



**February 20, 2024**  
 Stallings Government Center  
 321 Stallings Road  
 Stallings, NC 28104  
 704-821-8557  
[www.stallingsnc.org](http://www.stallingsnc.org)

## Planning Board Meeting Agenda

#	Time	Item	Presenter	Action Requested/Next Step
	7:00 pm	<b>Invocation</b> <b>Call the Meeting to Order</b>	Chair	N/A
1.		<b>Agenda Approval</b>	Chair	Approve/Amend Agenda  <b>Motion:</b> I make the motion to: 1) Approve the Agenda as presented; or 2) Approve the Agenda with the following changes: -----
2.		<b>Approval of Minutes</b>  A. October 2023 Minutes B. November 2023 Minutes	Chair	Approve Minutes  <b>Motion:</b> I make the motion to 1) Approve the Minutes as presented; or 2) Approve the Minutes with the following changes: -----
3.		<b>TX24.02.01</b>  A. Staff requests a text amendment to Article 21 to adopt and incorporate streetscape requirements into the development ordinance. B. Statement of Consistency and Reasonableness.	Max Hsiang, Planning Director	Recommendation  <b>Motion:</b> I make the motion to recommend: 1) Approval of the request as presented. 2) Defer the request to -----. 3) Denial of the request as submitted.
4.		<b>TX24.02.02</b>  A. Staff requests a text amendment to Article 8 to change Industrial District setbacks to match the setbacks of building lot type "Highway Commercial" in Article 9. B. Statement of Consistency and Reasonableness.	Max Hsiang, Planning Director	Recommendation  <b>Motion:</b> I make the motion to recommend: 1) Approval of the request as presented. 2) Defer the request to -----. 3) Denial of the request as submitted.

#	Time	Item	Presenter	Action Requested/Next Step
5.		<p><b>TX24.02.03</b></p> <p><b>A. Staff requests a text amendment to Article 11 to adopt and incorporate a Land Development Permit.</b></p> <p><b>B. Statement of Consistency and Reasonableness.</b></p>	Stuart Valzonis, Planner I	<p>Recommendation</p> <p><b>Motion:</b> <i>I make the motion to recommend:</i></p> <p>1) <i>Approval of the request as presented.</i></p> <p>2) <i>Defer the request to _____.</i></p> <p>3) <i>Denial of the request as submitted.</i></p>
6.		<p><b>TX24.02.04</b></p> <p><b>A. Staff requests a text amendment to Article 8 to amend to definition of Town Center.</b></p> <p><b>B. Statement of Consistency and Reasonableness.</b></p>	Max Hsiang, Planning Director	<p>Recommendation</p> <p><b>Motion:</b> <i>I make the motion to recommend:</i></p> <p>1) <i>Approval of the request as presented.</i></p> <p>2) <i>Defer the request to _____.</i></p> <p>3) <i>Denial of the request as submitted.</i></p>
7.		<p><b>Discussion Item</b></p> <p><b>A. Change to Rules of Procedure</b></p>	Max Hsiang, Planning Director	N/A
6.		<b>Adjournment</b>	Chair	<b>Motion:</b> <i>I make the motion to adjourn.</i>

MINUTES OF PLANNING BOARD MEETING  
OF THE  
TOWN OF STALLINGS, NORTH CAROLINA

The Planning Board of the Town of Stallings met for their regularly scheduled meeting on October 17, 2023, at 7:00 pm. The meeting was held at the Stallings Government Center, 321 Stallings Road, Stallings, NC 28106.

Planning Board members present: Chairman Robert Koehler, David Barnes, Jon Van de Riet, and Jacqueline Wilson

Planning Board members were absent: Vice Chairwoman Laurie Wojtowicz and Ryan Awaldt

Staff members present: Max Hsiang, Planning Director, Stuart Valzonis, Planner I and Mary McCall, Deputy Town Clerk.

Chairman Robert Koehler recognized a quorum.

Invocation and Call to Order

Chairman Robert Koehler called the meeting to order at 7:00pm.

1. Approval of Agenda

Board Member Wilson made the motion to approve the agenda. The motion was approved unanimously after a second from Board Member Van de Riet.

2. TX23.09.02

- A. Staff requests a text amendment to add sign regulations for removing or replacing signs due to eminent domain in Article 17.4.
- B. Statement of Consistency and Reasonableness.

Planning Director Hsiang explained that the text amendment would allow business and property owners the opportunity to request approval to replace signs with similar non-conforming signs when displacement of signs is due to road widening projects and eminent domain.

Board Member Van de Riet made the motion to approve the recommendation of TX23.09.02 along with a statement that TX23.09.02 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Wilson

3. TX23.09.03

- A. Staff requests a text amendment to add vested rights extension for Conditional Zoning (CZ) in Article 5.4-3(I).
- B. Statement of Consistency and Reasonableness.

Planning Director Hsiang explained that the Town has had multiple developments that lost conditional zoning vested rights due to lack of infrastructure, where minimal work had begun, and nothing had changed in the original approved plans. The only other option for a developer is to resubmit for conditional zoning and start the entire process over. This text amendment gives additional flexibility for extending vesting rights for conditional zoning due to lack of infrastructure or unforeseen development circumstances.

After Board discussion, Board Member Van de Riet made the motion to approve the recommendation of TX23.09.03 along with a statement that TX23.09.03 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Wilson.

4. TX23.09.04

- A. Denis & Flad Pinchuk requests a text amendment to add Coffee Roastery as a Listed Use (L) in the Vehicle Service & Repair (VSR) zoning district.
- B. Statement of Consistency and Reasonableness.

Planning I Valzonis presented the request for TX23.09.04 to add Coffee Roastery as a use listed in the VSR zoning district and explained that staff recommended approval as it is consistent with the Town's Economic Development Plan and would help increase the number of commercial business opportunities.

Chairman Koehler made the motion to approve the recommendation of TX23.09.04 along with a statement that TX23.09.04 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Van de Riet.

5. TX23.09.05

A. Staff Denis & Vlad Pinchuk request a text amendment to add Mentoring Services, Tutoring as Listed Use (L) in the Vehicle Service & Repair (VSR) zoning district.

B. Statement of Consistency and Reasonableness.

Planning I Valzonis presented the request for TX23.09.05 to add Mentoring Services and Tutoring as a use listed in the VSR zoning district. He explained that staff recommended approval as VSR may be too restricted and the added use would increase identity and involvement in the Town of Stallings through volunteering and citizen participation for the greater good of the community.

Board Member Van de Riet made the motion to approve the recommendation of TX23.09.05 along with a statement that TX23.09.05 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved with a three to one vote after a second from Board Member Wilson with Chairman Koehler opposed.

6. TX23.10.01

A. Staff requests a text amendment to amend outdoor storage acreage and zoning requirements in Article 10.1-36 Outdoor Storage.

B. Statement of Consistency and Reasonableness.

Planning Director Hsiang presented TX23.10.01 to add language that allows for property zoned Industrial (IND) to have a three-acre minimum requirement for outdoor storage. He said staff recommends approval based on the Stallings Economic Development Plan because it would increase the number of businesses in Stallings' Industrial zoning.

Chairman Koehler made the motion to approve the recommendation of TX23.10.01 along with a statement that TX23.10.01 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Van de Riet.

7. RZ23.10.01

A. MMDi, Inc. d/b/a Steelpoint requests a general rezoning for 500 Union West Blvd PID#07102010R from US74 Commercial (G74) to Industrial (IND).

B. Statement of Consistency and Reasonableness.

Planning Director Hsiang presented the request made by Steelpoint for rezoning of Parcel number 01102010R to Industrial (IND) from US74 Commercial (G74). He explained that the zoning for the property is outdated as it no longer fronts Highway 74 since the installation of the bypass and the rezoning will take the property back to its original zoning along with being consistent with surrounding properties. Planning Director Hsiang said staff recommends approval of RZ23.10.01 because there is no identified future land use for this area and Industrial zoning is consistent with the Monroe Expressway Small Area Plan.

Board Member Wilson made the motion to approve the recommendation of RZ23.10.01 along with a statement that RZ23.10.01 is inconsistent but reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Chairman Koehler.

#### 8. Planning Board Calendar

Planner I Valzonis presented the Planning Board Calendar for Board review.

Board Member Van de Riet made the motion to adopt the 2024 Planning Board Calendar. The motion was approved unanimously after a second from Board Member Barnes.

#### 9. Adjournment

Board Member Wilson made the motion for adjournment. The motion was approved unanimously after a second from Board Member Barnes.

The meeting adjourned at 7:39 pm.

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Robert Koehler, Chairman

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Mary McCall, Deputy Town Clerk

MINUTES OF PLANNING BOARD MEETING  
OF THE  
TOWN OF STALLINGS, NORTH CAROLINA

The Planning Board of the Town of Stallings met for their regularly scheduled meeting on November 14, 2023, at 7:00 pm. The meeting was held at the Stallings Government Center, 321 Stallings Road, Stallings, NC 28106.

Planning Board members present: Chairman Robert Koehler, Vice Chairwoman Laurie Wojtowicz, Jon Van de Riet, and Jacqueline Wilson

Planning Board members were absent: David Barnes and Ryan Awaldt

Staff members present: Max Hsiang, Planning Director, Stuart Valzonis, Planner I and Mary McCall, Deputy Town Clerk.

Council Member Grooms was present.

Chairman Robert Koehler recognized a quorum.

Invocation and Call to Order

Chairman Robert Koehler called the meeting to order at 7:05pm.

1. Approval of Agenda

Vice Chairwoman Wojtowicz made the motion to approve the agenda with the addition of item number three (3) for Aria Multi Family Construction's request to change color of windows in new construction apartment community. The motion was approved unanimously after a second from Board Member Wilson.

2. TX23.11.01

A. Staff requests a text amendment to amend Article 21.3 Fee in Lieu to incorporate Streetscape requirements.

B. Statement of Consistency and Reasonableness.

Planning Director Hsiang presented TX23.11.01 to amend Article 21.3 Fee in Lieu to incorporate Streetscape requirements for New Developments. He explained that the new text would require

streetscape design requirements to be included with new developments and meet Council's 2023 Retreat goals.

After Board discussion, Vice Chairwoman Wojtowicz made the motion to approve the recommendation of TX23.11.01 to include the recommendation of options to increase in Fee in Lieu rates. The motion was approved unanimously after a second from Board Member Wilson.

Board Member Van de Riet made the motion to approve the recommendation of the statement that TX23.11.01 is consistent and reasonable in conjunction with the Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Wilson.

### 3. Aria at Idlewild - Aria Multi Family Construction Development Change Request

Planning Director Hsiang explained that Aria at Idlewild has an approved development agreement from 2019 in which they have vested rights to build apartments off Idlewild Road and that the development agreement requires any changes to the aesthetics in the design to be approved by the Development Administrator along with the Planning Board.

Megan Connelly, representing the Developer, explained the reason for the requested change was to improve the aesthetics by changing the color of the windows from dark oiled bronze to white thereby lightening the windows. Pictures were shown as examples of the differences in appearance.

After Board discussion, Board Member Van de Riet made the motion to approve the aesthetics change request for the Aria at Idlewild apartment windows from metal dark oiled bronze to vinyl white windows. The motion was approved unanimously after a second from Board Member Wilson.

### 4. Adjournment

Board Member Von de Riet made the motion for adjournment. The motion was approved unanimously after a second from Board Member Wilson.

The meeting adjourned at 7:30 pm.

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Robert Koehler, Chairman

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Mary McCall, Deputy Town Clerk



# MEMO

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To: Stallings Planning Board  
From: Max Hsiang, Planning Director  
Date: 02/20/2023  
Re: TX24.02.01 - Streetscape

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## Request:

At the 2023 Council retreat, the Town Council created an action item to adopt and incorporate streetscape requirements into the development ordinance by 12/31/23.

- *Rationale: The DFI study advised streetscape improvements will be critical for main street retail to succeed. Also, DFI advised that retail should face Stallings Road.*
- *8/14/23 - The Council authorized staff to start working on adding streetscape requirements to the development ordinance.*

The Stallings Streetscape Design Standards and Details Plan includes greenways as part of its design and mandates their installation where they are mentioned in the Stallings Parks, Recreation, and Greenway Master Plan.

In December 2023, staff proposed incorporating streetscape enhancements into the fee-in-lieu section of the ordinance for Council feedback and discussion. It's important to note that this was strictly for discussion, and no changes were adopted at this meeting.

The main focus of the discussion remained on the existing fee-in-lieu structure, which would essentially stay the same. The only proposed change involved adding streetscape requirements within this section.

Following the discussion, legal counsel advised separating the streetscape requirements from the fee-in-lieu section. This means the fee-in-lieu structure would remain unchanged, while streetscape requirements would be established in a new, dedicated section of the ordinance.

## New Amendment:

### **21.4 Streetscape**

**21.4-1 Purpose.** *This ordinance establishes streetscape requirements identified in the Stallings Streetscape Design Standards and Details Plan.*

**21.4-2 Applicability.** *This ordinance applies to all new developments identified in the Stallings Streetscape Design Standards and Details Plan area and Town Center (TC) zoning. For purposes of this requirement, "developments" shall mean any development requiring a Major Site Development Plan Review.*

**21.4-3 Exemptions.** *The following developments are exempt from Article 21.4:*

- A. Developments that are owned and operated by a government agency.*
- B. Developments that do not require a Major Site Development Plan Review.*

*24.4-4 Timing of Improvements. All improvements shall be completed or guaranteed with adequate surety prior to issuance of any permits past 60% Certificate of Occupancy or 60% completion for the entire development or project.*

**Staff Recommendation:**

Staff recommends approval of TX24.02.01. This text amendment accomplishes the 2023 Town Council retreat goals and creates requirements for the streetscape adopted plan. Additionally,

- This amendment seeks to improve the appearance and accessibility of new developments in the Town Center of Stallings.
- It applies to new major projects and requires them to follow the design standards in the Streetscape plan.
- There are limited exemptions, and developers must complete or guarantee streetscape improvements before final permits are issued.

**Future Considerations:**

Determine if the Council wants to consider investing in streetscape improvements in front of specific Town properties and, if so, the phasing of such investments.

- *Rationale: DFI recommended considering these investments alongside the private sector investing in streetscape improvements in front of Town Hall and the Municipal Park.*
- *8/14/23 – The Council opted to hold off making immediate streetscape investments in front of Town Hall. The Council may be open to it if funding is identified.*



## Statement of Consistency and Reasonableness

**ZONING AMENDMENT:** TX24.02.01

**REQUEST:** To adopt and incorporate streetscape requirements into the development ordinance.

**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 Planning Board 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 Planning Board recommends to **APPROVE** the proposed amendment and stated that the Planning Board 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. Accomplishes the goals from the 2023 Town Council retreat.
2. Creates requirements for the streetscape adopted plans.

**Recommended** this the \_\_ day of \_\_\_\_\_, 2024.

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Planning Board Chair

Attest:

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Planning Staff



# MEMO

To: Stallings Planning Board  
 From: Max Hsiang, Planning Director  
 Date: 02.20.2024  
 Re: TX24.02.02 - Industrial Setbacks

## Request:

The town council has discussed improving industrial areas by relaxing outdoor storage rules and exploring development opportunities in the Union West Business Park. Our team reviewed current zoning regulations and proposes changes to building setbacks to support future growth and tax revenue.

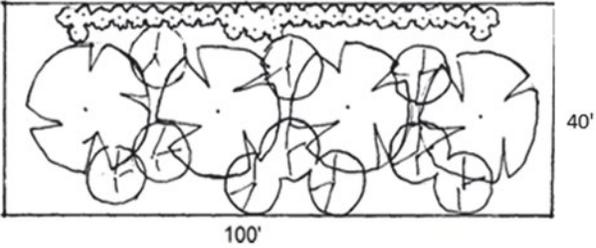
The industrial zone is meant for large buildings and parking/loading facilities. However, current setback rules restrict this. The current dimensional standards apply in the industrial district:

Lot Size	Lot Width	Front Yard Setback	Rear Yard Setback	Side Yard Setback	Corner Lot Side Yard Setback
32,400 SF	180'	80'	16'	16'	80'

We propose aligning building placement, parking, and lot size with the current building lot type of "Highway Commercial", which will offer more flexibility for industrial development.

Highway Building Lot Type Requirements (Article 9.8) requirements:

Requirement	Description
Buildings must be set back 12-115 feet from the street.	This helps to ensure that there is enough space for cars and pedestrians to safely move around.
Larger setbacks may be allowed under special conditions.	For example, if there is a hill on the property, the setback may be increased to accommodate the slope.
Side and rear setbacks vary depending on the buffer requirements.	The buffer is a landscaped area that helps to screen the industrial uses from the surrounding community. The minimum setback is 12 feet, but it may be larger depending on the specific requirements of the buffer.
Parking must be located at the rear or side of the building.	This helps to keep the front of the building more attractive and pedestrian-friendly.
Side-yard parking cannot exceed 35% of the frontage and must be buffered.	This helps to ensure that there is enough space for landscaping and other amenities.
Building height is limited to 50 feet.	This helps to prevent the buildings from being too tall and imposing on the surrounding community.

<p>Industrial buffers against other zones are 40 feet with 90% opacity.  <u>Type A Buffer Yard</u>: A high-density screening buffer to substantially block visual contact between adjacent uses with a minimum of ninety (90%) percent opacity.</p> 	<p>This helps to screen the industrial uses from the surrounding community (incl. Residential) and reduce noise pollution.</p>
<p>There are no changes to allowed uses, open space, parking, or landscaping.</p>	<p>This means that this amendment will not have any impact on these existing requirements.</p>
<p>New regulation: no minimum lot size.</p>	<p>This will allow for more flexibility in the design of industrial developments.</p>

**Requested Amendment:**

8.4-11 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

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

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

(E.) 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 Industrial District. **Building placement and other dimensional requirements may be discussed during the Site Development Plan Review process.**

~~(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 Industrial District:~~

<del>Lot Size</del>	<del>Lot Width</del>	<del>Front Yard Setback</del>	<del>Rear Yard Setback</del>	<del>Side Yard Setback</del>	<del>Corner Lot Side Yard Setback</del>
<del>32,400 SF</del>	<del>180'</del>	<del>80'</del>	<del>16'</del>	<del>16'</del>	

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

(G.) 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.

**Staff Recommendation:**

Staff recommends approval of TX24.02.02. The proposed text amendment adds additional flexibility for development in the industrial zoning district and promotes the Council's objective in enhancing Industrial zoned areas.



## Statement of Consistency and Reasonableness

**ZONING AMENDMENT:** TX24.02.02

**REQUEST:** To amend Industrial setbacks in Article 8.4-11 of the Stallings Development Ordinance.

**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 Planning Board 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 Planning Board recommends to **APPROVE** the proposed amendment and stated that the Planning Board 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. This text amendment improves the flexibility of development in the Industrial zoning category.
2. Promotes the Town Council’s objective in enhancing Industrial zoned areas.

**Recommended** this the \_\_ day of \_\_\_\_\_, 2024.

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Planning Board Chair

Attest:

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Planning Staff



# MEMO

To: Planning Board  
From: Stuart Valzonis, Planner I  
Date: February 20, 2024  
Re: TX24.02.03 - Land Disturbance Permit

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## Request:

Staff requests a text amendment in the Stallings Development Ordinance Article 11 to amend the Tree Disturbance Plan and add a Land Disturbance Permit.

The text amendment reads as follows:

### 11.10 Activities Requiring a ~~Tree~~ Land Disturbance Permit

11.10-1 Purpose. Except as otherwise exempted herein, it shall be unlawful to:

- (A.) Remove, excessively prune, apply chemicals that are harmful to, or disturb any tree or the soil within the CRZ of any tree;
- (B.) Clear vegetation from a site; or
- (C.) Begin any excavation, remove soil, or place fill on a site within Stallings and its extraterritorial jurisdiction until the *Development Administrator* has issued a permit certifying that such activity complies with the applicable provisions of this Ordinance;
- (D.) **Make any alterations to storm water control measures and/or storm water infrastructure until the *Town Engineer* has issued a permit certifying that such activity complies with the applicable provisions of the Town of Stallings Development Ordinance.**

11.10-2 Applicability and Exceptions. **A Land Disturbance Permit is required for all land disturbing activities, except in the provisions below. If trees are being disturbed, then a Tree Disturbance Plan is also required per 11.10-4.** The provisions of this section shall apply to all Land Development **except:**

- (A.) Routine maintenance of existing vegetation outside the public rights-of-way, such as pruning, watering, and fertilizing.
- (B.) The removal of dead trees and shrubs or trees and shrubs that have been diagnosed and determined to be diseased beyond treatment, with the burden of proof being placed on the remover.
- (C.) Removal of soil or vegetation from undeveloped land to allow for non-commercial open space no greater than one-quarter (1/4) of an acre,

providing this activity does not take place within the CRZ of any rare or specimen tree.

- (D.) Land disturbing activity normally associated with the occupancy of an existing single family or two-family dwelling.
- (E.) Any new construction or expansion of a single family or two-family dwelling requiring a building permit and involving land disturbance less than ten thousand (10,000) square feet unless the cumulative land disturbance is over ten thousand (10,000) square feet.
- (F.) Developments requiring Site Development Plan review (see Article 7 of this Ordinance).

**11.10-3 Land Development Permit Requirements.** A Land Development Permit is required for all development projects unless exempt in accordance with 11.10-2.

(1.) All Land Development Permit applications shall include:

- (A.) Property boundaries with dimensions
- (B.) PIN for property
- (C.) Location of adjacent streets and utility easements
- (D.) Identify all protected areas
- (E.) Grading and drainage features
- (F.) Limits of clearing & disturbance (Explanation of work to be done)
- (G.) Any other required permits (e.g. NCDEQ Sedimentation and Erosion Control Plan)
- (H.) Other information determined by the Development Administrator as necessary to evaluate the request

(2.) Preparation by professional. Site Development Plans for developments requiring major site development plan review shall be prepared by a registered architect, engineer, landscape architect, or land surveyor licensed in the State of North Carolina for the work in which he is trained and licensed to perform.

**11.10-4 Tree Protection Plan Requirements.** A Tree Protection Plan for all development projects **when there are plans to disturb existing trees** to which these standards apply, along with all other necessary drawings, shall be submitted to the Development Administrator. Tree protection items shall be included on all grading plans, erosion control plans, and **tree land** disturbance permit plans.

(1.) **Tree Protection Plans** shall identify the following items:

- (A.) Boundaries of the required Tree Conservation Area (TCA)
- (B.) Required planting yard
- (C.) Protected trees within the TCA including tree size and species
- (D.) CRZ of each proposed protected tree or group of trees
- (E.) Limits of clearing
- (F.) Grading
- (G.) Trenching
- (H.) Required tree protection measures including protective fencing and signage
- (I.) Overhead and underground utilities, rights-of-way, and easement
- (J.) Areas of reforestation, if any
- (K.) Stream buffers, if any
- (L.) A complete survey of all trees on the **site** (outside the labeled TCA) that exceed eighteen (18") inches DBH, including tree size and species.

(2.) **Preparation by professional. Site Development Plans for developments requiring major site development plan review shall be prepared by a registered architect, engineer, landscape architect, or land surveyor licensed in the State of North Carolina for the work in which he is trained and licensed to perform.**

11.10-5 **Plan Notes Procedures.** The following procedures shall be followed on ~~tree protection plans, erosion control plans, grading plans,~~ Tree Disturbance Permit ~~plans and Land Disturbance Permit Plans. in~~ **CAPITAL LETTERS:**

- (A.) Contact the Planning Department to set up a pre-construction meeting.
- (B.) **Submit completed application.**

(C.) All tree protection devices must be installed prior to inspection by the *Development Administrator* and prior to any tree disturbance activities.

(D.) Removal or damage of trees in the conservation area will be subject to the penalties established in the Section 11.18 of this Ordinance.

11.10-6 Plan Review. The aforementioned plans shall be reviewed by the *Development Administrator and Town Engineer* for conformance with applicable provisions of this section and for tree and vegetation viability. The plans will either be approved or returned for revisions. Reasons for return shall be noted on the proposed plan.

11.10-7 Installation of Protective Measures. All tree protection measures shall be installed prior to inspection by the *Development Administrator* or *his/her designee* and prior to tree disturbance.

11.10-8 Site Inspections. The *Development Administrator* or *his/her designee* will conduct follow-up site inspections for enforcement of **this Article. the tree protection requirements.**

11.10-9 Permit Display. All permits issued hereunder shall be so displayed as to be clearly visible from a public right-of-way.

11.10-10 Emergency Waiver. The provisions of this section are waived if compliance would hamper the rescue of life or property from immediate danger or the repair of utilities in the event of emergencies such as windstorms, ice storms, or other disasters.

**Staff Recommendation:**

Staff recommends approval of TX24.02.03 as per Article 11.1 which emphasizes establishing minimum standards for the design of landscapes so as to improve the community aesthetically, economically, and environmentally. The Land Disturbance Permit allows staff to uphold Town development standards, even in cases where no trees are being removed.



## Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX24.02.03

REQUEST: To amend Article 11 of the Stallings Development Ordinance.

**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 Planning Board 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 Planning Board recommends to **APPROVE** the proposed amendment and stated that the Planning Board 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. This text amendment enhances clarity in the Stallings Development Ordinance, improving public understanding and staff application.
2. Strategy OS-5.1, requiring review of all projects for stormwater impact and engendering a natural environment of the highest quality.

**Recommended** this the \_\_\_ day of \_\_\_\_\_, 2024.

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Planning Board Chair

Attest:

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Planning Staff



# MEMO

To: Planning Board  
From: Max Hsiang, Planning Director  
Date: February 20, 2024  
Re: TX24.02.04 - Town Center Contiguity

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## Request:

Staff requests a text amendment in the Stallings Development Ordinance Article 8.3 to amend the definition of Town Center by removing the last sentence in the meaning of the Town Center District: "Expansion of the Town Center District shall be contiguous and not separated from the primary district area."

The text amendment reads as follows:

The Town Center District (TC) provides for new development, revitalization, reuse, and infill development in Stallings's core downtown. A broad array of uses is listed to enable the needs of residents and visitors to be met. Allowed building/lot types in this district are Urban Workplace, Shopfront, Detached House, Attached House, Multi-family Building, and Civic Building. The development pattern seeks to integrate shops, restaurants, services, workplaces, civic, educational, religious facilities, and higher-density housing in a compact, pedestrian-oriented environment. The Town Center District serves as the hub of the surrounding neighborhoods and of the broader community. The Town Center District may be expanded over time to meet the needs of the growing community for downtown facilities and services. ~~Expansion of the Town Center District shall be contiguous and not separated from the primary district area.~~

## Staff Recommendation:

Staff recommends approval of TX24.02.04.

- The remaining portion of the definition clearly outlines the Town Center District's purpose, permitted uses, and desired character.
- Removing the sentence allows for greater flexibility in future planning and development decisions. While contiguous expansion is generally desirable, unforeseen circumstances or strategic considerations might necessitate non-contiguous additions in the future.
- The Town Council has the authority to approve or deny Town Center rezoning.

If ensuring contiguous expansion remains important, consider rephrasing the last sentence to be less restrictive and more open to future considerations. For example:

"Expansion of the Town Center District shall prioritize contiguity to the primary district area while considering broader community needs and future planning opportunities."



## Statement of Consistency and Reasonableness

**ZONING AMENDMENT:** TX24.02.04

**REQUEST:** To amend the definition of Town Center in Article 8.3 of the Stallings Development Ordinance.

**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 Planning Board 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 Planning Board recommends to **APPROVE** the proposed amendment and stated that the Planning Board 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. This text amendment maintains clarity in the Stallings Development Ordinance.
2. This text amendment allows for greater flexibility in future planning and development decisions.

**Recommended** this the \_\_ day of \_\_\_\_\_, 2024.

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Planning Board Chair

Attest:

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Planning Staff