

Agenda

Planning Board & Board of Commissioners Special Meeting

7:00 PM August 21, 2025

Board Meeting Room, Town Hall Annex, 105 E. Corbin St.



1. Call to order and confirmation of quorum

2. Agenda changes and approval

3. Approval of minutes

A. Minutes for joint public hearing on May 15, 2025

B. Minutes for Planning Board regular meeting on June 26, 2025

4. Discussion items

A. Discussion of draft Unified Development Ordinance framework with rewrite consultant, Inspire Placemaking Collective

5. Updates

A. Board of Adjustment

B. Parks and Recreation Board

C. Staff and board members

6. Adjournment

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Public Comment Instructions

For agenda items and items not on the agenda

Public Comment — Written

Members of the public may provide written public comment by submitting it via the Planning Board contact form at <https://www.hillsboroughnc.gov/about-us/contact-us/contact-planning-and-economic-development> by noon the day of the meeting.

When submitting the comment, include the following:

- Date of the meeting
- Agenda item you wish to comment on (Example: 5C)
- Your name, address, email, and phone number

Public Comment — Verbal

Members of the public can indicate they wish to speak during the meeting by contacting the Planning Board's staff support at 919-296-9470 or through the board contact form at <https://www.hillsboroughnc.gov/about-us/contact-us/contact-planning-and-economic-development> by noon the day of the meeting.

When submitting the request to speak, include the following:

- Date of the meeting
- Agenda item you wish to speak on (Example: 5C)
- Your name, address, email, and phone number

Members of the public can also attend the meeting and sign up to speak prior to the meeting starting. For concerns prior to the meeting related to speaking, contact staff support at 919-296-9470.

Minutes

PLANNING BOARD AND BOARD OF COMMISSIONERS

Joint public hearing

7 p.m. May 15, 2025

Town Hall Annex Board Meeting Room, 105 E. Corbin St.



Present

Town Board: Mayor Mark Bell and commissioners Meaghun Darab, Robb English, Kathleen Ferguson, Matt Hughes, and Evelyn Lloyd

Planning Board: Chair Frank Casadonte, Vice Chair Hooper Schultz, and members Jeanette Benjey, Sherra Lawrence, Tiffney Marley, Robert Iglesias, and Christian Schmidt

Absent: Planning Board member John Giglia

Staff: Planner II Molly Boyle, Engineering Services Manager Bryant Green, Assistant Town Manager Matt Efird, and Town Attorney Bob Hornik

1. Call to order and confirmation of quorum

Mayor Mark Bell called the meeting to order at 7 p.m. and noted the public charge listed in the agenda. Bell passed the gavel to Planning Board Chair Frank Casadonte.

2. Agenda changes and approval

There were no changes to the agenda.

Motion: Planning Board member Christian Schmidt moved to approve the agenda as presented. Commissioner Kathleen Ferguson seconded.

Vote: 12-0. Motion passed.

3. Review and approval of minutes

Minutes from Planning Board regular meeting on April 17, 2025

Motion: Planning Board member Robert Iglesias motioned to approve the minutes as presented. Planning Board Vice Chair Hooper Schultz seconded.

Vote: 7-0. Motion passed. Only Planning Board members voted since the minutes were for a Planning Board regular meeting.

4. Open the public hearing

Motion: Ferguson moved to open the public hearing. Commissioner Robb English seconded.

Vote: 12-0. Motion passed.

Boyle addressed the public and explained the public hearing process.

5. Public Hearing

- A. Text amendment to Unified Development Ordinance Section 9.2, Definitions (initiated by Board of Adjustment)

Planner II Molly Boyle summarized the text amendment. It was initiated by the Board of Adjustment after hearing an appeal regarding automated teller machines (ATMs). The proposed text amendment would allow drive-up ATMs. The current Unified Development Ordinance allows walk-up ATMs only.

Commissioner Matt Hughes asked for more background on the appeal case to the Board of Adjustment. Boyle explained that a developer was interested in building a financial institution on a portion of the Paliouras Tract. The developer wanted to ensure drive-up ATMs were allowable before moving forward with a development application.

B. Annexation and rezoning requests for 224 Oakdale Dr. (Starlight Construction LLC)

Boyle said the applicant, Starlight Construction LLC, was requesting to annex 224 Oakdale Drive and rezone it to R-10. She said the applicant's intent was to create a subdivision of about 15 lots. Boyle said staff found the rezoning was consistent with the Unified Development Ordinance and Future Land Use Map. She noted that Engineering staff determined the town would be able to provide water and sewer service to the intended number of lots, with necessary infrastructure improvements to be made at the developer's expense.

Hughes requested assurance that the town Utilities Department reviewed the request and determined the proposed development was serviceable by the town. Boyle confirmed. Hughes also asked about the effect on the town's satellite annexation allotment. Boyle confirmed that if annexed, this property would slightly increase the acreage of contiguous property in town limits. This in turn would slightly increase the town's satellite annexation allowance.

Ferguson clarified that the development would not impact sewer capacity for planned and future development. Engineering Services Manager Bryant Green addressed the board and confirmed it would not affect capacity of other planned developments. He also confirmed the project would not impact capacity for downtown or development in north Hillsborough.

Commissioner Meaghun Darab asked if R-10 zoning allows multi-family housing. Boyle said structures like duplexes and triplexes were allowable in that district but not multi-family apartment buildings.

Hughes inquired if the street would be public or private, and Boyle stated a public street would be required.

Ferguson asked if the property could support greater density. Boyle replied that the R-10 zoning district has a minimum lot size of 10,000 square feet. So, at most, this property could be subdivided into 20 lots based on its size. However, you would also need to subtract the area needed for the public road, stormwater device, and open space. Boyle said the applicant's intended 15 lots is likely the actual maximum yield after factoring those in.

Casadonte opened the floor to Starlight Construction LLC, represented by Nasser Massry, who declined to address the board. There were no questions for the applicant.

The floor was opened for public comment. Cindy Talisman of 2105 Magnolia Lane addressed the boards. She stated she is the treasurer for the Magnolia Place Homeowners' Association (HOA). She made the following comments:

- Oakdale Drive is a rural, two-lane road that cannot support increased traffic.
- Hillsborough does not need more houses.
- The town provided insufficient notice to affected properties.

- The stormwater from the proposed development would put further strain on the stormwater pond for Magnolia Place, which supports all the lots in Magnolia Place as well as another subdivision.
- The town continues to become less affordable.
- The development would remove trees and destroy habitat, and she was surprised that she, as a republican, needed to point that out to a liberal board.

Ferguson asked for staff to clarify which properties were in the 500-foot radius for mailed hearing notices. Boyle pulled up a map on the screen showing the 500-foot radius. She confirmed that she personally mailed the hearing notices to properties within the radius.

Iglesias asked Ms. Talisman how her concerns could be addressed. Talisman stated she wanted the town to maintain the stormwater pond and pump station easement. Bell asked about stormwater requirements for the proposed development at 224 Oakdale. Boyle stated that the developer would need to submit a stormwater management plan when submitting plans for the subdivision to town staff for review.

Casadonte asked how many homes were in the Magnolia Place subdivision and how many other homes outside of the subdivision were draining into the Magnolia Place stormwater pond. Talisman stated 42 homes were in the Magnolia Place subdivision. Ferguson said that based on the maps, it appears 16 homes outside of Magnolia Place were draining into the pond.

Hughes asked Talisman if there were other options that would address her concerns. He expressed misgivings about the town taking over the stormwater pond for Magnolia Place. He anticipated if that happened, then all other homeowners' associations in town would want that too. Talisman said she thought incorporating the other 16 homes that use Magnolia Place's stormwater pond into the Magnolia Place HOA would suffice. Town Attorney Bob Hornik stated the town could not force those property owners to do that.

Boyle reiterated that the proposed development at 224 Oakdale would need to create a stormwater management plan and build their own stormwater device. Boyle said she and Ms. Talisman could continue the conversation after the meeting but there were more speakers waiting to offer comment.

Ferguson noted that the decision before the board was not a partisan issue. She said that everyone in the room had Hillsborough's best interests at heart. Handling development pressures is difficult, but it does not have to be a matter of red versus blue.

Next, Robin Langford of 2401 Uphill Court addressed the board and thanked the board for their service. She said she and her husband live on adjacent property and had also submitted written comments on this item. They asked for a greenway between the new subdivision and their property, like what was done with a neighboring subdivision years ago.

Ferguson asked to see a map of the property. Boyle clarified that the greenway Ms. Langford referenced was open space in the Oakridge subdivision. Boyle stated the current Unified Development Ordinance would require the subdivision of 224 Oakdale to preserve 10% of the property as open space.

C. Rezoning and development agreement requests for 1001 Corporate Drive (WP East Acquisitions LLC)

Boyle explained that the applicant is requesting to rezone 11.1 acres at 1001 Corporate Drive from Office Institutional (OI) to Multi-Family (MF). The applicant intends to build a multifamily development, Altera, at this location. It would have a maximum of 333 units, 10% of which would be affordable.

Boyle explained that the applicant was also requesting to enter into a development agreement with the town. She said the agreement would set the development requirements for the duration of the agreement period, and both parties would have to agree to the terms (*i.e.*, one party could not force terms onto another). The draft agreement proposed the following:

- A seven-year agreement period;
- 10% of the units would be affordable;
- Of that 10%, two-thirds would be affordable at 80% of the Area Median Income (AMI), and one-third would be affordable at 60% AMI; and
- The developer would make a financial contribution for design and construction costs for improvements to the Cates Creek Sewer Outfall.

Boyle stated town staff found multi-family zoning at this location to be consistent with the Unified Development Ordinance but inconsistent with the Future Land Use Map. She noted that the town board could still ultimately approve the rezoning request despite the inconsistency.

Schultz noted the parcel abutting 1001 Corporate Drive is zoned Multi-Family Special Use. Boyle confirmed, stating it was Eno Haven Apartments.

Bell asked about the estimated population of the proposed development. Boyle said the applicant would address that question.

Next, Emmit Visconti, Vice President of Development for Wood Partners (doing business as WP East Acquisitions LLC), thanked the board and introduced the project team: Caitlin Shelby, Wood Partners Managing Director; Dan Jewell, Thomas and Hutton Principal/Regional Director; Earl Lewellyn, Kimley Horn Vice President; and Ashley Terrazas, Parker Poe Legal Consultant.

Shelby explained that Wood Partners is an apartment developer with models that create naturally occurring affordable housing. She gave examples of other Wood Partners projects, including Alta Town Center in Raleigh. She elaborated on the three requests before the boards, describing them as:

- An amendment to the Unified Development Ordinance to increase maximum density and building height in the Multi-Family district;
- A request to rezone the property to Multi-Family; and
- A development agreement that addresses several factors, including affordable housing, pedestrian access to Eno Haven, traffic mitigation, and utilities infrastructure.

Shelby noted that Wood Partners does not use tax credits to create affordable housing, so density is required for their model to work. She also noted that the apartment buildings would have elevators, increasing accessibility.

Visconti described the property, which is in the Meadowlands Business Park, and its suitability for residential development. He noted that they had communicated with the Property Owners' Association for the Meadowlands Business Park, and the association was supportive of the proposed development.

Visconti clarified that Wood Partners was proposing to make 10% of the apartment units affordable, with half of the affordable units available at 80% Area Median Income (AMI) and half available at 60% AMI. This was different than what was stated in the staff's presentation. Visconti also made the following points:

- The development would include a paved pedestrian path from Eno Haven Apartments through the proposed development to the Sportsplex and Senior Center.
- A traffic impact analysis would be completed at the site plan stage and keep intersections functioning at a high level of service.
- Wood Partners would make a financial contribution for design and construction costs for improvements to the Cates Creek Sewer Outfall. The estimated contribution is between \$1.5 and \$2 million. The amount of the contribution will be finalized after third-party review of the cost estimates for the design and construction costs.

Shelby ended the presentation and reiterated benefits to the town, including affordable housing, improvements to utility infrastructure, pedestrian connectivity, and tax revenue.

Hughes inquired about an existing brick structure on the property. Visconti stated it was part of the property and would be demolished as part of the development. Shelby stated it is not a historic structure, but Wood Partners is open to salvaging materials to be repurposed. Boyle confirmed that she previously discussed the structure with the staff planner to the Historic District Commission. She confirmed the house is not on the National Register of Historic Places.

Ferguson asked for more information on the naturally occurring affordable housing. She also noted that she had toured one of the Wood Partners project sites. Shelby explained the units are intended to serve residents earning 80% to 110% of the Area Median Income. Ferguson said she would prefer more affordable units at lower AMI percentages because of large demand in the community.

Bell asked for information on income verification of tenants. Shelby stated seasoned property management staff verifies and annually reports this information to the jurisdiction. Bell further inquired if other Hillsborough locations were explored. Visconti stated Meadowlands was found to be the most suitable for their proposed development.

Schmidt asked if the project was possible without the Unified Development Ordinance text amendment. Shelby said the project would not be possible without the increased building height and density.

Darab inquired about the affordability term in the development agreement. Visconti noted that the agreement proposes to maintain the affordable units as affordable for thirty years, but that is negotiable. The thirty-year term was based on legal advice Wood Partners received.

Darab inquired about the scope of the traffic impact study. Earl Lewellyn with Kimley Horn replied that the developers, town staff, and the North Carolina Department of Transportation would first meet to identify intersections and assumptions for the study. He reported early investigations show the proposed development having a minimal impact on Business Highway 70. Lewellyn said he anticipated that Highway 86 would be included in the study as well. Bell asked Assistant Town Manager Matt Efird for recent traffic impact studies along the Business Highway 70 corridor. Efird referred to the board adopted US 70 West study, which provided traffic counts, but not level of service.

Casadonte asked about the dispersion of affordable units within the development. Shelby stated the affordable and market-rate units are identical, and the affordable units are dispersed throughout the development.

Bell asked about the unit sizes and bedrooms per unit. Visconti described a rough estimate of 50% one-bedroom, 40% two-bedroom, and 10% three-bedroom units. Then, Hornik asked for the percentages of one-, two-, and three-bedroom units for affordable housing. Shelby stated the development agreement does not specify. Shelby added that most of the demand for affordable housing in their previous developments was for one-bedroom units. Hornik followed up with an inquiry about the construction timeline. Shelby stated the first units should be available in 12 months. This would include affordable units as well. She estimated build-out would be achieved in approximately 20 months.

Planning Board member Jeanette Benjey asked about how the developer balances unit features and affordability. Visconti stated the buildings and plans are designed to manage costs. Benjey complemented the inclusion of elevators.

Schmidt asked if the developers would be willing to investigate intersection upgrades for downtown walkability. Shelby replied they could investigate it.

Boyle stated there were no speakers signed up to offer comment on this item.

D. Text amendment to UDO Table 6.3.1, Dimensional Requirements - Residential (WP East Acquisitions LLC)

Boyle explained that WP East Acquisitions LLC was also proposing a text amendment to the maximum density and building height requirements for the multi-family zoning districts. The agenda packet contained two versions of the amendment: the applicant's original amendment and a version inclusive of staff edits.

Boyle stated the applicant was amenable to staff's recommended edits, so she summarized staff's version. The staff version of the amendment proposed the following changes:

- The maximum building height in the multi-family zoning districts is currently 45 feet. The text amendment would allow the maximum height to be increased to 65 feet if all building setbacks are increased by 5 feet.
- The current Unified Development Ordinance sets a maximum density of 20 units per acre in the multi-family zoning districts. It also offers a density bonus of 30 units per acre if all units in the development are affordable at 80% of the Area Median Income (AMI). The text amendment would allow a density of 30 units per acre if 10% of the units are affordable at 80% AMI.

Ferguson expressed concerns about other developers abusing these proposed changes. She was also reluctant to keep amending the Unified Development Ordinance with the rewrite underway. She asked if the density and height requests could be addressed with the rezoning and/or development agreement. Boyle and Hornik said conditions could not be placed on a general use rezoning request, and the development agreement could not supersede existing Unified Development Ordinance regulations. Boyle said the applicant's version of the text amendment was more restrictive, which the board might prefer. She also noted that the applicant was amenable to revising the proposed text amendment, so suggested edits were welcome.

Bell also stated his concern about the amendment and would like to explore including more affordable housing regulations in the Unified Development Ordinance rewrite.

Casadonte asked if emergency services would still be able to respond to emergencies on the upper floors. Green said a domestic pump and a fire pump would be needed based on the intended building height. This would be reviewed in the construction drawings. Shelby stated the elevators will be to code, and the developer's preference is for wider stairwells than required.

Hughes thanked the applicant for their inclusion of affordable housing and the proposed utility infrastructure improvements.

6. Close the public hearing

Motion: Schultz motioned to close the public hearing. Ferguson seconded.

Vote: 12-0. Motion passed.

The Board of Commissioners adjourned, and the Planning Board recessed for five minutes at 8:39 p.m.

Planning Board member Tiffney Marley left at 8:39 pm.

The Planning Board reconvened at 8:44 p.m.

7. Planning Board recommendations

Boyle summarized the items heard during the joint public hearing. The Planning Board had no concerns regarding item 5A. So, it decided to make its recommendation on that item before deliberating on the others.

Motion: Schmidt motioned to recommend approval of Item 5A. Schultz seconded.

Vote: 6-0. Motion passed.

Next, the Planning Board discussed item 5B. The Planning Board discussed the comments they received from the public during the hearing. They recognized that one of the speakers expressed great concern regarding stormwater runoff impacting her subdivision. The Planning Board also recognized that, under current stormwater management requirements, the developer of the 224 Oakdale subdivision would have to build a stormwater control measure (SCM) for the development.

Schmidt asked if conditions could be placed on annexations. Hornik said the Planning Board can make suggestions, but conditions could not be placed on the annexation.

Schultz noted that the proposed rezoning was consistent with the town's adopted plans and ordinances, as well as with the neighboring land uses. Schultz said he was comfortable recommending approval of the rezoning and annexation requests. Schmidt agreed.

Motion: Schultz motioned to recommend approval of Item 5B. Schmidt seconded.

Vote: 6-0. Motion passed.

Next, the board discussed items 5C and 5D together.

Schmidt said he would like to see the applicant's credentials and examples of successful projects. Casadonte wondered about the tax benefits of multifamily zoning at this site versus non-residential zoning.

The board discussed various aspects of the requests, including affordability, consistency with the town's Comprehensive Sustainability Plan, and water and sewer capacity. The board also vetted the proposed text amendment, debating whether dedicating 10% of the units as affordable was enough, or if that percentage should be higher. The board also noted it would like to see more robust standards on affordable housing in the updated Unified Development Ordinance. Boyle noted that the Unified Development Ordinance rewrite project had begun.

The Planning Board members agreed they were not ready to make recommendations on items 5C and 5D, so they would continue discussing them at the next meeting in June.

8. Updates

A. Board of Adjustment

Iglesias summarized two items from the previous Board of Adjustment meeting. The board approved a variance request increasing the maximum height for Holy Family Catholic Church on Governor Burke Road. They also approved a Special Use Permit modification for Durham Technical Community College at Waterstone Drive and College Park Road.

B. Parks and Recreation

Schultz could not attend the previous meeting, so there was no report.

C. Staff and Board members

No updates.

9. Adjournment

Casadonte adjourned the joint public hearing at 9:32 p.m.

Respectfully submitted,



Molly Boyle, Senior Planner
Staff support to the Planning Board

Approved: XX XX, 2025

Minutes

PLANNING BOARD

Regular meeting

6:30 p.m. June 26, 2025

Board Meeting Room of Town Hall Annex, 105 E. Corbin St.



Present: Chair Frank Casadonte, Vice Chair Hooper Schultz, and members Jeanette Benjey, Sherra Lawrence, and Christian Schmidt

Absent: Tiffney Marley and Robert Iglesias

Staff: Planner II Molly Boyle and Town Attorney Bob Hornik

1. Call to order and confirmation of quorum

Chair Frank Casadonte called the meeting to order at 6:30 p.m. Planner II Molly Boyle confirmed the presence of a quorum.

2. Agenda changes and approval

Approval of the agenda.

Motion: Vice Chair Hooper Schultz moved to approve the agenda as presented. Casadonte seconded.

Vote: 4-0. Motion passed.

3. Old business

A. Rezoning and development agreement requests for 1001 Corporate Drive (WP East Acquisitions LLC)

B. Text amendment to UDO Table 6.3.1, Dimensional Requirements – Residential (WP East Acquisitions LLC)

The board discussed items 3A and 3B together. Both requests were from WP East Acquisitions LLC, and both were associated with the same intended development, Altera apartments.

Boyle gave a summary of the requests, which were first heard at the joint public hearing on May 15, 2025. She explained that the applicant was requesting to rezone 11.1 acres at 1001 Corporate Drive from Office Institutional (OI) to Multi-Family (MF). She said the applicant's intent was to create a maximum of 333 apartment units on the property. The applicant had also proposed a text amendment to the maximum height and density requirements in the multi-family zoning districts. She said a development agreement was also proposed.

Regarding the text amendment, Boyle stated the applicant's version would affect fewer properties in town. Staff's version would allow more properties to use the affordable housing density bonus. Both versions of the text amendment stipulated that a development agreement would be required to receive the density bonus. Development agreements must be approved by the town board.

Casadonte asked if staff and the applicant had met since the public hearing. Boyle said they had corresponded via email. Casadonte noted that Engineering Services Manager Bryant Green was not present. Boyle stated

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she had discussed with Green prior to the meeting, and he was satisfied with the proposed development agreement.

Schultz asked if any developers had used the existing affordable housing density bonus in the current Unified Development Ordinance. Boyle said no. Boyle explained financing plays a significant role in the ability to provide affordable housing. Developers providing 100% affordable units generally rely on Low-Income Housing Tax Credit (LIHTC) to fund their projects. However, only one project in the county can receive that funding each year. Projects in Chapel Hill usually receive that funding, so affordable housing projects are not being developed in Hillsborough. This is one reason town staff wants to make the affordable housing density bonus available to projects offering a smaller percentage of affordable units.

Member Christian Schmidt arrived at 6:37 p.m.

Member Jeanette Benjey asked for more information on density bonuses. Boyle explained that the density bonus allows a developer to build more units per acre if they make a certain percentage of units affordable.

Casadonte asked for confirmation regarding the term of affordability. He asked Shelby if the units would be permanently affordable. He also asked about the percentage of affordable units in the Wood Partners' development in Raleigh, which was discussed at the public hearing.

Wood Partners Managing Director Caitlin Shelby explained there are two different types of affordability: naturally occurring and income restricted. The Alta Town Center project in Raleigh was naturally occurring. It did not have specific income restrictions. Shelby said Wood Partners believes the Hillsborough project will similarly create naturally occurring affordable housing. However, they were still committing to income restrictions on 10% of the units: half at 80% of the Area Median Income (AMI) and the other half at 60% AMI. She said Wood Partners would be happy to set the affordability term for as long as legally allowed.

Casadonte asked if the affordable apartments would be distributed throughout the development. Shelby confirmed, stating there would be no difference between the affordable and market-rate units.

Schultz stated the Town of Chapel Hill requires a minimum of 15% affordable units for its density bonus. He asked if there was a particular reason Hillsborough staff recommended 10%. Boyle stated this was an applicant-initiated request and 10% was what was proposed by the applicant. The Planning Director found 10% acceptable, but that was the minimum to which she would agree.

Schultz stated he was generally supportive of the project. However, he said he wanted to make sure the ordinance would require an adequate percentage of affordable units. Boyle agreed, confirming that amending the Unified Development Ordinance does have the potential to impact other developments in the future.

Schmidt asked for more information about the differences between the applicant version of the text amendment and the staff version. Boyle said that the applicant's version was more restrictive and currently only four parcels in town would be eligible to use it. Three of those parcels were already developed as apartments. She said staff's version would allow more projects to use the density bonus, but a development agreement would still be required. So, there would still be oversight with the staff version, since the town board would have to approve a development agreement. Boyle pulled the applicant's version of the text amendment up on the screen and read through it with the board.

Schmidt discussed how it may be advantageous to assess affordable and workforce housing requirements on a project-by-project basis. For example, a larger project may offer a smaller percentage of affordable units. However, if the project proposes a significant number of total units, that could still result in a good number of new, affordable units for Hillsborough. He also suggested that the demand for workforce housing in Hillsborough may not be as significant as its need for affordable housing; he noted that realistically, there was a limit to the number of businesses that could come to town. Casadonte said he viewed workforce housing needs more regionally, and he thought workforce housing for workers employed outside of town also needed to be considered.

Schultz stated the density bonuses for Raleigh, Durham, and Chapel Hill were 20%, 15%, and 15% respectively. Schultz suggested using these higher percentages as benchmarks. He said he did not want Hillsborough to be the place developers go because the town is lenient on affordable housing.

Shelby noted that Wood Partners had developed in Durham and that Jewell had done several projects in Chapel Hill. She said the affordable housing requirements in those jurisdictions were not calculated using flat percentages. For example, she said that to her recollection, Chapel Hill requires that 15% of the units be affordable for some of their for-sale housing (e.g., townhomes; detached single-family). However, she recalled that their typical multi-family requirements allow a wider percentage range. She also noted that, per the proposed text amendment, 10% would be the minimum amount of affordable housing allowed. Also, she said that other compounding factors may increase development costs, making higher percentages of affordable units infeasible for a project. Shelby said that based on her experience, developers have increased financing prospects when offering 10% of the units as affordable, even when using traditional funding sources instead of tax credits.

Casadonte said the development agreement requirement seemed to act like a safety net. Boyle confirmed, stating that development agreements require town board approval and give the town some ability to negotiate with developers.

Schultz said he would be comfortable sending the staff version of the text amendment forward to the town board. However, he would like the town to look at the inclusionary zoning requirements of surrounding municipalities during the Unified Development Ordinance rewrite. Boyle said the town board also wanted to see that incorporated into the new ordinance, and town staff would be looking to include it during the rewrite.

Member Jeannette Benjey stated the development is needed in Hillsborough and finds the proposed 10% to be acceptable.

Member Sherra Lawrence stated she thought the requests were acceptable in the short-term while the Unified Development Ordinance was being rewritten.

Schmidt asked if the town had specific data on existing workforce housing, and Boyle said not to her knowledge. Schmidt asked the developer for the IRR. Lawrence asked for clarification on what an IRR was. Schmidt explained it was the Internal Rate of Return, a method of calculating the rate of return on an investment. Shelby said that to get something financed in today's market, you would need an IRR in the high teens.

Shelby also noted there is a significant difference between purchasing a development and developing it from the ground up. She said this project would cost about \$70 million to develop. Casadonte noted that the financing would all be private. Shelby confirmed and noted that in addition to funding from investors, Wood Partners would seek a typical construction loan from a vendor.

Boyle reminded the board that they could recommend the applicant's more restrictive version of the text amendment if they were not comfortable with staff's broader version. She noted that suggested revisions were also welcome.

Hornik asked if the applicant had an estimate for the financial contribution for the utility improvements. Shelby said Wood Partners had just submitted the estimate to Bryant Green for review. The engineer's estimate was \$1.377 million. Boyle noted that Green had submitted the estimate to a third-party contractor for review.

Schmidt stated he supported the applicant's version of the text amendment.

Benjey noted that the proposed development addresses a need in the community.

Motion: Schultz motioned to recommend approval of item 3A and item 3B, recommending the applicant's version of the text amendment under item 3B. Benjey seconded.

Vote: 5-0. Motion passed.

4. Updates

A. Board of Adjustment
No update.

B. Parks and Recreation Board
Schmidt reported the board reviewed a draft of the Riverwalk Master Plan.

C. Staff and board members
Boyle reported John Giglia had resigned from the Planning Board for personal reasons. Schmidt stated that he was moving to another state, and this would be his last meeting as a Planning Board member. Casadonte thanked Schmidt for his service.

5. Adjournment

Motion: Schmidt motioned to adjourn the meeting. Lawrence seconded.

Vote: 5-0. Motion passed.

Casadonte adjourned the meeting at 7:20 p.m.

Respectfully submitted,



Molly Boyle, Senior Planner
Staff support to the Planning Board
Approved: XX XX, 2025



HILLSBOROUGH
UNIFIED DEVELOPMENT ORDINANCE



UDO FRAMEWORK & ANNOTATED OUTLINE



Hillsborough, NC

Section 4, Item A.

August 14, 2025

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Town of Hillsborough, NC
Community Services Department, Planning and Economic
Development Division
101 E. Orange St.
Hillsborough, NC 27278



This document has been prepared by Inspire Placemaking
Collective on behalf of the Town of Hillsborough, NC.

Introduction

The Unified Development Ordinance (UDO) is the Town of Hillsborough's primary tool for regulating land use, development, and subdivision activity within its municipal limits and extraterritorial jurisdiction. Originally adopted in 2011 and amended incrementally over time, the current UDO needs to be reviewed and updated to implement the Town's adopted Comprehensive Sustainability Plan, Future Land Use Map, and development priorities. As Hillsborough continues to grow and evolve, the need for a comprehensive, modern, and accessible ordinance has become a priority. This UDO Framework and Annotated Outline identifies a clear set of proposed revisions to modernize the UDO, improve functionality, and ensure alignment with the Town's long-term goals.

In 2023, the Town adopted the Comprehensive Sustainability Plan 2030 (CSP), which outlines a community-driven vision for equitable, resilient, and environmentally responsible development. The UDO is being updated to support and implement that vision. This rewrite also responds to known issues with the structure, usability, and technical clarity of the current UDO.

This UDO Framework and Annotated Outline document serves three purposes. First, it communicates the scope of proposed revisions to the UDO in advance of drafting so that Town staff, elected officials, and community members

have a clear understanding of the proposed revisions.

Second, it provides a structured foundation for preparing the new UDO text and evaluating whether each revision aligns with the Comprehensive Sustainability Plan and stated project goals. Finally, it establishes a transparent baseline against which the Town can confirm implementation of the proposed changes once the rewrite is complete.

The recommendations presented in this UDO Framework and Annotated Outline document include:

- Revision for internal consistency, external legal compliance, accessibility, and usability
- Alignment with the Comprehensive Sustainability Plan and Future Land Use Map
- Address issues previously identified by staff and stakeholders.
- Support more predictable, efficient, and context-sensitive development outcomes
- Streamline UDO administration and enforcement

The process for adoption of revised UDO language is a legislative process.

The proposed revisions will be available for public review prior to going to the Planning Board for their official review

and recommendation to the Town Board of Commissioners. Then the Board of Commissioners will hold an official hearing and decide whether to adopt the revisions. At that point, the revisions will come into full effect, subject to state statutes governing land development and land use regulation, which refers to Chapter 160D of North Carolina General Statutes.

The following sections describe the proposed reorganization of the UDO and summarize recommended changes by topic area. Each item identifies the current issue, the intended revision, and how it supports Hillsborough's goals for clear, equitable, and forward-thinking development regulations.

Proposed UDO Organization

The following table describes the proposed UDO organization, broken down into Articles. Where overarching chapters in the current UDO are referred to as "Sections," these will be referred to as "Articles" in the new UDO. The "Recommendation / Notes" column indicates where sections in the current ordinance will move to in the proposed organization. Most notably, Section 6 of the current UDO is proposed to be reorganized into several different articles for ease of use and administration.

PROPOSED UDO ORGANIZATION	RECOMMENDATION / NOTES
Part 1: Standards	
Article 1 - General Provisions Establishes UDO authority, applicability, and purpose.	
Article 2 - Zoning Districts Establishes base and overlay zoning districts and district dimensional standards.	Move to Article 2: 1.6.4 – Interpretation of official zoning map boundaries 6.3 – General dimensional standards 6.6 – Creation of new building lots 9.1 – Rules of measurement, computations, and exceptions
Article 3 - Detailed Use Regulations Establishes use table and use-specific standards.	Move to Article 3:

PROPOSED UDO ORGANIZATION	RECOMMENDATION / NOTES
	6.7 – Design requirements for new non-residential and multi-family buildings
Article 4 – Subdivision Design Standards Establishes design standards for major/special, conservation, and minor subdivisions.	Move to Article 4: 5.2.48 – Subdivision, major or special 5.2.49 – Subdivision, conservation 5.2.50 – Subdivision, minor 6.12 – Open Space
Article 5 – Landscaping, Buffers, Screening Establishes standards for landscaping, buffering, tree preservation, and screening.	Move to Article 5: 6.5 – Buffers 6.10 – Landscaping (Parking Lot) 6.16 – Screening 6.17.11 – Sidewalk Shade Trees 6.22 – Tree Preservation Landscaping definitions from 9.2
Article 6 – Environment, Stormwater, and Waste Management Establishes standards for stormwater, waste, wastewater, and water management.	Move to Article 6: 6.20 – Stormwater Management 6.23 – Waste Management and Recycling 6.24 – Wastewater Disposal 6.25 – Water Supply Add section: Erosion Control Flood Damage Prevention Ordinance
Article 7 – Streets and Sidewalks Establishes standards for sidewalk and street construction and design.	Move to Article 7: 6.17 – Sidewalks and pedestrian access 6.21 - Streets
Article 8 – Parking, Loading, and Circulation Establishes driveway access, off-street parking and loading standards.	Move to Article 8: 6.13 - Parking, loading, and circulation 6.9.4 – Driveway Requirements
Article 9 – Lighting	Move to Article 9:

PROPOSED UDO ORGANIZATION	RECOMMENDATION / NOTES
Establishes standards for lighting..	6.11 – Lighting
Article 10 – Signage Establishes locational and dimensional standards for signage.	Move to Article 10: 6.18 – Signage Sign Definitions from 9.2
Article 11 – Nonconformities Establishes standards for nonconforming uses, structures, signs, and lots.	Move to Article 11: 6.18.16 – Nonconforming Signs 6.18.17 – Removal of nonconforming signs Nonconforming definitions from 9.2
Part 2: Administration	
Article 12 – Administration Establishes reviewing and decision-making bodies.	
Article 13 – Review Procedures Establishes review and approval procedures for various administrative, legislative, and quasi-judicial processes.	Move to Article 13: 1.6.3 – Zoning classification of lands added to jurisdiction 1.6.5 – Changes to official zoning map 1.8 – Vested rights 4.5.5 – Other Zoning Districts, Administration
Article 14 – Enforcement Establishes standards for violations and enforcement procedures.	
Article 15 – Definitions Establishes definitions for relevant terms found throughout the UDO.	
Appendix – Tree Planting List Establishes recommended and prohibited plants for landscaping requirements.	
Sections to remove from UDO:	
6.4 – Air Pollution 6.14 – Public School Facilities, Adequacy 6.15 – Recreation Sites	

PROPOSED UDO ORGANIZATION	RECOMMENDATION / NOTES
6.8 – Design requirements for all new residential buildings	

Comprehensive Sustainability Plan Recommendations

The recommended revisions to the UDO in these tables are derived from the Comprehensive Sustainability Plan or the project Request for Proposals. Location references are from the current version of the UDO.

GOALS, OBJECTIVES, & POLICIES (FROM COMPREHENSIVE PLAN)		LOCATION IN CURRENT UDO	ACTION
LAND USE & DEVELOPMENT			
1.	Coordinate all plans, including land use, zoning, utility and infrastructure provision, and annexation policies, to ensure that future growth and development — including infill and redevelopment — establishes and follows land use and growth preferences.	Entire UDO	Align updated UDO standards to all relevant planning documents.
2.	Facilitate transit-oriented developments around the future train station project to better align with future densities and demand for public transportation.	Article 4 and Zoning Map	Ensure appropriate zoning districts allow for a mix of commercial and high-density residential use. Evaluate zoning map near future train station.
3.	Revise zoning and development regulations in accordance with Future Land Use Plan and Future Land Use Map and water and sewer needs. Condense land use classifications.	Article 4, Article 5	Work with staff to identify land uses to retain, strategize on ways to condense, and adjust accordingly.

GOALS, OBJECTIVES, & POLICIES (FROM COMPREHENSIVE PLAN)		LOCATION IN CURRENT UDO	ACTION
4.	Overhaul the Unified Development Ordinance and Zoning Map to reflect current development trends and patterns to incorporate sustainability, environmental and climate best practices, economic resiliency measures, and equity in development and redevelopment as well as meet water and sewer system-wide needs. Incorporate utility standards in UDO.	Article 4, Article 5, Article 6 (utilities 6.24-6.25)	Work with staff to outline development trends to be promoted/avoided and the utility standards that are currently missing from adopted UDO. Adjust where necessary.
5.	Incorporate Universal Design and accessibility standards into zoning and development regulations.	5.2, 6.3, 6.7, 6.11, 6.12, 6.17, 6.21	Review universal design best practices and modify sidewalk ordinance, use standards, dimensional requirements and any other relevant sections.
6.	Ensure that the UDO incorporates strategies to achieve a mix of housing types through zoning.	4.1, 4.2, 4.4, 5.1, 6.3, 6.7	Analyze existing zones, housing types, and development requirements. Find an opportunity to incorporate missing middle, mixtures of uses where applicable.
7.	Incorporate a sustainability checklist in the existing development review process to promote excellent design and inform applicants of design options available that can enhance the existing built environment.	Article 3	Review development review procedures, like rezonings or subdivision approval, and incorporate sustainability standards into approval processes.
8.	Update the UDO to ensure development review processes are clear, responsive, predictable, and equitable while ensuring flexibility within design. Include requirement to obtain capacity assurance and Water and Sewer Extension Contract prior to rezoning or annexation requests.	Article 3 (specifically 3.7), Article 4 (4.5), Article 5, maybe Article 7	Work with stakeholders and staff to identify “stiff” areas of development review and remove barriers where possible. Likely to influence review procedures, zoning districts, and use standards.

GOALS, OBJECTIVES, & POLICIES (FROM COMPREHENSIVE PLAN)		LOCATION IN CURRENT UDO	ACTION
9.	Clarify the roles and responsibilities of internal town department reviewers, appointed boards, and the town board in the development review process.	Article 2	Develop tables or charts to organize reviewer responsibilities. Clarify role as “Planning Director or designee” to encompass entire planning staff.
10.	Solidify acceptance process amongst departments and conditions of bond release.	6.20	Clarify and consolidate bond release standards for zoning compliance permits, watershed protection districts, and stormwater management.
ENVIRONMENT & NATURAL SYSTEMS			
1.	Investigate options to develop incentives for developers to incorporate sustainable environmental best practices for managed natural areas and landscapes.	6.5, 6.6, 6.10, 6.12, 6.17, 6.20, 6.22	Review requirements when grading a site, subdivision requirements, landscaping and buffering requirements. Implement sustainability techniques where possible.
2.	Investigate options for cost-sharing, tree planting programs on private property.	6.5, 6.10, 6.22	Review tree list, landscaping and buffering requirements. Explore cost-sharing mechanisms.
3.	Investigate options to retain and reuse top soil from development sites.	6.5, 6.10	Review requirements when grading a site, landscaping and buffering requirements. Explore incentives related to grading, subdivision, landscaping, and buffer requirements.
4.	Develop and adopt regulations and standards for soil amendment on development sites.		
5.	Employ land suitability analysis to guide built environment policy and development decisions	TBD	Needs further development. Staff has a conceptual model for site capacity requirements that needs further exploration and development before deployment.
6.	Update tree preservation ordinance to incorporate best practices.	6.22	Review and modernize tree preservation standards. Discuss with staff on any requested standards.
7.	Encourage boring (rather than trenching) near existing trees on development sites.	3.5, 6.5, 6.6, 6.10, 6.12, 6.15, 6.17, 6.20, 6.22	Review requirements when grading a site, subdivision requirements, landscaping and buffering requirements.

	GOALS, OBJECTIVES, & POLICIES (FROM COMPREHENSIVE PLAN)	LOCATION IN CURRENT UDO	ACTION
8.	Update street tree and landscape planting regulations to incorporate best practices.	6.5, 6.10, 6.17.11, 6.22	Review and modernize street tree and landscape planting regulations.
9.	Update and enforce illicit discharge ordinance to incorporate best practices.	6.20, 8.7	Update illicit discharge ordinance with best practices. Work with staff and stakeholders to identify shortcomings of current practices.
10.	Develop and adopt incentives to expand the use of green infrastructure (such as bioswales, rain gardens, and green roofs) for development sites.	6.5, 6.7, 6.10, 6.12, 6.20	Review current green infrastructure options, explore new alternatives and incentives during the development process.
11.	Develop and adopt regulations that limit slopes on development sites to 3:1 or less steep.	6.3, 6.5, 6.7	Review grading requirements and slope restrictions. View topography of Hillsborough to identify sites where this may become an issue.
12.	Update recommended and prohibited plants list to incorporate drought-tolerant, deer resistant, and climate hardy species.	Appendix	Update recommended and prohibited planting lists based on recommendations from the Town's Tree Board.
13.	Update recommended and prohibited plant list in the Unified Development Ordinance.	6.5, 6.10	
14.	Develop and adopt landscape management standards that incorporate best practices for development with homeowners' associations.	6.5, 6.10, 6.17.11, 6.22	Review landscaping and buffering requirements.
15.	Continue to restrict development in floodplains.	New Article	Incorporate the existing Flood Damage Prevention Ordinance into the UDO.
16.	Update buffer regulations to require conserved, undisturbed, or open space in developments to be located in critical environmental areas or wildlife corridors rather than unconnected buffers between neighborhoods.	6.5, 6.12	Review landscaping and buffering requirements, open space requirements, and conservation options for new developments.

GOALS, OBJECTIVES, & POLICIES (FROM COMPREHENSIVE PLAN)		LOCATION IN CURRENT UDO	ACTION
TRANSPORTATION & CONNECTIVITY			
1.	Adopt a Complete Streets policy that guides the design, construction, operation, and maintenance of streets that are safe for all road users.	6.17, 6.21	Review current design guidelines for streets, sidewalks, etc. and implement recommendations for complete streets from NCDOT guiding docs.
2.	Adopt a policy for ownership and maintenance of trails and greenways constructed as part of private development projects.	6.12, 6.15	Write ownership and maintenance standards for greenways in private development and provide clear enforcement authority.
3.	Update the sidewalk ordinance and payment in lieu system to include requirements for sidewalks, crosswalks, and ADA compliant ramps on new streets (public and private).	6.17, 6.21	Review current design guidelines for streets, sidewalks, etc. implement recommendations for ADA compliance and general safety.
4.	Update the sidewalk ordinance to prohibit barriers to connectivity and accessibility and incorporate universal design standards for new sidewalks, shared-use paths, and greenways.	6.17	Review current design guidelines for streets, sidewalks, etc.
5.	Update the town's parking requirements for simplicity and flexibility based on outcomes of the recommended parking study.	6.9, 6.10, 6.13	Update parking standards according to parking study and staff recommendation.
6.	Update street standards to incorporate roadway, sidewalk, shared-use path, greenway, utilities, and right-of-way design treatments as detailed in this plan.	6.21	Coordinate with staff to update street standards.
7.	Adopt regulations that require developers to include an integrated traffic impact study and transportation demand management	New section in Review Procedures	Review Traffic Impact Analysis requirements, review with staff to modify procedures,

GOALS, OBJECTIVES, & POLICIES (FROM COMPREHENSIVE PLAN)		LOCATION IN CURRENT UDO	ACTION
	program for development and redevelopment projects to evaluate and address the multimodal transportation impacts of the development.		requirements, and integrate complete street analysis types for traffic studies.
8.	Adopt regulations that require developers to incorporate bicycle and pedestrian connectivity and amenities into development projects.	6.7, 6.9, 6.17	Review infrastructure requirements for new developments – incorporate bike and pedestrian amenities where they are missing.
9.	Adopt regulations that require developments to be accessible by multiple modes, including transit and micro transit.	Article 4, 6.21	
10.	Update parking requirements to incorporate best practices for reducing surface parking through mechanisms such as eliminating parking minimums, adopting parking maximums, and encouraging shared and structured parking.	6.13	Evaluate parking requirements and work with staff to identify appropriate a course of action for minimums/maximums, shared parking requirements etc. This may be influenced by currently proposed state legislation.
11.	Develop and adopt electric vehicle requirements for developments.	Article 5, Article 6	Incorporate more robust EV requirements for developments.
12.	Offer incentives for electric vehicle charging infrastructure in developments.	Article 5, 6.13	Develop EV incentives for new developments and parking areas.
13.	Update regulations and street standards to incorporate the recommended Complete Streets policies.	6.17, 6.21	Coordinate with staff and align street standards to complete streets policies.
14.	Develop structured parking standards.	6.13	Add structured parking standards to UDO.
15.	Develop green design standards and incentives for parking facilities.	6.10, 6.13	Review and update planting requirements for parking facilities. Coordinate with staff to identify incentives for green infrastructure.

GOALS, OBJECTIVES, & POLICIES (FROM COMPREHENSIVE PLAN)		LOCATION IN CURRENT UDO	ACTION
SOCIAL SYSTEMS & PUBLIC SPACE			
1.	Revise historic district regulations and standards to advance sustainability and equity best practices.	4.3.1, 6.18	Review historic districts regulations with staff, revise standards to incorporate sustainability best practices while maintaining character. Discuss with staff which regulation changes have already been made.
2.	Develop and adopt standards for street lighting and pedestrian lighting in the right-of-way.	6.11, 6.17	Develop lighting standards for streets and pedestrians.
3.	Develop and adopt standards for pedestrian and placemaking amenities in the right-of-way.	Article 4, Article 5, 6.12, 6.17, 6.21	Revise zoning districts, street and sidewalk requirements, and use standards to better incorporate complete streets and human-scaled development practices to better create social spaces. Discuss with staff.
4.	Update street standards to incorporate the town standard for streetlights - Type 2 LED 50-Watt, 3000 Kelvin fixtures.	6.11, 6.17, 6.21	Update streetlight requirements.
5.	Incorporate crime prevention through environmental design best practices into development regulations.	6.9, 6.10, 6.11, 6.13, 6.17	Review lighting, sidewalk, alley, maintenance standards (among others) to incorporate ideals of natural surveillance, support activity, and beautification where possible. Discuss this topic with staff to better understand issues important to Hillsborough.
HOUSING & AFFORDABILITY			
1.	Investigate regulatory requirements and incentives for affordable housing that require 15% of housing units to be affordable in new residential developments and more in	Article 4, Article 5, 6.3, 6.13	Review affordable housing incentives, zoning and residential use standards, and more to encourage the production of affordable units.

GOALS, OBJECTIVES, & POLICIES (FROM COMPREHENSIVE PLAN)		LOCATION IN CURRENT UDO	ACTION
	property zoned other than residential but have flexibility to achieve overall goals of the town.		
2.	Investigate town-wide regulatory programs that require or incentivize development of affordable housing in mixed-income developments, in standalone affordable housing developments, and in targeted neighborhoods.	Article 4, Article 5, 6.3, 6.13	
3.	Increase housing opportunities for households or individuals that have limited access by increasing the number of affordable rental units, targeting those at 80% or less of the average median income.	Article 4, Article 5, 6.3	
4.	Support affordable housing opportunities in transit corridors or transit supportive developments and neighborhoods.	Article 4 (4.3), 5.1, 5.2	Review zoning districts and associated residential zoning regulations for parcels along transit corridors.
5.	Increase diversity of housing stock through development regulations and decisions.	4.1, 4.2, 5.1, 5.2, 6.3, 6.6, 6.7	Take a comprehensive review of the Town's zoning, residential uses, future land use and more to encourage a more diverse housing stock and eliminate barriers that may negatively impact costs for developments and pathways to ownership for residents. Ensure the use table allows a variety of housing types by-right across many zoning districts.
6.	Update the UDO and regulations to result in broader range of quality housing types of different sizes, configurations, tenures, price points, ownership structure, and income levels within close proximity.	Article 4, Article 5	
7.	Enact regulations that make building smaller, moderately priced homes easier (incentivized), including zoning reforms; relaxing dimensional requirements such as	Article 4, Article 5, 6.3, 6.7, 6.13	

GOALS, OBJECTIVES, & POLICIES (FROM COMPREHENSIVE PLAN)		LOCATION IN CURRENT UDO	ACTION
	minimum lot sizes, setbacks, lot coverage, or floor-to-area ratios; reducing minimum parking requirements; and flexibility in design standards.		
8.	Revise the UDO to allow for higher density housing or lower cost housing types in accordance with the Future Land Use Plan.	Article 5	Review permitted uses in each zoning district to see whether diverse housing types (e.g., duplexes, triplexes, cottage courts, manufactured homes) are allowed by right, with conditions, or prohibited.
9.	Incorporate universal design principles and share information with developers.	5.2, 6.3, 6.7, 6.11, 6.12, 6.17, 6.21	Review current accessibility standards and references to ADA compliance. Review any requirements to access points, entryways, parking and open spaces, and more to promote comfortable use by all residents
10.	Encourage housing in existing and proposed commercial areas (mixed use) in accord with the Future Land Use Plan.	Article 4, Article 5	Review future land use and revise zoning and use standards to provide dense mixed-use housing opportunities.
11.	Adopt regulations that ensure housing developments are accessible and connected.	3.5, 5.2, 6.6, 6.7, 6.9, 6.12, 6.15, 6.17, 6.21	Review subdivision regulations, bike and pedestrian connectivity requirements, requirements for connecting to existing parks/greenways and more to improve connectivity in new residential developments.
12.	Retain affordable and workforce housing units by managing gentrification, displacement, and redevelopment within existing neighborhoods.	Article 4	Explore neighborhood conservation overlay standards.
13.	Adopt regulations that promote a variety in housing that fills the missing middle housing.	Article 5	Review permitted uses in each zoning district to see whether diverse housing types (e.g., duplexes,

GOALS, OBJECTIVES, & POLICIES (FROM COMPREHENSIVE PLAN)		LOCATION IN CURRENT UDO	ACTION
			triplexes, cottage courts, manufactured homes) are allowed by right, with conditions, or prohibited.
14.	Evaluate additional practices to encourage the construction of accessory dwelling units.	Article 3, 5.1.5, 5.2.8	Review accessory uses, improve review process of ADUs and eliminate any hurdles for homeowners looking to add an accessory unit. Compare to programs in peer communities.
15.	Incentivize green housing developments and retrofits.	6.5, 6.7, 6.20, 6.22	Review and revise stormwater regulations, planting lists and preservation regulations. Coordinate with staff on research for green incentives.
16.	Streamline the permitting process for multiple parts of the housing development process.	Article 2, Article 3	Review development timelines, roles and responsibilities of staff, identify bottlenecks in review process, re-examine discretionary and by-right approvals for housing types, and more.
ECONOMIC SYSTEMS & TOURISM			
1.	Update and rewrite the UDO and Future Land Use Plan to incorporate sustainability, environmental and climate best practices, economic resiliency, and equity measures in development and redevelopment.	Article 4, Article 5, Article 6 (6.17, 6.20, 6.22)	Review existing policies for alignment with local, regional, or state climate action plans, hazard mitigation strategies, and sustainability frameworks and identify existing gaps. Integrate low-impact design strategies wherever possible. Evaluate flexibility of zoning in the context of new legislation.
2.	Review and update signage regulations as part of the UDO rewrite.	6.18	Review and update signage regulations to comply with federal caselaw and for best practices.
3.	Review and update sidewalk dining regulations as part of the UDO rewrite.	5.1, 5.2, 6.17	Discuss successful examples with staff, lessons learned from outdoor dining during Covid, and more. Adjust accordingly.

GOALS, OBJECTIVES, & POLICIES (FROM COMPREHENSIVE PLAN)		LOCATION IN CURRENT UDO	ACTION
4.	Refine regulations and processes to make it easier to start, expand, or relocate a business with flexibility to support compatible businesses in residential neighborhoods.	5.1, 5.2	Review the UDO's permitted, conditional, and prohibited uses across zoning districts to determine where and how different business types are allowed. Identify overly restrictive or outdated use categories that limit business activity. Support live/work units and accessory commercial spaces in residential or mixed-use zones.
CLIMATE & ENERGY			
1.	Establish incentives for new developments and redevelopments to incorporate climate and energy initiatives, including but not limited to the potential for solar PV and EV readiness.	Article 5, Article 6 (6.3, 6.13)	Incorporate EV and PV standards and incentives for more efficient energy usage. Limit barriers to EV and PV use.
2.	Update the UDO to incorporate requirements for the plan review process to evaluate the potential for green infrastructure and energy efficient practices of a proposed development.	3.5, 3.8, 3.9, 3.13, 3.14	Examine the current site plan, subdivision, and building permit review processes to identify where environmental considerations are evaluated. Determine if existing review criteria address sustainability, energy efficiency, stormwater performance, or green infrastructure potential.

Best Practices Recommendations

These revisions are intended to create user-friendly experience, consistent with case law and local policies, etc. These recommended revisions also incorporate input received from UDO users relative to administrative execution and enforcement.

RECOMMENDATION	RELEVANT UDO SECTION	PROPOSED RESOLUTION
SECTION 1. GENERAL PROVISIONS		
Update effective date	Article 1	Update mentions of March 1, 2011 to new effective date in 1.7 and throughout
Ensure all referenced NCGS references are correct, up to date, and relevant.	Article 1	Review language in NCGS 160D-108 and update references accordingly
SECTION 2. ADMINISTRATION		
Clarify roles of reviewers. Opportunity for chart or table delineating reviewing and approval authority.	Article 2	Confirm reviewer responsibilities with staff and develop chart/table of authorities
Remove requirement for TRC review from the UDO	2.6	Soften language related to TRC responsibilities
Develop table that delineates departments which administer each UDO section	Article 2	Confirm with staff on which departments administer UDO sections and create table to summarize
Review composition, terms, oaths, etc. of boards to ensure it is up to date and accurate to town business.	2.2, 2.3, 2.4,2.5,2.6	Work with staff to confirm current town business and update language on boards
SECTION 3. ADMINISTRATIVE PROCEDURES		

RECOMMENDATION	RELEVANT UDO SECTION	PROPOSED RESOLUTION
Require pre-application meetings for certain processes	Article 3	Expand requirement for pre-application meetings beyond rezonings. Discuss with staff which development review processes should require pre-application meetings.
Clarify development review processes. Opportunity for chart or table delineating review processes.	Article 3	Modify language for clarity, responsiveness, equity. Develop review procedures chart or table.
Remove formal references to TRC review	Article 3	Soften language for TRC responsibilities where mentioned
Include requirement to obtain capacity assurance and Water and Sewer Extension Contract prior to rezoning and annexation requests	3.7	Incorporate capacity assurance and Water and Sewer Extension Contract as part of rezoning and annexation procedures.
Establish process for updating Historic District Design Standards	Article 3	Require Historic District Commission review before text amendment legislative process. Consult with staff and Historic District Commission on procedures. Ensure process is consistent with state standards.
Review and simplify Special Use Permit (SUP) process	3.8	Specify preference of conceptual approval of SUP over detailed site plans, streamline language
Limit conservation subdivision as development option	3.5.7	Require that subdivisions in the AR or rural district are conservation subdivisions. Only allow conservation subdivisions in this district.
Review and clarify subdivision review process	3.5	Ensure consistency between subdivision processes and TOPU/uses in Article 5, simplify where necessary
Simplify construction drawing requirements	Article 3	Clarify when construction drawings are required as part of approval process
Consider adjusting timeline for amendments to Future Land Use and	3.6	Consult with staff to consider increasing frequency of FLU and CP amendments

RECOMMENDATION	RELEVANT UDO SECTION	PROPOSED RESOLUTION
Comprehensive Plans which occur once per quarter.		
Review and evaluate neighborhood meeting requirements for planned developments, etc.	3.7.6	Confirm if neighborhood meetings for PDs can be streamlined or combined
Review statutory references for certificate of appropriateness to ensure consistency/most up to date statute #.	3.12.1	Confirm if the following references in NCGS are still relevant: 160D-303, 160D-947, 166A Article 1A Part 4, G.S. 160D-947(d) . Update outdated references as necessary.
Add specific requirements for soil amendments, soil testing, and vegetation health prior to key development close out milestones.	Article 3	Consult precedents for soil testing and vegetation health in relation to stormwater control. Incorporate into sustainability checklist for development approvals.
Include more specific processes for private stormwater easements on plats and who reviews/enforces	Article 3	Review private stormwater easement processes and confirm desired process; specify language accordingly. Ensure proper plat labeling.
SECTION 4. ZONING DISTRICTS		
Review special use districts. Remove if possible; if not, potentially revise as conditional zoning districts.	4.4	Consolidate special use districts with standard zoning where possible; reflect changes in Zoning Map. Rezone to general use districts where possible.
Align watershed standards with state standards.	4.5	Ensure consistency with NCGS 143-214.5
Make PWCA an overlay district	4.5, 5.1, Zoning Map	Move PWCA, and Requirements for Watershed Protection Districts to 4.3. Modify use table as applicable. Remove any references to protected watershed (PW) areas.
Review intent statements of districts to ensure it aligns with updated	Article 4	Compare district intent statements with FLUs, CP, and place types and highlight discrepancies; adjust district uses and development regulations to conform with FLUs

RECOMMENDATION	RELEVANT UDO SECTION	PROPOSED RESOLUTION
comprehensive plan, corresponding place types, and future land use classifications.		
SECTION 5. USE STANDARDS		
Clarify standards and permitting for combination uses.	5.1.4	Streamline language and consider adding graphic
Review use table; remove outdated uses and add modern uses.	5.1.7 / 5.1.8	Examine which uses are no longer relevant; consider confirming with staff on uses that are obsolete or newly prioritized
Review SUP uses and realign as by-right uses as appropriate.	5.1.7 / 5.1.8	Consolidate SUP uses into P by-right in use table. Require use-specific standards where appropriate.
Review permitting requirements for uses that require permits from county/state agencies.	5.2	Confirm if county/state permitting processes are applicable/relevant and update
Provide standards for cottage-court style developments	5.2	Refer to precedents for cottage-court development standards and add corresponding "Dwelling" section
Remove redundant use standards	5.2	Check for and delete redundancies
SECTION 6. DEVELOPMENT STANDARDS		
Consider lowering minimum lot sizes / increasing maximum densities	6.3	Review dimensional requirements table and adjust residential/non-residential standards to accommodate more density
Simplify setback table for lots abutting a different zoning district.	6.3	Reformat and clarify setback table for abutting districts in 6.3.4; incorporate residential districts
Consider allowing additional height if setback is increased	6.3	Add provisions for certain zoning districts that allow for heights above the maximum if building is setback. Discuss with staff.

RECOMMENDATION	RELEVANT UDO SECTION	PROPOSED RESOLUTION
Consider simplifying buffer standards. Keep options for flexibility, but condense number of options.	6.5	Consolidate buffer subtypes within types A, B, C, D or across the categories
Refine Type D buffer to allow flexibility in width	6.5	Adjust required buffer widths column in Type D table to a range of varied numbers
Simplify or remove buffer standards for South Churton.	6.5	Consider removing this buffer requirement.
Develop flag lot standards	6.6	Refer to precedents for flag lot standards and incorporate in section
Clarify standards for diverse lot sizes in detached home neighborhoods.	6.6.5	Specify detailed dimensions for diverse lot sizes in single-family neighborhoods. Consider lot averaging standards.
Review fenestration / glazing requirements. Clarify which uses require compliance. When glazing is required, limit mirrored glass or heavily tinted windows.	6.7	Identify uses and structures which must follow requirements and streamline language; consider adding graphic
Review and refine metal finish requirements. Currently, too restrictive.	6.7	Allow for flexibility in exterior finishes in 6.7.6.3; consider expanding types of permitted materials
Clarify when building orientation standards are required	6.7	Identify uses or zoning districts that must comply with building orientation standards; consider adding graphic
Soften standards related to roof slopes, eave overhangs, and window materials	6.7	Review and revise design criteria to allow more flexibility.
Allow gas station canopies in front of buildings.	6.7	Revise canopy location standards for gas stations.
Allow flexibility in building design for corner lots, through lots, and sites with topographic issues.	6.7 and throughout UDO	Revise design standards to allow for flexibility for site conditions.

RECOMMENDATION	RELEVANT UDO SECTION	PROPOSED RESOLUTION
Review entrance requirements when parking is placed to side or rear of buildings.	6.7	Review and revise building access standards.
Consider requiring, rather than encouraging, pedestrian walkways in parking lots of a certain size	6.10	Determine size of parking lots that will require pedestrian walkways and add provision to section 6.10
Clarify difference between planting medians, islands, and strips for parking lot landscaping	6.10	Specify definitions for planting medians, islands, and strips or ensure vocabulary consistency across section
Ensure any graphics align with written text for parking lot landscaping	6.10	Compare graphics with text ordinance and confirm which to reference in standardization across both; redevelop graphic to match
Review and consider simplifying site lighting requirements. Provide more flexibility and allow for small variations. Coordinate standards with utility provider language.	6.11	Relax lighting standards and remove certain strict requirements/thresholds
Clarify how site lighting readings are performed.	6.11	Provide detail on site lighting readings
Review open space standards and simplify if needed. Consolidate or strike repetitive requirements.	6.12	Consider removing conservation subdivision mentions; allow more flexibility and remove redundancies
Align parking standards to findings from parking study	6.13	Once parking study is updated, adjust standards to comply with recommendations and to reduce surface parking
Add flexibility in loading spot requirements	6.13	Add flexibility for loading spot requirements based on building square footage and type of vehicles expected to serve the business.

RECOMMENDATION	RELEVANT UDO SECTION	PROPOSED RESOLUTION
Ensure any parking maximum language allows for flexibility so as not to be overly restrictive	6.13	Allow for flexibility when drafting language concerning parking maximums.
Review public school facilities adequacy and adjust if necessary.	6.14	Align UDO standards to Orange County ordinance. Adjust standards if Town leaves agreement.
Remove requirements for recreation space.	6.15	Remove recreation site requirements from UDO.
Reduce or remove screening requirements for PV panels	6.16	Delete solar panels from list of uses applicable to screening requirements and exclude from 6.16.3.2.c
Align sidewalk standards with updated street sections. Allow flexibility for alternative designs.	6.17	Reference street sections and update sidewalk design and construction standards; incorporate street section graphics
Review sidewalk requirements within subdivisions/ developments and consider simplifying if needed	6.17	Consider separately listing sidewalk requirements within developments and consolidate where applicable
Ensure all sign language is content neutral	6.18	Identify areas where content is mentioned or implied in sign ordinance and remove or reword
Consider simplifying computation of sign area	6.18	Streamline language in 6.18.11 and consider adding graphic for clarity
Consolidate sign measurements into easy-to-read tables	6.18	Review sign dimensions and consolidate in tables or graphics
Clarify difference between signage and public art	6.18	Ensure there is a clear definition of public art and exempt from sign requirements
Explore green infrastructure incentives for stormwater	6.20	Coordinate with staff on research on green infrastructure incentives.
Revise required certification statement to include language that ensures the certifying	6.20	Incorporate recommended language into certification statement

RECOMMENDATION	RELEVANT UDO SECTION	PROPOSED RESOLUTION
engineer must verify the structures and their function in the field.		
Require that video of SCM underground structures be submitted for review prior to SCM close-out.	6.20	Incorporate video into processes mentioning stormwater control measures
Add stricter regulations for use of retaining walls and steep slopes for SCMs versus underground SCMs (could address the issue with culverts through retaining walls)	6.20	Coordinate with staff on research on retain walls and steep slopes.
Require that runoff from commercial solid waste containers (or of a certain size) be piped to the sanitary sewer	6.20	Determine which size would be applicable for requirement and specify in ordinance. Establish standards for separation of flows from dumpster areas to drains.
Review current New Dev financial assurance and assess for revisions based on what works in other jurisdictions.	6.20	Review Town's SCM escrow program and determine if sufficient.
Align street standards to updated street sections. Allow flexibility for alternative designs.	6.21	Reference street sections and update sidewalk design and construction standards; incorporate street section graphics
Clarify when canopy trees can and cannot be removed from a site	6.22	Add specific language to requirements on which canopy trees are prohibited from being removed; consider including repercussions in enforcement section
Provide exemptions for tree preservation section (e.g. damaged/unhealthy trees)	6.22	Add section addressing exemptions to tree removal restrictions. Explore exemptions in the historic district.
Consider requiring site landscaping requirements other than buffers, shade trees, and parking lots	Article 6	Consult with staff on including other site landscaping standards.

RECOMMENDATION	RELEVANT UDO SECTION	PROPOSED RESOLUTION
Ensure any specific definitions are embedded in their respective sections (i.e. signs, landscaping, etc).	Article 6	Ensure all landscaping, signs, and design terms are defined.
SECTION 7. NONCONFORMITIES		
Review and amend, if desired, 50% damage threshold	7.4	Consult with staff on appropriate damage threshold for nonconforming reconstruction and incorporate in 7.4
Consider adding provisions for other nonconforming site elements (e.g. parking or landscaping)	Article 7	Consult with staff on parking or landscaping nonconformities, etc.
SECTION 8. ENFORCEMENT		
Provide clear enforcement authority.	Article 8	Clarify enforcement responsibilities.
SECTION 9. DEFINITIONS		
Provide rules for interpretation for definitions/language	9.1	Incorporate specific rules in beginning of section for interpretation
Provide general rule for calculations that result in a fraction	9.1	In 9.1.2, include guidance on calculations resulting in a fraction
Review and revise height measurement. Allow flexibility based on site conditions.	9.1.6	Review and revise height measurement standards.
Relax language that prohibits parking from locating in a setback	9.1	Remove provision that prohibits parking lots and spaces from setbacks.
Ensure all uses are defined	9.2	Review use table in Article 5 and identify gaps in Article 9; define uses where necessary
Permit ADA accessories/structures within setback	9.1	In 9.1.5.2, add language specifying ADA uses and dimensions permitted in setback
Attach graphic that shows various types of signs to accompany their definition.	9.2	Consider organizing sign definitions together in "Sign, Type" naming scheme and provide graphic showing examples

RECOMMENDATION	RELEVANT UDO SECTION	PROPOSED RESOLUTION
Confirm NCGS statute references are correct and up to date.	9.2	Review relevant language in NCGS and update references accordingly
Ensure all added housing types for missing middle revisions are defined.	9.2	Keep track of new missing middle housing types added to UDO and insert definitions into 9.2

Zoning District & Zoning Map Modifications

The UDO rewrite provides several opportunities for revising the Town's zoning districts and zoning map. See below for recommendations.

- Based on similarities of purposes, uses, and dimensions, combine and consolidate the following districts:
 - R-40 and AR (Agricultural/Residential)
 - CC (Commercial) and NB (Neighborhood Business)
 - GC (General Commercial) and HIC (High Intensity Commercial)
- Consider removing and reassigning parcels from the following districts:
 - LO (Limited Office). Currently only 1 parcel is zoned as LO
 - Plus Overlay District (+). Consider expanding by-right use of mobile homes
 - EDD (Economic Development)
 - BP (Business Park)
- Reassign appropriate R-20 parcels to R-10 to address nonconforming lots
- Revise the zoning map to reflect the transition of watershed protection districts from base districts into overlay districts.
- Review and remove Special Use Districts, if possible, in close coordination with staff.
- Revise the zoning map to facilitate and reflect plans for transit-oriented development.

- Consider application of a zoning district that preserves existing neighborhoods.

State Statutes & Federal Case Law Revisions

These recommended investigations or revisions are intended to ensure the UDO is consistent with recent changes in state or federal case law.

LEGISLATION NAME/NUMBER/CASE NAME	SUMMARY OF MAIN POINTS	RELEVANT UDO SECTION	RESOLUTION
2024			
GS 160D-804.1	Amends subdivision performance guarantee regulations and procedures	6.20	Ensure performance guarantee regulations in the UDO align with state statute amendments.
GS 160D-912.1	Limits the removal of lawfully erected on-premises signs.	6.18	Ensure nonconforming sign regulations align with state statute amendments.
SB 382 / Session Law 2024-57	Redefines downzoning and provides that local governments cannot adopt downzoning without written consent from owners.	Entire UDO	Discuss with staff on desired path forward.

Conclusion

This UDO framework will be made available to the public and presented at a public workshop, currently anticipated for August 2025. Participants will be able to ask questions and provide feedback on the proposed UDO changes. Using this document and public feedback, the UDO will be updated with all changes being tracked in strikethrough/underline format. This UDO Framework document will be updated periodically as changes to the ordinance are made. After the proposed revisions to the UDO are adopted by the Board of Commissioners, the full document will be used in land use and development review in the Town, subject to provisions in state statutes, particularly NCGS Chapter 160D.