November 17, 2026
Stallings Government Center
321 Stallings Road
Stallings, NC 28104
704-821-8557
www.stallingsnc.org

Planning Board Meeting Agenda

#	Time	Item	Presenter	Action Requested/Next Step
	6:00 pm	**Invocation** **Call the Meeting to Order**	Chair	N/A
1.		**Agenda Approval**	Chair	Approve/Amend Agenda ***Motion:*** *I make the motion to:* *1) Approve the Agenda as presented; or* *2) Approve the Agenda with the following changes: _____.*
2.		**Approval of Minutes** **A. September 15, 2026, Minutes**	Chair	Approve/Amend Minutes ***Motion:*** *I make the motion to:* *1) Approve the Minutes as presented; or* *2) Approve the Minutes with the following changes: _____.*
3.		**Text Amendment** **TX26.09.02 – Zoning Compliance Inspections** **A. Staff is proposing an amendment to Article 7 to establish a formal zoning compliance review process for developments subject to Major and Minor Site Development Plan review.** **B. Statement of Consistency and Reasonableness**	Katie King, Planner I	Recommendation ***Motion:*** *I make the motion to recommend:* *1) Approval of the request as presented.* *2) Approval of the request with recommendations _____.* *3) Defer the request to _____.* *4) Deny the request as submitted.*

#	Time	Item	Presenter	Action Requested/Next Step
4.		**Text Amendment** **TX26.09.03 – Pool Ordinance Update** **A. Staff is proposing an amendment to Article 2 to clarify and expand the existing swimming pool standards.** **B. Statement of Consistency and Reasonableness**	Katie King, Planner I	Recommendation ***Motion:*** *I make the motion to recommend:* *5) Approval of the request as presented.* *6) Approval of the request with recommendations _____.* *7) Defer the request to _____.* *8) Deny the request as submitted.*
5.		**Text Amendment** **TX26.11.01 – Off Street Parking Minimums** **A. Staff is proposing an amendment to Article 12 to align minimum parking standards with newly adopted NC General Statutes.** **B. Statement of Consistency and Reasonableness**	Max Hsiang, Planning Director	Recommendation ***Motion:*** *I make the motion to recommend:* *1) Approval of the request as presented.* *2) Approval of the request with recommendations _____.* *3) Defer the request to _____.* *4) Deny the request as submitted.*
6.		**Text Amendment** **TX26.11.02 – Vested Rights** **A. Staff is proposing an amendment to Article 7.13 to align vested rights standards with newly adopted NC General Statutes.** **B. Statement of Consistency and Reasonableness**	Max Hsiang, Planning Director	Recommendation ***Motion:*** *I make the motion to recommend:* *1) Approval of the request as presented.* *2) Approval of the request with recommendations _____.* *3) Defer the request to _____.* *4) Deny the request as submitted.*
7.		**Text Amendment** **TX26.11.03 – Commercial Glazing and Fenestration** **A. Staff is proposing an amendment to Article 9 to align window glazing standards with newly adopted NC General Statutes.** **B. Statement of Consistency and Reasonableness**	Max Hsiang, Planning Director	Recommendation ***Motion:*** *I make the motion to recommend:* *1) Approval of the request as presented.* *2) Approval of the request with recommendations _____.* *3) Defer the request to _____.* *4) Deny the request as submitted.*

#	Time	Item	Presenter	Action Requested/Next Step
8.		**Text Amendment** **TX26.11.04 – ADU Standards** **A. Staff is proposing an amendment to Article 10.1-3 to align ADU standards with newly adopted NC General Statutes.** **B. Statement of Consistency and Reasonableness**	Max Hsiang, Planning Director	Recommendation ***Motion:*** *I make the motion to recommend:* *1) Approval of the request as presented.* *2) Approval of the request with recommendations _____.* *3) Defer the request to _____.* *4) Deny the request as submitted.*
9.		**2027 Planning Board Meeting Schedule**	Max Hsiang, Planning Director	N/A
10.		**Adjournment**	Chair	***Motion****: I make the motion to adjourn.*

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 September 15, 2026, at 6:00 pm. The meeting was held at the Stallings Government Center, 321 Stallings Road, Stallings, NC 28104.

Planning Board members present: Chairman Glen Watson, Vice Chair Tony Paren, Robert Koehler, Jacqueline Wilson, Ann Katherine Bowman, Scott Dover, Heather Wright, and First Alternate Kader Joseph.

Planning Board members absent: None

Staff members present: Planning Director Max Hsiang, Planner I Katie King, and GIS Planning Technician Brig Sheehy.

Chairman Glen Watson recognized a quorum.

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Invocation and Call to Order

Chairman Watson called the meeting to order at 6:02 pm.

1. Approval of Agenda

Board Member Wright made a motion to approve the agenda. The motion was approved unanimously after a second from Board Member Koehler.

2. Approval of Minutes

   A. February 17, 2026, Minutes

   B. May 19, 2026, Minutes

   C. July 21, 2026, Minutes

Board Member Bowman made a motion to approve the minutes as presented. The motion was approved unanimously after a second from Vice-Chair Paren.

3. Rules of Procedure Time Change Amendment

Planning Director Max Hsiang presented an amendment to the Planning Board Rules of Procedure to reflect the current meeting start time of 6:00 pm instead of 7:00 pm.

Board Member Wright made a motion to approve the amendment as presented. The motion was approved unanimously after a second from Board Member Wilson.

4. TX26.09.02

   A. Zoning Compliance Inspections
   B. Statement of Consistency and Reasonableness

Planner I Katie King presented TX26.09.02, a proposed text amendment that establishes a formal zoning compliance review process for developments subject to the Major and Minor Site Development Plan review process. Ms. King explained that the Town already requires Zoning Compliance Inspections as part of the development process, but that this amendment formally establishes this process and provides clear authority for addressing these inspections and any identified deficiencies. Ms. King provided examples of the inspection checklist that is provided to the public and explained what is included in the inspection.

Following a brief discussion and questions from the Board, Board Member Dover made a motion to recommend approval of TX26.09.02. The motion was approved unanimously after a second from Board Member Wilson. Board Member Wilson made a motion to adopt a statement finding TX26.09.02 consistent and reasonable in conjunction with the Town's Comprehensive Land Use Plan. The motion was approved unanimously after a second from Board Member Koehler.

5. TX26.09.03

   A. Pool Ordinance Update
   B. Statement of Consistency and Reasonableness

GIS Planning Technician Brig Sheehy presented TX26.09.03, a proposed text amendment to clarify and expand the existing swimming pool standards. Ms. Sheehy explained that this amendment was drafted following the review of recent pool permit applications where staff discovered that some of our pool standards were difficult to interpret. She explains that staff also

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included new definitions to make it clear that the standards apply to both in-ground and above ground pools and explain where the setback distance is measured from.

Ms. Sheehy answered several questions from the Board about the required distances between pools and other structures. Following this discussion, Board Member Wright made a motion to table the decision on TX26.09.03 to a later date. The motion was approved unanimously after a second from Board Member Wilson.

6. Adjournment

Board Member Wilson made a motion to adjourn the meeting. The motion was approved unanimously after a second by Vice-Chair Paren. The meeting was adjourned at 6:25 pm.

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_____ _____

Glen Watson, Chairman Katie King, Planner I

MEMO

To: Planning Board
From: Katie King, Planner I
Date: 11/10/2026
Re: TX26.09.02 – Zoning Compliance Inspections

Request:

Staff proposes an amendment to Article 7 of the Stallings Development Ordinance to establish a formal zoning compliance review process for developments subject to Major and Minor Site Development Plan review.

The Town already performs zoning compliance inspections as part of the development process, and applicants are provided with inspection checklists outlining the items that will be reviewed. However, the Development Ordinance does not currently establish this process or provide clear authority for addressing site development plan review inspections and deficiencies identified during the final inspection. This amendment formalizes the Town's existing practice by authorizing the Development Administrator or designee to verify compliance with approved Site Development Plans, applicable permits, and the requirements of the Development Ordinance before a project is considered complete.

Amendment:

Article 7 – Permits and Procedures

7.5-5 Zoning Compliance Inspection.

(A.) Prior to the issuance of a Certificate of Zoning Compliance for any development subject to the Major Site Development Plan review process (Section 7.7-1) or Minor Site Development Plan review process (Section 7.7-2), the Development Administrator or designee shall conduct a Zoning Compliance Inspection to verify that the development has been completed in substantial conformance with the approved Site Development Plan, applicable permits, and the requirements of this Ordinance.

(B.) The Zoning Compliance Inspection shall include all applicable items necessary to determine compliance with the approved Site Development Plan, this Ordinance, and the Town's administrative inspection procedures.

(C.) If deficiencies are identified during the Zoning Compliance Inspection, the Development Administrator or designee may require correction of such deficiencies within a reasonable period based on the nature and extent of the required work.

(D.) Upon verification that the development is in substantial conformance with the approved Site Development Plan, applicable permits, and the requirements of this Ordinance, the Development Administrator or designee shall issue a Certificate of Zoning Compliance.

(E.) A Certificate of Zoning Compliance shall be required prior to the issuance of a Certificate of Occupancy by Union County.

(F.) Failure to correct identified zoning deficiencies within the prescribed time period shall constitute a violation of this Ordinance and shall be subject to the enforcement provisions of Article 23.

7.5-6 Final Development Closeout.

(A.) New Single-Family Neighborhoods and Commercial Complexes. For new single-family neighborhoods or commercial complexes containing more than one building, upon ninety percent (90%) of the buildings receiving a Certificate of Zoning Compliance, the developer shall complete all site improvements and other requirements shown on the approved Construction Documents, excluding items subject to an approved performance guarantee or other bond. Completion shall be confirmed by an inspection and approved by the Development Administrator or designee.

(B.) New Multi-Family Apartment Complexes. For new multi-family apartment complexes, prior to the final building receiving a Certificate of Zoning Compliance, the developer shall complete all site improvements and other requirements shown on the approved Construction Documents, excluding items subject to an approved performance guarantee or other bond. Completion shall be confirmed by an inspection and approved by the Development Administrator or designee.

Staff Recommendation:

Staff recommends approval of TX26.09.02. This amendment does not create new development standards or inspection requirements. Instead, it formalizes the Town's existing zoning compliance process, provides greater clarity for applicants, and establishes a consistent procedure for verifying that approved site improvements have been completed before a project is finalized.

PLANNING & ZONING
TOWN of STALLINGS

Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX26.09.02

REQUEST: Staff proposes an amendment to Article 7 to establish a formal zoning compliance review process for developments subject to Major and Minor Site Development Plan review.

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 recommends APPROVING/DENYING the proposed text amendment, finding it consistent/inconsistent and reasonable/unreasonable with the Comprehensive Land Use Plan's goals of promoting quality development and adhering to state regulations (NCGS §160D), based on the following reasons:

1) Formalizes the Town's existing zoning compliance process.
2) Clarifies the requirements for applicants.
3) Establishes a consistent procedure for verifying that approved site improvements have been completed before a project is finalized.

Recommended this the __ day of _____, 2026.

_____
Planning Board Chair

Attest:

_____
Planning Staff

MEMO

To: **Planning Board**
From: Katie King, Planner I
Date: November 17, 2026
Re: TX26.09.03 – Pool Ordinance Update

Overview:

The purpose of this proposed amendment is to improve clarity, consistency, and enforceability of the Town's swimming pool regulations. The revisions add definitions for swimming pools, hot tubs and spas, and pool coping. The amendment also clarifies how required setbacks are measured and establishes standards for associated improvements such as decking, concrete, skirts, and other surfaces surrounding a pool. Separate setback and placement standards are also proposed for hot tubs, spas, and similar recreational water features to better distinguish these structures from swimming pools and other accessory structures.

Background:

During the review of Accessory Structure Permit applications for swimming pools, staff has identified areas within Article 2.13-7 that can be difficult for residents and applicants to interpret and that may create confusion during the permit review process. In particular, the existing language does not clearly distinguish between in-ground and above-ground pools or specify the point from which required setbacks should be measured.

Staff has also received an increasing number of permit applications for hot tubs, spas, and similar recreational water features. The current Development Ordinance does not provide specific standards that directly address these uses, resulting in uncertainty regarding how they should be classified and what setback or placement requirements should apply.

To improve consistency and provide clearer guidance for applicants and staff, the proposed amendment adds definitions for swimming pools, hot tubs and spas, and pool coping. These definitions are intended to clarify that swimming pool regulations apply to both in-ground and above-ground pools and to establish a clear reference point for measuring required setbacks. The amendment also proposes specific standards for hot tubs, spas, and similar features, along with additional clarification regarding decking, concrete, skirts, and other improvements associated with swimming pools.

Summary of Proposed Text Amendment:

TX26.09.03 amendment will:

1. Add definitions for swimming pools, hot tubs and spas, and pool coping to Article 3 to provide clearer terminology and improve interpretation of applicable standards.
2. Clarify swimming pool placement and setback requirements within Article 2.13-7, including required setbacks from property lines and other structures and establishing the outer edge of the pool coping as the point from which setbacks are measured.
3. Establish setback requirements for pool-related improvements, including decking, concrete, aprons, skirts, and other permanent improvements constructed or installed around a swimming pool.
4. Add specific standards for hot tubs, spas, and similar recreational water features, including side and rear yard placement requirements, setbacks from property lines and other accessory structures, and an allowance for these features to be located adjacent to or attached to the principal structure.

Proposed Text Amendments:

Article 3 – Definitions

SWIMMING POOL. An in-ground, above-ground, or on-ground structure designed or intended for swimming, wading, or recreational bathing. For purposes of this Ordinance, the term includes both in-ground and above-ground swimming pools but does not include hot tubs, spas, or similar recreational water features regulated separately by this Ordinance.

HOT TUB OR SPA. A structure or recreational water feature designed for soaking, bathing, or hydrotherapy that typically contains heated water and may include water-circulating, air-injection, or hydrotherapy equipment. A hot tub or spa shall not be considered a swimming pool for purposes of this Ordinance.

POOL COPING. The finished material installed along the upper perimeter edge of a swimming pool that caps or borders the pool structure and separates the pool from the surrounding deck, concrete, or other surface.

Article 2

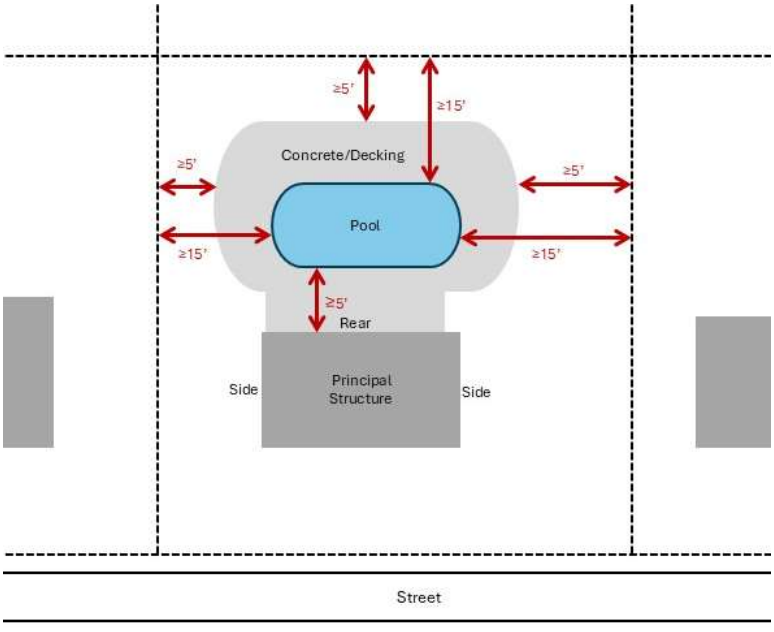
2.13-7 Swimming Pools, Hot Tubs, and Spas. Swimming pools, hot tubs, spas, and similar recreational water features located on any site, including single-family residential sites, shall ~~be:~~ comply with the following standards:

(A.) Swimming Pools. Swimming pools shall meet the following requirements:

a. Located in a side or rear yard only and at least five (5') feet behind a line drawn parallel to the rear of the principal structure on the lot, as measured from the outer edge of the pool coping, in accordance with the applicable accessory structure placement standards of Article 9;

b. Located a minimum of fifteen (15') feet from any property line, as measured from the outer edge of the pool coping;

c. Any decking, concrete, apron, skirt, or other permanent improvement constructed or installed around a swimming pool shall be located a minimum of five (5') feet from any property line and a minimum of five (5') feet from any other structure located on the lot if not attached;



d. Completely enclosed by a fence or wall no less than four (4') feet but no more than eight (8') feet, except when a wall is component to the dwelling or accessory structure, in accordance with the provisions of sub-section 2.13-2 Fences and Walls herein. Height shall be measured above grade on the side of the fence or wall which faces away from the swimming pool. This fence or wall shall fully enclose the pool itself and is permitted to extend around the entire yard or other portions of the lot, provided the pool remains entirely within the enclosed area. Fence design shall not be climbable or of a ladder pattern. Fences shall not be located in a way that allows any permanent structure, equipment, or similar object to be used for climbing. The fence shall not have any gaps, opening, indentations, protrusions, or structural components that allow a young child aged six (6) years or less to crawl under, squeeze through, or climb over the fence or adjacent barrier. All fence or wall openings into the pool area shall be equipped with a gate that opens outward away from the pool and shall be self-closing and have a self-latching device located on the poolside of the gate and be placed so that a young child aged six (6) years or less cannot reach over the top or through any opening or gap and operate the latch. *(Amended July 28, 2025)*

(B.) Hot Tubs and Spas. Hot tubs, spas, and similar recreational water features shall meet the following requirements:

a. Located in a side or rear yard only. When located in a side yard, the hot tub, spa, or similar recreational water feature shall be located at least five (5') feet behind a line drawn parallel to the rear of the principal structure on the lot;

b. Located a minimum of fifteen (15') feet from any property line as measured from the outermost edge of the hot tub, spa, or recreational water feature;

c. Located a minimum of five (5') feet from any other structure located on the lot, excluding the principal structure. A hot tub, spa, or similar recreational water feature may be located immediately adjacent to or attached to the principal structure or platform attached to the principal structure upon which the hot tub, spa, or similar recreational water feature is located.

Staff Recommendation:

Staff recommends approval of TX26.09.03. The proposed amendment clarifies and expands the existing swimming pool standards within Article 2.13-7 of the Stallings Development Ordinance, establishes clear definitions and setback measurement standards, and adds specific regulations for hot tubs, spas, and similar recreational water features. These revisions will improve consistency in interpretation and application during permit review and provide clearer guidance for residents, contractors, and staff. The amendment is consistent with the intent of the Development Ordinance and supports more uniform administration of accessory structure requirements throughout the Town.

PLANNING & ZONING
TOWN of STALLINGS

Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX26.09.03

REQUEST: Staff requests a text amendment to improve clarity, consistency, and enforceability of Article 2.13-7. The proposed revisions add definitions to Article 3 for swimming pools, hot tubs and spas, and pool coping; clarify setback and measurement requirements for swimming pools and associated improvements; and establish separate placement and setback standards for hot tubs, spas, and similar recreational water features.

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 recommends APPROVING/DENYING the proposed text amendment, finding it consistent/inconsistent and reasonable/unreasonable with the Comprehensive Land Use Plan's goals of promoting quality development and adhering to state regulations (NCGS §160D), based on the following reasons:

1) Adding definitions and clarifying setback measurement standards will make swimming pool regulations easier to understand and apply for residents, applicants, contractors, and staff.

2) Establishing specific placement and setback requirements for swimming pools, associated improvements, hot tubs, spas, and similar recreational water features will improve consistency and enforceability during permit review.

Recommended this the __ day of _____, 2026.

_____
Planning Board Chair

Attest:

_____
Planning Staff

MEMO

To: Planning Board
From: Max Hsiang, Planning Director
Date: 11/17/2026
Re: TX26.11.01 – Off-street Parking Minimums

Request

On July 6, 2026, North Carolina adopted Session Law 2026-39. Section 1 amends G.S. 160D-702(c) to prohibit local governments from requiring an off-street parking lot to contain a minimum number of spaces per development or structure, regardless of occupancy or use. The proposed effective date is January 1, 2027. The State restriction takes effect on that date regardless of whether the Town has amended its ordinance.

Article 12 of the Stallings Development Ordinance establishes parking requirements for residential, commercial, institutional, industrial, and recreational uses. Table 12.1 includes minimum and maximum parking allowances based on the type and size of a development. Other provisions address parking reductions, shared parking, changes in use, and payments in lieu of required parking.

The proposed amendment updates Article 12 to remove minimum automobile parking requirements and revise provisions that depend on those minimums. Making these changes before the effective date will give property owners, applicants, and staff clear standards for development review.

Property owners would determine how much parking to provide, subject to the Town's maximum parking allowances. Parking provided would still be subject to applicable design standards, including access, paving, landscaping, lighting, and pedestrian circulation. Accessible parking required by applicable law would remain in place, along with stacking and loading requirements.

https://canons.sog.unc.edu/blog/2026/09/18/limits-on-local-parking-minimums/

Amendments

~~Red strikethrough~~ shows deletions. Red underlining shows additions. Only the identified sentences or paragraphs are amended; other text remains unchanged. Entire replacements and new subsections are identified below.

1. General parking requirements — Section 12.1
   Removes automobile parking from the cumulative minimum calculation for mixed occupancies while retaining loading requirements.

   12.1 Off-Street Parking, Stacking, and Loading Space Required

   When any building or structure is erected, modified, and/or enlarged the requirements of this Section shall be met. For enlargements, modifications, or increase in capacity, the requirements of this Section shall apply only to such enlargements, modifications or increases in capacity. In cases of mixed occupancy, the ~~minimum~~ required number of ~~off-street parking and~~ loading spaces shall be the cumulative total of individual use requirements unless otherwise specified.

2. Residential parking — Sections 12.3-1, 12.3-3, and 12.3-6
Replaces references to "minimum required" spaces with spaces provided. Removes the provision allowing on-street parking to count toward a residential parking minimum that would no longer exist.

In Sections 12.3-1 and 12.3-3(A)–(B), replace:

12.3-1 Medium and Low-Density Lots.

To enable emergency access to occupant area on Lots of Record equal to or greater than sixty (60') feet in width, but less than one hundred and twenty (120') feet in width, established after July 1, 2018, ~~minimum required off-street parking space(s)~~ the off-street parking spaces provided, whether enclosed or not, shall be recessed at least three feet and six inches (3'6") behind the primary front plane of the Conditioned Space of a residential structure.

12.3-3 Front or Side Entry Parking on High Density Lots.

To enable emergency access to occupant area on Lots of Record less than sixty (60') feet in width, attached and detached single-family homes may be permitted to have front or side entry parking access if the following conditions are met:

(A.) For attached single-family homes, the provided ~~minimum required~~ off-street parking space(s), whether enclosed or not, may not abut one another unless connected to an alley in a privately maintained public access and utility easement.

(B.) Single or double bay side-loading off-street parking spaces, whether enclosed or not, shall be permitted for the end unit of an attached house provided the ~~minimum required~~ off-street parking space(s) provided, whether enclosed or not, ~~is~~ are recessed at least one foot and six inches (1'6") behind the primary plane of the conditioned space of a residential structure

12.3-6 On-Street Parking Meeting Residential Parking Requirement.

~~On-street parking at the lot front may be counted toward all or part of the parking requirement of a dwelling unit provided the standards of sub-section 12.3-5 above are satisfied.~~

Reserved.

3. Changes to existing parking and uses — Sections 12.5, 12.6, and 12.11-11
Allows parking areas to be reduced or converted to another permitted use through the applicable approval process. A change in use would no longer trigger additional automobile parking. Required accessible parking, emergency access, pedestrian access, stacking, and loading areas would still need to be maintained.

12.5 Use for No Other Purpose

Land used to provide required parking, stacking, and loading shall not be used for any other purposes, except for temporary events. Use of land designated for and providing parking, loading, and/or stacking for other purposes shall be considered a violation of this Ordinance and subject to the penalty provisions of Article 23. Parking areas may be reduced or converted to another permitted use through

the applicable Site Development Plan Review process, subject to Article 7 and Article 12.11-11.

12.6 Requirements for Change in Use

~~*If a change in use causes an increase in the required number of off-street parking, stacking, or loading spaces, such additional spaces shall be provided in accordance with the requirements of this Ordinance; except that if the change in use would require an increase of less than five (5%) percent in the required number of parking spaces or fewer than five (5) spaces, no additional off-street parking shall be required.*~~

If a change in use increases the required number of stacking or loading spaces, the additional spaces shall be provided in accordance with this Ordinance.

12.11-11 Reduction in Number of Spaces

~~*Unless there is a change in use requiring a lesser number of spaces, the number of spaces shall not be reduced below the minimum requirements of this Article except as provided for in Section 12.6 (Requirements for Change in Use).*~~

Off-street automobile parking spaces may be reduced through the applicable Site Development Plan Review process without maintaining a minimum number of spaces. Required accessible parking, emergency access, pedestrian access, stacking, and loading areas shall be maintained.

4. Bicycle parking — Section 12.8
   Changes the calculation from five percent of automobile spaces required to five percent of automobile spaces provided, rounded up. This is a related policy choice needed to replace the current calculation method. Under the proposed formula, a development providing no automobile parking would have no bicycle parking requirement.

   12.8 Bicycle Parking

   All non-residential uses, except agricultural and agricultural based businesses, and all multifamily residential uses, including condos and townhomes with shared parking, shall include bicycle parking spaces in the amount, ~~*at a minimum, equal to five (5%) percent of the parking spaces required for automobiles. This area may be a designated parking space within the parking lot near the building or an area outside the parking lot adjacent to the building. The bike parking area must include bike rack(s) and/or locker(s).*~~ *shall provide bicycle parking spaces equal to at least five percent (5%) of the automobile parking spaces provided, rounded up to the next whole space.*

5. Electric vehicle charging — Section 12.11-13
   Replaces the existing minimum required charging spaces for hotels, motels, and restaurants with a requirement based on parking provided. When parking provided reaches at least 50% of the maximum allowed, 3% of those spaces must be equipped with operational charging equipment, rounded up. This amendment is more of a proposed policy change, rather than simply a clarification required by State law.

12.11-13 Plug-in Electric Vehicle (PEV) Charging Stations.

~~Hotels and/or motels shall provide PEV charging stations within designated parking spaces for a minimum number equal to four (4%) percent of all guest rooms.~~

~~Restaurants shall provide a PEV charging station within a designated parking space~~

For hotels, motels, and restaurants, where the number of off-street automobile parking spaces provided equals or exceeds fifty percent (50%) of the maximum allowed under Table 12.1, at least three percent (3%) of the spaces provided, rounded up to the next whole space, shall be equipped with installed and operational electric vehicle charging equipment. Charging spaces count toward the total parking provided.

6. Parking table and applicability — Section 12.12 and Table 12.1
Deletes the minimum parking column and retains numerical maximum allowances. Removes language requiring residential driveways and the minimum driveway-length entry from the parking table. Clarifies that changes in use, expansions, or alterations do not require additional automobile parking.

12.12 Off-Street Parking Requirements

~~Table 12.1 outlines the maximum parking requirements for designated parking areas. Sufficient off-street parking is essential to meet a building's or development's specific needs.~~ Table 12.1 establishes the maximum number of off-street automobile parking spaces allowed.

(A.) ~~Minimum and~~ Maximum Off-Street Parking Requirements:

1. ~~Table 12.1 establishes minimum and maximum parking spaces to ensure adequate off-street parking while preventing underutilized parking areas.~~ Off-street automobile parking shall not exceed the maximum allowances in Table 12.1. No minimum number of off-street automobile parking spaces is required.

(B.) Parking Requirements for Unlisted Uses:

1. For uses not listed in Table 12.1, parking, stacking, and loading requirements will follow those of the most similar use category, as determined by the Development Administrator.

(C.) Exclusions and Clarifications:

1. Residential Driveways: ~~Residential driveways are considered parking areas and are required but do not count as off-street parking. Garages do not count as parking spaces.~~ Residential driveways, where provided, shall comply with applicable access and design standards.

2. Existing Developments: ~~This ordinance applies to new developments only. Existing developments are not required to comply unless altered or a change of use or expansion results in additional parking.~~ Existing developments are not required to add parking. New or modified parking areas shall comply with the applicable requirements of this Article.

Table 12.1 Parking Spaces to be Provided

Residential	~~***Minimum Automobile Spaces***~~	***Maximum Automobile Spaces***
Dwelling, Residential (detached, attached, & mobile)	~~*1 driveway space per unit 25' driveway length min*~~	*N/A driveway space per unit* ~~*25' driveway length min*~~
Dwelling, Accessory Structure	~~*1 driveway space per structure*~~	*2 driveway spaces per structure*
Dwelling, multi-family (3 or more units)	~~*1 per unit*~~	*3 per unit*

Public Facilities & Institutions	~~***Minimum Automobile Spaces***~~	***Maximum Automobile Spaces***
Schools & Daycares	~~*1 per 1,000 SF of GFA*~~	*3 per 1,000 SF of GFA*
Civic Facilities	~~*1 per 1,000 SF of GFA*~~	*3 per 1,000 SF of GFA*
Places of Worship	~~*1 per 1,000 SF of GFA*~~	~~*5*~~ *per 1,000 SF of GFA*
Assisted Living/Group, Family, & Nursing Homes	~~*1 per 1,000 SF of GFA*~~	*3 per 1,000 SF of GFA*
Hospitals	~~*2 per 1,000 SF of GFA*~~	*6 per 1,000 SF of GFA*

Offices & Services	~~***Minimum Automobile Spaces***~~	***Maximum Automobile Spaces***
Professional/Medical Offices & Services	~~*1.5 per 1,000 SF of GFA*~~	*5 per 1,000 SF of GFA*
Hotels and Motels	~~*1.5 per 1,000 SF of GFA*~~	*5 per 1,000 SF of GFA*

Commercial & Retail	~~***Minimum Automobile Spaces***~~	***Maximum Automobile Spaces***
Retail Sales, Restaurants, and General Commercial	~~*1.5 per 1,000 SF of GFA*~~	*5 per 1,000 SF of GFA*

Industrial & Manufacturing	~~***Minimum Automobile Spaces***~~	***Maximum Automobile Spaces***
Industrial, Manufacturing, and Warehouse Facilities	~~*0.5 per 1,000 SF of GFA*~~	*2 per 1,000 SF of GFA*

Recreation & Entertainment	~~***Minimum Automobile Spaces***~~	***Maximum Automobile Spaces***
Parks	~~*1 per 10,000 SF of land*~~	*5 per 10,000 SF of land*

Athletic Fields, Sports Facilities, and Golf Courses	~~*1.5 per 1,000 SF of Field or Court Area*~~	*5 per 1,000 SF of Field or Court Area*
Athletic Courts as Accessory Use	~~*0.5 per court*~~	*2 per court*
Fairgrounds, Amusement Parks	~~*1.5 per 1,000 SF of Activity Area*~~	*5 per 1,000 SF of Activity Area*

7. Parking exceptions and fee in lieu — Sections 12.13-1 through 12.13-4
Removes provisions for existing Town Center buildings, parking reductions, payments in lieu of required parking, and on-street parking credits. These provisions would no longer be needed once minimum parking requirements are removed.

12.13-1 Reserved.

12.13-2 Reserved.

12.13-3 Reserved.

12.13-4 Reserved.

~~*12.13-1 Existing Buildings in the TC District.*~~

~~*In the Town Center (TC) District existing buildings that were legally constructed as of January 1, 2016 without the provision of on-site parking shall be construed conforming as to parking. Such buildings are eligible for change of use permits, and for building up-fits. Additions to an existing building in the Town Center (TC) District shall be required to satisfy the standards and specifications of this Article for new building additions only.*~~

~~*12.13-2 Parking Reduction in TC District.*~~

~~*In the Town Center (TC) District, the off-street parking requirements of this Article shall be reduced fifty (50%) percent for all uses where shared and/or remote parking provisions are made in accordance with Sub-section 12.13-8 below.*~~

~~*12.13-3 Fee in Lieu in TC District.*~~

~~*Fee in Lieu in TC District. In the Town Center (TC) District, uses may provide a fee in lieu of providing any, or all, of the off-street parking required by this Article. This fee shall be in the amount determined by the Town of Stallings and based on the cost of providing parking (including land costs, development costs, and maintenance costs) in the Town Center (TC) District. Such fee(s) shall be used by the Town for the provision and maintenance of parking in the Town Center (TC) District. Any fee collected in lieu of providing the required parking for a particular business or use shall be held in a separate fund and used to provide or maintain parking that can be used by clients, customers, employees, and others frequenting that business or use. Such parking shall be located within a reasonable distance (not more than one thousand three hundred and fifty (1,350') feet as measured along pedestrian ways) of the business or use providing the fee in lieu.*~~

~~12.13-4 On-Street Parking for Multi-Family Residential Buildings.~~

~~On-Street Parking for Multi-Family Residential Buildings. Residential buildings meet or contribute to meeting parking requirements with on-street parking if the fronting street is specifically designed to meet the parking needs of the residential buildings.~~

8. Shared and remote parking — Section 12.13-8
Removes shared and remote parking provisions that were established to satisfy minimum parking requirements. Parking proposed on shared or separate sites would remain subject to applicable zoning and site development standards.

12.13-8 Reserved.

~~12.13-8 Shared and Remote Parking~~

~~(A.) Shared parking. The Development Administrator may approve the joint use of up to one hundred (100%) percent of the required parking spaces for two or more (2+) uses located on the same parcel or adjacent parcels; provided that the developer can demonstrate that the uses will not overlap in hours of operation or in demand for the shared spaces. Any sharing of required parking spaces by uses located on different parcels shall be guaranteed by a written agreement between the owner of the parking area and the owner of any use located on a different parcel and served by the parking area. Should the use(s) change such that the new use(s) overlap in hours of operation or in demand for the shared spaces, the shared parking approval shall become void. Parking facilities meeting the requirements of this Article shall then be provided for each use.~~

~~Parking agreements shall be for a minimum of five (5) years, shall run with the property, and shall be recorded in the office of the Register of Deeds for Union County. A sidewalk or other pedestrian way shall connect the shared parking area to the uses for which parking is being provided.~~

~~(B.) Remote parking. If the required number of parking spaces for any use cannot be reasonably provided on the same lot on which the principal use is located, such parking space may be provided, for up to a maximum of fifty (50%) percent of the required parking, on any land within seven hundred and fifty (750') feet walking distance of the property on which the principal use is located, provided that the standards and specifications for the district in which the remote parking space is located permit the principal use which the parking spaces serve and, provided further, that no crossing of a major thoroughfare is required to travel from the use to the remote parking spaces, unless the pedestrian may access the remote parking by crossing said thoroughfare at a signalized crosswalk. Uses that cannot provide the remaining fifty (50%) percent of the required parking on-site must pay a fee-in-lieu or otherwise comply with the off-street parking requirements. Any remote parking spaces located on a different parcel than the use for which the remote parking spaces serve shall be guaranteed by a written agreement between the owner of the remote parking area and the owner of the use located on a different parcel and served by the remote parking area. Parking agreements shall be for a minimum of five (5) years, shall contain a provision that the agreement runs with the property, and is binding on all parties, their heirs, and assignees. The agreement shall be recorded in the office of the Register of Deeds for Union County.~~

Recommendation

Planning staff recommends that the Planning Board recommend approval of the proposed text amendment to Town Council. The amendment removes minimum automobile parking requirements and updates related provisions to align Article 12 with State law, while retaining applicable parking design, accessibility, stacking, and loading requirements.

The proposed effective date is January 1, 2027. The State restriction takes effect on that date regardless of whether the Town has amended its ordinance.

PLANNING & ZONING
TOWN of STALLINGS

Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX26.11.01

REQUEST: Amend Article 12 of the Stallings Development Ordinance to remove minimum off-street automobile parking requirements and update related provisions, including bicycle parking, electric vehicle charging, and parking exceptions.

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 recommends APPROVING/DENYING the proposed text amendment, finding it consistent/inconsistent and reasonable/unreasonable with the Comprehensive Land Use Plan's goals of promoting quality development and adhering to state regulations (NCGS §160D), based on the following reasons:

1. The amendment removes minimum automobile parking requirements to comply with State law.
2. The amendment allows parking to reflect the needs of individual developments while retaining applicable maximum parking allowances and design standards.
3. The amendment preserves requirements addressing accessible parking, pedestrian circulation, landscaping, stacking, and loading.
4. The amendment updates related provisions to provide clearer standards for applicants, property owners, and staff.

Recommended this the ___ day of _____, 2026.

_____
Planning Board Chair

Attest:

_____
Planning Staff

MEMO

To: Planning Board
From: Max Hsiang, Planning Director
Date: 11/17/2026
Re: TX26.11.02 – Vested Rights

Request

Session Law 2026-59 amended North Carolina's vested rights requirements under G.S. 160D-108 and G.S. 160D-108.1. The changes became effective August 11, 2026. Section 41 applies to permit applications and appeals filed on or after that date.

Vested rights allow property owners to undertake and complete approved development under the regulations and conditions protected by their approval. Section 7.13 of the Stallings Development Ordinance currently establishes a 24-month period for site-specific vesting plans and includes conflicting provisions concerning extensions. State law now establishes a five-year period for qualifying plans and authorizes longer periods of up to eight years when justified.

The proposed amendment makes changes to Article 7 to address vesting periods, approval procedures, and later development regulations. It retains existing language where possible and does not automatically give every permit a five-year validity period or restart older approvals.

https://www.ncleg.gov/EnactedLegislation/SessionLaws/HTML/2025-2026/SL2026-59.html

Amendments

~~Red strikethrough~~ shows deletions. Red underlining shows additions. Only the identified sentences or paragraphs are amended; other text remains unchanged. Entire replacements and new subsections are identified below.

1. 7.13-1 – Purpose: Change "twenty-four (24) months" to reference Permit Validity in 7.13-8 and amend the building permit expiration provisions that are found in N.C.G.S. §§160D-1111 and 160D-1115, as referenced by §160D-108.1(e)(3).

   7.13-1 Purpose.

   The zoning vested right is a right which is established pursuant to ~~G.S. §§ 160D-102; -18(d); -603.1~~ N.C.G.S. §160D-108.1(a)-(b) to undertake and complete the development and use of property under the terms and conditions of an approved site-specific development plan. Upon issuance of a building permit, the expiration provisions of ~~G.S. §§ 160D403 (f); -1113~~ N.C.G.S. §§160D-1111 and 160D-1115 shall apply, except that a building permit shall not expire or be revoked because of the running of time while a zoning vested right under this Section ~~7.13~~ is outstanding, as provided in N.C.G.S. §160D-108.1(e)(3). ~~Obtaining Site Development Plan approval or Preliminary Plat Subdivision approval through the vested rights procedure gives the applicant the right to start construction of the~~

~~development as approved within twenty-four (24) months of approval.~~ Approval of a qualifying Site Development Plan or Preliminary Plat through the vested rights procedure establishes a vested right for the period specified in Section 7.13-8 but does not eliminate the requirement to obtain other applicable development approvals or building permits.

2. 7.13-6 – Additional Restrictions and Requirements: Change the 24-month vesting period to reference Permit Validity in 7.13-8. Delete the sentence prohibiting extensions of the 24-month period.

   7.13-6 Additional Restrictions and Requirements.

   In granting a zoning permit with vested rights, the Town Council may impose such additional restrictions and requirements upon the permit as it may deem necessary in order that the purpose and intent of this Ordinance are served, public welfare secured, and substantial justice done. Approval of a site-specific development plan with the condition that a variance or modification be obtained shall not confer a vested right unless and until the necessary variance or modification is obtained. If all requirements and conditions are accepted by the applicant, the Town Council shall authorize the issuance of the permit; otherwise, the permit shall be denied. ~~Any permit so authorized shall remain vested for twenty-four (24) months from the date of the action granting the permit.~~ Approval of a site-specific vesting plan under this Section shall establish a vested right for the period specified in Section 7.13-8. ~~No change or amendment to any zoning permit with vested rights shall be made except after public hearing and except as provided for in this Ordinance for the original issuance of such permit. If, at the time of consideration of a proposed change or amendment to an existing permit, the permit or proposed change or amendment could not be lawfully made under Ordinance conditions existing at that time, the proposed change or amendment shall be denied. In addition, in no case shall there be an extension of the twenty-four (24) month time period for which the development right is vested.~~ Any proposed amendment or modification to an approved site-specific vesting plan shall be reviewed in accordance with N.C.G.S. §160D-108.1(c) and (f). Nothing herein shall exempt plans related to the permit from subsequent reviews and approvals to ensure compliance with the terms and conditions of the original approval, provided that such reviews and approvals are not inconsistent with the original approvals.

3. 7.13-8 – Permit Validity: Replace in its entirety to clarify permit validity timeline and that any extension must comply with N.C.G.S. §160D-108.1(e)(1)-(2) and (f).

   7.13-8 Permit validity.

   ~~A zoning right that has been vested as provided in section 7.13 shall remain vested for a period of twenty-four (24) months from the date the permit is issued, This vesting shall not be extended by any amendments or modifications to a site-specific development plan unless expressly provided by the approving authority at the time the amendment or modification is approved. A zoning permit, special use permit, or Subdivision approval shall not expire or be revoked because of the running of time while a zoning vested right under this section is outstanding. A vested right shall terminate under the termination conditions as specified in Sub-section 7.13-6 of this Ordinance.~~

   A vested right established by approval of a site-specific vesting plan under this Section shall remain vested for a period of five (5) years beginning on the effective date of the Town's decision approving the plan, or another date determined by Town Council upon approval, unless a longer period not exceeding eight (8) years is expressly approved in accordance with N.C.G.S. §160D-108.1(e)(2). Amendments or modifications to an approved site-specific vesting plan shall not extend the vesting

period unless expressly provided by the Town in accordance with N.C.G.S. §160D-108.1(e)(1). The duration and termination of vested rights shall otherwise be governed by N.C.G.S. §160D-108.1(e). Subsequently adopted development regulations shall not apply to a vested development except as authorized by N.C.G.S. §160D-108.1(f)

4. 7.13-10 – Status at Expiration of Term: Change the reference to the 24-month vesting period to the applicable vesting period established under N.C.G.S. §160D-108.1(e).

   7.13-10 Status at Expiration of Term.

   ~~A right which has been vested shall terminate at the end of the twenty four (24) month vesting period with respect to buildings and uses for which no valid building permit applications have been filed.~~ A right vested under this Section shall terminate at the end of the applicable vesting period with respect to buildings and uses for which no valid building permit applications have been filed, in accordance with N.C.G.S. §160D-108.1(e)(4). Upon issuance of a building permit, the provisions of ~~G.S. § 160D-403(c); -1109 and G.S. § 160D-403(f); - 1113~~ N.C.G.S. §§160D-1111 and 160D-1115 shall apply except that a building permit shall not expire or be revoked because of the running of time while a vested right under this Article is outstanding, as provided in N.C.G.S. §160D-108.1(e)(3). Any development constructed pursuant to a zoning permit with vested rights for which the vested term has expired and which is not in conformance with all the terms of the Ordinance because of changes made in the provisions of this Ordinance, including the zoning map, after the issuance of the permit shall be subject to the provisions of this Ordinance relating to non-conformities the same as any other nonconformity.

Recommendation

Planning staff recommends that the Planning Board recommend approval of the proposed text amendment to Town Council. The amendment amends vested rights requirements and updates related provisions to align with State law.

Section 41 of Session Law 2026-59 became effective August 11, 2026, and applies to permit applications and appeals filed on or after that date. The statutory requirements apply regardless of whether the Town has amended its Development Ordinance.

PLANNING & ZONING
TOWN of STALLINGS

Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX26.11.02

REQUEST: Amend Article 7 of the Stallings Development Ordinance to update development vested rights provisions, including qualifying plans, approval procedures, vesting periods, modifications, expiration, and related permit validity requirements.

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 recommends APPROVING/DENYING the proposed text amendment, finding it consistent/inconsistent and reasonable/unreasonable with the Comprehensive Land Use Plan's goals of promoting quality development and adhering to state regulations (NCGS §160D), based on the following reasons:

1. The amendment updates the Town's vested rights provisions to reflect State law.
2. The amendment provides greater clarity regarding the regulations and approval conditions that apply to approved development.
3. The amendment establishes consistent procedures for reviewing vesting requests, plan modifications, and expiration while preserving enforcement of applicable approval conditions.
4. The amendment supports orderly development by providing property owners, applicants, and staff with clear standards for administering development approvals.

Recommended this the ___ day of _____, 2026.

_____
Planning Board Chair

Attest:

_____
Planning Staff

MEMO

To: Planning Board
From: Max Hsiang, Planning Director
Date: 11/17/2026
Re: TX26.11.03 – Commercial Glazing and Fenestration

Request

Session Law 2026-59, Section 9, established new limitations on local government glazing and transparency requirements under N.C.G.S. §160D-702.1, effective 10/1/2026.

Under N.C.G.S. §160D-702.1(b), local governments cannot require glazing, windows, doors, or other transparent or translucent façade materials to exceed 35% of the ground floor façade area of commercial or mixed-use buildings. This limit is reduced to 20% under §160D-702.1(c) for portions of buildings primarily used for non-storefront purposes, including medical offices, educational facilities, religious assembly, and storage areas.

Ground floor façade area is measured from grade to 10 feet above grade, excluding certain functional areas identified in N.C.G.S. §160D-702.1(a)(2). The legislation also provides exceptions under §160D-702.1(e).

Currently, Sections 9.7-4(D)(3) and 9.8-4(D)(3) of the Stallings Development Ordinance require public entrances or windows along at least 50% of the building length and 25% of the building surface. Because these requirements use different measurements than those established under State law, they could result in glazing requirements that exceed the statutory limits.

The proposed amendment removes the existing percentage requirements and incorporates N.C.G.S. §160D-702.1 by reference. It also retains the Town's existing design language encouraging pedestrian oriented buildings while ensuring that glazing and transparency requirements comply with State law.

Statutory Authority: Session Law 2026-59, §9(a)–(b); N.C.G.S. §160D-702.1(a)–(e).

Amendments

~~Red strikethrough~~ shows deletions. Red underlining shows additions. Only the identified sentences or paragraphs are amended; other text remains unchanged.

1. Section 9.7-4(D)(3) – Fenestration (Urban Workplace Buildings)
   Replace subsection 9.7-4(D)(3)'s last sentence in its entirety to ensure consistency with state statutes.

   9.7-4 Building Standards and Anti-Monotony Standards for Urban Workplace Buildings.

   (D.) Fenestration

(3.) The first (1st) 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.~~ For commercial and mixed-use buildings, any glazing, transparency, window, door, or façade-opening requirement under this Section shall comply with N.C.G.S. §160D-702.1.

2. Section 9.8-4(D)(3) – Fenestration (Highway Buildings)
   Replace subsection 9.8-4(D)(3)'s last two sentences in its entirety to ensure consistency with state statutes.

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

   (D.) Fenestration

   (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 twentyfive (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.~~ For commercial and mixed-use buildings, any glazing, transparency, window, door, or façade-opening requirement under this Section shall comply with N.C.G.S. §160D-702.1.

Recommendation

Planning staff recommends that the Planning Board recommend approval of the proposed text amendment to Town Council. The amendment updates the Town's commercial glazing and fenestration requirements to comply with N.C.G.S. §160D-702.1, as established by Session Law 2026-59.

Section 9 of Session Law 2026-59 became effective 10/1/2026. Under Section 9(b), development regulations that conflict with N.C.G.S. §160D-702.1 are void and unenforceable to the extent of the conflict. The legislation does not affect development approvals issued or applications submitted before 10/1/2026.

PLANNING & ZONING
TOWN of STALLINGS

Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX26.11.03

REQUEST: A Text Amendment to amend Sections 9.7-4(D)(3) and 9.8-4(D)(3) of the Stallings Development Ordinance to update commercial glazing and fenestration requirements in accordance with N.C.G.S. §160D-702.1, as established by Session Law 2026-59, Section 9.

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 recommends APPROVING/DENYING the proposed text amendment, finding it consistent/inconsistent and reasonable/unreasonable with the Comprehensive Land Use Plan's goals of promoting quality development and adhering to state regulations (NCGS §160D), based on the following reasons:

1) The amendment is consistent with the Town of Stallings Comprehensive Land Use Plan, which encourages pedestrian-oriented development
2) The amendment is in the public interest because it ensures compliance with State law, eliminates potentially conflicting glazing requirements, and maintains the Town's intent to encourage pedestrian-oriented building design.

Recommended this the __ day of _____, 2026.

_____
Planning Board Chair

Attest:

_____
Planning Staff

MEMO

To: Planning Board
From: Max Hsiang, Planning Director
Date: 11/17/2026
Re: TX26.11.04 – ADU Standards

Request

The proposed amendment clarifies when the Town may apply its accessory dwelling unit (ADU) design standards under G.S. 160D-702(b). State law generally prohibits mandatory regulation of certain building design elements for structures subject to the North Carolina Residential Code, with limited exceptions, including voluntary consent from the property owner.

Section 10.1-3(B)(7) currently requires detached ADUs to match the principal dwelling's architectural style, roof, exterior materials, windows, doors, and colors. The amendment would add one sentence clarifying that these requirements apply only when permitted by State law since we now cannot require an ADU to match the main house's appearance unless the owner voluntarily agrees.

The amendment clarifies the application of existing State law and does not change the Town's ADU requirements for size, location, access, ownership, or permitted uses.

https://www.ncleg.gov/EnactedLegislation/Statutes/PDF/BySection/Chapter_160D/GS_160D-702.pdf

Amendment

1. Applicability of ADU design standards — Section 10.1-3(A)(1)

Add the underlined sentence at the beginning of subsection (7). Retain the existing introductory language and subsections (a) through (e). No existing language is deleted.

10.1-3 Accessory Dwelling Units

> *(A.) The additional standards below apply to any Zoning District listed with these additional standards in Article 8 - Table of Uses. (Amended July 28, 2025)*
>
> *(1.) For structures covered by the North Carolina Residential Code, these design standards apply only when allowed by G.S. 160D-702(b), including when property owners voluntarily agree as provided by that statute.*
>
> ***(B.) Development Standards***
>
> *10.1-3 Accessory Dwelling Units.*

(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.

Recommendation

Planning staff recommends that the Planning Board recommend approval of the proposed text amendment to Town Council. The amendment clarifies that ADU design requirements may be applied only as authorized by State law, while retaining the remaining ADU standards.

The proposed amendment would become effective upon adoption.

PLANNING & ZONING
TOWN of STALLINGS

Statement of Consistency and Reasonableness

ZONING AMENDMENT: TX26.11.04

REQUEST: A Text Amendment Amend Section 10.1-3(B)(7) of the Stallings Development Ordinance to clarify that accessory dwelling unit design standards apply only as authorized by G.S. 160D-702(b).

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 recommends APPROVING/DENYING the proposed text amendment, finding it consistent/inconsistent and reasonable/unreasonable with the Comprehensive Land Use Plan's goals of promoting quality development and adhering to state regulations (NCGS §160D), based on the following reasons:

1. The amendment It aligns the application of ADU design standards with State law.
2. It clarifies when architectural compatibility requirements may be applied.
3. It retains the Town's other ADU development standards.

Recommended this the __ day of _____, 2026.

_____
Planning Board Chair

Attest:

_____
Planning Staff

MEMO

To: Planning Board
From: Max Hsiang, Planning Director
Date: 11/17/2026
Re: Planning Board Schedule for 2027

Meeting Dates and Times:

The Planning Board typically meets on the third Tuesday of each month at 6:00 PM.

The Board of Adjustments meets on an as-needed basis. When we receive an item, the meeting will be scheduled for the same day as the proposed dates below after the Planning Board meeting concludes.

Approved Meeting Dates for 2027:

- January 19th
- February 16th
- March 16th
- April 20th
- May 18th
- June 15th
- July 20th
- August 17th
- September 21st
- October 19th
- November 16th
- December 21st





Please let us know if these dates work with your schedule and if you have any questions.