

MAYOR
David Cohn

MAYOR PRO TEM
Clarence Alsobrooks, Jr.

TOWN MANAGER
Adam McLamb



TOWN COUNCIL
Tom Amburgey
Todd Barber
Crystal Buchaluk
Marcus McIntyre

TOWN CLERK
Trena Sims

Indian Trail Town Council
Meeting Agenda
Tuesday, January 13, 2026
6:30 pm Regular Meeting

REGULAR MEETING

- 1. CALL MEETING TO ORDER –*Mayor Cohn***
 - a. Pledge of Allegiance and Moment of Reflection and/or Silence
 - b. Welcome and Upcoming Events
 - c. Mayor and Council Member Introductions
- 2. AGENDA ADDITIONS AND DELETIONS REQUESTS – *motion as needed***
- 3. MOTION TO APPROVE [amended] AGENDA - *motion***
- 4. PRESENTATION/RECOGNITION**
 - a. New Business: The Cigar Shop – On the Rocks (Joey Weaver)
 - b. New Business: Badger Hauling (Anthony Del Campo)
 - c. Audit Report – J. B. Watson & Co. (Deneal Bennett, CPA)
- 5. PUBLIC COMMENTS**
 - a. Acknowledge Public Comment Rules
 - ***By addressing Council, you acknowledge you have read the Town's Public Comment Rules and will abide by them.***
 - b. General Comments (Public)
 - c. Council Feedback to Public Comments (Council)
- 6. LAW ENFORCEMENT UPDATE - *Captain Mullis***
- 7. CONSENT AGENDA - *motion***
 - a. Approval of Regular Meeting Minutes 12-09-25
 - b. Approval of Special Meeting Minutes 12-09-25
 - c. Approval of Closed Session Meeting Minutes 12-09-25
 - d. Approval of Special Meeting Minutes 12-15-25

- e. 2026 Family Fun Day Fireworks
- f. Tax Report (November and December)
- g. Budget Schedule
- h. Bank Signatory Update

8. PUBLIC HEARING

➤ *By addressing Council, you acknowledge you have read the Town's Public Comment Rules and will abide by them.*

- a. ZM 2025-0113 – 125 Plyler Road (Ms. Deese) – **motion**
- b. ZT 2025-0119 – UDO – Various UDO Text Amendments (Ms. Deese) – **motion**

9. OLD BUSINESS / PROJECT UPDATE

- a. Old Monroe Road Betterments (Mr. Huntsinger)
- b. Updated Town Council Meeting Schedule – **motion**

10. NEW BUSINESS

- a. Rushing Park – Street Discussion (Mr. Huntsinger)
- b. Planning Board Member Selection to Fill Unexpired Term – **motion**
- c. Business Recognition Policy (Council Member Barber)

11. DISCUSSION ITEMS

- a. CRTPO Update (Council Member Alsobrooks)

12. MANAGER'S UPDATE – *Town Manager McLaurin*

13. COUNCIL MEMBER COMMENTS

14. MAYOR COHN'S CLOSING COMMENTS

15. CLOSED SESSION

16. ADJOURN – **motion**



TOWN COUNCIL

6:30 PM REGULAR MEETING

Council Chamber

December 9, 2025

[YouTube Video of December 9, 2025, Town Council Meeting](#)

MINUTES

Present: Mayor David Cohn; Council Members Clarence Alsobrooks, Tom Amburgey, Todd Barber, and Crystal Buchaluk

Absent: Dennis Gay

Staff: Town Manager Mike McLaurin, Attorney Melanie Cox, Town Clerk Trena Sims

Regular Meeting

1. CALL MEETING TO ORDER

a. The Pledge of Allegiance and Moment of Silence

Mayor Cohn opened the Regular Town Council Meeting. The Pledge of Allegiance was recited, and this was followed by a moment of silence.

b. Welcome and Events

Mayor Cohn welcomed those present and let everyone know of upcoming events.

c. Mayor and Council Member Introductions

Council Members and the Mayor introduced themselves.

2. AGENDA ADDITIONS AND DELETIONS

MOTION was made by Council Member Buchaluk to add Proclamation in recognition of a local business as 7i and was unanimously approved.

3. MOTION TO APPROVE AGENDA

4. PRESENTATIONS

5. PUBLIC COMMENTS

a. Mayor Cohn Acknowledgement of Public Comments Rules

b. Citizen Comments

None

c. Council's Response

6. LAW ENFORCEMENT UPDATE

Captain Mullis gave a brief overview of traffic and/or crime statistics and activities of the department.

7. CONSENT AGENDA

- a. Approval of Regular Meeting Minutes 10-28-25
- b. Approval of Closed Session Meeting Minutes 10-28-25
- c. Approval of Regular Meeting Minutes 11-10-25
- d. Approval of Special Meeting Minutes 11-10-25
- e. Approval of Closed Session Minutes 11-10-25
- f. Town Council 2026 Meeting Calendar
- g. Town Manager Salary Adjustment – 5% increase in salary retroactive to August 31, 2025
- h. Budget Amendments (For Information Only)
- i. Proclamation recognizing a local business (*added by prior motion*)

MOTION was made by Council Member Buchaluk to approve the Consent Agenda and was approved unanimously.

8. RECOGNITION OF OUTGOING COUNCIL MEMBER DENNIS GAY

Mayor Cohn stated that he wished Council Member Gay were able to attend tonight so his service could be recognized.

9. OATH OF OFFICE

a. Council Member Tom Amburgey

The Town Clerk presented the oath of office to Council Member Tom Amburgey.

b. Council Member Marcus McIntyre

Mayor Cohn presented the oath of office to Council Member Marcus McIntyre.

10. APPOINTMENTS

a. Mayor Pro Tem

MOTION was made by Council Member McIntyre to nominate Clarence Alsobrooks as Mayor Pro Tem and was unanimously approved.

The Town Clerk presented the oath of office for Mayor Pro Tem to Council Member Alsobrooks.

b. CRTPO

- 1. Primary Delegate is the Mayor**
- 2. Alternate Delegate**

MOTION was made by Council Member Amburgey to appoint Clarence Alsobrooks as Alternate Delegate for CRTPO.

c. Central Regional Council

- 1. Delegate**

MOTION was made by Council Member Alsobrooks to appoint Crystal Buchaluk as Delegate for Centralina Regional Council and was approved unanimously.

- 2. Alternate Delegate**

MOTION was made by Council Member Buchaluk to appoint Clarence Alsobrooks as Alternate Delegate for Centralina Regional Council and was approved unanimously.

11. PUBLIC HEARING

12. OLD BUSINESS/PROJECT UPDATE

13. NEW BUSINESS

14. DISCUSSION ITEMS

- a. Town Manager Discussion (moved to Manager's Update)**

15. MANAGER'S UPDATE

Mr. McLaurin introduced his wife, Katherine McLaurin. referred to the Manager's Report and made general closing comments. He noted that this is his last report as Town Manager for the town. He noted the many accomplishments made for the town during his tenure of five and a half years and he expressed his appreciation for the staff and the Council.

Mayor Cohn presented a Key to the Town of Indian Trail to Mr. McLaurin in appreciation of his time here in Indian Trail. The Council and Mr. McLaurin and staff posed for a picture together.

Council Members expressed their appreciation of Mr. McLaurin for his service.

16. COUNCIL MEMBER COMMENTS

Council Members made general closing remarks.

17. MAYOR'S CLOSING COMMENTS

Mayor Cohn made general closing comments.

18. CLOSED SESSION

MOTION was made by Council Member Amburgey to enter closed session under NCGS 143 318.11(a)(6) Personnel and was unanimously approved.

MOTION was made by Council Member McIntyre to return to open session and was unanimously approved.

***MOTION** was made by Council Member McIntyre to hold a Special Meeting next Thursday, December 18th at 5:30 pm and was unanimously approved.*

19. ADJOURN

Being no further business Mayor Cohn called for a Motion to adjourn.

***MOTION** was made by Council Member Amburgey to adjourn the meeting and was unanimously approved.*

Adopted on the 13th day of January 2026.

INDIAN TRAIL TOWN COUNCIL

Attest:

David Cohn, Mayor

Trena Sims, Town Clerk



TOWN COUNCIL
6:00 PM SPECIAL MEETING
Council Chamber
December 9, 2025

MINUTES

Present: Mayor David Cohn; Council Members Clarence Alsobrooks, Tom Amburgey, Todd Barber, and Crystal Buchaluk

Absent: Dennis Gay

Staff: Town Manager Michael McLaurin, Town Attorney Melanie Cox, Town Clerk Trena Sims

***MOTION** was made by Council Member Amburgey to go into Closed Session under NCGS 143-318.11(a)(6) Personnel and NCGS 143-318.11(a)(3) attorney -client privilege - Town of Indian Trail v. Liquid Management 24CV005298-890 and 24CV005297-890 and Town of Indian Trail v. PMG Development, LLC 2400CV2756-890 and to invite Adam McLamb, Director of Public Works, Todd Huntsinger, Director of Engineering, Brandi Deese, Director of Planning and Council Member Marcus McIntyre (he was sworn in before the meeting) and was unanimously approved.*

Council entered closed session.

***MOTION** was made by Council Member Buchaluk to close the Closed Session and was unanimously approved.*

***MOTION** was made by Council Member Buchaluk to adjourn the Special Meeting and was unanimously approved.*

Adopted on the 13th Day of January 2026.

INDIAN TRAIL TOWN COUNCIL

David Cohn, Mayor

Attest:

Trena Sims, Town Clerk

(seal)



TOWN COUNCIL
5:30 PM SPECIAL MEETING
Council Chamber
December 15, 2025

MINUTES

Present: Mayor David Cohn; Mayor Pro Tem Clarence Alsobrooks and Council Members Tom Amburgey, Todd Barber, Crystal Buchaluk, and Marcus McIntyre

Staff: Town Manager Michael McLaurin, Town Attorney Melanie Cox, Town Clerk Trena Sims

MOTION was made by Council Member McIntyre to go into Closed Session under NCGS 143-318.11(a)(6) Personnel and to invite Adam McLamb, Assistant Town Manager into the meeting and was unanimously approved.

Council entered closed session.

MOTION was made by Council Member Amburgey to close the closed session and was unanimously approved.

POTENTIAL MOTION REGARDING INTERIM TOWN MANAGER/TOWN MANAGER POSITION

MOTION was made by Council Member McIntyre to approve appointing Adam McLamb as Town Manager effective January 1, 2026, and was unanimously approved.

MOTION was made by Council Member McIntyre to adjourn the Special Meeting and was unanimously approved.

Adopted on the 13th Day of January 2026.

INDIAN TRAIL TOWN COUNCIL

David Cohn, Mayor

Attest:

Trena Sims, Town Clerk

(seal)

Town of Indian Trail

MEMO

To: Town Council
From: Hayden Kramer, Parks and Recreation Director
Meeting Date: Tuesday, January 13, 2026
Subject: 2026 Family Fun Day Fireworks



GENERAL INFORMATION

The Town of Indian Trail Parks and Recreation seeks to provide fireworks at Family Fun Day

Family Fun Day on Saturday, June 6, 2026; 2pm-9:30pm

The Parks and Recreation Department is set to host the Town's annual Family Fun Day of the first Saturday in June. The event will feature vendors, rides, music, entertainment and potentially fireworks.

Town Council must approve shooting off fireworks in the Town for Union County to be able to issue a permit for the event.

The Town works with a vetted fireworks company that is able to produce the necessary insurance documentation and safety protocol.

REQUESTED ACTION

Approval of shooting off fireworks at Family Fun Day 2026

Town of Indian Trail

MEMO

To: Mayor & Town Council
From: Alicia Massey, MPA, CLGFO, CTC
Meeting Date: January 13, 2026
Subject: Month End November 2025



According to GS 105-350(7) it is the duty of the tax collector to submit to the governing body at each of its regular meetings a report of the amount he/she has collected on each year's taxes with which he is charged, the amount remaining uncollected, and the steps he/she is taking to encourage or enforce payment of uncollected taxes.

Below is the month end report for November 2025 collections (current and prior year). The tax department is using all collection remedies as provided by general statute to collect delinquent taxes including but not limited to garnishments, attachments, and NC Debt Setoff.

Current Year Tax (FY 25/26 through November 30)

Billed	\$16,506,694
Collected	\$10,259,774
Total Due	\$6,246,920

Prior Year(s) Collected (from Tax Years 2015-2024)

Collected	\$13,107
GAP Collected	\$301
Penalty Billed	\$2,397
Penalty Collected	\$850

These numbers represent collections for properties that remain unpaid from the tax year for which they were due. In addition to the above-mentioned collection remedies, we also work in conjunction with Union County to collect delinquent property taxes through foreclosure.

GAP Billing

Billed	\$21,468
Collected	\$3,596
Total Due	\$17,872

GAP Billing refers to the gap between the time the NC registration for a motor vehicle expires and a new registration is issued for that same vehicle. During that gap, the motor vehicle is unregistered, obligating the municipality in which that vehicle is registered to list and tax as personal property per GS 105-330.3.

REQUESTED ACTION - No action required.

Town of Indian Trail

MEMO

To: Mayor & Town Council
From: Alicia Massey, MPA, CLGFO, CTC
Meeting Date: January 13, 2026
Subject: Month End December 2025



According to GS 105-350(7) it is the duty of the tax collector to submit to the governing body at each of its regular meetings a report of the amount he/she has collected on each year's taxes with which he is charged, the amount remaining uncollected, and the steps he/she is taking to encourage or enforce payment of uncollected taxes.

Below is the month end report for December 2025 collections (current and prior year). The tax department is using all collection remedies as provided by general statute to collect delinquent taxes including but not limited to garnishments, attachments, and NC Debt Setoff.

Current Year Tax (FY 25/26 through December 31)

Billed	\$16,507,462
Collected	\$14,329,274
Total Due	\$2,178,188

Prior Year(s) Collected (from Tax Years 2015-2024)

Collected	\$13,258
GAP Collected	\$403
Penalty Billed	\$2,842
Penalty Collected	\$887

These numbers represent collections for properties that remain unpaid from the tax year for which they were due. In addition to the above-mentioned collection remedies, we also work in conjunction with Union County to collect delinquent property taxes through foreclosure.

GAP Billing

Billed	\$21,468
Collected	\$5,958
Total Due	\$15,510

GAP Billing refers to the gap between the time the NC registration for a motor vehicle expires and a new registration is issued for that same vehicle. During that gap, the motor vehicle is unregistered, obligating the municipality in which that vehicle is registered to list and tax as personal property per GS 105-330.3.

REQUESTED ACTION - No action required.



2026-2027 Budget Schedule

January 16, 2026

- Department heads begin to enter FY 26 budget requests into ClearGov

February 6, 2026

- Department budget requests complete

February 6-13, 2026

- Town Manager budget review

February 16-20, 2025

- Department Heads meet with Finance Director and Town Manager to review budget requests

February 24, 2026 – 5:15 p.m.

- Budget Workshop – Overview/Introduction

March 10, 2026 – 5:00 p.m.

- Budget Workshop (Revenue, Governing Body, Administration, Legal, Human Resources, Communications/IT)

March 24, 2026 – 5:00 p.m.

- Budget Workshop (Parks and Recreation, Union County Sheriff's Office, Planning/Code Enforcement/Economic Development)

April 14, 2026 – 5:00 p.m.

- Budget Workshop (Public Works, Engineering, Powell Bill, Stormwater)

April 28, 2026 – 5:00 p.m.

- Budget Workshop (Finance/Tax, Debt Service, Capital Improvement Plan)

May 12, 2026

- Town Manager recommended budget presentation to Council

May 13 – June 10, 2026

- Budget available to public

May 26, 2026

- Budget Public Hearing

June 10, 2026

- Budget Adoption

July 31, 2026

- Budget book narratives and performance measure from Department Heads due

Town of Indian Trail

MEMO

To: Mayor & Town Council
From: Alicia Massey, MPA, CLGFO, CTC
Meeting Date: January 13, 2026
Subject: Signatories on Town Bank Accounts



As required by the Local Government Budget and Fiscal Control Act Section 159-24(b) "Except as otherwise provided by law, all checks or drafts on an official depository shall be signed by the finance officer or a properly designated deputy finance officer and countersigned by another official of the local government..."

Recommendation: Update the town bank account signatories at SouthState Bank and First Citizens Bank to reflect the removal of Mike McLaurin, with the continuance of Adam McLamb and Alicia Massey as official signatories and deputy finance officers – Alicia Gaddy and Trena Sims.

REQUESTED ACTION: Council approval update town bank signatories at SouthState Bank and First Citizens Bank.

Project Number and Reference: ZM 2025-0113 (125 Plyer Rd)

Planning Board Meeting Date: December 16, 2025

Town Council Meeting Date: January 13, 2026



**P.O. Box 2430
Indian Trail, North Carolina 28079
PLANNING DEPARTMENT**

Request: To rezone two parcels with a total approximate size of 3.67 acres

Existing Zoning: SF-1 (Single-Family Residential, Low Density)

Proposed Zoning: GBD (General Business District)

Location: 125 Plyer Rd

Parcel(s): 07084335, 07084335B

Applicant: Christopher D. Faulk (Manager – 125 Plyer LLC)

PROJECT SUMMARY

Applicant requests to rezone two (2) parcels from SF-1 to GBD (see *Attachment 1, Application & Letter of Intent*). The intent is to allow for commercial development opportunities that are consistent with surrounding land uses (see *Attachment 2, Aerial Map*).

ANALYSIS/OVERVIEW

Existing Zoning

The subject property is zoned SF-1. The SF-1, Single-Family district is established to provide a low-density area for single-family dwellings under conventional or planned development controls. These areas are typically serviced by public or community water and/or public sewer systems, plus the governmental and other support facilities necessary to service urban levels of development.

Requested Rezoning

The request is to rezone the parcels to GBD.

The GBD, General Business District is intended to provide for businesses that provide goods and services to the entire Town.

These districts provide for a wide variety of commercial, financial, business service, and office uses. The service area of businesses in the GBD will be primarily from residents of the Town. The standards that apply in the district are intended to create and maintain an appealing shopping environment for the community.

Surrounding Zoning and Uses

As seen in *Attachment 3, Current Zoning Map*, the current zoning for the surrounding areas to the north side of Unionville Indian Trail Rd are General Business District. Property to the west on the west side of Plyer Rd is Conditional Zoning, Multi-Family Residential (CZ-MFR) that is currently known as “The Exchange” at Indian Trail. Properties adjacent on the south and east sides of the subject properties are zoned SF-1 (Single-Family Residential, Low Density). Future land use recommends “High Density Residential” as seen in *Attachment 4, Future Land Use Map*.

Table 1: Summary of Surrounding Zoning and Uses

Surrounding Subject Property	Municipality	Zoning District	Existing Uses
North	Indian Trail	General Business District (GBD)	Commercial & light industrial
South	Indian Trail	Single Family, Low Density (SF-1)	SF Home
East	Indian Trail	Single Family, Low Density (SF-1)	Vacant, wooded
West	Indian Trail	Conditional Zoning, Multi-Family Residential (CZ-MFR)	Apartments

Photos of Project Area

Looking SE into property from UIT Rd



Looking SW into property from UIT Rd



Looking N on Plyer Rd



Looking S on Plyer Rd



Looking E along UIT Rd



Looking W along UIT Rd



Looking W into southern existing buffer



Looking NE into property with both structures



Project Number and Reference: ZM 2025-0113 (125 Plyer Rd)

Planning Board Meeting Date: December 16, 2025

Town Council Meeting Date: January 13, 2026

Existing Mobile Home - W Elevation



Looking W into property with both structures



Looking NW at UIT Rd/Plyler Rd Intersection



Concept Plan

A conceptual plan and architectural samples are not required with a zoning map amendment.

CONSISTENCY FINDINGS AND COMPREHENSIVE PLAN

In the Comprehensive Plan, this property is listed for the future as High Density Residential and falls in the US-74 West Corridor Plan (see *Attachment 5*). Future transportation recommendations include upgrading Plyer Rd to a 4-lane Activity Center Blvd and Unionville Indian Trail Rd to a 4-lane thoroughfare. While the recommendation for high density residential would be supported based on the Comprehensive Plan, staff believe that this request is reasonable due to limited sewer capacity available and current political climate which limits future potential uses to more commercial in nature rather than residential.

PLANNING & ZONING BOARD RECOMMENDATION

On December 16, 2025, Planning & Zoning Board unanimously recommended approval of this request.

ACTION REQUIRED

Required Consistency Findings

Staff are of the opinion the following findings can be made:

1. The proposed rezoning request is consistent with the following goals of the Comprehensive Plan:
 - **Land Use and Housing Goal #1:** Promote a variety of land uses within each village and avoid potential land use conflicts between neighboring properties and surrounding municipalities.
 - **Economic Development Goal #1:** Create a more balanced tax base by promoting the development of office parks, businesses, retail centers, and industrial parks. Promote a diverse local economy that will support varied employment opportunities.
2. This rezoning request is a reasonable request and is in the public interest because it promotes the *Land Use* and *Economic Development* goals of the Indian Trail Comprehensive Plan by the above-mentioned items.

Attachments

Attachment 1 Application & Letter of Intent

Attachment 2 Aerial Map

Attachment 3 Current Zoning Map

Attachment 4 Future Land Use Map

Attachment 5 US-74 West Corridor (Comp Plan)

Attachment 6 Draft Planning Board Minutes

Attachment 7 Proposed Ordinance

Project Number and Reference: ZM 2025-0113 (125 Plyer Rd)

Planning Board Meeting Date: December 16, 2025

Town Council Meeting Date: January 13, 2026

Staff Contact

Brandi C. Deese, MPA, AICP, CNU-A

Planning Director

bcd@indiantrail.org / 704.821.5401, ext. 378

ZONING MAP AMENDMENT APPLICATION



**PLANNING DEPARTMENT
PO Box 2430
Indian Trail, NC 28079
Telephone (704) 821-5401**

ONLY COMPLETE APPLICATIONS ACCEPTED

Conventional Processing Fee:
Residential \$500
Commercial \$900

ZONING MAP AMENDMENT APPLICATION

Submittal Requirements

- Completed Application
 - Notarized signatures of applicant and property owner
 - Letter of Intent
 - Articles of Incorporation, Certificate of Incorporation, Articles of Organization, Corporate Charter, or similar (unless applicant is an individual)
-

Schedule

1. Submit Application
 - The deadline for this application is the first of the month each month.
 - Once an application is submitted it will be placed on the Planning and Zoning Board Agenda for the following month.
2. Hold Community Meeting for major map amendments.
3. Planning and Zoning Board
 - Meets the 3rd Tuesday of every month.
 - Reviews application to ensure it is consistent with the Comprehensive Plan and UDO as well as all other adopted town plans. Transmits recommendation of approval or disapproval to Town Council.
4. Town Council
 - Meets 2nd and 4th Tuesday of every month.
 - Legislative action is to approve, approve with modifications, deny, or send back to the Planning Board for further study.

General Information

Project Address	<u>125 Plyler Road</u>		
City	<u>Indian Trail</u>	State	<u>NC</u> Zip <u>28079</u>
Tax Parcel ID	<u>07084335 & 07084335B</u>	Zoning Designation	<u>SF-1</u>
Total Acres	<u>3.669</u>	Impervious Area	<u>Existing 10,656 SF</u>
Project Description	<u>Single Family Homes on both Parcels. Rezone to GBD</u>		

ZONING MAP AMENDMENT APPLICATION

Contact Information – Applicant

Contact Name Chris Faulk
Company Name Metrolina Land Surveying, Inc.
Address 8521 Crown Crescent Ct
City Charlotte State NC Zip 28227
Phone 704-741-1700 Fax _____
Email cfaulk@metrolinasurveyors.com

Contact Information – Property Owner

Contact Name Chris Faulk (Manager)
Company Name 125 Plyler LLC
Address 5725 Oleander Drive Suite C3
City Wilmington State NC Zip 28403
Phone 980-721-2353 Fax _____
Email cfaulk@metrolinasurveyors.com

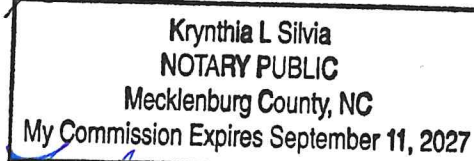
Applicant's Certification

Signature *Christopher D. Faulk* Date 11.4.25

Printed Name/Title CHRISTOPHER D. FAULK, PLS

Signature of Notary Public *Krynthia L. Silvia* Date November 4, 2025

Notary Seal



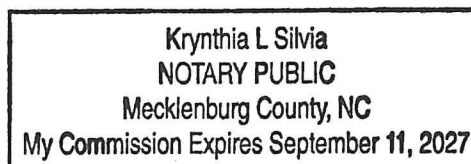
Property Owner's Certification

Signature *Christopher D. Faulk* Date 11.4.25

Printed Name/Title CHRISTOPHER D. FAULK, Manager

Signature of Notary Public *Krynthia L. Silvia* Date November 4, 2025

Notary Seal



METR **LINA**
LAND SURVEYING, INC.
SURVEYING • MAPPING • PLANNING

November 4, 2025

Indian Trail Planning Department
315 Matthews–Indian Trail Road
Indian Trail, NC 28079

Subject: Letter of Intent for Rezoning – Parcels **07-084-335** and **07-084-335B**

Location: 125 Plyler Road (Corner of Plyler Road and Unionville–Indian Trail Road)

Dear Planning Staff, Planning Board Members, and Town Council,

On behalf of **125 Plyler LLC**, I am submitting this Letter of Intent regarding the proposed rezoning of Parcels **07-084-335** and **07-084-335B**, located at 125 Plyler Road, more particularly described as the corner of Plyler Road and Unionville–Indian Trail Road. The current zoning classification for both parcels is **SF-1 (Single-Family Residential)**.

We respectfully request that these parcels be rezoned to **GBD (General Business District)**. The purpose of this rezoning is to allow for future commercial development opportunities that are consistent with surrounding land uses and the Town’s long-term land use vision.

The subject parcels are more appropriately suited for **General Business District (GBD)** zoning rather than **Single-Family Residential (SF-1)** due to their location, surrounding land uses, and access characteristics. Situated at the intersection of Plyler Road and Unionville–Indian Trail Road, the properties front a major thoroughfare that has transitioned from a predominantly residential corridor to a mixed-use and commercial area. The parcels offer excellent visibility and traffic accessibility, making them ideal for future neighborhood-serving commercial uses rather than low-density single-family development. Maintaining SF-1 zoning would underutilize this strategic corner and conflict with the area’s evolving land use pattern, which increasingly supports commercial and service-oriented development compatible with adjacent zoning districts. Rezoning to GBD will

create a more logical land use transition and further the community's goal of promoting balanced growth along key transportation corridors.

We appreciate your consideration of this request and look forward to working with Planning Staff, the Planning Board, and the Town Council throughout the rezoning process. Please do not hesitate to contact me should you require any additional information.

Sincerely,

125 Plyler LLC

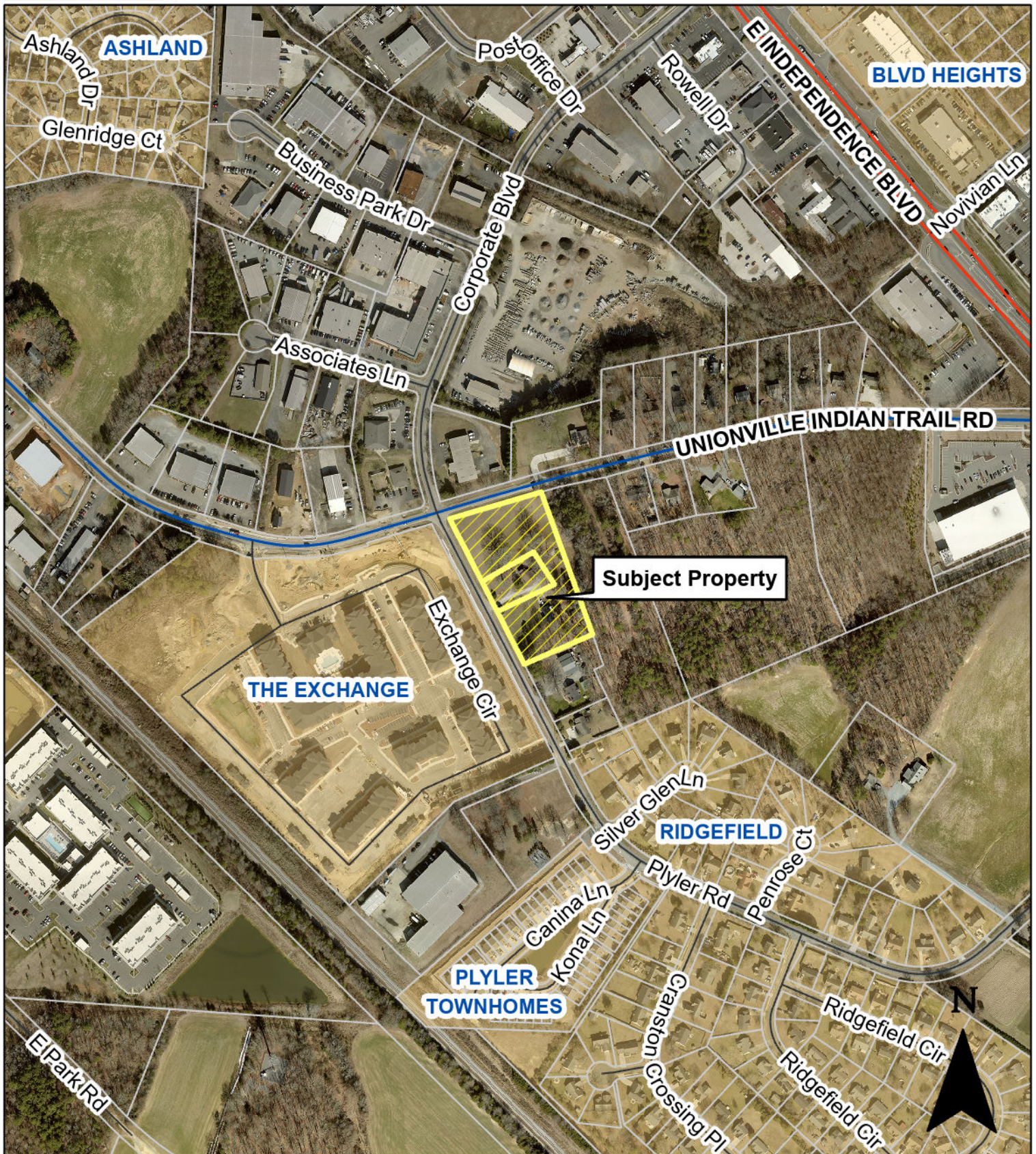
By: **Christopher D. Faulk**

Manager / Applicant



AERIAL MAP

Project: ZM 2025-0113 (125 Plyler Rd)
Parcels: 07084335 and 07084335B
Location: 125 Plyler Rd
Existing Zoning: SF1 (Single Family Low Density)
Proposed Zoning: GBD (General Business District)

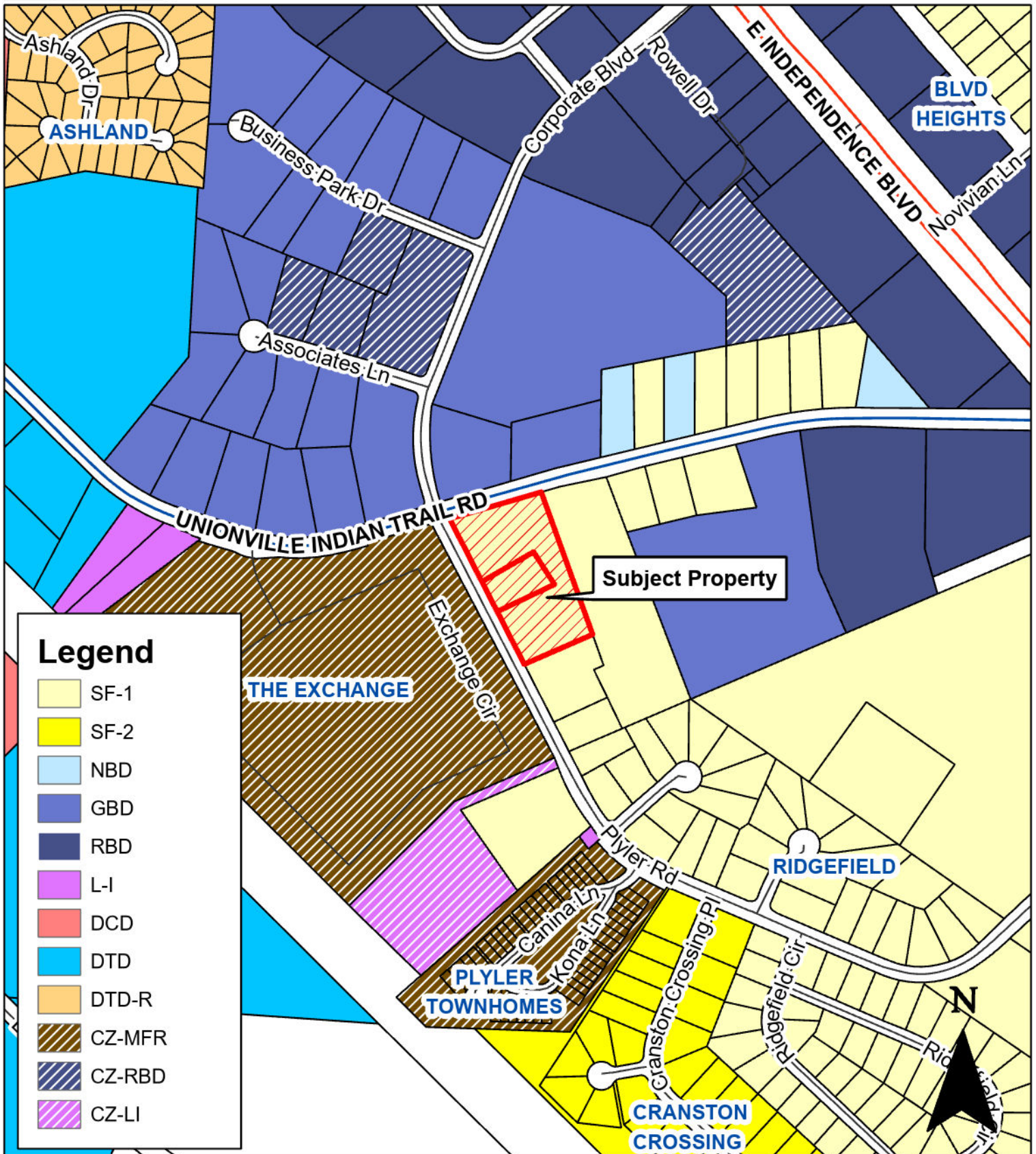


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Miles



CURRENT ZONING MAP

Project: ZM 2025-0113 (125 Plyler Rd)
Parcels: 07084335 and 07084335B
Location: 125 Plyler Rd
Existing Zoning: SF1 (Single Family Low Density)
Proposed Zoning: GBD (General Business District)

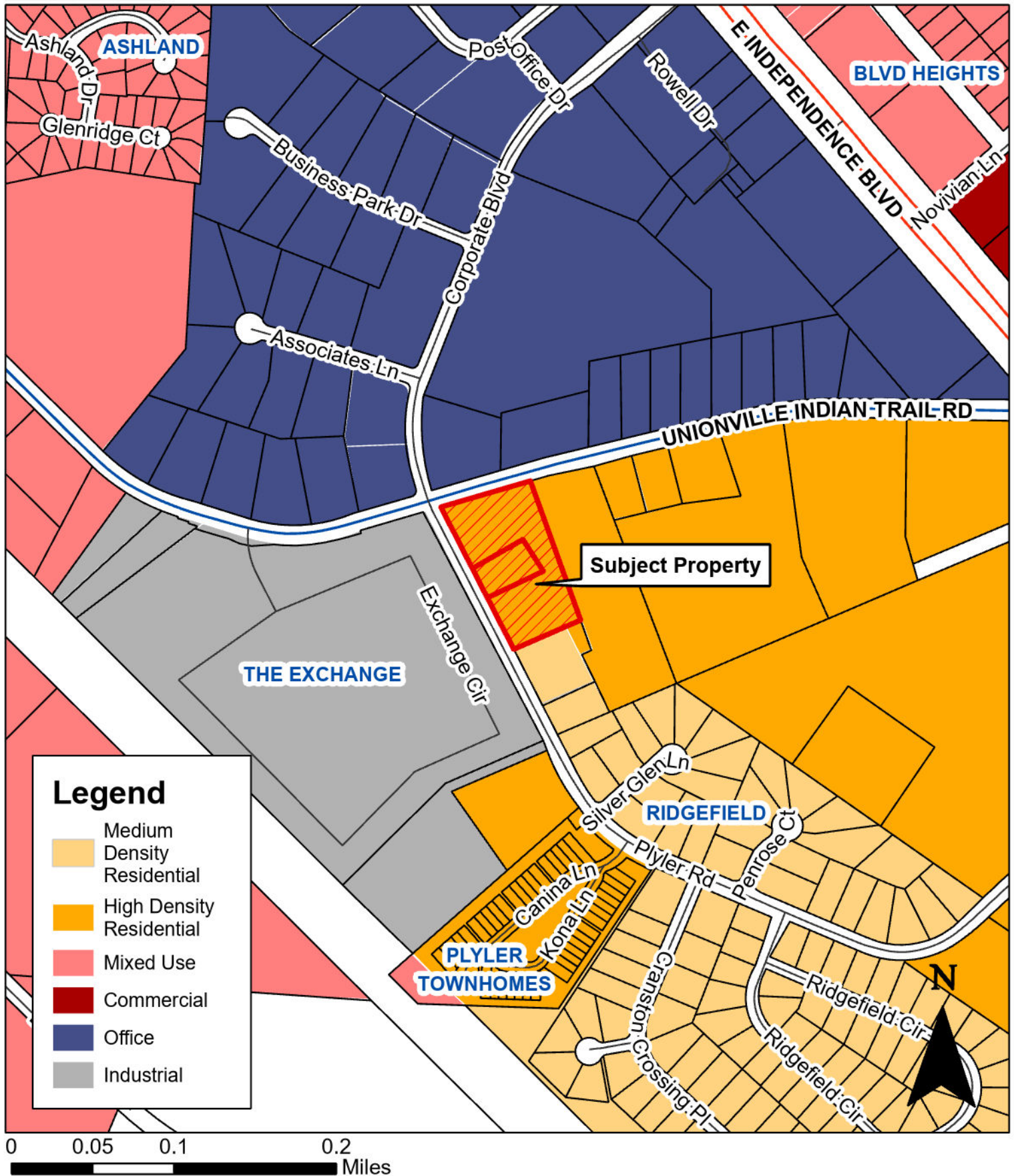


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FUTURE LAND USE MAP

Project: ZM 2025-0113 (125 Plyler Rd)
Parcels: 07084335 and 07084335B
Location: 125 Plyler Rd
Existing Zoning: SF1 (Single Family Low Density)
Proposed Zoning: GBD (General Business District)



RECOMMENDATIONS

6.3.1.1 US-74 West Corridor Plan

US-74 West Land Use

This segment of the US-74 Corridor is currently suburban in character, but is anticipated to become more urban.

Smith Farm Road to Indian Trail Road Land Use

Current land use is predominantly retail along US-74 at Indian Trail Road with Business/Office along the west side of Smith Farm Road. There is some residential on the east side of US-74. Future development is anticipated to be mixed use walkable residential, retail and office development, along with office/employment uses with supporting retail. This is expected to become a Sub-regional Activity Center type of development. Land uses will be oriented toward local streets, including Chestnut Parkway and the potential extension of Chestnut Parkway to Indian Trail-Fairview Road.

Indian Trail Road to Crooked Creek Land Use

Existing land use is currently retail along US-74 with Institutional and Business/Office along Unionville Indian Trail Road and Indian Trail-Fairview Road. There is single family residential along Plyler Road. Pebble Creek Golf Course borders the eastern edge of this segment.

In the future, Sub-regional Activity Center development is anticipated near the Indian Trail Road and Unionville Indian Trail Road intersections, including traditional neighborhood development with high density residential, retail, business/employment, and greenway connectivity along the South Fork of Crooked Creek. The Carolina Thread Trail will connect Crooked Creek to a new park on Chestnut Parkway.

US-74 West Transportation

Stallings to Indian Trail Road Transportation

The portion of US-74 in Indian Trail from Stallings to Indian Trail Road was reconfigured as part of the Monroe Expressway project (U-4714B) as a divided arterial with three westbound and two eastbound lanes.

No intersection is planned as part of the Monroe Expressway project for the new Chestnut Parkway. The first phase of three phases of Chestnut Parkway was constructed and opened in 2014 with the following other two phases constructed and with all three phases being entirely opened in 2025.

The new intersection of Chestnut Parkway with US-74 is being constructed with the U-5808 project as a RCI configuration in coordination with the RCI intersections along US 74 that were constructed with the W-5220 project. This connection is important for supporting the revitalization of the district bounded by Chestnut Parkway, Stinson-Hartis Road, Younts Road and Matthews-Indian Trail Road, as shown in Figure 5.2.9.

RECOMMENDATIONS



Fig. 6.3.6 Coordinated Superstreet and RCI Configuration at Chestnut Parkway and Indian Trail Road

RECOMMENDATIONS

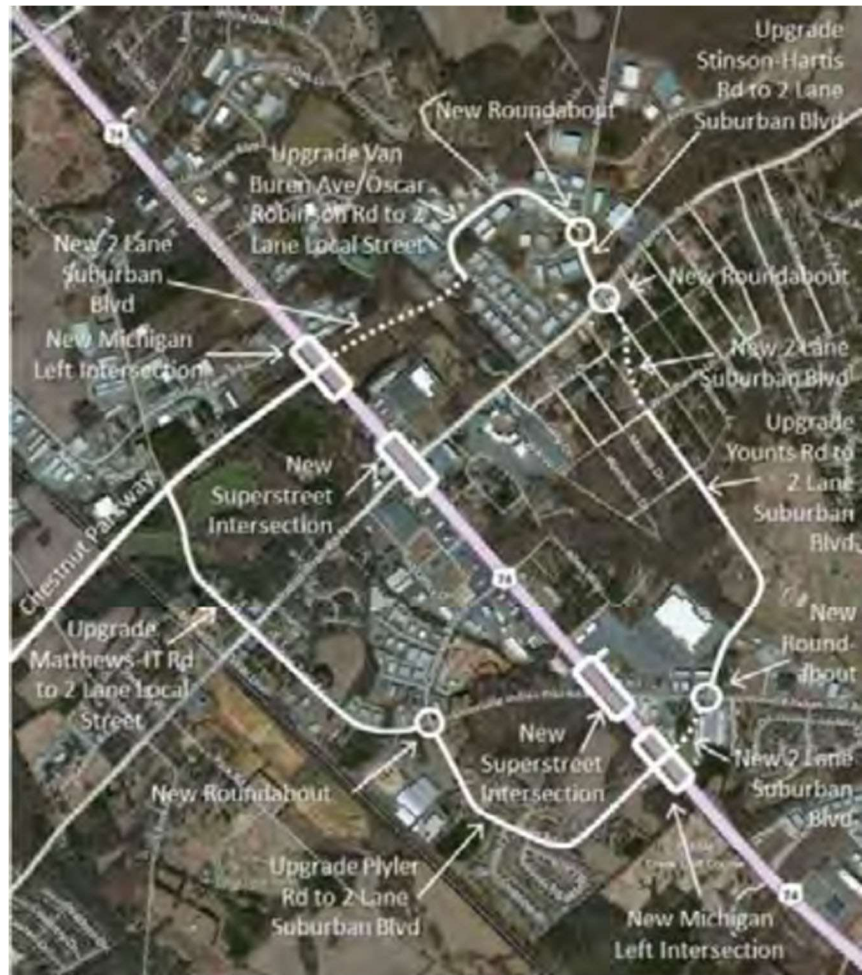


Fig. 6.3.7 Future district revitalization area bounded by Chestnut Parkway, Stinson Hartis Road, Younts Road and Matthews-Indian Trail Road

Left turn only median breaks should be provided for access into the shopping center at the northeast corner of Indian Trail-Fairview Road and US-74, and those should also provide access into the potential development property adjacent to the planned Chestnut Parkway.

The three existing driveways on the east side of the road should be closed and the parking lots be consolidated. There is also enough right-of-way to continue the provision of sidewalks consistent with the 6 Lane Boulevard typology (parts of which already exist).

Indian Trail Road to Crooked Creek Transportation

US-74 in this section, which is projected to have 60,000 Average Annual Daily Traffic by 2035, is to become a 6 Lane Boulevard typology. The Town of Indian Trail has been implementing the sidewalks for this typology as new development occurs.

RECOMMENDATIONS

The Indian Trail Road, Unionville-Indian Trail Road, Faith Church Road, and Wesley Chapel-Stouts/Sardis Church Road intersections with US-74 were converted to RCI intersections with the W-5220 project.

The intersection of Plyler Road and US-74 has the potential to complete the Chestnut Parkway/Stinson Hartis Road/Younts Road/Matthews-Indian Trail Road loop, which would help to stimulate redevelopment of this district in keeping with the Town's Economic Development Plan. The Unionville Indian Trail Road superstreet intersection should be designed to allow for a future direct connection across US-74 from Plyler Road to a new link with Younts Road, as shown in Figure 6.3.7. Figure 6.3.8 suggests one way this might be accomplished.



Fig. 6.3.8 Coordinated Superstreet and RCI Configuration at Unionville-Indian Trail Road and Plyler Road

The Corporate Boulevard intersection with US-74 would remain as an unsignalized intersection.

Between Indian Trail Road and Unionville-Indian Trail Road driveways between Indian Trail Road and Corporate Boulevard should be consolidated to minimize curb cuts along US-74. An alternate access street – Post Office

RECOMMENDATIONS

Street - already exists for additional access to these properties. Potential for a parallel street exists on the east side, linking Indian Trail Fairview Road to the Wal-Mart shopping center. Anticipated future redevelopment of the properties on the east side of US-74 will provide the opportunity to eliminate the existing driveways.

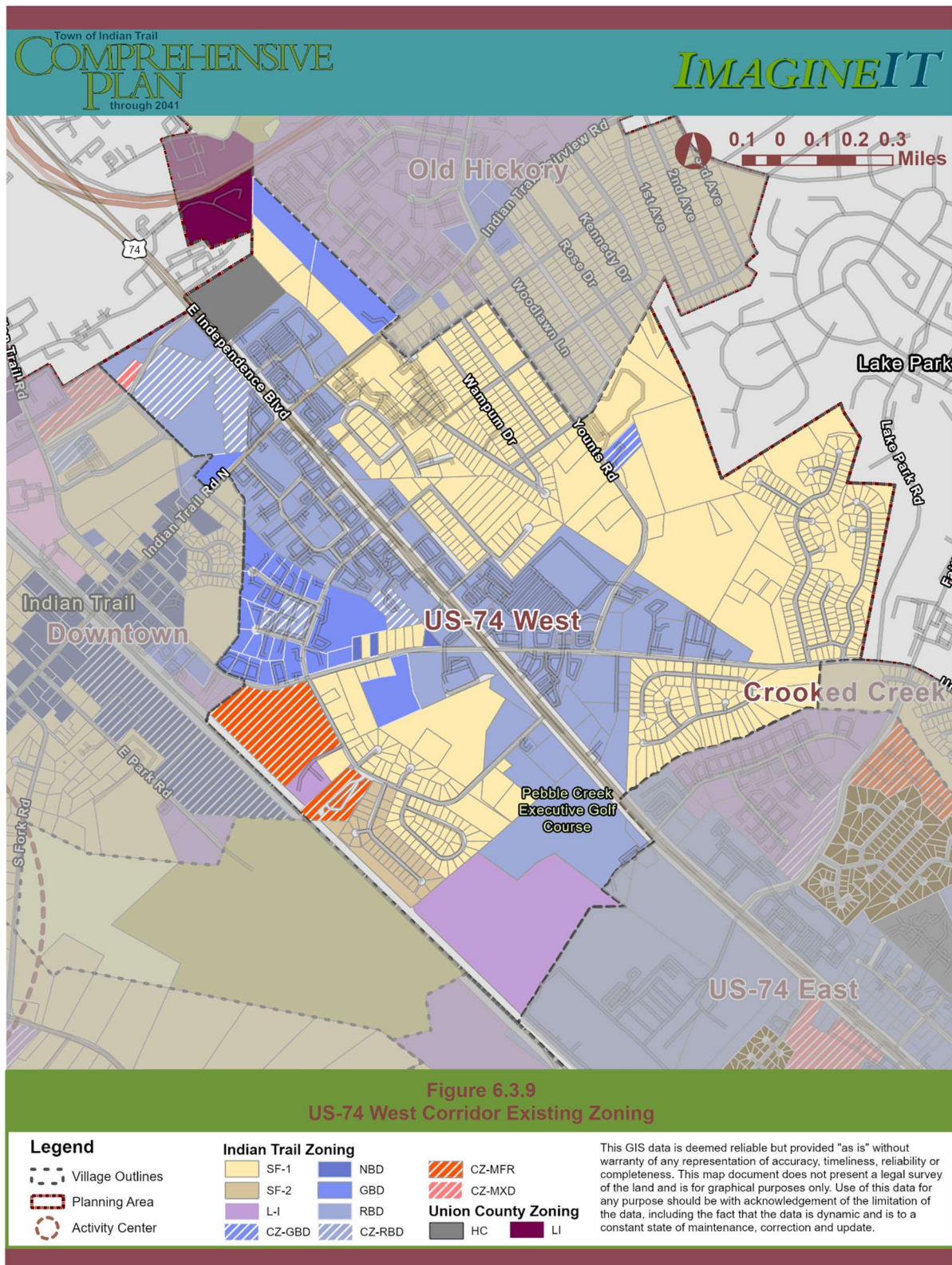
US-74 West Urban Design

Smith Farm Road to Indian Trail Road Urban Design

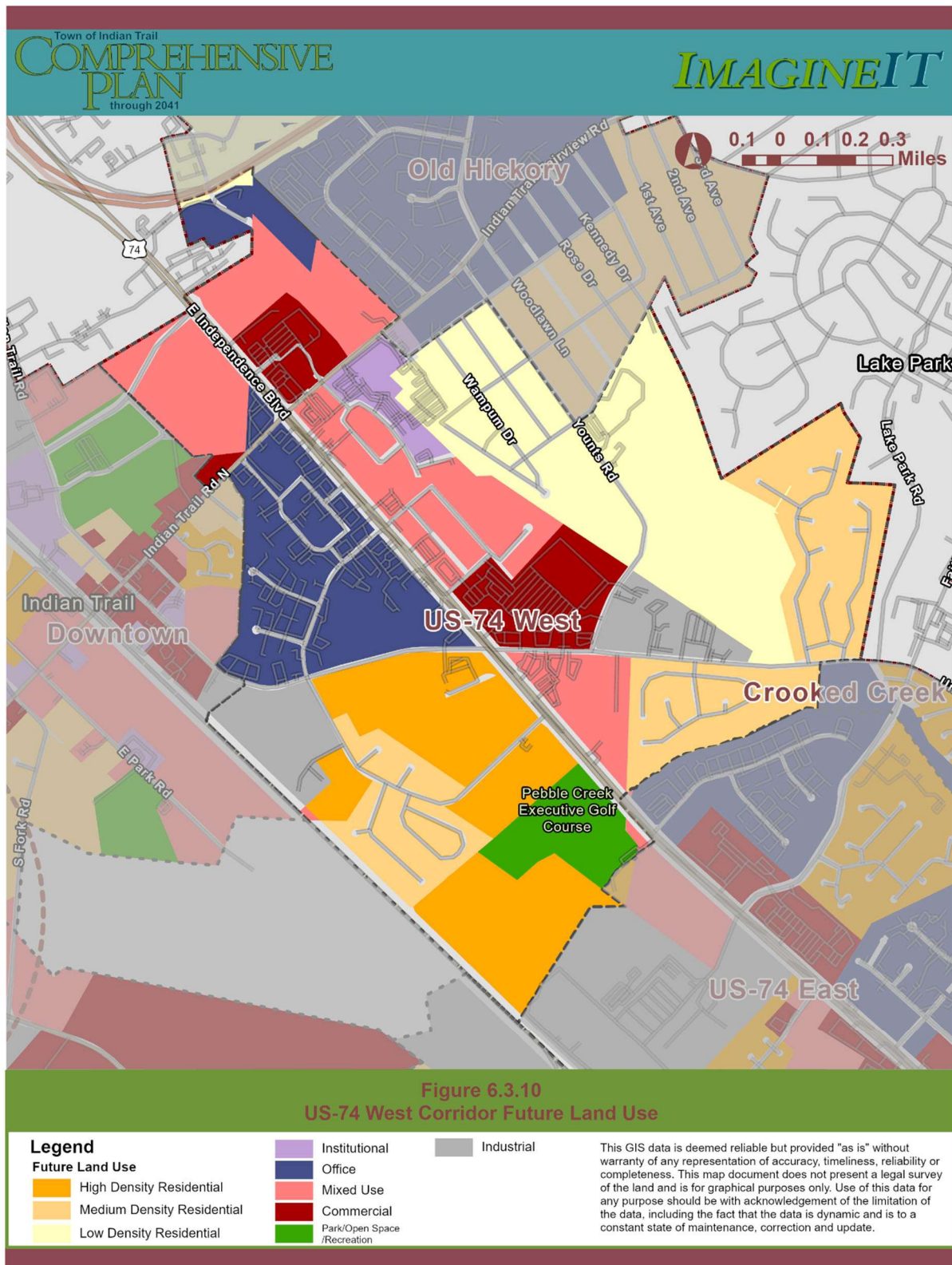
Street trees, lighting, wayfinding signage and street furnishings on US-74 will create a boulevard road typology. Ornamental trees and ground cover in the median near intersections will help reinforce the Indian Trail identity. A gateway element at Chestnut Parkway/US-74 and Indian Trail-Fairview Road/Monroe Expressway Connector will create a sense of arrival into Indian Trail and can celebrate the history of the Town and its family-oriented lifestyle. The new intersection of Chestnut Parkway with US-74 will be a community gateway for both Stallings and Indian Trail. Each community should have a distinct identity at this gateway, but the designs should be carefully coordinated.

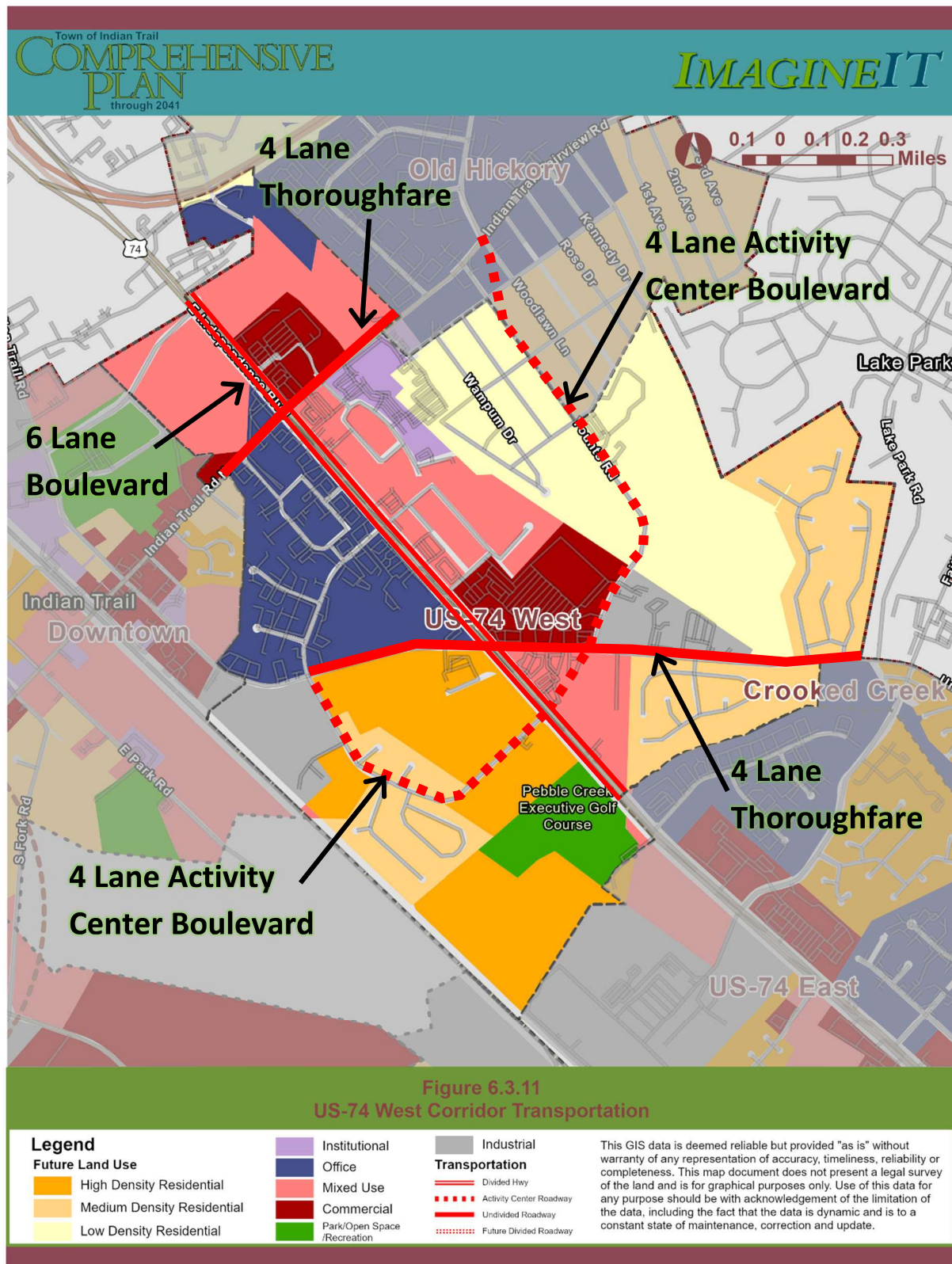
Indian Trail Road to Crooked Creek Urban Design

Pedestrian lighting with banners at Indian Trail Road and the future Chestnut Parkway intersections will emphasize corridor aesthetics. Ornamental landscaping at Indian Trail Road and Chestnut Parkway intersection with street trees will also reinforce the corridor aesthetic. There should be wayfinding signage for destinations, such as Chestnut Square at Indian Trail, downtown Indian Trail, and other significant Indian Trail destinations. Building form and orientation should be toward the street to create pedestrian friendly environment with parking behind the buildings.



RECOMMENDATIONS







P.O. Box 2430
Indian Trail, North Carolina 28079
Telephone 704-821-5401
**PLANNING and ZONING
BOARD MINUTES
Tuesday, December 16, 2025
6:00 P.M.**

DETERMINATION OF QUORUM

A quorum was present. The meeting was called to order by Chair, Meg Fielding.

CALL TO ORDER

The following members of the governing body were present:

Board Members:	Chair, Meg Fielding; Member, Kim Sandoval; Member, Sidney Sandy; Member, Jennifer Maher
Applicants:	Christopher D. Faulk; Planning Department Indian Trail
Staff Members:	Director of Planning, Brandi Deese; Senior Planner, Tim Jones; Senior Planner, Tyler Hayaski; Board Secretary, Jennifer Jackson; Planning Technician, Renee Nolan
Absent:	Vice Chair, Cynthia Wiley; Member, Ken Curtis

APPROVAL OF PREVIOUS PLANNING and ZONING BOARD MEETING MINUTES

Motion to approve October 21st, 2025, Minutes was made by, Member, Jennifer Maher.

All Members were in favor.

The Motion passed unanimously.

NEW BUSINESS- ZM 2025- 0113 (125 Plyler Rd.)

Senior Planner, Tyler Hayaski presented an overview of the project to the Board. *Staff presentation can be found here:* <https://www.youtube.com/watch?v=3Cf1Dd2X4rw>

REQUEST SUMMARY

This is a request to rezone two (2) parcels (07084335 and 07084335B) with a total approximate size of 3.67 acres from SF-1 (Single Family- Low Density) to GBD (General Business District). The intent is to rezone the two parcels to allow for commercial development opportunities that are consistent with surrounding land uses.

BOARD Q&A/PUBLIC COMMENT

Chair, Meg Fielding opened the Board for questions/comments.

Chair, Meg Fielding asked if the new Owner has any plans for the use of this property?

Applicant, Mr. Faulk responded that Daycare facilities have been interested, however, he does not believe that all required criteria could be met. Ideally in the residential portion of the property, he would like to see a professional business park. He stated he had the property surveyed and hired an engineering firm. This would be the main direction to take.

Board Member, Jennifer Maher asked if there were any residents currently living in the homes located on the property?

Applicant, Mr. Faulk responded yes. One of the residents has recently moved out and the other plans to move after Christmas (2025). There are no plans to rush them out and have given them the opportunity to stay until February 2026.

Board Member, Kim Sandoval asked Staff if the possible widening of Unionville-Indian Trail Rd. would occur at the time of actual development?

Senior Planner, Tyler Hayaski stated that depending on what the uses would be and what the traffic impact studies show would be for any road improvements. Plyler Rd. is a NCDOT mandated road and that portion of Unionville-Indian trail rd. has been turned over to the Town as of July (2025). It would ultimately be reviewed during site plan review with construction drawings.

Chair, Meg Fielding made the comment that this doesn't seem it would be used for any heavy industrial projects.

Senior Planner, Tyler Hayaski responded no.

Resident, Greg Franklin (201 Plyler Rd.) asked about intrusion barriers and what would those be for sight/sounds? He also addressed concerns regarding his water line that runs through the middle of the proposed property.

Senior Planner, Tyler Hayaski responded that the Town would implement the buffer requirements. The water line could be impacted by construction, and it is a Union County utility but as part of the approval process, would also go through Union County during construction drawings and have to be relocated typically at whomever is the developer's expense.

Chair, Meg Fielding asked if Mr. Franklin would be notified once construction began.

Senior Planner, Tyler Hayaski responded that it is not required to notify residents once construction begins however, residents may access the Town's website (www.indiantrail.org) where the Development Project page is located to see updates.

Member, Jennifer Maher asked what are the general buffer requirements or does it depend on what is being built?

Senior Planner, Tyler Hayaski responded that it would depend on what is being built.

Motion

Member, Sidney Sandy made the motion to approve ZM 2025-0113 (125 Plyler Rd).

Seconded by Member, Kim Sandoval for approval of ZM 2025-0113 (125 Plyler Rd).

The motion passed unanimously.

NEW BUSINESS ZT 2025-0119 (Various UDO Text Amendments)

Senior Planner, Tim Jones presented an overview of the project to the Board. *Staff presentation can be found here:*

<https://www.youtube.com/watch?v=3CfIDd2X4rw>

REQUEST SUMMARY

This is a Staff request to amend the Unified Development Ordinance (UDO) for various sections due to NC law changes and needed clarification and additions.

BOARD Q&A

Chair, Meg Fielding opened the Board for questions/comments.

Member, Kim Sandoval asked for clarification on the “Petition Withdrawal” section, specifically whether there are parameters for resubmitting after an application is withdrawn or denied.

Senior Planner, Tim Jones explained that a new State Law (2025-94) removed the previous one-year waiting period for refile after a denial. Applicants can now submit as early as the next day (provided they pay a fee), and the withdrawal section simply acknowledges their right to stop the process at certain steps.

Member, Jennifer Maher asked why the “sketch plan process” is optional rather than mandatory for all applications?

Planning Staff responded that making it mandatory might penalize experienced engineering firms that know the Town Codes well. Forcing them through an extra formal step could delay their projects unnecessarily. However, Staff strongly recommends it for developers new to the area.

Member, Kim Sandoval asked of the “Verification of Subdivision History” regarding minor subdivisions, how does Staff ensure a parcel hasn’t been subdivided under the same subsection in the past 10 years?

Planning Staff explained that we conduct a thorough investigation of land records and history to verify previous subdivision activity.

Member, Sidney Sandy noted of the “Living in Recreational Vehicles (RVs)” he has seen RVs hooked up to sewers in other towns and asked if Indian Trail allows this?

Planning Staff clarified that NC State Building Codes do not allow RVs to be permanent structures unless they are in a designated RV park with proper infrastructure. Indian Trail does not permit living in RVs on a standard residential lot.

Member, Jennifer Maher referenced “Retroactive Screening Requirements” and asked does the new language regarding the screening of mechanical/utility equipment apply retroactively to existing sites?

Senior Planner, Tim Jones explained it is not retroactive but codifies existing practices. It ensures that even if utility equipment (such as transformers) is added during construction and was on the digital site plan, the developer is still responsible for screening it before receiving a Certificate of Occupancy (CO).

Member Kim Sandoval asked about the “Household Living” edit and pointed out that the title for Section 1020.030, “Parking... for household living”, was confusing and suggested it should be changed to “Residential Use” instead.

Planning Staff agreed this was a better term, especially for grandfathered residential homes in non-residential districts.

PUBLIC COMMENT

There were no public comments.

MOTION

Member, Jennifer Maher made the motion to approve ZT 2025-0119 (Various UDO (Unified Development Ordinance) Text Amendments).

Seconded by Member, Kim Sandoval for approval of ZT 2025-0119 (Various UDO (Unified Development Ordinance) Text Amendments).

The Motion passed unanimously.

OPEN/OTHER BUSINESS

None.

ADJOURNMENT

Chair, Meg Fielding made a motion to adjourn the meeting. All Board Members were in favor.

Chairman:

Date: _____

Secretary:

(ROD Sticker Here)

STATE OF NORTH CAROLINA)
)
TOWN OF INDIAN TRAIL)

ORDINANCE: # 422

AN ORDINANCE AMENDING THE OFFICIAL ZONING MAP OF THE TOWN OF INDIAN TRAIL REZONING 125 PLYLER ROAD, PARCELS 07084335 AND 07084335B, APROXIMATELY 3.67 ACRES IN SIZE, AT THE INTERSECTION OF PLYLER AND UNIONVILLE INDIAN TRAIL ROAD, FROM SF-1, SINGLE FAMILY LOW DENSITY RESIDENTIAL TO GENERAL BUSINESS DISTRICT (GBD), IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS, this Zoning Map Amendment (ZM 2025-0113) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, a public meeting was held by the Planning & Zoning Board on December 16, 2025, to consider this zoning map amendment; and

WHEREAS, staff finds the proposed map amendment is consistent with the following goals of the Comprehensive Plan:

- **Land Use and Housing Goal #1:** Promote a variety of land uses within each village and avoid potential land use conflicts between neighboring properties and surrounding municipalities.
- **Economic Development Goal #1:** Create a more balanced tax base by promoting the development of office parks, businesses, retail centers, and industrial parks. Promote a diverse local economy that will support varied employment opportunities.

WHEREAS, the Planning & Zoning Board found this zoning reclassification to be a reasonable request in the public interest because it promotes the goals of the Indian Trail Comprehensive Plan in the areas of *Economic Development and Land Use & Housing*;

WHEREAS, the Planning & Zoning Board unanimously recommended approval of this request to the Town Council;

WHEREAS, the Town Council held a public hearing on January 13, 2026, to consider said request and recommendation of approval from the Planning & Zoning Board;

WHEREAS, the Town Council made the required findings.

NOW, THEREFORE, IT SHALL BE ORDAINED by the Town Council of the Town of Indian Trail, North Carolina hereby takes the following action:

Section 1 – Makes the required findings as stated herein; and

Section 2 – Approves ZM 2025-0113 Zoning Petition thereby granting the Zoning Map amendment to establish General Business District (GBD) on said parcels.

Section 3 – This ordinance shall be effective immediately upon adoption.

AND IT IS SO ORDAINED this 13th Day of January 2026.

TOWN OF INDIAN TRAIL COUNCIL

David Cohn, Mayor

Attest:

Trena Sims, Town Clerk

Approved as to Form:

Melanie Cox, Town Attorney



**P.O. Box 2430
Indian Trail, North Carolina 28079
PLANNING DEPARTMENT**

Request: Amend Unified Development Ordinance (UDO) Language for Multiple Sections

Location: Applies to Town jurisdiction

Applicant: Planning Department, Town of Indian Trail

REQUEST SUMMARY

This is a request to amend several sections throughout the Unified Development Ordinance (UDO) regarding changes in the NC General Statutes and, needed revisions and additions discovered by staff over a period of time. The changes will allow town staff to better serve residents and applicants.

STAFF ANALYSIS & OVERVIEW

Based on the staff's analysis, we offer the following modifications to the Unified Development Ordinance for Town Council's consideration. The Planning & Zoning Board voted unanimously to recommend approval of the proposed amendments with one revision to UDO Section 1020.030's title to replace "...Household Living" with "...Residential Use". This suggestion is supported by staff and has been revised in the following revisions under "T. Definition of Recreational Vehicles/Equipment".

The proposed amendment includes changes to revise, remove and/or add language as shown in sections. The following page provides an "Outline of Text Amendments" showing the letter for each section of amendments. Each lettered section has a "Reason for Proposed Additions and Revisions" and the "Proposed Additions and Revisions".

For ease of reference, new text is referenced in green font. Deletions will appear in red with a strikethrough line or lines such as "~~revised text~~". Other notes from staff to the reader will be highlighted.

OUTLINE OF TEXT AMENDMENTS

The following list is similar to a table of contents showing the title of each set of amendments.

- A. REMOVE OLD CUD LANGUAGE
- B. RELOCATE GENERAL SUBMITTAL REQUIREMENTS TABLE
- C. PAPER COPIES REMOVED FROM CODE AND REFERENCE TO CONCEPT REQUIREMENTS
- D. REMOVAL OF WAITING PERIOD FOR REILING AFTER A DENIAL
- E. NEW CHAPTER FOR SKETCH PLAN PROCESS
- F. MAJOR SUBDIVISION CONVENTIONAL PROCESS AND MINOR SUBDIVISION CONFLICT
- G. PLAT DISPOSITION REVISION FOR ELECTRONIC PLAT SUBMITTALS
- H. UPDATE TO VARIANCE REQUIRED CONDITIONS
- I. REMOVE DUPLICATE PARKING/LOADING/VEHICLE-EQUIPMENT STORAGE
- J. DOWNTOWN VILLAGE NOT PART OF OLD MONROE MUAC
- K. GROUP IDENTICAL ACTIVITY CENTER OVERLAYS IN USE TABLE AND ADD SMALLER NEIGHBORHOOD SERVICES ACTIVITY CENTER OVERLAY
- L. GROUP HOME DISTANCES
- M. CLARIFICATION OF CONTRACTOR OFFICES AND STORAGE YARDS
- N. POOLS AS ACCESSORY STRUCTURES CLARIFICATION
- O. ACCESSORY DWELLING CLARIFICATIONS
- P. REVISIONS TO MOBILE FOOD VENDING UNIT AND FOOD VENDORS
- Q. SCREENING OF MECHANICAL AND UTILITY EQUIPMENT POST SITE PLAN REVIEW
- R. GOVERNMENT SIGNS AND LOGOS
- S. MONUMENT SIGNS FOR APARTMENTS AND MULTIFAMILY ALONG DOWNTOWN INDIAN TRAIL RD CORRIDOR
- T. DEFINITION OF RECREATIONAL VEHICLES/EQUIPMENT

A. REMOVE OLD CUD LANGUAGE

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Old language from the former Conditional Use District process needs to be removed from the responsibilities of the Planning and Zoning Board.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 200 REVIEW AND DECISION-MAKING BODIES

Chapter 230 Planning and Zoning Board

230.050 Powers and Duties of the Planning and Zoning Board

The Planning and Zoning Board will have the following powers and duties:

- A. [NO CHANGES TO A THRU E, AND G TO N.]

~~F. **Planned District Review**~~

~~The Planning and Zoning Board will review and make recommendations to the Town Council on Planned District applications;~~

B. RELOCATE GENERAL SUBMITTAL REQUIREMENTS TABLE

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The table showing data that is required on different plan submittals is not in a convenient location in the UDO. This revision will move it up from Chapter 360 to the front of DIVISION 300 to Chapter 310.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 310 General Development Review Procedures

310.010 ~~Chapter 310~~ Hearing Procedures

[NO CHANGES TO CONTENTS OF HEARING PROCEDURES.]

310.020 ~~360.130~~ Information Required for Sketch Plans, Preliminary Plans/Site Plans and Final Plats

The sketch plans, preliminary plans/site plans and final plats shall depict or contain the information indicated in the following table. An X indicates that the information is required. All plans shall be in black lines and generated PDF files.

Table 300-1 4: Submittal Requirements by Plan Type

Submittal Items	Sketch Plan	Preliminary Plat & Site Plans	Final Plat
GENERAL ITEMS			
Cover Sheet with Index		X	X
Title Block	X	X	X
Name of Subdivision (if applicable)	X	X	X
Name and contact information of Owner / Applicant and any professional office working on plans	X	X	X
Registration seals from professionals		X	X
Vicinity Map	X	X	X
Graphic Bar Scale (each sheet if applicable)		X	X
Dates of preparation and submittal	X	X	X
Revision table in title block		X	X
EXISTING CONDITIONS			
Boundary Survey		X	X
Existing easements	X	X	X
Existing property lines, buildings, water courses, railroads, bridges, culverts, storm drains, other structures on the property or immediately adjacent	X	X	X
Corporate or jurisdictional boundaries (if applicable)	X	X	X
Parcel Information on Adjacent Properties (Parcel No., Owner(s), Acres)	X	X	X
Exact boundaries of flood hazard, floodway, or flood fringe areas from the community's FEMA maps or other approved maps	X	X	X
Wooded areas, heritage trees, marshes, rock outcroppings, ponds, lakes, streams, streambeds, and natural features		X	X
Location and descriptions of all monuments, markers, or control points		X	X
Historical properties identified on the National Register of Historic Places	X	X	X
SITE DATA TABLE			
Tax Parcel Number(s)	X	X	X
Existing / Approved zoning	X	X	X
Proposed zoning	X	X	
Existing and proposed use(s)	X	X	
Required Minimum Setbacks	X	X	X

Submittal Items	Sketch Plan	Preliminary Plat & Site Plans	Final Plat
Acreage/SF: total property, total lot area, parks/recreation space, non-residential use, average lot area	X	X	X
Total lots and/or units	X	X	X
Required and Provided Parking Spaces	X	X	
Disturbed area	X	X	
Impervious area	X	X	
Floor area		X	
Building height	X	X	
Linear feet in streets		X	X
SITE PLAN ELEMENTS			
Notes as Applicable	X	X	X
Proposed lot lines, lot and block numbers all with exact dimensions	X	X	X
Adjacent roads, right-of-way, internal access roads, and required number of road ingress/egress points	X	X	X
Parking layout and dimensions, sidewalk along property frontage, pedestrian connection to site, loading space, and sight triangles	X	X	X
Easements (existing and proposed), floodplain, streams, and applicable buffers	X	X	X
Phasing (if applicable)	X	X	X
Amenities such as paths, playgrounds, open space usable areas, and common open space.	X	X	
Mail kiosks with required parking spaces	X	X	
Trash enclosure		X	
Fencing and retaining walls		X	
Lots numbered consecutively		X	X
Address Numbers			X
Pedestrian or bicycle paths		X	X
School sites		X	
Land to be dedicated to public use	X	X	X
Areas to be used for non-residential use	X	X	X
Designation of ownership for common open spaces and recreation facilities		X	X
LANDSCAPING PLAN			
Existing and required landscaping (DIVISION 800) such as buffering, tree save, shading and screening		X	
Parking lot and perimeter requirements, dimension of planting islands	X	X	

Submittal Items	Sketch Plan	Preliminary Plat & Site Plans	Final Plat
Landscaping strips adjacent to building	X	X	
Plant Table with symbol, name/species, count, size and spacing (Use only approved species on UDO lists)		X	
Location of existing and proposed lighting poles		X	
Existing Tree Inventory (if applicable) (option to be on Existing Conditions sheet)		X	
Tree Save Plan		X	
STREET PLANS			
Proposed streets	X	X	X
Existing and platted (access easements) streets		X	X
Off-site street improvements due to TIA requirements		X	X
Conditional Zoning Off-site street improvements due to TIA requirements	X		
Right-of-way location/dimensions		X	X
Pavement widths/typical sections	X	X	X
Approximate grades		X	
Engineering data for corners and curves		X	
Typical street cross sections		X	
Street names (to be approved by County)		X	X
GRADING AND DRAINAGE PLAN			
Existing utilities and drainage systems		X	
Contours at 2-foot intervals		X	
Easements for grading on adjacent properties (if applicable)		X	X
Detention facilities including rain gardens	X	X	X
Coordinate with NCDEQ to ensure proper erosion control		X	
Show tree protection zone (TPZ)		X	
Show area of disturbance (Note: area of disturbance should not encroach on tree save or tree buffer areas.)		X	
Designation of ownership for common Stormwater Facilities and maintenance responsibility		X	X
UTILITY LAYOUTS			
Sanitary sewers		X	
Storm sewers		X	
Other drainage facilities		X	
Water distribution lines		X	
Natural gas lines		X	

Submittal Items	Sketch Plan	Preliminary Plat & Site Plans	Final Plat
Telephone lines		X	
Electrical Lines		X	
Cable TV		X	
Fiber optics/other communication		X	
Utility easements	X	X	X
LIGHTING PLAN			
Location of existing and proposed poles		X	
Footcandles for the entire site taken to the property line (max 2.0 if adjacent to commercial and 1.0 if adjacent to residential) (See Section 1330.050 General Lighting Standards for additional requirements.)		X	
Pole and fixture type		X	
TRUCK MANEUVERING* (if applicable)			
Turning template for truck ingress/egress and type of truck used.		X	
ARCHITECTURAL ELEVATIONS			
Building design of each façade including type of materials used, roof pitch, and overall dimensions of lengths and height.		X	
Include elevations for all buildings including garages, storage buildings, and trash enclosures		X	
EIFS calculations if applicable		X	
Digital (PDF) copy of color renderings		X	
RESPONSE LETTER			
Document showing responses to recent Town review comments for each round of review	X	X	X

* Inquire with Union County Fire Marshal's Office the largest apparatus (vehicle) they suggest using for the Truck Maneuvering Plan.

310.030 Refiling After Denial or Withdrawal

If a petition for a Conditional Zoning, Major Subdivision, Zoning Map Amendment, or Ordinance Text Amendment is denied by the Town Council or withdrawn by the applicant prior to a final decision being rendered, pursuant to G.S. 160D-601,(e), a similar application may be submitted with no waiting period.

Chapter 360 Subdivisions

[MOVE TABLE TO NEW CHAPTER 310]

360.130 Information Required for Sketch Plans, Preliminary Plans/Site Plans and Final Plats

The sketch plans, preliminary plans/site plans and final plats shall depict or contain the information indicated in the following table. An X indicates that the information is required. All plans shall be in black lines and generated PDF files.

Table 300-4: Submittal Requirements by Plan Type

Submittal Items	Sketch Plan	Preliminary Plat & Site Plans	Final Plat
GENERAL ITEMS			
Cover Sheet with Index		X	X
Title Block	X	X	X
Name of Subdivision (if applicable)	X	X	X
Name and contact information of Owner / Applicant and any professional office working on plans	X	X	X
Registration seals from professionals		X	X
Vicinity Map	X	X	X
Graphic Bar Scale (each sheet if applicable)		X	X
Dates of preparation and submittal	X	X	X
Revision table in title block		X	X
EXISTING CONDITIONS			
Boundary Survey		X	X
Existing easements	X	X	X
Existing property lines, buildings, water courses, railroads, bridges, culverts, storm drains, other structures on the property or immediately adjacent	X	X	X
Corporate or jurisdictional boundaries (if applicable)	X	X	X
Parcel Information on Adjacent Properties (Parcel No., Owner(s), Acres)	X	X	X
Exact boundaries of flood hazard, floodway, or flood fringe areas from the community's FEMA maps or other approved maps	X	X	X
Wooded areas, heritage trees, marshes, rock outcroppings, ponds, lakes, streams, streambeds, and natural features		X	X
Location and descriptions of all monuments, markers, or control points		X	X

Submittal Items	Sketch Plan	Preliminary Plat & Site Plans	Final Plat
Historical properties identified on the National Register of Historic Places	X	X	X
SITE DATA TABLE			
Tax Parcel Number(s)	X	X	X
Existing / Approved zoning	X	X	X
Proposed zoning	X	X	
Existing and proposed use(s)	X	X	
Required Minimum Setbacks	X	X	X
Acreage/SF: total property, total lot area, parks/recreation space, non-residential use, average lot area	X	X	X
Total lots and/or units	X	X	X
Required and Provided Parking Spaces	X	X	
Disturbed area	X	X	
Impervious area	X	X	
Floor area		X	
Building height	X	X	
Linear feet in streets		X	X
SITE PLAN ELEMENTS			
Notes as Applicable	X	X	X
Proposed lot lines, lot and block numbers all with exact dimensions	X	X	X
Adjacent roads, right-of-way, internal access roads, and required number of road ingress/egress points	X	X	X
Parking layout and dimensions, sidewalk along property frontage, pedestrian connection to site, loading space, and sight triangles	X	X	X
Easements (existing and proposed), floodplain, streams, and applicable buffers	X	X	X
Phasing (if applicable)	X	X	X
Amenities such as paths, playgrounds, open space usable areas, and common open space.	X	X	
Mail kiosks with required parking spaces	X	X	
Trash enclosure		X	
Fencing and retaining walls		X	
Lots numbered consecutively		X	X
Address Numbers			X
Pedestrian or bicycle paths		X	X
School sites		X	
Land to be dedicated to public use	X	X	X
Areas to be used for non-residential use	X	X	X

Submittal Items	Sketch Plan	Preliminary Plat & Site Plans	Final Plat
Designation of ownership for common open spaces and recreation facilities		X	X
LANDSCAPING PLAN			
Existing and required landscaping (DIVISION 800) such as buffering, tree save, shading and screening		X	
Parking lot and perimeter requirements, dimension of planting islands	X	X	
Landscaping strips adjacent to building	X	X	
Plant Table with symbol, name/species, count, size and spacing (Use only approved species on UDO lists)		X	
Location of existing and proposed lighting poles		X	
Existing Tree Inventory (if applicable) (option to be on Existing Conditions sheet)		X	
Tree Save Plan		X	
STREET PLANS			
Proposed streets	X	X	X
Existing and platted (access easements) streets		X	X
Off-site street improvements due to TIA requirements		X	X
Conditional Zoning Off-site street improvements due to TIA requirements	X		
Right-of-way location/dimensions		X	X
Pavement widths/typical sections	X	X	X
Approximate grades		X	
Engineering data for corners and curves		X	
Typical street cross sections		X	
Street names (to be approved by County)		X	X
GRADING AND DRAINAGE PLAN			
Existing utilities and drainage systems		X	
Contours at 2-foot intervals		X	
Easements for grading on adjacent properties (if applicable)		X	X
Detention facilities including rain gardens	X	X	X
Coordinate with NCDEQ to ensure proper erosion control		X	
Show tree protection zone (TPZ)		X	
Show area of disturbance (Note: area of disturbance should not encroach on tree save or tree buffer areas.)		X	
Designation of ownership for common Stormwater Facilities and maintenance responsibility		X	X

Submittal Items	Sketch Plan	Preliminary Plat & Site Plans	Final Plat
UTILITY LAYOUTS			
Sanitary sewers		X	
Storm sewers		X	
Other drainage facilities		X	
Water distribution lines		X	
Natural gas lines		X	
Telephone lines		X	
Electrical Lines		X	
Cable TV		X	
Fiber optics/other communication		X	
Utility easements	X	X	X
LIGHTING PLAN			
Location of existing and proposed poles		X	
Footcandles for the entire site taken to the property line (max 2.0 if adjacent to commercial and 1.0 if adjacent to residential) (See Section 1330.050 General Lighting Standards for additional requirements.)		X	
Pole and fixture type		X	
TRUCK MANEUVERING* (if applicable)			
Turning template for truck ingress/egress and type of truck used.		X	
ARCHITECTURAL ELEVATIONS			
Building design of each façade including type of materials used, roof pitch, and overall dimensions of lengths and height.		X	
Include elevations for all buildings including garages, storage buildings, and trash enclosures		X	
EIFS calculations if applicable		X	
Digital (PDF) copy of color renderings		X	
RESPONSE LETTER			
Document showing responses to recent Town review comments for each round of review	X	X	X

* Inquire with Union County Fire Marshal's Office the largest apparatus (vehicle) they suggest using for the Truck Maneuvering Plan.

C. PAPER COPIES REMOVED FROM CODE AND REFERENCE TO CONCEPT REQUIREMENTS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Staff has attempted to update all of the UDO to current practices to reflect we no longer request paper copies for submittals. This revision also includes a reference to the requirements that provides a complete Conditional Zoning concept plan.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 330 Conditional Zoning Districts

330.020 Application Procedures

[NO CHANGES TO INTRODUCTION PARAGRAPH.]

A. [NO CHANGES TO A, AND C THRU F.]

B. **Conceptual Plans**

Conceptual plans, including all additional information shown on it, shall constitute part of the petition for rezoning to a conditional zoning district. [MOVE THE FOLLOWING SENTENCE TO END OF PARAGRAPH.] ~~The Planning Director may, on a case by case basis and within his/her sole discretion, specify if and how many paper copies of the application the applicant must submit in order to initiate the review.~~ No application shall be deemed complete unless the concept plans address all applicable minimum submittal requirements as outlined in Section 330.020,(A) and, accompanied by a digital PDF file copy of the application and fee in accordance with the fee schedule most recently adopted by the Town Council. ~~The Planning Director may, on a case by case basis and within his/her sole discretion, specify if and how many paper copies of the application~~ conceptual plans the applicant must submit to initiate the review.

D. REMOVAL OF WAITING PERIOD FOR REFILE AFTER A DENIAL

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This revision incorporates the section of the new law S.L. 2025-94 (H.B. 926) that removes resubmittal waiting periods for denials and withdrawals for zoning map and text amendments, conditional zonings, and subdivisions. While addressing the new law on subdivisions, the revisions include some clarification of the 4 stages of a major subdivision by only adding new headings.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 320 Zoning Map and Ordinance Text Amendments

320.020 Initiation of Amendments

- A. [NO CHANGES TO A THRU D, AND F.]
- E. Refer to Section 310.030 for refiling after a denial or withdrawal. ~~Unless the Town Council finds that there have been substantial changes in conditions or circumstances bearing on the application, the Town will not accept for consideration a petition with a new application for a text or map amendment for one (1) year from the date the petition is submitted if after one of the following:~~
 - ~~1. The Town Council has denied a previous rezoning request for the same property or has approved a rezoning to a more restrictive classification than requested, or the applicant has withdrawn a previous request after consideration of such request by the Planning and Zoning Board, or~~
 - ~~2. The Town Council has denied a substantially similar request for a text amendment.~~

Chapter 330 Conditional Zoning Districts

330.050 Effect of Approval; Zoning Map Designations

[NO CHANGE IN INTRODUCTION TEXT.]

- A. [NO CHANGES TO A AND B.]
- C. **Petition Withdrawal**

An applicant who has submitted a complete application for a conditional zoning district may withdraw the application prior to a final decision being rendered. ~~However, if so withdrawn, a similar petition submitted by that property owner or his agent shall not be accepted by the Planning Director within one (1) year of the date of withdrawal.~~
- D. **Petition Resubmission After Denial or Withdrawal**

Refer to Section 310.030 for refiling after a denial or withdrawal. ~~If a petition for a conditional zoning district is denied by the Town Council, a similar application shall not be accepted by the Planning Director for a period of one (1) year following the date of denial.~~

E. NEW CHAPTER FOR SKETCH PLAN PROCESS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The Sketch plan process has been shown in the UDO as being a preliminary process for major subdivisions only. Staff have seen the benefits in other processes using the sketch plan review as well. This proposed set of revisions and additions formalizes the sketch plan review into a required step in new development proposals.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 350 Sketch Plan Review

350.010 ~~360.020~~ Purpose ~~Sketch Design Plan Review~~

~~A-~~ The sketch plan review is an optional ~~more~~ conceptual process ~~that allows~~ allowing an exchange of information between the developer and the TRC. ~~Sketch Plan Review~~ is suggested prior to the submittal of the following development review procedures:

- A. Conditional Zonings
- B. Major Subdivisions Preliminary Plan
- C. By-Right Site Plan Reviews

This is not just an extra regulatory step but a point in the process that has the potential to save time and money on unnecessary revisions during further development of plans for rezoning or construction plan approval. It can also help to avoid denials from Town Staff and Town Council, where applicable. Note that a sketch plan review is also available for developers to get preliminary information about a concept they may or may not pursue for a prospective property. Note that even though sketch plan review also occurs in some processes with Union County, it does not necessarily mean that the two are best to occur concurrently. For example, if an applicant has not completed sketch plan review with the Town, early findings are known at times to find significant, site-altering issues that may severely affect a concurrent sketch plan submittal with Union County Water (and sewer) Department.

350.020 Process

A. Plan Requirements

Sketch Plan suggested data requirements are provided in Table 300-4: Submittal Requirements by Plan Type. The plans should be drawn on the same size paper and scale as required for ~~preliminary plans~~ construction plans ~~and~~ or, if applicable, final plats.

B. Application and Fee

An application and fee are required. The fee is credited when fees are paid for the next developmental procedure step (see applicable developmental review procedures below). Digital

PDF files of the **completed and signed** application, and sketch plan shall be submitted to the Planning Department as the application package.

C. Review

The TRC and developer shall review the project to evaluate its feasibility in light of the Town's development practices and requirements. **If the review results in a "Not Approved" decision, then the applicant may resubmit revised plans along with a response letter addressing all Town comments. If requirements cannot be met by the developer or the TRC does not allow certain requirements to be met conditionally, the review will be considered "denied".**

D. Next After Review Conclusion

Once the review process has been completed and the sketch plan is **conditionally** approved, the developer ~~shall~~ **may continue by** either submitting ~~a~~ **an application** package for a rezoning (conventional or conditional), if required, or complete the site **construction** plan package to submit for review. ~~See Chapter 320 for zoning map amendments/conventional rezonings or Chapter 330 for conditional rezonings.~~

350.020 Impact of Approval

~~B.~~ **Sketch Plan Reviews may only receive a denial or conditional approval as a final staff determination. All approved sketch plans are automatically conditional as this is a Town input-only review requiring a primary approval under one of the development review procedures listed under 350.010 Purpose above. Review of the sketch design plan shall not in any way be construed as constituting an official action of approval for construction nor recording of the subdivision by the Town of Indian Trail.**

Chapter 360 Subdivisions

[NO CHANGES TO REMAINING SECTIONS 360.010, AND 360.030 TO 360.140.]

~~**360.020 Sketch Design Plan Review**~~

[MOVED TO NEW CHAPTER 350 ABOVE]

F. MAJOR SUBDIVISION CONVENTIONAL PROCESS AND MINOR SUBDIVISION CONFLICT

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The major subdivision section addresses conditional and conventional subdivisions. Revisions below add formatting and language to clarify the two processes. The major subdivision section also alludes to the 4-stage review process but one of the revisions in this section adds formatting to highlight each of those stages. The revisions address a conflict with minor subdivision thresholds being 3 or 5 lots.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 360.010 Subdivisions

360.010 Major Subdivisions

Major subdivision review is a 4-stage review process. These steps will include:

A. **Stage 1: Sketch Plan Review**

First is the preparation and submittal of an informal sketch plan and the review of this plan by the Technical Review Committee (TRC). The purpose of this informal process is not to approve any plans but to provide an opportunity to exchange information between the developer and the TRC.

B. **Stage 2: Preliminary Plan Submittal** ~~of a preliminary plan.~~

A plan must be submitted in accordance with specific development standards as listed in subsection 360.030F. Initially, the plan is reviewed by the TRC to determine whether or not it complies with the requirements of the UDO.

1. **Conditional Major Subdivision**

If the preliminary plan is associated with a proposed Conditional Zoning (CZ) District, it will be forwarded to the Planning Board for a recommendation to the Town Council. After reviewing the comments from the TRC and Planning Board, the Town Council shall approve, approve conditionally, or disapprove the plan. [Refer to Chapter 330 for Conditional Zoning District requirements.](#)

2. **Conventional Major Subdivision**

If the preliminary plan request is not associated with a Conditional Zoning district request and is permitted by-right in the Table of Permitted Uses, the proposed subdivision plat will be processed as a conventional subdivision. If a rezoning is required, the process will follow the Conventional Zoning process in Chapter 320 for Zoning Map Amendments (ZM). ~~†~~The Planning Director will approve, ~~approve conditionally,~~ or disapprove the plan. [When site construction plans are submitted, the development must meet all requirements in this UDO.](#)

C. **Stage 3: Site Construction Plans Review**

After approval of the preliminary plan, the applicant may submit the construction drawings for review and approval by the Indian Trail Planning Department. Prior to any development, all construction plans shall be approved by the proper regulatory agencies. A zoning certification will be issued upon receipt of all required approvals and such certification will authorize the construction to proceed.

D. **Stage 4: Final Plat and As-Built Drawing**

Within 24 months of the preliminary plan approval by the Town Council or Planning Director, the applicant shall submit a final plat and an as-built drawing showing completion of the subdivision according to the preliminary plan and construction drawings. The final plat shall be reviewed by the TRC and approved by the Planning Department. Only after the final plat has been approved by the Planning and Engineering Departments, and recorded by the applicant at the Union County Register of Deeds office shall any of the lots be transferred or conveyed. The plat must be recorded within 30 days after approval by the governing body. A PDF file of the recorded plat and an electronic drawing version (AutoCAD – .dwg or .dxf) shall be submitted to the Indian Trail Planning Department for their records.

E. **Minor Subdivisions**

In the case of minor subdivisions, as defined in Section 360.140B, applications may be processed under an abbreviated review procedure. The minor subdivision plat shall be reviewed and approved by the Planning Department. The applicant, if in disagreement with the decision of the Planning Director, may appeal the Director's decision to the Indian Trail Town Council.

360.140 Minor Subdivisions, Lot Line Adjustments or Lot Combinations/Recombinations

A. **[NO CHANGES FOR A, AND C THRU G.]**

B. **Minor Subdivision**

A minor subdivision is a subdivision of land that does not involve any of the following:

1. The tract or parcel to be divided is not exempted under Section 1110.040.
2. No part of the tract or parcel to be divided has been divided under this subsection in the 10 years prior to division.
3. The entire area of the tract or parcel to be divided is greater than five (5) acres;
- 4 ~~1~~. The creation of more than a total of five (5) lots since 1978;
5. After division, all resultant lots comply with all of the following:
 - a. All lot dimension size requirements of the applicable land-use regulations, if any.
 - b. The use of the lots is in conformity with the applicable zoning requirements, if any.
 - c. A permanent means of ingress and egress is recorded for each lot.
- 6 ~~2~~. The creation of any new public streets or street right-of-ways;
- 7 ~~3~~. The extension of water and sewer system facilities operated by the Union County Public Works Department;
- 8 ~~4~~. The installation of drainage improvements through one (1) or more lots to serve one or more other lots;

- 9 5. The installation of a private waste water plant or a private water supply system for more than one lot or building site.

G. PLAT DISPOSITION REVISION FOR ELECTRONIC PLAT SUBMITTALS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Union County now accepts the option to have plats electronically signed and recorded. The revisions proposed incorporate this option.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 360 Subdivisions

360.070 Number of Copies and Graphic Media

The final plat must be drawn on a sheet with an outside dimension of not more than required by Union County Register of Deeds and shall include a 1 ½" border on the left side and a 1/2" border on the remaining sides. Once the review is approved, ~~a Mylar of~~ the final plat must be submitted as a Mylar for Town signatures before the applicant takes it to Union County for recording or as an electronic document to be signed and recorded electronically with Union County. If printed for signatures and recording, ~~The the~~ Mylar must be three (3) ml., suitable for reproduction and each Mylar copy must have original signatures. ~~The final plat must be drawn on a sheet with an outside dimension of not more than required by Union County Register of Deeds and shall include a 1 ½" border on the left side and a 1/2" border on the remaining sides.~~ The final plat shall be submitted electronically in an AutoCAD version compatible with the Town's software and in a PDF file version of the recorded plat. All mapping requirements shall be in compliance with this Chapter, Union County Mapping Requirements, and N.C. G. S. 47-30.

360.110 Disposition of Final Plats

Each final plat ~~Mylar copy~~ shall be signed and executed, as a Mylar copy or electronically, as required for recording by the Register of Deeds Office of Union County within 30 days after approval by the Planning Director. Contact the Register of Deeds Office for plat requirements. Electronically submit the final recorded plat in a PDF file format to the Indian Trail Planning Department.

H. UPDATE TO VARIANCE REQUIRED CONDITIONS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The current version of the NC G.S. 160D-0705. Quasi-judicial zoning decisions shows that there are only 4 conditions that must all be met for a variance request to be approved. The current UDO shows 5 and the 1998 Indian Trail Zoning Ordinance contained 6 conditions. This revision is for the UDO to match the conditions in the current NC statutes.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 300 DEVELOPMENT REVIEW PROCEDURES

Chapter 380 Appeals and Variances

380.020 Planning and Zoning Board Hearings on Variances

- A. [NO CHANGES TO A, C, AND D.]
- B. A variance may be granted by the Planning and Zoning Board after a public hearing has been held in a quasi-judicial manner and advertised in accordance with Section 310.030. When unnecessary hardships would result from carrying out the strict letter of the Unified Development Ordinance, the Planning and Zoning Board shall vary any of the provisions on the ordinance upon a showing of all of the following:
 1. Unnecessary hardship would result from the strict application of the regulation. It shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property; and
 2. The hardship results from conditions that are peculiar to the property, such as location, size, or topography. Hardships resulting from personal circumstances, as well as hardships resulting from conditions that are common to the neighborhood or the general public, may not be the basis for granting a variance. A variance may be granted when necessary and appropriate to make a reasonable accommodation under the Federal Fair Housing Act for a person with a disability; and
 3. The hardship did not result from actions taken by the applicant or the property owner. The act of purchasing property with knowledge that circumstances exist that may justify the granting of a variance shall not be regarded as a self-created hardship; and
 4. The requested variance is consistent with the spirit, purpose and intent of the regulation, such that public safety is secured and substantial justice is achieved; and .
 5. ~~The variance will neither result in the extension of a nonconforming situation in violation of DIVISION 1400, Nonconformities nor authorize the initiation of a nonconforming use of land.~~

I. REMOVE DUPLICATE PARKING/LOADING/VEHICLE-EQUIPMENT STORAGE

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Duplicate parking, loading and vehicle/equipment storage language was in DIVISION 500 and should be removed and just reference the home section of 1020.030 Parking, Loading, And Vehicle/Equipment Storage For Household Living.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS

Chapter 520 Residential Districts

520.050 Other Applicable Regulations

Uses and development in R districts are subject to other standards including the following:

A. Parking, Loading, and Vehicle/Equipment Storage

Refer to Section 1020.030 for requirements related to Parking, Loading, and Vehicle/Equipment Storage for Household Living.

- ~~1.— No person may park or store a vehicle other than an operable passenger car, passenger van, pickup truck, motorcycle, recreational vehicle, or recreational equipment in an unenclosed area on any lot in a residential zoning district, except when necessary for loading and unloading or within the performance of a service to or upon property in the block the vehicle is parked. Recreational vehicles and equipment are subject to the additional requirements of the following paragraph.~~
- ~~2.— For the purposes of administering and enforcing the provisions of the preceding two paragraphs, passenger cars, passenger vans, pickup trucks, motorcycles, recreational vehicles, or recreational equipment are defined as vehicle that are: (1) licensed for use on public streets or waterways, (2) designed primarily for the transportation of people as opposed to equipment, freight or other vehicles, and (3) sold primarily to individuals for personal use.~~
- ~~3.— No person may park or store a tractor trailer or truck trailer that is longer than 15 feet in any off-street parking area in a residential zoning district, except when necessary for loading and unloading or within the performance of a service to or upon property in the block the vehicle is parked.~~
- ~~4.— No person may park or store a hauling trailer in any off-street parking area in a residential zoning district, other than in an enclosed garage, a covered outbuilding, an interior rear yard or interior side yard. A hauling trailer with a length of 15 feet or less may be stored in an interior side yard if it is placed behind the front building line.~~

J. DOWNTOWN VILLAGE NOT PART OF OLD MONROE MUAC

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Additional language was provided in a couple of sections to clarify that no overlays impact/covers the Downtown Village. This clarification can be especially helpful so no one assumes that the Old Monroe MUAC Overlay circle stops at the border of the Downtown Village.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 500 BASE ZONING DISTRICTS

Chapter 530 Business and Commercial Zoning Districts

530.010 District and Overlay Descriptions

A. [NO CHANGES TO A.]

B. **Business/Commercial Overlays**

The overlays provide an additional level of regulation on top of the underlying district's requirements. The overlays correspond to planning directions within the Comprehensive Plan.

1. [NO CHANGES FOR 1.]

2. **No Overlay Impacts Over Downtown Districts**

No overlays impact the Downtown Districts. This includes the Old Monroe Road MUAC that is adjacent to the Downtown Districts area.

DIVISION 600 SPECIAL PURPOSE DISTRICTS AND OVERLAYS

Chapter 630 Mixed Use Activity Center (O-MUAC) and Sub-Regional Activity Center (O-SRAC) Overlays

630.010 District Established

[NO CHANGES IN THIS PARAGRAPH.]

A. [NO CHANGES TO A.]

B. **Exemptions**

This Chapter does not apply to land or to development which:

1. [NO CHANGES FOR 1 THRU 3.]

4. **Is in the Downtown Districts.**

K. GROUP IDENTICAL ACTIVITY CENTER OVERLAYS IN USE TABLE AND ADD SMALLER NEIGHBORHOOD SERVICES ACTIVITY CENTER OVERLAY

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The uses permitted for the two overlays was discovered that they match so the proposal is to combine the O-MUAC and O-SRAC overlays for the Table of Permitted Uses. The main difference in the two overlays exists in the scale of the two developments. The O-SRAC is regional in its scale and attraction of customers to the area.

The third overlay, Neighborhood Services Activity Center Overlay (O-NSAC), is less impactful and was not added to the UDO in the past even though it is a part of the Town Comprehensive Plan. Staff sees a need to add it to the UDO now that we are showing it on the zoning map. The existing Neighborhood Business District (NBD) column is to be used for this overlay so it is not necessary to break it out under the “Overlay” column. NBD uses match the intended purpose of the overlay. The difference between the NBD district and the O-NSAC overlay is that the overlay occurs as nodes of business development at intersections, but the NBD district can be established along roadways as well as at the overlay intersections.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 100 INTRODUCTORY PROVISIONS

Chapter 140 Zoning Districts

140.010 Establishment of Districts and Overlays

For the purpose of this ordinance, portions of the Town, as specified on the Town’s Official Zoning Map are hereby divided into the following zoning districts:

Table 100-1: Zoning Districts and Overlays

Overlays	
O-MO	Mining Overlay
O-NSAC	Neighborhood Services Activity Center Overlay
O-MUAC	Mixed Use Activity Center Overlay
O-SRAC	Sub-Regional Activity Center Overlay

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

DIVISION 500 BASE ZONING DISTRICTS

Chapter 530 Business and Commercial Zoning Districts

530.010 District and Overlay Descriptions

A. [NO CHANGES IN “A”.]

B. Business/Commercial Overlays

The overlays provide an additional level of regulation on top of the underlying district’s requirements. The overlays correspond to planning directions within the Comprehensive Plan.

1. O-NSAC, Neighborhood Services Activity Center; O-MUAC, Mixed Use Activity Center, ; and O-SRAC, Sub-Regional Activity Center Overlays

The Neighborhood Services, Mixed Use and Sub-Regional Activity Center Overlays designate areas within the Town where mixed-use centers may be established at the intersection of boulevards and thoroughfares. The O-NSAC is smaller than the O-MUAC and O-SRAC since the location serves a smaller population and may also be located at smaller street intersections where they can be commercially viable. Mixed Use and Sub-Regional

~~Activity Center Overlays~~ These overlays may be established with different mixes of land uses and different densities consistent with the broad guidelines established by the Comprehensive Plan. The location of ~~Mixed Use and Sub-Regional Activity Center Overlays~~ these overlays will be consistent with the locations identified in the Comprehensive Plan. The only Sub-Regional Activity Center Overlay is located at the Sun Valley Commons area.

530.040 Lot and Building Standards

[NO CHANGES TO INTRO PARAGRAPH.]

A. Lot Size, Density, Setback and Height Table

Table 500-2: Business and Commercial Lot, Density, Setback and Building Height Standards

Lot and Building Standards	NBD	GBD	RBD	O-NSAC, O-MUAC and O-SRAC

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

B. [NO CHANGES IN "B".]

530.050 Floor Area Limits For Commercial Establishments When Applicable

A. [NO CHANGES IN A THRU C.]

D. Neighborhood Services, Mixed Use and Sub-Regional Activity Center Overlays

Commercial establishments in the O-NSAC, O-MUAC and O-SRAC overlays may not include more than 15,000 square feet of gross floor area.

Chapter 570 Permitted Uses

570.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Cat.	Use Type	Business, Office, and Institutional Districts				Downtown Districts			Industrial Districts		MUAC/ SRAC Overlays ¹		Use Specific Standards	Land Use Grp
		NBD/ O-NSAC	GBD	RBD	I	DCD	DTD	DTD -R	L-I	H-I	O MUAC	O SRAC		
												X		

¹ Overlays here do not include the Neighborhood Activity Center (O-NSAC). Uses pertaining to an O-NSAC should be regulated under the Neighborhood Business District (NBD) uses.

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

DIVISION 600 SPECIAL PURPOSE DISTRICTS AND OVERLAYS

Chapter 630 ~~Mixed Use Activity Center (O-MUAC) And Sub-Regional Activity Center (O-SRAC) Activity Center~~ Overlays

630.010 District Established

The **Neighborhood**, Mixed Use and Sub-Regional Activity Center Overlays are hereby established to provide for the designation of areas within the Town where mixed-use centers may be established. **Neighborhood**, Mixed Use and Sub-Regional Activity Center Overlays may be established with different mixes of land uses and different densities consistent with the broad guidelines established by the Comprehensive Plan. The location of **Neighborhood**, Mixed Use and Sub-Regional Activity Center Overlays will be consistent with the locations identified in the Comprehensive Plan.

A. Applicability

This Chapter applies to all new development within the boundaries of the **Neighborhood**, Mixed Use and Sub-Regional Activity Centers as defined within the Indian Trail Comprehensive Plan. No development may occur on a property that falls in part or whole within these overlays unless in accordance with this article.

B. Exemptions

This Chapter does not apply to land or to development which:

1. Is part of an approved final plat, preliminary plat, or approved site plan for a commercial center where such approval was granted before December 31, 2008; or
2. Is covered by an unexpired zoning certification permit issued before December 31, 2008 in accordance with the Town of Indian Trail zoning ordinance in effect prior to the effective date of this UDO or
3. An existing use in an Industrial zoning district within the **Neighborhood**, Mixed Use or Sub-Regional Activity Center Overlays that has been in continuous operation on or before June 30, 2016 shall be exempt. Said uses shall also be exempt from Chapter 630.050. Any future additions or expansions, however, shall be subject to the requirements of Chapter 630 in place at the time of the addition or expansion.

630.020 Purpose and Intent

This Chapter is intended to implement the Town of Indian Trail Comprehensive Plan that calls for the establishment of **Neighborhood**, Mixed Use and Sub-Regional Activity Center overlays at strategically located intersections within the Town. The purpose of this Chapter is to create a classification consistent with the Town's comprehensive plan. It is also the purpose of this Chapter to establish a classification that allows for mixed residential, commercial and industrial development that meets a higher standard of design and site planning.

630.030 Rezoning Procedures

The Town shall process **Neighborhood**, Mixed Use and Sub-Regional Activity Center Overlay requests in the same manner as set forth by Chapter 320 for all other rezoning requests.

630.040 Development Standards

[NO CHANGES IN THIS SECTION.]

630.050 Additional Requirements

- A. **Neighborhood**, Mixed Use and Sub-Regional Activity Centers will incorporate pedestrian improvements that connect all building and uses consistent with the requirements of Section 810.200.
- B. Light Industrial (L-I) uses shall only be permitted in the following activity center overlays: ~~Old Hickory~~, Old Monroe and the secondary Sun Valley Sub-Regional Activity Center Overlay.
- C. Separation requirements: Uses in L-I within Mixed Use and Sub-Regional Activity Center Overlays involving manufacturing, production, wholesaling and freight movement shall be located a minimum of 250 feet from any residential or institutional district or from property used for residential, religious institution or school purpose. Uses may locate closer than 250 feet from a residential or institutional district or from property used for residential, religious or institutional or school purposes when approved through a conditional rezoning per Chapter 330.
- D. Outdoor storage uses are not permitted within **Neighborhood**, Mixed Use and Sub-Regional Activity Center Overlays.
- E. Odors and Other Nuisances: Uses in L-I within Mixed Use and Sub-Regional Activity Center Overlays shall not produce odors, gas, dust or any other pollutants detrimental to the health, safety or general welfare of persons living or working in the surrounding properties.
- F. Noise: Uses in LI within Mixed Use and Sub-Regional Activity Center Overlays shall not create any unreasonably loud, disturbing or unnecessary noise that is detrimental to the health, safety, or general welfare of persons living or working in the surrounding properties. Any mechanical equipment which produces excessive noise, including but not limited to compressors, pumps, generators, vacuums, and similar equipment shall be located inside the building or within an enclosed structure equipped with noise dampening materials.
- G. Site Access: Vehicular access to uses located in the L-I District within a Mixed Use and Sub-Regional Activity Center Overlay shall not be permitted using a street or drive primarily intended to serve a residential community.

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 7210 Breweries, Distilleries and Wineries

7210.010 General Requirements

The following regulations shall apply to all Brewery, Distillery and Winery Uses as described in UDO Section 1610.100.

- A. [NO CHANGES TO A THRU B.]
- C. Uses within the Neighborhood Services Activity Center (O-NSAC), Mixed Use Activity Center (O-MUAC) and Sub-Regional Activity Center (O-SRAC) Overlays:
1. Shall comply with the requirements of the base zoning district as stated in UDO Section 7210 A or B; and
 2. Any outdoor storage operations shall require a Conditional Zoning approval.

L. GROUP HOME DISTANCES

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Distance restrictions are requested on Group Living uses to prevent large conversions of adjacent homes into group living areas to maintain the community nature of neighborhoods.

PROPOSED ADDITIONS AND REVISIONS

Chapter 560 Permitted Uses

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Category	Use Type	Use	Land
		Specific Standards	Use Grp
Group Living	Boarding or Rooming Houses	Not allowed if property edge is 1/2 mile from another group living use property line.	
	Group Homes, Small	Not allowed if property edge is 1/2 mile from another group living use property line.	
	Group Homes, Large	Not allowed if property edge is 1/2 mile from another group living use property line.	1
	Special Care Facility	Not allowed if property edge is 1/2 mile from another group living use property line.	1
	Halfway House	Not allowed if property edge is 1/2 mile from another group living use property line.	1

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

M. CLARIFICATION OF CONTRACTOR OFFICES AND STORAGE YARDS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The revisions below clarify where there can be Contractor / Construction Office with or without outdoor storage. Also, the link to special outdoor storage requirements in Chapter 7180 is added to replace the reference to the landscaping DIVISION as the chapter reference covers landscaping.

PROPOSED ADDITIONS AND REVISIONS

Chapter 560 Permitted Uses

560.010 Table of Permitted Uses

Table 500-4: Table of Permitted Uses

Use Cat.	Use Type	Residential											Downtown			Industrial		Overlays		Use Specific Standards	Land Use Group
		RSF	SF-1	SF-2	SF-3	SF-4	SF-5	MFR	NBD	GBD	RBD	I	DCD	DTD	DTD-R	L-I	H-I	O-MUAC	O-SRAC		
Office	Contractor/ Construction Office with Outdoor Storage	X	X	X	X	X	X	X	X	€ P	€ P	X	X	X	X	P	P	C	C	Outdoor storage areas not permitted, office only subject to DIVISION 800, LANDSCAPING.	2
General Industrial	Accessory Outdoor Storage	X	X	X	X	X	X	X	X	X	X	X	X	X	X	C	P	X	X	Outdoor storage areas subject to DIVISION 800, LANDSCAPING Chapter 7180 Outdoor Storage and Sales.	3
	Contractor/ Construction Office and Outdoor Storage Yard	X	X	X	X	X	X	X	X	X	X	X	X	X	X	P	P	C*	C*	Outdoor storage areas subject to DIVISION 800, LANDSCAPING Chapter 7180 Outdoor Storage and Sales. * Only permitted in Sun Valley O-SRAC for buildings with this use in existence as of September 1, 2018. See Chapter 630, O-MUAC / O-SRAC Overlays, for additional requirements.	3

Note: Only showing necessary portions of the use table columns and rows to depict the changes.

N. POOLS AS ACCESSORY STRUCTURES CLARIFICATION

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Pools do not have the same visual impact as accessory structures that are above ground such as a shed or accessory dwelling. This request does not seek to take away one of the allotments of accessory structures a homeowner could permit as long as the pool requested does not exceed any lot coverage requirements and meet any other requirements in this ordinance.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 710 Accessory Uses and Structures

710.040 Lot and Building Standards

A. [NO CHANGES TO A THRU E AND G.]

F. **Lot Size, Density, Setback and Height**

Size and number allowances for accessory structures may be found in the table below. In the event a conflict occurs between these provisions and the maximum lot coverage standards (DIVISION 500) then the more restrictive standard will control. Accessory structures exceeding these provisions may be permitted via a Conditional Zoning approval in accordance with this ordinance. In the RSF district, accessory structures associated with permitted agricultural uses may exceed these provisions only after the proposal is reviewed and approved by the Planning Director.

Table 700-1: Accessory Structure Maximum Size and Number of Structures Allowed

Lot Size (acres)	Maximum Footprint*	Maximum No. of Structures*

* Permanently constructed in-ground pools are considered primarily an improvement and shall not count as a structure towards the maximum limit of structures. All in-ground pools shall not count in the calculation of lot coverage and above ground pools shall count in the calculation of lot coverage so a pool may impact permit approval. All surrounding in- or above-ground pool deck surfaces (ex. Concrete, wood, composite, etc. materials) shall count in the calculation of lot coverage with the exception of above-ground pool decking (ex. Wood or composite materials) that is "slatted" with some gap between the material slats.

Note: Only showing necessary portions of the table columns and rows to depict the changes.

O. ACCESSORY DWELLING CLARIFICATIONS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This set of revisions organizes the section better into the types of accessory dwelling uses and adds language for the missing “efficiency apartment”. Efficiency apartments are a use for which staff has received inquiries but it is not specifically addressed in the UDO.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 710 Accessory Uses and Structures

710.070 Accessory Apartment, Temporary Health Care Structure and Prohibited Dwelling Units Use Standards

A. Accessory Apartment

Accessory apartment is defined in UDO Section 1620.010. The following regulations shall apply to all accessory apartment uses, ~~as defined in UDO Section 1620.010:~~

1. ~~A.~~ Only one (1) accessory apartment may be permitted on a residential lot.
2. ~~B.~~ An accessory apartment may be attached to the primary residential dwelling unit, or in a detached structure, on the same residential lot, provided that all lot coverage and setbacks for such an apartment are met as stated in the ordinance.
3. ~~C.~~ Accessory apartments shall not be larger than 50% of the primary residence’s living area, or 900 square feet, whichever is smaller in size. Such uses shall also not exceed 25 feet in height or the height of the primary residence’s roof surface, whichever is less.
4. ~~D.~~ At least one (1) additional off-street parking space shall be provided for the accessory apartment. In addition, the following shall apply for parking:
 - a. There should be a minimum of three (3) off-street parking spaces present on a residential lot – two (2) spaces for the primary residence, and one (1) space for the accessory apartment.
 - b. Such additional parking shall be constructed of the same materials as was completed for any existing parking for the primary residence.
5. ~~E.~~ An accessory apartment shall be subordinate in nature to the principal building. This shall be accomplished by doing the following:
 - a. If an accessory apartment is to be detached, then it shall be located behind the rear plane of the primary residence.

- b. For an accessory apartment, additional screening and/or landscaping may be required by the Town as part of the site plan for the use.
 - a. Accessory apartments shall be constructed of the same building materials as the primary home. Refer to “G. Accessory Structure Materials” in Section 710.040 for accessory structure lot and building material standards. See Section 1310.040, Building Material Standards for All Site-Built and Modular Housing, for primary home material standards.
- 6. ~~F.~~ Accessory apartments shall not be subdivided or otherwise separated in ownership from the primary residence.
- 7. ~~G.~~ Accessory apartments permitted by the Town shall conform to all County, state, and/or federal building code requirements.

B. ~~H.~~ Temporary Family Health Care Structure

Pursuant to G.S. 160D-915, a temporary family health care structure is permitted on a residential lot in any residential single-family zoning district with the Planning Director's approval of a Temporary Family Health Care Structure Permit that abides by the following:

- 1. [NO CHANGES TO 1 THRU 9.]

C. Prohibited Primary and Accessory Dwelling Units

Recreational Vehicles, campers and work trailers are not permitted on any site for a dwelling unit or just sleeping. This includes short-term, regular use, or for construction periods. Vehicles to be used for overnight security at construction site shall be reviewed with a construction trailer permit request (see Section 440.020 Types of Temporary Uses) and the Planning Director will make a final determination for approval or denial.

P. REVISIONS TO MOBILE FOOD VENDING UNIT AND FOOD VENDORS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

This request clarifies which of the three downtown districts apply to the criteria listed in Section 7240.010, A, 1. The districts include DCD and DTD districts but not DTD-R district.

The UDO gives the Town Manager several duties shown in “J. Modification, Suspension and Revocation of Permit” under Section 7240.010. The requested revision is to switch permitting discretion from the Town Manager to the Planning Director as with most administrative UDO decisions.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 700 SUPPLEMENTARY USE REGULATIONS

Chapter 7240 Mobile Food Vending Unit and Food Vendors

7240.010 General Requirements

The following regulations shall apply to all mobile food vending units (MFVU) as described in UDO Chapter 1620:

- A. Mobile food vending units within the Town of Indian Trail must meet one (1) of the following criteria:
 - 1. Be located in one of the following areas: Downtown Districts **DCD and DTD**, Light-Industrial and Heavy-Industrial Districts, Regional Business District, Mixed Use and Sub-Regional Activity Center Overlays – Non-Residential District of overlays only,
 - 2. Be part of a temporary sponsored event (such as a non-profit fundraiser, neighborhood festival or commercial grand-opening celebration), or
 - 3. Be operating under contract with the Town of Indian Trail on Town owned property.
- B. **[NO CHANGES TO B THRU I.]**
- J. Modification, Suspension and Revocation of Permit:
 - 1. **[NO CHANGES FOR 1.]**
 - 2. The ~~Town Manager~~ **Planning Director** may revoke a permit if he or she determines that the food truck vendor's operations are causing parking, traffic congestion, noise, odor or litter problems either on or off the property where the use is located or that such use is otherwise created a danger to the public health or safety.
 - 3. The ~~Town Manager~~ **Planning Director** reserves the right to temporarily suspend food truck permits during the times of special events in the Town of Indian Trail.
 - 4. The ~~Town Manager~~ **Planning Director** further reserves the right to modify the provisions of this ordinance in order to grant further latitude for enabling MFVUs to address unforeseen scenarios.
 - 5. **[NO CHANGES FOR 5.]**

Q. SCREENING OF MECHANICAL AND UTILITY EQUIPMENT POST SITE PLAN REVIEW

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Staff has experienced several occasions developers installing equipment within public view on the building or the site that was not in the approved set of construction plans. This becomes a last moment issue when a final inspection is requested at the end of construction and no equipment screening was planned or provided. This request provides clarification and additional language to provide screening (natural or constructed) and/or appropriate locations of mechanical and utility equipment.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 800 LANDSCAPING

Chapter 810 Buffer Yards, Parking Lots and Street Frontages

810.110 Screening of Mechanical and Utility Equipment

A. General

All ground (air conditioners, heat pumps, etc.) and wall (antennas, meters, pipes, vents, etc.) mounted mechanical or other utility equipment must be screened from the adjacent street using of features such as berms, fences, false facades or dense landscaping. Consider site topography in design for rooftop equipment screening and adjust screening accordingly. For example, if a portion of the perimeter road may-be is elevated so more of the rooftop equipment is visible even though the parapet or screen on the roof is adequate from the ground view adjacent to the building, the height of the parapet or screen on the roof should be increased.

B. Standards

When landscaping is used it should have a minimum height of four (4) feet at the time of installation and should achieve a minimum 75% opacity within two (2) years. Landscaping screening must follow any minimum clearance requirements recommended by the manufacturer and/or utility entity.

C. Post Site Plan Review Approval Additions or Relocations

If there are any additions or relocations of mechanical and utility equipment after the site construction plans are approved by Indian Trail, a proposed drawing with revisions to the approved plan (RTAP) shall be submitted to the Planning Department for review.

R. GOVERNMENT SIGNS AND LOGOS

REASON FOR PROPOSED ADDITIONS AND REVISIONS

The existing section about Signs Not Requiring a Permit needed clarification as it is intended to state that both signs and logos for governments do not require a permit. With the “and” between “Government signs” and “logos” could possibly be read as any logo...not just government logos.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 900 SIGNS

Chapter 940 Signs Not Requiring a Permit

940.010 General Requirements

Government signs and **government** logo signs.

S. MONUMENT SIGNS FOR APARTMENTS AND MULTIFAMILY ALONG DOWNTOWN INDIAN TRAIL RD CORRIDOR

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Language was needed in the sign DIVISION to allow monument signs for townhouses and residential apartments/condos along Indian Trail Road in the Downtown Village.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 900 SIGNS

Chapter 9110 Freestanding and Ground Mounted Signs

9110.120 Monument Signs Along Indian Trail Road Downtown Corridor

[NO CHANGES TO INTRODUCTION TEXT HERE.]

- A. Allowed for businesses, **townhouses, and residential apartments** where the main entrance is setback at least 20 feet from the property line along Indian Trail Road.
- B. **[NO CHANGES TO B THRU F.]**

T. DEFINITION OF RECREATIONAL VEHICLES/EQUIPMENT

REASON FOR PROPOSED ADDITIONS AND REVISIONS

Planning and Code Enforcement Staff receive many questions about recreational vehicles. The revisions and additions below provide more details about how we will define recreational vehicles.

PROPOSED ADDITIONS AND REVISIONS

DIVISION 1000 PARKING

Chapter 1020 Off-Street Parking Requirements

1020.030 Parking, Loading, and Vehicle/Equipment Storage for ~~Household-Living~~ Residential Use

- A. [NO CHANGES TO A, AND C TO K.]
- B. **General Residential Vehicles and Utility Trailers**
For the purposes of administering and enforcing the provisions in this Section 1020.030, general residential vehicles and utility trailers are defined as follows:
 - 1. [NO CHANGES TO 1 AND 3.]
 - 2. **Recreational Vehicles and Equipment**
Recreational vehicles and equipment include but is not limited to camping structures with or without their own propulsion, boats, jet skis, and trailers used for hauling recreation vehicles or equipment. Recreational vehicles with and without propulsion are defined in Section 1620.180 Definitions - "R" under "Recreation Vehicles (RV) – Motorized and Non-Motorized.

DIVISION 1600 TERMINOLOGY AND MEASUREMENTS

Chapter 1620 Definitions

1620.180 Definitions - "R"

Recreation Vehicles (RV) – Motorized and Non-Motorized

A motorized or non-motorized vehicle designed or used as temporary living quarters for recreation, camping or travel. The following are examples of motorized and non-motorized vehicles:

- A. **Motorized RV Examples (See Table1600-1)**
 - 1. **Class A**
Built on motorhome chassis with living quarters and driving compartment built as one shell.

2. **Class B**
A van converted for RV use including bathroom, kitchen and sleeping area.
3. **Class C**
Living quarters built by RV manufacturer on a van or truck chassis with original front cab.
4. **Bus Conversion**
New or used commercial or school bus converted for RV living.
5. **Camper Van**
A cargo or passenger van converted for RV use by a professional or do-it-yourself project. May or may not have all the amenities as a Class B RV.

B. Non-Motorized RV Examples (See Table 1600-2)

1. **Fifth Wheel (Fiver)**
A trailer that connects to a hitch in a truck's bed. This is typically much larger than the other trailer types.
2. **Travel Trailer**
RV trailer that connects to a large or small vehicle depending on the range of sizes that are available.
3. **Hybrid Trailer**
This trailer has beds that pop-out similar to the pop-up/tent camper but large spaces like the Fifth Wheel and Travel Trailer above.
4. **Pop-Up / Tent Camper**
A camper with a roof that raises up and beds that slide out to provide more interior space. The camper folds down for travel and storage.
5. **Truck Camper**
This camper is designed to slide into the bed of a pickup truck to create a motorized RV. Sizes are from small to large units that can be similar to or larger than a Class C motorized RV.
6. **Teardrop Camper**
An ultralight, teardrop shaped travel trailer typically only holding a bed. The exterior may have a compartment that opens into a small kitchenette.

Table 1600-1 – Motorized RVs

Bus Conversion	
Class A	
Class B	
Class C	
Camper Van	

Table 1600-2: Non-Motorized RVs

Fifth Wheel (Fiver)	
Travel Trailer	
Hybrid Trailer	
Pop-Up / Tent Camper	
Truck Camper	
Teardrop Camper	

This concludes the proposed additions and revisions to the UDO.

PLANNING & ZONING BOARD RECOMMENDATION

On December 16, 2025, Planning and Zoning Board unanimously recommended approval of this request.

REQUIRED CONSISTENCY FINDINGS

Town Council is required to make two consistency findings, one for consistency with Town adopted plans and another regarding the benefit of the public. Staff is of the opinion the following findings can be made:

1. The proposed UDO amendment is consistent with the following goals of the Comprehensive Plan:
 - Community Engagement and Communication Goal No. 1: By communicating effectively with residents, business owners, and other stakeholders to ensure a well-informed and inclusive community.
 - Economic Development Goal No. 2: By supporting existing businesses within the town through effective communication and community outreach
2. This UDO ordinance amendment is in the best interest of the public because it improves town development processes.

Staff recommend that the Planning and Zoning Board make the required consistency findings and recommend adoption of this UDO Text Amendment ZT 2025-0119 as presented.

Staff Contact

Tim Jones, AICP, CZO

Senior Planner

tdj@indiantrail.org

(704) 821-5401, Ext 371

(ROD Sticker Here)

STATE OF NORTH CAROLINA)
)
TOWN OF INDIAN TRAIL)

ORDINANCE: # 423

AN ORDINANCE AMENDING PORTIONS OF THE INDIAN TRAIL UNIFIED DEVELOPMENT ORDINANCE (UDO) FOR VARIOUS TEXT REVISIONS AND ADDITIONS IN THE TOWN OF INDIAN TRAIL, UNION COUNTY, NORTH CAROLINA

WHEREAS, this Zoning Text Amendment (ZT 2025-0119) was duly noticed in compliance with North Carolina General Statutes; and

WHEREAS, a public meeting was held by the Planning & Zoning Board on December 16, 2025, to consider this zoning text amendment; and

WHEREAS, staff finds the proposed text amendment is consistent with the following goals of the Comprehensive Plan:

Community Engagement and Communication Goal #1: The proposed map amendment will be communicated effectively with residents, business owners, and other stakeholders to ensure a well-informed and inclusive community

Economic Development Goal #2: The proposed map amendment will support existing businesses within the town through effective communication and community outreach;

WHEREAS, the Planning & Zoning Board found this ordinance text amendment to be a reasonable request in the public interest because it promotes the goals of the Indian Trail Comprehensive Plan in the areas of *Community Engagement/Communication, and Economic Development*; and improves town development processes and requirements;

WHEREAS, the Planning & Zoning Board transmits a recommendation to approve to the Town Council with their added revision to change Section 1020.030's title from "...Household Living" to "...Residential Use";

WHEREAS, the Town Council held a public hearing on January 13, 2026, to consider said request and recommendation of approval from the Planning & Zoning Board;

WHEREAS, the Town Council made the required findings.

NOW, THEREFORE, IT SHALL BE ORDAINED by the Town Council of the Town of Indian Trail, North Carolina hereby takes the following action:

Section 1 – Makes the required findings as stated herein; and

Section 2 – Approves ZT 2025-0119 Zoning Text Amendment petition thereby granting the amendment to the Unified Development Ordinance to incorporate the various amendments and added Planning & Zoning Board revision identified above.

Section 3 – This ordinance shall be effective immediately upon adoption.

AND IT IS SO ORDAINED this 13th Day of January 2026.

TOWN OF INDIAN TRAIL COUNCIL

David Cohn, Mayor

Attest:

Trena Sims, Town Clerk

Approved as to Form:

Melanie Cox, Town Attorney



P.O. Box 2430
Indian Trail, North Carolina 28079
Telephone 704-821-5401
**PLANNING and ZONING
BOARD MINUTES
Tuesday, April 15, 2025
6:00 P.M.**

DETERMINATION OF QUORUM

A quorum was present. The meeting was called to order by, Chair, Cynthia Wiley.

CALL TO ORDER

The following members of the governing body were present:

Board Members:	Chair, Cynthia Wiley; Member, Kim Sandoval; Member, Ken Curtis; Member, Jennifer Maher; Member, Sidney Sandy
Applicants:	St. John's Properties (Alaina Kiewitt), Moore & Van Allen, PLLC, (John Floyd); Town of Indian Trail, (Mike McLaurin)
Staff Members:	Director of Planning, Brandi Deese; Senior Planner, Tim Jones; Senior Planner, Tyler Hayaski; Board Secretary, Jennifer Jackson; Planning Technician, Renee Nolan
Absent:	Vice Chair, Meg Fielding; Member, David Padegimas

APPROVAL OF PREVIOUS PLANNING and ZONING BOARD MEETING MINUTES

Motion to approve February 18th, 2025, Minutes was made by, Member, Jennifer Maher.
Seconded by, Member, Ken Curtis.

The Motion passed unanimously.

NEW BUSINESS- CZ 2024-0127 (Indian Trail Corporate Park)

Senior Planner, Tyler Hayaski, presented an overview of the project to the Board.

Staff and St. John's Properties Developer presentation can be found here:

<https://www.youtube.com/watch?v=u-ddM-fd6Uo>

REQUEST SUMMARY

This request is to rezone an assemblage of six (6) parcels approximately +/- 31.5 acres in total size, located at 125 Indian Trail-Fairview Rd. from Single-Family, Low Density (SF-1) and General Business District (GBD) to Conditional Zoning, Light-Industrial (CZ-LI). This site is adjacent to the Indian Trail Crossing commercial development located along E. Independence Blvd. (Fitness Connection, Cookout, Sweet Union Brewing, etc.) and Old Hickory light industrial development located on Van Buren Ave. The intent is to develop six (6) light-industrial, multi-tenant buildings.

BOARD Q&A

Chair, Cynthia Wiley opened the Board for questions and/or comments.

Chair, Cynthia Wiley asked for clarification if a childcare facility would not be an allowed use.

Senior Planner, Tyler Hayaski clarified that initially a childcare facility was not supported by Staff, however, the Developer states that childcare facilities are one of their biggest tenant makeups such as The Goddard School or other daycare facilities. After discussions, having those uses located at the end of the units helped with the traffic circulation, pick-up and drop-off times and when Staff viewed real-life examples in which the play areas were to be located in the truck courts with safety mechanisms in place, Staff felt comfortable going forward allowing it as a use.

Chair, Cynthia Wiley asked if there would be sidewalks around the buildings.

Senior Planner, Tyler Hayaski replied yes. Concrete sidewalks will be in front of every building along the private right of ways as well as trails or walking paths on the back side of the buildings that will have access to different amenities or facilities that have pavilions with outdoor seating areas.

Member, Ken Curtis questioned the reasoning for increasing the heritage tree diameter from 14 to 20.

Senior Planner, Tyler Hayaski responded that Staff will require the Applicant to use new tree plantings to count towards the number of trees mitigated. A Developer typically identifies the number of heritage trees on the site during the site plan review; however, the Applicant was proactive and has identified those trees and locations and determined what the caliper would be removed. If it were 100 caliper inches for the site based on non-residential mitigation, they would be required to do it at a ratio of 25%. Most of the time a new tree planting is going to be 2 ½ inches of caliper, which would require a decent number of trees. What the Developer ran into is with preserving large areas for tree save, the site is not large enough to accommodate all the tree plantings that they would need to do. It was asked of Staff to increase it to a reasonable number of 20 inches.

Member, Jennifer Maher asked for clarification on the landscaping slides of the presentation that showed a row of circles, identified as trees and asked if those circles indicated that they were large maturing trees.

Senior Planner, Tyler Hayaski responded that those are “proposed” plantings and that he did not have a copy of the heritage tree survey because those are typically given at site plan review for a by-right development. However, there will be a mixture of large, medium and small trees throughout this site that were proposed to be planted.

Member, Jennifer Maher questioned the one residential unit on the property that will be demolished, if it was owned by the Developer or another business.

Senior Planner, Tyler Hayaski answered that it is currently owned by a LLC business located in Georgia. At the time of purchase, that business did not have a clear vision of what to do with the property due to its limited access without making improvements and tying into Union Beltway Rd. When this project came forward, it was excluded, and Staff asked the Developer if it could be included to make a better product. The Light-Industrial use is classified as a Group 3 land use and would require a 50ft buffer around the residential property if it had not been included in the projects limits. The Developer has contacted the LLC company that currently owns the property and were able to get them on board with this project with a contingent offer for the purchase of the property, if approved.

Member, Jennifer Maher asked if St. John’s Properties Development Standards list of permitted uses and prohibited uses such as body piercing, etc. was dictated by the Town of Indian Trail or by the Developer.

Senior Planner, Tyler Hayaski responded that those were proposed by the Developer depending on location; however, normally, Staff is the one proposing certain prohibited uses. For example, if a business is in close proximity to neighborhoods and considered a more intensive use, Staff then proposes certain prohibited uses, however, St. John’s Properties is trying to limit themselves on those types of uses.

Member, Jennifer Maher asked if a vape, tobacco, CBD, alcohol sales would be excluded as well due to the close proximity to the school (Metrolina Christian Academy).

Senior Planner, Tyler Hayaski clarified that those uses are not permitted in the Light-Industrial District and also those uses would have to be 2,000ft away from any school which would mean they would not be allowed either way.

Member, Sidney Sandy asked if this development could be used as a “cut through” and what would be the speed limit and if there would be any speed reduction items put in place.

Senior Planner, Tyler Hayaski replied that other roadways that Staff has looked at that are private and have longer stretches have been required during site plan review to have either speed tables or speed humps and that typically the speed limit is 25mph.

Member, Kim Sandoval asked if the elevations that are presented and due to their phasing, could those change during phase 2 and 3 or would they have to maintain these elevations.

Senior Planner, Tyler Hayaski responded that there could be slight deviations, but overall material and things of that nature (general design) would have to comply with this current plan. If too far deviated, the Developer would have to request modification based on the original approval.

Member, Ken Curtis asked about the improvements on Highway 74 that are happening in conjunction with this or are they planned for a later date and requested what those improvements would be.

Senior Planner, Tyler Hayaski clarified that there will be a variety of improvements. Roadway improvements are A.) To construct a northbound left turn lane on Indian Trail-Fairview Rd. at access A with a 150ft of storage and appropriate

taper; B.) To construct a southbound right turn lane on Indian Trail-Fairview Rd. with 100ft of storage and appropriate taper; C.) To construct 2 egress lanes on access A with a full-length shared left through lane and a 100ft right turn; D.) To extend the eastbound US74 turn lane at the bulb near Union Beltway Rd. to provide 400ft of storage and appropriate taper; E.) To add a US74 westbound right turn lane with 100ft of storage and appropriate taper at Union Beltway Rd. intersection. This would be in conjunction with the comment on the Development Standards stating, “prior to the issuance of the first certificate of occupancy”, which this is a phasing development, so you will have buildings A and B located along Indian Trail-Fairview Rd, “the developer agrees to make all such traffic related improvements recommended in its Traffic Impact Analysis (TIA) to the extent that such improvements have not already been constructed as part of any federal state or locally funded transportation improvement projects”.

PUBLIC COMMENT

There were no public comments.

Motion

Member, Jennifer Maher made the motion to approve CZ 2024-0127 (Indian Trail Corporate Park).

Seconded by Member, Sidney Sandy.

The Motion passed unanimously.

NEW BUSINESS ZM 2025-0024 (TOWN PROPERTIES AT INDIAN TRAIL-FAIRVIEW RD./MONROE EXPRESSWAY WEST ON-RAMP)

Senior Planner, Tim Jones presented an overview of the project to the Board. *Staff presentation can be found here:* <https://www.youtube.com/watch?v=u-ddM-fd6Uo>

REQUEST SUMMARY

This request is to rezone three (3) parcels approximately +/- 11.3 acres in total size from Union County Residential (R-20) to Indian Trail Light-Industrial (L-I) district. The properties are located at Indian Trail-Fairview Rd. adjacent to the west with the Monroe Expressway west on-ramp intersection and near Stinson-Hartis Rd. intersection to the east.

BOARD Q&A

Chair, Cynthia Wiley opened the Board for questions and/or comments.

Chair, Cynthia Wiley inquired about the northeast upper section shows that there are some residential properties even though it is zoned as Light-Industrial.

Senior Planner, Tim Jones clarified that there are some existing homes zoned properties zoned Light-Industrial, with future land use recommended of that were identified in the Comprehensive Plan. There are remaining homes that will remain until those residents decide to sell.

Chair, Cynthia Wiley asked what the current parameters are if this is developed in the future that protects a buffer between someone who's using that as residential even though it is zoned Light-Industrial. She asked if a condition provision be added.

Senior Planner, Tim Jones replied that this rezoning cannot add any conditions, but future development will have to conform to the Unified Development Ordinance (UDO), and if it cannot meet the UDO setback requirements, then the Town would have to submit a Conditional Zoning request.

Chair, Cynthia Wiley asked if there is an annexation in process for these parcels.

Senior Planner, Tim Jones replied yes. It is for these 3 parcels which are currently part of Union County, which Indian Trail will annex them with Town Council approval.

Member, Sidney Sandy questioned if this is rezoned to Light-Industrial, would those residents have a tax increase?

Senior Planner, Tim Jones responded that this rezoning is only rezoning Town properties and will not affect anyone's properties. There are no homes on these properties.

Member, Jennifer Maher requested examples for future development of a new Public Works facility would be for Indian Trail.

Senior Planner, Tim Jones answered it would be offices, workshops, garage areas and storage. The building complex includes laydown areas for fleet vehicles and ground maintenance equipment.

PUBLIC COMMENT

There were no public comments.

MOTION

Member, Ken Curtis made the motion to approve ZM 2025-0024 (Town Properties at Indian Trail-Fairview Rd./Monroe Expressway West On-Ramp).

Member, Kim Sandoval seconded the motion.

The motion passed unanimously.

OPEN/OTHER BUSINESS

None.

ADJOURNMENT

Vice Chair, Meg Fielding made a motion to adjourn the meeting. All Board Members were in favor.

Chairman:

Date:

Secretary:

DRAFT

Town of Indian Trail

MEMO

To: Mayor & Town Council
From: Todd Huntsinger, Director of Engineering
Meeting Date: January 13, 2026
Subject: NCDOT/Town – U-4714B Old Monroe Road (Betterments)



GENERAL INFORMATION

NCDOT and Town staff have been communicating with each other back and forth for the past year about these betterments and have finally come to an agreed upon quantity and cost sharing. Staff will be presenting these findings to Council for their consideration. Staff will come back to Council on January 27th for an approval. These betterments consist of metal traffic signal poles, black powder coating of metal poles, and pedestrian sidewalks.

REQUESTED ACTION

No Action Required

2026 Town Council Meeting Schedule

LOCATION: Indian Trail Town Hall @ 315 Matthews-Indian Trail Road, IT

* [Subscribe to "Notify Me" @ www.INDIANTRAIL.org](http://www.INDIANTRAIL.org)
for electronic meeting agendas and Meeting Change Notices.

* Each agenda details the 5:30 p.m. wkshop & 6:30 p.m. regular meeting.

* Check Town Calendar for Cancellations

Month	2nd & 4th Tuesday of Each Month 5:30 p.m. Workshop (Reg. Meeting) 6:30 p.m. Regular Town Council Meeting	
January	13	27
February	10	24
March	10	24
April	14	28
May	12	26
June	10 (Wednesday)	23
July	14	No Meeting
August	11	No Meeting
September	8	22
October	13	27
November	10	No Meeting
December	8	No Meeting

Town of Indian Trail

MEMO

To: Mayor & Town Council
From: Todd Huntsinger, Director of Engineering
Meeting Date: January 13, 2026
Subject: Rushing Park Subdivision (Possible Street Abandonment)



GENERAL INFORMATION

A resident of Rushing Park subdivision contacted Town staff back in October 2025 with concerns about the ongoing issues of cut through traffic occurring thru the subdivision (Keowee Circle to Cherokee Lane) and they were asking what are the effects going to be of the improvements to the intersection of Indian Trail Road and Old Monroe Road intersection from the Old Monroe Widening Project. The resident wanted to know if the improvements would decrease or increase this cut through traffic. After Town staff looked into this, the only solution to help this concern is to close a portion of Keowee Circle.

Town staff advised the resident if they decided to move forward with the roadway abandonment process then they would need to execute a petition thru out the neighborhood. The resident has performed this petition, and the town staff will be presenting those findings as well as showing Council how possible traffic flow will occur in this area.

REQUESTED ACTION

Possible Action Required

INDIAN TRAIL BOARDS AND COMMITTEES Planning & Zoning Board Vacancy 1-13-2026
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[illegible]