



City of Salisbury

North Carolina

COUNCIL MEETING AGENDA

May 16, 2023
6:00 p.m.

The meeting will be held in a hybrid format and will be streamed live at salisburync.gov/webcast and on the City's Facebook account.

Anyone who wishes to speak via Zoom during public comment must sign-up by 5:00 p.m. on May 16, 2023 by contacting Connie Snyder at csnyd@salisburync.gov. Citizens who wish to speak in person can sign up in Council Chambers.

1. Call to order.
2. Moment of Silence.
3. Pledge of Allegiance.
4. Adoption of Agenda.

5. Council to recognize Downtown Salisbury, Inc. for its designation as an Accredited Main Street America. (*Presenter – Downtown Development Director Sada Troutman*)

6. Mayor to proclaim the following observances:

NATIONAL POLICE WEEK AND PEACE OFFICERS' MEMORIAL DAY	May 14-20, 2023
NATIONAL PUBLIC WORKS WEEK	May 21-27, 2023
MEMORIAL DAY	May 29, 2023

7. Council to consider the CONSENT AGENDA:
 - (a) Approve Minutes of the special meeting of November 1, 2022 and the regular meeting of May 2, 2023.
 - (b) Adopt a budget Ordinance amendment to the FY2022-2023 budget in the amount of \$6,500 to appropriate donations and sponsorships related to the Parks and Recreation Summer Camp and the Bell Tower Green Movie/Concert Series.

8. Council to receive public comment. ***Speakers who wish to speak via Zoom must sign-up before 5:00 p.m. by contacting Connie Snyder at csnyd@salisburync.gov.*** Citizens who wish to speak in person can sign-up in Council Chambers. Citizens who are unable to speak during the meeting may submit written comments to the email above and they will be shared with Council.

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9. Council to consider a text amendment to the Land Development Ordinance to amend Chapters 4, 5, 7, 8, 10, and 18 to include changes to requirements for right-of-way improvements, dimensional standards for townhomes, street tree requirements, parking requirements and terminology changes. (*Presenter – Senior Planner Victoria Bailiff*)
 - (a) Receive a report
 - (b) Hold a public hearing
 - (c) Adopt an Ordinance amending the Land Development Ordinance.

10. Council to consider a text amendment to the Land Development Ordinance to amend Chapters 9 and 15 to better modify major site plan and minor site plan procedures and to add new language permitting developers to begin grading prior to construction document approval. (*Presenter – Senior Planner Victoria Bailiff*)
 - (a) Receive a report
 - (b) Hold a public hearing
 - (c) Adopt an Ordinance amending the Land Development Ordinance.

11. Council to consider the voluntary annexation of 8.768 acres located at 807 Julian Road, Tax Map 400 and Parcel 045, effective May 16, 2023, and adopting an Ordinance amending the Land Development District Map to rezone the parcel from Highway Business to Corridor Mixed-Use with a Conditional District Overlay and to request an exception to Section 10.6 of the Land Development Ordinance upon voluntary annexation. (*Presenter – Senior Planner Victoria Bailiff*)
 - (a) Receive a presentation from staff regarding the proposed voluntary annexation and proposed rezoning of the property
 - (b) Hold a public hearing regarding the proposed voluntary annexation and the proposed rezoning
 - (c) Close the public hearing
 - (d) Consider adopting an Ordinance annexing 807 Julian Road
 - (e) Issue a Statement of Consistency and Statement of Reasonableness, and consider adopting an Ordinance rezoning the property.

12. Council to receive an update regarding the Byrne Criminal Justice Innovation Grant initiative. (*Presenter – BCJI Community Project Coordinator Chanel Nestor and Lt. Koula Black*)

13. Council to receive an update on renovation projects at various Parks and Recreation facilities funded through the American Rescue Plan Act and receive a recommendation regarding funds allocated for the Civic Center and Wells Fargo projects. (*Presenter – Parks and Recreation Director Nick Aceves*)

14. Council to receive a report from the Town Hall meetings regarding the City Council election process. (*Presenters – City Attorney Graham Corriher and Administrative Services Director Kelly Baker*)

15. Council to consider appointments to the Greenway, Bicycle and Pedestrian Committee.

16. City Attorney's Report.

17. City Manager's Report.

COUNCIL MEETING AGENDA – PAGE 3 – MAY 16, 2023

18. Council's Comments.
19. Mayor Pro Tem's Comments.
20. Mayor's Announcements and Comments.
 - (a) City Council will hold a special meeting Tuesday, May 23, 2023 at 5:00 p.m. in Council Chambers to receive the proposed FY2023-2024 City budget.
21. Adjourn.

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: May 16, 2023

Name of Group(s) or Individual(s) Making Request: Sada Stewart Troutman, Downtown Development

Requested Agenda Item: Main Street Accreditation Announcement

Description of Requested Agenda Item: Downtown Salisbury, Inc. has been designated as an Accredited Main Street America™ program for meeting rigorous performance standards, one of 862 across the country. To qualify for Accreditation status, communities must meet a set of rigorous standards that include commitments to building grassroots revitalization programs, fostering strong public-private partnerships, nurturing economic opportunity for small businesses and entrepreneurs, and actively preserving historic places, spaces, and cultural assets.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: None.

Contact Information for Group or Individual: Sada Stewart Troutman, 704-638-5239

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature



Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, the last Monday in May is declared Memorial Day, a patriotic holiday in the United States, and is a day to honor all Americans who gave their lives for this great country; and

WHEREAS, citizens of Rowan County and Salisbury, North Carolina, are observing and memorializing the contributions, sacrifices and lives of all veterans of all wars; and

WHEREAS, the City of Salisbury recognizes and values the gift of freedom afforded by the many veterans who have so nobly served the cause of our great nation; and

WHEREAS, the many examples of selfless devotion of our many veterans to the greater good of our community, state and nation have provided a shining beacon for future generations to follow as we strive to preserve the freedom of our great country.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM, Monday, May 29, 2023 as

MEMORIAL DAY

in Salisbury, and encourage all residents to reflect upon the sacrifices made for freedom and demonstrate their thanks and gratitude for the many Veterans who have so valiantly given their all to defend our cherished freedoms.

This the 16th day of May 2023.

Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, the Congress and President of the United States have designated May 15 as Peace Officers' Memorial Day, and the week in which May 15 falls as National Police week; and

WHEREAS, the members of the law enforcement agency of Salisbury play an essential role in safeguarding the rights and freedoms of Salisbury; and

WHEREAS, it is important that all residents know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the Salisbury Police Department unceasingly provide a vital public service.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM the week of May 14-20, 2023 as

NATIONAL POLICE WEEK

in Salisbury, and call upon our residents and our patriotic, civic and educational organizations to observe the week with appropriate ceremonies and observances in which all people may join in commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens.

I further call upon all residents of Salisbury to observe May 15, 2022 as **Peace Officers' Memorial Day** in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

This the 16th day of May 2023.

Karen K. Alexander, Mayor



City of Salisbury

North Carolina

PROCLAMATION

WHEREAS, public works professionals focus on infrastructure, facilities, emergency management, and services that are of vital importance to sustainable and resilient communities and the public health, high quality of life, and well-being of the people of Salisbury; and

WHEREAS, these infrastructures, facilities, and services could not be provided without the dedicated efforts of public works professionals, who are federally mandated first responders, and the engineers, managers, and employees at all levels of government and the private sector, who are responsible for rebuilding, improving, and protecting our solid waste systems, public buildings, and other structures and facilities essential for our citizens; and,

WHEREAS, it is in the public interest for the citizens, civic leaders, and children in Salisbury to gain knowledge and maintain ongoing interest and understanding of the importance of public works first responders and public works programs in their respective communities; and,

WHEREAS, this year's theme, "Connecting the World through Public Works" marks the 63rd annual National Public Works Week sponsored by the American Public Works Association.

NOW, THEREFORE, I, Karen K. Alexander, Mayor of the City of Salisbury, North Carolina, DO HEREBY PROCLAIM the week of May 21 through 27, 2023 as

NATIONAL PUBLIC WORKS WEEK

in Salisbury, and encourage all citizens to join with representatives of the American Public Works Association and government agencies in activities, events, and ceremonies designed to pay tribute to our public works professionals, engineers, managers, and employees and to recognize the substantial contributions they make to protecting our national health, safety, and quality of life.

This the 16th day of May 2023.

Karen K. Alexander, Mayor

Salisbury, North Carolina
May 2, 2023

REGULAR MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Council Members Harry McLaughlin, David Post, and Anthony Smith; City Manager Jim Greene, Jr., City Clerk Connie B. Snyder; and City Attorney J. Graham Corriher.

ABSENT: Mayor Pro Tem Tamara Sheffield.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Alexander at 6:00 p.m. A moment of silence was taken.

PLEDGE OF ALLEGIANCE

Mayor Alexander led participants in the Pledge of Allegiance to the United States flag.

ADOPTION OF THE AGENDA

Thereupon, Councilmember McLaughlin made a **motion** to adopt the Agenda as presented. Mayor Alexander and Councilmembers McLaughlin, Post, and Smith voted AYE. (4-0)

EMPLOYEE RECOGNITION – CLAIRE KARRIKER

Information Technology Manager Dale Waters recognized Information Technology Administrative Specialist Claire Karriker for being named Communities in Schools Volunteer of the Year for Hanford Dole Elementary School.

Council congratulated Ms. Karriker on her achievement and thanked her for all she does for the City and to make the community a better place.

PROCLAMATIONS

Mayor to proclaim the following observances:

NATIONAL DAY OF PRAYER	May 4, 2023
DRINKING WATER WEEK	May 7-13, 2023
NATIONAL PREVENTION WEEK	May 7-13, 2023
NATIONAL SKILLED NURSING CARE WEEK	May 14-20, 2023
ASIAN PACIFIC AMERICAN HERITAGE MONTH	May 2023
BETTER HEARING AND SPEECH MONTH	May 2023
EXERCISE IS MEDICINE MONTH	May 2023
JEWISH HERITAGE MONTH	May 2023
MENTAL HEALTH AWARENESS MONTH	May 2023

CONSENT AGENDA

(a) Minutes

Approve Minutes of the special meetings of April 17, 2023 and April 18, 2023 and the regular meeting of April 18, 2023.

(b) Purchase Order Approval – Battery Replacement

Approve Purchase Order 230939 in the amount of \$196,000 for the purchase of battery replacements for the DC power plant located at the Salisbury Customer Service Center. This DC power plant supplies backup power for Hotwire Communications, City of Salisbury Information Technology, Telecommunication Radio System, and Traffic Signal Operations. The battery replacements are included in the FY2022-2023 budget. As part of the agreement Hotwire Communications will pay 77.62% and the City will pay 22.38%.

(c) Agreement – Rowan County

Approve the City Manager to sign an agreement with Rowan County to host a temporary sculpture, “Ojai” for the 2023 Salisbury Sculpture Show.

(d) Right-of-Way Encroachment – Hotwire Communications

Approve a right-of-way encroachment for approximately 40 linear feet of underground fiber optic cable by Hotwire Communications on Wellington Drive per Section 11-24(27) of the City Code.

(e) Resolution of Support – Widening of Old Mocksville Road

Adopt a Resolution of Support endorsing the widening of Old Mocksville Road, between Hawkinstown Road and East Ridge Road, as a new project for the Cabarrus-Rowan Metropolitan Planning Organization Priority List.

RESOLUTION ENDORSING THE WIDENING OF OLD MOCKSVILLE ROAD FOR THE CABARRUS-ROWAN METROPOLITAN PLANNING ORGANIZATION REGIONAL PRIORITY LIST.

(The above Resolution is recorded in full in Resolution Book No. 17 at Page No. 16, and is known as Resolution 2023-12)

(f) Resolution of Support – Extension of Bendix Drive

Adopt a Resolution of Support endorsing the extension of Bendix Drive as a new project for the Cabarrus-Rowan Metropolitan Planning Organization Priority List.

RESOLUTION ENDORSING THE EXTENSION OF BENDIX DRIVE FOR THE CABARRUS-ROWAN METROPOLITAN PLANNING ORGANIZATION REGIONAL PRIORITY LIST.

(The above Resolution is recorded in full in Resolution Book No. 17 at Page No. 17, and is known as Resolution 2023-13)

Thereupon, Councilmember Smith made a **motion** to adopt the Consent Agenda as presented. Mayor Alexander and Councilmembers McLaughlin, Post, and Smith voted AYE. (4-0)

PUBLIC COMMENT

Mayor Alexander opened the floor to receive public comments.

Ms. Mary Frances Edens addressed Council on behalf of Women for Community Justice, the Salisbury-Rowan NAACP, Salisbury Indivisible and Rowan Concerned Citizens. She encouraged Council and the City Manager to be transparent and seek public input during the hiring process for the next police chief.

There being no one else to address Council, Mayor Alexander closed the public comment session.

FIRE STATION THREE

Finance Director Wade Furches, Fire Chief Bob Parnell, and Architect Bill Burgin addressed Council regarding an installment financing agreement in an amount not to exceed \$10.5 million, with other available funds, for the purpose of financing all or a portion of construction costs for the new Fire Station 3 located at 150 Mahaley Avenue.

City Manager Jim Greene explained the Local Government Commission (LGC) requires Council to hold a public hearing regarding a Resolution of Intent, which would establish a not to exceed financing amount.

Mr. Burgin noted nine construction bids were submitted and a local company, KMD Construction, was the low bidder. He added he has worked with KMD in the past and is confident the company will provide a good product for the City. He indicated the bid from KMD was \$8.078 million including alternatives and a contingency allowance of \$125,000, a testing allowance of \$55,000, a signage allowance of \$15,000, a tap fee allowance of \$30,563 and an undercut and fill allowance. He noted the alternates included computer wiring, security gates, and a proprietary product list. Mr. Greene commented staff will work closely with Mr. Burgin to review the bid and then the contract will be brought to Council for its consideration.

Mr. Furches introduced Financial Advisor David Cheatwood, First Tryon Advisors, who is helping staff through the financing process. Mr. Cheatwood explained on April 17, 2023 a Request for Proposal (RFP) was sent out for financing a portion of Fire Station 3 that requested 15-year and 20-year payment terms and prepayment flexibility. He noted eight proposals were received, and he pointed out all of the proposals included a 15-year term and five of the proposals included a 20-year term. He indicated JP Morgan provided the best interest rates and it included three 15-year financing options with interest rates related to the prepayment provisions offered. He explained the lowest interest rate was 3.16%, but it did not provide prepayment flexibility. He recommend Council proceed with the 3.29% funding option which includes prepayment flexibility after 10 years. He reviewed the payment schedule, and he pointed out the closing date would be June 16, 2023. He stated the first principal payment would be due on June 1, 2024 and the final payment would be due on June 1, 2038.

Mr. Cheatwood explained the LGC requires level principle repayment for this type of loan. He stated the first payment would be \$640,000 and payments would decrease each year. He noted the 3.29% interest rate came in below the estimated 3.75% interest rate. He added the goal is to finance \$6.5 million of the \$9.4 million estimated total cost. He explained the remaining funds would come from a combination of ARPA funds and General Fund Balance.

Mr. Cheatwood recommended Council hold a public hearing and consider adopting a Resolution of Intent that sets forth certain findings required by the LGC. He commented at its June 6, 2023 meeting Council will consider a Resolution that will name JP Morgan as the financial institution, state the interest rate, and other terms and conditions. He added the LGC will consider approval of the financing on the same day. He noted Robinson Bradshaw will prepare the closing documents with the closing date anticipated to be June 13, 2023. Mr. Cheatwood added the construction contract would be approved on June 20, 2023.

Mayor Alexander asked Mr. Cheatwood why the 3.29% interest rate was recommended over the lower 3.16% interest rate. Mr. Cheatwood explained the 3.29% interest rate offers prepayment flexibility which would allow the City to refinance in 10 years or pay the loan off early. He added the additional interest costs would be approximately \$5,000 per year.

Councilmember Post noted Fibrant debt will be retired in 2029, and he asked if JP Morgan would provide a prepayment flexibility option in seven years. Mr. Cheatwood noted JP Morgan did not provide a seven-year prepayment option, and he added shorter terms would have higher interest rates.

Mr. Cheatwood compared the 3.29% interest rate to the 3.16% interest rate, and he pointed out the City would pay an additional \$75,000 to have the prepayment flexibility. He indicated the goal is to strike a balance between a lower interest rate and flexibility that may be needed in the future. Mr. Furches pointed out the City would save \$200,000 in interest if the loan is paid off early versus the \$75,000 it will cost for the 3.29% interest rate. Mayor Alexander noted there would be a net gain of approximately \$125,000.

Mayor Alexander convened a public hearing after due notice regarding an installment financing agreement for the new Fire Station 3.

Ms. Dee Dee Wright stated she does not oppose the project, but wanted clarification regarding project funding.

Mr. Furches noted Fund Balance and \$1.7 million in ARPA funds could be used to reduce the debt. Mr. Greene indicated staff has also requested state support for Fire Station 3, and he pointed out the City will incur additional costs such as fire trucks for the new fire station.

There being no one else to address Council, Mayor Alexander closed the public hearing.

Thereupon, Councilmember Post made a **motion** to adopt a Resolution making certain findings and appointments and requesting approval of the Local Government Commission. Mayor Alexander and Councilmembers McLaughlin, Post, and Smith voted AYE. (4-0)

RESOLUTION MAKING CERTAIN FINDINGS AND APPOINTMENTS AND REQUESTING APPROVAL OF THE LOCAL GOVERNMENT COMMISSION.

(The above Resolution is recorded in full in Resolution Book No. 17 at Page No. 18, and is known as Resolution 2023-14)

UPDATE – BELL TOWER GREEN PARK

Parks and Recreation Director Nick Aceves and Bell Tower Green, Inc. President Bill Wagoner addressed Council regarding Bell Tower Green Park. Mr. Wagner provided a brief

history of the park and noted that City staff works with Bell Tower Green, Inc and the Bell Tower Green Committee.

Mr. Wagoner reviewed current and ongoing projects such as the Bell Tower Green playground, and he added the playground's faulty equipment is being removed and modified. He noted City staff has been working with Bell Tower Green, Inc on permanent signage in the park. He stated City Staff has looked into the Bell Tower accent lighting and reviewed vendor options due to public interest. He added a vendor had been selected, but the current lighting controller needs software updates.

Mr. Wagoner provided an update on the installation of the flag pole and noted they switched contractors and have ordered materials from the new company. He stated the Public Works Department would install the flag pole, and the flag should be up before Memorial Day.

Councilmember McLaughlin asked if a Flag Dedication would be held at Bell Tower Green. Mr. Aceves noted a local group is planning to host an event at the park, but the event has not been scheduled.

DOWNTOWN REVITALIZATION INCENTIVE GRANT REQUEST – 126-130 NORTH MAIN STREET

Urban Design Planner Alyssa Nelson asked Council to consider a Downtown Revitalization Incentive Grant of up to \$127,697.76 as recommended by the grant review committee to assist with a building rehabilitation and residential production project located at 126 –130 North Main Street.

Ms. Nelson provided a review of the Downtown Revitalization Incentive Grants, noting it is made up of three grants; the Building Rehabilitation Grant, the Residential Creation Grant, and the Fire Suppression Grant. She stated each grant help to stimulate private investment in downtown properties and is designed to promote new development and rehabilitation with an emphasis on downtown residential production.

Ms. Nelson noted in 2022, revisions were made to the guidelines to include a review committee and a scoring matrix for each grant. She commented this year, the City received five applications, and in FY2022 Council allotted \$250,000 for new grant awards. She added the total projected investment for the five applications is \$4,332 062, and the expected City and Municipal Service District (MSD) tax revenue over ten years is \$387,979.

Ms. Nelson noted the grant review committee reviewed each application and assessed the projects against the scoring rubric to generate a total project score. She explained all five project scores were combined and that score was divided by the available budget of \$250,000 to determine a dollar amount per point earned. She noted each project score was then multiplied by the dollar amount per point earned. Ms. Nelson displayed the point system in the scoring matrix. She added applicants received points for historic status, location, green building elements, investment ratio, etc.

Councilmember Smith referenced the scoring matrix, and he asked if the estimated investment is the amount that is needed for the business to implement changes such as fire suppression. Ms. Nelson explained the estimated investment is the amount the applicants are projected to spend, but it could be less or more.

Mayor Alexander asked how the City verifies that applicants are spending the required minimum of the grant invested. Planning Director Hannah Jacobson noted the grants are reimbursement grants, and she explained once the project is completed applicants must submit all receipts to staff and site inspections are mandatory.

Councilmember Post asked if an applicant spends less than the projected amount would it affect the project score. Ms. Jacobson stated that the project score is based on the application, not the amount invested.

Ms. Nelson reviewed Application 1- 126 North Main Street and displayed images of the property. She stated Todd Werner with KTW Holdings, LLC is requesting \$155,000 to assist with the building rehabilitation, residential production, and fire suppression improvements. She added the incentive grant is requested to assist with elevator installation, new HVAC units, roof repairs, removing hazardous materials, reopening bricked-in windows, revitalizing entrances and staircases, creation of rear balconies and patios, general remediation in addition to the design of eight residential units, two storefronts, and a back alley fire suppression connect. She stated the total capital investment is \$2,050,000, and the project would increase City tax revenue by \$147,518 and MSD tax revenue by \$36,080 over ten years.

Ms. Nelson added that the review committee scored the project highly for including eight residential units. She noted its location near the back alley fire loop makes this grant application a good candidate, and she stated the review committee recommends a Revitalization Incentive Grant of \$127,692.76.

Councilmember Post requested clarification regarding the applicants score. Ms. Nelson referred to the scoring matrix and stated under residential production, upper-story units are scored higher for the Residential Creation Grant and receive multiple points per unit. She added the project also received points for fire suppression connection and the installation of a new sprinkler system.

Councilmember Post asked if it would lower their score of 34 points if the applicant spends less than their projected investment. Ms. Jacobson stated the investment ratio would be considered under the Building Rehabilitation Grant. She noted applicants receive more points for private investment rather than public investment. She added staff would adjust the number of points if that ratio changed, and the grant would be reduced.

Mayor Alexander convened a public hearing after due notice regarding the Downtown Revitalization Incentive Grant for property located at 126–130 North Main Street.

Mr. Todd Werner with KTW Holdings, LLC stated KTW Holdings is looking forward to contributing to downtown development and partnering with the City and Council to move Salisbury forward.

Councilmember McLaughlin asked how many apartment units are planned and if they will be priced at the market rate. Mr. Werner stated the eight residential units will be priced at the market rate.

Mayor Alexander asked if the grant required a time limit for the project. Ms. Nelson noted there is a two-year goal and a six-month check-in. She added at one year, the project should be under construction, and at two years, it should be complete.

There being no one else to address Council, Mayor Alexander closed the public hearing.

Thereupon, Councilmember Post made a **motion** to approve a Downtown Revitalization Incentive Grant of up to \$127,697.76 as recommended by the grant review committee to assist with a building rehabilitation and residential production project located at 126 –130 North Main Street. Mayor Alexander and Councilmembers McLaughlin, Post, and Smith voted AYE. (4-0)

DOWNTOWN REVITALIZATION INCENTIVE GRANT REQUEST – 110 SOUTH MAIN STREET

Urban Design Planner Alyssa Nelson asked Council to approve a Downtown Revitalization Incentive Grant of up to \$23,281.28 as recommended by the grant review committee to assist with a building rehabilitation project located at 110 South Main Street.

Ms. Nelson displayed images of the property and noted Ms. Alissa Redmond is requesting up to \$75,000 through the Downtown Incentives Program to assist with the installation of an elevator, renovation of the basement, and upgrades to the bookstore entrance. She commented that the total capital investment is \$303,087, and the project would increase City Tax revenue by \$21,810.14 and Municipal Service District tax revenue by \$5,334.33 over ten years.

Ms. Nelson explained the scoring points received were for building rehabilitation, and she noted residential production and fire suppression were not included. She added Ms. Redmond did consider the Fire Suppression Grant, but it was not feasible. She stated the grant review committee recommends awarding a Downtown Revitalization Incentive Grant in the amount of \$23,281.28.

Mayor Alexander convened a public hearing after due notice regarding the Downtown Revitalization Incentive Grant for property located at 110 South Main Street.

Ms. Alyssa Redmond shared her concerns about fire hydrant availability near 110 South Main Street. She noted with downtown growing, she would like to identify ways to protect local businesses through the fire loop or by adding fire hydrant accessibility.

There being no one else to address Council, Mayor Alexander closed the public hearing.

Thereupon, Councilmember McLaughlin made a **motion** to approve a Downtown Revitalization Incentive Grant of up to \$23,281.28 as recommended by the grant review committee to assist with a building rehabilitation project located at 110 South Main Street. Mayor Alexander and Councilmembers McLaughlin, Post, and Smith voted AYE. (4-0)

DOWNTOWN REVITALIZATION INCENTIVE GRANT REQUEST – 125 SOUTH MAIN STREET

Urban Design Planner Alyssa Nelson asked Council to consider a Downtown Revitalization Incentive Grant of up to \$48,561.12 as recommended by the grant review committee to assist with a building rehabilitation, residential creation and fire suppression project located at 125 South Main Street.

Ms. Nelson added Robert Pandis with R&H Vintage Restorations LLC is requesting up to \$105,000 to assist with building rehabilitation, residential production and fire suppression improvements to 125 South Main Street. She explained the incentive grant would assist with the creation of two upstairs apartments, one downstairs apartment, renovated commercial retail space, floor restoration, load bearing wall restoration, as well as rear water line hook-up. She stated the total capital investment is \$454,200 and the project would increase City tax revenue by a projected \$32,684.23 and Municipal Service District tax revenue by a projected \$7,993.92 over ten years.

Ms. Nelson commented the grant review committee awarded points for building rehabilitation, residential production and fire suppression. She added the Fire Suppression Grant was considered but proposed to be connected to a private line; however points were calculated for adding a sprinkler system. She stated the review committee recommends a Revitalization Incentive Grant in the amount of \$48,561.12.

Mayor Alexander convened a public hearing after due notice regarding the Downtown Revitalization Incentive Grant for property located at 125 South Main Street.

There being no one to address Council, Mayor Alexander closed the public hearing.

Thereupon, Councilmember Smith made a **motion** to approve a Downtown Revitalization Incentive Grant of up to \$48,561.12 as recommended by the grant review committee to assist with a building rehabilitation, residential creation and fire suppression project located at 125 South Main Street. Mayor Alexander and Councilmembers McLaughlin, Post, and Smith voted AYE. (4-0)

DOWNTOWN REVITALIZATION INCENTIVE GRANT REQUEST – 211 EAST INNES STREET

Urban Design Planner Alyssa Nelson asked Council approve a Downtown Revitalization Incentive Grant of up to \$37,769.76 as recommended by the grant review committee to assist with a building rehabilitation and residential production project located at 211 East Innes Street.

Ms. Nelson stated Stan Jordan with Downtown Properties, Inc. and Pete Bogle with Bogle Firm are requesting up to \$140,000 to assist with building rehabilitation and residential production improvements to 211 East Innes Street. She added the incentive grant is requested to assist with contaminated soil remediation and the construction of nine apartments. She noted the total capital investment is \$1,400,000, and the project would increase City tax revenue by a projected \$100,744 and Municipal Service District tax revenue by a projected \$24,640 over ten years.

Ms. Nelson noted the applicants were rewarded under the green building for the effort required to remediate the contaminated soil on the site, and the Grant review committee had a long discussion on how to score the residential units. She added majority vote projected the residential units to be scored as ground-floor units. She stated the review committee awarded points for building rehabilitation and residential production and recommended an incentive grant of \$37,769.76.

Councilmember Post asked why more points are awarded for second-floor residential than ground-floor residential. Ms. Jacobson stated the idea was to promote ground floor space for restaurants or retail and second floors for residential spaces.

Councilmember McLaughlin asked if the residential units would be priced at the market rate. Ms. Nelson confirmed.

Mayor Alexander convened a public hearing after due notice regarding the Downtown Revitalization Incentive Grant for property located at 211 East Innes Street.

There being no one to address Council, Mayor Alexander closed the public hearing.

Thereupon, Councilmember Post made a **motion** to approve a Downtown Revitalization Incentive Grant of up to \$37,769.76 as recommended by the grant review committee to assist with a building rehabilitation and residential production project located at 211 East Innes Street. Mayor Alexander and Councilmembers McLaughlin, Post, and Smith voted AYE. (4-0)

DOWNTOWN REVITALIZATION INCENTIVE GRANT REQUEST – 322 EAST COUNCIL STREET

Urban Design Planner Alyssa Nelson asked Council to approve a Downtown Revitalization Incentive Grant of up to \$12,589.92 as recommended by the grant review committee to assist with a building rehabilitation and residential creation project located at 322

East Council Street.

Ms. Nelson stated Patrick O'Briant is requesting \$300,000 to assist with the building rehabilitation and residential production improvements to 322 East Council Street, units 1A, 1B and 1C. She added the incentive grant is requested to assist with converting three commercial units to residential living spaces. She noted these units have been vacant for some time and will require new air conditioning units as well as extensive window restoration. She noted the total capital investment is \$124,775 and the project would increase City tax revenue by a projected \$8,978.81 and Municipal Service District tax revenue by a projected \$2,196.04 over ten years.

Ms. Nelson stated the grant review committee awarded points for building rehabilitation and residential production. She added the committee discussed how to score pivotal buildings under the historic status section of the grant and recommend an incentive grant of \$12,589.92.

Mayor Alexander convened a public hearing after due notice regarding the Downtown Revitalization Incentive Grant for property located at 322 East Innes Street.

There being no one to address Council, Mayor Alexander closed the public hearing.

Thereupon, Councilmember Post made a **motion** to approve a Downtown Revitalization Incentive Grant of up to \$12,589.92 as recommended by the grant review committee to assist with a building rehabilitation and residential creation project located at 322 East Council Street. Mayor Alexander and Councilmembers McLaughlin, Post, and Smith voted AYE. (4-0)

BUDGET UPDATE –SALISBURY-ROWAN UTILITIES

Salisbury-Rowan Utilities (SRU) Director Jim Behmer stated SRU serves approximately 52,000 customers in Rowan County with nearly 23,000 smart meters. He thanked Council for its support regarding capital and operating budgets over the years.

Assistant Director Jason Wilson shared a photo of the Waste Water Treatment Plant and Water Treatment Plant improvements that have taken place the past few years. He reviewed the 10 year Capital Improvement Plan (CIP) for SRU including areas such as raw water, water treatment, water distribution, sanitary sewer collection, lift stations, and wastewater treatment information in the CIP. He noted master planning has been a priority for SRU to collaborate with engineer firms to forecast what might need to take place in the next 10 to 15 years.

Councilmember Post asked about the cost for the water distribution waterline extension and elevated tank along Highway 152. Mr. Wilson noted the waterline extension will connect the Town of China Grove to the Town of Rockwell due to the development near Exit 68 off Interstate 85. He added the extension will help keep water tanks turned over and take care of the dead end areas to increase water quality and flow and will include looking at pipe sizes. He added it is a recommendation of the Master Plan.

Councilmember Post asked how the project would be funded. Mr. Wilson noted it could be funded with a debt package and be a phased project. Mr. Behmer noted the project is based on growth and could be phased in.

Mayor Alexander asked how SRU is handling the reduction of the per and polyfluoroalkyl substances (PFAS) and the new Environmental Protection Agency (EPA) regulations. Mr. Behmer noted staff has tracked the PFAS and looked at the recently EPA proposed maximum contaminant levels for drinking water and based on monitoring of the state and preliminary numbers Salisbury falls below the maximum levels. He noted staff will begin testing PFAS in the water by October as part of the annual testing.

City Manager Jim Greene noted the CIP is a planning tool and a way to be strategic in order to use revenue wisely. He noted SRU does a great job working with different partners to be strategic in planning and looking at funding opportunities, which is done with the General Fund with other department needs.

Mr. Behmer and Mr. Wilson reviewed SRU FY24 key initiatives:

- Continue with project design activities to meet the proposed 2021 BRIC grant project timeline for the River Pump Station Relocation Project
 - \$22.5 million grant
 - \$9 million local contribution (Cube Yadkin)
- Increase investment in infrastructure by funding more capital projects in the CIP using utility capital reserves
- Use an Asset Lifecycle Modeling
- Continued master planning
 - Wastewater Treatment Master Plan
 - ARPA Pre-Construction Planning \$400,000 Grant
 - Scoping Phase
 - Collection System Master Plan (Lift Stations & Interceptors)
 - Facilities and staffing
- Issuance of NPDES permit at the Water Treatment Plant
- Pursue appropriate expansion of the SRU system

Mr. Wilson also reviewed the FY24 proposed CIP project list.

Mr. Behmer indicated it is proposed to hire two water treatment plant operators for safety, resiliency, and maintenance due to the expanded duties of centrifuge, the National Pollutant Discharge Elimination System (NPDES), and maintenance. He added another FY24 key initiative would be to attract and retain employees to reduce the 27% turnover rate. He added last year the vacancy rate was 16 to 17%.

Mr. Behmer noted the SRU Proposed FY24 budget is \$37 million with 14% debt service, 22% capital, and 64% for operating and maintenance budget.

Mr. Behmer pointed out a rate increase for FY24 is not recommended. He noted the last time there was not a recommended rate increase was in 2016 and over the past five years there was a 2.36% average rate increase and over 10 years under 2% rate increase. He indicated due to the growth that is taking place a rate increase this year is not needed, but one may take place next year.

Mr. Behmer also reviewed:

- The Consumer Price Index for urban consumers for the South Region (CPI-U) has also increased 6.4% in the last 12 months; however, projected growth to our customer base will help absorb these cost increases
- Utility rate increases may be needed in future years to fund capital projects and offset increases in operational costs if anticipated growth does not meet projections
- An average monthly residential water and sewer utility bill for a customer using 4,000 gallons will remain \$63.08
 - SRU rates remain competitive compared to other utilities within our region

Mr. Behmer reviewed rate comparisons with other surrounding local communities.

Mr. Greene thanked Mr. Behmer, Mr. Wilson, and the Finance Department for their hard work on the SRU proposed FY24 budget. He noted even though there is not rate increase there is still investment in the system. He added there is good growth and sufficient reserves to maintain investments in capital projects, and he is comfortable with no rate increase.

Mayor Alexander noted that is a testament to good planning over several years. Mr. Greene stated SRU has worked hard to be efficient and look for grant opportunities to help maintain the system and manage its resources wisely.

BOARDS AND COMMISSIONS

Bell Tower Green Advisory Committee

Upon a motion by Councilmember McLaughlin. Mayor Alexander and Councilmembers McLaughlin, Post, and Smith voting AYE, the following appointment and reappointment was made to the Bell Tower Green Advisory Committee:

Mr. Alvero Rosero
Ms. Tracie Gardner

Term Expires 3/31/2026
Term Expires 3/31/2026

CITY MANAGER'S REPORT

City Manager Jim Greene stated he appreciates the comments regarding the search for the next police chief. He noted the City is in the application phase which ends on May 10, 2023. He added the City has made a commitment for public input regarding the process. He pointed out a community meeting was held at City Hall and a second community meeting was hosted by the

NAACP. He stated the community meetings provided opportunities for public input and transparency. He indicated his goal is to look for opportunities to seek feedback and diversified input from the community. He noted he has met with various groups, and as the process continues staff will do its best to be open and transparent. He thanked the community for its willingness to share ideas.

MAYOR'S ANNOUNCEMENTS AND COMMENTS

Mayor Alexander thanked staff for its work to keep Council informed during the budget process.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember Post. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

The meeting was adjourned at 8:49 p.m.

Karen Alexander, Mayor

Connie B. Snyder, City Clerk

Salisbury, North Carolina
November 1, 2022

SPECIAL MEETING

PRESENT: Mayor Karen K. Alexander, Presiding; Mayor Pro Tem Tamara Sheffield, Council Members Harry McLaughlin, David Post, and Anthony Smith; City Manager Jim Greene, Jr., City Clerk Kelly Baker; and City Attorney J. Graham Corriher.

ABSENT: None.

Salisbury City Council met in Council Chambers in City Hall located at 217 South Main Street. The meeting was called to order by Mayor Alexander at 5:00 p.m. A moment of silence was taken.

ADOPTION OF THE AGENDA

Thereupon, Councilmember Post made a **motion** to adopt the Agenda as presented. Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

CLOSED SESSION

Thereupon, Councilmember Post made a **motion** to go into Closed Session regarding a personnel matter as allowed by NCGS 143-318.11(a)(6). Mayor Alexander, Mayor Pro Tem Sheffield, Councilmembers McLaughlin, Post, and Smith voted AYE. (5-0)

Mayor Alexander indicated Council took no action in Closed Session.

ADJOURNMENT

Motion to adjourn the meeting was made by Councilmember McLaughlin. Mayor Alexander, Mayor Pro Tem Sheffield and Councilmembers McLaughlin, Post and Smith voted AYE. (5-0)

The meeting was adjourned at 6:00 p.m.

Karen Alexander, Mayor

Kelly Baker, City Clerk

DRAFT

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 05-16-2023

Name of Group(s) or Individual(s) Making Request: Salisbury Parks and Recreation Department

Name of Presenter(s): Nick Aceves

Requested Agenda Item: Adopt a Budget ORDINANCE Amendment Appropriating a Parks & Recreation donation/sponsorship to the FY2022-2023 budget in the amount of \$6500.00 to help with expenses related to the City of Salisbury Parks & Recreation Summer Camp and the Bell Tower Green Movie/Concert Series.

Description of Requested Agenda Item. The City has received a donation/sponsorship in the amount of \$6500.00 for expenses related to the City of Salisbury Parks & Recreation Summer Camp and the Bell Tower Green Movie/Concert Series. NC General Statutes require that the City appropriate these revenues so that they can be legally spent.

Fiscal Note: *(If fiscal note requires approval by the finance department because the item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of the form and provide supporting documents)*

Action Requested of Council for Agenda Item: Adopt a Budget Ordinance amending the FY2022-2023 Budget in the General Fund of \$6500.00 for additional revenue. *(Please note if the item includes an ordinance, resolution, or petition)*

Contact Information for Group or Individual: Nick Aceves 704-638-5299

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Salisbury City Council Agenda Item Request Form



Approved

Delayed

Declined

Reason:

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 05/16/2023

Name of Group(s) or Individual(s) Making Request: Community Planning Services

Name of Presenter(s): Victoria Bailiff, Senior Planner

Requested Agenda Item: LDOTA-01-2023 Subdivision Development

Description of Requested Agenda Item: An ordinance amending Chapters 4, 5, 7, 8, 10, and 18 of the Land Development Ordinance.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Council to hold public hearing and consider adopting an ordinance to amend the Land Development Ordinance as requested.

Contact Information for Group or Individual: Victoria Bailiff, victoria.bailiff@salisburync.gov, 704-638-5212

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Salisbury City Council Agenda Item Request Form



Approved

Delayed

Declined

Reason:

One Stop Development Shop

City of Salisbury Development Services
132 North Main Street | 704.638.5208



MEMORANDUM

TO: City Council

FROM: Victoria Bailiff
Senior Planner

DATE: City Council Meeting – May 16, 2023

RE: Ordinance Amendment – Chapter 4: Subdivisions & Infrastructure
Chapter 5: Building Types & Standards
Chapter 7: Recreational Open Space
Chapter 8: Landscaping
Chapter 10: Parking
Chapter 18: Definitions

City Staff has proposed text amendments to Chapters 4, 5, 7, 8, 10, and 18 to address several significant issues that have arisen during recent plan reviews. The text changes have been outlined by chapter below.

Chapter 4:

- Language in Section 4.4 has been changed to better ensure that all needed improvements will be required for both existing and new streets, and to help developers fully understand that staff does not have to approve a subdivision designed using the minimum lot width if all of the required improvements cannot be accommodated within the provided right of way.
- Section 4.5.J.2 had language added to require that utilities be extended to the far side of any new lots.
- The table in Section 4.7 has had Street trees and Curb radius removed, as street tree requirements are already listed in Chapter 8 and Curb Radius requirements are listed in Section 4.8. Street Lighting requirements were changed because pedestrian scale lighting and vehicular scale lighting are not defined in the ordinance and it would also be better regulated by street type instead of zoning district. A note was added at the bottom of the table to give the Technical Review Commission (TRC) the authority to waive a

One Stop Development Shop

City of Salisbury Development Services
132 North Main Street | 704.638.5208



requirement should the improvement be found incompatible with the surrounding area. This note was added because it is difficult to write regulations to fit every situation given that the existing streets in Salisbury have been constructed over the span of many years.

- Section 4.8.D was changed to detail out when different curb radii should be used for a rural road.
- The language for sidewalk exemptions in section 4.9 included additions to further clarify that Major Subdivisions and Campus Style Development for single family would not be exempt, and that any existing sidewalk that is damaged must be replaced or upgraded. Section D also had clarifying language added to require sidewalks around the bulb of cul-de-sacs.

Chapter 5:

- House building type is now permitted in the NMX district; staff believes this was a minor error in the table.
- The requirement for a pedestrian connection from the building entrance to the public sidewalk was moved from Chapter 4 to Section 5.6.A.2.
- Minimum townhome lot width requirements in the UR, RMX, NMX, CMX, and HS districts were increased to 25 feet unless they are rear accessed homes. This still allows a smaller lot size but will aid in allowing more room for necessary right of way improvements.

Chapter 7:

- Highway Business (HB) was added to the list of zoning districts that require an 18% open space allocation since open space was previously not required at all in the HB zoning district.

Chapter 8:

- Applicability language in Section 8.2 was simplified to apply to expansion of existing development and new development requiring Master Plan or Preliminary Plat consideration.
- Language was added to Section 8.4 to clarify that the Tree Canopy requirement for subdivisions shall be met on common property.
- Terminology was changed in Section 8.7 from “Planting Yard” to “Perimeter Buffer,” in an attempt to create a name which better describes the requirement. “Perimeter Planting Yards” were changed to “Fixed Buffers,” and “Flexible Planting Yards” were changed to “Flexible Buffers.”

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- In Section 8.9, the reference to the table in 4.7 was removed. The Street tree location for HB, HS, CI, LI, and HI was changed to “Dependent on Street Section”. The average distance that street trees shall be planted at was increased from 40 feet for Shade trees and 25 feet for Ornamentals, to 50 feet for either type of tree. Street trees can cause problems with infrastructure in the right of way, and lessening the number of trees required to be planted will actually create more aesthetic appeal in that they can be space more regularly instead of clustered to the side.

Chapter 10:

- Staff has had some concern over residential parking requirements. Currently, the ordinance does not address whether or not a garage can be used to meet residential parking requirements. Since many families do not use their garages to park their cars, staff is hesitant to allow garage spaces to count towards parking requirements. A note to the parking requirement table in Section 10.3 was added to allow 1 garage space to be used for 2 car garages, however, the space in a 1 car garage will not count towards parking requirements.

Chapter 18:

- A definition was added for reconstructed streets; it is listed as “Street, reconstructed.”

These amendments were sent to TRC for review on April 20, 2023 where the amendments were approved with minor changes requested that have since been addressed. The Planning Board reviewed the proposed amendments at their meeting on April 25th, recommending only one change, that the new language in Chapter 10 be changed from “may not” to “shall not.” The Board found the amendments to be reasonable and unanimously recommended approval.

Within your packets you will find two versions of the amended chapters with the recommended edits from TRC and Planning Board; the first is the redlined version so that you can easily see edits, and last is the clean edited version for easier reading.

Chapter 4. SUBDIVISIONS AND INFRASTRUCTURE

4.1 Purpose and Intent

The purpose of this chapter is to establish procedures and standards for the proper subdivision of land within the jurisdiction of the City of Salisbury in order to provide for orderly growth and development; for the coordination of streets and highways within proposed subdivisions with existing or planned streets and highways and with other public facilities; to provide for the dedication of rights-of-way or easements for street and utility purposes; and to provide for the distribution of traffic in a manner that will avoid congestion and will create conditions essential to the public health, safety, and general welfare.

4.1 Purpose and Intent
4.2 General Subdivision Platting Provisions
4.3 Specific Subdivision Types by District
4.4 Required Improvements
4.5 Installation of Infrastructure Improvements (Subdv & Site)
4.6 Permanent Reference Points
4.7 Street Design & Layout Provisions
4.8 Street Sections
4.9 Sidewalk Program
4.10 Connectivity & Street Stubs
4.11 Traffic Calming
4.12 Bicycle Accommodations
4.13 Access Management
4.14 Transportation Impact Analysis

4.2 General Subdivision Platting Provisions

These provisions shall apply to the subdivision of property by means of an Exception Plat, Minor Subdivision, or Major Subdivision.

- A. All Lots to Front on Street or Public Space:** All lots shall front upon a public street, or with the provision of alley access, lots may front upon recreational open space as defined by this Ordinance.
- B. Side Lot Lines:** Side lot lines shall be substantially at right angles or radial to street lines.
- C. Flag Lots:** Flag (or “pipestem”) lots are prohibited in all zoning districts except the OSP and the RR districts, where they shall be allowed if the width of the stem is at least sixty (60) feet.
- D. Double Frontage Lots:** Double frontage lots should be avoided. However, on lots having frontage on two streets and not located on a corner, the minimum front yard shall be provided on each street in accordance with the provisions of this Ordinance. On lots having frontage on more than two streets, the minimum front yard shall be provided in accordance with the regulations set forth in this Ordinance on at least two of the street frontages. The minimum front yard on the remaining frontage may be reduced in accordance with the street side yard requirements of the district. When a double frontage lot has frontage along a Thoroughfare, access to the lot shall be via the non-thoroughfare frontage.

- E. Residential Buffer Strips:** In residential developments in residential districts (RR, GR, UR, HR) a buffer strip of at least fifty (50) feet in depth in addition to the normal lot depth shall be provided adjacent to all railroads and limited access highways. This strip shall be a part of the platted lots, but shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of trees or shrubs by the owners; the building of structures hereon is prohibited."
- F. Easements:** Utility and other easements shall be provided as follows:
- 1. Utility Easements:** Utility easements centered on rear or side lot lines shall be provided where necessary and shall be at least (10) feet in width.
 - 2. Watercourses:** Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a storm water easement conforming substantially to the lines of such watercourse, and such further width of construction, or both, shall be in accordance with the adopted *Uniform Construction Standards* of the City of Salisbury.
- G. Street Names:** Proposed streets names are subject to the approval of Rowan County. Proposed streets which are clearly in alignment with other existing streets shall bear the assigned name of the existing street.

4.3 Specific Subdivision Types by District

- A. Conservation Neighborhood:** Except for the individual building constructed on the minimum lot size required, the Conservation Neighborhood is the only common plan of residential development permitted in the OSP district.

The Conservation Neighborhood offers property owners a way to maintain land in the OSP district as largely undeveloped. Conservation Neighborhoods may be approved by the Administrator upon a finding that all requirements of this section have been met.

	Minimum Subdivision Acreage	Maximum Density	Maximum Dwelling Units
Conservation Neighborhood	40 acres	20 acres per dwelling unit	6

1. Owners shall establish an irrevocable conservation easement held by a conservation organization (as authorized by US 150(h); 20559(a) and NCGS 124-34 et seq.) and shall provide the City with a boundary description of the area under the conservation easement.
2. In a Conservation Neighborhood, land set aside for detached houses shall be specified in the easement and shall be the minimum size necessary to allow construction of the house.
3. **Access and Right-of-Ways:** No new public streets may be created. All buildings within the Conservation Neighborhood shall have permanent access by way of a public road frontage or a 20-ft wide access easement connecting to a public right-of-way. Where the tract abuts or includes a segment of a public street, thoroughfare, or greenway as shown on an adopted plan, the developer shall provide for these improvements either by deed or plat map. However, the developer shall not be required to construct any of these improvements.
4. The tract shall preserve the rural appearance of the land from the view of public roads and abutting properties.
5. Only structures and uses identified as acceptable by the conservation organization will be allowed on the property.
6. **Required Improvements:** The Conservation Neighborhood shall be exempt from the requirements of Chapter 7: Recreational Open Space, Chapter 8: Landscaping and Section 4.4: Required Infrastructure Improvements.
7. In a Conservation Neighborhood, there shall be no further subdivision of lots without the consent of all landowners and easement holders and approval of the Administrator.

- B. Rural Subdivision:** Except for the individual building constructed on the minimum lot size required, the Rural Subdivision is the only common plan of residential development permitted in the RR district.

The Rural Subdivision offers property owners a way to maintain land in the RR district as largely undeveloped and rural or agricultural in character. Rural Subdivisions may be approved by the Administrator upon a finding that all requirements of this section have been met.

	Minimum Subdivision Acreage	Maximum Density	Minimum Undeveloped Land
Rural Subdivision	40 acres	1 unit per 2 gross acres	50%

1. There shall be no maximum or minimum lot size.
2. A minimum of 50% of the area of the subdivision shall remain undeveloped and/or used for agricultural uses. Undeveloped areas shall connect to undeveloped land or recreational open space on adjacent parcels. If the development includes a homeowners association, the association may own the development’s undeveloped land. Otherwise, the undeveloped land may be privately held, as long as a permanent conservation easement is placed on the land. Alternatively, it may be owned by a land conservancy, or other entities proposed by the City.
3. Streets within a rural subdivision shall use the rural road cross-section, per Section 4.8 of this Ordinance.
4. A notice shall be placed on the subdivision plat stating that further subdivision is not allowed. The developer waives the right to further statutory subdivision.

4.4 Required Infrastructure Improvements (Subdivisions & Site Development)

A. In addition to the standards found elsewhere in this Ordinance, all development shall install or provide the following improvements, as applicable. All infrastructure shall be designed and constructed in accordance with the City of Salisbury *Uniform Construction Standards Manual*.

- Water supply distribution and fire hydrants
- Sanitary sewer
- Streets (paved) and other public rights-of-ways (e.g., greenway paths)
- Easements
- Sidewalks (Unless exempted by Section 4.9)
- Curb and gutter
- Street lighting (upgraded or decorative)
- Wiring (All utilities serving new development shall be underground.)
- Dedicated recreational open space (in residential districts)
- Landscaping (Including Supplemental Tree Plantings, such as Street Trees)
- Storm drainage infrastructure
- Special street signs and other traffic control devices in accordance with the Manual of Uniform Traffic Control Devices, latest edition
- Right-of-way reservation shall be granted along the applicable parcel(s) street frontage pursuant to the adopted MPO Comprehensive Transportation (CTP) and applicable NC-DOT standards

~~B.~~ B. Proposed major subdivisions ~~or any new development~~ with frontage on existing publicly maintained streets shall upgrade those streets with the applicable improvements required by Section 4.4.A. Should the existing right-of-way be found inadequate to accommodate all required improvements, the City Engineer may require additional right-of-way or easements be dedicated.

~~C.~~ C. If required subdivision improvements and access cannot be accommodated within the right-of-way and any utility or access easements due to design or small lot widths, then the lot widths shall be increased until all improvements can be accommodated. (Regardless of minimum lot width permitted by zoning district.) following elements:

- ~~Only within the corporate city limits, sidewalks shall be installed in all zoning districts, except the OSP and RR districts, within the right-of-way of the applicable parcel(s) street frontage, per Section 4.9~~
- ~~A definable pedestrian connection shall be provided from a primary building entrance to the fronting public sidewalk system~~

- ~~▪ Only within the corporate city limits, Street Trees shall be planted within the right of way of the applicable parcel(s) street frontage, if applicable per Section 4.7~~
- ~~▪ Right of way reservation shall be granted along the applicable parcel(s) street frontage pursuant to the adopted MPO Comprehensive Transportation (CTP) and applicable NC DOT standards~~

4.5 Installation of Improvements

- A. Performance Guarantees:** Approval of the final plat shall be subject to the developer having installed the improvements designated on the approved engineering drawings or having guaranteed, to the satisfaction of the city, the installation of said improvements. Upon completion of construction, the streets and public utilities will be accepted into the City system at which time the guarantee of construction will be released.
- B. Type of Performance Guarantee:** Where the required improvements have not been completed prior to the submission of the plat for final approval, the approval of said plat shall be subject to the developer guaranteeing the installation of the improvements by providing to the City one of the following, in the amount indicated in this section:
1. Filing a performance or surety bond issued by a company authorized to do business in North Carolina;
 2. Filing a letter of credit issued by a financial institution licensed to do business in North Carolina;
 3. Depositing or placing in escrow a certified check; or
 4. Any other form of guarantee that provides security equivalent to a surety bond, letter of credit, or escrowed funds.
- ~~**C.B. Duration:** Performance guarantees shall be valid for an initial period of one (1) year, unless the developer determines that the scope of the work for the required improvement necessitates a longer duration. Upon acceptance of the street(s) and all public utilities, sidewalks may be guaranteed for an additional period not to exceed two (2) years.~~
- ~~**D.B. Extension:** A developer shall demonstrate reasonable, good-faith progress toward completion of the required improvements that are the subject of the performance guarantee or any extension. If the improvements are not completed to the specifications of the City, and the current performance guarantee is likely to expire prior to completion of the required improvements, the performance guarantee shall be extended, or a new performance guarantee issued, for an additional period. An extension under this section shall only be for a duration necessary to complete the required improvements. If a new performance guarantee is issued, the amount shall be determined by the procedure provided in subdivision (3) of this subsection and shall include the total cost of all incomplete improvements.~~
- ~~**E.B. Release:** The performance guarantee shall be returned or released, as appropriate, in a timely manner upon the acknowledgement by the City of Salisbury that the improvements for which the performance guarantee is being required are complete. The~~

local government shall return letters of credit or escrowed funds upon completion of the required improvements to its specifications or upon acceptance of the required improvements, if the required improvements are subject to local government acceptance. When required improvements that are secured by a bond are completed to the specifications of the local government, or are accepted by the local government, if subject to its acceptance, upon request by the developer, the local government shall timely provide written acknowledgement that the required improvements have been completed.

F.B. Amount: The amount of the performance guarantee shall not exceed one hundred twenty-five percent (125%) of the reasonably estimated cost of completion at the time the performance guarantee is issued. The City may determine the amount of the performance guarantee or use a cost estimate determined by the developer. The reasonably estimated cost of completion shall include one hundred percent (100%) of the costs for labor and materials necessary for completion of the required improvements. Where applicable, the costs shall be based on unit pricing. The additional twenty-five percent (25%) allowed under this subdivision includes inflation and all costs of administration regardless of how such fees or charges are denominated. The amount of any extension of any performance guarantee shall be determined according to the procedures for determining the initial guarantee and shall not exceed one hundred twenty-five percent (125%) of the reasonably estimated cost of completion of the remaining incomplete improvements still outstanding at the time the extension is obtained.

G.B. Multiple guarantees: The developer shall have the option to post one type of a performance guarantee as provided for in this section, in lieu of multiple bonds, letters of credit, escrowed funds, or other equivalent security, for all development matters related to the same project requiring performance guarantees.

H.B. Exclusion: Performance guarantees associated with erosion control and stormwater control measures are not subject to the provisions of this section.

I. Improvements within the City Limits:

1. **Street and sidewalk improvements and storm drainage:** Streets and sidewalks shall be constructed within all proposed street rights-of-way. All streets, sidewalks, and storm drainage shall be installed in accordance with approved engineering drawings and the adopted [*Uniform Construction Standards*](#) of the City of Salisbury. Streets and sidewalks shall be extended within existing rights-of-way as needed to provide publicly maintained street frontage to all newly created lots; however, construction standards may be modified to coincide with an existing publicly maintained street stub, if applicable.
2. **Utilities:** If any portion of the original property is located within two hundred (200) feet of a public sanitary sewer main, or within three hundred (300) feet of a public water main, the subdivider shall provide for public service to all newly created lots to the furthest extent of the property boundary. Sanitary sewers and water mains shall be installed in accordance with approved engineering drawings and the adopted [*Uniform Construction Standards*](#) of the City of Salisbury. Should private water and sewerage systems be allowed, such shall meet the requirements

of the North Carolina State Department of Environment and Natural Resources (DENR) and the North Carolina Utilities Commission, as applicable.

J. Improvements beyond the City Limit:

1. **General provision:** The approval of a plat shall not be deemed to constitute or affect the acceptance by the City (or public) the dedication of any street or other ground, public utility line or other public facility shown on the plat. The city council may by resolution accept any dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes when the lands or facilities are located within its subdivision regulations jurisdiction. Acceptance of dedication of lands or facilities located within the subdivision regulation jurisdiction but outside the corporate limits of the city shall not place on the city any duty to open, operate, repair, or maintain any street, utility line, or other land or facility, and the city shall in no event be held to answer in any civil action or proceeding for failure to open, repair, or maintain any street located outside its corporate limits. Sidewalk maintenance and repair shall be the responsibility of the homeowners association or adjacent property owners.
2. **Improvements required:** All street improvements and such applicable improvements as sidewalks, storm sewers, sanitary sewers, and water mains shall be installed in accordance with the requirements of the City of Salisbury. The right-of-way, design and construction of streets and street drainage shall also be reviewed and approved by the district engineer of the division of highways. If utilities are to be extended, the developer shall provide for public service to all newly created lots to the furthest extent of the property boundary.

K. Major Improvements: Where official plans of the City of Salisbury call for major thoroughfares, interceptor sewer lines or water mains, such improvements shall be made by the developer in accordance with the stated Ordinances and policies of the City of Salisbury.

4.6 Permanent Reference Points

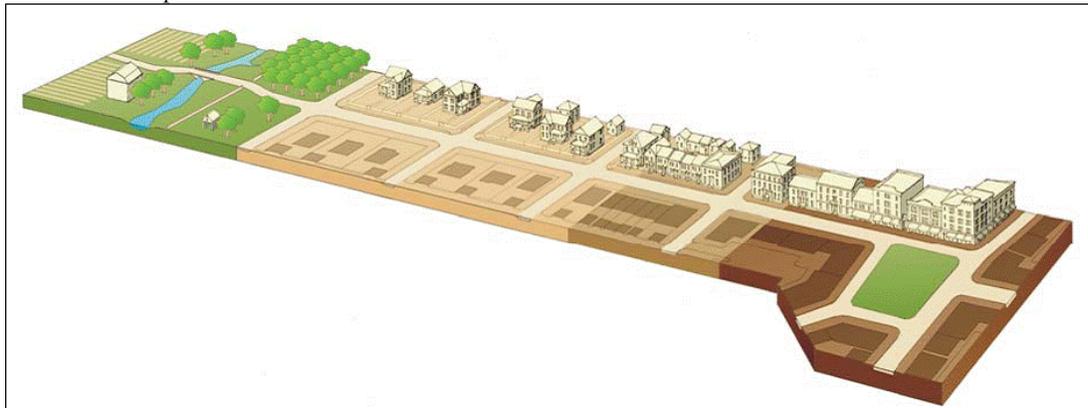
Prior to the approval of the final plat for any conventional subdivision, permanent reference points shall have been placed in accordance with the following requirements:

- A. Subdivision corner tie:** At least one (1) corner of the subdivision shall be accurately tied to and coordinated with a horizontal control monument in accordance with the North Carolina Administrative Code, Standards and Practice for Land Surveying. The subdivision corner tie may also serve as one of the control corners listed below.
- B. Control corners:** At least three (3) control corners shall be established in accordance with G.S. 39-32.1, 39-32.2 and 39-32.3, and clearly identified on the final plat. All monuments shall be constructed of concrete and shall be at least four (4) inches in diameter or square and not less than three (3) feet in length. Each monument shall have imbedded in and flush with its top to serve as the point a metal rod capable of being detected by standard surveying means. Such monuments shall be set at least thirty (30) inches in the ground with six (6) inches exposed above the ground unless this requirement is impractical because of traffic or other factors. The surveyor shall employ additional monuments if and when required.

- C. **Property markers:** A steel or wrought iron pipe or the equivalent not less than one-half (1/2) inch in diameter and at least twenty-four (24) inches in length shall be set at all corners, except those located by monuments. Additional markers shall be placed at other points of importance if and when required.
- D. **Accuracy:** Land surveys within the corporate limits shall meet the standards of Class A surveys, and beyond the corporate limits, Class B surveys, as defined by the North Carolina Administrative Code, Standards and Practice for Land Surveying.

4.7 Street Design & Layout Provisions

New or reconstructed streets within a major subdivision in the City of Salisbury zoning jurisdiction shall be constructed in accordance with the following provisions. Additional detail of each provision follows the matrix.



	OSP	RR	GR MHD	UR HR RMX TND	NMX CMX	DMX TND	HB LI HI HS CI
Curb Type	n/a	Optional	Rolled, Valley, or Vertical	Valley or Vertical	Vertical	Vertical	Vertical
Drainage Type	Swale	Swale or Closed	Closed	Closed	Closed	Closed	Closed
Curb Radius	30'	30' no curb 20' w/curb	20'	20': unmark 40': marked	20': unmark 40': marked	40'	30'
On-Street Parking	n/a	n/a	Unmarked	Unmarked or Marked	Unmarked or Marked	Marked	Unmarked or Marked

CHAPTER 4: SUBDIVISIONS AND INFRASTRUCTURE

Street Trees	n/a	n/a	Planting Strip	Planting Strip or Tree Well	Planting Strip or Tree Well	Tree Well	n/a
Street Lighting	n/a	n/a	Vehicular or Pedestrian Seate*Required	Pedestrian Seate*Requird	Pedestrian Seate*Required	Pedestrian Seate*Requird	Vehicular or Pedestrian Seate*Requird
Block Length	n/a	n/a	1200' max. 800' avg.	800' max. 600' avg.	800' max. 600' avg.	600' max. 400' avg.	1200' max. 800' avg.
Cul-de-sac or Close Length	800' max.	600' max.	600' max.	300' max.	Prohibited	Prohibited	800' max.

(a) Existing streets within a major subdivision may deviate from the standards set forth in this table only if the Technical Review Commission deems the requirement to be incompatible with the area.

A. Streets and Street Layout

1. All streets designed for inclusion in the NCDOT system are subject to approval by the City and by NCDOT.
2. Streets shall interconnect within a development and with adjoining development. Where future development is anticipated, streets shall stub to adjacent property to provide for future connections per Section 4.8, Connectivity & Street Stubs.
3. No more than 30 single-family or duplex dwelling units shall be accessed from a street system having a single access point unless a street stub or future connection is provided.
4. Where property is adjacent to a designated thoroughfare, existing or proposed, building setbacks or build-to lines shall be measured from the future right-of-way as identified in the adopted thoroughfare plan; however, this provision does not require dedication of land needed to meet the future right-of-way width.
5. Street layout shall conform to the arrangement, width and location of public streets and corridors indicated on the regulating Thoroughfare Plan for the area. Streets not indicated on that plan should be designed and located to:
 - a. Relate to the topography;
 - b. Preserve natural features such as streams and tree growth;
 - c. Provide for adequate public safety and convenience.
6. Private or gated streets are prohibited.
7. Street Markers and Traffic Control Signs:
 - a. All standard street markers and traffic control signs on public streets shall be provided and installed by the City. Custom or decorative markers or signposts proposed by the developer are subject to approval by the Administrator prior to installation. The developer is responsible for all costs associated with the use of custom or decorative materials.
 - b. Installation of “No Parking” signs and speed limit signs (other than 35 mph speed limit signs) on streets constructed by private developers shall be the responsibility of the developer. The appropriate locations and materials of such signs shall be subject to the approval of the Administrator.

B. Alleys

1. Alleys shall be within privately owned and maintained easements or common areas. They shall be designated as public access easements and shall be marked as such on all plats.

2. Alleys shall be paved or prepared, depending on use, as defined in Sec. 10.4.C of this Ordinance.
3. Alleys shall be constructed with standard concrete driveway ramps at entrances to streets. Driveway standards shall be as specified in the *Uniform Construction Standards Manual*.

C. Curb and Gutter

1. Curb and gutter shall be constructed in accordance with the City of Salisbury *Uniform Construction Standards Manual*.
2. Where vertical curb and gutter is specified, it shall be a minimum of 1.5 feet wide for residential development and 2.5 feet wide for non-residential or mixed-use development.

D. Street Trees

All street trees shall be installed in accordance with the City of Salisbury *Uniform Construction Standards Manual* and the provisions of Chapter 8, Landscaping.

E. Street Lighting

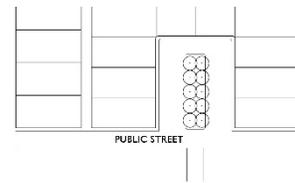
Street lights shall be selected from the adopted Streetlight Inventory List* and shall be installed on both sides of applicable newly-constructed public streets. The developer is responsible for all costs associated with streetlight installation.

F. Block Length

1. On one-way minor streets where on-street parking is allowed, blocks shall be no longer than 300 feet or they shall provide areas of 40 feet in length where no parking is allowed every 200 feet. These areas are to be used for emergency access staging.
2. **Exceptions:** OSP, RR, CI, LI, and HI districts are exempt from the block length provisions of this subsection.

G. Cul-de-Sacs and Closes

1. Any permanent dead-end streets or cul-de-sac shall comply with the length limits shown in the above Section 4.7 table.
2. A close may be used in place of a cul-de-sac.

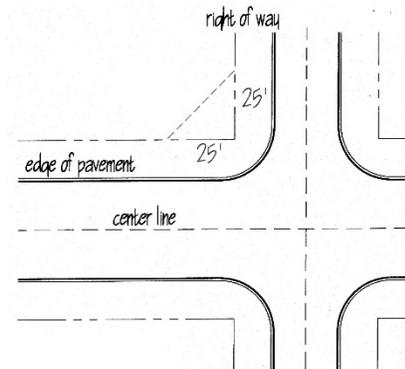


Close – an alternative to cul-de-sacs

H. Intersections

1. All streets shall intersect at right angles as nearly as possible and no street shall intersect at less than 60 degrees.
2. Where practical, intersections should be aligned to create four-way intersections.
3. **Intersection Offsets:** Intersections with major thoroughfares shall have a centerline offset of at least 400 feet. Intersections on other streets shall have centerline offset of at least 150 feet.

4. **Sight Triangles:** On a corner lot in any district, no planting, structure, fence, wall or obstruction to vision more than three (3) feet in height measured from the respective street center lines shall be placed or maintained with the triangular area formed by the intersection of the street lines (right-of-way) and a straight line connecting points on said street lines, each of which is twenty-five (25) feet distant from the point of intersection. NCDOT standards may also apply. In the RMX, NMX, CMX, DMX, and TND districts sight triangles may be relaxed subject to an engineering study of the intersection.



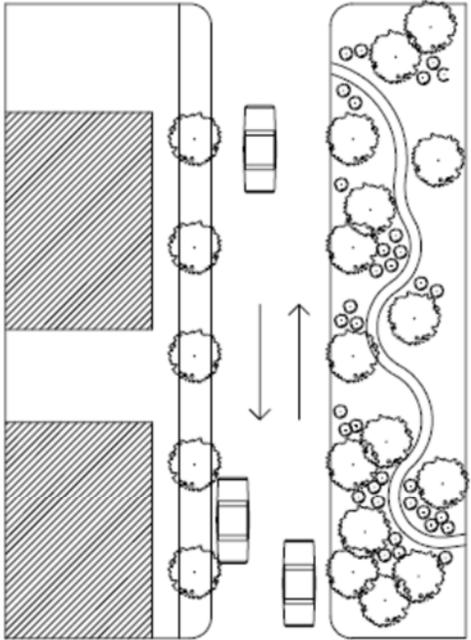
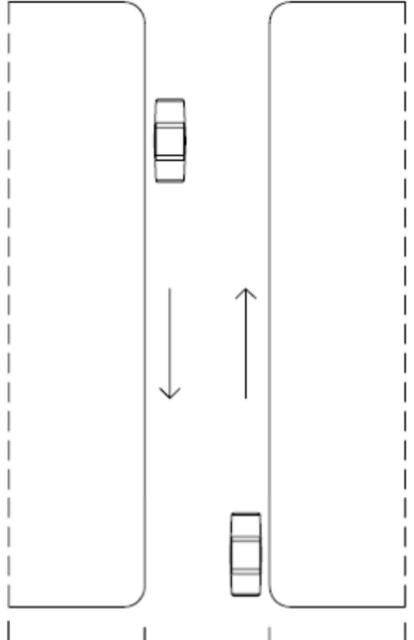
Sight triangles are not required at intersections with all-way stops, except as required under NCDOT jurisdiction.

5. Curb extensions to demarcate parking areas and to narrow the street width at intersections are encouraged.
- 5.6. Curb radius should be determined by street cross section type in Section 4.8.
- 6.7. A median island located in the center of a street shall not be considered an intersection; however, this treatment can be used as a horizontal traffic calming measure.

4.8 Street Sections

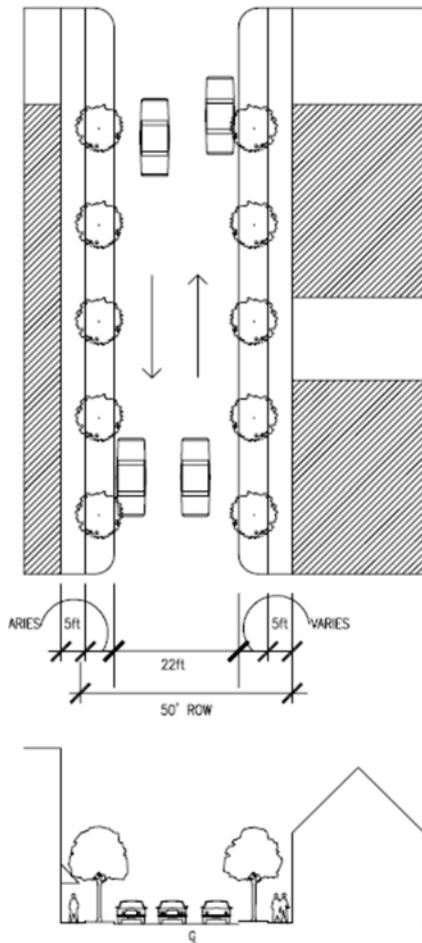
The following street cross sections are permitted in accordance with the street hierarchy detailed as follows. NCDOT approval is required in the ETJ. All street cross sections are based on required minimums. Enlarged dimensions are permitted where desired or necessary.

A. RESIDENTIAL ALLEY 20-ft Easement		B. COMMERCIAL ALLEY 24-ft Easement	
Easement Width	20 ft	Easement Width	24 ft
Travel Width	12 ft	Pavement Width	24 ft
Traffic Movement	2-Way Yield	Traffic Movement	2-Way
Curb Radius	5 ft	Curb Radius	5 ft
Curb Type	None	Curb Type	None
Drainage	Designer discretion	Drainage	Designer discretion
Parking	None	Parking	None
Planter Type	None	Planter Type	None
Street Trees	None	Street Trees	None
Sidewalks	None	Sidewalks	None

C. PARKSIDE DRIVE 44-ft ROW		D. RURAL ROAD 60-ft ROW	
			
			
Total ROW Width	44 ft	Total ROW Width	60 ft
Pavement Width	22 ft	Pavement Width	20 ft
Traffic Movement	2-Way	Traffic Movement	2-Way
Curb Radius	20 ft	Curb Radius	20ft- with curb 30 ft- no Curb
Curb Type	District-dependent	Curb Type	Optional
Drainage	Closed	Drainage	Grassed Swale
Parking	Unmarked	Parking	None
Planter Type	Continuous Strip	Planter Type	Continuous Swale
Street Trees	Non-park side if req'd	Street Trees	Not required
Sidewalks	Non-park side	Sidewalks	Not required; min. 5 ft. multi-use path optional
Parkside Width	18-ft. min.		

E. LOCAL STREET

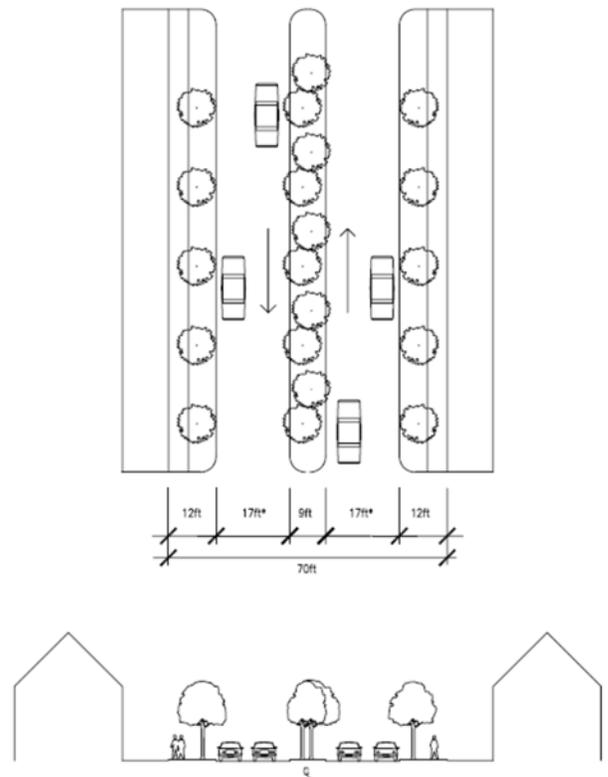
500-ft ROW



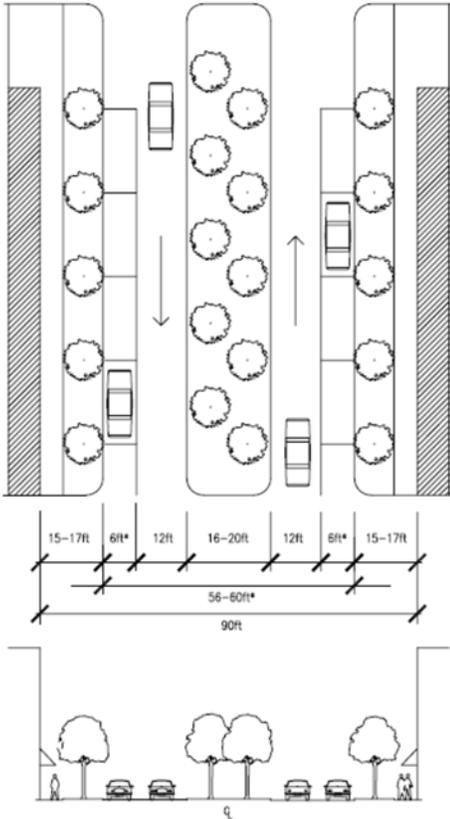
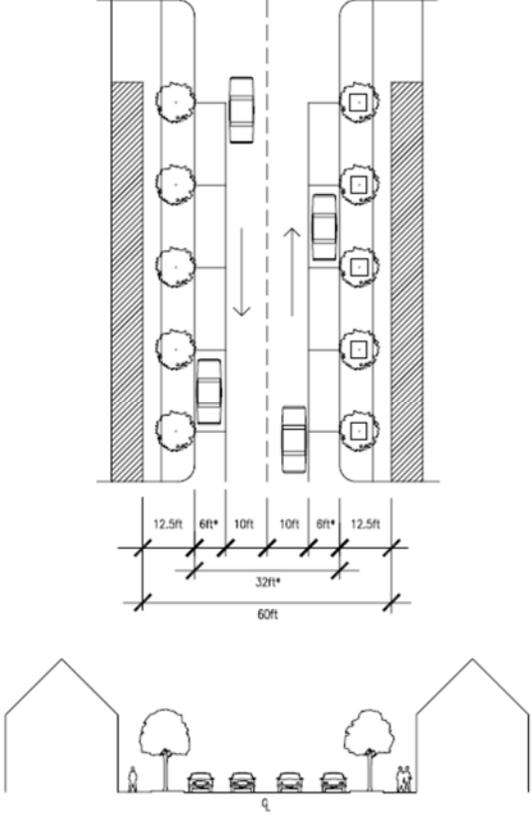
Total ROW Width	500 ft
Pavement Width	22 ft
Traffic Movement	2-Way
Curb Radius	20 ft
Curb Type	District-dependent
Drainage	Closed
Parking	Unmarked
Planter Type	Continuous Strip
Street Trees	Both sides if required
Sidewalks	Both sides

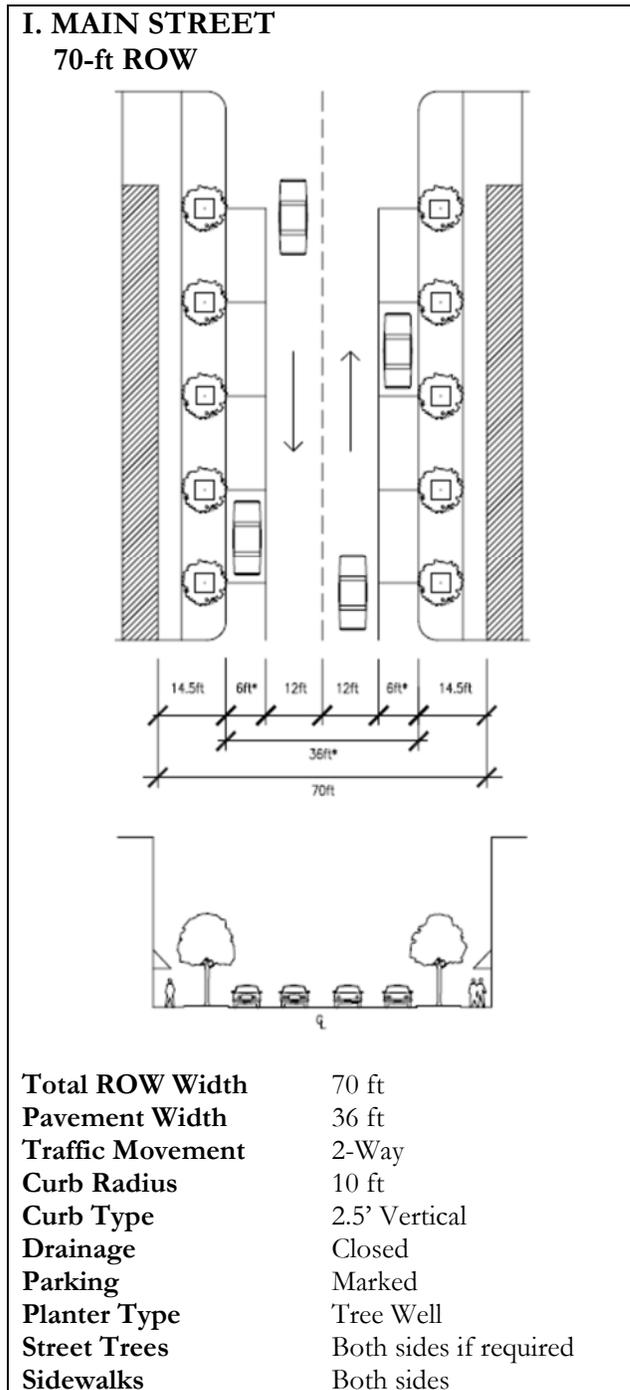
F. NEIGHBORHOOD AVENUE

700-ft ROW



Total ROW Width	700 ft
Pavement Width	17 ft each side of median
Traffic Movement	1-Way each side of median
Curb Radius	20 ft
Curb Type	District-dependent
Drainage	Closed
Parking	Unmarked
Planter Type	Continuous Strip
Street Trees	Only Required in median
Sidewalks	Both sides

G. AVENUE 900-ft ROW	H. RESIDENTIAL MAIN STREET 600-ft ROW																																								
 <p>The diagram for G. Avenue shows a 900-foot wide right-of-way. It features a central median with a width of 56-60 feet. On either side of the median are two travel lanes, each 18 feet wide. The total pavement width is 36 feet. The diagram also shows various planters and trees along the sidewalks, with dimensions for each section: 15-17ft, 6ft*, 12ft, 16-20ft, 12ft, 6ft*, and 15-17ft. A perspective view below shows the street with cars and trees.</p>	 <p>The diagram for H. Residential Main Street shows a 600-foot wide right-of-way. It features two travel lanes, each 16 feet wide, for a total pavement width of 32 feet. The diagram also shows various planters and trees along the sidewalks, with dimensions for each section: 12.5ft, 6ft*, 10ft, 10ft, 6ft*, and 12.5ft. A perspective view below shows the street with cars and trees.</p>																																								
<table border="0"> <tr> <td>Total ROW Width</td> <td>900 ft</td> </tr> <tr> <td>Pavement Width</td> <td>18 ft each side of median</td> </tr> <tr> <td>Traffic Movement</td> <td>1-Way each side of median</td> </tr> <tr> <td>Curb Radius</td> <td>10 ft</td> </tr> <tr> <td>Curb Type</td> <td>2.5' Vertical</td> </tr> <tr> <td>Drainage</td> <td>Closed</td> </tr> <tr> <td>Parking</td> <td>Marked</td> </tr> <tr> <td>Planter Type</td> <td>District-dependent</td> </tr> <tr> <td>Street Trees</td> <td>Both sides if required</td> </tr> <tr> <td>Sidewalks</td> <td>Both sides</td> </tr> </table>	Total ROW Width	900 ft	Pavement Width	18 ft each side of median	Traffic Movement	1-Way each side of median	Curb Radius	10 ft	Curb Type	2.5' Vertical	Drainage	Closed	Parking	Marked	Planter Type	District-dependent	Street Trees	Both sides if required	Sidewalks	Both sides	<table border="0"> <tr> <td>Total ROW Width</td> <td>600 ft</td> </tr> <tr> <td>Pavement Width</td> <td>32 ft</td> </tr> <tr> <td>Traffic Movement</td> <td>2-Way</td> </tr> <tr> <td>Curb Radius</td> <td>10 ft</td> </tr> <tr> <td>Curb Type</td> <td>2.5' Vertical</td> </tr> <tr> <td>Drainage</td> <td>Closed</td> </tr> <tr> <td>Parking</td> <td>Marked</td> </tr> <tr> <td>Planter Type</td> <td>District-dependent</td> </tr> <tr> <td>Street Trees</td> <td>Both sides if required</td> </tr> <tr> <td>Sidewalks</td> <td>Both sides</td> </tr> </table>	Total ROW Width	600 ft	Pavement Width	32 ft	Traffic Movement	2-Way	Curb Radius	10 ft	Curb Type	2.5' Vertical	Drainage	Closed	Parking	Marked	Planter Type	District-dependent	Street Trees	Both sides if required	Sidewalks	Both sides
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Street Trees	Both sides if required																																								
Sidewalks	Both sides																																								



4.9 Sidewalk Program

A. Applicability

1. Existing Streets:

- a. As a part of a proposed subdivision, new development, or redevelopment along an existing publicly-maintained street in the corporate city limits sidewalks shall be constructed along all applicable street frontages per the standards of this chapter.
- b. Where a sidewalk is required but existing sidewalk is already in place, any sub-standard section of existing sidewalk, or sidewalk that is damaged during construction must be replaced as determined by the approving authority.

2. **New Streets:** As part of new street construction, sidewalks shall be constructed along both sides of the new street per the standards of this chapter.

3. **Additions to Existing Development:** See Section 6.4

4. **Exemptions:** The following development types shall be required to replace and upgrade, if necessary, any existing sidewalk damaged or removed during construction, as determined by the approving authority:

- a. Rural Subdivisions.
- b. Exception plats and Minor Subdivisions.
- c. Alleyways.
- d. Single family residential, duplex, triplex, or quadruplex development on an existing lot. (Campus Style Development and Major Subdivisions are not exempt):
 - Where there are no existing sidewalks on the same block face within 300 feet of the outside corners or the subject lots.
 - 1.
 2. For corner lots, where there are no existing sidewalks on opposite corner lots and no sidewalk on the same block face within 300 feet of the outside corners of the subject lots
 - ~~3. When developing where no curb is existing and it is not required to be installed.~~

B. Sidewalk Alternatives for Existing Streets

When the approving authority determines that the construction of a required sidewalk along an existing publicly-maintained street is infeasible due to special circumstances, including but not limited to: an impending road widening; impracticality due to topography, streams, or other environmental limitations, or if constructed it would not provide a future transportation or public safety benefit, the approving authority may approve a payment in lieu of sidewalk construction.

C. Sidewalk Payment In Lieu Program

As authorized under this section, a payment may be made to the City of Salisbury in lieu of sidewalk construction. The value of the payment shall equal the average linear foot sidewalk project cost, as determined by the Engineering & Development Services department of the City of Salisbury and calculated per time and material cost at the time of the request. The applicant is informed of the amount to be paid upon approval of construction drawings/issuance of the zoning permit, or adoption of the ordinance for a Conditional District Overlay development, and payment shall be made prior to issuance of the ~~Certificate of Occupancy~~ Zoning Permit for Site Plans or approval of Final Plat for subdivisions. Payments received in lieu of construction shall be placed in a restricted fund and set aside in a deferred revenue account to be used to install or repair sidewalks within the general area of the corporate city limits.

D. Sidewalk Requirements

1. Mixed use and commercial area sidewalks shall have a minimum width of 8 feet in the DMX and TND districts, unless otherwise specified by a Council-adopted area plan for all other districts. All other sidewalks shall have a minimum width of 5 feet.
2. All sidewalks shall be paved with broom-finished concrete, paving brick or concrete pavers. Similar materials may be considered on a case-by-case basis.
- ~~2.3.~~ All sidewalks shall extend around the bulb of cul-de-sacs.

Chapter 4. SUBDIVISIONS AND INFRASTRUCTURE

4.1 Purpose and Intent

The purpose of this chapter is to establish procedures and standards for the proper subdivision of land within the jurisdiction of the City of Salisbury in order to provide for orderly growth and development; for the coordination of streets and highways within proposed subdivisions with existing or planned streets and highways and with other public facilities; to provide for the dedication of rights-of-way or easements for street and utility purposes; and to provide for the distribution of traffic in a manner that will avoid congestion and will create conditions essential to the public health, safety, and general welfare.

4.1 Purpose and Intent
4.2 General Subdivision Platting Provisions
4.3 Specific Subdivision Types by District
4.4 Required Improvements
4.5 Installation of Infrastructure Improvements (Subdv & Site)
4.6 Permanent Reference Points
4.7 Street Design & Layout Provisions
4.8 Street Sections
4.9 Sidewalk Program
4.10 Connectivity & Street Stubs
4.11 Traffic Calming
4.12 Bicycle Accommodations
4.13 Access Management
4.14 Transportation Impact Analysis

4.2 General Subdivision Platting Provisions

These provisions shall apply to the subdivision of property by means of an Exception Plat, Minor Subdivision, or Major Subdivision.

- A. All Lots to Front on Street or Public Space:** All lots shall front upon a public street, or with the provision of alley access, lots may front upon recreational open space as defined by this Ordinance.
- B. Side Lot Lines:** Side lot lines shall be substantially at right angles or radial to street lines.
- C. Flag Lots:** Flag (or “pipestem”) lots are prohibited in all zoning districts except the OSP and the RR districts, where they shall be allowed if the width of the stem is at least sixty (60) feet.
- D. Double Frontage Lots:** Double frontage lots should be avoided. However, on lots having frontage on two streets and not located on a corner, the minimum front yard shall be provided on each street in accordance with the provisions of this Ordinance. On lots having frontage on more than two streets, the minimum front yard shall be provided in accordance with the regulations set forth in this Ordinance on at least two of the street frontages. The minimum front yard on the remaining frontage may be reduced in accordance with the street side yard requirements of the district. When a double frontage lot has frontage along a Thoroughfare, access to the lot shall be via the non-thoroughfare frontage.

- E. Residential Buffer Strips:** In residential developments in residential districts (RR, GR, UR, HR) a buffer strip of at least fifty (50) feet in depth in addition to the normal lot depth shall be provided adjacent to all railroads and limited access highways. This strip shall be a part of the platted lots, but shall have the following restriction lettered on the face of the plat: "This strip reserved for the planting of trees or shrubs by the owners; the building of structures hereon is prohibited."
- F. Easements:** Utility and other easements shall be provided as follows:
- 1. Utility Easements:** Utility easements centered on rear or side lot lines shall be provided where necessary and shall be at least (10) feet in width.
 - 2. Watercourses:** Where a subdivision is traversed by a watercourse, drainageway, channel, or stream, there shall be provided a storm water easement conforming substantially to the lines of such watercourse, and such further width of construction, or both, shall be in accordance with the adopted *Uniform Construction Standards* of the City of Salisbury.
- G. Street Names:** Proposed streets names are subject to the approval of Rowan County. Proposed streets which are clearly in alignment with other existing streets shall bear the assigned name of the existing street.

4.3 Specific Subdivision Types by District

- A. Conservation Neighborhood:** Except for the individual building constructed on the minimum lot size required, the Conservation Neighborhood is the only common plan of residential development permitted in the OSP district.

The Conservation Neighborhood offers property owners a way to maintain land in the OSP district as largely undeveloped. Conservation Neighborhoods may be approved by the Administrator upon a finding that all requirements of this section have been met.

	Minimum Subdivision Acreage	Maximum Density	Maximum Dwelling Units
Conservation Neighborhood	40 acres	20 acres per dwelling unit	6

1. Owners shall establish an irrevocable conservation easement held by a conservation organization (as authorized by US 150(h); 20559(a) and NCGS 124-34 et seq.) and shall provide the City with a boundary description of the area under the conservation easement.
2. In a Conservation Neighborhood, land set aside for detached houses shall be specified in the easement and shall be the minimum size necessary to allow construction of the house.
3. **Access and Right-of-Ways:** No new public streets may be created. All buildings within the Conservation Neighborhood shall have permanent access by way of a public road frontage or a 20-ft wide access easement connecting to a public right-of-way. Where the tract abuts or includes a segment of a public street, thoroughfare, or greenway as shown on an adopted plan, the developer shall provide for these improvements either by deed or plat map. However, the developer shall not be required to construct any of these improvements.
4. The tract shall preserve the rural appearance of the land from the view of public roads and abutting properties.
5. Only structures and uses identified as acceptable by the conservation organization will be allowed on the property.
6. **Required Improvements:** The Conservation Neighborhood shall be exempt from the requirements of Chapter 7: Recreational Open Space, Chapter 8: Landscaping and Section 4.4: Required Infrastructure Improvements.
7. In a Conservation Neighborhood, there shall be no further subdivision of lots without the consent of all landowners and easement holders and approval of the Administrator.

- B. Rural Subdivision:** Except for the individual building constructed on the minimum lot size required, the Rural Subdivision is the only common plan of residential development permitted in the RR district.

The Rural Subdivision offers property owners a way to maintain land in the RR district as largely undeveloped and rural or agricultural in character. Rural Subdivisions may be approved by the Administrator upon a finding that all requirements of this section have been met.

	Minimum Subdivision Acreage	Maximum Density	Minimum Undeveloped Land
Rural Subdivision	40 acres	1 unit per 2 gross acres	50%

1. There shall be no maximum or minimum lot size.
2. A minimum of 50% of the area of the subdivision shall remain undeveloped and/or used for agricultural uses. Undeveloped areas shall connect to undeveloped land or recreational open space on adjacent parcels. If the development includes a homeowners association, the association may own the development's undeveloped land. Otherwise, the undeveloped land may be privately held, as long as a permanent conservation easement is placed on the land. Alternatively, it may be owned by a land conservancy, or other entities proposed by the City.
3. Streets within a rural subdivision shall use the rural road cross-section, per Section 4.8 of this Ordinance.
4. A notice shall be placed on the subdivision plat stating that further subdivision is not allowed. The developer waives the right to further statutory subdivision.

4.4 Required Infrastructure Improvements (Subdivisions & Site Development)

- A. In addition to the standards found elsewhere in this Ordinance, all development shall install or provide the following improvements, as applicable. All infrastructure shall be designed and constructed in accordance with the City of Salisbury *Uniform Construction Standards Manual*.
- Water supply distribution and fire hydrants
 - Sanitary sewer
 - Streets (paved) and other public rights-of-ways (e.g., greenway paths)
 - Easements
 - Sidewalks (Unless exempted by Section 4.9)
 - Curb and gutter
 - Street lighting (upgraded or decorative)
 - Wiring (All utilities serving new development shall be underground.)
 - Dedicated recreational open space (in residential districts)
 - Landscaping (Including Supplemental Tree Plantings, such as Street Trees)
 - Storm drainage infrastructure
 - Special street signs and other traffic control devices in accordance with the Manual of Uniform Traffic Control Devices, latest edition
 - Right-of-way reservation shall be granted along the applicable parcel(s) street frontage pursuant to the adopted MPO Comprehensive Transportation (CTP) and applicable NC-DOT standards
- B. Proposed major subdivisions with frontage on existing publicly maintained streets shall upgrade those streets with the applicable improvements required by Section 4.4.A. Should the existing right-of-way be found inadequate to accommodate all required improvements, the City Engineer may require additional right-of-way or easements be dedicated.
- C. If required subdivision improvements and access cannot be accommodated within the right-of-way and any utility or access easements due to design or small lot widths, then the lot widths shall be increased until all improvements can be accommodated. (Regardless of minimum lot width permitted by zoning district.)

4.5 Installation of Improvements

- A. **Performance Guarantees:** Approval of the final plat shall be subject to the developer having installed the improvements designated on the approved engineering drawings or having guaranteed, to the satisfaction of the city, the installation of said improvements. Upon completion of construction, the streets and public utilities will be accepted into the City system at which time the guarantee of construction will be released.

- B. Type of Performance Guarantee:** Where the required improvements have not been completed prior to the submission of the plat for final approval, the approval of said plat shall be subject to the developer guaranteeing the installation of the improvements by providing to the City one of the following, in the amount indicated in this section:
1. Filing a performance or surety bond issued by a company authorized to do business in North Carolina;
 2. Filing a letter of credit issued by a financial institution licensed to do business in North Carolina;
 3. Depositing or placing in escrow a certified check; or
 4. Any other form of guarantee that provides security equivalent to a surety bond, letter of credit, or escrowed funds.
- C. Duration:** Performance guarantees shall be valid for an initial period of one (1) year, unless the developer determines that the scope of the work for the required improvement necessitates a longer duration. Upon acceptance of the street(s) and all public utilities, sidewalks may be guaranteed for an additional period not to exceed two (2) years.
- D. Extension:** A developer shall demonstrate reasonable, good-faith progress toward completion of the required improvements that are the subject of the performance guarantee or any extension. If the improvements are not completed to the specifications of the City, and the current performance guarantee is likely to expire prior to completion of the required improvements, the performance guarantee shall be extended, or a new performance guarantee issued, for an additional period. An extension under this section shall only be for a duration necessary to complete the required improvements. If a new performance guarantee is issued, the amount shall be determined by the procedure provided in subdivision (3) of this subsection and shall include the total cost of all incomplete improvements.
- E. Release:** The performance guarantee shall be returned or released, as appropriate, in a timely manner upon the acknowledgement by the City of Salisbury that the improvements for which the performance guarantee is being required are complete. The local government shall return letters of credit or escrowed funds upon completion of the required improvements to its specifications or upon acceptance of the required improvements, if the required improvements are subject to local government acceptance. When required improvements that are secured by a bond are completed to the specifications of the local government, or are accepted by the local government, if subject to its acceptance, upon request by the developer, the local government shall timely provide written acknowledgement that the required improvements have been completed.
- F. Amount:** The amount of the performance guarantee shall not exceed one hundred twenty-five percent (125%) of the reasonably estimated cost of completion at the time the performance guarantee is issued. The City may determine the amount of the performance guarantee or use a cost estimate determined by the developer. The reasonably estimated cost of completion shall include one hundred percent (100%) of

the costs for labor and materials necessary for completion of the required improvements. Where applicable, the costs shall be based on unit pricing. The additional twenty-five percent (25%) allowed under this subdivision includes inflation and all costs of administration regardless of how such fees or charges are denominated. The amount of any extension of any performance guarantee shall be determined according to the procedures for determining the initial guarantee and shall not exceed one hundred twenty-five percent (125%) of the reasonably estimated cost of completion of the remaining incomplete improvements still outstanding at the time the extension is obtained.

- G. Multiple guarantees:** The developer shall have the option to post one type of a performance guarantee as provided for in this section, in lieu of multiple bonds, letters of credit, escrowed funds, or other equivalent security, for all development matters related to the same project requiring performance guarantees.
- H. Exclusion:** Performance guarantees associated with erosion control and stormwater control measures are not subject to the provisions of this section.
- I. Improvements within the City Limits:**

 - 1. Street and sidewalk improvements and storm drainage:** Streets and sidewalks shall be constructed within all proposed street rights-of-way. All streets, sidewalks, and storm drainage shall be installed in accordance with approved engineering drawings and the adopted [*Uniform Construction Standards*](#) of the City of Salisbury. Streets and sidewalks shall be extended within existing rights-of-way as needed to provide publicly maintained street frontage to all newly created lots; however, construction standards may be modified to coincide with an existing publicly maintained street stub, if applicable.
 - 2. Utilities:** If any portion of the original property is located within two hundred (200) feet of a public sanitary sewer main, or within three hundred (300) feet of a public water main, the subdivider shall provide for public service to all newly created lots to the furthest extent of the property boundary. Sanitary sewers and water mains shall be installed in accordance with approved engineering drawings and the adopted [*Uniform Construction Standards*](#) of the City of Salisbury. Should private water and sewerage systems be allowed, such shall meet the requirements of the North Carolina State Department of Environment and Natural Resources (DENR) and the North Carolina Utilities Commission, as applicable.
- J. Improvements beyond the City Limit:**

 - 1. General provision:** The approval of a plat shall not be deemed to constitute or affect the acceptance by the City (or public) the dedication of any street or other ground, public utility line or other public facility shown on the plat. The city council may by resolution accept any dedication made to the public of lands or facilities for streets, parks, public utility lines, or other public purposes when the lands or facilities are located within its subdivision regulations jurisdiction. Acceptance of dedication of lands or facilities located within the subdivision regulation jurisdiction but outside the corporate limits of the city shall not place on the city any duty to open, operate, repair, or maintain any street, utility line, or other land or facility, and the city shall in no event be held to answer in any civil

action or proceeding for failure to open, repair, or maintain any street located outside its corporate limits. Sidewalk maintenance and repair shall be the responsibility of the homeowners association or adjacent property owners.

2. **Improvements required:** All street improvements and such applicable improvements as sidewalks, storm sewers, sanitary sewers, and water mains shall be installed in accordance with the requirements of the City of Salisbury. The right-of-way, design and construction of streets and street drainage shall also be reviewed and approved by the district engineer of the division of highways. If utilities are to be extended, the developer shall provide for public service to all newly created lots to the furthest extent of the property boundary.

- K. **Major Improvements:** Where official plans of the City of Salisbury call for major thoroughfares, interceptor sewer lines or water mains, such improvements shall be made by the developer in accordance with the stated Ordinances and policies of the City of Salisbury.

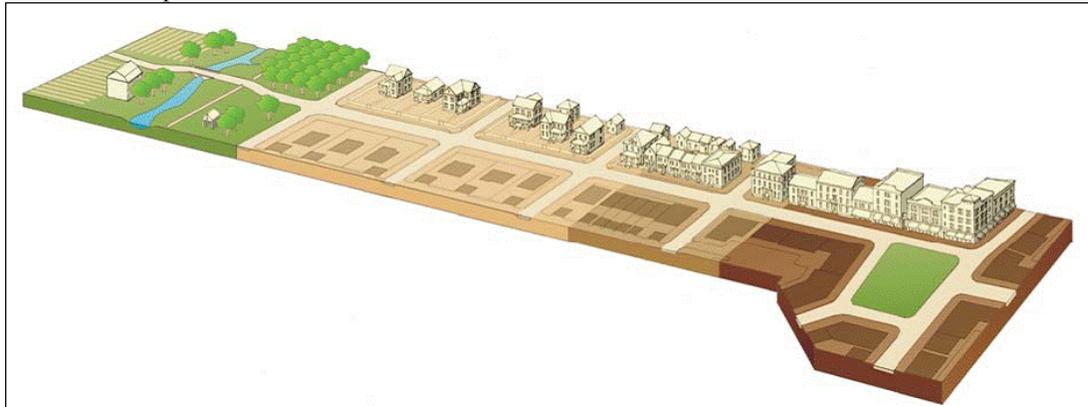
4.6 Permanent Reference Points

Prior to the approval of the final plat for any conventional subdivision, permanent reference points shall have been placed in accordance with the following requirements:

- A. **Subdivision corner tie:** At least one (1) corner of the subdivision shall be accurately tied to and coordinated with a horizontal control monument in accordance with the North Carolina Administrative Code, Standards and Practice for Land Surveying. The subdivision corner tie may also serve as one of the control corners listed below.
- B. **Control corners:** At least three (3) control corners shall be established in accordance with G.S. 39-32.1, 39-32.2 and 39-32.3, and clearly identified on the final plat. All monuments shall be constructed of concrete and shall be at least four (4) inches in diameter or square and not less than three (3) feet in length. Each monument shall have imbedded in and flush with its top to serve as the point a metal rod capable of being detected by standard surveying means. Such monuments shall be set at least thirty (30) inches in the ground with six (6) inches exposed above the ground unless this requirement is impractical because of traffic or other factors. The surveyor shall employ additional monuments if and when required.
- C. **Property markers:** A steel or wrought iron pipe or the equivalent not less than one-half (1/2) inch in diameter and at least twenty-four (24) inches in length shall be set at all corners, except those located by monuments. Additional markers shall be placed at other points of importance if and when required.
- D. **Accuracy:** Land surveys within the corporate limits shall meet the standards of Class A surveys, and beyond the corporate limits, Class B surveys, as defined by the North Carolina Administrative Code, Standards and Practice for Land Surveying.

4.7 Street Design & Layout Provisions

New or reconstructed streets within a major subdivision in the City of Salisbury zoning jurisdiction shall be constructed in accordance with the following provisions. Additional detail of each provision follows the matrix.



	OSP	RR	GR MHD	UR HR RMX TND	NMX CMX	DMX TND	HB LI HI HS CI
Curb Type	n/a	Optional	Rolled, Valley, or Vertical	Valley or Vertical	Vertical	Vertical	Vertical
Drainage Type	Swale	Swale or Closed	Closed	Closed	Closed	Closed	Closed
On-Street Parking	n/a	n/a	Unmarked	Unmarked or Marked	Unmarked or Marked	Marked	Unmarked or Marked
Street Lighting	n/a	n/a	Required	Required	Required	Required	Required
Block Length	n/a	n/a	1200' max. 800' avg.	800' max. 600' avg.	800' max. 600' avg.	600' max. 400' avg.	1200' max. 800' avg.
Cul-de-sac or Close Length	800' max.	600' max.	600' max.	300' max.	Prohibited	Prohibited	800' max.

(a) Existing streets within a major subdivision may deviate from the standards set forth in this table only if the Technical Review Commission deems the requirement to be incompatible with the area.

A. Streets and Street Layout

1. All streets designed for inclusion in the NCDOT system are subject to approval by the City and by NCDOT.
2. Streets shall interconnect within a development and with adjoining development. Where future development is anticipated, streets shall stub to adjacent property to provide for future connections per Section 4.8, Connectivity & Street Stubs.
3. No more than 30 single-family or duplex dwelling units shall be accessed from a street system having a single access point unless a street stub or future connection is provided.
4. Where property is adjacent to a designated thoroughfare, existing or proposed, building setbacks or build-to lines shall be measured from the future right-of-way as identified in the adopted thoroughfare plan; however, this provision does not require dedication of land needed to meet the future right-of-way width.
5. Street layout shall conform to the arrangement, width and location of public streets and corridors indicated on the regulating Thoroughfare Plan for the area. Streets not indicated on that plan should be designed and located to:
 - a. Relate to the topography;
 - b. Preserve natural features such as streams and tree growth;
 - c. Provide for adequate public safety and convenience.
6. Private or gated streets are prohibited.
7. Street Markers and Traffic Control Signs:
 - a. All standard street markers and traffic control signs on public streets shall be provided and installed by the City. Custom or decorative markers or signposts proposed by the developer are subject to approval by the Administrator prior to installation. The developer is responsible for all costs associated with the use of custom or decorative materials.
 - b. Installation of “No Parking” signs and speed limit signs (other than 35 mph speed limit signs) on streets constructed by private developers shall be the responsibility of the developer. The appropriate locations and materials of such signs shall be subject to the approval of the Administrator.

B. Alleys

1. Alleys shall be within privately owned and maintained easements or common areas. They shall be designated as public access easements and shall be marked as such on all plats.

2. Alleys shall be paved or prepared, depending on use, as defined in Sec. 10.4.C of this Ordinance.
3. Alleys shall be constructed with standard concrete driveway ramps at entrances to streets. Driveway standards shall be as specified in the *Uniform Construction Standards Manual*.

C. Curb and Gutter

1. Curb and gutter shall be constructed in accordance with the City of Salisbury *Uniform Construction Standards Manual*.
2. Where vertical curb and gutter is specified, it shall be a minimum of 1.5 feet wide for residential development and 2.5 feet wide for non-residential or mixed-use development.

D. Street Trees

All street trees shall be installed in accordance with the City of Salisbury *Uniform Construction Standards Manual* and the provisions of Chapter 8, Landscaping.

E. Street Lighting

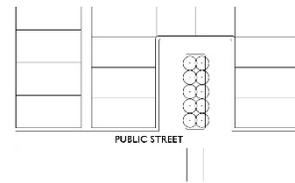
Street lights shall be selected from the adopted Streetlight Inventory List* and shall be installed on both sides of applicable newly-constructed public streets. The developer is responsible for all costs associated with streetlight installation.

F. Block Length

1. On one-way minor streets where on-street parking is allowed, blocks shall be no longer than 300 feet or they shall provide areas of 40 feet in length where no parking is allowed every 200 feet. These areas are to be used for emergency access staging.
2. **Exceptions:** OSP, RR, CI, LI, and HI districts are exempt from the block length provisions of this subsection.

G. Cul-de-Sacs and Closes

1. Any permanent dead-end streets or cul-de-sac shall comply with the length limits shown in the above Section 4.7 table.
2. A close may be used in place of a cul-de-sac.

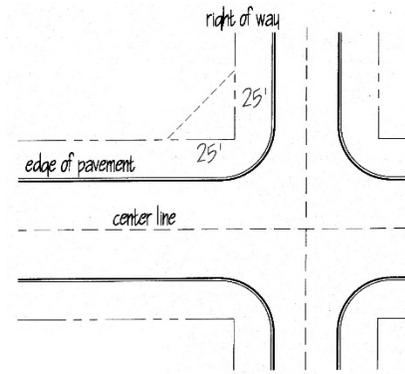


Close – an alternative to cul-de-sacs

H. Intersections

1. All streets shall intersect at right angles as nearly as possible and no street shall intersect at less than 60 degrees.
2. Where practical, intersections should be aligned to create four-way intersections.
3. **Intersection Offsets:** Intersections with major thoroughfares shall have a centerline offset of at least 400 feet. Intersections on other streets shall have centerline offset of at least 150 feet.

4. **Sight Triangles:** On a corner lot in any district, no planting, structure, fence, wall or obstruction to vision more than three (3) feet in height measured from the respective street center lines shall be placed or maintained with the triangular area formed by the intersection of the street lines (right-of-way) and a straight line connecting points on said street lines, each of which is twenty-five (25) feet distant from the point of intersection. NCDOT standards may also apply. In the RMX, NMX, CMX, DMX, and TND districts sight triangles may be relaxed subject to an engineering study of the intersection.



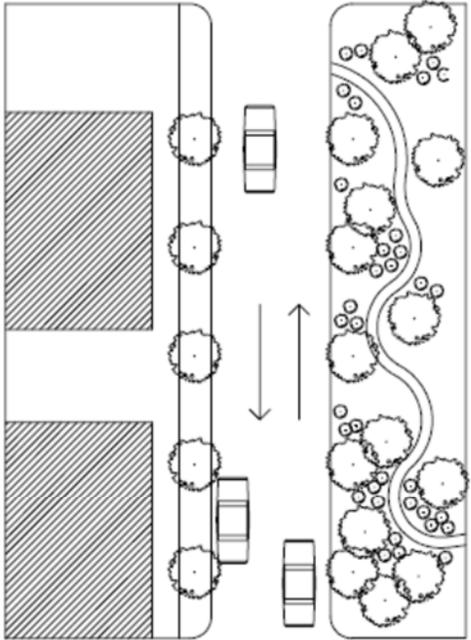
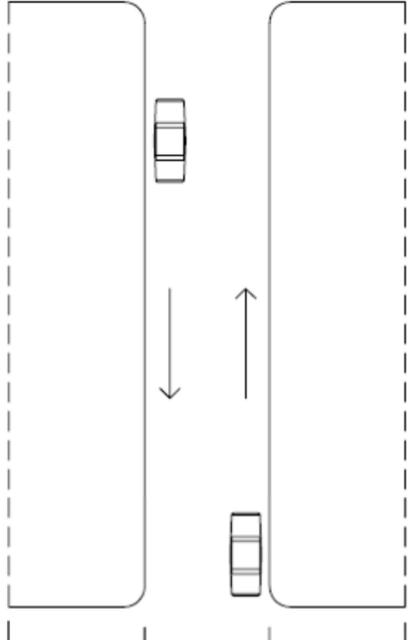
Sight triangles are not required at intersections with all-way stops, except as required under NCDOT jurisdiction.

5. Curb extensions to demarcate parking areas and to narrow the street width at intersections are encouraged.
6. Curb radius should be determined by street cross section type in Section 4.8.
7. A median island located in the center of a street shall not be considered an intersection; however, this treatment can be used as a horizontal traffic calming measure.

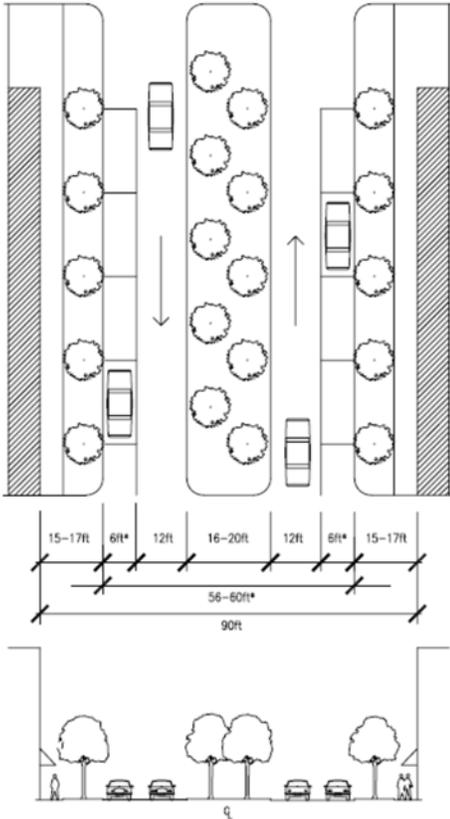
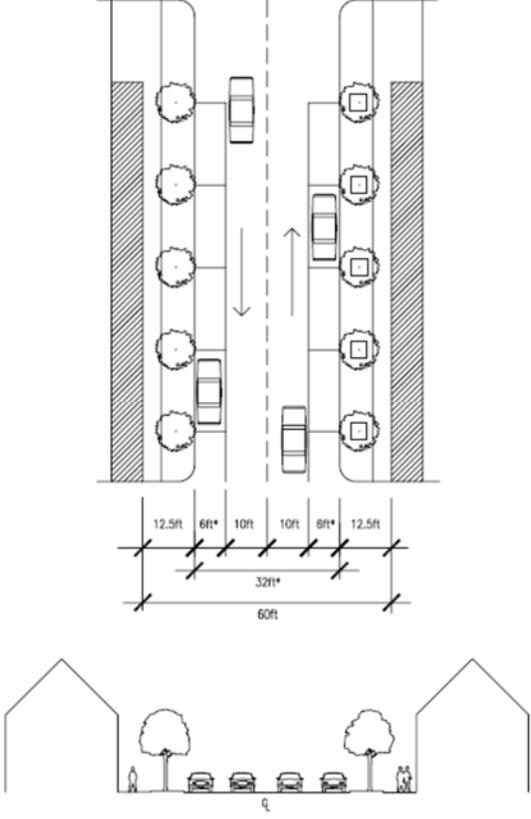
4.8 Street Sections

The following street cross sections are permitted in accordance with the street hierarchy detailed as follows. NCDOT approval is required in the ETJ. All street cross sections are based on required minimums. Enlarged dimensions are permitted where desired or necessary.

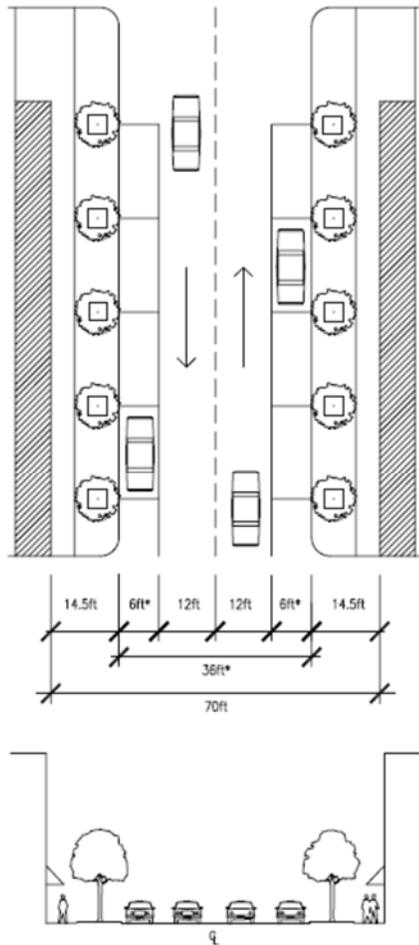
A. RESIDENTIAL ALLEY 20-ft Easement		B. COMMERCIAL ALLEY 24-ft Easement	
Easement Width	20 ft	Easement Width	24 ft
Travel Width	12 ft	Pavement Width	24 ft
Traffic Movement	2-Way Yield	Traffic Movement	2-Way
Curb Radius	5 ft	Curb Radius	5 ft
Curb Type	None	Curb Type	None
Drainage	Designer discretion	Drainage	Designer discretion
Parking	None	Parking	None
Planter Type	None	Planter Type	None
Street Trees	None	Street Trees	None
Sidewalks	None	Sidewalks	None

C. PARKSIDE DRIVE 44-ft ROW		D. RURAL ROAD 60-ft ROW	
			
			
Total ROW Width	44 ft	Total ROW Width	60 ft
Pavement Width	22 ft	Pavement Width	20 ft
Traffic Movement	2-Way	Traffic Movement	2-Way
Curb Radius	20 ft	Curb Radius	20ft- with curb 30 ft- no Curb
Curb Type	District-dependent	Curb Type	Optional
Drainage	Closed	Drainage	Grassed Swale
Parking	Unmarked	Parking	None
Planter Type	Continuous Strip	Planter Type	Continuous Swale
Street Trees	Non-park side if req'd	Street Trees	Not required
Sidewalks	Non-park side	Sidewalks	Not required; min. 5 ft. multi-use path optional
Parkside Width	18-ft. min.		

E. LOCAL STREET 50-ft ROW	F. NEIGHBORHOOD AVENUE 70-ft ROW																																								
<table border="0"> <tr> <td>Total ROW Width</td> <td>50 ft</td> </tr> <tr> <td>Pavement Width</td> <td>22 ft</td> </tr> <tr> <td>Traffic Movement</td> <td>2-Way</td> </tr> <tr> <td>Curb Radius</td> <td>20 ft</td> </tr> <tr> <td>Curb Type</td> <td>District-dependent</td> </tr> <tr> <td>Drainage</td> <td>Closed</td> </tr> <tr> <td>Parking</td> <td>Unmarked</td> </tr> <tr> <td>Planter Type</td> <td>Continuous Strip</td> </tr> <tr> <td>Street Trees</td> <td>Both sides if required</td> </tr> <tr> <td>Sidewalks</td> <td>Both sides</td> </tr> </table>	Total ROW Width	50 ft	Pavement Width	22 ft	Traffic Movement	2-Way	Curb Radius	20 ft	Curb Type	District-dependent	Drainage	Closed	Parking	Unmarked	Planter Type	Continuous Strip	Street Trees	Both sides if required	Sidewalks	Both sides	<table border="0"> <tr> <td>Total ROW Width</td> <td>70 ft</td> </tr> <tr> <td>Pavement Width</td> <td>17 ft each side of median</td> </tr> <tr> <td>Traffic Movement</td> <td>1-Way each side of median</td> </tr> <tr> <td>Curb Radius</td> <td>20 ft</td> </tr> <tr> <td>Curb Type</td> <td>District-dependent</td> </tr> <tr> <td>Drainage</td> <td>Closed</td> </tr> <tr> <td>Parking</td> <td>Unmarked</td> </tr> <tr> <td>Planter Type</td> <td>Continuous Strip</td> </tr> <tr> <td>Street Trees</td> <td>Only Required in median</td> </tr> <tr> <td>Sidewalks</td> <td>Both sides</td> </tr> </table>	Total ROW Width	70 ft	Pavement Width	17 ft each side of median	Traffic Movement	1-Way each side of median	Curb Radius	20 ft	Curb Type	District-dependent	Drainage	Closed	Parking	Unmarked	Planter Type	Continuous Strip	Street Trees	Only Required in median	Sidewalks	Both sides
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G. AVENUE 90-ft ROW	H. RESIDENTIAL MAIN STREET 60-ft ROW																																								
																																									
<table border="0"> <tr> <td>Total ROW Width</td> <td>90 ft</td> </tr> <tr> <td>Pavement Width</td> <td>18 ft each side of median</td> </tr> <tr> <td>Traffic Movement</td> <td>1-Way each side of median</td> </tr> <tr> <td>Curb Radius</td> <td>10 ft</td> </tr> <tr> <td>Curb Type</td> <td>2.5' Vertical</td> </tr> <tr> <td>Drainage</td> <td>Closed</td> </tr> <tr> <td>Parking</td> <td>Marked</td> </tr> <tr> <td>Planter Type</td> <td>District-dependent</td> </tr> <tr> <td>Street Trees</td> <td>Both sides if required</td> </tr> <tr> <td>Sidewalks</td> <td>Both sides</td> </tr> </table>	Total ROW Width	90 ft	Pavement Width	18 ft each side of median	Traffic Movement	1-Way each side of median	Curb Radius	10 ft	Curb Type	2.5' Vertical	Drainage	Closed	Parking	Marked	Planter Type	District-dependent	Street Trees	Both sides if required	Sidewalks	Both sides	<table border="0"> <tr> <td>Total ROW Width</td> <td>60 ft</td> </tr> <tr> <td>Pavement Width</td> <td>32 ft</td> </tr> <tr> <td>Traffic Movement</td> <td>2-Way</td> </tr> <tr> <td>Curb Radius</td> <td>10 ft</td> </tr> <tr> <td>Curb Type</td> <td>2.5' Vertical</td> </tr> <tr> <td>Drainage</td> <td>Closed</td> </tr> <tr> <td>Parking</td> <td>Marked</td> </tr> <tr> <td>Planter Type</td> <td>District-dependent</td> </tr> <tr> <td>Street Trees</td> <td>Both sides if required</td> </tr> <tr> <td>Sidewalks</td> <td>Both sides</td> </tr> </table>	Total ROW Width	60 ft	Pavement Width	32 ft	Traffic Movement	2-Way	Curb Radius	10 ft	Curb Type	2.5' Vertical	Drainage	Closed	Parking	Marked	Planter Type	District-dependent	Street Trees	Both sides if required	Sidewalks	Both sides
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Street Trees	Both sides if required																																								
Sidewalks	Both sides																																								

**I. MAIN STREET
70-ft ROW**



Total ROW Width	70 ft
Pavement Width	36 ft
Traffic Movement	2-Way
Curb Radius	10 ft
Curb Type	2.5' Vertical
Drainage	Closed
Parking	Marked
Planter Type	Tree Well
Street Trees	Both sides if required
Sidewalks	Both sides

4.9 Sidewalk Program

A. Applicability

1. Existing Streets:

- a. As a part of a proposed subdivision, new development, or redevelopment along an existing publicly-maintained street in the corporate city limits sidewalks shall be constructed along all applicable street frontages per the standards of this chapter.
- b. Where a sidewalk is required but existing sidewalk is already in place, any sub-standard section of existing sidewalk, or sidewalk that is damaged during construction must be replaced as determined by the approving authority.

2. New Streets: As part of new street construction, sidewalks shall be constructed along both sides of the new street per the standards of this chapter.

3. Additions to Existing Development: See Section 6.4

4. Exemptions: The following development types shall be required to replace and upgrade, if necessary, any existing sidewalk damaged or removed during construction, as determined by the approving authority

- a. Rural Subdivisions.
- b. Exception plats and Minor Subdivisions.
- c. Alleyways.
- d. Single family residential, duplex, triplex, or quadruplex development on an existing lot. (Campus Style Development and Major Subdivisions are not exempt)
 1. Where there are no existing sidewalks on the same block face within 300 feet of the outside corners or the subject lots.
 2. For corner lots, where there are no existing sidewalks on opposite corner lots and no sidewalk on the same block face within 300 feet of the outside corners of the subject lots

B. Sidewalk Alternatives for Existing Streets

When the approving authority determines that the construction of a required sidewalk along an existing publicly-maintained street is infeasible due to special circumstances, including but not limited to: an impending road widening; impracticality due to topography, streams, or other environmental limitations, or if constructed it would not provide a future transportation or public safety benefit, the approving authority may approve a payment in lieu of sidewalk construction.

C. Sidewalk Payment In Lieu Program

As authorized under this section, a payment may be made to the City of Salisbury in lieu of sidewalk construction. The value of the payment shall equal the average linear foot sidewalk project cost, as determined by the Engineering & Development Services department of the City of Salisbury and calculated per time and material cost at the time of the request. The

applicant is informed of the amount to be paid upon approval of construction drawings, or adoption of the ordinance for a Conditional District Overlay development, and payment shall be made prior to issuance of the Zoning Permit for Site Plans or approval of Final Plat for subdivisions.

Payments received in lieu of construction shall be placed in a restricted fund and set aside in a deferred revenue account to be used to install or repair sidewalks within the general area of the corporate city limits.

D. Sidewalk Requirements

1. Mixed use and commercial area sidewalks shall have a minimum width of 8 feet in the DMX and TND districts, unless otherwise specified by a Council-adopted area plan for all other districts. All other sidewalks shall have a minimum width of 5 feet.
2. All sidewalks shall be paved with broom-finished concrete, paving brick or concrete pavers. Similar materials may be considered on a case-by-case basis.
3. All sidewalks shall extend around the bulb of cul-de-sacs.

Chapter 5. BUILDING TYPES AND STANDARDS

5.1 Purpose and Intent

The standards in this Chapter are intended to attach the same or greater level of importance to building design as is placed on the use contained within. The established architectural vernacular of the City of Salisbury exhibits a wide-variety of common building types and this Ordinance has established regulations specific to these typologies. The rich architectural history and vocabulary of the City presents a wide variety of development options for using traditional forms while avoiding any perception of monotony. Buildings are expected to be added to the City of Salisbury as long-term additions to the architectural vibrancy of the community.

5.1 Purpose and Intent
5.2 Applicability
5.3 Exceptions
5.4 Introduction to Building Types
5.5 Permitted Building Types by District
5.6 General Provisions for All Building Types
5.7 Specific Provisions for Manufactured Housing
5.8 Specific HOUSE Provisions
5.9 Specific TOWNHOUSE Provisions
5.10 Specific APARTMENT Provisions
5.11 General Provisions for Nonresidential Types
5.12 Specific MIXED-USE Provisions
5.13 Specific COMMERCIAL Provisions
5.14 Specific INSTITUTIONAL Provisions
5.15 Specific PUBLIC LANDMARK Provisions
5.16 Dimensional Standards (Res Types)
5.17 Dimensional Standards (MU & Non-Res Types)

5.2 Applicability

The following provisions apply throughout the jurisdiction of this Ordinance. While the General Provisions (Sec. 5.6) apply to all principle buildings, each building type shall also comply with its own general, dimensional, and design element provisions according to building type and zoning district.

5.3 Exceptions

- A. Innovative planning or design ideas for development in any district where the proposed building types and dimensional standards are different than those allowed by the base district requirements may be approved subject to the approval of a Conditional District.
- B. Buildings in LI and HI districts are exempt from the provisions of this chapter, except for any applicable dimensional standards.
- C. Minor additions or modifications to any principle building existing upon the effective date of this Ordinance are exempt from the provisions of this chapter, except for the applicable dimensional bulk standards and those requirements in Section 5.6.D, Encroachments. Minor addition shall mean any addition to the principle building that is less than 25% of the gross floor area. Minor modification shall mean any work requiring a Zoning Permit that is valued less than 25% of the Rowan County assessed valuation.
- D. Except where specific provisions and dimensional standards in this chapter apply, accessory and temporary buildings shall follow the general lot and structure (Ch. 6) provisions of this Ordinance.

5.5 Permitted Building Types By District

	OSP	RR	GR	UR	HR	RMX	NMX	CMX	DMX	HB	LI	HI	HS	CI	MHD	TND
HOUSE	•	•	•(1)	•(1)	•	•	•✗	•	✗	✗	✗	✗	•	•	•	•
TOWNHOUSE	✗	✗	•(1)	•(1)	✗	•	•	•	✗(2)	✗	✗	✗	•	✗	•	•
APARTMENT	✗	✗	✗	✗	✗	•	•	•	•	•	✗	✗	•	✗	✗	•
MIXED-USE	✗	✗	✗	✗	✗	•	•	•	•	✗	✗	✗	✗	✗	✗	•
COMMERCIAL	✗	✗	✗	✗	✗	•	•	•	•	•	•	•	•	✗	✗	•
INSTITUTIONAL	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
PUBLIC LANDMARK	•(3)	•(3)	✗	✗	•(3)	✗	✗	✗	•(3)	✗	✗	✗	✗	•(3)	✗	•(3)

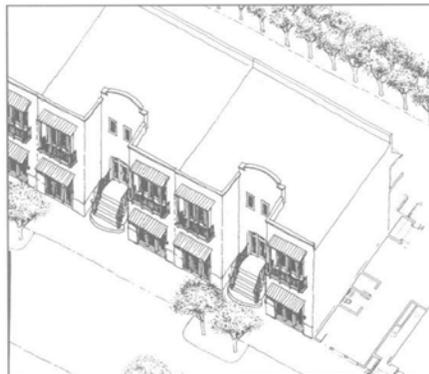
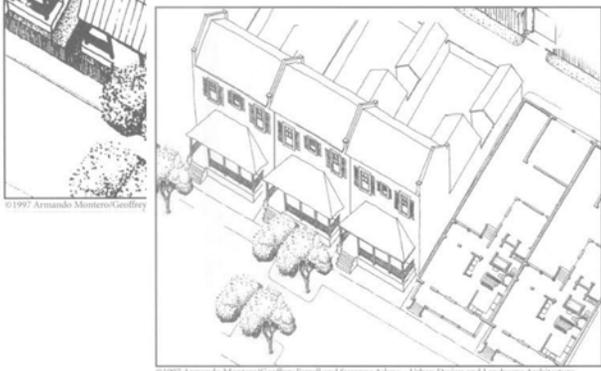
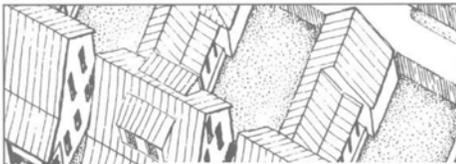
• = Building type permitted in district

✗ = Building type prohibited in district as new construction. Nonconforming building types shall refer to Nonconforming Principal Structures and Building Types, Sec. 13.4.

(1) No more than 4 units per building per Use Matrix (Ch. 2)

(2) New construction permitted subject to approval of a Conditional District Overlay

(3) Public Landmark building type requires City Council approval via Conditional District zoning



5.6 General Provisions for All Building Types

A. Building Placement and Orientation

1. **Fronting a Street or Public Space:** The principal building shall front a street or recreational open space. With the provision of alley access, the principal building may front recreational open space with street access and shall be of sufficient design to allow for the provision of emergency services.



A building and its primary entrance façade shall be oriented toward the street. (5.6.A)

In districts that permit multiple buildings per lot, accessory and secondary buildings, as defined, may vary orientation; however, the rear façade, or service side of any building, shall not front a street or recreational open space. When there is no clear or definable principal building, such as in the case of a shopping center, development is considered a Campus-Style Development and shall follow the Conditional District development process.



Important street vistas should terminate in a focal point. (5.6.A)

2. **Building Entrances:** All buildings shall provide a primary entrance along the fronting façade, or at the building corner, and shall be designed for the pedestrian and be distinguishable from the rest of the building. Additional entrances may be oriented toward side or rear parking lots. Service entrances for shipping and receiving shall be oriented away from the street. *(Unless located within a national or local historic district, not applicable to one or two-family dwellings per N.C.S.L. 2015-86)*

A definable pedestrian connection shall be provided from a primary building entrance to the fronting public sidewalk system. (Applicable to one and two-family dwellings; the intent is to provide safe pedestrian access, not to regulate design.)

3. **Termination of Vistas:** Important street vistas identified in any adopted plan should terminate in a focal point, such as a building or other architectural or natural feature.
4. **Campus-Style Development** is typically characterized by the clustering of uses within inwardly-oriented buildings that address one another, a public common space, or parking area, and where there is generally greater open space and buffering from surrounding lesser intensive uses. This type of development typically includes:
 - a) A unified system of sidewalks, paths, streets, and drives;
 - b) A unified design of common themes represented in building design, material, signage, and lighting; and
 - c) A master utility plan.

5.16 Dimensional Standards by Zoning District for Residential Building Types

(All Numbers In Feet)

	OSP	RR	GR	HR	UR	RMX	NMX	CMX	DMX	HB	HS	CI
Lot Width: <i>Minimum</i>												
House	100	100	55	30	30	30	30	30	-	-	30	30
Townhouse	-	-	40 ⁴⁰	-	25 ²⁵	25 ²⁵	25 ²⁵	25 ²⁵	-	-	25 ²⁵	-
Apartment	-	-	-	-	-	0	0	0	30	32	0	-
Lot Depth: <i>Minimum</i>												
House	100	100	100	100	100	100	100	100	0	-	100	100
Townhouse	-	-	0	-	0	0	0	0	-	-	0	-
Apartment	-	-	-	-	-	0	0	0	0	0	0	-
Front Setback: <i>Minimum</i> (a)												
House	30	40	10	10	10	10	10	10	-	-	10	0 or 10
Townhouse	-	-	0 or 10	-	0 or 10	0 or 10	0 or 10	0 or 10	-	-	0 or 10	-
Apartment	-	-	-	-	-	0 or 10	0 or 10	0 or 10	0	10	0 or 10	-
Front Setback: <i>Maximum</i>												
House	nm	nm	nm	nm	nm	nm	nm	nm	-	-	nm	nm
Townhouse	-	-	nm	-	nm	25	25	25	-	-	25	-
Apartment	-	-	-	-	-	nm	nm	nm	25	nm	nm	-
Front Yard Encroachment (b)												
House	-	8	8	8	8	8	8	8	-	-	8	8
Townhouse	-	-	5	-	5	5	5	5	-	-	5	-
Apartment	-	-	-	-	-	8	8	8	8	-	8	-
Side Setback: <i>Minimum</i>												
House	10	10	20%*	20%*	20%*	20%*	20%*	20%*	-	-	20%*	[5]
Townhouse	-	-	10**	-	10**	10**	10**	10**	-	-	10**	-
Apartment	-	-	-	-	-	10**	10**	10**	0 or 6**	0 or 4	10**	-

(a) For corner lots, the building shall use the front setback for both streets

(b) Upper story balconies may encroach into sidewalk ROW with city approval

(c) Two (2) stories or 20 feet

(f) Subject to LDO Section 6.5.C

* 20% of the lot width

** Feet between buildings

^ Measured from centerline of alley ^{^^} 20 feet if rear-accessed

[] 0' in development, otherwise

+ Hospital to 150' with SUP

Chapter 5. BUILDING TYPES AND STANDARDS

5.1 Purpose and Intent

The standards in this Chapter are intended to attach the same or greater level of importance to building design as is placed on the use contained within. The established architectural vernacular of the City of Salisbury exhibits a wide-variety of common building types and this Ordinance has established regulations specific to these typologies. The rich architectural history and vocabulary of the City presents a wide variety of development options for using traditional forms while avoiding any perception of monotony. Buildings are expected to be added to the City of Salisbury as long-term additions to the architectural vibrancy of the community.

5.1 Purpose and Intent
5.2 Applicability
5.3 Exceptions
5.4 Introduction to Building Types
5.5 Permitted Building Types by District
5.6 General Provisions for All Building Types
5.7 Specific Provisions for Manufactured Housing
5.8 Specific HOUSE Provisions
5.9 Specific TOWNHOUSE Provisions
5.10 Specific APARTMENT Provisions
5.11 General Provisions for Nonresidential Types
5.12 Specific MIXED-USE Provisions
5.13 Specific COMMERCIAL Provisions
5.14 Specific INSTITUTIONAL Provisions
5.15 Specific PUBLIC LANDMARK Provisions
5.16 Dimensional Standards (Res Types)
5.17 Dimensional Standards (MU & Non-Res Types)

5.2 Applicability

The following provisions apply throughout the jurisdiction of this Ordinance. While the General Provisions (Sec. 5.6) apply to all principle buildings, each building type shall also comply with its own general, dimensional, and design element provisions according to building type and zoning district.

5.3 Exceptions

- A. Innovative planning or design ideas for development in any district where the proposed building types and dimensional standards are different than those allowed by the base district requirements may be approved subject to the approval of a Conditional District.
- B. Buildings in LI and HI districts are exempt from the provisions of this chapter, except for any applicable dimensional standards.
- C. Minor additions or modifications to any principle building existing upon the effective date of this Ordinance are exempt from the provisions of this chapter, except for the applicable dimensional bulk standards and those requirements in Section 5.6.D, Encroachments. Minor addition shall mean any addition to the principle building that is less than 25% of the gross floor area. Minor modification shall mean any work requiring a Zoning Permit that is valued less than 25% of the Rowan County assessed valuation.
- D. Except where specific provisions and dimensional standards in this chapter apply, accessory and temporary buildings shall follow the general lot and structure (Ch. 6) provisions of this Ordinance.

5.5 Permitted Building Types By District

	OSP	RR	GR	UR	HR	RMX	NMX	CMX	DMX	HB	LI	HI	HS	CI	MHD	TND
HOUSE	•	•	•(1)	•(1)	•	•	•	•	×	×	×	×	•	•	•	•
TOWNHOUSE	×	×	•(1)	•(1)	×	•	•	•	×(2)	×	×	×	•	×	•	•
APARTMENT	×	×	×	×	×	•	•	•	•	•	×	×	•	×	×	•
MIXED-USE	×	×	×	×	×	•	•	•	•	×	×	×	×	×	×	•
COMMERCIAL	×	×	×	×	×	•	•	•	•	•	•	•	•	×	×	•
INSTITUTIONAL	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
PUBLIC LANDMARK	•(3)	•(3)	×	×	•(3)	×	×	×	•(3)	×	×	×	×	•(3)	×	•(3)

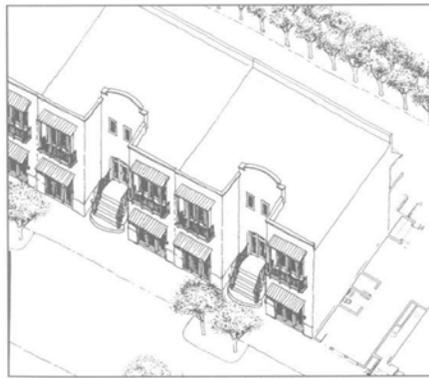
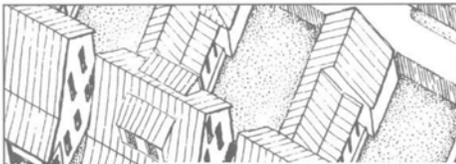
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(1) No more than 4 units per building per Use Matrix (Ch. 2)

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5.6 General Provisions for All Building Types

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1. **Fronting a Street or Public Space:** The principal building shall front a street or recreational open space. With the provision of alley access, the principal building may front recreational open space with street access and shall be of sufficient design to allow for the provision of emergency services.



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In districts that permit multiple buildings per lot, accessory and secondary buildings, as defined, may vary orientation; however, the rear façade, or service side of any building, shall not front a street or recreational open space. When there is no clear or definable principal building, such as in the case of a shopping center, development is considered a Campus-Style Development and shall follow the Conditional District development process.



Important street vistas should terminate in a focal point. (5.6.A)

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A definable pedestrian connection shall be provided from a primary building entrance to the fronting public sidewalk system. *(Applicable to one and two-family dwellings; the intent is to provide safe pedestrian access, not to regulate design.)*

3. **Termination of Vistas:** Important street vistas identified in any adopted plan should terminate in a focal point, such as a building or other architectural or natural feature.
4. **Campus-Style Development** is typically characterized by the clustering of uses within inwardly-oriented buildings that address one another, a public common space, or parking area, and where there is generally greater open space and buffering from surrounding lesser intensive uses. This type of development typically includes:
 - a) A unified system of sidewalks, paths, streets, and drives;
 - b) A unified design of common themes represented in building design, material, signage, and lighting; and
 - c) A master utility plan.

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(All Numbers In Feet)

	OSP	RR	GR	HR	UR	RMX	NMX	CMX	DMX	HB	HS	CI
Lot Width: <i>Minimum</i>												
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Townhouse	-	-	40	-	25^^	25^^	25^^	25^^	-	-	25^^	-
Apartment	-	-	-	-	-	0	0	0	30	32	0	-
Lot Depth: <i>Minimum</i>												
House	100	100	100	100	100	100	100	100	0	-	100	100
Townhouse	-	-	0	-	0	0	0	0	-	-	0	-
Apartment	-	-	-	-	-	0	0	0	0	0	0	-
Front Setback: <i>Minimum</i> (a)												
House	30	40	10	10	10	10	10	10	-	-	10	0 or 10
Townhouse	-	-	0 or 10	-	0 or 10	0 or 10	0 or 10	0 or 10	-	-	0 or 10	-
Apartment	-	-	-	-	-	0 or 10	0 or 10	0 or 10	0	10	0 or 10	-
Front Setback: <i>Maximum</i>												
House	nm	nm	nm	nm	nm	nm	nm	nm	-	-	nm	nm
Townhouse	-	-	nm	-	nm	25	25	25	-	-	25	-
Apartment	-	-	-	-	-	nm	nm	nm	25	nm	nm	-
Front Yard Encroachment (b)												
House	-	8	8	8	8	8	8	8	-	-	8	8
Townhouse	-	-	5	-	5	5	5	5	-	-	5	-
Apartment	-	-	-	-	-	8	8	8	8	-	8	-
Side Setback: <i>Minimum</i>												
House	10	10	20%*	20%*	20%*	20%*	20%*	20%*	-	-	20%*	[5]
Townhouse	-	-	10**	-	10**	10**	10**	10**	-	-	10**	-
Apartment	-	-	-	-	-	10**	10**	10**	0 or 6**	0 or 4	10**	-

(a) For corner lots, the building shall use the front setback for both streets

(b) Upper story balconies may encroach into sidewalk ROW with city approval

(c) Two (2) stories or 20 feet

(f) Subject to LDO Section 6.5.C

* 20% of the lot width

** Feet between buildings

^ Measured from centerline of alley

[] 0' in development, otherwise

+ Hospital to 150' with SUP

^^ 20 feet if rear-accessed

Chapter 7. RECREATIONAL OPEN SPACE

7.1 Purpose and Intent

The intent of this Chapter is to provide for centrally located, unencumbered land as neighborhood recreational open space and not to permit the use of leftover or otherwise unusable land to fulfill the requirements herein. Recreational open space as defined by this Chapter is distinct from those areas that are environmentally significant and must be protected.

7.1 Purpose and Intent
7.2 Applicability
7.3 General Provisions
7.4 Recreational Open Space Ownership
7.5 Recreational Open Space Allocation
7.6 Payment in Lieu of Allocation

7.2 Applicability

All residential and mixed-use residential developments greater than 12 total dwelling units shall be required to allocate recreational open space. Recreational open space shall be allocated at the Preliminary Plat (or Final Plat for Minor Subdivisions) phase for the GR, UR, HR, and RMX districts; and it shall be allocated at the Master Plan phase for a Conditional District (CD) and a Traditional Neighborhood Development (TND). Allocation shall not be required until determination of use for the NMX, ~~and CMX, and HB~~ districts. Residential development in the Downtown Mixed-Use (DMX) district shall be exempt from these provisions.

7.3 General Provisions

- A. Recreational open space is defined as all areas not covered by building lots or parking lots, dry detention structures, ~~perimeter buffers~~~~planting yards~~, streets, or required setbacks.
- B. Recreational open space shall be planned and improved, accessible and usable by persons living nearby. Improved shall mean cleared of underbrush and debris and may contain one or more of the following enhancements: landscaping, walls, fences, walks, statues, park benches, utilities, irrigation, fountains, ball fields, tennis courts, swimming pools, and/or playground equipment.
- C. Playground equipment should be located toward the interior of squares and parks away from the public right-of-way to provide for adequate safety of the user.
- D. Recreational open space should provide focal points for the neighborhood and City.
- E. A metes and bounds description of the space to be preserved and limits on its use shall be recorded on the subdivision plan, in homeowner covenants, and on individual deeds when open space lands are not held entirely in common. Alternative means of permanent open space preservation may include acceptance by a land conservation trust or a unit of government. Private management alternatives shall also be permitted.

7.5 Recreational Open Space Allocation

The amount of open space required for allocation shall be determined using the Recreational Open Space allocation matrix below when residential uses are proposed based on the following matrices: Zoning Type, Recreational Open Space Type, and Amenity Type

Zoning Type	Total Recreation Space Required
GR-3 (3 u/ac.)	3%
GR-6 (6 u/ac.)	6%
HR/UR-8 (8 u/ac.)	8%
UR-12 (12 u/ac.)	12%
RMX (18 u/ac.) NMX (no max.) CMX (no max.) HB (no max.) TND (variable)	18%
OSP RR DMX	Exempt

Recreational Open Space Type	Notes
1. Playgrounds	Buildable lots within a development shall be within a 1/4-mile radius of one of these open space types
2. Mini-Park	
3. Neighborhood Park	
4. Greenway or Linear Park (Access Point)	
5. Golf Course	This category may not exceed 75% of the total required open space
6. Unique or Special Area	This category may not exceed 50% of the total required open space

Amenity Type	Bonus %	Notes
Playground Equipment	100%	Shall meet the Parks & Recreation Product & Safety standards, and the bonus applies to the footprint of the “safety fall zone”
Multi-Purpose Playfield	50%	Shall be a minimum 200’ x 200’ and gently sloping for drainage (two percent desirable) with a five percent maximum
Public Ownership	25%	Shall meet the standards of Publicly-Owned Recreational Space, and the bonus applies to the entire property

Chapter 7. RECREATIONAL OPEN SPACE

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7.2 Applicability
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7.4 Recreational Open Space Ownership
7.5 Recreational Open Space Allocation
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- C. Playground equipment should be located toward the interior of squares and parks away from the public right-of-way to provide for adequate safety of the user.
- D. Recreational open space should provide focal points for the neighborhood and City.
- E. A metes and bounds description of the space to be preserved and limits on its use shall be recorded on the subdivision plan, in homeowner covenants, and on individual deeds when open space lands are not held entirely in common. Alternative means of permanent open space preservation may include acceptance by a land conservation trust or a unit of government. Private management alternatives shall also be permitted.

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GR-6 (6 u/ac.)	6%
HR/UR-8 (8 u/ac.)	8%
UR-12 (12 u/ac.)	12%
RMX (18 u/ac.) NMX (no max.) CMX (no max.) HB (no max.) TND (variable)	18%
OSP RR DMX	Exempt

Recreational Open Space Type	Notes
1. Playgrounds	Buildable lots within a development shall be within a 1/4-mile radius of one of these open space types
2. Mini-Park	
3. Neighborhood Park	
4. Greenway or Linear Park (Access Point)	
5. Golf Course	This category may not exceed 75% of the total required open space
6. Unique or Special Area	This category may not exceed 50% of the total required open space

Amenity Type	Bonus %	Notes
Playground Equipment	100%	Shall meet the Parks & Recreation Product & Safety standards, and the bonus applies to the footprint of the “safety fall zone”
Multi-Purpose Playfield	50%	Shall be a minimum 200’ x 200’ and gently sloping for drainage (two percent desirable) with a five percent maximum
Public Ownership	25%	Shall meet the standards of Publicly-Owned Recreational Space, and the bonus applies to the entire property

Chapter 8. LANDSCAPING

8.1 Purpose and Intent

This chapter is intended to establish minimum standards for the preservation and enhancement of tree canopy, as well as the design of landscapes so as to improve the City aesthetically, economically and environmentally.

This chapter improves the appearance of the City's environment through the provision of trees and landscaping in order to better control soil erosion; reduce the hazards of flooding; stabilize the ground water tables; absorb carbon dioxide; supply oxygen; provide shade for cooling; screen noise and incompatible uses, dust, glare; and preserve, protect and enhance the natural environment.

8.1 Purpose and Intent
8.2 Applicability
8.3 General Provisions
8.4 Landscape Plan
8.5 Tree Protection & Preservation
8.6 Tree Replacement
8.7 Perimeter Buffer <u>Planting Yards</u>
8.8 Street Yards
8.9 Street Trees
8.10 Landscape Standards for Parking Lots
8.11 Landscape Standards and Specifications
8.12 Alternate Methods of Compliance
8.13 Plant Substitution

8.2 Applicability

A. Applies:

1. Applicable provisions of this chapter shall apply to expansion of existing development and new development requiring Master Plan or Preliminary Plat consideration.
- ~~2. Applicable provisions of this chapter shall apply to a Major Subdivision involving street construction and where the adjacent zoning district is of a greater intensity than that of the subdivision site.~~

B. Does Not Apply:

1. Development of an existing platted lot of record with that of a single-family, duplex, triplex, or quadruplex House building type is entirely exempt from the provisions of this chapter.
2. Exception plat and Minor Subdivisions are entirely exempt from the provisions of this chapter.
3. Valid and permitted forestry or harvesting activities are entirely exempt from the provisions of this chapter.
4. Existing development (sites developed prior to the effective date of the Land Development Ordinance) is entirely exempt from the provisions of this chapter, except that:
 - a. All applicable provisions of this chapter shall apply when an existing parking lot is expanded or improved to add 12 or more spaces.

- b. All applicable provisions of this chapter shall apply when an existing principal structure gross floor area is expanded by 25% or more. Landscaping material installation and applicable provisions are required only for the expanded portion of development.

8.3 General Provisions

- A. **Existing Vegetation, Fences, Walls, and Berms:** The use of existing trees or shrubs to satisfy the landscaping requirements of this chapter is strongly encouraged. Significant existing vegetation within landscaped areas shall be preserved and credited towards required landscaping. Existing berms, walls, or fences within the landscaped area, but not including chain link fencing, may be used to fulfill the standards for the type of landscaping required, provided that these elements are in a condition of good repair.
- B. **Protection of Vegetation during Design:** Through the protection of trees and existing vegetation, the City encourages new or expanded development to be creative in design and placement of buildings, structures, parking and other impervious surfaces as to preserve natural features and to complement the existing topography when practical.
- C. **Installation of New Vegetation and Other Features:** New plant material should complement existing vegetation. If existing significant vegetation and other site features do not fully meet the standards for the type of landscaping required, then additional vegetation and/or site features (including fences) shall be planted or installed within the required landscaping area.
- D. **Grading in Required Landscape Areas:** If grading within a ~~perimeter buffer~~ planting yard is proposed, slopes of 3:1 or less are encouraged to ensure the proper transition of grades to the adjacent property.
- E. **Easements & Right-of-Ways:** Nothing shall be planted or installed within an underground or overhead utility easement or a drainage easement without the consent of the Administrator and the easement holder at the time of development plan approval.
- F. **Involuntary Tree Removal & Replacement (damage, destruction, or death):** Trees planted or protected/preserved on private property to meet the provisions of this chapter that are involuntarily felled due to damage, destruction, or death shall be replaced with a tree(s) of a size equal, or equivalent point value, to the assigned credit of the original tree.
- G. **Voluntary Tree Removal & Replacement:** Trees planted or protected/preserved on private property to meet the provisions of this chapter shall not be replaced or permanently removed without obtaining a Tree Removal & Replacement Permit, which shall confirm compliance with one of the following provisions or remedies:
 - 1. **Replacement:** A replacement tree shall meet, or exceed, the current minimum size or height requirement of the same tree type (shade or ornamental).
 - 2. **Permanent Removal:** When a tree must be removed and replacement is not practical, a payment may be made to the City of Salisbury in-lieu of the required tree being replaced based on the current minimum size or height requirement of

the same tree type (shade or ornamental). The value of the payment shall be determined on an annual basis by the Community Planning Services department of the City of Salisbury and approved as part of the annual budget ordinance.

- H. **Building Setbacks:** Building placement within allowable setbacks may supersede ~~Perimeter Bufferlanting Yard~~ width requirements; however, there shall be no net loss of required ~~Perimeter Bufferlanting Yard~~ material or points.

8.4 Landscape Plan

- A. **Applicability:** Pursuant to the Applicability section above (Sec. 8.2), a Landscape Plan shall be required for a proposed development prior to any land disturbance. (This does not include predevelopment site grading, which is permitted by the provisions of Sections 4.5 and 15.5.) The Landscape Plan shall contain the information detailed in Section 16.10, Landscape Plan Requirements.
- B. **Overall Tree Canopy:** Proposed development requiring a Landscape Plan shall provide a minimum of 30% overall tree canopy. The tree canopy percentage of coverage is defined as one (1) tree per 500 square feet of gross surface area. Percentage of required tree canopy shall be calculated using gross acreage. In addition to tree preservation, compliance with this provision may be achieved using required ~~perimeter bufferlanting yards~~, street yards, and parking lot landscaping. For Major Subdivisions, tree canopy requirements can only be met on lots designated as common property, such as Home Owner’s Association (HOA) or Property Owner’s Association (POA) property.
- C. **Revisions to Approved Landscape Plans:** Due to lack of plant availability, approved landscape plans may require minor revisions. Minor revisions to Landscape Plans may be approved by the Administrator if:
 1. There is no reduction in the quantity of plant material.
 2. There is no significant change in size or location of plant materials.
 3. The new plants are of the same general category (i.e., shade trees, ornamental trees, shrubs, groundcover) and have the same general design characteristics (mature height, crown spread) as the materials being replaced.

8.5 Tree Protection & Preservation

A. Applicability and General Provisions

1. **Clearing (aka Clear Cutting):** Clearing, defined as the removal or destruction of 25% or more of the applicable development site trees having a DBH of 4 inches or greater, shall be prohibited unless the clearing is a part of, and identified on, an approved Preliminary Plat, Schematic Plan, or Master Plan. Up to 10% of the existing, applicable tree canopy identified on the aforementioned plan type may be cleared and not subject to the Tree Replacement provisions of Section 8.6, below. Clearing beyond that threshold shall be subject to the Tree Replacement provisions for sites experiencing inactivity. Clearing might not include grubbing or stumping the development site; however, any amount of clearing shall include complete removal of all fallen and residual debris from the development site.

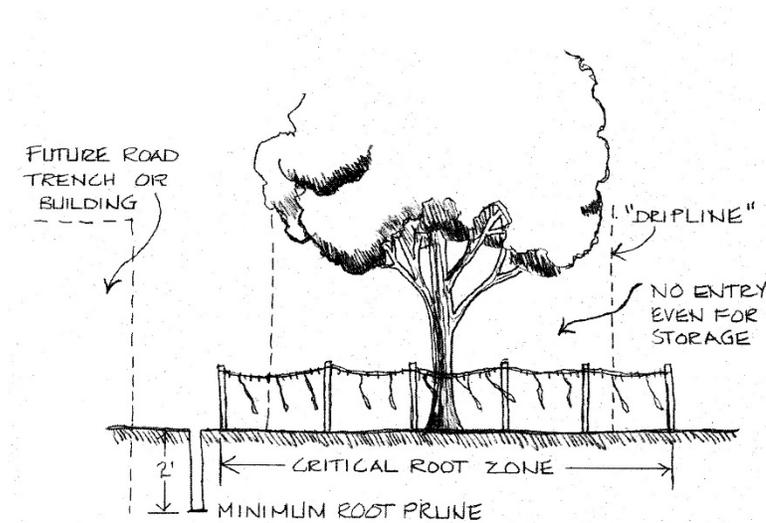
B. Landscape Credits for Tree Preservation

1. Credits for tree preservation are available when trees that are proposed for preservation are clearly identified on the Landscape Plan.
2. Minimum size requirement to qualify for tree preservation is 4 inches (DBH).
3. Landscape credits for existing trees within ~~Perimeter Buffer~~~~Planting Yard~~ will be given at the rate of 12 points per 4 inches in diameter at breast height (DBH) of existing plant preserved. (See Section 8.6 for details on points for landscaping.)

C. Protection of Existing Vegetation During Construction

1. A tree protection plan, showing there will be no disturbance in the Critical Root Zone (CRZ), shall be submitted prior to grading. Trenching, placing backfill, driving, or parking equipment in the CRZ, and the dumping of materials detrimental to plant health in close proximity of the trees to be preserved is prohibited.
2. Protective barricades shall be placed around all trees designated to be saved, prior to the start of development activities or grading.
 - a. Barricades may consist of 2"x 4" posts with 1"x 4" rails, orange safety fence, or a similar treatment and shall remain in place until development activities are complete.
 - b. The barricaded area shall remain free of all building materials, stockpiled soil or other construction debris.
 - c. Construction traffic, storage of vehicles and materials, and grading shall not take place within the protective areas of the existing trees.

- d. Barricades shall be erected at a recommended minimum distance from the base of protected trees according to the following standards:
 - (1) **For trees 10" or less in caliper:** Place at a minimum distance of 10' from the base of each protected tree, or outside the drip line, whichever is greater.
 - (2) **For trees greater than 10" in caliper:** Place at a minimum distance equal to 10' from the base of a protected tree plus an additional 1' for each additional 1" in caliper greater than 10" in caliper, or outside the drip line, whichever is greater.
- 3. Construction access to a site should occur where an existing or proposed entrance/exit is located.
- 4. Land disturbance within a tree drip line is discouraged except for driveway access points, sidewalks, curb and gutter.
- 5. Where grading within a tree drip line cannot be avoided, cut and fill shall be limited to 1/4 to 1/2 of the area within the drip line, and tree roots shall be pruned with clean cuts at the edge of the disturbed area. (No fill shall be placed within the drip line of a tree without venting to allow air and water to reach the roots.)
- 6. Storage of construction materials and any other construction activities that contribute to the compaction should be limited to areas of the site within the limits of construction.



Pre-construction tree protection techniques and concepts.

8.6 Tree Replacement

Although cleared, some development sites will experience delays or complete construction inactivity. In those instances, and following proper consultation and documentation, the following replacement/replanting provisions shall apply depending on the level of construction activity. Substantial progress is defined in Chapter 9, Environmental Protection, Phase II Stormwater Ordinance:

A. Replanting Cleared Land (No Substantial Progress):

Within 180 days following expiration of an approved plan's vesting period, replanting efforts shall be accomplished using one or more of the following methods:

1. Shade trees listed on the approved Large Trees appendix of the Landscape Ordinance & Design Guidelines, planted at a minimum of 6 feet to 8 feet tall, 1.5" DBH, and at a rate of at least 36 shade trees per acre.
2. Trees planted in compliance with the NC Cooperative Extension guide for reforestation, with tree seedlings planted at a minimum rate of one (1) tree per each 10-foot by 10-foot (10'x10') area.
3. As authorized under this section, a payment may be made to the City of Salisbury in-lieu of replanting. The value of the payment shall be determined on an annual basis by the Community Planning Services department of the City of Salisbury and approved as part of the annual budget ordinance. The applicant is informed of the amount to be paid upon statement of choice to utilize payment in-lieu in whole or part as a method to comply with these replanting provisions. Any payment shall be delivered to Development Services within the 180-day replanting period following closure of the vesting period.

- B. Replanting Cleared Land (Substantial Progress):** Following determination of substantial progress and one (1) year of uninterrupted construction inactivity, the city shall consult with the developer, owner of record, or their assigns, to determine project viability and a continuation schedule, if found viable. If project viability is unknown and undetermined, a letter to that fact shall be provided by the developer, owner of record, or their assigns, and replanting shall consist of planting all required Street Yard trees per the approved Landscape Plan. If the clearing and substantial progress are related only to a predevelopment site grading permit, replanting of Street Yard trees shall be in accordance with the Street Yard provisions of this Ordinance. Infrastructure shall include roads, driveways, sidewalks, utilities, and stormwater devices.

8.7 Perimeter Bufferplanting Yards

The landscaping regulations established in this section are intended to minimize potential conflicts between abutting developments, to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, and to ensure adequate landscaping in new development. New single family and/or duplex development that is part of a larger common plan is exempt from the provisions of this section.

A. Required Perimeter BufferPlanting Yards

Perimeter Bufferplanting yards shall be required for any development or expansion of existing development. The perimeter bufferplanting yard may be a FixedPerimeter or Flexible BufferPlanting Yard as described below.

1. Perimeter-Fixed BuffersPlanting Yards

The purpose of FixedPerimeter BufferPlanting Yards is to ensure that a natural area of appropriate size and density of plantings is located between certain zoning districts. (See white boxes in table below)

- a. FixedPerimeter BufferPlanting Yards require a specific width, type of plant material, and quantity of plant material.
- b. In a mixed-use development, the interior boundaries of abutting outparcels are not required to meet the FixedP Bufferplanting Yard requirements.

2. Flexible BufferPlanting Yards

The intent of the Flexible BufferPlanting Yards is to provide for landscaping of new development or redevelopment, but to allow for creativity and flexibility in the placement of the landscaping throughout development sites rather than simply at the perimeter. (See gray boxes in table below)

Developers shall provide throughout the site the square footage of landscape area and number of landscape required points that would be equivalent to a Type-A bufferplanting yard along the side and rear portions of the parcel (see 8.6.B, BufferPlanting Yard types). Required planting in street yards and of street trees shall not count toward the required minimum landscaping.

		Adjacent District							
		OSP RR	GR	HR UR MHD	RMX CI	HS NMX TND CMX	DMX	HB LI	HI
District of Proposed Development	OSP RR	A ₁	A ₁	A ₁	A ₁	A ₁	A ₁	A ₁	A ₁
	GR	C	A ₁	A ₁	A ₁	A ₁	A ₁	A ₁	A ₁
	HR UR MHD	C	B	A ₁					
	RMX CI	D ₂	C	B	A ₁				
	HS TND NMX CMX	E ₂	D ₃	C	B	A ₁	A ₁	A ₁	A ₁
	DMX	C ₄	B ₄	A _{1,4}					
	HB LI	F ₂	F ₂	C	B	B	A	A	A ₁
	HI	F ₂	F ₂	D ₂	C	C	B	B	A ₁

<u>Buffer Yard</u>	Fixed Perimeter or Flexible Buffer Planting Yard Required	<u>Buffer Yard</u>	Fixed Perimeter Buffer Planting Yard Required
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NOTES:

1. Flexible ~~Buffer Planting Yard~~ as specified in 8.6.A.2.
2. Complete visual separation required through the use of densely planted vegetation that would provide complete visual separation within three (3) years of planting or a six-foot fence (constructed of masonry or pressure treated lumber). In either case, the requirements of the table above shall be met for the corresponding ~~buffer planting yard~~. Visual separation is not required where connectivity (for motor vehicles and/or non-motorized modes) between land uses is planned or provided.
3. ~~Buffer Planting yard~~ required for the non-residential and/or multi-family portion of mixed use developments only.
4. In the DMX district, a maximum of 15% of the total lot area shall be required to meet the ~~Buffer Planting Yard~~ provisions.

B. Buffer Planting Yard Types

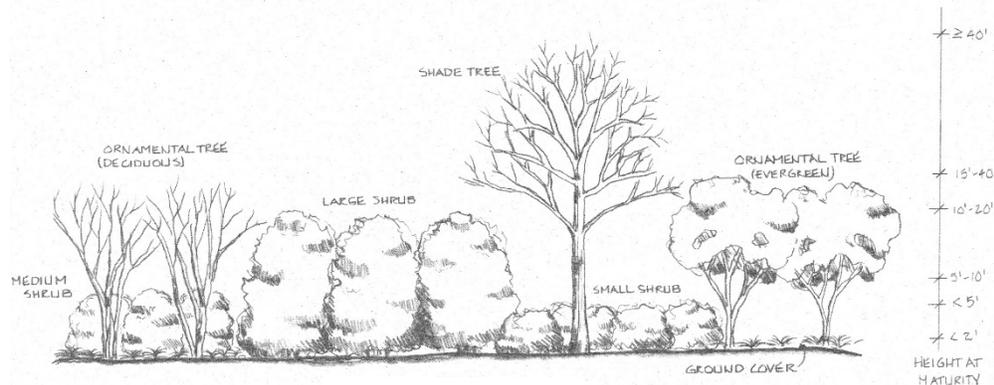
Each Planting Yard Buffer has a specified width, type of plant material and quantity of plant material which is required. The width and density of the Planting Yard Buffer increases as the difference in zoning classifications increases.

<u>Buffer Yard</u> Type	Minimum Width	Trees *		Shrubs	Required points per linear foot
		Shade	Orn.		
A	8 ^{**}	n/a	1/100'	Optional	0.4
B	10'	1/100' (b)	N/A	Optional	0.6
C	15'	1/75'	1/100'	Optional	0.7
D	20'	1/50'	1/100'	Optional	0.8
E	25'	1/50'	1/75'	Optional	0.9
F	30'	1/50'	1/50'	Optional	1.0

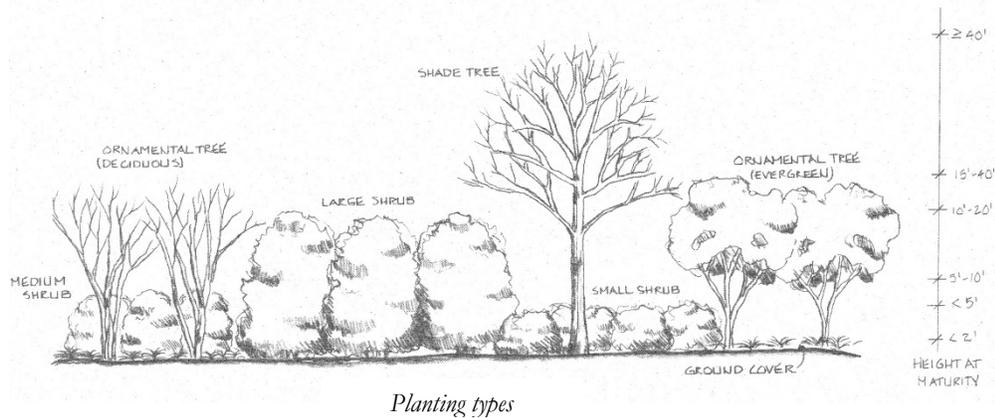
* rounded to the nearest whole number; if 1/2, then round upward

** The buffer planting yard requirement for the Type A Buffer Yard shall be a minimum average width of 8 feet, but at no time shall the width be less than four (4) feet.

Points for <u>Planting Yards Buffers</u>	
Planting Type	Points
Shade Tree	12
Ornamental Tree	6
Large Shrub	3
Medium Shrub	2
Small Shrub	1



Planting types



1. In Type B **Planting Yards/Buffers**, Ornamental Trees may be substituted for Shade Trees at the rate of two (2) Ornamental Trees for each required Shade Tree.
2. **Conflict with Utility Lines:** In the case of a conflict with utility lines, one (1) Ornamental Tree may be substituted for each required Shade Tree if approved by the Administrator or his designee and corresponding utility service(s).
3. **Landscape Credits:** Landscape credits for existing trees within **Planting Yards/Buffers** will be given at the rate of 12 points per 4 inches in diameter at breast height (DBH) of existing plant material preserved.

8.8 Street **Yard-Yards**

A Street Yard consists of a planting area parallel to a public right-of-way but on private property, typically between the sidewalk and new development, designed to provide continuity of vegetation along the right-of-way and to soften the impact of development by providing a pleasing view from the road.

- A. **Applicability:** Street Yards shall be provided in all districts where a front setback greater than 10 feet is provided; however, Street Yard provisions are always exempt from development in the OSP, RR, DMX, GR, UR, HR, TND, and MHD districts.
- B. **Minimum Width:** Street Yards shall be a minimum of eight (8) feet wide.
- C. **Required Trees:** Street Yards shall contain one Shade Tree per 35 linear feet (or fraction thereof) except in areas of conflict with existing overhead utility lines, where Ornamental Trees shall be planted at one per 25 linear feet (or fraction thereof).
- D. **Tree Spacing:** Trees shall be distributed along the street frontage, but they are not required to be at equal intervals. This will allow for flexibility in design while discouraging long intervals without trees.
- E. No more than 20% of the Street Yard may be used for walkways or signs.
- F. Parking, merchandise display and off-street loading are prohibited in the Street Yard.

- G.** All trees in Street Yards shall be planted no closer than four (4) feet from any public right-of way.

8.9 Street Trees

Street trees shall be planted in the street right-of-way as specified in the table below ~~and Section 4.7, Street Design and Layout Provisions~~. Spacing of trees should allow for a clear view of buildings and land uses.

Transect Zone	T-1	T-2	T-3	T-4	T-5	T-6	Assigned Districts
Zoning Districts	OSP	RR	GR MHD	UR HR RMX	NMX CMX TND	DMX	HB, HS, CI LI, HI
Street Tree Requirement	No	No	Yes	Yes, in UR & HR	Yes, in TND	No	No
Street Tree Location (required or voluntary)	n/a	n/a	Planting strip	Dependent on Street Section	Dependent on Street Section	Tree well	n/a <u>Dependent on Street Section</u>

- A. **Applicability:** Street trees shall apply to newly constructed and reconstructed streets.
- B. Planting strips shall have a minimum width of seven (7) feet.
- C. Shade trees shall be installed at an average distance of 540 feet on-center. ~~Only where~~ overhead utilities exist prior to development can, ornamental trees ~~shall~~ be substituted at an average distance of 25 feet on-center and planted at the same distance.
- D. Street trees shall be placed at least eight (8) feet from light poles and ten feet from electrical transformers in order to allow these utilities to be safely serviced.
- ~~E.~~ E. Along state maintained streets, such plantings shall comply with NCDOT standards.

8.10 Landscape Standards for Parking Lots

A. Applicability:

1. All properties with new parking lots of 12 or more spaces or expanded lots (to add 12 or more spaces) shall be required to obtain a zoning permit and to comply with this section and the requirements for ~~Perimeter Buffer~~Planting Yards (Section 8.76) and Street Yards (Section 8.87).
2. Existing parking lots (paved or unpaved) that are expanded or improved to add 12 or more spaces shall comply with the landscaping requirements of this section within the expanded or improved portion only.

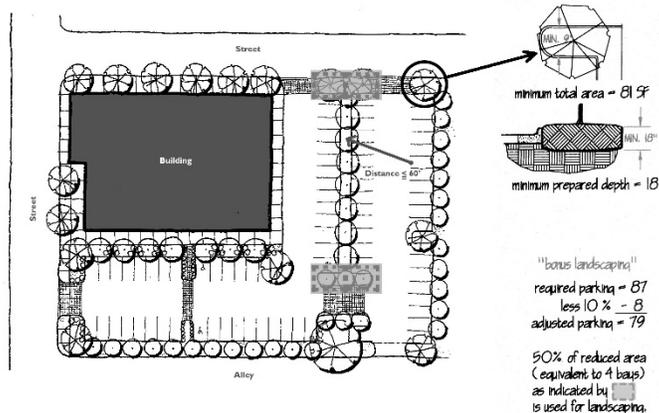
B. ~~Planting Yards~~Perimeter Buffers:

1. If a perimeter ~~buffer~~planting yard is not otherwise required or provided around new or expanded parking lots, a Type-A ~~planting yard~~buffer shall be provided along the perimeter portion of parking lots that abut an adjacent property. These points may contribute towards the overall yard requirement.
2. Parking lot connections up to 24-foot wide between adjacent properties shall be exempt from the ~~Planting Yard~~Perimeter Buffer requirements.

C. **Street Frontages:** Parking areas located along a street frontage shall have the portion of the lot that fronts the street screened up to a height of 3 feet using shrubs, brick walls (using brick that matches the adjacent building), wrought iron-type fencing, or any combination thereof. There shall be no openings in the screening greater than 2 feet except openings for pedestrian passage, which should be at least 5 feet in width. If landscaping is used, the minimum planting area width shall not be less than 4 feet. Where a street yard is provided, per Section 8.7, no additional landscape width beyond the width of the street yard shall be required. However, screening requirements shall be met within the street yard area.

D. Interior Parking Lot Landscaping:

1. In parking lots with 12 or more spaces, trees shall be planted at a rate of one Shade Tree for every 12 spaces or fraction thereof. Ornamental Trees may be provided at a rate of 2:1 in lieu of a Shade Tree where there is a conflict with overhead utility lines.



2. Required trees shall be located within or adjacent to parking lots as tree islands, medians, at the end of parking bays, traffic delineators, or between rows or parking spaces in a

manner such that no parking space is located more than 60 feet from a parking lot tree.

3. Trees located within the ~~Planting Yards~~Perimeter Buffers or Street Yards cannot be credited toward the parking lot requirements.
4. Planting Areas within the parking lots shall provide a minimum of 81 square feet with a minimum inside dimension of nine (9) feet and a minimum prepared depth of 18 inches (see image on preceding page).
5. Any parking lot containing 20 or more parking spaces may reduce the number of required parking spaces by as much as 10% if 50% of the reduced area is used for parking lot landscaping, with no landscaped area less than the minimum required parking lot planting area (see example in image above). This bonus landscaping shall apply to non-residential uses in RMX, NMX, CMX, DMX, HB, LI, HI, HS, and CI districts only.

8.11 Landscape Standards and Specifications

- A. The developer shall furnish and install all plant materials listed on the plan schedule.
- B. Plant materials shall conform to the requirements described in the latest edition of American Standard for Nursery Stock, which is published by the American Association of Nurserymen.
- C. Plant materials shall be from an approved species list or approved by the Administrator or his designee.
- D. Shade Trees shall be minimum 2-inch caliper or larger at the time of planting. Ornamental Trees shall be a minimum of 6' in height at the time of planting (i.e., six feet from top of root ball to top of tree).
- E. No tree may be planted in the Sight Triangle (see Section 4.7.I, Intersections) without the prior approval of the Administrator.
- F. Do not use staking materials unless it is absolutely necessary. If staking is necessary, then the developer/property owner shall remove the staking materials after one growing season.
- G. The Administrator or his designee may be consulted to determine the proper time to move and install plant material so that stress to the plant is minimized. A temporary Certificate of Occupancy may be issued when extremes in weather or soil conditions are not favorable to landscaping.

Chapter 8. LANDSCAPING

8.1 Purpose and Intent

This chapter is intended to establish minimum standards for the preservation and enhancement of tree canopy, as well as the design of landscapes so as to improve the City aesthetically, economically and environmentally.

This chapter improves the appearance of the City's environment through the provision of trees and landscaping in order to better control soil erosion; reduce the hazards of flooding; stabilize the ground water tables; absorb carbon dioxide; supply oxygen; provide shade for cooling; screen noise and incompatible uses, dust, glare; and preserve, protect and enhance the natural environment.

8.1 Purpose and Intent
8.2 Applicability
8.3 General Provisions
8.4 Landscape Plan
8.5 Tree Protection & Preservation
8.6 Tree Replacement
8.7 Perimeter Buffers
8.8 Street Yards
8.9 Street Trees
8.10 Landscape Standards for Parking Lots
8.11 Landscape Standards and Specifications
8.12 Alternate Methods of Compliance
8.13 Plant Substitution

8.2 Applicability

A. Applies:

1. Applicable provisions of this chapter shall apply to expansion of existing development and new development requiring Master Plan or Preliminary Plat consideration.

B. Does Not Apply:

1. Development of an existing platted lot of record with that of a single-family, duplex, triplex, or quadruplex House building type is entirely exempt from the provisions of this chapter.
2. Exception plat and Minor Subdivisions are entirely exempt from the provisions of this chapter.
3. Valid and permitted forestry or harvesting activities are entirely exempt from the provisions of this chapter.
4. Existing development (sites developed prior to the effective date of the Land Development Ordinance) is entirely exempt from the provisions of this chapter, except that:
 - a. All applicable provisions of this chapter shall apply when an existing parking lot is expanded or improved to add 12 or more spaces.
 - b. All applicable provisions of this chapter shall apply when an existing principal structure gross floor area is expanded by 25% or more. Landscaping material installation and applicable provisions are required only for the expanded portion of development.

8.3 General Provisions

- A. **Existing Vegetation, Fences, Walls, and Berms:** The use of existing trees or shrubs to satisfy the landscaping requirements of this chapter is strongly encouraged. Significant existing vegetation within landscaped areas shall be preserved and credited towards required landscaping. Existing berms, walls, or fences within the landscaped area, but not including chain link fencing, may be used to fulfill the standards for the type of landscaping required, provided that these elements are in a condition of good repair.
- B. **Protection of Vegetation during Design:** Through the protection of trees and existing vegetation, the City encourages new or expanded development to be creative in design and placement of buildings, structures, parking and other impervious surfaces as to preserve natural features and to complement the existing topography when practical.
- C. **Installation of New Vegetation and Other Features:** New plant material should complement existing vegetation. If existing significant vegetation and other site features do not fully meet the standards for the type of landscaping required, then additional vegetation and/or site features (including fences) shall be planted or installed within the required landscaping area.
- D. **Grading in Required Landscape Areas:** If grading within a perimeter buffer is proposed, slopes of 3:1 or less are encouraged to ensure the proper transition of grades to the adjacent property.
- E. **Easements & Right-of-Ways:** Nothing shall be planted or installed within an underground or overhead utility easement or a drainage easement without the consent of the Administrator and the easement holder at the time of development plan approval.
- F. **Involuntary Tree Removal & Replacement (damage, destruction, or death):** Trees planted or protected/preserved on private property to meet the provisions of this chapter that are involuntarily felled due to damage, destruction, or death shall be replaced with a tree(s) of a size equal, or equivalent point value, to the assigned credit of the original tree.
- G. **Voluntary Tree Removal & Replacement:** Trees planted or protected/preserved on private property to meet the provisions of this chapter shall not be replaced or permanently removed without obtaining a Tree Removal & Replacement Permit, which shall confirm compliance with one of the following provisions or remedies:
 - 1. **Replacement:** A replacement tree shall meet, or exceed, the current minimum size or height requirement of the same tree type (shade or ornamental).
 - 2. **Permanent Removal:** When a tree must be removed and replacement is not practical, a payment may be made to the City of Salisbury in-lieu of the required tree being replaced based on the current minimum size or height requirement of the same tree type (shade or ornamental). The value of the payment shall be determined on an annual basis by the Community Planning Services department of the City of Salisbury and approved as part of the annual budget ordinance.

- H. **Building Setbacks:** Building placement within allowable setbacks may supersede Perimeter Buffer width requirements; however, there shall be no net loss of required Perimeter Buffer material or points.

8.4 Landscape Plan

- A. **Applicability:** Pursuant to the Applicability section above (Sec. 8.2), a Landscape Plan shall be required for a proposed development prior to any land disturbance. (This does not include predevelopment site grading, which is permitted by the provisions of Sections 4.5 and 15.5.) The Landscape Plan shall contain the information detailed in Section 16.10, Landscape Plan Requirements.
- B. **Overall Tree Canopy:** Proposed development requiring a Landscape Plan shall provide a minimum of 30% overall tree canopy. The tree canopy percentage of coverage is defined as one (1) tree per 500 square feet of gross surface area. Percentage of required tree canopy shall be calculated using gross acreage. In addition to tree preservation, compliance with this provision may be achieved using required perimeter buffers, street yards, and parking lot landscaping. For Major Subdivisions, tree canopy requirements can only be met on lots designated as common property, such as Home Owner's Association (HOA) or Property Owner's Association (POA) property.
- C. **Revisions to Approved Landscape Plans:** Due to lack of plant availability, approved landscape plans may require minor revisions. Minor revisions to Landscape Plans may be approved by the Administrator if:
 - 1. There is no reduction in the quantity of plant material.
 - 2. There is no significant change in size or location of plant materials.
 - 3. The new plants are of the same general category (i.e., shade trees, ornamental trees, shrubs, groundcover) and have the same general design characteristics (mature height, crown spread) as the materials being replaced.

8.5 Tree Protection & Preservation

A. Applicability and General Provisions

1. **Clearing (aka Clear Cutting):** Clearing, defined as the removal or destruction of 25% or more of the applicable development site trees having a DBH of 4 inches or greater, shall be prohibited unless the clearing is a part of, and identified on, an approved Preliminary Plat, Schematic Plan, or Master Plan. Up to 10% of the existing, applicable tree canopy identified on the aforementioned plan type may be cleared and not subject to the Tree Replacement provisions of Section 8.6, below. Clearing beyond that threshold shall be subject to the Tree Replacement provisions for sites experiencing inactivity. Clearing might not include grubbing or stumping the development site; however, any amount of clearing shall include complete removal of all fallen and residual debris from the development site.

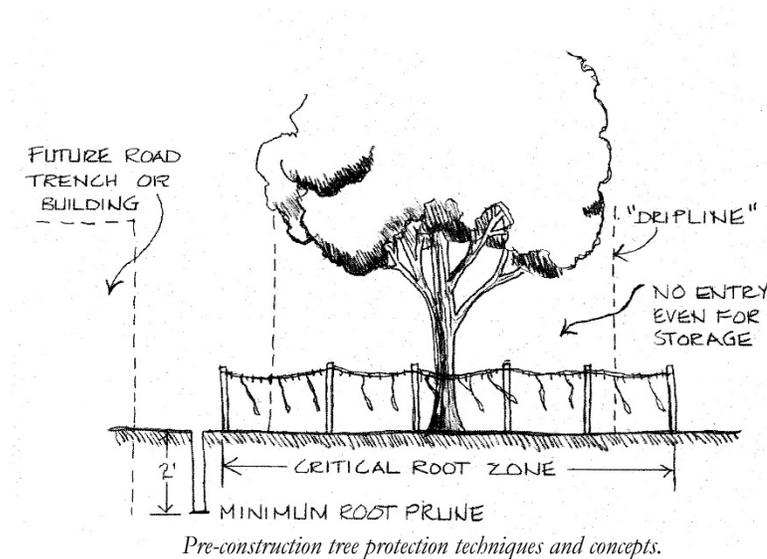
B. Landscape Credits for Tree Preservation

1. Credits for tree preservation are available when trees that are proposed for preservation are clearly identified on the Landscape Plan.
2. Minimum size requirement to qualify for tree preservation is 4 inches (DBH).
3. Landscape credits for existing trees within Perimeter Buffers will be given at the rate of 12 points per 4 inches in diameter at breast height (DBH) of existing plant preserved. (See Section 8.7 for details on points for landscaping.)

C. Protection of Existing Vegetation During Construction

1. A tree protection plan, showing there will be no disturbance in the Critical Root Zone (CRZ), shall be submitted prior to grading. Trenching, placing backfill, driving, or parking equipment in the CRZ, and the dumping of materials detrimental to plant health in close proximity of the trees to be preserved is prohibited.
2. Protective barricades shall be placed around all trees designated to be saved, prior to the start of development activities or grading.
 - a. Barricades may consist of 2"x 4" posts with 1"x 4" rails, orange safety fence, or a similar treatment and shall remain in place until development activities are complete.
 - b. The barricaded area shall remain free of all building materials, stockpiled soil or other construction debris.
 - c. Construction traffic, storage of vehicles and materials, and grading shall not take place within the protective areas of the existing trees.
 - d. Barricades shall be erected at a recommended minimum distance from the base of protected trees according to the following standards:

- (1) **For trees 10" or less in caliper:** Place at a minimum distance of 10' from the base of each protected tree, or outside the drip line, whichever is greater.
 - (2) **For trees greater than 10" in caliper:** Place at a minimum distance equal to 10' from the base of a protected tree plus an additional 1' for each additional 1" in caliper greater than 10" in caliper, or outside the drip line, whichever is greater.
3. Construction access to a site should occur where an existing or proposed entrance/exit is located.
 4. Land disturbance within a tree drip line is discouraged except for driveway access points, sidewalks, curb and gutter.
 5. Where grading within a tree drip line cannot be avoided, cut and fill shall be limited to $\frac{1}{4}$ to $\frac{1}{2}$ of the area within the drip line, and tree roots shall be pruned with clean cuts at the edge of the disturbed area. (No fill shall be placed within the drip line of a tree without venting to allow air and water to reach the roots.)
 6. Storage of construction materials and any other construction activities that contribute to the compaction should be limited to areas of the site within the limits of construction.



8.6 Tree Replacement

Although cleared, some development sites will experience delays or complete construction inactivity. In those instances, and following proper consultation and documentation, the following replacement/replanting provisions shall apply depending on the level of construction activity. Substantial progress is defined in Chapter 9, Environmental Protection, Phase II Stormwater Ordinance:

A. Replanting Cleared Land (No Substantial Progress):

Within 180 days following expiration of an approved plan's vesting period, replanting efforts shall be accomplished using one or more of the following methods:

1. Shade trees listed on the approved Large Trees appendix of the Landscape Ordinance & Design Guidelines, planted at a minimum of 6 feet to 8 feet tall, 1.5" DBH, and at a rate of at least 36 shade trees per acre.
2. Trees planted in compliance with the NC Cooperative Extension guide for reforestation, with tree seedlings planted at a minimum rate of one (1) tree per each 10-foot by 10-foot (10'x10') area.
3. As authorized under this section, a payment may be made to the City of Salisbury in-lieu of replanting. The value of the payment shall be determined on an annual basis by the Community Planning Services department of the City of Salisbury and approved as part of the annual budget ordinance. The applicant is informed of the amount to be paid upon statement of choice to utilize payment in-lieu in whole or part as a method to comply with these replanting provisions. Any payment shall be delivered to Development Services within the 180-day replanting period following closure of the vesting period.

- B. Replanting Cleared Land (Substantial Progress):** Following determination of substantial progress and one (1) year of uninterrupted construction inactivity, the city shall consult with the developer, owner of record, or their assigns, to determine project viability and a continuation schedule, if found viable. If project viability is unknown and undetermined, a letter to that fact shall be provided by the developer, owner of record, or their assigns, and replanting shall consist of planting all required Street Yard trees per the approved Landscape Plan. If the clearing and substantial progress are related only to a predevelopment site grading permit, replanting of Street Yard trees shall be in accordance with the Street Yard provisions of this Ordinance. Infrastructure shall include roads, driveways, sidewalks, utilities, and stormwater devices.

8.7 Perimeter Buffer

The landscaping regulations established in this section are intended to minimize potential conflicts between abutting developments, to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, and to ensure adequate landscaping in new development. New single family and/or duplex development that is part of a larger common plan is exempt from the provisions of this section.

A. Required Perimeter Buffer

Perimeter Buffers shall be required for any development or expansion of existing development. The perimeter buffer may be a Fixed or Flexible Buffer as described below.

1. Fixed Buffers

The purpose of Fixed Buffers is to ensure that a natural area of appropriate size and density of plantings is located between certain zoning districts. (See white boxes in table below)

- a. Fixed Buffers require a specific width, type of plant material, and quantity of plant material.
- b. In a mixed-use development, the interior boundaries of abutting outparcels are not required to meet the Fixed Buffer requirements.

2. Flexible Buffers

The intent of the Flexible Buffers is to provide for landscaping of new development or redevelopment, but to allow for creativity and flexibility in the placement of the landscaping throughout development sites rather than simply at the perimeter. (See gray boxes in table below)

Developers shall provide throughout the site the square footage of landscape area and number of landscape required points that would be equivalent to a Type-A buffer along the side and rear portions of the parcel (see 8.6.B, Buffer types). Required planting in street yards and of street trees shall not count toward the required minimum landscaping.

		Adjacent District							
		OSP RR	GR	HR UR MHD	RMX CI	HS NMX TND CMX	DMX	HB LI	HI
District of Proposed Development	OSP RR	A ₁	A ₁	A ₁	A ₁	A ₁	A ₁	A ₁	A ₁
	GR	C	A ₁	A ₁	A ₁	A ₁	A ₁	A ₁	A ₁
	HR UR MHD	C	B	A ₁					
	RMX CI	D ₂	C	B	A ₁				
	HS TND NMX CMX	E ₂	D ₃	C	B	A ₁	A ₁	A ₁	A ₁
	DMX	C ₄	B ₄	A _{1,4}					
	HB LI	F ₂	F ₂	C	B	B	A	A	A ₁
	HI	F ₂	F ₂	D ₂	C	C	B	B	A ₁

Buffer	Fixed or Flexible Buffer Required	Buffer	Fixed Buffer Required
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NOTES:

1. Flexible Buffer as specified in 8.6.A.2.
2. Complete visual separation required through the use of densely planted vegetation that would provide complete visual separation within three (3) years of planting or a six-foot fence (constructed of masonry or pressure treated lumber). In either case, the requirements of the table above shall be met for the corresponding buffer. Visual separation is not required where connectivity (for motor vehicles and/or non-motorized modes) between land uses is planned or provided.
3. Buffer required for the non-residential and/or multi-family portion of mixed use developments only.
4. In the DMX district, a maximum of 15% of the total lot area shall be required to meet the Buffer provisions.

B. Buffer Types

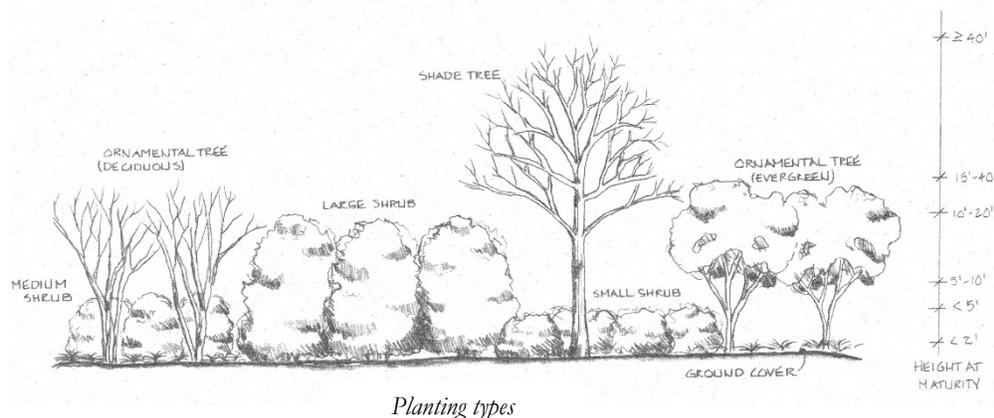
Each Buffer has a specified width, type of plant material and quantity of plant material which is required. The width and density of the Buffer increases as the difference in zoning classifications increases.

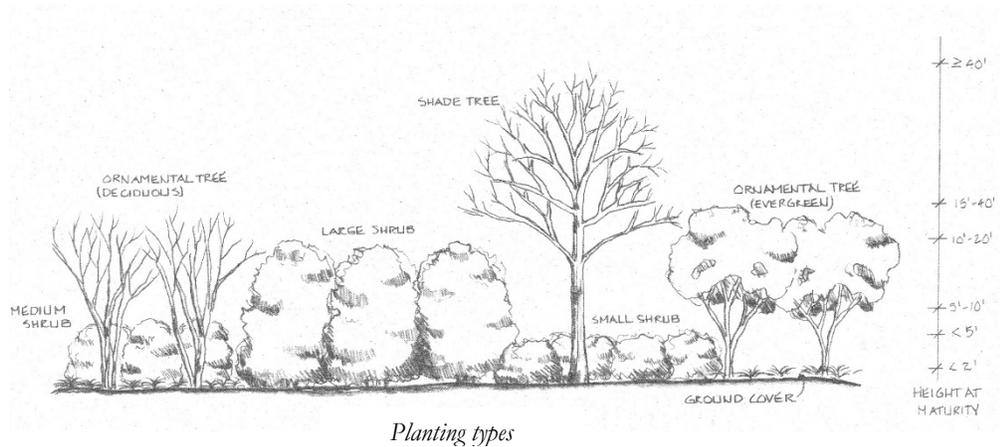
Buffer Type	Minimum Width	Trees *		Shrubs	Required points per linear foot
		Shade	Orn.		
A	8 ^{**}	n/a	1/100'	Optional	0.4
B	10'	1/100' (b)	N/A	Optional	0.6
C	15'	1/75'	1/100'	Optional	0.7
D	20'	1/50'	1/100'	Optional	0.8
E	25'	1/50'	1/75'	Optional	0.9
F	30'	1/50'	1/50'	Optional	1.0

* rounded to the nearest whole number; if 1/2, then round upward

** The buffer requirement for the Type A Buffer shall be a minimum average width of 8 feet, but at no time shall the width be less than four (4) feet.

Points for Buffers	
Planting Type	Points
Shade Tree	12
Ornamental Tree	6
Large Shrub	3
Medium Shrub	2
Small Shrub	1





1. In Type B Buffers, Ornamental Trees may be substituted for Shade Trees at the rate of two (2) Ornamental Trees for each required Shade Tree.
2. **Conflict with Utility Lines:** In the case of a conflict with utility lines, one (1) Ornamental Tree may be substituted for each required Shade Tree if approved by the Administrator or his designee and corresponding utility service(s).
3. **Landscape Credits:** Landscape credits for existing trees within Buffers will be given at the rate of 12 points per 4 inches in diameter at breast height (DBH) of existing plant material preserved.

8.8 Street Yard

A Street Yard consists of a planting area parallel to a public right-of-way but on private property, typically between the sidewalk and new development, designed to provide continuity of vegetation along the right-of-way and to soften the impact of development by providing a pleasing view from the road.

- A. **Applicability:** Street Yards shall be provided in all districts where a front setback greater than 10 feet is provided; however, Street Yard provisions are always exempt from development in the OSP, RR, DMX, GR, UR, HR, TND, and MHD districts.
- B. **Minimum Width:** Street Yards shall be a minimum of eight (8) feet wide.
- C. **Required Trees:** Street Yards shall contain one Shade Tree per 35 linear feet (or fraction thereof) except in areas of conflict with existing overhead utility lines, where Ornamental Trees shall be planted at one per 25 linear feet (or fraction thereof).
- D. **Tree Spacing:** Trees shall be distributed along the street frontage, but they are not required to be at equal intervals. This will allow for flexibility in design while discouraging long intervals without trees.
- E. No more than 20% of the Street Yard may be used for walkways or signs.
- F. Parking, merchandise display and off-street loading are prohibited in the Street Yard.

- G.** All trees in Street Yards shall be planted no closer than four (4) feet from any public right-of way.

8.9 Street Trees

Street trees shall be planted in the street right-of-way as specified in the table below. Spacing of trees should allow for a clear view of buildings and land uses.

Transect Zone	T-1	T-2	T-3	T-4	T-5	T-6	Assigned Districts
Zoning Districts	OSP	RR	GR MHD	UR HR RMX	NMX CMX TND	DMX	HB, HS, CI LI, HI
Street Tree Requirement	No	No	Yes	Yes, in UR & HR	Yes, in TND	No	No
Street Tree Location (required or voluntary)	n/a	n/a	Planting strip	Dependent on Street Section	Dependent on Street Section	Tree well	Dependent on Street Section

- A. Applicability:** Street trees shall apply to newly constructed and reconstructed streets.
- B.** Planting strips shall have a minimum width of seven (7) feet.
- C.** Shade trees shall be installed at an average distance of 50 feet on-center. Only where overhead utilities exist prior to development can ornamental trees be substituted and planted at the same distance.
- D.** Street trees shall be placed at least eight (8) feet from light poles and ten feet from electrical transformers in order to allow these utilities to be safely serviced.
- E.** Along state maintained streets, such plantings shall comply with NCDOT standards.

8.10 Landscape Standards for Parking Lots

A. Applicability:

1. All properties with new parking lots of 12 or more spaces or expanded lots (to add 12 or more spaces) shall be required to obtain a zoning permit and to comply with this section and the requirements for Perimeter Buffers (Section 8.7) and Street Yards (Section 8.8).
2. Existing parking lots (paved or unpaved) that are expanded or improved to add 12 or more spaces shall comply with the landscaping requirements of this section within the expanded or improved portion only.

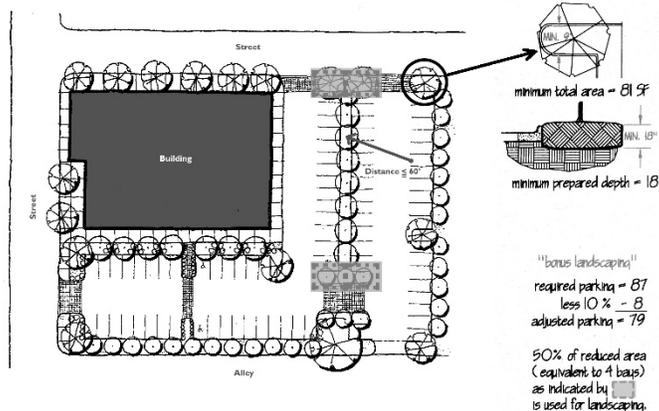
B. Perimeter Buffers:

1. If a perimeter buffer is not otherwise required or provided around new or expanded parking lots, a Type-A buffer shall be provided along the perimeter portion of parking lots that abut an adjacent property. These points may contribute towards the overall yard requirement.
2. Parking lot connections up to 24-feet wide between adjacent properties shall be exempt from the Perimeter Buffer requirements.

C. **Street Frontages:** Parking areas located along a street frontage shall have the portion of the lot that fronts the street screened up to a height of 3 feet using shrubs, brick walls (using brick that matches the adjacent building), wrought iron-type fencing, or any combination thereof. There shall be no openings in the screening greater than 2 feet except openings for pedestrian passage, which should be at least 5 feet in width. If landscaping is used, the minimum planting area width shall not be less than 4 feet. Where a street yard is provided, per Section 8.7, no additional landscape width beyond the width of the street yard shall be required. However, screening requirements shall be met within the street yard area.

D. Interior Parking Lot Landscaping:

1. In parking lots with 12 or more spaces, trees shall be planted at a rate of one Shade Tree for every 12 spaces or fraction thereof. Ornamental Trees may be provided at a rate of 2:1 in lieu of a Shade Tree where there is a conflict with overhead utility lines.



2. Required trees shall be located within or adjacent to parking lots as tree islands, medians, at the end of parking bays, traffic delineators, or between rows or parking spaces in a

manner such that no parking space is located more than 60 feet from a parking lot tree.

3. Trees located within the Perimeter Buffers or Street Yards cannot be credited toward the parking lot requirements.
4. Planting Areas within the parking lots shall provide a minimum of 81 square feet with a minimum inside dimension of nine (9) feet and a minimum prepared depth of 18 inches (see image on preceding page).
5. Any parking lot containing 20 or more parking spaces may reduce the number of required parking spaces by as much as 10% if 50% of the reduced area is used for parking lot landscaping, with no landscaped area less than the minimum required parking lot planting area (see example in image above). This bonus landscaping shall apply to non-residential uses in RMX, NMX, CMX, DMX, HB, LI, HI, HS, and CI districts only.

8.11 Landscape Standards and Specifications

- A. The developer shall furnish and install all plant materials listed on the plan schedule.
- B. Plant materials shall conform to the requirements described in the latest edition of American Standard for Nursery Stock, which is published by the American Association of Nurserymen.
- C. Plant materials shall be from an approved species list or approved by the Administrator or his designee.
- D. Shade Trees shall be minimum 2-inch caliper or larger at the time of planting. Ornamental Trees shall be a minimum of 6' in height at the time of planting (i.e., six feet from top of root ball to top of tree).
- E. No tree may be planted in the Sight Triangle (see Section 4.7.I, Intersections) without the prior approval of the Administrator.
- F. Do not use staking materials unless it is absolutely necessary. If staking is necessary, then the developer/property owner shall remove the staking materials after one growing season.
- G. The Administrator or his designee may be consulted to determine the proper time to move and install plant material so that stress to the plant is minimized. A temporary Certificate of Occupancy may be issued when extremes in weather or soil conditions are not favorable to landscaping.

Chapter 10. PARKING

10.1 Purpose and Intent

In order to provide adequate service for the parking of motor vehicles and bicycles, the City has enacted the following standards to regulate the construction, expansion, and renovation of parking lots and similar facilities.

10.1 Purpose and Intent
10.2 General Parking Provisions
10.3 Required Vehicle & Bicycle Parking
10.4 Off-Street Parking Area Design Provisions
10.5 Bicycle Parking Provisions
10.6 Parking Lot Connections

10.2 General Parking Provisions

- A. District Exceptions:** All uses located within the DMX, LI, and HI districts are exempt from Sec. 10.3 (Required Vehicle & Bicycle Parking). However, if vehicle parking is voluntarily provided in the DMX district, then the corresponding number of bicycle spaces shall be provided and all other applicable provisions shall apply.
- B. On-Street Parking:** Where on-street parking is permitted, the on-street spaces adjoining the development site may count toward the minimum parking requirement. This provision does not apply for single-family dwellings.
- C. Multi-Tenant Development:** A development with multiple tenants shall provide the aggregate number of parking spaces required for each separate use. When the site is developed as a planned integrated development with non-reserved shared parking that is calculated based on off-set peak hours of operation, the applicable approval authority may consider such a proposal. The shared parking calculations shall be detailed in the site data table of the applicable Master, Major, or Minor Site Plan.
- D. Accessibility:** Parking for the disabled shall be provided in accordance with the North Carolina State Accessibility Code.
- E. Parking Reductions for Housing for the Elderly & Disabled:** The Administrator may authorize a reduction in off-street parking requirements for multifamily dwellings (including duplexes and multifamily buildings of 4 or more units) to no less than three (3) off-street parking spaces for each four (4) dwelling units or fraction thereof provided that:
1. The design for off-street parking shall indicate compliance with the requirements for residential uses; however, only that amount of space need be developed as required by the Administrator as provided by this section.
 2. All the dwelling units in a specific development shall include those features accommodating occupancy by the elderly. For example, the dwelling units and access to them shall include, but not be exclusively limited to, such structural features as ramps, low-rise steps, grab bar, and handrails.
 3. Should any unit be occupied by non-elderly people, other than spouse or dependent of an elderly person, that unit shall be excluded from the computation for off-street parking for the elderly as authorized by the

10.3 Required Vehicle and Bicycle Parking

Use Type	Vehicle Parking Spaces		Bicycle Parking Spaces ^(b)
	Minimum Required ^(a)	Maximum Permitted ^(a)	
Residential	1 per bedroom up to 2 per unit		5% ^(c)
Lodging	1 per room or suite		2%
General Office / Business or Personal Service	2 per 1000 ft ²	5 per 1000 ft ²	5%
Medical/Dental Office	3 per 1000 ft ²	10 per 1000 ft ²	5%
Retail	2 per 1000 ft ²	5 per 1000 ft ²	5%
Restaurant/Bar	2 per 1000 ft ²	20 per 1000 ft ² of dining area	5%
Entertainment / Recreation / Fitness	2 per 1000 ft ²	6 per 1000 ft ²	5%
Theater	1 per 3 seats		5%
Manufacturing / Wholesale / Storage	2 per 1000 ft ²		2%
Civic / Institutional	2 per 1000 ft ²		5%

(a) All square footage calculations are gross interior floor area with the exception of a Restaurant/Bar use which can include both interior and exterior gross dining floor area for square footage calculations.

(b) Required bicycle parking spaces are based on the indicated minimum percentage of vehicle parking spaces provided. A single “inverted U” bicycle parking rack will count as two (2) bicycle parking spaces. The minimum number of bicycle parking spaces per use, when required, is two (2) or one rack and the maximum number of required bicycle spaces shall be 20 or 10 racks.

(c) Bicycle parking is required for multi-family dwellings of only more than 4 units per building

(d) Garage parking shall not count towards residential parking requirements, except for homes with two car garages, which may count 1 garage space towards parking requirements.

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Chapter 18: DEFINITIONS

18.1 Intent

For the purpose of interpreting this Ordinance, certain words, concepts, and ideas are defined herein. Except as defined herein, all other words used in this Ordinance shall have their everyday meaning as determined by their dictionary definition.

18.2 Interpretation

- A. Words used in the present tense include the future tense.
- B. Words used in the singular number include the plural, and words used in the plural number include the singular.
- C. Any word denoting gender includes the female and the male.
- D. The word "person" includes a firm, association, organization, partnership, corporation, trust and company as well as an individual.
- E. The word "lot" includes the word "plot" or "parcel" or "tract".
- F. The word "shall" is always mandatory and not merely directory.
- G. The word "structure" shall include the word "building."
- H. Definitions followed by the word *stormwater* are specific to the provisions of Section 6.7, Phase II Stormwater Ordinance.

Sign, Special event: A sign of a business or organization which is not part of its normal activities. Such a sign shall be limited to a business "grand opening" or "going-out-of-business sale," as well as fund-raising membership drives or events of civic, philanthropic, educational, or religious organizations.

Sign, Temporary sign: A sign which is permitted for a limited period of time.

Sign, Wall sign: A sign erected parallel to and extending not more than twelve (12) inches from the facade of any building to which it is attached, and supported throughout its entire length by the building face. It may not extend above the roof line. This type is also known as a flat sign or flat wall sign.

Sign face: The part of the sign that is or can be used to identify, advertise, or communicate information, or is used for visual representation which attracts the attention of the public for any purpose. Sign face includes any background material, panel, trim, color, and direct or self-illumination used that differentiates that sign from the building, structure, backdrop, surface, or object upon which or against which it is placed. The sign structure shall not be included as a portion of the sign face provided that no identifying/advertising message, symbol, or any of the aforementioned sign face criteria are displayed on or designed as part of the sign structure, whether structurally necessary or not.

Specimen Tree: Any healthy, existing tree over 18 inches in caliper measured at DBH, excluding Sweet Gum, Catalpa, Wild Cherry, Wild Elm, Princess, Hackberry, and Tree-of-Heaven trees found in a field or open grown condition, or along the edge of a forest stand or tree stand and displaying the root zone, canopy, and structure characteristic of the particular species.

Stoop: small uncovered platform at the entryway into a building usually elevated

above the fronting sidewalk or yard area by a staircase that is typically no wider than the overall entryway into a building.

Storm drainage facilities: The system of inlets, conduits, channels, ditches, and appurtenances which serve to collect and convey stormwater through and from a given drainage area.

Stormwater Runoff: The direct runoff of water resulting from precipitation in any form.

Stream: A watercourse that collects surface runoff.

Street: A dedicated and accepted public right-of-way for vehicular traffic which affords the principal means of access to abutting properties.

Street, cul-de-sac: A short local street having one end open to traffic and the other end permanently terminated by a vehicular turnaround.

Street, local: A street whose primary function is to provide access to abutting properties.

Street, private: A vehicular travelway not dedicated or offered for dedication as a public street but resembling a cul-de-sac or a local street and providing the principal means of access to abutting properties or buildings.

Street, public: A dedicated and accepted public right-of-way for vehicular traffic. In the city limits, a public street shall be maintained by the City of Salisbury or the state Department of Transportation. In the city's extraterritorial jurisdiction, a public street shall be designed and constructed to the state Department of Transportation's standards, and may, or may not, have been accepted for state maintenance. Alleys are specifically excluded.

Street, reconstructed: An existing street where road subgrade will be disturbed.

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LDOTA-01-2023 SUBDIVISION DEVELOPMENT



PETITION TO AMEND: LAND DEVELOPMENT ORDINANCE

- CHAPTERS 4, 5, 7, 8, 10, & 18

CURRENT TEXT

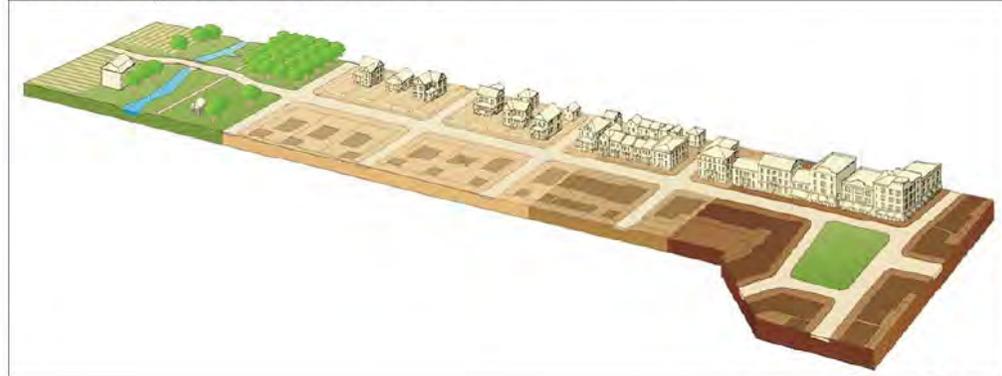
- B. Proposed subdivisions or any new development with frontage on existing publicly maintained streets shall upgrade those streets with the following elements:
- Only within the corporate city limits, sidewalks shall be installed in all zoning districts, except the OSP and RR districts, within the right-of-way of the applicable parcel(s) street frontage, per Section 4.9
 - A definable pedestrian connection shall be provided from a primary building entrance to the fronting public sidewalk system
 - Only within the corporate city limits, Street Trees shall be planted within the right-of-way of the applicable parcel(s) street frontage, if applicable per Section 4.7
 - Right-of-way reservation shall be granted along the applicable parcel(s) street frontage pursuant to the adopted MPO Comprehensive Transportation (CTP) and applicable NC-DOT standards

PROPOSED TEXT

- B. Proposed major subdivisions with frontage on existing publicly maintained streets shall upgrade those streets with the applicable improvements required by Section 4.4.A. Should the existing right-of-way be found inadequate to accommodate all required improvements, the City Engineer may require additional right-of-way or easements be dedicated.
- C. If required subdivision improvements and access cannot be accommodated within the right-of-way and any utility or access easements due to design or small lot widths, then the lot widths shall be increased until all improvements can be accommodated. (Regardless of minimum lot width permitted by zoning district.)

4.7 Street Design & Layout Provisions

New or reconstructed streets within a major subdivision in the City of Salisbury zoning jurisdiction shall be constructed in accordance with the following provisions. Additional detail of each provision follows the matrix.



	OSP	RR	GR MHD	UR HR RMX TND	NMX CMX	DMX TND	HB LI HI HS CI
Curb Type	n/a	Optional	Rolled, Valley, or Vertical	<u>Valley or</u> Vertical	Vertical	Vertical	Vertical
Drainage Type	Swale	Swale or Closed	Closed	Closed	Closed	Closed	Closed
Curb Radius	30'	30' no curb 20' w/curb	20'	20' unmark 10' marked	20' unmark 10' marked	10'	30'
On-Street Parking	n/a	n/a	Unmarked	Unmarked or Marked	Unmarked or Marked	Marked	Unmarked or Marked
Street Trees	n/a	n/a	Planting Strip	Planting Strip or Tree Well	Planting Strip or Tree Well	Tree Well	n/a
Street Lighting	n/a	n/a	Vehicle or Pedestrian Seal Required	Pedestrian Seal Required	Pedestrian Seal Required	Pedestrian Seal Required	Vehicle or Pedestrian Seal Required
Block Length	n/a	n/a	1200' max. 800' avg.	800' max. 600' avg.	800' max. 600' avg.	600' max. 400' avg.	1200' max. 800' avg.
Cul-de-sac or Close Length	800' max.	600' max.	600' max.	300' max.	Prohibited	Prohibited	800' max.

(a) Existing streets within a major subdivision may deviate from the standards set forth in this table only if the Technical Review Commission deems the requirement to be incompatible with the area.

5.5 Permitted Building Types By District

	OSF	RR	GR	UR	HR	RMX	NMX	CMX	DMX	HB	LI	HI	HS	CI	MHD	TND
HOUSE	•	•	•(1)	•(1)	•	•	•	•	×	×	×	×	•	•	•	•
TOWNHOUSE	×	×	•(1)	•(1)	×	•	•	•	×(2)	×	×	×	•	×	•	•
APARTMENT	×	×	×	×	×	•	•	•	•	•	×	×	•	×	×	•
MIXED-USE	×	×	×	×	×	•	•	•	•	×	×	×	×	×	×	•
COMMERCIAL	×	×	×	×	×	•	•	•	•	•	•	•	•	×	×	•
INSTITUTIONAL	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
PUBLIC LANDMARK	•(3)	•(3)	×	×	•(3)	×	×	×	•(3)	×	×	×	×	•(3)	×	•(3)

• = Building type permitted in district
 × = Building type prohibited in district as new construction. Nonconform

2.

Building Entrances: All buildings shall provide a primary entrance along the fronting façade, or at the building corner, and shall be designed for the pedestrian and be distinguishable from the rest of the building. Additional entrances may be oriented toward side or rear parking lots. Service entrances for shipping and receiving shall be oriented away from the street. *(Unless located within a national or local historic district, not applicable to one or two-family dwellings per N.C.S.L. 2015-86)*

A definable pedestrian connection shall be provided from a primary building entrance to the fronting public sidewalk system.
(Applicable to one and two-family dwellings; the intent is to provide safe pedestrian access, not to regulate design.)

5.16 Dimensional Standards by Zoning District for Residential Building Types

(All Numbers In Feet)

	OSP	RR	GR	HR	UR	RMX	NMX	CMX	DMX	HB	HS	CI
Lot Width: Minimum												
House	100	100	55	30	30	30	30	30	-	-	30	30
Townhouse	-	-	40 ⁴⁰	-	25 ^{^^}	25 ^{^^}	25 ^{^^}	25 ^{^^}	-	-	25 ^{^^}	-
Apartment	-	-	-	-	-	0	0	0	30	32	0	-
Lot Depth: Minimum												
House	100	100	100	100	100	100	100	100	0	-	100	100
Townhouse	-	-	0	-	0	0	0	0	-	-	0	-
Apartment	-	-	-	-	-	0	0	0	0	0	0	-
Front Setback: Minimum (a)												
House	30	40	10	10	10	10	10	10	-	-	10	0 or 10
Townhouse	-	-	0 or 10	-	0 or 10	0 or 10	0 or 10	0 or 10	-	-	0 or 10	-
Apartment	-	-	-	-	-	0 or 10	0 or 10	0 or 10	0	10	0 or 10	-
Front Setback: Maximum												
House	nm	nm	nm	nm	nm	nm	nm	nm	-	-	nm	nm
Townhouse	-	-	nm	-	nm	25	25	25	-	-	25	-
Apartment	-	-	-	-	-	nm	nm	nm	25	nm	nm	-
Front Yard Encroachment (b)												
House	-	8	8	8	8	8	8	8	-	-	8	8
Townhouse	-	-	5	-	5	5	5	5	-	-	5	-
Apartment	-	-	-	-	-	8	8	8	8	-	8	-
Side Setback: Minimum												
House	10	10	20%*	20%*	20%*	20%*	20%*	20%*	-	-	20%*	[5]
Townhouse	-	-	10**	-	10**	10**	10**	10**	-	-	10**	-
Apartment	-	-	-	-	-	10**	10**	10**	0 or 6**	0 or 4	10**	-

- (a) For corner lots, the building shall use the front setback for both streets
- (b) Upper story balconies may encroach into sidewalk ROW with city approval
- (e) Two (2) stories or 20 feet
- (f) Subject to LDO Section 6.5.C

- * 20% of the lot width
- ** Feet between buildings
- ^ Measured from centerline of alley
- [] 0' in development, otherwise
- + Hospital to 150' with SUP
- ^^ 20 feet if rear-accessed

7.2 Applicability

All residential and mixed-use residential developments greater than 12 total dwelling units shall be required to allocate recreational open space. Recreational open space shall be allocated at the Preliminary Plat (or Final Plat for Minor Subdivisions) phase for the GR, UR, HR, and RMX districts; and it shall be allocated at the Master Plan phase for a Conditional District (CD) and a Traditional Neighborhood Development (TND). Allocation shall not be required until determination of use for the NMX, ~~and~~ CMX, ~~and~~ HB districts. Residential development in the Downtown Mixed-Use (DMX) district shall be exempt from these provisions.

7.5 Recreational Open Space Allocation

The amount of open space required for allocation shall be determined using the Recreational Open Space allocation matrix below when residential uses are proposed based on the following matrices: Zoning Type, Recreational Open Space Type, and Amenity Type

Zoning Type	Total Recreation Space Required
GR-3 (3 u/ac.)	3%
GR-6 (6 u/ac.)	6%
HR/UR-8 (8 u/ac.)	8%
UR-12 (12 u/ac.)	12%
RMX (18 u/ac.) NMX (no max.) CMX (no max.) <u>HB (no max.)</u> TND (variable)	18%
OSP RR DMX	Exempt

8.7 Perimeter Bufferplanting Yards

The landscaping regulations established in this section are intended to minimize potential conflicts between abutting developments, to eliminate or minimize potential nuisances such as dirt, litter, noise, glare of lights, signs, and unsightly buildings or parking areas, and to ensure adequate landscaping in new development. New single family and/or duplex development that is part of a larger common plan is exempt from the provisions of this section.

A. Required Perimeter BufferPlanting Yards

Perimeter Bufferplanting yards shall be required for any development or expansion of existing development. The perimeter bufferplanting yard may be a FixedPerimeter or Flexible BufferPlanting Yard as described below.

1. Perimeter-Fixed BuffersPlanting Yards

The purpose of FixedPerimeter BufferPlanting Yards is to ensure that a natural area of appropriate size and density of plantings is located between certain zoning districts. (See white boxes in table below)

- a. FixedPerimeter BufferPlanting Yards require a specific width, type of plant material, and quantity of plant material.
- b. In a mixed-use development, the interior boundaries of abutting outparcels are not required to meet the FixedP Bufferplanting Yard requirements.

2. Flexible BufferPlanting Yards

The intent of the Flexible BufferPlanting Yards is to provide for landscaping of new development or redevelopment, but to allow for creativity and flexibility in the placement of the landscaping throughout development sites rather than simply at the perimeter. (See gray boxes in table below)

Developers shall provide throughout the site the square footage of landscape area and number of landscape required points that would be equivalent to a Type-A bufferplanting yard along the side and rear portions of the parcel (see 8.6.B, BufferPlanting Yard types). Required planting in street yards and of street trees shall not count toward the required minimum landscaping.

8.9 Street Trees

Street trees shall be planted in the street right-of-way as specified in the table below ~~and Section 4.7, Street Design and Layout Provisions~~. Spacing of trees should allow for a clear view of buildings and land uses.

Transect Zone	T-1	T-2	T-3	T-4	T-5	T-6	Assigned Districts
Zoning Districts	OSP	RR	GR MHD	UR HR RMX	NMX CMX TND	DMX	HB, HS, CI LI, HI
Street Tree Requirement	No	No	Yes	Yes, in UR & HR	Yes, in TND	No	No
Street Tree Location (required or voluntary)	n/a	n/a	Planting strip	Dependent on Street Section	Dependent on Street Section	Tree well	n/a <u>Dependent on Street Section</u>

- A. **Applicability:** Street trees shall apply to newly constructed and reconstructed streets.
- B. Planting strips shall have a minimum width of seven (7) feet.
- C. Shade trees shall be installed at an average distance of ~~50~~ 40 feet on-center. ~~Only w~~Where overhead utilities exist prior to development can, ornamental trees ~~shall~~ be substituted ~~at an average distance of 25 feet on center~~ and planted at the same distances.
- D. Street trees shall be placed at least eight (8) feet from light poles and ten feet from electrical transformers in order to allow these utilities to be safely serviced.
- E. Along state maintained streets, such plantings shall comply with NCDOT standards.

E.

10.3 Required Vehicle and Bicycle Parking

Use Type	Vehicle Parking Spaces		Bicycle Parking Spaces (b)
	Minimum Required(a)	Maximum Permitted(a)	
Residential	1 per bedroom up to 2 per unit		5% (c)
Lodging	1 per room or suite		2%
General Office / Business or Personal Service	2 per 1000 ft ²	5 per 1000 ft ²	5%
Medical/Dental Office	3 per 1000 ft ²	10 per 1000 ft ²	5%
Retail	2 per 1000 ft ²	5 per 1000 ft ²	5%
Restaurant/Bar	2 per 1000 ft ²	20 per 1000 ft ² of dining area	5%
Entertainment / Recreation / Fitness	2 per 1000 ft ²	6 per 1000 ft ²	5%
Theater	1 per 3 seats		5%
Manufacturing / Wholesale / Storage	2 per 1000 ft ²		2%
Civic / Institutional	2 per 1000 ft ²		5%

(a) All square footage calculations are gross interior floor area with the exception of a Restaurant/Bar use which can include both interior and exterior gross dining floor area for square footage calculations.

(b) Required bicycle parking spaces are based on the indicated minimum percentage of vehicle parking spaces provided. A single "inverted U" bicycle parking rack will count as two (2) bicycle parking spaces. The minimum number of bicycle parking spaces per use, when required, is two (2) or one rack and the maximum number of required bicycle spaces shall be 20 or 10 racks.

(c) Bicycle parking is required for multi-family dwellings of only more than 4 units per building

(d) Garage parking shall not count towards residential parking requirements, except for homes with two car garages, which may count 1 garage space towards parking requirements.

Street, public: A dedicated and accepted public right-of-way for vehicular traffic. In the city limits, a public street shall be maintained by the City of Salisbury or the state Department of Transportation. In the city's extraterritorial jurisdiction, a public street shall be designed and constructed to the state Department of Transportation's standards, and may, or may not, have been accepted for state maintenance. Alleys are specifically excluded.

Street, reconstructed: An existing street where road subgrade will be disturbed.

Forward 2040 Policies

- 8.3.2. Ensure multifamily developments, such as apartment complexes and condominiums, have adequate and well-designed open spaces centrally located for the enjoyment of all residents.
- 8.4.2. Through the Land Development Ordinance, continue to require the construction of sidewalks, street trees, and pedestrian-scaled lighting where appropriate in new development.



At their April 25, 2023 meeting the City of Salisbury Planning Board found the aforementioned amendment to the Land Development Ordinance to be consistent with the Forward 2040 Comprehensive Plan and voted unanimously to recommend approval.

AN ORDINANCE AMENDING CHAPTER 4 (SUBDIVISIONS AND INFRASTRUCTURE), CHAPTER 5 (BUILDING TYPES AND STANDARDS), CHAPTER 7 (RECREATIONAL OPEN SPACE), CHAPTER 8 (LANDSCAPING), CHAPTER 10 (PARKING), AND CHAPTER 18 (DEFINITIONS) OF THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA. (PETITION NO. LDOTA-01-2023)

WHEREAS, the Salisbury Planning Board, an advisory board to the Salisbury City Council, reviewed the text amendment on April 25, 2023 and hereby recommends its approval; and

WHEREAS, the City Council held a properly-noticed public hearing at the regularly-scheduled City Council meeting of May 16, 2023; and

WHEREAS, the City Council hereby finds and determines that adoption of an ordinance to amend the Land Development Ordinance of the City of Salisbury as underlined or stricken herein is reasonable, in the public interest, and is consistent with the Forward 2040 Comprehensive Plan.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

SECTION 1. That CHAPTER 4 (SUBDIVISIONS AND INFRASTRUCTURE), CHAPTER 5 (BUILDING TYPES AND STANDARDS), CHAPTER 7 (RECREATIONAL OPEN SPACE), CHAPTER 8 (LANDSCAPING), CHAPTER 10 (PARKING), AND CHAPTER 18 (DEFINITIONS) is amended as underlined or stricken.

SECTION 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. That this ordinance shall be effective from and after its passage.

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: 05/16/2023

Name of Group(s) or Individual(s) Making Request: Community Planning Services

Name of Presenter(s): Victoria Bailiff, Senior Planner

Requested Agenda Item: LDOTA-02-2023 Grading

Description of Requested Agenda Item: An ordinance amending Chapters 9 and 15 of the Land Development Ordinance.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

Council to hold public hearing and consider adopting an ordinance to amend the Land Development Ordinance as requested.

Contact Information for Group or Individual: Victoria Bailiff, victoria.bailiff@salisburync.gov, 704-638-5212

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Salisbury City Council Agenda Item Request Form



Approved

Delayed

Declined

Reason:

One Stop Development Shop

City of Salisbury Development Services
132 North Main Street | 704.638.5208



MEMORANDUM

TO: City Council
FROM: Victoria Bailiff
Senior Planner
DATE: City Council Meeting – May 16, 2023
RE: Ordinance Amendment – Chapter 9: Environmental Protection
Chapter 15: Development Process

City Staff has proposed text amendments to Chapters 9 and 15 to better modify the major site plan and minor site plan procedures, as well as add new language to permit developers to begin grading prior to construction document approval.

The current language in the Land Development Ordinance (LDO) was intended to allow for applicants to begin grading prior to construction document approval if the developer wishes, however, there is a concern from staff level regarding the timeline of approvals for minor and major site plans. The current language in Chapter 15 requires approval to proceed as follows: a schematic plan review, master plan approval, zoning permit approval, and finally construction document approval. Staff's concern with leaving the procedure like this, is that once a zoning permit has been issued, the developer is then free to obtain building permits. Generally, it is not considered good practice to allow a developer to begin construction on their building without approved construction documents for the site.

In regards to how this relates to grading: The ordinance states that the developer may begin grading once they have received their zoning permit (they would've already obtained master plan approval). If they do not yet have master plan approval then they may begin grading if they receive approval through the Pre-Development grading

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procedure, they do not qualify for a pre-development grading permit if they already have an approved master plan.

So the ordinance was written with the intent to allow developers to begin grading prior to construction document approval, however, it does not appear that the timing of building permit approval was taken into account when the ordinance was written, or there might possibly have been different building permitting procedures in place at the time.

The only change to Chapter 9 is the removal of the “Pre-Development Grading” language that has now been shifted into Chapter 15 so that all grading procedure language can be found in one location. The changes to Chapter 15 consist of:

- Changing Minor and Major Site Plan approval to proceed as follows: schematic plan review, master plan approval, construction document approval, zoning permit approval.
- Grading shall not commence until the project has approved construction documents.
- If the developer wishes to grade prior to construction document approval they must obtain either a “Predevelopment Grading” permit or a “Plan Approved Grading” permit by following requirements laid out in Section 15.5.

These amendments were sent to TRC for review on April 20, 2023 where the amendments were approved with no changes requested. The proposed amendments were reviewed by the Planning Board at their meeting on April 25, 2023; the Board found the amendments to be reasonable and unanimously recommended approval.

Within your packets you will find two versions of Chapters 9 and 15; the first is the redlined version so that you can easily see edits, and last is the clean edited version for easier reading.

Chapter 9. ENVIRONMENTAL PROTECTION

9.1 Purpose and Intent

A primary and fundamental element of this Ordinance is the protection of our existing environmental resources including floodplains and other stream corridors, wetlands, watersheds and groundwater recharge areas, soils, forest stands, specimen trees and other significant vegetation and wildlife. These elements are of economic value to the City and make it a desirable place to live and visit.

9.1 Purpose and Intent
9.2 Demolition Landfill Development
9.3 Sedimentation and Erosion Control
9.4 Predevelopment Site Grading
9.45 Flood Damage Protection Ordinance
9.56 Watershed Protection Ordinance
9.67 Phase II Storm Water Ordinance

9.2 Demolition Landfill Development

Areas that have been used for the disposal of solid waste shall not be subdivided into commercial or residential building sites. This includes areas that have been used for the disposal of trash, demolition waste, construction debris, stumps, and other waste materials.

9.3 Sedimentation and Erosion Control

A. All Land Disturbing Activity Exceeding One (1) Acre

In order to prevent soil erosion and sedimentation pollution, the developer shall comply with all requirements of the North Carolina Sedimentation Pollution Control Act of 1973, as amended. A Sedimentation and Erosion Control Plan approved by Rowan County Erosion Control (or other agencies having jurisdiction) shall be in place prior to any land disturbing activity.

B. All Land Disturbing Activity Under (1) Acre

The City of Salisbury Stormwater Ordinance requires that anyone conducting land-disturbing activity control sediment and provide adequate measures to retain sediment at the disturbed site. The total disturbed area of the site includes any borrow or waste areas that are used for the residential site, if the borrow or waste areas are not currently permitted by the City of Salisbury or NCDEQ. Land-disturbing activities include demolition and land clearing. Erosion Control measures must be installed in accordance with the City of Salisbury *Engineering Design & Construction Standards Procedures Manual*.

1. Failure to install or maintain erosion control measures may result in penalties of up to \$5,000 per day.
2. A stabilized entrance pad of soil stabilization fabric, #5 washed stone and railroad ballast mix shall be located where construction traffic will enter or leave the construction site onto a street. The construction entrance shall be a minimum of 25 feet long by 14 feet wide, and 6" thick. The soil stabilization fabric shall extend the full length and width of the construction entrance.

3. The construction entrance shall be maintained in a condition which will prevent tracking or flowing of sediment onto streets or existing pavement. This may require periodic top dressing with additional stone as conditions warrant and repair or cleanout of any measures used to trap sediment.
4. Any sediment spilled, dropped, washed, or tracked onto streets or sidewalk must be removed immediately. Any aggregate tracked into the street or sidewalk must be swept back onsite on a nightly basis.

9.4 — Pre-Development Site Grading

~~Predevelopment site grading may commence only with a permit issued in accordance with the provisions of Section 15.5. Predevelopment site grading, for the purpose of this Ordinance, is any land disturbing activity of one acre or more that is not regulated by a previously approved site plan. The grading may be considered a “low impact” or “high impact” activity based on the table below. If one or more of the high impact activities exist, it is considered high impact.~~

Low Impact Activity	High Impact Activity
1. Land disturbing activity is more than 100 feet from a residential district.	1. Land disturbing activity is 100 feet or less from a residential district.
2. Land disturbing activity will not intrude into either the Street Yard landscaping area or Planting Yard landscaping area (see Chapter 8, Landscaping)	2. Land disturbing activity will intrude into either the Street Yard area or the Planting Yard landscaping area (see Chapter 8, Landscaping)
3. The steepness of the proposed slope at clearing limit is 3:1 (horizontal: vertical) or flatter	3. The steepness of the proposed slope at clearing limit is greater (steeper) than 3:1 (horizontal: vertical)
4. The height of proposed grade change (cut or fill) is less than or equal to 3 feet.	4. The height of the proposed grade change is greater than 3 feet.

9.45 Flood Damage Protection Ordinance

The Flood Damage Prevention Ordinance is codified into the City of Salisbury Land Development Ordinance as Appendix C.

9.56 Watershed Protection Ordinance

A. General Provisions

1. Authority

The Legislature of the State of North Carolina has, in Chapter 160A, Article Section 174, General Code Authority; and in Chapter 143, Article 21, Watershed Protection Rules, delegated the responsibility or directed local governmental units to adopt regulations designed to promote the public health,

Chapter 9. ENVIRONMENTAL PROTECTION

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1. Failure to install or maintain erosion control measures may result in penalties of up to \$5,000 per day.
2. A stabilized entrance pad of soil stabilization fabric, #5 washed stone and railroad ballast mix shall be located where construction traffic will enter or leave the construction site onto a street. The construction entrance shall be a minimum of 25 feet long by 14 feet wide, and 6" thick. The soil stabilization fabric shall extend the full length and width of the construction entrance.

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A. General Provisions

1. Authority

The Legislature of the State of North Carolina has, in Chapter 160A, Article Section 174, General Code Authority; and in Chapter 143, Article 21, Watershed Protection Rules, delegated the responsibility or directed local governmental units to adopt regulations designed to promote the public health, safety, and general welfare of its citizenry. The City Council of Salisbury enacted into law the following sections as the Watershed Protection Code of the City of Salisbury as adopted on June 22, 1972.

2. Jurisdiction and Coordination with Other Codes

The provisions of this Chapter shall apply only to those lands within the City of Salisbury corporate boundaries and extraterritorial jurisdictional limits that have been designated as a Public Water Supply Watershed by the NC Environmental Management Commission. These areas are identified by the overlay districts as established on the City of Salisbury's Watershed Overlay District:

- Watershed Protection Overlay (WPO)

The requirements stated in this Chapter shall supersede all other applicable codes enumerated in this Ordinance, unless otherwise provided.

CHAPTER 15. DEVELOPMENT PROCESS

15.1 Purpose and Intent

In order to establish an orderly process to develop land within the jurisdiction of the City of Salisbury consistent with standard development practices and terminology it is the purpose of this Chapter to provide a clear and comprehensible development process that is fair and equitable to all interests including the petitioners, affected neighbors, City staff and related agencies, Boards and Commissions, and the City Council. The intent of this Chapter is as follows:

- *To ensure that land, parcels, and lots are appropriately subdivided so that their use and development complies with all applicable requirements of this Ordinance;*
- *To ensure that development is in a manner generally harmonious with surrounding properties and without the endangerment of the health, safety, and general welfare of existing, prospective, or future owners, users, surrounding and adjoining properties, and the public; and*
- *To provide for the adequate and efficient provision of facilities and/or infrastructure, and the dedication of land, rights-of-way, and easements, so as not to burden the fiscal resources of the City. This includes the construction of buildings and utilities, streets and sidewalks, landscaping, recreational open spaces, and other provisions required for the public good of the City of Salisbury.*

- 15.1 Purpose and Intent
 - 15.2 General Applicability
 - 15.3 Public Notification for Public or Evidentiary Hearings
 - 15.4 Administrative Permit Procedures-General Provisions
 - 15.5 ~~Predevelopment Site~~ Grading Permits
 - 15.6 Zoning Permits
 - 15.7 Certificate of Appropriateness
 - 15.8 Minor Site Plans
 - 15.9 Major Site Plans
 - 15.10 Subdivision Procedures-General Provisions
 - 15.11 Exception Plat Subdivision
 - 15.12 Minor Subdivision
 - 15.13 Major Subdivision
 - 15.14 Quasi-Judicial Procedures-General Provisions
 - 15.15 Administrative Appeals
 - 15.16 Variances
 - 15.17 Alternate Methods of Compliance
 - 15.18 Special Use Permits
 - 15.19 Legislative Procedures-General Provisions
 - 15.20 Local Historic Overlay District (LHO) and Historic Landmark Overlay (HLO) District Establishment
 - 15.21 Text Amendments
 - 15.22 Map Amendments (rezonings)
 - 15.23 Conditional Districts
 - 15.24 Future Land Use Map Amendment
 - 15.25 Vested Rights
 - 15.26 Transportation Impact Analysis
 - 15.27 Stormwater Permit
-

The Salisbury City Council shall adopt from time to time, a schedule of fees and review schedule for application and processing as specified in this Ordinance.

15.2 General Applicability

The provisions of this Chapter shall be applicable to all development activity under the jurisdiction of the City of Salisbury. No building, sign or other structure (except as otherwise provided for in this Ordinance) shall be erected, moved, extended or enlarged or structurally altered, nor shall the use conducted within the building change, nor shall any excavation or filling of any lot for the construction of any building be commenced, nor shall any change in the use of a property be commenced until the Administrator has issued an applicable permit for such work. The issuance of a permit is subject to the required development review process as applicable for the development petition. No grading or infrastructure work may commence prior to the issuance of ~~the appropriate Zoning or~~ Development ~~approval~~ Permit. Development approvals made pursuant to this Ordinance attach to and run with the land.

Applications for development approvals may be made by the landowner, a lessee or person holding an option or contract to purchase or lease land, or an authorized agent of the one of these persons. An easement holder may also apply for development approval for such development as is authorized by the easement.

15.3 Public Notification for Public or Evidentiary Hearings

Public notification is statutorily required for legislative public hearings and quasi-judicial evidentiary hearings.

Public notification for quasi-judicial evidentiary hearings shall be made in the manner as described below in subsections B and C. Legislative public hearings are divided into two (2) categories: 1) Text Amendments and 2) Map Amendments (rezoning), which includes Conditional Districts, Future Land Use Map Amendments, and Vested Rights. Public notification for Text Amendments shall be made in the manner as described below in subsection A. Public notifications for Map Amendments shall be made in the manner as described below in subsections A, B, C, and D, if applicable. The notification procedures for E may replace those of C when the Map Amendment directly affects more than 50 properties owned by at least 50 different property owners.

15.5 **Predevelopment Site Grading Permits**

~~Permits for grading shall be required for any land disturbing activity that does not have approved construction documents. Grading permissions issued under this section shall supersede any other grading restrictions in this chapter. Grading plans must be submitted for review and shall be prepared by a licensed professional, at a scale of not less than 1 inch = 50 feet, showing existing conditions and proposed grading activity. No Grading permit shall be issued without the appropriate City, County, State, and Federal approvals; including, but not limited to, Erosion Control approval, Driveway permit, Floodplain development permit, and 401 Certification. Grading permit approval does not grant permission to proceed with infrastructure improvements. Permits for predevelopment grading shall be required for any land disturbing activity of one acre or more that is not regulated by a previously approved site plan. Grading shall be considered “low impact” or “high impact” in accordance with the provisions of Section 9.4, Pre-Development Site Grading.~~

A. Predevelopment Grading

~~**Low Impact Activity:** Permits for predevelopment grading shall be required for any land disturbing activity of one acre or more that is not regulated by a previously approved site plan. Grading shall be considered “low impact” or high impact” in accordance with the below provisions. For a low impact activity, a predevelopment site grading permit can be secured following a review and approval by the Administrator. If denied by the Administrator, the Administrator shall state in writing the reason(s) for the denial. If the Administrator denies issuing the permit, the matter may be appealed to the Zoning Board of Adjustment.~~

- ~~1. **Low Impact Activity:** For a low impact activity, a predevelopment site grading permit can be secured following administrative review and approval. If denied, the applicant shall be issued a formal letter of denial stating, in writing, the reason(s) for the denial. If the permit is denied, the matter may be appealed to the Zoning Board of Adjustment.~~
- ~~2. **High Impact Activity:** If one or more of the high impact activities in the table below exist, it is considered high impact.

 - ~~a. For a high impact activity, a predevelopment site grading permit shall be reviewed and recommended by the Technical Review Committee before being considered for approval or denial by the City Council.~~
 - ~~b. Land Disturbing Activity Within 100 feet of Residential District: In the case of high impact activity number 1 (“Land disturbing activity is within 100 feet or less from a residential district.”), property owners within 100 feet of any land disturbing activity shall be notified in writing, by first class mail, of a city public hearing to be conducted prior to the City’s consideration of issuance of the permit.~~~~

<u>Low Impact Activity</u>	<u>High Impact Activity</u>
<u>1. Land disturbing activity is more than 100 feet from a residential district.</u>	<u>1. Land disturbing activity is 100 feet or less from a residential district.</u>
<u>2. Land disturbing activity will not intrude into either the Street Yard landscaping area or Planting Yard landscaping area (see Chapter 8, Landscaping)</u>	<u>2. Land disturbing activity will intrude into either the Street Yard area or the Planting Yard landscaping area (see Chapter 8, Landscaping)</u>
<u>3. The steepness of the proposed slope at clearing limit is 3:1 (horizontal: vertical) or flatter</u>	<u>3. The steepness of the proposed slope at clearing limit is greater (steeper) than 3:1 (horizontal: vertical)</u>
<u>4. The height of proposed grade change (cut or fill) is less than or equal to 3 feet.</u>	<u>4. The height of the proposed grade change is greater than 3 feet.</u>

B. Plan Approved Grading High Impact Activity:

Any major subdivision, major site plan, minor site plan, or conditional district rezoning that has not expired and has received master plan or preliminary plat approval shall qualify to apply for a grading permit. A Plan Approved Grading permit can be secured following administrative review and approval. If denied, the applicant shall be issued a formal letter of denial stating, in writing, the reason(s) for the denial. If the permit is denied, the matter may be appealed to the Zoning Board of Adjustment. No grading permit shall be required if the development has already received Construction Document approval and the master plan or preliminary plat has not expired.

~~For a high impact activity, a predevelopment site grading permit shall be reviewed and recommended by the Technical Review Committee before being considered for approval or denial by the City Council.~~

~~**Land Disturbing Activity Within 100 feet of Residential District:** In the case of high impact activity number 1 (Sec. 9.4: “Land disturbing activity is within 100 feet or less from a residential district.”), property owners within 100 feet of any land disturbing activity shall be notified in writing, by first class mail, of a city public hearing to be conducted prior to the City’s consideration of issuance of the permit.~~

15.8 Minor Site Plan

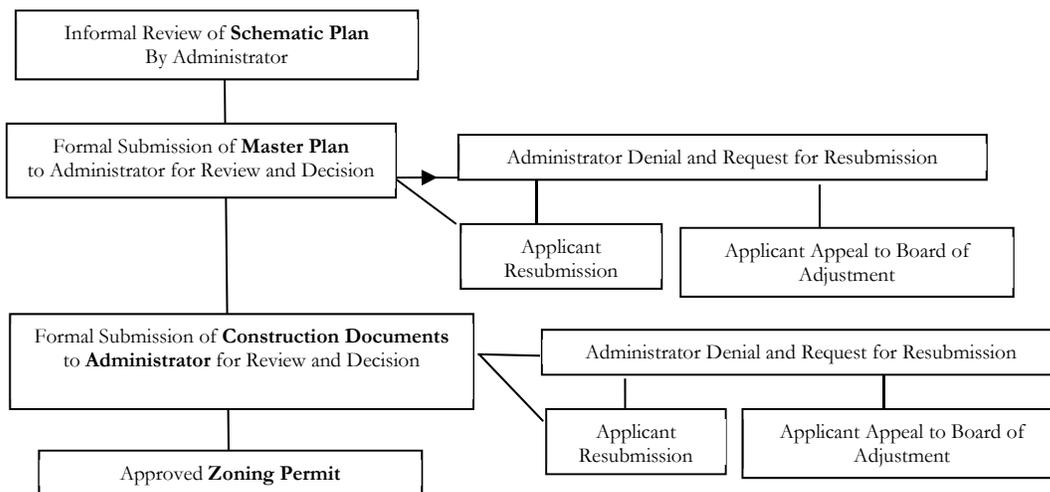
A. Applicability:

- Multi-family development less than 8 units
- Non-residential development or expansion less than 10,000 square feet in gross floor area

B. **Case Management:** The Administrator, or their designee, shall assign a case number to all Minor Site Plans for processing and permanent tracking. Following original approval of the case, any and all changes to the plan shall be considered modifications to the original plan and shall be processed under the original case number. Any approved modifications shall fully replace the original approval. Concurrently-approved plans for the same property or properties are prohibited.

C. Procedure:

APPLICATION	REVIEWING AUTHORITY	ACTION TO BE TAKEN	APPEAL PROCESS
Schematic Plan (16.3)	Administrator	For Non-Binding Review Only	n/a
Master Plan (16.4)	Administrator	Review for Completeness & Ordinance Compliance Zoning Permit Approval Issued -or- Denial and Request for Resubmission	Board of Adjustment
Construction Documents (16.5) (if applicable)	Administrator	Review for Completeness & Ordinance Compliance Zoning Development Permit Issued -or- Denial and Request for Resubmission	Board of Adjustment



15.9 Major Site Plan

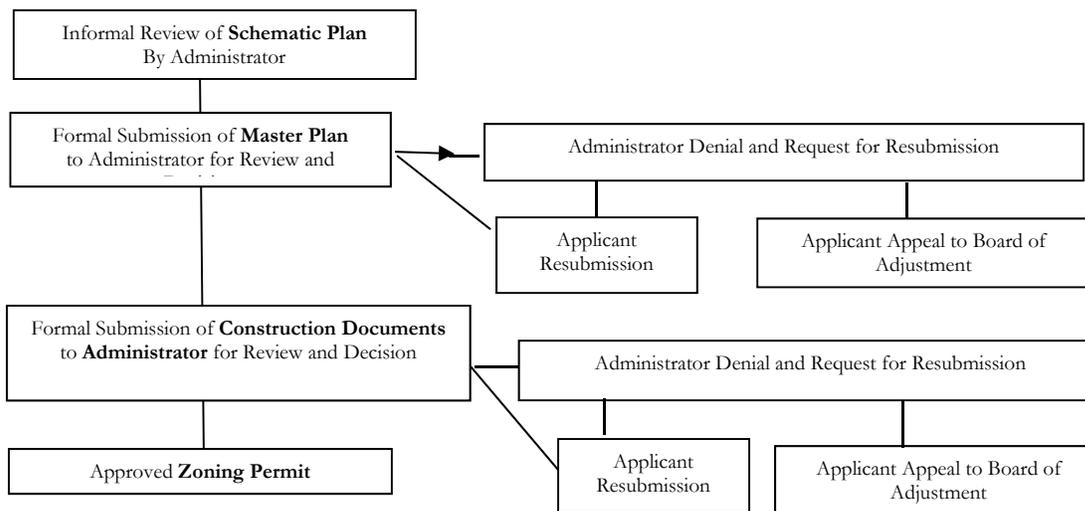
A. Applicability:

- Multi-family development with 8 or more units
- Non-residential development or expansion 10,000 square feet or greater in gross floor area
- Industrial development

B. Case Management: The Administrator, or their designee, shall assign a case number to all Major Site Plans for processing and permanent tracking. Following original approval of the case, any and all changes to the plan shall be considered modifications to the original plan and shall be processed under the original case number. Any approved modifications shall fully replace the original approval. Concurrently-approved plans for the same property or properties are prohibited.

C. Procedure:

APPLICATION	REVIEWING AUTHORITY	ACTION TO BE TAKEN	APPEAL PROCESS
Schematic Plan (16.3)	Administrator	For Non-Binding Review Only	n/a
Master Plan (16.4)	Technical Review Committee (TRC)	Review for Completeness & Ordinance Compliance Zoning Permit Approval Issued -or- Denial and Request for Resubmission	Zoning Board of Adjustment
Construction Documents (16.5)	Administrator	Review for Completeness & Ordinance Compliance Zoning Development Permit Issued -or- Denial and Request for Resubmission	Zoning Board of Adjustment



CHAPTER 15. DEVELOPMENT PROCESS

15.1 Purpose and Intent

In order to establish an orderly process to develop land within the jurisdiction of the City of Salisbury consistent with standard development practices and terminology it is the purpose of this Chapter to provide a clear and comprehensible development process that is fair and equitable to all interests including the petitioners, affected neighbors, City staff and related agencies, Boards and Commissions, and the City Council. The intent of this Chapter is as follows:

- *To ensure that land, parcels, and lots are appropriately subdivided so that their use and development complies with all applicable requirements of this Ordinance;*
- *To ensure that development is in a manner generally harmonious with surrounding properties and without the endangerment of the health, safety, and general welfare of existing, prospective, or future owners, users, surrounding and adjoining properties, and the public; and*
- *To provide for the adequate and efficient provision of facilities and/or infrastructure, and the dedication of land, rights-of-way, and easements, so as not to burden the fiscal resources of the City. This includes the construction of buildings and utilities, streets and sidewalks, landscaping, recreational open spaces, and other provisions required for the public good of the City of Salisbury.*

- 15.1 Purpose and Intent
 - 15.2 General Applicability
 - 15.3 Public Notification for Public or Evidentiary Hearings
 - 15.4 Administrative Permit Procedures-General Provisions
 - 15.5 Grading Permits
 - 15.6 Zoning Permits
 - 15.7 Certificate of Appropriateness
 - 15.8 Minor Site Plans
 - 15.9 Major Site Plans
 - 15.10 Subdivision Procedures-General Provisions
 - 15.11 Exception Plat Subdivision
 - 15.12 Minor Subdivision
 - 15.13 Major Subdivision
 - 15.14 Quasi-Judicial Procedures-General Provisions
 - 15.15 Administrative Appeals
 - 15.16 Variances
 - 15.17 Alternate Methods of Compliance
 - 15.18 Special Use Permits
 - 15.19 Legislative Procedures-General Provisions
 - 15.20 Local Historic Overlay District (LHO) and Historic Landmark Overlay (HLO) District Establishment
 - 15.21 Text Amendments
 - 15.22 Map Amendments (rezonings)
 - 15.23 Conditional Districts
 - 15.24 Future Land Use Map Amendment
 - 15.25 Vested Rights
 - 15.26 Transportation Impact Analysis
 - 15.27 Stormwater Permit
-

The Salisbury City Council shall adopt from time to time, a schedule of fees and review schedule for application and processing as specified in this Ordinance.

15.2 General Applicability

The provisions of this Chapter shall be applicable to all development activity under the jurisdiction of the City of Salisbury. No building, sign or other structure (except as otherwise provided for in this Ordinance) shall be erected, moved, extended or enlarged or structurally altered, nor shall the use conducted within the building change, nor shall any excavation or filling of any lot for the construction of any building be commenced, nor shall any change in the use of a property be commenced until the Administrator has issued an applicable permit for such work. The issuance of a permit is subject to the required development review process as applicable for the development petition. No grading or infrastructure work may commence prior to the issuance of the appropriate Development approval. Development approvals made pursuant to this Ordinance attach to and run with the land.

Applications for development approvals may be made by the landowner, a lessee or person holding an option or contract to purchase or lease land, or an authorized agent of the one of these persons. An easement holder may also apply for development approval for such development as is authorized by the easement.

15.3 Public Notification for Public or Evidentiary Hearings

Public notification is statutorily required for legislative public hearings and quasi-judicial evidentiary hearings.

Public notification for quasi-judicial evidentiary hearings shall be made in the manner as described below in subsections B and C. Legislative public hearings are divided into two (2) categories: 1) Text Amendments and 2) Map Amendments (rezoning), which includes Conditional Districts, Future Land Use Map Amendments, and Vested Rights. Public notification for Text Amendments shall be made in the manner as described below in subsection A. Public notifications for Map Amendments shall be made in the manner as described below in subsections A, B, C, and D, if applicable. The notification procedures for E may replace those of C when the Map Amendment directly affects more than 50 properties owned by at least 50 different property owners.

15.5 Grading Permits

Permits for grading shall be required for any land disturbing activity that does not have approved construction documents. Grading permissions issued under this section shall supersede any other grading restrictions in this chapter. Grading plans must be submitted for review and shall be prepared by a licensed professional, at a scale of not less than 1 inch = 50 feet, showing existing conditions and proposed grading activity. No Grading permit shall be issued without the appropriate City, County, State, and Federal approvals; including, but not limited to, Erosion Control approval, Driveway permit, Floodplain development permit, and 401 Certification. Grading permit approval does not grant permission to proceed with infrastructure improvements.

A. Predevelopment Grading

Permits for predevelopment grading shall be required for any land disturbing activity of one acre or more that is not regulated by a previously approved site plan. Grading shall be considered “low impact” or high impact” in accordance with the below provisions.

1. **Low Impact Activity:** For a low impact activity, a predevelopment site grading permit can be secured following administrative review and approval. If denied, the applicant shall be issued a formal letter of denial stating, in writing, the reason(s) for the denial. If the permit is denied, the matter may be appealed to the Zoning Board of Adjustment.
2. **High Impact Activity:** If one or more of the high impact activities in the table below exist, it is considered high impact.
 - a. For a high impact activity, a predevelopment site grading permit shall be reviewed and recommended by the Technical Review Committee before being considered for approval or denial by the City Council.
 - b. Land Disturbing Activity Within 100 feet of Residential District: In the case of high impact activity number 1 (“Land disturbing activity is within 100 feet or less from a residential district.”), property owners within 100 feet of any land disturbing activity shall be notified in writing, by first class mail, of a city public hearing to be conducted prior to the City’s consideration of issuance of the permit.

Low Impact Activity	High Impact Activity
1. Land disturbing activity is more than 100 feet from a residential district.	1. Land disturbing activity is 100 feet or less from a residential district.
2. Land disturbing activity will not intrude into either the Street Yard landscaping area or Planting Yard landscaping area (<i>see Chapter 8, Landscaping</i>)	2. Land disturbing activity will intrude into either the Street Yard area or the Planting Yard landscaping area (<i>see Chapter 8, Landscaping</i>)
3. The steepness of the proposed slope at clearing limit is 3:1 (horizontal: vertical) or flatter	3. The steepness of the proposed slope at clearing limit is greater (steeper) than 3:1 (horizontal: vertical)
4. The height of proposed grade change (cut or fill) is less than or equal to 3 feet.	4. The height of the proposed grade change is greater than 3 feet.

B. Plan Approved Grading

Any major subdivision, major site plan, minor site plan, or conditional district rezoning that has not expired and has received master plan or preliminary plat approval shall qualify to apply for a grading permit. A Plan Approved Grading permit can be secured following administrative review and approval. If denied, the applicant shall be issued a formal letter of denial stating, in writing, the reason(s) for the denial. If the permit is denied, the matter may be appealed to the Zoning Board of Adjustment. No grading permit shall be required if the development has already received Construction Document approval and the master plan or preliminary plat has not expired.

15.8 Minor Site Plan

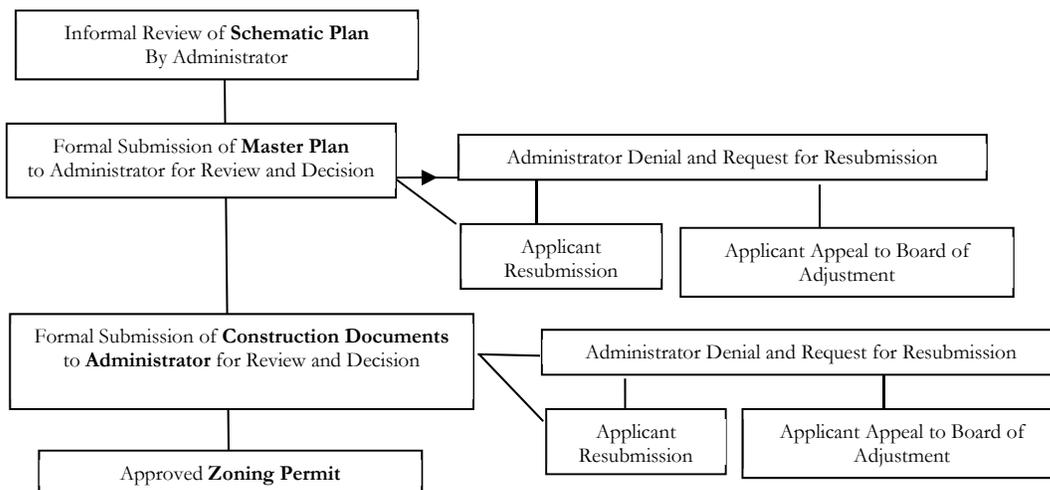
A. Applicability:

- Multi-family development less than 8 units
- Non-residential development or expansion less than 10,000 square feet in gross floor area

B. **Case Management:** The Administrator, or their designee, shall assign a case number to all Minor Site Plans for processing and permanent tracking. Following original approval of the case, any and all changes to the plan shall be considered modifications to the original plan and shall be processed under the original case number. Any approved modifications shall fully replace the original approval. Concurrently-approved plans for the same property or properties are prohibited.

C. Procedure:

APPLICATION	REVIEWING AUTHORITY	ACTION TO BE TAKEN	APPEAL PROCESS
Schematic Plan (16.3)	Administrator	For Non-Binding Review Only	n/a
Master Plan (16.4)	Administrator	Review for Completeness & Ordinance Compliance Approval Issued -or- Denial and Request for Resubmission	Board of Adjustment
Construction Documents (16.5) (if applicable)	Administrator	Review for Completeness & Ordinance Compliance Zoning Permit Issued -or- Denial and Request for Resubmission	Board of Adjustment



15.9 Major Site Plan

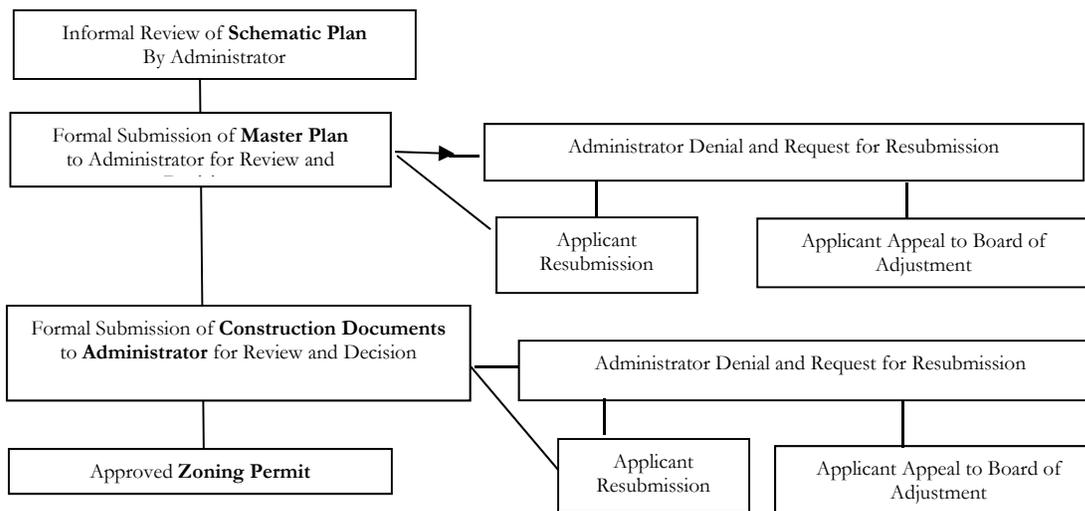
A. Applicability:

- Multi-family development with 8 or more units
- Non-residential development or expansion 10,000 square feet or greater in gross floor area
- Industrial development

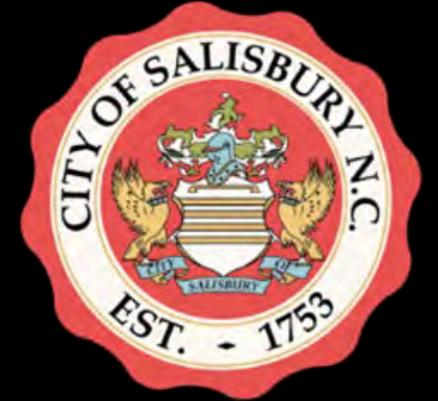
B. Case Management: The Administrator, or their designee, shall assign a case number to all Major Site Plans for processing and permanent tracking. Following original approval of the case, any and all changes to the plan shall be considered modifications to the original plan and shall be processed under the original case number. Any approved modifications shall fully replace the original approval. Concurrently-approved plans for the same property or properties are prohibited.

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LDOTA-02-2023 Grading



PETITION TO AMEND: LAND DEVELOPMENT ORDINANCE

- CHAPTERS 9 & 15

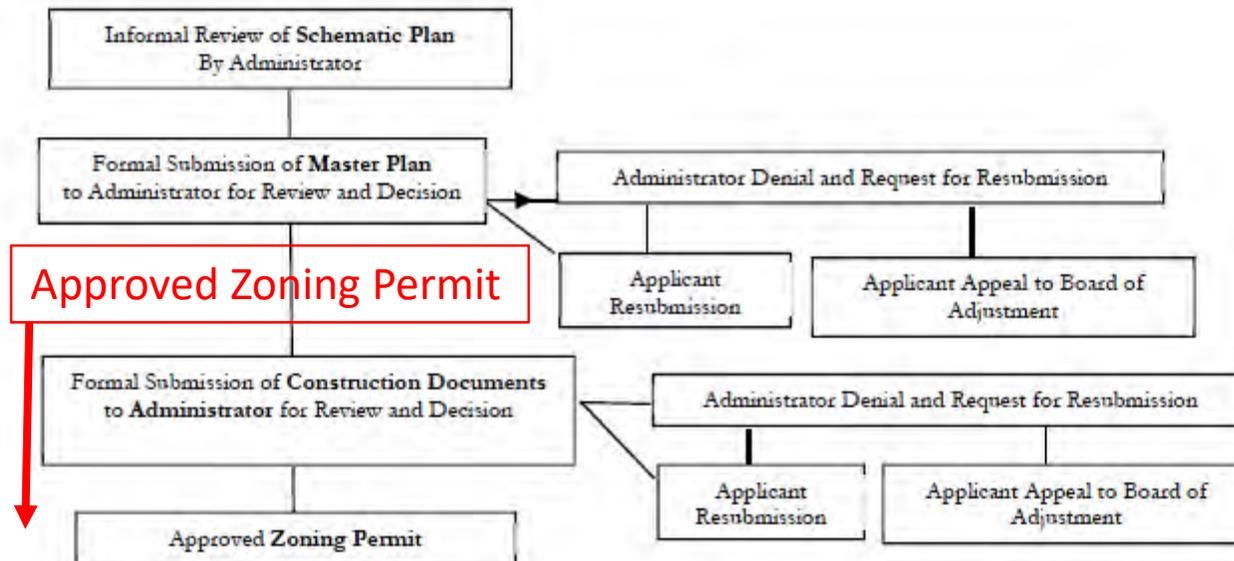
9.4 ~~Pre-Development Site Grading~~

~~Predevelopment site grading may commence only with a permit issued in accordance with the provisions of Section 15.5. Predevelopment site grading, for the purpose of this Ordinance, is any land-disturbing activity of one acre or more that is not regulated by a previously approved site plan. The grading may be considered a “low impact” or “high impact” activity based on the table below. If one or more of the high impact activities exist, it is considered high impact.~~

Low-Impact Activity	High-Impact Activity
1. Land-disturbing activity is more than 100 feet from a residential district.	1. Land-disturbing activity is 100 feet or less from a residential district.
2. Land-disturbing activity will not intrude into either the Street Yard landscaping area or Planting Yard landscaping area (see Chapter 8, <u>Landscaping</u>).	2. Land-disturbing activity will intrude into either the Street Yard area or the Planting Yard landscaping area (see Chapter 8, <u>Landscaping</u>).
3. The steepness of the proposed slope at clearing limit is 3:1 (horizontal:vertical) or flatter.	3. The steepness of the proposed slope at clearing limit is greater (steeper) than 3:1 (horizontal:vertical).
4. The height of proposed grade change (cut or fill) is less than or equal to 3 feet.	4. The height of the proposed grade change is greater than 3 feet.

C. Procedure:

APPLICATION	REVIEWING AUTHORITY	ACTION TO BE TAKEN	APPEAL PROCESS
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Construction Documents (16.5) (if applicable)	Administrator	Review for Completeness & Ordinance Compliance Zoning Development Permit Issued -or- Denial and Request for Resubmission	Board of Adjustment



15.5 Grading Permits

Permits for grading shall be required for any land disturbing activity that does not have approved construction documents. Grading permissions issued under this section shall supersede any other grading restrictions in this chapter. Grading plans must be submitted for review and shall be prepared by a licensed professional, at a scale of not less than 1 inch = 50 feet, showing existing conditions and proposed grading activity. No Grading permit shall be issued without the appropriate City, County, State, and Federal approvals; including, but not limited to, Erosion Control approval, Driveway permit, Floodplain development permit, and 401 Certification. Grading permit approval does not grant permission to proceed with infrastructure improvements.

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Forward 2040 Policies

- 6.3.3. Protect trees, ponds, creeks, and other natural features during development. Discourage the practice of clear-cutting.



At their April 25, 2023 meeting the City of Salisbury Planning Board found the aforementioned amendment to the Land Development Ordinance to be consistent with the Forward 2040 Comprehensive Plan and voted unanimously to recommend approval.

AN ORDINANCE AMENDING CHAPTER 9 (ENVIRONMENTAL PROTECTION) AND CHAPTER 15 (DEVELOPMENT PROCESS) OF THE LAND DEVELOPMENT ORDINANCE OF THE CITY OF SALISBURY, NORTH CAROLINA. (PETITION NO. LDOTA-02-2023)

WHEREAS, the Salisbury Planning Board, an advisory board to the Salisbury City Council, reviewed the text amendment on April 25, 2023 and hereby recommends its approval; and

WHEREAS, the City Council held a properly-noticed public hearing at the regularly-scheduled City Council meeting of May 16, 2023; and

WHEREAS, the City Council hereby finds and determines that adoption of an ordinance to amend the Land Development Ordinance of the City of Salisbury as underlined or stricken herein is reasonable, in the public interest, and is consistent with the Forward 2040 Comprehensive Plan.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

SECTION 1. That CHAPTER 9 (ENVIRONMENTAL PROTECTION) AND CHAPTER 15 (DEVELOPMENT PROCESS) is amended as underlined or stricken.

SECTION 2. That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed to the extent of such conflict.

SECTION 3. That this ordinance shall be effective from and after its passage.

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: May 16th, 2023

Name of Group(s) or Individual(s) Making Request: Community Planning Services & Engineering

Name of Presenter(s): Victoria Bailiff, Senior Planner & Wendy Brindle, Engineering Director

Requested Agenda Item: Voluntary Annexation / Conditional District Rezoning
CD-09-2022 Julian Road Apartments – 807 Julian Road / Parcel ID 400 045

Description of Requested Agenda Item:

A public hearing concerning the voluntary annexation of 807 Julian Road, parcel 400 045 was scheduled for May 16th, 2023. The hearing has been properly advertised, and staff finds the request to meet the standards of NCGS 160A-31. Therefore, after the public hearing, City Council will consider adopting an Ordinance for the annexation of 8.768 acres at 807 Julian Road identified as parcel 400 045 effective May 16th, 2023.

CD-09-2022 Request to rezone one (1) parcel located in the 800 block of Julian Road, located on the northwest corner at the intersection of Julian Road and W Ritchie Road (PID 400 045) being approximately 8.768 acres, from Highway Business (HB) to Corridor Mixed-Use (CMX) with a Conditional District Overlay (CD) to request an exception from Section 10.6 of the Land Development Ordinance, upon voluntary annexation.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)*

City Council to hold a public hearing and consider adoption of an Ordinance to annex parcel 400 045, 8.768 acres, per NCGS 160A-31, effective upon adoption.

City Council to hold a public hearing and consider adopting an ordinance to rezone the subject parcel as requested.

Contact Information for Group or Individual: Victoria Bailiff, victoria.bailiff@salisburync.gov, 704-638-5212; Wendy Brindle, 704-638-5201, wbrin@salisburync.gov

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

Salisbury City Council Agenda Item Request Form



FINANCE DEPARTMENT INFORMATION:

Wendy Buddle

Finance Manager Signature

Department Head Signature

Budget Manager Signature

******All agenda items must be submitted at least 7 days before the requested Council meeting date******

For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:



PETITION REQUESTING VOLUNTARY ANNEXATION
FOR 807 Julian Road

We the undersigned owners of real property respectfully request that the area described on the attached documents be annexed into the City of Salisbury. By signing this petition, we understand that the following conditions are the responsibility of the petitioners. Failure to meet the conditions may delay or invalidate the request:

1. The petition must be signed by all owners of real property in the area described and shall contain the address of each property owner.
2. The petition must include a metes and bounds description of the area to be annexed and a preliminary annexation boundary survey prepared by a Registered Land Surveyor. Two original mylars of the final annexation boundary survey shall be completed after consultation with the City.
3. If the area is not contiguous to the primary City limits, the petition shall include documentation that:
 - a) The nearest point of the described area is not more than three miles from the primary City limits.
 - b) No point on the described boundary is closer to another municipality than to the City of Salisbury.
 - c) No subdivision, as defined in GS 160A-376, will be fragmented by the proposed annexation.
4. Upon the effective date of annexation and thereafter, the described citizens and property shall be subject to municipal taxes and to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other citizens and property in the City of Salisbury.

Property Identification (tax number or street address)	Printed Name (and title if business entity)	Signature	Owner's Address
TM <u>400</u> PCL <u>045</u>	<u>Vaughn Lyerly</u>	<i>Vaughn Lyerly</i>	<u>132 Woodland Dr Salisbury, NC 28146</u>
TM <u>400</u> PCL <u>045</u>	<u>Linda Lyerly</u>	<i>Linda Lyerly</i>	<u>132 Woodland Dr Salisbury, NC 28146</u>
TM ___ PCL ___	_____	_____	_____
TM ___ PCL ___	_____	_____	_____
TM ___ PCL ___	_____	_____	_____

(Attach additional petition forms if needed)

Form Revised 2-08

Contact Person Brian Graham Telephone Number 704.343.0608 x329

For Office Use Only:

Total number of parcels 1 Number Signed 1 % Signed 100 Date Returned 3/23/23
Contiguous per GS 160A-31 or Non-contiguous "satellite" per GS 160A-58 _____ (check one)

CITY OF SALISBURY

PIN: 400 012
NENG LOR
D.B. 1155, PG. 391
ZONED: HB

PIN: 400 047
JEFFERY L. RITCHIE &
SHARON S. RITCHIE
D.B. 574, PG. 818
TRACT A - P.B. 9995, PG. 7846
ZONED: HB

PIN: 400 058
FLOYD A. RITCHIE
D.B. 705, PG. 638
TRACT B - P.B. 9995, PG. 7846
ZONED: HB

PIN: 400 059
FLOYD A. RITCHIE JR &
PAMELA RITCHIE
D.B. 1313, PG. 441
TRACT A - P.B. 9995, PG. 7846
ZONED: HB

PIN: 400 013
TIA LOR &
SEE YANG
D.B. 829, PG. 363
ZONED: HB

PIN: 400 045
VAUGHN M. LYERLY &
LINDA LYERLY
D.B. 1315, PG. 776, D.B. 865, PG. 550
ZONED: HB

Total Area:
381,950.19 Sq. Ft.
8.768 Acres

PIN: 400 044
JERRY A. RITCHIE
D.B. 469, PG. 203
ZONED: HB

- LEGEND:
- IPF - IRON PIPE FOUND
 - IRF - IRON REBAR FOUND
 - IRS - IRON REBAR SET
 - DOT - EXISTING NC DOT MARKER
 - NCL - NEW CITY LIMIT MARKER
 - OB - OUTBUILDING
 - R/W - RIGHT OF WAY
 - ☐ - WATER METER
 - ⊙ - WELL
 - ⊕ - POWER POLE
 - ⊙ - COMPUTED POINT

CERTIFICATE OF ANNEXATION
Area annexed into the corporate limits of the City of Salisbury,
NC by Ordinance Number
adopted by the City Council on with an effective date
of . I hereby certify that this plat has been approved for
recording
in the Register of Deeds in Rowan County.

Mayor _____ Date _____

STATE OF NORTH CAROLINA
COUNTY OF ROWAN
I, Review Officer of Rowan County Certify that the map
or plat to which this certification is affixed meets all statutory
requirements for
recording.

Review Officer _____ Date _____

LINE	BEARING	DISTANCE
L1	N 05° 17' 36" W	29.88'
L2	N 42° 00' 31" W	46.40'

CURVE	ARC LENGTH	RADIUS	DELTA ANGLE	CHORD BEARING	CHORD LENGTH
C1	346.35'	1,555.00'	12°45'42"	S 13° 25' 43" E	345.64'
C2	116.82'	190.09'	35°12'44"	S 16° 18' 50" W	114.99'

NOTES:

1. THE SURVEYED IMPROVEMENTS DO NOT LIE WITHIN A FLOOD HAZARD AREA AS DETERMINED BY FLOOD MAP 37105659003, EFFECTIVE DATE 6/16/2009.
2. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS OR RIGHT OF WAYS OF RECORD WHICH MAY EXIST ACROSS SAID PROPERTY.
3. IRON PINS ARE SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
4. THE SURVEYED PROPERTY IS ZONED HB (CITY OF SALISBURY ZONING)
5. THE SURVEYED PROPERTY DOES NOT LIE WITHIN THE U.S. DEPARTMENTS OF INTERIOR'S NATIONAL REGISTER OF HISTORIC PLACES.
6. THE PURPOSE OF THIS PLAT IS FOR THE PROPOSED ANNEXATION OF PIN: 400 045 INTO THE CITY OF SALISBURY CORPORATE LIMITS.

THIS ANNEXATION MAP IS EXEMPT FROM
THE PROVISIONS OF G.S. 47-30, PLATS AND SUBDIVISIONS;
MAPPINGS REQUIREMENTS, ACCORDING TO SUBSECTION (1)
OF SAID STATUTE.
IT IS THE INTENT OF THIS MAP TO DEPICT THE NEW CITY
LIMITS OF THE CITY OF SALISBURY FOLLOWING THE
EXISTING BOUNDARIES OF THE PARCEL(S) SHOWN HEREON
AND DESCRIBED IN THE CORRESPONDING ORDINANCE.

W. Matthew Jordan
W. MATTHEW JORDAN
SURVEYOR REG. NO.: L-4414



OWNERS:
LINDA M. VAUGHN &
LINDA LYERLY
132 WOODLAND DRIVE
SALISBURY, N.C. 28146

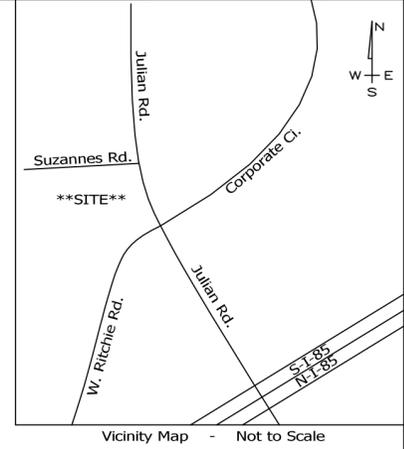
Contiguous Annexation Plat For:

807 Julian Road

DRAWN BY: SMS	CHECKED BY: WMJ
SCALE: 1"=60'	
DEED REF: 1315-776, 865-550	PIN NO: 400 045
DATE OF MAP: 01-09-23	SURVEY DATE: 12-21-22
REVISION:	DRAWING FILE: 20221211-ANX
807 JULIAN ROAD - SALISBURY, N.C. 28147 SALISBURY TOWNSHIP --- ROWAN COUNTY --- NORTH CAROLINA	



ENGINEERING • SURVEYING • PLANNING
JORDAN GRANT & ASSOCIATES, PLLC
P.O. BOX 151 * STATESVILLE, NC 28687
matt.grant@jordan-grant.com (704) 928-7919
FIRM # P-1227



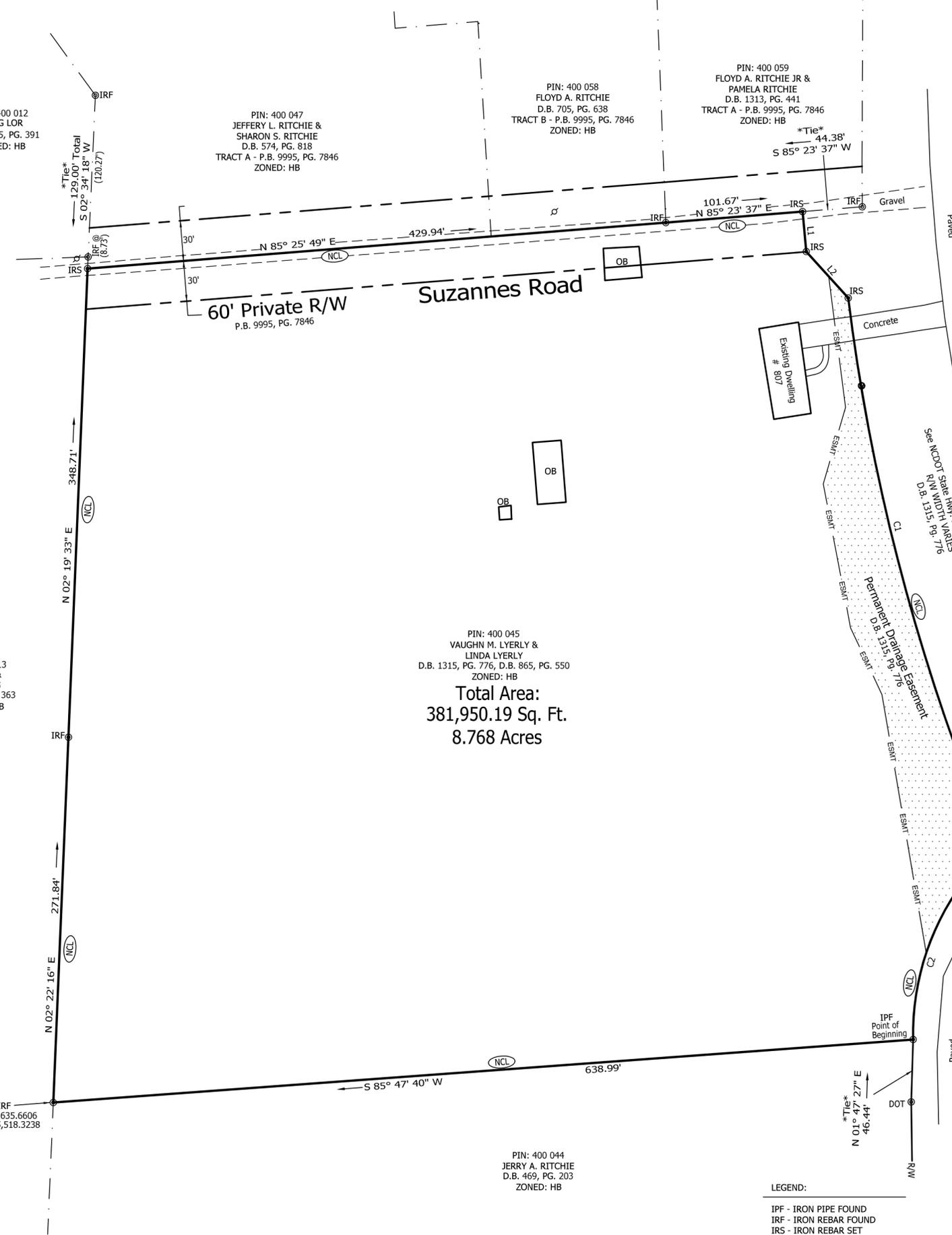
S.R. 2528
Julian Road

See NCDOT State Hwy. Project: 8.1653506
R/W WIDTH VARIES
S.R. 2540
W. Ritchie Road

See NCDOT State Hwy. Project: 8.1653506
R/W WIDTH VARIES
D.B. 1315, Pg. 776

Permanent Drainage Easement
D.B. 1315, Pg. 776

Existing Dwelling
807



“AN ORDINANCE TO EXTEND THE CORPORATE LIMITS OF THE CITY OF SALISBURY, NORTH CAROLINA, TO INCLUDE 8.768 ACRES LOCATED AT 807 JULIAN ROAD, TAX MAP 400 PARCEL 045.”

WHEREAS, the City Council of Salisbury has been petitioned under G.S. 160A-31 to annex the area described herein, and the City Clerk has certified the sufficiency of said petition; and

WHEREAS, a public hearing on the question of this annexation was held by City Council on May 16th, 2023 at 6:00 p.m. after due notice by publication on May 4th, 2023 in the Salisbury Post; and

WHEREAS, the City Council of Salisbury does find as a fact that said petition meets the requirements of G.S. 160A-31; and

WHEREAS, the City Council of Salisbury further finds that the petition has been signed by all the owners of real property in the area who are required by law to sign; and

WHEREAS, the City Council of Salisbury further finds that the petition is otherwise valid, and that the public health, safety and welfare of the City of Salisbury and of the area proposed for annexation will be best served by annexing the area described;

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

Section 1. By virtue of the authority granted by G.S. 160A-31, the following described territory, is hereby annexed and made part of the City of Salisbury as of the 16th day of May, 2023. The survey plat that describes the annexed territory is that certain survey plat entitled Annexation Plat 807 Julian Road dated January 9th, 2023, and recorded in Book of Maps _____Page_____, Rowan County Register of Deeds:

Beginning at a pipe found on the western right of way of W. Ritchie Road (SR 2540) @ the Northeast corner of Jerry A Ritchie (DB 469, Pg 203) and being located N 01°47'27" E 46.44' from an NCDOT disc; thence with the line of Jerry Ritchie S 85°47'40" W 698.99' to a rebar found in the line of Tia Lor & See Yang (DB 829, Pg 363) ; thence with the line of Tia Lor N 02°22'16" E 271.84' to a rebar found; thence N 02°19'33" E 348.71' to a rebar found in center of Suzannes Road; thence along Suzannes Road N 85°25'49" E 429.94' to a rebar found at the Southeast corner of Floyd A. Ritchie (DB 705, Pg 638); thence along Suzannes Road N 85°23'37" 101.67' to a rebar set on the right of way Julian Road (SR 2528); thence with the right of way S 05°17'36" E 29.88' to an NC DOT RW Disc; thence S 42° 00'31" E 46.40' to a rebar set; thence with a curve to the left having a chord bearing and distance of S 13°25'43" E 345.64' and a radius of 1,555.00' to a rebar found; thence S 00°05'47" E 104.81' to a rebar found;

thence with a curve to the left having a chord bearing and distance S 16°18'50" W 114.99' and a radius of 190.09' to the point and place of **beginning**. Total area is 8.768 acres and shown on a survey by Jordan Grant & Associates, PLLC (704) 928-7919 dated January 31st, 2023, having a drawing file # 20221211.

Section 2. Upon and after the 16th day of May, 2023, the above described territory and its citizens and property shall be subject to all debts, laws, ordinances and regulations in force in the City of Salisbury and shall be entitled to the same privileges and benefits as other parts of the City of Salisbury. Said territory shall be subject to municipal taxes according to G.S. 160A-31.

Section 3. The Mayor of the City of Salisbury shall cause to be recorded in the office of the Register of Deeds of Rowan County, and in the office of the Secretary of State at Raleigh, North Carolina, an accurate map of the annexed territory, described in Section 1 hereof, together with a duly certified copy of this ordinance. Such a map shall also be delivered to the County Board of Elections as required by G.S. 163-288.1.”

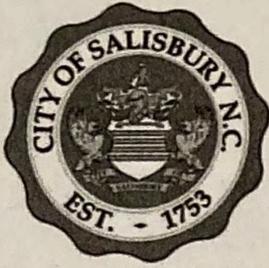
Adopted this 16th day of May, 2023.

Karen K. Alexander, Mayor

ATTEST: _____
Connie B. Snyder, NCCP
City Clerk

RECEIVED

By Jennifer Curlee at 4:50 pm, Oct 31, 2022



City of Salisbury
Development Services
132 North Main Street
Salisbury, NC 28144
E: 1stop@salisburync.gov
Ph. 704.638.5208

CONDITIONAL DISTRICT REZONING APPLICATION

SHADED AREAS FOR STAFF USE ONLY

FILING DATE	<input type="text"/>	CD MASTER PLAN ADOPTION	\$1,200
CASE #	<input type="text"/>	CD MASTER PLAN AMENDMENT	\$900
		CD MASTER PLAN REVISION	\$50
<small>* FEES PER CITY OF SALISBURY BUDGET ORDINANCE</small>			

- CD Master Plan Adoption (LDO Sec. 15.23)
- CD Master Plan Amendment (LDO Sec. 15.23.E)
- CD Master Plan Revision (LDO Sec. 15.23.F)

A petition for a CD Master Plan must be submitted by the property owner(s) of all land included in the petition. An owner representative must submit an affidavit authorizing representation. Multiple owners shall be listed on a separate sheet with ownership corresponding to all parcels included in the petition.

Submittal Requirements:

- Plan Review Payment (check, charge)
- Plan Submittal (1 e-set in Adobe PDF)

PROJECT INFORMATION

Property Address or location: 807 Julian Road, Salisbury, NC

Project Title: Julian Road PID: 400 045

Present Use: Residential Proposed Use: Apartments

Total Acreage: 8.91 Project/Disturbed Acreage: 8.04

Petitioner: Mission Properties Representative: Jason McArthur

Address: 1114 Clement Avenue #100 | Cit, NC 28205 Phone: (704) 307-8265 Email: jason@missionprop.com

Owner(s): Lyerly Vaughn M & WF Lyerly Linda

Address: 132 Woodland Dr., Salisbury, NC 28146 Phone: _____ Email: _____

Provide overall project built-upon area (%) for NPDES determination: 56%
(applicable for projects over 1 acre or part of a larger common plan of development - Sec. 9.6)

Will the project require voluntary annexation? Yes No

Will the project involve installation of a new public or private fire line? Yes No

Will the project require water or sewer extensions? Water Sewer Neither

SIGNATURE

By signing this petition you understand that this petition will be forwarded to the Planning Board (a City Council-appointed board) who may hear statements from staff, the petitioner, and general public, and will then vote to make a Statement of Consistency and recommendation to City Council. The petition will then be forwarded to City Council who will conduct the official public hearing before casting a deciding vote. (Use a separate sheet of paper for multiple owners.)

Petitioner(s): C. Jason McArthur

Owner(s): Vaughn M. Lyerly Linda B Lyerly

Application Last Revised: MAY, 2022

RECEIVED

By Jennifer Curlee at 4:49 pm, Oct 31, 2022



City of Salisbury
Development Services
132 North Main Street
Salisbury, NC 28144
E: 1stop@salisburync.gov
Ph. 704.638.5208

ZONING PERMIT APPLICATION

SHADED AREAS FOR STAFF USE ONLY

FILING DATE

CASE #

PLAN REVIEW CASE # (IF APPLICABLE):

ZP (NEW HOUSE<5 DU)	\$50
ZP (NEW MULTI-FAMILY RESIDENTIAL)	\$150
ZP (NEW NON-RESIDENTIAL)	\$300
ZP (ADDT/ACC/UPFIT: RESIDENTIAL)	\$25
ZP (ADDT/ACC/UPFIT: NON-RESIDENTIAL)	\$100
HOME OCCUPATION PERMIT	\$50
TEMPORARY USE PERMIT	\$50

* FEES PER CITY OF SALISBURY BUDGET ORDINANCE

NOTE TO APPLICANT: SUPPLEMENT PLAN REVIEW FORMS AVAILABLE IF PLAN REVIEW IS REQUIRED. PERMITTING & PLAN REVIEW SERVICES REQUIRE 1 HARD SET AND 1 ELECTRONIC SET (PDF)

BUILDING INFORMATION	DEVELOPMENT TYPE	USE INFORMATION
<input checked="" type="checkbox"/> New Principal Building <input type="checkbox"/> Addition <input type="checkbox"/> Remodel/Upfit <input type="checkbox"/> Accessory Structure Existing SqFt: _____ Proposed SqFt: _____	<input type="checkbox"/> House (<5 units) <input type="checkbox"/> MF (<8 units) <input checked="" type="checkbox"/> MF (≥8 units) <input type="checkbox"/> Non-Residential (< 10,000 sf) <input type="checkbox"/> Non-Residential (≥ 10,000 sf) <input type="checkbox"/> Floodplain/Watershed <input type="checkbox"/> Parking Lot—Primary Use	<input type="checkbox"/> New/Added Use <input checked="" type="checkbox"/> Change of Use <input type="checkbox"/> No Change of Use (existing use remains) <input type="checkbox"/> Home Occupation <input type="checkbox"/> Temporary Use

PROJECT DESCRIPTION	PLAN SUBMITTAL ATTACHMENTS
Multifamily apartments Total Projected Cost: _____	<input checked="" type="checkbox"/> Site <input type="checkbox"/> Floor <input checked="" type="checkbox"/> Elevation <input checked="" type="checkbox"/> Landscape

PROPERTY & CONTACT INFORMATION

Rowan County Parcel ID(s): 400 045

Address or Site Location: 807 Julian Road, Salisbury, NC

Subdivision: _____ Lot(s): _____

Applicant: Jason McArthur

Address: 1114 Clement Avenue #100 | Clt, NC 28205

Email: jason@missionprop.com Best Phone: (704) 307-8265

Owner (if different than applicant): Lyerly Vaughn M & WF Lyerly Linda

Address: 132 Woodland Dr., Salisbury, NC 28146

Email: _____ Daytime Phone: _____

SIGNATURE

I certify that all information provided on this application is accurate and that all work will be performed to meet the laws of the State of North Carolina, the standards of the Salisbury Land Development Ordinance, and the City of Salisbury Uniform Construction Standards Manual. Submission of this application does not constitute a granting of approval or issuance of a permit. The City of Salisbury reserves the right to request additional information to ensure complete review.

Applicant: *Jason McArthur*

UTILITY CONNECTIONS

Water: Existing PUBLIC or PRIVATE connection with no change to service
Proposed NEW or REPLACEMENT connection @ 4 (size in inches)

Sewer: Existing PUBLIC or PRIVATE connection with no change to service
Proposed NEW or REPLACEMENT connection @ 8 (size in inches)

Irrigation: Existing PUBLIC or PRIVATE connection with no change to service
Proposed NEW or REPLACEMENT connection @ 1 (size in inches)

Fire: Existing PUBLIC or PRIVATE connection with no change to service
Proposed NEW or REPLACEMENT connection @ 8 (size in inches)

F.O.G.: New Replace >>> Trap In-ground Interceptor

Backflow: New Replace Upgrade _____ (size in inches)

DEPARTMENT USE ONLY

Project Title: _____

Zoning: _____ Overlay: _____ Local Historic Overlay? Yes No

Present Use: _____

Number, type, and condition of any existing structures:

List any known nonconformities:

Does the project require issuance of an NCDOT driveway permit? Yes No

Does the overall project generate 3,000+ vpd during an average weekday? (Sec. 4.14) Yes No

Will the project provide outdoor lighting on private property? (Ch. 11) Yes No

Will the project require outdoor storage? (Sec. 6.9) Yes No

Does a sidewalk exist along the street side parcel lines? (Sec. 4.4) Partial Yes No

Requesting Payment In Lieu of Mitigation based on the TIA? (Sec. 4.14) Yes No

Requesting Payment In Lieu of Recreational Open Space Allocation? (Sec. 7.6) Yes No

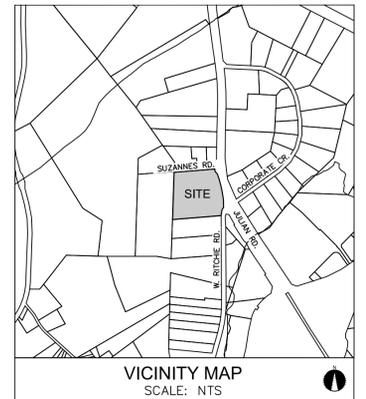
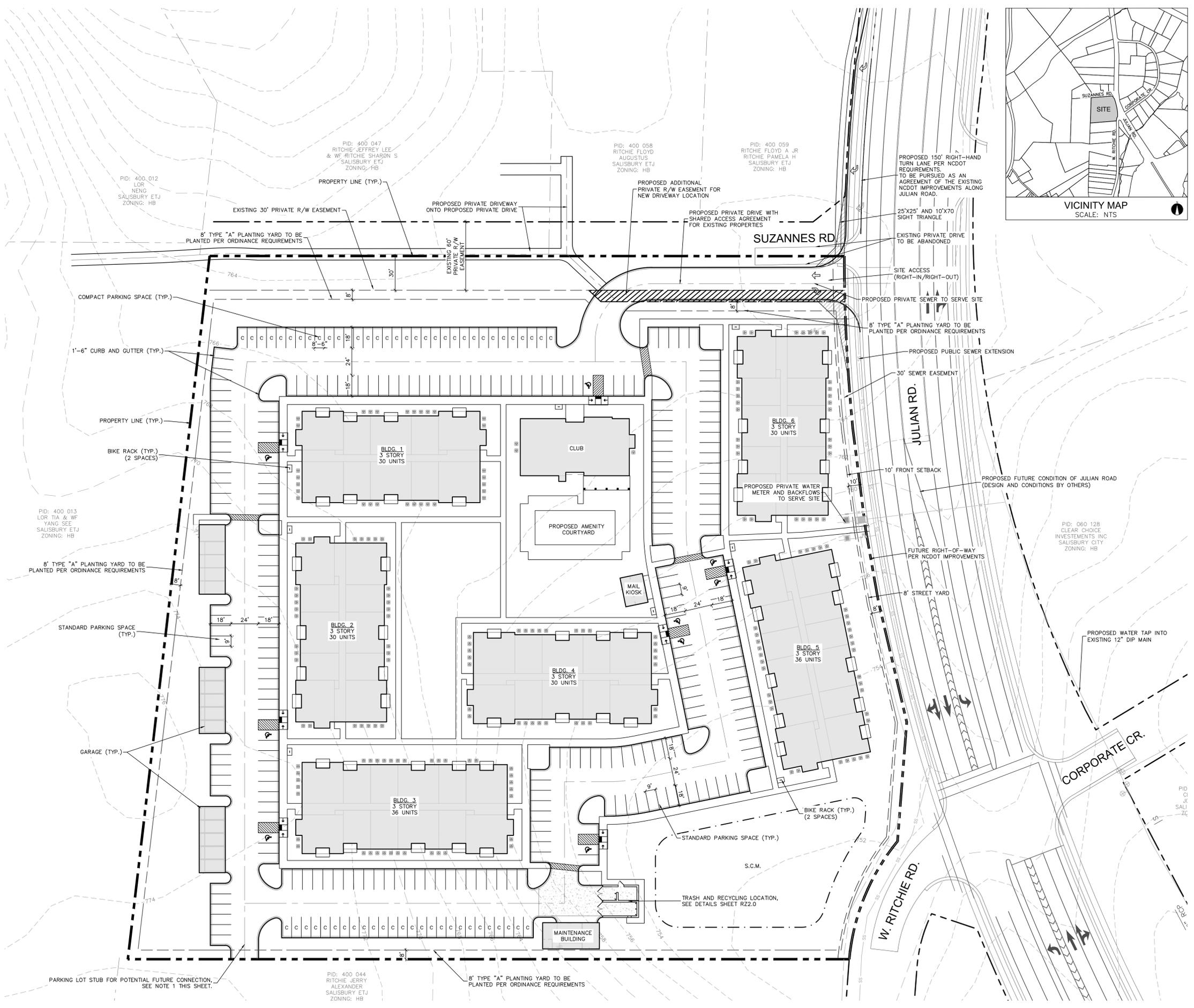
Requesting Payment In Lieu of Sidewalk? (Sec. 4.9) Yes No

Property Size (gross area in acres): _____ Area of Disturbance (acres): _____

Other & Notes:

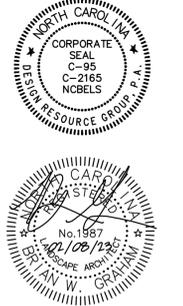
SITE DATA	
TAX PARCEL ID NO.:	400-045
MUNICIPALITY:	CITY OF SALISBURY
EXISTING ZONING:	HB
PROPOSED ZONING:	CMX (CD)
GROSS SITE AREA:	8.91 ACRES (±388,285 SF)
PROPOSED USE:	MULTI-FAMILY APARTMENTS
ALLOWED UNITS:	NO MAXIMUM
PROPOSED UNITS:	192 UNITS
FRONT SETBACK:	10'
SIDE YARD:	0'
REAR YARD:	0'
PARKING REQUIRED:	1 PER BEDROOM UP TO 2 PER UNIT 84 (1 BR UNITS) = 84 SPACES 72 (2 BR UNITS) = 144 SPACES 36 (3 BR UNITS) = 72 SPACES 300 TOTAL REQUIRED SPACES
PARKING PROVIDED:	232 STANDARD SPACES 59 COMPACT SPACES (20% MAX.) 15 GARAGE SPACES 9 ACCESSIBLE SPACES 315 TOTAL SPACES
BICYCLE PARKING REQUIRED:	5% OF REQUIRED PARKING
BICYCLE PARKING PROVIDED:	16 SPACES (8 "INVERTED U" RACKS)

- NOTES:**
- REQUEST EXEMPTION FOR SECOND PARKING LOT STUB PER LDO 10.6
 - GROUND LEVEL PATIOS/SOOPS TO BE 8" DEEP.



LANDSCAPE ARCHITECTURE
CIVIL ENGINEERING
TRANSPORTATION PLANNING

2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
704.343.0608
www.drgrp.com

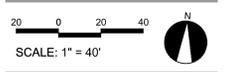


PRELIMINARY PLAT

JULIAN ROAD
SALISBURY, NORTH CAROLINA

MISSION PROPERTIES, LLC
1114 CLEMENT AVE #100
CHARLOTTE, NC 28205
704.307.8265

PRELIMINARY PLAT



PROJECT #: 695-013
DRAWN BY: SG
CHECKED BY: BG

FEBRUARY 8, 2023

REVISIONS:

TREE SAVE REQUIREMENTS:
 30% TREE CANOPY TO BE PROVIDED BY PLANTING YARDS, STREET YARDS, AND INTERNAL TREE REQUIREMENTS AT A RATE OF 1 TREE PER 500 SF OF GROSS SITE AREA.

GROSS SITE AREA: ± 8.91 AC (388,285 SF)

REQUIRED: 388,285 X 30% = 116,486 / 500 = 233 TREES TO BE REPLANTED
 PROVIDED: 233 TREES

PLANTING YARDS:

8' TYPE "A" PLANTING YARD: 1,816 LF TOTAL (1 ORN. TREE/100')

REQUIRED: 19 ORN. TREES
 PROVIDED: 19 ORN. TREES

STREET YARDS:

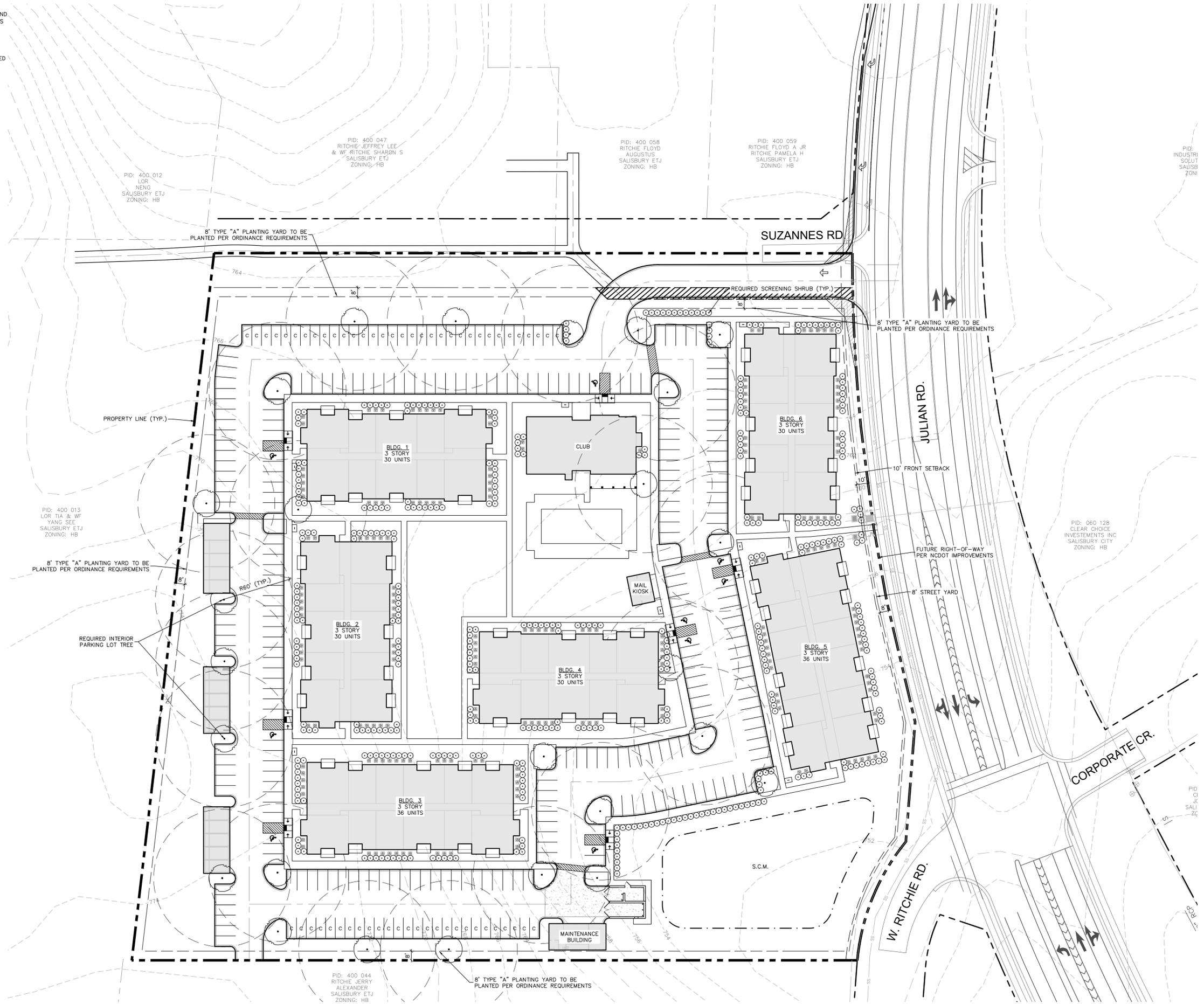
ONE SHADE TREE PER 35 LF OR ONE ORN. TREE PER 25 LF
 8' STREET YARD: 632 LF TOTAL

REQUIRED: 18 SHADE TREES
 PROVIDED: 18 SHADE TREES

INTERNAL TREE REQUIREMENTS:

ONE SHADE TREE FOR EVERY 12 PARKING SPACES

PARKING SPACES PROVIDED: 315
 REQUIRED: 22 SHADE TREE
 PROVIDED: 22 SHADE TREE



LANDSCAPE ARCHITECTURE
 CIVIL ENGINEERING
 TRANSPORTATION PLANNING

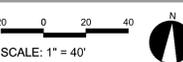
2459 Wilkinson Blvd, Ste 200 Charlotte, NC 28208
 704.343.0608
 www.drgpr.com



PRELIMINARY
 PLAT

JULIAN ROAD
 SALISBURY, NORTH CAROLINA
MISSION PROPERTIES, LLC
 1114 CLEMENT AVE #100
 CHARLOTTE, NC 28205
 704.307.8265

**REQUIRED
 PLANTING
 PLAN**



PROJECT #: 695-013
 DRAWN BY: SG
 CHECKED BY: BG

FEBRUARY 8, 2023

REVISIONS:

C:\WORK\695-013 MISSION - JULIAN ROAD\DWG\PA - PLAT SHEET\PA-122106\7/2023 2:47 PM

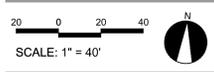


PRELIMINARY
PLAT

JULIAN ROAD
SALISBURY, NORTH CAROLINA

MISSION PROPERTIES, LLC
1114 CLEMENT AVE #100
CHARLOTTE, NC 28205
704.307.8265

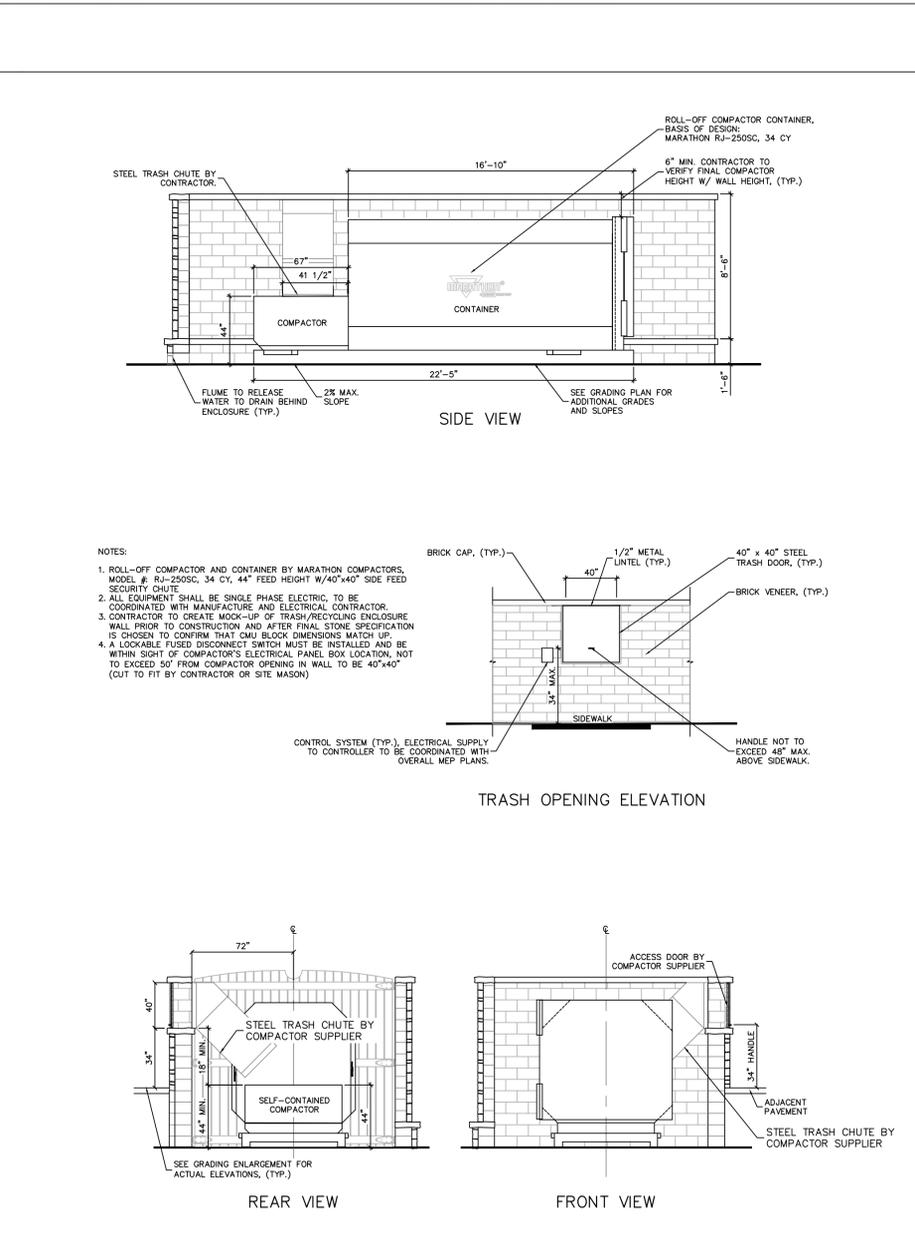
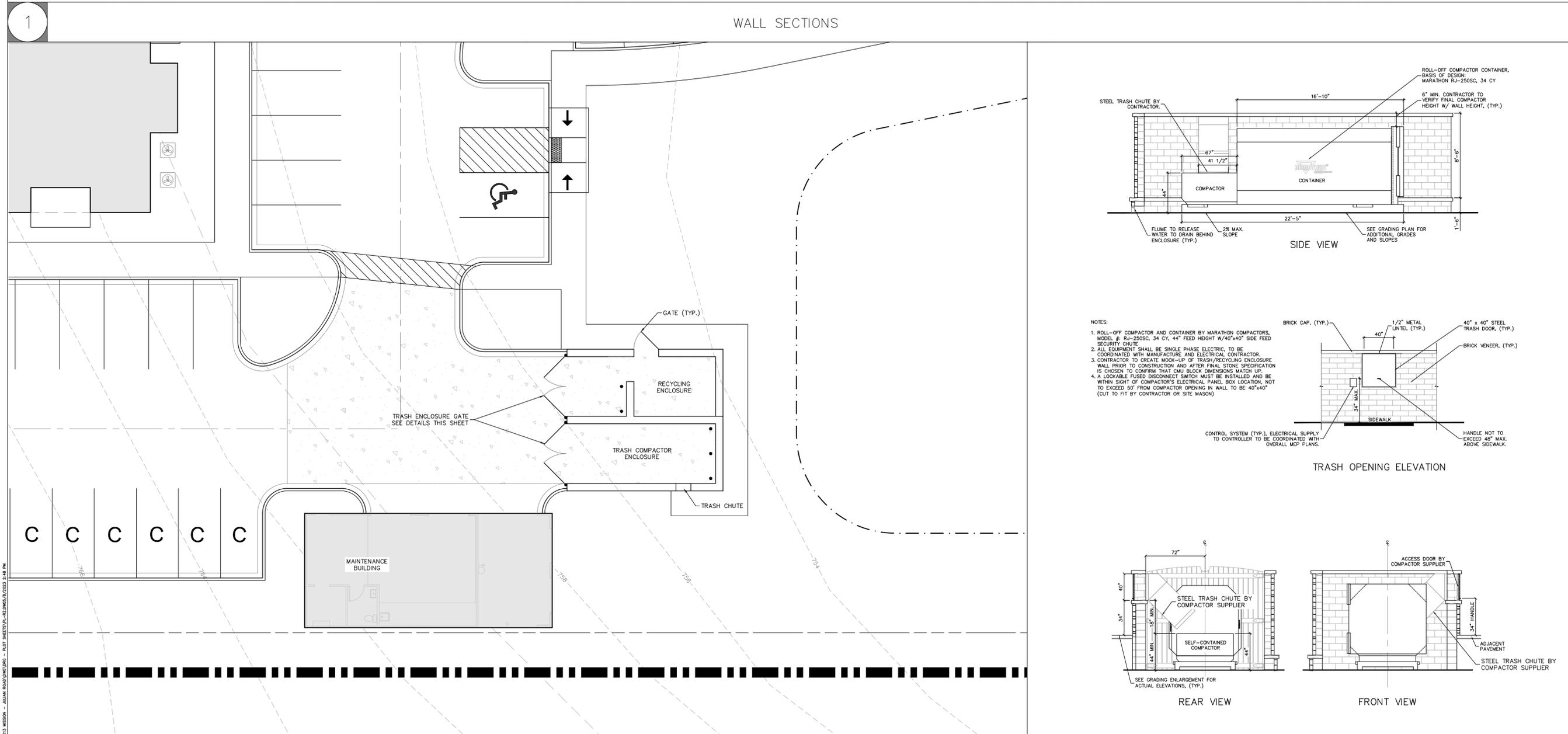
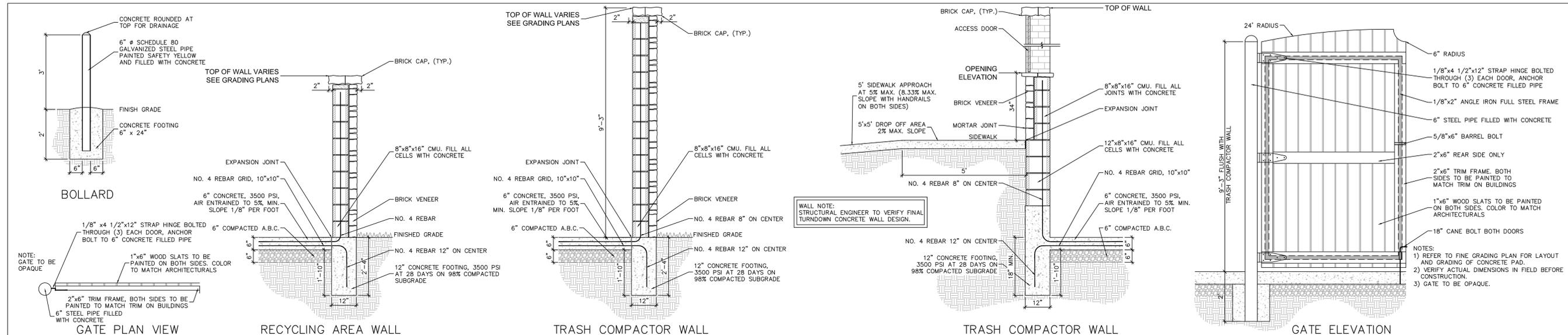
**TRASH COMPACTOR
AND RECYCLING
ENCLOSURE DETAILS**



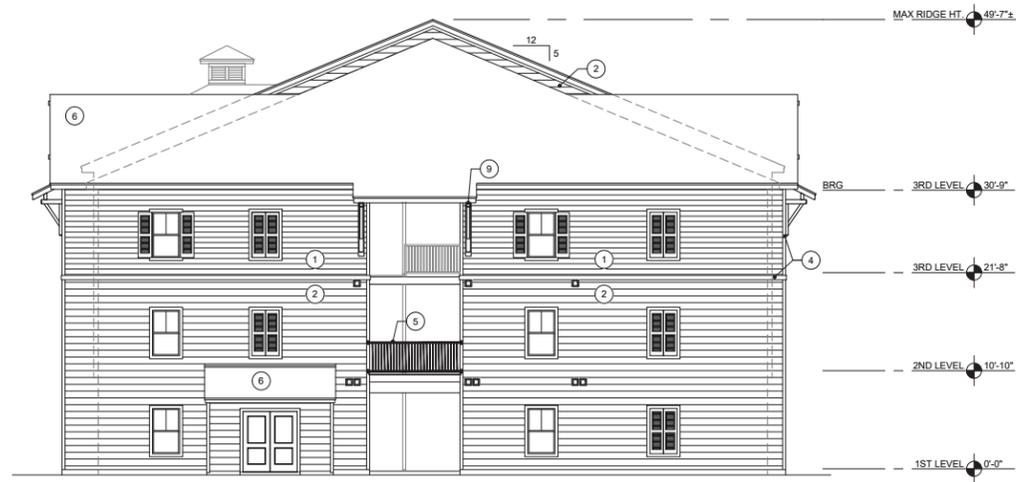
PROJECT #: 695-013
DRAWN BY: SG
CHECKED BY: BG

FEBRUARY 8, 2023

REVISIONS:



MATERIAL LEGEND	
①	FIBER CEMENT LAP SIDING, 7" EXPOSURE, PAINTED
②	FIBER CEMENT LAP SIDING, 10" EXPOSURE, PAINTED
③	FIBER CEMENT PANEL, SMOOTH, PAINTED
④	FIBER CEMENT TRIM, SMOOTH, PAINTED
⑤	42" HIGH ALUMINUM GUARDRAIL
⑥	ARCHITECTURAL ASPHALT SHINGLES
⑦	FIBER CEMENT BOARD AND BATTEN, SMOOTH, PAINTED
⑧	FIBER CEMENT LAP SIDING, 3" EXPOSURE, PAINTED
⑨	B1, PAINTED
⑩	B2, PAINTED
⑪	B3, PAINTED
⑫	B4, PAINTED
⑬	B5, PAINTED
FIBER CEMENT TRIM : SMOOTH : PAINTED : 5/4" THICK U.N.O. ALL DOOR / WINDOW TRIM AT FIBER CEMENT WALLS RE: DETAILS	
ALL FIBER CEMENT LAP SIDING: WOOD GRAIN TEXTURE	



② BUILDING MIX 3.2
EXTERIOR ELEVATION - RIGHT
1/8" = 1'-0"



① BUILDING MIX 3.2
EXTERIOR ELEVATION - FRONT
1/8" = 1'-0"



Mission Salisbury
Mission Properties
architecture | interiors | planning



architecture



2 BUILDING MIX 3.2
EXTERIOR ELEVATION - LEFT
1/8" = 1'-0"

MATERIAL LEGEND	
1	FIBER CEMENT LAP SIDING, 7" EXPOSURE, PAINTED
2	FIBER CEMENT LAP SIDING, 10" EXPOSURE, PAINTED
3	FIBER CEMENT PANEL, SMOOTH, PAINTED
4	FIBER CEMENT TRIM, SMOOTH, PAINTED
5	42" HIGH ALUMINUM GUARDRAIL
6	ARCHITECTURAL ASPHALT SHINGLES
7	FIBER CEMENT BOARD AND BATTEN, SMOOTH, PAINTED
8	FIBER CEMENT LAP SIDING, 3" EXPOSURE, PAINTED
9	B1, PAINTED
10	B2, PAINTED
11	B3, PAINTED
12	B4, PAINTED
13	B5, PAINTED
FIBER CEMENT TRIM : SMOOTH : PAINTED : 5/4" THICK U.N.O. ALL DOOR / WINDOW TRIM AT FIBER CEMENT WALLS RE: DETAILS	
ALL FIBER CEMENT LAP SIDING : WOOD GRAIN TEXTURE	



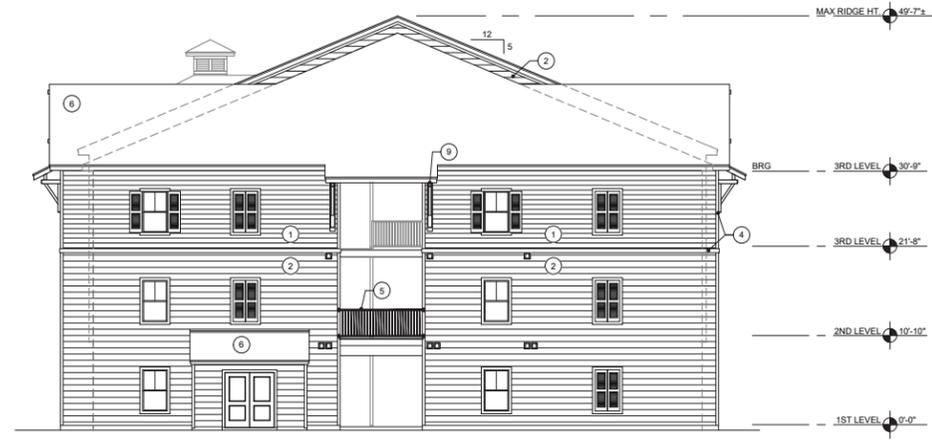
1 BUILDING MIX 3.2
EXTERIOR ELEVATION - REAR
1/8" = 1'-0"



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Mission Properties
architecture | interiors | planning



architecture



② BUILDING MIX 3.2 - MODIFIED
EXTERIOR ELEVATION - RIGHT 1/8" = 1'-0"

MATERIAL LEGEND	
①	FIBER CEMENT LAP SIDING, 7" EXPOSURE, PAINTED
②	FIBER CEMENT LAP SIDING, 10" EXPOSURE, PAINTED
③	FIBER CEMENT PANEL, SMOOTH, PAINTED
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ALL FIBER CEMENT LAP SIDING: WOOD GRAIN TEXTURE	



① BUILDING MIX 3.2 - MODIFIED
EXTERIOR ELEVATION - FRONT 1/8" = 1'-0"



Mission Salisbury
Mission Properties
architecture | interiors | planning



architecture



② BUILDING MIX 3.2 - MODIFIED
EXTERIOR ELEVATION - LEFT

1/8" = 1'-0"

MATERIAL LEGEND	
①	FIBER CEMENT LAP SIDING, 7" EXPOSURE, PAINTED
②	FIBER CEMENT LAP SIDING, 10" EXPOSURE, PAINTED
③	FIBER CEMENT PANEL, SMOOTH, PAINTED
④	FIBER CEMENT TRIM, SMOOTH, PAINTED
⑤	42" HIGH ALUMINUM GUARDRAIL
⑥	ARCHITECTURAL ASPHALT SHINGLES
⑦	FIBER CEMENT BOARD AND BATTEN, SMOOTH, PAINTED
⑧	FIBER CEMENT LAP SIDING, 3" EXPOSURE, PAINTED
⑨	B1, PAINTED
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⑬	B5, PAINTED
FIBER CEMENT TRIM - SMOOTH - PAINTED - 5/4" THICK U.N.O. ALL DOOR / WINDOW TRIM AT FIBER CEMENT WALLS RE: DETAILS	
ALL FIBER CEMENT LAP SIDING: WOOD GRAIN TEXTURE	



① BUILDING MIX 3.2 - MODIFIED
EXTERIOR ELEVATION - REAR

1/8" = 1'-0"



Mission Salisbury
Mission Properties
architecture | interiors | planning



architecture



Planning & Zoning Analysis

CASE NO.

CD-09-2022

Project Title:

Julian Road Apartments

Petitioner(s)

Mission Properties

Owner(s)

Vaughn Lyerly, Linda Lyerly

Representative(s)

Jason McArthur

Address

807 Julian Road

Tax Map & Parcel(s)

400 045

Size / Scope

Approximately 8.768 acres

Location

Located on the northwest corner at the intersection of Julian Road and W Ritchie Rd.

PETITIONER REQUEST

Request:

Petition proposes to rezone (1) parcel from Highway Business (HB) to Corridor Mixed-Use (CMX) with a Conditional District (CD) Overlay. The proposal is seeking approval of a 192 unit apartment complex.

Staff Comments:

The property is not located within the City limits and will be required to voluntarily annex.

Is the use permitted in the base Zoning without the Conditional District Overlay?

Yes, the CMX Zoning district permits multifamily dwellings with more than 4 units per building, however, the Ordinance requires any type of Campus-Style Development to go through the Conditional District process for approval.

Base Zoning District Descriptions

Existing:

HB: Highway Business

Proposed:

CMX/CD: Corridor Mixed-Use / Conditional District Overlay

Development Type:

Campus Style Development – Multifamily Dwelling with more than 4 units per building



Planning & Zoning Analysis

CHARACTER OF AREA

Overview:

The 8.768 acre parcel currently has one single family residence and two accessory structures located on the site.

Existing uses in the vicinity consist of commercial, industrial, residential, or undeveloped properties. This rezoning will have little effect on surrounding properties to the east and south, however, this apartment complex will create a traffic flow increase past the residences located along Suzannes Road.

Surrounding Land Use(s) & Zoning:

<i>Location</i>	<i>Existing Land Uses</i>	<i>Existing Zoning</i>
North of area	Residential	(HB)
East of area	Industrial, Commercial	(HB)
South of area	Undeveloped	(HB)
West of area	Residential	(HB)



Planning & Zoning Analysis

INFRASTRUCTURE & CIVIC/COMMUNITY FACILITIES

Public Schools:

Elementary: Elizabeth Koontz Elementary
Middle: Know Middle
High: Salisbury High

Fire District:

This property is currently within the South Salisbury Fire district, but upon annexation it will be moved into the Salisbury City Fire district.

Utilities

Water & Sewer:

Public water is currently available to the property through an existing water line located along Julian Road and public sewer will be accessed through a proposed sewer extension in the Julian Road right of way.

Transportation

Transit:

The nearest transit stop is in the 700 block of Corporate Circle, approximately a ¼ mile away.

Property Access(s):

The site plan proposes driveway access onto Julian Road. A parking lot stub has been provided to connect to the adjoining property to the south.

Public Improvements:

Sidewalks are to be installed with the future NCDOT improvements to Julian Road.



Planning & Zoning Analysis

COMPREHENSIVE & AREA PLANS

Applicable Plans:

Policy 8.3.2:

Forward 2040 Comprehensive Plan

Ensure multifamily developments, such as apartment complexes and condominiums, have adequate and well-designed open spaces centrally located for the enjoyment of all residents.

Policy 5.1.1

Increase the overall supply of housing to accommodate growth and changing demand.

Future Land Use Map

The property is designated as an Activity Corridor in the Future Land Use Map

CMX is an associated Zoning District with the Activity Corridor Place Type.

TRC & PLAN REVIEW

TRC Meeting:

The Conditional District petition and associated Master Plan were first reviewed by the City's Technical Review Commission (TRC) on November 17, 2022. Staff, the Planning Board Liaison, Dennis Rogers, and other reviewing agencies recommended approval of the master plan subject to some minor revisions. All comments were satisfied upon resubmittal.

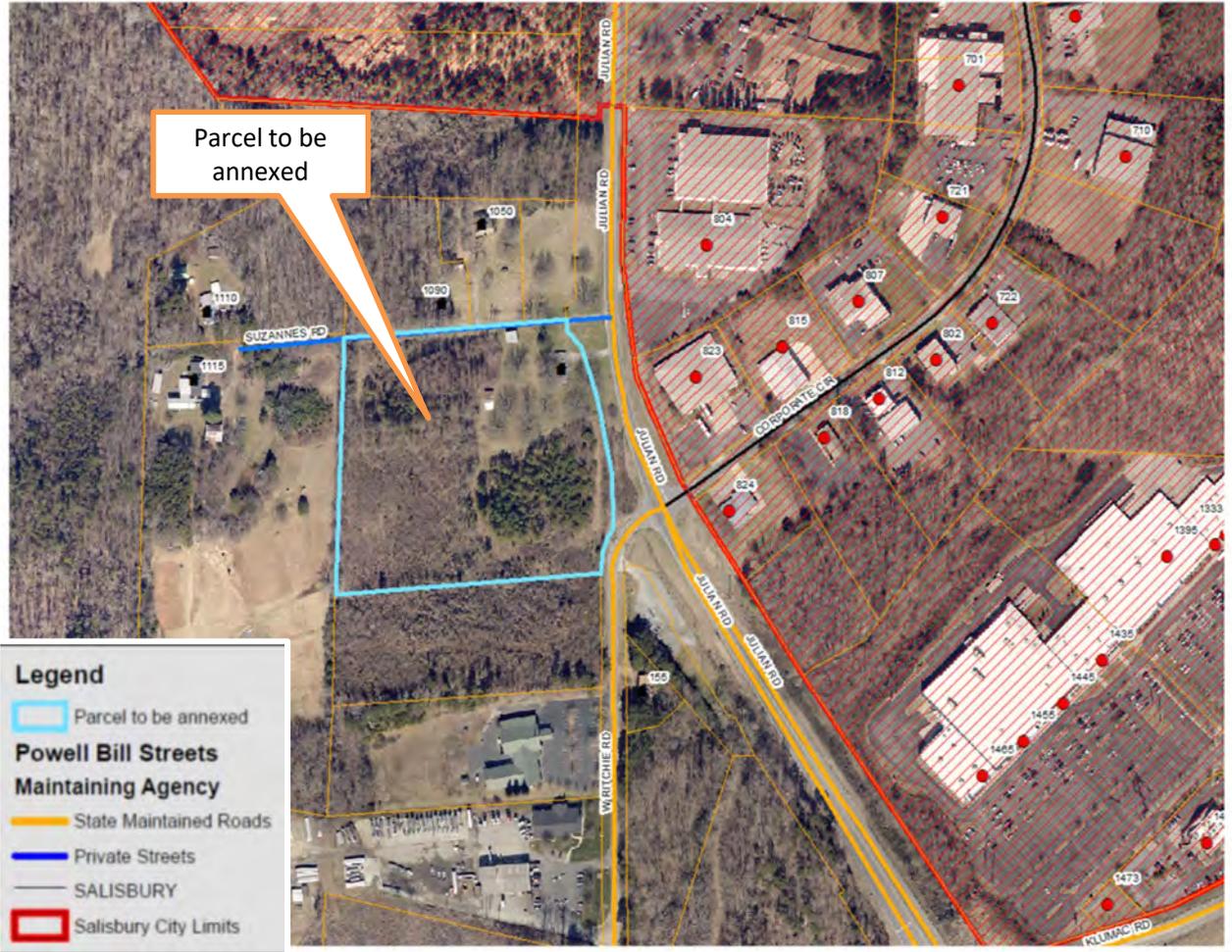
Conditional District Alternative Design Request(s)

Alternative Design Requests:

Requesting design providing only one parking lot stub, instead of two that are required by Section 10.6.

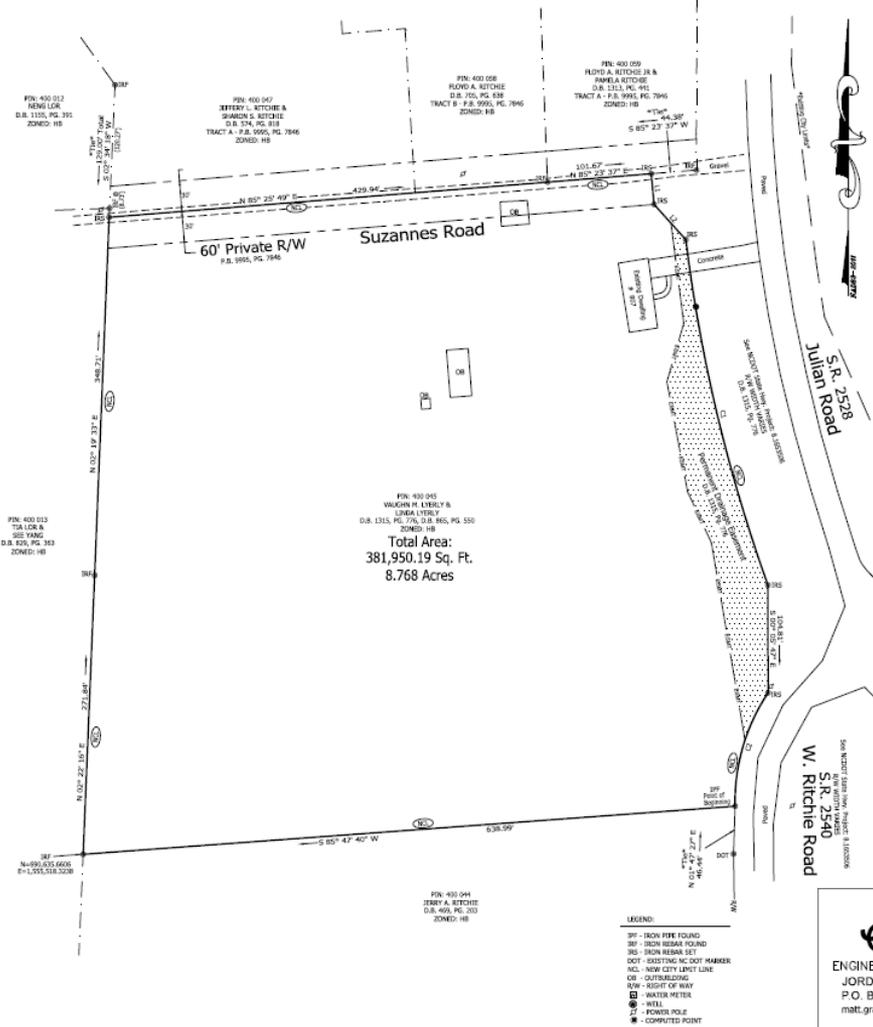
Planning Board Recommendation:

This proposal was presented to Planning Board at their courtesy hearing on February 28, 2023. After deliberation, the Planning Board unanimously recommended approval, stating proposal is consistent with the Forward 2040 Comprehensive Plan.



Voluntary Annexation of Julian Road Site





CERTIFICATE OF ANNEXATION
 Area annexed into the corporate limits of the City of Salisbury, NC by Ordinance Number _____
 adopted by the City Council on _____ with an effective date of _____
 I, hereby certify that this plat has been approved for recording in the Register of Deeds in Rowan County.

Mayor _____ Date _____

STATE OF NORTH CAROLINA
 COUNTY OF ROWAN
 I, _____, Register of Deeds for Rowan County, certify that the map or plat to which this certification is affixed meets all statutory requirements for recording.

Review Officer _____ Date _____



FILE NUMBER	DATE
100-22-27-29	05-07
100-22-27-29	05-07

ADJACENT	FILE NUMBER	DATE	ADJACENT	FILE NUMBER	DATE
100-22-27-29	100-22-27-29	05-07	100-22-27-29	100-22-27-29	05-07
100-22-27-29	100-22-27-29	05-07	100-22-27-29	100-22-27-29	05-07

NOTES:

1. THE SURVEYED IMPROVEMENTS DO NOT LIE WITHIN A FLOOD HAZARD AREA AS DETERMINED BY FLOOD MAP 371055900, EFFECTIVE DATE 6/8/2020.
2. THIS PROPERTY IS SUBJECT TO ANY EASEMENTS OR RIGHT OF WAYS OF RECORD WHICH MAY EXIST ACROSS SAID PROPERTY.
3. IRON PINS ARE SET AT ALL PROPERTY CORNERS UNLESS OTHERWISE NOTED.
4. THE SURVEYED PROPERTY IS ZONED HB (CITY OF SALISBURY ZONING).
5. THE SURVEYED PROPERTY DOES NOT LIE WITHIN THE U.S. DEPARTMENT OF INTERIORS NATIONAL REGISTER OF HISTORIC PLACES.
6. THE PURPOSE OF THIS PLAT IS FOR THE PROPOSED ANNEXATION OF PIN: 400 045 INTO THE CITY OF SALISBURY CORPORATE LIMITS.

THIS ANNEXATION MAP IS EXEMPT FROM THE REQUIREMENTS OF G.S. 40-13L PLATS AND SUBSCRIPTION (3) OF SAID STATUTE. IT IS THE INTENT OF THIS MAP TO DEPICT THE NEW CITY LIMITS OF THE CITY OF SALISBURY FOLLOWING THE EXISTING BOUNDARIES OF THE PARCELS SHOWN HEREIN AND DESCRIBED IN THE CORRESPONDING ORDINANCE.

W. Matthew Jordan
 W. MATTHEW JORDAN
 SURVEYOR REG. NO.: L-4614



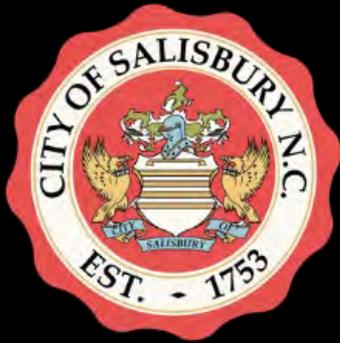
JORDAN GRANT

ENGINEERING • SURVEYING • PLANNING
 JORDAN GRANT & ASSOCIATES, PLLC
 P.O. BOX 151 • STATESVILLE, NC 28687
 matt.grant@jordan-grant.com (704) 928-7919
 FIRM # P-1227

Certificate Annexation Plat For:	
807 Julian Road	
DRAWN BY: SMS	CHECKED BY: WJM
SCALE: 1"=60'	
DEED REF: 1815-776	PIN NO: 400 045
DATE OF MAP: 01-09-23	SURVEY DATE: 12-21-22
REVISION:	DRAWING FILE: 20221211-A00X
807 JULIAN ROAD - SALISBURY, N.C. 28147 SALISBURY TOWNSHIP - ROWAN COUNTY - NORTH CAROLINA	

Voluntary Annexation of Julian Road Site





PETITION TO REZONE

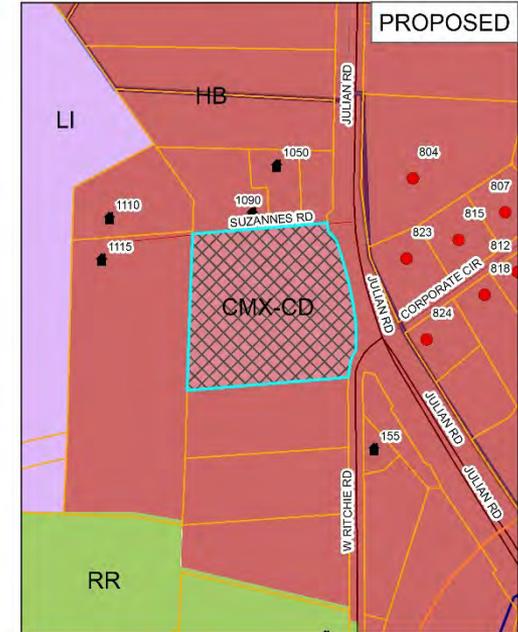
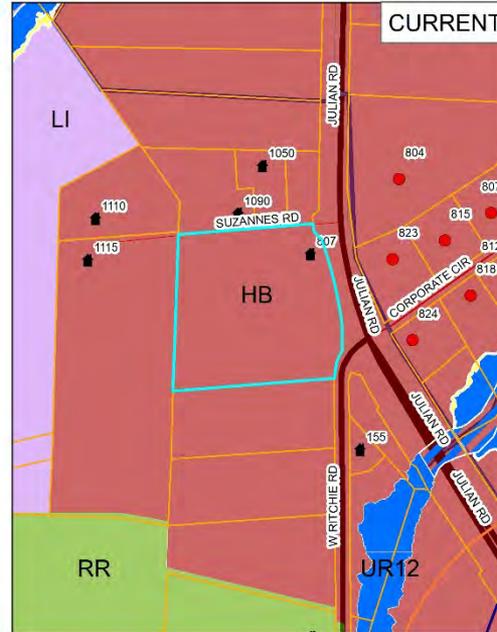
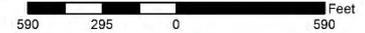
CD-09-2022:

Julian Road Apartments
807 Julian Road
PID: 400 045

Petitioners: Mission Properties
Representatives: Jason McArthur
Property Owner: Vaughn Lyerly
Linda Lyerly

CD-09-2022: JULIAN RD APARTMETNS

Parcel : 400 045
Current Zoning: HB (Highway Business)
Proposed Zoning: CMX (Corridor Mixed-Use) with Conditional District Overlay



Petition CD-09-2022

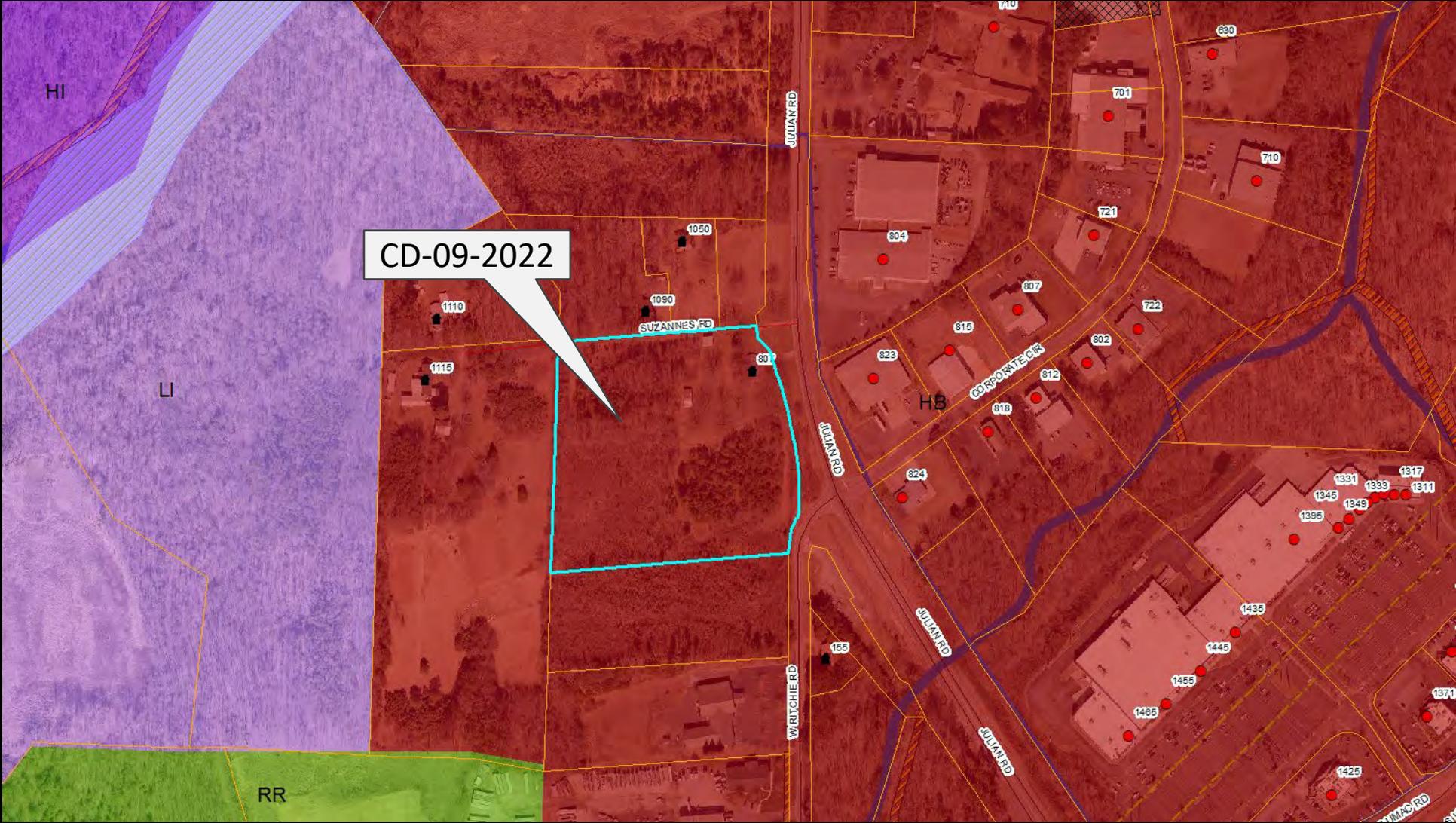
Current Zoning

- Highway Business (HB)

Proposed Zoning

- Corridor Mixed-Use (CMX) / CD Overlay

Proposed development for a 192 unit apartment complex.



CD-09-2022

HI

LI

RR

SUZANNE'S RD

CORPORATE CIR

JULIAN RD

JULIAN RD

JULIAN RD

JULIAN RD

WITCHIE RD

WITCHIE RD

1110

1115

1050

1090

80

804

807

815

812

818

823

824

721

710

740

630

722

802

1331

1333

1317

1311

1345

1349

1395

1435

1445

1455

1465

1425

1371



CD-09-2022

1328

Town Creek

Town Creek

Suzannes Rd

Julian Rd

Julian Rd

W Ritchie Rd

Julian Rd

Julian Rd

Klumac Rd

601

85

Truck Ave

Hammer Truck

Truck

Carolina Stamping Company, Inc

Hershey Ice Cream Corporation

Conveying Solutions
Industrial Supply Solutions, Inc

Beaver Brothers, Inc

Virginia Air

D&H Marketing Group

Peeler Environmental
Body Wisdom Natural Health in You...

HOPE United Pentecostal Church

River Of Life Church

R. Wayne Bost Trucking (Quality...)

Southeast Fleet Services

Select Services

Belk Department store

Michaels

Kohl's Department store

Dollar Tree Dollar store

Los Arcos Mexican Mexican - \$\$

Starbucks

LongHorn Steakhouse Steak - \$\$

Olive Garden Italian Italian - \$\$

Wells Fargo ATM

Hammer Truck

Truck

Superior Storage Salisbury

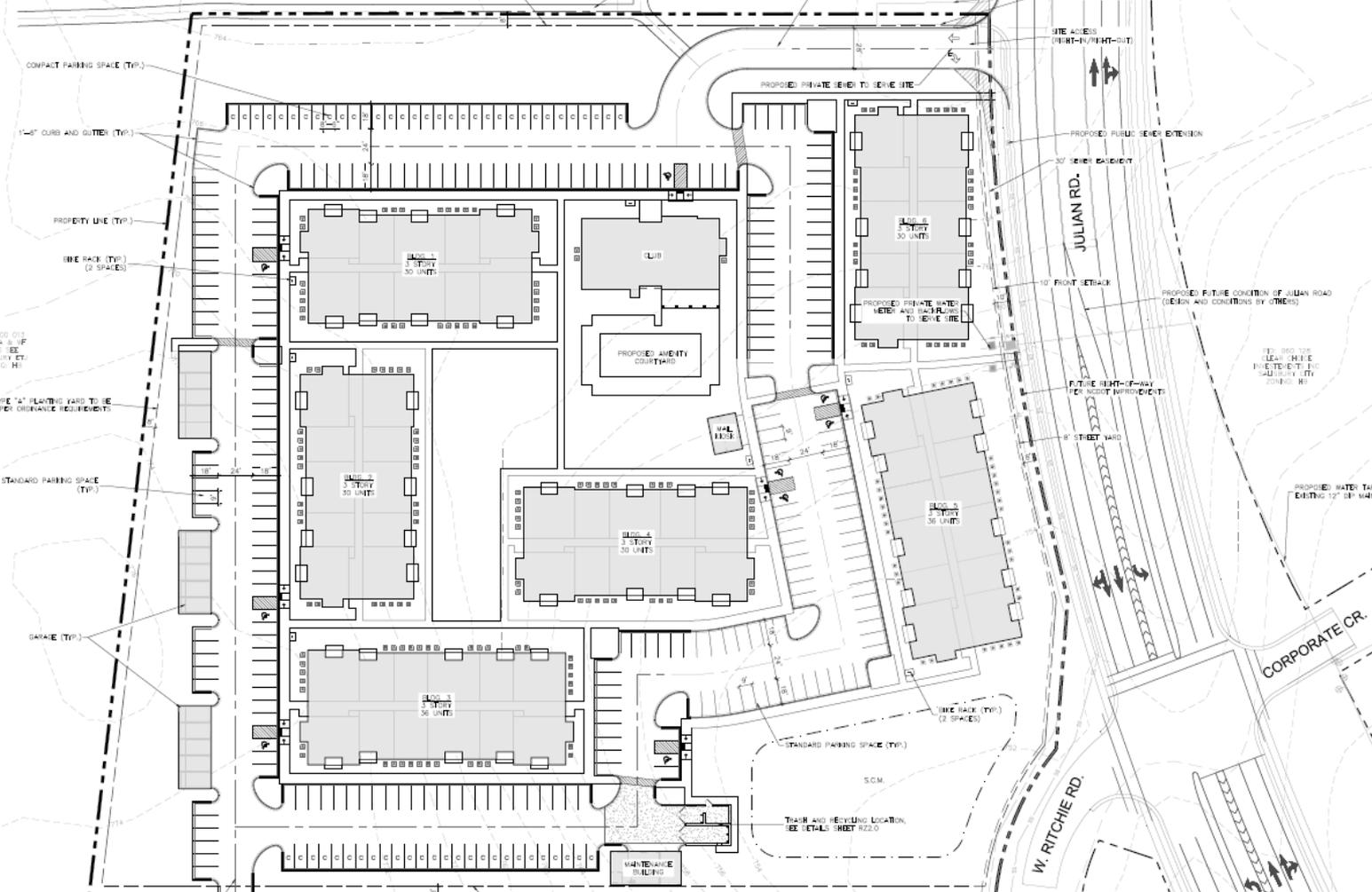
Hampton

SUZANNE'S RD

JULIAN RD.

CORPORATE CR.

W. RITCHIE RD.



COMPACT PARKING SPACE (TYP.)

1'-4" CURB AND GUTTER (TYP.)

PROPERTY LINE (TYP.)

BIKE RACK (TYP.) (2 SPACES)

FE. 400.000 LOT 1A & 1F TARD SEE HANDBOOK ET. ZONING RE.

8' TYPE "A" PLANTING YARD TO BE PLANTED PER ORDINANCE REQUIREMENTS

STANDARD PARKING SPACE (TYP.)

GARAGE (TYP.)

PARKING LOT STRIP FOR POTENTIAL FUTURE CONNECTION

FE. 400.000 LOT 1C CITY

8' TYPE "A" PLANTING YARD TO BE PLANTED PER ORDINANCE REQUIREMENTS

EXISTING PRIVATE DRIVE TO BE ABANDONED

SITE ACCESS (RENT-PA/RENT-OUT)

PROPOSED PRIVATE SEWER TO SERVE SITE

PROPOSED PUBLIC SEWER EXTENSION

30' SEWER EASEMENT

10' FRONT SETBACK

PROPOSED FUTURE CONDITION OF JULIAN ROAD (CLEAN AND CONDUITS BY OTHERS)

FE. 300.000 LOT 1A & 1B TARD SEE HANDBOOK ET. ZONING RE.

FUTURE RIGHT-OF-WAY FOR ROAD IMPROVEMENTS

8' STREET YARD

PROPOSED WATER TAP INTO EXISTING 12" DIAM.

BIKE RACK (TYP.) (2 SPACES)

STANDARD PARKING SPACE (TYP.)

SCM

TRAIL AND BIKEWAY LOCATION SEE DETAIL SHEET 12220

FE. 300.000 LOT 1A & 1B

SUZANNE'S RD

JULIAN RD.

CORPORATE CR.

W. RITCHIE RD.

PROPERTY LINE (TYP)

MIN. 400 SQ. FT. LOT TO A UNIT
YARD REQ.
SANDSTONE CITY ZONING: R1

IF THE "A" PLANTING YARD TO BE
PLANTED PER ORDINANCE REQUIREMENTS

REQUIRES INTERIOR
PAINTING LOT TYPE

REQUIRES SIDE/END DRIVE (TYP)

10' FRONT SETBACK

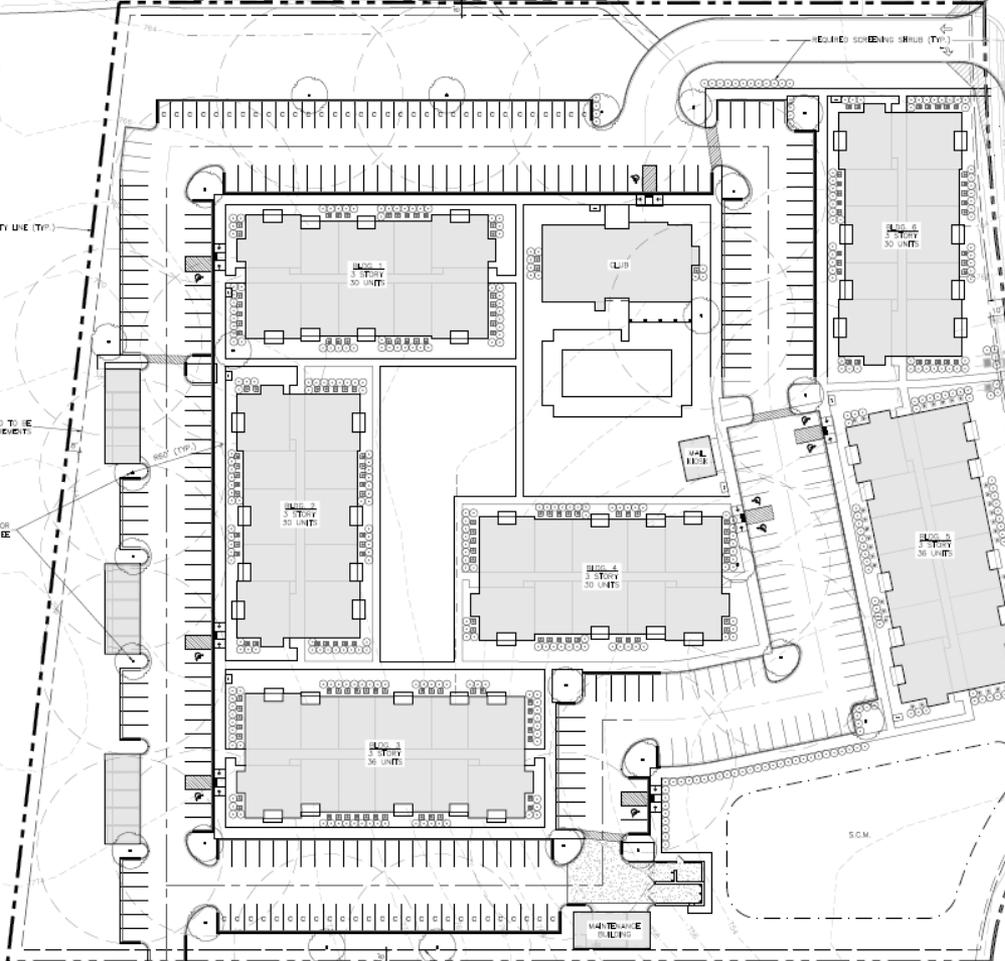
5' FROM RIGHT-OF-WAY
PER SANDSTONE CITY ORDINANCE

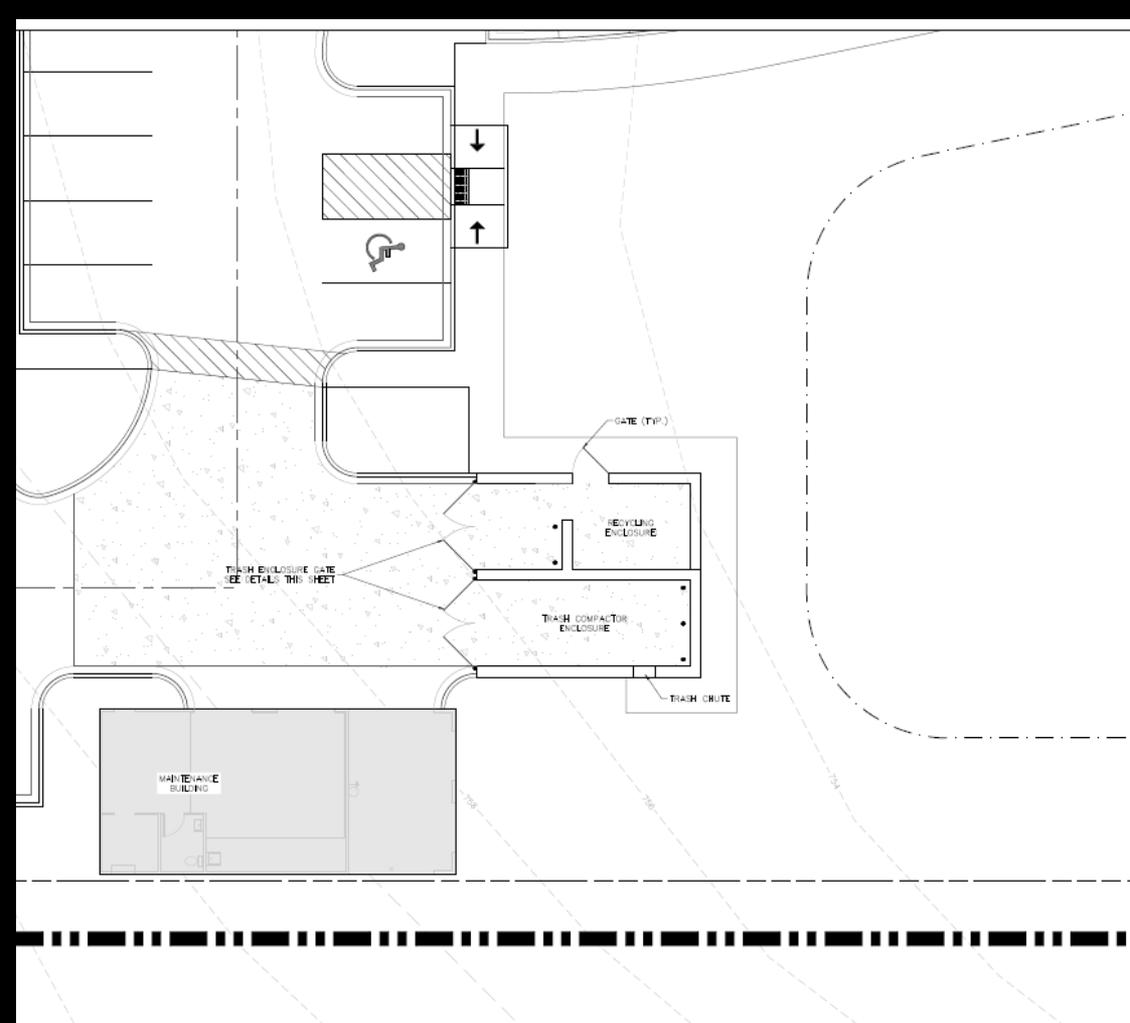
5' STREET YARD

MIN. 400 SQ. FT.
LOT TO A UNIT
YARD REQ.
SANDSTONE CITY ZONING: R1

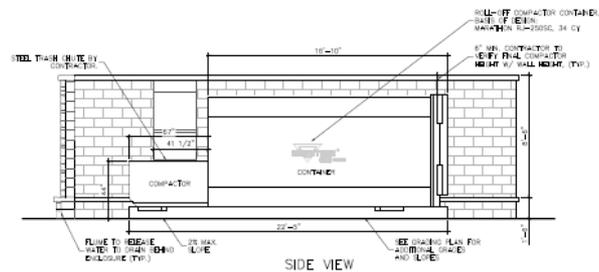
REV. 400 0544
DATE: 05/19/19
SCALE: 1/8" = 1'-0"
DRAWN BY: [signature]

IF THE "A" PLANTING YARD TO BE
PLANTED PER ORDINANCE REQUIREMENTS





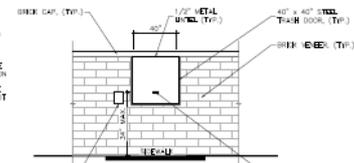
PLAN VIEW



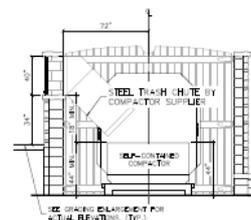
SIDE VIEW

NOTES:

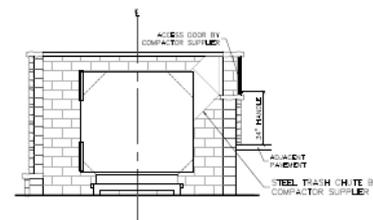
1. HULL-OFF COMPACTOR AND CONTAINER BY HANSON COMPACTORS, MODEL # R-20000, 34 CY, 41' FEED HEIGHT (MAX/40') SIDE FEED, 15' HIGH.
2. ALL EQUIPMENT SHALL BE UNLESS SHOWN OTHERWISE TO BE COORDINATED WITH MECHANICAL AND ELECTRICAL CONTRACTOR.
3. CONTRACTOR TO VERIFY WORK-UP OF TRASH RECYCLING ENCLOSURE SHALL PERMIT TO CONTRACTOR AND AFTER FINAL TO THE PERMIT.
4. HANSON TO VERIFY THAT ONLY CLEAR UNDER-SINK WATER OR A LEAKAGE PIPING REDUCES ONLY BE INSTALLED AND BE WITHIN 8" OF COMPACTOR'S ELECTRICAL PANEL. SEE LOCATION, NOT TO BE CUT OFF FROM COMPACTOR. VERIFY BY WALL TO BE 40' MAX. (OUT TO RT BY CONTRACTOR OR SEE WASON).



TRASH OPENING ELEVATION



REAR VIEW



FRONT VIEW

COMPACTOR ENCLOSURE ELEVATIONS



2 BUILDING MIX 3.2 - MODIFIED
EXTERIOR ELEVATION - RIGHT

1/8" = 1'-0"

MATERIAL LEGEND

- ① FIBER CEMENT LAF SIDING, 7" EXPOSURE, PAINTED
 - ② FIBER CEMENT LAF SIDING, 12" EXPOSURE, PAINTED
 - ③ FIBER CEMENT PANEL, SMOOTH, PAINTED
 - ④ FIBER CEMENT TRIM, SMOOTH, PAINTED
 - ⑤ 4" HIGH ALUMINUM GARDING
 - ⑥ ARCHITECTURAL ASPHALT SHINGLES
 - ⑦ FIBER CEMENT BOARD AND BATTEN, SMOOTH, PAINTED
 - ⑧ FIBER CEMENT LAF SIDING, 9" EXPOSURE, PAINTED
 - ⑨ S1, PAINTED
 - ⑩ S2, PAINTED
 - ⑪ S3, PAINTED
 - ⑫ S4, PAINTED
 - ⑬ S5, PAINTED
- FIBER CEMENT TRIM (SMOOTH, PAINTED) 1/4" THICK OVER ALL DOOR, WINDOW TRIM 1/2" FIBER CEMENT WALLS SEE DETAILS
- ALL FIBER CEMENT LAF SIDING WOOD GRAIN TEXTURE



1 BUILDING MIX 3.2 - MODIFIED
EXTERIOR ELEVATION - FRONT

1/8" = 1'-0"



2 BUILDING MIX 3.2 - MODIFIED
EXTERIOR ELEVATION - LEFT

1/8" = 1'-0"

MATERIAL LEGEND	
1	FIBER CEMENT LAP SIDING, P. EXPOSURE, PAINTED
2	FIBER CEMENT LAP SIDING, W. EXPOSURE, PAINTED
3	FIBER CEMENT PANEL, SMOOTH, PAINTED
4	FIBER CEMENT TRIM, SMOOTH, PAINTED
5	4" HIGH ALUMINUM GUARDRAIL
6	ARCHITECTURAL ASPHALT SHINGLES
7	FIBER CEMENT RICKETTED GUTTER, SMOOTH, PAINTED
8	FIBER CEMENT LAP SIDING, P. EXPOSURE, PAINTED
9	SI, PAINTED
10	SI, PAINTED
11	SI, PAINTED
12	SI, PAINTED
13	SI, PAINTED
FIBER CEMENT TRIM (SMOOTH) - PAINTED (SAPPHIRE U.N.C.)	
ALL SLOPE FINISHES TO BE AT FIBER CEMENT WALLS	
RE: DETAILS	
ALL FIBER CEMENT LAP SIDING WOOD GRAIN TEXTURE	

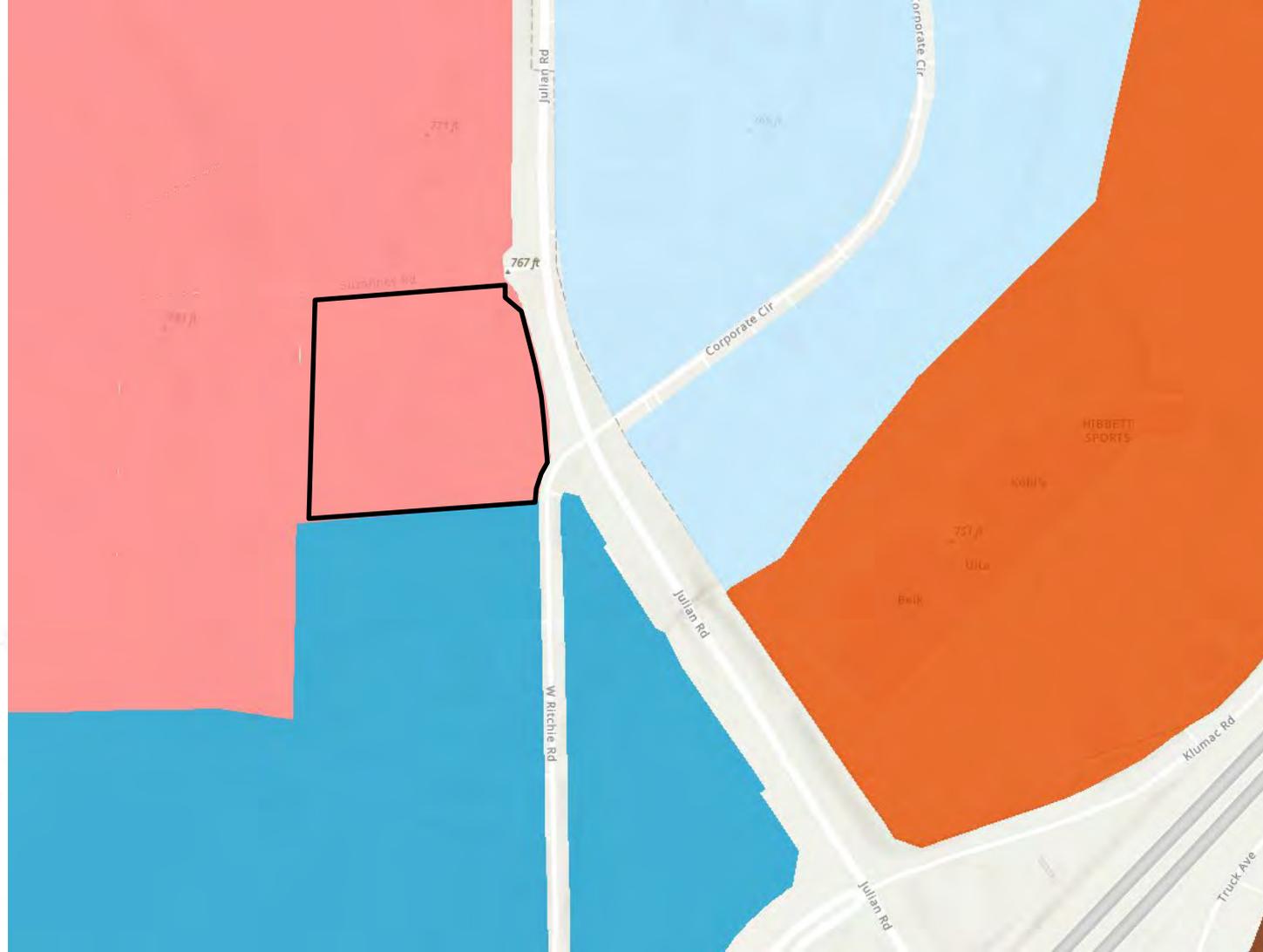


1 BUILDING MIX 3.2 - MODIFIED
EXTERIOR ELEVATION - REAR

1/8" = 1'-0"

Future Land Use Map Category

- TN - Traditional Neighborhood
- SN - Suburban Neighborhood
- MFC - Multi-family Community
- EN - Emerging Neighborhood
- FN - Future Neighborhood
- RN - Rural Residential
- OSP - Open Space
- IC - Institutional Center
- EC - Employment Center
- DTC - Downtown Center
- AC - Activity Corridor
- HCC - Highway Commercial Corridor
- RCC - Regional Commercial Center
- CAC - Community Activity Center
- NAC - Neighborhood Activity Center
- POI - Public, Office, and Institutional
- PP - Production and Processing



Future Land Use Map

Place Type: **Activity Corridor**

Associated Zoning Districts:

- **Commercial Mixed-Use (CMX)**
- **Neighborhood Mixed-Use (NMX)**
- **Residential Mixed-Use (RMX)**

Consistent: **Yes**

Place Type	Associated Zoning Districts
Traditional Neighborhood	Historic Residential (HR), Urban Residential (UR)
Suburban Neighborhood	General Residential (GR), Urban Residential (UR)
Enterprise Neighborhood	General Residential (GR), Urban Residential (UR), Manufactured Home Development (MHD)
Neighborhood Center	General Residential (GR), Urban Residential (UR), Community & Institutional (CI), Residential Mixed-Use (RMX), Traditional Neighborhood Design (TND)
Multifamily Community	Urban Residential 12 (UR-12), Residential Mixed Use (RMX), Neighborhood Mixed Use (NMX), Corridor Mixed Use (Corridor Mixed Use)
Conservation Neighborhood	Open Space Preservation (OSP)
Rural Residential	Rural Residential (RR)
Natural Resources & Community Open Space	Open Space Preservation (OSP)
Institutional Center	Community & Institutional (CI), Hospital Services (HS)
Employment Center	Light Industrial (LI), Highway Business (HB)
Downtown Center	Downtown Mixed-Use (DMX)
Activity Corridor	Commercial Mixed-Use (CMX), Neighborhood Mixed Use (NMX), Residential Mixed-Use (RMX)
Highway Commercial Corridor	Highway Business (HB), Commercial Mixed-Use (CMX)
Regional Commercial Center	Commercial Mixed-Use (CMX)
Community Activity Center	Commercial Mixed-Use (CMX), Neighborhood Mixed Use (NMX), Residential Mixed-Use (RMX), Community & Institutional (CI)
Marginalized Activity Center	Neighborhood Mixed Use (NMX), Residential Mixed-Use (RMX), Community & Institutional (CI)
Public, Office, & Institutional	Community & Institutional (CI), Hospital Services (HS), Neighborhood Mixed-Use (NMX)
Production & Processing	Light Industrial (LI), Heavy Industrial (HI)

Forward 2040 Policies

- **Policy 8.3.2:** Ensure multifamily developments, such as apartment complexes and condominiums, have adequate and well-designed open spaces centrally located for the enjoyment of all residents.
- **Policy 5.1.1:** Increase the overall supply of housing to accommodate growth and changing demand.



Planning Board Courtesy Hearing was held February 28, 2023.

Planning Board voted unanimously to recommend approval as submitted with a motion stating the map amendment is “consistent with the Forward 2040 Comprehensive Plan.”



**Salisbury City Council
Statement of Consistency & Zoning Recommendation**

DISTRICT MAP AMENDMENT: **CD-09-2022**
Project Title: Julian Road Apartments
Petitioner(s): Mission Properties
Owner(s): Vaughn & Linda Lyerly
Representative(s) or Developer(s) Jason McArthur (Mission Properties)
Address: 807 Julian Road
Tax Map - Parcel(s): 400 045
Size / Scope: 8.768 acres
Location: Located on the northwest corner at the intersection of Julian Road and W Ritchie Road.

REQUEST:

**Request to amend the Land Development District Map
by rezoning one (1) parcel at 807 Julian Road (PID 400 045) from HIGHWAY BUSINESS (HB) to
CORRIDOR MIXED-USE (CMX) with a CONDITIONAL DISTRICT OVERLAY (CD) for the
proposed apartment complex comprised of 192 units.**

STATEMENT OF CONSISTENCY & RECOMMENDATION:

The Salisbury City Council held a public hearing and reviewed the petition on May 16, 2023. The Council finds that the rezoning petition of the aforementioned parcel is CONSISTENT with the Salisbury Forward 2040 Comprehensive Plan, is reasonable, and in the public interest due to consistency with:

- Policy 8.3.2:** Ensure multifamily developments, such as apartment complexes and condominiums, have adequate and well-designed open spaces centrally located for the enjoyment of all residents.
- Policy 5.1.1** Increase the overall supply of housing to accommodate growth and changing demand.

AN ORDINANCE AMENDING THE LAND DEVELOPMENT DISTRICT MAP OF THE CITY OF SALISBURY, NORTH CAROLINA, REZONING 807 JULIAN ROAD, APPROXIMATELY 8.768 ACRES, (TAX MAP 400 PARCEL 045) FROM HIGHWAY BUSINESS (HB) TO CORRIDOR MIXED-USE (CMX) WITH A CONDITIONAL DISTRICT OVERLAY (CD). (PETITION NO. CD-09-2022)

WHEREAS, a petition to rezone the properties described herein was properly filed by the City of Salisbury; and

WHEREAS, the Salisbury Planning Board, an advisory board to the Salisbury City Council, reviewed the rezoning petition on February 28, 2023, unanimously voted to recommend approval of the design as submitted, stating that the request meets the intent and is consistent with the Forward 2040 Comprehensive Plan; and

WHEREAS, the City Council held a properly-noticed public hearing at the regularly-scheduled City Council meeting of May 16, 2023; and

WHEREAS, the City Council hereby finds and determines that adoption of an Ordinance to rezone the properties described herein, is reasonable and is in the public interest. The proposal is fundamentally consistent with the goals, objectives, and policies of the Forward 2040 Comprehensive Plan.

NOW THEREFORE BE IT ORDAINED by the City Council of the City of Salisbury, North Carolina:

SECTION 1. That property identified in the City of Salisbury and Rowan County as Tax Map 400 Parcel 045, including those abutting rights-of-way and reaching to the respective centerlines, as designated on the official property identification maps of Rowan County, is hereby rezoned to the base zoning district of Corridor Mixed-Use (CMX) with a Conditional District ‘CD’ Overlay pursuant to the approved CD Master Plan.

SECTION 2. PERMITTED USES (PRIMARY): All ‘CMX’ base district primary uses that are Permitted or Permitted Subject to Additional Standards. All SUP/CD uses require issuance of a Special Use Permit or an Amendment to this Conditional District (CD) Overlay.

SECTION 3. DEVELOPMENT CONDITIONS: That the following conditions are applicable to the development proposal associated with this Ordinance (see above, Section 2, Permitted Uses) within the Conditional District (CD) Overlay:

- No Conditions Applied

SECTION 4. DEVELOPMENT DOCUMENTS: That as permitted by the Land Development Ordinance, the development documents associated with this Conditional District (CD) Overlay may establish alternatives to specific provisions of the Land Development Ordinance; however, where alternatives are not provided, those and all other applicable Land Development Ordinance provisions remain applicable for any and all development within this Conditional District (CD) Overlay. The above noted development documents include the following approved design alternatives:

- Only one parking lot connection shall be required; this connection shall be made to the southern property line.

SECTION 5. That improvements (public and/or private) for Stormwater drainage, streets, water and sewer shall be designed and installed in accordance with applicable City and Salisbury-Rowan Utilities standards and policies. Layouts shown on the approved, stamped, and signed Development Documents are considered schematic and may require administrative revision(s) upon review of engineering drawings or details (Construction Documents).

SECTION 6. That all Ordinances, or parts of Ordinances, in conflict with this Ordinance are hereby repealed to the extent of such conflict.

SECTION 7. That this Ordinance shall be effective from and after its passage.

Mission Properties
5800 Old Pineville Road
Suite 201
Charlotte, North Carolina 28217

JORDAN MCCARLEY
Direct: (704) 604-5260
E-Mail: jordan@missionprop.com

**NOTICE OF
NEIGHBORHOOD MEETING**

TO: Neighbors

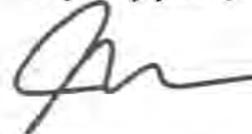
RE: Neighborhood Meeting - Proposed Conditional Rezoning of 8.89 Acres located at 807 Julian Road (PIN 5659-04-50-8936)

DATE: November 1, 2022 at 5:00 p.m.

Mission Properties, a Charlotte based real estate firm, would like to discuss with you a proposal to rezone the subject 8.89 acre site located at 807 Julian Road for a new, luxury apartment development that would consist of six (6) three story apartment buildings, associated amenity structures and a surface parking lot.

You are cordially invited to attend a meeting at which the proposed rezoning will be discussed. The meeting will be held at **5:00 p.m. on Tuesday evening, November 1**, at Starbucks at 1303 Klumac Rd, Salisbury, NC 28147. Should you have questions about the meeting or the proposed rezoning, please contact the undersigned at the phone number or email address above.

Very truly yours,



Jordan McCarley

NAME	ADDRESS	CITY	STATE	ZIPCODE
RITCHIE JEFFERY LEE & SHARON	575 PATTERSON RD	SALISBURY	NC	28147-6605
LOR TIA & YANG SEE	1115 SUZANNES RD	SALISBURY	NC	28147
ASSET SOLUTIONS LLC	220 W RITCHIE RD	SALISBURY	NC	28147-8052
INDUSTRIAL SUPPLY SOLUTIONS	804 JULIAN RD	SALISBURY	NC	28147-9080
RITCHIE JERRY ALEXANDER	2224 ROWE RD	LEXINGTON	NC	27295
RITCHIE FLOYD AUGUSTUS	4015 PINEHURST DR	ROCK HILL	SC	29732
GOMEZ ALFONSO PEREZ	1013 OAKMONT CT	SALISBURY	NC	28146
LOR NENG	1110 SUZANNES RD	SALISBURY	NC	28147
CLEAR CHOICE INVESTMENTS LLC	977 N SALISBURY AV	SALISBURY	NC	28146
RITCHIE FLOYD A JR & PAMELA	4015 PINEHURST DR	ROCK HILL	SC	29732
CRAWFORD JOEL LYNN	3520 STOKES FERRY RD	SALISBURY	NC	28146-2216

Owner

LYERLY VAUGHN M & LINDA	132 WOODLAND DR	SALISBURY	NC	28146
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RECEIVED
 By Jennifer Curlee at 9:14 am, Nov 02, 2022



UPDATED NOTICE

NOTICE OF PUBLIC HEARING

Salisbury City Council will hold a public hearing Tuesday, May 16, 2023 during its 6:00 p.m. meeting to consider the following request. The regularly scheduled May 16, 2023 City Council meeting will be held in a hybrid format. Anyone who wishes to speak virtually during the hearing regarding the request must sign-up by 5:00 p.m. on Tuesday, May 16, 2023 by contacting Connie Snyder at csnyd@salisburync.gov or 704-638-5234. Information on accessing the meeting will be available on the City's website at www.salisburync.gov. The meeting can also be viewed on the City's livestream at www.salisburync.gov/webcast or the City's Facebook account.

DISTRICT MAP AMENDMENT:

CD-09-2022

Project Title:	Julian Road Apartments
Petitioner(s):	Mission Properties
Owner(s):	Vaughn & Linda Lyerly
Representative(s) or Developer(s)	Jason McArthur (Mission Properties)
Address:	807 Julian Road
Tax Map - Parcel(s):	400 045
Size / Scope:	8.91 acres
Location:	Located on the northwest corner at the intersection of Julian Road and W Ritchie Road.

REQUEST:

Request to amend the Land Development District Map by rezoning (1) parcel, being approximately 8.91 acres located at 807 Julian Road from Highway Business (HB) to **Corridor Mixed-Use (CMX) with a Conditional District (CD)** Overlay upon voluntary annexation. The proposal is seeking approval of a 192 unit apartment complex. The proposal also requests an exception to LDO section 10.6 for an alternate design that incorporates only one parking lot connection.

Copies of the above petition (including the Master Plan) are available for public review at Development Services (132 North Main Street). Anyone wishing a copy, or additional information, should call 704-638-5208. Written comments may be submitted by mailing a letter to the City Clerk, P.O. Box 479, Salisbury, NC 28145 or by e-mail to csnyd@salisburync.gov. Written correspondence received before the meeting will be forwarded to the City Council.

Citizens interested in a proposal are invited to participate in the public hearing. Changes may be made in the above proposals as a result of debate, objection, or discussion.

This the 4th day of May 2023.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: Connie Snyder
City Clerk

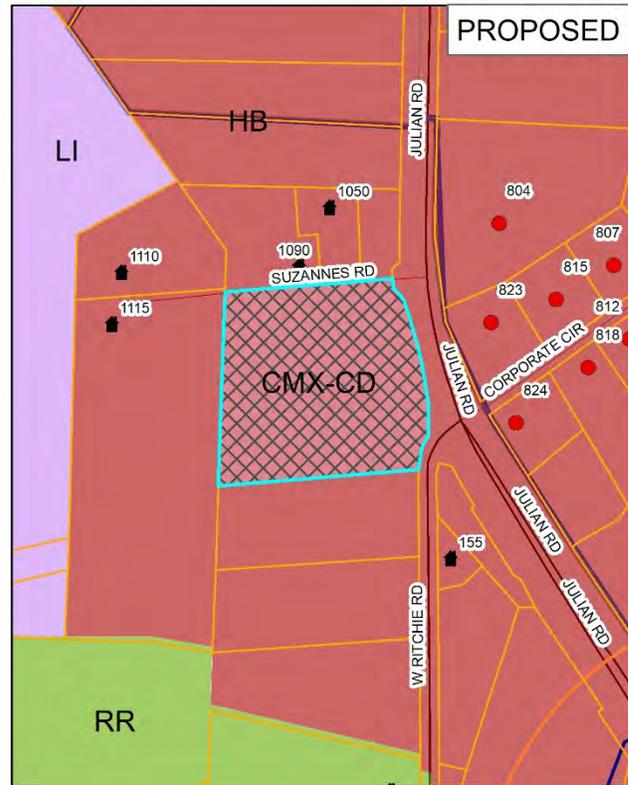
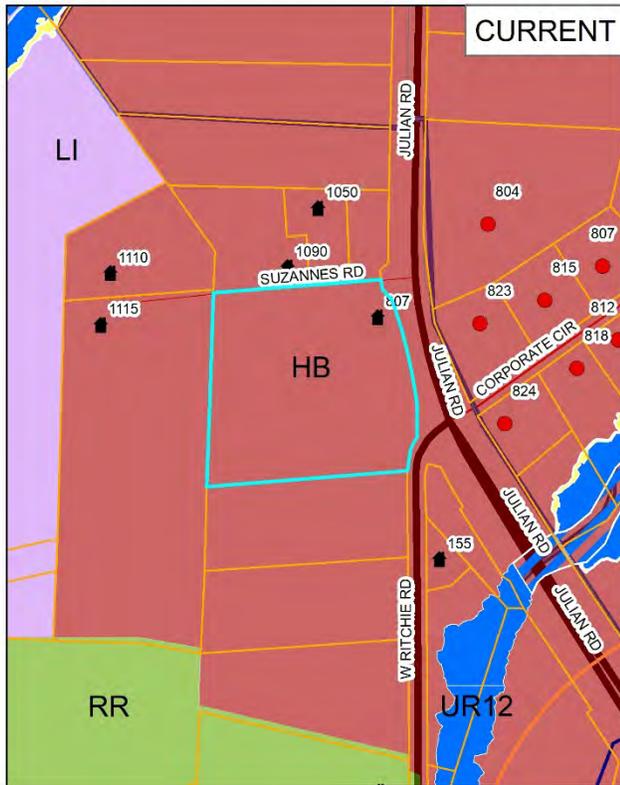
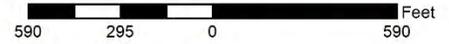
CD-09-2022: JULIAN RD APARTMETNS



Parcel : 400 045

Current Zoning: HB (Highway Business)

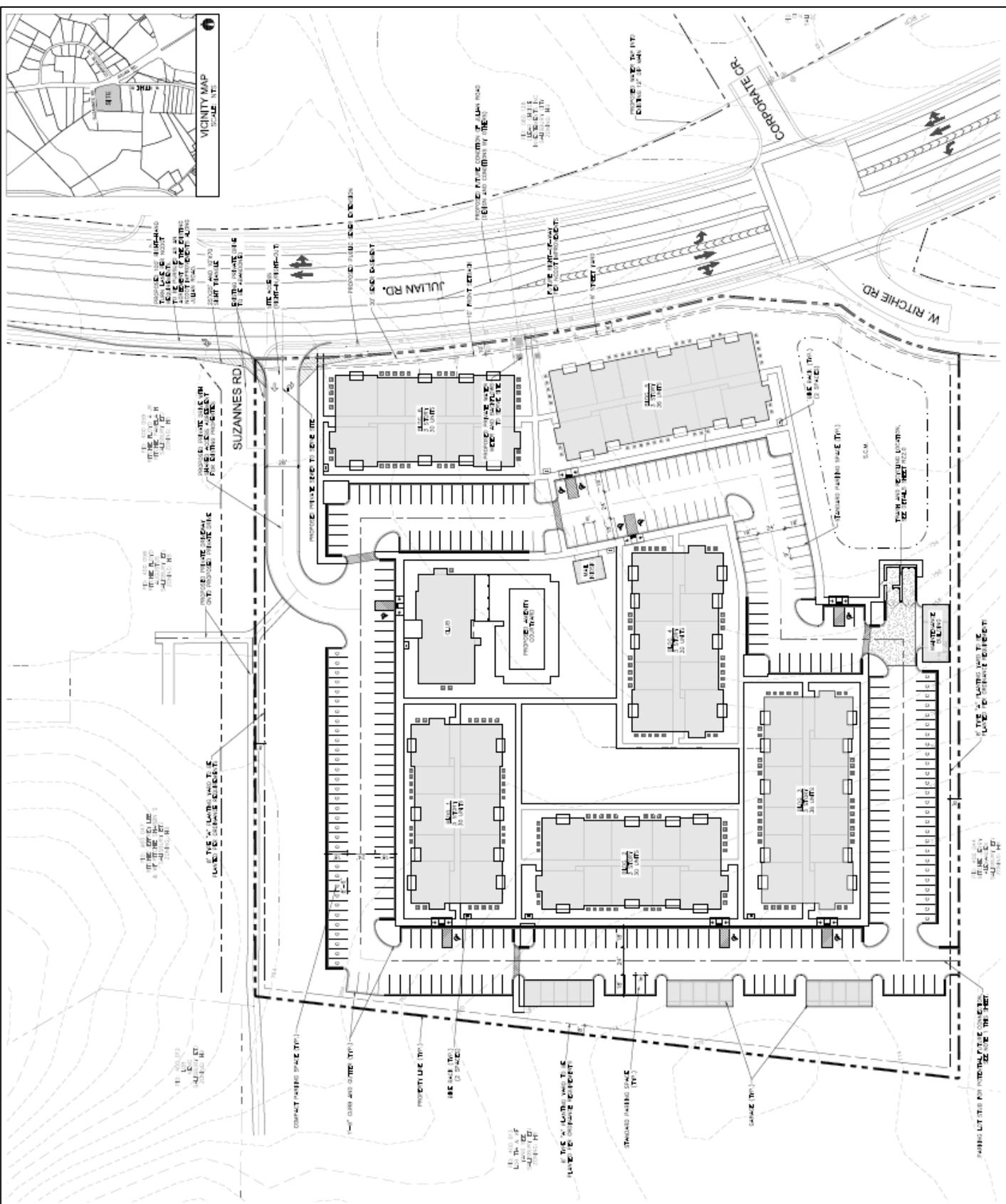
Proposed Zoning: CMX (Corridor Mixed-Use) with Conditional District Overlay



PARCEL_ID	OWNNAME	TAXADD1	CITY	STATE	ZIPCODE
400 012	LOR NENG	1110 SUZANNES RD	SALISBURY	NC	28147
060 130	CRAWFORD JOEL LYNN	3520 STOKES FERRY RD	SALISBURY	NC	28146-2216
400 062	ASSET SOLUTIONS LLC	220 W RITCHIE RD	SALISBURY	NC	28147-8052
400 045	LYERLY VAUGHN M & LYERLY LINDA	132 WOODLAND DR	SALISBURY	NC	28146
060 129	INDUSTRIAL SUPPLY SOLUTIONS INC	804 JULIAN RD	SALISBURY	NC	28147-9080
060 128	CLEAR CHOICE INVESTMENTS LLC	977 N SALISBURY AV	SALISBURY	NC	28146
400 059	RITCHIE FLOYD A JR & PAMELA H RITCHIE	4015 PINEHURST DR	ROCK HILL	SC	29732
400 019	GOMEZ ALFONSO PEREZ	1013 OAKMONT CT	SALISBURY	NC	28146
400 013	LOR TIA & YANG SEE	1115 SUZANNES RD	SALISBURY	NC	28147
400 044	RITCHIE JERRY ALEXANDER	2224 ROWE RD	LEXINGTON	NC	27295
400 047	RITCHIE JEFFERY LEE & SHARON RITCHIE	575 PATTERSON RD	SALISBURY	NC	28147-6605
Petitioner	MISSION PROPERTIES	1114 CLEMENT AVE,#100	CHARLOTTE	NC	28205

LEGEND	PROPOSED UNIT
100' (30.48M) UNIT	100' (30.48M) UNIT
150' (45.72M) UNIT	150' (45.72M) UNIT
200' (60.96M) UNIT	200' (60.96M) UNIT
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NOTES:
 1. SEE EXISTING AND PROPOSED LOTS AND USES.
 2. SEE EXISTING AND PROPOSED LOTS AND USES.



VICINITY MAP
 SCALE: 1" = 100'



NOTICE OF PUBLIC HEARING

Salisbury City Council will hold a public hearing Tuesday, May 16, 2023 during its 6:00 p.m. meeting to consider the following request. The regularly scheduled May 16, 2023 City Council meeting will be held in a hybrid format. Anyone who wishes to speak virtually during the hearing regarding the request must sign-up by 5:00 p.m. on Tuesday, May 16, 2023 by contacting Connie Snyder at csnyd@salisburync.gov or 704-638-5234. Information on accessing the meeting will be available on the City's website at www.salisburync.gov. The meeting can also be viewed on the City's livestream at www.salisburync.gov/webcast or the City's Facebook account.

ZONING MAP AMENDMENT:

1. CD-09-2022 Julian Road Apartments

Petitioner: Mission Properties

Address: 807 Julian Road

Parcel(s): 400 045

Request: Mission Properties has petitioned to amend the Zoning map by rezoning one (1) parcel being approximately 8.91 acres located at 807 Julian Road (PID: 400-045) from Highway Business (HB) to Highway Business (HB) with a Conditional District (CD) Overlay upon voluntary annexation. The proposal seeks approval of a 192 unit apartment complex. The proposal also requests an exception to LDO section 10.6 for an alternate design that incorporates only one parking lot connection.

Copies of the above petition (including the Master Plan) are available for public review at Development Services (132 North Main Street). Anyone wishing a copy, or additional information, should call 704-638-5208. Written comments may be submitted by mailing a letter to the City Clerk, P.O. Box 479, Salisbury, NC 28145 or by e-mail to csnyd@salisburync.gov. Written correspondence received before the meeting will be forwarded to the City Council.

Citizens interested in a proposal are invited to participate in the public hearing. Changes may be made in the above proposals as a result of debate, objection, or discussion.

This the 28th day of April 2023.

CITY COUNCIL OF THE CITY OF
SALISBURY, NORTH CAROLINA

BY: Connie Snyder
City Clerk



The Salisbury Planning Board held its regular meeting on Tuesday, February 28, 2023, at 4:00 p.m. with the following being present:

PRESENT: Bill Burgin, Larry Cartner, Timothy Norris, PJ Ricks, Dennis Rogers, John Schaffer, John Struzick

STAFF: Victoria Bailiff, Senior Planner; Jenni Pfaff, Planning Board Secretary; Hannah Jacobson, Community Planning Director; Graham Corriher, City Attorney

WELCOME GUESTS AND VISITORS

John Schaffer, Chair, called the Planning Board meeting to order at 4:00 p.m.

APPROVAL OF MINUTES

Planning Board Minutes of February 14, 2023 were approved as written by Members present.

NEW BUSINESS

CD-09-2022 807 Julian Road; PID: 400 045; Current Zoning: Highway Business (HB); Proposed Zoning: Highway Business (HB) with a Conditional District Overlay (CD); Applicant: Mission Properties

Presenter: Victoria Bailiff

Request

The Applicant is requesting to rezone one (1) parcel from HB to HB-CD for a 192-unit apartment complex.

Staff Presentation

Victoria Bailiff presented the petition, including a positive TRC recommendation subject to satisfied changes. She presented the plans and elevations for the project, and introduced the board's first decision using the new Future Land Use Map within the new Forward 2040 Comprehensive Plan.

The Future Land Use Map uses Placetypes to describe the areas that currently exist, and would be desirable in the future. Placetypes may be compatible with one or several zoning districts. Ms.

Bailiff explained that this parcel is currently within a larger grouping of properties zoned HB, which corresponds to the Highway Commercial Corridor and Employment Center placetypes. In order to make the request consistent with the new Comprehensive Plan, and the more appropriate Activity Corridor placetype, she recommended the requested zoning district be changed from HB to CMX zoning. The applicant agrees, as the open space requirement for a CMX zone can be met. This option, especially with a CD attached, is preferable to finding the request inconsistent; if it is approved as HB then the Placetype would have to change and staff believes that the existing Placetype of Activity Corridor is most appropriate for this area.

Ms. Bailiff also answered questions regarding water and sewer access, and reasoning behind the requested exemption from a secondary parking lot connection.

Applicant Testimony

Jordan McCarley, of Mission Properties believes they meet open space requirements for the CMX designation, and explained general amenities that would be provided. He presented the NCDOT plan for a future connection, as they have already purchased the right-of-way from the property owner.

Public Comment

Jeff Ritchie, an adjoining property owner, spoke in favor of the application, as well as the rezoning to CMX.

Vaughn Lyerly, who owns the property, spoke in support of application.

Jim Lor, who lives across from the project at 1115 Suzannes Road, is in support of the project, but has concerns regarding how the development will be screened from his farm animals. Mr. McCarley said that there is currently a fence, and the developer will add landscape screening to block it from Mr. Lor's property. He added that the parking lot on that side of the development will also provide screening. He will reach out to Mr. Lor to address any additional concerns.

Mr. Lor asked if the rezoning would cause the City to take over his water and sewer services. He was assured that his well and septic would remain the same.

Deliberation

Ms. Bailiff informed the board that there have been no comments in opposition to the project.

Hannah Jacobson further explained the reasoning for the request to change the zoning to CMX. The project started before the new comprehensive plan was installed, hence, the original request for HB. She discussed with the board that this would be the first parcel to be assigned CMX; as additional rezonings in the area come in, staff would recommend that the neighboring parcels in the Activity Corridor Placetype be changed to CMX or an equally appropriate district consistent with the Future Land Use Map. This should prevent the occurrence of "spot zoning."

The board was assured the applicant understands the mechanics of changing to the CMX designation, and that it would be a simple adjustment.

Motion

Dennis Rogers made a motion that the request is consistent with the Forward 2040 Comprehensive Plan, and the board recommends the applicant change their requested zoning district to CMX with a Conditional District overlay. John Struzick seconded the motion. All members present voted AYE.

STAFF UPDATES

The Board of Adjustment will meet prior to the regular Planning Board meeting on March 28. The staff report will be uploaded to Dropbox soon.

Ms. Ricks and Mr. Rogers reported issues accessing Dropbox.

ADJOURN 4:59 p.m.

John Schaffer, Chair

Jennifer Pfaff, Secretary

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: May 16, 2023

Name of Group(s) or Individual(s) Making Request: Interim Police Chief Brian Stallings

Name of Presenter(s): Captain PJ Smith and BCJI Community Project Coordinator Chanel Nestor

Requested Agenda Item: Council to receive an update regarding BCJI initiative from Community Project Coordinator Chanel Nestor.

Description of Requested Agenda Item: BCJI Community Coordinator Chanel Nestor will provide a brief update on the WEST END grant funded project. Mrs. Nestor will update Council on upcoming meetings and the progression of this project.

Attachments: Yes No

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

Action Requested of Council for Agenda Item: No Action

Contact Information for Group or Individual: Interim Chief Brian Stallings

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council) Announcement

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Delayed

Declined

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: May 16, 2023

Name of Group(s) or Individual(s) Making Request: Parks and Recreation

Name of Presenter(s): Nick Aceves, Parks and Recreation

Requested Agenda Item: Update council on Parks and Recreation ARPA projects and provide recommendations on funding use.

Description of Requested Agenda Item: Give an update on the progress of ARPA renovation projects at the various recreation facility locations. Also recommendations on the use of funding set aside for the Civic Center/Wells Fargo projects.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: *(Please note if item includes an ordinance, resolution or petition)* No action required.

Contact Information for Group or Individual: Nick Aceves 704-638-5299

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Mayor's Office Only

Approved

Declined

Reason:

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: May 16, 2023

Name of Group(s) or Individual(s) Making Request: City Council

Name of Presenter(s): City Attorney Graham Corriher and Administrative Services Director Kelly Baker

Requested Agenda Item: Council to receive a report from the Town Hall meetings regarding the City Council election process.

Description of Requested Agenda Item: At its February 21, 2023 meeting Council began a discussion on the election process for City Council. Information regarding election methods for Rowan County municipalities, and municipalities with populations of 30,000 - 75,000 was shared along with a timeline for actions needed should Council decide to move forward. At that time, Council decided to seek public input and opinion on the process.

Three Town Halls were scheduled at various locations in the City. Approximately 22 people in total attended the events. At each meeting the feedback was varied with no strong consensus among those expressing their opinions. There was a divide among those who desired Council to have two-year terms and those who preferred four-year terms. There were comments that the election process should return to its previous form without a separate Mayor's election, and a few participants thought the Council size should be expanded while others thought it should remain at its current size.

Feedback forms were distributed at the meetings and 10 were returned. The comments of those who responded mirrored that of the meetings with no clear consensus.

Of the 10 forms returned:

- 6 preferred two-year terms
- 3 preferred four-year terms
- 1 did not respond.

Also of the 10:

- 4 preferred the existing size of Council
- 4 believed the Council should be expanded
- 1 did not state a preference.

If Council decides to move forward to amend the Charter by Ordinance for the 2023 election, it would need to adopt a Resolution of Intent at the May 16 meeting in order to meet the timeline required prior to the filing period. If adopted, a public hearing would be held at the June 6 meeting, and consideration of adoption of the Ordinance would be scheduled for the June 20 meeting. If Council decides to move forward using a referendum the timeline is extended, and a Resolution of Intent will be brought to Council in July to begin the process. If that timeline is followed, the referendum would take place in the 2023 election and become effective for the 2025 election.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: Council to receive a report from the Town Hall meetings regarding the City Council election process. *(Please note if item includes an ordinance, resolution or petition)*

Contact Information for Group or Individual: City Attorney Graham Corriher
Administrative Services Director Kelly Baker

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council) Announcement

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

 Approved

 Delayed

 Declined

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: May 16, 2023

Name of Group(s) or Individual(s) Making Request: Kelly Baker

Name of Presenter(s): City Council

Requested Agenda Item: Council to consider appointments the Greenway, Bicycle and Pedestrian Committee.

Description of Requested Agenda Item: The Greenway, Bicycle and Pedestrian Committee has two unfulfilled vacancies with one term ending 2024 and one in 2025. Attached are the current applications for the open seats.

Attachments: Yes No

Fiscal Note: (If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)

Action Requested of Council for Agenda Item: Council to consider appointments the Greenway, Bicycle and Pedestrian Committee.

. (Please note if item includes an ordinance, resolution or petition)

Contact Information for Group or Individual: Kelly Baker 704-638-5233

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

Salisbury City Council Agenda Item Request Form



For Use in Clerk's Office Only

Approved

Delayed

Declined

Reason:

Boards and Commissions Worksheet – 2023

Greenway, Bicycle and Pedestrian Committee – Harry McLaughlin, Council Liaison			
<u>Current Member</u>	<u>Term Expires</u>	<u>Eligible for Reappointment</u>	<u>Need 2 Members</u>
Vacant	3/31/24	n/a	
Vacant	3/31/25	n/a	
<u>Applicants:</u> Sara Clymer Andrew Jacobson		Notes: Members of the BTG Committee were appointed in August 2022 with staggered terms. Seats will be reappointed for full three-year terms.	

Sara

Clymer

Submission Date Aug 29, 2022 12:04 PM

First Name Sara

Last Name Clymer

E-mail saracly14@gmail.com

Home Phone 7178800685

Address 1400 E Colonial Dr

City Salisbury

State NC

ZIP Code 28144

Ethnicity Caucasian/Non-Hispanic

Gender Female

Place of Employment Novant health

Occupation Physician

Do you reside within the City limits of Salisbury?

Yes

Are you within the City's Extraterritorial Jurisdiction (ETJ) area?

No

Please indicate your #1 preference:

Bell Tower Green Committe

Please indicate your #2 preference:

Hurley Park Advisory Board

Please indicate your #3 preference:

Greenway Committee (No Requirement of Residency)

Have you served on a board or commission of the City of Salisbury?

No

Why are you interested in serving on the Board or Commission for which you are applying?

I have a desire to be more involved in my new town and feel that I can make a meaningful contribution to this board and it's mission.

I have enjoyed many of the activities held at the BTG and would love the opportunity to do more than participate.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission:

My experience in organizations range from local event planning (the Three Rivers Land Trust River Dance) to leadership positions in healthcare (Medical Executive Committee, Chief of OBGYN)

Aside from the experiences gained from these position I am also passionate about meeting and working with new people and developing ideas and plans as a team.

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Andrew

Jacobson

Submission Date	Mar 7, 2023 4:27 PM
First Name	Andrew
Last Name	Jacobson
E-mail	andrewwkjacobson@gmail.com
Home Phone	6518959160
Address	311 Lantz Ave
City	Salisbury
State	NC
ZIP Code	28144
Ethnicity	Caucasian/Non-Hispanic
Gender	Male
Place of Employment	Catawba College
Do you reside within the City limits of Salisbury?	Yes

Are you within the City's Extraterritorial Jurisdiction (ETJ) area?

Yes

Please indicate your #1 preference:

Greenway Committee (No Requirement of Residency)

Have you served on a board or commission of the City of Salisbury?

No

Why are you interested in serving on the Board or Commission for which you are applying?

I enjoy alternate methods of transportation to cars. Salisbury has done a great job with sidewalks and has made headway on greenways, but has more work to do to build out a bicycle network.

Interest/Skills/Education/Areas of Expertise/Professional Organizations that you feel would be of assistance to you in your duties as a member of the Board or Commission:

I previously served on Durham's Bicycle and Pedestrian advisory committee for 5 years.

Has any formal charge of professional misconduct ever been sustained against you in any jurisdiction?

No

Is there any possible conflict of interest or other matter that would create problems or prevent you from fairly and impartially discharging your duties as an appointee of the Salisbury City Council?

No

I certify that the facts contained in this application are true and correct to the best of my knowledge. I understand and agree that any misstatement will be cause for my removal from any board or commission.

I agree

Salisbury City Council Agenda Item Request Form



Please Select Submission Category: Public Council Manager Staff

Requested Council Meeting Date: May 16, 2023

Name of Group(s) or Individual(s) Making Request: Connie Snyder

Name of Presenter(s):

Requested Agenda Item: Announce the special meeting of May 23, 2023

Description of Requested Agenda Item: City Council will hold a special meeting on Tuesday, May 23, 2023 at 5:00 p.m. in Council Chambers to receive the proposed FY2023-2024 City budget.

Attachments: Yes No

Fiscal Note: *(If fiscal note requires approval by finance department because item exceeds \$100,000 or is related to grant funds, please fill out signature blocks for finance at bottom of form and provide supporting documents)*

Action Requested of Council for Agenda Item: City Council will hold a special meeting on Tuesday, May 23, 2023 at 5:00 p.m. in Council Chambers to receive the proposed FY2023-2024 City budget.

. Please note if item includes an ordinance, resolution or petition)

Contact Information for Group or Individual: Connie Snyder

Consent Agenda (item requires no discussion and will be voted on by Council or removed from the consent agenda to the regular agenda)

Regular Agenda (item to be discussed and possibly voted on by Council)

FINANCE DEPARTMENT INFORMATION:

Finance Manager Signature

Department Head Signature

Budget Manager Signature

*****All agenda items must be submitted at least 7 days before the requested Council meeting date*****

For Use in Clerk's Office Only

Approved

Delayed

Declined