



Agenda Abstract

JOINT PUBLIC HEARING

Meeting Date:	November 20, 2025
Department:	Planning & Economic Development Division
Agenda Section:	Public Hearings
Public hearing:	Yes
Date of public hearing:	November 20, 2025

PRESENTER/INFORMATION CONTACT

Molly Boyle, Senior Planner

ITEM TO BE CONSIDERED

Subject: Text amendment to Unified Development Ordinance (UDO) Section 3, *Administrative Procedures* (staff-initiated)

Attachments:

1. Draft text amendment
2. Draft Planning Board statement

Summary:

This is a “housekeeping” text amendment to the Unified Development Ordinance (UDO) to do the following:

- Remove reapplication waiting periods, which the General Assembly has prohibited as of October 6, 2025, under Session Law 2025-94; and
- Clarify that subdivisions of 20+ lots in approved Planned Development Districts do not require Special Use Permits.

Comprehensive Sustainability Plan goal:

Town Government Goals and Actions 2: Adopt local laws, regulations, and policies that help to achieve sustainable and equitable outcomes.

- Strategy: Develop and adopt policies that help accomplish town goals.
- Action: Regularly review and update town policies as new information is garnered and achievements are met.

Financial impacts:

None.

Staff recommendation and comments:

Reapplication waiting periods

The current UDO requires applicants to wait one year before resubmitting certain applications when withdrawn by the applicant or denied by the town board. These reapplication waiting periods are now prohibited by the General Assembly under Section 11.e of Session Law 2025-94. You can view the session law online here:

<https://www.ncleg.gov/Sessions/2025/Bills/House/PDF/H926v10.pdf>.

Subdivision requirements for Planned Development Districts

Planned Development District requirements were added to the UDO in 2022. The intent was to allow design flexibility for mixed-use projects. Applicants can negotiate certain design elements with the town board, such as density, minimum lot size, and building setbacks.

Under the current UDO, any subdivision of 20+ lots is required to get a Special Use Permit from the Board of Adjustment. However, that was not the intent for Planned Development Districts, since the town board already reviews and approves the subdivision design requirements with the Planned Development rezoning.

This text amendment removes the Special Use Permit requirement for subdivisions in Planned Development Districts, allowing for staff review instead, as is customary with most subdivision plans. Staff will review the subdivision plans for consistency with the Unified Development Ordinance and any conditions on the Planned Development District approved by the town board.

Other staff comments

Staff does not intend to present many staff-initiated text amendments for review now that the UDO rewrite is underway. However, between now and adoption of the new UDO in 2026-2027, staff may occasionally present amendments like this to a) conform with state law and/or b) address errors that impede current projects.

Staff recommendation

Staff recommends approval of the text amendment as written.

Action requested:

Hold the public hearing. After the public hearing is closed, the Planning Board may make its recommendation if prepared to do so.