



**Town Council  
Regular Meeting  
January 16, 2024, at 9:30 a.m.**

**THIS MEETING WILL BE HELD ELECTRONICALLY AND IN PERSON**  
Please visit [www.laurelpark.org](http://www.laurelpark.org) for more information

- 1. Call to Order**
- 2. Pledge of Allegiance**
- 3. Public Comment**
- 4. Approval of the Agenda**
- 5. Consent Agenda**
  - A. December Monthly Report
  - B. Minutes for the December 14, 2023 Work Session
  - C. Minutes for the December 19, 2023 Regular Meeting
- 6. Old Business**
  - A. Tree City/Bee City Signs
  - B. Renaming of Laurel Park Highway Discussion
- 7. New Business**
  - A. Mayor Pro Tem Oath
  - B. Public Hearing- UDO
  - C. Proposal for Highway 64 Renderings
  - D. 401K Contributions- Update Policy
- 8. Town Manager's Report**
- 9. Department Head Reports**
  - A. Public Works
  - B. Fire Department
  - C. Police
  - D. Administration
- 10. Mayor and Commissioner Comments**
- 11. Adjournment**



TOWN OF LAUREL PARK  
**AGENDA ITEM SUMMARY**

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**Title of Item:** Consent Agenda

**Presenter:** Mayor J. Carey O’Cain

**Attachment(s):** Yes/No

- Monthly Report

**Summary of Item:**

The monthly report is attached.

**Council Action Requested:**

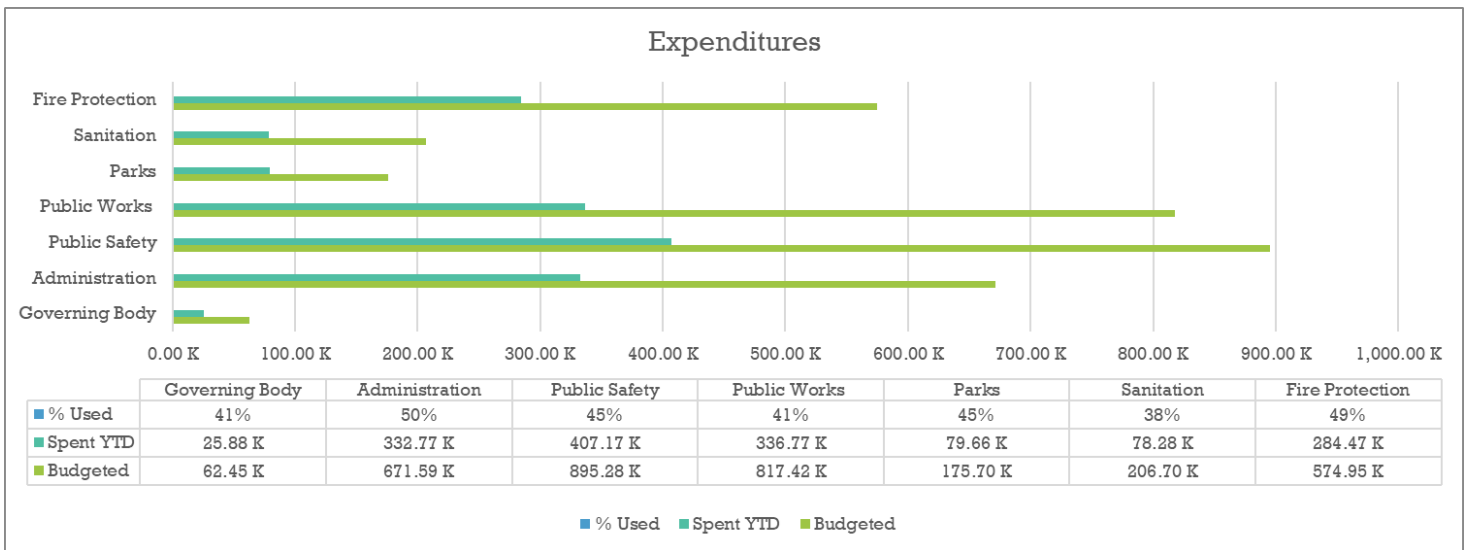
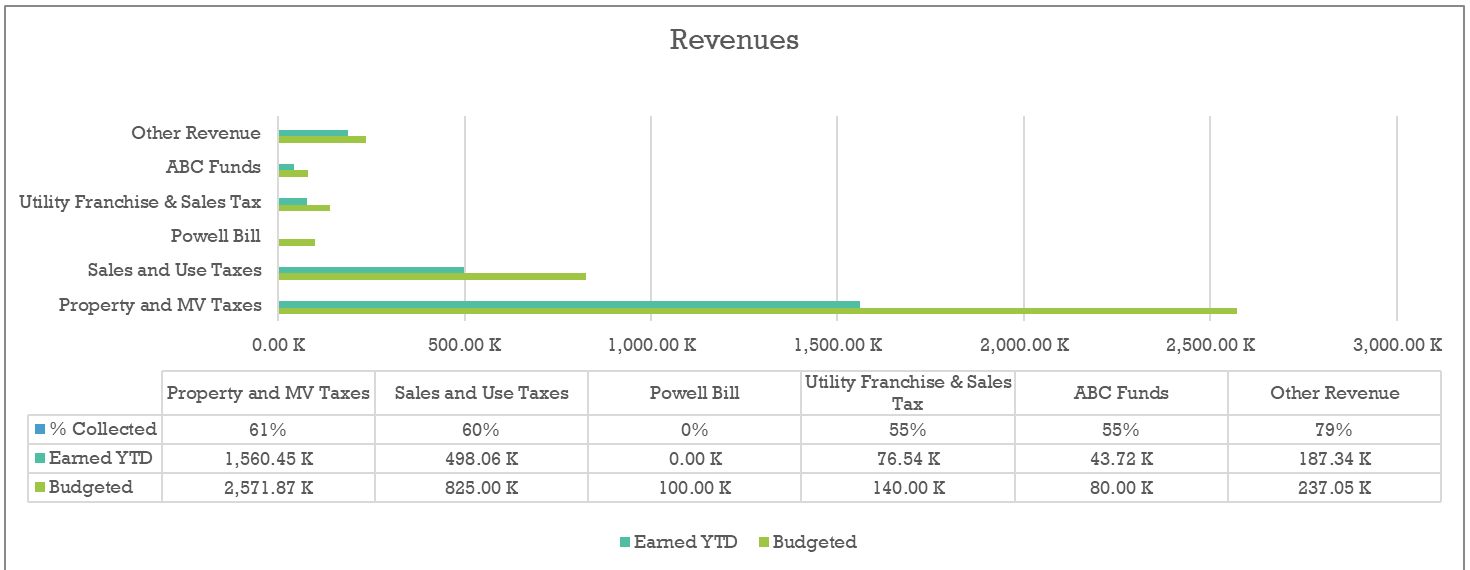
Staff requests the Town Council review the consent agenda.

**Suggested Motion:**

Move to approve the consent agenda.



# December Monthly Report



## Tax Collector's Report (December 31, 2023)

For prior year taxes, a total of \$30,342.28 remains outstanding. The Town received \$566,838.86 from Henderson County for property taxes collected for August and a total of \$2,158,498.69 since the 2023 bills were mailed. The 2023 tax levy is \$2,571,274.14. The Town currently has a collection rate of 84.167%.



## Planning & Zoning

### Status of Single Family Residential Dwellings (SFRD)

2021-19	212 Beechwood	Jennifer Yost	UC
2022-1	312 Daniel Dr.	Chris St. Onge	UC
2022-23	74 Indian Woods Trl	Jon Skillman	UC
2022-31	10 Fawn Turn Ln	Sigfrid Della Valle	UC
2022-38	209 Ficker Cir.	Sarah Adams	UC
2022-44	945 Somersby Pkwy.	Matt Padula	UC
2023-4	200 Rowland Dr.	Loyd Alexander	LPZCP
2023-5	PIN# 9548467175/Clays Cv.	Josh Youngblood	LPZCP
2023-29	PIN# 9558252937 (9558262012)	Chris Brock	UC

### Status Legend

LPZCP = Laurel Park Zoning Compliance Permit	HCBP = Henderson County Building Permit
UC = Under Construction	NC = Nearly Complete

### Monthly Permits Other Than SFRD

Deck	0
Sign	0
Fence	0
Additions or Remodel	0
Accessory Use or Structure	0
<b>Total for December</b>	<b>0</b>



## TOWN OF LAUREL PARK AGENDA ITEM SUMMARY

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**Title of Item:** Tree City-Bee City Signs

**Presenter:** Town Manager Alex Carmichael

**Attachment(s):** Yes/No

**Summary of Item:**

At the December meeting the Council discussed the placement of the Bee City signs and decided that they are too big. A motion passed to approve the placement of the Bee City signs that are amended to be the same size as the Tree City signs on Laurel Park street signposts. The Bee City signs are 24" x 24". When inspecting the Tree City Signs, they were measured at 24" x 30."

The motion that was passed at the December meeting would actually have the Town installing larger signs than what are currently available. Staff recommends a new motion that would allow the Bee City signs to be posted as is.

**Council Action Requested:**

Discuss the Bee City and Tree City sign sizes.

**Suggested Motion:** Move to approve the placement of the 24" x 24" Bee City signs on Laurel Park street signposts.



**TOWN OF LAUREL PARK  
AGENDA ITEM SUMMARY**

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**Title of Item:** Renaming of Laurel Park Highway – Discussion only

**Presenter:** Mayor O’Cain

**Attachment(s):** Yes/**No**

**Summary of Item:**

The Council has received a request to consider renaming Laurel Park Highway from David Hartig. Mr. Hartig proposes “Laurel Park Parkway” as an alternative. He feels changing the name would help slowdown traffic and provide a residential and sophisticated connotation.

Renaming roads would have to be approved by the County Planning Department. Staff reached out to the County and learned that 101 addresses would have to be changed. A Public Hearing before the County Commissioners would have to be conducted before the County could act on it.

Mayor O’Cain and Commissioner Bridges have been working on a survey to gauge interest.

**Council Action Requested:**

Review and discuss proposal/survey to rename Laurel Park Highway.

**Suggested Motion:**

N/A



## TOWN OF LAUREL PARK AGENDA ITEM SUMMARY

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**Title of Item:** Public Hearing- UDO

**Presenter:** Chad Meadows, CodeWright Planning

**Attachment(s):** Yes/No

- UDOTA2-23

**Summary of Item:**

The Laurel Park Planning Board has recommended the following text amendments to the UDO:

Section 3.1, Sites with Slopes or Geologic Hazards, to authorize an applicant-prepared slope study that documents if a development is located outside steep or very steep slopes. Approval of a slope study waives the more restrictive dimensional requirements for steep and very steep slopes in Sections 2.5.3 (R-30), 2.6.3 (R-20), and 2.7.3 (OI District).

Section 10.2.9, Average Slope and Elevation, is revised to describe how a slope study is to be prepared. Section 10.3, Definitions, is revised to define slope study and land disturbance.

Sections 6.3.16, Site Plan, and 6.3.20, Variance, are revised to clarify the review process site plan approval when a variance is required, and that applications for a variance must include a plan depicting the necessary information.

A Public Hearing will be held to allow residents and concerned parties the opportunity to comment on the proposed changes. After the Public Hearing the Council may vote on the proposed changes.

**Council Action Requested:**

Conduct Public Hearing on proposed text amendments to the UDO. Then vote to approve, deny, or modify the recommendations.

**Suggested Motion:**

Move to approve/deny Text Amendment 2-23 1-16-24 to the Unified Development Ordinance as presented.

# UNIFIED DEVELOPMENT ORDINANCE

## Town of Laurel Park

Adopted: June 15, 2021

Effective Date: August 18, 2021

Last Amended: ~~August 15, 2023~~ [January 16, 2024](#)

# LAUREL PARK, NC

Town Council Meeting

UDO-TA-2-23

1.16.24



# OVERVIEW

- 6th amendment to UDO text
- Current UDO pages with proposed amendments provided (with changes tracked)
- Planning Board Review on 10.10.23

## TABLE OF AMENDMENTS

UDO AMENDMENTS		
ORDINANCE NUMBER	ADOPTION DATE	DESCRIPTION
UDO TA-1-21	11.16.21	<ul style="list-style-type: none"> <li>• Amendments to setbacks on lots with steep &amp; very steep slopes</li> <li>• Amendments to the number of allowable building stories in TC &amp; MM districts</li> <li>• Amendments to stormwater treatment on lots with steep and very steep slopes</li> <li>• Amendments to erosion control plan requirements, amendment to CO procedure related to new requirements for as-built plans, and amendments to alternative lot access provisions (requiring easements)</li> <li>• Amendments to streetscape buffers to differentiate only between local and all other streets</li> </ul>
UDO TA-1-22	5.17.22	<ul style="list-style-type: none"> <li>• Additional guidance regarding perimeter buffer requirements between the TC and MM districts</li> <li>• Minor changes to the required public notice table</li> </ul>
UDO TA-2-22	10.13.22	<ul style="list-style-type: none"> <li>• Amendments clarifying the review authority composition and member terms</li> </ul>
UDO TA 3-22	12.15.22	<ul style="list-style-type: none"> <li>• Revisions to the Steep and very steep slope standards for stormwater and sediment control</li> <li>• Incorporate Parks &amp; Greenway Board review into procedural flow charts</li> <li>• Clarify that a variance, if required, must be approved prior to a site plan and that variance applications require submittal of a site plan</li> <li>• Clarify fence heights are measured from the grade at the base of the fence</li> <li>• Remove references to temporary certificates of occupancy</li> <li>• Add a standard culvert size to driveway requirements</li> <li>• Clarify subdividers or developers are responsible for addressing sediment build-up in adjacent Town stormwater conveyances resulting from land disturbance</li> </ul>
UDO TA-1-23	8.15.23	<ul style="list-style-type: none"> <li>• Clarification of review procedure for site plans when variances are required</li> </ul>
<u>UDO TA 2-23</u>	<u>1.16.24</u>	<ul style="list-style-type: none"> <li>• <u>Allow applicants an option to prepare a study limiting slope determination solely to the proposed disturbed area</u></li> <li>• <u>Clarification of review procedure for site plans when variances are required</u></li> </ul>



# AMENDMENTS

1. Establishment of a Slope Study Option for lots with steep slopes where development is proposed away from sloped areas
2. Clarification of average, low, steep, & very steep slope definitions
3. Clarification of process for site plan review when a variance is also required



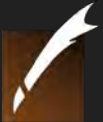
# SLOPE CHANGES BACKGROUND

1. 7.7.23 - UDOTA 1-23 proposed changes to §10.2.9, Slope and Elevation
2. 7.11.23 - Planning Board indicated concerns with slope determination approach
3. 8.15.23 - Town Council remanded changes to Planning Board for further discussion
4. 9.12.23 - Planning Board discussion
5. 10.10.23 - Planning Board approval of revisions



# Planning Board Direction from 9.12.23

1. Current calculation of average slope fails to address lots that have flat/flatter portions
2. Want to encourage development on flattest parts of lots
3. Apply the average slope standards in §10.2.9, but create an opportunity for an applicant to have slope study prepared that would permit them to avoid slope areas (and requirements)
4. *As drafted, amendment allows for preparation of slope study. If development subject to a slope study takes place outside steep/very steep slopes, it is exempted from slope standards and special dimensional requirements*
5. *If land disturbance takes place within a steep or very steep portion of a lot subject to a slope study, then the slope and dimensional requirements apply to the entire lot*



# CURRENT SLOPE STANDARDS

(§3.1.4 pg. 77)

- Creates slope study option
- Exempts land outside identified slope areas from slope standards (if using study option)
- Clarifies that if land disturbance takes place within designated slope area, must comply with all slope and dimensional standards

## 3.1.4: APPLICABILITY

### A: GENERALLY

- 1: The standards in this section shall apply to all lots or tracts with geologic hazards present as well as to lots or tracts with steep or very steep slopes on any portion of the lot or tract, whether such slopes existed prior to or after land-disturbing activity or grading.
- 2: Unless subject to a special study in accordance with Section 3.1.4:B: Subject to Slope Study, the presence of a geologic hazard, designation of a steep slope, or designation of a very steep slope shall apply to the entire lot, in accordance with this section and Section 10.2.9: Slope and Elevation.

### B: SUBJECT TO SLOPE STUDY

- 1: In cases where a lot is subject to the standards in this section, and the applicant seeks a professional engineer licensed by the State to prepare and seal a slope study indicating that only a portion of a lot has geologic hazards, a steep slope, or a very steep slope in accordance with Section 10.2.9: Slope and Elevation, then only those so-designated portions of the lot identified in the slope study as having geologic hazards, steep slopes, or very steep slopes shall be subject to the standards in Section 3.1.5: Standards, Section 3.2.6: Development on Steep Slopes or Sites with Geologic Hazards.
- 1:2: In cases where a lot is subject to a slope study that identifies portions of a lot as having a steep or very steep slope, as determined in accordance with Section 10.2.9: Slope and Elevation, and land disturbance is proposed within any portion of the lot identified as steep or very steep, then all development on the lot shall comply with the applicable dimensional requirements for the zoning district where located.
- 3: A driveway or site accessway may occupy up to five percent of a land disturbance area having a steep or very steep slope without triggering compliance with all applicable dimensional requirements identified in sub-section (2) above. However, in such instances, all required site plans shall be supplemented with sealed engineering studies or plans documenting how stormwater runoff from the driveway or site accessway within the steep or very steep portion of the land disturbance area will be addressed.

## 3.1.5: STANDARDS

Land or development subject to these standards shall comply with the following:



# CURRENT SLOPE STANDARDS

(§3.1.4 pg. 77)

- Planning Board added the possibility for a driveway or site accessway to occupy up to 5% of the total land disturbance area within a steep or very steep slope without triggering full compliance with the higher dimensional requirements; subject to engineering studies documenting how stormwater runoff from the driveway will be addressed

## 3.1.4: APPLICABILITY

### A: GENERALLY

- 1: The standards in this section shall apply to all lots or tracts with geologic hazards present as well as to lots or tracts with steep or very steep slopes on any portion of the lot or tract, whether such slopes existed prior to or after land-disturbing activity or grading.
- 2: Unless subject to a special study in accordance with Section 3.1.4:B: Subject to Slope Study, the presence of a geologic hazard, designation of a steep slope, or designation of a very steep slope shall apply to the entire lot, in accordance with this section and Section 10.2.9: Slope and Elevation.

### B: SUBJECT TO SLOPE STUDY

- 1: In cases where a lot is subject to the standards in this section, and the applicant seeks a professional engineer licensed by the State to prepare and seal a slope study indicating that only a portion of a lot has geologic hazards, a steep slope, or a very steep slope in accordance with Section 10.2.9: Slope and Elevation, then only those so-designated portions of the lot identified in the slope study as having geologic hazards, steep slopes, or very steep slopes shall be subject to the standards in Section 3.1.5: Standards, Section 3.2.6: Development on Steep Slopes or Sites with Geologic Hazards.
- 1:2: In cases where a lot is subject to a slope study that identifies portions of a lot as having a steep or very steep slope, as determined in accordance with Section 10.2.9: Slope and Elevation, and land disturbance is proposed within any portion of the lot identified as steep or very steep, then all development on the lot shall comply with the applicable dimensional requirements for the zoning district where located.
- 3: A driveway or site accessway may occupy up to five percent of a land disturbance area having a steep or very steep slope without triggering compliance with all applicable dimensional requirements identified in sub-section (2) above. However, in such instances, all required site plans shall be supplemented with sealed engineering studies or plans documenting how stormwater runoff from the driveway or site accessway within the steep or very steep portion of the land disturbance area will be addressed.

## 3.1.5: STANDARDS

Land or development subject to these standards shall comply with the following:



# CURRENT R-30 DISTRICT STANDARDS

(§2.5.3 p. 48-49)

## 2.5: R-30 RESIDENTIAL LOW DENSITY DISTRICT

### 2.5.1: PURPOSE AND INTENT

The R-30 district is designated primarily for single-family detached residential development on individual lots with a minimum of 30,000 square feet. The areas of Laurel Park designated for the R-30 district are generally characterized as areas with steeper slopes, limited access to public sewer, limited road access, watershed restrictions, and established patterns of lower density development.

### 2.5.2: TYPICAL FORMS OF DEVELOPMENT



### 2.5.3: DIMENSIONAL STANDARDS

Requirement	Lots with <u>Land Disturbance on Low Slopes</u> (less than 15%)	Lots with <u>Land Disturbance on Steep Slopes</u> (15% to 25%) <sup>/1/</sup>	Lots with <u>Land Disturbance on Very Steep Slopes</u> (25% or more) <sup>/1/</sup>
Maximum Residential Density (units/acre)	1.45 <sup>/2/</sup>	1.22	1.0
Minimum Lot Area (sq. ft.)	30,000 <sup>/3/</sup>	35,500 <sup>/34/</sup>	43,560 <sup>/34/</sup>
Maximum Impervious Cover (% of lot area)	40	35	30
Minimum Lot Width (feet) <sup>/45/</sup>	100	90	80
Minimum Street Setback (feet) <sup>/55/</sup> <small>(AMENDED 11-16-21 UDOT/AT 21)</small>	Principal Structure	35	40 <sup>/67/</sup>
	Accessory Structure <sup>/78/</sup>	35	40
Minimum Side Setback (feet) <sup>/65/</sup> <small>(AMENDED 11-16-21 UDOT/AT 21)</small>	Principal Structure	25	35
	Accessory Structure <sup>/78/</sup>	10	15
Minimum Rear Setback (feet)	Principal Structure	25	35
	Accessory Structure <sup>/78/</sup>	10	15
Minimum Spacing Between Principal Structure and Detached Accessory Structure (feet)	In accordance with State Building Code and applicable fire codes		
Maximum Building Height (stories) (feet)	Principal Structure	3  35	3  35
	Accessory Structure	2  20	2  20

## CHAPTER 2: DISTRICTS

### SECTION 2.5: R-30 RESIDENTIAL LOW DENSITY DISTRICT

### 2.5.3: DIMENSIONAL STANDARDS

Minimum Open Space Set-Aside (% of total development size)	Residential Uses <sup>/89/</sup>	10	12 <sup>/910/</sup>	15 <sup>/910/</sup>
	All Other Allowable Uses	5	7 <sup>/910/</sup>	10 <sup>/910/</sup>

#### NOTES:

<sup>/1/</sup> The standards in this column shall apply in cases where a lot has an average slope considered steep or very steep in accordance with Section 10.2.9: Average Slope and Elevation. The standards in this column shall also apply in cases where a lot is subject to a slope study prepared in accordance with Section 3.1.4-B: Subject to Slope Study, and land disturbance is proposed within any portion of the lot designated as steep or very steep by the slope study.

<sup>/2/</sup> May be increased to 2.0 for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance.

<sup>/32/</sup> May be reduced to 21,780 square feet for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance provided compliance with all applicable Henderson County Health Department requirements is maintained.

<sup>/42/</sup> May be reduced to 30,000 square feet for lots of record lawfully established prior to the effective date of this Ordinance.

<sup>/54/</sup> Measured at the interior edge of the front setback.

<sup>/65/</sup> 50 feet from an arterial or thoroughfare street right-of-way.

<sup>/76/</sup> May be reduced to 25 feet when necessary to minimize erosion, sedimentation, or land disturbance. The rear or alternate side setback, as appropriate, shall be increased by an amount corresponding to the reduction in the street setback.

<sup>/87/</sup> Except for fences, walls, and features identified in Section 2.4.8: Allowable Encroachments into Setbacks, detached accessory structures shall not be located between the primary front façade of the principal structure and a street setback line.

<sup>/98/</sup> Minimum setback increases by two feet for every foot in height beyond 8 feet.

<sup>/109/</sup> At least 50 percent of the open space set-aside shall be configured for active recreation.

<sup>/10/</sup> Applied based on the average grade of the development.

- Clarifies that if land disturbance takes place within designated slope area, must comply with all slope and dimensional standards

# CURRENT R-20 DISTRICT STANDARDS

(§2.6.3 p. 50-51)

## 2.6: R-20 MODERATE DENSITY RESIDENTIAL DISTRICT

### 2.6.1: PURPOSE AND INTENT

The R-20 district is designated primarily for single-family detached residential development on individual lots with a minimum of 20,000 square feet.

### 2.6.2: TYPICAL FORMS OF DEVELOPMENT



### 2.6.3: DIMENSIONAL STANDARDS

Requirement	Lots with <u>Land Disturbance on Low Slopes</u> (less than 15%)	Lots with <u>Land Disturbance on Steep Slopes</u> (15% to 25%) <u>/1/</u>	Lots with <u>Land Disturbance on Very Steep Slopes</u> (25% or more) <u>/1/</u>
Maximum Residential Density (units/acre)	2.17 <u>/42/</u>	2.0	1.75
Minimum Lot Area (sq. ft.) <u>/23/</u>	20,000 <u>/34/</u>	21,750 <u>/45/</u>	25,000 <u>/45/</u>
Maximum Impervious Cover (% of lot area)	45	40	35
Minimum Lot Width (feet) <u>/56/ /67/</u>	80	70	70
Minimum Street Setback (feet) <u>/78/</u> <small>(AMENDED 11-16-21 UDOTA1-21)</small>	Principal Structure	30	35 <u>/89/</u>
	Accessory Structure <u>/310/ /4011/</u>	30	35
Minimum Side Setback (feet)	Principal Structure	20	25
	Accessory Structure <u>/4011/</u>	10	15
Minimum Rear Setback (feet)	Principal Structure	20	25
	Accessory Structure <u>/4011/</u>	10	15
Minimum Spacing Between Principal Structure and Detached Accessory Structure (feet)	In accordance with State Building Code and applicable fire codes		
Maximum Building Height (stories) (feet)	Principal Structure	3  35	3  35
	Accessory Structure	2  20	2  20
Minimum Open Space Set-Aside	Residential Uses <u>/412/</u>	10	12 <u>/4213/</u>

## CHAPTER 2: DISTRICTS

### SECTION 2.6: R-20 MODERATE DENSITY RESIDENTIAL DISTRICT

### 2.6.3: DIMENSIONAL STANDARDS

(% of total dev. size)	All Other Allowable Uses	5	7 <u>/4213/</u>	10 <u>/4213/</u>
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#### NOTES:

/1/ The standards in this column shall apply in cases where a lot has an average slope considered steep or very steep in accordance with Section 10.2.9: Average Slope and Elevation. The standards in this column shall also apply in cases where a lot is subject to a slope study prepared in accordance with Section 3.1.4.8: Subject to Slope Study, and land disturbance is proposed within any portion of the lot designated as steep or very steep by the slope study.

/2/ May be increased to 2.5 for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance.

/32/ Any allowable uses other than a single-family detached dwelling require an additional 10,000 square feet per lot. /44/ May be reduced to 17,420 square feet for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance provided compliance with all applicable Henderson County Health Department requirements is maintained.

/54/ May be reduced to 20,000 square feet for single-family detached dwellings on lots of record lawfully established prior to the effective date of this Ordinance.

/65/ Measured at the interior edge of the front setback.

/76/ Increase by 10 feet any other allowable uses other than a single-family detached dwelling.

/87/ 50 feet from an arterial or thoroughfare street right-of-way.

/94/ May be reduced to 25 feet when necessary to minimize erosion, sedimentation, or land disturbance. The rear or alternate side setback, as appropriate, shall be increased by an amount corresponding to the reduction in the street setback.

/104/ Except for fences, walls, and features identified in Section 2.4.8: Allowable Encroachments into Setbacks, accessory structures shall not be located between the primary front façade of the principal structure and a street setback line.

/114/ Minimum setback increases by two feet for every foot in height beyond 8 feet.

/124/ At least 50 percent of the open space set-aside shall be configured for active recreation.

/134/ Applied based on the average grade of the development.

- Clarifies that if land disturbance takes place within designated slope area, must comply with all slope and dimensional standards



# CURRENT OI DISTRICT STANDARDS

(§2.7.3 p. 52-53)

## 2.7: OI OFFICE INSTITUTIONAL DISTRICT

### 2.7.1: PURPOSE AND INTENT

The Office Institutional (OI) district is established to accommodate civic and institutional uses in high quality single-building and multi-building developments. The OI district also serves as a transition area between higher intensity commercial and mixed-use developments and nearby lower density single-family residential neighborhoods.

### 2.7.2: TYPICAL FORMS OF DEVELOPMENT



### 2.7.3: DIMENSIONAL STANDARDS

Requirement	Lots with <u>Land Disturbance on Low Slopes</u> (less than 15%)	Lots with <u>Land Disturbance on Steep Slopes</u> (15% to 25%) <u>/1/</u>	Lots with <u>Land Disturbance on Very Steep Slopes</u> (25% or more) <u>/1/</u>
Maximum Residential Density (units/acre)	None	None	None
Minimum Lot Area (sq. ft.)	20,000	21,750	25,000
Maximum Impervious Cover (% of lot area)	55	45	40
Minimum Lot Width (feet) <u>/2/</u> <u>/23/</u>	80	70	70
Minimum Street Setback (feet)	Principal Structure	30	40
	Accessory Structure <u>/4/</u>	30 <u>/3/</u>	35 <u>/3/</u>
Minimum Side Setback (feet)	Principal Structure	20	30
	Accessory Structure <u>/45/</u>	10	20
Minimum Rear Setback (feet)	Principal Structure	20	30
	Accessory Structure <u>/45/</u>	10	20
Minimum Spacing Between Principal Structure and Detached Accessory Structure (feet)	In accordance with State Building Code and applicable fire codes		
Maximum Building Height (stories) feet	Principal Structure	3  35	3  35
	Accessory Structure	2  20	2  20

## CHAPTER 2: DISTRICTS

### SECTION 2.7: OI OFFICE INSTITUTIONAL DISTRICT

### 2.7.3: DIMENSIONAL STANDARDS

Minimum Open Space Set-Aside (% of total dev. size)	5	7 <u>/56/</u>	10 <u>/56/</u>
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#### NOTES:

/1/ The standards in this column shall apply in cases where a lot has an average slope considered steep or very steep in accordance with Section 10.2.9: Average Slope and Elevation. The standards in this column shall also apply in cases where a lot is subject to a slope study prepared in accordance with Section 3.1.4.B: Subject to Slope Study, and land disturbance is proposed within any portion of the lot designated as steep or very steep by the slope study.

/2/ Measured at the interior edge of the street setback.

/3-4/ Increase by 10 feet for allowable uses other than a single-family detached dwelling.

/4/ Except for fences, walls, and features identified in Section 2.4.8: Allowable Encroachments into Setbacks, accessory structures shall not be located between the primary front façade of the principal structure and a street setback line.

/45/ Minimum setback increases by two feet for every foot in height beyond 8 feet.

/56/ At least 50 percent of the open space set-aside shall be configured for passive recreation; the balance may be configured as urban or active.

- Clarifies that if land disturbance takes place within designated slope area, must comply with all slope and dimensional standards

# AVERAGE SLOPE DETERMINATION

(§10.2.9 p. 371-372)

- Applicants must use average slope method in UDO or obtain slope study
- Only by a professional PE
- Report + map showing slope areas + methodology
- If have slope study, must show slope areas on all subsequent applications
- Areas excluded from slope study subject to slope determination method in UDO
- Slopes defined

## 10.2.8: LOT COVERAGE

Lot coverage is the percentage of a lot or development site that is covered by buildings or roof structures, excluding allowed projecting eaves and balconies.

## 10.2.9: AVERAGE SLOPE AND ELEVATION

### A: AVERAGE SLOPE

The degree of deviation of the ground surface from a flat, horizontal elevation, usually expressed in percent or degrees of deviation from horizontal (see Figure 10.2.9: Slope). The average slope of a lot may shall be determined using the following approach:

$$0.33 \times 100 = 33\% \text{ slope}$$

### 2: DETERMINING SLOPE BASED ON SLOPE STUDY OPTION

a: As an alternative to use of the methodology in sub-section (1) above, an applicant may have a slope study prepared by a professional engineer licensed by the State for all or a portion of the lot in accordance with Section 3.1.4:B: Subject to Slope Study.

b: Use of the slope study option shall result in a sealed report and corresponding map of the lot(s) that indicates the average slope throughout the lot, with all areas of low slope, steep slope, and very steep slope indicated on the map.

c: The slope study shall also include the methodology used by the preparer in determination of average slope.

d: Lots subject to a slope study shall include the demarcated slope area designations and the total limits of land disturbance on all site plans, preliminary and final plats, plot plans, and site sketches submitted for the purposes of review under this Ordinance.

e: Average slopes on any portion of a lot subject to a slope study, but not included in the slope study, shall be determined in accordance with Section 10.2.9:A:1: Determining Average Slope Based on Topographic Contours.

### B: LOW SLOPE DEFINED

The portion of a lot, tract, or site that has a natural or man-made slope of 15 percent or less, determined in accordance with this section.

### B:C: STEEP SLOPE DEFINED

The portion of a lot, tract, or site that has a natural or man-made slope exceeding 15 percent but less than 25 percent, determined in accordance with this section. If any portion of a lot has a pre-development slope between 15 percent and 24.99 percent, the entire lot shall be considered as a lot with a steep slope.

### C:D: VERY STEEP SLOPE DEFINED

The portion of a lot, tract, or site that has a natural or man-made slope of 25 percent or more, determined in accordance with this section. If any portion of a lot has a pre-development slope of 25 percent or more, the entire lot shall be considered as a lot with a very steep slope.

### D:F: BASE FLOOD ELEVATION (BFE)



# ADDITIONAL DEFINITIONS

(§10.3 pp. 404 & 424)

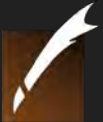
- Defines “land disturbance” – impervious, semi-impervious, soil movement, land with CRZ of removed trees
- Defines Slope Study – report, map, methodology, by professional PE

CHAPTER 10: WORD USAGE	
SECTION 10.3: DEFINITIONS	
INVASIVE SPECIES	A plant species identified as noxious or dangerous by the Town or other governmental agency.
ITINERANT MERCHANT SALES	An individual or business offering goods or services for sale at retail to members of the general public either in their homes, their place of business, or from a vehicle on a lot with an established use or a vacant lot.
	J
	K
	L
LAKE OR NATURAL WATERCOURSE	Any stream, river, brook, swamp, sound, bay, creek, run, branch, canal, waterway, estuary, and any reservoir, lake or pond, natural or impounded, in which sediment may be moved or carried in suspension, and which could be damaged by accumulation of sediment.
<b>LAND DISTURBANCE</b>	<u>For the purposes of determination of how zoning district dimensional standards apply to development on a lot with geologic hazards, steep slopes, or very steep slopes, land disturbance shall mean any area of impervious or semi-impervious surface, any area where soil has been or will be disturbed as a part of development, and all locations located within the critical root zones of trees that are proposed to be removed from a site as part of development.</u>
LAND-DISTURBING ACTIVITY	Any use of the land by any person in residential, industrial, educational, institutional, or commercial development, highway and road construction
SITE SKETCH	See “Plan, Plot.”
<b>SLOPE STUDY</b>	<u>A study consisting of a written report and accompanying map prepared by a professional engineer licensed by the State that designates the average slope of one or more portions of a lot, and how average slope was determined.</u>
SLOPE, LOW	See Section 10.2.9: Slope and Elevation.
SLOPE, STEEP	See Section 10.2.9: Slope and Elevation.



# AMENDMENTS

1. Establishment of a Slope Study Option for lots with steep slopes where development is proposed away from sloped areas
2. Clarification of average, low, steep, & very steep slope definitions
3. Clarification of process for site plan review when a variance is also required



# SITE PLAN/ VARIANCE BACKGROUND

1. 6.15.21 - UDO adopted with requirement for variance to be approved before a site plan
2. 1.23 - Training with BOA started in Jan 2023; concerns expressed about timing
3. 7.11.23 – UDOTA1-23 revisions to site plan & variance language
4. 8.15.23 – UDOTA1-23 approved with new language requiring variances to include a site plan
5. 9.25.23 – Discussion with staff (site plan/variance not incorporated into UDOTA 2-23 consideration by Planning Board on 10/10/23)
6. 11.16.23 – Joint meeting with Planning Board and BOA to discuss the issue
7. 12.14.23- UDOTA 2-23 language appended to include new amendments



# Planning Board/BOA Direction from 11.16.23

1. Remove statement in site plan procedure requiring variance to be decided before site plan
2. Planning Board to review, but not decide applications for site plans that require a variance
3. BOA will review and decide variance; variance application must include all the information necessary to determine if the application meets the review criteria
4. Planning Board will then decide site plan application
5. Added clarification that when site plan applications include an administrative adjustment request, the adjustment request shall be decided by staff prior to decision on the site plan by Planning Board



# SITE PLAN PROCEDURE (§6.3.16 p. 198-199)

- Removal of language about prior variance approval
- Indicates Planning Board will review, but not decide, site plans that require a variance
- BOA will decide variance after initial Planning Board review
- Planning Board will make final decision on site plan after BOA decides variance

## B: APPLICABILITY

Except for development exempted from site plan review in accordance with Section 6.3.16:C: Exemptions, all forms of development that involve construction, moving, or significant alteration of a building or habitable structure, that result in the increase in the amount of impervious surface on a lot, or that involve the provision of landscaping, off-street parking, stormwater control mechanisms, or similar site features shall be subject to site plan review in accordance with this section. ~~In cases where a site plan requires approval of a variance or administrative adjustment, the variance or administrative adjustment shall be reviewed and decided prior to review of the site plan.~~ (AMENDED 8-15-22 UDOTA 1-23)

## C: EXEMPTIONS

- 1: The following forms of development are exempted from site plan review, but may require a plot plan and shall be subject to the standards in Section 6.3.22: Zoning Compliance Permit, and Section 6.3.4: Building Permit, as appropriate:
  - a: Construction of a single-family detached dwelling on its own individual lawfully established lot provided the lot does not have geologic hazards, steep slopes, or very steep slopes;
  - b: Establishment of an accessory use or structure on a single-family residential lot with a lawfully established principal use; and
  - c: Interior up-fits or changes to a lawfully established non-residential structure or use type that do not result in the need for additional off-street parking spaces, additional screening or landscaping, differing stormwater practices, or any changes to the amount of impervious surface cover.
- 2: In cases where a single-family detached dwelling is proposed on a lot that has geologic hazards, steep slopes, or very steep slopes, site plan review in accordance with this procedure shall be required. (AMENDED 12-15-22 UDOTA 3-22)

## D: PROCEDURE

Except as described below, site plan applications shall be reviewed and decided by the Planning Board in accordance with Figure 6.3.16, Site Plan Procedure.

- 1: In cases where an application for site plan approval also requires approval of a variance in accordance with Section 6.3.20: Variance, the Planning Board shall review the site plan application prior to consideration of the variance by the Board of Adjustment, but the Planning Board shall not decide the site plan application until after any required variances have been approved by the Board of Adjustment.

2	File Application See Section 6.2.6: Application Filing and Acceptance
3	Determination of Completeness See Section 6.2.6F: Determination of Application Completeness
4	Staff Review and Recommendation See Section 6.2.8: Staff Review and Action  Includes consideration of tree retention aspects
5	Parks and Greenways Board Review and Comment For impacts on tree protection, parks, and greenways
6	Planning Board Review and Decision See Section 6.2.10: Public Meetings and Hearings
7	Written Notification of Decision See Section 6.2.12: Written Notice of Decision

# SITE PLAN PROCEDURE

(§6.3.16 p. 198-199)

- Additional clarity regarding timing of administrative adjustment
- To be decided by staff prior to site plan decision by Planning Board

**CHAPTER 6: PROCEDURES**

**SECTION 6.3: DEVELOPMENT APPLICATION PROCEDURES**

2: In cases where an application for a site plan approval is accompanied by a request for an administrative adjustment in accordance with Section 6.3.2: Administrative Adjustment, the administrative adjustment request shall be decided by the Town Manager before the site plan application is decided by the Planning Board.

**D:E: REVIEW CRITERIA**

Following a public meeting, a site plan shall be approved by the Planning Board, provided the application complies with:

- 1: All standards or conditions of any prior permits or development approvals;
- 2: The applicable street addressing policies of the Town and the County, and that the street address of all lots are clearly identified on the site plan;
- 3: Any applicable concept plans, master plans, or terms and conditions;
- 4: All applicable requirements of this Ordinance, including zoning district requirements in Chapter 2: Districts, environmental requirements in Chapter 3: Environment, use provisions in Chapter 4: Land Uses, development standards in Chapter 7: Standards, and subdivision and infrastructure requirements in Chapter 8: Subdivisions; and
- 5: All applicable County, State, and federal requirements.

**E:F: EFFECT**

1: CONSTRUCTION PLANS





# VARIANCE PROCEDURE

(§6.3.20 p. 207)

- Clarification regarding required site plan content
- Clarification regarding Planning Board's prior review of site plan in cases where a variance application is associated with a site plan application

## 6.3.20: VARIANCE

### A: PURPOSE AND INTENT

The purpose of this section is to allow deviations from certain standards of this Ordinance when the landowner demonstrates that, owing to special circumstances or conditions beyond the landowner's control (such as topographical conditions, narrowness, shallowness, or shape of a specific parcel of land), a literal application of the standards would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest. This section also includes variance provisions for reasonable accommodation of persons with physical disabilities and variances pertaining to the Town's special flood hazard area requirements, water supply watershed protection standards, and stormwater provisions.

### B: APPLICABILITY

- 1: Development that would otherwise be subject to undue and unique hardship from the applications of the standards in this Ordinance may seek relief from the standards in accordance with this section.
- 2: No variance may be sought that increases development density (e.g., units per acre) beyond that allowed in a base zoning district, or that would permit a use not allowed in a zoning district.
- 3: Applications seeking variance from the watershed protection standards applicable in the WPO districts shall be filed and considered in accordance with this section and Section 2.12.2.L: Variance from Watershed Standards.
- 4: Applications for a variance shall require include submittal of a site plan depicting all the information necessary for the Board of Adjustment to determine if the application meets the applicable review criteria.

(AMENDED 8-15-22 UDOTA 1-23)

- 5: In cases where a variance application is associated with a separate site plan application filed in accordance with Section 6.3.16: Site Plan, the Planning Board shall review the site plan application in accordance with the standards and procedures in Section 6.3.16: Site Plan, before the Board of Adjustment considers the associated variance request, but shall not render a decision on the site plan until after any associated variance applications have been decided in accordance with the standards of this section.

### C: DECISION

- 1: In cases where a development application (e.g., a site plan) requires approval of a variance, the variance shall be reviewed and decided prior to review of other aspects of the development application.

(AMENDED 8-15-22 UDOTA 1-23)

FIGURE 6.3.20: VARIANCE  
PROCEDURE

(AMENDED 8-15-22 UDOTA 1-23)

STEP	ACTION
1	Pre-Application Conference See Section 6.2.4: Pre-Application Conference
2	File Application See Section 6.2.6: Application Filing and Acceptance  Variance applications shall require submittal of a site plan
3	Determination of Completeness See Section 6.2.6F: Determination of Application Completeness
4	Staff Review See Section 6.2.8: Staff Review and Action
5	Public Hearing Scheduled
6	Public Notification See Section 6.2.9: Public Notification
7	Board of Adjustment Review and Decision See Section 6.2.10: Public Meetings and Hearings
8	Written Notification of Decision See Section 6.2.12: Written Notice of Decision
9	Recordation



# UDOTA 2-23

## NEXT STEPS

1. Discussion, as appropriate
2. Public hearing with Town Council (today)
3. Accept Redlines, add Editor's Notes, Update Footer
4. Post new UDO

### UNIFIED DEVELOPMENT ORDINANCE

#### Town of Laurel Park

Adopted: June 15, 2021

Effective Date: August 18, 2021

Last Amended: ~~August 14~~ November 16, 2023



## ORDINANCE NO. UDOTA 2-23

### AN ORDINANCE AMENDING THE TOWN OF LAUREL PARK UNIFIED DEVELOPMENT ORDINANCE

**WHEREAS**, the Town of Laurel Park Planning Board has recommended a text amendment to the Town of Marshall Unified Development Ordinance; and

**WHEREAS**, after review and consideration of the proposed amendment, it is the desire of the Town Council of the Town of Laurel Park to approve the amendment as recommended.

**NOW, THEREFORE, BE IT ORDAINED BY THE TOWN COUNCIL OF THE TOWN OF LAUREL PARK, NORTH CAROLINA THAT:**

Section 2.5.3 DIMENSIONAL STANDARDS be amended as follows:

2.5.3: DIMENSIONAL STANDARDS				
Requirement		Lots with <u>Land Disturbance on</u> Low Slopes (less than 15%)	Lots with <u>Land Disturbance on</u> Steep Slopes (15% to 25%) <u>/1/</u>	Lots with <u>Land Disturbance on</u> Very Steep Slopes (25% or more) <u>/1/</u>
Maximum Residential Density (units/acre)		1.45 <u>/42/</u>	1.22	1.0
Minimum Lot Area (sq. ft.)		30,000 <u>/23/</u>	35,500 <u>/34/</u>	43,560 <u>/34/</u>
Maximum Impervious Cover (% of lot area)		40	35	30
Minimum Lot Width (feet) <u>/45/</u>		100	90	80
Minimum Street Setback (feet) <u>/56/</u> <small>(AMENDED 11-16-21 UDOTA1-21)</small>	Principal Structure	35	40 <u>/67/</u>	45 <u>/67/</u>
	Accessory Structure <u>/78/</u>	35	40	45
Minimum Side Setback (feet) <small>(AMENDED 11-16-21 UDOTA1-21)</small>	Principal Structure	25	35	40
	Accessory Structure <u>/78/</u>	10	15	20
Minimum Rear Setback (feet)	Principal Structure	25	35	45
	Accessory Structure <u>/78/</u>	10	15	20
Minimum Spacing Between Principal Structure and Detached Accessory Structure (feet)		In accordance with State Building Code and applicable fire codes		
Maximum Building Height (stories  feet)	Principal Structure	3  35	3  35	3  35
	Accessory Structure	2  20	2  20	2  20
Minimum Open Space Set-Aside (% of total development size)	Residential Uses <u>/89/</u>	10	12 <u>/910/</u>	15 <u>/910/</u>
	All Other Allowable Uses	5	7 <u>/910/</u>	10 <u>/910/</u>

### 2.5.3: DIMENSIONAL STANDARDS

NOTES:

~~/1/~~ The standards in this column shall apply in cases where a lot has an average slope considered steep or very steep in accordance with Section 10.2.9: Average Slope and Elevation. The standards in this column shall also apply in cases where a lot is subject to a slope study prepared in accordance with Section 3.1.4.B: Subject to Slope Study, and land disturbance is proposed within any portion of the lot designated as steep or very steep by the slope study.

~~/2/~~ May be increased to 2.0 for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance.

~~/3/~~ May be reduced to 21,780 square feet for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance provided compliance with all applicable Henderson County Health Department requirements is maintained.

~~/4/~~ May be reduced to 30,000 square feet for lots of record lawfully established prior to the effective date of this Ordinance.

~~/5/~~ Measured at the interior edge of the front setback.

~~/6/~~ 50 feet from an arterial or thoroughfare street right-of-way.

~~/7/~~ May be reduced to 25 feet when necessary to minimize erosion, sedimentation, or land disturbance. The rear or alternate side setback, as appropriate, shall be increased by an amount corresponding to the reduction in the street setback.

~~/8/~~ Except for fences, walls, and features identified in Section 2.4.8: Allowable Encroachments into Setbacks, detached accessory structures shall not be located between the primary front façade of the principal structure and a street setback line.

~~/9/~~ Minimum setback increases by two feet for every foot in height beyond 8 feet.

~~/10/~~ At least 50 percent of the open space set-aside shall be configured for active recreation.

~~/10/~~ Applied based on the average grade of the development.

Section 2.6.3 DIMENSIONAL STANDARDS be amended as follows:

### 2.6.3: DIMENSIONAL STANDARDS

Requirement	Lots with <u>Land Disturbance on Low Slopes</u> (less than 15%)	Lots with <u>Land Disturbance on Steep Slopes</u> (15% to 25%) <del>/1/</del>	Lots with <u>Land Disturbance on Very Steep Slopes</u> (25% or more) <del>/1/</del>
Maximum Residential Density (units/acre)	2.17 <del>/42/</del>	2.0	1.75
Minimum Lot Area (sq. ft.) <del>/23/</del>	20,000 <del>/34/</del>	21,750 <del>/45/</del>	25,000 <del>/45/</del>
Maximum Impervious Cover (% of lot area)	45	40	35
Minimum Lot Width (feet) <del>/55/ /67/</del>	80	70	70
Minimum Street Setback (feet) <del>/78/</del> <small>(AMENDED 11-16-21 UDOTA1-21)</small>	Principal Structure	30	35 <del>/89/</del>
	Accessory Structure <del>/910/ /4011/</del>	30	35
Minimum Side Setback (feet)	Principal Structure	20	25
	Accessory Structure <del>/4011/</del>	10	15
Minimum Rear Setback (feet)	Principal Structure	20	25
	Accessory Structure <del>/4011/</del>	10	15

2.6.3: DIMENSIONAL STANDARDS				
Minimum Spacing Between Principal Structure and Detached Accessory Structure (feet)		In accordance with State Building Code and applicable fire codes		
Maximum Building Height (stories  feet)	Principal Structure	3  35	3  35	3  35
	Accessory Structure	2  20	2  20	2  20
Minimum Open Space Set-Aside (% of total dev. size)	Residential Uses <del>/412/</del>	10	12 <del>/4213/</del>	15 <del>/4213/</del>
	All Other Allowable Uses	5	7 <del>/4213/</del>	10 <del>/4213/</del>
<p>NOTES:</p> <p><del>/1/</del> <u>The standards in this column shall apply in cases where a lot has an average slope considered steep or very steep in accordance with Section 10.2.9: Average Slope and Elevation. The standards in this column shall also apply in cases where a lot is subject to a slope study prepared in accordance with Section 3.1.4.B: Subject to Slope Study, and land disturbance is proposed within any portion of the lot designated as steep or very steep by the slope study.</u></p> <p><del>/2/</del> May be increased to 2.5 for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance.</p> <p><del>/32/</del> Any allowable uses other than a single-family detached dwelling require an additional 10,000 square feet per lot.</p> <p><del>/43/</del> May be reduced to 17,420 square feet for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance provided compliance with all applicable Henderson County Health Department requirements is maintained.</p> <p><del>/54/</del> May be reduced to 20,000 square feet for single-family detached dwellings on lots of record lawfully established prior to the effective date of this Ordinance.</p> <p><del>/65/</del> Measured at the interior edge of the front setback.</p> <p><del>/76/</del> Increase by 10 feet any other allowable uses other than a single-family detached dwelling.</p> <p><del>/87/</del> 50 feet from an arterial or thoroughfare street right-of-way.</p> <p><del>/98/</del> May be reduced to 25 feet when necessary to minimize erosion, sedimentation, or land disturbance. The rear or alternate side setback, as appropriate, shall be increased by an amount corresponding to the reduction in the street setback.</p> <p><del>/109/</del> Except for fences, walls, and features identified in Section 2.4.8: Allowable Encroachments into Setbacks, accessory structures shall not be located between the primary front façade of the principal structure and a street setback line.</p> <p><del>/119/</del> Minimum setback increases by two feet for every foot in height beyond 8 feet.</p> <p><del>/124/</del> At least 50 percent of the open space set-aside shall be configured for active recreation.</p> <p><del>/12/</del> <u>Applied based on the average grade of the development.</u></p>				

**Section 2.7.3 DIMENSIONAL STANDARDS be amended as follows:**

2.7.3: DIMENSIONAL STANDARDS			
Requirement	Lots with <u>Land Disturbance on Low Slopes</u> (less than 15%)	Lots with <u>Land Disturbance on Steep Slopes</u> (15% to 25%) <del>/1/</del>	Lots with <u>Land Disturbance on Very Steep Slopes</u> (25% or more) <del>/1/</del>

### 2.7.3: DIMENSIONAL STANDARDS

Maximum Residential Density (units/acre)		None	None	None
Minimum Lot Area (sq. ft.)		20,000	21,750	25,000
Maximum Impervious Cover (% of lot area)		55	45	40
Minimum Lot Width (feet) <del>/42/</del> <del>/23/</del>		80	70	70
Minimum Street Setback (feet)	Principal Structure	30	35	40
	Accessory Structure <del>/4/</del>	30 <del>/3/</del>	35 <del>/3/</del>	40 <del>/3/</del>
Minimum Side Setback (feet)	Principal Structure	20	25	30
	Accessory Structure <del>/45/</del>	10	15	20
Minimum Rear Setback (feet)	Principal Structure	20	25	30
	Accessory Structure <del>/45/</del>	10	15	20
Minimum Spacing Between Principal Structure and Detached Accessory Structure (feet)		In accordance with State Building Code and applicable fire codes		
Maximum Building Height (stories  feet)	Principal Structure	3  35	3  35	3  35
	Accessory Structure	2  20	2  20	2  20
Minimum Open Space Set-Aside (% of total dev. size)		5	7 <del>/56/</del>	10 <del>/56/</del>
<p>NOTES:</p> <p><del>/1/ The standards in this column shall apply in cases where a lot has an average slope considered steep or very steep in accordance with Section 10.2.9: Average Slope and Elevation. The standards in this column shall also apply in cases where a lot is subject to a slope study prepared in accordance with Section 3.1.4.B: Subject to Slope Study, and land disturbance is proposed within any portion of the lot designated as steep or very steep by the slope study.</del></p> <p><del>/2/ Measured at the interior edge of the street setback.</del></p> <p><del>/32/ Increase by 10 feet for allowable uses other than a single-family detached dwelling.</del></p> <p><del>/34/ Except for fences, walls, and features identified in Section 2.4.8: Allowable Encroachments into Setbacks, accessory structures shall not be located between the primary front façade of the principal structure and a street setback line.</del></p> <p><del>/45/ Minimum setback increases by two feet for every foot in height beyond 8 feet.</del></p> <p><del>/56/ At least 50 percent of the open space set-aside shall be configured for passive recreation; the balance may be configured as urban or active.</del></p>				

Section 3.1.4 APPLICABILITY be amended as follows:

#### 3.1.4: APPLICABILITY

##### A: GENERALLY

- 1: The standards in this section shall apply to all lots or tracts with geologic hazards present as well as to lots or tracts with steep or very steep slopes on any portion of the lot or tract, whether such slopes existed prior to or after land-disturbing activity or grading.
- 2: ~~Unless subject to a special study in accordance with Section 3.1.4.B: Subject to Slope Study, the presence of a geologic hazard, designation of a steep slope, or designation of a very steep slope shall apply to the entire lot, in accordance with this section and Section 10.2.9: Slope and Elevation.~~

## **B: SUBJECT TO SLOPE STUDY**

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- 1: In cases where a lot is subject to the standards in this section, and the applicant seeks a professional engineer licensed by the State to prepare and seal a slope study indicating that only a portion of a lot has geologic hazards, a steep slope, or a very steep slope in accordance with Section 10.2.9: Slope and Elevation, then only those so-designated portions of the lot identified in the slope study as having geologic hazards, steep slopes, or very steep slopes shall be subject to the standards in Section 3.1.5: Standards, Section 3.2.6: Development on Steep Slopes or Sites with Geologic Hazards.
- 2: In cases where a lot is subject to a slope study that identifies portions of a lot as having a steep or very steep slope, as determined in accordance with Section 10.2.9: Slope and Elevation, and land disturbance is proposed within any portion of the lot identified as steep or very steep, then all development on the lot shall comply with the applicable dimensional requirements for the zoning district where located.

Section 6.3.16 SITE PLAN be amended as follows:

### **6.3.16: SITE PLAN**

#### **D: PROCEDURE**

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Except as described below, site plan applications shall be reviewed and decided by the Planning Board in accordance with Figure 6.3.16, Site Plan Procedure.

1. In cases where an application for site plan approval also requires approval of a variance in accordance with Section 6.3.20: Variance, the Planning Board shall review the site plan application prior to consideration of the variance by the Board of Adjustment, but the Planning Board shall not decide the site plan application until after any required variances have been approved by the Board of Adjustment.
2. In cases where an application for a site plan approval is accompanied by a request for an administrative adjustment in accordance with Section 6.3.2: Administrative Adjustment, the administrative adjustment request shall be decided by the Town Manager before the site plan application is decided by the Planning Board.

#### **A:E: REVIEW CRITERIA**

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Following a public meeting, a site plan shall be approved by the Planning Board, provided the application complies with:

- 1:** All standards or conditions of any prior permits or development approvals;
- 2:** The applicable street addressing policies of the Town and the County, and that the street address of all lots are clearly identified on the site plan;
- 3:** Any applicable concept plans, master plans, or terms and conditions;
- 4:** All applicable requirements of this Ordinance, including zoning district requirements in Chapter 2: Districts, environmental requirements in Chapter 3: Environment, use provisions in Chapter 4: Land Uses, development standards in Chapter 7: Standards, and subdivision and infrastructure requirements in Chapter 8: Subdivisions; and
- 5:** All applicable County, State, and federal requirements.

**B:F:** EFFECT

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**1: CONSTRUCTION PLANS**

- a: Construction plans for all public improvements included with or filed subsequent to the site plan shall be approved prior to street and utility construction in accordance with the applicable Town standards.
- b: In the case of a multi-phase site plan, any street and utility construction plans shall include all improvements within a phase and all public improvements outside the phase but necessary to serve development within that phase.

**2: FEE-IN-LIEU OR PERFORMANCE GUARANTEES**

All public improvements and private site features shall be installed, inspected, and accepted by the Town or shall be the subject of an approved fee-in-lieu (see Section 6.3.9: Fee-in-Lieu), or be subject the requirements in Section 6.3.12: Performance Guarantee, prior to the issuance of a certificate of occupancy.

**3: AS-BUILT PLANS**

As-built plans for all public improvements shall be submitted in accordance with Section 6.3.12:l: As-Built Plans Required.

**C:G:** EXPIRATION

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If the work authorized by a site plan approval is not commenced within one year from the date of issuance, the approval shall become null and void.

Section 6.3.20 VARIANCE be amended as follows:

**6.3.20: VARIANCE**

**B: APPLICABILITY**

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- 1: Development that would otherwise be subject to undue and unique hardship from the applications of the standards in this Ordinance may seek relief from the standards in accordance with this section.
- 2: No variance may be sought that increases development density (e.g., units per acre) beyond that allowed in a base zoning district, or that would permit a use not allowed in a zoning district.
- 3: Applications seeking variance from the watershed protection standards applicable in the WPO districts shall be filed and considered in accordance with this section and Section 2.12.2:l: Variance from Watershed Standards.
- 4: Applications for a variance shall ~~require include~~ submittal of a site plan depicting all the information necessary for the Board of Adjustment to determine if the application meets the applicable review criteria.  
**(AMENDED 8-15-22 UDOTA 1-23)**
- 5: In cases where a variance application is associated with a separate site plan application filed in accordance with Section 6.3.16: Site Plan, the Planning Board shall review the site plan application in accordance with the standards and procedures in Section 6.3.16: Site Plan, before the Board of Adjustment considers the associated variance request, but shall not render a decision on the site plan until after any associated variance applications have been decided in accordance with the standards of this section.



Section 10.2.7 HEIGHT be amended as follows:

## 10.2.9: **AVERAGE SLOPE AND ELEVATION**

### A: **AVERAGE SLOPE**

The degree of deviation of the ground surface from a flat, horizontal elevation, usually expressed in percent or degrees of deviation from horizontal (see Figure 10.2.9: Slope). The average slope of a lot ~~may~~shall be determined using the following approach:

#### 1: **DETERMINING AVERAGE SLOPE BASED ON TOPOGRAPHIC CONTOURS**

- a: Identify the elevation (in AMSL) of the highest point of the lot and the lowest point of the lot (using a USGS 7.5 Minute Quadrangle Map or other recognized source of topographic contour lines).
- b: Subtract the lowest elevation number from the highest elevation number.
- c: Determine the distance (in feet) between the lowest and highest points on the lot.
- d: Divide the difference in elevation by the distance between the highest and lowest points.
- e: Multiply the quotient by 100 to derive the percentage slope of the lot.
- f: Disregard negative numbers.

*Example:*

*A hypothetical lot has a high point at 3,500 feet AMSL and a low point of 3,400 AMSL. There is 300 linear feet between the highest point of the lot and the lowest point of the lot. The slope of the lot is:*

$$3,500 - 3,400 = 100$$

$$100/300 = 0.33$$

$$0.33 \times 100 = 33\% \text{ slope}$$

#### 2: **DETERMINING SLOPE BASED ON SLOPE STUDY OPTION**

- a: As an alternative to use of the methodology in sub-section (1) above, an applicant may have a slope study prepared by a professional engineer licensed by the State for all or a portion of the lot in accordance with Section 3.1.4:B: Subject to Slope Study.
- b: Use of the slope study option shall result in a sealed report and corresponding map of the lot(s) that indicates the average slope throughout the lot, with all areas of low slope, steep slope, and very steep slope indicated on the map.
- c: The slope study shall also include the methodology used by the preparer in determination of average slope.
- d: Lots subject to a slope study shall include the demarcated slope area designations and the total limits of land disturbance on all site plans, preliminary and final plats, plot plans, and site sketches submitted for the purposes of review under this Ordinance.
- g:e: Average slopes on any portion of a lot subject to a slope study, but not included in the slope study, shall be determined in accordance with Section 10.2.9:A:1: Determining Average Slope Based on Topographic Contours.

### B: **LOW SLOPE DEFINED**

The portion of a lot, tract, or site that has a natural or man-made slope of 15 percent or less, determined in accordance with this section.

**B:C: STEEP SLOPE DEFINED**

The portion of a lot, tract, or site that has a natural or man-made slope exceeding 15 percent but less than 25 percent, determined in accordance with this section. ~~If any portion of a lot has a pre-development slope between 15 percent and 24.99 percent, the entire lot shall be considered as a lot with a steep slope.~~

**C:D: VERY STEEP SLOPE DEFINED**

The portion of a lot, tract, or site that has a natural or man-made slope of 25 percent or more, determined in accordance with this section. ~~If any portion of a lot has a pre-development slope of 25 percent or more, the entire lot shall be considered as a lot with a very steep slope.~~

**D:E: BASE FLOOD ELEVATION (BFE)**

- 1: A determination of the water surface elevations of the base flood as published in the flood insurance study.
- 2: When the BFE has not been provided for land within the special flood hazard area, it may be obtained from engineering studies available from a federal, State, or other source using FEMA approved engineering methodologies. This elevation establishes the Regulatory Flood Protection Elevation.

**E:F: FINISHED GRADE**

The established grade following grading, excavation, or other land-disturbing activity.

**F:G: NATURAL GRADE**

The level of the ground elevation prior to the commencement of development or land disturbing activity.

Section 10.3 DEFINITIONS be amended as follows:

SECTION 10.3: DEFINITIONS	
<b><u>LAND DISTURBANCE</u></b>	<u>For the purposes of determination of how zoning district dimensional standards apply to development on a lot with geologic hazards, steep slopes, or very steep slopes, land disturbance shall mean any area of impervious or semi-impervious surface, any area where soil has been or will be disturbed as a part of development, and all locations located within the critical root zones of trees that are proposed to be removed from a site as part of development.</u>
<b><u>SLOPE STUDY</u></b>	<u>A study consisting of a written report and accompanying map prepared by a professional engineer licensed by the State that designates the average slope of one or more portions of a lot, and how average slope was determined.</u>

This ordinance shall be in full force and effect from and after the date of its adoption.

Adopted and approved this January 16<sup>th</sup>, 2024.

ATTEST:

\_\_\_\_\_  
Tamara Amin, CMC

Town Clerk

\_\_\_\_\_  
J. Carey O’Cain

Mayor

# UNIFIED DEVELOPMENT ORDINANCE

## Town of Laurel Park

Adopted: June 15, 2021

Effective Date: August 18, 2021

Last Amended: ~~August 15, 2023~~ January 16, 2024

# TABLE OF AMENDMENTS

UDO AMENDMENTS		
ORDINANCE NUMBER	ADOPTION DATE	DESCRIPTION
UDO TA-1-21	11.16.21	<ul style="list-style-type: none"> <li>• Amendments to setbacks on lots with steep &amp; very steep slopes</li> <li>• Amendments to the number of allowable building stories in TC &amp; MM districts</li> <li>• Amendments to stormwater treatment on lots with steep and very steep slopes</li> <li>• Amendments to erosion control plan requirements, amendment to CO procedure related to new requirements for as-built plans, and amendments to alternative lot access provisions (requiring easements)</li> </ul>
UDO TA-1-22	5.17.22	<ul style="list-style-type: none"> <li>• Amendments to streetscape buffers to differentiate only between local and all other streets</li> <li>• Additional guidance regarding perimeter buffer requirements between the TC and MM districts</li> <li>• Minor changes to the required public notice table</li> </ul>
UDO TA-2-22	10.13.22	<ul style="list-style-type: none"> <li>• Amendments clarifying the review authority composition and member terms</li> </ul>
UDO TA 3-22	12.15.22	<ul style="list-style-type: none"> <li>• Revisions to the Steep and very steep slope standards for stormwater and sediment control</li> </ul>
UDO TA-1-23	8.15.23	<ul style="list-style-type: none"> <li>• Incorporate Parks &amp; Greenway Board review into procedural flow charts</li> <li>• Clarify that a variance, if required, must be approved prior to a site plan and that variance applications require submittal of a site plan</li> <li>• Clarify fence heights are measured from the grade at the base of the fence</li> <li>• Remove references to temporary certificates of occupancy</li> <li>• Add a standard culvert size to driveway requirements</li> <li>• Clarify subdividers or developers are responsible for addressing sediment build-up in adjacent Town stormwater conveyances resulting from land disturbance</li> </ul>
<u>UDO TA 2-23</u>	<u>12.14.23</u>	<ul style="list-style-type: none"> <li>• <u>Allow applicants an option to prepare a study limiting slope determination solely to the proposed disturbed area</u></li> <li>• <u>Clarification of review procedure for site plans when variances are required</u></li> </ul>

**2.5: R-30 RESIDENTIAL LOW DENSITY DISTRICT**

**2.5.1: PURPOSE AND INTENT**

The R-30 district is designated primarily for single-family detached residential development on individual lots with a minimum of 30,000 square feet. The areas of Laurel Park designated for the R-30 district are generally characterized as areas with steeper slopes, limited access to public sewer, limited road access, watershed restrictions, and established patterns of lower density development.

**2.5.2: TYPICAL FORMS OF DEVELOPMENT**



**2.5.3: DIMENSIONAL STANDARDS**

Requirement		Lots with <u>Land Disturbance on</u> Low Slopes (less than 15%)	Lots with <u>Land Disturbance on</u> Steep Slopes (15% to 25%) <u>/1/</u>	Lots with <u>Land Disturbance on</u> Very Steep Slopes (25% or more) <u>/1/</u>
Maximum Residential Density (units/acre)		1.45 <u>/42/</u>	1.22	1.0
Minimum Lot Area (sq. ft.)		30,000 <u>/23/</u>	35,500 <u>/34/</u>	43,560 <u>/34/</u>
Maximum Impervious Cover (% of lot area)		40	35	30
Minimum Lot Width (feet) <u>/45/</u>		100	90	80
Minimum Street Setback (feet) <u>/56/</u> <small>(AMENDED 11-16-21 UDOTA1-21)</small>	Principal Structure	35	40 <u>/67/</u>	45 <u>/67/</u>
	Accessory Structure <u>/78/</u>	35	40	45
Minimum Side Setback (feet) <small>(AMENDED 11-16-21 UDOTA1-21)</small>	Principal Structure	25	35	40
	Accessory Structure <u>/78/</u>	10	15	20
Minimum Rear Setback (feet)	Principal Structure	25	35	45
	Accessory Structure <u>/78/</u>	10	15	20
Minimum Spacing Between Principal Structure and Detached Accessory Structure (feet)		In accordance with State Building Code and applicable fire codes		
Maximum Building Height (stories  feet)	Principal Structure	3  35	3  35	3  35
	Accessory Structure	2  20	2  20	2  20

**2.5.3: DIMENSIONAL STANDARDS**

Minimum Open Space Set-Aside (% of total development size)	Residential Uses <del>/89/</del>	10	12 <del>/910/</del>	15 <del>/910/</del>
	All Other Allowable Uses	5	7 <del>/910/</del>	10 <del>/910/</del>

NOTES:

~~/1/~~ The standards in this column shall apply in cases where a lot has an average slope considered steep or very steep in accordance with Section 10.2.9: Average Slope and Elevation. The standards in this column shall also apply in cases where a lot is subject to a slope study prepared in accordance with Section 3.1.4.B: Subject to Slope Study, and land disturbance is proposed within any portion of the lot designated as steep or very steep by the slope study.

~~/2/~~ May be increased to 2.0 for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance.

~~/3/~~ May be reduced to 21,780 square feet for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance provided compliance with all applicable Henderson County Health Department requirements is maintained.

~~/4/~~ May be reduced to 30,000 square feet for lots of record lawfully established prior to the effective date of this Ordinance.

~~/5/~~ Measured at the interior edge of the front setback.

~~/6/~~ 50 feet from an arterial or thoroughfare street right-of-way.

~~/7/~~ May be reduced to 25 feet when necessary to minimize erosion, sedimentation, or land disturbance. The rear or alternate side setback, as appropriate, shall be increased by an amount corresponding to the reduction in the street setback.

~~/8/~~ Except for fences, walls, and features identified in Section 2.4.8: Allowable Encroachments into Setbacks, detached accessory structures shall not be located between the primary front façade of the principal structure and a street setback line.

~~/9/~~ Minimum setback increases by two feet for every foot in height beyond 8 feet.

~~/10/~~ At least 50 percent of the open space set-aside shall be configured for active recreation.

~~/10/~~ Applied based on the average grade of the development.

**2.6: R-20 MODERATE DENSITY RESIDENTIAL DISTRICT**

**2.6.1: PURPOSE AND INTENT**

The R-20 district is designated primarily for single-family detached residential development on individual lots with a minimum of 20,000 square feet.

**2.6.2: TYPICAL FORMS OF DEVELOPMENT**



**2.6.3: DIMENSIONAL STANDARDS**

Requirement		Lots with <u>Land Disturbance on</u> Low Slopes (less than 15%)	Lots with <u>Land Disturbance on</u> Steep Slopes (15% to 25%) <u>/1/</u>	Lots with <u>Land Disturbance on</u> Very Steep Slopes (25% or more) <u>/1/</u>
Maximum Residential Density (units/acre)		2.17 <u>/42/</u>	2.0	1.75
Minimum Lot Area (sq. ft.) <u>/23/</u>		20,000 <u>/34/</u>	21,750 <u>/45/</u>	25,000 <u>/45/</u>
Maximum Impervious Cover (% of lot area)		45	40	35
Minimum Lot Width (feet) <u>/56/ /67/</u>		80	70	70
Minimum Street Setback (feet) <u>/78/</u> <small>(AMENDED 11-16-21 UDOTA1-21)</small>	Principal Structure	30	35 <u>/89/</u>	40 <u>/89/</u>
	Accessory Structure <u>/910/ /1011/</u>	30	35	40
Minimum Side Setback (feet)	Principal Structure	20	25	30
	Accessory Structure <u>/1011/</u>	10	15	20
Minimum Rear Setback (feet)	Principal Structure	20	25	30
	Accessory Structure <u>/1011/</u>	10	15	20
Minimum Spacing Between Principal Structure and Detached Accessory Structure (feet)		In accordance with State Building Code and applicable fire codes		
Maximum Building Height (stories  feet)	Principal Structure	3  35	3  35	3  35
	Accessory Structure	2  20	2  20	2  20
Minimum Open Space Set-Aside	Residential Uses <u>/1112/</u>	10	12 <u>/1213/</u>	15 <u>/1213/</u>



**2.6.3: DIMENSIONAL STANDARDS**

(% of total dev. size)	All Other Allowable Uses	5	7 / <del>12</del> 13/	10 / <del>12</del> 13/
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NOTES:

/1/ The standards in this column shall apply in cases where a lot has an average slope considered steep or very steep in accordance with Section 10.2.9: Average Slope and Elevation. The standards in this column shall also apply in cases where a lot is subject to a slope study prepared in accordance with Section 3.1.4.B: Subject to Slope Study, and land disturbance is proposed within any portion of the lot designated as steep or very steep by the slope study.

/2/ May be increased to 2.5 for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance.

/3~~2/~~ Any allowable uses other than a single-family detached dwelling require an additional 10,000 square feet per lot.

/4~~3/~~ May be reduced to 17,420 square feet for developments subject to Section 7.1.4: Residential Design Guidelines, on land annexed after the effective date of this Ordinance provided compliance with all applicable Henderson County Health Department requirements is maintained.

/5~~4/~~ May be reduced to 20,000 square feet for single-family detached dwellings on lots of record lawfully established prior to the effective date of this Ordinance.

/6~~5/~~ Measured at the interior edge of the front setback.

/7~~6/~~ Increase by 10 feet any other allowable uses other than a single-family detached dwelling.

/8~~7/~~ 50 feet from an arterial or thoroughfare street right-of-way.

/9~~8/~~ May be reduced to 25 feet when necessary to minimize erosion, sedimentation, or land disturbance. The rear or alternate side setback, as appropriate, shall be increased by an amount corresponding to the reduction in the street setback.

/10~~9/~~ Except for fences, walls, and features identified in Section 2.4.8: Allowable Encroachments into Setbacks, accessory structures shall not be located between the primary front façade of the principal structure and a street setback line.

/11~~10/~~ Minimum setback increases by two feet for every foot in height beyond 8 feet.

/12~~11/~~ At least 50 percent of the open space set-aside shall be configured for active recreation.

/12/ Applied based on the average grade of the development.

**2.7: OI OFFICE INSTITUTIONAL DISTRICT**

**2.7.1: PURPOSE AND INTENT**

The Office Institutional (OI) district is established to accommodate civic and institutional uses in high quality single-building and multi-building developments. The OI district also serves as a transition area between higher intensity commercial and mixed-use developments and nearby lower density single-family residential neighborhoods.

**2.7.2: TYPICAL FORMS OF DEVELOPMENT**



**2.7.3: DIMENSIONAL STANDARDS**

Requirement		Lots with <u>Land Disturbance on</u> Low Slopes (less than 15%)	Lots with <u>Land Disturbance on</u> Steep Slopes (15% to 25%) <u>/1/</u>	Lots with <u>Land Disturbance on</u> Very Steep Slopes (25% or more) <u>/1/</u>
Maximum Residential Density (units/acre)		None	None	None
Minimum Lot Area (sq. ft.)		20,000	21,750	25,000
Maximum Impervious Cover (% of lot area)		55	45	40
Minimum Lot Width (feet) <u>/42/ /23/</u>		80	70	70
Minimum Street Setback (feet)	Principal Structure	30	35	40
	Accessory Structure <u>/4/</u>	30 <u>/3/</u>	35 <u>/3/</u>	40 <u>/3/</u>
Minimum Side Setback (feet)	Principal Structure	20	25	30
	Accessory Structure <u>/45/</u>	10	15	20
Minimum Rear Setback (feet)	Principal Structure	20	25	30
	Accessory Structure <u>/45/</u>	10	15	20
Minimum Spacing Between Principal Structure and Detached Accessory Structure (feet)		In accordance with State Building Code and applicable fire codes		
Maximum Building Height (stories  feet)	Principal Structure	3  35	3  35	3  35
	Accessory Structure	2  20	2  20	2  20

2.7.3: DIMENSIONAL STANDARDS

Minimum Open Space Set-Aside (% of total dev. size)	5	7 <del>/56/</del>	10 <del>/56/</del>
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NOTES:

/1/ The standards in this column shall apply in cases where a lot has an average slope considered steep or very steep in accordance with Section 10.2.9: Average Slope and Elevation. The standards in this column shall also apply in cases where a lot is subject to a slope study prepared in accordance with Section 3.1.4:B: Subject to Slope Study, and land disturbance is proposed within any portion of the lot designated as steep or very steep by the slope study.

/2/ Measured at the interior edge of the street setback.

/32/ Increase by 10 feet for allowable uses other than a single-family detached dwelling.

/34/ Except for fences, walls, and features identified in Section 2.4.8: Allowable Encroachments into Setbacks, accessory structures shall not be located between the primary front façade of the principal structure and a street setback line.

/45/ Minimum setback increases by two feet for every foot in height beyond 8 feet.

/56/ At least 50 percent of the open space set-aside shall be configured for passive recreation; the balance may be configured as urban or active.

TABLE 3.1.3: SLOPES DISTINGUISHED

DESCRIPTION OF SITE CONDITIONS	IDENTIFICATION TERM USED IN THIS ORDINANCE
Lots or tracts having slopes of less than 15 percent without geologic hazards	Low Slope
Lots or tracts having with slopes of less than 15 percent with geologic hazards present	Geologic Hazard
Lots or tracts having slopes that range from 15 percent to 25 percent, with or without geologic hazards present	Steep Slope
Lots or tracts having slopes in excess of 25 percent, with or without geologic hazards present	Very Steep Slope

3.1.4: APPLICABILITY

**A: GENERALLY**

- 1: The standards in this section shall apply to all lots or tracts with geologic hazards present as well as to lots or tracts with steep or very steep slopes on any portion of the lot or tract, whether such slopes existed prior to or after land-disturbing activity or grading.
- 2: Unless subject to a special study in accordance with Section 3.1.4.B: Subject to Slope Study, the presence of a geologic hazard, designation of a steep slope, or designation of a very steep slope shall apply to the entire lot, in accordance with this section and Section 10.2.9: Slope and Elevation.

**B: SUBJECT TO SLOPE STUDY**

- 1: In cases where a lot is subject to the standards in this section, and the applicant seeks a professional engineer licensed by the State to prepare and seal a slope study indicating that only a portion of a lot has geologic hazards, a steep slope, or a very steep slope in accordance with Section 10.2.9: Slope and Elevation, then only those so-designated portions of the lot identified in the slope study as having geologic hazards, steep slopes, or very steep slopes shall be subject to the standards in Section 3.1.5: Standards, Section 3.2.6: Development on Steep Slopes or Sites with Geologic Hazards.
- 2: In cases where a lot is subject to a slope study that identifies portions of a lot as having a steep or very steep slope, as determined in accordance with Section 10.2.9: Slope and Elevation, and land disturbance is proposed within any portion of the lot identified as steep or very steep, then all development on the lot shall comply with the applicable dimensional requirements for the zoning district where located.

3.1.5: STANDARDS

Land or development subject to these standards shall comply with the following:

**A: PRE-DEVELOPMENT INVESTIGATION REQUIRED**

- 1: Whenever new development is proposed which involves land disturbing activity on land subject to these standards, or if geological hazard indicators are observed on the land which will be disturbed by the development, the applicant shall provide investigation(s) documents prepared by a North Carolina licensed geologist or professional engineer licensed by the State, as appropriate, as part of the development application materials.
- 2: Investigation documents shall include an analysis and conclusion about the likelihood of landslide hazards or soil instability because of utilization of typical stormwater dispersal measures such as disconnected downspouts, level spreaders, or similar techniques for disbursing stormwater across a development site.

(AMENDED 12-15-22 UDOTA 3-22)

6.3.16: SITE PLAN

**A: PURPOSE AND INTENT**

The purpose for the site plan procedure is to establish a consistent and predictable process for the review of proposed development, through a graphical representation of the proposed development. Site plan review is an analysis to ensure that allowable development is configured in accordance with the standards in this Ordinance and all other applicable regulations, not a consideration of whether or not a proposed development is allowed.

**B: APPLICABILITY**

Except for development exempted from site plan review in accordance with Section 6.3.16:C: Exemptions, all forms of development that involve construction, moving, or significant alteration of a building or habitable structure, that result in the increase in the amount of impervious surface on a lot, or that involve the provision of landscaping, off-street parking, stormwater control mechanisms, or similar site features shall be subject to site plan review in accordance with this section. ~~In cases where a site plan requires approval of a variance or administrative adjustment, the variance or administrative adjustment shall be reviewed and decided prior to review of the site plan.~~ (AMENDED 8-15-22 UDOTA 1-23)

**C: EXEMPTIONS**

- 1: The following forms of development are exempted from site plan review, but may require a plot plan and shall be subject to the standards in Section 6.3.22: Zoning Compliance Permit, and Section 6.3.4: Building Permit, as appropriate:
  - a: Construction of a single-family detached dwelling on its own individual lawfully established lot provided the lot does not have geologic hazards, steep slopes, or very steep slopes;
  - b: Establishment of an accessory use or structure on a single-family residential lot with a lawfully established principal use; and
  - c: Interior up-fits or changes to a lawfully established non-residential structure or use type that do not result in the need for additional off-street parking spaces, additional screening or landscaping, differing stormwater practices, or any changes to the amount of impervious surface cover.

- 2: In cases where a single-family detached dwelling is proposed on a lot that has geologic hazards, steep slopes, or very steep slopes, site plan review in accordance with this procedure shall be required. (AMENDED 12-15-22 UDOTA 3-22)

**D: PROCEDURE**

Except as described below, site plan applications shall be reviewed and decided by the Planning Board in accordance with Figure 6.3.16, Site Plan Procedure.

- 1: In cases where an application for site plan approval also requires approval of a variance in accordance with Section 6.3.20: Variance, the Planning Board shall review the site plan application prior to consideration of the variance by the Board of Adjustment, but the Planning Board shall not decide the site plan application until after any required variances have been approved by the Board of Adjustment.

FIGURE 6.3.16: SITE PLAN PROCEDURE (AMENDED 8-15-22 UDOTA 1-23)	
STEP	ACTION
1	Pre-Application Conference See Section 6.2.4: Pre-Application Conference
2	File Application See Section 6.2.6: Application Filing and Acceptance
3	Determination of Completeness See Section 6.2.6:F: Determination of Application Completeness
4	Staff Review and Recommendation See Section 6.2.8: Staff Review and Action  Includes consideration of tree retention aspects
5	Parks and Greenways Board Review and Comment For impacts on tree protection, parks, and greenways
6	Planning Board Review and Decision See Section 6.2.10: Public Meetings and Hearings
7	Written Notification of Decision See Section 6.2.12: Written Notice of Decision

2: In cases where an application for a site plan approval is accompanied by a request for an administrative adjustment in accordance with Section 6.3.2: Administrative Adjustment, the administrative adjustment request shall be decided by the Town Manager before the site plan application is decided by the Planning Board.

#### **D:E: REVIEW CRITERIA**

Following a public meeting, a site plan shall be approved by the Planning Board, provided the application complies with:

- 1: All standards or conditions of any prior permits or development approvals;
- 2: The applicable street addressing policies of the Town and the County, and that the street address of all lots are clearly identified on the site plan;
- 3: Any applicable concept plans, master plans, or terms and conditions;
- 4: All applicable requirements of this Ordinance, including zoning district requirements in Chapter 2: Districts, environmental requirements in Chapter 3: Environment, use provisions in Chapter 4: Land Uses, development standards in Chapter 7: Standards, and subdivision and infrastructure requirements in Chapter 8: Subdivisions; and
- 5: All applicable County, State, and federal requirements.

#### **E:F: EFFECT**

##### **1: CONSTRUCTION PLANS**

- a: Construction plans for all public improvements included with or filed subsequent to the site plan shall be approved prior to street and utility construction in accordance with the applicable Town standards.
- b: In the case of a multi-phase site plan, any street and utility construction plans shall include all improvements within a phase and all public improvements outside the phase but necessary to serve development within that phase.

##### **2: FEE-IN-LIEU OR PERFORMANCE GUARANTEES**

All public improvements and private site features shall be installed, inspected, and accepted by the Town or shall be the subject of an approved fee-in-lieu (see Section 6.3.9: Fee-in-Lieu), or be subject the requirements in Section 6.3.12: Performance Guarantee, prior to the issuance of a certificate of occupancy.

##### **3: AS-BUILT PLANS**

As-built plans for all public improvements shall be submitted in accordance with Section 6.3.12:l: As-Built Plans Required.

#### **F:G: EXPIRATION**

If the work authorized by a site plan approval is not commenced within one year from the date of issuance, the approval shall become null and void.

6.3.20: VARIANCE

A: PURPOSE AND INTENT

The purpose of this section is to allow deviations from certain standards of this Ordinance when the landowner demonstrates that, owing to special circumstances or conditions beyond the landowner’s control (such as topographical conditions, narrowness, shallowness, or shape of a specific parcel of land), a literal application of the standards would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest. This section also includes variance provisions for reasonable accommodation of persons with physical disabilities and variances pertaining to the Town’s special flood hazard area requirements, water supply watershed protection standards, and stormwater provisions.

B: APPLICABILITY

- 1: Development that would otherwise be subject to undue and unique hardship from the applications of the standards in this Ordinance may seek relief from the standards in accordance with this section.
- 2: No variance may be sought that increases development density (e.g., units per acre) beyond that allowed in a base zoning district, or that would permit a use not allowed in a zoning district.
- 3: Applications seeking variance from the watershed protection standards applicable in the WPO districts shall be filed and considered in accordance with this section and Section 2.12.2:L: Variance from Watershed Standards.
- 4: Applications for a variance shall require include submittal of a site plan depicting all the information necessary for the Board of Adjustment to determine if the application meets the applicable review criteria.  
(AMENDED 8-15-22 UDOTA 1-23)
- 5: In cases where a variance application is associated with a separate site plan application filed in accordance with Section 6.3.16: Site Plan, the Planning Board shall review the site plan application in accordance with the standards and procedures in Section 6.3.16: Site Plan, before the Board of Adjustment considers the associated variance request, but shall not render a decision on the site plan until after any associated variance applications have been decided in accordance with the standards of this section.

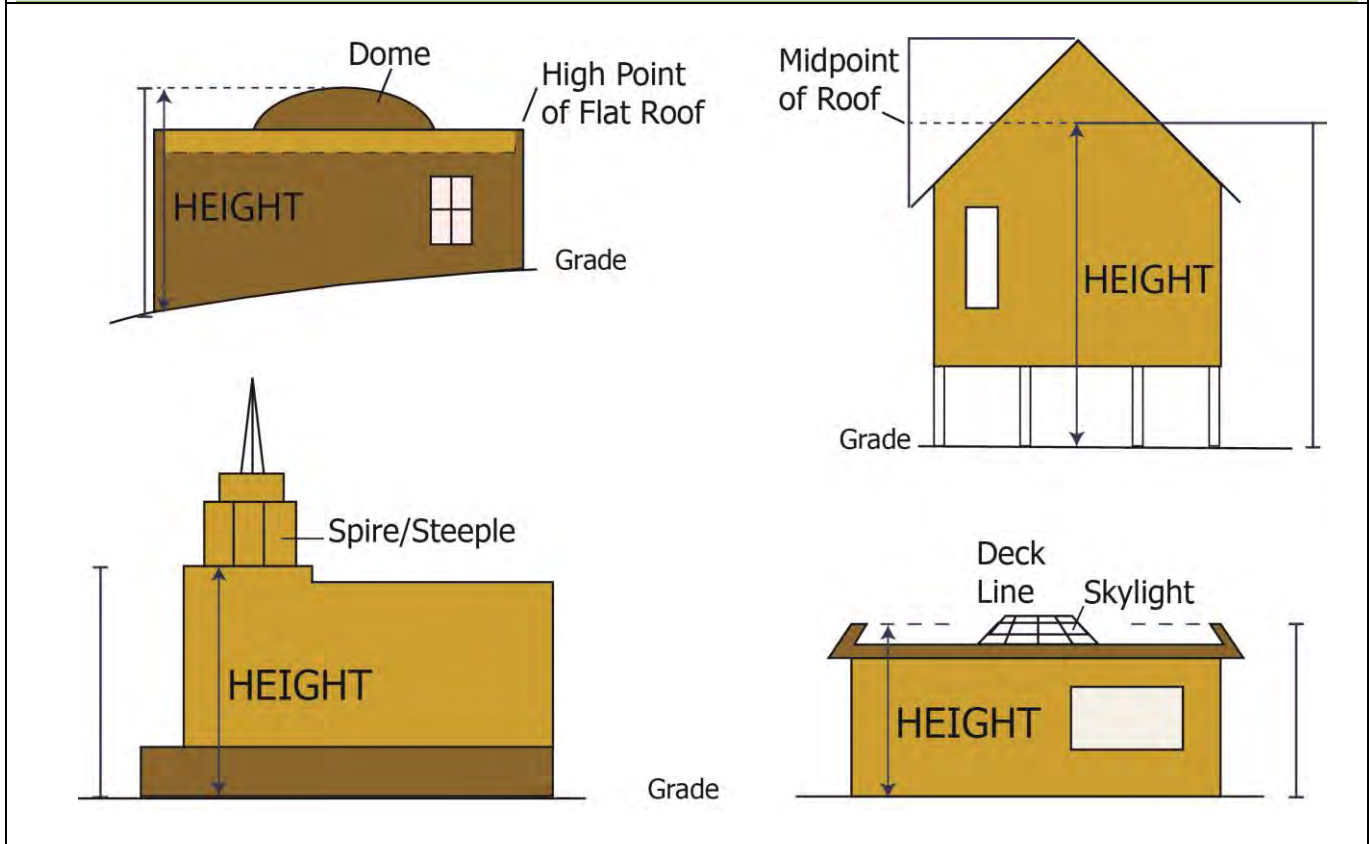
C: DECISION

- 1: In cases where a development application (e.g., a site plan) requires approval of a variance, the variance shall be reviewed and decided prior to review of other aspects of the development application.  
(AMENDED 8-15-22 UDOTA 1-23)
- 2: The Board of Adjustment, after the conclusion of a quasi-judicial public hearing, shall decide the application for a variance.
- 3: The decision shall be based on the competent, material, and substantial evidence in the record, as supplemented by the arguments presented at the quasi-judicial hearing, and the applicable standards in Section 6.3.20:D: Review Criteria.

FIGURE 6.3.20: VARIANCE PROCEDURE (AMENDED 8-15-22 UDOTA 1-23)	
STEP	ACTION
1	Pre-Application Conference See Section 6.2.4: Pre-Application Conference
2	File Application See Section 6.2.6: Application Filing and Acceptance  Variance applications shall require submittal of a site plan
3	Determination of Completeness See Section 6.2.6:F: Determination of Application Completeness
4	Staff Review See Section 6.2.8: Staff Review and Action
5	Public Hearing Scheduled
6	Public Notification See Section 6.2.9: Public Notification
7	Board of Adjustment Review and Decision See Section 6.2.10: Public Meetings and Hearings
8	Written Notification of Decision See Section 6.2.12: Written Notice of Decision
9	Recordation

- 2: An attic with an average ceiling height of less than six feet is not considered a story.

FIGURE 10.2.7:B: HEIGHT



**D: EXCEPTIONS**

The following features are exempted from the maximum height requirements in this Ordinance:

- 1: Parapet walls of less than five feet in height above the roof deck;
- 2: Spires, steeples, minarets, belfries, cupolas, domes, and similar architectural features not intended for human habitation;
- 3: Water tanks, vent housings, elevator housings, and equipment covers associated with a building;
- 4: Chimneys, vent pipes, skylights, or mechanical equipment; and
- 5: Bulkheads or a single-story penthouse occupying 25 percent or less of the total roof area.

**10.2.8: LOT COVERAGE**

Lot coverage is the percentage of a lot or development site that is covered by buildings or roof structures, excluding allowed projecting eaves and balconies.

**10.2.9: AVERAGE SLOPE AND ELEVATION**

**A: AVERAGE SLOPE**

The degree of deviation of the ground surface from a flat, horizontal elevation, usually expressed in percent or degrees of deviation from horizontal (see Figure 10.2.9: Slope). The average slope of a lot may shall be determined using the following approach:



**1: DETERMINING AVERAGE SLOPE BASED ON TOPOGRAPHIC CONTOURS**

- a: Identify the elevation (in AMSL) of the highest point of the lot and the lowest point of the lot (using a USGS 7.5 Minute Quadrangle Map or other recognized source of topographic contour lines).
- b: Subtract the lowest elevation number from the highest elevation number.
- c: Determine the distance (in feet) between the lowest and highest points on the lot.
- d: Divide the difference in elevation by the distance between the highest and lowest points.
- e: Multiply the quotient by 100 to derive the percentage slope of the lot.
- f: Disregard negative numbers.

*Example:*

*A hypothetical lot has a high point at 3,500 feet AMSL and a low point of 3,400 AMSL. There is 300 linear feet between the highest point of the lot and the lowest point of the lot. The slope of the lot is:*

$$3,500 - 3,400 = 100$$

$$100/300 = 0.33$$

$$0.33 \times 100 = 33\% \text{ slope}$$

**2: DETERMINING SLOPE BASED ON SLOPE STUDY OPTION**

- a: As an alternative to use of the methodology in sub-section (1) above, an applicant may have a slope study prepared by a professional engineer licensed by the State for all or a portion of the lot in accordance with Section 3.1.4:B: Subject to Slope Study.
- b: Use of the slope study option shall result in a sealed report and corresponding map of the lot(s) that indicates the average slope throughout the lot, with all areas of low slope, steep slope, and very steep slope indicated on the map.
- c: The slope study shall also include the methodology used by the preparer in determination of average slope.
- d: Lots subject to a slope study shall include the demarcated slope area designations and the total limits of land disturbance on all site plans, preliminary and final plats, plot plans, and site sketches submitted for the purposes of review under this Ordinance.
- e: Average slopes on any portion of a lot subject to a slope study, but not included in the slope study, shall be determined in accordance with Section 10.2.9:A:1: Determining Average Slope Based on Topographic Contours.

**B: LOW SLOPE DEFINED**

The portion of a lot, tract, or site that has a natural or man-made slope of 15 percent or less, determined in accordance with this section.

**B:C: \_\_\_\_\_ STEEP SLOPE DEFINED**

The portion of a lot, tract, or site that has a natural or man-made slope exceeding 15 percent but less than 25 percent, determined in accordance with this section. ~~If any portion of a lot has a pre-development slope between 15 percent and 24.99 percent, the entire lot shall be considered as a lot with a steep slope.~~

**C:D: \_\_\_\_\_ VERY STEEP SLOPE DEFINED**

The portion of a lot, tract, or site that has a natural or man-made slope of 25 percent or more, determined in accordance with this section. ~~If any portion of a lot has a pre-development slope of 25 percent or more, the entire lot shall be considered as a lot with a very steep slope.~~

**D:E: \_\_\_\_\_ BASE FLOOD ELEVATION (BFE)**

- 1: A determination of the water surface elevations of the base flood as published in the flood insurance study.

2: When the BFE has not been provided for land within the special flood hazard area, it may be obtained from engineering studies available from a federal, State, or other source using FEMA approved engineering methodologies. This elevation establishes the Regulatory Flood Protection Elevation.

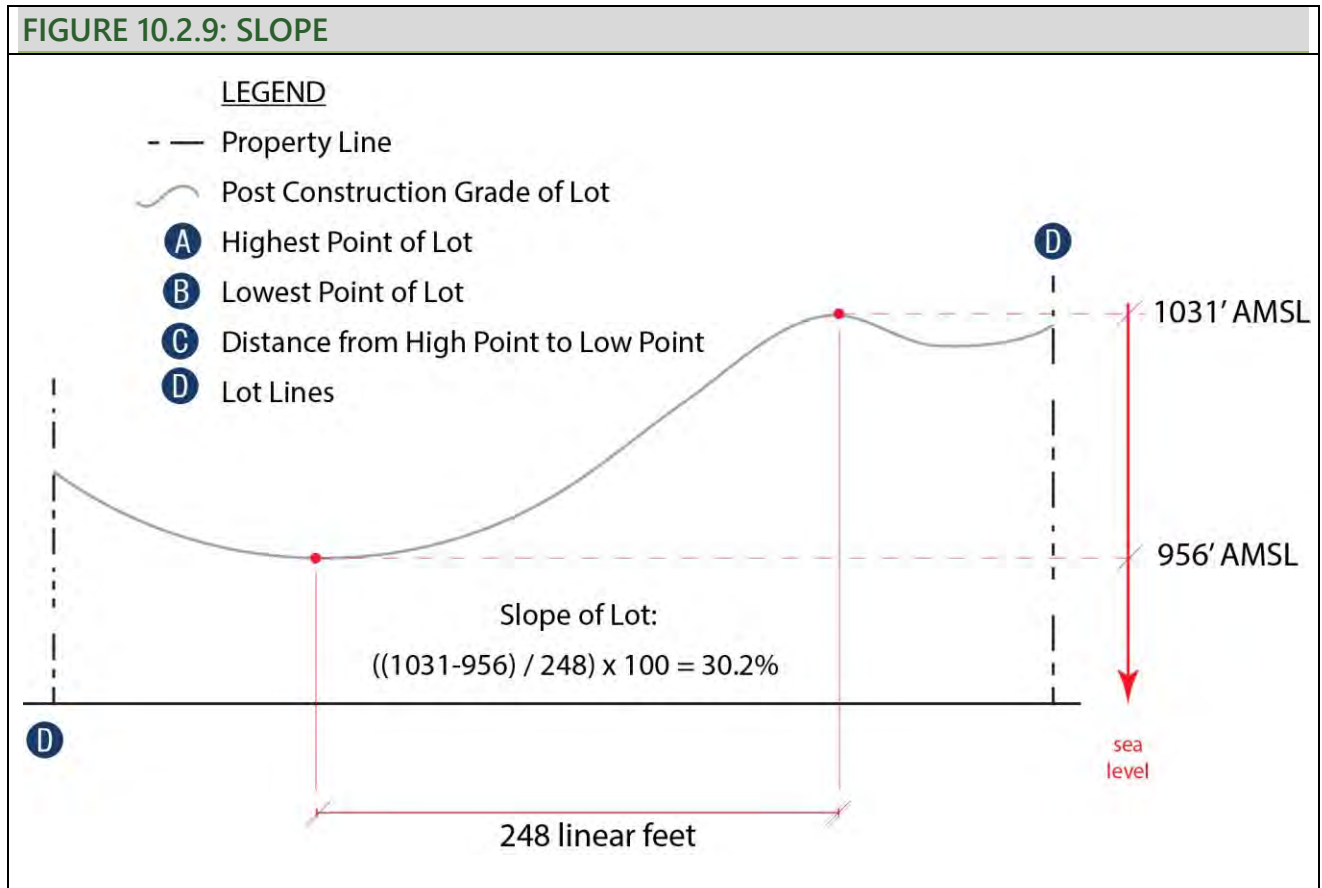
**E:F: FINISHED GRADE**

The established grade following grading, excavation, or other land-disturbing activity.

**F:G: NATURAL GRADE**

The level of the ground elevation prior to the commencement of development or land disturbing activity.

**FIGURE 10.2.9: SLOPE**



**10.2.10: PARKING SPACE COMPUTATION**

**A: ROUNDING**

When computation of the number of required parking spaces results in a fraction, the fraction shall be rounded downwards to the previous whole number.

**B: MULTIPLE AND MIXED-USES**

Unless otherwise approved, development containing more than one principal use shall provide off-street parking in an amount equal to the total requirements of all individual uses, unless the Town Manager determines that a lower standard would be adequate because of differences in peak operating hours.

**C: SEAT BASED STANDARDS**

Where the minimum number of off-street parking spaces is based on the number of seats, all computations shall be based on the number of seats provided, including outdoor and waiting areas.

**CHAPTER 10: WORD USAGE**

**SECTION 10.3: DEFINITIONS**

<b>INVASIVE SPECIES</b>	A plant species identified as noxious or dangerous by the Town or other governmental agency.
<b>ITINERANT MERCHANT SALES</b>	An individual or business offering goods or services for sale at retail to members of the general public either in their homes, their place of business, or from a vehicle on a lot with an established use or a vacant lot.
	J K L
<b>LAKE OR NATURAL WATERCOURSE</b>	Any stream, river, brook, swamp, sound, bay, creek, run, branch, canal, waterway, estuary, and any reservoir, lake or pond, natural or impounded, in which sediment may be moved or carried in suspension, and which could be damaged by accumulation of sediment.
<b><u>LAND DISTURBANCE</u></b>	<u>For the purposes of determination of how zoning district dimensional standards apply to development on a lot with geologic hazards, steep slopes, or very steep slopes, land disturbance shall mean any area of impervious or semi-impervious surface, any area where soil has been or will be disturbed as a part of development, and all locations located within the critical root zones of trees that are proposed to be removed from a site as part of development.</u>
<b>LAND-DISTURBING ACTIVITY</b>	Any use of the land by any person in residential, industrial, educational, institutional, or commercial development, highway and road construction and maintenance, that results in a change in the natural cover or topography and that may cause or contribute to sedimentation.
<b>LANDFILL</b>	A disposal facility for hazardous or nonhazardous solid waste. These establishments also manage recycling and resource recovery facilities that operate in conjunction with landfills.  As used in the Watershed Protection Overlay district, a facility for the disposal of solid waste on land in a sanitary manner in accordance with Chapter 130A, Article 9, of the N.C. General Statutes. For the purpose of this ordinance this term does not include composting facilities.
<b>LANDOWNER</b>	As applied to the standards related to vested rights, an owner of a legal or equitable interest in real property, including the heirs, devisees, successors, assigns, and personal representative of the owner.
<b>LANDSCAPE FABRIC</b>	A textile material applied to disturbed or denuded land to promote or discourage the growth of vegetation.
<b>LANDSCAPE ISLAND</b>	A structure within a parking lot or other vehicular use area provided to control traffic flow, provide a stormwater management function, provide a location for required vegetation, or for required utilities.
<b>LANDSCAPE PLAN</b>	See "Plan, Landscape."
<b>LANDSCAPE STRIP</b>	Linear landscape islands located between two parallel rows of off-street parking spaces.

**CHAPTER 10: WORD USAGE**

**SECTION 10.3: DEFINITIONS**

<b>SIGN, WINDOW SIGN (DOOR)</b>	A sign affixed to or visible through the surface of a window or glass door that is intended to be visible to the public from outside the building. Signs painted on glass and etched or frosted glass that includes text or symbols shall be considered as a window sign.
<b>SIGNIFICANT BUILDING</b>	An existing building on a lot in the Significant Building Overlay district lawfully established prior to the effective date of this Ordinance.
<b>SILL</b>	A horizontal piece or structural member typically found below a window, door, or other opening.
<b>SILTATION</b>	Sediment resulting from accelerated erosion which can be settled or removed by properly designed, constructed, and maintained control measures; and which has been transported from its point of origin within the site of a land-disturbing activity; and which has been deposited, or is in suspension in water.
<b>SIMPLE MAJORITY</b>	More than half of the voting members of a review authority deciding an application under this Ordinance.
<b>SINGLE-FAMILY ATTACHED DWELLING</b>	A dwelling unit that is physically attached to one or more other dwelling units, each on its own lot. Individual lots may or may not be surrounded by a larger tract that incorporates shared parking, recreation features, or access. The larger tract may or may not be owned in common by the landowners of individual lots.
<b>SINGLE-FAMILY DETACHED DWELLING</b>	A dwelling containing one principal dwelling unit meeting the minimum size requirements in the North Carolina Building Code that is occupied by one family and that is not physically attached to any other principal structure on an individual lot. For regulatory purposes, this term does not include manufactured dwellings, mobile homes, or recreational vehicles. An accessory dwelling unit may be within, attached to, or on the same lot as a single-family detached home.
<b>SINGLE-FAMILY RESIDENTIAL</b>	As used in the Watershed Protection Overlay district, any development where: 1) no building contains more than one dwelling unit, 2) every dwelling unit is on a separate lot, and 3) where no lot contains more than one dwelling unit.
<b>SINGLE-TIER LOT</b>	A lot which backs upon a limited access highway, a railroad, a physical barrier, or another type of land use and to which access from the rear is usually prohibited.
<b>SITE PLAN</b>	See "Plan, Site."
<b>SITE SKETCH</b>	See "Plan, Plot."
<b><u>SLOPE STUDY</u></b>	<u>A study consisting of a written report and accompanying map prepared by a professional engineer licensed by the State that designates the average slope of one or more portions of a lot, and how average slope was determined.</u>
<b>SLOPE, LOW</b>	See Section 10.2.9: Slope and Elevation.
<b>SLOPE, STEEP</b>	See Section 10.2.9: Slope and Elevation.
<b>SLOPE, VERY STEEP</b>	See Section 10.2.9: Slope and Elevation.
<b>SMALL WIRELESS FACILITY</b>	See "Wireless Communications Facility, Small."



TOWN OF LAUREL PARK  
**AGENDA ITEM SUMMARY**

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**Title of Item:** Proposal for Highway 64 Renderings

**Presenter:** Chad Meadows, CodeWright Planning

**Attachment(s):** Yes/No

- Laurel Park Town Center District Vision Renderings Proposal

**Summary of Item:**

Chad Meadows, CodeWright Planning consultant, will present a proposal for Highway 64/Brevard Road corridor vision renderings. These renderings can be used in our discussions with developers poised to make decisions affecting the Town.

**Council Action Requested:**

Review and discuss proposal.

**Suggested Motion:**

Move to Approve contract with CodeWright Planners in the amount of \$12,405 for renderings of the Highway 64/Brevard Road corridor.

To: Alex Carmichael, Town of Laurel Park  
From: Chad Meadows, CodeWright  
Date: 1-3-24  
CC: JJ Zanetta  
RE: Laurel Park Highway 64 Area Renderings Scope of Work



## PROPOSAL

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This document is a proposal from CodeWright Planners, in association with JJ Zanetta Illustration, to prepare a series of renderings and accompanying text that describe the Town's vision for development within the Town Center (TC) Zoning District. These materials will be used by the Town to provide guidance to potential applicants about building placement, building design, site characteristics, and the relationship of development to the Highway 64 right-of-way in and near the TC district boundary.

The following pages detail the activities to be undertaken for the project, organized by task, as well as a tentative schedule, and a not-to-exceed budget. In the event the Town wishes to move forward with the project, this proposal will be converted into a contract for execution by the Town and CodeWright. The proposal anticipates the following **six tasks**:

- Task 1. Project Initiation
- Task 2. Vision Workshop with Town Officials
- Task 3. Initial Renderings/Description
- Task 4. Revisions, Round 1
- Task 5. Revisions, Round 2
- Task 6. Delivery

Assuming a contract for the project is executed in mid-January 2024, delivery of completed work products is anticipated 10 weeks later by **April 1, 2024**.

The total not-to-exceed price for the scope of work outlined in this proposal is **\$12,405**. This is based on three renderings (\$7,600) and a series of associated discussions and presentations.

Details on each task as well as a summary schedule and budget are included in the following pages. We view this material as a starting point for discussion, and are happy to revise the proposal in ways that better suit the Town's needs. We look forward to overviewing this proposal with the Town Council during the January 11 work session.



## TASK 1. PROJECT INITIATION

<b>Description</b>	Background, assembly, initial project understanding.
<b>Activities</b>	<ol style="list-style-type: none"> <li>1. The consulting team will review the US-64 Corridor Study, NCDOT roadway plans, the planting and design documents, Town Center concepts, and related material.</li> <li>2. The team will prepare an initial description of the Town’s vision for the Town Center District/Area for further review during the project.</li> <li>3. The team will prepare a photographic inventory of the subject area.</li> </ol>
<b>Deliverables</b>	<ol style="list-style-type: none"> <li>1. Draft vision document.</li> <li>2. Photographic inventory of subject area.</li> <li>3. Set of questions/issues for discussion by Town Officials during Vision Workshop.</li> </ol>
<b>Town Responsibilities</b>	<ol style="list-style-type: none"> <li>1. Forward or upload all project-related documents to the Basecamp site.</li> <li>2. Ensure consulting team has the latest information about plans for the area from NCDOT and other Town service providers.</li> <li>3. Share any photographs of the area the Town has already collected.</li> </ol>
<b>Timing</b>	Complete approximately one week after project execution (anticipated on January 16, 2024).
<b>Cost</b>	\$1,200

## TASK 2. VISION WORKSHOP

<b>Description</b>	Intensive design discussion to identify the types of drawings (aerial or eye-level), the locations to be depicted, and the associated text elements.
<b>Activities</b>	½-day design workshop in Laurel Park conference room with members of consulting team (blend of in-person and remote attendance) and Town Officials.
<b>Deliverables</b>	<ol style="list-style-type: none"> <li>1. Recording of zoom session.</li> <li>2. Summary memo of work session outcome, including number and type of renderings and locations to be depicted.</li> </ol>
<b>Town Responsibilities</b>	<ol style="list-style-type: none"> <li>1. Schedule attendance of Town Officials.</li> <li>2. Secure venue.</li> <li>3. Record Zoom session and provide recording link to consulting team.</li> <li>4. Review and comment on summary memorandum.</li> </ol>
<b>Timing</b>	Complete by 2.2.24
<b>Cost</b>	\$1,500



### TASK 3. INITIAL RENDERINGS/DESCRIPTION

<b>Description</b>	Preparation of the first versions of renderings and the associated text.
<b>Activities</b>	<ol style="list-style-type: none"> <li>1. Consulting team members will prepare renderings and descriptive text in accordance with the direction from Task 2.</li> <li>2. Overview (remote) of renderings and text during February 15 Town Council Work session.</li> </ol>
<b>Deliverables</b>	<ol style="list-style-type: none"> <li>1. Initial drafts of the renderings/locations identified in Task 2 provided in pdf or jpeg formats.</li> <li>2. Written descriptions associated with each rendering.</li> </ol>
<b>Town Responsibilities</b>	<ol style="list-style-type: none"> <li>1. Receive and transmit renderings and descriptive text to Town Officials for review.</li> <li>2. Schedule time on work session agenda.</li> </ol>
<b>Timing</b>	Complete by 2.15.24
<b>Cost</b>	<ol style="list-style-type: none"> <li>1. Total cost for renderings is at the Town’s discretion and based on desired number and type of renderings, provided at the following pricing: <ul style="list-style-type: none"> <li>• \$2,800 for each aerial rendering;</li> <li>• \$2,000 for each eye-level rendering; and</li> <li>• The total rendering price for all renderings is split into thirds and is divided among the budget for Tasks 3, 4, and 5.</li> </ul> </li> <li>2. Task 3 includes 1/3 of total rendering price and an additional \$450 for written descriptions and overview at Town Council work session.</li> </ol>

### TASK 4. REVISIONS- ROUND ONE

<b>Description</b>	Discussion and revision of images and descriptions.
<b>Activities</b>	Teleconference with consulting team and Town Officials to discuss initial draft renderings and descriptions.
<b>Deliverables</b>	Revisions to initial draft to create 2 <sup>nd</sup> draft versions.
<b>Town Responsibilities</b>	<ol style="list-style-type: none"> <li>1. Review renderings/descriptions and prepare comments.</li> <li>2. Participate in teleconference.</li> </ol>
<b>Timing</b>	Complete by 3.1.24
<b>Cost</b>	<p>Task budget includes:</p> <ul style="list-style-type: none"> <li>• 1/3 of total rendering cost; and</li> <li>• \$300 for discussion of Town comments.</li> </ul>





## TASK 5. REVISIONS- ROUND TWO

<b>Description</b>	Discussion and second revision of images.
<b>Activities</b>	<ol style="list-style-type: none"> <li>1. Teleconference with consulting team and Town Officials to discuss revised 3<sup>rd</sup> draft renderings and descriptions.</li> <li>2. Presentation of 3<sup>rd</sup> draft versions to Town Council (in person).</li> </ol>
<b>Deliverables</b>	<ol style="list-style-type: none"> <li>1. 3<sup>rd</sup> draft versions of renderings and associated descriptions.</li> <li>2. Presentation of 3<sup>rd</sup> draft versions at Town Council Meeting on 3.19.24.</li> </ol>
<b>Town Responsibilities</b>	<ol style="list-style-type: none"> <li>1. Review renderings/descriptions and prepare comments.</li> <li>2. Participate in teleconference.</li> <li>3. Schedule presentation at March Town Council meeting.</li> </ol>
<b>Timing</b>	Complete by 3.19.24
<b>Cost</b>	Task budget includes: <ul style="list-style-type: none"> <li>• 1/3 of total rendering cost; and</li> <li>• \$300 for discussion of Town comments; and</li> <li>• \$750 for presentation of 3<sup>rd</sup> draft or renderings and descriptions.</li> </ul>

## TASK 6. DELIVERY

<b>Description</b>	Delivery of digital versions of final renderings and descriptions.
<b>Activities</b>	Final revisions to renderings and descriptions, based on comments provided during Town Council meeting in March.
<b>Deliverables</b>	<ol style="list-style-type: none"> <li>1. Final versions of renderings in jpeg and pdf formats (suitable for reproduction and on-line posting).</li> <li>2. Final versions of associated image descriptions.</li> </ol>
<b>Town Responsibilities</b>	Receive final materials.
<b>Timing</b>	Complete by 4.1.24
<b>Cost</b>	\$300



**PROJECT SCHEDULE**

Task	Anticipated Start Date	Anticipated Finish Date	Duration (weeks)
Contract Execution	January 16, 2024		
Task 1: Project Initiation	1.22.24	1.26.24	1
Task 2: Vision Workshop with Town Officials	1.29.24	2.2.24	1
Task 3: Initial Renderings/Description	2.5.24	2.15.24	2
Task 4: Revisions – Round One	2.19.24	3.1.24	2
Task 5: Revisions – Round Two	3.4.24	3.19.24	2
Task 6: Delivery	3.20.24	4.1.24	2
<b>TOTAL</b>	<b>10 Weeks</b>		

**PROPOSED BUDGET**

Task	Price
Task 1: Project Initiation	\$1,200
Task 2: Vision Workshop with Town Officials	\$1,500
Task 3: Initial Renderings/Description	\$2,985 *
Task 4: Revisions – Round One	\$2,835 *
Task 5: Revisions – Round Two	\$3,585 *
Task 6: Delivery	\$300
<b>TOTAL</b>	<b>\$12,405</b>

Notes:

[\*] This proposed budget assumes a total rendering price of \$7,600 for 2 aerial renderings and 1 eye-level rendering. The ultimate number and configuration of renderings is at the Town’s discretion. This proposed budget splits the total rendering price (\$7,600) into thirds: 1/3 of the total for Task 3, 1/3 of the total for Task 4, and 1/3 of the total for Task 5. These numbers will change if the configuration or total number of renderings changes. Also note that there is additional budget in Tasks 3-5 for discussion of draft work products.





## TOWN OF LAUREL PARK AGENDA ITEM SUMMARY

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**Title of Item:** 401(k) Contributions- Policy update

**Presenter:** Finance Director Kirk Medlin

**Attachment(s):** Yes/No

- Policy

**Summary of Item:**

The Town's Personnel Policy requires an update concerning Section 500.06 (Supplemental Retirement Income – 401(k) Plan). State law mandates a 5% contribution by the Town for all full-time police officers; contributions for all other employees are based upon the annual budget.

From fiscal year 2016 to 2018, the rate for all other employees increased 0.5% per year to move the contribution from 3.5% to 5%. While the Council retains the authority to change this rate in future budgets, the Personnel Policy should reflect the current rate.

**Council Action Requested:**

Review and discuss the update to Section 500.06 of the Town's Personnel Policy.

**Suggested Motion:**

Move to approve the update to Section 500.06 of the Town's Personnel Policy.

**SUBJECT: SUPPLEMENTAL RETIREMENT INCOME - 401(K) PLAN**

**PURPOSE:** To outline procedures for the administration and eligibility of the State 401(k) Supplemental Retirement Income Plan.

**STATEMENT OF POLICY:** The Town participates in the Supplemental Retirement Income Plan of North Carolina created in 1984 by the North Carolina General Assembly to offer a tax-deferred investment program. The plan is allowable and governed under Section 401(k) of the Internal Revenue Code. The plan is sponsored by the State of North Carolina and is governed by the Department of State Treasurer and the Plan's Board of Trustees.

For all full-time police officers, the Town of Laurel Park contributes 5% of their pay to the State's 401(~~k~~) Plan as prescribed by law.

For all other full-time employees, the Town of Laurel Park contributes ~~3.5~~ 5% of their pay to the State's 401(~~k~~) Plan.

Employees may make additional contributions to the State 401(k) Plan.

Benefits received through this program are in addition to any Social Security or Retirement System benefits for which the participating employee would be eligible.

Enrollment and benefits forms are available through the Administrative Office. It is the employee's responsibility to keep information on file up to date related to their account as to name, address and beneficiary(s).

**EFFECTIVE:** 04/01/98

**LAST REVISED:** ~~04/16/13~~ [11/24](#)

**APPROVAL:** \_\_\_\_\_  
MAYOR

\_\_\_\_\_  
TOWN MANAGER