in an ongoing dialogue regarding U-4913 over the past year. The DOT and Town have had differing perspectives on the appropriate design for this project.
 - o The Town has previously expressed that one of its primary underlying concerns is that some of the design proposals for the corridor would conflict with the Town's adopted land use plans.
- Council called a special meeting on 10/28/19 with DOT representatives. DOT had requested this 10/28/19 meeting with the Town Council so there could be ongoing dialogue and to see if the Council would be willing to endorse one of DOT's design alternatives.
- At the 10/28/19 Council meeting, DOT reiterated three options:
 - o Option#1 - Six (6) lane divided with conventional intersections - \$20 million estimate (Staff had previously advised that a 6-lane option with Stevens Mill/Idlewild remaining a traditional full movement intersection is the DOT concept that most aligns with the Town's adopted land use plans).
 - o Option #2 - Six (6) lane divided with Michigan RCI at Stevens Mill - \$20 million estimate (DOT Preferred)
 - o Option #3 - One Way Pair Alternative - \$28 million estimate (requires a second bridge and more overall roadway

- At the 10/28/19 Council Meeting, DOT discussed the topic with the Council and requested a decision from Council on its preference prior to February 2020.
- On 11/1/19, DOT sent an email providing additional information to the Town Council.
- DOT sent a follow-up letter (dated 12/12/19 and enclosed) requesting the Council identify its preferred design alternative so that DOT could continue its design efforts and move towards delivering the project.
- At the 1/13/20 Council meeting, the Council requested the DOT respond to stormwater concerns regarding the Idlewild widening that residents from the Vickery subdivision had raised.

Update: Below is DOT’s response to stormwater concerns:

“...back in August this project was suspended due to the NCDOT’s cash balance issues. Due to this project being suspended and since we are still in discussions with the Town of Stallings on a preferred alternative we have not taken the plan design past public meeting map level. For this reason we do not have the design progressed enough to be in a position to accurately do any hydraulic or drainage design or calculations yet. When it comes to drainage, it is our standard design practice to perform a pre vs. post runoff analysis at each outfall location. This analysis is done to ensure no drainage area diversions and to evaluate any increases to runoff due to upgrades within the Department’s right of way.

The possibility of energy dissipation or flow attenuation will be evaluated once these numbers are developed during the design phase. Special attention is paid to outfalls where downstream negative impacts are likely, such as in situations where downstream private systems may already be under-functioning as you describes below. Although this is standard design practice we will make the drainage designers aware of the potential issues in Vickery Subdivision whenever the project comes back on-line. Once we get farther into design we can talk with you more about exactly what our impacts may be and what we are going to do to mitigate for them.”

(NOTE: The above was edited to separate text for ease of reading)

Next Steps: The DOT has requested the Council identify its preferred design alternative. The Council’s options are to:

- 1.) Identify its preferred DOT concept;
- 2.) Not approve one of the DOT’s concepts and continue to try to negotiate;

- 3.) Not approve one of the DOT's concepts and not try to continue to negotiate;
or
- 4.) Take any other action deemed appropriate by the Council.



MEMO

To: Town Council

From: Alex Sewell, Town Manager

Date: 10/24/19

RE: U-4913 Idlewild Road Widening – Special Meeting

Purpose: This memorandum provides background on the ongoing dialogue regarding NCDOT TIP Project U-4913 (Idlewild Road Widening) in anticipation of the 10/28/19 Special Meeting with DOT.

Background:

- The N.C. Department of Transportation (“DOT”) and Town of Stallings have been engaged in an ongoing dialogue regarding U-4913 over the past year. One of the Town’s primary underlying concerns is that some of the proposals for the corridor would be antithetical and even destructive to the Town’s already adopted land use plans for the area.
- An Idlewild Work Team was established consisting of the Council Member Paxton, Town Manager Alex Sewell, Planning Director Lynne Hair, Town Engineer Chris Easterly, Planning Consultant Demetri Batches, and Traffic Engineer Consultant Randy Goddard. This Idlewild Work Team has been the primary working body for evaluating DOT’s proposals and providing recommendations to the Town Council on the topic.
- Recently, DOT shared two U-4913 conceptual design maps. These maps were a part of the feedback conversation at the 7/25/19 DOT public open house with local officials and the public.
- At the 7/8/19 Council meeting, the Council provided direction on what the Council agreed and disagreed with regarding DOT’s design maps. The Council directed staff to file these concerns with DOT directly and through a Charlotte Regional Transportation Planning Organization (CRTPO) process. This communication is dated 7/16/19 and is enclosed at the bottom of this document including the Town’s desired cross section. In this communication, the Town expressed the following concerns to DOT:
 - o The Michigan-left/superstreet concept design for the Stevens Mills Road and Idlewild Road intersection is antithetical to the Town’s adopted plan. The Town would request that the intersection of Stevens Mill Road and Idlewild Road be a traditional full-access

intersection. If a traditional full-access intersection is not possible, the Town would also find a roundabout for this intersection acceptable.

- As previously indicated, the Town would be willing to accept going from a 4-lane to a 6-lane section for this corridor if done in accordance with the enclosed cross section.
- The Town would eventually like for there to be a 14' multi-way path on the northeastern/non-shopping center side of Idlewild Road. Much of this area is undeveloped and so the Town wants developers to cover the cost of installing this 14' multi-way path as those particular properties develop and not taxpayers. As a result, the Town is not committing to pay for any sidewalk betterments but requests that DOT leave enough space for sidewalks to be done in accordance with the enclosed cross-section. This way developers will fund these improvements as development happens and not taxpayers.
- In addition to the DOT design maps that were the subject of the 7/25/19 DOT public input session, the DOT provided the Town with additional alternative design concepts from DOT's Mobility and Safety Division in Raleigh including a one-way pair concept.
- On 7/23/19, the Town Work Team met to evaluate the additional design concepts presented by DOT with the goal of providing a recommendation for the Town Council's consideration regarding the one-way pair concept.
- On 8/12/19, the Town Council opted to not to pursue the one-way pair concept because it did not see it as a feasible option. Instead, the Council determined it would notify the DOT of its decision and reiterate its previous position. A letter dated 8/15/19 was sent to DOT and is enclosed below.

Update:

- On 9/9/19, the Town Council agreed to reconsider the one-way pair concept after learning that DOT would be sharing more in-depth information in the coming weeks.
- On 9/17/19, members of the Idlewild Work Team met with the DOT to go over the more in-depth information on the one-way pair concept. Based on this new information, the Idlewild Work Team members concluded that existing conditions are too limited for one-way pair implementation in the Idlewild corridor because existing residential properties would need to be removed to accommodate the design.

- On 9/17/19, DOT requested that it meet with the Town Council to see if the Council would be willing to approve one of the two design concepts it presented at the 7/25/19 open house. As a result, the Council called a special meeting on 10/28/19 at 6:00 PM.

Options: The Council's options are to:

- 5.) Approve one of the DOT concepts;
- 6.) Not approve one of the DOT's concepts and continue to try to negotiate;
- 7.) Not approve one of the DOT's concepts and not try to continue to negotiate;
- or
- 8.) Take any other action deemed appropriate by the Council.

Analysis: The con of approving one of the DOT's concepts is that none of the concepts presented are exactly what the Town is seeking. Indeed, the enclosed documentation shows that the Town has consistently held the position that DOT's concepts for the Idlewild corridor do not align with the Town's already adopted land use plans for the area. It is possible that if the Town holds out longer that DOT might make more concessions.

The counterargument is that the Town and DOT have been negotiating for over a year on this project and we appear to be at a stalemate. Notably, DOT can proceed with this project without Town approval. Now could be the Town's window of opportunity to get a more preferred option (even if it's not exactly what we want) before the DOT moves on with a less preferable option.

If Council is open to approving one of the DOT's concepts, staff's opinion is that, the 6-lane option with Stevens Mill/Idlewild remaining a traditional full-movement intersection is the DOT concept that most aligns with the Town's adopted land use vision.



July 16, 2019

RE: Project U-4913 (Idlewild Road Corridor)

Dear DOT and CRTPO Officials,

On behalf of the Stallings Town Council, I write today regarding TIP Project U-4913. As you know, this Project involves improvements to the Idlewild Road corridor partly located within the Town of Stallings. For over the past year, DOT and the Town of Stallings have been engaged in an ongoing dialogue regarding U-4913. The Town of Stallings is appreciative of DOT's willingness to have a dialogue and wants to express our respect and appreciation to our local DOT officials. Both DOT and the Town of Stallings believe that transportation improvements are greatly needed in this area.

Recently, our DOT colleagues have shared several U-4913 conceptual designs. These designs will be part of the feedback conversation at an upcoming 7/25/19 DOT public input session. The Town supports several aspects of these conceptual designs including:

- 1.) The Town supports the diverging diamond interchange conceptual configuration. As you know, the diverging diamond design is unusual in that it requires traffic to briefly drive on the non-typical opposite side of the road. While there will likely be some growing pains as unfamiliar motorists become accustomed to this design, the Town believes this design will ultimately benefit our community's transportation network by improving efficiency of the interchange.
- 2.) The Town supports the dual lane roundabout at the realigned Stallings Road and Hooks Road intersection.

While emphasizing our respect for our DOT colleagues and areas of mutual agreement, the Town of Stallings has deep concerns about certain aspects of the proposed U-4913 conceptual designs. Indeed, certain aspects of the U-4913 concept designs are antithetical and even destructive to the Town's already adopted Idlewild Road Corridor Small Area Plan.

The Town spent years and hundreds of thousands of dollars overhauling our community's development plans including the adopted Idlewild Road Corridor Small Area Plan. The Idlewild Road Corridor Small Area Plan envisions an integrated development supported by uses that are typical for markets within metropolitan areas having similar accessibility and locational contexts. The intent of the Idlewild Road Corridor Small Area Plan is to capture and orient these uses to support not only regional needs

sustained by the auto-oriented access provided by I-485, but to also create a critical mass that enables the creation of jobs, fosters a good proportion of retail servicing local needs, and integrates these options in close proximity. The concept designs for U-4913 essentially installs an ever-expanding highway in the middle of our already adopted mixed-use plan. This will be destructive to the Town's adopted vision for the Idlewild Road Corridor.

The Town's concerns are generally described as follows:

- 1.) The Michigan-left/superstreet concept design for the Stevens Mills Road and Idlewild Road intersection is antithetical to the Town's adopted plan. The Town would request that the intersection of Stevens Mill Road and Idlewild Road be a traditional full-access intersection. If a traditional full-access intersection is not possible, the Town would also find a roundabout for this intersection acceptable.
- 2.) As previously indicated, the Town would be willing to accept going from a 4-lane to a 6-lane section for this corridor if done in accordance with the enclosed cross section.
- 3.) The Town would eventually like for there to be a 14' multi-way path on the northeastern/non-shopping center side of Idlewild Road. Much of this area is undeveloped and so the Town wants developers to cover the cost of installing this 14' multi-way path as those particular properties develop and not taxpayers. As a result, the Town is not committing to pay for any sidewalk betterments but requests that DOT leave enough space for sidewalks to be done in accordance with the enclosed cross-section. This way developers will fund these improvements as development happens and not taxpayers.

The Town Council has instructed Town staff to file our concerns with DOT and also through the CRTPO process.

Sincerely,

Mayor Wyatt Dunn
Town of Stallings

CC:

Robert Cook, CRTPO
Neil Burke, CRTPO
Scott Cole, NCDOT
Sean Epperson, NCDOT
Alex Sewell, Town of Stallings
Chris Easterly, Town of Stallings

fall back

107'
127' @ Intersections
(with addition of (2) 10' left turn lanes)



idlewild boulevard section



Town of
Stallings

315 Stallings Road ▪ Stallings, North Carolina 28104

August 15, 2019

RE: Project U-4913 (Idlewild Road Corridor Widening)

Dear DOT and CRTPO Officials,

For over the past year, DOT and the Town of Stallings have been engaged in an ongoing dialogue regarding Project U-4913. The Town wants to express our ongoing respect and appreciation to our local DOT officials. While communicating our respect, the Town has also expressed on numerous occasions serious concerns that certain aspects of DOT's designs would be antithetical and even destructive to the Town's previously adopted land use plans (see enclosed 7/16/19 letter).

In July, the DOT shared several U-4913 conceptual designs and held a public input session. In the same month, DOT also shared with the Town several additional conceptual design alternatives from NCDOT's Mobility and Safety Division including a one-way pair concept. The Stallings Town Council has discussed this information and is appreciative of DOT sharing alternative configurations. The Council likes certain aspects of the one-way pair concept but also has concerns.

Ultimately, the Council does not see the one-way pair as a feasible option for two primary reasons. First, the cost to enact such a project would likely be exorbitant and exceed the current budget by a significant margin. Second, the one-way pair design is a significant change from the current design concept alternatives being presented. However, DOT's stated project milestone timeline is insufficient for the proper development and evaluation of this concept in this location, and any subsequent hard design. Specifically, the Town Council believes more than a very high-level concept design is needed to properly evaluate certain key design features such as intersection design and street cross sections to understand how a one-way pair would function and impact our community. DOT's timeline does not provide enough time for such a process and subsequent hard design of such a significant change.

As a result, the Town would like to reiterate its concerns/recommendations as follows:

- 1.) The Michigan-left/superstreet concept design for the Stevens Mills Road and Idlewild Road intersection is antithetical to the Town's adopted plan. The Town would request that the intersection of Stevens Mill Road and Idlewild Road be a traditional full-access intersection. If a traditional full-access intersection is not possible, the Town would also find a roundabout for this intersection acceptable.

- 2.) As previously indicated, the Town would be willing to accept going from a 4-lane to a 6-lane section for this corridor if done in accordance with the enclosed cross section.
- 3.) The Town would eventually like for there to be a 14' multi-way path on the northeastern/non-shopping center side of Idlewild Road. Much of this area is undeveloped and so the Town wants developers to cover the cost of installing this 14' multi-way path as those particular properties develop and not taxpayers. As a result, the Town is not committing to pay for any sidewalk betterments but requests that DOT leave enough space for sidewalks to be done in accordance with the enclosed cross-section. This way developers will fund these improvements as development happens and not taxpayers.

Sincerely,

Stallings Town Council



MEMO



To: Mayor and Council
 Via: Alex Sewell, Town Manager
 From: Dennis Franks, Chief of Police 
 Date: September 15, 2022
 RE: Expansion of SPD canine program

Purpose: The purpose of this memo is to outline the background, need, and funding sources to implement a second K9 team, to our current program.

Background: Two weeks ago, the SPD was approached by the Southern Police Canine group regarding the availability of a police dog. Southern Police Canine is the group that our current canine team was trained. We were told that the Kansas Department of Corrections has disbanded their K9 program, and the dog was returned to the group. As you know, our current K9 team has been pulled off of patrol and assigned to a Homeland Security Task Force. In the past year, the team has been involved in over 1 million dollars in cash seizures and hundreds of pounds of illegal narcotics. Although the department believes that apprehending drug traffic from a higher level shrinks local-level narcotics, it is still necessary to have a K9 team attached to patrol.

On September 15, 2022, Asst. Chief Perry and Det. Josh Smith went to see this potential new K9. Both Perry and Smith are well versed in canine programs and the handling of dogs. They reported back that this dog, a male German Shepard, would be a great fit for our K9 program. The dog performed flawlessly in narcotic detection and has a very similar personality to Lili's. Both said the dog is able to be approached and touched without aggression.

Funding: The cost of this program is covered utilizing current funds. The SPD is not asking for any additional money to launch this second team. The funding sources are as follows:

The breakdown of costs to launch a second K9 team is:

Startup Cost of Second K9 Team	
Cost of dog/training (includes lodging and food)	\$8,000
Home Kennel/Pad	\$2,500
Uniforms	\$500
K9 equipment (collars/harness/leashes/K9 rewards)	\$750
Restripe current K9 car	\$850
Pay and benefits increase (per town policy)	\$3,400
Total:	\$16,000

- K9 Vehicle- The current K9 vehicle was slated to go out of service but can be used for at least two more years.
- Kennel, equipment, restriping, and uniforms will come out of the current K9 budget line. This line was originally funded to support two canine teams
- New dog and handler training-The department would want to use current asset forfeiture funds to purchase the dog and the accompanying training. This amount includes lodging and food. The Town's Finance Director has advised that there is ample money in our asset forfeiture accounts to cover this cost.
- Pay and benefits- This amount is minimal, and I would request using funds from the lapse salaries we have accrued with our two vacant police positions and our vacant P/T desk clerk position. The lapsed salaries easily cover the \$3,400.

I believe that a second K9 team is needed. We have a young department that will utilize the team on patrol. Currently, Det. Smith is used when not working his task force duties and is always willing to come out. Having a K9 team on patrol will boost productivity and morale. As the Town of Stallings continues to grow, we will need to have the necessary resources available to our officers to continue keeping Stallings a safe community.

Requested Consideration: Approve the SPD to move forward with the creation of a second K9 Team.



FY 22-23 Town Priorities & Action Strategies¹

(Updates in red text)

Priority #1 – Downtown Creation (Economic Development)

Strategy – Partner with the UNC School of Government through the Development Finance Initiative (“DFI”) for development expertise in moving the downtown action plan forward and developing next steps.

- Action Items:
 - Approve DFI Phase 1 Downtown District Feasibility Assessment Proposal. DFI work will trigger next action steps.
 - Continue to invest in making downtown a destination point.
 - Promote a uniform and pedestrian-friendly downtown streetscape.
 - Build resilient community support for downtown.
- Benchmark for Success:
 - Meet with DFI representatives and approve the Phase 1 Downtown District Feasibility Assessment proposal on 2/28/22.
 - Complete the DFI Phase 1 Downtown Feasibility Assessment by 2/28/23.
 - Based on Phase 1 results, identify next steps by 3/31/23.
 - Continue operating a downtown farmers market in 2022.
 - Hold at least three parks and recreation events in the downtown area in 2022.
 - Add downtown streetscape requirements into the zoning ordinance by 12/31/22.
 - Council will secure at least four members for a downtown support committee within one year of Phase 1 completion.

- Action Items:
 - Approve DFI Phase 1 Downtown District Feasibility Assessment Proposal. DFI work will trigger next action steps.
 - Continue to invest in making downtown a destination point.
 - Promote a uniform and pedestrian-friendly downtown streetscape.

¹ Priority #1 received unanimous support in individual conversations with Council Members. The other three priorities were referenced in three discussions are not meant to be prioritized in any order.

- Build resilient community support for downtown.
- Benchmark for Success:
 - Meet with DFI representatives and approve the Phase 1 Downtown District Feasibility Assessment proposal on 2/28/22. **Complete.**
 - Complete the DFI Phase 1 Downtown Feasibility Assessment by 2/28/23. **The Town is engaged with DFI and working through the Phase 1 process.**
 - Based on Phase 1 results, identify next steps by 3/31/23.
 - Continue operating a downtown farmers market in 2022. **Complete. County has reported struggling to get vendors recently.**
 - Hold at least three parks and recreation events in the downtown area in 2022. **Complete.**
 - Add downtown streetscape requirements into the zoning ordinance by 12/31/22. **Draft streetscape complete. Likely won't meet this deadline as Council opted to not approve immediately but run concurrently with DFI phase 1 process.**
 - Council will secure at least four members for a downtown support committee within one year of Phase 1 completion.

Priority #2A – Maximize Positive Development Around Hospital/Light Rail (Economic Development)

Strategy – Recognize the area’s importance, invest in beautification/placemaking, and plan to maximize positive development with the twin-anchors of the Atrium Hospital and Light Rail.

- Action Items:
 - Confirm the North Carolina Department of Transportation’s (“NCDOT”) enhanced landscaping plan for the bypass area.
 - Initiate/continue conversations with Atrium to understand their development goals.
 - Prioritize planning resources to this area vs. updating transportation master plan due to limited value add.
 - Update Small Area Plan (“SAP”)/Station Area Plan/Development Ordinance (“SDO”)

SAP/Station Area Plan/DO Action Plan

- Create a Transit Overlay District (“TOD”) (Complete by 12/31/22)
 - Incorporate into SDO
 - Show on Zoning Map
 - Notes: In-house workload. Legal review and advertising costs. Public Input.
- Comprehensive Land Use Plan Update (“CLUP”) (Complete by 12/31/23)
 - Updates to the future land use categories to better fit with SDO.
 - Alter based on Atrium and planned light rail corridor/station.
 - Notes: Primarily in-house, but possible funding may be needed for consultant.
- US-74 Station Area Plan/SAP/SDO Update (2022 to 9/30/24)
 - In 2022, develop scope of work prior to submitting grant application.
 - In Late Summer/Early Fall 2022, submit for Charlotte Regional Transportation Planning Organization (“CRTPO”) 80% planning grant. (Awarded grant in mid-2023.)
 - Once/if the grant is awarded in mid-2023, select consultant(s) and start executing plan with goal of being finished by 9/30/24.
- Transportation Master Plan Update (Timeframe TBD)
 - Once HWY 74 Station Area/SAP/SDO plan updates are complete, determine whether to proceed with a new transportation master plan process.

- Benchmarks for Success:
 - Finalize landscaping plan with NCDOT by 9/30/22. **Complete. Waiting on interlocal agreement from NCDOT.**
 - In Fiscal Year (“FY”) 22-23 budget, provide resources for maintenance of bypass landscaping upgrades and any funding needed for CLUP update. **Complete.**
 - Complete transit overlay district (TOD) work by 12/31/22. **Planning is on schedule.**
 - In FY 23-24 budget, provide resources for US 74 Station Area/SAP/SDO updates.
 - Install large gateway signage in roundabout by 6/30/23. **Council opted not to fund.**
 - Complete CLUP update by 12/31/23. **Planning is on schedule.**
 - Secure CRTPO grant for Station Area/SAP/DO Updates by 6/30/23. **Planning is working on grant application.**
 - Complete Station Area/SAP/DO updates by 9/30/24.
- Long-Term Notes:
 - Work should consider the long-term development strategy for the area, considering:

- Pedestrian connectivity across the bypass/HWY 74.
- High profile projects, such as hotels and medical offices.
- Prospects of recruiting manufacturing related to the medical anchor tenant.
- High density, high quality residential.
- Anticipating and accommodating potential for light rail.
- Ensuring zoning is in place to support the strategy.
- Make policy decisions in keeping with zoning and area plan.

Priority #2B – Develop a More Proactive Communications Strategy

Strategy – Use existing resources to efficiently improve external communications. If unsatisfactory, consider increasing resources for communications during FY 23-24 budget process.

- Action Items:
 - o Review neighborhood homeowners association (“HOA”) email contact information, ensure it is current, and add it to the sunshine list.
 - o Develop a blog post system for the website for timely and pertinent information in lieu of the quarterly newsletter. It should contain “tags” to assemble information by category for ease of use.
 - o Complete citizen survey.
 - o Outfit Council chambers with virtual meeting capabilities.
- Benchmarks for Success:
 - o Update HOA email list to ensure it’s current by 5/1/22 and blend with sunshine list. **Complete.**
 - o Have first blog post by 7/31/22. Send out via Town communications channels. **Complete.**
 - o During FY 23-24 budget process, determine if Council is satisfied with blog posts. If not, consider adding communications staff/resources.
 - o Complete citizen survey by 12/31/22. **Council opted to extend deadline for Council feedback so won’t meet this date.**
 - o Outfit Council chambers with virtual meeting capabilities by 12/31/22. **On schedule.**

Priority #2C – Ensure/Encourage Completion of Critical State Intersection Projects

Strategy – For the Potter-Pleasant Plains intersection, keep moving forward but ensure that the local resource commitment is appropriate given this is a state-owned intersection. For Old Monroe Road, continue to monitor scope and schedule as this is a NCDOT project.

Action Items:

- Potter-Pleasant Plains - Continue to work towards closing the estimated budget deficit so that the local funding level is appropriate. Continue to press the State for additional funding and consideration of greater state responsibility in the project.
- Old Monroe Road - Begin doing a monthly project update in the staff report.

Benchmarks for Success:

- Potter-Pleasant Plains – Let the project within 6 months of the Council determining the estimated Town resource commitment is acceptable.
 - o **NCDOT is coordinating with the Town to fully takeover the project. The Town has received confirmation from NCDOT that it has completed a new land survey (the previous one was outdated) and is working on completing the final design based on the updated information. NCDOT anticipates the let date of the project to be late Spring/early Summer 2023 as long as there are no issues with material shortages.**
- Old Monroe Road – During FY 22-23, provide Council with a monthly update. **Provided monthly updates thus far.**



A Balanced Scorecard Approach for the Town of Stallings

FY 21-22 Annual Report

FORWARD STALLINGS

September 22, 2022

A Report to Citizens, Council, & Staff – FY 2021-2022

The Town's system of linking its vision, mission, Council's top priorities, departmental actions, and performance measures to achieve the desired results is a balanced scorecard system called Forward Stallings. The Town strategy map, scorecards, top departmental priorities, and budgetary information are blended together to better align the Town's time, money, and resources with its top priorities. In essence, this annual report is both a "report card" and a "strategic learning tool" that should be used to help assess how well the Town is doing in pursuing its key objectives. One of the main purposes of the report is to generate discussion, like a post-game analysis, to determine whether particular strategies being used to accomplish objectives and initiative should be 1.) changed, 2.) abandoned, or 3.) maintained (i.e., "stay the course"). The next opportunity to analyze results and discuss possible changes to strategy will be at the Council's regular board meeting on September 26, 2022. At this meeting, the Manager will officially submit the FY 21-22 Year-End Report.

The willingness to experiment by using new or innovative ideas is critical to continuously improving operations. At the same time, a learning organization must be able to identify both potential successes and failures early enough to adjust accordingly to changing conditions. This is a major benefit of this system – it provides a reality check, accommodates changes in direction, helps everyone make well informed decisions, and creates accountability by sharing the results (whether good or bad) with the citizens, media, elected officials, and Town employees. In instances where it appears the Town is being successful, the Council, staff and public should still be willing to challenge the status quo and suggest strategies that may allow an even higher standard of service to be delivered. This is the key to avoiding complacency. On the other side of the coin, just because an initiative missed its target does not necessarily mean a change in strategy is needed. As the old saying goes, "the devil is in the details." Hence, asking probing questions to gain an understanding of the many factors affecting outcomes compared to the desired target can help clarify the performance picture and uncover a greater ability to assess

ORGANIZATIONAL PERSPECTIVES

Community – Managers must know if the Town is meeting citizen needs. They must determine the answer to the questions: Is the organization delivering the services the community wants?

Financial – Managers must focus on how to meet service needs in an efficient manner. They must answer the question: is the service delivered at a good price?

Internal Business – Manager must focus on those critical operations that enable them to satisfy citizens. Managers must answer the question: Can the organization improve upon a service by changing the way a service is delivered?

Develop Know-How – What skills, tools, and organizational climate do our employees, elected officials, appointed officials, and volunteers need to meet the community's needs while achieving the mission and vision?

what (if anything) should be done in response. It is also important to remember that departments often set “stretch targets” that are multi-year goals intended to help make a breakthrough by encouraging creative thinking, results-oriented problem solving and/or escaping the comfort zone.

Enclosed please find:

- 1.) Our Balanced Scorecard Policy.
- 2.) Our Strategy Map.
- 3.) Individual Department Reports.
- 4.) Individual Department Scorecards.

I am grateful to Council and staff for being willing to try something new. This is our third year, and this has been/will be a continuous learning experience for all of us. However, I am confident that we will be able to use the lessons learned to continuously improve.

Please do not hesitate to contact me if you have any questions, suggestions, concerns, or ideas related to this report. Most importantly, we look forward to listening and participating in the discussions that will help us take the next steps in positively impacting Stallings’ future.

Sincerely,

Alex Sewell
Town Manager

Rationale, Overview, & Processes

What is the Balanced Scorecard?

A management system that uses a group of measures/goals to help implement an organization's strategy. It is a tool/system for the leaders to use in communicating to employees and the community the outcomes and performance drivers by which the organization will achieve its mission and strategic objectives.

Rationale and Benefits of the Balanced Scorecard

- *Clarifies and Communicates Organizational Mission.* Translates your vision and strategy into a coherent set of measures, targets and initiatives that can be communicated throughout the organization and community by:
 - 1.) More clearly describing the Town Council's strategy by taking potentially vague policy directives (mission, vision, goals, and objectives) and making them easier to understand by defining them and choosing performance measures to gauge their progress; and
 - 2.) Sharing scorecard results throughout the organization and community gives employees and citizens the opportunity to discuss the assumptions underlying the strategy, learn from unexpected results, and deliberate on future modifications as necessary. Simply understanding an organization's strategy can unlock many organizational capacities, thus allowing employees and citizens, maybe for the first time, to know here the organization is headed and how they can contribute to the journey. The scorecard brings meaning and action to a vague objective like "provide excellence municipal services."
- *Better Data for Policy-Making.* The Balanced Scorecard promotes questions, dialogue, analysis, innovation, experimentation, adaptability, and accountability.
- *Helps Let Us Know if We Are Moving Toward Goal Achievement or Drifting Further Away.*
- *Resource Alignment and Allocation.* 1.) To successfully implement any strategy, it must be understood and acted upon throughout all levels of the organization and ultimately be enacted during departments' day-to-day activities; 2.) Establishing long-term "stretch targets" allows the organization to identify the key steps necessary to achieve its goals; and 3.) Aligns resources (time, effort, and money) so that the initiatives in all departments and levels share a common trait, their linkage to the Town's strategic goals.
- *Strategic Learning* – Any strategy we pursue represents a hypothesis or your best guess of how to achieve success. To prove meaningful, the measures of the scorecards must link

together to tell the story that describes what you are trying to achieve through your strategy.

- *Balance* – Between financial and non-financial indicators; 2.) Between internal and external constituents of the organization; and 3.) Between lag and lead indicators of performance (i.e., what we've done in the past and where we want to go in the future).
- *Increases Likelihood of Accomplishing Key Goals* – By not only helping to keep leadership, management, departments, and employees focused on top priorities, but also by improving communication between all interests thus making it easier to effectively troubleshoot and make logical "changes in course" that result in successfully delivering the type of services the community expects.

Using Strategy & the Balanced Scorecard to Get Results

Any strategy the Town pursues represents a hypothesis or a best guess of how to achieve success. To prove meaningful, the measures on the scorecard must link together the story of, or describe, that strategy. For example, if the Town believes that an investment in employee training will lead to improved quality, it needs to test the hypothesis through the measures appearing on the scorecard. If employee training does increase, but quality actually decreases, then it may not be a valid assumption. Instead, focus could turn to another possible factor, but more importantly, the Town has information in which to act and make decisions.

Strategy to achieve a desire outcome is often a new destination, somewhere the organization has not yet traveled to before. The Balanced Scorecard provides the Town with a method to document and test assumptions inherent in the strategies it adopts. It may take considerable time to gather sufficient data to test such correlations, but simply beginning to question the assumptions underlying the strategy is a major improvement over making decision based purely on financial numbers or subjective information.

A well-designed Balanced Scorecard should describe the Town or department's strategy through the objectives and measures chosen. These measures should link together in a chain or cause-and-effect relationships form the performance drivers in the Develop Employees perspective (Employee Learning and Growth) all the way through Service the Community Perspective. Documenting our strategy through measurement, making the relationships between the measures so specific they can be monitored, managed, and validated. Only then can we begin learning about, and successfully implementing our strategy.

Key Definitions & Components

Vision: Word picture of our desired future.

Mission: Why we exist.

Core Values: What we believe in, guiding principles.

Strategic Priorities: Themes on which the organization will concentrate efforts, dedicate resources, and strive to achieve significant improvements. The focus areas reflect what the current Stallings Town Council believes must be done to succeed.

Perspectives: The four different views that are used to create a “balanced” way of establishing objectives and measurements to assist the organization in accomplishing the vision and strategic priorities. The traditional four perspectives used in corporate strategic planning and program evaluation are 1.) Financial; 2.) Internal Business Process; 3.) Community; and 4.) Innovation, Learning & Growth. While the names and definitions of these perspectives are frequently modified to meet different organization’s specific needs, the original intent of these four traditional perspectives usually remains intact.

Objective: A concise statement describing the specific things the organization must do well in order to execute its strategy. Objectives often begin with action verbs such as “increase,” “reduce,” “improve,” “achieve,” and similar words. Examples: Reduce Crime, Enhance Customer Service, Promote Learning & Growth, Invest in Infrastructure, Deliver Competitive Services, Maintain Fiscal Strength, Maintain a Skilled & Diverse Workforce, Create Unity Between Neighborhoods, Provide Affordable Services, Protect the Environment, Enhance Walkability, etc.

Measure: A standard used to evaluate our community performance against desired results. Reporting and monitoring measures help organizations gauge progress toward effective implementation of strategy. Example: Percentage of water customers with an average pressure of 30 PSI or greater.

Target: The desired result of a measure that communicates the expected level of performance. Example: 98% of customers will have average water pressure of 30 PSI or greater. A “stretch target” is a challenging target that may not be met. It may be a multi-year goal with milestones.

Cascading: The process of developing “aligned” scorecards throughout an organization. Each level of the organization will develop scorecards based on objectives and measures it can influence from the group to which they report. For example, Police Patrol aligns/connects with the Police Department, who aligns/connects with the Town-wide Scorecard by developing their own objectives and measures based on how they influence the Town-wide objectives and measures.

Cause & Effect: The concept of cause and effect separates the Balanced Scorecards from other performance management systems. The measures on the Scorecard should link together in a series of cause-and-effect relationships to tell the organization’s strategic story.

Perspectives

The “balanced portion of the Scorecard uses four perspectives to answer critical service delivery questions. This helps provide the balance that organization’s need to successfully plan, implement, measure, and evaluate performance.

Community Perspective:

Serve the Community – What is our mission and vision? What do our citizens want?

Managers must know if the Town is meeting citizen needs. They must determine the answer to the question: Is the organization delivering the services the community wants?

Financial Perspective:

Manage Resources – How we deliver quality services efficiently and remain financially sound while achieving the vision and mission?

Managers must focus on how to meet service needs in an efficient manner. They must answer the question: Is the service delivered at a good price?

Internal Business Perspective:

Run the Operations – What internal processes must we excel at to provide valuable services to the community while achieving the mission and vision?

Managers need to focus on those critical operations that enable them to satisfy citizens. Managers must answer the question: Can the organization improve upon a service by changing the way a service is delivered?

Learning & Growth Perspective:

Develop Know-How – What skills, tools, and organizational climate do our employees, elected officials, and volunteers need to meet the community’s needs while achieving the mission and vision?

An organization’s ability to improve and meet citizen demands ties directly to the employees’ ability to meet those demands. Managers must answer the question: Is the organization providing employees with the training, technology, and proper work environment to enable them to success and continuously improve?

Objectives by Perspective

Serve the Community

What do our citizens want? What must be done to implement the vision and mission?

- **Strengthen Citizen Engagement** – Improve the quality and frequency of communication to enhance public access to information about Town services, meetings, key issues, and emergency situations. Provide a variety of ways for citizens to meaningfully share ideas, concerns, and questions with Town officials.
- **Conserve Cultural & Natural Resources** – Protect the environment, historic assets, and intangible assets such as community and cultural events that help bring Stallings' citizenry together. Ensure that these resources are protected, conserved, celebrated and resilient to changing environmental conditions.
- **Increase Citizen & Community Safety** – Accomplish this by building relationships and problem-solving partnerships with citizens, businesses, and neighborhood watch groups and using best-practice strategies including having police officers and officials accessible and approachable, improving community appearance, addressing nuisances, & approaching community safety across departments will make our community safer.
- **Promote Economic Vibrancy** – While the Town recognizes that there are many factors influencing local economic conditions, the Town seeks to do its part with partners to achieve economic development and support locally owned businesses. The Town recognizes that achieving economic vibrancy also includes creating a sense of place and identity as well as enhancing the quality of life in Stallings as a place to work, live, play, and raise a family.
- **Enhance Recreation, Walkability & Connectivity** – Provide recreation and pedestrian facilities to encourage healthy lifestyles, citizen interaction, and to offer a variety of transportation choices that link Stallings' neighborhoods together in an accessible manner.

Manage Resources

How do we deliver quality services efficiently and remain financially sound while achieving the vision and mission?

- **Maintain Fiscal Strength** – Support fiscal policies, controls, and actions that keep the Town government in a financially strong position, thereby allowing it to respond to unforeseen problems, emergencies, and opportunities, as well as having sufficient reserves for cash flow and credit rating purposes.
- **Develop Long-Term Financial Plans** – Build upon current financial planning instruments to provide a longer-term view of what Stallings' finances and operations may look like in the future. These plans are intended to identify potential challenges, opportunities, and proactive response options.
- **Invest in Infrastructure** – Prioritize funding for infrastructure maintenance to avoid deterioration while

minimizing long-term operational and capital costs. New infrastructure investments help achieve key priorities and optimize the use of current assets.

- **Deliver Services Efficiently** – Ensure citizens are receiving a good value from their investments by delivering cost-efficient services. Maximize the use of public funds through service optimization, innovation, process improvement, competition, and other means.

Run the Operations

What internal processes must we excel at to provide valuable services while achieving the vision and mission?

- **Enhance Emergency Preparedness** – Improving the ability to effectively anticipate and respond to emergency situations, from minor incidents to major disasters, through planning, training, collaboration with public and private agencies, and community education.
- **Improve Communication & Collaboration** – Increase the quality and frequency of communications throughout all areas of the organization to promote problem-solving partnerships within and outside of the organization. Good communication enables the vision to be implemented.
- **Excel at Staff & Logistical Support** – Ensure outstanding internal support is being provided to all departments, employees, elected officials, advisory board members, and volunteers that deliver services or directly serve the community. Use technology, where practical to improve service delivery and save taxpayer dollars.
- **Provide Responsive & Dependable Services** – Provide quality services to citizens in a courteous, responsive, and reliable manner that is effective in achieving desired results. Excel at the technical aspects of delivery.

Develop Know-How

What skills, tools, and organizational climate do our employees, elected officials, and volunteers need to meet the community's needs while achieving the vision and mission?

- **Maintain a Skilled & Competent Workforce** – Create a work environment that allows the Town to hire, develop, and retain a workforce of skilled employees capable of meeting the community's needs. Focus includes career development, succession planning, and improving employee motivation and satisfaction. Hire competent staff who exemplify The Stallings Way.
- **Support Development of Citizen Volunteers** – Identify opportunities for volunteers to develop the technical and leadership skills that enable them to achieve the community's needs and understand the role of the advisory boards in Town government.
- **Enhance Relations with Other Entities** – Build relationships with others involved in the governing process, including governmental organizations, non-profits, and the private sector. Public-private partnerships should be explored as a potential problem-solving tool.

Developing Departmental Strategy

Departmental Balanced Scorecards

A good scorecard will do the following:

- Tell the story of the Department's strategy.
- Shows that every objective selected is a linkage in the cause-and-effect relationships that compose the Town's strategy.
- Drive performance by using a variety of measures and targets that look at short and long-term results to encourage proactive management.
- Involve the participation of division heads, key staff, and employees throughout the Department.
- Is financially viable.
- Positively changes departmental behavior by developing strategic initiatives.

Step #1 – Town-Wide Objectives Selected to Build Scorecard & Map

Departments determine what they can do to support and respond to the town-wide strategy, Balanced Scorecard, and achieve the departmental mission. Departments select the objectives they can meet to help the town board in pursuing the achievement of the Town Council's Strategic Priorities, Vision, and Mission. The objectives selected from each of the four perspective areas are used to create the Department's strategy map.

Step #2 – Developing Departmental Initiatives

These are the critical activities the Department must pursue to achieve the Town-wide objective and the Department's mission.

- Initiatives detail what the Department must do to achieve a Town-wide objective or achieve the departmental mission.
- Initiatives identify the highest priority activities to show where resources are most needed to achieve the overall departmental strategy.
- Initiatives may apply to all divisions within a department or just one division.
- Initiatives describe how the Department will respond to the Town-wide objective.
- Initiatives are written so that divisions and employees can determine how they can respond to support the Department's effort to achieve the objective and mission.

Step #3 – Developing Measures and Targets

Each departmental initiative does not have to have a measure, but there should be a way to evaluate the achievement of the initiative or whether or not it was accomplished. There are two goals for strategic measures: organizational motivation and strategic learning.

Organizational Motivation – Measures are a very effective tool in improving performance and/or accomplishing goals. A November 2001 article by Edwin Locke in Harvard Business Review titled "Motivation by Goal Setting" cites a survey of more than 500

studies, which indicates that performance increases an average of 16 percent in companies that establish targets. A primary reason for this may be that measures give employees clear direction and guidance as to what they need to accomplish. When employees focus their efforts on achieving key initiatives that are aligned with town-wide objectives and strategic priorities, then there is much greater probability that a well-coordinated effort is made in fulfilling the Town's mission and the board's vision. The effort to clearly articulate the Town's top priorities to assist employees compliments the old saying that "people do what you inspect, not what you expect."

Strategic Learning – Measures are a way to monitor departments' progress in achieving the town-wide objectives and their initiatives. Any strategy used to achieve initiatives, objectives, or strategic priorities represents a hypothesis of how to succeed. Strategy to achieve a desired outcome or solve a problem is often a new destination, a place that the Town has not yet traveled to before. Measures and targets provide a way to test assumptions inherent in the strategies we select to pursue our goals. Documenting our strategy through measurement allows management, employees, elected officials, and the public to monitor, manage, validate, question, and/or deliberate possible adjustments to our strategy. If this can occur, then the Town starts becoming a "learning organization" where being analytical, adaptive, and responsive to the hypotheses we've tested become keystones of the organizational culture that helps the Town successfully implement its strategy.

Components of a Good Measure

- Measures should be specific. Stating the SPD will be the "best" police department or that Administration will "maximize customer satisfaction" are more like vision statements and are difficult to measure.
- Measures should be measurable. There are ways to measure seemingly less tangible goals. Surveys, if properly designed, can be used to measure the perception of service quality, awareness of issues, community satisfaction, etc.
- Does the measure really evaluate the initiative being pursued?
- Is the measure reliable?
- Is the measure easy to understand and explain?
- Are departments using a variety of measures in evaluating their initiatives (workload, results, efficiency, effectiveness, short-term vs. long-term)?
- Does the measure clearly communicate the expected performance?
- It is important to know where you are and where you want to go. Ideally, departments should have a baseline measure for current performance in the form of last year's actual data, best practices or industry standards for comparison. When baselines do not yet exist a TBD (to be determined) is placed in the appropriate area to indicate the Department is in the process of getting this data.

Guidelines for Setting Targets

1. Targets should be realistic but challenging enough to motivate greater accomplishments.
2. Departments can be more aggressive when setting multi-year targets.
3. Provide a rational explanation as to why achieving a target is important, especially with stretch targets.
4. When setting a target, Department should review the linkage (cause-and-effect relationship) of the “enabling” perspectives to make sure they have the ability to achieve the target, thus the following questions should be asked:

- Do departmental personnel have the skills and tools necessary to get the job done?
- Does the Department have sufficient resources/funding?
- Are internal operations adequate?

Stretch Targets – These are usually long-term or multi-year goals. At most, departments should set one to two stretch targets per year. These are reserved for those initiatives critical in making a particular breakthrough. Stretch targets can be especially useful to help a department break form its comfort zone or traditional way of running operations so as to spark creative thinking and results-oriented problem-solving. Every Department should have at least one stretch target.



STRATEGY MAP

Vision for Stallings

To provide an inviting and safe community with a commitment to excellence where families and businesses can thrive as we embrace our future while preserving our past.



Mission of Town Government

To serve the residents and businesses of the Stallings community by providing excellent municipal services while upholding the public interest by maintaining a sound financial position and active stewardship of public assets and resources.



Serve the Community

Strengthen Citizen Engagement	Conserve Cultural & Natural Resources	Increase Citizen & Community Safety	Promote Economic Vibrancy	Enhance Recreation, Walkability & Connectivity
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Manage Resources

Maintain Fiscal Strength	Develop Long-Term Financial Plans	Invest in Infrastructure	Deliver Services Efficiently
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Run the Operations

Enhance Emergency Preparedness	Improve Communication & Collaboration	Excel at Staff & Logistical Support	Provide Responsive & Dependable Services
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Develop Know-How

Maintain a Skilled & Competent Workforce	Support Development of Citizen Volunteers	Enhance Relations with Other Entities
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Town Council Strategic Priorities

- Create a Stallings Downtown
- Review & Amend Land Use Plans to Better Align w/ Council's Vision
- Economic Development
- Transportation
- Communications
- Enhance Blair Mill Park

"The Stallings Way" Core Values

- Integrity
- Commitment
- Flexibility
- Awesome Customer Service
- Team Before Self
- Continuous Improvement
- Qualified/Competent
- Supporting Each Other
- Everyone Pitches In
- Work/Life Balance
- Positive Attitude
- Collaboration
- Dialogue
- Have Fun
- Trust & Respect
- Open to Teach/Learn
- Healthy, Positive Environment

ADMINISTRATION DEPARTMENT – YEAR-END BALANCED SCORECARD OVERVIEW

ACCOMPLISHMENTS:

What targets did your Department meet and/or exceed? What is the significance of meeting these targets? How did the Department meet/exceed these targets? What will be done to ensure continued success?

Strengthening Citizen Engagement – This has been both an accomplishment and a challenge. The Town continued to broadcast all Town Council meetings with a mix of in-person and virtual formats. Notably, the Town. The Town has also begun a Town blog in place of the citizen newsletter. Both of these efforts enhance citizen knowledge and therefore engagement.

Adopting a Fiscally Responsible Annual Budget – This has been completed – fiscal responsibility is a Council priority. The Town will continue to regularly monitor its fiscal situation and work towards managing public funds in a fiscally responsible manner.

Creating a Stallings Downtown - The Town continues to work towards creating a downtown with an action strategy that seeks to be both visionary and practical. This goal will take many years to achieve, but the Town has developed a strategy/action plan aimed at laying the foundation for a successful downtown.

FY 21-22 Action Steps (Updates)

- Council will recruit community leaders to establish a Downtown Champions Committee. **It is likely premature to do anything here right now and Council has not taken any action.**
- Gain Site Control Over Key Properties. **The Town has purchased 2725 Old Monroe Road and 325 Stallings Road.**
- Partner with DFI for expert guidance/support to proactive investment to spur desired development through a public/private partnership. **Town Council approved contract with DFI and work has begun.**
- Start Farmers Market & Continue Events (P/R). **Achieved.**
- Focus on nuisance violations in downtown core area (P/Z). **CE has focused on downtown area.**
- Complete Streetscape Design (Eng). **NCDOT will not allow the Town to put in on-street parking on Stallings Road, which has caused the Town to change its strategy here. The Town has partnered with a consultant to develop several streetscape specifications that can be plugged into the Town’s development ordinance as a requirement. We’re waiting for DFI work to be complete to assess how this can be plugged in.**

Maintain a 5-Year IT Replacement Schedule/Plan- Computers and equipment are being updated as needed. With the additional revenue replacement due to the ARPA funds, laptops will be available to all staff for use in the office, and if need be, remotely.

Recordable Injuries – The Town has had 0 recordable injuries. The Town sets our recordable injuries goal at “0” every year because we refuse to set a workplace injury goal that is anything less.

Maintaining a Skilled & Competent Workforce – This is both an accomplishment and a challenge. Overall, the Town has met its turnover goal. Even the best organizations will not always meet turnover goals in today’s environment where the average worker tends to change jobs more often than in the past which is compounded by the “Great Resignation”. However, the Town should always strive to adopt best practices to ensure that we are able to attract, develop, and retain a competent workforce. The Town has setup stay and exit interviews so management can identify trends and recommend changes if systematic problems arise. Recently, the Town implemented an incentive pay initiative for the police departments based on feedback received and research.

Also, the Town gave out the Marie Garris Award for the employee of the year, officer of the year, and continues to do the “Caught Ya!” employee recognition program. Additionally, the Town was able to hold four teambuilding events thus far.

CHALLENGES:

Which targets did your Department not meet? What challenges did the department face in meeting these targets? What will be done to try to meet the targets going forward (i.e. adjustments in strategy)?

Emergency Preparedness – These efforts are anticipated in 2023.

Committee Participation - The pandemic halted all committee meetings. It can be assumed that due to the length of the pandemic shut down, age/health of many committee members, and continued COVID concerns, there is less interest in serving on Town committees. A restructuring of citizen input/volunteerism which is normally provided via committees may need to be considered.

Implementing Economic Development Strategic Plan – The Town has put funds in the budget to contract with the Union County Economic Development entity for a part-time commitment in personnel for implementation of the ED plan. However, this has been delayed as we wait for the County’s ED entity to reorganize itself, which was recently completed. Now we are waiting for the new ED entity to approve moving forward.

Secure Occupancy Tax – Bill has not advanced in the NC General Assembly.

Mandatory Safety Training – 100% of staff have completed mandatory safety training.

Maintaining A Workforce – This is both an accomplishment and a challenge. The Town has not held any “All hands on deck” meetings”. The performance evaluation system is on hold currently because we are not able to hold in-person supervisory training, our trainer was in a bad car accident, and the Town anticipates bringing in several new department heads in the near future (meaning it is more cost efficient to wait). When our trainer recovers and we bring in the new staff, we will plan on implementing. Holding this training in-person is essential.

OTHER COMMENTS:

September Report:

Citizen Survey

- Staff waiting for feedback from Council after presenting on 9/12/22.

ARPA

- Staff continues to participate in weekly ARPA consortiums presented by the CRC. A mock-audit will be performed in-house by CRC in late October in preparation for a potential Federal audit.

Code of Ordinances Update

- An update has been sent to the legally codifying company with any ordinance changes since the past update. These updates, once codified, will be reflective on the website.

Surplus Sales

- As of 09-07-2022, \$7088.11 worth of items have been sold so far in 2022. A total of \$429.00 worth of items were sold in 2021.

Old Monroe Road NCDOT Project (U-4714)

- NCDOT advises that their goal is still to let the project in June 2024. However, NCDOT is experiencing some challenges related to right-of-way acquisition and utility relocation. NCDOT will advise us if/when a new schedule is set.

ENGINEERING DEPARTMENT – YEAR-END BALANCED SCORECARD OVERVIEW

ACCOMPLISHMENTS:

- Engineering was engaged in the TCC Meetings. The significance of this accomplishment is participation in regional transportation communication and coordination efforts. This target has been met by the Town's Associate Engineer attending each meeting. This target will continue to be met through the involvement of the Town's Associate Engineer.
- To date, repairs have been completed within two (2) months of purchase orders being issued. This has been the result of an ongoing effort to eliminate the backlog for stormwater management corrective action. The significance of this accomplishment is that repairs are completed in a timely manner which provides prompt service to residents (get's the contractors in and out), addresses potential hazards in a timely fashion, and minimizes the further degradation the area and/or infrastructure impacted by the issue. The Town Associate Engineer promptly coordinates with contractors and the Town Engineer, coordinates a solution, prepares the PO, routes the PO for appropriate Town Staff approvals, coordinates schedule with the contractor, and follows-up to ensure the contractor is responsive and effective. This approach is ongoing and has addressed approximately 36% of the backlog with the major issues in the backlog being tackled first.
- The Town Engineer has completed professional development hours for the NC P.E. license. This is significant as it ensures that the Town Engineer is continually educated on issues and solutions. This was accomplished by the Town Engineer pursuing and completing continuing education courses as required for the P.E.
- The Engineering Department completed the first year of the Pavement Management analysis and project/treatment selection. The next step is the advertisement for bids and commencing the work this fall.
- The Engineering Department has been responsive to questions and issues presented by Town residents and have maintained a high level of communication. This was especially true during the months of July and August where significant rains resulted in drainage issues at multiple locations across Town. The Engineering Department is still addressing issues that have been added to the stormwater backlog as a result of these significant rains.

CHALLENGES:

- The Town Hall Streetscape design was not completed due to NCDOT denying the Town the ability to institute on street parking on Stallings Road. The Town has developed a draft streetscape plan that it can incorporate into our development ordinance with a parallel timeline of the downtown DFI work. The Town will continue to coordinate with NCDOT to reach a resolution for acceptable streetscape features that accommodates both the regulatory criteria of NCDOT and the vision of the Town for this corridor.
- The Long Range Transportation Plan overhaul has been delayed as the Council has opted on focusing resources on the hospital area first.
- Staffing levels have caused issues meeting some goals. The Town currently has two engineering positions and has had difficulty filling its Town Engineer position due to labor market conditions, and has maintained an interim Town Engineer on a part-time basis. Resulting challenges include completing the sidewalk inventory and evaluation, as the focus this year was on creating a pavement management system and addressing the stormwater backlog. For sidewalk inventory, the Town may need to consider outsourcing the inventory work to make this a reality.
- The Town has inventoried/mapped 80% of our stormwater infrastructure and SCMs. This is significant progress but our goal was 100% so we fell short there.

OTHER COMMENTS:

The Engineering Department continues to be diligent to meet the needs of the residents and business community regarding repairs, contractor activities, flooding, plan review, and construction coordination.

FINANCE DEPARTMENT – YEAR-END BALANCED SCORECARD OVERVIEW

ACCOMPLISHMENTS:

What targets did your Department meet and/or exceed? What is the significance of meeting these targets? How did the Department meet/exceed these targets? What will be done to ensure continued success?

Finance department was able to meet financial reporting targets for FY2022 which include:

- Timely monthly reports to both management, Council and staff as well as online postings to keep our citizens aware of the Town's finances.
- Completion and adoption of the Five Year Financial plan for FY2022
- Received notification from GFOA that the Town received the Award of Excellence in Financial Reporting for the FY2021 Annual Comprehensive Financial Report (ACFR)
- Finance staff provided services related to purchase orders and payables in a timely and accurate manner

Accounts Payable and Finance Officer attending training which included accounting training classes to enhance overall accounting and annual software conference for the accounting software used by the town.

Continued success will be achieved by constant and consist monitoring of the departments targets and goals.

CHALLENGES:

Which targets did your Department not meet? What challenges did the department face in meeting these targets? What will be done to try to meet the targets going forward (i.e. adjustments in strategy)?

Monthly reporting by the balanced scorecard goals was challenging. Information from several of our vendors is received later than the established deadline. In the future, the use of estimates will be used to make sure the reports are given to the both Council and staff. This will give them information that is needed to make future financial decisions.

Also, the change to the outsourcing payroll services has created additional work on the finance staff. Biweekly and monthly journal entries are now having to be made since it is not processed within the accounting system. Additional work is also required for reconciliations between retirement and 401K deposits and reporting.

OTHER COMMENTS:

PARKS & REC DEPARTMENT – FY 21-22 YEAR-END BALANCED SCORECARD OVERVIEW

ACCOMPLISHMENTS:

What targets did your department meet and/or exceed? What is the significance of meeting these targets? How did the Department meet/exceed these targets? What will be done to ensure continued success?

Stallings Municipal Park continues to be a staple for our community members. Throughout the past few months, we've hosted our very first Spring into Wonderland Event, live concert series, educational programs with Union County Soil & Water, weekly Farmers Market and other small programming efforts. We have seen a high volume of traffic in the park that we believe is due to our successful summer running the Splash Pad along with our popular events/programs. With this increase of people, we plan to make renovations to Stallings Municipal Park that include new picnic tables for the shelters, updating park equipment, enhancing the bathrooms, new water fountains, and other small projects to increase the overall aesthetic to the park.

June 2022 began the installation of Blair Mill Parks first playground structure. Since the playground has been installed, we have seen an increase in participants enjoying the park with their families. Due to this increase we plan on moving forward with a potential phased project that would consist of playground shade, a permanent shelter structure, bathroom upgrades, as well as a face-lift for the disc golf course.

Construction has begun on the Vickery portion of the Blair Mill Greenway with hopes to be finished by the summer of 2023. This will allow our department to host more program efforts at Blair Mill Park that focus on the importance of the outdoors. We will begin to host programs before the completion of the greenway

CHALLENGES:

Which targets did your department not meet? What challenges did the department face in meeting these targets? What will be done to try to meet the targets going forward (i.e. adjustments in strategy)?

The Department struggles with attaining volunteers, keeping up with re-occurring maintenance issues, and expanding on our programs. Due to the recent shift in management, it has been difficult to adjust while being down a full-time event coordinator. While we have began the process of hiring for the event coordinator position, we believe this will allow our efforts to be put in a multitude of areas that are, at this time, being overlooked. In the future we will focus on recruiting more volunteers through local high schools as well as expanding our current parks committee. In hope that expanding these volunteer opportunities to high school students that may potentially lead to part-time positions in the park. With these new additions it would alleviate the burden that our maintenance team feels and will allow us to reach a new standard at all our facilities.

OTHER COMMENTS:

Ryan Ridgeway received a Caught Ya award, alongside Jake Griffin with Public Works, for their willingness to help a community member in need during a stressful time! We are currently in the interview process for a full-time event coordinator & will begin the search for an additional full-time maintenance staff.

PLANNING DEPARTMENT – YEAR-END BALANCED SCORECARD OVERVIEW

ACCOMPLISHMENTS:

What targets did your Department meet and/or exceed? What is the significance of meeting these targets? How did the Department meet/exceed these targets? What will be done to ensure continued success?

The Planning Team continues to excel in providing responsive and dependable services. We create excellent rapport with residents and developers and receive positive comments about how friendly, informative, and efficient we are when helping them.

Like the Downtown, Silverline, ordinance amendments, and Land Use Amendments, many tasks are long-range projects and take years to produce results. Even after many of the items are accomplished, you may not see the benefits immediately, but you can see how beneficial they will be long-term. Planning continues to bring Text and Ordinance amendments to the Council for approval, improving the strength and consistency of our Development Ordinance and Code of Ordinances.

The Streetscape Design has been completed, with adoption to go with the DFI study timeline.

Development Projects are on the webpage for residents and developers to review, and the mapping has improved from where it was. Planning is updating the website periodically so the residents have the most up-to-date information. It saves a lot of time for people who want information and staff time on inquiries.

The Council adopted a membership change for the Planning Board and Board of Adjustments that will help with quorum issues.

We are fully staffed now with our new employees Ruben Ortiz as the Code Enforcement officer and Patrick Blaszyk as Planning Technician.

CHALLENGES:

Which targets did your Department not meet? What challenges did the department face in meeting these targets? What will be done to try to meet the targets going forward (i.e. adjustments in strategy)?

With the previous Planning Director leaving, the prolonged absence of a Planning Director, and the new Planning Director getting up to speed on many of the tasks mentioned on the Balanced Scorecard, many tasks need to be started from the beginning and reevaluated. Many tasks were delayed due to staff turnover. You may not see results, but every task is being worked upon. The main challenge is waiting to see the results of Land Development, which takes years.

OTHER COMMENTS:

Current Reviews as of September 2022:

- Aria at Idlewild
 - Construction Documents approved 9/7/22
 - Next Steps: Pre-Construction Meeting, Final Plat Review, Bond Review – TBA
- Bailey Mills
 - Under Construction
 - Next Steps: Final Plat Review, Bond Review - TBA

- Bailey Mills Expansion
 - Inactive
 - Next Steps: Construction Document Review - TBA
- Sawmill Run
 - 1st Submittal Construction Document Review Complete – not approved
 - Next Steps: Water and Sewer Accessibility Letter, Address Staff Comments for Const Documents - TBA
- Willows at Stallings
 - Construction Documents Approved
 - Next Steps: Final Plat Review, Bond Review – TBA
- Stallings Farms
 - 1st Submittal Construction Document Review Complete – not approved
 - Next Steps: Water and Sewer Accessibility Letter, Address Staff Comments for Const Documents – TBA
- Courtyards on Chestnut
 - Under Construction.
 - 1st Final Plat Reviewed, 1st Bond Reviewed – not approved
 - Next Steps: Address Staff Comments for Final Plat & Bond - TBA

Permits

August 2022 Report:

Permit #	Description	Permit Date	Main Status	Total Fees	Total Payments	Parcel Address	Subdivision	Zoning	Parcel #
1614	Basement Renovation	8/31/2022	Approved	\$50.00	\$50.00	2218 CAERNARFON LN #17	Shannamar a	SFR-2	7054721
1613	Brothers Collision and Auto Repair	8/29/2022	Approved	\$50.00	\$50.00	109 Sherin Lane	None	IND	7102160
1612	Replace Existing Rear Deck	8/28/2022	Approved	\$50.00	\$50.00	7007 COPELAND CT #234	Kerry Greens	SFR-3	7129747
1611	New Home Construction	8/26/2022	Approved	\$75.00	\$75.00	1042 Gradison Drive	Courtyards on Lawyers Road	CZ	8321365
1610	New Home Construction	8/26/2022	Approved	\$75.00	\$75.00	1390 Millview Lane	Courtyards on Lawyers Road	CZ	8321304
1609	Interior Plumbing Modification, moving kitchen sink and dishwasher location	8/25/2022	Approved	\$50.00	\$50.00	500 UNION WEST BLVD A #1	Union West Business Park	C-74	07102010R
1608	pool install	8/24/2022	Approved	\$50.00	\$50.00	1108 Yarrow Street	Chestnut	SFR - 1	7141111
1607	Zoning Verification Letter Solis at Chestnut Farm	8/24/2022	Approved	\$50.00	\$50.00	3005 Chestnut Lane	Solis at Chestnut Farm	MU - 2	N/A
1606	10x24 shed	8/22/2022	Approved	\$50.00	\$50.00	701 LAKEWOOD DR	Lakewood Knolls	SFR-3	7129198
1605	EV Charger Installation	8/22/2022	Approved	\$50.00	\$50.00	2945 Matthews Weddington Road	None	CZ	7141005

1604	Showcase Dance Centre	8/22/2022	Approved	\$50.00	\$50.00	7800 STEVENS MILL RD	None	MU - 2	7054715
1603	Upfit in shopping center	8/19/2022	Approved	\$50.00	\$50.00	7800 Stevens Mill Rd	None	MU - 2	N/A
1602	12x20 Unconditioned Sunroom on Existing Deck	8/18/2022	Approved	\$50.00	\$50.00	3012 CHALET LN	Vickery	SFR - 1	7075343
1601	Replace aging fence around property	8/18/2022	Approved	\$50.00	\$50.00	2111 COATSDALE LN #237	Kerry Greens	SFR - 3	7129692
1600	back yard fencing	8/17/2022	Approved	\$50.00	\$50.00	222 SAMUEL ST	Olde Blairs Mill	SFR - 1	7075393
1599	In Ground Swimming Pool	8/16/2022	Approved	\$50.00	\$50.00	222 SAMUEL ST	Olde Blairs Mill	SFR - 1	7075393
1598	Fabricated Aluminum, Non-Illuminated Sign Cabinet Cabinet Size: 6"d x 36"h x 86"w Graphics: Double Face, FCO Acrylic Logo Graphics Base: Faux Stone, Ledgestone DP2455 Almond Taupe Mount: Two internal aluminum posts, direct burial into concrete footings	8/16/2022	Approved	\$50.00	\$50.00	MATTHEWS WEDDINGTON RD	Chestnut	MU - 2	06087001E
1597	New Home Construction	8/15/2022	Approved	\$75.00	\$75.00	1373 Millview Lane	Courtyards on Lawyers Road	CZ	08321345
1596	New Home Construction	8/15/2022	Approved	\$75.00	\$75.00	1402 Millview Lane	Courtyards on Lawyers Road	CZ	8321303
1595	New Home Construction	8/15/2022	Approved	\$75.00	\$75.00	6023 Pleasant Run Drive	Courtyards on Lawyers Road	CZ	8321300
1594	New Home Construction	8/15/2022	Approved	\$75.00	\$75.00	6011 Pleasant Run Drive	Courtyards on Lawyers Road	CZ	8321297
1593	post and beam patio covering 28 feet across and 12 feet out into backyard, rafters attached to ledger attached to house , metal roof	8/11/2022	Approved	\$50.00	\$50.00	5009 HAVEN LODGE RD	Fairhaven	MFT	7078011
1592	Zoning Verification Letter	8/9/2022	Approved	\$50.00	\$50.00	3400 SMITH FARM RD	None	IND	07129338G
1591	Re-doing current sign on property	8/8/2022	Approved	\$50.00	\$50.00	3701 Pleasant Plains Rd	Pleasant Plains	TC	7129307
1590	To install a 28'x14' inground concrete pool	8/5/2022	Approved	\$50.00	\$50.00	926 Moose Trail	Southstone	CZ	7033307
1589	Covered Patio in Backyard	8/4/2022	Approved	\$50.00	\$50.00	808 Southstone Dr	Southstone	CZ	7033298
1587	8x10 storage shed in Stonewood	8/3/2022	Approved	\$50.00	\$50.00	1118 SLATE RIDGE RD #64	Stonewood	SFR-3	7132487
1585	landscape Supply / Material yardGrandfathered Use22.4-1 Discontinuation of Nonconforming Uses. A nonconforming use is	8/2/2022	Approved	\$50.00	\$50.00	3701 Pleasant Plains Rd	Pleasant Plains	TC	7129307

	allowed to continue unless the use is discontinued for any reason for a period of seven hundred and thirty (730+) or more consecutive days, and there are no substantial good faith efforts to re-establish the use during this period.								
			Total # of Permits: 29	\$1,550.00	\$1,550.00				

Code Enforcement

August Monthly Report - Code Enforcement				
Case Date	Description	Found By	Status	Address
8/1/2022	PN -TGW	Ride Around	Closed	5700 CHRETIEN POINT DR
8/1/2022	PN -TGW	Ride Around	Closed	326 INDIAN LAKE DR
8/1/2022	PN -TGW	Ride Around	Closed	3015 PINE POINTE ST
8/1/2022	PN -TGW	Ride Around	Closed	223 LAKEWOOD DR
8/1/2022	PN - Tree Debris	Complaint	Closed	4411 DERBYSHIRE LN
8/2/2022	PN - TGW	Ride Around	Closed	604 PEPPER ANN LN
8/2/2022	PN - TGW	Complaint	Closed	4000 PURPLE VALE DR
8/2/2022	PN - TGW/ Junk vehicle	Ride Around	Closed	4064 Mellon Rd
8/2/2022	PN - TGW	Ride Around	Closed	329 MEADOWBROOK DR
8/3/2022	SDO - Care stored on public street	Complaint	Closed	2712 BENT OAK DR
8/5/2022	PN - Tree debris & Junk Vehicles	Ride Around	Closed	8303 Mill Grove Rd
8/5/2022	PN -TGW	Complaint	Closed	1629 SECREST SHORT CUT RD
8/5/2022	PN -TGW	Ride Around	Closed	6801 Morrison Blvd, Ste 400
8/8/2022	PN - Mulch Pile	Ride Around	Open	3024 MILL STREAM CT
8/9/2022	PN -TGW	Ride Around	Closed	6802 STONEY RIDGE RD
8/9/2022	PN - Junk Vehicles	Complaint	Open	6901 STONEY RIDGE RD
8/9/2022	MHS - Excessive Moisture in bathroom	Complaint	Closed	1511 LOVE RD
8/10/2022	PN - TGW	Ride Around	Closed	1205 MOUNTAIN LAUREL CT
8/10/2022	PN - Trash and Debris	Ride Around	Open	PO BOX 219
8/11/2022	PN - Tree limb and bush in RoW.	Complaint	Closed	16415 DEEPWOOD PL
8/12/2022	PN -TGW	Ride Around	Closed	4226 LAWRENCE DANIEL DR

8/12/2022	PN -TGW	Ride Around	Closed	4000 LAWRENCE DANIEL DR
8/12/2022	PN - TGW	Ride Around	Closed	1575 HAWTHORNE DR
8/12/2022	PN - TGW	Ride Around	Closed	4007 AMEN CT
8/15/2022	PN - TGW	Ride Around	Closed	6133 COLCHESTER LN
8/15/2022	PN - TGW	Ride Around	Closed	2049 WESTMINSTER LN
8/15/2022	Traffic - Unregistered/expired tags Vehicles in RoW	Ride Around	Open	4023 LAWRENCE DANIEL DR
8/16/2022	Auto - Junk Vehicles in yard	Complaint	Closed	511 MEADOWBROOK DR
8/16/2022	Traffic - Vehicle parked in RoW	Complaint	Closed	1850 PARKWAY PLACE #900
8/18/2022	SDO - Cut trees in tree save area	Complaint	Open	611 MACRAES CT
8/18/2022	SDO - Cut trees in buffer/tree save	Complaint	Open	0
8/23/2022	SDO - Removal of Buffer	Complaint	Open	0
8/25/2022	Traffic - Expired registration parked in streets	Ride Around	Open	5001 HAVEN LODGE RD
8/26/2022	PN - TGW	Ride Around	Open	3036 HELMSTETLER RD
8/29/2022	SDO - Tree cutting without permit	Complaint	Open	FOUR EAST EXECUTIVE PARK
8/30/2022	PN - TGW	Ride Around	Open	711 WHITE OAK LN
8/30/2022	PN - TGW	Ride Around	Open	818 WHITE OAK LN
8/30/2022	PN - Construction Debris	Ride Around	Open	8426 HUNLEY RIDGE RD

Violations	
Public Nuisance	28
J/A/N Vehicles	1
SDO	5
Traffic	3
Open Burn	0
Hazard	0
Noise	0
MHS	1
Total Opened	38

July Cases	
Open	13
Closed	25
Total	38

POLICE DEPARTMENT – FY 21-22 YEAR-END BALANCED SCORECARD OVERVIEW

ACCOMPLISHMENTS:

What targets did your department meet and/or exceed? What is the significance of meeting these targets? How did the department meet/exceed these targets? What will be done to ensure continued success?

- **Expansion of social media footprint**-The department has increased its use of Facebook, using both serious and humorous postings to gain attention from the community, while also getting important information distributed to the public. Over the course of the year, the SPD has gained approximately 600 followers. The SPD recently created an Instagram and Twitter account. All of these platforms can be linked so information can be shared to one platform and carried over to another.
- **Creation of Traffic Education Safety Team**-The TEST team has been in the works for the past year. Over this time, the SPD has seen a 50% increase in impaired arrests, for the same time frame in 2020. Officers on the team have been certified as Child Safety Seat installers and have participated in multiple child safety seat installation programs and traffic checkpoints. TEST team members also conducted a survey of traffic accident locations to determine if there were quick fixes that would assist in accident reductions, such as foliage trimming and updated road signs. Members of this team also made videos that were posted online to encourage responsible drinking and driving and driver's safety on Town roads. One of the other goals of the TEST team was to host two distracted driving programs. Although this goal will not be met this year, the program is in the process of being developed. TEST team leadership has partnered with Scott Clark Toyota to host this program and will be implemented in late 2022.
- **CALEA accreditation**-The SPD has been diligently working on this three-year process. We just completed our first full year of the self-assessment phase. All policies have been re-worked to fit within the CALEA framework. The SPD has two more years to prepare for the on-site assessment.

CHALLENGES:

Which targets did your department not meet? What challenges did the department face in meeting these targets? What will be done to try to meet the targets going forward (i.e. adjustments in strategy)?

- **Create and staff a reserve police officer program**-The SPD spent a large amount of time filling police officer vacancies, throughout the year. Filling those vacancies took priority. We have two candidates who are interested in becoming reserve officers and we will continue working towards filling reserve officer spots into the next year.
- **Create and fund staff development plan**-The Department created a workgroup to look into and develop a plan for both an incentive program and a staff development plan. The group presented an incentive program that would reward officers for significant training accomplishments that best benefited the department and Town. The incentive program was approved by the Town Council. The same workgroup also began working on the staff development plan. Due to the extremely turbulent nature of our current economy, the group determined that it would be worth suspending the development of this plan until things stabilize.

OTHER COMMENTS:

- The ongoing COVID pandemic has still hindered some progress, but all department members continue to participate in accomplishing our goals. As we can see the pandemic has/is coming to an end department members, community groups, and businesses have begun to take steps to move forward. The Stallings Police Department continues striving to accomplish all of our goals while meeting the standards of our mission to “provide an exemplary level of service” to those who work, live, and travel through Stallings.

PUBLIC WORKS – YEAR-END BALANCED SCORECARD OVERVIEW

ACCOMPLISHMENTS:

Be a good steward of natural resources – This is an ongoing process to show energy consumption for the town and ways to reduce the cost. In the beginning we did find installing LED lights throughout town hall would significantly lower our energy consumption as well as what we were paying each month. In doing this we have a greener footprint, and it has lowered maintenance cost with no replacement of bulbs or ballast. Our focus now is the HVAC units at Town Hall. With all the construction and remodeling done here these units cannot keep up and in most cases are running at 125% capacity. Not only does this burn out the unit it draws a great deal of energy. We will look at replacements that are larger with a good SEER value. Council approved in the FY23 budget using ARPA funds to replace all HVAC units at Town Hall. This will greatly reduce energy consumption and cost associated with installing units with a greater SEER value. We are holding off to the Fall to begin this project as it will be a large undertaking, but this should be completed before we go into Summer 2023.

Repair small potholes within 3 business days of request – In just about every instance we have been able to accomplish this. There are occasions where weather prevents this, and in the winter months when it is too cold. We also come across potholes that have no defined edges, or they are too close to the road shoulder and in these cases, we are unable to patch. Before the end of FY23 Public Works is going to investigate alternative cold patches that offer more durability and can be used year-round.

% Of work orders reported through website from citizens – With the iWorq workorder system in place we are getting approximately 85% of all citizen workorder requests through the system.

Produce list of training initiatives and send to the Safety Committee - Advise safety committee on relevant trainings for building safety. Public Works and Parks and Recreation took part in a flagger safety course for directing traffic in the roadway.

% Of responses to citizen inquiries within 1 business day - Citizens calling in or emailing are contacted within a 1 business day turn around allowing us to have a more positive experience with the citizen. We do sometimes receive calls related to another department, and these are sent to the correct department same day so that there is no delay in citizen getting contacted. Having the iWorq system has greatly improved this as most residents are now using the system to put in workorders.

Inspect All Town Neighborhoods - Doing these neighborhood inspections has not only allowed us to find potholes, street sign issues, etc., but it has also allowed us to find storm water issues as well as code enforcement issues. In doing these inspections we can find and correct issues before residents see it and it becomes a major issue.

CHALLENGES:

Some staff continue to just email or want to text about workorders. I continue sending reminders on where to log in new workorders and will continue to do so until it just becomes second nature to enter workorders this way. We still face some issues with training. We can do more training now, but most of it online and sometimes this can be challenging and some of the context gets lost or is hard to understand. Lastly, we continue to face a challenge with developing a life cycle replacement plan. This is something we are starting from scratch and its just been difficult to know where to begin and how to format into a document. This is something we will continue to pursue and find a way to accomplish.

OTHER COMMENTS:

Public Works shares a goal with Parks and Recreation for the enhancement of Blair Mill Park. As part of this we were able to setup landscape maintenance to be managed by Smith Grounds as part of our other contracts with them. We have also been able to enhance the grounds at Blair Mill Park with aerating and turf remediation. Playground was installed at Blair Mill Park. Smith Grounds did the excavating for level ground and then playground was installed.

SECOND AMENDMENT TO TOWN OF STALLINGS EMPLOYMENT AGREEMENT

THIS SECOND AMENDMENT TO THE TOWN OF STALLINGS EMPLOYMENT AGREEMENT, made and entered into this _____ day of _____, 2022 by and between the Town Council of Stallings, North Carolina, a municipal corporation, hereinafter called “Employer” as party to the first part and Alex Sewell, hereinafter also referred as “Town Manager,” as party to the second part, both of whom understand as follows:

WITNESSETH:

WHEREAS, Employer desires to employ the services of Alex Sewell as Town Manager of the Town of Stallings beyond the term of his current contract which is set to expire on February 5, 2024; and

WHEREAS, it is the desire of the Governing Board, hereinafter called “Council” or “Employer” to provide certain benefits, establish certain conditions of employment and to set said working conditions of Employee; and

WHEREAS, it is the desire of the Council to (1) secure and retain the services of Town Manager, and to provide inducement for him to remain in such employment, (2) to make possible full work productivity and independence by assuring Town Manager’s morale and peace of mind with respect to future security, (3) to provide a just means for terminating Town Manager’s services at such time that Employer may desire to terminate his employ; and (4) to calculate vacation time to line up with the fiscal year calendar of July 1-June 30.

WHEREAS, Alex Sewell, Town Manager, desires to accept continued employment as the Town Manager of Stallings.

NOW, THEREFORE, in consideration of the mutual covenants herein contained, the parties agree to amend as follows the following sections:

Section 1. Powers and Duties of the Town Manager

Section 1 currently states:

1. Employer hereby agrees to employ Alex Sewell to perform the functions and duties specified in the Personnel Ordinance/Policy of the Employer. Employment under the terms of this contract shall commence on the 5th day of February, 2019 until February 5, 2024.

Said Paragraph shall be amended to read:

1. Employer hereby agrees to employ Alex Sewell to perform the functions and duties specified in the Personnel Ordinance/Policy of the Employer. Employment under the terms of this amendment shall extend the Contract through February 5, 2028.

Section 2. Term

Section B currently states:

- B. The terms of this Employment Agreement shall begin on February 5, 2019 and shall remain in force for five years until February 5, 2024 under the terms and conditions set forth in this Agreement unless otherwise agreed to in writing. Should Council intend not to renew the Agreement, the Employer shall give the Town Manager no less than 90 days written notice of such intent.

Said paragraph shall be amended to read:

- B. The Terms of this Employment Agreement shall remain in full force and effect until February 5, 2028. The Contract shall automatically renew for automatic and reoccurring two-year contract extensions in perpetuity, unless the Employer gives the Town Manager 150 days' written notice of its intent not to renew the agreement.

Section 3. Termination and Final Compensation

Section A currently states:

- A. In the event the Manager is involuntarily terminated by the Council without just cause (just cause being defined in Section 10), the Employee shall be entitled to a minimum of six (6) months of compensation, paid in one lump sum to the Employee as soon as is reasonably practical after such termination, but in no event later than ten (10) days after termination. The six (6) months compensation shall be increased every year the Manager is employed by two weeks of compensation, but shall not exceed a total of twelve months of compensation.

Said paragraph shall be amended to read:

- A. In the event the Town Manager is involuntarily terminated by the Council without just cause (just cause being defined in Section 10), the Town Manager shall be entitled to twelve (12) months of compensation.

Section 6. Other Benefits

Section A currently reads:

- A. The Manager shall be entitled to 15 days of vacation time annually beginning the first day of employment. Additional accumulated vacation or sick leave shall accrue in accordance with Employer's Personnel policy. The Manager is a salaried employee and is not eligible to receive comp time.

Said paragraph shall be amended to add:

- A. The vacation and sick time shall be added on the first day of the fiscal year each year and for FY 2022-23 said vacation time shall be added retroactively to July 1, 2022.

IN WITNESS WHEREOF, the Town of Stallings has caused this Second Amendment to the Town of Stallings Agreement to be signed and executed in its behalf by its Mayor and duly attested by its Town Clerk and the Town Manager has signed and executed this Agreement, both in duplicate, the day and year first written above.

Wyatt Dunn, Mayor

Alex Sewell

ATTEST:

Erinn Nichols, Town Clerk

(SEAL)

The undersigned hereby certified that the Budget Ordinance includes an appropriation authorizing this Agreement and that an unencumbered balance remains in said appropriation for the performance of this contract.

Marsha Gross, Finance Officer