



AGENDA
City of Archdale
Planning and Zoning Board Meeting
March 2, 2026 – 7:00 pm
City Council Chambers – Archdale City Hall

1. Call To Order, Welcome, And Register Of Attendance
2. Approval Of The Minutes For The January 5, 2026 Planning Board Meeting

Documents:

[1 - JANUARY 5 PZB MINUTES.PDF](#)

3. Public Hearing: Request To Rezone Property From R-15 To B-1

Documents:

[REZONING REQUEST FROM R-15 TO B-1.PDF](#)

4. Public Hearing: Proposed Amendments To The Zoning Ordinance

Documents:

[PROPOSED ZONING ORDINANCE AMENDMENTS FINAL.PDF](#)

5. Public Hearing: Proposed Amendments To The Subdivision Ordinance

Documents:

[PROPOSED SUBDIVISION ORDINANCE AMENDMENTS
FINAL.PDF](#)

6. Additional Items

7. Adjournment

Anyone who needs an accommodation to participate in the meeting should notify the City Clerk's Office at 336-434-7343 at least forty-eight (48) hours prior to the meeting or call North Carolina Relay at 1-800-735-8262.

Archdale Planning and Zoning Board
Regular Meeting
Monday, January 5, 2026

Members Present: Scott Greene, Chairman; Larry Linthicum, Vice-Chairman; Board Members: Chris Collins, Brent Kinney, Bob Kollm, Mitch Miller, Joy Sparks, and Jerry Smith.

Members Absent: None.

Others Present: Jason Miller, Planning Director; Matthew Wells, Planning Administrator; Matthew Talbott, Planning Officer.

Item 1. Call to Order, Welcome, and Register of Attendance

Chairman Greene welcomed everyone and explained the procedures for the Planning and Zoning Board meeting.

Item 2. Approval of the Minutes

Mr. Collins made a motion to approve the December 1, 2025 minutes as written. Mr. Mitch Miller seconded the motion, and it was approved unanimously by the Board.

Item 3. Public Hearing: Request To Rezone Property From Guilford County RS-5 To R-15

Mr. Talbott gave the staff report for this item:

The applicant, Cassandra Griffin, is seeking to rezone .6 acres of land at 703 Ashland Street from RS-5 (Single Family Residential - Guilford County) to R-15 (Single Family Residential - Archdale). The reason for the request is to be able to tie into Archdale Sewer which is also required to apply for annexation into the City.

The property is surrounded by other single-family residential properties. The request is consistent with the Future Land Use Plan designation of Suburban Neighborhoods. The Suburban Neighborhoods place type is intended to both preserve the character of existing residential neighborhoods, as well as to promote the development of new moderate density neighborhoods in the City's primary growth areas, in contrast with the more densely developed Urban Neighborhoods place type.

He also described that it was surrounded by single-family residentially zoned properties in both unincorporated Guilford County and, to the south, the city limits of Archdale.

Chairman Greene asked if there was anyone present in favor of the item.

There was no one present who spoke in favor of the item.

Chairman Greene then asked if there was anyone present against the item.

There was no one present who spoke against the item.

Chairman Greene then closed the public hearing and turned it over to the Board for discussion and possible action.

With no further discussion, Mr. Linthicum made a motion to recommend approval of the rezoning. Mr. Kinney seconded the motion, and it was approved unanimously by the Board.

Item 4. Additional Items

There were no additional items shared by staff or the Board.

Item 5. Adjournment

With no further discussion, Chairman Greene asked for a motion to adjourn the Monday, January 5, 2026 meeting. **Ms. Sparks made a motion to adjourn. Mr. Linthicum seconded the motion, and the meeting was adjourned.**

**APPLICATION FOR REZONING -
TECHNICAL REPORT:**

10200 BLOCK OF S. MAIN STREET

ZONING CASE #: Z2026-2



ATTACHMENTS?

Y N

STAFF REPORT: City of Archdale Planning Department
Matthew Wells, Planning Administrator

Property Location 10200 block of S. Main Street	Randolph County PIN #’s 7718942548	Meeting Date March 2, 2026	Applicant(s) Sunny Dhebaria 646 Mocksville Hwy. Statesville, NC 28625 (704-763-3662)	Owner(s) Pauline H. Walker Heirs 205 Blair Ct Archdale, NC 27263 (336) 689-9944 (Sharon) (336) 307-1010 (Tammy)
Current Land Use Vacant	Current Zoning R-15 (Single-Family Residential)		Proposed Zoning B-1 (General Business)	FLUP Designation Commercial Corridor
Surrounding Land Uses and Zoning				
<ul style="list-style-type: none"> • North – Residential: R-15 • South – Commercial: B-1 (Food Lion and Lowe’s Shopping Center) • East – Commercial: B-1 (Vacant), Residential: R-15 • West – Residential: R-15 (Vacant), Commercial: B-1 (Bojangles and Vacant) 				
Acreage ±3.54 acres or ± 154,202 ft ² (whole parcel); ±3.09 acres or ± 134,661 ft ² (portion being rezoned)	Road Frontage S. Main Street (± 273 ft.); also fronts Burgemere St.		Roadway Ownership City of Archdale: Burgemere St NCDOT: S. Main Street	Sidewalks or Greenways Will be required upon future development along S. Main Street.
Watershed Randleman Lake	HDDP Required: No		Applicable Checklists None	

Overview

The applicant, Sunny Dhebaria, is seeking to rezone ± 3.09 acres, comprised of properties in the 10200 block of S. Main Street from R-15 (Single-Family Residential) to B-1 (General Business) for a future commercial development; of which no application has been filed at this time. A similar request was made by this applicant in April 2025 and was denied by City Council. In the interim time, the applicant has changed the geography of the parcel through the subdivision process. The portion that previously extended out to Knollwood Drive is no longer included in this request. Additionally, there is another 19,541 square feet of land, located between Dollar General and Bojangles, that has been recombined into this parcel and is already zoned B-1 (General Business).

Consistency With *Plan Archdale*

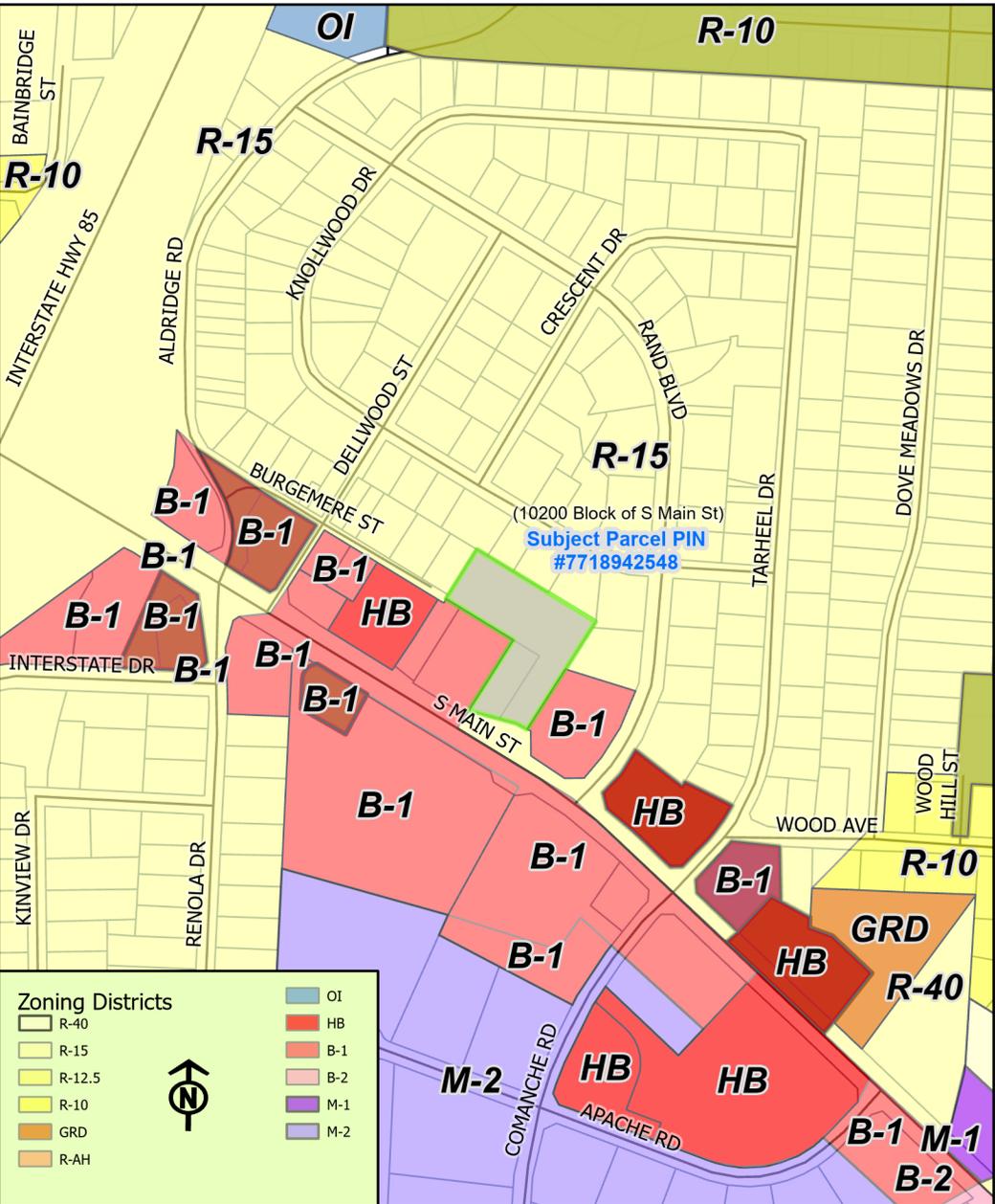
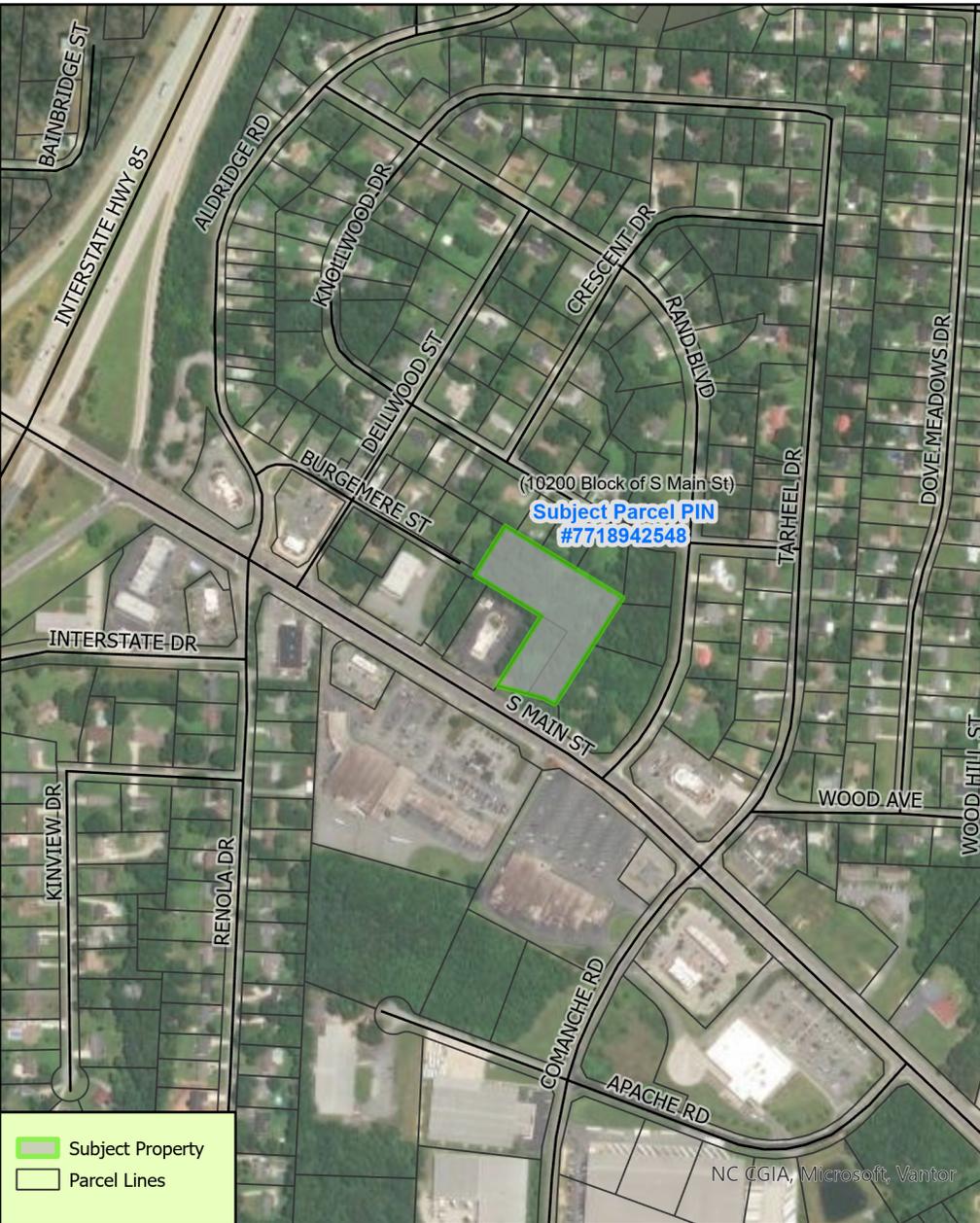
The City’s adopted Future Land Use Plan has this site designated as Commercial Corridor. The Commercial Corridor place type is intended to provide for the development and ongoing use of a mixture of local and regional

scale commercial enterprises along and in close proximity to major transportation routes. The goods and services provided by businesses along the Commercial Corridor cater to a wide consumer base, including the many transient customers who visit Archdale for gas, dining, and lodging when traveling on I-85. This property is close in proximity to the Main Street and Interstate 85 interchange, which will provide easier access for future commercial development. The request to rezone this property to B-1 as submitted is consistent with the Commercial Corridor place type, surrounding properties to the south, west, and east, and the City's adopted Future Land Use Plan.

Decision Points

- A Consistency Statement will need to be read prior to approval.
- Any future development will need to comply with all applicable City ordinances.

Attachments: GIS Map, Aerial Photo, Street View Photos, Rezoning Application.



Request to rezone property from R-15 (Single-Family Residential) to B-1 (General Business) located at the 10200 block of S Main Street; being Randolph County Parcel #7718942548.

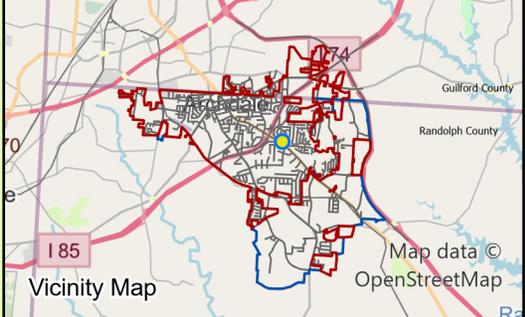
Size: +/- 3.54 Acres

Conditional Uses and Special Uses

- CD
- SU

City Limits (red outline)
ETJ (Extraterritorial Jurisdiction) (blue outline)

Map produced by the City of Archdale
Planning & Zoning Department
2.24.2026
Map for reference purposes, only; Not To Scale



Legend

Future Land Use Plan (FLUP)

- City Center
- Commerce Park
- Commercial Corridor
- Community Services
- Countryside
- Green Belt
- Industrial
- Main Street Mixed Use
- Neighborhood Center
- Suburban Neighborhoods
- Urban Neighborhoods
- Village
- <all other values>

Guilford County

Randolph County

 Subject Location

Sources: Esri, TomTom, Garmin, FAO, NOAA, USGS, © OpenStreetMap contributors, and the GIS User Community

**Request to rezone property from
R-15 (Single-Family Residential)
to B-1 (General Business)
located at the 10200 block of S Main Street;
being Randolph County Parcel #7718942548.**

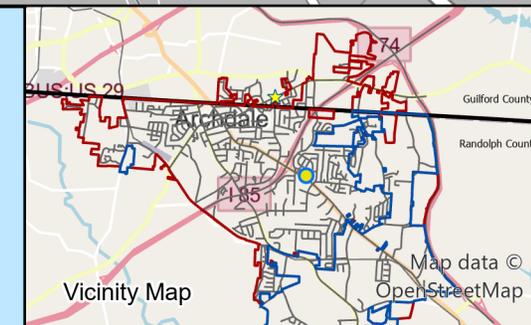
Size: +/- 3.54 Acres

Future Land Use



Map produced by the City of Archdale
Planning & Zoning Department
2.24.2026

Map for reference purposes, only; Not To Scale



Vicinity Map

Map data © OpenStreetMap

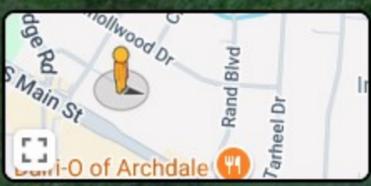


← 4413 Burgemere St

Archdale, North Carolina

Google Street View

Oct 2022 See more dates





← 10104 S Main St

Archdale, North Carolina

Google Street View

May 2023 See more dates

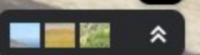
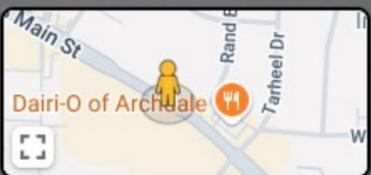


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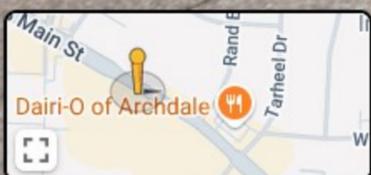


← Archdale, North Carolina



Google Street View

May 2018 See more dates





City of Archdale

INVOICE #
26-00151

ACCOUNT ID: VIRAM005 PIN: 244941
INVOICE DATE: 02/03/26
DUE DATE:

Viramkumar Patel
Sunny Dhebria
703 Gaither Rd
Statesville, NC 28625

QUANTITY/UNIT	SERVICE ID	DESCRIPTION	UNIT PRICE	AMOUNT
		S Main St Rezoning-Walker Prop		
1.0000/QTY	GEN-REZO	General Rezoning Request from R-15 to B-1	500.000000	500.00
			TOTAL DUE:	\$ 500.00

PAYMENT COUPON - PLEASE DETACH AND RETURN THIS PORTION ALONG WITH YOUR PAYMENT

City of Archdale

INVOICE #: 26-00151
DESCRIPTION: S Main St Rezoning-Walker Prop
ACCOUNT ID: VIRAM005 PIN: 244941
DUE DATE:
TOTAL DUE: \$ 500.00

Viramkumar Patel
Sunny Dhebria
703 Gaither Rd
Statesville, NC 28625





REZONING APPLICATION

THE UNDERSIGNED do/does hereby respectfully make application and request to the City of Archdale to amend the **Zoning Ordinance** and change the Official Zoning Map of the City as hereafter requested, and in support of this application the following facts are shown:

1. It is desired and requested that the property hereinafter described be rezoned from **R-15** to **B-1**

2. The property sought to be rezoned is owned by: **SHARON TROGDON ,TAMMY W. HICKS ,RICKEY TROGDON ,JOHN HICKS**

Address: **205 Blair Court Archdale,NC 27263**

Phone #: **336-689-9944**

3. Legal Description:

Address and PIN Number: **7718942548**

Lot(s) _____

Name of Subdivision: _____ Plat Book: **195** Page: **10**

4. If the property is rezoned, it is understood by all that development must conform to the minimum requirements of the City of Archdale Development Ordinance where applicable.

5. The applicant shall present a map showing the property being requested for rezoning. He/she shall also present the names and addresses of those persons owning property which adjoins the land sought for rezoning.

SUNNY DHEBARIA

Name of Applicant (if different from owner)

646 MOCKSVILLE HWY STATESVILLE,NC 28625

Applicant's Address

704.763.3662

Applicant's Telephone

Signed by: *Sharon Trogdon*
90A19B1055444F...

Signed by: *Rickey Trogdon*
205ECD9AF20A46C...

Signed by: *Tammy Hicks*
4BE44BCB4FAA4F0...

Signed by: *John Hicks*
462D5A26D2AF4B0...

Signature of Owner

205 Blair Court Archdale,NC 27263

Owner's Address

336-689-9944

Owner's Telephone

Complete application received 2 / 4 / 2026

By: Matthew Wells

This application must be filed with the **Director of Planning and Zoning** thirty (30) days prior to the scheduled Planning Board meeting and must be accompanied by a **(\$500.00)** filing fee.



CITY OF ARCHDALE

PLANNING BOARD

MEETING DATE: Monday March 2, 2026

ZONING CASE #: Z2026-3

SUBJECT: Public Hearing: Update to the City of Archdale Zoning Ordinance Article 6: General Development Standards (pertaining to Public Infrastructure Improvements, Pedestrian Access, Outdoor Lighting Regulations) and Article 8: Off-Street Parking and Loading (pertaining to Bicycle Parking Standards, Alternative Parking Plans, Off-Street Loading).

With guidance from the Plan Archdale Commission, City staff and the consulting team from Benchmark Planning have been working to review and update the City's development regulations. Proposed Amendments to the Zoning Ordinance in Article 6 (General Development Standards) primarily focus on Public Infrastructure Improvements, Pedestrian Access, Outdoor Lighting Regulations. Proposed Amendments to Article 8 (Off-Street Parking and Loading) and pertain to Bicycle Parking Standards, Alternative Parking Plans, and Off-Street Loading.

SUMMARY OF INFORMATION: Zoning Ordinance Amendment Summary, Proposed Zoning Ordinance Article 6 Amendments, Proposed Zoning Ordinance Article 8 Amendments
ATTACHMENTS: YES [] NO

Proposed Zoning Ordinance Amendments:

ARTICLE 6:

1. Proposed amendment deleting Section 6.11 since provisions related to water and sewer utility connections are covered by Article 10 of the City of Archdale Code of Ordinances. This amendment will minimize the potential for conflicts and contradictions between the two provisions. Alternatively, this section could be amended to directly reference (but not repeat) the City Code provision.

~~6.11 Water and Sewer Requirements~~

- ~~1. The lot sizes required for the various districts in this Ordinance are based upon the assumption that adequate water supply and sewage disposal systems are available to each and every lot. The lack of adequate systems for one or both facilities may require larger lot areas or, in some instances, because of Health Department Standards, may not permit development as intended.~~
- ~~1. All newly constructed occupiable buildings within the corporate limits of the City of Archdale shall be connected to public water and sewer systems, with the exception of detached single family dwellings situated on lots larger than 3 acres in size.~~

2. Proposed amendment to add a new Section 6.11 titled Public Infrastructure Improvements that references the development standards set forth in Article 4 of the Subdivision Ordinance and makes them generally applicable to development under the Zoning Ordinance per the authority of NCGS 160D-702(a)

6.11 Public Infrastructure Improvements

The installation or improvement of public infrastructure in accordance with the standards of Article 4 of the City of Archdale Subdivision Ordinance is required in the following circumstances:

1. The development of a vacant property, excluding the construction of a new detached single-family dwelling on a pre-existing lot of record;
2. The redevelopment of a previously developed property, excluding the construction of a new detached single-family dwelling on a pre-existing lot of record;
3. The addition of 5,000 square feet or more to an existing building where the size of the building following the addition is 10,000 square feet or greater; and
4. The construction of a new building 5,000 square or larger on a developed property where the cumulative square footage of buildings on the property post-construction is 10,000 square feet or greater.

This amendment will ensure that there is consistent application of the City's general infrastructure installation and improvement requirements without regard as to whether development is taking place under the Zoning Ordinance or Subdivision Ordinance.

3. Proposed amendment to modify Section 6.12 by restyling the title as Pedestrian Access, deleting the old verbiage, and changing it to require pedestrian connections from buildings to external sidewalks, between each building on the site, and to any greenway that is on the property if it comes within 200 feet of a building.

6.12 Pedestrian ~~Facilities~~ Access

All uses, with the exception of detached single-family dwellings, shall provide pedestrian facilities connecting:

1. Buildings on the site to the public sidewalk(s) along each frontage;
2. Each building on the site to each other building on the site; and
3. Any off-street shared use path (greenway) that traverses the site, if the path passes within 200 feet of a building on the site.

~~Sidewalks, Shared Use Paths, and Greenways connecting residences, schools, and recreational areas are required to be installed in accordance with the pedestrian circulation system established in the Pedestrian and Trails Master Plan. Sidewalks, Shared Use Paths, and Greenways shall be built according to construction standards established in the City of Archdale Construction and Development Standards.~~

The proposed amendment more clearly establishes the intent to require that buildings on development sites connect to each other and public pedestrian routes. Some matters covered in the original language are covered by reference through the provisions of the new Section 6.11

4. Proposed amendment to add a new Section 6.14 to require Traffic Impact Analysis in the same manner as Section 4.4.5 of the Subdivision Ordinance.

6.14 Traffic Impact Analysis

A Traffic Impact Analysis shall be required in the same manner as set forth in Section 4.4.5 of the City of Archdale Subdivision Ordinance for development applications that will produce 50 or more AM or PM peak hour trips.

This will ensure that new development creating higher traffic volumes is adequately assessed for impacts to the street network.

5. Proposed amendment to modify Section 6.18 (previously 6.17) by restyling it as Outdoor Lighting Regulations, editing the opening to clarify the requirement for outdoor lighting plans, deleting the street lighting standard since that is covered under Section 6.11, as amended, and making some additional changes to the verbiage for clarity.

6.176.18 Outdoor Lighting Regulations

~~Plans for street and o~~Outdoor lighting plans shall be required for all ~~new~~ development ~~proposals~~applications, excluding applications for the construction of a detached single-family dwelling on an existing lot of record. ~~The plan~~ shall specifically show the location of all proposed street and outdoor lighting fixtures to be constructed ~~on any development.~~

6.17.1 Street Lighting

~~The following restrictions apply to street lighting in all zoning districts:~~

- ~~1. All new developments with public streets require decorative fixtures. An outdoor lighting plan shall be included as part of a TRC submittal. If a TRC review is not required, the outdoor lighting plan shall be reviewed by Planning staff.~~
- ~~2. Street lights shall be installed in accordance with the standards set forth in the City of Archdale Construction and Development Standards.~~

6.17.26.18.1 Outdoor Lighting Standards:

~~The following~~ restrictions standards apply to outdoor lighting in all zoning districts:

1. For non-residential uses, outdoor lighting shall be located, screened, and shielded so that the abutting lots located in any residential district are not directly illuminated.
2. Building mounted floodlights are prohibited for nonresidential uses, within the exception of the M-1 and M-2 districts, and all lights mounted to freestanding poles shall use full cutoff fixtures.
3. Pole mounted light fixtures intended for the illumination of off-street parking areas shall not exceed 30 feet in height, and fixtures intended to light pedestrian walkways shall not exceed 18 feet in height. All outdoor lighting intended for one of the preceding uses shall utilize full cutoff fixtures.
4. For residential uses, lighting fixtures must be located, screened, or shielded in order to prevent direct glare onto neighboring lots.
5. All outdoor lighting shall be located, screened, or shielded in a manner as not to cause glare or impair the vision of motorists or to illuminate a neighboring residential lot.

ARTICLE 8:

1. Proposed amendments to Sections 8.4 and 8.5 to clarify that the standards are for off-street automobile parking since a new section on bicycle parking is proposed.

8.4 Minimum Off-Street Automobile Parking Standards

Off-street parking shall be provided at the rate established for the particular use in the most recent edition of the Institute for Transportation Engineers Parking Generation Manual (the "Parking Manual"). Any deviation below the minimum number of off-street parking spaces required by the manual shall be reviewed and approved in the manner set forth in the provisions for Alternative Parking ~~Standards~~Plans in Section 8.6.

8.5 Maximum Off-Street Automobile Parking Standards

Nonresidential uses shall not exceed the minimum number of off-street parking spaces established in the Parking Generation Manual by more than 120%. Residential uses, other than detached single family dwellings, shall not exceed the minimum number of off-street parking spaces established in the Parking Generation Manual by more than 150%. The maximum parking ratio is only applicable to off-street surface parking spaces.

2. Proposed amendment to Section 8.6 to revise the title to Alternative Parking Plans and delete the current provisions and replace them with a more detailed set of standards and procedures for the review and approval of plans.

8.6 Alternative Parking ~~Standards~~Plans

Alternative Parking Plans may be approved by the City Council to permit a deviation below the minimum number of off-street parking spaces set forth in the Parking Manual in accordance with the following standards and procedures:

1. Applicability

a. Alternative Parking Plans shall be site-specific and applicable to the use or uses included in the application.

b. No change of use, expansion of a use, or alteration of the physical characteristics or layout of a site subject to an Alternative Parking Plan is authorized unless an amendment to the Alternative Parking Plan is approved by the City Council or the site comes into compliance with the generally applicable minimum off-street parking standards.

2. Contents of Applications for Alternative Parking Plans.

Applications for Alternative Parking Plans shall include the following supporting information:

- a. The proposed use(s) for which the application is being made;
- b. The number of off-street parking spaces required under the generally applicable standards of the Parking Manual.
- c. The proposed number of parking spaces requested in the Alternative Parking Plan.
- d. A site plan depicting existing and proposed development, parking layout, access, and other relevant information.
- e. A narrative describing the operational characteristics of the proposed use(s) that warrants the approval of an Alternative Parking Plan.
- f. Such additional relevant supporting information necessary for the review of the application.

3. Review and Approval Procedures

- a. Upon the submission of an application for an Alternative Parking Plan, the Technical Review Committee shall review the application in accordance with its standard operating procedures prior to the application being forwarded to the Planning and Zoning Board. The transmittal of the application to the Planning and Zoning Board shall include the Committee's recommendation, technical analysis of the proposed Alternative Parking Plan
- b. The Planning and Zoning Board shall then review the application in accordance with the guidelines established for approval of Alternative Parking Plans and make a written recommendation to the City Council.
- c. Upon receipt of the application and recommendation of the Planning Board, the City Council shall consider the application and render a final decision on the approval or denial of the Alternative Parking Plan based on the guidelines set forth in 4. below.
- d. In approving an Alternative Parking Plan, the City Council may establish reasonable conditions and changes to the Plan, as agreed to by the authorized applicant.

4. Guidelines for Alternative Parking Plan Approval

When reviewing applications for Alternative Parking Plans, the following guidelines for approval shall be considered:

a. The degree to which the application deviates from the required minimum off-street parking standard established in the Parking Manual and whether such deviation is reasonable.

b. The potential impact on surrounding streets and properties if the amount of parking provided does not adequately accommodate the parking generated by the use(s).

c. The nature and operational characteristics of the proposed use(s).

d. The capacity of the site to accommodate additional parking.

~~The Planning and Zoning Board and City Council shall be authorized to approve an alternative parking plan that proposes alternatives to providing the number of required/allowed off-street spaces as established in Sections 8.4 and 8.5. In order to receive an approval for an alternative parking plan, the following standards must be met:~~

- ~~1. All off-street parking spaces provided in excess of the maximum provided in Section 8.5 shall be surfaced with alternative paving materials that are pervious or semi-pervious in nature. These parking areas shall be located further from the primary pedestrian entrance to the primary structure than those parking spaces required in Section 8.4. Additionally, pervious and semi-pervious materials should be used in areas proximate to and in combination with on-site stormwater control devices when possible.~~

3. Proposed amendment to move current Section 8.14 regarding on-street parking to a more logical location as the new Section 8.7 that improves the flow of the ordinance.

8.7 On-Street Parking

On-street parking may be used to meet a portion of the minimum off-street requirements found in Section 8.4, subject to the following standards:

1. No more than 25% of the minimum off-street parking space requirement is met through the use of on-street parking.

2. Adequate on-street parking must be within 500 linear feet from the primary entrance to the proposed use.

~~The proposed development includes mixed uses or is located in an area where residential and non-residential uses are within 500 feet from one another.~~

3. There is no negative impact to existing or planned traffic circulation patterns

4. Proposed amendment to add a new Section 8.14 to establish minimum bicycle parking standards. The minimum bicycle parking standard is proposed to be 2 spaces for any use that requires or provides 20 or more automobile parking spaces and has a maximum requirement of 10 bicycle parking spaces, regardless of the number of automobile spaces provided or required.

8.14 Bicycle Parking Standards

1. Applicability

Requirements for the provision of bicycle parking shall apply to the development, redevelopment, or substantial alteration (additions exceeding 25% of existing gross floor area that requires the addition of 20 or more off-street automobile parking spaces) of a property where the minimum off-street parking requirement is 20 or more automobile spaces for the use or uses on the subject property.

2. Number of Bicycle Parking Spaces Required

Where bicycle parking is required, a minimum of two (2) spaces shall be provided plus one (1) additional space per 10 automobile parking spaces, up to a maximum of 10 bicycle parking spaces.

3. Bicycle Parking Facilities

a. Bicycle parking spaces shall be provided in racks that are designed in a manner that allows for the secure locking of the frame of a bicycle to the rack.

b. Bicycle racks shall be located on asphalt or concrete surfaces.

c. Bicycle parking areas shall be located within 100 feet of the primary customer entrance of the use for which they are required.

d. Bicycle parking areas shall be located in a manner that allows for the maneuvering of bicycles into and out of the racks.

5. Proposed amendment to Section 8.15 (revised number) to edit the off-street loading requirements in Table 8.3. The proposed amendments are intended to better align the minimum standards with reasonable standards observed in other communities.

Table 8.3: Off- Street Loading

Type of use	Required Off-Street Loading Spaces
<u>Multi-Family Residential</u>	<u>49 or fewer dwelling units: None Required</u> <u>50+ dwelling units: 1 space</u>
<u>Nonresidential Uses</u>	<u>Less than 10,000 s.f. gross floor area: none required</u> <u>10,000 – 50, 000 s.f gross floor area: 1 space</u> <u>50,000+ s.f. gross floor area: 2 spaces</u>
<u>Industrial Uses</u>	<u>10,000+ s.f. gross floor area: 1 space</u>

Type of use	Required Off-Street Loading Spaces
Retail Business	1 space for each 20,000 square feet of gross floor area or fraction thereof
Wholesale and Industries	1 space for each 20,000 square feet of gross floor area or fraction thereof
Office and Institutions	1 space for each 50,000 square feet of gross floor area or fraction thereof (space not required for office development with less than 5,000 square feet in floor area)

- Proposed amendment to Sectio 8.15 (former numbering) to delete standards for deferred parking. This type of accommodation will now be possible through the approval of an Alternative Parking Plan.

~~8.15 — Deferred Parking~~

~~An applicant may submit a request to defer the construction of up to 25% of the required number of minimum parking spaces specified in Section 8.4 if one of the following standards is met:~~

- ~~1. It is demonstrated that because of the location, nature, mix of uses, or by a Parking Demand Study that there is reasonable probability that the number of required parking spaces is not warranted.~~
- ~~2. The request is accompanied by a Reserve Parking Plan, which identifies an area reserved for future parking if needed with the appropriate number of spaces being deferred.~~
- ~~3. If ultimately developed, all deferred parking areas shall comply with all standards of this Ordinance that apply.~~

ARTICLE 6. GENERAL DEVELOPMENT STANDARDS

6.1 Applicability

The general development standards established in this Article shall be applicable within each zoning district unless otherwise specifically modified by another standard of this Ordinance.

6.2 Relationship of Buildings to Lot

Every building hereafter erected, moved, or placed shall be located on a lot and in no case shall there be more than one principal dwelling unit on a residentially zoned lot except as otherwise provided within this Ordinance.

6.2.1 Exception:

One (1) Temporary Health Care Structure, as defined and regulated by North Carolina General Statute 160D-915, may be permitted as a second dwelling on properties zoned for and occupied by a single-family detached home. An initial Zoning Permit will be issued by the Planning Department for said structure. After that, an annual Zoning Permit will be required for renewal. Once the Temporary Health Care Structure is no longer necessary, the property owner will have 60 days to have it removed from the property.

6.3 Lot Frontage and Street Access

No building, structure, or use of land shall be established on a lot, nor shall any lot be created that does not comply with the Lot Frontage and Street Access requirements of the City of Archdale Subdivision Ordinance. Nonconforming lots of record shall be exempt from this requirement subject to the provisions of Article XIII.

6.4 Yard and Open Space Requirements

- 1.** No part of a yard, court, or other open space provided around any building or structure for the purpose of complying with the provisions of this Ordinance shall be included as a part of a yard or other open space required under this Ordinance for another building or structure. Every part of a required yard shall be open and unobstructed from its lowest level to the sky, except as provided for in this Section. However, certain accessory structures are permitted to be placed in the required yard areas as provided for herein.
- 2.** All open areas of required yards not occupied by a permitted accessory shall be planted in grass or otherwise landscaped with trees, shrubs and other common landscaping

materials, excluding those areas containing driveways, pedestrian walkways, or communal gathering spaces.

6.5 Reduction of Lot and Yard Areas Prohibited

No yard or lot existing at the time of passage of this Ordinance shall be reduced in size or area below the minimum requirements set forth in this Ordinance, except as otherwise specifically modified by a provision of this Ordinance or the Subdivision Ordinance. Yards or lots created after the effective date of this Ordinance shall meet at least the minimum requirements established by this Ordinance for the district in which they are located.

6.6 Height Limitation Exceptions

The height limitations of this Ordinance shall not apply to public buildings, religious institutions, schools, hospitals, belfries, cupolas, and domes not intended for residential purposes, or to monuments, water towers, observation towers, power transmission towers, flag poles, and similar structures, provided such structures meet the required North Carolina Building Code. Height limitations shall apply to wireless communication towers as regulated herein.

6.7 Building Setback Exceptions

Setback distances shall be measured from the property line or street right-of-way line to the nearest portion of any building or structure excluding:

1. Unenclosed porches, attached carports, balconies, fireplaces, and decks which do not project into any required yard more than 3 feet; and
2. Chimneys, flues, coves, roof overhangs, windowsills, and bay windows which do not project into any required yard more than 3 feet; and
3. Patios, drives, and walkways, if no portion of the same extends more than 12 inches off the ground; and
4. Any structure that is a mere appendage to a building such as a flagpole or fountain.

6.8 Projections into Front Yards in Commercial and Industrial Districts

In commercial and industrial districts, open, unenclosed canopies covering automobile fueling / charging devices and related equipment and facilities may project into one-half (½) the front yard setback requirement for the district.

6.9 Double Frontage (Through) Lots

In all Zoning Districts, Double Frontage (Through) Lots shall provide the minimum yard requirements for front yards along both street fronts. The minimum yard requirements for this type of lot shall pertain to both primary and accessory structures.

6.10 Visibility at Intersections

On a corner lot in any district no, planting, structure, sign, fence, wall, or obstruction to vision more than 3 feet in height measured from the centerline of the street shall be placed or maintained within the triangular area formed by the intersecting street centerlines and a straight-line connecting point on said street centerlines, each of which is 20 feet distance from the point of intersection.

~~6.11 Water and Sewer Requirements~~

- ~~1. The lot sizes required for the various districts in this Ordinance are based upon the assumption that adequate water supply and sewage disposal systems are available to each and every lot. The lack of adequate systems for one or both facilities may require larger lot areas or, in some instances, because of Health Department Standards, may not permit development as intended.~~
- ~~1. All newly constructed occupiable buildings within the corporate limits of the City of Archdale shall be connected to public water and sewer systems, with the exception of detached single-family dwellings situated on lots larger than 3 acres in size.~~

6.11 Public Infrastructure Improvements

The installation or improvement of public infrastructure in accordance with the standards of Article 4 of the City of Archdale Subdivision Ordinance is required in the following circumstances:

1. The development of a vacant property, excluding the construction of a new detached single-family dwelling on a pre-existing lot of record;
2. The redevelopment of a previously developed property, excluding the construction of a new detached single-family dwelling on a pre-existing lot of record;
3. The addition of 5,000 square feet or more to an existing building where the size of the building following the addition is 10,000 square feet or greater; and

4. The construction of a new building 5,000 square or larger on a developed property where the cumulative square footage of buildings on the property post-construction is 10,000 square feet or greater.

6.12 Pedestrian ~~Facilities-Access~~

All uses, with the exception of detached single-family dwellings, shall provide pedestrian facilities connecting:

1. Buildings on the site to the public sidewalk(s) along each frontage;
2. Each building on the site to each other building on the site; and
3. Any off-street shared use path (greenway) that traverses the site, if the path passes within 200 feet of a building on the site.

~~Sidewalks, Shared Use Paths, and Greenways connecting residences, schools, and recreational areas are required to be installed in accordance with the pedestrian circulation system established in the Pedestrian and Trails Master Plan. Sidewalks, Shared Use Paths, and Greenways shall be built according to construction standards established in the City of Archdale Construction and Development Standards.~~

6.13 Entrances/Exits to Public Streets

Entrances and exits to public streets shall be placed and constructed in accordance with the "Policy on Street and Driveway Access to North Carolina Highways" adopted by the North Carolina Department of Transportation (NCDOT), as amended. No portion of any entrance driveway leading from a public street shall be closer than 20 feet to the corner of any intersection measured from the right-of-way line. The width of any entrance driveway leading from the public street shall not exceed 30 feet at its intersection with curb or street line. No two driveways on a single lot leading from a public street shall be within 20 feet of each other measured along the right-of-way.

6.14 Traffic Impact Analysis

A Traffic Impact Analysis shall be required in the same manner as set forth in Section 4.4.5 of the City of Archdale Subdivision Ordinance for development applications that will produce 50 or more AM or PM peak hour trips.

6.146.15 Fences and Walls

1. No fence or wall located within a front yard shall exceed 4 feet in height.

2. In residentially zoned areas, fences and walls shall not exceed 8 feet in height.
3. Fences and walls located along side property lines adjoining a street right-of-way shall be set back a minimum of 10 feet from the edge of the right-of-way.

6.156.16 Solid Waste Storage

1. All uses other than detached single family dwellings shall provide a screened enclosure for the storage of solid waste collection containers where the storage of such containers within the interior of a structure is not feasible.
2. Enclosures are permitted in side or rear yards only.
3. Detached enclosures shall be constructed of brick. Enclosures attached to a building shall utilize the same cladding material as the structure to which it is attached.
4. Enclosures shall have doors that can be closed to fully screen the solid waste collection containers. If visible from a public street, the doors shall remain closed other than during periods when solid waste is being deposited or collected.

6.166.17 Underground Utilities Required

All wire line utilities upon a development site shall be installed below ground. Nothing in this section shall require the placement of off-site electric utilities underground in conformance with the provisions of NCGS 160D-804(h).

6.176.18 Outdoor Lighting Regulations

~~Plans for street and outdoor lighting plans shall be required for all new development proposals applications, excluding applications for the construction of a detached single-family dwelling on an existing lot of record. The plan shall specifically show the location of all proposed street and outdoor lighting fixtures to be constructed on any development.~~

6.17.1 Street Lighting

~~The following restrictions apply to street lighting in all zoning districts:~~

- ~~1. All new developments with public streets require decorative fixtures. An outdoor lighting plan shall be included as part of a TRC submittal. If a TRC review is not required, the outdoor lighting plan shall be reviewed by Planning staff.~~

~~2. Street lights shall be installed in accordance with the standards set forth in the City of Archdale Construction and Development Standards.~~

6.17.26.18.1 Outdoor Lighting Standards:

The following ~~restrictions~~ standards apply to outdoor lighting in all zoning districts:

1. For non-residential uses, outdoor lighting shall be located, screened, and shielded so that the abutting lots located in any residential district are not directly illuminated.
2. Building mounted floodlights are prohibited for nonresidential uses, within the exception of the M-1 and M-2 districts, and all lights mounted to freestanding poles shall use full cutoff fixtures.
3. Pole mounted light fixtures intended for the illumination of off-street parking areas shall not exceed 30 feet in height, and fixtures intended to light pedestrian walkways shall not exceed 18 feet in height. All outdoor lighting intended for one of the preceding uses shall utilize full cutoff fixtures.
4. For residential uses, lighting fixtures must be located, screened, or shielded in order to prevent direct glare onto neighboring lots.
5. All outdoor lighting shall be located, screened, or shielded in a manner as not to cause glare or impair the vision of motorists or to illuminate a neighboring residential lot.

6.186.19 Temporary Construction Site Buildings

Temporary buildings, including mobile structures, incidental to a construction project may be permitted to be used concurrent with the permit for permanent building(s) construction. Temporary buildings shall be located at least 25 feet from any property used for residential purposes.

6.196.20 Residential Accessory Structures

Residential detached accessory structures and buildings shall comply with the following standards:

1. Shall be constructed with the understanding that easements (water, sewer, gas, utility, access, etc.) may exist on private property. It is important for property owners to determine whether such easements are present on their property and what limitations said easements may pose for accessory structures or buildings,

2. Are limited to a maximum of 2 accessory buildings per parcel of land. Permanently installed swimming pools shall not count toward the maximum number of accessory structures.
3. Shall only be allowed in rear yards (no accessory buildings in front or side yards),
4. Shall be placed no closer than 5 feet from the rear lot line (except on double frontage lots) and 5 feet from side lot lines,
5. May not be placed closer than 10 feet to the primary structure,
6. May not exceed the height of the parcel's primary structure,
7. The combined square footage of all accessory buildings is limited to the square footage of 30% of the 'buildable rear yard' (rear yard minus applicable setbacks described in Subsections 4 and 5 above; see Figure 6.1 below).

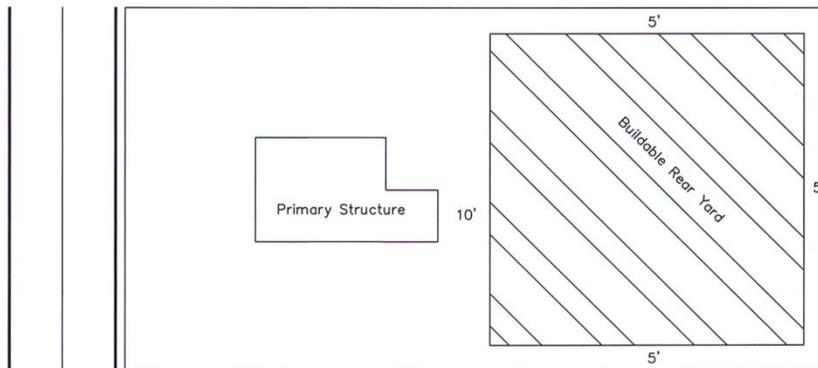


Figure 6.1: Buildable Rear Yard

6.206.21 Outdoor Storage and Display

Outdoor storage and/or display of items for sale or advertising purposes is permitted in the HB, B-1, B-2, M-1, and M-2 Districts. Where permitted, outdoor storage / display shall be limited to items which are designed and intended for permanent outdoor usage. Such outdoor storage and display areas shall conform to a minimum of one-half ($\frac{1}{2}$) the minimum required front building setback and not block or obstruct required parking spaces or pedestrian walkways.

6.216.22 Certain Manufactured Homes Prohibited

After the effective date of this Ordinance, no Manufactured Home constructed prior to June 15, 1976 shall be placed in the jurisdiction of this Ordinance, nor shall any such Manufactured Home that is existing within the jurisdiction of this Ordinance be moved and placed at any other location within the jurisdiction of this Ordinance.

6.226.23 Use of Manufactured Homes and Other Vehicles for Storage Prohibited

The use of manufactured homes, truck trailers, travel trailers, or other vehicles for storage purposes shall be expressly prohibited in all zoning districts. This shall not apply to the temporary storage of supplies or materials awaiting use, or finished goods awaiting shipment, associated with an industrial or warehousing use.

6.236.24 Temporary Residential Storage

Upon each residential lot, no more than one temporary portable storage container may be utilized. Such container shall be permitted on the premises for up to 45 consecutive days within a 90-day period. No temporary portable storage container permitted under this provision shall exceed 20 feet in length.

6.246.25 Nonresidential Building Design Standards

All buildings constructed for nonresidential or mixed residential and nonresidential occupancy, excluding buildings constructed for use as industrial, manufacturing and warehousing establishments, shall adhere to the following design standards unless a different standard is specified in Article VII for the district in which the building is located.

6.24.16.25.1 Exterior Cladding Materials.

Each building wall that is visible from a public street, internal drive, or off-street parking area shall be clad in high-quality building materials. For the purposes of this Section, the term high quality materials shall exclude EIFS, stucco, smooth concrete masonry units, corrugated and smooth metal panels, and vinyl siding.

6.24.26.25.2 Proportion and Uniformity of Cladding Materials

1. A single cladding material shall be utilized to cover a minimum of 70% of each building wall, excluding glazed areas (windows and doors) to which the exterior cladding standard

applies. Materials of the same type and style shall be applied in a generally proportionate amount on each regulated building wall.

2. Developments with more than one building on the same parcel, or on separate parcels when developed as a single site, shall utilize common exterior cladding materials throughout the development.

6.24.36.25.3 Articulation

1. Building walls facing a public street shall contain articulating features along a minimum of 60% of the length of the building wall.
2. Qualifying articulating features include:
 - a. Covered porches and arcades.
 - b. Customer entrances
 - c. Awnings shading windows and customer entrances.
 - d. Trellises and similar building wall attachments.
 - e. Windows (excluding mirrored or opaque spandrel glass).
 - f. Columns and pilasters.
 - g. Inlays into the primary cladding material.
3. Any feature used to meet this requirement shall have a minimum width of 36" between a height of 3 and 8 feet above the building's finished floor elevation.

6.24.46.25.4 Roof Form

1. All flat or low pitch roofs (2:12 or less) shall be screened with a parapet wall.
2. All pitched roofs shall provide minimum 8-inch overhangs.

6.24.56.25.5 Building Appurtenances

All mechanical, plumbing, and electric equipment and other exterior building systems shall be located on the rear of the building or on the roof and screened from any adjacent public street or off-street parking area intended for customer use.

ARTICLE 8: OFF-STREET PARKING AND LOADING

8.1 Purpose

The intent is to relieve traffic congestion in the streets, to minimize any detrimental effects of off-street parking areas on adjacent lands, and to ensure the proper and uniform development of parking areas throughout the City. Additionally, it is the objective of this Section to manage parking to reduce its potential adverse water quality impacts within the City and watershed and ensure that land is not covered excessively with impervious surfaces.

8.2 Applicability

The off-street parking and loading requirements of this Section shall apply to all new development within the City's jurisdiction. It shall also apply when an existing structure or use is expanded, enlarged, or otherwise increased in capacity, or where there is a change in use, and such expansion or change in use will result in increased vehicle trips to the existing structure or use.

8.3 General Standards

General parking standards include:

1. All off-street parking areas and loading spaces required by this Section shall only be used for those purposes.
2. Off-street parking areas shall be arranged for convenient access and safety of pedestrians and vehicles.
3. Off-street parking and loading areas shall be properly drained so as not to cause any nuisance on adjacent land.
4. No more than 10 parking spaces may be in a continuous row without being separated by a landscaping island.
5. If parking areas are lighted, the lighting fixtures shall be installed as to protect the street and neighboring properties from direct glare or hazardous interference of any kind.
6. Off-street parking and loading areas shall be maintained in good repair and in safe condition at all times so as not to constitute a hazard to public safety or a visual or aesthetic nuisance to neighboring land.

7. The parking of commercial vehicles with three or more axles shall be prohibited in a residential district except for loading and unloading purposes, for emergency home service, or for use in the conduct of a legal non-conforming use.

8.4 Minimum Off-Street Automobile Parking Standards

Off-street parking shall be provided at the rate established for the particular use in the most recent edition of the Institute for Transportation Engineers Parking Generation Manual (the "Parking Manual"). Any deviation below the minimum number of off-street parking spaces required by the manual shall be reviewed and approved in the manner set forth in the provisions for Alternative Parking ~~Standards~~Plans in Section 8.6.

8.5 Maximum Off-Street Automobile Parking Standards

Nonresidential uses shall not exceed the minimum number of off-street parking spaces established in the Parking Generation Manual by more than 120%. Residential uses, other than detached single family dwellings, shall not exceed the minimum number of off-street parking spaces established in the Parking Generation Manual by more than 150%. The maximum parking ratio is only applicable to off-street surface parking spaces.

8.6 Alternative Parking ~~Standards~~Plans

Alternative Parking Plans may be approved by the City Council to permit a deviation below the minimum number of off-street parking spaces set forth in the Parking Manual in accordance with the following standards and procedures:

1. Applicability

a. Alternative Parking Plans shall be site-specific and applicable to the use or uses included in the application.

b. No change of use, expansion of a use, or alteration of the physical characteristics or layout of a site subject to an Alternative Parking Plan is authorized unless an amendment to the Alternative Parking Plan is approved by the City Council or the site comes into compliance with the generally applicable minimum off-street parking standards.

2. Contents of Applications for Alternative Parking Plans.

Applications for Alternative Parking Plans shall include the following supporting information:

- a. The proposed use(s) for which the application is being made;
- b. The number of off-street parking spaces required under the generally applicable standards of the Parking Manual.
- c. The proposed number of parking spaces requested in the Alternative Parking Plan.
- d. A site plan depicting existing and proposed development, parking layout, access, and other relevant information.
- e. A narrative describing the operational characteristics of the proposed use(s) that warrants the approval of an Alternative Parking Plan.
- f. Such additional relevant supporting information necessary for the review of the application.

3. Review and Approval Procedures

- a. Upon the submission of an application for an Alternative Parking Plan, the Technical Review Committee shall review the application in accordance with its standard operating procedures prior to the application being forwarded to the Planning and Zoning Board. The transmittal of the application to the Planning and Zoning Board shall include the Committee's recommendation, technical analysis of the proposed Alternative Parking Plan
- b. The Planning and Zoning Board shall then review the application in accordance with the guidelines established for approval of Alternative Parking Plans and make a written recommendation to the City Council.
- c. Upon receipt of the application and recommendation of the Planning Board, the City Council shall consider the application and render a final decision on the approval or denial of the Alternative Parking Plan based on the guidelines set forth in 4. below.
- d. In approving an Alternative Parking Plan, the City Council may establish reasonable conditions and changes to the Plan, as agreed to by the authorized applicant.

4. Guidelines for Alternative Parking Plan Approval

When reviewing applications for Alternative Parking Plans, the following guidelines for approval shall be considered:

- a. The degree to which the application deviates from the required minimum off-street parking standard established in the Parking Manual and whether such deviation is reasonable.
- b. The potential impact on surrounding streets and properties if the amount of parking provided does not adequately accommodate the parking generated by the use(s).
- c. The nature and operational characteristics of the proposed use(s).
- d. The capacity of the site to accommodate additional parking.

~~The Planning and Zoning Board and City Council shall be authorized to approve an alternative parking plan that proposes alternatives to providing the number of required/allowed off-street spaces as established in Sections 8.4 and 8.5. In order to receive an approval for an alternative parking plan, the following standards must be met:~~

- ~~1. All off-street parking spaces provided in excess of the maximum provided in Section 8.5 shall be surfaced with alternative paving materials that are pervious or semi-pervious in nature. These parking areas shall be located further from the primary pedestrian entrance to the primary structure than those parking spaces required in Section 8.4. Additionally, pervious and semi-pervious materials should be used in areas proximate to and in combination with on-site stormwater control devices when possible.~~

8.7 On-Street Parking

On-street parking may be used to meet a portion of the minimum off-street requirements found in Section 8.4, subject to the following standards:

- 1. No more than 25% of the minimum off-street parking space requirement is met through the use of on-street parking.
- 2. Adequate on-street parking must be within 500 linear feet from the primary entrance to the proposed use.

~~The proposed development includes mixed uses or is located in an area where residential and non-residential uses are within 500 feet from one another.~~

- 3. There is no negative impact to existing or planned traffic circulation patterns

8.78.8 Shared Parking

Requests for shared parking shall comply with the following standards:

1. Shared parking spaces shall be located within 500 linear feet of the primary entrance to all uses served.
2. No shared parking spaces are to be separated by an arterial or collector road.
3. Adequate and safe pedestrian access must be provided from and to the shared parking areas.
4. The maximum reduction in the number of parking spaces required for all uses sharing the area is 50%.
5. A shared parking agreement involving all owners of record must be recorded prior to the issuance of a Certificate of Occupancy.
6. The Zoning Administrator shall determine whether shared parking is possible for any proposed development. The applicant may submit a professional study that justifies the feasibility of shared parking for a specific location.

8.88.9 Compact Spaces

Up to 25% of the minimum number of required off-street parking spaces may be provided as compact car spaces. Compact car spaces shall be designated by signage and/or pavement marking. The minimum dimensional standards are found in Section 8.11.

8.98.10 Cross-Access Required

All parking areas in non-residential developments and large-scale multi-family developments shall be designed to allow for cross-access to adjacent compatible sites in accordance to the following standards:

1. In no case shall a development be required to provide cross-access to more than 2 adjacent parcels.
2. A minimum distance of 100 feet is preferred between a cross-access way or driveway entrance.
3. A stub for future cross-access shall be provided to all adjacent land zoned for non-residential or multi-family purposes and/or designated for non-residential or multi-family purposes in the Future Land Use Plan.
4. Cross-access ways should allow for two-way traffic between parcels. The minimum width of the cross-access way should be 22 feet.

5. Where provided, a cross-access easement shall be recorded by the owner/developer prior to issuance of a Certificate of Occupancy.

The Zoning Administrator shall have the authority to waive the cross-access requirement if the applicant demonstrates it is impractical to provide cross-access due to topography, the size and configuration of the site, automobile safety factors, adjacent incompatible uses, or existing development on adjacent land that makes cross-access impossible.

8.108.11 Pedestrian Pathways

For parking lots with 200 or more spaces, pedestrian pathways are required to provide access through the parking lot to each building. Standards for pedestrian pathways in parking lots are as follows: :

1. Pedestrian pathways shall be located within landscaped medians separating rows of parking. Such medians shall have a minimum width of 12 feet.
2. One median containing a pedestrian pathway shall be provided per two drive aisles in the parking lot.
3. Pedestrian pathways shall have a minimum width of 5 feet, and be paved with asphalt, concrete, or other comparable material.
4. When crossing drive aisles, the pathway shall be a minimum of 10 feet in width and shall be of contrasting color or material.
5. Unpaved portions of the median shall be mulched or seeded with live ground cover Supplemental plantings are permitted.

8.118.12 Minimum Dimensional Standards for Parking Spaces

Table 8.1: Parking Space Dimensions

Parking Angle	Stall Width (ft)	Stall Depth (ft)	Aisle Width (ft)*
90 degrees	9	19	24
60 degrees	8.5	18	22
45 degrees	8.5	18	22
Parallel	8	22	22
Compact	8	16	22

** Aisle widths are provided for two-way traffic. In cases where traffic is proposed for one-way travel, then the width of the aisle may be reduced by ½ the requirement.*

8.128.13 Stacking Spaces for Drive-thru and Related Uses

In addition to meeting the minimum off-street parking space standards in Section 8.4, uses with drive-thru facilities shall comply with the minimum stacking spaces required in the following table:

Table 8.2: Drive Thru- Staking Space Minimums

Type of Use	Minimum Stacking Spaces	Measured From
ATM	3	teller machine
Auto repair and service	3 per bay	bay entrance
Auto service station (w/ gas)	30 ft	each end of outermost island
Car wash, automatic	4	bay entrance
Car wash, full service	10	bay entrance
Car wash, self service	4 per bay	bay entrance
Convenience store (w/ gas)	30 ft	each end of outermost island
Day care (adult and child)	6	building entrance
Financial institution (teller lane)	5 per lane	teller window
Nursing home	3	building entrance
Restaurant*	6	order box
Other (including dry cleaning, laundry, pharmacy, etc.)	5 per lane	agent window

**Restaurants with a drive-thru shall provide for a minimum 4 vehicle queue between the order box and pickup window.*

Standards for uses not specifically listed may be determined by the Zoning Administrator based on the standards for comparable uses and upon the particular characteristics of the use.

8.14 Bicycle Parking Standards

1. Applicability

Requirements for the provision of bicycle parking shall apply to the development, redevelopment, or substantial alteration (additions exceeding 25% of existing gross floor area that requires the addition of 20 or more off-street automobile parking spaces) of a property where the minimum off-street parking requirement is 20 or more automobile spaces for the use or uses on the subject property.

2. Number of Bicycle Parking Spaces Required

Where bicycle parking is required, a minimum of two (2) spaces shall be provided plus one (1) additional space per 10 automobile parking spaces, up to a maximum of 10 bicycle parking spaces.

3. Bicycle Parking Facilities

a. Bicycle parking spaces shall be provided in racks that are designed in a manner that allows for the secure locking of the frame of a bicycle to the rack.

b. Bicycle racks shall be located on asphalt or concrete surfaces.

c. Bicycle parking areas shall be located within 100 feet of the primary customer entrance of the use for which they are required.

d. Bicycle parking areas shall be located in a manner that allows for the maneuvering of bicycles into and out of the racks.

8.138.15 Off-Street Loading Standards

Every structure or building used for trade, business, or industry hereafter erected, shall provide space as indicated herein for the loading, unloading, and maneuvering space of delivery vehicles off the street or public alley. Such space shall have access to a public alley, private driveway, or if such cannot reasonably be provided, to a public street. For the purpose of this Section an off-street loading space (exclusive of adequate access drives and maneuvering space) shall have a minimum dimension of 12 feet by 40 feet and an overhead clearance of 15 feet in height above the alley or street grade.

Table 8.3: Off- Street Loading

Type of use	Required Off-Street Loading Spaces
<u>Multi-Family Residential</u>	<u>49 or fewer dwelling units: None Required</u> <u>50+ dwelling units: 1 space</u>
<u>Nonresidential Uses</u>	<u>Less than 10,000 s.f. gross floor area: none required</u> <u>10,000 – 50, 000 s.f gross floor area: 1 space</u> <u>50,000+ s.f. gross floor area: 2 spaces</u>
<u>Industrial Uses</u>	<u>10,000+ s.f. gross floor area: 1 space</u>

Type of use	Required Off-Street Loading Spaces
<u>Retail Business</u>	<u>1 space for each 20,000 square feet of gross floor area or fraction thereof</u>

Wholesale and Industries	1 space for each 20,000 square feet of gross floor area or fraction thereof
Office and Institutions	1 space for each 50,000 square feet of gross floor area or fraction thereof (space not required for office development with less than 5,000 square feet in floor area)

~~8.141.1 On-Street Parking~~

~~On-street parking may be used to meet a portion of the minimum off-street requirements found in Section 8.4, subject to the following standards:~~

- ~~1. No more than 25% of the minimum off-street parking space requirement is met through the use of on-street parking.~~
- ~~2.1. Adequate on-street parking must be within 500 linear feet from the primary entrance to the proposed use.~~
- ~~3.1. The proposed development includes mixed uses or is located in an area where residential and non-residential uses are within 500 feet from one another.~~
- ~~4.1. There is no negative impact to existing or planned traffic circulation patterns.~~

~~8.15 Deferred Parking~~

~~An applicant may submit a request to defer the construction of up to 25% of the required number of minimum parking spaces specified in Section 8.4 if one of the following standards is met:~~

- ~~1. It is demonstrated that because of the location, nature, mix of uses, or by a Parking Demand Study that there is reasonable probability that the number of required parking spaces is not warranted.~~
- ~~2. The request is accompanied by a Reserve Parking Plan, which identifies an area reserved for future parking if needed with the appropriate number of spaces being deferred.~~
- ~~3. If ultimately developed, all deferred parking areas shall comply with all standards of this Ordinance that apply.~~

8.16 Minimum Driveway Throat Length

Driveway Throat Length: The driveway throat length is the distance from the street to the first point of conflict along the driveway. The entrance throat shall be of sufficient length to accommodate the length of queued vehicles outbound, free from any conflict points. There shall

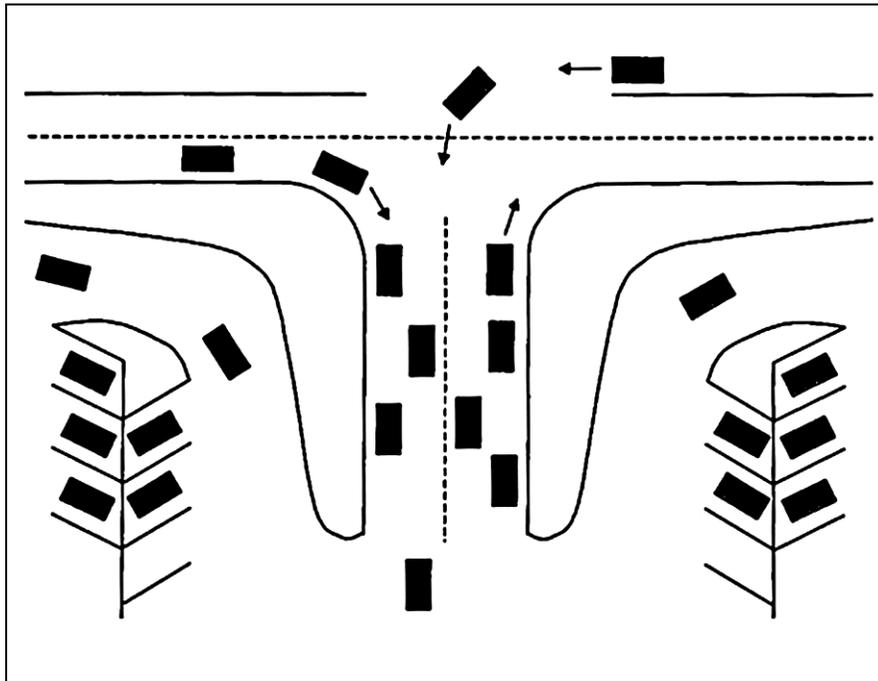
be at least a distance of 30 feet from the entrance right-of-way line to the beginning of the first aisle way or the first parking stall. The following table provides minimum driveway throat lengths for various sized retail establishments.

Table 8.4: Driveway Throat Lengths

Commercial Development Type	Minimum Driveway Throat Length (ft)
Stand Alone Sites and Shopping Centers < 25,000 sq ft	30 ft (about two car lengths)
Stand Alone Sites and Shopping Centers > 25,000 sq ft	80 ft (about five car lengths)
Shopping Centers > 200,000 sq ft	200 ft (about thirteen car lengths)

Figure 8.1: Driveway Maneuver

Vehicles entering the parking lot have room to maneuver without conflict.





CITY OF ARCHDALE

PLANNING BOARD

MEETING DATE: Monday March 2, 2026

ZONING CASE #: Z2026-4

SUBJECT: Public Hearing: Update to the City of Archdale Subdivision Ordinance: Section 4.4: Standards for Street Design and Section 4.5: Standards for Shared Use Paths.

With guidance from the Plan Archdale Commission, City staff and the consulting team from Benchmark Planning have been working to review and update the City's development regulations. Proposed Amendments to the Subdivision Ordinance are in Article 4 (Required Improvements & Design Standards) and primarily focus on Standards for Street Design and Standards for Shared Use Paths (Greenways).

SUMMARY OF INFORMATION: Subdivision Ordinance Amendment Summary, Proposed Subdivision Ordinance Article 4 Amendments.

ATTACHMENTS: YES NO

Proposed Subdivision Ordinance Amendments:

1. An amendment to Section 4.4.2 regarding standards for street design is proposed to:
 - Make general clarifications to the regulation regarding the applicability of these requirements to new and existing streets.
 - Add an explicit requirement for developers to improve abutting City streets that do not meet the City's current minimum design and construction standards (width, curb and gutter, etc.).
 - Add an explicit requirement for the subdivider to install street and traffic control signage, signals, and pavement markings, as applicable.

4.4.2 Standards for Street Design

- a. New Public and/or private streets shall be designed and installed in accordance with the City of Archdale Construction and Development Standards.
- b. Existing City-maintained streets abutting or passing through the subdivision that do not meet the minimum requirements of the City of Archdale Construction and Development Standards shall be improved by the subdivider along each frontage abutting the property.
- c. Street signs, traffic control signage and signals, and pavement markings shall be installed by the subdivider in accordance with the standards of the Manual on Uniform Traffic Control Devices (MUTCD).

2. An amendment to Section 4.5.1 regarding off-street shared use paths (greenways) to add a new provision **(d)** that allows a subdivider / developer to dedicate an easement if the planned portion of the greenway going through their property is less than 500 linear feet in length and there is no existing greenway or dedicated greenway easement on an adjoining property.

- c. Subdivisions located adjacent to a property which contains a shared use path or the future route of a shared use path shall install a pedestrian connection to the neighboring property.
- ~~e.d.~~ Where the planned route of a shared use path through a proposed subdivision is less than 500 linear feet and no connection to an existing shared use path or dedicated easement is located on an adjoining property, the subdivider may dedicate the required easement and any necessary construction easements and pay a fee-in-lieu of constructing the shared use path.
- ~~e.e.~~ Easements for off-street shared use paths shall be dedicated to the public and the paths shall be maintained by the City of Archdale.

This amendment will allow for the City and developers to work together on the orderly expansion of the greenway system and relieve developers of the requirement of constructing short, disconnected segments of greenway, while maintaining a requirement that they pay a fee-in-lieu and dedicate necessary easements.

4 - Required Improvements & Design Standards

4.1 Purpose

The following section shall include the improvements required for any development occurring within the City of Archdale's Zoning Jurisdiction.

4.2 Construction and Development Standards

This section makes reference to the City of Archdale's Construction Development Standards – a set of documents adopted and maintained outside of this ordinance. All public improvements intended for acceptance by the City of Archdale shall be designed and constructed to the specifications of these standards.

4.3 Standards for Utilities

Specifications for the design and installation of public utilities shall be in accordance with the City of Archdale Construction and Development Standards. Electrical, cable, telephone, and other utility lines shall be installed underground unless the TRC determines that underground installation is infeasible. Nothing in this section shall be deemed to require the burying of aboveground electrical utilities that are in existence at the time of plat approval and located outside of the boundaries of the parcel(s) being subdivided, regardless of whether such existing utilities are relocated during development, per North Carolina General Statute 160D-804(h).

4.4 Street Network

4.4.1 Blocks

The purpose of this subsection is to discourage long blocks lined with homes and other buildings, which reduces street connectivity and diminishes the efficiency of public and safety services, while increasing distances between residences and non-residential destinations or public gathering places. The maximum length of any blocks within a subdivision shall not exceed that as shown in Table 4.4.1. Block length shall be measured from the centerline of an intersecting street to the centerline of the next intersecting street or the center point of the terminus of the street.

Table 4.4.1 - Block Length Requirements

Zoning District	Maximum Length (in feet)
R-40	800
R-12.5 / R-15	640
R-10	600
M-1, M-2	N/A
All other Districts	600

4.4.2 Standards for Street Design

- a. New Ppublic and/or private streets shall be designed and installed in accordance with the City of Archdale Construction and Development Standards.
- b. Existing City-maintained streets abutting or passing through the subdivision that do not meet the minimum requirements of the City of Archdale Construction and Development Standards shall be improved by the subdivider along each frontage abutting the property.
- c. Street signs, traffic control signage and signals, and pavement markings shall be installed by the subdivider in accordance with the standards of the Manual on Uniform Traffic Control Devices. (MUTCD)

4.4.3 Standards for Sidewalks

- a. Sidewalks shall be constructed on both sides of all newly constructed streets, and shall be installed along all non-limited access road frontages on existing streets adjoining or traversing through the limits of a subdivision.
- b. The provisions of 4.4.3.a. shall not apply to newly constructed streets within a major subdivision that is platted within an R-40 zoning district or within subdivisions where a paved off-street shared-use path is installed within 500 feet of each lot, and the path connects to any internal private recreation amenities, mail kiosks, internal or adjoining public greenways, and external public sidewalk.
- c. All sidewalks shall be constructed as specified in the Construction and Development Standards.

4.4.4 Standards for Street Lighting

Street lights shall be installed along all newly constructed streets within subdivisions. All public streets require an outdoor street lighting plan that shall be designed in accordance with the accepted Street Lighting standards described in the City of Archdale Construction and Development Standards.

4.4.5 Traffic Impact Analysis

- a. Prior to the submission of a Preliminary Plat, a traffic impact analysis (TIA) shall be prepared for any subdivision that will generate more than 50 AM or PM peak hour trips, as determined by the most recent version of the ITE Trip Generation Manual .
- b. The Administrator and City Engineer shall approve the scope of the TIA prior to its preparation. Where a subdivision will take access from an NCDOT maintained road and the District Engineer or his designee also requires a TIA for the NCDOT driveway permit, all elements of the NCDOT required TIA scope shall be incorporated into the City's approved scope.
- c. The TIA shall document the traffic operational impacts on the key roadway segments and intersections that have been identified as the primary accesses to the proposed development.
- d. Where safety and operational deficiencies are identified by the TIA as being the result of the proposed subdivision, the applicant shall provide for the construction of such improvements as are deemed necessary by the TIA to mitigate the impact of the subdivision on the function of the impacted roadway, subject to NCDOT concurrence, where required.

4.5 Off-Street Shared Use Paths (Greenways)

4.5.1 Standards for Shared Use Paths

- a. Off-street shared use paths shall be installed in such locations as designated on the City's adopted Pedestrian and Trails Master Plan, and may be installed in such other locations as desired by the subdivider.

- b. Where the route of a shared use path continues onto a neighboring property, the path shall extend to the property line.
- c. Subdivisions located adjacent to a property which contains a shared use path or the future route of a shared use path shall install a pedestrian connection to the neighboring property.
- ~~e.d.~~ Where the planned route of a shared use path through a proposed subdivision is less than 500 linear feet and no connection to an existing shared use path or dedicated easement is located on an adjoining property, the subdivider may dedicate the required easement and any necessary construction easements and pay a fee-in-lieu of constructing the shared use path.
- ~~d.e.~~ Easements for off-street shared use paths shall be dedicated to the public and the paths shall be maintained by the City of Archdale.
- ~~e.f.~~ Off-street shared use paths shall be constructed in accordance with the City of Archdale Construction and Development Standards.

4.6 Lot Design

4.6.1 Minimum Lot Standards

- a. The provisions of this Section shall apply to any newly created or proposed lot or parcel resulting from a subdivision of land as provided for in this Ordinance.
- b. Lots shall meet or exceed the standards of the Zoning District in which they are located, as established in the City of Archdale Zoning Ordinance, and shall be designed for their potential uses, so that adequate buildable area is provided and adequate room for required setbacks and buffer yards will exist on the lot.

4.6.2 Lot Frontage and Street Access Requirements

- a. Unless otherwise permitted herein, every lot resulting from a subdivision of land as provided for in this Ordinance shall abut and have direct access to a publicly maintained street or other public right-of-way legally dedicated, except as provided in this Section.
- b. Minor subdivisions shall not result in the creation of more than three (3) lots (inclusive of the “parent” or “remainder” parcel) that take direct access from a street classified as a collector or arterial as shown on the NCDOT Functional Classification Map or in a plan adopted by the City of Archdale. The subdivider shall note on the final plat that further subdivision of the parent parcel and any new parcels created by such subdivision shall be prohibited unless access is provided by means of an internal local street.
- c. Within major subdivisions intended for residential development, no lot shall be permitted to take direct access from a new or existing street that is classified as a collector or arterial street as shown on the NCDOT Functional Classification Map or in a plan adopted by the City of Archdale. The subdivider shall note on the final plat that parcels situated adjacent to a collector or arterial street are prohibited from directly accessing such street.
- d. Frontage on a public street shall not be required in the following situations; provided, however, that an easement or other right-of-way arising out of operation of law providing access to the public street shall be recorded and submitted with the application for development approval:
 - i. Parcels within non-residential subdivisions
 - ii. Multi-family lots where the individual lots are separated from a public right-of-way by a strip of land under common ownership by the owners of the multi-family lots, and/or
 - iii. Lots fronting on approved private streets.
 - iv. Parcels provided access via an approved easement pursuant to the requirements of this Ordinance
- e. In the R-40 District, the subdivision of an existing parcel having the required lot frontage that creates no more than two new lots without direct street access shall be permitted where:

- i. A permanent dedicated access easement with minimum continuous width of 25 feet is provided for any lot that does not have direct street access. Such access easement may be shared with up to three (3) lots.
 - ii. The recorded documents creating the easement shall specify that public service, utility, and emergency personnel and vehicles shall have freedom of ingress and egress from the property.
 - iii. The recorded documents creating the easement shall also specify that utilities (i.e., natural gas, electricity, telephone, cable) may be installed within the easement.
 - iv. The recorded documents creating the easement shall also include a statement specifying the party or parties responsible for maintaining the easement and its traveled surface.
 - v. The access easement must have an all-weather surface of gravel, concrete, or asphalt with a minimum continuous width of 12 feet and a minimum overhead clearance of 14 feet to ensure access of public service, utility, and emergency personnel and vehicles.
 - vi. The grantor and grantee of the easement will agree to continuously keep the easement free and clear of any-and-all obstructions that would in any way impede vehicular traffic.
 - vii. Any resulting lot not having direct access to a public street shall be restricted to single-family residential use.
- f. Lots shall be designed with adequate provisions for physical access to the property from public streets for vehicles and utilities and for public safety equipment.

4.6.3 Lot Area Characteristics

- a. Within Major Subdivisions intended for residential use, no lot intended for private ownership and development for residential purposes shall contain:
 - i. Designated flood hazard areas (1% annual chance of flooding) or floodways;
 - ii. A body of water, whether natural or manmade, including lakes, ponds, and creeks;
 - iii. Stormwater control structures, excluding conveyances (pipes, channels, etc.);
 - iv. Dedicated open space or conservation land;
 - v. Required buffers (excluding general zoning setbacks)

4.6.4 Cul-de-sac Lots

A lot located on a cul-de-sac that does not maintain the minimum required width along the public street frontage shall provide:

- i. Lot frontage of at least 50% of the minimum required, but in no case less than 25 feet,
- ii. Lot area equal to or greater than the minimum lot area (if one is specified), and
- iii. The minimum required lot width at the building line.

4.6.5 Corner Lots

Side lot lines of lots abutting a public or private right-of-way shall, to the extent practicable:

- i. Run at right angles to the right-of-way line, or
- ii. In the case of cul-de-sacs or curvilinear street rights-of-way, radial to the curve.

4.6.6 Thoroughfare Buffer Yard for Major Residential Subdivision

- a. A buffer yard shall be required along the perimeter of a major residential subdivision in order to separate residential lots from abutting thoroughfares and abutting non-residential uses.
- b. The buffer yard for abutting non-residential uses shall be designed and landscaped per Article X of the Zoning Ordinance.

- c. All required buffer yards shall be platted as common areas and may be included as open space, provided that the common area parcel(s) created by such division meet the minimum open space dimension and design standards.

4.7 Cluster Subdivisions

4.7.1 Cluster Subdivisions - Maximum Number of Lots

- a. The maximum number of lots that may be created in a cluster subdivision shall be computed from the gross area of land to be developed, subtract 20% that represents the approximate area needed for street right-of-way.
- b. Divide the remainder by the minimum lot area requirement for single-family dwellings of the zoning district where the development is located.
- c. The result is the maximum number of lots that may be created in the subdivision. The 20% factor shall be constant regardless of the actual amount of land used for street right-of-way.

4.7.2 Cluster Subdivisions - Minimum Standards for Lots

- a. A cluster subdivision with approved public utility systems, shall be exempt from the minimum lot sizes specified in the Zoning Ordinance. In no case, shall the lot sizes be reduced below 75% of the minimum size specified for the district in which the subdivision is located.
- b. Minimum lot width and principal structure setbacks for the zoning district may also be reduced by 25%. These may be reduced further if additional land area is devoted to common open space. For each additional 1% of gross land area devoted to common open space, above the required 20%, a 1% decrease in the minimum lot width and setback requirements shall be permitted.
- c. In no event shall these dimensional reductions exceed 50% of the zoning district requirements.

4.7.3 Cluster Subdivisions - Open Space Designation

- a. At least 20% of the total project area shall be set aside as common open space.
- b. All land set aside to meet the required open space standards for a cluster subdivision shall be designated as common open space.
- c. Such common open space shall be held in nonprofit corporate ownership by the owners of lots within the development or an accredited land conservation organization. Land designated as common open space shall not be conveyed to the City of Archdale without the prior consent of the City Council.
- d. In consideration of the purposes served by a cluster subdivision, the title to such areas as provided shall be preserved to the perpetual benefit of the public generally or the private properties in the development and shall be restricted against private ownership for any other purposes.
- e. Improvements clearly incidental to the purpose of these provisions (i.e., paved greenways, trails, benches, shelters, etc.) may be made within the open space provided that the maximum coverage of such improvements shall not exceed 10% of the open space.

4.8 Public Parks and Open Space

4.8.1 Connection to Public Parks

- a. The Administrator may require connection to a public park if the proposed subdivision is adjacent to the boundary of a park .

4.8.2 Dedication of Parks and Public Open Space

- a. Pursuant to the authority under NCGS 160D-804(d), each proposed Major Subdivision intended for residential use, or which contains a residential component, shall either dedicate land for public recreational and open space purposes or pay a fee in lieu of such dedication.
- b. The Administrator shall, in consultation with the City Manager and Parks and Recreation Director, determine whether land shall be dedicated or whether the subdivider shall pay the fee in lieu.
- c. The City shall utilize its adopted Parks and Recreation Master Plan as a guide in determining whether land dedication or the receipt of a fee in lieu will better serve the public interest and advance the implementation of the plan.
- d. The amount of land required to be dedicated for public recreation and open space purposes shall be 1 acre per 25 lots, or fraction thereof.
- e. Where the City determines that dedication of land is required, the City shall work with the subdivider to establish the location and boundaries of the land to be dedicated. The City Council shall render the final decision on the location of land to be dedicated in the event that negotiations regarding location do not produce an agreement. The City shall be responsible for all costs associated with making surveys or assessments of the land in making such determination.
- f. Where the City chooses to require a fee in lieu of dedication, the subdivider shall pay, prior to final plat approval, a fee in an amount equivalent to the assessed value of the land which would have been required to be dedicated. The assessed value shall be determined by the latest assessment of the property for taxation purposes. Property in a present use value or other deferred value status at or prior to final plat approval shall utilize the full valuation of the land as shown in the tax assessor's records.
- g. Where dedication of land is required by the City, the subdivider shall prepare a general warranty deed and deliver such to the City for the park land to be dedicated prior to filing the first final plat for the subdivision.
- h. In those circumstances where land in excess of the amount required to be dedicated is necessary to provide an adequate park or recreational facility, in furtherance of the Parks and Recreation Master Plan, the City may require the reservation of such additional land within the subdivision as park land and negotiate the terms of the acquisition of the additional land with the developer.
- i. All funds received as a fee in lieu of land dedication shall be designated for use for the acquisition, construction, or improvement of park land or facilities in the vicinity of the subdivision with which the fee is associated. For purposes of meeting this requirement, the City shall consult the park service areas depicted in the adopted Parks and Recreation Master Plan as a guide prior to expending any funds collected under this provision.

4.9 Required Common Open Space

4.9.1 General Requirements

- a. All Major Subdivisions intended for residential use or having a residential component with a project area of 20 acres or larger shall provide common open space dedicated for the use of the residents of the subdivision. This requirement shall not apply to any subdivision that is required to dedicate land for public park purposes.
- b. The minimum amount of land required to be set aside as common open space shall be 10% of the total area of the subdivision.
- c. Common open space areas shall be maintained so that their use and enjoyment as open space are not diminished or destroyed.
- d. Common open space shall be owned and maintained by a property owners association.

- e. Land designated as common open space shall be maintained as open space and may not be separately sold, subdivided, or developed.

4.9.2 Open Space Characteristics

- a. Land that is required to be reserved to meet the requirements of this section shall not consist of any areas that are otherwise required to be designated as common area within a subdivision, as set forth in Section 4.6.3.
- b. Land used to meet the requirements of this section may not consist of any areas that have a post development slope greater than 3:1.
- c. Land used to meet the requirements of this section shall not contain any structured active recreation facilities (pools, tennis courts, etc.), but may consist of unstructured / open recreation areas.
- d. Communal gathering areas, such as squares, greens, picnic areas (including standalone shelters) and similar spaces are permitted to occupy up to 25% of the total required common open space.

4.9.3 Location and Dimensions of Required Common Open Space

- a. Common open space shall be located in areas where it can be easily accessed by the residents of the subdivision, and, generally, all lots within a proposed subdivision shall be located within a 5-to-10-minute walk of a designated open space area (1/4 to 1/2 mile by sidewalk or pedestrian route).
- b. Areas designated to meet the common open space requirement shall have minimum dimensions of 50 feet, with the exception of public gathering spaces (squares, greens, etc.) that are integrated into the neighborhood and front on a street, where a minimum dimension of 20 feet is permitted.
- c. No individual area used to meet the requirements of this section shall comprise less than 25% of the total required amount of common open space, with the exception of public gathering places, subject to the overall limitation on the amount of land that may be designated as such.

4.9.4 Access to Common Open Space

- a. All areas designated as common open space are to be accessible to pedestrians by one of the following:
 - i. Frontage on a public street right-of-way
 - ii. Recorded pedestrian easement (min. 25 feet wide), or
 - iii. Fee simple property.
- b. Upon review of the design by the Administrator, additional pedestrian access points may be required.

4.10 Fee-in-Lieu of Improvements

- a. Where it is determined by the City Council that the construction of public improvements would not be feasible, the City may accept a fee paid in lieu of making such improvements. Examples of situations where a public improvement may be determined to be infeasible include circumstances where:
 1. A street improvement project is planned where a sidewalk is required to be installed and would result in the removal of the new sidewalk and require the City to replace the new sidewalk during the street improvement project.
 2. A small portion of a subdivision abuts a road that lacks curb, gutter, and sidewalks, and installing them at the present time would create issues with the function of the existing storm drainage system.

3. The City is planning on installing a bridge over a creek on its greenway network to access a trail in the subdivision, but the precise location has not been determined, and the connection from the trail in the subdivision to the bridge needs to be delayed until the crossing location is determined.
- b. Payments-in-lieu of construction and dedication of improvements shall be approved as part of the Preliminary Plat.
- c. A combination of public improvements and payments-in-lieu of construction and dedication may be permitted.
- d. All fees collected in lieu of the construction and dedication of required public improvements shall be earmarked for the construction of the designated improvements, or where, such improvements remain infeasible, for the provision of similar facilities or infrastructure that will provide equivalent benefit to the properties from which the fee was required.

4.11 City Initiated Improvements

Where the City Manager determines that improvements to be completed by a subdivider should be constructed in an alternate manner, for example the installation of a larger diameter water line than required to serve an individual subdivision, he may require the inclusion of such improvement in the construction plans for the subdivision. Whenever such determination is made, the City shall enter into an agreement with the subdivider to fund the difference in cost between the necessary improvement and the City's desired improvement. If an agreement cannot be reached regarding the cost, timing, or other aspect of the project, the City Manager may request that the City Council require the subdivider to pay the cost of the necessary improvement for the subdivision to the City in lieu of constructing the City's desired improvement.

4.12 Property Owner's Association

4.12.1 Conditions Requiring Owner's Association

An Owner's Association shall be established to fulfill the requirements of the NC Condominium Act or to accept conveyance and maintenance of all common areas and facilities within a development containing common areas. The Owner's Association shall be in legal existence prior to conveyance, lease-option, or other long-term transfer of control of any unit or lot in the development.

4.12.2 Home Owner's Association Requirements

- a. Common ownership of the open space by an Owner's Association that assumes full responsibility for its maintenance. The restrictive covenants shall provide that, in the event the Owner's Association fails to maintain the open space according to the standards of this Ordinance, the City may, following reasonable notice:
 - i. Demand that deficiency of maintenance be corrected; or
 - ii. Enter the open space to maintain same. The cost of such maintenance shall be charged to the Owner's Association.
- b. The Owner's Association shall be responsible for maintaining the completed permanent runoff control structure as directed by the governmental office having jurisdiction for watershed protection and, if the owner's association should be dissolved or cease to exist, then in that event, all of the owners of record at the time of required maintenance shall be jointly liable for any and all costs attendant thereto.
- c. All subdivisions requiring the development of new public roads must be named. The name of the subdivision shall not duplicate nor closely approximate the name of an existing subdivision within

the City or ETJ. A sign clearly indicating the name of the subdivision shall be posted at the main entrance to the subdivision.

- d. Construction of the subdivision sign shall be the responsibility of the applicant. A sign easement equal to one and one-half times the size of the sign shall be provided for the location of the sign. Ownership of the easement and sign shall be the responsibility of the Owner's Association that assumes full responsibility for its maintenance. In the event that the Owner's Association fails to maintain the sign and easement to the standards of this Ordinance, the City may, following reasonable notice:
 - i. Demand that the deficiency of maintenance be corrected; or
 - ii. Enter the easement to maintain same.
 - iii. The cost of such maintenance shall be charged to the Owner's Association.

4.12.3 Cluster Development - Requirements for Non-Profit Ownership of Open Space

- a. Where the open space is to be deeded to Owner's Association or other such nonprofit ownership, the developer shall file a declaration of covenants and restrictions that will govern the open space and the association of nonprofit organizations. This declaration shall be submitted with Preliminary Plat approval and shall include, but not be limited to the following:
 - i. The Owner's Association or the nonprofit organization shall be established before any lots are sold.
 - ii. Membership shall be mandatory for each lot buyer and any successive buyer.
 - iii. The association shall provide for liability insurance, any taxes, and maintenance of all grounds and facilities.
 - iv. Any sums levied by the Owner's Association that remain unpaid shall become a lien upon the lot owner's property.
- b. If all or any portion of the property held by the Owner's Association is to be disposed of or if the association is dissolved, all such property shall be deeded in fee simple absolute title to the City at no cost to the City.